CITY COUNCIL MEETING - AMENDED
AGENDA

7:00 PM - Tuesday, June 28, 2022

via Videoconference and In Person

Please Note: Per California Executive Order N-29-20, the City Council will meet via Telephone/Video Conference Only.

Telephone:1-253-215-8782 / Webinar ID: 829 9831 4865

https://losaltosca-gov.zoom.us/j/82998314865?pwd=T1dnS0l5bDB1NVhXR2ZIL2ZpeTluZz09

Passcode: 741231

TO PARTICIPATE VIA VIDEO: We have moved to **ZOOM!** Members of the public will need to have a working microphone on their device and **must have the latest version of ZOOM installed** (available at https://zoom.us/download). To request to speak, please use the "Raise hand" feature located at the bottom of the screen under the Reactions Icon.

TO PARTICPATE VIA TELEPHONE: Members of the public may also participate via telephone by calling the number listed above. To request to speak, press *9 on your telephone.

TO SUBMIT WRITTEN COMMENTS: Prior to the meeting, comments on matters listed on the agenda may be emailed to *PublicComment@losaltosca.gov*. Emails sent to this email address are sent to/received immediately by the City Council. Please include a subject line in the following format:

PUBLIC COMMENT AGENDA ITEM ## - MEETING DATE

Correspondence submitted in hard copy/paper must be received by 2:00 PM on the day of the meeting to ensure distribution prior to the meeting. Correspondence received prior to the meeting will be included in the public record. .

Public testimony will be taken at the direction of the Mayor, and members of the public may only comment during times allotted for public comments.

AGENDA

CALL MEETING TO ORDER

ESTABLISH QUORUM

PLEDGE ALLEGIANCE TO THE FLAG

REPORT ON CLOSED SESSION

SPECIAL ITEMS

A. Proclamation of the Mayor recognizing July is Parks Make Life Better Month

B. Retiring Police Chief Andy Galea Proclamation

CHANGES TO THE ORDER OF THE AGENDA

PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Members of the audience may bring to the Council's attention any item that is not on the agenda. Speakers are generally given two or three minutes, at the discretion of the Mayor. Please be advised that, by law, the City Council 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 noted on the agenda before any discussion or action.

C. PUBLIC COMMENTS (Added 6/30/22)

CONSENT CALENDAR

These items will be considered by one motion unless any member of the Council 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 Mayor.

1. **Minutes:** Approve Minutes of the City Council Regular Meeting of June 14, 2022. (A Rodriguez)

2. **Adopt CalRecycle Local Assistance Grant:** Approve Resolution 2022- __ authorizing the City Manager to accept the grant funding from the State of California in the amount of up to $44,027 to be used for SB 1383 outreach and education in the next two fiscal years (A. Fairman)

3. **Project Acceptance: Annual Street Resurfacing and City Alley Resurfacing Project:** Adopt Resolution No. 2022-XX FY20/21 re Annual Street Resurfacing and City Alley Resurfacing Project (TS-01001, TS-01003, TS-01004, and TS-01009); consider finding that the project is exempt from review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301 (M. Lee)

4. **Project Acceptance: Fremont Avenue Pavement Rehabilitation:** Adopt Resolution No. 2022-____: Accept the Fremont Avenue Pavement Rehabilitation Project TS-01056, Federal Project STPL-5309(019); consider finding the project exempt from review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301 (M. Lee)

5. **Approve Professional Services Agreement Amendment No. 3 with NBS:** Authorize the City Manager to execute Amendment No. 3 on behalf of the City with NBS in the amount of $22,000 to provide administration of the sewer service charge for FY2021-22 (T. Nguyen)

6. **Approve Financial System Purchase:** Authorize the purchase of a Cloud-Based Enterprise Resource Planner (ERP) from Tyler Technologies, Inc., a Delaware corporation, pursuant to the Cooperative Purchasing Contract, for an initial amount of $347,002, and $99,436 annually

thereafter for an initial term of five years and a total of $844,182, inclusive of annual maintenance over the five-year term (J. Furtado)

7. **Award of Contract for Custodial Cleaning Services:** Authorize the City Manager to execute an agreement with IMPEC Group for custodial cleaning services in the amount of $394,380 for fiscal year 22/23 on behalf of the City (M. Hernandez)

8. **FY 21/22 Final Budget and FY 22/23 Mid Term Budget:** Adopt Resolution 2022-__ FY 22-26 Capital Projects; Adopt Resolution 2022-__ FY 23 Midterm Operating Budget; Adopt Resolution 2022-__ FY 23 Utility User Tax Rate; Adopt Resolution 2022-__ FY 23 Transient Occupancy Tax Rate; Adopt Resolution 2022-__ FY 22 Park in Lieu Fund Appropriation; Adopt Resolution 2022-__ FY 2021/22 Final Operating Budget Resolution (J. Furtado)

9. **Wireless Telecommunications Facilities Ordinance:** Adopt an Ordinance Of The Los Altos City Council Amending Los Altos Municipal Code Chapter 11.12 And Adding Chapter 14.82 Relating To Wireless Telecommunications Facilities And Utility Infrastructure Setting New Locational Requirements And Revising Development Standards.

10. **Youth Commission Appointments:** Accept the Youth Commission Interview Subcommittee appointment recommendations and make recommended appointments to the Los Altos Youth Commission (A. Rodriguez)

PUBLIC HEARINGS

11. **355 1st St LLC:** Consider approval of Proposed Four-Story Multiple-Family Residential Project at 355,365,371,373 First Street; adopt mitigated negative declaration for project (S. Gallegos)

DISCUSSION ITEMS

12. **This item has been removed from the Agenda**
Open Government Policy: Review and provide direction accordingly

13. **Council Legislative Subcommittee Update And Potential Council Action:** Receive update from the City Council Legislative Subcommittee; discuss pending legislation including, but not limited to AB 2053, AB 2097, AB 2221, AB 2625, AB 2164, AB 1944, AB 2011, AB 2181, SB 897, SB 922, SB 930, SB 932, & SB 1067

INFORMATIONAL ITEMS ONLY

14. Tentative Council Calendar

COUNCIL/STAFF REPORTS AND DIRECTIONS ON FUTURE AGENDA ITEMS

ADJOURNMENT

(Council Norms: It will be the custom to have a recess at approximately 9:00 p.m. Prior to the recess, the Mayor shall announce whether any items will be carried over to the next meeting. The established hour after which no new items will be started is 11:00 p.m. Remaining items, however, may be considered by consensus of the Council.)

SPECIAL NOTICES TO THE 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) 947-2610.

Agendas Staff Reports and some associated documents for City Council items may be viewed on the Internet at *http://www.losaltosca.gov/citycouncil/online/index.html*.

All public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act, and that are distributed to a majority of the legislative body, will be available for public inspection at the Office of the City Clerk's Office, City of Los Altos, located at One North San Antonio Road, Los Altos, California at the same time that the public records are distributed or made available to the legislative body.

If you wish to provide written materials, please provide the City Clerk with 10 copies of any document that you would like to submit to the City Council for the public record.

Proclamation

Of the Mayor

Of the City of Los Altos, California

WHEREAS, Parks and Recreation promotes physical, emotional and mental health and wellness through organized and self-directed fitness, play, and activity; and

WHEREAS, Parks and Recreation sustains and provides stewardship for our natural resources by protecting habitats and open space, connecting people to nature, and promoting the ecological function of parkland; and

WHEREAS, Parks and Recreation fosters social cohesiveness in communities by providing spaces to come together, modeling compassion, promoting social equity, connecting social networks, and ensuring all people have access to its benefits; and

WHEREAS, Parks and Recreation supports safe, vibrant, attractive, progressive communities that make life better through many choices for recreational opportunities; and

WHEREAS, Parks and Recreation remains versatile and innovative in providing vital services to communities through local, national, or global emergencies, all while adhering to guidelines set forth by governing agencies; and

WHEREAS, the City of Los Altos Parks and Recreation Department supports human development and endless learning opportunities that foster social, intellectual, physical and emotional growth in people of all ages and abilities; and

WHEREAS, the City of Los Altos Parks and Recreation Department strengthens community identity by providing facilities such as the historic Redwood Grove and services like the Senior Sunshine Calls that reflect and celebrate community character, heritage, culture, history, aesthetics, and landscape; and

WHEREAS, the California Park & Recreation Society has released a statewide public awareness campaign, "Parks Make Life Better!®" to inform residents of the many benefits of utilizing parks, facilities, programs, and services; and

WHEREAS, Parks and Recreation benefits from direct resident involvement in local government – from suggesting locations for the acquisition of new park space to the offering of new programs and activities; and

NOW, THEREFORE be it resolved that I, Anita Enander, Mayor of the City of Los Altos, and on behalf of the entire Los Altos City Council, do hereby proclaim the month of July 2022 as

"Parks Make Life Better ®" Month

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Los Altos this 28th day of June 2022.

Anita Enander, MAYOR

Proclamation
Of the Mayor
City of Los Altos, California

WHEREAS, Andy Galea began his law enforcement career as an officer with the Menlo Park Police Department and moved to the San Jose Police Department in 1978; and

WHEREAS, during his tenure in San Jose, Andy served admirably in many department positions to include Officer, Sergeant, Lieutenant, Captain, Deputy Chief, and Chief of the Bureau of Field Operations, where he led hundreds of officers; and

WHEREAS, Andy brought his broad experience in law enforcement to the City of Los Altos Police Department in 2009, serving initially as Operations Captain; and

WHEREAS, Andy was appointed Police Chief for the City of Los Altos Police Department on December 15, 2016; and,

WHEREAS, throughout his tenure as Chief, Andy has prioritized Child and School Safety, Traffic Safety, Safe and Secure Neighborhoods, and Emergency Preparedness while expanding partnerships and policing events that create stronger and accessible links with the community; and

WHEREAS, Andy Galea is retiring as Chief of Police for the City of Los Altos after serving in law enforcement for 46 years and is well respected by fellow law enforcement officers, civilian employees, and volunteers; and,

WHEREAS, the City of Los Altos, together with the entire community, would like to honor the contributions that Chief Andy Galea has made to the City of Los Altos and to the law enforcement profession during his career;

NOW THEREFORE BE IT RESOLVED that I, Anita Enander, Mayor of the City of Los Altos, and the entire Los Altos City Council and the people of Los Altos, do hereby commend **ANDY GALEA** for his exemplary leadership and dedication to serving our community as Chief of the Los Altos Police Department and wish him well in his retirement.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Los Altos this 28th day of June 2022.

Anita Enander

Anita Enander, MAYOR

From: Kacey Fitzpatrick
To: Public Comment
Subject: Vote NO on draft Military Equipment Use Policy
Date: Tuesday, June 28, 2022 5:29:02 PM

Dear Honorable Mayor, Vice-Mayor, and Councilmembers,

I want to express that I strongly do not support the approval of our draft Military Equipment Use policy as is. We can do better.

The policy as proposed does not safeguard the public's welfare, safety, civil rights, and civil liberties, so it should not be approved.

The policy leaves too many loopholes for the usage of military equipment in any capacity. We can do better.

I specifically want to see prohibited use cases for every piece of military equipment so that we can minimize injuries and fatalities in our community.

Now is the time to take a strong and clear stand. We have an opportunity with the passage of AB481, for our Police Department and our City to be thoughtful in the creation of a new Military Equipment Use policy. I would like to see complete reconsideration of how we invest in creating peace and safety in our community. We can do better.

Thank you for your consideration of this matter.

Sincerely,

Kacey

--
Kacey Fitzpatrick
151 Mountain View Ave.
Los Altos, CA 94024
[redacted]

CITY COUNCIL MEETING
MINUTES
7:00 PM - Tuesday, June 14, 2022
via Videoconference

CALL MEETING TO ORDER

At 7:00 p.m. Mayor Enander called the meeting to order.

ESTABLISH QUORUM

PRESENT: Council Members Fligor, Lee Eng, Weinberg, Vice Mayor Meadows and Mayor Enander

ABSENT: None

PLEDGE ALLEGIANCE TO THE FLAG

Mayor Enander led the pledge of allegiance.

REPORT ON CLOSED SESSION

No Closed Session - Nothing to report.

Mayor Enander informed everyone that Item 12 will not be addressed at tonight's meeting.

CHANGES TO THE ORDER OF THE AGENDA

No changes were requested.

PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Jim Fenton, Rajatsuri, and Jeanine Valadez spoke on items not on the agenda.

SPECIAL ITEMS

A. Juneteenth Proclamation

Mayor Enander presented the Juneteenth Proclamation.

CONSENT CALENDAR

1. **Minutes:** Approve Minutes of the City Council Regular Meeting of May 24, 2022. (A Rodriguez)

2. **Reject Bid for Annual Storm Drain Improvements on Milverton Road:** Authorize the City Manager to reject the bid received for the Milverton Road Storm Drain Improvements Project, Project CD-01012, request the design consultant to reevaluate the project plans and specifications, and rebid the project (T. Nguyen)

3. **SB-1 Road Repair and Accountability Act Resolution**: Adopt Resolution No 2022-XX, identifying street maintenance projects to be funded by Senate Bill 1 (SB-1) Road Repair and Accountability Act; find the adoption of the resolution exempt pursuant to California Environmental Quality Act Guidelines Section 15301 (Existing Facilities) (G. Watanabe)

4. **Approve Contract:** Authorize the City Manager to execute an agreement on behalf of the City with Alta Planning + Design in an amount not to exceed $154,814 to provide additional Safe Routes to Schools consulting services for the Transportation Division of the Engineering Services Department. (M. Lee)

5. **Appointments to Remaining Term for Santa Clara County Cities Association Board of Directors**: Appoint Mayor Enander to the Santa Clara County Cities Association Board of Directors and Vice Mayor Meadows as Alternate

6. **Emergency Declaration Resolution**: Adopt a Resolution extending the declaration of a local emergency due to the COVID-19 pandemic

7. **Contract Amendment: Complete Streets Master Plan**: Authorize the City Manager to execute Amendment #3 for Professional Services Agreement with Alta Planning + Design for Complete Streets Master Plan and find that the execution of Amendment #3 is exempt from review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15061, 15262, 15301, 15304 and 15322 (M. Lee)

Council Member Fligor requested Item 5 to be removed from the Consent Calendar and asked a clarifying question on Item 2.

Following a motion by Council Member Lee Eng, seconded by Vice Mayor Meadows, Items 1-4, 6 and 7 were approved 5-0 with the following roll call vote:

AYES:	Council Member Fligor, Lee Eng, Weinberg, Vice Mayor Meadows, Mayor Enander
NOES:	None
ABSENT:	None
ABSTAIN:	None

Regarding Item 5, Council Member Fligor requested to be the appointed as the primary representative to remaining term for Santa Clara County Cities Association Board of Directors followed by Council discussion.

The following members of the public commented: Pete Dailey, and Jeanine Valadez.

Council Member Lee Eng moved to make the appointment to the remaining term for Santa Clara County Cities Association Board of Directors as presented, seconded by Mayor Enander.

A substitute motion was made by Council Member Weinberg to appoint Council Member Fligor to the remaining term for Santa Clara County Cities Association Board of Directors, seconded by Council Member Fligor.

DRAFT

A second substitute motion was made by Vice Mayor Meadows to appoint Council Member Fligor to the remaining term for Santa Clara County Cities Association Board of Directors to a date uncertain and allow the City Manager and City Attorney to bring this item back to the Council when a certain matter reaches a full resolution, seconded by Mayor Enander. Council Member Fligor requested a friendly amendment, which was accepted, to have this Item brought back to the Council when all related matters were resolved. Motion passed 4-1 with the following roll call vote:

AYES: Council Members Lee Eng, Weinberg, Vice Mayor Meadows, Mayor Enander
NOES: Council Member Fligor
ABSENT: None
ABSTAIN: None

PUBLIC HEARINGS

8. **Hold the Public Hearing, Consider Resolution No. 2022-__:** Adopt a Resolution approving Sewer Service Charges for FY 2022/23, and Consider a Finding that the Adoption of the Resolution Is Exempt from Review under the California Environmental Quality Act ("CEQA") Pursuant to CEQA Guidelines Section 15273 (A. Fairman)

Aida Fairman, Engineering Services Manager, presented to the Council.

There was no public comment.

Following a motion by Council Member Weinberg, seconded by Council Member Fligor, the Resolution approving Sewer Service Charges for FY 2022/23, and Finding that the Adoption of the Resolution Is Exempt from Review under the California Environmental Quality Act ("CEQA") Pursuant to CEQA Guidelines Section 15273 was passed 5-0 with the following roll call vote:

AYES: Council Members Fligor, Lee Eng, Weinberg, Vice Mayor Meadows, Mayor Enander
NOES: None
ABSENT: None
ABSTAIN: None

9. **FY 2021/22 Budget Appropriations:** Review and Approve Final Adjustments to FY 21/22 Budget appropriations (J.Furtado)

John Furtado, Finance Director, presented to Council.

The following members of the public commented: Roberta Phillips, and Jeanine Valadez.

Council Member Fligor moved, seconded by Vice Mayor Meadows, to increase the budget for legal fees by $1,000,000 from $2,500,000 to $3,500,000. Motion passed 5-0 with the following roll call vote:

AYES: Council Members Fligor, Lee Eng, Weinberg, Vice Mayor Meadows, Mayor Enander
NOES: None
ABSENT: None
ABSTAIN: None

DRAFT

Council Member Fligor moved, seconded by Council Member Weinberg, to provide $38,000 in funding, from Park in Lieu funds, to participate in a feasibility study for a new live theater located in downtown Los Altos. Motion passed 3-2 with the following roll call vote:

AYES: Council Members Fligor, Weinberg, Vice Mayor Meadows
NOES: Council Member Lee Eng, Mayor Enander
ABSENT: None
ABSTAIN: None

Vice Mayor Meadows moved, seconded by Council Member Weinberg, to approve the rest of the financial adjustment as presented by staff passed. Motion passed 5-0 with the following roll call vote:

AYES: Council Members Fligor, Lee Eng, Weinberg, Vice Mayor Meadows, Mayor Enander
NOES: None
ABSENT: None
ABSTAIN: None

Mayor Enander moved, seconded by Council Member Lee Eng, to ask staff to return at the June 28, 2022 Regular Council meeting with a final resolution incorporation all changes as indicated tonight for the FY 21/22 Budget appropriations. Motion passed 5-0 with the following roll call vote:

AYES: Council Members Fligor, Lee Eng, Weinberg, Vice Mayor Meadows, Mayor Enander
NOES: None
ABSENT: None
ABSTAIN: None

10. **Proposed FY 2022/23 Mid-Term Budget**: Approve the following actions:

A. Approve the FY 2022/23 Mid-Term Budget; and
B. Adopt Resolution No. 2022-__ establishing the FY 2022-23 Appropriations Limit; and
C. Adopt Resolution No. 2022-__ setting certain fees and charges to be collected in FY 2022/23; and
D. Adopt Resolution No. 2022-__ approving the FY 2022/23 Pay Schedule

Gabe England, City Manager and John Furtado, Finance Director, presented to Council.

Vice Mayor Meadows, Council Members Lee Eng, Fligor, Weinberg, and Mayor Enander asked clarifying questions to Mr. Furtado and Mr. Engeland to which they responded.

At 9:49 pm, Mayor Enander called a for a recess and returned the meeting back to order at 10:10 pm.

The following members of the public commented: Roberta Phillips.

Council Member Weinberg moved, seconded by Mayor Enander, to adopt a Resolution establishing the FY 2022-23 Appropriations Limit. Motion passed 5-0 with the following roll call vote:

DRAFT

AYES: Council Members Fligor, Lee Eng, Weinberg, Vice Mayor Meadows, Mayor Enander
NOES: None
ABSENT: None
ABSTAIN: None

Council Member Weinberg moved, seconded by Mayor Enander, to adopt a Resolution setting certain fees and charges to be collected in FY 2022/23. Motion passed 5-0 with the following roll call vote:

AYES: Council Members Fligor, Lee Eng, Weinberg, Vice Mayor Meadows, Mayor Enander
NOES: None
ABSENT: None
ABSTAIN: None

Mayor Enander moved, seconded by Council Member Weinberg, to adopt a Resolution approving the FY 2022/23 Pay Schedule. Motion passed 5-0 with the following roll call vote:

AYES: Council Members Fligor, Lee Eng, Weinberg, Vice Mayor Meadows, Mayor Enander
NOES: None
ABSENT: None
ABSTAIN: None

Mayor Enander moved, seconded by Council Member Lee Eng, to request staff to bring back the discussed changes as a Resolution on the June 28, 2022 Regular Meeting to formally adopt the FY 22/23 budget including the specified allocations. Motion passed 5-0 with the following roll call vote:

AYES: Council Members Fligor, Lee Eng, Weinberg, Vice Mayor Meadows, Mayor Enander
NOES: None
ABSENT: None
ABSTAIN: None

11. Wireless Telecommunications Facilities Ordinance and Design Guidelines:

Approve Resolution 2022-__, Wireless Telecommunications Facilities Adopting a Negative Declaration in compliance with CEQA; and

Approve Ordinance 2022-__, Wireless Telecommunications Facilities Locational Standards, as recommended by the Planning Commission with additional modifications per City Council discussion on April 12 and May 10, 2022; and

Approve Resolution 2022-__, Wireless Telecommunications Facilities Design Guidelines, as recommended by the Planning Commission with additional modifications per City Council discussion on April 12 and May 10, 2022.

Lloyd Zola, Principal at Metis Environmental, presented to the Council. Attorney Deborah Fox, with Meyers Nave, explained to Council the final changes made to attachment 2 and 3 of the staff report.

DRAFT

Council Members Lee Eng, Fligor and Mayor Enander asked clarifying questions to Mr. Zola.

The following members of the public commented: Roberta Phillips.

City Attorney Houston provided a legal summary of the matters for consideration and an overview of the credentials of the expert team that worked on this item.

Council Members Weinberg, Fligor, Vice Mayor Meadows, and Mayor Enander provided additional comments.

Mayor Enander moved, seconded by Council Member Fligor, to approve a Resolution regarding Wireless Telecommunications Facilities Adopting a Negative Declaration in compliance with CEQA as presented. Motion passed 4-1 with the following roll call vote:

AYES: Council Members Fligor, Weinberg, Vice Mayor Meadows, Mayor Enander
NOES: Council Member Lee Eng
ABSENT: None
ABSTAIN: None

Mayor Enander moved, seconded by Council Member Lee Eng, to introduce and waive further reading to the Ordinance amending Los Altos Municipal Code Chapter 11.12 and adding Chapter 14.82 relating to Wireless Telecommunications Facilities and Utility Infrastructure setting new locational requirements and revising development standards as amended and reviewed. Motion passed 3-2 with the following roll call vote:

AYES: Council Members Fligor, Lee Eng, Mayor Enander
NOES: Council Member Weinberg, Vice Mayor Meadows
ABSENT: None
ABSTAIN: None

Mayor Enander moved, seconded by Council Member Lee Eng, to approve a Resolution on Wireless Telecommunications Facilities Design Guidelines, as recommended by the Planning Commission with additional modifications per City Council discussion on April 12 and May 10, 2022. Motion passed 5-0 with the following roll call vote:

AYES: Council Members Fligor, Lee Eng, Weinberg, Vice Mayor Meadows, Mayor Enander
NOES: None
ABSENT: None
ABSTAIN: None

Mayor Enander moved, seconded by Council Member Weinberg, to direct staff to work with the contracted experts to rigorously review and amend as needed the permit application for wireless facilities. Council Member Lee Eng made a friendly amendment to include ‘rigorously’ as part of the motion, which was accepted. Motion passed 5-0 with the following roll call vote:

DRAFT

AYES: Council Members Fligor, Lee Eng, Weinberg, Vice Mayor Meadows, Mayor Enander
NOES: None
ABSENT: None
ABSTAIN: None

DISCUSSION ITEMS

12. **AB 481 Military Equipment Use Policy:** Review the Los Altos Police Department Draft Policy 709 and provide modifications as needed (K. Krauss)

13. **Council Legislative Subcommittee Update And Potential Council Action:** Receive update from the City Council Legislative Subcommittee; discuss pending legislation including, but not limited to AB 2053, AB 2097, AB 2221, AB 2625, AB 2164, AB 1944, AB 2011, AB 2181, SB 897, SB 922, SB 930, SB 932, & SB 1067

Given the hour, Items 12 and 13 were not considered.

INFORMATIONAL ITEMS ONLY

14. Tentative Council Calendar

COUNCIL/STAFF REPORTS AND DIRECTIONS ON FUTURE AGENDA ITEMS

Council Member Weinberg requested for a Flag Raising Policy to be brought back to Council.

Council Member Lee Eng requested a future agenda item to discuss the City's policy around funding nonprofits and outside organizations, the 1% Art Ordinance Funding and discuss creating a Housing Fund.

Council Members Lee Eng and Fligor shared their interest in attending the League of CA Cities 2022 Annual Conference.

Council Member Lee Eng gave a report on CalWater's efforts around water conservation and how to address water drought and shortage.

Council Members Fligor, Lee Eng, and Mayor Enander shared that they met the City's summer Interns.

ADJOURNMENT

Meeting adjourned at 1:18 a.m.

_____
Anita Enander MAYOR

ATTEST:

_____
Angel Rodriguez, INTERIM CITY CLERK

DRAFT

AGENDA REPORT SUMMARY

Meeting Date: June 28, 2022

Subject Resolution 2022- __: Authorize the City Manager to accept the grant funding from the State of California in the amount of up to $44,027 to be used for SB 1383 outreach and education in the next two fiscal years

Prepared by: Aida Fairman, Engineering Services Manager
Reviewed by: Jim Sandoval, Engineering Services Director
Approved by: Gabriel Engeland, City Manager

Attachment:
A. Resolution 2022-___

Initiated by:
City Staff

Previous Council Consideration:
February 22, 2022

Fiscal Impact:
The grant will increase available funds by $44,027 for SB 1383 outreach and education and other SB 1383 implementation needs over a two-year period from FY 2022-23 to FY 2023-2024.

Environmental Review:
Not applicable

Policy Question for Council Consideration:
- Does the City Council wish to accept the grant from CalRecycle for SB 1383 outreach and education?

Reviewed By:

City Manager	City Attorney	Finance Director
GE	JH	JF

Subject: Resolution 2022- __: Authorize the City Manager to accept the grant funding from the State of California in the amount of up to $44,027 to be used for SB 1383 outreach and education in the next two fiscal years

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Summary:

- In September 2016, Governor Jerry Brown signed into law SB 1383 organic waste diversion regulations, and in November 2020, the California Department of Resources Recycling and Recovery (CalRecycle) finalized SB 1383 regulations.

- SB 1383 requires the City to adopt an enforceable ordinance(s) that requires businesses and residents to recycle their organic waste and comply with other requirements of the regulation.

- In November 2021, the City of Los Altos Municipal Code was updated to include requirements to comply with the State's goal of reducing organic waste disposal by 75% by 2025.

- In November 2021, the City of Los Altos Municipal Code was updated to include an ordinance to recover edible food to comply with the State's goal of reducing edible food disposal by 20% by 2025.

- The Department of Resources Recycling and Recovery (CalRecycle) is administering a one-time grant program meant to provide aid in the implementation of regulations adopted by CalRecycle pursuant to Chapter 395, Statutes of 2016 and SB170 Budget Act of 2021. This non-competitive grant program provides funding to local jurisdictions to assist with the implementation of regulatory requirements associated with SB 1383.

- In January 2022, the State of California invited all jurisdictions in California to apply for a Local Assistance Grant for SB 1383 implementation. The City applied and was granted the funds. The State increased the funding amount from an estimated $41,038 to $44,027.

Staff Recommendation:
Adopt Resolution 2022-___ authorizing the City Manager to accept the CalRecycle Local Assistance Grant

RESOLUTION NO. 2022-___

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS TO ACCEPT LOCAL ASSISTANCE GRANT FUNDING FROM CALRECYCLE

WHEREAS, pursuant to Public Resources Code sections 48000 et seq., 14581, and 42021.1(g), the Department of Resources Recycling and Recovery (CalRecycle) has established the SB 1383 Local Assistance Grant to make payments to qualifying jurisdictions; and

WHEREAS, the City of Los Altos requires City Council approval to accept grants;

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Los Altos hereby authorizes the City Manager to accept $44,027 in funding for SB 1383 implementation, which is anticipated to be spent on community outreach and education.

I HEREBY CERTIFY that the foregoing is a true and correct copy of a Resolution passed and adopted by the City Council of the City of Los Altos at a meeting thereof on the 28th day of June 2022 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

_____

Anita Enander, MAYOR

Attest:

_____
Angel Rodriguez, INTERIM CITY CLERK

AGENDA REPORT SUMMARY

Meeting Date: June 28, 2022

Subject: Consider Adoption of Resolution No. 2022-XX FY20/21 Re: Project Acceptance of Annual Street Resurfacing and City Alley Resurfacing Project (TS-01001, TS-01003, TS-01004, and TS-01009); consider finding that the project is except from review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301

Prepared by: Gaku Watanabe, Assistant Engineer
Reviewed by: Jim Sandoval, Engineering Services Director
Approved by: Gabriel Engeland, City Manager

Attachments:
A. Resolution No. 2022-XX
B. Project Map

Initiated by:
City Council CIP Projects TS-01001, TS-01003, TS-01004, and TS-01009

Previous Council Consideration:
May 11, 2021

Fiscal Impact:
The table below summarizes the final cost of the project.

Project Item	Project Budget	Final Costs
Construction	$ 2,068,666.92	$ 2,068,666.92
Construction Contingency (15%)	$ 310,300.04	$ 310,098.79
Inspection	$ 82,516.00	$ 82,505.75
Printing/Advertising/Mailing/Misc.	$ 10,000.00	$ 810.66
Total Cost:	$ 2,471,482.96	$ 2,462,082.12

Total savings between construction and contingency of $9,400.84 will be forwarded to the FY21/22 project budget for Annual Street Resurfacing Project (TS-01001).

Reviewed By:

City Manager	City Attorney	Finance Director
GE	JH	JF

Subject: Project Acceptance - Resolution No. 2022-___ FY20/21 Annual Street Resurfacing and City Alley Resurfacing Project (TS-01001, TS-01003, TS-01004, and TS-01009)

Environmental Review:
The acceptance of the work is categorically exempt from review under the California Enviromental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301(c) (Existing Facilities) in that the project consists of the operation, repair, and maintenance of existing facilities such as streets. Also, the projectinvolves negligible or no expansion of existing or former use, and none of the circumstaces stated in CEQA Guidelines Section 15300.2 applies.

Summary:

- The construction contract was awarded to G. Bortolotto & Co. on May 11, 2021.
- The project is complete. Staff recommends the City Council accept the project.

Staff Recommendation:
Adopt Resolution No. 2022-XX accepting completion of the Fiscal Year 2020/21 Annual Street Resurfacing Project and authorize the Engineering Services Director to record a Notice of Completion as required by law.

Purpose
Accept the project as complete.

Background
Annual Street Resurfacing Project (TS-01001), Annual Street Slurry Seal Project (TS-01004), and Annual City Alley Resurfacing Project (TS-01009) are dedicated to repairing and maintaining asphalt concrete (AC) roadways and alleyways in the City. The Annual Street Striping Project (TS-01003) is also part of the pavement management program dedicated to maintaining striping and pavement markings on City streets. This year, these four projects were combined into one large project named "Annual Street Resurfacing and City Alley Resurfacing". This project completed resurfacing treatments on various street segments and alleyways selected for resurfacing in coordination with the City's pavement management program by performing localized pavement damage repairs (digouts), overlaying the entire roadway segments with asphalt-concrete or a protective seal coat called "microsurfacing." This project also included signage and striping improvements on Eastwood Drive, Campbell Avenue, and Fremont Avenue.

Discussion/Analysis

Subject: Project Acceptance - Resolution No. 2022-___ FY20/21 Annual Street Resurfacing and City Alley Resurfacing Project (TS-01001, TS-01003, TS-01004, and TS-01009)

The project was completed in accordance with the contract plans and specifications and complies with the Standard Specifications of the City of Los Altos. The final cost of the construction contract with G. Bortolotto & Co is $ 2,378,765.71. All work was completed and is acceptable.

Recording of the Notice of Completion shortens the time for subcontractors and material providers to file stop payment notices on the project and triggers the timeline to release withheld retention in accordance with state prompt payment laws. Attachment 2 is the proposed resolution of acceptance.

When a public works project is completed and the City's engineering staff determines that the work is acceptable, then the acceptance of the work by the City Council is a quasi-ministerial act such that the City Council must accept the work absent clear evidence that the work was not performed in conformance with the contract.

Recommendation

Adopt Resolution No. 2022-XX accepting completion of the Fiscal Year 2020/21 Annual Street Resurfacing Project and authorize the Engineering Services Director to record a Notice of Completion as required by law, and find that the Council's action in adopting the resolution is exempt from review under CEQA pursuant to CEQA Guidelines Section 15301(c).

RESOLUTION NO. 2022-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS ACCEPTING COMPLETION AND DIRECTING THE ENGINEERING SERVICES DIRECTOR TO FILE A NOTICE OF ACCEPTANCE OF COMPLETION OF THE FISCAL YEAR 2020/21 ANNUAL STREET RESURFACING AND CITY ALLEY RESURFACING PROJECT TS-01001, TS-01003, TS-01004, AND TS-01009

WHEREAS, the Los Altos Engineering Services Director has filed with the City Clerk of Los Altos an Engineer's Certificate for the completion of all work provided within and pursuant to the contract between said City and G. Bortolotto & Co., dated June 28, 2021; and

WHEREAS, it appears to the satisfaction of this City Council that work under said contract has been fully installed and completed as provided in said contract and the plans and specifications therein referred to.

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Los Altos hereby authorizes the following:

1. That acceptance of completion of said work is hereby made and ordered; and

2. That the Engineering Services Director is directed to execute and file for recording with the County Recorder of the County of Santa Clara, Notice of Acceptance of Completion thereof, as required by law.

I HEREBY CERTIFY that the foregoing is a true and correct copy of a Resolution passed and adopted by the City Council of the City of Los Altos at a meeting thereof on the 28th day of June 2022 by the following vote:

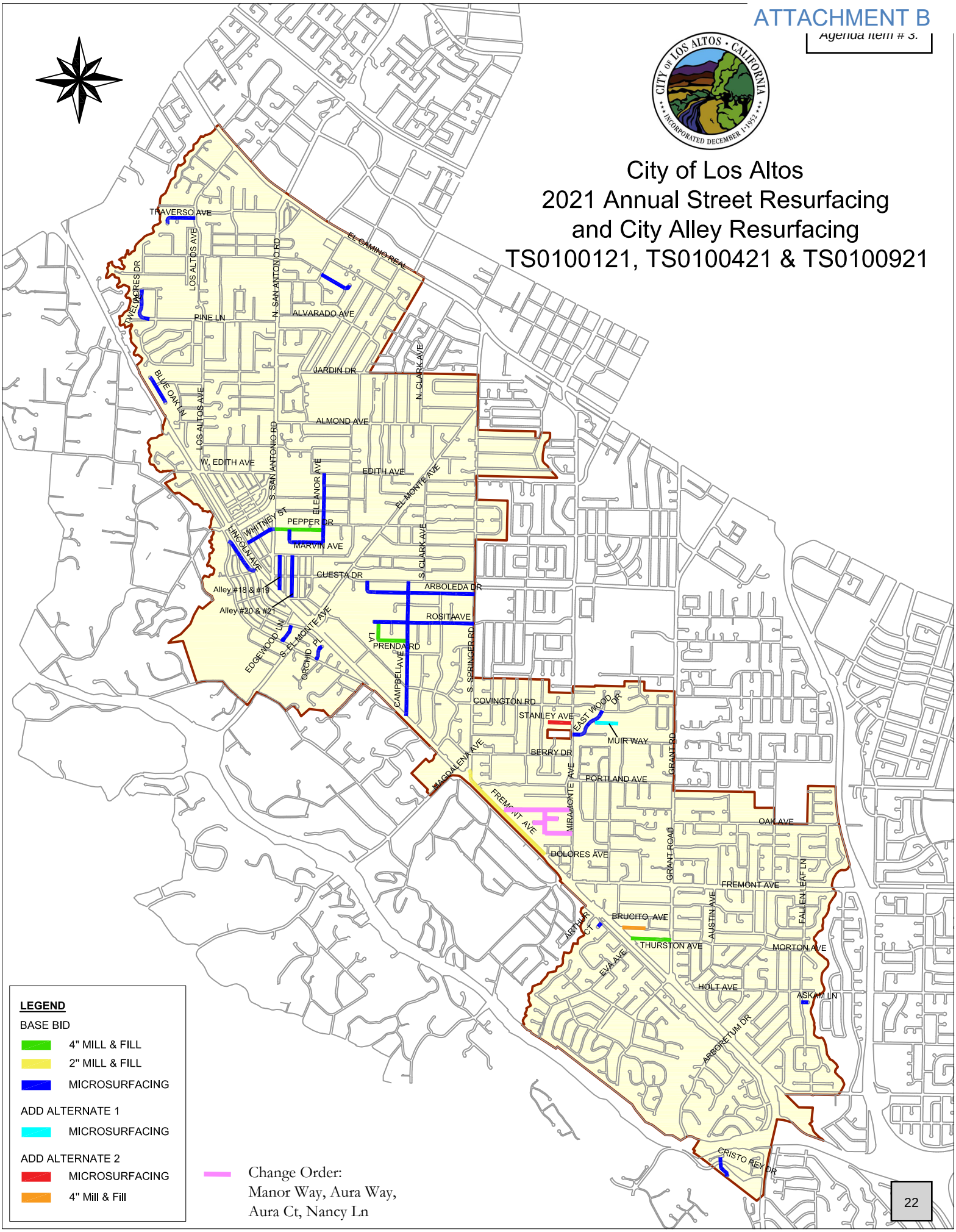
AYES:
NOES:
ABSENT:
ABSTAIN:

_____
Anita Enander, MAYOR

Attest:

_____
Angel Rodriguez, INTERIM CITY CLERK

City of Los Altos
2021 Annual Street Resurfacing and City Alley Resurfacing
TS0100121, TS0100421 & TS0100921



LEGEND

BASE BID
- 4" MILL & FILL
- 2" MILL & FILL
- MICROSURFACING

ADD ALTERNATE 1
- MICROSURFACING

ADD ALTERNATE 2
- MICROSURFACING
- 4" Mill & Fill

Change Order:
Manor Way, Aura Way,
Aura Ct, Nancy Ln

AGENDA REPORT SUMMARY

Meeting Date: June 28, 2022

Subject Consider adoption of Resolution No. 2022-____: Accept the Fremont Avenue Pavement Rehabilitation Project TS-01056, Federal Project STPL-5309(019); consider finding the project exempt from review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301

Prepared by: Gaku Watanabe, Assistant Engineer
Reviewed by: Jim Sandoval, Engineering Services Director
Approved by: Gabriel Engeland, City Manager

Attachments:
1. Project Map
A. Resolution No. 2022-___

Initiated by:
City Council CIP Project TS-01056

Previous Council Consideration:
July 11, 2017; July 9, 2019; June 22, 2021; November 9, 2021

Fiscal Impact:
Construction was completed with total spending of $1,555,064.09 at the time of this report.

Project Item	Project Budget	Final Cost
Design and Engineering	$ 170,000.00	$ 152,192.03
Construction	$ 1,173,476.35	$ 1,173,476.35
Construction Contingency (15%)	$ 176,021.45	$ 113,791.90
Inspection	$ 185,193.00	$ 53,862.58
Construction Management (ongoing)	$ 240,784.56	$ 58,985.60
Printing/Advertising/Mailing/Misc.	$ 10,000	$ 2,755.63
Estimated Total Cost	**$ 1,955,475.36**	**$ 1,555,064.09**
Funds	Available Budget	Remaining after Project
One Bay Area Grant (OBAG)	$ 336,000	$ 0

Reviewed By:

City Manager	City Attorney	Finance Director
GE	JH	JF

Subject: Resolution No. 2022-___: Accept the Fremont Avenue Pavement Rehabilitation Project TS-01056, Federal Project STPL-5309(019)

CIP Funds TS-01056	$ 1,750,000	$ 588,541.51
ESD Operating Budget*	$ 70,000	$ 12,394.40
Total Project Budget	**$ 2,156,000.00**	**$ 600,935.91**

$600,935.91 remaining from CIP TS-01056 will be returned to TS-01056.
*Engineering Services Department operating budget is still under use. Remaining funds from this budget will be returned to operating budget for professional services.

Environmental Review:
The acceptance of the work is categorically exempt from review under the California Enviromental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301(c) (Existing Facilities), in that the project consists of the operation, repair, and maintenance of existing facilities such as streets. Also, the project involves negligible or no expansion of existing or former use, and none of the circumstances stated in CEQA Guidelines Section 15300.2 applies.

Summary:
- The City received a One Bay Area Grant (OBAG) in the amount of $336,000 for the construction phase of the Fremont Avenue Pavement Rehabilitation Project – Grant Road to Steven Creek in 2017.
- CIP Project TS-01056 was approved in 2017.
- On February 25, 2021, the Authorization to Proceed with construction was received from the California Department of Transportation (Caltrans) for the OBAG fund (Federal project number: STPL-5309(019)).
- City advertised and awarded the contract to Interstate Grading & Paving, Inc.
- Construction began in October 2021 and was completed in March 2022.
- The project is complete. Staff recommends the City Council to accept the Project.

Purpose
Accept CIP Project TS-01056 as completed.

Background
Fremont Avenue Pavement Rehabilitation, Project TS-01056, was dedicated to resurfacing Fremont Avenue with asphalt concrete (AC) from Grant Road to easterly the City Limit near Stevens Creek. This project was partially funded by a federal grant, One Bay Area Grant (OBAG), in the amount of $336,000. In February 2021, the City received the Authorization to Proceed with the construction phase from the California Department of Transportation (Caltrans) which oversees the release of the federal grant.

Subject: Resolution No. 2022-___: Accept the Fremont Avenue Pavement Rehabilitation Project TS-01056, Federal Project STPL-5309(019)

The scope of work of the project included repairing failed AC pavement sections using the Cold In-Place Recycling method, allowing recycled pavement material to be used for the base layer. The City also implemented complete street signage and striping improvements as part of the project, adding buffered green bike lanes and crosswalks.

Discussion/Analysis

Project TS-01056 was completed in accordance with the contract plans and specifications and complies with the Standard Specifications of the City of Los Altos. The final cost of the construction contract with Interstate Grading & Paving was $1,287,268.25. All work was completed and is acceptable. When a public works project is completed and the City's engineering staff determines that the work is acceptable, then the acceptance of the work by the City Council is a quasi-ministerial act such that the City Council must accept the work absent clear evidence that the work was not performed in conformance with the contract.

Staff Recommendation:

Adopt Resolution No. 2022-___ accepting the Fremont Avenue Pavement Rehabilitation Project TS-01056, Federal Project STPL-5309(019), and authorize the Engineering Services Director to record a notice of completion as required by Law.

RESOLUTION NO. 2022-__

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS ACCEPTING COMPLETION AND DIRECTING THE ENGINEERING SERVICES DIRECTOR TO FILE A NOTICE OF ACCEPTANCE OF COMPLETION OF THE FREMONT AVENUE PAVEMENT REHABILITATION PROJECT, FEDERAL PROJECT STPL-5309(019)

WHEREAS, the Los Altos Engineering Services Director has filed with the City Clerk of Los Altos an Engineer's Certificate for the completion of all work provided within and pursuant to the contract between said City and Interstate Grading & Paving, Inc., dated June 28, 2021; and

WHEREAS, it appears to the satisfaction of this City Council that work under said contract has been fully installed and completed as provided in said contract, and the plans and specifications therein referred to.

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Los Altos hereby authorizes the following:

1. That acceptance of completion of said work is hereby made and ordered; and

2. That the Engineering Services Director is directed to execute and file for recording with the County Recorder of the County of Santa Clara, Notice of Acceptance of Completion thereof, as required by law.

I HEREBY CERTIFY that the foregoing is a true and correct copy of a Resolution passed and adopted by the City Council of the City of Los Altos at a meeting thereof on the 28th day of June 2022 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

_____
Anita Enander, MAYOR

Attest:

_____
Angel Rodriguez, INTERIM CITY CLERK

AGENDA REPORT SUMMARY

Meeting Date: June 28, 2022

Subject Amendment No. 3 to Professional Services Agreement with NBS for Annual Administration of Sewer Service Charges for FY 2021-2022

Prepared by: Thanh Nguyen, Senior Civil Engineer
Reviewed by: Aida Fairman, Engineering Services Manager
James Sandoval, Engineering Services Director

Approved by: Gabriel Engeland, City Manager

Attachment:
A. Resolution

Initiated by:
Staff

Previous Council Consideration:
None

Fiscal Impact:
The following action will cost $22,000 for Amendment No. 3 for sewer service charges administration.

- Breakdown of funds to be used:
  - $22,000 Sewer Fund
- Amount already included in approved budget: Y
- Amount above budget requested: 0

Environmental Review:
Not applicable - Categorically Exempt pursuant to CEQA Section 15061(b)(3). It can be seen with certainty that the contract amendment will not pose a significant effect on the physical environment, and none of the circumstances in CEQA Guidelines Section 15300.2 applies.

Policy Question(s) for Council Consideration:
- Not applicable

Reviewed By:

City Manager	City Attorney	Finance Director
GE	JH	JF

Subject: Amendment No. 3 to Professional Services Agreement with NBS for Annual Administration of Sewer Service Charges

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Summary:

- The amendment to the existing agreement with NBS causes the total contract value to exceed the $100,000 limit, which requires authorization by City Council
- The sewer service charge, as imposed by the Los Altos Municipal Code Chapter 10.12, must be annually administered for all parcels served by the Los Altos sewer system
- The sewer service charge provides revenue to the Los Altos Sewer Fund

Staff Recommendation:

Authorize the City Manager to execute Amendment No. 3 on behalf of the City with NBS in the amount of $22,000 to provide administration of the sewer service charge for FY2021-2022

Subject: Amendment No. 3 to Professional Services Agreement with NBS for Annual Administration of Sewer Service Charges

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Purpose
Authorize the City Manager to execute Amendment No. 3 on behalf of the City with NBS in the amount of $22,000 to provide administration of the sewer service charge for FY2021-22.

Background
Administration of the Sewer Service Charge includes various tasks such as the calculation of charges for each parcel served by the Los Altos sanitary sewer system, annual report of charges, notice of adjustment mailed to all applicable parcels, and County secured roll review. The annual sewer service charge provides revenue to the Los Altos Sewer Fund, which is used to fund the City's sanitary sewer programs including routine maintenance, CIP projects for infrastructure improvements, inspection programs, and payments for wastewater treatment.

Discussion/Analysis
On July 12, 2017, the City of Los Altos entered into an agreement in the amount of $99,790 with NBS to perform the Sewer Rate Structure Analysis, the Administration of the Proposition 218 Process, and the Annual Administration of the City of Los Altos Sewer Service Charge. Amendment No. 1 was executed on December 17, 2019, in the amount of $27,518.50 for an additional year of sewer service charge administration. Amendment No. 2, executed on November 6, 2020, added $26,515.50 for annual sewer service charge administration. However, this amount is not sufficient to cover the services for FY 2021-22 and the budget rollovers from FY2020-21. Therefore, Amendment No. 3 is needed in the amount of $22,000 to cover the budget shortfall for NBS' professional services for the annual sewer service charge administration through FY2022. NBS has satisfactorily performed the Annual Sewer Service Charge Administration for the City of Los Altos for over four years.

Recommendation
The staff recommends authorizing the City Manager to execute an amendment on behalf of the City with NBS in the amount of $22,000 to provide administration of the sewer service charge through FY2022.

RESOLUTION NO. 2022-___

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS AUTHORIZING THE CITY MANAGER TO EXECUTE AMENDMENT NO. 3 TO THE AGREEMENT WITH NBS IN THE AMOUNT NOT TO EXCEED $22,000 FOR THE ANNUAL ADMINISTRATION OF SEWER SERVICE CHARGES FOR FISCAL YEAR 2021-22

WHEREAS, pursuant to Chapter 10.12 of Los Altos Municipal Code, the City of Los Altos imposes a Sewer Service Charge upon parcels connected to the sewer system; and

WHEREAS, pursuant to section 5473 of the California Health & Safety Code, the City Council has elected to annually collect the Sewer Service Charge on the property tax roll; and

WHEREAS, pursuant to CEQA Section 15061(b)(3), this amendment is exempt from environmental review as it can be seen with certainty that the contract amendment will not pose a significant effect on the physical environment, and none of the circumstances in CEQA Guidelines Section 15300.2 applies; and

WHEREAS, NBS has satisfactorily performed the Annual Sewer Service Charge Administration for the City of Los Altos for over four years.

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Los Altos hereby

Authorizes the City Manager to execute Amendment No. 3 to the agreement with NBS in the amount of $22,000 for the Annual Administration of Sewer Service Charges for FY 2021-22.

I HEREBY CERTIFY that the foregoing is a true and correct copy of a Resolution passed and adopted by the City Council of the City of Los Altos at a meeting thereof on the 28th day of June, 2022 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

_____
Anita Enander, MAYOR

Attest:

_____
Angel Rodriguez, INTERIM CITY CLERK

AGENDA REPORT SUMMARY

Meeting Date: June 28, 2022

Subject: Authorize the purchase of a cloud-based Enterprise Resource Planner (ERP) from Tyler Technologies, Inc.
Prepared by: John Furtado, Finance Director
Approved by: Gabriel Engeland, City Manager

Attachment(s):
1 – Cost Proposal Tyler Technology
2 – Scope of Work Document

Initiated by:
Staff
Previous Council Consideration:
None

Fiscal Impact:
The total contract amount for Council approval is $347,002, plus an additional annual maintenance fee of $99,436. The implementation funds will come from the Information Technology Fund which was funded with $350,000 of ARPA funding. The Annual Maintenance fees will be covered by the elimination of currently used ERP and Payroll processing systems.

Environmental Review:
Not applicable

Policy Question(s) for Council Consideration:
- Does the Council wish to Approve the implantation of a new ERP system?

Summary:
- The City currently uses several nonintegrated systems for Financial Management, such as Financial Enterprise for Accounting, ADP for Payroll, and Excel worksheets for budgeting, these multiple systems cause information flow delays and data that is not always reliable, besides the above the current financial system is antiquated and lacks proper technical support, thus making the financial management of the city challenging.

- The Financial Commission reviewed the proposal at their June 20th meeting and unanimously voted to recommend that the city council approve the purchase of the new ERP system.

Reviewed By:

City Manager	City Attorney	Finance Director
GE	JH	JF

Subject: Authorize the purchase of a cloud-based Enterprise Resource Planner (ERP) from Tyler Technologies, Inc

Staff Recommendation:
In accordance with The City of Los Altos Purchasing Policy "Cooperative Purchasing Programs," authorize the purchase of a Cloud-Based Enterprise Resource Planner (ERP) from Tyler Technologies, Inc., a Delaware corporation, pursuant to the Cooperative Purchasing Contract, for an initial amount of $347,002, and $99,436 annually thereafter for an initial term of five years and a total of $8,44,182, inclusive of annual maintenance over the five-year term.

Purpose
To Authorize the Purchase of a new ERP System.

Background

The City of Los Altos had been using a financial system named IFIS from SunGard for many years, this firm was acquired by Superion who recommended an upgrade to Finance Enterprise in 2019. This system acts as the cities accounting system, while payroll is processed in ADP and Budgets are produced using excel. Since the City started using these systems (IFIS & Finance Enterprise), the companies owning these systems and providing support to City staff have been subject to several mergers and acquisitions of various companies, from Sungard, to Superion, to the City's current vendor Central Square.

It has become increasingly obvious that Central Square does not have the staff or capability to successfully upgrade the City's current operating systems in ways the City now requires. These systems are also unable to support the features that the City is pursuing. There are several cities that are replacing the above systems with Tyler Technologies.

It is staff's recommendation to move its operating platform to an online / Cloud-based presence where the City can better serve the internal departments as well as regulatory and other agencies that require timely reporting.

Additionally, the city currently uses ADP to process time management, HR and Payroll functions these systems are not integrated to the Financial system dues creating a lot of additional work and reconciliations between the systems, to compound the problems, budgets are developed in excel and are highly suspectable to errors.

Based on these facts, staff recommends the City invest in an Enterprise Resource Planner (ERP). In light of the Cybersecurity and Ransomware concerns, it is further recommended the City invest in a cloud based system that is centrally located, securely accessible, and has a history of demonstrated success.

Subject: Authorize the purchase of a cloud-based Enterprise Resource Planner (ERP) from Tyler Technologies, Inc

An ERP is business process management software that allows the City to use a system of integrated applications to manage all of its internal and external business functions and operations and to automate many back-office functions related to technology, services, and development. ERP software will allow the City to integrate many facets of its operations

On November 30, 2021, staff recommended the City Council program funding for a multi-year project to develop and implement a new ERP system for the City, with an estimated cost of $350,000. The recommended budget of $350,000, was approved and included in the 2022/2023 Fiscal Year Information Technology Fund budget.

Discussion/Analysis

The City's Finance Department reviewed and requested demonstrations of various financial systems review the various ERP systems used by other public agencies and decided to bring forward a citywide demonstration with Tyler Technologies for Tyler Munis. On December 6th Stakeholders from all departments were invited to review the ERP system demonstration, staff had many questions that were satisfactorily answered by the vendor's presenters.

On April 7th the Subcommittee of the Financial commission were invited a demonstration of Tyler Munis, The Subcommittee members had many questions and concerns that were addressed during that meeting and a verbal report was presented to the full Financial Commission at their April 25th meeting.

Staff investigated with other agencies to determine which vendors those agencies selected for their ERP system, and the process used to make their selection. It was through this effort that staff found the vast majority of public agencies moving to a new ERP system had selected Tyler Technologies, Inc., (Tyler). Tyler provides integrated information management solutions and services for the public sector with a focus on local governments in the United States. Munis, Tyler's government financial management product, includes modules for financial management, capital projects, purchase orders and contract tracking, procurement, budgeting, human resources, and Payroll functionality with state and Federal reporting out of the box.

The company was founded in 1966 and is headquartered in Plano, Texas and is the largest software company in the nation solely focused on providing software and technology services to public sector agencies including cities, counties, states, and school districts. Tyler's software is widely used by other cities within California, including Pleasanton, Walnut Creek, Benicia, Rohnert Park, Hayward, Santa Barbara, Victorville, Covina, Davis, Encinitas, Redding, Lakewood, Oxnard, Simi Valley, Rancho Mirage, Santa Monica, Pasadena, Temecula, and many others.

Pursuant to the provisions of the cities purchasing policy, the City Council may authorize the acquisition of the ERP system through a joint power or other cooperative purchasing programs. The City's Finance Director as worked with the Assistant City Manager and risk manager and reviewed the request and concurs that leveraging the purchasing power and extensive evaluation of the national Sourcewell cooperative contract 10515-TTI with Tyler complies with the City's

Subject: Authorize the purchase of a cloud-based Enterprise Resource Planner (ERP) from Tyler Technologies, Inc

procurement requirements. Combined with the additional due diligence performed by Staff, utilization of the Sourcewell cooperative contract would likely be less expensive and more efficient than what we could obtain independently.

Employing the Sourcewell Cooperative Contract allowed staff to formally evaluate Tyler's products. Many City staff were requested to assess Tyler's Munis Finance System, to verify these operating systems will provide the service and support they require. The evaluation included the IT Division.

The proposed Tyler Munis system will displace existing software packages that create data silos, with a shared program with a single pane of glass view into the operation. This will allow the City to utilize the combined departmental resources to make decisions based on real-time data. The proposed Tyler software will replace existing software programs used by Finance and all the other city departments.

In addition to various databases and spreadsheets, the following software programs will be replaced by the ERP: Financial Enterprise (Finance), ADP (Payroll), E-Tools (CALPERS reporting), and Consultants to prepare regulatory reports on payroll, CAPERS, and state (Finance).

Quoted By:	Kyle M. Johnson
Quote Expiration:	04/20/22
Quote Name:	City of Los Altos-ERP-Munis
Quote Description:	2-1-22 City of Los Altos, CA v.2
Saas Term	5.00

Sales Quotation For:
City of Los Altos
1 N San Antonio Rd
Los Altos CA 94022-3000
Phone: +1 (650) 947-2760

Tyler SaaS and Related Services

Description	Qty	Imp. Hours	Annual Fee
Financial Management			
Accounting/GL	1	112	$ 18,597
Accounts Payable	1	32	$ 5,312
Bid Management	1	24	$ 2,031
Budgeting	1	48	$ 5,312
Capital Assets	1	40	$ 4,473
Cash Management	1	32	$ 3,059
Contract Management	1	24	$ 2,019
eProcurement	1	24	$ 3,059
Project & Grant Accounting	1	32	$ 3,585
Purchasing	1	80	$ 7,727
Human Resources Management			
ExecuTime Time & Attendance - Up to 150 Employees	1	80	$ 7,566
ExecuTime Time & Attendance Mobile Access	1	0	$ 3,003
Human Resources & Talent Management	1	88	$ 4,584
Payroll w/ESS	1	168	$ 5,590
Revenue Management			

Accounts Receivable	1	64	$ 3,907
General Billing	1	32	$ 2,593
Document Management			
Tyler Content Manager SE	1	32	$ 7,796
Data Insights			
Munis Analytics & Reporting w Executive Insights	1	80	$ 13,019
Additional			
Tyler ReadyForms Processing (including Common Form Set)	1	0	$ 4,380
Integrations			
DocuSign Signature Service - Annual Fee	1	16	$ 8,000

Sub-Total:		$ 115,612
Less Discount:		$ 16,186
TOTAL	**1008**	**$ 99,426**

Professional Services

Description	Quantity	Unit Price	Extended Price	Maintenance
Go Live Assistance	160	$ 195	$ 31,200	$ 0
HCM Accelerated Timeline	400	$ 163	$ 65,200	$ 0
Project Management	200	$ 163	$ 32,600	$ 0
Conversions			$ 43,600	$ 0
Onsite Implementation	264	$ 195	$ 51,480	$ 0
Remote Implementation	744	$ 163	$ 121,272	$ 0
TOTAL			**$ 345,352**	**$ 0**

3rd Party Hardware, Software and Services

Description	Qty	Unit Price	Unit Discount	Total Price	Unit Maint/SaaS	Unit Maint/SaaS Discount	Total Maint/SaaS
Tyler Secure Signature System with 2 Keys	1	$ 1,650	$ 0	$ 1,650	$ 0	$ 0	$ 0

TOTAL	**$ 1,650**	**$ 0**

Summary	**One Time Fees**	**Recurring Fees**
Total Tyler Software	$ 0	$ 0
Total Annual	$ 0	$ 99,426
Total Tyler Services	$ 345,352	$ 0
Total Third-Party Hardware, Software, Services	$ 1,650	$ 0
Summary Total	**$ 347,002**	**$ 99,426**
Contract Total	**$ 844,132**	
Estimated Travel Expenses excl in Contract Total	**$ 27,000**	

Unless otherwise indicated in the contract or amendment thereto, pricing for optional items will be held
For six (6) months from the Quote date or the Effective Date of the Contract, whichever is later.

Customer Approval: _____ Date: _____

Print Name: _____ P.O.#: _____

All Primary values quoted in US Dollars

Detailed Breakdown of Conversions (Included in Summary Total)

Description	Qty	Unit Price	Unit Discount	Extended Price
Accounting/GL				
AC - Actuals up to 3 years	1	$ 1,000	$ 0	$ 1,000
AC - Budgets up to 3 years	1	$ 1,000	$ 0	$ 1,000
AC Standard COA	1	$ 2,000	$ 0	$ 2,000
Accounts Payable				
AP - Checks up to 5 years	1	$ 2,200	$ 0	$ 2,200
AP - Invoice up to 5 years	1	$ 2,800	$ 0	$ 2,800

AP Standard Master	1	$ 1,200	$ 0	$ 1,200
Capital Assets				
CA - History	1	$ 1,000	$ 0	$ 1,000
CA Std Master	1	$ 2,000	$ 0	$ 2,000
Contract Management				
Contracts	1	$ 3,000	$ 0	$ 3,000
General Billing				
GB Std CID	1	$ 1,000	$ 0	$ 1,000
Payroll/HR				
HR Human Resources - Certifications	1	$ 1,400	$ 0	$ 1,400
HR Human Resources - Education	1	$ 1,400	$ 0	$ 1,400
HR Human Resources - PM Action History up to 5 years	1	$ 1,400	$ 0	$ 1,400
HR Human Resources - Position Control	1	$ 1,400	$ 0	$ 1,400
HR Human Resources - Recruiting	1	$ 1,400	$ 0	$ 1,400
PR Payroll - Accrual Balances	1	$ 1,500	$ 0	$ 1,500
PR Payroll - Accumulators up to 5 years	1	$ 1,400	$ 0	$ 1,400
PR Payroll - Check History up to 5 years	1	$ 1,200	$ 0	$ 1,200
PR Payroll - Deductions	1	$ 1,800	$ 0	$ 1,800
PR Payroll - Earning/Deduction Hist up to 5 years	1	$ 2,500	$ 0	$ 2,500
PR Payroll - Standard	1	$ 2,000	$ 0	$ 2,000
PR Payroll - State Retirement Tables	1	$ 1,400	$ 0	$ 1,400
Project and Grant Accounting				
PG - Actuals up to 3 years	1	$ 1,000	$ 0	$ 1,000
PG - Budgets up to 3 years	1	$ 1,000	$ 0	$ 1,000
PGA Standard	1	$ 2,000	$ 0	$ 2,000
Purchasing				
Purchase Orders - Standard	1	$ 1,800	$ 0	$ 1,800
Purchasing - Standard	1	$ 1,800	$ 0	$ 1,800

TOTAL **$ 43,600**

Optional Tyler SaaS and Related Services

Description	Qty	Imp. Hours	Annual Fee
Financial Management			
Quatred Asset Scanning Interface	1	16	$ 1,368
Human Resources Management			
ExecuTime Advance Scheduling Mobile Access	1	0	$ 2,352
ExecuTime Advanced Scheduling - Up to 150 Employees	1	64	$ 9,410
Recruiting	1	16	$ 974
Revenue Management			
Tyler Cashiering	1	40	$ 6,729
Civic Services			
MyCivic Bundle	1	44	$ 8,000
Data Insights			
Socrata Capital Projects Explorer	1	0	$ 6,000
Socrata Open Finance	1	0	$ 12,000
Integrations			
Munis General Ledger API Toolkit	1	24	$ 4,558
Subscription Fees			
ACFR Statement Builder	1	32	$ 6,070
Recurring Services			
Tyler Detect	1	0	$ 15,000
TOTAL:		**236**	**$ 72,461**

Optional Professional Services

Description		Quantity	Unit Price	Extended Price	Maintenance
Install Fee - Socrata Capital Projects Explorer		1	$ 1,600	$ 1,600	$ 0
Install Fee - Socrata Open Finance		1	$ 3,200	$ 3,200	$ 0
Install Fee - Tyler Detect		1	$ 1,000	$ 1,000	$ 0
P-Card Import Format		1	$ 5,500	$ 5,500	$ 0
Onsite Implementation		64	$ 195	$ 12,480	$ 0
Remote Implementation		172	$ 163	$ 28,036	$ 0
	TOTAL			**$ 51,816**	**$ 0**

Optional 3rd Party Hardware, Software and Services

Description	Qty	Unit Price	Unit Discount	Total Price	Unit Maint/SaaS	Unit Maint/SaaS Discount	Total Maint/SaaS
Cash Drawer	1	$ 260	$ 0	$ 260	$ 0	$ 0	$ 0
Hand Held Scanner - Model 1950GSR	1	$ 450	$ 0	$ 450	$ 0	$ 0	$ 0
Hand Held Scanner Stand	1	$ 30	$ 0	$ 30	$ 0	$ 0	$ 0
Koa Hills - Data Conversion Assistance - Finance	1	$ 25,800	$ 0	$ 25,800	$ 0	$ 0	$ 0
Koa Hills - Data Conversion Assistance - HCM	1	$ 13,980	$ 0	$ 13,980	$ 0	$ 0	$ 0
Koa Hills - Tyler Hosted Data Archive Module - Financials Professional Services	1	$ 11,340	$ 0	$ 11,340	$ 0	$ 0	$ 0
Koa Hills - Tyler Hosted Data Archive Module - HCM Professional Services	1	$ 8,160	$ 0	$ 8,160	$ 0	$ 0	$ 0
Pattern Stream Automated Document System - SaaS	1	$ 0	$ 0	$ 0	$ 14,372	$ 0	$ 14,372
Printer (TM-S9000)	1	$ 1,623	$ 0	$ 1,623	$ 0	$ 0	$ 0
TOTAL				**$ 61,643**			**$ 14,372**

Tyler Annual Discount Detail (Excludes Optional Products)

Description	Annual Fee	Annual Fee Discount	Annual Fee Net
Data Insights			
Munis Analytics & Reporting w Executive Insights	$ 13,019	$ 1,823	$ 11,196
Additional			
Tyler ReadyForms Processing (including Common Form Set)	$ 4,380	$ 613	$ 3,767
Financial Management			
Accounting/GL	$ 18,597	$ 2,604	$ 15,993
Accounts Payable	$ 5,312	$ 744	$ 4,568
Bid Management	$ 2,031	$ 284	$ 1,747
Budgeting	$ 5,312	$ 744	$ 4,568
Capital Assets	$ 4,473	$ 626	$ 3,847
Cash Management	$ 3,059	$ 428	$ 2,631
Contract Management	$ 2,019	$ 283	$ 1,736
eProcurement	$ 3,059	$ 428	$ 2,631
Project & Grant Accounting	$ 3,585	$ 502	$ 3,083
Purchasing	$ 7,727	$ 1,082	$ 6,645
Revenue Management			
Accounts Receivable	$ 3,907	$ 547	$ 3,360
General Billing	$ 2,593	$ 363	$ 2,230
Integrations			
DocuSign Signature Service - Annual Fee	$ 8,000	$ 1,120	$ 6,880
Human Resources Management			
ExecuTime Time & Attendance - Up to 150 Employees	$ 7,566	$ 1,059	$ 6,507
ExecuTime Time & Attendance Mobile Access	$ 3,003	$ 420	$ 2,583
Human Resources & Talent Management	$ 4,584	$ 642	$ 3,942
Payroll w/ESS	$ 5,590	$ 783	$ 4,807
Document Management			
Tyler Content Manager SE	$ 7,796	$ 1,091	$ 6,705
TOTAL	**$ 115,612**	**$ 16,186**	**$ 99,426**

Comments

Tyler's quote contains estimates of the amount of services needed, based on our preliminary understanding of the scope, level of engagement, and timeline as defined in the Statement of Work (SOW) for your project. The actual amount of services required may vary, based on these factors.

Tyler's pricing is based on the scope of proposed products and services contracted from Tyler. Should portions of the scope of products or services be altered by the Client, Tyler reserves the right to adjust prices for the remaining scope accordingly.

Unless otherwise noted, prices submitted in the quote do not include travel expenses incurred in accordance with Tyler's then-current Business Travel Policy.

Tyler's prices do not include applicable local, city or federal sales, use excise, personal property or other similar taxes or duties, which you are responsible for determining and remitting. Installations are completed remotely but can be done onsite upon request at an additional cost.

In the event Client cancels services less than two (2) weeks in advance, Client is liable to Tyler for (i) all non-refundable expenses incurred by Tyler on Client's behalf; and (ii) daily fees associated with the cancelled services if Tyler is unable to re-assign its personnel.

Implementation hours are scheduled and delivered in four (4) or eight (8) hour increments.
Tyler provides onsite training for a maximum of 12 people per class. In the event that more than 12 users wish to participate in a training class or more than one occurrence of a class is needed, Tyler will either provide additional days at then-current rates for training or Tyler will utilize a Train-the-Trainer approach whereby the client designated attendees of the initial training can thereafter train the remaining users.

As a new Tyler client, you are entitled to a 30-day trial of the Tyler Detect cybersecurity service. Please reference https://www.tylertech.com/services/tyler-detect for more information on the service and contact CybersecuritySales@tylertech.com to initiate the trial.

Tyler Content Manager SE includes up to 1TB of storage. Should additional storage be needed it may be purchased as needed at an annual fee of $5,000 per TB.

The SaaS fees for products that are not named users are based on 32 concurrent users. Should the number of concurrent users be exceeded, Tyler reserves the right to re-negotiate the SaaS fees based upon any resulting changes in the pricing categories.

Standard Project Management responsibilities include project plan creation, initial stakeholder presentation, bi-weekly status calls, updating of project plan task statuses, and go-live planning activities.

For the avoidance of doubt, Tyler Detect is a subscription service, not SaaS.Notwithstanding the foregoing language, payment of annual subscription fees for Tyler Detect commence on the availability of the service. Tyler Detect services will renew automatically for additional one (1) year terms, and subsequent subscription fees are due annually in advance on the anniversary of the availability date at our then-current rates.Pricing is based on client's current network size as defined by their entity size. Any material increases of network size may result in additional fees being assessed for the Tyler Detect service upon renewal.The quoted Tyler Detect amount does not include monitoring of student devices nor analysis of student network traffic. Tyler can quote an additional fee for these services.

Tyler's form library prices are based on the actual form quantities listed, and assume the forms will be provided according to the standard Munis form template. Any forms in addition to the quoted amounts and types, including custom forms or forms that otherwise require custom programming, are subject to an additional fee. Please also note that use of the Tyler Forms functionality requires the use of approved printers as well. You may contact Tyler's support team for the most current list of approved printers. Any forms included in this quote are based on the standard form templates provided. Custom forms, additional forms and any custom programming are subject to additional fees not included in this quote. The additional fees would be quoted at the time of request, generally during the implementation of the forms. Please note that the form solution provided requires the use of approved printers. You may contact Tyler's support team for the most current list of approved printers.

Tyler Secure Signature System includes digitizing two signatures, additional charges will apply for additional signatures.

Financial library includes: standard A/P check, standard EFT/ACH, standard Purchase order, standard Contract, 1099M, 1099INT, 1099S, 1099NEC and 1099G.

DocuSign Signature Service refers to the interface between Tyler software and DocuSigns services. It does not include or take the place of DocuSigns proprietary products. Clients are required to provide certain DocuSign account information for implementation and to maintain its DocuSign account in order to use the interface. Clients who do not have a current DocuSign account can email tylertech@docusign.com for more information or to begin the process of obtaining an account.

General Billing library includes: standard invoice, standard statement, standard general billing receipt and standard miscellaneous receipt.

Personnel Actions Forms Library includes: standard Personnel Action form - New and standard Personnel Action Form - Change.

Each API Toolkit or Connector comes with 8 free hours of API Development Consulting hours. Each API Bundle comes with 16 free API Development Consulting hours. Additional hours can be purchased beyond this standard offering.

Payroll library includes: standard PR check, standard direct deposit, standard vendor from payroll check, standard vendor from payroll direct deposit, W2, W2c, ACA 1095B, ACA 1095C and 1099 R.

Additional required hardware will be purchased by the client directly through Quatred.

In the event Client acquires from Tyler any edition of Tyler Content Manager software other than Enterprise Edition, the license for Content Manager is restricted to use with Tyler applications only. If Client wishes to use Tyler Content Manager software with non-Tyler applications, Client must purchase or upgrade to Tyler Content Manager Enterprise Edition.

City of Los Altos, CA

SOW from Tyler Technologies, Inc.

2/1/2022

Presented to:
City of Los Altos, CA
1 N San Antonio Road
Los Altos, CA 94022-3000

Contact:
Katharina Howard
Email: Katharina.Howard@TylerTech.com
One Tyler Drive, Yarmouth, ME 04096

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Part 1: Executive Summary

1. Project Overview

1.1 Introduction

Tyler Technologies ("Tyler") is the largest and most established provider of integrated software and technology services focused solely on the public sector. Tyler's end-to-end solutions empower public sector entities including local, state, provincial and federal government, to operate more efficiently and connect more transparently with their constituents and with each other. By connecting data and processes across disparate systems, Tyler's solutions transform how clients gain actionable insights that solve problems in their communities.

1.2 Project Goals

This Statement of Work ("SOW") documents the methodology, implementation stages, activities, and roles and responsibilities, and project scope listed in the Investment Summary of the Agreement between Tyler and the Los Altos (collectively the "Project").

The overall goals of the project are to:

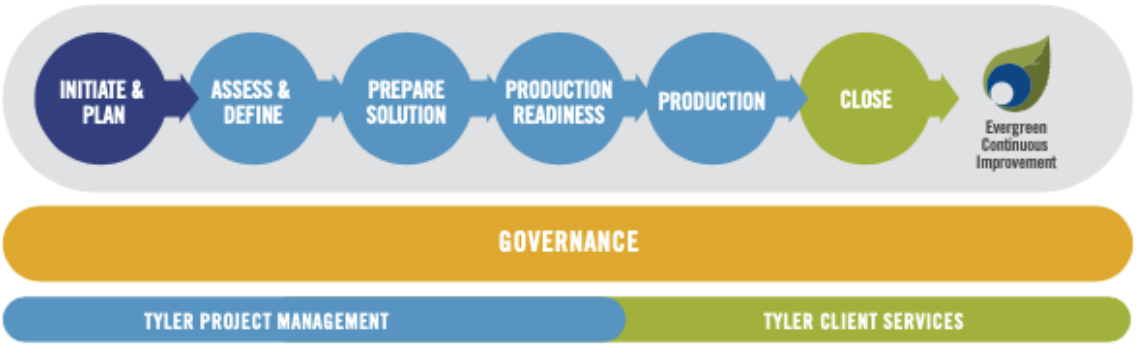
- Successfully implement the contracted scope on time and on budget
- Increase operational efficiencies and empower users to be more productive
- Improve accessibility and responsiveness to external and internal customer needs
- Overcome current challenges and meet future goals

1.3 Methodology

This is accomplished by the Los Altos and Tyler working as a partnership and Tyler utilizing its depth of implementation experience. While each Project is unique, all will follow Tyler's six-stage methodology. Each of the six stages is comprised of multiple work packages, and each work package includes a narrative description, objectives, tasks, inputs, outputs/deliverables, assumptions, and a responsibility matrix.

Tailored specifically for Tyler's public sector clients, the project methodology contains Stage Acceptance Control Points throughout each Phase to ensure adherence to scope, budget, timeline controls, effective communications, and quality standards. Clearly defined, the project methodology repeats consistently across Phases, and is scaled to meet the Los Altos's complexity and organizational needs.

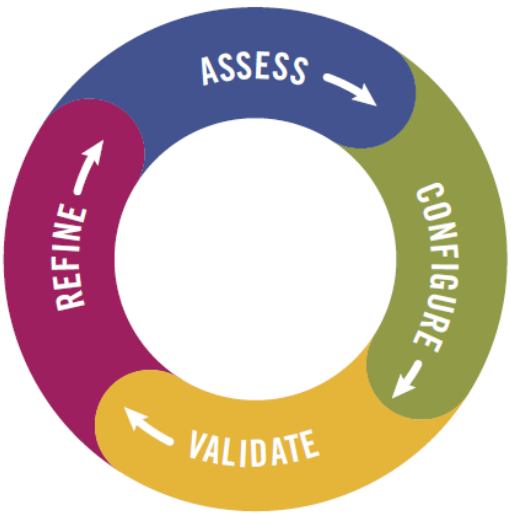
Tyler's Six Stage Project Methodology



The methodology adapts to both single-phase and multiple-phase projects.

To achieve Project success, it is imperative that both the Los Altos and Tyler commit to including the necessary leadership and governance. During each stage of the Project, it is expected that the Los Altos and Tyler Project teams work collaboratively to complete tasks. An underlying principle of Tyler's Implementation process is to employ an iterative model where the Los Altos's business processes are assessed, configured, validated, and refined cyclically in line with the project budget. This approach is used in multiple stages and work packages as illustrated in the graphic below.

Iterative Project Model



The delivery approach is systematic, which reduces variability and mitigates risks to ensure Project success. As illustrated, some stages, along with work packages and tasks, are intended to be overlapping by nature to complete the Project efficiently and effectively.

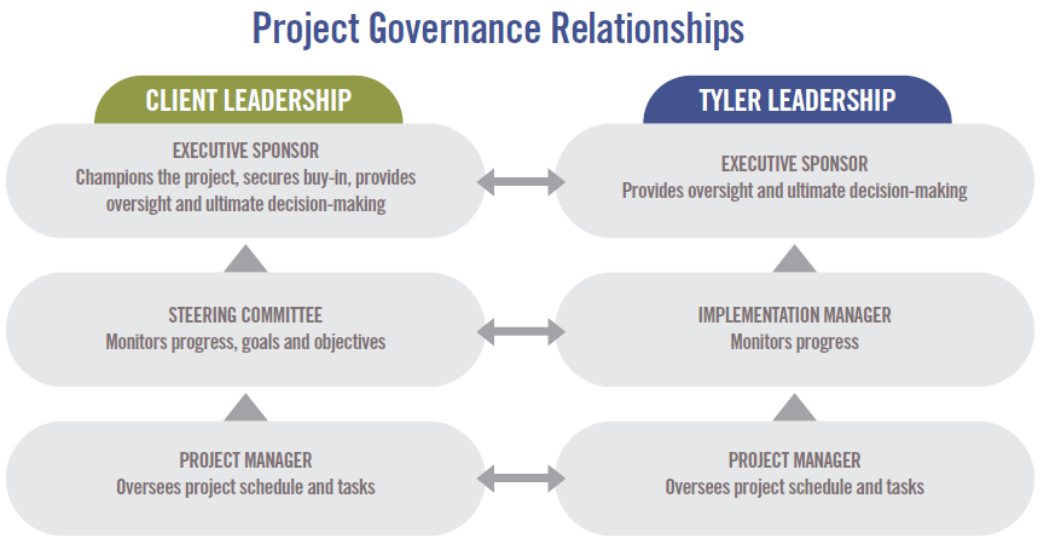
Part 2: Project Foundation

2. Project Governance

Project governance is the management framework within which Project decisions are made. The role of Project governance is to provide a decision-making approach that is logical, robust, and repeatable. This allows organizations to have a structured approach for conducting its daily business in addition to project related activities.

This section outlines the resources required to meet the business needs, objectives, and priorities for the Project, communicate the goals to other Project participants, and provide support and guidance to accomplish these goals. Project governance defines the structure for escalation of issues and risks, Change Control review and authority, and Organizational Change Management activities. Throughout the Statement of Work Tyler has provided RACI Matrices for activities to be completed throughout the implementation which will further outline responsibilities of different roles in each stage. Further refinement of the governance structure, related processes, and specific roles and responsibilities occurs during the Initiate & Plan Stage.

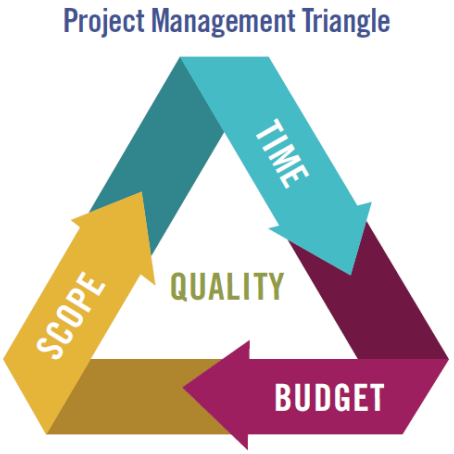
The chart below illustrates an overall team perspective where Tyler and the Los Altos collaborate to resolve Project challenges according to defined escalation paths. If project managers do not possess authority to determine a solution, resolve an issue, or mitigate a risk, Tyler implementation management and the Los Altos Steering Committee become the escalation points to triage responses prior to escalation to the Los Altos and Tyler executive sponsors. As part of the escalation process, each Project governance tier presents recommendations and supporting information to facilitate knowledge transfer and issue resolution. The Los Altos and Tyler executive sponsors serve as the final escalation point.



3. Project Scope Control

3.1 Managing Scope and Project Change

Project Management governance principles contend that there are three connected constraints on a Project: budget, timeline, and scope. These constraints, known as the "triple constraints" or project management triangle, define budget in terms of financial cost, labor costs, and other resource costs. Scope is defined as the work performed to deliver a product, service or result with the specified features and functions, while time is simply defined as the schedule. The Triple Constraint theory states that if you change one side of the triangle, the other two sides must be correspondingly adjusted. For example, if the scope of the Project is increased, cost and time to complete will also need to increase. The Project and executive teams will need to remain cognizant of these constraints when making impactful decisions to the Project. A simple illustration of this triangle is included here, showing the connection of each item and their relational impact to the overall Scope.



A pillar of any successful project is the ability to properly manage scope while allowing the appropriate level of flexibility to incorporate approved changes. Scope and changes within the project will be managed using the change control process outlined in the following section.

3.2 Change Control

It may become necessary to change the scope of this Project due to unforeseeable circumstances (e.g., new constraints or opportunities are discovered). This Project is being undertaken with the understanding that Project scope, schedule, and/or cost may need to change to produce optimal results for stakeholders. Changes to contractual requirements will follow the change control process specified in the final contract, and as described below.

3.3 Change Request Management

Should the need for a change to Project scope, schedule, and/or cost be identified during the Project, the change will be brought to the attention of the Steering Committee and an assessment of the change will occur. While such changes may result in additional costs and delays relative to the schedule, some changes may result in less cost to the Los Altos; for example, the Los Altos may decide it no longer needs a deliverable originally defined in the Project. The Change Request will include the following information:

- The nature of the change.
- A good faith estimate of the additional cost or associated savings to the Los Altos, if any.
- The timetable for implementing the change.
- The effect on and/or risk to the schedule, resource needs or resource responsibilities.

The Los Altos will use its good faith efforts to either approve or disapprove any Change Request within ten (10) Business Days (or other period as mutually agreeable between Tyler and the Los Altos). Any changes to the Project scope, budget, or timeline must be documented and approved in writing using a Change Request form. These changes constitute a formal amendment to the Statement of Work and will supersede any conflicting term in the Statement of Work.

4. Acceptance Process

The implementation of a Project involves many decisions to be made throughout its lifecycle. Decisions will vary from higher level strategy decisions to smaller, detailed Project level decisions. It is critical to the success of the Project that each Los Altos office or department designates specific individuals for making decisions on behalf of their offices or departments.

Both Tyler and the Los Altos will identify representative project managers. These individuals will represent the interests of all stakeholders and serve as the primary contacts between the two organizations.

The coordination of gaining Los Altos feedback and approval on Project deliverables will be critical to the success of the Project. The Los Altos project manager will strive to gain deliverable and decision approvals from all authorized Los Altos representatives. Given that the designated decision-maker for each department may not always be available, there must be a designated proxy for each decision point in the Project. Assignment of each proxy will be the responsibility of the leadership from each Los Altos department. The proxies will be named individuals that have the authorization to make decisions on behalf of their department.

The following process will be used for accepting Deliverables and Control Points:

- The Los Altos shall have five (5) business days from the date of delivery, or as otherwise mutually agreed upon by the parties in writing, to accept each Deliverable or Control Point. If the Los Altos does not provide acceptance or acknowledgement within five (5) business days, or the otherwise agreed upon timeframe, not to be unreasonably withheld, Tyler deems the Deliverable or Control Point as accepted.
- If the Los Altos does not agree the Deliverable or Control Point meets requirements, the Los Altos shall notify Tyler project manager(s), in writing, with reasoning within five (5) business days, or the otherwise agreed-upon timeframe, not to be unreasonably withheld, of receipt of the Deliverable.
- Tyler shall address any deficiencies and redeliver the Deliverable or Control Point. The Los Altos shall then have two (2) business days from receipt of the redelivered Deliverable or Control Point to accept or again submit written notification of reasons for rejecting the milestone. If the Los Altos does not provide acceptance within two (2) business days, or the otherwise agreed upon timeframe, not to be unreasonably withheld, Tyler deems the Deliverable or Control Point as accepted.

5. Roles and Responsibilities

The following defines the roles and responsibilities of each Project resource for the Los Altos and Tyler. Roles and responsibilities may not follow the organizational chart or position descriptions at the Los Altos, but are roles defined within the Project. It is common for individual resources on both the Tyler and Los Altos project teams to fill multiple roles. Similarly, it is common for some roles to be filled by multiple people.

5.1 Tyler Roles & Responsibilities

Tyler assigns a project manager prior to the start of each Phase of the Project (some Projects may only be one Phase in duration). Additional Tyler resources are assigned as the schedule develops and as needs arise.

5.1.1 Tyler Executive Manager

Tyler executive management has indirect involvement with the Project and is part of the Tyler escalation process. This team member offers additional support to the Project team and collaborates with other Tyler department managers as needed to escalate and facilitate implementation Project tasks and decisions.

- Provides clear direction for Tyler staff on executing on the Project Deliverables to align with satisfying the Los Altos 's overall organizational strategy.
- Authorizes required Project resources.
- Resolves all decisions and/or issues not resolved at the implementation management level as part of the escalation process.
- Acts as the counterpart to the Los Altos 's executive sponsor.

5.1.2 Tyler Implementation Manager

- Tyler implementation management has indirect involvement with the Project and is part of the Tyler escalation process. The Tyler project managers consult implementation management on issues and outstanding decisions critical to the Project. Implementation management works toward a solution with the Tyler Project Manager or with Los Altos management as appropriate. Tyler executive management is the escalation point for any issues not resolved at this level.
- Assigns Tyler Project personnel.
- Provides support for the Project team.
- Provides management support for the Project to ensure it is staffed appropriately and staff have necessary resources.
- Monitors Project progress including progress towards agreed upon goals and objectives.

5.1.3 Tyler Project Manager

- The Tyler project manager(s) provides oversight of the Project, coordination of Tyler resources between departments, management of the Project budget and schedule, effective risk, and issue management, and is the primary point of contact for all Project related items. As requested by the Los Altos, the Tyler Project Manager provides regular updates to the Los Altos Steering Committee and other Tyler governance members. Tyler Project Manager's role includes responsibilities in the following areas:

5.1.3.1 Contract Management

- Validates contract compliance throughout the Project.
- Ensures Deliverables meet contract requirements.
- Acts as primary point of contact for all contract and invoicing questions.
- Prepares and presents contract milestone sign-offs for acceptance by the Los Altos project manager(s).
- Coordinates Change Requests, if needed, to ensure proper Scope and budgetary compliance.

5.1.3.2 Planning

- Delivers project planning documents.
- Defines Project tasks and resource requirements.
- Develops initial Project schedule and Project Management Plan.

- Collaborates with the Los Altos project manager(s) to plan and schedule Project timelines to achieve on-time implementation.

5.1.3.3 Implementation Management

- Tightly manages Scope and budget of Project to ensure Scope changes and budget planned versus actual are transparent and handled effectively and efficiently.
- Establishes and manages a schedule and Tyler resources that properly support the Project Schedule and are also in balance with Scope/budget.
- Establishes risk/issue tracking/reporting process between the Los Altos and Tyler and takes all necessary steps to proactively mitigate these items or communicate with transparency to the Los Altos any items that may impact the outcomes of the Project.
- Collaborates with the Los Altos 's project manager(s) to establish key business drivers and success indicators that will help to govern Project activities and key decisions to ensure a quality outcome of the project.
- Collaborates with the Los Altos 's project manager(s) to set a routine communication plan that will aide all Project team members, of both the Los Altos and Tyler, in understanding the goals, objectives, status, and health of the Project.

5.1.3.4 Resource Management

- Acts as liaison between Project team and Tyler manager(s).
- Identifies and coordinates all Tyler resources across all applications, Phases, and activities including development, forms, installation, reports, implementation, and billing.
- Provides direction and support to Project team.
- Manages the appropriate assignment and timely completion of tasks as defined in the Project Schedule, task list, and Go-Live Checklist.
- Assesses team performance and adjusts as necessary.
- Consulted on in Scope 3rd party providers to align activities with ongoing Project tasks.

5.1.4 Tyler Implementation Consultant

- Completes tasks as assigned by the Tyler project manager(s).
- Documents activities for services performed by Tyler.
- Guides the Los Altos through software validation process following configuration.
- Assists during Go-Live process and provides support until the Los Altos transitions to Client Services.
- Facilitates training sessions and discussions with the Los Altos and Tyler staff to ensure adequate discussion of the appropriate agenda topics during the allotted time.
- May provide conversion review and error resolution assistance.

5.1.5 Tyler Sales

- Supports Sales to Implementation knowledge transfer during Initiate & Plan.
- Provides historical information, as needed, throughout implementation.
- Participates in pricing activities if additional licensing and/or services are needed.

5.1.6 Tyler Technical Services

- Maintains Tyler infrastructure requirements and design document(s).
- Involved in system infrastructure planning/review(s).
- Provides first installation of licensed software with initial database on servers.

- Supports and assists the project team with technical/environmental issues/needs.
- Deploys Tyler products.

5.1.7 Tyler SaaS Technicians

- Sets up Tyler-hosted servers.
- Provides maintenance of hosted server hardware, operating system, and software upgrades.
- Provides IT-related services for server environment.
- Provides remote technical assistance and tracks issues.
- Provides system management and disaster recovery services within hosting services.
- Performs Tyler software upgrades through coordination with the Los Altos.

5.2 Los Altos Roles & Responsibilities

Los Altos resources will be assigned prior to the start of each Phase of the Project. One person may be assigned to multiple Project roles.

5.2.1 Los Altos Executive Sponsor

The Los Altos executive sponsor provides support to the Project by providing strategic direction and communicating key issues about the Project and its overall importance to the organization. When called upon, the executive sponsor also acts as the final authority on all escalated Project issues. The executive sponsor engages in the Project, as needed, to provide necessary support, oversight, guidance, and escalation, but does not participate in day-to-day Project activities. The executive sponsor empowers the Los Altos steering committee, project manager(s), and functional leads to make critical business decisions for the Los Altos.

- Champions the project at the executive level to secure buy-in.
- Authorizes required project resources.
- Actively participates in organizational change communications.

5.2.2 Los Altos Steering Committee

The Los Altos steering committee understands and supports the cultural change necessary for the Project and fosters an appreciation for the Project's value throughout the organization. The steering committee oversees the Los Altos project manager and Project through participation in regular internal meetings. The Los Altos steering committee remains updated on all Project progress, Project decisions, and achievement of Project milestones. The Los Altos steering committee also serves as primary level of issue resolution for the Project.

- Works to resolve all decisions and/or issues not resolved at the project manager level as part of the escalation process.
- Attends all scheduled steering committee meetings.
- Provides support for the project team.
- Assists with communicating key project messages throughout the organization.
- Prioritizes the project within the organization.
- Ensures the project staffed appropriately and that staff have necessary resources.
- Monitors project progress including progress towards agreed upon goals and objectives.
- Has the authority to approve or deny changes impacting the following areas:
    - Cost
    - Scope

- Schedule
- Project Goals
- Los Altos Policies
- Needs of other client projects

5.2.3 Los Altos Project Manager

The Los Altos shall assign project manager(s) prior to the start of this project with overall responsibility and authority to make decisions related to Project Scope, scheduling, and task assignment. The Los Altos Project Manager should communicate decisions and commitments to the Tyler project manager(s) in a timely and efficient manner. When the Los Altos project manager(s) do not have the knowledge or authority to make decisions, he or she engages the necessary resources to participate in discussions and make decisions in a timely fashion to avoid Project delays. The Los Altos project manager(s) are responsible for reporting to the Los Altos steering committee and determining appropriate escalation points.

5.2.3.1 Contract Management

- Validates contract compliance throughout the project.
- Ensures that invoicing and Deliverables meet contract requirements.
- Acts as primary point of contact for all contract and invoicing questions. Collaborates on and approves Change Requests, if needed, to ensure proper scope and budgetary compliance.

5.2.3.2 Planning

- Reviews and accepts project planning documents.
- Defines project tasks and resource requirements for the Los Altos project team.
- Collaborates in the development and approval of the project schedule.
- Collaborates with Tyler project manager(s) to plan and schedule project timelines to achieve on-time implementation.

5.2.3.3 Implementation Management

- Tightly manages project budget and scope.
- Collaborates with Tyler project manager(s) to establish a process and approval matrix to ensure that scope changes and budget (planned versus actual) are transparent and handled effectively and efficiently.
- Collaborates with Tyler project manager to establish and manage a schedule and resource plan that properly supports the project schedule as a whole and is also in balance with scope and budget.
- Collaborates with Tyler project manager(s) to establish risk and issue tracking and reporting process between the Los Altos and Tyler and takes all necessary steps to proactively mitigate these items or communicate with transparency to Tyler any items that may impact the outcomes of the project.
- Collaborates with Tyler project manager(s) to establish key business drivers and success indicators that will help to govern project activities and key decisions to ensure a quality outcome of the project.
- Routinely communicates with both the Los Altos staff and Tyler, aiding in the understanding of goals, objectives, current status, and health of the project by all team members.
- Manages the requirements gathering process and ensure timely and quality business requirements are being provided to Tyler.

5.2.3.4 Resource Management

- Acts as liaison between project team and stakeholders.

- Identifies and coordinates all Los Altos resources across all modules, phases, and activities including data conversions, forms design, hardware and software installation, reports building, and satisfying invoices.
- Provides direction and support to project team.
- Builds partnerships among the various stakeholders, negotiating authority to move the project forward.
- Manages the appropriate assignment and timely completion of tasks as defined.
- Assesses team performance and takes corrective action, if needed.
- Provides guidance to Los Altos technical teams to ensure appropriate response and collaboration with Tyler Technical Support Teams to ensure timely response and appropriate resolution.
- Owns the relationship with in-Scope 3rd party providers and aligns activities with ongoing project tasks.
- Ensures that users have appropriate access to Tyler project toolsets as required.
- Conducts training on proper use of toolsets.
- Validates completion of required assignments using toolsets.

5.2.4 Los Altos Functional Leads

- Makes business process change decisions under time sensitive conditions.
- Communicates existing business processes and procedures to Tyler consultants.
- Assists in identifying business process changes that may require escalation.
- Contributes business process expertise for Current & Future State Analysis.
- Identifies and includes additional subject matter experts to participate in Current & Future State Analysis.
- Validates that necessary skills have been retained by end users.
- Provides End Users with dedicated time to complete required homework tasks.
- Acts as an ambassador/champion of change for the new process and provide business process change support.
- Identifies and communicates any additional training needs or scheduling conflicts to the Los Altos project manager.
- Actively participates in all aspects of the implementation, including, but not limited to, the following key activities:
    - Task completion
    - Stakeholder Meeting
    - Project Management Plan development
    - Schedule development
    - Maintenance and monitoring of risk register
    - Escalation of issues
    - Communication with Tyler project team
    - Coordination of Los Altos resources
    - Attendance at scheduled sessions
    - Change management activities
    - Modification specification, demonstrations, testing and approval assistance
    - Data analysis assistance
    - Decentralized end user training
    - Process testing
    - Solution Validation

5.2.5 Los Altos Power Users

- Participate in project activities as required by the project team and project manager(s).
- Provide subject matter expertise on the Los Altos business processes and requirements.
- Act as subject matter experts and attend Current & Future State Analysis sessions as needed.
- Attend all scheduled training sessions.
- Participate in all required post-training processes as needed throughout project.
- Test all application configuration to ensure it satisfies business process requirements.
- Become application experts.
- Participate in Solution Validation.
- Adopt and support changed procedures.
- Complete all deliverables by the due dates defined in the project schedule.
- Demonstrate competency with Tyler products processing prior to Go-live.
- Provide knowledge transfer to the Los Altos staff during and after implementation.
- Participate in conversion review and validation.

5.2.6 Los Altos End Users

- Attend all scheduled training sessions.
- Become proficient in application functions related to job duties.
- Adopt and utilize changed procedures.
- Complete all deliverables by the due dates defined in the project schedule.
- Utilize software to perform job functions at and beyond Go-live.

5.2.7 Los Altos Technical Lead

- Coordinates updates and releases with Tyler as needed.
- Coordinates the copying of source databases to training/testing databases as needed for training days.
- Coordinates and adds new users, printers and other peripherals as needed.
- Validates that all users understand log-on process and have necessary permission for all training sessions.
- Coordinates interface development for Los Altos third party interfaces.
- Develops or assists in creating reports as needed.
- Ensures on-site system meets specifications provided by Tyler.
- Assists with software installation as needed.
- Extracts and transmits conversion data and control reports from the Los Altos's legacy system per the conversion schedule set forth in the project schedule.

5.2.7.1 Los Altos Upgrade Coordination

- Becomes familiar with the software upgrade process and required steps.
- Becomes familiar with Tyler's releases and updates.
- Utilizes Tyler resources to stay abreast of the latest Tyler releases and updates, as well as the latest helpful tools to manage the Los Altos's software upgrade process.
- Assists with the software upgrade process during implementation.
- Manages software upgrade activities post-implementation.
- Manages software upgrade plan activities.
- Coordinates software upgrade plan activities with Los Altos and Tyler resources.
- Communicates changes affecting users and department stakeholders.

- Obtains department stakeholder acceptance to upgrade production environment.

5.2.8 Los Altos Change Management Lead

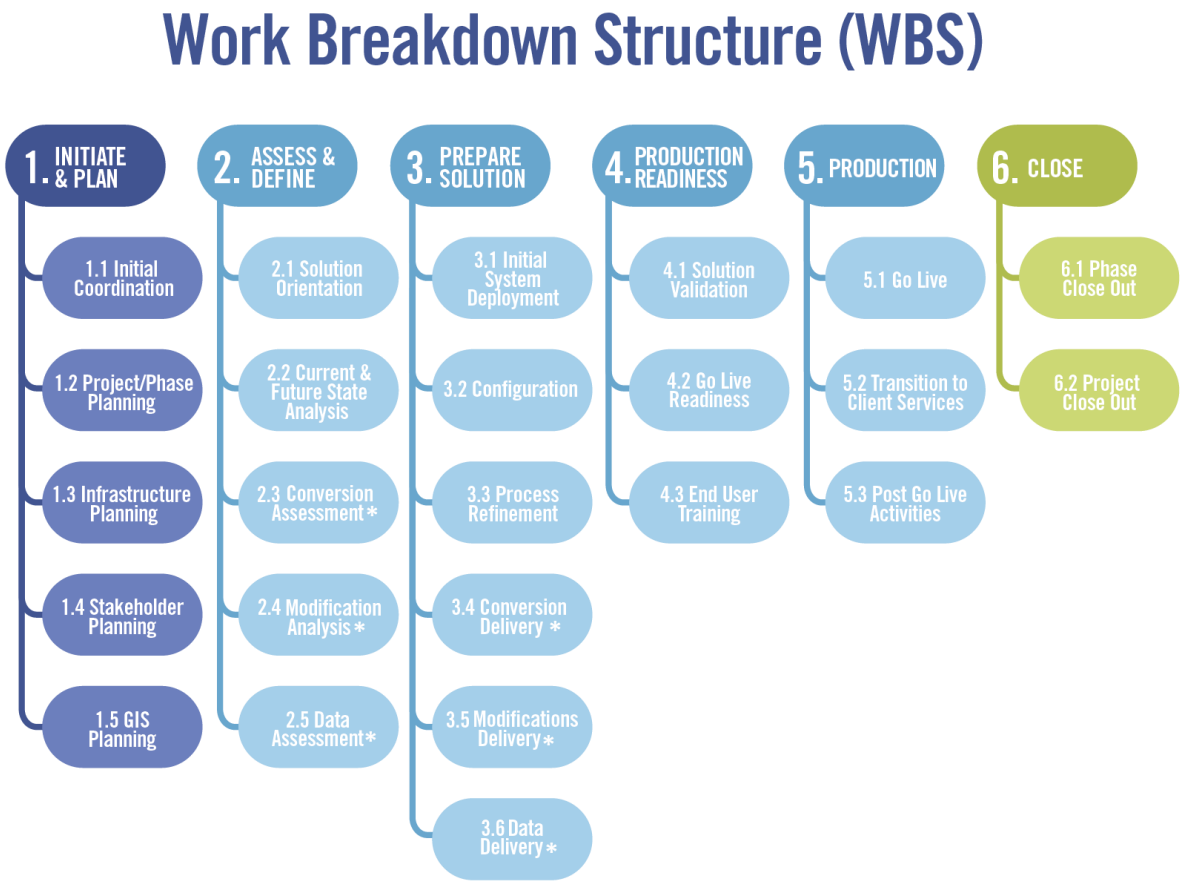
- Validates that users receive timely and thorough communication regarding process changes.
- Provides coaching to supervisors to prepare them to support users through the project changes.
- Identifies the impact areas resulting from project activities and develops a plan to address them proactively.
- Identifies areas of resistance and develops a plan to reinforce the change.
- Monitors post-production performance and new process adherence.

Part 3: Project Plan

6. Project Stages

Work Breakdown Structure

The Work Breakdown Structure (WBS) is a hierarchical representation of a Project or Phase broken down into smaller, more manageable components. The top-level components are called "Stages" and the second level components are called "Work Packages". The work packages, shown below each stage, contain the high-level work to be done. The detailed Project Schedule, developed during Project/Phase Planning and finalized during subsequent stages, lists the tasks to be completed within each work package. Each stage ends with a "Control Point", confirming the work performed during that stage of the Project has been accepted by the Los Altos.



**Items noted with an asterisk in the graphic above relate to specific products and services. If those products and services are not included in the scope of the contract, these specific work packages will be noted as "Intentionally Left Blank" in Section 6 of the Statement of Work.*

6.1 Initiate and Plan

The Initiate and Plan stage involves Project initiation, infrastructure, and planning. This stage creates a foundation for the Project by identifying and establishing sequence and timing for each Phase as well as verifying scope for the Project. This stage will be conducted at the onset of the Project, with a few unique items being repeated for the additional Phases as needed.

6.1.1 Initial Coordination

Prior to Project commencement, Tyler management assigns project manager(s). Additional Project resources will be assigned later in the Project as a Project schedule is developed. Tyler provides the Los Altos with initial Project documents used to gather names of key personnel, their functional role as it pertains to the Project, as well as any blackout dates to consider for future planning. the Los Altos gathers the information requested by the provided deadline ensuring preliminary planning and scheduling can be conducted moving the Project forward in a timely fashion. Internally, the Tyler Project Manager(s) coordinate with sales to ensure transfer of vital information from the sales process prior to scheduling a Project Planning Meeting with the Los Altos's team. During this step, Tyler will work with the Los Altos to establish the date(s) for the Project and Phase Planning session.

Objectives:

- Formally launch the project.
- Establish project governance.
- Define and communicate governance for Tyler.
- Identify Los Altos project team.

STAGE 1	Initial Coordination																
	Tyler								Los Altos								
RACI MATRIX KEY: R = Responsible A = Accountable C = Consulted I = Informed	Executive Manager	Implementation Manager	Project Manager	Implementation Consultant	Data Experts	Modification Services	Technical Services	Client Services	Executive Sponsor	Steering Committee	Project Manager	Functional Leads	Change Management Leads	Subject Matter Experts (Power	Department Heads	End Users	Technical Leads
Tyler project team is assigned	A	R	C	I	I	I	I		I		I						
Los Altosproject team is assigned									A	I	R	I	I	I			
Provide initial project documents to the Los Altos		A	R	C			C		I		I						
Gather preliminary information requested			I						A		R	C		C		C	C
Sales to implementation knowledge transfer		A	R	I	I	I	I				I						
Create Project Portal to store project artifacts and facilitate communication		A	R								I						

Inputs	Contract documents
	Statement of Work

Outputs/Deliverables	Completed initial project documents
	Project portal

Work package assumptions:

- Project activities begin after the agreement has been fully executed.

6.1.2 Project/Phase Planning

Project and Phase planning provides an opportunity to review the contract, software, data conversions and services purchased, identify applications to implement in each Phase (if applicable), and discuss implementation timeframes.

During this work package Tyler will work with the Los Altos to coordinate and plan a formal Project planning meeting(s). This meeting signifies the start of the Project and should be attended by all Los Altos Project team members and the Tyler Project Manager. The meeting provides an opportunity for Tyler to introduce its implementation methodology, terminology, and Project management best practices to the Los Altos's Project Team. This will also present an opportunity for project managers and Project sponsors to begin to discuss Project communication, metrics, status reporting and tools to be used to measure Project progress and manage change.

Tyler will work with the Los Altos Project Team to prepare and deliver the Project Management Plan as an output of the planning meeting. This plan will continue to evolve and grow as the Project progresses and will describe how the project will be executed, monitored, and controlled.

During project planning, Tyler will introduce the tools that will be used throughout the implementation. Tyler will familiarize the Los Altos with these tools during project planning and make them available for review and maintenance as applicable throughout the project. Some examples are Solution validation plan, issue log, and go-live checklist.

STAGE 1	Project/Phase Planning																
	Tyler								Los Altos								
RACI MATRIX KEY: R = Responsible A = Accountable C = Consulted I = Informed	Executive Manager	Implementation Manager	Project Manager	Implementation Consultant	Data Experts	Modification Services	Technical Services	Client Services	Executive Sponsor	Steering Committee	Project Manager	Functional Leads	Change Management Leads	Subject Matter Experts (Power	Department Heads	End Users	Technical Leads

Schedule and conduct planning session(s)		A	R						I		C	C	I				
Develop Project Management Plan		A	R						I		C	C	I				
Develop initial project schedule		A	R	I	I	I	I		I	I	C	C	I	I	C		I

Inputs	Contract documents
	Statement of Work
	Guide to Starting Your Project

Outputs / Deliverables		Acceptance Criteria [only] for Deliverables
	Project Management Plan	Delivery of document
	Project Operational Plan	Delivery of document
	Initial Project Schedule	Los Altos provides acceptance of schedule based on resource availability, project budget, and goals.

Work package assumptions:

- Los Altos has reviewed and completed the Guide to Starting Your Project document.

6.1.3 Infrastructure Planning

Procuring required hardware and setting it up properly is a critical part of a successful implementation. This task is especially important for Tyler-hosted/SaaS deployment models. Tyler will be responsible for building the environments for a hosted/SaaS deployment, unless otherwise identified in the Agreement. Tyler will install Licensed Software on application server(s) or train the Los Altos to install License Software. The Los Altos is responsible for the installation and setup of all peripheral devices.

Objectives:

- Ensure the Los Altos's infrastructure meets Tyler's application requirements.
- Ensure the Los Altos's infrastructure is scheduled to be in place and available for use on time.

STAGE 1	Infrastructure Planning																
	Tyler								Los Altos								
RACI MATRIX KEY: R = Responsible A = Accountable C = Consulted I = Informed	Executive Manager	Implementation Manager	Project Manager	Implementation Consultant	Data Experts	Modification Services	Technical Services	Client Services	Executive Sponsor	Steering Committee	Project Manager	Functional Leads	Change Management Leads	Subject Matter Experts	Department Heads	End Users	Technical Leads

Provide Infrastructure Requirements and Design Document		A	R		C		C				I						I
Initial Infrastructure Meeting		A	R		C		C				C						C
*Schedule SaaS Environment Availability		A	R				C				I						
*Schedule Hardware to be Available for Installation			I				I		A		R						C
Schedule Installation of All Licensed Software		A	R				C				I						I
Infrastructure Audit		A	R				C				I						C

Inputs	1. Initial Infrastructure Requirements and Design Document

Outputs / Deliverables		Acceptance Criteria [only] for Deliverables
	1. Completed Infrastructure Requirements and Design Document	Delivery of Document
	2. Infrastructure Audit	System Passes Audit Criteria

6.1.4 Stakeholder Meeting

Communication of the Project planning outcomes to the Los Altos Project team, executives and other key stakeholders is vital to Project success. The Stakeholder meeting is a strategic activity to inform, engage, gain commitment, and instill confidence in the Los Altos team. During the meeting, the goals and objectives of the Project will be reviewed along with detail on Project scope, implementation methodology, roles and responsibilities, Project timeline and schedule, and keys to Project success.

Objectives:

- Formally present and communicate the project activities and timeline.
- Communicate project expectations.

STAGE 1	Stakeholder Meeting																
	Tyler								Los Altos								
RACI MATRIX KEY: R = Responsible A = Accountable C = Consulted I = Informed	Executive Manager	Implementation Manager	Project Manager	Implementation Consultant	Data Experts	Modification Services	Technical Services	Client Services	Executive Sponsor	Steering Committee	Project Manager	Functional Leads	Change Management Leads	Subject Matter Experts (Power	Department Heads	End Users	Technical Leads
Create Stakeholder Meeting Presentation	I	A	R	I	I				I	I	C		I				

Review Stakeholder Meeting Presentation		I	C						A		R		C				
Perform Stakeholder Meeting Presentation	I	A	R	I	I				I	I	C	I	I	I	I	I	I

Inputs	Agreement
	SOW
	Project Management Plan

Outputs / Deliverables		Acceptance Criteria [only] for Deliverables
	Stakeholder Meeting Presentation	

Work package assumptions:

- None

6.1.5 Intentionally left blank.

6.1.6 Control Point 1: Initiate & Plan Stage Acceptance

Acceptance criteria for this stage includes completion of all criteria listed below.

Note: Advancement to the Assess & Define stage is not dependent upon Tyler's receipt of this stage acceptance.

Initiate & Plan Stage Deliverables:

- Project Management Plan
- Initial Project Schedule

Initiate & Plan stage acceptance criteria:

- All stage deliverables accepted based on acceptance criteria previously defined
- Project governance defined
- Project portal made available to the Los Altos
- Stakeholder meeting complete

6.2 Assess & Define

The Assess & Define stage will provide an opportunity to gather information related to current Los Altos business processes. This information will be used to identify and define business processes utilized with Tyler software. The Los Altos collaborates with Tyler providing complete and accurate information to Tyler staff and assisting in analysis, understanding current workflows and business processes.

6.2.1 Solution Orientation

The Solution Orientation provides the Project stakeholders a high-level understanding of the solution functionality prior to beginning the current and future state analysis. The primary goal is to establish a foundation for upcoming conversations regarding the design and configuration of the solution.

Tyler utilizes a variety of tools for the Solution Orientation, focusing on Los Altos team knowledge transfer such as: eLearning, documentation, or walkthroughs. The Los Altos team will gain a better understanding of the major processes and focus on data flow, the connection between configuration options and outcome, integration, and terminology that may be unique to Tyler's solution.

Objectives:

- Provide a basic understanding of system functionality.
- Prepare the Los Altos for current and future state analysis.

STAGE 2	Solution Orientation																
	Tyler								Los Altos								
RACI MATRIX KEY: R = Responsible A = Accountable C = Consulted I = Informed	Executive Manager	Implementation Manager	Project Manager	Implementation Consultant	Data Experts	Modification Services	Technical Services	Client Services	Executive Sponsor	Steering Committee	Project Manager	Functional Leads	Change Management Leads	Subject Matter Experts (Power	Department Heads	End Users	Technical Leads
Provide pre-requisites			A	R							I	I		I	I		I
Complete pre-requisites											A	R		C			C
Conduct orientation			A	R							I	I		I	I		I

Inputs	Solution orientation materials
	Training Plan

6.2.2 Current & Future State Analysis

The Current & Future State Analysis provides the Project stakeholders and Tyler an understanding of process changes that will be achieved with the new system.

The Los Altos and Tyler will evaluate current state processes, options within the new software, pros and cons of each based on current or desired state and make decisions about the future state configuration and processing. This may occur before or within the same timeframe as the configuration work package. The options within the new software will be limited to the scope of this implementation and will make use of standard Tyler functionality.

The Los Altos will adopt the existing Tyler solution wherever possible to avoid project schedule and quality risk from over customization of Tyler products. It is the Los Altos's responsibility to verify that in-scope requirements are being met throughout the implementation if functional requirements are defined as part of the contract. The following guidelines will be followed when evaluating if a modification to the product is required:

- A reasonable business process change is available.
- Functionality exists which satisfies the requirement.
- Configuration of the application satisfies the requirement.
- An in-scope modification satisfies the requirement.

Requirements that are not met will follow the agreed upon change control process and can have impacts on the project schedule, scope, budget, and resource availability.

STAGE 2	Current & Future State Analysis																
	Tyler								Los Altos								
RACI MATRIX KEY: R = Responsible A = Accountable C = Consulted I = Informed	Executive Manager	Implementation Manager	Project Manager	Implementation Consultant	Data Experts	Modification Services	Technical Services	Client Services	Executive Sponsor	Steering Committee	Project Manager	Functional Leads	Change Management Leads	Subject Matter Experts (Power	Department Heads	End Users	Technical Leads
Current State process review			A	R	I	I	I				C	C	C	C			C
Discuss future-state options			A	R	C	C	C				C	C	C	C			C
Make future-state decisions (non-COTS)			C	C	C	C	C				A	R	I	C			C
Document anticipated configuration options required to support future state			A	R	C	C	C				I	I	I	I			I

Inputs	Los Altoscurrent state documentation
	Solution Orientation completion

Outputs / Deliverables		Acceptance Criteria [only] for Deliverables
	Documentation that describes future-state decisions and configuration options to support future-state decisions.	Delivery of document

Work package assumptions:

- Los Altos attendees possess sufficient knowledge and authority to make future state decisions.
- The Los Altos is responsible for any documentation of current state business processes.
- The Los Altos can effectively communicate current state processes.

6.2.3 Conversion Assessment

Data Conversions are a major effort in any software implementation. Tyler's conversion tools facilitate the predictable, repeatable conversion process that is necessary to support a successful transition to the Tyler system. The first step in this process is to perform an assessment of the existing ("legacy") system(s), to better understand the source data, risks, and options available. Once the data has been analyzed, the plan for data conversion is completed and communicated to the appropriate stakeholders.

Objectives:

- Communicate a common understanding of the project goals with respect to data.
- Ensure complete and accurate source data is available for review/transfer.
- Map the data from the source to the Tyler system.
- Document the data conversion/loading approach.

STAGE 2	Data Conversion Assessment																
	Tyler								Los Altos								
RACI MATRIX KEY: R = Responsible A = Accountable C = Consulted I = Informed	Executive Manager	Implementation Manager	Project Manager	Implementation Consultant	Data Experts	Modification Services	Technical Services	Client Services	Executive Sponsor	Steering Committee	Project Manager	Functional Leads	Change Management Leads	Subject Matter Experts (Power	Department Heads	End Users	Technical Leads
Extract Data from Source Systems			I		C						A						R
Review and Scrub Source Data			I	I	I						A	R		C			I
Build/Update Data Conversion Plan			R	C	C						C	I	I	I			I

Inputs	Los Altos Source data
	Los Altos Source data Documentation (if available)

Outputs / Deliverables		Acceptance Criteria [only] for Deliverables
	Data Conversion Plan built/updated	Los Altos Acceptance of Data Conversion Plan, if Applicable

Work package assumptions:

- Tyler will be provided with data from the Legacy system(s) in a mutually agreed upon format.
- Tyler will work with the Los Altos representatives to identify business rules before writing the conversion.
- Los Altos subject matter experts and resources most familiar with the current data will be involved in the data conversion planning effort.

6.2.4 Intentionally left blank.

6.2.5 Intentionally left blank.

6.2.6 Control Point 2: Assess & Define Stage Acceptance

Acceptance criteria for this Stage includes completion of all criteria listed below.

Note: Advancement to the Prepare Solution Stage is dependent upon Tyler's receipt of the Stage Acceptance.

Assess & Define Stage Deliverables:

- Documentation of future state decisions and configuration options to support future state decisions.
- Modification specification document.
- Assess & Define Stage Acceptance Criteria:
- All stage deliverables accepted based on criteria previously defined.
- Solution Orientation is delivered.
- Conversion data extracts are received by Tyler.
- Data conversion plan built.

6.3 Prepare Solution

During the Prepare Solution stage, information gathered during the Initiate & Plan and Assess & Define stages will be used to install and configure the Tyler software solution. Software configuration will be validated by the Los Altos against future state decisions defined in previous stages and processes refined as needed to ensure business requirements are met.

6.3.1 Initial System Deployment

The timely availability of the Tyler Solution is important to a successful Project implementation. The success and timeliness of subsequent work packages are contingent upon the initial system deployment of Tyler Licensed Software on an approved network and infrastructure. Delays in executing this work package can affect the project schedule.

Objectives:

- All licensed software is installed and operational.
- The Los Altos can access the software.

STAGE 3	Initial System Deployment (Hosted/SaaS)*																
	Tyler								Los Altos								
RACI MATRIX KEY: R = Responsible A = Accountable C = Consulted I = Informed	Executive Manager	Implementation Manager	Project Manager	Implementation Consultant	Data Experts	Modification Services	Technical Services	Client Services	Executive Sponsor	Steering Committee	Project Manager	Functional Leads	Change Management Leads	Subject Matter Experts (Power	Department Heads	End Users	Technical Leads
Prepare hosted environment			A				R				I						C
Install Licensed Software with Initial Database on Server(s) for			A				R				I						C

Included Environments																	
Install Licensed Software on Los Altos Devices (if applicable)			I				C				A						R
Tyler System Administration Training (if applicable)			A				R				I						C

Outputs / Deliverables		Acceptance Criteria [only] for Deliverables
	Licensed Software is Installed on the Server(s)	Software is accessible
	Licensed Software is Installed on Los Altos Devices (if applicable)	Software is accessible
	Installation Checklist/System Document	System Passes
	Infrastructure Design Document (C&J – If Applicable)	

Work package assumptions:

- The most current available version of the Tyler Licensed Software will be installed.
- The Los Altos will provide network access for Tyler modules, printers, and Internet access to all applicable Los Altos and Tyler Project staff.

6.3.2 Configuration

The purpose of Configuration is to prepare the software product for validation.

Tyler staff collaborates with the Los Altos to complete software configuration based on the outputs of the future state analysis performed during the Assess and Define Stage. The Los Altos collaborates with Tyler staff iteratively to validate software configuration.

Objectives:

- Software is ready for validation.
- Educate the Los Altos Power User how to configure and maintain software.
- Prepare standard interfaces for process validation (if applicable).

STAGE 3	Configuration	
	Tyler	Los Altos

RACI MATRIX KEY: R = Responsible A = Accountable C = Consulted I = Informed	Executive Manager	Implementation Manager	Project Manager	Implementation Consultant	Data Experts	Modification Services	Technical Services	Client Services	Executive Sponsor	Steering Committee	Project Manager	Functional Leads	Change Management Leads	Subject Matter Experts (Power	Department Heads	End Users	Technical Leads
Conduct configuration training			A	R							I	C		C			
Complete Tyler configuration tasks (where applicable)			A	R							I	I		I			
Complete Los Altos configuration tasks (where applicable)			I	C							A	R		C			
Standard interfaces configuration and training (if applicable)			A	R			C				I	C		C			C
Updates to Solution Validation testing plan			C	C							A	R		C			C

Inputs	Documentation that describes future state decisions and configuration options to support future state decisions.

Outputs / Deliverables		Acceptance Criteria [only] for Deliverables
	Configured System	N/A

Work package assumptions:

- Tyler provides guidance for configuration options available within the Tyler software. The Los Altos is responsible for making decisions when multiple options are available.

6.3.3 Process Refinement

Tyler will educate the Los Altos users on how to execute processes in the system to prepare them for the validation of the software. The Los Altos collaborates with Tyler staff iteratively to validate software configuration options to support future state.

Objectives:

- Ensure that the Los Altos understands future state processes and how to execute the processes in the software.
- Refine each process to meet the business requirements.
- Validate standard interfaces, where applicable.
- Validate forms and reports, where applicable.

