


City of Brisbane

Planning Commission Agenda Report

TO: Planning Commission For the Meeting of November 15, 2018

FROM: Ken Johnson, Senior Planner, via  John Swiecki, Community Development Director

SUBJECT: Use Permit UP-7-18, 515 Tunnel Avenue, HC Beatty Heavy Commercial District; Temporary Christmas Tree Storage for Recycling; Brad Drda, Recology Properties, Inc., applicant; Sanitary Fill Company, owner.

Request: Recology San Francisco requests approval to temporarily store Christmas trees for recycling within an approximately 90 ft. by 100 ft. area of a paved storage yard at 515 Tunnel Avenue. Discarded trees would be collected in San Francisco from December 17th through January 31st, temporarily stored at the site, and then reloaded for chipping at Recology San Francisco's Integrated Materials Recovery Facility just over the border in San Francisco (see attached plans). The chipped materials will then be used for energy production at an off-site biomass facility, rather than being landfilled. A temporary storage area is needed, because the surge of trees collected (approximately 25 truck-loads a day at the peak during the first week of January, amounting to a maximum of about 72 tons in any single day and totaling less than 550 tons overall) exceeds the rate that they can be processed at the Materials Recovery Facility. Similar use permits were approved by the Planning Commission at this site dating back to 2008.

Recommendation: Conditionally approve Use Permit UP-7-18, modified per the agenda report, via adoption of Resolution UP-7-18 with Exhibit A, containing the findings and conditions of approval.

Environmental Determination: Minor alterations to land, including temporary use of land having negligible or no permanent effects on the environment, are categorically exempt from the provisions of the California Environmental Quality Act per Section 15304(e) of the State CEQA Guidelines. The exceptions to the categorical exemptions referenced in Section 15300.2 do not apply.

Applicable Code Sections: Per Brisbane Municipal Code Section 17.32.020.B.4, a Use Permit is required for "temporary uses of not more than forty-five days duration" in all zoning districts. The findings required for Use Permit approval are contained in BMC Sections 17.40.060.A & B.

Analysis and Findings: In order to approve the Use Permit, the Planning Commission must determine the following per BMC Section 17.40.060:

- A. *“In considering an application, the planning commission shall consider and give due regard to the nature and condition of all adjacent uses and structures, and to general and specific plans for the area in question.”*
- B. *“The planning commission shall determine whether or not the establishment, maintenance or operation of the use applied for will, under the circumstances of the particular case, be detrimental to the health, safety, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use, or whether it will be injurious or detrimental to property and improvements in the neighborhood or the general welfare of the city. If the planning commission finds that the aforementioned conditions will not result from the particular use applied for, it may grant the use permit.”*

Also, in determining whether the characteristics of the temporary use will not be unreasonably incompatible with the uses in surrounding areas, BMC Section 17.32.020.A specifies that the following additional factors be considered: damage or nuisance from noise, smoke, odor, dust or vibration; hazard from explosion, contamination or fire; hazard occasioned by unusual volume or character of traffic or the congregating of a large number of people or vehicles; or danger to public safety. These factors are to be considered under the required finding regarding the use not being injurious or detrimental, discussed below.

Consideration of Adjacent Uses and Structures—In regards to the first finding, the property is designated for Heavy Commercial land uses in the 1994 General Plan and is surrounded by similar commercial uses, including Recology’s own recycling facilities to the north, the soil and rock recycling areas on the Baylands to the east, Tunnel Avenue and CalTrail to the west, and Avis vehicle staging yard to the south. There is no adopted specific plan for this area and the use is consistent with the General Plan. While no materials storage, other than that associated with bulk sales, is permitted, the temporary use would operate on a short-term cycle so as not to be construed as “materials storage.” Per General Plan Policy 388, the rapid turnover of the Christmas trees would avoid decomposition and the generation of any unpleasant odors, and litter would be controlled in compliance with National Pollution Discharge Elimination System Program best management practices. The proposal is also consistent with Policy 143 to “maximize opportunities to recycle solid waste.”

Not Detrimental or Injurious to Neighborhood or City— In regards to the second finding, the proposed use would be located within an existing fenced storage area. The approximately 12 ft. tall pile would be set back approximately 300 ft. from the Tunnel Avenue and Beatty Avenue frontages of the site, so as to minimize its visibility to the public. The proposed hours of operation from 9 a.m. to 7 p.m. should not cause a significant disturbance to surrounding uses, the closest of which is the Avis vehicle staging yard to the south.

