



## STUDY SESSION

### Agenda Item #1

## PLANNING COMMISSION AGENDA REPORT

**Meeting Date:** March 3, 2022

**Subject:** 14 Fourth Street – Four-Unit, Two-Story Multiple-Family Residential Development

**Prepared by:** Jia Liu, Associate Planner

**Reviewed by:** Steve Golden, Interim Planning Services Manager

### Attachments:

A. Area, Vicinity and Notification Maps

B. R3-1 Design Controls

C. Downtown Vision Plan

[https://www.losaltosca.gov/sites/default/files/fileattachments/community\\_development/page/39021/los\\_altos\\_downtown\\_vision\\_plan\\_document-final-20180828.pdf](https://www.losaltosca.gov/sites/default/files/fileattachments/community_development/page/39021/los_altos_downtown_vision_plan_document-final-20180828.pdf)

D. Preliminary Project Review Design Plans

### Initiated by:

Chris Kummerer, CKA Architects, Applicant  
14 4<sup>th</sup> Street LLC, Property Owner

### Recommendation:

Provide feedback to the applicant regarding their pre-application submittal for a proposed multiple-family development project.

### Environmental Review:

The study session is not a “project” within the meaning of Section 15378 of the CEQA Guidelines in that the purpose of the study session is merely to provide feedback to the applicant before the applicant submits a formal development application, and the City is not approving a development application at this time or otherwise committing itself to an action that will have a significant effect on the physical environment. Additionally, a study session comes within the exception to review under the California Environmental Quality (CEQA) Guidelines per Section 15306 (Information Collection) since the purpose of the study session is to obtain public input and to provide feedback to the applicant, and none of the circumstances in CEQA Guidelines Section 15300.2 applies. Further environmental review under CEQA will occur after a formal development application is submitted.

### Summary:

This is preliminary project review study session for a new market-rate, multiple-family development at 14 Fourth Street. The proposed project (Project) consists of four attached units in a two-story building with one level of semi-subterranean parking that provides a total of eight parking spaces designed in a two-car garage for each unit. The underground parking garage will circulate through a

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one-way driveway, entering from Fourth Street and exiting to the public alley abutting the rear property line. A single-family residence currently exits on the subject property with an approximate 1,302 square-foot habitable space and a 493 square-foot garage.

**Background:**

Senate Bill 330 (Housing Crisis Act of 2019)

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 bill establishes a statewide housing emergency to be in effect until January 1, 2025. The Project consisting of four residential units that requires discretionary review (LAMC Section 14.78.020) is mandated to go through an expedited review per SB 330 procedure and requirements as outlined below.

*Pre-Application Phase*

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 preliminary phase and a formal submittal phase. The purpose of the preliminary phase is to collect specific site and project information in order 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 preliminary 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 and make a determination regarding its completeness in order for an applicant’s statutory rights to vest, and there is no authority for a city to do so. The City can only ask for certain information during the preliminary phase. This provides some guarantees to the applicant that the “rules of the road” will not be changed mid-stream. Per Section 14.78.040, the city recommends applicants submit for a “pre-application” study session design review application in order to receive early feedback from the Planning Commission and the community to inform the formal design review application. This is a voluntary action by the application and is the subject of today’s meeting.

*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

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community meetings, and study sessions in this definition. The City must account for any potential appeals, which count toward the five public meeting or hearing maximum. As such, it's critical that the Planning Commission and community provide feedback during the study session to inform the applicant's formal application submittal and address any concerns and issues raised at this time.

