

# JOINT PLANNING COMMISSION/COMPLETE STREETS COMMISSION MEETING AGENDA

7:00 PM - Thursday, August 18, 2022  
*via Teleconference*

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Per California Executive Order N-29-20, the Commission will meet via teleconference only. Members of the Public may call (253) 215-8782 to participate in the conference call (Meeting ID: 831 9438 7650 and Passcode: 538635 or via the web at <https://tinyurl.com/y6unt9hs> or <https://losaltosca.gov.zoom.us/j/83194387650?pwd=VDMYbmlhUjdyakRZUzdVdz09&from=addon>). 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](mailto:PCPublicComment@losaltosca.gov). Emails received prior to the meeting will be included in the public record.

## ESTABLISH QUORUM

## PUBLIC COMMENTS

## ITEMS FOR CONSIDERATION/ACTION

## CONSENT CALENDAR

### 1. Planning Commission Minutes

Approve minutes of the regular meeting of July 21, 2022.

## PUBLIC HEARING

### 2. D22-0002 – EAH Housing – 330 Distel Circle

Multiple-Family Design Review and Conditional Use Permit for a new multiple-family development with a five-story building with 90 condominium units for rent along 330 Distel Circle with mechanized parking system and amenity space on the first floor. The proposal is for a 100% affordable housing project seeking a density bonus which allows increased height and reducing parking ratios with development incentives including step-back reduction, reduced courtyard visibility and base material to be wood for the design review approval. The project is categorically exempt from environmental review pursuant to Section 15332 (Class 32), Infill Exemption of the California Environmental Quality Act (CEQA) Guidelines. *Project Planner: Hayagreev*

## COMMISSIONERS' REPORTS AND COMMENTS

## POTENTIAL FUTURE AGENDA ITEMS

## ADJOURNMENT

## SPECIAL NOTICES TO PUBLIC

In compliance with the Americans with Disabilities Act, the City of Los Altos will make reasonable arrangements to ensure accessibility to this meeting. If you need special assistance to participate in this meeting, please contact the City Clerk 72 hours prior to the meeting at (650) 947-2720. Agendas, Staff Reports and some associated documents for Planning Commission items may be viewed on the Internet at <http://www.losaltosca.gov/citycouncil/online/index.html>. Commission Meetings are televised live and rebroadcast on Cable Channel 26. On occasion the Planning Commission may consider agenda items out of order. All public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act, and that are distributed to a majority of the legislative body, will be available for public inspection at the Office of the City Clerk's Office, City of Los Altos, located at One North San Antonio Road, Los Altos, California at the same time that the public records are distributed or made available to the legislative body. If you wish to provide written materials, please provide the Community Development Department with 10 copies of any document that you would like to submit to the Planning Commission for the public record. If you challenge any planning or land use decision made at this meeting in court, you may be limited to raising only those issues you or someone else raised at the public hearing held at this meeting, or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing. Please take notice that the time within which to seek judicial review of any final administrative determination reached at this meeting is governed by Section 1094.6 of the California Code of Civil Procedure. For other questions regarding the Planning Commission meeting proceedings, please contact the Community Development Department at (650) 947-2750.



**PLANNING COMMISSION  
MEETING MINUTES  
7:00 PM - Thursday, July 21, 2022  
*Telephone/Video Conference Only***

**CALL MEETING TO ORDER**

At 7:02 p.m. Chair Doran called the meeting to order.

**ESTABLISH QUORUM**

- PRESENT:** Chair Doran, Vice-Chair Mensinger, Commissioners Ahi (joined the meeting at approximately 7:18 PM), Bodner, Marek, and Roche
- ABSENT:** Commissioners Steinle
- STAFF:** Development Services Director Zornes, City Attorney Houston, Interim Planning Services Manager Golden, and Consulting Senior Planner Hayagreev

**PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA**

None.

**ITEMS FOR CONSIDERATION/ACTION**

**CONSENT CALENDAR**

**1. Planning Commission Minutes**

Approve minutes of the regular meeting of July 7, 2022.

Action: Upon motion by Vice-Chair Mensinger, seconded by Commissioner Roche, the Commission recommended approval of the minutes from the July 7, 2022 Regular Meeting as written.

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

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

NOES: None

ABSENT: Commissioners Ahi and Steinle

**PUBLIC HEARING**

**2. D22-0002 – EAH Housing – 330 Distel Circle**

Multiple-Family Design Review and Conditional Use Permit for a new multiple-family development with a five-story building with 90 condominium units for rent along 330 Distel Circle with 90 parking spaces utilizing a mechanized parking system and a common amenity space on the first floor. The proposal is for a 100% affordable housing project and is eligible for a density bonus, development incentives, and development waivers under state law and city ordinance. The project is categorically exempt from environmental review pursuant to Section 15332 (Class 32), Infill Exemption of the California Environmental Quality Act (CEQA) Guidelines. *Project Planner: Hayagreev* This item has been removed from the agenda. The item will be re-noticed for a future meeting.

3. **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 CONTINUED FROM THE JUNE 16, 2022 PC MEETING DUE TO LACK OF A QUORUM.

#### STAFF PRESENTATION

Consulting Senior Planner Hayagreev gave the staff presentation.

#### COMMISSIONER QUESTIONS

None.

COMMISSIONER AHI JOINED THE MEETING AT APPROXIMATELY 7:18 PM.

#### APPLICANT PRESENTATION

Applicant Angela Galatolo introduced project architect Alex Seidel and David Kornfield, project planner. Both provided presentations.

Applicant requested changes to the following conditions:

- Reword Condition No. 27 to add a beginning phrase referring to the list of “items the plans shall include” (Prior to Building Permit Condition).
- Reword Condition 27.6 to omit the sentence “Replace existing shelter with a new VTA standard shelter (17-foot Full Back with Ad panel) consistent with VTA direction” for consistency with VTA approval to allow a bench or custom architectural enclosure.
- Reword Condition No. 45 to omit the requirement to rebuild an off-site ADA ramp at the southwest corner of the intersection – no nexus.

#### COMMISSIONER QUESTIONS

Vice-Chair Mensinger asked questions about the BMR unit distribution proposed by staff. These were accepted by applicant. She then asked a clarifying parking question.

David Kornfield, project planner and project architect Alex Seidel responded.

Regarding Condition 27.6, Interim Planning Services Manager Golden said staff is amenable to change the language to allow an alternative design at the discretion and approval of the Valley Transportation Authority.

Regarding Condition 45, Interim Planning Services Manager Golden responded that in general, the entire facility is typically improved when a crosswalk or ramp on either side is improved, but will be reviewed further with the Engineering Division.

#### PUBLIC COMMENT

None.

Chair Doran closed the Public Comment period and Commission discussion proceeded.



Action: Upon motion by Chair Doran, seconded by Commissioner Roche, the Commission moved to recommend approval of the Mitigated Negative Declaration to the City Council and recommend approval to the City Council of Multiple-Family Design Review, Conditional Use Permit and Tentative Subdivision map applications 19-D-01, 19-UP-01 and 19-SD-01 subject to the staff report findings and conditions with staff's revised comments and with the following change:

- Modify Condition 27.6 to revise the language to install the bus shelter per Valley Transportation Authority (VTA) standards (17-foot Full Back with Ad Panel) or an alternative proposed design by the Applicant as acceptable, and at the discretion of VTA.

The motions were approved (6-0) by the following vote:

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

NOES: None

ABSENT: Commissioner Steinle

### **COMMISSIONERS' REPORTS AND COMMENTS**

City Attorney Houston mentioned a webinar training for the Planning Commissioners taking place tomorrow, July 22<sup>nd</sup>.

Development Services Director Zornes noted that the 30-day public comment period for the Housing Element Update was closing at midnight this Sunday, July 24, 2022.

### **POTENTIAL FUTURE AGENDA ITEMS**

None.

### **ADJOURNMENT**

Chair Doran adjourned the meeting at 8:10 PM.

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Steve Golden  
Interim Planning Services Manager



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  
Jolie Houston and Erik Ramakrishnan, City Attorney's Office
- 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~~



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

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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.



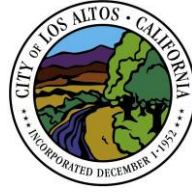
**Subject:** 330 Distel Circle – 90-unit Affordable Housing Project

	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 project<sup>1</sup> 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.

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<sup>1</sup> 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%
<b>Unit Total</b>		45	12	25	6	<b>90</b>	100%
<b>Affordability Dist.</b>		50%	13%	28%	7%	100%	
<b>Average Affordability</b>	<b>44.66%</b>						

**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

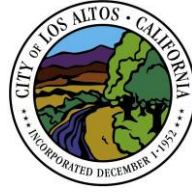
All requested concessions in the proposed project are off-menu concessions per the Los Altos Density Bonus

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.

	<b>Standard (in CT zone)</b>	<b>Proposed</b>	<b>Waivers</b>
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 (6<sup>th</sup> 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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**Subject:** 330 Distel Circle – 90-unit Affordable Housing Project

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

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

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

<b>Standard</b>	<b>Proposed</b>	<b>Conforms (Yes/No)</b>	<b>Notes</b>
<b>LAMC 14.50.180</b>			
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

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





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

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



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

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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.<sup>3</sup>

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<sup>3</sup> See maps [https://losaltoscompletestreets.com/wp-content/uploads/2021/03/Concept-Plan-Line-Distel-Drive\\_Public\\_v2.pdf](https://losaltoscompletestreets.com/wp-content/uploads/2021/03/Concept-Plan-Line-Distel-Drive_Public_v2.pdf)



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

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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 Project<sup>4</sup>. 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

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



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

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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.



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## Distel Circle Apartments Density Bonus Report – Planning Application July 74, 2022

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<b>Project:</b>	<b>90-Unit Multifamily Affordable Housing Community</b>
<b>Location:</b>	330 Distel Circle, Los Altos (APN# 170-04-051)
<b>Current Landowner:</b>	Midpen Regional Open Space District
<b>Applicant/Developer:</b>	EAH Housing

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As a permanently affordable rental community incorporating a mix of unit types and a range of rent tiers that supports a diversity of income-eligible tenants earning incomes from 30% to no more than 80% of Area Median Income (AMI), the 330 Distel Circle development is eligible for a density bonus in accordance with California Government Code Section 65915 et seq. (“Density Bonus Law”).

EAH as the applicant is requesting an increase in the density allowable at 330 Distel Circle and other incentives, waivers, concessions, and parking reductions allowed by the Density Bonus Law.

### Requested Density Bonus

Density Bonus is considered in the LAMC section 14.28.040 (C) and contemplates density bonus up to 35% depending on both the affordability and the number of restricted units. The LAMC also has a provision that can provide a for additional density bonus 14.28.040 (E)(7) which states: 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.

The California Government Code Section 65915 also allows for unlimited density for 100% affordable developments that are within one-half mile from a major transit stop, section 65915 (f)(3)(D)(ii). 330 Distel Circle is within one-half mile from a major transit stop (please see Memorandum on Consistency with Density Bonus Provisions - Glaser Weil).

In alignment with the MOU between the City of Los Altos and the County of Santa Clara, that acknowledges the development to contain a minimum of 90 units at 330 Distel Circle, EAH is requesting a density bonus to allow for 103.45 units per acre.

The California Government Code Section 65915(d)(2)(D) allows for a height increase of an additional 3 stories or 33 feet for 100% affordable housing developments. The current zoning district (CT) allows for structures up to 45 feet in height and considering the additional 33 feet allowed by the Density Bonus Law, a building up to 78 feet would be consistent with the height allowed under the law. The proposed building height at 330 Distel Circle is 64 feet and consistent with Density Bonus Law.

Zoning	Commercial Thoroughfare District (CT)
General Plan	Thoroughfare Commercial
Maximum Density	38 dwelling units per net acre (dua)
Site Size	38,030 sf (0.87 acres)
Units Permitted	0.87 X 38 = 33.06 units
Total Units Proposed	90 units
Proposed Affordable Units	88 units (100% exclusive of managers units)
Proposed Bonus Percentage	90 ÷ 33 = 272%
Number of Density Bonus Units	90 – 33 = 57 units
Proposed Density Per Acre	90 ÷ 0.87 = 103.45 dua
Proposed Market Rate Bedrooms	0
Proposed Affordable Unit Bedrooms	155
Proposed Manager’s Unit Bedrooms	4

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%
<b>Unit Total</b>		45	12	25	6	<b>90</b>	100%
<b>Affordability Dist.</b>		50%	13%	28%	7%	100%	
<b>Average Affordability</b>	<b>44.66%</b>						

The existing use of 330 Distel Circle is a single-story office building that is owned and occupied by Midpeninsula Regional Open Space District. There are currently no dwelling units on the site nor has there been in five years preceding the date of submittal of this application.

There are no recorded covenants, ordinances or laws applicable to the site that restrict rents.

## Requested Incentives and Concessions

The applicant is requesting the following four (4) concessions:

- Reduced Front Yard Set Back
- Reduced Front Side Step-back
- Reduced Average-Per-Unit Open Space Provided
- Reduced EV Ready Parking Stalls

### Reduced Front Yard Set Back

Los Altos Municipal Code (LAMC) section 14.50.090 has a standard of a 25-foot minimum depth of which 50% of the area should be landscaped. We are requesting a reduction in the minimum setback from 25 feet to 10 feet. LAMC Section 14.28.040 (F)(1)(e) allows for an On-Menu incentive to reduce the setback requirement by up to 20%. However, the reduction requested is greater than 20% and therefore is considered an **off-menu** request.

*Reason for Request:* The reason for this request is because a 25-foot setback would decrease the building area and thereby decrease the unit count.

### Reduced Front Side Step-back

LAMC 14.50.170 (B)(1)(b) requires a minimum step-back of 10 feet from the ground floor façade for stories above 45 feet. EAH is requesting no step-back on the 4<sup>th</sup> and 5<sup>th</sup> levels. This is an **off-menu** request because step-back reductions are not an on-menu incentive.

*Reason for Request:* The reason for this request is because a step-back on the 4<sup>th</sup> and 5<sup>th</sup> level would decrease the building area and thereby decrease the unit count.

### Reduced Average-Per-Unit Open Space Provided

LAMC 14.50.150(A) requires that an average of fifty (50) square feet of private open space shall be provided for the total number of dwelling units within the project. EAH is requesting a reduction in the average square feet of private open space from 50 to 25 square feet. LAMC Section 14.28.040 (F)(1)(f) allows for an On-Menu incentive to reduce the open-space requirement by up to 20%. However, the reduction requested is greater than 20% and therefore is considered an **off-menu** request.

*Reason for Request:* The site has a 10' foot public utility easement (PUE) running along the front of the property along Distel Drive. The PUE has to be clear to sky and therefore we are unable to provide cantilevering balconies along the Distel frontage. Providing decks within the units along Distel would require a decrease in unit size, a decrease in unit count or an increase in cost due to customization of modular units. We have mitigated the reduction in Private Open Space by providing more Common Open Space than required.



Reduced EV Ready Parking Stalls

LAMC 4.106.4.2 (Exceptions) requires all multifamily Affordable Housing, 10% of dwelling units with parking space(s) shall be provided with at least one Level 2 EV Ready Space. Calculations for the required minimum number of Level 2 EV Ready spaces shall be rounded up to the nearest whole number. The remaining dwelling units with parking space(s) shall each be provided with at least one Level 1 EV Ready Space. The required spaces with this calculation would be the following. We are requesting to provide the state minimum required by our current code (2019) which is 10% EV Ready spaces- 9 total- instead of the 90 required by Los Altos code.

Level 2 EV Ready Space = 9 spaces  
Level 1 EV Ready Space = 81 spaces  
**Total = 90 spaces**

*Reason for Request:* The additional costs related for infrastructure, transformer(s), and cost of pedestals for charging.

1. Meeting the requirement will increase the amount of costs of utility infrastructure required such as conduit/raceways and transformers. We are estimating the costs as \$1000/stall per Energy Solutions report (dated 2019 so costs are likely higher). For the additional stalls beyond the 10% required by CalGreen we estimate \$81,000 (81 stalls x \$1,000 ).

**Table 1. Estimated Cost of Installing EV Infrastructure (price per spot)**

Code Scenario:	Market Rate 25% Level 2 75% Level 1		Affordable Housing 10% Level 2 90% Level 1	
	New Construction	Retrofit <sup>4</sup>	New Construction	Retrofit
60-Unit MUD	\$1,410	\$4,443	\$1,049	+\$3,982
150-Unit MUD	\$1,197	\$4,101	\$1,002	+\$3,854
60-Space Office Building	\$1,166	\$3,232	N/A	N/A

*Table 1: Energy Solutions article dated November 5, 2019. EV Infrastructure Cost Analysis Report for Peninsula Clean Energy and Silicon Valley Clean Energy (page 1).*

2. If/when the mechanized stalls go from EV Ready to having the capability to charge, Level 2 chargers will require ±\$2,500 per pedestal depending on the manufacturer. For Level 1 chargers, 110v receptacle can be added to the platform.
3. The project is required to have zero parking spaces as a result of being a 100% affordable housing project within ½ mile of major transit. As such, if we were to provide zero stalls, we would not be required to provide any EV Ready stalls per CA and City of Los Altos code and CA Cal Green code.

Cost Justification:

There are two areas of focus related to the cost containment of this affordable housing community and how it relates to the requested concessions: the total costs to build the units (hard costs) and the average cost per unit including all other soft costs.

Hard costs associated with the construction of the modular units include the material and labor expense it takes to create and build each unit. The modular factories are set up for standardization, not for customization, so any modification to the factory standards would lead to additional costs and additional waste. By way of a simple example, if the factory is set up to build units using wood in 20 foot lengths but we request shorter units that require 18 foot lengths, then the factory would need to customize the machinery to cut the shorter lengths. This customization would increase the labor costs and slow the process down adding more time. In addition, more waste is created because in this example, the two-foot section of wood is unlikely to be re-used and will be thrown away.

The second area of focus is the development cost per unit. This development has fixed costs including the land and other soft costs including design and environmental analysis. By way of a simple example, if the design fees are \$3 million and the design yields 90 units, the per-unit cost is \$33,333. However, if the same design fees were yielding only 60 units, the per-unit cost would be \$50,000. While this does not increase the total cost of development, a higher cost per unit makes this project less competitive when trying to leverage additional funding source at the State and Federal level. Therefore, a design or building standard that leads to a reduction of building area or total number of units is considered to increase costs and reduce competitiveness.

## Requested Waivers

The applicant is requesting the following waivers:

- Visibility of Interior Courtyard
- Exterior Materials
- Trash Staging Area

### Visibility of Interior Courtyard

LAMC 14.50.170 (C)(5)(a) requires that an interior courtyard must be partially visible from the street and linked to the street by a clear accessible path of travel. EAH is requesting that this requirement be satisfied by allowing visibility from the parking lot behind the building. In addition, EAH is requesting that the interior courtyard not be required to be linked to the street by a clear accessible path of travel. This is an **off-menu** request.

*Reason for Request:* The courtyard has been raised to the second level to provide additional parking on the ground level. A second level courtyard also provides additional privacy to the residents and neighbors. Removing a portion of the building to make the courtyard visible from the street would decrease units and parking area.

### Exterior Building Materials:

LAMC 14.66.280 (D)(4)(a) Base. For multistory buildings, 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"). EAH is requesting that wood be approved as a distinct material for the base.

*Reason for Request:* We believe that the intent of this design standard is being achieved because wood serves as a distinct material. We are proposing wood and storefront glazing at the base of the building.

### Trash Staging Area:

LAMC 14.50.060 (C) (2) states that 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 rights-of-way. EAH is requesting a waiver from the requirement so that the solid waste collection can take place in the public right of way (Distel Circle).

*Reason for Request:* The location of trash storage is on the ground floor in the garage but is not in a location that can be serviced by the collection company, Mission Trails. Mission Trails requests that the trash staging area be within a specific distance from the street so that the trucks can access the trash bins. Redesigning the ground floor to accommodate a staging area closer to the street is not desirable because it would require relocating the bicycle parking, resulting in the loss of amenity space on the ground floor. Our proposal is to have building staff stage the trash bins on Distel Circle on trash pick-up day and return the bins to the trash room after the trash has been collected.

## Requested Parking Reductions

LAMC 14.28.040(G)(2)(b) - For low or very low income housing near major transit stop. Upon the request of the developer, the city shall not impose a parking requirement, inclusive of handicapped and guest parking, that exceeds one-half parking spaces per bedroom if the development includes the maximum percentage of low or very low income units; and the development is located within one-half mile of a major transit stop; and there is unobstructed access to the major transit stop to the development. EAH is requesting parking requirement alterations be applied to the proposed development because the development:

- Exceeds the percentage required of low or very low income units
- Is within one half-mile of a major transit stop
- Has unobstructed access to the major transit stop to the development This is an ***On-Menu*** request.

The proposed development at 330 Distel Circle will have a total of 159 bedrooms. Using the one-half parking space per bedroom outlined in the LAMC would require 80 parking spaces. As proposed, this community will have 90 parking spaces.

State Density Bonus Law does not require any parking for 100% affordable developments that are within one-half mile from a major transit stop, section 65915 (p)(3). 330 Distel Circle is within one-half mile from a major transit stop (please see Memorandum on Consistency with Density Bonus Provisions - Glaser Weil).

