

**COUNTY OF SAN MATEO
PLANNING AND BUILDING DEPARTMENT**

DATE: December 11, 2013

TO: Planning Commission

FROM: Planning Staff

SUBJECT: SUPPLEMENTAL STAFF REPORT: Consideration of a Resolution to find that the non-conforming commercial use at 3821 Fair Oaks Avenue, in the unincorporated North Fair Oaks area of San Mateo County, is detrimental to the health, safety and welfare of the surrounding area and that it degrades the neighborhood character.

File Number: PLN 2012-00315

RECOMMENDATION

That the Planning Commission recommend that the Board of Supervisors adopt a resolution finding that the non-conforming commercial use at 3821 Fair Oaks Avenue is detrimental to the health, safety and welfare of the surrounding area and that it degrades the neighborhood character, County File PLN 2012-00315, by adopting the required findings contained in Attachment A.

BACKGROUND

This item was continued by the Planning Commission on November 11, 2013, so that staff could provide additional analysis of the types of complaints that have been received regarding the commercial use at 3821 Fair Oaks Avenue.

On December 10, 2013, the Board of Supervisors will consider the Planning Commission's recommendation to rezone the subject parcel from C-1/NFO/FO to R-1/S-73 (the publication date of this report precedes the Board of Supervisors' action on the Planning Commission's recommendation. An update of the Board's action will be provided to the Planning Commission on December 11, 2013). Depending on the Board's action, the current commercial operation at the site may become a non-conforming use, once the 30-day effective date is reached.

ABANDONMENT OF NON-CONFORMING USES

Zoning non-conformities are governed by Chapter 4 of the Zoning Regulations, which states in part that "[a] non-conforming use may continue to exist providing all other provisions of this Chapter are met..." (Zoning Regulations §6134). Thus, absent further

action, the current commercial operation would be allowed to continue as a non-conforming use. Additionally, even if the current business were to vacate the property, it is possible that the property owner could lease the site to a different commercial occupant that causes impacts that would be in conflict with the surrounding residential uses and the parcel's residential zoning. That is because Section 6134.3, Abandonment of Non-Conforming Uses, requires an owner to voluntarily abandon a non-conforming use for 18 months before the owner loses the right to continue the use:

Section 6132.1 (DEFINITIONS): **Abandoned** - The voluntary termination of a land use or use of a building or structure for a period of at least 18 months. The inability to operate through no fault or intent of the owner, e.g., unsuccessful attempts to sell/lease property or litigation constraints, shall not be considered voluntary termination or constitute abandonment.

To address the possibility that the current or another commercial use may continue to operate on this site indefinitely, staff is proposing the attached resolution (Attachment B) for your consideration to forward to the Board of Supervisors, which would find that the non-conforming use at 3821 Fair Oaks Avenue is detrimental to the health, safety, and welfare of the surrounding area and that this use degrades the neighborhood character.

REMOVAL OF NON-CONFORMING USES

In order for the non-conforming use to be removed or converted to a permitted use within a prescribed period of time, as allowed by law, the Planning Commission must make a recommendation to the Board of Supervisors. The two findings that are required for such action are the following: (1) the non-conforming use is detrimental to the health, safety or public welfare of the surrounding area; and (2) it degrades the neighborhood character (Zoning Regulations § 6134.1). The Board of Supervisors then has the authority to require the non-conforming commercial use to be removed or converted to a permitted residential use (or other use allowed in the R-1 Zone) within a prescribed period of time upon making the two above findings.

In the November 20, 2013 staff report regarding this matter, information was provided in support of making these findings. Specifically, with regard to the first finding, staff presented the following information:

1. The significant volume of commercial vehicle loading and unloading occurring in this residential neighborhood, where there is inadequate infrastructure to allow the unloading of supply trucks and the loading of delivery trucks without unduly obstructing traffic on Fair Oaks Avenue and San Benito Avenue, impedes the safe flow of traffic and can potentially block the access of emergency vehicles and is therefore detrimental to public safety;
2. Occasional noise and odors emitted from a commercial operation is detrimental to the public welfare;

3. The continuous occupation of the structure during business hours by the number of employees necessary to sustain a commercial operation puts an undue strain on the capacity of the neighborhood infrastructure (including, for example, parking) and is detrimental to the public welfare;
4. The volume of refuse and waste from a commercial operation in a residential neighborhood is detrimental to public health; and
5. The amount of parking on-site is insufficient to accommodate the number of employees of the business. The lack of parking has resulted in the spillover of employee parking into the surrounding neighborhood.

During the Planning Commission's discussion, the Commission requested verification of these claims regarding the current commercial use. This information was included in the September 11, 2013 Planning Commission staff report and is included here again for the Commission's review (Attachment C). As indicated in the attachment, the Planning Department has received 111 complaints to date and staff believes that the continuation of a non-conforming use at this location will continue to generate future complaints.

The other finding that the Commission must consider is whether continuation of the existing commercial use of the site degrades the neighborhood character. Among the reasons that such a finding can be made are that the only commercially sustainable business that has occupied the site in recent history is highly intensive and not a neighborhood-serving establishment that is consistent with the current neighborhood character, and that the existence of a commercial establishment on one corner of a residential neighborhood without significant on-site commercial amenities has resulted in the neighborhood impacts outlined above.

Another issue that was discussed at the November 20 public hearing was the question of what recommendation the Commission should make to the Board regarding a "prescribed period of time, as allowed by law," for the commercial uses to continue before sunset. Staff recommended a date of May 31, 2016. This date is based upon previous testimony that the business currently operating on the site has a lease with an initial five-year term expiring by that date (May 2016), but also has a five-year option to continue to May 2021. Commissioner Slocum suggested that there is sufficient evidence in the record that the current use is an immediate threat to the health and welfare of the neighborhood, and that this evidence is sufficient to support the two findings, particularly the first one. In light of this evidence, Commissioner Slocum believes that the Commission's recommendation should be that commercial uses on the parcel cease as soon as possible. Staff continues to recommend that the Commission determine that commercial uses at the site cease by May 31, 2016. However, while it is within the purview of the Planning Commission to recommend a date that the Non-Conforming Use should cease operations, it is not required.

ATTACHMENTS

- A. Recommended Findings
- B. Proposed resolution to find the non-conforming commercial use at 3821 Fair Oaks Avenue is detrimental to the health, safety and welfare and degrades the neighborhood character
- C. Excerpt from September 11, 2013 Planning Commission report, including Code Compliance Activity Log for Case VIO 2012-00133

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County of San Mateo
Planning and Building Department

RECOMMENDED FINDINGS

Permit or Project File Number: PLN 2012-00315 Hearing Date: December 11, 2013

Prepared By: Mike Schaller
Senior Planner

For Adoption By: Planning Commission

RECOMMENDED FINDINGS

Regarding the Proposed Resolution, Recommend to the Board of Supervisors:

1. That the continuation of the existing commercial use of the site and any potential future commercial use of the site is detrimental to the health, safety and public welfare of the surrounding area. Among the reasons for such a finding are:
 - a. The significant volume of commercial vehicle loading and unloading occurring in this residential neighborhood, where there is inadequate infrastructure to allow the unloading of supply trucks and the loading of delivery trucks without unduly obstructing traffic on Fair Oaks Avenue and San Benito Avenue, impedes the safe flow of traffic and can potentially block the access of emergency vehicles and is therefore detrimental to public safety;
 - b. Occasional noise and odors emitted from a commercial operation is detrimental to the public welfare;
 - c. The continuous occupation of the structure during business hours by the number of employees necessary to sustain a commercial operation puts an undue strain on the capacity of the neighborhood infrastructure (including, for example, parking) and is detrimental to the public welfare;
 - d. The volume of refuse and waste from a commercial operation in a residential neighborhood is detrimental to public health; and
 - e. The amount of parking on-site is insufficient to accommodate the number of employees of the business. The lack of parking has resulted in the spillover of employee parking into the surrounding neighborhood.

2. That continuation of the existing commercial use of the site degrades the neighborhood character. Among the reasons for such a finding are that the only commercially sustainable business that has occupied the site in recent history is highly intensive and not a neighborhood-serving establishment that is consistent with the current neighborhood character, and that the existence of a commercial establishment on one corner of a residential neighborhood without significant on-site commercial amenities has resulted in the neighborhood impacts outlined above.

