

RESOLUTION NO. 2019-42

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS MAKING FINDINGS, ADOPTING AN EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AND APPROVING THE DESIGN REVIEW, USE PERMIT AND SUBDIVISION APPLICATIONS FOR 28-UNIT MULTI-FAMILY PROJECT AT 4898 EL CAMINO REAL

WHEREAS, the City of Los Altos received a development application from Mircea Voskerician (Applicant), for a new 28-unit multiple-family residential building at 4898 El Camino Real that includes Design Review D19-0002, Use Permit CUP-19-0001 and Subdivision TM19-0002, referred to herein as the "Project"; and

WHEREAS, said Project is located in the CT District, which allows multiple-family housing as a conditional use at a maximum density of 38 dwelling units per net acre of land; and

WHEREAS, said Project has a net site area of 0.39 acres (16,919 square feet), which will allow for a base residential density of 15 dwelling units; and

WHEREAS, the Applicant is offering:

Two moderate income, two low income, and two very-low income affordable housing units for sale as part of the Project; and

WHEREAS, the Applicant's proposed unit mix would consist of:

40 percent of its total units (excluding density bonus units) as affordable units, with 27 percent of the units affordable at the very-low income level, thereby entitling the project to qualify for three incentives, and additional concessions and waivers pursuant to Los Altos Municipal Code Section 14.28.040 and Government Code Section 65915, *et seq.*; and

WHEREAS, the Applicant is seeking two incentives under Government Code Section 65915(e) and Los Altos Municipal Code Section 14.28.040 to allow: a) a building with a primary height of 56 feet, where the Code allows for 45 feet; and b) a front yard setback of 20 feet, where the Code requires a front yard setback of 25 feet; and

WHEREAS, the Applicant is seeking a further waiver under Government Code Section 65915(e) to allow: a) the elevator tower to be 17.5 feet above the roof, where the Code allows such structures to be 12 feet above the roof, and b) an on-site parking stall width of 8.5 feet for the parking spaces in the underground garage; and

WHEREAS, the Applicant is seeking a parking requirement alteration under Government Code Section 65915(e) and Los Altos Municipal Code Section 14.28.040(G) to allow for a reduction in the minimum onsite parking requirement; and

WHEREAS, the Applicant is seeking a:

87 percent density bonus and the above-described incentives and waivers to allow development of the Project pursuant to Government Code 65915 and Los Altos Municipal Code Section 14.28.040(E)(7), which allows the City to grant a density bonus greater than the 35 percent

provided as of right for projects providing more than 11 percent of its units as affordable at the very-low income level; and

WHEREAS, the Project is exempt from environmental review as in-fill development in accordance with Section 15332 of the California Environmental Quality Act of 1970 as amended (“CEQA”); and

WHEREAS, said Project has been processed in accordance with the applicable provisions of the California Government Code and the Los Altos Municipal Code; and

WHEREAS, on June 26, 2019, the Complete Streets Commission held a public meeting on the Project and at the conclusion of the meeting voted to recommend approval to the Planning Commission and City Council; and

WHEREAS, on July 10, 2019 the Applicant installed story poles on the site per the story pole plan that was approved by the Community Development Director on June 13, 2019; and

WHEREAS, on July 17, 2019 the City gave public notice of the Planning Commission’s public hearing on the proposed Project by advertisement in a newspaper of general circulation and to all property owners and business tenants within a 500-foot radius; and

WHEREAS, on August 1, 2019 and August 15, 2019, the Planning Commission conducted duly-noticed public hearings at which members of the public were afforded an opportunity to comment upon the Project, and at the conclusion of the hearing, the Planning Commission recommended that the City Council approve the Project; and

WHEREAS, on October 1, 2019, the City Council held a duly noticed public meeting as prescribed by law and considered public testimony and evidence and recommendations presented by staff related to the Project; and

WHEREAS, all the requirements of the Public Resources Code, the State CEQA Guidelines, and the regulations and policies of the City of Los Altos have been satisfied or complied with by the City in connection with the Project; and

WHEREAS, the findings and conclusions made by the City Council in this Resolution are based upon the oral and written evidence presented as well as the entirety of the administrative record for the proposed Project, which is incorporated herein by this reference. The findings are not based solely on the information provided in this Resolution; and

WHEREAS, all other legal prerequisites to the adoption of this Resolution have occurred.


NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Los Altos hereby approves the Project subject to the findings and the conditions of approval attached hereto as “Exhibit A” and “Exhibit B,” and incorporated herein by this reference.

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 1st day of October 2019 by the following vote:

AYES: Bruins, Enander, Fligor, Lee Eng, Pepper
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

Attest: 

Dennis Hawkins, CMC, CITY CLERK



Lynette Lee Eng, MAYOR

EXHIBIT A (28-UNIT)

FINDINGS

1. ENVIRONMENTAL REVIEW FINDINGS. With regard to environmental review, in accordance with Section 15332 of the California Environmental Quality Act Guidelines, based on the whole record before it, including, without limitation, the analysis and conclusions set forth in the staff reports, testimony provided at the proposed Project's public hearings, and the supporting technical studies, which include: 1) a Traffic Report by Hexagon Transportation Consultants (August 2019); 2) Air Quality and Greenhouse Gas Assessment by Illingworth and Rodkin, Inc. (February 2019); and 3) Noise and Vibration Assessment by Illingworth & Rodkin, Inc (August 2019), the City Council finds and determines that the following Categorical Exemption findings can be made:
 - a. The Project is consistent with the applicable General Plan designation and all applicable General Plan policies as well as with the applicable zoning designation (Commercial Thoroughfare) and regulations, including density bonus, incentives and waivers, for the production of affordable housing;
 - b. The Project occurs within City limits on a site of no more than five acres that is substantially surrounded by urban uses and there is no record that the site has value as habitat for endangered, rare or threatened species;
 - c. Approval of the Project will not result in any significant effects relating to traffic, noise, air quality, or water quality and the completed technical studies and staff analysis contained in the agenda report support this conclusion; and
 - d. The Project has been reviewed and it is found that the site can be adequately served by all required utilities and public services.
2. DESIGN REVIEW FINDINGS. With regard to Design Review Application D19-0002, the City Council finds, in accordance with Section 14.76.060 of the Los Altos Municipal Code, as follows:
 - a. The Project meets the goals, policies and objectives of the General Plan with its level of intensity and residential density within the El Camino Real corridor, and all Zoning Code site standards and design criteria applicable for a project in the CT District;
 - b. The Project has architectural integrity and has an appropriate relationship with other structures in the immediate area in terms of height, bulk and design because the proposal has architectural integrity and has an appropriate relationship heights, massing, and styles of the buildings in the immediate area. The building fronts directly on to El Camino Real, with an exterior side frontage on Jordan Avenue, where the larger scale is more appropriate, and the project utilizes high quality materials that support its architectural style and is appropriately articulated and scaled to relate to the larger buildings on the El Camino Real corridor;

