

ATTACHMENT I



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

September 23, 2021 (Revised October 27, 2021)

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

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

Dear Mr. and Mrs. Galatolo:

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

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

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

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

Public Meeting Schedule

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

Compliance with City Ordinances, Policies, and Guidelines

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

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

Multi-Family Design Review

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

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

List of Incompleteness Items

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

1. Story Pole Exception - Incompleteness Items

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

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

a. 3D Model

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

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

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

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

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

b. Public Notice Billboard No. 1 - Photorealistic Rendering

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

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

- 4350 El Camino Real

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

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

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

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

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

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

c. Public Notice Billboard No. 1 - Location

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

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

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

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

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

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

ADDITIONAL COMMENTS

Environmental Review

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

Timeline, Process and Resubmittal

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

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

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

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

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


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

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

Sincerely,



Sean K. Gallegos
 Associate Planner



Guido Persicone, AICP
 Planning Services Manager

Cc: Architect

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

Final Audit Report

2021-10-27

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