STAGE 3	Process Refinement																
	Tyler								Los Altos								
RACI MATRIX KEY: R = Responsible A = Accountable C = Consulted I = Informed	Executive Manager	Implementation Manager	Project Manager	Implementation Consultant	Data Experts	Modification Services	Technical Services	Client Services	Executive Sponsor	Steering Committee	Project Manager	Functional Leads	Change Management Leads	Subject Matter Experts (Power	Department Heads	End Users	Technical Leads
Conduct process training			A	R							I	C	I	C			
Confirm process decisions			I	C						A	R	C	I	C			
Test configuration			I	C							A	R		C			
Refine configuration (Los Altos Responsible)			I	C							A	R		C			
Refine configuration (Tyler Responsible)			A	R							I	I		I			
Validate interface process and results			I	C			C				A	R		C			C
Update Los Altos-specific process documentation (if applicable)			I	C							A	R		C			
Updates to Solution Validation testing plan			C	C							A	R		C			C

Inputs	Initial Configuration
	Documentation that describes future state decisions and configuration options to support future state decisions.
	Solution validation test plan

Outputs / Deliverables		Acceptance Criteria [only] for Deliverables
	Updated solution validation test plan	
	Completed Los Altos-specific process documentation (completed by Los Altos)	

Work package assumptions:

- None

6.3.4 Conversion Delivery

The purpose of this task is to transition the Los Altos's data from their source ("legacy") system(s) to the Tyler system(s). The data will need to be mapped from the legacy system into the new Tyler system format. A well-executed data conversion is key to a successful cutover to the new system(s).

With guidance from Tyler, the Los Altos will review specific data elements within the system and identify / report discrepancies. Iteratively, Tyler will collaborate with the Los Altos to address conversion discrepancies. This process will allow for clean, reconciled data to transfer from the source system(s) to the Tyler system(s). Reference Conversion Appendix for additional detail.

Objectives:

- Data is ready for production (Conversion).

STAGE 3	Data Delivery & Conversion																
	Tyler								Los Altos								
RACI MATRIX KEY: R = Responsible A = Accountable C = Consulted I = Informed	Executive Manager	Implementation Manager	Project Manager	Implementation Consultant	Data Experts	Modification Services	Technical Services	Client Services	Executive Sponsor	Steering Committee	Project Manager	Functional Leads	Change Management Leads	Subject Matter Experts (Power Users)	Department Heads	End Users	Technical Leads
Provide data crosswalks/code mapping tool			A	C	R						I	I		I			

Populate data crosswalks/code mapping tool			I	C	C						A	R		C			
Iterations: Conversion Development			A	C	R						I						I
Iterations: Deliver converted data			A		R		I				I						I
Iterations: Proof/Review data and reconcile to source system			C	C	C						A	R		C			C

Inputs	
	Data Conversion Plan
	Configuration

Outputs / Deliverables		Acceptance Criteria [only] for Deliverables
	Code Mapping Complete / Validated	N/A
	Conversion Iterations / Reviews Complete	Conversion complete, verified, and ready for final pass

Work package assumptions:

- The Los Altos will provide a single file layout per source system as identified in the investment summary.
- The Los Altos subject matter experts and resources most familiar with the current data will be involved in the data conversion effort.
- The Los Altos project team will be responsible for completing the code mapping activity, with assistance from Tyler.

6.3.5 Intentionally left blank.

6.3.6 Intentionally left blank.

6.3.7 Control Point 3: Prepare Solution Stage Acceptance

Acceptance criteria for this Stage includes all criteria listed below in each Work Package.

Note: Advancement to the Production Readiness Stage is dependent upon Tyler's receipt of the Stage Acceptance.

Prepare Solution Stage Deliverables:

- Licensed software is installed.
- Installation checklist/system document.
- Updated solution design document (Socrata only).

- Prioritized data sets for review in Tyler system (Socrata only).
- Conversion iterations and reviews complete.

Prepare Solution Stage Acceptance Criteria:

- All stage deliverables accepted based on criteria previously defined.
- Software is configured.
- Solution validation test plan has been reviewed and updated if needed.

6.4 Production Readiness

Activities in the Production Readiness stage will prepare the Los Altos team for go-live through solution validation, the development of a detailed go-live plan and end user training. A readiness assessment will be conducted with the Los Altos to review the status of the project and the organizations readiness for go-live.

6.4.1 Solution Validation

Solution Validation is the end-to-end software testing activity to ensure that the Los Altos verifies all aspects of the Project (hardware, configuration, business processes, etc.) are functioning properly, and validates that all features and functions per the contract have been deployed for system use.

Objectives:

- Validate that the solution performs as indicated in the solution validation plan.
- Ensure the Los Altos organization is ready to move forward with go-live and training (if applicable).

STAGE 4	Solution Validation																
	Tyler								Los Altos								
RACI MATRIX KEY: R = Responsible A = Accountable C = Consulted I = Informed	Executive Manager	Implementation Manager	Project Manager	Implementation Consultant	Data Experts	Modification Services	Technical Services	Client Services	Executive Sponsor	Steering Committee	Project Manager	Functional Leads	Change Management Leads	Subject Matter Experts (Power	Department Heads	End Users	Technical Leads
Update Solution Validation plan			A	R	C						C	C		C			
Update test scripts (as applicable)			C	C	C						A	R		C			
Perform testing			C	C	C						A	R		C			
Document issues from testing			C	C	C						A	R		C			
Perform required follow-up on issues			A	R	C						C	C		C			

Inputs	Solution Validation plan
	Completed work product from prior stages (configuration, business process, etc.)

Outputs / Deliverables		Acceptance Criteria [only] for Deliverables
	Solution Validation Report	Los Altos updates report with testing results

Work package assumptions:

- Designated testing environment has been established.
- Testing includes current phase activities or deliverables only.

6.4.2 Go-Live Readiness

Tyler and the Los Altos will ensure that all requirements defined in Project planning have been completed and the Go-Live event can occur, as planned. A go-live readiness assessment will be completed identifying risks or actions items to be addressed to ensure the Los Altos has considered its ability to successfully Go-Live. Issues and concerns will be discussed, and mitigation options documented. Tyler and the Los Altos will jointly agree to move forward with transition to production. Expectations for final preparation and critical dates for the weeks leading into and during the Go-Live week will be planned in detail and communicated to Project teams.

Objectives:

- Action plan for go-live established.
- Assess go-live readiness.
- Stakeholders informed of go-live activities.

STAGE 4	Go-Live Readiness																
	Tyler								Los Altos								
RACI MATRIX KEY: R = Responsible A = Accountable C = Consulted I = Informed	Executive Manager	Implementation Manager	Project Manager	Implementation Consultant	Data Experts	Modification Services	Technical Services	Client Services	Executive Sponsor	Steering Committee	Project Manager	Functional Leads	Change Management Leads	Subject Matter Experts (Power	Department Heads	End Users	Technical Leads
Perform Readiness Assessment	I	A	R	C	C	I	C	I	I	I	I		I				I
Conduct Go-Live planning session		A	R	C							C	C	C	C	C		C
Order peripheral hardware (if applicable)			I							A	R						C
Confirm procedures for Go-Live issue reporting & resolution		A	R	I	I	I	I				C	C	I	I	I	I	I
Develop Go-Live checklist		A	R	C	C						C	C	I	C			C
Final system infrastructure review (where applicable)			A				R				C						C

Inputs	Future state decisions
	Go-live checklist

Outputs / Deliverables		Acceptance Criteria [only] for Deliverables
	Updated go-live checklist	Updated Action plan and Checklist for go-live delivered to the Los Altos

Work package assumptions:

- None

6.4.3 End User Training

End User Training is a critical part of any successful software implementation. Using a training plan previously reviewed and approved, the Project team will organize and initiate the training activities.

Tyler Led: Tyler provides training for all applicable users. One or multiple occurrences of each scheduled training or implementation topic will be covered.

Tyler will provide standard application documentation for the general use of the software. It is not Tyler's responsibility to develop Los Altos specific business process documentation. Los Altos-led training labs using Los Altos specific business process documentation if created by the Los Altos can be added to the regular training curriculum, enhancing the training experiences of the end users.

Objectives:

- End users are trained on how to use the software prior to go-live.
- The Los Altos is prepared for on-going training and support of the application.

STAGE 4	End User Training															
	Tyler								Los Altos							
RACI MATRIX KEY: R = Responsible A = Accountable C = Consulted I = Informed	Executive Manager	Implementation Manager	Project Manager	Implementation Consultant	Data Experts	Modification Services	Technical Services	Client Services	Executive Sponsor	Steering Committee	Project Manager	Functional Leads	Change Management Leads	Subject Matter Experts (Power	Department Heads	End Users	Technical Leads
Update training plan		A	R	C							C		I		C		
End User training (Tyler-led)		A	R	C							C	C	I	C	C	C	
Train-the-trainer		A	R	C							C	C	I	C			
End User training (Los Altos-led)			C	C							A	R	I	C	C	C	

Inputs	Training Plan
	List of End Users and their Roles / Job Duties

	Configured Tyler System

Outputs / Deliverables		Acceptance Criteria [only] for Deliverables
	End User Training	Los Altos signoff that training was delivered

Work package assumptions:

- The Los Altos project team will work with Tyler to jointly develop a training curriculum that identifies the size, makeup, and subject-area of each of the training classes.
- Tyler will work with the Los Altos as much as possible to provide end-user training in a manner that minimizes the impact to the daily operations of Los Altos departments.
- The Los Altos will be responsible for training new users after go-live (exception—previously planned or regular training offerings by Tyler).

6.4.4 Control Point 4: Production Readiness Stage Acceptance

Acceptance criteria for this stage includes all criteria listed below. Advancement to the Production stage is dependent upon Tyler's receipt of the stage acceptance.

Production Readiness stage deliverables:

- Solution Validation Report.
- Update go-live action plan and checklist.
- End user training.

Production Readiness stage acceptance criteria:

- All stage deliverables accepted based on criteria previously defined.
- Go-Live planning session conducted.

6.5 Production

Following end user training the production system will be fully enabled and made ready for daily operational use as of the scheduled date. Tyler and the Los Altos will follow the comprehensive action plan laid out during Go-Live Readiness to support go-live activities and minimize risk to the Project during go-live. Following go-live, Tyler will work with the Los Altos to verify that implementation work is concluded, post go-live activities are scheduled, and the transition to Client Services is complete for long-term operations and maintenance of the Tyler software.

6.5.1 Go-Live

Following the action plan for Go-Live, defined in the Production Readiness stage, the Los Altos and Tyler will complete work assigned to prepare for Go-Live.

The Los Altos provides final data extract and Reports from the Legacy System for data conversion and Tyler executes final conversion iteration, if applicable. If defined in the action plan, the Los Altos manually enters any data added to the Legacy System after final data extract into the Tyler system.

Tyler staff collaborates with the Los Altos during Go-Live activities. The Los Altos transitions to Tyler software for day-to day business processing.

Some training topics are better addressed following Go-Live when additional data is available in the system or based on timing of applicable business processes and will be scheduled following Go-Live per the Project Schedule.

Objectives:

- Execute day to day processing in Tyler software.
- Los Altos data available in Production environment.

STAGE 5	Go-Live																
	Tyler								Los Altos								
RACI MATRIX KEY: R = Responsible A = Accountable C = Consulted I = Informed	Executive Manager	Implementation Manager	Project Manager	Implementation Consultant	Data Experts	Modification Services	Technical Services	Client Services	Executive Sponsor	Steering Committee	Project Manager	Functional Leads	Change Management Leads	Subject Matter Experts (Power	Department Heads	End Users	Technical Leads
Provide final source data extract, if applicable			C		C						A						R
Final source data pushed into production environment, if applicable			A	C	R						I	C		C			C
Proof final converted data, if applicable			C	C	C						A	R		C			
Complete Go-Live activities as defined in the Go-Live action plan			C	C	C					A	R	C	I	C			
Provide Go-Live assistance			A	R	C	C		I			C	C	I	C		I	C

Inputs	Comprehensive Action Plan for Go-Live
	Final source data (if applicable)

Outputs / Deliverables		Acceptance Criteria [only] for Deliverables
	Data is available in production environment	Los Altos confirms data is available in production environment

Work package assumptions:

- The Los Altos will complete activities documented in the action plan for Go-Live as scheduled.

- External stakeholders will be available to assist in supporting the interfaces associated with the Go-Live live process.
- The Los Altos business processes required for Go-Live are fully documented and tested.
- The Los Altos Project team and subject matter experts are the primary point of contact for the end users when reporting issues during Go-Live.
- The Los Altos Project Team and Power User's provide business process context to the end users during Go-Live.
- The Tyler Go-Live support team is available to consult with the Los Altos teams as necessary.
- The Tyler Go-Live support team provides standard functionality responses, which may not be tailored to the local business processes.

6.5.2 Transition to Client Services

This work package signals the conclusion of implementation activities for the Phase or Project with the exception of agreed-upon post Go-Live activities. The Tyler project manager(s) schedules a formal transition of the Los Altos onto the Tyler Client Services team, who provides the Los Altos with assistance following Go-Live, officially transitioning the Los Altos to operations and maintenance.

Objectives:

- Ensure no critical issues remain for the project teams to resolve.
- Confirm proper knowledge transfer to the Los Altos teams for key processes and subject areas.

STAGE 5	Transition to Client Services																
	Tyler								Los Altos								
RACI MATRIX KEY: R = Responsible A = Accountable C = Consulted I = Informed	Executive Manager	Implementation Manager	Project Manager	Implementation Consultant	Data Experts	Modification Services	Technical Services	Client Services	Executive Sponsor	Steering Committee	Project Manager	Functional Leads	Change Management Leads	Subject Matter Experts (Power	Department Heads	End Users	Technical Leads
Transfer Los Altos to Client Services and review issue reporting and resolution processes	I	I	A	I	I			R	I	I	C	C		C			
Review long term maintenance and continuous improvement			A					R			C	C		C			

Inputs	Open item/issues List

Outputs / Deliverables		Acceptance Criteria [only] for Deliverables
	Client Services Support Document	

Work package assumptions:

- No material project issues remain without assignment and plan.

6.5.3 Post Go-Live Activities

Some implementation activities are provided post-production due to the timing of business processes, the requirement of actual production data to complete the activities, or the requirement of the system being used in a live production state.

Objectives:

- Schedule activities that are planned for after Go-Live.
- Ensure issues have been resolved or are planned for resolution before phase or project close.

STAGE 5	Post Go-Live Activities																
	Tyler								Los Altos								
RACI MATRIX KEY: R = Responsible A = Accountable C = Consulted I = Informed	Executive Manager	Implementation Manager	Project Manager	Implementation Consultant	Data Experts	Modification Services	Technical Services	Client Services	Executive Sponsor	Steering Committee	Project Manager	Functional Leads	Change Management Leads	Subject Matter Experts (Power	Department Heads	End Users	Technical Leads
Schedule contracted activities that are planned for delivery after go-live		A	R	C	C	C	C	I			C	C	I	C			C
Determine resolution plan in preparation for phase or project close out		A	R	C	C	C		I			C	C	I	C			

Inputs	List of post Go-Live activities

Outputs / Deliverables		Acceptance Criteria [only] for Deliverables
	Updated issues log	

Work package assumptions:

- System is being used in a live production state.

6.5.4 Control Point 5: Production Stage Acceptance

Acceptance criteria for this Stage includes completion of all criteria listed below:

- Advancement to the Close stage is not dependent upon Tyler's receipt of this Stage Acceptance.
- Converted data is available in production environment.

Production Stage Acceptance Criteria:

- All stage deliverables accepted based on criteria previously defined.
- Go-Live activities defined in the Go-Live action plan completed.
- Client services support document is provided.

6.6 Close

The Close stage signifies full implementation of all products purchased and encompassed in the Phase or Project. The Los Altos transitions to the next cycle of their relationship with Tyler (next Phase of implementation or long-term relationship with Tyler Client Services).

6.6.1 Phase Closeout

This work package represents Phase completion and signals the conclusion of implementation activities for the Phase. The Tyler Client Services team will assume ongoing support of the Los Altos for systems implemented in the Phase.

Objectives:

- Agreement from Tyler and the Los Altos teams that activities within this phase are complete.

STAGE 6	Phase Close Out																
	Tyler								Los Altos								
RACI MATRIX KEY: R = Responsible A = Accountable C = Consulted I = Informed	Executive Manager	Implementation Manager	Project Manager	Implementation Consultant	Data Experts	Modification Services	Technical Services	Client Services	Executive Sponsor	Steering Committee	Project Manager	Functional Leads	Change Management Leads	Subject Matter Experts (Power	Department Heads	End Users	Technical Leads
Reconcile project budget and status of contract Deliverables	I	A	R						I	I	C						
Hold post phase review meeting		A	R	C	C	C	C				C	C	C	C			C
Release phase-dependent Tyler project resources	A	R	I								I						

Participants	Tyler	Los Altos
	Project Leadership	Project Manager
	Project Manager	Project Sponsor(s)
	Implementation Consultants	Functional Leads, Power Users, Technical Leads

	Technical Consultants (Conversion, Deployment, Development)	
	Client Services	

Inputs	Contract
	Statement of Work
	Project artifacts

Outputs / Deliverables		Acceptance Criteria [only] for Deliverables
	Final action plan (for outstanding items)	
	Reconciliation Report	
	Post Phase Review	

Work package assumptions:

- Tyler deliverables for the phase have been completed.

6.6.2 Project Closeout

Completion of this work package signifies final acceptance and formal closing of the Project.

At this time the Los Altos may choose to begin working with Client Services to look at continuous improvement Projects, building on the completed solution.

Objectives:

- Confirm no critical issues remain for the project teams to resolve.
- Determine proper knowledge transfer to the Los Altos teams for key processes and subject areas has occurred.
- Verify all deliverables included in the Agreement are delivered.

STAGE 6	Project Close Out																
	Tyler								Los Altos								
RACI MATRIX KEY: R = Responsible A = Accountable C = Consulted I = Informed	Executive Manager	Implementation Manager	Project Manager	Implementation Consultant	Data Experts	Modification Services	Technical Services	Client Services	Executive Sponsor	Steering Committee	Project Manager	Functional Leads	Change Management Leads	Subject Matter Experts (Power	Department Heads	End Users	Technical Leads
Conduct post project review		A	R	C	C	C	C				C	C	C	C			C
Deliver post project report to Los Altos and Tyler leadership	I	A	R						I	I	C						

Release Tyler project resources	A	R	I								I						

Inputs	Contract
	Statement of Work

Outputs / Deliverables		Acceptance Criteria [only] for Deliverables
	Post Project Report	Los Altos acceptance; Completed report indicating all project Deliverables and milestones have been completed

Work package assumptions:

- All project implementation activities have been completed and approved.
- No critical project issues remain that have not been documented and assigned.
- Final project budget has been reconciled and invoiced.
- All Tyler deliverables have been completed.

6.6.3 Control Point 6: Close Stage Acceptance

Acceptance criteria for this Stage includes completion of all criteria listed below.

Close Stage Deliverables:

- Post Project Report.

Close Stage Acceptance Criteria:

- Completed report indicating all Project deliverables and milestones have been completed.

7. General Assumptions

Tyler and the Los Altos will use this SOW as a guide for managing the implementation of the Tyler Project as provided and described in the Agreement. There are a few assumptions which, when acknowledged and adhered to, will support a successful implementation. Assumptions related to specific work packages are documented throughout the SOW. Included here are general assumptions which should be considered throughout the overall implementation process.

7.1 Project

- Project activities will begin after the Agreement has been fully executed.
- The Los Altos Project Team will complete their necessary assignments in a mutually agreed upon timeframe to meet the scheduled go-live date, as outlined in the Project Schedule.
- Sessions will be scheduled and conducted at a mutually agreeable time.
- Additional services, software modules and modifications not described in the SOW or Agreement will be considered a change to this Project and will require a Change Request Form as previously referenced in the definition of the Change Control Process.

- Tyler will provide a written agenda and notice of any prerequisites to the Los Altos project manager(s) ten (10) business days or as otherwise mutually agreed upon time frame prior to any scheduled on-site or remote sessions, as applicable.
- Tyler will provide guidance for configuration and processing options available within the Tyler software. If multiple options are presented by Tyler, the Los Altos is responsible for making decisions based on the options available.
- Implementation of new software may require changes to existing processes, both business and technical, requiring the Los Altos to make process changes.
- The Los Altos is responsible for defining, documenting, and implementing their policies that result from any business process changes.

7.2 Organizational Change Management

Unless otherwise contracted by Tyler, Los Altos is responsible for managing Organizational Change. Impacted Los Altos resources will need consistent coaching and reassurance from their leadership team to embrace and accept the changes being imposed by the move to new software. An important part of change is ensuring that impacted Los Altos resources understand the value of the change, and why they are being asked to change.

7.3 Resources and Scheduling

- Los Altos resources will participate in scheduled activities as assigned in the Project Schedule.
- The Los Altos team will complete prerequisites prior to applicable scheduled activities. Failure to do so may affect the schedule.
- Tyler and the Los Altos will provide resources to support the efforts to complete the Project as scheduled and within the constraints of the Project budget.
- Abbreviated timelines and overlapped Phases require sufficient resources to complete all required work as scheduled.
- Changes to the Project Schedule, availability of resources or changes in Scope will be requested through a Change Request. Impacts to the triple constraints (scope, budget, and schedule) will be assessed and documented as part of the change control process.
- The Los Altos will ensure assigned resources will follow the change control process and possess the required business knowledge to complete their assigned tasks successfully. Should there be a change in resources, the replacement resource should have a comparable level of availability, change control process buy-in, and knowledge.
- The Los Altos makes timely Project related decisions to achieve scheduled due dates on tasks and prepare for subsequent training sessions. Failure to do so may affect the schedule, as each analysis and implementation session is dependent on the decisions made in prior sessions.
- The Los Altos will respond to information requests in a comprehensive and timely manner, in accordance with the Project Schedule.
- The Los Altos will provide adequate meeting space or facilities, including appropriate system connectivity, to the project teams including Tyler team members.
- For on-site visits, Tyler will identify a travel schedule that balances the needs of the project and the employee.

7.4 Data

- Data will be converted as provided and Tyler will not create data that does not exist.
- The Los Altos is responsible for the quality of legacy data and for cleaning or scrubbing erroneous legacy data.

- Tyler will work closely with the Los Altos representatives to identify business rules before writing the conversion. The Los Altos must confirm that all known data mapping from source to target have been identified and documented before Tyler writes the conversion.
- All in-scope source data is in data extract(s).
- Each legacy system data file submitted for conversion includes all associated records in a single approved file layout.
- The Los Altos will provide the legacy system data extract in the same format for each iteration unless changes are mutually agreed upon in advance. If not, negative impacts to the schedule, budget and resource availability may occur and/or data in the new system may be incorrect.
- The Los Altos Project Team is responsible for reviewing the converted data and reporting issues during each iteration, with assistance from Tyler.
- The Los Altos is responsible for providing or entering test data (e.g., data for training, testing interfaces, etc.)

7.5 Facilities

- The Los Altos will provide dedicated space for Tyler staff to work with Los Altos resources for both on-site and remote sessions. If Phases overlap, Los Altos will provide multiple training facilities to allow for independent sessions scheduling without conflict.
- The Los Altos will provide staff with a location to practice what they have learned without distraction.

8. Glossary

Word or Term	Definition
Acceptance	Confirming that the output or deliverable is suitable and conforms to the agreed upon criteria.
Accountable	The one who ultimately ensures a task or deliverable is completed; the one who ensures the prerequisites of the task are met and who delegates the work to those responsible. [Also see RACI]
Application	A computer program designed to perform a group of coordinated functions, tasks, or activities for the benefit of the user.
Application Programming Interface (API)	A defined set of tools/methods to pass data to and received data from Tyler software products
Agreement	This executed legal contract that defines the products and services to be implemented or performed.
Business Process	The practices, policy, procedure, guidelines, or functionality that the client uses to complete a specific job function.
Business Requirements Document	A specification document used to describe Client requirements for contracted software modifications.
Change Request	A form used as part of the Change Control process whereby changes in the scope of work, timeline, resources, and/or budget are documented and agreed upon by participating parties.
Change Management	Guides how we prepare, equip and support individuals to successfully adopt change in order to drive organizational success & outcomes
Code Mapping [where applicable]	An activity that occurs during the data conversion process whereby users equate data (field level) values from the old system to the values available in the new system. These may be one to one or many to one. Example: Old System [Field = eye color] [values = BL, Blu, Blue] maps to New Tyler System [Field = Eye Color] [value = Blue].
Consulted	Those whose opinions are sought, typically subject matter experts, and with whom there is two-way communication. [Also see RACI]
Control Point	This activity occurs at the end of each stage and serves as a formal and intentional opportunity to review stage deliverables and required acceptance criteria for the stage have been met.
Data Mapping [where applicable]	The activity determining and documenting where data from the legacy system will be placed in the new system; this typically involves prior data analysis to understand how the data is currently used in the legacy system and how it will be used in the new system.
Deliverable	A verifiable document or service produced as part of the Project, as defined in the work packages.
Go-Live	The point in time when the Client is using the Tyler software to conduct daily operations in Production.
Informed	Those who are kept up-to-date on progress, often only on completion of the task or deliverable, and with whom there is just one-way communication. [Also see RACI]

Infrastructure	The composite hardware, network resources and services required for the existence, operation, and management of the Tyler software.
Interface	A connection to and potential exchange of data with an external system or application. Interfaces may be one way, with data leaving the Tyler system to another system or data entering Tyler from another system, or they may be bi-directional with data both leaving and entering Tyler and another system.
Integration	A standard exchange or sharing of common data within the Tyler system or between Tyler applications
Legacy System	The software from which a client is converting.
Modification	Custom enhancement of Tyler's existing software to provide features or functions to meet individual client requirements documented within the scope of the Agreement.
On-site	Indicates the work location is at one or more of the client's physical office or work environments.
Organizational Change	The process of changing an organization's strategies, processes, procedures, technologies, and culture, as well as the effect of such changes on the organization.
Output	A product, result or service generated by a process.
Peripheral devices	An auxiliary device that connects to and works with the computer in some way. Some examples: scanner, digital camera, printer.
Phase	A portion of the Project in which specific set of related applications are typically implemented. Phases each have an independent start, Go-Live and closure dates but use the same Implementation Plans as other Phases of the Project. Phases may overlap or be sequential and may have different Tyler resources assigned.
Project	The delivery of the software and services per the agreement and the Statement of Work. A Project may be broken down into multiple Phases.
RACI	A matrix describing the level of participation by various roles in completing tasks or Deliverables for a Project or process. Individuals or groups are assigned one and only one of the following roles for a given task: Responsible (R), Accountable (A), Consulted (C), or Informed (I).
Remote	Indicates the work location is at one or more of Tyler's physical offices or work environments.
Responsible	Those who ensure a task is completed, either by themselves or delegating to another resource. [Also see RACI]
Scope	Products and services that are included in the Agreement.

Solution	The implementation of the contracted software product(s) resulting in the connected system allowing users to meet Project goals and gain anticipated efficiencies.
Stage	The top-level components of the WBS. Each Stage is repeated for individual Phases of the Project.
Standard	Software functionality that is included in the base software (off-the-shelf) package; is not customized or modified.
Statement of Work (SOW)	Document which will provide supporting detail to the Agreement defining Project-specific activities, services, and Deliverables.
System	The collective group of software and hardware that is used by the organization to conduct business.
Test Scripts	The steps or sequence of steps that will be used to validate or confirm a piece of functionality, configuration, enhancement, or Use Case Scenario.
Training Plan	Document(s) that indicate how and when users of the system will be trained relevant to their role in the implementation or use of the system.
Validation (or to validate)	The process of testing and approving that a specific Deliverable, process, program, or product is working as expected.
Work Breakdown Structure (WBS)	A hierarchical representation of a Project or Phase broken down into smaller, more manageable components.
Work Package	A group of related tasks within a project.

Part 4: Appendices

9. Conversion

9.1 Munis Conversion Summary

9.1.1 Accounting COA

- Chart of Accounts segments, objects, character codes, project codes (if applicable), organization codes (if applicable), control accounts budget rollups, fund attributes, due to/due from accounts
- Requires the use of a Tyler provided spreadsheet for design and entry of the data to be converted

9.1.2 Accounting - Actuals

- Summary account balances
- Up to 3 years

9.1.3 Accounting - Budgets

- Original budget, budget adjustments, revised budget summaries for accounts
- Up to 3 years

9.1.4 Accounts Payable Master

- Vendor Master file including names, addresses, SSN/FID, contacts, phone numbers
- Multiple remittance addresses
- Year-to-date 1099 amounts

9.1.5 Accounts Payable - Checks

- Check header data including vendor, warrant, check number, check date, overall check amount, GL cash account and clearing information
- Check detail data including related document and invoice numbers for each check
- Up to 5 years

9.1.6 Accounts Payable - Invoices

- Invoice header data containing general information for the invoice
- Invoice detail data containing line-specific information for the invoice
- Up to 5 years

9.1.7 Capital Assets Master

- Asset description, status, acquisition quantity, date and amount, codes for asset class, subclass, department, custodian, flags for capitalization and depreciation, estimated life, serial number, model, model year, depreciation method, life-to-date depreciation amount, last depreciation date, disposal information (if any), purchase information, if any (vendor, PO, Invoice)

9.1.8 Contracts

- Contract header detail with many fields available to convert including fiscal year and period, vendor number, department code, description, enforcement method code, dates for award, approval, entry and expiration, retention information, user-defined type and review codes, status code, user id for entry and approver. Additional fields are also available. A balance forward contract amount is converted, if original amount is required there will be an additional charge and contracts, po's and invoices must be converted together.

9.1.9 General Billing CID

- Customer information

9.1.10 Payroll

- Payroll Employee Master data including data such as name, address, SSN, legacy employee ID, date of birth, hire date, activity status (such as active/inactive), leave/termination code and date, phone(s), e-address, marital status, gender, race, personnel status (such as full-time, part-time, etc.), highest degree, advice-delivery (print/email/both) and check location, plus primary group, job, location, and account information

9.1.11 Payroll - Deductions

- Employee Deductions - including employee ID, deduction codes, tax information, and direct deposit information

9.1.12 Payroll – Accrual Balances

- Employee Accrual Balances including Vacation, Holiday, and other Leave balances
- Start of year balance, earned to date, used to date

9.1.13 Payroll – Accumulators

- YTD, QTD, MTD amounts for employee pay and deductions
- Needed for mid-calendar-year go-live
- May not be needed if converting earnings/deductions history
- Up to 5 years

9.1.14 Payroll – Check History

- Up to 5 years, additional years must be quoted. We convert amounts for earnings and deductions in employee check history, check number and date.

9.1.15 Payroll – Earning/Deduction Hist.

- Up to 5 years, additional years must be quoted. Earning and deduction history broken down my individual codes (earnings and deduction) and amounts per pay period, the detail of these lines, sums the check history in opt 4.

9.1.16 Payroll – Certifications

- Certification area and certification type codes, certification number and effective date, expiration date, and required-by date, codes for certification level and subjects

9.1.17 Payroll – Education

- Codes, for institution, type of degree, and area(s) of study

9.1.18 Payroll – Position Control

- Position, description, status, job code, bargaining group, location, number of employees allowed for each, FTE percentage, GL account, and max/min grade and step

9.1.19 Payroll – PM Action History

- A variety of Personnel actions, such as job or salary changes and dates these events occurred.
- Up to 5 years

9.1.20 Payroll – Recruiting

- Application requisition applicant master data, plus applicant references, certifications, education, skills, tests, work history, and interviews

9.1.21 Payroll – State Retirement Tables

- Specific state-required data, plus related service years information, when appropriate
- Needed for some states

9.1.22 Project Grant Accounting

- Segments, account strings and fund string allocation table
- Requires the use of a Tyler provided (Chart of Accounts) spreadsheet for design and entry of the data to be converted

9.1.23 Project Grant Accounting - Actuals

- Summary project ledger string balances. If linking to GL, must be converted at the same time.
- Up to 3 years

9.1.24 Project Grant Accounting – Budget

- Original project ledger budget amounts. If linking to GL, must be converted at the same time.
- Up to 3 years

9.1.25 Purchase Orders

- Open purchase orders header data including vendor, buyer, date, accounting information, etc.
- Open purchase orders detail data including line item descriptions, quantities, amounts, etc.

10. Additional Appendices

10.1 Intentionally left blank.

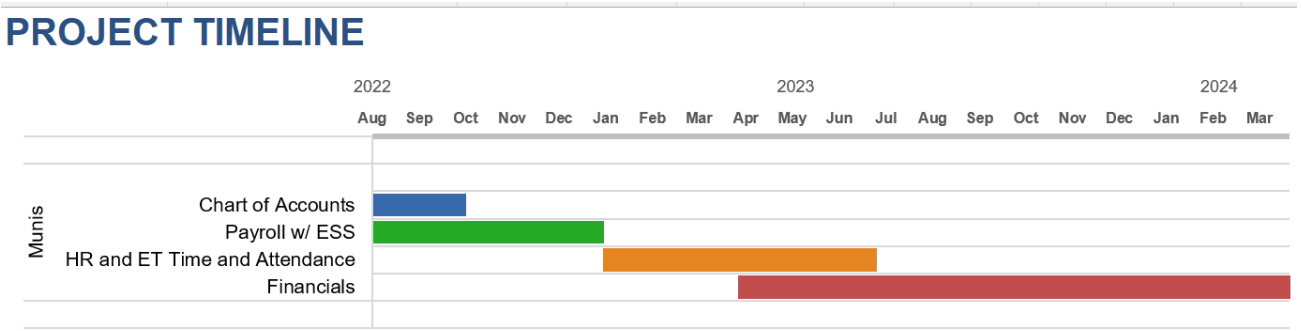
11. Project Timeline

11.1 ERP Project Timeline

The Project Timeline establishes a target start and end date for each Phase of the Project. The timeline needs to account for resource availability, business goals, size and complexity of the Project, and task duration requirements. These will be reviewed and adjusted, if needed, during the Initiate and Plan Stage. Refer to the Project Stages section of this SOW for information on work packages associated with each stage of the implementation.

The following dates may be revised based on the date the Agreement is signed and further refined during the course of the project. Tyler requires up to forty-five (45) days to move from Agreement signing to the Initiate & Plan Stage.

Phase	Functional Areas	Modules	Start Date	Go-Live Date
1	**Chart of Accounts**	● Chart of Accounts ● General Ledger (limited)	July 2022	October 2022
2	**Human Capital Management**	● Payroll w/ ESS	July 2022	January 2023
	System Wide	● Munis Analytics & Reporting ○ Tyler Reporting Services ○ Munis Office ○ HUB ● Tyler Forms Processing ● Tyler Content Manager SE		
2a	**HCM and ExecuTime**	● HR & Talent Management ● Recruiting ● ExecuTime Time and Attendance	January 2023	July 2023
3	**Financials**	● Accounting/General Ledger ● Accounts Payable ● Bid Management ● Budgeting ● Capital Assets ● Cash Management ● Contract Management ● Purchasing w/ e-procurement ● Project	April 2023	April 2024



11.2 Socrata Project Plan

Socrata Project Plan												
	Week											
	1	2	3	4	5	6	7	8	9	10	11	12
Initiate and Plan												
Assess and Define												
Prepare Solution												
Production Readiness												
Production												
Close												

11.3 Intentionally left blank.

AGENDA REPORT SUMMARY

Meeting Date: June 28, 2022

Subject Award of Contract for Custodial Cleaning Services of City Buildings, Gymnasiums, Park Trash Cans and Park Restrooms

Prepared by: Manny A. Hernandez, Maintenance Services Director
Approved by: Gabriel Engeland, City Manager

Attachment(s):
1. Resolution

Initiated by:
Staff

Previous Council Consideration:
None

Fiscal Impact:

The following project / action will cost $394,380

- Breakdown of funds to be used :
  - $394,380 General Fund
- Amount already included in approved budget: Yes
- Amount above budget requested: 0

Environmental Review:
Categorically Exempt pursuant to CEQA section 15301 – Existing Facilities

Policy Question(s) for Council Consideration:
- None

Summary:
- Custodial cleaning services are an important aspect of a healthy work environment and inviting public spaces
- IMPEC rated the highest and was selected through a competitive RFP process
- Payments for janitorial services will not exceed $394,380 for FY 22/23

Reviewed By:

City Manager	City Attorney	Finance Director
GE	JH	JF

Subject: Title

- IMPEC Group has provided custodial services to the City for the last five years and staff feels their work is above satisfactory

Staff Recommendation:
Authorize the City Manager to execute an agreement with IMPEC Group for custodial cleaning services in the amount of $394,380 for fiscal year 22/23 on behalf of the City.

Purpose
Award maintenance services contract for custodial cleaning services of City facilities and parks to IMPEC Group

Background
The City has been in a contract for custodial cleaning services with IMPEC Group for the last five years. With the completion of their five-year agreement with the City, staff advertised a request for proposal (RFP) for custodial services in April 2022. On May 19, 2022 the RFP for custodial services closed and four (4) complete proposals were received from custodial service companies. The four proposals were rated and IMPEC Group rated the highest. Their pricing proposal was also one of the lowest.

Discussion/Analysis
Custodial services are an important aspect of a healthy work environment and inviting public spaces. The City contracts custodial services for the cleaning of the buildings, park facilities and litter control within parks. This use of contracted custodial maintenance works in conjunction with City Maintenance staff as an efficient way to properly upkeep City facilities. This proper upkeep of City facilities benefits City employees and the public.

Work is performed at the following locations, with scopes of custodial services tailored to each unique location on daily, weekly, monthly and quarterly timeframes.

- City Hall
- Police Department/Rear Parking IT & PD Annex
- Municipal Services Center
- Grant Park Facilities
- Los Altos Community Center
- Garden House
- Underground & Youth Center (As needed)
- San Antonio Club
- Gymnasiums (Blach & Egan)
- City Park Restrooms and Trash Cans

Subject: Title

IMPEC Group has worked with the City of Los Altos for the last five years and staff feels they have performed above average during this time. They have worked well with staff in making schedule adjustments as well as providing special services whenever needed. Custodial service complaints have been minimal during their current agreement. They are familiar with the facilities in the agreements scope of work, so the transition into the new agreement will be seamless. The agreement with IMPEC Group for custodial services will be for one year with amendments up to four additional years, pending quality service and pricing increases in future years.

Recommendation

Authorize the City Manager to execute an agreement on behalf of the City with IMPEC Group in the amount of $394,380 for fiscal year 22/23 to provide custodial cleaning services to City buildings, gymnasiums, park trash cans and park restrooms.

RESOLUTION NO. 2022-___

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT ON BEHALF OF THE CITY WITH IMPEC GROUP IN THE AMOUNT OF $394,380 FOR CUSTODIAL CLEANING SERVICES OF CITY BUILDINGS, PARK FACILITIES AND PARK TRASH AND LITTER CONTROL.

WHEREAS, the City utilizes contract services for custodial cleaning of its buildings, park facilities, and park trash cans and litter control; and

WHEREAS, custodial services are an important aspect of a healthy work environment and inviting public spaces. Proper upkeep of City facilities through an effective use of contracted services benefits City employees and the public; and

WHEREAS, the city has selected IMPEC Group through competitive process as the highest rated proposal submitted; and

WHEREAS, IMPEC Group has satisfactorily performed custodial cleaning services for the City over the last five years.

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Los Altos hereby authorizes the City Manager to execute an agreement with IMPEC Group for custodial cleaning services in the amount of $394,380 for fiscal year 22/23 on behalf of the City.

I HEREBY CERTIFY that the foregoing is a true and correct copy of a Resolution passed and adopted by the City Council of the City of Los Altos at a meeting thereof on the ___ day of ____, 2022 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

_____
Anita Enander, MAYOR

Attest:

_____
Angel Rodriguez, INTERIM CITY CLERK

AGENDA REPORT SUMMARY

Meeting Date: June 28th, 2022

Subject Adoption of proposed FY 21/22 Final Budget and FY 22/23 Mid Term Budget

Prepared by: John Furtado, Finance Director
Approved by: Gabriel Engeland, City Manager

Attachment(s):
1. Attachment 1 – FY 22-26 Capital Projects Resolution
2. Attachment 2 – FY 23 Midterm Operating Budget Resolution
3. Attachment 3 – FY 23 Utility User Tax Rate Resolution
4. Attachment 4 – FY 23 Transient Occupancy Tax Rate Resolution
5. Attachment 5 – FY 22 Park in Lieu Fund Appropriation Resolution
6. Attachment 6 - FY 2021/22 Final Operating Budget Resolution

Initiated by:
Staff

Previous Council Consideration:
June 1, 2021, April 12, 2022, June 14, 2022

Fiscal Impact:
Budget revisions details as discussed and presented during the June 14th Public hearings

Environmental Review:
Not applicable

Policy Question(s) for Council Consideration:
- Does the Council wish to adopt The FY 21/21 Final Budget and the FY 22/23 Mid Term Budget as discussed during the June 14th, 2022, Public hearings with recommended changes?

Reviewed By:

City Manager	City Attorney	Finance Director
GE	JH	JF

Subject: Adoption of proposed FY 21/22 Final Budget and FY 22/23 Mid Term Budget

Summary/ Background:

On June 1, 2021, the City Council approved the 2021-2023 Biennial Operating Budget. On April 12th, 2022, the City Council approved the FY 21/22 Mid-Year Budget. On June 14th, 2022, at a public hearing staff presented the Final FY 21/22 Budget and the FY 22/23 Midterm budgets for councils review and discussion

It is the norm of the City of Los Altos to approve any budgetary changes to the fiscal year in progress as well as to adopt the second year of the biennial budget prior to June 30th of the first year.

Staff Recommendation:

I. Approve the FY 21/22 Final Budget and the FY 22/23 Mid-Term Budget with the recommended changes made at the June 14th, 2022, Public hearing.

Discussion/Analysis

Staff presented the Final FY 21/22 Budget for councils' review and discussion on June 14th, 2022. The City Council voted to approve the FY 21/22 recommended changes as presented and directed staff to return at the June 28th meeting with the relevant resolutions to adopt the FY 22 Final budget.

The city council also received the FY 23 Midterm Budget report and presentation, Council approved all the recommended updates to the FY 23 Budget and recommended the addition of $50,000 be appropriated for community promotion to be paid to Community Services Agency (CSA)

Council further directed staff to return at the June 28th meeting with the relevant resolutions to adopt the Mid-term Budget with the suggested changes.

CITY OF LOS ALTOS
RESOLUTION NO. 2022-xx

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS ADOPTING THE REVISED FY 2022-26 FIVE-YEAR CAPITAL IMPROVEMENT PROGRAM

WHEREAS, the Council has reviewed the FY 2022-26 REVISED Capital Improvement Program at a public hearing session held on June 14, 2022; and

WHEREAS, modifications and/or adjustments identified in the aforementioned public meetings are incorporated within the five-year CIP before the Council.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Los Altos hereby:

1. Adopts the FY 2022-26 Revised Five-Year Capital Improvement Program submitted as presented for those respective fiscal years; and appropriate funds, for all respective funds, for those CIP projects identified within the FY 2022/23; and

2. Authorizes the City Manager to proceed with those FY 2022/23 projects identified for implementation or the commencement of planning for them.

I HEREBY CERTIFY that the foregoing is a true and correct copy of a Resolution passed and adopted by the City Council of the City of Los Altos at a meeting thereof on the 28th day of June 2022 by the following vote:

AYES:	NONE
NOES:	NONE
ABSENT:	NONE
ABSTAIN:	NONE

_____
Anita Enander, MAYOR

Attest:

_____
Angel, Rodriquez, Interim CITY CLERK

CITY OF LOS ALTOS
RESOLUTION NO. 2022-xx

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS ADOPTING THE FY 22-23 MIDTERM OPERATING BUDGET

WHEREAS, it has been determined that the adoption of a Midterm Operating Budget is an effective and prudent management tool; and

WHEREAS, the Council has reviewed the FY 2022-23 Mid Term Operating Budget at a public hearing held on June 14th, 2022; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Los Altos hereby determines that:

1. The City of Los Altos FY 2022-23 Midterm Operating Budget has been presented and reviewed by City Council with regard to the approval of estimated revenues, appropriations, capital projects, and transfers for all City funds in accordance with adopted Financial and Investment Policies; and

2. City programs, services, and activities will be provided and maintained within the confines of this Financial Plan/Biennial Operating Budget in a manner consistent with adopted Financial Policies; and

3. Funds are deemed appropriated for those purposes and in amounts contained in said Financial Plan/ Operating Budget and the City Manager is authorized to approve appropriations and transfers of these funds to the extent allowed by law and Financial Policies in implementing the work programs incorporated within the adopted budget; and

4. This budget includes the maintenance of an Operating Reserve of 20%

5. Encumbrances (obligated contract commitments), active capital improvement projects, and active grant awards that have not been completed or received at the end of each fiscal year shall be carried forward and re-appropriated into the next fiscal year.

I HEREBY CERTIFY that the foregoing is a true and correct copy of a Resolution passed and adopted by the City Council of the City of Los Altos at a meeting thereof on the 28th day of June 2022 by the following vote:

AYES:	NONE
NOES:	NONE
ABSENT:	NONE
ABSTAIN:	NONE

Anita Enander, MAYOR

Attest:

_____

Angel, Rodriquez, Interim CITY CLERK

CITY OF LOS ALTOS
RESOLUTION NO. 2022-xx

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS REAFFIRMING THE FY 2022-23 UTILITY USERS' TAX RATE

WHEREAS, the rate of tax for each of the Utility Users Taxes imposed in Section 3.40.070, 3.40.090, and 3.40.110, of the Los Altos Municipal Code, does hereby remain fixed and levied at a maximum of 3.5 percent until further action of the City Council; and

WHEREAS, the Los Altos Municipal Code requires that each year, following the adoption of the City's budget, the City Council will determine the rate to be charged for the Utility Users Tax and shall set that rate in an amount not to exceed the rate authorized by the ordinance; and

WHEREAS, the City Council adopted the budget at a public hearing session held on June 14, 2022.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Los Altos hereby authorizes:

1. The rate of tax for each of the utility user's taxes imposed in Sections 3.40.070, 3.40.090, and 3.40.110, of the Los Altos Municipal Code does hereby remain fixed and levied at a maximum of 3.5 percent until further action of the City Council; and

2. Maintain this rate to fund general governmental operational expenses as necessary.

I HEREBY CERTIFY that the foregoing is a true and correct copy of a Resolution passed and adopted by the City Council of the City of Los Altos at a meeting thereof on the 28th day of June 2022 by the following vote:

AYES:	NONE
NOES:	NONE
ABSENT:	NONE
ABSTAIN:	NONE

_____
Anita Enander, MAYOR

Attest:

_____
Angel, Rodriquez, Interim CITY CLERK

CITY OF LOS ALTOS
RESOLUTION NO. 2022-xx

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS REAFFIRMING THE FY 2022-23 TRANSIENT OCCUPANCY TAX RATE

WHEREAS, on Tuesday, November 6, 2018, the voters approved an increase in the Transient Occupancy Tax from 11% to a maximum of 14%.

WHEREAS, the Los Altos Municipal Code requires that each year, following the adoption of the City's budget, the City Council will determine the rate to be charged for the Transient Occupancy Tax, and shall set that rate in an amount not to exceed the rate authorized by the ordinance; and

WHEREAS, the City Council adopted the budget at a public hearing session held on June 14, 2022.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Los Altos hereby authorizes the following:

1. Adopt the Transient Occupancy Tax of 14% pursuant to Section 3.36.020; and

2. Maintain this rate to fund general governmental operational expenses as necessary.

I HEREBY CERTIFY that the foregoing is a true and correct copy of a Resolution passed and adopted by the City Council of the City of Los Altos at a meeting thereof on the 28th day of June 2022 by the following vote:

AYES:	NONE
NOES:	NONE
ABSENT:	NONE
ABSTAIN:	NONE

_____
Anita Enander, MAYOR

Attest:

_____
Angel, Rodriquez, Interim CITY CLERK

CITY OF LOS ALTOS
RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS AUTHORIZING THE CITY MANAGER TO ALLOCATE PARK IN LIEU FUNDS IN AN AMOUNT NOT TO EXCEED $38,000 FOR THE DEVELOPMENT OR STUDY OF A DOWNTOWN THEATER IN CERTAIN DESIGNATED LOCATIONS WITHIN THE CITY AND AMENDING THE FY22 OPERATING BUDGET FOR THE PARK IN LIEU FUND

WHEREAS, The City Council finds that the Park in Lieu fees may be used for the purpose of developing new or rehabilitating existing park or recreational facilities such as the commissioning of a feasibility study of a downtown theater in certain designated locations within the City because: (1) the neighborhood in which the fees are to be expended has fewer than three (3) acres of park area per 1,000 members of the City; (2) it reasonably foreseeable that City residents will use the proposed park and recreational facilities where the fees are being used; (3) the use of the fees is consistent with the following: (a) the City's adopted General Plan, Open Space, Conservation & Community Facilities Element, Policy 9.2: Work with private developers to offer cultural activities within the community, such as a community theater and cinema; (b) the City's adopted Downtown Vision Plan(DTVP), Section 3, The Community's Vision: Utilizing existing parking plazas in a manner that enhances the village character while also meeting the working, living, entertainment, and hospitality desire of the community; (c) DTVP, Section 4, Land Use: San Antonino Road District: Envisioned attributes include: Performing arts theater, a central entertainment venue for the community; (d) DTVP, Section 4, Land Use: Opportunity Sites: Entertainment: A live thereafter is identified on Parking Plaza 2. This use would be both a daytime and evening draw from the community and elsewhere that would support complementary businesses, such as pre-event dining; and (e) DTVP, Section 9, Implementation: Phase 3: Long-Term: Construct live theater (Parking Plaza 2); and (4) the fees are used in compliance Los Altos Municipal Code Section 13.24.010.

WHEREAS, it is the desire of the City Council to conduct a feasibility study of a downtown theater in certain designated locations within Los Altos; and

WHEREAS, on June 14, 2022, at a public hearing City Council authorized increasing the current FY 2022 operating budget by $38,000 to be appropriated from the Park in Lieu funds to be used for a feasibility study of a downtown theater in certain designated locations within Los Altos; and

NOW, THEREFORE, the City Council of the City of Los Altos, California, does resolve as follows:

1. The City Manager is authorized to execute an amendment to the Operating Budget to increase appropriations in an amount not to exceed $38,000 to be used for a feasibility study of a downtown theater in certain designated locations within Los Altos.

2. The City Manager is also authorized to take such further actions as may be necessary to amend the Operating budget.

3. The FY22 Park in Lieu Funds shall be amended such that the FY22 appropriation in the Operating Budget is increased by $38,000 to be used for a feasibility study of a downtown theater in certain designated locations within Los Altos.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Los Altos hereby a the City Manager to amend the Park in Lieu appropriations by an amount not to exceed $38,000 and amend the Operating budget to reflect this increased expenditure.

I HEREBY CERTIFY that the foregoing is a true and correct copy of a Resolution passed and adopted by the City Council of the City of Los Altos at a meeting thereof on the 28th day of June 2022 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

_____
, MAYOR

Attest:

_____
, CITY CLERK

CITY OF LOS ALTOS
RESOLUTION NO. 2022-xx

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS ADOPTING THE FY 21-22 FINAL OPERATING BUDGET

WHEREAS, the Council has reviewed the FY 2021-22 Final Operating Budget at a public hearing held on June 14th, 2022; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Los Altos hereby determines that:

1. The City of Los Altos FY 2021-22 Final Operating Budget has been presented and reviewed by City Council with regard to the approval of adjustments to estimated revenues, appropriations, capital projects, and transfers for all City funds in accordance with adopted Financial and Investment Policies; and

2. City programs, services, and activities will be provided and maintained within the confines of this Financial Plan/Biennial Operating Budget in a manner consistent with adopted Financial Policies; and

3. Funds are deemed appropriated for those purposes and in amounts contained in said Financial Plan/ Operating Budget and the City Manager is authorized to approve appropriations and transfers of these funds to the extent allowed by law and Financial Policies in implementing the work programs incorporated within the adopted budget; and

I HEREBY CERTIFY that the foregoing is a true and correct copy of a Resolution passed and adopted by the City Council of the City of Los Altos at a meeting thereof on the 28th day of June 2022 by the following vote:

AYES:	NONE
NOES:	NONE
ABSENT:	NONE
ABSTAIN:	NONE

_____
Anita Enander, MAYOR

Attest:

_____
Angel, Rodriquez, Interim CITY CLERK

AGENDA REPORT SUMMARY

Meeting Date: June 28, 2022

Subject Wireless Telecommunications Facilities Ordinance and Design Guidelines

Prepared by: Gabriel Engeland, City Manager

Attachment(s):

1. Resolution 2022-__, Wireless Telecommunications Facilities CEQA Resolution as approved
2. Ordinance 2022-__, Wireless Telecommunications Facilities Locational Standards as introduced
3. Resolution 2022-__, Wireless Telecommunications Facilities Design Guidelines as approved

Initiated by:
City Council

Fiscal Impact:
None

Environmental Review:

Negative Declaration. A Negative Declaration was approved on June 14, 2022.

Summary Background:

- The technology for wireless telecommunications facilities is moving away from large, powerful towers that are very visually intrusive to smaller, less powerful facilities that are less visually intrusive. As a result, a greater number of wireless telecommunications facilities are needed to provide coverage.
- A draft CEQA resolution, locational standards, and design guidelines were reviewed by the City Council and public hearings were held on April 12, May 10, and June 14, 2022. In addition, the Planning Commission held public hearings on March 3, 2022 and March 17, 2022, resulting in the recommendations presented to the City Council on April 12, 2022.

Reviewed By:

City Manager	City Attorney
GE	JH

Subject: Wireless Telecommunications Facilities Ordinance and Design Guidelines

- The Ordinance and Design Guidelines considered and approved by the City Council regulate wireless facilities on the basis of aesthetics, traffic safety, noise, and other criteria. However, due to federal preemption, the proposed Ordinance and Design Guidelines do not regulate the placement of wireless facilities based on the environmental effects of radio frequency ("RF") emissions that comply with FCC regulations. Neither do the proposed Ordinance and Design Guidelines require or prohibit any specific type of technology, also consistent with the limitations imposed on the City based on federal preemption
- On June 14, 2022, the City Council took the following actions:
    - Approved Resolution 2022-__, adopting CEQA findings and a Negative Declaration (Attachment 1);
    - Introduced Ordinance 2022-__, setting forth locational standards for Wireless Telecommunications Facilities (Attachment 2); and
    - Adopted Resolution 2022-__, setting forth Design Guidelines for Wireless Telecommunications Facilities (Attachment 3).

Staff Recommendation:

1. Adopt Ordinance 2022-__, Wireless Telecommunications Facilities Locational Standards, as introduced by the City Council on June 14, 2022.

Purpose

The overarching intent of the Ordinance and Design Guidelines is to balance the need to provide for a reasonable range of potential sites for the location of wireless telecommunications throughout the City while preserving its essential wooded, small community character and its inherent aesthetic quality. The proposed Ordinance and Design Guidelines achieve this by minimizing the visual and physical effects of wireless telecommunications facilities through appropriate location, siting, design, and visual screening of facilities; encouraging the installation of wireless telecommunications facilities at locations where other such facilities already exist; and providing for the installation of wireless facilities so as to minimize potential adverse impacts to Los Altos.

Proposed locational standards and design guidelines are intended to better reflect the community's land use and address advancements in wireless telecommunications technology that is trending away from large, powerful, and very visually intrusive towers and "macro" facilities to smaller, less powerful, and less visually intrusive small wireless facilities.

Subject: Wireless Telecommunications Facilities Ordinance and Design Guidelines

Background

Current regulation of wireless telecommunications facilities within the City of Los Altos is provided in two documents:

- City of Los Altos Resolution No. 2019-35, *Design and Siting Guidelines and Standards for Wireless Facilities*, which provides design guidelines and locational standards for the installation of wireless facilities within the City.
- City of Los Altos Municipal Code Chapter 11.12, *Wireless Facilities*, which addresses wireless telecommunications facility permit requirements and sets forth standard conditions of approval for such facilities.

The City adopted Resolution No. 2019-35 and Municipal Code Chapter 11.12 in August 2019 following a City Council study session and several public hearings, at which stakeholders discussed wireless and other infrastructure deployment issues; reviewed potential local regulatory responses to the recent changes in federal law in the FCC orders; and expressed their design and locational preferences, practical and safety concerns, aesthetic concerns, policy views and the essential local values that make Los Altos a unique community.

Ordinance 2022-___ repeals Resolution No. 2019-35 in total, replacing it with the locational standards in Ordinance 2022-___ and the Design Guidelines in Resolution 2022-__. In addition to adding Chapter 14.85 to the Municipal Code, Ordinance 2022-___ makes specified revisions to Municipal Code Chapter 11.12.

Discussion/Analysis

Starting with the Planning Commission's recommendations, the City Council undertook detailed review of wireless facilities locational standards and design guidelines on April 12, May 20, and June 14, 2022.

On June 14, 2022, the City Council approved Resolution 2022-__, adopting CEQA findings and a Negative Declaration (Attachment 1). The City Council also introduced Ordinance 2022-__, setting forth locational standards for Wireless Telecommunications Facilities (Attachment 2). Because a previously adopted ordinance had been codified as Municipal Code Chapter 14.82, the wireless telecommunications facilities ordinance has been renumbered as Chapter 14.85 in all attachments. Finally, on June 14, 2022, the City Council adopted Resolution 2022-__, setting forth design guidelines for Wireless Telecommunications Facilities (Attachment 3).

Subject: Wireless Telecommunications Facilities Ordinance and Design Guidelines

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Having introduced Ordinance 2022-__ on June 14, 2022, staff has brought the Ordinance back to the City Council for formal adoption. The Ordinance and Design Guidelines would become effective 30 days after adoption. Resolution No. 2019-35 will remain in effect until the effective date of the Ordinance.

5118798.2

RESOLUTION NO. 2022-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS MAKING FINDINGS ADOPTING A NEGATIVE DECLARATION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

WHEREAS, the City of Los Altos is proposing revisions to its existing standards for development of wireless telecommunications facilities, including a new wireless ordinance to regulate the permissible location of wireless facilities along with revisions to Municipal Code Chapter 11.12 modifying permit requirements; and

WHEREAS, the City also proposes to expand existing development standards and design guidelines and preferences for wireless telecommunications facilities; and

WHEREAS, the City prepared an Initial Study in accordance with the requirements of the California Environmental Quality Act (CEQA) (Public Resources Code § 21000 *et seq*.) and the CEQA Guidelines (14 California Code of Regulations, Title 14 Chapter 3, Section 15000 *et seq*.); and

WHEREAS, the Initial Study determined that no significant environmental impacts would result from adoption of the proposed wireless telecommunications ordinance and design guidelines ("Project"); and

WHEREAS, the City issued a Notice of Intent to Adopt a Notice of Declaration (Notice of Intent) on January 26, 2022; and

WHEREAS, the Initial Study/Negative Declaration was made available for a 30- day public review period beginning on January 26 and ending on February 24, 2022; and

WHEREAS, written comments were received during the 30-day public review period and are set forth in Attachment A; and

WHEREAS, none of the information contained in the written comments received during the 30-day public review period presented substantial evidence that the proposed wireless telecommunications ordinance and design guidelines would have a significant effect upon the environment; and

WHEREAS, on March 3 and March 17, 2022, the Planning Commission conducted public hearings on the proposed wireless telecommunications ordinance, design guidelines, and Negative Declaration, at which time interested persons and organizations had an opportunity to testify and provide comments; and

WHEREAS, the Planning Commission reviewed and considered the proposed Negative Declaration as required by CEQA Guidelines Section 15074(a); and

WHEREAS, on March 17, 2022 following the conclusion of its public hearings, the Planning Commission recommended that the City Council approve the Negative Declaration provided as Attachment B to this Resolution; and

WHEREAS, on April 12, May 10, and June 14, 2022, the City Council conducted public hearings on the proposed wireless telecommunications ordinance, design guidelines, and Negative Declaration, at which time interested persons and organizations had an opportunity to testify and provide comments; and

WHEREAS, the City Council reviewed and considered the proposed Negative Declaration as required by CEQA Guidelines Section 15074(a);

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Los Altos that the above recitals are true and correct and are incorporated herein by reference as if set forth in full; and

BE IT FURTHER RESOLVED that, based upon the information contained in the Initial Study and provide at Planning Commission and City Council hearings, the City Council of the City of Los Altos hereby adopts the following findings for the Project in compliance with CEQA, the CEQA Guidelines, and the City's procedures for implementing CEQA. The City finds, on the basis of the whole record, that there is no substantial evidence that the Project will have a significant effect on the environment:

Aesthetics.

Wireless telecommunications facilities permitted by the proposed locational standards would be mounted on existing buildings or on poles (either existing, replacement, or new) subject to detailed design guidelines that minimize the visual intrusiveness of these facilities. Building-mounted wireless telecommunications facilities would not be permitted to add to the height or bulk of buildings. Pole-mounted wireless telecommunications facilities could, when mounted on an existing or replacement pole, increase the overall height of the pole and, although underground installation of equipment is the preferred design solution, proposed design guidelines permit equipment to be placed in an above-ground enclosure or pole mounted when underground installation is not feasible. However, pole-mounted facilities would not have the bulk to significantly impact long-distance views and while they may be visible, would be required to have the least visually intrusive design feasible. Thus, potential adverse aesthetic effects within the City would be less than significant.

Agriculture and Forestry Resources.

There are no lands within the City shown as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance on maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency. Lands within the City are identified as "Urban and Built-up Land" on the California Department of Conservation's Santa Clara County Important Farmlands Map 2016. There are no

Williamson Act parcels or forest or commercial agricultural land within the City. Thus, there would be no impact to Agricultural and Forestry Resources.

Air Quality.

Wireless telecommunications facilities permitted by proposed development standards and design guidelines would be consistent with the Bay Area's 2017 Clean Air Plan. The proposed development standards and design guidelines do not involve the construction of any homes, businesses, or other uses that would result in population growth or long-term increase in mobile or stationary source air pollutant emissions. Installation of wireless telecommunications facilities would occur intermittently, at various different locations, and would typically involve installation of a new pole, replacement of an existing utility pole, addition of wireless telecommunications equipment to an existing pole, or mounting of equipment on a building or rooftop. Such installation activities would be small in scale and not involve major grading or construction activities. No net increase in long-term air pollutant emissions would result and there would be no cumulatively considerable contribution to any cumulative air quality impact during construction or ongoing operations. Thus, potential adverse air quality effects within the City would be less than significant.

Biological Resources.

Wireless telecommunications facilities associated with the proposed development standards and design guidelines would occur within roadway rights-of-way or within existing development sites (roof- and building-mounted facilities). No riparian habitat areas or other sensitive natural communities would be disturbed and no modification of habitat supporting any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service would result. Thus, there would be no impact to Biological Resources.

Cultural Resources.

Wireless telecommunications facilities associated with the proposed development standards and design guidelines would occur within roadway rights-of-way or within existing development sites (roof- and building-mounted facilities). Proposed design guidelines require that any roof- or building mounted facility retain the architectural character of the structure. Thus, a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines §15064.5 would not occur. While it is unlikely that installation of a wireless telecommunications facility would necessitate disturbance of soils below those that were previously disturbed by construction of existing roadways, utilities, and buildings, in the event of an unanticipated discovery during installation of a wireless telecommunications facility, the proposed Ordinance requires ground-disturbing activities to be halted until a City-approved qualified consulting archaeologist assesses the significance of the find according to CEQA Guidelines §15064.5. If any find is determined to be a unique

archaeological resource, the City and the consulting archaeologist would determine the appropriate measures to be taken. All archaeological resources recovered would be subject to scientific analysis, professional museum curation, and documentation according to current professional standards. Thus, potential adverse cultural resource effects within the City would be less than significant.

Energy Resources.

Installation of wireless telecommunications facilities would use construction equipment and techniques that are typical for utility facilities installations (pole-mounted) and building construction (building- and roof-mounted) throughout the state. Nighttime construction activities requiring lighting would be avoided unless needed to address safety or traffic movement concerns on a temporary basis. Operation of wireless telecommunications facilities would consume energy at rates typical of such facilities throughout the state. No wasteful, inefficient, or unnecessary consumption of energy resources would therefore result. Thus, potential adverse energy resource effects within the City would be less than significant.

Geology and Soils.

No active faults traverse the City and there is therefore no potential for the primary hazard of ground rupture. Installations of wireless telecommunications facilities would be required to meet the most current California Building Code standards required at the time of construction to reduce the potential for substantial adverse effects related to geologic, groundshaking, and soils conditions. In addition, erosion control measures required under Provision C.3 of the applicable Municipal Regional Stormwater Permit would be required to be implemented to reduce potential construction-related erosion impacts. It is unlikely that installation of a wireless telecommunications facility would necessitate ground disturbance of soils below that were which was previously disturbed by construction of existing roadways and buildings. However, in the event of an unanticipated discovery during project construction, ground-disturbing activities would be halted until a qualified paleontologist meeting the Society of Vertebrate Paleontology (SVP) Standards determines their significance, and, if significant, supervises their collection for curation. Thus, potential adverse geology and soil effects within the City would be less than significant.

Greenhouse Gas Emissions.

Installation of wireless telecommunications facilities would result in emissions of greenhouse gases (GHGs) from the operation of construction equipment, as well as transport of materials and construction workers to and from sites. The installation period for a wireless telecommunication facility ranges in time from a few hours for minor upgrades (e.g., replacement of antennas) to a few weeks for erection of new or replacement poles for pole-mounted facilities. Installation activities would be subject to applicable BAAQMD best management practices. Operation of wireless

telecommunications facilities would not add to the existing inventory of residential, business, or other uses that would generate ongoing greenhouse gas emissions within Los Altos. Once completed, a facility would require very few trips per month for maintenance and monitoring of facility operations. Thus, potential adverse greenhouse gas emissions effects within the City would be less than significant.

Hazards and Hazardous Materials.

Installation of wireless telecommunications facilities would include routine use of hazardous materials in the form of paints, solvents, and other common materials containing potentially toxic substances. With the exception of a few facilities that might have backup generators, wireless telecommunications facilities are not associated with the use, transport, storage, or disposal of hazardous materials during ongoing operations. All potentially hazardous materials would be contained, stored, and used in accordance with manufacturers' instructions and transported and handled in compliance with applicable standards and regulations.

Radiofrequency (RF) radiation emanates from antennas on wireless telecommunications facilities and is generated by the movement of electrical charges in the antenna. The energy levels it generates are not great enough to ionize, or break down, atoms and molecules, and is thus known as "non-ionizing" radiation.

The Federal Communications Commission (FCC) is the government agency responsible for the authorization and licensing of facilities such as wireless telecommunications facilities that generate RF radiation. For guidance in health and safety issues related to RF radiation, the FCC relies on other agencies and organizations for guidance, including the EPA, FDA, the National Institute for Occupational Safety and Health (NIOSH) and OSHA, which have all been involved in monitoring and investigating issues related to RF exposure.

The FCC has developed and adopted guidelines for human exposure to RF radiation using the recommendations of the National Council on Radiation Protection and Measurements (NCRP) and the Institute of Electrical and Electronics Engineers (IEEE), with the support of the EPA, FDA, OSHA and NIOSH. According to the FCC, both the NCRP exposure criteria and the IEEE standard were developed by expert scientists and engineers after extensive reviews of the scientific literature related to RF biological effects. The exposure guidelines are based on thresholds for known adverse effects, and they incorporate appropriate safety margins.

Section 704 of the Telecommunication Act of 1996 preempts local governments from regulating wireless facilities on the basis of RF safety or health effects when such facilities comply with FCC RF emissions standards, and specifically states that "[n]o State or local government or instrumentality thereof may regulate the placement, construction, and modification of personal wireless service facilities on the basis of the environmental effects of radio frequency emissions to the extent that such facilities comply with the Commission's regulations concerning such emissions." Accordingly,

compliance with FCC RF emissions standards constitutes substantial evidence of a less than significant environmental impact. (See 47 U.S.C. § 332(c) (7)(B)(iv).) Because all facilities that might be approved pursuant to the proposed wireless telecommunications facilities development standards and design guidelines are required to operate under federally mandated limits on RF radiation and are exclusively regulated by the FCC in this respect, the City of Los Altos is preempted from regulating the placement or construction of facilities based on RF emissions and must therefore rely on the FCC's regulations to address the environmental effects of RF emissions.

While it is possible that an application could be submitted to the City requesting installation of a wireless telecommunications facility on a site that is included on a list of hazardous materials sites, the large majority of such sites within Los Altos have been remediated and installation of a wireless telecommunication facility would not create a significant hazard to the public or the environment. As a standard condition of approval for sites included on a list of hazardous materials sites compiled pursuant to Government Code §65962.5 that have yet to be investigated or remediated, the City would require that such investigation be completed along with any required remediation before approving a permit for installation of a wireless telecommunication facility.

The City of Los Altos is not located within a Very High Fire Hazard Severity Zone as delineated on California Department of Forestry and Fire Protection (CAL FIRE) State Responsibility Area and Local Responsibility Area maps (State Responsibility Area (SRA) Viewer (arcgis.com)). The City is largely developed and only portions of the area west of the I-280 freeway are located near wildland areas that would be susceptible to fire. Such areas are not identified in proposed development standards and design guidelines as a permitted location for wireless telecommunications facilities. All wireless facilities installations would be required to comply with applicable code requirements to ensure fire safety.

Accordingly, potential adverse hazards and hazardous waste effects within the City would be less than significant.

Hydrology and Water Quality.

Wireless telecommunications facilities do not require the use of water during ongoing operations. Installation activities could require minimal watering for ground disturbance required for a new or replacement pole. Such activities would have a very small footprint and limited duration and would thus not adversely affect groundwater supplies or recharge. BMPs would be implemented during installation to minimize erosion. Due to their small footprint and dispersion from each other, the minor increase in impervious surface area (generally less than 6.25 square feet) that might result from installation of a new or replacement pole for a wireless telecommunication facility would not be great enough to alter existing drainage patterns or cause off-site flooding.

Land Use and Planning.

Proposed development standards and design guidelines specifically prohibit wireless telecommunications facilities from interfering with vehicular, bicycle, and pedestrian movement. As a result, there is no potential for these development standards and design guidelines to result in dividing an established community. No significant impacts were determined to result from the proposed development standards and design guidelines for wireless telecommunications facilities, including impacts associated with inconsistencies with adopted planning policies.

Mineral Resources.

Wireless telecommunications facilities would be located within existing public rights-of-way and utility easements or on existing buildings within developed sites. There would, therefore, be no direct or indirect effects on the availability of any mineral resources by restricting access to a resource recovery site or substantially depleting the reserves of any known resources in the region.

Noise.

Noise from wireless telecommunications facilities would be limited to installation of facilities (ranging in time from a few hours for minor upgrades (e.g., replacement of antennas) to a few weeks for erection of new or replacement poles for pole-mounted facilities) and occasional use of cooling equipment or an emergency generator at discreet locations. Installation of wireless telecommunications facilities will be required to comply with City noise standards, which specify:

- Permitted construction hours;
- Interior and exterior noise standards by zoning district for daytime and nighttime hours; and
- Prohibited acts relative to noise, including maximum noise levels at affected properties and hours during which construction is permitted. The noise ordinance allows for increases in noise related to construction activities during permitted construction hours.

While installation of wireless telecommunications facilities may generate temporary groundborne vibration and groundborne noise from the operation of construction equipment, the type of equipment typically used during installations only generates localized groundborne vibration and groundborne noise that could be perceptible only in the immediate vicinity of the project site and would not be sufficient to cause damage to adjacent structures.

Population and Housing.

Proposed development standards and design guidelines for wireless telecommunications facilities would not involve the construction of any homes, businesses, or other uses that would directly result in population growth, nor would

such standards and guidelines remove a barrier to growth or induce additional unplanned development.

Public Services.

Proposed development standards and design guidelines for wireless telecommunications facilities would not increase the level of needed public services and would not result in the need for new or physically altered facilities because wireless communication facilities do not normally require public services.

Recreation.

Proposed development standards and design guidelines for wireless telecommunications facilities would not generate an increase in demand for parks or require construction or expansion of new park facilities since no residential uses are proposed and no increase in population would result.

Transportation.

Proposed wireless communication facilities would temporarily generate vehicle traffic at installation sites, which would last no more than a few weeks for a new or replacement pole or as little as a few hours for antenna replacement. Following installation, traffic would return to pre- installation levels with the exception of one to two site maintenance visits per month for each facility. Because no new population would be generated, proposed development standards and design guidelines would not generate any increase in transit, bicycle, or pedestrian travel.

Tribal Cultural Resources.

Pursuant to the requirements of AB 52, the City of Los Altos informed the Tamien Nation regarding the wireless telecommunications ordinance and design guidelines on January 20, 2022 and provided the Nation with the opportunity for consultation regarding potential impacts on Tribal Cultural resources. No request for such consultation was made by the Tamien Nation.

Utilities and Service Systems.

Proposed development standards and design guidelines for wireless telecommunications facilities would not generate an increase in population due to increased residential or business uses and would not consume water or generate wastewater or solid waste on an ongoing basis. Only minor amounts of water would be used on a temporary basis during installation of individual wireless telecommunications facilities. While wireless telecommunications facilities require electrical power, they do not draw sufficient power so as to require new or improved energy facilities. Where wireless telecommunications facilities are proposed on existing electrical poles, addition of wireless equipment or replacement of a pole may be required.

Wildfire.

Los Altos has an adopted Emergency Preparedness Plan identifying potential risks, facilities and resources relied upon in the event of a catastrophe, and persons responsible for implementation. Wireless telecommunications facilities would be located within existing public rights-of-way and utility easements, as well as on existing buildings within previously developed sites, and would not, therefore, impair implementation of or physically interfere with the City's Emergency Preparedness Plan. In the event future construction activities require work to be performed in a roadway, appropriate traffic control plans would be prepared in conjunction with an encroachment permit.

The City of Los Altos is not located within a Very High Fire Hazard Severity Zone as delineated on California Department of Forestry and Fire Protection (CAL FIRE) State Responsibility Area and Local Responsibility Area maps (State Responsibility Area (SRA) Viewer (arcgis.com)). The City is largely developed and only portions of the area west of the I-280 freeway are located near wildland areas that would be susceptible to fire. Such areas are not identified in proposed development standards and design guidelines as a permitted location for wireless telecommunications facilities. All wireless facilities installations would be required to comply with applicable code requirements to ensure fire safety.

BE IT FURTHER RESOLVED that the City Council of the City of Los Altos adopts the Negative Declaration contained below based on these findings.

APPROVED AND ADOPTED at a regular meeting of the City Council this 14th day of June, 2022.

_____

Anita Enander
Mayor, City of Los Altos

_____

Attest: Angel Rodriguez
City Clerk

Attachment A

Written Comments on the Proposed Negative Declaration Received during the Public Review Period

From: Ed Nieda
To: Los Altos Planning Commission; City Council; Gabriel Engeland
Subject: Please cease on the Cell Phone tower project
Date: Monday, February 14, 2022 11:22:13 AM

To: PlanningCommission@losaltosca.gov

CC: council@losaltosca.gov, gengeland@losaltosca.gov

Subject: No Cell Towers Near Homes & Schools

Dear City of Los Altos Planning Commission,

I have learned from the City of Los Altos website that the city is currently seeking to change the wireless emergency ordinance that was put into place in 2019. I implore the City to stay as true to the original ordinance as possible and ensure we don't have cell towers placed close to schools and homes. While some residents have expressed valid health concerns of placing cell towers so close to our schools and homes, I understand the City is unable to take these concerns into account due to Federal laws. However, there are other issues I'd like the City to consider including visual blight, noise, safety and property values.

Visual blight: The City's utility poles are visually unappealing. I don't want to increase the unsightliness with cell towers on the tops of these poles, not to mention a refrigerator's worth of equipment hanging to the side.

Noise: Cell towers make considerable noise from their cooling fans. Having these towers placed so close to our homes would negatively impact our living environment.

Safety: Most cell towers have a refrigerator's worth of equipment, including lithium ion batteries that have been known to cause fires. It's not safe to place flammable materials on combustible wooden poles that could potentially burn down a home or neighborhood.

Property Values: Cell towers placed so close to homes will reduce the attractiveness of homes in the area. According to Realtor Magazine, a study found that 94% of homebuyers would not purchase a home near a cell tower.

Cell Towers, Antennas Problematic for Buyers

Home buyers and renters say they are less interest and would pay less for properties located near cell towers an...

Again, please do not place cell towers close to our homes and schools. Please find alternative locations.

Sincerely,
Los Altos Resident
Ed Nieda
[redacted] Ave.

From: Melissa Smith
To: Los Altos Planning Commission
Cc: City Council; Gabriel Engeland
Subject: No Cell Towers Near Homes & Schools
Date: Monday, February 14, 2022 11:27:14 AM

Dear City of Los Altos Planning Commission,

I have learned from the City of Los Altos website that the city is currently seeking to change the wireless emergency ordinance that was put into place in 2019. I implore the City to stay as true to the original ordinance as possible and ensure we don't have cell towers placed close to schools and homes. While some residents have expressed valid health concerns of placing cell towers so close to our schools and homes, I understand the City is unable to take these concerns into account due to Federal laws. However, there are other issues I'd like the City to consider including visual blight, noise, safety and property values.

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Again, please do not place cell towers close to our homes and schools. Please find alternative locations.

Sincerely,
Melissa Smith
Los Altos Resident

From: Los Altan
To: Los Altos Planning Commission
Cc: City Council; Gabriel Engeland
Subject: No Cell Towers Near Homes & Schools
Date: Monday, February 14, 2022 11:29:36 AM

Dear City of Los Altos Planning Commission,

I have learned from the City of Los Altos website that the city is currently seeking to change the wireless emergency ordinance that was put into place in 2019. I implore the City to stay as true to the original ordinance as possible and ensure we don't have cell towers placed close to schools and homes. While some residents have expressed valid health concerns of placing cell towers so close to our schools and homes, I understand the City is unable to take these concerns into account due to Federal laws. However, there are other issues I'd like the City to consider including visual blight, noise, safety and property values.

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Again, please do not place cell towers close to our homes and schools. Please find alternative locations.

Sincerely,
Los Altos Resident

From: Ken Elefant
To: Los Altos Planning Commission
Cc: City Council; Gabriel Engeland
Subject: No Cell Towers Near Homes & Schools
Date: Monday, February 14, 2022 12:21:46 PM

Dear City of Los Altos Planning Commission,

I have learned from the City of Los Altos website that the city is currently seeking to change the wireless emergency ordinance that was put into place in 2019. I implore the City to stay as true to the original ordinance as possible and ensure we don't have cell towers placed close to schools and homes. While some residents have expressed valid health concerns of placing cell towers so close to our schools and homes, I understand the City is unable to take these concerns into account due to Federal laws. However, there are other issues I'd like the City to consider including visual blight, noise, safety and property values.

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Again, please do not place cell towers close to our homes and schools. Please find alternative locations.

Sincerely,
Ken Elefant
Los Altos Resident

From: Phyliss Brazell
To: Los Altos Planning Commission
Cc: City Council; Gabriel Engeland
Subject: No Cell Towers Near Homes
Date: Monday, February 14, 2022 12:23:10 PM

Dear City of Los Altos Planning Commission,

I have learned from the City of Los Altos website that the city is currently seeking to change the wireless emergency ordinance that was put into place in 2019. I implore the City to stay as true to the original ordinance as possible and ensure we don't have cell towers placed close to homes. While some residents have expressed valid health concerns of placing cell towers so close to our schools and homes, I understand the City is unable to take these concerns into account due to Federal laws. However, there are other issues I'd like the City to consider including visual blight, noise, safety and property values.

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Again, please do not place cell towers close to our homes. Please find alternative locations.

Sincerely,
Los Altos Resident

From: Judith Simon
To: Los Altos Planning Commission
Cc: City Council; Gabriel Engeland
Subject: No Cell Towers Near Homes & Schools
Date: Monday, February 14, 2022 12:25:39 PM

Dear City of Los Altos Planning Commission,

I have learned from the City of Los Altos website that the city is currently seeking to change the wireless emergency ordinance that was put into place in 2019. I implore the City to stay as true to the original ordinance as possible and ensure we don't have cell towers placed close to schools and homes. While some residents have expressed valid health concerns of placing cell towers so close to our schools and homes, I understand the City is unable to take these concerns into account due to Federal laws. However, there are other issues I'd like the City to consider including visual blight, noise, safety and property values.

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Again, please do not place cell towers close to our homes and schools. Please find alternative locations.

Sincerely,
Los Altos Resident

From: Alex Liang
To: Los Altos Planning Commission
Cc: City Council; Gabriel Engeland
Subject: No Cell Towers Near Homes & Schools
Date: Monday, February 14, 2022 12:55:48 PM

Dear City of Los Altos Planning Commission,

I have learned from the City of Los Altos website that the city is currently seeking to change the wireless emergency ordinance that was put into place in 2019. I implore the City to stay as true to the original ordinance as possible and ensure we don't have cell towers placed close to schools and homes. While some residents have expressed valid health concerns of placing cell towers so close to our schools and homes, I understand the City is unable to take these concerns into account due to Federal laws. However, there are other issues I'd like the City to consider including visual blight, noise, safety and property values.

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Again, please do not place cell towers close to our homes and schools. Please find alternative locations.

Sincerely,
Los Altos Resident

Alex Liang
[redacted]

From: Patrick yuen
To: Los Altos Planning Commission; City Council; Gabriel Engeland
Subject: No Cell Towers Near Homes & Schools
Date: Monday, February 14, 2022 1:10:20 PM

Dear City of Los Altos Planning Commission,

I have learned from the City of Los Altos website that the city is currently seeking to change the wireless emergency ordinance that was put into place in 2019. I implore the City to stay as true to the original ordinance as possible and ensure we don't have cell towers placed close to schools and homes. While some residents have expressed valid health concerns of placing cell towers so close to our schools and homes, I understand the City is unable to take these concerns into account due to Federal laws. However, there are other issues I'd like the City to consider including visual blight, noise, safety and property values.

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Again, please do not place cell towers close to our homes and schools. Please find alternative locations.

Sincerely,
Los Altos Resident
Patrick Yuen

Cell : 650-996-6181

From: Sean Chen
To: Los Altos Planning Commission
Cc: City Council; Gabriel Engeland
Subject: No Cell Towers Near Homes & Schools
Date: Monday, February 14, 2022 1:18:04 PM

Dear City of Los Altos Planning Commission,

I have learned from the City of Los Altos website that the city is currently seeking to change the wireless emergency ordinance that was put into place in 2019. I implore the City to stay as true to the original ordinance as possible and ensure we don't have cell towers placed close to schools and homes. While some residents have expressed valid health concerns of placing cell towers so close to our schools and homes, I understand the City is unable to take these concerns into account due to Federal laws. However, there are other issues I'd like the City to consider including visual blight, noise, safety and property values.

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Sincerely,

Los Altos Resident

--
Sean

From: Aronson, Jeff
To: Los Altos Planning Commission
Cc: City Council; Gabriel Engeland; Kristine Chin (kchin5001@gmail.com)
Subject: No Cell Towers Near Homes & Schools
Date: Monday, February 14, 2022 3:11:07 PM
Attachments: image001.png

Dear City of Los Altos Planning Commission,

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Property Values: Cell towers placed so close to homes will reduce the attractiveness of homes in the area. According to Realtor Magazine, a study found that 94% of homebuyers would not purchase a home near a cell tower.

Again, please do not place cell towers close to our homes and schools. Please find alternative locations.

Sincerely,
Jeff & Kristine Aronson
[redacted]
Los Altos

Jeffrey D. Aronson
Partner

[redacted]

DLA Piper LLP (US)
2000 University Avenue
East Palo Alto, CA 94303-2215

DLA PIPER dlapiper.com

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From: mary ann kanyal
To: Los Altos Planning Commission
Cc: City Council; Gabriel Engeland
Subject: Please honor the decision that was agreed to in 2019 and stay true to the original ordinance
Date: Monday, February 14, 2022 3:34:57 PM

To: PlanningCommission@losaltosca.gov

CC: council@losaltosca.gov, gengeland@losaltosca.gov

Subject: No Cell Towers Near Homes & Schools

Dear City of Los Altos Planning Commission,

I have learned from the City of Los Altos website that the city is currently seeking to change the wireless emergency ordinance that was put into place in 2019. I implore the City to stay as true to the original ordinance as possible and ensure we don't have cell towers placed close to schools and homes. While some residents have expressed valid health concerns of placing cell towers so close to our schools and homes, I understand the City is unable to take these concerns into account due to Federal laws. However, there are other issues I'd like the City to consider including visual blight, noise, safety and property values.

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Again, please do not place cell towers close to our homes and schools. Please find alternative locations.

Sincerely,
Los Altos Resident
Mary Ann Kanyal

From: REYNETTE AU
To: Los Altos Planning Commission
Cc: City Council; Gabriel Engeland
Subject: No Cell Towers Near Homes & Schools
Date: Monday, February 14, 2022 5:48:15 PM

Dear City of Los Altos Planning Commission,

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Again, please do not place cell towers close to our homes and schools. Please find alternative locations.

Sincerely,
Reynette Au
30 year Los Altos Resident

From: Allison Marras
To: Los Altos Planning Commission
Subject: No Cell Towers Near Homes & Schools
Date: Monday, February 14, 2022 6:28:43 PM

Subject: No Cell Towers Near Homes & Schools

Dear City of Los Altos Planning Commission,

I have learned from the City of Los Altos website that the city is currently seeking to change the wireless emergency ordinance that was put into place in 2019. I implore the City to stay as true to the original ordinance as possible and ensure we don't have cell towers placed close to schools and homes. While some residents have expressed valid health concerns of placing cell towers so close to our schools and homes, I understand the City is unable to take these concerns into account due to Federal laws. However, there are other issues I'd like the City to consider including visual blight, noise, safety and property values.

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Again, please do not place cell towers close to our homes and schools. Please find alternative locations.

Sincerely,
Los Altos Resident

Sent from Yahoo Mail for iPhone

From: Yeeping Zhong
To: Los Altos Planning Commission
Cc: City Council; Gabriel Engeland
Date: Monday, February 14, 2022 8:22:19 PM

Dear City of Los Altos Planning Commission,

I have learned from the City of Los Altos website that the city is currently seeking to change the wireless emergency ordinance that was put into place in 2019. I implore the City to stay as true to the original ordinance as possible and ensure we don't have cell towers placed close to schools and homes. While some residents have expressed valid health concerns of placing cell towers so close to our schools and homes, I understand the City is unable to take these concerns into account due to Federal laws. However, there are other issues I'd like the City to consider including visual blight, noise, safety and property values.

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Again, please do not place cell towers close to our homes and schools. Please find alternative locations.

Sincerely,
Los Altos Resident

Yeeping Zhong ([redacted].)

From: R. K. Johnson
To: Los Altos Planning Commission
Cc: City Council
Subject: The "wireless emergency ordinance" that was put into place in 2019
Date: Tuesday, February 15, 2022 2:54:18 PM

Dear City of Los Altos Planning Commission,

NO CELL TOWERS near homes or schools

I have learned from the City of Los Altos website that the city is currently seeking to change the wireless emergency ordinance that was put into place in 2019. I implore the City to stay as true to the original ordinance as possible and ensure we don't have cell towers placed close to schools and homes. While some residents have expressed valid health concerns of placing cell towers so close to our schools and homes, I understand the City is unable to take these concerns into account due to Federal laws. However, there are other issues I'd like the City to consider including visual blight, noise, safety and property values.

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Again, please do not place cell towers close to our homes and schools. Please find alternative locations.

Sincerely,
Los Altos Resident

From: Freddie Park
To: Los Altos Planning Commission
Cc: City Council
Subject: 5G cell towers
Date: Saturday, February 19, 2022 4:10:39 PM

Dear Los Altos Planning Commissioners,

I am a resident and home owner of 27+ years in Los Altos. I understand that the city is amending the Urgency Ordinance relating to 5G towers due to the litigation against the city by AT&T and Verizon. I realize we are in between a rock and a hard place regarding the ordinance and federal law. I would ask that you do your very best to make certain that 5G towers are required to be as far away from our homes and schools as possible.

Thank you for your consideration.

Sincerely,

Freddie Park Wheeler

Steve Golden

From: C. Y. <[redacted]>
Sent: Tuesday, February 22, 2022 10:00 AM
To: Los Altos Planning Commission
Cc: City Council; Gabriel Engeland
Subject: No Cell Towers Near Homes & Schools

Dear City of Los Altos Planning Commission,

I have learned from the City of Los Altos website that the city is currently seeking to change the wireless emergency ordinance that was put into place in 2019. I implore the City to stay as true to the original ordinance as possible and ensure we don't have cell towers placed close to schools and homes. While some residents have expressed valid health concerns of placing cell towers so close to our schools and homes, I understand the City is unable to take these concerns into account due to Federal laws. However, there are other issues I'd like the City to consider including visual blight, noise, safety and property values.

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Again, please do not place cell towers close to our homes and schools. Please find alternative locations.

Sincerely,
C.Y.

Steve Golden

From: Los Altan <[redacted]>
Sent: Wednesday, February 23, 2022 11:04 AM
To: Los Altos Planning Commission
Cc: City Council; Gabriel Engeland
Subject: Re: No Cell Towers Near Homes & Schools

I also wanted to mention that when this issue was raised in 2019, we had over 1,100 residents in Los Altos sign the following petition: https://www.change.org/p/town-of-los-altos-no-cell-towers-next-to-homes-and-schools-in-los-altos-ca

Please keep this in mind when augmenting this ordinance.

Thanks,
Los Altos Resident

On Mon, Feb 14, 2022 at 11:29 AM Los Altan <losaltan94022@gmail.com> wrote:

> Dear City of Los Altos Planning Commission,
>
> I have learned from the City of Los Altos website that the city is currently seeking to change the wireless emergency ordinance that was put into place in 2019. I implore the City to stay as true to the original ordinance as possible and ensure we don't have cell towers placed close to schools and homes. While some residents have expressed valid health concerns of placing cell towers so close to our schools and homes, I understand the City is unable to take these concerns into account due to Federal laws. However, there are other issues I'd like the City to consider including visual blight, noise, safety and property values.
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>
> Again, please do not place cell towers close to our homes and schools. Please find alternative locations.
>
> Sincerely,
> Los Altos Resident

Steve Golden

From: Gregory Burns <g[redacted]>
Sent: Wednesday, February 23, 2022 12:04 PM
To: Los Altos Planning Commission
Cc: Gregory Burns; City Council; Gabriel Engeland
Subject: Los Altos small cell node ordinance

Dear City of Los Altos Planning Commission,

It is my understanding that the city is proposing changes to the wireless emergency ordinance that was put into place in 2019.

Please stay as true to the original ordinance as possible; cell nodes should not be installed close to residences and schools. I feel you should strongly enforce preferred location requirements; as well as consider setback requirements to keep utility pole mounted cell nodes away from our homes. The noise and visual blight from these units negatively affect the quality of life and property values of our quiet neighborhoods.

Furthermore, I also request you reconsider even stricter proposed noise limits for residential zones. A product designed to run 24 hours a day should not be allowed to negatively impact our living environment. Please require noise limits to be INAUDIBLE at any property lines.

Again, please do not place cell nodes close to our homes and schools. Please find alternative locations.

Sincerely,
Gregory Burns
Los Altos Resident

Steve Golden

From: Donna Wing <[redacted]>
Sent: Wednesday, February 23, 2022 9:46 PM
To: Los Altos Planning Commission
Cc: City Council
Subject: Cell Towers In Los Altos

Dear City of Los Altos Planning Commission,
I just received information that the Council plans on revisiting the possibility of placing cell towers on the telephone poles.

I live at 689 Linden Ave and the decision would impact our home since there are telephone poles in the back and in front of our home. I am a cancer survivor and had chemo and radiation as treatment. I do not wish to have any cell towers near me due to health reasons.

Also, the cell towers are unsightly and noisy. We moved to Los Altos for the trees and quiet beauty of nature. Having cell towers would decrease property values and they are unsafe near schools. We live in an area where there are 3 schools near us within walking distance: Egan Jr. High, Bullis Charter School and Santa Rita.

Please find alternative locations to place cell towers- not near schools and homes.
Sincerely,
Donna Wing

MACKENZIE & ALBRITTON LLP
155 SANSOME STREET, SUITE 800
SAN FRANCISCO, CALIFORNIA 94104

TELEPHONE 415 / 288-4000
FACSIMILE 415 / 288-4010

February 22, 2022

VIA EMAIL

Gabriel Engeland
City Manager
City of Los Altos
One North San Antonio Road
Los Altos, California 94022

Re: Draft Ordinance and Design Guidelines, Wireless Telecommunications Facilities

Dear Gabriel:

We write on behalf of Verizon Wireless regarding the draft ordinance regulating wireless telecommunications facilities (the "Draft Ordinance") and the accompanying draft *Design and Development Standards for Wireless Telecommunications Facilities* (the "Draft Guidelines"). Verizon Wireless appreciates the opportunity for advance review, and we suggest several revisions to ensure that these proposed regulations are consistent with federal and state law.

The Draft Ordinance location standards must be revised so that all Los Altos rights-of-way are subject to the reasonable 500-foot search distance for preferred locations, without subjecting certain local residential streets to preempted approval criteria. Some location prohibitions should be restated as preferences, including the ban on new small cells within 1,000 feet of existing small cells. The Draft Guidelines should be revised to accommodate typical small cell designs required for service, providing specific standards that are technically feasible. We urge staff to revise the Draft Ordinance and Draft Guidelines prior to review by the Planning Commission.

The FCC's Infrastructure Order

In its 2018 Infrastructure Order, the FCC confirmed that a city's aesthetic criteria for small cells must be "reasonable," that is, technically feasible and meant to avoid "out-of-character" deployments, and also "published in advance." *See Accelerating Wireless Broadband Deployment by Removing Barriers to Infrastructure Investment,* Declaratory Ruling and Third Report and Order, 33 FCC Rcd. 9088, ¶¶ 86-88 (September 27, 2018). The FCC also found that that local requirements that "materially inhibit" service improvements and new technology constitute an effective prohibition of service under the Telecommunications Act. *Id.,* ¶¶ 35-37; *see also* 47 U.S.C. §§ 253(a), 332(c)(7)(B)(i)(II). In 2020, the Ninth Circuit Court of Appeals upheld these FCC requirements. *See City of Portland v. United States,* 969 F.3d 1020 (9th Cir. 2020), *cert. denied*, 141 S.Ct. 2855 (Mem) (U.S. June 26, 2021).

Our comments are as follows.

Draft Ordinance

14.82.030 – Location Preferences

The City should avoid location restrictions that would "materially inhibit" service improvements in contradiction of the FCC's Infrastructure Order, and that would violate California Public Utilities Code Section 7901 which grants telephone corporations a statewide right to place their equipment along any right-of-way. The City should include all rights-of-way in the location preference lists, while converting absolute location prohibitions to less-favored preferences. This will ensure that all rights-of-way are subject to the reasonable 500-foot search distance for any preferred location options, avoiding conflict with federal and state law.

A(2), (3). Preferred, less-preferred locations. All right-of-way locations should be included in one of these preference lists, but several are missing, notably the following.

- **All local streets.** As drafted, Section (A)(3)(e) addresses only certain stretches of local streets in residential zones: those within 200 feet of Foothill Expressway, 500 feet of listed arterials, or 300 feet of collectors or local collectors. Local streets away from those major roadways are not included in the preference lists, and so would be subject to different approval criteria under Section 14.82.050 that are preempted, as we explain below. *Section 14.82.030(A)(3)(e) should be revised to simply state "local streets in residential zones."*
- **CN zone.** A few parcels zoned CN–Commercial Neighborhood are not located along preferred expressways or arterials. *The CN zone should be added to the preferred location list of Section 14.82.030(A)(2).*
- **Local streets fronting schools in PCF zone.** The presence of a school should not bar placement of a small cell on an adjacent local street. *The phrase "local street" should be added to Section 14.82.030(A)(3)(f).*
- **PCF/R1-10 zone.** There are seven school properties zoned PCF/R1-10, and their adjacent rights-of-way should be available, as with the PCF zone. *The phrase "Public and Community Facilities/Single-Family District" should be added to Section 14.82.030(A)(3)(f) after the reference to the PCF zone.*

A(4). 1,000-foot separation of small cells. Phrased as a prohibition, not a preference, this would bar new small cells in all rights-of-way within a 72-acre area surrounding an existing small cell. This could prohibit new facilities at busy intersections that otherwise are preferred locations, and where clustering small cells could avoid placement on local residential streets. *We suggest converting this prohibition to a preference, by adding "a location within 1,000 feet of an existing small wireless telecommunications facility" to the less-preferred list of 14.82.030(A)(3), and deleting Section A(4).*

A(5)(c). Ban on central 50% of parcel frontage. Another prohibition, this could bar use of some existing poles already located along the middle of parcel frontages in residential zones. By converting this to a preference, the City could steer small cells to any nearby poles closer to property lines, if feasible. *We suggest adding "rights-of-way adjacent to Residential Zoning Districts within the central fifty percent (50%) of an immediately adjacent parcel's street frontage" to the less-preferred list of Section 14.82.030(A)(3), and deleting Section A(5)(c).*

A(6), (7). Not in front of business. This blunt prohibition could materially inhibit service improvements in commercial areas, and it is unnecessary because the accompanying language already directs applicants to locate as close as feasible to property lines. *The phrase "not directly in front of a business" should be deleted.*

A(8). Inconvenience to public use of right-of-way. The vague term "inconvenience" exceeds the standard in Public Utilities Code Section 7901, that telephone equipment not "incommode" the public use of the right-of-way. *We suggest replacing "inconvenience" with "impair."*

A(11). Requirement to use poles outside sight lines. Because small cell equipment is elevated above motorist sight lines, there is no reason to bar placement on poles that are already within sight lines. The small cell would pose no more safety impact than the existing pole. *This prohibition should be deleted.*

B(1), (2). Private property location preferences. There are several churches in residential zones where a new facility could be fully-concealed within compatible architecture. *The City should consider allowing camouflaged facilities on residentially-zoned parcels with a non-residential use.*

14.82.040 – Requirements for Approval of Less-Preferred Locations

C. Evidence of need. There is no reason to require additional "evidence demonstrating the need for approval of the proposed location" because Section A already allows less-preferred locations if any preferred options are unavailable or technically infeasible. Technical feasibility is a factor for the FCC's "reasonableness" standard, but the need for a facility is not. The City cannot compel applicants to demonstrate the need for new small cells in the right-of-way. The FCC found that small cells are needed to densify networks, enhance existing service and introduce new services, so denials based on need would materially inhibit these goals. Infrastructure Order, ¶ 37. Further, Section 7901 grants telephone corporations a statewide right to place their equipment along any right-of-way with no demonstration of need. *This provision should be deleted.*

14.82.050 – Alternative to Wireless Telecommunications Facilities at Preferred and Less Preferred Locations

This section imposes a different scheme for approval of locations that are neither preferred or less-preferred, such as those on local residential streets away from major roadways. Instead of the reasonable 500-foot search distance and technical feasibility standard, this section requires

applicants to evaluate alternative macro and/or small cell facilities in a broad area beyond the target coverage area. As noted, requirements to prove the need for a right-of-way facility are preempted by Section 7901, which grants telephone corporations the right to use any right-of-way. Section 7901 also bars the City from redirecting a proposed facility from the right-of-way to private property (e.g., a macro site).

Further, the City cannot require small cell applicants to evaluate a "significant gap," because the FCC determined that small cells are needed to densify networks, enhance existing service and introduce new services. These are Verizon Wireless's goals in placing small cells in Los Altos. The FCC also disfavored dated service standards based on "coverage gaps" and the like. Infrastructure Order, ¶¶ 37-40.

The direction to minimize wireless facilities in residential areas where needed would "materially inhibit" service improvements, constituting a prohibition of service. It also could penalize and discriminate against wireless carriers in the future, in conflict with the Telecommunications Act. 47 U.S.C. § 332(c)(7)(B)(i)(I). *This section should be deleted. Instead, as discussed above, all right-of-way locations should be addressed in the location preferences so they are subject to the reasonable 500-foot search distance and the FCC's technical feasibility standard.*

14.82.070 – Eligible Facilities Requests

The only factors for approval of eligible facilities requests are the FCC's "substantial change" thresholds codified at 47 C.F.R. Section 1.6100(b)(7) and restated in Municipal Code Section 11.12.020(A)(23). The ordinance location preferences and any City design guidelines are preempted by FCC rules. Eligible facilities requests provide a streamlined path to approval of collocations compared to Government Code Section 65850.6, which is superseded. *This section is preempted and unnecessary, and should be deleted.*

Following are comments on the Draft Ordinance changes to the existing Municipal Code.

11.12.050 – Application for Permit

E(2). Submittal appointment. The FCC confirmed that a mandatory pre-application process starts the Shot Clock, so Verizon Wireless will calculate the clock to start on the day it requests an appointment. Infrastructure Order, ¶ 145; 47 C.F.R. § 1.6003(e). By delaying the appointment, the City could consume most or all of its 10-day period to issue a notice of incomplete application that would pause the Shot Clock. 47 C.F.R. § 1.6003(d)(1). A limit of one appointment would constitute an effective moratorium on applications, but that is preempted by FCC rules and would not delay the start of the Shot Clock. Infrastructure Order, ¶ 145 ("…the shot clock begins to run when the application is proffered"). The City should ensure that applicants can submit batch applications, consistent with FCC rules. 47 C.F.R. § 1.6003(c)(2). *A submittal appointment should be optional, not mandatory.*

11.12.060 – Conditions of Approval for All Facilities

A(1). Incorporating wireless permit into plans for building permit application. This would require sequential submittal and review of zoning and building permit applications. However, the FCC confirmed that all authorizations required for a new wireless facility must be reviewed within the same "Shot Clock" period. Infrastructure Order, ¶ 132. The City could run afoul of this requirement by delaying submittal of a building permit application until after the Planning Division approves a wireless permit. *This condition should be deleted.*

A(3). Undergrounding/replacement due to new technology. The City cannot compel wireless carriers to dismantle and rebuild any portion of a permitted facility that was constructed in reliance on approved plans. This would violate the vested rights of permittees as well as Government Code Section 65964(b) which generally guarantees a 10-year term for wireless facility permits. *This condition must be deleted.*

A(6)(e). Noise limit. The City is proposing to repeal the referenced Resolution 2019-35. *That reference should be deleted.*

A(7). Annual RF emissions testing. Once an installed wireless facility is shown to comply with the FCC's radio frequency exposure guidelines, the City cannot require repeat exposure tests, as that regulation of operational requirements is preempted by federal law. *See* 47 U.S.C. § 332(c)(7)(B)(iv); *see also Crown Castle USA Inc. v. City of Calabasas* (Los Angeles Superior Court BS140933, 2014) ("…the regulation of a facility's planned or ongoing operation constitutes an unlawful supplemental regulation into an area of federal preemption.") *The reference to "annually thereafter" should be deleted.*

Existing Code Provisions Requiring Revision

Several problematic Code provisions are not addressed by the Draft Ordinance, including the following.

11.12.050(A)(8). Submittal of geographic service area. With respect to small cells and the right-of-way, this is a preempted demonstration of need. *This provision should not apply to small cells.*

11.12.050(A)(14). Alternatives analysis. This is unnecessary if siting in a most-preferred location. *Instead, the City should require small cell applicants to identify any more-preferred locations within 500 feet and provide evidence that they are technically infeasible or unavailable.*

11.12.050(C). 1,000-foot public notice. This is excessive for small cells, which pose minimal visual impact compared to other right-of-way utility infrastructure. Such broad notice would capture residences well beyond the 500-foot search distance. *We suggest reducing public notice for right-of-way facilities to 500 feet.*

Draft Guidelines

II – Design and Development Standards for all Wireless Telecommunications Facilities

B, D. Basic design principles, general guidelines. The Draft Guidelines impose various subjective standards such as "minimize visual, noise, and other impacts on the surrounding community" and "prevent facility from dominating the surrounding area." Such vague standards could be used to deny facilities that otherwise satisfy specific design criteria, and would be unreasonable if applied to small cells that are not "out-of-character" among other right-of-way infrastructure. Denials based on vague, subjective determinations would frustrate applicants who followed specific design criteria (such as equipment dimension limits), and would "materially inhibit" service improvements. *For small cells, the City should rely on reasonable, specific design standards.*

D(7)(b). 45 dBA noise limit. This imposes a stringent noise limit for all wireless facilities in Los Altos, without specifying the location where noise is measured. In contrast, the City's noise ordinance evaluates the noise level as "measured on any other property," which is an appropriate standard. Code § 6.16.050(A)(2). The noise ordinance also provides a higher noise limit in non-residential zones. Code § 6.16.050(A)(1), Table 1. *The blanket 45 dBA limit should be deleted, and this section revised to require compliance with Code Chapter 6.16.*

D(9). Upgrades with new technology. Per our comment on Draft Ordinance Section 11.12.060(A)(3), requiring applicants for modifications to change unaltered existing facility components would violate their vested rights and Government Code Section 65964(b). *This provision must be deleted.*

III – Additional Design and Development Standards for Facilities in the Public Right-of-Way and in Public Utility Easements

The City must ensure that its small cell design standards are consistent with federal and state law. To be reasonable per the FCC's Infrastructure Order, equipment dimension limits must be technically feasible for new and emerging technologies, accommodating the antenna and radio models available from manufacturers. In addition to the low-band frequencies currently in use, Verizon Wireless recently licensed mid-band and high-band frequencies from the FCC. These require different equipment. Accordingly, certain small cells may involve several types of antennas, and up to three of each, facing different directions where they provide service. The design standards must accommodate multiple types of antennas to avoid violating California Government Code Section 65964.1(h) which bars cities from "unreasonably discriminating in favor of, or against, any particular wireless technology."

Verizon Wireless would be pleased to work with the City to ensure that the design standards are technically feasible for its anticipated deployments.

B, C, D. Preferred, less-preferred configurations. These lists favor light poles owned by the City, but if strictly applied, that would contradict California Government Code Section 65964(c)

which bars local governments from limiting wireless facilities to sites owned by particular parties. Verizon Wireless may place its equipment on joint utility poles as a member of the North California Joint Pole Authority, and may place and own new stand-alone poles in the right-of-way pursuant to Public Utilities Code Section 7901.

Structure preferences are akin to location preferences, and so should be qualified by the 500-foot search distance, which is missing from Section (D). Section D(1)(b) introduces an optional "aesthetically superior" criterion that could be a factor when choosing between several feasible poles, but also a mechanism to favor City-owned poles. *We suggest a clear list of structure preferences: 1) An existing or replacement pole of any owner, or 2) A new stand-alone pole, if there is no technically feasible, available existing pole within 500 feet along the right-of-way.*

B(1)(c), C(3)(c). Light poles – antenna shroud limited to pole diameter, base limited to 6 inches wider than pole. These provisions impose antenna and equipment size constraints that are technically infeasible and therefore unreasonable. As noted, some small cells may require multiple types of antennas, and up to three of each, mounted at the same height and facing different directions. In this configuration, the antenna models available from manufacturers cannot fit into a single shroud limited to a narrow pole diameter. Further, some mid- and high-frequency antennas cannot be fully shrouded or otherwise covered because that impedes signal propagation. However, they can be placed in specially-designed partial shrouds with "cut-outs" allowing unimpeded signal. *These sections should specify that antennas and any shrouds should not exceed 21 inches in total diameter.*

Radio units, other network gear, mounting hardware and cables cannot fit into a pole base only six inches wider than a typical streetlight pole. *Section C(1) (light pole facilities with all equipment within the pole) should allow a base up to 20 inches square and four feet tall to conceal radios and associated network components. Section C(3) (light pole facilities with some equipment <u>not</u> within the pole) should allow for small radio units and other gear on the side of a pole, not to exceed nine cubic feet, aside from any PG&E electric meter and disconnect switch.*

C(1)(a). Utility poles – antenna height limited to 24 inches above pole, minimum equipment height of 18 feet. These limits run afoul of Public Utilities Commission General Order 95 ("GO 95"), referenced in the same provision. Pole-top antennas must be elevated six feet above electric supply conductors. GO 95 Rule 94.4(C). The City should allow four-foot antennas, as Section C(1)(b) suggests that the City would be comfortable with a four-foot antenna shroud. In some cases, four-foot antennas provide expanded service and can lessen the need for additional small cells. *We recommend allowing an antenna to extend up to four feet above a utility pole, plus the safety clearance required by GO 95.*

As to associated (non-antenna) equipment, there generally is not enough room above 18 feet, particularly on utility poles shared by communication companies. The area above 18 feet is used for the communication lines, which are subject to their own GO 95 clearances. In some cases, Verizon Wireless can fit a two-foot tall side-mounted antenna and mounting bracket in a pole's communication zone, occupying only approximately 3.5 feet of vertical space. However, there would be insufficient room for associated equipment that may include radios, power supplies,

fiber boxes, meters and disconnect switches. Further, PG&E requires that electric meters on utility poles be mounted between 7 and 8 feet. PG&E Document 027911, *Installation Details for Service to Pole-Mounted Communication Equipment.* Generally, radios and other equipment are stacked vertically above the meter, up to 18 feet. *The minimum height of associated equipment on a utility pole should be changed from 18 feet to 7 feet.*

We note that the facility on a utility pole next to 745 Distel Drive, shown on Page 16 of the Draft Guidelines, is one of the typical small cell designs for utility poles, with the antenna elevated six feet above the electric supply lines, and associated equipment below 18 feet.

C(1)(b). All equipment within one shroud on utility pole. A typical "cantenna" placed on a utility pole is manufactured in its own sleek radome, and does not require an additional shroud that only adds bulk. Requiring all radios and other hardware in the same shroud as antennas would be infeasible if they cannot fit within the narrow 15-inch diameter limit, and generally radios are placed on the side of a utility pole below 18 feet. For side-mounted antennas, GO 95 requires two feet of separation from the pole centerline, so Verizon Wireless may place a single two-foot tall "cantenna" on a side-arm mount, or two or three small integrated antenna/radio units on opposite ends of a cross-arm, facing different directions. GO 95 Rule 94.4(E). As noted above, some mid- and high-band antennas cannot be shrouded as that impedes signal propagation. For these reasons, this blanket shrouding requirement would be technically infeasible and unreasonable. *This provision should be deleted.*

C(2), F, G(2). New stand-alone poles. These sections regulate new stand-alone poles in the right-of-way (also using the terms "telecommunication tower" and "monopole"). Section C(2) limits antenna shrouds to 14 inches, but per our comments on Sections B(1) and C(3) (light poles), the allowed maximum antenna and shroud diameter should be 21 inches. Associated equipment can be placed within a pole base, given adequate dimensions, or on the side of the pole and covered in a shroud. *These provisions should be consolidated for clarity and to avoid contradiction. Section C(2)(b) should be revised to specify that antennas and any shrouds should not exceed 21 inches in total diameter, and associated equipment can be concealed in a pole base up to 20 inches square and four feet tall, or within a side-mounted shroud up to 16 inches wide, 12 inches deep and 5.5 feet tall.*

C(3)(b). Light poles – minimum equipment height of 18 feet. This section regulates light pole facilities with some equipment <u>not</u> within the pole, and would require associated equipment on the side to be placed above 18 feet. This would be infeasible for electric meters and/or disconnect switches that must be placed between 7 and 8 feet per PG&E rules, as described above. On some light poles, there may not be room above 18 feet for small radio units if that area is occupied by the luminaire arm and multiple antennas. All of this equipment could lead to a crowded appearance if placed high on a pole, whereas small radio units can be placed much lower on a pole and vertically stacked to reduce visual impact. *The minimum height of associated equipment on a light pole should be changed from 18 feet to 7 feet.*

E(1)(b). Limit of pole-mounted equipment to six cubic feet. For small cells on utility poles, this may not accommodate all antennas, radios, meters, disconnect switches and mounting

hardware required for service. This volume limit should be modestly expanded, and should not include antennas or PG&E electric equipment. *We suggest specifying a nine cubic foot volume limit for "associated" (non-antenna) equipment, aside from any PG&E electric meter and disconnect switch.*

G(2). Accessory equipment (ground cabinets). This provision appears to be drafted for private property sites, not the right-of-way (e.g., placing equipment "within a nearby building," with references to "landscape plantings, decorative walls, fencing"). The Draft Guidelines should better address ground-mounted cabinets in the right-of-way, which would be required for associated equipment in some cases, such as Verizon Wireless's proposed facility in the right-of-way next to Los Altos High School. New ground cabinets are not "out-of-character" because the City has already allowed them in various rights-of-way (such as the corner of South El Monte Avenue and Benvenue Avenue). Section 7901 allows telephone corporations to place equipment upon the right-of-way. Electric meters can be attached directly to ground-mounted wireless equipment cabinets, avoiding a separate meter pedestal. *The City should allow placement of ground-mounted cabinets for associated equipment up to 28 cubic feet, with no requirement for landscaping or screening.*

G(5). Wires within utility pole. PG&E will not allow any utility to bore through wood utility poles to conceal wires within, because that would compromise structural integrity and safety. Instead, vertical wires and conduit for all utilities are concealed within risers mounted flush to the side of the wood pole. *This provision should be deleted.*

G(6), (7). Undergrounding. These provisions would require small cell accessory equipment such as radios to be placed underground where feasible. This is unreasonable in two ways. First, undergrounding generally is technically infeasible due to sidewalk space constraints, utility lines already routed underground, and undue environmental and operational impacts for required active cooling and dewatering equipment. Second, small radios are not "out-of-character" compared to other right-of-way infrastructure such as poles, utility lines, electric transformers and cable television boxes. *The City should allow up to nine cubic feet of associated (non-antenna) equipment on the side of a pole before undergrounding is considered, aside from any PG&E electric meter and disconnect switch, per our comment on Section E(1)(b). The City could require radios to be concealed within a narrow shroud, but not meters or disconnect switches, which cannot be covered per PG&E rules.*

Verizon Wireless appreciates the opportunity to provide comment on the Draft Ordinance and Draft Guidelines. We urge the City to incorporate our suggested revisions prior to review by the Planning Commission.

Very truly yours,

Paul B. Albritton

cc: Jolie Houston, Esq.
David Mehretu, Esq.
Deborah Fox, Esq.
Laura Simpson
Steve Golden

NEGATIVE DECLARATION

The City Council of the City of Los Altos has considered the project identified below and has adopted the following Negative Declaration pursuant to the California Environmental Quality Act:

1. Project Title: Wireless Telecommunications Facilities Ordinance and Design Guidelines

2. Lead Agency: City of Los Altos

3. Contact Person: Gabriel Engeland, City Manager
City of Los Altos
One North San Antonio Road
Los Altos, CA 94022

(650) 947-2632

4. Project Location: Citywide

5. Project Description: The proposed project involves revisions to the City of Los Altos' existing standards for development of wireless telecommunications facilities, including an ordinance to regulate permissible locations and preferences for the location of wireless facilities. These locational standards, which would replace the locational standards now provided in City of Los Altos Resolution No. 2019-35, would be adopted by ordinance into Chapter 14.85 of the Los Altos Municipal Code. Associated revisions are proposed to the application review procedures contained in Chapter 11.12 of the Municipal Code.

In addition, the City proposes to expand and supplement existing development standards and design guidelines and preferences for wireless telecommunications facilities contained in Resolution No. 2019-35 by (1) adding a set of basic design principles that would apply to all wireless telecommunications facilities and (2) identifying configuration preferences along with design guidelines for specific types of wireless facilities.

ORDINANCE NO. ____

AN ORDINANCE OF THE LOS ALTOS CITY COUNCIL AMENDING LOS ALTOS MUNICIPAL CODE CHAPTER 11.12 AND ADDING CHAPTER 14.85 RELATING TO WIRELESS TELECOMMUNICATIONS FACILITIES AND UTILITY INFRASTRUCTURE SETTING NEW LOCATIONAL REQUIREMENTS AND REVISING DEVELOPMENT STANDARDS

THE LOS ALTOS CITY COUNCIL HEREBY FINDS AND ORDAINS:

SECTION 1. FINDINGS

A. Pursuant to the California Constitution, Article XI, section 7; California Government Code § 37100 and other applicable law, the City Council may make and enforce within its limits all local, police, sanitary and other ordinances, resolutions and other regulations not in conflict with general laws.

B. Los Altos' public rights-of-way are a uniquely valuable public resource, closely associated with the City's rural character and natural beauty. Los Altos has a population of approximately 30,000 and is a suburban community within Silicon Valley. The City has a small town, semi-rural atmosphere, wooded and quiet with low-density, single-family homes. The regulation of wireless communication facilities both within the public right-of-way and other locations within the City, is necessary to protect and preserve the aesthetics of the community. The City's General Plan also provides for the undergrounding of new telephone and utility lines, "maintaining the low density, low profile residential character of the community through zoning regulations and design guidelines," and "ensuring compatibility between residential and non-residential development through zoning regulations and design review." The City's concerns for preserving the residential character of the community extend to public safety, visual quality, and aesthetics, and relate to imposing various development standards for the location, camouflaging, height, size and spacing of wireless telecommunications facilities. Providing separation between wireless telecommunications facilities and the front of homes along permitted rights-of-way within residential zones serves to reduce the intrusiveness of any new wireless telecommunications facilities.

C. Wireless telecommunication facilities provide vital communications services to Los Altos residents, businesses, and visitors. While they are a key element of ensuring essential communication, public safety, and economic vitality, wireless telecommunication facilities can also cause adverse visual and environmental effects within the community. The City is therefore mindful of the need to minimize the potential adverse impacts of wireless facilities on the community, including impacts on the City's aesthetic well-being, while balancing these concerns against the need for sufficient cell coverage for emergency needs and compliance with both federal and state laws. The regulation as to wireless site visibility is particularly focused on

minimizing visibility from residences, encouraging undergrounding of utilities, and limiting the height of such facilities to be consistent with the single-family residences that predominate the housing stock of Los Altos. In keeping with these goals, the City has revised the locational standards to encourage the location of wireless telecommunications facilities within and adjacent to non-residential uses and providing for separation of such facilities from all residential dwelling units. These sound land use locational provisions, in combination with design guidelines developed and being adopted by the City concurrent with this Ordinance, will serve to ensure the preservation of the local residential areas while also being mindful of avoiding the over saturation of wireless telecommunication facilities in any single portion of the City or along any single roadway.

D. If not adequately regulated, installation of small cell and other wireless telecommunications facilities within the public right-of-way can pose a threat to the public health, safety and welfare, including disturbance to the right-of-way through the installation and maintenance of wireless telecommunication facilities; traffic and pedestrian safety hazards due to the unsafe location of wireless facilities; impacts to trees where proximity conflicts may require unnecessary trimming of branches or require removal of roots due to related undergrounding of equipment or connection lines; land use conflicts and incompatibilities including excessive height of poles and/or towers; creation of visual and aesthetic blights and potential safety concerns arising from excessive size, heights, noise, or lack of camouflaging of wireless telecommunications facilities including the associated pedestals, meters, equipment and power generators; and the creation of unnecessary visual and aesthetic blight by failing to utilize alternative technologies or capitalizing on colocation opportunities, all of which has the potential to yield serious negative impacts on the unique quality and character of Los Altos. The reasonably regulated and orderly development of wireless telecommunication facilities in the public-right-of-way is desirable, and unregulated or disorderly development represents a threat to the health, welfare, and safety of the Los Altos community.

E. The City's beauty is an important reason for businesses to locate in Los Altos and for residents to live here. Beautiful views enhance property values and increase the City's tax base. The City's economy, as well as the health and well-being of all who visit, work or live in the City, depends in part on maintaining the City's beauty. The City has been moving towards the undergrounding of various utilities, including the First Street and Lincoln Park Undergrounding Utility projects, and needs to ensure that this effort is not hindered by the addition of numerous wireless telecommunications facilities, including cabinets, wires, cables, and bulky equipment that visually impede and clutter the City's public rights of way. The City's development and operational standards serve to encourage the reduction of all appurtenant equipment, screening of same, and efforts at undergrounding.

