



STUDY SESSION

Agenda Item # 1

**PLANNING COMMISSION
AGENDA REPORT**

Meeting Date: October 7, 2021

Subject: 349 First Street - Planning Commission Study Session

Prepared by: Sean K. Gallegos, Associate Planner

Reviewed by: Guido F. Persicone, Planning Services Manager
Jolie Houston, City Attorney

Attachment(s):

- A. Architectural and Survey Project Plans
- B. CD-R3 Zoning Standards
- C. SB 330 Summary
- D. Preliminary Application
- E. 349 First Street Pre-Application Letter

Initiated by:
City staff

Previous Council Consideration:
None

Fiscal Impact:

The applicant will be required to pay for any California Environmental Quality Act (CEQA) studies or reports for this project.

Environmental Review:

Pending an initial evaluation of noise, air quality, traffic, and historic impacts, the project may qualify for a Categorical Exemption per CEQA Guidelines §15332 for In-Fill Development Projects. If so, an environmental consultant will prepare a memo supporting the exemption.

Summary:

- The applicant is proposing a twelve (12) unit condominium project with two moderate-income below market rate unit. Per the City's density bonus ordinance, the project would be eligible for one (1) development concession.

Staff Recommendation:

Staff suggests that the Planning Commission review the submitted material and provide preliminary feedback to the applicant to consider before submitting the formal application.



Subject: 349 First Street - SB 330 Project – Multiple-Family Development with 12 Condominium Units

Purpose

The purpose of the meeting is to obtain initial preliminary application comments from the Planning Commission about the pre-application project.

Senate Bill 330 (SB 330)

Pre-Application Phase

California Senate Bill 330, “The Housing Crisis Act of 2019,” was signed into law by Governor Newsom on October 9, 2019 and became effective January 1, 2020. The Housing Crisis Act allows for an applicant to submit a preliminary application for a housing development project. SB 330 has two key phases: a pre application phase and a formal submittal phase. The purpose of the pre-application phase is to collect specific site and project information to determine the zoning, design, subdivision, and fee requirements that will apply to the housing development project throughout the review and entitlement process. The day the pre-application is filed with the City, the City is required to freeze all site development and design standards plus other land use related regulations that can be imposed on the project. The City is prohibited from applying new ordinances, policies, standards and/or fee increases to the development.

Under the provisions of Senate Bill 330, there is no requirement that a city review the preliminary application to make a determination regarding its completeness in order for an applicant’s statutory rights to vest. The City can ask for only certain information during the pre-application phase. This provides some guarantees to the applicant that the “rules of the road” will not be changed mid-stream. During the pre-application phase the City can undertake its normal community outreach by having study sessions, and community meetings. The City may request compliance with design requirements during the formal submittal process.

Formal Submittal Phase of SB330

The applicant shall submit a formal application for a development project within 180 calendar days of submitting a complete preliminary application. If the City determines that the application for the development project is not complete, the applicant shall submit the specific information needed to complete the application within 90 days of receiving the agency’s written identification of the necessary information. If the development proponent does not submit this information within the 90- day period, then the preliminary application shall expire and have no further force or effect.

During the “formal submittal” phase, the City may hold no more than five public meetings or hearings in connection with the project’s approval. Senate Bill 330 was written very broadly to include community meetings, and study sessions in this definition. The City must account for



Subject: 349 First Street - SB 330 Project – Multiple-Family Development with 12 Condominium Units

any potential appeals, which count toward the five public meeting or hearing maximum. As such, it is important that the Planning Commission and community provide feedback during the study session to permit the applicant to respond to comments made by the community in the formal application submittal.

Housing Accountability Act

Under the Housing Accountability Act, the City must approve the project at the density proposed when a proposed housing development project complies with applicable, objective general plan, zoning, and subdivision standards and criteria, including design review standards, in effect at the time that the application was deemed complete. If a local agency proposes to disapprove a project or to impose a condition that the project be developed at a lower density, the local agency shall base its decision regarding the proposed housing development project upon written findings supported by a preponderance of the evidence on the record that both of the following conditions exist:

- The housing development project would have a specific, adverse impact upon the public health or safety unless the project is disapproved or approved upon the condition that the project be developed at a lower density.

Project Background

During the formal phase of the project, the applicant will be seeking approval of a design review permit and a tentative map for a new development at 349 First Street. The applicant is proposing a twelve (12) unit condominium project with two moderate-income below market rate units. Since the project is providing 16.7% of the units at the moderate-income level, per Table DB 6 of the Density Bonus Ordinance this equates to one (1) density bonus incentive.

The project is generally consistent with the Los Altos Zoning Code (see Table 1) with a few key exceptions.

Table 1: General Development Standards

	Standard	Proposed	Complies
General Plan	Downtown Commercial	No change	Yes
Zoning	CD R3	No change	Yes
Density	No density range in the CD/R3 Zone	74 dwelling units/per acre	Yes
Lot Size	7,100 sq. ft.	No change	Yes
Front Setback	10 ft.	2 ft.	<u>Yes- if bonus waiver</u>



Subject: 349 First Street - SB 330 Project – Multiple-Family Development with 12 Condominium Units

	Standard	Proposed	Complies
	50% landscaped	50% landscaped	<u>is granted</u>
Rear Setback	10 ft.	2 ft.	<u>Yes- if density bonus waiver is granted</u>
Interior Setback	0 ft.	0 ft.	Yes
Exterior (Street) Side Setback	2 ft.	2 ft.	Yes
Enclosed Refuse collection	Yes	Yes – Sheet A2.0	Yes
Bicycle Parking	1 Class I (Bike Locker) for every 3 units and 1 Class II (Bike Rack)	No	No
Height	35 feet	46 feet	<u>Yes- if density bonus concession is granted</u>
Parking	26	17	<u>Yes-with density bonus reduction</u>
Delivery Loading at alley	Building deliveries, loading and refuse collection are collected or delivered from the alley	The building provides refuse collection along alley.	Yes, the building provides refuse loading and collection along alley. <u>No - the building does not permit deliveries from the alley.</u>

Density Bonus Concession

During the formal submittal process, the applicant will be required to submit a Density Bonus report providing reasons why concessions are necessary to provide for affordable housing. For now, it appears as if the applicant will be requesting one density bonus concession to increase the height from 35 feet to 46 feet. The height increase would be considered an “on menu” concession request, which are generally granted ministerially.

Under the provisions of Density Bonus law, the project is eligible for one (1) concession and one (1) is being proposed. In addition to requesting incentives and concessions applicants may request the waiver of an unlimited number of development standards that would physically



Subject: 349 First Street - SB 330 Project – Multiple-Family Development with 12 Condominium Units

preclude the construction of a project with the density bonus and the incentives or concessions to which the development is entitled, per Government Code Section 65915(e)(1), which reads:

Government Code Section 65915 (e) (1) In no case may a city, county, or city and county apply any development standard that will have the effect of physically precluding the construction of a development meeting the criteria of subdivision (b) at the densities or with the concessions or incentives permitted by this section. Subject to paragraph (3), an applicant may submit to a city, county, or city and county a proposal for the waiver or reduction of development standards that will have the effect of physically precluding the construction of a development meeting the criteria of subdivision (b) at the densities or with the concessions or incentives permitted under this section, and may request a meeting with the city, county, or city and county. If a court finds that the refusal to grant a waiver or reduction of development standards is in violation of this section, the court shall award the plaintiff reasonable attorney's fees and costs of suit.

For now, it appears as if the applicant will be requesting two waivers: a density bonus waiver to reduce the front setback from ten feet to two feet, and a density bonus waiver to reduce the rear setback from ten feet to two feet.

Density Bonus and Parking

Under the provisions of Density Bonus Law, the project is entitled to reduced parking ratios and is only required to provide 17 parking spaces and 17 have been provided. This is not considered a density bonus concession or a waiver but is a stand-alone reduction written into Density Bonus Law.

Table 2-Density Bonus Parking Ratios

	Units	Density Bonus Parking Ratios	Total Parking
Bedroom Count			
3 Bedrooms	4	1.5	6
Two Bedrooms	5	1.5	7.5
1 Bedrooms	3	1	3
	12		17

Transit Stop



Subject: 349 First Street - SB 330 Project – Multiple-Family Development with 12 Condominium Units

The closest bus stop is located approximately 0.2 mile from the subject site at the corner of Lyell and San Antonio which is considered an acceptable walking distance. Local VTA route 40 provides service between Foothill College in Los Altos Hills and La Avenida Street in Mountain View via San Antonio Road, Whitney and First Street.

Bicycle and Pedestrian

As recommended by the VTA guidelines, the project will be required to provide a minimum of 1 Class I (bike locker) must be provided for every 3 units and a 1 Class II (bicycle rack) must be provided for every 15 units. The plans do not currently show the project complies with the VTA guidelines. If approved by the City Council, the applicant will be required to improve the sidewalk along First and Whitney to create an accessible path of travel per the Americans with Disabilities Act (ADA).

Additional Submittal Requirements

Additional documentation will be required of the applicant during the formal submittal. See Attachment E for the full list of items required.

California Environmental Quality Act (CEQA)

The City has received a bid from one consulting firm for this project. The bid indicates this project likely will require a memo supporting an Infill Exemption and Notice of Exemption (NOE) to satisfy the requirements of the California Environmental Quality Act (CEQA).

Community Meeting

On September 2, 2021, a virtual community meeting took place with property owners and tenants within 1,000 feet of the property. Three community members attended, and their comments can be found via the following link:

https://www.youtube.com/watch?v=65l_J3HYikY

Discussion/Analysis

In general, infill development projects will permit the City of Los Altos to meet its long-term Regional Housing Needs Allocation (RHNA), as provided by the California Department of Housing and Community Development (State HCD) and set by the regional planning agency the Association of Bay Area Governments (ABAG). With the addition of a below market rate unit and the corresponding density bonus concessions, the City must allow certain modifications to its development standards in order to meet the requirements of state law.



Subject: 349 First Street - SB 330 Project – Multiple-Family Development with 12 Condominium Units

The Commission is being asked to provide feedback to the applicants so that they have a full understanding of the concerns and expectations for a project of this type and size in this location.

Los Altos General Plan Conformance

Housing Element Policy 2.1: The City will maintain zoning that provides for a range of housing sizes and residential densities.

Housing Element Goal 4: Allow a variety of housing densities and types in appropriate locations to accommodate housing needs at all income categories.

Housing Element Program 4.3.4 Continue to encourage maximum densities.

349 FIRST STREET

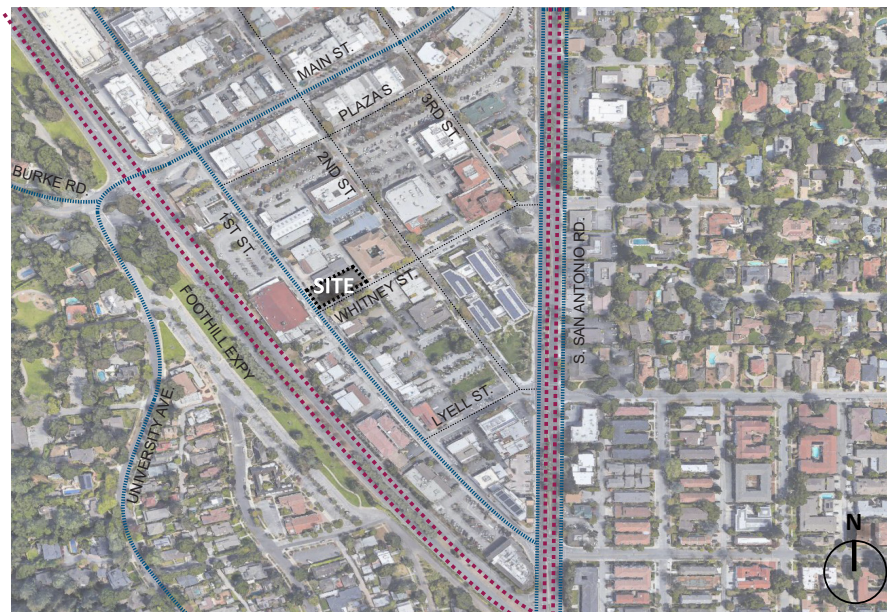
LOS ALTOS, CA

ATTACHMENT A



VIEW FROM 1ST STREET

VICINITY MAP



SHEET INDEX

- G1.0 PROJECT INFORMATION
- G2.0 EXISTING SITE CONDITIONS
- G3.0 NEIGHBORHOOD ARCHITECTURE
- G4.0 CONTEXT SITE PLAN

- C1.0 ELEVATION EXHIBIT

- A1.0 SITE PLAN
- A2.0 BUILDING FLOOR PLANS

- A3.0 1ST ST. & WHITNEY ST. ELEVATION
- A3.1 ALLEY & SIDE ELEVATION
- A4.0 BUILDING SECTIONS

PROJECT SUMMARY

The project is a 4-story Residential Condominium building with 12 units, including two moderate-income BMR units, one level of ground concrete parking and wood construction above ground. The property is located in the CD/R3 zoning district (Commercial, Mixed-Use or Residential). The site area is 7,100 SF, and is currently used by an approximately 3,000 SF commercial building, which will be demolished.

PLANNING AND BUILDING CODE DATA			
Address	349 First Street, Los Altos, CA 94022		
APN:	167-40-047		
Existing Land Use Designations:			
General Plan Designation:	DC (Downtown Commercial)		
Zoning Designation:	CD/R3 Commercial Downtown / Multiple Family District		
Existing Use:	Commercial Building / Parking Lot		
Proposed Land Use Designations:			
General Plan Designation:	DC (Downtown Commercial)		
Zoning Designation:	CD/R3 Commercial Downtown / Multiple Family District		
Proposed Use:	12 Residential Condominium Units		
Building Code			
Construction shall comply with the 2019 California Building Code.			
Occupancy Groups		Construction Types	
Residential	S2 / R2	Type V-A, Fully Sprinklered	
Garage	S2	Type I-A, Fully Sprinklered	
Max. Building Height		Max. Building Height with on menu Concession	
DC (Downtown Commercial)	35'-0"	46'-0"	
		Building Height Proposed	
		46'-0"	
Setbacks Required		Setbacks Proposed with SDB Waivers	
Front	10'-0"	Front	2'-0"
Street Side	2'-0"	Street Side	2'-0"
Interior Side	0'-0"	Interior Side	0'-0"
Rear (Alley)	10'-0"	Rear (Alley)	2'-0"
Lot Area (349 First Street)	0.16 acres	7,100 SF	Coverage 84.7%
Gross Building Area		25,205 SF	F.A.R. 3.55

	Unit Count					Gross SF		Parking	
	Level 1	Level 2	Level 3	Level 4	Total	GSF	Total GSF	Ratio	Req. Spaces
1 BR (Live Work)	1	-	-	-	1	830	830	1.0	1.0
1 BR (1A)	-	1	1	-	2	920	1,840	1.0	2.0
2 BR (2A)	-	1	1	-	2	1,060	2,120	1.5	3.0
2 BR (2B)	-	1	1	-	2	1,200	2,400	1.5	3.0
2 BR (2C)	-	-	-	1	1	1,170	1,170	1.5	1.5
3 BR (3A)	-	1	1	-	2	1,425	2,850	1.5	3.0
3 BR (3B)	-	-	-	1	1	1,790	1,790	1.5	1.5
3 BR (3C)	-	-	-	1	1	1,370	1,370	1.5	1.5
TOTAL	1	4	4	3	12	14,370			17

	Units	Type	% BMR
BMR (Below Market Rate) Units	2	1 BR, Mod. Inc.	2 / 12 = 16.7%

Residential Parking Provided	
Parking Lifts	8
EV Van ADA Spaces	1
Regular Stalls	8
TOTAL	17

Project Area Summary (GSF)						
	Garage	Residential	Balcony	Circulation	Utility	Total
Level 1	3,965	830		610	610	6,015
Level 2		4,605	515	1,280	165	6,565
Level 3		4,605	315	1,280	165	6,365
Level 4		4,330	525	1,240	165	6,260
TOTAL	3,965	14,370	1,355	4,410	1,105	25,205

PROJECT TEAM

APPLICANT:
 Octane First Street, LLC
 800 W. El Camino Real, #180
 Mountain View, CA. 94040
 Contact: Emeric J. McDonald
 Phone: 703.629.1901

CIVIL ENGINEER:
 Kier and Wright
 3350 Scott Boulevard, Building 22
 Santa Clara, CA. 95054
 Contact: Daniel S. Mitchell
 Phone: 408.727.6665

ARCHITECT / PLANNER:
 Studio T-Square
 1970 Broadway, Suite 615
 Oakland, CA. 94612
 Contact: Chek Tang, Principal
 Phone: 510.451.2850



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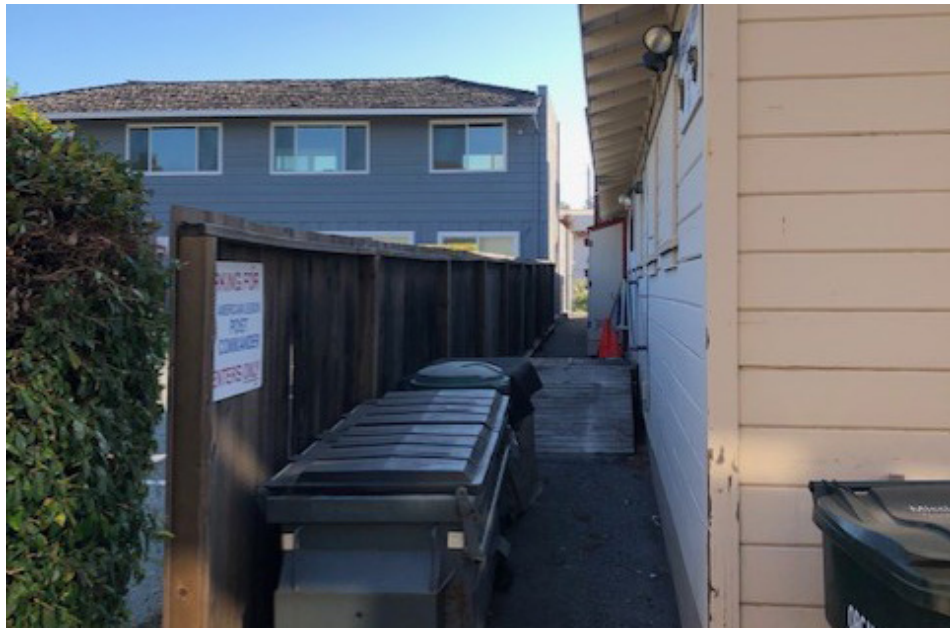
349 FIRST STREET
 Los Altos, California
OCTANE FIRST STREET, LLC
 800 W. El Camino Real, #180
 Mountain View, CA. 94040

Sheet Title:
PROJECT INFORMATION

Job No. 21015
 Date: 07/15/2021
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ALLEY LOOKING AT SITE 8



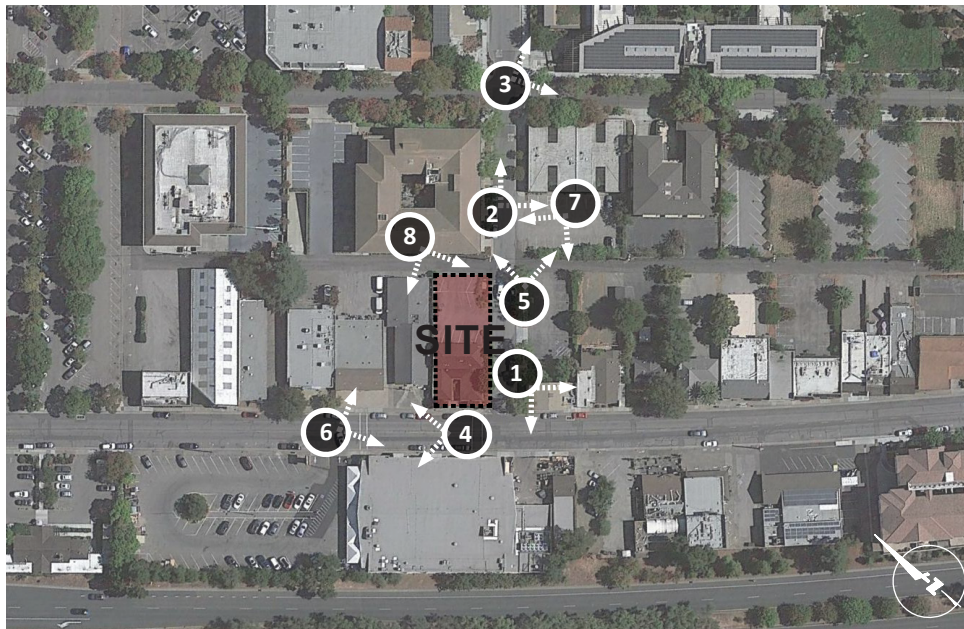
WHITNEY ST. LOOKING NORTH EAST 5



2ND ST. & WHITNEY ST. LOOKING SOUTH EAST 3



WHITNEY ST. LOOKING 7



WHITNEY ST. LOOKING EAST 2



NORTH EAST 6



SOUTH EAST 4



NORTH EAST 1



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OCTANE FIRST STREET, LLC

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Sheet Title:
EXISTING SITE
CONDITIONS

