



DATE: AUGUST 18, 2022

Agenda Item # 2

AGENDA REPORT SUMMARY

Meeting Date: August 18, 2022

Subject: 330 Distel Circle - Planning Commission / Complete Streets Commission Joint Public Hearing

Prepared by: Radha Hayagreev, Consulting Senior Planner

Reviewed by: Steve Golden, Interim Planning Services Manager
Nick Zornes, Community Development Director
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Initiated by: Welton Jordan, EAH Housing

RECOMMENDATION

Recommend to the City Council approval of Multiple-Family Design Review (application D22-0002) and Conditional Use Permit (application CUP22-0001) with a Density Bonus and Development Incentives and Development Waivers for a 90-unit residential development at 330 Distel Circle per the findings and conditions contained in the resolution.

Recommend the City Council consider the Project categorically exempt from environmental review pursuant to Section 15332 (Class 32), Infill Exemption of the California Environmental Quality Act (CEQA) Guidelines.

ATTACHMENTS

- A. Draft Resolution with Findings, 2022-XX and Conditions of Approval
 - B. Notice of Exemption memo pursuant to CEQA requirements
Exhibit B1 including Appendices and Figures supporting Notice of Exemption
 - C. Story Pole Exemption plans and notice boards.
 - D. Revised Density Bonus Report
 - D1. Memorandum for Project Consistency with Density Bonus Provisions.
 - E. Public Notification Map
 - F. Public Correspondences
 - G. Objective Design Control standards conformance matrix.
 - H. Arborist Report
 - I. January 11, 2022, Joint Study Session Minutes and Comment Response Letter
 - J. Trash Management Plan
 - K. Project Description and Proposal Statement
 - L. Fire Department Comment Letter
 - M. Architectural Plan Set
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ENVIRONMENTAL REVIEW

To conform with the California Environmental Quality Act (CEQA) requirements, the City of Los Altos has made findings that the proposed project on 330 Distel Circle is categorically exempt from environmental review pursuant to Section 15332 (Class 32), Infill Exemption of the California Environmental Quality Act (CEQA) Guidelines and that the proposed project will not have a significant effect on the environment.

The development proposal is consistent with the General Plan and Zoning Ordinance, as set forth in this staff report; does not result in any significant effects related to traffic, noise, air or water quality; is adequately served by all required utilities and public services; and none of the exceptions stated in CEQA Guidelines Section 15300.2 to applicability of the exemption applies. A Notice of Exemption (NOE) has been prepared, as referenced in Attachment B. Exhibit B1 has the technical analyses and reports to support the Notice of Exemption.

PROJECT DESCRIPTION

The project site (APN 170-04-051) is approximately 0.87-acres located at 330 Distel Circle at the western area of Distel Circle. The project site is designated Thoroughfare Commercial (TC) in the General Plan and zoned Commercial Thoroughfare (CT). The site is currently developed with an approximately 12,120 square foot, single-story office building with perimeter landscaping including twenty-seven trees, and surface parking. The project would demolish the existing office building, remove nineteen trees that would be impacted by the new development and preserve the remaining eight trees, and remove of the surface parking lot to construct a new building and associated improvements.

The proposed project (Project) includes a five-story apartment building with 90 rental units, all of which are proposed to be affordable (100 percent affordable project). The first/ground floor is comprised of only common building amenities with no residential units and will be mass timber construction. Parking will be provided at the ground-level in a podium parking garage containing a total of 90 vehicle parking spaces that includes eight at grade parking spaces and 82 parking spaces on a mechanical parking lift system. The ground floor also contains a common amenity space, tenant administrative offices, tenant coworking space, trash collection and sorting room, a bike locker room for 45 bicycles, and other common amenities. The upper floors constructed on top of the mass timber system will be constructed using a modular unit system that are manufactured off-site and assembled on-site.

The second floor has a 5,530 square-foot common open space courtyard. The upper four floors consist of a total of ninety (90) residential units. The unit distribution is twenty-four (24) studio units,



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twenty (20) one-bedroom units, twenty-three (23) two-bedroom units, and twenty-three (23) three-bedroom units. A complete set of design plans including site and landscape plans, architectural plans, and engineering plans are included in Attachment M. An arborist report (Attachment H) includes a detailed assessment of the trees and describes the disposition of tree preservation or removal and tree preservation guidelines for the eight trees which are proposed to be preserved on site.

The following table summarizes the project’s technical details and comparison to objective development standards.

Table 1 Development Standards

	Standard (in CT zone)	Proposed	Complies	Notes
General Plan	Thoroughfare Commercial (TC)	Residential	Yes.	Per Table LU-1 of the General Plan, the TC land use designation can accommodate mixed-use projects and affordable residential projects.
Zoning	Commercial Thoroughfare (CT)	Residential	Yes	Per LAMC 14.50.040 K. Multiple-family housing requires a Conditional Use Permit
Density	38 du/acre	104 du/acre	Yes, when the density bonus to which the project is entitled is applied.	<u>LAMC – 14.28.040</u>
Lot Size	38,050 sq. Ft. (0.87 acres)			
Units	31	90	Yes, project site is within one-half mile	Applying Density bonus provisions. Pursuant to Gov.



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	Standard (in CT zone)	Proposed	Complies	Notes
			of a major transit stop.	Code, § 65915, subd. (f)(3)(D)(ii)
Site Area	Min 20,000 sq. Ft. Frontage 75ft.	38,050 sq. Ft and 222'-6"	Yes	<u>Per LAMC 14.50.070</u>
Height	45ft	64' 6"	Yes, applying State Density bonus Law Provisions	Per State Density Bonus Law provisions, height increase for affordable housing projects can be over 3 stories or 33ft above max. allowed height.
Height of Ground Floor commercial / mixed-use structures	12ft minimum	14' 6"	Yes	
Front Setback	25ft	10ft	Yes, if the requested concession is granted.	Concession-1 requested
Front Setback Landscaping	50% landscaped	More than 50% landscape with entry planter boxes	Yes	
Side Setback	Average 7'- 6"	10'-11"	Yes	
Rear Setback	0ft.	11'-0"	Yes	Complies. Parcel adjoins CT and OA-1 Zone



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	Standard (in CT zone)	Proposed	Complies	Notes
Private Open Space	Not required for every unit, average 50 sq. Ft. shall be provided for the total number of dwelling units. For 90 units 4,500 sq. ft	25 sq. Ft. Average 2,550 sq. ft.	Yes, if the requested concession is granted.	Concession-2 requested
Common Open Space	3200 sq. Ft.	5,530 sq. ft.	Yes	
Parking alternative Standard (LAMC 14.28.040 G)	If 14.28.040 G (2)b - on-menu alternate standard - 1/2 mile from transit = 45 parking spaces.	90	Yes	Per State Density Bonus Law, affordable housing projects within 1/2 mile from a major transit stop can avail parking exemptions.
Bicycle Parking	1 Class I (Bike Locker) for every 3 units (30 required)	45	Yes	
	1 Class II (Bike Rack) for every 15 units (6 required)	10	Yes	Sheet L1.1 of Attachment-E
Loading spaces	1 truck loading space	1	Yes	Sheet L1.1 of Attachment-E



