



## City Council Agenda Report

**Meeting Date:** August 27, 2024

**Prepared By:** Nick Zornes

**Approved By:** Gabriel Engeland

### **Subject: Declaration of Public Nuisance – 4898 El Camino Real**

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#### **COUNCIL PRIORITY AREA**

- Business Communities
- Circulation Safety and Efficiency
- Environmental Sustainability
- Housing
- Neighborhood Safety Infrastructure
- General Government

#### **RECOMMENDATION**

Adopt a Resolution of the City Council of the City of Los Altos declaring the building located at 4898 El Camino Real, Los Altos, CA, 94022, a Public Nuisance Pursuant to Chapter 11.10 of the Los Altos Municipal Code and Directing the City Manager to abate the nuisance.

#### **FISCAL IMPACT**

Subsequent action by the City Council will be taken to ratify the contract for demolition in which the fiscal impact will be known.

#### **ENVIRONMENTAL REVIEW**

This Resolution has been reviewed with respect to the applicability of the California Environmental Quality Act (CEQA) and the State CEQA Guidelines. This action is exempt from environmental review pursuant to Section 15321 of the California Environmental Quality Act (CEQA) as this is Enforcement Actions by Regulatory Agencies.

#### **PREVIOUS COUNCIL CONSIDERATION**

Not Applicable.

#### **BACKGROUND**

The subject site is located at 4898 El Camino Real, Los Altos, CA, 94022, has an existing vacant commercial building onsite. The site was previously entitled for a multi-family housing development in October 2019. The previous Design Review Permit and Conditional Use Permit have since expired, and no valid entitlements exist. The existing structure and site have been unable to maintain the premises and required by the Los Altos Municipal Code, in addition to being unable to secure the property.

## **ANALYSIS**

Pursuant to Chapter 11.10 of the Los Altos Municipal Code – Nuisance Abatement the subject site has been determined to be a “Public Nuisance”. The city manager shall be the primary city official responsible for the administration and enforcement of this chapter. The city manager shall provide property owners in violation of this chapter with notices as described within the Chapter. Thereafter, any legal remedies to abate public nuisances shall be pursued by the city manager and the city attorney unless all applicable code violations are corrected.

On April 2, 2024, the City Building Official, and Assistant City Manager were escorted by the Los Altos Police Department onsite at 4898 El Camino Real. The subject site was unsecured and easily open and accessible to any person(s). During the property inspection of the site, it was noticed the building has been stripped of all interior and exterior copper wiring, and significant interior and exterior vandalism has occurred. Significant health and safety concerns were identified throughout the entire building and throughout the property.

On April 8, 2024, the owner of the premises was issued an Order to Abate by the City’s Building Official, Veronica Tinoco. Following the Order to Abate the Building Official and Assistant City Manager were consulted by the owner of the premises ADL 15 LLC/Navneet Aron requesting additional time in addition to the initial sixty (60) calendar days that were granted. Prior to the conclusion of the initial sixty (60) calendar days a one-time extension of thirty (30) calendar days was granted and concluded on July 9, 2024. Since that date no attempt on behalf of the owner has been made to remedy the Public Nuisance as ordered on April 8, 2024.

On August 1, 2024, the City pulled a title report for the subject site and learned that the property is currently delinquent on property taxes.

On August 1, 2024, the owner of the premises and lender on title was issued a Notice of Nuisance Abatement by the Assistant City Manager, Nick Zornes. Following the Notice of Nuisance Abatement the Assistant City Manager was contacted by the lender Arixa Enhanced Income Fund, the property owner of the premises ADL 15 LLC/Navneet Aron has not made contact with the City.

On August 8, 2024, the Assistant City Manager, Nick Zornes had a conference call with the Director of Underwriting from the lender Arixa Enhanced Income Fund. On that call the representative informed the Assistant City Manager that the property was currently in default from the borrower’s lack of payment. The representative further informed the Assistant City Manager that Arixa Enhanced Income Fund was informed of the Order to Abate in April 2024 by the borrower and granted the authorization to the property owner to demolish the building. The representative informed the Assistant City Manager that Arixa Enhanced Income Fund is supportive of the need to demolish and abate the nuisance due to the state of disrepair of the building.

## **DISCUSSION**

The Development Services Department, and Los Altos Police Department have received several calls for service for various suspicious activities in addition to the nuisance issues that exist onsite.

The Development Services Department – Planning Division has received numerous requests for consultation regarding options for the property from the current property owners without any serious proposal being provided to the city for consideration. The City has received several incomplete proposals, some of which include project plans from other city’s being “reused” as project plans for the site.

**ATTACHMENTS**

1. Draft Resolution
2. Notice of Nuisance Abatement – August 1, 2024