



EAST PALO ALTO PLANNING COMMISSION REGULAR SESSION AGENDA

Monday, December 9, 2024, 7:00 PM
East Palo Alto City Hall
2415 University Ave.
East Palo Alto, CA 94303

Notice

This Planning Commission meeting on December 9, 2024, at 7:00 p.m., will be held virtually and in-person at the Council Chambers located at 2415 University Avenue, First Floor, East Palo Alto, CA 94303. The virtual portion of this meeting will be conducted in accordance with City of East Palo Alto Resolution adopted pursuant to Assembly Bill 361.

The public may participate in the Planning Commission meeting via Zoom meeting or by attending in-person at the Council Chambers at 2415 University Avenue, First Floor, East Palo Alto, CA 94303. Members of the public may provide comments by signing up on the City's meeting page <https://www.cityofepa.org/citycouncil/page/agenda-and-minutes> or by attending the meeting live via Zoom and using the **"RAISE HAND"** feature when the Chair or Planning Clerk calls for public comment.

Please click this URL to join
<https://us06web.zoom.us/j/89015645851>

Or join by phone:
Dial (for higher quality, dial a number based on your current location):
US: +1 669 900 6833 or
+ 1 346 248 7799 or
+ 1 253 215 8782 or
+ 1 312 626 6799 or
+ 1 929 205 6099 or
+ 1 301 715 8592

Webinar ID: 890 1564 5851

International numbers available: <https://zoom.us/u/aMWYF4KT>

1. **CALL TO ORDER AND ROLL CALL**

2. **APPROVAL OF THE AGENDA**

3. **APPROVAL OF CONSENT CALENDAR**

31. **November 18, 2024 Planning Commission Meeting Minutes**

Recommendation: Accept the November 18, 2024 Planning Commission Minutes.

4. **PUBLIC COMMENT**

5. **INFORMATIONAL REPORTS**

6. **SPECIAL PRESENTATION**

Planning Commission Meeting Schedule for Calendar Year 2025

Recommendation: By Motion, Approve the Planning Commission Meeting Schedule for Calendar Year 2025

7. **PUBLIC HEARINGS**

61. **Special Use Permit (SUP24-001) to allow the continued operation of an automobile dismantling and recycling facility at 2091 Bay Rd.**

Recommendation: Adopt a Resolution:

1. Approving a Special Use Permit (SUP 24-001) for the continued operation of an automobile dismantling and recycling facility at 2091 Bay Road (Infinity Salvage), with four additional conditions, as noted herein;

2. Finding the project is categorically exempt pursuant to Section 15301 of the California Environmental Quality Act (CEQA), which exempts the continued operation of the existing facilities involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. No changes are proposed to the operation of the auto dismantling and recycling business.

8. **ADJOURNMENT**

Upcoming meetings:

Pending approval of 2025 Planning Commission Meeting Calendar		

This AGENDA is posted in accordance with Government Code Section 54954.2(a)

This Notice of Availability of Public Records: All public records relating to an open session item which are not exempt from disclosure pursuant to the Public Records Act, that are distributed to the majority of the Planning Commission will be available for public inspection at the Community and Economic Development Office, 1960 Tate Street, East Palo Alto, CA at the same time that the public records are distributed or made available to the advisory bodies. Such documents may also be available on the East Palo Alto website www.cityofepa.org subject to staff's ability to post the documents prior to the meeting. Information may be obtained by calling (650) 853-3189.

East Palo Alto City Council Chambers is ADA compliant. Requests for disability related modifications or accommodations, aids or services may be made by a person with a disability to the City Clerk's office at (650) 853-3127 no less than 72 hours prior to the meeting as required by Section 202 of the Americans with Disabilities Act of 1990 and the federal rules and regulations adopted in implementation thereof.

DECLARATION OF POSTING

This Notice is posted in accordance with Government Code §54954.2(a) or §54956. Members of the public can view electronic agendas and staff reports by accessing the City website. Under penalty of perjury, this Agenda was posted to the public at least 72 hours prior to the meeting.

POSTED: 12/6/2024

ATTEST:

Ruby Phillips

Planning Secretary II



EAST PALO ALTO PLANNING COMMISSION STAFF REPORT

DATE: December 9, 2024

TO: Honorable Chair and Members of the Planning Commission

VIA: Amy Chen, Director of Community and Economic Development Department

BY: Matthew Ball, Planning Technician

SUBJECT: November 18, 2024, Planning Commission Meeting Minutes

Recommendation

Accept the November 18, 2024, Planning
Commission Meeting Minutes. **Attachments**

1. November 18, 2024, Planning Commission Meeting Minutes.



CITY OF EAST PALO ALTO
PLANNING COMMISSION
REGULAR MEETING MINUTES

November 18, 2024, 7:00 p.m.

EPA Government Center

City Council Chamber

East Palo Alto, CA 94303

REQUESTS TO APPEAR REMOTELY

Pursuant to Government Code Section 54953, members of the body may appear remotely for the following reasons:

- a. Teleconference Exception (Gov't Code § 54953 (b)): None.
- b. Just Cause (Gov't Code § 54953(f)(A)(i)):
 - Commissioner Mendez (Gov't Code § 54953(j)(2)(B) (contagious illness))

1. CALL TO ORDER AND ROLL CALL

The meeting was called to order by Chair at 7:00 p.m. Chair Mashack acknowledged Commissioner Smith as a voting member.

Attendee Name	Title	Status	Arrived
Uriel Hernandez	Commissioner	Absent	
Juan Mendez	Commissioner	Present	
Robert Allen Fisk	Commissioner	Present	
Michael Mashack	Chair	Present	
Robert Sherrard	Vice Chair	Absent	
Javanni Brown-Austin	Commissioner	Present	
Curtis Monette	Commissioner	Present	
Q Smith	Alternate Commissioner	Present	

2. APPROVAL OF AGENDA

Commissioner Allen Fisk made a motion to approve the agenda. It was seconded by Juan Mendez and unanimously approved.

RESULT:	Motion Carried
MOTION BY:	Allen Fisk
SECOND:	Mendez
AYES:	Mendez, Allen Fisk, Brown-Austin, Monette, Smith, Mashack
ABSENT:	Sherrard, Hernandez

3. APPROVAL OF CONSENT CALENDAR

Commissioner Monette made a motion to approve the consent calendar. It was seconded by Commissioner Smith. The motion was unanimously approved.

3.1) October 28, 2024, Planning Commission Minutes

Recommendation: Accept the October 28, 2024, Planning Commission Minutes.

RESULT:	Motion Carried
MOTION BY:	Monette
SECOND:	Smith
AYES:	Mendez, Allen Fisk, Brown-Austin, Monette, Smith, Mashack
ABSENT:	Sherrard, Hernandez

4. PUBLIC COMMENT

None.

5. INFORMATIONAL REPORTS

Planning Manager Lee made the following announcements:

Next Planning Commission meeting will be held on December 9th and it will be the last Planning Commission meeting in 2024.

