



DATE: July 21, 2022

AGENDA ITEM #3

AGENDA REPORT

Meeting Date: July 21, 2022

Subject: 4350 El Camino Real – New Multiple-Family Development

Prepared by: Radha M. Hayagreev, Consulting Senior Planner

Reviewed by: Steve Golden, Interim Planning Service Manager
City Attorney's Office

Initiated by: Angela and Gregory Galatolo, Property Owner, and Applicant

ATTACHMENTS:

- A. ~~Draft Resolution 2022-XX~~
- B. ~~Initial Study and Mitigated Negative Declaration, duly noticed and circulated~~
- C. ~~Comments received and responses to comments for the IS-MND~~
- D. ~~Revised Density Bonus Report and letter~~
- E. ~~Cover letter and response letter to PC and staff report (May 13, 2022)~~
- F. ~~Revised Architectural plan set~~
- G. April 7, 2022, Planning Commission Agenda Report (some attachments removed as noted for clarity and to eliminate duplication with attachments of this report)
- H. April 7, 2022, Planning Commission Meeting Minutes

RECOMMENDATION:

Recommend to the City Council approval of Multiple-Family Design Review, Conditional Use Permit, Vesting Tentative Map, Density Bonus and Development incentives and Waivers (applications 19-D-01, 19-UP-01 and 19-SD-01 – 4350 El Camino Real) per the findings and conditions contained in the resolution.

ENVIRONMENTAL REVIEW:

The Notice of Intent to Adopt the Initial Study/Mitigated Negative Declaration (IS/MND) for the 4350 El Camino Real Residential Project was circulated for 30 days from January 11, 2022, through February 14, 2022. The City received two comment letters for the draft IS/MND during the 30-day public comment period from:

- Mountain View Los Altos School District (February 1, 2022)
- California Department of Transportation (Caltrans) (February 9, 2022)

The comment letters with responses to the potential environmental impacts raised in each letter are included in Attachment C. No text revisions to the IS/MND are required.

The comments received do not raise any significant new information or substantial evidence in light of the whole record to warrant recirculation of the MND or preparation of an Environmental Impact

Report per CEQA Guidelines 15064 and 15073.5. The City Council will review and consider the comments and responses prior to making a decision on the project. City Council adoption of the MND and Mitigation and Monitoring Program will be required to approve the project, but no action on the MND is required if the City Council decides to disapprove the project. Refer to Attachment B and C of this staff report for more details.

PROJECT DESCRIPTION:

The project site is a 0.66-acre parcel located at 4350 El Camino Real, which is at the southeast corner of the intersection of El Camino Real and Los Altos Avenue in northern Los Altos. The Assessor's Parcel number for the project site is 167-11-041.

The site is currently occupied by a gasoline service station, surface parking, and perimeter landscaping. The gasoline service station includes a 1,466 square-foot gasoline service station building comprising a convenience market and an auto repair shop and there are pump islands for outdoor fueling covered by canopies.

The project site is designated as 'Thoroughfare Commercial' in the General Plan and zoned CT (Commercial Thoroughfare.) The project proposes to demolish the existing gasoline service station buildings, and pump islands and canopies, and remove the asphalt paving and landscaping, and the underground fuel and oil storage tanks, and construct a new five-story residential building with two below-ground parking levels.

The Applicant requests approval applications for Design Review, Conditional Use permit, and a Tentative Parcel Map for a new multiple-family development on a 0.66-acre (28,562 sq. ft.) site at 4350 El Camino Real. The proposal includes 47 for-sale condominium units in 53.85 feet tall, five-story building with two levels of underground parking and a ground level common area at the rear of the building. The proposed design provides 40 new market-rate condominium residences, and seven affordable residences. The following paragraph indicates the revision to the proposal.

The Project unit distribution includes 10 one-bedroom, 31 two-bedroom, and 6 three-bedroom units. The one-bedroom units would range in size from 580 to 774 square feet, the two-bedroom units would range from 767 to 1,449 square feet, and the three-bedroom units would range from 1,023 to 1,675 square feet. The revision to the unit distribution is discussed in detail in section 'Number of Unit Types and BMR Units'

With regards to common space and private open space, the project includes new street trees planted in park strips along the El Camino Real and Los Altos Avenue frontages and landscape areas between the sidewalks and unit entrances on the ground floor, as well as perimeter landscaping along the southern and eastern property lines. A courtyard area that includes seating areas and raised planters is located on the ground floor of the building and provides approximately 12,359 square feet of common open space for project residents. Each unit provides approximately 64 square feet of private open space in the form of either a balcony or patio. There is an additional rooftop deck which has amenities such as a seating area and barbecue space.

BACKGROUND:

On April 7, 2022, the Planning Commission held a public meeting to provide feedback on the design review, conditional use permit and subdivision applications for the proposed project and voted 5-0 to

continue the applications and gave direction to the applicant to address specific concerns related to the design of the project and the affordable housing component of the project.

The Commission requested that the applicant address design deficiencies related to the design review findings and the deficiencies in meeting Density Bonus provision requirements as summarized below. Details of the Planning Commission discussion are included in Attachment G and H

The Design Review deficiencies include:

- a. Vertical and horizontal articulation of building massing.
- b. Pedestrian and vehicular entrances to be distinguished.
- c. Use of architectural elements to break up building massing to reduce bulk
- d. Design articulation to provide relief between base, body, and upper floor details.
- e. Detailing of open space to include additional amenities.
- f. Signage to highlight entrances.
- g. Rooftop mechanical screen detailing.

The Density Bonus deficiencies include:

- h. Discrepancy between unit sizes of the affordable units to the overall project unit size
- i. Exclusion of bedroom type in the affordable unit mix.
- j. Distribution of the affordable units across project.

DISCUSSION / ANALYSIS:

On May 20, 2022, the applicant submitted revised architectural plans (Attachment F) and other supporting documents such as response letter, revised density bonus report etc. that reflect responses to Planning Commission direction (see Attachment H). The proposed revisions include changes to several design element deficiencies stated above and updates to the proposed distribution in affordable housing unit sizes (i.e., number of bedrooms.) Please be aware that the discussion and analysis below is limited to the specific changes to the project from the April 7, 2022, Planning Commission meeting and a more comprehensive review of the project is contained in the April 7, 2022, Planning Commission agenda report (Attachment G).

Design Revisions

The applicant provides a more comprehensive explanation and narrative of the proposed changes with a detailed description of each change and references to sheet numbers is included in the applicant's response letter (Attachment E)

The design plans were in the revised submittal address the inconsistencies by incorporating design changes as detailed below:

- a. The vertical and horizontal articulation of building has been broken down to reflect a material change between floors, including window detailing to reflect residential nature of building, realigning garage door entrance and redesign of façade. The changes in material for the facades help visually break large surfaces into primary and secondary bays ranging from 24ft to 34ft wide that are punctuated by narrower immediate bays ranging from 9ft to 10ft. The primary bays are clad in either plaster or weathering metal, and the secondary bays are clad in masonry, wood, or color contrasting plaster.
- b. Pedestrian and vehicular entrances are shown to be distinguished by adding an entrance lobby canopy, realignment of the garage door in the front façade. The exit stair along Los Altos

Avenue is set back further from the street to create a deeper intermediate bay, as well as lowered its height to the standard parapet height. The stoops at the individual entries facing Los Altos Ave. have been redesigned with decorative painted metal railing standing on masonry stem walls, providing a welcoming appearance. Decorative lighting has been added at the stoop entries.

- c. Revised design has incorporated inset windows, metal railings for balconies on the second to fourth floors, façade material changes to enhance smaller bays and floor delineation, fourth story overhangs, recessed rooftop parapets and additional canopies to reduce mass and bulk of the building. Additional sunshades have been added to the windows along the street level frontages. Projecting eaves at the top of the fourth floor have been emphasized, and projecting metal cap detail (for shadows) has been added at the fourth-floor parapets.
- d. Ground floor facades facing El Camino Real and Los Altos Avenue have been redesigned to have a strong masonry base expression with a precast water table course, as well as a project precast belt course at the level of the second-floor windowsills. The parapet is shown to be recessed on the rooftop and there are overhangs provided on the fourth floor to provide relief between base, body, and upper floor. The base is now clearly differentiated from the building mid-sections, as well as the setback, and more transparent fifth floor.
- e. The courtyard at the rear has been revised to include additional amenities like edible herb planting and sculptural pebbles besides the community seating areas. A small rooftop deck has been added at the corner of the building facing El Camino Real which includes an outdoor grill, seating and gathering space.
- f. The address signage has been conceptually added to the rendered elevations. Rooftop mechanical equipment is shown and is appropriately screened using a mechanical screen design. Parapets are set inside to reduce the bulk of the building.

Based on the proposed design changes discussed above, notwithstanding concessions and waivers requested¹, the project will maintain consistency with all the objective design standards in the CT zoning district (see Attachment G and H)

Overall, these changes have improved the overall design of the project while presenting a better designed structure for this site. Staff recommends that the Planning Commission consider these positive design review findings found in the draft resolution in Attachment A and/or recommend conditional approval and changes as maybe incorporated in the design as necessary.

Number of Unit Types and BMR Units

Pursuant to Section 14.28.030, Standards of the Inclusionary Housing Ordinance, all affordable units in a project “shall be constructed concurrently with market rate units, shall be dispersed throughout the project, and shall not be significantly distinguishable by size, design, construction or materials.”

The project maintains a total of 47 units, but with regard to the overall distribution of unit sizes, the Applicant has reduced the number of two-bedroom units by one unit (31 total proposed) and increased the number of three-bedroom units by one unit (six total proposed) but did not change the number of one-bedroom units (ten total proposed). With regards to the income restricted (or below

¹ Exceptions for development incentives include increased height, reduced parking aisle widths, and optional that the project is eligible for under Density Bonus Law and discussed as part of the April 7, 2022, Planning Commission agenda report.

market rate [BMR]) units, the applicant exchanged a two-bedroom, moderate income unit with a three-bedroom, moderate income unit and also relocated BMR units throughout the project.

The tables below show the revised unit distribution of the overall project and proposed income restricted units by bedroom count, size, and location.

Overall Units

UNIT TYPES	Number (Percent of Total Units)	Size
1 Bedroom	10 (21%)	580 to 774 sf
2 Bedroom	31 (66%)	767 to 1,449 sf
3 Bedroom	6 (13%)	1,023 to 1,675 sf

Income Restricted (BMR) Units

Income Restriction Level	Number	Size	Floor
Moderate Income 4 total (16%)	1	3-Bedroom (1,461 sf)	First
	1	2-Bedroom (767 sf)	Second
	1	2-Bedroom (767 sf)	Third
	1	1-Bedroom (580 sf)	Third
Very-Low Income 3 total (12%)	1	1- Bedroom (718 sf)	First
	1	1-Bedroom (580 sf)	Second
	1	1-Bedroom (718 sf)	Fourth

*Note: Percentages above represent the percentage of a 25-unit base density project.

In addition, the table below is a comparison of the BMR units by bedroom count to the overall units proposed in the project (including the BMR units).

	BMR Units	Overall Project
1-bedroom units	4 units (3 VLI, 1 MI) 57% of BMR Units	10 Units 21% of Total
2-bedroom units	2 units (2 MI) 28% of BMR Units	31 Units 66% of Total
3-bedroom units	1 unit (1 MI) 14% of BMR Units	6 Units 13% of Total
Median Unit Size	767 Square Feet	1,326 Square Feet

In summary, there is some improvement in the distribution of the affordable units by bedroom count in the revised proposal with the inclusion of a 3-bedroom unit into the affordable housing mix with the one- and two-bedroom units and the revised proposal maintains the proposed location (dispersement) of the BMR units. However, more than half (57 percent) of the BMR units still are 1-bedroom units while the overall project has majority 2-bedroom units (66 percent). Staff suggests that two additional 1-bedroom BMR units should be converted into 2-bedroom units for a more equitable affordable unit distribution by bedroom count (unit size) when compared to the distribution of units in the whole project and in compliance with the Inclusionary Housing Ordinance. This would result in two 1-bedroom units or 28% of the BMR units and four 2-bedroom units or 57% of the BMR. A condition of approval has been added to the resolution consistent with the standards. With regards to the proposed BMR locations, per the Inclusionary Housing Ordinance standards, the BMR units

are required to be dispersed throughout the project. Similar to the original proposal, the Applicant has not proposed any of the BMR units on the fifth floor. In general, the BMR units are dispersed in the project (i.e. not delegated to one particular floor or location of the building), but locating a BMR unit(s) on the fifth floor would provide further evidence that the proposal meets this standard.

Density Bonus

Under the State’s density bonus regulations (Section 65915 of the California Government Code) and the City’s Affordable Housing Ordinance, the project qualifies for a density bonus based on very-low-income units if it provides at least five percent very-low-income units. With three affordable units at the very-low-income level (12 percent), the project qualifies for a density bonus of 38.75%. However, the applicant is requesting an 88% bonus, as reflected in the table below.

Lot Size	28,562 square feet, or 0.656 acres
General Plan	Thoroughfare Commercial 38 units per acre
Zoning	Commercial Thoroughfare 38 units per acre
Allowed Density -	Base Density 25 units
Affordable Housing Requirement	(15%) 4 units
Affordable Housing Provided	7 units (4 Moderate Income, 3 Very-Low Income)
Eligible Density Bonus	38.75% = 9.69 ~ 10 units
Eligible Gross Density	35 units
Additional Density Bonus Units Requested	22 units
Total Number Dwelling Units Proposed	47 units
Percent Density Bonus Requested	88%

In the Applicant’s density bonus letter (Attachment D), the report states the 88% density bonus is necessary because: “the project provides three additional affordable housing units over the minimum City requirement, the developer’s perspective that the number of overall project units is necessary to reduce the risk and provide a safety net because of the very high cost of land, the very high cost of construction trending even higher over time, and the uncertain nature of the housing market in the future when the project units will be delivered.”

Pursuant to Section 14.28.040.E of the Zoning Code, the city has the discretion to grant “a density bonus greater than what is described in this section for a development that meets the requirements of this section or from granting a proportionately lower density bonus than what is required by this section for developments that do not meet the requirements of this section.” Therefore, the granting of a density bonus that exceeds the density bonus threshold per city ordinance is at the city’s discretion.

While previously approved projects by no means sets precedence for future projects, at the April 7, 2022 Commission meeting, the Commission opined about the city’s housing production needs, the benefit of additional housing within the CT zoning district within the El Camino Real corridor, and inquired about some of the other recently approved projects for informational and comparative purposes only. Details of other recently approved projects in the El Camino Real corridor with discretionary density bonuses above the 35 percent threshold are included in the table below.

<p>4898 El Camino Real Five-story 28-unit multiple-family building with two levels of underground parking.</p>	<p>The project included six affordable units (40 percent of base density with 2 very low, 2 low, and 2 moderate rate) and received an 87 percent density bonus, an incentive for increased height and a waiver to allow for a taller elevator tower. The City Council approved this project on October 1, 2019</p>
<p>4856 El Camino Real Five-story 52-unit multiple-family building with two levels of underground parking.</p>	<p>The project includes 10 affordable units (35.7 percent of base density with 6 very low, 1 low, and 2 moderate rate) and received an 82.5 percent density bonus, incentives for increased height and a reduced rear yard setback, and a waiver for a 17-foot-tall elevator tower. The project was approved by the City Council on November 27, 2018.</p>

PUBLIC NOTIFICATION AND CORRESPONDENCE:

For this meeting, a public hearing notice was published in the *Town Crier* and mailed to 332 property owners and current tenants within 1,000 feet of the site. At the April 7th, 2022, Planning Commission hearing, a public notice billboard with color renderings was installed along the project’s El Camino Real frontage and story poles to represent the walls and roof line of the building were installed in conformance with the City Council approved modified story pole installation for this project. Staff is unaware if the story poles have been maintained at site since the April 7th hearing. The April 7th story pole certification and notices areas detailed in Attachment E



DATE: April 7, 2022

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AGENDA REPORT

Meeting Date: April 7, 2022

Subject: 4350 El Camino Real – New Multiple-Family Development

Prepared by: Radha M. Hayagreev, Consulting Senior Planner

Reviewed by: Steve Golden, Interim Planning Service Manager
Laura Simpson, Interim Community Development Director
City Attorney's Office

Initiated by: Angela and Gregory Galatolo, Property Owner and Applicant

RECOMMENDATION:

Recommend denial to the City Council of Multiple-Family Design Review, Conditional Use Permit, Vesting Tentative Map, Density Bonus and Development incentives Application for 19-D-01, 19-UP-01 and 19-SD-01 – 4350 El Camino Real per the findings and conditions contained in the resolution.