- c. Building mass is articulated to relate to the human scale, both horizontally and vertically as evidenced in the design of the projecting overhangs, bay windows and balconies, the building elevations have variation and depth and avoid large blank wall surfaces, and the project has incorporated elements that signal habitation, such as identifiable entrances, overhangs, bay windows and balconies because the building was designed to relate to the human scale with a landscaped entry plaza and a two-story entry lobby. These features create a human scale at the main building entry. The stone veneer at the first level creates a strong building base. The large horizontal balconies break up the vertical building mass to bring life to the streets. The horizontal building mass is broken up with the two-story stepping element at the corner and the deep recess at the secondary stair tower;
 - d. The Project's exterior materials and finishes convey high quality, integrity, permanence and durability, and materials are used effectively to define building elements. Materials, finishes, and colors have been used in a manner that serves to reduce the perceived appearance of height, bulk and mass, and are harmonious with other structures in the immediate area because the exterior building materials appropriately define the building elements and convey the project's quality, integrity, durability and permanence. The project color palate defines building elements and soften the overall appearance. The use of El Dorado stone veneer, Trespa siding, Equitone panels and control joints in the stucco conveys a sense of quality materials and supports the articulation to create smaller elements and reduced bulk and mass;
 - e. The landscaping is generous and inviting, the landscape and hardscape complements the building and is well integrated with the building architecture and surrounding streetscape, and the landscape includes substantial street tree canopy because the proposed landscape and hardscape elements are designed to complement the proposed building design by introducing raised planter walls, linear wood benches and landscaping with accent trees to respond to the Architectural façade and street frontage. The landscaping includes various levels with smaller plantings near the sidewalk with taller species and raised planters as it moves toward the face of the building. The landscaping includes substantial street tree canopy including one new street trees in the public right-of-way, one new western redbud tree in the front yard, three new specimen Brisbane box, two Japanese maple and one western redbud box trees in the exterior side yard along Jordan Avenue, and three western redud trees in the rear yard;
 - f. Signage, which is limited to the building address number and other required directional signage, will be designed to complement the building architecture in terms of style, materials, colors and proportions;
 - g. Mechanical equipment is screened from public view by the building parapet and is designed to be consistent with the building architecture in form, material and detailing; and
 - h. Service, trash and utility areas are screened from public view by their locations in the building garage and behind fencing in the side yards, and consistent with the building architecture in materials and detailing.
3. USE PERMIT FINDINGS. With regard to Use Permit CUP19-0001, the City Council finds, in accordance with Section 14.80.060 of the Municipal Code, as follows:

- a. The proposed location of the multiple-family residential use is desirable and essential to the public comfort, convenience, prosperity, and welfare in that there are a limited number of sites that can accommodate new housing, the CT District has anticipated and planned for new housing along the El Camino Real corridor and the project provides housing at a variety of affordability levels;
 - b. That the proposed location of the multiple-family residential use is in accordance with the objectives of the Zoning Code since the project provides for community growth along sound lines, it is harmonious and convenient in relation to the surrounding land uses, it does not create any significant traffic impacts, it will help the City meet its affordable housing goals, it will protect and enhance property values and it will enhance the City's distinctive character with a high-quality building design in a commercial thoroughfare context;
 - c. That the proposed location of the multiple-family residential use, under the circumstances of the particular case and as conditioned, will not be detrimental to the health, safety, comfort, convenience, prosperity, or welfare of persons residing or working in the vicinity or injurious to property or improvements in the vicinity; and
 - d. That the proposed multiple-family residential use complies with the regulations prescribed for the CT District and the general provisions contained in Chapter 14.02.
4. SUBDIVISION FINDINGS. With regard to Subdivision TM19-0002, the City Council finds, in accordance with Section 66474 of the Subdivision Map Act of the State of California, as follows:
- a. The proposed condominium subdivision is consistent with the General Plan;
 - b. The Project site is nonconforming due to the lot size being 16,919 square feet, where the Community Thoroughfare zoning district requires a minimum lot size of 20,000 square feet, but the existing non-conforming site is physically suitable for this type and density of development. In accordance with Section 14.66.030 of the Municipal Code, a nonconforming lot with an area less than the minimum site area prescribed for the district within which the lot is shown on a duly approved and recorded map approved by the City of Los Altos may be used but shall be subject to the regulations for the district within which the lot is located.
 - c. The Project site is nonconforming due to the lot size being 16,919 square feet, where the Community Thoroughfare zoning district requires a minimum lot size of 20,000 square feet, but the existing non-conforming site is physically suitable for this type and density of development in that the project meets all applicable Zoning requirements except where a density bonus and development incentives have been granted;
 - d. The design of the condominium subdivision and the proposed improvements are not likely to cause substantial environmental damage, or substantially injure fish or wildlife; and no evidence of such has been presented;
 - e. The design of the condominium subdivision is not likely to cause any serious public health problems because conditions have been added to address noise, air quality and life safety concerns; and

