

PLANNING COMMISSION MEETING AGENDA 7:00 PM - Thursday, November 17, 2022 via Teleconference

Per California Executive Order N-29-20, the Commission will meet via teleconference only. Members of the Public may call (253) 215-8782 to participate in the conference call (Meeting ID: 840 1311 8565 and Passcode: 637906 or via the web at https://tinyurl.com/yvxahzzj). Public testimony will be taken at the direction of the 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 PCPublicComment@losaltosca.gov. Emails received prior to the meeting will be included in the public record.

ESTABLISH QUORUM

PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Members of the audience may bring to the Commission's attention any item that is not on the agenda. Please complete a "Request to Speak" form and submit it to the Staff Liaison. Speakers are generally given two or three minutes, at the discretion of the Chair. Please be advised that, by law, the Commission is unable to discuss or take action on issues presented during the Public Comment Period. According to State Law (also known as "the Brown Act") items must first be noticed on the agenda before any discussion or action.

- 1. Public Comment Not on Agenda 1
- 2. Public Comment Not on Agenda 2

INFORMATIONAL ITEM

3. <u>Planning Commission Liaison</u> Introduction of new Planning Manager, Stephanie Williams as the new liaison.

ITEMS FOR CONSIDERATION/ACTION

SPECIAL ITEM

4. Election of Chair and Vice-Chair

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.

5. Planning Commission Minutes

Approve minutes of the Joint Planning Commission/Complete Streets Commission meeting of August 18, 2022.

PUBLIC HEARING

6. <u>CUP22-0002 - Joan Zhao/Taylor Robinson - 129 First Street</u>

Conditional Use Permit application for the expansion of an existing Commercial recreational use, a video game arcade from the tenant space at 127 First Street to the tenant space at 129 First Street. The project should be categorically exempt from environmental review pursuant to Section 15303 (Class 3), New Construction or Conversion of Small Structures of the California Environmental Quality Act (CEQA) Guidelines.

COMMISSIONERS' REPORTS AND COMMENTS

POTENTIAL FUTURE AGENDA ITEMS

ADJOURNMENT

SPECIAL NOTICES TO PUBLIC: In compliance with the Americans with Disabilities Act, the City of Los Altos will make reasonable arrangements to ensure accessibility to this meeting. If you need special assistance to participate in this meeting, please contact the City Clerk 72 hours prior to the meeting at (650) 947-2720. Agendas, Staff Reports and some associated documents for Commission items may be viewed on the Internet at www.losaltosca.gov/meetings. In compliance with the Americans with Disabilities Act, the City of Los Altos will make reasonable arrangements to ensure accessibility to this meeting. If you need special assistance to participate in this meeting, please contact the City Clerk at least 48 hours prior to the meeting at (650) 947-2720. If you wish to provide written materials, please provide the Commission Staff Liaison with 10 copies of any document that you would like to submit to the Commissioners in order for it to become part of the public record. If you challenge any planning or land use decision made at this meeting in court, you may be limited to raising only those issues you or someone else raised at the public hearing held at this meeting, or in written correspondence delivered to the City Council at, or prior to, the public hearing. Please take notice that the time within which to seek judicial review of any final administrative determination reached at this meeting is governed by Section 1094.6 of the California Code of Civil Procedure. For other questions regarding the meeting proceedings, please contact the City Clerk at (650) 947-2720.

From:	Jim Wing
То:	Public Comment - PC
Subject:	Public Comment PC 11/17/2022 Meeting Future Agenda Item
Date:	Thursday, November 10, 2022 7:30:11 AM

Planning Commission Chair Doran and Distinguished Commission Members

PC 11/17/2022 Meeting, Public Comment Item Not on Agenda, Request for future agenda item.

This future agenda item request is for PC to discuss two existing traffic plans that PC shares joint responsibility with Council / CSC. Both were developed and approved by Los Altos Planning Commission using California Local City Government Law that requires Planning Commission to have shared responsibility for Los Altos General Plan Circulation Element.

Subject: Canceling Collector Street Traffic Calming Plan and Neighborhood Traffic Calming Plan

Please request future agenda item to recommend canceling Collector Street Traffic Calming Plan [CSTCP] and Neighborhood Traffic Calming Plan [NTMP]. Both plans have proven to not resolve "root cause" of traffic problems. Some problems can be or already have been resolved by using Complete Street Master Plan [CSMP]. Most Collector Street traffic problems are caused by "cut-thru commuters" not local traffic. Designs using CSTCP tools were done for 4 of Los Altos 12 collector streets and all were rejected by residents. In the past 25 years, residents have submitted over 45 NTMP petitions for help. Only 3 ½ have been built. Most disturbing problem with NTMP is process can cause neighbor discontent with other neighbors.

Please add another future agenda item for PC to develop lines of communication with Santa Clara County Airport and Roads and Caltrans for their traffic congestion projects on roadways adjacent to Los Altos. Congestion on their roads causes commuters to "jump off" and use Los Altos residential streets as congestion by-pass. Recent change to Foothill Expressway / El Monte is a "root cause" solution that addressed "jump off" problem. One future Caltrans "root cause" project is changing southbound 280 lane reduction for start of carpool lane, from El Monte to St Joseph Bridge. Before 280 Carpool lane, southwest Los Altos did not have a "cut-thru commuter" problem. These are "root cause" positive changes for Los Altos.

Collector Street Traffic Calming Plan is obsolete because its 12 projects are already complete, included in CSMP, or rejected by public. Majority of plan contains obsolete traffic data that cannot be used as basis for recommendations. Plan appendix contains detailed Fremont design that was rejected by public. Following is current status of all 12 Los Altos Collector Streets:

- 1. Almond Avenue: construction complete except for possible two-way bike lane, speed table [2], narrow lanes, school 15mph zones, ped / bike improvements, San Antonio traffic signals, car speeding lighted sign
- 2. Covington Road: construction complete, stop signs [4], ped / bike improvement, Narrow lanes, Miramonte intersection, El Monte intersection, Riverside intersection, school 15mph zones, Bach drop-off
- 3. Cuesta Drive: construction in progress, San Antonio intersection complete, San Antonio intersection design based on CSTCP rejected by public, stop signs [4]
- 4. El Monte: construction complete, narrow lanes, ped / bike improvement, stop signs

[4], 4]and Foothill Expressway intersection capacity increase. Stop lights [2]

- 5. Fremont Avenue: construction complete except for Loyola Corners, narrow lanes, ped / bike improvements, stop signs [3], stop lights [4], both schools rebuilt with drop-off / pick-up zone on site not on Fremont, first design based on CSTCP rejected by residents
- 6. Grant Road: in CSMP, ped crossing speed table, stop sign [2], stop light [2]
- 7. Los Altos Avenue: in CSMP, Hetch Hetchy ped crossing, stop signs [4]
- 8. **Main Street:** streetscape construction complete, stop signs [2 added], Main / 1st intersection to be part of 1st Phase 2 Streetscape.
- 9. Miramonte Avenue: CSTCP plan rejected by residents and million-dollar grant returned, stop sign, [2]
- 10. **Springer Road:** in CSMP, joint effort with Mountain View at El Monte intersection, first design based on **CSTCP** rejected by residents as not workable, ped crossing speed table, stop signs [4]
- 11. St. Joseph Avenue: in CSMP and construction contract approved by Council
- 12. West Edith: in CSMP, joint effort with San Clara County [Foothill Expressway] pending, stop light.