ATTACHMENTS:

- A. ~~Draft Resolution with Findings 2022_XX~~
- B. ~~Initial Study and Mitigated Negative Declaration, duly noticed and circulated~~
- C. ~~Comments received and responses to comments for the IS-MND~~
- D. Complete Streets Study Session Reports and Minutes (August 28, 2019, and October 23, 2019) and ~~PC Study session minutes (October 18, 2018)~~
- E. Modified Story Pole Plan, on-site Story Pole Installation and Story Pole Certification.
- F. ~~Density Bonus Report and letter~~
- F1: ~~Cover letter (March 9, 2022)~~
- G. ~~Architectural plan set~~
- H. Project Consistency letter
- I. Project Completeness letter per Permit Streamlining Act
- J. Santa Clara County Fire Department Comments / Conditions
- K. ~~Public Correspondences~~
- L. ~~Public notice map~~
- M. ~~Draft Conditions of Approval exhibit~~

ENVIRONMENTAL REVIEW:

The Notice of Intent to Adopt the Initial Study/Mitigated Negative Declaration (IS/MND) for the 4350 El Camino Real Residential Project was circulated for 30 days from January 11, 2022, through February 14, 2022. The City received two comment letters for the draft IS/MND during the 30-day public comment period from:

- Mountain View Los Altos School District (February 1, 2022)
- California Department of Transportation (Caltrans) (February 9, 2022)

Copies of these comment letters are included in Attachment-C. Attachment C also provides a summary of the written comments with responses to the environmental issues raised. No text revisions to the IS/MND are required.

The comments received do not raise any significant new information or substantial evidence in light of the whole record to warrant recirculation of the MND or preparation of an Environmental Impact Report per CEQA Guidelines 15064 and 15073.5. The City Council will review and consider the comments and responses prior to making a decision on the project. City Council adoption of the MND and Mitigation and Monitoring Program will be required to approve the project, but no action on the MND is required if the City Council decides to disapprove the project. Refer to Attachment B and C of this staff report for more details.

PROJECT LOCATION:

The project site is a 0.66-acre parcel located at 4350 El Camino Real, which is at the southeast corner of the intersection of El Camino Real and Los Altos Avenue in northern Los Altos. The Assessor's Parcel number for the project site is 167-11-041.

The site is currently occupied by a gasoline service station, surface parking, and perimeter landscaping. The gasoline service station includes a 1,466 square-foot gasoline service station building comprising a convenience market and an auto repair shop and there are pump islands for outdoor fueling covered by canopies.

PROJECT DESCRIPTION:

The project site is designated as 'Thoroughfare Commercial' in the General Plan and zoned CT (Commercial Thoroughfare.) The project proposes to demolish the existing gasoline service station buildings, and pump islands and canopies, and remove the asphalt paving and landscaping, and the underground fuel and oil storage tanks, and construct a new five-story residential building with two below-ground parking levels.

The Applicant requests approval applications for Design Review, Conditional Use permit, and a Tentative Parcel Map for a new multiple-family development on a 0.66-acre (28,562 sq. ft.) site at 4350 El Camino Real. The proposal includes 47 for-sale condominium units in 53.85 feet tall, five-story building with two levels of underground parking and a ground level common area at the rear of the building. The proposed design provides 40 new market-rate condominium residences, and seven affordable residences. The Project unit distribution includes ten one-bedroom, 32 two-bedroom, and 5 three-bedroom units. The one-bedroom units would range in size from 580 to 774 square feet, the two-bedroom units would range from 767 to 1,449 square feet, and the three-bedroom units would range from 1,023 to 1,675 square feet.

With regards to common space and private open space, the project includes new street trees planted in park strips along the El Camino Real and Los Altos Avenue frontages and landscape areas between the sidewalks and unit entrances on the ground floor, as well as perimeter landscaping along the southern and eastern property lines. A courtyard area that includes seating areas and raised planters is located on the ground floor of the building and provides approximately 12,359 square feet of common open space for project residents. Each unit provides approximately 64 square feet of private open

space in the form of either a balcony or patio. The conceptual architectural site plans, elevation and landscape plans are shown in Attachment-G of this staff report.

BACKGROUND:

SB330

Development project applications submitted after January 1, 2020 are subject to SB-330, the Housing Crisis Act of 2019. The application was submitted on December 27, 2018; therefore, the project is not considered an SB-330 project.

Story Pole Installation

On January 26, 2021, the City Council approved a modified story pole installation for this project. The modified story pole installation that was approved requires the applicant to install and certify four poles and three balloons. The modified plan also required billboard signs to be installed on-site printed with QR codes that when scanned with a mobile device, opened walkthrough 3D elevation models of the proposed project that the applicant was to publish on the internet. The details of the modified story pole and billboard signs are available in Attachment-E, E1 and E2.

On February 13, 2022, the applicant installed all the approved story poles per the approved exemption plans.

On February 15, 2022, staff received a certified story pole installation for three of the six required story poles as verified by the Applicant's civil engineer/surveyor, also part of Attachment E.

On February 21, 2022, staff conducted a site visit to also confirm that only three of the story poles were installed on site. Staff also observed an inconsistency with the approved billboard signs since the installed billboard signs did not have the required QR codes as approved by the City Council and there was no link to the 3D walkthroughs.

On February 25, 2022, staff received final certification of all of the required story poles (see Attachment E).

On March 24, 2022, staff received confirmation that the billboard signs had an illegible QR code that did not link to the 3D model/walkthroughs per the approved story pole modification plan.

On March 29, 2022, staff received a communication from the applicant that one of the story poles had fallen.

On March 31, 2022, staff received confirmation that a revised QR code was placed on the billboard sign per the requirements and properly linked to the 3D models/walk throughs (Attachment E1 and E2).

Planning Commission Study Session

On October 18, 2018, the Planning Commission conducted a study session to receive the project proposal and provide early feedback to the applicant on the project proposal. Detailed minutes of the study session is available for review in Attachment D.

Complete Streets Commission

On October 23, 2019, the Complete Streets Commission (CSC) held a duly noticed public meeting to consider the Project. Pursuant to Section 14.78.090 of the Zoning Code, an application for City Council design review shall be subject to a multimodal transportation review and recommendation to the Planning Commission and City Council by the Complete Streets Commission as part of the approval process in order to assess potential project impacts to various modes of transportation such as but not limited to bicycle, pedestrian, parking, traffic impacts on public streets, and/or public transportation. The CSC members expressed the following concerns regarding the project which in turn have been reflected in the draft Conditions of Approval in Attachment B, which are recommended if the project is approved.

1. Install a “STOP” sign and stop bar at the garage exit to advise motorists to STOP before exiting the driveway.
2. The outbound garage ramp shall have a maximum slope of 2 percent within 20 feet of the top of the ramp.
3. No parking shall be permitted along the El Camino Real Street frontage.
4. The truck loading space shall be no less than ten (10) feet wide by twenty-five (25) feet long.
5. The loading space shall be accessible from a public street, and it shall not interfere or conflict with the driveway for the below-grade parking garage.
6. Replace existing shelter with a new VTA standard shelter (17’ Full Back with Ad panel) consistent with VTA direction.
7. Locate the shelter out of the sidewalk by pushing it into the landscaping; provide a 7’x25’ shelter pad consistent with VTA direction. This will improve sight distance from the driveway entrance if the driveway is not relocated
8. Install a new bus pad 10’x75’ minimum per VTA Standards (see attachment “VTA Bus Stop Passenger Fac Standards 2010 (37)”))
9. Remove street tree and landscaping adjacent to bus stop area consistent with VTA direction.

Following the discussion, the CSC voted 4-0 to recommend approval of the Project to the Planning Commission and City Council. The CSC agenda report and minutes is contained in Attachment D.

DISCUSSION / ANALYSIS:

Housing Accountability Act

Pursuant to the Housing Accountability Act, Government Code Section 65589.5, if a housing development project complies with all applicable objective standards imposed by the City, then the City has limited discretion to condition the project, and it may not deny a conditional use permit or other discretionary entitlement for the project or approve the project at a lower density unless the approval authority finds that the project “would have a specific, adverse impact upon the public health or safety.” A “specific, adverse impact” means “a significant, quantifiable, direct, and unavoidable

impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete.” Here, however, the project does not comply with the City’s objective standards.

The proposed project does not conform to several objective standards that are part of the Commercial Thoroughfare zoning district and the inclusionary housing obligations for unit distribution as described in various sections of this staff report. Therefore, the City has discretion to disapprove the project or condition it in a manner that would reduce density. Staff provided details of the project’s inconsistencies with objective standards to the applicant in a letter dated October 22, 2021(Revised on October 23, 2022), Staff’s correspondence is included in Attachment H and I.

Zoning District and other Development Standards

Table-1 below shows the objective standards required by the Municipal code Chapter 14.50 Commercial Thoroughfare District for this proposal.

The following information summarize the project’s technical details:

GENERAL PLAN DESIGNATION: Thoroughfare Commercial
ZONING: Commercial Thoroughfare
PARCEL SIZE: 28,562 square feet (0.66-acres)
MATERIALS: Plaster, composite wood siding, glass, stone finish material, Corten steel, metal and wood sunshade structures on ground floor.

Table-1 Zoning Development Standard

Chapter 14.50 unless specified otherwise.	Standard	Proposed	Conforms (Yes/No) Notes
SITE AREA:	Min area = 20,000 sq. ft. Min. Site Frontage – 75ft.	Site area = 28.562 sq. ft. Site Frontage along El Camino Real = 109.04 ft.	Yes
DENSITY:	38 du/ acre	75 du/ac	No, unless Optional Density Bonus is Granted¹
ALLOWED UNITS:	25 units	47 units (88% density bonus)	No, unless Optional density

¹ Applicant is requesting additional density bonus Per 14.28.040 E. 7. Optional Density bonus is requested. See Density bonus section and Attachment-F of this report for more details. [Chapter 14.28.040 E Density Bonus Standards 7. Optional density bonuses.](#) *Nothing in this section shall be construed to prohibit the city from granting a density bonus greater than what is described in this section for a development that meets the requirements of this section or from granting a proportionately lower density bonus than what is required by this section for developments that do not meet the requirements of this section.*

			bonus request is granted.
AFFORDABLE HOUSING	Required 15% of base units – 4 units	Provided 7 units (4 Moderate, 3 Very-Low income)	Yes
SETBACKS: Front yard Rear yard Side yard	25 Feet 0 feet 7.5 average	25 feet ² 8.1 7.75 feet	Yes Yes No
HEIGHT: Top of roof deck	Not more than 45 feet	53.85 feet ³	Yes, if Concession-1 is approved.
HEIGHT Top of Elevator Override	Not more than 12ft above max. floor height	8ft over the roof deck.	Yes
OPEN SPACE: Private Open Space	Optional 50 sq. ft., immediately accessible from the unit it serves.	Providing average of 72.33 sq. ft on 1st Floor, 63.87 sq. ft. on upper floors	Yes
Common Open Space	For 26 to 50 units a min of 2,400 sq. ft.	6,126 sq. ft. courtyard and 6,233 sq. ft. front yard	Yes
OFF STREET PARKING:	84 spaces ⁴	84 spaces	Yes, parking is consistent with the Density Bonus Law’s parking ratios.
PARKING STANDARD	9ft by 18ft per space	9ft by 18ft	Yes
PARKING AISLE WIDTH	26 ft for 90-degree parallel parking	24 ft ⁵	Yes, if Concession-2 is approved.

As seen in Table-1 above, the project does not meet objective design standards because it exceeds the allowed density and is not entitled to the requested 88 percent density bonus as of right.

Prior to presenting this project to the city elected officials, staff has, on multiple occasions, informed the applicant via email and letters and verbal clarification the inconsistencies of the project proposal. On October 22, 2021, staff has provided an inconsistency letter to the applicant and is made available for reference in Attachment H.

² CT district front setback requires minimum 50% landscaping.
³ Refer to page-A3.1 & A3.2 of Attachment-G Architectural Plan set of this staff report.
⁴ Density Bonus Law provisions: 0-1 BR – 1 space per unit, 2-3 BR – 1.5 spaces / unit, 4+ BR – 2.5 spaces / unit
⁵ Per Chapter 14.74.200 A. 1. Parking Standards Exhibit-A - https://www.losaltosca.gov/sites/default/files/fileattachments/community_development/page/41491/parking_standards_exhibit_a.pdf

Since the project has not been revised to address inconsistencies and inconsistencies with zoning code development standards, the project can be denied and/or density can be reduced to be consistent with the required objective standards for projects in the CT zoning district.

Design Control Standards (Ct District)

On September 23, 2021(revised on October 27, 2021), the Project was deemed complete as detailed in Attachment-I of this staff report. Per Ordinance number 2021-478 of the LAMC, all projects deemed complete prior to the adoption of the Objective Design Standards effective October 16, 2021, are not subject to the Objective Design Control Standards codified in Chapter 14.50.170 – Design control for the CT zoning district. Although the specific Design Control standards are not applicable to this project because the project was deemed complete before the effective date of the ordinance, there are several design review findings that the City Council needs to make such as architectural integrity and appropriate design to address mass and bulk appearances. The inconsistencies with the design review findings are discussed in the heading ‘Discretionary Entitlement Review’ section of this report.

Inclusionary Housing, Density Bonus and Unit Distribution

Inclusionary Housing

The City’s Affordable Housing Ordinance (LAMC Chapter 14.28.020) requires a minimum of 15 percent of the units be affordable, with a majority of the units designated as affordable at the moderate-income level and the remaining units designated as affordable at the low or very-low-income level. Under the City’s Affordable Housing Ordinance, the project would require a minimum of four affordable units. The applicant is proposing forty-seven units in total, seven units are designated to be affordable units, and of those a majority of four units are dedicated to moderate-income level units and three very-low-income level units, which is consistent with the inclusionary ordinance.

Unit Distribution and Bedroom Count

LAMC 14.28.030.C states that: “Unless otherwise approved by the City Council, all affordable units in a project shall be constructed concurrently with market rate units, shall be dispersed throughout the project, and shall not be significantly distinguishable by size, design, construction, or materials.” The project does not comply with this standard because the project’s affordable units are not dispersed throughout the project, and they will be significantly distinguishable from the market rate units by size and type of unit, as indicated in the following tables:

Table-3: Dwelling Unit Summary

UNIT TYPES	Number	Size	Notes
1 Bedroom - Total	10 (21%)	580 to 774 sf	
2 Bedroom - Total	32 (68%)	767 to 1,449 sf	
3 Bedroom - Total	5 (10%)	1,023 to 1,675 sf	
Moderate Income (4 total, 16 percent)	1	1-Bedroom (764 sf	Ground Level
	1	1-Bedroom 580 sf)	Third Levels
	1	2-Bedroom (767 sf)	Second Level
	1	2-Bedroom (767 sf)	Third Level
Very-Low Income (3 total, 12 percent)	1	1- Bedroom (718 sf)	Ground Level

	1	1-Bedroom (580 sf)	Second Level
	1	1-Bedroom (580 sf)	Fourth Level

From the Table-3 above, there are no BMR units on the fifth floor and there are no 3-bedroom units in the BMR mix in this proposal.

See Table-4 below for the significant discrepancies between the unit sizes of the BMR units to the overall project unit sizes noting the comparison of one-bedroom and two-bedroom units between each category.

Table-4: Comparison of Below Market Rate (BMR) Unit Sizes to Overall Project

	BMR Units	Overall Project
Number and Percent of 1 BR Units	5 Units (3 VLI, 2 MI) 71% of BMR Units 100% of VLI Units	10 Units 21% of Total
Number and Percent of 2 BR Units	2 Units (2 MI) 29% of BMR Units	32 Units 68% of Total
Number and Percent of 3 BR Units	0 units 0% of BMR Units	5 Units 11% of Total
Median Size	767 Square Feet	1,326 Square Feet

Note that of the total 89 bedrooms being proposed in the project, only 10.11 percent or 9 bedrooms are dedicated to BMR. The larger 3-bedroom unit has been excluded from the below market rate housing mix entirely. If most BMR units are dedicated to 1-2 person households, the larger families are left out in the availing a housing option through this inequitable mix.

Density Bonus

Under the State’s density bonus regulations (Section 65915 of the California Government Code) and the City’s Affordable Housing Ordinance, the project qualifies for a density bonus based on very-low-income units if it provides at least five percent very-low-income units. With three affordable units at the very-low-income level (12 percent), the project qualifies for a density bonus of 38.75%. However, the applicant is requesting an 88% bonus, as reflected in the table below.

Table-2 – Project Density

Lot Size	28,562 square feet, or 0.656 acres
General Plan	Thoroughfare Commercial 38 units per acre
Zoning	Commercial Thoroughfare 38 units per acre
Allowed Density -	Base Density 25 units
Affordable Housing Requirement	(15%) 4 units
Affordable Housing Provided	7 units (4 Moderate Income, 3 Very-Low Income)
Eligible Density Bonus	38.75% =9.69 ~ 10 units
Eligible Gross Density	35 units
Additional Density Bonus Units Proposed	22 units
Total Number Dwelling Units Proposed	47 units
Percent Density Bonus Requested	88%

In the Applicant's density bonus letter (Attachment F), the report states the 88% density bonus is necessary because: "the project provides three additional affordable housing units over the minimum City requirement, the developer's perspective that the number of overall project units is necessary to reduce the risk and provide a safety net because of the very high cost of land, the very high cost of construction trending even higher over time, and the uncertain nature of the housing market in the future when the project units will be delivered."