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	Standard (in CT zone)	Proposed	Complies	Notes
Width of driveway	One way – 12ft Two-way drive min – 18ft	23ft	Yes	Sheet A2.1 of Attachment-E
Design Control Standards (LAMC 14.50.170) and Required Conditions of CT District (LAMC 14.50.060) are detailed in Attachment G-Objective Design Standard Conformance Matrix.				
Design Control 14.50.170 B (1) Building Massing and articulation. Upper Story Step-Back	Min 10ft from ground floor façade for stories above 45ft in height (top story)	No step back	Yes, if the requested concession is granted.	Concession-3 requested
Design Control 14.50.170 C (5) a. Building Design. Interior Courtyard.	Interior courtyard must be partially visible from the street and linked to the street by a clear accessible path of travel	Raised courtyard on level 2 not visible from the street. Access to courtyard and exit via stair.	Yes, if the requested waiver is granted.	Waiver-1
Design Control 14.50.170 D (4) a. Materials. Materials Defining Building Elements.	For multistory elements, the base of the building shall be defined by a distinct material selected from among the following: stone, brick, concrete, CMU, or stucco (“base material”)	Wood serves as a distinct base material	Yes, if the requested waiver is granted.	Waiver-2



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	Standard (in CT zone)	Proposed	Complies	Notes
CT required conditions 14.50.0t60 C. 2. Access and screening of refuse collection	Every development will be required to provide suitable space on-site for solid waste separation, collection, storage and pick up and shall site these in locations that facilitate access, collection, and minimize any negative impact on persons occupying the development site, neighboring properties, or public right-of-way	Solid waste separation, collection and storage are on-site, but the pickup is proposed to be in the service staging area on the public right-of-way	Yes, if the requested waiver is granted.	Waiver -3

The project is consistent with the objective design standards for the CT zone of the Los Altos Zoning Code if the requested concessions/waivers are granted, as noted in Table 1 above. Additional details with all design control standards is available in Attachment G.

BACKGROUND

The City of Los Altos is partnering with the County of Santa Clara for this proposed 100 percent affordable housing project. A Memorandum of Understanding (MOU) was executed between the City and County on January 28, 2021, memorializing the expected purchase agreement by the County for the property from Midpeninsula Open Space District and the commitment to develop a 90-unit affordable housing project with certain affordability levels and the City’s commitment to waive 100 percent of the project’s development impact fees. Since January 2021, the project Applicant, EAH Housing has conducted a series of community outreach meetings to receive the community’s feedback, submitted a Preliminary SB 330 application, and received feedback from the Planning Commission during a Pre-application Project Review study session that is summarized below.



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The City’s webpage has an archive of the community outreach efforts along with the supporting documents, link here -<https://www.losaltosca.gov/communitydevelopment/page/330-distel-circle>

The Applicant conducted several community meetings, both virtually and in-person to share details of and to receive feedback from the community to inform the completion of their design. One significant change to the design resulted from community input for voluntary inclusion of parking within the project¹ which now provides 90 parking stalls.

The community outreach meetings that were conducted for the project are as follows:

January 27, 2021	Virtual Community Meeting #1
February 11, 2021	Virtual Community Meeting #2
May 13, 2021	Affordable Housing Tour
August 12, 2021	Virtual Community Meeting #3
September 9, 2021	Virtual Community Meeting #4
September 20, 2021	Open House

Planning Commission Study Session

On October 21, 2021, the Applicant submitted an SB 330 Preliminary application that also served as a Pre-Application Design Review application that is typically reviewed by the Planning Commission only, but since this is a city sponsored project, the City Council was also included in the Pre-Application review to obtain their early feedback to inform the completion of the design. On January 11, 2022, the Planning Commission and City Council held a joint study session. The project received significant support from community members and appointed and elected officials. A number of public commenters and city officials also expressed an interest in expediting the formal review process since it is a 100 percent affordable project. Additionally, at this meeting, the applicant received suggestions to consider improving the design and address concerns by members of the community and city officials. A detailed summary of the comments can be found in the joint meeting minutes in Attachment I.

¹ As discussed further in the document, since the project is 100 percent affordable, it is exempt from providing parking pursuant to State Density Bonus Law.



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SB 330 - Joint Complete Streets Commission and Planning Commission Meeting

Development project applications submitted after January 1, 2020, are subject to SB 330, the Housing Crisis Act of 2019. To be consistent with California Government Code Section 65905.5(a), the city is limited to no more than five hearings to make an approval determination of the proposed housing development project. The application was submitted on March 3, 2020; therefore, the project is subject to the maximum five hearing limitation. One public hearing was already conducted on March 22, 2022, for the Applicant's request to the City Council for an exemption to the requirement for the installation of story poles pursuant to the Council's Open Government Policy.

Pursuant to Section 14.78.090 of the Zoning Code, multiple-family residential development projects are subject to a multi-modal transportation review hearing by the Complete Streets Commission (CSC) and recommendation to the Planning Commission (PC) and City Council. Pursuant to Section 14.78.020(C), the PC shall review development project applications at a public hearing and provide a recommendation to the City Council. To reduce the total number of hearings, the Los Altos City Council directed staff and commissions to hold a joint CSC/PC meeting to provide joint recommendation to the City Council. As specified by the Zoning Code, the CSC is tasked with reviewing the bicycle, pedestrian, parking, and traffic elements of a development application. Prior to consideration by the City Council, the PC completes a more comprehensive development review of the application and provides a recommendation to the City Council. This agenda report combines information addressing both the CSC's multi-modal transportation review and the PC's comprehensive review of the development project.

Story Pole Exemption

On March 22, 2022, the City Council approved an exemption to the story pole installation for this development project. As an alternative, the Applicant was required to install additional billboard signs which included an additional 3D rendering of the proposed project from the residential neighborhood on Marich Way. The billboard signs including the additional 3D rendering were installed per the approved plans on May 12th as verified by staff. Per the story pole policy, the requirement is for the story poles to remain installed 30 days prior to any public hearing approval. Refer to Attachment B for details of the installed poles and compliance provided by the applicant.

DISCUSSION/ANALYSIS

This section includes discussion and analysis for review and consideration for approving this project including General Plan Conformance, Density Bonus and Affordable Housing, Design Review, Conditional Use Permit, Multi-modal Transportation Analysis, and the Environmental Review.



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Los Altos General Plan Conformance

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, promotes inclusion of residential development, encourages affordable housing projects, increases height for residential development, intensifies development along the El Camino Real Corridor, and provides streetscape improvements and pedestrian friendly streetscape designs. The proposed project is generally consistent with the following goals and objectives of the General Plan that are envisioned for the neighborhood around El Camino Real Corridor.

