



REGULAR MEETING AGENDA

Date: 6/24/2024
Time: 7:00 p.m.
Location: Zoom.us/join – ID# 858 7073 1001 and
City Council Chambers
751 Laurel St., Menlo Park, CA 94025

Members of the public can listen to the meeting and participate using the following methods.

How to participate in the meeting

- Access the live meeting, in-person, at the City Council Chambers
- Access the meeting real-time online at:
zoom.us/join – Meeting ID# 858 7073 1001
- Access the meeting real-time via telephone (listen only mode) at:
(669) 900-6833
Regular Meeting ID # 858 7073 1001
Press *9 to raise hand to speak
- Submit a written comment online up to 1-hour before the meeting start time:
planning.commission@menlopark.gov*
Please include the agenda item number related to your comment.

*Written comments are accepted up to 1 hour before the meeting start time. Written messages are provided to the Planning Commission at the appropriate time in their meeting.

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Regular Meeting

A. Call To Order

B. Roll Call

C. Reports and Announcements

D. Public Comment

Under “Public Comment,” the public may address the Commission on any subject not listed on the agenda. Each speaker may address the Commission once under public comment for a limit of three minutes. You are not required to provide your name or City of residence, but it is helpful. The Commission cannot act on items not listed on the agenda and, therefore, the Commission cannot respond to non-agenda issues brought up under Public Comment other than to provide general information.

E. Consent Calendar

E.1 Approval of minutes from the May 20, 2024 Planning Commission meeting ([Attachment](#))

E.2 Approval of minutes from the June 3, 2024 Planning Commission meeting ([Attachment](#))

F. Public Hearing

F1. Use Permit/Greg Diamos/256 Marmona Drive:
Request for a use permit to add a second story and remodel an existing nonconforming one-story, single-family residence on a substandard lot with regard to minimum lot width in the R-1-U (Single Family Urban Residential) zoning district. The proposal would exceed 50 percent of the existing floor area and is considered equivalent to a new structure. The proposed work would also exceed 50 percent of the existing replacement value of the existing nonconforming structure in a 12-month period; determine this action is categorically exempt under CEQA Guidelines Section 15301’s Class 1 exemption for existing facilities. ***Continue to a future meeting date.***

F2. Use Permit/J.J. Riestra/8 Homewood Place:
Request for a use permit for hazardous materials (diesel fuel) associated with a proposed permanent emergency generator to service an existing commercial office building in the C-1 (Administrative and Professional, Restrictive) zoning district; determine this action is categorically exempt under CEQA Guidelines Section 15301’s Class 1 exemption for existing facilities. ([Staff Report #24-029-PC](#))

G. Informational Items

G1. Future Planning Commission Meeting Schedule – The upcoming Planning Commission meetings are listed here, for reference. No action will be taken on the meeting schedule, although individual Commissioners may notify staff of planned absences.

- Regular Meeting: July 8, 2024

- Regular Meeting: July 22, 2024

H. Adjournment

At every regular meeting of the Planning Commission, in addition to the public comment period where the public shall have the right to address the Planning Commission on any matters of public interest not listed on the agenda, members of the public have the right to directly address the Planning Commission on any item listed on the agenda at a time designated by the chair, either before or during the Planning Commission's consideration of the item.

At every special meeting of the Planning Commission, members of the public have the right to directly address the Planning Commission on any item listed on the agenda at a time designated by the chair, either before or during consideration of the item. For appeal hearings, appellant and applicant shall each have 10 minutes for presentations.

If you challenge any of the items listed on this agenda in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City of Menlo Park at, or before, the public hearing.

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REGULAR MEETING DRAFT MINUTES

Date: 5/20/2024
Time: 7:00 p.m.
Location: Zoom.us/join – ID# 858 7073 1001 and
City Council Chambers
751 Laurel St., Menlo Park, CA 94025

A. Call To Order

Chair Jennifer Schindler called the meeting to order at 7:00 p.m.

B. Roll Call

Present: Jennifer Schindler (Chair), Andrew Ehrich (Vice Chair), Katie Behroozi, Katie Ferrick, Misha Silin, Ross Silverstein

Staff: Christine Begin, Planning Technician; Connor Hochleutner, Assistant Planner; Kyle Perata, Assistant Community Development Director; Matt Pruter, Associate Planner; Mariam Sleiman, City Attorney

C. Reports and Announcements

Assistant Community Development Director Perata said the City Council at its May 21, 2024 meeting would hold a study session on the Parkline Mixed Use Master Plan and review proposed amendments to the community operating covenant for the Menlo Uptown project or LUME.

D. Public Comment

None

E. Consent Calendar

None

F. Public Hearing

- F1. Architectural Control and Sign Review/Carl Cook/500 Willow Rd.: Consider and adopt a resolution to approve an architectural control permit to renovate an existing canopy, removing cornices, and changing the paint, for an existing gas station located in the C-MU (Neighborhood Mixed Use) zoning district. The project is also requesting a sign review for four internally illuminated signs, with two proposed on the canopy, one proposed above the entrance to the gas station convenience store, and one proposed freestanding monument sign that would be 18 feet in height and would replace an existing freestanding monument sign in the same general location. One of the canopy-mounted signs would feature lettering greater than 18 inches in size and one proposed sign would feature bright colors (red) comprising more than 25 percent of the sign area; determine this action is categorically exempt under CEQA Guidelines Section 15301's Class 1 exemption for existing facilities. ([Staff Report #24-025-PC](#))



Planner Pruter read aloud a public comment that was received earlier in the day and said staff was responding to the commenter's questions about process.

Arash Salkhi, business owner, spoke on behalf of the project.

Chair Schindler opened the public hearing and closed the public hearing as no persons requested to speak.

Commission discussed with staff and the applicant the proposed monument sign.

Commissioner Ehrich moved to approve as recommended with a condition that the monument sign be a pole sign open below five-foot, one inches. He noted that he would not want the applicant to have to come back before the Commission. Commissioner Behroozi seconded the motion.

Mr. Perata confirmed with Commissioner Ehrich that the condition would require the sign to have two poles to support.

Commissioner Ehrich declined a friendly amendment from Commissioner Silverstein to have the sign open to at least six feet in height.

ACTION: Motion and second (Ehrich/Behroozi) to adopt a resolution to approve the item with the following added condition; passes 7-0.

Add Condition 2a: Simultaneous with submittal of a complete building permit application, the applicant shall revise the monument sign to be a pole sign containing two poles, consistent with or similar to the existing monument sign, with an opening from the base of the sign to at least five feet, one inch in height, subject to review and approval of the Planning Division.

- F2. Architectural Control and Use Permit/Dane Bunton/720 Santa Cruz Ave.: Consider and adopt a resolution to approve an architectural control permit to modify the exterior facades of an existing commercial building, which would include changing the paint of the entire façade and modifying the materials of existing sign cabinets (signage would be reviewed under a separate permit) associated with a proposed restaurant and retail liquor store and a use permit request for a Type-41 license from State Department of Alcoholic Beverage Control (ABC) for onsite alcohol service (beer and wine only) associated with a full-service restaurant and a Type-21 ABC license for off-site alcohol sales (beer, wine, and distilled spirits) associated with a liquor store at 720 Santa Cruz Avenue, in the ECR-D-SP (El Camino Real-Downtown Specific Plan) zoning district. The proposed restaurant is a permitted use and the retail liquor store is a conditional use. The retail store component would include ancillary onsite tasting events. The request includes a modification to the previously permitted outdoor seating to allow the outdoor consumption of beer and wine, associated with the restaurant, and modifications to the seating layout. As part of the review, the Planning Commission will need to determine whether the on-sale (beer and wine) and off-sale (beer, wine, and distilled spirits) at this location serves a public convenience or necessity, in accordance with the requirements of the State Department of Alcoholic Beverage Control; determine this action is categorically exempt under CEQA Guidelines Section 15301's Class 1 exemption for existing facilities. ([Staff Report #24-026-PC](#))

Planner Hochleutner said staff had no additions to the published staff report.

Jason Jacobite, applicant, spoke on behalf of the project.

Replying to Chair Schindler, Dean Bunton, project architect, said they would paint the entire facade except for the stone under the windows, which would remain as is.

Chair Schindler opened the public hearing.

Public Comment:

- Lynn Miller, building owner, expressed support for the applicant and the project.

Chair Schindler closed the public hearing.

The Commission discussed the various alcohol licenses and the Chestnut Street façade with staff and the applicant. Applicant indicated they intended to do something on the Chestnut Street façade eventually.

Commission Silverstein moved to approve as presented with an added condition for a design feature on the Chestnut Street façade. Discussion ensued about the approval for said design feature and potential delay to the project's construction. Commissioner Silverstein modified his motion to approve the item as presented with the understanding that the Planning Commission preferred not to see a blank Chestnut Street façade. Commissioner Ehrich seconded the motion.

ACTION: Motion and second (Silverstein/Ehrich) to adopt a resolution to approve the item as submitted; passes 7-0.

Chair Schindler recessed the meeting at 9:11 p.m.

Chair Schindler reconvened the meeting at 9:17 p.m.

G. Informational Items

- G1. Receive an update on the 2024-25 Capital Improvement Plan; not a CEQA Project. ([Staff Report #24-027-PC](#))

Mr. Perata presented the staff report. He said he would follow up with the Public Works Director on Commissioner Ferrick's concern about funding for the storm system and utility undergrounding.

- G2. Future Planning Commission Meeting Schedule

- Regular Meeting: June 3, 2024

Mr. Perata said the June 3rd agenda would have one item: a study session on updates to the City's environmental justice and safety elements.

- Regular Meeting: June 24, 2024

Adjournment

Chair Schindler adjourned the meeting at 9:25 p.m.

Staff Liaison: Kyle Perata, Assistant Community Development Director

Recording Secretary: Brenda Bennett



REGULAR MEETING DRAFT MINUTES

Date: 6/3/2024
Time: 7:00 p.m.
Location: Zoom.us/join – ID# 858 7073 1001 and
City Council Chambers
751 Laurel St., Menlo Park, CA 94025

A. Call To Order

Chair Jennifer Schindler called the meeting to order at 7:03 p.m.

B. Roll Call

Present: Jennifer Schindler (Chair), Katie Behroozi (left the meeting at approximately 9 p.m.), Linh Dan Do, Katie Ferrick, Misha Silin, Ross Silverstein

Absent: - Andrew Ehrich (Vice Chair)

Staff: Calvin Chan, Senior Planner; Deanna Chow, Community Development Director; Matt Pruter, Associate Planner; Tom Smith, Principal Planner; Mariam Sleiman, City Attorney Associate

C. Reports and Announcements

Community Development Director Deanna Chow said the City Council at its June 11, 2024 meeting would introduce the 2024-2025 fiscal year budget with potential adoption at its June 25, 2024 meeting. She said on June 11 the Council would also consider the proposed community amenity for the bonus level project at 1005 O'Brien Drive.

Chair Schindler reported she attended a housing workshop session on May 31, 2024 hosted by the Housing Leadership Council of San Mateo County. She said they looked at a range of ways that housing element policies would be implemented in cities across the County, and she would share the document related to that with staff, the Planning Commissioners, and as an attachment to the minutes for tonight's meeting if applicable.

D. Public Comment

- Brian Schmidt, Director of Menlo Spark, introduced himself and Menlo Spark's mission to help Menlo Park achieve its goal of climate neutrality by 2030 noting the City's Reach Code was a Menlo Spark's priority.

E. Consent Calendar

- E1. Approval of minutes from the April 29, 2024 Planning Commission meeting (Attachment)
- E2. Approval of minutes from the May 6, 2024 Planning Commission meeting (Attachment)



Chair Schindler opened the item for public comment and closed it as no persons requested to speak.

ACTION: Motion and second (Ferrick/Silverstein) to approve the consent calendar consisting of the minutes for the April 29 and May 6, 2024 Planning Commission meetings; passes 6-0 with Commissioner Ehrich absent.

F. Public Hearing

- F1. Receive an overview and provide feedback on the revised draft General Plan Environmental Justice and Safety Elements. (Staff Report #24-028-PC)
Not a CEQA project.

Senior Planner Calvin Chan introduced the project team that included staff members Deanna Chow, Community Development Director, Tom Smith, Principal Planner, Matt Pruter, Associate Planner, Mariam Sleiman, City Attorney's Office, from M-Group Asher Kohn, Senior Planner and Geoff Bradley, President, from Climate Resilient Communities Cade Cannedy, Director of Programs and Violet Saena, Executive Director, and from ChangeLab Solutions Erik Calloway, Managing Director.

Planner Chan said staff's recommendation and the purpose of the study session was to review the Environmental Justice (EJ) and Safety Elements and their regulatory context, introduce the EJ Implementation Guide, and revisit community outreach. He highlighted major milestones in development of the two elements noting tonight's second study session with the Planning Commission followed by a second study session with the City Council on June 18, 2024. He said staff's tentative plan was to bring the elements forward for adoption in the fall 2024 timeframe.

Planner Chan said the City Council in 2021 committed to development of the EJ Element to advance equity and protect human health. He said the three main goals that guided the City's entire Housing Element Update project were balanced community, affordability, and social justice. He said the purpose of the EJ Element was to identify and address current and potential future public health risk and environmental justice concerns and to generally foster the wellbeing of Menlo Park residents living in Underserved Communities. He said environmental justice meant that everyone should have equal protection and advantages when it came to the environment around them. He said it also meant that people should have an opportunity to be meaningfully involved in the decisions that affect their communities and their lives.

Planner Chan said that in Menlo Park and in many other areas throughout the state and beyond, areas with higher concentrations of low income households were generally more likely to be exposed to pollution and environmental hazards. He said individuals in those areas generally experienced higher rates of poor health outcomes. He said the City followed the California Office of Planning and Research's guidelines for the preparation of environmental justice elements, which recommended a thorough screening analysis coupled with a very comprehensive community outreach and engagement process. He said through this process the City identified two Underserved Communities: the Belle Haven and the Bayfront neighborhoods, generally the portion of Menlo Park located north of US Highway 101 and within City Council District 1. He said both those neighborhoods had a combination of economic health and environmental burdens and were disproportionately more Hispanic and black demographically than the rest of the community and whose households had been historically underrepresented in the planning process and generally in civic processes as well.

Planner Chan said the purpose of the Safety Element was to identify how to reduce potential risks of injury, property damage and economic and social disruptions from natural and humanmade hazards. He said the City Council adopted the Safety Element in 2013 and a number of laws had since been enacted that required safety elements to address climate change including adaptation and resiliency, wildfire hazards and risk, and also to identify residential developments that lacked two or more emergency evacuation routes. He said the Safety Element's one overarching goal was to assure a safe community within the primary topic areas of general safety, geologic and seismic safety, and public safety and emergency response.

Planner Chan said from the joint City Council and Planning Commission study session on June 20, 2023 five themes emerged, which were to modify certain statements about EJ context, make adjustments to the refinement framework matrix, continue performing and implementing robust outreach, think critically about funding needs and sources, and consider actions with short-term results to demonstrate and communicate progress.

Planner Chan said under modify certain statements about EJ context that "Underserved Communities" (Menlo Park preferred term) was intended to be the same as "Disadvantaged Communities" (state defined term). He said the framework of the matrix was adjusted in accordance with Planning Commission and City Council guidance and then populated with a number of different draft EJ Element goals, policies and programs that stemmed from an extensive prior outreach process.

Planner Chan said the project team received input from different City departments about how proposed policies and programs intersected with ongoing City work. He said Climate Resilient Communities (CRC) engaged with community members to further refine draft policies and programs through the community lens. He said the draft revised EJ Element presented an updated organization and refinement of the different goals, policies, and programs as well as action items in the EJ Element document and in a separate and complementary Implementation Guide document.

Cade Cannedy, CRC, addressed the direction received to continue performing and implementing robust outreach. He said they continued community outreach using the "meet people where they were" approach, and that included outreach and tabling at the Love Our Earth Festival in East Palo Alto. He said they reconvened the Climate Change Community Team in Belle Haven, which had met monthly since the project began in March 2022. He said they held two workshops, one of which was a Spanish language community workshop with 33 attendees and another English language community workshop with 48 attendees. He said outreach and engagement was done at the Housing Resource Fair on May 11, 2024. He said to date more than 1800 people at some point had participated in the engagement process for the EJ Element and that included eight workshops in Belle Haven with residents directly, more than 420 people who participated in a survey of the community, and the Belle Haven Climate Change Community Team that was executing projects that the team and residents directed. He said they also conducted outreach via email, flyers, social media, CRC's newsletter and various list serves and networks across their partner organizations.

Mr. Cannedy said the workshops in early May were geared toward prioritization explicitly. He said from the robust community engagement done through 2022 and 2023 close to 130 programs were identified. He said taking into consideration staff capacity and City Council resources they spoke with the community about what things were pressing and what might wait a little longer to arrive at community consensus on what needed to happen now. He said the top priorities identified in the

May workshops were Goal 5 – providing safe, sanitary and stable homes, Goal 4 – reducing pollution, exposure and improving air quality, and Goal 2-promoting access to high quality and affordable food. He said other key takeaways were the existence of massive disparities between the Belle Haven neighborhood and communities south of US Highway 101, and lack of accountability with residents expressing frustration and distrust of the EJ Element process.

Mr. Cannedy said four recommendations came from the public outreach and engagement and those were:

1. Increase opportunities for accountability through strict reporting requirements on EJ Element Programs and Policies.
2. Ensure “Safe, Sanitary and Stable Housing” was used in Goal 5 language and throughout the document, replacing “Safe and Sanitary Homes.”
3. Strengthen program and policy language throughout the EJ Element for example by changing “encourage” to “ensure” or “could” to “should/shall.”
4. Part 1 of 4: Elevate Anti-Displacement Actions in the EJ Element and accelerate timelines for creating and implementing interim steps as soon as possible. (He said that looked like: Revise Action Item 7.J.3 and move into EJ Element as Goal 5 program for legal counsel for tenants facing eviction.)

Part 2 of 4: Modify Program 5.G – Ensure that the City’s Anti-Displacement Strategy (Housing Element Program H2.E) support households and neighborhoods in Underserved Communities to include more prescriptive language to take the policies in the Housing Element a step further in terms of specificity and actionability.

Planner Chan referred to the June 2023 study session and the feedback theme to think critically about funding needs and resources. He said both Table EJ-8 and the Implementation Guide (Appendix EJ-E) included a list of potential funding sources. He said staff added columns to also identify enhancements and specific sites, and whether something might be eligible for funding through the City’s Community Amenities Fund.

Planner Chan then addressed the feedback theme to consider actions with short-term results to demonstrate and communicate progress. He said both Table EJ-8 and the Implementation Guide (Appendix EJ-E) included lists of ongoing activities, especially Anti-Displacement Strategy, Urban Forest Equity-Developing the Management Plan for Menlo Park, Civic and Community Engagement, and Accountability for City Progress. He said the Implementation Guide (Appendix EJ-E), or Action Guide was a separate, complementary document that adhered closely to EJ goals, policies, and programs as well as the guiding principles of the General Plan but was outside of the General Plan itself. He said the Guide included action items to be pursued by the City to improve environmental justice. He said this dual document approach allowed for more frequent updating of the Implementation Guide (Action Guide) to respond to changes in community needs, funding opportunities, and to strengthen it with ongoing community outreach particularly with Menlo Park’s underserved communities. He said following adoption the Guide would be maintained on the City’s website to help improve accountability and as a communication tool for accountability. He said the Guide would help with reporting and tracking of different actions as they continued to fulfill EJ Element programs and adapt to different new information grounded in community input.

Planner Chan said the policies and programs in the draft Safety Element were revised to include community feedback and in particular Policy S1.35-Disaster Preparedness Planning to include multilingual and multimodal outreach in Underserved Communities, Policy S1.36-Community Preparedness to support countywide preparedness including response and protection services and an added program S1M regarding sea level rise planning to collaborate with other agencies to develop a sea level rise plan as part of a subregional San Francisco Bay Shoreline Resilience Plan.

Planner Chan ended his presentation with some suggested questions to prompt Planning Commission discussion for feedback, which were:

1. Did the project team adequately respond to the June 2023 study session with the revised draft documents?
2. Are the project team's Staff Recommendation's columns appropriate in the EJ Element – Table EJ.8 and Action Guide (Appendix EJ-E)?
3. Do Climate Resilient Communities' recommendations require further refinement?

