

MINUTES OF A REGULAR MEETING OF THE PLANNING COMMISSION OF THE CITY OF LOS ALTOS, HELD ON THURSDAY, FEBRUARY 17, 2022 BEGINNING AT 7:00 P.M. HELD VIA VIDEO/TELECONFERENCE PER EXECUTIVE ORDER N-29-20

Per California Executive Order N-29-20, the Commission will meet via teleconference only. Members of the Public may call (650) 242-4929 to participate in the conference call (Meeting ID: 144 316 5829 or via the web at <https://tinyurl.com/4cmxdve7>) Members of the Public may only comment during times allotted for public comments. Public testimony will be taken at the direction of the Commission Chair and members of the public may only comment during times allotted for public comments. Members of the public are also encouraged to submit written testimony prior to the meeting at PlanningCommission@losaltosca.gov or Planning@losaltosca.gov. Emails received prior to the meeting will be included in the public record.

ESTABLISH QUORUM

PRESENT: Chair Bodner, Vice-Chair Doran and Commissioner Ahi, Marek, Mensinger, Roche and Steinle

STAFF: Interim Community Development Director Simpson, Interim Planning Services Manager Golden, and City Attorney Houston

PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

None.

AGENDA ORDER

Action: Upon motion by Chair Bodner, seconded by Commissioner Steinle, the Commission moved the Special Item for the Election of the Chair and Vice-Chair to the end of the meeting. The motion was approved (7-0) by the following vote:
AYES: Ahi, Bodner, Doran, Marek Mensinger, Roche and Steinle
NOES: None

ITEMS FOR CONSIDERATION/ACTION

CONSENT CALENDAR

These items will be considered by one motion unless any member of the Commission or audience wishes to remove an item for discussion. Any item removed from the Consent Calendar for discussion will be handled at the discretion of the Chair.

1. Planning Commission Minutes

Approve minutes of the Study Session and Regular Meeting of February 3, 2022.

Action: Upon motion by Vice-Chair Doran, seconded by Commissioner Mensinger, the Commission approved the minutes from the February 3, 2022 Study Session and Regular Meeting as written. The motion was approved (7-0) by the following vote:
AYES: Ahi, Bodner, Doran, Marek Mensinger, Roche and Steinle
NOES: None

PUBLIC HEARING

2. **D19-0009 and TM19-0004 – Jan Unlu – 376 First Street**

The applicant requests Design Review Approval and a Tentative Subdivision Map for a new four-story building that includes 15 residential condominium units, one level of underground parking for 23 parking spaces and a common rooftop area. The project is recommended to be categorically exempt from environmental review pursuant to Section 15332 (Class 32), Infill Exemption of the California Environmental Quality Act (CEQA) Guidelines. *Project Manager: Golden*

Staff Presentation

Interim Planning Services Manager Golden presented the staff report recommending to the City Council approval of design review and subdivision applications D19-0009 and TM19-0004 per the findings and conditions contained in the resolution.

City Attorney Houston noted a typo in condition No. 31 and that this is a Housing Accountability Act project.

Commissioner Questions for Staff

Commissioner Mensinger asked what the justifications/findings are for allowing concessions.

Answer: City Attorney Houston said it is the City's burden, no longer the applicants. The concession has to result in cost savings for providing affordable housing units, in which we ask for reasonable documentation provided in their density bonus report.

Commissioner Mensinger asked if the extra height waivers for a rooftop deck is necessary.

Answer: City Attorney Houston said that you cannot strip amenities from the project per case law.

Chair Bodner asked about the need for an economic study to lower the plate height of a building.

Answer: City Attorney Houston said the burden is the City's, but we would have documentation to back it up.

Vice-Chair Doran asked a question about the height of the elevator overrun.

City Attorney Houston said that would be a question for the developer.

Commissioner Steinle asked about the on-menu and off-menu concessions we have.

Answer: City Attorney Houston said the off-menu concession must prove necessary to result in cost savings for the project for providing affordable housing units. Findings have to be made to deny a concession.

Commissioner Ahi asked about the measurement of the roof height for the elevator.

Answer: Interim Planning Services Golden said you add 12 feet to the height of the building and that is where you get your height for the elevator and stair overrun and said that it is difficult to determine the height with the variation in roof features.

Commissioner Ahi asked about the front area landscaping meeting the 60%.