NTMP is a 25-year-old concept that has proven not to work in Los Altos and would be a waste of time in trying to improve because it does not provide root cause solutions. With over 47 applications since 1997 only 3 and 1/2 have been constructed and are questionable if they solved problem. Traffic Commission, Consultant, and Staff both spent over 4 years and could not make any helpful improvements. Main reasons applications failed are: not root cause solutions, "whack-of-mole" [traffic would move to adjoining street], local streets did not meet 85percentile speed or volume threshold, neighbors did not agree on changes, and not all neighbors are willing to pay. Keep in mind that our limited Los Altos staff had to spend several man-months of time in resident meetings doing this type of program. I recommend you cancel this plan and have staff work on "root cause" solutions. Constructed projects since 1997:

- 1. Restricted hour no right turns sign Miramonte to Eastbrook. Root Cause solution is Blach drop off zones at Covington / Carmel Terrace and Miramonte / Covington intersection
- 2. Three speed humps in 700 block of University. Traffic Commission approved project was 50% scaled back because 45% of neighbors would not pay, Root Cause solution is capacity increase Foothill Expressway / El Monte / San Antonio.
- 3. South Clark chicanes, Almond to Jardin. Root Cause solution is Caltrans adding no left turn South Clark to El Camino.
- 4. Two Speed Humps only in one block of two block long Loucks. Second block residents did not want to pay for installation in their block. Project only half done.

Thank you for your consideration!

Jim Wing, Milverton Road, Los Altos

Item 1.

From:	Jim Wing
To:	Public Comment - PC
Subject:	PC Public Comment 11/17/2022 Meeting Future Agenda Item
Date:	Thursday, November 10, 2022 7:55:23 AM

PC Chair Doran and Distinguished Commission Members,

Subject: PC 11/17/2022 Meeting Future Agenda Item. Traffic Congestion / Pedestrian Safety improvement for Foothill Expressway / Main / First intersection at Chevron Station corner



Would you please request future agenda item to review Traffic Congestion / Pedestrian Safety at Foothill Expressway / Main / First Street intersection at Chevron Station corner? Goal of review is requesting Council to provide construction drawing funds for Santa Clara County Airport / Roads Department Expressway Traffic Engineers project. Los Altos funding will raise priority for this County project, just as it did with Foothill Expressway / El Monte project.

This is not a new problem. County wants to do project because it will reduce traffic congestion on Foothill Expressway. Prior discussions with county expressway traffic engineers about pedestrian safety in slip-turn crosswalk and Foothill Expressway thru lane backups at right turn to Main produced a "root cause" design change solution. **Extend Foothill Expressway right turn deacceleration lane 300 to 400 feet and "no right turn on red" traffic signal**. This change will hold traffic on right turn deacceleration lane until pedestrians have crossed and short Main traffic buffer between Expressway / 1st is not full of cars. Santa Clara County owns right-away for deacceleration lane extension and is same design used for successful Foothill Expressway / El Monte project.

In 2017 / 2018, County Traffic Engineers considered "bundling" this change with Foothill Expressway / El Monte project. Measure B funding delay due to law suit, caused construction costs to increase and funding was lost. Main reason Foothill Expressway / El Monte was started so quickly after release of Measure B funds is Los Altos Council approved funds, for design construction drawings and project was "shovel ready" when Measure B funds were released.

For the past several years, Los Altos residents have written letters to County expressing their pedestrian safety concerns with this slip-turn. Cars exiting Foothill at high speeds have

difficulty slowing down and stopping for pedestrians in crosswalk. Following usage information is for you to consider as justification for improving safety and minimizing Foothill Expressway through lane backups:

- One to two hundred pedestrian's daily use this slip-turn crosswalk. The heaviest use is midmorning to midafternoon, Wednesday thru Sunday. This crosswalk provides downtown Los Altos access for 300 households within one-mile radius, 3 parks, 3 churches, 141 auxiliary downtown parking spaces on Lincoln, meeting halls at Shoup Park and Jesuit Retreat Conference Center. Many families with strollers and senior citizens use this crosswalk.
- Short distance traffic buffer on eastbound Main between Foothill Expressway and 1st often is full and causes midday gridlocked of Foothill traffic using slip-turn for access to eastbound Main. Due to very short Foothill right turn deceleration lane, right turning cars backup and block Foothill thru traffic lane. Foothill traffic making left turn to Main / 1st will often block Foothill thru travel lane. Most backups occur Wednesday through

Friday at noontime.

I understand Planning Commission has not been accepting "Traffic" agenda items and recommend you accept Foothill / Main / 1st item. California local government law requires Planning Commission to be responsible for General Plan Traffic Circulation Element. Los Altos Planning Commission web page notes General Plan responsibilities.

Thank you for your consideration and hopefully you will make a strong recommendation to Council.

Jim Wing, Milverton Road, Los Altos





JOINT PLANNING COMMISSION/COMPLETE STREETS COMMISSION MEETING MINUTES

7:00 PM - Thursday, August 18, 2022

via Teleconference

CALL MEETING TO ORDER

At 7:02 p.m. Chair Doran called the meeting to order.

ESTABLISH QUORUM

PRESENT:	Planning Commission Vice-Chair Mensinger, Commissioners Ahi Bodner, Marek, Roche and Steinle					
ABSENT:	Chair Doran					
STAFF:	Development Services Director Zornes, City Attorney Houston, Interim Planning Services Manager Golden, and Consulting Senior Planner Hayagreev					
Complete Streets CommissionPRESENT:Chair Banerjee, Vice-Chair Venkatraman, and Commissioners O'Yang, Maluf, and Katz						
ABSENT:	Commissioners Gschneidner and Ambiel					

PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA None.

ITEMS FOR CONSIDERATION/ACTION

CONSENT CALENDAR

1. Planning Commission Minutes

Approve minutes of the regular meeting of July 21, 2022.

<u>Action</u>: Upon motion by Commissioner Bodner, seconded by Commissioner Ahi, the Commission recommended approval of the minutes from the July 21, 2022 Regular Meeting as written. The motion was approved (6-0) by the following vote:

AYES: Vice-Chair Mensinger, Commissioners Ahi, Bodner, Marek, Roche and Steinle NOES: None

ABSENT: Chair Doran

PUBLIC HEARING

2. <u>D22-0002 and CUP22-0001 – EAH Housing – 330 Distel Circle</u>

Multiple-Family Design Review and Conditional Use Permit for a new multiple-family development with a five-story building with 90 condominium units for rent along 330 Distel Circle with mechanized parking system and amenity space on the first floor. The proposal is for a

8/18/2022 JOINT PLANNING COMMISSION/COMPLETE STREETS COMMISSION MEETING MINUTES

100% affordable housing project seeking a density bonus which allows increased height and reducing parking ratios with development incentives including step-back reduction, reduced courtyard visibility and base material to be wood for the design review approval. The project is categorically exempt from environmental review pursuant to Section 15332 (Class 32), Infill Exemption of the California Environmental Quality Act (CEQA) Guidelines. *Project Planner: Hayagreev*

STAFF PRESENTATION

Consulting Senior Planner Hayagreev gave the staff presentation.