Commission Clarifying Questions

Chair Schindler referred to the matrix of programs and policies and noted 5.G under the staff recommendation column did not appear to say explicitly to "Keep It" or "Remove It."

Planner Chan said the recommendation was to modify program 5.G but that language was not in the draft EJ Element now and would occur after tonight's feedback and then the City Council's feedback so that all such changes would be made at one time.

Chair Schindler said she thought perhaps as it was already in the Housing Element it might not be needed in the EJ Element. She asked for further context on how the list of programs and policies would become part of the City's planning processes-for example, the capital plans, budget plans, staff and resource allocations.

Ms. Chow said conversations were ongoing about that, noting it had been part of capital improvement plan (CIP) conversations and upcoming budget conversations with the City Council. She said infrastructure projects could be particularly considered as part of the CIP program or potentially a separate planning process depending on what guidance was received from the City Council on funding, She said staff was still working out some of the details noting that funding and implementation were key to ensuring the EJ Element was a success and for accountability with the community.

Chair Schindler said it sounded like the EJ Element's list of programs and policies would go into many different city planning processes potentially. She asked if the four areas of recommendations in the staff report had already been evaluated and incorporated into the EJ Element and the Implementation Guide or if it was work yet to be started.

Planner Chan said those recommendations had not yet been incorporated. He said the future draft in the fall would incorporate those recommendations as well as other feedback.

Chair Schindler asked when the EJ Element was completed whether the summary of the two May outreach sessions would be incorporated as an appendix or potentially as an expansion of the existing appendix.

Planner Chan said they had not thought that far ahead in terms of the final appendix documents, but the summary was certainly part of the record and lived online in the Planning Commission agenda packet, noting that was a great resource and a capture of community feedback.

Chair Schindler said the Implementation Guide would be an appendix and the staff report indicated it would be maintained on the City website where it might be changed. She asked for clarification of what the difference would be between the content that was captured in the EJ Element and the dynamic on the City's website.

Planner Chan said the Implementation Guide as presented was included as an appendix document to the EJ Element in response to feedback received from the Climate Change Community Team that CRC managed. He said there was a strong desire for all the community feedback to be represented and captured as a point in time reference within the preparation of the City's first EJ Element, and why it was there currently. He said looking ahead they were viewing the Implementation Guide as a living document that could respond dynamically to the different funding opportunities, outreach, and needs. He said the idea was it would evolve based on community need while staying true to the community lens of the highest priorities to really benefit underserved communities.

Chair Schindler said it sounded like the content that would live on the City's website was an evolving version of the Implementation Guide and would be the most timely and accurate representation of requests coming in from the community.

Planner Chan said that was true, but it would not be something that staff would be changing on the fly. He said it was intended as a point in time capture of the feedback that had been provided thus far. He said as they needed to make revisions in the future there would be a process for that and opportunities for community involvement.

Chair Schindler referred to the Implementation Guide and said that in the presentation action items were described as things that would be pursued. She asked if these were commitments to implement or being documented so they might be considered for implementation.

Planner Chan said it was a tool they would use to continually evaluate what they were able to do. He noted the three top goals determined from community feedback and using that lens they could look at the different programs and action items to focus on what they could achieve first.

Commissioner Behroozi said this was a more complicated plan from an implementation standpoint than master plans she had seen because it straddled different City functions. She asked who in the City would be looking at this within all the annual processes of work the City did to carry forward these goals and action items to make sure they happened.

Planner Chan referred to the matrix and the Implementation Guide and pointed out a column for responsible parties and supporting actors. He said really it was a combination of everyone's efforts to create the EJ Element in a holistic approach to environmental justice.

Ms. Chow said this was a multi-departmental, multi-faceted effort with crossover in existing work plans and programs that a number of departments already pursued. She said it was not exactly one person, but the community development department would help facilitate the collaboration between the different departments.

Commissioner Silverstein said in the environmental justice report there were a number of scores given to a pollution source or pollutant and those scores were based off the relative index for a census tract as compared to the rest of California. He said he did not see in the report the relative impact that each of those pollutants had on actual safety itself and it seemed like those were being averaged and treated the same. He asked if there was a way for him to understand whether or not pollution coming from any particular hazard (PM25, diesel particulate matter, traffic impact, cleanup sites, groundwater threats) were more or less important for overall community safety.

Mr. Kohn, MGroup, said the first appendix to the EJ Element (EJA) was a table that approached what Commissioner Silverstein was saying. He said on page 10 it described the different pollution burden indicators and went into ozone PM 25 diesel particulate matter. He said the table itself was more of a descriptor than a comparison. He said right above the table there was a link to a website that went into the really detailed methodology of how the state collected information and what the different indicators entailed, and the relative risks involved.

Planner Silverstein said he was trying to think about what actually mattered to the day-to-day safety and health impacts for any given citizen.

Mr. Kohn referred to the work that CRC was doing by getting input from community members as to what issues were affecting them, which was a qualitative way of understanding the issues, and then trying to balance that information with the data from the state.

Erik Calloway, ChangeLab Solutions, said the CalEnviroScreen (<https://oehha.ca.gov/calenviroscreen>) was a great tool that provided information that they would not have otherwise. He said they had an ability to understand in a slightly more quantitative way the compounded health risks existing in specific neighborhoods. He said the CalEnviroScreen also spoke to health outcomes in addition to the risks. He said it was very difficult to compare one health risk to another in terms of these environmental justice factors because the type of health outcomes they were speaking of, and the type of risks could not be compared equally. He said the direct connection between a specific concentration of something in a neighborhood and the specific rate of health outcomes in that specific neighborhood was not really feasible from an analysis perspective in terms of the resources being put into preparation of this type of document (element). He said this state data source allowed them to make some analyses knowing that everything that was in there and given the methodology that was put in were risks that had negative health outcomes. He said acknowledging the quantitative information they had and its limits to what it could tell them they then combined that with the qualitative information from the community engagement as to what their experience of health risks were.

Commissioner Silverstein said the Safety Element seemed like it came from an earlier version and looked at safety related to open space and conservation, noise, and natural disasters. He asked why it was not a comprehensive safety element that included all safety factors for residents.

Planner Chan said the Safety Element was last updated in 2013 and revisions to it now focused on new statutory requirements since then. He said some of the other topics of interest that had

emerged lately in relation to safety were technically out of the scope of their Safety Element update. He said they were happy to receive the feedback and would consider it a future date if there was guidance to move forward with that.

Commissioner Silin said in the EJ Element there was reference to Program 7K regarding grants for home repair, but he did not see it listed in the tables.

Planner Chan said he saw the table ended at program 7J and would need to check with colleagues to see what happened to the referenced program. He said if it was a document error they would fix it in the matrix.

Commissioner Silin said in the staff presentation it was noted where policies and programs intersect with current City work and he wanted to confirm that that was shown in the column that talked about in progress. Planner Chan said that was correct.

Commissioner Silin asked if a member of the public was looking at this document and trying to ascertain what the priorities were to be worked on, how would they use the scoring, timelines listed and staff comments about what was in progress to determine that.

Planner Chan said the scoring and different matrices had brought them to this current revised document. He said the extensive community outreach as summarized by Mr. Kennedy would be added noting the top issues that were of the most concern to the residents were providing safe, sanitary and stable homes, reducing pollution exposure and improving air quality and promoting access to high quality and affordable foods (EJ Element goals 5, 4 and 2 respectively). He said he would expect in the future that they would focus on those goals and then the corresponding policies and programs to implement those as a first measure.

Commissioner Silin said there was a plan to have an annual report on progress so that the community could keep the City accountable. He asked what that would look like and in what format and venue it would be delivered.

Planner Chan said he did not have any particular idea of what that format would look like or the venue. He said they were happy to receive feedback for future consideration. He referred back to his comment that the Implementation Guide would be available on the City's website so residents could see what items had been suggested and where they were in terms of status.

Ms. Chow said one reference point could be the annual progress report that would be reviewed both by the Planning Commission and City Council. She said that their EJ Element programs could translate well into a model like the Housing Element Annual Progress Report listing goals, policies, programs, timing, and funding in terms of reporting and annual reporting as well.

Chair Schindler opened public comment.

Public Comment:

- Brian Schmidt, Menlo Spark, spoke in person to support the work that CRC had done, expressed concern with the limited confidence in the City to complete its commitments and suggested language improvements in the document to strengthen it for accountability assurances, and suggested more efforts to incentivize home electrification.

- Pam Jones, Belle Haven, spoke in person. She said Belle Haven had a high rate of displacement and assessing who had been affected by pollution and other things that made the community unhealthy was difficult and suggested comparing the data used with what people in the community expressed as experiencing. She acknowledged the City's efforts to address equity but noted the inequity was a 70 year problem with harm that could not be undone. She said the language in the elements needed to be stronger and suggested replacing "City should" with "City will" or "City must." She expressed concern that the documents were not clearly demonstrating what was happening. She said what would be helpful when the revision was done would be to keep the same format to be able to compare and make sure everything was included. She suggested that items to be refined should be examined by CRC so what the City heard was what the community was saying.
- Jeff Schmidt, in person, Chair, Menlo Park's Environmental Quality Commission, said he was speaking as a resident. He gave kudos to CRC for its outreach and engagement process. He suggested adding a recommendation to the City Council that the City work more extensively with the nonprofit sector to expand funding opportunities to complete commitments.
- Lynne Bramlett spoke virtually and said environmental justice was very important to the community but expressed concern the City had not completed extensive enough updates to the Safety Element and referred to emergency disaster preparedness. She noted issues with soft story buildings primarily in District 3. She said each element of the Housing Element should have an annual progress report.
- Adina Levin spoke virtually and said annual items in the Action Guide should be in the annual budget if they supported priorities. She said it would help the City Council if it were called out how these items aligned with existing priorities to make sure resources would be given to their implementation. She said it would be helpful to identify a person responsible for tracking the implementation and create a digestible dashboard showing progress on different actions on a year by year basis so community members could see what was happening. She said regarding pollution the solutions in the Safety Element were very local but having the City be a more vocal stakeholder in regional public transportation would help reduce pollution from driving. She said working with the fire district on improving safety was a key element in the Safety Element.
- Katherine Dumont spoke virtually and said she supported the idea of putting items that should be considered into the budget for City Council consideration sooner than later. She said she found the appendix cumbersome and supported Ms. Jones' comment to make sure the reporting and the tracking were understandable and legible tied to a resource that someone could contact if they had questions. She said outreach should continue into the community to bring progress because of the accountability concerns the community had. She said her concern was budget and noted she had not heard anything in the budget workshop last week about earmarked funds for implementation of the EJ Element.

Chair Schindler closed public comment.

Chair Schindler recessed the meeting at 8:48 p.m.

Chair Schindler reconvened the meeting at 8:55 p.m.

Commissioner Behroozi said it was important to have a go-to person for the work as it moved forward especially if they, as she thought they should, converted language from “should” to “must” and “will” as they were making a promise to the community. She said in some comments air conditioning was a greater priority than electrification. She said education about heat pumps and its dual heating and cooling functions and solar panels reducing electrical bills could help. She referred to landlords that might upgrade properties but then would want to recoup the benefits of the upgrades, which could cause displacement and suggested that the anti-displacement policies needed to get going as soon as they could. She referred to the Safety Element and emergency response and suggested as in other communities that they increased awareness of the upstream safety of their streets, sidewalks and systems and integrate the emergency response teams in thinking about that part too instead of just responding to problems that broken systems had created. She said she would like to see them work with the fire district as they were doing in Berkeley to think about safer streets in addition to streets that gave the fire district access and opportunity. She noted roads like Willow Road, which had a great number of accidents and would ultimately provide Belle Haven residents access to the grocery store when it opened, needed attention. She said staff was working on it, but she wanted those elevated. She said she appreciated the comments about soft story buildings that were mostly in District 3 and not District 1 where the focus of the EJ Element was. She suggested incentives noting the expense of retrofitting soft story buildings in addition to affordable housing incentives as it was important this work happened noting the potential for a future big earthquake. She said she appreciated the community outreach that CRC had done and that as a City she hoped they were reading and paying attention to it.

(Commissioner Behroozi left the meeting about 9:00 p.m.)

Commissioner Do complimented the outreach and community engagement, the brief staff report with the focus on the CRC report and its key takeaway recommendations, and the transcription of all the comments which were diverse. She noted attendee workshops where they ranked seven priorities. She said further down pages 50 to 56 in the packet it was unclear to her what was being ranked there and if they were the policies or programs noting that the text was cut off. She wanted to confirm they were seeing what the workshop attendees saw.

Mr. Cannedy said they looked at what folks’ top priorities were among the seven goals and then within each of those goals what were the top priorities of the relative projects and policies associated. He said they had an idea of overall what the priorities were in terms of the goal area and within each of those goals what were the specific things that attracted people’s attention.

Commissioner Do referred to Commissioner Behroozi’s comment about using solar and heat pumps education and potentially integrating that and also meeting people’s need and desire for cooling and AC. She said she wanted to add to that, and it might apply to other topic areas, which was that education was only one piece and directing people towards assistance for such amenities, as she understood there was assistance at certain income levels, was another.

Commissioner Ferrick said that she had been part of the Menlo Spark advisory board for many years, left for a while, and wanted to disclose she once again was on that board. She said when it came to finalization there needed to be a robust number of “shall” statements rather than less accountable terms of directional inspiration and more specific certain items of action that the Council would support, prioritize, and get done. She said not every recommendation could fall under that category so as this worked through the more final stages, she asked that they collectively identify those things within the priority goals that were both really important, impactful, and feasible to do in

the short term.

Commissioner Silverstein noted conversation around the language that they might have in the elements specifically around the terms, “shall, must or the City will.” He asked if those had legal bearing or if it was just signaling to City Council and any decision makers that it was really a priority that was promised.

City Attorney Sleiman said in general the use of the word “shall” carried a bit more legal weight if they were looking at a legal issue. She said in this case this was a policy document that would rest with staff and its interpretation.

Commissioner Silverstein said if the document said the City would do X and it was adopted and the City did not do X were there legal ramifications as a result as opposed to using the language the City “should consider or look into.”

Ms. Sleiman said she would look into it now and respond later.

Commissioner Silverstein said he wanted to echo comments regarding accountability. He said the City was excellent at writing plans but typically when it came to any individual decision it reverted back to the priority of the decision makers whether City Council, Planning Commission or whomever. He said he was interested in enforcement being put into the EJ Element and Implementation Guide to whatever extent they could. He said he supported both documents. He said in the Safety Element under the noise section that leaf blowers were specifically given an exception to the noise ordinance whereas for a variety of reasons the state and different municipalities were trying to move away from gas powered leaf blowers. He questioned that given the noise and pollution impact.

Commissioner Silin said he was a new commissioner and tried to review the notes from the previous City Council and Planning Commission study sessions and the community feedback. He referred to the enactment of SB1000 in 2016, which required that they focus on which communities specifically within Menlo Park were impacted and addressing those communities specifically. He said clearly getting feedback from those communities was critical, He said with the initial survey by Stanford and these documents he got a good idea of what the community members from the impacted communities viewed as important. He said it was important to acknowledge that the EJ Element was meant to address historical wrongs and it was important to address that. He referred to Program 2J.6 and said he was surprised to see the plan to add more trees removed as feedback had been strong for urban forest equity.

Planner Chan said Program 2J.6 was on page 18 of the EJ Implementation Guide. He said the original action item was to plant at least 75 suitable trees in different locations. He said staff’s recommendation was to remove this item as the City was currently undergoing its urban forest management plan or urban forest equity project process. He said a grant application for that was submitted to CalFire recently and as a result there might be more trees than 75 that might be planted through that. He said the intent was to not write something prescriptive that would be superseded by something else more updated and relevant.

Commissioner Silin asked if the CalFire grant was not given if they would be back to square one.

Planner Chan said they would not be as they had a plan in place that identified need. He said they had every intention and hope to receive the grant and to move forward accordingly.

Commissioner Silin referred to question 21.8 regarding access to local retail for the community and that this was implemented by the Housing Element. He said he understood that there was no zoning change that expanded the possibility of micro fulfillment and retail services within District 1. He said in the table in the Implementation Guide it indicated this should be removed as it was done and not needed in the Plan anymore and asked if with the Housing Element some change was made to further increase access to neighborhood serving retail.

Planner Smith said as part of the Housing Element process zoning updates were enacted in January 2024 and in District 1 changes occurred primarily on Willow Road. He said there were nodes at Willow Road and Newbridge Road and then Willow Road and Ivy Drive zoned as CMU, which is neighborhood mixed use zoning that emphasized retail, restaurants, community serving, small scale retail and the possibility of combining that with mixed uses through multifamily housing. He said there were existing C2-S zones, and one was a neighborhood shopping center zoning district at Willow Road and Hamilton Avenue. He said those uses were a restaurant and a service station

Commissioner Silin said his understanding of the Housing Element was they were taking sites zoned for commercial and retail use and allowing housing to be built as a mixed use component but had not changed the zoning to allow for more retail than before. He said the action item mentioned retail uses within 1/4 mile of all residences and asked if Willow Road met that requirement.

Planner Smith said the sites had a previous form of zoning that allowed mixed uses. He said the zoning change to those Willow Road sites was to do a little bit more streamlining of the uses and encourage more of that mixed use type environment there. He said he did not know if those sites were particularly within 1/4 mile of all residences within Belle Haven especially for Terminal Avenue and beyond, but the Bayfront zoning also allowed office and residential mixed use, and the life sciences district and those uses also allowed for incorporation of some retail or commercial uses as well. He said some of the areas a bit further removed from Willow Road might be able to access certain types of future uses developed in those areas. He said a lot of the sites in the Belle Haven neighborhood were dedicated to single family residential uses and they wanted to be sensitive to that and acknowledging the challenge of rezoning from that use to a mixed use commercial zone.

Commissioner Silin referred to the Safety Element and said they had received comments about bio safety lab requirements and the staff report indicated that could be added to the list if desired. He asked if that would be added or if staff was looking for direction from the Commission. He noted the report mentioned that they promote public safety things on the ACTMenlo app. He asked how they were promoting the app and the county notification system with residents, so everyone received emergency notifications. He said they had issues with trees falling during storms and losing electric power for long periods of time and asked if there was a plan to mitigate that. He said at least from personal experience they had issues with streets flooding due to blocked storm drains and asked if that was listed somewhere as a priority and if not whether it should be added.

Planner Chan said regarding biosafety levels there was not a program specifically in the Safety Element for that. He said if that was something the Commission wanted staff would report that to the City Council on June 18 and from there revise as directed. He said the ACTMenlo app was managed by the City's Public Works Department. He said there were options to download reports and he believed they had a dashboard online. He said together with the City's public engagement team they could look at ways to elevate those resources. He said regarding fallen trees or storm drain blockage from storms they would take the feedback forward. He said if there was a particular

policy or program that the Commission would want to amend or add to then staff could look into opportunities in the future.

Commissioner Silin referred to the email public comment about the four different levels of biosafety and asked if they currently had labs in the City at all four levels and how applications for such labs were processed.

Planner Chow said he understood there were not any biosafety level 3 or above type businesses.

Chair Schindler said that was her understanding as well from prior discussions at Commission meetings.

Commissioner Silin said he did not have specific suggestions on the Safety Element . He said regarding street flooding he had seen work done to protect storm drains to keep them unclogged along El Camino Real and suggested adding storm drain stoppage prevention as an item to monitor and consider as blockages caused flooding in the street and had done so two years in a row. He said that he did not like to see people lose power for days at a time because of trees falling during storms. He suggested looking into some way to evaluate which trees in the City were at risk. He said he used the ACTMenlo app frequently and it was a great way for people to feel like there was accountability from the City. He said he encouraged increasing use of the app and perhaps to have more policies in place in terms of responding within the app. He said sometimes things were filed that did not get a response for a long time and when it was the response merely indicated it was being looked into and case closed. He said for accountability the submittal should not be closed until it was addressed. He said regarding biosafety that if the City did not have any of the high risk biosafety level labs now that it be understood what the permitting process was for the different levels so Planning Commissioners and City Council could make a decision moving forward.