To assure that the Christmas trees do not become a nuisance if stored too long, a 48-hour turnover would be required, similar to what was required for the organics reload operations (the reloading of organic waste materials from collection trucks into long-haul trucks to be sent to a composting facility elsewhere) previously approved at 501 Tunnel Avenue. In addition,

conditions of approval are once again recommended to specify compliance with applicable State regulations, as administered by the County Environmental Health Division, and to require that a 20 ft. wide fire lane be maintained clear to provide the Fire Department access to the storage pile in the event of a fire. There are existing fire hydrants on both sides of the proposed storage pile location, and oscillating water sprinklers will be positioned around the pile to maintain water content in the trees, preventing accidental ignition.

Vehicles transferring the Christmas trees will use the Beatty Avenue entrance to the site, avoiding traffic impacts on Tunnel Avenue. No more than 25 trucks are expected to enter and exit the site per day to deliver the Christmas trees. The trees will then be transported back across Beatty Avenue in 40-cubic-yard roll-off boxes for chipping at the Integrated Materials Recovery Facility in San Francisco.

One item to note is that the request is for the period of December 17th, 2018 through January 31st, 2019. That would be a 46 day period, whereas a temporary use may not be more than 45 days, per BMC Section 17.32.020.B.4. Given that fact, a condition of approval has been included that the use be limited to 45 days and so the use would either start on December 18th or end on January 30th.

In closing, staff has distributed the application to the Public Works Department, North County Fire Authority, as well as the Regional Water Quality Control Board and San Mateo County Environmental Health since the proposal is on the former landfill site. No exceptions were taken by any of these agencies or departments, nor have any concerns been raised by the public by the time of this agenda report and the City has not received complaints from the previous years' Christmas tree temporary storage operations. Assuming Planning Commission approval, this would be the eleventh year of this use.

Attachments:

- A. Vicinity map
- B. Incoming/Outgoing Christmas Tree Traffic Route Plans
- C. Applicant's Letter and 2018 Christmas Tree Recycling Plan
- D. Draft Resolution with Findings and Conditions of Approval

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ATTACHMENT A

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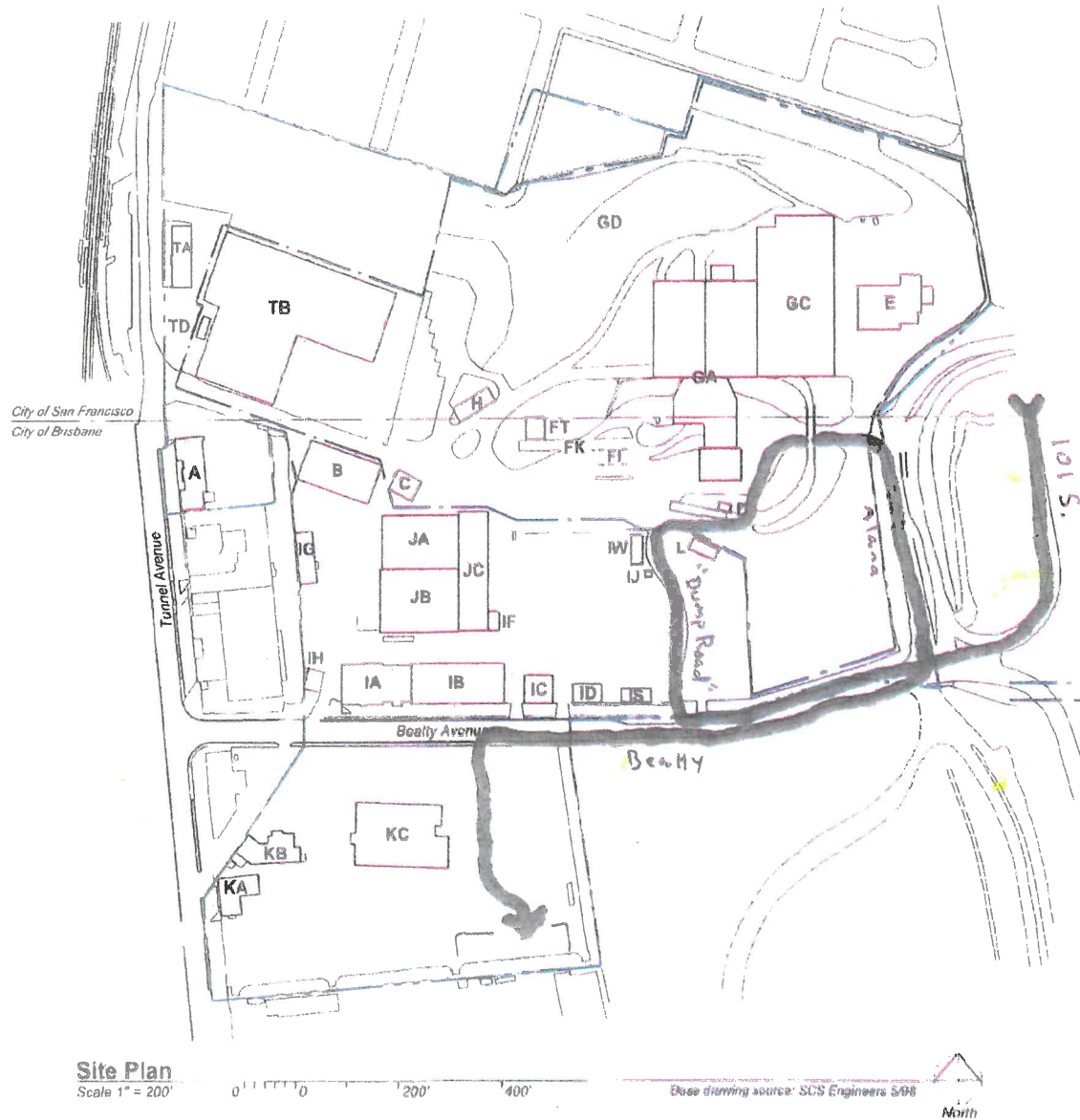
515 Tunnel Ave Site Vicinity Aerial Map



