

*Expanding the range of opportunities for all by
developing, managing and promoting quality
affordable housing and diverse communities.*



February 17, 2022

City Council
City of Los Altos
One North San Antonio Road
Los Altos, CA 94022

SUBJECT: STORY POLE EXEMPTION FOR 330 DISTEL CIRCLE

Dear Mayor Enander and Council Members:

EAH, as applicant of a 100% affordable housing community proposed at 330 Distel Circle is writing this letter to request a waiver to the City's Story Pole Policy. The proposed development would replace an existing, occupied single story office building that is currently owned and occupied by Mid-Peninsula Open Space District. We are proposing a deed restricted, 90 unit affordable rental community in a five story building.

We understand that the purpose of the Story Pole Policy is to demonstrate the height, massing, and profile of the proposed development within the context of the actual environment and to help provide a visual notice of a project. We also note that a waiver or amendment of the requirement may only be granted by City Council. The exemptions cited within the policy include a concern for public health and/or safety or if the installation would impair the use of the existing structure. In this instance, we feel an exemption is warranted to protect both the public health and safety from the risks associated with metal story poles being on the site and the impact on the existing business, the neighboring businesses and its employees.

There are substantial public health and safety concerns with constructing 64 ft story poles at this site. After reviewing our plans with our architect and story pole contractor we have determined that it is impossible to erect story poles that demonstrate the height, massing, and profile of the proposed development and allow safe and unobstructed circulation for both vehicle and pedestrian access to the existing business. To represent the proposed structure, story poles would need to be located at the corners and at changes in wall planes, locations that would interfere with existing driveways and walkways. The story pole contractor is anticipating **22 poles will be required for this project**. Furthermore, the engineering required to ensure that the story poles remain safe (support structure and wires) will further restrict the use of the existing parking lot.

In addition to the safety hazards and impacts on the existing business, the Story Pole Policy will impose additional costs and time on the development and is likely to have an impact on the entitlement timeline and approval process of the proposed affordable housing community. The proposal from the contractor reflects a cost of **\$84,675** and an additional rental cost of **\$7,890 per month** if the poles are not removed within 30 days. We would much rather see this money being spent on the housing.

While EAH is the applicant and sponsor of the development, it does not own the parcel and therefore must obtain the current owner's permission to erect the story poles. Mid-Peninsula Open Space District currently owns and operates the site with multiple employees and the story poles will severely and negatively impact the use of the property for normal business operations. Any refusal by the current owner will delay the story pole installation until ownership is transferred to the County of Santa Clara, currently anticipated to be in late June 2022. This would naturally push out any entitlement approvals well into the fourth quarter of 2022 and could potentially cause EAH to miss any funding opportunities this year. The community has expressed a desire to expedite the process, working through this issue with the owner will certainly cause a delay.

We would also like to emphasize the robust community engagement EAH has completed so far through several public meetings over the past 13 months. Two meetings were jointly held by Santa Clara County and The City of Los Altos specifically related to 330 Distel. EAH then held two on-line (Zoom) meetings and one in-person meeting to engage the community and solicit feedback. The meetings have been well publicized through postcard mailings, email notifications or postings on both the Los Altos website and EAH website. Due to this extensive outreach, we feel that the community is very much aware of the proposed development.

In conclusion, requiring story poles in accordance with the City's policy would impose health and safety risks to the public, impede business activity at the site and significantly delay the development of much needed affordable housing. For these reasons we respectfully request that the City Council grant a waiver of the Story Pole requirements.

We look forward to your favorable decision granting an exception to the City's Story Pole Policy. Such action will facilitate our entitlement application and help us get one step closer to adding the necessary housing for the community.

Sincerely,



Welton Jordan

Chief Real Estate Development Officer

EAH Housing