Commissioner Silin said regarding the EJ Element that he fully supported the recommendations for the Anti-Displacement Strategy. He said community level retail was mentioned frequently by community members and that had not been met at least with what was stated in the Implementation Guide as it said to allow neighborhood serving retail uses within 1/4 mile of residences. He said that would require a more complicated zoning change to be feasible. He said the Plan said staff recommendation was to remove that item as that was accomplished early 2024 but he believed Planner Smith said that it was not accomplished as stated. He said the comment should either be that staff was removing it as it was not possible to accomplish or that it might be more of an explanation of why it could not be done now so Council and Planning Commission could discuss whether it was important, and the community could consider as well. He said he saw the community feedback raised accountability a lot and was looking to the City to put into place things that the community felt were tangible. He noted the top three community priorities and suggested the City focus on what actual things-not just additional studies and programs-might be delivered in a relatively short time frame. He said programs 4D and 4E related to community gardens would be excellent to consider. He said they could focus on making sure there were farmers' markets in District 1 on a regular basis perhaps tied in with community gardens, which seemed like potential quick wins. He said programs for anti-displacement being done via the Housing Element were excellent policies to look at.

Commissioner Silin said he was concerned about accountability. He said comments were made about using stronger language, but he heard also that the list in the Implementation Guide was not a commitment to accomplish all those things. He expressed concern that the action items in the

Implementation Guide might get lost in the multi-departmental, multi-planning processes in the City. He proposed adding columns on the Guide that said either “yes” or “no” as to whether it currently was in the budget and had staffing resources. He said he was concerned with overpromising. He said anti-displacement programs such as rental registry and rent control were desirable but would require a lot of time and effort, and if they were not done that would work against the City. He said the Implementation Plan was great because it had step by step things to be done but encouraged staff to present it so it was easy to understand the priority on the staff and budget level of what could be done and showing what would actually be done short term versus what would be looked into. He said he had heard an interest in having Table 8 in an Excel spreadsheets to allow for sorting and filter use. He referred to a speaker’s comment about understanding the differences between versions and said for the Housing Element they were given a red line version that very clearly showed what had changed from the previous document to the current one. He said on the list of prioritizations in addition to scoring for urgency, impact, effort, and cost to add community priority or something like that based on CRC’s feedback from the community.

Ms. Sleiman said regarding the question about the legal weight of language that she looked into further the Implementation Guide was a policy document and not local law (local laws were in the municipal code that was established by ordinance). She said the Planning Commission was free to recommend staff look into accountability options such as the language.

Commissioner Silverstein asked if there was any difference from a legal perspective in changing the language of the policy document from “should” to “shall” or if it was a recommendation for them internally. He said he was hearing that there was no actual difference between those two words.

Ms. Sleiman said it was not entirely clear and it was up to the Commission and staff to recommend how they wanted it framed. She said again that it was a policy document.

Chair Schindler noted shared appreciation for the community outreach efforts over the last three years and especially with the underserved communities, and that she had learned a lot. She complimented staff’s rigor and the detail that was put into the two tables. She said over the course of the discussion she came to realize that she wanted to think about the two tables as input documents – these were things that would go into budget plans, capital plans and staff allocations. She said she intended in her comments to differentiate between input and output with accountability lying with both of those. She said they needed to convey to the community that they were being heard and that what they had asked for had been captured for accountability. She said accountability on the output side of things was even more important she thought. She said they had talked about going back to the community and telling them which things were happening, when, why, and probably why some things were not happening. She said she liked the idea that the EJ Element or/and maybe the Safety Element might have the same kind of approximately annual update that they were given for the Housing Element. She said she wrote in her notes that they should do that for the community and not just specific to the EJ or Safety Elements or even the Housing Element but to do a General Plan readout. She said listening to the conversation and watching the programs and policies intersect in the documents she saw so much overlap in objectives and accountability. She said in terms of output to the community she thought it important to give regular updates about what was being done across the entire General Plan. She said that might sound like a terrible six-hour public meeting but that was not what she meant rather that they would winnow down to the most important things the community cared about and as they heard tonight there was a process for identifying that. She said tonight’s documentation had important information about what was most urgent or had the highest impact. She said there were multiple mentions about getting things actionable and funded

sooner than later and discussion about how this could potentially feed into the budget process. She said they knew the three top priorities for some of their underserved communities were goals 5, 4 and 2 and they could pick the programs that were either urgent or high impact and say these were the ones we want to be sure get into the budget conversations right now. She said they had that data already. She said she would love somebody to find a way to move that into the capital planning process as well as the budgetary process and potentially even short term resource allocations.

Chair Schindler said on the table of goals, policies, and programs for the EJ Element that she did not have line item specific feedback on the policies and programs. She said she believed that the community members and staff who had been heavily involved in this and taken it from the hundreds alluded to earlier down to the current number were closest to it and in the best position to do it. She said there had not been any programs removed since a year ago and the last time they looked at this there had been some policies removed but that was because they had been consolidated, reflecting the overlap between this element and other elements and accountability across different departments. She asked whether lead departments as accountable departments might also be assigned to policies noting the document had primary and secondary responsibilities for programs. She said she appreciated the community feedback on what environmental justice meant to them. She said regarding the four recommendations that were part of CRC's feedback she was pleased to see that anti-displacement stayed in the EJ matrix. She said the rest of her feedback primarily was related to accountability. She said she did not think they should change the language for any of them to "shall" or "will" until they were above 80% certain they would do it as she thought that would hurt accountability. She said for accountability that they should be clear about what they were going to do and why and provide a clear vision to people that this is the output and what we are going to do. She said Commissioner Behroozi before she left said that when we use the words shall and will that they were making a promise to the community. She said she did not want promises made that they could not keep. She said she wanted a way to convey that they heard the feedback, and the feedback was thoroughly going into all of these different City planning processes, and it was being weighed and prioritized and then have the output be something that people can revisit regularly.

Chair Schindler referred to the Implementation Guide and how it might be updated and its online version. She said for her it was not yet an implementation guide as it only had action items identified for some of the programs and was not comprehensive in terms of an implementation plan. She said it was an additional repository of specific ideas from the community that were like another layer under the programs and was not a commitment to implement and was not exhaustive of all the things they would do to implement. She said she thought it should be called something more descriptive than Implementation Guide.

Chair Schindler said she understood the Safety Element was updated in response to specific legal requirements. She said it would have been interesting to have surveyed the community and asked what the safety needs were and what types of programs would address those similar to the EJ Element process. She said other safety concerns had surfaced through public and commission comments. She said the specific question of biohazard and biosafety levels had come up a number of times for the Planning Commission related to new development and her hypothesis was that zoning was the best place for that oversight. She said in the Safety Element, S1.E, S1.G and S1.J were areas where the biohazard and biosafety issues could be addressed. She said it needed a resolution mechanism and not necessarily in that element but that a process for defining the City's approach should be in the Element.

Commissioner Do said Planner Chan confirmed the four recommendations that CRC made would be

incorporated. She asked about program 5 in table EJ.8 and if that was going to be expanded to include those four recommendations. She said she wanted to confirm that correspondingly action items 5G.1, .2, and .3 would also go back in noting they were shown as removed on pages 25 and 26. She said it should be consistent if they were keeping and elevating anti-displacement in the EJ Element.

Planner Chan said 5G.1 and 5G.2 talked about particular action items and different examples of things that could be done as part of studying the anti-displacement strategy. He said CRC's recommendation was they would modify program 5G to include those examples, so they were in one place but removed here.

Commissioner Do said as Chair Schindler noted the Safety Element did not go through the same robust process as the EJ Element. She said the public commenter Lynn Bramlet had sent a long email. She said she did not know if it made it into this staff report but she believed that the message from Ms. Bramlet included in the staff report from last year might be the same document, which meant the public had access to it. She said the Safety Element had one goal and that was to assure a safe community. She said she did not know staff's capacity to respond to some of Ms. Bramlet's concerns but she agreed with her that safety was a big goal and that it made sense to break it down into components. She said currently the policies were grouped by the source of the threat from wildfires, earthquakes, tsunamis, and floods. She said it would be great to see the Safety Element organized by proactive action almost like the EJ Element in assuring safe, sanitary, and stable housing had proactive actions addressing those. She said she recently had the opportunity to use the ACTMenlo Park app for the first time. She said she went online, entered her comment and a photo, and clicked submit. She said it took her to see Clickfix to create an account. She said if they wanted to remove hurdles for people to contact the City that directly linking to Clickfix would be a simple fix. She noted also at Clickfix she had not seen any options for toggling between language. She said once she got it submitted successfully the response was prompt.

Commissioner Silverstein said regarding accountability and Chair Schindler's comment on the impact of using terms like "must" and her thinking about the differences between an input plan and output plan that really emphasized for him that this was not a document being developed of what will happen. He said for him it was similar to how the City's Transportation Master Plan was not a document on what would happen despite it highlighting 198 different projects as many of those would never happen. He then read a description of what a city's general plan should be. He said in light of that he asked why these very specific nuanced programs needed to be formally attached to the element that they were putting into the City's constitution. He said he loved the policies and goals, the background and surveys, the fact finding, their priorities and vision and what they cared about but asked why that could not be extracted to say that as a result of all of those and the results of all of the information we have now gathered that these were the very nuanced specific things we are going to do, this is what it is going to cost and this who is going to work on it. He said that the very detailed kind of implementation state of this process seemed out of place in a policy document especially one that usually would live on for decades. He asked if it made sense to tie these two together. He asked whether they should have an EJ Element that talked about all of the things they cared about and then based on budgeting, prioritization, and an execution plan that they would determine what the actual details of the things they wanted to accomplish were, promise those, and use the term "must."

Chair Schindler said many of the structures that they went through for the General Plan, including this Element, were designated by the state, by precedent, or by similarity, like element to element.

She said while she appreciated the nuance of the question, which she mentally paraphrased as “why don’t we just stop at policies and not go into programs,” she was comfortable with leaving programs there in the abstract as things we would like to accomplish subject to money, timelines, deadlines, and at least two to three levels of execution that happened beyond that. She said for her and the public she thought that what the policies were not getting at was clarified by the examples of the programs.

Planner Chan recapped the reason for the dual document approach noting that from the June 2023 study session they had a list of 130 plus programs rooted in extensive community feedback about what they wanted to do such as the example of planting 75 trees. He said while not wanting to remove all of those things and wanting to retain the valuable community feedback received, they split it between the EJ Element with programs that were relatively broad and the Implementation Guide or Action Guide, so the valuable community feedback was kept. He said in the future when they implemented programs, they would start from what was rooted in community desire.

Mr. Cannedy said he understood concern about a desire to not over promise but noted the significant eight year planning process for this. He said resources to execute a lot of the programs could be found if the proper will was applied. He said they would be making promises to the community and the possibility existed that they might not fulfill all the promises. He asked if it was better to promise nothing and leave things to continue as they were now or to find opportunities to own both the wins and the losses. He said the California Attorney General had issued guidance around best practices pertaining to SB1000 implementation and recommended strong guidance in the language and specificity wherever possible. He said it was easier to agree at a high level of abstraction and get consensus on broad themes and policies. He said at the next level though when the breakwaters emerged was where the most valuable insight might be obtained. He said that was also the place in the specificity where the community’s expertise and living experience really shone as they had first had knowledge about streets on which cars speed, streets not safe for biking, and dilapidate houses housing people. He said it was no small amount of work to make sure such extensive information was not lost as that represented the return on the City’s investment in the outreach and engagement process throughout.

Commissioner Silverstein said to clarify his prior statement that he did not in any way want to get rid of all of the specific programs. He said at both the level of the Implementation Guide and the EJ Element his thought was to extract those two separately in parallel to say: “These are our policies. This is our guiding vision. This is our mission where we are going and then separately with all of the community feedback and everything that this was how we plan to do it.” He said those were two separate things. He said in terms of funding and how they actually would get this done he thought that some more work or thought was needed to determine the very formal accountability when it came to some of the goals. He referred to the Transportation Master Plan, which he saw as a beautiful theoretical plan but every individual decision about implementing from it involved a budgeting, staff resources and community response discussion so things took a long time and ultimately it was a political vote or conversation on a one-off basis. He said the plans they wrote held no teeth within their political process nor within the community. He asked how they could determine the reality of what they actually would be able to do focusing on the EJ Element programs.

Commissioner Silin said the concern they seemed to be sharing especially with the EJ Element was accountability messaging. He said with the Housing Element they were careful in what they said they would do as it would be reviewed by the state. He suggested they do the same with the EJ Element and be more concerned with the outcomes happening. He said they wanted the community

to feel heard. He said at the program level they needed to be transparent and state what things would be done and what things might not be done. He said they knew the top three categories the community most cared about and that would be the focus of the programs. He said that list would indicate what was being committed to with timelines, what ones were being taken seriously and would be pursued. He said for the Implementation Plan it would be even further specified that these were the ones moving to implementation and that meant they had pretty high confidence they would be funded. He said the proposed Implementation Plan was not representative of what would be implemented but how they would implement things if they had all the resources. He said to Commissioner Silverstein's point they did not want to just stop at the policy level and leave it there, nor take all the policies and expand into programs, and then expand each one into implementation. He said they wanted a middle ground where they were transparent with the public to respond that they had heard everything about what was wanted, here were the things the City was committed to seriously looking into, and these things would be implemented. He said the annual updates would keep the City accountable with the public as residents would hear about the programs, they thought were important and what the status update was. He said he would suggest another annual or semiannual exercise where they showed the public the wish list from the last time, what things had moved into programs, what would be implemented and give the community a chance perhaps to reprioritize, provide comment or add new things for an evolving and continuous feedback loop.

Mr. Calloway said regarding accountability and implementation that a level of detail beyond policy was needed in a general plan, and that it had to say something about how it would achieve what was said at a policy level. He said beyond that that there was flexibility in terms of what level of detail was included. He said such a plan was a long time plan and you wanted to structure it to say what you were trying to achieve but to allow for decisions to be made over that time as to how you would achieve those as changes happened. He said opportunities and resources could not be predicted entirely over the timeline horizon of the plan's implementation, so some level of flexibility was helpful to be able to make decisions over time. He said for the EJ Element specifically given the objectives and what the community had said that some level of not just specificity but force of language around certain things was important to address historical harms and the concerns and issues raised through significant community outreach. He said it made a difference if they said, "we shall achieve this outcome" or "we shall take this approach to get there" or "we shall prioritize." He said it did not mean they were going to be successful in the implementation, but it meant they were committing to trying to achieve desired outcomes in some particular way. He said in a similar way there were things in a capital improvement plan they used to implement the general plan. He said the general plan did not necessarily state this was how the capital improvement plan would be used to build the streets that would implement the established transportation goals and policies but they could try to articulate some of that more specifically in the EJ Element for example or in an implementation plan because there was specific concern about not achieving those things. He said annually when budget was discussed make sure the priorities articulated in the EJ Element were considered. He suggested thinking through as a municipality the ways they could ensure they would use the community outreach that they put into the EJ Element as input in the decision making processes. He said they needed to establish those processes and practices across departments and at elected official and staff level because it applied in many different ways.

Commissioner Silin said he felt fine with stronger language for the policies. He said with the programs he thought that they could use strong language as long as they were willing to commit to those programs. He said he would suggest that they reduce the list of programs to ones that the City was very willing to pursue even if there were no specific details about when or how. He said perhaps another program could be added to the actual implementation of the element because some have

commented that they needed someone accountable for working with these other departments and making sure things were prioritized. He said perhaps they could make a strong commitment that these were the programs they strongly cared about, and they committed to and produce a plan to strongly make sure they were considered. He said regarding the Safety Element there was the ACTMenlo app and the SMC alert system. He said in terms of making sure people were using these he thought that the SMC alert was most important.

G. Informational Items

G1. Future Planning Commission Meeting Schedule

- Regular Meeting: June 24, 2024

Ms. Chow said the June 24 agenda was not confirmed but they anticipated a single family home, reconstruction of a service station on Willow Road and another general plan topic associated with modifications to the level of service policy in their traffic impact analyses.

- Regular Meeting: July 8, 2024

H. Adjournment

Chair Schindler adjourned the meeting at 10:37 p.m.

Staff Liaison: Deanna Chow, Community Development Director

Recording Secretary: Brenda Bennett



STAFF REPORT

Planning Commission

Meeting Date:

6/24/2024

Staff Report Number:

24-029-PC

Public Hearing:

Consider and adopt a resolution to approve a use permit for hazardous materials (diesel fuel) for a new permanent emergency generator to service an existing commercial office building in the C-1 (Administrative and Professional, Restrictive) zoning district and determine this action is categorically exempt under CEQA Guidelines Section 15301's Class 1 exemption for existing facilities

Recommendation

Staff recommends that the Planning Commission adopt a resolution approving a use permit for hazardous materials (diesel fuel) associated with a proposed permanent emergency generator to service an existing commercial office building in the C-1 (Administrative and Professional, Restrictive) zoning district. The draft resolution, including the recommended actions and conditions of approval, is included as Attachment A.

Policy Issues

Each use permit request is considered individually. The Planning Commission should consider whether the required use permit findings identified in Menlo Park Municipal Code Section 16.82.030 can be made for the proposed project. The City's General Plan includes a number of goals and associated policies used to implement those goals that may be considered in evaluating the proposed project, including:

- Goal N1: achieve acceptable noise levels;
- Policy N1.1: compliance with noise standards;
- Policy N1.3: exterior and interior noise for residential use areas;
- Policy N1.4: noise sensitive uses;
- Policy N1.8: potential annoying or harmful noise;
- Policy N1.10: nuisance noise;
- Goal S1: assure a safe community; and
- Policy S1.16: hazardous materials regulations.

Background

Site location

The subject property is located at the northwest corner of the intersection of Homewood Place and Linfield Drive in the Linfield Oaks neighborhood. The site currently contains a commercial office building, along with a surface parking lot located generally behind the building and along the northern portions of the lot. A location map is included as Attachment B.

Linfield Drive, the narrower frontage, is considered the front of the lot. Using Linfield Drive in an east-west orientation, the surrounding properties to the east and south are generally zoned R-3(X) (Apartment, Conditional) and R-3 (Apartment), and properties to the west are generally zoned R-3-A (Garden Apartment Residential). A mix of single- and multi-family residential uses are located to the east, south, and west of the subject property. The United States Geologic Survey (USGS) campus is located to the north of the subject property, and is zoned P-F (Public Facilities).

Analysis

Project description

The subject property is developed with a one-story office building containing a surface parking lot generally located at the rear and left side of the building. Parking is accessible by a driveway off Homewood Place and a driveway off Linfield Drive, along the left side of the building. There is a bicycle parking area with short-term racks located adjacent to the pedestrian walkway and parking spaces along the rear of the building.

The applicant is requesting a use permit for hazardous materials to power an emergency back-up generator with diesel fuel. The generator would be installed within a 13-foot-tall concrete walled enclosure in the general location of the bicycle parking area. One vehicle parking space adjacent to the current bicycle parking area would also be removed to accommodate the generator enclosure. The bicycle parking spaces would be relocated to two areas: one existing paved area adjacent to the rear building entrance, and one area between two non-heritage trees at the rear of the building. Although one vehicle parking space would be removed, the proposed parking count of 107 parking spaces would still be greater than the required minimum of 106 parking spaces. The generator would provide emergency power for selected equipment and temperature control within an in-vitro fertilization (IVF) lab to maintain embryos safely. The generator would provide backup to selected power circuits and limited heating, ventilation, and air conditioning (HVAC) systems to ensure patient safety during procedures.

The project plans (Attachment A, Exhibit A) show the location of the proposed generator, as well as additional details. The applicant states in the project description letter (Attachment A, Exhibit B) that the generator would only be used for emergencies but would be tested for a 30-minute interval once monthly, and the applicant intends to test the generator during the late afternoon (anticipated to be generally between 5:00 p.m. and 5:30 p.m.), with a preference of Tuesdays, Wednesdays, or Thursdays, to minimize residential disturbance. Project-specific condition of approval 2a would ensure that the testing would only occur once per month and only on weekdays between 8:30 a.m. and 5:30 p.m. The Municipal Code exempts emergency generator usage from noise limitations during a power outage or other emergency. The applicant's acoustical engineer submitted an acoustical study (Attachment A, Exhibit C) confirming the diesel generator would not exceed the Municipal Code's 60-decibel threshold at the nearest residential property line during the daytime hours, when testing is proposed to occur. The nearest residential building, relative to the generator, is located at 312 Waverley Street, south of the proposed generator location.

Hazardous materials information

The Hazardous Materials Information Form for the proposed generator, the supplemental diesel generator form, and a discussion of protection measures in the event of an emergency are included as Exhibit D within Attachment A.