Community Design and Historic Resources Element

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

Land Use Element

Goal 4 Improve the land use mix along El Camino Real to ensure fiscal stability, encourage affordable housing, and to allow for development intensification along this corridor in a manner that is compatible with the adjacent residential neighborhoods and the local circulation system.

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.

Housing Element

Housing Element Policy 2.1 The City will maintain zoning that provides for a range of housing sizes and residential densities.

Housing Element Goal 4 Allow a variety of housing densities and types in appropriate locations to accommodate housing needs at all income categories.

Housing Element Program 4.3.4 Continue to encourage maximum densities.



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State Density Bonus Provisions and Affordable Housing The proposed 90-unit residential project is a 100 percent affordable project exclusive of two manager units. As such, pursuant to State Density Bonus Law and the Los Altos Density Bonus (Chapter 14.28, Article 2), the project is eligible for a density bonus, development incentives, and eliminates the parking requirements that would otherwise be required in compliance with the zoning code. Per the Commercial Thoroughfare (CT) zoning district standards (Section 14.50.080 LAMC), the maximum permitted residential density shall be 38 dwelling units per net acre which would allow up to a maximum of 33 units on the project site. With density bonus, there is no maximum density limitation since 100 percent of the housing units will be affordable and the project is located within one-half mile of a major transit stop. (Table D of the Appendix to the Affordable Housing Ordinance (Chapter 14.28 LAMC) and State Density Bonus (Government Code Section 65915 (f)(3)(D)(ii)).

Per State Density Bonus Law Section 65915(o)(4) “major transit stop” has the same meaning as defined in subdivision (b) of Section 21155 of the Public Resources Code, and pursuant to subdivision (b) of Section 21155 of the Public Resources Code, among other definitions a “major transit stop” also includes a “major transit stop” as defined in Section 21064.3 of the Public Resources Code. And finally, per Section 21064.3 (a) of the Public Resources Code, a “major transit stop” includes an existing rail or bus rapid transit station.

The project site is 0.4 miles to a major transit bus stop at El Camino Real and Showers Drive since VTA Rapid line 522 makes a stop at this location (also see page 1-3 of Attachment D1); therefore, the project is within one-half mile of a major transit stop as defined in the State Density Bonus Law and is eligible for unlimited density.

Unit Distribution and Affordability Rates. The proposed project has eighty-eight below market rate units and two market rate units utilized as manager’s units.

The table below provides the proposed unit distribution and affordability rates of each unit. All units except the two manager’s units will fall within one of the following affordability levels: less than 80% AMI indicates Low Income units (LI), 50% AMI indicated Very Low-income housing (VLI), 30% or lesser AMI indicates Extremely Low-income units (ELI).



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Unit Mix – 330 Distel		AMI				Unit Total	Unit Mix
	SQFT PU	30%	50%	60%	80%		
SRO/Efficiency	465	14	3	7	-	24	27%
1-BR	645	9	3	7	1	20	22%
2-BR	965	12	3	4	2	21	23%
3-BR	1140	10	3	7	3	23	26%
4-BR	0	-	-	-	-	-	0%
MGR	965					2	2%
Unit Total		45	12	25	6	90	100%
Affordability Dist.		50%	13%	28%	7%	100%	
Average Affordability	44.66%						

Density Bonus, Development Concessions, and Waivers

Per State Density Bonus Law and the Los Altos Density Bonus Ordinance (Chapter 12.28 LAMC, Article 2), projects providing 100 percent affordable units including total units and density bonus units, exclusive of manager’s units, are entitled to four development concessions. The table below summarizes the four concessions requested by the applicant that are detailed further in the applicant’s submitted Density Bonus report (Attachment D and D1) including the project’s eligibility for the density bonus allowances, the concession and waiver requests and justification for the requests.

Table 4: Concessions and Waivers

	Standard (in CT zone)	Proposed	Concessions and Waivers
Front Setback LAMC 14.50.090	25ft	10ft	Concession - 1
Private Open Space LAMC 14.50.150	Not required for every unit, average 50 sq. Ft. shall be provided for the total number of dwelling units. For 90 units 4,500 sq. ft	25 sq. Ft. Average 2,550 sq. ft.	Concession - 2



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Design Control 14.50.170 B (1) Building Massing and articulation. Upper Story Step-Back	Min 10ft from ground floor façade for stories above 45ft in height (top story)	No step back	Concession-3
Reduced Standards for Los Altos REACH codes for EV Ready charging points for affordable housing projects to meet reduced requirement which is 10% EV2 ready spaces of total of 9 spaces in total.	EV2 ready spaces – 9 EV1 ready spaces – 81	Meets affordable housing 10% EV2 ready spaces. (2019 code) Proposed EV2 ready - 9	Concession – 4

Requested Concessions

All requested concessions in the proposed project are off-menu concessions per the Los Altos Density Bonus

Pursuant to Govt Code Section 65915(d)(1), A concession request must be granted unless the City Council is able to make one of the following findings:

1. The concession requested will not result in an identifiable and actual cost reduction to provide for affordable housing cost; or
2. Granting the concession would violate federal or state law; or
3. Granting the concession would have a specific, adverse impact on public health or safety that cannot be mitigated feasibly, or on real property listed in the California Register of Historic Resources.

Concession #1: To reduce the front yard setback to 10 feet whereas a standard front setback of 25 feet for the CT zoning district is required per Section 14.50.090 (LAMC).

The standard requirement of 25-foot setback would reduce the proposed building footprint and floor area and thereby reduce the unit count.



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Finding 1: The concession requested will not result in an identifiable and actual cost reduction to provide for affordable housing cost.

Staff review: *This finding cannot be made* because reducing the setback increases the floor area and number of affordable housing unit thereby lowering the per-unit soft cost for the project. For example, if the soft costs for providing 90 units is \$3 million, the per unit cost is \$33,333. If the project complies with the 25-foot setback requirement and can accommodate only 60 units, the per unit soft cost would be \$60,000. A conforming project without the benefit of the development concessions would result in a project with less units and therefore higher development costs per unit.

Finding 2: Granting the concession would violate federal or state law; or

Staff review: *This finding cannot be made* since granting the reduced step back would not violate federal or state law.

Finding 3: Granting the concession would have a specific, adverse impact on public health or safety that cannot be mitigated feasibly, or on real property listed in the California Register of Historic Resources.

Staff review: *This finding cannot be made* because the project site is not listed in the California Register of Historic Resources. The project setback reduction will not have a specific, adverse impact on the public health or safety as determined by the CEQA categorical exemption for environmental impact analysis reports.

Concession #2: To reduce the private open space requirement to an average 28 square feet whereas an average of 50 square feet of open space is required in the CT zoning district per Section 14.50.150 (LAMC).

The front setback has a ten-foot public utility easement which prevents any cantilever balconies. Customizing the modular units to have a recessed balcony/deck bay would decrease the livable area of the unit size and potentially decrease the unit count, and likely increase the construction cost due to customization of modular units. The Applicant cites that the proposal mitigates the reduced private open space by providing more common open space in the second-floor courtyard.