Next workshop on Safety Element Update will be held December 5th from 6 – 7:30 at the YMCA. Information can be found on the Planning Division website General Plan Update page.

6. SPECIAL PRESENTATIONS

None.

7. PUBLIC HEARINGS

7.1

Ravenswood Specific Plan Update

Recommendation:

Adopt the resolution included as Attachment 1 finding the Planning Commission has reviewed and considered the Final EIR and recommending that the East Palo Alto City Council:

1. Approve the amendments to the General Plan included in Attachment 5;
2. Approve the Ravenswood Business District/4 Corners Specific Plan as revised in Attachment 3; and
3. Approve the amendments to Zoning/Development Code and map in Attachment 4.

The City's Planning and CEQA consultants Akoni Danielsen (David J Powers) and Troy Reinhalter (Raimi and Associates) presented on the RB Subsequent Environmental Impact Report and Draft Specific Plan.

Commissioners asked questions and discussed the project.

Members of the public, Gail Wilkerson, Jeff Poetsch, Jennifer Chang Hetterly, Anthony Urbina, Mike Kramer, provided comments on the project.

Commissioner Smith moved to approve staff's recommendation and it was seconded by Commissioner Brown-Austin. The motion carried.

RESULT:	Motion Carried
MOTION BY:	Smith
SECOND:	Brown-Austin
AYES:	Mendez, Brown-Austin, Smith, Mashack
NO:	Allen Fisk, Monette
ABSENT:	Sherrard, Hernandez

8. ADJOURNMENT

The meeting was adjourned at 8:37 PM.

ATTEST:

Planning Commission Clerk

Planning Commission Chair

East Palo Alto Planning Commission

November 18, 2024, Minutes



**CITY OF EAST PALO ALTO
PLANNING AND HOUSING DIVISION
1960 TATE STREET CITY OF EAST PALO ALTO, CA 94303**

Planning Commission Report

Date: December 9, 2024

To: Honorable Chair and Members of the Planning Commission

From: Elena Lee, Planning Manager

Subject: 2025 Planning Commission Meeting Schedule

Recommendation

By motion, approve the proposed Planning Commission Meeting Schedule for Calendar Year 2025.

Background

To inform the public of future Planning Commission Meetings, the Planning Division has provided a proposed meeting schedule for calendar year 2025 to review. In accordance with Chapter 2.48 of the Municipal Code, the Planning Commission holds at least one regular meeting each month (2nd and 4th Mondays of each month). Meetings are to be held in the City Council Chambers, First Floor City-County Government Center; 2415 University Avenue, East Palo Alto. The meeting time unless otherwise stated is 7:00 p.m. The document '*Rules of the Planning Commission*' is available at 1960 Tate Street or on the Planning Division website provided online¹.

Planning Commission hearings have been held as hybrid meetings since March 13, 2023, providing the option of in-person or virtual attendance. AB 2449, approved in September 2022 and effective January 1, 2023, reiterated the pre-pandemic Brown Act teleconference rules and establishes some flexibility for participation in meetings virtually. Similarly, hybrid City Council meetings have been held since October 2022.

Analysis

Incorporated in the proposed Planning Commission Meeting Schedule, staff has included dates for regular meetings. As stipulated in the Municipal Code, meetings would generally be held on the second and fourth Mondays of the month. These dates may be modified depending on the Planning Commission's direction.

Also noted on the Planning Commission Schedule are dates when meetings will be cancelled. These dates have been selected based upon holidays or events that make it problematic to hold a meeting in the City Council Chambers, as well as not providing enough time to generate the staff report packet between meetings. The proposed cancellation dates include: May 26, 2023

¹ Rules of the Planning Commission:
https://www.cityofepa.org/sites/default/files/fileattachments/planning_commission/page/125/commission_rules_-_adopted_11_14_11_201408201637356450.pdf

(Memorial Day), November 24 (proximity to Thanksgiving Day) and December 22 (proximity to the Christmas holiday). No meetings are proposed for August to coincide with the City Council's August recess. The Planning Commission may elect to propose alternative special meeting dates in place of the cancelled dates.

There are two Planning Commission meetings proposed to be rescheduled to an alternate Monday in October due to a County holiday. The first Planning Commission meeting in October would typically occur on October 12, the second Monday of the month, and October 27, the fourth Monday of the month. However, October 12 coincides with Indigenous Peoples/Columbus Day, which is observed as a holiday by San Mateo County. Therefore, the Council chambers would not be available because it is located in a County facility. Staff proposes that the first October meeting be scheduled for first Monday, October 6 instead. The second October meeting would then be held on October 20, which is the third Monday of the month, in order to give staff time to prepare for the meeting. These revised dates would also provide staff time to prepare packets for the meetings. As discussed above, special meetings can be proposed on an as needed basis.

As discussed above, additional special meetings can be proposed on an as needed basis.

Public Notice

The public was provided notice of this agenda item posting the Planning Commission agenda on the City's official bulletin board outside City Hall and making the agenda and report available on the City's website.

Environmental

The action being considered by the Planning Commission is exempt from the California Environmental Quality Act (CEQA) because it is not a "project" pursuant to 15378(b)(4) because it is a policy requirement which does not involve any commitment to any specific project which may result in a potentially significant impact on the environment.

ATTACHMENTS:

1. 2025 Planning Commission Meeting Schedule



CITY OF EAST PALO ALTO

2025

PLANNING COMMISSION MEETING SCHEDULE

COMMISSIONERS

Commissioner Uriel Hernandez, seat 1 (Term ends 05/31/2026)
 Commissioner Juan Mendez, seat 2 (Term ends 05/31/2027)
 Commissioner Robert Allen Fisk, seat 3 (7/8/2025)
 Chair Michael Mashack seat 4 (Term ends 07/8/2025)
 Commissioner Robert Sherrard, seat 6 (Term ends 05/31/2027)
 Commissioner Javanni Brown-Austin, seat 6 (Term ends 05/31/2027)
 Commissioner Curtis Monette, seat 7 (Term ends 05/31/2027)
 Commissioner Q Smith, seat 8 (Alternate) (Term ends 05/31/2025)

January 13	- regular meeting	February 10	- regular meeting
January 27	- regular meeting	February 24	- regular meeting
March 10	- regular meeting	April 14	- regular meeting
March 24	- regular meeting	April 28	- regular meeting
May 12	- regular meeting	June 9	- regular meeting
May 26	- regular meeting CANCELLED	June 23	- regular meeting
July 14	- regular meeting	August (RECESS)	
July 28	- regular meeting	October 6	- regular meeting RESCHEDULED
September 8	- regular meeting	October 20	- regular meeting RESCHEDULED
September 22	- regular meeting	December 8	- regular meeting
November 10	- regular meeting	December 22	- regular meeting CANCELLED
November 24	- regular meeting CANCELLED		

In accordance with Chapter 2.48 of the Municipal Code, the Planning Commission holds at least one regular meeting each month (2nd and 4th Monday of each month). Meetings would be typically held in the City Council Chambers, First Floor City-County Government Center; 2415 University Avenue, East Palo Alto. Due to the impact of the Covid-19 pandemic and the Governor's issuance of Executive Order N-29-20 suspending certain provisions of the Ralph M. Brown Act, in the interest of public health and safety, Planning Commission hearings have been held virtually since spring of 2020. At this time, it is unknown when conditions will improve to allow in person meetings. As a result, the public should check the online meeting portal for the most up-to-date information and links to the virtual meetings will be posted at the top of each agenda packet:

<https://www.cityofepa.org/citycouncil/page/agenda-and-minutes>

The meeting time unless otherwise stated is 7:00pm. The document 'Rules of the Planning Commission' is available at 1960 Tate Street or on the Planning Commission webpage at: <https://www.cityofepa.org/bc-pc>.