The applicant indicates in the project description letter that they evaluated the use of battery back-up as an alternative to a diesel-powered generator but that battery storage systems and other alternative solar and

wind energy sources may not provide adequate power supply or duration when compared to a diesel emergency generator. As a result, batteries and/or alternative sources cannot address the potential needs of the business in the event of an emergency.

Agency review

The City of Menlo Park Building Division, the Menlo Park Fire Protection District (Menlo Fire), the West Bay Sanitary District and the San Mateo County Environmental Health Services Division were contacted regarding the proposed use of hazardous materials on the project site. Each entity found the proposal to be in compliance with applicable standards, with some identifying additional requirements. These include meeting initial and ongoing annual Menlo Fire permitting and inspections requirements, and potentially requiring an environmental health permit and hazardous materials business plan. Project-specific condition of approval 2b would require the applicant to provide documentation demonstrating completion of the additional requirements outlined in the agency referral forms prior to building permit issuance. The agency referral forms are included as Exhibit E within Attachment A.

Correspondence

The applicant states in the project description letter that they completed outreach efforts, which involved hosting an outreach event onsite and exchanging correspondence with a public commenter. The applicant confirmed that they received no feedback that necessitated changes, as well as no comments or written correspondence from attendees.

As of the writing of this report, staff received one letter of correspondence about the proposed project (Attachment C). The letter contains concerns regarding the proximity of the generator to residential uses, potential air quality and health impacts, the possibility of other hazardous materials being used, overall generator safety, and the potential for the generator to be used for longer-term needs. The applicant is aware of these concerns, and indicated in their project description letter that while other non-diesel options were studied, the desire is to have a reliable power source that can continue to provide energy for sensitive IVF spaces during a power outage. The applicant also indicated that several locations for the generator were reviewed, and the more centralized location was selected to locate the generator at a distance from neighboring properties, limit tree damage and construction impacts, and reduce construction waste. The applicant confirmed that diesel fuel is the only hazardous material proposed in a quantity that would require a use permit and permit through Menlo Park Fire Protection District. Concerning generator safety, the applicant indicated that the generator would undergo frequent monitoring and inspections, regardless of whether it is running. Regarding the possibility of longer-term generator usage, the applicant indicated that the intent is not to allow continued operations but safe and orderly cessation of operations. Backup power would be meant to last for a period of time needed to finish a patient's procedure safely, prepare embryos for long-term storage in a manner that does not require continuous power, and allow for safe exit of the building.

Conclusion

Staff believes that the proposed use and quantities of hazardous materials (diesel fuel) would be safe and appropriate. The Hazardous Materials Information Form includes a discussion of protection measures in the event of an emergency. Relevant agencies have indicated their approval or conditional approval of the proposed hazardous materials use on the property. Further, the generator would not be used except for 30-minute testing once per month during daytime hours, or in the event of a power outage. The noise generated by the generator would be below the limits permitted in the Municipal Code at receiving residential properties. The proposed generator would be consistent with the goals and policies of the City's

Noise and Safety Elements of the current General Plan. Staff recommends that the Planning Commission approve the proposed project.

Impact on City Resources

The project sponsor is required to pay Planning, Building and Public Works permit fees, based on the City's Master Fee Schedule, to fully cover the cost of staff time spent on the review of the project.

Environmental Review

The project is categorically exempt under Class 1 (Section 15301, "Existing Facilities") of the current California Environmental Quality Act (CEQA) Guidelines.

Public Notice

Public notification was achieved by posting the agenda, with the agenda items being listed, at least 72 hours prior to the meeting. Public notification also consisted of publishing a notice in the local newspaper and notification by mail of owners and occupants within a 1,320-foot (quarter-mile) radius of the subject property.

Appeal Period

The Planning Commission action will be effective after 15 days unless the action is appealed to the City Council, in which case the outcome of the application shall be determined by the City Council.

Attachments

- A. Draft Planning Commission Resolution
 - Exhibits to Attachment A
 - A. Project Plans
 - B. Project Description Letter
 - C. Acoustical Study
 - D. Hazardous Materials Information Form
 - E. Hazardous Materials Agency Referral Forms
 - F. Conditions of Approval
- B. Location Map
- C. Correspondence

Exhibits to Be Provided at Meeting

None

Report prepared by:
Matt Pruter, Associate Planner

Report reviewed by:
Tom Smith, Principal Planner

PLANNING COMMISSION RESOLUTION NO. 2024-0XX

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MENLO PARK APPROVING A USE PERMIT FOR HAZARDOUS MATERIALS (DIESEL FUEL) FOR A NEW PERMANENT EMERGENCY GENERATOR TO SERVICE AN EXISTING COMMERCIAL OFFICE BUILDING IN THE C-1 (ADMINISTRATIVE AND PROFESSIONAL, RESTRICTIVE) ZONING DISTRICT

WHEREAS, the City of Menlo Park (“City”) received an application requesting a use permit for hazardous materials (diesel fuel) associated with a proposed permanent emergency generator to service an existing commercial office building in the C-1 (Administrative and Professional, Restrictive) zoning district (collectively, the “Project”), from JJ Riestra (“Applicant”) and HKN II, LLC (“Owner”), located at 8 Homewood Place (APN 062-421-010) (“Property”). The Project use permit is depicted in and subject to the development plans and project description letter, which are attached hereto as Exhibit A and Exhibit B, respectively, and incorporated herein by this reference; and

WHEREAS, the Property is located in the Administrative and Professional, Restrictive (C-1) zoning district. The C-1 zoning district supports a variety of professional, executive and administrative offices, research facilities, and public utilities; and

WHEREAS, the proposed Project complies with all standards of the C-1 zoning district; and

WHEREAS, the proposed Project would contain a generator that would comply with the Noise Ordinance, Chapter 8.06 of the Municipal Code; and

WHEREAS, apart from emergency conditions, the proposed Project would involve the generator testing only during daytime hours in compliance with the Noise Ordinance requirements for daytime noise; and

WHEREAS, the applicant submitted a Hazardous Materials Information Form and Noise Generator Supplement form, which provide the safety and handling specifications for the proposed Project’s generator, and outlines the necessary protocols for generator usage; and

WHEREAS, the Project was reviewed by the Menlo Park Fire Protection District, the Menlo Park Building Division, the San Mateo County Environmental Health Services Division, and West Bay Sanitary District, and found to comply or conditionally comply with all applicable rules and regulations to ensure the safety of the on-site occupants and surrounding community, and each agency’s approved or conditionally approved routing forms are contained herein as Exhibit E; and

WHEREAS, the Project requires discretionary actions by the City as summarized above, and therefore the California Environmental Quality Act (“CEQA,” Public Resources Code

Section §21000 et seq.) and CEQA Guidelines (Cal. Code of Regulations, Title 14, §15000 et seq.) require a determination regarding the Project's compliance with CEQA; and

WHEREAS, the City is the lead agency, as defined by CEQA and the CEQA Guidelines, and is therefore responsible for the preparation, consideration, certification, and approval of environmental documents for the Project; and

WHEREAS, the Project is exempt from environmental review pursuant to CEQA Guidelines §15301 (Existing Facilities); and

WHEREAS, all required public notices and public hearings were duly given and held according to law; and

WHEREAS, at a duly and properly noticed public hearing held on June 24, 2024, the Planning Commission fully reviewed, considered, and evaluated the whole of the record, including all public and written comments, pertinent information, documents and plans, prior to taking action regarding the proposed Project.

NOW, THEREFORE, THE MENLO PARK PLANNING COMMISSION HEREBY RESOLVES AS FOLLOWS:

Section 1. Recitals. The Planning Commission has considered the full record before it, which may include but is not limited to such things as the staff report, public testimony, and other materials and evidence submitted or provided, and the Planning Commission finds the foregoing recitals are true and correct, and they are hereby incorporated by reference into this Resolution.

Section 2. Conditional Use Permit Findings. The Planning Commission of the City of Menlo Park does hereby make the following Findings:

The approval of the use permit to install a permanent diesel back-up generator for an existing commercial office building is granted based on the following findings, which are made pursuant to Menlo Park Municipal Code Section 16.82.030:

1. That the establishment, maintenance, or operation of the use applied for will, under the circumstance of the particular case, not be detrimental to the health, safety, morals, comfort and general welfare of the persons residing in the neighborhood of such proposed use, or injurious or detrimental to property and improvements in the neighborhood or the general welfare of the city because:
 - a. Consideration and due regard were given to the nature and condition of all adjacent uses and structures, and to general plans for the area in question and surrounding areas, and impact of the application hereon; in that, the proposed use permit is consistent with the Zoning Ordinance, as well as the General Plan because diesel generators are permitted with the granting of a use permit in most zoning districts, and would allow the emergency back-up diesel generator to provide energy for an existing commercial office building, which would be compatible with the surrounding uses. The diesel fuel tank

is necessary to supply the emergency generator, which is required to adequately ensure uninterrupted electricity for the existing building and its occupants, with the prime focus being to provide backup power meant to last long enough to finish a patient's procedure safely, prepare embryos for long-term storage in a manner that does not require continuous power, and to allow for safe exit of the building.

- b. The proposed generator would only be used during a power outage and once monthly for 30 minutes of testing on a Tuesday, Wednesday, or Thursday during daytime hours. It would be located within an existing vehicle and bicycle parking area, but no impacts to parking or site accessibility would occur, as the site would still have sufficient vehicle parking and relocated bicycle parking.
- c. The proposed Project is designed to meet all the applicable codes and ordinances of the City of Menlo Park Municipal Code and the Commission concludes that the Project would not be detrimental to the health, safety, and welfare of the surrounding community as the proposed generator would be located within a large, commercially-zoned property and designed such that privacy and noise concerns would be addressed through the enclosure of the generator, and positioning it in the center of the lot and approximately 45 feet in distance from the nearest residential property line.

Section 3. Conditional Use Permit. The Planning Commission approves Use Permit No. PLN2024-00002, which use permit is depicted in and subject to the development plans and project description letter, which are attached hereto and incorporated herein by this reference as Exhibit A and Exhibit B, respectively. The Use Permit is conditioned in conformance with the conditions attached hereto and incorporated herein by this reference as Exhibit F.

Section 4. Environmental Review. The Planning Commission makes the following findings, based on its independent judgment after considering the Project, and having reviewed and taken into consideration all written and oral information submitted in this matter:

- A. The Project is categorically except from environmental review pursuant to Cal. Code of Regulations, Title 14, §15301 et seq. (Existing Facilities).

Section 5. Severability. If any term, provision, or portion of these findings or the application of these findings to a particular situation is held by a court to be invalid, void or unenforceable, the remaining provisions of these findings, or their application to other actions related to the proposed Project, shall continue in full force and effect unless amended or modified by the City.

I, Kyle Perata, Assistant Community Development Director of the City of Menlo Park, do hereby certify that the above and foregoing Planning Commission Resolution was duly and regularly passed and adopted at a meeting by said Planning Commission on June 24, 2024, by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

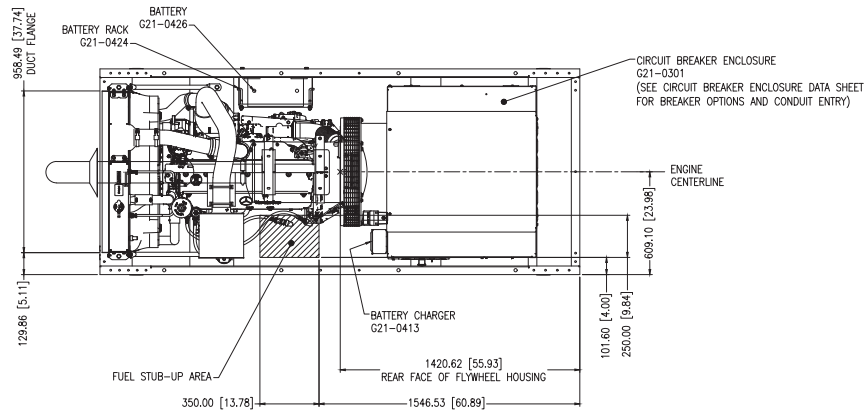
IN WITNESS THEREOF, I have hereunto set my hand and affixed the Official Seal of said City on this ____ day of June, 2024.

PC Liaison Signature

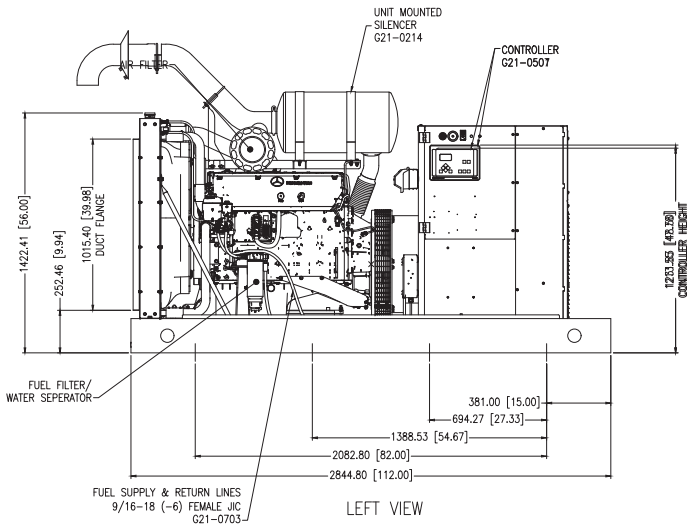
Kyle Perata
Assistant Community Development Director
City of Menlo Park

Exhibits

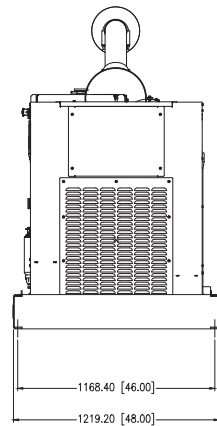
- A. Project plans
- B. Project description letter
- C. Acoustical study
- D. Hazardous materials information form
- E. Hazardous materials agency referral forms
- F. Conditions of approval



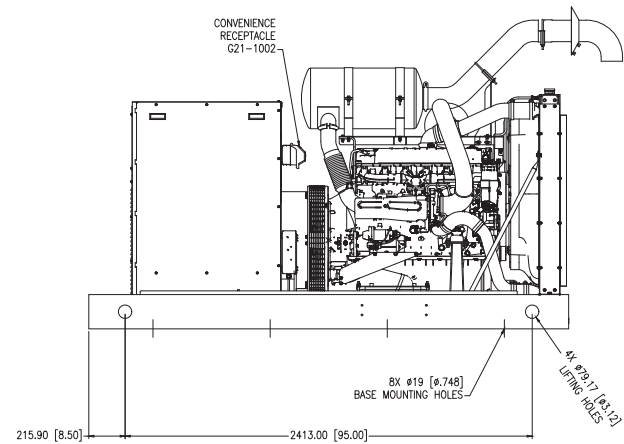
TOP VIEW



LEFT VIEW



REAR VIEW



RIGHT VIEW

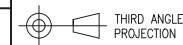
| REVISION | DATE | DESCRIPTION |
|----------|------------|---------------------|
| A | 2020-04-03 | UPDATED TITLE BLOCK |



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ALL INDUSTRIAL PROPERTY RIGHTS RESERVED. DISCLOSURE, REPRODUCTION OR USE FOR ANY OTHER PURPOSE IS PROHIBITED UNLESS OUR EXPRESS PERMISSION HAS BEEN GIVEN. ANY INFRINGEMENT RESULTS IN LIABILITY TO PAY DAMAGES.

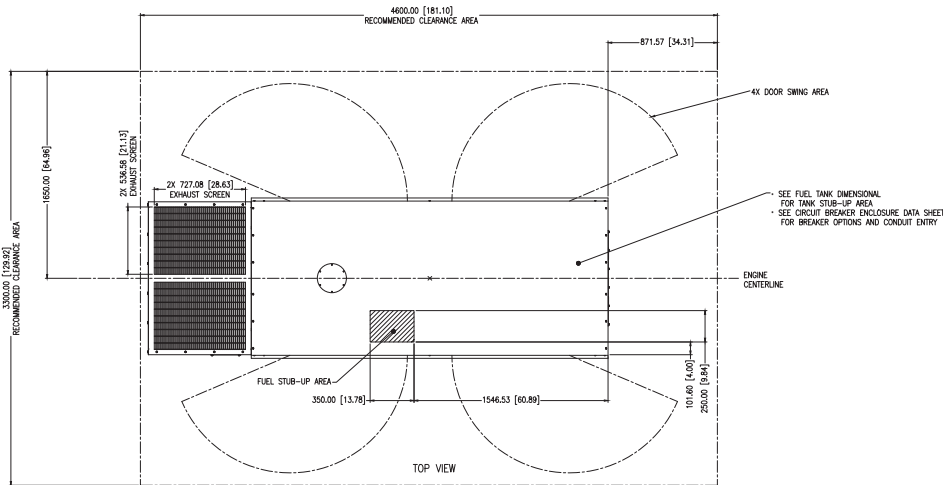
APPLICABLE MODELS:
 MTU 6R0120 DS150
 MTU 6R0120 DS180
 MTU 6R0120 DS200



THIRD ANGLE PROJECTION
 DRAWN TO SCALE
 DIMENSIONS: MM [INCH]
 DATE CREATED: 2015-10-12

DIMENSIONAL LAYOUT

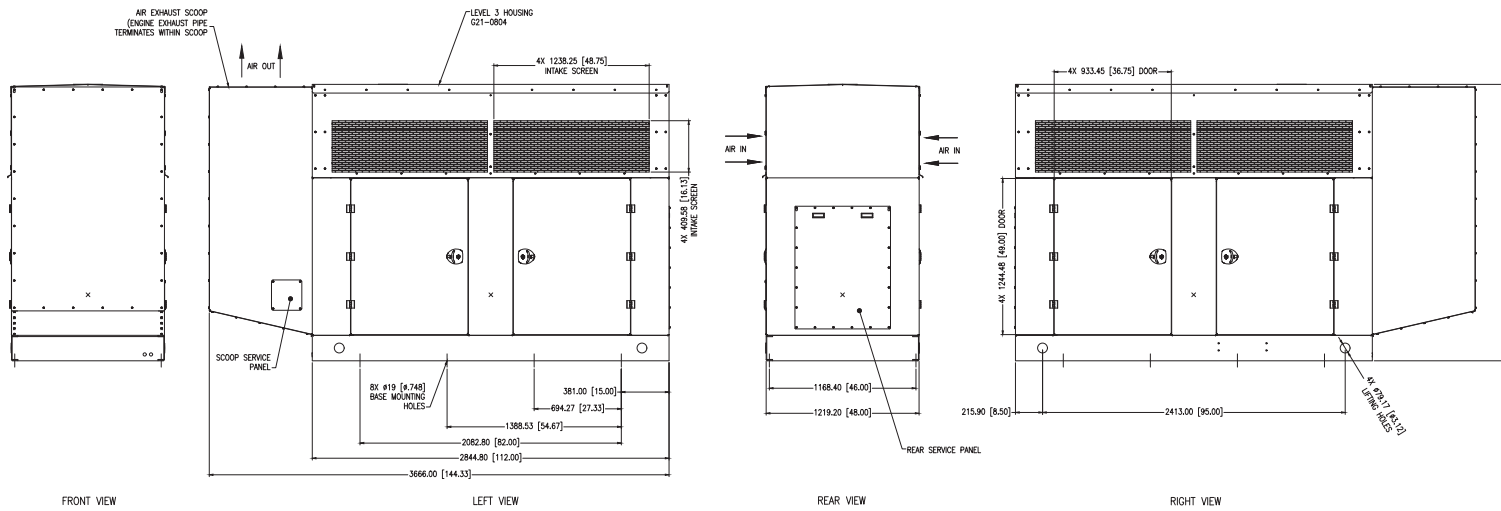
DESCRIPTION: 150-200 kW Genset, Housed Base
 ENGINE: Mercedes, OM926
 WEIGHT (MIN-MAX): 1292-2125 KG / 2848-4685 LB
 DRAWING NUMBER: XZG2100100038
 SHEET: 1 of 2



| DRAWING OPTIONS 150-200 kW OM926 | | |
|-------------------------------------|--------------|----------------------------------|
| Group | Drawing Code | Description |
| Housing Options, Exterior | G21-0803 | Level 1 & 2 Housing |
| | G21-0804 | Level 3 Housing w/ Exhaust Scoop |
| | G21-0806 | Air Exhaust Gravity Louver |
| Housing Options, Interior | G21-0902 | Air Intake Motorized Louver |
| | G21-0903 | Interior Housing Lights |

Reference the Drawing Options table and within the Layer Properties turn on/off the Drawing Codes that may or may not apply to your configuration.

