



DATE: February 24, 2021

AGENDA REPORT

TO: Complete Streets Commission
FROM: Guido F. Persicone, Planning Services Manager
SUBJECT 355 First Street-50 Unit Condominium Project

RECOMMENDATION:

Provide feedback to the applicant and staff regarding the fifty-unit (50) unit subdivision under the pre application phase of Senate Bill SB 330.

PROJECT DESCRIPTION

This is a design review and a vesting tentative map for a new development proposal at 355 First Street. The applicant is proposing a fifty (50) unit condominium project with 8 below market rate unit (7 moderate, 1 low income).

Senate Bill 330 (SB 330)

Pre-Application Phase

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. The bill establishes a statewide housing emergency to be in effect until January 1, 2025. The Housing Crisis Act allows for an applicant to submit a preliminary application for any housing development project, meaning a project of two or more units and that is at least two-thirds residential by floor area. 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 in order 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. Additionally, under the provisions of the legislation, the City can only ask for certain information during the pre-application phase. Other design requirements can be asked for during the formal submittal. This provides some guarantees to the applicant that the “rules of the road” will not be changed mid-stream. During the pre-application phase the City can undertake its normal community outreach by having study sessions, and community meetings.

Formal Submittal Phase of SB 330

The applicant shall submit a formal application for a development project within 180 calendar days of submitting a complete preliminary application. If the City determines that the application for the development project is not complete, the applicant shall submit the specific information needed to complete the application within 90 days of receiving the agency’s written identification of the necessary information. If the development proponent does not submit this information within the 90- day period, then the preliminary application shall expire and have no further force or effect. Additionally, during the “formal submittal” phase the City is only allowed to require five public

meetings. The legislation was written very broadly to include community meetings, and study sessions in this definition. The City also must account for any potential appeals, which count toward the five-meeting maximum. As such, it's critical that the Complete Streets Commission and community provide feedback during the study session so the applicant can respond to comments made by the community in the application for formal submittal. Additionally, during the formal submittal phase the review by the Complete Streets Commission will have to be done as a joint meeting with the Planning Commission to give the City Council full discretion to review the project.

COMPLETE STREETS COMMISSION ROLES AND RESPONSIBILITIES

Per Section 2.08.160 of the Los Altos Municipal Code the Complete Streets Commission is an advisory body to the City Council on bicycle, pedestrian, parking and traffic matters.

2.08.160 - Powers and duties of the complete streets commission.

- A. Help to create multi-modal transportation solutions and policies that enable safe, attractive, comfortable and independent access and travel for pedestrians, bicyclists, transit users, and motorists of all ages and abilities, including connectivity across jurisdictional boundaries.
- B. Shall advise the council on existing and proposed city policies related to traffic calming and traffic enforcement.
- C. Shall advise the council on projects and budget priorities for transportation-related capital improvements.
- D. Provide for community engagement and serve as a conduit for community input.

As a result, and per 14.78.090 of the Los Altos Municipal Code, prior to formal submittal, City staff and the applicant would like to receive feedback from the Complete Streets Commission on the multi modal aspects of the project.

Density Bonus and Parking

Under the provisions of Density Bonus law, the project is entitled to reduced parking ratios and is only required to provide 92 parking spaces but 111 have been provided. This is not considered a density bonus concession or a waiver but is a stand-alone reduction written into Density Bonus Law.

Table 1-Density Bonus Parking Ratios

	Units	Density Bonus Parking Ratios	Total Parking
Bedroom Count			
3 Bedrooms	11	2	22
Two Bedrooms	31	2	62
1 Bedrooms	8	1	8
	50		92

Transit Stop

The closest bus stop is located approximately 0.3 mile from the subject site at the corner of Lyell and San Antonio which is considered an acceptable walking distance. Local VTA route 40 provides service between Foothill College in Los Altos Hills and La Avenida Street in Mountain View via San Antonio Road, Lyell Street and First Street.

Bicycle and Pedestrian

As recommended by the VTA guidelines, the project will be required to provide a minimum of 1 Class I (bike locker) must be provided for every 3 units and a 1 Class II (bicycle rack) must be provided for every 15 units. See sheet A1 of the submitted plans for details. If approved by the City Council, the applicant will be required to improve the sidewalk along First and Whitney so there is an accessible path of travel per the American's with Disabilities Act (ADA).

CIRCULATION ELEMENT GENERAL PLAN

In 2013, Senate Bill 743 was signed by Governor Brown. SB 743 directed the State Office of Planning and Research (OPR) to develop new California Environmental Quality Act (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). 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. While the mitigation measures identified in the project's CEQA document will be based on VMT and not LOS, cities may require transportation improvements intended to address LOS deficiencies. Per the City of Los Altos Circulation Element, a transportation impact analysis (TIA) should be prepared for projects that generate 50 or more net new daily trips. Since the project will not generate more than 28 daily trips a full TIA was not prepared.

Circulation Element Policy C8-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;

It is anticipated that this project will generate more than 50 net new trips and therefore a TIA will be required for this project as part of the California Environmental Quality Act (CEQA) review.

ENVIRONMENTAL REVIEW

The project exceeds the vehicle miles traveled (VMT) residential infill screening threshold of 20 multifamily units and therefore will require a VMT analysis. Based on the preliminary assessment, the project would have a VMT impact, but transportation demand management (TDM) measures can be implemented to mitigate the impact to a less-than-significant level. Preparation of an initial study and mitigated negative declaration, as well as response to public comments and preparation of a mitigation monitoring program will be required for this project. A more detailed analysis will be conducted prior to the formal Planning Commission/Complete Streets Commission review.

Staff Recommendation:

Staff suggests that the Complete Street review the submitted material and provide preliminary feedback to the applicant so they can address these before submitting the formal application.

Attachments:

- A. January 21 2021 Planning Commission Report Link: http://los-altos.granicus.com/GeneratedAgendaViewer.php?event_id=6f90108c-8d78-4734-a899-4cd73c5da120
- B. SB 330 Handout