Project Background

The subject site is a 7,038 square-foot lot at 14 Fourth Street bounded by Fourth Street on the east, a public alley on the west side, a two-story residential duplex on the north, and a three-story multiple-family residential building on the south. The Project is a two-story, 33.33-foot tall, 5,188 square-foot living area space with 2,545 square feet of underground parking garage (totaling 7,954square feet). The unit distribution is four, two-bedroom units. The Project has one level of semi-subterranean parking to accommodate eight covered parking spaces that is designed to provide a two-car garage for each unit. During the formal application phase, the applicant will be seeking approval of a Design Review Permit and a Tentative Subdivision Map. The applicant has submitted detailed preliminary architectural plans. The following tables summarizes some of the project's technical details and indicates the project's compliance with some of the development standards:

**Table 1: Land Use Information and Development Standards**

	<b>Standard</b>	<b>Proposed</b>
<b>General Plan</b>	Medium Density Multi-Family	-
<b>Zoning</b>	R3-1 Multiple-Family District (R3-1)	-
<b>Lot Size</b>	7,100 square feet	7,038 square feet <sup>1</sup>
<b>Residential Density</b>	No more than 4 units for the first 7,100 square feet	4 units on the 7,038 square-foot lot
<b>Height</b>	35 feet and 2 story when includes an additional basement used for parking and/or storage	33.3 feet from natural grade with a basement/underground parking
<b>Front Setback</b>	20 feet	20 feet
<b>Side Setback</b>		
<b>1<sup>st</sup> Story</b>	7.5 feet	Minimum of 7.5 feet
<b>2<sup>nd</sup> Story</b>	12.5 feet	Minimum of 12.5 feet
<b>Rear Setback</b>	25 feet	25 feet

<sup>1</sup> It is assumed that the proposed tentative map will create one parcel for further subdivision by a condominium plan.



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	<b>Standard</b>	<b>Proposed</b>
<b>Parking</b>	Per Section 14.74.070 4 units (two-bedroom) * 2 underground spaces/unit = 8 spaces 1 guest space/ 4 units = 1 space Total Spaces = 9	9 spaces including 8 underground spaces and 1 visitor parking

**Discussion/Analysis:**

General Plan

Per the City’s General Plan, the Medium Density Multiple-Family land use designation allows detached and attached single-family homes, condominiums, and apartments. A number of policies for new housing development are established to meet the Goal 2 of the Land Use Element for a compatible and harmonious arrangement of land uses. Specific policies that support this goal include:

Policy 2.1	Continue to apply land use designations, which recognize existing development patterns and expected future conditions.
Policy 2.2	Encourage a variety of residential housing opportunities by allowing residential uses with adequate parking in appropriate commercial areas including sections of the Downtown area, Foothill Plaza and along El Camino Real.
Policy 2.3	Continue to conduct design review of residential and nonresidential development applications to ensure compatibility with surrounding property and neighborhood.

The Housing Element also has a number of goals and policies that support and encourage the production of new housing units including but not limited to the following below:

<b>Goal 1</b>	<b>Preserve the natural beauty, rural-suburban atmosphere, and high quality of residential neighborhoods to attract families with children to Los Altos.</b>
Policy 1.2	The City will maintain and enhance the existing pleasant, attractive, moderate-density multifamily zoning districts, typically located between commercial and single-family residential areas.
Policy 1.3	If transitional land use zoning is not possible or inadequate to buffer, multifamily and senior housing will be encouraged between single-family neighborhoods and commercial and public/quasi-public uses. Setbacks, sound walls, protective vegetation, and on-site landscaping will be required as a buffer when transitional land use zoning is not possible.
Policy 1.4	Design, construction, and remodeling permits for all residential development will be reviewed for quality, safety, privacy, and the capacity to maintain the character of existing neighborhoods.
Policy 1.5	The City will ensure that the level of development permitted in the creation of land divisions results in an orderly and compatible development pattern, within the subdivision and in relation to its surroundings; provides for quality site planning and design; and provides for quality structural design.



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<b>Goal 2</b>	<b>Strive to maintain a variety of housing opportunities by location and housing type.</b>
Policy 2.1	The City will maintain zoning that provides for a range of housing sizes and residential densities.