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385, 387 & 389 1ST STREET (IN CONSTRUCTION) 4



376 1ST ST. (PROPOSED) 3



444-450 1ST ST. (APPROVED) 2



PACKARD FOUNDATION HEADQUARTER 1



LOS ALTOS COMMUNITY CENTER (IN CONSTRUCTION) 5



355 1ST STREET (PROPOSED) 6



SERENO GROUP OFFICE (BUILT) 7



440 1ST STREET (PROPOSED) 8



425 1ST STREET (APPROVED) 9



396 1ST STREET 10



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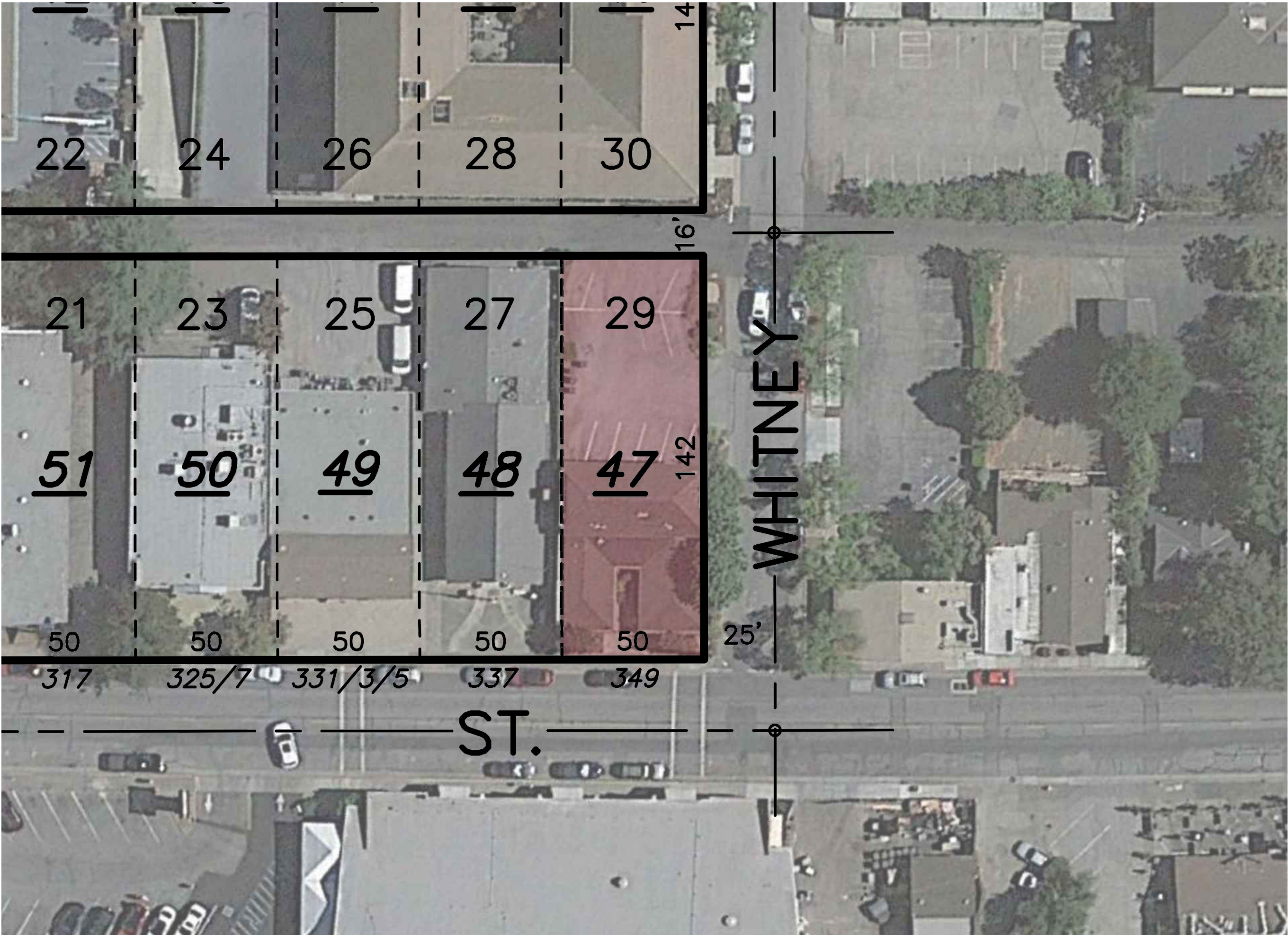
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Sheet Title:
NEIGHBORHOOD
ARCHITECTURE

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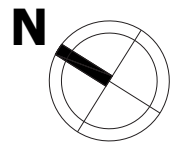
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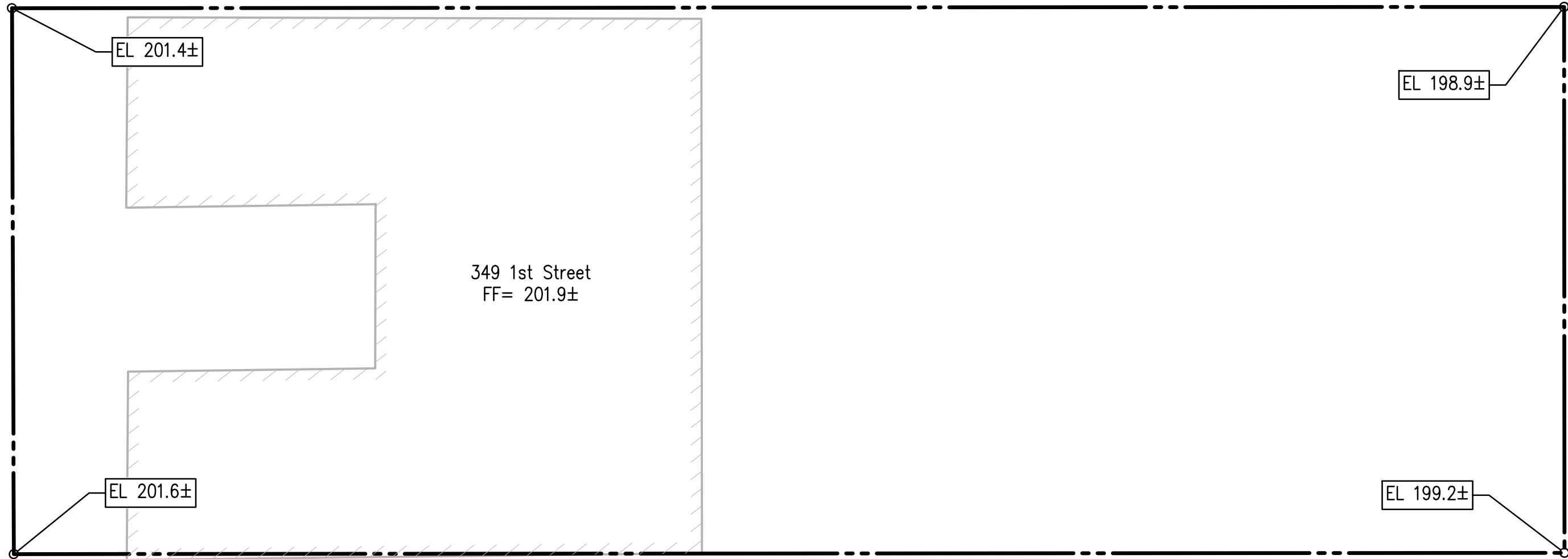
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FIRST STREET



WHITNEY STREET



0 5' 10' 20'
Scale 1" = 10'



3350 Scott Boulevard, Building 22 Phone: (408) 727-6665
Santa Clara, California 95054 www.kierwright.com

LOS ALTOS

ELEVATION EXHIBIT
349 1ST STREET

C1.0

CALIFORNIA

DATE	6/7/21
SCALE	1" = 10'
BY	TC
JOB NO.	A21092
SHEET	1 OF 1



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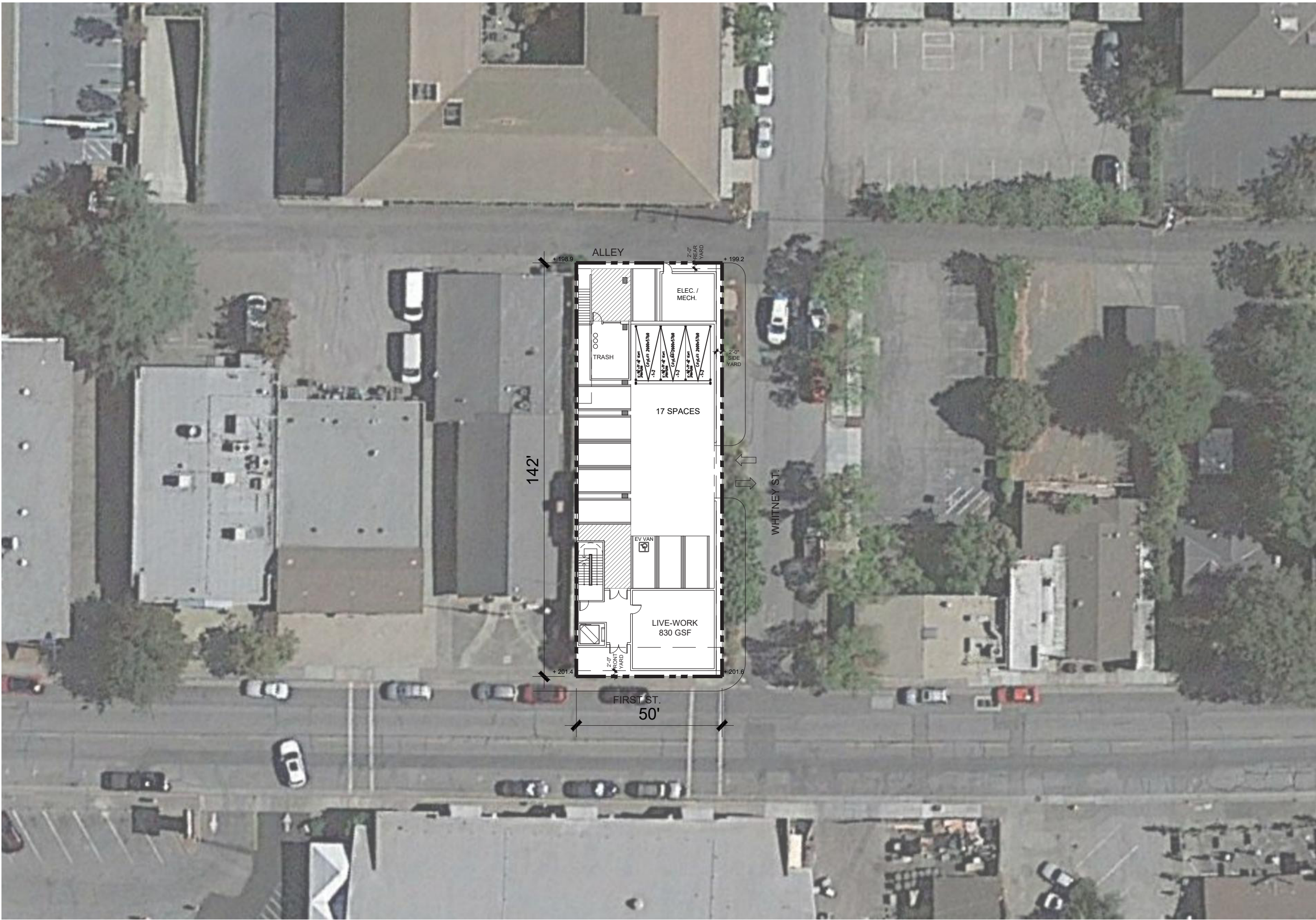
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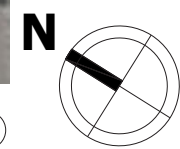
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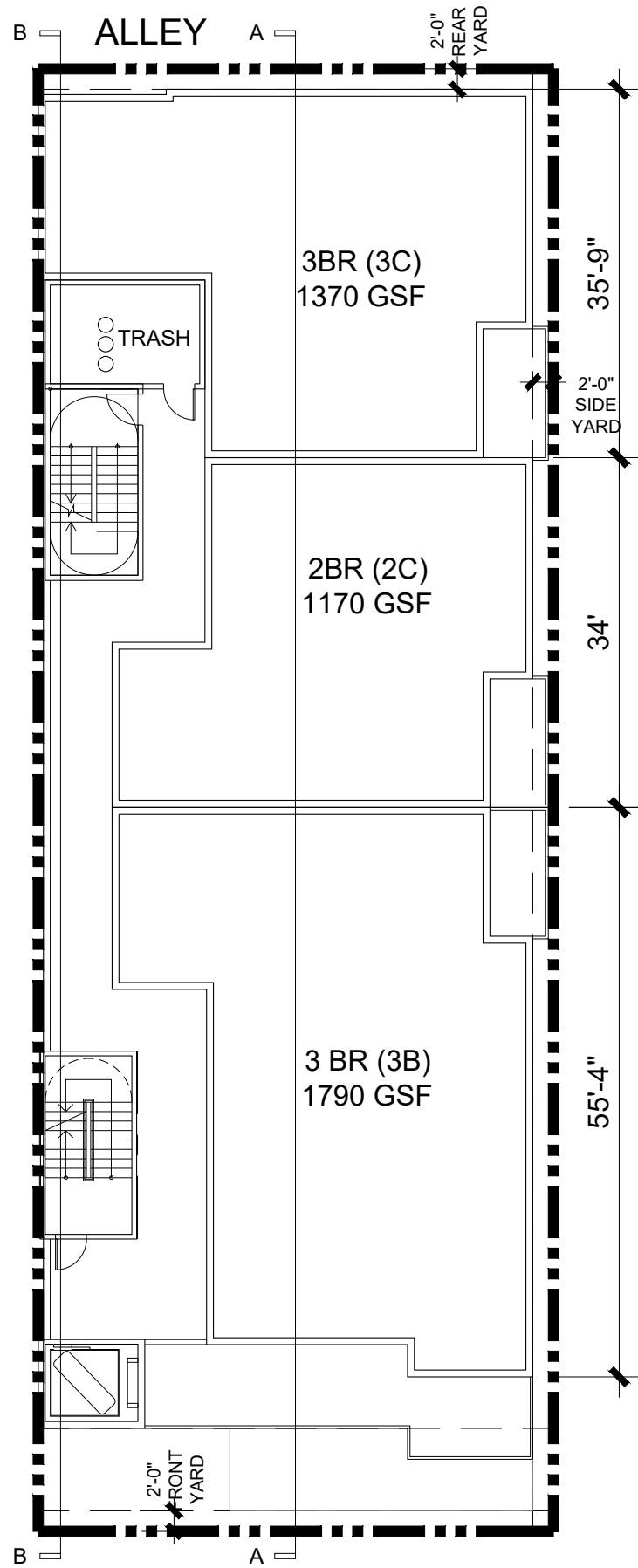


SITE PLAN

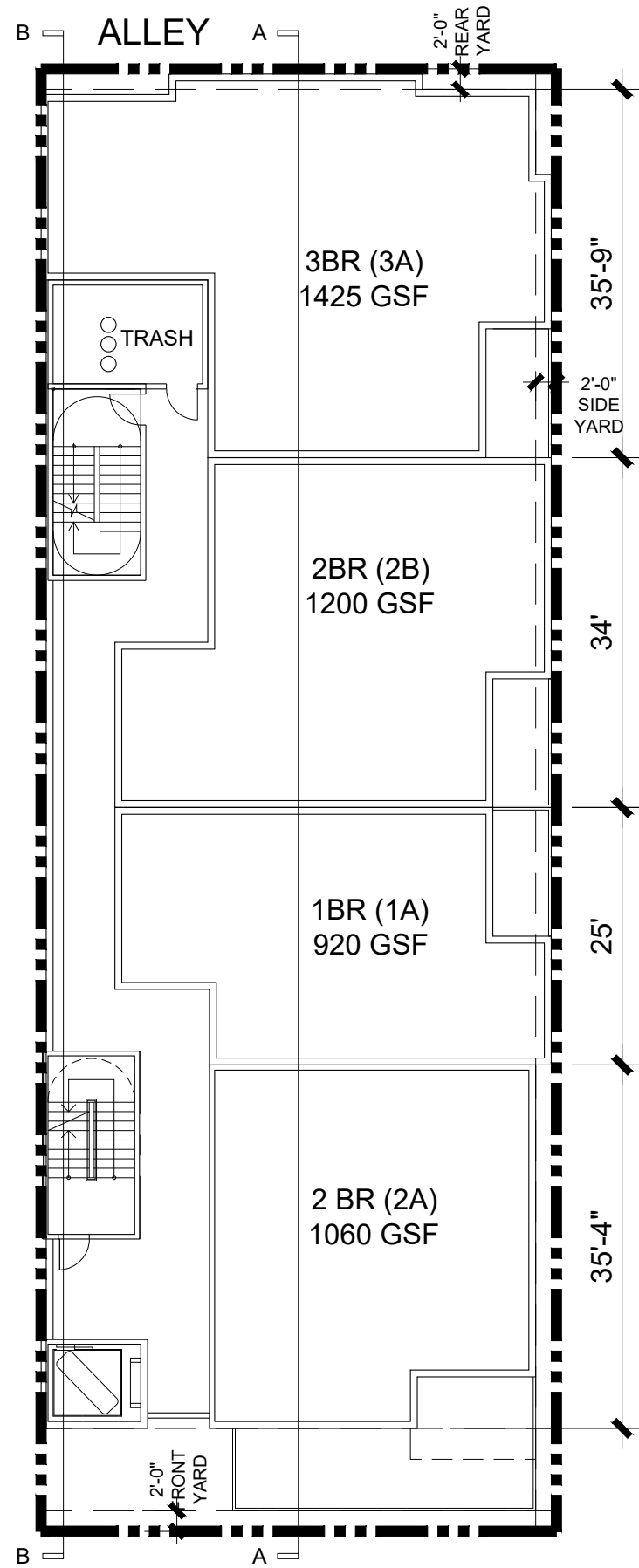
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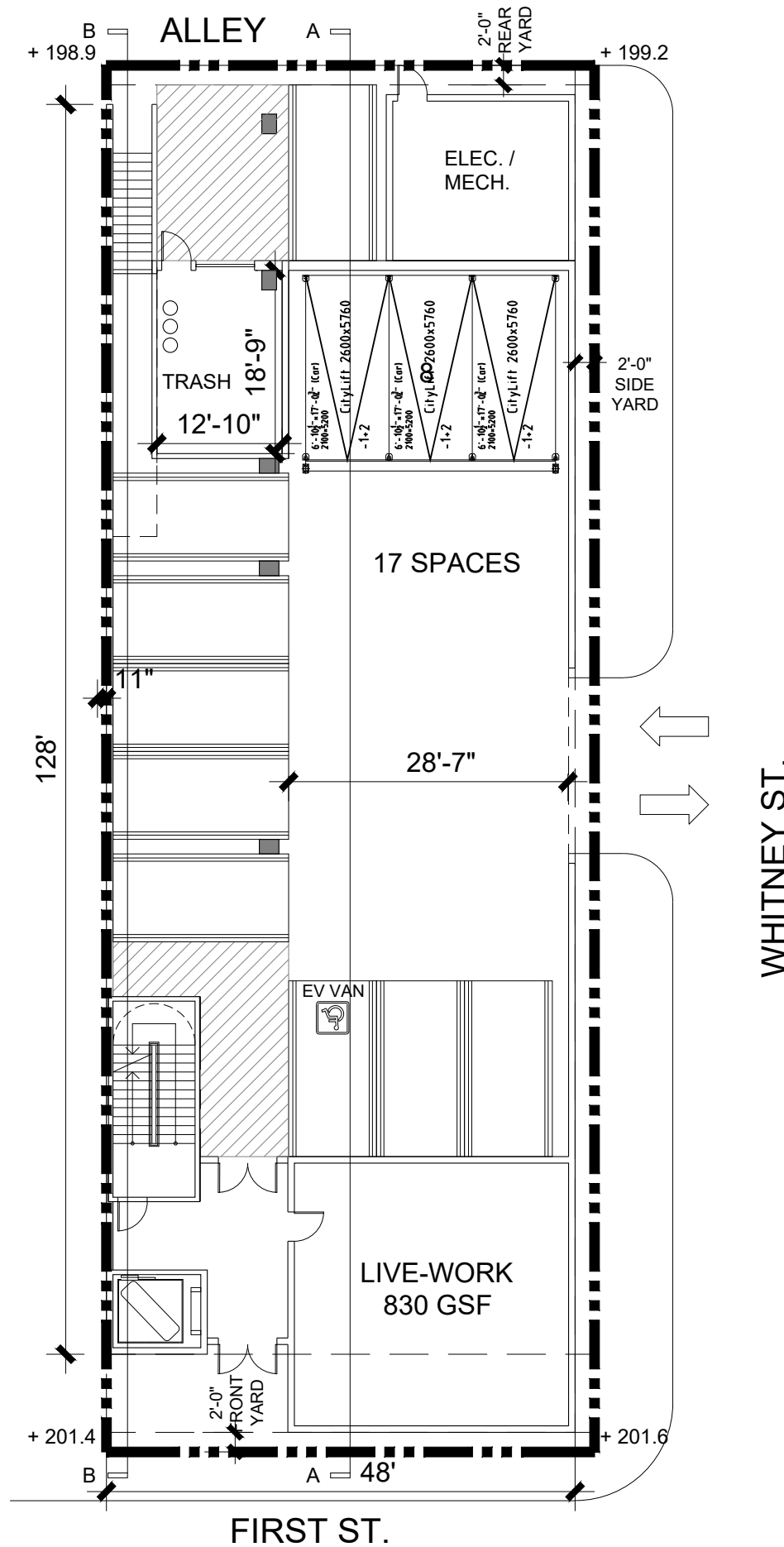




