

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURLINGAME AMENDING AND RESTATING A CONDITIONAL USE PERMIT FOR A CAR RENTAL, STORAGE AND REPAIR FACILITY FOR ENTERPRISE RENT-A-CAR COMPANY OF SAN FRANCISCO AT 778 BURLWAY ROAD, PROJECT NO. AMEND25-0003; CEQA DETERMINATION: EXEMPT PURSUANT TO STATE CEQA GUIDELINES SECTION 15301 (CLASS 1 – EXISTING FACILITIES)

WHEREAS, an application has been made by Enterprise Rent-A-Car Company of San Francisco, on behalf of Property Owner, Vangaurd Real Estate Holdings, LLC for an Amendment to a Conditional Use Permit for a car rental, storage and repair facility on a 8.6 acre site in the BFC and TP/B (Bayfront Commercial and Tidal Plain/Bay) zoning district, APN: 026-113-510; and

WHEREAS, the property at 778 Burlway Road has been used for car rental, storage, and repair with a Conditional Use Permit since 1985, as a legal nonconforming use under the current BFC and TP/B zoning district; and

WHEREAS, the owner and City desire to bring the property into conformance with the Zoning Code and thus propose updating the existing Conditional Use Permit (CUP) and adoption of a separate agreement to govern the timelines and process by which such redevelopment will occur as well as the Property Owner's financial obligations; and

WHEREAS, on September 15, 2025, the City Council of the City of Burlingame held a duly noticed public hearing at which time it reviewed and considered the staff report and all other written materials and testimony presented at said hearing; and

WHEREAS, on September 15, 2025, the City Council of the City of Burlingame reviewed and considered a Categorical Exemption under Section 15301 (Class 1, Existing Facilities) for the Project; and

NOW, THEREFORE, the City Council of the City of Burlingame does here by resolve, find, determine and order as follows:

SECTION 1: The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 (Class 1 – Existing Facilities) of the CEQA Guidelines which consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use. There is no proposed expansion of the existing facilities or structures onsite or intensification of the use.

SECTION 2: City of Burlingame Municipal Code (BMC) authorizes the City Council, as Review Authority to amend and restate the Conditional Use Permit upon making certain findings. The City Council finds the following:

CONDITIONAL USE PERMIT FINDINGS (BMC SECTION 25.66.060)

1. *The proposed use is consistent with the General Plan and any applicable specific plan.*

The project site is located in the Bayfront Commercial and Baylands General Plan Land Use Designations and not located within a Specific Plan. The car rental, storage, and repair facility use was established prior to the current land use designations which became effective in 2019. The car rental, storage, and repair facility is considered a legal non-conforming use that was established through a Conditional Use Permit prior to 1985 and has continued to operate since that time. The use was legally established and can continue to operate under the conditions

established in this Conditional Use Permit, Article 5 – Nonconformities of Chapter 25 – Zoning of the Burlingame Municipal Code, and all other applicable local, State, and Federal requirements and agreements.

2. *The proposed use is allowed within the applicable zoning district and complies with all other applicable provisions of this Zoning Code and the Municipal Code.*

The project site is located in the Bayfront Commercial and Tidal Plain/Bay zoning district. The car rental, storage, and repair facility use was established prior to the current zoning districts and uses which became effective in 2021. The car rental, storage, and repair facility is considered a legal non-conforming use that was established through a Conditional Use Permit prior to 1985 and has continued to operate since that time. The use was legally established and can continue to operate under the conditions established in this Conditional Use Permit, Article 5 – Nonconformities of Chapter 25 – Zoning of the Burlingame Municipal Code, and all other applicable local, State, and Federal requirements and agreements.

3. *The design, location, size, and operating characteristics of the proposed activity will be compatible with the existing and future land uses in the vicinity.*

The 8.6-acre site is located adjacent to Old Bayshore Highway and within 1,200 feet of a northbound Highway 101 onramp, providing direct access to San Francisco International Airport—the primary destination for most rental car customers. The size of the property provides adequate space for vehicle inventory storage, repair operations, and employee parking, all without encroaching on surrounding streets or neighboring properties. The site is surrounded by airport-related uses, office buildings, hotels, and light industrial facilities, making it well-suited for this type of operation. Subject to the Conditions of Approval, the proposed car rental, storage, and repair facility is considered compatible with the surrounding land uses.

4. *The site is physically suitable in terms of:*

- a. *Its design, location, shape, size, and operating characteristics of the proposed use to accommodate the use, and all fences, landscaping, loading, parking, spaces, walls, yards, and other features required to adjust the use with the land and uses in the neighborhood;*
- b. *Streets and highways adequate in width and pavement type to accommodate public and emergency vehicle (e.g., fire and medical) access;*
- c. *Public protection services (e.g., fire protection, police protection, etc.); and*
- d. *The provision of utilities (e.g., potable water, schools, solid waste collection and disposal, storm drainage, wastewater collection, treatment, and disposal, etc.).*

The 8.6-acre site is located adjacent to Old Bayshore Highway and within 1,200 feet of a northbound Highway 101 onramp, providing direct access to San Francisco International Airport—the primary destination for most rental car customers. The site offers ample space to accommodate vehicle inventory storage, repair activities, and employee parking, all without impacting surrounding streets or neighboring properties. Adequate on-site fire lanes and access routes ensure emergency vehicles can reach all existing buildings and uses as needed. Additionally, the site is fully served by essential utilities and has been designed to comply with all applicable stormwater runoff and water discharge requirements.