Downtown Vision Plan

The Downtown Vision Plan (Vision, Attachment D) is a community-based effort to provide the Los Altos community with a vision for the future of the Downtown Triangle to guide growth and development over a 20-year period. The proposed Project is within the Edith Avenue District (north of State Street), which is envisioned to continue to be focused on residential uses including both market rate and affordable housing developments with some small office uses transitioning elements from the adjacent Main and State Street District. Although the Edith Avenue District encourages both market-rate and affordable residential uses that support Downtown vitality, the Vision also acknowledges that in certain areas of downtown, the construction of affordable housing units is unlikely due to the fragmented ownership pattern, small lots, and lack of ability to provide on-site parking for a project. Given that the 7,038 square feet of the subject lot size is limited in size for development, construction of affordable housing does not appear to be financially viable for the subject project. Additionally, per LAMC Section 14.28.020 A., it is not required for a four-unit residential development to provide affordable housing.

Design Review

To preserve and protect the City’s character, public safety and to enhance the aesthetic qualities and bicycle and pedestrian safety and functionality of the zoned district, Design Review Approval is required for all new development. The Planning Commission will provide a recommendation to the City Council regarding the following findings:

- The proposal meets the goals, policies and objectives of the general plan and any specific plan, design guidelines and ordinance design criteria adopted for the specific district or area;
- The proposal has architectural integrity and has an appropriate relationship with other structures in the immediate area in terms of height, bulk and design;
- Building mass is articulated to relate to the human scale, both horizontally and vertically. Building elevations have variation and depth, and avoid large blank wall surfaces. Residential or mixed-use residential projects incorporate elements that signal habitation, such as identifiable entrances, stairs, porches, bays and balconies;
- Exterior materials and finishes convey high quality, integrity, permanence and durability, and materials are used effectively to define building elements such as base, body, parapets, bays, arcades and structural elements. Materials, finishes, and colors have been used in a manner that serves to reduce the perceived appearance of height, bulk and mass, and are harmonious with other structures in the immediate area;
- Landscaping is generous and inviting, and landscape and hardscape features are designed to complement the building and parking areas, and to be integrated with the building architecture



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and the surrounding streetscape. Landscaping includes substantial street tree canopy, either in the public right-of-way or within the project frontage;

- Signage is designed to complement the building architecture in terms of style, materials, colors and proportions;
- Mechanical equipment is screened from public view and the screening is designed to be consistent with the building architecture in form, material and detailing; and
- Service, trash and utility areas are screened from public view, or are enclosed in structures that are consistent with the building architecture in materials and detailing.

#### Zoning District Design Controls

The City recently adopted new Design Controls (Ordinance 2021-478; effective October 15, 2021), establishing objective standards for the R3-1 zoning district (LAMC Section 14.52.110) for all new development to assist decision makers in determining whether a proposed development project meets the design review findings stated above. A copy of the design controls can be found in Attachment B.

#### Downtown Land Use and Economic Revitalization Plans

It should be noted that although the subject site is located within the boundary of Downtown Land Use and Economic Revitalization Plans that was adopted in 2009, there was no established design guidelines for this specific R3-1 Zoning District in the Specific Plan. Therefore, the Project is not subject to any Downtown Design Guidelines.

#### **Planning Commission Feedback and Next Steps:**

This is a Pre-application Study Session for the Commission to provide early input to the Applicant and staff on the proposed Project. Since this is a preliminary review, the Commission should focus on the architecture and site design aspects of the project and provide feedback on how well the project complies with the General Plan, Zoning Code, and Downtown Design Guidelines and other aesthetic elements that could inform the design.