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ATTACHMENT B

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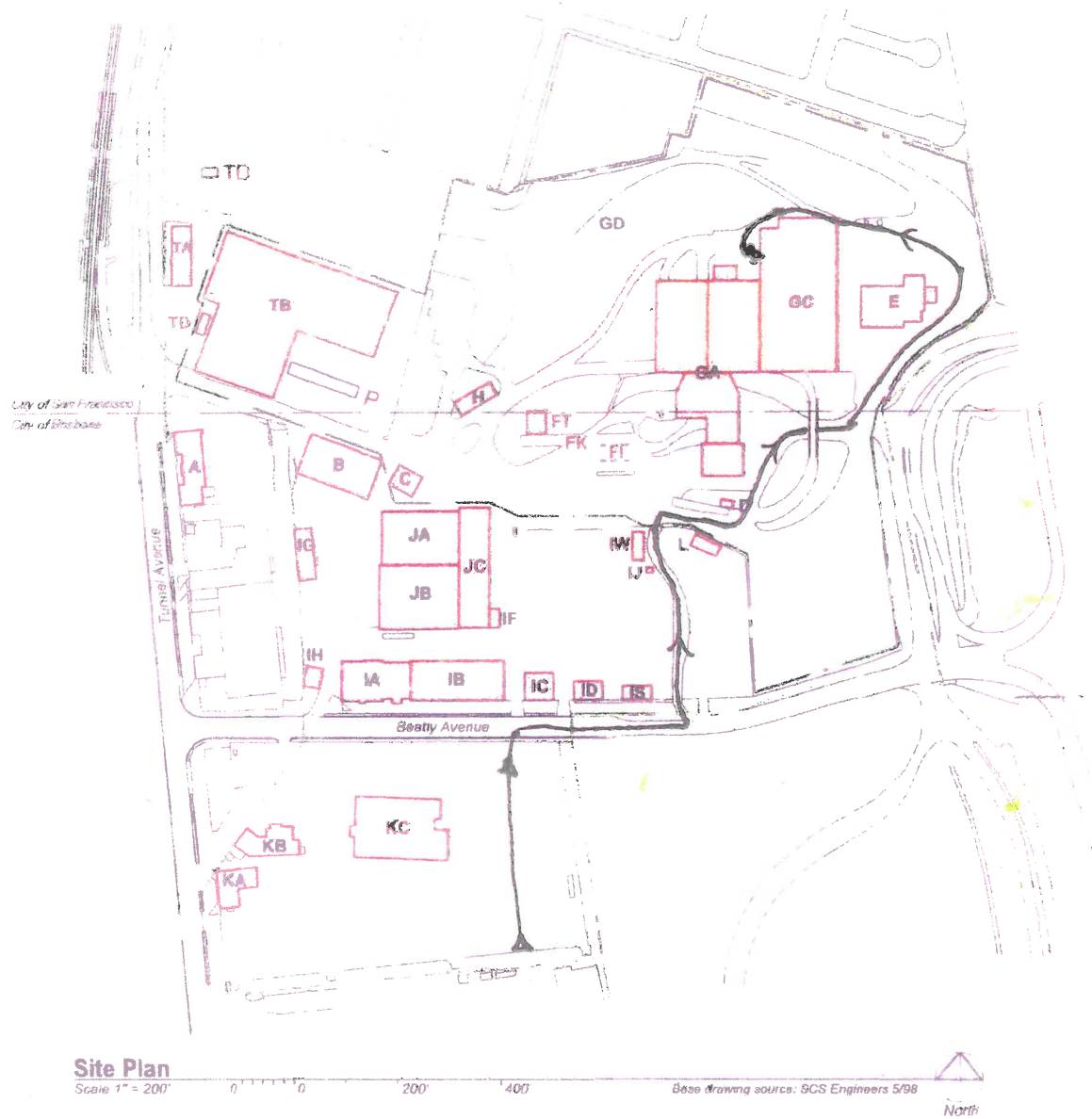