F. The City Council takes legislative notice of the various federal court decisions that have set applicable standards and metrics that the City must meet in the regulation of wireless

telecommunications facilities. The City recognizes that there is a long–standing test in California that looks to whether and applicant has shown that there is a "significant gap" in service and an applicant has chosen the "least intrusive means of closing that gap." *MetroPCS, Inc v. City & County of San Francisco*, 400 F.3d 715,733 (9th Cir. 2005) abrogated on other grounds in *T-Mobile S., LLC v. City of Roswell, Georgia*, 574 U.S. 293 (2015). More recently, the FCC adopted an Order in a proceeding focused on small wireless facilities and 5G, which found that local regulations are preempted if those regulations "materially inhibit" the provision of wireless services. The FCC Order goes on to state that local aesthetic requirements that are reasonable, in that they are technically feasible and reasonably directed to avoiding or remedying the intangible public harm of unsightly or out-of-character deployments are permissible. *In the Matter of Accelerating Wireless Broadband Deployment by Removing Barriers to Infrastructure Inv.,* 33 F.C.C. Rcd. 9088 (2018), *aff'd in part, rev'd in part, City of Portland v United States,* 969 F.3d 1020, 1032 (9th Cir. 2020). That is, reasonable aesthetic requirements by definition do not "materially inhibit" service. The City is mindful of these various evolving legal decisions and FCC Orders in its provision of these revised siting and various development standards.

G. The City acknowledges that there have been significant changes in federal laws that affect local authority over wireless telecommunication facilities and other related infrastructure deployments. These changes in federal law have occurred concurrently with an ever-increasing demand for the placement of wireless telecommunication facilities within the public rights-of-way, in order to offer increased coverage in the way of numerous expanding technologies such as: cell phones, video streaming, and online access to work from home during the COVID -19 pandemic. In connection with the ever increasing demand for expanding technologies, the City is also mindful of the carriers' desire to move forward with 5G and the recent published decision in *Environmental Health Trust v. Federal Communications Commission*, 9 Fed. 4th 893, 905 (D.C. Cir. 2021), wherein the United States Court of Appeals for the D.C. Circuit ("D.C. Circuit Court") noted that the FCC had failed to provide a reasoned explanation for its determination that its existing radio frequency ("RF") exposure regulations were adequate to ensure public safety in light of evidence presented to the FCC regarding the health impacts posed by various technological developments that have occurred since 1996, including the ubiquity of wireless devices and Wi-Fi, and the emergence of 5G technology. The D.C. Circuit Court therefore directed the FCC to provide a reasoned explanation to support its conclusion that RF standards need not be revised to protect public health from RF. The FCC's RF regulations, promulgated in 1996, however, remain in effect. Despite the D.C. Circuit Court's decision in *Environmental Health Trust,* localities remain preempted, under existing law, from regulating wireless facilities on the basis of any purported health effects of RF emissions provided such RF emissions comply with existing FCC standards.

H. The City takes legislative notice of the Federal Communications Commission ("FCC") adoption on August 2, 2018, of a Third Report & Order and Declaratory Ruling in the rulemaking proceeding titled Accelerating Wireline and Wireless Broadband Deployment by

Removing Barriers to Infrastructure Investment, 33 FCC Red. 7705 (rel. Aug. 3, 2018) (“the August 2018 Order"), that, among other things, contained a declaratory ruling prohibiting express and de facto moratoria for all personal wireless services, telecommunications services and their related facilities; and that the FCC adopted a Declaratory Ruling and Third Report and Order in September of 2018, --- FCC Red. ---, FCC 18-133 (rel. Sep. 27, 2018) (the "September 2018 Order"), which, among many other things, creates new shorter "shot clocks" for small wireless facilities (as defined in the September 2018 Order) and alters existing "shot clock" regulations to require local public agencies to do more in less time.

I. The City recognizes its responsibilities under the Federal Telecommunications Act of 1996 and state law and believes that it is acting consistent with the current state of the law in ensuring that irreversible development activity does not occur that would harm the public health, safety, or welfare. The City does not intend that this Ordinance prohibit or have the effect of prohibiting telecommunications service, as those terms are used in the Federal Telecommunications Act; rather, the City includes appropriate regulations to ensure that the installation, augmentation, and relocation of wireless telecommunications facilities in the public rights-of-way are conducted in such a manner as to lawfully balance the legal rights of applicants under the Federal Telecommunications Act and the California Public Utilities Code while, at the same time, protect to the full extent feasible against the safety and land use concerns described herein. Indeed, the City has engaged a land use expert to map the available sites that are permissible for the siting of wireless telecommunication facilities under these siting criteria, and he concludes that these current locations standards would permit small wireless telecommunications along more than 101,185 linear feet of roadway right-of-way within Los Altos.

J. The overarching intent of this Ordinance is to make wireless telecommunications reasonably available while preserving the essential rural character of Los Altos. This intent will be realized by minimizing the visual and physical effects of wireless telecommunications facilities through appropriate design, siting, screening techniques and location standards; encouraging the installation of wireless telecommunications facilities at locations where other such facilities already exist; and encouraging the installation of such facilities where and in a manner such that potential adverse impacts to Los Altos are minimized.

K. The City adopted an Ordinance regulating wireless telecommunication facilities in August of 2019. This occurred after the City held a study session and several public hearings, at which stakeholders discussed wireless and other infrastructure deployment issues, potential local regulatory responses to the recent changes in federal law in the FCC orders and expressed their design and location preferences, practical and safety concerns, aesthetic concerns, policy views and the essential local values that make Los Altos a uniquely small suburban community. The

City's residents in the summer of 2019 called out the numerous concerns at play with aesthetics, and these concerns included numerous objections that were focused on visual blight such as:

- Small cell nodes previously proposed by carriers, AT&T and Verizon, to the City of Los Altos were visually intrusive and unsightly;
- The City should continue to be judicious about wireless facilities and eliminate visual blight;
- The need to consider and eliminate visual blight, to mitigate noise, heat, and exposure to EMF, and to protect our enjoyment of our property and its market value;
- Cell towers should be placed in commercial areas, in the medians of major streets, and similar locations. They should not be placed in residential neighborhoods;
- Wireless facilities should be installed in public/commercial areas instead of along residential streets close to people's homes. Los Altos neighborhood aesthetic guidelines and property value are among the main reasons people are willing to stay in this great City.
- Cell towers or small cells are unsightly, noisy and add to the visual blight from existing electric and telephone lines. Small cells should not be placed in a small residential neighborhood cul-de-sac street; it would be better to locate them on a major street or in the back of a commercial property;
- Cell towers are ugly and there is no need for extra eye sores;
- The mounting of "small" refrigerator-sized boxes on the side of an existing utility poles is unsightly and adds to visual blight; and
- The cell tower is an eye sore that emits an annoying fan-type noise that has a negative impact on the quality of life of the residents who live there or who walk within the community.

These same concerns as to visual blight, aesthetic impairment and noise remain at play today. The visual and aesthetic impacts of proposed wireless telecommunications facilities are much greater in a residential area versus in a non-residential area such as downtown Los Altos, or Loyola Corners.

L. On March 3 and March 17, 2022, the City Planning Commission held duly noticed public hearings to consider an Ordinance to add Chapter 14.85 and to amend Chapter 11.12 at which the Planning Commission received, reviewed, and considered the staff report, written and oral testimony from the public and other information in the record, and recommended to the City

Council the adoption of this Ordinance regulating the placement of wireless telecommunication facilities.

M. The City recognizes its responsibilities under the Federal Telecommunications Act of 1996 and state law and believes that it is acting consistent with the current state of the law in ensuring that irreversible development activity does not occur that would harm the public health, safety, or welfare. The City does not intend that this Ordinance prohibit or have the effect of prohibiting telecommunications service; rather, the City includes appropriate regulations to ensure that the installation, augmentation and relocation of wireless telecommunications facilities in the public rights-of-way are conducted in such a manner as to lawfully balance the legal rights of applicants under the Federal Telecommunications Act and the California Public Utilities Code while, at the same time, protecting to the full extent feasible against the safety and land use concerns described herein.

N. It is not the purpose or intent of this Ordinance, nor shall it be interpreted or applied to: (1) prohibit or to have the effect of prohibiting wireless telecommunications services; or (2) unreasonably discriminate among providers of functionally equivalent wireless communications services; or (3) regulate the placement, construction or modification of Wireless Telecommunication Facilities on the basis of the environmental effects of radio frequency ("RF") emissions where it is demonstrated that the Wireless Telecommunication Facilities does or will comply with the applicable FCC regulations; or (4) prohibit or effectively prohibit any entity's ability to provide any interstate or intrastate telecommunications service, subject to any competitively neutral and nondiscriminatory rules or regulation for rights-of-way management; or (5) prohibit or effectively prohibit colocations or modifications that the City must approve under state or federal law; or (6) otherwise authorize the City to preempt any applicable federal or state law.

O. The regulations of wireless installations are necessary to protect and preserve the aesthetic character of the community and to ensure that all wireless telecommunications facilities are installed using the least intrusive means possible. The City is also mindful of the fact that there are a number of different bands that can be utilized by carriers for wireless telecommunication facilities (including 700 megahertz [MHz], 800 MHz, 1900 MHz, and 2100 MHz), and that these additional available band options need to be reviewed and considered in the determination of the least intrusive alternatives. A number of alternative means are also available to provide coverage within Los Altos, including but not limited to the upgrading of existing telecommunications facilities, the placement of macro towers, the co-location of wireless telecommunications facilities, and the provision of micro towers.

SECTION 2. LOCATIONAL CRITERIA

A. Chapter 14.85 of the Los Altos Municipal Code is added to provide as follows:

Chapter 14.85 STANDARDS FOR THE LOCATION OF WIRELESS TELECOMMUNICATIONS FACILITIES

14.85.010 Purpose.

14.85.020 Definitions.

14.85.030 Wireless Telecommunications Facilities Locational Preferences.

14.85.040 Requirements for Approval of Less Preferred Locations.

14.85.050 Additional Locational Preferences.

14.85.060 Eligible Facilities Requested Per Municipal Code § 12.12.100 and Applications Pursuant to Government Code § 65850.6.

14.85.010 Purpose.

The purpose of the following siting criteria is to provide for the location of wireless telecommunications facilities within the City of Los Altos in a manner that minimizes the visual intrusiveness of wireless telecommunications facilities and provides for coverage throughout the City.

14.85.020 Definitions.

The definitions called out in Chapter 11.12 shall apply here unless a specific alternative definition is provided.

14.85.030 Wireless Telecommunications Facilities Locational Preferences.

A. Colocation with Existing Wireless Telecommunications Facilities

1. The City's first preference for the location of new wireless facilities is colocation with existing wireless telecommunications facilities.

B. Preferred Locations for Wireless Telecommunications Facilities following Colocation

1. Properties Outside of Public Rights-of-Way and Public Utility Easements

   a. Following colocation, the preferred location for wireless telecommunications facilities is outside of public rights-of-way and public utilities easements on properties within one of the following Zoning Districts identified in the following subsections

of Municipal Code Section 14.04.010 (not shown in order of preference).

K. Office-Administrative District (OA);

L. Office-Administrative District (OA-1 and OA-4.5);

N. Commercial Neighborhood District (CN);

O. Commercial Downtown District (CD);

P. Commercial Retail Sales District (CRS);

Q. Commercial Thoroughfare District (CT);

R. Commercial Retail Sales/Office District (CRS/OAD); and

V. Loyola Corners Specific Plan Overlay District (LCSPZ).

2. Public Rights-of-Way and Public Utility Easements

a. Only facilities qualifying for a Section 6409(a) approval and those meeting the definition of a "small wireless facility" shall be permitted within public rights-of-way and public utility easements.

b. Following colocation and the locations identified in paragraph 14.85.030B.2.a, above, the preferred location for a wireless telecommunications facility is within a public right-of-way or public utility easement fronting or within one of the Zoning Districts identified in the following subsections of Municipal Code Section 14.04.010 (not shown in order of preference).

K. Office-Administrative District, OA (OA);

L. Office-Administrative District (OA-1 and OA-4.5);

N. Commercial Neighborhood District (CN);

O. Commercial Downtown District (CD);

P. Commercial Retail Sales District (CRS);

Q. Commercial Thoroughfare District (CT);

R. Commercial Retail Sales/Office District (CRS/OAD); and

V. Loyola Corners Specific Plan Overlay District (LCSPZ).

C. Less Preferred Locations for Wireless Telecommunications Facilities

1. Less preferred locations for wireless telecommunications facilities on properties outside of public rights-of-way and public utilities easements include:

a. Properties other than schools and parks within one of the following Zoning Districts identified in the following subsections of Municipal Code Section 14.04.010 (not shown in order of preference).

S. Public and Community Facilities District (PCF); and

T. Public and Community Facilities/Single-Family District (PCF/R1-10).

b. Properties located on a property within one of the Zoning Districts identified in the following subsections of Municipal Code Section 14.04.010 that (1) have an existing non-residential use; or (2) are owned by the City or another governmental entity for public facility or utility purposes.

A. Single-Family District (R1-10);

B. Single-Family District (R1-H);

C. Single-Family District (R1-20);

D. Single-Family District (R1-40);

E. Single-Story Single-Family Overlay District (R1-S);

F. Multiple-Family District (R3-4.5);

G. Multiple-Family District (R3-5);

H. Multiple-Family District (R3-3);

I. Multiple-Family District (R3.1.8);

J. Multiple-Family District (R3-1);

M. Commercial Downtown/Multiple-Family District (CD/R3);

U. Planned Community (PC); and

W. Planned Unit Development (PUD).

2. Less preferred locations for wireless telecommunications facilities within public rights-of-way and public utility easements are those fronting or within one of the Zoning Districts identified in the following subsections of Municipal Code Section 14.04.010 (not shown in order of preference):

A. Single-Family District (R1-10);

B. Single-Family District (R1-H);

C. Single-Family District (R1-20);

D. Single-Family District (R1-40);

E. Single-Story Single-Family Overlay District (R1-S);

F. Multiple-Family District (R3-4.5);

G. Multiple-Family District (R3-5);

H. Multiple-Family District (R3-3);

I. Multiple-Family District (R3.1.8);

J. Multiple-Family District (R3-1);

M. Commercial Downtown/Multiple-Family District (CD/R3);

S. Public and Community Facilities District (PCF);

T. Public and Community Facilities/Single Family District (PCF/R1-10);

U. Planned Community (PC); and

W. Planned Unit Development (PUD).

a. Permitted wireless telecommunications facilities within public rights-of-way and public utility easements within the Zoning Districts identified in Municipal Code Sections 14.04.010 A-J, M, S-U, and W are preferred to be located:

(1) Within a median where one is present;

(2) Adjacent to a vacant parcel or a parcel where a non-residential use is present;

(3) In an area that is at least 5 feet more than the applicable required building setback for the Zoning District of the nearest residential dwelling unit, or 25 feet, whichever is greater.

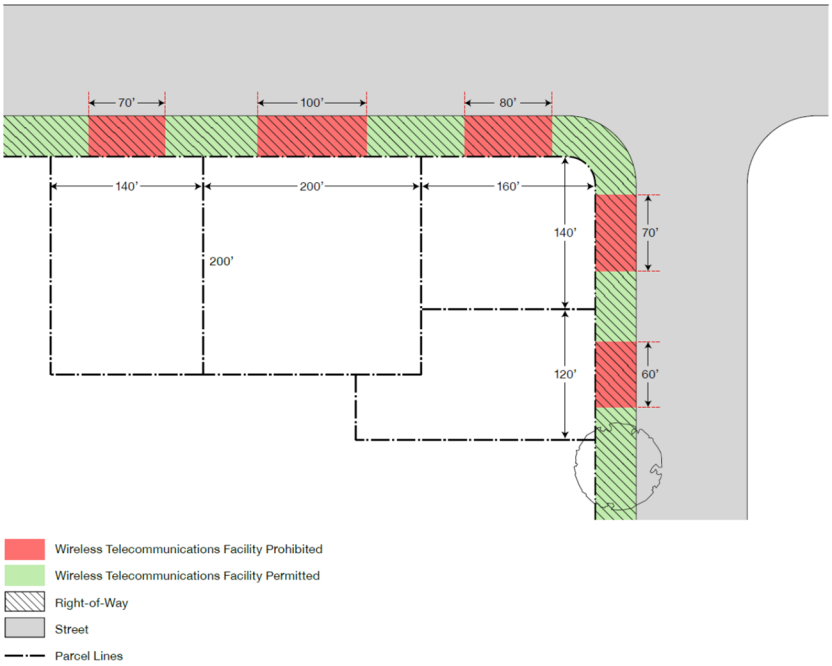
b. No small wireless facility may be permitted within a public utility easement where it runs across a required front, side, or rear yard setback.

c. No small wireless telecommunications facility within a roadway right-of-way adjacent to Residential Zoning Districts (Municipal Code Sections 14.04.010 A-J, M, S-U, and W) shall be placed within the central fifty percent (50%) of an immediately adjacent parcel's street frontage unless:

(1) No feasible alternative exists within 500 feet of the proposed location.

(2) Landscaping and/or screening is provided to conceal the facility from view from adjacent dwelling units to the extent feasible.

(3) For corner lots, this standard shall apply to both roadway frontages.



d. No small wireless telecommunications facility shall be placed within a public right-of-way or public utility easement adjacent to or within a park or school unless:

(1) It is located on an existing public utility pole;

(2) No feasible alternative exists within 500 feet of the proposed location; and

(3) Landscaping and/or screening is provided to conceal the facility from view of the adjacent school or park to the extent feasible.

D. Placement Criteria

1. All Wireless Telecommunications Facilities

a. Wireless telecommunications facilities and any associated equipment or improvements shall not physically interfere with or impede access to any:

(1) Worker access to any above ground or underground infrastructure owned or operated by any public or private utility agency;

(2) Doors, gates, sidewalk doors, passage doors, stoops or other ingress and egress points to any building;

(3) Fire escape; or

(4) Public transportation vehicles, shelters, street furniture, or other improvements at any public transportation stop.

b. Wireless telecommunications facilities shall not be located so as to interfere with access to fire hydrants, fire stations, fire escapes, water valves, underground vaults, valve housing structures, or any other vital public health and safety facility.

2. Wireless Telecommunications Facilities on Properties Outside of Public Rights-of-Way and Public Utilities Easements

a. Pole-mounted wireless telecommunication facilities placed on properties outside of roadway rights-of-way and public utility easements should be located as close as feasible to shared property lines between two adjacent lots and should not be located within 20 feet of an entrance to a building or an individual business.

b. No portion of a wireless telecommunications facility may be permitted to encroach into any applicable setback for main structures for the zoning district within which it is located unless the facility is designed with a preferred configuration per the City's Design Guidelines.

c. No wireless telecommunications facility shall be located so as to replace or interfere with parking spaces in such a way as to reduce the total number of parking spaces below the number that is required, nor shall any facility be located so as to interfere with required access to parking spaces.

3. Small Wireless Telecommunications Facilities Within Public Rights-of-Way and Public Utilities Easements

a. No wireless telecommunications carrier shall be permitted to locate a small wireless telecommunications facility within 1,000 feet of another small wireless telecommunications facility it operates or within 200 feet of any small wireless telecommunications regardless of its ownership and maintenance.

b. No portion of any small wireless communications facility within a public right-of-way or utility easement shall overhang a property line.

c. All components of a small wireless telecommunications facility shall be located so as not to cause any physical or visual obstruction to pedestrian or vehicular traffic, impair the public's use of the right-of-way or create safety hazards to pedestrians and motorists.

d. Small wireless telecommunication facilities within roadway rights-of-way adjacent to non-Residential Zoning Districts (Municipal Code Sections 14.04.010 K-L, N-T, V) should be located on poles that are as close as feasible to shared property lines between two adjacent lots and not directly in front of commercial and office buildings that have a setback of less than 20 feet from the roadway right-of-way.

e. Small wireless telecommunication facilities shall be located on poles that are outside of driveways and shall not impair intersection sight lines.

f. Small wireless telecommunications facilities should be sited at mid-block locations rather than at more visible corners and intersections unless:

(1) The small wireless telecommunications facility is mounted on a traffic signal control pole or streetlight;

(2) The small wireless telecommunications facility is designed as a preferred configuration with no visible exterior wires or equipment per the City’s Design Guidelines.

g. Facilities mounted to a telecommunications tower, above-ground accessory equipment, or walls, fences, landscaping or other screening methods shall be set back a minimum of 18 inches from the front of a curb.

h. A new pole, if permitted, should be located:

(1) In alignment with existing trees, utility poles, and streetlights.

(2) At an equal distance between trees, when possible, with a minimum separation of 15 feet from the tree’s trunk or outside of the tree's drip line, whichever is greater, such

that no disturbance occurs within the critical root zone of any tree.

(3) On a through street rather than along a cul-de-sac, where feasible.

14.85.040 Requirements for Approval of Less Preferred Locations

A. Applications that involve a less-preferred location identified in Section 14.85.030C shall be accompanied by clear and convincing written evidence demonstrating that a preferred location per Section 14.85.030 A or 14.85.030 B is infeasible, and that approval of the proposed location rather than a preferred location is therefore needed.

B. Applications that involve less-preferred locations may be approved only if the applicant demonstrates that:

1. It does not own any property or facilities within 500 feet from the proposed site that could provide service in lieu of the proposed facility;

2. No preferred location exists within 500 feet from the proposed site; or

3. Any preferred location within 500 feet from the proposed site would be technically infeasible.

C. The burden of proof for demonstrating compliance with these above noted conditions shall be on the applicant and must be satisfied with clear and convincing evidence.

D. In reviewing a request for a less-preferred location, the City may hire an independent consultant at the applicant's expense to evaluate the applicant's demonstration of need for the proposed less-preferred location.

14.85.050 Eligible Facilities Requested per Municipal Code Section 12.12.100 and Applications Pursuant to Government Code Section 65850.6

A. Eligible facilities requested per Municipal Code Section 12.12.100 and applications pursuant to California Government Code Section 65850.6 (see Municipal Code Section 11.12.110), are permitted within all Zoning Districts and within all public rights-of-way.

SECTION 3. WIRELESS TELECOMMUNICATIONS FACILITIES; PERMIT PROVISIONS

A. Title 11.12 of the Municipal Code for the City shall be repealed and/or amended to make the following changes to the existing text of Chapter 11.12:

1. Section 11.12.040.A is repealed and replaced as follows:

Section 11.12.040A. Permit Required. No wireless telecommunications facility shall be located or modified within the City on any property, including the public right-of-way, without the issuance of a permit as required by this Chapter. Such permit must comply with the locational standards set forth in Chapter 14.85 of the City's Municipal Code regulating zoning. In addition, such permit shall be subject to the conditions of Chapter 11.12, along with the City's Design Guidelines calling forth various design and placement standards adopted by the City Council by resolution and shall be in addition to any other permit required pursuant to the Los Altos Municipal Code.

2. Section 11.12.050.A.9 is repealed and replaced as follows:

Section 11.12.050.A.9. Intentionally omitted

3. Section 11.12.050.B.1.c. is repealed and replaced as follows:

Section 11.12. 050.B.1.c. Analysis of an application that involves a less-preferred location as set forth in the locational standards of this Chapter, to determine if the applicant owns any property or facilities within 500 feet of the proposed site that could provide service in lieu of the proposed facility, and whether there is a preferred location within 500 feet and to determine whether any such preferred location is technically feasible.

4. Section 11.12.050.E.2 is repealed and replaced as follows:

Section 11.12.050.E.2 Submittal Appointment. All applications must be filed with the City at a pre-scheduled appointment. Applicants may generally submit one application per appointment but may schedule successive appointments for multiple applications whenever feasible and not prejudicial to other applicants. Any application received without an appointment, whether delivered in person or through any other means, will not be considered duly filed until a submittal appointment is obtained.

5. Section 11.12.060 is repealed and replaced as follows:

11.12.060. Conditions of approval for all facilities.

A. In addition to compliance with the requirements of this Chapter, upon approval all facilities shall be subject to each of the following conditions of approval, as well as any

modification of these conditions or additional conditions of approval deemed necessary by the City:

1. Before the permittee submits any application for a building permit or other permits required by the Los Altos Municipal Code, the permittee must incorporate the wireless telecommunication facility permit granted under this Chapter, all conditions associated with the wireless telecommunications facility permit, and any photo simulations (collectively known as the "approved plans") into the project plans.
2. The permittee must construct, install, and operate the wireless telecommunications facility in strict compliance with the approved plans. The permittee shall submit an as-built drawing within ninety (90) days after installation of the facility.
3. The wireless telecommunications facility shall meet all applicable City standards including but not limited to building, fire, electrical, mechanical, structural standards, and requirements to ensure safe installation and operation of the facility.
4. The permittee shall keep the site, which includes without limitation any and all improvements, equipment, structures, access routes, fences, and landscape features in a neat, clean, and safe condition in accordance with the approved permit. The permittee shall keep the site area free from all litter and debris at all times. The permittee, at no cost to the City, shall remove and remediate any graffiti or other vandalism at the site within 48 hours after the permittee receives notice or otherwise becomes aware that such graffiti or other vandalism has occurred.
5. The permittee shall submit and maintain current at all times basic contact and site information on a form to be supplied by the City. The permittee shall notify the city of any changes to the information submitted within seven days of any change, including change of the name or legal status of the owner or operator. This information shall include, but is not limited to, the following:
    a. Identity, including the name, address and twenty-four (24)-hour local or toll-free contact phone number of the permittee, the owner, the operator, and the agent or person responsible for the maintenance of the facility.
    b. The legal status of the owner of the wireless telecommunications facility, including official identification numbers and FCC certification.

c. Name, address, and telephone number of the property owner if different than the permittee.

6. The permittee shall not place any facilities that will deny access to, or otherwise interfere with, any public utility, easement, or right-of-way located on the site. The permittee shall allow the city reasonable access to, and maintenance of, all utilities and existing public improvements within or adjacent to the site, including, but not limited to, pavement, trees, public utilities, lighting and public signage.

7. To minimize environmental effects of installation and operations, wireless telecommunications facilities shall comply with the following performance standards:

a. Where ground disturbance is required for installation of a wireless telecommunications facility, applicable best management practices (BMPs) shall be implemented to minimize loss or topsoil and site erosion and to reduce diesel particulate (PM_{10}) and $PM_{2.5}$ emissions.

b. In the event of an unanticipated discovery of historical, archaeological, or Tribal cultural resources during construction, ground-disturbing activities shall be halted until a City-approved qualified consulting archaeologist assesses the significance of the find according to CEQA Guidelines §15064.5. If any find is determined to be a potential Tribal cultural resource or a unique archaeological resource, the City, consulting archaeologist, and the applicable Tribal authority would determine the appropriate measures to be taken. Any Tribal cultural resources identified would be subject to Tribal mitigation requirements. Any archaeological resources recovered would be subject to scientific analysis, professional museum curation, and documentation according to current professional standards.

c. Installations of wireless telecommunications facilities shall meet the most current California Building Code standards required at the time of construction to reduce the potential for substantial adverse effects related to ground shaking.

d. In the event of an unanticipated discovery during project construction, ground-disturbing activities shall be halted until a qualified paleontologist meeting the Society of Vertebrate Paleontology (SVP) Standards determines their significance, and, if significant, supervises their collection for curation. Any fossils

collected during site-specific development project-related excavations, and determined to be significant by the qualified paleontologist, shall be prepared to the point of identification and curated into an accredited repository with retrievable storage.

e. Noise generated by equipment will not be detrimental to the public health, safety and welfare and shall not exceed the standards set forth in Chapter 6.16 of the Municipal Code.

(1) A written report that analyzes acoustic levels for the proposed wireless telecommunications facility and all associated equipment including, without limitation, all environmental control units, sump pumps, temporary backup power generators, and permanent backup power generators in order to demonstrate compliance with Los Altos Municipal Code, Chapter 6.16, Noise Regulations, shall be submitted as part of applications for wireless telecommunications facilities.

(2) The acoustic analysis must be prepared and certified by an engineer and include an analysis of the manufacturers' specifications for all noise-emitting equipment and a depiction of the proposed equipment relative to all adjacent property lines.

(3) In lieu of a written report, the applicant may submit evidence from the equipment manufacturer that the ambient noise emitted from all the proposed equipment will not, both individually and cumulatively, exceed the applicable limits.

f. Where temporary closure of a sidewalk or roadway travel lane would be necessary for installation of a wireless telecommunications facility, preparation and implementation of a Traffic Control Plan approved by the City Engineer shall be required. Should installation of a wireless telecommunications facility occur adjacent to a transit stop and require temporary relocation of the stop, the applicant for such facility shall provide needed improvements for such a temporary transit stop.

8. At all times, all required notices and signs shall be posted on the site as required by the FCC and California Public Utilities Commission, and as approved by the City. The location and dimensions of a sign bearing the

emergency contact name and telephone number shall be posted pursuant to the approved plans.

9. At all times, the permittee shall ensure that the facility complies with the most current regulatory and operational standards including, but not limited to, radio frequency emissions standards adopted by the FCC and antenna height standards adopted by the Federal Aviation Administration. Permittee shall conduct on-site testing to ensure the facility is in compliance with all radio frequency emissions standards adopted by the FCC. Tests shall occur upon commencement of operations, and annually thereafter. Copies of the reports from such testing shall be submitted to the city within thirty (30) days of the completion of testing. The City may retain a consultant to perform testing to verify compliance with current regulatory and operational standards.

10. If the City Manager determines there is good cause to believe that the facility may emit radio frequency emissions that are likely to exceed FCC standards, the City Manager may require the permittee to submit a technically sufficient written report certified by a qualified radio frequency emissions engineer, certifying that the facility is in compliance with such FCC standards.

11. Annual Certification. Each year on July 1, the permittee shall submit an affidavit that shall list all facilities it owns within the city by location and shall certify that (a) each such installation remains in use, (b) such in-use facility remains covered by insurance in the amount required by Municipal Code Section 11.12.070 A 11; and (3) each installation which is no longer in use. Any facility that is no longer in use shall be removed by permittee within sixty (60) days of delivery of the affidavit.

12. The permittee shall pay for and provide a performance bond, which shall be in effect until the facilities are fully and completely removed and the site reasonably returned to its original condition, to cover permittee's obligations under these conditions of approval and the Los Altos Municipal Code. The bond coverage shall include, but not be limited to, removal of the facility, maintenance obligations and landscaping obligations. The amount of the performance bond shall be set by the City Manager in an amount rationally related to the obligations covered by the bond and shall be specified in the conditions of approval.

13. The permittee shall defend, indemnify, protect and hold harmless the City, its elected and appointed council members, boards, commissions, officers, officials, agents, consultants, employees, and volunteers from and against

any and all claims, actions, or proceeding against the city and its elected and appointed council members, boards, commissions, officers, officials, agents, consultants, employees and volunteers to attack, set aside, void or annul, an approval of the City, Planning Commission or City Council concerning this permit and the project. Such indemnification shall include damages, judgments, settlements, penalties, fines, defensive costs or expenses, including, but not limited to, interest, attorneys' fees and expert witness fees, or liability of any kind related to or arising from such claim, action, or proceeding. The City shall promptly notify the permittee of any claim, action, or proceeding. Nothing contained herein shall prohibit the city from participating in a defense of any claim, action or proceeding. The City shall have the option of coordinating the defense, including, but not limited to, choosing counsel for the defense at the permittee's expense.

14. All conditions of approval shall be binding as to the applicant and all successors in interest to permittee.

15. A condition setting forth the permit expiration date in accordance with Section 11.12.060 shall be included in the conditions of approval.

6. Section 11.12.065 is added as follows:

11.12.065. Additional Conditions of Approval for Modification of an Existing Permit or a New Permit for an Existing Facility.

A. In addition to compliance with the requirements of this Chapter, upon approval of a new or a modified approval for an existing wireless telecommunication facility, the following conditions of approval shall be added to those set forth in Section 11.12.060, along with any modification of such conditions or additional conditions of approval deemed necessary by the City:

1. The permittee shall bring the facility into compliance with the most current FCC, PUC, and City of Los Altos requirements and guidelines and, where feasible:

   a. Place above-ground wireless telecommunications facilities below ground, including, but not limited to, accessory equipment that has been mounted to a telecommunications tower or mounted on the ground; and

   b. Replace larger, more visually intrusive facilities with smaller, less visually intrusive facilities, after receiving all necessary permits and approvals required pursuant to the Los Altos Municipal Code.

7. Section 11.12.080 A. is repealed and replaced as follows:

11.12.080. Findings.

A. Where a wireless telecommunication facility requires a telecom use permit as provided for in this Chapter, the City shall not approve any application unless, all of the following findings are made:

1. The proposed facility complies with the locational and siting standards set forth in Chapter 14.85 and with all applicable building, electrical and fire safety codes.

2. The proposed facility complies with all applicable provisions of Chapter 14.85 and with the Wireless Telecommunications Facilities Design Guidelines adopted by the City.

3. The proposed facility complies with all applicable building, electrical and fire safety codes.

4. The proposed facility has been designed and located to achieve compatibility with the community to the maximum extent reasonably feasible.

5. The applicant has submitted a statement of its willingness to allow other carriers to collocate on the proposed wireless telecommunications facility wherever technically and economically feasible and where colocation would not harm community compatibility.

8. Section 11.12.090 Exceptions is repealed in its entirety.

9. Section 11.12.160.B is repealed and replaced as follows:

Section 11.12.160B. After the expiration of the wireless telecommunications permit provided for in Section A, above, a permittee shall apply for a new permit and comply with all the requirements of the City Code then in effect.

10. Sections 11.12.160.C and D are repealed in their entirety.

11. Section 11.12.180.A is repealed and replaced as follows:

A. Permittee's Removal Obligation. Upon the expiration date of the permit, or upon earlier termination or revocation of the permit, or abandonment of the facility after a period of ninety (90) days, the permittee, owner, or operator shall remove its wireless telecommunications facility and restore the site to its natural condition except for retaining the landscaping improvements and any other improvements at the discretion of the City. Removal shall be in accordance with proper health and safety requirements and all ordinances, rules, and regulations of the City. The facility shall be removed from the property within 30 days, at no cost or expense to the City. If the facility is located on private property, the private property owner shall also be independently responsible for the expense of timely removal and restoration. Should the City be

required to remove the facility or restore a site within the public right-of-way, the owner/operator of the facility shall reimburse the City for its actual costs.

12. Section 11.02.080.C is repealed and replaced as follows:

Section 11.02.080.C. A copy of any decision on an application made under this section shall be provided to the applicant, and to any party who submitted comments to the City Manager pursuant to notice required by this Chapter. Decisions shall also be posted on the Los Altos website within twenty-four (24) hours of their issuance or as soon as reasonably practicable, in a manner clearly identifying the application to which the decision relates. In addition, the decision shall also be posted on the site of the proposed wireless telecommunications facility.

SECTION 4. DESIGN STANDARDS

The City Council hereby adopts new Design Guidelines in a separate resolution that repeals Resolution No. 2019-35 in its entirety to regulate the design standards for wireless telecommunication facilities. The effective date of the new Design Guidelines and repeal of Resolution No. 2019-35 originally adopted on August 5, 2019 shall coincide with the effective date of this Ordinance.

SECTION 5. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

The Initial Study prepared for the proposed Wireless Telecommunications Facilities Development Standards and Design Guidelines indicates, for each environmental issue it analyzed, that environmental impacts would be less than significant or that no impact would occur. There is no substantial evidence, in light of the whole record before the lead agency (the City of Los Altos), that the project may have a significant effect on the environment.

SECTION 6. SEVERABILITY

If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held to be unconstitutional or otherwise invalid by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The Los Altos City Council hereby declares that it would have adopted the remainder of this Ordinance, including each section, subsection, sentence, clause, phrase or portion irrespective of the invalidity of any other article, section, subsection, sentence, clause, phrase, or portion.

SECTION 7. PUBLICATION.

This Ordinance shall be published as provided in Government Code section 36933.

SECTION 8. EFFECTIVE DATE.

This ordinance shall be effective upon the commencement of the thirty-first day following the adoption date.

The foregoing ordinance was duly and properly introduced at a regular meeting of the City Council of the City of Los Altos held on June 14, 2022 and was thereafter, at a regular meeting held on June 28, 2022 passed and adopted by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____

Anita Enander, MAYOR

Attest:

_____

Angel Rodriguez, CITY CLERK

RESOLUTION NO. 2022-____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS ADOPTING DESIGN GUIDELINES AND STANDARDS FOR WIRELESS FACILITIES

THE CITY COUNCIL OF THE CITY OF LOS ALTOS DOES RESOLVE AS FOLLOWS:

SECTION 1. FINDINGS

A. Pursuant to the California Constitution, Article XI, section 7; California Government Code § 37100 and other applicable law, the City Council may make and enforce within its limits all local, police, sanitary and other ordinances, resolutions and other regulations not in conflict with general laws.

B. It is in the public interest for the City of Los Altos to establish reasonable, uniform and comprehensive design and siting guidelines for the installation of wireless facilities. The City having previously established design guidelines pursuant to Resolution No. 2019-35 adopted on August 5, 2019 (hereinafter "the Existing Design Guidelines"), now wishes to rescind the Existing Design Guidelines and replace them with new design guidelines set forth below in the Appendix as discussed below in Section 2 ("New Design Guidelines"), in order to protect the City of Los Altos and its aesthetics and preserve the public health and safety of the community.

C. These New Design Guidelines are intended to, and should be applied to, protect and promote public health, safety and welfare, and also balance the benefits that flow from wireless services with the City's local rules which address, without limitation, the aesthetic character of the City, its neighborhoods and community.

D. Los Altos' public rights-of-way are a uniquely valuable public resource, closely linked with the City's rural character and natural beauty. Los Altos has a population of approximately 30,000 and is suburban community within Silicon Valley. The City has a small town, semi-rural atmosphere, wooded and quiet with low-density, single-family homes. The regulation of wireless communication facilities both within the public right-of-way and other locations within the City, is necessary to protect and preserve the aesthetics of the community. The City's General Plan also provides for the undergrounding of new telephone and utility lines, "maintaining the low density, low profile residential character of the community through zoning regulations and design guidelines," and "ensuring compatibility between residential and non-residential development through zoning regulations and design review." The City's concerns for preserving the residential character of the community extend to public safety, visual quality, and aesthetics, and relate to imposing these New Design Guidelines that relate to orientation, camouflaging, height, size and spacing of wireless telecommunications facilities. As well, the New Design Guidelines also provide separation between wireless telecommunications facilities and the front of homes along permitted rights-of-way within residential zones, which serves to reduce the intrusiveness of any new wireless telecommunications facilities.

E. Wireless telecommunication facilities provide vital communications services to Los Altos residents, businesses, and visitors. While they are a key element of ensuring essential communication, public safety, and economic vitality, wireless telecommunication facilities can

also cause adverse visual and environmental effects within the community. The City is therefore mindful of the need to minimize the potential adverse impacts on the community, impacts on the City's aesthetic well-being, while balancing these concerns against the need for sufficient cell coverage for emergency needs and compliance with both federal and state laws. These New Design Guidelines are particularly focused on minimizing visibility from residences, encouraging undergrounding of utilities, and limiting the height of such facilities to be consistent with the single-family residences that predominate the housing stock of Los Altos. In keeping with these goals, these New Design Guidelines serve to ensure the preservation of the local residential areas.

F. These New Design Guidelines serve to help minimize and/or alleviate possible threats to the public health, safety and welfare of the City of Los Altos, including but not limited to, potential disturbance to the right-of-way through the installation and maintenance of wireless telecommunication facilities; traffic and pedestrian safety hazards due to the unsafe location of wireless facilities; impacts to trees where proximity conflicts may require unnecessary trimming of branches or require removal of roots due to related undergrounding of equipment or connection lines; land use conflicts and incompatibilities including excessive height of poles and/or towers; creation of visual and aesthetic blights and potential safety concerns arising from excessive size, heights, noise or lack of camouflaging of wireless telecommunications facilities including the associated pedestals, meters, equipment and power generators; and the creation of unnecessary visual and aesthetic blight by failing to utilize alternative technologies or capitalizing on colocation opportunities. Each of these possible threats have the potential to yield serious negative impacts on the unique quality and character of Los Altos.

G. The reasonably regulated and orderly development of wireless telecommunication facilities in the public-right-of-way is desirable, and unregulated or disorderly development represents a threat to the health, welfare, and safety of the Los Altos community.

H. The City's beauty is an important reason for businesses to locate in Los Altos and for residents to live here. The City's economy, as well as the health and well-being of all who visit, work, or live in Los Altos, depends in part on maintaining the City's beauty. The City has been moving towards the undergrounding of various utilities, including the First Street and Lincoln Park Undergrounding Utility projects, and needs to ensure that this effort is not hindered by the addition of numerous wireless telecommunications facilities, including cabinets, wires, cables, and bulky equipment that visually impede and clutter the City's public rights of way. Municipal Code Chapter 12.68 provides specific standards for new and relocated utility services to be placed underground. The New Design Guidelines serve to encourage the reduction of all appurtenant equipment, screening of same, and efforts at undergrounding.

I. The City Council takes legislative notice of the various federal court decisions and Federal Communications Commission (FCC) Order that have recognized the City's ability to impose the New Design Guidelines to protect the aesthetics of Los Altos. In fact, the FCC Order goes on to state that local aesthetic requirements that are reasonable in that they are technically feasible and reasonably directed to avoiding or remedying the intangible public harm of unsightly or out-of-character deployments are permissible. *In the Matter of Accelerating Wireless Broadband Deployment by Removing Barriers to Infrastructure Inv.,* 33 F.C.C. Rcd. 9088 (2018), *aff'd in part, rev'd in part, City of Portland v United States,* 969 F.3d 1020, 1032 (9th Cir. 2020) and *see also Sprint PCS v. City of Palos Verdes Estates* (2009) 583 F.3d 716.

J. The City acknowledges that there has been an ever-increasing demand for the placement of wireless telecommunication facilities within public rights-of-way, in order to offer increased coverage for numerous expanding technologies such as: cell phones, video streaming, and on line access to work from home during the COVID -19 pandemic. In connection with the ever-increasing demand for expanding technologies, the City is also mindful of the carriers' desire to move forward with 5G, and the potential increase in applications for wireless facilities within this small suburban community has the potential to greatly affect the quality of life and the bucolic nature of the community.

K. The overarching intent of the New Design Guidelines is to make wireless telecommunications reasonably available while preserving the essential rural character of Los Altos. The New Design Guidelines will foster such by minimizing the visual and physical effects of wireless telecommunications facilities through appropriate design, screening techniques and location standards, and by encouraging the installation of such facilities where and in a manner such that potential adverse impacts on Los Altos are minimized.

L. The City adopted its Current Design Guidelines in August of 2019. This occurred after the City held a study session and several public hearings, at which stakeholders discussed wireless and other infrastructure deployment issues, and expressed their design and location preferences, practical and safety concerns, aesthetic concerns, policy views and the essential local values that make Los Altos a uniquely small suburban community. In the summer of 2019, the City's residents noted numerous concerns with the aesthetics of wireless telecommunications facilities, including numerous objections focused on visual blight such as the following:

- Small cell nodes previously proposed by carriers, AT&T and Verizon, to the City of Los Altos were visually intrusive and unsightly;
- The City should continue to be judicious about wireless facilities and eliminate visual blight;
- The need to consider and eliminate visual blight, to mitigate noise and heat;
- Wireless facilities should be regulated in order to preserve Los Altos' neighborhood aesthetic guidelines;
- Cell towers or small cells are unsightly, noisy and add to the visual blight from existing electric and telephone lines;
- Cell towers are ugly and there is no need for extra eye sores;
- The mounting of "small" refrigerator-sized boxes on the side of an existing utility poles is unsightly and adds to visual blight; and
- The cell tower is an eye sore that emits an annoying fan type noise that has a negative impact on the quality of life of the residents who live there or who walk within the community.

These same concerns regarding visual blight, aesthetic impairment and noise remain at play today.

SECTION 2. DESIGN GUIDELINES: REPEAL OF PRIOR RESOLUTION

The City Council previously adopted Resolution No. 2019-35 on August 5, 2019. The Council hereby repeals Resolution No. 2019-35 in its entirety as of the effective date of Ordinance No. 2022-___ setting forth locational standards for wireless telecommunications facilities ("Wireless Locational Ordinance"). This Resolution and the Design Guidelines found in the attached Appendix shall only become effective if the Council adopts the proposed Wireless Ordinance.

SECTION 3. NEW DESIGN GUIDELINES

The City Council hereby adopts the New Design Guidelines set forth the **Appendix**, which New Design Guidelines are incorporated with this Resolution

SECTION 4. DEFINITIONS

The definitions set forth in Section 11.12.020 of the Municipal Code are incorporated by reference into this Resolution. In addition, the **Appendix** provides definitions for "Small Cell Facility" and "Underground Areas."

SECTION 5. SEVERABILITY

If any provision of this resolution or its application to any person or circumstances is held invalid, such invalidity has no effect on the other provisions or applications of the resolution that can be given effect without the invalid provision or application, and to this extent, the provisions of this resolution irrespective of the invalidity of any portion thereof.

SECTION 6. EFFECTIVE DATE

The City Clerk shall certify the adoption of this resolution and cause it, or a summary of it to be published as required by law. This Resolution shall become effective as of the effective date of Ordinance No. 2022-__, setting forth Locational Standards for Wireless Telecommunications Facilities.

APPROVED AND ADOPTED at a Regular Meeting of the City Council of the City of Los Altos this ___ day of _____, 2022.

_____
Anita Enander
Mayor, City of Los Altos

_____
Attest: Angel Rodriguez
City Clerk, City of Los Altos

APPENDIX TO CITY OF LOS ALTOS RESOLUTION 2022-___

DESIGN AND DEVELOPMENT STANDARDS FOR WIRELESS TELECOMMUNICATIONS FACILITIES

I. Definitions

A. Small Cell Facility: shall have the same meaning as "small wireless facility" in 47 C.F.R. 1.60020), or any successor provision (which is a personal wireless services facility that meets the following conditions that, solely for convenience, have been set forth below):

1. The facility:
   a. is mounted on a structure 50 feet or less in height, including antennas, as defined in 47 C.F.R. Section 1.1320(d), or
   b. is mounted on a structure no more than 10 percent taller than other adjacent structures, or
   c. does not extend an existing structure on which it is located to a height of more than 50 feet by more than 10 percent, whichever is greater;
2. Each antenna associated with the deployment, excluding associated antenna equipment (as defined in the definition of antenna in 47 C.F.R. Section 1.1320(d)), is no more than three 3 cubic feet in volume;
3. All other wireless equipment associated with the structure, including the wireless equipment associated with the antenna and any pre-existing associated equipment on the structure, is no more than 28 cubic feet in volume;
4. The facility does not require antenna structure registration under 47 C.F.R. Part 17;
5. The facility is not located on Tribal lands, as defined under 36 C.F. R. Section 800.16(x); and
6. The facility does not result in human exposure to radio frequency radiation in excess of the applicable safety standards specified in 47 C.F.R. Section 1.1307(6).

B. Underground Areas: includes those areas where there are no electrical facilities or facilities of the incumbent local exchange carrier in the right of way; or where the wires associated with the same are or are required to be located underground; or where the same are scheduled to be converted from overhead to underground. Electrical facilities are distribution facilities owned by an electric utility and do not include transmission facilities used or intended to be used to transmit electricity at nominal voltages in excess of 35,000 volts.

II. Design and Development Standards for all Wireless Telecommunications Facilities

A. Purpose. The purpose of this section is to provide guidelines to applicants and the City that prescribe clear, reasonable, and predictable design criteria to reduce visual and land use impacts associated with wireless telecommunication facilities in the City. Nothing in this

section shall be construed to permit a wireless telecommunication facility in any location or configuration that it is otherwise prohibited by the City's locational and development standards found in Chapter 14.85.

The design and development standards set forth in this section apply to all wireless telecommunications facilities no matter where they are located. Wireless telecommunications facilities shall be designed and maintained so as to minimize visual, noise, and other impacts on the surrounding community and shall be planned, designed, located, and erected in accordance with the design and development standards in this section.

B. Basic Design Principles. The following describes basic principles upon which wireless telecommunications facilities design guidelines are based. These principles are intended to provide guidance in the application of the general and detailed design guidelines and in the review and evaluation of site-specific wireless telecommunications facilities permit applications.

1. **Impact Minimization**. The overall impacts of a wireless telecommunications facility shall be minimized in relation to aesthetic, land use, noise, traffic, and other considerations. Although this is generally accomplished with the smallest feasible design for any given facility, a larger facility may sometimes be appropriate if it is well concealed, compatible with the surrounding neighborhood, and can reduce the overall number of wireless telecommunications facilities required to provide service within the City (e.g., through colocation).

2. **Integration and Concealment**. Integration and concealment of a wireless telecommunications facility and its resulting visibility are a function of site context as well as the design and placement of a facility on a specific site.

   a. Overall, new wireless telecommunications facilities and modifications to existing facilities shall be visually integrated into their sites and as hidden from view as feasible.

Figure 1: This well-concealed wireless telecommunications facility has its antennas architecturally integrated into the building.

   b. Non-integrated (unconcealed) installations are less preferred and permitted only where an integrated (concealed) facility would be infeasible or would reduce the number and overall visual intrusiveness of wireless telecommunications facilities required to provide service within the City.

   c. Complete concealment (e.g., no visible exterior equipment) is preferred over other methods.

d. Covering or painting antennas and equipment does not necessarily mean they are well-concealed. The appropriateness of covering or painting must be evaluated based on the extent to which proposed painting and concealment methods (e.g., antenna skirts, fiberglass paneling, fiber-reinforced plastic [FRP] boxes, etc.) would actually conceal the facility.

e. Radio frequency (RF) safety barriers shall be the least visible barrier feasible. When feasible, striping and restricted access shall be used instead of posts, chains, and/or fencing. When barriers must be visible, building materials should be integrated into the design of the facility and its adjacent surroundings.

f. Any feature that is represented on plans and photo simulations submitted to the City as providing concealment (adjacent landscaping, paint colors, architectural elements, etc.) shall be present for the life of the project, and therefore need to be within the applicant's control.

g. Future modifications to a site or facility that would reduce the level of concealment that was provided with the initial installation shall not be permitted unless:

(1) No feasible alternative exists; or

(2) The proposed modification involves colocation that would result in an overall reduction of the visual intrusiveness of wireless telecommunications facilities within the City than would occur if the facilities were not colocated.

3. Context. Specific situations require specific design solutions. What integrates well into one site and conceals a wireless telecommunications facility might not be appropriate for another situation. Proposed designs shall therefore be evaluated based on the following considerations.

a. Concealment behind a parapet might be a good design solution; however, designs that raise the parapet or only a portion of the parapet might not be.

b. Façade-mounted antennas or a cupola might be appropriate for certain styles of architecture, but not for others.

c. Placement of a wireless telecommunications facility on an existing pole or a replacement pole might or might not be visually unobtrusive, depending on the extent to which the facility adds to the height of the pole and the presence and extent of external equipment and cabling added to the pole.

d. Placement of a new pole within a street right-of-way might or might not be appropriate depending on the location of any nearby utility poles, streetlights, or traffic signals.

e. Placement of a new pole on a property outside of a right-of-way (such as on a new flagpole) might or might not be appropriate depending on the new pole's design and location in relation to buildings and other onsite features.

f. A wireless telecommunications facility that fits into its context (e.g., a faux tree within an area having existing trees) is generally more integrated (concealed) than one that does not (e.g., a faux tree in the middle of a non-landscaped parking lot or a faux tree that is poorly designed or of a species not otherwise present in the area).

g. New wireless telecommunications facilities are generally appropriate as a means of reducing the overall number of facilities within the community but might be visually intrusive depending on their height, design, and placement.

C. No Speculative Facilities. A wireless telecommunications facility, telecommunications colocation facility, or telecommunications tower that is built on speculation and for which there is no wireless tenant shall be prohibited within the City.

D. General Guidelines.

1. **Concealment**. Each facility shall be designed to be as visually inconspicuous as feasible, to prevent the facility from dominating the surrounding area, and to conceal the facility from predominant views from surrounding properties, all in a manner that achieves compatibility with the community.
   a. Cabling and equipment should be concealed wherever feasible. Where cabling and/or equipment cannot feasibly be fully concealed from public view, they should be designed, located, and positioned so as to minimize their visual intrusiveness.
2. **Traffic Safety**. All facilities shall be designed and located in such a manner as to avoid adverse impacts on traffic safety.
   a. Any wireless telecommunications facility attachments placed less than 16 feet above ground level shall not be placed closer than 18 inches to a curb where one is installed or as determined by the Engineering Services Department where no curb is installed, nor shall they extend over a sidewalk (Caltrans Highway Design Manual Section 309).
   b. All wireless telecommunications facility equipment shall maintain at least 3 feet separation from any curb cut.
3. **Antennas**. The applicant shall use the least visible antennas feasible to accomplish the coverage objectives. Antenna elements shall be flush mounted, to the extent reasonably feasible. All antenna mounts shall be designed so as not to preclude probable future colocation by the same or other operators or carriers. Antennas shall be situated to reduce visual impact without compromising their function. Whip antennas need not be screened.
4. **Landscaping.**
   a. Where feasible, facilities shall be installed so as to maintain and enhance existing landscaping on the site, including trees, foliage, and shrubs, whether or not the landscaping is used for screening the wireless facility.
   b. The wireless telecommunications facility's design shall be consistent with the existing and/or proposed landscape design of the adjacent site, using a similar or complementary plant palette.
   c. Existing mature trees shall be retained when feasible. Any existing landscaping removed or damaged by installation shall be replaced in kind with the largest commercially available tree size (e.g., 24-, 36, or 48-inch box).

d. Landscaping proposed to screen the wireless facility shall be planted, irrigated, and maintained where such vegetation is deemed necessary by the City to provide screening or to block the line of sight between facilities and adjacent uses. Landscaping to screen wireless telecommunications facilities shall not, however, block the lines of sight so as to create hazards for motorists, bicyclists, and pedestrians.

e. Any proposed underground vaults, cabling, or other work shall be designed and constructed so as to protect existing street trees, including roots within the tree's drip line.

(1) A report from an experienced arborist shall be provided to the City upon request confirming that trees' root systems have been adequately protected.

f. Landscaping proposed to screen, conceal, complement, or soften the visual intrusiveness of a wireless telecommunications facility shall remain for the life of the permit, even if the landscaping is not located within the applicant's lease area. Adequate provisions shall be entered into with property owners to ensure that required landscaping is not removed and that it is properly maintained. Landscaping outside the applicant's control is generally not considered to provide concealment; however, concealment provided by such landscaping can be considered on a case-by-case basis.

5. Signage. Wireless telecommunications facilities and wireless telecommunications colocation facilities shall not bear any signs or advertising devices other than certification, watting, or other signage required by law or permitted by the City.

6. Lighting. A wireless telecommunications facility shall not be illuminated unless lighting is specifically required by the Federal Aviation Administration or other government agency, or the lighting is in association with the illumination of an athletic field on City or school property. Lightning arresters and beacon lights are not permitted unless required by the Federal Aviation Administration or other government agency. Legally required lightning arresters and beacon lights shall be included when calculating the height of facilities such as telecommunications towers, lattice towers, and monopoles.

7. Noise.

a. Each wireless telecommunications facility and wireless telecommunications colocation facility shall be operated in such a manner so as to minimize any disruption caused by noise.

b. At no time shall any facility be permitted to generate noise exceeding the noise levels specified in Municipal Code Chapter 6.16 except for backup generators operated during periods of power outages.

c. Backup generators shall only be operated during periods of power outages, and shall not be tested on weekends, on holidays, or on weekdays between the hours of 5:00 p.m. and 7:00 a.m.

d. Where feasible, passive louvers and/or other passive ventilation shall be provided as the primary means of temperature control.

8. **Security**. Each wireless telecommunications facility and wireless telecommunications colocation facility shall be designed to be resistant to, and minimize opportunities for, unauthorized access, climbing, vandalism, graffiti, and other conditions that would result in hazardous situations, visual blight, or attractive nuisances. The City may require the provision of warning signs, fencing, anti-climbing devices, or other techniques to prevent unauthorized access and vandalism when, because of its location or accessibility, a facility has the potential to become an attractive nuisance. The applicant shall cover any costs associated with the techniques described herein.

9. **Modification of Existing Equipment**. At the time of modification of a wireless telecommunications facility or approval of a new permit for an existing facility, existing equipment shall, to the extent feasible, be modified or replaced to reduce visual, noise, and other impacts. This shall include the reduction of the size of the ground cabinet and/or replacement with an underground vault. Examples include, but are not limited to, undergrounding the equipment or replacing larger, more visually intrusive facilities with smaller, less visually intrusive facilities.

III. Additional Design and Development Standards for Facilities Outside of Public Rights-of-Way and Public Utility Easements

A. Basic Requirements. Facilities located outside public rights-of-way and public utility easements are subject to the design and development standards set forth in this section in addition to the design and development standards that apply to all facilities (Section II 4).

B. Preferred Designs.

1. **Façade-Concealed Antennas**. Façade-concealed antennas have antennas, mounting apparatus, and any associated components fully concealed from all sides within a structure that achieves complete architectural integration with the existing building (for example, antennas behind fiber-reinforced plastic [FRP] in a parapet, and equipment inside an existing building), or within outbuildings that are architecturally integrated into a site and are expected components of the setting. This preferred installation type has the following additional characteristics.

    a. Cables and cable trays are completely hidden from view with cables routed internally or buried underground.

Figure 2: Antennas are concealed behind the circular element.

(1) Exterior cable trays designed to replicate an existing vertical element may be considered on a case-by-case basis.

(2) Standard cable trays painted and textured to match the existing building are indicative of a façade-mounted facility rather than the preferred façade-concealed facility.

b. Equipment and equipment areas shall be completely hidden.

(1) Associated equipment shall be completely concealed inside an existing building, inside an underground vault, or by the same method as the antennas (remote radio units [RRUs], remote radio heads [RRHs], surge suppressors, and similar).

(2) Screen walls, fences, and prefabricated facilities are generally not indicative of building-concealed facilities; however, equipment enclosures designed to replicate existing buildings and structures may be considered on a case-by-case basis. This guideline shall apply to any existing or proposed mechanical equipment that serves the wireless telecommunications facility, including, but not limited to, generators, air conditioning units, and similar equipment.

c. FRPs shall be both textured and painted to match adjacent building faces. Paint and texture should match completely.

d. There should be no noticeable transitions (e.g., seams or differences in paint or texture) between FRP and adjacent surfaces.

e. If concealed within a parapet, the top, sides, and rear of antennas and associated components shall also be enclosed or otherwise screened from view. No wireless telecommunications facility components, including antenna, mounting apparatus, cabling, or equipment, should be visible.

f. If a project extends the parapet upward, the extensions should have symmetry in all visible dimensions. Antennas and concealment elements shall not dominate the element on which they are placed.

2. Faux Architectural Elements. Faux architectural elements are existing or proposed architectural elements on a building that completely conceal antennas. They are distinguished from façade-concealed antennas in that they appear to be architectural elements of a building.

a. This preferred installation type may take a variety of forms, such as tower elements and cupolas. Architectural integration may also include tapered columns (which may hide façade-mounted antennas individually), wing walls, dormers, statues, façade-mounted signage, and other elements.

b. This preferred installation type shall be appropriate to the architectural context and have the following additional characteristics:

(1) Design that matches the style of the building and is designed as a feature commonly found on the type or style of building upon which the element is proposed; and

(2) Colors and textures that match the existing building, including finishing features such as reveals, windows, tapers, cornices, tiling, roofing materials, and trim.

c. Antennas and related equipment shall not encroach from a building into the public right-of way or onto an adjacent property.

3. **Rooftop Concealment**. If accessory equipment for roof-mounted facilities cannot be installed inside the building or underground, such accessory equipment may be located on the roof of the building on which the facility is mounted, provided that both the equipment and screening materials are painted the color of the building, roof, or surroundings. Rooftop facilities that appear to be a building façade, architectural element, or parapet are considered to be façade-concealed, façade-mounted, or faux architectural facilities. Rooftop concealment is considered to be a preferred design where façade integration is not feasible.

Figure 4: A cupola (above) and a clock tower (below) conceal antennas.

a. Roof-mounted facilities shall be designed and constructed to be fully concealed or screened in a manner compatible in color, texture, and type of material with the existing architecture of the building on which the facility is mounted. Screening shall not increase the bulk of the structure nor alter the character of the structure.

(1) All screening materials for roof-mounted facilities shall be of a quality and design that is architecturally integrated with the design of the building or structure.

(2) Rooftop concealment shall be appropriate to the architectural setting, matching the colors and textures of the existing building (including features such as reveals, cornices, tiling, roofing materials, and trim), and shall be designed as a feature commonly found on the type or style of building upon which the facility is proposed.

(3) Integration into existing rooftop elements is preferred over creating new rooftop elements unless integration would be architecturally undesirable.

(4) The height of rooftop screening shall not exceed the maximum height permitted by the zoning district within which the facility is located.

(5) Roof-mounted wireless telecommunications facilities shall not be visible from any side and may need to be concealed from the top if adjacent structures are

taller and have views onto the roof where wireless telecommunications facilities are proposed to be mounted.

(6) Equipment located on the roof of an existing structure shall be set back or located to minimize visibility, especially from the public right-of-way or viewing locations accessible to the public. Rooftop screening elements shall generally be set back from the roof edge at least as far as they are tall.

(7) Rooftop screening shall not dominate a façade. For example, an antenna screen that approaches the height of a building story and runs most of the length of a façade containing windows would substantially increase building height but not appear as part of the structure. In this case, it would be more desirable to extend the parapet and make the building itself appear taller.

b. Unconcealed rooftop installations such as lattice towers, monopoles, and rack mounts that are visible from the public right-of-way or viewing locations accessible to the public shall not be permitted.

4. Architecturally Designed Stand-Alone Towers. Towers that are designed to appear as buildings or signs, and that conceal antennas completely within them, may be permitted where appropriate to the site on which they are proposed. Examples include, but are not limited to, clock towers and obelisks.

a. Architecturally designed stand-alone towers shall be of high-quality design and provide variation in planes, textures, colors, or treatments to avoid the look of a simple box.

b. Clock towers shall have a functioning clock at all times.

c. A separate sign permit may be required for any onsite sign used to conceal antennas.

d. A wireless telecommunications facility permit may not be used to request signage that does not comply with Municipal Code standards for signage.

5. Athletic Field Lights. The guidelines in this section are for lights used to illuminate large areas for the purposes of recreation. For lights used to illuminate the immediate area for pedestrian or driver safety, see Section C.4, Parking Lot Light Standards, below.

a. Antennas shall be mounted as close as possible to the pole and within an antenna shroud that conceals the antennas and any associated components. No wireless telecommunications facility component except the antenna shroud shall be visibly mounted to a pole.

b. Antennas and mounting components shall be painted the same color as the pole.

c. All cables and conduit to and from the light standard shall be routed from the caisson up into the pole. Cable coverings may be permitted in limited circumstances where they would be minimally visible.

d. When a wireless telecommunications facility is proposed on a field with no existing lighting or no functional lighting, the applicant shall provide additional lighting as required to provide a functionally illuminated sports field. Partial lighting of a sports field is not acceptable.

C. Other Permitted Designs.

1. Façade-Mounted Antennas.

Façade-mounted antennas are any antennas mounted on the exterior of a building that are not faux architectural elements. Façade-mounted antennas shall:

Figure 5: Although façade-mounted boxes are not preferred, this example from San Diego achieves integration with the structure.

a. Employ a symmetrical, balanced design.

(1) No interruption of architectural lines or horizontal or vertical reveals should occur.

(2) Antennas should be no longer or wider than the façade on which they are proposed and shall not encroach into window areas or protrude above or below the surface on which they are mounted.

(3) Antennas should be mounted with their tops at the roofline unless there is an obstacle, or unless to do so would decrease concealment.

b. Use the smallest mounting brackets available to provide the smallest offset from the building.

c. Limit the distance from the front of the antenna (or antenna shroud/FRP) to the face of the building to 12 inches. Panel antennas may be mounted up to 18 inches away from a building façade when the applicant provides evidence demonstrating that the wireless communication facility cannot operate without incorporating a tilt greater than 12 inches.

d. Fit each antenna into the design of an existing façade, with each antenna being no longer or wider than the portion of the façade upon which it is mounted. The antennas should not interrupt the architectural lines of the façade.

e. Conceal associated mounting brackets and cable from view. Any pipes or similar apparatus used to attach panel antennas to a building façade shall not extend beyond the length or width of the panel antenna. Measurements may be verified during inspection.

f. If a façade-mounted facility dominates a façade element, use façade-mounted FRP boxes that look like an extension of the façade.

g. If not covered by an FRP box, use skirts and chin covers to conceal mounting hardware, create a cleaner appearance, and minimize visual impact. Chin covers shall be designed to replicate the antenna profile. Transitions between antennas and screening devices should not be visible (no gaps). Antennas should appear to be the same length, width, and depth, spaced uniformly.

h. Match the color and texture of concealment measures to adjacent building surfaces, including includes trim, reveals, lines, and similar features. No visible transition lines or gaps should occur.

i. Avoid exposed cabling.

j. If not covered by an FRP box, provide a unified appearance. If antennas differ in shape or size, they should all be given unified dimensions using skirts and chin straps spaced uniformly across a façade.

k. Locate ventilation openings on the top or bottom of screening elements only.

l. Not encroach from a building into the public right-of way or onto an adjacent property.

2. Faux Trees. Wireless telecommunications facilities may be designed to emulate trees where trees similar in size and species are present. Faux trees may also be appropriate when natural trees of similar species are planted concurrent with faux tree installation, depending on the density and size of trees being planted.

Figure 6: In this example, antennas are concealed by the faux "mono-pine."

a. Faux trees shall be of a type and size to adequately conceal antennas within them while appearing natural.

(1) Faux trees shall replicate the shape, structure, and color of live trees, and be designed to look like the tree species they intend to replicate (e.g., a faux pine tree shall be shaped like a pine tree). Branching shall not make the tree look top-heavy or unnatural.

(2) If no trees exist within the immediate area, the applicant shall create a landscape setting that integrates the faux tree with added species of a similar height and type.

(3) All branches at the antenna level shall extend a minimum of 24 inches beyond the entire vertical length of the antennas for maximum concealment. Antenna socks shall not count toward this requirement.

(4) Faux trees shall be designed with a minimum of four branches per foot for full density coverage with limited spacing between the branches unless three dimensional (3D) models justify lower branch counts.

(5) There shall be no gaps in branch coverage. All branch ports shall be used for branches. Branches shall blend down the tree with no abrupt transitions.

(6) Poles should be five feet shorter than the overall height of the faux tree to allow branching at the top of the tree.

(7) Due to the physical form of palm trees and the difficulty of providing concealment for wireless telecommunications facilities, faux palms shall not be permitted.

b. Applications proposing faux tree installations shall provide detailed specifications during plan review, including:

(1) 3D-modeled photo simulations illustrating branches, foliage, pole, and equipment; and

(2) Sufficient samples, models, or other means to demonstrate the quality, appearance, and durability of the faux tree.

c. Projects shall not be approved at final inspection if they do not match the approved exhibits, including photo simulations.

3. **Flagpoles and Similar Vertical Elements**. This section addresses the design of wireless telecommunications facilities designed as flagpoles or other stand-alone pole-like elements that are not used for illumination or above-ground utilities.

a. Flagpoles shall replicate the design, diameter, and proportion of the vertical element they are intended to imitate and shall maintain a tapered design.

b. Generally, flagpoles should be 30 feet or less in height and not exceed 9 inches in diameter.

(1) Flagpoles that are higher than 30 feet and/or exceed 9 inches in diameter may be permitted where the flagpole is located in a suitable setting and appropriately tapered to maintain the appearance of an authentic flagpole.

c. Antennas and any pole-mounted equipment shall be enclosed within the flagpole. Flagpoles shall not have an antenna shroud.

d. Flagpoles shall comply with the U.S. Flag Code at all times.

e. All cables shall be routed directly from the ground up through the pole.

4. **Parking Lot Light Standards**. These guidelines are for lights used to illuminate the immediate area for vehicular and pedestrian safety within a parking lot.

a. Light standards used for wireless telecommunications facilities shall:

(1) Replicate the design, diameter, and proportion of the vertical element they are intending to imitate; and

(2) Replicate as closely as possible the design of any other lighting standard within the parking lot, including but not limited to the height of other parking lot lighting standards and the design, material, and color of nearby light poles.

b. All cables and conduit to and from the light standard shall be routed from the caisson through the pole to the antennas.

c. All antennas shall be concealed inside an antenna shroud that is compatible with the diameter of the pole or concealed within the pole.

d. Light fixtures shall be sized and balanced with the design and height of the overall light pole.

D. Pole-Mounted Telecommunications Facilities.

1. Facilities mounted to a telecommunications tower, including, but not limited to, the attached antennas, shall be designed to be the minimum functional height and width required to adequately support the proposed facility and meet Federal Communications Commission (FCC) requirements. The applicant shall provide documentation satisfactory to the City Manager establishing compliance with this paragraph.

2. Monopole installations shall be situated so as to utilize existing natural or man-made features including topography, vegetation, buildings, or other structures to provide the greatest amount of visual screening.

3. All antenna components and accessory wireless equipment shall be treated with exterior coatings of a color and texture that matches the predominant visual background or existing architectural elements so as to blend in with the surrounding development. Subdued colors and non-reflective materials that blend with surrounding materials and colors shall be used.

4. Monopoles shall be no greater in diameter or other cross-sectional dimensions than is necessary for the proper functioning of the facility.

E. Accessory Equipment.

1. All accessory equipment associated with the operation of any wireless telecommunications facility shall be fully screened or camouflaged and located in a manner to minimize its visibility to the greatest extent feasible.

2. Accessory equipment for facilities mounted to a telecommunications tower shall be visually screened by locating the equipment either within a nearby building, in an underground vault (with the exception of required electrical panels) or in another type of enclosed structure that shall comply with the development and design standards of the zoning district in which the accessory equipment is located. Such enclosed structure shall be architecturally treated and adequately screened from view by landscape plantings, decorative walls, fencing or other appropriate means, selected so that the resulting screening will be visually integrated with the architecture and landscaping of the surroundings.

F. Signage.

1. All wireless facilities shall include signage that accurately identifies the equipment owner/operator, the site name or identification number, and a toll-free number for the owner/operator's network operations center.

2. Wireless facilities may not bear any other signage or advertisements unless expressly approved by the City, required by law or recommended under existing and future FCC or other United States governmental agencies for compliance with RF emissions regulations.

3. RF notification signs shall be placed where appropriate, and not at pedestrian eye level, unless required by the FCC or other regulatory agencies.

IV. Additional Design and Development Standards for Facilities in Public Rights-of-Way and Public Utility Easements

A. Basic Requirements. Facilities located in the public right-of-way and in public utility easements are subject to the design and development standards set forth in this section in addition to the design and development standards that apply to all facilities. Only pole-mounted antennas shall be permitted in the right-of-way. All other telecommunications towers are prohibited.

B. Preferred Configurations.

1. **Light Poles Wherein all Equipment, Cabling, and Antennas are Within the Pole Itself and/or Entirely Under the Ground.**

   a. Use of light poles for wireless telecommunications facilities may be permitted where there are existing light poles or in areas where a new light pole would be appropriate (e.g., intersections).

   b. The height of any antenna mounted to a street light pole shall not exceed seven feet above the existing height of a street light pole in a location where the closest adjacent district is a commercial zoning district and shall not exceed three feet above the existing height of a street light pole in any other zoning district. Any portion of the antenna or equipment mounted on such a pole shall be no less than 18 feet above any drivable road surface (including driveways, areas between roadway curb lines where curbs are provided, and as determined by the Engineering Services Department along roadways with shoulders).

   c. Antennas shall be fully shrouded unless full shrouding would impede signal propagation. Antenna shrouds shall be the same diameter as the pole, unless multiple antennas (no more than three) are provided, in which case the maximum total diameter of antennas and shrouds shall be no greater than 29 inches.

   d. Associated equipment at the bottom of a pole (the "base") shall be concealed in a pole base that is:

      (1) Up to 20 inches square and four feet tall; or

(2) Within a side-mounted shroud up to 16 inches wide, 12 inches deep and 5.5 feet tall.

e. To prevent accumulation of trash, facilities shall be designed to avoid flat surfaces in the transition from the base to the upper pole.

f. Poles shall be painted and textured to City standards to match existing streetlights in the vicinity.

C. Less Preferred Configurations.

1. Existing or Replacement Utility Poles.

a. All installations on utility poles shall fully comply with the California Public Utilities Commission (CPUC) general orders (GOs), including, but not limited to, GO 95.1.

b. The maximum height of any antenna mounted to an existing utility pole shall not exceed 24 inches, unless required by General Order 95, in which case the maximum height shall not exceed 48 inches above the height of an existing utility pole, exclusive of mounting hardware. No portion of the antenna or equipment mounted on a pole shall be less than:

(1) 18 feet above any drivable road surface; or

(2) 7 feet above any portion of the right-of-way outside of the drivable road surface (e.g., parkways, medians).

Figure 7: Landscaping conceals wireless telecommunications equipment mounted on the exterior of this pole located on Distel Drive.

c. Unless otherwise required by General Order 95:

(1) All antennas shall be shrouded. Antenna shrouds should have an outer diameter of 15 inches or less and measure no more than five cubic feet in size.

(2) The shroud should be no more than 4 feet tall, including antenna, radio head, mounting bracket, and all other hardware necessary for a complete installation.

2. **Stand-Alone Poles along Rights-of-Way with No Existing Overhead Utility Lines.**

   a. Where a stand-alone pole is proposed within a right-of-way or public utility easement with no overhead utility lines, the preferred configuration is for all equipment to be concealed within the pole itself, with an antenna/shroud mounted directly to the top of the pole and no visible transitions. No equipment shall be visible outside the pole. Equipment may, however, be placed in an underground vault.

   b. Antennas and shrouds shall be no wider than 21 inches.

   c. Associated equipment at the bottom of a pole (the "base") shall be concealed in a pole base that is:

      (1) Up to 20 inches square and four feet tall; or

      (2) Within a side-mounted shroud up to 16 inches wide, 12 inches deep and 5.5 feet tall.

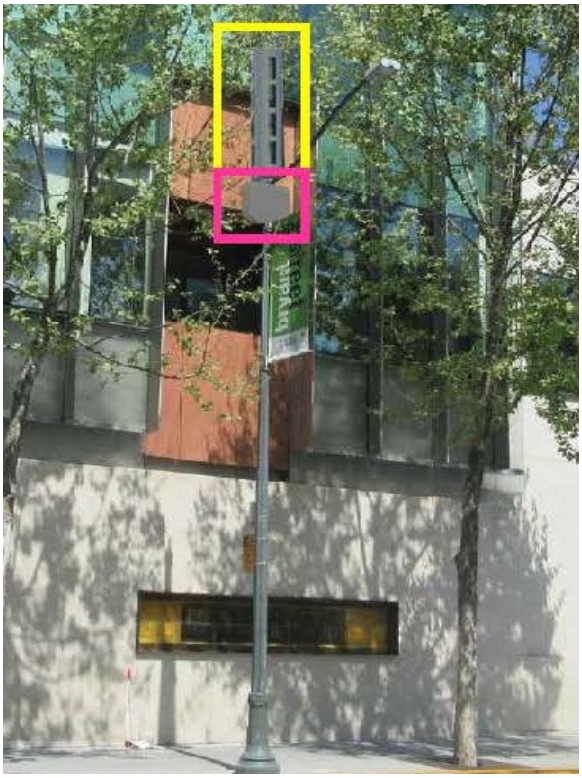


Figure 8: Stand-alone small cell poles (as shown in this example) are not preferred but may be permitted if enclosure of all equipment within the pole or in an underground vault is technically infeasible.

   d. To prevent accumulation of trash, facilities shall be designed to avoid flat surfaces in the transition from the base to the upper pole.

   e. Stand-alone poles match the height and color of any nearby streetlight or utility pole.

3. **Light Poles Wherein Equipment, Cabling, and Antennas are Not Completely within the Pole Itself and/or Not Entirely Underground.**

   a. Use of light poles for wireless telecommunications facilities may be permitted only in areas where light poles are appropriate.

   b. The height of any antenna mounted to a street light pole shall not exceed seven feet above the existing height of a street light pole in a location where the closest adjacent district is a commercial zoning district and shall not exceed three feet above the existing height of a street light pole in any other zoning district. Any portion of the antenna or equipment mounted on such a pole shall be no less than 18 feet above any drivable road surface or 7 feet above any portion of the right-of-way outside of the drivable road surface (e.g., parkways, medians.

   c. Antenna shrouds shall be the same diameter as the pole unless multiple antennas are proposed, in which case, the antennas and shrouds shall be no wider than 21 inches.

d. Associated equipment at the bottom of a pole (the "base") shall be concealed in a pole base that is:

(1) up to 20 inches square and four feet tall; or

(2) within a side-mounted shroud up to 16 inches wide, 12 inches deep and 5.5 feet tall.

e. To prevent accumulation of trash, facilities shall be designed to avoid flat surfaces in the transition from the base to the upper pole.

f. Poles shall be painted and textured to City standards to match existing streetlights in the vicinity

D. Requirements for Approval of Less-Preferred Configurations.

1. Application Requirements. Applications that involve less-preferred configurations may be approved only if the applicant demonstrates that:

a. No preferred configuration would be technically feasible; or

b. The proposed configuration would be aesthetically superior to a preferred configuration due to existing conditions at the proposed site.

c. The burden of proof for demonstrating that one of these two conditions exists shall lie with the applicant.

2. Accompanying Evidence. Applications that involve a less-preferred configuration shall be accompanied by clear and convincing written evidence demonstrating the need for approval of the proposed configuration rather than a preferred configuration.

3. Independent Consultant. In reviewing a request for a less-preferred configuration, the City may hire an independent consultant at the applicant's expense to evaluate the applicant's demonstration of need for the proposed less-preferred configuration.

E. Pole Requirements.

1. Pole Height and Width Limitations.

a. All poles for wireless telecommunications facilities shall be designed to be the minimum functional height and width required to support the proposed antenna installation and meet FCC requirements. Poles, antennas, and similar structures shall be no greater in diameter or other cross-sectional dimension than is necessary for the proper functioning of the facility.

b. Pole-mounted equipment shall not exceed nine cubic feet in dimension.

2. Requirements for Replacement Poles. If an applicant proposes to replace a pole in order to accommodate the facility, the pole shall match the appearance of the original pole to the extent feasible, unless another design better accomplishes the objectives of this section. Such replacement pole shall not exceed the height of the pole it is replacing by more than seven feet.

3. **Requirements for New Poles.** New poles shall be designed to resemble existing poles in the right-of-way, including size, height, color, materials, and style, unless (a) the existing poles are scheduled to be removed and not replaced, or (b) another design better accomplishes the objectives of this section.

F. Pole-Mounted Facilities Requirements.

1. **Facilities Mounted to a Telecommunications Tower.**

   a. Facilities mounted to a telecommunications tower, including, but not limited to, the attached antennas, shall be designed to be the minimum functional height and width required to adequately support the proposed facility and meet FCC requirements. The applicant shall provide documentation satisfactory to the City Manager establishing compliance with this paragraph. In any event, facilities mounted to a telecommunications tower shall not exceed the applicable height limit for structures in the applicable zoning district.

   b. Aside from the antenna itself, no additional equipment may be visible. All cables, including, but not limited to, electrical and utility cables, shall be run within the interior of the telecommunications tower and shall be camouflaged or hidden to the fullest extent feasible without jeopardizing the physical integrity of the tower.

2. **Monopoles.**

   a. Monopole installations shall be situated so as to utilize existing natural or man-made features including topography, vegetation, buildings, or other structures to provide the greatest amount of visual screening.

   b. All antenna components and accessory wireless equipment shall be treated with exterior coatings of a color and texture that matches the predominant visual background or existing architectural elements so as to blend in with the surrounding development. Subdued colors and non-reflective materials that blend with surrounding materials and colors shall be used.

   c. Monopoles shall be no greater in diameter or other cross-sectional dimension than is necessary for the proper functioning of the facility.

G. Accessory Equipment.

1. **Minimizing Visibility**. All accessory equipment associated with the operation of any wireless telecommunications facility shall be screened or camouflaged and located in a manner to minimize the equipment's visibility to the greatest feasible extent.

2. **Screening of Equipment for Facilities in Public Rights-of-Way**. Accessory equipment for facilities within public rights-of-way shall be visually screened to the extent feasible by locating the equipment either in an underground vault (with the exception of required electrical panels), or by landscape plantings.

3. **Space Occupied.** Facilities shall be designed to occupy the least amount of space in the right-of-way that is technically feasible.

4. **Cables.** All cables, including, but not limited to, electrical and utility cables, between the pole and any accessory equipment shall be placed underground, if feasible.

5. **Wires.** Except for wood utility poles and other solid core poles, all new wires needed to service the wireless telecommunications facility shall be installed within the width of the existing utility pole so as to not exceed the diameter and height of the existing utility pole.

6. **Equipment Undergrounding.** All equipment (other than the antenna, antenna supports, ancillary wires, cables and any electric meter) shall be installed underground wherever feasible.

   With the exception of the electric meter, which shall be pole-mounted to the extent feasible, all accessory equipment shall be located underground to the extent feasible.

7. **Equipment Installed on Poles**. All wireless equipment installed on poles should be completely contained within an equipment shroud. Equipment shroud and lines should be painted, treated or finished to match existing utility pole and line aesthetics. Utility line installations should have a non-reflective color and finish. Required electrical meter cabinets shall be adequately screened and camouflaged.

H. Americans with Disabilities Act Compliance. All facilities shall be built in compliance with the Americans with Disabilities Act (ADA), and no facility shall be approved that would render any portion of the right-of-way non-compliant with the ADA.

I. Other Requirements.

1. **Facilities on Decorative Streetlights Prohibited.** Small wireless facilities shall not be located on decorative streetlights.

2. **Pole Height Calculation.** Legally required lightning arresters and beacons shall be included when calculating the height of facilities. Pole height shall be measured from the top of foundation, which should be flush with the ground, to the top of pole or top of antenna, whichever is greater.

3. **New Pole Material and Finish**, New pole material and finishes should match the existing materials of the City standard streetlight poles or match aesthetics and materials of existing decorative poles.

4. **Disturbance of Topography and Vegetation.** Disturbance of existing topography and on-site vegetation shall be minimized unless such disturbance would substantially reduce the visual impacts of the facility.

5. **Separation of Service.** Separation of service shall be provided by installing all new electrical conduit(s) or using empty conduit(s) with the conduit owner's express consent in writing.

6. **Facilities on Streetlight or Traffic Signal Control Poles.** For proposed facilities on streetlight or traffic signal control poles, a hand hole should be provided at the top of the pole to maintain fiber and electrical service for streetlights and future attachments.

7. **Pole Foundation Calculations.** Pole foundation calculations shall be prepared and stamped by a California professionally licensed structural engineer and provided to the City for review. Pole foundation calculations shall account for all new and existing pole attachments and the pole.

8. **Pole Structural Calculations.** Pole structural calculations showing the load impacts of the wireless facility on City streetlight and traffic signal control poles, including seismic loads, shall be prepared and stamped by a California professionally licensed structural engineer and provided to the City for review.

9. **Design Wind Velocity.** Design wind velocity shall be 115 miles per hour (mph) minimum in accordance with TlA-222 rev G, IBC 2012 with ASC 710, and amendments for local conditions.

10. **Trench Backfill.** Asphalt concrete sections for trench backfills shall be a thickness equal to the existing pavement, or four-inches thick minimum, whichever is greater.

PUBLIC CORRESPONDENCE

The following is public correspondence received by the City Clerk's Office after the posting of the original agenda. Individual contact information has been redacted for privacy. This may *not* be a comprehensive collection of the public correspondence, but staff makes its best effort to include all correspondence received to date.

To send correspondence to the City Council, on matters listed on the agenda please email PublicComment@losaltosca.gov

From: Kathleen Richards
To: Public Comment; City Council
Subject: Los Altos Council meeting of 6/28, item 9 - public comment
Date: Saturday, June 25, 2022 6:22:46 AM

Please include in the public comment - telecommunication 5G

The FCC 5G safety guidelines were overturned by a DC District Court in August 2021. The court ruled that the FCC's decision in 2019, that its 1996 radio frequency emission guidelines adequately protect the public was capricious, arbitrary and not evidence based, in violation of the Administrative Procedures Act. The court also found that the analysis provided by the U.S. Federal Drug Administration, on which the FCC relied for its decision, was also not evidence based. (https://url.avanan.click/v2/___https://childrenshealthdefense.org/wp-content/uploads/chd-v-fcc-we-won-decision.pdf___.YXAzOmxvc2FsdG9zY2E6YTpvOjUxNGQ5YjcwMjFhYjFiYmNiMmRjNjcxMDNhYjYxN2FhOjY6Y2I2NTpkMWZlZTkyNjUwZjFmZTIxODI0OTQyOTU4ZWJhMzcxYWUyMTk5ODk4Mzc4YzYwYzA4ODVhYWRkMTYwMzRkMzY1OnQ6VA).

Since the FCC has NOT demonstrated that 5G is safe. **this clearly eliminates any FCC argument that health concerns cannot be considered in determining 5G implementation.** A large majority of the residents of Los Altos oppose 5G implementation due to health and environmental concerns, so their position is valid and should be respected by retaining the 5G ban.

I can understand why the carrier lawyers did not raise this relevant and important court decision, as it is not in their favor. I would like to know why Los Altos legal representation was not aware of this important ruling, or did not make residents aware of this ruling. This is not working in the best interest of their clients, **the residents of Los Altos.** Competent legal representation should be found that can resolve this important issue in alignment with the wishes of the residents of Los Altos.

thanks - Kathleen Richards

From: roger heyder
To: Public Comment; City Council
Subject: Los Altos Council meeting of 6/28, item 9 - public comment
Date: Saturday, June 25, 2022 6:34:27 AM

Hello,

This is public comment on item 9 - **Wireless Telecommunications Facilities**. Please read out, and include this public comment in the formal meeting minutes.

regards -- Roger Heyder
resident of Los Altos

Los Altos City Council is stepping far over the line by putting resident health and safety at risk with their actions on adopting 5G against resident wishes. Ignoring city laws and spending recklessly are things which residents seem able to ignore, but doing things to harm residents is simply unacceptable and inexcusable.

The court has found the FCC 'safety testing' of 5G to be invalid, so that eliminates the FCC argument that safety concerns cannot be considered with regards to 5G. That also eliminates council's excuse that they can ignore resident demands that the 5G ban be retained due to 'legal constraints'.

The 5G emergency ordinance was enacted after several large public meetings, where many hundreds of residents supported the 5G ordinance, and only 1 or 2 residents opposed the ordinance. Nothing has changed, yet Council is considering altering the ordinance to the extent of basically eliminating it.

The residents of Los Altos have made their opinion very clear on the 5G issue. Council was elected to represent the residents, and implement their wishes. It seems Council supports many outside special interests over the interest of residents. That is unacceptable. Council members that hold that posture should resign immediately, since you are failing in your responsibility to serve the residents of Los Altos.

Council must also inform residents how much money the city will make if the ordinance is lifted - right of way fees paid to the city by the 5G providers. That way residents can see how much it takes to sell us out.

PUBLIC CORRESPONDENCE

The following is public correspondence received by the City Clerk's Office after the posting of the original agenda. Individual contact information has been redacted for privacy. This may *not* be a comprehensive collection of the public correspondence, but staff makes its best effort to include all correspondence received to date.

To send correspondence to the City Council, on matters listed on the agenda please email PublicComment@losaltosca.gov

From: Jane Osborn
To: Public Comment; City Council
Cc: Jane Osborn; [redacted]
Subject: Public Comment, June 28, 2022, Agenda #9, Wireless Ordinance
Date: Tuesday, June 28, 2022 2:02:57 AM

Note. This is an edited, expanded version of comments I had planned to make during the last council meeting held on June 14, 2022. My husband and I both had planned to make public comments during that meeting, but made a last minute decision not to do so, since public comments on this item did not even start until shortly after midnight. Aside from feeling demoralized and exhausted by that time, it was very apparent at that late hour that many council members wanted to finish the meeting as soon as possible. We did not feel that making comments under those circumstances would be well received nor would they make one bit of difference.

We have noticed over the years that often the most controversial agenda items are scheduled last or near the end of the agenda. Many times, we have seen that the council did not even begin looking at these controversial agenda items until very late in the evening, such as after 11 PM or later, when most of the public have given up waiting to make comments, and many needed to get to bed. In our opinion, this tendency to consider the most controversial issues later in a council meeting interferes with the ability of the public to give testimony and to participate in local government decisions.

Dear Honorable Mayor, Council Members and City Staff,

We have many concerns about the location criteria in the proposed, soon to be adopted wireless ordinance. In particular, we are concerned about the minimum distances

from residences that are considered acceptable for placing small wireless facilities.

Based on copious amounts of research and literature available on the subject, 10 feet, or 25 feet, or 30 feet, or even 50 feet is much too close for safety and to avoid potential or probable harm from the devices. The exposure to potential harm will be greatly increased at these short distances.

We are especially concerned about potential fire hazards, as well as the exposure to RF emissions and noise emission.

We are aware that the city currently is prohibited from regulating wireless facilities on the basis of suspected health and safety concerns due to RF emissions.

As far as we know, the city is *not* prohibited from regulating wireless facilities based on concerns due to noise exposure or fire safety.

NOISE EXPOSURE AND NON-AUDITORY NOISE EFFECTS:

Environmental noise exposure, especially when it is chronic, has been linked to a number of health effects, including increases in sleep disturbance, release of stress hormones, hypertension, and cardiovascular disease. In addition, it appears to impair cognitive and academic performance, including in school age children. These negative effects are evidenced in a huge body of scientific research reported in the literature.

In 2019, one of our council members measured the sound pressure coming from a small node on her street to be at a dB level of 56.

NON-AUDITORY EFFECTS OF NOISE ON SLEEP. According to the literature, the

most deleterious non-auditory effect of noise is sleep disturbance.

There are copious amounts of research findings reported in the literature that suggest that sleep disturbances and sleep deprivation have very deleterious affects on health and cognitive functioning, in general, including that they are associated with shortened life spans and increased risk of developing dementia.

Noise at pressure levels as low as L(Amax) 33 dB were observed to induce physiological reactions during sleep, including autonomic, motor and cortical arousal. At levels of 30 to 40 dB (L, Aq) at night, measured outside, a number of effects on sleep have been observed at this range, such as body movements, awakening, arousals, and self-reported sleep disturbances. Vulnerable groups, such as children, the chronically ill, and elderly people are more susceptible.

It has been noted that people in general are more sensitive to noise produced in the evening and especially at night. It is reported that when evaluating the effects of noise during a 24 hour period, acoustic experts will add a "...10 dB penalty to the night...," period, with a "...5 dB penalty added to the evening period...."

NON-AUDITORY EFFECTS OF NOISE ON COGNITIVE AND ACADEMIC FUNCTIONING. The literature also suggests that noise emissions have a deleterious effects on cognitive and academic functioning, including with regard to the academic progress of school age children.

The World Health Organization recommends that school children not be exposed to a dB level above 35 when they are in a "teaching" or learning environment. One could assume this would apply also to their homework environment and/or remote learning at home. Increases of 5 dB of sound pressure have been associated with increases in negative academic outcome. Decreases of 5 dB of sound

pressure have been associated with a higher level of academic performance. It was stated in one source that there was no threshold for negative effects. Even an increase of 5 dB had negative effects. The larger the increase in dB level, the larger the negative effects.

It appears that one implication of these research findings is that wireless facilities with noise emitting fans should not be placed so close to homes or classrooms that the fans are heard at sound pressure levels above 35 dB, during the day, or above 33dB at night (in order to minimize sleep disturbance due to noise), including through open windows.

According to the permitting requirements, applicants who want to install wireless facilities, will have to show that the devices will not produce noise in violation of the cities noise ordinance, Chapter 6.16 of the municipal code.

According to the city's noise ordinance, an acceptable level of sound pressure in R1 districts on average is: 55dBA from 7 AM to 10 PM; and 45 dBA from 10 PM to 7 AM.

I am assuming that the city determined what would be acceptable levels of sound pressure based on minimizing "auditory" effects of noise that could harm hearing or cause hearing loss. I am wondering if the city also was considering "non auditory" effects of noise when determining acceptable levels of sound pressure, which also can be harmful to health and cognitive functioning, as noted above.

At the PCC meeting on March 3, 2022, Mr. Zola, consultant for the wireless ordinance, noted that noise produced outside is attenuated by about 15 dB when experienced inside of a house with all the doors and

windows closed. This seems accurate. However, people should not be forced to keep all their windows shut in order to avoid excessive noise from wireless facilities. I know of many people in Los Altos who routinely keep windows or doors open, especially in the evening or at night in the warmer weather. Some neighbors have told me that they do not have air conditioning, and they rely on being able to keep their windows open at night, otherwise their houses would be insufferably hot.

In Los Altos, even the busier streets become very quiet and peaceful at night. The other night I was able to hear an owl hooting at 3:40 AM. People who live on busier streets especially appreciate and welcome this respite from noise that they experience in the evening and at night after traffic dies down. They do not want to lose this peace and quiet due to wireless companies wanting to install noisy facilities near their houses. Audible noise from a fan in the evening or at night would destroy one of the benefits of living in this area.

In view of the research findings on sleep and cognitive functioning, I wonder if perhaps the city should consider re-evaluating it's noise ordinance periodically, based on updated research findings, including in the area of "non-auditory" effects, and perhaps consider lowering the level of sound pressure allowed at night, in particular.

FIRE SAFETY:

We are very concerned about the risks of fires, especially for people who end up with a device on or near their property.

According to the LA Times, more than 2,000 fires in about

a three year period in California were started by utility equipment. Also, it is reported that, "Cal Fire determined 17 of 21 California fires in 2018 were attributed to pole issues." There are numerous example of fires in California that were associated with wireless equipment issues and failures, including fires in Malibu, San Diego, and Paradise (i.e., the tragic "Campfire"). It is reported that "pole loading" (extending the height of an existing pole to accommodate wireless facilities) is implicated in many fires in California.

Susan Foster, Utilities and Fire Safety Consultant, has advised cities to allow at least a 500 foot buffer between wireless facilities and homes or schools.

Susan Foster also has reported that when a wireless facility catches on fire, the power must be cut before fire fighters can start putting it out. She has noted that, "It takes the utilities 10 to 30 minutes on a good day to get the power shut off. It can take up to two hours if distribution and or transmission lines are attached to the same mono pole."

In view of the risk of fires associated with wireless facilities, is it a good idea to encourage these facilities to be camouflaged by trees?

I think that most people would not want to risk having a wireless facility fire, such as the one shown in the link below, on their property, in their neighborhood, or anywhere near trees or other vegetation, especially on a windy day. Personally, I would not want to sacrifice safety for the sake of aesthetics, although it is preferable to have

both to the extent that this is possible.

https://www.yourcentralvalley.com/news/cellphone-tower-catches-fire/

Similarly, we have concerns that the city ordinance encourages and states a preference for colocation of facilities. One basis for our concern is that some fires apparently have been started by poles being overloaded. Also, we are concerned about co-location in residential areas, in particular, not only due to apparent increase in fire risk, but also due to the presumably increased impact from visual blight, noise emissions and the amount of RF being created at any one location.

I have read the recommendations made by Susan Foster for fire safety measures for wireless facilities in her letter to the council in April 2022. Are any or all of these measures included in the city's safety requirements for such devices? If not, is it possible for the city to consider including some or all of the recommendations made by Susan Foster, Utility and Fire Safety expert, in the city's permitting requirements for these devices?

ADDITIONAL REFERENCES (Partial List):

• NEW HAMPSHIRE 5G COMMISSION CONCLUDES THAT THE EVIDENCE FULLY JUSTIFIES A 500M SETBACK FOR CELL TOWERS, RF Info., February 14, 2022.

https://rfinfo.co.uk/new-hants-commission/

Note. The state of New Hampshire passed legislation that created a commission to look at the health effects of 5G. The commission was made up of 13 members who had backgrounds in the areas of physics, toxicology, electromagnetic, epidemiology, occupational health, medicine, public health policy, business and law. After meeting over a period of a year, they issued a final report in November 2020. They concluded that wireless radiation is harmful, and they recommended "...that a reasonable setback for wireless telecommunication facilities be no less than 1,640 feet or 500 meters."

• AUDITORY AND NON-AUDITORY EFFECTS OF NOISE ON HEALTH, Mathias Basner, et. al., The Lancet, April 12, 2014, vol 383, 1325-1332.

https://www.thelancet.com/journals/lancet/article/PIIS0140-6736(13)61613-X/fulltext

Note. This is a comprehensive review of the literature that cites 81 references.

• RE: AB 537 & CELL TOWER FIRE RISK, Susan Foster, Utility and Fire Safety Consultant, April 26, 2021. Letter written by Susan Foster to the California State legislature.

https://mdsafetech.org/wp-content/uploads/2019/09/ab-537-cell-tower-fire-risks-4-26-21.pdf

• **CALIFORNIANS FOR SAFE TECHNOLOGY: FIRE**

RISK IN CALIFORNIA

https://cal4safetech.org/fire-risk

Thank you very much for your consideration.

Jane Osborn
Resident of Los Altos

E. Jane Osborn, Ph.D. Nationally Certified School Psychologist, NCSP 24709. Licensed Educational Psychologist, LEP 1610. Cognitive and Developmental Psychology. [redacted]

From:	KAMEI, ELLEN
To:	Public Comment; Jonathan Weinberg; Lynette Lee Eng; Neysa Fligor; Sally Meadows; Anita Enander; City Council; Administration
Cc:	Robert Chua
Subject:	Item #9 - Wireless Telecommunications Facilities Ordinance Public Comment
Date:	Tuesday, June 28, 2022 12:36:26 PM
Attachments:	AT&T Comments June 28 2022.pdf
Importance:	High

Dear Mayor Enander, Vice Mayor Meadows, and Councilmembers:

Thank you for the opportunity to once again submit public comment related to the City of Los Altos proposed wireless regulations. Please see the attached high level concerns from AT&T.

AT&T again urges the city to take a step back from the proposed wireless ordinance because it focuses on ways to prohibit wireless facilities rather than fostering responsible deployments. Now more than ever, residents need access to a stable network to bridge the digital divide.

We look forward to working with you and building a connected community.

Sincerely,

ELLEN KAMEI, MPA
(She/Her)
External Affairs Area Manager
External and Legislative Affairs

AT&T
430 Bush Street, San Francisco, CA 94108
o [redacted]

From: Willem De Lange
To: Public Comment
Cc: Lynette Lee Eng
Subject: City Council Meeting, June 28, 2022, Wireless Ordinance
Date: Tuesday, June 28, 2022 4:06:45 PM

Honorable Mayor and Council,

Again I would like to express my opposition to giving “free hand” the wireless companies to place repeaters wherever they deem technically feasible and optimal for the signal propagation. Essentially these 5G repeaters will mainly be used by commuters to video stream within their cars. The true internet users within the homes are better off by using the wired connections from At&T, and other internet providers!! So these repeaters are going to be placed EVERYwhere around our community without much benefiting them, but HARMING their health. In light of the new population requirements from the state the cities need to find a lot more housing which also would put more traffic on our cities streets. This is also very much unwelcome in our already busy commuting and school streets in Los Altos. I will repeat to strive for underground tunnels to route Google, Apple, and all other employer’s traffic away from our city streets, please! Compare the infrastructure implementations in cities in the Netherlands and try to get that in Los Altos to improve our quality of life!

Now to 5G I would like to put these quotes out for your consideration at city councils meetings, please:

Since the FCC has never produced adequate scientific evidence that these newer wireless technologies are safe, I urge the council to err on the side of caution, since resident's health and well being may be negatively impacted.

In particular, I would like to ask the council not to allow these facilities to be placed as close together as one every 200 feet. Please stick to the original proposal for a 1000 foot distance between facilities, including facilities from multiple carriers. No one residential block or street or neighborhood should have to endure or be inflicted with this high of a density--basically one in front of every 3 houses.

I would like to point out the recently issued court order to revisit safety

Guidelines for RF radiation (like for the planned 5G rollout):

https://www.fiercewireless.com/wireless/court-orders-fcc-to-revisit-its-safety-guidelines-for-rf-radiation

To support my concern I would like to be also quoting from https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7405337/

The fifth generation, 5G, of radiofrequency (RF) radiation is about to be implemented globally without investigating the risks to human health and the environment. This has created debate among concerned individuals in numerous countries. In an appeal to the European Union (EU) in September 2017, currently endorsed by >390 scientists and medical doctors, a moratorium on 5G deployment was requested until proper scientific evaluation of potential negative consequences has been conducted. This request has not been acknowledged by the EU. The evaluation of RF radiation health risks from 5G technology is ignored in a report by a government expert group in Switzerland and a recent publication from The International Commission on Non-Ionizing Radiation Protection. Conflicts of interest and ties to the industry seem to have contributed to the biased reports. The lack of proper unbiased risk evaluation of the 5G technology places populations at risk. Furthermore, there seems to be a cartel of individuals monopolizing evaluation committees, thus reinforcing the no-risk paradigm. We believe that this activity should qualify as scientific misconduct.

16. Smith-Roe SL, Wyde ME, Stout MD, Winters JW, Hobbs CA, Shepard KG, Green AS, Kissling GE, Shockley KR, Tice RR, et al. Evaluation of the genotoxicity of cell phone radiofrequency radiation in male and female rats and mice following subchronic exposure. Environ Mol Mutagen. 2020;61:276–290. doi: 10.1002/em.22343. [PMC free article] [PubMed] [CrossRef] [Google Scholar]

Furthermore:

Radiofrequency (RF) radiation in the frequency range of 30 kHz-300 GHz is classified as a ‘possible’ human carcinogen, Group 2B, by the International Agency for Research on Cancer (IARC) since 2011. The

evidence has since then been strengthened by further research; thus, RF radiation may now be classified as a human carcinogen, Group 1. In spite of this, microwave radiations are expanding with increasing personal and ambient exposure. One contributing factor is that the majority of countries rely on guidelines formulated by the International Commission on Non-Ionizing Radiation Protection (ICNIRP), a private German non-governmental organization. ICNIRP relies on the evaluation only of thermal (heating) effects from RF radiation, thereby excluding a large body of published science demonstrating the detrimental effects caused by non-thermal radiation. The fifth generation, 5G, for microwave radiation is about to be implemented worldwide in spite of no comprehensive investigations of the potential risks to human health and the environment. In an appeal sent to the EU in September, 2017 currently >260 scientists and medical doctors requested for a moratorium on the deployment of 5G until the health risks associated with this new technology have been fully investigated by industry-independent scientists. The appeal and four rebuttals to the EU over a period of >2 years, have not achieved any positive response from the EU to date. Unfortunately, decision makers seem to be uninformed or even misinformed about the risks. EU officials rely on the opinions of individuals within the ICNIRP and the Scientific Committee on Emerging and Newly Identified Health Risks (SCENIHR), most of whom have ties to the industry. They seem to dominate evaluating bodies and refute risks. It is important that these circumstances are described. In this article, the warnings on the health risks associated with RF presented in the 5G appeal and the letters to the EU Health Commissioner since September, 2017 and the authors' rebuttals are summarized. The responses from the EU seem to have thus far prioritized industry profits to the detriment of human health and the environment.

Thank you for your support in keeping Los Altos safe for families!

Willem and Margriet de Lange

From: Jane Osborn
To: Public Comment; City Council; Gabriel Engeland
Cc: Jonathan Shores; Jane Osborn
Subject: Re: Followup/Update #2. Public Comment, June 28, 2022, Agenda Item #9, Wireless Ordinance
Date: Tuesday, June 28, 2022 6:43:24 PM

Dear Honorable Mayor, City Council Members and City Staff,

This is a followup to two previous public comments I submitted on June 13, 2022 (below) and on June 14, 2022 (below). I would like to add to my previous comments and also clarify oa couple of the previous comments.

1) Has the city council already considered whether or not to officially support the legislation introduced by Congresswoman Anna Eshoo (HR 530) or by Senator Diane Feinstein, (S 2012), that would restore local control related to wireless facilities? If not, would the council consider doing so?

I referenced this legislation in my initial letter written on June 13th, 2022, below. I have summarized it again for your convenience:

• **On January 14, 2019, HR530, was introduced by Congresswoman Anna Eshoo in the House of Representatives,** which garnered 52 co-sponsors, including Jackie Speier, who was the first representative to sign on as a co-sponsor. This bill seeks to preserve or restore local rights of state and city governments.

• **On June 27, 2019, a similar bill, S 2012, was introduced in the Senate by Senator Diane Feinstein.** This bill seeks to repeal the regulations adopted by the FCC that preempt local control related to installation of small wireless facilities. This bill is supported by the National League of Cities and the League of California Cities.

2) In my comments submitted on June 13, and June 14, 2022, I gave an example of a device that is used to determine safety of cell phones, i.e. the big plastic head known as SAM. I wanted to clarify that I was using this as an example of the low bar that the FCC and wireless industry use to determine safety standards for wireless technology, *in general.* There are many other references given by me and other residents in previous letters in regard to safety and health concerns involving other types of wireless facilities and other forms of wireless technology, which emit non-ionizing radiation, including cell towers and nodes of various sizes.

3) In my initial letter written on June 13, 2022, I made reference to a lawsuit against the FCC-- Environmental Health Trust, et. al. versus the FCC and USA (No 20-1025)--that was argued on 1/25/21 and decided on 8/13/21, in a US Court of Appeals, DC Circuit.

I included a summary of the finding in quotes. I had intended to reference the source I used for this statement. I wanted to clarify that this statement actually was in the Wireless Ordinance. I don't know who wrote this statement that I quoted, but they did a good job of summarizing the key points that were reflected in the majority opinion on this case, which is why I used it and put it in quotes:

The court found that the "...FCC had failed to provide a reasoned explanation for it's determination that it's existing radio frequency (RF) exposure regulations were adequate to ensure public safety in light of evidence presented to the FCC regarding health impacts posed by various technology developments since 1996, including the ubiquity of wireless devices and WiFi, and the emergence of 5G technology." (Wireless Ordinance)

The actual majority opinion was several pages long:

https://www.cadc.uscourts.gov/internet/opinions.nsf/FB976465BF00F8BD85258730004EFDF7/$file/20-1025-1910111.pdf

4) In my letter of June 14, 2022, I discussed the apparent fact that the wireless industry has a reputation for using intimidation and other bullying tactics against scientists doing legitimate research in the area of non-ionizing radiation in order to suppress any findings that might be unfavorable to the wireless industry, (Alsters). I had intended to mention one of the tactics that they use, which is to go after the researchers' sources of funding. In his book, Alsters provides some specific examples (Chapter 4). One of the examples involved a highly respected professor of electrical engineering and computer science, Dr. Om P. Gandhi. Apparently, members of the wireless industry tried to pressure him into misrepresenting or manipulating his research data and findings. When he refused to do this, they terminated his funding, which apparently had been provided by one of the wireless companies.

Thank you very much for your time and consideration.

Respectfully,
Jane Osborn

Resident of Los Altos

E. Jane Osborn, Ph.D. Nationally Certified School Psychologist, NCSP 24709. Licensed Educational Psychologist, LEP 1610. Cognitive and Developmental Psychology. [redacted]

On Tuesday, June 14, 2022, 6:44:54 PM PDT, Jane Osborn [redacted] wrote:

Dear Honorable Mayor and City Council Members,

This is a follow up to the public comments I submitted on June 13, 2022 (below). I would like to add to my previous comments, and also provide some additional reference:

ADDITIONAL COMMENTS:

• **You may be wondering why the FCC has been able to get away with being so negligent and not doing their "due diligence" with regard to setting their standards in 1996 and in regard to not reassessing and updating these outdated standards.**

It is a widely held belief that the FCC is a "Captured Agency," that has a long history of conflicts of interest. Captured agencies have been defined as being"....essentially controlled by the industries they are supposed to regulate."

It has been noted that "...the entire system is greased by the free flow of executive leadership between the FCC and the industries it presumably oversees." (Alster, Chapter 1) There are at least two recent examples of this. More recently, the FCC was headed by Ajit Pai, from January 2017 to January 2021. Mr. Pai previously was an attorney for Verizon. Apparently he was well known for being fiercely anti-regulatory, despite the fact that he was heading a supposedly regulatory agency. His predecessor was Tom Wheeler, who was appointed to head the FCC in 2013. Mr. Wheeler previously had headed two very powerful telecommunications industry lobbyist groups, the CTIA and the NCAA. Apparently the FCC long has had an open door policy for lobbyist, as opposed to scientists and other non-lobbyists (who typically would have to wait a couple of months to get an appointment). It is reported that industry lobbyists are "...at the FCC's door day and night." (Alster, Chapter 1) Apparently the industry boasts about the fact that it typically has about 500 meetings with the FCC per year. (Alster, Chapter 4)

• **The telecommunication industry does not have a good track record for being concerned about public health and safety.**

I gave one example of this in my public comments at the PC meeting held on March 17, 2022. Earlier this year, the FAA requested that the wireless carriers postpone their roll out of 5G, at least in areas near airports, due to concerns on the part of pilots and the FAA that the 5G transmissions might interfere with the safe operation of the altimeters on planes. Initially, Verizon and AT&T both refused this request. Eventually, they backed down and came to an agreement with the FAA.

The most sinister and consequential example of a lack of concern for public health and safety is the apparent, reported active suppression, discrediting or down-playing of legitimate scientific findings, and attempts to bully scientists. (Alster, Chapter 4) It has been reported that "...'war gaming' researchers who come up with unfavorable results have been persistent themes with this industry." (Alster, Chapter 4)

Also, it is well known that this industry uses "intimidation tactics," lawsuits and "bullying tactics," against cities and scientists (for example). It is reported that "This is a very rich industry that does not hesitate to outspend and out bully challengers into submission." (Alster, Chapter 4)

• In a previous comment, I made reference to the fact that a plastic mannequin's head has been used as a tool for testing safety of wireless devices (i.e. cell phones). I would like to provide some additional information. The plastic mannequin head is referred to as SAM--i.e. Specific Anthropomorphic Mannequin.

Apparently this device still is in use but has been highly criticized by many scientists due to the fact that it does not duplicate real world conditions of the head and brain. It is filled with a fluid that is supposed to duplicate average electrical properties of the head, and measure specific absorption rate of non-ionizing radiation. Scientists have pointed out that this process "... cannot indicate differential absorption of specific brain tissue, nor absorption in small children and smaller adults." (Gandhi, 2012). One criticism is that it does not duplicate tissue and organs of the head and brain, and does not represent the range of head and brain sizes that exists in the human population. The plastic head (SAM) is a "one size fits all" that was based on the size of a 220 pound man (which represents about 3% of the population)--since originally it was developed decades ago for use by the military with regard to military personnel using radar.

Scientists feel that this process vastly underestimates the real world Specific Absorption Rate (of non-ionizing radiation or SAR) in children and small women. It has been noted that "As head size decreases, the percentage of energy absorbed in the brain increases, so higher SAR in children's brains can be expected. (Gandhi, et. al. 2012).

For example, research done in 1996 with MRI scans in 5 and 8 year old children indicated that the specific absorption rate of non-ionizing radiation is 2 times higher in children compared to adults. (Gandi, et. al., 2012).

• **IN SUMMARY**, **in view of the FCC's apparent failure to protect public safety adequately, it seems ironical that according to the city's wireless team consultant, cities supposedly are not allowed to make a finding of negative declaration of environmental impact, including on the human environment, because the FCC has deemed that there is no environmental impact.**

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I would like to repeat my request that the city increase the distance between small wireless facilities. Even a 500 foot distance between devices would be safer and less deleterious than a 200 foot distance, and would appear to be more typical of what is seen in the ordinances of other cities that my husband and I have looked at.

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https://ethics harvard.edu/files/center-for-ethics/files/capturedagency_alster.pdf

• VERIZON AND AT&T DECLINE REGULATORS' REQUEST TO DELAY NEW 5G SERVICES; New York Times, January 2022

Verizon and AT&T Decline Regulators' Request to Delay New 5G Services

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Airline industry panic prompts AT&T and Verizon to back down on 5G, criticize FAA oversight

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• FCC and ICNIRP Limits Do Not Protect People of the Environment From Cell Phone Radiation Health Effects - Environmental Health Trust

Thank you very much for your time and consideration.

Respectfully,
Jane Osborn
Resident of Los Altos

E. Jane Osborn, Ph.D. Nationally Certified School Psychologist, NCSP 24709. Licensed Educational Psychologist, LEP 1610. Cognitive and Developmental Psychology. [redacted]

On Monday, June 13, 2022, 3:27:35 AM PDT, Jane Osborn [redacted] wrote:

Dear Honorable Mayor and City Council members,

At the May 10th, 2022 council meeting, I had the honor of being able to make a public comment. Below is a written transcript of my comments. In addition, I am making some further comments and providing a partial list of references.

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Written Transcript of public comment made to the City Council on May 10th, 2022, in regard to item #9, Wireless Ordinance:

"Honorable Mayor and Council,

Since the FCC has never produced adequate scientific evidence that these newer wireless technologies are safe, I urge the council to err on the side of caution, since resident's health and well being may be negatively impacted.

In particular, I would like to ask the council not to allow these facilities to be placed as close together as one every 200 feet. Please stick to the original proposal for a 1000 foot distance between facilities, including facilities from multiple carriers. No one residential block or street or neighborhood should have to endure or be inflicted with this high of a density--basically one in front of every 3 houses.

My husband and I and many other residents feel that no residents should have to serve as lab rats, and be enrolled in an experiment involuntarily, without their consent--in order for the cell carriers to make even more billions in profits every year.

I agree with Dr. Cindy Russell's assertion that the carriers have created a "manufactured" sense of need for the newer 5G technology. As a psychologist, I have recognized some of their tactics, such as using fear-based emotional manipulation to get people to think they absolutely have to have this latest technology--or they will be left behind.

For the benefit of members of the public who may be new to this issue, I would like to read a statement made by:

Joel Moskowitz, PhD, Director, Center for Family and Community Health, at the UC Berkeley, School of Public Health.

Dr. Moskowitz stated:

" We are guinea pigs in a massive technological experiment that threatens our health. Our government needs to determine what constitutes a safe level of long term exposure to wireless radiation and strengthen the FCC's radio frequency exposure guidelines. In the meantime, the government should impose a moratorium on technologies that increase our exposure to wireless radiation, especially new forms of wireless radiation like 5G cellphone radiation."

These were Dr. Moskowitz' concluding remarks to a presentation during which he discussed the apparent negative biological and health effects of wireless radiation.

Thank you."

.....

If there had been more time, I would have added this comment on May 10th:

I urge you to please take all the time you need to make these decisions. Once these facilities are placed, residents will have to suffer the negative consequences for several years, including possible negative effects on their health and well being.

ADDITIONAL COMMENTS:

There are indications that the FCC has not done their "due diligence," and has been negligent or derelict in their duty to protect the public health, possibly for decades.

• There appears to be a widely held belief that even back in 1996, the FCC did not provide adequate scientific evidence at the time to demonstrate that even the earlier technologies were safe, when they developed their standards for wireless technology. It has been reported that the FCC only considered thermal effects of wireless radiation, and only for short periods of time that did not duplicate "real life" conditions. Among other things, apparently, they did not consider the effects of non-thermal, non-ionizing radiation on the environment, including on the human environment, when they developed their standards for wireless technology in 1996. Furthermore, they did not consider the "real life" effects of "pulsing and modulation of the carrier signal."

Also, it has been reported that the FCC "cherry picked" their evidence; ignored or did not consider significant amounts of available scientific evidence, including evidence based on research done in other countries; and may have "suppressed" evidence. Apparently, they relied on experiments that did not even begin to duplicate "real world" or "real life" conditions. For example, in one of the worst examples, it has been reported that they relied on the results of a study in which a plastic

manniquin head was filled with salt water, and then a cell phone was held up to the plastic head for some period of time (which was not long or sustained) to see if this caused a raise in the temperature of the water inside the plastic head. Would you want to rely on a study with such crude methodology to determine that a technology is safe "in real life," or to determine safety standards?

• It appears the FCC also has ignored requests from government agencies, as well as from members of Congress and the Senate, to reassess their procedures and standards, or to provide evidence that wireless technologies are safe.

For example, in 2012, the Government Accounting Office (GAO) recommended that the FCC reassess their standards and procedures to reflect "real world" use of cell phones, and to be based on the latest scientific evidence. In 2013, the FCC then started an official inquiry into whether or not their wireless standards should be updated. Apparently, they opened a public comment period, during which it is reported that they immediately received thousands of pages of scientific evidence and received comments from at least 80 distinguished scientists from around the world expressing concerns. It is reported that shortly thereafter, the FCC then closed the comment period and terminated any further effort to re-assess or update their standards.

In December 2018, Congresswoman Anna Eshoo, Chair of the House Subcommittee on Health, and Senator Richard Blumenthal, wrote a formal letter requesting that the FCC provide scientific evidence that 5 G wireless technology is safe. Apparently, their request was ignored, and they never received the requested response.

• **A lawsuit against the FCC-- Environmental Health Trust, et. al. versus the FCC and USA (No 20-1025)--was argued on 1/25/21 and decided on 8/13/21, in a US Court of Appeals, DC Circuit. The court found that the "...FCC had failed to provide a reasoned explanation for it's determination that it's existing radio frequency (RF) exposure regulations were adequate to ensure public safety in light of evidence presented to the FCC regarding health impacts posed by various technology developments since 1996, including the ubiquity of wireless devices and WiFi, and the emergence of 5G technology."**

https://www.cadc.uscourts.gov/internet/opinions.nsf/FB976465BF00F8BD85258730004EFDF7/$file/20-1025-1910111.pdf

One implication of this decision is that presumably the FCC will be required to re-assess and update their wireless standards, based on scientific evidence.

A further implication of this court decision is that the FCC had not done it's due diligence, and appears to have been remiss or negligent in regard to their obligation to determine appropriate safety standards based on scientific evidence, and to protect the safety of the public.

There currently is legislation pending that would return more local control to cities and states over wireless facilities:

• On January 14, 2019, HR530, was introduced by Congresswoman Anna Eshoo in the House of Representatives, which garnered 52 co-sponsors, including Jackie Speier, who was the first representative to sign on as a co-sponsor. This bill seeks to preserve or restore local rights of state and city governments.

• On June 27, 2019, a similar bill, S.2012, was introduced in the Senate by Senator Diane Feinstein. This bill seeks to repeal the regulations adopted by the FCC that preempt local control related to installation of small wireless facilities. This bill is supported by the National League of Cities and the League of California Cities.

REFERENCES (Partial List):

• THE LARGEST UNETHICAL MEDICAL EXPERIMENT IN HUMAN HISTORY, Ronald N. Kostoff, Ph.D., Research Affiliate, School of Public Policy, Georgia Institute of Technology, copyright 2020.

https://smartech.gatech.edu/bitstream/handle/1853/62452/LARGEST_UNETHICAL_MEDICAL_EXPERIMENT_FINAL.pdf

I stumbled on this massive, comprehensive review three days after I made my comments to the council on May 10th, 2022. It is very apropos with regard to my concern that we are lab rats in an experiment to which we never gave informed consent. Among other things, this article provides a very comprehensive look at staggering amounts of research that show negative biological and health effects from wireless radiation. The author provides hundreds of pages of research titles, organized into themes, as well as hundreds of pages of references.