Agendas are posted at the front entrance of the City Hall facility - 2415 University Ave., East Palo Alto and the Community Development Department, 1960 Tate Street, East Palo Alto. Printed agendas and accompanying staff reports can be found at 2415 University Avenue in the City Clerk's Office, Second Floor (650) 853-3100 and the Community Development Department at 1960 Tate Street; and City's Website online at <https://www.cityofepa.org/citycouncil/page/agenda-and-minutes>

The Planning Division website provides additional information. <https://www.cityofepa.org/planning>.

Adopted:



EAST PALO ALTO PLANNING COMMISSION STAFF REPORT

DATE: December 9, 2024

TO: Honorable Chair and Members of the Planning Commission

VIA: Amy Chen, Director of Community and Economic Development

BY: Michelle Huang, Assistant Planner
Elena Lee, Planning Manager

SUBJECT: Special Use Permit (SUP24-001) to allow the continued operation of an automobile dismantling and recycling facility at 2091 Bay Rd.

Recommendation

Adopt a resolution:

1. Approving a Special Use Permit (SUP 24-001) for the continued operation of an automobile dismantling and recycling facility at 2091 Bay Road (Infinity Salvage), with four additional conditions, as noted herein;
2. Finding the project is categorically exempt pursuant to Section 15301 of the California Environmental Quality Act (CEQA), which exempts the continued operation of the existing facilities involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. No changes are proposed to the operation of the auto dismantling and recycling business.

Background

The applicant, Mr. Michael Baker, is seeking approval of a Special Use Permit, SUP 24-001, to permit the continued operation of an automobile dismantling and recycling facility, known as Infinity Salvage, on an approximately 1.96-acre site on the north side of Bay Road at the south-westerly elbow of Cooley Landing Park in the City of East Palo Alto (2091 Bay Road). The facility includes a modular office building, a covered storage area, a

covered shop area where vehicles are drained of fluids before being dismantled, with some parts being repurposed or crushed, and several storage containers used to hold auto parts, oil drums, tools, and various equipment. No changes are proposed to the physical structures or operations at the site. The facility has renewed its Special Use Permit on an annual basis since 2003.

TABLE 1: PROJECT DATA	
Project Element	Detail/Description
Applicant / Owner	Michael Baker
Location	2091 Bay Road
Assessor's Parcel Numbers (APN)	063-121-400, -410
Size of Site	1.96 acres
Existing Use	Automobile Dismantling and Recycling Facility
General Plan Designation	Office
Existing Zoning	Waterfront Office (Ravenswood Specific Plan)
Surrounding Zoning	North: Waterfront Office / Ravenswood Open Space Preserve; East: Ravenswood Open Space Preserve and PR-Parks and Recreation (Cooley Landing); South: Waterfront Office West: Waterfront Office
Recusal Map	None
Requested Entitlements	Special Use Permit
Number of Stories / Height	N/A
Square Footage	N/A
Number of Parking Spaces	3
Number of Secure Bicycle Spaces	0
Unit Mix (Inclusionary and AML Levels)	N/A
Developer Seeking Concessions?	N/A

Automobile dismantlers and recyclers collect vehicles at the end of their useful lives and salvage parts, metal, and other accessories from the vehicles for resale and reuse. The site has been used for automobile dismantling since around 1948 when it was called Sam's Auto Wreckers. In 1974, the facility was purchased by the current owner, Mike Baker, who renamed it Infinity Salvage and kept it in continuous operation in San Mateo County, through the City's incorporation, to the present day.

On December 16, 1996, the City Council adopted Ordinance No. 209, which established a Special Use Permit (SUP) requirement for all automobile dismantlers operating in the then M-1 Light Industrial Zoning District. Even though the adoption of the Ravenswood/4 Corners Specific Plan on February 13, 2013 resulted in the elimination of the M-1 District, the SUP requirement continues because the automobile dismantling provisions in the

Zoning Ordinance were retained and incorporated into the Specific Plan. The Special Use Permit requirement was established to ensure that automobile dismantlers will operate in a manner which would not negatively impact public health, safety and welfare of the community and would not interfere with redevelopment efforts as envisioned by the Specific Plan. On May 27, 2003, Infinity Salvage obtained a Special Use Permit (SUP03-03) from the Planning Commission in accordance with the requirements of Ordinance No. 209. The property owner has consistently applied for, and the Planning Commission has authorized an extension of the Special Use Permit on an annual basis.

The Specific Plan update is in process and was approved for the first reading by the City Council on December 3, 2024. Based on the draft of the Specific Plan as of this staff report, it appears the Infinity Salvage property will maintain its Waterfront Office designation, with updated design and development standards. However, the ultimate decision is up to the City Council. As currently proposed, the applicant can submit for a new SUP to continue this use. Once the update is adopted by City Council, the annual extensions of the Special Use Permit will sunset if and when development is proposed. The current property owner is well-aware of this eventuality and is amenable to the future development opportunity presented by the Specific Plan.

Analysis

The Ravenswood/4 Corners TOD Specific Plan (via Ordinance 357) requires Special Use Permits issued for automobile dismantlers to be reviewed annually by the Planning Commission to determine whether the permittee has complied with all the conditions and requirements of the permit and has otherwise complied with all applicable City ordinances and state laws, rules, and regulations. The latest SUP was approved by the Planning Commission on November 13, 2023.

Conformance with Zoning and Ravenswood/4 Corners TOD Specific Plan

The project site is located within the Ravenswood/4 Corners TOD Specific Plan and zoned Waterfront Office in the Ravenswood Specific Plan Overlay District. While an automobile dismantling and recycling facility is inconsistent with the Vision and Guiding Principles of the Specific Plan the Planning Commission may, based on its discretion, approve and/or extend the Special Use Permit (SUP) to allow the applicant to continue operating on an interim basis. Therefore, staff recommend approval of Infinity Salvage's Special Use Permit to temporarily allow the continuation of the use for another year because it provides a useful service and does not interfere with the redevelopment of the surrounding area, although as envisioned by the Specific Plan and the Update thereto its use will eventually need to sunset. Any such approvals do not inhibit the Planning Commission's ability or discretion to disallow a future SUP renewal request as the real estate conditions and development potential changes.