COMMISSIONER QUESTIONS

Consulting Senior Planner Hayagreev answered questions from the following Complete Streets Commissioners: Maluf, Katz, Venkatraman, O'Yang, and Banerjee

She then answered a question from Commissioner Steinle about a major bus stop.

APPLICANT PRESENTATION

Applicant Welton Jordan of EAH Housing, Consuelo Hernandez of the County of Santa Clara Office of Supportive Housing, and Lily Ciammaichella of KTGY presented the project.

COMMISSIONER QUESTIONS

The applicant answered a question from Vice-Chair Venkatraman of the Complete Streets Commission about bicycle parking access and EV charging.

The applicant answered questions from Planning Commissioners Roche, Ahi, Steinle, and Vice-Chair Mensinger.

PUBLIC COMMENT

Joe Beninato, Damian, Gary Hedden, Ingrid Granados, Andrew Farmer, and Susan Russell provided public comment.

APPLICANT REBUTTAL

Welton Jordan of EAH Housing said they are working with the neighborhood to address privacy concerns.

Vice-Chair Mensinger closed the Public Comment period and Commission discussion proceeded.

<u>Action</u>: Upon motion by Chair Banerjee, seconded by Commissioner Maluf, the Commission moved to recommend approval to the Planning Commission and City Council of Multiple-Family Design Review and Conditional Use Permit applications D22-0002 and CUP22-0001 subject to the staff report findings and conditions with the following modifications:

• Inclusion of the changes to Condition Nos. 30, 32, and 33 with modified language to include "along project frontage", add electric bicycle parking charging in the bike room as a condition of approval, and examine the access path to bike room.

The motions were approved (5-0) by the following vote:

AYES: Chair Banerjee, Vice-Chair Venkatraman, Commissioners O'Yang, Maluf, and Katz NOES: None

ABSENT: Commissioners Gschneidner and Ambiel

<u>Action</u>: Upon motion by Commissioner Steinle, seconded by Commissioner Roche, the Commission made the determination that the project is exempt from CEQA and moved to recommend approval to the City Council of Multiple-Family Design Review and Conditional Use Permit applications D22-0002 and CUP22-0001 subject to the staff report findings and conditions, with the following modifications recommended by the Complete Streets Commission:

• Inclusion of the changes to Condition Nos. 30, 32, and 33 with modified language to include "along project frontage", add electric bicycle parking charging in the bike room as a condition of approval, and examine the access path to bike room.

The motion was approved (6-0) by the following vote:

AYES: Vice-Chair Mensinger, Commissioners Ahi, Bodner, Marek, Roche and Steinle NOES: None ABSENT: Chair Doran

COMMISSIONERS' REPORTS AND COMMENTS None.

POTENTIAL FUTURE AGENDA ITEMS

Interim Planning Services Manager Golden went over the upcoming tentative agendas.

ADJOURNMENT

Vice-Chair Mensinger adjourned the meeting at 9:46 PM.

Steve Golden Interim Planning Services Manager



PLANNING COMMISSION AGENDA REPORT

Meeting Date: November 17, 2022

Subject: CUP22-0002 – Conditional Use Permit for the Expansion of an Existing Commercial Recreation Use at 129 First Street; exemption finding pursuant to California Environmental Quality Act Guidelines Section 15303 (New Construction or Conversion of Small Structures)

Prepared by: Jia Liu, Associate Planner

- Reviewed by: Steve Golden, Senior Planner
- Initiated by: Elmer Lin, Applicant

Attachments:

- A. Draft Resolution No. PC 2022-XX
- B. Applicant's Statement of Operation
- C. Application Plans
- D. Area, Vicinity and Notification Maps

Recommendation:

Approve Conditional Use Permit 22-0002 subject to the findings and conditions listed in Resolution No. PC 2022-XX

Environmental Review:

Granting the permit would be exempt from environmental review pursuant to Section 15303 (New Construction or Conversion of Small Structures) of the California Environmental Quality Act (CEQA) Guidelines in that the project involves the conversion of an existing small commercial structure from one use to another and none of the circumstances set forth in CEQA Guidelines Section 15300.2 applies.

Summary:

The city received a conditional use permit request to expand the existing commercial recreational use – a video game arcade – from the tenant space at 127 First Street to the adjacent tenant space at 129 First Street.

Background

The subject site at 129 First Street is located in the Commercial Downtown/Multiple-Family (CD/R3) Zoning District and within a "Downtown Commercial" land use designation in the General Plan. The subject property is a two-story building including 2,453 square feet of ground floor area and a separate mezzanine level at the upper floor that is unconditioned and not part of the project. Six parking spaces including one accessible parking space are located in the rear yard accessed from the public alley

Subject: CUP22-0002 –Commercial Recreation Use Expansion at 129 First Street

abutting the rear property line. The site is located adjacent to the existing arcade use (HyperSpace Los Altos) to the north, a vacant building (139 First Street) to the south, the Safeway grocery store and a mixed-use commercial building across First Street to the west, and multiple-family residential units across the alley to the east. The most recent use of the building on the subject site was used for a fitness studio ("Momentum Cycling Studio") which is classified as a personal service in the Zoning Code and considered a permitted use in the CD/R3 zoning district.

On December 6, 2018, the Planning Commission approved a Conditional Use Permit application (18-UP-06¹) for the commercial recreation, video game arcade use at 127 First Street, which has the same operation and ownership as this requested conditional use permit. The existing arcade previously operated at 151 First Street before relocating to 127 First Street under a different conditional use permit. The Planning Division has not received any formal complaints received about the business' hours of operation or use of the building.

Discussion/Analysis

Proposed Use

The video game arcade, Hyperspace, is seeking to expand from the existing two-story tenant space at 127 First Street to the 2,453 square-foot ground floor of the building at 129 First Story. At the ground floor, the arcade game machines will be placed along the parameter of the interior space with a counter staffed by employees for the token change and prize redemption. An existing commercial kitchen at the ground floor will be further reduced in size and used for catering when there is a special event. New internal circulation will be added at the first floor to connect with existing arcade at 127 First Street. The mezzanine level is currently unconditioned and does not have direct access from the ground floor. As a condition of approval, the mezzanine level shall not be used in the operation of the arcade until subsequent permits are obtained from the city in the future.

The primary entrance to the business will be on First Street, and secondary access will occur from the rear yard parking lot. To the rear of the building is a covered pergola and six onsite parking spaces accessible from the alley way at the rear of the building and an outdoor patio for seating in the front yard. The proposed regular hours of operation will be 12:00 pm to 8:00 pm Monday through Thursday, 12:00 pm to 10:00 pm on Friday, 10:00 am to 10:00 pm on Saturday, and 10 am to 8 pm on Sunday. The business will have a total of two to four employees. A complete project and business description is included in Attachment B.

Parking and Operation

Per Section 14.74.110 (G) of the Municipal Code, commercial recreation establishments are required to provide one parking space for every three employees, plus additional parking spaces as may be prescribed by the Commission. Based on the submitted statement of operations between two to four employees will be on-site at any given time; therefore, two parking spaces are required. Parking demand is minimized, as documented in the applicant's statement of operations letter, as children and

¹ 18-UP-06 Planning Commission agenda report along with other supporting document can be assessed at <u>https://los-altos.granicus.com/MetaViewer.php?view_id=&event_id=575&meta_id=57303</u> for Commissioners reference.

teenagers are the target customers of the arcade who use alternative modes of transit and are frequently dropped off and picked up by parents or guardians. Based on the information provided, the property provides the minimum onsite parking required to accommodate the proposed expansion of the existing use.