330 Distel: Density Bonus, Concessions, Waivers				
Allowed by Density Bonus Law				
Density (DU/acre)	38du/acre	90 Units = 103 du/acre	Density Bonus Law	14.5.080 (LAMC)
Height	45ft + 33ft = 78ft permitted	64ft, 5 stories	Density Bonus Law	
Concession	Standard	Proposed	Reason	Code Section
Setback, Front Yard	25ft min. depth, 50% of which shall be landscaped	10ft setback	25ft setback would decrease building area and unit count	14.5.090 (LAMC)
Stepback	Street Side: Minimum 10 feet from ground floor façade above 45 feet in height	Requesting no stepback on 4th and 5th levels.	We need building area to get to 90 units.	14.50.170_1B. Obj. Standards
Open Space	50SF; An average of fifty (50) square feet of private open space shall be provided for the total number of dwelling units within a project.	Approximately 25 sf average / unit requested	10ft Public Utility Easement has to be clear to sky so we are unable to provide cantilevering balconies along the Distel frontage. Juliette balconies are provided on Distel. Providing decks within the units would require a decrease in unit area and impact unit count. Private open space provided on all decks except for those facing Distel.	14.50.150 (LAMC)
EV Ready Parking stalls	4.106.4.2 New multifamily dwellings. Exception: For all multifamily Affordable Housing, 10% of dwelling units with parking space(s) shall be provided with at least one Level 2 EV Ready Space. Calculations for the required minimum number of Level 2 EV Ready spaces shall be rounded up to the nearest whole number. The remaining dwelling units with parking space(s) shall each be provided with at least one Level 1 EV Ready Space. Calculation: (9) Level 2 EV ready spaces and (81) Level 1 EV ready spaces.	Requesting 10% (9 stalls) to be EV Ready stalls per Cal Green code.	1. Cost of utility infrastructure 2. Cost of pedestal costs if EV is installed in future 3. Parking required is zero, which means zero EV Ready stalls would be required.	4.106.4.2 (LAMC)
Waiver	Standard	Proposed	Reason	
Interior Courtyard	Partially visible from the street and linked to the street by a clear accessible path of travel.	Requesting visibility from back parking lot, no access from exterior to courtyard	Raised courtyard on level 2 not visible from Distel, may be visible from El Camino. Raised courtyard to provide additional parking. Also creates privacy for single family neighbor and residents. Removing a leg of the building to make the courtyard visible would decrease unit and parking area.	14.50.170_5A. Obj. Standards
Materials	Base. 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").	Requesting approval of wood as a distinct material.	Intent achieved. Wood serves as distinct material. Wood and storefront glazing proposed at the base.	14.66.280_DA Obj. Standards
Trash	Pickup not in right of way	Waiver from requirement	PUE Easement, no other location for trash	14.50.060_C2 Required Conditions

To: Radha Hayagreev  
City of Los Altos- Senior Consulting Planner

Date: July 5, 2022  
Project Name: 330 Distel Circle  
Project No: 210042

Re: EV Capable Concession Request

From: Lily Ciammaichella, AIA, BD+C  
KTGY Architecture + Planning

Dear Radha,

We are requesting to make the Los Altos EV capable charging requirement as a State Density Bonus Law incentive/concession. From section **4.106.4.2** of the Los Altos municipal code, we are required to provide the following:

**4.106.4.2 New multifamily dwellings**

Exception: For all multifamily Affordable Housing, 10% of dwelling units with parking space(s) shall be provided with at least one Level 2 EV Ready Space. Calculations for the required minimum number of Level 2 EV Ready spaces shall be rounded up to the nearest whole number. The remaining dwelling units with parking space(s) shall each be provided with at least one Level 1 EV Ready Space.

**Required EV Ready stalls**

EV2 ready = 9 spaces

EV1 ready = 81 spaces

Total = 90 spaces

We are requesting to provide less EV capable stalls to 10% of the total number of parking spaces (9 stalls) as Level 1 spaces.

The reasons are as follows:

1. Meeting the requirement will increase the amount of costs of utility infrastructure required such as conduit/raceways and transformer needs. We are estimating the costs as \$1000/stall per Energy Solutions report. For the additional stalls beyond the 10% required by CalGreen and proposed, or 81 stalls x\$1,000 = \$81,000. Cost was from 2019 report by Energy Solutions and costs are likely more than estimated below.

**Table 1. Estimated Cost of Installing EV Infrastructure (price per spot)**

Code Scenario:	Market Rate 25% Level 2 75% Level 1		Affordable Housing 10% Level 2 90% Level 1	
	New Construction	Retrofit <sup>d</sup>	New Construction	Retrofit
60-Unit MUD	\$1,410	\$4,443	\$1,049	+\$3,982
150-Unit MUD	\$1,197	\$4,101	\$1,002	+\$3,854
60-Space Office Building	\$1,166	\$3,232	N/A	N/A

2. If/when the mechanized stalls will be ready to convert the mechanized stalls to have the capability to charge, at this time, Level 2 chargers will require ±\$2,500 per pedestal depending on the manufacturer. For Level 1 chargers, 110v receptacle cade be added to the platform.
3. The project is required to have zero parking spaces as a result of being a 100% affordable housing project within ½ mile of major transit. As such, if we were to provide zero stalls, we would not be required to provide any EV Ready stalls per CA and City of Los Altos code and CA Cal Green code.

**Definitions:**

Electric vehicle infrastructure Cost Analysis Report for Peninsula Clean Energy & Silicon Valley Clean energy. By Enegy Solutions. Page 4

EV Capable	Includes conduit / raceways
EV Ready (“Plug and play”)	Includes full circuit with a receptacle / outlet
EV Installed	Includes full charging capability with EVSE

**Los Altos Municipal code Definitions:**

“Level 1 EV Ready Space” means a parking space served by a complete electric circuit with a minimum of 110/120 volt, 20-ampere capacity including electrical panel capacity, overprotection device, a minimum 1” diameter raceway that may include multiple circuits as allowed by the California Electrical Code, wiring, and either a) a receptacle labelled “Electric Vehicle Outlet” with at least a ½” font adjacent to the parking space, or b) electric vehicle supply equipment (EVSE).

“Level 2 EV Ready Space” means a parking space served by a complete electric circuit with 208/240 volt, 40-ampere capacity including electrical panel capacity, overprotection device, a minimum 1” diameter raceway that may include multiple circuits as allowed by the California Electrical Code, wiring, and either a) a receptacle labelled “Electric Vehicle Outlet” with at least a ½” font adjacent to the parking space, or b) electric vehicle supply equipment (EVSE) with a minimum output of 30 amperes.



## MEMORANDUM

**TO:** EAH Housing  
**FROM:** Elisa Paster and Eric Geier  
**DATE:** February 9, 2022  
**SUBJECT:** 330 Distel Circle-Project Consistency with Density Bonus Provisions

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### I. Introduction

EAH Housing is partnering with the City of Los Altos (“City”) to develop a 100% affordable housing project, with the exception of a manager’s unit, using a Density Bonus (the “Project”) at 330 Distel Circle, Los Altos, California 94022 (“Project Site”). The Project is a 64 foot building that consists of 90 affordable units (24 Studio, 20 one-bedroom, 23 two-bedroom, and 23 three-bedroom) and 90 parking spaces. The Project is seeking a 165% Density Bonus, existing zoning allows for 34 units (rounded up from 33.06) at the Project Site.

Based on its proximity to transit, as demonstrated below, state law permits the Project to an unlimited Density Bonus, a height increase up to 33 feet, and no minimum parking requirements. As the Project is 100% affordable, even if a determination is made that the Project is not within one-half mile of a major transit stop, the Project can still be approved as designed with the approval of concessions and waivers.

### II. The Project Site is Within One-Half Mile of a Major Transit Stop

For the purpose of State Density Bonus law, codified in Government Code (GOV) section 65195, a major transit stop is defined as existing or planned rail or bus rapid transit (BRT) stations, ferry terminals served by either a bus or rail transit service, and the intersection of two or more bus routes with a frequency of service interval of fifteen minutes or less during the morning and afternoon peak commute periods. (Public Resources Code (PRC) §§ 21064.3, 21155(b).)<sup>1</sup>

#### A. Available Resources Identify the Project Site as Being One-Half Mile of a Major Transit Stop

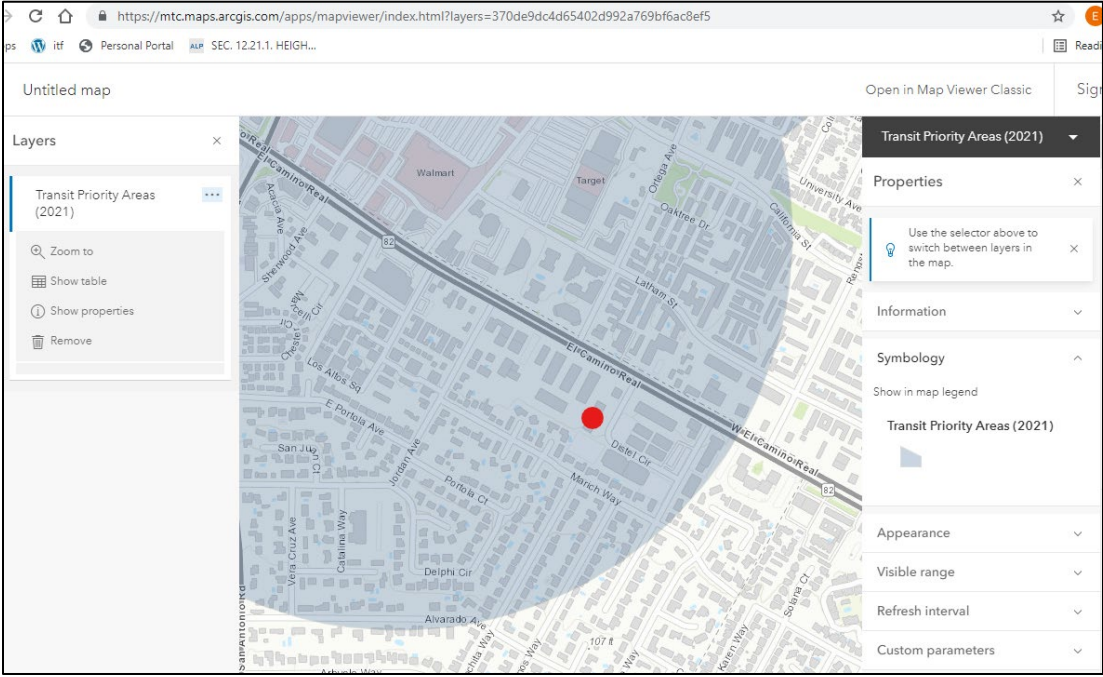
A Transit Priority Area is defined as “an area within one-half mile of a major transit stop that is existing or planned, if the planned stop is scheduled to be completed within the planning horizon included in a Transportation Improvement Program or applicable regional transportation plan.” (PRC § 21099(a).) Accordingly, if the Project Site is

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<sup>1</sup> State Density Bonus law treats planned major transit stops as existing major transit stops. Limited analysis was performed on whether major transit stops are planned within one-half mile of the Project Site. Our initial conclusion is that no such transit stops are planned, thus our research focused on existing major transit stops.

EAH Housing  
February 9, 2022  
Page 2

located in a Transit Priority Area, it is by definition within one-half mile of a major transit stop. The Metropolitan Transportation Commission (MTC), the metropolitan planning organization for the San Francisco Bay Area, identifies the Project Site as being within a Transit Priority Area. The graphic below is taken from the MTC’s GIS system, which shades the TPAs in blue; the Project Site is designated by a red dot.



**B. A Major Transit Stop is Located at El Camino Real and Showers Drive**

Although the MTC identifies the Project Site as being within a Transit Priority Area, it does not identify the major transit stop within one-half mile of the Project Site. Because the Project Site is not within one-half mile of a rail station, ferry terminal, or BRT station,<sup>2</sup> analysis focuses on the intersection of two or more bus routes with requisite service during the peak hour commute periods.

The statute does not define morning and afternoon peak commute hours, nor does the Los Altos Municipal Code (LAMC) or other City documentation. The Santa Clara Valley Transportation Authority (VTA), the City’s transit provider, defines peak hours as “the highest morning or evening hour of travel reported on a transportation network or street.” As the Congestion Management Agency for Santa Clara County, the VTA’s Guidelines can be considered applicable in the absence of any other City guidance.

<sup>2</sup> Note that the Rapid 522 does not appear to have the elements of BRT service identified in the PRC, such as 1) dedicated bus lanes or a separate right-of-way, 2) transit signal priority, 3) all door boarding, 4) fare collection system promoting efficiency, and 5) defined stations. (PRC § 21060.2.) Accordingly, the Rapid 522 does not establish a major transit stop in and of itself.

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Typically, peak hours are defined at between 7:00 am and 9:00 am and 4:00 pm and 6:00 pm.

The bus stop at the intersection of El Camino Real and Showers Drive, approximately 1,513 feet from the Project Site, constitutes a major transit stop, as VTA lines 22, 40, and Rapid 522 operate at less than 15 minute intervals between 7:00 am and 9:00 am and 4:00 pm and 6:00 pm, morning and afternoon peak commute periods. A chart demonstrating the bus lines frequency follows.

Northbound/Eastbound				Southbound*/Westbound			
Morning Peak Hours (7:00 AM-9:00 AM)		Afternoon Peak Hours (4:00 PM-6:00 PM)		Morning Peak Hours (7:00 AM-9:00 AM)		Afternoon Peak Hours (4:00 PM-6:00 PM)	
Time	Bus Line	Time	Bus Line	Time	Bus Line	Time	Bus Line
7:07 AM	22	4:01 PM	22	7:09 AM	522	4:01 PM	22
7:10 AM	522	4:02 PM	40	7:15 AM	22	4:07 PM	522
7:18 AM	22	4:05 PM	522	7:25 AM	40	4:14 PM	40
7:24 AM	522	4:16 PM	22	7:25 AM	522	4:16 PM	22
7:25 AM	40	4:17 PM	40	7:36 AM	22	4:23 PM	522
7:32 AM	22	4:20 PM	522	7:41 AM	522	4:31 PM	22
7:37 AM	522	4:31 PM	22	7:55 AM	40	4:38 PM	522
7:47 AM	22	4:35 PM	522	7:56 AM	22	4:44 PM	40
7:48 AM	522	4:46 PM	22	7:59 AM	522	4:46 PM	22
7:56 AM	40	4:47 PM	40	8:12 AM	22	4:53 PM	522
8:02 AM	22	4:50 PM	522	8:15 AM	40	5:01 PM	22
8:03 AM	522	5:02 PM	22	8:19 AM	40	5:09 PM	522
8:16 AM	22	5:04 PM	522	8:20 AM	522	5:14 PM	40
8:18 AM	522	5:17 PM	40	8:27 AM	22	5:16 PM	22
8:26 AM	40	5:17 PM	22	8:40 AM	522	5:24 PM	522
8:31 AM	22	5:19 PM	522	8:46 AM	22	5:31 PM	22
8:33 AM	522	5:33 PM	22	8:55 AM	40	5:39 PM	522
8:45 AM	22	5:33 PM	522	8:57 AM	522	5:46 PM	40
8:48 AM	522	5:46 PM	40			5:46 PM	22
8:50 AM	40	5:48 PM	22			5:54 PM	522
8:59 AM	22	5:49 PM	522				

\*There are two southbound stops for Line 40 at Latham Street, one is south of Latham Street, approximately a third of the distance to El Camino Real. This stop functionally serves to connect Line 40 to Line 22 and Rapid 522.

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### III. Consistency with Density Bonus Provisions Based on Proximity to a Major Transit Stop

#### A. Density Bonus

The LAMC provisions contemplate up to a 35% Density Bonus. (LAMC § 14.28.040(C).) Alternatively, the Government Code allows for unlimited density for projects that are 100% affordable (at least 80% low income and up to 20% moderate income) and within one-half mile of a major transit stop. (GOV § 65915(f)(3)(D)(ii).) As the Project is a 100% affordable housing project, using Santa Clara County Measure A funding, City of Los Altos fee waivers, and Low Income Housing Tax Credits, its affordability will be subject to a covenant. Accordingly, as a 100% affordable project, the 165% Density Bonus is permitted by state law. The density increase is not considered an incentive/concession.

#### B. Height

Projects that are 100% affordable and within one-half mile of a major transit stop are entitled to a height increase of three additional stories, or 33 feet. (GOV § 65915(d)(2)(D).) The Project is designed to be 64 feet in height, 19 feet greater than the 45 feet allowed in the Commercial Thoroughfare zone. (LAMC § 14.50.140.) However, because the 64 feet would be within the additional 33 feet allowed for by GOV § 65915(d)(2)(D), the Project height is consistent with state Density Bonus provisions. Per the Government Code, this height increase is not considered an incentive/concession. (GOV § 65915(d)(2)(D).)

#### C. Parking

The City's Density Bonus provisions include a parking standard of .5 parking space per bedroom for affordable housing with unobstructed access to a major transit stop within one-half mile. (LAMC § 14.28.040(G)(2)(b).) As the Project consists of 159 bedrooms, this provision would require the Project to provide 80 parking spaces. Alternatively, state Density Bonus provisions do not require any parking for 100% affordable projects with unobstructed access to a major transit stop located within one-half mile of the project site. (GOV § 65915(p)(3).) As the Project proposes to include 90 parking spaces, it would satisfy both the state and local requirement. Use of these provisions is not considered an incentive/concession. (GOV § 65915(p)(9), LAMC § 14.28.040(G)(2)(e).)

#### D. Incentives, Concessions, and Waivers

Projects that are 100% affordable are entitled to four concessions or incentives. (GOV § 65915(d)(2)(D).) Concession or incentive is defined as "A reduction in site

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development standards or a modification of zoning code requirements or architectural design requirements...that results in identifiable and actual cost reductions, to provide for affordable housing costs....” (GOV § 65915(k)(1).) Although entitled to four concessions, we understand that the EAH Housing is requesting two concessions which will result in cost reductions to allow the Project to be built: 1) a reduction in front yard setback from 25 feet to 10 feet, and 2) a reduction in private open space from a 50 square foot average to 25 square foot average.<sup>3</sup> The application for the Project should include findings or evidence demonstrating that reduction of the front yard setback and reduction of the open space would result in cost reductions to provide for the affordable housing. We can assist with those findings at your request.

EAH Housing may also request waivers, apart from an incentive/concession. (LAMC § 14.28.040(H).) The LAMC defines waiver as “the deletion or reduction of any development standards that would otherwise have the effect of physically precluding” a Density Bonus Development. (LAMC § 14.28.040(B)(27).) The Project is seeking a waiver to reduce the front step back of a minimum 10 feet from ground floor façade for stories above 45 feet in height, as maintaining that step back would preclude the Project from being constructed with the identified density. The application for the Project should include findings or evidence demonstrating that imposition of the front step back requirement would physically preclude the construction of the Project. We can assist with those findings at your request.

#### **IV. Alternative Consistency with Density Bonus Provisions**

As demonstrated above the Project Site is located within one-half mile of a major transit stop as defined by the Government Code and Public Resources Code. The subsequent analysis demonstrates that the Project Site’s proximity to a major transit stop qualifies the Project for unlimited density, increased height, and decreased parking. However, even if the Project Site is not determined to be within one-half mile of a major transit stop, it would still be consistent with state and local Density Bonus provisions based on available concessions and waivers.

Projects that are 100% affordable are entitled to four concessions or incentives. (GOV § 65915(d)(2)(D).) The LAMC does not include a limitation on the number of waivers a project can seek, but rather contemplates the use of multiple waivers by using the plural of the term, waivers, in relevant provisions.<sup>4</sup> State law specifically allows a city to grant multiple waivers. (GOV § 65915(e)(3).)

<sup>3</sup> The staff report for the Joint City Council/Planning Commission Study Session on January 11, 2022 identified a third concession, increase in building height. As noted above, this increase is allowed by state law and not considered an incentive, consistent with GOV § 65915(d)(2)(D).

<sup>4</sup> See LAMC §§ 14.28.040(A), 14.28.040(C), 14.28.040(D)(1)(f), 14.28.040(H).

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If the Project Site is not determined to be within one-half mile of a major transit stop, the Density Bonus can still be processed by including the following concessions and waivers.

A. Incentives/Concessions

An incentive or concession is defined as “A reduction in site development standards or a modification of zoning code requirements...that results in identifiable and actual cost reductions, to provide for affordable housing costs.” (GOV § 65915(k)(1).) As density is specifically identified as a zoning code requirement, an increase to the identified level, 103.45 dwelling units/acre as opposed to the 38 dwelling units/acre identified in LAMC § 14.50.080, would constitute a modification to a zoning code requirement, and therefore an incentive/concession. As it is not enumerated in LAMC § 14.28.040(F)(1), this would be considered an off-menu incentive or potentially a waiver (discussed below).

A reduction in required parking is specifically cited as an example of a concession or incentive. (GOV § 65915(k)(1).) The LAMC specifically allows for “off-menu parking requirement alterations.” (LAMC § 14.28.040(G)(3).) Further, the LAMC vests the City with broad authority to determine the parking required for a project: “This section does not preclude the city from reducing or eliminating a parking requirement for development projects of any type in any location.” (LAMC § 14.28.040(G)(4).)

The Project has previously identified the reduction in front yard setback from 25 feet to 10 feet and the reduction in private open space from a 50 square foot average to 25 square foot average as potential incentives/concessions. The staff report for the Joint City Council/Planning Commission Study Session on January 11, 2022 identified both of these as on-menu incentives/concessions.

B. Waivers

As noted above, maintaining the step back requirement would preclude the Project from being constructed with the identified density. Similarly, limiting the Project’s height to 45 feet would preclude the Project from being constructed at the identified density. The Project, as designed, includes dwelling unit square footages consistent with code requirements and ground floor amenities, as well as required parking. Reducing the Project to 45 feet would cause the removal of two stories from the Project. Maintaining the identified density while reducing the Project by two stories would likely require 1) redesign of the Project to include rooms of a substandard size, and/or 2) the removal of required parking and Project amenities on the ground floor, which would be displaced by residential units. Accordingly, the increased height would constitute a permissible waiver, as maintaining the 45 foot height limit would reduce the Project’s density.