Finding 1: The concession requested will not result in an identifiable and actual cost reduction to provide for affordable housing cost.



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Staff Review: *This finding cannot be made.* The concession of reduced private balcony space for units in the front setback area is to accommodate the 10ft easement. Customizing the modular units to have a recessed balcony/deck bay would decrease the livable area of individual units and potentially decrease the unit count, and likely increase the construction cost due to customization of the modular units. The reduction in private open space would also allow construction of the project at the highest possible density and provide more affordable housing and reduce identifiable soft costs per unit.

Finding 2: Granting the concession would violate federal or state law; or

Staff Review: *This finding cannot be made.* Granting reduced private open space does not violate federal or state law.

Finding 3: Granting the concession would have a specific, adverse impact on public health or safety that cannot be mitigated feasibly, or on real property listed in the California Register of Historic Resources.

Staff review: *This finding cannot be made.* From the studies conducted for air quality, noise impacts under the CEQA requirement, this reduced private open space does not create significant impact on the public health and safety. The project site is not listed in the California Register of Historic Resources.

Concession #3: To eliminate the 10-foot upper story step-back from the ground floor façade for stories above 45 feet in height as required in the CT Zoning District per Section 14.50.170.B.1 (LAMC).

The elimination of the upper story step back requirement allows for more building area and therefore more units within the allowable height limits.

Finding 1: The concession requested will not result in an identifiable and actual cost reduction to provide for affordable housing cost.

Staff review: *This finding cannot be made.* Elimination of the step back increases the floor area and number of units, which in turn reduces the soft costs for each unit. The step back provision would require customization of the modular units which increases costs; therefore, eliminating the step back provision reduces the customization of the units thereby reducing construction costs.

Granting the step back concession results in identifiable cost savings per unit.



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Finding 2: Granting the concession would violate federal or state law; or

Staff review: *This finding cannot be made* since granting the reduced step back would not violate federal or state law.

Finding 3: Granting the concession would have a specific, adverse impact on public health or safety that cannot be mitigated feasibly, or on real property listed in the California Register of Historic Resources.

Staff review: *This finding cannot be made* because the project site is not listed in the California Register of Historic Resources. The project step back reduction will not have a specific, adverse impact on the public health or safety as determined by the CEQA categorical exemption for environmental impact analysis reports.

Concession #4: To eliminate the required electric vehicle parking requirements provided in the City’s adopted REACH Codes per Section 4.106.4.2 (as the same may be renumbered or amended from time to time)

Electric vehicle (EV) parking requirements are required under the California Building Standards Code (Building Code) and the city has increased the requirements for EV parking under the city’s adopted REACH codes. The REACH codes are the city’s local amendment to the Building Code and under State Density Bonus Law, a developer cannot receive a development concession for a requirement under state law; therefore, the standards under the Building Code and more specifically the mandatory measures for EV parking under the California Green Building Standards Code would still apply.

Additionally, although the project is eligible to eliminate all parking spaces under State Density Bonus Laws because it is a 100% affordable housing project within one-half mile of a major transit stop, since the project is providing parking, the project is required to provide the minimum standards pursuant to the Building Codes and REACH code. Currently, Section 4.106.4.2 of the Los Altos Municipal Code requires for all multifamily affordable housing projects, a minimum of 10 percent of the dwelling units with parking space(s) shall be provided with at least one Level 2 EV Ready space and the remaining dwelling units with parking space(s) shall each be provided with at least one Level 1 EV ready space. For the 90 parking spaces being provided, nine spaces would be required to be Level 2 EV ready and 81 spaces Level 1 ready. Absent of the REACH codes, the California Green Building Standards (Cal Green) (adopted as part of the Building Code) requires 10 percent of the parking spaces be EV ready. The applicant has submitted information that the estimated cost for EV ready improvements is approximately \$1,000 per space or an additional \$81,000 for the additional 81 EV ready parking spaces under the REACH code.



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Please be advised that compliance review with the EV parking requirement is determined with the building permit and similar to other Building Code compliance requirements, the requirement that is in effect at the time of Building Permit submittal is the effective requirement. Therefore, the city can approve a concession to eliminate the REACH code EV parking requirement, but the number of EV parking spaces would still need to comply with the requirements of the Building Code (Cal Green) that are in effect at the time of building permit submittal. The city has made the applicant aware of changes to the Cal Green EV parking standards that become effective with the 2022 Building Code adoption cycle.

Finding 1: The concession requested will not result in an identifiable and actual cost reduction to provide for affordable housing cost.

Staff review: *This finding cannot be made.* The elimination of additional EV ready spaces would result in lowering the cost of installing the infrastructure of the EV equipment detailed above which reduces the overall costs of building the affordable units.

Finding 2: Granting the concession would violate federal or state law; or

Staff review: *This finding cannot be made* since eliminating the REACH code requirement for providing the EV parking is a local amendment to the Green Building Standards. The project would still need to comply with the requirement of the State Building Standards that are in effect at the time of Building Permit submittal.

Finding 3: Granting the concession would have a specific, adverse impact on public health or safety that cannot be mitigated feasibly, or on real property listed in the California Register of Historic Resources.

Staff review: *This finding cannot be made* because the project site is not listed in the California Register of Historic Resources. Granting the local EV Ready requirement elimination does not adversely impact the public health or safety.

In summary, the first three of the concessions would facilitate construction at a higher density, which will reduce soft costs per unit, and the fourth concession for relief from the city's EV parking requirements would reduce direct project costs. A conforming project without the benefit of the development concessions would result in a project with less floor area and units and therefore higher soft costs per unit.



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Additionally, the applicant states that as a 100 percent affordable project, the higher cost per unit makes this a less competitive project when trying to leverage additional funds at the State and Federal level.

Requested Waivers

In addition to requesting concessions, density bonus projects are typically eligible for waivers of any development standards that would physically preclude the construction of a project with the density bonus and the incentives or concessions to which the development is entitled; however, per State Density Bonus Laws, development waivers are optional for 100 percent affordable projects within one-half mile of a major transit stop since the project is entitled up to a 33-foot building height increase and are at the discretion of city council approval.

	Standard (in CT zone)	Proposed	Waivers
Design Control 14.50.170 C (5) a. Building Design. Interior Courtyard.	Interior courtyard must be partially visible from the street and linked to the street by a clear accessible path of travel	Raised courtyard on level 2 not visible from the street. Access to courtyard and exit via stair.	Waiver-1
Design Control 14.50.170 D (4) a. Materials. Materials Defining Building Elements.	For multistory elements, the base of the building shall be defined by a distinct material selected from among the following: stone, brick, concrete, CMU, or stucco (“base material”)	Wood serves as a distinct material	Waiver-2
CT required conditions 14.50.060 C. 2. Access and screening of refuse collection	Every development will be required to provide suitable space on-site for solid waste separation, collection, storage and pick up and shall site these in locations that	Solid waste separation, collection and storage are on-site, but the pickup is proposed to be in the service staging area	Waiver-3



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	facilitate access, collection, and minimize any negative impact on persons occupying the development site, neighboring properties, or public right-of-way	on the public right-of-way	
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The applicant has requested three waivers that are necessary to the project as proposed. Because the project is a 100 percent affordable project, exclusive of the managers units, with 63 percent of the units for Very-Low and Extremely Low Income households, and because the City is a co-sponsor of the project and the project will help the City meet Regional Housing Needs Allocation (RHNA) targets at multiple affordability levels, staff recommends granting the optional waivers.