The Building Division will require a building permit for the change in use and occupancy, and to make any necessary improvements to comply with accessibility (ADA) requirements. These requirements have been included as conditions of approval.

Use Permit Findings

As defined in Chapter 14.52 of the Zoning Ordinance, a commercial recreation use is a conditionally permitted use in the CD/R3 District. Pursuant to Chapter 14.80 Use Permits, the Planning Commission shall be the decision-making body for conditional use permit applications in all Commercial Districts within existing buildings and pursuant to Section 14.80.060, the Planning Commission shall make the following positive findings in consideration of the proposed conditional use permit:

A. That the proposed location of the conditional use is desirable or essential to the public health, safety, comfort, convenience, prosperity, or welfare.

This finding can be made because the proposed project is an expansion of an existing ues that has operated successfully downtown since 2018. The expansion to the tenant space at 129 First Street should continue a diverse commercial use and contribute to the overall economic viability that brings visitors and families downtown.

B. That the proposed location of the conditional use is in accordance with the objectives of the zoning plan as stated in Chapter 14.02 of this title;

This finding can be made because this proposed arcade expansion, categorized as the commercial recreation use, is a permitted use upon granting of a use permit per Section 14.52.040 of the Zoning Code.

C. That the proposed location of the conditional use, under the circumstances of the particular case, will not be detrimental to the health, safety, comfort, convenience, prosperity, or welfare of persons residing or working in the vicinity or injurious to property or improvements in the vicinity;

This finding can be made because the use, as conditioned, continues to be compatible with the adjacent land uses and will continue to not create any substantial issues with regard to public health, safety, comfort, convenience, prosperity or welfare.

D. That the proposed conditional use will comply with the regulations prescribed for the district in which the site is located and the general provisions of Chapter 14.02.

This finding can be made because the proposed conditional use complies with the objective standards prescribed for the CD/R3 zoning district.

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Consistent with the use permit for the property at 127 First Street, to minimize noise generating activity in the rear parking lot adjacent to the residential uses, a condition requiring the installation of "Quiet Zone" signage has been added. Overall, with the included conditions of approval, the existing use relocating to this address is consistent with the General Plan, the zoning ordinance and all other applicable goals and policies. Therefore, based on the positive findings outlined in Resolution No. PC 2022-XX, staff recommends approval of the conditional use permit.

Public Notification

For this meeting, a public hearing notice was published in the *Town Crier*, posted on the property and mailed to the 436 property owners and 462 current tenants within 500 feet of the site. The application's public notification map is included in Attachment D.



RESOLUTION NO. PC 2022-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALTOS GRANTING A USE PERMIT FOR THE EXPANSION OF AN EXISTING COMMERCIAL RECREATION USE AT 127 FIRST STREET TO THE TENANT SPACE AT 129 FIRST STREET

WHEREAS, the applicant, Elmer Lin, representing the property owner, 129 First Street LLC, submitted Conditional Use Permit Application CUP22-0002 to request the expansion of an existing commercial recreation use, Hyperspace (The Arcade), to occupy 2,453 square feet of ground floor area in the existing commercial building at 129 First Street; and

WHEREAS, granting the permit would be exempt from environmental review pursuant to Section 15303 (New Construction or Conversion of Small Structures) of the California Environmental Quality Act (CEQA) Guidelines in that the project involves the conversion of an existing small commercial structure from one use to another and none of the circumstances set forth in CEQA Guidelines Section 15300.2 applies.

WHEREAS, the proposed location of the commercial recreation use, a conditional use in the Commercial Downtown/Multiple-Family (CD/R3) District, is at the north end of the Downtown Triangle in a setting that includes a mix of commercial, office and multiple-family uses; and

WHEREAS, the Conditional Use Permit application was processed in accordance with the applicable provisions of the California Government Code and the Los Altos Municipal Code; and

WHEREAS, the Planning Commission held a duly noticed public hearing to consider the conditional use permit on November 17, 2022 and considered the written record and all public comment.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of Los Altos hereby grants and approves Conditional Use Permit Application No. CUP22-0022 for a 2,453 square-foot ground floor commercial recreation use, in accordance with Section 14.80.060 of the Municipal Code, based on the following findings and conditions of approval attached hereto as "Exhibit A" and incorporated by this reference.

EXHIBIT A

FINDINGS

With regard to the Conditional Use Permit to allow an existing commercial recreation use to occupy 2,453 square feet of ground floor area in the existing commercial building at 129 First Street, the Planning Commission finds, in accordance with Section 14.80.060 of the Los Altos Municipal Code, that:

- 1. The proposed location of the conditional use is desirable or essential to the public health, safety, comfort, convenience, prosperity, or welfare because it is an existing commercial recreation use in operation expanding from 127 First Street to 129 First Street, and the existing use is being located in an existing commercial building that was designed to for this type of use.
- 2. The proposed location of the conditional use is in accordance with the objectives of the zoning plan as stated in Chapter 14.02 of this title because the CD/R3 District allows for a range of commercial, multiple-family uses, and commercial recreation uses would be compatible with existing uses on adjacent sites.
- 3. The proposed location of the conditional use, under the circumstances of the particular case, will not be detrimental to the health, safety, comfort, convenience, prosperity, or welfare of persons residing or working in the vicinity or injurious to property or improvements in the vicinity because the commercial recreation use is compatible with the commercial uses that are permitted in the building and on the surrounding properties within the CD/R3 District.
- 4. The proposed conditional use will comply with the regulations of the CD/R3 District, the district in which the site is located, and the general provisions of Chapter 14.02 because it is a commercial recreation use that is occupying existing space in a commercial building.
- 5. The proposed conditional use will provide adequate on-site parking to support the facility, including staff, visitors and other ancillary support services because the commercial recreation use is anticipated to create a peak parking demand of less than six parking spaces and will have a total of six dedicated on-site parking spaces available to for employees and patrons.

CONDITIONS

- 1. The project shall operate consistently with the applicant's project description and shall be constructed according to the project plans dated April 26, 2022.
- 2. The operation of the video game arcade shall not operate on the mezzanine floor until modification of the conditional use permit and building permits are obtained from the city for the operation of the commercial recreation at the upper level.
- 3. The arcade shall operate only from 12:00 pm to 8:00 pm Monday through Thursday, 12:00 pm to 10:00 pm on Friday, 10:00 am to 10:00 pm on Saturday, and 10 am to 8 pm on Sunday.
- 4. The applicant shall install "Quiet Zone" signage in the parking lot space along the rear alley.
- 5. Employees shall be required to park onsite in the parking lot.
- 6. Prior to operation of the business, the applicant shall obtain a building permit for the changes necessary for this type of use and occupancy.



HYPERSPACE [The Arcade] Conditional Use Permit for Expansion

New Address: 12 First Street, Los Altos CA

Contact Information: Scott Peltz, Manager HYPERSPACE <u>peter@area151arcade.com</u> 127 First Street Los Altos, CA 94022



February 1, 2022

Executive Summary

The purpose of this application is to expand Hyperspace, a commercial recreation use located at 127 First Street, Los Altos to129 First Street, Los Altos CA.