According to Section 14.28.040.E of the Zoning Code, the City's ordinance allows the City discretion to grant "a density bonus greater than what is described in this section for a development that meets the requirements of this section or from granting a proportionately lower density bonus than what is required by this section for developments that do not meet the requirements of this section." The granting of a larger density bonus would be in the Council's discretion. Without it, the project does not comply with the objective standards so that the Housing Accountability Act does not apply.

While the Applicant has advised the increased density bonus is necessary due to the inherent risk due to the cost of land and construction and the uncertainty of the market, the applicant has not substantiated this assertion.

Moreover, the Applicant has not identified any significant community benefit of the project that might justify a discretionary bonus. The Applicant claims that the provision of the affordable housing warrants as a community benefit which is not substantial for the requested 22-unit bonus.

As described below under the heading "Unit Distribution", the project also does not comply with the City's affordable housing requirements in that it requires the units shall be dispersed throughout the project, and shall not be significantly distinguishable by size, design, construction, or materials. The fact that the unit type and size of the proposed affordable units is not consistent with the proportionality of the other units in the project, in violation of the City's affordable housing policies, is an additional basis to deny the applicant's request for a discretionary density bonus.

Under these circumstances, staff does not recommend granting a discretionary density bonus of 88 percent because nothing about the project warrants granting the Applicant's request.

Concessions

Since the project dedicates 12 percent of affordable units to very-low-income level units, pursuant to Chapter 14.28.040 of LAMC and Government Code section 65915 (2) (B), if approved the project would qualify for up to two incentives or concessions ("concessions")⁶. As detailed in Table-1 the project seeks a height concession and a concession for parking aisle width reduction
Per Government Code 65915(d)

(1) An applicant for a density bonus pursuant to subdivision (b) may submit to a city a proposal for the specific incentives or concessions that the applicant requests pursuant to this section and may request a meeting with the city. The city shall grant the concession or incentive requested by the

⁶ The term "incentives or concessions" in the statute can cause confusion because it suggests that incentives and concessions are different, when in fact the entire term "incentives or concessions" refers to a single concept. For ease of reference, this report generally uses the term "concessions" instead.

applicant unless the city makes a written finding, based upon substantial evidence, of any of the following:

(A) The concession or incentive does not result in identifiable and actual cost reductions, consistent with subdivision (k), to provide for affordable housing costs, as defined in Section 50052.5 of the Health and Safety Code, or for rents for the targeted units to be set as specified in subdivision (c).

(B) The concession or incentive would have a specific, adverse impact, as defined in paragraph (2) of subdivision (d) of Section 65589.5, upon public health and safety or on any real property that is listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact without rendering the development unaffordable to low-income and moderate-income households.

(C) The concession or incentive would be contrary to state or federal law.

Concession-1: Height

The maximum allowable height in the CT Zone is 45ft. The maximum height of the proposed project structure is 53.84 feet to the top of the roof deck (Refer to page-A3.1 &A3.2 of Attachment G Architectural Plan) set of this staff report, which is 8.84 feet over the max. allowable height.

Per chapter 14.28.040 F 1. (d) of the LAMC, the request for height increase is an on-menu concession. The height increase is within the max. allowed on-menu concession of 11ft increase as approved by the Council.

The request for the height increase does not result in adverse impact on public health or safety based on the objective standards or conditions, it is not inconsistent with State or Federal Law and can be granted if the project is approved

Concession-2: Parking Aisle Reduction

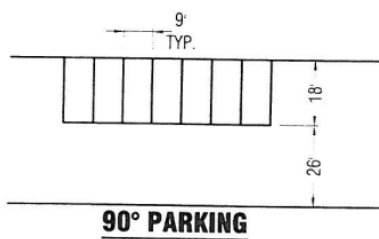


Figure-1: LAMC parking Appendix-A

The applicant requests a concession for a reduced parking aisle width of 24 feet whereas the standard parking aisle drive width for a 90-degree parking stall is 26 feet as shown in Figure-1 above, per the off-street parking standards in LAMC Appendix-A.

Per the density bonus report, “The back-up distance incentive to allow 24 feet versus the required 26 feet allows for a more economical parking garage by reducing its overall dimensions by four feet in the east/west direction and two feet in the north/south direction, which reduces construction costs of soil removal and concrete and costs of other building materials. The reduced back-up dimension is supported by the project’s transportation report. The back-up distance incentive equates to an unquantified actual and specific project cost reduction.”

Please find below the Garage Design summary excerpt from traffic report for clarification on the 24-foot aisle width analysis:

On each level of the parking garage, there would be four rows of parking to the west of the ramp, as well one row against the wall of the garage. On all rows, parking would be provided at 90 degrees to the main drive aisle. The drive aisles through the parking garage are shown to be 24 feet wide, which would provide sufficient room for vehicles to enter or back out of the 90-degree parking stalls. Site access and circulation were evaluated with vehicle turning movement templates for a typical AASHTO Passenger Car defined in AASHTO handbook 2011. Some examples of this type of vehicles are: 2018 Cadillac Escalade, 2018 GMC Yukon, 2018 Chevrolet Suburban, 2018 Ford Expedition, and 2018 Toyota Sequoia. The traffic report section of Attachment- B has Figure 8A and 8B which show the circulation patterns and turning templates for the proposed garage and reduced aisle widths.

The request for this reduced size in the parking garage does not result in adverse impact on public health or safety based on the objective standards or conditions, it is not inconsistent with State or Federal Law and can be granted if the project is approved.

General Plan

The General Plan contains goals and policies for the El Camino Real Corridor under the Special Planning Area in the Land Use Element, Community Design and Historic Resources Element, Housing Element and Economic Development Element. Together these elements discourage exclusive office use and promote inclusion residential development, encourage affordable housing projects, increased height for residential development, intensification of development to be compatible to the opposite side of the El Camino Real Corridor and streetscape improvement and pedestrian friendly streetscape designs.

Some of the Housing Element Goals are not consistent with the project proposal. Below are some Goals with which the project is inconsistent.

Goal 2, Policy 2.1.1 Encourage diversity of housing. Require diversity in the size of units for projects in mixed-use or multifamily zones to accommodate the varied housing needs of families, couples, and individuals. Affordable housing units proposed within projects shall reflect the mix of community housing needs.

In this case, however, the Below Market Rate (BMR) units are generally smaller than the market rate units in the project, and therefore do not reflect community need. As indicated above, 71% of the BMR units are one-bedroom units, which are not designed to meet the needs of more diverse household sizes.

Goal 4, Policy 4.3.2: Implement Chapter 14.28 of the Municipal Code, which defines the number of required BMR units by development size and type and requires on larger projects (greater than 10 market-rate units) that the BMR units generally reflect the size and number of bedrooms of the market rate units. Again, the project does not meet this goal.

Although the proposed project is not consistent with the above General Plan policies, it is generally consistent with the following goals and objectives of the General Plan:

Community and Historic Resources Element

Goal 4: Policy 4.2: Evaluate site development and design to ensure consistency in site design.

Goal 4: Policy 4.3: Evaluate development application to ensure compatibility with residential neighborhoods south of the corridor.

Land Use Element

Since this corridor is a six-lane arterial road with contiguous commercial development along the City's northern boundary, abutting cities of Mountain View and Palo Alto, there are significant opportunities for land use intensification and revitalization of the corridor without jeopardizing the small-town character of the community.

Goal 4: Policy 4.1: Discourage projects, which are exclusively office uses.

Goal 4: Policy 4.3: Encourage residential development on appropriate sites within the El Camino Real Corridor

Goal 4: Policy 4.4: Encourage the development of affordable housing.

Economic Development Element.

Goal 4: Policy 4.3: Promote the development of mixed-use commercial and residential developments within the El Camino Real Area to provide housing opportunities within the community.

Goal 4: Policy 4.5: Designate El Camino Real as the principal area of intensification of commercial and residential development.

ED4:1. Allowing land use intensification throughout the area consistent with the land use and economic development policies outlined in the General Plan

ED4:2. Promote the development of mixed-use commercial and residential and discourage development of exclusively office uses:

ED4: 3. Implementing the Sherwood Gateway Specific Plan and the Thoroughfare commercial (CT) Zoning District.

Parking

Table-5 below shows the required parking standards per zoning code standards (section 14.78.080) and the parking reduction provisions pursuant to State Density Bonus Laws⁷

⁷ Chapter 14.28 Multiple Family Affordable Housing references two spaces per each two-bedroom unit, whereas State Law was updated January 1, 2021.

Table-5 Required Residential Parking							
Type of unit	No. of Units	Bedroom Count	Required Parking Ratio per Zoning Code 14.74.080	Required Parking Spaces Per Zoning Code	State Law Density Bonus reduced Parking Ratio	Required Parking Spaces Per Density Bonus	Proposed parking
Three Bedrooms	5	15	2/unit	10	1.5/unit	7.5	
Two Bedrooms	32	64	2/unit	64	1.5 /unit	48	
One Bedroom	10	10	1.5/unit	15	1 /unit	10	
Guest Parking			1 per 4 units	12	None	-	
			Total Parking:	101		65.5 (66)	84

The parking spaces normally required in the Zoning Code are shown in the table above are for reference purposes only. Projects that qualify for a density bonus are entitled to the parking ratios in the Density Bonus Law, which are set forth in the table above. Using those ratios, the project is required to provide only 66 spaces, compared to the 84 spaces provided.

Each parking space is 9 feet by 18 feet, which conforms to the off-street parking code requirement.

Discretionary Entitlements

Under the Housing Accountability Act, if a project complies with all applicable objective standards, the project must be approved at the density proposed, but it may be conditioned in ways that do not have the effect of a denial or reduction in project density. If the discretionary density bonus is granted, or if the project is modified to comply with the City’s objective standards, conditions of approval that do not have the effect of a denial or reduction of density may be proposed so that all the findings of approval discussed in this section can be made.

Design Review Permit

Per Chapter 14.76.060 – Design Review Findings, The City Council needs to make the following findings for the approval of the Design Review Permit. As indicated above, note that because the project does not comply with all the City’s objective standards, the City Council has discretion to deny the project or to approve it at a lower density based upon these findings.

- A. The proposal meets the goals, policies and objectives of the general plan and any specific plan, design guidelines and ordinance design criteria adopted for the specific district or area.

Staff review: The project does not meet all the objectives standards of the zoning ordinance in the CT zoning district as detailed in Table-1 of this staff report, which is why a denial is recommended.

B. The proposal has architectural integrity and has an appropriate relationship with other structures in the immediate area in terms of height, bulk and design.

Staff review: The proposal is taller by an entire floor in relationship with the neighboring structures. Its bulk can be reduced further by articulating the vertical façade more, providing appropriate scale back using design as detailed in the design control chapter of the CT district.

C. Building mass is articulated to relate to the human scale, both horizontally and vertically. Building elevations have variation and depth and avoid large blank wall surfaces. Residential or mixed-use residential projects incorporate elements that signal habitation, such as identifiable entrances, stairs, porches, bays, and balconies.

Staff review: The vertical and horizontal articulation of the building mass can be further detailed and broken down, as addressed in the Design Control section of the CT zone. The pedestrian entrances and vehicular entrances are not detailed with elements that distinguish the spaces other than stairs and a door. The use of architectural elements can help break up the massing further in these areas and made more inviting. There are large vertical surfaces that extend five stories, that results in a more bulky appearance and massing. Design elements could be incorporated to break down these planes into smaller elements which would provide for a less bulky and less massive appearance.

D. Exterior materials and finishes convey high quality, integrity, permanence and durability, and materials are used effectively to define building elements such as base, body, parapets, bays, arcades and structural elements. Materials, finishes, and colors have been used in a manner that serves to reduce the perceived appearance of height, bulk and mass, and are harmonious with other structures in the immediate area.

Staff review: The current material and finishes include a limestone base with stone and wood siding material for most of the primary street facades. The corner of the building has a portion of the façade finished in Corten Steel panels and aluminum storefront windowpanes for the corner lobby entrance leading to the mailbox. The upper stories have vinyl windows which result in a lower quality appearance and is a less durable material than other exterior window materials available and as compared to the metal clad windows. The rear of the building is shown to be finished in plaster. While there are several quality materials proposed, the use of these materials on the facades are not entirely serving to reduce the height, mass and bulk because of the lack of articulation and consistent visual elements to read base, body, parapets and other structural elements. The design can be articulated further to provide some relief between upper floors, body of the project and base level details.

E. Landscaping is generous and inviting, and landscape and hardscape features are designed to complement the building and parking areas, and to be integrated with the building architecture and the surrounding streetscape. Landscaping includes substantial street tree canopy, either in the public right-of-way or within the project frontage.

Staff review: Landscaping is generous and inviting, however, the project could incorporate more hardscape features at the lobbies and entrances to signify entry elements. The tree canopy is substantial along the street sides. The landscaped courtyard area could include additional amenities to be used for active and passive open space areas for the residents living in the development which may include families and children.

F. Signage is designed to complement the building architecture in terms of style, materials, colors and proportions.

Staff review: Staff has not received a signage package for review. If the project is approved, this would be a made a condition of project approval. However, most likely signs would be limited to address and directional signs.

G. Mechanical equipment is screened from public view and the screening is designed to be consistent with the building architecture in form, material and detailing.

Staff review: The rooftop mechanical and other mechanical equipment are not shown in the drawings. If the project is approved, screening of rooftop mechanical equipment could be a made a condition of project approval.

H. Service, trash and utility areas are screened from public view, or are enclosed in structures that are consistent with the building architecture in materials and detailing.

Staff review: The garbage staging area on the first floor is screened and is consistent with the building architecture.

Conclusion: Because all the foregoing findings cannot be made, staff recommends denial of the Design Review Permit.

Conditional Use Permit

With regard to Conditional Use Permit UP19-001, to approve the permit the City Council would need to find the following in accordance with Chapter 14.80.060 of the LAMC.

- A. That the proposed location of the conditional use is desirable or essential to the public health, safety, comfort, convenience, prosperity, or welfare.

Staff review: Based upon the Initial Study/Negative Declaration (IS/MND) for the project, there is no evidence that the project will have an undesirable impact on the physical environment of the surrounding community.

- B. That the proposed location of the conditional use is in accordance with the objectives of the zoning plan as stated in [Chapter 14.02](#) of this title;

Staff review: The project will not have a significant environmental impact and it will meet many of the goals and objectives of the General Plan. However, it does not comply with the City's inclusionary housing requirements, exceeds the allowed density, and as proposed does not meet all of the City's design policies and objectives, as set forth above with respect to the Design Review Permit findings. Therefore, the project does not fully comply with all the objectives set forth in Section 14.02.020 of the Los Altos Municipal Code.

- C. That the proposed location of the conditional use, under the circumstances of the particular case, will not be detrimental to the health, safety, comfort, convenience, prosperity, or welfare of persons residing or working in the vicinity or injurious to property or improvements in the vicinity;

Staff review: Because the project will not cause a significant environmental impact, as indicated in the IS/MND, the development of a housing project in the corner location of El Camino and Los Altos Ave. will not be detrimental to the health and safety. The project will not be injurious to property or improvements in the vicinity because of the proposed mitigated measures detailed in the IS/MND to take necessary precautions during the time of construction.

- D. That the proposed conditional use will comply with the regulations prescribed for the district in which the site is located and the general provisions of [Chapter 14.02](#);

Staff review: The specific use of a multi-family residential project does not fully comply with the regulations prescribed for the CT district as detailed in the staff report analysis and development standards Table-1.

Conclusion: Because all the foregoing findings cannot be made, staff recommends denial of the Conditional Use Permit.

Subdivision

With regard to Subdivision TM19-0001, to approve the map, the City Council would be required to determine that none of the following findings can be made, in accordance with Chapter 4, Article 1, Section 66474 of the Subdivision Map Act of the State of California:

- A. The proposed subdivision is not consistent with applicable general and specific plans as specified in 65451.

Staff review: *This Finding can be made.* The proposal remains inconsistent with Housing Element Goal 2, Policy 2.1.1 and Goal 4, Policy 4.3.2. in that the proposal does not meet required diversity in the size of units and that the affordable housing units are seventy one percent one-bedroom units and are generally smaller than the market rate units in the project.

- B. That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans.

Staff review: *This Finding can be made.* The proposal remains inconsistent with Housing Element Goal 2, Policy 2.1.1 and Goal 4, Policy 4.3.2 because the proposal does not meet the required distribution of unit type, size and diversity of units in the affordable housing mix.

- C. That the site is not physically suitable for the type of development.

Staff review: *This Finding cannot be made.* The site is physically suitable for this type of development because it is in conformance with the Thoroughfare Commercial land use designations of the General Plan, and complies with all applicable CT Zoning District site development standards excluding those exceptions otherwise approved;

- D. That the site is not physically suitable for the proposed density of development.

Staff review: *This Finding can be made.* The site is not physically suitable for the proposed density of development because it exceeds the maximum allowable density of 45 du/acre by eighty eight percent which it is not entitled by right.

- E. That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

Staff review: *This Finding cannot be made.* The design of the subdivision and the proposed improvements would not cause substantial environmental damage, or substantially injure fish or wildlife if mitigation measures recommended in the Initial Study/Mitigated Negative Declaration (“IS/MND”) prepared for the project are implemented, as indicated in the IS/MND.

