City of Brisbane
Planning Commission Agenda Report

TO: Planning Commission For the Meeting of 7/7/16

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

SUBJECT: **11-B Industrial Way; Interim Use Permit UP-2-16** for continued use of an approximately 2 acre area of the Baylands former railyard as a storage yard, for up to 5 years; Len Corpus, applicant; Oyster Point Properties, Inc., owner; APN 005-340-080.

Request: Universal Paragon Corporation, Inc. has requested an interim use permit for a contractors' storage and staging yard on an approximately 2 acre portion of the Baylands, located immediately northeast of the Bayshore Boulevard and Industrial Way intersection.

The perimeter of the yard was previously fenced for enclosure of a previously approved statuary storage use and that area has been subsequently divided into three contractors' yard areas. Details on the current use of the yards and the types of vehicles and equipment currently stored are provided in the applicant's statements. While these details have been provided for the Commission to gain an understanding of the use, the request is not to limit the numbers or types of vehicles and equipment to those listed in that description, but rather to allow for flexibility of storage with performance standards governing the use, through the permit conditions of approval.

The primary hours of activity at the yard would generally be during the daytime, but some equipment and materials drop off and pick-up activities would occur after dawn or before dusk depending on the individual contractors' schedules.

There would be no hazardous materials storage, no permanent structures, no storage of construction waste products and no vehicle or equipment maintenance on site.

Recommendation: Conditionally approve Interim Use Permit UP-2-16 per the agenda report, via adoption of Resolution UP-2-16 with Exhibit A containing the findings and conditions of approval.

Background: The proposed use would represent a continuation of the historic uses of this area of the Baylands for outdoor storage. In addition to its historic use as a railyard, in the early to mid-1900's, in 2001 an interim use permit was approved for outdoor storage of statuary in this area and follow-on interim use permits were granted in 2003, 2006 and 2011.

Contractors have already occupied the previously fenced site, with the apparent understanding that the existing use permit covered the proposed use. However, the term of that permit has expired and while the basic use as a storage yard would remain, the type of tenants has also changed. The City undertook code enforcement earlier this year and UPC has since actively sought to comply with the City's requirements for an Interim Use Permit through this application.

In order to allow for greater flexibility with the tenants that may occupy the site, the applicant has requested that the new interim use permit allow for storage uses that would not be specific to a particular tenant. Although as indicated above, their application documents provide an outline of the current storage parameters to provide the Commission with a sense of the types of uses proposed, the conditions allow for that flexibility within certain operational performance standards.

Environmental Determination: Replacement of the pre-existing storage yard for substantially the same purpose is categorically exempt from the provisions of the California Environmental Quality Act per Section 15302 of the State CEQA Guidelines. The exceptions to the categorical exemptions do not apply.

Applicable Code Sections: Brisbane Municipal Code Chapter 17.41 establishes procedures and required findings for the approval of interim uses in the Baylands subarea. Required findings are set forth in BMC Section 17.41.060, and mandatory conditions of approval are listed in BMC Section 17.41.070. The mandatory conditions of approval are included in the draft conditions of approval.

Analysis and Findings: The required findings under BMC Sections 17.41.060.A-F and project analysis are as detailed below.

a) The interim use will not be detrimental to the public health, safety or welfare, or injurious to nearby properties or improvements;

The proposal **complies** with this finding. The proposed use is consistent with the surrounding uses in this neighborhood.

The site is comprised of a portion of the vacant lands immediately northeast of the Industrial Way intersection. The surrounding uses include the industrial uses along Industrial Way to the south, Lazarri Fuel to the north, Bayhore Boulevard and PG&E's Martin substation to the west. The Roundhouse is located to the northeast of the proposed storage yard, but would not be affected by the proposed use.

The site is separated from the residential population centers. The nearest Brisbane residential uses are approximately four tenths of a mile to the southwest, or approximately two tenths of a mile in Daly City.

The Police Department has recommended that security lighting be required for this use and a draft condition of approval has been included to address this.

The Fire Department has recommended conditions of approval to address storage of materials to address safety, specifically fire prevention.

Also, conditions of approval are included to limit the type of materials that may be stored and how those materials may be stored at the site to prevent adverse impacts. The conditions of approval would limit the use to storage uses only. The permit does not allow for maintenance of vehicles, processing of materials, nor fabrication.

b) The interim use will not create any significant environmental impacts;
The proposal **complies** with this finding. The site has been previously graded and compacted and used as a storage yard. The applicant has indicated that they have added gravel to even out the area for this use.

No disturbance of underlying soil is proposed and the use involves no permanent structures. It is a temporary use with negligible or no permanent effects on the environment.