• CELLPHONES, CELL TOWERS, AND WIRELESS SAFETY; Joel Moskowitz, PhD, Director, Center for Family and Community Health, School of Public Health, U. C. Berkeley; Presentation given on February 27, 2019.

https://uhs.berkeley.edu/sites/default/files/cellphonescelltowerswirelesssafety.pdf

• 5G AND THE FCC: 10 REASONS WHY YOU SHOULD CARE, Sharon Buccino. Attorney and Senior Director for

Natural Resources Defense Council (NRDC), Feb. 13, 2019.

https://protectnepa.org/5g-fcc-wireless/

- 5G COMING TO YOUR NEIGHBORHOOD, Sharon Buccino, NRDC, June 10, 2020.

https://www nrdc.org/experts/sharon-buccino/5g-coming-your-neighborhood

- https://www.actu-environnement.com/media/pdf/news-29640-appel-scientifiques-5g.pdf

- https://www.cadc.uscourts.gov/internet/opinions nsf/FB976465BF00F8BD85258730004EFDF7/$file/20-1025-1910111.pdf

• CONGRESSWOMEN ESHOO AND SPEIER INTRODUCE HR 539 TO BLOCK FCC CELL TOWER PREEMPTION: Physicians for Safe Technology, January 22, 2019.

https://mdsafetech.org/2019/01/22/congresswomen-eshoo-and-speier-introduce-hr-530-to-block-fcc-cell-tower-preemption/

Thank you very much for your consideration.

Respectfully,
Jane Osborn
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E. Jane Osborn, Ph.D. Nationally Certified School Psychologist, NCSP 24709. Licensed Educational Psychologist, LEP 1610. Cognitive and Developmental Psychology. Cell: 650-346-6390. Land Line: 650-967-5167 (Preferred Option)

From: Jane Osborn
To: Public Comment; City Council; Gabriel Engeland
Cc: Jonathan Shores; Jane Osborn
Subject: Re: Followup/Update #2. Public Comment, June 28, 2022, Agenda Item #9, Wireless Ordinance
Date: Tuesday, June 28, 2022 6:43:24 PM

Dear Honorable Mayor, City Council Members and City Staff,

This is a followup to two previous public comments I submitted on June 13, 2022 (below) and on June 14, 2022 (below). I would like to add to my previous comments and also clarify oa couple of the previous comments.

1) Has the city council already considered whether or not to officially support the legislation introduced by Congresswoman Anna Eshoo (HR 530) or by Senator Diane Feinstein, (S 2012), that would restore local control related to wireless facilities? If not, would the council consider doing so?

I referenced this legislation in my initial letter written on June 13th, 2022, below. I have summarized it again for your convenience:

• **On January 14, 2019, HR530, was introduced by Congresswoman Anna Eshoo in the House of Representatives,** which garnered 52 co-sponsors, including Jackie Speier, who was the first representative to sign on as a co-sponsor. This bill seeks to preserve or restore local rights of state and city governments.

• **On June 27, 2019, a similar bill, S 2012, was introduced in the Senate by Senator Diane Feinstein.** This bill seeks to repeal the regulations adopted by the FCC that preempt local control related to installation of small wireless facilities. This bill is supported by the National League of Cities and the League of California Cities.

2) In my comments submitted on June 13, and June 14, 2022, I gave an example of a device that is used to determine safety of cell phones, i.e. the big plastic head known as SAM. I wanted to clarify that I was using this as an example of the low bar that the FCC and wireless industry use to determine safety standards for wireless technology, *in general.* There are many other references given by me and other residents in previous letters in regard to safety and health concerns involving other types of wireless facilities and other forms of wireless technology, which emit non-ionizing radiation, including cell towers and nodes of various sizes.

3) In my initial letter written on June 13, 2022, I made reference to a lawsuit against the FCC-- Environmental Health Trust, et. al. versus the FCC and USA (No 20-1025)--that was argued on 1/25/21 and decided on 8/13/21, in a US Court of Appeals, DC Circuit.

I included a summary of the finding in quotes. I had intended to reference the source I used for this statement. I wanted to clarify that this statement actually was in the Wireless Ordinance. I don't know who wrote this statement that I quoted, but they did a good job of summarizing the key points that were reflected in the majority opinion on this case, which is why I used it and put it in quotes:

The court found that the "...FCC had failed to provide a reasoned explanation for it's determination that it's existing radio frequency (RF) exposure regulations were adequate to ensure public safety in light of evidence presented to the FCC regarding health impacts posed by various technology developments since 1996, including the ubiquity of wireless devices and WiFi, and the emergence of 5G technology." (Wireless Ordinance)

The actual majority opinion was several pages long:

https://www.cadc.uscourts.gov/internet/opinions.nsf/FB976465BF00F8BD85258730004EFDF7/$file/20-1025-1910111.pdf

4) In my letter of June 14, 2022, I discussed the apparent fact that the wireless industry has a reputation for using intimidation and other bullying tactics against scientists doing legitimate research in the area of non-ionizing radiation in order to suppress any findings that might be unfavorable to the wireless industry, (Alsters). I had intended to mention one of the tactics that they use, which is to go after the researchers' sources of funding. In his book, Alsters provides some specific examples (Chapter 4). One of the examples involved a highly respected professor of electrical engineering and computer science, Dr. Om P. Gandhi. Apparently, members of the wireless industry tried to pressure him into misrepresenting or manipulating his research data and findings. When he refused to do this, they terminated his funding, which apparently had been provided by one of the wireless companies.

Thank you very much for your time and consideration.

Respectfully,
Jane Osborn

Resident of Los Altos

E. Jane Osborn, Ph.D. Nationally Certified School Psychologist, NCSP 24709. Licensed Educational Psychologist, LEP 1610. Cognitive and Developmental Psychology. [redacted]

On Tuesday, June 14, 2022, 6:44:54 PM PDT, Jane Osborn <janeosborn@sbcglobal.net> wrote:

Dear Honorable Mayor and City Council Members,

This is a follow up to the public comments I submitted on June 13, 2022 (below). I would like to add to my previous comments, and also provide some additional reference:

ADDITIONAL COMMENTS:

• **You may be wondering why the FCC has been able to get away with being so negligent and not doing their "due diligence" with regard to setting their standards in 1996 and in regard to not reassessing and updating these outdated standards.**

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It has been noted that "...the entire system is greased by the free flow of executive leadership between the FCC and the industries it presumably oversees." (Alster, Chapter 1) There are at least two recent examples of this. More recently, the FCC was headed by Ajit Pai, from January 2017 to January 2021. Mr. Pai previously was an attorney for Verizon. Apparently he was well known for being fiercely anti-regulatory, despite the fact that he was heading a supposedly regulatory agency. His predecessor was Tom Wheeler, who was appointed to head the FCC in 2013. Mr. Wheeler previously had headed two very powerful telecommunications industry lobbyist groups, the CTIA and the NCAA. Apparently the FCC long has had an open door policy for lobbyist, as opposed to scientists and other non-lobbyists (who typically would have to wait a couple of months to get an appointment). It is reported that industry lobbyists are "...at the FCC's door day and night." (Alster, Chapter 1) Apparently the industry boasts about the fact that it typically has about 500 meetings with the FCC per year. (Alster, Chapter 4)

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I gave one example of this in my public comments at the PC meeting held on March 17, 2022. Earlier this year, the FAA requested that the wireless carriers postpone their roll out of 5G, at least in areas near airports, due to concerns on the part of pilots and the FAA that the 5G transmissions might interfere with the safe operation of the altimeters on planes. Initially, Verizon and AT&T both refused this request. Eventually, they backed down and came to an agreement with the FAA.

The most sinister and consequential example of a lack of concern for public health and safety is the apparent, reported active suppression, discrediting or down-playing of legitimate scientific findings, and attempts to bully scientists. (Alster, Chapter 4) It has been reported that "...'war gaming' researchers who come up with unfavorable results have been persistent themes with this industry." (Alster, Chapter 4)

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There are indications that the FCC has not done their "due diligence," and has been negligent or derelict in their duty to protect the public health, possibly for decades.

• There appears to be a widely held belief that even back in 1996, the FCC did not provide adequate scientific evidence at the time to demonstrate that even the earlier technologies were safe, when they developed their standards for wireless technology. It has been reported that the FCC only considered thermal effects of wireless radiation, and only for short periods of time that did not duplicate "real life" conditions. Among other things, apparently, they did not consider the effects of non-thermal, non-ionizing radiation on the environment, including on the human environment, when they developed their standards for wireless technology in 1996. Furthermore, they did not consider the "real life" effects of "pulsing and modulation of the carrier signal."

Also, it has been reported that the FCC "cherry picked" their evidence; ignored or did not consider significant amounts of available scientific evidence, including evidence based on research done in other countries; and may have "suppressed" evidence. Apparently, they relied on experiments that did not even begin to duplicate "real world" or "real life" conditions. For example, in one of the worst examples, it has been reported that they relied on the results of a study in which a plastic

manniquin head was filled with salt water, and then a cell phone was held up to the plastic head for some period of time (which was not long or sustained) to see if this caused a raise in the temperature of the water inside the plastic head. Would you want to rely on a study with such crude methodology to determine that a technology is safe "in real life," or to determine safety standards?

• It appears the FCC also has ignored requests from government agencies, as well as from members of Congress and the Senate, to reassess their procedures and standards, or to provide evidence that wireless technologies are safe.

For example, in 2012, the Government Accounting Office (GAO) recommended that the FCC reassess their standards and procedures to reflect "real world" use of cell phones, and to be based on the latest scientific evidence. In 2013, the FCC then started an official inquiry into whether or not their wireless standards should be updated. Apparently, they opened a public comment period, during which it is reported that they immediately received thousands of pages of scientific evidence and received comments from at least 80 distinguished scientists from around the world expressing concerns. It is reported that shortly thereafter, the FCC then closed the comment period and terminated any further effort to re-assess or update their standards.

In December 2018, Congresswoman Anna Eshoo, Chair of the House Subcommittee on Health, and Senator Richard Blumenthal, wrote a formal letter requesting that the FCC provide scientific evidence that 5 G wireless technology is safe. Apparently, their request was ignored, and they never received the requested response.

• **A lawsuit against the FCC-- Environmental Health Trust, et. al. versus the FCC and USA (No 20-1025)--was argued on 1/25/21 and decided on 8/13/21, in a US Court of Appeals, DC Circuit. The court found that the "...FCC had failed to provide a reasoned explanation for it's determination that it's existing radio frequency (RF) exposure regulations were adequate to ensure public safety in light of evidence presented to the FCC regarding health impacts posed by various technology developments since 1996, including the ubiquity of wireless devices and WiFi, and the emergence of 5G technology."**

https://www.cadc.uscourts.gov/internet/opinions.nsf/FB976465BF00F8BD85258730004EFDF7/$file/20-1025-1910111.pdf

One implication of this decision is that presumably the FCC will be required to re-assess and update their wireless standards, based on scientific evidence.

A further implication of this court decision is that the FCC had not done it's due diligence, and appears to have been remiss or negligent in regard to their obligation to determine appropriate safety standards based on scientific evidence, and to protect the safety of the public.

There currently is legislation pending that would return more local control to cities and states over wireless facilities:

• On January 14, 2019, HR530, was introduced by Congresswoman Anna Eshoo in the House of Representatives, which garnered 52 co-sponsors, including Jackie Speier, who was the first representative to sign on as a co-sponsor. This bill seeks to preserve or restore local rights of state and city governments.

• On June 27, 2019, a similar bill, S.2012, was introduced in the Senate by Senator Diane Feinstein. This bill seeks to repeal the regulations adopted by the FCC that preempt local control related to installation of small wireless facilities. This bill is supported by the National League of Cities and the League of California Cities.

REFERENCES (Partial List):

• THE LARGEST UNETHICAL MEDICAL EXPERIMENT IN HUMAN HISTORY, Ronald N. Kostoff, Ph.D., Research Affiliate, School of Public Policy, Georgia Institute of Technology, copyright 2020.

https://smartech.gatech.edu/bitstream/handle/1853/62452/LARGEST_UNETHICAL_MEDICAL_EXPERIMENT_FINAL.pdf

I stumbled on this massive, comprehensive review three days after I made my comments to the council on May 10th, 2022. It is very apropos with regard to my concern that we are lab rats in an experiment to which we never gave informed consent. Among other things, this article provides a very comprehensive look at staggering amounts of research that show negative biological and health effects from wireless radiation. The author provides hundreds of pages of research titles, organized into themes, as well as hundreds of pages of references.

• CELLPHONES, CELL TOWERS, AND WIRELESS SAFETY; Joel Moskowitz, PhD, Director, Center for Family and Community Health, School of Public Health, U. C. Berkeley; Presentation given on February 27, 2019.

https://uhs.berkeley.edu/sites/default/files/cellphonescelltowerswirelesssafety.pdf

• 5G AND THE FCC: 10 REASONS WHY YOU SHOULD CARE, Sharon Buccino. Attorney and Senior Director for

Natural Resources Defense Council (NRDC), Feb. 13, 2019.

https://protectnepa.org/5g-fcc-wireless/

- 5G COMING TO YOUR NEIGHBORHOOD, Sharon Buccino, NRDC, June 10, 2020.

https://www.nrdc.org/experts/sharon-buccino/5g-coming-your-neighborhood

- https://www.actu-environnement.com/media/pdf/news-29640-appel-scientifiques-5g.pdf

- https://www.cadc.uscourts.gov/internet/opinions.nsf/FB976465BF00F8BD85258730004EFDF7/$file/20-1025-1910111.pdf

• CONGRESSWOMEN ESHOO AND SPEIER INTRODUCE HR 539 TO BLOCK FCC CELL TOWER PREEMPTION: Physicians for Safe Technology, January 22, 2019.

https://mdsafetech.org/2019/01/22/congresswomen-eshoo-and-speier-introduce-hr-530-to-block-fcc-cell-tower-preemption/

Thank you very much for your consideration.

Respectfully,
Jane Osborn
Resident of Los Altos

E. Jane Osborn, Ph.D. Nationally Certified School Psychologist, NCSP 24709. Licensed Educational Psychologist, LEP 1610. Cognitive and Developmental Psychology. [redacted]

From: Gabriel Engeland
To: Public Comment
Subject: Fw: wireless utility infrastructure
Date: Wednesday, June 29, 2022 7:26:10 PM

Thanks,

Gabe

Gabriel Engeland
City Manager
City of Los Altos
(650) 947-2740 | www.losaltosca.gov

From: David Roode [redacted]t>
Sent: Wednesday, June 29, 2022 6:07 PM
To: City Council <council@losaltosca.gov>
Subject: wireless utility infrastructure

I have been amazed over the time that the so called "5G" concerns have been discussed by the council that there has been so little accurate context as to what is going on by the various potential applicants. The installations that were held up were in fact for 4G/LTE service, as opposed to 5G. They were undoubtedly held up, but this was only 1 site for Verizon. For AT&T the distributed installations that were held up were for 12 sites. AT&T has an existing distributed installation in Los Altos (1 in Mountain View) for 4 sites but these operate in concert to effectively constitute a single area of service. AT&T also has a set of these involving 4 sites in Los Altos Hills not far from downtown Los Altos. All 8 AT&T pole sites have been in use for quite a while now.

Meanwhile, T-mobile has proceeded to prepare several different locations that are actually likely intended for 5G service--but not primarily for cell phones, but instead for home internet service. These sites are visible at multiple locations along El Monte for at least one branch of new network service. What T-mobile installed involved underground horizontally bored fiber installation connecting several new underground equipment vaults located in the public right of way along the road.

None of the discussions of the past seem to consider the issue of locating equipment where it is potentially quieter, as in below the ground, buried. Of course, there has to be an above ground antenna too, but this makes no noise at all.

For that reason, it seems to me that what has been considered is too restrictive and also not general enough to match the true installations that can be expected in the future.

Besides Tmobile's new installations for 5G it appears that they and their acquisition Sprint have also installed a number of

older cell service sites that are completely undetected by community members. This means they are non intrusive, which is a good thing, compared to the noisier sites from AT&T. How does the proposed ordinance distinguish between the 2 cases--noisey and not noisey?

1 North San Antonio Road
Los Altos, California 94022-3087

M E M O R A N D U M

DATE: 6/28/22

TO: Council

FROM: Youth Commission Interview Committee

SUBJECT: YOUTH COMMISSION APPOINTMENT FY 22/23

The Youth Commission Interview Committee, composed of Mayor Anita Enander and Council Member Jonathan Weinberg, recommends the following students be appointed for the terms shown.

Incoming school year and school shown for each. * indicates incumbent recommended for re-appointment. The 1-year appointment will restore a balance of year-ends so that 5 terms end in 2023 and 6 terms end in 2024.

1-year term:
Boladale Erogbobo* (12, St. Francis)

2-year terms:
Aarthi Venkatraman* (11, LAHS)
Sander Vonk* (11, MVHS)
Caroline (Pixie) Ma* (11, MVHS)
Humza Dalal (10, Homestead)
Serina Cao (11, LAHS)
Talinn Hatti (10, Nueva)

The following students have one more year on their current terms:
Lauren Jene (Castilleja)
Juliana Stueve (MVHS)
Rohan Parikh (Homestead)
Hanna Mills (LAHS)

CALENDAR

AGENDA REPORT SUMMARY

Meeting Date: June 28, 2022

Subject Consider approval of Proposed Four-Story Multiple-Family Residential Project at 355,365,371,373 First Street; adopt mitigated negative declaration for project

Prepared by: Sean K. Gallegos, Senior Planner
Reviewed by: Nick Zornes, Community Development Director
Approved by: Gabriel Engeland, City Manager

Attachment(s):
1. Resolution No. 2022-XXX
2. City Council Minutes, February 8, 2022
3. City Council Agenda Report and Attachments, February 8, 2022
4. Table with Responses to City Council Comments
5. Applicant Cover Letter
6. Updated Full Project Plans

Initiated by:
Applicant, 355 1st St LLC

Previous Council Consideration:
None

Fiscal Impact:
The project will result in the following estimated financial contributions to the City's special revenue funds:

- Park in-Lieu Fees: $195,200 ($48,800/multiple-family dwelling unit)
- Traffic Impact Fees: $16,636 ($4,159/multiple-family dwelling unit)
- Los Altos Public Art Fund: one percent of construction costs, up to $200,000

Environmental Review:
On November 2, 2021, a Notice of Intent to Adopt a Mitigated Negative Declaration was filed with the County Clerk for a twenty (20) day comment period. No comments were received for this project and the environmental document indicates that the proposed project has the potential to result in significant adverse environmental impacts. However, the mitigation measures identified in the initial study would reduce the impacts to a less than significant level. There is no substantial

evidence, in light of the whole record before the lead agency (the City of Los Altos) that the project, with mitigation measures incorporated, may have a significant effect on the environment. Please review Attachment 6 (Mitigated Negative Declaration) in the Joint Planning/Complete Streets Commission Agenda Report (Attachment 3) for further details.

Policy Question(s) for Council Consideration:

Does the proposal meet the required findings for design review and subdivision per the Los Altos Municipal Code?

Summary:

- The Project includes the demolition of six existing commercial buildings and one existing single-family residence, and the construction of a new four-story multiple-family building with 50 condominium units, two levels of underground parking with 113 parking spaces, 34 interior bicycle parking spaces, and a private rooftop area.
- The Project will replace the existing sidewalk along First Street and Whitney Street and will be required to add two new ADA ramps and crosswalk striping per the City standards on the northeast and southeast corner of the intersection with First Street and Whitney Street.
- The Project proposes seven (7) dedicated below market rate units with three (3) at the moderate-income level and three (3) at the very low-income level. Since the project is providing 8% of the units at the very low-income level, it qualifies for one (1) density bonus concession / incentive.
- The Project was reviewed by the Complete Streets and Planning Commissions. The Complete Streets Commission and the Planning Commission recommended approval with specific modifications.

Planning Commission Recommendation:

Move to approve Resolution No. 2022-____ which:

1. Adopts the Initial Study, Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program; and
2. Approves Design Review application D21-0003 and Subdivision application TM21-0001 for a new 50-unit multiple-family development at 355 First Street.

Subject: Proposed Four-Story Multiple-Family Residential Project at 355 First Street

Purpose

Consider the recommendation from the Planning Commission and Complete Streets Commission and evaluate whether the project complies with the Los Altos Municipal Code requirements for design review and tentative subdivision map approval and furthers the City's efforts of providing for the production of housing, as reflected in the Goals, Policies, and Programs of the Housing Element and other elements in the Los Altos General Plan.

Background

On February 8, 2022, the City Council held a public meeting to consider the proposed Project. Following a presentation from the applicant and comments from members of the public, the Council discussed the proposal. The City Council voted unanimously to continue the item and gave direction to explore the following:

1. Recommends the creation of a subcommittee of the Planning Commission to work through the Commission's recommendation. After subcommittee work is done, it will be returned to Council.
2. Supports the waiver to allow for a building height to allow the elevator to be 17 feet six inches when the code prohibits roof top structures taller than 12 feet in height.
3. On the roof deck, the second density bonus request relies on the roof deck. Without the roof deck, we would not have the second waiver request for the elevator shaft. The council member has not made a decision whether to support the granting of the waiver.
4. Concerns with second waiver for rooftop, if the building could have been setback more and create more area for open space.
5. A reevaluation of floor heights (I think meant plate height) should be considered.
6. Supports a waiver for the off-street parking space width to be reduced from nine feet to 8.5 feet for twelve parking spaces.
7. The applicant and architect advised the focal point of the building is first and Whitney, we are not convinced it should be the focal point. This building is right at the crossroads of entry points into the city, if you're entering from San Antonio Road or First Street, the building is very drab and unappealing. The building should more attractive and welcoming, such as is the corner of Whitney Street and First Street is currently.
8. The overall mass and bulk needs to be addressed. When you look at the building and consider that First Street is not a wide street, we need to work on articulation and setback to make it more appealing. (NF). The building is bulky and massive, and it doesn't look like it belongs in Los Altos or on First Street (AE).
9. In other buildings approved, where we had an all residential. We had a significant or different design difference or variation at third and fourth floor to bring down human or

pedestrian scale. We do not have this with the proposed building design, instead, it is highly vertical and a uniform look. It has the appearance of a “Lego building," like it’s built with Lego blocks.

10. In regard to bulk and mass, some of the banding that is used and the composite wood siding that wraps around Whitney Street and First Street at the first and second story has the effect of making the entire building look like one block or mass, irrespective of the subtle differentiation in setback or articulation, it is undone by the material and mass.
11. The floors are all the same. While the building is built out at the upper stories to provide depth to create the perception of setting back the third and fourth floor, when in fact there isn't really any setback along the floors. That has to get better.
12. The building design should have vertical elements at the property line or at an easement.
13. The building appears to be least pleasant of all the buildings approved on First Street.
14. The building design is uninviting.
15. The entrance is not at the pedestrian scale with the entrance awning well up at the second story. It would be the only property on the street with such a high or tall entrance. Furthermore, the entrance is very sterile in appearance.
16. Recommends staff look at all the examples that were in the downtown building committee report, which was adopted in total by the Council. The report provides examples for First Street, which stated "Do this, Not That". She encourages the applicant to review the examples in the report for the kinds of entrances that should occur on First Street that would make the entries warm, inviting, village-like, and make it Los Altos.
17. The parapets add to the height, and they call attention to the height of the building.
18. The eave projections add to feelings of mass.
19. The courtyard is not an amenity, and it is not a Zen space. The space is going to be rather noisy and dark, and it appears very tomb-like.
20. Supports improving the courtyard and is puzzled by it. It didn't appear to be a useful space.
21. The windows appear industrial, and they should complement the residential (multi-family building)
22. The windows go in a column up, and the entire look of the building is uniform. It does not have the kind of articulation and differences as we envisioned with 50-foot/75-foot modules on First Street.
23. Does not support the glass railing (JW). Questions whether the material is appropriate (NF). The glass is a safety hazard for wildlife (LLE). The balconies, we need to lose the glass. It doesn't belong (AE).
24. In regard to the roof amenity, there are two perspectives: 1) If we go back to our general plan, it states the FAR should be no greater than 2.0:1.0. the proposed project is almost 3.0: 1.0, the reason there isn't a place for people to play is the applicant has packed and

stacked the units as densely as possible. while she appreciates and agrees we add housing, the applicant has made a decision to add some two bedroom and three-bedroom units, which means the building is maxed out the space for the building. As a result, you are left with the light well (she is worried about it).

25. A lesson learned from 100 First Street, a planter wall proposed immediately adjacent to the sidewalk has the effect of reducing the size of the sidewalk and for that reason the Council has insisted that other buildings on First Street not have a vertical element immediately at the edge of the sidewalk, at the property line, or at an easement. There needs to be landscaping between a sidewalk and a planter to soften the appearance and create an inviting pedestrian appearance.
26. The City has a long-standing practice to distribute the below market-rate units equitably, and the current proposal does not appear to equitably distribute the below market rate units throughout the building.
27. The Below Market Rate Unit should not be adjacent to the designated trash pickup area.
28. Supports increasing the number of below market rate units.
29. Can we have a requirement for the below market rate units to be held in perpetuity, and have it revert to a certain number of years.
30. In reviewing the law, it was found that the State Density Bonus law states that if a waiver will preclude the construction of the density proposed for the project…? We do need some very clear direction on when there is an optional amenity that does not otherwise impact the number of units or size of units being proposed. What are the parameters that allow us to deny, or if we must approve a waiver for the amenity?
31. Supports the incorporation of charging for electric bicycles at each bicycle locker. Electric bicycles are a key component of the Climate Action and Adaption Plan.
32. Supports the addition of more electric vehicle charging stations. The project shall indicate the type of EV chargers for each space. Recommends level 2 electric vehicle charging stations for each unit.
33. A materials board with physical materials shall be provided for the project.

Discussion/Analysis

Project Revisions

The Applicant has provided a revised plan set that incorporate changes based on comments provided at the February 8, 2022, City Council meeting. Staff has provided a table (Attachment 4) outlining the City Council comments from February 8, 2022, and the responses from the City Attorney, staff and the applicant regarding City Council comments.

A cover letter has been submitted by the Applicant is included in Attachment, which explains the design revisions that were made to address the Commission's concerns. The revised design plans are included in Attachment 6.

Downtown Vision Plan

The Downtown Vision Plan (Vision) 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 the next 20 years. The Vision acts as the guiding document for future development of the Downtown, maintaining the community's history, values, and desired intensity of development, while also allowing for incremental change intended to facilitate a unique, vibrant village that exemplifies the exceptional character and qualities of Los Altos.

As it relates to the proposed project, the Vision provides guidance with regards to land use policies including economic and housing, built environment/development standards, and circulation. The proposed project is within the First Street District which is envisioned to have a variety of uses with enhanced pedestrian and vehicular facilities to attract people towards the Downtown center. It encourages new development to anticipate and design for mixed-use development with ground-floor commercial including high quality façades with residential above. Residences in the downtown will likely be supportive of increasing affordable units in Los Altos by either directly providing income restricted or units that are more affordable by design (i.e., smaller units). With regards to the built environment, the Vision allows for taller buildings up to three-stories but encourages upper floors to be stepped back to increase the articulation and massing of the upper story. The Vision identifies pedestrian and bicycle facilities as a key attribute of the Downtown and the community's expressed concern for further improvements. The First Street corridor was specifically identified as having opportunities to improve the pedestrian, bicycle, and vehicular movements to facilitate movements in the Downtown.

The proposed Project supports the overall goals of the Vision since it seeks to redevelop the site and provide for more intense residential density, which is anticipated and encouraged in the Downtown. The Project will include replacing the commercial office space with a 50-unit four-story multiple-family development, with the one-, two- and three-bedroom units being more affordable by design. The Project is seeking a height incentive to allow a 46-foot height, which would require the project to exceed the maximum height limit of 35 feet by 11 feet (on-menu). Along the first to third floor, the building elevations along Whitney Street and First Street were shifted outward to create a more visual step-back of the upper floor. The Project will improve the visual appearance of the site by removing the older commercial buildings, the wider sidewalk, installing a variety of front yard landscaping, and providing for visually appealing architectural detailing including a variety of exterior materials and the awning over the building entrance. The Applicant proposes to install bicycle parking in front of the building, which is quite limited along the existing street corridor, but improving with each new recently approved development.

Subject: Proposed Four-Story Multiple-Family Residential Project at 355 First Street

Design Review Findings and Guidelines

To approve the Project, the City Council must make positive design review findings as outlined in Section 14.78.060 of the Municipal Code (see the Resolution in Attachment 1). In addition to complying with the standard design review findings, the Project must address the CD/R3 District's Design Controls (Section 14.52.110).

Overall, the Project reflects a desired and appropriate development intensity for the CD/R3 District and within the First Street District as outlined in the General Plan and the Downtown Vision. The multiple-family development provides for one, two- and three-bedroom market-rate housing units that are more affordable by design as compared to single-family housing that is the predominant housing type in Los Altos and will contribute to the commercial vitality of the Downtown. The new building will improve the streetscape and has incorporated design elements that support the residential use.

The revised architectural design uses a variety of elements to break up the bulk of the structure including building articulation, segmentation, balconies, and a mix of exterior materials. Overall, as evidenced in this discussion, and as further supported by the findings contained in the resolution (Attachment 1), the project meets the City's required design review findings and zoning district design controls. That being said, after the City Council considered the design at their February 8, 2022 meeting, they recommended specific design elements to address, which is further described in the attached table (Attachment 4) and in the section that follows.

The revised proposal improved the building's architectural integrity and relationship with a more village scale and character found in the immediate area in terms of height, bulk and design. The elevations along First Street and Whitney Avenue were modified with new two-story wall planes stepping forward with trespa meteon siding to improve its cohesiveness with the overall building and deemphasize the focal point of the corner and keep focal elements small in scale.

The building design breaks up the larger "block-like" façade by incorporating greater articulation and increased segmentation with smaller vertical elements, the introduction of full height recesses, increased step back at the fourth floor, and variation in color and materials. The fourth-floor step back was achieved by first through third floor wall planes being moved forward to improve the step-back of the fourth floor.

The building entrance is clearly identifiable, but the entry is not consistent with a smaller scale and village character. The applicant revised the entry to improve the pedestrian scale of the entrance by modifying the size of the window system. However, the entry continues to have an out-scale appearance due to the proportion of the windows and 1.5-story awning height emphasizing a greater scale, which does not reinforce the pedestrian scale of the entry. The City Council can condition the design of the entry in a manner that does not deny the project or reduce the density but improves the pedestrian scale of the entry.

The patio spaces at the lower-level step in and out and have cantilevered elements above that provide a sense of habitation as well as relating to human scale at the ground level. The second level balconies are recessed into the façade to provide a covered outdoor space while the upper balconies step back to break up the building massing with depth and a material change.

The exterior materials and finishes convey high quality, integrity, permanence and durability, and materials are used effectively to define building elements. The exterior materials for this project reflect not only the architectural style of the building, but high-quality durable materials as well. A clean lined modern stone veneer is used at the planter elements to define the base of the building. The horizontal siding material layered with the panels defines a base and creates a layered effect to break down the building mass. These materials along with the selected color palette provide a rich street presence that is harmonious with surrounding buildings both old and new. A materials board is provided as Attachment No. 5, and a physical materials board is available for review at City Hall.

The landscape plan was not altered in the revised plan and continues to appear generous and inviting. The building along First Street has been set back a minimum of 10 feet from the property line providing a constant band of landscape planters integrated into the front of the building. In addition to this landscape buffer, there are street trees planted at regular intervals within the City right of way to provide a shaded pedestrian experience as people walk towards downtown. The maximum amount of landscaping is provided with a layering of planter wall heights. Bike racks and benches are provided. Street trees are proposed on First Street and the Alley. The existing street trees on Whitney Street are proposed to remain.

As recommended by the VTA guidelines, the project will be required to provide a minimum of one Class I (bike locker) space must be provided for every 3 units and one Class II (bicycle rack) space must be provided for every 15 units. This equates to 17 Class I spaces and 4 Class II spaces. The applicant increased the number of Class I spaces from 34 to 65 spaces, with 6 Class II spaces, exceeding the standards. See sheet T2, A07 and A10 of the submitted plans for details.

The Downtown Design Guidelines (adopted December 8, 2009) and the more recently adopted Downtown Vision Plan provide additional criteria and guidelines for new development to ensure that high quality materials are utilized, appropriate scales and massing are incorporated, and overarching Downtown characteristics are preserved and maintained. An architectural peer review report, which includes a summary of the Downtown Design Guidelines for the First Street District and a critique of the architectural design, was completed for the project is shown as Attachment 5 in the Complete Streets Commission/Planning Commission Agenda report (Attachment 3). Based on City Council comments, the Applicant chose to revise the design based on the architectural peer review report as conveyed in Table 1 below.

Subject: Proposed Four-Story Multiple-Family Residential Project at 355 First Street

Table 1: Peer Review Summary

Third Party Review	Project Modification
Set back the fourth floor	The fourth-floor step back was achieved by first through third floor wall planes being moved forward to improve the step-back of the fourth floor. Balconies step back the fourth floor. The wall planes are varied at the fourth floor to pull it back from the third floor.
Enhance the ground floor	The revised proposal improved the building's architectural integrity and relationship with a more village scale and character found in the immediate area in terms of height, bulk and design. The elevations along First Street and Whitney Avenue were modified with new two-story wall planes stepping forward with trespa meteon siding to improve its cohesiveness with the overall building and deemphasize the focal point of the corner and keep focal elements small in scale at the lower floors. The project provides new sidewalk along First Street and Whitney Street with street trees, benches, bicycle racks, and extensive landscape planters, all of which contributes to an enjoyable walking experience for people headed downtown. Landscape design has extensive landscape planters along First Street enriching the 10-foot setback / buffer zone between the sidewalk and the building. Planters were stepped to provide a softer, human-scale, residential look.
Modify the corners and trellis of the building	The elevations along First Street and Whitney Avenue were modified with new two-story wall planes stepping forward with trespa meteon siding to improve its cohesiveness with the overall building and deemphasize the focal point of the corner and keep focal elements small in scale at the lower floors. The revised design breaks up the larger "block-like" façade by incorporating greater articulation and increased segmentation with smaller vertical elements, the introduction of full height recesses, increased step back at the fourth floor, and variation in color and materials. The windows were revised to be symmetrical and more residential as to address the City Council comment.

Subject: Proposed Four-Story Multiple-Family Residential Project at 355 First Street

Third Party Review	Project Modification
Garage Entries-the currently proposed façades related to the garage entry would benefit from some additional design attention	The garage entry element has been integrated into the design composition of the rear elevation to minimize it as a focal point. Wood cladding added to stair tower to accentuate and draw attention to the vertical circulation of the building.

Condition No. 19 has been added due to the entrance not being at the pedestrian scale with the entrance awning well up at the second story. The condition is provided below:

> Condition No. 19: The applicant shall work with the Community Development Director to reduce the scale of the entry along First Street to be consistent with the smaller scale and village character of the downtown by lowering the awning height to the first story and revising the window and door system to be consistent with the size and pattern of the windows for the residential units.

Overall, as evidenced in this discussion, the discussion in the City Council Agenda report (Attachment 3), and as designed and conditioned, and as further supported by the findings contained in the resolution (Attachment 1), the project will meet the City's required design review findings and zoning district design controls.

Affordable Housing - Density Bonus and Development Incentives

Chapter 14.28 of the Municipal Code requires a minimum of 15 percent of the units be affordable, with a majority of the units designated as affordable at the moderate-income level and the remaining units designated as affordable at the low or very-low-income level. With a base density of 39 units, the project must provide 5.85 (rounded up to six) affordable units. Since the applicant is proposing seven unit, the project is in compliance with the City's Affordable Housing Ordinance. Table 2 below breaks down the proposed unit types and sizes for both the affordable and market rate units for consideration by the Council:

Table 2 – Affordable and Market-Rate Unit Breakdown

	Unit Type	Affordability
Affordable	Studio	1 (very low income)
	1- bedroom	3 (2 very low-income + 1 moderate-income)
	2-bedroom	3 (moderate income)

Subject: Proposed Four-Story Multiple-Family Residential Project at 355 First Street

	Unit Type	**Affordability**
Market Rate	Studio	1
	1-bedroom	4
	2-bedroom	27
	3-bedroom	11
Total		**50**

Four moderate-income units are required to comply with the City's Inclusionary Housing Ordinance, Los Altos Municipal Code Section 14.28.020. By the applicant providing four moderate income units, the project is complying with the City's Affordable Housing Ordinance requirement to provide the majority of units at the moderate-income level.

Housing Element program 4.3.2 requires that affordable housing units generally reflect the size and number of bedrooms of the market rate units, Chapter 14.28.030.C requires that affordable units be dispersed throughout the project, and shall not be significantly distinguishable by size, design, construction or materials. In this case, the overall project is proposing four three-bedroom units. The project includes one one-bedroom and two two-bedroom units at the moderate-income level and one studio unit and two one-bedroom units at the very-low-income level. The project proposes 44 market rate units, with one studio unit, four one-bedroom units, 28 two-bedroom units, and 11 three-bedroom units. Due to the percentage of overall affordable units proposed, it appears that the proposed unit type of affordable housing units meets the intent of the program in regard to size, construction and material. However, the applicant has not equitably distributed affordable units by placing two units (29 percent of affordable units) immediately adjacent to the trash room, while market-rate units are not placed at similar locations. Therefore, the applicant has not met the intent of the program.

Condition No. 20 has been added to equitably distribute affordable units and market rate units immediately adjacent to the trash room, that the units shall be provided at the location on the approved plans, and that they shall not be significantly distinguishable with regard to design, construction or materials. The condition is provided below:

> Condition No. 20: The applicant shall work with the Community Development Director to equitability distribute the market-rate and affordable dwelling units immediately adjacent to the trash room at the first and second story to not be significantly distinguishable with regard to design, construction or materials.

Thus, as designed and conditioned, the proposed affordable housing units appear to meet the intent of the City's affordable housing requirements

Density Bonus
Under the State's density bonus regulations (Section 65915 of the California Government Code), the project qualifies for a 27.5% density bonus if it provides at least 8% very-low-income units, for a total of 11 units at a base density of 39 units, for a total of 50 units.

Density Bonus Concessions
Since the project is providing more than five percent of its units as affordable at the very-low-income level, it qualifies for one development incentives per State Law and City Ordinance. To help guide incentives requested by developers and ensure that the incentives do not result in any adverse impacts, the City adopted a list of "on-menu" incentives or concessions. In this case, the project is seeking a height incentive to allow the project to exceed the maximum height limit of 45 feet by 11 feet (on-menu).

Under Government Code Section 65915(e) and Los Altos Municipal Code Section 14.28.040(F), the City must grant the requested incentive unless it can make specific negative findings. Under the Ordinance, the City has determined that "on-menu" incentives would not have a specific, adverse impact on public health and safety or the physical environment, which is one of three potential findings necessitating denial of the request, thus one of the following two findings would need to be made to deny the request:

- The concession or incentive does not result in identifiable and actual cost reductions, consistent with the definition of "concession" or "incentive," to provide for affordable housing costs, as defined in Health & Safety Section 50052.5, or for rents for the targeted units to be set as specified in subsection (I).
- The concession or incentive would be contrary to state or federal law.

There is not sufficient evidence currently in the record to make either of the other required findings for denial, i.e., that the incentive or concession would not result in identifiable and actual cost reductions to provide for affordable housing costs or would be contrary to state or federal law. Therefore, staff recommends the granting of the Applicant's requests.

Density Bonus Waiver
In addition to requesting incentives and concessions, applicants may request the waiver of an unlimited number of development standards that would physically preclude the construction of a project with the density bonus and the incentives or concessions to which the development is entitled, per Government Code Section 65915(e)(1), which reads:

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

Density Bonus Waiver #1
Applicant is requesting a waiver of the development standard set forth in LAMC Sec. 14.74.200(A) which requires that perpendicular parking spaces in off-street parking facilities must have a width of no less than nine (9) feet. Based on information provided by the project architect, to provide the amount of parking proposed by the Project, the width of twelve (12) of the parking spaces was reduced to 8.5 feet x 18feet.

Density Bonus Waiver #2
Applicant is requesting a waiver to allow for a building height to allow the elevator to be 17 feet six inches when the code prohibits roof top structures taller than 12 feet in height. Based on information provided by the architect for the Project, an elevator shaft is necessary to comply with accessibility standards please see Attachment 3-(Density Bonus Report) and Attachment 4 (Elevator Shaft Details) for further details.

The waiver requests appear appropriate and reasonable for a project of this size and scope. There is sufficient evidence currently in the record that the development standard (absent the requested waiver) would have the effect of physically precluding the construction of the development meeting the criteria of the State Density Bonus Law or the Los Multiple-Family Affordable Housing Ordinance at the densities or with the incentives permitted thereunder was confirmed in the Density Bonus Report. The concession or incentive would not have a specific, adverse impact upon public health and safety or the physical environment or on any real property that is listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact without rendering the development unaffordable to very low-income and moderate-income households. Therefore, staff recommends the granting of the Applicant's requests.

A Density Bonus Report that supports the density bonus, development incentives and waiver requests was prepared by the Applicant and is included in Attachment 2 of the Complete Streets Commission/Planning Commission Agenda report (Attachment 3)

Subject: Proposed Four-Story Multiple-Family Residential Project at 355 First Street

Density Bonus and Parking
Under the provisions of Density Bonus law, the project is entitled to reduced parking ratios and is only required to provide 70 parking spaces. The project proposes to exceed this requirement by providing 111 total spaces (99 regular sizes stalls (9x18 in size) and 12 reduced spaces (8.5 x18).

Subdivision
The Project includes a Vesting Tentative Map to create one lot for further subdivision with a condominium plan. The recording of a subsequent condominium plan would further allow for division of the air space for the four residential units as well as assign below grade parking spaces and other common areas. As outlined in the resolution, the subdivision is in compliance with the General Plan, is physically suitable for this type and density of development, is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat, is not injurious to public health and safety, and provides proper access easements for ingress, egress, public utilities and public services.

Environmental Review
An Initial Study/Mitigated Negative Declaration was prepared for the proposed project in conformance with California Environmental Quality Act. The analysis has determined that there are no significant environmental impacts with implementation of proposed mitigation measures. On November 2, 2021, a Notice of Intent to Adopt a Mitigated Negative Declaration was filed with the County Clerk for a twenty (20) day comment period. The City received a request to be notified about projects in the city of Cupertino from the Tamien Nation, because the city is within the geographic area with which they are traditionally and culturally affiliated. The City consulted with Tamien Nation for this Initial Study/Mitigated Negative Declaration. No comments were received for this project. The Initial Study and Mitigated Negative Declaration are included in the City Council Agenda Report (Attachment 3) within Attachment 6 of the December 2, 2021 Planning/Complete Streets Commission report.

Options

1) Approve Resolution No. 2022-XX

Advantages: The project will replace underdeveloped commercial properties with a high-quality multiple-family development that helps the City meet its goals for producing new housing units and is supportive of the goals of the Downtown Vision Plan.

Disadvantages: The amount of commercial building space along First Street will be reduced.

2) Do not approve Resolution No. 2022-XX

Advantages: The existing commercial buildings on the sites will be maintained.

Disadvantages: The City will not make any progress on achieving its goals for the production of new housing units and implementation of the Downtown Vision Plan.

Recommendation

The Planning Commission and staff recommend Option 1.

RESOLUTION NO. 2022-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS APPROVING A DESIGN REVIEW AND SUBDIVISION APPLICATION FOR A NEW FIFTY UNIT MULTIPLE-FAMILY CONDOMINIUM PROJECT AT 355 FIRST STREET AND A MITIGATED NEGATIVE DECLARATION

WHEREAS, the City of Los Altos received a development application from DeNardi Wang Homes for a new a 50 unit, multiple-family project, which includes design review and subdivision applications (TM21-0001; D21-0003), referred herein as the "Project"; and

WHEREAS, said Project has been processed in accordance with the applicable provisions of the California Government Code and the Los Altos Municipal Code; and

WHEREAS, the Planning Commission and the Complete Streets Commission held duly noticed joint public hearings on the Project on December 2, 2021 and December 16, 2021, at which all public comment was duly considered and the Complete Streets Commission recommended Planning Commission and City Council approval of the project. The Planning Commission subsequently recommended City Council approve the Project; and

WHEREAS, the City Council held a duly noticed public meeting on the Project on February 8, 2022 and June 28, 2022 by law and considered public testimony and evidence and recommendations presented by staff related to the Project; and

WHEREAS, the Applicant is offering seven affordable housing units for sale (one very-low-income, two low-income and four moderate-income) as part of the Project; and

WHEREAS, the Applicant's proposed unit mix would consist of 18 percent of its base density as affordable, with eight percent of the units affordable at the very-low income level, thereby entitling the project to qualify for a density bonus, one incentive and additional concessions pursuant to Los Altos Municipal Code Section 14.28.040 and Government Code Section 65915, *et seq*.; and

WHEREAS, the Applicant is seeking one incentives under Government Code Section 65915(e) and Los Altos Municipal Code Section 14.28.040 to allow: the building to have a primary height of 56 feet, where the Code allows for 45 feet; and

WHEREAS, the Applicant is eligible for and has requested a 35 percent density bonus to allow development of the Project pursuant to Government Code 65915 and Los Altos Municipal Code Section 14.28.040; and

WHEREAS, in accordance with the California Environmental Quality Act (CEQA) Guidelines section 15063, the City prepared an Initial Study to analyze whether the proposed Project may cause a potentially significant effect on the environment; and

WHEREAS, an Initial Study for the Project has been completed pursuant to CEQA which identifies potentially significant effects on the environment which would result from the Project, and concludes that these impacts can be avoided or reduced to a level of insignificance with adoption and implementation of certain mitigation measures therein identified and listed; and

WHEREAS, based on this Initial Study, a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Plan has been prepared in accordance with CEQA, which finds that any potentially significant environmental effects of the proposed project would be sufficiently mitigated to a level of insignificance with implementation of mitigation measures specified therein; a complete copy of the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Plan and all supporting exhibits and documents are on file and can be viewed at the City office; and

WHEREAS, pursuant to Public Resources Code section 21081.6 and State CEQA Guidelines section 15074(d), the City prepared a program for reporting on and monitoring the changes which it has either required in the proposed Project or made a condition of approval to mitigate or avoid potential significant environmental effects (the "Mitigation Monitoring and Reporting Program" or "MMRP"), a copy of which is attached hereto as Exhibit "D"; and

WHEREAS, the City published a Notice of Intent of the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Plan for the Project on November 2, 2021, which started a 20-day public review period. The notice was posted at the City office, the County Clerk, on the City website, published in the Town Crier and sent to all property owners and tenants within 1,000 feet of the project, and all interested persons; and

WHEREAS, during the public review and comment period, copies of the MND were available for review and inspection at the City of Los Altos City Hall and the main branch of the Los Altos Library, and on the City's website; and

WHEREAS, at the February 8, 2022, and June 28, 2022 meetings, the City Council reviewed and considered the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Plan for the Project, any comments received to-date and the responses prepared, invited additional comments from the public; and

WHEREAS, the City Council conducted its own independent analysis of the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Plan and determined that the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Plan were appropriate as there is substantial evidence the Project would not result in any significant environmental impacts and the mitigated negative declaration reflects the District's independent judgment and analysis; and

WHEREAS, all the requirements of the Public Resources Code, the State CEQA Guidelines, and the regulations and policies of the City of Los Altos have been satisfied or complied with by the City in connection with the Project; and

WHEREAS, the findings and conclusions made by the City Council in this Resolution are based upon the oral and written evidence presented as well as the entirety of the administrative record for the proposed Project, which is incorporated herein by this reference. The findings are not based solely on the information provided in this Resolution; and

WHEREAS, the location and custodian of the documents or other materials which constitute the record of proceedings upon the City Council's decision are located in the Office of City Clerk.

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Los Altos hereby approves the Project subject to the findings and conditions of approval attached hereto as Exhibit "A" (Findings) and Exhibit "B" (Conditions of Approval), Mitigated Negative Declaration (Exhibit "C") and Mitigation Monitoring and Reporting Program (Exhibit "D") and incorporated by this reference.

I HEREBY CERTIFY that the foregoing is a true and correct copy of a Resolution passed and adopted by the City Council of the City of Los Altos at a meeting thereof on June 28, 2022 by the following vote:
AYES:
NOES:
ABSENT:
ABSTAIN:

_____
Anita Enander, MAYOR

Attest:

_____
Angel Rodriguez, CMC,CITY CLERK

EXHIBIT A-FINDINGS

(VTTM 21-001; DR 21-003)-355 First Street

1. With regard to environmental review, the City Council has independently reviewed, analyzed and considered the Mitigated Negative Declaration (MND) and Mitigation Monitoring and Reporting Plan (MMRP) and the whole record before it (including the Initial Study and any comments received) and based on the foregoing, the City Council hereby finds that all environmental impacts of the Project with mitigation measures are below a level of significance and there is no substantial evidence supporting a fair argument that the Project will have a significant effect on the environment.

2. The City Council finds the MND and MMRP has been completed in compliance with CEQA and consistent the State of California Guidelines for the Implementation of the California Environmental Quality Act. The City hereby approves and adopts the MND, which is hereby attached to this Resolution as Exhibit "C". In accordance with Public Resources Code section 21081.6, the City Council hereby adopts the MMRP, which is hereby attached to this Resolution as Exhibit "D".

3. With regard to the new fifty-unit multiple-family structure, the City Council finding the following in accordance with Section 14.78.060 of the Municipal Code:

    a. The proposal meets all applicable goals, policies and objectives of the General Plan, and CD/R3 Zone District design criteria because it is providing fifty new multiple-family residential condominium units in a multiple-family district, it incorporates high quality architectural design and is compatible with the existing development in the immediate vicinity;

    b. The proposal has architectural integrity and 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.

    c. Building elevations have variation and depth and avoid large blank wall surfaces. The residential projects incorporate elements that signal habitation such as identifiable entrances, stairs, porches, bays and balconies.

    d. 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.

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

f. Signage is designed to complement the building architecture in terms of style, materials, colors and proportions.

g. The exterior mechanical equipment, which is located in alcoves and within the fenced private areas, is screened from public view and the fencing is consistent with the building architecture in form, material and detailing; and

h. The service, trash and utility areas are located behind fences, recessed in alcoves or enclosed within the building in order to be screened from public view and are placed in a way that is consistent with the building architecture in materials and detailing.

4. With regard to the fifty-unit condominium subdivision, the City Council finds the following in accordance with Chapter 4, Article 1, Section 66474 of the Subdivision Map Act of the State of California:

a. The proposed subdivision is not consistent with applicable general and specific plans as specified in 65451.

This Finding cannot be made. The proposed subdivision is consistent with the Los Altos General Plan, including the Land Use Element, which designates the parcel as Downtown Commercial and allows for higher density residential development. Specific applicable policies of the General Plan for creating one parcel to be further divided into 50 condominium units include Land Use Element Policies 2.2, 3.1 and 3.5, Housing Element Policy 4.3, and the Infrastructure and Waste Disposal Element Policies 1.3, 2.2 and 3.1. The subdivision is also consistent with the Downtown Special Planning Area within the Land Use Element. The subdivision is not within an area adopted as specific plan area.

b. That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans.

This Finding cannot be made. The proposed subdivision is consistent with the Los Altos General Plan, including the Land Use Element, which designates the parcel as Downtown Commercial and allows for higher density residential development. Specific applicable policies of the General Plan for creating one parcel to be further divided in 50 residential condominium units include Land Use Element Policies 2.2, 3.1 and 3.5, Housing Element Policy 4.3, and the Infrastructure and Waste Disposal Element Policies 1.3, 2.2 and 3.1. The subdivision is also consistent with the Downtown Special Planning Area within the Land Use Element. The subdivision is not within an area adopted as specific plan area.

c. That the site is not physically suitable for the type of development.

This Finding cannot be made. The site is physically suitable for this type of development because it is in conformance with the Downtown Commercial land use designations of the General Plan, and complies with all applicable CD/R3 Zoning District site development standards excluding those exceptions otherwise approved;

d. That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

This Finding cannot be made. The design of the subdivision and the proposed improvements will not cause substantial environmental damage, or substantially injure fish or wildlife because the site is located within a developed urban context and is not in or adjacent to any sensitive habitat areas;

e. That the design of the subdivision or type of improvements is likely to cause serious public health problems.

This Finding cannot be made. The design of the subdivision will not cause serious public health problems because the site is located within an urban context and has access to urban services including sewer and water.

f. That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. In this connection, the governing body may approve a map if it finds that alternate easements, for access or for use, will be provided, and that these will be substantially equivalent to ones previously acquired by the public. This subsection shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction and no authority is hereby granted to a legislative body to determine that the public at large has acquired easements for access through or use of property within the proposed subdivision.

This Finding cannot be made. The design of the subdivision will not conflict with access easements because there are no known existing access easements encumbering this property.

5. Density Bonus Findings. With regard to the offered below market rate units and requested parking requirement alteration, the City Council finds, in accordance with Los Altos Municipal Code Section 14.28.040, as follows:

a. The applicant is offering three Very Low-income units and four Moderate income units for sale, which qualifies the project for additional waivers and incentives.

b. Per Table DB 2 in Los Altos Municipal Code Section 14.28.040, a project that includes eight percent or more of its total units as very-low income restricted affordable units shall be granted one (1) incentive. The applicant will be requesting one density bonus concession to increase the height from 35 feet to 46 feet. Evidence has not been presented which supports other findings for denial of the requested incentives. The height and the setback incentives are considered an "on-menu" incentive per Section 14.28.040(f) Incentive Standards and, therefore, the City has determined that the incentive would not

have a specific adverse impact upon public health and safety or the physical environment or upon a listed historical resource.

c. Per Section 14.28.040(H)(1), a project can request a waiver or reduction of development standards that have the effect of physically precluding the construction of a development in addition to the development incentive permitted by the Municipal Code. Consistent with these requirements, the applicant is requesting a waiver to allow for a building height of up to sixty-three (63) feet and four and a half (4.5) inches where the development standard set forth in LAMC Sec.14.66.240(F) requires that an enclosed roof structure housing the elevator for the proposed residential building that provides access to the roof top be limited to twelve (12) feet in height. Based on findings by the architect for the Project, the elevator housing on the roof deck cannot be constructed unless it is approximately seventeen (17) feet and six (6) inches in height, and an elevator shaft is necessary to comply with accessibility standards. The Council determined the waivers are supported by the fact that the implementation of the standards physically precludes the construction of the development and evidence has not been presented that the waivers will have a specific, adverse impact upon health, safety, or the physical environment, or an adverse impact on any listed historic resource or will be contrary to state or federal law.

EXHIBIT B-CONDITIONS

Pursuant to Government Code Section 66020(d), notice is hereby given that the 90-day period described in Section 66020 to protect the imposition of any fees, dedications, reservations, or other exactions specified herein shall commence on the date of the approval of these Conditions of Approval.

GENERAL

1. **Approved Plans**
   Project approval is based upon the plans received on April 14, 2022 except as modified by these conditions.

2. **Indemnity and Hold Harmless**
   The applicant/owner agrees to indemnify, defend, protect, and hold the City harmless from all costs and expenses, including attorney's fees, incurred by the City or held to be the liability of the City in connection with the City's defense of its actions in any proceedings brought in any State or Federal Court, challenging any of the City's action with respect to the applicant's project. The City may withhold final maps and/or permits, including temporary or final occupancy permits, for failure to pay all costs and expenses, including attorney's fees, incurred by the City in connection with the City's defense of its actions.

3. **Encroachment Permit**
   An encroachment permit, and/or an excavation permit shall be obtained prior to any work done within the public right-of-way and it shall be in accordance with plans to be approved by the City Engineer.

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

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

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

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

8. **Transportation Permit**
   A Transportation Permit, per the requirements specified in California Vehicle Code Division 15, is required before any large equipment, materials or soil is transported or hauled to or from

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

9. Pollution Prevention

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

10. Storm Water Management Plan

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

11. Civil Engineering Drawings

The applicant shall submit civil engineering drawings that show property lines with bearing and easements.

PRIOR TO FINAL MAP RECORDATION

12. Public Access Easement Dedication

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

a. An easement of two feet along the rear alley for use as a public right-of-way; and
b. An easement of one foot along the First Street frontage to allow for pedestrian access.
c. If tree wells are approved by Planning Department, Pedestrian Access Easement along First Street shall be wide enough to allow proper ADA clearances.

13. Public Utility Dedication

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

14. Subdivision Agreement

The applicant shall sign and return Subdivision Improvement Agreement to the City (in a form approved by the City Attorney) for recordation prior to the recordation of the Final Map.

15. Final Map Application and Payment of Subdivision Fees

The applicant shall pay all applicable fees, including but not parkland dedication in-lieu fees and map check fee plus deposit as required by the City of Los Altos Municipal Code. Plats and legal descriptions of the final map shall be submitted for review by the City Land Surveyor.

16. Covenants, Conditions and Restrictions

The applicant shall include the following provisions in the Covenants, Conditions and Restrictions (CC&Rs):

a. Long-term maintenance and upkeep of the landscaping and street trees, on-site and in the public right-of-way along the site frontage, as approved by the City, shall be a duty and responsibility of the property owners.
b. One of the underground parking spaces shall be open for guest users.

c. Long-term maintenance and upkeep of the building's exterior materials and finishes shall be the responsibility of the Homeowner's Association.
d. The Homeowner's Association will store trash receptacles in the underground parking garage level and will be responsible for moving trash receptacles to the temporary staging area at street level no more than 24 hours in advance of trash pickup and will relocate trash receptacles to their storage location within 24 hours of pickup.

PRIOR TO ISSUANCE OF BUILDING PERMIT

17. Final Map Recordation

The applicant shall record the final map.

18. Payment of Impact and Development Fees

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

19. Front Entrance

The applicant shall work with the Community Development Director to reduce the scale of the entry along First Street to be consistent with the smaller scale and village character of the downtown by lowering the awning height to the first story and revising the window and door system to be consistent with the size and pattern of the windows for the residential units

20. Affordable Units

The applicant shall work with the Community Development Director to equitability distribute the market-rate and affordable dwelling units immediately adjacent to the trash room at the first and second story to not be significantly distinguishable with regard to design, construction or materials.

21. Downtown Decorated Lights

The applicant shall insure the design and installation of total of two new Downtown Decorated light fixtures along First Street and Whitney Street as directed by the City Engineer.

22. Storm Water Filtration Systems

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

23. Cost Estimate and Performance Bonds

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

24. Grading and Drainage Plan

The Applicant shall submit on-site grading and drainage plans that include (i.e. drain swale, drain inlets, rough pad elevations, building envelopes, drip lines of major trees, elevations at property lines, all trees and screening to be saved) for approval by City Engineer. No grading

or building pads are allowed within two-thirds of the drip line of trees unless authorized by a certified arborist and the Planning Department.

25. Soldier beams/Shoring

The applicant shall insure the design of all soldier beams or other temporary shoring supports are outside the public right-of-way.

26. Sewage Capacity Study

The applicant shall submit calculations showing that the City's existing sewer line will not exceed two-thirds full due to the project's sewer loads. Calculations shall include the 6" main from the front of the property to the point where it connects to the 8" sewer line on San Antonio Rd. For any segment that is calculated to exceed two-thirds full for average daily flow or for any segment that the flow is surcharged in the main due to peak flow, the applicant shall replace the 6" sewer line with an 8" sewer line. For any segment that is calculated to exceed two-thirds full for average daily flow or for any segment that the flow is surcharged in the main due to peak flow, the applicant shall replace the sewer line with a larger sewer line.

27. Construction Management Plan

The Applicant shall submit a construction management plan for review and approval by the Community Development Director and the City Engineer. The construction management plan shall address any construction activities affecting the public right-of-way, including but not limited to excavation, traffic control, truck routing, pedestrian protection, material storage, earth retention and construction vehicle parking. The plan shall provide specific details with regards to how construction vehicle parking will be managed to minimize impacts on nearby single-family neighborhoods. Sidewalks, parking and travel lanes along First Street and Whitney Street shall not be closed for the full duration of the project. Closures will be reviewed and approved with Encroachment Permit submittals. The applicant shall be required to have a pre-construction meeting with all abutting property owners to discuss the project schedule and to prominently display a sign with the single point of contact the community should interface with for any construction related impacts from the project.

28. Solid Waste Ordinance Compliance

The Applicant shall be in compliance with the City's adopted Solid Waste Collection, Remove, Disposal, Processing & Recycling Ordinance (LAMC Chapter 6.12) which includes a mandatory requirement that all multi-family dwellings provide for recycling and organics collection programs.

29. Fire Approval

The project shall comply with all Santa Clara County Fire Department standards including but not limited to the comments and conditions provided in the Fire Department Development Review Comment letter dated October 21, 2021. A formal review of the building permit plans will be completed subsequent to submittal of a complete set of building permit design plans.

30. Off-haul Excavated Soil

The grading plan shall show specific grading cut and/or fill quantities. Cross section details showing the existing and proposed grading through at least two perpendicular portions of the

site or more shall be provided to fully characterize the site. A note on the grading plans should state that all excess dirt shall be off-hauled from the site and shall not be used as fill material unless approved by the Building and Planning Divisions.

31. **Solid Waste and Recyclables Disposal Plan**
The Applicant shall contact Mission Trail Waste Systems and submit a solid waste and recyclables disposal plan indicating the type, size and number of containers proposed, and the frequency of pick-up service subject to the approval of the Engineering Division. The Applicant shall also submit evidence that Mission Trail Waste Systems has reviewed and approved the size and location of the proposed trash enclosure. The enclosure shall be designed to prevent rainwater from mixing with the enclosure's contents and shall be drained into the City's sanitary sewer system. The enclosure's pad shall be designed to not drain outward, and the grade surrounding the enclosure designed to not drain into the enclosure. In addition, Applicant shall show on plans the proposed location of how the solid waste will be collected by the refusal company. Include the relevant garage clearance dimension and/or staging location with appropriate dimensioning on to plans.
32. **Storm Water Filtration Systems**
The Applicant shall insure the design of all storm water filtration systems and devices are without standing water to avoid mosquito/insect infestation.

33. **Air Quality Mitigation**
The applicant shall incorporate into the design plans and shall implement throughout the entire construction process the Bay Area Air Quality Management District's basic Construction Mitigation Measures to reduce emissions of fugitive dust during construction activities (California Environmental Quality Act Air Quality Guidelines. San Francisco, CA. May 2017. http://www.baaqmd.gov/~/media/files/planning-and-research/ceqa/ceqa_guidelines_may2017-pdf.pdf?la=en (accessed November 2021).

34. **Acoustical Report**
The applicant shall submit a report from an acoustical engineer/consultant ensuring that the rooftop mechanical equipment meets the City's exterior noise regulations.

PRIOR TO SUBMITTAL OF BUILDING PERMIT

35. **Water Efficient Landscape Plan**
Provide a landscape documentation package prepared by a licensed landscape professional showing how the project complies with the City's Water Efficient Landscape Regulations and include signed statements from the project's landscape professional and property owner.

36. **Reach Codes**
Building Permit Applications submitted on or after January 26, 2021 shall comply with specific amendments to the 2019 California Green Building Standards for Electric Vehicle Infrastructure and the 2019 California Energy Code as provided in Ordinances Nos. 2020-470A, 2020-470B, 2020-470C, and 2020-471 which amended Chapter 12.22 Energy Code and Chapter 12.26 California Green Building Standards Code of the Los Altos Municipal Code. The building design plans shall comply with the standards and the applicant shall submit supplemental application materials as required by the Building Division to demonstrate compliance.

37. California Water Service Upgrades

The applicant is responsible for contacting and coordinating with the California Water Service Company any water service improvements including but not limited to relocation of water meters, increasing water meter sizing or the installation of fire hydrants. The City recommends consulting with California Water Service Company as early as possible to avoid construction or inspection delays.

PRIOR TO FINAL OCCUPANCY

38. Condominium Map

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

39. Public Alleyway

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

40. Watch for Pedestrians Sign

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

41. Sidewalk in Public Right-of-Way

The Applicant shall remove and replace entire sidewalk and curb and gutter along the frontage of First Street and Whitney Street as directed by the City Engineer. All sidewalks in the public right-of-way shall be City Standard concrete sidewalks. The applicant shall remove existing driveway on Whitney Street and replace it with standard curb and gutter. The applicant shall extend sidewalk on Whitney Street from 330 2nd Street property to the alley, and install new driveway approach at the back of 330 2nd Street.

42. New ADA Ramps and Crosswalks

The applicant shall provide two new ADA ramps and crosswalk stripping per the City standards on the northeast and southeast corner of the intersection with First Street and Whitney Street. The applicant shall install new ADA ramps as necessary at the sidewalk extension along Whitney Street.

43. Parking Stall and Red Curb Striping

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

44. Public Infrastructure Repairs

The Applicant shall repair any damaged right-of-way infrastructures and otherwise displaced curb, gutter and/or sidewalks and City's storm drain inlet shall be removed and replaced as directed by the City Engineer or his designee. The Applicant is responsible to resurface (grind and overlay) half of the street along the frontage of First Street if determined to be damaged during construction, as directed by the City Engineer or his designee.

45. Maintenance Bond

A one-year, ten-percent maintenance bond shall be submitted upon acceptance of improvements in the public right-of-way, as indicated in Condition of Approval No. 23.

46. Green Building Verification

The applicant shall submit verification that the structure was built in compliance with the California Green Building Standards pursuant to Section 12.26 of the Municipal Code.

47. SWMP Certification

The Applicant shall have a final inspection and certification done and submitted by the Engineer who designed the SWMP to ensure that the treatments were installed per design. The Applicant shall submit a maintenance agreement to City for review and approval for the stormwater treatment methods installed in accordance with the SWMP. Once approved, City shall record the agreement.

48. Landscape and Irrigation Installation

All on- and off-site landscaping and irrigation shall be installed and approved by the Community Development Director and the City Engineer.

49. Label Catch Basin Inlets

The Applicant shall label all new or existing public and private catch basin inlets which are on or directly adjacent to the site with the "NO DUMPING - FLOWS TO ADOBE CREEK" logo as required by the City.

PRIOR TO RECORDATION OF THE FINAL MAP

50. Affordable Housing Agreement

Prior to the issuance of building permits the applicant shall execute and record an Affordable Housing Agreement, in a form approved and signed by the Community Development Director and the City Attorney, that offers seven (7) below market rate unit, for a period of at least 55 years. The below market rate units shall have four Moderate and three Very-Low Income restricted units, which shall be constructed concurrently with the market rate units, shall be provided at the location on the approved plans, and shall not be significantly distinguishable with regard to design, construction or materials. This issue shall be resolved prior to the recordation of the Final Map.

EXHIBIT C

City of Los Altos
MITIGATED NEGATIVE DECLARATION
355 First Street Residential Development

The City Council of the City of Los Altos has considered the project identified below and has adopted the following Mitigated Negative Declaration pursuant to the California Environmental Quality Act:

Project Name:	355 First St. Residential Project
Lead Agency:	City of Los Altos
Project Proponent:	355 1st St LLC. C/O DeNardi Wang Homes
Project Location:	355, 365, 371, 373 First St., Los Altos, CA
Project Description:	The proposed project includes demolition of the seven existing buildings and construction of a 79,431 square foot, 50-unit, four story condominium building and two levels of underground parking.
Written Comments To	Guido Persicone Planning Services Manager City of Los Altos 1 N. San Antonio Road Los Altos, CA 94022
Proposed Findings	The City of Los Altos is the custodian of the documents and other material that constitute the record of proceedings upon which this decision is based. The initial study indicates that the proposed project has the potential to result in significant adverse environmental impacts. However, the mitigation measures identified in the initial study would reduce the impacts to a less than significant level. There is no substantial evidence, in light of the whole record before the lead agency (the City of Los Altos) that the project, with mitigation measures incorporated, may have a significant effect on the environment. See the following project-specific mitigation measures:

Mitigation Measures

Air Quality

AQ-1 The project applicant shall include the following BAAQMD best management practices to minimize DPM (PM10) and PM2.5 emissions on the project plans andthe contractor shall implement them during all phases of construction:

a. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day;

b. All haul trucks transporting soil, sand, debris, or other loose material off-site shall be covered;

c. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited;

d. All vehicle speeds on unpaved roads shall be limited to 15 miles per hour;

e. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used;

f. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points;

g. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation; and

h. Post a publicly visible sign with telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The BAAQMD's phone number shall also be visible to ensure compliance with applicable regulations.

AQ-2 Prior to the issuance of the demolition and grading permits, the project developershall prepare, and the project contractor shall implement, a demolition and construction emissions avoidance and reduction plan demonstrating a minimum 30 percent reduction in DPM emissions.

The plan shall be prepared at the applicant's expense and shall be reviewed and approved by the City's Director of Planning or Director's designee, prior to issuance of demolition and grading permits. The plan shall be accompanied by a letter prepared by a qualified air quality consultant, verifying the equipment included in the plan meets the standards set forth in this mitigation measure. Theplan shall include the following measures:

a. At least five of the mobile diesel-powered off-road equipment operating on-site for more than two days and larger than 50 horsepower shall, at a minimum, meet U.S. Environmental Protection Agency (EPA) particulate matter emissions standards for Tier 4 engines. The plan shall include specifications of the equipment to be used during construction and confirmation this requirement is met; and,

b. Other demonstrable measures identified by the developer and confirmed by the air quality consultant, that reduce emissions and avoid or minimize the affected sensitive receptors exposures by at least 30 percent.

Biological Resources

BIO-1 Prior to issuance of tree removal, demolition, and grading permits, to avoid impacts to nesting birds during the nesting season (January 15 through September 15), construction activities within or adjacent to the project site boundary that include any tree or vegetation removal, demolition, or ground disturbance (such as grading or grubbing) shall be conducted between September16 and January 14, outside of the bird nesting season. If this type of construction occurs during the bird nesting season, then a qualified biologist shall conduct pre-construction surveys for nesting birds to ensure that no nests would be disturbed during project activities.

If project-related work is scheduled during the nesting season (February 15 to August 30 for small bird species such as passerines; January 15 to September 15 for owls; and February 15 to September 15 for other raptors), or if construction activities are suspended for at least 14 days and recommence during the nestingseason, a qualified biologist shall conduct nesting bird surveys.

a. Two surveys for active bird nests shall occur within 14 days prior to start of construction, with the final survey conducted within 48 hours prior to construction. Appropriate minimum survey radii surrounding each work area are typically 250 feet for passerines, 500 feet for smaller raptors, and 1,000 feet for larger raptors. Surveys shall be conducted at the appropriate times of day to observe nesting activities. Locations off the site to which access is not available may be surveyed from within the site or from public areas. A report documenting survey results and plan for active bird nest avoidance (if needed) shall be completed by the qualified biologist prior to initiation of construction activities.

b. If the qualified biologist documents active nests within the project site or in nearby surrounding areas, an appropriate buffer between each nest and active construction shall be established. The buffer shall be clearly marked and maintained until the young have fledged and are foraging independently. Prior to construction, the qualified biologist shall conduct baseline monitoring of each nest to characterize "normal" bird behavior andestablish a buffer distance, which allows the birds to exhibit normal behavior. The qualified biologist shall monitor the nesting birds daily during construction activities and increase the buffer if birds show signs of unusual or distressed behavior (e.g. defensive flights and vocalizations, standing up from a brooding position, and/or flying away from the nest). If buffer establishment is not possible, the qualified biologist or construction foreman shall have the authority to cease all construction work in the area until the young have fledged and the nest is no longer active. Developers shall be responsible for implementation of this mitigation measure with oversight by the City of Los Altos. Compliance with this measure shall be documented and submitted to the City prior to issuance of tree removal, demolition, and grading permits.

BIO-2 Prior to issuance of a tree removal permit and/or a grading permit, developers shall retain a certified arborist to develop a site-specific tree protection plan for retained trees and supervise the implementation of all proposed tree preservationand protection measures during construction activities, including those measuresspecified in the 2021 Arborist Report (Kielty Arborist Services LLC). Also, in accordance with the City's Tree Protection Ordinance, the developer shall obtain a tree removal permit for proposed tree removals and shall install replacement trees in accordance with all mitigation, maintenance, and monitoring requirements specified in the tree removal permit(s) or otherwise required by the City for project approvals.

Cultural Resources

CUL-1 In the event that prehistoric or historic resources are encountered during excavation and/or grading of the site, all activity within a 50-foot radius of the find will be stopped, the Director of Community Development will be notified, and the archaeologist will examine the find and make appropriate recommendations, in collaboration with a Tamien Tribal representative, prior to commencement of construction. Recommendations could include collection, recordation, and analysis of any significant cultural materials. A report of findings documenting any data recovery during monitoring would be submitted to the Director of Community Development, the California Historical Resources Information System (CHRIS) and the Tamien Nation.

CUL-2 In the event that human remains are discovered during excavation and/or grading of the site, all activity within a 50-foot radius of the find will be stopped.The Santa Clara County Coroner will be notified and will make a determination as to whether the remains are of Native American origin. If the remains are determined to be Native American, the Coroner will notify the Native American Heritage Commission (NAHC) immediately. Once NAHC identifies the most likely descendants, the descendants will make recommendations regarding proper burial, which will be implemented in accordance with Section 15064.5(e) of the CEQA Guidelines.

Geology and Soils

GEO-1 The project proponent shall ensure all construction personnel receive paleontological resources awareness training that includes information on the possibility of encountering fossils during construction; the types of fossils likely to be seen, based on past finds in the project area; and proper procedures in the event fossils are encountered. Worker training shall be prepared and presented by a qualified paleontologist. The applicant shall provide the Community Development Director with documentation showing the training has been completed by all required construction personnel prior to issuance of grading permits.

GEO-2 If vertebrae fossils are discovered during construction, all work within 50 feet of the discovery shall stop immediately until a qualified professional paleontologist can assess the nature and importance of the find and recommend appropriate treatment. Treatment may include avoidance, if feasible, preservation in place, or preparation and recovery of fossil materials so that they can be housed in an appropriate museum or university collection and may also include preparation of a report for publication describing the finds.

Hazards and Hazardous Materials

HAZ-1 Prior to issuance of a demolition permit, the following measures shall be incorporated into demolition plans:

a. All PCB-containing ballasts shall be removed and disposed of in accordance with state and local laws.

b. All potentially friable asbestos-containing materials shall be removed in accordance with National Emissions Standards for Hazardous Air Pollutants (NESHAP) guidelines prior to building demolition or renovationthat may disturb the materials.

c. All demolition activities will be undertaken in accordance with Cal/OSHA standards, contained in Title 8 of the California Code of Regulations (CCR),Section 1529, to protect workers from exposure to asbestos. Materials containing more than one percent asbestos are also subject to BAAQMD regulations.

d. During demolition activities, all building materials containing lead-based paint shall be removed in accordance with Cal/OSHA Lead in Construction Standard, Title 8, California Code of Regulations 1532.1, including employeetraining, employee air monitoring and dust control. Any debris or soil containing lead-based paint or coatings will be disposed of at landfills that meet acceptance criteria for the waste being disposed.

Noise

NOI-1 Modification, placement, and operation of construction equipment are possible means for minimizing the impact of construction noise. Construction equipmentshall be well-maintained and used judiciously to be as quiet as possible.
Additionally, construction activities for the proposed project shall include the following best management practices to reduce noise from construction activitiesnear sensitive land uses:

- Noise generating construction activities shall be limited to the hours between 7:00 a.m. and 5:30 p.m., Monday through Friday, and on Saturdays between 9:00 a.m. and 3:00 p.m., in accordance with the city's municipal code for construction in a single-family residential zone. Construction is prohibited on Sundays and holidays, unless permission is granted with a development permit or other planning approval.

- Use of the concrete saw within 50 feet of any shared property line shall be limited.

- Equip all internal combustion engine-driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the equipment.

- Unnecessary idling of internal combustion engines in construction equipment with a horsepower rating of 50 or more shall be strictly prohibited, and limited to five minutes or less, consistent with BAAQMD best management practices.

- Locate stationary noise-generating equipment, such as air compressors or portable power generators, as far as possible from sensitive receptors (residences). If they must be located near sensitive receptors, adequate muffling (with enclosures where feasible and appropriate) shall be used to reduce noise levels at the adjacent sensitive receptors. Any enclosure openings or venting shall face away from sensitive receptors.

- Utilize "quiet" air compressors and other stationary noise sources where technology exists.

- A temporary noise control blanket barrier could be erected, if necessary, at the property line or along building facades facing construction sites. This measure would only be necessary if conflicts occurred that were irresolvable by proper scheduling. Noise control blanket barriers can be rented and quickly erected.

- Control noise from construction workers' radios to a point where they are not audible at existing residences bordering the project site.

- The contractor shall prepare a detailed construction plan identifying the schedule for major noise-generating construction activities and shall send a notice to all adjacent properties with the construction schedule.

- Designate a "disturbance coordinator" who would be responsible for responding to any complaints about construction noise. The disturbance coordinator will determine the cause of the noise complaint (e.g., bad muffler, etc.) and will require that reasonable measures be implemented to correct the problem. Conspicuously post the telephone number for the disturbance coordinator at the construction site and include it in the notice sent to neighbors regarding the construction schedule.

NOI-2 Prior to the issuance of a building permit, mechanical equipment shall be selectedand designed to reduce impacts on surrounding uses to meet the city's requirements. A qualified acoustical consultant shall be retained by the project applicant to review mechanical noise as the equipment systems are selected in order to determine whether the proposed noise reduction measures sufficiently reduce noise to comply with the city's noise limit at the shared property line.
Noise reduction measures that would accomplish this reduction include, but are not limited to, selection of equipment that emits low noise levels and/or installation of noise barriers such as enclosures and parapet walls to block the lineof sight between the noise source and the nearest receptors.

NOI-3 A construction vibration-monitoring plan shall be implemented to document conditions at the structure located adjacent to the proposed construction prior to, during, and after vibration generating construction activities. All plan tasks shallbe completed under the direction of a State of California licensed Professional Structural Engineer and be in accordance with industry accepted standard methods. The construction vibration monitoring plan shall include the followingtasks:

- Identification of sensitivity to ground borne vibration of the structure located adjacent to the construction.

- Performance of a photo survey, elevation survey, and crack monitoring survey for the structure located adjacent to the construction. Surveys shall be performed prior to, in regular intervals during, and after completion of vibration generating activities and shall include internal and external crack monitoring in the structure, settlement, and distress and shall document the condition of the foundation, walls and other structural elements in the interior and exterior of said structure. Interior inspections would be subject to property owners' permission.

- Conduct a post-survey on the structure where monitoring has indicated damage. Make appropriate repairs or provide compensation where damage has occurred as a result of construction activities.

- Designate a person responsible for registering and investigating claims of excessive vibration. The contact information of such person shall be clearly posted on the construction site.

Tribal Cultural Resources

In addition to mitigation measures CUL-1 and CUL-2 presented in Section D5, Cultural Resources, the following measures shall be implemented:

TR-1 The applicant shall contract with the Tamien Nation to development and implement a cultural resource sensitivity training program for the construction work crew on the first day of construction. The archaeologist shall provide evidence of the training to the City Planning Division, which shall include the training materials and a sign-in list of trained construction personnel, at the endof the first day of construction.

TR-2 The applicant shall contract with the Tamien Tribal to monitor ground disturbing activities, including but not limited to removal of existing building foundations, trees, and grading activities.

The applicant shall also contract with a qualified archaeologist to be on-call should cultural or Tribal resources be inadvertently discovered.

Evidence of a contracts with the Tribal monitor and archaeologist shall be provided to the City Planning Division prior to issuance of a building demolitionpermit and/or a grading permit.

Should Tribal or cultural resources be inadvertently discovered, the Tamien Nation Treatment Protocol shall be implemented. Whether or not Tribal or cultural resources are inadvertently discovered, the Tribal monitor shall prepare amonitoring report to be submitted to the City Planning Division, prior to issuanceof an occupancy permit.

The location of Tribal resources is confidential, may be redacted from monitoring reports, and shall not be made available for public review. The location of sensitive cultural resources is exempt from the Public Records Act.

ATTACHMENT A

EXHIBIT D

MITIGATION MONITORING AND REPORTING PROGRAM

Section 21081 of the California Environmental Quality Act (CEQA) requires a Lead Agency to adopt a Mitigation Monitoring or Reporting Program whenever it approves a project for which measures have been required to mitigate or avoid significant effects on the environment. The purpose of the monitoring or reporting program is to ensure compliance with the mitigation measures during project implementation.

The Initial Study/Mitigated Negative Declaration for the *5150 El Camino Real Residential Development* project concluded that the implementation of the project could result in significant effects on the environment and mitigation measures were incorporated into the proposed project or are required as a condition of project approval. This Mitigation Monitoring or Reporting Program addresses those measures in terms of how and when they will be implemented.

This document does *not* discuss those subjects for which the Initial Study/Mitigated Negative Declaration concluded that the impacts from implementation of the project would be less than significant and for which no standard or mitigation measures would be required.

Mitigation Measure Number	*Mitigation Measure*	*Monitoring Actions*	*Party Responsible for Compliance*	*Timing*	*Verification of Compliance (name/date)*
	Air Quality				
AQ-1	The project applicant shall include the following BAAQMD best management practices to minimize DPM (PM_{10}) and $PM_{2.5}$ emissions on the project plans and the contractor shall implement them during all phases of construction: a. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day; b. All haul trucks transporting soil, sand, debris, or other loose material off-site shall be covered; c. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited; d. All vehicle speeds on unpaved roads shall be limited to 15 miles per hour; e. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used; f. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13,	Include BAAQMD BMPs in project plans Implement BAAQMD BMPs	Applicant Contractor	Prior to Approval of Final Plans During all Phases of Construction	

Mitigation Measure Number	*Mitigation Measure*	*Monitoring Actions*	*Party Responsible for Compliance*	*Timing*	*Verification of Compliance (name/date)*
	Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points; g. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation; and h. Post a publicly visible sign with telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The BAAQMD's phone number shall also be visible to ensure compliance with applicable regulations.				

Mitigation Measure Number	*Mitigation Measure*	*Monitoring Actions*	*Party Responsible for Compliance*	*Timing*	*Verification of Compliance (name/date)*
AQ-2	Prior to the issuance of the demolition and grading permits, the project developer shall prepare, and the project contractor shall implement, a demolition and construction emissions avoidance and reduction plan demonstrating a minimum 30 percent reduction in DPM emissions. The plan shall be prepared at the applicant's expense and shall be reviewed and approved by the City's Director of Planning or Director's designee, prior to issuance of demolition and grading permits. The plan shall be accompanied by a letter prepared by a qualified air quality consultant, verifying the equipment included in the plan meets the standards set forth in this mitigation measure. The plan shall include the following measures: a. At least five of the mobile diesel-powered off-road equipment operating on-site for more than two days and larger than 50 horsepower shall, at a minimum, meet U.S. Environmental Protection Agency (EPA) particulate matter emissions standards for Tier 4 engines. The plan shall include specifications of the equipment to be used during construction and confirmation this requirement is met; and, b. Other demonstrable measures identified by the developer and confirmed by the air quality consultant, that reduce emissions and avoid or minimize the	Prepare demolition and construction emissions avoidance and reduction plan The plan shall also include a letter prepared by a qualified air quality consultant The plan shall include these measures for implementation by the applicant or developer	Project Developer City's Director of Planning or Director's designee	Prior to issuance of the demolition and grading permits	

Mitigation Measure Number	*Mitigation Measure*	*Monitoring Actions*	*Party Responsible for Compliance*	*Timing*	*Verification of Compliance (name/date)*
	affected sensitive receptors exposures by at least 30 percent.				
	Biological Resources				
BIO-1	Prior to issuance of tree removal, demolition, and grading permits, to avoid impacts to nesting birds during the nesting season (January 15 through September 15), construction activities within or adjacent to the project site boundary that include any tree or vegetation removal, demolition, or ground disturbance (such as grading or grubbing) shall be conducted between September 16 and January 14, outside of the bird nesting season. If this type of construction occurs during the bird nesting season, then a qualified biologist shall conduct pre-construction surveys for nesting birds to ensure that no nests would be disturbed during project activities. If project-related work is scheduled during the nesting season (February 15 to August 30 for small bird species such as passerines; January 15 to September 15 for owls; and February 15 to September 15 for other raptors), or if construction activities are suspended for at least 14 days and recommence during the nesting season, a qualified biologist shall conduct nesting bird surveys.	Retain qualified biologist to conduct survey, if construction occurs during the bird nesting season	Developers with oversight by the City of Los Altos	Prior to issuance of tree removal, demolition, and grading permits	

Mitigation Measure Number	*Mitigation Measure*	*Monitoring Actions*	*Party Responsible for Compliance*	*Timing*	*Verification of Compliance (name/date)*
	a. Two surveys for active bird nests shall occur within 14 days prior to start of construction, with the final survey conducted within 48 hours prior to construction. Appropriate minimum survey radii surrounding each work area are typically 250 feet for passerines, 500 feet for smaller raptors, and 1,000 feet for larger raptors. Surveys shall be conducted at the appropriate times of day to observe nesting activities. Locations off the site to which access is not available may be surveyed from within the site or from public areas. A report documenting survey results and plan for active bird nest avoidance (if needed) shall be completed by the qualified biologist prior to initiation of construction activities. b. If the qualified biologist documents active nests within the project site or in nearby surrounding areas, an appropriate buffer between each nest and active construction shall be established. The buffer shall be clearly marked and maintained until the young have fledged and are foraging independently. Prior to construction, the qualified biologist shall conduct baseline monitoring of each nest to characterize "normal" bird behavior and establish a buffer distance, which allows the birds to exhibit normal behavior. The qualified biologist shall monitor the nesting birds daily during construction activities and increase the buffer if birds show signs of unusual or distressed behavior (e.g. defensive flights and vocalizations, standing up from a brooding position, and/or flying away from the nest). If	Conduct two surveys for active bird nests		14 days prior to construction start	

Mitigation Measure Number	*Mitigation Measure*	*Monitoring Actions*	*Party Responsible for Compliance*	*Timing*	*Verification of Compliance (name/date)*
	buffer establishment is not possible, the qualified biologist or construction foreman shall have the authority to cease all construction work in the area until he young have fledged and the nest is no longer active. Developers shall be responsible for implementation of this mitigation measure with oversight by the City of Los Altos. Compliance with this measure shall be documented and submitted to the City prior to issuance of tree removal, demolition, and grading permits.				
BIO 2	Prior to issuance of a tree removal permit and/or a grading permit, developers shall retain a certified arborist to develop a site-specific tree protection plan for retained trees and supervise the implementation of all proposed tree preservation and protection measures during construction activities, including those measures specified in the 2021 Arborist Report (Kielty Arborist Services LLC). Also, in accordance with the City's Tree Protection Ordinance, the developer shall obtain a tree removal permit for proposed tree removals and shall install replacement trees in accordance with all mitigation, maintenance, and monitoring requirements specified in the tree removal permit(s) or otherwise required by the City for project approvals.	Retain certified arborist to develop a site-specific tree protection plan	Developer	Prior to issuance of a tree removal permit and/or a grading permit	
Cultural Resources					

Mitigation Measure Number	*Mitigation Measure*	*Monitoring Actions*	*Party Responsible for Compliance*	*Timing*	*Verification of Compliance (name/date)*
CUL-1	In the event that prehistoric or historic resources are encountered during excavation and/or grading of the site, all activity within a 50-foot radius of the find will be stopped, the Director of Community Development will be notified, and the archaeologist will examine the find and make appropriate recommendations, in collaboration with a Tamien Tribal representative, prior to commencement of construction. Recommendations could include collection, recordation, and analysis of any significant cultural materials. A report of findings documenting any data recovery during monitoring would be submitted to the Director of Community Development, the California Historical Resources Information System (CHRIS) and the Tamien Nation.	Include measure on the project plans	Developer and Contractor	During construction activities	
CUL-2	In the event that human remains are discovered during excavation and/or grading of the site, all activity within a 50-foot radius of the find will be stopped. The Santa Clara County Coroner will be notified and will make a determination as to whether the remains are of Native American origin. If the remains are determined to be Native American, the Coroner will notify the Native American Heritage Commission (NAHC) immediately. Once NAHC identifies the most likely descendants, the descendants will make recommendations regarding proper burial, which will be implemented in accordance with Section 15064.5(e) of the CEQA Guidelines.	Include measure on the project plans	Developer and Contractor	During construction activities	
Geology & Soils					

Mitigation Measure Number	*Mitigation Measure*	*Monitoring Actions*	*Party Responsible for Compliance*	*Timing*	*Verification of Compliance (name/date)*
GEO-1	The project proponent shall ensure all construction personnel receive paleontological resources awareness training that includes information on the possibility of encountering fossils during construction; the types of fossils likely to be seen, based on past finds in the project area; and proper procedures in the event fossils are encountered. Worker training shall be prepared and presented by a qualified paleontologist. The applicant shall provide the Community Development Director with documentation showing the training has been completed by all required construction personnel prior to issuance of grading permits.	Include measure on the project plans Hire a qualified paleontologist to provide worker training	Developer and Contractor	Prior to issuing a grading permit	
GEO-2	If vertebrae fossils are discovered during construction, all work within 50 feet of the discovery shall stop immediately until a qualified professional paleontologist can assess the nature and importance of the find and recommend appropriate treatment. Treatment may include avoidance, if feasible, preservation in place, or preparation and recovery of fossil materials so that they can be housed in an appropriate museum or university collection and may also include preparation of a report for publication describing the finds.	Include measure on the project plans	Developer and Contractor	During Construction	

Mitigation Measure Number	*Mitigation Measure*	*Monitoring Actions*	*Party Responsible for Compliance*	*Timing*	*Verification of Compliance (name/date)*
	Hazards and Hazardous Materials				
HAZ-1	Prior to issuance of a demolition permit, the following measures shall be incorporated into demolition plans: a. All PCB-containing ballasts shall be removed and disposed of in accordance with state and local laws. b. All potentially friable asbestos-containing materials shall be removed in accordance with National Emissions Standards for Hazardous Air Pollutants (NESHAP) guidelines prior to building demolition or renovation that may disturb the materials. c. All demolition activities will be undertaken in accordance with Cal/OSHA standards, contained in Title 8 of the California Code of Regulations (CCR), Section 1529, to protect workers from exposure to asbestos. Materials containing more than one percent asbestos are also subject to BAAQMD regulations. d. During demolition activities, all building materials containing lead-based paint shall be removed in accordance with Cal/OSHA Lead in Construction Standard, Title 8, California Code of Regulations 1532.1, including employee training, employee air monitoring and dust control. Any debris or soil containing lead-based paint or coatings will be disposed of at landfills that meet acceptance criteria for the waste being disposed.	Incorporate measure into demolition plans Implement measures	Developer and Contractor Developer and Contractor	Prior to issuance of a demolition permit During Construction	

Mitigation Measure Number	*Mitigation Measure*	*Monitoring Actions*	*Party Responsible for Compliance*	*Timing*	*Verification of Compliance (name/date)*
	Noise				
NOI-1	Modification, placement, and operation of construction equipment are possible means for minimizing the impact of construction noise. Construction equipment shall be well-maintained and used judiciously to be as quiet as possible. Additionally, construction activities for the proposed project shall include the following best management practices to reduce noise from construction activities near sensitive land uses: a. Noise generating construction activities shall be limited to the hours between 7:00 a.m. and 5:30 p.m., Monday through Friday, and on Saturdays between 9:00 a.m. and 3:00 p.m., in accordance with the city's municipal code for construction in a single-family residential zone. Construction is prohibited on Sundays and holidays, unless permission is granted with a development permit or other planning approval. b. Use of the concrete saw within 50 feet of any shared property line shall be limited. c. Equip all internal combustion engine-driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the equipment.	Implement best management practices for construction equipment	City's Director of Planning or Director's designee	During construction activities	

Mitigation Measure Number	*Mitigation Measure*	*Monitoring Actions*	*Party Responsible for Compliance*	*Timing*	*Verification of Compliance (name/date)*
	d. Unnecessary idling of internal combustion engines in construction equipment with a horsepower rating of 50 or more shall be strictly prohibited, and limited to five minutes or less, consistent with BAAQMD best management practices. e. Locate stationary noise-generating equipment, such as air compressors or portable power generators, as far as possible from sensitive receptors (residences). If they must be located near sensitive receptors, adequate muffling (with enclosures where feasible and appropriate) shall be used to reduce noise levels at the adjacent sensitive receptors. Any enclosure openings or venting shall face away from sensitive receptors. f. Utilize "quiet" air compressors and other stationary noise sources where technology exists. g. A temporary noise control blanket barrier could be erected, if necessary, at the property line or along building facades facing construction sites. This measure would only be necessary if conflicts occurred that were irresolvable by proper scheduling. Noise control blanket barriers can be rented and quickly erected. h. Control noise from construction workers' radios to a point where they are not audible at existing residences bordering the project site. i. The contractor shall prepare a detailed construction plan identifying the schedule for major noise- generating construction activities and shall send				

Mitigation Measure Number	*Mitigation Measure*	*Monitoring Actions*	*Party Responsible for Compliance*	*Timing*	*Verification of Compliance (name/date)*
	a notice to all adjacent properties with the construction schedule. j. Designate a "disturbance coordinator" who would be responsible for responding to any complaints about construction noise. The disturbance coordinator will determine the cause of the noise complaint (e.g. bad muffler, etc.) and will require that reasonable measures be implemented to correct the problem. Conspicuously post the telephone number for the disturbance coordinator at the construction site and include it in the notice sent to neighbors regarding the construction schedule.				

Mitigation Measure Number	*Mitigation Measure*	*Monitoring Actions*	*Party Responsible for Compliance*	*Timing*	*Verification of Compliance (name/date)*
NOI-2	Prior to the issuance of a building permit, mechanical equipment shall be selected and designed to reduce impacts on surrounding uses to meet the city's requirements. A qualified acoustical consultant shall be retained by the project applicant to review mechanical noise as the equipment systems are selected in order to determine whether the proposed noise reduction measures sufficiently reduce noise to comply with the city's noise limit at the shared property line. Noise reduction measures that would accomplish this reduction include, but are not limited to, selection of equipment that emits low noise levels and/or installation of noise barriers such as enclosures and parapet walls to block the line of sight between the noise source and the nearest receptors.	Retain qualified acoustical consultant	City's Director of Planning or Director's designee	Prior to issuance of a building permit	
NOI-3	A construction vibration-monitoring plan shall be implemented to document conditions at the structure located adjacent to the proposed construction prior to, during, and after vibration generating construction activities. All plan tasks shall be completed under the direction of a State of California licensed Professional Structural Engineer and be in accordance with industry accepted standard methods. The construction vibration monitoring plan shall include the following tasks: • Identification of sensitivity to ground borne vibration of the structure located adjacent to the construction.	Implement construction vibration-monitoring plan	Developer and State of California licensed Professional Structural Engineer	Prior to grading activities	

Mitigation Measure Number	*Mitigation Measure*	*Monitoring Actions*	*Party Responsible for Compliance*	*Timing*	*Verification of Compliance (name/date)*
Tribal Cultural Resources					
TR-1	The applicant shall contract with the Tamien Nation to development and implement a cultural resource sensitivity training program for the construction work crew on the first day of construction. The archaeologist shall provide evidence of the training to the City Planning Division, which shall include the training materials and a sign-in list of trained construction personnel, at the end of the first day of construction.	Contract with Tamien Nation to develop and implement measure.	Developer	During construction activities	
TR-2	The applicant shall contract with the Tamien Tribal to monitor ground disturbing activities, including but not limited to removal of existing building foundations, trees, and grading activities. The applicant shall also contract with a qualified archaeologist to be on-call should cultural or Tribal resources be inadvertently discovered. Evidence of a contracts with the Tribal monitor and archaeologist shall be provided to the City Planning Division prior to issuance of a building demolition permit and/or a grading permit.	Contract with Tamien Nation to develop and implement measure.	Developer	During construction activities	

Mitigation Measure Number	*Mitigation Measure*	*Monitoring Actions*	*Party Responsible for Compliance*	*Timing*	*Verification of Compliance (name/date)*
	Should Tribal or cultural resources be inadvertently discovered, the Tamien Nation Treatment Protocol shall be implemented. Whether or not Tribal or cultural resources are inadvertently discovered, the Tribal monitor shall prepare a monitoring report to be submitted to the City Planning Division, prior to issuance of an occupancy permit. The location of Tribal resources is confidential, may be redacted from monitoring reports, and shall not be made available for public review. The location of sensitive cultural resources is exempt from the Public Records Act.				

CITY COUNCIL MEETING MINUTES

7:00 PM - Tuesday, February 08, 2022

via Teleconference

CALL MEETING TO ORDER

At 7:02 p.m. Mayor Enander called the meeting to order.

ESTABLISH QUORUM

PRESENT: Council Members Fligor, Lee Eng, Weinberg, Vice Mayor Meadows and Mayor Enander
ABSENT: None

PLEDGE ALLEGIANCE TO THE FLAG

Violet Pereira, Girl Scout Troop 60078, led the Pledge.

REPORT ON CLOSED SESSION

1. Conference with Legal Counsel – Existing Litigation
   Pursuant to Government Code Section 54956.9(d)(1)
   Name of Case: *Satish Ramachandran v. City of Los Altos, et al.*
   United States District Court, Northern District of California
   Case No. 5:18-cv-01223-VKD

2. Conference with Legal Counsel – Existing Litigation
   Pursuant to Government Code Section 54956.9(d)(1)
   Name of Case: *Satish Ramachandran v. City of Los Altos, et al.*
   Santa Clara County Superior Court
   Case No. 21CV391414

3. Conference with Legal Counsel – Existing Litigation
   Pursuant to Government Code Section 54956.9(d)(1)
   Name of Case: *Satish Ramachandran v. City of Los Altos, et al.*
   Santa Clara County Superior Court
   Case No. 21CV386694

Mayor Enander announced that there was no action taken and nothing to report on the Closed Session held earlier in the evening.

SPECIAL PRESENTATION

A. Presentation of Certificates of Recognition to Recipients of the Los Altos Emergency Preparedness Volunteers of the Year Award from the Santa Clara County Emergency Managers' Association

Ann Hepenstal provided information on the awards received by Harry Guy and Nico Bremeau.

Mayor Enander congratulated and thanked Mr. Guy and Mr. Bremeau on their contributions to the community and stated that Certificates of Recognition would be mailed.

Both Mr. Guy and Mr. Bremeau commented.

CHANGES TO THE ORDER OF THE AGENDA

Mayor Enander reordered the agenda so that Agenda Item # 5 would be considered following Agenda Item #6.

PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Joan Muhfelder provided comments.

CONSENT CALENDAR

1. **City Council Minutes**: Approve the Minutes of the January 25, 2022, Regular City Council Meeting. (A. Chelemengos)
2. **Extension of Local Emergency:** Adopt Resolution extending the declaration of a local emergency due to the COVID-19 pandemic. (J. Maginot)
3. **Investment Policy Update**: Adopt the revised Investment Policy for 2022 (J. Furtado)

Upon motion by Council Member Fligor, seconded by Council Member Lee Eng, the Consent Calendar was approved 5-0 with the following roll call vote:

AYES: Council Members Fligor, Lee Eng, Weinberg, Vice Mayor Meadows, And Mayor Enander
NOES: None
ABSENT: None
ABSTAIN: None

PUBLIC HEARINGS

4. **D21-0003 and TM21-0001 - 355 1st Street LLC - 355 First Street:** The City Council will consider the Design Review, Vesting Tentative Map applications and adopt a Mitigated Negative Declaration for a new 79,885 square-foot four story fifty (50) unit condominium building with two levels of underground parking at 355 First Street. The Planning Commission and Complete Streets Commission recommended approval of the project.

Senior Planner Gallegos provided a staff report and answered questions from the Council.

City Attorneys Ramakrishnan and Houston also answered questions from the Council.

J. Potts and Gary Black, members from the applicant team, provided a project overview and answered questions from the Council.

At 9:22 p.m., Mayor Enander called for a brief recess. At 9: 32 p.m. the meeting was reconvened.

Mayor Enander announced that Agenda Item #5, 2022 *Climate Action and Adaptation Plan* would be deferred to a future publicly noticed meeting.

Mayor Enander opened the Public Hearing and invited public comment on the 355 First Street project.

The following individuals commented: Terri Couture, Anne Paulson, Jeanine Valadez, Jon Bear, and Roberta Phillips. At 9:58 p.m., Mayor Enander closed the public hearing.

J. Potts provided closing comments.

Council discussion commenced and the Council provided input on the proposal. City Attorney Houston answered questions and provided guidance to the Council, as did Interim Planning Director Simpson. Motion made by Mayor Enander, Seconded by Council Member Lee Eng, to refer the application back to the Planning staff to work with the applicant to incorporate the comments of the Council and to bring the modified proposal back to the Council at a future meeting. The motion passed 5-0 with the following roll call vote:

AYES: Council Members Fligor, Lee Eng, Weinberg, Vice Mayor Meadows, and Mayor Enander
NOES: None
ABSENT: None
ABSTAIN: None

6. **Fiscal Year 21/22 Fee Schedule**: Hold Public Hearing to consider Additions of New Fees and Corrections to the Fiscal Year 2021/22 City of Los Altos Fee Schedule (approved October 26, 2021). The following new fees are proposed to be added to the Los Altos Fee Schedule: Recreation and Community Services Department Fees- Facility Rentals: Additional Facility Attendant Fee; Facility Rentals: Linen Cleaning Fee.

Engineering Services Manager Sandoval provided a report and answered questions from the Council. Recreation Supervisor Chew also answered questions from the Council.

Mayor Enander opened the Public Hearing. There were no members of the public wishing to speak.

Following Council discussion and upon motion of Council Member Weinberg, seconded by Council Member Lee Eng, the Council approved the fees as proposed in the staff report with the exception of the increase in the Senior lunch charge which shall remain as an optional donation.
The motion passed 5-0 with the following roll call vote:

AYES: Council Members Fligor, Lee Eng, Weinberg, Vice Mayor Meadows, and Mayor Enander
NOES: None
ABSENT: None
ABSTAIN: None

DISCUSSION ITEMS

5. **2022 Climate Action and Adaptation Plan:** Hold Public Hearing and Introduce and waive further reading of the 2022 Climate Action and Adaptation Plan (CAAP) an update to the 2013 Climate Action Plan (CAP) and make findings that the project is categorically exempt from CEQA pursuant to section 15308 as an action that will not have a significant impact on the environment, specifically, for the protection of the climate.

Item deferred earlier in the evening.

7. **Off-Leash Fenced-in Dog Parks:** Introduce, as read by title only, and waiving further reading, of an ordinance amending Los Altos Municipal Code Section 5.08 authorizing off-leash fenced-in dog parks in certain designated areas within Los Altos, affirming the off leash dog park locations at Hillview and McKenzie and making findings that the projects are exempt pursuant to CEQA and direct the City Manager or designee to prepare and file a notice of exemption in connection with this ordinance, pursuant to CEQA Guidelines Section 15062 and increase the current fiscal year budget by $100,000.

Recreation Director Legge provided a staff report and answered questions from the Council. Maintenance Supervisor Hernandez also answered questions from the Council and provided information.

The following members of the public commented: Julie Kim, Bette Houtchens, Anne Kearns, Mike Shadduck, Becky Sarabia, Tom Johnson, Baney, Jim Sweeney, James Yang, Miket, Derek Pitcher, and Jeanine Valadez.

Council discussion commenced.

Upon motion of Council Member Fligor, seconded by Mayor Enander, the Council introduced, as read by title only, and waived further reading, of the ordinance, as amended per the Council discussion, amending Los Altos Municipal Code Section 5.08 authorizing off-leash fenced-in dog parks in certain designated areas within Los Altos, at Hillview and McKenzie and making findings that the projects are exempt pursuant to CEQA as specified in the staff report. The motion passed 5-0 with the following roll call vote:

AYES: Council Members Fligor, Lee Eng, Weinberg, Vice Mayor Meadows, and Mayor Enander
NOES: None
ABSENT: None
ABSTAIN: None

Upon motion of Council Member Lee Eng, Seconded by Vice Mayor Meadows, the Council affirmed the location of a fenced dog park at the Hillview Soccer Field and directed staff to proceed with the phased implementation approach as outlined in the staff report. The motion passed 5-0 with the following roll call vote:

AYES: Council Members Fligor, Lee Eng, Weinberg, Vice Mayor Meadows, and Mayor Enander
NOES: None
ABSENT: None
ABSTAIN: None

Upon motion of Mayor Enander, Seconded by Vice Mayor Meadows, the Council authorized the increase of the current fiscal year budget by $100,000 for implementation of the dog parks. The motion passed 5-0 with the following roll call vote:

AYES: Council Members Fligor, Lee Eng, Weinberg, Vice Mayor Meadows, and Mayor Enander

NOES: None
ABSENT: None
ABSTAIN: None

Upon motion of Mayor Enander, Seconded by Council Member Lee Eng, the Council directed staff to proceed with the first phase of the implementation of a fenced in dog park at McKenzie Park per the staff report and to continue to look at alternative locations, including non-park land, that might accommodate a fenced in dog park should the first phase of the McKenzie dog park prove to be unsuccessful. The motion passed 3-2 with the following roll call vote:

AYES: Council Members Lee Eng, Weinberg, and Mayor Enander
NOES: Council Member Fligor and Vice Mayor Meadows
ABSENT: None
ABSTAIN: None

INFORMATIONAL ITEMS ONLY

8. Tentative Council Calendar

COUNCIL/STAFF REPORTS AND DIRECTIONS ON FUTURE AGENDA ITEMS

Council Members reported on various current events.

Assistant Manager Maginot reported on the upcoming Council Retreat Follow up scheduled for March 1, 2022, followed by Commission interviews.

The City Clerk reported on the ongoing Commission recruitment.

Council Member Lee Eng brought up a matter reported on during Public Comments of Items Not on the Agenda relative to new development, neighborhood concerns and the City's noticing policy relative to neighborhood notification development. City Manager Engeland stated that he would provide a memo on the matter and the Council could then decide at another meeting whether to place a discussion of the matter on a future agenda.

ADJOURNMENT

At 1:05 a.m., Wednesday, February 9, 2022, Mayor Enander adjourned the meeting.

Anita Enander, MAYOR

ATTEST:

Andrea M. Chelemengos MMC, CITY CLERK

CALENDAR

AGENDA REPORT SUMMARY

Meeting Date: February 8, 2022

Subject Proposed Four-Story Multiple-Family Residential at 355,365,371,373 First Street

Prepared by: Sean K. Gallegos, Senior Planner
Reviewed by: Laura Simpson, Interim Community Development Director
Approved by: Gabriel Engeland, City Manager

Attachment(s):
1. Resolution No. 2022-XXX
2. Joint Planning/Complete Streets Meeting Minutes, December 2, 2021
3. Joint Planning/Complete Streets Meeting Agenda Report and Attachments, December 2, 2021
4. CEQA Mitigated Negative Declaration Technical Appendices
5. Project Design Plans and Tentative Map

Initiated by:
Applicant, 355 1st St LLC

Previous Council Consideration:
None

Fiscal Impact:
The project will result in the following estimated financial contributions to the City's special revenue funds:

- Park in-Lieu Fees: $195,200 ($48,800/multiple-family dwelling unit)
- Traffic Impact Fees: $16,636 ($4,159/multiple-family dwelling unit)
- Los Altos Public Art Fund: one percent of construction costs, up to $200,000

Environmental Review:
On November 2, 2021 a Notice of Intent to Adopt a Mitigated Negative Declaration was filed with the County Clerk for a twenty (20) day comment period. No comments were received for this project and the environmental document indicates that the proposed project has the potential to result in significant adverse environmental impacts. However, the mitigation measures identified in the initial study would reduce the impacts to a less than significant level. There is no substantial evidence, in light of the whole record before the lead agency (the City of Los Altos) that the project,

with mitigation measures incorporated, may have a significant effect on the environment. Please review Attachment 6 (Mitigated Negative Declaration) in the Joint Planning/Complete Streets Commission Agenda Report (Attachment 3) for further details.

Policy Question(s) for Council Consideration:

Does the proposal meet the required findings for design review and subdivision per the Los Altos Municipal Code?

Summary:

- The Project includes the demolition of six existing commercial buildings and one existing single-family residence, and the construction of a new four-story multiple-family building with 50 condominium units, two levels of underground parking with 113 parking spaces, 34 interior bicycle parking spaces, and a private rooftop area.
- The Project will replace the existing sidewalk along First Street and Whitney Street and will be required to add two new ADA ramps and crosswalk striping per the City standards on the northeast and southeast corner of the intersection with First Street and Whitney Street.
- The Project proposes six (6) dedicated below market rate units with three (3) at the moderate-income level and three (3) at the very low-income level. Since the project is providing 8% of the units at the very low-income level, it qualifies for one (1) density bonus concession / incentive.
- The Project was reviewed by the Complete Streets and Planning Commissions. The Complete Streets Commission and the Planning Commission recommended approval with specific modifications.

Staff Recommendation:
City Council approval of design review and subdivision applications D21-0003 and TM21-0001 per the findings and conditions contained in the resolution.

Subject: Proposed Four-Story Multiple-Family Residential at 355 First Street

Purpose

Consider the recommendation from the Planning Commission and Complete Streets Commission and evaluate whether the project complies with the Los Altos Municipal Code requirements for design review and tentative subdivision map approval and furthers the City's efforts of providing for the production of housing, as reflected in the Goals, Policies, and Programs of the Housing Element and other elements in the Los Altos General Plan.

Background

Site Setting and Project Description

The development proposal includes a Design Review and Subdivision Vesting Tentative Map applications for a new four story, 50-unit multiple-family residential development on a .64-acre (27,887 square-foot) site comprised of four parcels at 355 First Street (APN: 167-41-026), 365 First Street (APN: 167-41-027), 371 First Street (APN: 167-41-028), and 373 First Street (APN: 167-41-029). The project site is located on the east side of First Street, at the intersection of Whitney Street, and it is developed with seven existing buildings totaling 7,648 square feet, including a hair salon, coin shop, office building, a single-family residence and two outbuildings. The four sites do not gain vehicular access from First Street, the site at 355 First Street obtains access from a driveway along Whitney Street, and the three parcels at 365 First Street, 371 First Street and 373 First Street gain vehicular access from the alley that runs along the rear (eastern) property line.

The Applicant proposes to demolish the existing buildings and construct a four-story building with 50 residential condominium units, two levels of underground parking with 113 parking spaces, 34 interior bicycle parking spaces, and a private rooftop area. The driveway location will be located along the alley that abuts the eastern lot line and will provide access to the underground garage. The Project will replace the existing sidewalk along First Street and Whitney Street and will be required to add two new ADA ramps and crosswalk striping per the City standards on the northeast and southeast corner of the intersection with First Street and Whitney Street. The Project proposes six (6) dedicated below market rate units with three (3) at the moderate-income level and three (3) at the very low-income level. Since the project is providing 8% of the units at the very low-income level, it qualifies for one (1) density bonus concession / incentive.

Planning Commission Study Session

On January 21, 2021, the Planning Commission held a study session to review and provide feedback on the Project's architectural and site design. At that time, the project was proposed as 50 condominium units with a four-story building with two levels of underground with 111 parking spaces. The underground parking was accessed from the alley that abuts the eastern lot line. The project shown to the Planning Commission identified a total of eight (8) affordable units (7 moderate and 1 low-income unit) with a base density of 37 units for the project.

Subject: Proposed Four-Story Multiple-Family Residential at 355 First Street

Overall, the Commission expressed general support for the project. The Commissioners shared some concerns such as:

1. The fourth floor could benefit from some setback or better articulation,
2. The rear elevation is more successful than the front elevation, the structure appears bulky for First Street and lacks a relationship to the City's village character,
3. The unit sizes could be reduced to create smaller units,
4. There is an opportunity to create a buffer zone between the sidewalk and building, recommended the applicant use the objective design standards being developed at time of commission review,
5. The building entrance is underwhelming, the interior courtyard could be used in a better way,
6. An improved landscaping plan is necessary to improve the transition from the building to back of sidewalk,
7. The roof deck needs to insulate noise and light to neighbors, and the development could use more affordable units.

Please refer to Attachment 2 in the Complete Streets Commission/Planning Commission Agenda report (Attachment 3) for comments made by the commission at this meeting.

Complete Streets Commission Study Session

Per Section 2.08.160 of the Los Altos Municipal Code the Complete Streets Commission (CSC) is an advisory body to the City Council on bicycle, pedestrian, parking, and traffic matters. As a result, and per 14.78.090 of the Los Altos Municipal Code, City staff and the applicant attended a study session with the applicant on February 24, 2021. Formal meeting minutes are not available for this meeting, but below is a summary of the major items discussed and how the project has been modified accordingly:

Table 1-Complete Streets Commission CSC Input

CSC Comments	**Applicant's Response**
Enhance back-alley access	The alley was enhanced with further raised planters and the exit was enhanced with a raised walkway.
Additional bicycle parking	Bicycle parking above the required has been provided. As we develop the utilities for the project more space may be available.
Additional EV Charging station	An EV Charging Station has been provided for every unit
Examine streetscape on First Street	Numerous design revisions have been made to the project including the building design and the landscape.

Subject: Proposed Four-Story Multiple-Family Residential at 355 First Street

SB330 - Joint Complete Streets Commission and Planning Commission Meeting
Development project applications submitted after January 1, 2020 are subject to SB-330, the Housing Crisis Act of 2019. The application was submitted on January 19, 2021; therefore, the project is subject to SB-330 provisions which includes a maximum of five public hearings. To reduce the total number of hearings, the Los Altos City Council directed staff and commissions to hold joint meetings; therefore, on December 2, 2021, the Complete Streets Commission and Planning Commission held a joint meeting to consider the project and provide recommendations to the City Council as specified by the Zoning Code. The Complete Streets Commission is tasked with reviewing the bicycle, pedestrian, parking and traffic elements of a development application and providing an advisory recommendation to the Planning Commission and City Council recommending approval of the proposed project. The Planning Commission also recommended approval of the project with a suggestion that electric power charges be installed in the bike storage area. A copy of the minutes for the meeting are provided as Attachments 2 and 3.

Story Pole Installation
Pursuant to the City Council Policy and Community Development Department procedures, the Applicant installed story poles per the approved plans as verified by the Applicant's civil engineer/surveyor as found in the certification letter included as Attachment 9 of the Commission Agenda Report (Attachment 3).

Summary of the Traffic Impact Analysis
The VTA VMT Evaluation Tool says that residential projects located within the project's transportation analysis zone (TAZ) would generate 7.08 VMT/capita. Similarly, the tool finds that the proposed project is projected to generate 6.37 VMT per capita. Since the proposed project's estimated VMT per capita of 6.37 is lower than the significance threshold of 10.39 VMT per capita, the project would have a less than significant impact of vehicle miles traveled. Please review the TIA within the Mitigated Negative Declaration for additional traffic related details.

Project consistency with the General Plan and CMP's LOS thresholds was evaluated relative to both existing traffic and background traffic volumes. For the existing plus project scenario, the levels of service at the seven study intersections under study were evaluated for the current traffic conditions and the traffic conditions expected to result from added vehicular trips under the proposed project.

The project is estimated to generate 196 new daily trips, with 9 net new trips (-3 inbound and 12 outbound) during the AM peak hour and 12 net new trips (12 inbound and 0 outbound) during the PM peak hour. A copy of the TIA is provided

The trip distribution pattern for the project was estimated based on existing travel patterns on the

surrounding roadway system and the locations of complementary land uses. The project impacts were evaluated relative to the seven intersections conveyed in Table 4 of the Traffic Impact Analysis (Attachment 4), and it found the following:

- Five of the seven study intersections would continue to operate at an acceptable level of service during both AM and PM peak hours. Since the project would add trips to existing low-delay movements, there would be a decrease in overall average delay at some intersections.
- The intersection of Foothill Expressway and San Antonio Road currently operates at an unacceptable level of service during the PM peak hour. However, the addition of project trips would not adversely affect traffic operations at the intersection because these trips would not increase the average delay at the intersection by more than four seconds.
- The San Antonio Road & Whitney Street/Pepper Drive intersection currently operates at an unacceptable level of service during the PM peak hour. However, the addition of project generated trips would not adversely affect traffic operations at the intersection. Since the unsignalized intersection of San Antonio Road & Whitney Street/Pepper Drive operates at LOS E, a signal warrant check (MUTCD 2010 edition, Part 4, Warrant 3) was conducted for the intersection based on the peak-hour traffic warrant. The analysis shows that the signal warrant is not met with or without the project.

The proposed project would not result in a substantial increase in traffic volumes at the affected intersections. The City of Los Altos' circulation system would continue to operate effectively following implementation of the project. Therefore, traffic generated by the proposed project would be consistent with the General Plan and the Congestion Management Program.

Transit Stop

The closest bus stop is located along both sides of San Antonio Road (near Whitney Street) approximately 800 feet from the subject site which is considered an acceptable walking distance. Local VTA route 40 provides service between Foothill College in Los Altos Hills and La Avenida Street in Mountain View via San Antonio Road, Lyell Street and First Street. According to the traffic impact analysis, existing bus service is expected to have sufficient capacity to accommodate new riders as a result of the project.

Pedestrian and Bicycles

Pedestrian facilities consist of sidewalks, crosswalks, and pedestrian signals at signalized intersections. The proposed project would provide sidewalks, crosswalks, and pedestrian signals at signalized intersections. The project proposes to construct a new five-foot-wide sidewalk and seven-foot-wide planting strip along its frontage on Whitney Street and an eight to 12-foot-wide sidewalk along its frontage on First Street. Trees would be planted along the sidewalk on the First Street frontage.

The Pedestrian Master Plan includes goals, policies and actions for improving the pedestrian environment in Los Altos, including planning for pedestrian accommodation and facilities that serve people of all ages and abilities, developing a safe pedestrian network, and increasing pedestrian mode share. Pedestrian circulation would not be inhibited by the proposed project and the project would not conflict with the Los Altos Pedestrian Master Plan. The proposed project would include pedestrian access points to existing facilities and would not prevent the City from implementing the goals of the Pedestrian Master Plan. If approved by the City Council, the applicant will be required to improve the sidewalk along First and Whitney so there is an accessible path of travel per the Americans with Disabilities Act (ADA).

Bicycle facilities in the vicinity of the project site include bike lanes and bike routes. Bike lanes (Class II facilities) are lanes on roadways designated for use by bicycles with special lane markings, pavement legends, and signage. Bike routes (Class III facilities) are roadways shared between bicycles and vehicles. While most streets in the downtown area lack bicycle facilities, they have slow traffic speeds and are conducive to bicycling. The project proposes to provide 34 long term Class I bicycle parking spaces located in bicycle lockers in the underground garage area, which complies with the VTA guidelines to provide one Class I facility for every three units. The project also proposes six short term Class II bicycle parking spaces on two bicycle racks located along the project frontage on First Street, which complies with the VTA standard to provide one Class II bicycle facility for every 15 units. See sheet A08 of the submitted plans for details.

The project would not remove any bicycle facilities and would not preclude the continued use of existing bicycle facilities in the project area, nor would it conflict with Los Altos General Plan policies promoting continued and expanded bicycle use.

Discussion/Analysis

General Plan and Zoning District Development Standards

The Project is consistent with all applicable goals and policies contained in the Los Altos General Plan. This includes goals, policies and programs in the Land Use Element, Community Design & Historic Resources Element, Economic Development Element and Housing Element. The Project complies with all applicable site standards for a multiple-family residential project in the CD/R3 District[1], and all other applicable Zoning Code site development requirements. Pursuant to Section 14.52.060 of the Municipal Code, the Project is required to provide a minimum 60% of softscape surfaces (plant material) within the front and rear yard areas. The Applicant is providing approximately 60% of the front yard and rear yard area with softscape surfaces.