- F. That the design of the subdivision or type of improvements is likely to cause serious public health problems.

Staff review: *This Finding cannot be made.* The design of the subdivision will not cause serious public health problems because the site is located within an urban context and has access to urban services including sewer and water.

- G. That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. In this connection, the governing body may approve a map if it finds that alternate easements, for access or for use, will be provided, and that these will be substantially equivalent to ones previously acquired by the public. This subsection shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction and no authority is hereby granted to a legislative body to determine that the public at large has acquired easements for access through or use of property within the proposed subdivision.

Staff Review: *This Finding cannot be made.* The design of the subdivision will not conflict with access easements because there are no known existing access easements encumbering this property.

Conclusion: Because all the foregoing findings cannot be made, staff recommends denial of the Subdivision Permit.

PUBLIC NOTIFICATION AND CORRESPONDENCE:

For this meeting, a public hearing notice was published in the *Town Crier* and mailed to 332 property owners and current tenants within 1,000 feet of the site (Attachment L). A public notice billboard with color renderings was installed along the project’s El Camino Real frontage and story poles to represent the walls and roof line of the building were installed in conformance with the City Council approved modified story pole installation for this project as detailed in Attachment E and discussed above.

At the time of report publication, 4 public correspondences were received and included as Attachment K. Staff will forward any additional correspondence received to the Commission.

ATTACHMENT D

MINUTES OF THE COMPLETE STREETS COMMISSION OF THE CITY OF LOS ALTOS,
HELD ON WEDNESDAY, OCTOBER 23, 2019 AT 7:00 PM AT THE GRANT PARK
COMMUNITY CENTER, 1575 HOLT AVENUE, LOS ALTOS, CALIFORNIA

PRESENT: Nadim Maluf (Chair), Stacy Banerjee, Randy Kriegh, Jenny Lam, Tom Madalena (Staff Liaison)

ABSENT: Suzanne Ambiel (Vice Chair), Paul Van Hoorickx, Herprit Mahal.

PUBLIC COMMENTS

None.

ITEMS FOR CONSIDERATION/ACTION

1. Minutes

Approve Minutes of regular meeting on August 28, 2019

Upon motion by Commissioner Banerjee, seconded by Commissioner Lam, the Commission approved the Minutes of regular meeting on August 28nd with the following comments.

- Location of the meeting should be Los Altos City Hall – Community Chambers, not Los Altos Youth Center.
- Add the following to Commissioner Reports and Comments section: City Council and CUSD held a Subcommittee meeting which included safe routes related discussion.

Approved with the following vote:

AYES: 4. NOES: 0. ABSTAIN:0. ABSENT: 3. Passed 4-0

2. Fremont Avenue Pavement Rehabilitation

Jaime Rodriguez, City's transportation consultant, along with Daniel Leary and Anoop Admal from Bellecci and Associates presented the item to the Commission. Bellecci and Associates is the selected consultant team responsible for project design.

Commission was introduced to the project's work scope of pavement rehabilitation on Fremont Avenue, and the City's intent to take this opportunity to implement striping, signage and other safety improvements. Since a portion of the project is funded by grant from the One Bay Area Grant (OBAG) program, the project will have to go through an environmental review process with Caltrans, which is estimated to take approximately 10 months. City staff conducted a community open house prior to this meeting to give a chance for the community to look at the design and provide comments.

PowerPoint presentation included the following information:

- Map of Project Environment: predominantly residential neighborhood, few churches, Stanford medicine, and highway 85.
- Pavement Dig-out repair areas: Explanation of asphalt repair areas and indicated location of existing pedestrian pathways and crosswalks.
- City's traditional pavement rehabilitation methods and newer methods were considered for this project with the introduction of Cold in-place recycling, a more expensive but sustainable repair method.
- Bike lane considerations: A look at existing bike lane and consideration for solid green and dashed green street markings.
- Construction staging and detour route during construction.
- Project schedule:
 - Design phase: Spring 2020.
 - Caltrans review: Summer 2020.
 - Project bid: Winter 2020.

City staff plans to return with this item with completed design in February 2020. City Staff seeks input from the Commission to advise design phase following the presentation.

Question from Commission:

- What kind of topics are included in the Caltrans Review? Will there be any traffic studies?
 - Caltrans will require types of study depending on project environment and work scope. Project close to a creek may require study for wildlife impact, excavation depth may trigger research on tribal burial areas. Traffic studies are usually only required when there are proposed changes of the roadway configuration such as lane reduction. Traffic study requirement for this project is not anticipated at this time.
- Is this one of the segments that will be looked at with the Complete Streets Master Plan? Will the work be coordinated?
 - Concept plan line for the Complete Streets Master Plan will not include Fremont Avenue anymore since this project will take care of it.
- Will traffic accident data on Fremont Avenue be reviewed for the development of the design?
 - Yes, speed, volume and accident data has been collected and will be brought to presentation in the February meeting.
- What are the criteria that are used to determine the type of pavement treatment option?
 - In addition to the survey that determined percentage of roadway failure, the team also took samples of roadway surface by "coring" down from the surface. Using all the data, the design team will draft a report with recommendation for a single treatment.

- Is there any trade-off when we are considering environmental options?
 - When it comes to environmental effort required by Caltrans, City will have no choice but to follow their instruction. When we are looking at environmental considerations for pavement options, it is up to the City and Community to determine how environmentally friendly we would want to be with added construction cost to do pavement recycling. Cold in-place recycling is a relatively new method, and there are not much data that supports the estimated pavement life of 12-15 years so far.
- Commission would like more data on recycling method to be able to weigh the trade-off in February.
- Is there any consideration for pedestrian in this project?
 - Yes, there is. Existing pathways and crosswalks are looked at as part of the project, and staff will pick up any inputs from the community.
- With the grant funding of \$336,000 in mind, what does our budget look like with the options presented?
 - It is roughly estimated that it will be around \$800,000 for microsurfacing, \$1.3 Million for overlay, and \$1.9 Million for cold in-place recycling.
- What is meant by Complete Streets consideration on the report? What aspects of the project contributes to Complete Streets?
 - Buffered bike lane, green striping, high visibility crosswalks, and improvements on existing pedestrian pathways are all considered Complete Streets improvements.
- How we keep track of the project and its progress?
 - There will be a project website with updates on project.
www.losaltosca.gov/FremontAvePavementRehab

Public Comments:

- Concerned with the quality of existing roadway on Fremont Avenue. Multiple utility patching and cracks over the roadway. Would like to see pedestrian pathway improvements as well. Wider range of community should be notified about the project.
- Concerned about the work scope changing from simple paving job into something different especially with Federal grant involved.

Comments and Feedback from Commission:

- Good opportunity to look at Complete Streets options. Think about connectivity if we are doing bike lane. Agree with the previous public speaker's point, adding Complete Streets treatments to this project may come short.
- Would like broader public outreach notification. Looking forward to the completed design with presented Complete Streets improvements.

- Encourage staff to continue collecting feedback from the community.
- Fremont Avenue is very congested during peak time. Although this is not part of work scope, this should be looked at.
- Cut through traffic issue.
- Fremont Avenue is very difficult to cross.
- Bike lane issue through corridor and at each of project limits.
- Public outreach is very important for a project to be successful. Encourage staff to not lose track of the community during the elongated design and review process.

3. Development Project Review: 4350 El Camino Real

Associate Planner Seam Gallegos presented the design review application for a new five-story multifamily development with 47 units. This item was brought back in order to address comments received from the Commission in the August meeting.

Presentation included consideration of the following topics:

- Driveway design and location.
- Removal of right turn lane on Los Altos Avenue.
- Parking restriction.
- Number of on-site parking spaces.
- Loading zone consideration.
- VTA bus stop modifications.
- On-site bicycle facilities.
- Elevator size to accommodate bicycle users.
- Landscape improvements.

Question and comments from Commission included the following topics:

- Delivery and moving truck access.
- Number of bicycle storage.
- Impact from new no parking zone.
- Number of parking spaces per ordinance.
- Landscaping plan and El Camino Real streetscape plan.
- VTA shelter and loading zone.
- Driveway location.
- New EV charging regulation.

Motion made by Commissioner Banerjee, seconded by Commissioner Lam to forward the item to the Planning Commission and the City Council with the following recommendation:

- Follow staff recommendation in the staff report.

- Follow the number of parking under the City Ordinance.
- Remove parking on El Camino Real.
- Review trash pick-up area for safety.
- EV readiness on for parking lot.
- Additional bicycle storage: 60 Class I bicycle parking.

Approved with the following votes: AYES:4 NOES:0 ABSTAIN:0 ABSENT:3. Passed 4-0

4. Complete Streets Master Plan

Verbal update from Staff Liaison Tom Madalena on the status of Complete Streets Master Plan RFP. Staff received a total of 1 proposal and is planning to start review and selection process shortly.

5. Cuesta Drive – Arboleda Drive Traffic Calming Project

Verbal update from Transportation Consultant Jaime Rodriguez on the design of Cuesta Drive – Arboleda Drive Traffic Calming Project. Comments on 65% design were sent back to Alta Planning. New all way “STOP” at Cuesta Drive and Clark Avenue to be installed by City Staff prior to project construction. 95% design is expected November 2019.

Question and comments from Commission:

- Will the new “STOP” sign installation change any aspect of the design?
 - No.
- Will there be any improvements on shoulder/swale area?
 - That will not be part of this project. Shoulder/swale area is under property owner’s responsibility to maintain.
- Encourage staff to revisit the shoulder area in question (revisit Jim Fenton’s question from past meeting).

Public Comments:

- Appreciate staff’s effort and looking forward to the project.
- Comments on cut-through issue and pedestrian safety.

6. Capital Improvement Program (CIP) – Transportation Projects Update

Verbal update from Jaime Rodriguez on Transportation CIP. Next update at the January meeting with quarterly updates moving forward.

Question and Comments from Commission:

- Clarification on Fremont Avenue Pavement Rehabilitation CIP budget.
- Some CIPs were not on the list, would it come to Complete Streets Commission?

- Some CIPs such as First Street Streetscape project is lead by other Department within the City and is not included in the list provided.
 - How many projects are on Schedule? How do we keep track of project delivery responsibility?
 - Many projects are far off from original proposed schedule such as Cuesta Drive. Staff is open for suggestion for project tracking system.
7. Complete Streets Commission Work Plan
Verbal update from Tom Madalena. This will be brought back to Commission with the Quarterly update.

INFORMATIONAL ITEMS

8. Monthly Staff Report
- Proposed date change for November 27th meeting since it is a Thanksgiving holiday.
 - Open house meeting similar to this evening will take place almost every month for the next 6~8 months.
 - Tom Madalena will be taking over the role of Staff Liaison as Jaime Rodriguez will shift focus to project design.

COMMISSIONERS' REPORTS AND COMMENTS

None.

POTENTIAL FUTURE AGENDA ITEMS

- Quarterly meeting with Police Department.
- Work plan and next year's agenda items.
- Forming subcommittee.

ADJOURNMENT

Chair Nadim adjourned the meeting at 9:55 PM

MINUTES OF A REGULAR MEETING OF THE PLANNING COMMISSION OF THE CITY OF LOS ALTOS, HELD ON THURSDAY, OCTOBER 18, 2018 BEGINNING AT 7:00 P.M. AT LOS ALTOS CITY HALL, ONE NORTH SAN ANTONIO ROAD, LOS ALTOS, CALIFORNIA

ESTABLISH QUORUM

PRESENT: Vice Chair Samek, Commissioners Ahi, Bodner, Lee, Meadows and Mosley

ABSENT: Chair Bressack

STAFF: Community Development Director Biggs and Planning Services Manager Dahl

PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

None.

ITEMS FOR CONSIDERATION/ACTION

CONSENT CALENDAR

1. Planning Commission Minutes

Approve the minutes of the September 20, 2018 Regular Meeting and Study Session.

Action: Upon motion by Commissioner Meadows, seconded by Commissioner Bodner, the Commission approved the minutes from the September 20, 2018 Regular Meeting and Study Session as amended.

The motion was approved (4-0-2) by the following vote:

AYES: Bodner, Lee, Meadows and Samek

NOES: None

ABSENT: Bressack

ABSTAIN: Ahi and Mosley

SPECIAL ITEM

2. Commission Reorganization

Election of Chair and Vice Chair

Action: Upon motion by Commissioner Meadows, seconded by Commissioner Bodner, the Commission nominated Vice-Chair Samek as Chair.

The motion was approved (6-0) by the following vote:

AYES: Ahi, Bodner, Lee, Meadows, Mosley and Samek

NOES: None

ABSENT: Bressack

Action: Upon motion by Commissioner Meadows, seconded by Commissioner Bodner, the Commission nominated Commissioner Lee as Vice Chair.

The motion was approved (6-0) by the following vote:

AYES: Ahi, Bodner, Lee, Meadows, Mosley and Samek

NOES: None

ABSENT: Bressack

STUDY SESSION

3. **18-PPR-06 – Gregory and Angela Galatolo – 4350 El Camino Real**

Design Review Study Session for a new multiple-family development at the corner of El Camino Real and Los Altos Avenue. The proposal includes 45 condominium units in a five-story building with two levels of underground parking. *Project Planner: Dahl/Gallegos*

Planning Services Manager Dahl presented the staff report.

Project applicant Angie Galatolo Project architect Alex Siedel presented the project, providing an overview of the architectural design, noting that it is a good location for high density housing and will have a similar density to other nearby projects on El Camino Real.

Public Comment

Eric Steinle, resident and president of the Peninsula Real Homeowner's Association, expressed concern that the proposed five-story height is inconsistent with the surrounding context and noted that the proximity of the project's driveway could conflict with the existing driveway of their multi-family building and that the trash pick-up should be located along Los Altos Avenue.

Eric Noveutube, neighboring resident, noted the project incorporated a good use of materials, but expressed concern that the driveway on El Camino Real could create issues and that the project could create shadows and glare.

Commission Discussion

The Commission discussed the project and provided the following comments:

- Vice-Chair Lee:
 - Good scale/mass breakdown;
 - Good focus on corner design;
 - Use a better wood material;
 - Concerned about scale and overall height;
 - Too tall and needs a better relationship to surroundings - four stories would be a better transition to neighboring properties;
 - The garage entry on the El Camino Real is a concern;
 - Provide better landscaping between adjacent buildings – more detail on the plans; and
 - Need to better understand the function/purpose of the proposed porches on Los Altos Avenue.
- Commissioner Meadows:
 - An initial study should be done since it is a gas station site – potential for contaminants needs to be explored;
 - More details needed on courtyard – show that project meets minimum open space requirements;
 - Look at material treatments on all elevations;
 - Likes Corten steel elements;
 - Needs more benefits/amenities to support an 80 percent density bonus;
 - Evaluate the entry at the street corner a bit more;
 - Consider privacy for side/rear facing windows;
 - Need to provide for loading spaces; and
 - Improve mix of BMRs (size/beds) and identify the amenities project provides.

- Commissioner Bodner:
 - Rethink the driveway on El Camino Real – will have circulation impacts;
 - Explore a better location for garbage on El Camino Real;
 - Use more interesting landscaping;
 - Good mix of materials;
 - Look at a delivery area on Los Altos Avenue;
 - Placement of courtyard next to the adjoining multi-family is a good location;
 - Expressed concern with size of density bonus;
 - Review window reflectivity on neighbors; and
 - Improve prominence of entry.

- Commissioner Mosley:
 - Study garage entrance on El Camino Real;
 - Concerned about five-story height; significantly taller than adjacent buildings; and
 - Need more affordable units – improve size and number of bedrooms in the affordable unit mix.

- Commissioner Ahi:
 - Consider a mixed-use project;
 - Concerned about size of density bonus;
 - Concerned about side yard setbacks – improve placement of balconies;
 - Provide a solar study to evaluate shadows on adjacent properties;
 - More attention needed for the side/rear elevations;
 - Work on the corner element adjacent to the street intersection;
 - Study the driveway location; and
 - Use the courtyard space as a buffer to neighboring properties.

- Chair Samek:
 - Make sure the context elevations are to-scale;
 - Look at newer adjacent buildings;
 - Okay with height in this context/setting;
 - Density should be balanced with more BMR units and amenities; and
 - Work on placement of the parking garage driveway.

COMMISSIONERS' REPORTS AND COMMENTS

None.

POTENTIAL FUTURE AGENDA ITEMS

None.

ADJOURNMENT

Chair Samek adjourned the meeting at 8:38 P.M.

Jon Biggs
Community Development Director

ATTACHMENT E

Item 2.



February 25, 2022
BKF No. 20180481

Angela Galatolo
4350 El Camino Real
Los Altos, CA 94022
Transmitted Via Email

**Subject: 4350 El Camino Real, Los Altos
Story Pole Certification**

Angela:

This is to state that in accordance with the City of Los Altos building code, BKF Engineers, on February 9, 2022, has staked the location of six story poles. Subsequently on February 24, 2022, BKF Engineers surveyed the top elevation of the story poles.