Consistency with General Plan

The adoption of the Ravenswood/4 Corners TOD Specific Plan and associated General

Plan Amendment in 2013 eliminated the M-1 District and replaced it with an Office District. The current use is not consistent with the Office General Plan Land Use designation. However, the Ravenswood/4 Corners TOD Specific Plan incorporated the Special Use Permit process to temporarily allow for automobile dismantling businesses on condition such businesses will not negatively impact public health, safety and welfare of the community and would not interfere with redevelopment efforts. The proposed update to the Specific Plan will not impact the allowed land uses.

Historical Legal and Permit Compliance

From 2007 to 2009, Code Enforcement staff documented number of violations from the City's Building Division, Menlo Park Fire, and Municipal Codes and the terms of the Special Use Permit related to the operation of the automobile dismantling business. Major life-safety issues have since been abated, and the Planning Commission directed the applicant to conduct incremental progress each year towards addressing all code violations at the subject site. By 2012, most of the violations were resolved, with the Planning Commission directing the applicant to resolve the four outstanding violations as follows:

1. Legalize one of the illegal storage containers.
2. Reduce the height of an existing pallet rack.
3. Remove overgrown weeds.
4. Remove the barrier blocking the accessible ramp to the office

Recent Events

On July 14, 2024, a fire broke out, damaging the onsite shipping containers that contained car parts and wooden shelves, stored vehicles, and a drain station. On November 5, 2024, Code Enforcement and Planning staff conducted a site visit, and noted that the cleanup from the fire is still ongoing. There are vehicles that have been temporarily placed in the aisles between stacked cars obstructing access and fire damaged shipping container and wooden shelves remaining on site. Prior to the fire, there was no indication that there were any code violations.

Code Enforcement and Planning staff conducted a second site visit on December 3, 2024. Staff observed that the roadway from the main gate to the back of the facility had been cleared and the fire damaged vehicles were removed from the site. However, the fire damaged wooden shelves, the required cross aisles between the stacked cars, drain station, the site vegetation maintenance, the office ADA accessible ramp still needed to be addressed to meet existing conditions of approval. The applicant planned to have the fire damaged wooden shelves removed from site and mow the site vegetation within the next two weeks.

After the second visit, staff contacted and verified with Menlo Park Fire Protection District and San Mateo County Environmental Health their requirements. Both agencies are supportive of the 90-day site cleanup approaches (COAs #2) to bring the facility in compliance with all relevant code requirements and existing conditions of approval. The

applicant will be required to schedule and obtain site inspections Menlo Fire and San Mateo County Environmental Health within 90 days of the approval date of SUP24-001 (COA #3) and prior to returning Planning Commission for the compliance review.

Summary

The following is a chronology of compliance activities from the 2012 review cycle to date.

1. On June 19th and 20th, 2013, and July 24, 2014, East Palo Alto staff and Menlo Park Fire Protection District (Fire District) staff inspected the site and verified that the dismantling and recycling operation was in compliance with the conditions of approval of the Special Use Permits.
2. In June of 2014, the City Council adopted Ordinance No. 381, which required all containers with hazardous materials to be stored at a level above the base flood elevation height of 18 inches or more. Accordingly, when SUP13-03 was up for renewal on October 27, 2014, the Planning Commission imposed COA #20 directing the applicant to be in full compliance with Ordinance No. 381 by December 1, 2014.
3. During the 2015-2018 Special Use Permit renewal review cycles, the applicant addressed several site design issues, including emergency vehicle access, unimpeded access aisles between stacked cars, and removal of vehicles on Bay Road, to the satisfaction of City staff and the Menlo Park Fire Protection District.
4. On August 27, 2019, the Menlo Park Fire Protection District conducted an on-site inspection. Menlo Fire noted several items for follow up including the aisle spacing between vehicles, side paths at four feet, and the main center aisle at 15 feet wide minimum. The applicant was asked to provide fire extinguishers in the salvage yard area specifically on each forklift and to keep one mounted in the office. The applicant addressed these issues upon inspection by Planning Division staff.
5. On August 21, 2020, the Menlo Park Fire Protection conducted a site inspection and noted no violations at that time. The Planning Commission subsequently approved SUP20-003 on December 14, 2020, granting the operator another year of operation.
6. An application for extension which was filed on September 14, 2021, under SUP21-002, was subsequently withdrawn by the applicant because of the blanket permit extension granted by the Council as a result of the Covid-19 pandemic.
7. The Menlo Park Fire Protection District again conducted a Fire and Life Safety inspection of the site on November 15, 2022, found no violations, and thanked the operator for “making Fire and Life Safety a priority.” SUP22-002 was approved on December 12, 2022.

8. The East Palo Alto Police Department, Menlo Fire, and the Code Enforcement division have all indicated that Infinity Salvage was in compliance with all the requirements and conditions and supported another annual extension of the Special Use Permit, SUP23-001. SUP23-001 was approved on November 13, 2023, with an annual extension that ends on December 12, 2024. The applicant was also in compliance with the existing conditions of approval retained from SUP22-002 to address all potential environmental impacts.
9. A two-alarm fire broke out at Infinity Salvage on the evening of July 14, 2024. The blaze caused damage to the drain station, approximately 50+ vehicles, three shipping containers that contained wood shelving and car parts. The applicant is responsible for the implementation of the cleanup process to bring the site back to its original state and comply with the existing conditions of approval.
10. The applicant has requested an annual extension in late October 2024 to continue the facility operation for another year.

Staff recommend that the Planning Commission approve the Special Use Permit to temporarily allow the continued operation of the automobile dismantling business based on existing conditions of approval and additional special conditions of approval (Exhibit C). This will provide the applicant with time to address the fire damage without business interruption, except where additional conditions apply:

1. Continued operation will be based only on existing inventory and to cease any new inventory acquisition until all code violations are addressed and the site is restored to its original condition before the July 2024 fire, as required by SUP23-001;
2. Applicant shall return to the Planning Commission within ninety (90) days of the approval of this permit, but no later than April 30, 2025, for a compliance review to confirm that all fire damaged areas and objects are either repaired or removed from site and all code and conditions of approval requirements are met. If the Planning Commission deems that this condition is met at that time, the applicant could be allowed to continue the automobile dismantling operation, including accepting new vehicles and inventory until December 31, 2025. Should the applicant desire to continue the use in 2026, another Special Use Permit would be required.
3. The applicant must obtain passing site inspections from Menlo Park Fire Protection District, San Mateo County Environmental Health, and East Palo Alto Public Works Environmental Services within ninety (90) days of the permit approval date, no later than March 10, 2025 (See Special COA #3), or otherwise comply with a lawful order from any applicable governmental agencies to ensure compliance with applicable laws.
4. The applicant shall submit documentation and updates of the site cleanup every thirty (30) days following the approval of this permit to the East Palo Alto Planning Division to demonstrate cleanup progress and effort. Applicant shall schedule regular inspections with Code Enforcement and Planning Divisions to demonstrate site cleanup progress.