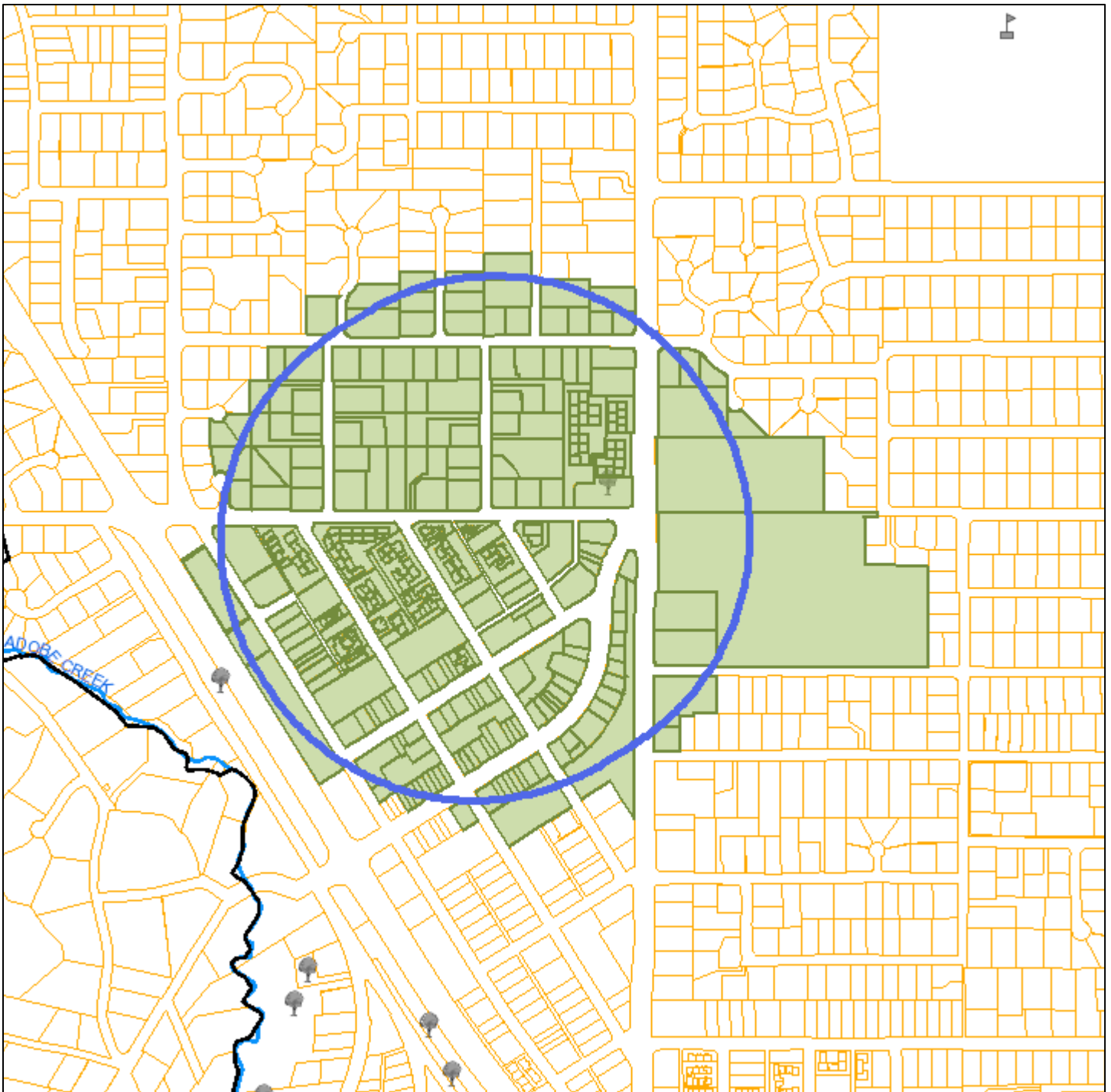
Staff will be providing some initial feedback to the Applicant regarding the proposed Project and conceptual plans, however, a comprehensive review including the Project's compliance with all of the Zoning Code and other development standards will be completed with the submission of the formal application(s).

The next steps for the Applicant include submittal of a formal development application, staff review for technical completeness and compliance with applicable codes and determination of any significant environmental impacts per CEQA. When the application comes back to the Planning Commission for formal review and consideration, it will include all requirements outlined in the City's submittal requirements, which includes but not limited to: detailed design plans, 3D renderings, material sample board, and appropriate technical reports to assess potential environmental impacts. Story poles will also be installed on the project site pursuant to the Story Pole Policy prior to public hearings.