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February 9, 2022  
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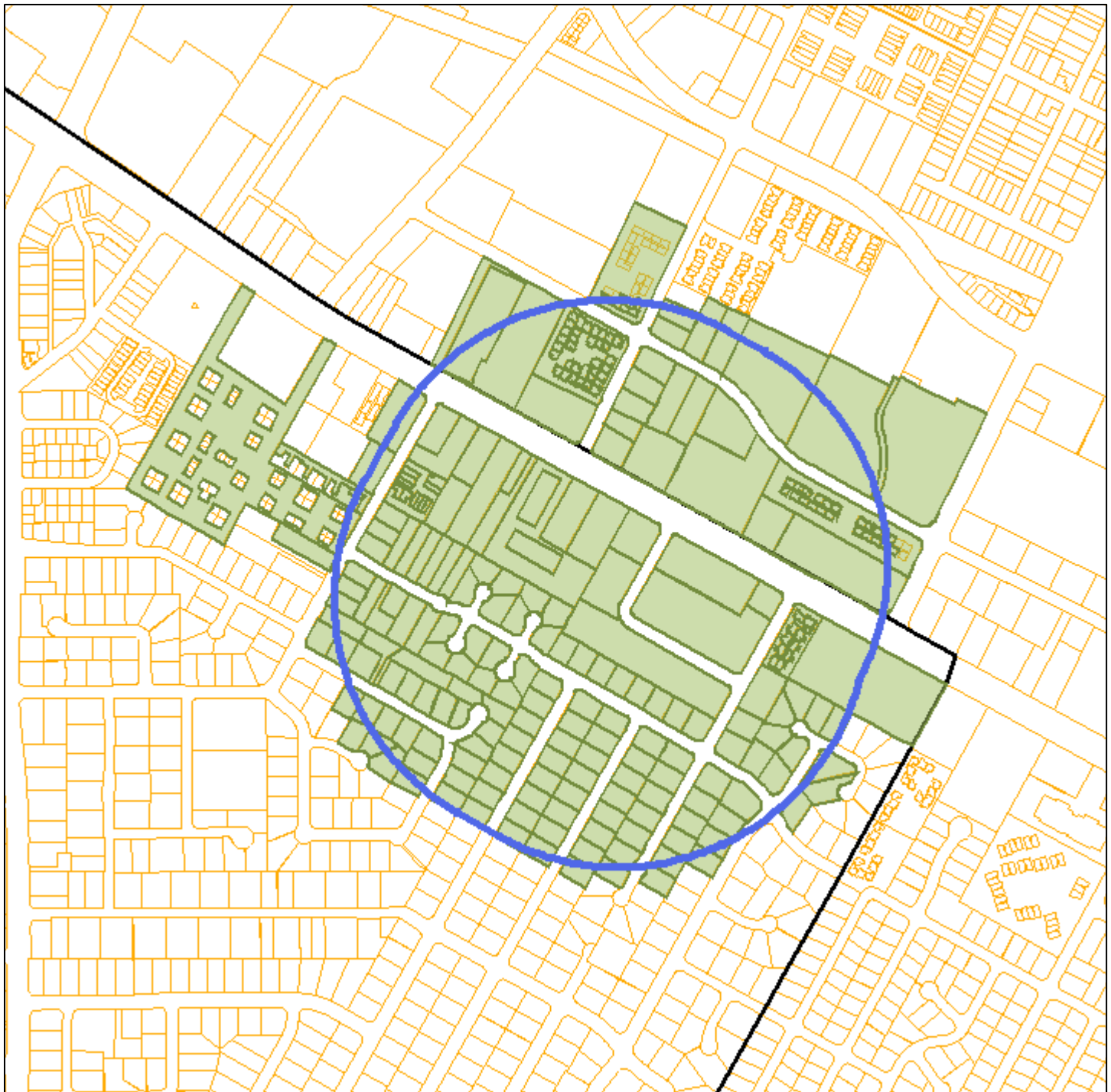
The Project's increased density could also be considered a waiver. As the Project seeks to construct an affordable housing development with a density of 103.45 dwelling units/acre, maintaining the density required by the LAMC would have the effect of physically precluding the Project. Accordingly, the Project's increased density could be treated as a waiver rather than an incentive.



# ATTACHMENT E

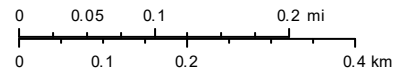
## Notification Map

Agenda Item 2.



Print Date: June 1, 2022

19,028



- Schools
- Park and Recreation Areas
- City Limit
- Waterways
- TaxParcel
- Situs Label

The information on this map was derived from the City of Los Altos' GIS. The City of Los Altos does not guarantee data provided is free of errors, omissions, or the positional accuracy, and it should be verified.

# ATTACHMENT F

Agenda Item 2.

330 Distel Circle 5 story building

Weiyan Farmer <[REDACTED]>

Mon 6/20/2022 11:08 PM

To: Radha Hayagreev <[REDACTED]> ; Steve Golden <sgolden@losaltosca.gov>; 330distelcircle@eahhousing.org

[REDACTED]

Hi

I heard this from my neighbor, Damian I totally agree with his thoughtful suggestions. Hopefully, you will take serious considerations about his suggestions.

Thanks.

Kate

To the Planning Commission and Los Altos City Council,

The 5 story building to be developed on 330 Distel Circle will impact the privacy of several homes located on Marich Way. This is due to the fact that the building windows facing Marich Way will be overlooking the various homes' backyards, swimming pools, and (bedroom) windows. The current trees provide little coverage due to the height of this new development. None of the houses developed on Marich Way or in the neighborhood, expected such a tall construction to be developed. I would like to request the developer of this building to plant additional trees (or equivalent tall vegetation) closer to the actual impacted homes so privacy can be respected (see image below). Alternatively, the windows of the building facing Marich should be reduced to small windows close to the ceiling of the apartment units so people inside the unit cannot see down while light can still go through. Looking forward to hearing from you.

Thanks

City of Los Altos contacts:

Radha Hayagreev [rhayagreev@losaltosca.gov](mailto:rhayagreev@losaltosca.gov)

Steve Golden <[sgolden@losaltosca.gov](mailto:sgolden@losaltosca.gov)>

EAH Housing contacts:

["330distelcircle@eahhousing.org"](mailto:330distelcircle@eahhousing.org) [330distelcircle@eahhousing.org](mailto:330distelcircle@eahhousing.org)

[REDACTED]

**Steve Golden**

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**From:** Steve Golden  
**Sent:** Thursday, June 16, 2022 1:12 PM  
**To:** Damian H  
**Cc:** 330distelcircle@eahhousing.org; Radha Hayagreev  
**Subject:** RE: 330 Distel Circle housing development impacting my family privacy

[Redacted]

[Redacted]

[Redacted]

[Redacted]

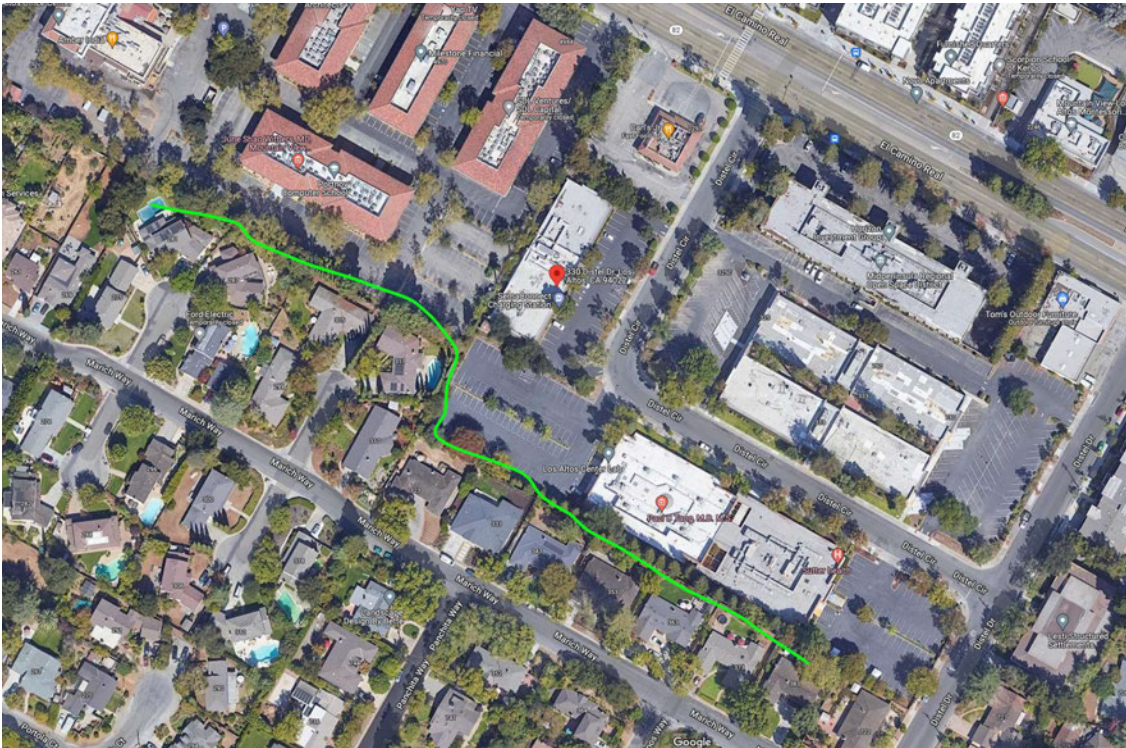
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**From:** Damian H <[Redacted]>  
**Sent:** Monday, June 13, 2022 9:41 PM  
**To:** Steve Golden <sgolden@losaltosca.gov>  
**Cc:** 330distelcircle@eahhousing.org; Radha Hayagreev <rhayagreev@losaltosca.gov>  
**Subject:** Re: 330 Distel Circle housing development impacting my family privacy

Steve, thanks for the note. Based on this, I would like to file a formal public comment, below. Would you let me know what are the next steps? Should I get in touch with the developer as well?

To the Planning Commission and Los Altos City Council,  
The 5-story building to be developed on 330 Distel Circle will impact the privacy of several homes located on Marich Way. This is due to the fact that the building windows facing Marich Way will be overlooking the various homes' backyards, swimming pools, and (bedroom) windows. The current trees provide little coverage due to the height of this new development. None of the houses developed on Marich Way or in the neighborhood, expected such a tall construction to be developed. I would like to request the developer of this building to plant additional trees (or equivalent tall vegetation) closer to the actual impacted homes so privacy can be respected (see image below). Alternatively, the windows of the building facing Marich should be reduced to small windows close to the ceiling of the apartment units so people inside the unit cannot see down while light can still go through. Looking forward to hearing from you.

Thanks





**FW: EAH Housing Proposal 330 Distel Circle**

Yvonne Dupont &lt;ydupont@losaltosca.gov&gt;

Tue 6/7/2022 8:46 AM

To: Radha Hayagreev rhayagreev@losaltosca.gov

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**From:** Steve Folkman [REDACTED]  
**Sent:** Monday, June 06, 2022 10:09 PM  
**To:** Public Comment PC PCpubliccomment@losaltosca.gov ; Jonathan Weinberg jweinberg@losaltosca.gov  
**Subject:** EAH Housing Proposal 330 Distel Circle

Dear Planning Commission Members and Council Liaison,

I am a resident of Marich Way, the residential street directly behind Distel Circle. Many of the properties on Marich (admittedly not mine) share a backyard fence with other properties on Distel Circle. I am concerned that allowing a 5 story building on Distel Circle sets precedent for other 5 story buildings on Distel Circle.

I would ask that the Planning Commission NOT APPROVE a 5 story structure but limit the structure to 3 stories. I am concerned that if a 5 story building is approved on Distel Circle, then the next developer will argue that their development should be allowed to be 5 stories also. Perhaps, then, PAMF may ask to expand their facility to 5 stories, leading to 5 story buildings sharing backfences with residents on Marich. Or PAMF may sell to a developer who demands "equal treatment" to a 5 story development on the existing PAMF property.

Increased traffic on Marich and surrounding neighborhood streets is also a concern. Consider a trip from Distel Circle intended northwest bound on El Camino or southbound on San Antonio Road (towards downtown Los Altos!).

The traveller is most likely to turn right out of the complex to avoid the unregulated intersection at El Camino and Distel Circle. So the main thoroughfare route would be left out of Distel Circle onto Distel Dr, then through 6 lights, or potential stops, [Distel Dr / El Camino left turn, Distel Circle crosswalk, Ortega, Showers, San Antonio / El Camino] to get through the intersection at El Camino and San Antonio. Alternatively a right turn onto Distel Drive leads to a path down Marich, Jordan and Portola with a single stop sign at Marich before the next traffic control at the light at San Antonio / Portola.

Even traffic northbound across El Camino at San Antonio might use the route down Marich to save passing through 2-3 traffic lights.

Adding to the undesirability of a trip down El Camino will be the increased traffic density that occurs on El Camino when the proposed bike line is added.

Note that more than 200 residents of the new 5150 El Camino project headed northwest on El Camino or south on San Antonio will find it advantageous to use the Marich / Jordan / Portola corridor for access to or north of San Antonio Rd.

It is not the type of housing that is at issue here, but rather the precedent and size of the proposed developments. ***I am concerned that the committee is not considering the aggregate of the effects of multiple projects on the residents of Marich Way and the surrounding neighborhood.***

Best regards,  
Steve Folkman

2388

# ATTACHMENT G

330 Distel Circle Los Altos, CA		5.25.22	
Objective Standards Compliance Chart (September 2021)			
14.50.170	Design Control (CT)	Comment	Waiver/Concession/Density Bonus Permitted/Council Discussion
<b>A. Building Placement.</b>			
	A minimum 75 percent of ground-floor building frontages facing El Camino Real must be built at the minimum setback line. This standard applies to the building frontage only (exclusive of side setbacks).	Not facing ECR	
<b>B. Building Massing and Articulation.</b>			
<b>1. Upper-story Step-backs.</b>			
	A. Front: Minimum 10 feet from ground floor façade for fifth story and above	Not stepping back on 4th and 5th floor. Need building area to get to 90 units	Concession
	B. Street Side: Minimum 10 feet from ground floor façade above 45 feet in height		
<b>2. Vertical Articulation.</b>			
	a. When a building façade exceeds 100 feet in length along a right of way, it must be separated into primary façade bays no greater than 50 feet and secondary façade bays defined by a recess a minimum of 3 feet deep and 10 feet wide	Primary façade: Comply with 50ft bays. Secondary façade: Comply with 10ft width, and 3ft recess from the solar shade to the secondary wall.	
	b. A minimum one entrance shall be provided per 150 linear feet along El Camino Real and per primary façade bay along all other rights of way	Not facing ECR, one ped entrance and vehicle entrance provided on Distel Circle	
	c. The eave/roof of a secondary façade bay shall be no higher than the corresponding elements of the primary façade bay.	Secondary façade bay top of roof about 24inches less than the Primary façade bay	
<b>3. Horizontal Articulation. New facades and façade modifications along a street or civic space shall be designed to visually express a base, middle, and top.</b>			
a. One or more of the following patterns shall be used to define the base:			
	i. Watertable: Base material extends from grade to between 8 and 54 inches above grade	Not used	
	ii. Podium: The base material encompasses the lowest story (or stories) of the building, with or without mezzanine(s), and terminates in a sill, string course, or cornice at its upper bound. (Multi-story buildings only.)	Comply- Mass timber base	
	iii. Watertable + Cornice/String Course: A watertable using the base material is combine with a cornice or string course at the lowest story's upper bound, including any mezzanine (multi-story buildings only).		
	b. The top of each building mass/bay shall be defined by elements spanning the full length of the façade of the mass/bay. Such elements may include a cornice, eave and/or gable(s), or other elements listed under Section 17.50.170.B.6. These elements shall be consistent with the overall architectural style of the building mass/bay.	Top of parapet and the solar shade as cornice	
<b>4. Adjacencies.</b>			
	a. Facades Adjacent to an R-1 District.	Does not apply. We are not adjacent to R-1. Adjacent to CT and O	
	b. Storefront Facades Adjacent to Storefront Facades	Does not apply. No adjacent buildings with retail storefront facades we are adjacent to	
	c. Compatibility with Adjacent Shorter Buildings with Height Difference of One Story or More. When adjacent to an existing shorter building with a height difference of one story or more, a proposed building must utilize two or more of the following strategies:		
	i. Incorporate the uppermost floor into the roof form		
	ii. Break the mass of the building into smaller modules through changes in wall plane, setbacks, and/or height	Does not apply. However, our storefront is similar in proportion to nearby office.	
	iii. Match window heights and/or proportions	Does not apply. However, large glazing elements similar to offices nearby.	
	v. Relate roof cornices and moldings at floor lines	Does not apply. However, 14ft office buildings adjacent work with our level 1 base	

330 Distel Circle Los Altos, CA Objective Standards Compliance Chart (September 2021)		5.25.22	
14.50.170	Design Control (CT)	Comment	Waiver/Concession/Density Bonus Permitted/Council Discussion
<b>5. Privacy and Line of Sight</b>		Comply	
	a. Primary living spaces and balconies located along a side setback shall orient principal windows and balconies toward the front and rear of the building	Comply	
	b. Where windows are within 10 feet of and oriented toward an interior side setback, glazing shall either be a minimum 30-degree angle measured perpendicular to the adjacent side setback line, have minimum sill height of 42 inches, or be opaque	Noted. On our side yards we are providing windows with a minimum sill height of 42 inches	
	c. The maximum sill height for an ingress/egress window is 44 inches from finished floor	Noted. We are Type IIIA. Egress Windows not required	
<b>6. Roofline and Roof Design</b>			
	a. Roof designs shall be limited to: i. Hipped; ii. Gable; iii. Shed; iv. Dormer; v. Parapet	We are providing a parapet	
	v. Parapet - (a) When used on the first or second floor, a parapet longer than 25 feet in length must include at least one but not more than two of the following design elements to break up the length of the parapet: (1) Steps; (2) Curves; (3) Angled surfaces	Parapet not provided on level 1 and 2 except at the small portion where Distel turns at the multipurpose room. That section is <25ft	
	(b) The length of a parapet segment on the third floor and above may not exceed 25 feet	No parapet on third floor	
	b. When the top story is stepped back and embedded in a sloped roof form, the floor below must (and other floors may) be stepped back to meet the slop of the top story	Top story is not stepped back. Would reduce the number of units. See exhibit A1.2	
	c. Building facades facing an R-1 district must have a hipped or gable roof and may incorporate dormers.	Do not face R-1	
	d. Roofline/parapet at corners shall not exceed roofline/parapet of adjacent wall planes by more than 24 inches	The difference between primary and secondary facades is 24" or less.	
<b>C. Building Design</b>			
	<b>1. Façade Design</b>		
	a. Building facades shall be arranged in an orderly composition of bays, defined by vertically aligned openings alternating horizontally with solid walls or columns. The pattern shall be visually expressed through the spacing of openings, recesses, eaves, inset panels, cornices, overhangs, trellises, exposed rafters, columns, or bay windows.	Bays on levels 2-5 provided	
	b. The pattern may be shared between the ground floor and upper stories provided the ground floor exhibits enhanced detail or modulation.	Ground floor has different articulation with mass timber columns and storefront	
	c. Residential facades shall incorporate at least one element that signals habitation, such as bay windows, or balconies.	Juliette balconies provided on Distel (area constraints). Other sides and courtyard have balconies	
	d. Non-glazed wall areas (blank walls) must be enhanced with architectural details, landscaping, and/or landscaped trellises or lattices.	No blank walls	
	<b>2. Ground Level Transparency.</b> A minimum 60 percent of commercial ground floor street-facing facades between 2 and 7 feet in height shall be transparent window surface. Opaque, reflective, or dark tinted glass is not allowed.	No commercial along Distel. However, large, transparent glazing area provided.	
	<b>3. Pedestrian-Scaled Entrances</b>		
	a. Buildings more than 70 feet in length along a right-of-way must incorporate at least one forecourt frontage on the right-of-way-facing façade. Required forecourts must also comply with the standards of Section 14.50.170.C.3.b.v. below	We comply with ii: Shopfront. Awning and mass timber columns do not exceed 25ft	
	b. Each street-facing building façade must incorporate at one of the following entry features. See Section 14.66.275 (Entrance Type Standards) for design standards applicable for each entrance type listed: i. Stoop; ii. Shopfront; iii. Gallery; iv. Arcade; v. Forecourt; vi. Terrace	We comply with ii: Shopfront. Awning and mass timber columns do not exceed 25ft	
	ii. Shopfront (a) Shopfronts more than 25 feet in width must incorporate variations in bulkhead, awnings, materials and/or color to visually articulate the shopfront into modules not to exceed 25 continuous feet.	Our storefront glazing is separated by columns that are less than 25ft	
	v. Forecourt (a) Forecourts must feature at least one entry to a shop and/or second floor use.		