<u>History</u>

Hyperspace (aka Area 151) opened to the public in the fall of 2012 and has been a fixture of family fun in Downtown Los Altos for almost 10 years.

Due to high demand from customers, we are applying to expand our business to the adjacent space at 129 First Street.

Description of Business

The Arcade is a wholesome, family fun center with an assortment of games. Tickets, or virtual tickets on gaming cards are earned by players to redeem great prizes. The concept is based upon providing the community with a fun, safe, clean gathering place for parents with younger children, pre-teens and teenagers, and the young at heart to engage in competitive and redemption-based games.

Our business is a successful draw for customers to the downtown and is nice compliment to the other retail and restaurant establishments since opening ten years ago. Our hope with our new location is that it will be an even stronger attraction to the downtown with its expanded offerings and additional games.

Hyperspace is also great spot for birthday parties or community building-adult "fun" parties and events. The expanded location will provide the ability of our business to serve the community.

In summary, we will continue to create a sense of community in downtown Los Altos with a safe wholesome fun for all ages. The Arcade staff will be trained to help foster teamwork and enjoyable experience for patrons and neighbors.

Hours of Operation

Hours will remain the same as Area 151 for The Arcade as follows Mon – Thurs: 12pm – 8pm Friday: 12pm – 10pm Saturday: 10am – 10pm Sunday: 10am – 8pm *subject to closures for holidays and private events

Store Layout

The ground floor is organized similar to the existing location, with games along the perimeter, token and change machines and a prize redemption counter staffed by employees. The existing commercial kitchen area at the 129 Street property will be reduced to a back of house/catering kitchen for special events only and will not be used for active food service as part of this application.

Outdoor seating will be provided on the front patio similar to the seating currently provided at 127 First Street with additional umbrella shading devices. We want to create a family friendly environment for patrons with smaller children, so they can run and play while their older family members are enjoying the arcade. We plan on keeping the existing rosemary at the street planting area so there will be no change to the underlying railings or planting in that area.

We will also provide onsite parking for our customers and employees in the back of the building with five regular stalls and one ADA stall next to building rear entrance.

Parking Requirements

Commercial Recreation Use requires 1 parking spot per every 3 employees and then additional parking as required by staff. Since our business opened in 2014, we have been monitoring our parking lot use. At any given time we see no cars, one car or a maximum of two cars in the parking lot. We usually have 2 - 4 staff members working at a time. Never have all spaces been used.

Our customers are mostly children not at driving age. In the age of free range parenting, a good portion of them [50-75%] arrive on their own or are dropped off by parents while they are conducting other personal and business activities in the downtown. Others may be hosted by the second parent of caregiver while driving parent conducts other personal and business activities.

Given the average age of our customer, we would argue that the Arcade is secondary in terms of parking demand to the downtown, not primary. For example, parents come to go grocery shopping, and park to buy groceries at Safeway, and while they shop their children can cross the street and play arcade games.

If parents were only going to the arcade as a primary use and not conducting other personal or business activities, we would expect a full parking lot. As such we believe this use is a perfect cotenancy for many of the businesses in the downtown and does not add to parking demand based on years of observation.

That said, 129 First Street has 6 regular parking spaces [Including an ADA space] in rear and will be very easy for customers to park to pick up or drop off kids at the rear entrance.

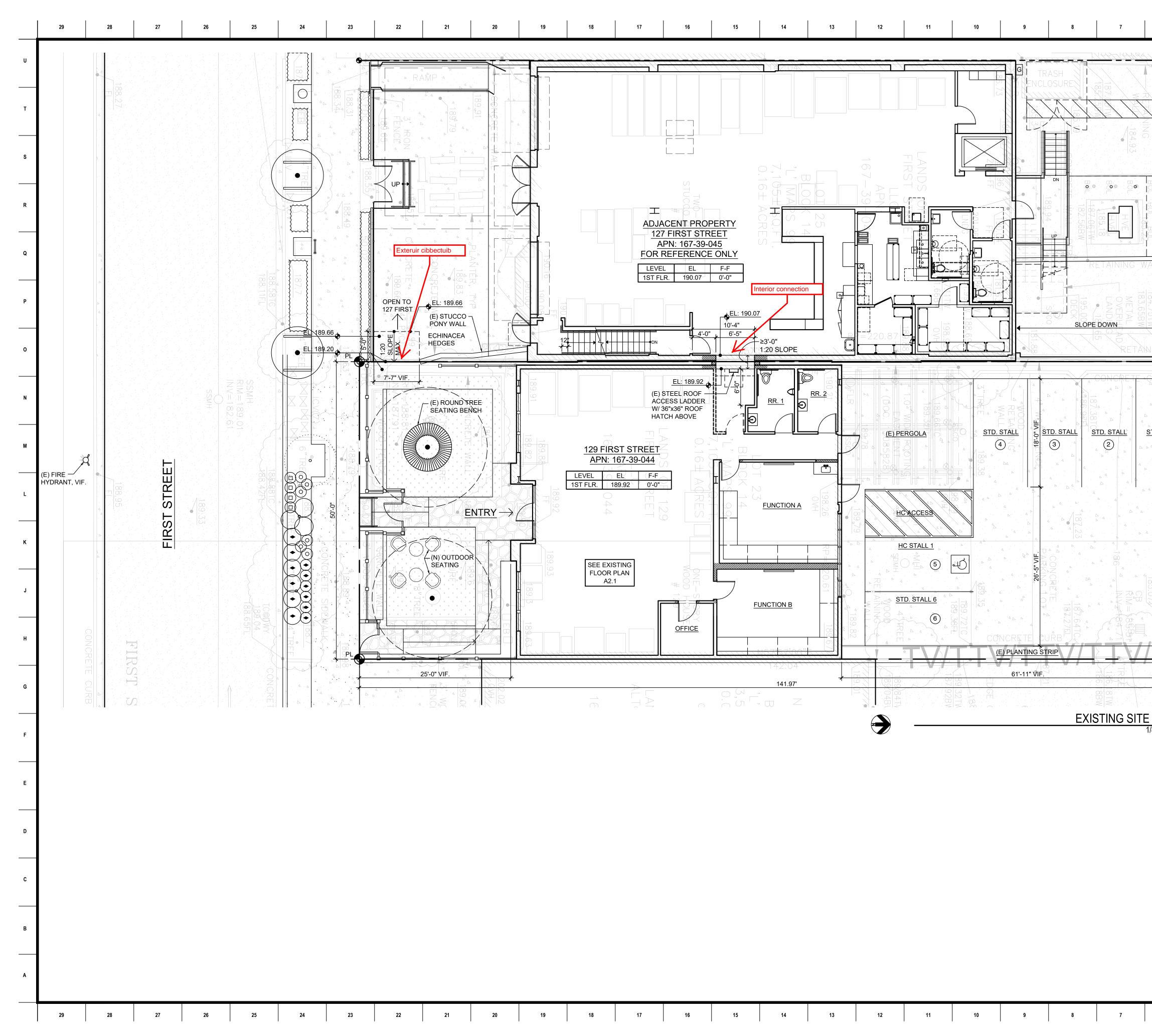
We are happy to add signage that says "parking in the rear" to encourage parking in the back with the parking we do have on site. But realistically, we do not expect a change in behavior patterns with our customers, and anticipate the parking will primarily be used by staff and ask that the staff and commission consider approving this use with the parking that is on site, as they did in our original parking application.

