

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

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

ESTABLISH QUORUM

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

ABSENT: Commissioners Marek and Steinle

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

PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

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

ITEMS FOR CONSIDERATION/ACTION

CONSENT CALENDAR

1. **Planning Commission Minutes**

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

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

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

NOES:

ABSENT: Steinle, Marek

PUBLIC HEARING

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

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

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

STAFF PRESENTATION

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

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

COMMISSION QUESTIONS OF STAFF

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

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

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

APPLICANT PRESENTATION

Applicant Angie Galatolo introduced the project and provided a presentation.

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

COMMISSION QUESTIONS OF APPLICANT

Commissioner Ahi

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

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

Vice-Chair Mensinger

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

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

Chair Doran

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

Commissioner Bodner

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

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

Deputy City Attorney Ramakrishnan stated this is a discretionary bonus.

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

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

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

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

PUBLIC COMMENT

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

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

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

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

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

APPLICANT REBUTTAL

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

THE PUBLIC COMMENT CLOSED.

COMMISSION DISCUSSION

Commissioner Roche

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

Vice-Chair Mensinger

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

Commissioner Bodner

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

Chair Doran

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

Commissioner Ahi

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

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

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

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

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

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

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

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

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

Chair Doran said she preferred to continue the project.

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

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

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

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

NOES: None

RECUSAL: Steinle

ABSENT: Marek

COMMISSIONERS' REPORTS AND COMMENTS

None.

POTENTIAL FUTURE AGENDA ITEMS

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

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

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

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

ADJOURNMENT

Chair Doran adjourned the meeting at 9:08 PM.

Steve Golden
Interim Planning Services Manager