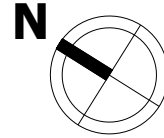
FOURTH FLOOR LEVEL
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TYPICAL FLOOR LEVEL
SCALE: 1/16" = 1' - 0" @ 11"x17" ②



FIRST FLOOR LEVEL
SCALE: 1/16" = 1' - 0" @ 11"x17" ①



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BUILDING FLOOR
PLANS

Job No. 21015
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1ST ST. ELEVATION ②
SCALE: 1/16" = 1' - 0" @ 11"x17"

MATERIALS	
(A1-1)	Composite Rainscreen Panel
(A1-2)	Porcelain Tile
(A1-3)	Stucco - Color 1
(A1-4)	Stucco - Color 2
(A1-5)	Stucco - Color 3
(B1-1)	Window - Vinyl
(B1-2)	Storefront
(B1-3)	Glass Railing
(C1-1)	Sun Shade - Metal/Wood Trellis
(C1-2)	Horizontal Lattice Work
(C1-3)	Glass Elevator



WHITNEY ST. ELEVATION ①
SCALE: 1/16" = 1' - 0" @ 11"x17"



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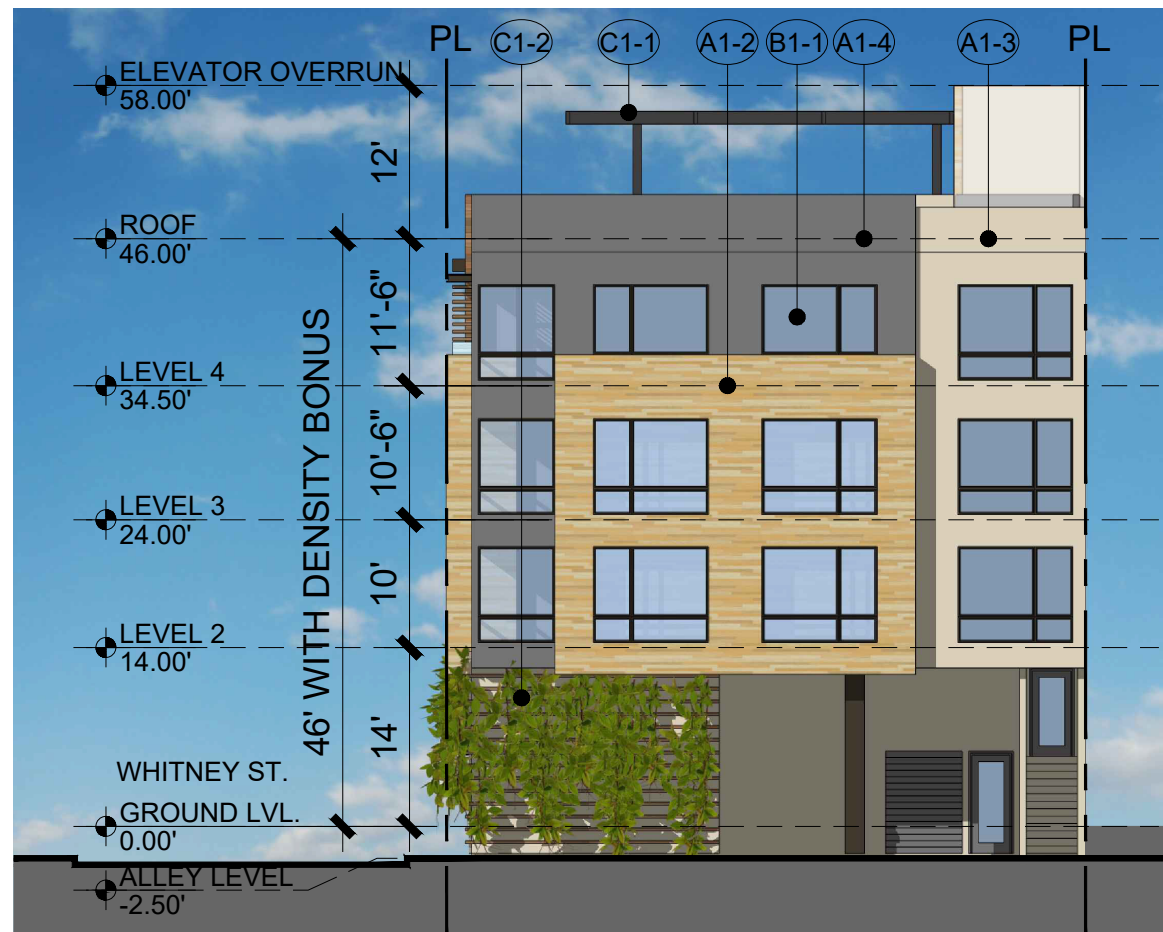
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1ST ST. &
WHITNEY ST.
ELEVATION

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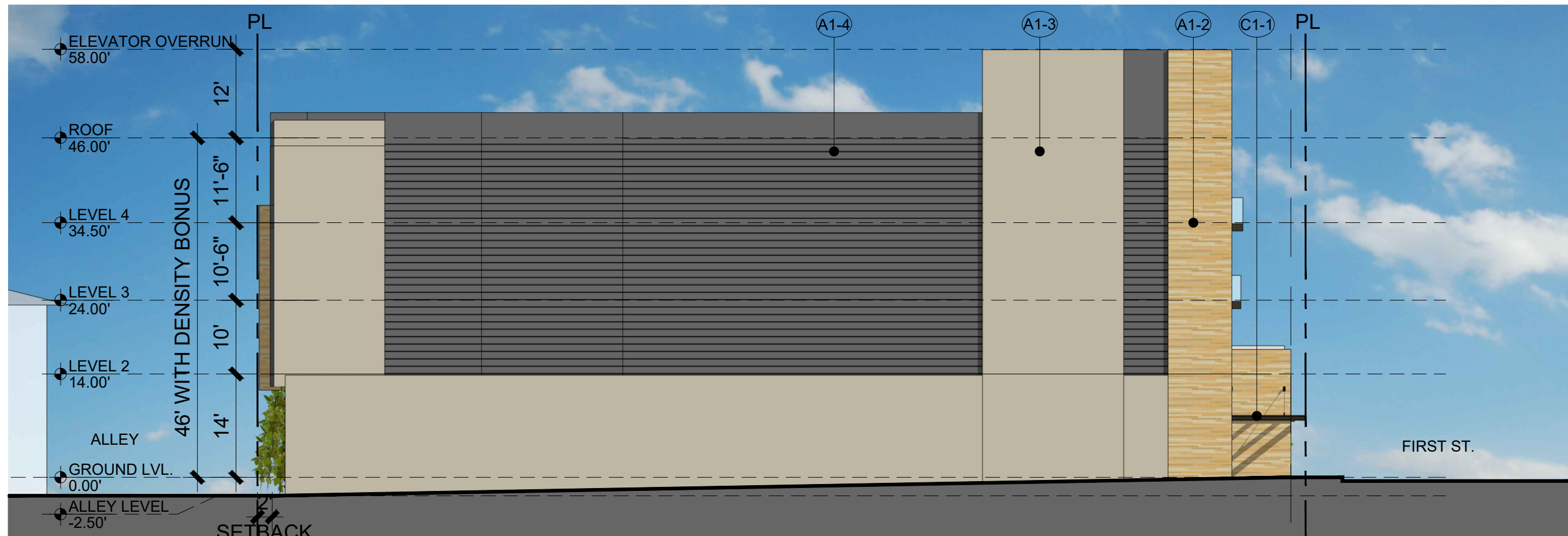
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ALLEY ELEVATION ②
SCALE: 1/16" = 1' - 0" @ 11"x17"

MATERIALS	
Ⓐ1-1	Composite Rainscreen Panel
Ⓐ1-2	Porcelain Tile
Ⓐ1-3	Stucco - Color 1
Ⓐ1-4	Stucco - Color 2
Ⓐ1-5	Stucco - Color 3
Ⓑ1-1	Window - Vinyl
Ⓑ1-2	Storefront
Ⓑ1-3	Glass Railing
Ⓒ1-1	Sun Shade - Metal/Wood Trellis
Ⓒ1-2	Horizontal Lattice Work
Ⓒ1-3	Glass Elevator



SIDE ELEVATION ①
SCALE: 1/16" = 1' - 0" @ 11"x17"



STUDIO
T SQUARE

: Architecture
: Planning
: Urban Design

: 1970 Broadway, Suite 615
: Oakland, California 94612
: (510) 451 - 2850

THIS DOCUMENT CONTAINS INFORMATION PROPRIETARY TO STUDIO T-SQ, INC. AND IS FURNISHED IN CONFIDENCE FOR THE LIMITED PURPOSE OF EVALUATION OR REVIEW. THIS DOCUMENT OR ITS CONTENTS MAY NOT BE USED FOR ANY OTHER PURPOSE AND MAY NOT BE REPRODUCED OR DISCLOSED TO OTHERS WITHOUT THE PRIOR WRITTEN CONSENT OF STUDIO T-SQ, INC. ALL RIGHTS RESERVED. COPYRIGHT 2021.

349 FIRST STREET
Los Altos, California

OCTANE FIRST STREET, LLC

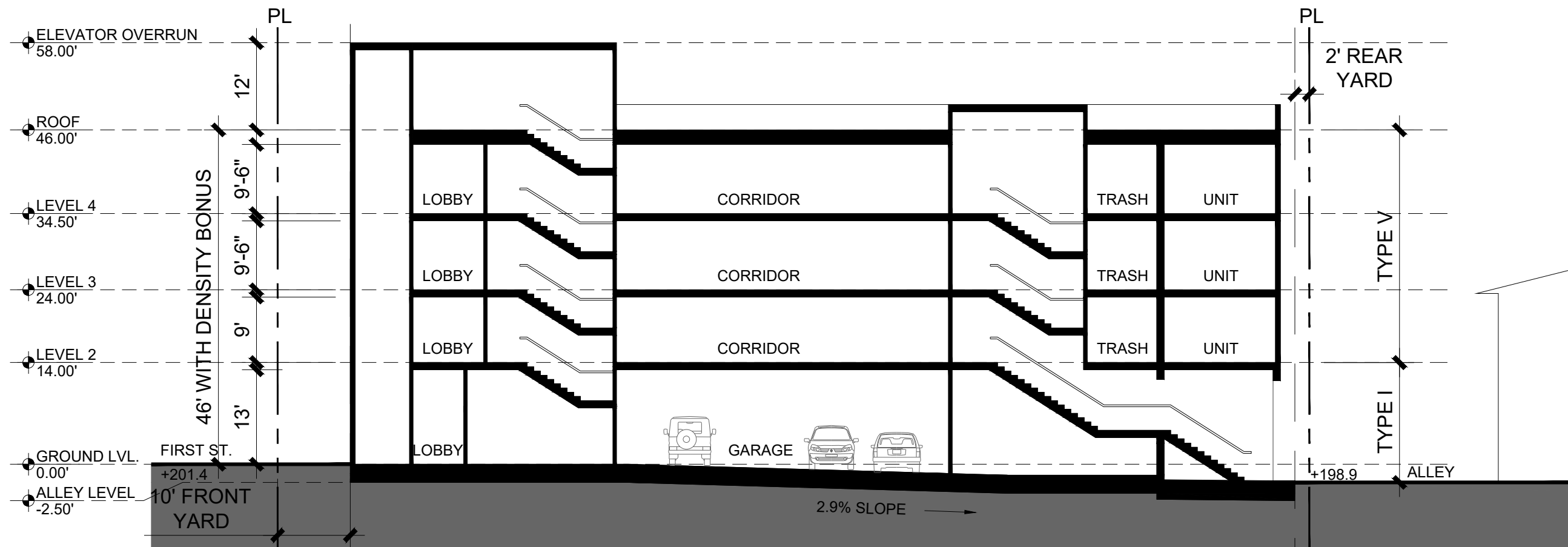
800 W. El Camino Real, #180
Mountain View, CA, 94040

Sheet Title:
ALLEY & SIDE
ELEVATION

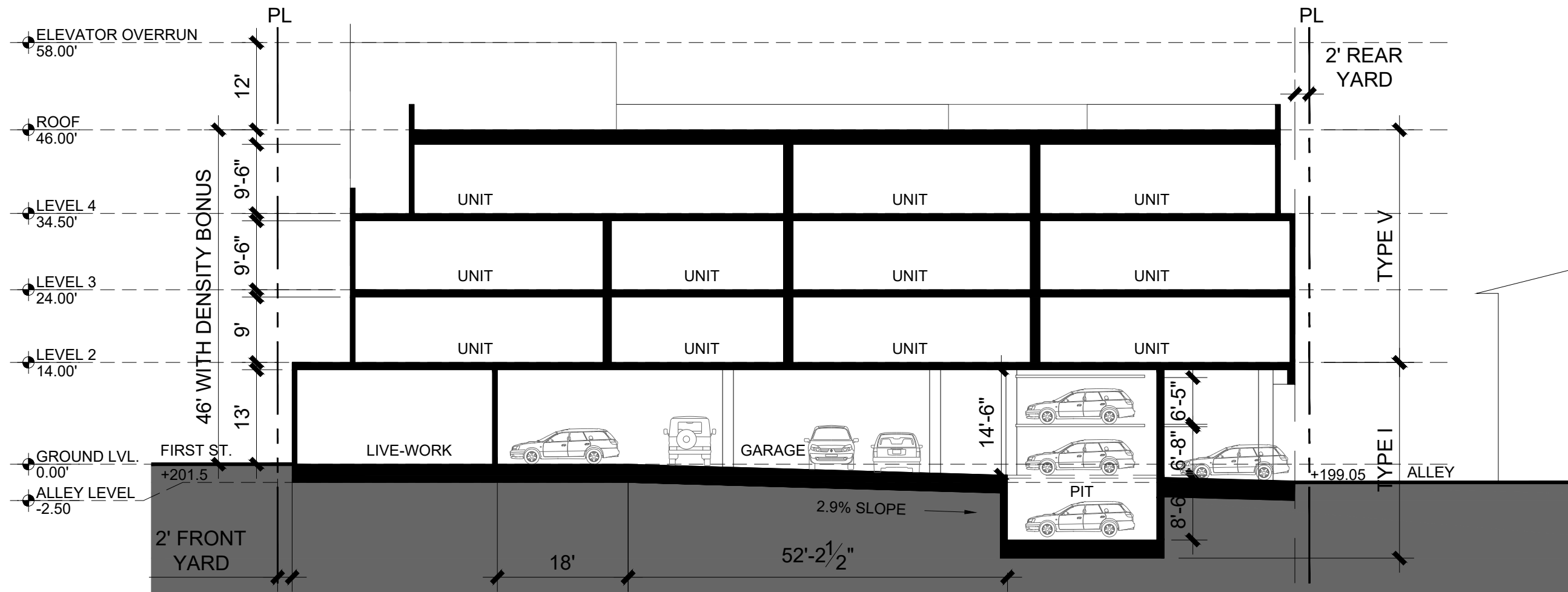
Job No. 21015
Date: 07/15/2021
Scale: AS NOTED
Drawn By:

Sheet No:

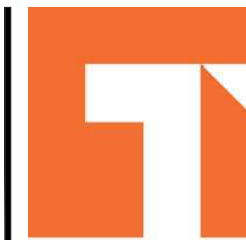
A3.1



SECTION B 2



SECTION A 1



STUDIO
T SQUARE

: Architecture
: Planning
: Urban Design

: 1970 Broadway, Suite 615
: Oakland, California 94612
: (510) 451 - 2850

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349 FIRST STREET
Los Altos, California

OCTANE FIRST STREET, LLC

800 W. El Camino Real, #180
Mountain View, CA, 94040

Sheet Title:
BUILDING SECTION

Job No. 21015
Date: 07/15/2021
Scale: AS NOTED
Drawn By:

Sheet No:

A4.0

MAIN STREET
(80' WIDE PUBLIC R/W)

S57°57'00"W 350.08'(350')(R1) BASIS OF BEARINGS
(N57°56'15"E 350.115')(R4) (350.12')(R5)(R6)

FND MON IN WELL (R5)(R6)

FND MON IN WELL

THIRD STREET
(50' WIDE PUBLIC R/W)

SECOND STREET
(50' WIDE PUBLIC R/W)

FIRST STREET
(50' WIDE PUBLIC R/W)

FIRST STREET
(50' WIDE PUBLIC R/W)

SECOND STREET
(50' WIDE PUBLIC R/W)

WHITNEY STREET
(50' WIDE PUBLIC R/W)

THIRD STREET
(50' WIDE PUBLIC R/W)

WHITNEY STREET
(50' WIDE PUBLIC R/W)

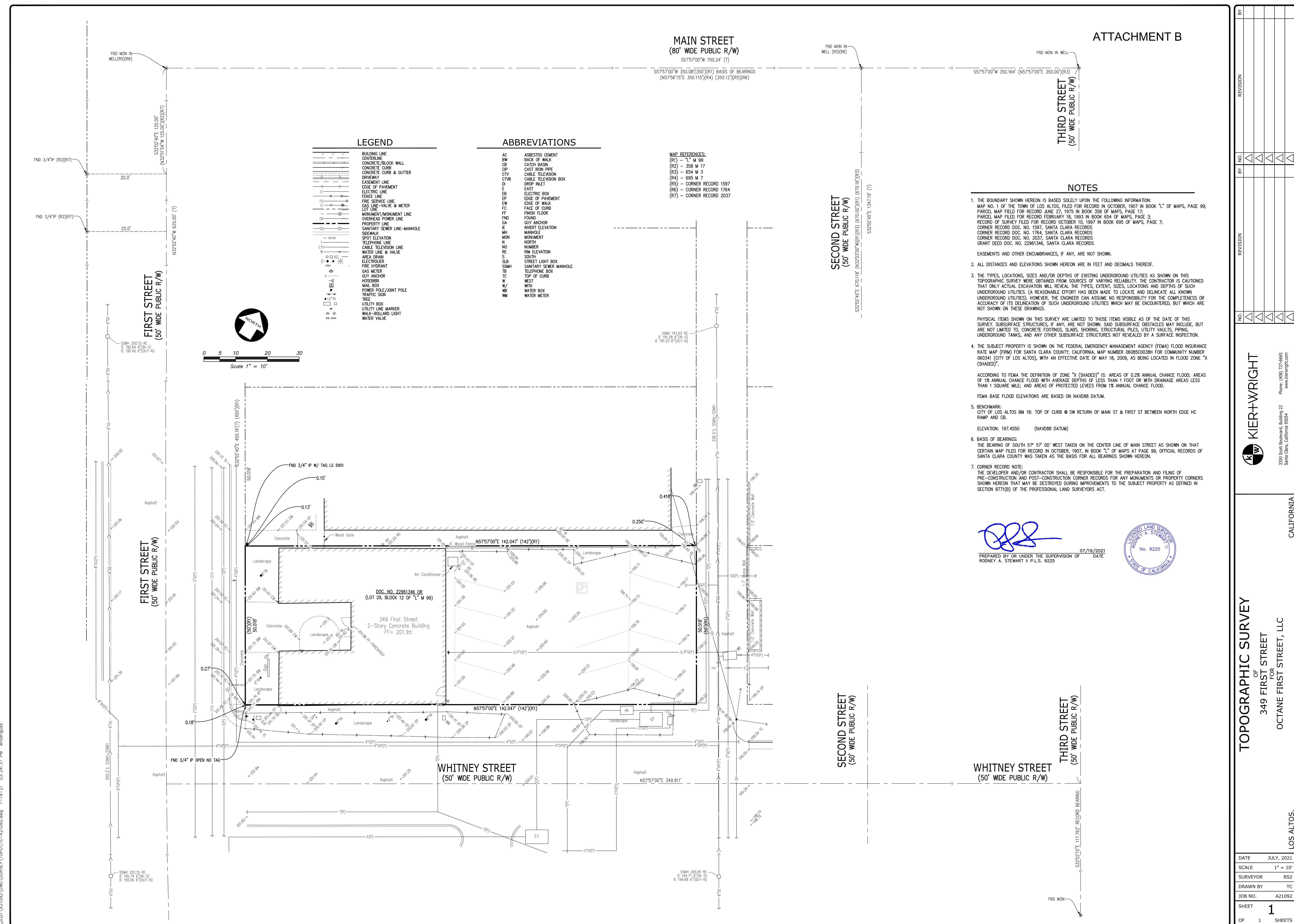
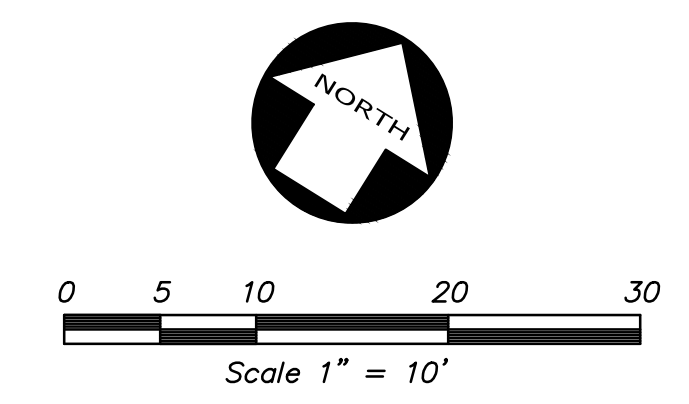
LEGEND

Table with 2 columns: Symbol and Description. Includes Building Line, Centerline, Concrete Block Wall, Concrete Curb, Concrete Curb & Gutter, Driveway, Easement Line, Edge of Pavement, Electric Line, Fence Line, Fire Service Line, Gas Line-Valve & Meter, Lot Line, Monument/Monument Line, Overhead Power Line, Property Line, Sanitary Sewer Line-Manhole, Sidewalk, Spot Elevation, Telephone Line, Cable Television Line, Water Line & Valve, Area Drain, Electroliner, Fire Hydrant, Gas Meter, QTY Anchor, Hose Bibb, Mail Box, Power Pole/Joint Pole, Traffic Sign, Tree, Utility Line Marker, Walk-Bollard Light, Water Valve.