Also, with the recommended conditions of approval, no staging of soils or other waste materials that could create dust or leach materials into the subsurface would be allowed at the site.

c) The interim use will not obstruct redevelopment;
The proposal **complies** with this finding. The application does not include any permanent structures, nor would it otherwise alter the land and so redevelopment would not be obstructed.

d) All required public utilities and other infrastructure are or will be available;
This proposal **complies** with this finding. Per the draft condition of approval lighting would be required to the satisfaction of the Police Dept. and electrical connections may be required, from Bayshore Boulevard or Industrial Way. The applicant will be required to bring power to the site for lighting, if necessary based on further review by the Police Department.

e) The use will benefit the property and/or the public;
The proposal **complies** with this finding. The use provides a benefit to the public in supporting the local contracting trades which provide construction services to the community.

f) Encourage the employment of Brisbane residents to the extent it is reasonably possible to do so.
The proposal **complies** with this finding. A condition of approval is included that each tenant shall provide the Community Development Director with a program to provide outreach to the local community to the extent reasonable.

In closing, this application has been routed to the applicable City departments, Public Works, Police, Fire and City Attorney, also to the Regional Water Quality Control Board and the County Environmental Health Dept.. Conditions of approval addressing potential stormwater discharges, lighting, materials storage and indemnification have been added based on the comments received.

Attachments: Draft Resolution UP-2-16 with Findings and Conditions of Approval
Location Map
Site Plan
Applicant's Project Description

RESOLUTION UP-2-16

A RESOLUTION OF THE PLANNING COMMISSION OF BRISBANE
CONDITIONALLY APPROVING USE PERMIT UP-2-16
TO ALLOW FOR A CONSTRUCTION STORAGE/STAGING YARD
ON THE VACANT LOT
AT 11-B INDUSTRIAL WAY

WHEREAS, Len Corpus, the applicant, applied to the City of Brisbane for an Interim Use Permit to establish a contractors' storage and staging yard at 11-B industrial Way, such application being identified as Use Permit UP-2-16; and

WHEREAS, on July 7th, 2016, 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 July 7th, 2016, did resolve as follows:

Use Permit UP-6-14 is approved per the conditions of approval attached herein as Exhibit A.

ADOPTED this 7th day of July, 2016, by the following vote:

AYES:
NOES:
ABSENT:

_____
Tuong VanDo
Chairperson

ATTEST:

_____
JOHN A. SWIECKI, Community Development Director

EXHIBIT A

Action Taken: Conditionally approve Use Permit UP-2-16 per the staff memorandum with attachments, via adoption of Resolution UP-2-16.

Findings:

1. The proposed interim use and the conditions under which it would be operated will not be detrimental to the public health, safety or welfare, or injurious to properties or improvements in the vicinity;

2. The proposed interim use will not create any significant unmitigated adverse environmental impacts, pursuant to the California Environmental Quality Act;

3. Given that no permanent structures are proposed, the proposed interim use will not obstruct, interfere with, or delay the intended redevelopment of the property in accordance with the uses anticipated in the general plan or any adopted specific plan applicable to the site;

4. All public utilities and other infrastructure improvements required in order for the interim use to be conducted in a safe, sanitary, and lawful manner are either available at the site or shall be installed by the applicant, prior to occupancy, in a manner approved by the city engineer.

5. The use will provide either or both of the following benefits:
    a. A benefit to the property, including, but not limited to, the elimination of blight or unsightly or hazardous conditions, or the installation of improvements that will facilitate redevelopment of the property. This benefit does not apply. However,
    b. The use will provide a benefit to the public, such as the creation of jobs or revenues or the provision of needed goods or services, in that it will support the local construction industry.

6. In accordance with Policy No. 328.2 of the general plan, a program will be established by each tenant of the storage yard to encourage employment of Brisbane residents, to the extent it is reasonably possible to do so. Implementation of such program shall be made a condition of the interim use permit.

Conditions of Approval:

A. The use of the site (or storage yard) is limited to the area shown on the site plan, as provided in this agenda report, that being within the pre-existing fenced storage area.

B. Use of the site is limited to outdoor storage used in the construction trades, generally consisting of operable vehicles, equipment, tools, containers, trailers, and inert materials such as steel and wood materials (including milled lumber for construction and temporary staging of logs from tree cutting job sites). Asphalt, concrete, soil or other similar raw materials that could pose an impact to stormwater shall not be stored on site, except that construction materials (not waste products) may be contained in vehicles or trailers for active use at job sites, only if covered to prevent wind-blown materials or contact with

stormwater. Use of the yard may also include statuary storage, as has been historically approved at this site. Other outdoor storage which does not fit strictly within the categories of contractors' yard or statuary storage, but can be demonstrated to be of a similar character may be approved by the Community Development Director, upon written request. At the Community Development Director's discretion any such request may be referred to the Planning Commission, via interim use permit.

C. This interim use permit does not provide authorization for construction of building(s) on the site for offices or any other use.