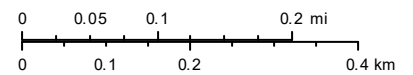
# ATTACHMENT A







## Notification Map



Print Date: February 16, 2022

1:9,028



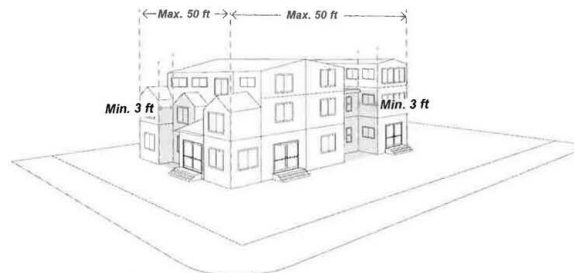
-  Schools
-  Park and Recreation Areas
-  City Limit
-  Waterways
-  Situs Label
-  TaxParcel

The information on this map was derived from the City of Los Altos' GIS. The City of Los Altos does not guarantee data provided is free of errors, omissions, or the positional accuracy, and it should be verified.

Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community

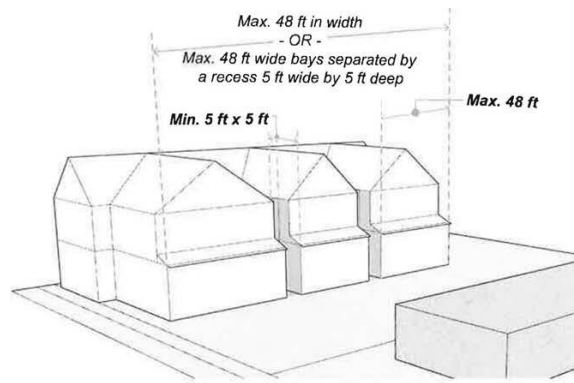
## 14.24.110 - Design control (R3-1).

- A. Building Placement. A minimum eighty-five (85) percent of the building frontage must be built at the minimum setback line. This standard applies to the building frontage only (exclusive of side setbacks).
- B. Building Massing and Articulation.
1. Upper-story step-backs.
    - a. Front: Minimum five feet from ground floor façade for fourth story and above for building façades fifty (50) feet or greater in width.
    - b. Street Side: Minimum five feet from ground floor façade for fourth story and above for building façades fifty (50) feet or greater in width.
    - c. Interior Side and Rear Abutting an R-1 District: Minimum five feet from ground floor façade for fourth story and above.
    - d. For buildings exceeding the height limit established in the applicable base and overlay zone, the right-of-way-facing façades of the uppermost floor must be embedded in a sloped roof form as allowed by Section 14.24.110.A.5.
  2. Vertical Articulation. When a building façade exceeds fifty (50) feet in length along a right-of-way, it must be separated into primary façade bays no greater than fifty (50) feet and secondary façade bays defined by a recess a minimum three feet deep and ten (10) feet wide.

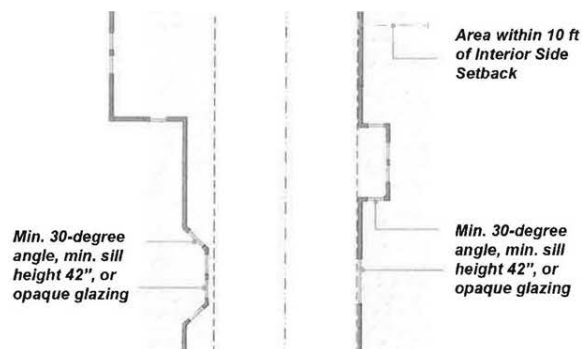


3. R-1 Adjacencies.
  - a. Building façade planes abutting an R-1 district may not exceed forty-eight (48) feet in width.
  - b. When a building façade abutting an R-1 district exceeds forty-eight (48) feet in width, it must be separated into façade bays no greater than forty-eight (48) feet by a recess five feet wide and five feet deep.





