

RESOLUTION NO. 2017-42

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS  
APPROVING A DESIGN REVIEW AND SUBDIVISION APPLICATION FOR A  
NEW THREE-UNIT, MULTIPLE-FAMILY CONDOMINIUM PROJECT AT 517  
TYNDALL STREET**

**WHEREAS**, the City of Los Altos received a development application from Chapman Design Associates, for a new a three-unit, multiple-family project, which includes Design Review and Subdivision applications 17-ID-01 and 17-SD-01, referred herein as the "Project"; and

**WHEREAS**, said Project is exempt from environmental review as a multiple-family structure totaling no more than four residences qualifies for an exemption in accordance with Section 15303(b) of the California Environmental Quality Act of 1970 as amended ("CEQA"); and

**WHEREAS**, the Design Permit and Subdivision application were processed in accordance with the applicable provisions of the California Government Code and the Los Altos Municipal Code; and

**WHEREAS**, the Planning and Transportation Commission held a duly noticed public hearing on the Project on August 17, 2017, at which all public comment was duly considered and voted to recommended approval of the project to the City Council; and


**WHEREAS**, the City Council held a duly noticed public meeting on the Project on October 10, 2017 at which all public comment was duly considered; and

**WHEREAS**, the location and custodian of the documents or other materials which constitute the record of proceedings upon the City Council's decision was made are located in the Office of City Clerk.

**NOW THEREFORE, BE IT RESOLVED**, that the City Council of the City of Los Altos hereby approves the Project subject to the findings and conditions of approval attached hereto as Exhibit "A" and incorporated 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 10<sup>th</sup> day of October, 2017 by the following vote:

AYES: BRUINS, LEE ENG, PEPPER, PROCHNOW  
NOES: NONE  
ABSENT: NONE  
ABSTAIN: MORDO

  
Mary Prochnow, MAYOR

Attest:

  
Jon Maginot, CMC, CITY CLERK

## EXHIBIT A

### FINDINGS

1. With regard to environmental review, the City Council finds that the project is categorically exempt from environmental review under Class 3 (New Construction or Conversion of Small Structures), Section 15303(b) of the California Environmental Quality Act (CEQA) Guidelines since it is a multi-family residential structure with four or fewer dwelling units.
  
3. With regard to the new three-unit multiple-family structure, the City Council findings the following in accordance with Section 14.78.060 of the Municipal Code:
  - a. The proposal meets all applicable the goals, policies and objectives of the General Plan, and R3-1.8 District design criteria because it is providing three new multiple-family residential townhouse units in a multiple-family district, it incorporates high quality architectural design and is compatible with the existing development immediate vicinity;
  - b. The proposal has architectural integrity and an appropriate relationship with other structures in the immediate area in terms of height, bulk and design;
  - c. The building mass is well articulated to relate to the human scale, both horizontally and vertically because the project includes a variety of walls depths, smaller scale elements and a well-defined one-story roofline. The building elevations have variation and depth to avoid large blank wall surfaces, and the project incorporate elements, such as defined front porches, smaller scale windows and bay windows, which signal habitation;
  - d. The exterior materials and finishes, which include composition shingle roof, smooth finish stucco siding, stone veneer wainscoting, and wood garage doors and wood corbels and trim details, convey a sense of quality, integrity, permanence and durability. These materials are used effectively to define the building's front porches, garages and second story elements;
  - e. The landscaping, which maintained the existing redwood tree, installs a new crape myrtle tree and other lower planting species is generous and inviting. The landscape and hardscape features are designed to complement the building and parking areas, highlight each of the front entries and is integrated with the building architecture and the surrounding streetscape;
  - f. The exterior mechanical equipment, which is located in alcoves and within the fenced private areas, is screened from public view and the fencing is consistent with the building architecture in form, material and detailing; and
  - g. The service, trash and utility areas are located behind fences, recessed in alcoves or enclosed within the building in order to be screened from public view and are placed in a way that is consistent with the building architecture in materials and detailing.

4. With regard to the three-unit condominium subdivision, the City Council finds the following in accordance with Chapter 4, Article 1, Section 66474 of the Subdivision Map Act of the State of California:
  - a. The proposed subdivision is consistent with all applicable goals, policies and objectives of the Los Altos General Plan and does not exceed the maximum density of 38 dwelling units per acre for the Medium, Density Multi-Family land use designation;
  - b. The site is physically suitable for this type and density of development in that the site is generally flat with minimal slope and located within a suburban context with access to all city services, including sewer, water, electricity and public streets;
  - c. The design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage, or avoidably injure fish or wildlife since there is not any identified sensitive habitat or other environmental resources on or in proximity to the site;
  - d. The design of the subdivision is not likely to cause serious public health problems since the project is consistent with the multiple-family character of the neighborhood and is located on a site for which all public utilities are available; and
  - e. The design of the subdivision will not conflict with access easements since there are not any existing access easements that are on or adjacent to the site.