D. All tenants of the site shall keep their business licenses active through the Finance Department and shall comply with any requirements that may be imposed through the Planning Department for documentation of their ability to comply with the conditions of this use permit, prior to issuance of a business license. No undocumented or unapproved tenants shall occupy the yard.

E. The site shall be maintained in a neat and orderly manner and shall not create unsightly visual impacts or the appearance of blight.

F. The existing chain-link fence along the Bayshore Boulevard and Industrial Way frontages shall be replaced with a new, 8 ft, chain-link fence to provide a neat and uniform appearance along these frontages. The fence shall be green or black vinyl coated with brown slats. No barbed wire or razor wire is to be included. Fencing shall be maintained in good repair. The Community Development Director may approve fencing alternatives which also provide screening and are consistent with the Fences, Hedges and Walls Ordinance, BMC Section 17.32.050.

G. No hazardous waste materials are allowed on the site and no waste products, excavated soil or similar waste products from job sites are to be stored, handled or processed on site.

H. No on-site building construction or fabrication of building components for use on job sites is authorized with this interim use permit.

I. No dumping, processing, sorting, recycling, recovery, or storage of garbage, debris, scrap materials, or similar items shall be allowed on site.

J. Storage of wood, steel or other similar materials shall be screened from offsite views. Generally storage heights are to be maintained below the height of the fence as viewed from pedestrian level views along Bayshore Boulevard, except as may be allowed in areas screened by vegetation or otherwise subject to Community Development Director approval.

K. Temporary storage of wood (lumber and logs only) shall comply with Fire Dept. and San Mateo County Environmental Health requirements.

L. Firewood shall be split prior to storage on site and stacked in neat organized rows separated into (1) one cord size with 10 feet between rows and 5 feet between cords in a

row. A cord is defined as measuring four feet high by four feet wide by eight feet long (4 ft. x 4 ft. x 8 ft.) and has a volume of 128 cubic feet. The storage shall be segregated away from other combustibles and vehicles and 10 feet from the property lines

M. No firewood chopping or chipping is allowed on site.

N. Scrap vegetation, palm fronds, branches and other loose organics are not permitted.

O. The yard shall be maintained in an orderly manner to provide for adequate fire apparatus access. It shall comply with Fire Safety per 2013 CFC Chapter 33 and also maintain a 20 foot wide fire access between rows. Lumber is to be stored per CFC for lumber yards.

P. The site shall be maintained such that it does not create airborne dust.

Q. Overnight sleeping quarters are prohibited.

R. Equipment or vehicle maintenance activities shall not be conducted on the site.

S. Non-operable vehicles are not to be stored on site, except as may be specifically authorized by the Community Development Director.

T. Vehicle parking and storage shall be maintained such that all vehicles can make turn-around movements on-site and vehicles shall not back into the common driveway or onto Industrial Way. The Public Works Director shall maintain the right to place prohibitions on vehicles due to unusually large size, weight or other issues that may be deemed to cause a safety hazard.

U. Over-sized vehicles or equipment may be prohibited by the Planning Director, if their presence on the site would create unsightly visual impacts.

V. Yard and driveway surfaces shall be maintained to prevent tracking of mud onto public streets, to the satisfaction of the Public Works Director.

W. Lighting shall be provided to the satisfaction of the Police Department. Lighting shall only be as may be needed for security and to the extent necessary to conduct operations at the site at night and shall not be directed onto the adjacent roadways so as to result in a glare or distraction to motorists, nor shall it be directed upward into the night sky to result in a nuisance to the Brisbane residential areas. A lighting plan shall be submitted to the Police Dept. and Community Development Department for review and approval prior to installation of lights.

X. If generators are to be used to power lighting, they shall not produce noise that creates a nuisance to off-site sources. Any generator(s) that is identified as a nuisance and is confirmed as being distinctly detectable to off-site sources, above the surrounding ambient noise levels, will be required to be abated or removed and replaced with suitable lighting. The applicant shall be responsible for the cost of any noise testing that may be required.

Y. The site operations shall be conducted in a way so as to minimize noise, especially at night, and shall not create a nuisance to Brisbane residential areas. Noise levels shall be subject to the Brisbane Municipal Code Noise Control Chapter 8.28.

Z. Applicant shall be subject to Commercial Industrial Stormwater Discharge Compliance Inspections no less frequently than yearly, and shall remain in compliance with all conditions imposed on the City by the Regional Water Quality Control Board via its issuance of a Municipal Regional Permit. Repeat noncompliance or single-event gross noncompliance may result in the revocation of the interim use permit, per the procedures provided in BMC Section 17.41.100. In addition to any administrative fines and penalties that the City may assess against the permittee, the permittee shall also indemnify, defend and hold harmless any fines or penalties that the Regional Water Quality Control Board or the State Water Resources Board imposes on the City arising from any of permittee's acts or failure to act on the site resulting in stormwater violations.