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	(b) The size of the forecourt must be appropriate relative to the size of the building. The maximum ratio of building	Does not apply- we are complying with Shopfront	
	(c) Forecourt must be minimum 15 feet in width.		
	(d) Forecourt must be enclosed on at least three sides by buildings.		
	(e) Forecourt must remain open to the sky (arbors and trellises are allowed).		
	c. Primary Entrance Location(s). - Locate primary entrance on the front right-of-way.	Lobby entry along Distel	
	d. Individual Entries. - Ground floor residential units facing a street must provide individual entries along the street frontage.	No ground floor residential	
	e. Corner Entrances. - Chamfered corners must incorporate a building entrance. Any required entrances may be provided on the corner of the building assuming one of the intersecting sides is a primary frontage.	No corner entrances	
	f. Street-facing Entries to Upper Floors. - Street-facing entries to upper floors shall be equal in quality and detail to storefronts. This standard may be satisfied through two or more of the following:	No street facing entries to upper floors	
	i. Dedicated awning, canopy, or other roof element	Awning provided	
	ii. Stairs with a single color applied to treads and a contrasting color or pattern applied to risers	Not selected	
	iii. Dedicated light fixture(s)	Light figures provided	
	iv. Decorative street address numbers or tiles	Decorative address numbers provided	
	v. Plaque signs for upper-floor business tenants	Not selected	
	g. Entry Protection. - Primary street-facing entrances shall be protected by a recess in the building frontage at least 3 feet deep or by a projection extending outward at least 3 feet measured horizontally from the entrance, and wide enough to clear the building entryway on both sides.	Primary entry more than 3ft deep	
	i. Protection may be coterminous with an accent element	Noted	
	ii. Protection may take the form of an extended eave, overhang, awning, door canopy, gallery arcade frontage, or other element that provides shade and shelter from the elements.	Protection provided via awning and arcade on Distel	
	iii. The lowest edges of a projected awning or door canopy shall have a vertical clearance of no more than 8 feet.	Our awning is underneath the podium base. We are not extending out as the diagram shows.	
	iv. Recessed entries shall differentiate pavement within the recess through the use of a dedicated paving material or pattern.	Noted	
	h. Accent elements demarcating building frontage, entrance, and common open space areas shall not exceed the height of the ground floor story. Roof elements are excepted.	Noted	
<b>4. Ground Floor Floor-to-Ceiling Height</b>			
	a. Minimum 24 inches taller than typical upper floor floor-to-ceiling height where ground floor is non-residential.	Not applicable	
	b. Minimum 12 inches taller than typical upper floor floor-to-ceiling height where ground floor is residential.	Noted. We are 5ft taller than typical residential to fit mechanized parking	
<b>5. Interior Courtyard. Interior Courtyards must be:</b>			
	a. 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 street. Creating privacy for single family neighbor, western light for courtyard. Removing a leg of the building to make the courtyard visible would decrease unit and parking area. Access to courtyard and exit via stair.	Concession
	b. Enclosed on at least two sides by buildings.	Comply	
	c. Open to the sky (arbors and trellises are allowed).	Comply	
	d. A minimum width of 20 feet and a minimum area of 400 square feet.	Comply	
<b>6. Paseos. Paseos must be:</b>		No paseos in project	

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	a. A minimum of 10 feet for through-block paseos.	No paseos in project	
	b. A minimum width of 4 feet for entries to courtyards or individual single businesses.	No paseos in project	
<b>D. Window Design. Vinyl windows are prohibited on facades visible from a right-of-way.</b>		Vinyl windows not provided along Distel Circle. See elevations.	
<b>E. Building Materials</b>			
<b>1. Primary shall mean 50 percent or more of a façade surface area excluding transparent surfaces. Permitted primary cladding materials are limited to:</b>			
	a. Stucco (minimum 2-coat stucco; synthetic stucco or EIFS not allowed)	Stucco proposed	
	b. Siding (lap, vertical, panelized, or shingle)	Not used	
	i. All siding shall be wood, composite wood, or cement fiberboard.	Not used	
	ii. Wood siding shall be painted or stained.	Mass Timber at base to be stained	
	iii. Vinyl and aluminum siding are not permitted.	Not used	
	c. Stone	Not used	
	d. Brick	Not used	
	e. Concrete (board-form only).	Not used	
<b>2. Secondary shall mean less than 50 percent of a façade surface area excluding transparent surfaces. Permitted secondary cladding materials are limited to:</b>			
	a. Stucco (minimum 2-coat stucco; synthetic stucco not allowed, EIFS not allowed)	Stucco proposed	
	b. Siding (lap, vertical, panelized, or shingle)	Not used	
	i. All siding shall be wood, composite wood, or cement fiberboard.	Not used	
	ii. Wood siding shall be painted or stained.	Not used	
	iii. Vinyl and aluminum siding are not permitted.	Not used	
	c. Stone (building base only)	Not used	
	d. Brick (building base only)	Not used	
	e. Tile	Not used	
	f. Metal (matte finish or Cor-ten)	Matte finish for solar shades proposed	
	i. Ribbed metal, titanium, and mirrored finishes are not permitted.	Noted	
	g. Concrete Masonry Units (water table and building base only, and not allowed on any façade facing a right-of-way or a single-family zone)	Not used	
	h. Concrete (building base only, board-form only, cast concrete not permitted)	Not used	
	<b>3. On attached elements, such as bay windows, orioles, and balconies.</b>	Incomplete Statement	IMC has an incomplete sentence
<b>F. Ground Level Open Space. Where any required front, rear, or side yard setback is 10 feet or greater, on-site ground level open space shall be provided within the setback.</b>		Provided	
	1. The ground level open space shall be usable and accessible.		
	2. The minimum dimension for ground level open space shall be 8 feet.		
<b>G. Landscaping and Paving</b>			
	1. Landscaping must be placed on each side of a driveway at grade or in raised planters.	External driveway not provided Noted	
	2. Landscape elements shall be integrated with the building architecture, parking, and streetscape. Recommended patterns shall include, but are not limited to:		
	a. Planters for flowers and shrubs within street frontage.	Noted	
	b. Landscape buffers between parking spaces and building facades.	Noted	
	c. Landscaping within and/or on walls adjacent to courtyards, open spaces, and setbacks.	Noted	

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3. See Sections 14.66.180 (Maintenance of Landscaped Areas) and 14.70.070 (Landscaped Strips) for additional landscaping standards.		Noted	
<b>H. Parking Design and Access</b>			
1. Where structured parking	a. Lined with ground-floor non-residential uses at least 30 feet deep as measured from the front façade; or b. Designed such that the floor elevation is a minimum 4 vertical feet below the elevation of the adjacent sidewalk.	Comply. Amenity provided in front of parking Not applicable. Comply with a. above	
2. Visible structured parking	a. Regular punched openings designed to resemble windows of habitable spaces b. Trellis/living wall c. Custom textured or decorative screening	Structured parking not visible from Distel Circle Not applicable Not applicable	
3. Entrances to Parking Facilities	a. A maximum of two curb cuts for one-way traffic and one curb cut for two-way traffic may be permitted per street frontage per lot. b. Controlled entrances to parking facilities (gates, doors, etc.) shall be located a minimum 10 feet from the back of sidewalk. c. Entrances to parking facilities along a street frontage shall be separated by a minimum of 60 feet. d. Where possible, curb cuts serving adjacent parking facilities shall be shared.	Comply. One curb cut provided. Comply. Gate set back from back of sidewalk Only one parking entrance provided	
<b>I. Site Circulation and Access</b>			
1. New development on abutting lots shall be designed to allow cross-access for internal pedestrian, bicycle, and vehicular circulation systems.		Not applicable Noted	
2. Bicycle racks shall be provided	a. In or within 50 feet of every parking area; and b. Within 20 feet of at least one building entrance.	Provided in indoor bicycle rack Provided in outdoor bicycle rack	
<b>J. Services Areas and Screening</b>			
	1. Service areas must be located at the rear of lot.	Trash room within building.	
	2. Service areas must be enclosed on enclosures that are architecturally consistent with primary building in terms of materials, colors, and style.	Noted	
<b>K. Additional Design Standards. See Section 14.66.280 for additional design standards applicable to all residential mixed-use development in the CT District.</b>			
<b>14.66.280</b>	<b>New Section 14.66.280 Design Standards Applicable to all multifamily and residential mixed use development</b>		
<b>A. Architectural Integrity</b>			
	1. Material palette on all floors above the ground floor, not including floors contained with a sloped roof form, must be consistent.	Achieved. Levels 2-5 are primarily stucco with metal solar shades	
	2. Change in material may occur only at the inside corner of a change in wall plane. Material must wrap around outside corners.	Noted. Comply	
<b>B. Firewalls and Visible Sidewalls</b>			
	1. Any exposed surfaces shall be consistent with and expressive of the overall building design and shall be finished in the same palette of materials as the rest of the building. Front façade finished materials, façade cornices, wall top projections, decorative details, and moldings must be carried and repeated on the side wall.	Noted	
	2. At least one of the following techniques must be employed on firewalls/visible sidewalls:	Noted	
	a. Incorporation of windows where code allows and adequate fire protection can be provided.	Noted	
	b. Gable and hip roofs to vary the height and appearance of sidewalls.	Not applicable	
	c. Inset panels.	Noted	

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	d. Stepped back front façade of upper floor(s) to vary the sidewall profile.	Noted	
<b>C. Durability. Exterior finish materials shall have an expected lifespan of no less than 30 years.</b>		Noted	
	1. Features to direct rainwater away from exterior walls shall include one or more of the following:	Noted	
	a. Cornice , with drip at outer edge of corona (minimum 12-inch projection).	Noted	
	b. Projecting eaves (minimum 12-inch projection)	Noted	
	c. Scuppers, with our without downspouts (min. 12-inch projection if no downspouts are used)	Noted	
	d. Gutters, with downspouts or rain chains.	Noted	
	i. Downspouts shall be one color and shall not change colors to match the wall behind them.	Noted	
	ii. Downspouts shall be round or rectangular, made of copper or metal.	Noted	
	iii. Downspouts shall not break façade profiles (such as a cornice) but shall wrap around projecting a profile	Noted	
	<b>2. Exterior timber shall be protected from decay by one or more of the following:</b>	Noted	
	a. Material properties (e.g. cedar)	Noted	
	b. Staining and sealing	Wood Mass Timber elements to be sealed	
	c. Painting	Noted	
	<b>3. Exterior ferrous metals shall be protected from corrosion by one or more of the following:</b>		
	a. Metallurgical properties (e.g. galvanized, stainless, or weathering still)	Noted	
	b. Painting or other impermeable coating.	Noted	
	<b>4. Windows</b>		
	a. All windows must be recessed a minimum of 3 inches from the outer wall surface for all Commercial and Multi-family zones except the CT zone.	We are CT zone. Does not apply	
	b. Window openings surrounded by masonry finish materials shall include a lintel that that is taller than the sill/apron and proportional to the load it appears to carry.	No masonry. Does not apply	
<b>D. Materials: Materials shall appear only in places and configurations appropriate to their structural properties.</b>			
	1. Where walls use masonry finish materials (e.g. stone, brick, CMU), any openings spanned by the material must be either:	No masonry. Does not apply	
	a. Arched, with each arch defined by a continuous series of voussoirs and a single keystone at the apex; or	No masonry. Does not apply	
	b. Rectangular, with a continuous lintel spanning the opening and extending beyond by 4 to 6 inches at each end. Vertical dimensions of the lintel shall be no less than 1/2 of the clear span. Steel lintels are exempt from this minimum vertical dimension.	No masonry. Does not apply	
	2. When used, exterior timber posts, beams, rafters, purlins, brackets, etc. shall be joined according to structural principles.	Noted	
	3. Where a change in material is desired, all façade materials shall turn the corner and terminate into a vertical element of the façade composition.	Noted	
	<b>4. Materials Defining Building Elements</b>		
	a. Base. 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 distinct material. Wood and storefront glazing proposed at the base.	Waiver
	b. Body. Typical materials for the main body of the building include wood, fiber cement, brick, stone, or stucco. If brick is used, it must extend vertically to the base; if stone is used, it must extend vertically to the foundation.	Stucco proposed for body	
	c. Parapet. Parapets shall terminate in a parapet cap of stone, concrete tile, metal, or molded stucco.	Noted	

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	d. Bays. Horizontal changes in finish material shall occur at the boundaries between bays rather than within a bay.	Noted. Comply	
	e. Arcades. Arcades shall be supported by columns or piers in concrete/cast stone, fiberglass, or stucco. Archivolts and imposts shall be expressed using similar materials/appearance.	Arcades not proposed	
	f. Structural elements. Structural elements visible on the building exterior (e.g. rafters, purlins, posts, beams, balconies, brackets, trusses, columns, arches, etc.), even when ornamental, shall be sized and spaced according to their corresponding structural role, and materials shall be selected accordingly (see A. architectural integrity).	Noted	
	5. Materials allowed for Building Details/Ornament	Noted	
	a. Wood	Noted	
	b. Metal (wrought iron, copper, aluminum, tin)	Noted	
	c. Glass fiber reinforced concrete (GFRC)/fiberglass	Noted	
	d. Terra Cotta	Noted	
	e. Tile	Noted	
	f. Plaster	Noted	
<b>E. Colors</b>		Noted	
	1. A maximum of 4 colors shall be applied to be the building façade:		
	a. 1 primary color comprising 50 percent or more of the façade excluding	Comply: Blue/Green primary	
	b. 1 secondary color comprising no more than 30 percent of the façade excluding transparent surfaces.	Comply: Secondary insets are gray	
	c. 1 tertiary color comprising no more than 20 percent of the façade excluding transparent surfaces.	Noted. No other color suggested	
	d. 1 accent color for use of trim and architectural details.	Balconies are composite wood color	
	2. Materials with intrinsic, naturally-occurring coloration shall not count towards this maximum. Such materials are limited to copper, Corten steel, unpainted wood, tile, and brick. Materials with prefinished color (stucco, cement fiberboard, colorized metal) shall count towards the maximum.	Mass timber applies here	
	3. Changes in color may occur:		
	a. To articulate changes between base, body, and top portions of a façade, which must be separated by a cornice or profile or a change in material and must remain consistent across the length of the façade by.	Noted. Comply	
	b. When a portion of the elevation is articulated as a separate building with a break in the roof form and a step back in the façade plan 5 feet or greater or step up in façade height at least 10ft.	Noted. Comply	
	c. On attached elements, such as bay windows, orioles, and balconies.	Noted. Comply.	
	<b>F. Façade Lighting:</b> Façade lighting shall be incorporated into all storefront design and all facades facing an R-1 district. Fixtures shall be:	Not facing an R-1 district. Facing O and CT. We will be providing lighting along Distel along storefront and will review lighting in lighting design further as the design develops.	
	1. Shielded and directed onto the building façade.	Noted	
	2. Consistent in style with the primary building.	Noted	
	<b>G. Habitable Outdoor Space.</b> Private, habitable outdoor space supported by the building structure.		
	1. Pergola: Posts supporting beams with brackets, which in turn support purlins and/or rafters. Posts shall be no narrower in any dimension than 3.5" or 1/20 of the unbraced post length, whichever is greater.	Does not apply	
	2. Trabeation: Post or columns supporting beams with or without brackets, which in turn support either an additional floor level (for multi-story porches/balconies) or a full roof system based on rafters and or purlins with decking and finish material. Posts shall be no narrower in any dimension than 3.5" or 1/20 of the unbranched post length, whichever is greater. The distance between posts shall be no wider than the total post height.	Does not apply	

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	3. Arcuation: Encompassed by walls that are penetrated by arched openings bounded by either columns or piers. The ratio of the column diameter [at lowest part of shaft] to column height shall be no less than 1:10 and no greater than 1:7. Width of piers at corners [abutments] shall be no less than 1/3 of the opening width; piers between multiple arched openings may be narrower.	Does not apply	
	4. Rectilinear: Bounded by square/rectangular piers framing rectilinear wall openings. If lintels are expressed on the façade, they shall extend over the piers by 4"-6" at each end. Piers shall be no narrower in any dimension than 15.5" or 1/6 of the opening width, whichever is greater. Piers at corners shall be wider than the piers between openings.	Does not apply	
	5. Fabric Shading: Shaded by fabric elements such as awnings or stretched canvas, secured to the building structure, sheltered by Main Roof Form, supported by other building volumes.	Does not apply	
	a. Cantilevered balconies shall be secured architecturally to the wall below by brackets.	The floor system and brackets above will support the cantilevering balconies.	
	b. Bracket material shall be consistent with that of the balcony's floor structure	No brackets proposed	
<b>H. Historic Preservation</b>	Not applicable		
<b>I. Sustainability in Design</b>			
	1. All new construction shall incorporate landscaping and fenestration to passively cool the building; energy-efficient HVAC; and energy efficient lighting.	Noted	
	2. All energy generation devices must blend with the building color.	Noted	
	3. All on-site landscaping shall be drought-resistant and require minimal irrigation.	Noted	
<b>J. On-site landscaping</b>			
	1. Trees proposed within street-facing setbacks must be selected from the Los Altos Street Tree Planting List	Noted	
	2. Trees planted on the south side of the building must be deciduous.	Noted	
	3. Species shall be selected and located according to direct sunlight needs.	Noted	
	4. Vegetation shall be installed along all exposed east and west facing walls.	Noted	
	5. Groundcovers shall be planted over a minimum 50 percent of landscaped areas to prevent ground reflection and keep surfaces cool.	Noted	
	6. When parking is tucked under a building, landscape planters must be provided to break up the continuous paving at the building's edge.	Parking in structure, not tuck under	
<b>K. Screening</b>			
	1. Rooftop mechanical equipment must be screened from public view.	Noted	
	2. Barbed wire, chain-link, and razor wire are not permitted.	Noted. Not proposed	

## Preliminary Arborist Report

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**330 Distel Circle  
Los Altos, CA**

**PREPARED FOR**  
EAH Housing  
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San Rafael, CA 94901

**PREPARED BY**  
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## Preliminary Arborist Report 330 Distel Circle, Los Altos

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***Tree Assessment Form***

***Tree Assessment Plan***



## Preliminary Arborist Report

### 330 Distel Circle, Los Altos CA

#### ***Introduction and Overview***

EAH Housing is proposing to redevelop the property located at 330 Distel Circle, in Los Altos. The plan proposes to construct affordable housing using modern, flexible and sustainable building approaches. HortScience | Bartlett Consulting (HBC), Divisions of The F. A. Bartlett Tree Expert Co. was asked to prepare a **Preliminary Arborist Report** to meet the City of Los Altos' requirements.

This report provides the following information:

1. An assessment of trees within and immediately adjacent to the project site.
2. An assessment of the impacts of constructing the proposed project on the trees.
3. Preliminary recommendations for tree preservation and removal.
4. Preliminary guidelines for tree preservation during the design, construction and maintenance phases.

#### ***Assessment Methods***

Trees were assessed on July 29, 2021. All trees measuring 6" or greater in diameter, within the project area or with portions of their crowns extending into the project area, were included (per City of Los Altos Chapter 11.08, Tree Protection Regulations). The assessment procedure consisted of the following steps:

1. Identifying the tree as to species;
2. Tagging each tree with an identifying number and recording its location on a map;
3. Measuring the trunk diameter at a point 48" above grade;
4. Evaluating the health and structural condition using a scale of 1–5:
  - 5** - A healthy, vigorous tree, reasonably free of signs and symptoms of disease, with good structure and form typical of the species.
  - 4** - Tree with slight decline in vigor, small amount of twig dieback, minor structural defects that could be corrected.
  - 3** - Tree with moderate vigor, moderate twig and small branch dieback, thinning of crown, poor leaf color, moderate structural defects that might be mitigated with regular care.
  - 2** - Tree in decline, epicormic growth, extensive dieback of medium to large branches, significant structural defects that cannot be abated.
  - 1** - Tree in severe decline, dieback of scaffold branches and/or trunk; most of foliage from epicormics; extensive structural defects that cannot be abated.
5. Rating the suitability for preservation as "high", "moderate" or "low". Suitability for preservation considers the health, age and structural condition of the tree, and its potential to remain an asset to the site for years to come.
  - High:** Trees with good health and structural stability that have the potential for longevity at the site.
  - Moderate:** Trees with somewhat declining health and/or structural defects than can be abated with treatment. The tree will require more intense management and monitoring, and may have shorter life span than those in 'good' category.
  - Low:** Tree in poor health or with significant structural defects that cannot be mitigated. Tree is expected to continue to decline, regardless of treatment. The species or individual may have characteristics that are undesirable for landscapes, and generally are unsuited for use areas.

### **Description of Trees**

Twenty-seven (27) trees were assessed, representing 11 species (Table 1, following page). Eight (8) off-site trees with portions of their crowns extending onto the development site were included in the assessment (#449, 450 and 452-457). Descriptions of each tree are found in the **Tree Assessment Form** and locations are plotted on the **Tree Assessment Plan** (see Exhibits).

The site was a single-story office building, with perimeter landscaping. Vegetation at the site was primarily exotic species, with a handful of native coast live oaks and coast redwoods.

Nine (9) holly oaks made up the backbone of the landscaping, with #431-435 on the north side of the building and #440, 441, 445 and 450 (off-site) on the south side of the building. The majority of these were young to semi-mature, with trunk diameters from 7” to 15”. Holly oak #433 was mature at 20” in trunk diameter and the only holly oak in good condition (**Photo 1**). Most had not been provided sufficient space for full development and were crowded by adjacent trees, producing one-sided crowns and leaning trunks. Seven holly oaks were in fair condition, #435 was in poor and #433 was in good condition.



**Photo 1:** Looking north at holly oak #433. This was the only holly oak on the site that was mature (20” in diameter) and in good condition.

Four evergreen pears were growing adjacent to the building, with #437 and 438 on the west side and #443 and 444 on the east side. They were semi-mature (11” to 15” in trunk diameter) and primarily in fair condition, with #443 in good condition. Most leaned as a result of competition for light and #443 and 444 had been planted in close proximity to the existing building and parking lot, displacing the adjacent asphalt by an estimated 5”.

Three coast live oaks were assessed, with #436 located in the northwest corner of the site and #449 (off-site) and 451 located to the south of the building. Coast live oak #436 was young (9” in diameter) and in fair condition. Coast live oaks #449 and 451 were both mature and in good condition.

Sweetgums #447 and 448 were growing in the planter behind the sidewalk along Distel Circle. Sweetgum #447 was young (10” in diameter) and #448 was semi-mature at 14” in diameter. Both were in fair condition, but #447 was in decline, with a very sparse crown.

**Table 1. Tree condition and frequency of occurrence.  
 330 Distel Circle, Los Altos**

Common Name	Scientific Name	Condition Rating			No. of trees
		Poor (1)	Fair (3)	Good (4-5)	
African fern pine	<i>Afrocarpus falcatus</i>	-	-	1	1
Hollywood juniper	<i>Juniperus chinensis 'Kaizuka'</i>	-	2	-	2
Sweetgum	<i>Liquidambar styraciflua</i>	-	2	-	2
Olive	<i>Olea europaea</i>	-	-	1	1
Calif. sycamore	<i>Platanus racemosa</i>	-	-	1	1
Callery pear	<i>Pyrus kawakamii</i>	-	3	1	4
Coast live oak	<i>Quercus agrifolia</i>	-	1	2	3
Holly oak	<i>Quercus ilex</i>	1	7	1	9
Coast redwood	<i>Sequoia sempervirens</i>	-	2	-	2
Mexican fan palm	<i>Washingtonia robusta</i>	-	-	1	1
Xylosma	<i>Xylosma congestum</i>	-	1	-	1
<b>Total</b>		<b>1</b>	<b>18</b>	<b>8</b>	<b>27</b>
		4%	66%	30%	100%

A row of off-site tree were assessed along the northern fence line and included the following. All of the trees had been planted too close to the wall, with the bases of trees #452 and 454 growing against the wall (**Photo 2**).

- Hollywood junipers #452 and 453. Both were in fair condition but leaned.
- Coast redwoods #454 and 456 were mature and in fair condition. Both had sparse canopies.
- Xylosma #455 was in fair condition, with a low canopy that extended W. over the fence.

**Photo 2:** Looking southwest at trees #452-456 (L to R). The row of off-site trees were in fair condition but had been planted close to the wall separating the two properties. Inset below shows the base of coast redwood #454, which was growing against the wall.





The remaining species were represented by the following individuals:

- Mexican fan palm #439 was growing on the west side of the building. It was mature and in excellent condition.
- African fern pine #442 was growing in the planter in front of the building, adjacent to evergreen pears #443 and 444. It was mature (22" in diameter) and in good condition. However, it too had been planted too close to the building and parking lot and was displacing the adjacent asphalt by an estimated 5".
- Olive #446 was multi-stemmed and growing in the landscape along the Distal Circ. Frontage. It was in good condition, with good form and structure and a slightly sparse canopy.
- Calif. sycamore #457 was located just off-site on the west side of the property. It was mature (24" in diameter) and leaned northwest. It had been planted in a very small space and the base was growing against both the wall and curb.

Average tree condition for the site was fair, with 18 trees or 66% of the population. Eight (8) trees were in good condition (30%) and holly oak #435 was the only tree in poor condition (4%). Table 1 (previous page) provides a summary of condition by species.

The City of Los Altos protects all trees with diameters of 15" or greater located on private property. Removal of any tree with a diameter of 15" or greater requires a permit issued by the City, per Chapter 11.08 (Tree Protection Regulations). Based on this definition, 13 of the trees assessed at the 330 Distal Circ. Site qualified as *Protected*. All *Protected* trees are identified in the **Tree Assessment Form** (see Exhibits).

