



City of Oceanside
Development Services Department
Planning Division

AGENDA NO. 4

Memorandum

Date: May 22, 2023

To: Planning Commissioners

Through: Sergio Madera, City Planner

From: Shannon Vitale, Senior Planner 

**Subject: STATUS UPDATE ON THE BROTHER BENNO'S FACILITY
LOCATED AT 3620 PRODUCTION AVENUE**

The Brother Benno Foundation ("Brother Benno's") is an existing non-profit organization that provides food and other assistance (including clothing, mail service, and mobile showers) to low income families and people experiencing homelessness in Oceanside. Brother Benno's has been providing services from a 12,000-square-foot facility located at 3620 Production Avenue since 1991 when a Conditional Use Permit (C-33-90) was issued by the City. Services are provided at designated times, Monday thru Saturday.

In 2018, the Oceanside Police Department (OPD) prepared an assessment of the Brother Benno's facility and investigated alleged violations of the Conditional Use Permit (CUP). Based on data collected by OPD, complaints regarding homeless related issues were increasing within proximity to the Brother Benno's facility.

In 2019, in response to an increase in the number of complaints related to the Brother Benno's facility and Brother Benno's clientele, the Planning Commission appointed three Planning Commissioners to serve on the Brother Benno's Standing Committee ("Committee"). The Committee met four times between 2019-2020 to discuss compliance issues and revisions to Brother Benno's CUP. The revisions to the CUP were intended to further regulate the operations of the facility and ensure operations do not negatively impact the surrounding community.

The Committee's recommended revisions to the Brother Benno's CUP were approved by the Planning Commission on March 8, 2021. The revisions included provisions for enhanced security, modified on-site mail service, and a security and operational management plan. There was also a condition added to the CUP that requires a Brother Benno's compliance monitoring report/status update to be prepared by staff and provided to the Planning Commission at regular intervals.

As reported in the previous Brother Benno's Status Update (Attachment 1), which was provided to the Planning Commission on May 9, 2022, complaints regarding the facility's operations dramatically decreased following the implementation of the revised conditions. City staff worked with Brother Benno's management staff to ensure compliance with the conditions of approval and to limit the impacts to the surrounding industrial park.

Beginning in February 2023, the City started receiving complaints from businesses and tenants in the Oceanside Industrial Park. The major complaints and concerns received from the surrounding businesses include issues of trespassing, loitering, littering/trash, overnight camping, harassment, vandalism, crime, alcohol and drug use, theft, reduced property value, and loss of revenue. A petition began circulating for signature, calling for the City to revoke Brother Benno's CUP; Planning Commissioners were personally contacted with the same request.

In response to the complaints received by the City, the OPD met with Brother Benno's management staff in February 2023 to discuss how to better manage the facility and surrounding area. Additional meetings between Brother Benno's management staff and City staff occurred in March 2023 to discuss concerns and develop a path forward. The OPD and City staff reminded Brother Benno's the terms of their CUP and the operating restrictions for the facility. Additionally, staff reiterated that further review of the CUP by the Planning Commission may occur if reasonable complaints regarding violations of the conditions are established. Staff provided Brother Benno's 30 days to modify their operations to improve the situation in the industrial park and reduce the number of complaints received from surrounding business owners.

Following these meetings, Brother Benno's has implemented the following measures to ensure compliance with their CUP and address negative impacts to surrounding businesses:

- Food service (sack lunches) ending at 10:45am, instead of 4pm
- Hygiene kit distribution ending at 10:45am, instead of 4pm
- Updated security and operational management plan (to include hiring a second security and sanitation worker to provide on-site security and enhanced trash pickup until 7pm)

Since the March 2023 meetings, OPD has stated that the number of complaints regarding Brother Benno's facility have decreased and that staff have witnessed significant improvements in the Oceanside Industrial Park. OPD indicated that Brother Benno's has been amenable to meeting with City staff on a regular basis to discuss issues and has agreed to stop providing services to people illegally parked in the industrial park overnight.

In efforts to address future impacts from the Brother Benno's facility to the surrounding businesses, OPD further recommends the following:

- Monthly meetings between Brother Benno's management staff, OPD, City staff, and the Oceanside Industrial Park manager(s).
- Requirement for Brother Benno's to contract with a security company to provide directed patrol of the neighborhood daily until 7pm.
- Requirement for Brother Benno's to hire a sanitation worker to be on site until 7pm to assist with trash removal and clean the areas adjacent to the facility on a daily basis.
- Requirement for Brother Benno's to provide a 24-hour contact phone number to the business owners within the Oceanside Industrial Park.

OPD will continue to monitor the status and compliance of the Brother Benno's facility and will work with staff from the Development Services Department to provide updates to the Planning Commission and/or Brother Benno's Standing Committee as deemed necessary.

Attachments:

1. Brother Benno's Status Update dated May 9, 2022
2. The Brother Benno's Foundation approved Security and Operational Management Plan