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County of San Mateo - Planning and Building Department

ATTACHMENT B

DRAFT

RESOLUTION NO. _____

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

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**RESOLUTION TO FIND THE NON-CONFORMING COMMERCIAL USE AT
3821 FAIR OAKS AVENUE IS DETRIMENTAL TO THE HEALTH, SAFETY AND
WELFARE AND DEGRADES THE NEIGHBORHOOD CHARACTER**

RESOLVED, by the Board of Supervisors of the County of San Mateo, State of California, that

WHEREAS, on November 20, 2013, the San Mateo County Planning Commission recommended the adoption of a resolution changing the General Plan Land Use designation for the parcel located at 3821 Fair Oaks Avenue from “Neighborhood Mixed Use (Medium Density) Commercial/Residential/Public” to “Single-Family Residential” and recommended the adoption of an ordinance changing the Zoning designation for the same parcel from “C-1/NFO/Fair Oaks” to “R-1/S-73”; and

WHEREAS, on December 10, 2013, the San Mateo County Board of Supervisors adopted said resolution and ordinance and rezoned the subject parcel, making the existing commercial use at this location non-conforming; and

WHEREAS, at its December 11, 2013 hearing, the Planning Commission recommended the adoption of a resolution that finds that the non-conforming commercial use at 3821 Fair Oaks Avenue is detrimental to the health, safety and welfare and degrades the neighborhood character. The Planning Commission provided the following reasons for its recommendation:

1. That the continuation of the existing commercial use of the site and any potential future commercial use of the site is detrimental to the health, safety and public welfare. Among the reasons for such a finding are:
 - a. The significant volume of commercial vehicle loading and unloading occurring in this residential neighborhood, where there is inadequate infrastructure to allow the unloading of supply trucks and the loading of delivery trucks without unduly obstructing traffic on Fair Oaks Avenue and San Benito Avenue, impedes the safe flow of traffic and can potentially block the access of emergency vehicles and is therefore detrimental to public safety;
 - b. Occasional noise and odors emitted from a commercial operation is detrimental to the public welfare;
 - c. The continuous occupation of the structure during business hours by the number of employees necessary to sustain a commercial operation puts an undue strain on the capacity of the neighborhood infrastructure (including, for example, parking) and is detrimental to the public welfare;
 - d. The volume of refuse and waste from a commercial operation in a residential neighborhood is detrimental to public health; and

- e. The amount of parking on-site is insufficient to accommodate the number of employees of the business. The lack of parking has resulted in the spillover of employee parking into the surrounding neighborhood.
2. That continuation of the existing commercial use of the site degrades the neighborhood character. Among the reasons for such a finding are that the only commercially sustainable business that has occupied the site in recent history is highly intensive and not a neighborhood-serving establishment that is consistent with the current neighborhood character, and that the existence of a commercial establishment on one corner of a residential neighborhood without significant on-site commercial amenities has resulted in the neighborhood impacts outlined above.

WHEREAS, at its January 28, 2014 hearing, the Board considered the proposed resolution to find the non-conforming commercial use at 3821 Fair Oaks Avenue is detrimental to the health, safety and welfare and degrades the neighborhood character; and the basis for the Planning Commission’s recommendation.

NOW, THEREFORE, IT IS RESOLVED that the San Mateo County Board of Supervisors hereby finds the non-conforming commercial use at 3821 Fair Oaks Avenue is detrimental to the health, safety and public welfare and that it degrades the neighborhood character.

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County of San Mateo - Planning and Building Department

ATTACHMENT C

Excerpt from September 11, 2013 Planning Commission Staff Report

Code Compliance

One of the Planning Commissioners also requested code enforcement records for the existing business. These records show a large number of complaints regarding, but not limited to, odor, smoke, noise, vibration, lighting, hours of operation, parking, loading, and trash. Smoke and air pollution are regulated by the Bay Area Air Quality Management District. Noise is regulated by the County Environmental Health Division. Odor is regulated by the Planning and Building Department, but is difficult to measure (frequency, duration of each episode, intensity, and character or offensiveness) and to enforce. The current code compliance case under the existing Urgency Ordinance zoning is VIO 2012-00133. The activity log from this case is attached to the end of this staff report.

In response to multiple complaints regarding the subject business, Community Development Director Jim Eggemeyer sent a letter on June 6, 2013 to Mr. David Bui. In this letter, the Director discussed in detail how Planning and Building Department staff has investigated and responded to complaints regarding odor, smoke and noise. This correspondence notes that complaints regarding smoke have been investigated and determined to be unfounded by the Bay Area Air Quality Management District (BAAQMD). The letter also concludes that the operations of the existing business do not result in any substantial odor or noise violations, and that Planning and Building Department staff has worked with neighboring property owners and BACE owners to address concerns and mitigate impacts and to successfully bring operations of the business into compliance with the Urgency Ordinance. The letter notes that the business owner has made improvements to their property in order to mitigate external effects and comply with the performance standards in the Urgency Ordinance, including but not limited to the installation of carbon filters to mitigate food-related odors, and the retention of the services of a noise control specialist. The letter from Mr. Eggemeyer is included as Attachment I at the end of this report (a similar letter sent to Mr. Mitch Jones is not included).



County of San Mateo

Planning & Building Department

455 County Center, 2nd Floor
Redwood City, California 94063
650/363-4161 Fax: 650/363-4849

Mail Drop PLN122
plngbldg@co.sanmateo.ca.us
www.co.sanmateo.ca.us/planning

VIO2012-00133

Summary Of Case Activity

Activity	Activity Description	Date Assigned	Date Completed	Done By	Date Updated	Additional Comments
VIOA005	Case Opened VIOLATION OF PERFORMANCE STANDARDS WITHIN URGENCY ORDINANCE		11/30/2012	PPC	11/30/2012	DONE
VIOA010	Complaint Received COMPLAINT RECEIVED ON 02/04/13 AT 1227 HRS. COMPLAINANT REPORTS EXTREMELY LOUD NOISE AT APPROX 0519 HRS.		2/4/2013	PPC	2/7/2013	DONE
VIOA010	Complaint Received MULTIPLE COMPLAINTS RECEIVED VIA E-MAIL: HOURS OF OPERATION BEFORE 6 AM AND AFTER 9 PM, EMPLOYEES ARRIVE BEFORE 5 AM AND LEAVE AFTER 10 PM, TRASH LEFT OUTSIDE, LIGHT, NOISE AND ODOR.		11/28/2012	PPC	12/4/2012	DONE
VIOA010	Complaint Received COMPLAINT RECEIVED, COMPLAINANT STATES THERE IS ODOR IN YARD AND HOME AT 0830 HRS. (COMPLAINT RECEIVED ON 01/16/13 AT 0836)		1/16/2013	PPC	1/24/2013	DONE
VIOA010	Complaint Received SECOND COMPLAINT RECEIVED ON THIS DATE, SAME COMPLAINANT REPORTS ODOR CONTINUES AFTER FOUR HOURS OF FIRST COMPLAINT. (COMPLAINT RECEIVED ON 01/16/13 AT 1234)		1/16/2013	PPC	1/24/2013	DONE
VIOA010	Complaint Received COMPLAINT RECEIVED, COMPLAINANT REPORTS COOKING SMELL IS ESPECIALLY BAD ON THIS DATE. (COMPLAINT RECEIVED ON 01/21/13 AT 1101)		1/21/2013	PPC	1/24/2013	DONE
VIOA010	Complaint Received COMPLAINT RECEIVED, COMPLAINANT REPORTS BUSINESS PRODUCING DETECTABLE ODORS OFF THEIR PROPERTY (COMPLAINT RECEIVED ON 01/21/13 AT 1003)		1/21/2013	PPC	1/24/2013	DONE
VIOA010	Complaint Received COMPLAINT RECEIVED, COMPLAINANT REPORTS BEING AWAKEN BY HAMMERING-LIKE NOISE COMING FROM BUSINESS. (COMPLAINT RECEIVED ON 01/22/13 AT 0822)		1/22/2013	PPC	1/24/2013	DONE
VIOA010	Complaint Received COMPLAINT RECEIVED, COMPLAINANT REPORTS BUSINESS OPERATING BEYOND ALLOWED TIME (2010 HRS). (COMPLAINT RECEIVED ON 01/23/13 AT 2153)		1/23/2013	PPC	2/4/2013	DONE
VIOA010	Complaint Received COMPLAINT RECEIVED VIA VOICE MESSAGE. COMPLAINANT STATES BUSINESS WAS OPERATING BEFORE 5:00 A.M. AND UNTILL 10:30 P.M. ON TUESDAY, 12/11/12. IN ADDITION, BUSINESS WAS OPERATING UNTILL 1:00 A.M. ON THIS DAY FROM THE NIGHT PRIOR.		12/12/2012	PPC	12/18/2012	DONE
VIOA010	Complaint Received RECEIVED COMPLAINT VIA E-MAIL 12/17/12 AT 1456 HRS. COMPLAINANT WAS AWAKENED AT APPROX. 4:45 A.M. BY LOUD NOISE COMING FROM BUSINESS. IN ADDITION, WAS KEPT UP BY OPERATIONAL NOISES AND RECOLOGY PICK UP SHORTLY THEREAFTER. ALSO, HOME AND YARD CONTAINED A STRONG COOKING ODOR FROM BUSINESS.		12/17/2012	PPC	2/4/2013	DONE
VIOA010	Complaint Received COMPLAINT RECEIVED 03/01/13 AT 0749 HRS. COMPLAINANT REPORTS VIOLATIONS OF ODOR, NOISE PRIOR TO 6 AM, LOITERING (EMPLOYEES TAKE SMOKE BREAKS ALONG THE RESIDENTIAL SIDES OF THE STREETS), AND PARKING.		3/1/2013	PPC	3/19/2013	DONE
VIOA010	Complaint Received COMPLAINT RECEIVED 03/03/13 AT 2203 HRS. COMPLAINANT REPORTS AIR CONDITIONER, OR SIMILAR UNIT MALFUNCTIONING/RATTLING QUITE LOUDLY EVERY TIME IT TURNS ON.		3/3/2013	PPC	3/19/2013	DONE