Answer: Interim Planning Services Golden said it is very challenging to provide the landscaping required at 60% and other projects have asked for waivers from this.

Applicant Presentation

Property Owner/Applicant Jan Unlu provided a brief introduction.

Project architect Brett Bailey provided an overview of design objectives and changes made to the design of the project per the Commission's direction.

Commissioner Questions for the Applicant/Architect

Commissioner Steinle asked what time the restaurant is open during the day.

Answer: Property owner/applicant Jan Unlu said the restaurant opens at 4:30 pm Tuesday through Sunday.

Commissioner Steinle asked about the base density and the height of the building inside the top of the roof deck.

Answer: Project architect Brett Bailey said they have been sensitive to height. The structural roof deck was designed within the 46-foot "on-menu" concession height limit. If they requested the extra 10 feet, he did not know if it would that be acceptable to City staff.

Commissioner Roche asked how the bikes are going to get from the basement to street.

Answer: Project architect Brett Bailey said people would take them down the ramp like the vehicles. But will need to be careful with the trench drains in the ramp. They could use elevator as well.

Commissioner Steinle asked if the privacy issues to the ground floor unit with the ramp in the front had been addressed.

Answer: Project architect Brett Bailey said he is showing obscured glass on the lower portion of the window for privacy as the peer review architect noted. But he thought the option should be open to the resident because it may not be an issue for them, or they may rather use blinds or shades.

Commissioner Steinle asked a question about the mechanical lift in the parking structure.

Answer: Project architect Brett Bailey said the same system was used for the project at 4880 El Camino Real and described how the system works. Each individual spot is very secured. The sleds specified for this project are the largest on the market and the sled size is the 9 feet by 18 feet as required by the City.

Commissioner Roche asked what the first-floor unit height was above grade.

Answer: Project architect Brett Bailey said the height of finished floor of the first story is 30 inches from grade and it has to do with the grade of the ramp in the garage.

Public Comments

Resident Roberta Phillips

- Concerned about the building height in addition to the zoning code;
- The rooftop deck is unnecessary and does not help the downtown vitality;
- The planter wall along First Street will make it difficult for pedestrians; and
- This project ignores the downtown building committee's recommendations.

Saleen Damerdji

- Supports the project adding to the downtown and housing;
- The bike storage could be designed better, as it is a long way to get to the storage area and there is a blind turn; and
- Cited government code and court case findings to approve the project.

Resident Jeanine Valadez

- Supports increased housing in Los Altos;
- Project stays within the guidelines, waivers, and concessions;
- The bicycle situation and electric bike chargers and spaces need to be better addressed;
- Asked if a shadow study had been done;
- The roof deck adds recreation space for residents and community, and it is a critical amenity. This area is also pulled away from the edges of the building and gives the residents and their guests a place to go and relax; and
- These building heights belong in the downtown away from the R1 districts.

PC DISCUSSION

Commissioner Ahi

- There has been an overall improvement in the design, but could be improved even more;
- The building could use more articulation to break up the larger masses and vertical planes;
- Swap the colors on the south elevation so the stair tower is white and other portion is dark;
- Not sure where the elevator and roof top deck heights should be measured from, how much height should be allowed, and could it be lowered;
- Concerned about the single elevator element sticking out and it needs to be softened or blended into the overall roof design;
- Supports the concession and waivers; and
- The Commission should be specific about the direction they give to the applicant.

Commissioner Roche

- Amenities of a rooftop deck are nice, but costly and need to be addressed for the moderate rate affordable units;
- How tall is the wooden screen wall around the rooftop deck?
- The finished first floor could be dropped to lower height;
- Push the building back to create more space at the front yard for landscaping;
- Supports the peer review comments to address massing and vertical planes, but did not agree with everything;
- The landscaping in front while limited in space is attractive; and
- Likes what was done with the balconies.

Commissioner Mensinger

- Building appears too tall, elevator tower too big and bulky and the massing of the tall and skinny building is accentuated by the use of materials and needs to be reduced;
- Peer review comments were useful and there was a missed opportunity to incorporate them; and
- Apprehensive about moving the project forward and would like to see some concrete changes when it comes back to the Commission to reduce the massing.