Top story pole elevations:

Story Pole Number 9001 – 123.53 feet
Story Pole Number 9002 – 123.51 feet
Story Pole Number 9003 – 124.03 feet
Story Pole Number 9004 – 123.66 feet
Balloon Number 9005 – 123.56 feet
Balloon Number 9006 – 123.58 feet

(See attached exhibit for location of story poles.)

The staking was performed under the direction of the undersigned.

Sincerely,

BKF Engineers

A handwritten signature in black ink, appearing to read 'Jose Gonzalo Garcia', written over a horizontal line.

Jose Gonzalo Garcia
Project Surveyor
P.L.S. No. 8315



Item 2.

BKF ENGINEERS
1730 N. FIRST STREET
SUITE 600
SAN JOSE, CA 95112
(408) 467-9100
www.bkf.com



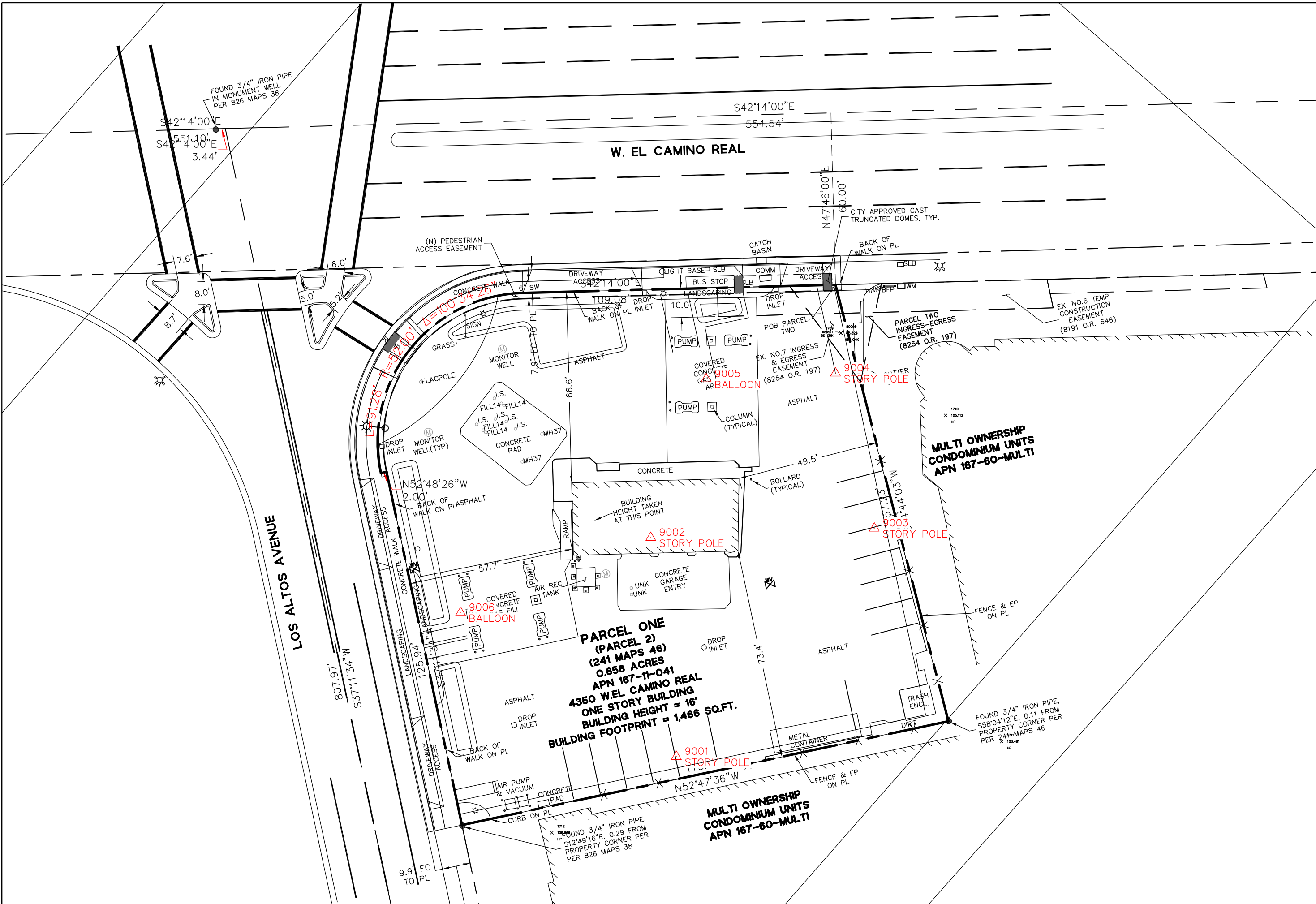
CA

4350 EL CAMINO REAL

STORY POLES
SANTA CLARA

LOS ALTOS

DRAWING NAME: K:\2018\180481_4350 ECR_Los Altos\SUR\DWG\STAKING\4350 ECR - STAKING.dwg
PLOT DATE: 02-16-22 PLOTTED BY: lopc



Revisions	
No.	Description

Date: 02-08-22	Scale: 1"=30'	Design: [Signature]	Drawn: [Signature]	Approved: [Signature]	Job No: [Number]
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1 OF 1					



**MINUTES OF THE REGULAR MEETING OF
THE CITY COUNCIL OF THE CITY OF LOS ALTOS
7:00 P.M., TUESDAY, JANUARY 26, 2021**

HELD VIA VIDEO/TELECONFERENCE

MEETING CALLED TO ORDER

At 7:05 p.m., Mayor Fligor called the meeting to order.

ESTABLISH QUORUM

PRESENT: Mayor Fligor, Vice Mayor Enander, Council Members Lee Eng, Meadows, and Weinberg

ABSENT: None

PLEDGE OF ALLEGIANCE TO THE FLAG

Stella Berger-Morris led the Council in the Pledge of Allegiance.

REPORT ON CLOSED SESSION

1. Conference with Legal Counsel – Existing Litigation
Pursuant to Government Code Section 54956.9(d)(1)
Name of Case: *Satish Ramachandran v. City of Los Altos, et al.*
United States District Court, Northern District of California
Case No. 5:18-cv-01223-HRL

2. Conference with Legal Counsel – Existing Litigation
Pursuant to Government Code Section 54956.9(d)(1)
Name of Case: *Satish Ramachandran v. Best, Best and Krieger, a limited liability Partnership; Christopher Diaz; Christina Hickey; Kirk Ballard; David Kornfield; Christopher Jordan; Pamela Jacobs, and Does 1-20 United States District Court, Northern California District*
Case number: 5:20-cv-03963-NC

3. Conference with Labor Negotiators:
Pursuant to Government Code Section 54957.6:
Employee organizations: Los Altos Peace Officers Association
Agency designated representatives: Lisa Charbonneau of Liebert Cassidy Whitmore and Jennifer Leal, Human Resources Manager

Mayor Fligor reported that the City Council met in closed session prior to the meeting and had nothing to report.

SPECIAL ITEMS

- Recognition of Santa Clara Valley Science and Engineering Fair Association's 2020 Synopsys Championship Participants and Award Winners from the City of Los Altos

Mayor Fligor recognized the following Los Altos youth for their participation in the 2020 Synopsys Championship and presented each with certificates of recognition - Yash Golwala, Kallie Wang, Elie Meir Bodner, Arnav Swaroop, Aadit Golwala, Ben Freda-Eskenazi, Emma Biswas, Sidharth Ganapathi Dharmasanam, Nesyah Sarah Galatin, Vivek Bharati, Deven C Shah, Olivia Anne Colace, Russel James Michael Arbore, Audrey Xing-Yun Chang, Anushka Sanyal, Julia Biswas, Sophie Meiyang Wang, Josh Sanyal, Arthi Vaidyanathan, Sreoshi Sarkar, Michaela Ho-Young Yip, Alexander Guh-Siesel, Luke Almazan Sage and Carissa Wu.

Dr. Chaudhuri, Santa Clara Valley Science and Engineering Fair Association (SCVSEFA) Board Member, commented.

CHANGES TO THE ORDER OF THE AGENDA

There were no changes to the order of the agenda.

PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

None

CONSENT CALENDAR

1. Council Minutes: Approve the (corrected) Minutes of the January 12, 2021 Regular Meeting.
2. Final Map Approval: Authorize the Interim City Manager to execute the Subdivision Improvement Agreement and approve Tract Map #10547 of 389 First Street

Council Member Lee Eng noted the corrected minutes and moved that the City Council approve the Consent Calendar. The motion was seconded by Council Member Weinberg and the motion passed 5-0 with the following roll call vote:

AYES: Council Members Lee Eng, Meadows, Weinberg, Vice Mayor Enander and Mayor Fligor.
 NOES: None
 ABSENT: None
 ABSTAIN: None

PUBLIC HEARINGS

3. Resolution No. 2021-04: Story Pole Policy Exception Request for 4350 El Camino Real Development: Adopt Resolution No. 2021-04 to grant or deny an exception from the City's Story Pole Policy to the proposed development at 4350 El Camino Real.

Council Member Lee Eng reported that she had had ex parte communications with the applicant and with Planning Commissioner Steinle.

Vice Mayor Enander reported that she also had had ex parte communications with the applicant and with Planning Commissioner Steinle.

Sean Gallegos, Associate Planner, provided a staff report and answered questions from the Council.

Applicant Angela Galatolo provided information and answered questions from the Council as well as her architect Alex Seidel.

Mayor Fligor opened the Public Hearing.

The following individuals commented: Erik Forslin, Mehruss Ahi, Salim Damerdji, Pierre Bedard, Eric Steinle.

There were no further public comments. Mayor Fligor closed the Public Hearing.

The applicant was given an opportunity to respond to comments and answer additional questions from the Council.

Following discussion, Vice Mayor Enander moved that the Council make the following modifications (to the resolution) and adopt Resolution No. 2021-04 to granting an exception from the City's Story Pole Policy to the proposed development at 4350 El Camino Real with the following conditions, and with concurrence of the applicant, that the previously established subcommittee comprised of Council Member Lee Eng and Vice Mayor Enander work with the applicant and the staff with the goal of making several changes to the plan as presented by improving the flyover and the street level/pedestrian video; adding Quick Response (QR) codes to each billboard linking the videos; with respect to billboard #1 remove and replace the text with another photo and discuss with the adjacent Homeowners Association its location and look at repositioning of billboard # 1 so that it is more proximate to and visible from the sidewalk with due respect for safety concerns and as determined and discussed with the staff and the applicant. The motion was seconded by Council Member Lee Eng and the motion passed 5-0 with the following roll call vote:

AYES: Council Members Lee Eng, Meadows, Weinberg, Vice Mayor Enander and Mayor Fligor.
 NOES: None
 ABSENT: None
 ABSTAIN: None

At 8:50 p.m., Mayor Fligor called for a brief recess. At 9:00 p.m., Mayor Fligor reconvened the meeting.

DISCUSSION ITEMS

4. Emergency Measures for Addressing COVID-19: Receive an update from the Deputy City Manager and provide direction on additional potential measures to address COVID-19.

Deputy City Manager Maginot provided a presentation and answered questions from the Council.

Council Member Meadows provided additional information.

Resident Freddie Wheeler commented.

No action was taken.

5. Resolution No. 2021-05: North County Library Authority Joint Powers Agreement (JPA) Amendment: Adopt Resolution No. 2021-05 amending the North County Library Authority Joint Powers Agreement

Mayor Fligor provided background information on the matter.

Courtenay Corrigan and Pierre Bedard commented.

Discussion commenced.

Vice Mayor Enander moved to adopt Resolution No. 2021-05 amending the North County Library Authority Joint Powers Agreement. The motion was seconded by Council Member Weinberg and the motion passed 5-0 with the following roll call vote:

AYES: Council Members Lee Eng, Meadows, Weinberg, Vice Mayor Enander and Mayor Fligor.
NOES: None
ABSENT: None
ABSTAIN: None

Vice Mayor Enander moved to direct staff that should the North County Library Authority seek reimbursement related to third party consultants(for administrative support) from any funds from the City of Los Altos that the matter be researched by staff and brought to Council for action. The motion was seconded by Council Member Lee Eng and the motion passed 5-0 with the following roll call vote:

AYES: Council Members Lee Eng, Meadows, Weinberg, Vice Mayor Enander and Mayor Fligor.
NOES: None
ABSENT: None
ABSTAIN: None

INFORMATIONAL ITEMS ONLY

- Police Department Memo – Police Radio Encryption

Police Chief Galea provided information and answered questions from the Council.

- Community Center Construction Monthly Update – Month of December

Jim Sandoval, Engineering Services, and Project Manager Maslo provided an update and answered questions from the Council.

- Tentative Council Calendar

Council Members commented on the calendar.

Vice Mayor Enander and Council Member Lee Eng expressed support, as they did at the January 12, 2021 meeting, for placing on a future agenda a presentation on housing by the Embarcadero Institute. Discussion commenced. Mayor Fligor, Council Members Meadows and Weinberg did not support, at this time, inviting the organization to a Council meeting for a housing presentation. Vice Mayor Enander requested that the Council Members watch a short video of a presentation by the Embarcadero Institute to which she would provide a link.

COUNCIL/STAFF REPORTS AND DIRECTIONS ON FUTURE AGENDA ITEMS

The Council Members reported on attendance at and matters related to their various Commissions, Committees and Boards, as assigned.

Council Member Lee Eng requested that the Legislative Committee review SB 9 and 10 and bring back a position letter to the Council. In addition, she requested a matter be placed on the agenda for discussion of the RHNA numbers assigned to Los Altos and the various options including appealing the numbers and/or providing staff direction.


Council Member Weinberg requested that on a future agenda the Council consider reconstituting the city's parking task force. Vice Mayor Enander suggested the matter be considered at the upcoming Council retreat. Council Member Weinberg agreed and withdrew his request.

Several other matters were brought up and there was consensus to discuss the matters at the upcoming City Council retreat.

ADJOURNMENT

At 11:21 p.m., Mayor Fligor adjourned the meeting.


Andrea M. Chelemengos MMC, CITY CLERK


Neysa Fligor, MAYOR



**Community Development Department
One North San Antonio Road
Los Altos, California 94022**

October 22, 2021 (Revised on October 23, 2021)

Gregory and Angela Galatolo
Via Email: agalatolo@apr.com
4350 El Camino Real
Los Altos, CA 94022

Subject: 4350 EL CAMINO REAL (Application No. 19-D-01, 19-UP-01 and 19-SD-01)

Dear Mr. and Mrs. Galatolo:

This letter is being provided pursuant to Government Code Section 65589.5(j)(2), and is in response to the plans and documentation for the Commercial Design Review, Use Permit and Subdivision applications for a new multiple-family building at 4350 El Camino Real. Based on City staff review, this letter is a list of the consistency items that should be addressed or provided for the application.

Your timely response to these comments will help expedite your project's review. For questions regarding the following comments from the Planning Division, please contact Sean Gallegos, Associate Planner at 650-947-2641.

Consistency with City Ordinances, Policies, and Guidelines

This application has been reviewed for consistency with the following City documents. The remaining comments in this letter are based on the following:

- General Plan
- Other City Policies
- Zoning Ordinance
- Water Conservation in Landscaping Ordinance
- Multi Family Design Review Submittal Requirements
- Density Bonus Report Requirements
- Story Pole Requirements – New Development
- Construction Management Plan Submittal Requirements
- Public Art Impact Fee handout

As proposed, the project is **inconsistent** with applicable objective standards. Staff recommends the following additional comments be addressed to maintain consistency with the Zoning Ordinance, General Plan, Density Bonus Report and Other City Policies and Requirements:

1. **Chapter 14.50.180 (Off-Street Loading for Residential (CT))**

In order to accommodate the delivery or shipping of goods at a multiple-family residential project, on-site loading/unloading space shall be provided:

- A. There shall be at least one loading/unloading space provided, which shall have minimum dimensions of at least ten (10) feet by twenty-five (25) feet, with fourteen (14) feet of vertical clearance;
- B. Loading and unloading spaces shall be located and designed so that the vehicles intended to use them can maneuver safely and conveniently to and from a public right-of-way without interfering with the orderly movement of traffic and pedestrians on any public way and complete the loading and unloading operations without obstructing or interfering with any parking space or parking lot aisle;
- C. No area allocated to loading and unloading facilities may be used to satisfy the area requirements for off-street parking, nor shall any portion of any of off-street parking area be used to satisfy the area requirements for loading and unloading facilities;
- D. A loading/unloading space may be located in the front yard setback, but shall comply with other required setbacks;
- E. All loading spaces shall be designed and maintained so that vehicles do not back in from, or onto, a public street;
- F. Loading spaces shall be striped indicating the loading spaces and identifying the spaces for "loading only." The striping shall be permanently maintained by the property owner/tenant in a clear and visible manner at all times; and
- G. Adequate signage shall be provided that directs delivery vehicles to the loading space.

As specified in the Zoning Code (Sec. 14.74.200), truck loading spaces shall not be less than ten (10) feet wide by twenty-five (25) feet long and each parking and loading space shall be accessible from a public street or alley. The project plans do not show a designated loading zone for the property. The site plan does not show the location of a truck loading spaces that does not interfere with access to the below grade garage, which would be required for trash collection or deliveries.