A waiver cannot be granted if doing so would have violate state or federal law or if the waiver would have a specific, adverse impact on public health or safety that cannot be mitigated feasibly, or on real property listed in the California Register of Historic Resources. Also, ordinarily an applicant must demonstrate that not granting the waiver would physically preclude the applicant from constructing a project that the applicant wants to construct at the allowed density and with the concessions granted. Because the waivers requested here are optional and no density limit applies to the project, other relevant factors may be considered. These factors may include, for example, the ability to provide parking even though no parking is required for the project (as discussed below), the desire otherwise to maximize the use of the site for affordable housing or to provide suitable amenities and services to residents, cost savings for affordable housing (like with a concession), the inability to achieve a concession or to realize its cost saving benefits without a waiver, or flexibility to achieve a superior design.

Waiver #1: No visibility and direct access to street from the second-floor interior courtyard whereas Design Control Section 14.50.170 C (5) (a) of the CT zoning district requires for interior courtyards partially visible from the street and linked to the street by a clear accessible path of travel visibility from street and lined to the street by a clear accessible path of travel to propose no visibility pursuant to Design Control

In the proposed design, the street frontage includes common amenity space and the parking garage which are suitable amenities and services provided to residents making the private courtyard raised to the second floor and surrounded by residential units, making it a private amenity for the residents.



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Findings: A waiver cannot be granted if doing would have violate state or federal law or if the waiver would have a specific, adverse impact on public health or safety that cannot be mitigated feasibly, or on real property listed in the California Register of Historic Resources.

Staff Review: *The findings cannot be made* because approving the requested waiver would not violate any State or Federal law and would not have an adverse impact on the health or safety. Additionally, the property is not listed and will not impact any property listed in the California Register of Historic Resources. The waiver would benefit the project and result in a superior design because it allows on-site parking and common area amenities for the residents while also allowing the residents to have access to a common open space for passive use or recreational purposes.

Waiver #2: Temporary placement of refuse and recycling containers within the public right-of-way whereas Section 14.50.060 C 2. of the CT zoning district requires separation, collection, storage and pick-up is located in areas that minimize any negative impact on persons occupying the development site, neighboring properties, or public right-of-way.

The applicant states that the refuse collections operations would include that the building maintenance staff to stage the refuse containers on Distel Circle on the collection day(s) and return the containers to the collection room after the refuse has been collected. The more permanent location for the refuse containers will be inside the collection room where collection, separation and storage will be handled, but inaccessible by waste hauling trucks.

Findings: A waiver cannot be granted if doing would have violate state or federal law or if the waiver would have a specific, adverse impact on public health or safety that cannot be mitigated feasibly, or on real property listed in the California Register of Historic Resources.

Staff Review: *The findings cannot be made* because the temporary staging of refuse containers for pick up on collection days does not violate state or federal law. The temporary staging of refuse containers on the street is limited to collection times and it would not result in an impact on public health and safety since the receptacles would not be located in the travel lanes of the street and would not inhibit traffic circulation. Additionally, the property is not listed and will not impact any property listed in the California Register of Historic Resources.

Waiver #3: Use of wood as a distinct base material whereas Design Control Section 14.50.170 D (4) a. of the CT zoning district requires distinct material options of stone, brick, concrete, CMU, or stucco as the base material.



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Wood is not part of the standard base material listed in Section 14.50.170 D (4) a. LAMC. The proposed project design is using mass timber for the construction of the base of the building and therefore the materials listed in the zoning code would physically preclude this material being used. The use of mass timber wood at the base has architectural integrity with the overall building design yet contrasts with the upper stories and creates a visual differentiation at the pedestrian level.

Findings: A waiver cannot be granted if doing would have violate state or federal law or if the waiver would have a specific, adverse impact on public health or safety that cannot be mitigated feasibly, or on real property listed in the California Register of Historic Resources.

Staff Review: *The findings cannot be made* because granting the use of mass timber does not violate State or federal law and would not adversely impact public health and safety or impact any real property listed in the California Register of Historic Resources. Furthermore, the use of mass timber as the base material provides a similar architectural and design objective as the materials listed in the zoning code. Additionally, mass timber is a superior material considering its sustainability as compared to the materials in the zoning code.

Discretionary Entitlements

The project requires a Design Review Permit and a Conditional Use Permit, as discussed in greater detail below. Because at least 20 percent of the units in the project would provide housing for households at or below 60 percent of Area Median Income, the Housing Accountability Act states at Government Code Section 65589.5(d) that the City cannot deny the project or approve it subject to conditions of approval that would make the project infeasible for housing at the levels of affordability proposed, unless one of the following findings can be made:

- (1) The City has met its RHNA targets for the current housing cycle at each of the affordability levels proposed for this project;
- (2) Denial or the imposition a condition of approval that would have the effect of rendering the project infeasible for affordable housing is necessary to avoid a violation of state or federal law;
- (3) The project site is located on land for agriculture or resource preservation and either: (1) the site lacks adequate water or wastewater facilities, or (2) the project site is surrounded on at least two sides by land used for agriculture or resource preservation;
- (4) The project would have a specific, adverse, and unmitigable impact on public health or safety;
or
- (5) All the following are true: (1) the project is inconsistent with the zoning ordinance; (2) the project is inconsistent with the applicable general plan land use designation; (3) the City has a



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certified Housing Element; and (4) the project site is not identified in the Housing Element inventory or is proposed at a greater density than projected in the inventory.

Even if one of the foregoing findings can be made, under Government Code Section 65589.5(j), the project must be approved at the density proposed if it complies with all applicable objective standards, unless the project would have a specific, adverse, and unmitigable impact on public health or safety, as defined in the statute. A project is deemed to be consistent with an objective standard unless notice of inconsistency was provided to the applicant pursuant to Government Code Section 65589.5(j)(2).

Finding 1: The City has met its RHNA targets for the current housing cycle at each of the affordability levels proposed for this project;

Staff Review: *The findings cannot be made.* The city has not met its RHNA targets for the current housing cycle at each of the affordability levels of the project.

Finding 2: Denial or the imposition a condition of approval that would have the effect of rendering the project infeasible for affordable housing is necessary to avoid a violation of state or federal law;

Staff Review: *The findings cannot be made.* The city has not imposed a condition of approval or recommends denial that would result in rendering the project infeasible for affordable housing to avoid a violation of state or federal law.