ABBREVIATIONS

Table with 2 columns: Abbreviation and Full Name. Includes AC (Asbestos Cement), BW (Back of Walk), CB (Catch Basin), CIP (Cast Iron Pipe), CTV (Cable Television), CTVB (Cable Television Box), DI (Drop Inlet), EB (Electric Box), EP (Edge of Pavement), EW (Edge of Walk), FC (Face of Curb), FF (Finish Floor), FND (Found), GA (Gly Anchor), IE (Invert Elevation), MH (Manhole), MN (Monument), N (North), NO (Number), RE (Rim Elevation), S (South), SLB (Street Light Box), SSMH (Sanitary Sewer Manhole), TB (Telephone Box), TC (Top of Curb), W (West), W/ (With), WB (Water Box), WM (Water Meter).

MAP REFERENCES table with 2 columns: Reference and Description. Includes (R1) - 1" M 99, (R2) - 358 M 17, (R3) - 654 M 3, (R4) - 695 M 7, (R5) - CORNER RECORD 1597, (R6) - CORNER RECORD 1764, (R7) - CORNER RECORD 2037.



NOTES

- 1. THE BOUNDARY SHOWN HEREON IS BASED SOLELY UPON THE FOLLOWING INFORMATION: MAP NO. 1 OF THE TOWN OF LOS ALTOS, FILED FOR RECORD IN OCTOBER, 1907 IN BOOK "L" OF MAPS, PAGE 99; PARCEL MAP FILED FOR RECORD JUNE 27, 1975 IN BOOK 358 OF MAPS, PAGE 17; PARCEL MAP FILED FOR RECORD FEBRUARY 18, 1993 IN BOOK 654 OF MAPS, PAGE 3; RECORD OF SURVEY FILED FOR RECORD OCTOBER 10, 1997 IN BOOK 695 OF MAPS, PAGE 7; CORNER RECORD DOC. NO. 1597, SANTA CLARA RECORDS; CORNER RECORD DOC. NO. 1764, SANTA CLARA RECORDS; CORNER RECORD DOC. NO. 2037, SANTA CLARA RECORDS; GRANT DEED DOC. NO. 22961346, SANTA CLARA RECORDS. EASEMENTS AND OTHER ENCUMBRANCES, IF ANY, ARE NOT SHOWN.
- 2. ALL DISTANCES AND ELEVATIONS SHOWN HEREON ARE IN FEET AND DECIMALS THEREOF.
- 3. THE TYPES, LOCATIONS, SIZES AND/OR DEPTHS OF EXISTING UNDERGROUND UTILITIES AS SHOWN ON THIS TOPOGRAPHIC SURVEY WERE OBTAINED FROM SOURCES OF VARYING RELIABILITY. THE CONTRACTOR IS CAUTIONED THAT ONLY ACTUAL EXCAVATION WILL REVEAL THE TYPES, EXTENT, SIZES, LOCATIONS AND DEPTHS OF SUCH UNDERGROUND UTILITIES. (A REASONABLE EFFORT HAS BEEN MADE TO LOCATE AND DELINEATE ALL KNOWN UNDERGROUND UTILITIES). HOWEVER, THE ENGINEER CAN ASSUME NO RESPONSIBILITY FOR THE COMPLETENESS OR ACCURACY OF ITS DELINEATION OF SUCH UNDERGROUND UTILITIES WHICH MAY BE ENCOUNTERED, BUT WHICH ARE NOT SHOWN ON THESE DRAWINGS.
- PHYSICAL ITEMS SHOWN ON THIS SURVEY ARE LIMITED TO THOSE ITEMS VISIBLE AS OF THE DATE OF THIS SURVEY. SUBSURFACE STRUCTURES, IF ANY, ARE NOT SHOWN. SAID SUBSURFACE OBSTACLES MAY INCLUDE, BUT ARE NOT LIMITED TO, CONCRETE FOOTINGS, SLABS, SHORING, STRUCTURAL PILES, UTILITY VAULTS, PIPING, UNDERGROUND TANKS, AND ANY OTHER SUBSURFACE STRUCTURES NOT REVEALED BY A SURFACE INSPECTION.
- 4. THE SUBJECT PROPERTY IS SHOWN ON THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) FOR SANTA CLARA COUNTY, CALIFORNIA, MAP NUMBER 06085C0038H FOR COMMUNITY NUMBER 060341 (CITY OF LOS ALTOS), WITH AN EFFECTIVE DATE OF MAY 18, 2009, AS BEING LOCATED IN FLOOD ZONE "X (SHADED)". ACCORDING TO FEMA THE DEFINITION OF ZONE "X (SHADED)" IS: AREAS OF 0.2% ANNUAL CHANCE FLOOD; AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREAS OF PROTECTED LEVEES FROM 1% ANNUAL CHANCE FLOOD. FEMA BASE FLOOD ELEVATIONS ARE BASED ON NAVD88 DATUM.
- 5. BENCHMARK: CITY OF LOS ALTOS BM 18: TOP OF CURB @ SW RETURN OF MAIN ST & FIRST ST BETWEEN NORTH EDGE HC RAMP AND CB. ELEVATION: 197.4550 (NAVD88 DATUM)
- 6. BASIS OF BEARINGS: THE BEARING OF SOUTH 57° 57' 00" WEST TAKEN ON THE CENTER LINE OF MAIN STREET AS SHOWN ON THAT CERTAIN MAP FILED FOR RECORD IN OCTOBER, 1907, IN BOOK "L" OF MAPS AT PAGE 99, OFFICIAL RECORDS OF SANTA CLARA COUNTY WAS TAKEN AS THE BASIS FOR ALL BEARINGS SHOWN HEREON.
- 7. CORNER RECORD NOTE: THE DEVELOPER AND/OR CONTRACTOR SHALL BE RESPONSIBLE FOR THE PREPARATION AND FILING OF PRE-CONSTRUCTION AND POST-CONSTRUCTION CORNER RECORDS FOR ANY MONUMENTS OR PROPERTY CORNERS SHOWN HEREON THAT MAY BE DESTROYED DURING IMPROVEMENTS TO THE SUBJECT PROPERTY AS DEFINED IN SECTION 877(B) OF THE PROFESSIONAL LAND SURVEYORS ACT.

[Signature]
PREPARED BY OR UNDER THE SUPERVISION OF
RODNEY A. STEWART II P.L.S. 9225

DATE 07/19/2021



TOPOGRAPHIC SURVEY OF 349 FIRST STREET FOR OCTANE FIRST STREET, LLC LOS ALTOS, CALIFORNIA

KIER+WRIGHT

3350 Scott Boulevard, Building 22
San Jose, California 95054
Phone: (408) 727-6665
www.kierwright.com

NO.	REVISION	BY	DATE

DATE JULY, 2021
SCALE 1" = 10'
SURVEYOR RSD
DRAWN BY TC
JOB NO. A21092
SHEET 1 OF 1 SHEETS

ATTACHMENT B

Chapter 14.52 - CD/R3 COMMERCIAL DOWNTOWN/MULTIPLE FAMILY DISTRICT¹⁸¹

Sections:

Footnotes:

--- (8) ---

Editor's note— Prior to the reenactment of ch. 14.52 by Ord. No. 10-346, Ord. No. 09-336, § 3, adopted April 28, 2009, repealed ch. 14.52, §§ 14.52.010—14.52.050, which pertained to the AH/MU affordable housing/mixed use overlay district and derived from §§ 10-20501—10-20505 of the prior code.

14.52.010 - CD/R3 District.

The regulations, general provisions, and exceptions set forth in Chapter 14.66 of this title shall apply in the CD/R3 District.

(Ord. No. 10-346, § 2, 3-9-2010)

14.52.020 - Specific purposes (CD/R3).

Specific purposes for CD/R3 Districts are as follows:

- A. Promote the implementation of the downtown urban design plan;
- B. Retain and enhance the downtown Los Altos village atmosphere;
- C. Allow latitude for creative design and architectural variety within limits established;
- D. Preserve and improve the character of the area immediately surrounding the existing downtown pedestrian district;
- E. Provide pedestrian amenities such as paseos, outdoor public spaces and outdoor seating;
- F. Establish a sense of entry into the downtown;
- G. Encourage historic preservation for those buildings listed on the city's historic resources inventory;
- H. Encourage the upgrading of building exteriors, signs, passageways and rear entries;
- I. Provide for a full range of retail, office, and service uses appropriate to downtown;
- J. Develop a landscaped strip along the back of properties that abut Foothill Expressway between Edith Avenue and San Antonio Road;
- K. Improve the visual appeal and pedestrian orientation of the downtown; and
- L. Encourage the use of solar, photovoltaic, and other energy conserving devices.

(Ord. No. 10-346, § 2, 3-9-2010)

14.52.030 - Permitted uses (CD/R3).

The following uses shall be permitted in the CD/R3 District:

- A. Business, professional, and trade schools;
- B. Housing;

- C. Maintenance and repair services;
- D. Office-administrative services, excluding drive-through facilities;
- E. Parking spaces and loading areas;
- F. Restaurants, excluding drive-through facilities;
- G. Retail and personal services; and
- H. Uses which are determined by the city planner to be of the same general character.

(Ord. No. 10-346, § 2, 3-9-2010; Ord. No. [2015-406](#), § 2, 2-10-2015)

14.52.040 - Conditional uses (CD/R3).

Upon the granting of a use permit in accordance with the provisions of Chapter 14.80 of this title, the following uses shall be permitted in the CD/R3 District:

- A. Animal clinics and hospitals;
- B. Cocktail lounges;
- C. Commercial recreation;
- D. Day care centers;
- E. Medical and dental clinics;
- F. Medical and dental offices that are five thousand (5,000) gross square feet or more;
- G. Service stations provided the site has at least one hundred (100) feet of frontage on a street with a minimum site area of twenty thousand (20,000) square feet; and
- H. Uses which are determined by the planning commission and the city council to be of the same general character.

(Ord. No. 10-346, § 2, 3-9-2010; Ord. No. [2015-406](#), §§ 3, 4, 2-10-2015)

14.52.050 - Required conditions (CD/R3).

The following conditions shall be required of all uses in the CD/R3 District:

- A. All businesses, services, and processes shall be conducted within a completely enclosed structure, except for parking and loading spaces, sale of gasoline and oil at service stations, incidental sales and display of plant materials and garden supplies occupying no more than one thousand five hundred (1,500) square feet of exterior sales and display area, and outdoor eating and community facility play areas operated incidental to those services.
- B. No use shall be permitted and no process, equipment, or materials shall be employed which are found by the planning commission to be objectionable by reason of odor, dust, smoke, noise, vibration, illumination, glare, unsightliness, or electrical disturbances which are manifested beyond the premises in which the permitted use is located.
- C. No property owner, business owner and/or tenant shall permit or allow operation of a business which violates the required conditions of this chapter, including the following general criteria:
 1. Refuse collection. Every development, including applications for tenant improvements, shall be required to provide suitable space for solid waste separation, collection, and storage and shall provide sites for such that are located so as to facilitate collection and minimize any negative impact on persons occupying the development site, neighboring properties, or public rights-of-way. Refuse collection areas are encouraged to be shared, centralized, facilities whenever possible.

2. Lighting. Lighting within any lot that unnecessarily illuminates any other lot and/or substantially interferes with the use or enjoyment of such other lot is prohibited. Lighting unnecessarily illuminates another lot if: (1) it clearly exceeds the minimum illumination necessary to provide for security of property and the safety of persons using such roads, driveways, sidewalks, parking lots, and other common areas and facilities, or (ii) if the illumination could reasonably be achieved in a manner that would not substantially interfere with the use or enjoyment of neighboring properties.
3. Air pollution. Any use that emits any "air contaminant" as defined by the Bay Area air quality management district shall comply with applicable state standards concerning air pollution.
4. Maintenance of common areas, improvements, and facilities. Maintenance of all common areas, improvements, facilities, and public sidewalks adjacent to the subject property shall be required. In the case of public sidewalks, maintenance shall be limited to keeping the sidewalk clean and free of debris, markings, and food and drink stains by means of sweeping, cleaning with water and/or steam cleaning.
5. Odors. No use may generate any odor that may be found reasonably objectionable as determined by an appropriate agency such as the Santa Clara County health department and the Bay Area air quality management district beyond the boundary occupied by the enterprise generating the odor.
6. Noise. No person shall operate, or cause to be operated, any source of sound at any location within the city or allow the creation of any noise on property owned, leased, occupied or otherwise controlled by such person, which causes the noise level when measured on any other property either incorporated or unincorporated, to exceed standards as set forth in Chapter 6.16 of the Los Altos Municipal Code.

In order to attenuate noise associated with commercial development, walls up to twelve (12) feet in height may be required at a commercial/residential interface. Other conditions may be applied such as, but not limited to, muffling of exterior air conditioning facilities.

D. For affordable housing requirements, see Chapter 14.28 of this title.

(Ord. No. 10-346, § 2, 3-9-2010)

14.52.060 - Required building setbacks (CD/R3).

For entirely residential projects:

- A. The minimum depth of the front yard shall be ten (10) feet, all of which shall be landscaped. For purposes of this section, "landscaped" shall mean any combination of plant material (soft surfaces) and decorative paving, seating, seat-walls, fountains, etc., (hard surfaces) where the soft surface comprises at least sixty (60) percent of the total landscaped area. Stair cases and building entry landings may be located in the required front yard.
- B. No side yards shall be required, except when the side property line of a site abuts a public street or a public parking plaza, in which case the minimum width of the side yard shall be two feet and shall be landscaped.
- C. The minimum depth of the rear yard shall be ten (10) feet, all of which shall be landscaped. For purposes of this section, "landscaped" shall mean any combination of plant material (soft surfaces) and decorative paving, seating, seat-walls, fountains, etc., (hard surfaces) where the soft surface comprises at least sixty (60) percent of the total landscaped area. Stair cases and building entry landings may be located in the required rear yard.

For mixed-use and commercial projects:

- A. The minimum depth of front yards shall be two feet and shall be landscaped.

- B. No side yards shall be required, except when the side property line of a site abuts a public street or a public parking plaza, in which case the minimum width of the side yard shall be two feet and shall be landscaped.
- C. Where the rear property line of a site abuts a public parking plaza, public street, or alley, the minimum depth of the rear yard shall be two feet and shall be landscaped.

(Ord. No. 10-346, § 2, 3-9-2010)

14.52.070 - Off-street parking (CD/R3).

Parking facilities shall be provided in accordance with Chapter 14.74 of this title. In addition, parking facilities shall:

- A. Reduce the visual impact of parking structures and parking lots by locating them at the rear or interior portions of building sites;
- B. Minimize the street frontage of the lot or structure by placing its shortest horizontal edge along the street;
- C. When parking structures must be located at street frontage because other locations are proven infeasible, the ground level frontage shall either be used for commercial space or shall provide a landscaped area not less than five feet in width between the parking area and the public right-of-way;
- D. Keep the number of direct entrances to parking facilities from streets to a minimum;
- E. Provide a landscaped buffer not less than five feet in width between a parking lot or structure and street frontage or buildings. Where the landscaped strip adjoins a public street or pedestrian walkway, the landscaped strip may be required to include a fence, wall, berm, or equivalent feature;
- F. Provide a minimum of interior landscaping for unenclosed parking facilities as follows: where the total parking provided is located on one site and is fourteen thousand nine hundred ninety-nine (14,999) square feet or less, five percent of total parking area; where the parking is fifteen thousand (15,000) through twenty-nine thousand nine hundred ninety-nine (29,999) square feet, seven and one-half percent of total parking area; and where the facility is thirty thousand (30,000) square feet or greater, ten (10) percent of total parking area.

Parking Area (in square feet)	Minimum Landscaping (% of Parking Area)
< 15,000	5
15,000 29,999	7.5
> 30,000	10

- G. Trees in reasonable number shall be provided; ground cover alone is not acceptable. Interior landscaping shall be distributed throughout the paved area as evenly as possible. Provision shall be made for automatically irrigating all planted area. All landscaping shall be protected with concrete curbs or other acceptable barriers. All landscaping shall be continuously maintained.

(Ord. No. 10-346, § 2, 3-9-2010)

14.52.080 - Common parking facilities (CD/R3).

(As provided in Chapter 14.74 of this title.)

(Ord. No. 10-346, § 2, 3-9-2010)

14.52.090 - Off-street loading and refuse collection (CD/R3).

- A. Where buildings are served by alleys, all service-delivery entrances, loading docks, and refuse collection facilities shall be located to be accessed from the alley. No loading area shall be located at the street frontage or building facade.
- B. A minimum of thirty-two (32) square feet of covered refuse collection area shall be provided and shall not be located in any front or street side yard. Where an alley exists, the refuse collection area shall be accessed from the alley. Refuse collection areas shall be on site, but are encouraged to be shared, centralized, facilities whenever possible.
- C. On sites not served by an alley, service areas shall be located to the rear, side, or at an internal location where visibility from public streets, public parking plazas and neighboring properties will be minimized.
- D. Refuse collection areas shall be enclosed by a screen wall of durable material and planting as necessary to screen views from streets, public parking plazas and neighboring properties.

(Ord. No. 10-346, § 2, 3-9-2010)

14.52.100 - Height of structures (CD/R3).

No commercial or mixed use structure shall exceed thirty (30) feet in height and no entirely residential structure shall exceed thirty-five (35) feet in height. Commercial and mixed-use projects that include ground floor commercial floor area shall provide a ground floor with a minimum interior ceiling height of twelve (12) feet.

(Ord. No. 10-346, § 2, 3-9-2010; Ord. No. [2016-428](#), § 1, 11-8-2016)

14.52.110 - Design control (CD/R3).

- A. No structure shall be built or altered including exterior changes in color, materials, and signage in the CD/R3 District except upon approval of the city planner or as prescribed in Chapter 14.78 of this title.
- B. Reduction of apparent size and bulk:
 - 1. As a general principle, building surfaces should be relieved with a change of wall plane that provides strong shadow and visual interest.
 - 2. Every building over seventy-five (75) feet wide should have its perceived height and bulk reduced by dividing the building mass into smaller-scale components by:
 - i. A change of plane;
 - ii. A projection or recess;
 - iii. Varying cornice or roof lines;
 - iv. Other similar means.