2. **Chapter 14.72.020 (Maximum Fence Heights)**

The maximum height of any fence, wall, or other similar structure erected, constructed, or maintained in the city shall not exceed six feet. A fence detail is shown in the project plans, but the location of the fence is not shown in the plan set. Therefore, staff is unable to determine if plans are consistent with the maximum permitted fence height [Chapter 14.72.020 of the Zoning Code](#). The site plan shall be updated to reflect compliance with the maximum permitted fence heights of [Chapter 14.72.020 of the Zoning Code](#).

3. **Table LU-1 of the Land Use Classification System of the Land Use Element permits a maximum floor area ratio per net acre of 2.0:1 for a residential use.**

Table B-40 of the Housing Element establishes a maximum density of 38 dwelling units per acre for sites in the Commercial Thoroughfare district.

Program 4.3.4 of the Housing Elements encourages the City to comply with maximum codified densities in the zones that allow multifamily housing.

Density Bonus Report: Any applicant requesting a density bonus and any incentive(s), waiver(s), or parking reductions provided by State Density Bonus Law shall submit a Density Bonus Report as described below concurrently with the filing of the planning application for the first discretionary permit required for the housing development.

The Land Use Element encourages a maximum floor area per net acre of 2.0 as a measure of intensity of the residential use in the Thoroughfare Commercial land use. The project proposes a floor area per net acre of 2.4:1. Staff recommends the project Information Table be updated to include the building Floor Area, which shall be related to the floor area ratio. The applicant shall address the floor area per net acre inconsistency in the density bonus letter.

The Housing Element encourages maximum densities of residential development as well as facilitating affordable housing. The permissible density is 38 dwelling units per acre, or a maximum of 25 dwelling unit. The project proposes 47 units or a density of 72 dwelling units per acre, which exceeds the permissible density of 38 dwelling units per acre.

The City's Affordable Housing Ordinance (LAMC Chapter 14.28) requires a minimum of 15 percent of the units be affordable, with a majority of the units designated as affordable at the moderate-income level and the remaining units designated as affordable at the low or very-low-income level. Under the City's Affordable Housing Ordinance, the project would require a minimum of four affordable units. The applicant is proposing seven affordable units, with four moderate-income level units and three very-low-income level units, which is consistent with the inclusionary ordinance.

Under the State's density bonus regulations (Section 65915 of the California Government Code) and the City's Affordable Housing Ordinance, the project qualifies for a density bonus based on very-low income units if it provides at least five percent very-low-income units. With three affordable units at the very-low-income level and four affordable units at the moderate level (7 affordable units total), the project is providing 28 percent of its base density as affordable, with 12 percent of its base density affordable at the very-low-income level. By providing 12 percent of its units as affordable at the very-low-income level, the project qualifies for a 38.75 percent density bonus Government Code 65915(f)(2)., or a total of 35 multiple family units. However, the applicant proposes a project with 47 units or a density of 72 dwelling units per acre. To achieve a total of 47 units, the applicant is requesting an 88% density bonus.

In the applicant's density bonus letter, the report state the 88% density bonus is necessary due to: "the project provides three additional affordable housing units over the minimum City requirement, the developer's perspective that the number of overall project units is necessary to reduce the risk and provide a safety net because of the very high cost of land, the very high cost of construction trending even higher over time, and the uncertain nature of the housing market in the future when the project units will be delivered."

According to Section 14.28.040.E of the Zoning Code, the multiple-family affordable housing codes does not "prohibit the city from granting a density bonus greater than what is described in this section for a development that meets the requirements of this section or from granting a proportionately lower density bonus than what is required by this section for developments that

do not meet the requirements of this section.” The granting of a larger density bonus would be in the Council’s discretion, but as proposed, the project does not comply with the objective standards.

While the applicant has advised the increased density bonus is necessary due to the inherent risk due to the cost of land and construction and the uncertainty of the market, the applicant has not provided any technical reports or evidence to support the claims related to land costs, constructions costs, real estate risks, or any other factor related to the unsubstantiated claims from the applicant for the density bonus of 88 percent.

A development with a density bonus greater than 35 percent should be based upon an increased number of BMR units consistent with the multiple-family affordable housing ordinance (Chapter 14.28 of the Zoning Code). As currently proposed, the project is not consistent with the Zoning Code (Chapter 14.28) and the objective standards of the Zoning Code. Staff recommends the density bonus report be revised to address the above listed items, or staff will recommend denial if/when it is scheduled for Planning Commission review. Overall, the project does not reflect a desired and appropriate development intensity for the CT District and the El Camino Real corridor.

- 4. Section 14.28.030 (Standards) of the Multiple-Family Affordable Code requires that all affordable units in a project shall be constructed concurrently with market rate units, shall be dispersed throughout the project, and shall not be significantly distinguishable by size, design, construction or materials.**

The applicant proposes a 47-unit multiple-family development with 21 percent of the development with one-bedroom market-rate units (10 total units), 68 percent of the development with two-bedroom market-rate units (32 total units), and ten percent of the development with three-bedroom market-rate units (5 total units). The applicant proposes seven affordable units, with 71 percent of the affordable units being one bedroom (total of five), and 29 percent of the affordable units being two-bedroom units (total of 2), and the affordable units are distributed on floors one through three.

As currently proposed, multiple-family development is not consistent with Section 14.28.030 due to the affordable units not being dispersed throughout the development on all floors, and the two-story units being significantly distinguishable due to the size of the units being 767 square feet, while 90 percent of the market-rate units having a median unit size of 1,326 square feet. Consistent with Section 14.28.030 of the Zoning Code, staff recommends the applicant distribute the affordable units through all five floors, the percentage of affordable units be designed to not be distinguishable from the percentage of one-, two- and three-bedroom market-rate units, and the size of the affordable units not be significantly distinguishable from the market-rate units.

INCONSISTENCIES WITH CITY REQUIREMENTS (Resolved with Conditions)

In order to enable staff to provide useful feedback, staff has provided comments outlining inconsistencies with City requirements that will be dealt with through conditions of approval. The following items will not be used to determine completeness; however, these items are recommended in order to enhance staff’s understanding of the project.

1. **Section 14.74.160 (Off-Street Loading Spaces)** requires that loading spaces shall be provided on the site of each of the permitted uses in the Commercial Thoroughfare (CT) district when found by the commission to require the receipt or distribution of materials by vehicles or when found to be necessary for the public safety or welfare. The number of spaces shall be determined on the basis of the number of anticipated truck movements.

Since, the project's compliance with off-street loading spaces requirement is a matter of confirming consistency. Staff recommends the applicant provide information regarding the number of anticipated truck movements to assess whether the truck loading space for deliveries is necessary based on Section 14.74.160. At a future Planning Commission meeting, staff will request the commission consider whether loading spaces are required for deliveries.

2. **Construction Management Plan**

The proposed preliminary construction plan does not comply with the Construction Management Plan handout, and it must be incorporated into the plan set as directed in the Submittal Requirements handout for Commercial or Multiple-Family Design Review. We previously found the proposed CMP did not provide sufficient details for off-site truck staging for material deliveries that require multiple trucks at any one time (concrete, building materials, etc.). A Condition of Approval will be required for an updated CMP consistent with the Submittal Requirements Construction Management Plan handout, including providing greater detail on the truck staging for material deliveries that require multiple trucks at any one time (concrete, building materials, etc.) prior to the Building Permit being issued for the development. The Construction Management Plan handout is provided below:

https://www.losaltosca.gov/sites/default/files/fileattachments/community_development/page/41491/construction_management_plan_submittal_requirements_and_example.pdf

3. **Vesting Tentative Map**

The Vesting Tentative Map requires the vacating of the ingress/egress easement on the subject site and a separate ingress/egress easement on the adjacent site (APN 167-60-MULT). Staff previously advised the vesting tentative map was incomplete due to lacking a letter from the neighboring property (APN 167-60—MULT) agreeing to vacating the easements. As Condition of Approval, evidence that an instrument has been recorded vacating the ingress/egress easement will be required prior to recordation of the Final Map.

4. **Signs**

No signs were proposed for the project. Any potential signage must comply with Chapter 14.68 (Signs on Private Property). The web link to the Sign Ordinance is provided below:

https://library.municode.com/ca/los_altos/codes/code_of_ordinances?nodeId=TTT14ZO_C14.68SIPRPR

5. **California Department of Transportation Standard Specifications and the American Public Works Association Standard Specifications for Public works for construction Section 21 (Street Trees)**

The furnishing and installation of street trees shall be in accordance with the plans and the specific standards of Section 21, Street Trees. The project plans are not consistent with Section 21, and the furnishing and installation of street trees shall be required as a Condition of Approval consistent with Section 21, Street Trees. The Section 21 standard is provided at the below link:

[https://www.losaltosca.gov/sites/default/files/fileattachments/Public%20Works/page/210/guidance technical specification - section 21.pdf](https://www.losaltosca.gov/sites/default/files/fileattachments/Public%20Works/page/210/guidance%20technical%20specification%20-%20section%2021.pdf)

6. **Public Infrastructure Repairs**

The public infrastructure shall be repaired consistent the specific standards of the Engineering Division if there are damaged to right-of-way infrastructures and otherwise displaced curb, gutter and/or sidewalks and City's storm drain inlet shall be removed and replaced as directed by the City Engineer or his designee

The infrastructure and sidewalk improvements shall be required as a Condition of Approval consistent with Engineering Standards in the attached surface improvement exhibit

<https://www.losaltosca.gov/publicworks/page/surface-improvements>

7. **Stormwater Management**

The applicant shall submit a complete Stormwater Management Plan (SWMP) and a hydrology calculation showing that 100% of the site is being treated; is in compliance with the Municipal Regional Stormwater NPDES Permit (MRP). The SWMP must be reviewed and approved by a City approved third party consultant and the City Engineer at the applicant's expense. The project plans and submittal are not consistent with the Municipal Regional Stormwater NPDES Permit (MRP), but a Condition of Approval shall be required to obtain a complete Stormwater Management Plan (SWMP) and a hydrology calculation showing that 100% of the site is being treated. The Stormwater Pollution Prevention measures (Chapter 10.16) are provided at the following web link:

[https://library.municode.com/ca/los altos/codes/code of ordinances?nodeId=TTT10PUSE CH10.16STPOPRME](https://library.municode.com/ca/los%20altos/codes/code%20of%20ordinances?nodeId=TTT10PUSE_CH10.16STPOPRME)

8. **Sidewalk Lights**

The new light fixture to be installed along El Camino Real in the vicinity of the existing bus stop shall be consistent with the Engineering Division Electrolier Specification (SL-1 and SL-2B). The project plans are not consistent with the City's Street Lighting requirements, but any sidewalk light improvements shall be required as a Condition of Approval consistent with the Street Lighting Standard Details provided at the below web link:

<https://www.losaltosca.gov/publicworks/page/street-lighting>

ADDITIONAL COMMENTS (Not Related to Completeness of the Application)

In order to enable staff to provide useful feedback, it is recommended that additional information beyond the minimum requirements is provided for review. The following items will not be used to determine completeness; however, these items are recommended in order to enhance staff's understanding of the project.

1. **Community Design Policy 1.7 addresses the enhancement of neighborhood character by promoting architectural design of and residential developments that is compatible in the context of surrounding neighborhoods.**

Community Design Policy 4.2 requires projects improve the visual character of El Camino Real commercial area by ensuring compatibility with residential neighborhoods to the south of the corridor.

CDHR 1: Community Identity and Character: Enhance the City's unique identity and character by:

- a. **Maintaining the low density, low profile residential character of the community through zoning regulations and design guidelines.**
- b. **Promoting site planning and project design with an emphasis on small town scale and pedestrian friendly development.**
- c. **Ensuring compatibility between residential and non-residential development through zoning regulations and design review.**

As currently designed, the project does not meet the goals, policies and objectives of the General Plan and the Zoning Code design criteria for the CT District:

- The project does not have architectural integrity and an appropriate relationship with other structures in the immediate area in terms of height, bulk and design. The project requires a mixture of scales in building design, it should relate to the human scale, both horizontally and vertically, and be compatible and reflect the scale of surrounding structures, including the neighborhoods to the south of the corridor. The project given its prominent location on a corner lot, the design should provide lower scale elements and create more of a pedestrian scale on both of its street facing frontages.
- The horizontal and vertical building mass is not sufficiently articulated to relate to the human scale; it has variation and depth of building elevations to avoid large blank walls; and the residential elements that signal habitation such as entrances, stairs, porches, bays and balconies. The proposed building's five stories and height is not compatible with the lower scale of immediately adjacent properties, and it needs to improve its transition with adjacent lower-scaled two and three-story structures.; and
- The landscaping is not generous and inviting, the landscape and hardscape complements the building and is well integrated with the building architecture and surrounding streetscape, and the landscape includes substantial street tree canopy.

ENVIRONMENTAL REVIEW


The City of Los Altos, as the Lead Agency, has prepared an Initial Study (IS) and Mitigated Negative Declaration (MND) for the 4350 El Camino Real project in compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines (California Code of Regulations §15000 et. seq.) and the regulations and policies of the City of Los Altos, California.

Date(s)	Required Actions
October 21, 2021 to December 5, 2021 (Tentative)	<p>AB52 Consultation: Tribal consultation under the provisions of the California Environmental Quality Act (CEQA) (Public Resources Code section 21080.3.1 subdivisions (b), (d) and (e)) for the mitigation of potential project impacts to tribal cultural resource for the above referenced project.</p> <p>A 30-day review period is proscribed by Public Resources Code section 21080.3.1, subd. (d), the tribal entity.</p>
December 5, 2021 to December 19, 2021	<p>Upon completion of AB52 Tribal Consultation, if these comments include substantial evidence that a potential environmental effect may occur despite the project revisions or mitigation measures included in the MND, the Lead Agency must either require further revisions to the project which would effectively avoid or mitigate that effect.</p>
To be Determined	<p>Notice of Intent to Adopt a Mitigated Negative Declaration to be mailed to required parties, noticed in a paper of general circulation, and posted at City Hall and the Santa Clara County Clerks Office, and any additional noticing will occur as required under Section 15072 of the California Environmental Quality Act.</p>
To Be Determined	<p>A 30-day public review and comment period for the Initial Study and Mitigated Negative Declaration, as required under Section 15.073 of the California Environmental Quality Act. During this period, the IS and MND will be available to local, state, and federal agencies and to interested organizations and individuals for review</p>

Date(s)	Required Actions
To Be Determined	<p>The City, as Lead Agency, will consider the comments it receives during the review period prior to adopting an MND.</p> <p>If these comments include substantial evidence that a potential environmental effect may occur despite the project revisions or mitigation measures included in the MND, the Lead Agency must either require further revisions to the project which would effectively avoid or mitigate that effect, or if that is not possible, prepare an EIR.</p>
To Be Determined	Planning Commission Meeting
To Be Determined	Planning Commission Meeting
To Be Determined	City Council Meeting

As the project planner assigned to this project, you may contact me directly at (650) 947-2641 or sgallegos@losaltosca.gov if you have any questions.

Sincerely,


 Sean K. Gallegos
 Associate Planner

Guido Persicone, AICP
 Planning Services Manager

Cc: Architect



**Community Development Department
One North San Antonio Road
Los Altos, California 94022**

September 23, 2021 (Revised October 27, 2021)

Gregory and Angela Galatolo
Via Email: agalatolo@apr.com
4350 El Camino Real
Los Altos, CA 94022

Subject: 4350 EL CAMINO REAL (Application No. 19-D-01, 19-UP-01 and 19-SD-01)

Dear Mr. and Mrs. Galatolo:

This letter is an updated response to the plans and documentation for the Commercial Design Review, Use Permit and Subdivision applications for a new multiple-family building at 4350 El Camino Real. Based on City staff review, the application has been deemed **complete** for processing pursuant to the Permit Streamlining Act (California Government Code section 65920). This letter is a list of the items that will need to be addressed or provided in order for the application to be deemed complete.

The text in **black** pertains to the incompleteness letter June 30, 2019, and the comments in **red** reflect the City's new comments related to the updated submittal materials dated August 21, 2020 and the traffic report dated July 9, 2020. The City's comments in **green** reflect the new comments related to the updated submittal materials dated October 12, 2020. The City's comments in **blue** reflect the new comments related to the updated submittal materials dated November 17, 2020 and November 24, 2020. The City's comments in **brown** reflect the new comments related to the updated submittal materials dated January 27, 2021. The City's comments in **pink** reflect the new comments related to the updated submittal materials dated May 17, 2021. The City's comments in **purple** reflect the new comments related to the updated submittal materials dated July 7, 2021. The City's comments in **orange** reflect the comments related to the updated submittal materials dated August 23, 2021.

In this letter, we have included comments from the Planning Division. Your timely response to these comments will help expedite your project's review. For questions regarding the following comments from the Planning Division, please contact Sean Gallegos, Associate Planner at 650-947-2641.

Per Zoning Code Section 14.78.050, all necessary plan revisions, documentation and information to address the comments in this letter must be submitted within **180 days** of the date of this letter in order to avoid this application from being deemed expired. This application will be deemed expired on March 16, 2021. If additional time is necessary to fully address the City's comments, you may submit a written request for an extension of up to an additional 180 days. The request should include justification for the extension and outline the circumstances that have caused a delay in the submittal of the required information.