[1] The project was deemed complete prior to the recent zoning ordinance changes that established new objective design standards; therefore, the Project was reviewed for consistency with the prior zoning ordinance requirements.

Subject: Proposed Four-Story Multiple-Family Residential at 355 First Street

Design Review Findings and Guidelines

To approve the Project, the City Council must make positive design review findings as outlined in Section 14.78.060 of the Municipal Code (see the Resolution in Attachment 1). In addition to complying with the standard design review findings, the Project must address the CD/R3 District's Design Controls (Section 14.52.110).

Overall, the project reflects a desired and appropriate development intensity for the CD/R3 District and within the First Street District as outlined in the General Plan and the Downtown Vision. The multiple-family development provides for studio, one-, two- and three-bedroom market-rate housing units that are more affordable by design as compared to single-family housing that is the predominant housing type in Los Altos and will contribute to the commercial vitality of the Downtown. The proposal meets General Plan Policy Land Use Policy 3.1, which encourages residential development above the ground floor that includes affordable housing units in the downtown core.

The proposal has architectural integrity and has an appropriate relationship with other structures in the immediate area in terms of height, bulk and design. The majority of the older buildings in the immediate area are fairly nondescript and lack a lot of architectural style. These are typically small-scale buildings at this time, but many are in the process of being transformed into larger scale developments. The projects at 389, 425, and 440 First Street have three stories of residential units above grade while 450 First Street and this project at 355 First Street have four stories above grade. A comparison of the projects' First Street facades are shown below at a matching scale, and this is conveyed in the architectural peer review report by Cannon Design Group shown as Attachment 5 in the Complete Streets Commission/Planning Commission Agenda Report (Attachment 3). While the project includes an increase in scale from existing buildings, it is compatible with height, mass, and bulk with this project of the projects approved by the City Council in the neighborhood context.

The 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. The building was designed with numerous changes in wall planes both horizontally and vertically to provide strong visual interest. The patio spaces at the lower-level step in and out and have cantilevered elements above that provide a sense of habitation as well and relating to human scale at the ground level. The second level balconies are recessed into the façade to provide a covered outdoor space while the upper balconies step back to break up the building massing with depth and a material change. The building entrance is clearly identifiable and the scale and material of the entrance and the surrounding landscaping signals its use.

The exterior materials and finishes convey high quality, integrity, permanence and durability, and materials are used effectively to define building elements. The exterior materials for this project reflect not only the architectural style of the building, but high-quality durable materials as well.

A clean lined modern stone veneer is used at the planter elements to define the base of the building. The horizontal siding material layered with the panels defines a base and creates a layered effect to break down the building mass. These materials along with the selected color palette provide a rich street presence that is harmonious with surrounding buildings both old and new.

The landscape plan appears generous and inviting. The building along First Street has been set back a minimum of 10 feet from the property line providing a constant band of landscape planters integrated into the front of the building. In addition to this landscape buffer, there are street trees planted at regular intervals within the City right of way to provide a shaded pedestrian experience as people walk towards downtown. The maximum amount of landscaping is provided with a layering of planter wall heights. Bike racks and benches are provided. Street trees are proposed on First Street and the Alley. The existing street trees on Whitney Street are proposed to remain

The mechanical equipment is screened from public view due to the building screening being designed to match the building parapet heights, and screen equipment from public view.

The 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 due to the trash areas being enclosed within the basement and not being visible from the street. A service vehicle (Cushman 35LR54) is shown on the upper garage plan to move trash from the trash storage area to the trash staging area along the alley on the east side of the building.

The Downtown Design Guidelines (adopted December 8, 2009) and the more recently adopted Downtown Vision Plan provide additional criteria and guidelines for new development to ensure that high quality materials are utilized, appropriate scales and massing are incorporated, and overarching Downtown characteristics are preserved and maintained. An architectural peer review report, which includes a summary the Downtown Design Guidelines for the First Street District and a critique of the architectural design, was completed for the project is shown as Attachment 5 in the Complete Streets Commission/Planning Commission Agenda report (Attachment 3). The Applicant chose to modify the design based on the architectural peer review report as conveyed in Table 3 of the Complete Streets Commission/Planning Commission Agenda report, which was also considered and supported by the majority of Planning Commissioners.

Overall, as evidenced in this discussion, the discussion in the Complete Streets Commission/Planning Commission Agenda report (Attachment 3), and as further supported by the findings contained in the resolution (Attachment 1), the project meets the City's required design review findings and zoning district design controls. The Planning Commission considered the design at their December 2, 2021 meeting, and they recommended approval of the project.

Subject: Proposed Four-Story Multiple-Family Residential at 355 First Street

Affordable Housing - Density Bonus and Development Incentives

Chapter 14.28 of the Municipal Code requires a minimum of 15 percent of the units be affordable, with a majority of the units designated as affordable at the moderate-income level and the remaining units designated as affordable at the low or very-low-income level. Since the base density for the project is 39 dwelling units, the project must provide 5.85 (rounded up to six) affordable units.

The project is consistent with the City's affordable housing regulations insofar as it proposes six affordable housing units, where six are required. However, by providing three moderate income units and three very-low-income unit, the project is in NOT complying with the City's Affordable Housing Ordinance requirement to provide the majority of units at the moderate-income level.

Four moderate-income units are required to comply with the City's Inclusionary Housing Ordinance, Los Altos Municipal Code Section 14.28.020. According to Condition No. 13, the project is approved conditioned upon meeting the minimum requirement to provide four moderate-income units. This condition does not alter or affect the number of very low-income units that the project will provide to qualify for the density bonus sought by the applicant. The applicant and the City disagree as to the application of the Inclusionary Housing Ordinance to the project and have jointly requested technical assistance from the California Department of Housing and Community Development ("HCD"). HCD declined to provide advice to resolve the disagreement. Therefore, the project is conditioned to administratively provide four moderate-income units consistent with the Inclusionary Housing Ordinance.

Housing Element program 4.3.2 requires that affordable housing units generally reflect the size and number of bedrooms of the market rate units. In this case, the overall project is proposing four three-bedroom units. The project includes one one-bedroom and two two-bedroom units at the moderate-income level and one studio unit and two one-bedroom units at the very-low income level. The project proposes 44 market rate units, with one studio unit, four one-bedroom units, 28 two-bedroom units, and 11 three-bedroom units. Due to the percentage of overall affordable units proposed, it appears that the proposed unit type of affordable housing units meets the intent of the program.

Under the State's density bonus regulations (Section 65915 of the California Government Code), the project qualifies for a 27.5% density bonus if it provides at least 8% very-low income units, for a total of 11 units at a base density of 39 units, for a total of 50 units.

Density Bonus Concessions

Since the project is providing more than five percent of its units as affordable at the very-low income level, it qualifies for one development incentives per State Law and City Ordinance. To help guide incentives requested by developers and ensure that the incentives do not result in any adverse impacts, the City adopted a list of "on-menu" incentives or concessions. In this case, the

project is seeking a height incentive to allow the project to exceed the maximum height limit of 45 feet by 11 feet (on-menu).

Under Government Code Section 65915(e) and Los Altos Municipal Code Section 14.28.040(F), the City must grant the requested incentive unless it can make specific negative findings. Under the Ordinance, the City has determined that "on-menu" incentives would not have a specific, adverse impact on public health and safety or the physical environment, which is one of three potential findings necessitating denial of the request, thus one of the following two findings would need to be made to deny the request:

- The concession or incentive does not result in identifiable and actual cost reductions, consistent with the definition of "concession" or "incentive," to provide for affordable housing costs, as defined in Health & Safety Section 50052.5, or for rents for the targeted units to be set as specified in subsection (I).
- The concession or incentive would be contrary to state or federal law.

There is not sufficient evidence currently in the record to make either of the other required findings for denial, i.e., that the incentive or concession would not result in identifiable and actual cost reductions to provide for affordable housing costs or would be contrary to state or federal law. Therefore, staff recommends the granting of the Applicant's requests.

Density Bonus Waiver
In addition to requesting incentives and concessions, applicants may request the waiver of an unlimited number of development standards that would physically preclude the construction of a project with the density bonus and the incentives or concessions to which the development is entitled, per Government Code Section 65915(e)(1), which reads:

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

Density Bonus Waiver #1
Applicant is requesting a waiver of the development standard set forth in LAMC Sec. 14.74.200(A) which requires that perpendicular parking spaces in off-street parking facilities

must have a width of no less than nine (9) feet. Based on information provided by the project architect, to provide the amount of parking proposed by the Project, the width of twelve (12) of the parking spaces was reduced to 8.5 feet x 18feet.

Density Bonus Waiver #2
Applicant is requesting a waiver to allow for a building height to allow the elevator to be 17 feet six inches when the code prohibits roof top structures taller than 12 feet in height. Based on information provided by the architect for the Project, an elevator shaft is necessary to comply with accessibility standards please see Attachments 3-(Density Bonus Report) and Attachment 4 (Elevator Shaft Details) for further details.

The waiver requests appear appropriate and reasonable for a project of this size and scope. There is sufficient evidence currently in the record that the development standard (absent the requested waiver) would have the effect of physically precluding the construction of the development meeting the criteria of the State Density Bonus Law or the Los Multiple-Family Affordable Housing Ordinance at the densities or with the incentives permitted thereunder was confirmed in the Density Bonus Report. The concession or incentive would not have a specific, adverse impact upon public health and safety or the physical environment or on any real property that is listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact without rendering the development unaffordable to very low-income and moderate-income households. Therefore, staff recommends the granting of the Applicant's requests.

A Density Bonus Report that supports the density bonus, development incentives and waiver requests was prepared by the Applicant and is included in Attachment 2 of the Complete Streets Commission/Planning Commission Agenda report (Attachment 3)

Density Bonus and Parking
Under the provisions of Density Bonus law, the project is entitled to reduced parking ratios and is only required to provide 70 parking spaces. The project proposes to exceed this requirement by providing 111 total spaces (99 regular sizes stalls (9x18 in size) and 12 reduced spaces (8.5 x18).

Subdivision
The Project includes a Vesting Tentative Map to create one lot for further subdivision with a condominium plan. The recording of a subsequent condominium plan would further allow for division of the air space for the four residential units as well as assign below grade parking spaces and other common areas. As outlined in the resolution, the subdivision is in compliance with the General Plan, is physically suitable for this type and density of development, is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their

habitat, is not injurious to public health and safety, and provides proper access easements for ingress, egress, public utilities and public services.

Environmental Review
An Initial Study/Mitigated Negative Declaration was prepared for the proposed project in conformance with California Environmental Quality Act. The analysis has determined that there are no significant environmental impacts with implementation of proposed mitigation measures. On November 2, 2021 a Notice of Intent to Adopt a Mitigated Negative Declaration was filed with the County Clerk for a twenty (20) day comment period. The City received a request to be notified about projects in the city of Cupertino from the Tamien Nation, because the city is within the geographic area with which they are traditionally and culturally affiliated. The City consulted with Tamien Nation for this Initial Study/Mitigated Negative Declaration. No comments were received for this project. The Initial Study and Mitigated Negative Declaration are included in Attachment 6 of the December 2, 2021 Planning/Complete Streets Commission report (Attachment 3).

Options

1) Approve Resolution No. 2022-XX

Advantages: The project will replace underdeveloped commercial properties with a high-quality multiple-family development that helps the City meet its goals for producing new housing units and is supportive of the goals of the Downtown Vision Plan.

Disadvantages: The amount of commercial building space along First Street will be reduced.

2) Do not approve Resolution No. 2022-XX

Advantages: The existing commercial buildings on the sites will be maintained.

Disadvantages: The City will not make any progress on achieving its goals for the production of new housing units and implementation of the Downtown Vision Plan.

The Housing Accountability Act (HAA), California Government Code Section 65589.5(j), requires that when a proposed housing development complies with the applicable, objective general plan and zoning standards, but a local agency proposes to deny the project or approve it only if the density is reduced, the agency must base its decision on written findings supported by substantial evidence that:

1. The development would have a specific adverse impact on public health or safety unless disapproved, or approved at a lower density; and
2. There is no feasible method to satisfactorily mitigate or avoid the specific adverse impact, other than the disapproval, or approval at a lower density.

Subdivision (j) of the HAA also requires the local agency to identify and provide written documentation of the reasons why a proposed housing development is inconsistent, not in compliance, or not in conformity with an applicable plan, program, policy, ordinance, standard, requirement, or other provision within 30 days of the date that the application for the housing development project is determined to be complete if the housing development project contains 150 or fewer housing units.

The proposed project has been determined to comply with applicable, objective general plan and zoning standards, including maximum height, density, minimum setbacks, useable common and private open space, and number of parking spaces. Thus, subdivision (j) of the Housing Accountability Act applies. Staff is not aware of any basis to make the findings listed above.

Recommendation

The Planning Commission and staff recommend Option 1.

RESOLUTION NO. 2022-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS APPROVING A DESIGN REVIEW AND SUBDIVISION APPLICATION FOR A NEW FIFTY UNIT MULTIPLE-FAMILY CONDOMINIUM PROJECT AT 355 FIRST STREET AND A MITIGATED NEGATIVE DECLARATION

WHEREAS, the City of Los Altos received a development application from DeNardi Wang Homes for a new a 50 unit, multiple-family project, which includes design review and subdivision applications (TM21-0001; D21-0003), referred herein as the "Project"; and

WHEREAS, said Project has been processed in accordance with the applicable provisions of the California Government Code and the Los Altos Municipal Code; and

WHEREAS, the Planning Commission and the Complete Streets Commission held duly noticed joint public hearings on the Project on December 2, 2021 and December 16, 2021, at which all public comment was duly considered and the Complete Streets Commission recommended Planning Commission and City Council approval of the project. The Planning Commission subsequently recommended City Council approve the Project; and; and

WHEREAS, the City Council held a duly noticed public meeting on the Project on February 8, 2022 and February 22, 2022 by law and considered public testimony and evidence and recommendations presented by staff related to the Project; and; and

WHEREAS, the applicant and the City of Los Altos did not receive technical assistance from the California Department of Housing and Community Development (State HCD) regarding the City's Inclusionary Housing Ordinance; and

WHEREAS, an Initial Study for the Project has been completed pursuant to CEQA which identifies potentially significant effects on the environment which would result from the Project, and concludes that these impacts can be avoided or reduced to a level of insignificance with adoption and implementation of certain mitigation measures therein identified and listed; and

WHEREAS, based on this Initial Study, a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Plan has been prepared in accordance with CEQA, which finds that any potentially significant environmental effects of the proposed project would be sufficiently mitigated to a level of insignificance with implementation of mitigation measures specified therein; a complete copy of the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Plan and all supporting exhibits and documents are on file and can be viewed at the City office; and

WHEREAS, the City published a Notice of Intent of the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Plan for the Project on November 2, 2021, which started a 20-day public review period. The notice was posted at the City office, the County Clerk, on the City website, published in the Town Crier and sent to all property owners and tenants within 1,000 feet of the project, and all interested persons; and

WHEREAS, at the February 8and February 22 2022 meetings, the City Council reviewed and considered the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Plan for the Project, any comments received to-date and the responses prepared, invited additional comments from the public; and

WHEREAS, the City Council conducted its own independent analysis of the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Plan and determined that the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Plan were appropriate as there is substantial evidence the Project would not result in any significant environmental impacts and the mitigated negative declaration reflects the District's independent judgment and analysis; and

WHEREAS, the findings and conclusions made by the City Council in this Resolution are based upon the oral and written evidence presented as well as the entirety of the administrative record for the proposed Project, which is incorporated herein by this reference. The findings are not based solely on the information provided in this Resolution; and

WHEREAS, the location and custodian of the documents or other materials which constitute the record of proceedings upon the City Council's decision are located in the Office of City Clerk.

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Los Altos hereby approves the Project subject to the findings and conditions of approval attached hereto as Exhibit "A (Findings) and Exhibit B (Conditions of Approval), Mitigated Negative Declaration (Exhibit C) and Mitigation Monitoring and Reporting Program (Exhibit D) and incorporated by this reference.

I HEREBY CERTIFY that the foregoing is a true and correct copy of a Resolution passed and adopted by the City Council of the City of Los Altos at a meeting thereof on February 22, 2022 by the following vote:
AYES:
NOES:
ABSENT:
ABSTAIN:

_____
Anita Enander, MAYOR

Attest:

_____
Andrea M. Chelemengos, CMC, CITY CLERK

EXHIBIT A-FINDINGS

(VTTM 21-001; DR 21-003)-355 First Street

1. With regard to environmental review, the City Council has independently reviewed, analyzed and considered the Mitigated Negative Declaration (MND) and Mitigation Monitoring and Reporting Plan (MMRP) and the whole record before it (including the Initial Study and any comments received) and based on the foregoing, the City Council hereby finds that all environmental impacts of the Project with mitigation measures are below a level of significance and there is no substantial evidence supporting a fair argument that the Project will have a significant effect on the environment.

2. The City Council finds the MND and MMRP has been completed in compliance with CEQA and consistent the State of California Guidelines for the Implementation of the California Environmental Quality Act. The City hereby approves and adopts the MND, which is hereby attached to this Resolution as Exhibit "C". In accordance with Public Resources Code section 21081.6, the City Council hereby adopts the MMRP, which is hereby attached to this Resolution as Exhibit "D".

3. With regard to the new fifty-unit multiple-family structure, the City Council finding the following in accordance with Section 14.78.060 of the Municipal Code:

    a. The proposal meets all applicable goals, policies and objectives of the General Plan, and CD/R3 Zone District design criteria because it is providing fifty new multiple-family residential condominium units in a multiple-family district, it incorporates high quality architectural design and is compatible with the existing development in the immediate vicinity;

    b. The proposal has architectural integrity and 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.

    c. Building elevations have variation and depth and avoid large blank wall surfaces. The residential projects incorporate elements that signal habitation such as identifiable entrances, stairs, porches, bays and balconies.

    d. 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.

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

f. Signage is designed to complement the building architecture in terms of style, materials, colors and proportions.

g. The exterior mechanical equipment, which is located in alcoves and within the fenced private areas, is screened from public view and the fencing is consistent with the building architecture in form, material and detailing; and

h. The service, trash and utility areas are located behind fences, recessed in alcoves or enclosed within the building in order to be screened from public view and are placed in a way that is consistent with the building architecture in materials and detailing.

4. With regard to the fifty-unit condominium subdivision, the City Council finds the following in accordance with Chapter 4, Article 1, Section 66474 of the Subdivision Map Act of the State of California:

a. The proposed subdivision is not consistent with applicable general and specific plans as specified in 65451.

This Finding cannot be made. The proposed subdivision is consistent with the Los Altos General Plan, including the Land Use Element, which designates the parcel as Downtown Commercial and allows for higher density residential development. Specific applicable policies of the General Plan for creating one parcel to be further divided into 50 condominium units include Land Use Element Policies 2.2, 3.1 and 3.5, Housing Element Policy 4.3, and the Infrastructure and Waste Disposal Element Policies 1.3, 2.2 and 3.1. The subdivision is also consistent with the Downtown Special Planning Area within the Land Use Element. The subdivision is not within an area adopted as specific plan area.

b. That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans.

This Finding cannot be made. The proposed subdivision is consistent with the Los Altos General Plan, including the Land Use Element, which designates the parcel as Downtown Commercial and allows for higher density residential development. Specific applicable policies of the General Plan for creating one parcel to be further divided in 50 residential condominium units include Land Use Element Policies 2.2, 3.1 and 3.5, Housing Element Policy 4.3, and the Infrastructure and Waste Disposal Element Policies 1.3, 2.2 and 3.1. The subdivision is also consistent with the Downtown Special Planning Area within the Land Use Element. The subdivision is not within an area adopted as specific plan area.

c. That the site is not physically suitable for the type of development.

This Finding cannot be made. The site is physically suitable for this type of development because it is in conformance with the Downtown Commercial land use designations of the General Plan, and complies with all applicable CD/R3 Zoning District site development standards excluding those exceptions otherwise approved;

d. That the site is not physically suitable for the proposed density of development.

This Finding cannot be made. The site is physically suitable for the proposed density of development because it is in conformance with the Downtown Commercial land use designations of the General Plan, which does not have a density maximum but allows higher density residential development and complies with all applicable CD/R3 Zoning District site development standards excluding those exceptions otherwise approved;

e. That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

This Finding cannot be made. The design of the subdivision and the proposed improvements will not cause substantial environmental damage, or substantially injure fish or wildlife because the site is located within a developed urban context and is not in or adjacent to any sensitive habitat areas;

5. That the design of the subdivision or type of improvements is likely to cause serious public health problems.

This Finding cannot be made. The design of the subdivision will not cause serious public health problems because the site is located within an urban context and has access to urban services including sewer and water.

6. That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. In this connection, the governing body may approve a map if it finds that alternate easements, for access or for use, will be provided, and that these will be substantially equivalent to ones previously acquired by the public. This subsection shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction and no authority is hereby granted to a legislative body to determine that the public at large has acquired easements for access through or use of property within the proposed subdivision.

This Finding cannot be made. The design of the subdivision will not conflict with access easements because there are no known existing access easements encumbering this property.

7. Density Bonus Findings. With regard to the offered below market rate units and requested parking requirement alteration, the City Council finds, in accordance with Los Altos Municipal Code Section 14.28.040, as follows:

a. The applicant is offering three Very Low-income unit and three Moderate income units for sale, which qualifies the project for additional waivers and incentives

b. Per Table DB 2 in Los Altos Municipal Code Section 14.28.040, a project that includes eight percent or more of its total units as very-low income restricted affordable units shall be granted one (1) incentive. The applicant will be requesting one density bonus concession to increase the height from 35 feet to 46 feet. Evidence has not been presented which supports other findings for denial of the requested incentives. The height and the

setback incentives are considered an "on-menu" incentive per Section 14.28.040(f) Incentive Standards and, therefore, the City has determined that the incentive would not have a specific adverse impact upon public health and safety or the physical environment or upon a listed historical resource.

c. Per Section 14.28.040(H)(1), a project can request a waiver or reduction of development standards that have the effect of physically precluding the construction of a development in addition to the development incentive permitted by the Municipal Code. Consistent with these requirements, the applicant is requesting a waiver to allow for a building height of up to sixty-three (63) feet and four and a half (4.5) inches where the development standard set forth in LAMC Sec.14.66.240(F) requires that an enclosed roof structure housing the elevator for the proposed residential building that provides access to the roof top be limited to twelve (12) feet in height. Based on findings by the architect for the Project, the elevator housing on the roof deck cannot be constructed unless it is approximately seventeen (17) feet and six (6) inches in height, and an elevator shaft is necessary to comply with accessibility standards. The Council determined the waivers are supported by the fact that the implementation of the standards physically precludes the construction of the development and evidence has not been presented that the waivers will have a specific, adverse impact upon health, safety, or the physical environment, or an adverse impact on any listed historic resource or will be contrary to state or federal law.

8. Non-compliance with 14.28.020:

a. Applicant is required to provide at least four Moderate Income and three Low Income or Very Low-income restricted units. Applicant proposes only three Moderate Income and three Very Low-income units. The City Council has determined the Project does not meet the standard. Parties are jointly requested technical assistance from HCD. HCD declined to provide advice to resolve the disagreement. The project has been conditioned on providing four Moderate Income restricted units. Per Condition of Approval No. 12 under the General Conditions of Approval set forth in Exhibit B of this Resolution, the applicant shall provide four Moderate Income and three Very Low-Income restricted units unless the California Department of Housing and Community Development agrees with the applicant's interpretation of the law.

EXHIBIT B-CONDITIONS

GENERAL

1. **Approved Plans**
   Project approval is based upon the plans received on November 12, 2021 except as modified by these conditions.

2. **Indemnity and Hold Harmless**
   The applicant/owner agrees to indemnify, defend, protect, and hold the City harmless from all costs and expenses, including attorney's fees, incurred by the City or held to be the liability of the City in connection with the City's defense of its actions in any proceedings brought in any State or Federal Court, challenging any of the City's action with respect to the applicant's project. The City may withhold final maps and/or permits, including temporary or final occupancy permits, for failure to pay all costs and expenses, including attorney's fees, incurred by the City in connection with the City's defense of its actions.

3. **Encroachment Permit**
   An encroachment permit, and/or an excavation permit shall be obtained prior to any work done within the public right-of-way and it shall be in accordance with plans to be approved by the City Engineer.

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

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

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

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

8. **Transportation Permit**
   A Transportation Permit, per the requirements specified in California Vehicle Code Division 15, is required before any large equipment, materials or soil is transported or hauled to or from the construction site. Applicant shall pay the applicable fees before the transportation permit can be issued by the Traffic Engineer.

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

10. **Storm Water Management Plan**
    The Applicant shall submit a Storm Water Management Plan (SWMP) in compliance with the MRP. The SWMP shall be reviewed and approved by a City approved third party consultant

at the Applicant's expense. The recommendations from the Storm Water Management Plan (SWMP) shall be shown on the building plans.

11. **Civil Engineering Drawings**
The applicant shall submit civil engineering drawings that show property lines with bearing and easements.

12. **Request for State Technical Assistance**
The applicant proposes to provide three Moderate Income units and three Very Low-income units. Four Moderate Income units are required to comply with the City's Inclusionary Housing Ordinance, Los Altos Municipal Code Section 14.28.020. The project is approved conditioned upon meeting this minimum requirement to provide four Moderate income units. This condition does not alter or affect the number of very low-income units that the project will provide to qualify for the density bonus sought by the applicant. The applicant and the City disagree as to the application of the Inclusionary Housing Ordinance to the project and have jointly requested technical assistance from the California Department of Housing and Community Development ("HCD"). Staff is authorized to amend this condition administratively if necessary to be consistent with any opinion HCD may provide.

PRIOR TO FINAL MAP RECORDATION

13. **Public Access Easement Dedication**
The applicant shall dedicate public access easements for the purpose of providing vehicle and pedestrian access shall be dedicated as follows:
    a. An easement of two feet along the rear alley for use as a public right-of-way; and
    b. An easement of one foot along the First Street frontage to allow for pedestrian access.
    c. If tree wells are approved by Planning Department, Pedestrian Access Easement along First Street shall be wide enough to allow proper ADA clearances.

14. **Public Utility Dedication**
The applicant shall dedicate public utility easements as required by the utility companies to serve the site.

15. **Subdivision Agreement**
The applicant shall sign and return Subdivision Improvement Agreement to the City for records and recordation prior to the recordation of the Final Map.

16. **Final Map Application and Payment of Subdivision Fees**
The applicant shall pay all applicable fees, including but not parkland dedication in-lieu fees and map check fee plus deposit as required by the City of Los Altos Municipal Code. Plats and legal descriptions of the final map shall be submitted for review by the City Land Surveyor.

17. **Cost Estimate and Performance Bonds**
The applicant shall submit a cost estimate for the improvements in the public right-of-way and shall submit a 100 percent performance bond or cash deposit (to be held until acceptance of improvements) with a ten percent warrant bond and a 50 percent labor and material bond (to be held six months after acceptance of improvements) for the work in the public right-of-way.

18. **Covenants, Conditions and Restrictions**
The applicant shall include the following provisions in the Covenants, Conditions and Restrictions (CC&Rs):

a. Long-term maintenance and upkeep of the landscaping and street trees, on-site and in the public right-of-way along the site frontage, as approved by the City, shall be a duty and responsibility of the property owners.
b. One of the underground parking spaces shall be open for guest users.
c. Long-term maintenance and upkeep of the building's exterior materials and finishes shall be the responsibility of the Homeowner's Association.
d. The Homeowner's Association will store trash receptacles in the underground parking garage level and will be responsible for moving trash receptacles to the temporary staging area at street level no more than 24 hours in advance of trash pickup and will relocate trash receptacles to their storage location within 24 hours of pickup.

PRIOR TO ISSUANCE OF BUILDING PERMIT

19. Final Map Recordation
The applicant shall record the final map.

20. Payment of Impact and Development Fees
The applicant shall pay all applicable fees, including but not limited to sanitary sewer connection and impact fees, traffic impact fees, and public art impact fee as required by the City of Los Altos Municipal Code.

21. Downtown Decorated Lights
The applicant shall insure the design and installation of total of two new Downtown Decorated light fixtures along First Street and Whitney Street as directed by the City Engineer.

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

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

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

25. Soldier beams/Shoring
The applicant shall insure the design of all soldier beams or other temporary shoring supports are outside the public right-of-way.

26. Sewage Capacity Study
The applicant shall submit calculations showing that the City's existing sewer line will not exceed two-thirds full due to the project's sewer loads. Calculations shall include the 6" main from the front of the property to the point where it connects to the 8" sewer line on San Antonio Rd. For any segment that is calculated to exceed two-thirds full for average daily flow or for any segment that the flow is surcharged in the main due to peak flow, the applicant shall

replace the 6" sewer line with an 8" sewer line. For any segment that is calculated to exceed two-thirds full for average daily flow or for any segment that the flow is surcharged in the main due to peak flow, the applicant shall replace the sewer line with a larger sewer line.

27. **Construction Management Plan**
The Applicant shall submit a construction management plan for review and approval by the Community Development Director and the City Engineer. The construction management plan shall address any construction activities affecting the public right-of-way, including but not limited to excavation, traffic control, truck routing, pedestrian protection, material storage, earth retention and construction vehicle parking. The plan shall provide specific details with regards to how construction vehicle parking will be managed to minimize impacts on nearby single-family neighborhoods. Sidewalks, parking and travel lanes along First Street and Whitney Street shall not be closed for the full duration of the project. Closures will be reviewed and approved with Encroachment Permit submittals. The applicant shall be required to have a pre-construction meeting with all abutting property owners to discuss the project schedule and to prominently display a sign with the single point of contact the community should interface with for any construction related impacts from the project.

28. **Solid Waste Ordinance Compliance**
The Applicant shall be in compliance with the City's adopted Solid Waste Collection, Remove, Disposal, Processing & Recycling Ordinance (LAMC Chapter 6.12) which includes a mandatory requirement that all multi-family dwellings provide for recycling and organics collection programs.

29. **Fire Approval**
The project shall comply with all Santa Clara County Fire Department standards including but not limited to the comments and conditions provided in the Fire Department Development Review Comment letter dated October 21, 2021. A formal review of the building permit plans will be completed subsequent to submittal of a complete set of building permit design plans.

30. **Off-haul Excavated Soil**
The grading plan shall show specific grading cut and/or fill quantities. Cross section details showing the existing and proposed grading through at least two perpendicular portions of the site or more shall be provided to fully characterize the site. A note on the grading plans should state that all excess dirt shall be off-hauled from the site and shall not be used as fill material unless approved by the Building and Planning Divisions.

31. **Solid Waste and Recyclables Disposal Plan**
The Applicant shall contact Mission Trail Waste Systems and submit a solid waste and recyclables disposal plan indicating the type, size and number of containers proposed, and the frequency of pick-up service subject to the approval of the Engineering Division. The Applicant shall also submit evidence that Mission Trail Waste Systems has reviewed and approved the size and location of the proposed trash enclosure. The enclosure shall be designed to prevent rainwater from mixing with the enclosure's contents and shall be drained into the City's sanitary sewer system. The enclosure's pad shall be designed to not drain outward, and the grade surrounding the enclosure designed to not drain into the enclosure. In addition, Applicant shall show on plans the proposed location of how the solid waste will be collected by the refusal company. Include the relevant garage clearance dimension and/or staging location with appropriate dimensioning on to plans.

32. Storm Water Filtration Systems
The Applicant shall insure the design of all storm water filtration systems and devices are without standing water to avoid mosquito/insect infestation.

33. Air Quality Mitigation
The applicant shall incorporate into the design plans and shall implement throughout the entire construction process the Bay Area Air Quality Management District's basic Construction Mitigation Measures to reduce emissions of fugitive dust during construction activities (California Environmental Quality Act Air Quality Guidelines. San Francisco, CA. May 2017. http://www.baaqmd.gov/~/media/files/planning-and-research/ceqa/ceqa_guidelines_may2017-pdf.pdf?la=en (accessed November 2021).

34. Acoustical Report
The applicant shall submit a report from an acoustical engineer/consultant ensuring that the rooftop mechanical equipment meets the City's exterior noise regulations.

PRIOR TO SUBMITTAL OF BUILDING PERMIT

35. Water Efficient Landscape Plan
Provide a landscape documentation package prepared by a licensed landscape professional showing how the project complies with the City's Water Efficient Landscape Regulations and include signed statements from the project's landscape professional and property owner.

36. Reach Codes
Building Permit Applications submitted on or after January 26, 2021 shall comply with specific amendments to the 2019 California Green Building Standards for Electric Vehicle Infrastructure and the 2019 California Energy Code as provided in Ordinances Nos. 2020-470A, 2020-470B, 2020-470C, and 2020-471 which amended Chapter 12.22 Energy Code and Chapter 12.26 California Green Building Standards Code of the Los Altos Municipal Code. The building design plans shall comply with the standards and the applicant shall submit supplemental application materials as required by the Building Division to demonstrate compliance.

37. California Water Service Upgrades
The applicant is responsible for contacting and coordinating with the California Water Service Company any water service improvements including but not limited to relocation of water meters, increasing water meter sizing or the installation of fire hydrants. The City recommends consulting with California Water Service Company as early as possible to avoid construction or inspection delays.

PRIOR TO FINAL OCCUPANCY

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

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

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

41. **Sidewalk in Public Right-of-Way**
The Applicant shall remove and replace entire sidewalk and curb and gutter along the frontage of First Street and Whitney Street as directed by the City Engineer. All sidewalks in the public right-of-way shall be City Standard concrete sidewalks. The applicant shall remove existing driveway on Whitney Street and replace it with standard curb and gutter. The applicant shall extend sidewalk on Whitney Street from 330 2nd Street property to the alley, and install new driveway approach at the back of 330 2nd Street.

42. **New ADA Ramps and Crosswalks**
The applicant shall provide two new ADA ramps and crosswalk stripping per the City standards on the northeast and southeast corner of the intersection with First Street and Whitney Street. The applicant shall install new ADA ramps as necessary at the sidewalk extension along Whitney Street.

43. **Parking Stall and Red Curb Striping**
The applicant shall install parking stall striping and red curb on First Street and Whitney Street as directed by the City Engineer or his designee.

44. **Public Infrastructure Repairs**
The Applicant shall repair any damaged right-of-way infrastructures and otherwise displaced curb, gutter and/or sidewalks and City's storm drain inlet shall be removed and replaced as directed by the City Engineer or his designee. The Applicant is responsible to resurface (grind and overlay) half of the street along the frontage of First Street if determined to be damaged during construction, as directed by the City Engineer or his designee.

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

46. **Green Building Verification**
The applicant shall submit verification that the structure was built in compliance with the California Green Building Standards pursuant to Section 12.26 of the Municipal Code.

47. **SWMP Certification**
The Applicant shall have a final inspection and certification done and submitted by the Engineer who designed the SWMP to ensure that the treatments were installed per design. The Applicant shall submit a maintenance agreement to City for review and approval for the stormwater treatment methods installed in accordance with the SWMP. Once approved, City shall record the agreement.

48. **Landscape and Irrigation Installation**
All on- and off-site landscaping and irrigation shall be installed and approved by the Community Development Director and the City Engineer.

49. **Label Catch Basin Inlets**
The Applicant shall label all new or existing public and private catch basin inlets which are on or directly adjacent to the site with the "NO DUMPING - FLOWS TO ADOBE CREEK" logo as required by the City.

PRIOR TO RECORDATION OF THE FINAL MAP

50. Affordable Housing Agreement

Prior to the issuance of building permits the applicant shall execute and record an Affordable Housing Agreement, in a form approved and signed by the Community Development Director and the City Attorney, that offers six (6) below market rate unit, for a period of at least 55 years. The below market rate units shall be four Moderate and three Very-Low Income restricted units, which shall be constructed concurrently with the market rate units, shall be provided at the location on the approved plans, and shall not be significantly distinguishable with regard to design, construction or materials. This issue shall be resolved prior to the recordation of the Final Map.

EXHIBIT C

City of Los Altos
MITIGATED NEGATIVE DECLARATION
355 First Street Residential Development

The City Council of the City of Los Altos has considered the project identified below and has adopted the following Mitigated Negative Declaration pursuant to the California Environmental Quality Act:

Project Name:	355 First St. Residential Project
Lead Agency:	City of Los Altos
Project Proponent:	355 1st St LLC. C/O DeNardi Wang Homes
Project Location:	355, 365, 371, 373 First St., Los Altos, CA
Project Description:	The proposed project includes demolition of the seven existing buildings and construction of a 79,431 square foot, 50-unit, four story condominium building and two levels of underground parking.
Written Comments To	Guido Persicone Planning Services Manager City of Los Altos 1 N. San Antonio Road Los Altos, CA 94022
Proposed Findings	The City of Los Altos is the custodian of the documents and other material that constitute the record of proceedings upon which this decision is based. The initial study indicates that the proposed project has the potential to result in significant adverse environmental impacts. However, the mitigation measures identified in the initial study would reduce the impacts to a less than significant level. There is no substantial evidence, in light of the whole record before the lead agency (the City of Los Altos) that the project, with mitigation measures incorporated, may have a significant effect on the environment. See the following project-specific mitigation measures:

Mitigation Measures

Air Quality

AQ-1 The project applicant shall include the following BAAQMD best management practices to minimize DPM (PM10) and PM2.5 emissions on the project plans andthe contractor shall implement them during all phases of construction:

a. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day;

b. All haul trucks transporting soil, sand, debris, or other loose material off-site shall be covered;

c. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited;

d. All vehicle speeds on unpaved roads shall be limited to 15 miles per hour;

e. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used;

f. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points;

g. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation; and

h. Post a publicly visible sign with telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The BAAQMD's phone number shall also be visible to ensure compliance with applicable regulations.

AQ-2 Prior to the issuance of the demolition and grading permits, the project developershall prepare, and the project contractor shall implement, a demolition and construction emissions avoidance and reduction plan demonstrating a minimum 30 percent reduction in DPM emissions.

The plan shall be prepared at the applicant's expense and shall be reviewed and approved by the City's Director of Planning or Director's designee, prior to issuance of demolition and grading permits. The plan shall be accompanied by a letter prepared by a qualified air quality consultant, verifying the equipment included in the plan meets the standards set forth in this mitigation measure. Theplan shall include the following measures:

a. At least five of the mobile diesel-powered off-road equipment operating on-site for more than two days and larger than 50 horsepower shall, at a minimum, meet U.S. Environmental Protection Agency (EPA) particulate matter emissions standards for Tier 4 engines. The plan shall include specifications of the equipment to be used during construction and confirmation this requirement is met; and,

b. Other demonstrable measures identified by the developer and confirmed by the air quality consultant, that reduce emissions and avoid or minimize the affected sensitive receptors exposures by at least 30 percent.

Biological Resources

BIO-1 Prior to issuance of tree removal, demolition, and grading permits, to avoid impacts to nesting birds during the nesting season (January 15 through September 15), construction activities within or adjacent to the project site boundary that include any tree or vegetation removal, demolition, or ground disturbance (such as grading or grubbing) shall be conducted between September16 and January 14, outside of the bird nesting season. If this type of construction occurs during the bird nesting season, then a qualified biologist shall conduct pre-construction surveys for nesting birds to ensure that no nests would be disturbed during project activities.

If project-related work is scheduled during the nesting season (February 15 to August 30 for small bird species such as passerines; January 15 to September 15 for owls; and February 15 to September 15 for other raptors), or if construction activities are suspended for at least 14 days and recommence during the nestingseason, a qualified biologist shall conduct nesting bird surveys.

a. Two surveys for active bird nests shall occur within 14 days prior to start of construction, with the final survey conducted within 48 hours prior to construction. Appropriate minimum survey radii surrounding each work area are typically 250 feet for passerines, 500 feet for smaller raptors, and 1,000 feet for larger raptors. Surveys shall be conducted at the appropriate times of day to observe nesting activities. Locations off the site to which access is not available may be surveyed from within the site or from public areas. A report documenting survey results and plan for active bird nest avoidance (if needed) shall be completed by the qualified biologist prior to initiation of construction activities.

b. If the qualified biologist documents active nests within the project site or in nearby surrounding areas, an appropriate buffer between each nest and active construction shall be established. The buffer shall be clearly marked and maintained until the young have fledged and are foraging independently. Prior to construction, the qualified biologist shall conduct baseline monitoring of each nest to characterize "normal" bird behavior andestablish a buffer distance, which allows the birds to exhibit normal behavior. The qualified biologist shall monitor the nesting birds daily during construction activities and increase the buffer if birds show signs of unusual or distressed behavior (e.g. defensive flights and vocalizations, standing up from a brooding position, and/or flying away from the nest). If buffer establishment is not possible, the qualified biologist or construction foreman shall have the authority to cease all construction work in the area until the young have fledged and the nest is no longer active. Developers shall be responsible for implementation of this mitigation measure with oversight by the City of Los Altos. Compliance with this measure shall be documented and submitted to the City prior to issuance of tree removal, demolition, and grading permits.

BIO-2 Prior to issuance of a tree removal permit and/or a grading permit, developers shall retain a certified arborist to develop a site-specific tree protection plan for retained trees and supervise the implementation of all proposed tree preservationand protection measures during construction activities, including those measuresspecified in the 2021 Arborist Report (Kielty Arborist Services LLC). Also, in accordance with the City's Tree Protection Ordinance, the developer shall obtain a tree removal permit for proposed tree removals and shall install replacement trees in accordance with all mitigation, maintenance, and monitoring requirements specified in the tree removal permit(s) or otherwise required by the City for project approvals.

Cultural Resources

CUL-1 In the event that prehistoric or historic resources are encountered during excavation and/or grading of the site, all activity within a 50-foot radius of the find will be stopped, the Director of Community Development will be notified, and the archaeologist will examine the find and make appropriate recommendations, in collaboration with a Tamien Tribal representative, prior to commencement of construction. Recommendations could include collection, recordation, and analysis of any significant cultural materials. A report of findings documenting any data recovery during monitoring would be submitted to the Director of Community Development, the California Historical Resources Information System (CHRIS) and the Tamien Nation.

CUL-2 In the event that human remains are discovered during excavation and/or grading of the site, all activity within a 50-foot radius of the find will be stopped. The Santa Clara County Coroner will be notified and will make a determination as to whether the remains are of Native American origin. If the remains are determined to be Native American, the Coroner will notify the Native American Heritage Commission (NAHC) immediately. Once NAHC identifies the most likely descendants, the descendants will make recommendations regarding proper burial, which will be implemented in accordance with Section 15064.5(e) of the CEQA Guidelines.

Geology and Soils

GEO-1 The project proponent shall ensure all construction personnel receive paleontological resources awareness training that includes information on the possibility of encountering fossils during construction; the types of fossils likely to be seen, based on past finds in the project area; and proper procedures in the event fossils are encountered. Worker training shall be prepared and presented by a qualified paleontologist. The applicant shall provide the Community Development Director with documentation showing the training has been completed by all required construction personnel prior to issuance of grading permits.

GEO-2 If vertebrae fossils are discovered during construction, all work within 50 feet of the discovery shall stop immediately until a qualified professional paleontologist can assess the nature and importance of the find and recommend appropriate treatment. Treatment may include avoidance, if feasible, preservation in place, or preparation and recovery of fossil materials so that they can be housed in an appropriate museum or university collection and may also include preparation of a report for publication describing the finds.

Hazards and Hazardous Materials

HAZ-1 Prior to issuance of a demolition permit, the following measures shall be incorporated into demolition plans:

a. All PCB-containing ballasts shall be removed and disposed of in accordance with state and local laws.

b. All potentially friable asbestos-containing materials shall be removed in accordance with National Emissions Standards for Hazardous Air Pollutants (NESHAP) guidelines prior to building demolition or renovationthat may disturb the materials.

c. All demolition activities will be undertaken in accordance with Cal/OSHA standards, contained in Title 8 of the California Code of Regulations (CCR),Section 1529, to protect workers from exposure to asbestos. Materials containing more than one percent asbestos are also subject to BAAQMD regulations.

d. During demolition activities, all building materials containing lead-based paint shall be removed in accordance with Cal/OSHA Lead in Construction Standard, Title 8, California Code of Regulations 1532.1, including employeetraining, employee air monitoring and dust control. Any debris or soil containing lead-based paint or coatings will be disposed of at landfills that meet acceptance criteria for the waste being disposed.

Noise

NOI-1 Modification, placement, and operation of construction equipment are possible means for minimizing the impact of construction noise. Construction equipmentshall be well-maintained and used judiciously to be as quiet as possible.
Additionally, construction activities for the proposed project shall include the following best management practices to reduce noise from construction activitiesnear sensitive land uses:

- Noise generating construction activities shall be limited to the hours between 7:00 a.m. and 5:30 p.m., Monday through Friday, and on Saturdays between 9:00 a.m. and 3:00 p.m., in accordance with the city's municipal code for construction in a single-family residential zone. Construction is prohibited on Sundays and holidays, unless permission is granted with a development permit or other planning approval.

- Use of the concrete saw within 50 feet of any shared property line shall be limited.

- Equip all internal combustion engine-driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the equipment.

- Unnecessary idling of internal combustion engines in construction equipment with a horsepower rating of 50 or more shall be strictly prohibited, and limited to five minutes or less, consistent with BAAQMD best management practices.

- Locate stationary noise-generating equipment, such as air compressors or portable power generators, as far as possible from sensitive receptors (residences). If they must be located near sensitive receptors, adequate muffling (with enclosures where feasible and appropriate) shall be used to reduce noise levels at the adjacent sensitive receptors. Any enclosure openings or venting shall face away from sensitive receptors.

- Utilize "quiet" air compressors and other stationary noise sources where technology exists.

- A temporary noise control blanket barrier could be erected, if necessary, at the property line or along building facades facing construction sites. This measure would only be necessary if conflicts occurred that were irresolvable by proper scheduling. Noise control blanket barriers can be rented and quickly erected.

- Control noise from construction workers' radios to a point where they are not audible at existing residences bordering the project site.

- The contractor shall prepare a detailed construction plan identifying the schedule for major noise-generating construction activities and shall send a notice to all adjacent properties with the construction schedule.

- Designate a "disturbance coordinator" who would be responsible for responding to any complaints about construction noise. The disturbance coordinator will determine the cause of the noise complaint (e.g., bad muffler, etc.) and will require that reasonable measures be implemented to correct the problem. Conspicuously post the telephone number for the disturbance coordinator at the construction site and include it in the notice sent to neighbors regarding the construction schedule.

NOI-2 Prior to the issuance of a building permit, mechanical equipment shall be selectedand designed to reduce impacts on surrounding uses to meet the city's requirements. A qualified acoustical consultant shall be retained by the project applicant to review mechanical noise as the equipment systems are selected in order to determine whether the proposed noise reduction measures sufficiently reduce noise to comply with the city's noise limit at the shared property line.
Noise reduction measures that would accomplish this reduction include, but are not limited to, selection of equipment that emits low noise levels and/or installation of noise barriers such as enclosures and parapet walls to block the lineof sight between the noise source and the nearest receptors.

NOI-3 A construction vibration-monitoring plan shall be implemented to document conditions at the structure located adjacent to the proposed construction prior to, during, and after vibration generating construction activities. All plan tasks shallbe completed under the direction of a State of California licensed Professional Structural Engineer and be in accordance with industry accepted standard methods. The construction vibration monitoring plan shall include the followingtasks:

- Identification of sensitivity to groundborne vibration of the structure located adjacent to the construction.

- Performance of a photo survey, elevation survey, and crack monitoring survey for the structure located adjacent to the construction. Surveys shall be performed prior to, in regular intervals during, and after completion of vibration generating activities and shall include internal and external crack monitoring in the structure, settlement, and distress and shall document the condition of the foundation, walls and other structural elements in the interior and exterior of said structure. Interior inspections would be subject to property owners' permission.

- Conduct a post-survey on the structure where monitoring has indicated damage. Make appropriate repairs or provide compensation where damage has occurred as a result of construction activities.

- Designate a person responsible for registering and investigating claims of excessive vibration. The contact information of such person shall be clearly posted on the construction site.

Tribal Cultural Resources

In addition to mitigation measures CUL-1 and CUL-2 presented in Section D5, Cultural Resources, the following measures shall be implemented:

TR-1 The applicant shall contract with the Tamien Nation to development and implement a cultural resource sensitivity training program for the construction work crew on the first day of construction. The archaeologist shall provide evidence of the training to the City Planning Division, which shall include the training materials and a sign-in list of trained construction personnel, at the endof the first day of construction.

TR-2 The applicant shall contract with the Tamien Tribal to monitor ground disturbing activities, including but not limited to removal of existing building foundations, trees, and grading activities.

The applicant shall also contract with a qualified archaeologist to be on-call should cultural or Tribal resources be inadvertently discovered.

Evidence of a contracts with the Tribal monitor and archaeologist shall be provided to the City Planning Division prior to issuance of a building demolitionpermit and/or a grading permit.

Should Tribal or cultural resources be inadvertently discovered, the Tamien Nation Treatment Protocol shall be implemented. Whether or not Tribal or cultural resources are inadvertently discovered, the Tribal monitor shall prepare amonitoring report to be submitted to the City Planning Division, prior to issuanceof an occupancy permit.

The location of Tribal resources is confidential, may be redacted from monitoring reports, and shall not be made available for public review. The location of sensitive cultural resources is exempt from the Public Records Act.

ATTACHMENT A

EXHIBIT D

MITIGATION MONITORING AND REPORTING PROGRAM

Section 21081 of the California Environmental Quality Act (CEQA) requires a Lead Agency to adopt a Mitigation Monitoring or Reporting Program whenever it approves a project for which measures have been required to mitigate or avoid significant effects on the environment. The purpose of the monitoring or reporting program is to ensure compliance with the mitigation measures during project implementation.

The Initial Study/Mitigated Negative Declaration for the *5150 El Camino Real Residential Development* project concluded that the implementation of the project could result in significant effects on the environment and mitigation measures were incorporated into the proposed project or are required as a condition of project approval. This Mitigation Monitoring or Reporting Program addresses those measures in terms of how and when they will be implemented.

This document does *not* discuss those subjects for which the Initial Study/Mitigated Negative Declaration concluded that the impacts from implementation of the project would be less than significant and for which no standard or mitigation measures would be required.

Mitigation Measure Number	*Mitigation Measure*	*Monitoring Actions*	*Party Responsible for Compliance*	*Timing*	*Verification of Compliance (name/date)*
	Air Quality				
AQ-1	The project applicant shall include the following BAAQMD best management practices to minimize DPM (PM_{10}) and $PM_{2.5}$ emissions on the project plans and the contractor shall implement them during all phases of construction: a. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day; b. All haul trucks transporting soil, sand, debris, or other loose material off-site shall be covered; c. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited; d. All vehicle speeds on unpaved roads shall be limited to 15 miles per hour; e. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used; f. Idling times shall be minimized either by shutting equipment off when not in use or reducing the	Include BAAQMD BMPs in project plans Implement BAAQMD BMPs	Applicant Contractor	Prior to Approval of Final Plans During all Phases of Construction	

Mitigation Measure Number	*Mitigation Measure*	*Monitoring Actions*	*Party Responsible for Compliance*	*Timing*	*Verification of Compliance (name/date)*
	maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points; g. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation; and h. Post a publicly visible sign with telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The BAAQMD's phone number shall also be visible to ensure compliance with applicable regulations.				

Mitigation Measure Number	*Mitigation Measure*	*Monitoring Actions*	*Party Responsible for Compliance*	*Timing*	*Verification of Compliance (name/date)*
AQ-2	Prior to the issuance of the demolition and grading permits, the project developer shall prepare, and the project contractor shall implement, a demolition and construction emissions avoidance and reduction plan demonstrating a minimum 30 percent reduction in DPM emissions. The plan shall be prepared at the applicant's expense and shall be reviewed and approved by the City's Director of Planning or Director's designee, prior to issuance of demolition and grading permits. The plan shall be accompanied by a letter prepared by a qualified air quality consultant, verifying the equipment included in the plan meets the standards set forth in this mitigation measure. The plan shall include the following measures: a. At least five of the mobile diesel-powered off-road equipment operating on-site for more than two days and larger than 50 horsepower shall, at a minimum, meet U.S. Environmental Protection Agency (EPA) particulate matter emissions standards for Tier 4 engines. The plan shall include specifications of the equipment to be used during construction and confirmation this requirement is met; and, b. Other demonstrable measures identified by the	Prepare demolition and construction emissions avoidance and reduction plan The plan shall also include a letter prepared by a qualified air quality consultant The plan shall include these measures for implementation by the applicant or developer	Project Developer City's Director of Planning or Director's designee	Prior to issuance of the demolition and grading permits	

Mitigation Measure Number	*Mitigation Measure*	*Monitoring Actions*	*Party Responsible for Compliance*	*Timing*	*Verification of Compliance (name/date)*
	developer and confirmed by the air quality consultant, that reduce emissions and avoid or minimize the affected sensitive receptors exposures by at least 30 percent.				
	Biological Resources				
BIO-1	Prior to issuance of tree removal, demolition, and grading permits, to avoid impacts to nesting birds during the nesting season (January 15 through September 15), construction activities within or adjacent to the project site boundary that include any tree or vegetation removal, demolition, or ground disturbance (such as grading or grubbing) shall be conducted between September 16 and January 14, outside of the bird nesting season. If this type of construction occurs during the bird nesting season, then a qualified biologist shall conduct pre-construction surveys for nesting birds to ensure that no nests would be disturbed during project activities. If project-related work is scheduled during the nesting season (February 15 to August 30 for small bird species such as passerines; January 15 to September 15 for owls; and February 15 to September 15 for other raptors), or if construction activities are suspended for at least 14 days and recommence during the nesting	Retain qualified biologist to conduct survey, if construction occurs during the bird nesting season	Developers with oversight by the City of Los Altos	Prior to issuance of tree removal, demolition, and grading permits	

Mitigation Measure Number	*Mitigation Measure*	*Monitoring Actions*	*Party Responsible for Compliance*	*Timing*	*Verification of Compliance (name/date)*
	season, a qualified biologist shall conduct nesting bird surveys. a. Two surveys for active bird nests shall occur within 14 days prior to start of construction, with the final survey conducted within 48 hours prior toconstruction. Appropriate minimum survey radii surrounding each work area are typically 250 feet for passerines, 500 feet for smaller raptors, and 1,000 feet for larger raptors. Surveys shall be conducted at the appropriate times of day to observe nesting activities. Locations off the site to which access is not available may be surveyed from within the site or from public areas. A report documenting survey results and plan for active bird nest avoidance (if needed) shall be completed by the qualified biologist prior to initiation of construction activities. b. If the qualified biologist documents active nests within the project site or in nearby surrounding areas, an appropriate buffer between each nest and active construction shall be established. The buffer shall be clearly marked and maintained until the young have fledged and are foraging independently. Prior to construction, the qualified biologist shall conduct baseline monitoring of each nest to characterize "normal" bird behavior and establish a buffer distance, which allows the birds to exhibit normal behavior. The qualified biologist shall monitor the nesting birds daily	Conduct two surveys for active bird nests		14 days prior to construction start	

Mitigation Measure Number	*Mitigation Measure*	*Monitoring Actions*	*Party Responsible for Compliance*	*Timing*	*Verification of Compliance (name/date)*
	during construction activities and increase the buffer if birds show signs of unusual or distressed behavior (e.g. defensive flights and vocalizations, standing up from a brooding position, and/or flying away from the nest). If buffer establishment is not possible, the qualified biologist or construction foreman shall have the authority to cease all construction work in the area until he young have fledged and the nest is no longer active. Developers shall be responsible for implementation of this mitigation measure with oversight by the City of Los Altos. Compliance with this measure shall be documented and submitted to the City prior to issuance of tree removal, demolition, and grading permits.				
BIO 2	Prior to issuance of a tree removal permit and/or a grading permit, developers shall retain a certified arborist to develop a site-specific tree protection plan for retained trees and supervise the implementation of all proposed tree preservation and protection measures during construction activities, including those measures specified in the 2021 Arborist Report (Kielty Arborist Services LLC). Also, in accordance with the City's Tree Protection Ordinance, the developer shall obtain a tree removal permit for proposed tree removals and shall install replacement trees in accordance with all mitigation, maintenance, and monitoring requirements specified in the tree removal permit(s) or otherwise required by the City for project approvals.	Retain certified arborist to develop a site-specific tree protection plan	Developer	Prior to issuance of a tree removal permit and/or a grading permit	
Cultural Resources					

Mitigation Measure Number	*Mitigation Measure*	*Monitoring Actions*	*Party Responsible for Compliance*	*Timing*	*Verification of Compliance (name/date)*
CUL-1	In the event that prehistoric or historic resources are encountered during excavation and/or grading of the site, all activity within a 50-foot radius of the find will be stopped, the Director of Community Development will be notified, and the archaeologist will examine the find and make appropriate recommendations, in collaboration with a Tamien Tribal representative, prior to commencement of construction. Recommendations could include collection, recordation, and analysis of any significant cultural materials. A report of findings documenting any data recovery during monitoring would be submitted to the Director of Community Development, the California Historical Resources Information System (CHRIS) and the Tamien Nation.	Include measure on the project plans	Developer and Contractor	During construction activities	
CUL-2	In the event that human remains are discovered during excavation and/or grading of the site, all activity within a 50-foot radius of the find will be stopped. The Santa Clara County Coroner will be notified and will make a determination as to whether the remains are of Native American origin. If the remains are determined to be Native American, the Coroner will notify the Native American Heritage Commission (NAHC) immediately. Once NAHC identifies the most likely descendants, the descendants will make recommendations regarding proper burial, which will be implemented in accordance with Section 15064.5(e) of the CEQA Guidelines.	Include measure on the project plans	Developer and Contractor	During construction activities	
Geology & Soils					

Mitigation Measure Number	*Mitigation Measure*	*Monitoring Actions*	*Party Responsible for Compliance*	*Timing*	*Verification of Compliance (name/date)*
GEO-1	The project proponent shall ensure all construction personnel receive paleontological resources awareness training that includes information on the possibility of encountering fossils during construction; the types of fossils likely to be seen, based on past finds in the project area; and proper procedures in the event fossils are encountered. Worker training shall be prepared and presented by a qualified paleontologist. The applicant shall provide the Community Development Director with documentation showing the training has been completed by all required construction personnel prior to issuance of grading permits.	Include measure on the project plans Hire a qualified paleontologist to provide worker training	Developer and Contractor	Prior to issuing a grading permit	
GEO-2	If vertebrae fossils are discovered during construction, all work within 50 feet of the discovery shall stop immediately until a qualified professional paleontologist can assess the nature and importance of the find and recommend appropriate treatment. Treatment may include avoidance, if feasible, preservation in place, or preparation and recovery of fossil materials so that they can be housed in an appropriate museum or university collection and may also include preparation of a report for publication describing the finds.	Include measure on the project plans	Developer and Contractor	During Construction	

Mitigation Measure Number	*Mitigation Measure*	*Monitoring Actions*	*Party Responsible for Compliance*	*Timing*	*Verification of Compliance (name/date)*
	Hazards and Hazardous Materials				
HAZ-1	Prior to issuance of a demolition permit, the following measures shall be incorporated into demolition plans: a. All PCB-containing ballasts shall be removed and disposed of in accordance with state and local laws. b. All potentially friable asbestos-containing materials shall be removed in accordance with National Emissions Standards for Hazardous Air Pollutants (NESHAP) guidelines prior to building demolition or renovation that may disturb the materials. c. All demolition activities will be undertaken in accordance with Cal/OSHA standards, contained in Title 8 of the California Code of Regulations (CCR), Section 1529, to protect workers from exposure to asbestos. Materials containing more than one percent asbestos are also subject to BAAQMD regulations. d. During demolition activities, all building materials containing lead-based paint shall be removed in accordance with Cal/OSHA Lead in Construction Standard, Title 8, California Code of Regulations 1532.1, including employee training, employee air monitoring and dust control. Any debris or soil containing lead-based paint or coatings will be disposed of at landfills that meet acceptance criteria for the waste being disposed.	Incorporate measure into demolition plans Implement measures	Developer and Contractor Developer and Contractor	Prior to issuance of a demolition permit During Construction	

Mitigation Measure Number	*Mitigation Measure*	*Monitoring Actions*	*Party Responsible for Compliance*	*Timing*	*Verification of Compliance (name/date)*
	Noise				
NOI-1	Modification, placement, and operation of construction equipment are possible means for minimizing the impact of construction noise. Construction equipment shall be well-maintained and used judiciously to be as quiet as possible. Additionally, construction activities for the proposed project shall include the following best management practices to reduce noise from construction activities near sensitive land uses: a. Noise generating construction activities shall be limited to the hours between 7:00 a.m. and 5:30 p.m., Monday through Friday, and on Saturdays between 9:00 a.m. and 3:00 p.m., in accordance with the city's municipal code for construction in a single-family residential zone. Construction is prohibited on Sundays and holidays, unless permission is granted with a development permit or other planning approval. b. Use of the concrete saw within 50 feet of any shared property line shall be limited. c. Equip all internal combustion engine-driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the equipment.	Implement best management practices for construction equipment	City's Director of Planning or Director's designee	During construction activities	

Mitigation Measure Number	*Mitigation Measure*	*Monitoring Actions*	*Party Responsible for Compliance*	*Timing*	*Verification of Compliance (name/date)*
	d. Unnecessary idling of internal combustion engines in construction equipment with a horsepower rating of 50 or more shall be strictly prohibited, and limited to five minutes or less, consistent with BAAQMD best management practices. e. Locate stationary noise-generating equipment, such as air compressors or portable power generators, as far as possible from sensitive receptors (residences). If they must be located near sensitive receptors, adequate muffling (with enclosures where feasible and appropriate) shall be used to reduce noise levels at the adjacent sensitive receptors. Any enclosure openings or venting shall face away from sensitive receptors. f. Utilize "quiet" air compressors and other stationary noise sources where technology exists. g. A temporary noise control blanket barrier could be erected, if necessary, at the property line or along building facades facing construction sites. This measure would only be necessary if conflicts occurred that were irresolvable by proper scheduling. Noise control blanket barriers can be rented and quickly erected. h. Control noise from construction workers' radios to a point where they are not audible at existing residences bordering the project site.				

Mitigation Measure Number	*Mitigation Measure*	*Monitoring Actions*	*Party Responsible for Compliance*	*Timing*	*Verification of Compliance (name/date)*
	i. The contractor shall prepare a detailed construction plan identifying the schedule for major noise-generating construction activities and shall send a notice to all adjacent properties with the construction schedule. j. Designate a "disturbance coordinator" who would be responsible for responding to any complaints about construction noise. The disturbance coordinator will determine the cause of the noise complaint (e.g. bad muffler, etc.) and will require that reasonable measures be implemented to correct the problem. Conspicuously post the telephone number for the disturbance coordinator at the construction site and include it in the notice sent to neighbors regarding the construction schedule.				

Mitigation Measure Number	*Mitigation Measure*	*Monitoring Actions*	*Party Responsible for Compliance*	*Timing*	*Verification of Compliance (name/date)*
NOI-2	Prior to the issuance of a building permit, mechanical equipment shall be selected and designed to reduce impacts on surrounding uses to meet the city's requirements. A qualified acoustical consultant shall be retained by the project applicant to review mechanical noise as the equipment systems are selected in order to determine whether the proposed noise reduction measures sufficiently reduce noise to comply with the city's noise limit at the shared property line. Noise reduction measures that would accomplish this reduction include, but are not limited to, selection of equipment that emits low noise levels and/or installation of noise barriers such as enclosures and parapet walls to block the line of sight between the noise source and the nearest receptors.	Retain qualified acoustical consultant	City's Director of Planning or Director's designee	Prior to issuance of a building permit	
NOI-3	A construction vibration-monitoring plan shall be implemented to document conditions at the structure located adjacent to the proposed construction prior to, during, and after vibration generating construction activities. All plan tasks shall be completed under the direction of a State of California licensed Professional Structural Engineer and be in accordance with industry accepted standard methods. The construction vibration monitoring plan shall include the following tasks: • Identification of sensitivity to groundborne vibration of the structure located adjacent to the construction.	Implement construction vibration-monitoring plan	Developer and State of California licensed Professional Structural Engineer	Prior to grading activities	

Mitigation Measure Number	*Mitigation Measure*	*Monitoring Actions*	*Party Responsible for Compliance*	*Timing*	*Verification of Compliance (name/date)*
Tribal Cultural Resources					
TR-1	The applicant shall contract with the Tamien Nation to development and implement a cultural resource sensitivity training program for the construction work crew on the first day of construction. The archaeologist shall provide evidence of the training to the City Planning Division, which shall include the training materials and a sign-in list of trained construction personnel, at the end of the first day of construction.	Contract with Tamien Nation to develop and implement measure.	Developer	During construction activities	
TR-2	The applicant shall contract with the Tamien Tribal to monitor ground disturbing activities, including but not limited to removal of existing building foundations, trees, and grading activities. The applicant shall also contract with a qualified archaeologist to be on-call should cultural or Tribal resources be inadvertently discovered. Evidence of a contracts with the Tribal monitor and archaeologist shall be provided to the City Planning Division prior to issuance of a building demolition permit and/or a grading permit.	Contract with Tamien Nation to develop and implement measure.	Developer	During construction activities	

Mitigation Measure Number	*Mitigation Measure*	*Monitoring Actions*	*Party Responsible for Compliance*	*Timing*	*Verification of Compliance (name/date)*
	Should Tribal or cultural resources be inadvertently discovered, the Tamien Nation Treatment Protocol shall be implemented. Whether or not Tribal or cultural resources are inadvertently discovered, the Tribal monitor shall prepare a monitoring report to be submitted to the City Planning Division, prior to issuance of an occupancy permit. The location of Tribal resources is confidential, may be redacted from monitoring reports, and shall not be made available for public review. The location of sensitive cultural resources is exempt from the Public Records Act.				

MINUTES OF A JOINT MEETING OF THE PLANNING COMMISSION/COMPLETE STREETS COMMISSION OF THE CITY OF LOS ALTOS, HELD ON THURSDAY, DECEMBER 2, 2021 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: 144 676 5530 or via the web at https://tinyurl.com/kby2b9rw) 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:	Planning Commission: Chair Bodner, Commissioners Ahi, Mensinger (lost connection prior to agenda item #2), Roche and Steinle Complete Streets Commission: Chair Maluf, Vice-Chair Banerjee, Ambiel, Katz and Gschneidner
ABSENT:	Planning Commission: Vice-Chair Doran and Commissioner Marek and Complete Street Commission: Commissioners O'Yang and Venkatraman
STAFF:	Community Development Director Biggs, Planning Services Manager Persicone, Senior Planner Golden, Associate Planner Gallegos, Transportation Services Manager Lee and Attorney Ramakrishnan from the City Attorney's Office

PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

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 regular meeting of October 7, 2021.

Action: Upon motion by Commissioner Steinle, seconded by Commissioner Ahi, the Commission approved the minutes from the October 7, 2021, meeting as written.
The motion was approved (4-0) by the following vote:
AYES: Ahi, Bodner, Roche and Steinle
NOES: None
ABSENT: Doran and Marek

PUBLIC HEARING

2. D20-0004 and TM20-0001 – Abbie Bourgan – 440 First Street

The applicant requests Design Review Approval and a Tentative Subdivision Map for a three-story building that includes 4 residential condominium units, one level of underground parking for 9 parking spaces and a useable rooftop area. 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: Golden*

Senior Planner Golden gave the staff report presentation recommending approval to the City Council of design review and subdivision applications D20-0004 and TM20-0001 per the findings and conditions contained in the resolution. He provided a brief summary of the project including that it is a four-unit condominium project with no affordable units proposed, a roof top deck area, and solar panels. He stated that the project height was reduced from 40 feet to 35 feet to comply with height limits and there is no elevator to the roof top deck area.

There were no ex parte communications from the Complete Streets Commission.

There were no ex parte communications from the Planning Commission.

Commissioner Questions

There were no questions from the Complete Streets Commission.

Chair Bodner asked a question about the process and timing for peer design review done by Cannon Design Group.

Project applicant Abbie Bourgan introduced the project to the Commissions and provided some background.

Project architect Chris Hall gave a presentation of the project.

Senior Planner Golden showed the Commissions the sketch up model of downtown with the project added so the Commissions could the proposed building in the context of the neighborhood.

Complete Streets Commissioner Questions

Commissioner Katz asked about how garbage pickup will be addressed and what are the street parking impacts from the project.

Senior Planner Golden answered his questions.

Vice-Chair Banerjee asked about parking garage access and visibility with the narrow driveway of 18 feet in width.

Senior Planner Golden answered her question about garage access.

Project applicant Abbie Bourgan answered her question about the narrow driveway and visibility issues.

Vice-Chair Banerjee asked about bicycle parking and EV charging in the bike room.

Project applicant Abbie Bourgan answered her questions.

Commissioner Ambiel asked about the elevator capacity to accommodate two individuals and two bikes and the garage ramp slope grade and if there are hallways leading up to the units.

Project applicant Abbie Bourgan answered her questions.

Chair Maluf asked about the gym for the residents, the entrance to the garage facing Lyell Street and mail delivery.

Senior Planner Golden and project applicant Abbie Bourgan answered his questions.

Commissioner Katz had a follow-up question regarding pedestrian visibility with the garage slope.

Project applicant Abbie Bourgan answered his question.

Planning Commissioner Questions
Commissioner Ahi had a question about the roof top solar panels to the architect.

Commissioner Roche had questions about the gables and solar panel structure.

Commissioner Mensinger questioned the architect about the gables.

Chair Bodner asked if the architect incorporated any of Cannon Design Group's recommendations.

Commissioner Steinle asked for confirmation that the elevator does not have roof access and about landscaping opportunities.

Project architect Chris Hall answered most of the Commissioner questions and project applicant Abbie Bourgan answered the landscaping question.

Public Comment
Salim from South Bay YIMBY stated concern with the amount of time this project has taken and said three years is too long and costly for a project to go through the review /approval process and gave his support for the project.

Resident Phil Underwood of 396 First Street stated the need for a streetscape plan for First Street for pedestrian safety, parking, and delivery vehicles.

Resident Abby Ahrens and owner of Enchante Hotel at 1 Main Street said this was a top-quality project and gave her support.

The public comment section of the meeting was closed for applicant rebuttal or final comments.

Project applicant Abbie Bourgan provided final comments on the project.

Following Complete Streets Commission deliberations:

Action: Upon motion by Commissioner Ambiel, seconded by Commissioner Katz, the Commission moved the project forward to the Planning Commission and City Council.
The motion was approved (5-0) by the following vote:
AYES: Maluf, Banerjee, Ambiel, Katz and Gschneidner
NOES: None
ABSENT: O'Yang and Venkatraman

Planning Commission discussion then proceeded.

Commissioner Ahi:

- Neighboring project changes at 450 First Street by the City Council were disappointing;
- Front elevation lacking a cohesive design;
- Needs to be more symmetrical and dynamic;
- The one gable element on the left and the flat side on the right seem odd;
- Mirroring it and overhanging the roof more will make it more dynamic;
- Incorporate certain aspects of Cannon Design Group's comments such as duplicating the gable elements, more of a roof overhang, more articulation, railings on the first level instead of the wall;
- Transitional aesthetic needs to be enhanced – raise building to match those on either side;
- Increase the top height to cover the elevator overrun;
- Does not care about the height limit and is concerned with the design of the entire street;
- The roof decks need better transition;
- Looks industrial and needs to appear more residential; and
- Would recommend for City Council approval with no significant City Council redesign.

Commissioner Mensinger:

- Echoed Commissioner Ahi especially regarding symmetry with the front façade and making it look more residential; and
- Said to send the project on to City Council.

Commissioner Steinle:

- Agreed with both Commissioners Ahi and Mensinger;
- Building can be recommended to City Council; and

- There needs to be more landscaping as part of the building, not just around the building – give it more thought.

Commissioner Roche:

- Echoed the elevator overrun comments;
- Content with one gable;
- Does not like the boxy look of the stairwell at the top – needs to be minimized; and
- Would move the project forward to the City Council after changes were made.

Chair Bodner:

- Agreed with Commissioner Ahi's comments;
- Disappointed by changes made by the City Council to change the shared driveway and lose three units;
- The pedestrian experience would be significantly impacted by having two egresses;
- Change to the style is significant;
- Likes the proposed style of contemporary Mediterranean a lot more;
- Appreciates the refined materials and the colors are incredibly warm;
- The rear elevation could benefit from some more residential touches;
- May be a bit too stark and bare;
- Consider adding more railing; and
- The building height should match neighboring property heights proposed.

Community Development Director Biggs said it sounded like the majority of the Commission wanted to move this project forward to City Council even though they had design concerns. It would be more appropriate to refer the project back to the applicant to address some of their concerns and incorporate some of the suggested changes for the Commission to review again before sending it off to City Council.

Commissioner Ahi then went over the recommended changes to get a consensus of the Commission:

- Symmetrical aspect of the façade;
- Fit and transition better with the buildings on either side of the project;
- The roof structure needs to be more developed; and
- Add accents to the building design.

The applicant Abbie Bourgan and project architect Chris Hall spoke to the design recommendations and comments made by the Planning Commission.

Community Development Director Biggs went over the Commission's options for a motion.

Action: Upon motion by Commissioner Steinle, seconded by Commissioner Ahi, the Commission recommended approval to the City Council of design review and subdivision applications D20-0004 and TM20-0001 per the findings and conditions contained in the resolution, and subject to working with staff to incorporate and address the following:

- Elevator overrun;

- Solar panel array;
- Articulation of the front elevation; and
- More landscaping.

The motion was approved (5-0) by the following vote:
AYES: Ahi, Bodner, Mensinger, Roche and Steinle
NOES: None
ABSENT: Doran and Marek

3. <u>D21-0003 and TM21-0001– 355 1st Street LLC – 355 First Street</u>

The Planning Commission and Complete Streets Commission recommend approval to the City Council for Design Review, Vesting Tentative Map and a Mitigated Negative Declaration for a new 79,885 square-foot four story fifty (50) unit condominium building with two levels of underground parking at 355 First Street. A Notice of Intent to adopt a mitigated negative declaration (MND) in compliance with Section 21092.3 of the Public Resources Code has been filed with the County Clerk pursuant to the California Environmental Quality Act (CEQA) Guidelines. *Project Manager: Persicone*

Planning Services Manager Persicone introduced the project.

There were no ex parte communications from the Complete Streets Commission.

There were no ex parte communications from the Planning Commission.

The Commissions took a 12-minute break.

Planning Services Manager Persicone gave the staff report presentation for the SB 330 project recommending approval of Design Review and Vesting Tentative Subdivision Map applications D21-0003 and VTTM21-0001 to the City Council of the fifty (50) unit condominium project at 355 First Street and the Planning Commission's recommendation to adopt a Mitigated Negative Declaration and Attachment 11 – Mitigation Monitoring Program (MMRP) to the City Council.

Project architect Jeff Potts of SDG Architects stated the project crossed four sites, presented the 50-unit project with six BMRs proposed, and two levels of sub grade parking for a total of 113 spaces with a six-inch reduction in space width with a waiver.

<u>Commissioner Questions</u>
Commissioner Ambiel from the Complete Street Commission asked questions about bike parking access, if any electrical outlets would be provided in the lockers, any security measures for an open-air charging station and package deliveries.

Project architect Jeffs Potts answered that none are being proposed in the bike lockers at this time but they usually install a charging station, they can look into security measures and deliveries are made into the main lobby.

Commissioner Gschneidner asked about package deliveries as well and where the trucks would park, how many parking spaces are there for the 50 units total, and what are the handicapped and visitor parking spaces required.

Project architect Jeffs Potts answered that they would park in front of the building in one of the spaces for deliveries, presumably not double parked, there are a total of 113 parking spaces, and went over the State and City requirements for handicapped spaces and visitor parking.

Commissioner Katz asked about deliveries of large items or move-in/move-outs and whether access would be given from the alley for the elevator.

Project architect Jeffs Potts said there is no dedicated service elevator for a project of this size and people would be moving in through the front door, not the alley.

Vice-Chair Banerjee asked staff about what the timeline is for the First Street Streetscape Plan?

Transportation Services Manager Lee did not have a timeline yet to give but said she would look into it and briefly discussed loading zones being installed independent of the projects.

Commissioner Ahi asked a question to the architect about the open-air area in the center of the building and how it is going to work with drainage and the pervious and impervious surfaces in that area.

Project architect Jeffs Potts said they are draining some of the roof deck to this area with a fountain and landscaping and being directed and collected into pipes to drain into the storm drain at the street.

Commissioner Mensinger asked about considering moving the fourth floor back as suggested in the peer review and material choices to lessen the appearance of mass.

Project architect Jeffs Potts said that it was considered but based on the density, BMR requirements and land cost, it was not feasible. He also stated they tried to lighten up the materials per their direction and peer review for previous meetings and recessing the elements along the balconies to break up the roof line and soften the appearance.

Chair Bodner had a follow-up question about the peer review and other meetings and when the changes were made.

Project architect Jeffs Potts said most changes were made after the second peer review and went over the changes that were made including the front façade per the Commission's direction.

<u>Public Comment</u>

None.

The public comment section of the meeting was closed for Complete Streets Commission discussion.

Commissioner Ambiel thanked the applicant and architect for providing double the bike parking that was required. However, it is still insufficient with the number of units being provided when we are encouraging less car trips on the road. She suggested better design for bike rooms to make them more pleasing to use with ground floor access. She asked the architect to provide electrical chargers for the seven-bike storage unit to be utilized for charging electric bikes. She also encouraged the City to install more bike parking around this neighborhood.

Commissioner Katz also thanked the architect more maximizing the parking spaces and likes the idea of having one EV charging station per unit. He agreed with Commissioner Ambiel about the increase in the use of EV bikes, especially for those downsizing to condos from houses, and the need for more bike storage.

Vice-Chair Banerjee thanked the architect for the project, mentioned that the VTA is in the process of updating their bike parking guidelines, and stated the need for the City to move on some short-term action and long-term goals for First Street.

Chair Maluf also thanked the architect for the number of bike parking provided for the project.

Following Complete Streets Commission deliberations:

Action: Upon motion by Vice-Chair Banerjee, seconded by Commissioner Gschneidner, the Commission recommended moving the project forward to the Planning Commission and City Council with a suggestion that electric power chargers be installed in the bike storage area.
The motion was approved (5-0) by the following vote:
AYES: Maluf, Banerjee, Ambiel, Katz and Gschneidner
NOES: None
ABSENT: O'Yang and Venkatraman

The Complete Streets Commission then adjourned from the meeting.

Planning Commission deliberations then proceeded.

Commissioner Ahi:

- Last time the building felt massive;
- Still does with the use of the heavy stone textured panels;
- Can levels three and four be pushed back;
- Look to Whitney Street balconies articulation for inspiration to add to the front elevation;
- Reconsider the glass railings or use a different material to be more residential;
- Review the entry and implement into other parts of the building;
- Interior open area a concern and should provide more detail looking up; and

- Could recommend for approval to the City Council.

Commissioner Roche:

- Changes are positive and modifications reflected here make for a better building; and
- Would like to see electric vehicle chargers installed in the garage and for bike lockers.

Commissioner Mensinger:

- Would like to see more done to have the massing of the building reduced to mitigate in some way;
- Encouraged the applicant to follow the Complete Streets Commission recommendations especially the electric bike charging and ease of access to bike storage for families; and
- Said to move the project forward to the City Council.

Commissioner Steinle:

- Big building;
- Appreciates the changes that have been made including the landscaping trees; and
- Supports moving the project on to City Council.

Chair Bodner:

- Agreed with Commissioner Ahi that it is still a massive building;
- The location and fourth floor adds to that but there is no incentive to push it back;
- Still looks a bit too commercial and needs to feel more residential;
- More could be done in material changes in line with the suggestions by Ahi;
- Changes in the landscaping and pedestrian experience is good;
- Balcony changes not good and glass balcony enclosures need to be given more thought – go back to a solid material to improve the look;
- Left side has more variety;
- Three levels of the same materials create a very horizontal structure;
- Change the three-story corner elements; and
- Window patterns appear commercial and can changes be explored to make it more residential.

Action: Upon motion by Chair Bodner, seconded by Commissioner Steinle, the Commission recommended approval to the City Council of Design Review and Vesting Tentative Subdivision Map applications D21-0003 and VTTM21-0001 per the staff report findings and conditions, and subject to working with staff to address the following prior to City Council review:

- Change balcony glass material to a solid material;
- Consider repeating architectural elements on the other corners;
- Further adjustments to window patterns to feel more residential; and
- Incorporate massing strategies to reduce bulk and bring it more in line and appropriate for downtown.

And recommendation to adopt a Mitigated Negative Declaration and Attachment 11 – Mitigation Monitoring Program (MMRP) to the City Council.

The motion was approved (5-0) by the following vote:
AYES: Ahi, Bodner, Mensinger, Roche and Steinle
NOES: None
ABSENT: Doran and Marek

COMMISSIONERS' REPORTS AND COMMENTS

None.

POTENTIAL FUTURE AGENDA ITEMS

Community Development Director Biggs gave an overview of future agenda items.

ADJOURNMENT

Chair Bodner adjourned the meeting at 11:00 P.M.

_____

Jon Biggs
Community Development Director

PUBLIC HEARING

Agenda Item # 3

COMPLETE STREETS AND PLANNING COMMISSION AGENDA REPORT

Meeting Date: December 2, 2021

Subject: 355,365,371,373 First Street Project
Joint Planning Commission/Complete Streets Commission Meeting
(VTTM 21-001; DR 21-0003)

Prepared by: Guido F. Persicone, Planning Services Manager, AICP

Reviewed by: Jon Biggs, Community Development Director
Erik Ramakrishnan, City Attorney's Office
Jolie Houston, City Attorney

Project Resolution
Exhibits
A-Findings of Fact
B-Conditions of Approval

Attachment(s):
Attachment 1-Jon Baer Correspondence dated, January 12, 2021
Attachment 2-January 21, 2021 Planning Commission Meeting Minutes
Attachment 3-Density Bonus Report
Attachment 4-Elevator Shaft Details
Attachment 5-Larry Cannon, Peer Review of Architecture
Attachment 6- CEQA Document-Mitigated Negative Declaration
Attachment 7-Arborist Report
Attachment 8-Project Vicinity and Notification Maps
Attachment 9-Story Pole Certification Letter
Attachment 10-Project Plans

Recommendation:
Recommend approval to the City Council of the fifty (50) unit condominium project at 355 First Street.

Environmental Review:
A mitigated negative declaration (MND) has been prepared for this project and is included with this report as Attachment 6.

Background
Senate Bill 330 (SB 330)

Subject: 355 First Street-SB 330 Project-50 Condominium Units

Pre-Application Phase

California Senate Bill 330, "The Housing Crisis Act of 2019," was signed into law by Governor Newsom on October 9, 2019 and became effective January 1, 2020. The bill establishes a statewide housing emergency to be in effect until January 1, 2025. The Housing Crisis Act allows for an applicant to submit a preliminary application for any housing development project, meaning a project of two or more units and that is at least two-thirds residential by floor area. SB 330 has two key phases: a pre application phase and a formal submittal phase. The purpose of the pre-application phase is to collect specific site and project information to determine the zoning, design, subdivision, and fee requirements that will apply to the housing development project throughout the review and entitlement process. The day the pre-application is filed with the City freezes site development and design standards plus other land use related regulations that can be imposed on the project. Additionally, under the provisions of the legislation, the City can only ask for certain information during the pre-application phase. Other design requirements can be asked for during the formal submittal. This provides some guarantees to the applicant that the "rules of the road" will not be changed mid-stream. During the pre-application phase the City can undertake its normal community outreach by having study sessions, and community meetings.

Formal Submittal Phase of SB 330

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. Additionally, during the "formal submittal" phase the City is only allowed to require five public meetings. The legislation was written very broadly to include community meetings and study sessions in this definition. The City also must account for any potential appeals, which count toward the five meeting maximum.

Project Timeline

October 13, 2020-the Planning Division received a preliminary application for an SB 330 project at 355 First Street. Fees were paid on October 16, 2020. This project was for 35 condominium units.

December 22, 2020-a revised preliminary application for 50 condominium units was submitted. Since this represented more than a 20% increase in the number of units provided, under the

provisions of Government Code Section 65941.1, the preliminary application is deemed submitted on December 22, 2020, rather than October 13, 2020.

On January 11, 2021, a virtual community meeting took place with property owners and tenants within 1,000 feet of the property. Only one community member attended (Jon Baer) and his comments are included as Attachment 1.

January 21, 2021-a study session with the Planning Commission occurred. The project shown to the Planning Commission identified a total of 8 affordable units (7 moderate and 1 low-income unit) with a base density of 37 units for the project. Please refer to Attachment 2 for comments made by the commission at this meeting.[1]

February 24, 2021-a study session with the Complete Streets Commission (CSC) occurred. Please refer to the CSC portion of this report for a detailed summary of the recommended changes requested per the CSC.

On April 7, 2021-project application was filed under the formal submittal phase of SB 330.

July 20, 2021, the applicant resubmitted the project application.

September 10, 2021 the applicant resubmitted the project application. This project shows a base density of 37 units of which six (6) would be affordable (5 very low 1 moderate income).

October 15, 2021-The project is deemed complete, and the Fire Department provides a conditional approval letter.

November 12, 2021-the applicant resubmits the final set of plans for the public hearing showing 39 units as the base density with 6 affordable (3 moderate and 3 very low-income units).

Project Description

The applicant is seeking approval of a design review permit and a tentative map for a new development at 355 First Street. The applicant is proposing a fifty (50) unit condominium project with six (6) dedicated below market rate units with three (3) at the moderate-income level and

[1] January 21, 2021 Planning Commission plans:
https://los-altos.granicus.com/MetaViewer.php?view_id=&event_id=626&meta_id=67738

Subject: 355 First Street-SB 330 Project-50 Condominium Units

three (3) at the very low-income level.[2] Since the project is providing 8% of the units at the very low-income level, it qualifies for one (1) density bonus concession / incentive.

While 355 First Street is the primary address for the project, the project does entail four separate parcels at 355, 365, 371, 373, which will have to be merged and then re-subdivided for the condominium units as part of the tentative map process. The project is generally consistent with the Los Altos Zoning Code (see Table 1) with a few key exceptions.

Table 1 (General Development Standards)

	Standard	Proposed	Complies
General Plan	Downtown Commercial	No change	Yes
Zoning	CD R3	No change	Yes
Density	No density range in the CD/R3 Zone	50 condo units	Yes
Lot Size	27,811	No change	Yes
Front Setback	10 ft. 50% landscaped	10 ft. 50% landscaped	Yes
Rear Setback	10 ft.	10 ft.	Yes
Interior Setback	0 ft.	4 ft.	Yes
Street Side Setback	2 ft.	2 ft.	Yes
Enclosed Refuse collection	Yes-sheet A2	Yes	Yes-sheet A2
Bicycle Parking	1 Class I (Bike Locker) for every 3 units and 1 Class II (Bike Rack)	1 Class I (Bike Locker)-sheet and 1 Class II (Bike Rack[3])	Yes-sheet A1

[2] Please note the Density Bonus charts in the Los Altos Ordinance need to be updated to reflect recent changes to density bonus law. If a local ordinance and the State Density Bonus conflict, the State law prevails.

3 Class I (bike locker) must be provided for every 3 units and a 1 Class II (bicycle rack) must be provided for every 15 units. See sheet A1.

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Height	35 feet	46 feet-building 63 feet-elevator shaft	Yes- with density bonus concession and waivers
Parking	113	99-regular spaces 12-reduced size spaces -111	Yes-with density bonus reduction

Inclusionary Housing Ordinance
Pursuant to the Los Altos Inclusionary Housing Ordinance (Los Altos Municipal Code Section 14.28.020), 15% of all units shall be affordable with a majority of the units at the moderate-income level with the remainder being low or very low-income units.

All multiple-family residential projects that create five or more new dwelling units shall provide affordable housing as follows:

> *A. For projects with five to nine units, affordable housing units shall be provided as follows:*
> *2. Ownership units. Fifteen (15) percent total, with a majority of the units designated as affordable at the moderate-income level and the remaining units designated as affordable at the low- or very-low-income level.*

With a base density of 39 units, at least 15% of the units or six (6) shall be affordable with at least four (4) at the moderate-income level.[4] The applicant contends mandating that the majority of the units be at the moderate-income level violates the spirit of Density Bonus Law and proposes to provide half of the units as moderate and the other half as very low-income units.

The City Attorney has opined that the Los Altos Affordable Housing Ordinance is legally valid and can be enforced. To resolve the parties' disagreement informally, the City and the applicant have jointly applied to the California Department of Housing and Community Development (State HCD) for technical assistance. Condition of Approval COA #13 has been crafted to require compliance with the City's inclusionary standards, pending HCD's response:

> The applicant proposes to provide three moderate-income units and three very low income units. Four moderate-income units are required to comply with the City's Inclusionary

4 Consistent with the City's historic interpretation of its Inclusionary Housing Ordinance, this is based upon the project's base density. In zoning districts that do not define a maximum density, the City requires the applicant to submit a base project that complies with applicable development standards to establish the base density for purposes of both the Inclusionary Housing Ordinance and the Density Bonus Law.

Housing Ordinance, Los Altos Municipal Code Section 14.28.020. The project is recommended for approval conditioned upon meeting this minimum requirement to provide four moderate-income units. This condition does not alter or affect the number of very low-income units that the project will provide to qualify for the density bonus sought by the applicant. The applicant and the City disagree as to the application of the Inclusionary Housing Ordinance to the project and have jointly requested technical assistance from the California Department of Housing and Community Development ("HCD"). Staff is authorized to amend this condition administratively if necessary to be consistent with any opinion HCD may provide. This issue shall be resolved prior to the recordation of the Final Map.

Density Bonus Calculation
Based upon the applicant proposing three (3) very low-income units, the project is eligible for a density bonus of 11 units.

Density Bonus Concession
The applicant is requesting one density bonus concession to increase the height from 35 feet to 46 feet. The height increase would be considered an "on menu" concession request, which are ministerial, unless the City makes one of the following findings:

- The concession or incentive does not result in identifiable and actual cost reductions, consistent with the definition of "concession" or "incentive", to provide for affordable housing costs, as defined in Health & Safety Section 50052.5, or for rents for the targeted units to be set as specified in Subsection (I).
- The concession or incentive would have a specific, adverse impact upon public health and safety or the physical environment or on any real property that is listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact without rendering the development unaffordable to low-income and moderate-income households
- The concession or incentive would be contrary to state or federal law.

Since none of the density bonus findings above can be made, City staff are recommending approval of the concession.

Density Bonus Waiver
In addition to requesting incentives and concessions, applicants may request the waiver of an unlimited number of development standards that would physically preclude the construction of a

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

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

Density Bonus Waiver #1
Applicant is requesting a waiver of the development standard set forth in LAMC Sec. 14.74.200(A) which requires that perpendicular parking spaces in off-street parking facilities must have a width of no less than nine (9) feet. Based on information provided by the project architect, to provide the amount of parking proposed by the Project, the width of twelve (12) of the parking spaces was reduced to 8.5 feet x 18feet.

Density Bonus Waiver #2
Applicant is requesting a waiver to allow for a building height to allow the elevator to be 17 feet six inches when the code prohibits roof top structures taller than 12 feet in height. Based on information provided by the architect for the Project, an elevator shaft is necessary to comply with accessibility standards please see Attachments 3-(Density Bonus Report) and Attachment 4 (Elevator Shaft Details) for further details.

Density Bonus and Parking
Under the provisions of Density Bonus law, the project is entitled to reduced parking ratios and is only required to provide 70 parking spaces. The project proposes to exceed this requirement by providing 111 total spaces (99 regular sizes stalls (9X18 in size) and 12 reduced spaces (8.5 X18).

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Table 2-Density Bonus Parking Ratios

	Units	Density Bonus Parking Ratios	Total Required Parking
Bedroom Count			
3 Bedrooms	11	1.5	16.5
Two Bedrooms	30	1.5	45
1 Bedrooms	9	1	8
	50		69.5 (70)

Construction Management Plan (CMP)
Sheet CM1.0 (Construction Management Plan) to this report shows the applicant's plans for managing the construction of the project. Additionally, COA#XX has been written to mandate a pre-construction meeting (after issuance of the building permit but prior to any work being performed), with abutting property owners. Additionally, a sign shall be installed with a single point of contact (POC) the neighborhood can quickly contact to address any construction impacts from the project.

Subdivision
As outlined above, the Project conforms to the General Plan and meets all applicable Zoning Code requirements, albeit with Density Bonus waivers and concessions as allowed by state law. The subdivision is not injurious to public health and safety, is suitable for the proposed type of development, and provides proper access easements for ingress, egress, public utilities and public services. Therefore, all required findings per the State Subdivision Map Act can be made.

Design Controls and Finding
The project's design is consistent with the Commercial/Multi-Family design review findings (Section 14.78.060) and the CD/R3 Design Controls (Section 14.52.110) as well as all other applicable policies and regulations. The exterior material combines stone textured panels with El Dorado Stone patio walls and a wood look upper roof overhang with a mix of horizontal and vertical siding on multiple floors, each defining a building element. The colors have been selected to provide a distinct separation of units while being complementary to each other and the neighborhood. The colors also provide a visual breakup of massing of the building. In addition to meeting the design controls and findings of the Los Altos Municipal Code, a peer

review of the architecture was performed by Larry Cannon and Associates (see Attachment 5): [5]

Table 3-Peer Review Summary	
Third Party Review	**Project Modification**
Set back the fourth floor	A continuous horizontal band wrapping all sides of the building at the top of the third floor was incorporated to differentiate the fourth floor from the lower three. Balconies step back the fourth floor. Wall planes are varied at the fourth floor to pull it back from the third floor
Enhance the ground floor	Project provides new sidewalk along First Street and Whitney Street with street trees, benches, bicycle racks, and extensive landscape planters, all of which contributes to an enjoyable walking experience for people headed down-town. Landscape design has extensive landscape planters along First Street enriching the 10 feet setback / buffer zone between the sidewalk and the building. Planters were stepped to provide a softer, human-scale, residential look.
Modify the corners and trellis of the building	All corners have been reviewed and designed with materials and forms wrapping the corners. Attention given to the First / Whitney Street corner. Continue to develop 2-story pedestrian-detailed and scaled building element at corner of First and Whitney. Eliminate vertical commercial storefront windows at corner of First and Whitney Street, and replace with residential windows. Eliminate continuous 4-story vertical wall on Whitney. Extend the 2-story element further down Whitney.
Garage Entries-the currently proposed facades related to the garage entry would benefit from some additional design attention	Garage entry is clad in stone-textured paneling to have a finished appearance. Garage entry element has been integrated into the design composition of the rear elevation to minimize it as a focal point. Wood cladding added to stair tower to accentuate and

[5] On May 24, 2016 the Downtown Building Committee recommended to the City Council that outside third party architecture firms should conduct a third party review for projects in the downtown area.

	draw attention to the vertical circulation of the building.

Finally, in terms of the Multi Family Objective Standards adopted by the City Council on September 14, 2021, those new standards would not apply since the pre application was filed in December of 2020.

California Environmental Quality Act (CEQA)
On November 2, 2021 a Notice of Intent to Adopt a Mitigated Negative Declaration was filed with the County Clerk for a twenty (20) day comment period. No comments were received for this project and the environmental document indicates that the proposed project has the potential to result in significant adverse environmental impacts. However, the mitigation measures identified in the initial study would reduce the impacts to a less than significant level. There is no substantial evidence, in light of the whole record before the lead agency (the City of Los Altos) that the project, with mitigation measures incorporated, may have a significant effect on the environment. Please review Attachment 6 (Mitigated Negative Declaration) for further details.

Complete Streets Commission
Per Section 2.08.160 of the Los Altos Municipal Code the Complete Streets Commission (CSC) is an advisory body to the City Council on bicycle, pedestrian, parking, and traffic matters.

2.08.160 - Powers and duties of the complete streets commission.

A. Help to create multi-modal transportation solutions and policies that enable safe, attractive, comfortable and independent access and travel for pedestrians, bicyclists, transit users, and motorists of all ages and abilities, including connectivity across jurisdictional boundaries.
B. Shall advise the council on existing and proposed city policies related to traffic calming and traffic enforcement.
C. Shall advise the council on projects and budget priorities for transportation-related capital improvements.
D. Provide for community engagement and serve as a conduit for community input.

As a result, and per 14.78.090 of the Los Altos Municipal Code, City staff and the applicant attended a study session with the applicant on February 24, 2021. Formal meeting minutes are not available for this meeting, but below is a summary of the major items discussed and how the project has been modified accordingly:

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Table 4-Complete Streets Commission CSC Input	
CSC Comments	**Applicant's Response**
Enhance back-alley access	The alley was enhanced with further raised planters and the exit was enhanced with a raised walkway.
Additional bicycle parking	Bicycle parking above the required has been provided. As we develop the utilities for the project more space may be available.
Additional EV Charging station	An EV Charging Station has been provided for every unit
Examine streetscape on First Street	Numerous design revisions have been made to the project including the building design and the landscape.

Summary of the Traffic Impact Analysis
The addition of project trips would not adversely affect traffic operations at the intersection because these trips would not increase the average delay at the intersection by more than 4 seconds. The eastbound movement at the San Antonio Road & Whitney Street/Pepper Drive intersection would also operate at an unacceptable level of service during the PM peak hour. Similarly, the addition of project generated trips would not adversely affect traffic operations at the intersection.

The VTA VMT Evaluation Tool indicates that residential projects located within the project's transportation analysis zone (TAZ) would generate 7.08 VMT/capita. Similarly, the tool finds that the proposed project is projected to generate 6.37 VMT per capita. Since the proposed project's estimated VMT per capita of 6.37 is lower than the significance threshold of 10.39 VMT per capita, the project would have a less than significant impact of vehicle miles traveled. Please review the TIA within the Mitigated Negative Declaration for additional traffic related details.

Transit Stop
The closest bus stop is located approximately 0.3 mile from the subject site at the corner of Lyell and San Antonio which is considered an acceptable walking distance. Local VTA route 40 provides service between Foothill College in Los Altos Hills and La Avenida Street in Mountain View via San Antonio Road, Lyell Street and First Street.

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Bicycle and Pedestrian
As recommended by the VTA guidelines, the project will be required to provide a minimum of 1 Class I (bike locker) must be provided for every 3 units and a 1 Class II (bicycle rack) must be provided for every 15 units. This equates to 17 Class I spaces and 4 Class II spaces. The applicant is providing 34 Class I and 6 Class II spaces, exceeding the standards. See sheet A08 of the submitted plans for details. If approved by the City Council, the applicant will be required to improve the sidewalk along First and Whitney so there is an accessible path of travel per the American's with Disabilities Act (ADA).

Los Altos General Plan Conformance

Housing Element Policy 2.1:	The City will maintain zoning that provides for a range of housing sizes and residential densities.
Housing Element Goal 4:	Allow a variety of housing densities and types in appropriate locations to accommodate housing needs at all income categories.
Housing Element Program 4.3.4	Continue to encourage maximum densities.

RECOMMENDATION

Staff recommends that the Planning Commission recommend that the City Council approve design review and subdivision applications (VTTM 19-003; DR 19-007) subject to the recommended findings and conditions

Subject: 355 First Street-SB 330 Project-50 Condominium Units

RESOLUTION NO. 2021-04

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS APPROVING A DESIGN REVIEW AND SUBDIVISION APPLICATION FOR A NEW FIFTY UNIT MULTIPLE-FAMILY CONDOMINIUM PROJECT AT 355 FIRST STREET AND A MITIGATED NEGATIVE DECLARATION

WHEREAS, the City of Los Altos received a development application from DeNardi Wang Homes for a new a fifty unit, multiple-family project, which includes design review and subdivision applications (VTTM 21-001; DR 21-0003), referred herein as the "Project"; and

WHEREAS, the design permit and subdivision application were processed in accordance with the applicable provisions of the California Government Code and the Los Altos Municipal Code; and

WHEREAS, the Planning Commission and the Complete Streets Commission held duly noticed joint public hearings on the Project on December 2, 2021 and December 16, 2021, at which all public comment was duly considered and it voted to recommended approval of the project to the City Council; and

WHEREAS, the City Council held a duly noticed public meeting on the Project on February 8, 2022 and February 22, 2022 at which all public comment were duly considered; and

WHEREAS, the applicant the City of Los Altos are seeking technical assistance from the California Department of Housing and Community Development (State HCD) regarding the City's Inclusionary Housing Ordinance; and

WHEREAS, an Initial Study for the Project has been completed pursuant to CEQA which identifies potentially significant effects on the environment which would result from the Project, and concludes that these impacts can be avoided or reduced to a level of insignificance with adoption and implementation of certain mitigation measures therein identified and listed; and

WHEREAS, based on this Initial Study, a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Plan has been prepared in accordance with CEQA, which finds that anypotentially significant environmental effects of the proposed project would be

sufficiently mitigated to a level of insignificance with implementation of mitigation measures specified therein; a complete copy of the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Plan and all supporting exhibits and documents are on file and can be viewed at the City office;and

WHEREAS, the City published a Notice of Intent of the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Plan for the Project on November 2, 2021, which started a 20-day public review period. The notice was posted at the City office, the County Clerk, on the City website, published in the Town Crier and sent to all property owners and tenants within 1,000 feet of the project, and all interested persons; and

WHEREAS, at its February 8th and February 22nd 2022 meetings the City Council reviewed and considered the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Plan for the Project, any comments received to-date and the responses prepared, invited additional comments from the public, and intends to take actions on the Project in compliance with CEQA and its guidelines; and

WHEREAS, the City Council conducted its own independent analysis of the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Plan and determined that the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Plan were appropriate as there is substantial evidence the Project would not result in any significant environmental impacts and the mitigated negative declaration reflects the District's independent judgment and analysis; and

WHEREAS, the location and custodian of the documents or other materials which constitute the record of proceedings upon the City Council's decision are located in the Office of City Clerk.

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Los Altos hereby approves the Project subject to the findings and conditions of approval attached hereto as Exhibit "A (Findings) and Exhibit B (Conditions of Approval) and incorporated by this reference.

1. The recitals set forth above are held to be true and correct and, by this reference, arehereupon incorporated as findings.

2. The City Council has independently reviewed, analyzed and considered the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Plan and the whole record before it (including the Initial Study and any comments received) and based on the

foregoing, the City Council hereby finds that all environmental impacts of the Project with mitigation measures are below a level of significance and there is no substantial evidence supporting a fair argument that the Project will have a significant effect on the environment.

3. The City Council find the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Plan has been completed in compliance with CEQA and consistent the State of California Guidelines for the Implementation of the California Environmental Quality Act.

4. The City Council finds that the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Plan represents the independent judgment and analysis of the District as the lead agency for the Project.

5. The City Council further finds that the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Plan is adequate to serve the required CEQA environmental documentation for the Project and hereby adopts the Mitigated Negative Declaration and MitigationMonitoring and Reporting Plan.

6. The City Clerk is the custodian of the records of the proceedings onwhich this decision is based. The records are located at 1 North San Antonio Road, Los Altos, CA 94022

7. The City Council directs staff to file a notice of determination with the County of Santa Clara within five (5) working days of adoption of this resolution.

8. The applicant proposes to provide three moderate-income units. Four moderate-income units are required to comply with the City's Inclusionary Housing Ordinance, Los Altos Municipal Code Section 14.28.020. The project is approved conditioned upon meeting this minimum requirement to provide four moderate-income units. This condition does not alter or affect the number of very low-income units that the project will provide to qualify for the density bonus sought by the applicant. The applicant and the City disagree as to the application of the Inclusionary Housing Ordinance to the project and have jointly requested technical assistance from the California Department of Housing and Community Development ("HCD"). Staff is authorized to amend this condition administratively if necessary to be consistent with any opinion HCD may provide.

I HEREBY CERTIFY that the foregoing is a true and correct copy of a Resolution passed and adopted by the City Council of the City of Los Altos at a meeting thereof on February 22, 2022 by the following vote:

Subject: 355 First Street-SB 330 Project-50 Condominium Units

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AYES:
NOES:
ABSENT:
ABSTAIN:

_____
Anita Enander, MAYOR

Attest:

_____
Andrea M. Chelemengos , CMC, CITY CLERK

Subject: 355 First Street-SB 330 Project-50 Condominium Units

EXHIBIT A-FINDINGS

(VTTM 21-001; DR 21-003)-355 First Street

1. With regard to environmental review, the City Council has independently reviewed, analyzed and considered the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Plan and the whole record before it (including the Initial Study and any comments received) and based on the foregoing, the City Council hereby finds that all environmental impacts of the Project with mitigation measures are below a level of significance and there is no substantial evidence supporting a fair argument that the Project will have a significant effect on the environment.

2. The City Council find the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Plan has been completed in compliance with CEQA and consistent the State of California Guidelines for the Implementation of the California Environmental Quality Act.

3. With regard to the new fifty-unit multiple-family structure, the City Council finding the following in accordance with Section 14.78.060 of the Municipal Code:

a. The proposal meets all applicable goals, policies and objectives of the General Plan, and CD/R3 Zone District design criteria because it is providing fifty new multiple-family residential condominium units in a multiple-family district, it incorporates high quality architectural design and is compatible with the existing development in the immediate vicinity;

b. The proposal has architectural integrity and an appropriate relationship with other structures in the immediate area in terms of height, bulk and design;

c. 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. The residential projects incorporate elements that signal habitation such as identifiable entrances, stairs, porches, bays and balconies.

d. 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.

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

f. Signage is designed to complement the building architecture in terms of style, materials, colors and proportions.

g. The exterior mechanical equipment, which is located in alcoves and within the fenced private areas, is screened from public view and the fencing is consistent with the building architecture in form, material and detailing; and

h. The service, trash and utility areas are located behind fences, recessed in alcoves or enclosed within the building in order to be screened from public view and are placed in a way that is consistent with the building architecture in materials and detailing.

2. With regard to the fifty-unit condominium subdivision, the City Council finds the following in accordance with Chapter 4, Article 1, Section 66474 of the Subdivision Map Act of the State of California:

a. The proposed subdivision is consistent with all applicable goals, policies and objectives of the Los Altos General Plan and does not exceed the maximum density for the land use designation;

b. The site is physically suitable for this type and density of development in that the site is generally flat with minimal slope and located within a suburban context with access to all city services, including sewer, water, electricity and public streets.

c. The design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage, or avoidably injure fish or wildlife since there is not any identified sensitive habitat or other environmental resources on or in proximity to the site;

d. The design of the subdivision is not likely to cause serious public health problems since the project is consistent with the multiple-family character of the neighborhood and is located on a site for which all public utilities are available; and

e. The design of the subdivision will not conflict with access easements since there are not any existing access easements that are on or adjacent to the site.

3. Density Bonus Findings. With regard to the offered below market rate units and requested parking requirement alteration, the City Council finds, in accordance with Los Altos Municipal Code Section 14.28.040, as follows:

a) The applicant is offering three very low-income unit and three moderate income units for sale, which qualifies the project for additional waivers and incentives

b) Per Table DB 2 in Los Altos Municipal Code Section 14.28.040, a project that includes eight percent or more of its total units as very low income restricted affordable units shall be granted one (1) incentive. The applicant will be requesting one density bonus concession to increase the height from 35 feet to 46 feet. Evidence has not been presented which supports other findings for denial of the requested incentives. The height and the setback incentives are considered an "on-menu" incentive per Section 14.28.040(f) Incentive Standards and, therefore, the City has determined that the incentive would not have a specific adverse impact upon public health and safety or the physical environment or upon a listed historical resource.

c) Per Section 14.28.040(H)(1), a project can request a waiver or reduction of development standards that have the effect of physically precluding the construction of a development in addition to the development incentive permitted by the Municipal Code. Consistent with these requirements, the applicant is requesting a waiver to allow for a building height of up to sixty-three (63)feet and four and a half (4.5) inches where the development standard set forth in LAMC Sec.14.66.240(F) requires that an enclosed roof structure housing the elevator for the proposed residential building that provides access to the roof top be limited to twelve (12) feet in height. Based on findings by the architect for the Project, the elevator housing on the roof deck cannot be constructed unless it is approximately seventeen (17) feet and six (6) inches in height, and an elevator shaft is necessary to comply with accessibility standards. The Council determined the waivers are supported by the fact that the implementation of the standards physically precludes the construction of the development and evidence has not been presented that the waivers will have a specific, adverse impact upon health, safety, or the physical environment, or an adverse impact on any listed historic resource or will be contrary to state or federal law.

4. Non-compliance with 14.28.020:
   a. Applicant is required to provide at least four moderate and two LI/VLI units. Applicant proposes only three moderate units. In City's view, the project does not meet the standard. Parties are jointly requesting technical assistance from HCD. The project has been conditioned on providing a fourth MI unit. Per COA No. 13 under the General Conditions of Approval set forth in Exhibit B of this Resolution, the applicant shall provide 4 moderate units unless HCD agrees with the applicant's interpretation of the law.

Subject: 355 First Street-SB 330 Project-50 Condominium Units

EXHIBIT B-CONDITIONS

GENERAL

1. **Approved Plans**
   Project approval is based upon the plans received on November 12, 2021 except as modified by these conditions.

2. **Indemnity and Hold Harmless**
   Applicants shall sign a letter submitted prior to the issuance of building permits, agreeing to hold harmless the City for any actions related to the permit. The letter shall include the following verbiage: The applicant/owner agrees to indemnify, defend, protect, and hold the City harmless from all costs and expenses, including attorney's fees, incurred by the City or held to be the liability of the City in connection with the City's defense of its actions in any proceedings brought in any State or Federal Court, challenging any of the City's action with respect to the applicant's project. The City may withhold final maps and/or permits, including temporary or final occupancy permits, for failure to pay all costs and expenses, including attorney's fees, incurred by the City in connection with the City's defense of its actions.

3. **Encroachment Permit**
   An encroachment permit, and/or an excavation permit shall be obtained prior to any work done within the public right-of-way and it shall be in accordance with plans to be approved by the City Engineer.

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

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

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

7. **Sewer Lateral**

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

8. Transportation Permit

A Transportation Permit, per the requirements specified in California Vehicle Code Division 15, is required before any large equipment, materials or soil is transported or hauled to or from the construction site. Applicant shall pay the applicable fees before the transportation permit can be issued by the Traffic Engineer.

9. Pollution Prevention

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

10. Storm Water Management Plan

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

11. Civil Engineering Drawings

The applicant shall submit civil engineering drawings that show property lines with bearing and easements.

12. Affordable Housing Agreement

Prior to the issuance of building permits the applicant shall execute and record an Affordable Housing Agreement, in a form approved and signed by the Community Development Director and the City Attorney, that offers six (6) below market rate unit, for a period of at least 55 years. The below market rate unit shall be at the low-income level shall be constructed concurrently with the market rate units, shall be provided at the location on the approved plans, and shall not be significantly distinguishable with regard to design, construction or materials. This issue shall be resolved prior to the recordation of the Final Map.

13. Request for State Technical Assistance

The applicant proposes to provide three moderate-income units and three very low income units. Four moderate-income units are required to comply with the City's Inclusionary

Housing Ordinance, Los Altos Municipal Code Section 14.28.020. The project is approved conditioned upon meeting this minimum requirement to provide four moderate-income units. This condition does not alter or affect the number of very low-income units that the project will provide to qualify for the density bonus sought by the applicant. The applicant and the City disagree as to the application of the Inclusionary Housing Ordinance to the project and have jointly requested technical assistance from the California Department of Housing and Community Development ("HCD"). Staff is authorized to amend this condition administratively if necessary to be consistent with any opinion HCD may provide.

PRIOR TO FINAL MAP RECORDATION

14. Public Access Easement Dedication

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

a. An easement of two feet along the rear alley for use as a public right-of-way; and
b. An easement of one foot along the First Street frontage to allow for pedestrian access.
c. If tree wells are approved by Planning Department, Pedestrian Access Easement along First Street shall be wide enough to allow proper ADA clearances.

15. Public Utility Dedication

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

16. Subdivision Agreement

The applicant shall sign and return Subdivision Improvement Agreement to the City for records and recordation prior to the recordation of the Final Map.

PRIOR TO ISSUANCE OF BUILDING PERMIT

17. Final Map Recordation

The applicant shall record the final map. Plats and legal descriptions of the final map shall be submitted for review by the City Land Surveyor. Applicant shall provide a sufficient fee retainer to cover the cost of the map review by the City.

18. Payment of Fees

Prior to the issuance of building permits, the applicant shall pay all applicable fees, including but not limited to sanitary sewer connection and impact fees, parkland dedication in lieu fees,

traffic impact fees, public art impact fee and map check fee plus deposit as required by the City of Los Altos Municipal Code prior to issuance of the building permit.

19. Downtown Decorated Lights

The applicant shall insure the design of total of two new Downtown Decorated light fixtures along First Street and Whitney Street as directed by the City Engineer.

20. Storm Water Filtration Systems

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

21. Cost Estimate and Performance Bonds

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

22. Grading and Drainage Plan

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

23. Sewage Capacity Study

The applicant shall submit calculations showing that the City's existing sewer line will not exceed two-thirds full due to the project's sewer loads. Calculations shall include the 6" main from the front of the property to the point where it connects to the 8" sewer line on San Antonio Rd. For any segment that is calculated to exceed two-thirds full for average daily flow or for any segment that the flow is surcharged in the main due to peak flow, the applicant shall replace the 6" sewer line with an 8" sewer line. For any segment that is calculated to exceed two-thirds full for average daily flow or for any segment that the flow is surcharged in the main due to peak flow, the applicant shall replace the sewer line with a larger sewer line.

24. Construction Management Plan

The Applicant shall submit a construction management plan for review and approval by the Community Development Director and the City Engineer. The construction management

plan shall address any construction activities affecting the public right-of-way, including but not limited to excavation, traffic control, truck routing, pedestrian protection, material storage, earth retention and construction vehicle parking. The plan shall provide specific details with regards to how construction vehicle parking will be managed to minimize impacts on nearby single-family neighborhoods. Sidewalks, parking and travel lanes along First Street and Whitney Street shall not be closed for the full duration of the project. Closures will be reviewed and approved with Encroachment Permit submittals. The applicant shall be required to have a pre-construction meeting with all abutting property owners to discuss the project schedule and to prominently display a sign with the single point of contact the community should interface with for any construction related impacts from the project.

25. Solid Waste Ordinance Compliance

The Applicant shall be in compliance with the City's adopted Solid Waste Collection, Remove, Disposal, Processing & Recycling Ordinance (LAMC Chapter 6.12) which includes a mandatory requirement that all multi-family dwellings provide for recycling and organics collection programs.

26. Fire Approval

Prior to the issuance of building permits the applicant shall receive approval from the Fire Department for the project.

27. Solid Waste and Recyclables Disposal Plan

The Applicant shall contact Mission Trail Waste Systems and submit a solid waste and recyclables disposal plan indicating the type, size and number of containers proposed, and the frequency of pick-up service subject to the approval of the Engineering Division. The Applicant shall also submit evidence that Mission Trail Waste Systems has reviewed and approved the size and location of the proposed trash enclosure. The enclosure shall be designed to prevent rainwater from mixing with the enclosure's contents and shall be drained into the City's sanitary sewer system. The enclosure's pad shall be designed to not drain outward, and the grade surrounding the enclosure designed to not drain into the enclosure. In addition, Applicant shall show on plans the proposed location of how the solid waste will be collected by the refusal company. Include the relevant garage clearance dimension and/or staging location with appropriate dimensioning on to plans.

PRIOR TO FINAL OCCUPANCY

28. Condominium Map

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

29. Public Alleyway

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

30. Watch for Pedestrians Sign

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

31. Sidewalk in Public Right-of-Way

The Applicant shall remove and replace entire sidewalk and curb and gutter along the frontage of First Street and Whitney Street as directed by the City Engineer. All sidewalks in the public right-of-way shall be City Standard concrete sidewalks. The applicant shall remove existing driveway on Whitney Street and replace it with standard curb and gutter. The applicant shall extend sidewalk on Whitney Street from 330 2nd Street property to the alley, and install new driveway approach at the back of 330 2nd Street.

32. New ADA Ramps and Crosswalks

The applicant shall provide two new ADA ramps and crosswalk stripping per the City standards on the northeast and southeast corner of the intersection with First Street and Whitney Street. The applicant shall install new ADA ramps as necessary at the sidewalk extension along Whitney Street.

33. Parking Stall and Red Curb Striping

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

34. Public Infrastructure Repairs

The Applicant shall repair any damaged right-of-way infrastructures and otherwise displaced curb, gutter and/or sidewalks and City's storm drain inlet shall be removed and replaced as directed by the City Engineer or his designee. The Applicant is responsible to resurface (grind and overlay) half of the street along the frontage of First Street if determined to be damaged during construction, as directed by the City Engineer or his designee.

35. Maintenance Bond

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

36. SWMP Certification

The Applicant shall have a final inspection and certification done and submitted by the Engineer who designed the SWMP to ensure that the treatments were installed per design. The Applicant shall submit a maintenance agreement to City for review and approval for the stormwater treatment methods installed in accordance with the SWMP. Once approved, City shall record the agreement.

37. Landscape and Irrigation Installation

All on- and off-site landscaping and irrigation shall be installed and approved by the Community Development Director and the City Engineer.

38. Label Catch Basin Inlets

The Applicant shall label all new or existing public and private catch basin inlets which are on or directly adjacent to the site with the "NO DUMPING - FLOWS TO ADOBE CREEK" logo as required by the City.

From: Jon Baer
To: Guido Persicone
Subject: 355 First Street comments
Date: Monday, January 11, 2021 8:23:27 PM

Guido-my comments, consistent with what I said during the community meeting are below:

The project appears to be adequately parked, which is a real plus. However I think it is critical, for this project as well as the others under development on this block, that the alley be widened along the full length, not just the properties that are currently being developed. That would allow traffic to use both Whitney and Lyell for entrance and egress onto San Antonio Road. Otherwise there may be conflicts as car try to navigate what is a very narrow alley and create traffic conflicts at one or both of the intersections.

This project is not like others that have or are being constructed in Los Altos-it is the largest, densest project in our downtown and as presented does not work in that the mass and bulk are not visually managed in a good manner. A great example of what not to do is 396 First Street-basically a cube with limited landscape and no richness of design (windows not recessed, etc). The east side of First Street is severely compromised by three story/4story #396 which was a poorly designed building representing excessive development. We want orderly development in this zone. While this design might marginally work along El Camino (and definitely would work in Miami) it does not fit with the village look or feel and does nothing to bring human scale to the building. Compare this building to what was done at 100 First Street!

As previously mentioned, I believe that 371 and/or 373 First are historic structures over 50 years old that will need to be evaluated prior to any demolition and perhaps even before certifying that this project can be fast tracked under SB330

This project will need redesign to reduce the mass and bulk so as to minimize abrupt changes along the street; the building needs to be designed to respect the massing of adjacent buildings. So using objective standards the question is what makes this particular building design need improvement?

1. The volume of this four story cube is insufficiently architecturally relieved: the front elevation has recessed windows, with few, as well as smaller, vertical planes, but not enough breaking up of the cube. Furthermore the fourth story is not set back and has a roof overhang that adds to the appearance of mass and bulk.

Suggestion: use an enhanced version of the front elevation as a model for how to use deep recesses to break the cube massing on all other sides.

2. There is no communal open space for the use of the occupants. 42 units have at least 2 bedrooms. That implies children with no on-site play space.

Suggestion: Enlarge court significantly, and open “court” for general view and access (by most if not all the units, thru the lobby and perhaps even visually to the street). Open more windows on it to illuminate corridors. This is a missed opportunity.

3. There is minimal public landscaping. This very urban expression needs "generous landscaping", a town value to fit the "village".