3. The proportions of building elements, especially those at ground level, should be kept close to human scale by using recesses, courtyards, entries, or outdoor spaces along the perimeter of the building to define the underlying fifty-foot front lot frontage.
 4. Rooftop equipment shall be concealed from view and/or integrated within the architecture of the building.
 5. Windows should be inset generously from the building wall to create shade and shadow detail; the minimum inset shall be three inches.
- C. The primary access for all buildings shall be directly to the street.
- D. Consideration should be given to the relationship of the project and its location in the downtown to the implementation of goals and objectives of the downtown urban design plan, reevaluation of design approval shall consider one or more of the following factors:
1. The project location as an entry, edge, or core site;
 2. The ability to contribute to the creation of open space on-site or in designated areas;
 3. Enhancement of the pedestrian environment through the use of pathways, plantings, trees, paving, benches or other amenities;
 4. Building facade improvements including, paint, signage, service areas, windows and other features;
 5. On-site or off-site parking improvements;
 6. Public or private landscape improvements.
- E. Opaque, reflective, or dark tinted glass should not be used on the ground floor elevation. With the exception of ground floor residential units, sixty (60) percent of the ground floor elevation should be transparent window surface.
- F. Courtyards should be partially visible from the street or linked to the street by a clear circulation element such as an open passage or covered arcade.
- G. Rooftop mechanical, venting, and/or exhausting equipment must be within the height limit and screened architecturally from public view, including views from adjacent buildings located at the same level.

(Ord. No. 10-346, § 2, 3-9-2010)

14.52.120 - Nonconforming use regulations (CD/R3).

(As provided in Chapter 14.66 of this title.)

(Ord. No. 10-346, § 2, 3-9-2010)

14.52.130 - Signs (CD/R3).

(As provided in Chapter 14.68 of this code.)

(Ord. No. 10-346, § 2, 3-9-2010; [Ord. No. 2015-414](#), § 12, 9-8-2015)

14.52.140 - Fences (CD/R3).

(As provided in Chapter 14.72 of this title.)

(Ord. No. 10-346, § 2, 3-9-2010)

14.52.150 - Restoration of nonconforming structures (CD/R3).

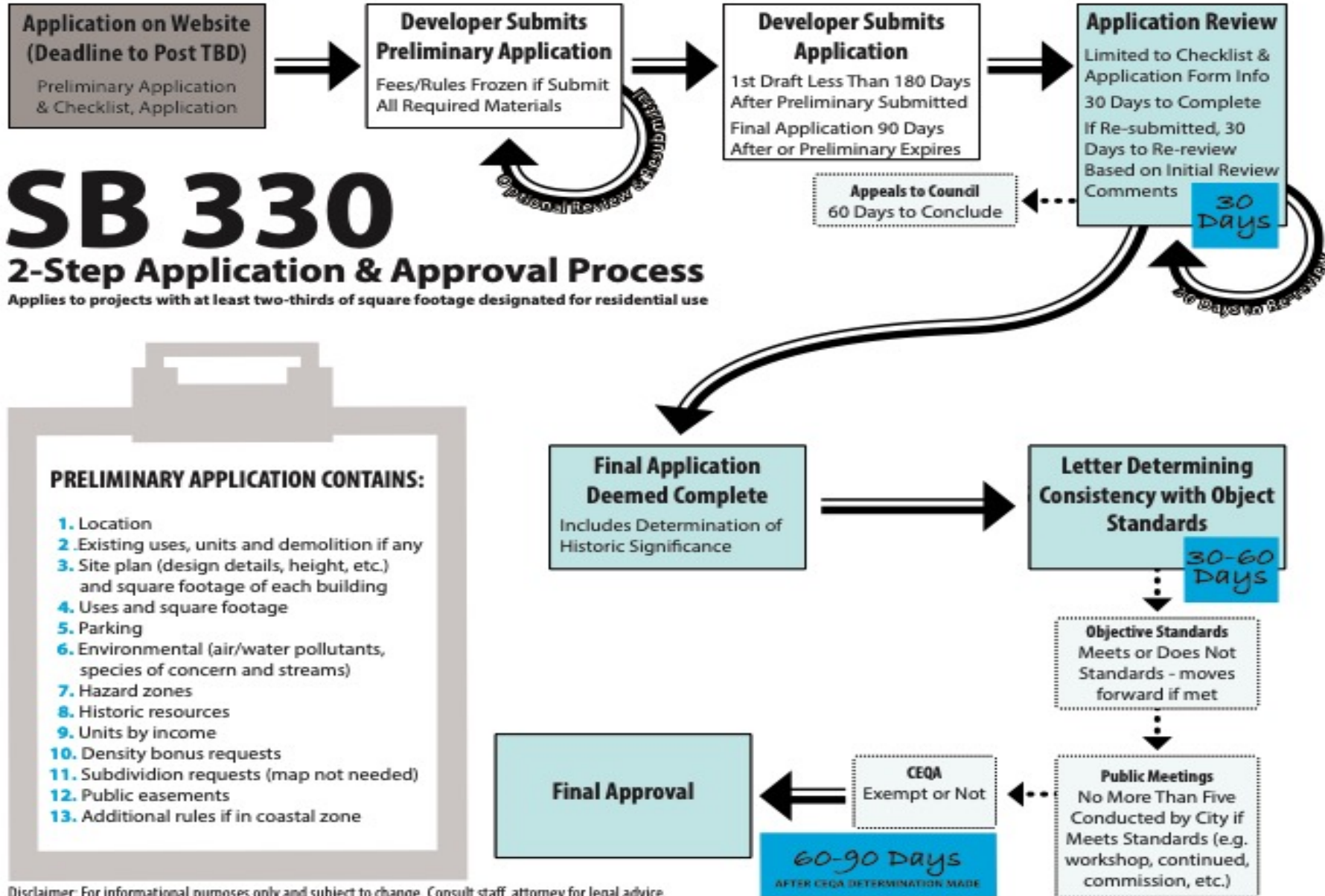
(As provided in Chapter 14.66 of this title.)

(Ord. No. 10-346, § 2, 3-9-2010)

14.52.160 - Exceptions for public benefit (CD/R3).

- A. To implement the downtown urban design plan, exceptions from the provisions of this chapter may be granted provided the following findings are made:
 - 1. The granting of the exception will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the area;
 - 2. The benefit to the city derived from granting the exception is an appropriate mitigation when considered against the cost to the developer;
 - 3. The project and mitigation will result in a public benefit to the downtown;
 - 4. The resultant project and mitigation are consistent with the general plan and promote or accomplish objectives of the downtown urban design plan.
- B. For the purposes of this chapter, exceptions may include, but are not limited to, setbacks, on-site parking, and development or building standards.

(Ord. No. 10-346, § 2, 3-9-2010)



Disclaimer: For informational purposes only and subject to change. Consult staff attorney for legal advice.

HOUSING CRISIS ACT of 2019 – SB 330**PRELIMINARY APPLICATION FORM - TEMPLATE****PURPOSE**

This form serves as a template for the preliminary application for housing development projects seeking vesting rights pursuant to SB 330, the Housing Crisis Act of 2019.

Although this Preliminary Application is not required for housing development projects, an agency must accept it if submitted. Agencies may customize this application; however, any revised form must include only the 17 provisions as required by the Housing Crisis Act. The Preliminary Application must be made available in print and on the agency's website.

GENERAL INFORMATION

An applicant for a housing development project that includes (1) residential units (2) a mix of commercial and residential uses with two-thirds of the project's square footage used for residential purposes; or (3) transitional or supportive housing, shall be deemed to have submitted a preliminary application upon provision of all of the information listed in this Preliminary Application form and payment of the permit processing fee to the agency from which approval for the project is being sought.

After submitting this Preliminary Application to the local agency, an applicant has 180 days to submit a full application or the Preliminary Application will expire.

Submittal Date Stamp^{*1,2}:

*¹Submittal of all the information listed and payment of the permit processing fee freezes fees and development standards as of this date, unless exceptions per Government Code § 65889.5(o) are triggered.

*²Note: Record keeping pertaining to which standards and fees apply at date of submittal is imperative, as **penalties may apply for imposing incorrect standards**

Notes:

1. California Environmental Quality Act (CEQA) and Coastal Act standards apply.
2. After submittal of all of the information required, if the development proponent revises the project to change the number of residential units or square footage of construction changes by 20 percent or more, excluding any increase resulting from Density Bonus Law, the development proponent must resubmit the required information so that it reflects the revisions.

SITE INFORMATION

1. **PROJECT LOCATION** - The specific location, including parcel numbers, a legal description, and site address, if applicable.

Street Address 349 1st Street, Los Altos, CA 94022 Unit/Space Number _____

Legal Description (Lot, Block, Tract)

Attached? YES NO

Lot 29 in Block 12, as shown on that certain Map entitled, "Map No. 1 of the Town of Los Altos, situated in Sec. 30 T. 6 S.R.2.W.M.D.M.", which Map was filed for record in the office of the Recorder of the County of Santa Clara, State of California on October 25, 1907, in Book "L" of Maps, Page(s) 99, as also recorded with the county of Santa Clara in Map Book 167, Page 40

Assessor Parcel Number(s) 167-40-047

2. **EXISTING USES** - The existing uses on the project site and identification of major physical alterations to the property on which the project is to be located.

3,082 square foot office building and parking lot

3. **SITE PLAN** - A site plan showing the building(s) location on the property and approximate square footage of each building that is to be occupied.

Attached? YES NO

4. **ELEVATIONS** - Elevations showing design, color, material, and the massing and height of each building that is to be occupied.

Attached? YES NO

5. **PROPOSED USES** - The proposed land uses by number of units and square feet of residential and nonresidential development using the categories in the applicable zoning ordinance.

Zoning Ordinance Category = "CD/R3 COMMERCIAL DOWNTOWN/MULTIPLE FAMILY DISTRICT"

Permitted Use: 12 residential units = 14,370 sf

See Sheet 349 First St Design Package attached.

a. RESIDENTIAL DWELLING UNIT COUNT:

Please indicate the number of dwelling units proposed, including a breakdown of levels by affordability, set by each income category.

	Number of Units
Market Rate	10
Managers Unit(s) – Market Rate	0
Extremely Low Income	0
Very Low Income	0
Low Income	0
Moderate Income	2
Total No. of Units	12
Total No. of Affordable Units	2
Total No. of Density Bonus Units	0

Other notes on units:

6. **FLOOR AREA** - Provide the proposed floor area and square footage of residential and nonresidential development, by building (attach relevant information by building and totals here):

	Residential	Nonresidential	Total
Floor Area (Zoning)	14370	0	See 349 First St Design Package for tabulations
Square Footage of Construction	25205	0	See 349 First St Design Package for tabulations

7. **PARKING** - The proposed number of parking spaces:

17

8. **AFFORDABLE HOUSING INCENTIVES, WAIVERS, CONCESSIONS and PARKING REDUCTIONS** - Will the project proponent seek Density Bonus incentives, waivers, concessions, or parking reductions pursuant to California Government Code Section 65915?

YES NO

If "YES," please describe:

1. Concession: On menu concession for 46 ft height
2. Waiver: Front setback of 2 ft versus 10 ft
3. Waiver: Rear setback of 2 ft versus 10 ft
4. Parking pursuant to Gov. Code section 65915(p)

9. **SUBDIVISION** – Will the project proponent seek any approvals under the Subdivision Map Act, including, but not limited to, a parcel map, a vesting or tentative map, or a condominium map?

YES NO

If “YES,” please describe:

Tentative Map
Condominium Map

10. **POLLUTANTS** – Are there any proposed point sources of air or water pollutants?

YES NO

If “YES,” please describe:

The USEPA defines point source pollution as “any single identifiable source of pollution from which pollutants are discharged, such as a pipe, ditch, ship or factory smokestack.” Factories and sewage treatment plants are common types of point sources. As a residential development, the project is not a point source.

11. **EXISTING SITE CONDITIONS** – Provide the number of existing residential units on the project site that will be demolished and whether each existing unit is occupied or unoccupied. Provide attachment, if needed.

	Occupied Residential Units	Unoccupied Residential Units	Total Residential Units
Existing	0	0	0
To Be Demolished	0	0	0

12. **ADDITIONAL SITE CONDITIONS** –

a. Whether a portion of the property is located within any of the following:

i. A very high fire hazard severity zone, as determined by the Department of Forestry and Fire Protection, pursuant to Section 51178?

YES NO

ii. Wetlands, as defined in the United States Fish and Wildlife Service Manual, Part 660 FW 2 (June 21, 1993)?

YES NO

iii. A hazardous waste site that is listed pursuant to Section 65962.5, or a hazardous waste site designated by the Department of Toxic Substances Control pursuant to Section 25356 of the Health and Safety Code?

YES NO

iv. A special flood hazard area subject to inundation by the 1 percent annual chance flood (100-year flood) as determined by any official maps published by the Federal Emergency Management Agency?

YES NO

v. A delineated earthquake fault zone as determined by the State Geologist in any official maps published by the State Geologist, unless the development complies with applicable seismic protection building code standards adopted by the California Building Standards Commission under the California Building Standards Law (Part 2.5 (commencing with Section 18901) of Division 13 of the Health and Safety Code), and by any local building department under Chapter 12.2 (commencing with Section 8875) of Division 1 of Title 2?

YES NO

vi. A stream or other resource that may be subject to a streambed alteration agreement pursuant to Chapter 6 (commencing with Section 1600) of Division 2 of the Fish and Game Code?

YES NO

If "YES" to any, please describe:

b. Does the project site contain historic and/or cultural resources?

YES NO

If "YES," please describe:

c. Does the project site contain any species of special concern?

YES NO

If "YES," please describe:

- d. Does the project site contain any recorded public easement, such as easements for storm drains, water lines, and other public rights of way?

YES NO

If "YES," please describe:

- e. Does the project site contain a stream or other resource that may be subject to a streambed alteration agreement pursuant to Chapter 6 (commencing with Section 1600) of Division 2 of the Fish and Game Code? Provide an aerial site photograph showing existing site conditions of environmental site features that would be subject to regulations by a public agency, including creeks and wetlands.

YES NO

If "YES," please describe and depict in attached site map:

13. PROJECT TEAM INFORMATION - The applicant's contact information and, if the applicant does not own the property, consent from the property owner to submit the application.

Applicant's Name Emeric J. McDonald

Company/Firm Octane First Street, LLC

Address 800 W El Camino Real Unit/Space Number #180

City Mountain View State CA Zip Code 94040

Telephone 703-629-1901 Email emeric@octanecapital.com

Are you in escrow to purchase the property? YES NO

Property Owner of Record Same as applicant Different from applicant

Name (if different from applicant) _____

Address _____ Unit/Space Number _____

City _____ State _____ Zip Code _____

Telephone _____ Email _____

Optional: Agent/Representative Name _____

Company/Firm _____

Address _____ Unit/Space Number _____

City _____ State _____ Zip Code _____

Telephone _____ Email _____

Optional: Other (Specify Architect, Engineer, CEQA Consultant, etc.) _____

Name _____

Company/Firm _____

Address _____ Unit/Space Number _____

City _____ State _____ Zip Code _____

Telephone _____ Email _____

Primary Contact for Project: Owner Applicant Agent/Representative Other

Document Requirements

Please submit nine (9) copies of any written documentation, nine (9) copies of a 24" by 36" plan set, and one (1) electronic submittal on a USB or CD. For instructions on PDF submittals, please refer to the Universal Application.

I am submitting a preliminary application for a residential or mixed-use project under the Housing Crisis Act (SB 330). I understand that this preliminary application shall expire under any of the following circumstances:

- Revisions to the project cause the number of residential units or square footage of construction to change by 20 percent or more, exclusive of any increase resulting from the receipt of a density bonus;
- I do not submit a formal application for a development project within 180 days of submitting the complete preliminary application;
- I submit an incomplete formal development application and do not provide the required information to make a complete development application within 90 days of receiving the City's written identification of the necessary information.



Project Applicant Signature

Emeric J. McDonald

July 21, 2021

Date



**Community Development
Department One North San Antonio
Road
Los Altos, California 94022**

August 23, 2021

Emeric McDonald
800 W. El Camino Real #180
Mountain View, CA 94040

SUBJECT: PRE-APPLICATION PHASE - SB 330 PROJECT – 349 1ST STREET

Dear Mr. McDonald:

This letter is in response to the application and submittal for an SB330 project at 349 1st Street. Staff would like to confirm payment of required fees for the preliminary project review application and the planning commission study session, which were paid on August 5, 2021. As you are aware SB 330 has two key parts: a Pre-Application Phase and the Formal Submittal Phase.

Pre-Application Phase of SB 330

Project Comments: The Planning Division's preliminary feedback on the project from are included at the end of this letter. The City's contracted architectural firm, Cannon Design Group has provided preliminary design comments for the project in Attachment A. Attached you will find preliminary comments from the City's Building and Engineering Departments and from the Santa Clara County Fire Department (Attachments B, C, and D respectively). These comments are provided to assist you in designing the project and in preparing a formal application. The Building Department has provided a comment regarding a design change that will be necessary to meet Building Code requirements. The Engineering Department is supplying the department's standard conditions of approval. The Fire Department's comments identify changes required or information to be shown on the plans to receive the department's recommendation for project approval. Please review and email me if you would like to discuss said comments with any of the departments.

Community Outreach: You are encouraged to complete 1-2 community meetings with tenants and neighbors within 1,000 feet of the property. If you would like to pursue our recommendation for community outreach, please let contact City staff. Once Planning staff is contacted regarding community outreach, we will organize a virtual meeting and prepare public notices. We have tentatively scheduled a community outreach meeting for September 2, 2021, please confirm the date works for you. Preparation and distribution of the notices will be paid for by the applicant per the City's Master Fee Schedule:

https://www.losaltosca.gov/sites/default/files/fileattachments/community_development/page/41491/planning_division_fee_schedule_2018-2019_updated.pdf.

Planning Commission Study Session: Per 14.78.040 of the Los Altos Municipal Code the project is eligible for a study session with the Planning Commission. The Planning staff has tentatively scheduled a Planning Commission Study Session for September 16, 2021, at 7:00 pm, which will provide an opportunity for a discussion of the proposed project with the Commission. In order for staff to prepare a staff report for the meeting, please confirm this date and time works for you and your team.

At the completion of the Pre-Application Phase, City staff will prepare a letter with Planning Commission meeting minutes and notes from the community outreach meetings for your review. The goal will be to incorporate community comments into your formal submittal.

The applicant shall submit a formal application for a development project within 180 calendar days of submitting a complete preliminary application consistent with the City of Los Altos Formal Submittal Requirements for SB330 Development Application handout.

If the City determines that the application for the development project is not complete, the applicant shall submit the specific information needed to complete the application within 90 days of receiving the agency's written identification of the necessary information. If the development proponent does not submit this information within the 90- day period, then the preliminary application shall expire and have no further force or effect. When formally submitting, please ensure you provide all of the material below so that the project can be deemed "complete"

Project Plan Set Submittal Requirements.

The City of Los Altos Formal Submittal Requirements for SB330 Development Application handout provides the submittal requirements for a multiple-family development, please refer to the document in the web link below:

https://www.losaltosca.gov/sites/default/files/fileattachments/community_development/page/41491/los_altos_sb330_post_submittal_checklist_final_v1.pdf

As indicated in the City of Los Altos Formal Submittal Requirements for SB 330 Development Applications handout, please Submit five (5) full size sets (24" x 36") and five (5) half-size sets (11" x 17"). Once the application is deemed complete, the development set shall be provided to the project planner on a CD, a USB data key or by email.

As indicated in Item No. 8 of the Formal Submittal Requirements for SB 330 Development Applications handout, technical studies may be required in connection with your SB 330 application. This will include preparation of a transportation analysis. This should include an analysis of the project's trip generation, trip distribution, and parking. Additionally, include an analysis of unsignalized intersections on Arterials or Collectors that provide access to the site. Signalized intersections within a 0.5 miles radius of the proposed project, site access, site circulation, pedestrian site access, bike site access, transit connectivity, school walkability, school bikeability, and on-street parking occupancy should also be studied.

Filing Fees

The following fees shall apply to this project. This does not include all plan check, building permit or impact fees that must be paid for this project. The fees include but are not limited to:

Design Review-Multi Family	\$5,350
Environmental Initial Study	\$1,785 + time and materials
Tentative Map Review	\$5,350.00
Master Sign Program-for any potential signage for the new project	\$595.00
Park In Lieu Fees	See Resolution (2019-04) ²

Traffic Impact Fees	\$4,159 dollars per unit
Tree Removal Permit	\$55.00
Public Notification	\$1.00 per postcard
CEQA Fees:	\$59,990.00

Master Fee Schedule

https://www.losaltosca.gov/sites/default/files/fileattachments/community_development/page/41491/planning_division_fee_schedule_2018-2019_updated.pdf

All applicable fees are on the City’s website pursuant to AB 1483:

<https://www.losaltosca.gov/communitydevelopment/page/assembly-bill-1483-requirements>

CEQA Fees

Planning staff has received a quote from David J. Powers to prepare a memo supporting a Categorical Infill Exemption and Notice of Exemption (NOE) that satisfies the requirements of the California Environmental Quality Act (CEQA) for approximately \$59,990.00 for this project. The cost estimate includes the subconsultant costs for evaluation of noise, air quality, traffic and historic environmental impacts. The consulting firm reserves the right to increase this fee if the application is not filed in a timely manner. The City reserves the right to ask for additional studies to comply with the California Environmental Quality Act. The scope of work for the David J. Powers memo for preparation of the Categorical Infill Exemption and Notice of Exemption (NOE) is provided as attachment E.