Note: Some options may not be referenced. Only options which visibly change the drawing are selectable.



| REVISION | DATE | DESCRIPTION |
|----------|------------|--|
| C | 2020-04-03 | UPDATED TITLE BLOCK |
| B | 2019-03-27 | ADDED INTAKE SCREEN, EXHAUST SCREEN, & DOOR DIMENSIONS |
| A | 2018-12-27 | CHANGED WEIGHT TO BE CUMULATIVE GENSET W/ HOUSING |

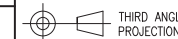


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APPLICABLE MODELS:

MTU 6R0120 DS150
MTU 6R0120 DS180
MTU 6R0120 DS200



THIRD ANGLE PROJECTION

DRAWN TO SCALE
DIMENSIONS: MM [INCH]

DATE CREATED:
2015-10-13

DIMENSIONAL LAYOUT

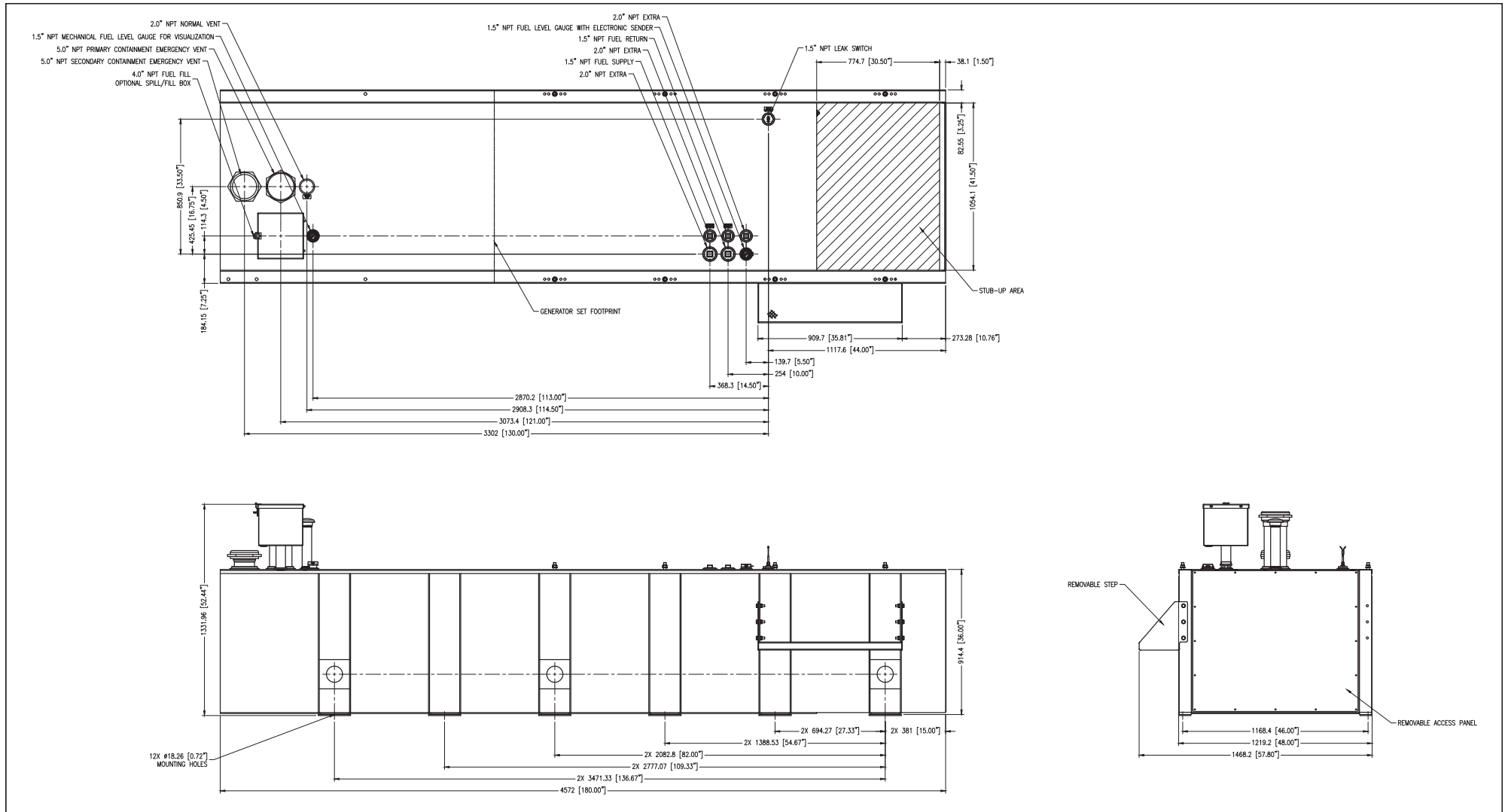
DESCRIPTION: 150-200 kW Genset, Housing

ENGINE: Mercedes, OM926


WEIGHT (MIN-MAX):
1496-2935 KG
3298-6469 LB

DRAWING NUMBER: XZG2100100040

SHEET: 1 of 1




| | | |
|----------|------------|---|
| | | |
| | | |
| | | |
| B | 2020-04-03 | UPDATE TITLE BLOCK |
| A | 2019-08-28 | MOUNTING HOLE WIDTH CHANGED FROM 45" TO 46" |
| REVISION | DATE | DESCRIPTION |



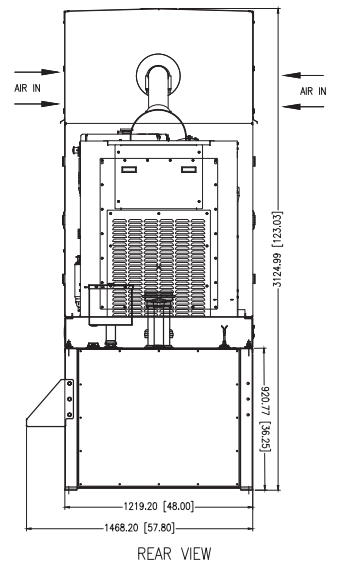
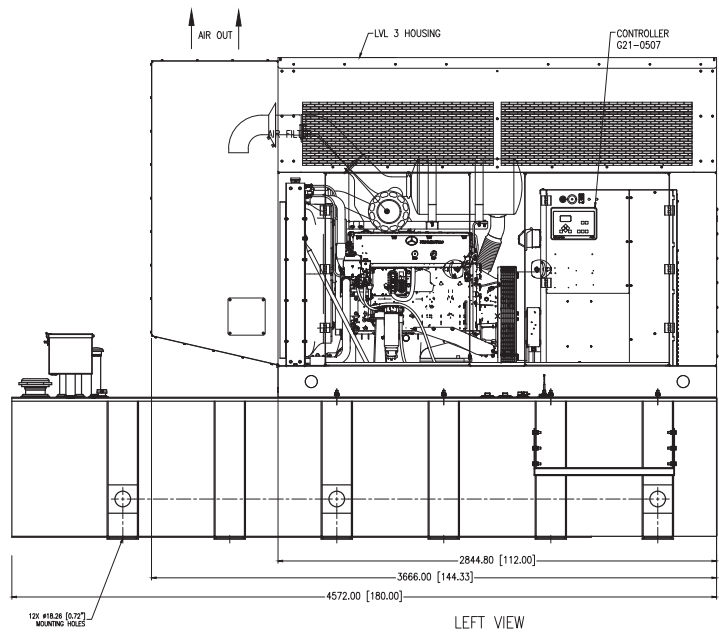
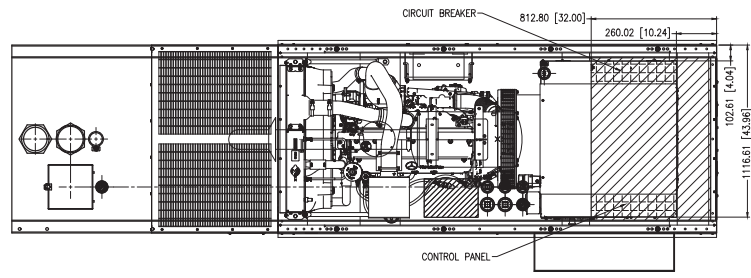
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| |
|--------------------|
| APPLICABLE MODELS: |
| MTU 6R0120 DS150 |
| MTU 6R0120 DS180 |
| MTU 6R0120 DS200 |

| | |
|---|------------------------|
|  | THIRD ANGLE PROJECTION |
| DRAWN TO SCALE | |
| DIMENSIONS: MM [INCH] | |
| DATE CREATED: | 2018-02-08 |

| | | |
|--|-----------------|------------------------------------|
| DIMENSIONAL LAYOUT | | |
| DESCRIPTION: 150-200kW 48Hr 800Gal Extended Tank | | |
| DRAWING NUMBER: | Mercedes, OM926 | WEIGHT (MIN-MAX): 951 KG / 2098 LB |
| DATE CREATED: | 2018-02-08 | SHEET: 5 of 11 |



| | | |
|----------|------------|---------------------|
| | | |
| | | |
| | | |
| | | |
| A | 2020-04-03 | UPDATED TITLE BLOCK |
| REVISION | DATE | DESCRIPTION |

mtu A Rolls-Royce solution

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|--------------------|
| APPLICABLE MODELS: |
| MTU 6R0120 DS150 |
| MTU 6R0120 DS180 |
| MTU 6R0120 DS200 |

| | |
|-----------------------|------------------------|
| | THIRD ANGLE PROJECTION |
| DRAWN TO SCALE | |
| DIMENSIONS: MM [INCH] | |
| DATE CREATED: | 2015-10-12 |

| | | |
|--------------------|---------------------------------|-------------------|
| DIMENSIONAL LAYOUT | | |
| DESCRIPTION: | DS200 L3 48HR EXT TANK ASSEMBLY | |
| ENGINE: | Mercedes, OM926 | WEIGHT (MIN-MAX): |
| DRAWING NUMBER: | | SHEET: |



Use Permit Application for Emergency Generator at Reproductive Science Center Fertility Clinic

Project Description Letter – May 30, 2024.

Purpose

This planning application seeks a use permit for an emergency generator to be installed at the new Reproductive Science Center Fertility Clinic located at 8 Homewood Place, Menlo Park, California.

Reason:

An emergency generator is crucial for the preservation of life and the viability of embryos at the facility. It will ensure uninterrupted power supply only during outages, protecting sensitive equipment and medical procedures.

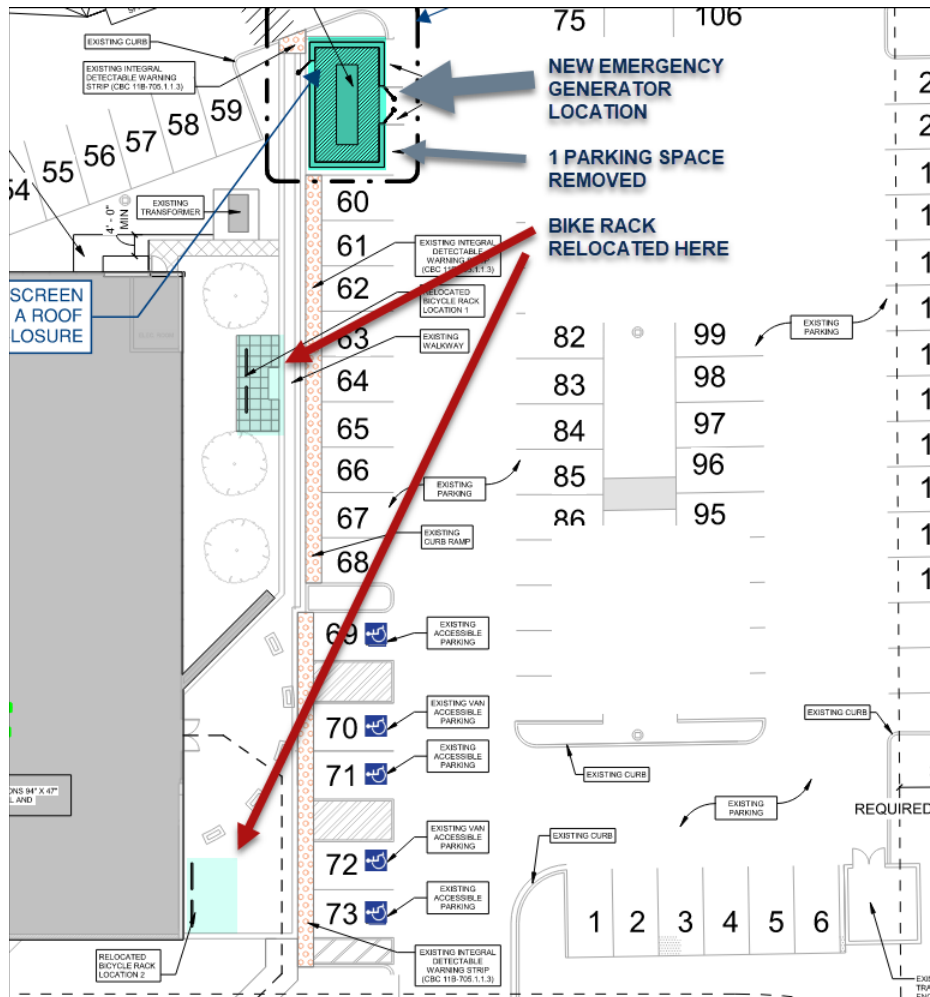
Community Sensitivity:

Understanding the importance of minimizing the generator's impact on the surrounding community, we have taken the following steps:

- **Use:** The generator will only be used in the event of an emergency. This specific unit requires less regular maintenance compared to other models, further minimizing potential disruptions.

The generator is intended to backup selected equipment and limited HVAC within the IVF lab to maintain embryos safely. It also provides backup to selected power circuits and limited HVAC to provide for patient safety while they undergo procedures. It does not back up the entire building.

- Testing:** The clinic has flexibility on when the emergency generator testing would take place. It will follow best practices and occur once a month, during the middle of the week (a Tuesday, Wednesday, or Thursday) between 5 pm to 5:30 pm. RSC is open to adjusting the day of the month and time if necessary.
 - The frequency of testing is **once per month**.
 - The duration of testing is **30 minutes**.
 - Testing will not exceed the municipal noise ordinance.
- Sourcing:** Our engineers have identified the smallest and quietest emergency diesel generator available to comply with municipal noise ordinances, producing approximately 73 decibels of sound at a distance of 23ft. (See Veneklasen report for detailed sound output information).
- Location:** We have strategically positioned the generator to minimize its impact on parking spaces. To accomplish this, we are removing 1 parking space and are relocating the 4 existing bike racks from that location to the right of the entrance front esplanade and another one between the trees. (Refer to the image below).





NEW BIKE RACK LOCATION 1



NEW BIKE RACK LOCATION 2

We carefully considered several generator locations. Here's why our proposed location we believe is optimal:

- **Originally, we submitted a location** that minimized disruption and footprint for privacy reasons. However, this site took away 5 parking spaces and was close to residences.
- **Another option considered was near the property line adjacent to USGS.** This was rejected due to high wiring costs and a parking space loss of 5 to 6 spaces.
- **Placing the generator inside the building** is not feasible due to safety concerns (diesel storage and proximity to patients, exhaust installation) for patients, embryos, and staff.

Given these limitations, our proposed location is practical and meets Menlo Park requirements including preserving the necessary parking count.

- **Generator Refueling:** The refueling process is as follows:
 - A diesel truck, similar in size to a Ford F-150, refuels the generator during normal business hours. There is no set schedule.
 - Refueling occurs **once per year**. The generator uses minimal fuel (approximately 1% of its total capacity) during testing.
 -
- **Enclosure:** We have designed the generator enclosure to emulate the existing garbage dump enclosure in both architecture and color, ensuring visual consistency and unobtrusiveness. The unit itself will have a level 3 attenuation enclosure.

To maintain the property's design integrity, the generator enclosure will mirror the existing waste enclosure (see image on next page) in the property.

It will have cement plaster CMU walls, and corrugated metal gates, with the only modification being the absence of a roof. Colors of the enclosure are to match existing waste enclosure colors.



Existing Waste Enclosure (For reference use only)

- **Community Outreach:** RSC Bay Area staff held a community outreach event on Sunday May 5, 2024, at the project site at 8 Homewood Place. The outreach event took place in a high visibility location outside the building at the corner of Homewood Place and Linfield Drive from noon to 2pm. We mailed 783 postcards via the UP Postal Service to all addresses within a ¼ mile radius of 8 Homewood Place to inform neighbors of the event. A copy of postcard part of this document.

The objective of the outreach event was to provide information, receive feedback, and address any concerns regarding our project. To represent our medical practice, we had two physicians, our Executive Director, and our Practice Liaison. We also provided comment cards in the event neighbors felt more comfortable providing feedback in that format. The event was well attended with approximately 15 neighbors attending. 5 neighbors signed in and provided contact information. A photo from the event is attached.

We provided information on the proposed operations and answered questions about services provided and the proposed project. We did not receive any feedback that necessitated changes. No comment cards were received during or after the event. We did not receive any written correspondence.

Our Executive Director provided her business cards for residents to contact her directly via phone or email with concerns or questions. Since the event, as May 9, 2024, no neighbors have contacted her.



Parking Impact:

The generator enclosure will require 1 existing parking space. However, the overall number of parking spaces available at the facility will still exceed the 106 that are required by Menlo Park ordinances.

Conclusion:

We believe this proposal demonstrates our commitment to providing essential emergency power for the Reproductive Science Center Fertility while minimizing the impact on the Menlo Park community. We welcome any feedback or suggestions from the planning team to optimize the project further.



8 HOMEWOOD PLACE

Response to Concerns

Dear Michael Herrick,

We have received your concerns regarding the proposed installation of the generator at 8 Homewood Place, and we hope we are able to address them as follows:

1. The intended installation location was selected to minimize disturbances during construction, protect existing trees, and to reduce the waste associated with replacing asphalt on the site. The location is as close to the building at 8 Homewood Place as possible to allow for minimal damage, and that location is between the utility poles and the building.
2. The only hazardous material in question is the diesel used to run the generator. This engine is smaller than that of a typical 18-wheeler on the highway, and its exhaust is diverted directly upwards. As this engine is stationary, fumes will rise well above any nearby residential buildings before they reach them travelling horizontally. It is likely that an individual would breathe more exhaust fumes in a one-hour trip on the highway than in a month of living near the proposed generator.
3. The generator is monitored continuously for any faults, whether running or not. This monitoring provides alerts to the building owner during any fault, which includes (but is not limited to) the following:
 - a. Generator running
 - b. High engine temperature
 - c. Overspeed in engine
 - d. Low coolant level

The generator is regularly inspected, both to ensure safety and reliability. Any fault, including simply the fact that the generator is running, will be responded to immediately by US Fertility. Any failure of the generator to run safely would be detrimental to US Fertility's operations, not only because of the safety of its employees and neighbors, but also because of the harm it would bring to hundreds of embryos in its labs. US Fertility recognizes the importance of maintaining a safe system so that no embryos are lost, as that would be devastating both emotionally and financially to both patients and themselves.

4. During US Fertility's search for a site to serve the community, this site proved to be the best given its location and the community's needs for fertility services. US Fertility considered many sites during its search. However, due to the very specific needs of a fertility clinic, no other site that can adequately serve the community, especially one with an adequately sized, functioning generator already on site, was available.
5. While we cannot speak for the City Council, we encourage consideration that bringing both scientific & medical jobs and fertility services to the community is a benefit. US Fertility does not aim to replace or eliminate any future plans for housing, but rather to make the community that housing creates a better one.



6. The intent of this generator is not to become independent of PG&E. US Fertility installs these generators at all of their facilities across the country, not to allow for the comfort of their employees, but to maintain safety of their patients and the embryos growing in the facility. These generators are required by codes in all areas of the country, not because power is consistently unreliable, but rather because a single point of failure (such as a power grid) is unacceptable when the safety of patients and embryos is at stake.

