

RESOLUTION NO. 2021-04

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS
GRANTING AN EXCEPTION FROM THE CITY'S STORY POLE POLICY TO
THE PROPOSED DEVELOPMENT AT 4350 EL CAMINO REAL AND
MAKING FINDINGS OF CEQA EXEMPTION**

WHEREAS, the City Council adopted 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, by letters dated September 4, 2019, October 4, 2019, February 3, 2020, and April 4, 2020 the applicant for the proposed development at 4350 El Camino Real submitted a request for an exception from the City's Story Pole Policy due to public health and safety concerns and impairment of the existing structures and site related to placement of story poles in close proximity to drive aisles; and

WHEREAS, this action is exempt from CEQA each as a separate and independent basis, pursuant to CEQA Guidelines Section 15303 (new construction of small structures) and 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 applicant's request for an exception from the installation of story poles per the City's Story Pole Policy based on the following finding:

1. There is a public health and safety concern or impairment of the existing site or buildings due to the placement of the story poles and guy wires posing a threat of physical harm to users and a safety concern if a story pole or guy wire were to cause damage to personal property or result in personal injury to an individual attempting to access the site; and
2. Installation of story poles per the City's Story Pole Policy would impair the use of the structure on the site to the extent that operation of the existing gasoline service station would be infeasible.

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 January 2021 by the following vote:

AYES: Council Members Lee Eng, Meadows, Weinberg, Vice Mayor Enander and
Mayor Fligor
NOES: None
ABSENT: None
ABSTAIN: None



Neysa Fligor, MAYOR

Attest:



Andrea Chelemengos, MMC, CITY CLERK

EXHIBIT B
CONDITIONS

GENERAL

1. Approved Plans

The project approval is based upon the plans received on November 17, 2020, except as modified by these conditions.

2. Story Pole Submittal Revisions

The City Council Subcommittee shall work with applicant and staff on the following revisions to the story pole plan:

a. 3D Model

The pedestrian-level and flyover 3D digital models shall be revised to include more information, such as sidewalk widths, and the proposed development and adjacent buildings within the broader streetscape area that represent the three-dimensional qualities of the proposed building within the existing context of the site's surroundings.

b. Public Notice Billboards - Quick Response (QR) Code

The public notice billboards shall be revised to provide a QR Code that links to a webpage for the pedestrian-level and flyover 3 D digital models.

c. Public Notice Billboard No. 1 - Photorealistic Rendering

The public notice billboard No. 1 text shall be replaced with a photorealistic rendering, based on input from the Peninsula Real Homeowner's Association.

d. Public Notice Billboard No. 1 - Location

The public notice billboard No. 1 shall be relocated to be closer and better angled to the sidewalk to improve its visibility for pedestrians, with consideration of safety concerns.