Staffing

We anticipate on average 2 full time staffers in the expanded arcade at peak time, during slower hours 1 staffer. During events, there will be up to 4 staffers, thus (1) dedicated parking space should be required at maximum and as many additional spaces as required by staff and the commission.

Γ	ABBREVIATIONS			GENERAL NOTES					PROJECT	DES
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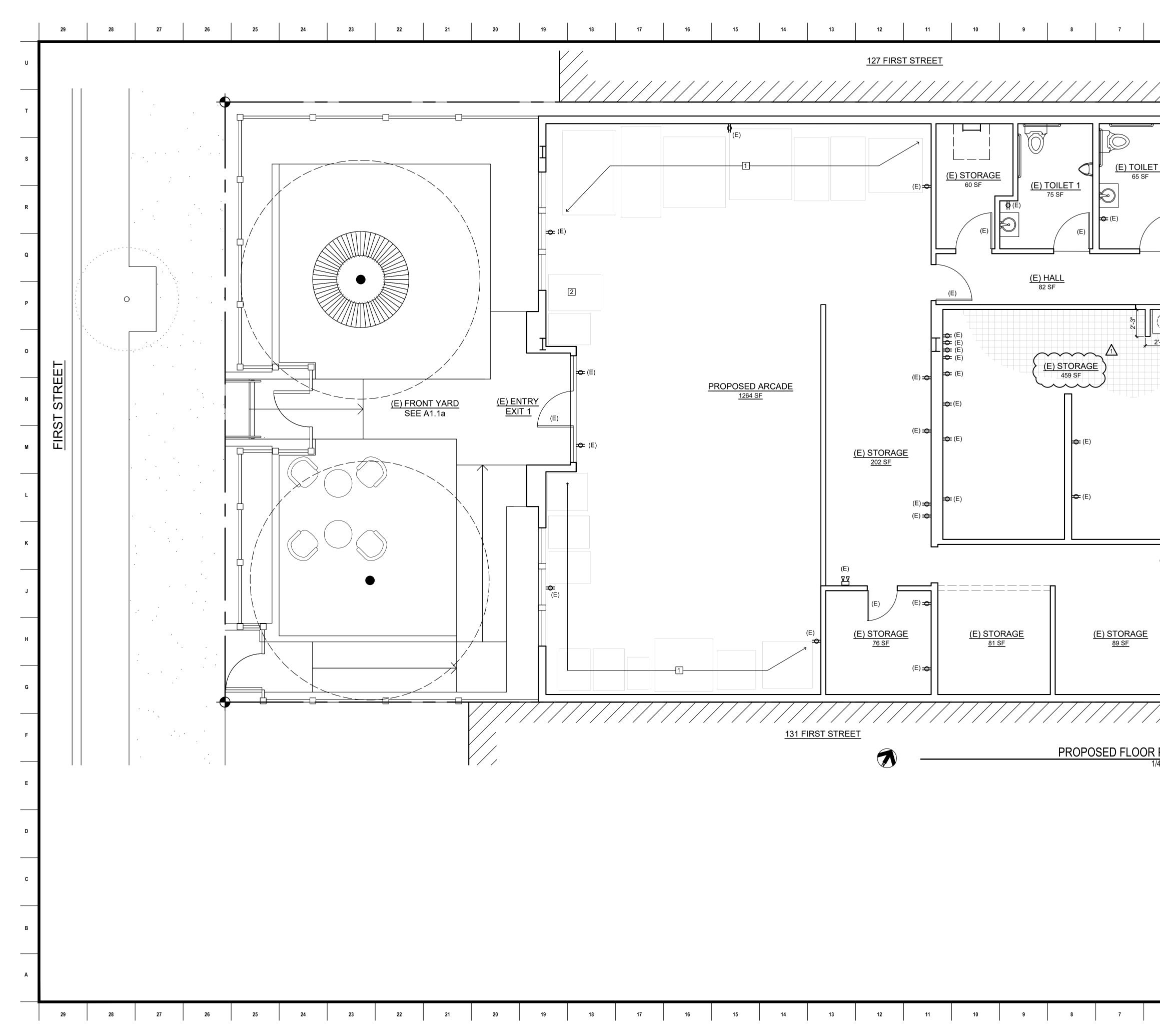
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cation includes a conditional use ap Exercise Gym) to commercial enter	oplication to convert an existing facility for personal rtainment (Amusement Arcade). No additional floor area	RECEI	VED
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Electrical Code 2019 edition.	City of Los Altos Municipal Code.		
,California Plumbing Code, 2019	California Existing Building Code, 2019 edition		
a (B) 1264 SF F-1) 967 SF	Arcade Area (A-2) 1264 SF Storage (F-1) 967 SF		
s. (Accessory) 140 SF	Toilet Rms. (Accessory) 140 SF		
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	42 Occupants 50/50 Male/Female=1 WC, 1 Lav. 1 Urinal (male)		
	1 WC, 1 Lav. (Female)		
Ce	T: (415) 627-7502		
Street # 257	E: joan@dydxllc.com		
California 94022 Joan Zhao / Tylor Robinson		CON	SULTANT
St. LLC Street # 257	T: (650) 209-9500		
California 94022			
	T. (650) 047 0750		
s Altos Building Division San Antonio Rd.	T: (650) 947-2752		
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TIUM	T: (415) 566-7442		
Avenue sisco, California 94116	F: (415) 566-1431 E: elmerl@consortium-sf.com		
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Item 6.

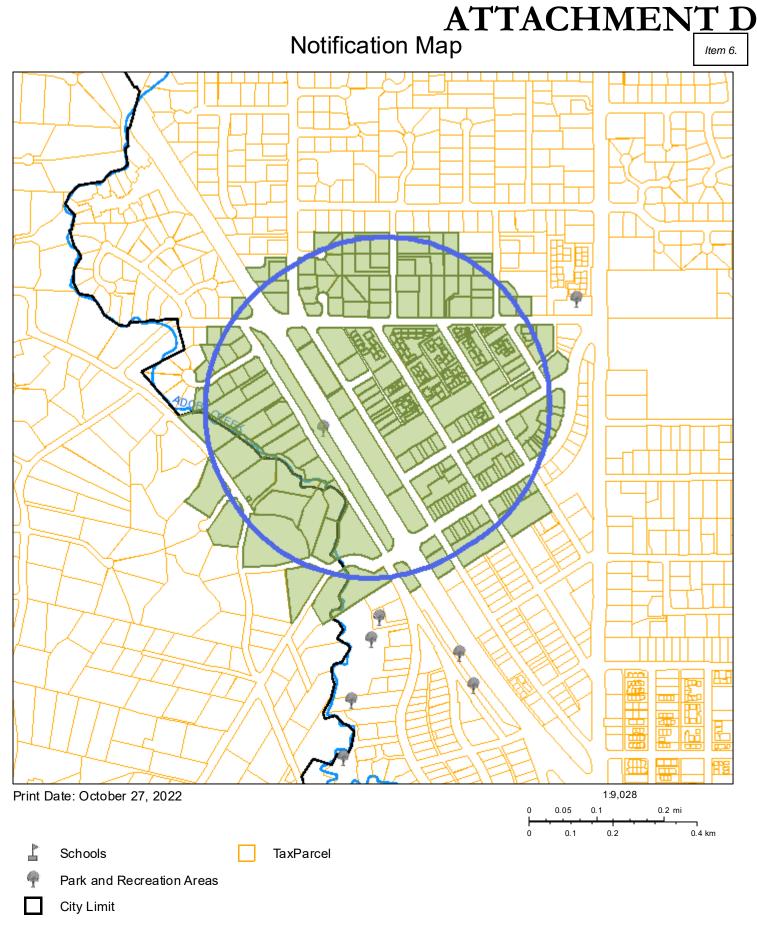
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Waterways