AA. The yard shall be subject to City, County or State inspections as needed to confirm compliance with applicable regulations, which are not limited to these conditions of approval.

BB. Advertising signs are not included with this interim use permit. Billboard vehicles shall not be parked on the site such that they could serve as advertising.

CC. The property owner and operator of this site shall provide the City with a copy of the agreement between the owner and operator indicating that:

(i) the operator's right to possession of the premises for the purpose of conducting the interim use is dependent upon the interim use permit having been granted and maintained in full force and effect; and
(ii) the operator's right to possession of the premises for the purpose of conducting the interim use will terminate upon any expiration or revocation of the interim use permit; and
(iii) it shall be the responsibility of the owner to terminate the operator's possession of the premises upon any expiration or revocation of the interim use permit if the operator continues to utilize the premises for the conduct of such interim use.

DD. The Applicant and the property owner shall be jointly and severally liable for all costs and expenses, including attorney's fees, the City may incur to enforce the conditions of the interim use permit upon any breach thereof by the Applicant, or to abate and remove the interim use upon any failure by the Appliant to discontinue such use upon the expiration or revocation of the interim use permit.

EE. The owner and tenants shall indemnify, defend and hold the City and its officers, officials, boards, commissions, employees and volunteers harmless from and against any claim, action or proceeding brought by any third party to attack, set aside, modify, or annul the approval, permit or other entitlement given to the Applicant, or any of the

proceedings, acts or determinations taken, done or made prior to the granting of such approval, permit or entitlement.

FF. In accordance with Policy No. 328.2 of the general plan, a program will be established by each operator and submitted to the Community Development Director for approval, to encourage employment of Brisbane residents to the extent it is reasonably possible to do so. Such programs shall be provided to the City for approval within 30 days of the effective date of this permit for existing tenants and prior to storage "occupancy" of yard space for all prospective tenants. Programs deemed inadequate must show compliance within 2 weeks of notice by the Community Development Department for existing tenants.

GG. As detailed in BMC Section 17.41.100, this interim use permit may be revoked upon a determination by the planning commission that the holder of such permit has failed to comply with any of the conditions thereof or has violated any applicable provision of the BMC.

HH. Minor modifications to the interim use permit may be approved by the Community Development Director in conformance will all applicable requirements of the Municipal Code.