Commissioner Steinle

- Agrees with previous Commissioner comments;
- Building is too vertical and bulky and needs further articulation;
- Supports Commissioner Ahi's recommendations to address the elevator tower by softening a and blending it into the roof design;
- The rooftop could be denied because it is separate common area and there is no cost savings to building the affordable units;
- Rooftop should be measured to the roof deck at approximately 46 feet in height; and
- Does not support rooftop amenities for maintenance concerns and they do not add to the downtown environment.

City Attorney Houston commented on the density bonus report, concession and waiver requests. No evidence in the record to find that the concession and waiver are not justified.

Vice-Chair Doran

- Understands the density bonus report and financial terms that it addresses to include the affordable units;
- She also struggled with the roof top deck and the height of the elevator tower;
- Should be very specific in direction to applicant with regards to changes to be made;
- The stair and elevator towers should be adjusted per Commissioner Ahi's comments to soften the towers with use of materials and other exterior features; and
- Head height of elevator cab needs to be shown in the design details.

Commissioner Marek

- Made comments with regards to building height;
- Appreciates the design features and likes the building;
- Does not support rooftop decks and do not need the outdoor space because of the park across the street; and
- Mechanical parking structures will need to be replaced in the future.

Commissioner Roche

- Concerned about fire access; and
- No guest parking is included with this project.

Vice-Chair Doran

- Commissioners need to have a better understanding of mechanical parking systems and we need to have a study session or presentation on them and how they work; and
- Need some better information on the rooftop deck features and how they work and are built.

City Attorney Houston commented on the density bonus report, the allowance of the rooftop deck for feasibility, that an economic analysis would need to be done to prove otherwise, and the burden would be on the city.

Chair Bodner

- The height comparison that staff included was helpful and she does not think a few feet difference in height will matter;
- Vitality is coming to the downtown and is a great vision for it that she endorses;
- Commented with regard on how to account for height measurement and rooftop screening features;
- Is comfortable with the four-story buildings;
- Unrealistic expectations regarding the elevator shaft as it is a small portion of the overall building;
- Appreciates the changes to the architectural design to address their concerns including moving the building entrance, the color, fenestration, materials, window detail, and additional landscaping;
- Do not get hung up on the concessions and waivers because there are case laws that do not support denying the density bonus exceptions;
- Minor aesthetic changes could be supported, but does not support changes to the height; and
- The rooftop deck design was already modified to be more centralized and lessen impacts.

Additional Discussion

Project architect Brett Bailey stated that the mechanical screens were the result of previous commissioner concerns; that the jacuzzi could be removed as a feature of the roof deck; and he is open to ideas on improving the stair and elevator towers.

Property Owner/Applicant Jan Unlu made some closing comments in support of the project.

Motion to Approve:

Action: Upon motion by Vice-Chair Doran, seconded by Commissioner Mensinger, the Commission recommended approval to the City Council of design review and subdivision applications D19-0009 and TM19-0004 per the findings and conditions contained in the resolution and with the following direction:

- Provide a horizontal break from the second story finished floor to the roof feature and the same at the stair tower;
- Visually break up the vertical elevator overrun at roof deck; and
- Add different exterior materials to soften and break up the vertical massing.

The motion was approved (7-0) by the following vote:

AYES: Ahi, Bodner, Doran, Marek Mensinger, Roche and Steinle

NOES: None

SPECIAL ITEM

3. Election of Chair and Vice-Chair

Action: Upon a motion by Chair Bodner, seconded by Commissioner Ahi, the Commission nominated Vice-Chair Doran as the new Chair.

The motion was approved (7-0) by the following vote:

AYES: Ahi, Bodner, Doran, Marek Mensinger, Roche and Steinle

NOES: None

Action: Upon a motion by Chair Doran, seconded by Commissioner Bodner, the Commission nominated Commissioner Mensinger as the new Vice-Chair.

The motion was approved (7-0) by the following vote:

AYES: Ahi, Bodner, Doran, Marek Mensinger, Roche and Steinle

NOES: None

COMMISSIONERS' REPORTS AND COMMENTS

Commissioner Ahi reported on the project at 355 First Street that went before City Council.

Commissioner Roche commented on the City's Parking standards and downtown parking.

POTENTIAL FUTURE AGENDA ITEMS

Chair Doran asked for a future item regarding mechanical parking and a rooftop decks analysis.

Interim Planning Services Manager Golden gave an overview of future agenda items.

ADJOURNMENT

Chair Doran adjourned the meeting at 9:58 P.M.

Steve Golden
Interim Planning Services Manager