Suggestion: Pull footprint back from First Street to provide landscape buffer space. See 467 First Street example. Even 396 First has trees and planter.

4. The Whitney/First corner is a full cubic volume, with no recognition of 349 (across Whitney) property.

Suggestion: Carve away cubic volume to reduce "big shoulder" impact. Add landscape elements to soften

5. The "Court" is a not a court. It's a light shaft, as presented almost entirely 40ft high solid walls. It does not provide an amenity to the building nor a true emergency egress for the bedrooms above ground level opening on it.

Suggestion: See item 2

6. Recognize the impact on the street and town of the 11 foot height concession and adjust design

Suggestion: Pull the fourth story back on both First and Whitney Streets. And consider changing roof overhang element to minimize visual impact of the roof.

MINUTES OF A REGULAR MEETING OF THE PLANNING COMMISSION OF THE CITY OF LOS ALTOS, HELD ON THURSDAY, JANUARY 21, 2021 BEGINNING AT 7:00 P.M. AT LOS ALTOS CITY HALL, ONE NORTH SAN ANTONIO ROAD, LOS ALTOS, CALIFORNIA

Please Note: Per California Executive Order N-29-20, the Commissions will meet via teleconference only. Members of the public may call (650) 242-4929 to participate in the conference call (Meeting ID: 149 818 5195 **or via the web at https://meetings.ringcentral.com/j/1498185195 (Password: 022278). 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. You may watch the meeting live at** https://www.facebook.com/CityOfLosAltos**. 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 Ahi, Vice-Chair Bodner, Commissioners Doran, Mensinger, Roche and Steinle
ABSENT:	Commissioner Marek
STAFF:	Community Development Director Biggs, Planning Services Manager Persicone, and City Attorney Houston

PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

None.

STUDY SESSION

1. **355 First Street-Study Session with the Commission-SB 330**
   The applicant has submitted a pre-application under the provisions of SB 330 to receive preliminary feedback from the community and Planning Commission. The project would consist of receiving approval of a Design Review permit and Tentative Map subdivision for a new four story fifty (50) unit multifamily condominium building. *Project Manager: Persicone*

Planning Services Manager Persicone gave the agenda report and a PowerPoint presentation.

Jeff Potts, project architect with SDG Architects, provided an overview of the project and gave a PowerPoint presentation of the plans. He stated the proposed project is a 50-unit, four-story building with two levels of underground parking and 111 parking spaces in total.

Commissioner Questions

Commissioner Steinle asked about the heights of the buildings for the projects at 369 and 100 First Streets. He also asked the applicant about materials being used and the difference in colors in the model shown.

Community Development Director Bigg answered that staff did not have the dimensions for369 and 100 First Streets at the moment. Jeff Potts explained the color differences.

Commissioner Doran asked about the two-foot widening of the alley in the back, if the landscaping would be consistent with other landscaping on Whitney Street, questioned the current pathway between buildings, and the sidewalk widths.

Community Development Director Bigg explained that the two-foot widening of the alley has been applied as a condition of approval to other projects approved that abuts the alley. Jeff Potts explained the landscaping, that the pathway is located on private property and is not an easement, and that the sidewalk is being widened from five feet to six feet with the requested one-foot dedication easement by the City.

Commissioner Bodner asked about peer architectural review and the use of Trespa as a material.

Community Development Director Bigg explained that peer review will be done at formal submittal. Jeff Potts explained that they are committed to the materials at formal submittal and what the Commission decides to approve.

Public Comment

Resident Jon Baer referred to his comments in his letter to the Commission; said the Community Meeting was not properly noticed; the project is a massive cube and needs more articulation; this is a missed opportunity, and this project belongs on El Camino Real.

Resident Roberta Phillips stated that 15 percent affordable BMRs is too low and it should be at least 20 percent to help with our RHNA numbers; the 4th story needs a setback; and had traffic concerns.

PC Discussion

Commissioner Roche said this is a massive building; the fourth floor could benefit from some setbacks and better articulation; there are missed opportunities; should incorporate a peaked roof along Whitney Street; the 46-foot-tall architecture is not redeeming; does not know if the material mix works; asked if the project could be toned down in some manner; and noted the design needs work.

Commissioner Steinle stated that parking is good and appreciated that no vehicle lifts were used; his impression is that the project was designed from the inside out; the rear elevation is more successful than the front and had balconies; asked if the units could be made smaller to make them more affordable by design; noted fewer units and smaller units would require less overall square footage; asked if a mixed-use project been considered; think about downtown walkability and pedestrian scale; concluded by stating this is a good start but more work needs to be done.

Commissioner Doran said that this is an opportunity to create a buffer zone at the sidewalk between the pedestrian zone and the building; the middle light well creates a tunnel effect; agrees with Commissioner Roche and Steinle that this is a little too bulky for First Street; and noted the objective standards under consideration tonight would require a different building with more step backs at the upper levels.

Vice-Chair Bodner appreciates the vision to group parcels; noted four stories is the future for the City; but commented the proposed design is more appropriate for El Camino Real; it does not have a downtown pedestrian feel; suggested the architect pay attention to the objective standards being developed; needs more vertical and horizontal articulation; the building reads as one large expanse and could be articulated better; recess the upper floors; have more than one entrance; more landscaping would be better; needs a softer transition between the building and the back of the

sidewalk; building could be warmed up with smaller bays and different use of materials; has concern with privacy related to the window placement and style and needs a more residential feel; thought and detail need to be given to the balconies; roof deck needs to insulate noise and light to neighbors; back alley widening is a plus and needed; and noted City should take time to revisit the parking space widths to get more spaces as the applicant suggested.

Commissioner Mensinger agreed with the other commissioner comments; more appropriate for El Camino Real; less bulk and mass; and need more space for children and families.

Chair Ahi likes the project as a whole; could use some more affordable units; does not appear as a "residential" development; design is lacking and does not fit in our downtown; building is the same in horizontally and vertically; review the corners; too heavy a form at the top of the building; review the density of the site; lacks village character; lacks a mix of height; materials needs more work because it looks heavy and has too much similarity; disconnect between elevations and program; look at how the program can connect more with the elevation design/architecture; entry is underwhelming for a 50-unit building and is a missed opportunity; the interior court yard square footage can be used in a better way; not objecting to the project, but the design does not go above and beyond what is just required; also consider how this building will relate to pedestrians and the community.

ITEMS FOR CONSIDERATION/ACTION

CONSENT CALENDAR

2. Planning Commission Minutes

Approve minutes of the regular meeting of December 17, 2020.

Action: Upon motion by Commissioner Steinle, seconded by Chair Ahi, the Commission approved the minutes from the December 17, 2020 Regular Meetings as written.
The motion was approved (6-0) by the following vote:
AYES: Ahi, Bodner, Doran, Mensinger, Roche and Steinle
NOES: None

PUBLIC HEARING

3. Zoning Text Amendment - ZTA 20-0003 - Objective Zoning Standards

Zoning text amendment to Title 14 (Zoning) of the Los Altos Municipal Code to provide objective zoning standards for housing development projects. The proposed Ordinance relates to organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment, and therefore is exempt from California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Section 15061(b)(3).
Project Manager: Persicone

Monica Szydlik with Lisa Wise Consulting presented and went over the changes directed by the Planning Commission.

Public Comment
Resident Jon Baer commented on slide 15 and 30 that shows the CRS zone with three-story buildings and said to revise it because it looks like we are increasing the height standards.

Resident Roberta Phillips said that the proposed regulations appear to increase density and bulk and asked why the setbacks are being reduced down to five feet.

Resident Terri Couture agreed with Jon Baer, and is worried about a five-foot setback for the third story, then it should be a 10-foot setback for the fourth story and suggested looking to the Downtown Vision to keep the character of downtown Los Altos.

Salim, whose parents live in Los Altos, asked about upper story setbacks and how they comply with SB 330 which forbids reducing the sites potential for housing by increasing setbacks.

Chair Ahi closed the public comment section of the meeting.

The Commissioners discussed the Zoning Text Amendment to provide objective zoning standards for housing development projects and gave the following comments:

Commissioner Steinle:

- Thinks the commercial Districts are fine and is prepared to move that section forward to the City Council;
- He is more concerned about the proposed rules for the R Districts, especially R3-3, R3-4.5, and R3-5;
- The proposed standards could not be applied to these districts and are unrealistic given the current characteristics of these districts; and
- Suggested the Commission spend more time talking about the R District rules and noted he is not ready to move the standards for these forward.

Commissioner Doran:

- Noted she would consider revisiting the R3 Districts given what Commissioner Steinle said; and
- Asked about the process to review this section again because the earlier project reviewed this evening was the catalyst for a possible closer look.

Attorney Houston said the objective standards need to move forward as a whole and not piecemeal and that the Commission could move them forward to City Council with specific comments and direction.

Chair Ahi:

- Noted the Commission has looked at these rules several times already, and he is ready to move forward to City Council with direction;
- Suggested not being too restrictive with the R zones;
- Noted the request for an annual review to see what is working and what is not will allow the City to adjust these rules as needed.

Monica Szydlik with Lisa Wise Consulting stated that the intent was not to replicate the building type and forms in the existing codes, but introduce design standards and coherent design, that is cognizant of adjacencies and articulation in the multi-family zones.

Commissioner Steinle:

- Asked if we need objective standards for districts, like the R3-5, where the likelihood of redevelopment is practically nil; and
- Sufficient time has not been spent discussing the R Districts and passing this on to Council this evening is a missed opportunity.

Vice-Chair Bodner:

- Agreed with Chair Ahi that this needs to be moved forward with the acknowledgement that the R districts could be modified if future evaluations call for it;
- Noted the Commission could provide specific direction to the City Council but did not support a revisit with another meeting.

Commissioner Roche:

- Agreed that not discussing the R Districts was a missed opportunity; and
- Asked what the disadvantages would be to have another meeting.

Chair Ahi in answer noted:

- The task is not to design little individual pockets or areas around Los Altos.

Commissioner Mensinger:

- Agreed that it is time to move this on to the City Council; and
- We can relook at this after a year and the Objective Standards should move forward so Council can begin its review.

Commissioner Doran agreed and said it is time to move this forward to City Council.

Action: Upon motion by Vice-Chair Bodner, seconded by Commissioner Doran, to recommend the Objective Standards to the City Council with the changes proposed at this meeting included in the changes outlined in the Arata PowerPoint.
The motion was approved (6-0) by the following vote:
AYES: Ahi, Bodner, Doran, Mensinger, Roche and Steinle
NOES: None
ABSENT: Marek

DISCUSSION

4. Planning Commission Workplan

The Commission by consensus agreed with the list staff provided.

Attorney Houston suggested adding some Code clean-up to the Workplan.

Chair Ahi suggested looking at the planning process as a whole to see if the Commission can make it more effective/efficient.

COMMISSIONERS' REPORTS AND COMMENTS

None.

POTENTIAL FUTURE AGENDA ITEMS

Community Development Director Biggs provided an overview of upcoming projects and meetings.

ADJOURNMENT

Chair Ahi adjourned the meeting at 9:37 P.M.

Jon Biggs
Community Development Director

DENSITY BONUS REPORT
for
355 1ST STREET
LOS ALTOS, CA

On behalf of 355 1st St LLC, C/O DeNardi Wang Homes, ("Applicant"), we are providing this Density Bonus Report with regard to that certain project located at 355, 365, 371, 373 1st Street, Los Altos, California (the "Project"). Capitalized terms not defined herein shall have the meaning set forth in the Los Altos Municipal Code ("LAMC").

1. Requested Density Bonus

Summary of Project:

Lot Size	27,887 S.F. (0.64 acres)
Density	The Project is located in the CD/R3 District, which allows multiple-family housing as a permitted use and does not specify a maximum allowable residential density.
Base Density	Based on the city's development standards, a Base Density Model on Sheet T3 was created. The Base Density Model shows that the Base Density is thirty-nine (39) units.
Total Number of Units	Fifty (50) units will be built at the Project, including two (2) studio units, seven (7) 1-bedroom units, thirty (30) 2-bedroom units, and eleven (11) 3-bedroom units.
Proposed Number of Affordable Units	For the Project, the Applicant shall offer six (6) below market rate units, of which three (3) units will be at the very low-income level and three (3) units will be at the moderate-income level. The three (3) very low-income level units include one (1) studio unit and two (2) 1-bedroom units. The three (3) moderate-income level units include one (1) 1-bedroom unit and two (2) 2-bedroom units.
Density Bonus	By offering three (3) very low-income level units with a Base Density of thirty-seven (39) units, the Applicant is providing 7.69% units at the very low-income level, which rounds up to 8%. State Density Bonus Law states if 8% of the Base Density is provided at the very low-income level, a Density Bonus of 27.5% is granted. Based on the Base Density of thirty-nine (39) units, a Density Bonus of 27.5% is 10.725 units, which rounds up to eleven (11) units. To achieve the total number of fifty (50) units, eleven (11) bonus units are needed.

Assessor's Parcel Number(s)	167-41-026, 167-41-027, 167-41-028, 167-41-029

2. Requested Incentives and Concessions

The Project will include seven point sixty-nine percent (7.69%) very low income units and as such exceeds the five-percent threshold required for one (1) incentives (LAMC Sec. 14.28.040(C)).

Requested On Menu Incentive – Building Height Increase

Accordingly, Applicant is eligible for and is requesting one (1) On Menu Incentive under LAMC Sec. 14.28.040(F) to allow for a building height of up to forty-six (46) feet whereas the LAMC allows for a maximum building height of thirty-five (35) feet.

This height increase will allow for additional units which then reduces the actual cost per square foot to complete the Project and furthers Applicant's ability to provide for affordable rents or affordable housing costs. See Section 4 below for more information.

California Government Code Section 65915(d)(1) states that the City has the burden of proof in demonstrating that the requested incentive would not result in an identifiable, financially sufficient and actual cost reductions ("The city, county, or city and county shall grant the concession or incentive requested by the applicant unless the city, county, or city and county makes a written finding, based upon substantial evidence" that the incentive (A) does not result in identifiable and actual cost reductions to provide for affordable housing costs, (B) would have a specific, adverse impact, or (C) would be contrary to state or federal law). It is presumed that the requested incentive, as an On Menu Incentive that is specifically recognized by the LAMC, will result in identifiable, financially sufficient and actual cost reductions to the Project, unless the City makes a written finding otherwise.

3. Requested Waiver(s)

Requested Waiver – Building Height Increase

Applicant is requesting a waiver to allow for a building height of up to sixty-three (63) feet and four and a half (4.5) inches where the development standard set forth in LAMC Sec. 14.66.240(F) requires that an enclosed roof structure housing the elevator for the proposed residential building that provides access to the roof top be limited to twelve (12) feet in height. Based on findings by the architect for the Project, the elevator housing on the roof deck cannot be constructed unless it is approximately seventeen (17) feet and six (6) inches in height, and an elevator shaft is necessary to comply with accessibility standards. This is evidenced by the attached letter from the architect for the Project.

The additional height requested is less than six (6) feet, and would not be visible from the street because it is set back from the roof edge. Thus there is no specific adverse impact caused by the requested waiver, which is minor in nature and has no impact on the public at large.

Pursuant to LAMC Sec. 14.28.040(H), this waiver should be granted because:

- The development standard set forth in LAMC Sec. 14.66.240(F) would have the effect of physically precluding the construction of the elevator, which is required to access the roof deck per the accessibility requirements set forth in the California Building Code.

- To Applicant's actual knowledge, the increased height in the elevator housing would not (i) have a specific, adverse impact upon the health, safety or the physical environment, (ii) have an adverse impact on any real property that is listed in the California Register of Historical Resources, or (iii) be contrary to state or federal law.

Requested Waiver – Parking Space Width

Applicant is requesting a waiver of the development standard set forth in LAMC Sec. 14.74.200(A) which requires that perpendicular parking spaces in off-street parking facilities must have a width of no less than nine (9) feet. Based on findings by the architect for the Project, the Project would be able to provide more total parking spaces if the width of some of the parking spaces was reduced to 8.5 feet. Specifically, the width of ten (10) percent of the parking spaces will be reduced, thereby allowing the Project to meet LAMC's parking standards.

The Project meets the State required parking without the stall reduction. The waiver is to create additional parking which is desired by the city. Without the waiver there will be four (4) less parking spaces available.

Pursuant to LAMC Sec. 14.28.040(H), this waiver should be granted because:

- The development standard set forth in LAMC Sec. 14.74.200(A) would have the effect of physically precluding the desired number of total parking spaces, which would support the functionality of the building.

- To Applicant's actual knowledge, the decreased width in a portion of the parking spaces would not (i) have a specific, adverse impact upon the health, safety or the physical environment, (ii) have an adverse impact on any real property that is listed in the California Register of Historical Resources, or (iii) be contrary to state or federal law.

4. Response to Staff Questions

To demonstrate how and why the On-Menu Incentive for height is warranted for the Project, the Cost Savings gaining eleven (11) units with the additional building height is as follows:

Assuming costs are fixed at approximately one million three hundred thousand dollars ($1,300,000) per unit, the additional eleven (11) market rate units help subsidize the loss resulting from the six (6) Below Market Rate Units.

The BMR's sell anywhere from around $119,739 for a Studio Very Low Income Unit to around $552,823 for a 2 Bedroom Moderate Income Unit.

The Project will suffer a loss of approximately six million six hundred thousand dollars ($6,600,000) on the sale of the affordable units (sold below cost of production), and the additional units are required to subsidize this additional cost to the Project.

SDG architects

September 10, 2021

Subject: Waiver for Elevator Penthouse Height Increase

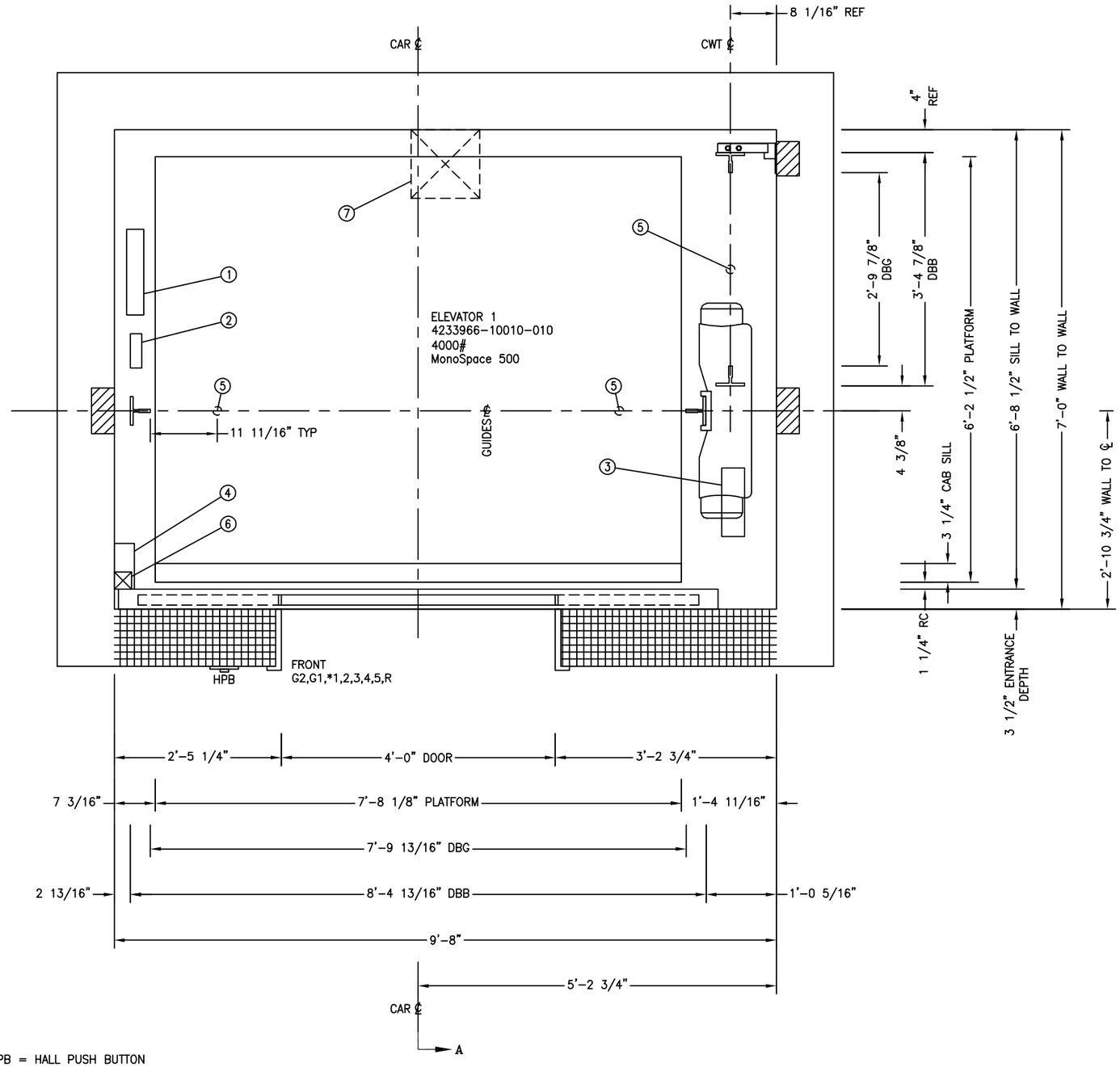
To Whom it May Concern,

The roof deck amenity is vital to the success and viability of this project. In order to provide the roof deck an elevator is required to meet the Accessibility Codes. In order to be able to physically build an elevator to access the rooftop deck, the elevator housing on the roof deck must be approximately seventeen (17) feet and six (6) inches in height. We have provided cut sheets from many of the major elevator manufactures to illustrate this fact. These show that the override required when including the hoist beam, the roof decking, and the shaft roof is approximately 17'-6". Per Section 14.66.240 of the LAMC a 12' elevator penthouse is allowed for roof access. Therefor we are requesting a Waiver of 5'-6" for the elevator penthouse.

The density of the project based on the required Affordable Housing Units and the resulting Density Bonus Units does not allow for a large common open space at any other level. The need for this amenity was reiterated by the city staff and Planning Commissioner's during the process.

Sincerely,

Jeffrey Potts
Principal Architect



NOTE: HPB = HALL PUSH BUTTON

① TRAVELING CABLE
② DEAD-END HITCH
③ CAR GOVERNOR / TENSION WT ASSEMBLY (SEE NOTE B)
④ PIT LADDER (KONE SUPPLIED/INSTALLED)
MIN. CLEARANCE FROM FRONT WALL:
SS/CO 8.25"[210mm], 2S 10.25"[260mm]
⑤ TYP BUFFER LOCATION / SEE DATA SHEET FOR REACTIONS
⑥ WIRE DUCT (SEE NOTE C)
⑦ RECOMMENDED DRAIN/SUMP PUMP LOCATION (IF REQUIRED)
SEE "WORK BY OTHERS" SHEET, NOTE 38.

FOR APPROVAL – NOT FOR CONSTRUCTION

NOTES:
A. IF POSSIBLE, ENTIRE ENTRANCE WALLS TO BE LEFT FULLY OPEN AT EACH LANDING. MINIMUM REQUIRED ROUGH OPENINGS FOR ALL LANDINGS DETAILED ON ENTRANCE DRAWINGS.

B. GOVERNOR TO BE POSITIONED WITH ELECTRICAL BOXES TOWARDS CAR SIDE AND ENCODER TOWARDS FRONT SIDE.

C. TERMINATE WIRE DUCT 48" [1220] ABOVE LOWEST LANDING. PIT LADDER TO BE POSITIONED DIRECTLY BELOW DUCT.

D. REFER TO THE DATA SHEET FOR FURTHER DETAILS CONCERNING ALLOWABLE CLEAR HOISTWAY TOLERANCES.

E. MINIMUM CLEAR HOISTWAY WIDTH SHOWN. CONTACT KONE FOR MAXIMUM ALLOWABLE CLEAR HOISTWAY.

F. ALL CAR AND CWT RAIL BRACKETS ATTACH TO SIDE HOISTWAY WALLS.

G. FILLER BIT HEIGHTS ARE BASED ON A COMPLETE CAB INSTALLATION.

INSTALLATION NOTES:

1) DBG TELESCOPE POLE SETTINGS = 8'-10"

2) BALANCE WEIGHTS: 0LBS QTY: 0
TRACTION WEIGHTS: 0LBS QTY: 0

NOTE: ALL TRACTION WEIGHTS MUST BE INSTALLED FOR TRACTION PURPOSES.

SPLIT FILLER BIT HT (STEEL): 11"
FULL FILLER BIT HT (STEEL)THIN: 2 3/4"
FULL FILLER BIT HT (STEEL)THK: 3'-7 3/8"

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Preliminary
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NOT FOR CONSTRUCTION

APPROVAL SPACE

PROJECT:
ALTOS ONE
LOCATION:
MONOSPACE 500 19.2-1
ENG/ARCH:
SDG ARCHITECTURE
CONTRACTOR:
CLARUM CORPORATION

UNIT INFO			
ITEM NO.	NETWORK NO.		EQUIPMENT NO.

REVISIONS				
2021-05-06	–	MAT		PRELIMINARY
DATE	NO	BY	CK	DESCRIPTION

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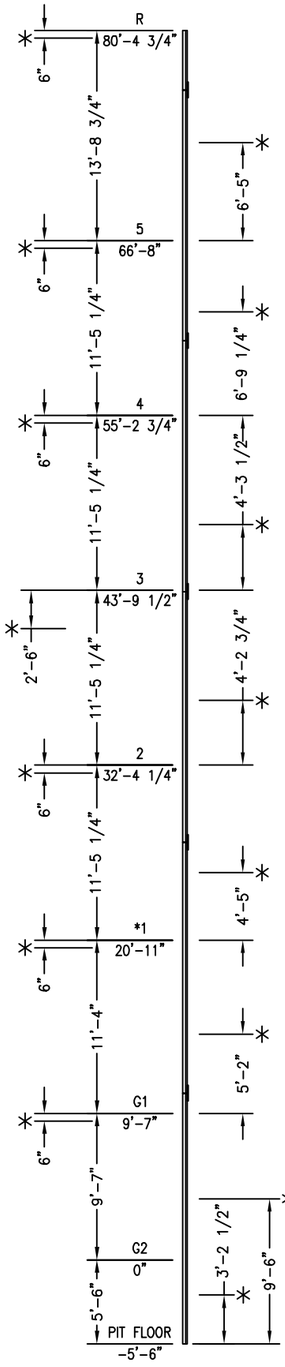
KONE

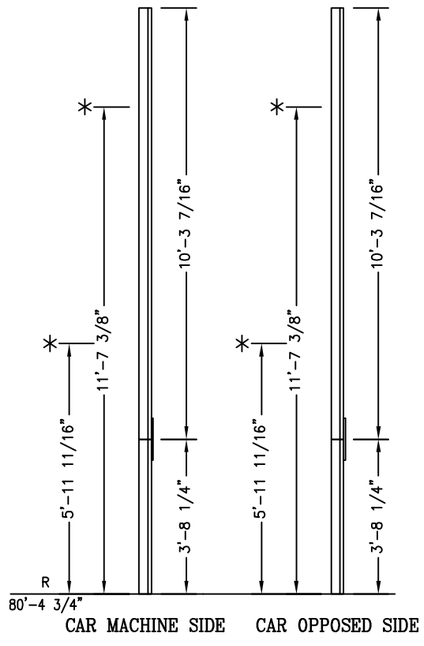
GENERATED ON: 05/06/21	BY: MMA	REV
UNITS: IMPERIAL	1-20.2	–
DRAWING	DESCRIPTION	SHEET
M-4233966-10010-010	HOISTWAY	1 of 17

FLOOR NUM	FRONT	REAR	DISTANCE
1	G2		9'-7"
2	G1		11'-4"
3	*1		11'-5 1/4"
4	2		11'-5 1/4"
5	3		11'-5 1/4"
6	4		11'-5 1/4"
7	5		13'-8 3/4"
8	R		

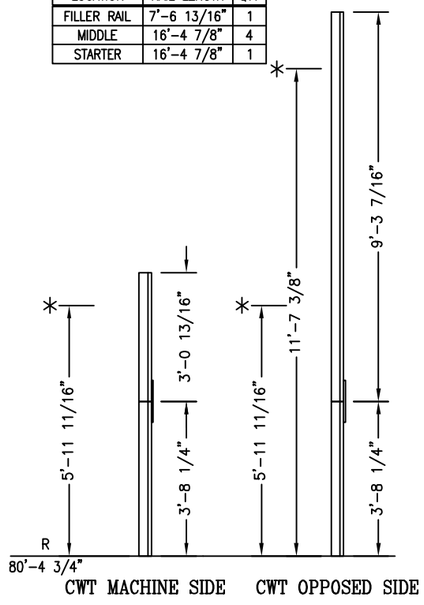


RAILSTACK

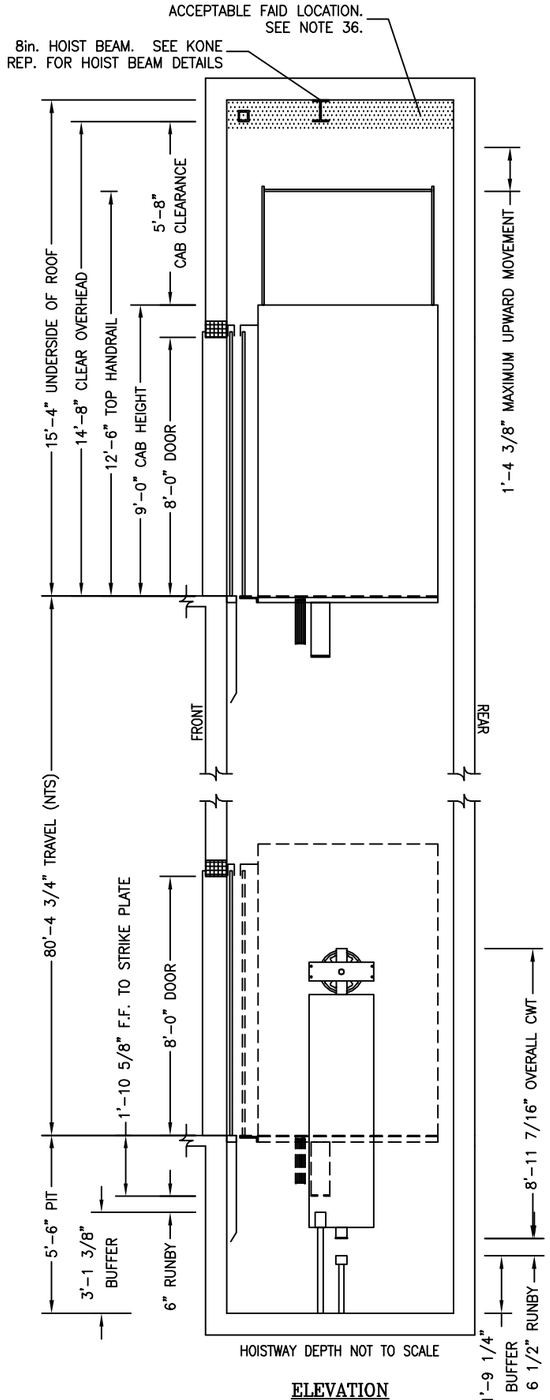
MAXIMUM BRACKET SPACING – 98"



RAIL SCHEDULE		
LOCATION	RAIL LENGTH	QTY
FILLER RAIL	7'-6 13/16"	1
MIDDLE	16'-4 7/8"	4
STARTER	16'-4 7/8"	1



"*" DENOTES CENTER LINE OF BRACKETS.
BRACKET SUPPORTS ARE REQUIRED AT THESE POINTS.



ELEVATION

CAPACITY: 4000#

COUNTERWEIGHT SAFETIES HAVE NOT BEEN PROVIDED.
KONE IS NOT AWARE OF ANY ACCESSIBLE SPACE BELOW THE PIT.

ELEVATIONS OR FLOOR MARKINGS OF THE FOLLOWING MUST BE NOTED WHEN APPLICABLE.

DESIGNATION	FLOOR MARKING
MAIN ELEVATION LOBBY	*1
FIRE SERVICE RETURN	*1
ALTERNATE FIRE SERVICE RETURN	G1
EMERGENCY POWER RETURN	N/A

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APPROVAL SPACE

PROJECT:
ALTOS ONE
LOCATION:
MONOSPACE 500 19.2-1
ENG/ARCH:
SDG ARCHITECTURE
CONTRACTOR:
CLARUM CORPORATION

UNIT INFO

ITEM NO.	NETWORK NO.	EQUIPMENT NO.

REVISIONS

DATE	NO	BY	CK	DESCRIPTION
2021-05-06	–	MAT		PRELIMINARY

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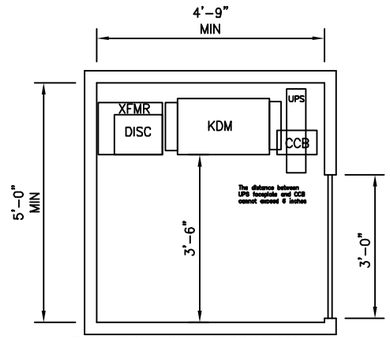
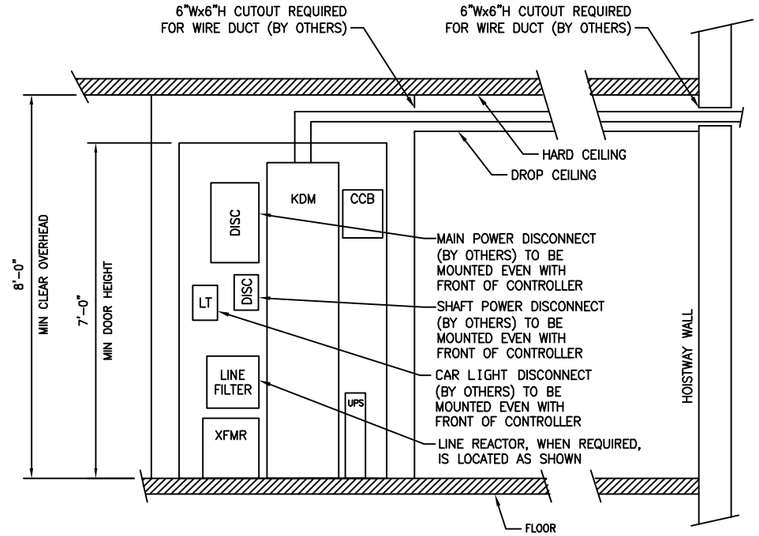
KONE

GENERATED ON: 05/06/21	BY: MMA	REV
UNITS: IMPERIAL	1-20.2	–
DRAWING	DESCRIPTION	SHEET
M-4233966-10010	RAILSTACK	2 of 17

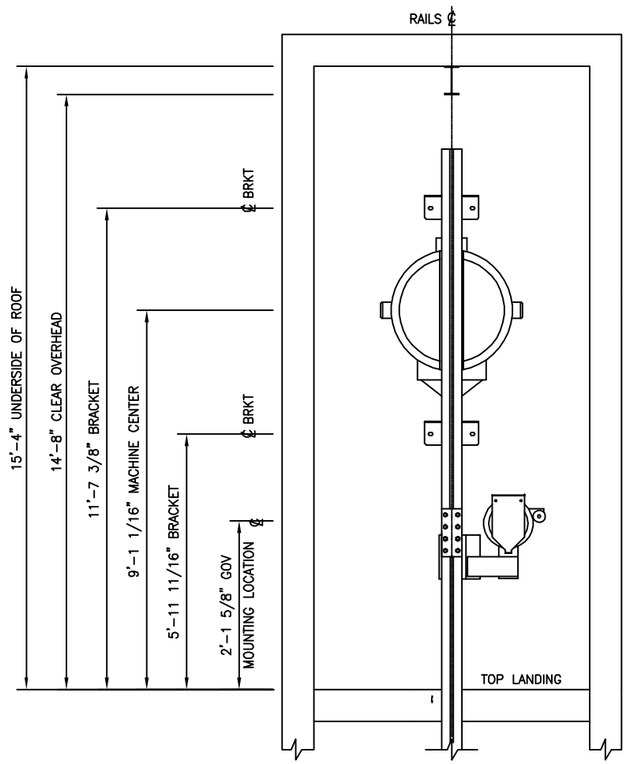
NOTES:
A. THE TEMPERATURE IN THE CONTROL SPACE MUST MAINTAIN BETWEEN 41° F [5° C] and 104° F [40° C].



REMOTE CONTROLLER ROOM PLAN VIEW
MINIMUM ROOM SIZE IS SHOWN
LOCATED AT FLOOR R



ELEVATION AT CONTROLLER



ELEVATION VIEW
SECTION A-A

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APPROVAL SPACE

PROJECT:
ALTOS ONE
LOCATION:
MONOSPACE 500 19.2-1
ENG/ARCH:
SDG ARCHITECTURE
CONTRACTOR:
CLARUM CORPORATION

UNIT INFO			
ITEM NO.	NETWORK NO.		EQUIPMENT NO.

REVISIONS				
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DATE	NO	BY	CK	DESCRIPTION

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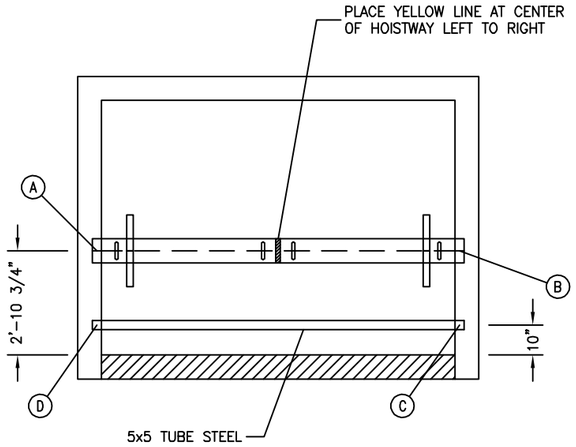
KONE

GENERATED ON: 05/06/21	BY: MMA	REV
UNITS: IMPERIAL	1-20.2	-
DRAWING	DESCRIPTION	SHEET
M-4233966-10010	CONTROLLER	3 of 17

4233966–10010–010
ELEVATOR 1
4000#



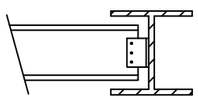
BUILDING LOADS FOR HOISTING BEAM & TUBE STEEL SUPPORT

FOR ADJACENT HOISTWAYS COMBINED LOADS ON A COMMON STRUCTURAL SUPPORT SHOULD BE TAKEN INTO CONSIDERATION. REACTIONS SHOWN BELOW ARE FOR THIS ELEVATOR ONLY. THE REACTION LOADS BELOW ARE ASD LEVEL & UNFACTORED.

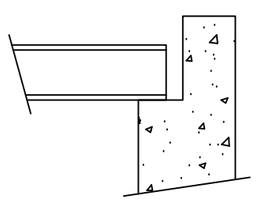
PLANVIEW IS AT TOP OF OVERHEAD LOOKING DOWN ON THE BEAMS
ALL U–BOLTS HANG DOWN TOWARDS THE PIT FLOOR
SEE BRACKET SHEET FOR THE ELEVATION OF SUPPORTS

VERTICAL FORCES* (lbf)				
REACTION LOCATION	A	B	C	D
Z DIRECTION	5610	4840	5000	5000

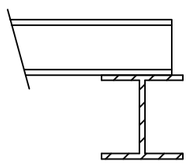
*REACTIONS A AND B ARE SIZED TO SUPPORT THE MAXIMUM WORKING LOAD OF THE INSTALLATION HOIST. REACTIONS D AND C SUPPORT FALL ARREST LIFELINES PER OSHA MINIMUM SUPPORT LOADS. REACTIONS A & B MAY BE CONSIDERED TO OCCUR SEPARATELY FROM C & D.



BEAM CLIP

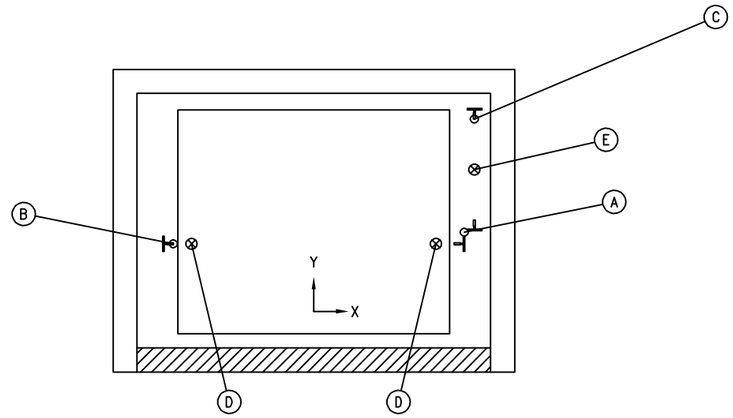


BEAM POCKET



BEAM REST

ATTACHMENT DETAILS



GUIDE RAIL REACTIONS*

FOR ADJACENT HOISTWAYS COMBINED LOADS ON A COMMON STRUCTURAL SUPPORT SHOULD BE TAKEN INTO CONSIDERATION. REACTIONS SHOWN BELOW ARE FOR THIS ELEVATOR ONLY. THE REACTION LOADS BELOW ARE ASD LEVEL & UNFACTORED.

NON–SEISMIC REACTIONS

BRKTS ABOVE TOPMOST LANDING – IMPACT LOADING REACTIONS (lbf)			
REACTION LOCATION	A	B	C
X DIRECTION	1510	340	50
Y DIRECTION	580	1740	100
MAX STRESS NOT TO EXCEED 27,500psi DUE TO APPLIED LOADS			

BRKTS BELOW TOPMOST LANDING – RUNNING REACTIONS (lbf)			
REACTION LOCATION	A	B	C
X DIRECTION	390	340	50
Y DIRECTION	240	140	100
MAX DEFLECTION NOT TO EXCEED 0.125" DUE TO APPLIED LOADS			

*Governor system related loads are included in the rail reactions.

SEISMIC REACTIONS

ALL BRKT LOCATIONS – SEISMIC LOADING (lbf)			
REACTION LOCATION	A	B	C
X DIRECTION	2500	2200	1200
Y DIRECTION	2300	1600	2300
MAX DEFLECTION NOT TO EXCEED 0.25" DUE TO APPLIED LOADS			

*ORTHOGONAL SEISMIC REACTIONS DO NOT OCCUR SIMULTANEOUSLY.
*Governor system related loads are included in the rail reactions.

PIT FLOOR REACTIONS**

VERTICAL FORCES ONTO PIT FLOOR (lbf)					
REACTION LOCATION	A	B	C	D	E
Z DIRECTION	20400	10000	6300	17300	25800

**VERTICAL REACTIONS A B & C OCCUR SIMULTANEOUSLY. VERTICAL REACTIONS D & E OCCUR INDIVIDUALLY AND SEPARATELY FROM A B & C.

SEISMIC DESIGN CRITERIA

BUILDING CODE: IBC
SEISMIC DESIGN REQUIRED: YES
DESIGN CATEGORY: D
COMPONENT IMPORTANCE FACTOR: 1.000
SDS: 1.240
IP*SDS EQUIVALENT: 1.240

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APPROVAL SPACE

PROJECT:
ALTOS ONE
LOCATION:
MONOSPACE 500 19.2–1
ENG/ARCH:
SDG ARCHITECTURE
CONTRACTOR:
CLARUM CORPORATION

UNIT INFO

ITEM NO.	NETWORK NO.	EQUIPMENT NO.

REVISIONS

DATE	NO	BY	CK	DESCRIPTION
2021–05–06	–	MAT		PRELIMINARY

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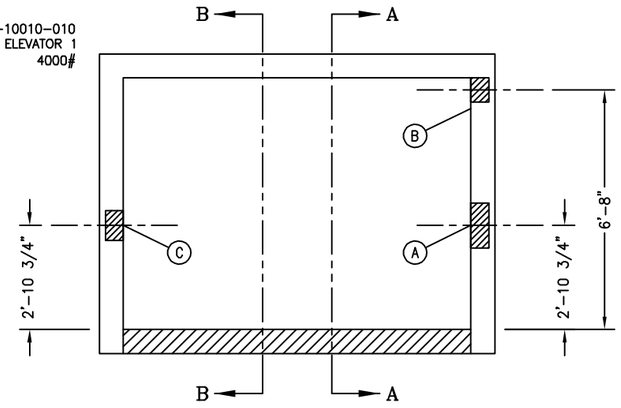
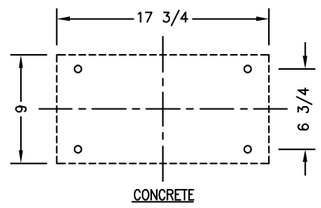
KONE

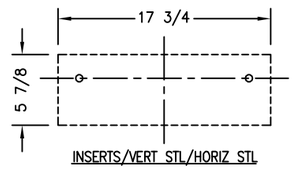
GENERATED ON: 05/06/21	BY: MMA	REV –
UNITS: IMPERIAL	1–20.2	
DRAWING M–4233966–10010–010	DESCRIPTION REACTION	SHEET 4 of 17

4233966-10010-010
ELEVATOR 1
4000#

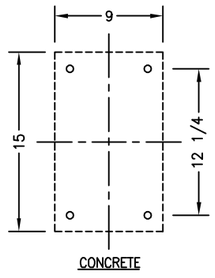


BRACKET ATTACHMENT LOCATIONS

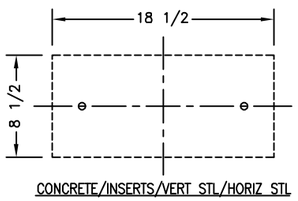




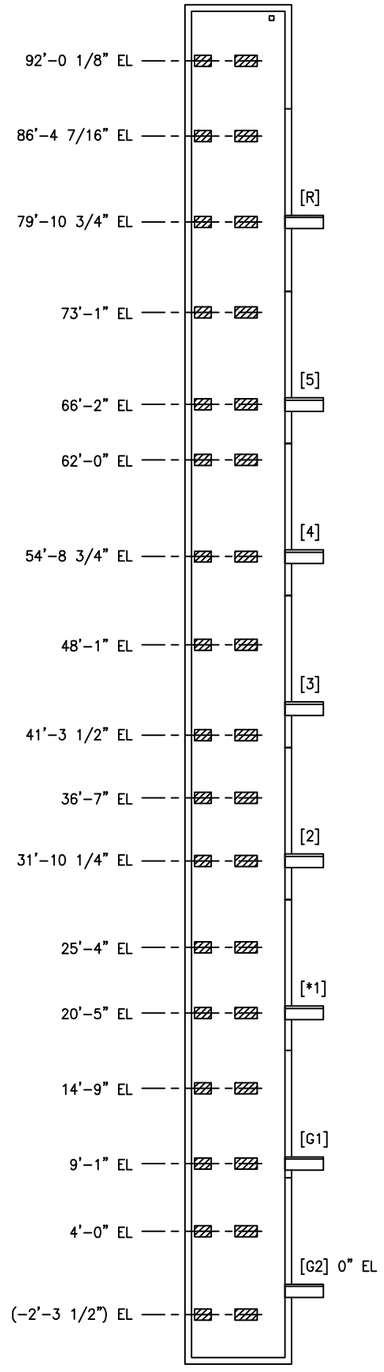
KONE SUPPLIED BRACKET FOOTPRINT AT POINT A (COMBO BRACKETS)



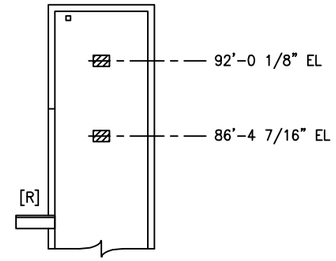
KONE SUPPLIED BRACKET FOOTPRINT AT POINT B (CWT BRACKETS)



KONE SUPPLIED BRACKET FOOTPRINT AT POINT C (CAR BRACKETS)



SECTION A-A
BRACKET ELEVATIONS ARE AT THE CENTERLINE OF BEARING AREA OF WALL FASTENERS



SECTION B-B
BRACKET ELEVATIONS ARE AT THE CENTERLINE OF BEARING AREA OF WALL FASTENERS

ELEVATIONS BELOW TOP LANDING ARE THE SAME AS SECTION A-A

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APPROVAL SPACE

PROJECT:
ALTOS ONE
LOCATION:
MONOSPACE 500 19.2-1
ENG/ARCH:
SDG ARCHITECTURE
CONTRACTOR:
CLARUM CORPORATION

UNIT INFO

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DATE	NO	BY	CK	DESCRIPTION
2021-05-06	-	MAT		PRELIMINARY

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KONE

GENERATED ON: 05/06/21	BY: MMA	REV -
UNITS: IMPERIAL	1-20.2	
DRAWING M-4233966-10010-010	DESCRIPTION BRACKET	SHEET 5 of 17

ELEVATOR: 1

RATED CAPACITY:	4000LB(1814KG)
RATED SPEED:	350FPM(1.75MPS)
ELEVATOR RANGE OF USE:	PASSENGER
CLASS OF LOADING:	CLASS A
CODE:	A17.1 2004
NO OF LANDINGS:	8
NO OF OPENINGS:	8
OPERATION:	SIMPLEX
MECH. POWER REQUIRED:	18.1KW(24.2HP)
CONTROLLER/DRIVE TYPE:	KCM831 W/KDM-40A
MACHINE/MOTOR TYPE:	MX20/G07:V005-8 W/FAN
EST WT MACHINE W/MOTOR:	1654 LBS
RATED MOTOR OUTPUT:	25.7KW(33.6HP) - 113RPM
RATED CONTROLLER OUTPUT:	18.5KW(25.0HP)
SLING:	ISCS16
EST. CAR WT.:	3913 LBS
CWT GUIDE TYPE:	SLG20
CAR GUIDE TYPE:	RG150
CAR SAFETY:	SGB02-TYPE B
CWT GOVERNOR TYPE:	NONE
CAR GOVERNOR TYPE:	OL35
EST WT INCL. 50% OV'BAL.:	5913
CWT SAFETY:	NONE
CWT FRAME TYPE:	FCWT04
MIDDLE WEIGHT WIDTH:	11"
FRONT DOORS:	SINGLE SPEED - CENTER
REAR DOORS:	N/A
INTERLOCKS:	AMD
HOIST ROPES:	(7)10mm
ROPING TYPE	2:1
CAR GOVERNOR ROPE:	6.0mm
COMPENSATION:	NONE
CWT GOVERNOR ROPE:	NONE
CAR BUFFER TYPE:	OIL (RED. STRK. BUFFER)
CAR BUFFER QTY:	2
CAR BUFFER STROKE	6.81
CWT BUFFER TYPE:	OIL (RED. STRK. BUFFER)
CWT BUFFER STROKE:	6.81
CWT BUFFER QTY:	1
CAR GUIDE RAILS:	15 LB/FT (T127-2/B)
CWT GUIDE RAILS:	15 LB/FT (T127-2/B)
EMERGENCY PWR PROVISION:	NO
EMERGENCY BATTERY DRIVE:	NO

ELECTRICAL

MAXIMUM ALLOWABLE VOLTAGE VARIATION IS +/- 10%
KONE CALC THE FOLLOWING FOR THIS ELEVATOR DUTY

NAMEPLATE AMPS:	70
MAX ACCEL AMPS:	126

PROTECTION DEVICE REQUIRED PRIOR TO INSTALLATION
MAX MOTOR BRANCH SHORT-CIRCUIT PROTECTION IS

UL CLASS RK1 FUSE (AMP):	90
TRANS RATED VOLTAGE:	208, 3 PH, 60 HZ
SUPPLIED VOLTAGE:	208

HEAT OUTPUTS ARE

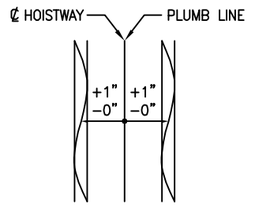
CONTROL/TRANS:	3.4KBTU/HR(1.0KW)
MACHINE/MOTOR:	3.5KBTU/HR(1.02KW)

THE TEMPERATURE IN THE CONTROL SPACE MUST MAINTAIN BETWEEN 41° F [5° C] and 104° F [40° C].

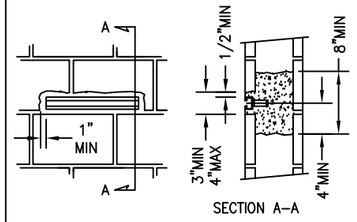
FLOOR, CAB & DOOR WEIGHTS

IF THE ACTUAL CAB & FLOOR WEIGHT
DEVIATES, THE EQUIPMENT MAY NEED TO BE REVISED

EST CAB WEIGHT:	3703.0 LBS
EST FINISH FLOOR WEIGHT:	5.0 LBS/FT^2
EST FLOOR TOTAL WEIGHT:	210.0 LBS
CAB & FLOOR WEIGHT:	3913 LBS
MOVING MASS OF DOORS:	296 LBS



HOISTWAY TOLERANCES



SECTION A-A

Inserts: Min. 24" [611mm] width

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APPROVAL SPACE

PROJECT:
ALTOS ONE
LOCATION:
MONOSPACE 500 19.2-1
ENG/ARCH:
SDG ARCHITECTURE
CONTRACTOR:
CLARUM CORPORATION

UNIT INFO

ITEM NO.	NETWORK NO.	EQUIPMENT NO.

REVISIONS

DATE	NO	BY	CK	DESCRIPTION
2021-05-06	-	MAT		PRELIMINARY

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GENERATED ON: 05/06/21	BY: MMA	REV
UNITS: IMPERIAL	1-20.2	-
DRAWING	DESCRIPTION	SHEET
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Site Safety Requirements / Work by Others
KONE EcoSpace / KONE MonoSpace 500 Bid Attachment "B"

Purchaser to provide the following in accordance with code requirements. NOTE: All site preparation required to be in place prior to KONE's start must be ready two (2) weeks prior to the start of installation.

General

1. Provide sufficient on-site refuse containers for the disposal of the elevator packing material. Should sufficient containers not be provided, the removal of the elevator packing material shall become the responsibility of others.
2. Provide forklift for KONE's exclusive use during the unloading of the elevator at time of delivery.
3. Provide any cutouts to accommodate the elevator equipment (see notes below).
4. Provide and install finished elevator cab flooring prior to balancing cabs (coordinate with KONE). Cab flooring/weight allowance shall be in accordance with KONE's approved layouts. Owner must provide certification (to the elevator inspector at time of inspection) that flooring meets flame spread and smoke density requirements. (ASME A17.1/CSA B44 sec 2.14.2.1).
5. Provide permanent elevator lobby lighting, ceiling and flooring prior to inspection date.
6. Owner must provide certification (to the elevator inspector at time of inspection) that owner-supplied elevator interior finishes meet flame spread and smoke density requirements (ASME A17.1/CSA B44 sec. 2.14.2.1). In the case of using glass, transparent or translucent plastic panels for car interiors, they shall meet the requirements of ASME A17.1/CSAB44 sec. 2.14.1.8, ANSI Z97.1/ CGSB 12.1 in Canada.
7. Provide cutting/ coring of all openings and penetrations required to install hall push buttons, signal fixtures, wiring duct and piping, and sleeves. Sleeves will be required in the hoistway wall for EACH elevator.
8. Provide any repairs such as grouting, patching and painting made necessary by such cutting/coring. Provide fire caulking around all fixtures and as needed to satisfy NFPA 70 article 300.21, or any applicable local code.
9. Please note that none of the elevator components are weatherproof and that the elevator entrances do not seal the hoistway from inclement weather. The entire elevator, hoistway, and controls must remain protected from inclement weather prior to and throughout the installation.

Safety

10. Provide adequate, roll-able access (clear path without obstructions, walls, etc.) into the building for delivery of the elevator material. Clean, safe, secure and dry storage is required adjacent to the hoistway at grade level with minimum space of 20' x 20' [6m x 6m] per elevator.
11. Provide free-standing, removable, OSHA-compliant barricades capable of withstanding 200lb (890N) of force in all directions around all hoistway openings per OSHA 29 CFR 1926.502, and/or any applicable local code.
12. Provide and install full-covering entry protection as per local requirements and manufacturer's requirements. Protection to be made of nylon mesh or reinforced plastic,at all hoistway openings to prevent materials or tooling from falling into the elevator shaft during installation per Federal OSHA requirements listed in 29 CFR 1926.502(j). In Canada, where required by Provincial regulation, enclose the front of the hoistway with removable hoarding or screening to prevent material from entering the hoistway. Design and install entrance protection in such a way as to allow quick accessibility in and out of the hoistway.
13. Provide two (2) lifeline attachments at the top, front of the hoistway. Each must be capable of withstanding a 5000 lb [2250 Kg] load per OSHA 29 CFR 1926.502, or any applicable local code. For machine-room-less applications, provide attachments as described above, or install KONE-provided 5" x 5" x 3/8" (127mm x 127mm x 9.6mm) tube steel lifeline beam in the elevator hoistway overhead 10 inches (254 mm) from front of hoistway to center line, with bottom of lifeline beam at same elevation as bottom of hoisting I-beam. Lifeline tube steel supplied by KONE by request at no additional cost. Engineering details, attachment details and/or modifications, or any beam(s) alterations in the field for installation is by others.
14. Provide proper lighting in all work areas and stairways, including access to all floors and machine rooms per OSHA 29.CFR1926.1052 or any applicable local code.
15. Provide and maintain 6-foot (1800 mm) clear work area in front of all entrance openings per OSHA 29.CFR1926.502 or any applicable local code.

Hoistway

16. Provide a clear and plumb hoistway of size shown on approved KONE final layout drawings. Any variations from the detailed dimensions may not exceed 2" [50 mm] greater and may not be less than the clear dimensions detailed. (Tolerance: -0" + 2" [-0 mm +50 mm]).
17. Provide hoistway ventilation per local building code requirements as applicable. For proper equipment operation, the machine space in machine room or at the top of the hoistway must maintain a temperature between 41° F [5° C] and 104° F [40° C]. Maximum allowed humidity is 95% non-condensing.
18. Provide any partitions between common hoistways if applicable.
19. Provide for installation of hoisting I-beam in the elevator hoistway overhead per the KONE final layout drawings. Beam supplied by KONE unless otherwise noted on the layout drawings. Engineering details, attachment details and/or modifications, or any beam(s) alterations in the field for installation is by others.
20. In cases where multiple elevators are in a common hoistway, and the counterweights are located between elevators, the entire length of counterweight runway must be guarded. The guard shall extend at least 6 inches (150mm) horizontally beyond each counterweight rail. The guard shall be made from wire-mesh material equal to or stronger than .048-inch diameter wire with openings not exceeding 1/2 inch (13 mm), securely fastened to keep the guard taut and plumb. (A17.1 – 2019 / B44 – 19 : General Requirements.)
21. On applications where working platforms are required, working platforms provided shall comply with the requirements of the current ASME A17.1 / CSA-B44 code edition in effect at the time of installation and /or any applicable local code.
22. Provide adequate support for guide rail brackets from pit floor to the top of the hoistway. Locate rail backing per KONE final approved layout drawings. When maximum bracket span is exceeded, additional support shall be provided at purchaser's expense. Any bracket mounting surface that is not in line with the clear hoistway dimension detailed on the approved KONE final layout drawings may need to be corrected to meet the proper dimension at purchaser's expense.
23. If guide rail brackets are to attach to steel, ensure all brackets are installed prior to applying fireproofing to the steel. Otherwise, removal and reapplication of fireproofing will be at purchaser's expense.
24. All offsets, ledges or projections within the hoistway shall be addressed in accordance with applicable local code. All offsets, ledges or projections within the hoistway greater than 4 inches (100mm) must be tapered to not less than 75 degrees (ASME A17.1/CSA B44 sec 2.1.6.2). Maximum ledge or projection is 2 inches (50mm) in California and District of Columbia.
25. If concrete block wall construction, refer to the approved KONE final approved layout drawings for proper installation of rail bracket attachments. Inserts provided by KONE unless otherwise noted on the approved KONE final approved layout drawings. Insert type must be approved by KONE. Concrete masonry units, mortar and grout, shall conform to IBC 2000 or any applicable local code. Concrete masonry units shall have a minimum compressive strength of 1500 PSI (10.5 MPa). Mortar and grout shall have a minimum compressive strength of 2000 PSI (13.8 MPa).
26. KONE entrance jambs are non-ferrous and material may not be attached to them (i.e. fire doors/curtains).
27. Arrange for entrance walls to be constructed at the time doorframes and sills are installed to facilitate timely installation of hall fixture faceplates. Entire front wall must be left open at top and bottom landings until elevator equipment is installed. Intermediate landings must have rough openings of the size and location shown on KONE final approved layout drawings to allow installation of entrances. All entrance openings must be aligned vertically. Adequate support for entrance attachment points shall be provided at all landings. Any marble, stone or similar wall material must be prepared after the entrance frames are installed. Provide corridor lines for any marble or special finish walls. NOTE: If concrete block wall construction to prevent overloading entrance frames, top of entrances should not receive more than one row of block. A lintel must be installed to support additional rows of block.
28. Provide elevator landings suitably prepared to accept entrance sill installation per KONE final layout drawings. Grouting to be done by purchaser after sills are installed. NOTE: Traditional angle or concrete sill support is not required.
29. Provide finished-floor height marks visible from hoistway openings at all landings minimum one week prior to beginning entrance installation. Placing floor height mark on hoistway wall is desirable. Complete "Contractor Verification Form of Sill to Sill Heights and Remote Machine Piping, CONSTR-07-0675.
30. Provide suitable, permanent lighting for control space with light switch located within 18" [457 mm] of strike jamb side of control space door where practical.
31. Electric lighting shall have a minimum lighting intensity of 200 lx (19 fc) at the floor level. When permitted by state and local code the light switch should also control the machine space lighting if control space is adjacent to the hoistway at the top landing.
32. If the control space is located remote from the elevator hoistway top landing the following may apply:
    a. If applicable, provide machine space access door of the size and in the location shown on the KONE final layout drawings. The access door shall be secured against unauthorized access. It shall be self-closing, self-locking and operable from the inside without a key.
    b. Provide suitable lighting in or above the machine space access with light switch located within 18" [457 mm] of strike jamb side of access space door where practical.
    c. When permitted by state and local code the light switch should also control the machine space lighting.
    d. In cases where a battery lowering device is provided, control closet may not be adequate. Please consult KONE representative.
33. Provide and install GFCI-type receptacle located at machine in the top of the hoistway or in machine room as applicable (NFPA 70 article 620.85 or CEC article 38.85 whichever is applicable).
34. Provide and install light switch located at manual brake release location: may also be required in control space per local jurisdiction.
35. Where a single elevator is installed in a hoistway and a portion of the travel extends higher that 11m (36 ft.) between entrances (single blind hoistway), emergency door(s) must be provided. Emergency doors and their electrical contacts shall comply with the current ASME A17.1/CSA-B44 code edition in effect at the time of installation and/or any applicable local code. ASME A17.1-2019/B44-19 requirement Section 2.11.1.2 covers Emergency Doors in Blind Hoistways and Section 2.26.2 covers Electrical Protective Devices. Each emergency door must be provided with an electrical contact with minimum UL/CSA NEMA A300 rating suitable for use in a 3 amp 230VAC circuit. Consult KONE representative if there are any questions concerning the code requirements.
36. In jurisdictions enforcing the NBCC and in jurisdictions enforcing NFPA 72, the means for testing and maintenance of fire alarm initiating devices without having to enter the hoistway shall be permitted. When this means is provided it must comply with A17.1-2019/B44-19 requirement 2.8.2.4 and the location of equipment inside the elevator hoistway must be coordinated with KONE sales and/or operations representative.

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UNIT INFO

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DRAWING	DESCRIPTION	SHEET
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Pit

37. Provide a legal, dry and clean pit with level pit floor, built per KONE final layout drawings. Pit shall be reinforced to sustain vertical forces detailed on KONE final layout drawings (vertical forces detailed are two times the static loads.)
38. Sumps and/or sump pumps (where permitted) located within the pit may not interfere with the elevator equipment. Sumps to be covered with flush mounted, non–combustible cover capable of withstanding 150 lbs. per square foot (7 kPa). The sump pump/drain must, at minimum, remove 3,000 gal/h (11.4 m3/h):
    a. A17.1–2016/B44–16 and earlier, per elevator.
    b. A17.1–2019/B44–19 and later, per single hoistway or multiple car hoistway.
39. Provide a pit light fixture with switch and guards with an illumination level equal to or greater than that required by ASME A17.1/CSA B44 2000, or applicable version. Recommended to provide minimum 4–foot double tube fluorescent fixture, with suitable guard and mounted to rear wall of pit per KONE installation representative's direction.
40. Provide a dedicated pit circuit with GFCI–protected 15 or 20 amp 120VAC duplex outlet. Location to be coordinated with the KONE project team using the KONE final approve layout drawings (NFPA 70 article 620.85; CEC article 38.85 whichever is applicable).
41. Provide non–GFCI–protected single receptacle for sump pumps (NFPA 70 article 620.85, NFPA 70 article 620.85 or CEC article 38.85 whichever is applicable).
42. Pit ladder to be constructed of non–combustible material extending from pit floor to 48" [1200 mm] above the sill of the access landing. Pit ladder is supplied by KONE; provided by purchaser on other KONE products unless otherwise noted on the layout drawing. Locate per KONE final layout drawings. Coordinate ladder sizing and location with KONE representative to assure proper fit in hoistway.

Electrical

43. US Applications – Purchaser provides in accordance with National Electrical Code, NFPA 70 (NEC) Article 620 or any applicable local code.
44. Canadian Applications – Purchaser provides in accordance with Canadian Electrical Code, C22.1 Section 38 or any applicable local code.
45. Provide dedicated GFCI–protected 20 amp 120VAC duplex (15 amp in Canada) outlet next to each ICS panel control cabinet located as shown on layouts
46. Provide for all electrical branch circuits/disconnects to be labeled (NFPA 70 article 620.54 / 620.53 / 620.51d, CEC articles 38.54/ 38.53/ 36.51d).
47. Provide 480/208VAC (USA) or 575/208VAC (Canada) three–phase permanent power, including piping, wiring and fused disconnect, to controller location to facilitate elevator installation prior to start of project.
48. Provide 220VAC single–phase temp. power and 115VAC single–phase temp. power, of permanent characteristics at each elevator landing for lighting and installation method tools. Locate connection points at elevator hoistway. Consult your KONE representative for confirmation of location and type of temporary power.
49. When generator is used to provide 3–phase 480/208VAC (USA) or 575/208VAC (Canada) power for installation, purchaser to accept change notice for additional costs, estimated locally by installing office, to cover inefficiencies and any damages resulting from installing without permanent power present.
    NOTE: Our elevator controllers require Wye configuration transformers. It is also the responsibility of the purchaser to provide consistent three–phase voltages balanced within +/– 10% when measured phase–to–phase and +/–10% when measured phase–to–ground.
50. Provide a dedicated 20 amp 115VAC circuit in the fire command room piped and wired to the lobby panel where applicable.
51. Provide a dedicated 15–amp,115VAC fused service with ground (supplied through automatic emergency lighting supply if available in building) connected to each elevator signal control cabinet for car lighting. Must include the means to disconnect this service and lock–off in the "open" position (NFPA 70 article 620.22 and 620.53 or CEC article 38.22 and 38.53).
52. Provide a separate15–amp, 115 VAC fused service with ground (powered by building emergency power system, when available) for KONE 24/7 Emergency Communications, when specified. Must include the means to disconnect each service and lock–off in the "open" position (NFPA 70 article 620.22 and 620.53 or CEC article 38.22 and 38.53).

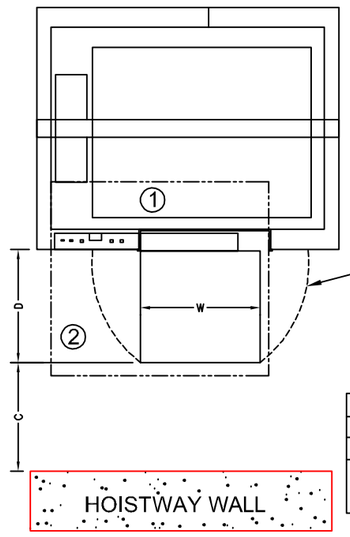
Control Space/ Integrated Controls Solution (ICS)

53. Provide a legal control space/ machine room with access as indicated on the KONE final layout drawings. To include a temporary or permanent door that can be locked from outside. Permanent door must be self–closing, self–locking, and require a key to open from outside. Must have adequate temporary or permanent lighting for installation purposes. For proper equipment operation, the temperature in the control space must maintain between 41° F [5° C] and 104° F [40° C]. Maximum allowed humidity is 95% non–condensing.
54. Provide safe and convenient access to control space/machine room including provisions for necessary lighting for access path (ASME A17.1/CSA B44 sec 2.8.1, ASME A17.1 / CSA B44 sec 2.7.3).
55. Provide a clean and dry elevator control room.
56. Provide suitable lighting for control space with light switch located within 18" [457 mm] of strike jamb side of control space door where practical. When permitted by state and local code the light switch should also control the machine space lighting if control space is adjacent to the hoistway at the top landing.
57. Provide dedicated GFCI–protected 120VAC 20–amp duplex (15 amp in Canada) outlet next to each signal control cabinet.
58. Provide a single means of disconnecting all ungrounded main power conductors for each elevator by an enclosed, externally operable, fused motor circuit switch with UL/CSA Class RK1 fuses. Must be lockable in the open position. This disconnecting means shall disconnect the normal power service as well as emergency power service, when provided.
    Note 1: If a battery–powered rescue device is required, the above–mentioned disconnect must have an auxiliary contact monitored by elevator controller that is positively opened mechanically and is normally closed (NC) when the main power is in the ON position, and is normally open (NO) when power is in the OFF position.
    Note 2: If a battery–powered rescue device is required and a separate shunt trip breaker which is subject to either the hoistway or control space sprinkler system is provided, the shunt trip breaker must have an auxiliary contact that is positively opened mechanically and is NC when the main power is in the ON position.
    Note 3: Shunt trip not allowed for Fire Service Access / Occupation Evacuation elevators or in Canada and some US jurisdictions.

59. Provide a Direct–in–dial (DID) analog phone line, activated at least one week prior to inspection, terminated at the appropriate phone jacks in the elevator control room. GC/ Owner may elect to have a separate analog line installed (one per elevator), or GC/ Owner may elect to provide DID lines from an Analog Station Card in the building's PBX system. If GC/Owner provides a Direct–in–Dial analog phone line or lines off an existing PBX phone system, a backup power source must also be provided. All phone and associated equipment provided by GC/ Owner shall be in compliance with the requirements of ASME A17.1/ CSA B44, local codes and applicable law, as amended.
60. Provide all fire alarm initiating signals as required by all national, state and local codes for termination at the primary elevator signal control cabinet in each group.
61. With emergency power service provide emergency power transfer switch and power change pending signals as required; 2 normally open dry contacts from transfer switch to controller (2 pairs plus ground wire). One contact closes to signal emergency power is present, the other contact closes to give 30 second pre–signal prior to transfer switch change. Termination of these wires is at the primary elevator signal control cabinet in each group (2 pairs plus ground wire).
62. Furnish and install smoke detectors and fire operation per ASME A17.1/CSA B44 sec 2.27.3.2, NFPA 72; one for lobby detector, machine room detector, hoistway detector (hoistway detector requirement determined by local code), and one for all grouped non–lobby detectors are required. Provide normally–closed dry contacts, with wiring, to controller for each group listed above.
63. Provide and install smoke detector in hoistway as required per local codes, and in all elevator lobbies, machine room and controller space.
64. Provide heat detectors and "shunt–trip operation" when sprinklers are required in machine room or hoistway, (ASME A17.1 sec 2.8.2.1.2, NFPA 13 sec 4–13.5, ASME A17.1 sec 2.8.2.3.1, ASME A17.1 sec 2.8.2.3.2, NFPA 72).
65. If Fire Status Panel or Security panels are required, all remote conduit runs from elevator equipment room/machine space to these panels shall be by others.
66. Non–elevator related piping and equipment is prohibited in machine room or hoistway (ASME A17.1/CSA B44 sec 2.8.1, ASME A17.1/CSA B44 sec 2.8.2).
67. Provide and mount at minimum a 10–pound, ABC–type fire extinguisher in control space (ASME A17.1 sec 8.6.1.6.5). (Not required in Canada).

Applicable for Integrated Control Solution (ICS)

68. Provide a completely open front wall at top landing with access as indicated on the KONE Final Approved Layout Drawings. Must have adequate temporary or permanent lighting for installation purposes. NOTE: The lobby side of the ICS control cabinet must be faced with 2 layers of dry wall to comply with UL certification, regardless of front type. See KONE Final Approved Layout Drawings for details and wall type and minimum dimensions.
69. Provide environment for proper equipment operation during installation and after acceptance, the temperature at the top floor elevator lobby must maintain between 41° F [5° C] and 104° F [40° C]. Maximum allowed humidity is 95% non–condensing.
70. Provide safe and convenient roll–able access to top floor elevator lobby area. (ASME A17.1/CSA B44 sec 2.8.1, ASME A17.1/CSA B44 sec 2.7.3).
71. Provide 480/208VAC (USA) or 575/208VAC (Canada), three–phase permanent power, including piping, and wiring from fused disconnect, to junction box located in hoistway at top landing to facilitate elevator installation.
72. FIRE ALARM INITIATING DEVICE (FAID). FAID is a requirement of A17.1/B44, rules 2.27.3.2.1 (b) and 2.27.3.2.2 (b).



2	USA	CANADA	COMMENT
W	30"	1m	NEC2014. CE2015
D	36"	1m	NEC2014. CE2015
C	Min 36"	Min 914mm	Minimum recommended. Consult ADA requiements for exact building clearance.

1) Since ICS control enclosure is vented into the hoistway, a fire alarm initiating device (FAID) is required in this portion of the control space.
2) A fire alarm initiation device (FAID) is required in the lobby area to protect the control space when ICS is open.

Site Safety Requirements / Work by Others (Bid Attachment "B")
CONSTR–007–0664 (2020–02–04) KONE EcoSpace / KONE MonoSpace 500

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APPROVAL SPACE

PROJECT:
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MONOSPACE 500 19.2–1
ENG/ARCH:
SDG ARCHITECTURE
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UNIT INFO

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DRAWING	DESCRIPTION	SHEET
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Fire Service Access and Occupant evacuation Operation IBC 2018

73. Fire service access elevators per code requirements (IBC 403.6) shall be provided with hoistway lighting per code requirements (IBC 3007). The hoistway lighting shall illuminate the entire height of the hoistway and shall be located such that it does not interfere with the operation of the elevator or reduce any clearances below applicable code requirements (applicable only in jurisdictions enforcing the IBC, International Building Code). Consult KONE representative to assure required clearances are provided.
74. Conductors and cables located outside of the elevator hoistway, machine space and control space, that provide normal or standby power, car lighting power, car ventilation power, car heating power, car air conditioning power, control signals, communication with the car and fire/heat–detecting systems control signals to Fire Service Access Elevators, shall be protected by construction having a fire–resistance rating of not less than 2 hours (applicable only in jurisdictions enforcing the IBC, International Building Code, or any applicable local codes).
75. Fire Service Access elevators shall be provided with hoistway lighting.
76. Prevent water from the operation of an automatic sprinkler system outside the enclosed lobby from infiltrating the hoistway enclosure in accordance with an approved method per rule 3008.
77. Means for elevator shutdown in accordance with Section 3005 shall not be installed on elevator systems used for Fire Service Access and/or Occupant Evacuation Elevators per rule 3008.
78. Occupant Evacuation elevators shall be continuously monitored at the fire command center or a central control point approved by the fire department and arranged to display all of the following information per rule 3008.
    a. Floor location of each elevator car.
    b. Direction of travel of each elevator car.
    c. Status of each elevator car with respect to whether it is Occupied.
    d. Status of normal power to the elevator equipment, elevator machinery and electrical apparatus cooling equipment where provided, elevator machine room, control room and control space ventilation and cooling equipment.
    e. Status of standby or emergency power system that provides backup power to the elevator equipment, elevator machinery and electrical cooling equipment where provided, elevator machine room, control room and control space ventilation and cooling equipment.
    f. Activation of any fire alarm initiating device in any elevator lobby, elevator machine room, machine space containing a motor controller or electric driving machine, control space, control room or elevator hoistway.
79. Each Fire Service and /or Occupant Evacuation elevator shall be supplied by both normal power and Type 60/Class 2/Level 1 standby power per rule 3008.
    a. Elevator equipment.
    b. Ventilation and cooling equipment for elevator machine rooms, control rooms, machinery spaces and control spaces.
    c. Elevator car lighting.
80. Standby power loads shall be based on the determination of the number of occupant evacuation elevators in Sections 3008.1.1 and 3008.8.1.
81. Wires or cables that are located outside of the elevator hoistway, machine room, control room and control space and that provide normal or standby power, control signals, communication with the car, lighting, heating, air conditioning, ventilation and fire–detecting systems to occupant evacuation elevators shall be protected using one of the following methods 3008.
    a. Cables used for survivability of required critical circuits shall be listed in accordance with UL 2196 and shall have a fire–resistance rating of not less than 2 hours.
    b. Two electrical circuit protective systems shall have a fire–resistance rating of not less than 2 hours. Electrical circuit protective systems shall be installed in accordance with their listing requirements.
    c. Construction having a fire–resistance rating of not less than 2 hours.
    Exception: Wiring and cables to control signals are not required to be protected provided that wiring and cables do not serve Phase II emergency in–car operation.

Site Safety Requirements / Work by Others (Bid Attachment "B")
CONSTR–007–0664 (2020–02–04) KONE EcoSpace / KONE MonoSpace 500

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M–4233966–10010	CONTRACT	9 of 17

Bid Attachment "B" People Flow Intelligence (PFI) Work by Others

Purchaser to provide the following in accordance with code requirements.
NOTE: All Work by Others is requited to be completed two (2) weeks prior to the start of PFI installation.

KONE Access Control (if provided)

1. Provide two (2) dedicated 15 amp 120VAC fused service with ground in the control space connected to designated ACS cabinet(s) per the ACS wiring diagrams. Must include the means to disconnect this service and lock–off in the "open" position (NFPA 70 article 620.22 and 620.53or CEC article 38.22 and 38.53).
2. If Mobile Device feature is provided, the customer provides the site–specific configuration cards and two valid mobile credentials for testing to KONE during installation.
3. Provide IP addresses per KONE LAN schedule. IP addresses are required, but not limited to, KONE Group controllers (KGC), KONE Interface Controllers (KIC), LAN Destination Operating Panels (DOP), LAN Destination Guidance Displays (DGD) and LAN InfoScreen.

Turnstile Integration for KONE Destination (If provided)

4. Provide one (1) dedicated GFCI protected 120VAC 20–amp (15 am in Canada) duplex outlet for PeopleFlow Servers per the wiring diagrams.
5. KONE recommends a minimum 100 Mbit/s Ethernet for each of the following application(s): Security Integrated Touchscreen/Keypad Destination Operating Panels, Monitoring System, Multi–Media Equipment, and Card Readers.
6. Provide IP addresses per KONE LAN schedule. IP addresses are required, but not limited to, KONE Group controllers (KGC), KONE Interface Controllers (KIC), LAN Destination Operating Panels (DOP), LAN Destination Guidance Displays (DGD) and LAN InfoScreen.
7. Provide and install the required number and size conduit runs from elevator hoistways to turnstile banks. See turnstile integration specifications for site specific requirements.

3rd Party Access Integration/Security (If provided)

8. Our proposal includes KONE logic and provisions for the specified Touchscreen(s), Keypad Destination Operating Panel(s), Monitoring System(s) and Multi–Media Equipment.
9. Card Readers and/or any additional required hardware & software for proper functionality of access control/security system(s) shall be furnished and installed by others.
10. A designated 115V 15A circuit is required at each of the remote monitoring stations.
11. Any required interface software to ensure proper communication between KONE control system(s) and building system(s) shall be the responsibility of others.
12. KONE recommends a minimum 100 Mbit/s Ethernet foreach of the following application(s): Security Integrated Touchscreen/Keypad Destination Operating Panels, Monitoring System, Multi–Media Equipment, and Card Readers.

KONE Destination Dispatching (If provided)

13. When KONE Destination (Destination Dispatch) is used, provide one (1) dedicated 15 amp 120V AC fused service with ground (supplied through automatic emergency lighting supply if available in building) connected to each elevator signal control cabinet for shaft power. Must include the means to disconnect this service and lock–off in the "open" position (NFPA 70 article 620.22 and 620.53 or CEC article 38.22 and 38.53).
14. When KONE Destination (Destination Dispatch) is used, provide 2 (two) separate 115 VAC 15 amp branch circuit for KGCs (KONE Group Controls), one for each KGC, powered by building emergency power system, when applicable.
15. Provide IP addresses per KONE LAN schedule. IP addresses are required, but not limited to, KONE Group Controllers (KGC), KONE Interface Controllers (KIC), LAN Destination Operating Panels (DOP), LAN Destination Guidance Displays (DGD) and LAN InfoScreen.

E–Link (If provided)

16. A designated 115V 15A circuit is required at each of the remote monitoring stations.
17. KONE recommends a minimum 100 Mbit/s Ethernet for each of the following application(s): Security Integrated Touchscreen/Keypad Destination Operating Panels, Monitoring System, Multi–Media Equipment, and Card Readers.
18. Provide IP addresses per KONE LAN schedule. IP addresses are required, but not limited to, KONE Group Controllers (KGC), KONE Interface Controllers (KIC), LAN Destination Operating Panels (DOP), LAN Destination Guidance Displays (DGD) and LAN InfoScreen.
19. BACnet Additional requirements (if provided)
    a. All E–Link features required
    b. Provide BACnet Device IDs for Devices
    c. Provide BACnet Revision Level requested for the site (PR–18 supported or not)

KONE RemoteCall (If provided)

20. Provide one (1) dedicated CFCI protected 120VAC 20– amp duplex (15 am in Canada) outlet per the Remote Call wiring diagrams.
21. KONE recommends a minimum 100 Mbit/s Ethernet for each of the following application(s): Security Integrated Touchscreen/Keypad Destination Operating Panels, Monitoring System, Multi–Media Equipment, and Card Readers.
22. Provide one (1) public IP v4 address that can be accessed via the Internet.
23. Provide IP addresses per KONE LAN schedule. IP addresses are required, but not limited to, KONE Group Controllers (KGC), KONE Interface Controllers (KIC), LAN Destination Operating Panels (DOP), LAN.

InfoScreen (If provided)

24. If InfoScreen is Offline, none of the below is applicable.
25. Provide one RJ45 CAT6 jack and network switch in each elevator machine room/control space that has an InfoScreen server. This jack is wired to a building LAN network with internet access. In the machine room/control space, pipe and wire CAT6 cable from the switch to the InfoScreen Server Box.
26. Provide one IP address for each InfoScreen server.
27. Provide another RJ45 CAT6 jack and VLAN configuration to the next elevator machine room/control space that has elevators with InfoScreens. This is to connect two Group Connection Boxes from two elevator machine rooms/ control space.
28. Provide a dedicated 115VAC, 15 Amp fused disconnect with ground PE per machine room/control space piped and wired to the first InfoScreen Group Connection Box.
29. If InfoScreen TV Streaming Video is to be used, the equipment and converters will be located in a building IT room as shown in the wiring diagram. Provide another RJ45 CAT6 jack and VLAN configuration in InfoScreen IP network range for video Encoder Board in the machine room/control space that has the last Group Connection Box. Provide a Cable TV Box as needed, or other device that will stream composite video output.

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APPROVAL SPACE

PROJECT:
ALTOS ONE
LOCATION:
MONOSPACE 500 19.2–1
ENG/ARCH:
SDG ARCHITECTURE
CONTRACTOR:
CLARUM CORPORATION

UNIT INFO

ITEM NO.	NETWORK NO.	EQUIPMENT NO.

REVISIONS

DATE	NO	BY	CK	DESCRIPTION
2021–05–06	–	MAT		PRELIMINARY

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KONE

GENERATED ON: 05/06/21	BY: MMA	REV
UNITS: IMPERIAL	1–20.2	–
DRAWING	DESCRIPTION	SHEET
M–4233966–10010	CONTRACT	10 of 17

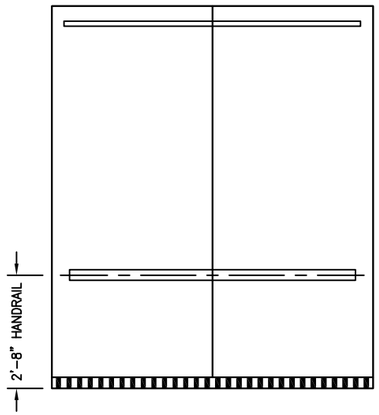
NOTE:

A. EMERGENCY CAR LIGHTING IS PROVIDED

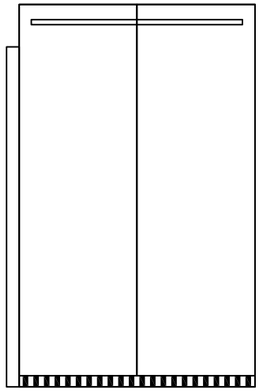
B. CAB INTERIOR COMPLIES WITH THE LATEST EDITION ASME A17.1/CSA B44 INCLUDING SMOKE AND FLAME RATING CLASS B.

C. CAB RELATED DIMENSIONS OTHER THAN DOOR OPENING WIDTH AND DOOR OPENING HEIGHT ARE NOMINAL DIMENSIONS. THEY DO NOT ACCOUNT FOR MANUFACTURING TOLERANCES NOR FOR FINISHED FLOOR THICKNESS.

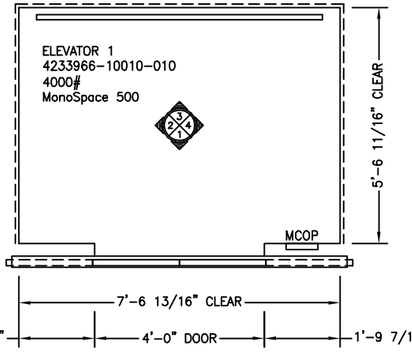
ITEM	TYPE	DESCRIPTION
SUSPENDED CEILING	CL88	DIRECT LGHTG, ROUND LED SPOTS
CEILING PANEL FINISH	–	BRUSHED STAINLESS
FRONT DOOR FINISH	4SS	#4 STAINLESS
FRONT DOOR MATL. THICKNESS	–	16 GA
CAB FRONT WALL MATERIAL	4SS	#4 STAINLESS
CAB SIDE WALL MATERIAL	L417	AMBER CHERRY
CAB REAR WALL MATERIAL	L417	AMBER CHERRY
SKIRTING MATERIAL	4SS	BRUSHED STAINLESS STEEL
CAR SILL MATERIAL	AL	ALUMINUM
REAR CAR HANDRAIL	HR61	ROUND: D38 – 4SS
REAR HANDRAIL ENDS	–	STRAIGHT ENDS
PLASTIC LAMINATE FIRE RATING	BS	CLASS B RATING (STD COLOR)
CAR FAN TYPE	1	FAN REQUIRED
EMERGENCY EXIT SWITCH	–	REQUIRED
FINISH FLOOR THICKNESS		1/2"
FLOOR WEIGHT		5.0 LBS/SQ FT
CAB & FLOOR WEIGHT		3913 LBS
PROTECTION PADS	–	PADS REQUIRED



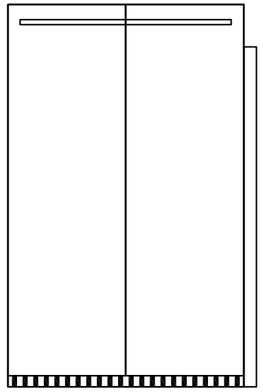
ELEVATION 3



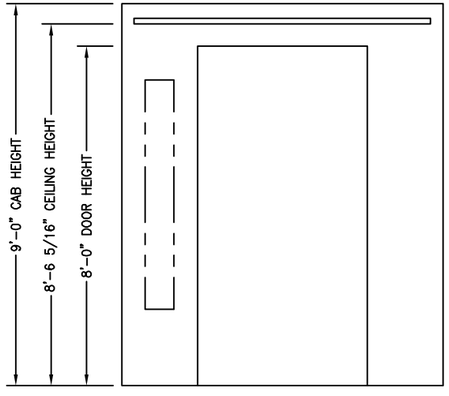
ELEVATION 2



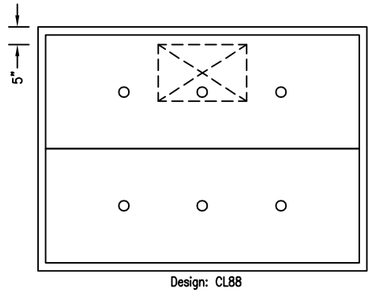
PLAN VIEW



ELEVATION 4



ELEVATION 1



Design: CL88

REFLECTED CEILING
EMERGENCY EXIT 25"x16"

NOTE:
MCOP = MAIN CAR OPERATION PANEL

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APPROVAL SPACE

PROJECT:
ALTOS ONE
LOCATION:
MONOSPACE 500 19.2-1
ENG/ARCH:
SDG ARCHITECTURE
CONTRACTOR:
CLARUM CORPORATION

UNIT INFO	ITEM NO.	NETWORK NO.	EQUIPMENT NO.

REVISIONS	DATE	NO	BY	CK	DESCRIPTION
	2021-05-06	–	MAT		PRELIMINARY

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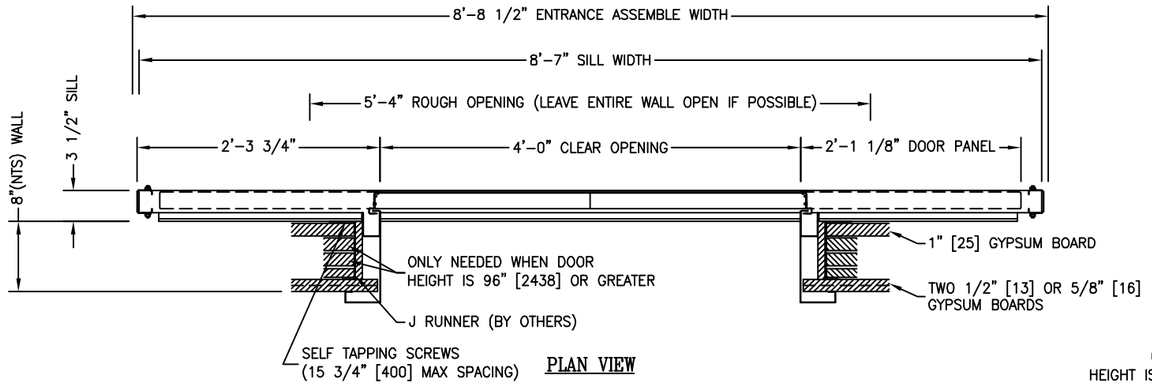
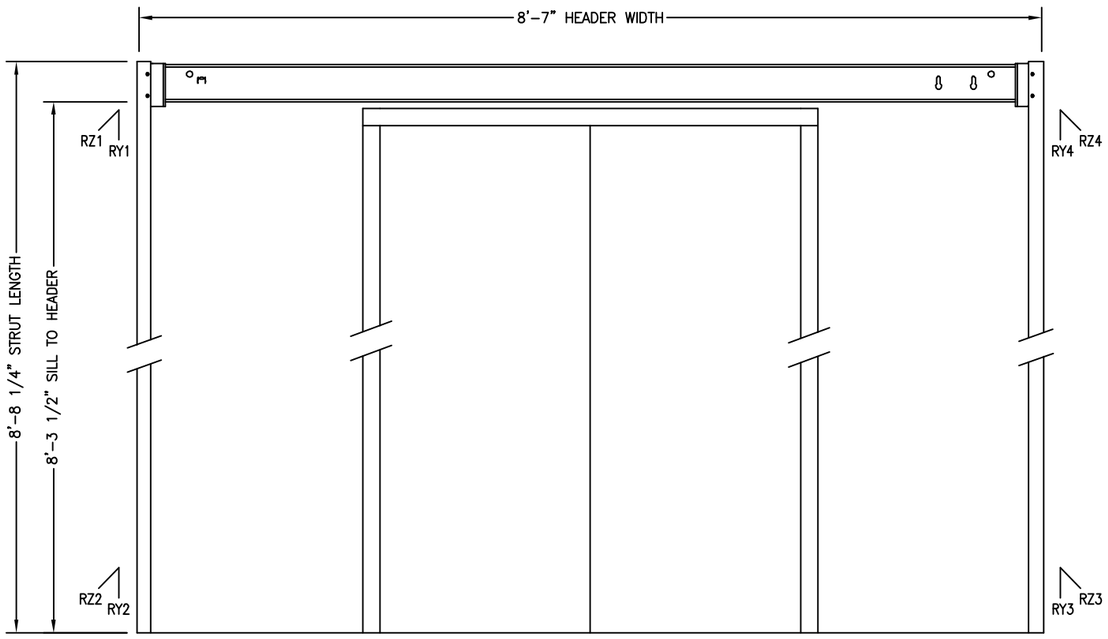
KONE

GENERATED ON: 05/06/21	BY: MMA	REV
UNITS: IMPERIAL	1-20.2	–
DRAWING	DESCRIPTION	SHEET
C-4233966-10010-010	CAB	11 of 17

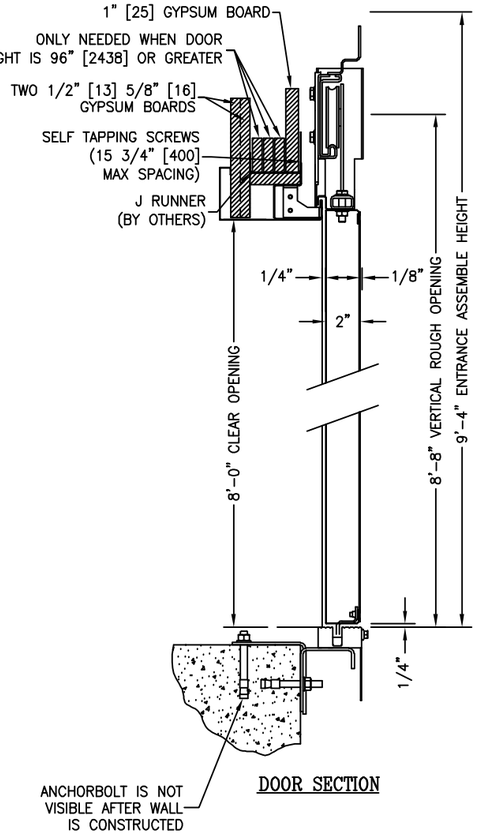
ITEM	TYPE	DESCRIPTION
ELEVATOR I.D.		ELEVATOR 1
ENTRANCE LANDINGS	–	G2, G1, *1, 2, 3, 4, 5, R
ENTRANCE DESIGN NUM	1	AMDY / SINGLE SPEED / CENTER OPENING
FIXTURES	KSS570	–
KEYWAY CUTOUT	–	NONE
ACCESS SWITCH	–	NONE
FIRE RECALL	–	NONE
STAR OF LIFE	–	NONE
FRAME	16 GA	#4 STAINLESS STEEL
FRAME CONSTRUCTION	–	KNOCK–DOWN STYLE BOLTED
SOUND DEADENING	–	NONE
DOOR PANEL	16 GA	#4 STAINLESS STEEL
SILL	NARROW	EXTRUDED ALUMINUM
FASCIA / TOE–GUARD	16 GA	GALVANIZED STEEL 48" WIDE
JAMB BRAILLE	CJ6S	SURFACE MOUNTED, WHITE ON BLACK
LABELS	–	2 HOUR U.L. – CLASS B



PLAN VIEW



ELEVATION VIEW



DOOR SECTION

NOTES:

A. DO NOT CONSTRUCT WALLS UNTIL DOOR FRAMES ARE SET.

REACT. PT.	RZ (LBF)	RY (LBF)
1	305	55
2	260	55
3	260	55
4	305	55

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APPROVAL SPACE

PROJECT:
ALTOS ONE
LOCATION:
MONOSPACE 500 19.2–1
ENG/ARCH:
SDG ARCHITECTURE
CONTRACTOR:
CLARUM CORPORATION

UNIT INFO			
ITEM NO.	NETWORK NO.		EQUIPMENT NO.

REVISIONS				
2021–05–06	–	MAT		PRELIMINARY
DATE	NO	BY	CK	DESCRIPTION

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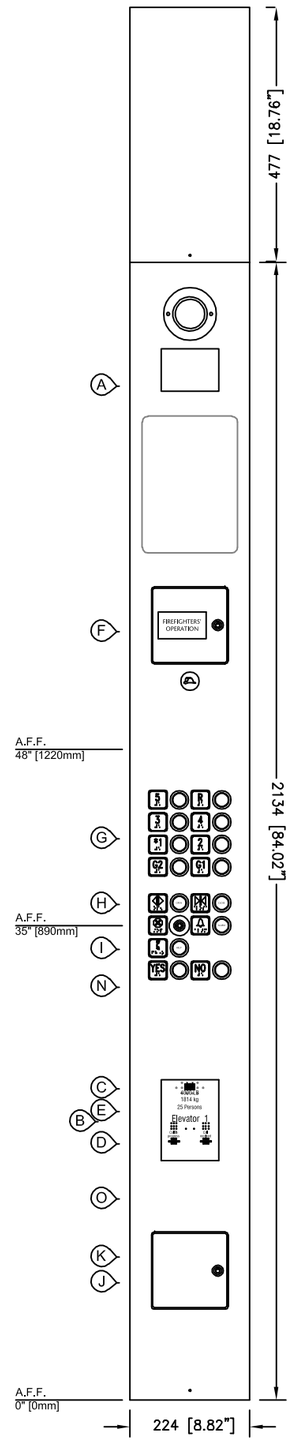
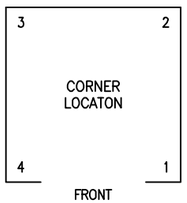
KONE

GENERATED ON: 05/06/21	BY: MMA	REV
UNITS: IMPERIAL	1–20.2	–
DRAWING	DESCRIPTION	SHEET
E–4233966–10010–010	ENTRANCE	12 of 17

	GENERAL INFORMATION
	ELEVATOR CODE YEAR 2004
	CORNER LOCATION 1
	SIGNALIZATION SERIES
	KSS570
	COP MOUNTING TYPE
	FLUSHED
A	**POSITION INDICATOR**
	DOT MATRIX
	DIRECTION OF TRAVEL ARROW
	WHITE ILLUMINATION
	KONE 24/7 EMERGENCY COMMUNICATIONS
B	**EMERGENCY COMMUNICATION MICROPHONE AND SPEAKER**
C	**LOAD PLATE**
	4000 LB
	1814kg
	25 PERSONS
D	**EMERGENCY COMMUNICATION INFORMATION TEXT**
E	**ELEVATOR ID**
	1
F	**FIRE FIGHTERS OPERATION PANEL**
	CALL CANCEL
	ASME EMERGENCY KEYSWITCH
	STOP SWITCH
	DOOR OPEN BUTTON
	PHASE II FIRE INDICATOR
	DOOR CLOSE BUTTON
G	**CALL BUTTONS**
	CALIFORNIA PROJECTING
	WHITE ILLUMINATION
H	**CONTROL BUTTONS**
	DOOR OPEN BUTTON
	DOOR CLOSE BUTTON
I	**EMERGENCY PHONE HELP BUTTON**
J	**OPTIONAL DEVICES**
	ACCESS ENABLE
	LIGHT SWITCH
	FAN SWITCH
	INDEPENDENT SERVICE
K	**OUTLOOK**
	441 BRUSHED STAINLESS STEEL
N	**COP's EMERGENCY LIGHT**
O	**ACU SPEAKER GRILL**





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APPROVAL SPACE

PROJECT:
ALTOS ONE
LOCATION:
MONOSPACE 500 19.2-1
ENG/ARCH:
SDG ARCHITECTURE
CONTRACTOR:
CLARUM CORPORATION

UNIT INFO

ITEM NO.	NETWORK NO.	EQUIPMENT NO.

REVISIONS

DATE	NO	BY	CK	DESCRIPTION
2021-05-06	-	MAT		PRELIMINARY

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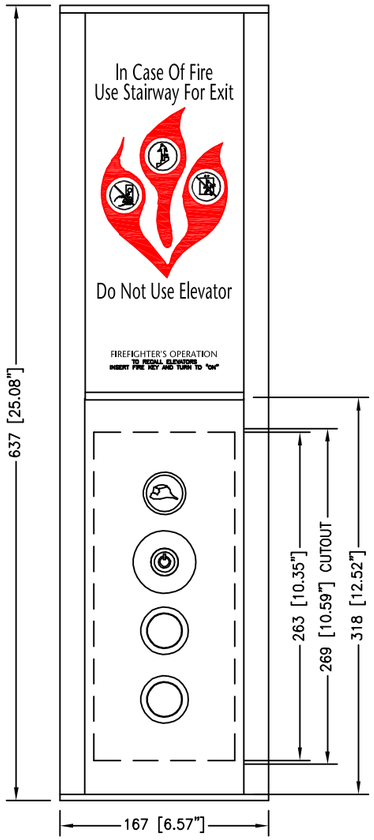
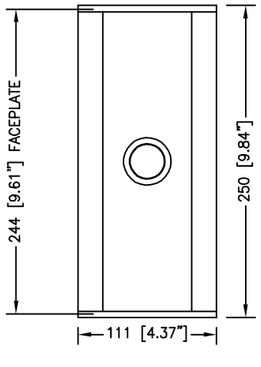
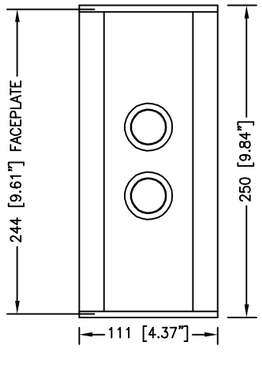
KONE

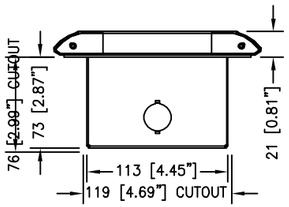
GENERATED ON: 05/06/21	BY: MMA	REV
UNITS: IMPERIAL	1-20.2	-

DRAWING	DESCRIPTION	SHEET
F-4233966-10010-010	COP	13 of 17









QUANTITY: 1
LOCATIONS
*1
OUTLOOK
WHITE ILLUMINATION
BRUSHED STAINLESS STEEL FACEPLATE
SIGNAGE
PHASE 1 ASME A17.1
CA TITLE 8
DEVICES
PILOT LIGHT
FRD KEY SWITCH
UP CALL BUTTON
DOWN CALL BUTTON
PHASE I FIRE RECALL KEY
ASME EMERGENCY KEYSWITCH
SIGNALISATION SERIES: KSS570

QUANTITY: 1
LOCATIONS
R
OUTLOOK
WHITE ILLUMINATION
BRUSHED STAINLESS STEEL FACEPLATE
DEVICES
DOWN CALL BUTTON
SIGNALISATION SERIES: KSS570

QUANTITY: 5
LOCATIONS
G1, 2, 3, 4, 5
OUTLOOK
WHITE ILLUMINATION
BRUSHED STAINLESS STEEL FACEPLATE
DEVICES
UP CALL BUTTON
DOWN CALL BUTTON
SIGNALISATION SERIES: KSS570

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APPROVAL SPACE

PROJECT:
ALTOS ONE
LOCATION:
MONOSPACE 500 19.2-1
ENG/ARCH:
SDG ARCHITECTURE
CONTRACTOR:
CLARUM CORPORATION

UNIT INFO

ITEM NO.	NETWORK NO.	EQUIPMENT NO.

REVISIONS

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2021-05-06	-	MAT		PRELIMINARY

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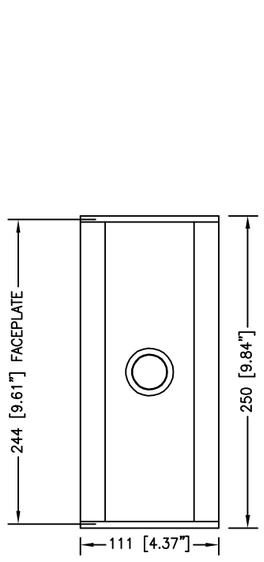
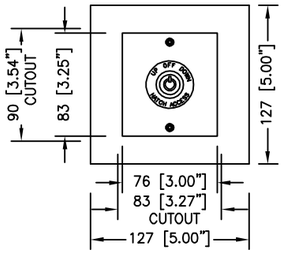
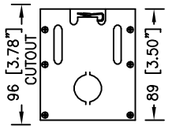
KONE

GENERATED ON: 05/06/21	BY: MMA	REV
UNITS: IMPERIAL	1-20.2	-

DRAWING	DESCRIPTION	SHEET
F-4233966-10010	HPB	14 of 17







QUANTITY: 1
LOCATIONS
G2
OUTLOOK
WHITE ILLUMINATION
BRUSHED STAINLESS STEEL FACEPLATE
DEVICES
UP CALL BUTTON
SIGNALISATION SERIES: KSS570

QUANTITY: 2
LOCATIONS
G2, R
HAC STATION TYPE
SEPARATE HAC STATION
OUTLOOK
BRUSHED STAINLESS STEEL FACEPLATE
SIGNALISATION SERIES: KSS570

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APPROVAL SPACE

PROJECT:
ALTOS ONE
LOCATION:
MONOSPACE 500 19.2-1
ENG/ARCH:
SDG ARCHITECTURE
CONTRACTOR:
CLARUM CORPORATION

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2021-05-06	–	MAT		PRELIMINARY

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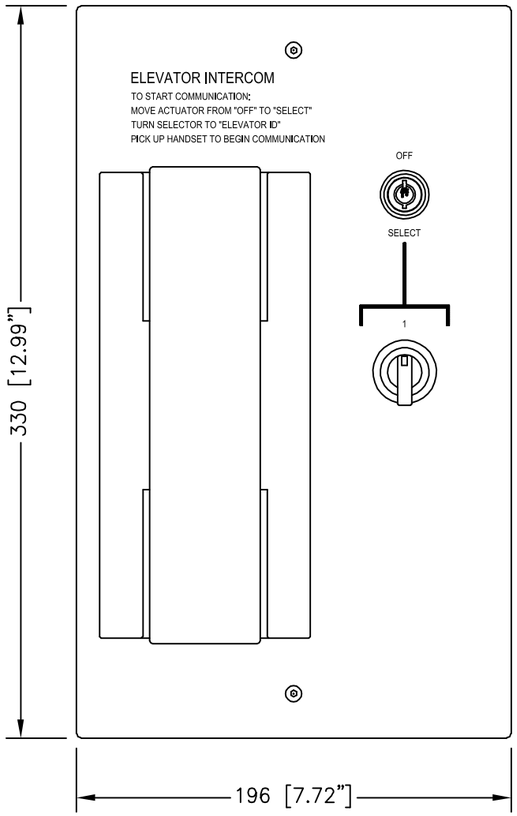
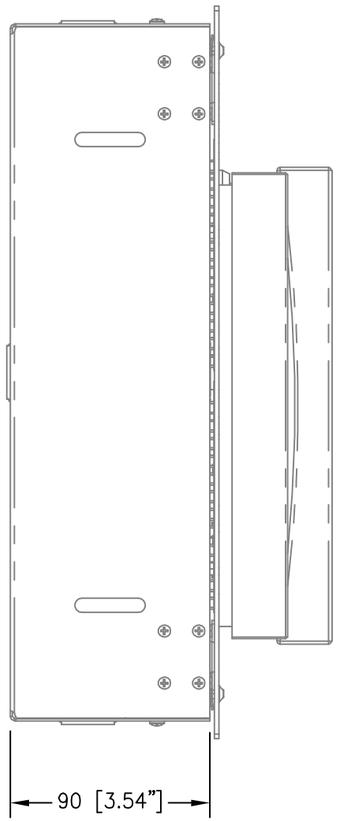
KONE

GENERATED ON: 05/06/21	BY: MMA	REV
UNITS: IMPERIAL	1-20.2	–

DRAWING	DESCRIPTION	SHEET
F-4233966-10010	HPB	15 of 17





HALL MONITOR STATION
QUANTITY: 1
LOCATION
WITHIN ELEVATOR VIEW
OUTLOOK
441 BRUSHED STAINLESS STEEL

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APPROVAL SPACE

PROJECT:
ALTOS ONE
LOCATION:
MONOSPACE 500 19.2-1
ENG/ARCH:
SDG ARCHITECTURE
CONTRACTOR:
CLARUM CORPORATION

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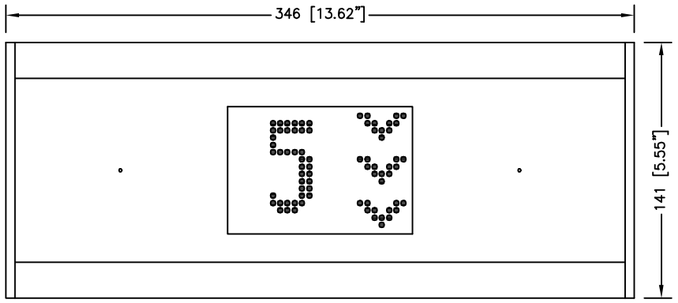
KONE

GENERATED ON: 05/06/21	BY: MMA	REV
UNITS: IMPERIAL	1-20.2	-

DRAWING	DESCRIPTION	SHEET
F-4233966-10010	HPB	16 of 17

QUANTITY: 8
ELEVATOR ID: 1
LOCATIONS
G2, G1, *1, 2, 3, 4, 5, R
OUTLOOK
POSITION INDICATOR
WHITE ILLUMINATION
DOT MATRIX
BRUSHED STAINLESS STEEL FACEPLATE
HORIZONTAL ORIENTATION
SIGNALISATION SERIES: KSS570



APPROVED BY

Preliminary
FOR REFERENCE ONLY
NOT FOR CONSTRUCTION

APPROVAL SPACE

PROJECT:
ALTOS ONE
LOCATION:
MONOSPACE 500 19.2-1
ENG/ARCH:
SDG ARCHITECTURE
CONTRACTOR:
CLARUM CORPORATION

UNIT INFO

ITEM NO.	NETWORK NO.	EQUIPMENT NO.

REVISIONS

DATE	NO	BY	CK	DESCRIPTION
2021-05-06	-	MAT		PRELIMINARY

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KONE

GENERATED ON: 05/06/21	BY: MMA	REV
UNITS: IMPERIAL	1-20.2	-
DRAWING	DESCRIPTION	SHEET
F-4233966-10010-010	HL	17 of 17

The following items must be performed or provided at no cost to Otis Elevator Company ("OTIS") by the Owner or General Contractor or their agents in accordance with governing codes. The price and installation schedule of Otis is based on these job-site conditions existing at the beginning and during the installation of the elevator equipment. Failure to provide the items specified in this list will result in additional work performed by Otis Elevator beyond the scope of our contract causing installation delays. A change order will be submitted by Otis for materials and/or labor expended. All work must be performed per the applicable national and or local codes.

General Prep/Work

1. Provide on-site storage area for elevator equipment as follows: dry and enclosed, provides roll-able access to the elevator hoistway at the ground level, located within 100 feet (30480mm) of the hoistway and is larger than 25 x 20 feet (7620mm x 6096mm) per elevator. Any warranties provided by Otis for elevator equipment are null and void if equipment is stored in a manner other than a dry enclosed building structure.

2. Provide sufficient on-site refuse containers for the proper disposal of elevator packaging material. Should sufficient refuse containers not be provided, disposal of packaging material shall become the responsibility of the owner.

3. Provide any cutouts to accommodate elevator equipment (troughing, venting, and hall fixtures), along with the patching/painting of walls, floors, or partitions together with finish painting of entrance doors and frames, if required.

Hoistway & Pit Prep/Work

4. Provide and install a steel, I-beam shaped safety beam with a maximum flange width of 8 11/16" (220mm), from side wall to side wall at the top of the hoistway, capable of withstanding a minimum net live load of 7500 lb (3402kg) per elevator. Reference Otis Layout for location. A 4" minimum clearance is required from top of beam to top of hoistway.

5. Provide a clear plumb hoistway with variations from the size shown on the Otis layout not to exceed -0"/+1"(25mm) and not less than the clear dimensions shown on the Otis layout

6. Provide adequate rail bracket supports, bracket spacing as required by governing code, from pit floor to top of hoistway to comply with the rail reaction forces detailed on the Otis Contract Layout. Provide adequate support for the top rail brackets at locations above the top landing as specified on the Otis Layout. Provide separator beams where required. Unless approved by Otis, rail-bracket attachment supports must be exposed and flush with the clear hoistway line.
   If the floor-to-floor height exceeds the maximum bracket spacing allowed by the elevator code, Otis requires some form of steel support to properly attach our guide rail brackets. The maximum allowed bracket spacing is indicated in the rail force and bracket detail table on the Otis layout. Any rail bracket mounting surfaces that are not in line with the finished hoistway dimension (i.e. the clear hoistway line) may need to be extended to meet the required distance. Otis agrees to provide guidance on this matter at the appropriate time.

   If rail bracket embedded plates or inserts are provided by Otis they shall be installed by others in accordance with Otis documentation and instructions.

   If vertical tube steel is utilized as rail support, see the Otis layout for any specific requirements.

7. Provide adequate support at all fastening points of each entrance. Provide plumb vertical surfaces for entrances and entrances and building sill line. For MRL installations, a horizontal support member is to be provided 20" (508mm) above the clear opening at the controller landing to support the entrance and controller components. If any other floor height exceeds 12'-0" (3657mm), a horizontal support member is to be provided 12" (305mm) above the clear opening. For MRL installations, if entrance finish protection is installed, a section of such protection must be removable to allow safe and convenient access to the Inspection & Test panel of the elevator.

8. Prior to the start of installation, provide a dry, properly framed, enclosed and vented hoistway in accordance with all applicable codes.

9. A.) Protection from Falls:
   As required by the Occupational Safety and Health Administration (OSHA) 1926.502 B) (1-3) a freestanding removable barricade at each hoistway opening at each floor. Barricades shall be 42" (1067mm) high, with mid-rail and kick board, and withstand 200 lbs. (90.7kg) of vertical and horizontal pressure.

   B.) Protection from Falling Objects:
   As required by the Occupational Safety and Health Administration (OSHA) 1926.502(j) hoistway protection from falling debris and other trades materials by either:
   1.)Full entrance screening/mesh in front of all elevator entrances

   2.)Secured/controlled access to all elevator lobbies (lock and key) with posted Notice "only elevator personnel beyond this protection."
   Notes:
   Items A.) and B.) can be integrated systems.
   Hoistway barricades and screening shall be constructed, maintained and removed by others.

10. Provide a pit floor designed to sustain vertical forces (based on safety impact) on car and counterweight rails and impact loads on car and counterweight buffers as shown on the Otis layout. The pit must be dry and clean. The elevator pit must have a floor drain or sump pump to prevent the accumulation of water. Location to be coordinated with Otis to avoid all elevator components and access areas. In areas requiring fire fighters emergency operation (FEO) a sump pump/drain shall be provided that shall have the capacity to remove a minimum of 11.4m3/h (3,000 gal/h) per elevator (ASME A17.1/CSA B44 latest applicable code year section 2.2.2.5). Otis recommends that the owner verify the drain or sump pump system is in compliance with all applicable codes and laws.

11. TOP and BOTTOM landings (and the MAIN landing where applicable), are not to be constructed until after all elevator equipment is installed in the hoistway.
    The entire front wall must be open for installation with the following rough opening dimensions (to be shown on layouts):
    -Rough Opening Width = CLEAR HOISTWAY WIDTH
    -Rough Opening Height = 2642mm (8'-8") for a 2134mm (7') entrance height
    2947mm (9'-8") for a 2438mm (8') entrance height
    If the controller is located on the REAR entrance, the wall at this rear entrance should also have these rough opening dimensions. Remaining front entrance walls are not to be constructed until after door frames and sills are in place.

    The rough openings, per sizes shown on the Otis layout, are required. Prior to the completion and turnover of the elevator(s), all entrance walls must be installed and rough openings filled in complete to maintain fire rated hoistway requirements.

12. Provide and install a fixed vertical iron ladder in each pit as required by governing code and located per Otis layout or as coordinated with Otis personnel. Ladder width and pit wall pocket requirements are shown in the pit plan view on the Otis layout. For entrance heights of up to 7' (2134mm) the top rung of the ladder must be even with the bottom landing. For entrance heights greater than 7' (2134mm) the top rung must be 12' (305mm) above the bottom landing. Hand grips must be provided to a height of 4' (1219mm) above the bottom landing. Hand grips must have 4-1/2" (114mm) radial clearance, from their centerline, to any obstruction in the hoistway. (Refer to the detail views for typical ladder arrangement)

13. Install permanent light fixture in each elevator pit with illumination of not less than 100 lx (10 fc) as measured at the pit floor. The light bulb(s) shall be externally guarded to prevent contact and accidental breakage. The light switch shall be so located as to be accessible from the pit ladder.

14. Glass used in hoistway construction must block 98% or more of incident full-spectrum ultraviolet radiation for the full height of the hoistway.

15. Provide and install guarding of counterweight in a multiple-elevator hoistway as required, when a counterweight is located between elevators, the counterweight runway shall be guarded on the side next to the adjacent elevator. The guarding must meet or exceed the requirements of ASME A17.1/CSA B44 latest applicable code year, section 2.3.2.3.
    If an emergency door in a blind hoistway is required, provide an outward swinging single section type door with door closer and a self closing barrier per ASME A17.1/CSA B44 latest applicable code year, section 2.11.1.2. Contact your local Otis personnel for a detailed drawing (AAA26900D_FMI) showing Otis specific requirements.

MRL Machine Space Prep/Work

16. Maintain the temperature at the top of the hoistway (machine space) between 32º F (0º C) and 104º F (40º C). This space also includes the the car controller which is mounted at the top landing. Relative humidity shall not to exceed 95% non-condensing. Provide ventilation to suit Otis heat release amounts as shown in Otis Confirmation of Power Supply form. Local codes may require tighter temperature ranges and higher ventilation levels. Please check with your local code authority for the exact requirements in your area. If your machinery space temperature exceeds this requirement, contact your local Otis sales representative for assistance.

17. Install a permanent light fixture at the top of the hoistway (machine space) of not less than 200-lux (19 fc) as measured at the level of the standing surface on the car when the elevator is at the top landing. Light switch is to be located in the hoistway per the Otis layout.

18. Install a permanent light fixture at the top landing entrance (control space), in the hall, of not less than 200-lux (19 fc) as measured at the floor level. Light switch is to be located close to the elevator entrance.

Control Room/Space and Machine Space Prep/Work

19. Provide a suitable control room/space(s) with access and ventilation in accordance with all applicable codes and regulations. The control room/space(s) shall be maintained at a temperature between 32F (0C) and 104F (40C) to be measured 6 feet (1830 mm) above the floor and 1 foot (305 mm) out from the front center of the car controller(s). Relative humidity is not to exceed 95% non-condensing. Provide ventilation to suit Otis heat release amounts as shown on the Otis Confirmation of Power Supply form. Local codes may require tighter temperature ranges and higher ventilation levels, please check with your local code authority for the exact requirements in your area. If your control room/space(s) temperatures exceed these requirements, contact your local Otis sales area. If your control room/space(s) temperatures exceed these requirements, contact your local Otis sales representative for assistance.

20. Provide illumination of control room/space(s) of not less than 200 LUX (19 FC) as measured at floor level. Light switch is to be located within 18" (157 mm) to the lock-jamb side of the access door to the control room/space(s).

21. Provide control room/space(s) with self-closing and self-locking doors with a group 2 locking device. In addition, ensure that all air gaps around the doors are sealed (i.e. threshold, weather stripping, etc.).