Public Meeting Schedule

The dates for the required public meetings before the Planning Commission and the City Council have not yet been scheduled and are contingent upon the application being deemed complete and publication of the environmental initial study.

Compliance with City Ordinances, Policies, and Guidelines

This application has been reviewed for compliance with the following City documents. The remaining comments in this letter are based on the following:

- General Plan
- Other City Policies
- Zoning Ordinance
- Water Conservation in Landscaping Ordinance
- Multi Family Design Review Submittal Requirements
- Density Bonus Report Requirements
- Story Pole Requirements – New Development
- Construction Management Plan Submittal Requirements
- Public Art Impact Fee handout

Multi-Family Design Review

The comments from other City Departments are included as enclosures and the comments from the Planning Division are outlined in this letter. Consistent with 14.78.050 (Initial Application Review) of the Los Altos Municipal Code (LAMC), the following additional comments shall be addressed to comply with the Submittal requirements for Multi-Family Design Review and the Los Altos Municipal Code:

Planning Division (Sean K. Gallegos, 650-947-2641)

List of Incompleteness Items

Consistent with 14.78.050 (Initial Application Review) of the Los Altos Municipal Code (LAMC), the following additional comments shall be addressed to comply with the Submittal requirements for Multi-Family Design Review and the Los Altos Municipal Code:

1. Story Pole Exception - Incompleteness Items

As specified in the Zoning Code (Sec. 14.78.050), the following additional comments shall be addressed to comply with the Submittal requirements for Multi-Family Design Review. The story pole submittal must be revised to comply with the submittal requirements and City Council conditions of approval from the January 26, 2021 meeting. The City Council Direction conditions include the following:

The City Council Subcommittee shall work with applicant and staff on the following revisions to the story pole plan:

a. 3D Model

The pedestrian-level and flyover 3D digital models shall be revised to include more information, such as sidewalk widths, and the proposed development and adjacent buildings within the broader

streetscape area that represent the three-dimensional qualities of the proposed building within the existing context of the site's surroundings.

Response from the City: The City has not received a revised story pole submittal to address the comment. Therefore, the incompleteness issue has NOT been addressed by the applicant.

Response from the City: The City has not received a revised story pole submittal to address the incompleteness item. Therefore, the incompleteness issue has NOT been addressed by the applicant. The applicant's response letter received on July 7, 2021, states the City Council accepted the pedestrian-level and flyover 3D at its meeting on April 14, 2020. However, the minutes of the regular meeting of the City Council on Tuesday, January 26, 2021, states that "Council Member Lee Eng and Vice Mayor Enander shall work with the applicant and staff with the goal to make several changes to the plan by improving the flyover and street level/pedestrian video." The attached minutes indicate the City Council has not accepted the 3D models, and staff must again request the applicant work with Council Members Lee Eng and Vice Mayor Enander and staff to update the pedestrian-level and flyover 3D models. We must request the applicant provide confirmation the Council subcommittee has agreed to the proposed revisions to the 3-D digital model.

Response from the City regarding the submittal materials dated August 23, 2021: The previous incompleteness item has been resolved by the applicant. The item is now complete.

b. Public Notice Billboard No. 1 - Photorealistic Rendering

The public notice billboard No. 1 text shall be replaced with a photorealistic rendering, based on input from the Peninsula Real Homeowner's Association.

Response from the City: The City has not received a revised story pole submittal to address the comment. Therefore, the incompleteness issue has NOT been addressed by the applicant. For further clarification, the photorealistic rendering should be consistent with the [perspective on Sheet A3.0a of the project plans dated November 17, 2020](#). The following text required from the [Public Notice Sign Requirements for New Commercial Multi-Family and Mixed-Use Projects Handout](#) shall be located along the top of the billboard:

- 4350 El Camino Real

The following text shall be added at the bottom quarter (or less) of the billboard:

- Project Description: The proposed design for 4350 El Camino Real provides 40 new market rate condominium residences, and 7 affordable residences.
- Applicant/owner name, applicant/owner phone number and applicant/owner email address
- Project planner name, project planner phone number and project planner email address.

Response from the City: The City has not received a revised story pole submittal that addresses the incompleteness item from the letter dated June 26, 2021. For further clarification, the incompleteness letter dated June 26, 2021 required the photorealistic rendering be consistent with the [perspective on Sheet A3.0a of the project plans dated November 17, 2020](#). In the resubmittal, the billboard No. 1 includes three perspectives with the required text, including the perspective on Sheet A3.0a. However, the incompleteness letter requested that billboard No. 1 shall have a (one) photorealistic rendering, which shall be consistent with [perspective on Sheet A3.0a of the project plans dated November 17, 2020](#) with the required text.

Therefore, the applicant has not addressed the incompleteness issue. We must request the billboard be revised consistent with the incompleteness letter dated June 26, 2021. As stated in the incompleteness letter dated June 26, 2021, and the City Council minutes of January 26, 2021, the applicant was required to work with the Council subcommittee, comprised of Council Member Lee Eng and Enander related to the billboard. We must request the applicant provide confirmation the Council subcommittee has agreed to the proposed revisions to the story pole plan.

Staff does acknowledge the billboard provides the correct text on the billboard, and no further action is required for the billboard text.

Response from the City regarding the submittal materials dated August 23, 2021: The previous incompleteness item has been resolved by the applicant. The item is now complete.

c. Public Notice Billboard No. 1 - Location

The public notice billboard No. 1 shall be relocated to be closer and better angled to the sidewalk to improve its visibility for pedestrians, with consideration of safety concerns.

Response from the City: The incompleteness issue has NOT been addressed by the applicant.

Response from the City: The City has not received a revised story pole submittal to address the comment. Therefore, the incompleteness issue has NOT been addressed by the applicant. For further clarification, billboard No. 1 shall be located along the eastern edge of the gas station (the one abutting PRLA), and it should be closer and better angled to the sidewalk to improve its visibility for pedestrians, with consideration of safety concerns.

Response from the City: As advised in the previous incompleteness letter dated June 16, 2021, billboard No. 1 was to be revised to improve its visibility for pedestrian, with considerations for safety. In the City Council minutes of January 26, 2021, the applicant was to discuss the billboard's location with the adjacent Homeowners Association and look at the repositioning of billboard No. 1 to be more proximate and visible from the sidewalk, with due respect for safety concerns and as determined and discussed with the staff and applicant. In your response, you indicate the location of billboard No. 1 was adjusted to 1) provide the greatest visibility from the street and sidewalk; 2) recognize the safety concerns of both adjacent driveways; and allow for staff approval of the actual location prior to installation. In the resubmittal received by the City on July 7, 2021, the billboard plan continues to show billboard No. 1 in the same location as considered by the City Council on January 26, 2021.

In reviewing the Council direction from the January 26, 2021, you were directed to discuss the billboard's location with the HOA. In the resubmittal, staff did not receive documentation to confirm compliance with the incompleteness item, including proof of discussions with the HOA. However, staff separately has an email between an HOA representative, Eric Steinle and the applicant, Angie Galatalo. In the email, Mr. Steinle requested the following related to sign No. 1: the location shall be along "the eastern edge of the gas station (the one abutting PRLA) should have no text at all, and it should have a large picture showing what the building is expected to look like." In reviewing the billboard No. 1 location in the story pole plan, staff confirms the billboard is located along the eastern property line consistent with the direction from the HOA. Therefore, the applicant has resolved the incompleteness item related to the location of billboard No. 1, and no further action is required for the billboard text. As stated in your response to the City's incompleteness letter, staff will approve the actual location prior to installation.

Response from the City regarding the submittal materials dated August 23, 2021: The previous incompleteness item has been resolved by the applicant. The item is now complete.

ADDITIONAL COMMENTS

Environmental Review

The City of Los Altos, as the Lead Agency, has prepared an Initial Study (IS) and Mitigated Negative Declaration (MND) for the 4350 El Camino Real project in compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines (California Code of Regulations §15000 et. seq.) and the regulations and policies of the City of Los Altos, California.

Timeline, Process and Resubmittal

Based on City staff review, the Commercial Design Review, Use Permit and Subdivision applications for a new multiple-family building at 4350 El Camino Real is deemed **complete** for processing pursuant to the Permit Streamlining Act (California Government Code section 65920).

Based on the determination of completeness, staff can provide the following preliminary and tentative schedule for the project:

Date(s)	Required Actions
September 28, 2021 to November 5, 2021 (Tentative)	<p>AB52 Consultation: Tribal consultation under the provisions of the California Environmental Quality Act (CEQA) (Public Resources Code section 21080.3.1 subdivisions (b), (d) and (e)) for the mitigation of potential project impacts to tribal cultural resource for the above referenced project.</p> <p>A 30-day review period is proscribed by Public Resources Code section 21080.3.1, subd. (d), the tribal entity.</p>
November 5, 2021 to November 19, 2021	<p>Upon completion of AB52 Tribal Consultation, if these comments include substantial evidence that a potential environmental effect may occur despite the project revisions or mitigation measures included in the MND, the Lead Agency must either require further revisions to the project which would effectively avoid or mitigate that effect.</p>
To be Determined	<p>Notice of Intent to Adopt a Mitigated Negative Declaration to be mailed to required parties, noticed in a paper of general circulation, and posted at City Hall and the Santa Clara County Clerks Office, and any additional noticing will occur as required under Section 15072 of the California Environmental Quality Act.</p>
To Be Determined	<p>A 30-day public review and comment period for the Initial Study and Mitigated Negative Declaration, as</p>

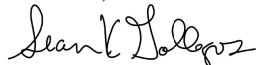
Date(s)	Required Actions
	required under Section 15.073 of the California Environmental Quality Act. During this period, the IS and MND will be available to local, state, and federal agencies and to interested organizations and individuals for review
To Be Determined	<p>The City, as Lead Agency, will consider the comments it receives during the review period prior to adopting an MND.</p> <p>If these comments include substantial evidence that a potential environmental effect may occur despite the project revisions or mitigation measures included in the MND, the Lead Agency must either require further revisions to the project which would effectively avoid or mitigate that effect, or if that is not possible, prepare an EIR.</p>
To Be Determined	Planning Commission Meeting
To Be Determined	Planning Commission Meeting
To Be Determined	City Council Meeting

In order to maintain the potential hearing dates, the following shall be submitted:


- 12 half-sized plan sets; and
- One digital version of plan set;

If you have any questions, please do not hesitate to contact me at (650) 947-2641 or by email at sgallegos@losaltosca.gov.

Sincerely,



Sean K. Gallegos
 Associate Planner



Guido Persicone, AICP
 Planning Services Manager

Cc: Architect







19-D-01 19-UP-01 and 19-SD-01 - 4350 ECR - Completeness Letter_revised 10.27.21

Final Audit Report

2021-10-27

Created:	2021-10-27
By:	Sean Gallegos (sgallegos@losaltosca.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAACIBNRlyDyLvSnObRWcy2wyVTaHS85MNF

"19-D-01 19-UP-01 and 19-SD-01 - 4350 ECR - Completeness Letter_revised 10.27.21" History

-  Document created by Sean Gallegos (sgallegos@losaltosca.gov)
2021-10-27 - 7:16:34 PM GMT- IP address: 73.71.169.206
-  Document e-signed by Sean Gallegos (sgallegos@losaltosca.gov)
Signature Date: 2021-10-27 - 7:17:15 PM GMT - Time Source: server- IP address: 73.71.169.206
-  Document emailed to Guido Persicone (gpersicone@losaltosca.gov) for signature
2021-10-27 - 7:17:19 PM GMT
-  Email viewed by Guido Persicone (gpersicone@losaltosca.gov)
2021-10-27 - 9:33:38 PM GMT- IP address: 207.140.44.2
-  Document e-signed by Guido Persicone (gpersicone@losaltosca.gov)
Signature Date: 2021-10-27 - 9:33:49 PM GMT - Time Source: server- IP address: 207.140.44.2
-  Agreement completed.
2021-10-27 - 9:33:49 PM GMT



SANTA CLARA COUNTY FIRE DEPARTMENT

14700 Winchester Blvd., Los Gatos, CA 95032 | (408) 378-4010 | www.sccfd.org

PLAN REVIEW No. **21 2452**

BLDG PERMIT No.

DEVELOPMENTAL REVIEW COMMENTS

Plans and Scope of Review:

This project shall comply with the following:

The California Fire (CFC) & Building (CBC) Code, 2016 edition, as adopted by the City of Los Altos Municipal Code (LAMC), California Code of Regulations (CCR) and Health & Safety Code.

The scope of this project includes the following:

Proposed new 105,660 SF five-story, 47-unit condominium development with two levels of underground parking.

Plan Status:

Plans are **APPROVED** with the following conditions. (Rev. 06/09/21 KB)

Plan Review Comments:

1. Review of this Developmental proposal is limited to acceptability of site access, water supply and may include specific additional requirements as they pertain to fire department operations, and shall not be construed as a substitute for formal plan review to determine compliance with adopted model codes. Prior to performing any work, the applicant shall make application to, and receive from, the Building Department all applicable construction permits.

2. **Fire Sprinklers Required:** (As noted on Sheet A0.0.1) Approved automatic sprinkler systems in new and existing buildings and structures shall be provided in the locations described in this Section or in Sections 903.2.1 through 903.2.18 whichever is the more restrictive. For the purposes of this section, firewalls used to separate building areas shall be constructed in accordance with the California Building Code and shall be without openings or penetrations. NOTE: The owner(s), occupant(s) and any contractor(s) or subcontractor(s) are responsible for consulting with the water purveyor of record in order to determine if any modification or upgrade of the existing water service is required. A State of California licensed (C-16) Fire Protection Contractor shall submit plans, calculations, a completed permit application and appropriate fees to this department for review and approval prior to beginning their work. CFC Sec. 903.2 as adopted and amended by LOSPMC.

City	PLANS	SPECS	NEW	RMDL	AS	OCCUPANCY	CONST. TYPE	ApplicantName	DATE	PAGE	
LOS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	R-2/S-2	IIIA/IA	Gregory & Angela Galatolo	06/08/2021	1 of 4	
SEC/FLOOR	AREA	LOAD	PROJECT DESCRIPTION				PROJECT TYPE OR SYSTEM				
5+2UG	105,660		Commercial Development				Design Review				
NAME OF PROJECT						LOCATION					
MULTI-FAMILY DWELLING						4350 El Camino Real Los Altos					
TABULAR FIRE FLOW			REDUCTION FOR FIRE SPRINKLERS			REQUIRED FIRE FLOW @ 20 PSI		BY			
4750			75%			1500		Baker, Kathy			



SANTA CLARA COUNTY FIRE DEPARTMENT

14700 Winchester Blvd., Los Gatos, CA 95032 | (408) 378-4010 | www.sccfd.org

PLAN REVIEW No. **21 2452**

BLDG PERMIT No.

DEVELOPMENTAL REVIEW COMMENTS

3. Water Supply Requirements: *(As noted on Sheet C4.0)* Potable water supplies shall be protected from contamination caused by fire protection water supplies. It is the responsibility of the applicant and any contractors and subcontractors to contact the water purveyor supplying the site of such project, and to comply with the requirements of that purveyor. Such requirements shall be incorporated into the design of any water-based fire protection systems, and/or fire suppression water supply systems or storage containers that may be physically connected in any manner to an appliance capable of causing contamination of the potable water supply of the purveyor of record. Final approval of the system(s) under consideration will not be granted by this office until compliance with the requirements of the water purveyor of record are documented by that purveyor as having been met by the applicant(s). 2019 CFC Sec. 903.3.5 and Health and Safety Code 13114.7.

4. Standpipes Required: *(As noted on Sheet A0.0.1)* Standpipe systems shall be provided in new buildings and structures in accordance with this section. Fire hose threads used in connection with standpipe systems shall be approved and shall be compatible with fire department hose threads. The location of fire department hose connections shall be approved. Standpipes shall be manual wet type. In buildings used for high-piled combustible storage, fire hose protection shall be in accordance with Chapter 32. Installation standard. Standpipe systems shall be installed in accordance with this section and NFPA 14 as amended in Chapter 47. CFC Sec. 905.

5. Public/Private Fire Hydrant(s) Required: *(As noted on Sheet C4.0)* Provide public fire hydrant (s) at location(s) to be determined jointly by the Fire Department and San Jose Water Company. Maximum hydrant spacing shall be 500 feet, with a minimum single hydrant flow of 1,500 GPM at 20 psi, residual. Fire hydrants shall be provided along required fire apparatus access roads and adjacent public streets. CFC Sec. 507, and Appendix B and associated Tables, and Appendix C.

6. Emergency responder radio coverage in new buildings: *(As noted on Sheet A0.0.1)* All new buildings shall have approved radio coverage for emergency responders within the building based upon the existing coverage levels of the public safety communication systems of the jurisdiction at the exterior of the building. This section shall not require improvement of the existing public safety communication systems.