### **Suitability for Preservation**

Before evaluating the impacts that will occur during development, it is important to consider the quality of the tree resource itself, and the potential for individual trees to function well over an extended length of time. Trees that are preserved on development sites must be carefully selected to make sure that they may survive development impacts, adapt to a new environment and perform well in the landscape.

Our goal is to identify trees that have the potential for long-term health, structural stability and longevity. For trees growing in open fields, away from areas where people and property are present, structural defects and/or poor health presents a low risk of damage or injury if they fail. However, we must be concerned about safety in use areas. Therefore, where development encroaches into existing plantings, we must consider their structural stability as well as their potential to grow and thrive in a new environment. Where development will not occur, the normal life cycles of decline, structural failure and death should be allowed to continue.

Evaluation of suitability for preservation considers several factors:

- **Tree health**  
Healthy, vigorous trees are better able to tolerate impacts such as root injury, demolition of existing structures, changes in soil grade and moisture, and soil compaction than are non-vigorous trees.
- **Structural integrity**  
Trees with significant amounts of wood decay and other structural defects that cannot be corrected are likely to fail. Such trees should not be preserved in areas where damage to people or property is likely. Holly oak #435 is an examples of such a tree.

- **Species response**  
There is a wide variation in the response of individual species to construction impacts and changes in the environment. In our experience, for example, holly oak, coast live oak and coast redwood are tolerant of site disturbance, while sweetgum is more sensitive to site disturbance.
- **Tree age and longevity**  
Old trees, while having significant emotional and aesthetic appeal, have limited physiological capacity to adjust to an altered environment. Young trees are better able to generate new tissue and respond to change.
- **Invasiveness**  
Species which spread across a site and displace desired vegetation are not always appropriate for retention. This is particularly true when indigenous species are displaced. The California Invasive Plant Inventory Database (<http://www.cal-ipc.org/paf/>) lists species identified as being invasive. Los Altos is part of the Central West Floristic Province. Olive was the only species assessed at the 330 Distal Circ. site considered to have 'Limited' invasiveness.

Each tree was rated for suitability for preservation based upon its age, health, structural condition and ability to safely coexist within a development environment. Table 2 provides a summary of suitability ratings. Suitability ratings for individual trees are provided in the **Tree Assessment Forms** (see Exhibits).

We consider trees with high suitability for preservation to be the best candidates for preservation. We do not recommend retention of trees with low suitability for preservation in areas where people or property will be present. Retention of trees with moderate suitability for preservation depends upon the intensity of proposed site changes.

**Table 2: Tree Suitability for Preservation  
330 Distel Circle, Los Altos**

<b>High</b>	These are trees with good health and structural stability that have the potential for longevity at the site. Three (3) of the trees were highly suitable for preservation, including Mexican fan palm #439, olive #446 and coast live oak #451.
<b>Moderate</b>	Trees in this category have fair health and/or structural defects that may be abated with treatment. Trees in this category require more intense management and monitoring, and may have shorter life-spans than those in the "high" category. Sixteen (16) of the trees were of moderate suitability for preservation, including 4 holly oaks, 3 evergreen pears, 2 coast live oaks, 2 Hollywood junipers, 2 coast redwoods and one each of: African fern pine, xylosma and Calif. sycamore.
<b>Low</b>	Trees in this category are in poor health or have significant defects in structure that cannot be abated with treatment. These trees can be expected to decline regardless of management. Eight (8) trees were of low suitability for preservation, including 5 holly oaks, sweetgums #447 and 448 and evergreen pear #437.

**Preliminary Evaluation of Impacts and Recommendations**

Appropriate tree retention develops a practical match between the location and intensity of construction activities and the quality and health of trees. The **Tree Assessment** was the reference point for tree condition and quality. Impacts from construction were evaluated using the Preliminary Grading & Utility Plan C3.0, prepared by BKF Engineers dated October 18, 2021.

The plans were preliminary however, included utilities and accurate trunk locations. However, a final assessment is based on final plans.

The plan proposes to redevelop the site into 90 residential units in 5-stories, with ground floor amenities and vertical/mechanical lift parking. Site amenities would include a courtyard, community room, laundry facility and lounge. The main entry would be located along the northeast property boundary, providing access to parking in the north corner of the building. A utility box will be located at the south corner of the site.

Impacts from construction were estimated for each tree. Based on my review of the plans, all of the on-site trees will be removed to accommodate development plan, including eight *Protected* trees (#432, 433, 438-440, 442, 443, and 451). Table 3 (following page) provides the recommendations for each tree along with a description of the impacts and their *Protected* status.

Eight trees have been identified for preservation, all of which are off-site. Five of the trees identified for preservation qualified as *Protected*. Preservation of trees is predicated on following the **Tree Preservation Guidelines** provided on the following page.

Some amount of root and canopy pruning of off-site trees may be required for construction clearance. Recommendations for Tree Protection Zones are provided in the **Tree Preservation Guidelines** (following page).

**Table 3. Recommendations for preservation and removal.  
 330 Distel Circle, Los Altos**

Tag #	Species	Diameter	Protected	Impacts
431	Holly oak	10	No	Remove, within drive isle
432	Holly oak	15	Yes	Remove, within drive isle
433	Holly oak	20	Yes	Remove, within drive isle
434	Holly oak	7	No	Remove, within drive isle
435	Holly oak	9	No	Remove, within drive isle
436	Coast live oak	9	No	Remove, within building footprint
437	Evergreen pear	11	No	Remove, within building footprint
438	Evergreen pear	15	Yes	Remove, within building footprint
439	Mexican fan palm	16	Yes	Remove, within building footprint
440	Holly oak	15	Yes	Remove, within building footprint
441	Holly oak	13	No	Remove, within building footprint
442	African fern pine	22	Yes	Remove, within building footprint
443	Evergreen pear	15	Yes	Remove, within building footprint
444	Evergreen pear	14	No	Remove, within building footprint
445	Holly oak	8	No	Remove, within building footprint
446	Olive	9,9,8,7,7	No	Remove, in area of impact
447	Sweetgum	10	No	Remove, low suitability
448	Sweetgum	14	No	Remove, low suitability
449	Coast live oak	15,15,13	Yes	<b>Preserve</b> , off-site
450	Holly oak	14	No	<b>Preserve</b> , off-site
451	Coast live oak	20	Yes	Remove, In utility box area

Tag #	Species	Diameter	Protected	Impacts
452	Hollywood juniper	8,7	No	<b>Preserve</b> , off-site
453	Hollywood juniper	16	Yes	<b>Preserve</b> , off-site
454	Coast redwood	18	Yes	<b>Preserve</b> , off-site
455	Xylosma	9	No	<b>Preserve</b> , off-site
456	Coast redwood	22	Yes	<b>Preserve</b> , off-site
457	Calif. sycamore	24	Yes	<b>Preserve</b> , off-site

**Preliminary Tree Preservation Guidelines**

The goal of tree preservation is not merely tree survival during development but maintenance of tree health and beauty for many years. Trees retained on sites that are either subject to extensive injury during construction or are inadequately maintained become a liability rather than an asset. The response of individual trees will depend on the amount of excavation and grading, the care with which demolition is undertaken, and the construction methods.

The following recommendations will help reduce impacts to trees from development and maintain and improve their health and vitality through the clearing, grading and construction phases.

**Design recommendations**

1. Any plan affecting trees should be reviewed by the Consulting Arborist with regard to tree impacts. These include, but are not limited to, improvement plans, utility and drainage plans, grading plans, landscape and irrigation plans and demolition plans.
2. A **TREE PROTECTION ZONE** must be established for trees to be preserved, in which no disturbance is permitted. No trenching, excavation, construction or storage of materials shall occur within that zone. No underground services including utilities, sub-drains, water or sewer shall be placed in the **Tree Protection Zone**. Spoil from trench, footing, utility or other excavation shall not be placed within the **Tree Protection Zone**, either temporarily or permanently. For design purposes, **TREE PROTECTION ZONES** for trees identified for preservation should be established at the dripline in all directions. As plans are refined, more specific **TREE PROTECTION ZONES** will be developed.
3. **Tree Preservation Guidelines** prepared by the Consulting Arborist should be included on all plans.
4. No underground services including utilities, sub-drains, water or sewer shall be placed in the **TREE PROTECTION ZONE**. To minimize impacts to trees, locate underground services to provide as much room as possible from trees identified for preservation.
5. Any herbicides placed under paving materials must be safe for use around trees and labeled for that use.
6. Irrigation systems must be designed to avoid trenching within the **TREE PROTECTION ZONE**.
7. Do not apply lime to soil for stabilization within 25' of trees to be preserved. Lime is toxic to tree roots.

**Pre-construction treatments and recommendations**

1. The demolition contractor and construction superintendent shall meet with the Consulting Arborist before beginning work to discuss work procedures and tree protection.

2. Fence all trees to be retained to completely enclose the **TREE PROTECTION ZONE** prior to demolition, grubbing or grading. Fences shall be 6' chain link anchored firmly in the ground or on stanchions. Fences are to remain until all grading and construction is completed. Place weather proof signs, 2' x 2', on the fencing that read "**Tree Protection Zone Keep Out**" (eg. one sign for each of the four compass points).
3. Where possible, cap and abandon all existing underground utilities within the **TPZ** in place. Removal of utility boxes by hand is acceptable but no trenching should be performed within the **TPZ** in an effort to remove utilities, irrigation lines, etc.
4. Tree(s) to be removed that have branches extending into the canopy of tree(s) to remain must be removed by a qualified arborist and not by demolition or construction contractors. The qualified arborist shall remove the tree in a manner that causes no damage to the tree(s) and understory to remain. Stumps shall be ground below grade.
5. Any brush clearing required within the **TREE PROTECTION ZONE** shall be accomplished with hand-operated equipment.
6. Any work within the **TREE PROTECTION ZONE** shall be approved and monitored by the Consulting Arborist.
7. Prune trees to be preserved to provide adequate clearance and correct any existing defects in structure. All pruning shall be completed by a Certified Arborist or Tree Worker and adhere to the latest edition of the ANSI Z133 and A300 standards as well as the *Best Management Practices -- Tree Pruning* published by the International Society of Arboriculture.
8. All tree work shall comply with the Migratory Bird Treaty Act as well as California Fish and Wildlife code 3503-3513 to not disturb nesting birds. To the extent feasible tree pruning and removal should be scheduled outside of the breeding season. Breeding bird surveys should be conducted prior to tree work. Qualified biologists should be involved in establishing work buffers for active nests.
9. Apply and maintain 4-6" of wood chip mulch within the **TREE PROTECTION ZONE**.

**Recommendations for tree protection during construction**

1. Prior to beginning work, all contractors working in the vicinity of trees to be preserved are required to meet with the Consulting Arborist at the site to review all work procedures, access routes, storage areas and tree protection measures.
2. If injury should occur to any tree during construction, it should be evaluated as soon as possible by the Consulting Arborist so that appropriate treatments can be applied.
3. Fences have been erected to protect trees to be preserved. Fences define a specific **TREE PROTECTION ZONE** for each tree or group of trees. Fences are to remain until all site work has been completed. Fences may not be relocated or removed without permission of the Consulting Arborist.
4. Construction trailers, traffic and storage areas must remain outside fenced areas at all times.
5. Prior to grading, pad preparation, excavation for foundations/footings/walls, trenching, trees may require root pruning outside the **TREE PROTECTION ZONE** by cutting all roots cleanly to the depth of the excavation. Roots shall be cut by manually digging a trench



and cutting exposed roots with a saw, with a vibrating knife, rock saw, narrow trencher with sharp blades, or other approved root pruning equipment. The Consulting Arborist will identify where root pruning is required and monitor all root pruning activities

6. Any roots damaged during grading or construction shall be exposed to sound tissue and cut cleanly with a saw.
7. All underground utilities, drain lines or irrigation lines shall be routed outside the **TREE PROTECTION ZONE**. If lines must traverse through the protection area, they shall be tunneled or bored under the tree as directed by the Consulting Arborist.
8. No materials, equipment, spoil, waste or wash-out water may be deposited, stored, or parked within the **TREE PROTECTION ZONE** (fenced area).
9. Any additional tree pruning needed for clearance during construction must be performed by a qualified arborist and not by construction personnel.

**Maintenance of impacted trees**

Trees preserved at the 330 Distel Circ. site may experience a physical environment different from that pre-development. As a result, tree health and structural stability should be monitored. Occasional pruning, fertilization, mulch, pest management, replanting and irrigation may be required. In addition, provisions for monitoring both tree health and structural stability following construction must be made a priority. As trees age, the likelihood of failure of branches or entire trees increases. Therefore, annual inspection for structural condition is recommended.

**HortScience | Bartlett Consulting**



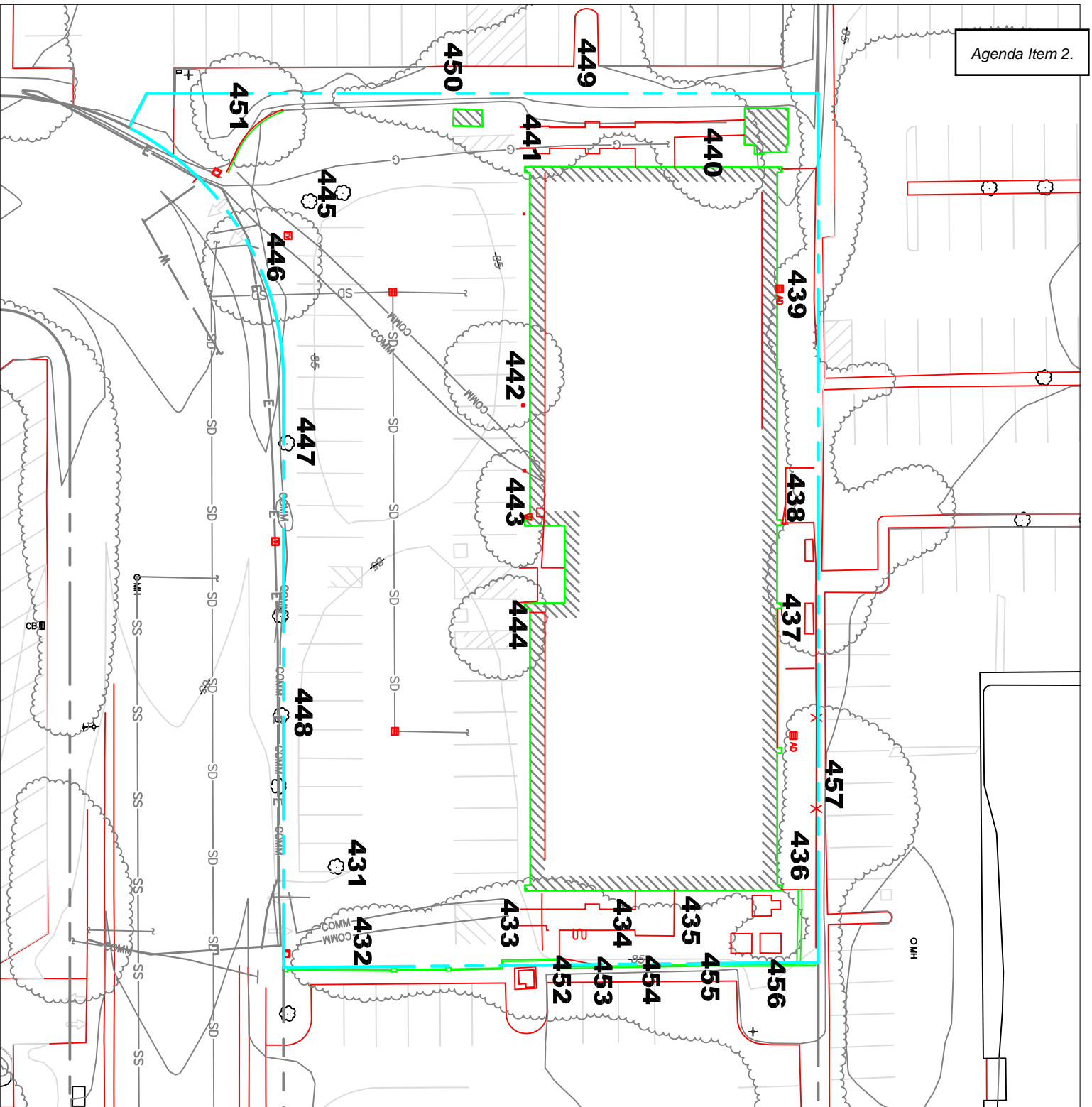
Certified Arborist WE-6757A  
Registered Consulting Arborist #693

## Exhibits

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**Tree Assessment Form**

**Tree Assessment Plan**



# Tree Assessment Plan

330 Distel Circle  
Los Altos, CA

Prepared for:  
EAH Housing  
San Rafael, CA

September 2021



No Scale

Notes:  
Base map provided by:  
BKE  
San Jose, CA

Numbered tree locations with no survey point were approximately located in the field.



325 Ray Street  
Pleasanton, CA 94566  
Phone 925.484.0211  
Fax 925.484.0596  
www.hortscience.com

BARLETT CONSULTING  
Divisions of The F.A. Bartlett Tree Expert Company

# Tree Assessment

**330 Distal Circle**  
 Los Altos, California  
 July 2021



TREE No.	SPECIES	SIZE DIAMETER (in inches)	PROTECTED	CONDITION 1=POOR 5=EXCELLENT	SUITABILITY FOR PRESERVATION	COMMENTS
431	Holly oak	10	No	3	Low	Multiple attachments at 10'; one sided NW.; trunk wound; in very narrow island.
432	Holly oak	15	Yes	3	Low	Multiple attachments at 5'; a little one sided NW.; base growing against wall.
433	Holly oak	20	Yes	4	Moderate	Multiple attachments at 10'; good form; sapsucker damage; base w/ in 1' of wall.
434	Holly oak	7	No	3	Low	Suppressed; leans & one sided W.; base w/ in 1.5' of wall.
435	Holly oak	9	No	1	Low	All but dead; only basal sprouts remain; strong lean E.
436	Coast live oak	9	No	3	Moderate	Multiple attachments at 10'; fused stems at attachment; fair form and structure.
437	Evergreen pear	11	No	3	Low	Codominant trunks at 10'; wide attachment; poor form and structure.
438	Evergreen pear	15	Yes	3	Moderate	Multiple attachments at 7'; crown bowed N.; long laterals.
439	Mexican fan palm	16	Yes	5	High	Good form and structure; slight pencilling in upper crown; 45' of brown trunk.
440	Holly oak	15	Yes	3	Moderate	Codominant trunks at 10'; good form; moderate dieback; trunk w/ in 3' of bldg.
441	Holly oak	13	No	3	Moderate	Multiple attachments at 6'; crown bowed E.; moderate dieback.
442	African fern pine	22	Yes	4	Moderate	Multiple attachments at 6'; slight lean S.; trunk w/ in 1' of bldg.; displaced asphalt 5".
443	Evergreen pear	15	Yes	4	Moderate	Multiple attachments at 7'; leans S.; trunk w/ in 3' of bldg.; displaced asphalt 5".

# Tree Assessment

**330 Distal Circle**  
 Los Altos, California  
 July 2021



TREE No.	SPECIES	SIZE DIAMETER (in inches)	PROTECTED	CONDITION 1=POOR 5=EXCELLENT	SUITABILITY FOR PRESERVATION	COMMENTS
444	Evergreen pear	14	No	3	Moderate	Multiple attachments at 10'; leaning & one sided S.; trunk w/ in 3' of bldg.; displaced asphalt 5".
445	Holly oak	8	No	3	Low	Small crown; trunk wound; in very narrow island.
446	Olive	9,9,8,7,7	No	4	High	Multiple attachments at 2'; good form; a little sparse.
447	Sweetgum	10	No	3	Low	Poor form and structure; declining.
448	Sweetgum	14	No	3	Low	Upright form; moderate dieback.
449	Coast live oak	15,15,13	Yes	4	Moderate	Off-site, no tag; multiple attachments at 3'; one sided W.; ~5' W. of PL, crown 10' E.
450	Holly oak	14	No	3	Moderate	Off-site, no tag; multiple attachments at 7'; one sided S.; base ~2' W. of PL, crown 12' E.
451	Coast live oak	20	Yes	5	High	Codominant trunks at 5'; good form and structure.
452	Hollywood juniper	8,7	No	3	Moderate	Off-site, no tag; one sided E.; trunk growing against wall.
453	Hollywood juniper	16	Yes	3	Moderate	Off-site, no tag; slight lean S.; base w/ in 6" of wall.
454	Coast redwood	18	Yes	3	Moderate	Off-site, no tag; lost top; sparse; base growing against wall.
455	Xylosma	9	No	3	Moderate	Off-site, no tag; low canopy; extends 15' W. over fence; trunk w/ in 6" of wall.
456	Coast redwood	22	Yes	3	Moderate	Off-site, no tag; sparse canopy; base w/ in 4' of wall.
457	Calif. sycamore	24	Yes	4	Moderate	Off-site, no tag; corrected lean N.; growing in very small island w/ base against wall & curb.



**MINUTES OF THE STUDY SESSION OF  
THE CITY COUNCIL AND PLANNING COMMISSION  
OF THE CITY OF LOS ALTOS,  
5:00 P.M., TUESDAY, JANUARY 11, 2022,  
HELD VIA TELECONFERENCE**

## **MEETING CALLED TO ORDER**

At 5:00 p.m., Mayor Enander called the meeting to order.

## **ESTABLISH QUORUM**

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

**ABSENT:** Planning Commissioners Ahi, Mensinger, Roche, Steinle, Vice Chairperson Doran  
Planning Commissioner Marek and Planning Chairperson Bodner

## **PUBLIC COMMENTS ON AGENDA ITEM**

Mayor Enander reordered the agenda to hear Public Comments following the project presentation

## **DISCUSSION ITEM**

1. **330 Distel Circle Project Pre-Application Submittal:** Review the submitted material and provide preliminary feedback to the applicant to address before submitting the formal development application. (R. Hayagreev)

Planning Consultant Hayagreev provided project information to the Council and introduced the development team of Welton Jordan of EAH Housing, Lily Ciammaichella of KTGy and Bruce Jett of Jett Landscaping. Each presented information on the proposed development and answered questions from the Council and Planning Commissioners.

## **PUBLIC COMMENTS ON AGENDA ITEM**

The following individuals provided public comment: County Supervisor Simitian, Salim, Anne Paulson, David Law, Jeanine Valadez, Roberta Phillips, Elaine Haight, Pierre Beddard, Jon Baer, Lois Bear Kelsey, Susan Russell representing the League of Women Voters, Ellen D., Scott Spielman and Donna Poulos

Councilmembers and Commissioners discussed various details of the design and offered several suggestions relative to the design, exterior color, bike storage access, potential green elements and garage and parking access for the applicants to consider.

