



1 North San Antonio Road  
Los Altos, California 94022-3087

## MEMORANDUM

**DATE:** 2/8/22

**TO:** Councilmembers

**FROM:** City Manager

**SUBJECT: COUNCIL Q&A FOR THE FEB 8, 22 CITY COUNCIL REGULAR MEETING**

### Agenda Item 4: ( 355 First St.)

- Please provide the evaluation that determines whether the buildings being removed are of historic significance?

The project site is developed with four commercial/office building, one residence, and two outbuildings. The city adopted a Historical Preservation Ordinance and the City's Historical Commission is responsible for keeping a current inventory of qualified historic structures. Neither the project site or any of the existing buildings are identified in the city's Historic Resources Inventory. The project site is within a highly developed and urbanized downtown and is not within a historic district or adjacent to historically significant buildings. The project would not cause a substantial adverse change in the significance of a historical resource.

California Senate Bill 330, "The Housing Crisis Act of 2019," was signed into law by Governor Newsom on October 9, 2019 and became effective January 1, 2020. SB-330 requires a city or county to determine whether the site of a proposed housing development project is a historic site, would require the city or county to make that determination, which would remain valid for the housing development, at the time the application is deemed complete. That determination can only be changed if archaeological, paleontological or tribal cultural resources are found during development.

- Where is the staff report in regards to changes made to obtain a conditional approval?  
Can we table this item until we get a more thorough report?

The applicant's provided the following response to the Planning Commission recommendations:

Recommend approval of Design Review Application DR21-0003 and Vesting Tentative Map VTTM 21-0001 to the City Council with the following conditions:

- Change balcony glass material to a solid material;

Applicant Response: Our architect and we looked at various materials such as wood and metal, but we still think the current glass balconies provide for the best overall aesthetics of the building.

- Consider repeating architectural elements on the other corners;

Applicant Response: The building was designed with a focal point starting at the main entry and wrapping around the corner at the street intersection. As such the variation in facade materials for the lower half was emphasized at that corner. If we use the wood base material all the way around the building, or at all of the corners, it will detract from the main corner of the building. Further, the addition of this layer of material will add to the mass of the building at these corners.

- Further adjustments to window patterns to feel more residential

Applicant Response: Our architect and we reviewed other options. However, we still think the current window pattern is the best for the overall aesthetics of the building.

- Incorporate massing strategies to reduce bulk and bring it more in line and appropriate for downtown.

Applicant Response: Our architect and we discussed several potential modifications, but none seems to work. The suggestion from the PC was to remove the second level of stepback at the third floor and let it blend with the fourth floor. In reviewing this, we found it was detrimental to the design concept that kept the fourth floor separate from the lower floors with the Metreon material wrapping the whole building at the third floor level.

In regards to tabling or continuing the item, the project was submitted to the City under California Senate Bill 330, “The Housing Crisis Act of 2019.” SB-330 prevents jurisdictions from conducting more than five public hearings in connection with the approval of a housing development project that meets objective zoning standards. The definition of “hearing” found in California Government Code section 65905.5 includes required Planning Commission, City Council, or other board, committee, or commission hearing or public workshop as well as any appeal hearing. The law requires that a decision be made on the project no later than the fifth and final meeting. Meetings held solely pursuant to CEQA law, including CEQA appeals, are not counted toward the number of hearings. If the City Council continues the meeting, the meeting will count toward the five-meeting limit.

- When see the materials boards for this project?

A materials board is provided on Sheet A0.5.

- Shouldn't the developer follow the City's objective standards, which is the law today?

As stated on page 10 of the Complete Streets and Planning Commission Agenda Report (Attachment No. 3), in terms of the Multi Family Objective Standards adopted by the City

Council on September 14, 2021, those new standards would not apply since the pre application was filed in October of 2020.

California Senate Bill 330, “The Housing Crisis Act of 2019,” was signed into law by Governor Newsom on October 9, 2019 and became effective January 1, 2020. SB 330 has two key phases: a pre application phase and a formal submittal phase. The purpose of the pre-application phase is to collect specific site and project information to determine the zoning, design, subdivision, and fee requirements that will apply to the housing development project throughout the review and entitlement process. The day the pre-application is filed with the City freezes site development and design standards plus other land use related regulations that can be imposed on the project.

#### Agenda 7:(Off-Leash Fenced-in Dog Parks)

- There is concern regarding the loss of green at McKenzenzie. Can we use part of the maintenance yard as suggested by the residents, which is supported appreciated by the residents and the tennis community?

The maintenance yard area is not suitable for a dog park. In addition to the significant costs of retrofitting the area to allow for public access to a secure yard, the City would need to relocate and find a permanent secure area, with gated access for vehicles that are stored by the Police Department as evidence for pending cases. Additionally, this area is used for the City's heavy equipment, including 2 sewer vac trucks, dump trucks, heavy-duty vehicles, trailers, and police sign storage. The yard is already undersized for operations and is not able to accommodate these uses in the current location. If the City Council wished to leave the maintenance yard in place, and move only the vehicles stored as evidence, the entire area would be less than 3,500 sq. ft., prior to providing access.

If the Council directs staff to look at other areas for evidence storage and/or maintenance operations, staff could report back with potential alternatives.

Fencing in an area of a dog park does not eliminate the green space, however, it does change the use by providing a new amenity. Similar to the tennis courts, bocce ball, playground equipment, and other specific identified uses, parks are used to provide amenities to various user groups and residents.

- Should we get a better understanding of the dog parks before moving forward?

The City Council directed staff to move forward with site selection and planning for two dog parks, one in north Los Altos and one in south Los Altos. The dog park locations were selected with the understanding that two locations were desired. The matrix used to select the areas was to minimize direct impact to residential homes, while allowing adequate space for dogs without eliminating current amenities, and ensuring a single location was not overused. The proposed locations are in line with the direction of the City Council. The City Council may change or modify the direction given at their pleasure.