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VIOA010	Complaint Received COMPLAINT RECEIVED 03/04/13 AT 0842 HRS. COMPLAINANT REPORTS OPERATIONAL NOISE WAS AUDIBLE WITHIN HIS HOME AT 0515 HRS.		3/4/2013	PPC	3/19/2013	DONE
VIOA010	Complaint Received COMPLAINT RECEIVED 03/04/13 AT 1026 HRS. COMPLAINANT REPORTS STRONG ODORS DETECTABLE FROM STREET.		3/4/2013	PPC	3/19/2013	DONE
VIOA010	Complaint Received COMPLAINT RECEIVED 03/05/13 AT 1318 HRS. COMPLAINANT REPORTS FISH SMELL.		3/5/2013	PPC	3/19/2013	DONE
VIOA010	Complaint Received COMPLAINT RECEIVED 03/06/13 AT 0829 HRS. COMPLAINANT REPORTS ODOR DETECTABLE IN HOME.		3/6/2013	PPC	3/19/2013	DONE
VIOA010	Complaint Received COMPLAINT RECEIVED 03/06/13 AT 1136 HRS. COMPLAINANT REPORTS VIOLATIONS FROM PRIOR NIGHT TO THE TIME OF E-MAIL. ODOR STARTING AT 0730 HRS; VIBRATIONS STARTING AT 0315 HRS; AND HOURS OF OPERATION AT 2015 HRS. THE DAY PRIOR TO E-MAIL.		3/6/2013	PPC	3/19/2013	DONE
VIOA010	Complaint Received COMPLAINT RECEIVED 3/6/2013 AT 1452 HRS. COMPLAINANT REPORTS FOUL ODOR.		3/12/2013	PPC	3/19/2013	DONE
VIOA010	Complaint Received COMPLAINT RECEIVED 03/12/2013 AT 2202 HRS. COMPLAINANT REPORTS RATTLING NOISE AUDIBLE FROM PROPERTY.		3/15/2013	PPC	3/19/2013	DONE
VIOA010	Complaint Received COMPLAINT RECEIVED 3/15/2013 AT 2057 HRS. COMPLAINANT REPORTS NOISE (VENTILATION FAN) AFTER 2000 HRS ON 03/14/13, EXTERNAL OPERATION (OFF-LOADING VEHICLE) AFTER 2000 HRS, AND BUSINESS DOORS OPEN AT 2015 HRS.		11/30/2012	PPC	2/4/2013	DONE
VIOA010	Complaint Received COMPLAINT RECEIVED 11/30/12 AT 1221. COMPLAINANT REPORTS STRONG ODORS, MECHANICAL VIBRATIONS, EXTERNAL OPERATIONS AFTER 2000 HRS THE NIGHT PRIOR, TRASH CANS VISIBLE, AND LIGHTING NOT CONFINED TO PREMISES.		12/2/2012	PPC	2/4/2013	DONE
VIOA010	Complaint Received COMPLAINT RECEIVED 12/02/12 AT 1923 HRS. COMPLAINANT REPORTS OUTDOOR SMELL AT 1921 HRS. COOKING BEYOND ALLOWED TIME.		12/5/2012	PPC	2/4/2013	DONE
VIOA010	Complaint Received COMPLAINT RECEIVED 12/05/12 AT 2153 HRS. COMPLAINANT REPORTS FULL OPERATION BEYOND ALLOWED HOURS.		12/6/2012	PPC	2/4/2013	DONE
VIOA010	Complaint Received COMPLAINT RECEIVED 12/06/12 AT 1011 HRS. COMPLAINANT CONFIRMS FULL OPERATIONS AT APPROX 2200 HRS. THE NIGHT PRIOR.		12/9/2012	PPC	2/4/2013	DONE
VIOA010	Complaint Received COMPLAINT RECEIVED 12/09/12 AT 2224 HRS. COMPLAINANT REPORTS CONTINUED OPERATIONS BEYOND ALLOWED TIME.		12/10/2012	PPC	2/4/2013	DONE
VIOA010	Complaint Received TWO COMPLAINTS RECEIVED 12/10/12 BETWEEN 1053-1144 HRS. COMPLAINANT'S REPORT EXTERNAL NOISE AS EARLY AS 0445 HRS.		12/10/2012	PPC	2/4/2013	DONE
VIOA010	Complaint Received COMPLAINT RECEIVED 12/10/12 AT 1239 HRS. COMPLAINANT REPORTS FAN RUNNING AT 58-60 dBs ON A CONSTANT BASIS.					



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VIOA010	Complaint Received COMPLAINT RECEIVED 01/24/13 AT 0936 HRS. COMPLAINANT REPORTS MECHANICAL VIBRATIONS AND NOISE AT APPROX 0300 HRS.		1/24/2013	PPC	2/4/2013	DONE
VIOA010	Complaint Received COMPLAINT RECEIVED 01/25/13 AT 1203 HRS. COMPLAINANT REPORTS OPERATIONAL NOISE (VEHICLE AND BUILDING DOORS/POSSIBLE LOADING) AT 0540 HRS.		1/25/2013	PPC	3/19/2013	DONE
VIOA010	Complaint Received COMPLAINT RECEIVED 01/28/13 AT 0821 HRS. COMPLAINANT REPORTS OPERATIONAL NOISE AT APPROX 0530 HRS.		1/28/2013	PPC	2/4/2013	DONE
VIOA010	Complaint Received COMPLAINT RECEIVED 02/04/13 AT 0753 HRS. COMPLAINANT REPORTS CURRENT OVERBEARING ODOR. IN ADDITION, REPORTS WAKING TO OPERATIONAL NOISE AT 0515 HRS.		2/4/2013	PPC	2/4/2013	DONE
VIOA010	Complaint Received COMPLAINT RECEIVED VIA PHONE MESSAGE: COMPLAINANT STATES WAKING UP THE NIGHT PRIOR, TO VIBRATING NOISE. IN ADDITION, A STRONG SMELL OF BURNED CHICKEN THROUGHOUT RESIDENCE.		12/4/2012	PPC	12/5/2012	DONE
VIOA010	Complaint Received COMPLAINT RECEIVED 01/09/13 AT 1258 HRS. FOUL ODOR DETECTABLE FROM COMPLAINANTS PROPERTY AND WITHIN THE HOME.		1/9/2013	PPC	2/4/2013	DONE
VIOA010	Complaint Received COMPLAINT RECEIVED 01/10/13 AT 1227 HRS. FOUL ODOR DETECTABLE FROM COMPLAINANTS PROPERTY AND WITHIN THE HOME.		1/10/2013	PPC	2/4/2013	DONE
VIOA010	Complaint Received COMPLAINT RECEIVED 02/07/13 AT 0852 HRS. COMPLAINANT REPORTS OPERATIONAL NOISES AT 5:30 AM.		2/7/2013	PPC	2/11/2013	DONE
VIOA010	Complaint Received COMPLAINT RECEIVED ON 04/22/13 AT 0610 HRS. COMPLAINANT AWAKEN BY THE ODOR OF BURNT FLESH.		4/22/2013	PPC	7/24/2013	DONE
VIOA010	Complaint Received COMPLAINT RECEIVED 04/24/13 AT 0758 HRS. COMPLAINANT STATES STENCH COMING FROM BUSINESS WITH SMOKE BILLOWING OUT THE BUILDING. IN ADDITION, OPERATIONAL NOISE BEFORE 0600 HRS.		4/24/2013	PPC	7/24/2013	DONE
VIOA010	Complaint Received COMPLAINT RECEIVED 04/26/13 AT 0620 HRS. COMPLAINANT STATES, WAS AWAKEN BY FOUL ODORS AND NOISE FROM BUSINESS.		4/26/2013	PPC	7/24/2013	DONE
VIOA010	Complaint Received COMPLAINT RECEIVED 04/26/13 AT 0828 HRS. SECOND COMPLAINT RECEIVED BY SAME COMPLAINANT EARLIER THIS MORNING REGARDING ODOR.		4/26/2013	PPC	7/24/2013	DONE
VIOA010	Complaint Received COMPLAINANT E-MAILED COMPLAINT ON 04/28/13 AT 0919 HRS. COMPLAINANT REPORTS ODOR VIOLATION FROM BUSINESS. IN ADDITION, HOURS OF OPERATION BEGAN BEFORE 0900 HRS.		4/28/2013	PPC	7/24/2013	DONE
VIOA010	Complaint Received COMPLAINANT E-MAILED ON 04/28/13 AT 1027 HRS. SAME COMPLAINANT FROM EARLIER THIS MORNING REGARDING ODOR.		4/30/2013	PPC	7/24/2013	DONE