The generator provides backup power for long enough to finish a patient's procedure safely, to prepare embryos for long-term storage in a manner that does not require continuous power, and to safely exit the building. There are no kitchen facilities planned other than a microwave and refrigerator, neither of which are to be served by the generator. This generator is not meant to allow for continued operation but rather a safe and orderly cessation of operations.

We hope we have been able to address your concerns. If we have not, or if you have any additional concerns, we encourage you to reach out to us so we may address them.

Sincerely,

Laurence Jones, PE
Principal
New Ridge Engineering



New Fertility Practice Meet & Greet

Get your questions answered

about our plan to open a new location nearby
at 8 Homewood Place. See back for details > >



New Fertility Practice

Meet & Greet

Get your questions answered

about our plan to open a new location nearby
at 8 Homewood Place. See back for details > >

Hello! *We'd love to introduce ourselves!*

For the past 40+ years, RSC has helped Bay Area couples and individuals in their path to parenthood. Our guiding principle is that everyone deserves to realize their dream of growing their family, and every person in our practice will help them achieve that to the best of their ability. When it comes to family-building care, we have the experience and expertise patients can trust.

Our newest location is planned for Menlo Park. As part of your community, we invite you to learn more about our practice over light refreshments. We're looking forward to answering any questions and serving families in Menlo Park.

Please join us:

Sunday, May 5, 2024

12:00 - 2:00 p.m.

**8 Homewood Place
Menlo Park, CA 94025**



100 Park Place, Suite 200
San Ramon, CA 94583

US FERTILITY

Diesel Generator Requirements

Background

For the US Fertility project at 8 Homewood Place, a diesel generator is required for both safety and operations of the facility. Because of the fertility services the facility provides, it is seeking to be licensed by California Energy Code (CEC) as a Physician-owned Surgery Center (ASC). Additionally, the facility requires clean air for the safety of embryos stored and treated in the lab. NFPA 99 regulations for ASC's require a minimum standard for equipment that is provided with backup power, and this is in addition to the requirements of the lab to safely cease operations without damaging any embryos. The generator is required to meet the regulations of the intended accreditation.

A 200 kW diesel generator is the only viable solution to provide this backup power. This unit is capable of delivering power to emergency loads within ten seconds of a power outage, which is required by the CEC and NFPA-99. It is also required by CEC and the NFPA-99 to have four hours' on-site fuel, and operational requirements dictate at least 6 hours. The combination of the large power requirement, the long runtime, and the self-reliance of on-site fuel necessitate a diesel generator.

Other Backup Solutions

Other backup solutions were explored. However, these were not capable of meeting US Fertility's needs, and they do not comply with current CEC and NFPA 99 regulations. US Fertility requires a minimum of six hours to properly cease operations in their IVF lab. To do so, power for their HVAC is required to continue providing air that is properly treated while the lab is ceasing operations.

CEC Section 517.45 requires "a generator with 4 hours of on-site fuel." Natural gas is provided by a utility, which is not on-site. This eliminates the legality of using natural gas for the facility's intended accreditation. Natural gas piping, being underground, is also subject to failure in a seismic event.

Solar and wind power, even when combined with batteries, are limited by weather factors in their ability to provide consistently stable backup power. While they can likely provide backup power sometimes, they cannot reliably and consistently provide power 100% of the time for life safety systems.

Battery systems are not at a technology level where they can adequately provide backup power needed for most HVAC systems for a useful duration. A battery system capable of backing up US Fertility would likely occupy the area of multiple school buses and require a large draw from the electric utility to charge.

Generator Basis-of-Design

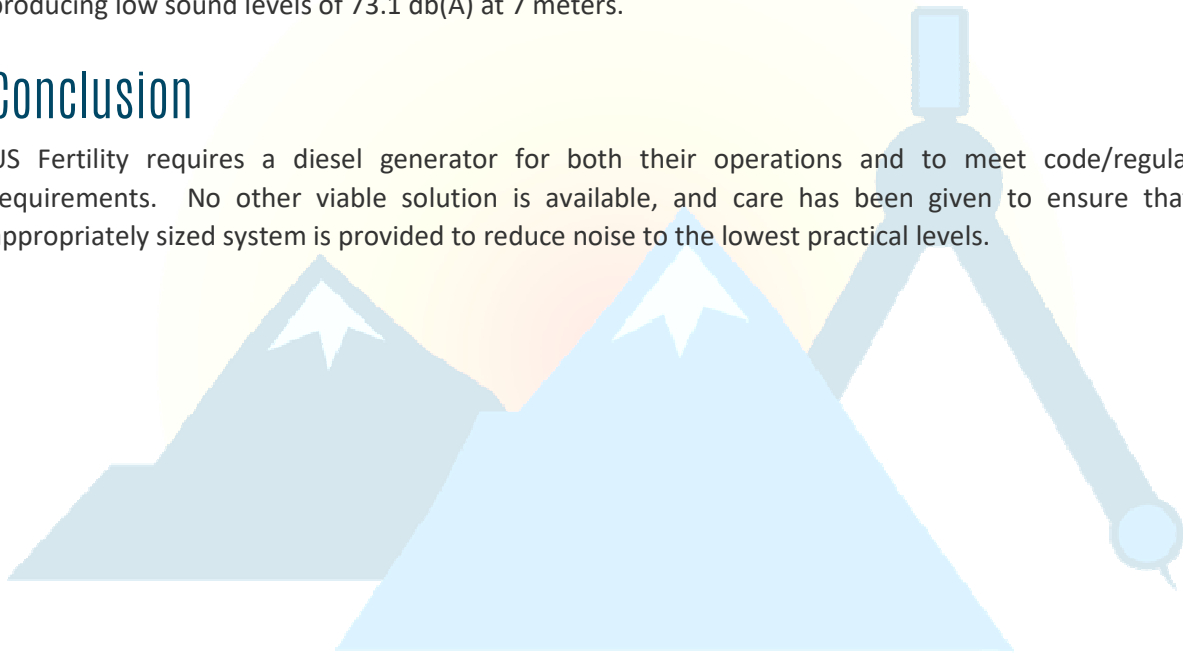
The basis-of-design model was selected because it is provided with the highest level of sound attenuation available for diesel generators, it meets the power and runtime requirements, and it is not overly large beyond those requirements.

Generator Operation and Testing

The generator is an emergency standby generator. It will not operate normally, except for minimal testing, maintenance, and during a power outage. NFPA 110 section 8 requires testing of thirty minutes under 30% load at least once per month. In addition, testing of at least 1.5 hours under higher load is required annually. During maintenance, additional testing may be required if problems are detected, however these are likely to be rare cases. The generator will have a level 3 attenuation enclosure, producing low sound levels of 73.1 db(A) at 7 meters.

Conclusion

US Fertility requires a diesel generator for both their operations and to meet code/regulatory requirements. No other viable solution is available, and care has been given to ensure that an appropriately sized system is provided to reduce noise to the lowest practical levels.



April 16, 2024

e4h ENVIRONMENTS FOR HEALTH ARCHITECTURE

14291 Park Meadow Drive, Suite 300
Chantilly, Virginia 20151

Attention: JJ Riestra, AIA, NCARB, WELL AP | Senior Healthcare Architect

Subject: **Generator and Air Handling Unit Noise Study; Menlo Park, California**
Acoustical Analysis of Future Emergency Generator
Veneklasen Project No. 8544-001

Dear JJ:

At your request and authorization, Veneklasen Associates (Veneklasen) has prepared this report to summarize the acoustical analysis of the future operating condition of the 200 kW emergency generator planned to be installed at the parking lot of the RSC Fertility Clinic (Tenant Improvement) and the air handling unit planned to be installed on the roof of the clinic, located at 8 Homewood Place in Menlo Park, California. This report summarizes the result of the acoustic modeling of the noise levels in the current condition and the predicted noise levels after the installation of the emergency generator at two proposed locations to show compliance with local Municipal Code requirements.

History and Project Manager

Founded in 1947, Veneklasen Associates is one of the largest acoustical consulting firms in the United States. Our services encompass architectural acoustics, audio-visual (AV), information technology (IT), environmental noise and vibration mitigation. As a sole source for building sound quality and data management, our technical and professional standards have been developed through the design of literally thousands of buildings worldwide:

- Civic & Government Agencies
- Courthouses & Public Safety
- Education - College & University + K-12
- Commercial Buildings & Corporate Interiors
- Transportation, including Airports & Rail
- Museums & Cultural Centers
- Hotels, Resorts & Casinos
- Studios & Entertainment Facilities
- Condominiums & Apartments
- Concert Halls & Performing Arts Complexes
- Medical Centers & Hospitals
- Places of Worship

Our staff is carefully balanced, consisting of professionals with degrees in acoustics, physics, engineering, and architecture. With approximately 60 employees we are large enough to have a wealth of expertise to be shared, and small enough to ensure that each project is directed by a principal or senior associate. We are unique in that we own and maintain a comprehensive complement of scientific measurement and analysis tools including: sound level meters, noise monitors, logging devices, field computers, vibration measurement equipment and data analytic software. Finally, Veneklasen Associates is a State of California (DGS) Certified Small Business and a qualified DBE and SBE in the State of California.

John LoVerde is known throughout the country for his work as an acoustical consultant as well as his leadership in testing, research, and reporting methodology, particularly in the field of residential and environmental acoustics. John has lent his expertise to the design of residential developments, educational buildings, performance venues, hotels and resorts, office campuses and hospitals. He has served as Project Manager for many notable projects and is often called upon to provide expert testimony. On average, John manages the design and construction of approximately 200 projects per year.

After obtaining a Bachelor of Science degree in Mechanical Engineering from California State Polytechnic University, Pomona (1989), John went on to earn a Master's Degree in Acoustics from the University of California, Los Angeles (1993). At UCLA, he worked on the link between acoustical energy and listener reaction to sound within auditoria. Since his consultant career began at Veneklasen Associates in 1989, John has published over 150 technical papers. He teaches and lectures internationally, presenting at the last fourteen meetings of the Acoustical Society of America (ASA). In November 2009 he was appointed to ASA's Technical Committee on Architectural Acoustics, and in 2013 John was further recognized in the field as a full Member of the ASA. In June of 2018, John became a Fellow of the Acoustical Society of America with citing the following: "For contribution to quantification and understanding of building response to sound and impact."

1.0 INTRODUCTION

Veneklasen understands an emergency generator and an air handling unit (AHU) are planned to be installed next to the existing building located at 8 Homewood Place in Menlo Park, California, as part of a Tenant Improvement for RSC Fertility Clinic. The emergency power source consists of a 200 kW MTU 6R0120 DS 200 Diesel Generator Set with a sound attenuation enclosure. The emergency generator is proposed to be located in the parking lot and the AHU is proposed to be located on the roof’s existing mechanical well. The generator is planned to be tested once a week, during weekday daytime hours. The associated AHU will run continuously through day and night. This study was conducted to determine the compliance of the noise levels of the emergency generator and AHU with the City of Menlo Park Municipal Code requirements.

The proposed generator location is bounded by residential uses to the north, east and south, and by U.S. Geological Survey offices to the west.

2.0 NOISE CRITERIA

The project building and all of the closest noise receptors are located in the City of Menlo Park, California.

Chapter 8.06 *Noise*, Section 8.06.03, Ord 892 of the City of Menlo Park Municipal Code, states that:

“It shall be unlawful to create, permit, allow or maintain a noise disturbance in Menlo Park.”

“For purposes of determining sound levels from any source of sound, sound level measurements shall be made at a point on the receiving property nearest where the sound source at issue generates the highest sound level.”

The exterior noise standards are such that the noise generated by all sources of sound shall not exceed the sound levels as summarized in Table 1 below.

Table 1 – Exterior Standard Noise Levels, City of Menlo Park Municipal Code

| Receiving Land Use Category | Time Period | Maximum Permissible Exterior Noise Levels (dBA) |
|-----------------------------|------------------------|---|
| Residential | 7am - 10pm (daytime) | 60 |
| | 10pm - 7am (overnight) | 50 |

Section 8.06.050 (b), *Emergencies*, states that “*Emergency repairs that deal with health or safety risk and emergency generators or powered equipment used during a power outage or other emergency;*” are exempt from noise limitations set forth in Section 8.06.030.

Veneklasen understands the generator will only be tested during daytime hours. Section 8.06.050(b) exempts the generator from noise requirements when it’s operated in an emergency scenario. Consequently, the noise code only applies to the daytime generator tests, so the generator meets the noise code when the combined sound level at the property line is 60 dBA or less.

The AHU is in operation 24 hours a day, every day. Consequently, the AHU meets the noise code when its sound level at the property line is 50 dBA or less.

3.0 EXTERIOR NOISE ENVIRONMENT

3.1 Noise Measurements

Traffic on Linfield Drive and Homewood Place and small-plane air traffic were the primary sources of noise affecting the site. Veneklasen visited the site on Wednesday, March 13, 2024 and placed meters onsite to capture the hourly sound levels on the site for a 24-hour period. Veneklasen also completed short-term noise measurements. Table 2 and Figure 1 show the location and summary of the noise measurements.

Table 2 – Measured Sound Levels

| Location | Daytime Measured Level (dB) | Nighttime Measured Level (dB) |
|----------|-----------------------------|-------------------------------|
| L1 | 44 | 43 |
| S1 | 44 | --- |
| S2 | 45 | --- |

Figure 1 – Aerial View of Project Site Showing Measurement Locations



4.0 COMPUTER MODELING

4.1 Generator Noise Modeling

Veneklasen developed acoustical models including the buildings and proposed generator and AHU containing enclosure to represent the existing noise environment and future noise environment under three different operational conditions for the assessed equipment:

- Emergency generator running, AHU in standby
- AHU running, emergency generator in standby
- Emergency generator and AHU running simultaneously

The model was conducted using the noise modeling software package Predictor v2023 noise modeling software package by SoftNoise GmbH. Predictor is an advanced noise propagation modeling software that considers geometric spreading, atmospheric sound propagation, ground impedance effects, site topography, and geometric, vegetation and environmental conditions. The calculations performed in Predictor were conducted in accordance with ISO 9613 for environmental noise assessments. All calculations were undertaken in octave bands.

The project site layout was obtained from drawings received on February 27, 2024. The overall sound power levels were determined through manufacturer’s sound pressure level data provided by Environment for Health Architecture and included in Appendix III.

The computer model was used to determine the future noise levels at closest commercial and residential areas with the future generators running and the existing traffic/ambient noise. The results of both scenarios

(existing and future) were compared with the noise criteria of the City of Menlo Park Municipal Code described in Section 2.0.

Proposed Equipment Specifications and Location

Veneklasen used sound data from the equipment’s manufacturer specifications sheets. The sound pressure levels used in the computation of the future noise levels are shown in Table 3 below:

Table 3 – Equipment Sound Power Levels

| Source Description | Source Description, Manufacturer, Model | Sound Pressure Level, Linear Octave Band Centre Frequency (dB re 20 µPa) | | | | | | | | Measured Distance (ft) | Sound Pressure Level (dBA) |
|---------------------|---|--|-----|-----|-----|----|----|----|----|------------------------|----------------------------|
| | | 63 | 125 | 250 | 500 | 1k | 2k | 4k | 8k | | |
| Emergency Generator | MTU 6R0120 DS200 | 85 | 89 | 89 | 88 | 85 | 82 | 77 | 72 | 3.3 | 87 |
| Air Handling Unit | AAON LF 14-17 C Box Low Sound Ziehl Abegg Condenser | 50 | 57 | 55 | 53 | 52 | 49 | 44 | 30 | 15 | 56 |

The generator is approximately 50 feet from the southern property line. The AHU is approximately 71 feet from the northern property line.

The emergency generator is planned to be enclosed with a 12-inch-thick and 13-ft high CMU wall. The AHU will be shielded by the roof’s existing roof screens.

Figure 2 shows the proposed location for the emergency generator and the AHU.

Figure 2 – Proposed Location No. 1 for Emergency Generator and AHU



5.0 NOISE MODELING RESULTS

Both day and night noise levels were considered in the analysis. For the purposes of this analysis, each individual noise assessment location (NAL) constitutes a combined receptor group. Each receptor group

represents typical noise exposure from the planned equipment in that area. For each modeled receiver group, compliance with the noise criteria of the City of Menlo Park Municipal Code regulation was evaluated.

5.1 Generator Noise

Figure 3 and Table 4 show the results of the predicted noise levels at the most sensitive receptors for the proposed generator location, including only the noise impact from the generator.

Figure 3 – Predicted Noise Contour Map for Generator Noise

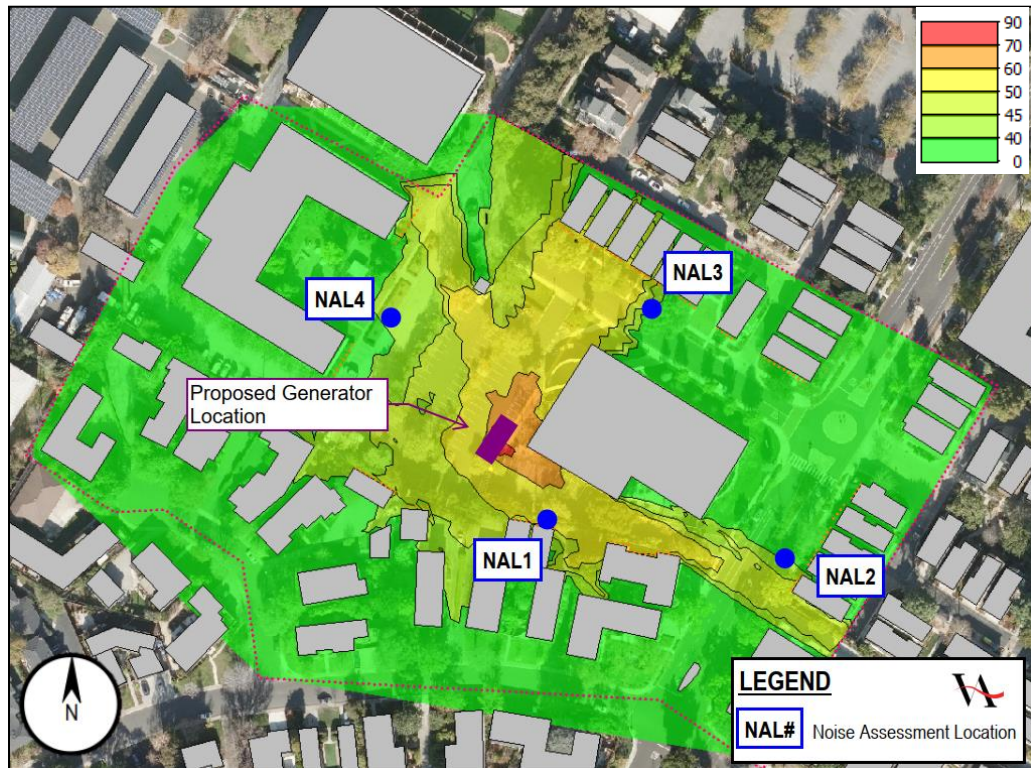


Table 4 - Predicted Noise Levels for Generator Noise

| Location | Predicted Noise Level (dBA) | Compliance with Noise Code |
|----------|-----------------------------|----------------------------|
| NAL 1 | 55 | Yes |
| NAL 2 | 40 | Yes |
| NAL 3 | 41 | Yes |
| NAL 4 | 50 | Yes |

As shown in Table 4, the exterior noise criteria presented in Section 2.0 is met while the generator is running without the AHU.

5.2 Air Handling Unit (AHU) Noise

Figure 4 and Table 5 show the results of the predicted noise levels at the most sensitive receptors for the proposed AHU location.