22. Maintain the temperature at the top of the hoistway (machine space) between 32º F (0º C) and 104º F (45º C). Relative humidity shall not to exceed 95% non-condensing. Provide ventilation to suit Otis heat release amounts as shown in Otis Confirmation of Power Supply form. If your machinery space temperature exceeds this requirement, contact your local Otis sales representative for assistance.

23. Install a permanent light fixture at the top of the hoistway (machine space) of not less than 200-lux (19 fc) as measured at the level of the standing surface on the car when the elevator is at the top landing. Light switch is to be located in the hoistway per the Otis layout.

Fire Prevention Prep/Work

24. Provide hoistway walls designed and constructed in accordance with the required fire rating (including those places where elevator fixture boxes, rail bracket fastenings, and any other penetration into the hoistway walls).

25. In the United States provide smoke detectors, located as required, with wiring from the sensing devices to the controller(s) designated by Otis.
    A. For each group of elevators, provide a normally closed contact representing the smoke detector at the designated return landing.

    B. For each group of elevators, provide a normally closed contact representing all smoke detectors located in lobbies, hoistways, or control rooms/spaces but <u>not</u> the smoke detector at the designated return landing (see above) or the smoke detectors as described below:
    1) If a smoke detector is located in the hoistway at or below the lower of the two recall landings, it shall be wired to activate the same normally closed contact as the smoke detector located in the lobby at the lower of the two recall landings.

    2) If the control room/space(s) are located at the designated return landing, the smoke detectors located therein shall be wired to activate the same normally closed contact as the smoke detector at the designated landing.

    C. Requirements for intermittently illuminating the fire hat visual signal in the car operating panel, either 1) or 2) must be selected.
    1) For a single unit, or group of elevators having control room/space(s) and one common hoistway, provide one additional normally closed contact representing the control room/space(s) and hoistway smoke detectors.

    2) If the group contains more than one hoistway, and hoistway smoke detectors are installed, provide one normally closed contact for <u>each elevator</u>. The contact is to represent the smoke detectors in the control room/space(s) or hoistway containing that particular elevator.

26. In Canada provide smoke detectors, located as required, with wiring from the sensing devices to the controller(s)
    A. For each group of elevators, provide a normally closed contact representing the smoke detector at the designated return landing and if provided, from the sensing device in the pit.

    B. For each group of elevators, provide a normally closed contact representing all smoke detectors located in elevator lobbies, but <u>not</u> the smoke detector at the designated return landing (see above), and if provided, from the sensing device in the top of the hoistway.

    C. For each group of elevators, provide a normally closed contact representing the smoke detector in the elevator machine space.

    D. If the control space is located at the designated return landing, the smoke detectors located therein shall be wired to activate the same normally closed contact as the smoke detector at the designated landing. For each group of elevators, provide in addition to the above, a normally closed contact representing the sensing devices in the pit or at the top of the hoistway (For the Fire Hat in the Elevator).

OTIS

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SEISMIC 2

DWG. NO.: PWBO 1 OF 2

BUILDING

LOCATION

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NOTE - DO NOT SCALE THIS DRAWING

EXPRESS DRAW: AA

Fire Prevention Prep/Work (cont)

27. In the United States, if sprinklers are installed in the hoistway(s), or machine space(s), a means to automatically disconnect the main line power supply of the affected elevator and any other power supply used to move the elevator upon or prior to the application of water is required (unless prohibited by local code). Smoke detectors shall not be used to activate sprinklers in hoistway(s), or machinery spaces or to disconnect the mainline power supply.

    In addition, when the Automatic Recovery Operation (ARO) is specified, the means provided to automatically disconnect power to the elevator shall be equipped with an additional auxiliary contact that is positively opened when power is removed from the elevator system. This automatically controlled mainline disconnect must be provided with all associated wiring and conduit to the controller.

28. Provide an "ABC" fire extinguisher, minimum 10 lbs for machine space, and located convenient to the top landing elevator entrance.

29. Provide control room/space(s) and door to code compliant fire-resistive construction.

Electrical Requirements

30. 3 Phase Power MRL - Provide a permanent three (3) phase electrical-feeder system with a separate equipment-grounding conductor terminating in the elevator controller located at the top landing or transformer located at the top of the hoistway. Permanent three (3) phase electrical-feeder to be terminated at the elevator controller or transformer at the start of installation of the top landing elevator entrance and the timing of connection to Otis controller shall be coordinated with the elevator installer. Feeder conductors and grounding conductor sized according to elevator current characteristics as shown on the Otis Confirmation of Power Supply form. Feeder conductors and grounding conductor must be copper. Provide a fused disconnect switch or circuit breaker capable of being locked in the open position, for each elevator per the National Electrical Code (ANSI/NFPA 70) or Canadian Electrical Code (C22.1) with feeder or branch wiring to elevator controller [NEC 620-51, 620-61(D), and 620-62] or [CEC Rule 38-013 (2) (a)] located at the point of power distribution in the building. The disconnecting means required by the National Electrical Code or Canadian Electrical Code CEC [Rule 38-051] shall be provided with all associated wiring and conduit to the elevator controller. Size of main contacts to suit elevator power characteristics. Fuses, if provided, are to be current limiting class J or equivalent. Circuit breakers, if provided, are to have current limiting characteristics equivalent to class J fuses. Fuses or circuit breakers are to be time delay to cover the full load up accelerating current. Accelerating current typically is the peak as indicated on the Otis Confirmation of Power Supply Form, and lasts for duration not to exceed 7 seconds. Feeder conductors and associated wiring to the controller to be sized to limit wiring voltage drop to 5% maximum when delivering elevator full load up accelerating current. The building power system used to operate the elevator(s) shall be capable of supplying non linear loads and be capable of absorbing the regenerated power listed on the Otis Confirmation of Power Supply form.

    Single Phase Power MRL - Provide a permanent single phase electrical-feeder system with a separate equipment-grounding conductor terminating to the transformer located at the top of the hoistway. Permanent single phase electrical-feeder to be terminated at the transformer at the start of installation of the top landing elevator entrance and the timing of connection to Otis controller shall be coordinated with the elevator installer. Feeder conductors and grounding conductor sized according to elevator current characteristics shown on the Otis Confirmation of Power Supply form. Feeder conductors and grounding conductor must be copper. Provide a fused disconnect switch or circuit breaker capable of being locked in the open position, for each elevator per the National Electrical Code (ANSI/NFPA 70) or Canadian Electrical Code (C22.1) with feeder or branch wiring to elevator controller [NEC 620-51, 620-61(D), and 620-62] or [CEC Rule 38-013 (2) (a)] located at the point of power distribution in the building. The disconnecting means required by the National Electrical Code or Canadian Electrical Code CEC [Rule 38-051] shall be provided with all associated wiring and conduit to the elevator controller. Size of main contacts to suit elevator power characteristics. Fuses, if provided, are to be current limiting class J or equivalent. Circuit breakers, if provided, are to have current limiting characteristics equivalent to class J Fuses, if provided, are to be current limiting class J or equivalent. Circuit breakers, if provided, are to have current limiting characteristics equivalent to class J fuses. Fuses or circuit breakers are to be time delay to cover the full load up accelerating current. Accelerating current typically is the peak as indicated on the Otis Confirmation of Power Supply Form, and lasts for duration not to exceed 7 seconds. Feeder conductors and associated wiring to the controller to be sized to limit wiring voltage drop to 5% maximum when delivering elevator full load up accelerating current. The building power system used to operate the elevator(s) shall be capable of supplying non linear loads and be capable of absorbing the regenerated power listed on the Otis Confirmation of Power Supply form.

    MRL Configuration (controller located in hoistway entrance) with Transformer - If a transformer is required and the controller is to be located in the hoistway entrance, the transformer must be located in an electrical room. The transformer must be mounted and wired as per the National Electrical Code (ANSI/NFPA 70) or Canadian Electrical Code (C22.1). Provide conduit and wiring to the transformer as well as between the transformer and the controller located in the hoistway entrance in accordance with the National Electrical Code (ANSI/NFPA 70) or Canadian Electrical Code (C22.1). Contact your local Otis representative for details.

31. 3 Phase Power Control Room/Space - Provide a permanent three (3) phase electrical-feeder system with a separate equipment-grounding conductor terminating in the control room/space(s), located per Otis layout. Feeder conductors and grounding conductor sized according to elevator current characteristics as shown on the Otis Confirmation of Power Supply form. Feeder conductors and grounding conductor must be copper. A fused disconnect switch or circuit breaker capable of being locked in the open position, for each elevator per the National Electrical Code (ANSI/NFPA 70) or Canadian Electrical Code (C22.1) with feeder or branch wiring to controller [NEC 620-51, 620-61(D), and 620-62] or [CEC Rule 38-013(2)(a)]. The disconnecting means required by the National Electrical Code or Canadian Electrical Code CEC [Rule 38-051] shall be provided with all associated wiring and conduit to the controller. Size of main contacts to suit elevator power characteristics. Fuses are to be current limiting class RK1 or equivalent. Circuit breakers are to have current limiting characteristics equivalent to class RK1 fuses. Fuses or circuit breakers are to be time delay to cover the full load up accelerating current. Accelerating current typically is the peak as indicated on the Otis Confirmation of Power Supply Form, and lasts for duration not to exceed 7 seconds. Feeder conductors and associated wiring to the controller to be sized to limit wiring voltage drop to 5% maximum when delivering elevator full load up accelerating current. The building power system used to operate the elevator(s) shall be capable of supplying non linear loads and be capable of absorbing the regenerated power listed on the Otis Confirmation of Power Supply form.

    Single Phase Power Control Room/Space - Provide a permanent single phase electrical-feeder system with a separate equipment-grounding conductor terminating in the control room/space(s), located per Otis layout. Feeder conductors and grounding conductor sized according to elevator current characteristics as shown on the Otis Confirmation of Power Supply form. Feeder conductors and grounding conductor must be copper. A fused disconnect switch or circuit breaker capable of being locked in the open position, for each elevator per the National Electrical Code (ANSI/NFPA 70) or Canadian Electrical Code (C22.1) with feeder or branch wiring to controller [NEC 620-51, 620-61(D), and 620-62] or [CEC Rule 38-013(2)(a)]. The disconnecting means required by the National Electrical Code or Canadian Electrical Code CEC [Rule 38-051] shall be provided with all associated wiring and conduit to the controller. Size of main contacts to suit elevator power characteristics. Fuses are to be current limiting class RK1 or equivalent. Circuit breakers are to have current limiting characteristics equivalent to class RK1 fuses. Fuses or circuit breakers are to be time delay to cover the full load up accelerating current. Accelerating current typically is the peak as indicated on the Otis Confirmation of Power Supply Form, and lasts for duration not to exceed 7 seconds. Feeder conductors and associated wiring to the controller to be sized to limit wiring voltage drop to 5% maximum when delivering elevator full load up accelerating current. The building power system used to operate the elevator(s) shall be capable of supplying non linear loads and be capable of absorbing the regenerated power listed on the Otis Confirmation of Power Supply form.

32. Provide a dedicated 125 volt, 15 ampere single-phase branch circuit with a fused disconnect switch or circuit breaker located at the point of power distribution in the building. The fused disconnect or circuit breaker shall be capable of being locked in the open position. This branch circuit supplies the car lights, car top receptacle, auxiliary lighting power source and ventilation on each car in compliance with the National Electrical Code [NEC620-53] or Canadian Electrical Code [CEC Rule 38-053]. Termination of this branch circuit shall be in the elevator controller located at the top landing and shall be connected at the same time as the permanent three (3) phase power referenced in the previous paragraph.

33. All 125 volt, 15 or 20 ampere single-phase receptacles installed in pits, machine spaces, control rooms/space(s) shall be of the ground-fault circuit-interrupter type (GFCI). A dedicated single-phase receptacle supplying a permanently installed pit sump pump shall not require GFCI protection.

34. Provide electric power for lights, tools, welding, hoisting, etc. during installation with sufficient power for starting, testing and adjusting the elevator. Provide a 220 volt, 30 ampere single-phase 4 wire electrical supply for platform operation during construction, available at the start of elevator installation.

35. Provide one (1) dedicated outside telephone line, per elevator, and terminated at the controller designated by the Otis construction superintendent. Reference the A17.1 code and the Otis power of confirmation letter for specific requirements.

36. In areas under the jurisdiction of AMSE A17.1-2004/CSA B44 or later where the elevator travel is greater than or equal to 60 feet /18 meters, provide two-way voice communications means that shall enable emergency personnel within the building to establish communications to each car individually without intervention by a person within the car. The communication means shall override communications to the outside of the building and once established shall only be terminated by emergency personnel outside the car. Refer to ASME A17.1/CSA B44 latest applicable code year, section 2.27.1.1.4 for exact requirements.

37. [Optional] For elevators having an intra building intercom, provide a separate 120 volt, 15 ampere, single phase power supply with fused SPST disconnect switch or circuit breaker, located as required for inter-communicating system power supply. Circuit to be arranged for feeding from the building emergency lighting supply if provided. Conduit and wiring for remotely located inter-communicating stations.

38. [Optional] For installations having emergency (standby) power, provide the standby power unit and means for starting it. The emergency (standby) power unit shall deliver to the elevator via disconnect switches in the building power distribution location or disconnect switches in the control room/space(s), sufficient power to operate one or more elevators at a time at full rated speed, and rated load.

    An automatic power transfer switch for each power feeder to monitor both normal and emergency (standby) power conditions and to perform the transfer from one to the other. Switch to have two sets of normally closed dry contacts, one to be open when the switch is in the emergency (standby) power position; the other to open upon initiation of power transfer and to close when transfer is complete. Switch to have an inhibit function which will delay transfer to normal and/or emergency (standby) power by an adjustable period of 0 - 300 seconds. Switch shall have a phase monitor feature, which prohibits the transfer of power between "live" sources unless the sources are in phase with each other. If a shunt trip device is provided, an additional normally closed contact, with all associated wiring and conduit to the controller, is required from the emergency (standby) power source. The emergency (standby) power system provided shall comply with ANSI/NFPA 70 requirements 620.91. The table in section "ELEVATOR REGENERATIVE POWER REQUIREMENTS", on the Otis Confirmation of Power Supply form, contains the elevator system power regenerated under an overhauling load. The information contained in the form is to be used to determine regenerative power absorption capability for the emergency (standby) power distribution system.

    Note: The building Emergency (Standby Power) Generator system used to operate the elevator(s) shall be capable of supplying non-linear loads.

39. [Optional] Compass Dispatching System - a dedicated 125 volt 20 ampere single-phase power supply with SPST fused disconnect switch or circuit breaker. The fused disconnect or circuit breaker shall be capable of being locked in the open position and located upstream of the elevator equipment. This disconnect or circuit breaker must be in sight of the Compass Dispatching System equipment.

    MRL Configuration (controller located in hoistway entrance) with Compass - If Compass is required and the controller is to be located in the hoistway entrance, an electrical room must be provided for the Compass Dispatching System equipment within sight of the entrance controller. Contact your local Otis representative for details.

    [Optional] Elevator Management System (EMS) - a dedicated 125 volt 20 ampere single-phase power supply with SPST disconnect switch or circuit breaker with duplex outlets per Otis layout, and at any location where a Security Station and/or Fire Station is furnished. Circuits to be arranged for feeding from the building standby or emergency lighting supply if provided.

[OPTIONAL] FIRE SERVICE ACCESS ELEVATORS (FSAE)

FSAE Hoistway & Pit Prep/Work

40. Provide all hoistways to meet structural code requirements for Fire Service Access Elevators as per IBC and NFPA

FSAE Machine Room Prep/Work

41. Provide climate control and ventilation with monitoring equipment

FSAE Fire Protection Prep/Work

42. Comply with NFPA requirements relative to hoistway pressurization and sprinkler prohibition.

FSAE Electrical Requirements

43. Provide hoistway lighting (1 Foot-candle, 11 lux, measured on top of car) for entire length of hoistway.

44. Emergency (standby) power must deliver power to elevator machine room, control room or space ventilation, cooling equipment, and the hoistway lighting.

You agree to indemnify and save Otis harmless against any and all liability and costs arising out of your failure to carry out any of the foregoing requirements.

OTIS

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SEISMIC 2

DWG. NO.:	PWBO 2 OF 2
BUILDING	
LOCATION	
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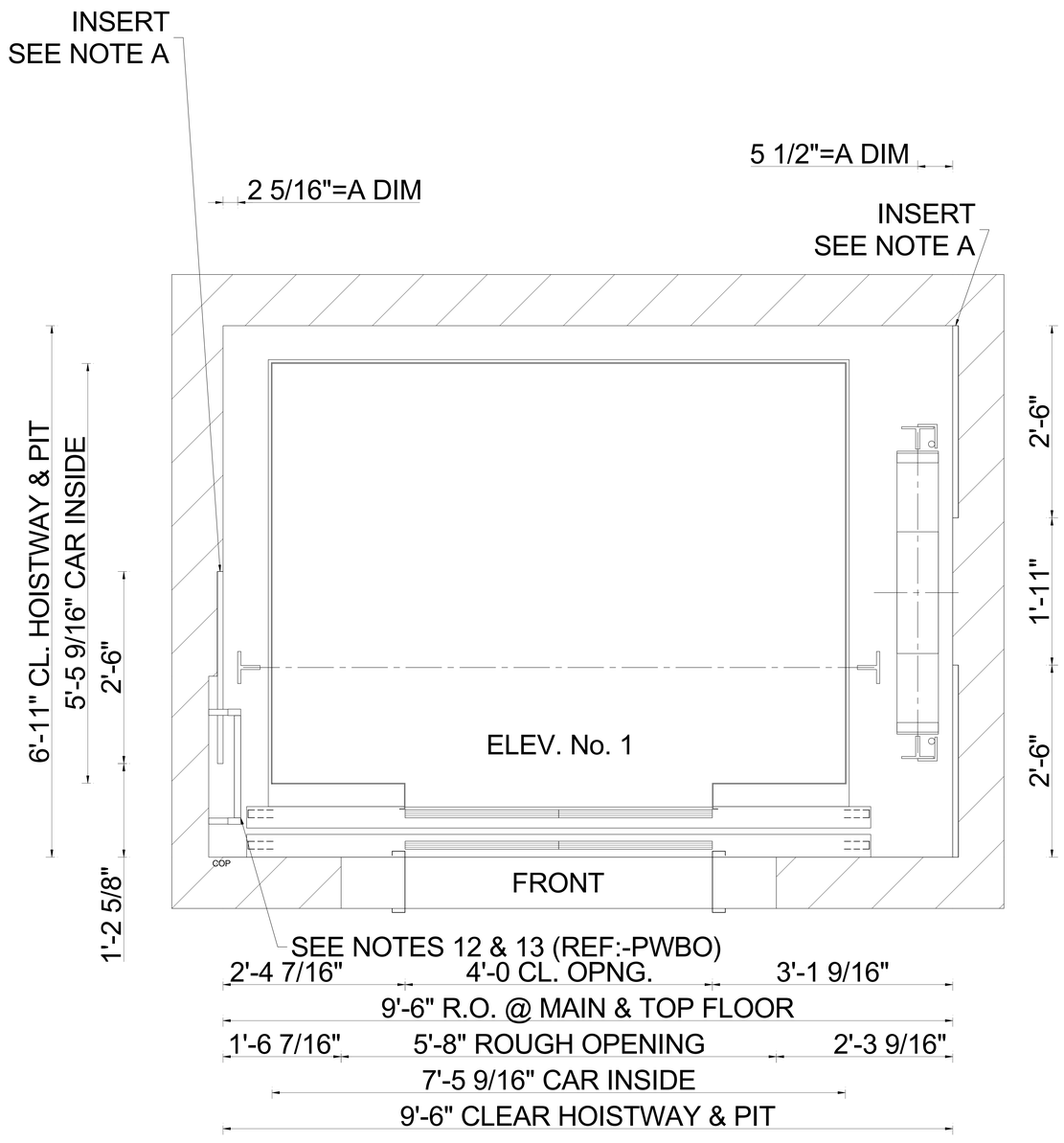

PLAN VIEW

SEE NOTE 5, PWBO SHEET

ELEV. No.	DUTY	SPEED	SERVICE TYPE
1	4000#	150 F.P.M.	PASSENGER

NOTE A
THESE DIMENSIONS ARE BASED ON HOISTWAY SIZES SHOWN & 30" INSERTS. IF EITHER OF THESE VARY, CONSULT THE SALES REPRESENTATIVE.

APPROVAL
THIS ARRANGEMENT AND SUPPLEMENTARY NOTES APPROVED

SIGNED: _____ DATE: _____

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CONT. WITH

OWNER

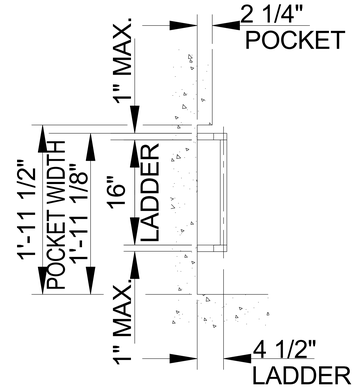
ARCHT.

CONTRACT NO.

DIRECTIONAL ARROW INDICATES NORTH

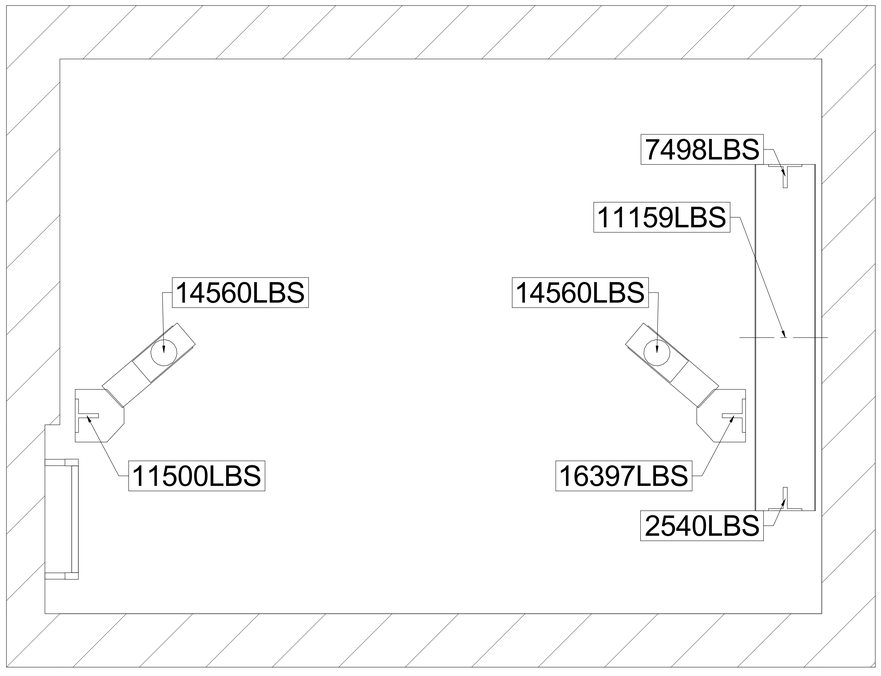
NOTE - DO NOT SCALE THIS DRAWING

EXPRESS DRAW: AA



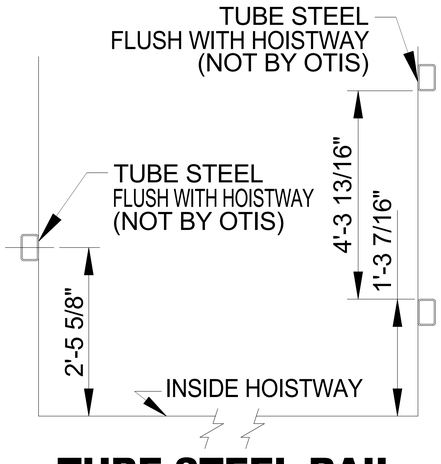
LADDER AND POCKET DETAIL

ELEV. No. 1



PIT PLAN VIEW

FORCE SHOWN INCLUDES DOUBLING FOR IMPACT



TUBE STEEL RAIL BRACKET SUPPORT

ELEV. No. 1

ELEV. No.	DUTY	SPEED	SERVICE TYPE
1	4000#	150 F.P.M.	PASSENGER

APPROVAL
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SEISMIC 2

DWG. NO.:	PIT VIEW
BUILDING	
LOCATION	
CONT. WITH	
OWNER	
ARCHT.	
CONTRACT NO.	

DIRECTIONAL ARROW INDICATES NORTH

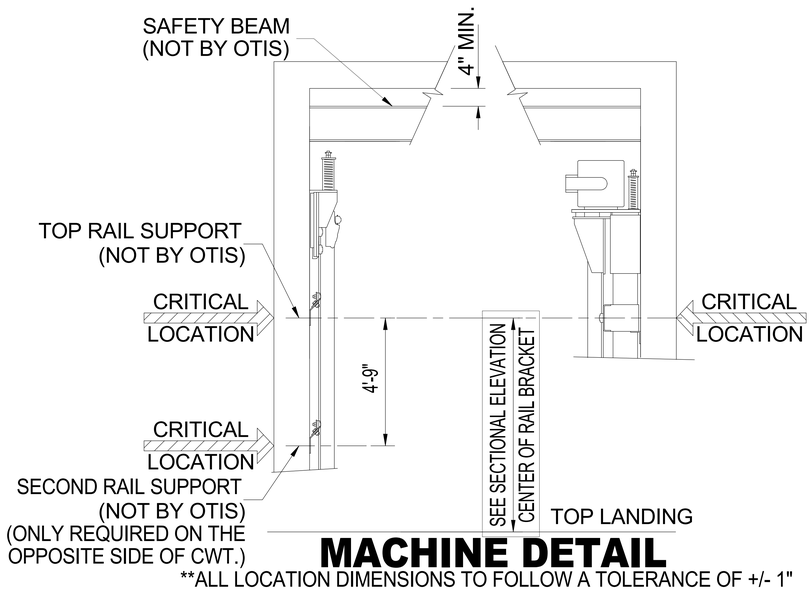
NOTE - DO NOT SCALE THIS DRAWING

EXPRESS DRAW: AA

TABLE 1 ELEV. No. 1

CAR RAIL BRACKET INSERT TABLE

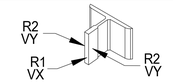
4'-9"	9th BRACKET LOC. FROM 8th BRKT.
6'-2"	8th BRACKET LOC. FROM 7th BRKT.
10'-0"	7th BRACKET LOC. FROM 6th BRKT.
10'-0"	6th BRACKET LOC. FROM 5th BRKT.
10'-0"	5th BRACKET LOC. FROM 4th BRKT.
10'-0"	4th BRACKET LOC. FROM 3rd BRKT.
10'-0"	3rd BRACKET LOC. FROM 2nd BRKT.
11'-0"	2nd BRACKET LOC. FROM 1st BRKT. (REQ'D)
3'-0"	1st BRACKET LOC. FROM PIT FLOOR



MACHINE DETAIL

**ALL LOCATION DIMENSIONS TO FOLLOW A TOLERANCE OF +/- 1"

RAIL FORCE & BRACKET SPACING DETAIL



SEE NOTES 6 & 7

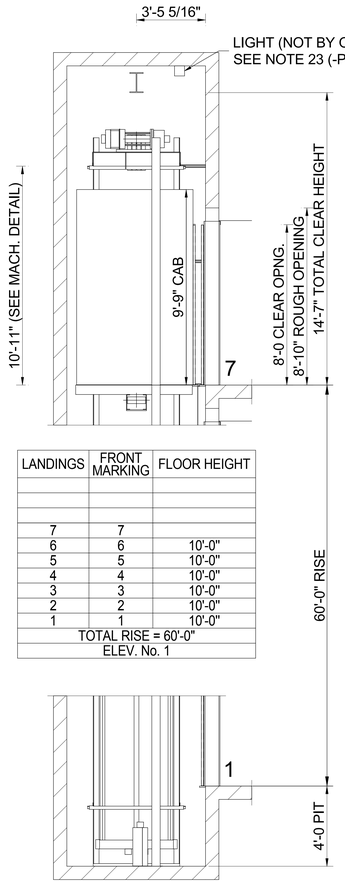
CAR	R1	567 lbs
	R2	86 lbs
	VX	1078 lbs
	VY	539 lbs
	MAXIMUM BRACKET SPACING	11'-0"
	RAIL SIZE	1
CWT	R1	314 lbs
	R2	23 lbs
	VX	1132 lbs
	VY	566 lbs
	MAXIMUM BRACKET SPACING	11'-0"
	RAIL SIZE	1-1/2
DEH (DEAD END HITCH)	R1	840 lbs
	R2	2630 lbs

IN MULTICAR GROUPS THE VALUES ABOVE ARE THE LARGEST VALUES FOR THE ENTIRE GROUP

FIRST INTERMEDIATE RAIL SUPPORT LOCATION TO BE LOCATED 14' 0" FROM PIT FLOOR. ALL OTHER INTERMEDIATE SUPPORTS CANNOT EXCEED THE MAXIMUM BRACKET SPACING IN THE RAIL FORCE & BRACKET SPACING DETAIL

CAR R1 = SAFETY APPLICATION
CWT R1 = LOADING OR RUNNING
R2 = LOADING OR RUNNING

REQUIREMENTS FOR RAIL BRACKET SUPPORT (NOT BY OTIS):
DEFLECTION NOT TO EXCEED 1/8"
BASED ON HORIZONTAL RAIL FORCES.

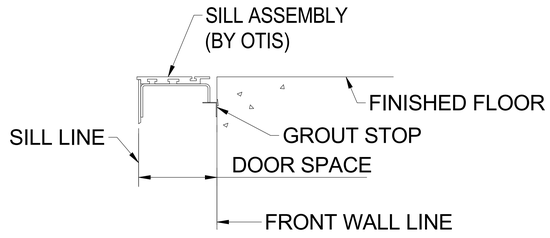


LANDINGS	FRONT MARKING	FLOOR HEIGHT
7	7	
6	6	10'-0"
5	5	10'-0"
4	4	10'-0"
3	3	10'-0"
2	2	10'-0"
1	1	10'-0"
TOTAL RISE = 60'-0"		
ELEV. No. 1		

FRONT

HOISTWAY SECTION

FOR MAX. SPACING BETWEEN INSERTS SEE RAIL FORCE DETAIL
ELEV. No. 1



DETAIL "A" SILL SUPPORT

ADEQUATE SUPPORT AT ALL FASTENING POINTS OF ENTRANCE ASSEMBLY REQUIRED. MUST WITHSTAND A HORIZONTAL PULL-OUT FORCE OF 140 LBS. @ EA. FASTENING POINT (8 @ EA. ENTRANCE) INCLUDING SUPPORT FOR CENTER SILL SUPPORT BRACKET (NOT BY OTIS).

ELEV. No.	DUTY	SPEED	SERVICE TYPE
1	4000#	150 F.P.M.	PASSENGER

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DWG. NO.: ELEVATION 1

BUILDING
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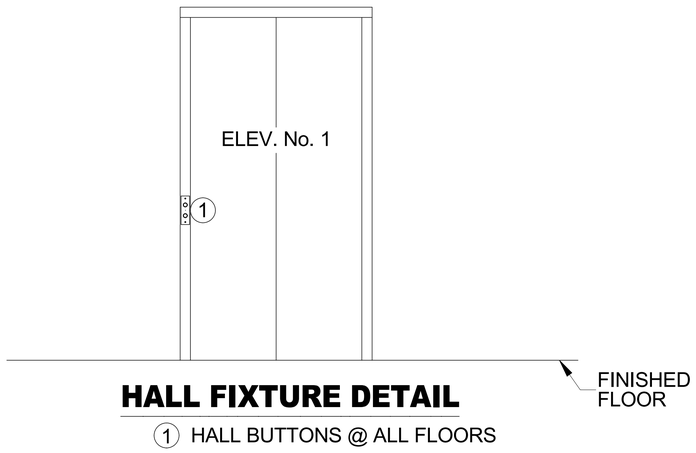

HALL FIXTURE DETAIL

1 HALL BUTTONS @ ALL FLOORS

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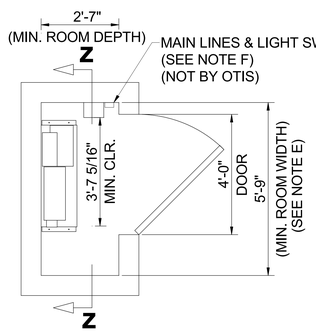
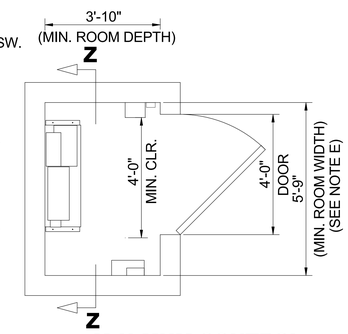
DWG. NO.:	HALL FIXTURES
BUILDING	
LOCATION	
CONT. WITH	
OWNER	
ARCHT.	
CONTRACT NO.	

NOTE - DO NOT SCALE THIS DRAWING

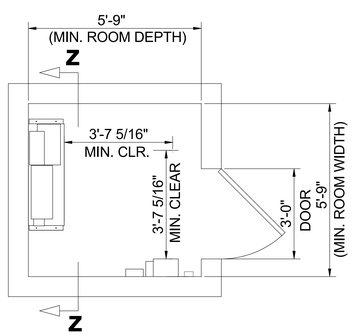
EXPRESS DRAW: A



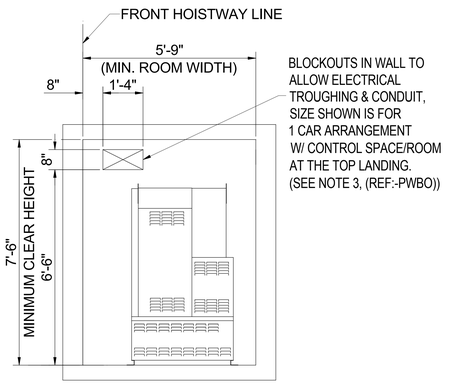
MINIMUM CONTROL SPACE REQUIREMENTS ONE CAR WITHOUT AUTOMATIC RECOVERY OPERATION



MINIMUM CONTROL SPACE REQUIREMENTS ONE CAR WITH AUTOMATIC RECOVERY OPERATION



MINIMUM CONTROL ROOM REQUIREMENTS ONE CAR



SECTION Z - Z

NOTE E

CHECK LOCAL BUILDING CODES FOR HALLWAY CLEARANCES WHEN CONTROL DOORS ARE OPENED FOR SERVICE OF THE ELEVATOR.

NOTE F

THE FRONT SURFACE OF THE MAINLINE DISCONNECT MUST PROJECT INTO CLEAR OPENING OF CONTROL SPACE. IF THE SIZE OF THE CONTROL SPACE IS INCREASED, A MEANS OF LOCATING THE MAINLINE DISCONNECT INTO THE CLEAR OPENING MUST BE PROVIDED.

NOTES:
WEIGHT OF CONTROLLER = 350 lbs.

NOTE 23A

TWO (2) 6"X6" (152mmX152mm) CUTOUTS ARE REQUIRED (NOT BY OTIS). THE ACTUAL LOCATION OF THE CUTOUTS FOR THE TO AND FROM OIL PIPE AND ELECTRICAL TROUGH WILL VARY DEPENDENT UPON MACHINE ROOM LOCATION AND CONFIGURATION,

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DWG. NO.: CONTROL ROOM

BUILDING

LOCATION

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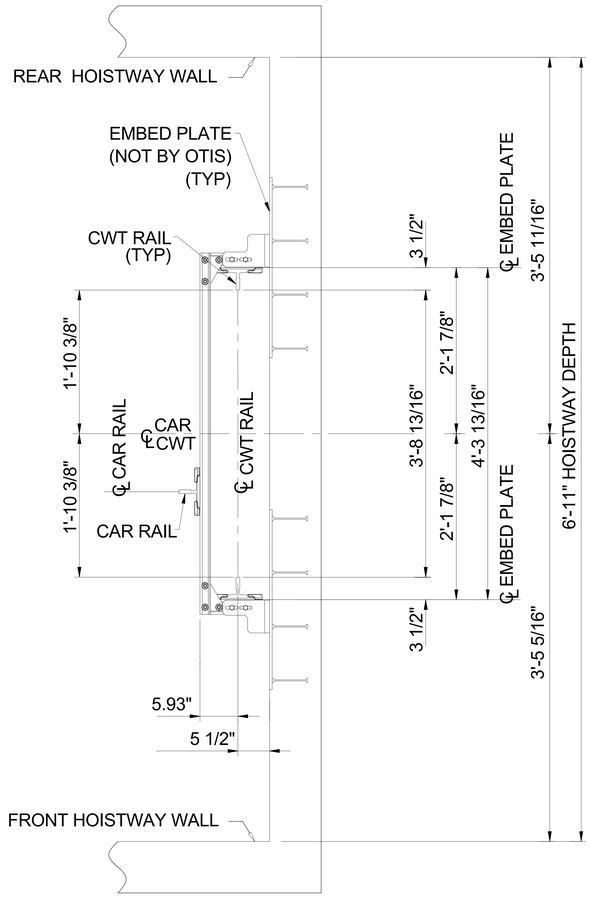

EMBED LOCATION DETAIL
COUNTERWEIGHT BRACKET SUPPORTS

(NOT TO SCALE)

ELEV. No. 1

NOTE A
THESE DIMENSIONS ARE BASED ON HOISTWAY SIZES SHOWN & 30" INSERTS. IF EITHER OF THESE VARY, CONSULT THE SALES REPRESENTATIVE.

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DWG. NO.: EMBED DETAIL

BUILDING

LOCATION

CONT. WITH

OWNER

ARCHT.

CONTRACT NO.

LOAD TABLES

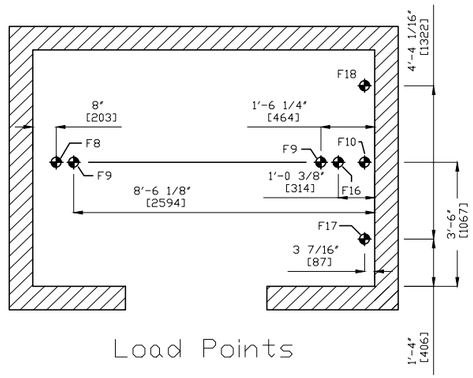
IMPACT LOADS					
VERTICAL LOADS AT PIT (BUFFER IMPACT)		VERTICAL LOADS AT PIT UNDER GUIDE RAILS (INCLUDING IMPACT LOAD DUE TO SAFETIES APPLICATION, GOVERNOR LOAD AND EQUIPMENT ON RAILS)			
F9	F10	F8	F16	F17	F18
18210 LBF	12331 LBF	10860 LBF	14561 LBF	3422 LBF	3422 LBF
[81.0 KN]	[127.0 KN]	[48.3 KN]	[64.8 KN]	[15.2 KN]	[15.2 KN]

CAR RAIL LOADS			
NON-SEISMIC		SEISMIC	
F	P	F	P
270 LBF	119 LBF	639 LBF	320 LBF
[1200 N]	[528 N]	[2842 N]	[1421 N]

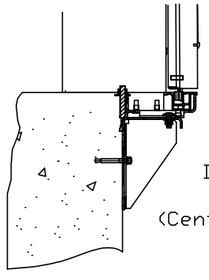
CWT-RAIL LOADS			
NON-SEISMIC		SEISMIC	
F	P	F	P
30 LBF	6 LBF	691 LBF	346 LBF
[134 N]	[28 N]	[3073 N]	[1536 N]

STATIC RAIL LOADS FROM EQUIPMENT SUPPORTED			
F8	F16	F17	F18
4172 LBF	7406 LBF	2132 LBF	2132 LBF
[18.6 KN]	[32.9 KN]	[9.5 KN]	[9.5 KN]

NOTE: F9 & F10 Do not occur simultaneously with F8 & F16

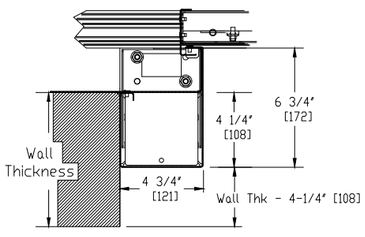


Load Points



Rail Load Diagram

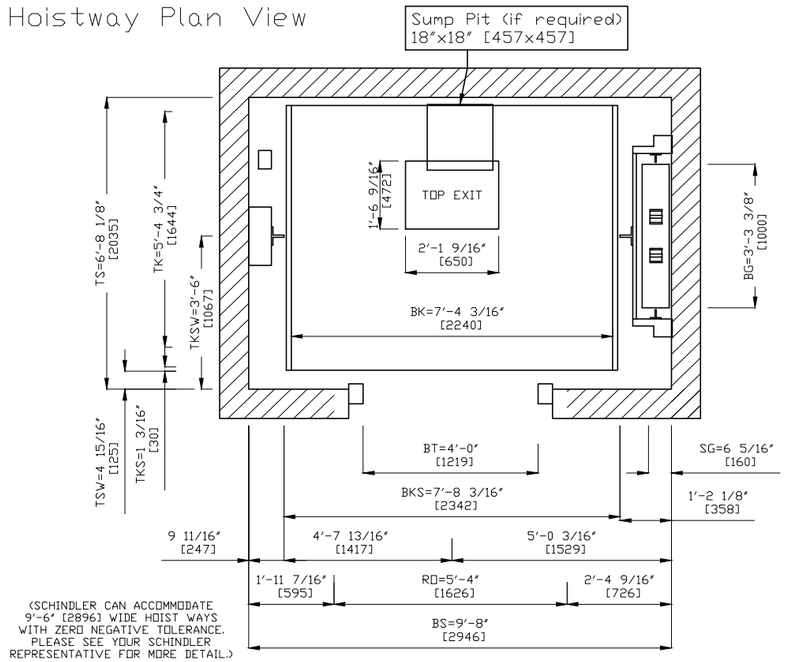
Door Sill Detail (Center Opening)



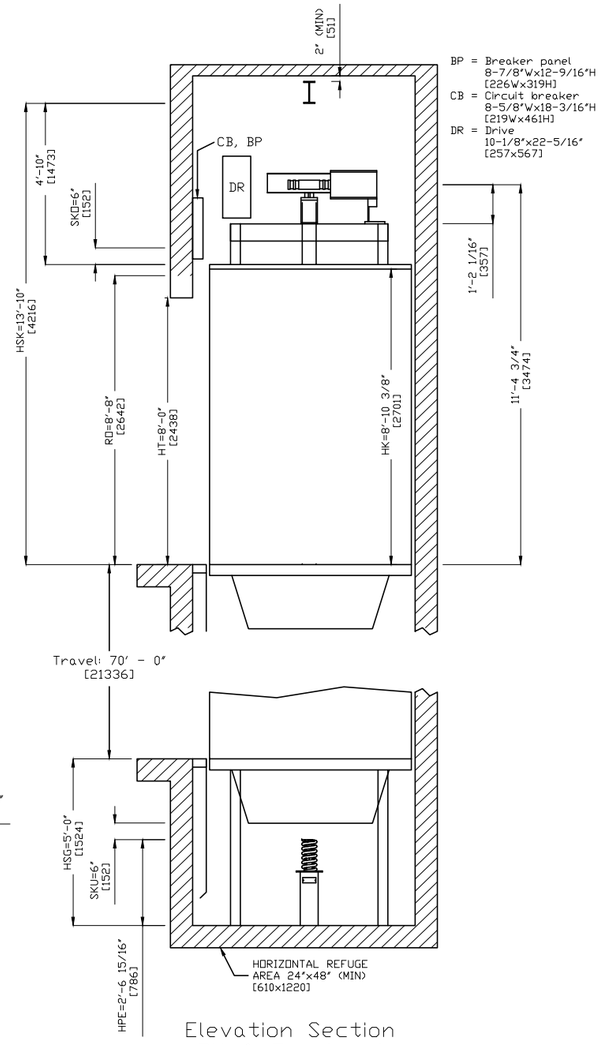
Entrance Jamb Detail (Center Opening)

ACRONYM	DEFINITION	ACRONYM	DEFINITION
BGS	DISTANCE BETWEEN CWT GUIDE RAILS	RO	ROUGH OPENING
BK	CAR WIDTH (INSIDE)	SG	C/L CWT RAIL
BKS	DISTANCE BETWEEN CAR GUIDE RAILS	SKO	TOP RUNBY
BS	HOISTWAY WIDTH	SKU	BOTTOM RUNBY
BT	ENTRANCE OPENING WIDTH (HOISTWAY)	TCRR	TOP OF CAR RAIL
DCL	DOOR C/L	TCWR	TOP OF CWT RAIL
HK	CAB HGT TO UNDERSIDE OF CANOPY	TK	CAR DEPTH (INSIDE)
HSG	PIT DEPTH	TKS	RUNNING CLEARANCE
HSK	OVERHEAD HEIGHT	TKSW	FRONT H/W WALL TO C/L RAILS
HT	ENTRANCE OPENING HEIGHT	TS	HOISTWAY DEPTH
RHD	RAIL HEAD DEPTH	TSW	ENTRANCE SILL DEPTH

Hoistway Plan View



(SCHINDLER CAN ACCOMMODATE 9'-6" [2896] WIDE HOIST WAYS WITH ZERO NEGATIVE TOLERANCE. PLEASE SEE YOUR SCHINDLER REPRESENTATIVE FOR MORE DETAIL.)



Elevation Section Pit & Overhead

PURCHASER NOTES: THE FOLLOWING NOTES SHOULD BE CONSIDERED BY THE PURCHASER BEFORE APPROVING THIS DRAWING
WHEN THE APPLICABLE LOCAL CODES INCLUDE OTHER REQUIREMENTS OR CONFLICT WITH THE REFERENCED CODES BELOW, THE LOCAL CODES SHALL PREVAIL.

1. Clear, plumb, hoistway with variations not to exceed +25mm (+1"). Hoistway enclosure to be fire rated per national code requirements and applicable building codes (rule 2.1.1).
2. Power for construction adjacent to hoistways and machine/control rooms (110/220 volt, single phase, for welders and hoists) and sufficient 3-phase power to run elevator(s) at the same time.
3. 75° bevel guards on all projections, recesses or setbacks over 100mm (4").
4. Provide venting of the hoistway per national code requirements and applicable building codes (rule 2.1.4).
5. Clear, flat, vertical or horizontal surfaces for mounting rail brackets at each floor, in overhead, and intermediate levels (if required).
6. For masonry block hoistway construction, Schindler will provide rail bracket inserts for installation by others.
7. For non-masonry hoistway construction with floor heights exceeding 4.5m (15ft), structural support at 2.4m (8ft) to 4.5m (15ft) above finished floor level for entrance strut angle attachment.
8. Grouting around entrance frames and finished floor and grout to sill line after installation of entrance.
9. Construction barricades (per OSHA requirements) either outside of elevator hoistway(s) or between elevators inside of hoistway(s) as required.
10. Dry pit reinforced to sustain vertical forces from rails and impact loads on buffers (rule 2.2.2). Car buffer impact loads as calculated (rule 8.2.3).
11. Adequate sealing and waterproofing of pit. Effective prevention of pit exposure to storm water or ground water.
12. Sump pit, if required, to be located in rear center of pit floor.
13. GFCI convenience outlet and light fixture with guard in pit (National Electrical Code).
14. Pit ladder for each elevator in compliance with rule 2.2.4.2.
15. GFCI convenience outlet and telephone outlet located in machine/control room.
16. Provide, preferably at the top landing, a lockable, fused disconnect switch or circuit breaker suitable for 3-phase power for the elevator control and a separate lockable, fused disconnect switch for car lighting circuit for each elevator.
17. Building corridors shall be lighted so that the illumination level at the landing sills, when an elevator is in service, shall not be less than 100 LUX (10 FC). (RuleE 2.11.10.2)
18. For areas in seismic zone 2 or greater, provide additional 2" (50 mm) TO hoistway width.
19. Hoist beam(s) required. Contact local Schindler office for sizing and location.
20. Provide suitable feeder and branch wiring circuits from the building service to the controller, including main line switch, for signal systems, power operated doors, car lighting and convenience outlets.
21. A temporary work platform is required for installation of the elevator.
22. If applicable, smoke and/or heat detectors with signals to elevator controller(s).
23. For jurisdictions following ASME A17.1 code prior to 2009, please add 1 additional inch of overhead at 150 FPM.

3300 TRACTION ELEVATOR
PLANS AND DETAILS

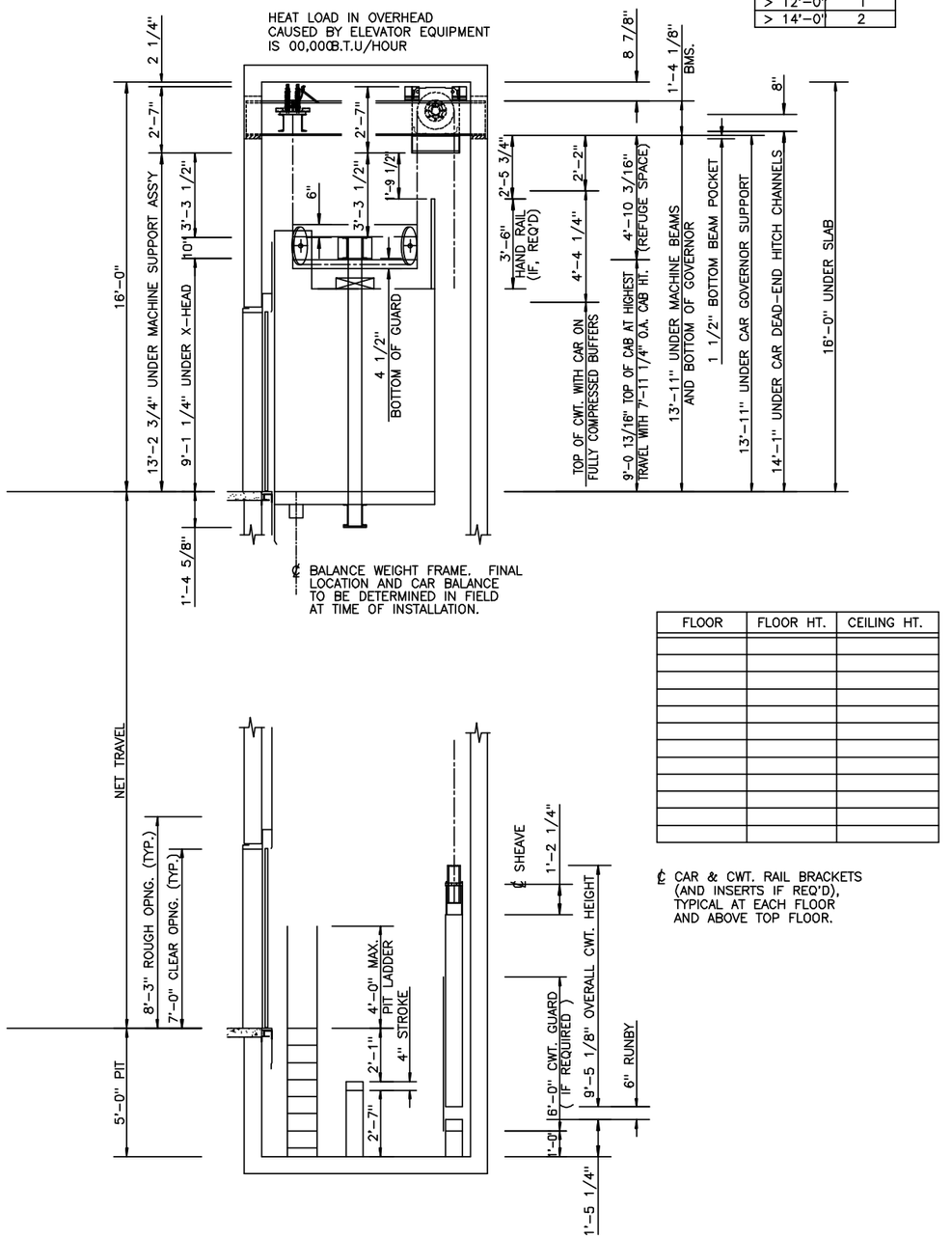
Schindler

SPECIFICATIONS	
CAPACITY: 4000 lbs [1815 kg]	
RATED SPEED: 150 fpm [0.75 mps]	
TRAVEL: 70' – 0" [21.336 m]	
BUILDING:	
LOCATION:	
OWNER:	
ARCHITECT:	ENGINEER:
DRAWN BY: SchindlerDraw 2	DATE: Jun 23, 2021
DRAWING NO:	

HALL FIXTURE	ELEVATOR	FLOORS	POCKET SIZE W	H	D	CL. ABOVE FIN. FLOOR

MAX. BRACKET SPACING CAR	CWT.	CWT. RAIL SIZE
16'–0"	16'–0"	8
	12'–8"	C7

CWT. INTERMEDIATE TIE BRACKET SPACING	QTY.
> 12'–0"	1
> 14'–0"	2



FLOOR	FLOOR HT.	CEILING HT.

℄ CAR & CWT. RAIL BRACKETS (AND INSERTS IF REQ'D), TYPICAL AT EACH FLOOR AND ABOVE TOP FLOOR.

NOTE: CONTINUOUS PIT CHANNELS WITH 1" GROUT

SECTION A–A

* NOTE: COUNTERWEIGHT SPRING BUFFER STANDS SHALL BE REQUIRED WITH CHAIN COMPENSATION.

* AS REQUIRED

TRACTION ELEVATOR CONTRACT DATA

ELEVATOR NUMBER	
TYPE	PASSENGER
CLASS	DESIGNED FOR CLASS "A" FREIGHT LOADING
CAPACITY	3,500 LBS.
MAXIMUM UNIT LOAD	875 LBS.
MAXIMUM AXLE LOAD	875 LBS.
MAXIMUM SUSTAINING LOAD	3,500 LBS.
SPEED	200 F.P.M.
OPERATION	TAC50–04
STOPS	
HOISTWAY ENTRANCES	CENTER OPENING (PWD.)
CAR DOOR	CENTER OPENING (PWD.)
STILE	F6.5 x 6.05
CROSSHEAD	F10 x 13.2
SAFETY PLANK	F10 x 9.45
CAR GUIDE TYPE	ROLLER
BALANCE WEIGHTS	150 LBS.
CAR SAFETY	FLEX CLAMP
GOVERNOR	CAR
MACHINE	TORIN W/ BRAKE
DRIVE SHEAVE DIAMETER	17.32 INCH
ISOLATION	SPECIAL
FULL LOAD MASS	16,050 LBS.
CONTROL	VVVF
POWER SUPPLY	___ V. 3 PH. 60 CYC.
HOIST ROPE (PREFORMED)	(7) 10 mm – DRAKO 250–T 8 x 19 WARRINGTON – IWRC
GOVERNOR ROPE (PREFORMED)	(1) 3/8 IN. 8 x 19 IRON
COMPENSATION CHAIN (WHISPER–FLEX)	(2) WF20 (2 LBS./FT.) PER CHAIN
CAR BUFFER TYPE	(4) SPRING
CAR BUFFER STROKE	4 INCH
CWT. BUFFER TYPE	(2) SPRING
CWT. BUFFER STROKE	5 1/2 INCH
CWT. STILE LENGTH	7'–6"
CWT. GUIDE TYPE	ROLLER
CWT. FILLER TYPE	(53) NO. 121458
TOTAL FILLER WEIGHT	5,270 LBS.
TOTAL CWT. WEIGHT	(50 %) 5,845 LBS.
TOTAL CAR WEIGHT	4,005 LBS.
EST. CAB WEIGHT WITH DOOR OPERATOR CAB TYPE – (TKS)	1,575 LBS.
MACHINE WEIGHT	1,630 LBS.
CAR GUIDE RAILS	15 LBS./FT.
CWT. GUIDE RAILS	□ 8 LBS./FT. □ C12 (Ω)

THE FOLLOWING CONDITIONS MUST BE MET BEFORE INSTALLATION IS COMPLETED, AND ARE NOT INCLUDED IN THE ELEVATOR CONTRACT:

1. A PLUMB, PROPERLY–VENTILATED HOISTWAY (ACCORDING TO CODE AND SIZES SHOWN).
2. ADEQUATE SUPPORT FOR MACHINE BEAMS, GUIDE RAIL BRACKETS, AND BUFFERS (FOR REACTIONS SHOWN).
3. HOISTWAY BARRICADES (ALL CUTTING AND PATCHING TO INSTALL HOISTWAY ENTRANCES, SILLS, AND HALL FIXTURES).
4. PIT LIGHTS AND SWITCH, CONVENIENCE OUTLETS OF THE GFCI TYPE PER NEC, PIT LADDER PER CAR (ACCORDING TO CODE). NOTE: MUST BE CLEAR OF ALL ELEVATOR EQUIPMENT.
5. SEPARATE 120 VOLT, 15 AMP. BRANCH CIRCUITS, ALONG WITH TELEPHONE CIRCUIT WHEN REQUIRED, TO TERMINALS OF EACH REQUIRED CONTROLLER (AS LOCATED ON PLAN VIEW) FOR THE FOLLOWING:
   – CAR LIGHT AND ALARM CIRCUIT WITH RECEPTACLES OF THE GFCI TYPE PER NEC
   – GROUP CONTROL WHEN REQUIRED
   NOTE: IF STANDBY POWER IS SUPPLIED TO THE ELEVATOR, GROUP CONTROL CIRCUIT MUST BE STANDBY POWER BACKED.
6. BRANCH CIRCUIT CONDUCTOR SIZING, MATERIALS, AND INSULATION (INCLUDING BRANCH CIRCUIT OVERCURRENT PROTECTIVE DEVICE) TO COMPLY WITH ALL LOCAL ELECTRICAL CODES (SEE "ELECTRICAL POWER REQUIREMENTS").
   NOTE: ALSO, A FOURTH WIRE OF SAME SIZE AS THREE PHASE WIRES IS REQUIRED FOR GROUNDING PURPOSES TO MINIMIZE ELECTRICAL NOISE INTERFERENCE. THE GROUNDING WIRE MUST BE CONNECTED TO THE BUILDINGS ELECTRICAL SYSTEMS GROUND.
   NOTE: IF STANDBY POWER IS REQUIRED, SEE "ELEVATOR STANDBY POWER OPERATION".
7. AN ENCLOSED CONTROLLER ROOM AREA (ACCORDING TO CODE), WITH ADEQUATE LIGHT, HEAT, VENTILATION (MIN. 32° F., MAX. 104° F. WITH NON–CONDENSING HUMIDITY OF 10–90%), AND SEALED CONCRETE FLOOR SLAB SURFACE.
   NOTE: MUST PROVIDE ADEQUATE DOOR SIZE TO ALLOW INSTALLATION OF EQUIPMENT – OR LEAVE WALL OUT UNTIL EQUIPMENT IS IN PLACE.
   NOTE: MACHINE BEAM DESIGN (PER ASME A17.1).
8. A PROPERLY VENTED HOISTWAY AND MAINTAINED BET. 32° F. AND 122° F.
9. ENTRANCE WALLS WITH LINTELS, NOTE: MUST BE PROVIDED AFTER ENTRANCE FRAMES ARE SET – OR LEAVE A ROUGH OPENING 1'–3" WIDER AND 1'–3" HIGHER THAN THE FRAME OPENING; FOLLOW INSTALLATION PROCEDURES FOR FRAME TO WALL INTERFACE TO MAINTAIN LABELED CONSTRUCTION. FILL IN AROUND FRAMES AFTER THE FRAMES ARE SET.
10. POCKETS IN CORRIDOR WALL (PER FIXTURE DRAWINGS) FOR HALL FIXTURES.
    NOTE: MUST BE LOCATED AS DIRECTED BY ELEVATOR CONTRACTOR.
11. SMOKE SENSORS (AS REQUIRED).
12. CONDUIT AND WIRING FROM HOISTWAY TO ELEVATOR MONITORING PANELS (FOR SECURITY, LIFE SAFETY, OR FIRE REQUIREMENTS).

RAIL FORCES		F_1	F_2
F1 F2	LOADING OR UNLOADING	450 LBS.	435 LBS.

MAXIMUM VERTICAL FORCE ON EACH GUIDE RAIL DUE TO SAFETY APPLICATION.	CAR
	8,910 LBS.

NOTE A: ALL REACTIONS INCLUDE ALLOWANCE FOR IMPACT.

NOTE B: THYSSENKRUPP ELEVATOR TO BE NOTIFIED OF ANY CHANGE TO ELEVATOR HOISTWAY OR MACHINE ROOM DESIGN PRIOR TO FABRICATION OF ELEVATOR EQUIPMENT.

NOTE C: ELEVATOR DESIGN AND FABRICATION BASED ON ESTIMATED CAB WEIGHT SHOWN. LAYOUT APPROVAL WILL BE CONSTRUED AS FINAL CAB WEIGHT, UNLESS OTHERWISE NOTIFIED.

DATE	SYM.	REVISION	BY	CHKD.

DO NOT SCALE THIS DRAWING

ELEVATOR CONTRACTOR	CONTRACT NUMBER

FOR:

ADDRESS:

CITY:

ARCHITECT:

GENERAL CONTRACTOR:

THIS DRAWING AND ALL INFORMATION THEREON IS THE PROPRIETARY PROPERTY OF THYSSENKRUPP ELEVATOR AND MUST NOT BE MADE PUBLIC OR COPIED. THIS DRAWING IS LOANED SUBJECT TO RETURN ON DEMAND AND IS NOT TO BE USED DIRECTLY OR INDIRECTLY, IN ANY MANNER DETRIMENTAL TO THE INTEREST OF THYSSENKRUPP ELEVATOR.

SYNERGY NON–SEISMIC – 3500/200 C/O SN015

ThyssenKrupp Elevator Americas

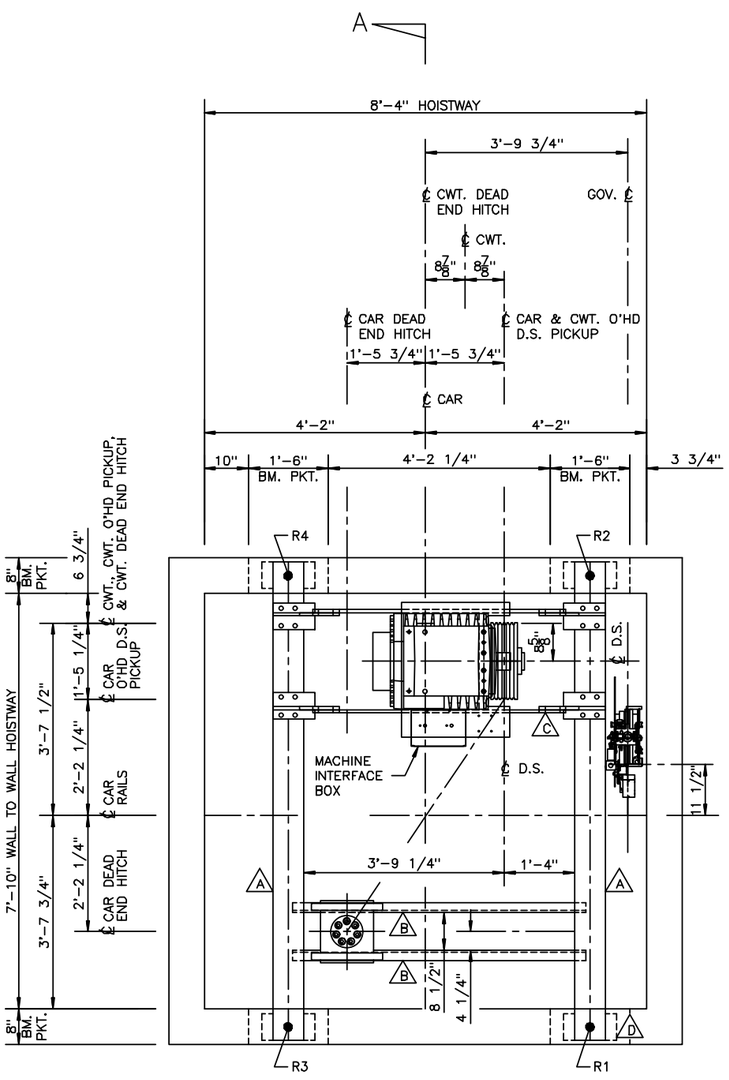
ThyssenKrupp

9/9/2011
GEMANTOWN, TN.

DRAWN	DATE	CHKD.	JOB NUMBER	REV.	SHEET NO.
					OF

HEAT LOAD IN CONTROLLER CLOSET
CAUSED BY ELEVATOR EQUIPMENT IS
IN B.T.U./HOUR UNITS PER CHART BELOW

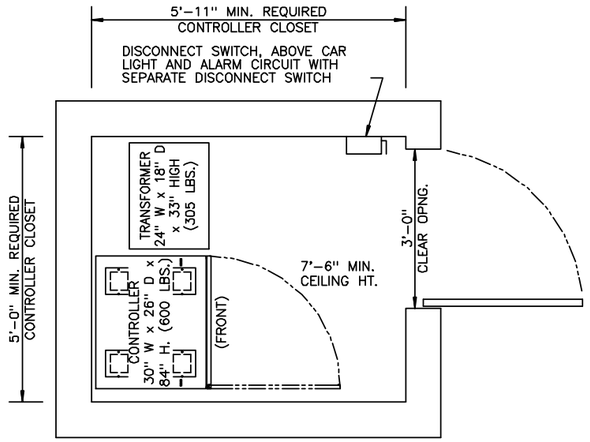
CAR SPEED	WITHOUT TRANSFORMER	WITH TRANSFORMER	REGENERATIVE DRIVE
200	1650	2210	NO
350	2070	3045	NO
200	560	1115	YES
350	980	1955	YES



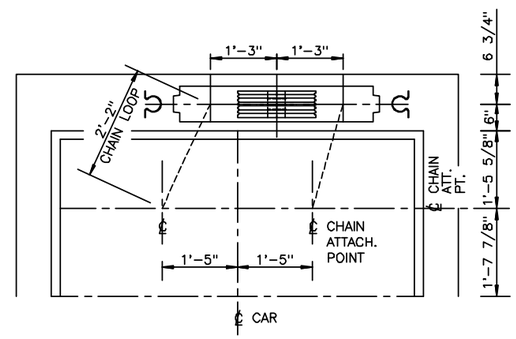
NOTE: STANDARD BEAM POCKET ARRANGEMENT SHOWN FOR THE INSTALLATION OF THE OVERHEAD BEAMS. ANY DEVIATION FROM BEAM POCKET TYPE OF SUPPORT WILL REQUIRE APPROVAL FROM THE FACTORY.

A

PLAN OF OVERHEAD



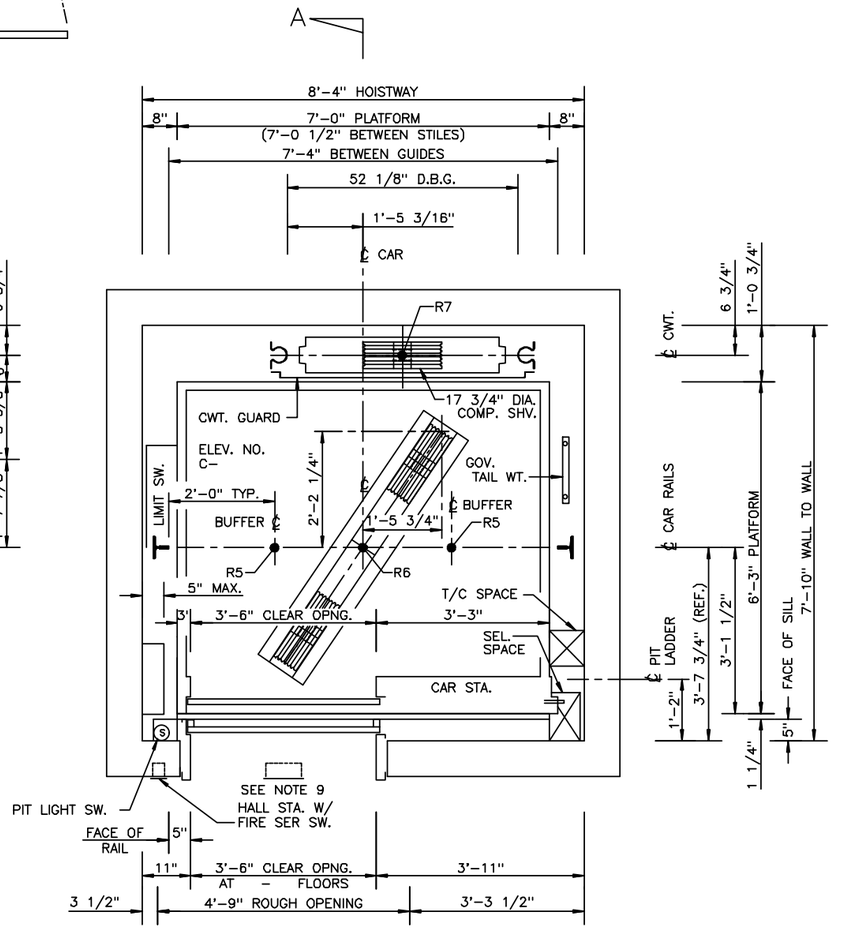
PLAN OF CONTROLLER CLOSET



CHAIN COMPENSATION
ATTACHMENT POINTS

OVERHEAD REACTIONS (LBS.)	
R1	4,600
R2	14,000
R3	6,700
R4	8,000

OVERHEAD BEAMS, SUPPORT PLATES, AND BEARING PLATES		
QTY.	MARK	DESCRIPTION
2	A	W16 x 45 x 9'-0" LONG
2	B	C8 x 11.5 x 5'-6 1/4" LONG
1	C	MACHINE SUPPORT ASSEMBLY
4	D	6" x 1'-0" x 3/4" STEEL PLATE



A

PLAN OF HOISTWAY

BUFFER REACTIONS (LBS.)		
	200 F. P. M.	350 F. P. M.
R5	13,600	-----
R6	-----	32,500
R7	18,600	25,350

DATE	SYM.	REVISION	BY	CHKD.

FOR:

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SYNERGY NON-SEISMIC - 3500/200-350 LH SN018

ThyssenKrupp Elevator Americas

ThyssenKrupp

9/9/2011
GERMANTOWN, TN.

DRAWN	DATE	CHKD.	JOB NUMBER	REV.	SHEET NO.
					OF

CDG
CANNON
DESIGN
GROUP

ARCHITECTURE PLANNING URBAN DESIGN

May 20, 2021

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

RE: 355 First Street

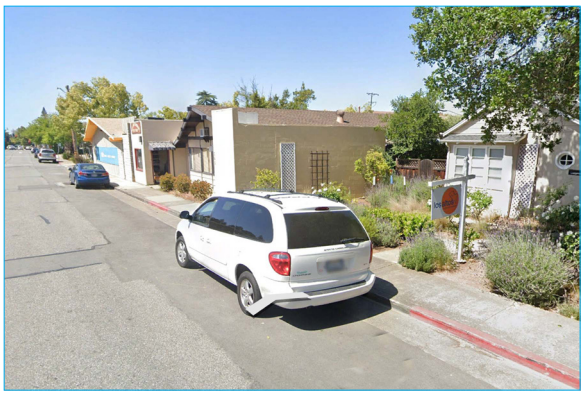
Dear Guido:

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

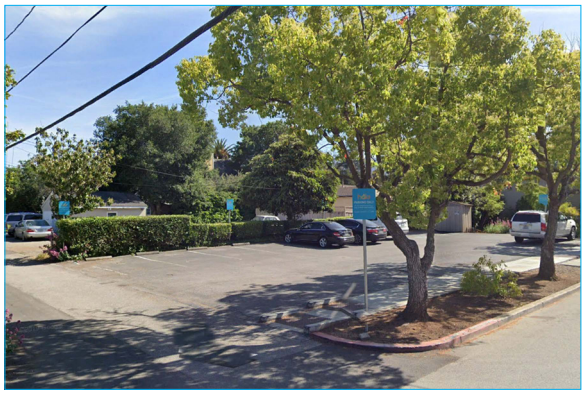
SITE CONTEXT

The site is located in the CD/R3 Downtown/Multiple Family District in an area characterized by older one and two-story commercial buildings. New development along First Street has started to occur in recent years. Four other multifamily developments have been recently approved along First Street. Photos of the site and immediate context are shown on the following page.

THE SITE at Corner



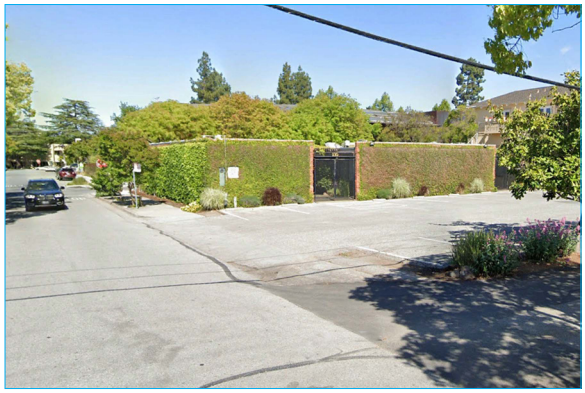
THE SITE: First Street Frontage



THE SITE at Alley

Adjacent First Street to South: East Side

Parking lot immediately across Whitney Street



Parking lot immediately across Alley

Commercial building across First Street

Commercial building across Whitney Street

DESIGN REVIEW FRAMEWORK

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

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

The Commercial/Multi-Family Design Findings and the CD/R3 District Design Controls provide guidance for the development of this site, but are less specific than the Downtown Design Guidelines. The Downtown Design Guidelines include the identification of defining Village Character Elements and specific guidelines for the Downtown Core District, Mixed Commercial District, and First Street District. The First Street District design guidelines include some guidelines unique to the First Street District, but also contains the following introductory text.

FIRST STREET DISTRICT

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

INTENT

A. Promote the implementation of the Los Altos Downtown Design Plan.

B. Support and enhance the downtown Los Altos village atmosphere.

D. Respect the scale and character of the area immediately surrounding the existing downtown pedestrian district.

Specific relevant design guidelines include the following:

5.2 ARCHITECTURE

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

5.2.1 Design to a village scale and character

a) Avoid large box-like structures.

b) Break larger buildings into smaller scale elements.

c) Provide special design articulation and detail for building facades located adjacent to street frontages.

d) Keep focal point elements small in scale.

e) Utilize materials that are common in the downtown core.

f) Avoid designs that appear to seek to be prominently seen from Foothill Expressway and/or San Antonio Road in favor of designs that focus on First Street, and are a part of the village environment.

g) Provide substantial small scale details.

h) Integrate landscaping into building facades in a manner similar to the Downtown Core District.

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

DOWNTOWN VILLAGE CHARACTER

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

ARCHITECTURAL STYLE

These guidelines are not intended to establish or dictate a specific style beyond the desire to maintain Downtown Los Altos' small town character and attention to human scale and detail. In general, diverse and traditional architectural styles that have stood the test of time are preferred.
Designs merely repeated from other cities or without thought to the special qualities of Los Altos are strongly discouraged, and unlikely to be accepted.

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

3.2.1 Continue the pattern and scale established by existing buildings

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

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

b) Break larger buildings up into smaller components.

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

d) Utilize awnings and canopies at windows and entries.

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

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

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

- *Wood doors and window frames are strongly encouraged.*

i) Enhance the pedestrian experience with interesting architectural details.

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

j) Provide special storefront and facade lighting.

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

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

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

b) Relate second floor uses to the pedestrian environment on the street level.
Some methods of achieving this include the following:

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

c) Utilize operable windows in traditional styles.

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

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

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

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

PROPOSED PROJECT

The project consists of four floors of residential units over a subterranean garage.

First Street / Whitney Street Intersection Facades

First Street Facade

Whitney Street Facade

Rear Alley Facade

PLANNING COMMISSION STUDY SESSION
(January 21, 2021)

The Planning Commission held a study session on the project on January 21, 2021. Major concerns and comments from that meeting include the following:
Source: Planning Commission Minutes

PUBLIC COMMENTS

1. *The project is a massive cube and needs more articulation.*
2. *This is a missed opportunity, and this project belongs on El Camino Real.*
3. *The 15% affordable BMRs is too low, and should be at least 20%.*
4. *The fourth floor needs a setback.*
5. *Traffic concerns.*

PLANNING COMMISSION CONCERNS

1. *This is a massive building.*
2. *The fourth floor could benefit from some setbacks and better articulation.*
3. *There are missed opportunities.*
4. *Building should incorporate a peaked roof along Whitney Street.*
5. *The 46-foot-tall architecture is not redeeming.*
6. *Does not know if the material mix works.*
7. *Could the project be toned down in some manner.*
8. *Design needs work.*

9. *Parking is good / appreciate that no lifts are used.*
10. *Impression that the project has been designed from the inside out.*
11. *The rear elevation has balconies, and is more successful than the front.*
12. *Could the units be made smaller to make them more affordable / fewer and smaller units would require less overall square footage.*
13. *Asked if a mixed use project has been considered.*
15. *Think about downtown walkability and pedestrian scale.*
16. *Good start, but more works needs to be done.*
17. *This is an opportunity to create a buffer zone at the sidewalk between the pedestrian zone and the building.*
18. *The middle light well creates a tunnel effect.*
19. *Agrees that this is a little too bulky for First Street.*
20. *The Objective Zoning Standards being considered by the City would require a different building with more step backs at the upper levels.*
21. *Appreciate the vision to group parcels.*
22. *Four stories is the future for the City.*
23. *The proposed design does not have a downtown pedestrian feel, and would be more appropriate for El Camino Real.*
24. *Suggested the architect pay attention to the Objective Zoning Standards being developed by the City.*
25. *The building needs more vertical and horizontal articulation.*
26. *The building reads as one larger expanse, and could be articulated better.*
27. *Recess the upper floors.*
28. *Have more than one entrance.*
29. *More landscaping would be better.*
30. *Needs a softer transition between the building and the back of the sidewalk.*
31. *The building could be warmed up with smaller bays, and different use of materials.*
32. *Concerns with privacy related to the window placement and style.*
33. *Needs a more residential feel.*
34. *More thought and detail need to be given to the balconies.*
35. *Roof deck needs to insulate noise and light to neighbors.*
36. *Back alley widening is a plus and needed.*
37. *The City should take time to revisit the parking space widths to get more spaces as the applicant suggested.*
38. *Agreed that the building would be more appropriate to El Camino Real.*
39. *Less bulk and mass would be better.*
40. *Need more space for children and families.*
41. *Project could use more affordable units.*
42. *Project does not appear as a "residential" development.*
43. *Design is lacking, and does not fit into our downtown.*
44. *Building is the same horizontally and vertically.*
45. *Review the corners.*
46. *Too heavy a form at the top of the building.*
47. *May be too dense.*
48. *Project lacks Village Character.*
49. *Lacks a mix of heights.*
50. *Materials need more work because the building looks heavy and has too much similarity.*
51. *The entry is under whelming for a 50-unit building.*
52. *The interior courtyard square footage could be used in a better way.*
53. *The design does not go beyond what is required.*
54. *Consider how this building will relate to pedestrians and the community.*

COMPARISON WITH RECENTLY APPROVED MULTIFAMILY DEVELOPMENTS ON FIRST STREET

Four multifamily projects have been recently reviewed and approved - see illustrations below.

The projects at 389, 425, and 440 First Street have three stories of residential units above grade while 450 First Street and this project at 355 have four stories above grade. A comparison of the projects' First Street facades are shown below at a matching scale.

DESIGN EVALUATION

The proposed design is well done, and in some other location outside of Downtown Los Altos, might be welcomed. However, the community expectations for development within Downtown Los Altos, as expressed in the city's ***Downtown Vision Plan*** and ***Downtown Design Guidelines***, asks for much more than would perhaps be expected in another city or even for another location within Los Altos.

The vision plan states that Los Altos is committed to a community-focused, economically viable, and village-scaled Downtown through:

- ***Maintaining the village character unique to Los Altos while also allowing small, incremental change through implementation of complementary land use and parking policies.***

Likewise, the Downtown Design Guidelines clearly states that development within the First Street District is expected to feature Village Scale and Character design forms and details.

Satisfying these community expectations requires a seriously focused design effort, but is especially challenging for larger developments such as 355 First Street. The recommendations in this letter focus on addressing the commissioners' concerns, and modifying the proposed design to better address the issue of Village Scale and Character. Recommended changes will focus on the following:

- **Enhancing the Village Scale and Character of the development.**
- **Enhancing the residential character of the development.**
- **Reducing the visual mass and bulk of the structure.**
- **Reducing the perceived height of the structure.**
- **Enhancing the pedestrian experience.**
- **Softening the design with materials, colors and details.**

RECOMMENDATIONS

The illustrative First Street elevation shown below is one way to incorporate the design goals into future design modifications. Other approaches that adhere to the design goals are, of course, possible, and design refinements to the elevation shown would be expected in any case. The basic floor plans, floor heights and windows have not been changed in the illustrative recommendations to minimize potential conflicts with the building's functioning, and to allow an apples-to-apples comparison. When I review the design of challenging developments like this one, I first identify the issues, and then look through the thousands of project examples in my files to find ones where similar conditions have been successfully addressed. In this review, the recommended approach draws heavily from projects which have successfully applied building forms and details to reduce visual mass and height while adding details that would be complementary to the community's expectation of a project design with Village Scale and Character as a primary goal.

The recommendations below draw on several successful projects, but the basic forms and concepts are drawn from a somewhat more urban context in Vancouver, B.C. where a four-story residential development has been designed to fit comfortably with smaller scale nearby residential neighborhoods - see photo below.

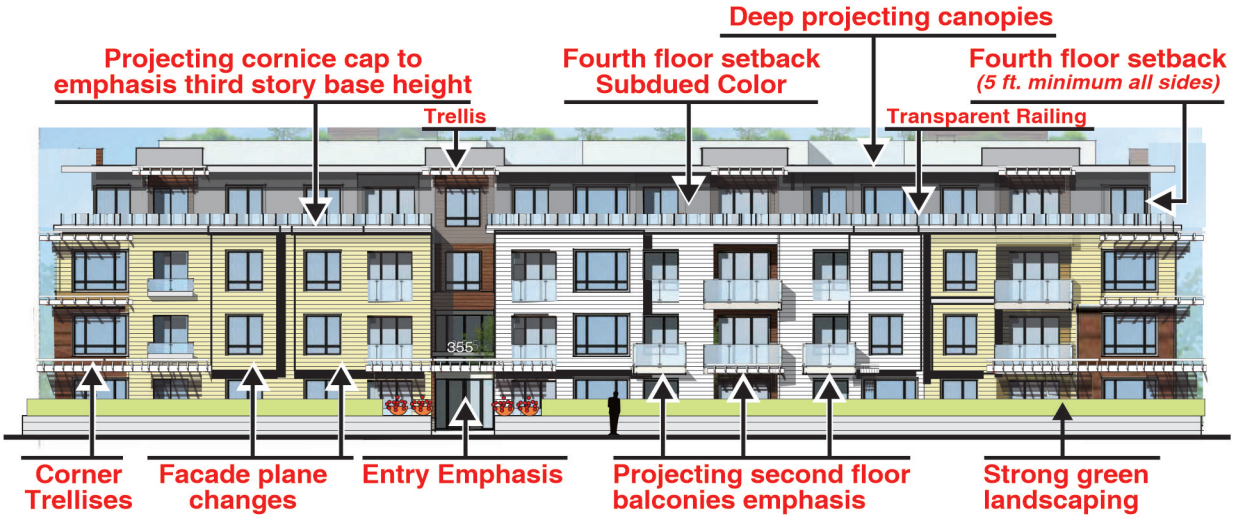
ILLUSTRATIVE ELEVATION RECOMMENDATION

CURRENTLY PROPOSED FIRST STREET ELEVATION

RECOMMENDED FIRST STREET ELEVATION

RECOMMENDED DESIGN TECHNIQUES

1. **Strong ground floor focus on the pedestrian experience and first floor residential units livability.**
2. **Small scale architectural detail at the second floor level to stress pedestrian scale and strengthen residential character with balcony activity close to pedestrian level.**
3. **Entry emphasis with architectural detail and landscaping.**
4. **Significant setback of fourth floor, and muted color and detailing to visually subordinate the upper floor.**
5. **Building corner architectural detailing.**
6. **Break up of large building facades with color, facade and/or material changes.**
7. **Facade articulation through recessed windows and balconies.**



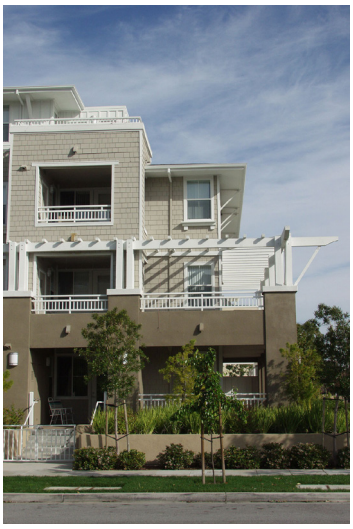
Board siding is recommended to soften the design and emphasize its residential character

RECOMMENDATIONS COMMENTARY AND EXAMPLES

OVERALL BUILDING FORM AND ARTICULATION

Some of the basic principles one might draw from the Vancouver example are shown on the photos below.

These principles have been incorporated into the recommended First Street elevation above. One other successful approach is shown in the San Mateo Metropolitan Apartments project below. That approach provides additional facade step backs beyond those shown on the recommended elevation.



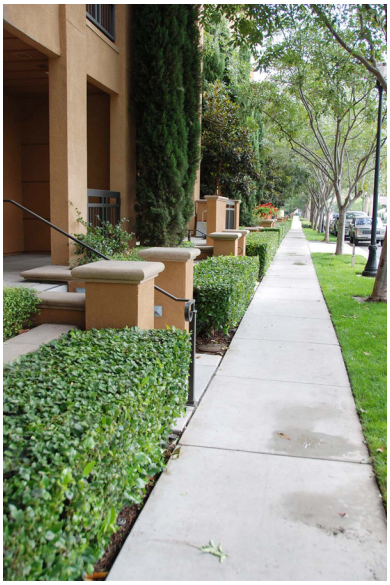
GROUND FLOOR TREATMENT

There are two challenges that need to be addressed. The first is to enrich the pedestrian experience, and mitigate higher density development constructed near bounding property lines. The second, for projects that include residential units on the ground floor adjacent to pedestrian ways, is enhancing the living environment for the ground floor units and providing privacy to each unit. The currently proposed design, shown in illustration below, fails to addresses either of these issues.

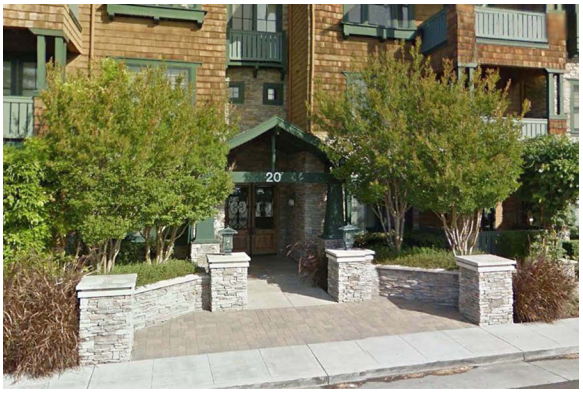
The recently approved four-story multifamily project at 450 First Street is the one most closely resembling 355 First Street. The sketch below shows the First Street frontage landscaping approved for that project.

Another approach, used for the Vancouver example described above, is to totally shield units adjacent to sidewalks with usable patios and tall buffer landscaping - see photo below.

A few other common setback buffer examples are shown below.



The building entry is an integral apart of the ground floor treatment. To respect the village scale and character intent, it should not be large or formal. Treating it as a part of the landscaping, as shown on the recommended elevation, would be an appropriate approach. The photos below show a couple of examples.



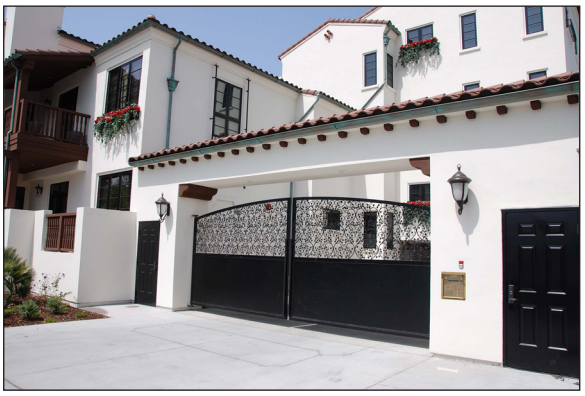
CORNERS AND TRELLISES

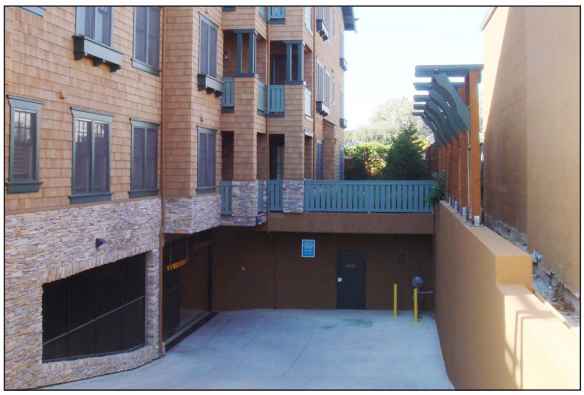
Trellises are a useful element in adding architectural detail to a multifamily residential facade - both as corner elements and as accent to individual windows and balconies. Its repetition across a facade can provide a visually unifying design element - see examples below.

GARAGE ENTRIES

The currently proposed facades related to the garage entry would benefit from some additional design attention - see facade segments below.

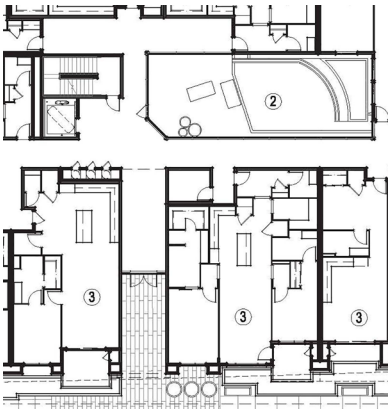
Designing the garage entry to better integrate it into the overall building facade would result in its blending into the design rather than standing out as a focal point. A couple of examples are shown below that are integral to the overall design,



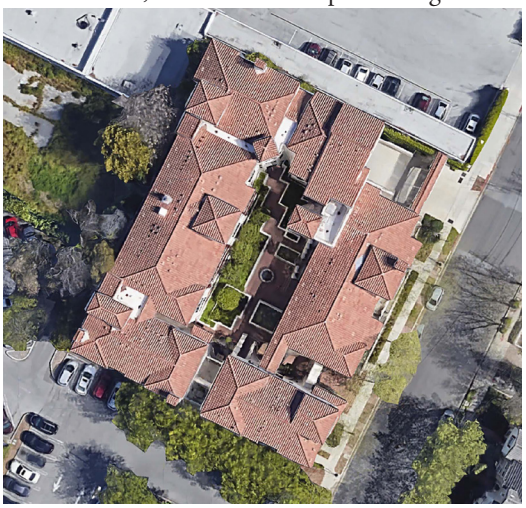


Note that the garage entrance here is more than a concrete box. Side wall materials and heights seek to improve its visual appearance.

INTERIOR COURTYARD ATRIUM



The proposed entry courtyard atrium seems like a lost opportunity. It appears to be surrounded by glazing at the first floors and all floors above grade.
There may be some special code provisions that are driving this design, but I've seen other open air atria in multifamily housing that seem more human and visually pleasant.
The courtyard atrium in a Mountain View multifamily project shown below is similar in size, but has a more open feeling.



Landscaping within these courtyards provides another special challenge since they are located on top of the below-grade garage parking enclosure. The simplest approach is to place landscaping in raise planters, as shown in the photo to the to the right. While that can allow some mature plantings, it can in some cases feel a bit like a mouse maze, Planting beds can be brought nearer to the floor level, but require special structural accommodation in the garage structure. Potted plants can also provide greenery without the continuous walls of the raised planters. Also, the courtyard atria can have other special landscaping features. The fountains below are both within small courtyards over parking structures.

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

Sincerely,

CANNON DESIGN GROUP

Larry L. Cannon

Public Review Initial Study/Mitigated Negative Declaration

355 First Street Residential Project

November 2021

Prepared by

EMC Planning Group

PUBLIC REVIEW MITIGATED NEGATIVE DECLARATION

355 FIRST STREET RESIDENTIAL PROJECT

PREPARED FOR

City of Los Altos

Guido Persicone, Planning Services Manager

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Los Altos, CA 94022

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November 2021

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PROPOSED MITIGATED NEGATIVE DECLARATION

In Compliance with the California Environmental Quality Act (CEQA)

The City Council of the City of Los Altos has considered the project identified below and has adopted the following Mitigated Negative Declaration pursuant to the California Environmental Quality Act:

Project Name:	355 First St. Residential Project
Lead Agency:	City of Los Altos
Project Proponent:	355 1st St LLC. C/O DeNardi Wang Homes
Project Location:	355, 365, 371, 373 First St., Los Altos, CA
Project Description:	The proposed project includes demolition of the seven existing buildings and construction of a 79,431 square foot, 50-unit, four story condominium building and two levels of underground parking.
Written Comments To	Guido Persicone Planning Services Manager City of Los Altos 1 N. San Antonio Road Los Altos, CA 94022
Proposed Findings	The City of Los Altos is the custodian of the documents and other material that constitute the record of proceedings upon which this decision is based. The initial study indicates that the proposed project has the potential to result in significant adverse environmental impacts. However, the mitigation measures identified in the initial study would reduce the impacts to a less than significant level. There is no substantial evidence, in light of the whole record before the lead agency (the City of Los Altos) that the project, with mitigation measures incorporated, may have a significant effect on the environment. See the following project-specific mitigation measures:

Mitigation Measures

Air Quality

AQ-1 The project applicant shall include the following BAAQMD best management practices to minimize DPM (PM10) and PM2.5 emissions on the project plans and the contractor shall implement them during all phases of construction:

a. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day;

b. All haul trucks transporting soil, sand, debris, or other loose material off-site shall be covered;

c. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited;

d. All vehicle speeds on unpaved roads shall be limited to 15 miles per hour;

e. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used;

f. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points;

g. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation; and

h. Post a publicly visible sign with telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The BAAQMD's phone number shall also be visible to ensure compliance with applicable regulations.

AQ-2 Prior to the issuance of the demolition and grading permits, the project developer shall prepare, and the project contractor shall implement, a demolition and construction emissions avoidance and reduction plan demonstrating a minimum 30 percent reduction in DPM emissions.

The plan shall be prepared at the applicant's expense and shall be reviewed and approved by the City's Director of Planning or Director's designee, prior to issuance of demolition and grading permits. The plan shall be accompanied by a letter prepared by a qualified air quality consultant, verifying the equipment included in the plan meets the standards set forth in this mitigation measure. The plan shall include the following measures:

a. At least five of the mobile diesel-powered off-road equipment operating on-site for more than two days and larger than 50 horsepower shall, at a minimum, meet U.S. Environmental Protection Agency (EPA) particulate matter emissions standards for Tier 4 engines. The plan shall include specifications of the equipment to be used during construction and confirmation this requirement is met; and,

b. Other demonstrable measures identified by the developer and confirmed by the air quality consultant, that reduce emissions and avoid or minimize the affected sensitive receptors exposures by at least 30 percent.

Biological Resources

BIO-1 Prior to issuance of tree removal, demolition, and grading permits, to avoid impacts to nesting birds during the nesting season (January 15 through September 15), construction activities within or adjacent to the project site boundary that include any tree or vegetation removal, demolition, or ground disturbance (such as grading or grubbing) shall be conducted between September 16 and January 14, outside of the bird nesting season. If this type of construction occurs during the bird nesting season, then a qualified biologist shall conduct pre-construction surveys for nesting birds to ensure that no nests would be disturbed during project activities.

If project-related work is scheduled during the nesting season (February 15 to August 30 for small bird species such as passerines; January 15 to September 15 for owls; and February 15 to September 15 for other raptors), or if construction activities are suspended for at least 14 days and recommence during the nesting season, a qualified biologist shall conduct nesting bird surveys.

a. Two surveys for active bird nests shall occur within 14 days prior to start of construction, with the final survey conducted within 48 hours prior to construction. Appropriate minimum survey radii surrounding each work area are typically 250 feet for passerines, 500 feet for smaller raptors, and 1,000 feet for larger raptors. Surveys shall be conducted at the appropriate times of day to observe nesting activities. Locations off the site to which access is not available may be surveyed from within the site or from public areas. A report documenting survey results and plan for active bird nest avoidance (if needed) shall be completed by the qualified biologist prior to initiation of construction activities.

b. If the qualified biologist documents active nests within the project site or in nearby surrounding areas, an appropriate buffer between each nest and active construction shall be established. The buffer shall be clearly marked and maintained until the young have fledged and are foraging independently. Prior to construction, the qualified biologist shall conduct baseline monitoring of each nest to characterize "normal" bird behavior and establish a buffer distance, which allows the birds to exhibit normal behavior. The qualified biologist shall monitor the nesting birds daily during construction activities and increase the buffer if birds show signs of unusual or distressed behavior (e.g. defensive flights and vocalizations, standing up from a brooding position, and/or flying away from the nest). If buffer establishment is not possible, the qualified biologist or construction foreman shall have the authority to cease all construction work in the area until the young have fledged and the nest is no longer active. Developers shall be responsible for implementation of this mitigation measure with oversight by the City of Los Altos. Compliance with this measure shall be documented and submitted to the City prior to issuance of tree removal, demolition, and grading permits.

BIO-2 Prior to issuance of a tree removal permit and/or a grading permit, developers shall retain a certified arborist to develop a site-specific tree protection plan for retained trees and supervise the implementation of all proposed tree preservation and protection measures during construction activities, including those measures specified in the 2021 Arborist Report (Kielty Arborist Services LLC). Also, in accordance with the City's Tree Protection Ordinance, the developer shall obtain a tree removal permit for proposed tree removals and shall install replacement trees in accordance with all mitigation, maintenance, and monitoring requirements specified in the tree removal permit(s) or otherwise required by the City for project approvals.

Cultural Resources

CUL-1 In the event that prehistoric or historic resources are encountered during excavation and/or grading of the site, all activity within a 50-foot radius of the find will be stopped, the Director of Community Development will be notified, and the archaeologist will examine the find and make appropriate recommendations, in collaboration with a Tamien Tribal representative, prior to commencement of construction. Recommendations could include collection, recordation, and analysis of any significant cultural materials. A report of findings documenting any data recovery during monitoring would be submitted to the Director of Community Development, the California Historical Resources Information System (CHRIS) and the Tamien Nation.

CUL-2 In the event that human remains are discovered during excavation and/or grading of the site, all activity within a 50-foot radius of the find will be stopped. The Santa Clara County Coroner will be notified and will make a determination as to whether the remains are of Native American origin. If the remains are determined to be Native American, the Coroner will notify the Native American Heritage Commission (NAHC) immediately. Once NAHC identifies the most likely descendants, the descendants will make recommendations regarding proper burial, which will be implemented in accordance with Section 15064.5(e) of the CEQA Guidelines.

Geology and Soils

GEO-1 The project proponent shall ensure all construction personnel receive paleontological resources awareness training that includes information on the possibility of encountering fossils during construction; the types of fossils likely to be seen, based on past finds in the project area; and proper procedures in the event fossils are encountered. Worker training shall be prepared and presented by a qualified paleontologist. The applicant shall provide the Community Development Director with documentation showing the training has been completed by all required construction personnel prior to issuance of grading permits.

GEO-2 If vertebrae fossils are discovered during construction, all work within 50 feet of the discovery shall stop immediately until a qualified professional paleontologist can assess the nature and importance of the find and recommend appropriate treatment. Treatment may include avoidance, if feasible, preservation in place, or preparation and recovery of fossil materials so that they can be housed in an appropriate museum or university collection and may also include preparation of a report for publication describing the finds.

Hazards and Hazardous Materials

HAZ-1 Prior to issuance of a demolition permit, the following measures shall be incorporated into demolition plans:

a. All PCB-containing ballasts shall be removed and disposed of in accordance with state and local laws.

b. All potentially friable asbestos-containing materials shall be removed in accordance with National Emissions Standards for Hazardous Air Pollutants (NESHAP) guidelines prior to building demolition or renovation that may disturb the materials.

c. All demolition activities will be undertaken in accordance with Cal/OSHA standards, contained in Title 8 of the California Code of Regulations (CCR), Section 1529, to protect workers from exposure to asbestos. Materials containing more than one percent asbestos are also subject to BAAQMD regulations.

d. During demolition activities, all building materials containing lead-based paint shall be removed in accordance with Cal/OSHA Lead in Construction Standard, Title 8, California Code of Regulations 1532.1, including employee training, employee air monitoring and dust control. Any debris or soil containing lead-based paint or coatings will be disposed of at landfills that meet acceptance criteria for the waste being disposed.

Noise

NOI-1 Modification, placement, and operation of construction equipment are possible means for minimizing the impact of construction noise. Construction equipment shall be well-maintained and used judiciously to be as quiet as possible. Additionally, construction activities for the proposed project shall include the following best management practices to reduce noise from construction activities near sensitive land uses:

- Noise generating construction activities shall be limited to the hours between 7:00 a.m. and 5:30 p.m., Monday through Friday, and on Saturdays between 9:00 a.m. and 3:00 p.m., in accordance with the city's municipal code for construction in a single-family residential zone. Construction is prohibited on Sundays and holidays, unless permission is granted with a development permit or other planning approval.

- Use of the concrete saw within 50 feet of any shared property line shall be limited.
- Equip all internal combustion engine-driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the equipment.
- Unnecessary idling of internal combustion engines in construction equipment with a horsepower rating of 50 or more shall be strictly prohibited, and limited to five minutes or less, consistent with BAAQMD best management practices.
- Locate stationary noise-generating equipment, such as air compressors or portable power generators, as far as possible from sensitive receptors (residences). If they must be located near sensitive receptors, adequate muffling (with enclosures where feasible and appropriate) shall be used to reduce noise levels at the adjacent sensitive receptors. Any enclosure openings or venting shall face away from sensitive receptors.
- Utilize "quiet" air compressors and other stationary noise sources where technology exists.
- A temporary noise control blanket barrier could be erected, if necessary, at the property line or along building facades facing construction sites. This measure would only be necessary if conflicts occurred that were irresolvable by proper scheduling. Noise control blanket barriers can be rented and quickly erected.
- Control noise from construction workers' radios to a point where they are not audible at existing residences bordering the project site.
- The contractor shall prepare a detailed construction plan identifying the schedule for major noise-generating construction activities and shall send a notice to all adjacent properties with the construction schedule.
- Designate a "disturbance coordinator" who would be responsible for responding to any complaints about construction noise. The disturbance coordinator will determine the cause of the noise complaint (e.g., bad muffler, etc.) and will require that reasonable measures be implemented to correct the problem. Conspicuously post the telephone number for the disturbance coordinator at the construction site and include it in the notice sent to neighbors regarding the construction schedule.

NOI-2 Prior to the issuance of a building permit, mechanical equipment shall be selected and designed to reduce impacts on surrounding uses to meet the city's requirements. A qualified acoustical consultant shall be retained by the project applicant to review mechanical noise as the equipment systems are selected in order to determine whether the proposed noise reduction measures sufficiently reduce noise to comply with the city's noise limit at the shared property line. Noise reduction measures that would accomplish this reduction include, but are not limited to, selection of equipment that emits low noise levels and/or installation of noise barriers such as enclosures and parapet walls to block the line of sight between the noise source and the nearest receptors.

NOI-3 A construction vibration-monitoring plan shall be implemented to document conditions at the structure located adjacent to the proposed construction prior to, during, and after vibration generating construction activities. All plan tasks shall be completed under the direction of a State of California licensed Professional Structural Engineer and be in accordance with industry accepted standard methods. The construction vibration monitoring plan shall include the following tasks:

- Identification of sensitivity to groundborne vibration of the structure located adjacent to the construction.
- Performance of a photo survey, elevation survey, and crack monitoring survey for the structure located adjacent to the construction. Surveys shall be performed prior to, in regular intervals during, and after completion of vibration generating activities and shall include internal and external crack monitoring in the structure, settlement, and distress and shall document the condition of the foundation, walls and other structural elements in the interior and exterior of said structure. Interior inspections would be subject to property owners' permission.
- Conduct a post-survey on the structure where monitoring has indicated damage. Make appropriate repairs or provide compensation where damage has occurred as a result of construction activities.
- Designate a person responsible for registering and investigating claims of excessive vibration. The contact information of such person shall be clearly posted on the construction site.

Tribal Cultural Resources

In addition to mitigation measures CUL-1 and CUL-2 presented in Section D5, Cultural Resources, the following measures shall be implemented:

TR-1 The applicant shall contract with the Tamien Nation to development and implement a cultural resource sensitivity training program for the construction work crew on the first day of construction. The archaeologist shall provide evidence of the training to the City Planning Division, which shall include the training materials and a sign-in list of trained construction personnel, at the end of the first day of construction.

TR-2 The applicant shall contract with the Tamien Tribal to monitor ground disturbing activities, including but not limited to removal of existing building foundations, trees, and grading activities.

The applicant shall also contract with a qualified archaeologist to be on-call should cultural or Tribal resources be inadvertently discovered.

Evidence of a contracts with the Tribal monitor and archaeologist shall be provided to the City Planning Division prior to issuance of a building demolition permit and/or a grading permit.

Should Tribal or cultural resources be inadvertently discovered, the Tamien Nation Treatment Protocol shall be implemented. Whether or not Tribal or cultural resources are inadvertently discovered, the Tribal monitor shall prepare a monitoring report to be submitted to the City Planning Division, prior to issuance of an occupancy permit.

The location of Tribal resources is confidential, may be redacted from monitoring reports, and shall not be made available for public review. The location of sensitive cultural resources is exempt from the Public Records Act.

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PUBLIC REVIEW INITIAL STUDY

355 FIRST STREET RESIDENTIAL PROJECT

PREPARED FOR

City of Los Altos

Guido Persicone, Planning Services Manager

1 N. San Antonio Road

Los Altos, CA 94022

Tel 650.947.2633

PREPARED BY

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November 2021

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A. BACKGROUND

Project Title	355 First Street Residential Project Initial Study
Lead Agency Contact Person and Phone Number	Guido Persicone, Planning Services Manager (650) 947-2633
Date Prepared	November 2021
Study Prepared by	EMC Planning Group Inc. 301 Lighthouse Avenue, Suite C Monterey, CA 93940
Project Location	355, 365, 371, 373 1st St Los Altos, CA 94022
Project Sponsor Name and Address	355 1st St LLC. C/O DeNardi Wang Homes 4962 El Camino Real, Suite 223 Los Altos, CA 94022
General Plan Designation	Downtown Commercial
Zoning	CD/R3 Commercial Downtown/Multiple Family

Setting

The 0.64-acre project site includes four lots located at 355, 365, 371, and 373 First Street in Los Altos, and is developed with commercial buildings and one residence. The project location is shown in Figure 1 Location Map, and Figure 2, Aerial Photograph. Figure 3, Site Photographs, shows the existing on-site and surrounding uses. The project site is developed with seven existing buildings totaling 7,648 square feet, including a hair salon, coin shop, office building, a single-family residence and two outbuildings. Whitney Street abuts the project site to the north, First Street abuts the site to the west, a yoga studio sits adjacent to the site in the east, and an alleyway borders the site to the east. Immediately surrounding uses include Draegers market and various commercial retail and office uses. The project site has a Los Altos General Plan (general plan) designation of Downtown Commercial, is zoned CD/R3 Commercial Downtown/Multiple Family, and is within the First Street District of Downtown.

Description of Project

The proposed project includes demolition of the seven existing buildings and construction of a 79,431 square foot, 50-unit, four story condominium building and two levels of underground parking. Los Altos' housing stock has an average of 2.84 persons per household in 2019 (US Census Bureau 2021). The proposed 50 condominium units would potentially create a population growth in the area of 142 people.

The first floor includes the main lobby and a court for interior lighting. The rooftop includes a 5,000 square foot rooftop deck with grilling stations, dining tables, and outdoor seating. Solar panels will be installed for a portion of the common area electricity. The building is 46 feet in height.

The underground parking levels totaling 51,023 square feet includes 115 parking stalls, 50 bicycle lockers, 50 storage units, and EV charging stations for each unit. The parking levels can be accessed from the alley way to the east of the project site.

Figure 4, Site Plan, shows the proposed building uses and layout, as well as the proposed parking garage configuration, and access to the site and parking levels.

Off-Site Improvements

The proposed project includes replacing approximately 1,708 square feet of sidewalks within the public way on First Street and Whitney Street.

Affordable Housing

Six (or 13.51 percent) of the 50 units are Below Market Rate units with five very low-income units and one moderate income unit. State Density Bonus Law states if 13 percent of the Base Density is provided at the very low-income level, a density bonus of 42.5 percent is granted. Based on the base density of 37 units, a density bonus of 42.5 percent is 16 units. This project would include 13 of the 16 allotted bonus units for a total of 15 units. According to Los Altos Municipal Code Section 14.28.040, a project that includes at least ten percent very low-income units will be granted two incentives. With 13.51 percent moderate income units, the project utilizes these two incentives to exceed city code height limits by 11 feet (from 35 feet to 46 feet) in this zoning district and elevator tower increase from 12 feet to 17.6 feet. This project also includes one waiver: a parking stall reduction size by 10 percent.

Other Public Agencies Whose Approval is Required

None

Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?

The Tamian Nation contacted the City of Los Altos requesting consultation. A summary of the consultation and conclusions are presented in Section D18, Tribal Cultural Resources, of this initial study.

Note: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code section 21080.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code section 21082.3(c) contains provisions specific to confidentiality.

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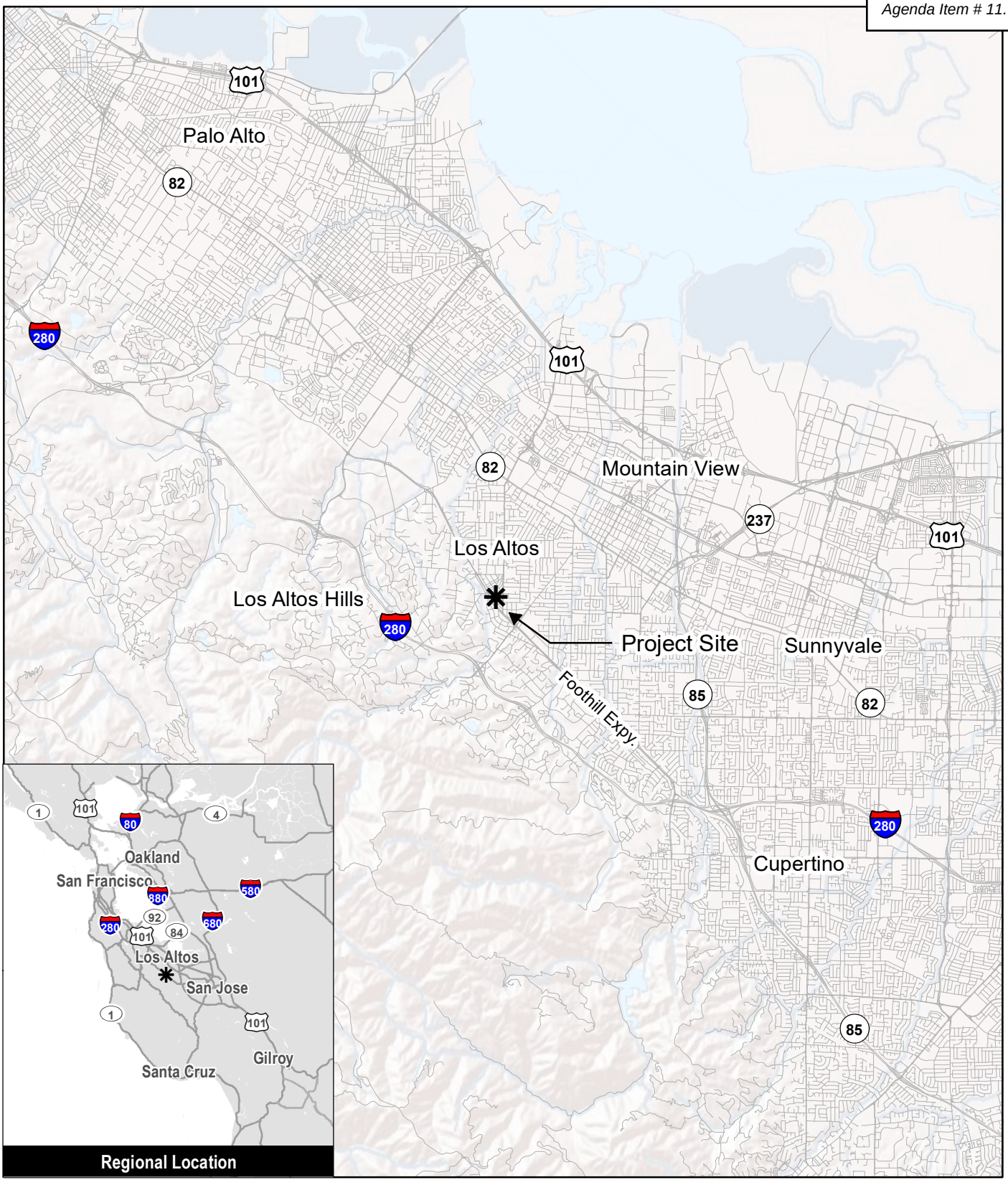

0 2 miles

Source: ESRI 2019

Figure 1

Location Map

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0 75 feet

Project Boundary

Source: Google Earth 2020
Santa Clara County GIS 2020

Figure 2

Aerial Photograph

355 First St. Initial St

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1 Looking southeast toward 355 First St. at the northwest corner of the project site

2 Looking south across the on site parking lot from the northern corner of the project site

3 Looking north down First St. and the project site frontage

Project Site

Source: Google Earth 2020
Photographs: SDG Architects 2021

4 Looking towards commercial/retail buildings sitting across First St. from project site

5 Second view of commercial/retail buildings sitting across First St. from project site

6 View of the single family residence on the project site at 371 First St.

Figure 3
Site Photographs

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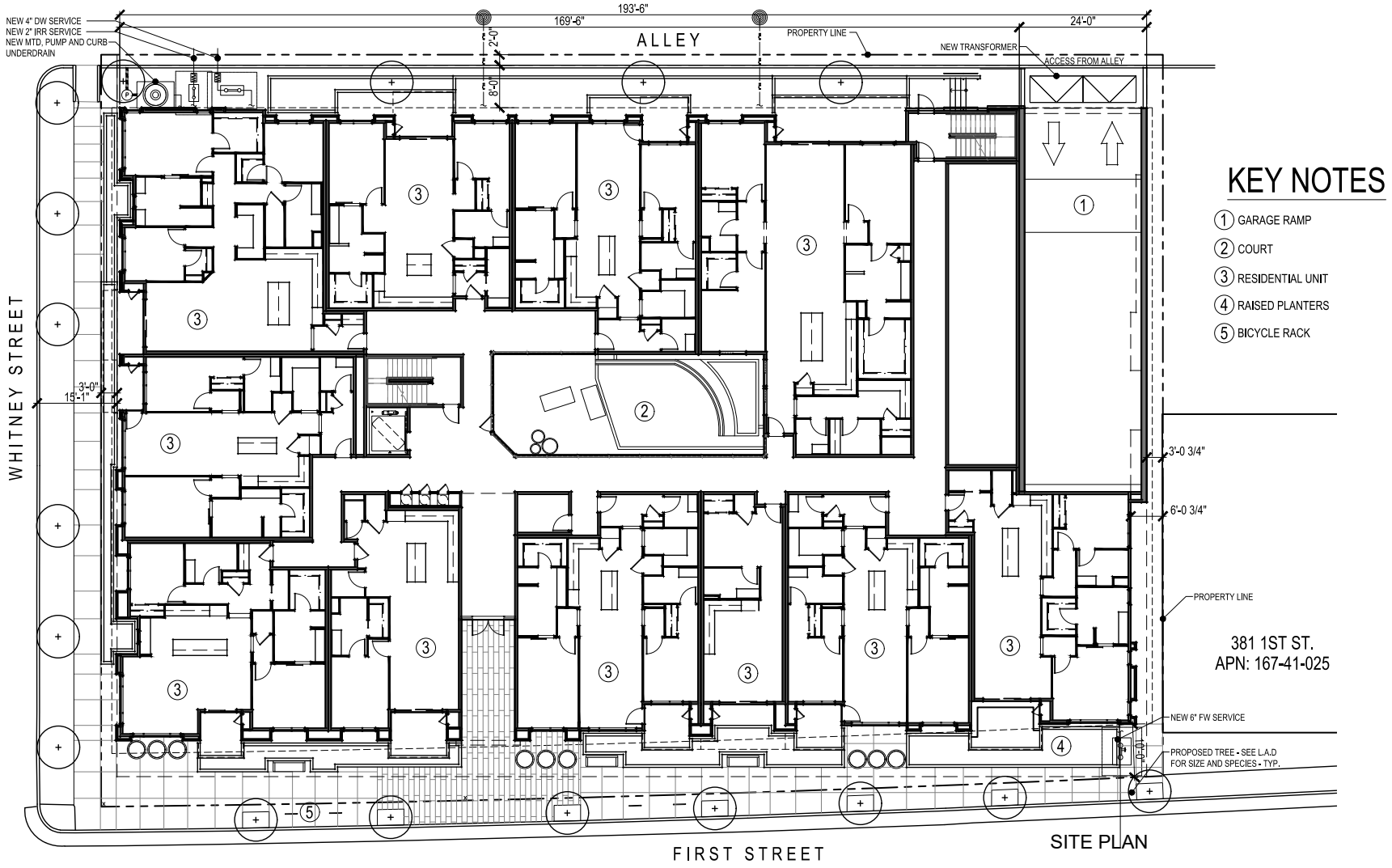

0 30 feet

Source: SDG Architects 2021

Figure 4
Site Plan

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B. Environmental Factors Potentially Affected

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

☐ Aesthetics	☐ Greenhouse Gas Emissions	☐ Population/Housing
☐ Agriculture and Forestry Resources	☐ Hazards & Hazardous Materials	☐ Public Services
☐ Air Quality	☐ Hydrology/Water Quality	☐ Recreation
☐ Biological Resources	☐ Land Use/Planning	☐ Transportation
☐ Cultural Resources	☐ Wildfire	☐ Tribal Cultural Resources
☐ Energy	☐ Mineral Resources	☐ Utilities/Service Systems
☐ Geology/Soils	☐ Noise	☐ Mandatory Findings of Significance

C. DETERMINATION

On the basis of this initial evaluation:

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (1) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (2) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

_____ _____

Guido Persicone, Planning Services Manager Date

D. Evaluation of Environmental Impacts

Notes

1. A brief explanation is provided for all answers except "No Impact" answers that are adequately supported by the information sources cited in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer is explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once it has been determined that a particular physical impact may occur, then the checklist answers indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
4. "Negative Declaration: Less-Than-Significant Impact with Mitigation Measures Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less-Than-Significant Impact." The mitigation measures are described, along with a brief explanation of how they reduce the effect to a less-than-significant level (mitigation measures from section XVII, "Earlier Analyses," may be cross-referenced).
5. Earlier analyses are used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier document or negative declaration. [Section 15063(c)(3)(D)] In this case, a brief discussion would identify the following:
    a. "Earlier Analysis Used" identifies and states where such document is available for review.
    b. "Impact Adequately Addressed" identifies which effects from the checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and states whether such effects were addressed by mitigation measures based on the earlier analysis.
    c. "Mitigation Measures"—For effects that are "Less-Than-Significant Impact with Mitigation Measures Incorporated," mitigation measures are described which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6. Checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances, etc.) are incorporated. Each reference to a previously prepared or outside document, where appropriate, includes a reference to the page or pages where the statement is substantiated.
7. "Supporting Information Sources"—A source list is attached, and other sources used or individuals contacted are cited in the discussion.
9. The explanation of each issue identifies:
    a. The significance criteria or threshold, if any, used to evaluate each question; and
    b. The mitigation measure identified, if any to reduce the impact to less than significant.