- c. Balconies, roof decks and other habitable outdoor space is not allowed on upper-story façades abutting R-1 zones.
  - d. Sliding glass doors, French doors, and floor-to-ceiling windows are not allowed on upper-story façades abutting R-1 zones.
4. Privacy and Line of Sight.
- a. Primary living spaces and balconies located along a side setback shall orient principal windows and balconies toward the front and rear of the building.
  - b. Where windows are within ten (10) feet of and oriented toward an interior side setback, glazing shall either be a minimum thirty (30) degree angle measured perpendicular to the adjacent side setback line, have minimum sill height of forty-two (42) inches, or be opaque.
  - c. The maximum sill height for an ingress/egress window is forty-four (44) inches from finished floor.



5. Roofline and Roof Design.

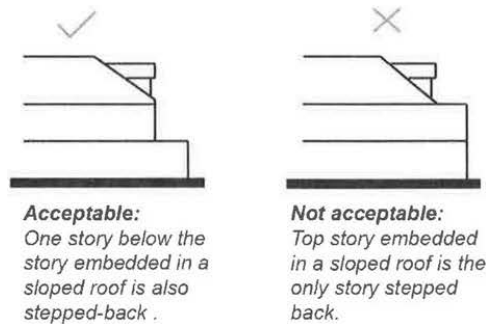
- a. Roof designs shall be limited to:
  - i. Hipped.
  - ii. Gable.
  - iii. Dormer.
  - iv. Parapet.
    - (a) When used on the first or second floor, a parapet longer than twenty-five (25) feet in length must include at least one but not more than two of the following design

elements to break up the length of the parapet:

- (1) Steps.
- (2) Curves.
- (3) Angled surfaces.

- (b) Parapet limited to twenty-five (25) percent of cumulative roof perimeter on the third floor and above.
- (c) The length of a parapet segment on the third floor and above may not exceed twenty-five (25) feet.

- b. When the top story is stepped back and embedded in a sloped roof form such as a mansard roof or a hipped and/or gabled roof with dormers, the floor below must (and other floors may) be stepped back to meet the slope of the top story.



- c. Façade facing R-1 Zone must utilize a hipped or gable roof and may incorporate dormers.
- d. Corner Treatment. Roofline/parapet at corners shall not exceed roofline/parapet of adjacent wallplanes by more than twenty-four (24) inches.

## C. Building Design.

### 1. Façade Composition.

- a. Building façades must continue the pattern established by existing buildings in Downtown Los Altos by reinforcing the underlying maximum twenty-five (25) foot module along all street frontages through the use of the following techniques:
  - i. Building façades shall be arranged in an orderly composition of bays, defined by vertically aligned openings alternating horizontally with solid walls or columns.
  - ii. The pattern shall be visually expressed through the spacing of openings, recesses, eaves, cornices, overhangs, trellises, exposed rafters, columns, or bay windows.
  - iii. Façades shall incorporate at least one element that signals habitation, such as porches, bay windows, or balconies.
  - iv. Non-glazed wall areas (blank walls) must be enhanced with architectural details, landscaping, and/or landscaped trellises or lattices.
- b. At least two of the following strategies must be used in a manner that reinforces the

maximum twenty-five (25) foot module:

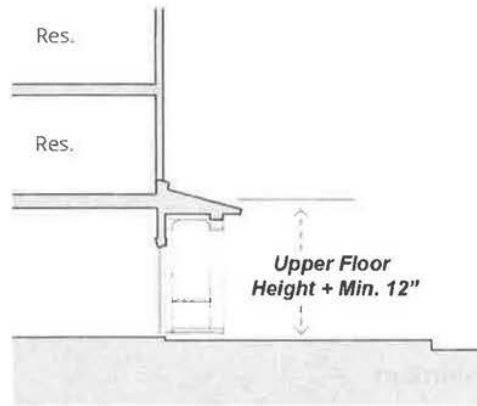
- i. Change in roof parapet height or shape.
  - ii. Change in roof style.
  - iii. Change in materials palette.
  - iv. Change in building height, minimum eight-foot difference.
  - v. Change in frontage type or change in details of shopfront frontage type if used.
  - vi. Use of upper floor projections such as bay windows or balconies.
2. Building Entrances. Building entrances must incorporate one of the following entry features. See Section 14.66.275 (Entrance Type Standards) for design standards applicable to each entrance type listed.
- a. Stoop.
  - b. Porch.
  - c. Dooryard.
  - d. Gallery.
  - e. Arcade.
  - f. Forecourt.
    - i. Forecourts must feature at least one entry to a shop and/or second floor use.
    - ii. Forecourts for buildings more than seventy (70) feet in length along a right-of-way must have a minimum width and depth of fifteen (15) feet from front façade. Width of forecourt shall be equal to or greater than depth.
    - iii. The size of the forecourt must be appropriate relative to the size of the building. The maximum ratio of building height to forecourt is 2:1 (height < 2 x width).
    - iv. Forecourt must be enclosed on at least three sides by buildings.
    - v. Forecourt must remain open to the sky (arbors and trellises are allowed).
  - g. Terrace.
3. Primary Entrance Location(s). Locate primary entrance on the front ROW and/or interior courtyard.
4. Individual Entries. Ground floor residential units facing a street must provide individual entries along the street frontage.
5. Interior Courtyard. Interior courtyards must be:
- a. Enclosed on at least two sides by buildings.
  - b. Open to the sky (arbors and trellises are allowed).
  - c. A minimum width of twenty (20) feet and a minimum area of four hundred (400) square

feet.

6. Paseos. Paseos must be:

- a. A minimum width of ten (10) feet for through-block paseos.
- b. A minimum width of four feet for entries to courtyards or individual single businesses.

7. Ground Floor Floor-to-Ceiling Height. Minimum twelve (12) inches taller than typical upper floor floor-to-ceiling height.



D. Window Design.

1. All windows must have a sill.
2. Vinyl sliding windows are prohibited on façades visible from a right-of-way.

E. Building Materials.

1. Primary shall mean fifty (50) percent or more of a façade surface area excluding transparent surfaces. Permitted primary cladding materials are limited to:
  - a. Stucco (minimum two-coat stucco; synthetic stucco or EIFS not allowed).
  - b. Siding (lap, vertical, or shingle).
    - i. All siding shall be wood, composite wood, or cement fiberboard.
    - ii. Wood siding shall be painted or stained.
    - iii. Vinyl and aluminum siding are not permitted.
  - c. Stone.
  - d. Brick.
2. Secondary shall mean less than fifty (50) percent of a façade surface area excluding transparent surfaces. Permitted secondary cladding materials are limited to:
  - a. Stucco (minimum two-coat stucco; synthetic stucco not allowed, EIFS not allowed).
  - b. Siding (lap, vertical, or shingle).
    - i. All siding shall be wood, composite wood, or cement fiberboard.
    - ii. Wood siding shall be painted or stained.

- iii. Vinyl and aluminum siding are not permitted.
  - c. Stone (watertable and building base only).
  - d. Brick (watertable and building base only).
  - e. Tile.
  - f. Metal (matte finish or Cor-ten).
    - i. Ribbed metal, titanium, and mirrored finishes not allowed.
  - g. Concrete Masonry Units (watertable and building base only, and not allowed on any façade facing a right-of-way or a single-family zone).
  - h. Concrete (watertable and building base only, board-form only, cast concrete not permitted).
- F. Landscaping and Paving.
- 1. Landscaping must be placed on each side of a driveway at grade or in raised planters.
  - 2. Low walls and/or hedges must screen the parking along the sidewalk. When walls are used, the materials and design must be compatible with and not obscure the architectural style of the building.
  - 3. A minimum seventy-five (75) percent of on-site paving material must be pervious/permeable.
- G. Screening.
- 1. Service areas must be located at the rear of lot or along a parking plaza.
  - 2. Screening must be architecturally consistent with primary building in terms of materials, colors, and style.
- H. Additional Design Standards. See Section 14.66.280 for additional design standards applicable to all multi-family development in the R3-1 District.

(Amended during 2/06 supplement; prior code § 10-2.1110)

( Ord. No. 2021-478, § 1, 9-14-2021)