Finding 3: The project site is located on land for agriculture or resource preservation and either: (1) the site lacks adequate water or wastewater facilities, or (2) the project site is surrounded on at least two sides by land used for agriculture or resource preservation;

Staff Review: *The findings cannot be made.* The project site is in an urban infill site, surrounded by urban land uses and has an existing functional facility with adequate water and wastewater services.

Finding 4: The project would have a specific, adverse, and unmitigable impact on public health or safety; or

Staff Review: *The findings cannot be made.* The project site does not have a specific, adverse and unmitigable impact on public health. The project will be considered as a Class 32 categorical exemption pursuant to the guidelines and standards under the California Environmental Quality Act and a detailed analysis has been conducted to make this determination. There is no specific, adverse, or unmitigable impact on public health or safety as a result of the proposed project.



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Finding 5: All the following are true: (1) the project is inconsistent with the zoning ordinance; (2) the project is inconsistent with the applicable general plan land use designation; (3) the City has a certified Housing Element; and (4) the project site is not identified in the Housing Element inventory or is proposed at a greater density than projected in the inventory.

Staff Review: *The findings cannot be made.* The project is consistent with the zoning ordinance and applicable general plan land use designation, and the city has a certified Housing Element. The city is currently updating the Housing Element (6th cycle) and the public available draft does not identify the project site as a housing opportunity site.

Therefore, pursuant to the Housing Accountability Act, the city cannot deny the project or approve it subject to conditions of approval that would make the project infeasible for housing at the levels of affordability proposed and the project must be approved at the density proposed.

Design Review

Pursuant to Section 14.76.060 LAMC, Design Review Findings, the City Council needs to make the following findings for the approval of the Design Review Permit.

- 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: Conformance of the project proposal to the zoning standards for CT district is shown in Table 1 above. The proposal meets the goals, policies and objectives of the General Plan, design guidelines and ordinance design criteria adopted for the Commercial Thoroughfare District. With the requested concessions and waivers, the project complies with the objective design standards.

- 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 demonstrates architectural integrity while meeting most of the city's adopted design standards required in the CT zoning district. The Project is eligible for density bonus concessions and waivers. The applicant requests concessions and waivers to the objective design standards. The immediate area has structures that are 4-5 story tall structures, quite similar in scale and proportion to the proposed project. The relationship of this proposal with the neighboring structures and that of the recently approved projects in the area will result in harmonious buildings as envisioned in the General Plan for this zone and the El Camino Corridor Vision.



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- 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 project conforms to the city’s adopted objective design standards with eligible concessions and waivers as noted in the agenda report. The bulk and massing have been appropriately scaled using architectural design elements such as metal screens, façade material separation into primary and secondary bays, mass timber canopy at the first floor, to articulate the human scale. The first-floor landscaping and primary façade make an inviting space to signal habitation in the amenity space while providing human scale to the five-story building. Each entrance has projecting wooden pergola elements and the pedestrian entrance is set inside. The walls are made of glass providing a visual connection between the outside and inside space enhancing the signs of habitation.

- 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 exterior base material is mass timber which is an alternative to the standard list of base materials; however, the applicant requests a development waiver. Although this is not part of the standard pre-approved for the base material, the mass timber as a material choice brings a high-quality architectural character to the structure while rendering a warm welcoming experience to the pedestrian environment. The exterior material of the upper floors is primarily stucco with highlights of wood panels, metal railings, wood composite railings and white metal and vinyl windows. All facades show accents of perforated metal screens which provide relief to a long façade in addition to the primary and secondary bays. The materials above in the second thru fifth floor are alternating dark grey and light grey stucco to highlight the primary and secondary bays. Each floor has a horizontal band showing visual separation for each floor. These materials and finishes are used in the manner to reduce the bulky nature of the five-story building and are harmonious with the other structures in the immediate area.

- 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.



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Staff review: The landscape plan (Sheet L2.1 of Attachment M) shows six new proposed street trees along the Distel Circle frontage. There are twenty-seven peripheral trees and shrubs proposed along the side and rear setback. Additional six trees in planter boxes with other landscape features are shown in the 5,530 square foot courtyard space (Sheet L2.2)

Landscaping is generous and inviting. The project incorporates the appropriate designed hardscape and softscape features at the lobbies and entrances to signify entry elements. The tree canopy is substantial along the main Distel Circle side as well as the side setback areas. The landscaped courtyard area includes amenities such as play mounds, waterlily balance play structure, community garden planters, and gathering space with seating areas. The courtyard also has large trees in planters.

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

Staff Review: The architectural rendering indicates entrance signage which complement the building architectural style. A sign permit review is required if the project is approved.

- 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 appear to be set inside and appropriately screened from public view using a roof screen which is consistent with the building. Surface area for photovoltaic panels are set inside from the parapet line on the rooftop. These are consistent with the building architecture in form, material, and detailing.

- 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 refuse collection room on the first floor is screened from public view and enclosed. Per requested waiver #2, temporary staging of refuse containers is requested to be located on Distel Circle on collection days. The location and design of the service, trash and utility areas are integrated well into the building architecture and is consistent with the rest of the building with the material use and detailing.

Conditional Use Permit Review

To grant Conditional Use Permit UP19-001, the City Council must make the following findings in accordance with Chapter 14.80.060 of the LAMC:



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- 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: The proposed multi-family residential building is envisioned as a conditional use in the General Plan and has been reviewed and conditioned for approval for health and safety and environmental considerations. Based upon the technical reports and the categorical infill exemption for the project, there is evidence that the project will have no significant impact on the surrounding community. The project will enhance the affordable housing stock and make available more homes to enhance comfort, prosperity, and welfare of the community, furthering the City's housing goals.

- 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 is categorically exempt from CEQA as an infill project, and it will meet many of the goals and objectives of the General Plan and complies with the City's inclusionary housing requirements. Pursuant with State Density Bonus requirements, the project complies with the density bonus and avails additional height increase and parking reduction standards. The requested concessions and waivers are in compliance with the density bonus allowances. The project meets all the City's design policies and objectives, as set forth above with respect to the Design Review Permit findings. Notwithstanding the requested concessions and waivers, the project complies 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 is categorically exempt as an infill project, the development of a housing project at 330 Distel Circle will not be detrimental to the health and safety, comfort, convenience, prosperity or welfare of persons residing or working in the vicinity to property or improvement in the vicinity.

- 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: Notwithstanding the density bonus concessions, waivers and approvals which is consistent with State Law, the proposed conditional use of a multi-family residential project



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complies with the regulations prescribed for the CT district as detailed in the staff report analysis and development standards Table 1.

Multi-modal Transportation Review

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 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.

For the Commercial Thoroughfare (CT) Zone, all projects are required to comply with the provisions of off-street parking, off street loading, parking design and access, site circulation and access, service area and screening and off-street Loading for residential sections of the LAMC chapter 14.50.

General Plan Circulation Element/Transportation Impact Analysis

Regarding transportation impact analysis, the Circulation Element in the General Plan includes Implementing Programs C7 and C8 that outlines the criteria for reviewing traffic and circulation impacts for new development.