Situs Label

Subject:

FW: 129 1st Street, Los Altos Zoning Hearing

From: t>
Sent: Wednesday, November 16, 2022 10:28:39 AM (UTC-08:00) Pacific Time (US & Canada)
To: Public Comment <<u>publiccomment@losaltosca.gov</u>>
Cc: 'victoria momentumcyclingstudio.com'
Subject: 129 1st Street, Los Altos Zoning Hearing

To whom it may concern,

I have been a client of Momentum Spin for 10 years. It is an exceptional studio and is one of the very few Los Altos businesses that I visit on a regular basis. Because of the draw to Momentum Spin, I typically run errands in town either before or after class, creating tax revenues for the City.

If the zoning changes for 129 1st Street, and the studio needs to move as a result, the City will lose a rare female minority owned business. The likelihood of Momentum Spin relocating elsewhere in Los Altos is unlikely. Future tax revenues from my family and many others will be spent in other neighboring communities.

I hope the City will support Momentum Spin, and vote to keep the zoning intact. As you know, the zoning was created to keep a balance of different types of businesses to support the community. I completely support this vision and would hate to lose the one business that I support the most.

Thank you for your consideration, Jenny Williams Former PARC Commissioner, Los Altos

From:	Eileen Wong
Sent:	Thursday, November 17, 2022 9:50 AM
То:	Public Comment - PC; andy@andyrealestate.com
Subject:	Hyperspace expansion

I support the expansion of Hyperspace to 129 First Street.

Eileen Wong

Los Altos

Subject: FW: Project 129 First Street

From: Courtney Chang Sent: Tuesday, November 15, 2022 9:40 AM To: Public Comment - PC <<u>PCpubliccomment@losaltosca.gov</u>> Subject: Project 129 First Street

Hi there,

I'd like to offer my comments for the Public Hearing of Project Site 129 First Street, as a neighbor of this site. Thank you for entertaining public comments.

As a neighbor at 100 First Street and patron of both businesses at 127 First Street and 129 First Street, I value the energy and diversity both establishments bring to this block, so would prefer to see 129 First Street remain a cycling and fitness studio for the community.

Best, Courtney Chang

From:	Lyn Rogers~Professional Organizer
Sent:	Thursday, November 17, 2022 8:53 AM
То:	Public Comment - PC
Subject:	Hyperspace

Hi,

I support the expansion of Hyperspace to 129 First Street. We love going there!

From:	Cindy Carey
Sent:	Thursday, November 17, 2022 7:49 AM
То:	Public Comment - PC
Subject:	Play spaces for Families

Dear Los Altos Planning Commission,

As a parent of two boys, ages 8 and 11, I welcome and support the expansion of Hyperspace to 129 First Street. I'd also love to know what else is currently in the planning pipeline in Downtown Los Altos for families.

Thanks, Cindy

From:	Jennifer Bridgman
Sent:	Thursday, November 17, 2022 5:49 AM
То:	Public Comment - PC
Subject:	Support the Expansion of Hyperspace

I support the expansion of Hyperspace to 129 First Street. We love going there!

Jennifer Bridgman

From:	Saori Kaji
Sent:	Wednesday, November 16, 2022 8:33 PM
То:	Public Comment - PC
Subject:	Hyperspace

Hello,

I support the expansion of Hyperspace to <u>129 First Street</u>. We love going there!

We held a birthday party for one of our children this year at Hyperspace. It was a pleasure to work with Hyperspace and to support a small business that's an integral part of downtown Los Altos.

Thank you for considering,

Saori

Sent from my iPhone

From:	Antony Chan
Sent:	Wednesday, November 16, 2022 8:31 PM
То:	Public Comment - PC
Subject:	Hyperspace Expansion

To whom it may concern,

I support the expansion of Hyperspace to 129 First Street. We love going there!

Thanks, Antony

Item 6.

Jia Liu

From:	Johanna Jacinto
Sent:	Wednesday, November 16, 2022 5:45 PM
То:	Public Comment - PC
Subject:	Hyperspace Expansion

To Whom it May Concern:

I support the expansion of Hyperspace to <u>129 First Street</u>. Hyperspace is a wonderful addition to the Los Altos community for quality family time, parties, and gatherings. It's also a safe, fun hangout spot for children and teens. Expanding the arcade will be a huge benefit to downtown Los Altos by bringing in more foot traffic. We love going there!

Johanna

Sent from my iPhone

Sent from my iPhone

From:	Kristin Kado
Sent:	Wednesday, November 16, 2022 5:14 PM
То:	Public Comment - PC
Subject:	I Support the expansion of HyperSpace!

Hello

I support the expansion of Hyperspace to <u>129 First Street</u>. We love going there!

Thank you! Kristin

Sent from Yahoo Mail for iPhone

From:	Katherine Kennedy Allen
Sent:	Wednesday, November 16, 2022 5:13 PM
То:	Public Comment - PC
Subject:	HyperSpace

Hello!

Wanted to express my sincere support and encouragement of the possibility of expanding hyperspace. In our family's opinion, HyperSpace is one of the biggest attractions to downtown Los Altos - a place, regardless of weather, that kids can unwind and be kids. All too often in Silicon Valley these youths (and adults!) face competition but Hyperspace represents an atmosphere of joy and doing YOUR personal best while having fun alone or with friends. We regularly support the business and love seeing the multigenerational impact - something unique to our community - a place where kids are playing alongside parents and grandparents. I would love to see more food and beverage offerings (hey, even Chuck E Cheese sells wine and beer!) as now the regular go to is State of Mind then Hyperspace - having to not cross the parking lot would be a huge win!! A climbing wall or additional "physical" activities like Dance, Dance Revolution could also be great assets to the property or a golf simulator. We love the space and would love to see it expand!

Best,

The ALLEN Family

(I've lived here since 1999 and came back after 15 years away to raise my children here bc it is such a special place, let's continue that!)

Los Altos, ca

94022

Sent from my iPhone

From:	Katie White
Sent:	Wednesday, November 16, 2022 5:11 PM
То:	Public Comment - PC
Subject:	l support Hyperspace!

I support the expansion of Hyperspace to <u>129 First Street</u>. We love going there!

The kids need more places to gather and be safe!

From:	Donna Griffit
Sent:	Wednesday, November 16, 2022 4:58 PM
То:	Public Comment - PC
Subject:	Expand Hyperspace!