January 11, 2022

City Council and Planning Commission

Joint Study Session

Page 2 of 2

**ADJOURNMENT**

Mayor Enander adjourned the meeting at 6:29 p.m.



Anita Enander, MAYOR



Andrea M. Chelemengos, MMC, CITY CLERK





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## Distel Circle Apartments

### PC/CC Study Session Responses – Planning Application

### February 28, 2022

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<b>Project:</b>	<b>90-Unit Multifamily Affordable Housing Community</b>
<b>Location:</b>	330 Distel Circle, Los Altos (APN# 170-04-051)
<b>Current Landowner:</b>	Midpen Regional Open Space District
<b>Applicant/Developer:</b>	EAH Housing

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On January 11, 2022 the Los Altos Planning Commission and City Council held a Joint Study Session to review the proposed development for 330 Distel Circle. During the Study Session members of the City Council, the Planning Commission and the public made comments. The following is our response to the questions and comments we heard.

**Comment:** Bike access only accessible in garage?

**Response:** Bicycle room has been relocated along Distel Circle with access from the lobby.

**Comment:** Reduction in building height? Reduce the plate heights of any levels?

**Response:** Per density bonus law, we are permitted 78ft. We are proposing 64ft typically. We have reviewed with our manufacturers- modular and mechanized parking and have found the following:

- For Level 1: Ground level is 16 ft floor to floor to accommodate for the 2 level mechanized parking system, MEP, and floor/ceiling assembly.
- For Levels 2-5: This housing product type- multifamily residential- has nominal 9ft ceilings which also allows for 8ft in areas that are drop down for mechanical, electrical, and plumbing. In addition, as we are designing for modular units, the typical floor to floor height is 11ft which equates to a 9ft ceiling. Anything less than this dimension would have a significant financial impact as factories are set up for 9ft ceilings.
- For Parapet height: To account for roof drainage and guardrail we are accounting for 5ft. This would be to the highest point and accounts for variation in the roof parapet height.

**Comment:** The objective standards state that the courtyard should be open to the front.

**Response:** We are requesting a concession. Our massing is focused towards Distel and further from the single-family homes to provide more privacy for these neighbors. The courtyard would get Western sunlight and a more protected courtyard for the residents.

**Comment:** Look at massing and individuality on façade with more accents.

**Response:** Design has been revised to break up the building to have 5 primary bay elements of varying widths instead of 4 with the same width. Secondary façade elements between these blue-grey bays have been accentuated with warm composite panel, larger windows, and made white to break down the scale of the building.

**Comment:** How are trash and loading addressed?

**Response:** Designated loading area in front of building proposed for trash and loading. Trash containers will be moved by building staff using an electric pallet jack to the proposed staging area on Distel Circle. Only one container will be staged 4x per week for servicing by the hauler, once serviced staff will move containers back into the trash collection room.

**Comment:** Consider moving the vehicular driveway to the other side of the building

**Response:** We have reviewed moving the driveway entry and entering the building where Distel begins to turn is a difficult turning maneuver.

**Comment:** Provide more landscape along Distel

**Response:** Distel frontage revised to show additional green landscaping. See Landscape plans.



1900 Powell Street, Suite 220  
Emeryville, CA 94608  
(800) 488-7274 Toll Free USA  
(415) 292-5400  
(415) 292-5410 Fax  
[www.trashmanage.com](http://www.trashmanage.com)

Agenda Item 2.

## DRAFT -EAH Housing -DRAFT 330 Distel Circle Los Altos, CA Trash Management Plan

**Task:** Design a waste and recycling system for an affordable housing project with 90 residential units that minimizes costs, staffing requirements and environmental impacts, while providing convenient trash disposal for the building's residents. Please note the word "trash" when used in this plan covers waste, recycling, and compost.

**Waste and Recycling Removal:** The City of Los Altos has granted Mission Trail Waste System a license to provide residential and commercial Waste and Recycling services to residents and businesses located within the city and county. This license is a de facto exclusive franchise for trash removal for any property located within city limits. Mission Trail provides three types of service: waste, commingled recycling and compost collection. Garbage rates includes an appropriate level of recycling and organics service for no additional charge. Adequate garbage service is required.

**State and Local Recycling Mandates:** Statewide the passage of AB341 (July 1st, 2012) and subsequent AB1826 required all business that have more than 5 residential units or generate more than 4 cubic yards of municipal solid waste to separate recyclable and compostable materials from the waste stream. Finally, AB 1383 — although not fully implemented by all local governments — will lead to mandatory food waste diversion from residential, multi-family and commercial business by 2022. These laws directs local jurisdictions to implement recycling and composting regulations and programs.

Los Altos Ordinance No. 2015-417, Chapter 6 states:

6.12.050 Mandatory commercial and multi-family recycling and organic recycling.

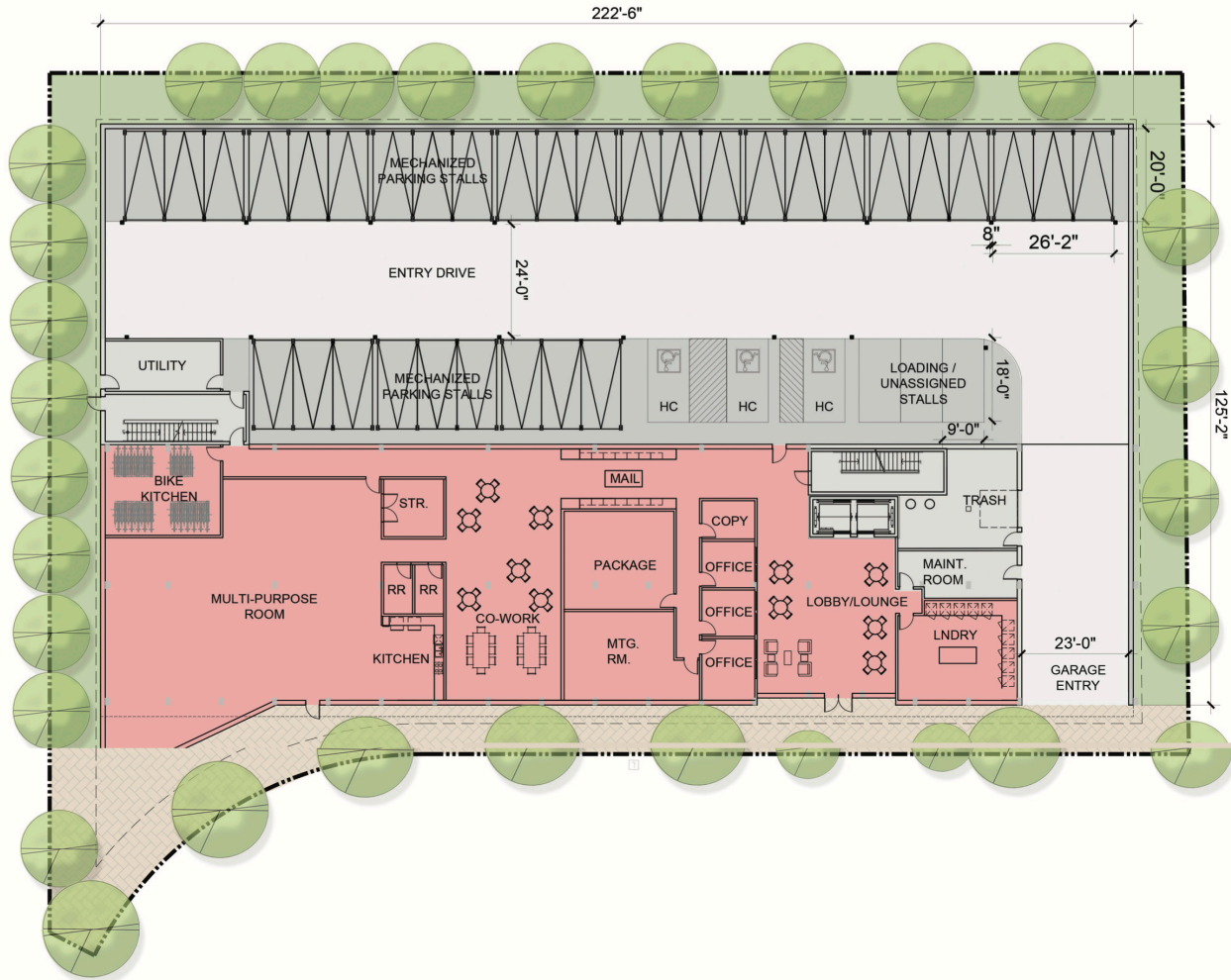
- A. Commercial generators responsible for compliance. Each commercial generators, as defined in Section 6.12.010.E, shall be responsible for ensuring and demonstrating its compliance with the requirements of this chapter, including all multi-family dwellings if four units or more, and also including all multi-family dwellings under four units that shared solid waste collection containers and service under one subscription with the franchised hauler.
- B. Commercial recycling and organics collection required. Each commercial generator shall subscribe to a level of service with the franchised hauler that is sufficient to handle all volume of recycle materials and organic materials generated or accumulated on the premises, or complete and retain on-site self hauling form certifying that all self-hauling activities will be completed in accordance with Section 6.12.100.C. or any other applicable law or regulation. The commercial generator shall make a copy of such form avail to the city manager upon request. Additionally, each commercial generator shall ensure the proper separation of solid waste, as established by the franchised hauler, by placing each type of material in designated receptacles or containers, and ensure that employees, contractors, volunteers, customers, visitors, and other persons on-site conduct proper separation of solid waste.



# AMERICAN TRASH MANAGEMENT

1900 Powell Street, Suite 220  
Emeryville, CA 94608  
(800) 488-7274 Toll Free USA  
(415) 292-5400  
(415) 292-5410 Fax  
[www.trashmanage.com](http://www.trashmanage.com)

Site Plan:





1900 Powell Street, Suite 220  
Emeryville, CA 94608  
(800) 488-7274 Toll Free USA  
(415) 292-5400  
(415) 292-5410 Fax  
[www.trashmanage.com](http://www.trashmanage.com)

**Specific Project Design Summary:**

First, trash will be collected in 3 streams (waste, recycling, and compost) to meet the State requirements of AB341, AB 1826 and SB 1383 and the local Recycling and Composting Ordinance.

Second, **we recommend eliminating the proposed compost chute and collecting compost on each residential floor in Rubbermaid ‘Slim Jim’ containers.** These containers will be emptied by staff into toter carts for collection by Mission Trails. Alternative compost options include: 2-chute system with a bisorter in the waste chute, or a 3-chute system.

Third, due to the projected trash volumes and ground floor resident for the building, **waste and recycling will be collected in compacted 2CY bins on the Level 01. Compost will be collected in a 64 gallon toter cart.**

Fourth, **we recommend replacing the proposed double-swing doors at the entry/exit to the trash room with a roll-up door and separate egress door.** While this is a more expensive option at the outset, it is ATM’s experience that in the long run this design change saves money and prevents maintenance problems. Due to the weight of the bins moving in and out of the trash room, a double door cannot have a threshold. Door sweeps will eventually degrade and let in bugs and vermin. Additionally, the doors will be damaged from getting hit by the unwieldy trash bins and will require repair or replacement long before a roll-up door will.

Fifth, **the residential trash waste and recycle chutes should be 30” diameter with automatic opening 15”x18” hopper-type intake doors.** NFPA 82 minimum required 24” chutes have a higher probability of chute jams due to large objects (super-size pizza boxes, Costco boxes, ironing boards, crutches, etc.) being thrown down the chute. NFPA 82 also requires that chutes vent at full diameter at least 36” above the finished roof.

Sixth, the chute core wall is shared with residential units. **We recommend installing double walls, sound dampening coating, or sound isolation padding to reduce sounds, vibration, and odors.**

Seventh, a safe and accessible location for staging needs to be determined. We recommend identifying a location on Distel Circle. **The waste hauler, Mission Trail has in the past, moved loose bins from the temporary staging area to the street at no additional cost, however we will need to confirm if they are able to move compacted bins.**

Eighth, **add 1 CFM/SF mechanical ventilation per CBC, floor drain, hose bib and odor control to the trash collection rooms.**

Ninth, due to the number of units, **this building is projected to generate about 315 cardboard boxes per week. To reduce the potential for chute jams, we recommend considering designating a convenient space for residents to place their flattened cardboard boxes.** These boxes will then be moved by building staff to the mixed recycling bin.



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**Projected Residential Waste and Recycling Levels:** The following metrics were used to project residential waste and recycling levels:

Residential Waste: 0.16 Cubic Yard (32 gallon) per week/unit. **NOTE: This is the equivalent of over 2 large kitchen garbage cans per unit week (~2.8 - 13 gallon bags).**

Residential Recycling: 0.16 Cubic Yard (32 gallon) per week/unit. **NOTE: This is the equivalent of 2 large kitchen garbage cans per unit week (~2.8 - 13 gallon bags).**

Residential Compost: 0.012 Cubic Yard (2.4 gallon) per week/unit. **NOTE: This is the equivalent of small compost pail per unit week.**

Below is a summary of projected LOOSE trash volumes. See detailed analysis on page 19.

Units	Loose Waste Volume CY/WK	Loose Recycle Volume CY/WK	Loose Compost Volume CY/WK	Loose 3CY Waste Bins/WK	Loose 3CY Recycle Bins/WK	Total # of Compost Carts/WK
90	14.4	14.4	1.08	5	5	4

Below is a summary of projected COMPACT trash volumes. See detailed analysis on page 19.

Units	Loose Waste Volume CY/WK	Loose Recycle Volume CY/WK	Loose Compost Volume CY/WK	COMPACT 2CY Waste Bins/WK	COMPACT 2CY Recycle Bins/WK	Total # of Compost Carts/WK
90	3.6	3.6	1.08	2	2	4

**Proposed Residential Trash handling system:**

To comply with City ordinances, the project’s residential trash will be collected in 3 different streams: Waste, Mixed Recyclables (paper, cardboard & containers) and Compost (organic materials).

Chutes for Waste & Recycling. The single trash chute core per building can handle the volume of trash generated by the project. Residential waste and mixed recycling streams will be deposited by tenants on upper floors into dedicated gravity chutes. Compost will be collected in 64 G toter carts.

**We recommend the trash core have two (2) 30” diameter trash chutes per core with 15 x 18 automatic opening (pneumatic) intake doors.** Increasing the chute size to 30” will slightly increase the chute system cost but it will reduce the possibility of chute jams due to large objects (Amazon, super-size pizza and “Costco” boxes) being thrown down the chute and thereby reduce ongoing maintenance cost while increasing tenant convenience.

The chutes should be 16 gauge galvaneal or aluminized steel and be isolated from the building structure using Mason BR mounts or equivalent. The chute should be coated with a sound dampening compound (Soundcoat GP-1 or equivalent) equal to the thickness of the metal.





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Compactors. We recommend all residential waste and recycling be collected in 2CY chute fed compactors. Compactors will reduce disposal costs and on-site staffing requirements while minimizing property truck traffic thereby lowering the projects overall environmental impact. All compactor bins will incorporate locks on the lids and compactor opening so the containers cannot be accessed by vagrants. Compactor bins will be moved using an electric pallet jack.

Service	Compaction Ratio	Monthly Fee
3-CY loose bins 5 times per week	N/A	\$2,286.54
2-CY compacted bin 2 times per week	4:1	\$760.70

Lower Waste Disposal costs. Front-load compaction is less expensive than front-load loose waste services. (See cost benefit analysis on page 19).

Lower labor costs. A 3-cubic yard loose waste bins serviced Monday-through-Saturday must be moved from the trash chute to the trash staging locations 5x per week. Comparable compacted service is one 2-cubic yard bin picked up 2x per week. That represents 50% fewer times to move the bins from the trash areas to the street for pickup. More importantly compacted bins reduce the truck trips and thereby reducing the noise impact on the project’s neighbors. Compactors also eliminate the need to rake or rotate loose bins and solve the problem of Sundays (one of the heaviest trash days of the week). (See cost benefit analysis on page 19).

Lower environmental costs. Less truck trips and less bin emptying results in cleaner air and quieter neighborhood.

Residential Compost. Food scrap diversion is not currently required for multi-family properties however, compost will be required in 2022 by SB1383. Compost can be handled in three ways:

**Option 1:** Eliminate the proposed compost chute. Residential compost can be collected in Rubbermaid ‘Slim Jim’ containers placed in each chute vestibule. The Slim Jim’s should be emptied by building staff into a 64G toter cart for emptying by the trash hauler.

Advantage: Lowest upfront equipment cost.

Disadvantage: A full-time janitorial staff is typically required for this option hence, the long term labor costs are much higher. Compost should be emptied on a regular basis to prevent sanitation and odor issues.

**Option 2:** 3 Chute design system.

Advantage: Low upfront equipment cost.

Disadvantage: ATM does not recommended collecting apartment compostable materials using a gravity chutes due to the sanitation issues, the collection issues, the corrosive properties of the material, and odorous nature of putrefying household food waste, which is the primary component of organic waste from apartments

**Option 3:** Design a 30’ stainless steel chute for waste with a bi-sorter to dispose of compost.





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Advantage: This option has lower labor costs.

Disadvantage: The additional piece of equipment increases upfront costs.

We recommend food scrap compost be collected in each chute vestibule in Rubbermaid “Slim Jim” containers. These containers would then need to be emptied by building staff into the collection container (typically a 64- or 96-gallon toter cart).

**We recommend eliminating the proposed compost chute, and collecting compost in Rubbermaid ‘Slim Jims’ containers placed in each chute vestibule. The Slim Jims should be emptied by building staff into a 64G toter cart for emptying by the trash hauler.**

ATM does not recommended collecting apartment compostable materials using a gravity chutes due to the sanitation issues, the collection issues, the corrosive properties of the material, and odorous nature of putrefying household food waste, which is the primary component of organic waste from apartments. The compostable materials will adhere to the sides of the chutes and require frequent chute wash downs. This will increase the project water usage and sewage loads. The acidic nature of fermenting compost will cause the chute to rust prematurely unless they are made of 304 stainless steel. It is important that proper sanitation protocols are followed since the compostable material that will adhere on the chutes wall is an excellent medium to grow fruit flies, maggots, molds, fungus, yeast and bacteria which can cause insect infestations, allergic reactions and malodors.

Cardboard. Multi-family dwellings generate a tremendous amount of cardboard due to online shopping and food delivery. Typically, half of the units will receive a delivery in a cardboard box every day. This building is projected to receive around **315** cardboard boxes per week. A space should be designated for residents to place flattened cardboard that will not fit in the mixed recycle chute to avoid chute jams. This cardboard will need to be moved by building staff to the recycling bin for disposal.

Odor Control. To mitigate malodors in the trash room(s), a four-pronged approach is recommended including cleaning, proper ventilation, and installing a deodorizer system.

1. Mechanical Exhaust of Trash Collection Room. The mechanical ventilation required rate is 1 CFM/SF, however, ATM recommends increasing this rate as needed, especially in areas with warmer climate. Exhaust should vent through the roof. ATM does not recommend a chilled/refrigerated trash room. A cooled space will not delay decomposition, and will have minimal impacts on odorous trash.
2. Cleaning the Trash Room. Trash rooms should be swept clean of debris on a weekly basis. Trash room wash-downs should be scheduled quarterly. These should include cleaning any trash equipment such as compactors, as well as floors and the walls. If possible, bins or compactor receiver containers should be cleaned at the same time, assuming the containers are empty. (Bins should be cleaned by onsite staff. If hauler-provided dumpsters become especially dirty, they should be replaced by the hauler.)
3. Cleaning the Trash Chute. Almost all trash chutes are equipped with deodorizing and sanitizing (D&S) units, located on the top floor behind an access door. These should be operated on a WEEKLY basis, for ~5 minutes. Trash chutes that are designed for a high level of food wastes often also have a “Chute Janitor” built-in wash down system. These should be operated less often, such as 1x per month. When turned on, they should be allowed to run through their normal Rinse-Wash-Rinse cycle. Even with the presence of the D&S and Chute Janitor systems, all trash chutes should be pressured washed at least once a year to clean materials that adhere to the sides of the chutes. In areas with warmer climate we recommend quarterly wash downs. The chute wash down service should include cleaning the trash discharge room, specifically the floors, walls and the trash compactor.



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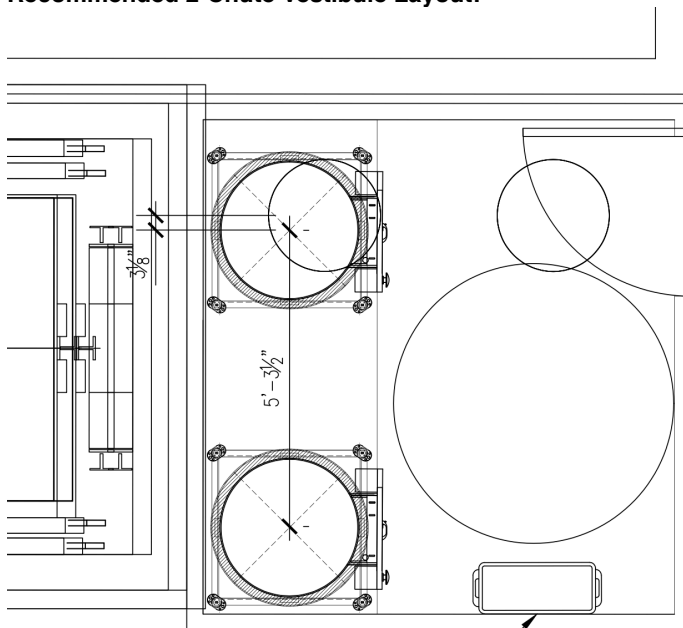
4. Odor Control Systems. Odor control systems can be helpful in controlling odors, but most have limited effectiveness or create other problems. Popular low-cost systems that spray a masking agent into the air, only serve to hide odors in the trash room and not eliminate them. Ozone generators are more effective, but the odor-destroying product they create — ozone — can have deleterious effect on human health and can also destroy compactor hoses and seals. One odor control system that avoids these problems is the Piiian Mini Vaporizer. It creates a very fine 50-micron mist that bonds with — and ultimately destroys — odor causing molecules. And unlike ozone, the entirely natural blend of plant extracts, essential oils and emulsifiers which is safe and does not damage equipment.

**Recommended Residential Trash System-Equipment:**

Below is a summary of the recommended trash system equipment for compacted service.