Implementing C7 states:

Maintain a minimum Level of service “D” operating standard at all signalized intersections under Los Altos jurisdictions. Identify minimum Levels of Service for intersections shared with adjacent communities and pursue agreements with adjacent communities to maintain those intersections at the agreed upon Level of Service.

Implementing Program C8 states:

Require a transportation analysis for all development projects resulting in 50 or more net new daily trips. The analysis shall identify potential impacts to intersection and roadway operations, project access, and non-automobile travel modes, and shall identify feasible improvements or project modifications to reduce or eliminate impacts. Impact significance should be consistent with the criteria maintained by the Santa Clara Valley Transportation Authority. City staff should have the discretion to require focused studies regarding access, sight distance, and other operational and safety issues.

Implementing programs C7 and C8 also states that the City should maintain a minimum Level of Service (LOS) "D" operating standard at all signalized intersections under Los Altos jurisdiction and



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that only after preparation of an environmental impact report with associated findings, accept LOS E or F operations at City-monitored signalized intersections after finding that no practical and feasible improvements can be implemented to mitigate the lower levels of service. This effectively established a significance threshold that was implemented under the California Environmental Quality Act (CEQA).

In 2013, Senate Bill 743 was signed by Governor Brown. SB 743 directed the State Office of Planning and Research (OPR) to develop new CEQA guidelines and to replace Level of Service (LOS) as the evaluation measure for transportation impacts under CEQA with another measure such as Vehicle Miles Traveled (VMT). In December 2018, the California Natural Resources Agency adopted new CEQA Guidelines including sections to implement SB 743. In that update, every project was required to, among other things that: a project's effect on automobile delay (i.e., Level of Service) shall not constitute a significant environmental impact under CEQA. It also stated that a lead agency must adopt the provisions no later than July 1, 2020. VMT is the most appropriate measure of transportation impacts; and a lead agency has the discretion to choose the most appropriate methodology to evaluate a project's VMT.

It should be noted that SB 743 does not preclude cities from retaining General Plan policies related to LOS. Furthermore, cities may continue to require transportation analyses of a project's consistency with the adopted LOS goals and/or other operational issues related to transportation. The City's General Plan Circulation Element has Level of Service (LOS) guidelines, which can form the basis of conditions of approval. The project has been analyzed for compliance with these guidelines as detailed in the Transportation Analysis report (Exhibit B1)

The results of the intersection level of service analysis under existing conditions, near-term conditions, and cumulative conditions, with and without the project determined that the addition of project trips would not adversely affect traffic operations at the signalized study intersections because these trips would not increase the average delay at the intersection by more than four seconds.

The unsignalized intersections of San Antonio Road and Jordan Avenue and Distel Circle and El Camino Real operate at an unacceptable level of service during at least one peak hour under all study scenarios, without and with the project, therefore, a signal warrant check was conducted for the intersections based on the peak-hour traffic warrant. However, the analysis shows that the signal warrant is not met at either of these intersections.

The analysis also made additional conclusions and recommendations for the project:



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Recommendation: On-street parking should be prohibited approximately 40 feet to the south and 35 feet to the north of the project driveway. This would provide adequate sight distance for exiting drivers at the driveway to see the oncoming traffic along Distel Circle. The project driveway should also be free and clear of any obstructions such as shrubs or other landscape features to optimize sight distance, thereby ensuring that exiting vehicles can see pedestrians on the sidewalk and other vehicles traveling on Distel Circle.

Staff review: Staff concurs with the recommendation for eliminating on-street parking adjacent to the project site driveway and has included a condition of approval in the draft resolution (Item 1(e))(see Attachment A)

Recommendation: The site plan does not provide the height of the pit for the three-level mechanical stacker. Minimum 7 feet deep parking pits should be provided to accommodate the height of a design vehicle.

Staff review: Staff concurs with this requirement and has included a condition of approval in the draft resolution (Item 1(f)) (see Attachment A)

Recommendation: The applicant should work with the City and Mission Trail Waste Systems to design a plan for waste collection service.

Staff review: Staff concurs with this requirement and has included a condition of approval (Item 1(g)) in the draft resolution (Attachment A) to address waste collection services.

VMT analysis:

With regards to VMT, the City had not adopted formal standards by July 1, 2020; however, in lieu of formal adoption, the Planning Division developed interim guidance for City review of projects to evaluate VMT impacts based on OPR Technical Advisory. The interim VMT policy, currently in effect, has set a standard for VMT for residential projects. The nine-county regional average for residential VMT per capita threshold is set at 13.95 VMT per capita for residential. If a project is 15% below this regional average (or 11.86), then a project is considered to not have a significant environmental impact. Per the Santa Clara County map based VMT evaluation tool, the project site is located within the area with a residential VMT per capita of 9.51 without the project, which is below the threshold set forth in the Interim VMT policy. Therefore, the project would also be screened out from further analysis using the threshold of significance in the Interim VMT policy. Refer to Attachment B, Exhibit B1 for more details on the transportation analysis.



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The City's Draft VMT Policy, which hasn't been adopted, also has screening criteria wherein projects with 100 percent affordable housing shall be presumed to have a less than significant transportation impact on VMT. Attachment B, Exhibit B1 has details of the transportation analysis for this project. Since the project proposes 100 percent affordable housing, it is presumed to have a less-than significant transportation impact on VMT and is screened out from further VMT analysis.

In summary, the project is screened out from further VMT analysis if the Interim Departmental VMT guideline is applied since the project is in an area that is more than 15% below the regional VMT per capita average for residential development and since the project is 100 percent affordable which the draft VMT policy assumes to have a less than significant impact to per capita VMT.

Density Bonus and Parking

Pursuant to Government Code Section 65915 (p)(3), and Section 14.28.040 Table F of the Los Altos Density Bonus Ordinance, any project that is 100 percent affordable and has unobstructed access to a major transit stop located within a one-half mile radius does not require any vehicle parking. This special parking reduction is allowed in addition to any requested development concession or waiver. In lieu of the required parking elimination, the Applicant proposes 90 parking spaces. Additional discussion is provided below regarding the proposed parking.

Off Street Parking

The proposed project is located within one-half mile of a major transit stop on El Camino Real (see Attachment D and D1.) The VTA stop on El Camino Real and Showers Drive qualifies as a major transit stop, which is 0.4 miles from the project site with a continuous sidewalk access to reach the stop. Pursuant to Government Code Section 65915 (p)(3), any project that is 100 percent affordable and located within one half mile radius within a major transit stop with an unobstructed access to the stop does not require any parking. The proposed project includes 90 parking spaces even though none are required

The garage is located on the first floor of the project which has two rows of parking stalls with a 24-foot drive aisle. One row of parking stalls contains 69 parking stalls within a mechanical parking lift system. The lift system is designed as a three-level stacking solution with one level of parking platforms lowered into a pit, a second level at grade, and third stacked above. The opposite row contains regular at-grade stalls. The parking also provides for electric vehicle (EV) parking provisions, accessible parking, and a loading area. Details of the parking can be found in Sheets A2.1 and A3.0 of the design plans (Attachment M).