**Recology San Francisco
Tunnel/Beatty Site Map**

- A Recology San Francisco (RSF) Admin (501 Tunnel Ave.)
- B Buyback and Sunset Scavenger Container Repair
- C Public Inbound Scale
- D Main Scale
- E RSF Shop
- FK Fuel Control Kiosk
- FI Central Fuel Island
- FT Central Fuel Tanks
- GA RSF Transfer Station Pit
- GC Integrated Materials Recovery Facility
- GD Sculpture Garden
- GB Bypro Building, Long Haul Dispatch Office (ground floor)
- H Household Hazardous Waste Collection Facility (HHWCF)
- IA Sunset Scavenger Co. Admin
- IB Sunset Scavenger Co. Main Shop
- IC Sunset Scavenger Co. Transmission Shop
- ID Sunset Scavenger Co. Tire Shop
- IF Sunset Scavenger Co. Dispatch Office
- IG Sunset Scavenger Co. Paint Shop
- IH Sunset Scavenger Co. Storage
- IJ Sunset Scavenger Co. Wash Shed
- IS Sunset Scavenger Co. Steam Rack
- IW Sunset Scavenger Co. Truck Wash
- JP Sunset Scavenger Co. Bayshore Bldg., Safety Dpt. Storage
- JE Sunset Scavenger Co. Bayshore Bldg., Vehicle Lube Bay
- JC Sunset Scavenger Co. Bayshore Bldg., Storage
- KA Roll-Off Department Offices
- KB RSF Storage (leased to others)
- KC RSF Welding Shop
- L RSF LNG Fuel Station
- P Ptarmigan C&D Sort Line
- TA Environmental Learning Center HHWCF Office
- TB TURF Building, Public Disposal & Recycling Area
- TC DPW Disposal & Recycling Area
- TD Public Outbound Scale

Incoming Christmas Tree Traffic

1. Candlestick Park Exit
2. West on Beatty Road
3. Right on "Dump Road"
4. Weigh at RSF scale
5. Right onto Alana Way
6. Right on Beatty Road
7. Left into RSF yard



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- TD Public Outbound Scale

*Tunnel & Beatty Complex
Buildings and Boundary Locations*

Date: July 27, 2005 One inch (6) Foot Size
Scale: 1" = 200'

LP-1

Outgoing Christmas Tree Traffic

ATTACHMENT C

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October 8, 2018

Kenneth Johnson
City of Brisbane
50 Park Place,
Brisbane, CA 94005

Dear Mr. Johnson:

As we have done since 2008, Recology San Francisco (RSF) would like to apply for another conditional use permit to temporarily store used Christmas trees on a portion of the paved yard at 515 Tunnel Avenue.

Conditional Use Request

To receive, store, and reload Christmas trees for recycling from December 17, 2018 through January 31, 2019. Trees collected curbside throughout San Francisco will be unloaded, stored, and then reloaded from the yard at 515 Tunnel Avenue and sent to RSF's Materials Recovery Facility for grinding and transport to a biomass energy production facility. A storage area is necessary because the surge of trees collected immediately after Christmas is greater than the rate at which they can be processed at the MRF. The yard at 515 Tunnel will be used to accommodate the trees until they can be received at the MRF, and no later than January 31, 2019. No construction or modifications will be needed and no processing will occur in Brisbane.