Figure 4 – Predicted Noise Contour Map for AHU Noise

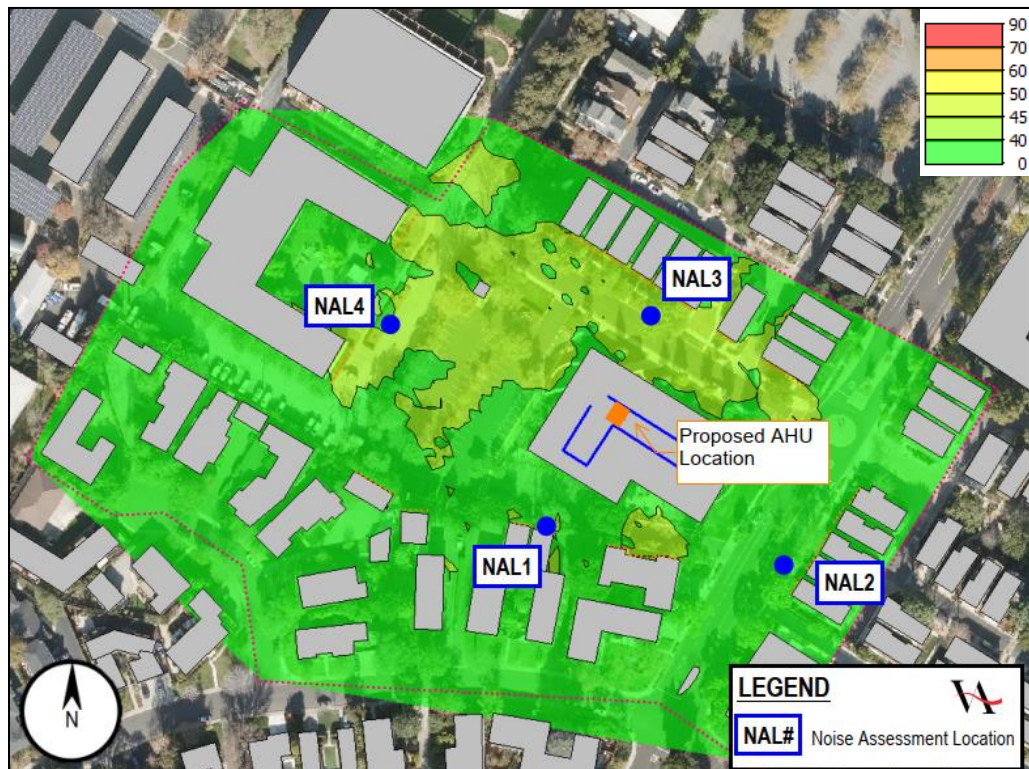


Table 5 - Predicted Noise Levels for AHU Noise

| Location | Predicted Noise Level (dBA) | Compliance with Noise Code | |
|----------|-----------------------------|----------------------------|-----------|
| | | Daytime | Nighttime |
| NAL 1 | 45 | Yes | Yes |
| NAL 2 | 41 | Yes | Yes |
| NAL 3 | 46 | Yes | Yes |
| NAL 4 | 42 | Yes | Yes |

As shown in Table 5, the exterior noise criteria presented in Section 2.0 is met while the AHU is running.

5.3 Generator and Air Handling Unit (AHU) Noise

Figure 5 and Table 6 show the results of the predicted noise levels at the most sensitive receptors for the proposed generator and AHU location, with both active at the same time.

Figure 5 – Predicted Noise Contour Map for Generator and AHU Noise

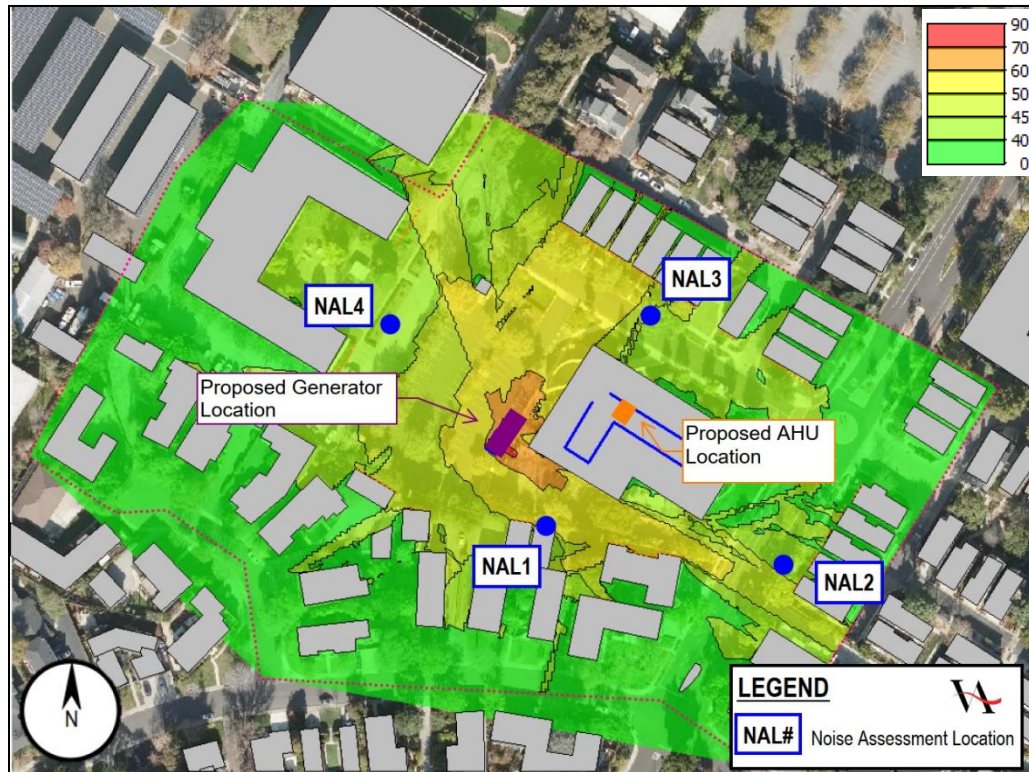


Table 6 - Predicted Noise Levels for Generator and AHU Noise

| Location | Predicted Noise Level (dBA) | Compliance with Noise Code |
|----------|-----------------------------|----------------------------|
| NAL 1 | 56 | Yes |
| NAL 2 | 44 | Yes |
| NAL 3 | 47 | Yes |
| NAL 4 | 51 | Yes |

As shown in Table 6, the exterior noise criteria presented in Section 2.0 is met while both the generator and AHU are running.

6.0 CONCLUSIONS

- Calculations considered that the emergency generators are operating at full capacity, during weekday daytime hours only with the AHU operating 24 hours a day, every day.
- No additional mitigation is required to comply with the City of Menlo Park Municipal code noise criteria at the proposed equipment locations.

If you have any questions or comments regarding this report, please do not hesitate to contact us.

Sincerely,
Veneklasen Associates, Inc.



Adam Thompson
Associate



John LoVerde, FASA
Principal

APPENDIX I – MEASURED HOURLY NOISE LEVELS

| Location | Start Time | Duration | LAeq |
|----------|------------|----------|------|
| L1 | 9:00 am | 1:00:00 | 52 |
| | 10:00 am | 1:00:00 | 51 |
| | 11:00 am | 1:00:00 | 51 |
| | 12:00 pm | 1:00:00 | 49 |
| | 1:00 pm | 1:00:00 | 52 |
| | 2:00 pm | 1:00:00 | 53 |
| | 3:00 pm | 1:00:00 | 51 |
| | 4:00 pm | 1:00:00 | 50 |
| | 5:00 pm | 1:00:00 | 50 |
| | 6:00 pm | 1:00:00 | 49 |
| | 7:00 pm | 1:00:00 | 50 |
| | 8:00 pm | 1:00:00 | 50 |
| | 9:00 pm | 1:00:00 | 51 |
| | 10:00 pm | 1:00:00 | 48 |
| | 11:00 pm | 1:00:00 | 46 |
| | 12:00 am | 1:00:00 | 47 |
| | 1:00 am | 1:00:00 | 43 |
| | 2:00 am | 1:00:00 | 43 |
| | 3:00 am | 1:00:00 | 43 |
| | 4:00 am | 1:00:00 | 45 |
| 5:00 am | 1:00:00 | 50 | |
| 6:00 am | 1:00:00 | 57 | |
| S1 | 9:30 am | 0:15:00 | 56 |
| S2 | 9:45 am | 0:15:00 | 48 |

APPENDIX II – GLOSSARY OF ACOUSTICAL TERMS

| <u>Term</u> | <u>Definition</u> |
|---------------------------------------|---|
| Absorption | A property of material referring to how much sound it absorbs (as opposed to reflecting). In the context of this report, absorption refers to the total quantity of absorption within the receiving space. Absorption is measured in sabins. |
| A-weighting (dBA) | The sound pressure level in decibels as measured in an A-weighting filter network. The A-weighting de-emphasizes the low frequency components of the sound in a manner similar to the frequency response of the human ear and correlates well with subjective reactions to noise. |
| Decibel (dB) | A unit describing the amplitude of sound equivalent to 20 times the logarithm, to the base 10, of the ratio of the pressure of the sound to the reference pressure of 20 μ Pa. Used to quantify sound pressure levels. |
| Equivalent Sound Level (Leq) | The time-weighted average noise level during the stated measurement period. |
| Sabin | A unit used to describe absorption within a space. One sabin is equal to the absorption of a one-square-foot open window. |
| Sound Pressure Level (SPL) | The amplitude of sound when compared to the reference sound pressure level of 20 μ Pa. SPL is measured in dB. |
| Sound Transmission Class (STC) | A single-number metric is used to describe the transmission loss performance of a material or assembly across the frequency spectrum. It is intended for use primarily when speech is the noise source. |
| Transmission Loss (TL) | A measure of the reduction in sound level as a sound wave passes through a material. The higher the transmission loss, the better the material's sound insulating properties. |

APPENDIX III – EQUIPMENT SPECS

Figure 6 – Generator Sound Data Sheet

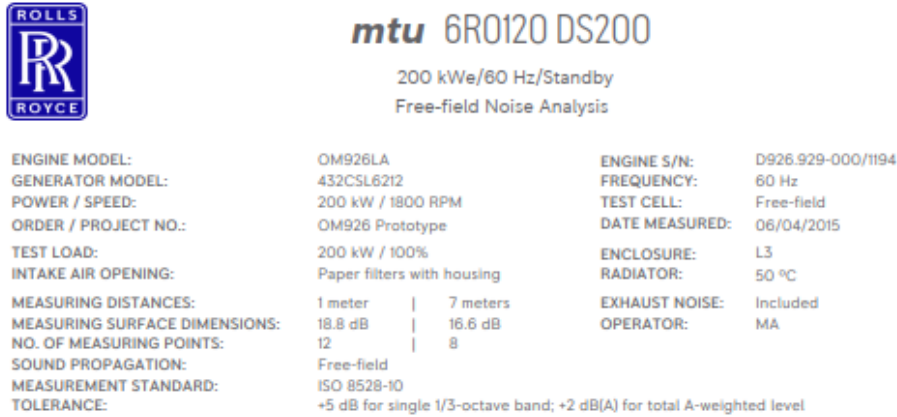
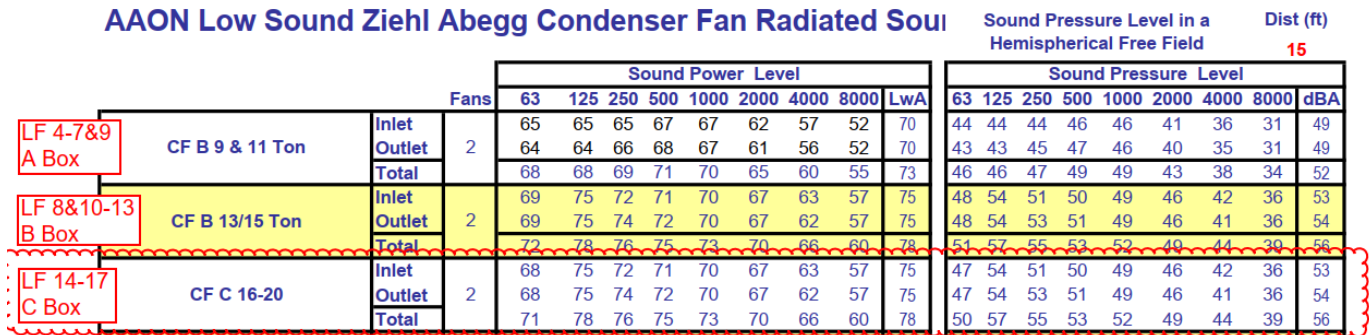


Figure 7 – Air Handling Unit Sound Data Sheet





**COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION**

701 Laurel Street
Menlo Park, CA 94025
phone: (650) 330-6702
fax: (650) 327-1653
planning@menlopark.org
<http://www.menlopark.org>

HAZARDOUS MATERIALS INFORMATION FORM

In order to help inform City Staff and the external reviewing agencies, the Planning Division requires the submittal of this form. If the use permit application is approved, applicants are required to submit the necessary forms and obtain the necessary permits from the Menlo Park Fire Protection District, San Mateo County Environmental Health Services Division, West Bay Sanitary District, and other applicable agencies. Please complete this form and attach additional sheets as necessary.

1. List the types of hazardous materials by California Fire Code (CFC) classifications. This list must be consistent with the proposed Hazardous Materials Inventory Statement (HMIS), sometimes referred to as a Chemical Inventory. (The HMIS is a separate submittal.)

Combustible liquids (Diesel Fuel).

2. Describe how hazardous materials are handled, stored and monitored to prevent or minimize a spill or release from occurring (e.g., secondary containment, segregation of incompatibles, daily visual monitoring, and flammable storage cabinets).

The unit uses a secure fuel tank with a locking cap for storing fuel. Additionally, the emergency generator unit has a 5-gallon spill tray that forms part of a spill containment system to prevent accidental spills from reaching the environment.

3. Identify the largest container of chemical waste proposed to be stored at the site. Please identify whether the waste is liquid or solid form, and general safeguards that are used to reduce leaks and spills.

Not applicable - there will be no hazardous waste stored on site.

4. Please explain how hazardous waste will be removed from the site (i.e. licensed haulers, or specially trained personnel).

Not applicable - there will be no hazardous waste stored on site.

5. Describe employee training as it pertains to the following:

- a. Safe handling and management of hazardous materials or wastes;
- b. Notification and evacuation of facility personnel and visitors;
- c. Notification of local emergency responders and other agencies;
- d. Use and maintenance of emergency response equipment;
- e. Implementation of emergency response procedures; and
- f. Underground Storage Tank (UST) monitoring and release response procedures.

To ensure expertise and safety, West Coast Energy Systems LLC, a professional diesel and generator service provider, will be exclusively responsible for all aspects of generator and diesel needs. Reproductive Science Center / US Fertility staff will not be involved in any activities related to these systems.

6. Describe documentation and record keeping procedures for training activities.

Documentation and record keeping and staffing expertise will be responsibility of West Coast Energy Systems, LLC.

7. Describe procedures for notifying onsite emergency response personnel and outside agencies (e.g. Fire, Health, Sanitary Agency-Treatment Plant, Police, State Office of Emergency Services "OES") needed during hazardous materials emergencies.

Staff is to immediately reach out to emergency services by calling 911.

8. Describe procedures for immediate inspection, isolation, and shutdown of equipment or systems that may be involved in a hazardous materials release or threatened release.

Generator unit will have an emergency shut-off button: Located readily accessible on the generator, this button instantly cuts off fuel supply and stops the engine, minimizing potential hazards from continued operation.

The generator also has an overfill protection feature. This built-in safety mechanism prevents the fuel tank from overflowing, reducing the risk of accidental spills and leaks.

9. Identify the nearest hospital or urgent care center expected to be used during an emergency.

Stanford Hospital at 213 Quarry Rd, Palo Alto, CA 94304 is 2 miles away from 8 Homewood Pl.

v:\handouts\approved\hazardous materials information form.doc



**COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION**

701 Laurel Street
Menlo Park, CA 94025
phone: (650) 330-6702
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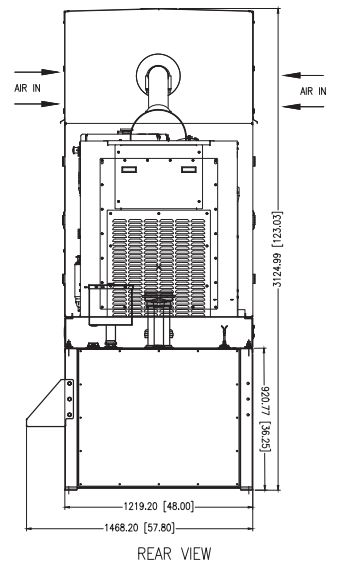
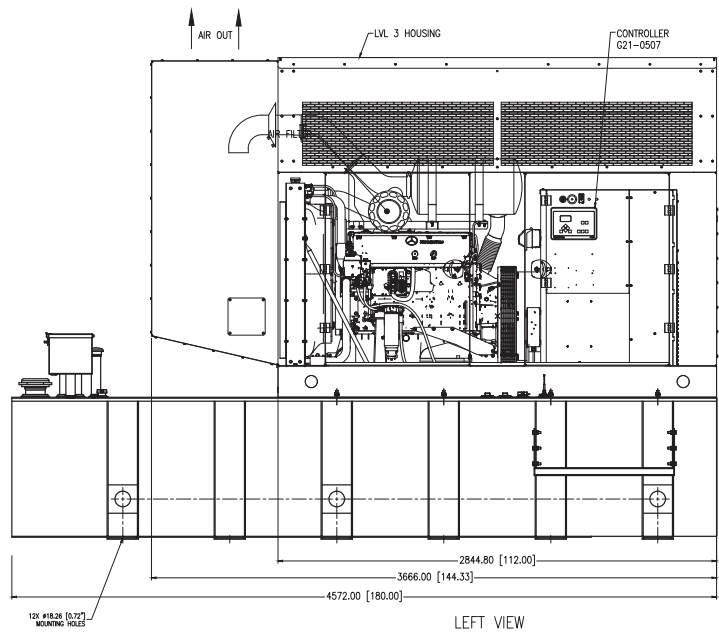
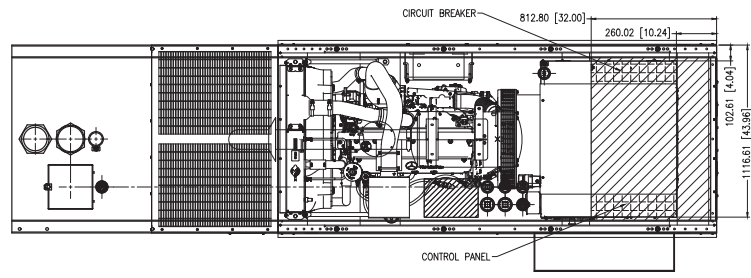
APPLICATIONS INVOLVING HAZARDOUS MATERIALS – GENERATOR SUPPLEMENT

The following information is required for hazardous materials applications that include generators.

| | |
|--|--|
| <p>GENERATOR PURPOSE (for example, whether it is an emergency generator dedicated to life safety egress lighting and other life safety devices, or a standby generator to allow continued operations in the event of a power outage) Emergency generator to provide power and lighting for operating room to allow ceasing operations</p> | |
| <p>FUEL TANK SIZE (in gallons) AND FUEL TYPE 800 gallon Diesel</p> | <p>NOISE RATING Highest predicted noise level 55dBA. (Refer to acoustical study).</p> |
| <p>SIZE (output in both kW (kilowatt) and hp (horsepower) measurements) 200 kW/ 331 hp</p> | <p>ENCLOSURE COLOR ANSI Gray</p> |
| <p>ROUTE FOR FUELING HOSE ACCESS Through parking lot and next to generator</p> | <p>PARKING LOCATION OF FUELING TRUCK Adjacent to generator</p> |
| <p>FREQUENCY OF REFUELING As needed</p> | <p>HOURS OF SERVICE ON A FULL TANK 48 hour</p> |
| <p>PROPOSED TESTING SCHEDULE (including frequency, days of week, and time of day) Once per month. Test duration is 30 minutes. Would take place on a Tuesday, Wednesday, or a Thursday between 5 to 5:30pm</p> | |
| <p>ALARMS AND/OR AUTOMATIC SHUTOFFS (for leaks during use and/or spills/over-filling during fueling, if applicable) As required by NFPA 99</p> | |
| <p>OTHER APPLICATION SUBMITTAL REQUIREMENTS (please attach)</p> <ul style="list-style-type: none"> • Section showing the height of the pad, the isolation base (if there is one), the height of the generator with the appropriate belly (fuel storage tank) and exhaust stack • Status of required Bay Area Air Quality Management District (BAAQMD) permit, including confirmation of parental notification for any proposals within 1,000 feet of a school | |

v:\handouts\approved\hazmat - generator supplement data sheet.doc

BAAQMD Permit application delivered on 11/14. Review currently under progress. Site is not located within 1,000 feet of a school.



| | | |
|----------|------------|---------------------|
| | | |
| | | |
| | | |
| | | |
| A | 2020-04-03 | UPDATED TITLE BLOCK |
| REVISION | DATE | DESCRIPTION |

mtu A Rolls-Royce solution

ALL INDUSTRIAL PROPERTY RIGHTS RESERVED. DISCLOSURE, REPRODUCTION OR USE FOR ANY OTHER PURPOSE IS PROHIBITED UNLESS OUR EXPRESS PERMISSION HAS BEEN GIVEN. ANY INFRINGEMENT RESULTS IN LIABILITY TO PAY DAMAGES.

| |
|--------------------|
| APPLICABLE MODELS: |
| MTU 6R0120 DS150 |
| MTU 6R0120 DS180 |
| MTU 6R0120 DS200 |

| | |
|-----------------------|------------------------|
| | THIRD ANGLE PROJECTION |
| DRAWN TO SCALE | |
| DIMENSIONS: MM [INCH] | |
| DATE CREATED: | 2015-10-12 |

| | | |
|--|-----------------|-------------------|
| DIMENSIONAL LAYOUT | | |
| DESCRIPTION: DS200 L3 48HR EXT TANK ASSEMBLY | | |
| ENGINE: | Mercedes, OM926 | WEIGHT (MIN-MAX): |
| DRAWING NUMBER: | | SHEET: |



January 18, 2024

AGENCY REFERRAL FORM**RETURN by January 31, 2024 to Matt Pruter at mapruter@menlopark.gov**

Ron La France, Building Official
 City of Menlo Park Building Division
rjlafrance@menlopark.gov

RE: 8 Homewood Place (PLN2024-00002) – Use Permit

| | |
|--------------------------------------|---|
| Business Name | HKN II, LLC |
| Description | Use Permit/J.J. Riestra/8 Homewood Place: Request for a use permit for hazardous materials to install a new permanent, diesel emergency generator to service an existing commercial building in the C-1 (Administrative and Professional, Restrictive) zoning district. |
| Applicant Contact Information | J.J. Riestra, (703) 655-1567 jj.riestra@e4harchitecture.com |

- The hazardous materials listed are not of sufficient quantity to require approval by this Division.
- The Building Division has reviewed the applicant's plans and listed hazardous materials/chemicals and has found that the proposal meets all applicable California Building Code requirements.
- The Building Division has reviewed the applicant's plans and use of listed hazardous materials/chemicals outlined, and suggests conditions and mitigation measures (below) to be made a part of the City's permit approval.