This requirement shall be removed once the site is deemed to be in full compliance.

As of this staff report, staff have not received any complaints from surrounding businesses and owners. Under East Palo Alto Municipal Code Section 18.48.190(D)(5), the Planning Commission (Review Authority) has the authority to “modify or delete any conditions of a permit”. The special conditions of approval require a compliance review by the Planning Commission in approximately three months to provide the applicant time to bring the site into full compliance. Should the Planning Commission affirm that the site is in conformance at the time of the review, the applicant would be allowed to continue the automobile dismantling use to the end of 2025. The special conditions of approval will also no longer restrict the use. If the applicant does not fulfill the special conditions of approval prior to the required compliance review, the special use permit can be revoked or modified.

Fiscal Impact

No fiscal impact is associated with this Special Use Permit.

Public Notice

The public was provided notice by making the agenda and report available on the City’s website and on a bulletin board located at 1960 Tate Street, East Palo Alto. Additionally, a legal ad was placed in the local newspaper ten (10) days prior to this meeting. The hearing notice was also mailed out to property owners within 300 feet of the subject site ten (10) days prior to this meeting.

Environmental

The extension of the Special Use Permit is categorically exempt pursuant to Section 15301 of the California Environmental Quality Act (CEQA), which exempts the continued operation of existing facilities involving negligible or no expansion of use beyond that existing at the time of the lead agency’s determination. No changes are proposed to the operation of the auto dismantling and recycling business or physical site itself.

Government Code § 84308

Applicability of Levine Act: Yes.

Analysis of Levine Act Compliance: The signatory(ies) for the agreement(s) is/are Michael Baker of Infinity Salvage. Staff is unaware of any other parties or participants relevant to the Council’s consideration of this item.

Attachments

1. Resolution
2. Infinity Salvage Site Plan

RESOLUTION NO. PC 2024-XX

**A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EAST PALO ALTO**

**APPROVING A SPECIAL USE PERMIT (SUP24-001) FOR THE CONTINUED
OPERATION OF AN AUTOMOBILE DISMANTLING AND RECYCLING FACILITY
(INFINITY SALVAGE) WITH ADDITIONAL SPECIAL CONDITIONS AT 2091
BAY ROAD**

WHEREAS, Infinity Salvage, an automobile dismantling and recycling business, has continually operated at 2091 Bay Road since 1974; and

WHEREAS, on December 16, 1996, the City Council adopted Ordinance No. 209 that established a Special Use Permit requirement for all automobile dismantlers operating in the M-1 Light Industrial Zoning District; and

WHEREAS, Ordinance No. 209 required annual renewal of Special Use Permits for automobile dismantlers; and

WHEREAS, on May 27, 2003, the Planning Commission issued Special Use Permit, SUP03-03, to allow the continued operation of Infinity Salvage at 2091 Bay Road ("Property"); and

WHEREAS, Infinity Salvage has renewed Special Use Permit (SUP 03-03) on an annual basis since 2003; and

WHEREAS, the adoption of the Ravenswood/4 Corners TOD Specific Plan in 2013 redesignated the M-1 zoning with Waterfront Office and retained the Special Use Permit requirement for automobile dismantling businesses under Chapter 24.8 via Ordinance 357; and

WHEREAS, on October 24, 2016, the East Palo Alto Planning Commission ("Planning Commission") held a duly noticed public hearing to consider approval of a one-year extension of Special Use Permit (SUP16-001) and approved the item; and

WHEREAS, the Planning Commission has approved annual special use permits for the Property from 2017 through 2023; and

WHEREAS, on November 13, 2023, the East Palo Alto Planning Commission held a duly noticed public hearing to consider approval of a one-year Special Use Permit, SUP23-001, and approved the item; and

WHEREAS, on July 14, 2024, a fire broke out, damaging the onsite shipping containers that contained car parts and wooden shelves, stored vehicles, and a drain station. On November 5, 2024, Code Enforcement and Planning staff conducted a site visit, and noted that the cleanup from the fire is still ongoing. There are vehicles

that have been temporarily placed in the aisles between stacked cars obstructing access and fire damaged shipping container and wooden shelves remain on site. Prior to the fire, there was no indication that there were any code violations; and

WHEREAS, Code Enforcement and Planning staff conducted a site visit on November 5, 2024 and learned that the applicant is still repairing damage caused by the fire. Due to the site cleanup activity, some vehicles were temporarily placed in the access lanes between the stacked vehicles and the forklifts used for the drain station have yet to be repaired. Because the applicant is still addressing fire damage, the facility is out of compliance with some of the existing conditions of approval; and

WHEREAS, on December 3, 2024, Code Enforcement and Planning staff conducted a second site visit and observed that the roadway from the front gate to the back of the facility had been cleared and the fire damaged vehicles were removed from site. The fire damaged wooden shelf, the required cross aisles between the stacked cars, drain station, the site vegetation maintenance, the office ADA accessible ramp still needed to be addressed for compliance with the existing conditions of approval.

WHEREAS, on December 9, 2024, the East Palo Alto Planning Commission held a duly noticed public hearing to consider a conditional approval of a Special Use Permit, SUP24-001, with additional conditions to be imposed, in light of the foregoing facts.

NOW, THEREFORE, BE IT RESOLVED THAT THE PLANNING COMMISSION OF THE CITY OF EAST PALO ALTO HEREBY:

1. Approves a Special Use Permit (SUP 24-001) based on Findings of Fact, attached hereto as **Exhibit A**, for the continued operation of an automobile dismantling and recycling facility at 2091 Bay Road (Infinity Salvage), subject to Conditions of Approval, attached hereto as **Exhibit B**, and additional Special Conditions of Approval, attached hereto as **Exhibit C**; and
2. Finds that the project is categorically exempt pursuant to Section 15301 of the California Environmental Quality Act (CEQA), which exempts the continued operation of existing facilities involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. No changes are proposed to the operation of the auto dismantling and recycling business.