Attached:

1. City of Brisbane Planning Application
2. 2018 Christmas Tree Recycling Plan
3. Maps showing incoming and outgoing traffic routes for tree transport

Best regards,

A handwritten signature in black ink, appearing to read "Brad Drda", with a long horizontal line extending to the right.

Brad Drda
Environmental Manager



2018 CHRISTMAS TREE RECYCLING PLAN

October 2018

A. INTRODUCTION

This Plan describes the receipt, storage, loading, and processing of Christmas trees from Recology San Francisco's (RSF) yard located in Brisbane. The goal of this operation is to divert a large volume of San Francisco Christmas trees away from landfill toward productive reuse. As the Christmas tree selling season winds down, starting on December 18th, rear-loader compactor trucks from Recology Sunset Scavenger Company and Recology Golden Gate Disposal & Recycling will pick up Christmas trees throughout San Francisco. Filled trucks will unload used trees on to a smooth concrete pad located toward the center of the southern boundary of RSF's yard at 515 Tunnel Avenue south of Beatty. A tractor will load stored trees into 40 yd³ roll-off boxes which will be driven to the RSF Materials Recovery Facility where they will be chipped and used to produce energy at an off-site biomass facility.

The Christmas tree recycling operation is controlled by Recology San Francisco. The mailing address and administrative offices are located at 501 Tunnel Ave., San Francisco. RSF is a wholly owned subsidiary of Recology.

B. OPERATIONS

(1) Storage Site Access

Access to the Christmas tree area is provided from Beatty Avenue. Arriving vehicles with trees weigh in at the main scale at the end of Dump Road north of Beatty, exit onto Alana Way, and then enter the southern RSF yard from Beatty Avenue and where they unload onto a specified paved tipping area. As processing capacity at the iMRF allows trees from the pile are loaded into containers and driven by roll-off trucks from the storage area turning right on Beatty and then left onto Dump Road to the iMRF.

C. HOURS

(1) Hours of Operation

Christmas trees will be received and transferred daily between the hours of 9AM – 7 PM, from December 17th 2018 through January 31, 2019.

D. CHRISTMAS TREE AREA SIZE

The Christmas trees will be received, stored, and reloaded for transfer on a concrete pad area that measures 100 feet by 90 feet for a total area of 9000 square feet.

E. TYPES AND QUANTITIES OF WASTE TO BE ACCEPTED

(1) Waste Types

Only source-separated Christmas trees will be accepted.

(2) Waste Quantities

Based on past experience the total quantity of trees should be less than 550 tons. The largest quantity of trees received in any single day will be about 72 tons.

F. DRAINAGE CONTROL

The paved yard at 515 Tunnel Avenue drains to a combined sewer system which is treated at San Francisco's Southeast Waste Water Treatment Plant.

G. DUST CONTROL

Christmas tree handling is not a dusty operation but water is available at the site for dust control if needed.

H. SUPERVISION AND PERSONNEL

Name	Title	Phone	Cell
Maurice Quillen	General Manager	415-657-4050	415-740-6451
Brad Drda	Environmental Manager	415-657-4003	415-740-9792
Ken Stewart	Operations Manager	415-657-4031	415- 740-6436
Glenn Lydecker	Safety Manager	415-657-4006	415-716-7580

I. COMPLAINT RESPONSE

Public complaints are documented and addressed accordingly. Recorded information regarding such complaints include the following information:

- Date of complaint
- Nature of complaint
- If available, the name, telephone number, and address of complainant; and
- Description of the actions taken to respond/address the situation

J. FIRE PREVENTION

A driving lane will be maintained around the entire perimeter of the pile to allow access for fire fighters. Oscillating water sprinklers will be positioned around the pile to lightly wet the trees and keep water content high enough to prevent accidental ignition. The sprinklers will be controlled to prevent excessive water use or run off. "No Smoking" signs will be posted on both sides of the pile.

K. FIRE FIGHTING EQUIPMENT

Fire hydrants and hoses are located on both sides of the Christmas tree storage area. All RSF vehicles are equipped with hand held fire extinguishers.

L. LIGHTING

The yard at 515 Tunnel Avenue is lit as a parking lot with light poles.

M. SITE SECURITY

Unauthorized access to the yard at 515 Tunnel Avenue is prevented by perimeter fencing, locked gates (including security gates at all property entrances), and a security guard service. Guards are posed at various locations during day and night hours. The guards not only prevent unauthorized access, but also help direct traffic during busy times.