- f. The design of the condominium subdivision will not conflict with any public access easements as none have been found or identified on this site.
5. AFFORDABLE HOUSING AND DENSITY BONUS FINDINGS. With regard to the offered below market rate units and requested density bonus, incentives, waivers and parking requirement alteration, the City Council finds, in accordance with Los Altos Municipal Code Section 14.28.040, as follows:
- a. The applicant is offering two moderate income units and four very-low income units for sale, 40 percent of the Project's base units as affordable, which qualifies the project for a density bonus, incentives, waivers and a parking requirement alteration;
 - b. Per Table DB 3 in Section 14.28.040(C)(1)(b), a project that offers 11 percent or more of its total units (base density) as very-low income restricted affordable units shall be granted a density bonus of 35 percent. Since the project providing more than 27 percent of its units as affordable at the very-low income level, the City shall grant a density bonus of at least 35 percent;
 - c. Per Table DB 4 in Section 14.28.040(C)(1)(b), a project that offers 15 percent or more of its total units (base density) as very-low income restricted affordable units shall be granted three (3) incentives. Since the project is providing 27 percent of its total units as affordable at the very-low income level, the project is eligible for three (3) incentives, but has only requested two (2) incentives, and the City shall therefore grant two (2) incentives;
 - d. For its incentives, the project is requesting the City allow: a) a building with a primary height of 56 feet, where the Code allows for 45 feet; and b) a front yard setback of 20 feet, where the Code requires a front yard setback of 25 feet. The height incentive (increase of not more than 11 feet) and the front yard setback incentive (20 percent decrease in a setback) are each considered "on-menu" incentives. Per Government Code Section 65915(e) and Section 14.28.040(F) Incentive Standards, the City has determined that the incentive would not have a specific adverse impact upon public health and safety or the physical environment or upon a listed historical resource. There is sufficient evidence currently in record that the incentive or concession would result in identifiable and actual cost reductions to provide for affordable housing costs and it would not be contrary to state or federal law;
 - e. Per Section 14.28.040(G)(2)(a), the City shall allow a minimum parking requirement, inclusive of handicapped and guest parking, of one (1) onsite parking space for each one-bedroom unit and two (2) onsite parking spaces for each two- or three-bedroom unit if requested by the applicant. Since the project is providing 55 onsite parking spaces, where a minimum of 55 onsite parking spaces is required, it is exceeding the minimum permitted by the Code;
 - f. Per Government Code Section 65915(e) and Section 14.28.040(H)(1), a project can request a waiver or reduction of development standards that have the effect of physically precluding the construction of a development in addition to the density bonus and incentives permitted by the Code. Consistent with these requirements, the Applicant is seeking waivers to allow 1) the elevator tower to be 17.5 feet above the roof, where the Code allows such structures to be 12 feet above the roof; and 2) a parking stall width of 8.5 feet for the on-site spaces in the underground parking garage, where the Code requires a minimum parking stall width of nine

(9) feet. With regard to the waiver for the elevator height to be 17.5 feet, the City has determined the waiver is supported by the fact that the implementation of the Zoning Code standards physically precludes the construction of the development and the facilities are required in order to provide the necessary amenities and accessibility for the building. Evidence has not been presented that the waiver will have a specific, adverse impact upon health, safety, or the physical environment, or an adverse impact on any listed historic resource or will be contrary to state or federal law. The basis to grant the waiver is supported by the fact that they are required in order to provide the necessary amenities and accessibility for a building of this size and density, they will not have a specific, adverse impact upon health, safety, or the physical environment, they will not have an adverse impact on any listed historic resources and will not be contrary to state or federal law; and

- g. Per Section 14.28.040(E)(7), the City is permitted to grant a density bonus greater than the 35 percent. Per consultation with City staff and the Planning Commission, the Applicant is requesting an 87 percent density bonus, which will allow for the development of 28 dwelling units in the project. Granting of this density bonus is supported by the fact that the project is offering of 40 percent of its total units as affordable at the moderate and very-low income levels. The granting of the density bonus is further supported by the fact that the project is exceeding the minimum thresholds prescribed by the Zoning Code with regard to side yard setbacks, open space (both private and common), and bicycle parking. Information to support the density bonus is provided in the Density Bonus Report, which is included with the Project's staff report.

