



## AMERICAN LEGION

Los Altos Post 558  
347 First Street  
Los Altos, CA 94022-3604

October 7, 2021

City of Los Altos Planning Commission  
c/o Sean Gallegos  
[sgallegos@losaltosca.gov](mailto:sgallegos@losaltosca.gov)

Re: **PC21-0225 - Emeric McDonald – 349 First Street**

The American Legion Los Altos Post 558 is directly adjacent to the proposed project (347 First). Members of our veterans organization have reviewed the site plan and elevations available on the City's website. I am the Finance Officer and third generation member of the Los Altos Post. I attended Community Meeting #1.

I met with the applicants, Emeric McDonald and John Barton, on October 4, 2021, and discussed the development and its impact on our property and services to veterans and the community. My wife also attended this meeting as she has over 30 years of experience in municipal government and is a member of the Auxiliary.

I'll start with some relevant information about our property, and end with our concerns and comments about the 349 First Street Project which incorporates our discussion with the applicant.

The Los Altos Post 558 serves veterans and our community in a variety of ways; and our fundraising for those programs is derived mainly from hall rentals. Our building is comprised of a large meeting hall at the front of the building and a smaller clubroom at the rear. It was built in 1940 by World War I veterans with construction skills. This building was the site for the town's formation meetings, which included Guy Shoup and future California Senator Alan Cranston. President Carter also visited our veterans and community leaders at our hall. Currently, we have a historical designation application in process (pre-Covid), which has been delayed by the impacts of Covid-19 on City operations.

Also, we are working with the Ann Hepenstal to formally become one of the City's Neighborhood Emergency Network Centers. Our building has emergency supplies, including pet food, and a ham-radio antenna, which serves for emergency disaster communications. (The applicant assured us he will help mitigate any negative impacts due to the new building.) We are incorporating multi-media improvements into our future renovation plans to provide communication, care and comfort of citizens during an emergency. We have applied for a building permit for a light upgrade of the clubroom to address some maintenance issues. Later, we will be re-roofing the building.

Although the applicant has offered to incorporate our building and property into a larger development, our veterans have decided at this time not to accept that offer because of the building's historical significance and iconic design. The other reason is that even if we were part of the project, our tax assessment would be "substantially equivalent to new" per the Assessor, and our property taxes would dramatically increase.

### **349 First Street**

The current design of the 349 First Street Project is compatible with new buildings but not with the older wooden buildings in the downtown. In particular, the 5-story *wall* on the zero-lot line (south) next to

our building is a major concern to us, both visually and structurally (weight). The wall structure contains the stairway and elevator to the rooftop garden over the 4-story residential development.

### **Massive Wall Structure, Height, Setbacks & Rooftop Garden**

The massive wall structure significantly prevents natural light from entering our building. In contrast, the existing two-story building (to be demolished) blocks less than 50% of our building. We will also have to secure entrances to our sideyard (front and rear) with tall gates to discourage criminal activity or mischief because the wall prevents casual surveillance by the public or law enforcement. (We have a side entrance.)

We spoke with the applicants, and they were already considering some adjustments to the setback of the wall from the front and rear property lines; and removing the elevator to the rooftop garden. We suggested that they consider meeting the landscape requirement by removing the rooftop garden and relocating the garden space to the front of the building at street level. This would create more open space, at a pedestrian level, and capitalize on the existing open space created by our Legion plaza and benches. They could make it private with a garden hedge and gate; and add outdoor seating for their residents. *A major benefit of eliminating the rooftop garden would be the reduction of the massive wall from 5 stories to 4 stories, which would also reduce the weight of that wall adjacent to our building.*

### **Soil Stability & Construction Vibration**

We are concerned about the construction vibration affecting our property, especially of pile-driving. We have made the applicant aware of our private storm-drain along the sideyard.

### **Parking**

We support the street level parking garage. We are *not* in favor of underground parking due to potential impacts to soil stability near our historical building.

Although parking is sufficient per City requirements, we have parking concerns about current street parking and the proposed development as follows.

The CityLift parking system accounts for a little more than half of the required parking. The concern is that residents will not use the CityLift system due to fear of mechanical malfunction or public safety energy shut offs; or avoidance of developer parking charges if implemented. Also, residents may choose not to park in the garage if parking spaces and turning radiuses are tight (even if they meet code). This would further impact street parking. Guests at the proposed development will also be extremely challenged to find nearby parking spaces because of the congested street parking.

Street parking is currently extremely limited, largely in part to Draegers, because employees are not allowed to park in their large parking lot. Multiple shifts of employees *legally* park on First and Whitney streets all day and evening. The store is open from 7 a.m. to 9 p.m. but employees are on site from 4 a.m. until late at night, handling truck deliveries and stocking shelves. Although employees could park in public lots and walk 300 feet to the business, naturally they prefer to park on streets near the store.

We recommend that the development have a planning condition or a CCR requiring that residents park any *second* car they own in the CityLift system, and that there be no parking fees imposed for residents wanting to park in the garage or CityLift.

### **In summary, we recommend that this development:**

1. Reduce the height of the massive wall from 5 to 4 stories.

2. Relocate the garden from the rooftop to the front of the building on 1<sup>st</sup> street, adjacent to the Legion plaza. They could make it private with a garden hedge and gate; and add outdoor seating for their residents.
3. Condition that residents with two vehicles park one vehicle in the CityLift system; and that there be no parking fees imposed for residents wanting to park any vehicle in the garage or CityLift.
4. Ensure that parking spaces and turning radius are practical--and not just meet code.

Respectfully submitted,

Kenneth W. Newman  
Finance Officer  
American Legion Los Altos Post 558  
347 First Street  
Los Altos, CA 94022

[kwn558@gmail.com](mailto:kwn558@gmail.com)  
650-906-8978

cc: Commander William Bassett, Esq.  
Emeric McDonald