Chutes	Size	Material	Bin Type	Bin Size Cubic Yards	# of Bins/ Carts
2	(2) 30"	(2) Galvaneal or Aluminized	Front Load	2CY waste 2CY recycle 64G compost	2 waste 2 recycle 4 compost

**Recommended 2-Chute Vestibule Layout:**



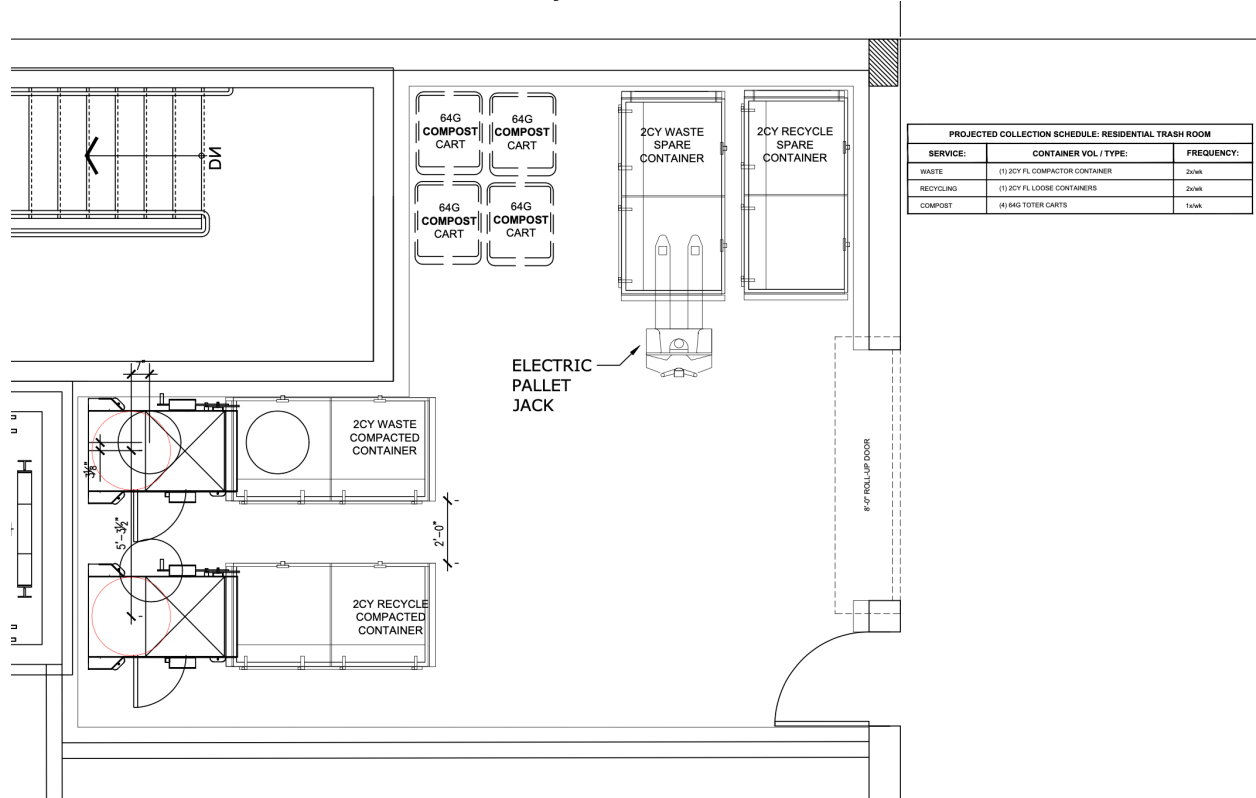
RUBBERMAID SLIM JIM  
 FOR COMPOST. TO BE  
 EMPTIED DAILY INTO  
 TRASH COLLECTION  
 ROOM COMPOST  
 CONTAINER.



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**Recommended Residential Trash Room Layout:**

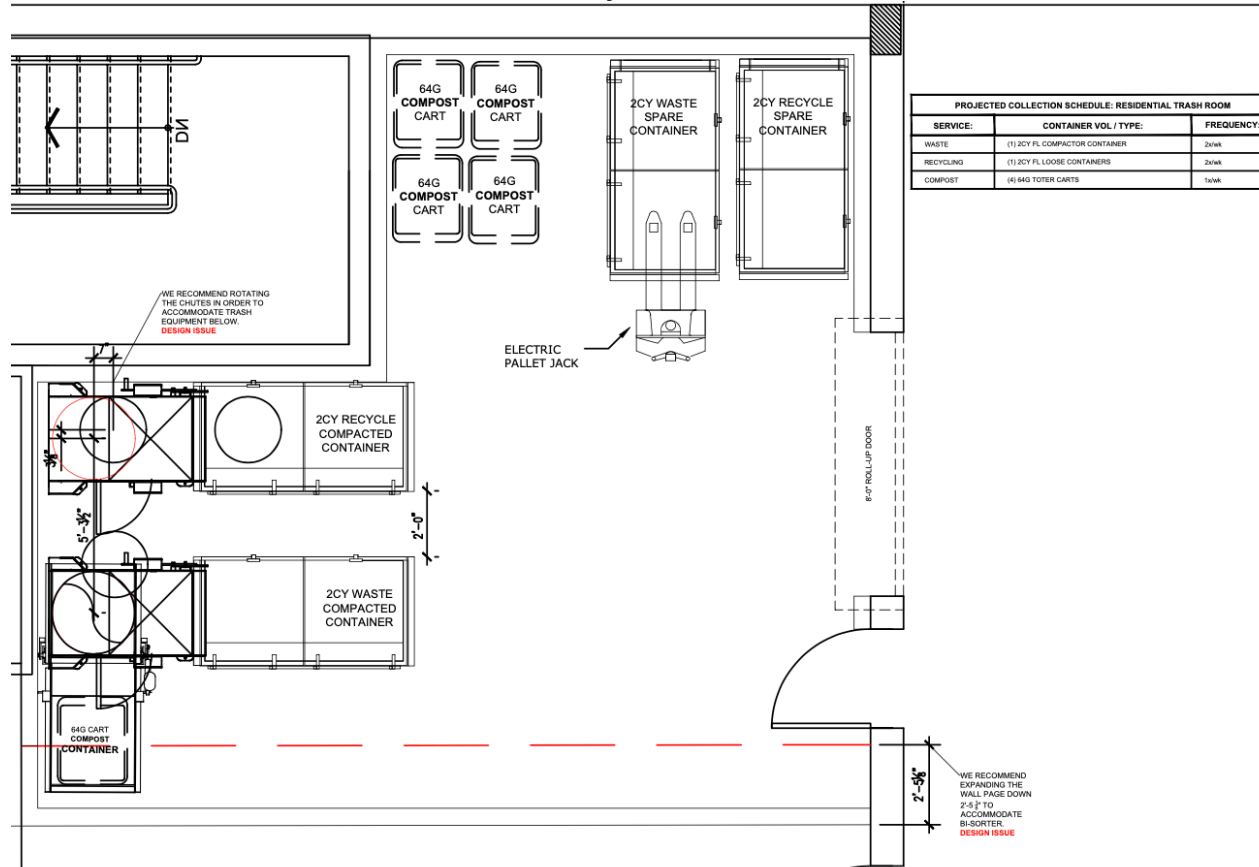


PROJECTED COLLECTION SCHEDULE- RESIDENTIAL TRASH ROOM		
SERVICE:	CONTAINER VOL. / TYPE:	FREQUENCY:
WASTE	(1) 2CY FL COMPACTOR CONTAINER	2x/wk
RECYCLING	(1) 2CY FL LODGE CONTAINERS	2x/wk
COMPOST	(4) 64G TOTE CARTS	1x/wk

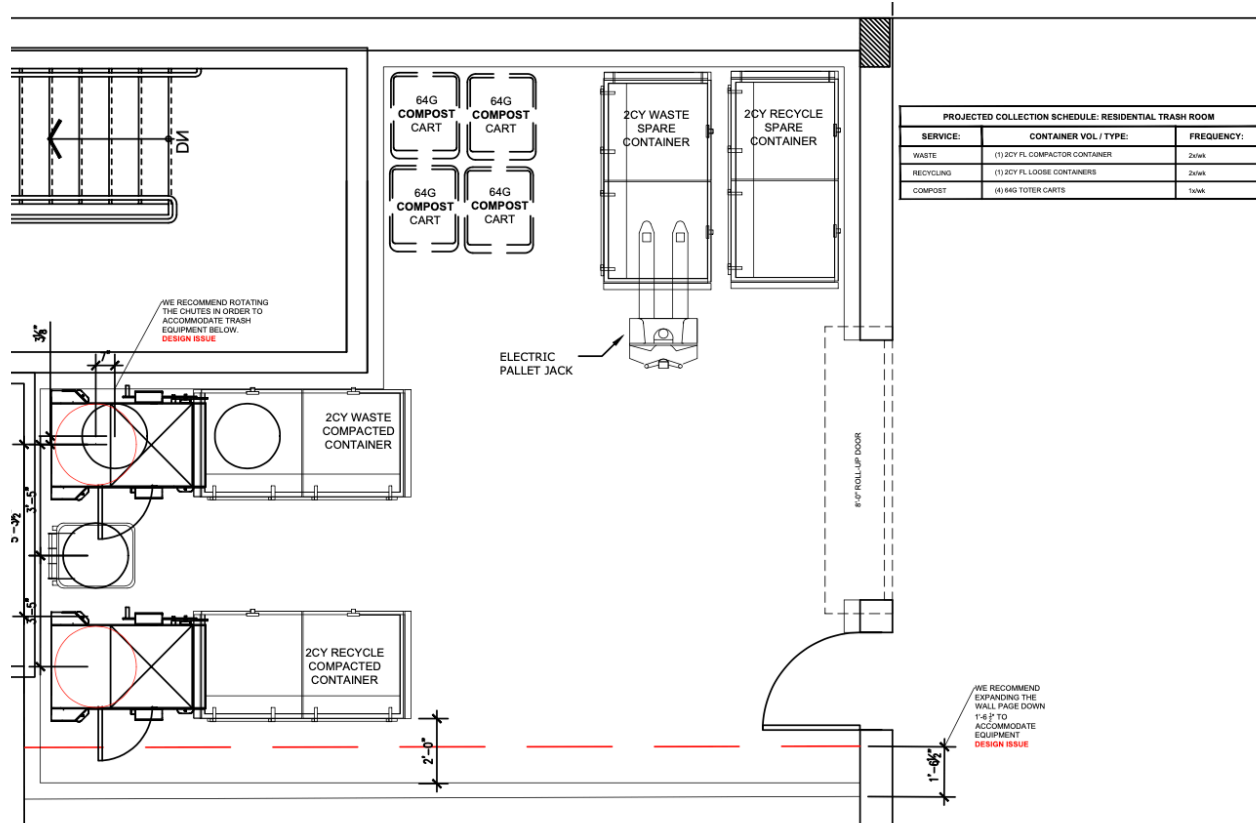


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**2-Chutes w/Bisorter Residential Trash Room Layout:**



### 3-Chute Layout Residential Trash Room Layout:





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**Residential Trash Systems:  
 Automatic Opening (Pneumatic) Chute Intake Door Recommended to meet Housing Accessibility  
 Section 1138A.4.4.**

Manual Chute Intake Door	Air Assist Recycling Chute Intake Door

**Chute Intake Doors and the Americans' with Disabilities Act of 1990 (ADA)**

This is a summary of the current state as we understand it. This is not intended to be legal advice and should not be relied upon with out seeking advice of an ADA expert and your legal counsel.

Per most building codes and FHA requirements, “common use” building areas and building elements, such as a trash rooms and trash chutes are required to be accessible. Specifically, the trash chute door is required to comply with accessibility requirements:

- Clear floor space for a wheel chair at the chute door
- Chute door hardware within reach range
- Chute door hardware complying with operability requirements.

The operability requirements mandate that the chute door hardware must not involve any of the following:

- Two handed operation (such as depressing a button while turning a door handle)
- Tight grasping or pinching
- Twisting of the wrist
- Force to activate the hardware that exceeds 5.0 pounds.

The majority of manual chute intake chute door installations do not comply with the accessibility requirements. Lower quality chute doors require grasping, twisting of the wrist and more than 5 pounds of force to open the chute door. Regardless of what has been installed for the chute door, the chute door is still required by both Code and FHA requirements to comply with accessibility requirements. In the cases where non-compliant chutes have been installed, the building Owner has made management decision to handle the accessibility requirement using other means.

Residential and other buildings are subject to the progressively revised provisions of Federal and Local ADA laws and regulations. To meet the current ADA Standards as they apply to Gravity Trash Chute Intake Doors, the person using the door must not have to grasp, twist, or pinch the control mechanism in



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order to operate the intake door. ADA Standards also limits the maximum operating force required to open an interior door (without specificity to size) to 5 pounds of force. The maximum allowable mounting height of the operating mechanisms (i.e. door handle, etc) of an ADA compliant device is 48" (for side reach revised as of July 1, 2012 from 54") or 48" (for front reach when hopper door is open). The maximum allowable projection of an ADA compliant device is 4" off the projection surface of the wall.

The Wilkinson Signature Series and IDC-2000 Recycling Manually operated doors require the person operating the door to push a membrane selector switch (waste, recycling or compost) and grasp the u-shaped handle, push down on the thumb latch with a finger and pull open the door. This type of intake doors meets the mounting height, the projection, the twist and the pinch requirements but it does not meet the pulling force or the grasp requirement.

Lower quality manual chute intake doors from other manufacturers all use a T-handle or L-handle operating mechanism. These doors fail on 3 counts. They do not meet the pulling force, the grasp and twist requirements. These door are especially hard to operate for persons with arthritis due to the required simultaneously grasping, twisting and pulling motion.

The Wilkinson Signature Series and IDC 2000 Pneumatic Assist door meet all the above requirements since it is operated by pushing a palm button which opens the door automatically. The door closes after a set time and latches so it meets all the current fire code requirements. The air assist mechanism is designed to preclude the need to grasp, twist, or pinch the control mechanism in order to operate the intake door. The push button meets the height, projection and force requirements too. It is conceivable, however that certain disabled persons will still not be able to operate this type of door. ADA law requires one to accommodate all persons with disabilities.

The supra-majority of all new construction within the US still uses manually operated chute intake doors due to the extra upfront (~ \$900 per floor) and higher maintenance costs of the Pneumatic Assist Chute Intake type of doors. Many building owners have chosen to only install the pneumatic assist doors in facilities with a high senior or disabled population and in order to meet the above ADA requirements make it their policy to provide a staff person to assist any individual with disabilities who need assistance in operating the manual operated door.

Trash chute systems have been designed to meet the fire and life safety found within Building Codes. All trash chute intake doors are required to be behind a rated fire-barrier and any door in these walls is required to be a fire-rated door.

This fire-rated-door is required to be self-closing (or automatic-closing upon the detection of smoke), so it has a closer mechanism and positive latch. Because this door is designated as a "fire-door", per most codes and accessibility standards (including ANSI A117.1 used for FHA compliance), the door opening force for this door is exempt from typical accessibility requirements (maximum 5 pounds) and allowed to have a minimum opening force allowed by the authority having jurisdiction (typically a maximum of 15 pounds). The opening force for the required fire-rated doors in front of trash chute intake doors routinely exceeds 5 pounds and is more typically in the 14-18 pound range.

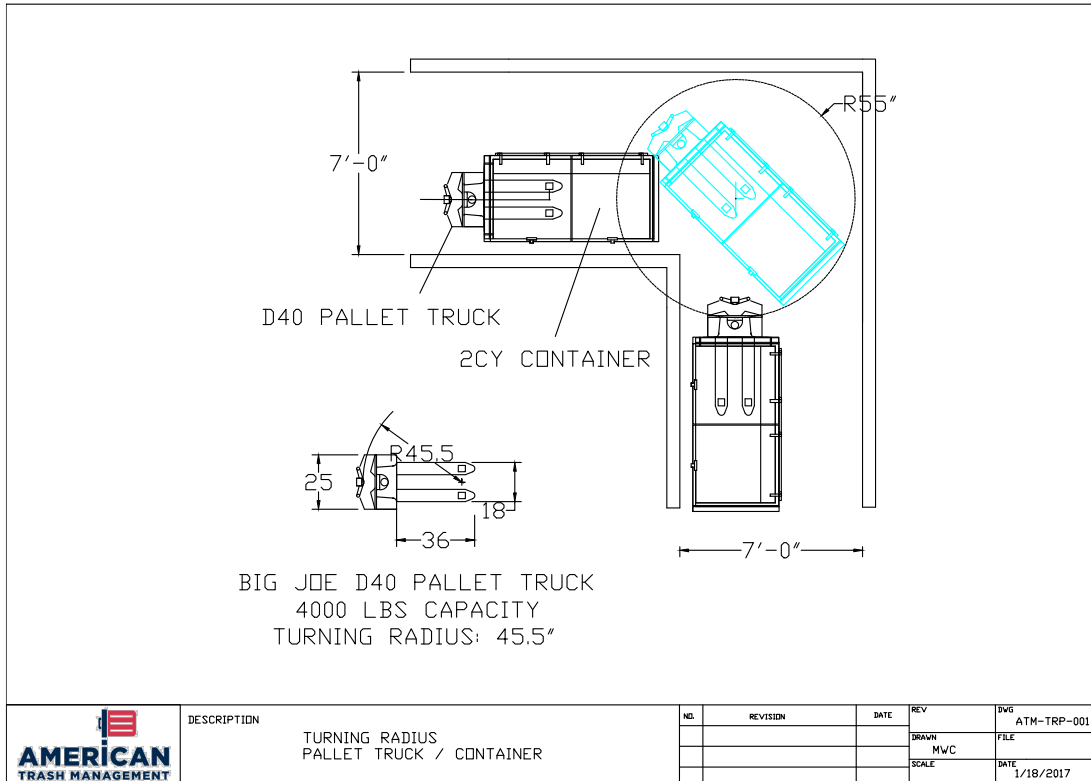
Requiring the chute intake door to meet accessibility requirements while allowing the fire-rated door in front of the trash chute intake door to not meet the pull force and grasp requirements is illogical. If an individual with accessibility needs cannot open the fire door in front of the trash chute intake then they will not be able to access the non compliant chute. Owners should always have a policy in place to provide assistance to any person who can not access the trash chute (with or without automatic opening doors).





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Bin Moving - Electric Pallet Jack





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Optional Rubbermaid “Slim Jim”. If compost is collected in the trash vestibules.

## **3540 Slim Jim® Waste Container**





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**Residential Trash System Equipment:**  
 Note bins provided by Mission Trail are approximately the same dimensions.

## Front Load Bins

**1-yard**



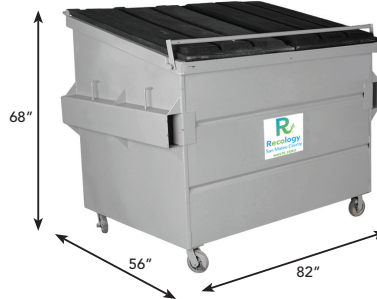
**2-yard**



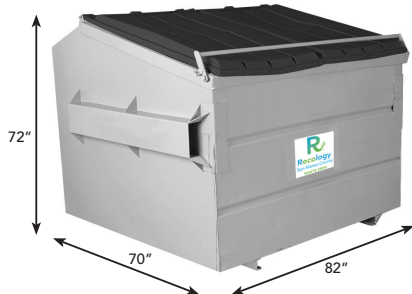
**3-yard**



**4-yard**



**6-yard**



**8-yard**



Dimensions may vary slightly. Measurements shown are exterior dimensions.  
 Not all bins are available with wheels.



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**Sample Residential Service Schedule** (actual schedule to be determined by hauler and building management)

**Recommended Compacted Sample Collection Schedule**

Bin Type	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
2CY Compacted Waste	1				1	
2CY Compacted Recycle		1				1
64G Compost Cart					4	
<b>Total Bins</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>1</b>

**Loose Sample Collection Schedule**

Bin Type	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
3CY Loose Waste	2		1		2	
3CY Loose Recycle	2		1		2	
64G Compost Cart					4	
<b>Total Bins</b>	<b>4</b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>4</b>	<b>0</b>

**TRASH SYSTEM SPECIFICATIONS:** Provided separately.

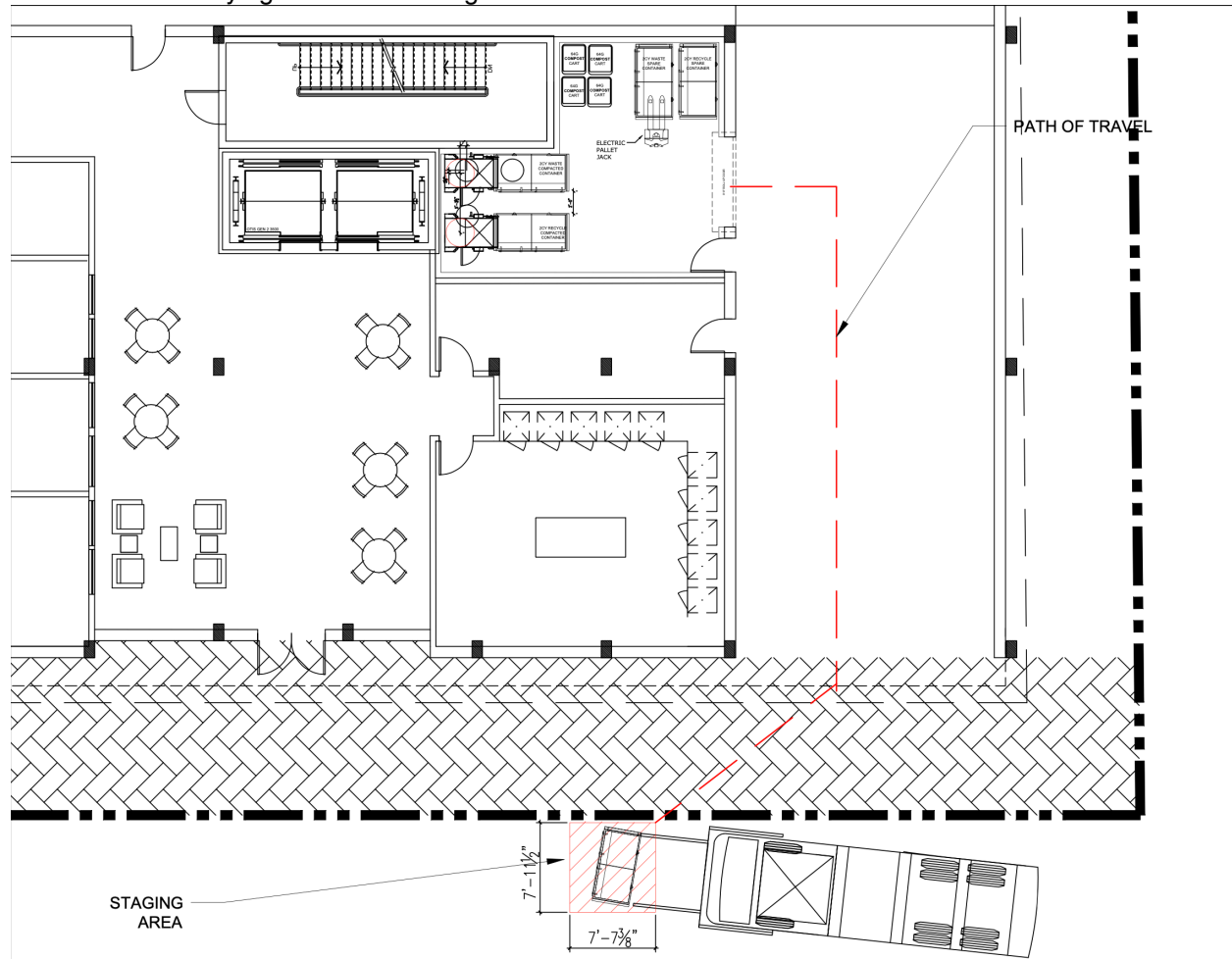
1. Section 14 91 82 - Trash Chutes & Intake Doors
2. Section 25 30 00 - Compactor Monitoring System (compacted option)
3. Section 44 31 00 - Odor Control





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**Staging Area:** Front load service front load bins requires 25' Clear height (no lights, sprinklers or other items within the service area. This is not possible within the building given the current FF to heights). We recommend identifying a location to stage and service the bins on Distel Circle.