EXHIBIT B

CONDITIONS

GENERAL

1. **Approved Plans**

The project approval is based upon the plans received on August 8, 2019, except as modified by these conditions.

2. **Affordable Housing**

The applicant shall offer the City six (6) below market rate units for the 28-unit project dispersed throughout the project as follows:

- a. Two (2) one-bedroom at a very-low income level;
- b. One (1) two-bedroom at the low income level;
- c. One (1) three-bedroom at the low income level;
- d. One (1) two-bedroom units at the moderate-income level; and
- e. One (1) three-bedroom units at the moderate-income level;

3. **Upper Story Lighting**

Any exterior lighting above the ground floor on the sides and rear of the building and on the rooftop deck shall be shrouded and/or directed down to minimize glare.

4. **Encroachment Permit**

An encroachment permit and/or an excavation permit shall be obtained prior to any work done within the public right-of-way and it shall be in accordance with plans to be approved by the City Engineer. *Note: Any work within El Camino Real will require applicant to obtain an encroachment permit with Caltrans prior to commencement of work.*

5. **Public Utilities**

The applicant shall contact electric, gas, communication and water utility companies regarding the installation of new utility services to the site.

6. **Americans with Disabilities Act**

All improvements shall comply with Americans with Disabilities Act (ADA).

7. **Stormwater Management Plan**

The applicant shall submit a complete Stormwater Management Plan (SWMP) and a hydrology calculation showing that 100% of the site is being treated; is in compliance with the Municipal Regional Stormwater NPDES Permit (MRP). Applicant shall provide a hydrology and hydraulic study, and an infeasible/feasible comparison analysis to the City for review and approval for the purpose to verify that MRP requirements are met.

8. Sewer Lateral

Any proposed sewer lateral connection shall be approved by the City Engineer.

9. Transportation Permit

A Transportation Permit, per the requirements specified in California Vehicle Code Division 15, is required before any large equipment, materials or soil is transported or hauled to or from the construction site.

10. Indemnity and Hold Harmless

The applicant/owner agrees to indemnify, defend, protect, and hold the City harmless from all costs and expenses, including attorney's fees, incurred by the City or held to be the liability of the City in connection with the City's defense of its actions in any proceedings brought in any State or Federal Court, challenging any of the City's action with respect to the applicant's project.

PRIOR TO SUBMITTAL OF BUILDING PERMIT

11. Elevator Tower Design

The elevator tower design shall be subject to City Council Subcommittee review and approval to mitigate the perceived six-story appearance of the elevator tower without increasing the overall volume, bulk or mass of the structure.

12. Parapet Wall

The parapet wall shall be a sufficient height to screen the mechanical equipment from public view and it shall be designed to be consistent with the building architecture in form, material and detailing.

13. Green Building Standards

The applicant shall provide verification that the project will comply with the City's Green Building Standards (Section 12.26 of the Municipal Code) from a qualified green building professional.

14. Property Address

The applicant shall provide an address signage plan as required by the Building Official.

15. Water Efficient Landscape Plan

Provide a landscape documentation package prepared by a licensed landscape professional showing how the project complies with the City's Water Efficient Landscape Regulations.

16. Air Quality Mitigation

The applicant shall implement and incorporate the air quality mitigations into the plans as required by the report prepared by Illingsworth & Rodin, Inc., dated February 8, 2019.

17. Noise Mitigation

The applicant shall implement and incorporate the conditions and noise mitigation measures into the plans as required by the report by Illingsworth & Rodin,, dated February 8, 2019.

18. Rooftop Deck

Provide design details for the rooftop deck sufficient enough to verify that the space can operate in compliance with the performance standards proscribed by Municipal Code Section 14.50.160.