PASSED AND ADOPTED on this 9th day of December 2024, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

SIGNED:

Michael Mashack, Chair

ATTEST:

APPROVED AS TO FORM:

Ruby Phillips, Planning Secretary

John D. Lê, City Attorney

Exhibit A – Findings of Fact

Under the East Palo Alto Development Code, the Planning Commission finds that:

1. The applicant was sufficiently in compliance with the requirements and conditions and supported the continued operation of the use permitted by the Special Use Permit, SUP23-001. SUP23-001 was approved on November 13, 2023. The applicant was also in compliance with the existing conditions of approval retained from SUP22-002 to address all potential environmental impacts.
2. The applicant has abated identified major health and life-safety violations pertaining to the operation of the subject automobile dismantling and recycling facility. The applicant has abated violations that the Planning Commission requested to be addressed in 2016 which included:
 - Legalizing all remaining storage containers by securing them in a manner approved by the Chief Building Official.
 - Obtaining solid waste service, as required under Section 8.32.120 of the Municipal Code.
 - Replacing welding gas hoses within 90 days of Planning Commission approval of one-year extension.
 - Labeling containers with recyclable and hazardous materials to show the type of material contained within. The labels were visible from all accessible sides in case of an emergency.
3. The applicant has maintained all containers with hazardous materials at a level above the base flood elevation height of 18 inches or more pursuant to Ordinance No. 381 adopted by the City Council in June 2014.
4. The applicant is in process of repairing damage from a fire that occurred in July 2024 for compliance with the East Palo Alto Municipal Code (EPAMC) and the conditions of approval included in each annual renewal of the Special Use Permit for the automobile dismantling and recycling facility. Prior to the fire in July 2024, there has been no evidence of any code violations.

Exhibit B – Conditions of Approval

Approval Date: December 9, 2024

Expiration Date: April 30, 2025 (if not extended) and December 31, 2025 (if extended)

Planning Division

1. The Special Use Permit shall be valid through December 31, 2025, subject to the conditions #2 and #3 below. An application for renewal shall be submitted for Planning Commission review at least 30 days prior to expiration of the current one-year term.
2. The applicant shall return to the Planning Commission within ninety (90) days of the approval of this Special Use Permit (SUP24-001), but no later than April 30, 2025, for a compliance review and to confirm that all fire damage has been repaired and the site is in full compliance with all relevant code requirements. Prior to the compliance review, the operation shall not accept any new vehicles or inventory. Should the Planning Commission find that the site has not been repaired or restored to its original condition, the Special Use Permit may be revoked. Should the Planning Commission find that the site is in full compliance, the applicant will be allowed to continue full operations until December 31, 2025, including processing of new materials/vehicles. Failure to comply with the Conditions of Approval of SUP 24-001 shall be considered grounds for revocation of this approval.
3. The applicant shall obtain passing site inspections from Menlo Park Fire Protection District, the San Mateo County Environmental Health, and East Palo Alto Public Works Environmental Services within 90 days, no later than March 10, 2025, of the approval date of SUP24-001. The operation shall be permitted for only existing inventory until all code violations are addressed and the site is restored to its original condition. The applicant shall submit the inspection reports and demonstrate the site cleanup progress to the Planning Division within 90 days of the approval date of SUP24-001.
4. The operator of the automobile dismantling and recycling facility shall be a member in good standing of the State of California Auto Dismantlers Association (SCADA) and shall participate in SCADA's Partners in the Solution program.
5. The operator shall submit a copy of the following permits, certification, and licenses within fifteen (15) days of approval of this Special Use Permit or upon request as indicated below. The applicant shall not continue or commence dismantling and recycling operations until copies of all the required permits, certification and licenses have been submitted to the Planning Division. Failure to secure any of the required permits, certification or licenses or failure to maintain

these permits and licenses during the duration of this Special Use Permit approval shall be considered grounds for revocation of this approval. Copies of the following permits, certification and licenses shall be submitted:

- i. Vehicle Dismantling License from the Department of Motor Vehicles
- ii. Storm Water Permit from the State of California Water Resource Control Board or proof of exempt status
- iii. Hazardous Waste Generator Identification Number from the State of California Department of Toxic Substances Control
- iv. State Board of Equalization Resale Permit Number
- v. Franchise tax board ID number
- vi. City of EPA business license
- vii. Certification of membership with SCADA
- viii. Certification of participation in the Partners in the Solution program.
- ix. Hazardous Materials Reporting (upon request)
- x. Hazardous Materials Transport Documentation (upon request)
- xi. Certification of appropriate Department of Transportation (DOT) training for shipping of airbags
- xii. Certification of forklift training from Occupational Safety and Health Administration (OSHA).

- 6 The operator of the automobile dismantling and recycling facility shall operate under the following best management practices standards (source: SCADA Partners in The Solution Program):

- 6.1 Fluid removal: The following fluids shall be properly removed when fluid-containing parts are dismantled or prior to the crushing of vehicles:

- i. Fuel
- ii. Motor oil
- iii. Transmission fluid
- iv. Brake fluid
- v. Antifreeze
- vi. Freon.

- 6.2 Vehicle storage and dismantling; Vehicle fluids shall be drained and fluid-bearing parts shall be dismantled or removed prior to long term storage of vehicles outside. Measures shall be provided to collect and capture any fluids leaking from unprocessed vehicles. Processing (fluid draining and/or parts

dismantling) activities shall be conducted inside a building or enclosed structure, under cover on a bermed impervious surface or an uncovered bermed impervious surface. The processing activities may also be conducted on an un-bermed impervious surface during dry weather only where absorbent material is provided to capture fluids released during processing. Unprocessed vehicles may be stored inside a building to prevent storm water exposure, or the storm water shall be collected and treated prior to discharge.

- 6.3 Vehicle inspection: Vehicles being held for processing shall be visually inspected daily for evidence of leaks.
- 6.4 Recyclable and hazardous materials storage: Recyclable and hazardous materials shall be stored under cover in appropriately labeled and secured containers with secondary containment.
- 6.5 Fluid storage containers: All fluid storage containers shall be in good structural condition with closeable lids or covers.
- 6.6 Lead acid batteries: Batteries shall be removed from vehicles and stored undercover on an impervious surface with secondary containment, and / or in non-leaking covered containers. Up to ten batteries may be stored at the facility at any given time without the batteries having to be managed as a hazardous waste. If more than ten batteries are stored at the site at any given time, the batteries must be managed as a hazardous waste (i.e. labeling, covering and containment, limited 90-day storage period).
- 6.7 Refrigerant removal: Refrigerant shall be evacuated from vehicles by trained operators using Environmental Protection Agency (EPA) approved refrigerant recycling / recovery equipment in accordance with applicable regulations, or the facility contracts for refrigerant removal with a licensed vendor.
- 6.8 Oily vehicle parts: Engines and transmissions removed from vehicles (resale, core, or scrap) and other oily parts shall be stored under a tarp roof or other temporary or permanent cover and on an impervious surface, or in a covered weatherproof container such that there is no contact with rainfall and surface drainage.
- 6.9 Radiators: Radiators removed from vehicles shall be stored under a tarp, roof, or other temporary or permanent cover and raised up off the ground such that there is no contact with rainfall and surface drainage.
- 6.10 Other vehicle parts: Other parts that could release pollutants shall be raised up off the ground such that there is no contact with rainfall and surface drainage.
- 6.11 Engines left in vehicles: Engines not removed from vehicles shall be covered by hoods, tarps plastic sheets, or other material to prevent rainfall from coming in contact with the exposed engine.
- 6.12 Spent cleaning solvents: Spent solvents shall be properly labeled, stored in covered contained areas, and shall be shipped, treated, and/or disposed of

with an authorized processor or EPA permitted transporter and treatment disposal facility.