Additional Information

The following provide information regarding other City of Los Altos adopted standards, which shall be considered for proposed new development projects.

Chapter 14.02 (General Provisions and Definitions)

https://library.municode.com/ca/los_altos/codes/code_of_ordinances?nodeId=TIT14ZO_C H14.52CDR3CODOMUFADI

Chapter 14.52 (CD/R3), Chapter 14.66 (General Standards and Exceptions)

https://library.municode.com/ca/los_altos/codes/code_of_ordinances?nodeId=TIT14ZO_C H14.52CDR3CODOMUFADI

There shall be a specific focus on Section 14.52.110 (Design Controls).

https://library.municode.com/ca/los_altos/codes/code_of_ordinances?nodeId=TIT14ZO

Chapter 14.68 (Signs on Private Property)

https://library.municode.com/ca/los_altos/codes/code_of_ordinances?nodeId=TIT14ZO_C14.68SIPRPR

Chapter 14.72 (Fence Regulations)

https://library.municode.com/ca/los_altos/codes/code_of_ordinances?nodeId=TIT14ZO_C14.72FERE

Chapter 14.74 (Off-Street Parking and Loading)

https://library.municode.com/ca/los_altos/codes/code_of_ordinances?nodeId=TIT14ZO_C14.72FERE

Chapter 14.78 (Design and Transportation Review – Multiple-Family)

https://library.municode.com/ca/los_altos/codes/code_of_ordinances?nodeId=TIT14ZO_C14.66GESTEX

Parking Standards

https://www.losaltosca.gov/sites/default/files/fileattachments/community_development/page/41491/parking_standards_exhibit_a.pdf

Tentative Maps Ordinance

https://library.municode.com/ca/los_altos/codes/code_of_ordinances?nodeId=TIT13SU_C13.12TEMA

If Approved by the City Council

If the project is approved, you will be required to file a Final Map and approval of a Subdivision Improvement Agreement per Title 13 of the Los Altos Municipal Code (Subdivision) and the Subdivision Map Act. Preparation of the Final Map and Subdivision Improvement Agreement will be \$1,155 plus time and materials per the City's Master Fee Schedule.³

Planning Division Comments

1. The Planning Division generally supports multiple-family housing project at the site as the property is designed Downtown Core in the General Plan and housing is a desirable and permitted use.
2. Required parking spaces in the parking garage shall meet the intent of the City's Off-Street Parking and Loading regulations in [Chapter 14.74](#) of the Municipal Code. The Density Bonus Law allows qualifying developers, as a matter of right, to obtain lower parking space requirements than what would otherwise be required by local government standards. If the applicant plans to utilize the lower parking standard, please indicate your request to use these reduced parking standards.

We understand that the state zoning code allows density bonus projects to provide a certain amount of parking—and the project seems to conform to that. We also know that there will

be a need for guest parking too. Given the constraints of the site, we suggest providing guest parking underneath the building and to provide appropriate landscape buffer areas.

3. Bicycle parking shall be provided consistent with the VTA Bicycle Technical Guidelines, which requires one class I bicycle space per dwelling unit, and one class II bicycle space per 15 units. Therefore, the project must show a minimum of eight class I bicycle spaces and two class II bicycle spaces on the site.
4. Consistent with Chapter 14.66.230, the proposed structure's height shall be measured from the average elevation of the finished lot grade at the front, rear, or side of the building, whichever has the greater height, to the highest point of the roof deck of the top story in the case of a flat roof or a mansard roof.
5. Architectural cross-sections should be provided where the building is closest to the adjacent properties showing the relative massing, setback and residential daylight plane.
6. A generous landscape plan is necessary for the protection and comfort and privacy of those within the development and adjacent properties. Chapter 14.52.070 requires a minimum landscape buffer of not less than five feet in width between the structure and street frontage. Consistent with the Chapter 14.52.070, the proposed multiple-family structure shall provide a minimum of five feet of landscaping along the parking structure along Whitney Street and the alley, which should have a layered landscape approach with significant screening.
7. A lighting plan shall be provided to show subdued lighting wherever possible. Any second story lighting such as at the balconies is recommended to be directed downward and/or shrouded. As required under Chapter 14.52.050, lighting within any lot that unnecessarily illuminates any other lot and/or substantially interferes with the use or enjoyment of such other lot is prohibited. Lighting unnecessarily illuminates another lot if: (1) it clearly exceeds the minimum illumination necessary to provide for security of property and the safety of persons using such roads, driveways, sidewalks, parking lots, and other common areas and facilities, or (ii) if the illumination could reasonably be achieved in a manner that would not substantially interfere with the use or enjoyment of neighboring properties.
8. The trash will require a designated area for pickup by Mission Trails, please show the location for trash pickup. As a reminder, the trash containers may not be stored in the public right of way, and it must be stored on the subject property to minimize impacts to surrounding properties. If Mission Trails will provide a service to remove the trash containers from to service the site, please provide a letter or email from Mission Trails confirming the service is available for your property.
9. The site, topography and grading plans should show and identify all existing on-site and immediately adjacent trees and any on-site trees to be removed. Additionally, all existing site conditions should be accurately shown including paving and grade elevation points. No tree within the public right-of-way may be removed, unless the City of Los Altos agrees to the removal of the tree(s).
10. An arborist report will need to be provided indicating the type, size and disposition of all trees, and it shall confirm the proposed basis for the removal of any protected trees complies

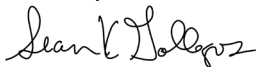
with the tree removal criteria under Chapter 11.08.0990 of the Z. The trees should be numbered on the plans including a table summarizing their existence.

11. The grading and drainage plan shall show how the project is in compliance 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.
12. Show the building's deliveries, loading and refuse collection are collected or delivered from the alley. As required under Chapter 14.52.090, where buildings are served by alleys, all service-delivery entrances, loading docks, and refuse collection facilities shall be located at the alley. No loading area shall be located at the street frontage or building facade. Show that the project complies with the minimum truck loading space size and clearance requirements, as required under [Chapter 14.74.200](#) of the Zoning Code. If a loading area is provided, please provide confirm there is space for turning around on the site, no vehicles may back into the public right-of-way, including an alley. The site plan shall provide turning templates to confirm loading spaces have sufficient space to avoid backing into a street.
13. Show the existing and proposed locations for all utilities serving the site. All electrical services must be undergrounded to the nearest convenient joint pole. Provide water service and sewage calculations. Provide a service review from all utilities serving the site including PG&E, California Water Service Company, Mission Trail Waste Systems.
14. In addition to the general application submittal requirements, the plans should indicate: a) the existing units by number, b) the location and amount of private and community open space, and c) any distinct uses such as mail rooms, property maintenance storage, resident storage, laundry, et cetera.
15. In accordance with Chapter 14.52 regarding Commercial Downtown/Multiple-Family, the Municipal Code chapter provides the main guiding development standards for the project, which is the basis for many of the development standards and following comments.

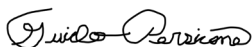
Conclusion

Staff looks forward to processing this project moving forward. If you have any questions, please contact me via phone at (650) 947-2641 or via email at sgallegos@losaltosca.gov

Sincerely,



Sean K. Gallegos
Associate Planner



Guido F. Persicone, AICP
Planning Services Manager

Attachments

- A: Project Comments from Cannon Design Group
- B. Project Comments from the Los Altos Building Division
- C. Project Comments from the Los Altos Public Works Department
- D. Project Comments from the Santa Clara County Fire Department
- E: Scope of Work and Cost Estimate to prepare a memo supporting a Categorical Infill Exemption and Notice of Exemption (NOE) from David J. Powers & Associates
- F. SB 330 Pre-Application Handout
https://www.losaltosca.gov/sites/default/files/fileattachments/community_development/page/41491/property_posting_sign_handout.pdf



August 13, 2021

Mr. Sean Gallegos
Community Development Department
City of Los Altos
One North San Antonio Road
Los Altos, CA 94022

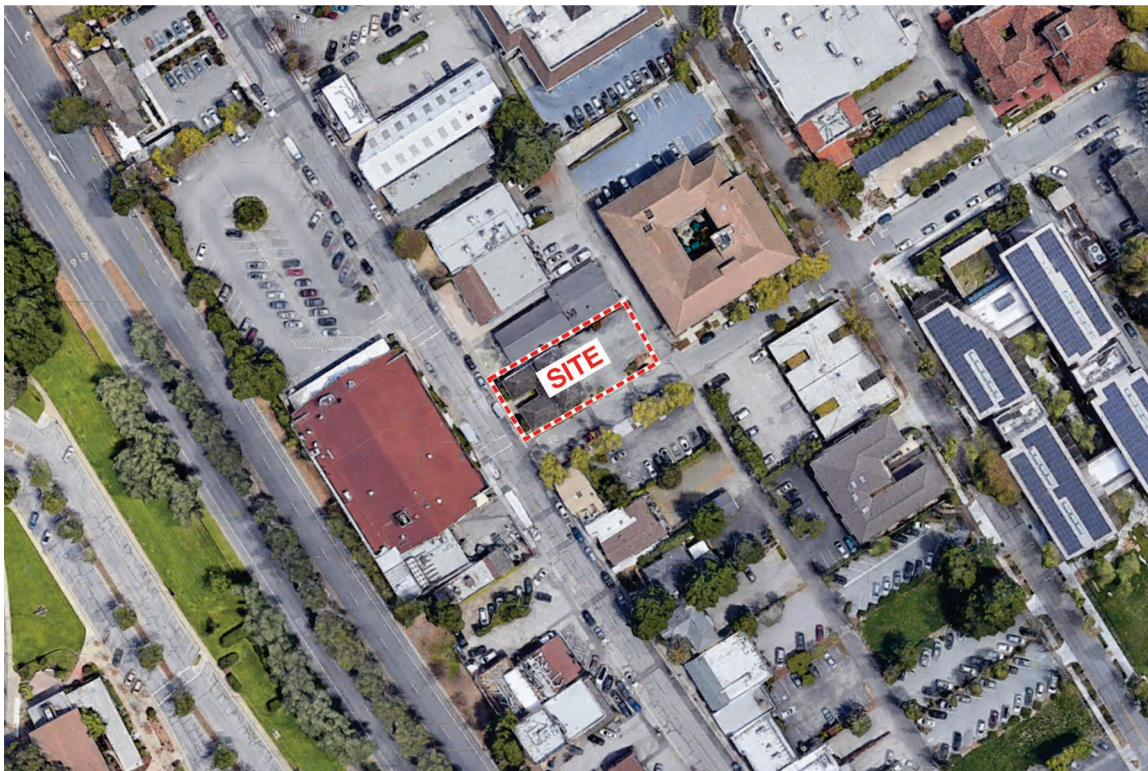
RE: 349 First Street

Dear Sean:

I reviewed the drawings and evaluated the site context. My comments and suggestions are as follows:

Site Context

The site is located in the CD/R3 Downtown/Multiple Family District in an area characterized by older one and two-story commercial buildings. New development along First Street has started to occur in recent years. Recent projects, approved and pending, consist of three and four-story mixed use or residential only uses over below grade parking garages - see illustration on page 3. Photos of the site and immediate context are shown on the following page.





THE SITE



Market immediately across First Street



Parcels immediately to the left on First Street



Office structure immediately to the rear on Whitney Street

HistoRY



PROJECTS REVIEWED TO DATE: LOCATIONS



355
(pending)



389
(approved)



425
(approved)



450
(approved)



440
(pending)



376
(pending)



THIS PROJECT

PROJECTS REVIEWED TO DATE: FIRST STREET ELEVATIONS

DESIGN REVIEW FRAMEWORK

The following applicable Zoning Code Sections, plans and guidelines apply to this review:

- Downtown Design Guidelines
- Commercial/Multi-Family Design Findings (Zoning Code Section 14.78.060)
- CD/R3 District Design Controls (Section 14.52.110)

The proposed project appears to meet the required findings of the Commercial/Multi-Family Design Findings and the CD/R3 District Design Controls which are less specific than the Downtown Design Guidelines. It also appears to be sensitive to the goals, objectives and guidelines of the Downtown Design Guidelines.

The Downtown Design Guidelines include the identification of defining Village Character Elements and specific guidelines for the Downtown Core District, Mixed Commercial District, and First Street District. The First Street District design guidelines include some guidelines unique to the First Street District, but also contains the following introductory text.

FIRST STREET DISTRICT

Owners of properties and businesses in this district should review the guidelines for the Downtown Core District. While projects in this district may be somewhat larger and less retail-oriented than those in the downtown core, they are still very much a part of the downtown village, and the village character and scale emphasis underlying those guidelines will be expected of new buildings and changes to existing properties in this district.

INTENT

- A. Promote the implementation of the Los Altos Downtown Design Plan.*
- B. Support and enhance the downtown Los Altos village atmosphere.*
- D. Respect the scale and character of the area immediately surrounding the existing downtown pedestrian district.*

Specific relevant design guidelines include the following:

5.2 ARCHITECTURE

Building uses and sizes will vary more in the First Street District than elsewhere in the downtown. The goal of these guidelines is to accommodate this wide diversity of size and use while maintaining a village scale and character that is complementary to the downtown core.

5.2.1 Design to a village scale and character

- a) Avoid large box-like structures.*
- b) Break larger buildings into smaller scale elements.*
- c) Provide special design articulation and detail for building facades located adjacent to street frontages.*
- d) Keep focal point elements small in scale.*
- e) Utilize materials that are common in the downtown core.*
- f) Avoid designs that appear to seek to be prominently seen from Foothill Expressway and/or San Antonio Road in favor of designs that focus on First Street, and are a part of the village environment.*
- g) Provide substantial small scale details.*
- h) Integrate landscaping into building facades in a manner similar to the Downtown Core District.*

The following narrative text and guidelines on the next two pages from the Downtown Design Guidelines would seem to be relevant to this proposed project:

DOWNTOWN VILLAGE CHARACTER

Today, it is a closely knit series of subdistricts with slightly differing use emphases and design characteristics, held together by an overall village scale and character. That unique scale and character has been nurtured over the years, and has become even more of a community asset as many other downtowns in the Bay Area have grown ever larger and lost much of their earlier charm.

ARCHITECTURAL STYLE

These guidelines are not intended to establish or dictate a specific style beyond the desire to maintain Downtown Los Altos' small town character and attention to human scale and detail. In general, diverse and traditional architectural styles that have stood the test of time are preferred.

Designs merely repeated from other cities or without thought to the special qualities of Los Altos are strongly discouraged, and unlikely to be accepted.

The following design guidelines are intended to reinforce that existing framework, scale and character.

3.2.1 Continue the pattern and scale established by existing buildings

a) Maintain and reinforce the underlying downtown 25-foot module along all street frontages. Some techniques for this emphasis include the following:

- Changing roof parapet height and/ or shape.*
- Utilizing different building heights, architectural styles, and forms.*
- Utilizing different awning forms and/ or materials ... matching the predominant building module.*
- Changing storefront type and details.*
- Defining storefronts with projecting piers and emphasizing tenants' unique store personalities.*
- Reinforcing the module with second floor projections and details.*

b) Break larger buildings up into smaller components.

- Divide longer facades into individual smaller segments with individual design forms and architectural styles.*

d) Utilize awnings and canopies at windows and entries.

e) Provide cornices and building tops consistent with the architectural style.

- Avoid unfinished wall tops in favor of projecting cornice features or roof overhangs.*

h) Utilize natural materials. Wood, stone, and brick can provide warmth at storefronts, and enhance the feeling of village scale and character.

- Wood doors and window frames are strongly encouraged.*

i) Enhance the pedestrian experience with interesting architectural details.

- Individual trim elements should be scaled to be or resemble proportions that could be handled and installed by hand. Elements on any portion of the structure should not be inflated in size to respond strictly to building scale, but should also have a relationship with human scale.*

j) Provide special storefront and facade lighting.

3.2.4 Design second floor facades to complement the streetscape and Village Character

a) Provide second floor entries that are equal in quality and detail to storefront entries. Some techniques to accomplish this emphasis include:

- *Special awning or roof element.*
- *Wrought iron gate.*
- *Decorative tile stair treads and risers.*
- *Special lights.*

b) Relate second floor uses to the pedestrian environment on the street level.

Some methods of achieving this include the following:

- *Second floor overhangs*
- *Bay windows*
- *Decks*
- *Balconies*
- *Planters.*

c) Utilize operable windows in traditional styles.

3.2.7 Design larger structures to be sensitive to the unique scale and character of Downtown Los Altos

b) Avoid architectural styles and monumental building elements that do not relate to the small human scale of Downtown Los Altos.

c) Provide special design treatment for visible sidewalls of structures that are taller than their immediate neighbors.

- *Sidewall windows are encouraged where codes allow and adequate fire protection can be provided.*
- *Employ design techniques to relate the visible sidewalls to front facades. Some common techniques include the following:*
 - * *Repeating front facade finished materials, decorative details and mouldings.*
 - * *Carrying front facade cornices and wall top projections around all sides of the upper floor.*
 - * *Providing varied parapet heights to avoid a box-like appearance.*
 - * *Utilizing gable and hip roofs to vary the height and appearance of side walls.*
 - * *Treating side walls with inset panels.*
 - * *Integrating interesting architectural details.*
 - * *Stepping back the front facade of upper floors to vary the side wall profile.*

CURRENT PROJECT PROPOSAL

The proposed project is very well designed with simplicity and quality materials - see first floor plan and proposed elevations drawings and sketch below.



PROPOSED SKETCH AT CORNER



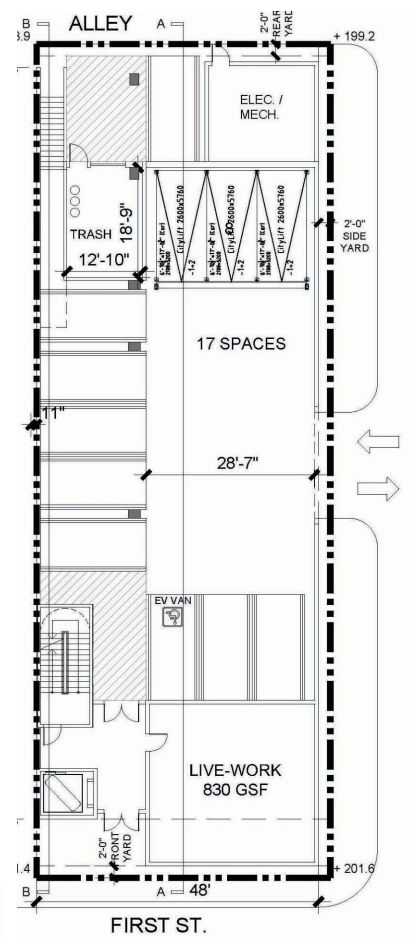
PROPOSED REAR ELEVATION



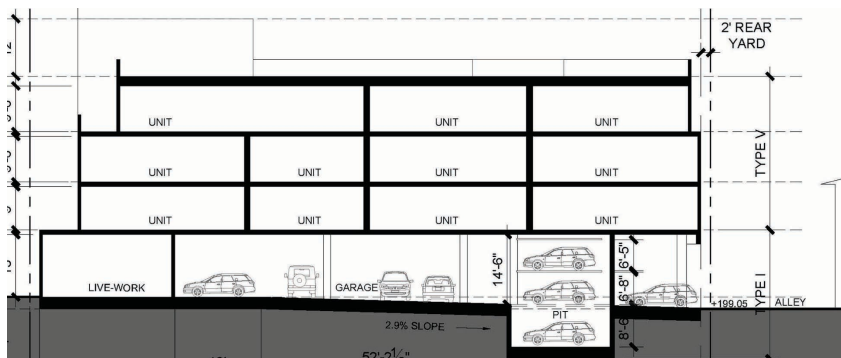
PROPOSED LEFT SIDE ELEVATION



PROPOSED WHITNEY STREET ELEVATION



PROPOSED FIRST FLOOR PLAN

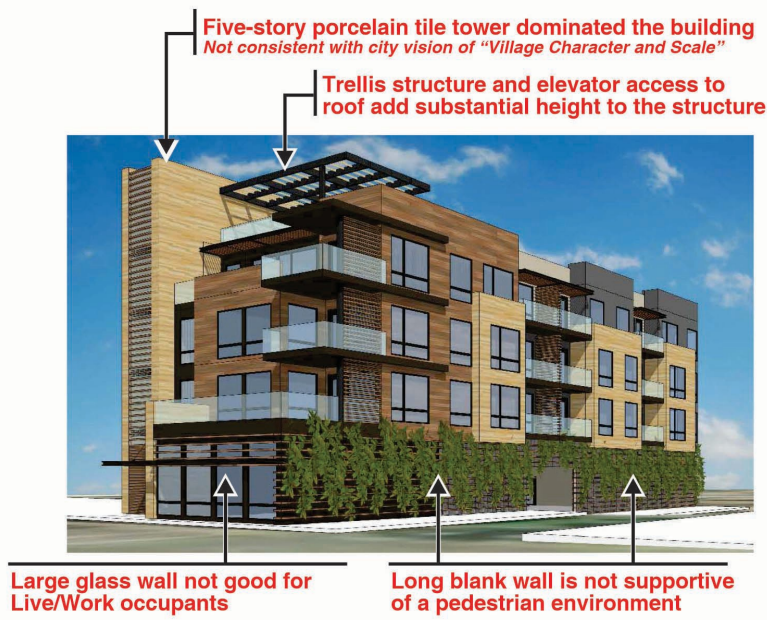


PROPOSED SECTION

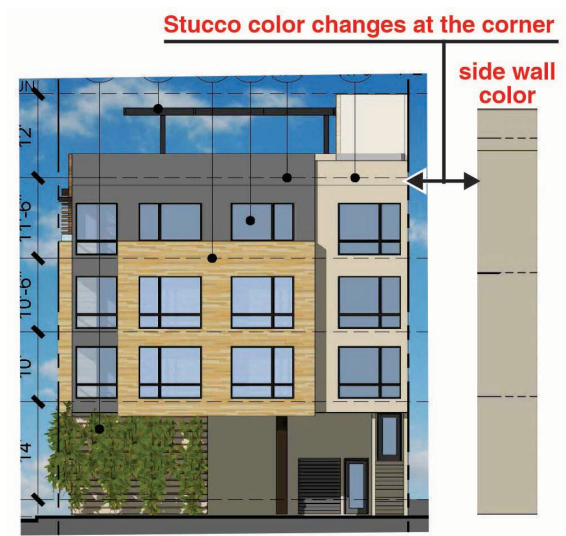
issUEs anD ConCERns

The project is similar in height and massing as other new buildings proposed and approved along First Street - see First Street elevation comparisons on page 3.