## CONDITIONS

### **GENERAL**

1. **Approved Plans**

Project approval is based upon the plans received on August 2, 2017 except as modified by these conditions.

2. **Design Revision**

The project shall incorporate stone wainscoting along the entire left elevation of the garage for unit 1.

3. **Public Right-of-Way Work**

All work within the public right of way shall be done in accordance with plans to be approved by the City Engineer.

4. **Encroachment Permit**

The applicant shall obtain an encroachment permit and/or excavation permit 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.

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. **Urban Runoff Pollution Prevention**

The project shall comply with the New Development and Construction Best Management Practices and Urban Runoff Pollution Prevention program, as adopted by the City for the purposes of preventing storm water pollution (i.e. downspouts directed to landscaped areas, minimize directly connected impervious area, etc.) The improvement plans shall include the "Blueprint for a Clean Bay" plan sheet in all plan submittals.

8. **Sewer Connection**

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

9. **Second Story Lighting**

All exterior lighting above the ground floor shall be shrouded and/or downward facing.

10. **Indemnity and Hold Harmless**

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

11. **Trash Enclosure**

The project plans shall be revised to include a curb stop in front of trash enclosure number 2.

## **PRIOR TO FINAL MAP RECORDATION**

### **12. Public Utility Easements**

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

### **13. Impact 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 and map check fee plus deposit as required by the City of Los Altos Municipal Code.

## **PRIOR TO BUILDING PERMIT SUBMITTAL**

### **14. Right-of-Way Construction**

The applicant shall submit detailed plans for any construction activities affecting the public right-of-way, include but not limited to excavations, pedestrian protection, material storage, earth retention, and construction vehicle parking, to the City Engineer for review and approval. The applicant shall also submit on-site and off-site grading and drainage plans that include drain swales, drain inlets, rough pad elevations, building envelopes, and grading elevations for approval by the City.

### **15. Sewer Capacity**

The applicant shall submit calculations showing that the City's existing six-inch diameter sewer line will not exceed two-thirds full due to the project's sewer loads. Calculations shall include the six-inch main from the property along Miramonte Avenue, to the point where it connects to the twenty-four inch sewer line on Covington Avenue. 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 replace the six-inch sewer line with an eight-inch sewer line.

### **16. Trash Enclosure**

The applicant shall contact Mission Trail Waste Systems and submit a solid waste, recyclables (and organics, if applicable) 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 roofed 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.

### **17. Stormwater Management Plan**

The applicant shall comply with the Stormwater Pollution Prevention Measures per Chapter 10.16 of the Los Altos Municipal Code.

### **18. 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.

### **19. Property Address**

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

**20. Truck Routing**

A truck routing and staging plan for the proposed excavation of the site shall be submitted for review and approval by the City Engineer.

**21. Construction Management Plan**

The applicant shall submit a construction management plan for review and approval by the Community Development Director. The construction management plans shall address any construction activities affecting the public right-of-way, including but not limited to: prohibiting dirt hauling during peak traffic hours, excavation, traffic control, truck routing, pedestrian protection, appropriately designed fencing to limit project impacts and maintain traffic visibility as much as practical, material storage, earth retention and construction and employee vehicle parking.

**PRIOR TO FINAL OCUPANCY**

**22. Underground Utilities**

The applicant shall be responsible for the removal/undergrounding of all existing overhead utilizes.

**23. Sidewalk Replacement**

The applicant shall remove and replace all broken, cracked, or damaged sidewalks (and/or curb and gutters) adjacent to the site as directed by the City Engineer.

**24. Stormwater Catch Basin**

The applicant shall label all new or existing public and private catch basin inlets which are on or directly adjacent to the site with the "NO DUMPING - FLOWS TO ADOBE CREEK" logo as required by the City.

**25. Alley Improvement**

The applicant shall improve the entire width of the alleyway with the treatment approved by the City Engineer.

**26. Off-Site Improvements**

The applicant shall obtain design approval and construct A City standard sidewalk, vertical curb and gutter and City standard parking duck-out along the Tyndall Street frontage.

**27. 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.

**28. Photovoltaic System**

The applicant shall install a photovoltaic system.