II. This Interim Use Permit shall be valid for no more than 5 years following the effective date of its approval.



Site Vicinity Map
11 Industrial Blvd

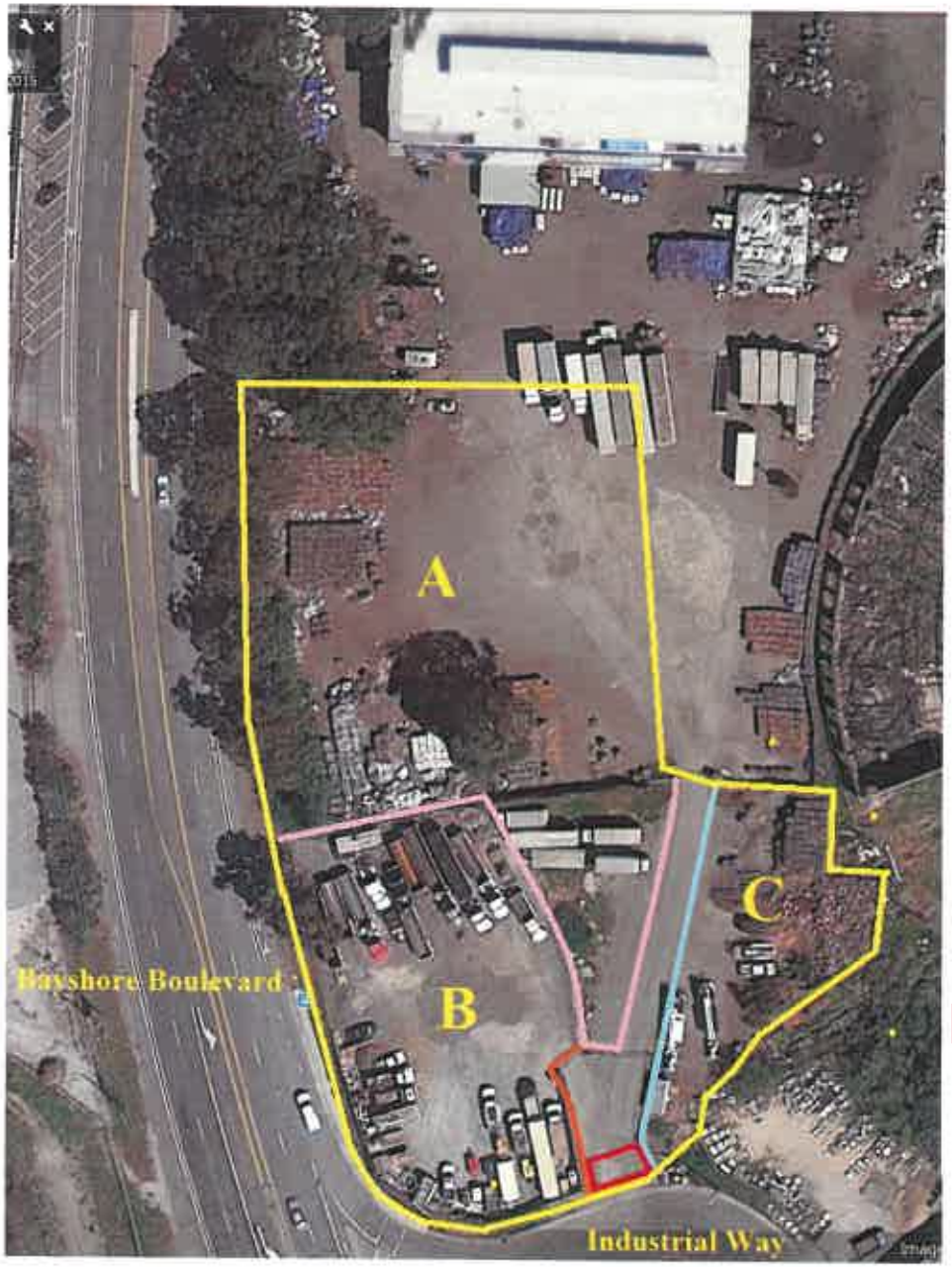
500 Feet

N



G.2.12

Staff's Photo 6/27/16
Industrial Way / Boeshaar Blvd



A- Plant and Pipe Solutions, Inc.
B- Ortiz Trucking
C- Northern Trees Tree Service, Inc.
- 6'' thick crushed rock and rumble strip placement

Project Description – Sunquest Properties, Inc.

Sunquest Properties, Inc. is requesting a 5-year Interim Use Permit for 11-B Industrial Way for a construction contractor storage and staging yard.

Yard Usage: The primary use of the property is to support small construction businesses and its activities serving clients in San Francisco and surrounding cities by renting yard space to them for the purpose of storing construction materials, tools, equipment, containers, trailers, vehicles and other machinery related to the construction industry. There will be no storage and transportation of dirt on the property.

The days and hours of operation is Monday through Saturday at 5am – 7pm with rare occasions of night operations at 7pm – 5am. During the early hours of the day, contractors will arrive early in the morning to inspect equipment, gather materials and supplies and mobilize to the field. During most of the day, contractors are working in the field making the yard non-operational resulting in no activity and noise. At the end of the day, contractors arrive back to the yard to prepare for the next day.

There will be approximately 35 contractor employees onsite mostly at the beginning and end of the day with no employees operating and working solely at the yard.

Yard Modifications for Usage: With the approval of the Interim Use Permit, we plan to add the following yard space modifications:

a) Lay new gravel to assist in weed reduction and uneven ground.
b) Lay rock at the entrance/exit of the property to reduce the tracking of mud and dirt on public roads.
c) Lay rumble strips at the entrance/exit of the property to reduce tracking of mud and dirt on public roads.
d) Repair all gaps in existing fence and add wind screen throughout to improve sight conditions along Bayshore Boulevard.

Supporting Statements: Under BMC sections 17.41.060 A-F, we have provided answers on the Supporting Statement for Interim Use Permit sheet attached to this submittal. Below are each section and a brief answer to what applies to our use.

a) *The interim use will not be detrimental to the public health, safety or welfare, or injurious to nearby properties or improvements;*
With the location of the property, public health, safety or welfare to nearby properties will not be a factor. With minimal to no operation being performed at the yard, noise and activity will not be an issue. The property is located off of Bayshore Boulevard and Industrial Way, separating our tenant's activity of mobilizing and demobilizing from any residential areas. There are no lights in the property so lighting will not affect surrounding tenants. Level of activity could be seen throughout the day and night when tenants enter and exit the property to start and end their work shifts. During most of the day and night hours, the property will be used for storage and staging with no activities, as indicated in the hours of operation in the Yard Usage section of this submittal.

b) *The interim use will not create any significant environmental impacts;*
The property had been previously cleared of debris, evened out and leveled by our current tenants. Compacting, laying gravel and rock down on the ground and installing rumble strips are just some improvements that our current tenants are doing to make conditions safer and mitigating the mud track out on public streets. The use of the property consists of construction staging and storage. No drilling, digging, tearing down or disturbance of the yard soil is proposed and there will be no storage or transportation of dirt on the property.

c) *The interim use will not obstruct redevelopment;*
With only the installed fence on the property, redevelopment to the property is not obstructed as the fence is a temporarily-installed fixture and can be removed easily at any moment for redevelopment purposes.