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**Waste, Recycling and Compost Analysis:** (Rates reflect the rate increase effective July 1, 2020)  
 Below is a comparative analysis of the disposal and labor costs of handling waste and recycling in loose versus compacted bins. We recommend installing gravity chute-fed compactors under the waste chutes and serious consideration should be given to compacting the recycling stream so as to reduce disposal costs, space requirements and onsite labor costs. The effective service life of a quality compactor can be over 10 years. Please note that the projections below are estimates derived from actual audits of comparable multifamily complexes in California. They are not guaranteed. They are to be used for planning purposes only and may be higher or lower than projected.

**TOTAL RESIDENTIAL WASTE AND RECYCLING SYSTEM ANALYSIS**

	<b>Units:</b>	<b>90</b>		
	Volume Waste:	0.16	cubic yard/week/unit	32.32
	Volume Recycling:	0.16	cubic yard/week/unit	32.32
	Volume Compost:	0.012	cubic yard/week/unit	2.424
	Compaction Ratio	4	to 1	
	Staff Labor Rate	\$20.00	per hour - 1 person	
	Time move bins	0.5	hr to move to unloading area & back	
	Rake-Rotate bins	0.15	hr to go to each bin rake or rotate	
ASSUMPTIONS:	# of Trash Rooms	1		
	Compacted Service	2	cubic yard front load bins	
	Loose Waste Service	3	cubic yard front load bins	
	Loose Recycling Service	3	cubic yard front load bins	
	Loose Compost Service	0.32	cubic yard carts (64 G Toter Carts)	

<b>COST BENEFIT CALCULATIONS:</b>	<b>PROJECTED</b>	<b>PROJECTED</b>	<b>PROJECTED</b>
	Loose	Compacted	Compacted
	Loose	Loose	Compacted
Loose Waste Volume - CY	14.4	3.6	
Compacted Waste Volume - CY			3.6
Loose Recycling Volume - CY	14.4	14.4	
Compacted Recycling Volume - CY			3.6
Loose Compost Volume - CY	1.1	1.1	1.1
Waste Bins/week	5	2	2
Recycling Bins/week	5	5	2
Compost carts/week	4	4	4
Containers/week/trash room	14	11	8
SYSTEM CAPITAL COST	\$0.00	\$25,000.00	\$50,000.00
WASTE COST/MONTH	\$2,286.54	\$760.70	\$760.70
RECYCLING COST/MONTH	\$0.00	\$0.00	\$0.00
COMPOST COST/MONTH	\$0.00	\$0.00	\$0.00
TRASH COST/MONTH	\$2,286.54	\$760.70	\$760.70
COMPACTION SAVINGS/MONTH	\$0.00	\$1,525.84	\$1,525.84
STAFF LABOR COST/MONTH	\$788.06	\$619.19	\$450.32
STAFF SAVINGS/MONTH	\$0.00	\$168.87	\$337.74
NET MONTHLY TRASH COSTS	\$3,074.60	\$1,379.89	\$1,211.02
Monthly Trash Cost per Unit	\$34.16	\$15.33	\$13.46
PAYBACK-MONTHS	N/A	15	27

**CARDBOARD ANALYSIS**

315 BOXES/WK





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**WASTE AND RECYCLING RATES (PARTIAL) CURRENT RATES - REFLECT CHANGES EFFECTIVE 1/2022**

<b>City:</b>	Los Altos			
<b>Franchise:</b>	Mission Trail			
<b>Multi-Family/Commercial Loose Front Load Waste Rates*:</b>				
<b>Frequency/Size: x/wk-CY Size</b>		1	2	3
				64 Gallon
1 x Week		\$165.35	\$330.75	\$457.29
2 x Week		\$330.75	\$661.45	\$914.60
3 x Week		\$496.08	\$992.16	\$1,371.93
4 x Week		\$661.45	\$1,322.89	\$1,829.23
5 x Week		\$826.82	\$1,653.62	\$2,286.54
6 x Week		\$992.16	\$1,984.34	\$2,743.83
<b>Bin Push Rates Up to 4CY loose</b>	<b>0-25 feet</b>	<b>Per month for each 25 feet over</b>		
	No Charge	\$31.13		
*Rate includes an appropriate level of recycling and organics service for no additional charge.				
<b>2018 Multi-family/Commercial Compacted Front Load Waste Volume*:</b>				
<b>Container Size-CY</b>		2		
1 x Week		\$383.87		
2 x Week		\$760.70		
3 x Week		\$1,151.57		
4 x Week		\$1,535.43		
5 x Week		\$1,919.26		
6 x Week				
*There is no charge for compacted recycling.				
<b>Chute Fed Compactor Cost</b>	\$25,000.00	A500, 2-2CY Towable bins-Thru-wall intakes, tax, ship Ins		
<b>Chute Fed Compactor Cost</b>	\$25,000.00	A500, 2-3CY Towable bins-Thru-wall intake door, tax, shi		

**Recommended Trash System Budget**

**Estimate \$TBD.**

**Trash System Equipment Specifications:** - Provided separately, listed below:

- 4. Section 44 31 00 - Odor Control

# ATTACHMENT K

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



## Distel Circle Apartments Proposal Statement – Planning Application February 28, 2022

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<b>Project:</b>	<b>90-Unit Multifamily Affordable Housing Community</b>
<b>Location:</b>	330 Distel Circle, Los Altos
<b>Current Landowner:</b>	Midpen Regional Open Space District
<b>Applicant/Developer:</b>	EAH Housing

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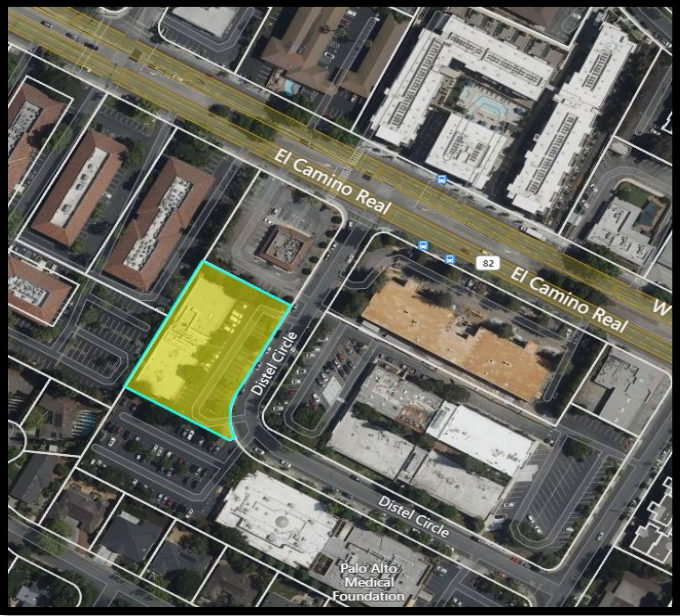
### BACKGROUND

The County of Santa Clara is under contract to purchase 330 Distel Circle (APN# 170-04-051), a 0.87-acre site containing a 12,120 sq ft single story office building (“Property”). EAH proposes to demolish existing office building and to develop a 90 unit, permanently affordable deed-restricted multifamily community. The proposed development will also have about 10,130 sq ft of amenity space, 90 parking stalls and 45 bicycle stalls.

In alignment with the MOU between the City of Los Altos and the County of Santa Clara, we are in a public-private partnership between EAH, the County, and the City of Los Altos that will create a beautiful, inclusive, and healthy rental community offering permanently affordable housing to income and program-eligible residents.

## PROPERTY CHARACTERISTICS

The Property is located a half block from the El Camino Real corridor and is within the El Camino Real Special Planning Area delineated within the current City of Los Altos General Plan. The site is conveniently located in proximity to the Sutter Health-affiliated Palo Alto Medical Foundation and within safe walking distance to public transit and commercial, service, and recreational amenities along the El Camino corridor. The Property is located within a Transit Priority Area, as identified by The Metropolitan Transportation Commission (MTC) and is within one-half mile from a Major Transit Stop located at El Camino Real and Showers Drive. The Property is a generally flat parcel bounded by Distel Circle to the East, and commercial properties to the North, South, and West. Single family homes are along Marich Way to the South and Southwest of the Property but do not directly abut the subject parcel.



Our proposal seeks to achieve the following key outcomes:

- A community comprised of diverse tenants who qualify under CA Low Income Housing Tax Credit guidelines, and which creatively integrates affirmative set asides for households meeting the program criteria for Permanent Supportive Housing
- An environmentally sustainable building program designed to LEED Silver or comparable certification
- An economically viable and intentionally flexible building program designed to factory-built modular or panelized specification and incorporates a mechanical parking system which maximizes ground floor uses and site efficiency.

The site is not in a very high fire severity zone, or wetlands and is not considered a hazardous waste site. The subject parcel is in Flood Zone X (0.2% chance of flooding). The parcel is not in a delineated earthquake fault zone nor does the subject parcel have a stream or other resource that may be subject to a stream alteration agreement.

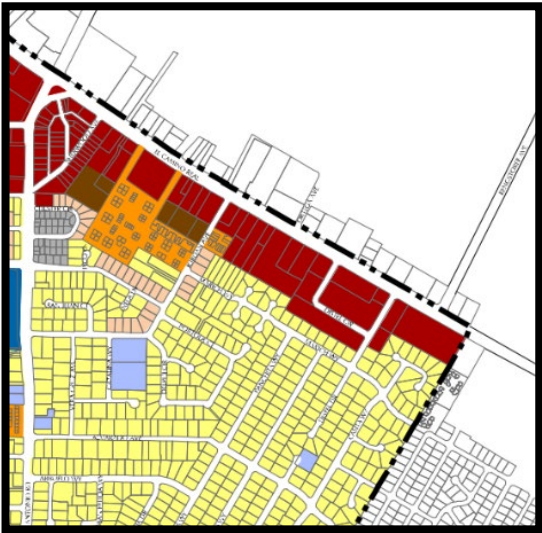
# DEVELOPMENT PROPOSAL

*Note: On January 11, 2022, the City held a publicly notified Joint Study Session with the City Council, the Planning Commission, EAH and its design team. This current Proposal Statement and its associated plans and materials incorporate various edits in response to comments and direction received through the Joint Study Session.*

The development proposal delivers measurable outcomes in relation to neighborhood densification and diversification, sustainable and affordable housing, and mass transit use and mobility. EAH proposes:

- A public-private partnership with the City of Los Altos which efficiently streamlines entitlement approvals, as necessary to promptly secure commitments of local, State and Federal financing that will move the project to shovel-ready status
- Demolish the existing building for the development of a 5-story, Type III building containing 90 apartments (a mix of studio, 1-, 2-, and 3-bedrooms) and ground floor residential serving amenity space. The amenity space will include lobby, community common area, laundry room, mail/package area, bicycle storage, and offices for property management and resident services.
- A permanently affordable rental community incorporating a mix of unit types and a range of rent tiers that supports a diversity of income-eligible tenants earning incomes from 30% to no more than 80% of Area Median Income (AMI).

**Land-Use:**



As proposed, the 330 Distel Circle development will advance a great number of plans, policies, and objectives adopted by the City of Los Altos and other regional agencies, including:

- [Los Altos General Plan - Land Use Element Goals](#)
- [Los Altos General Plan - Housing Element Goals](#)
- [Los Altos Climate Action Plan](#)
- [Los Altos Reach Codes](#)
- [Affordable Housing Ordinance](#)
- [Santa Clara County Office of Supportive Housing](#)
- [ABAG Plan Bay Area 2050](#)

Los Altos [Land Use Element](#) encourages a variety of residential housing opportunities by allowing residential uses with adequate parking in appropriate commercial areas, including sections along El Camino Real. The Land Use Element also identifies the Special Planning Area of El Camino Real with a



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

The Property carries a General Plan designation of Thoroughfare Commercial which permits affordable residential opportunities along El Camino Real Corridor. The Property is zoned CT – Commercial Thoroughfare District which has the specific purpose to encourage a variety of residential developments, including affordable housing developments. Per Los Altos Zoning Code, upon granting of a use permit, Multiple-family housing shall be permitted in the CT District. The proposed development is consistent with the underlying land-use.

We anticipate that the proposed development will either comply with the CEQA Class 32 Infill Development criteria and requirement for a categorical exemption or will meet CEQA approval through a Mitigated Negative Declaration.



**Design:**

The development proposed for 330 Distel Circle is designed as a walkable, equitable, and integral addition to a lively and thriving El Camino Real corridor. This project includes 90 rental units in a single 5 story building. As previously noted, the project as proposed is consistent with existing land use designations. The apartments include a range of studios (465 sq ft), One-Bedroom (645 sq ft), Two-Bedroom (965 sq ft) and Three-Bedroom Plans (1,105 to 1,175 sq ft.). The Gross Building Area is 114,970 sf with 96,840 sf dedicated to net rentable residential area. Planned amenities include Residential Community Center, exterior courtyards, a co-working area, Bike Storage, and secured parking. The building will include

elevator access to all floors. The project will include vehicular access to a private and secure 90-stall parking area with access provided by a gated entry located on Distel Circle.

### AFFORDABILITY PROGRAM

The proposed development is designed to provide a beautiful and healthy rental community and is currently modeled to provide affordable rents ranging from 30% AMI up to 80% AMI. As currently structured, the project provides rents affordable to households earning incomes ranging from ELI to LI, with an average affordability of approximately 45% AMI. Rental rates and regulatory use restrictions are proposed to be consistent with the terms, conditions, and



underwriting requirements of the County of Santa Clara Measure A program, the County of Santa Clara Sect. 8 Project Based Voucher program, CA HCD soft-loan programs, and the 4% Low Income Housing Tax Credit program. Accordingly, regulatory agreements will be recorded against the property to ensure continued affordability and restricted use over no less than a 55-year term.

As currently modeled, 45 units (or 50% of the total units) will have rents affordable to families or individuals earning no more than 30% AMI, 12 units will have rents up to 50% AMI, 25 units will have rents up to 60% AMI and 6 units will have rents up to 80% AMI. Based on these proposed rent levels, the proposed development will comply with the Los Altos Affordable Housing Ordinance.



1. Distel Drive Elevation

## **PROJECT CONTACTS**

### ***Development, Management, Resident Services***

EAH Housing

Welton Jordan

415 295-8876

[welton.jordan@eahhousing.org](mailto:welton.jordan@eahhousing.org)

Steve Pratt

415 592-5919

[steve.pratt@eahhousing.org](mailto:steve.pratt@eahhousing.org)

### ***Design Consultants***

#### **Architect/Urban Design**

KTGY Architecture

Lily Ciammaichella AIA, LEED BD+C

(510) 463-2045

[lciammaichella@ktgy.com](mailto:lciammaichella@ktgy.com)

#### **Civil Engineering**

BKF Engineers

Scott Schork, PE

(408) 467-9126

[sschork@BKF.com](mailto:sschork@BKF.com)



# ATTACHMENT L

Agenda Item 2.



## SANTA CLARA COUNTY FIRE DEPARTMENT

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

PLAN REVIEW No. **22 2476**  
 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, 2019 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 116,040 SF five-story 90 unit multifamily residential facility with one-level of underground parking and one level of commercial space.

**Plan Status:**

Plans are **APPROVED** with the following conditions.

**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 A0.4)* 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.
3. **Fire Alarm Requirements:** *(As noted on Sheet A0.4)* Refer to CFC Sec. 907 and the currently adopted edition of NFPA 72. Submit shop drawings (3 sets) after planning permit approval and a permit application to the SCCFD for approval before installing or altering any system. Call (408) 341-4420 for more information.

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"/>	B/R2/S	IIIA	Ktgy Architecture	07/11/2022	1 of 5	
SEC/FLOOR	AREA	LOAD	PROJECT DESCRIPTION				PROJECT TYPE OR SYSTEM				
5+1UG	116,040		Commercial Development				Design Review				
NAME OF PROJECT							LOCATION				
EAH HOUSING							330 Distel Circle Los Altos				
TABULAR FIRE FLOW			REDUCTION FOR FIRE SPRINKLERS			REQUIRED FIRE FLOW @ 20 PSI			BY		
5000			75%			1250			Flanagan, Caleb		



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### DEVELOPMENTAL REVIEW COMMENTS

**4. Two-way communication system:** *(As noted on Sheet A0.4)* Two-way communication systems shall be designed and installed in accordance with NFPA 72, the California Electrical Code, the California Fire Code (2019 edition), the California Building Code (2019 edition), and the city ordinances where two way system is being installed, policies, and standards. Other standards also contain design/installation criteria for specific life safety related equipment. These other standards are referred to in NFPA 72.

**5. Emergency responder radio coverage in new buildings:** *(As noted on Sheet A0.4)* 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.

**6. Required Aerial Access:** 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]. Aerial access is required for this building.*

*-Show on the plans that the area not compliant with aerial apparatus requirements will be red curbed and/or that signs stating "fire lane" will be installed (Shown on Sheet A0.4).*

*-Provide building/street section view showing how the aerial ladder access will be achieved and any landscaping that may obstruct access (Shown on Sheet A0.5).*

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# DEVELOPMENTAL REVIEW COMMENTS

**7. Buildings and Facilities Access:** Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or with the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility. [CFC, Section 503.1.1]. *Distances up to 300 feet are justified on Sheet A0.4. Elements conducive to firefighter safety include a NFPA 13 fire sprinkler system, 4 foot navigable path around the exterior of the building, narrow canopied trees and landscaping, and standpipes on the West side of the building.*

**8. Required Fire Flow:** The fire flow for this project is 5,000 GPM at 20 psi residual pressure. Since an automatic fire sprinkler system will be installed, the fire flow will be reduced by 75%, establishing a required adjusted fire flow of 1,250 GPM at 20 psi residual pressure. Note: The minimum required number and spacing of the hydrants shall be in accordance with CFC Table C102.1. *Will serve letter provided by CalWater.*

**9. Public Fire Hydrant Proposed:** Provide a public fire hydrant at a final location to be determined jointly by the Fire Department and CalWater. 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. *A new public fire hydrant is proposed on Sheet A0.4 and A1.1. Prior to installation, applicant shall submit fire hydrant spotting plans to SCCFD to confirm final location. Will serve letter provided by CalWater.*

**10. Standpipes Required:** Standpipe systems shall be provided in new buildings and structures where the floor level of the highest story is located more than 30 feet above the lowest level of fire department vehicle access. 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.

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PLAN REVIEW No. **22 2476**

BLDG PERMIT No. \_\_\_\_\_

# DEVELOPMENTAL REVIEW COMMENTS

**11. Fire Department Connection:** The fire department connection (FDC) for the structure in support of the sprinkler system shall be installed at the street on the street address side of the building. It shall be located within 100 feet of a public fire hydrant and within ten (10) feet of the main PIV (unless otherwise approved by the Chief due to practical difficulties). FDC's shall be equipped with a minimum of two (2), two-and-one-half (2- 1/2") inch national standard threaded inlet couplings. Orientation of the FDC shall be such that hose lines may be readily and conveniently attached to the inlets without interference. FDC's shall be painted safety yellow [SCCFD, SP-2 Standard]. **FDC shall be located within 100 feet of the public hydrant.**

**12. Emergency Gate/Access Gate Requirements:** Gate installations shall conform with Fire Department Standard Details and Specification G-1 and, when open shall not obstruct any portion of the required 20' width for emergency access roadways. Locks, if provided, shall be fire department approved prior to installation. Gates across the emergency access roadways shall be equipped with an approved access device. If the gates are operated electrically, an approved Knox key switch shall be installed; if they are operated manually, then an approved Knox padlock shall be installed. CFC Sec. 503.6 and 506. *As shown on Sheet A0.4.*

**13. Roof access, pathways and spacing** is required around solar photovoltaic power systems in accordance with CFC 1204. Review of required pathways will be completed as part of the building permit plan review.

**14. Construction Site Fire Safety:** All construction sites must comply with applicable provisions of the CFC Chapter 33 and our Standard Detail and Specification S1-7. Provide appropriate notations on subsequent plan submittals, as appropriate to the project. CFC Chp. 33.

**15. Timing of installation:** When fire apparatus access roads or a water supply for fire protection is required to be installed, such protection shall be installed and made serviceable prior to and during the time of construction except when approved alternative methods of protection are provided. Temporary street signs shall be installed at each street intersection when construction of new roadways allows passage by vehicles in accordance with Section 505.2. Construction documents. Construction documents for proposed fire apparatus access, location of fire lanes, security gates across fire apparatus access and construction documents and hydraulic calculations for fire hydrant systems shall be submitted to the fire department for review and approval prior to construction. CFC Sec. 501.3, 501.4.

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## DEVELOPMENTAL REVIEW COMMENTS

**16. Water Supply Requirements:** 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.

**17. 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. Where required by the fire code official, address numbers shall be provided in additional approved locations to facilitate emergency response. 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. Address numbers shall be maintained. 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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