- 6.13 Water based degreasers: Prior to the discharge of water-based degreasing solutions to the local sanitary sewer system, the operator shall determine if the discharge is allowed by the EPA Sanitary Sewer District. If the District does not allow the discharge of water-based degreasers, then the used water-based degreasers shall be either recycled for reuse onsite or collected for disposal in an approved manner.
- 6.14 Tires: There shall be no more than 1500 waste tires onsite at any one time and no scrap tires shall be kept at the facility for more than 90 days. A "scrap" tire is a tire that is not on the wheel of a vehicle and is not suitable for its original intended use due to wear, damage, defect, or deviation from the manufacturer's original specifications.
- 6.15 Preventative maintenance: A written preventative maintenance program shall be put in place to reduce the risk of equipment breakdown with the potential release of oils or fuels. At the direction of the Director of Public Works, maintenance shall be conducted inside a building or on an impervious surface.
- 6.16 Spill kits: An appropriately stocked spill kit shall be readily accessible whenever fluids are used or stored. Spills and leaks shall be promptly contained, and the used absorbents shall be cleaned up promptly. Use absorbents shall be placed in a designated container for proper disposal.
- 6.17 Unprocessed vehicle fluids: Fluids released from unprocessed salvage vehicles shall be promptly contained with drip pans or equivalent dry cleanup measures and properly disposed of according to local waste disposal ordinances.
- 6.18 Spill reporting: Significant releases of hazardous materials shall be reported to the local emergency response agency (911) and the Office of Emergency Services (800-852-7550).
- 6.19 Non-storm water discharge: There shall be no un-authorized non-storm water discharges. Wash water from equipment, works areas or shop floors are not allowed to come in contact, or mix, with rainfall or surface drainage or drain offsite. Residues from dried wash waters are not allowed to come in contact with rainfall or surface drainage.
- 6.20 Sweeping: Paved areas shall be swept as needed to prevent excessive accumulation of sediment, debris, and loose absorbent.
- 6.21 Erosion control: Erosion control measures shall be used to prevent erosion or scouring of unpaved roadways, storage areas and work areas.
- 6.22 Scrap and trash containers: Scrap and trash containers shall be covered, non-leaking, and staged on paved areas. All scrap and trash containers shall be closed at all times when not in use.
- 6.23 Storm water filters systems: During the wet season (October through May), storm water best management practices (absorbent socks or pillows, inlet

filters, straw bales, silt fences, rock filters, or similar measures) shall be placed at storm water discharge locations, and at locations where offsite storm water enters the site.

- 6.24 Employee training: The facility shall provide employee training on the components and goals for the storm water pollution prevention plan, and on the facility's best management practices. Training should be provided upon initial hire and at least once a year thereafter. The training shall be documented, and a copy of such documentation shall be available upon request to the city staff.
- 6.25 Inspection: The facility operator shall inspect the work areas and storage areas weekly to ensure proper implementation and maintenance of best management practices.
- 7 The project shall be in substantial compliance with the business description submitted as part of East Palo Alto Planning Application SUP 24-001.
- 8 Drawings of any proposed signage shall be submitted to the Planning Division. Signage shall be reviewed through a Sign Permit procedure.
- 9 All equipment, storage or activities associated with the business shall occur within the subject property and shall be screened from view by an 8-foot-high fence or wall.
- 10 The applicant shall comply with the City of East Palo Alto Police Department requirements for safety requirements including, but not limited to, external nighttime lighting and installation of any safety alarms. Emergency contact information must be filed and updated with the Police Department within fifteen (15) days of approval of this Special Use Permit.
- 11 The storing, dismantling, cutting, or cleaning of vehicles, parts and cores must be done on a curb, coated or lined concrete surface with spill controls such as drip pans and absorbent materials. Concrete is porous and should be sealed with an epoxy coating or oil-resistant lining.
- 12 A copy of the SCADA Auto Dismantlers Guidance Manual must remain on the site at all times.
- 13 The hours of operations shall be limited to 8:00 a.m. to 6:00 p.m., Monday through Saturdays.

- 14 Noise generated from the site shall not exceed 75 decibels at the property lines abutting adjacent properties or public right of ways.
- 15 This approval shall lapse if the use is discontinued for a period of ninety (90) days or more.
- 16 Any minor modifications consistent with the approval are subject to the review and approval of the City Planning Manager. Any major changes, as determined by the City Planning Manager, require approval from the Planning Commission.
- 17 The applicant and any successors in interest shall comply with the provisions of the City's First Source Hiring Program and Local Business Enterprise Program for residents of the City of East Palo Alto.
- 18 All administrative approvals required as part of these conditions of approval can be appealed to the Planning Commission unless otherwise stated herein or in the Zoning Regulations.
- 19 Graffiti from any building or wall surface visible from the public street shall be removed within 72 hours of discovery in a manner which retains the existing color and texture of the building or wall surface as most practically feasible. Building materials amenable to graffiti removal shall be used to the extent feasible.
- 20 The applicant and/or property owner agree to defend, indemnify, and hold harmless the City of East Palo Alto, its agents, officers, council members, employees, boards, commissions and Commission from any and all claims, actions or proceedings brought against any of the foregoing individuals or entities, seeking to attack, set aside, void or annul any approval of the application or related decision, or the processing or adoption of any environmental documents or negative declarations which relate to the approval. This indemnification shall include, but is not limited to, all damages, costs, expenses, attorney fees, or expert witness fees that may be awarded to the prevailing party arising out of or in connection with the approval of the application or related decision, whether or not there is concurrent, passive or active negligence on the part of the City, its agents, officers, council members, employees, boards, commissions, and Council. If for any reason any portion of this indemnification agreement is held to be void or unenforceable by a court of competent jurisdiction, the remainder of the agreement shall remain in full force and effect. The City of East Palo Alto shall have the right to appear and defend its interest in any litigation arising from the approval of the application or any related decision through its City Attorney or outside counsel selected by the City Attorney. The applicant shall be required to reimburse the City for attorney's

fees incurred by the City in connection with the litigation.

- 21 The permit may be issued subject to such conditions as imposed by the Planning Commission. Every permit shall require the auto wrecking establishment to participate in the City's nuisance abatement program for removal of abandoned, wrecked, and dismantled vehicles, at no cost to the City, such participation constituting the public benefit and aesthetic contribution to the community by establishments that otherwise would be regarded as undesirable uses.
- 22 All containers with hazardous materials shall be maintained at a level above the base flood elevation height of 18 inches or more.
- 23 Infinity Salvage shall not store any vehicles in the public right of way. Any violations shall be addressed with the Code Enforcement Division or referred to special legal counsel for potential fines and liens.