N. VISUAL SCREENING

The Christmas tree area is located toward the center of a large yard which is filled with trucks and metal debris boxes which provide visual screening from Tunnel Avenue.

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RESOLUTION UP-7-18

A RESOLUTION OF THE PLANNING COMMISSION OF BRISBANE
CONDITIONALLY APPROVING USE PERMIT UP-7-18
TO TEMPORARILY PERMIT CHRISTMAS TREE STORAGE FOR RECYCLING
AT 515 TUNNEL AVENUE

WHEREAS, Brad Drda, the applicant, applied to the City of Brisbane for Use Permit approval for temporary storage of Christmas trees for recycling at 515 Tunnel Avenue, such application being identified as Use Permit UP-7-18; and

WHEREAS, on November 15, 2018, the Planning Commission conducted a hearing of the application, at which time any person interested in the matter was given an opportunity to be heard; and

WHEREAS, the Planning Commission reviewed and considered the agenda report relating to said application, the plans and photographs, the written and oral evidence presented to the Planning Commission in support of and in opposition to the application; and

WHEREAS, the Planning Commission finds that the proposed project is categorically exempt from the provisions of the California Environmental Quality Act; and

WHEREAS, the Planning Commission of the City of Brisbane hereby makes the findings attached herein as Exhibit A in connection with the Use Permit.

NOW THEREFORE, based upon the findings set forth hereinabove, the Planning Commission of the City of Brisbane, at its meeting of November 15, 2018, did resolve as follows:

Use Permit UP-7-18 is approved per the conditions of approval attached herein as Exhibit A.

ADOPTED this fifteenth day of November, 2018, by the following vote:

AYES:
NOES:
ABSENT:

Coleen Mackin
Chairperson

ATTEST:

JOHN SWIECKI, Community Development Director

EXHIBIT A

Action Taken: Conditionally approve Use Permit UP-7-18 per the agenda report with attachments, via adoption of Resolution UP-7-18, as amended.

Findings:

1. The planning commission has given due regard to the nature and condition of all adjacent uses and structures, and to general plan and found the use to be consistent and there is no specific plan adopted or required for this temporary use.
2. The establishment, maintenance and operation of the use applied for, under the circumstances, will not be detrimental to the health, safety, morals, comfort and general welfare of persons residing or working in the neighborhood, nor will it be injurious or detrimental to property or improvements in the neighborhood or the general welfare of the City, in terms of damage or nuisance from noise, smoke, odor, dust or vibration; hazard from explosion, contamination or fire; hazard occasioned by unusual volume or character of traffic or the congregating of a large number of people or vehicles; or danger to public safety; as detailed in the staff memorandum.

Conditions of Approval:

- A. The Christmas trees shall be stored within the fenced enclosure in compliance with applicable State regulations as enforced by the San Mateo County Health Department's Environmental Health Division.
- B. The Christmas trees shall be stored on the site for no longer 48 hours, and shall be removed sooner if necessary to prevent the creation of any public or environmental nuisances as determined by the San Mateo County Health Department's Environmental Health Division.
- C. The operation shall be in compliance with CalRecycle Regulations: Title 14, Natural Resources-Division 7, CIWMB Chapter 3.1. Composting Operations Regulatory Requirements:
 - Article 6. Composting Operating Standards, Section 17867. General Operating Standards. subsection (a); and applicable sections of
 - Article 8. Composting Operation and Facility Records Section 17869. General Record Keeping Requirements; and
 - Article 9. Composting Facility Site Restoration 17870. Site Restoration requirements.
- D. Storage of the Christmas trees on the site shall be managed to reduce adverse impacts on stormwater quality in compliance with National Pollution Discharge Elimination System Program best management practices for storm water discharge (per BMC Chapter 13.06). City rights-of-way shall be maintained clean of any debris that might drop during transit to the satisfaction of the Public Works Department.
- E. A 20 ft. wide fire lane (with no parking) shall be maintained to the satisfaction of the Fire Department at all times to provide access to the stored Christmas trees. No ignition source (i.e., generators, fuel, etc.) shall be stored/used within 20 ft. of the pile.
- F. The use shall be for no more than 45 days in duration. Therefore, the use may either start on December 18th, 2018 and end on January 31st, 2019, or it may start on December 17th, 2018 and end on January 30th, 2019. The applicant shall provide written notification to the Planning Director of the modified schedule prior to commencing the use.

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- G. Minor modifications may be approved by the Planning Director in conformance with all requirements of the Municipal Code.