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Thanks

Donna

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_	DonnaGriffit.com
M:	

Tap to Schedule an Introductory Call

See What my Clients are Saying

From:	Tina Hulse
Sent:	Wednesday, November 16, 2022 4:55 PM
То:	Public Comment - PC
Subject:	Hyperspace expansion

To whom it may concern,

I write to support the expansion of Hyperspace next door. It has been a fantastic addition to downtown and my kids and their friends love going there.

Best regards, Tina Hulse Los Altos Resident

Subject: FW: Hyperspace expansion

From: Tina Hulse Sent: Wednesday, November 16, 2022 4:55 PM To: Public Comment - PC <PCpubliccomment@losaltosca.gov> Subject: Hyperspace expansion

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From:	noelle gonsalves <
Sent:	Thursday, November 17, 2022 10:40 AM
То:	Public Comment - PC
Subject:	Hyperspace Expansion

Hello,

We completely support the expansion of Hyperspace to 129 First Street. We love going there and hope that the city council will continue to make Los Altos family friendly.

Sincerely, The Johnsrud Family Good afternoon, Dear Planning Commissioners:

Jia Liu

Staff has received the public comment in the email below for CUP22-0002 129 First St. Sorry for the duplication if you have already received this message.

Best,

From:

To:

Jia Liu, AICP Associate Planner City of Los Altos 650-947-2696

For more timely responses to general email inquiries, please email planning@losaltosca.gov and the Planner of the Day will respond.

Important Dates: December 16th is the last day to submit under the current 2019 California Building Codes. Submittals after this date will need to comply with the new 2022 codes. (Applications/Submittals, when applicable, will need to have their planning approval prior to submitting to the building department)

City offices will be closed December 26th - December 30^{th} For additional information visit Building Services | City of Los Altos California

From: Public Comment publiccomment@losaltosca.gov> Sent: Wednesday, November 16, 2022 10:29 AM To: Houston, Jolie <<u>Jolie.Houston@berliner.com</u>> Subject: FW: 129 1st Street, Los Altos Zoning Hearing

ALERT: This email is from an external source.

From: jendust@comcast.net <jendust@comcast.net> Sent: Wednesday, November 16, 2022 10:28:39 AM (UTC-08:00) Pacific Time (US & Canada) **To:** Public Comment <<u>publiccomment@losaltosca.gov</u>> Cc: 'victoria momentumcyclingstudio.com' <victoria@momentumcyclingstudio.com> Subject: 129 1st Street, Los Altos Zoning Hearing

To whom it may concern,

I have been a client of Momentum Spin for 10 years. It is an exceptional studio and is one of the very few Los Altos businesses that I visit on a regular basis. Because of the draw to Momentum Spin, I typically run errands in town either before or after class, creating tax revenues for the City.

If the zoning changes for 129 1st Street, and the studio needs to move as a result, the City will lose a rare female minority owned business. The likelihood of Momentum Spin relocating elsewhere in Los Altos is unlikely. Future tax revenues from my family and many others will be spent in other neighboring communities.

I hope the City will support Momentum Spin, and vote to keep the zoning intact. As you know, the zoning was created to keep a balance of different types of businesses to support the community. I completely support this vision and would hate to lose the one business that I support the most.

Thank you for your consideration, Jenny Williams Former PARC Commissioner, Los Altos 13505 Burke Road, Los Altos Hills 650-868-0479

Subject:

FW: 129 1st Street, Los Altos Zoning Hearing

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 t>

 Sent: Wednesday, November 16, 2022 10:28:39 AM (UTC-08:00) Pacific Time (US & Canada)

 To: Public Comment cpubliccomment@losaltosca.gov

 Cc: 'victoria momentumcyclingstudio.com'

 Subject: 129 1st Street, Los Altos Zoning Hearing

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Thank you for your consideration, Jenny Williams Former PARC Commissioner, Los Altos

From:	Eileen Wong
Sent:	Thursday, November 17, 2022 9:50 AM
То:	Public Comment - PC; andy@andyrealestate.com
Subject:	Hyperspace expansion

I support the expansion of Hyperspace to 129 First Street.

Eileen Wong

Los Altos

Subject: FW: Project 129 First Street

From: Courtney Chang Sent: Tuesday, November 15, 2022 9:40 AM To: Public Comment - PC <<u>PCpubliccomment@losaltosca.gov</u>> Subject: Project 129 First Street

Hi there,

I'd like to offer my comments for the Public Hearing of Project Site 129 First Street, as a neighbor of this site. Thank you for entertaining public comments.

As a neighbor at 100 First Street and patron of both businesses at 127 First Street and 129 First Street, I value the energy and diversity both establishments bring to this block, so would prefer to see 129 First Street remain a cycling and fitness studio for the community.

Best, Courtney Chang

From:	Lyn Rogers~Professional Organizer
Sent:	Thursday, November 17, 2022 8:53 AM
То:	Public Comment - PC
Subject:	Hyperspace

Hi,

I support the expansion of Hyperspace to 129 First Street. We love going there!

From:	Cindy Carey
Sent:	Thursday, November 17, 2022 7:49 AM
То:	Public Comment - PC
Subject:	Play spaces for Families

Dear Los Altos Planning Commission,

As a parent of two boys, ages 8 and 11, I welcome and support the expansion of Hyperspace to 129 First Street. I'd also love to know what else is currently in the planning pipeline in Downtown Los Altos for families.

Thanks, Cindy

From:	Jennifer Bridgman
Sent:	Thursday, November 17, 2022 5:49 AM
То:	Public Comment - PC
Subject:	Support the Expansion of Hyperspace

I support the expansion of Hyperspace to 129 First Street. We love going there!

Jennifer Bridgman

From:	Saori Kaji
Sent:	Wednesday, November 16, 2022 8:33 PM
То:	Public Comment - PC
Subject:	Hyperspace

Hello,

I support the expansion of Hyperspace to <u>129 First Street</u>. We love going there!

We held a birthday party for one of our children this year at Hyperspace. It was a pleasure to work with Hyperspace and to support a small business that's an integral part of downtown Los Altos.

Thank you for considering,

Saori

Sent from my iPhone

From:	Antony Chan
Sent:	Wednesday, November 16, 2022 8:31 PM
То:	Public Comment - PC
Subject:	Hyperspace Expansion

To whom it may concern,

I support the expansion of Hyperspace to 129 First Street. We love going there!

Thanks, Antony

Item 6.

Jia Liu

From:	Johanna Jacinto
Sent:	Wednesday, November 16, 2022 5:45 PM
То:	Public Comment - PC
Subject:	Hyperspace Expansion

To Whom it May Concern:

I support the expansion of Hyperspace to <u>129 First Street</u>. Hyperspace is a wonderful addition to the Los Altos community for quality family time, parties, and gatherings. It's also a safe, fun hangout spot for children and teens. Expanding the arcade will be a huge benefit to downtown Los Altos by bringing in more foot traffic. We love going there!

Johanna

Sent from my iPhone

Sent from my iPhone

From:	Kristin Kado
Sent:	Wednesday, November 16, 2022 5:14 PM
То:	Public Comment - PC
Subject:	I Support the expansion of HyperSpace!

Hello

I support the expansion of Hyperspace to <u>129 First Street</u>. We love going there!

Thank you! Kristin

Sent from Yahoo Mail for iPhone

From:	Katherine Kennedy Allen
Sent:	Wednesday, November 16, 2022 5:13 PM
То:	Public Comment - PC
Subject:	HyperSpace

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