7. Two-way communication system: *(As noted on Sheet A0.0.1)* Two-way communication systems shall be designed and installed in accordance with NFPA 72 (2016 edition), the California Electrical Code (2013 edition), the California Fire Code (2016 edition), the California Building Code (2016 edition), and the city ordinances where two way system is being installed, policies, and

City	PLANS	SPECS	NEW	RMDL	AS	OCCUPANCY	CONST. TYPE	ApplicantName	DATE	PAGE
LOS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	R-2/S-2	IIIA/IA	Gregory & Angela Galatolo	06/08/2021	2 of 4
SEC/FLOOR	AREA	LOAD	PROJECT DESCRIPTION				PROJECT TYPE OR SYSTEM			
5+2UG	105,660		Commercial Development				Design Review			
NAME OF PROJECT						LOCATION				
MULTI-FAMILY DWELLING						4350 El Camino Real Los Altos				
TABULAR FIRE FLOW			REDUCTION FOR FIRE SPRINKLERS		REQUIRED FIRE FLOW @ 20 PSI		BY			
4750			75%		1500		Baker, Kathy			



SANTA CLARA COUNTY FIRE DEPARTMENT

14700 Winchester Blvd., Los Gatos, CA 95032 | (408) 378-4010 | www.sccfd.org

PLAN REVIEW No. **21 2452**

BLDG PERMIT No.

DEVELOPMENTAL REVIEW COMMENTS

standards. Other standards also contain design/installation criteria for specific life safety related equipment. These other standards are referred to in NFPA 72.

8. Fire Alarm System Requirement: *(As noted on Sheet A0.0.1)* The building shall be provided with a fire alarm system in accordance with CFC #907.2.9.

9. Required Aerial Access: *(As noted on Sheet A8.0)* Where required: Buildings or portions of buildings or facilities exceeding 30 feet (9144 mm) in height above the lowest level of fire department vehicle access shall be provided with approved fire apparatus access roads capable of accommodating fire department aerial apparatus. Overhead utility and power lines shall not be located within the aerial fire apparatus access roadway. 2. Width: Fire apparatus access roads shall have a minimum unobstructed width of 26 feet (7925) in the immediate vicinity of any building or portion of building more than 30 feet (9144 mm) in height. 3. Proximity to building: At least one of the required access routes meeting this condition shall be located within a minimum of 15 feet (4572) and a maximum of 30 feet (9144mm) from the building, and shall be positioned parallel to one entire side of the building, as approved by the fire code official. CFC Chp. 5 and SCCFD SD&S A-1. *Fire Lane shall be provided along the full length of the Los Altos Avenue side of the structure.*

10. Fire Lanes Required: *(As noted on Sheet C2.0)* Required fire apparatus access roads to include areas required for aerial apparatus access, *shall be designated and marked as a fire lane* as set forth in Section 22500.1 of the California Vehicle Code.

11. Required Fire Dept. Access: *(As shown on Sheet C4.0)* Commercial and Industrial Developments 1. **Buildings exceeding three stories or 30 feet in height.** Buildings or facilities exceeding 30 feet (9144 mm) or three stories in height shall have a least two means of fire apparatus access for each structure. 2. Buildings exceeding 62,000 square feet in area. Buildings or facilities having a gross building area of more than 62,000 square feet (5760 mm) shall be provided with two separate and approved fire apparatus access roads. Exception: Projects having a gross building area of up to 124,000 square feet (11520 mm) that have a single approved fire apparatus access road when all buildings are equipped throughout with approved automatic sprinkler systems. CFC Sec.903 as adopted and amended by LOSMC.

12. Fire Department Connections: *(As noted on Sheet C4.0)* Fire department connections shall be located within 10' of the main PIV and 100' of a public hydrant and with respect to hydrants, driveways, buildings and landscaping, shall be so located that fire apparatus and hose connected to supply the system will not obstruct access to the buildings for other fire apparatus. They shall be in a

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visible location on the street address side of the building and be immediately accessible and without obstructions at all times. A working space of not less than 36 inches, both in width and depth and 78 inches in height shall be provided and maintained. Physical protection in accordance with Section 312 shall be provided if subject to impact by a motor vehicle. Signs shall be provided and mounted on the FDC and shall indicate the location and connection they are serving. [CFC Section 912] [SCCFD SP-2 and W-3].

13. Construction Site Fire Safety: All construction sites must comply with applicable provisions of the CFC Chapter 33 and our Standard Detail and Specification SI-7. Provide appropriate notations on subsequent plan submittals, as appropriate to the project. CFC Chp. 33

14. Address identification: New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall be a minimum of 4 inches (101.6 mm) high with a minimum stroke width of 0.5 inch (12.7 mm). Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure. CFC Sec. 505.1

This review shall not be construed to be an approval of a violation of the provisions of the California Fire Code or of other laws or regulations of the jurisdiction. A permit presuming to give authority to violate or cancel the provisions of the Fire Code or other such laws or regulations shall not be valid. Any addition to or alteration of approved construction documents shall be approved in advance. [CFC, Ch.1, 105.3.6]

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Serving Santa Clara County and the communities of Campbell, Cupertino, Los Altos, Los Altos Hills, Los Gatos, Monte Sereno, and Saratoga.

MINUTES OF A REGULAR MEETING OF THE PLANNING COMMISSION OF THE CITY OF LOS ALTOS, HELD ON THURSDAY, APRIL 7, 2022 BEGINNING AT 7:00 P.M. HELD VIA VIDEO/TELECONFERENCE PER EXECUTIVE ORDER N-29-20

Per California Executive Order N-29-20, the Commission will meet via teleconference only. Members of the Public may call (650) 419-1505 to participate in the conference call (Meeting ID: 147 620 2356 or via the web at <https://tinyurl.com/s3uyy4v7>) Members of the Public may only comment during times allotted for public comments. Public testimony will be taken at the direction of the Chair and members of the public may only comment during times allotted for public comments. Members of the public are also encouraged to submit written testimony prior to the meeting at PCpubliccomment@losaltosca.gov. Emails received prior to the meeting will be included in the public record.

ESTABLISH QUORUM

PRESENT: Chair Doran and Vice-Chair Mensinger, Commissioners Ahi, Roche, Bodner

ABSENT: Commissioners Marek and Steinle

STAFF: Interim Planning Services Manager Golden, Contract Planner Hayagreev, and Deputy City Attorney Ramakrishnan

PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

Peter Mills of Solana Drive provided SB9 Objective Standards comments and stated his concern about narrow streets and access. He invited the commissioners to walk his street with him to show his concerns.

ITEMS FOR CONSIDERATION/ACTION

CONSENT CALENDAR

1. **Planning Commission Minutes**

Approve minutes of the Study Session and Regular Meeting of March 17, 2022.

Action: Upon motion by Commissioner Bodner, seconded by Commissioner Ahi, the Commission recommended approval of the minutes from the March 17, 2022 Study Session and Regular Meeting with a correction by Commissioner Bodner that she joined before the first item of the Regular Meeting. The motion was approved (5-0) by the following vote:

AYES: Chair Doran and Vice-Chair Mensinger, Commissioners Ahi, Bodner and Roche,

NOES:

ABSENT: Steinle, Marek

PUBLIC HEARING

2. **19-D-01, 19-UP-01 and 19-SD-01 – Gregory and Angela Galatolo – 4350 El Camino Real**
Multiple-Family Design Review, Conditional Use Permit and Tentative Subdivision map for a new multiple-family development with a five-story building with 47 condominium units

along El Camino Real with two levels of underground parking. The proposal includes seven affordable units with four moderate-income units and three very-low-income units, and a density bonus with development incentives to allow for increased building height and a reduced parking aisle width. A Mitigated Negative Declaration with Mitigation Monitoring and Reporting Program in compliance with the California Environmental Quality Act (CEQA) will be considered. *Project Planner: Hayagreev* THIS ITEM WAS RECOMMENDED TO BE CONTINUED FROM THE MARCH 17, 2022 PLANNING COMMISSION MEETING.

Chair Doran noted that Commissioner Steinle had to recuse himself because he has a conflict of interest because he lives within 500 feet of the project at 4350 El Camino Real.

STAFF PRESENTATION

Contract Planner Hayagreev presented the staff report recommending Planning Commission denial to the City Council of Multiple-Family Design Review, Conditional Use Permit, Vesting Tentative Map, Density Bonus and Development incentives Applications for 19-D-01, 19-UP-01 and 19-SD-01 for 4350 El Camino Real per the findings and conditions contained in the resolution and gave a brief overview.

Deputy City Attorney Ramakrishnan said that the Planning Commission should not deliberate over the conformance of story pole installation.

COMMISSION QUESTIONS OF STAFF

Commissioner Bodner asked about the density bonuses of other projects that were approved along El Camino Real.

Interim Planning Services Manager Golden said that is some research that staff could do and bring back to the Commission.

Deputy City Attorney Ramakrishnan said the maximum density bonus was 35% under state law and above that is discretionary unless you are 100% affordable. The project would have to conform to the objective standards in order to get the protection of the Housing and Accountability Act if they were resubmit under SB330.

APPLICANT PRESENTATION

Applicant Angie Galatolo introduced the project and provided a presentation.

Project Architect Michael Rizza provided a project presentation and went over the project details.

COMMISSION QUESTIONS OF APPLICANT

Commissioner Ahi

- What is the color supposed to be on the equitone stone siding on the entryway?
 - Answer Michael Rizza: Gray colored stone.
- Garage ramp with two doors, one doesn't seem wide enough, and why is one pushed back and not one opening?
 - Answer Michael Rizza: They are on two different planes, one is 10 feet wide and the other is 8.5 feet.
 - Answer Michael Rizza and Alex Seidel: It has an adequately sized width for one-way traffic but could be looked at and adjusted if needed.

- Why do the bedrooms face the neighboring complex, questioned the windows in the closets of the bedroom and if there are egress windows?
 - Alex Seidel Answer: This is a five-story building that is Type III construction and does not need egress windows.
 - Alex Seidel Answer: There are recessed windows against Peninsula Real.
 - Alex Seidel Answer: He will look into the “closet” window and can adjust it as needed.

Vice-Chair Mensinger

- What other El Camino Real projects is the density bonus of 86% consistent with?
 - Answer Project applicant Angie Galatolo: The density bonus she is asking for is comparable to the 4898 and 4656 El Camino Real projects that were approved.
- Are you open to change in distribution of the Below Market Rate (BMR) units?
 - Answer Angie Galatolo: Have discussed with staff in the past. The fifth floor pays for the construction of the extra three BMR units they are providing but would explore.
- Surprised the project is not meeting the objective standards after staff conveyed the inconsistencies.
 - Answer Angie Galatolo: We had to keep the inconsistencies to make the project viable for construction given the current economics.

Deputy City Attorney Ramakrishnan stated standard means any standard, including density that is quantifiable and objective.

Chair Doran

- Where will the mechanical HVAC systems be located?
 - Answer Alex Seidel: Split system HVAC and condensers are located on the rooftop.
- Is the risk safety net the fifth floor of market rate units?
 - Answer Angie Galatolo: That is correct.

Commissioner Bodner

- Density bonus questions on this project vs. past projects?
 - Answer Deputy City Attorney Ramakrishnan: Do not know what was done two years ago, but the density standard has been the same and the State density bonus has increased. Also, the type of BMR unit distribution for this project does not meet the current inclusionary standards of density bonus law for affordable housing.

Commissioners Bodner and Ahi note their confusion with the density bonuses previously approved for projects and this one.

Deputy City Attorney Ramakrishnan stated this is a discretionary bonus.

Vice-Chair Mensinger asked a clarification question on how to calculate the density bonus being allowed. Is it based on the number of units provided, not on the square footage of those units?

Deputy City Attorney Ramakrishnan stated the density bonus is based on units and not square footage and separate from that is the City’s inclusionary ordinance standards.

Interim Planning Services Manger Golden commented on the previous project approved on El Camino Real and stated that mix of types of BMR units and categories were different compared to

4350 El Camino Real. The City accepted a higher number of low- and very-low-income units over moderate-income for those projects. This project proposes four moderate income units and three low-income units.

PUBLIC COMMENT

Resident Terri Couture gave her support for the project and the additional housing along El Camino Real.

Resident Diana Leung from 4388 El Camino Real stated there is lots of development in the area; traffic light timing is getting longer with so many residential units being added; it is hard to find parking especially on trash collection day; is concerned about the loss of the gas station; the removal of the gas station and its hazardous chemicals; the extra noise and pollution from construction; and about setbacks due to loss of fresh air, natural light and privacy that will be impacted.

Resident Don Gardner stated concern with the five-story tall building being put in front of a three-story building, the privacy impacts, and the developer maximizing profit with a five-story building when it should only be three-stories.

Resident Anne Paulson stated that the applicant should follow the rules about the number/type of the affordable BMR units and distribution of them as the other previously approved projects, and if they do, give the density bonus to them.

Resident Cindy of 4388 El Camino Real and Los Altos High student stated concerns about the environment and impacts to the surrounding residents, general pollution (wildlife, noise, light, etc.), from the project as well as CO2 emissions from construction.

APPLICANT REBUTTAL

Project Applicant Angie Galatolo stated that the gas station has pollution if it remains, the site would be remediated after removal of the gas station and environmental issues removed, and the land value will increase with this project.

THE PUBLIC COMMENT CLOSED.

COMMISSION DISCUSSION

Commissioner Roche

- Could benefit from a comparison of data for BMR and density approvals granted on other projects.
- Concerned about the height, size and bulk of the building, and the lack of human scale.
- Concerned about parking and that there is no guest parking being provided.
- Concerned about the type, size, and distribution of the BMR units in the building.

Vice-Chair Mensinger

- Appreciates staff's recommendation and staff report.
- Cannot support project as presented.
- The project should have a different distribution of BMR housing units that meet our standards.

Commissioner Bodner

- Should apply our standards equitably to different projects for consistency.
- Conflicted about how to review this project and staff's recommendation that seems inconsistent.
- Need to have more discussion about the design of the project.
- Concerned about the mix of density and distribution of the affordable BMR units.

Chair Doran

- Concerned that the economics of the project is the reason why the fifth floor is needed, and the expensive units are exclusively on the top floor and the affordable BMR units on the lower floors.
- Should revisit and look at the distribution of BMR affordable housing units.
- Relook at visitor parking.
- Suggested moving the project forward and conditioning the project for approval.

Commissioner Ahi

- Ok with the density bonus request.
- Height and access concessions are fine.
- Get advice on the unit distribution of BMR housing from industry experts.
- Architecture
 - The corner condition is not designed in an effective way.
 - Entryway should have more distinguishable features such as awnings over the lobby, a building number and more visible lobby.
 - More landscaping needed in the front.
 - The dark gray and the size of the pattern of the siding makes it look too heavy. Use larger panels or a lighter color for that portion of the building.
 - Driveway should be modified to have one single entry.
 - Does not endorse the glass railings.
 - Concerned about the areas facing the neighboring buildings on page A3.2 of the plan because of the dark and heavy materials. Need to break the material up and reduce the verticality.
 - Could condition the project and move it forward as they have in the past.

Interim Planning Services Manager Golden and Deputy City Attorney Ramakrishnan clarified the actions needed for this project at tonight's meeting.

Commissioner Bodner asked about the specific design recommendations by staff in the report.

Contract Planner Hayagreev responded, explained the recommendations in the staff report, and pointed out the design findings that need to be made for the project.

Project applicant Angela Galatolo said she is willing to look at the design issues and the BMR unit distribution and make revisions.

Commissioner Ahi stated concern about moving this project forward with so many of the elements needing change.

Vice-Chair Mensinger said she would prefer the project return to the Planning Commission.

Commissioner Bodner said she would prefer the project return to the Planning Commission, staff should have housing experts weigh in with the correct mix of affordable housing units, and change some of the design elements of the project.

Commissioner Roche said he prefers that the project return to the Planning Commission.

Chair Doran said she preferred to continue the project.

Action: Upon a motion by Commissioner Doran, seconded by Commissioner Bodner the Commission recommends continuance of Multiple-Family Design Review, Conditional Use Permit, Vesting Tentative Map, Density Bonus and Development incentives Applications 19-D-01, 19-UP-01 and 19-SD-01 for 4350 El Camino Real with the following direction:

- Address the design comments on pages 13-17 of the staff report; and
- Revise the size, mix, and distribution of the BMR units, including getting advice from a housing expert.

The motion was approved (5-0) by the following vote:

AYES: Chair Doran Vice-Chair Mensinger, Commissioners Ahi, Bodner and Roche

NOES: None

RECUSAL: Steinle

ABSENT: Marek

COMMISSIONERS' REPORTS AND COMMENTS

None.

POTENTIAL FUTURE AGENDA ITEMS

Chair Doran, Commissioners Roche and Ahi asked to put the Joint Commission subcommittees for SB9 on a future agenda for discussion.

Interim Planning Services Manager Golden gave an overview of future agenda items.

Staff is looking at mechanical parking lifts in late spring/early summer for field visits with the Commission.

Chair Doran asked to have a discussion on the application of modular construction for mid-rise and high-rise buildings and the design elements.

ADJOURNMENT

Chair Doran adjourned the meeting at 9:08 PM.

Steve Golden
Interim Planning Services Manager