Community Development



The applicant's proposal has been reviewed by the City of Menlo Park's Building Division by:

| | |
|-------------------------------|----------------------|
| Printed Name/ Date | Ron La France |
| Signature | <i>Ron La France</i> |
| Comments | |

| | |
|--|--|
| RE: 8 Homewood Place (PLN2024-00002) – Use Permit (cont.) | |
| Additional Comments | |



January 18, 2024

AGENCY REFERRAL FORM
RETURN by January 31, 2024 to Matt Pruter at mapruter@menlopark.gov

Jon Johnston, Fire Marshal
Menlo Park Fire Protection District
jonj@menlofire.org

RE: 8 Homewood Place (PLN2024-00002) – Use Permit

| | |
|--------------------------------------|---|
| Business Name | HKN II, LLC |
| Description | Use Permit/J.J. Riestra/8 Homewood Place: Request for a use permit for hazardous materials to install a new permanent, diesel emergency generator to service an existing commercial building in the C-1 (Administrative and Professional, Restrictive) zoning district. |
| Applicant Contact Information | J.J. Riestra, (703) 655-1567 jj.riestra@e4harchitecture.com |

- The hazardous materials listed are not of sufficient quantity to require approval by this agency.
- The Fire District has reviewed the applicant's plans and listed hazardous materials/chemicals and has found that the proposal meets all applicable fire codes.
- The Fire District has reviewed the applicant's plans and use of listed hazardous materials/chemicals outlined, and suggests conditions and mitigation measures (below) to be made a part of the City's permit approval.



The applicant's proposal has been reviewed by the Menlo Park Fire Protection District by:

| | |
|-----------------------|---|
| Printed Name/ Date | GORDON SIMPKINSON 1-19-2023 |
| Signature | <i>Gordon Simpkinson</i> |
| Comments | NO FIRE DEPARTMENT OBJECTIONS PROJECT PRESENTS NO EXTRAORDINARY HAZARDS |

| | |
|---|---|
| RE: 8 Homewood Place (PLN2024-00002) – Use Permit (cont.) | |
| Additional Comments | APPLICANT WILL BE SUBJECT TO INITIAL AND ONGOING FIRE DISTRICT PERMIT AND INSPECTION REQUIREMENTS. |



January 18, 2024

AGENCY REFERRAL FORM

RETURN by January 31, 2024 to Matt Pruter at mapruter@menlopark.gov

Daniel Rompf, Hazardous Materials Specialist
 San Mateo County Environmental Health Services Division
drompf@smcgov.org

RE: 8 Homewood Place (PLN2024-00002) – Use Permit

| | |
|--------------------------------------|---|
| Business Name | HKN II, LLC |
| Description | Use Permit/J.J. Riestra/8 Homewood Place: Request for a use permit for hazardous materials to install a new permanent, diesel emergency generator to service an existing commercial building in the C-1 (Administrative and Professional, Restrictive) zoning district. |
| Applicant Contact Information | J.J. Riestra, (703) 655-1567 jj.riestra@e4harchitecture.com |

- The hazardous materials listed are not of sufficient quantity to require approval by this agency.
- The Health Division has reviewed the applicant's plans and listed hazardous materials/chemicals and has found that the proposal meets all applicable codes.
- XX** The Health Division has reviewed the applicant's plans and use of listed hazardous materials/chemicals outlined, and suggests conditions and mitigation measures (below) to be made a part of the City's permit approval. The Health Division will inspect the facility once it is in operation to assure compliance with applicable laws and regulations.



Community Development

The applicant's proposal has been reviewed by the San Mateo County Environmental Health Services Division by:

| | |
|-------------------------------|---|
| Printed Name/ Date | Dan Rompf 2/7/24 |
| Signature | <i>Daniel Rompf</i> |
| Comments | Facility will need an HMBP if they store over 55 gal diesel fuel onsite. Get permit with San Mateo County EH, and file an HMBP if diesel fuel. Contact Dan Rompf for permit applications and questions. drompf@smcgov.org 650-339-0327 |

| | |
|--|--|
| RE: 8 Homewood Place (PLN2024-00002) – Use Permit (cont.) | |
| Additional Comments | Create an account in CERS, and get a permit for storage with san mateo county EH CUPA. Contact Dan Rompf with any questions on this process. |



January 18, 2024

AGENCY REFERRAL FORM

RETURN by January 31, 2024 to Matt Pruter at mapruter@menlopark.gov

Jed Beyer, Water Quality Manager
 West Bay Sanitary District
jbeyer@westbaysanitary.org

RE: 8 Homewood Place (PLN2024-00002) – Use Permit

| | |
|--------------------------------------|---|
| Business Name | HKN II, LLC |
| Description | Use Permit/J.J. Riestra/8 Homewood Place: Request for a use permit for hazardous materials to install a new permanent, diesel emergency generator to service an existing commercial building in the C-1 (Administrative and Professional, Restrictive) zoning district. |
| Applicant Contact Information | J.J. Riestra, (703) 655-1567 jj.riestra@e4harchitecture.com |

- The hazardous materials listed are not of sufficient quantity to require approval by this agency.
- The Sanitary District has reviewed the applicant's plans and listed hazardous materials/chemicals and has found that the proposal meets all applicable codes.
- The Sanitary District has reviewed the applicant's plans and use of listed hazardous materials/chemicals outlined, and suggests conditions and mitigation measures (below) to be made a part of the City's permit approval.



Community Development

The applicant's proposal has been reviewed by the West Bay Sanitary District by:

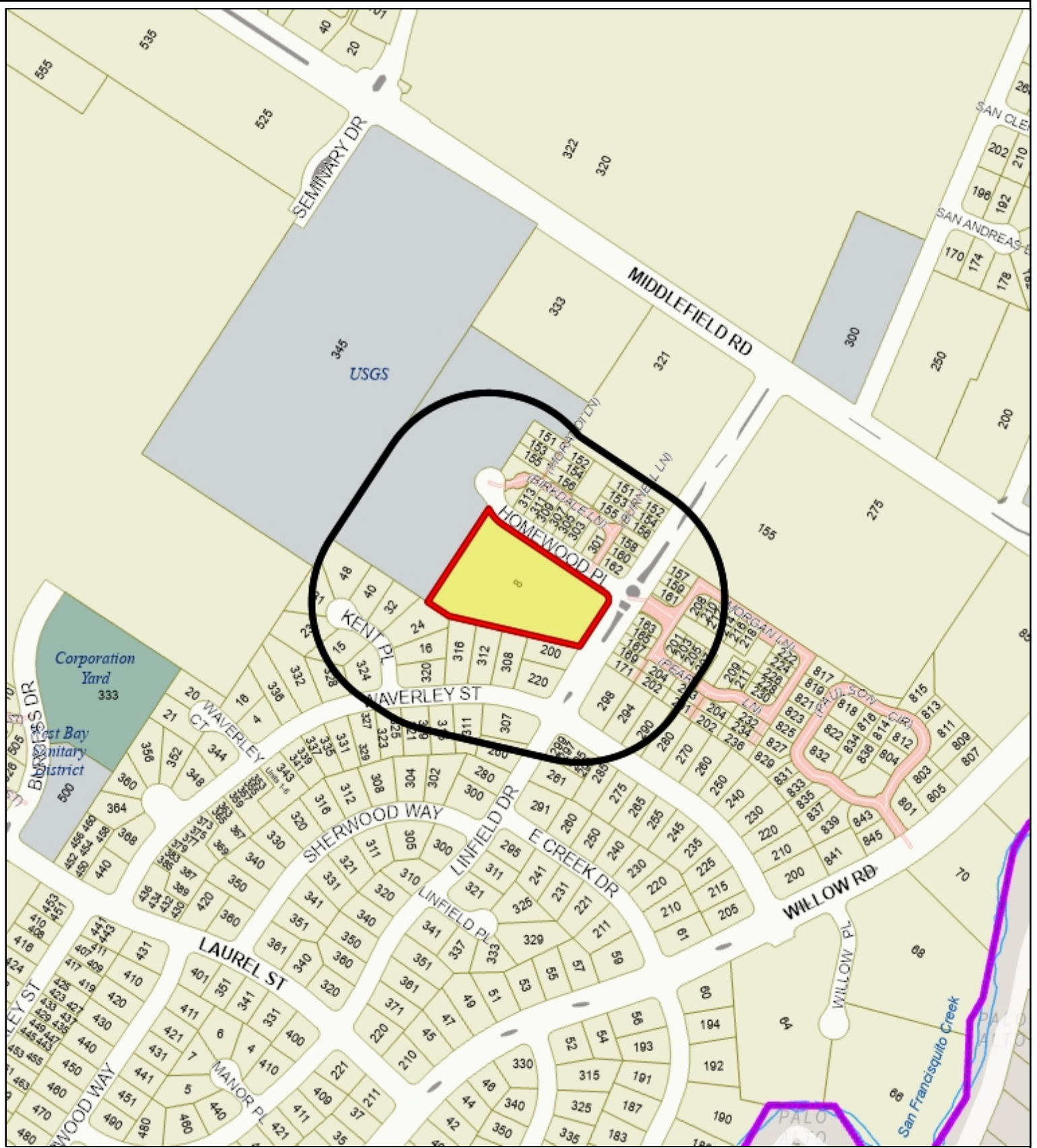
| | |
|-------------------------------|---|
| Printed Name/ Date | Jed Beyer / 01/31/2024 |
| Signature | Jed Beyer <small>Digitally signed by Jed Beyer DN: cn=Jed Beyer, o=West Bay Sanitary District, ou=Water Quality Manager, email=jbeyer@westbaysanitary.org, c=US Date: 2024.02.01 08:06:49 -08'00'</small> |
| Comments | |

| | |
|--|--|
| RE: 8 Homewood Place (PLN2024-00002) – Use Permit (cont.) | |
| Additional Comments | |

| | | | |
|---|---|-------------------------------------|----------------------------------|
| <p>LOCATION: 8 Homewood Place</p> | <p>PROJECT NUMBER: PLN2024-00002</p> | <p>APPLICANT: JJ Riestra</p> | <p>OWNER: HKN II, LLC</p> |
| <p>PROJECT CONDITIONS:</p> <ol style="list-style-type: none"> 1. The use permit shall be subject to the following standard conditions: <ol style="list-style-type: none"> a. The applicant shall be required to apply for a building permit within one year from the date of approval (by June 24, 2025) for the use permit to remain in effect. b. Development of the project shall be substantially in conformance with the plans prepared by Environments for Health Architecture, consisting of eight plan sheets, dated received May 30, 2024 and approved by the Planning Commission on June 24, 2024, except as modified by the conditions contained herein, subject to review and approval of the Planning Division. c. Prior to building permit issuance, the applicants shall comply with all Sanitary District, Menlo Park Fire Protection District, and utility companies’ regulations that are directly applicable to the project. d. Prior to building permit issuance, the applicants shall comply with all requirements of the Building Division, Engineering Division, and Transportation Division that are directly applicable to the project. e. Prior to building permit issuance, if applicable, the applicant shall submit a plan for any new utility installations or upgrades for review and approval by the Planning, Engineering and Building Divisions. All utility equipment that is installed outside of a building and that cannot be placed underground shall be properly screened by landscaping. The plan shall show exact locations of all meters, back flow prevention devices, transformers, junction boxes, relay boxes, and other equipment boxes. f. Prior to building permit issuance, the applicant shall pay all fees incurred through staff time spent reviewing the application. g. Heritage trees in the vicinity of the construction project shall be protected pursuant to the Heritage Tree Ordinance. h. The applicant or permittee shall defend, indemnify, and hold harmless the City of Menlo Park or its agents, officers, and employees from any claim, action, or proceeding against the City of Menlo Park or its agents, officers, or employees to attack, set aside, void, or annul an approval of the Planning Commission, City Council, Community Development Director, or any other department, committee, or agency of the City concerning a development, variance, permit, or land use approval which action is brought within the time period provided for in any applicable statute; provided, however, that the applicant’s or permittee’s duty to so defend, indemnify, and hold harmless shall be subject to the City’s promptly notifying the applicant or permittee of any said claim, action, or proceeding and the City’s full cooperation in the applicant’s or permittee’s defense of said claims, actions, or proceedings. i. Notice of Fees Protest – The applicant may protest any fees, dedications, reservations, or other exactions imposed by the City as part of the approval or as a condition of approval of this development. Per California Government Code 66020, this 90-day protest period has begun as of the date of the approval of this application. 2. The use permit shall be subject to the following project-specific conditions: <ol style="list-style-type: none"> a. Testing of the generator shall be limited to one 30-minute period per month, between the daytime hours 8:30 a.m. and 5:30 p.m. on weekdays. b. Applicant shall document compliance with the requirements outlined in the agency referral forms (Exhibit E within Attachment A of the staff report) prior to building permit | | | |

8 Homewood Place – Attachment A, Exhibit F

| | | | |
|---|---|------------------------------|---------------------------|
| LOCATION: 8 Homewood Place | PROJECT NUMBER: PLN2024-00002 | APPLICANT: JJ Riestra | OWNER: HKN II, LLC |
| PROJECT CONDITIONS: issuance related to the generator, subject to review and approval of the Planning and Building Divisions. | | | |



City of Menlo Park
 Location Map
 8 Homewood Place



Scale: 1:4,000

Drawn By: MAP

Checked By: TAS

Date: 6/24/2024

Sheet: 1

Pruter, Matthew A

From: Michael Herrick <michael.c.herrick@gmail.com>
Sent: Sunday, January 21, 2024 4:19 PM
To: Pruter, Matthew A
Subject: User Permit/J.J. Riestra/8 Homewood Place

Follow Up Flag: Follow up
Flag Status: Flagged

CAUTION: This email originated from outside of the organization. Unless you recognize the sender's email address and know the content is safe, DO NOT click links, open attachments or reply.

Dear Matt,

I write to request more information about the 8 Homewood Place application for a use permit for hazardous materials to install a new permanent, diesel emergency generator. Our home, 16 Kent Pl, Apt 4, is shown as being 299 feet from 8 Homewood Place on Google Maps but the spot from which I write -- in my son's bedroom -- seems to be a good deal closer to the closest exterior wall of 8 Homewood.

Diesel fumes, themselves, can be hazardous -- especially to our 4-year-old son -- whose air intake is through windows **as little as 88 feet** from the main utility pole which serves our apartment and appears to be situated either on the property of 8 Homewood Place or on a utility right of way separating the properties of 8 Homewood, 24 Kent Pl and 316 Waverly. The questions, at this point therefore, are:

- 1) Does the owner intend to make the installation anywhere between the power pole in question and the building at 8 Homewood?
- 2) What exactly are the hazardous materials?
- 3) How is the danger, in and by Menlo Park, monitored and mitigated?
- 4) With so much commercial real estate empty in the Bay Area, currently, what is the justification for introducing this harm at a property which is bounded on 3 sides by residential properties, some of them rather densely populated? If the tenant requires an uninterrupted power supply shouldn't the tenant move to a more appropriately zoned space, one perhaps which already has a back-up generator built into the property's original design and zoning?
- 5) The Menlo Park Housing Element, being adopted now, appears to call for **increasing** residential properties and density all around the 8 Homewood Place property. If the USGS parcel eventually becomes primarily residential then 8 Homewood Place would be the only commercial property in this entire quadrant. Has any guidance been given to the Planning Commission yet, by the City Council, to take such long-term planning issues into consideration?
- 6) If this private business, like at least one before it nearby on the Middlefield corridor, takes itself out of dependence on PG&E, won't that only make the situation even worse for those of us without private generators? Or, is the City proposing a solution that every apartment building and single family home bounding 8 Homewood Place also acquire back-up generators?

Is the logical outcome of Question 6 really the best solution? Our family lost 4 months of salaried income in 2023 due, it seems, in part to the winter/spring 2023 PG&E power outages. The need for a reliable power supply is shared across a community and businesses often have an easier time relocating than private residents. If this particular Menlo Park quadrant will simply always have an unreliable power supply, the solution is probably to move? In order to safeguard against further risk of lost earnings, my wife accepted 5-day-a-week in (SF) office work earlier this month. Businesses could probably prove equally versatile if Menlo Park does not make exceptions to its Restrictive zoning district requirements?

I discovered a few months ago that both Menlo Park and San Mateo County have lax procedures to mitigate potential harm of dangerous chemicals in residential areas when a full building fumigation at 320 Waverly went awry, one weekend between 5 PM Friday and late Sunday. The company neglected to follow legal notification procedures and there was no ready way, in that situation, to enforce accountability and safeguard the health of one's children. Once an approval is given, building owners and contractors appear to rely on some sort of honor system to police themselves? A Menlo Park Fire Department employee stated to me, on that Friday night, that if his own child were next to the hazard he would check into a hotel for the weekend. I applaud Menlo Park for compensating their public safety officials well enough to be able to do that. But does such an approach of every person and business for himself, promote sound civic values and protection of all community members, independent of personal income level?

If Menlo Park does not have civic protocols in place to protect its residents from harm then will the business at 8 Homewood Place, which would benefit from the generator, be required to fund those direct protections? For instance, generator use happens when power goes out. One of the main times when power goes out, in California, is during wildfire season when air quality plummets. Air purifiers do not work without power. Essentially, this business is applying for an application to keep its building air purifiers going to protect its employees' health while making the air quality in these dangerous, emergency situations even worse for its neighbors? Does part of the business's application provide for neighboring residents to be permitted to enter the building to afford themselves of the clean air, internet connectivity, power charging and shared use of 8 Homewood Place's kitchen facilities, during the emergencies which would spark the generator's use?

I, and I don't doubt my neighbors also with children in very close proximity to the 8 Homewood Place parking lot, would appreciate answers to the first 3 questions. I hope the final 3 questions are also informing the greater policy guidance and other long-term planning our City Council has been engaged in recently.

Should I be contacting the Linfield Oaks representative to the City Council about how all of this works in Menlo Park? Or will you and others in City Government be able to provide answers to the above questions, and others as they arise in this application process?

Sincerely
Michael Herrick
16 Kent Pl, Apt 4
Menlo Park