5. *The measure of site suitability shall be required to ensure that the type, density, and intensity of use being proposed will not adversely affect the public convenience, health, interest, safety,*

or general welfare, constitute a nuisance, or be materially injurious to the improvements, persons, property, or uses in the vicinity and zoning district in which the property is located.

The subject property and proposed uses will not adversely impact surrounding properties or public convenience due to several key factors: its proximity to major thoroughfares, including Highway 101; the ample size of the site, which provides sufficient space for the intended operations; the nature of the proposed use; and the mandatory compliance with the Conditions of Approval outlined in the Conditional Use Permit Amendment.

SECTION 3: The City Council of the City of Burlingame after conducting the public hearing **HEREBY APPROVES** AMEND25-0003 subject to the following conditions:

CONDITIONS OF APPROVAL

1. Project Description. The applicant shall comply with the project description, project plans entitled ANC Rental Corporation consisting of 5 pages dated January 2, 2003, and Conditions of Approval of this permit. Any changes from the project description, project plans, or Conditions of Approval, shall require an amendment.
2. Permit Supersedes. This Conditional Use Permit (AMEND25-0003) shall supersede any prior Conditional Use Permits, Conditional Use Permit Amendments, and Conditional Use Permit Extensions.
3. Hours of Operation. The car rental, maintenance and storage facility may be open for business from 6:00 a.m. to 10:30 p.m., seven days a week, and there shall be no more than 50 employees and 25 customers on-site at any one time.
4. Vehicle Storage. There shall be a maximum of 600 vehicles stored on-site at any one-time, including vehicles that are on-site for maintenance. There shall be a maximum of two vehicle carriers on-site to pick-up or deliver vehicles at any one time.
5. Vehicle Delivery. No vehicle inventory shall be loaded, unloaded or stored on any public street, in any public right-of-way, or in any public access area.
6. Vehicle Delivery Times. No vehicle carries or haulers shall arrive to or depart from the site to pick-up or deliver vehicles between the hours of 7:00 a.m. and 9:00 a.m. or 4:00 p.m. and 6:00 p.m. daily; and all such deliveries shall be made on-site without impact to the public street or right-of-way.
7. Employee Parking. All employees shall be required to park in the employee parking lot in the southwestern portion of the site consisting of 78 parking spaces which shall be made available 24 hours a day, seven days a week. The employee parking lot shall be designated with clear signage and employee vehicles shall have employee identification, such as stickers or tags, that are clearly visible.
8. Non-Conforming Use. There shall be no expansion, intensification or changes of use of the subject property, except to a permitted use under applicable zoning, as the allowed use under these provisions is non-conforming and subject to Article 5 – Nonconformities of Chapter 25 – Zoning of the Burlingame Municipal Code.
9. Fire Lane. The fire lane from the east end of the site to Burlway Road shall be maintained and unobstructed on a permanent basis as required by the Central County Fire Department and Public Works Department of the City of Burlingame.

10. Bay Trail. The property owner shall be responsible for the maintenance of the public access trail and improvements adjacent to the subject property for the life of the project and shall be liable for any damage caused to the public for failure to maintain these facilities to a safe standard.
11. Water Discharge. The property owner shall install and maintain on a regular basis as prescribed by the City's NPDES inspector, petroleum filter pillows in all parking lot catch basins throughout the site, that all water used for washing cars on site shall be recycled by a method approved by the City Engineer, and that failure to maintain the effectiveness of these systems on an on-going basis shall cause this Conditional Use Permit to be reviewed by the Review Authority.
12. Property Maintenance. The property shall be maintained in a clean and orderly manner at all times consistent with all applicable provisions of the Burlingame Municipal Code.

SECTION 4: This Conditional Use Permit approval shall be subject to revocation if the applicant fails to comply with the conditions listed herein at any time. If, at any time, the Community Development Director or City Council determine that there has been or may be a violation of the findings or conditions of this approval, or of the Zoning Regulations, a public hearing may be held before the City Council to review this approval pursuant to Zoning Regulation Section 25.88.050. At said hearing, the City Council may add conditions, or recommend enforcement actions, or revoke the approval entirely, as necessary to ensure compliance with the Zoning Regulations, and to provide for the health, safety, and general welfare of the community.

Mayor

I, Meaghan Hassel-Shearer, City Clerk of the City of Burlingame, certify that the foregoing resolution was introduced at a regular meeting of the City Council, held on the 15th day of September, 2025, and was adopted thereafter by the following vote:

AYES: Councilmembers:
NOES: Councilmembers:
ABSENT: Councilmembers:

City Clerk

Exhibit:

- Exhibit A – Project Plans