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	COMPLAINANT E-MAILED ON 04/30/13 AT 0816 HRS. COMPLAINANT REPORTS SMOKE POURING OUT OF BUSINESS WITH BURNT GREASE ODOR.					
VIOA010	Complaint Received		5/6/2013	PPC	7/24/2013	DONE
	COMPLAINANT E-MAILED ON 05/06/13 AT 1415 HRS. COMPLAIANT REPORTS BUSINESS REEKS WITH SMELL.					
VIOA010	Complaint Received		5/8/2013	PPC	7/24/2013	DONE
	COMPLAINANT E-MAILED ON 05/08/13 AT 0844 HRS. COMPLAINANT REPORTS FOUL ODOR. IN ADDITION, OPERATING NOISES, INCLUDING FAN, AT 0550-0555 HRS MORNING.					
VIOA010	Complaint Received		5/8/2013	PPC	7/24/2013	DONE
	E-MAIL FROM NEIGHBOR ON 05/08/13 AT 0903 HRS. NEIGHBOR E-MAILED TO VOUCH FOR FIRST COMPLAINANT. NEIGHBOR REPORTS NOISE AND SMELL. NEIGHBOR STATES HE COULD SMELL COOKING ODOR AT 0710 HRS, BUSINESS WAS COOKING INSIDE, AND THERE WAS NO NEIGHBOR OUTSIDE BARBECUING.					
VIOA010	Complaint Received		5/13/2013	PPC	7/24/2013	DONE
	COMPLAINANT E-MAILED ON 05/13/13 AT 0751 HRS. COMPLAINANT REPORTS SMELL FROM BUSINESS.					
VIOA010	Complaint Received		5/14/2013	PPC	7/24/2013	DONE
	COMPLAINANT E-MAILED ON 05/14/13 AT 0834 HRS. COMPLAINANT REPORTS BEING INUNDATED WITH STRONG STENCH OF WHAT APPEARS TO BE BURNT MEAT AND HEAVY SEASONING COMING FROM BUSINESS.					
VIOA010	Complaint Received		5/14/2013	PPC	7/24/2013	DONE
	E-MAIL FROM NEIGHBOR REQUESTING CODE ENFORCEMENT STAND BY COMPLAINANTS HOME TO DETECT ODOR.					
VIOA010	Complaint Received		5/15/2013	PPC	7/24/2013	DONE
	COMPLAINANT E-MAILED ON 05/15/13 AT 0826 HRS. COMPLAINANT REPORTS ODOR FROM BUSINESS.					
VIOA010	Complaint Received		5/15/2013	PPC	7/24/2013	DONE
	SECOND COMPLAINANT E-MAILED ON 05/15/13 AT 0848 HRS. COMPLAINANT REPORTS SMELLING COOKING ODOR AND SEEING GREASE SMOKE WHILE HE WAS OUTDOORS FROM 0645-0715 HRS.					
VIOA010	Complaint Received		5/16/2013	PPC	7/24/2013	DONE
	COMPLAINANT E-MAILED ON 05/16/13 AT 0722 HRS. COMPLAINANT REPORTS BUSINESS IS EMITTING ODORS DETECTABLE ON PROPERTY AND HOME.					
VIOA010	Complaint Received		5/21/2013	PPC	7/24/2013	DONE
	COMPLAINANT E-MAILED ON 05/21/13 AT 0717 HRS. COMPLAINANT REPORTS ODOR VIOLATION, COMPLAINANT CAN SMELL THE ODOR IN HOME.					
VIOA010	Complaint Received		5/21/2013	PPC	7/24/2013	DONE
	SECOND COMPLAINANT E-MAILED ON 05/21/13 AT 0804 HRS. COMPLAINANT REPORTS VISIBLE GREASE SMOKE.					
VIOA010	Complaint Received		5/22/2013	PPC	7/24/2013	DONE
	COMPLAINANT E-MAILED ON 05/22/13 AT 0655 HRS. COMPLAINANT REPORTS AWAKENING TO EXTERNAL OPERATIONAL NOISE BEFORE 0600 HRS. IN ADDITION COULD SMELL COOKING FROM HIS YARD.					
VIOA010	Complaint Received		5/24/2013	PPC	7/24/2013	DONE
	COMPLAINANT E-MAILED ON 05/23/13 AT 1146 HRS. COMPLAINANT REPORTS BUSINESS SPEWING ODORS DETECTABLE ON HIS PROPERTY. IN ADDITION, EMPLOYEES WORKING PAST 2100 HRS. THE NIGHT PRIOR.					
VIOA010	Complaint Received		5/24/2013	PPC	7/24/2013	DONE
	COMPLAINANT E-MAILED ON 05/24/13 AT 0837 HRS. COMPLAINANT REPORTS STRONG SMELL FROM BUSINESS IN HIS HOME.					



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VIOA010	Complaint Received SECOND E-MAIL FROM COMPLAINANT REITERATING COUNTY CODE.		3/22/2013	PPC	4/8/2013	DONE
VIOA010	Complaint Received COMPLAINT RECEIVED 03/22/13 AT 1344 HRS. COMPLAINANT REPORTS FRUSTRATION WITH THE POWERFUL SMELL OF "CARNE ASADA" OR SOMETHING SIMILAR, PREVENTING THE ENJOYMENT OF PROPERTY.		3/22/2013	PPC	4/8/2013	DONE
VIOA010	Complaint Received COMPLAINT RECEIVED 03/26/13 AT 1640 HRS. COMPLAINANT REPORTS NOISE (DELIVERY) AT 0505 HRS THE MORNING PRIOR, AND ODOR AT 1530 HRS ON THIS DAY.		3/26/2013	PPC	4/8/2013	DONE
VIOA010	Complaint Received COMPLAINT RECEIVED 03/31/13 AT 1004 HRS. COMPLAINANT REPORTS HOME REEKS WITH STENCH FROM BUSINESS. IN ADDITION, REPORTS OTHER CONSTANT VIOLATIONS, SUCH AS: HOURS OF OPERATION, LOITERING AND FAN NOISE.		3/31/2013	PPC	4/8/2013	DONE
VIOA010	Complaint Received COMPLAINANT E-MAILED ON 07/12/13 AT 0836 HRS. COMPLAINANT REPORTS OPERATIONS AUDIBLE IN THEIR HOME SHORTLY AFTER 0500 HRS. IN ADDITION, STRONG ODOR DETECTABLE AROUND 0745 HRS.		7/12/2013	PPC	7/29/2013	DONE
VIOA010	Complaint Received COMPLAINANT'S SPOUSE ALSO E-MAILED ON 07/12/13 AT 1253 HRS. TO CONFIRM VIOLATION. COMPLAINANT REPORTS BEING AWAKENED BY LOUD BANGING NOISE AND DOOR SLAMMING FROM BUSINESS AT 0500 HRS.		7/12/2013	PPC	7/29/2013	DONE
VIOA010	Complaint Received COMPLAINANT E-MAILED ON 07/16/13 AT 0656 HRS. COMPLAINANT REPORTS STRONG ODOR DETECTABLE ON PROPERTY AND IN HOME.		7/16/2013	PPC	7/29/2013	DONE
VIOA010	Complaint Received COMPLAINANT E-MAILED A SECOND COMPLAINT ON 07/16/13 AT 0724 HRS. COMPLAINANT REPORTS STRONG ODOR IS CAUSING RESPIRATORY/ALLERGIC DISCOMFORT.		7/16/2013	PPC	7/29/2013	DONE
VIOA010	Complaint Received COMPLAINANT E-MAILED ON 07/17/13 AT 0735 HRS. COMPLAINANT REPORTS ODOR NOTICED IN HOME AT 0700 HRS AND CAN STILL SMELL AT THE TIME OF E-MAIL.		7/17/2013	PPC	7/29/2013	DONE
VIOA010	Complaint Received COMPLAINANT E-MAILED ON 07/18/13 AT 0845 HRS. COMPLAINANT REPORTS HE CAN SMELL CHARRED FOOD ODOR FROM BUSINESS IN HIS HOME. IN ADDITION, EXTERNAL OPERATIONS (INTERMITTENTLY UNLOADING VEHICLE) BETWEEN 2010-2030 HRS. ON 07/17/13.		7/18/2013	PPC	7/29/2013	DONE
VIOA010	Complaint Received NEIGHBOR E-MAILED ON 07/18/13 AT 0854 HRS. TO CONFIRM COMPLAINANTS REPORT. NEIGHBOR STATES HE OBSERVED COOKING INSIDE BUSINESS AND SAW GREASE SMOKE.		7/18/2013	PPC	7/29/2013	DONE
VIOA010	Complaint Received COMPLAINANT E-MAILED ON 07/24/13 AT 0746 HRS. COMPLAINANT REPORTS BUSINESS PRODUCING ODORS DETECTABLE ON HIS PROPERTY AND IN HOME. IN ADDITION, COMPLAINANT STATES THIS HAS BEEN A PERSISTENT PROBLEM EVERYDAY THIS WEEK.		7/24/2013	PPC	7/29/2013	DONE
VIOA010	Complaint Received COMPLAINANT E-MAILED ON 07/25/13 AT 0819 HRS. COMPLAINANT REPORTS BUSINESS PRODUCING ODORS DETECTABLE ON HIS PROPERTY AND HOME.		7/25/2013	PPC	7/29/2013	DONE
VIOA010	Complaint Received COMPLAINANT E-MAILED ON 05/26/13 AT 1152 HRS. COMPLAINANT REPORTS PEOPLE ON ROOF AND NO CONTRACTOR'S LICENSE ON VEHICLE.		5/26/2013	PPC	7/25/2013	DONE