PRIOR TO FINAL MAP RECORDATION

19. Covenants, Conditions and Restrictions

The applicant shall include provisions in the Covenants, Conditions and Restrictions (CC&Rs) as follows:

- a. Parking spaces shall be designated to provide one parking spaces for one-bedroom unit, two parking spaces for each two- or three-bedroom unit, and the remainder of parking spaces shall be designated as guest parking spaces.
- b. Storage on private patios and decks shall be restricted; and rules for other objects stored on private patios and decks shall be established with the goal of minimizing visual impacts.
- c. Long-term maintenance and upkeep of the landscaping and street trees, as approved by the City, shall be a duty and responsibility of the property owners. Specifically, the landscape buffer, including both trees and landscaping, along the rear property line shall be permanently maintained as required by the CT District per Municipal Code Section 14.50.110(C).
- d. The rooftop deck shall be permanently maintained in accordance with the performance standards for Rooftop Uses in the CT District as currently proscribed by Municipal Code Section 14.50.160.
- e. Both parking spaces in a tandem space shall be owned by the same unit and cannot be owned or used by separate units.

20. Public Utility Dedication

The applicant shall dedicate public utility easements as required by the utility companies to serve the site.

PRIOR TO ISSUANCE OF BUILDING PERMIT

21. Final Map Recordation

The applicant shall record the final map. Plats and legal descriptions of the final map shall be submitted for review by the City Land Surveyor. Applicant shall provide a sufficient fee retainer to cover the cost of the map review by the City.

22. Payment of Fees

The applicant shall pay all applicable fees, including but not limited to sanitary sewer impact fees, parkland dedication in lieu fees, traffic impact fees, affordable housing impact fees, public art impact fee and map check fee plus deposit as required by the City of Los Altos Municipal Code.

23. Affordable Housing Agreement

The Applicant shall execute and record an Affordable Housing Agreement, in a form approved and signed by the Community Development Director and the City Attorney, that offers six (6) or four (4) below market rate units, for a period of at least 55-years, as defined in Condition No. 2. The below market rate units shall be constructed concurrently with the market rate units, shall be

provided at the location on the approved plans, and shall not be significantly distinguishable with regard to design, construction or materials.

24. Performance Bond

The applicant shall submit a cost estimate for the improvements in the public right-of-way and shall submit a 100-percent performance bond and 50-percent labor and material bond (to be held 6 months until acceptance of improvements) for the public right-of-way work.

25. Maintenance Bond

A one-year, ten-percent maintenance bond shall be submitted upon acceptance of improvements in the public right-of-way.

26. Storm Water Filtration Systems

The applicant shall insure the design of all storm water filtration systems and devices are without standing water to avoid mosquito/insect infestation.

27. Grading and Drainage Plan

The applicant shall submit detailed plans for on-site and off-site grading and drainage plans that include drain swales, drain inlets, rough pad elevations, building envelopes, and grading elevations for review and approval by the City Engineer.

28. Sewage Capacity Study

The applicant shall show sewer connection to the City sewer main and submit calculations showing that the City's existing 27-inch sewer main will not exceed two-thirds full due to the additional sewage capacity from proposed project. For any segment that is calculated to exceed two-thirds full for average daily flow or for any segment that the flow is surcharged in the main due to peak flow, the applicant shall upgrade the sewer line or pay a fair share contribution for the sewer upgrade to be approved by the City Engineer.

29. Construction Management Plan

The applicant shall submit a construction management plan for review and approval by the Community Development Director and the City Engineer. The construction management plan shall address any construction activities affecting the public right-of-way, including but not limited to excavation, traffic control, truck routing, pedestrian protection, material storage, earth retention and construction vehicle parking. The adjacent residential neighborhoods shall be protected from construction vehicle parking. A Transportation Permit, per the requirements in California Vehicle Code Division 15, is required before any large equipment, materials or soil is transported or hauled to or from the site. Applicant shall pay the applicable fees before the transportation permit can be issued by the Traffic Engineer.

30. Solid Waste Ordinance Compliance

The applicant shall be in compliance with the City's adopted Solid Waste Collection, Remove, Disposal, Processing & Recycling Ordinance (LAMC Chapter 6.12) which includes a mandatory requirement that all commercial and multi-family dwellings provide for recycling and organics collection programs.

