

RESOLUTION NO. 2019-08

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS
TO GRANT AN EXCEPTION FROM THE CITY'S STORY POLE POLICY TO
THE PROPOSED DEVELOPMENT AT 425 FIRST STREET AND MAKING
FINDINGS OF CEQA EXEMPTION**

WHEREAS, on March 24, 2015, the City Council adopted, and on August 22, 2017 and May 22, 2018 amended, an Open Government Policy that included a requirement for all multi-story commercial, multiple-family, mixed-use and public facility development projects subject to Planning Commission and City Council review to erect story poles as part of the application and public review process (the "Story Pole Policy"); and

WHEREAS, the purpose of the Story Pole Policy is to help demonstrate for the public and decision-makers a proposed project's height, massing and profile in the context of the actual environment and provide a "visual notice" of the same; and

WHEREAS, the Story Pole Policy establishes specific, minimum objective standards and requirements for installation and duration of such poles' erection; and

WHEREAS, the City Council may grant exceptions to the Story Pole Policy due to a public health or safety concern, or if such an installation would impair the use of existing structure(s) or the site to the extent it would not be able to be occupied and the existing business and/or residential use would be infeasible; and

WHEREAS, the applicant for the proposed development at 425 First Street previously submitted a request for an exception from the City's Story Pole Policy citing the presence of safety concerns and impairment of the use of existing structures on the site and requesting to be allowed the use of some alternative materials and methods; and

WHEREAS, on January 8, 2019, at a duly noticed public meeting, the City Council thoroughly and extensively evaluated and considered all information and evidence presented by the applicant in support of its previous request for exception, as documented in the record, including, without limitation, in the staff report presented to City Council, and based upon such review, found the applicant had failed to present sufficient evidence to warrant the granting of an exception as outlined in the Story Pole Policy and adopted Resolution No. 2019-03; denying the request for exception and making findings to support the denial; and

WHEREAS, by letter dated March 4, 2019, the applicant for the proposed development at 425 First Street submitted a second request for a partial exception from the City's Story Pole Policy due to public health and safety concerns related to placement of story poles in close proximity to public streets, public sidewalks and overhead utility lines; and further supported by his assertion that he cannot find a company willing to install story poles as required by the City's Story Pole Policy, and presented evidence to support the granting of such exemption; and

WHEREAS, this action is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3), in that there is no possibility that the action will have a significant effect on the environment.

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Los Altos hereby approves the application's request for an exemption from some of the requirements in City's Story Pole Policy per the modified story pole plan contained in Exhibit A and based on the following finding:

1. There is a public health and safety concern due to the placement of the story poles and guy wires in close proximity to public streets, public sidewalks and overhead utility wires located in the rear alley where they may pose a threat of physical harm to adjacent users and a safety concern if a story pole or guy wire were to come in contact with the overhead utility lines.

I HEREBY CERTIFY that the foregoing is a true and correct copy of a Resolution passed and adopted by the City Council of the City of Los Altos at a meeting thereof on the 26th day of March, 2019 by the following vote:

AYES: BRUINS, ENANDER, FLIGOR, LEE ENG, PEPPER
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE


Lynette Lee Eng, MAYOR

Attest:


Jon Maginot, CMC, CITY CLERK

1650 TECHNOLOGY DRIVE
SUNNYVALE, CA 95110
408-487-1000
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CALIFORNIA

425 1ST STREET
STORY POLE EXHIBIT

SAN MATEO COUNTY

LOS ALTOS

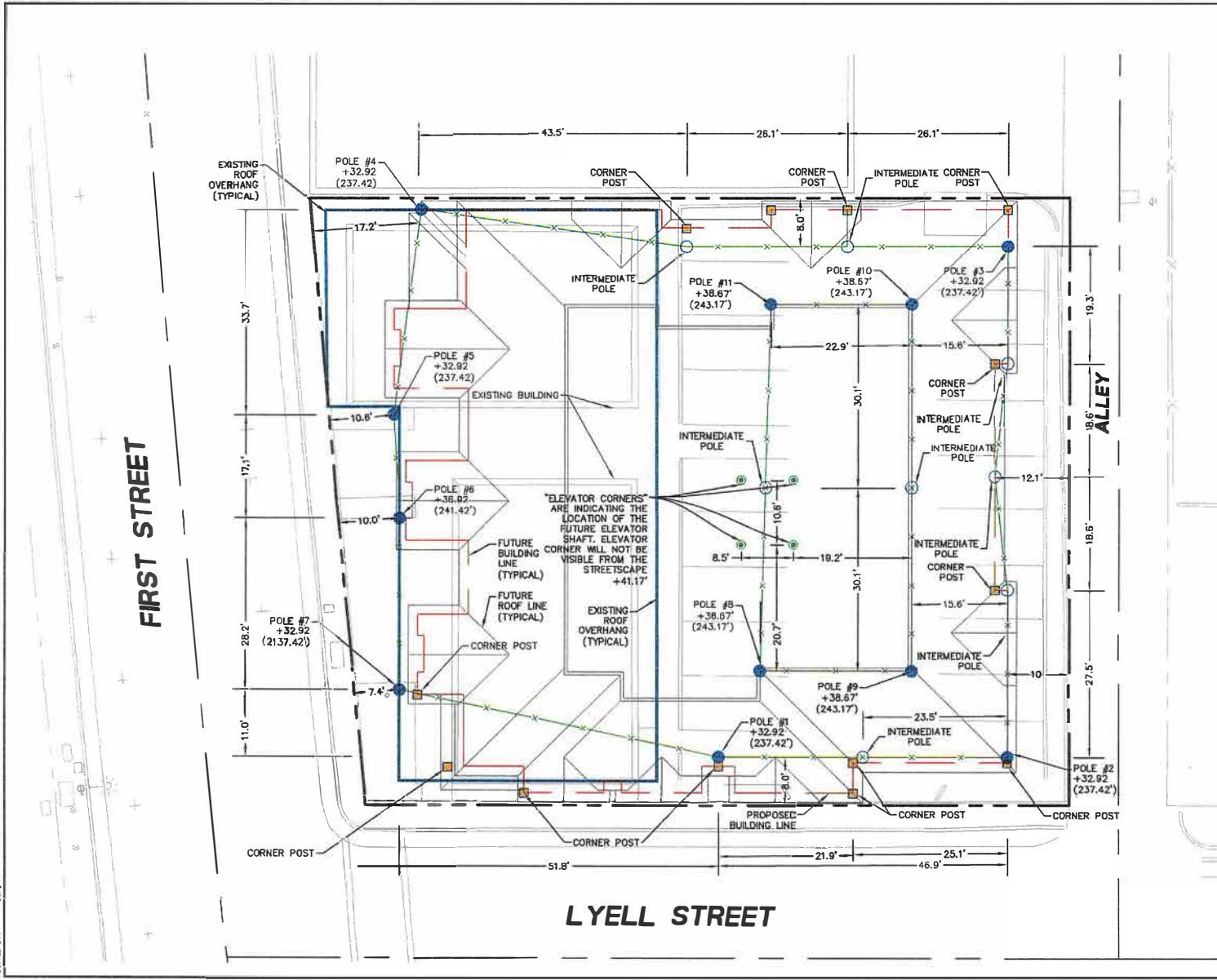
Project No.	17/2019
Date	1/18
Scale	AS SHOWN
Drawn By	ELIOTT CA
Checked By	ELIOTT CA
Job No.	20190006
Drawing Number	EX-1

LEGEND

- PROPERTY LINE
- ADJACENT PROPERTY LINE
- STREET CENTER LINE
- INTERMEDIATE POLE - SEE NOTE 2
- BUILDING CORNER POST
- STORY POLE LOCATION
- ELEVATOR POST
- POLE #1
4XX.XX'
(XX.XX')
- EXISTING ROOF OVERHANG LINE
- FUTURE BUILDING LINE
- STRING WITH FLAGS

- ### GENERAL NOTES
- STORY POLE HEIGHTS ARE BASED ON THE FUTURE FINISHED FLOOR ELEVATION OF 204.5. "INTERMEDIATE POLE" INDICATES THAT A STORY POLE IS TO BE PLACED AT THE SAME HEIGHT AS THE NEXT ADJACENT POLE. THEY ARE PLACED TO SPAN POLE-TO-POLE RUNS THAT ARE GREATER THAN 35'-FEET.
 - POLES 4-7 ARE LOCATED WITHIN LANDSCAPE AREA AND ARE ATTACHED TO EITHER THE ROOF OVERHANG OR BUILDING.
 - STORY POLE HEIGHTS ARE FROM THE AVERAGE GRADE OF THE HIGHEST SIDE OF THE PROPERTY IN ACCORDANCE WITH THE CITY'S HEIGHT REGULATIONS. THE BUILDING MEETS THE CITY'S HEIGHT REGULATIONS AND WILL BE 35'-0" TO THE MIDPOINT OF THE ROOF.

REFERENCE ELEVATION
2-1/2" BRASS DISK IN CONCRETE BASE, STAMPED CS681013, INSIDE MONUMENT WELL AT THE INTERSECTION OF FIRST STREET AND MAIN STREET.
ELEVATION = 193.13 FEET BASED ON CITY OF LOS ALTOS DATUM.



DRAWING NAME: 425 1ST STREET STORY POLE EXHIBIT - 4A
 PROJECT NUMBER: 17/2019
 DATE: 1/18