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VIOA010	Complaint Received COMPLAINANT E-MAILED ON 05/26/13 AT 1159 HRS. SAME COMPLAINANT REPORTS BUSINESS IS EXCEEDING NOISE ORDINANCE FOR CONSTRUCTION PROJECTS ON A SATURDAY & SUNDAY.		5/26/2013	PPC	7/25/2013	DONE
VIOA010	Complaint Received COMPLAINT E-MAILED ON 05/29/13 AT 0727 HRS. COMPLAINANT REPORTS SMOKE SPEWING FROM BUSINESS.		5/29/2013	PPC	7/25/2013	DONE
VIOA010	Complaint Received COMPLAINANT E-MAILED ON 05/29/13 AT 1139 HRS. COMPLAINANT REQUESTS AN INSPECTOR INVESTIGATE IF WORKERS ARE LICENSED (NO ID ON VEHICLE).		5/29/2013	PPC	7/25/2013	DONE
VIOA010	Complaint Received COMPLAINANT E-MAILED ON 05/29/13 AT 1158 HRS. COMPLAINANT REPORTS STRONG ODOR DETECTABLE IN HIS HOME FROM BUSINESS.		5/30/2013	PPC	7/25/2013	DONE
VIOA010	Complaint Received COMPLAINANT E-MAILED ON 05/30/13 AT 0808 HRS. COMPLAINANT REPORTS A STRONG ODOR EMITTED FROM BUSINESS AND DETECTABLE ON HIS PROPERTY.		6/1/2013	PPC	7/25/2013	DONE
VIOA010	Complaint Received COMPLAINANT E-MAILED ON SATURDAY 06/01/13 AT 0944 HRS. COMPLAINANT REPORTS BUSINESS EMITTING STRONG ODOR DETECTABLE IN HIS HOME.		6/1/2013	PPC	7/25/2013	DONE
VIOA010	Complaint Received E-MAIL FROM NEIGHBOR CONFIRMING 1ST COMPLAINANTS STATEMENT. REPORTS HE CAN SEE THE SMOKE AND SMELL THE ODOR.		6/3/2013	PPC	7/25/2013	DONE
VIOA010	Complaint Received COMPLAINANT E-MAILED ON 06/03/13 AT 0716 HRS. COMPLAINANT REPORTS SMOKE BEING PRODUCED BY BUSINESS, AND ODOR DETECTABLE FROM HIS PROPERTY.		3/20/2013	PPC	4/8/2013	DONE
VIOA010	Complaint Received COMPLAINT RECEIVED BY SECOND PARTY COMPLAINANT 03/20/13 AT 1155 HRS. COMPLAINANT INFORMS THIS OFFICE OF FIRST PARTY'S COMPLAINT OF SMELL. IN ADDITION, REPORTING PARTY STATES ATTACHED UNIT DOES NOT GRILL ON WEEKDAYS, AND WHEN THEY DO, THEY ARE EASILY VISABLE FROM STREET.		3/20/2013	PPC	4/8/2013	DONE
VIOA010	Complaint Received COMPLAINT RECEIVED 03/20/13 AT 1452 HRS. COMPLAINANT REPORTS STENCH EMMITTED BY BUSINESS.		3/20/2013	PPC	4/8/2013	DONE
VIOA010	Complaint Received E-MAIL FROM FIRST PARTY COMPLAINANT OF A COMPLAINT RECEIVED EARLIER THIS SAME DAY (03/20/13). COMPLAINANT REPORTS INFRINGEMENT OF ODOR REGULATIONS BY BUSINESS "GARLIC SMELL SINCE 9 AM".		3/22/2013	PPC	4/8/2013	DONE
VIOA010	Complaint Received COMPLAINT RECEIVED 03/22/13 AT 0901 HRS. COMPLAINANT E-MAILED ATTACHED PHOTO OF EXHAUST AIR FROM BUSINESS INDICATING ODOR FROM BUSINESS.		4/1/2013	PPC	4/8/2013	DONE
VIOA010	Complaint Received COMPLAINT RECEIVED 04/01/13 AT 0917 HRS. COMPLAINANT REPORTS BUSINESS EMITTING ODORS OFF THEIR PROPERTY. "YARD FULL OF STENCH"		3/31/2013	PPC	4/8/2013	DONE
VIOA010	Complaint Received COMPLAINT RECEIVED 03/31/13 AT 1010 HRS. COMPLAINANT E-MAILED PHOTO IDENTIFYING SYSCO DELIVERY VEHICLE BLOCKING ONE TRAFFIC LANE.		3/31/2013	PPC	4/8/2013	DONE
VIOA010	Complaint Received SECOND COMPLAINT RECEIVED 03/31/2013 AT 1015 HRS. COMPLAINANT E-MAILS TO SUBSTANTIATE FIRST COMPLAINT RECEIVED AT 1004 HRS.					



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VIOA010	Complaint Received COMPLAINT RECEIVED 04/03/13 AT 0803 HRS. COMPLAINANT REPORTS STRONG ONGOING SMELL OF COOKING. IN ADDITION REPORTS "NO NEIGHBOR IS GRILLING ANYTHING AT THE MOMENT"		4/3/2013	PPC	4/8/2013	DONE
VIOA010	Complaint Received COMPLAINT RECEIVED 04/03/13 AT 0914 HRS. COMPLAINANT REPORTS STRONG ODOR UP UNTIL 0845 HRS.		4/3/2013	PPC	4/8/2013	DONE
VIOA010	Complaint Received COMPLAINT RECEIVED 04/05/13 AT 0845 HRS. COMPLAINANT REPORTS TERRIBLE SMELL IN YARD AT TIME OF COMPLAINT.		4/5/2013	PPC	4/8/2013	DONE
VIOA010	Complaint Received COMPLAINT RECEIVED 04/07/13 AT 1006 HRS. COMPLAINANT REPORTS BUSINESS PRODUCING NOXIOUS FUMES MAKING IT IMPOSSIBLE TO EXERCISE THE RIGHT TO ENJOY HOME AND PROPERTY.		4/7/2013	PPC	4/8/2013	DONE
VIOA010	Complaint Received COMPLAINT RECEIVED 04/08/13 AT 2013 HRS. COMPLAINANT REPORTS INDUSTRIAL FAN IN OPERATION AFTER EIGHT PM.		4/8/2013	PPC	4/17/2013	DONE
VIOA010	Complaint Received COMPLAINT RECIEVED 04/09/13 AT 1221 HRS. COMPLAINANT REPORTS BUSINESS WAS STINKING UP THE PLACE IN THE MORNING AND AT THE TIME OF THIS E-MAIL. ALSO, EXTERNAL OPERATIONS AFTER EIGHT PM THE NIGHT PRIOR. IN ADDITION, COMPLAINANT REPORTS FOLLOWING ONE OF THE BUSINESS VEHICLES WHICH WAS DROPPING OFF EMPLOYEES TO THEIR VEHICLES WITHIN THE NEIGHBORHOOD.		4/9/2013	PPC	4/17/2013	DONE
VIOA010	Complaint Received COMPLAINT RECEIVED 04/12/13 AT 0837 HRS. COMPLAINANT REPORTS BUSINESS EMITTING STRONG BURNT FLESH TYPE ODOR.		4/12/2013	PPC	4/17/2013	DONE
VIOA010	Complaint Received E-MAIL FROM NEIGHBOR RECEIVED 04/12/13 AT 1156 HRS. NEIGHBOR CONFIRMS EARLIER COMPLAINT BY INFORMING THIS OFFICE OF THE STRONG COOKING SMELL AT APPROX 0845 HRS. IN ADDITION, INFORMS THIS OFFICE, BUSINESS WAS COOKING INSIDE, DROVE AROUND THE AREA AND DID NOT DETECT ANY NEIGHBOR GRILLING OUTDOORS.		4/12/2013	PPC	4/17/2013	DONE
VIOA010	Complaint Received COMPLAINANT E-MAILED ON 06/04/13 AT 1306 HRS. COMPLAINANT REPORTS COOKING ODOR FROM 0730-0800 HRS. FURTHERMORE, COMPLAINANT STATES THERE WAS NO VISUAL SMOKE, HOWEVER HE COULD SEE EMPLOYEES WORKING AND DID NOT OBERVE ANY NEIGHBOR OUTSIDE GRILLING. IN ADDITION, HE COULD HEAR A LOW HUMMING NOISE COMING FROM EXHAUST FAN.		6/4/2013	PPC	7/26/2013	DONE
VIOA010	Complaint Received COMPLAINANT E-MAILED ON SATURDAY 07/27/13 AT 1420 HRS. COMPLAINANT REPORTS BUSINESS DISPOSING OF LIQUID WASTE IN THE MIDDLE OF THE STREETS.		7/27/2013	PPC	7/30/2013	DONE
VIOA010	Complaint Received COMPLAINANT E-MAILED ON 07/29/13 AT 0829 HRS. COMPLAINANT REPORTS BUSINESS OPERATIONS WERE AUDIBLE IN HIS HOME AT 0445 HRS. IN ADDITION, REPORTS ODORS PRODUCED BY BUSINESS WERE DETECTABLE IN HIS HOME AND PROPERTY AT 0815 HRS.		7/29/2013	PPC	7/30/2013	DONE
VIOA010	Complaint Received COMPLAINANT E-MAILED ON 06/05/13 AT 0817 HRS. COMPLAINANT REPORTS GOING OUTSIDE WHERE HE MET WITH A HORRIBLE GREASE SMELL. COMPLAINANT STATES HE COULD SEE THE GREASE SMOKE COMING OUT OF THE BUSINESS FACILITY.		6/5/2013	PPC	7/26/2013	DONE
VIOA010	Complaint Received E-MAIL FROM NEIGHBOR ON 06/05/13 AT 1011 HRS. NEIGHBOR REPORTS HE ALSO SAW THE EXCESSIVE SMOKE POURING OUT OF THE BUSINESS AND A STRONG GREASE SMELL.		6/5/2013	PPC	7/26/2013	DONE