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Since, vehicle parking requirements are eliminated for this project, any parking provided exceeds the minimum required.²

On-Street Parking

According to Attachment B, Exhibit B1 Transportation analysis reports that the on-street parking should be prohibited for approximately 40 feet to the south and 35 feet to the north of the project driveway. This would provide adequate sight distance for exiting drivers at the driveway to see the oncoming traffic along Distel Circle. The project driveway should also be free and clear of any obstructions (such as shrubs or other landscape features to optimize sight distance) thereby ensuring that exiting vehicles can see pedestrians on the sidewalk and other vehicles on Distel Circle.

The city of Los Altos has received complaints regarding the parking of commercial vehicles on Distel Circle and Distel Drive and will be posting signs in the near future to prohibit parking of commercial vehicles on those streets.

Off-Street Loading

Per LAMC 14.50.180 off-street loading for a multi-family residential project is required to accommodate on-site loading/unloading space to accommodate the deliver and shipping of goods. The requirements for off-street loading and the project’s proposal are listed in Table 2 below.

Table 2 Off-street Loading for CT district

Standard	Proposed	Conforms (Yes/No)	Notes
LAMC 14.50.180			
One Loading/Unloading space provided, at least 10 ft X 25ft	One loading space provided 12ft X 27ft	Yes	Attachment M: Sheet 2.1
Vertical Clearance 14ft	Vertical Clearance – 14’6”		Sheet A3.0
Loading and unloading spaces shall be located and designed so that the vehicles intended to use them can	The unassigned spaces 70-72 is intended to be utilized for loading and	Yes	Attachment M: Sheet 2.1

² Since parking is being provided, minimum requirements for accessible parking and electric vehicle charging must be provided consistent with Building Code requirements.



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maneuver safely and conveniently to and from a public Right-of-way without interfering with the orderly movement of traffic and pedestrian on any public way and complete the loading and unloading operations without obstructing or interfering with any parking space or parking lot aisle.	unloading. The drive aisle will not be occupied.		
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.	The parking requirement for off-street parking is over the required threshold. See Section off-street parking above.	Yes.	Attachment M: Sheet 2.1 Spaces 70-72 designated as loading/unloading spaces.
A loading/unloading space may be located in the front yard setback but shall comply with other required setbacks.	Not Applicable (N/A)	N/A	
All loading spaces shall be designed and maintained so that vehicles do not back in from, or onto, a public street;	Loading space is inside the garage backing out to a private drive	Yes	Attachment M: Sheet 2.1
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.	Not striped but labelled as loading above spaces 70-72	Conditional approval	Attachment M: Sheet 2.1
Adequate signage shall be provided that directs delivery vehicles to the loading space.	Not available	Conditional approval	Attachment M: Sheet 2.1



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The loading/unloading spaces marked on Sheet 2.1 of Attachment M is intended to occupy parking spaces numbered 70-72. Staff recommends that the applicant comply with the conditional striping and signage requirement as detailed in Table 2 above to ensure that this space is dedicated for loading/unloading purposes for the proposal to be more consistent with the off-street loading requirements. Condition of approval Item 1(d) of Attachment A reflects this striping requirement for loading/unloading space.

Public Transit

The closest bus stops are located approximately 0.1 mile from the subject site at El Camino Real and Distel Circle, which is considered an acceptable walking distance. Local VTA route 22 and Route C shuttle of the Mountain View Go mobility service.

El Camino and Showers is located at 0.4 miles away from the subject site, which is also considered acceptable walking distance. Local VTA route 22 and rapid bus line 522 provide service at this stop with less than 15-minute intervals during peak hour commute. Routes 22 and rapid 522 provide service between Palo Alto Transit Center and Eastridge. In addition to this, route number 40 intersects at this location providing service from Foothill College to Mountain View transit Center via North Bayshore.

Bicycle and Pedestrian

As recommended by the VTA guidelines, multiple family residential projects should provide one Class I bicycle parking space for every three units and one Class II bicycle parking space for every fifteen units (but no less than two). The Project is providing forty-five Class I bike lockers and ten Class II bicycle rack, whereas thirty-five Class I and six Class II bicycle parking spaces are required.

The Class I bicycle parking spaces would be located on the ground level in a closed room that is assumed to have lockable hardware (see Sheet L1.1 of Attachment M). The Class II spaces are at street level in front of the building (see Sheet L1.1 of Attachment M). With regards to the nearest dedicated bicycle facility, a Class II bicycle lane exists along San Antonio Road.

A sidewalk currently exists along the street frontage. The nearest improvement planned in the Complete Streets Master Plan is on Distel Drive as seen in the preliminary maps.³

³ See maps https://losaltoscompletestreets.com/wp-content/uploads/2021/03/Concept-Plan-Line-Distel-Drive_Public_v2.pdf



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The schools serving the site are Almond Elementary, Egan Middle School, and Los Altos High School. The City of Los Altos recently completed suggested “Walk n’ Roll” maps for each school and suggested proposed improvements for some of the schools including the ones utilized by this Project⁴. No improvements are planned on the suggested routes and there is no nexus to require the proposed project to contribute to those improvements.

Public Notification and Correspondence

For this meeting, a public hearing notice was published in the *Town Crier*, and mailed to 455 property owners and 534 current tenants within 1,000 feet of the site (Attachment M). Four large public notice billboard with color renderings was installed along the project’s Distel Circle frontage in conformance with the story pole exception approved by the City Council on March 22, 2022 (Resolution 2022-13, Attachment C).

All public correspondences received prior to the publication of this report are contained in Attachment F.

Options

Complete Streets Commission Recommendation

Consistent with the zoning code provisions, the CSC is recommended to adopt a motion recommending the project to the Planning Commission. The CSC can recommend denial with justification(s) for denial or approval with or without recommendations that could be incorporated as conditions of approval. If making specific recommendations for conditions, the Commission should state the justification for each condition with an understanding that the condition cannot lower the density of the proposed development, that there is nexus and proportionality to the request, and is feasible to incorporate into the proposed design. Because the project is an affordable housing project, a condition of approval also may not render the project infeasible for affordable housing at any income level.

Planning Commission

The Planning Commission is recommended to adopt a motion recommending approval, approval with modifications or incorporated as conditions, or denial of the proposed project with justification(s) for denial. If making specific recommendations for conditions, the Commission should

⁴ See maps found here: <https://losaltoscompletestreets.com/suggested-routes-to-school/>



Subject: 330 Distel Circle – 90-unit Affordable Housing Project

state the justification for each condition with an understanding that the condition cannot lower the density of the proposed development, that there is nexus and proportionality to the request, and is feasible to incorporate into the proposed design. Because the project is an affordable housing project, a condition of approval also may not render the project infeasible for affordable housing at any income level. Once the Planning Commission makes a recommendation, the Project will be forwarded to the City Council for consideration and final action.