31. Solid Waste and Recyclables Disposal Plan

The applicant shall contact Mission Trail Waste Systems and submit a solid waste and recyclables disposal plan indicating the type, size and number of containers proposed, and the frequency of

pick-up service subject to the approval of the Engineering Division. The applicant shall also submit evidence that Mission Trail Waste Systems has reviewed and approved the size and location of the proposed trash enclosure. The enclosure shall be designed to prevent rainwater from mixing with the enclosure's contents and shall be drained into the City's sanitary sewer system. The enclosure's pad shall be designed to not drain outward, and the grade surrounding the enclosure designed to not drain into the enclosure. In addition, applicant shall show on plans the proposed location of how the solid waste will be collected by the refusal company. Include the relevant garage clearance dimension and/or staging location with appropriate dimensioning on to plans.

32. Sidewalk Lights

The applicant shall maintain the existing light fixture and/or install new light fixture(s) in the El Camino Real and Jordan Ave. sidewalk as directed by the City Engineer.

33. Tree Protection

The applicant shall implement and incorporate the tree protection measures into the plans and on-site as required by staff and in accordance with the report by Kiely Arborist Services dated January 3, 2019.

PRIOR TO FINAL OCCUPANCY

32. Condominium Map

The applicant shall record the condominium map as required by the City Engineer.

34. Electric Vehicle (EV) Charging Stations

EV charging infrastructure shall be installed consistent with the plans received on August 8, 2019.

35. Landscape and Irrigation Installation

All on- and off-site landscaping and irrigation shall be installed and approved by the Community Development Director and the City Engineer. Provide a landscape Certificate of Completion, signed by the project's landscape professional and property owner, verifying that the trees, landscaping and irrigation were installed per the approved landscape documentation package.

33. Signage and Lighting Installation

The applicant shall install all required signage and on-site lighting per the approved plan. Such signage shall include the disposition of guest parking, the turn-around/loading space in the front yard and accessible parking spaces.

34. Green Building Verification

The applicant shall submit verification that the structure was built in compliance with the California Green Building Standards pursuant to Section 12.26 of the Municipal Code.

35. Acoustical Report

The applicant shall submit a report from an acoustical engineer ensuring that the rooftop mechanical equipment meets the City's noise regulations.

36. Sidewalk in Public Right-of-Way

The applicant shall install new sidewalk, vertical curb and gutter, and driveway approaches from property line to property line along the frontage of El Camino Real and Jordan Avenue as shown on the approved plans and as required by the City Engineer.

37. Public Infrastructure Repairs

The applicant shall repair any damaged right-of-way infrastructures and otherwise displaced curb, gutter and/or sidewalks and City's storm drain inlet shall be removed and replaced as directed by the City Engineer or his designee. The applicant is responsible to resurface (grind and overlay) half of the street along the frontage of El Camino Real and Jordan Ave. if determined to be damaged during construction, as directed by the City Engineer or his designee. *Note: Any work within the El Camino Real will require applicant to obtain encroachment permit with Caltrans prior to commencement of work.*

38. Maintenance Bond

A one-year, ten-percent maintenance bond shall be submitted upon acceptance of improvements in the public right-of-way.

39. SWMP Certification

The applicant shall have a final inspection and certification done and submitted by the Engineer who designed the SWMP to ensure that the treatments were installed per design. The applicant shall submit a maintenance agreement to City for review and approval for the stormwater treatment methods installed in accordance with the SWMP. Once approved, City shall record the agreement.

40. Stop Sign

Install a "STOP" sign and stop bar at the garage exit to advise motorists to STOP before exiting the driveway.

41. Warning Sign

Install a "Car Coming" warning sign should be provided on the wall next to the parking garage entrance to alert pedestrians and bicyclists of vehicles exiting the garage.

42. Bicycle Pathway

A pathway (painted) shall be shown on the lower level basement floor plan to delineate a pathway from the elevator to the bicycle storage lockers on the lower basement level.

43. Red Zones

The project plans show a red zone to the left of the driveway (when exiting) along Jordan Avenue. In addition, a red zone shall be painted 19 feet to the right of the driveway along Jordan Avenue to provide adequate sight distance.