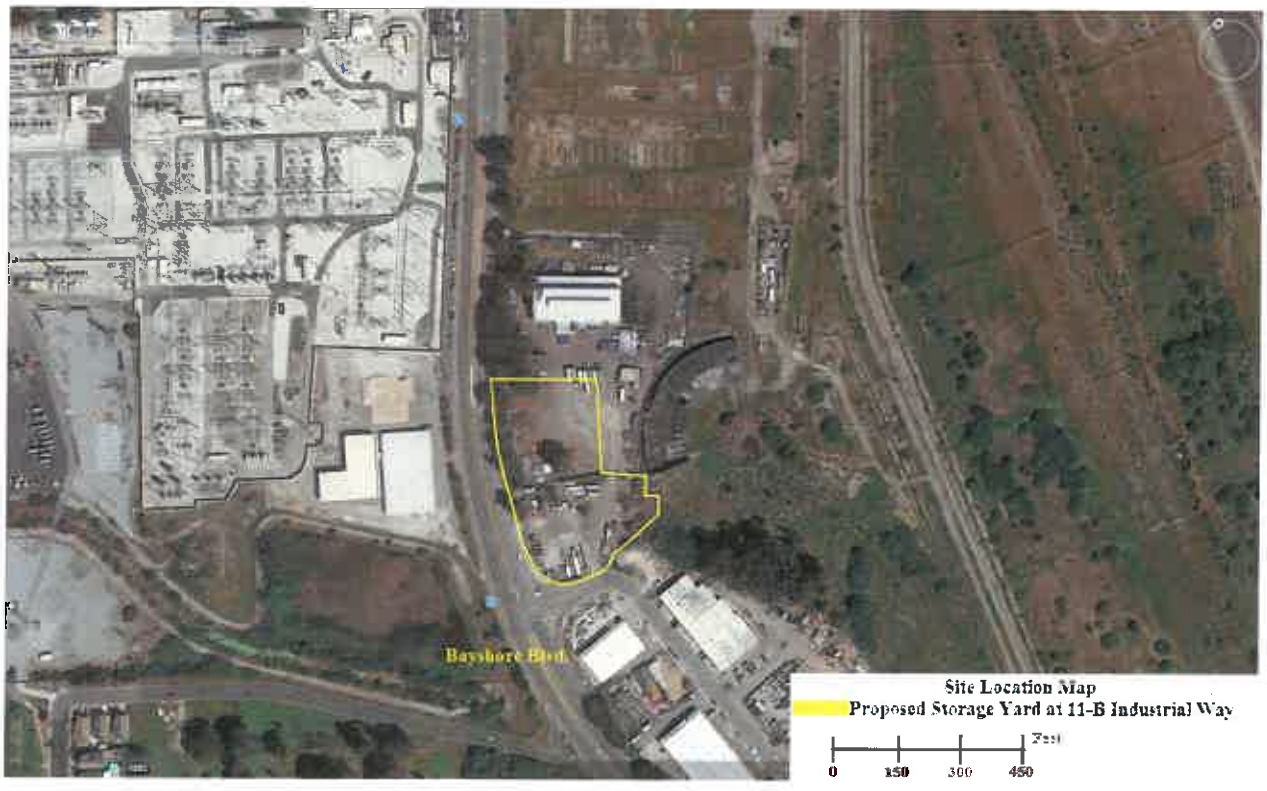
d) *All required public utilities and other infrastructure are or will be available;*
There are no permanent utilities or infrastructure serving the property, nor will those be allowed to be installed as written in our lease agreements with our tenants.

e) *The use will benefit the property and/or public;*

The use of the property for our tenant's construction activities will benefit the public with assisting their contracting work in Brisbane and surrounding cities, raising revenue for the City and small businesses in the city of Brisbane. Having a yard space in Brisbane translates to our tenants renting, servicing and purchasing equipment from businesses within the city of Brisbane, rather than somewhere else. This makes Brisbane businesses a quick, easy and convenient option for purchasing when mobilizing and demobilizing at job sites. These benefits collectively assist our tenant's growth for their future as we continue to assist them in providing the best service possible throughout the Bay Area.

f) *Encourage the employment of Brisbane residents to the extent it is reasonably possible to do so;*

We continually encourage and recommend our tenants to post job opportunities at City Hall or City offices where residents are encouraged to apply for employment. We will extend the same commitment to future tenants.



SUPPORTING STATEMENTS
for Interim Use Permit

Description of the proposed use: THE STORAGE OF CONSTRUCTION MATERIALS, TOOLS, EQUIPMENT, CONTAINERS, TRAILERS, VEHICLES AND OTHER MACHINERY RELATED TO THE CONSTRUCTION INDUSTRY

Days and hours of operation: MONDAY THROUGH SATURDAY 5AM - 7PM SOME NIGHTS 7PM - 5AM.