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VIOA010	Complaint Received COMPLAINANT E-MAILED ON 06/06/13 AT 0824 HRS. COMPLAINANT REPORTS FEELING NAUSEATED AND SICK EVERYTIME HE GOES OUTSIDE AND HAS TO BREATHE IN THE SMOKE.		6/6/2013	PPC	7/26/2013	DONE
VIOA010	Complaint Received COMPLAINANT E-MAILED ON 06/10/13 AT 0703 HRS. COMPLAINANT REPORTS ODOR DETECTABLE ON HIS PROPERTY STARTING AT 0630 HRS. AND CURRENTLY IN EFFECT AT THE TIME OF E-MAIL.		6/10/2013	PPC	7/26/2013	DONE
VIOA010	Complaint Received COMPLAINANT E-MAILED ON 06/17/13 AT 1553 HRS. COMPLAINANT REPORTS FOUL ODOR AT THE TIME OF E-MAIL AND EARLIER THIS MORNING.		6/17/2013	PPC	7/26/2013	DONE
VIOA010	Complaint Received COMPLAINANT E-MAILED ON 06/20/13 AT 0742 HRS. COMPLAINANT REPORTS CONTINUED VIOLATION OF ODOR EVERYDAY OF THE WEEK OF THIS E-MAIL.		6/20/2013	PPC	7/26/2013	DONE
VIOA010	Complaint Received COMPLAINANT E-MAILED ON 06/22/13 AT 2150 HRS. COMPLAINANT REPORTS EXTERNAL LIGHTING NOT CONFINED TO THE PREMISES ALL NIGHT. SEE PHOTOS ATTACHED TO FILE.		6/22/2013	PPC	7/26/2013	DONE
VIOA010	Complaint Received COMPLAINANT E-MAILED ON 06/25/2013 AT 0747 HRS. COMPLAINANT REPORTS ODOR DETECTABLE ON HIS PROPERTY. IN ADDITION, COMPLAINANT STATES THE DAY BEFORE, SMELL WAS DETECTABLE ON AT LEAST FIVE PROPERTIES DOWN SAN BENITO.		6/25/2013	PPC	7/26/2013	DONE
VIOA010	Complaint Received COMPLAINANT E-MAILED ON 06/25/13 AT 1452 HRS. COMPLAINANT E-MAILS A SECOND COMPLAINT REPORTING ODOR DETECTABLE ON HIS PROPERTY AND IN HIS HOME.		6/25/2013	PPC	7/26/2013	DONE
VIOA010	Complaint Received COMPLAINANT E-MAILED ON 06/25/13 AT 1630 HRS. COMPLAINANT E-MAILS A THIRD TIME, REPORTS STRONG SMELL NON STOP ALL AFTERNOON.		6/27/2013	PPC	7/26/2013	DONE
VIOA010	Complaint Received COMPLAINANT E-MAILED ON 06/27/13 AT 1420 HRS. COMPLAINANT REPORTS DETECTING STRONG ODOR DOWN SAN BENITO AVENUE AND COULD FOLLOW IT BACK DIRECTLY TO BUSINESS.		6/30/2013	PPC	7/26/2013	DONE
VIOA010	Complaint Received COMPLAINANT E-MAILED ON SUNDAY, 06/30/13 AT 0835 HRS. COMPLAINANT REPORTS OPERATIONS PRIOR TO THE 0900 HRS OPERATIONS LIMIT FOR WEEKENDS.		7/3/2013	PPC	7/26/2013	DONE
VIOA010	Complaint Received COMPLAINANT E-MAILED ON 07/03/13 AT 0705 HRS. COMPLAINANT REPORTS ODOR DETECTABLE ON HIS PROPERTY "ALSO YESTERDAY AND THE DAY BEFORE"		7/8/2013	PPC	7/26/2013	DONE
VIOA020	Research Ownership COMPLAINANT E-MAILED ON 07/08/13 AT 0550 HRS. COMPLAINANT REPORTS BUSINESS HOURS OF OPERATION TO BEGIN AT APPROX 0500 HRS. TWO PHOTOS ATTACHED TO FILE, 1ST PHOTO OF VEHICLE WITH DOOR OPEN, 2ND PHOTO OF VEHICLE DEPARTING.		11/30/2012	PPC	11/30/2012	DONE
VIOA025	Field Inspection AT 8:00 P.M. EMPLOYEE WAS OUTSIDE LINING GARBAGE CANS. A FEW MINUTES LATER AT LEAST TWO MORE EMPLOYEES WERE CONDUCTING ACTIVITIES OUTDOORS. OUTDOOR ACTIVITIES CEASED AT 8:30 P.M. HOWEVER, ONLY FOR A PERIOD OF TEN MINUTES, THEN CONTINUED ON AN ON AND OFF BASIS THROUGHOUT THE HOURS OF 10:00 P.M. AT 9:37 P.M. APPROX SIX EMPLOYEES DEPARTED, FOLLOWED BY SEVEN MORE BETWEEN 9:50-10:00 P.M. OUTDOOR LIGHTING WAS TURNED OFF AT 9:45 P.M. AT 10:25 P.M. THREE REMAINING EMPLOYEES SHUT DOWN AND LEFT THE PREMISIS.		12/5/2012	PPC	12/6/2012	DONE