However, there are a few issues of concern related to the community's expectations as expressed in the vision statements, design guidelines and other documents.



1. The five-story porcelain tile stair and elevator tower is not consistent with the vision of *Village Character and Scale*.
2. The placement of the project parking in an at-grade parking structure would be a substantial departure from the other new multifamily residential projects proposed for First Street.
3. While the Whitney Street ground floor facade is proposed to have a landscape covering, it would still lack the desired pedestrian character envisioned in the Downtown Design Guidelines..
4. The large glass storefront wall on First Street could present privacy intrusion concerns for any use as a Live Work space.
5. The stucco color at the meeting of the rear and north side elevations appear to change at the corner.



RECommEnDations

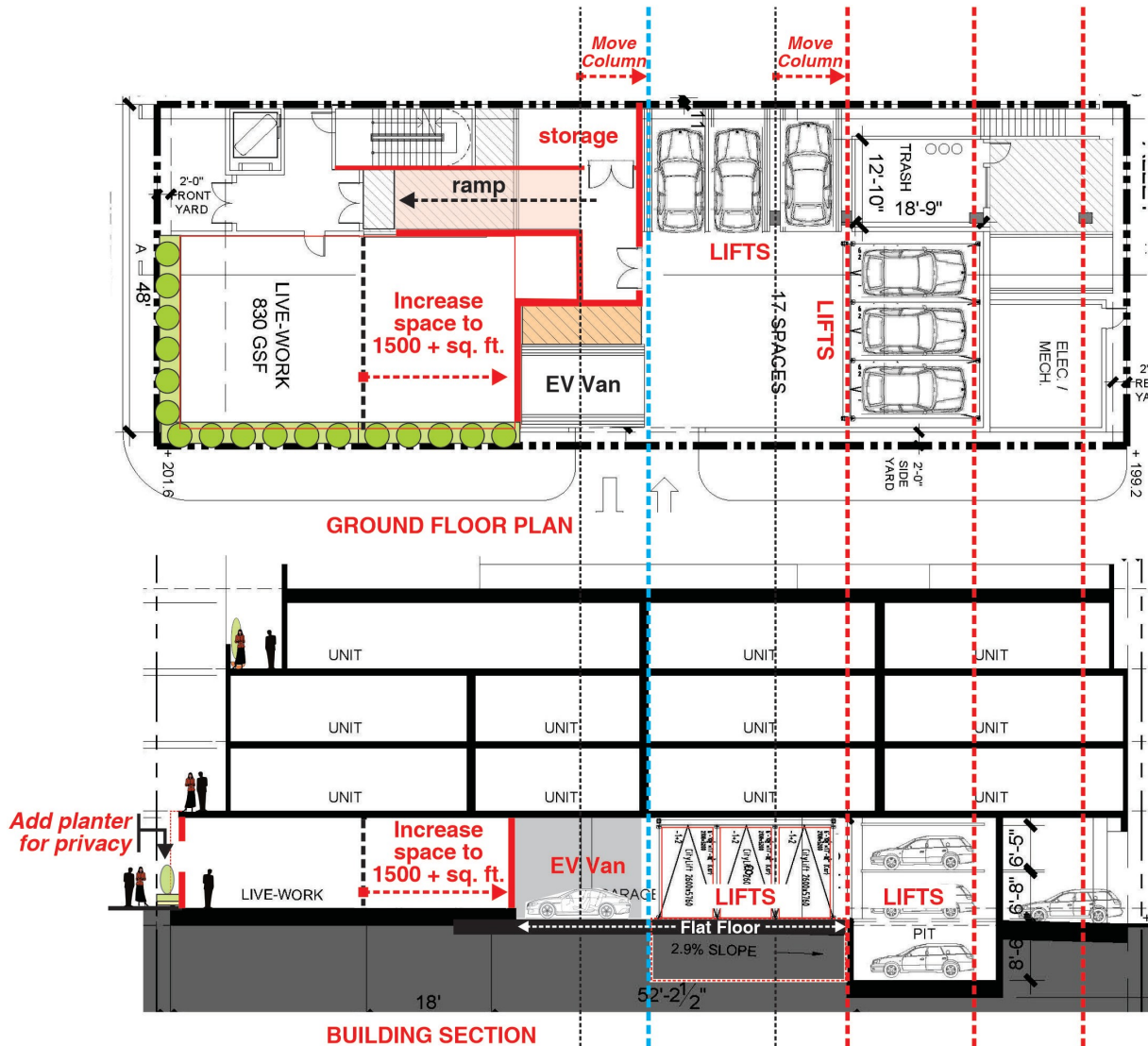
The recommendations below focus on refining the proposed design to better address the Downtown Design Guidelines that focus on Village Scale and Character.

1. Consider adding additional parking lifts in the grade level garage to reduce the size of the garage, increase the ground floor Live Work area, and allow the front facade ground floor storefront to be continued on the Whitney Street facade.

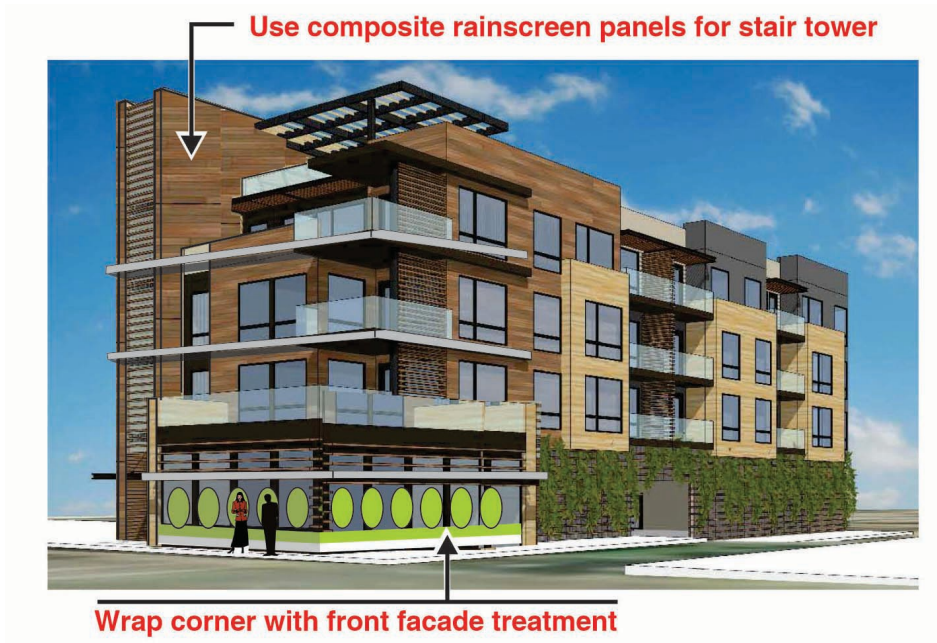
Note: I explored other below grade options including:

- A single ground level elevator entry with all parking located below grade.
- A ramp to a below grade parking level with an auto turntable.

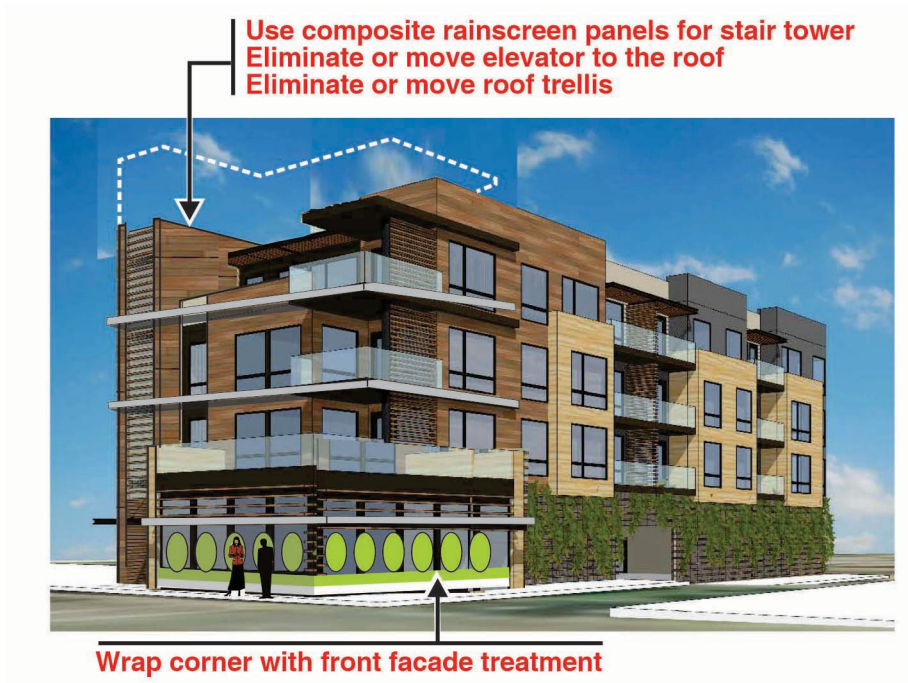
However, the site is too narrow to accommodate either of those alternatives.



2. Use composite rainscreen panel siding on the elevator and stair tower in lieu of the porcelain tile to reduce the prominence of the tall tower and provide greater visual unity to the design.



As note in the issues and concerns, the elevator access to the roof, and very prominent roof top trellis add substantial height to the structure. This could be addressed by eliminating both elevator access to the roof and the roof trellis. Alternatively, both could be relocated to minimize their visibility from First Street and Whitney Street - see alternative sketch below.

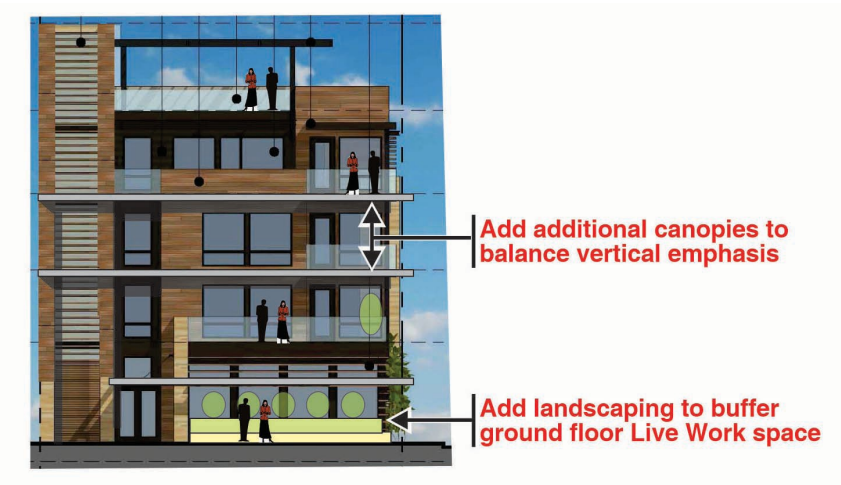


3. Add landscaping to the Live Work facade, and extend the facade glazing and landscaping around to the Whitney Street facade to enhance the pedestrian character of the streetscape.



←-----→
**Turn corner with front elevation
ground level facade treatment**

4. Add sunshade canopies on the second and third floors of the First Street facade, and wrap then onto the Whitney Street facade.



5. Use one consistent stucco color on the adjacent rear and north side facades.
6. Consider adding a security gate to the rear exit stair.



7. Consider adding composite rainscreen panels to the interior north side wall similar to what was approved for the similar visible side wall on the 396 First Street project.



Consider interior side wall treatment similar to approved 389 First Street

Sean, please let me know if you need anything further.

Sincerely,

CANNON DESIGN GROUP

Larry L. Cannon



BUILDING DIVISION
PRELIMINARY COMMENTS
349 First Street
Los Altos, CA

July 27, 2021

GENERAL

If this project has an occupied roof as it appears, due to it being four stories above grade level plane, it will need two exits from the roof deck. It appears to only have one. They need to clarify so the situation is not extended into plan check.



ENGINEERING DIVISION
PRELIMINARY CONDITIONS OF APPROVAL
349 First Street
Los Altos, CA

August 19, 2021

GENERAL

1. 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.

2. Public Utilities

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

3. Municipal Regional Stormwater Permit

The project shall comply with City of Los Altos Municipal Regional Stormwater (MRP)NPDES Permit No. CA S612008, Order No. R2-2015-0049 dated November 19, 2015.

4. Americans with Disabilities Act

All improvements shall comply with Americans with Disabilities Act (ADA). Latest edition of Caltrans ADA requirements shall apply to all improvements in the public right-of-way.

5. Sewer Lateral

Any proposed sewer lateral connection shall be approved by the City Engineer. Only one sewer lateral per lot shall be installed. All existing unused sewer laterals shall be abandoned according to the City Standards, cut and cap 12" away from the main.

6. 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. Applicant shall pay the applicable fees before the transportation permit can be issued by the Traffic Engineer.

7. Pollution Prevention

The improvement plans shall include the "Blueprint for a Clean Bay" plan sheet in all plan submittals.

8. Storm Water Management Plan

The Applicant shall submit a Storm Water Management Plan (SWMP) in compliance with the MRP. The SWMP shall be reviewed and approved by a City approved third party consultant at the Applicant's expense. The recommendations from the Storm Water Management Plan (SWMP) shall be shown on the building plans.

9. Civil Engineering Drawings

The applicant shall submit civil engineering drawings that show property lines with bearing and easements. The civil engineering drawing shall also show three bulb-outs at the intersection of First Street and Whitney Street (two at the east side of the intersection and one at the west), Ped Scale lighting (match with Main Street), all-way stop analysis for First Street and Whitney Street intersection and on-site bike parking and repair station.

10. No Parking Signs

The applicant shall install No Parking Signs on Whitney Street and paint the curb in red between First Street and alleyway.

11. Transportation Analysis

The applicant shall submit transportation analysis, including but not limited to: trip generation, trip distribution, parking summary, unsignalized intersections analysis on Arterials or Collectors that provide access to the site and other locations identified by City Traffic Engineer, signalized intersections analysis within 0.5 miles radius, site access, site circulation, pedestrian site access, bike site access, transit connectivity, school walkability, school bikeability and on-street parking occupancy study.

PRIOR TO FINAL MAP RECORDATION

12. Public Access Easement Dedication

The applicant shall dedicate public access easements for the purpose of providing vehicle and pedestrian access shall be dedicated as follows:

- a. An easement of two feet along the rear alley for use as a public right-of-way; and
- b. An easement of one foot along the First Street frontage to allow for pedestrian access.

13. Public Utility Dedication

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

14. Subdivision Agreement

The applicant shall sign and return Subdivision Agreement to the City for records and recordation.

15. Affordable Housing Agreement

The applicant shall sign and return Affordable Housing Agreement to the City for records and recordation. Planning can add additional language to this condition of approval if deemed necessary.

16. Payment of Fees

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

PRIOR TO ISSUANCE OF BUILDING PERMIT

17. 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.

18. Street Lights

The applicant shall design new street light to replace existing street light on the corner of Whitney Street and First Street, new light shall be relocated to avoid conflict with the new ADA ramp and crosswalk.

19. Storm Water Filtration Systems

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

20. Cost Estimate and Performance Bonds

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

21. Grading and Drainage Plan

The Applicant shall submit on-site grading and drainage plans that include (i.e. drain swale, drain inlets, rough pad elevations, building envelopes, drip lines of major trees, elevations at property lines, all trees and screening to be saved) for approval by City Engineer. No grading or building pads are allowed within two-thirds of the drip line of trees unless authorized by a certified arborist and the Planning Department.

22. Sewage Capacity Study

The applicant shall submit calculations showing that the City's existing sewer line will not exceed two-thirds full due to the project's sewer loads. Calculations shall include the 6" main from the front of the property to the point where it connects to the 8" sewer line on San Antonio Rd. 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 6" sewer line with an 8" sewer line. 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 sewer line with a larger sewer line.

23. 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 plan shall provide specific details with regards to how construction vehicle parking will be managed to minimize impacts on nearby single-family neighborhoods. Sidewalks, parking and travel lanes along First Street and Whitney Street shall not be closed for the full duration of the project. Closures will be reviewed and approved with Encroachment Permit submittals.

24. 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 multi-family dwellings provide for recycling and organics collection programs.

25. 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.

PRIOR TO FINAL OCCUPANCY

26. Condominium Map

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

27. Public Alleyway

The Applicant shall improve the entire width of the alleyway along the rear of the project with the treatment approved by the City Engineer.

28. Watch for Pedestrians Sign

The applicant shall install a "watch for pedestrians" sign at the top of the underground parking garage driveway ramp.

29. Street Intersection Valley Gutter and Concrete Apron

The Applicant shall install new street intersection valley gutter and concrete apron at the intersection of Whitney Street and alleyway. Street intersection shall be City Standard street intersection valley gutter and concrete apron.

30. Sidewalk in Public Right-of-Way

The Applicant shall remove and replace entire sidewalk and curb and gutter along the frontage of First Street as directed by the City Engineer. Sidewalk width along First Street shall be 5', not including the 6" concrete curb. The applicant shall install new sidewalk, curb and gutter and landscaping strip along Whitney Street. All sidewalks in the public right-of-way shall be City Standard concrete sidewalks. The new sidewalk and curb and gutter at Whitney Street shall line up with the existing sidewalk and curb and gutter between the alleyway and Second Street.

31. New ADA Ramps and Crosswalks

The applicant shall provide two new ADA ramps and crosswalk stripping per the City standards on the northeast and southeast corner of the intersection with First Street and Whitney Street. The applicant shall install new ADA ramps as necessary at the sidewalk extension along Whitney Street. The applicant shall also install three bulb-outs (two at east side of the intersection and one at west).

32. Micro-surfacing First Street and Whitney Street

The applicant shall install micro-surfacing treatment up to half width of First Street and Whitney Street.

33. Parking Stall and Red Curb Striping

The applicant shall install parking stall striping and red curb on First Street and Whitney Street as directed by the City Engineer or his designee.

34. Public Infrastructure Repairs

The Applicant shall repair any damaged right-of-way infrastructures and otherwise displaced curb, gutter and/or sidewalk 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 First Street if determined to be damaged during construction, as directed by the City Engineer or his designee.

35. Maintenance Bond

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

36. 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.

37. 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.

38. Label Catch Basin Inlets

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.



SANTA CLARA COUNTY FIRE DEPARTMENT

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PLAN REVIEW No. **21 3354**

BLDG PERMIT No. _____

DEVELOPMENTAL REVIEW COMMENTS

Plans and Scope of Review:

This project shall comply with the following:

The California Fire (CFC) & Building (CBC) Code, 2019 edition, as adopted by the City of Los Altos Municipal Code (LAMC), California Code of Regulations (CCR) and Health & Safety Code.