Number of employees on site: 35

Company vehicles and equipment on site:
CONSTRUCTION-RELATED VEHICLES ON SITE ARE FOR THE USE AND TRANSPORTATION OF CONSTRUCTION MATERIALS AND EQUIPMENT AND OTHER MACHINERY RELATED TO THE CONSTRUCTION INDUSTRY. TOOLS, EQUIPMENT, CONTAINERS, TRAILERS & MACHINERY ON SITE WILL ALL BE RELATED TO CONSTRUCTION INDUSTRY.

List the types and quantities of hazardous, toxic, flammable or explosive materials or wastes are involved with the use:
NONE

List any governmental permits required for the handling or storage of the hazardous materials involved with the use:
NONE

List any materials and equipment which will be stored outside and explain how these will be screened from public view:
MATERIALS AND EQUIPMENT RELATED TO THE CONSTRUCTION INDUSTRY WILL BE STORED OUTSIDE AND WILL BE SCREENED FROM THE PUBLIC BY FENCING AND WINDSCREEN.

Will the use generate air emissions, odors, smoke or dust? If so, how will these be controlled?
NO

Will the use generate noise or vibration? If so, how will these be controlled?
NO

Interim Use Permit
Supporting Statements

Will the use generate glare, heat or other impacts? If so, how will these be controlled?
NO

Will the use generate waste materials? If so, how will these be disposed?
NO

How will waste materials from the use be prevented from polluting storm water runoff?
N/A

What utilities and other infrastructure are required for your use? Are these existing on the site? If not, how will they be provided?
NO UTILITIES AND INFRASTRUCTURE ARE REQUIRED FOR OUR USE, NOR WILL ANY BE INSTALLED AS INDICATED IN OUR LEASE AGREEMENTS WITH OUT TENANTS.

The Brisbane Municipal Code requires that your use benefit the property. List the benefits below: (a) eliminating blight or unsightly or hazardous conditions, (b) by installing improvements that will facilitate redevelopment of the property, (c) other:
A - ELIMINATE BLIGHT OR UNSIGHTLY OR HAZARDOUS CONDITIONS

The Brisbane Municipal Code requires that your use benefit the public. List the public benefits below: (a) creating jobs, (b) generating revenues, (c) providing needs goods or services, (d) other:
A - CREATE JOBS, B - PROVIDE REVENUE TO THE CITY, C - PROVIDE CONSTRUCTION - RELATED SERVICES TO BRISBANE AND SURROUNDING CITIES.

Will you establish a program to encourage employment of Brisbane residents in the construction and operation of the use? Explain:
WE ARE COMMITTED TO ENCOURAGE OUR CURRENT AND FUTURE TENANTS TO POST VACANT POSITIONS AT CITY HALL OR CITY OFFICES TO ADVERTISE EMPLOYMENT TO BRISBANE RESIDENTS.

Interim Use Permit
Supporting Statements

Will your use include any of the following?

YES NO

[ ] [✓] the manufacture, processing, handling, treatment, transportation, recycling, or storage of hazardous, toxic, flammable or explosive materials or wastes in quantities for which a permit is required from any governmental agency

[ ] [✓] the dumping, processing, sorting, recycling, recovery or storage of garbage, debris, scrap materials, or similar items (excluding the recycling of concrete or brick and the storage and processing of soils, rock, and other similar materials)

[ ] [✓] uses that create unsightly visual impacts or the appearance of blight as seen from any other location with the city, such as automotive dismantling and wrecking yards, junk yards, outside storage of used equipment, trailers, or vehicles not being offered for sale, and outside storage of glass, metal, paper, cardboard, or other material collected for recycling or disposal (except as otherwise permitted)

Will your use include any of the following?

YES NO

[ ] [✓] heavy manufacturing operations, including concrete or asphalt batch plants, foundries and other activities involving the fabrication of metal products from raw materials, processing of chemicals, and the rendering or refining of oils or animal materials

What is the length of time for which you are applying for an Interim Use Permit?

5 YEARS

(For initial terms of up to 5 years, Planning Commission approval is required. For initial terms of more than 5 years, City Council approval is required, following a recommendation from the Planning Commission.)

APPLICANT'S SIGNATURE

3/3/16
DATE

UNIVERSAL PARAGON CORPORATION
150 Executive Park Blvd., Suite 4000
San Francisco, CA 94134-3309

Tel: (415) 468-6676
Fax: (415) 468-6678

5/11/16

RECEIVED
MAY 11 2016
Comm. Dev. Dept. Brisbane

Ken Johnson- Senior Planner
City of Brisbane
50 Park Place
Brisbane, CA 94005

RE: Response to Letter Dated 4/1/16

Dear Mr. Johnson

This letter is in response to your later dated 4/1/16 on questions that you had for us. Information on lighting, vehicle sizes, division of space, placement of crushed rock and rumble strips, windscreen detail and how potential drips and spills will be managed are attached to this letter.