MENLO PARK FIRE PROTECTION DISTRICT:

- 24 Fire Access Roads shall be configured with a 20-foot width, routed to allow driving a fire engine to within 150 feet of any stored motor vehicle. That fire engine location shall not be more than 150 feet from a properly configured hammerhead or t-intersection that will allow a three-point turn. The roadway shall extend from the main front gate all the way to the Romic access gate at the rear of the property. Since this facility is in the redevelopment area and will only continue operations on a year-by-year basis, the fire apparatus roadway need not be all weather accessible but is required to remain clear of stored vehicles and equipment.
- 25 In accordance with standard industry practice, vehicles shall not be stacked more than 3 high to provide adequate safeguard to prevent toppling during a seismic event.
- 26 Firefighter access consisting of 5-foot minimum wide aisles between rows of cars shall be maintained for all rows of cars stored on site. All stacked lumber blocking firefighter access along the top of the levee along the side of the wrecking yard shall be removed and no storage will be allowed along the dyke thereafter.
- 27 Storage of tires, on site, shall be in an orderly manner. Tire storage shall not be located within 10 feet (3048 mm) of any property line or building and shall not exceed 6 feet (1829 mm) in height when within 20 feet (6096 mm) of any property line or building.
- 28 Shipping Containers ARE Shipping Containers, NOT buildings. They shall not be stacked, used as maintenance shops, or used as storage buildings without approval from the City of East Palo Alto, and the Building Department.

- 29 Fire extinguishers shall be located within 75 feet of any portion of the facility. The fire extinguishers shall have a minimum 2A 10BC rating and shall be serviced by a licensed fire extinguisher maintenance company annually.
- 30 Outside storage of flammable liquids shall comply with the following:
- a. Storage areas shall be provided with spill control and secondary containment.
 - b. Storage areas shall be protected against tampering or trespassers by fencing or other control measures.
 - c. The storage area shall be kept free of weeds, debris and combustible materials not necessary to the storage. The area surrounding an exterior storage area shall be kept clear of such materials for a minimum distance of 15 feet (4572 mm).
 - d. The storage of empty tanks and containers previously used for the storage of flammable or combustible liquids, unless free from explosive vapors, shall be stored as required for filled containers and tanks. Tanks and containers when emptied shall have the covers or plugs immediately replaced in openings.
- 31 The applicant shall be required to maintain access to all portions of the lot pursuant to the Fire Code by providing cross aisles not less than 5 feet wide between alternating rows of stored vehicles that extend all the way from the fire access roadway to the perimeter berm. Walkways shall also be provided in a similar spacing and configuration from the fire access roadway all the way to the Romic fence at the rear of the property. The perimeter berm shall be maintained free of storage and vegetation shall be kept mowed to allow firefighter foot access along the entire length of the berm. For the safety of emergency responders, vehicles shall not be stacked more than three vehicles high. The Planning Commission SUP extension review shall not occur until a passing inspection occurs with the Planning Division and/or Fire District within 90 days of the SUP24-001 approval date.

ENGINEERING DIVISION:

- 32 When applicable, the developer shall repair or replace existing, broken, displaced, or otherwise damaged curb, gutter, sidewalk, and driveways along the entire street frontage of the subject property to conform to current City standards. Damage due to tree roots shall be repaired by removing the existing tree(s) (where recommended by the City Engineer) and its root system(s), and reconstructing or replacing all damaged curb, gutter, sidewalk, street pavement structural section, storm drains, sanitary sewers and any other affected utilities or appurtenances.
- 33 The work shall be accomplished in accordance with the City standards and to the satisfaction of the City's Construction Inspector.
- 34 If applicable, the developer shall clean, repair, or reconstruct the curb, gutter, and sidewalk along the entire frontage of the development as may be required by the City Engineer to conform to City standards prior to receiving the special use permit.

- 35 If applicable, all new improvements to be constructed within street rights-of-way or City easements shall be approved by the City Engineer and installed to City standards. An Encroachment Permit shall be obtained from the Engineering Division for all public improvement work prior to receiving a Building Permit for the proposed improvements. The cost of all work and repairs shall be borne by the developer.
- 36 The developer shall submit drainage plan for review and approval. The drainage plan shall show existing and proposed contours, and drainage patterns.
- 37 The maximum driveway grade shall be 12%. Minimum driveway grade shall be 1%. Driveways shall be a minimum of 10 feet in width.
- 38 Provide proper fences around the property to the satisfaction of the City's Senior Construction Inspector.
- 39 The developer at no cost to the City shall provide all on-site and/or off-site storm drainage facilities required by the City Engineer to accommodate the runoff from the property. The developer shall provide project drainage plans, which will not adversely affect, and may only improve the current drainage conditions for the public.

Exhibit C – Special Conditions of Approval

1. Continued operation will be based only with existing inventory and to cease any new inventory acquisition until all code violations are addressed and the site is restored to its original condition before the July 2024 fire, as required by SUP23-001.
2. Applicant shall return to the Planning Commission within ninety (90) days of the approval of this permit (SP24-001), but no later than April 30, 2025, for a compliance review to confirm that all fire damaged areas and objects are either repaired or removed from site and all code and conditions of approval requirements are met. If the Planning Commission deems that this condition is met at that time, the applicant could be allowed to continue the automobile dismantling operation, including accepting new vehicles and inventory until December 31, 2025. Should the applicant desire to continue the use in 2026, another Special Use Permit would be required.
3. The applicant must obtain Menlo Park Fire and San Mateo County Environmental Health passing site inspections within ninety (90) days of the permit approval date, no later than March 10, 2025 (See COA #3), or otherwise comply with any lawful order from any applicable governmental agencies to ensure compliance with applicable laws.
4. The applicant shall submit documentation and updates of the site cleanup every thirty (30) days following the approval of this permit to the East Palo Alto Planning Division to demonstrate cleanup progress and effort. Applicant shall schedule regular inspections with Code Enforcement and Planning Divisions to demonstrate site cleanup progress. This requirement shall be removed once the site is deemed to be in full compliance.

INFINITY SALVAGE

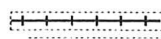
2091 Bay Road
East Palo Alto, California 94303

1996 Facility Site Map
1.96 Acres; North & East 4' Berm

LEGEND

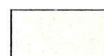
- A - Office Building: 40 L x 16 W
- B - Storage: Roofed Barn
- C - Shop: 40 L x 8 W
- D - Storage: 40 L x 8 W
- E - Battery Storage: 40 L x 8 W
- F - Work Area: Concrete & Cover
- G - Storage: Radiators 40 L x 8 W
- H - Hazardous Waste Storage 55 Gallon Drums: Concrete & Cover with 4" to 6" Berm
- I - Scrap Gas Tank Bin: Open Top, 40 L x 8 W
- J - Security Trailer: 55 L x 12.5 W
- K - Hazardous Waste Storage Building: Dirty Gas Storage
- L - Facility Roadway: 15' to 20' Wide

 - Stormwater Runoff

 - Covered Parts Racks

 - Vehicle Storage

 - Paved Area: Handicap Parking

 - Gravel Area

 - Gravel Roadway

Computer Generated From Hand Drawn Map - All Sizes Approximate