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VIOA025	Field Inspection		6/6/2013	PPC	7/26/2013	DONE
	INSPECTION CONDUCTED ON 06/06/13 AT 0840 HRS. SHORTLY AFTER RECEIVING A COMPLAINT OF SMOKE AND GREASE ODOR. UPON ARRIVAL, STANDING IN FRONT OF THE FACILITY ON FAIR OAKS AVENUE, A BRIEF SLIGHT FOOD OROR WAS DETECTED. TEN MINUTES LATER, I WAS APPROCHED BY THE COMPLAINANT WHO ASKED IF I COULD SMELL ANYTHING, TO WHICH I RESPONDED, "NO". THE COMPLAINANT ASKED THAT I MOVE AROUND TO DIFFERENT LOCATIONS SO THAT MAYBE I COULD DETECT THE GREASE ODOR. IN ADDITION, WE ASKED THE NEIGHBOR LOCATED TO THE REAR OF THE FACILITY IF ODOR WAS DETECTABLE ON HIS PROPERTY, AS IT USUALLY IS (ACCORDING TO OUR RECORD OF COMPLAINTS), HOWEVER NEIGHBOR STATED NO ODOR WAS DETECTABLE AT THE TIME OF THIS INSPECTION.					
VIOA025	Field Inspection		12/4/2012	PPC	12/10/2012	DONE
	FIELD INSPECTION: SOME OUTDOOR ACTIVITY BETWEEN THE HOURS OF 8:00 P.M. AND 8:30 P.M. SUCH AS PLACING CARDBOARD INTO RECYCLING BIN LOCATED AT FRONT OF BUSINESS. AT APPROX 9:10 P.M. FOUR EMPLOYEES WERE OUTSIDE BEHIND CATERING VEHICLES AND SHORTLY AFTER PROCEEDED TO PLACE GARBAGE BAGS INTO GARBAGE BIN ALSO LOCATED AT FRONT OF BUSINESS. AT 9:15 P.M. EIGHT EMPLOYEES DEPARTED, FOLLOWED BY THREE OTHERS AT 9:28 P.M. AT THIS TIME ALL OUTDOOR LIGHTING WAS TURNED OFF, HOWEVER, TWO OR MORE EMPLOYEES REMAINED INDOORS WITH INDOOR LIGHTS ON. REMAINING EMPLOYEES DEPARTED SOMETIME BETWEEN 10:00 P.M. AND 10:10 P.M.					
VIOA025	Field Inspection		12/3/2012	PPC	12/5/2012	DONE
	SITE VISIT: STAFF BEGAN TO ARRIVE AS EARLY AS 4:40 A.M. BY 5:00 A.M. AT LEAST TEN VEHICLES HAD ARRIVED (INCLUDING TWO CATERING VEHICLES). IT APPEARS THAT SOME VEHICLES ARE RELOCATED OFF SITE AND STAFF CARPOOLS BACK IN ONE VEHICLE. LOADING AND UNLOADING ACTIVITY BEGAN AS EARLY AS 5:00 A.M. WITH TWO CATERING VEHICLES DEPARTING AT APPROX 5:30 A.M. FOLLOWED BY ONE OTHER AT APPROX 6:00 A.M.					
VIOA025	Field Inspection		5/31/2013	PPC	7/26/2013	DONE
	INSPECTION CONDUCTED BETWEEN 0700-0810 HRS. ON 05/31/13. A SLIGHT, FAINTED ODOR WAS DETECTABLE WITH THE DRIFT OF THE WIND ONCE DURING THE TIME OF THIS INSPECTION.					
VIOA025	Field Inspection		4/9/2013	PPC	4/17/2013	DONE
	FIELD INSPECTION ON 04/09/13 AT 2200 HRS. BUSINESS CLOSED, NO ONE ON SITE. EXTERNAL NOISE CONFIRMED, AUDIBLE ONLY AT REAR OF BUSINESS ON SAN BENITO ST.					
VIOA025	Field Inspection		6/5/2013	PPC	7/26/2013	DONE
	INSPECTION AT 1045 HRS. ON 06/05/13. NO ODOR DETECTED UPON ARRIVAL. BUILDING INSPECTION MANAGER WAS ON SITE CONDUCTING AN INSPECTION AND CONFIRMED NO ODOR DETECTED. AN INTERIOR INSPECTION REVEALED NO COOKING AT THE TIME OF INSPECTION, THE ONLY FOOD FOUND WERE COLD SANDWICHES AND WRAPS. THE COOK DID HOWEVER CONFIRMED COOKING CHICKEN EARLY IN THE MORNING AND STATED ALL COOKING ACTIVITES WERE COMPLETED BY 0845 HRS.					
VIOA025	Field Inspection		6/4/2013	PPC	7/26/2013	DONE
	INSPECTION BETWEEN 0755-0835 ON 06/04/13. NO DETECTABLE ODOR AT THE TIME OF THIS INSPECTION.					
VIOA025	Field Inspection		6/3/2013	PPC	7/26/2013	DONE
	INSPECTION CONDUCTED BETWEEN 0630-0745 HRS. ON 06/03/13. NO ODOR DETECTED WITHIN THE FIRST 45 MINUTES ON LOCATION. AT APPROXIMATELY 0715 HRS, A SLIGHT ODOR WAS DETECTED AS I STOOD TO THE REAR OF THE BUSINESS/FRONT OF ADJACENT RESIDENCE. SHORTLY AFTER A RESIDENT CAME OUT AND DEPARTED. THERE WAS NO ODOR AFTERWARD, THEREFORE, I BELIEVE THE COOKING ODOR CAME FROM THE RESIDENCE AND NOT THE BUSINESS.					
VIOA025	Field Inspection		1/30/2013	CEC	2/11/2013	FAIL



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	1/30/2012 CEC- 1/30/2013 CEC-Fail 1. Install a one-hour rated assembly around (on all four walls, inside the shaft on the roof) all four interior sides of the screened walls. Using exterior 5/8" Type-X Gypsum Board, and cover the gypsum board with 28-Gauge metal, and ensure that the metal covers the top of the walls creating a cap on all four walls.					
	2. Type One-Hood: Install carbon filters as per the Listing the customer provided (American Metal, Mfg #RCP0801). Do not install the carbon filters with a paper-liner around the carbon filter.					
VIOA025	Field Inspection		12/6/2012	PPC	12/6/2012	DONE
	LOADING ACTIVITIES STARTED BEFORE 5:10 A.M. AND CONTINUED AS CATERING VEHICLES DEPARTED, FIRST VEHICLE DEPARTED AT APPROX 5:30 A.M.; SECOND AT 5:38 A.M. AND ONE MORE AT 6:10. TWO OTHER VEHICLES REMAINED ON PREMISIS AS OF 7:00 A.M.					
VIOA025	Field Inspection		3/6/2013	PPC	3/19/2013	DONE
	INSPECTION AT 0930 HRS. A SLIGHT ODOR DETECTED AS WIND PICKED UP.					
VIOA027	Additional Research		12/5/2012	PPC	12/5/2012	DONE
	CONFIRMED WITH RECOLOGY DAYS AND HOURS OF SERVICE: PICK UP SEVICE IS MONDAY, WEDNESDAY AND FRIDAY. GARBAGE BETWEEN 5:00 A.M. AND 6:30 A.M.; RECYCLING BETWEEN 6:00 A.M. AND 7:00 A.M.; AND COMPOST AFTER 8:00 A.M.					
VIOA027	Additional Research		6/26/2013	PPC	7/26/2013	DONE
	AN INVESTIGATION REVEALED THAT ON THE NIGHT OF 06/22/13, LIGHTS WERE LEFT ON UNINTENTIONALLY. BUSINESS OWNERS ARE UNCERTAIN OF WHY THIS OCCURED, AND INTEND TO MAKE EVERY EFFORT TO PREVENT THIS FROM REOCCURRING.					
VIOA027	Additional Research		7/8/2013	PPC	7/30/2013	DONE
	FURTHER RESEARCH ON THIS MORNINGS COMPLAINT INDICATES NO LOADING OR UNLOADING BEFORE 0600 HRS. THE VEHICLE LEAVING THE PREMISES WAS IN ROUTE TO PICK UP EMPLOYEES AND NOT OUT FOR DELIVERY.					
VIOA034	Code Violation Notice (1) Sent		12/6/2012	PPC	12/10/2012	DONE
	NOTICE OF VIOLATION MAILED TO PROPERTY OWNER, BUSINESS OWNER AND OPERATOR VIA CERTIFIED AND REGULAR MAIL.					
VIOB100	Assign PRIORITY 1		11/30/2012	PPC	11/30/2012	DONE
VIOA107	SEE CASE NOTES	3/5/2013		AXS	3/19/2013	
	I went out to BACE to check on a compliant regarding odor of fish being cooked. I went to the site and they were grilling chicken. I went inside and on a griddle the size is about 14x20. There was a bowl of chicken also next to the stove. When I went outside I noticed smoke and a slizzing noise coming from the living unit behind the facility. You could smell someone cooking from inside the unit.					
VIOA601	Correspondence Received		7/8/2013	PPC	7/26/2013	DONE
	E-MAIL FROM COMPLAINANT ON 07/08/13 AT 1027 HRS. E-MAIL DIRECTED TO THE BOARD OF SUPERVISORS. SEE FILE FOR COPY.					
VIOA601	Correspondence Received		6/28/2013	PPC	7/26/2013	DONE
	E-MAIL FROM THIRD PARTY COMPLAINANT, DIRECTED TO DISTRICT SUPERVISOR REGARDING THE RELOCATION OF BUSINESS. SEE FILE FOR COPY.					
VIOA601	Correspondence Received		6/6/2013	PPC	7/26/2013	DONE
	E-MAIL FROM COMPLAINANT, SEE FILE FOR COPY.					
VIOA601	Correspondence Received		5/22/2013	PPC	7/25/2013	DONE
	E-MAIL REQUESTING UPDATE ON INSTALLATION OF FILTERS. **FILTERS WERE INSTALLED ON 05/21/13 AND VERIFIED BY BUILDING OFFICIAL**					
VIOA710	Follow-up Inspection		12/21/2012	PPC	12/21/2012	DONE
	DRIVE-BY INSPECTION, LOADING ACTIVITY BEFORE 5:00 A.M. ALTHOUGH NO ONE WAS OUTSIDE AT THE TIME, ALL CATERING VEHICLES HAD REAR DOORS OPEN AND CARTS OUTSIDE. (5:45 A.M.)					