The scope of this project includes the following:

Proposed new 25,205 SF four-story, 12-unit residential condominium structure with one partial floor, ground-level parking garage.

Plan Status:

Plans are **NOT APPROVED**. Revise and resubmit drawings and provide a response letter addressing comments on this plan review.

Plan Review Comments:

1. Review of this Developmental proposal is limited to acceptability of site access, water supply and may include specific additional requirements as they pertain to fire department operations, and shall not be construed as a substitute for formal plan review to determine compliance with adopted model codes. Prior to performing any work, the applicant shall make application to, and receive from, the Building Department all applicable construction permits.

The following shall be resolved prior to deeming the project planning application complete:

2. **Required Aerial Access:** 1. Where required: Buildings or portions of buildings or facilities exceeding 30 feet (9144 mm) in height above the lowest level of fire department vehicle access shall be provided with approved fire apparatus access roads capable of accommodating fire department aerial apparatus. Overhead utility and power lines shall not be located within the aerial fire apparatus access roadway. 2. Width: Fire apparatus access roads shall have a **minimum unobstructed width of 26 feet (7925) in the immediate vicinity of any building or portion of building more than 30 feet (9144 mm) in height.** 3. Proximity to building: At least one of the required access routes meeting this condition shall be **located within a minimum of 15 feet (4572) and a maximum of 30**

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SEC/FLOOR	AREA	LOAD	PROJECT DESCRIPTION				PROJECT TYPE OR SYSTEM			
4	25,205		Commercial Development				Design Review			
NAME OF PROJECT						LOCATION				
CONDO BUILDING						349 First Street Los Altos				
TABULAR FIRE FLOW			REDUCTION FOR FIRE SPRINKLERS		REQUIRED FIRE FLOW @ 20 PSI		BY			
2750			75%		1500		Baker, Kathy			



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feet (9144mm) from the building, and shall be positioned *parallel to one entire side of the building*, as approved by the fire code official. **Please dimension Whitney on the site plan, verifying that a full 26' in width is available for aerial apparatus set up, that it is within the appropriate distances from the building as noted above, and that it will be marked as fire lane. Please note that overhead utility and power lines shall not be located over the aerial fire apparatus access road or between the aerial apparatus access road and the building.**

3. Fire Apparatus Access Roads Required for Buildings and Facilities: Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility. [CFC, Section 503.1.1]. **Please demonstrate the 150' hose pull distances to all portions of the exterior walls of the first story of the structure.**

4. Public Fire Hydrants Required: Provide public fire hydrant(s) at location(s) to be determined jointly by the Fire Department and CalWater. Maximum hydrant spacing shall be 500 feet, with a minimum available fire flow of 2750 GPM at 20 psi, residual. Fire hydrants shall be provided along required fire apparatus access roads and adjacent public streets. CFC Sec. 507, and Appendix B and associated Tables, and Appendix C. **Three hydrants are required for this project. It appears that there are two existing that may be within required distances, however one additional hydrant is still required. Please note all existing and proposed hydrants on the site plan. Provide a fire flow letter from CalWater verifying the required available flow.**

5. Parking: When parking is permitted on streets, in both residential/commercial applications, it shall conform to the following: Parking is permitted both sides of the street with street widths of 36 feet or more; Parking is permitted on one side of the street with street widths of 28 – 35 feet; **No parking is permitted when street widths are less than 28 feet. NOTE:** Rolled curbs can be part of the curb/sidewalk and used to increase the roadway width with approval from the fire code official. Additional requirements may apply for buildings 30 feet in height or greater. **On the plans specify the means of marking and identifying fire lanes as set forth in Section 22500.1 of the California Vehicle Code and SCCFD Standards and Fire Department Standard Details and Specifications A-6.**

6. Elevator Car to Accommodate Ambulance Stretcher: No fewer than one elevator shall be provided for fire department emergency access to all floors. This car shall be sized and arranged per

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DEVELOPMENTAL REVIEW COMMENTS

prescriptive code to accommodate an ambulance stretcher 24" x 84" in the horizontal, open position with not less than 5" radius corners. [CBC 3002.4]. **Please demonstrate the dimensioned elevator car on the plans, taking into account any interior railings.**

7. Ground Ladder Access: Ground-ladder rescue from second and third floor rooms shall be made possible for fire department operations. With the climbing angle of seventy-five degrees maintained, an approximate walkway width along either side of the building shall be no less than seven feet clear. Landscaping shall not be allowed to interfere with the required access. [CFC Sec. 503 and 1030]. **Please identify all second and third floor emergency egress windows and demonstrate on the plans, a clear ladder footing location while maintaining the 75-degree climbing angle.**

Compliance with the following comments shall be subject to detailed verification at time of building permit fire review:

8. Fire Sprinklers Required: Approved automatic sprinkler systems in new and existing buildings and structures shall be provided in the locations described in this Section or in Sections 903.2.1 through 903.2.19.1.2 whichever is the more restrictive. For the purposes of this section, firewalls and fire barriers used to separate building areas shall be constructed in accordance with the California Building Code and shall be without openings or penetrations. (This chapter shall not apply to existing non-habitable residential accessory structures under three (3000) thousand square feet). 1) An automatic sprinkler system shall be provided throughout all new buildings and structures exceeding one thousand square feet. 2) An automatic sprinkler system shall be provided throughout all existing buildings, when additions are made that exceed fifty (50) percent and/or seven hundred and fifty (750) square feet of existing floor area (area calculations shall not include existing basement floor areas). 3) An automatic sprinkler system shall be provided throughout all new basements regardless of size and throughout existing basements that are expanded by more than 50%. 4) The obligation to provide compliance with these fire sprinkler regulations may not be evaded by performing a series of small additions and/or alterations undertaken over a three-year period and/or two code cycles. The permit issuance dates of past additions and/or alterations where these regulations were in effect shall be used for determining compliance. **Please indicate on the cover sheet, that an automatic fire sprinkler system shall be installed.**

9. Emergency Radio Responder Coverage: All new buildings shall have approved radio coverage for emergency responders within the building based upon the existing coverage levels of the public

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safety communication systems of the jurisdiction at the exterior of the building. This section shall not require improvement of the existing public safety communication systems. Refer to CFC Sec. 510 for further requirements. Emergency Radio Responder Coverage requirements applies to all buildings. **Please indicate on the cover sheet, that an Emergency Radio Responder system shall be installed.**

10. Standpipes Required: Standpipe systems shall be provided in new buildings and structures in accordance with this section. Fire hose threads used in connection with standpipe systems shall be approved and shall be compatible with fire department hose threads. The location of fire department hose connections shall be approved. Standpipes shall be manual wet type. In buildings used for high-piled combustible storage, fire hose protection shall be in accordance with Chapter 32. **Please indicate on the cover sheet, that a standpipe system shall be installed in accordance with this section and NFPA 14 as amended in Chapter 47. CFC Sec. 905.**

11. Two-way communication system: Two-way communication systems shall be designed and installed in accordance with all current editions of NFPA 72, the California Electrical Code, the California Fire Code, the California Building Code, and the city or town ordinances, policies, and standards where a two-way system is being installed. Other standards also contain design/installation criteria for specific life safety related equipment. These other standards are referred to in NFPA 72. **Please indicate on the cover sheet that a two-way communication system shall be provided and installed.**

12. Fire Alarm Requirements: Refer to CFC Sec. 907 and the currently adopted edition of NFPA 72. Submit shop drawings (3 sets) and a permit application to the SCCFD for approval before installing or altering any system. Call (408) 378-4010 for more information. **Please indicate on the cover sheet that a fire alarm system shall be provided and installed.**

13. Water Supply Requirements: Potable water supplies shall be protected from contamination caused by fire protection water supplies. It is the responsibility of the applicant and any contractors and subcontractors to contact the water purveyor supplying the site of such project, and to comply with the requirements of that purveyor. Such requirements shall be incorporated into the design of any water-based fire protection systems, and/or fire suppression water supply systems or storage containers that may be physically connected in any manner to an appliance capable of causing contamination of the potable water supply of the purveyor of record. Final approval of the system(s) under consideration will not be granted by this office until compliance with the requirements of the

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water purveyor of record are documented by that purveyor as having been met by the applicant(s). 2019 CFC Sec. 903.3.5 and Health and Safety Code 13114.7.

14. **Address identification:** New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Where required by the fire code official, address numbers shall be provided in additional approved locations to facilitate emergency response. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall be a minimum of 4 inches (101.6 mm) high with a minimum stroke width of 0.5 inch (12.7 mm). Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure. Address numbers shall be maintained. CFC Sec. 505.1.

15. **Construction Site Fire Safety:** All construction sites must comply with applicable provisions of the CFC Chapter 33 and our Standard Detail and Specification SI-7. Provide appropriate notations on subsequent plan submittals, as appropriate to the project. CFC Chp. 33.

This review shall not be construed to be an approval of a violation of the provisions of the California Fire Code or of other laws or regulations of the jurisdiction. A permit presuming to give authority to violate or cancel the provisions of the Fire Code or other such laws or regulations shall not be valid. Any addition to or alteration of approved construction documents shall be approved in advance. [CFC, Ch.1, 105.3.6]

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August 10, 2021

Sean Gallegos, Associate Planner
City of Los Altos, Community Development Department
One North San Antonio Road
Los Altos, CA 94022

RE: CEQA REVIEW – 349 1st STREET RESIDENTIAL DEVELOPMENT

Dear Mr. Gallegos,

David J. Powers & Associates, Inc. (DJP&A) is pleased to provide you with this scope of work to complete environmental review for the proposed residential building at 349 1st Street in Downtown Los Altos.

The 0.16-acre project site is located at 349 1st Street, at the intersection of 1st Street and Whitney Street. The site is located in the Downtown Triangle as identified in the Downtown Vision Plan. It is our understanding the project would demolish the existing commercial building and surface parking lot on-site and construct a 12-unit residential building.

DJP&A proposes to prepare a memo supporting an Infill Exemption and Notice of Exemption (NOE) that satisfies the requirements of the California Environmental Quality Act (CEQA) and the City of Los Altos. Our work will be billed on a time and materials basis in accordance with the attached Charge Rate Schedule. If we do not need all the staff hours that have been budgeted, we will only charge for the time spent completing the work.

Please feel free to call me (408-454-3422) if you have any questions about this proposal or need any additional information. Thank you for your consideration of our firm for this project - we look forward to working with you!

Sincerely,

A handwritten signature in black ink that reads 'Demetri S. Loukas'. The signature is fluid and cursive, with the first name being the most prominent.

Demetri S. Loukas
Principal Project Manager

Attachments: Scope of Work



349 1st Street Residential Building Categorical Exemption

August 10, 2021

Project Understanding

The project proposes to construct a new 12-unit residential building at 349 1st Street in the City of Los Altos. The project site is comprised of a 0.16-acre parcel (APN 167-40-047) developed with a commercial building and surface parking lot. The project would demolish the existing building and surface parking lot and construct the proposed residential building. The residential density provided would be 75 dwelling units per acre. A total of two residential units (0.16 percent) would be dedicated as below-market rate units, making the project eligible for two concessions pursuant to Los Altos Municipal Code Section 14.28.040.

The General Plan land use designation for the site is Downtown Commercial (DC) and the site is zoned Commercial Downtown/Multiple Family (CD/R3). The project site is located within the Downtown Triangle as identified in the adopted Downtown Vision Plan. This scope assumes the project would be consistent with the site's General Plan and zoning designation and all applicable General Plan policies and zoning regulations.

Scope of Services

CEQA Guidelines Section 15332 – Infill Development

Given the size and scope of the project, DJP&A recommends preparation of a Categorical Exemption per CEQA Guidelines §15332 for In-Fill Development Projects. CEQA Guidelines §15332 applies to projects characterized as in-fill development meeting the following conditions:

- a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.
- b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.
- c) The project site has no value as habitat for endangered, rare, or threatened species.
- d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.
- e) The site can be adequately served by all required utilities and public services.

CEQA Guidelines Section 15300.2 Exceptions

The memo will document why the exceptions to finding a project exempt listed in CEQA Guidelines Section 15300.2 Exceptions do not apply to the proposed project. These exceptions include the following:

- a) Location. Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located - a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply all instances, except where the project may impact an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.
- b) Cumulative Impact. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time, is significant.
- c) Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.
- d) Scenic Highways. A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to trees, historic buildings, rock outcroppings, or similar resources, within a highway official designated as a state scenic highway. This does not apply to improvements which are required as mitigation by an adopted negative declaration or certified EIR.
- e) Hazardous Waste Sites. A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.
- f) Historical Resources. A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.

The determination of exempt status will be supported by the following technical studies.

Traffic

Based on a traffic report to be prepared by *Hexagon Transportation Consultants*, under contract to DJP&A, the memo will describe the project's trip generation rate, as well as the project's exempt status from vehicle miles traveled (VMT) analysis due to its classification as small project (less than 110 daily vehicle trips). The project's potential impacts to transit, bicycle, and pedestrian facilities will also be discussed. The project's implementation of City policies to avoid impacts will be described, as applicable.

The City of Los Altos requires Transportation Impact Analyses for projects which generate greater than 50 net daily vehicle trips. In the event it is determined that the proposed project would generate more than 50 net vehicle trips, this scope also includes preparation of a comprehensive Transportation Impact Analysis. The purpose of the transportation analysis is to satisfy the

requirements of the City of Los Altos and to identify any transportation related deficiencies caused by the proposed development. The study will determine the traffic added by the proposed residential development on the key intersections in the vicinity of the project site during the weekday AM and PM peak hours of traffic (7-9 AM and 4-6 PM). The following intersections in the vicinity of the site would be evaluated:

1. First Street & Main Street
2. First Street & Whitney Street
3. San Antonio Rd. & First St./Cuesta Dr. (signalized)
4. San Antonio Rd. & Foothill Expressway (signalized, CMP intersection)

Noise

Noise and vibration-related impacts from the project will be evaluated based on a noise assessment prepared by Illingworth & Rodkin, Inc., under contract to DJP&A. The primary noise- and vibration-related issues associated with the project would result from temporary project construction activities and permanent project operations. The compatibility of the proposed project with the on-site noise environment will also be addressed to ensure compatibility with the General Plan. Implementation of City policies to avoid impacts will be described, as applicable.

Air Quality

Based on an air quality community risk assessment prepared by Illingworth & Rodkin, Inc., under contract to DJP&A, the memo will also address community risk impacts associated with project construction and operation on existing nearby sensitive receptors and the potential for existing sources of air pollution (e.g., Foothill Expressway) to affect the proposed residences. Any necessary mitigation measures for air quality impacts will be identified as conditions of approval to be incorporated into the project.

Water Quality

The memo will explain why project construction and operation would not result in water quality impacts. This discussion will be based upon the information contained in the project's stormwater control plan, compliance with existing water quality laws and regulations, and standard conditions of approval required by the City of Los Altos.

Hazards and Hazardous Materials

The memo will document that the project site is not listed as a hazardous waste site pursuant to Government Code Section 65962.5 (Cortese List). Documentation will be based on existing information available on regulatory agency websites (e.g., GeoTracker).

Historic Resources

The project site is currently developed with an approximately 3,900-square-foot office building, which is proposed for demolition by the project. Research indicates the building was constructed in the 1960s. Because the structure is greater than 50 years of age, Department of Parks and Recreation (DPR) 523 Forms will be prepared by Urban Programmers, under contract to DJP&A, to document why the existing on-site structure is not a historic resource. The findings of the DPR forms will be summarized in the memo.

Preparation of the Memo and Filing the Notice of Exemption

Electronic copies of the memo and NOE will be submitted to the City for review and comment. The memo and NOE will be revised based on comments received. Screencheck versions will then be submitted to the City for final review and comment and final revisions will be made. Upon project approval, DJP&A will file the NOE at the Santa Clara County Clerk Recorders Office. Filing the NOE starts a 35-day statute of limitations period on legal challenges to the agency's decision that the project is exempt from CEQA. If the NOE is not filed, a 180-day statute of limitations applies.

Meetings and Hearing Attendance, Project Management

This scope of work includes DJP&A attendance at one project meeting (e.g., kick-off meeting) and one public hearing (e.g., Planning Commission). DJP&A can attend additional public hearings or meetings requested on a time and materials basis.

DJP&A will provide general project management, contract administration, and coordination with the City and project team throughout the Categorical Exemption process. The DJP&A Project Manager will coordinate with the City on a regular basis using email and telephone communications.

Estimated Schedule

DJP&A proposes the following optimum schedule to prepare the Categorical Exemption memo and NOE. DJP&A can commit to maintain the schedule in the areas that are within our control. Completion of the Categorical Exemption memo and NOE, as outlined in the schedule below, is based upon receipt of project information listed on the following page in accordance with the schedule. Delays in receiving requested information or responses by others will result in at least day-for-day delays in the overall schedule.

Task	Duration of Task	Time Elapsed
1. DJP&A receives authorization to proceed and requested project information	---	1 day
2. Air Quality, Noise, and Traffic Reports completed	8 weeks	8 weeks
3. DJP&A submits 1 st Administrative Draft Categorical Exemption memo and NOE to City	2 weeks	10 weeks
4. City reviews memo and NOE and provides comments back to DJP&A	2 weeks	12 weeks
5. DJP&A revises memo and NOE per City comments, submits Screenchecks to City	1 week	13 weeks
6. City reviews Screenchecks and provides final comments	1 week	14 weeks
7. DJP&A finalizes memo and NOE	1 week	15 weeks
8. Planning Commission Hearing	--	--
9. DJP&A files NOE at Santa Clara County Clerk Recorder's Office	--	--
Total	15 weeks	+/-

Project Information Required from City of Los Altos

Our scope and schedule are based on the assumption that we will receive the below project information concurrent with the authorization to proceed.

Plans (in PDF)

- Project plans, including landscaping plan, stormwater control plan, utility plan, grading plan, and parking and circulation plan

Project Details

- Construction details, including duration, maximum depth of excavation, total amount of cut/fill and equipment use
- Utility improvements (if any)
- Right of way improvements (if any)
- Green building measures, LEED or Greenpoint certification details
- List of Best Management Practices to conform to Provisions C.3 of the NPDES permit
- Letter from City confirming site can be adequately served by all required utilities and public services

Cost Estimate

Based on our understanding of the project and the proposed technical studies, the cost to prepare the Categorical Exemption memo and NOE is estimated not to exceed **\$59,990**. Payment will be due on a monthly basis. A breakdown of the cost estimate is provided below. Costs will be charged on a time and materials basis, commensurate with work completed, in accordance with the charge rate schedule outlined on the following page. If DJP&A does not need all the time that has been budgeted, we will only bill for the time actually spent completing the work.

This scope is valid for 90 days and assumes that no issues arise that would require any additional technical analysis or documentation. In the event additional technical analysis is required, we can complete that work on a time and materials basis, upon your authorization. Project description changes after our notice to proceed is received may have schedule and budget implications.

David J. Powers & Associates, Inc.

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|---|----------|
| • CE Memo and NOE preparation, meeting/hearing attendance, and NOE filing | \$14,550 |
| • Reimbursables (travel, printing, filing fee, etc.)* | \$150 |

Subconsultants*

- | | |
|--|----------|
| • Illingworth & Rodkin, Inc. (Noise) | \$7,850 |
| • Illingworth & Rodkin, Inc. (Air Quality) | \$8,455 |
| • Hexagon Transportation Consultants (Traffic) | \$25,360 |
| • Urban Programmers (Historic) | \$3,625 |

Total: \$59,990

* Subconsultant and reimbursable expenses include our standard 15 percent administrative fee.

Charge Rate Schedule¹

Title	Hourly Rate
Senior Principal	\$300
Principal Project Manager	\$275
Senior Environmental Specialist	\$240
Senior Project Manager	\$215
Environmental Specialist	\$200
Biologist	\$190
Project Manager	\$190
Associate Project Manager	\$160
Assistant Project Manager	\$130
Researcher	\$115
Draftsperson/Graphic Artist	\$120
Document Processor/Quality Control	\$110
Administrative Manager	\$110
Office Support	\$95

Notes: Materials, outside services, and subconsultants include a 15 percent administration fee. Mileage will be charged per the current IRS standard mileage rate at the time costs occur. Subject to revision January 1, 2020.

¹ David J. Powers & Associates, Inc. provides regular, clear and accurate invoices as the work on this project proceeds, in accordance with normal company billing procedures. The cost estimate prepared for this project does not include special accounting or bookkeeping procedures, nor does it include preparation of extraordinary or unique statements or invoices. If a special invoice or accounting process is requested, the service can be provided on a time and materials basis. Any fees charged to DJP&A for Client's third-party services related to invoicing, insurance certificate maintenance, or other administrative functions will be billed as a reimbursable expense.






PPR21-0004, 349 1st Street-Pre Application 30 Day Letter_8.23.21 w attachments

Final Audit Report

2021-08-24

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