For section 4(b), no grading is planned. For section 4(d), no additional impervious surface will be created. If you have any further questions, please contact Howard Pearce. Thank you.

Sincerely,

Len Corpus
Property Manager

// attachments

cc: Howard Pearce

11-B Industrial Way, Use Permit Application UP-2-16

Pipe and Plant Solutions, Inc.

1) Lighting Plan

The site is used as a staging site only and employees make use of vehicle headlights during the hours where there is no natural light. Each piece of equipment listed below is outfitted with auxiliary lighting features that are capable of illuminating an 8-foot radius around each piece of equipment. Employees are required to use these lighting systems in the events requiring inspection of equipment during times when there is no natural light.

2) Vehicles used by PPSI

Tenant's vehicle staging can vary based on job location and time. Tenant has 14 pieces of equipment but not all will be staged at once. Below is a list of vehicles that are staged at the yard from time to time:

1) 2000, Kenworth, Roll-off Truck - 22 ft
2) 2012, Kenworth, Vactor 100 - 22 ft
3) 2014, Kenworth, Vactor120-2 - 22 ft
4) 2016, Kenworth, Vactor120-3 - 22 ft
5) 2012, Kenworth, Vactor120-1 - 22 ft
6) 1990, Fruehauf Trailer, JET-2 - 28 ft
7) 1990, Fruehauf Trailer, JET-3 - 28 ft
8) 2007, Ford F-350, PU-1 - 12 ft
9) 2016, Chevy Silverado 3500, PU-3 - 12 ft
10) 2015, Chevy Silverado, 1500, PU-4 - 12 ft
11) 2015, Chevy Silverado, 1500, PU-5 - 12 ft
12) 2014, Kenworth, Tractor - 15 ft
13) 2005, Sterling, Tractor - 15 ft
14) 2012, Ford, F-450, VAN- 13 ft

3) Vehicle maintenance, Drips and Spill Management

Tenant's maintenance program consists of partnering with several dealerships and maintenance facilities throughout the bay area. Repair and maintenance of equipment are performed offsite. Daily pre-trip and post-trip inspections are performed on each piece of equipment, where operators are required to inspect the equipment for any leakage, damage or repair issues, keeping our tenant up to date on all potential drips or leaks. All issues with equipment are immediately communicated to the Equipment Fleet Manager, Jordan Camacho and equipment observed to have maintenance issues are immediately transported to our tenant's maintenance repair shops at Antioch and/or Stockton. All spill containment are performed in strict accordance with OSHA guidelines, under Safety and Health Topics, Oil spillage and hazardous communication program. There is an 8x20 foot storage container onsite and contains an inventory of

spill kits and run off absorbents. Each truck is outfitted with a spill kit and operators use absorbent and pads to contain the leak and is lawfully is disposed.

Northern Trees Tree Service

1) Lighting Plan

Tenant's night crew uses vehicle lighting to enter the yard space to retrieve equipment.

2) Vehicles used by Northern Trees

1) Tool storage trailer-	20 ft
2) Portable office trailer-	20 ft (used for safety meetings and paperwork. Tenant is a 24-hour emergency tree company that employs night crews.
3) Fertilizing tank trailer-	8 ft
4) Stump grinding machine-	8 ft
5) 2006 Ford F350 Aerial Lift-	18 ft
6) 1998 Ford Bucket Truck-	25 ft
7) 2013 Freightliner Aerial Lift-	25 ft
8) 2001 Ford F350 Dually Pickup Truck-	18 ft

3) Vehicle maintenance, Drips and Spill Management

All equipment and vehicles are serviced and maintained offsite. Hazardous material spill kits are stocked in each truck for any spill clean ups.

Ortiz Trucking

1) Lighting Plan

Tenant does not operate during the late evenings or night hours and if lighting is needed, tenant uses one construction light fixture which is powered by a quiet generator.

2) Vehicles used by Ortiz Trucking

1) 2011 Peterbuilt-	36 ft
2) 2009 International-	36 ft
3) 2009 Kenworth-	36 ft
4) 2003 Kenworth-	36 ft
5) 2014 Freightliner-	36 ft
6) Two (2) tractors	22 ft
7) 2002 Ford 750 Dump Truck	26 ft
8) 1998 Ford Dump Truck	26 ft
9) 1993 Ford Dump Truck	26 ft

3) Vehicle maintenance, Drips and Spill Management

Tenant performs maintenance of vehicles and equipment offsite. There is staff that performs daily inspections of the yard space for spills and drips. If spills occur, tenant has sand bags and spill kits onsite to help absorb the spills that will be bagged and removed offsite for disposal.