County of San Mateo

Planning & Building Department

455 County Center, 2nd Floor
Redwood City, California 94063
650/363-4161 Fax: 650/363-4849

Mail Drop PLN122
plngbldg@co.sanmateo.ca.us
www.co.sanmateo.ca.us/planning

VIO2012-00133

Summary Of Case Activity

Activity	Activity Description	Date Assigned	Date Completed	Done By	Date Updated	Additional Comments
VIOA710	Follow-up Inspection ONE EMPLOYEE REMAINED OUTSIDE AFTER 8:00 P.M. LINING GARBAGE CANS. AT APPROX 8:15, EMPLOYEE WENT INSIDE LEAVING A STACK OF GARBAGE CANS OUTSIDE. AT 8:30 ONE EMPLOYEE CAME OUTSIDE TO DUMP CARDBOARD INTO DUMPSTER. FIVE EMPLOYEES DEPARTED AT 9:10 P.M. AT THIS TIME ONE EMPLOYEE CAME OUTSIDE TO THROW GARBAGE INTO DUMPSTER, THEN PROCEEDED TO RELOCATED LINED GARBAGE CANS INTO BUILDING. EXTERIOR LIGHTING WAS TURNED OFF AT 9:21 P.M. FINAL TWO EMPLOYEES LOCKED UP AND LEFT THE PREMISES AT 10:20 P.M.		12/10/2012	PPC	12/13/2012	DONE
VIOA710	Follow-up Inspection FOLLOW UP INSPECTION, NO VIOLATIONS OBSERVED AT THE TIME OF THIS INSPECTION.		1/10/2013	PPC	1/14/2013	DONE
VIOA710	Follow-up Inspection AT 8:06 P.M. ONE EMPLOYEE CAME OUTSIDE TO THROW GARBAGE INTO DUMPSTER. FIVE MINUTES LATER TWO VEHICLES ARRIVED AND PARKED. MORE GARBAGE THROWN OUT AT 8:28 P.M. BY 9:05 P.M. NINE EMPLOYEES HAD DEPARTED. EXTERIOR LIGHTS WERE TURNED OFF AT 9:07 P.M. AT THIS TIME FIVE MORE EMPLOYEES DEPARTED FOLLOWED BY REMAINING TWO AT 9:13 P.M.		12/12/2012	PPC	12/13/2012	DONE
VIOA710	Follow-up Inspection LOADING ACTIVITY HAD STARTED PRIOR TO MY ARRIVAL AT APPROX 5:20 A.M. (I COULD HEAR A LOT OF NOISE AT THIS TIME). SHORTLY AFTER LOADING ACTIVITY CEASED FOR A FEW MINUTES AND THEN RESUMED QUIETLY. I COULD NO LONGER HEAR NOISE, HOWEVER, I OBSERVED THE FRONT DOOR OPEN AND CLOSE A FEW TIMES AND AN EMPLOYEE WAS BEHIND THE CATERING VEHICLES. EXTERIOR LIGHTING REMAINED OFF THE ENTIRE TIME AND CATERING VEHICLES STARTED TO DEPART UNTIL AFTER 6:00 A.M.		12/13/2012	PPC	12/13/2012	DONE
VIOA710	Follow-up Inspection LOADING AND UNLOADING ACTIVITIES IN FULL EFFECT BEFORE 5:10 A.M. LOADING ACTIVITIES CEASED AT 5:35 A.M., RESUMING TEN MINUTES LATER AND CONTINUED ON AN ON AND OFF BASIS THROUGHOUT NON PERMITTED HOURS.		12/20/2012	PPC	12/20/2012	DONE
VIOA710	Follow-up Inspection SYSCO DELIVERY TRUCK PARKED ON SAN BENITO AT 4:45 A.M. EMPLOYEES BEGAN TO ARRIVE AT 4:57. AT THIS TIME SYSCO TRUCK DEPARTED. AT 5:14 FRONT DOOR OPENED AND LOADING ACTIVITY BEGAN. FIRST CATERING VEHICLE DEPARTED AT 6:15 A.M. EXTERIOR LIGHTS TURNED ON AND FULL LOADING AND UNLOADING ACTIVITY (MERCHANDISE STACKED IN FRONT OF BUILDING) BEGAN AT APPROX. 6:25 A.M.		12/17/2012	PPC	12/17/2012	DONE
VIOA710	Follow-up Inspection INSPECTION ON 02/04/13 AT 0820 HRS. NO ODOR DETECTED AT THE TIME OF THIS INSPECTION.		2/4/2013	PPC	2/4/2013	DONE
VIOA710	Follow-up Inspection SITE INSPECTION AT APPROX 1020 HRS. NO ODORS DETECTED AT THE TIME OF THIS INSPECTION.		3/22/2013	PPC	4/8/2013	DONE
VIOA710	Follow-up Inspection SITE INSPECTION AT APPROX 1100 HRS. WALKED AROUND PROPERTY LINE, A SLIGHT SMELL OF FOOD DETECTED. SMELL DETECTED ONLY WHILE STANDING DIRECTLY IN FRONT OF DRIVEWAY TO ADJACENT DWELLING.		4/5/2013	PPC	4/8/2013	DONE
VIOA710	Follow-up Inspection INSPECTION AT 0500 HRS. SOME OUTDOOR ACTIVITY AT 0530 (LESS THAN 5MIN) AND AT 0546 AGAIN.		1/31/2013	PPC	2/4/2013	DONE
VIOA710	Follow-up Inspection		12/17/2012	PPC	12/18/2012	DONE



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VIO2012-00133

Summary Of Case Activity

Activity	Activity Description	Date Assigned	Date Completed	Done By	Date Updated	Additional Comments
	UNLOADING ACTIVITIES CEASED AT 8:25 P.M. AT THIS TIME ONE CATERING VEHICLE DEPARTED. VEHICLE RETURNED AT 8:32 P.M. AT THIS TIME FRONT DOOR WAS CLOSED. AT 8:48, TWO EMPLOYEES CAME OUT TO THROW GARBAGE INTO DUMPSTER, AT THIS TIME EXTERIOR LIGHTS WERE TURNED OFF. AT 9:05 P.M. APPROX. TWELVE EMPLOYEES CAME OUT, EIGHT LEFT ON FOOT. BUSINESS CLOSED AND REMAINING EMPLOYEES DEPARTED AT 9:10 P.M.					
VIOA710	Follow-up Inspection		12/19/2012	PPC	12/19/2012	DONE
	EMPLOYEES STARTED TO ARRIVE AT APPROX. 5:00 A.M. EXCEPT FOR ONE EMPLOYEE BRINGING OUT BOXES FOR RECYCLING CONTAINER AT 5:43 A.M., AND EMPLOYEES BEING SHUTTLED FROM THEIR PARKING LOCATION TO BASE, ALL ACTIVITIES WERE CONTAINED IN THE INTERIOR OF THE BUILDING UNTILL AFTER 6:00 A.M.					
VIOA710	Follow-up Inspection		12/18/2012	PPC	12/19/2012	DONE
	GARBAGE AND RECYCLING CONTAINERS BROUGHT OUT AT 8:10 P.M. AT 8:20 P.M. CATERING VEHICLE DEPARTED, RETURNING AT 8:30 P.M. AT THIS TIME ALL EXTERIOR LIGHTING WAS TURNED OFF AND FRONT DOOR CLOSED. FIVE MINUTES LATER AN EMPLOYEE CAME OUT WITH EMPTY BOXES FOR RECYCLING. INTERIOR LIGHTS OFF AND BUSINESS CLOSED AT 8:50 P.M.					
VIOA710	Follow-up Inspection		12/10/2012	PPC	12/10/2012	DONE
	EMPLOYEES STARTED TO ARRIVE AT 5:00 A.M. ALTHOUGH EXTERIOR LIGHTING REMAINED OFF AT 5:20, OUTDOOR ACTIVITIES WERE IN PROCESS AT THIS TIME (SOUND OF TRUCK DOORS, LOADING ACTIVITY, BOXES OUTSIDE, ETC.). EXTERIOR LIGHTING WAS TURNED ON AT 5:27 A.M. FIRST CATERING VEHICLE DEPARTED AT 5:36 A.M. AT THIS TIME A VEHICLE ARRIVED, THREE EMPLOYEES CAME OUT TO UNLOAD PAPER GROCERY BAGS. SECOND CATERING VEHICLE DEPARTED AT 5:45 A.M. FOLLOWED BY THIRD VEHICLE AT 5:49 A.M.					
VIOA730	Miscellaneous Action		5/30/2013	PPC	7/25/2013	DONE
	COMPLAINANT WAS INFORMED OF INSPECTION. COMPLAINANT SUGGESTS THE ODOR IS DETECTABLE ON HIS PROPERTY. SECOND E-MAIL FROM NEIGHBOR SUGGESTS THAT THE FILTERS WERE WORKING AT THE TIME OF INSPECTION, HOWEVER, THEY ARE NO LONGER WORKING. REQUESTS THAT AN INSPECTION BE CONDUCTED AT 0700 HRS.					
VIOA730	Miscellaneous Action		7/29/2013	PPC	7/30/2013	DONE
	COMPLAINT RE: DISPOSAL OF LIQUID WASTE FWD TO ENVIRONMENTAL HEALTH. E-MAILED COMPLAINANT WITH THE ABOVE INFORMATION.					
VIOA730	Miscellaneous Action		6/6/2013	PPC	7/26/2013	DONE
	RESPONSE LETTER MAILED TO BOTH COMPLAINANTS. SEE FILE FOR COPY OF LETTER.					
VIOA730	Miscellaneous Action		5/27/2013	PPC	7/25/2013	DONE
	COMPLAINANT WAS REFERRED TO SHERIFF'S OFFICE FOR COMPLAINTS OUTSIDE NORMAL WORK HOURS.					