1. AESTHETICS

Except as provided in Public Resources Code Section 21099 (Modernization of Transportation Analysis for Transit-Oriented Infill Projects), would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than-Significant Impact	No Impact
a. Have a substantial adverse effect on a scenic vista? (1, 2, 15)	☐	☐	☐	☒
b. Substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway? (10, 15)	☐	☐	☐	☒
c. In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage points.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality? (1, 2, 3, 4, 5, 8)	☐	☐	☒	☐
d. Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area? (1, 2, 3, 8)	☐	☐	☒	☐

Comments:

a. The proposed project is not located within a designated scenic view corridor or scenic vista. Implementation of the proposed project will not obstruct or impede the views of any scenic vistas in the vicinity of the project site.

b. According to the California Department of Transportation California Scenic Highway Mapping System, the sole state-designated scenic highway in Santa Clara County is State Route (SR) 9 from the Santa Cruz County line to the Los Gatos city limit. Eligible State Scenic Highways (not officially designated) include: SR 17 from the Santa Cruz County line to SR 9, SR 35 from Santa Cruz County line to SR 9, Interstate 280 from the San Mateo County line to SR 17, and a segment of SR 152 in southern Santa Clara County. The proposed project is not located near a state scenic highway or County-designated scenic highway and would, therefore, not result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway.

c. The project is located in an urbanized area and would not conflict with the applicable zoning and other regulations governing scenic quality. The visual character of the site and surrounding area is one of a mature mixed-use community. One- and two-story commercial and residential structures border the site to the north, south, and east. The project introduces a new land use to the project area as the project site is replacing existing commercial and single-family residential buildings with a residential condominium building, but this use is consistent with the general plan and zoning designations. The zoning allows for buildings up to 35 feet; however, with the allowed density bonus incentives outlined in the zoning code and mandated by state law, the 46-foot building height proposed would be consistent with the zoning code. While the proposed development will be taller in height and larger in scale than buildings in the immediately surrounding area, the project would be generally compatible, in terms of size and scale, with the general vicinity and would be required to go through design review and meet stringent design standards to ensure there would not be degradation of the visual quality or character of the site. Refer to Figure 5, Elevations. This visual impact would be less than significant.

d. Nighttime lighting currently exits on the project site and upon redevelopment of the site, would continue to be provided along pathways and adjacent to buildings on the project site. The proposed project may increase the level of illumination in the project area above existing levels due to the changing placement of pathways and increased height building height, however due to urbanized nature of the site's surrounding and zoning code requirements, off-site illumination and glare will be minimized. The outdoor lighting proposed by the project will comply with all applicable building and zoning codes, and will be designed to minimize off-site illumination and glare by ensuring all lighting above the ground floor is shielded and/or downward facing to prevent unnecessarily illuminating or substantially interfering with the use or enjoyment of nearby properties. This requirement will ensure that the project would not create a substantial new source of light or glare that would adversely affect the visual quality of the area. This visual impact would be less than significant.

Source: SDG Architects 2021

Figure 5
Elevations

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2. AGRICULTURE AND FOREST RESOURCES

In determining whether impacts on agricultural resources are significant environmental effects and in assessing impacts on agriculture and farmland, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than-Significant Impact	No Impact
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use? (6, 15)	☐	☐	☐	☒
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract? (1, 15)	☐	☐	☐	☒
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? (1, 15)	☐	☐	☐	☒
d. Result in the loss of forest land or conversion of forest land to non-forest use? (1, 15)	☐	☐	☐	☒
e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to nonagricultural use or conversion of forest land to non-forest use? (1, 15)	☐	☐	☐	☒

Comments:

a-e. The project site is currently developed with a commercial and residential buildings and associated parking. The project site is identified as "Urban and Built-up Land" on the California Department of Conservation's Santa Clara County Important Farmlands Map 2016 (2018). There are no Williamson Act parcels or forest or agricultural land on or in the vicinity of the project site. Therefore, the proposed project would not conflict with the provisions of the Williamson Act or agricultural zoning, and there would be no impacts to agricultural, forest land, or lands zoned for commercial timber as a result of the project.

3. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than-Significant Impact	No Impact
a. Conflict with or obstruct implementation of the applicable air quality plan? (8, 42)	☐	☒	☐	☐
b. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard? (37,41,42)	☐	☐	☐	☒
c. Expose sensitive receptors to substantial pollutant concentrations? (37,48)	☐	☒	☐	☐
d. Result in other emissions, such as those leading to odors adversely affecting a substantial number of people? (8, 41)	☐	☐	☒	☐

Comments:

a. The City of Los Altos, including the project site, is within the Bay Area Air Quality Management District (hereinafter "air district"). The air district's most recent adopted plan is the Bay Area 2017 Clean Air Plan: Spare the Air, Cool the Climate (2017 Clean Air Plan). The Clean Air Plan includes measures to minimize ozone precursor emissions and halt the movement of ozone and its precursors into nearby air basins, and builds upon the air district's determination to minimize the emissions of fine particulate matter and toxic air contaminants (Bay Area Air Quality Management District 2017a).

   Consistency with the Clean Air Plan is based on conformance with air quality control measures presented in the Clean Air Plan. The air district's Air Quality CEQA Guidelines (2017b) ("air district CEQA guidelines") Section 9.1 provides guidance for determining if a development project is consistent with the Clean Air Plan. For consistency a project should meet three criteria: 1) support the primary goals of the Clean Air Plan; 2) include applicable Clean Air Plan control measures; and 3) not disrupt or hinder implementation of any Clean Air Plan control measures.

The primary goals of the Clean Air Plan are to attain air quality standards; to reduce population exposure to pollutants and protect public health in the Bay Area; and to reduce greenhouse gas (GHG) emissions and protect the climate. This is considered to have been accomplished if there are no project-level significant impacts, or if significant impacts are mitigated to a less-than-significant level.

As discussed in section "b/c" below, the proposed project would generate criteria air pollutant emissions during construction and operations, but not to the extent that significant impacts would occur. However, during construction, the proposed project would generate toxic air contaminant emissions that would result in significant exposures to sensitive receptors, but not to the extent that significant impacts could not be mitigated to a less-than-significant level. Therefore, the proposed project would not result in significant air quality impacts, and supports the primary goals of the Clean Air Plan.

There are 81 control measures in the 2017 Clean Air Plan, many of which are applicable only for industrial or regional implementation. The city would require project conformance with measures that it determines are feasible for project-level implementation. Project consistency with applicable control measures is discussed below, based in part on the implementation expectations stated in the Clean Air Plan (Bay Area Air Quality Management District 2017).

Clean Air Plan Control measures potentially applicable to the proposed project are presented below in Table 1, Potentially Applicable Control Measures (2017 Clean Air Plan) along with a brief consistency analysis to determine how the project either does or does not implement the measure.

As noted in Table 1, with mitigation the proposed project is consistent with the Clean Air Plan. The impact is less than significant with mitigation (see discussion in item d, below).

b, c. The six most common and widespread air pollutants of concern, or "criteria pollutants," are ground-level ozone, nitrogen dioxide, particulate matter, carbon monoxide, sulfur dioxide, and lead. In addition, reactive organic gases are a key contributor to the criteria air pollutants because they react with other substances to form ground-level ozone. Health effects of criteria air pollutants include asthma, bronchitis, chest pain, coughing, and heart diseases.

The air district is responsible for monitoring emissions and developing air quality plans for the San Francisco Bay area, including Santa Clara County and has published comprehensive guidance on evaluating, determining significance of, and mitigating air quality impacts of projects and plans in CEQA Air Quality Guidelines ("CEQA guidelines") (2017).

Table 1 Potentially Applicable Control Measures (2017 Clean Air Plan)

Control Measure Number and Name	Consistency Analysis
BL1 – Green Buildings	Consistent. This policy encourages utilization of Green Building Standards in new development. The proposed project would construct the structures in accordance with the California Building Code's Energy Efficiency Standards for Residential and Nonresidential Buildings (California Code of Regulations, Title 24, Part 6).
BL2 Decarbonize Buildings All Pollutants	Consistent. This policy explores incentives for property owners to install ground source heat pumps and solar hot water heaters in multifamily buildings. See the response to Policy BL1. The proposed project is a multi-family project that may qualify for this program.
BL4: Urban Heat Island Mitigation.	Consistent. This measure is intended to mitigate the "urban heat island" effect by promoting the implementation of cool roofing and cool paving techniques. The proposed project includes rooftop open space areas that are consistent with this measure.
NW2: Urban Tree Planting.	Consistent. This measure encourages voluntary approaches to reduce urban heat islands by increasing shading in urban and suburban communities via planting of low-VOC emitting trees. According to the proposed landscaping plan, the project includes new street trees and trees on site.
SS30: Residential Fan Type Furnaces	Consistent. See the response to measure BL2. This measure is intended to reduce NOx emissions from residential fan type central furnaces by reducing allowable NOx emission limits on new and replacement furnace installations through its Regulation 9, Rule 4 (Rule 9-4). The air district works with local jurisdictions to implement this rule. When it is not feasible to install a non-fossil fuel-based furnace, this control measure ensures that the furnace installed uses best available retrofit control technology (BARCT). The proposed project may qualify for this program.
SS32 Emergency Backup Generators	Consistent. Reduce emissions of diesel PM and black carbon from BUGs through Draft Rule 11-18, resulting in reduced health risks to impacted individuals, and in climate protection benefits. The proposed project does not include a backup generator (BUG) and is not subject to this rule.
SS34: Wood Smoke	Consistent. In 2008, the Air District adopted Regulation 6, Rule 3 to protect Bay Area residents from the harmful health impacts of wood smoke. In the fall of 2015, the Air District adopted amendments to Regulation 6-3, greatly expanding and tightening the regulation. The proposed project is subject to compliance with the City's municipal code regulations prohibiting wood-burning fireplaces
SS36 Particulate Matter from Trackout	Consistent. Prevent mud/dirt and other solid trackout from construction, landfills, quarries and other bulk material sites. The proposed project is subject to compliance with mitigation measure AQ-1, presented later in this section, which includes measures to minimize fugitive dust emissions during construction.
SS38 Fugitive Dust PM	Consistent. See response to SS36.
SS40 Odors	Consistent. The proposed project is a residential use and would not be a source of substantial odors.

Control Measure Number and Name	Consistency Analysis
TR7: Safe Routes to Schools and Safe Routes to Transit.	Consistent. This measure facilitates safe route to schools and transit by providing funds and working with transportation agencies, local governments, schools, and communities to implement safe access for pedestrians and cyclists. The nearest school to the project site is Covington Elementary School, about one half mile to the southeast. The proposed project would reconstruct sidewalks on the site frontages and would not preclude continued use of existing facilities. The nearest bus stops to the project site are for VTA bus route (Frequent Route 40) and are located along both sides of San Antonio Road (near Whitney Street), approximately 800 feet from the project site. According to the traffic impact analysis, existing bus service is expected to have sufficient capacity to accommodate new riders generated by the project.
TR9: Bicycle and Pedestrian Access and Facilities.	Consistent. Encourage planning for bicycle and pedestrian facilities in local plans, e.g., general and specific plans, fund bike lanes, routes, paths and bicycle parking facilities. The proposed project includes the provision of resident bike storage facilities on-site and would not remove any bicycle facilities. The proposed project includes replacement of sidewalks along the site frontages; consequently, the proposed project would not preclude the continued use of existing bicycle and pedestrian facilities.
TR16: Indirect Source Review.	Consistent. This measure reduces emissions of key ozone precursors, ROG and NOx, particulate matter, toxic air contaminants and GHGs by reducing construction and operational emissions associated with new or modified land uses. On-road and off-road mobile emission sources are the main source categories targeted by this measure. However, space heating, landscape maintenance and wood burning emission source categories could also be included. This reduces region-wide population exposure to air pollutants and also reduces localized population exposure to air pollution. The proposed project would not emit operational emissions that would exceed air district standards. Mitigation measure AQ-1 discussed later in this section includes emissions reduction measures to reduce construction emissions and minimize exposures to air pollution.
WR2 Support Water Conservation GHG Develop a list of best practices that reduce water consumption and increase on-site water recycling in new and existing	Consistent. This measure promotes water conservation of conveyance and treatment, including reduced water consumption and increased on-site water recycling, in residential, commercial and industrial buildings. The purpose is to reduce greenhouse gas (GHG) emissions associated electricity use required to capture, use, convey, store, conserve, recycle and treat water and wastewater in the Bay Area. The proposed project would increase water demand on the site and is subject to compliance with the 2016 CALGreen Code and Chapter 12.36 of the Municipal Code, which adopts water efficient landscape regulations. The project would not require expansion of off-site facilities or the construction of new water mains aside from lateral lines required to connect to the existing water main.

SOURCE: BAAQMD 2017a; EMC Planning Group 2021

The Bay Area Air Quality Management District (air district) is the agency with the primary responsibility for assuring that national and state ambient air quality standards are attained and maintained in the air basin. Depending on whether or not the standards are met or exceeded, the air basin is classified as being in "attainment" or "nonattainment." Table 2, San Francisco Bay Area Air Basin Attainment Status, identifies the current attainment status within the air basin for each criteria pollutant.

Table 2 San Francisco Bay Area Air Basin Attainment Status

Criteria Air Pollutants	State Standards	National Standards
Ozone	Non-attainment	Non-attainment
Respirable Particulate Matter	Non-attainment	Unclassified
Fine Particulate Matter	Non-attainment	Non-attainment
Carbon Monoxide	Attainment	Attainment
Nitrogen Dioxide	Attainment	Unclassified/Attainment
Sulfur Dioxide	Attainment	Unclassified/Attainment
Lead	-	Attainment

SOURCE: Bay Area Air Quality Management District 2017a

The air district has developed thresholds of significance that are used to determine whether or not the proposed project would result in a cumulatively considerable net increase of criteria air pollutants during operations and/or construction. The thresholds of significance for determining air quality impacts are contained in the 2017 CEQA Guidelines and are presented in Table 3, Thresholds of Significance for Criteria Air Pollutants.

Table 3 Thresholds of Significance for Criteria Air Pollutants

Criteria Air Pollutants	Construction Thresholds	Operational Thresholds	
	Average Daily Emissions (lb/day)	Average Daily Emissions (lb/day)	Annual Emissions (tons/year)
Reactive Organic Gases (ROG)	54	54	10
Nitrogen Oxides (NO_X)	54	54	10
Respirable Particulate Matter (PM_{10})	82 (exhaust)[1]	82	15
Fine Particulate Matter ($PM_{2.5}$)	54 (exhaust)[1]	54	10

SOURCE: Bay Area Air Quality Management District 2017b
NOTE:
1. The thresholds of significance for particulate matter emissions from project construction apply to exhaust emissions only. The air district recommends implementation of best management practices to reduce fugitive dust emissions.

Construction and operations of the proposed project would increase criteria pollutant emissions. The criteria air pollutant emissions generated by existing uses of the site and emissions during construction and operation of the proposed project were estimated using the California Emissions Estimator Model (CalEEMod) version 2016.3.2. The results include emissions reductions from compliance with State's Title 24 2019 Building Energy Efficiency Standards (BEES). Refer to Appendix B for the CalEEMod results.

Operational Emissions

Existing and proposed operational emissions are estimated. Table 4, Unmitigated Operational Emissions, presents the net change between the unmitigated existing operational criteria pollutant emissions and proposed project criteria pollutant emissions.

Table 4 Unmitigated Operational Criteria Pollutant Emissions

Emissions Scenarios	Reactive Organic Gases (ROG)	Nitrogen Oxides (NO_x)	Suspended Particulates (PM_{10})	Total Fine Particulates ($PM_{2.5}$)	Carbon Monoxide (CO)
Existing[1,2]	0.09	0.21	0.11	0.03	0.50
Proposed[1,2]	0.43	0.23	0.15	0.04	0.23
Change[1,2]	0.34	0.02	0.04	0.01	-0.27[3]
Net Average Daily Emissions[1,4]	1.86	0.11	0.22	0.05	-1.48[3]

SOURCE: EMC Planning Group 2021
NOTES:
1. Results may vary due to rounding.
2. Expressed in tons per year.
3. The proposed project would result in fewer emissions.
4. Expressed in pounds per day: A U.S. ton is equal to 2,000 pounds. The emissions estimates in tons per year are multiped by 2,000 pounds to arrive at emissions volume in pounds per year, then divided by 365 days per year to arrive at pounds per day.

The proposed project would not generate operational criteria pollutant emissions that would exceed the air district thresholds. Therefore, criteria pollutant emissions generated by the project would be less than significant and less than cumulatively considerable.

Construction Emissions

Construction emissions include mobile source exhaust emissions, emissions generated during the application of asphalt paving material and architectural coatings, as well as emissions of fugitive dust during demolition and grading. The unmitigated criteria air pollutant emissions resulting from project construction are summarized in Table 5, Unmitigated Construction Criteria Air Pollutant Emissions.

Table 5 Unmitigated Construction Criteria Air Pollutant Emissions

Emissions	Reactive Organic Gases (ROG)	Nitrogen Oxides (NO_X)	Exhaust Respirable Particulate Matter (PM_{10})	Total Fine Particulate Matter ($PM_{2.5}$)
2022[1,2]	0.70	1.49	0.05	0.08
2023[1,2]	0.01	0.03	<0.01	<0.01
Total Emissions[1,2]	0.71	1.52	0.05	0.08
Average Daily Emissions[1,2]	4.93	10.6	0.35	0.44

SOURCE: EMC Planning Group 2021
NOTES:
1. Results may vary due to rounding.
2. CalEEMod estimates construction criteria air pollutant emissions in tons per year. A U.S. ton is equal to 2,000 pounds. The emissions estimates in tons per year are multiped by 2,000 pounds to arrive at emissions volume in pounds per year. CalEEMod estimates a total of 288 construction days. Average daily emissions (in pounds per day) are computed by dividing the annual construction emissions (in pounds per year) by the number of construction days.

The proposed project would not result in construction emissions that exceed the air district thresholds for criteria air pollutants. Therefore, the increase in criteria pollutant emissions during construction are less than significant and the contribution of these emissions to cumulative air quality conditions are less than cumulatively considerable.

d. Toxic air contaminants (TACs) are pollutants that may be expected to result in an increase in mortality or serious illness or may pose a present or potential hazard to human health. Health effects include cancer, birth defects, neurological damage, damage to the body's natural defense system, and diseases that lead to death. TACs are found in ambient air, especially in urban areas, and are caused by industry, agriculture, fuels combustion, and commercial operations (e.g., dry cleaners). Diesel exhaust is the predominant TAC in urban air and is estimated to represent about two-thirds of the cancer risk from TACs.

Although air pollution can affect all segments of the population, certain groups are more susceptible to its adverse effects than others. Children, the elderly, and the chronically or acutely ill are the most sensitive population groups. These sensitive receptors are commonly associated with specific land uses such as residential areas, schools, retirement homes, and hospitals. In addition, certain air pollutants, such as carbon monoxide, only have significant effects if they directly affect a sensitive population.

Construction equipment and associated heavy-duty truck traffic generates diesel exhaust and fugitive dust ($PM_{2.5}$) that poses health risks for sensitive receptors. Diesel

particulate matter (DPM), which is a known TAC, is a component of diesel exhaust. The air district requires an analysis of construction emissions exposures when construction activity would occur within 1,000 feet of sensitive receptors.

The *355 First Street Health Risk Assessment* (EMC Planning Group 2021) (HRA) was prepared to analyze the single-source (direct) and cumulative effects of DPM and $PM_{2.5}$ exposures and related cancer risks at MEI that could occur during project construction. The primary community risk impact issues associated with construction emissions are cancer risk and exposure to PM2.5. Community risk impacts were addressed by predicting increased lifetime cancer risk, the increase in annual $PM_{2.5}$ concentrations, and computing the Hazard Index (HI) for non-cancer health risks. Existing sources of TACs within 1,000 feet of the project site were identified including mobiles sources from vehicles on Foothill Expressway and San Antonio Road, and two gas stations. Existing TAC sources are shown in the HRA Figure 2-1, Existing Emissions Sources within 1,000 Feet. Locations of sensitive receptors are shown in the HRA Figure 2-2, Sensitive Receptors Within 1,000 Feet. The HRA is included in Appendix C.

CalEEMod was used to estimate PM_{10} exhaust emissions (assumed to be DPM) and $PM_{2.5}$ fugitive emissions from construction activities. The AERMOD dispersion model was used to predict concentrations of DPM and $PM_{2.5}$ concentrations at sensitive receptors in the vicinity of the project site. The maximum increased cancer risks at the MEI were calculated using the modeled TAC concentrations combined with the Office of Environmental Health Hazard Assessment guidance for age sensitivity factors and exposure parameters as recommended by the air district.

Model results show that unmitigated construction PM_{10} (assumed to be DPM) would not result in adult cancer risks, health risks associated with $PM_{2.5}$ exposures, or chronic DPM exposures that would exceed air district thresholds. Therefore, no significant health risks would occur.

However, the unmitigated cancer risk for infants and children at the MEI is 12.76 cases per million, which exceeds the air district threshold of 10 cases per million. This is a significant impact, and emissions reductions measures are needed to reduce the infant/child cancer risks. To determine the extent of emissions reduction measures that would be required to reduce infant/child cancer risk below the air district threshold, the modeled construction equipment inputs were modified using a combination of Tier 4 diesel engines on five of the larger equipment vehicles in the model's default construction fleet. The CalEEMod unmitigated and mitigated results are included as an appendix to the HRA.

A 30 percent reduction in construction exhaust emissions is necessary to reduce the infant/child cancer risk at the MEI and meet the air district threshold. Adherence to BAAQMD guidance for the control of construction equipment exhaust and fugitive dust is required for consistency with clean air plan policies SS36 and SS38, which seek to minimize fugitive dust during construction. Implementation of these reduction measures (refer to measures "f" and "g" in Mitigation Measure AQ-1, below) would reduce DPM emissions and associated cancer risks associated with DPM emissions, but the exhaust emissions reduction best management practices are not quantifiable using CalEEMod and therefore, a determination that the cancer risk would be reduced to a less-than-significant level cannot be made with certainty. As a consequence, without additional mitigation, project construction activity would result in infant/child cancer risks at the MEI that would exceed BAAQMD single-source cancer risk thresholds. Additional emissions reductions are needed during construction to reduce DPM emissions associated with infant/child cancer risks to below the air district's single-source threshold.

The modeling shows that DPM emissions concentrations and associated cancer risks can be reduced by the use of an equipment exhaust mitigation strategy in addition to compliance with BAAQMD best management practices. Most of the reductions would result from the use of construction vehicle engines that meet Tier 4 standards on five of the larger vehicles, although a combination of Tier 3 or 4 engines and other methods such as the use of diesel particulate filters (DPF), electrification of equipment, use of alternative fuels, and reductions in idling times could achieve similar DPM emissions reductions.

Implementation of Mitigation Measures AQ-1 and AQ-2 would reduce the infant/child cancer risks to a less-than-significant level.

Mitigation Measures

AQ-1 The project applicant shall include the following BAAQMD best management practices to minimize DPM (PM_{10}) and $PM_{2.5}$ emissions on the project plans and the contractor shall implement them during all phases of construction:

a. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day;

b. All haul trucks transporting soil, sand, debris, or other loose material off-site shall be covered;

c. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited;

d. All vehicle speeds on unpaved roads shall be limited to 15 miles per hour;

e. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used;

f. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points;

g. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation; and

h. Post a publicly visible sign with telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The BAAQMD's phone number shall also be visible to ensure compliance with applicable regulations.

AQ-2 Prior to the issuance of the demolition and grading permits, the project developer shall prepare, and the project contractor shall implement, a demolition and construction emissions avoidance and reduction plan demonstrating a minimum 30 percent reduction in DPM emissions.

The plan shall be prepared at the applicant's expense and shall be reviewed and approved by the City's Director of Planning or Director's designee, prior to issuance of demolition and grading permits. The plan shall be accompanied by a letter prepared by a qualified air quality consultant, verifying the equipment included in the plan meets the standards set forth in this mitigation measure. The plan shall include the following measures:

a. At least five of the mobile diesel-powered off-road equipment operating on-site for more than two days and larger than 50 horsepower shall, at a minimum, meet U.S. Environmental Protection Agency (EPA) particulate matter emissions standards for Tier 4 engines. The plan shall include specifications of the equipment to be used during construction and confirmation this requirement is met; and

b. Other demonstrable measures identified by the developer and confirmed by the air quality consultant, that reduce emissions and avoid or minimize the affected sensitive receptors exposures by at least 30 percent.

Implementation of Mitigation Measures AQ-1 and AQ-2 would reduce fugitive dust emissions consistent with clean air plan policies and would reduce the project's single-source construction DPM emissions and their related cancer risks to a less-than-significant level.

Community Health Risks

Cumulative community cancer risks from existing mobile and stationary sources do not exceed the air district cumulative significance threshold of 100 cases per million. The cumulative community risk impacts and the project's contribution to them during construction are summarized in Table 6, Cumulative Heath Risks at Construction MEI.

Unmitigated project construction emissions contribute to less than significant cumulative cancer risks and other health risks associated with exposures to $PM_{2.5}$ emissions and chronic health risks from exposures to DPM emissions. As shown in Table 6, cumulative community cancer and health risks are below the air district's cumulative thresholds with or without the project. The project's contribution to cumulative cancer risk and health risks are less than cumulatively considerable.

Table 6 Cumulative Health Risks at Construction MEI

Source	Cancer Risk (per million)[1]	Annual $PM_{2.5}$ Concentration ($\mu g/m^3$)[1]	Chronic Hazard Index[1]
Air District Cumulative-Source Threshold	100.0	0.80	10.0
Mobile Sources at MEI	10.82	0.24	-
Permitted sources within 1,000 feet	38.02	0	<0.01
Cumulative[2] Without Project	48.84	0.24	<0.01
Exceeds Thresholds (Without Project)?	*NO*	*NO*	*NO*
Project (Unmitigated)	12.76	0.15	0.01
Cumulative with Unmitigated Project[1,2]	61.60	0.39	0.01
Exceeds Thresholds (Unmitigated)?	*NO*	*NO*	*NO*
Project (Mitigated, Tier 4 Engines)	*9.4*	*0.09*	*0.001*
Cumulative with Mitigated Project[1,2]	59.72	0.33	0.01
Exceeds Thresholds (Mitigated)?	*NO*	*NO*	*NO*

SOURCE: EMC Planning Group 2021
NOTES:
1. Results have been rounded, and may, therefore, vary slightly.
2. Includes emissions reductions due to implementation of Mitigation Measure AQ-1.

Operational Health Risks

Future residents of the project that drive would contribute to vehicle traffic and subsequent emissions exposures at the project site from vehicles on Foothill Expressway and South San Antonio Road. As noted in Section 2 of the health risk assessment, Foothill Expressway has an ADT of 38,940 vehicles per day, and South San Antonio Road has an ADT of 45,200 vehicles per day, which equates to less than cumulatively considerable cancer and other health risks (see Table 6). The addition of project traffic to Foothill Expressway represents a less than 0.10 percent increase to ADT; the addition of project traffic to South San Antonio Road represents a less than 0.10 percent increase in traffic. The increase in emissions and exposures to them from the addition of project traffic to the two roadways would be negligible and the associated increase in cancer risks and other health risks to future residents on the project site would be less than cumulatively considerable.

e. The proposed project would not result in any objectionable odors during the operational phase. During project construction, there may be nuisance diesel odors associated with operation of diesel construction equipment on-site, but this effect would be localized, sporadic, and short-term in nature. Therefore, temporary impacts from nuisance diesel odors on adjacent residential receptors would be less than significant.

4. BIOLOGICAL RESOURCES

Would the project:

		Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than-Significant Impact	No Impact
a.	Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or US Fish and Wildlife Service? (1, 15)	☐	☒	☐	☐
b.	Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or US Fish and Wildlife Service? (1, 15)	☐	☐	☐	☒
c.	Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.), through direct removal, filing, hydrological interruption, or other means? (1)	☐	☐	☐	☒
d.	Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? (1, 15)	☐	☐	☐	☒
e.	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? (1, 3, 8,39)	☐	☒	☐	☐
f.	Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? ()	☐	☐	☐	☒

Comments:

The project site is located in an urbanized area of Los Altos and is developed with seven existing buildings. There are no sensitive habitats, wetlands, or aquatic features on or in the

project vicinity. Ornamental landscaping and trees are present throughout the site and an arborist report was prepared for the project. Forty ornamental and native trees were inventoried, listed, and assessed for health. The arborist report is included in Appendix D ("Arborist Report").

Wildlife species in urban areas are typically limited to those acclimated to frequent disturbance and noise, including common species such as house finch (*Haemorhous mexicanus*), rock dove (*Columba livia*), raccoon (*Procyon lotor*), striped skunk (*Mephitis mephitis*), mice (*Mus musculus, Reithrodontomys megalotis,* and *Peromyscus maniculatus*), and squirrel (*Sciurus* sp.) can occur.

a. Special-status species are those listed as Endangered, Threatened, or Rare, or as Candidates for listing by the United States Fish and Wildlife Service (USFWS) or California Department of Fish and Wildlife (CDFW) under the state and/or federal Endangered Species Acts. The special-status designation also includes CDFW Species of Special Concern and Fully Protected species, California Native Plant Society (CNPS) Rare Plant Rank 1B and 2B species, and other locally rare species that meet the criteria for listing as described in Section 15380 of CEQA Guidelines. Special-status species are generally rare, restricted in distribution, declining throughout their range, or have a critical, vulnerable stage in their life cycle that warrants monitoring.

   Due to the lack of sensitive habitats and the human disturbance of the project site, special-status plant and animal species are not expected to occur on the project site.

   Nesting Birds. Various bird species may nest throughout the project site, including in trees, on open ground, or in any type of vegetation. Project construction activities including ground disturbance may impact nesting birds protected under the federal Migratory Bird Treaty Act and California Fish and Game Code, should nesting birds be present during construction. If protected bird species are nesting on or adjacent to the project site during the bird nesting season (January 15 through September 15), tree removal and noise-generating construction activities could result in the loss of fertile eggs, nestlings, or otherwise lead to the abandonment of nests. Implementation of the following mitigation measure would reduce potential impacts to nesting birds to less than significant.

   Mitigation Measure

   BIO-1 Prior to issuance of tree removal, demolition, and grading permits, to avoid impacts to nesting birds during the nesting season (January 15 through September 15), construction activities within or adjacent to the project site boundary that include any tree or vegetation removal, demolition, or ground disturbance (such as grading or grubbing) shall

be conducted between September 16 and January 14, outside of the bird nesting season. If this type of construction occurs during the bird nesting season, then a qualified biologist shall conduct pre-construction surveys for nesting birds to ensure that no nests would be disturbed during project activities.

If project-related work is scheduled during the nesting season (February 15 to August 30 for small bird species such as passerines; January 15 to September 15 for owls; and February 15 to September 15 for other raptors), or if construction activities are suspended for at least 14 days and recommence during the nesting season, a qualified biologist shall conduct nesting bird surveys.

a. Two surveys for active bird nests shall occur within 14 days prior to start of construction, with the final survey conducted within 48 hours prior to construction. Appropriate minimum survey radii surrounding each work area are typically 250 feet for passerines, 500 feet for smaller raptors, and 1,000 feet for larger raptors. Surveys shall be conducted at the appropriate times of day to observe nesting activities. Locations off the site to which access is not available may be surveyed from within the site or from public areas. A report documenting survey results and plan for active bird nest avoidance (if needed) shall be completed by the qualified biologist prior to initiation of construction activities.

b. If the qualified biologist documents active nests within the project site or in nearby surrounding areas, an appropriate buffer between each nest and active construction shall be established. The buffer shall be clearly marked and maintained until the young have fledged and are foraging independently. Prior to construction, the qualified biologist shall conduct baseline monitoring of each nest to characterize "normal" bird behavior and establish a buffer distance, which allows the birds to exhibit normal behavior. The qualified biologist shall monitor the nesting birds daily during construction activities and increase the buffer if birds show signs of unusual or distressed behavior (e.g. defensive flights and vocalizations, standing up from a brooding position, and/or flying away from the nest). If buffer establishment is not possible, the qualified biologist or construction foreman shall have the authority to cease all construction work in the area until the young have fledged and the nest is no longer active.

Developers shall be responsible for implementation of this mitigation measure with oversight by the City of Los Altos. Compliance with this measure shall be documented and submitted to the City prior to issuance of tree removal, demolition, and grading permits.

Implementation of this mitigation measure would reduce potential impacts to nesting birds by requiring nesting bird surveys prior to construction and measures for the protection of nests if found. Therefore, this impact is less than significant with mitigation incorporated.

b. **Riparian Habitat or Sensitive Natural Communities**. There are no sensitive natural communities at the project site. Therefore, impacts to riparian habitat or sensitive natural communities are not anticipated.

c. **Wetlands and Waters of the U.S.** There are no wetlands or waters of the U.S. at the project site. Therefore, impacts to wetlands or waters of the U.S. are not anticipated.

d. **Wildlife Movement**. Wildlife movement corridors provide connectivity between habitat areas, enhancing species richness and diversity, and usually also provide cover, water, food, and breeding sites. The project site does not facilitate major wildlife movement due to the lack of habitat and existing level of disturbance.

e. Local Biological Resource Policies/Ordinances. Measures to protect sensitive biological resources within City of Los Altos are identified in Open Space, Conservation and Community Facilities Element and Community Design and Historic Resources Element of the Los Altos General Plan. Policy 1.1 of the Community Design and Historic Resources Element includes measures to preserve trees, especially heritage and landmark trees, and trees that protect privacy in residential neighborhoods. In addition, the City of Los Altos has adopted a Tree Protection Ordinance in Section 11.08 of the Municipal Code. The Tree Protection Ordinance includes measures for removal and replacement of trees in the City, in addition to protective actions to be taken to avoid damage to existing trees. The Tree Protection Ordinance defines a "protected tree" as:

- Any tree that is 48 inches or more in circumference measured at 48 inches above grade;
- Any tree designated by the historical commission as a heritage tree or any tree under official consideration by the historical commission for heritage tree designation; and
- Any tree which was required by the city to be either saved or planted in conjunction with a development review application.

The Arborist Report evaluated potential impacts to trees as a result of the project. The disposition of each tree is documented in the Arborist Report, and a comparison of the proposed tree removal and preservation contained in the landscaping plan is summarized in Table 1, Trees Planned for Removal and Preservation, below.

Table 7 Trees Planned for Removal and Preservation

	Protected	Not Protected	Total
Trees Planned for Removal	4	16	20
Trees Planned for Preservation	6	1	7

Source: Kielty Arborist Services LLC 2021, Jett Landscape Architecture, Design 2021

The proposed project could remove up to four regulated trees. This would be a significant potential adverse environmental impact. Implementation of the following mitigation measure would reduce the potential impact to a less-than significant level.

Mitigation Measure

BIO-2 Prior to issuance of a tree removal permit and/or a grading permit, developers shall retain a certified arborist to develop a site-specific tree protection plan for retained trees and supervise the implementation of all proposed tree preservation and protection measures during construction activities, including those measures specified in the 2021 Arborist Report (Kielty Arborist Services LLC). Also, in accordance with the City's Tree Protection Ordinance, the developer shall obtain a tree removal permit for proposed tree removals and shall install replacement trees in accordance with all mitigation, maintenance, and monitoring requirements specified in the tree removal permit(s) or otherwise required by the City for project approvals.

Implementation of this mitigation measure would reduce potential impacts to regulated trees by requiring City approval prior to the removal of regulated trees, installation of adequate replacement trees, and protection of all retained trees during construction. Therefore, this impact is less than significant with mitigation incorporated.

f. **Conservation Plans**. There are no critical habitat boundaries, habitat conservation plans, natural community conservation plans, or other approved local, regional, or state habitat conservation plans applicable to the proposed project site.

5. CULTURAL RESOURCES

Would the project:

		Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than-Significant Impact	No Impact
a.	Cause a substantial adverse change in the significance of a historical resource pursuant to section 15064.5? (1, 2, 29)	☐	☐	☐	☒
b.	Cause a substantial adverse change in the significance of an archaeological resource pursuant to section 15064.5? (1, 2, 3)	☐	☐	☒	☐
c.	Disturb any human remains, including those interred outside of dedicated cemeteries? (1, 2, 3)	☐	☐	☒	☐

Comments:

a. The project site is developed with four commercial/office building, one residence, and two outbuildings. The city adopted a Historical Preservation Ordinance and the City's Historical Commission is responsible for keeping a current inventory of qualified historic structures. Neither the project site or any of the existing buildings are identified in the city's Historic Resources Inventory. The project site is within a highly developed and urbanized downtown and is not within a historic district or adjacent to historically significant buildings. The project would not cause a substantial adverse change in the significance of a historical resource.

b, c. The consultant conducted a records search at the Northwest Information Center, which revealed there are no known historic or unique archaeological resources at the project site or in the vicinity. Although there are no known archaeological resources or burial sites on the project site, construction activities could inadvertently expose buried or previously unrecognizable archaeological resources. Implementation of the following mitigation measures will reduce this potential, significant impact to a less-than-significant level.

Mitigation Measures

CUL-1 In the event that prehistoric or historic resources are encountered during excavation and/or grading of the site, all activity within a 50-foot radius of the find will be stopped, the Director of Community Development will be notified, and the archaeologist will examine the find and make appropriate recommendations, in collaboration with a Tamien Tribal representative, prior to commencement of construction.

Recommendations could include collection, recordation, and analysis of any significant cultural materials. A report of findings documenting any data recovery during monitoring would be submitted to the Director of Community Development, the California Historical Resources Information System (CHRIS) and the Tamien Nation.

CUL-2 In the event that human remains are discovered during excavation and/or grading of the site, all activity within a 50-foot radius of the find will be stopped. The Santa Clara County Coroner will be notified and will make a determination as to whether the remains are of Native American origin. If the remains are determined to be Native American, the Coroner will notify the Native American Heritage Commission (NAHC) immediately. Once NAHC identifies the most likely descendants, the descendants will make recommendations regarding proper burial, which will be implemented in accordance with Section 15064.5(e) of the CEQA Guidelines.

6. ENERGY

Would the project:

		Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than-Significant Impact	No Impact
a.	Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation? (8, 37, 41, 43, 44, 45, 46)	☐	☐	☒	☐
b.	Conflict with or obstruct a state or local plan for renewable energy or energy efficiency? (8, 37, 41)	☐	☐	☐	☒

Comments:

a. Energy impacts are assessed based on the proposed project energy demand profile and on its relationship to the state's energy efficiency regulations and the City's land use planning regulations, as described below.

Existing Energy Demand

The existing commercial businesses and the single-family home on the project site consume energy in the form of electricity, natural gas, and vehicles that consume transportation fuel. A summary of existing energy demand is provided below.

Electricity. Section 5.3, Energy by Land Use – Electricity, in the Existing Annual Operations CalEEMod results included in Appendix B identifies an existing electricity demand of about 73,122 kilowatt-hour (kWh) per year.

Natural Gas. Section 5.2, Energy by Land Use – Natural Gas, in the Existing Annual Operations CalEEMod results included in Appendix B identifies that the natural gas demand from existing uses would be about 104,715,000 British Thermal Unit (BTU) per year or 1,047 therms per year (1 therm = 100,000 BTU).

Transportation Fuel. Existing uses generate traffic trips. Vehicle trips can be translated into vehicle miles traveled (VMT) for the purpose of projecting transportation fuel demand. CalEEMod results included in Appendix E shows that the estimated existing annual VMT is approximately 277,547 miles. The 2021 Emissions Factor Model version 1.01, which uses vehicle miles traveled as an input, was used to estimate the projected transportation fuel use. The EMFAC results for existing fuel demand included as Appendix E show existing transportation fuel demand of about 1,768.01 gallons per year of diesel and 107,60.92 gallons per year of gasoline.

Projected Energy Use

The proposed project would result in increased demand for electricity, natural gas and fuel. A summary of projected energy demand is provided below.

Electricity. According to the According to the California Energy Commission Energy Consumption Data Management System (2021), in 2019, total electricity consumption in Santa Clara County was 16,664,460,569 kilowatt-hours (kWh). Section 5.3, Energy by Land Use – Electricity, in the Projected Annual Operations CalEEMod results included in Appendix B show projected electricity demand would be approximately 456,664 kWh per year. The projected electricity demand exceeds that of the existing uses by 383,542 kWh per year, or 524.52 percent, and the projected demand would represent approximately 0.003 percent of the total 2019 Santa Clara County electricity demand.

Natural Gas. According to the California Energy Commission Energy Consumption Data Management System (2021b), in 2019, total natural gas consumption in total natural gas consumption in Santa Clara County was 459,720,764 therms. Section 5.2, Energy by Land Use – Natural Gas, in the Projected Annual Operations CalEEMod results included in Appendix B show that projected natural gas demand would be 344,790,000 BTU per year or approximately 3,448 therms per year. The projected natural gas demand exceeds that of the existing uses by 240,075,000 BTU per year (2,401 therms per year), or 229.27 percent, and the projected demand would represent approximately 0.075 percent of the total 2019 Santa Clara County natural gas demand.

Transportation Fuel. The proposed project would generate new traffic trips that would increase vehicle miles traveled. New vehicle trips would result in increased demand for and consumption of transportation fuel. CalEEMod results included in Appendix B show that the projected annual vehicle miles traveled would be 551,414 miles. The 2021Emissions Factor Model version 1.01, which uses vehicle miles traveled as an input, was used to estimate the projected transportation fuel use. The Emissions Factor Model results in Appendix E show projected transportation fuel (diesel and gas) demand of about 3,330 gallons of diesel and 19,167.05 gallons of gasoline per year. The projected transportation annual fuel demand exceeds that of the existing demand by approximately 1,561.99 gallons of diesel, or 88.35 percent; and 8,406.13 gallons of gas, or 78.12 percent.

Regulatory Requirements

A multitude of state regulations and legislative acts are aimed at improving vehicle fuel efficiency, energy efficiency, and enhancing energy conservation. For example,

the Pavley I standards focus on transportation fuel efficiency. The gradual increased use of electric cars powered with cleaner electricity will reduce consumption of fossil fuel. Vehicle miles traveled are expected to decline with the continuing implementation of Senate Bill (SB) 743, resulting in less vehicle travel and less fuel consumption. In the renewable energy use sector, representative legislation for the use of renewable energy includes, but is not limited to SB 350 and Executive Order B-16-12. In the building energy use sector, representative legislation and standards for reducing natural gas and electricity consumption include, but are not limited to Assembly Bill 2021, CALGreen, and the California Building Standards Code.

The California Building Standards Code is enforceable at the project-level. The California Energy Code (California Code of Regulations, Title 24, Part 6), which is incorporated into the California Building Standards Code, was first established in 1978 in response to a legislative mandate to reduce California's energy consumption. The California Energy Code is updated every three years by the California Energy Commission as the Building Energy Efficiency Standards to allow consideration and possible incorporation of new energy efficiency technologies and construction methods. The Green Building Standards Code (also known as CALGreen), which requires all new buildings in the state to be more energy efficient and environmentally responsible, was most recently updated in July 2019. These comprehensive regulations are intended to achieve major reductions in interior and exterior building energy consumption.

The City adopted a Climate Action Plan (CAP) in 2013 and as a condition of project approval, the City will require the applicant to implement applicable GHG reduction measures from that CAP that could serve to reduce energy consumption. These are in addition to meeting regulatory requirements as describe above. The CAP measures include:

- Provide alternative-fuel vehicle charging stations (consistent with Action 1.3 C);
- Install energy-efficient indoor and outdoor appliances and equipment (e.g., pool pumps, washer, dryer, HVAC) (consistent with Action 2.2 A);
- Comply with the City's Water Efficient Landscape Ordinance (consistent with Action 3.2 A);
- Comply with air district construction equipment best practices (consistent with Action 3.3 A); and
- Manage stormwater runoff with green infrastructure such as bioswales and other Low-Impact Development strategies. (consistent with Action 4.1 A).

More information about the CAP is provided in Section 8.0, Greenhouse Gases.

Conclusion

The proposed project could be considered to result in significant environmental effects due to wasteful, inefficient, or unnecessary consumption of energy if its energy demand is extraordinary relative to common land use types, its gross energy demand is excessive relative to total demand in Santa Clara County, and/or it fails to comply with California energy efficiency/conservation regulations that are within the applicant's control.

Because the proposed project is urban infill, residents will have more ready access to urban services, including via non-motorized modes of travel, and transit services that would a project that is not on an urban infill site. This will result in reduced vehicle miles traveled and lower transportation fuel demand.

The project is a common land use type whose electricity and natural gas demand would not be excessive. As presented above, projected electricity and natural gas demand would not be excessive relative to cumulative electricity and natural gas demand in Santa Clara County. Further, the City of Los Altos enforces the California Building Standards Code through the development review process. That enforcement is the primary mechanism through which the applicant would be required to implement energy efficiency/conservation measures. The applicant has indicated that their intent is to design the project to exceed Title 24 by 10 percent. Further, the City will require that the project incorporate a series of GHG reduction measures from its 2013 CAP that will result in additional energy demand reductions.

The proposed project would consume energy, but it would not be inefficient, wasteful, or unnecessary. Therefore, the impact would be less than significant

b. There are no regulations at the state or local level that would mandate that the proposed project must include on-site renewable energy sources. The California Building Standards Code would require the proposed project to be built to the Building Energy Efficiency Standards in effect at the time the building permit is issued. By incorporating energy efficient measures per the Building Energy Efficiency Standards, the project would comply with existing state and local energy standards and would not conflict with or obstruct a state or local plan for energy efficiency. The applicant has indicated that their intent is to design the project to exceed Title 24 by 10 percent which would further building efficiency and compliance with state and local plans.

7. GEOLOGY AND SOILS

Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than-Significant Impact	No Impact
a. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
(1) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42? (2)	☐	☐	☐	☒
(2) Strong seismic ground shaking? (2)	☐	☐	☐	☒
(3) Seismic-related ground failure, including liquefaction? (12)	☐	☐	☐	☒
(4) Landslides? (12)	☐	☐	☐	☒
b. Result in substantial soil erosion or the loss of topsoil? (13)	☐	☐	☒	☐
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse? (1, 2, 8)	☐	☐	☒	☐
d. Be located on expansive soil, creating substantial direct or indirect risks to life or property? (1, 2, 8)	☐	☐	☒	☐
e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? (1, 2, 3)	☐	☐	☐	☒
f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? (1, 2, 3)	☐	☐	☒	☐

Comments:

a (1) Los Altos lies between the active San Andreas and Hayward faults, as well as numerous smaller faults. However, no active faults traverse the city and therefore there is no potential for the primary hazard of ground rupture (City of Los Altos 2002b. p 22).

(2) The project site is located within the seismically active San Francisco Bay region. The faults in this region can generate earthquakes of magnitude 7.0 or higher. During an earthquake, very strong ground shaking could occur at the project site, which could damage buildings and other proposed structures and threaten residents and occupants of the proposed development and surrounding areas. Therefore, the project developer would be required to design the proposed building to meet current California Building Code standards in order to reduce the potential for substantial adverse effects related to ground shaking.

(3) The proposed project is not located within a California Seismic Hazard Zone for liquefaction. The potential for liquefaction at the project site is considered low.

(4) The project site is not located in a landslide hazard zone on County or State geologic hazard maps. The project site is relatively flat and is not located in the vicinity of steep embankments that could increase the risk of landslides affecting the site. Therefore, the proposed project is not susceptible to future landslides, on or off the site. Therefore, the project would have no impacts related to landslides.

b. Ground disturbance on the project site would result from the demolition of the seven existing buildings and excavation to construct the below-grade parking garage, trenching for utilities, and construction of the proposed condominium building. Transportation of construction materials and equipment to and from the site can also result in disturbance of the soils at the site. These activities would increase exposure of soil to wind and water erosion and increase sedimentation. Erosion control measures are required under Provision C.3 of the Municipal Regional Stormwater Permit and would reduce potential construction-related erosion impacts. Required measures include:

- All excavation and grading work would be scheduled in dry weather months or construction sites would be weatherized to withstand or avoid erosion;
- Stockpiles and excavated soils would be covered with secured tarps or plastic sheeting; and
- Vegetation in disturbed areas would be replanted as quickly as possible.

Implementation of the identified erosion control measures would ensure that erosion and sedimentation impacts are reduced to less than significant.

c, d. According to the Los Altos General Plan Initial Study, the Santa Clara Formation underlying most of the city has a low stability rating and may be subject to slumping and landslides on slopes greater than 15 percent. The project site is relatively flat and is not located in the vicinity of steep embankments that could increase the risk of instability and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse.

e. The proposed project would connect to the City of Los Altos Sanitary Sewer System. Therefore, the project site would not need to support septic tanks or alternative wastewater disposal systems.

f. Paleontological resources are the fossilized remains of organisms from prehistoric environments found in geologic strata. Most of the city is situated on alluvial fan deposits of Holocene age that have a low potential to contain significant nonrenewable paleontological resources. The proposed residential development includes a four-story condominium building and two levels of below-grade parking.

Although it is improbable that paleontological resources would be discovered on-site given its prior disturbance and the low potential for such resources, construction activities could result in the disturbance and/or accidental destruction of paleontological resources. Implementation of the following mitigation measure would reduce this potential, significant impact to a less-than-significant level.

Mitigation Measures

GEO-1 The project proponent shall ensure all construction personnel receive paleontological resources awareness training that includes information on the possibility of encountering fossils during construction; the types of fossils likely to be seen, based on past finds in the project area; and proper procedures in the event fossils are encountered. Worker training shall be prepared and presented by a qualified paleontologist. The applicant shall provide the Community Development Director with documentation showing the training has been completed by all required construction personnel prior to issuance of grading permits.

GEO-2 If vertebrae fossils are discovered during construction, all work within 50 feet of the discovery shall stop immediately until a qualified professional paleontologist can assess the nature and importance of the find and recommend appropriate treatment. Treatment may include avoidance, if feasible, preservation in place, or preparation and recovery of fossil materials so that they can be housed in an appropriate museum or university collection and may also include preparation of a report for publication describing the finds.

8. GREENHOUSE GAS EMISSIONS

Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than-Significant Impact	No Impact
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? (8, 37, 40, 41, 42)	☐	☐	☒	☐
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? (8, 37, 40, 41, 42)	☐	☐	☐	☒

Comments:

a. The City adopted a Climate Action Plan (CAP) in 2013 that is valid to 2020, as it was based on meeting the City's greenhouse gas (GHG) reduction goals to the year 2020. The City is in the process of updating its CAP and expects the update to be adopted by the end of 2021. Consequently, the City does not have a current, adopted plan for reducing GHGs from which the analysis of project-specific GHG impacts can be streamlined. Consequently, the City is relying on air district guidance regarding GHG thresholds of significance and impact analysis methodologies as identified in the air district's 2017 CEQA Guidelines.

Table 3-1 in the 2017 CEQA Guidelines identifies screening levels for specific project types at which size the projects may be considered to have a less-than-significant GHG impact. The proposed project use type is "apartment, mid-rise." For operational impacts from GHG emissions, Table 3-1 indicates that projects of this type would have a less-than-significant impact if they have 87 or fewer units.

The GHG significant thresholds and analysis methodologies in the 2017 CEQA Guidelines, including the screening criteria, are based on meeting the Assembly Bill 32 target of reducing statewide GHG emissions to 1990 levels by 2020. Projects whose size is below the applicable screening criteria shown in Table 3-1 would not be considered to generate GHG emissions that would have a significant environmental impact. Senate Bill 32 became effective in January 1, 2017. Senate Bill 32 requires that statewide greenhouse gas emissions be reduced to at least 40 percent below those that occurred in 1990 by the end of 2030. As such, the air district's screening criteria do not reflect project sizes at which GHG impacts could be considered less than significant in light of the 2030 target. The project sizes shown in the screening criteria would

need to be reduced by 40 percent to coincide with the more stringent 2030 emissions reduction target. Therefore, the applicable screening threshold for this project would be 52 units (87 units x .60 = 52 units).

The project, which consists of 50 condominium units, is below the adjusted screening threshold. Therefore, the project would have a less-than-significant impact related to operational GHG emissions. Project emissions would actually be lower than produced by operations of a 50-unit, high density residential project. The project site is developed with seven existing buildings totaling 7,648 square feet, including a hair salon, coin shop, office building, and a single-family residence. These uses produce GHG emissions that would be eliminated with the proposed project, thereby reducing the net emissions produced by the project. Further, the proposed project is consistent with the general plan land use designation for the site and represents dense infill development – a land use strategy designed in part to reduce vehicle miles traveled and the related mobile-source GHG emissions produced by vehicle travel.

Project site preparation and construction activities would produce GHGs from construction equipment, worker and construction vehicles, etc., which typically use fossil-based fuels. Excavation, grading, and construction would be temporary. The air district does provide guidance on assessing the significance of construction GHG emissions. Compliance with mitigation measures (described above in Section 3. Air Quality) to limit air quality impacts during construction as required by the air district (e.g., watering exposed areas, covering haul trucks carrying loose material, limiting speed in construction areas, minimizing idling times, etc.) would reduce construction GHG emissions.

b. The 2017 Guidelines, as adjusted to reflect SB 32, is considered to be the applicable plan for reducing GHG emissions until such time as the City adopts its updated CAP. Although the City's 2013 CAP is no longer valid, as a condition of approval, the City will require the applicant to implement applicable GHG reduction measures from that CAP. These measures may include:

- Provision of alternative-fuel vehicle charging stations (consistent with Action 1.3 C);
- Installation of energy-efficient indoor and outdoor appliances and equipment (e.g., pool pumps, washer, dryer, HVAC). (consistent with Action 2.2 A);
- Compliance with the City's Water Efficient Landscape Ordinance (consistent with Action 3.2 A);

- Compliance with air district construction equipment best practices (consistent with Action 3.3 A); and
- Continue to manage stormwater runoff with green infrastructure such as bioswales and other Low-Impact Development strategies. (consistent with Action 4.1 A).

The project would not conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases, since the proposed project will not substantially increase GHG emissions based on air district screening criteria as described in "a." above.

9. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

		Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than-Significant Impact	No Impact
a.	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? (1, 2, 8)	☐	☐	☐	☒
b.	Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? (1, 2, 8, 28, 30)	☐	☐	☒	☐
c.	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? (1, 2, 8)	☐	☐	☐	☒
d.	Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code section 65962.5 and, as a result, create a significant hazard to the public or the environment? (11, 14, 16)	☐	☐	☒	☐
e.	For a project located within an airport land-use plan or, where such a plan has not been adopted, within two miles of a public airport or a public-use airport, result in a safety hazard or excessive noise for people residing or working in the project area? (15)	☐	☐	☐	☒
f.	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (1, 2, 3)	☐	☐	☐	☒
g.	Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires? (17)	☐	☐	☐	☒

Comments:

a. Operation of the proposed project would not result in hazardous materials being transported, used, or disposed of in quantities that would pose a significant hazard to the public. Operation of the proposed project would include the on-site use and

storage of cleaning supplies and maintenance chemicals in small quantities (oil, paint, pesticides, etc.). These small quantities of cleaning supplies and materials would not pose a risk to site users or adjacent land uses.

b. Development of the proposed project will require the demolition of the buildings on-site. Buildings constructed prior to 1978 may contain lead-based paint and buildings constructed prior to 1989 may contain building materials that contain asbestos. Four of the existing buildings were developed prior to 1978 and, therefore, could contain lead-based paint and/or asbestos. Demolition of the existing building could expose construction workers, surrounding residences, and/or the environment to asbestos, lead based paint and/or polychlorinated biphenyls which would represent a risk to public health and safety and would be a significant impact.

Implementation of the following mitigation measures would reduce this impact to a less-than-significant level.

Mitigation Measure

HAZ-1 Prior to issuance of a demolition permit, the following measures shall be incorporated into demolition plans:

a. All PCB-containing ballasts shall be removed and disposed of in accordance with state and local laws.

b. All potentially friable asbestos-containing materials shall be removed in accordance with National Emissions Standards for Hazardous Air Pollutants (NESHAP) guidelines prior to building demolition or renovation that may disturb the materials.

c. All demolition activities will be undertaken in accordance with Cal/OSHA standards, contained in Title 8 of the California Code of Regulations (CCR), Section 1529, to protect workers from exposure to asbestos. Materials containing more than one percent asbestos are also subject to BAAQMD regulations.

d. During demolition activities, all building materials containing lead-based paint shall be removed in accordance with Cal/OSHA Lead in Construction Standard, Title 8, California Code of Regulations 1532.1, including employee training, employee air monitoring and dust control. Any debris or soil containing lead-based paint or coatings will be disposed of at landfills that meet acceptance criteria for the waste being disposed.

c. There are not any schools within one quarter-mile of the project site and the proposed project would not emit hazardous emissions or handle hazardous materials or substances. The nearest schools to the project site include Los Altos Chinese School Preschool (0.4 miles east of the site) and Covington Elementary School (0.6 miles southeast of the site).

d. Section 65962.5 of the Government Code requires CalEPA to develop and update a list of hazardous waste and substances sites, known as the Cortese List. The Cortese List is used by the state, local agencies, and developers to comply with CEQA requirements. The Cortese List includes hazardous substance release sites identified by the Department of Toxic Substances Control (DTSC), State Water Resources Control Board (SWRCB), and CalRecycle.

According to the State Water Resources Control Board, GeoTracker, there are four Leaking Underground Storage Tanks (LUST) sites within 1,000 feet of the site. All of these LUST sites are offsite and have undergone cleanup and are closed cases. Additionally, according to the Department of Substances Control Envirostor website, as of 2018, there is an active cleanup site within 1000 feet of the project site at a dry-cleaning business located at 392 First St. In 2007, the dry-cleaning business was taken over by a new operator who switched to the use of hydrocarbons as the cleaning solvent. A limited environmental assessment lo performed, in which preliminary subsurface investigations detected PCE in soil vapor above commercial/industrial screening level. County of Santa Clara, Department of Environmental Health is currently overseeing remediation at the site. While this site is within 1,000 feet, it is not located on-site. Therefore, the project would not be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, create a significant hazard to the public or the environment.

e. The project site is not located within an airport land use plan. The closest airports to the site include Moffett Federal Airfield, a joint civil military airport, approximately four miles east of the project site, and Palo Alto Airport, a general aviation facility, located approximately five miles north of the project site. Therefore, the proposed project would not result in safety hazard or noise impacts due to airport activities.

f. The city has an adopted Emergency Preparedness Plan identifying potential risks, facilities and resources relied upon in the event of a catastrophe, and persons responsible for implementation. While the proposed residential project would incrementally increase demand on emergency responders in Los Altos, the proposed project is on a previously developed site and would not impair implementation of or physically interfere with the Emergency Preparedness Plan.

g. The project site is not located within a Very High Fire Hazard Severity Zone as delineated on CalFire SRA and LRA maps. The project site is in an urban area and is not located near wildland areas that would be susceptible to fire. Therefore, implementation of the proposed project would not expose people or structures to wildland fires.

10. HYDROLOGY AND WATER QUALITY

Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than-Significant Impact	No Impact
a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality? (13, 18, 23)	☐	☐	☐	☒
b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin? (1, 2, 3, 13, 18, 23, 28)	☐	☐	☒	☐
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
(1) Result in substantial erosion or siltation on- or off-site; (1, 2, 3, 13, 18, 23, 28)	☐	☐	☒	☐
(2) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site; (1, 2, 3, 13, 18, 23, 28)	☐	☐	☒	☐
(3) Create or contribute runoff water that would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff; or (1, 2, 3, 13, 18, 23, 28)	☐	☐	☒	☐
(4) Impede or redirect flood flows? (1, 2, 3, 13, 18, 23, 28)	☐	☐	☒	☐
d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation? (19, 20)	☐	☐	☐	☒
e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan? (1, 2, 21, 28)	☐	☐	☐	☒

Comments:

a. **Construction Phase.** Construction activities, such as grading and excavation, have the potential to result in temporary impacts to surface water quality in nearby waterways. When disturbance to the soil occurs, sediments may be dislodged and discharged into the storm drainage system after surface runoff flows across the site. The proposed project would result in the disturbance of approximately 0.64 acres, which is below the one-acre of disturbance threshold requiring a Notice of Intent to be covered by the State of California Construction General Permit.

However, the San Francisco Bay Regional Water Quality Control Board (RWQCB) has issued a Municipal Regional Stormwater NPDES Permit (MRP) that covers the project area. The site will be required to undergo a construction site inspection and control program to prevent construction site discharges of pollutants into the storm drains. Inspections will confirm implementation of appropriate and effective erosion and other construction pollutant controls by construction site operators/developers.

Operational Phase. Under the provisions of the MRP, "regulated projects" include redevelopment projects that create or replace 10,000 square feet or more of impervious surface area. Regulated projects are required to design and construct on-site stormwater treatment controls utilizing Low Impact Development (LID) practices to treat post-construction stormwater runoff. The MRP also requires regulated projects to incorporate site design and pollutant source control measures to maintain or restore the site's natural hydrologic functions and reduce the pollutants loads of post-construction runoff. The MRP requires that stormwater treatment measures are properly installed, operated, and maintained. The goal of LID is to reduce runoff and mimic a site's predevelopment hydrology by minimizing disturbed areas and impervious cover and then infiltrating, storing, detaining, evapotranspiring, and/or biotreating stormwater runoff close to its source. LID employs principles such as preserving and recreating natural landscape features and minimizing imperviousness to create functional and appealing site drainage that treats stormwater as a resource, rather than a waste product. Practices used to adhere to these LID principles include measures such as rain barrels and cisterns, green roofs, permeable pavement, preserving undeveloped open space, and biotreatment through rain gardens, bioretention units, bioswales, and planter/tree boxes. Require each Regulated Project to treat 100 percent of the amount of runoff identified in Provision C.3.d for the Regulated Project's drainage area with LID treatment measures onsite or with LID treatment measures at a joint stormwater treatment facility.

The proposed project would create/replace over 10,000 square feet of impervious surface area and would, therefore, be subject to these stormwater controls including LID practices. The proposed project includes flow through planters and bioretention areas located throughout the project site (refer to Appendix A, sheet C-5.0 for the Preliminary Stormwater Management Plan. These LID-based treatment measures have been sized in accordance with Provision C.3 standards. Flow-through planters and bioretention areas would not only remove pollutants from storm water, but also help to reduce post-construction runoff rates. The project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality.

b. The project site is not located within or adjacent to any groundwater recharge facilities used by the Santa Clara Valley Water District (Valley Water). Groundwater recharge facilities are integral to the maintenance of groundwater levels in Santa Clara County because the amount of groundwater pumped far exceeds natural recharge. The project incorporates LID practices and minimizing disturbed areas and impervious cover. LID employs principles such as preserving and recreating natural landscape features and minimizing imperviousness. The project proposes to incorporate bioretention and flow through planter areas into the landscaping, which will allow runoff to infiltrate into the native soils and potentially recharge groundwater in the local aquifer. The proposed project would not establish groundwater wells to supply the site, deplete groundwater supply, or interfere with groundwater recharge such that the project may impede sustainable groundwater management of the basin.

c. The project would include site design and post-construction treatment control measures in compliance with the MRP. Treatment control measures, including flow-through planters and bioretention areas, would reduce the rate, volume, and pollutant load of runoff leaving the site and entering the public storm drain system.

The *City of Los Altos Stormwater Master Plan* identifies areas of known drainage issues throughout the city, none of which would be exacerbated by the proposed development. The storm drain system would continue to provide adequate stormwater conveyance for a 10-year event following the implementation of the project and would not require upgrades or drainage pattern alterations to accommodate the project. Adherence to the standard measures described above would ensure that the project reduces potential erosion and sedimentation during construction activities. Compliance with the MRP would ensure that stormwater flows generated at the project site would be reduced and treated to the maximum extent feasible using LID methods. The project would not substantially alter the

existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would result in substantial erosion or siltation on- or off-site; substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site; create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or impede or redirect flood flows.

d. The project site is not located in a 100-year floodplain. According to FEMA Flood Insurance Rate Maps for Santa Clara County, the project site is located in a Flood Zone X. Zone X is designated as areas of 0.2 percent annual chance flood, areas of one percent annual chance flood with average depths of less than one foot or with drainage areas of less than one square mile, and areas protected by levees from one percent annual chance floods. The project site is not located within a dam failure inundation zone. There are no landlocked bodies of water near the project site that would affect the site in the event of a seiche, and no bodies of water near the project site that would affect the site in the event of a tsunami. The project area is flat and there are no hillsides in proximity that would affect the site in the event of a mudflow.

e. Valley Water prepared a Groundwater Management Plan (GMP) for the Santa Clara and Llagas subbasins in 2016, describing its comprehensive groundwater management framework including objectives and strategies, programs and activities to support those objectives, and outcome measures to gauge performance. The GMP is the guiding document for how Valley Water will ensure groundwater basins within its jurisdiction are managed sustainably. The project site is located within the Santa Clara subbasin, which has not been identified as a groundwater basin in a state of overdraft.

Implementation of the proposed project would not interfere with actions set forth by Valley Water in its GMP in regards to groundwater recharge, transport of groundwater, and/or groundwater quality. The proposed project is located in an urban area served by existing water retailers and would not directly extract groundwater to meet its water demands. Therefore, the proposed project would not preclude the implementation of the GMP.

11. LAND USE AND PLANNING

Would the project:

		Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than-Significant Impact	No Impact
a.	Physically divide an established community? (8)	☐	☐	☐	☒
b.	Cause any significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect? (1,2, 3, 8, 28)	☐	☐	☐	☒

Comments:

a. The proposed project is an infill, redevelopment project that is consistent with the existing urban development of the area and would not divide connected neighborhoods or land uses. The proposed project does not include new roadways, infrastructure or development features that would not divide an established community; therefore, there would be no impact related to physically dividing an established community.

b. The proposed project would redevelop and intensify the land uses on the project site by providing high density housing on a site currently developed with low density commercial, retail, office, and single-family residential uses. The proposed project would not conflict with general plan goals or policies intended to avoid or mitigate environmental impacts. The project is compatible with its general plan land use designation and zoning. The project site has a general plan land use designation of Downtown Commercial, in which high-density residential land uses are encouraged. The zoning code does not identify a maximum allowed density for the CD/R3 district and housing is a principally permitted use in this district. The proposed condominium building would reach a maximum height of 46 feet, which exceeds the CD/R3 district's allowable building height limit of 35 feet. The project proponent has requested an incentive to allow for the proposed building height of the condominium buildings. Pursuant to State Density Bonus law and the city's Affordable Housing Ordinance, the project is entitled to two incentives or concessions, additional waivers, and reduced on-site parking requirements. With the allowed incentives/waivers, the project would meet all required site standards, including setbacks and buffer zones between adjacent land uses. The City of Los Altos' design review process for CD-R3 developments would ensure that the final design and site layout of the project is consistent with all applicable design findings and design controls.

12. MINERAL RESOURCES

Would the project:

		Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than-Significant Impact	No Impact
a.	Result in loss of availability of a known mineral resource that would be of value to the region and the residents of the state? (1, 2, 28)	☐	☐	☐	☒
b.	Result in the loss of availability of a locally important mineral resource recovery site delineated in a local general plan, specific plan, or other land-use plan? (1, 2, 28)	☐	☐	☐	☒

Comments:

a. The proposed project would redevelop a site that is not known to contain mineral resources of value to the region and residents of the state. The proposed project would not indirectly affect the availability of any mineral resources by restricting access to a resource recovery site or substantially depleting the reserves of any resources in the region. Therefore, the proposed residential development would not result in a significant impact to mineral resources.

b. There are no identified mineral resource recovery sites located within or adjacent to the project site. The project site is in an urbanized area developed with a mix of residential and commercial uses and is developed with buildings, paved surfaced parking, paved walkways, and landscaping. Therefore, the development of the proposed residential project would not result in the loss of a mineral resource recovery site.

13. NOISE

Would the project result in:

		Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than-Significant Impact	No Impact
a.	Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or in applicable standards of other agencies? (1, 2, 3, 28, 31, 47)	☐	☒	☐	☐
b.	Generation of excessive ground-borne vibration or ground borne noise levels? (1, 2, 3, 28)	☐	☒	☐	☐
c.	For a project located within the vicinity of a private airstrip or an airport land-use plan or, where such a plan has not been adopted, within two miles of a public airport or public-use airport, expose people residing or working in the project area to excessive noise levels? (15)	☐	☐	☐	☒

Comments:

a. The project site is in an urbanized area developed with a mix of residential and commercial uses and is developed with seven exiting structures including commercial office, retail, residential, and two outbuildings.

Temporary Construction Noise

Construction noise impacts depend upon the noise generated by various pieces of construction equipment, the timing and duration of noise-generating activities, and the distance between construction noise sources and noise-sensitive areas. Construction noise impacts primarily result when construction activities occur during noise-sensitive times of the day (e.g., morning or evening hours), the construction occurs in areas immediately adjoining noise-sensitive land uses, or when construction lasts over extended periods of time.

The Noise Ordinance establishes interior and exterior noise standards by zoning district for daytime and nighttime hours, and identifies prohibited acts relative to noise, including maximum noise levels at affected properties and hours during which construction is permitted. The noise ordinance allows for increases in noise related to construction activities during permitted construction hours. The acceptable daytime noise level for the R-3 Districts is 50 dBA and for C districts is 60 dBA.

According to the United State Environmental Protection Agency, noise levels during construction could range from 65 to 88 dBA at 50 feet and therefore, could exceed noise level standards set forth by the city at the immediately adjacent office building to the south. This would constitute a significant temporary noise impact. Implementation of the following mitigation measures would reduce potential construction noise impacts at adjacent residential and commercial properties to less than significant levels.

Mitigation Measure

NOI-1 Modification, placement, and operation of construction equipment are possible means for minimizing the impact of construction noise. Construction equipment shall be well-maintained and used judiciously to be as quiet as possible. Additionally, construction activities for the proposed project shall include the following best management practices to reduce noise from construction activities near sensitive land uses:

- Noise generating construction activities shall be limited to the hours between 7:00 a.m. and 5:30 p.m., Monday through Friday, and on Saturdays between 9:00 a.m. and 3:00 p.m., in accordance with the city's municipal code for construction in a single-family residential zone. Construction is prohibited on Sundays and holidays, unless permission is granted with a development permit or other planning approval.
- Use of the concrete saw within 50 feet of any shared property line shall be limited.
- Equip all internal combustion engine-driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the equipment.
- Unnecessary idling of internal combustion engines in construction equipment with a horsepower rating of 50 or more shall be strictly prohibited, and limited to five minutes or less, consistent with BAAQMD best management practices.
- Locate stationary noise-generating equipment, such as air compressors or portable power generators, as far as possible from sensitive receptors (residences). If they must be located near sensitive receptors, adequate muffling (with enclosures

where feasible and appropriate) shall be used to reduce noise levels at the adjacent sensitive receptors. Any enclosure openings or venting shall face away from sensitive receptors.

- Utilize "quiet" air compressors and other stationary noise sources where technology exists.
- A temporary noise control blanket barrier could be erected, if necessary, at the property line or along building facades facing construction sites. This measure would only be necessary if conflicts occurred that were irresolvable by proper scheduling. Noise control blanket barriers can be rented and quickly erected.
- Control noise from construction workers' radios to a point where they are not audible at existing residences bordering the project site.
- The contractor shall prepare a detailed construction plan identifying the schedule for major noise-generating construction activities and shall send a notice to all adjacent properties with the construction schedule.
- Designate a "disturbance coordinator" who would be responsible for responding to any complaints about construction noise. The disturbance coordinator will determine the cause of the noise complaint (e.g., bad muffler, etc.) and will require that reasonable measures be implemented to correct the problem. Conspicuously post the telephone number for the disturbance coordinator at the construction site and include it in the notice sent to neighbors regarding the construction schedule.

Operational Noise

Traffic. Neither the City of Los Altos nor the State of California define the traffic noise level increase that is considered substantial. A significant impact would typically be identified if project generated traffic were to result in a permanent noise level increase of three dBA CNEL or greater in a residential area where the resulting noise environment would exceed or continue to exceed 60 dBA CNEL or result in a permanent noise increase of five dBA Ldn or greater in a residential area where the resulting in a noise environment would continue to be 60 dBA CNEL or less. For

reference, a three dBA CNEL noise increase would be expected if the project would double existing traffic volumes along a roadway. According to the Traffic Impact Analysis prepared by Hexagon Transportation Consultations, average trip generation rates were estimated using the ITE Trip Generation Manual, 10th Edition (2017) rates for Multi-Family Housing (Mid-Rise) (ITE Land Use 221). The project would replace the existing buildings on-site including a 1,250 square foot hair salon, 2,050 square feet coin shop retail space, a 1,500 square foot chiropractor practice, and a 2,450 square foot office building. The trips associated with these uses were subtracted from the proposed new use; however, no trip credits were taken for the coin shop, as it is currently vacant. As shown in Table 3, Project Trip Generation Estimates in the Traffic Impact Analysis, the project is estimated to generate 196 new daily trips after crediting the 76 existing trips. Because this would double the existing trips at the site, the project traffic could result in a three dBA increase. However, because the area is mixed use in nature and the uses immediately adjacent to the site are commercial/office, a three dBA traffic noise increase would not be a significant noise increase to the area.

Parking. Parking would be provided in the underground garage. Parking activities occurring in the underground garage would not be anticipated to be audible outside of the parking structure.

Mechanical Equipment. The proposed project would include mechanical equipment such as heating, ventilation, and air conditioning systems (HVAC). This could include condenser, exhaust fans, and boilers located on the rooftop. According to the *5150 El Camino Real Residential Development Initial Study*, typical residential rooftop exhaust fans are anticipated to generate noise levels of 50 to 60 dBA at 50 feet from the equipment, depending on the equipment selected. Shielding from equipment enclosures and surrounding structures would provide 10 to 15 dBA of reduction. The City of Los Altos limits sound levels generated by air-conditioning or air-handling equipment to 50 dBA at residentially zoned property lines. While the property immediately adjacent to the site is developed with an office use, it has a CD/R3 Commercial Downtown/Multiple Family zoning designation. The descriptor for the noise limit is not specified. For consistency with the provisions of the code, a reasonable interpretation of this standard would identify the criteria as an hourly average L_{eq}. It is possible the HVAC system could exceed city noise standards. Implementation of the following mitigation measure would reduce this impact to a less-than-significant level.

By requiring a review of the mechanical equipment selected for the proposed project, as well as its design and location within the site, project mechanical equipment would not generate long-term noise levels in exceedance of City noise limits.

Mitigation Measure

NOI-2 Prior to the issuance of a building permit, mechanical equipment shall be selected and designed to reduce impacts on surrounding uses to meet the city's requirements. A qualified acoustical consultant shall be retained by the project applicant to review mechanical noise as the equipment systems are selected in order to determine whether the proposed noise reduction measures sufficiently reduce noise to comply with the city's noise limit at the shared property line. Noise reduction measures that would accomplish this reduction include, but are not limited to, selection of equipment that emits low noise levels and/or installation of noise barriers such as enclosures and parapet walls to block the line of sight between the noise source and the nearest receptors.

b. Vibration is a unique form of noise because its energy is carried through buildings, structures, and the ground, whereas sound is simply carried through the air. Therefore, vibration is generally felt rather than heard. Some vibration effects can be caused by noise (e.g., the rattling of windows from passing trucks). This phenomenon is caused by the coupling of the acoustic energy at frequencies that are close to the resonant frequency of the material being vibrated. Typically, ground-borne vibration generated by manmade activities attenuates rapidly as distance from the source of the vibration increases. The ground motion caused by vibration is measured as peak particle velocity (PPV) in inches per second (PPV [in/sec]) and is measured in vibration decibels (VdB).

The City of Los Altos does not specify a construction vibration limit. For structural damage, the California Department of Transportation recommends a vibration limit of 0.5 in/sec PPV for buildings structurally sound and designed to modern engineering standards, 0.3 in/sec PPV for buildings that are found to be structurally sound but where structural damage is a major concern, and a conservative limit of 0.25 in/sec PPV for historic and some old buildings. The conservative 0.3 in/sec PPV vibration limit would be applicable to properties in the vicinity of the project site, but historic or very old buildings are not known to exist in the immediate project vicinity.

Demolition, excavation, and other construction activities could result in unacceptable vibration levels at the adjacent office building to the west. Implementation of the following mitigation measure would ensure this potential impact is not significant.

Mitigation Measure

NOI-3 A construction vibration-monitoring plan shall be implemented to document conditions at the structure located adjacent to the proposed construction prior to, during, and after vibration generating construction activities. All plan tasks shall be completed under the direction of a State of California licensed Professional Structural Engineer and be in accordance with industry accepted standard methods. The construction vibration monitoring plan shall include the following tasks:

- Identification of sensitivity to groundborne vibration of the structure located adjacent to the construction.
- Performance of a photo survey, elevation survey, and crack monitoring survey for the structure located adjacent to the construction. Surveys shall be performed prior to, in regular intervals during, and after completion of vibration generating activities and shall include internal and external crack monitoring in the structure, settlement, and distress and shall document the condition of the foundation, walls and other structural elements in the interior and exterior of said structure. Interior inspections would be subject to property owners' permission.
- Conduct a post-survey on the structure where monitoring has indicated damage. Make appropriate repairs or provide compensation where damage has occurred as a result of construction activities.
- Designate a person responsible for registering and investigating claims of excessive vibration. The contact information of such person shall be clearly posted on the construction site.

c. There are no airports near the project site that would expose people residing or working in the project area to excessive noise levels. The closest airports to the site include Moffett Federal Airfield, a joint civil military airport, approximately four miles east of the project site. And Palo Alto Airport, a general aviation facility, located approximately five miles north of the project site.

14. POPULATION AND HOUSING

Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than-Significant Impact	No Impact
a. Induce substantial unplanned population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)? (7, 8)	☐	☐	☒	☐
b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere? (7, 8)	☐	☐	☒	☐

Comments:

a. According to the United States Census Bureau, Los Altos has an estimated 2019 population of approximately 30,089 and Los Altos' housing stock has an average of 2.84 persons per household in 2019 (US Census Bureau 2021). The proposed 50 condominium units would potentially create a population growth in the area of 142 people. However, this would not induce substantial unplanned population growth in the area. The proposed project is consistent with the uses allowed by the general plan and zoning code. The project site is located in an established urban area, has direct access to the roadway and existing utility infrastructure located on First Street. Therefore, the proposed project would not induce unplanned population growth.

b. The proposed project would result in the demolition of one single-family residence. However, the project would create 50 new dwelling units and would not displace a substantial number of people or housing such that replacement housing would be necessitated elsewhere.

15. PUBLIC SERVICES

Would the project result in substantial adverse physical impacts associated with the provision of or need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the following public services:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than-Significant Impact	No Impact
a. Fire protection? (1, 2, 7, 8, 15)	☐	☐	☐	☒
b. Police protection? (1, 2, 7, 8, 15)	☐	☐	☐	☒
c. Schools? (1, 2, 3, 7, 8, 9, 32, 39, 40)	☐	☐	☒	☐
d. Parks? (7, 8)	☐	☐	☒	☐
e. Other public facilities? (1, 2, 3, 7, 8)	☐	☐	☐	☒

Comments:

a. The City of Los Altos contracts with the Santa Clara County Fire District for fire and emergency medical services. There are two fire stations in Los Altos: Almond Fire Station located at 10 Almond Avenue; and Loyola Fire Station located at 765 Fremont Avenue. The closest station to the project site is the Almond Fire Station, located approximately 0.5 miles north of the site.

The project proposes to replace seven existing commercial/residential structures with one new residential building on the site that would provide a total of 50 residential units. According to the California US Census Bureau, Los Altos' housing stock had an average of 2.84 persons per household in 2019. Therefore, the proposed project could result in a population increase of 142 persons. As discussed in Section 15, Population and Housing, the proposed development would not induce substantial unplanned population growth in the area. The project would incrementally increase the local population and associated demand on fire protection services. The incremental increase in demand would not, by itself, require new facilities or expansion of existing facilities to provide adequate fire protection services and meet the city's overall service goals. The project would be reviewed by the Santa Clara County Fire District to ensure applicable Fire Code standards to reduce potential fire hazards are included in the project design when construction permits are issued, including

sprinklers and smoke detectors. The project would not result in substantial adverse physical impacts associated with the provision of or need for new or physically altered fire facilities.

b. Police protection services for the project site are provided by the Los Altos Police Department, headquartered at 1 North San Antonio Road, approximately 0.4 miles north of the site. The Department has 32 sworn officers, five reserve officers, and 17 professional civilian staff.

As previously discussed, the project would increase the permanent population of the area by approximately 142 persons. This incremental increase in population would not place a substantial new burden on police protection services in the area. The project would be constructed in conformance with current codes and the project design would be reviewed by the Los Altos Police Department to ensure that it incorporates appropriate safety features to minimize criminal activity. New facilities, or the expansion of existing facilities, would not be required to provide adequate police services to serve the proposed project and meet the city's overall service goals. The project would not result in substantial adverse physical impacts associated with the provision of or need for new or physically altered police facilities.

c. The project site is in the Los Altos School District and Mountain View Los Altos Union High School District. Elementary school students in the project area attend Gardner Bullis Elementary School, located approximately 0.9 miles west of the project site. Middle school students in the project area attend Egan Junior High School, located approximately 0.8 miles west of the project site. High school students in the project area attend Los Altos High School, located approximately 0.7 miles northeast of the project site.

Table 8, Student Generation, presents the projected number of students resulting from the proposed project.

Table 8 Student Generation

Number of Proposed Units	Student Generation Rates	Number of New Students
50	0.63 elementary school students (K-9)	33
	0.038 high school students (9-12)	2
Total	35 Students	

SOURCE: Mountain View Los Altos High School District 2017
Hexagon Transportation Consultants 2019

The proposed project is expected to generate 34.4 school aged children. While the proposed project would incrementally increase the demand placed on schools in Los Altos, this increase would not be substantial and would not require the construction of new school facilities or the expansion of existing facilities.

California Government Code Section 65996 specifies that an acceptable method of offsetting a project's effect on the adequacy of school facilities is the payment of a school impact fee prior to the issuance of a building permit. Sections 65995-65998 set forth provisions for the payment of school impact fees by new development by "mitigating impacts on school facilities that occur (as a result of the planning, use, or development of real property" (Section 65996[a]). The legislation goes on to say that the payment of school impact fees "are hereby deemed to provide full and complete school facilities mitigation" under CEQA (Section 65996[b]).

In accordance with California Government Code Section 65996, developers pay a school impact fee to the local school district to offset the increased demands on school facilities caused by their proposed residential development project. The school district is responsible for implementing the specific methods for mitigating school impacts under the Government Code. The project would not result in substantial adverse physical impacts associated with the provision of or need for new or physically altered school facilities.

d. The closest public park is Shoup Park, located approximately 0.3 miles southwest of the site. Other public park facilities in the vicinity include Village Park (0.35 miles to the north) and Rosita Park (0.7 miles to the southeast). The project would increase the residential population in the project area by 142 persons which could increase use of existing parks and recreational facilities in Los Altos and in adjacent cities. This incremental increase in demand is not expected to create a substantial physical burden on local and regional parks to an extent that would require the expansion of existing facilities or construction of new facilities.

The City of Los Altos has established a Parkland Dedication Ordinance (Chapter 13.24.010 of the Municipal Code) requiring residential subdivisions to dedicate land for park or recreational purposes, or pay a fee in-lieu thereof, as a condition of approval for the final subdivision or parcel map. The intent of the ordinance is to allow development to occur within the city in a manner that meets the city's parks and recreation goals. The city provides and maintains developed parkland and open space to serve its residents. Residents of Los Altos are served by community park facilities, neighborhood parks, playing fields and community centers. The city's Department of Recreation and Community Services is responsible for development, operation, and maintenance of all city park facilities. In accordance with the City of

Los Altos Parkland Dedication Ordinance (Chapter 13.24.010 of the Municipal Code), the project applicant shall pay the applicable parkland dedication in-lieu fee as a condition of project approval.

e. While the project would incrementally increase the demand on library and community center facilities, the project is not expected to create a substantial physical burden to an extent that would require expansion of existing facilities or construction of new facilities. The project would not result in substantial adverse physical impacts associated with the provision of or need for new or physically altered libraries, community centers, or other public facilities.

16. RECREATION

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than-Significant Impact	No Impact
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? (1, 2, 3, 7, 8)	☐	☐	☐	☒
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment? (1, 2, 3, 7, 8)	☐	☐	☐	☒

Comments:

a, b. As discussed in Section 15, Public Services, the proposed project would incrementally increase the population in the project area. In accordance with the City of Los Altos Parkland Dedication Ordinance (Chapter 13.24.010 of the Municipal Code), the project applicant will be required to pay the applicable parkland dedication in-lieu fee as a condition of project approval. Additionally, the proposed residential project would provide on-site recreational facilities including a 5,000 square foot rooftop deck with grilling stations, dining tables, and outdoor seating. The proposed project would not increase in the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of a facility would occur or be accelerated or that would require the construction or expansion of recreational facilities.

17. TRANSPORTATION

Would the project:

		Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than-Significant Impact	No Impact
a.	Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities? (1, 8 47)	☐	☐	☒	☐
b.	Conflict or be inconsistent with CEQA guidelines section 15064.3, subdivision (b)? (8, 47)	☐	☐	☒	☐
c.	Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (1, 2, 47)	☐	☐	☒	☐
d.	Result in inadequate emergency access? (1, 2, 8, 47)	☐	☐	☒	☐

Comments:

The following discussion is based on a Transportation Impact Analysis prepared by Hexagon Transportation Consultants, Inc. The report, dated August 2021, is attached to this Initial Study as Appendix F. The study evaluated intersection levels of service for General Plan and CMP consistency, impacts to bicycle, pedestrian, and transit facilities, and site access, on-site circulation, vehicle queuing, and parking demand.

a. The traffic impact analysis studied the following five signalized intersections and two unsignalized intersections:

1. Foothill Expressway & Main Street (CMP intersection)
2. First Street & Main Street
3. First Street & Whitney Street (unsignalized)
4. San Antonio Road & Edith Avenue/Main Street
5. San Antonio Road & First Street/Cuesta Drive
6. San Antonio Road & Foothill Expressway (CMP intersection)
7. San Antonio Road & Whitney Street/Pepper Drive (unsignalized)

A development project in Los Altos would be inconsistent with the Circulation Element of the General Plan if for either peak hour, either of the following conditions occurs at a signalized intersection:

- The level of service at the intersection drops below its respective level of service standard (LOS D or better for local intersections) when project traffic is added, or
- An intersection that operates below its level of service standard under no-project conditions experiences an increase in delay of four or more seconds, and the volume-to-capacity ratio (v/c) is increased by one percent (0.01) or more when project traffic is added.

The Santa Clara Valley Transportation Authority (VTA) oversees the Congestion Management Program (CMP), which is aimed at reducing regional traffic congestion. The relevant state legislation requires that all urbanized counties in California prepare a CMP in order to obtain each county's share of gas tax revenues. State legislation requires that each CMP define traffic LOS standards, transit service standards, a trip reduction and transportation demand management, a land use impact analysis program, and a capital improvement element. VTA has review responsibility for proposed development projects that are expected to affect CMP designated intersections.

A development project would be inconsistent with the CMP if the development project results in the level of service at a CMP intersection dropping below LOS E when project traffic is added.

Trip Generation, Distribution and Assignment. The magnitude of traffic produced by a new development and the locations where that traffic would appear are estimated using a three-step process: (1) trip generation, (2) trip distribution, and (3) trip assignment. In determining project trip generation, the magnitude of traffic entering and exiting the site is estimated for the AM and PM peak hours. As part of the project trip distribution, an estimate is made of the directions to and from which the project trips would travel. In the project trip assignment, project trips are assigned to specific streets and intersections.

Standard trip generation rates were applied for the proposed development in accordance with the Institute of Transportation Engineers (ITE) manual entitled Trip Generation, 10th edition. The trip rates for a Multiple-family Housing – Mid-Rise land use were used for this project. Total trips generated by the proposed project were then evaluated against estimated trips generated by the existing businesses onsite and the project was determined to create 196 net daily trips (refer to Table 3, Project Trip Generation Estimates in the Traffic Impact Analysis).

The trip distribution pattern for net trips generated by the proposed project was estimated based on existing travel patterns on the surrounding roadway system and the locations of complementary land uses. The new net trips that the project would generate were assigned to the roadway system based on the directions of approach and departure, the roadway network connections, and the locations of project driveways.

Level of Service. Project consistency with the General Plan and CMP's LOS thresholds was evaluated relative to both existing traffic and background traffic volumes. For the existing plus project scenario, the levels of service at the seven study intersections were evaluated for the current traffic conditions and the traffic conditions expected to result from added vehicular trips under the proposed project. For the background plus project scenario, background peak-hour traffic volumes were estimated by adding the estimated traffic from the approved but not yet constructed developments to existing volumes.

As shown in Table 4 of the Traffic Impact Analysis, five of study intersections would continue to operate at an acceptable level of service during both AM and PM peak hours. Since the project would add trips to existing low-delay movements, there would be a decrease in overall average delay at some intersections.

The intersection of Foothill Expressway & San Antonio Road operates at an unacceptable level of service during the PM peak hour. However, the addition of project trips would not adversely affect traffic operations at the intersection because these trips would not increase the average delay at the intersection by more than 4 seconds.

The San Antonio Road & Whitney Street/Pepper Drive intersection operates at an unacceptable level of service during the PM peak hour. However, the addition of project generated trips would not adversely affect traffic operations at the intersection. Since the unsignalized intersection of San Antonio Road & Whitney Street/Pepper Drive operates at LOS E, a signal warrant check (MUTCD 2010 edition, Part 4, Warrant 3) was conducted for the intersection based on the peak-hour traffic warrant. The analysis shows that the signal warrant is not met with or without the project**.**

The proposed project would not result in a substantial increase in traffic volumes at affected intersections. The City of Los Altos' circulation system would continue to operate effectively following implementation of the project. Therefore, traffic generated by the proposed project would be consistent with the General Plan and the CMP.

Transit Facilities. The project site is primarily served by one VTA bus route (Frequent Route 40). The nearest bus stops to the project site are located along both sides of San Antonio Road (near Whitney Street), approximately 800 feet from the project site. According to the traffic impact analysis, existing bus service is expected to have sufficient capacity to accommodate new riders as a result of the project. The project would not remove any transit facilities, nor would it conflict with any adopted plans or policies associated with new transit facilities. The project would not cause substantial transit delays.

Pedestrian Facilities. Pedestrian facilities consist of sidewalks, crosswalks, and pedestrian signals at signalized intersections. In the vicinity of the project site, continuous sidewalks exist along the east side of First Street. Discontinuous sidewalks are present along the west side of First Street and on Whitney Street. Near the project site, marked crosswalks are present along the north and east legs at the intersection of First Street & Whitney Street. Crosswalks with pedestrian signal heads are present at the intersection of First Street & Main Street. Crosswalks with pedestrian signal heads and push buttons are provided at the remaining signalized study intersections, with the exception of the south leg of the San Antonio Road & First Street/Cuesta Drive intersection. The project site is located near routes identified in the City's Safe Routes to School Plan. The City has released draft Walk n Roll maps for each school that services the Los Altos community. The Walk n Roll maps designate pedestrian and bicycle-friendly routes that students and parents can use to walk and bike to school. The project site is located near San Antonio Road and Cuesta Drive, which are both identified in numerous Walk n Roll maps.

The proposed project would provide sidewalks, crosswalks, and pedestrian signals at signalized intersections. The project proposes to construct a new five-foot-wide sidewalk and seven-foot-wide planting strip along its frontage on Whitney Street and an eight to 12-foot-wide sidewalk along its frontage on First Street. Trees would be planted along the sidewalk on the First Street frontage. The existing sidewalks and crosswalks provide adequate access to transit and nearby points of interest.

The Pedestrian Master Plan includes goals, policies and actions for improving the pedestrian environment in Los Altos, including planning for pedestrian accommodation and facilities that serve people of all ages and abilities, developing a safe pedestrian network, and increasing pedestrian mode share. Pedestrian circulation would not be inhibited by the proposed project and the project would not conflict with the Los Altos Pedestrian Master Plan. The proposed project would include pedestrian access points to existing facilities and would not prevent the City from implementing the goals of the Pedestrian Master Plan.

Bicycle Facilities. Bicycle facilities in the vicinity of the project site include bike lanes and bike routes. Bike lanes (Class II facilities) are lanes on roadways designated for use by bicycles with special lane markings, pavement legends, and signage. Bike routes (Class III facilities) are roadways shared between bicycles and vehicles. While most streets in the downtown area lack bicycle facilities, they have slow traffic speeds and are conducive to bicycling. The project proposes to provide 56 long term bicycle parking spaces located in bicycle lockers in the underground garage area. The project also proposes six short term bicycle parking spaces on two bicycle racks located along the project frontage on First Street. The project would not remove any bicycle facilities, and would not preclude the continued use of existing bicycle facilities in the project area nor would it conflict with Los Altos General Plan policies promoting continued and expanded bicycle use.

b. Senate Bill 743 was passed in 2013 and mandated a shift in the metrics used for transportation analysis under CEQA from Levels of Service (LOS) to Vehicle Miles Traveled (VMT). CEQA Guidelines Section 15064.3, subdivision (b) (1) establishes that VMT is the metric to use to analyze transportation impacts of land use projects. The Traffic Impact Analysis describes the daily VMT per capita for the project and compares it to significance thresholds for the City of Los Altos. Per Office of Planning and Research (OPR) guidelines, when there is a change in land use, VMT for a proposed project should be compared to thresholds set by lead agencies without regard to the VMT generated by the previous existing use.

   The City's VMT threshold of significance is the city average VMT per capita minus 15 percent, which calculates to 10.39 daily vehicle miles traveled per resident. Thus, the proposed project would result in a significant impact if it results in a project VMT of 10.39 VMT per capita or more.

   The results of the VMT evaluation, using the VTA VMT Evaluation Tool, indicates that the proposed project is expected to generate 6.37 VMT per capita. Since the proposed project's estimated VMT is lower than the significance threshold of 10.39 VMT per capita, the project would have a less than significant impact on vehicle miles traveled.

c. On-site circulation was evaluated for the project driveways and underground parking garage for traffic volume, delays, vehicle queues, geometric design, and sight distance. On-site vehicular circulation was reviewed in accordance with generally accepted traffic engineering standards and transportation planning principles. The site plan shows the driveway to the underground garage ramp from the alleyway measuring 24 feet in width, which is adequate width for a two-way driveway. The project plans do not show any entry control device. Therefore, it is unlikely there will be any queuing for inbound traffic. Since the driveway ramp is accessed from an alley carrying low traffic volume, vehicle queuing for exiting vehicles is not expected.

Sight distance was checked for the proposed driveway. Sight distance requirements vary depending on the roadway speeds. Vehicles are expected to drive slowly in the alley. However, for the purposes of analysis it is assumed that the speed limit of the alley is 25 mph. Therefore, the Caltrans stopping sight distance for both driveways is 200 feet (based on a design speed of 30 mph). Drivers will be able to see at least 200 feet towards the south when exiting. Similarly, drivers will be able to see vehicles turning from Whitney Street into the alley from the north.

The proposed project would not substantially increase hazards due to a geometric design feature or due to incompatible uses.

d. The site was found to have adequate site access and circulation and would provide adequate emergency vehicles access to the condominiums.

18. TRIBAL CULTURAL RESOURCES

Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than-Significant Impact	No Impact
a. Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, or cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
(1) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources code section 5020.1(k), or (26)	☐	☒	☐	☐
(2) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe. (26)	☐	☒	☐	☐

Comments:

a. The Tamian Nation contacted the City of Los Altos requesting consultation. City staff and the Tribal representative met on August 16th and October 4th, 2021. A records search from the Northwest Information Center was obtained and shared with the Tribal representative, the results of which are discussed in Section D5, Cultural Resources, of this initial study.

The Tribal representative indicated that the project site is located within a general area known to the Tribe sensitive resources. The Tribal representative provided no evidence of Tribal resources on or in the immediate vicinity of the project site that are listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources code section 5020.1(k), or, a resource determined by the City of Los Altos, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1.

However, because the Tamien Nation is traditionally and culturally affiliated with the project area, and the Tribe has indicated that sensitive resources are located with the general vicinity, the Tribal representative and City staff have agreed to the following mitigation measures, in the event significant resources meeting the definition in (1) and (2) in the table above are accidentally discovered during earth moving activities associated with the proposed project.

Mitigation Measures

In addition to mitigation measures CUL-1 and CUL-2 presented in Section D5, Cultural Resources, the following measures shall be implemented:

TR-1 The applicant shall contract with the Tamien Nation to development and implement a cultural resource sensitivity training program for the construction work crew on the first day of construction. The archaeologist shall provide evidence of the training to the City Planning Division, which shall include the training materials and a sign-in list of trained construction personnel, at the end of the first day of construction.

TR-2 The applicant shall contract with the Tamien Tribal to monitor ground disturbing activities, including but not limited to removal of existing building foundations, trees, and grading activities.

The applicant shall also contract with a qualified archaeologist to be on-call should cultural or Tribal resources be inadvertently discovered.

Evidence of a contracts with the Tribal monitor and archaeologist shall be provided to the City Planning Division prior to issuance of a building demolition permit and/or a grading permit.

Should Tribal or cultural resources be inadvertently discovered, the Tamien Nation Treatment Protocol shall be implemented. Whether or not Tribal or cultural resources are inadvertently discovered, the Tribal monitor shall prepare a monitoring report to be submitted to the City Planning Division, prior to issuance of an occupancy permit.

The location of Tribal resources is confidential, may be redacted from monitoring reports, and shall not be made available for public review. The location of sensitive cultural resources is exempt from the Public Records Act.

19. UTILITIES AND SERVICES SYSTEMS

Would the project:

		Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than-Significant Impact	No Impact
a.	Require or result in the relocation or construction of new or expanded water, wastewater treatment, storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects? (1, 2, 3, 27, 28)	☐	☐	☒	☐
b.	Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years? (1, 2, 28, 33, 34, 35)	☐	☐	☒	☐
c.	Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments? (28, 35, 36, 37)	☐	☐	☐	☒
d.	Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals? (28, 38)	☐	☐	☒	☐
e.	Comply with federal, state, and local management and reduction statutes and regulations related to solid waste? (28)	☐	☐	☐	☒

Comments:

a. **Water.** The proposed project would connect to existing eight-inch water main that runs along First Street up Whitney Street and eventually along the alley way adjacent to the rear of the project site. The project would not require expansion of off-site facilities or the construction of new water mains aside from lateral lines required to connect to the existing water main.

Sewer. The proposed project would connect to the city's existing sanitary sewer system. The existing sanitary sewer along they alley way adjacent to the rear of the project site would be utilized by the project to convey wastewater flows from the

project to the Palo Alto Regional Water Quality Control Plant (PARWQCP). The city's Sanitary Sewer System Master Plan (SSMP) Update determined that less than five percent of the 121 miles of inspected sewer pipes in the city and in its immediate vicinity were in poor condition. No deficient pipe segments were located directly adjacent to the project site. Overall, the city's sewer system was determined to be in good condition, with several recommended improvements noted in the SSMP Update to be included in the Capital Improvement Program (CIP) to address deficiencies.

The proposed project would not require expansion of off-site facilities or the construction of new sewer lines aside from lateral lines required to connect to the existing sewer in the alley.

Storm Water. Runoff from the project site flows into the City of Los Altos' municipal storm drainage system. The existing on-site storm drainage system captures and conveys runoff from the project site to the city's storm drain system. New storm water controls will be constructed on site, the environmental effects of which have been evaluated in this initial study.

Electric, Natural Gas, Telecommunications. The site is currently served by electric power, natural gas, and telecommunication utilities. The proposed redevelopment of the site would not require the expansion of these utilities. Therefore, the proposed project would not result in a significant impact due to the expansion or relocation of electric power, natural gas, or telecommunication facilities.

b. The project site is served by the California Water Service Company (Cal Water) and is located within Cal Water's Los Altos Suburban (LAS) District. Water supply for the project site is sourced from a combination of groundwater and purchased water. Approximately 35 percent of the LAS District's provided water comes from primary groundwater production and 65 percent comes from water purchases from the Santa Clara Valley Water District, sourced from underground aquifers, reservoirs, and the San Joaquin Sacramento River Delta. The Cal Water system includes 297 miles of mains, 65 booster pumps, and 46 storage tanks. The LAS District 2015 UWMP found that Cal Water has more than sufficient well capacity to meet the demands unserved by Santa Clara Valley Water District purchases through 2040.

   The project site is currently developed with commercial retail/office, a single-family residence, and associated paved surface parking and landscaping. Table 9, Existing and Proposed Water Demand, shows the existing, proposed, and net increase in water uses according to CalEEMod, which bases its results on model aggregate water use defaults within the entire BAAQMD boundary.

Table 9 Existing and Proposed Water Demand

Existing Water Use	Proposed Water Use	Net Increase in Water Demand
1.2 mgpy (3.7afy)	5.4 mgpy (16.6 afy)	4.2 mgpy (12.9 afy)

SOURCE: CalEEMod 2021
1. mgpy is million gallons per year
2. afy is acre feet per year

While the project would increase water demand at the site, this increase would be an incremental increase to the overall Cal Water demand of 10,188 acre-feet per year. Project water use would be further minimized by adherence to the 2016 CALGreen Code and Chapter 12.36 of the Municipal Code, which adopts water efficient landscape regulations. Because the proposed project would increase site water demand compared to existing conditions, and the Cal Water LAS District did not identify any substantial supply deficiencies through 2040, the proposed project would not result in significant impacts to water supply.

c. The City of Los Altos' Department of Public Works is responsible for the wastewater collection system within the city. Wastewater is conveyed to the Palo Alto Regional Water Pollution Control Plant (PARWQCP) for treatment and disposal. The PARWQCP serves the wastewater management needs of the communities of Palo Alto, Los Altos, Mountain View, East Palo Alto, Los Altos Hills, Stanford University and East Palo Alto Sanitary District. The city owns and maintains the collection system within the city and its sphere of influence and the trunk sewer that connects the city to the PARWQCP master metering station.

An existing sewer main serves the project site. The PARWQCP has capacity to treat 40 million gallons per day (mgd) of dry weather flows from cities within its service area, with 3.6 mgd of dry weather flow allocated to serve the City of Los Altos' wastewater disposal needs. In 2015, it was estimated that the City of Los Altos generated 3.47 mgd for treatment at the PARWQCP, slightly below the capacity allocated to it at the plant. Table 10, Existing and Proposed Wastewater Generation, shows the current wastewater generation, proposed generation, and net increase in wastewater generation.

The estimated wastewater generation from the project would incrementally increase wastewater generation at the site. However, the PARWQCP currently has sufficient capacity to provide wastewater treatment for the cities within its service area, and the proposed project would not inhibit the PARWQCP from meeting wastewater treatment requirements.

Table 10 Existing and Proposed Wastewater Generation

Existing Wastewater Generation	Proposed Wastewater Generation	Net Increase in Wastewater Generation
744,005 gpy (2,038 gpd)	3,200,000 gpy (8,767 gpd)	2,500,000 gpy (6,849 pgd)

SOURCE: CalEEMod 2021
NOTES: gpy: gallons per year
gpd: gallons per day

d. Solid waste collection in the City of Los Altos is provided by Mission Trail Waste Systems through a contract with the city. Mission Trail Waste Systems provides residential, commercial and industrial collection services for garbage, recycling and organics for the city. Mission Trail Waste Systems operates a transfer station at 1313 Memorex Drive in Santa Clara. The City of Los Altos is served by the Newby Island Landfill, located at 1601 Dixon Landing Road in Milpitas. Newby Island Landfill provides disposal capacity to the cities of San Jose, Milpitas, Santa Clara, Cupertino, Los Altos, and Los Altos Hills. As of May 17, 2018, Newby Island Landfill had approximately 16.9 million cubic yards of capacity remaining and an estimated closure in 2039. Using the CalRecyle 2019 average disposal rate per capita of 2.9 pounds per day, the proposed project is estimated to generate approximately 90.2 0.005 tons of solid waste per year. The solid waste increase would be less than this when considered existing buildings on site that would be replaced by the project. While the proposed project would increase the solid waste generated on-site, the project would be served by a landfill with adequate capacity to support growth expected in the region.

e. The project would be required to provide three streams of waste – solid waste, recyclable materials and organic materials – per the city's Solid Waste Collection and Recycling Ordinance. The Ordinance is intended to support the city's target of achieving a 78 percent waste diversion rate. The project would also be required to comply with Municipal Code Chapter 6.14 to reduce construction and demolition waste. By diverting waste per city policies, the net increase in the amount of solid waste generated by the proposed project would be reduced. Overall, the proposed project would not result in a significant increase in solid waste and recyclable materials generated within the City of Los Altos and would not prevent the City from meeting its solid waste reduction goals Compliance with the city's Solid Waste Collection and Recycling Ordinance would ensure that project operation meets state and federal solid waste statutes and regulations. Additionally, the project would be required to collect, recycle and dispose of waste generated from construction and demolition activities per Municipal Code Chapter 6.14. Diversion of construction and demolition materials would further the City's efforts to reduce waste and comply

with AB 939, AB 32, AB 341 and help achieve the State 75 percent waste diversion goal by 2020 and the city's 78 percent waste diversion goal. Therefore, the proposed project would not conflict with federal, state, and local solid waste statutes and regulations.

20. WILDFIRE

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than-Significant Impact	No Impact
a. Substantially impair an adopted emergency response plan or emergency evacuation plan? (17)	☐	☐	☐	☒
b. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of wildfire? (17)	☐	☐	☐	☒
c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment? (17)	☐	☐	☐	☒
d. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes? (17)	☐	☐	☐	☒

Comments:

a-d. The project site is in an urbanized area. The site is not located within an identified Very High Fire Hazard Severity Zone in a State Responsibility Area (SRA) or a Local Responsibility (LRA). The project site is not located near wildlands that could present a fire hazard.

21. MANDATORY FINDINGS OF SIGNIFICANCE

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than-Significant Impact	No Impact
a. Does the project have the potential to substantially degrade the quality of the environment; substantially reduce the habitat of a fish or wildlife species; cause a fish or wildlife population to drop below self-sustaining levels; threaten to eliminate a plant or animal community; substantially reduce the number or restrict the range of an endangered, rare, or threatened species; or eliminate important examples of the major periods of California history or prehistory? (1, 3, 15, 8, 29, 39)	☐	☒	☐	☐
b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects) (1, 3, 15, 16, 8, 29, 39)	☐	☒	☐	☐
c. Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly? ()	☐	☐	☒	☐

Comments:

a. As discussed in the prior sections of this Initial Study, the proposed project would not degrade the quality of the environment, substantially affect biological resources or eliminate important examples of California history or prehistory with implementation of the identified standard measures, conditions of approval, and mitigation measures.

As discussed in Section 4, Biological Resources, implementation of mitigation measures BIO-1 and BIO-2 for impacts to nesting birds and adherence to the City of Los Altos' Tree Preservation Ordinance measures would reduce potentially significant impacts to biological resources to a less-than-significant level. As discussed in Section 5, Cultural Resources, with implementation of mitigation measures CUL-1 and CUL-2, the project would result in a less-than-significant impact on archaeological, historic, and paleontological resources. Any potential significant project impacts would be mitigated to a less-than-significant level.

Additionally, as discussion in Section D18, Tribal Resources, with implementation of mitigation measures TR-1 and TR-2, potential, significant impacts to Tribal resources would be mitigated to a less-than-significant level.

b. Under Section 15065(a)(3) of the CEQA Guidelines, a lead agency shall find that a project may have a significant effect on the environment where there is substantial evidence that the project has potential environmental effects "that are individually limited, but cumulatively considerable." As defined in Section 15065(a)(3) of the CEQA Guidelines, cumulatively considerable means "that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects."

The proposed development could result in temporary water quality, biological, greenhouse gas and noise impacts during construction. With the implementation of the identified BMPs, mitigation measures, and consistency with adopted City policies, construction impacts would be mitigated to a less than significant level. Because the nature of the identified impacts is temporary and would be mitigated, the proposed project would not have a cumulatively considerable impact on water quality, biological resources, greenhouse gas and noise.

Implementation of the proposed project could result in the loss of trees on and adjacent to the site. Any trees removed would be replaced in accordance to the City's Tree Protection Ordinance. The project would have no long-term effect on the urban forest or the availability of trees as nesting and/or foraging habitat. Therefore, the project would not have a cumulatively considerable long-term impact on biological resources.

Earthmoving activities may result in the loss of unknown subsurface prehistoric and historic resources on-site. Because the project would implement mitigation measures CUL-1 and CUL-2, the proposed project would not have a cumulatively considerable impact on cultural resources in the project area.

As discussed in Section 4, Air Quality, the project could result in humane exposure to MEI in exceedance of air district thresholds. However, implementation of Mitigation Measures AQ-1 and AQ-2 would reduce the exposure levels below the threshold and lower the infant/child cancer risks to a less-than-significant level.

The Traffic Impact Analysis prepared for the project included an evaluation of intersection levels of service (LOS). One of the scenarios evaluated was Background Plus Project Conditions, which consisted of existing traffic plus additional traffic generated by approved but not yet constructed developments in the area, plus the

additional traffic generated by the proposed project. The results of the LOS analysis indicated that all study intersections would operate at acceptable levels of service under all analysis scenarios, including Background Plus Project Conditions, which represents the cumulative scenario. Cumulative traffic impacts of the project would therefore be less than significant.

As discussed in the respective sections, the proposed project would have no impact or a less than significant impact on aesthetics, agriculture and forestry resources, geology and soils, mineral resources, population and housing, public services, recreation, and utility and service facilities. The cumulative impacts to utilities, public services, and population and housing are accounted for in the City's long-term infrastructure service planning. The project would not have a cumulatively considerable impact on these resource areas.

c. Consistent with Section 15065(a)(4) of the CEQA Guidelines, a lead agency shall find that a project may have a significant effect on the environment where there is substantial evidence that the project has the potential to cause substantial adverse effects on human beings, either directly or indirectly.

Under this standard, a change to the physical environment that might otherwise be minor must be treated as significant if people would be significantly affected. This factor relates to adverse changes to the environment of human beings generally, and not to effects on particular individuals. While changes to the environment that could indirectly affect human beings would be represented by all of the designated CEQA issue areas, those that could directly affect human beings include construction air quality, hazards and hazardous materials, and noise. The proposed project would be required to adhere to applicable General Plan policies and implement mitigation measures to reduce potential impacts to a less than significant level. As discussed in Section 4, Air Quality, implementation of mitigation measures AQ-1 and AQ-2 would reduce potential air quality impacts to a less than significant level. No other direct or indirect adverse effects on human beings have been identified.

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Kielty Arborist Services LLC

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March 15th, 2021, Revised July 19th, 2021

355 1st St LLC
Attn: Albert Wang

Site: 355 1st St, 365 1st St, 371 1st St, and 373 1st St, Los Altos

Dear 355 1st St LLC,

As requested on Wednesday, March 10th, 2021, I visited the above site for the purpose of inspecting and commenting on the trees. Development is proposed for this site consisting of condos and underground parking, and as required by the City of Los Altos, a survey of the trees and a tree protection plan will be provided within this report. The entire 41 page building permit plan set (second submittal) dated 7/16/21 was reviewed for writing this report. This report will go over the existing health of the protected trees and will give recommendations for construction as needed followed by a tree protection plan.

Method:
The significant trees on this site were located on a map provided by you. Each tree was given an identification number. This number was inscribed on a metal foil tag and nailed to the trees at eye level. The trees were then measured for diameter at 48 inches above ground level (DBH or diameter at breast height). Each tree was put into a health class using the following rating system:

F- Very Poor
D- Poor
C- Fair
B- Good
A- Excellent

The height of each tree was estimated and the spread was paced off. Lastly, a comments section is provided.

Survey Key:
DBH-Diameter at breast height (54" above grade)
CON- Condition rating (1-100)
HT/SP- Tree height/ canopy spread
*indicates neighbor's trees
P-*Indicates protected tree by city ordinance*
R-*Indicates tree proposed for removal*

1st Street (2)

Survey:

Tree#	Species	DBH	CON	HT/SP	Comments
1**P**	Camphor *(Cinnamomum camphora)*	17.0	B	25/20	Fair vigor, fair form, **street tree**, minor dead wood.
2**P**	Camphor *(Cinnamomum camphora)*	12.4	B	15/12	Fair vigor, fair form, **street tree**, minor dead wood.
3**P**	Camphor *(Cinnamomum camphora)*	8.0	D	12/10	Fair to poor vigor, poor form, topped, suppressed, **street tree.**
4**P**	Camphor *(Cinnamomum camphora)*	16.9	C	20/15	Fair to poor vigor, fair form, **street tree**, dead wood.
5**P**	Camphor *(Cinnamomum camphora)*	15.7	C	20/20	Fair to poor vigor, fair form, **street tree**, dead wood.
6**P**	Camphor *(Cinnamomum camphora)*	15.5	B	20/20	Fair vigor, fair form, minor dead wood, **street tree.**
7**R**	Magnolia *(Magnolia grandiflora)*	8.2	C	20/12	Fair vigor, fair form, decay on trunk, in small planting area.
8**R**	Loquat *(Eriobotrya japonica)*	7.4-4.7-6.8	C	20/25	Good vigor, poor form, multi leader at 1 foot, surrounded by hardscapes.
9**R**	Bay *(Umbellularia californica)*	6.7-5-7	F	20/20	Poor vigor, poor form, in decline, multi leader at grade.
10**R**	Glossy privet *(Ligustrum lucidum)*	2"x3	D	10/6	Poor vigor, fair form.
11**R**	Glossy privet *(Ligustrum lucidum)*	3-3-2-2-2	D	8/7	Fair to poor vigor, fair form.
12**R**	Glossy privet *(Ligustrum lucidum)*	2"x6	B	8.7	Good vigor, fair form.
13**R**	Mayten *(Maytenus boaria)*	4.4	F	10/6	Poor vigor, poor form, in decline.
14**R**	Mayten *(Maytenus boaria)*	5.7	F	12/6	NEARLY DEAD.

1st Street (3)

Survey:

Tree#	Species	DBH	CON	HT/SP	Comments
15**P/R**	Coast live oak *(Quercus agrifolia)*	26.1	C	30/30	Fair vigor, poor form, codominant at 4 feet with included bark, surrounded by hardscapes.
16**R**	Coast live oak *(Quercus agrifolia)*	9.3-12.0	D	15/15	Poor vigor, poor form, codominant at grade, surrounded by hardscapes, large curb at tree.
17**R**	Coast live oak *(Quercus agrifolia)*	10.8	C	20/15	Poor vigor, fair form, surrounded by hardscapes, large curb at tree.
18**P/R**	Coast live oak *(Quercus agrifolia)*	18-8.7	C	30/25	Good vigor, fair to poor form, suppressed by #19, leans away from #19, surrounded by hardscapes, large curb at tree.
19**P/R**	Coast live oak *(Quercus agrifolia)*	29.7	B	45/35	Good vigor, fair form, codominant at 5 feet with fair union, large curb at tree.
20**R**	Tree of heaven *(Ailanthus altissima)*	6.5-5.5	D	15/12	Fair vigor, poor form, codominant at grade, invasive species.
21**R**	Pittosporum *(Pittosporum undulatum)*	4.9	D	10/10	Fair to poor vigor, poor form, suppressed, no room for tree.
22**R**	Crape myrtle *(Lagerstroemia sp.)*	6.0	B	12/10	Good vigor, good form.
23*	Tree of heaven *(Ailanthus altissima)*	3.5”x7	D	25/15	Fair vigor, poor form, codominant at grade, invasive.
24*	Tree of heaven *(Ailanthus altissima)*	6-4	D	25/15	Fair vigor, poor form, codominant at grade, invasive.
25*	Tree of heaven *(Ailanthus altissima)*	4-3	D	25/15	Fair vigor, poor form, codominant at grade, invasive.
26	Crape myrtle *(Lagerstroemia sp.)*	3.0	B	12/10	Fair vigor, fair form, suppressed.
27**R**	Pittosporum *(Pittosporum undulatum)*	9.5	B	15/15	Fair vigor, fair form.
28**R**	Coast live oak *(Quercus agrifolia)*	5.2	C	12/6	Fair vigor, fair form, surrounded by buildings and hardscapes.

1st Street (4)

Survey:

Tree#	Species	DBH	CON	HT/SP	Comments
29**P/R**	Coast live oak *(Quercus agrifolia)*	34.4	B	40/35	Fair vigor, fair form, thin canopy.
30**P/R**	Canary Island Palm *(Phoenix canariensis)*	27.0	B	40/20	Fair vigor, good form.
31*	Magnolia *(Magnolia grandiflora)*	8.0	D	15/12	Fair to poor vigor, drought stress, abundance of dead wood, surrounded by hardscape.
32*	Magnolia *(Magnolia grandiflora)*	8.0	D	12/12	Fair to poor vigor, drought stress, abundance of dead wood, surrounded by hardscape.
33*	Magnolia *(Magnolia grandiflora)*	8.0	D	15/10	Fair to poor vigor, drought stress, abundance of dead wood, surrounded by hardscape.
34*	Magnolia *(Magnolia grandiflora)*	8.0	D	15/10	Fair to poor vigor, drought stress, abundance of dead wood, surrounded by hardscape.
35*	Magnolia *(Magnolia grandiflora)*	10.0	D	20/15	Fair to poor vigor, drought stress, abundance of dead wood, surrounded by hardscape.
36*	Magnolia *(Magnolia grandiflora)*	10.0	D	20/15	Fair to poor vigor, drought stress, abundance of dead wood, surrounded by hardscape.
37*	Magnolia *(Magnolia grandiflora)*	8.0	D	15/12	Fair to poor vigor, drought stress, abundance of dead wood, surrounded by hardscape.
38*	Ornamental pear *(Pyrus calleryana)*	8est	D	12/12	Poor vigor, poor form, in decline.
39*	Ornamental pear *(Pyrus calleryana)*	8est	C	15/12	Fair vigor, fair form.
40*	Brisbane box *(Lophostemon confertus)*	8est	B	20/10	Good vigor, good form.

1st Street (5)

Showing tree locations

Site observations:
The existing landscape is in fair condition. Many trees surround the site. All of the trees are surrounded by hardscapes or building foundations. Damages to the hardscapes were observed near all of the trees on site. Ailanthus (tree of heaven) trees were found on site. This species is highly invasive and recommended for removal.

Showing tree of heaven trees #23-25

1st Street (6)

Discussion of protected trees:
Camphor street trees #1-6 are in fair condition except for camphor tree #3. The trees are within a planting strip between the sidewalk and street. The sidewalk and curb have been damaged by the tree roots in the past. Camphor trees are one of the species widely known for causing damage to hardscapes as the tend to develop large surface roots. Areas of dead wood were observed in the canopies. Camphor tree #3 is in poor condition due to being topped in the past.

Showing camphor street trees with dead wood observed.

Oak tree #15 is in fair condition. The tree has poor form with codominant stems at 4 feet. The codominant leaders have formed included bark within the union. Included bark can significantly raise the risk of a leader failure. The tree is completely covered by hardscapes.

Showing included bark at 4 feet

1st Street (7)

Oak trees #16-19 are located between 2 parking areas at 371 and 373 first street. Oaks #18, and #19 are of a protected size. The trees are in fair to good condition except oak tree #16 in poor condition. The property at 371 and 373 are at different grades. The lot at 371 where the trunks of the oaks are located is lower than the property at 373 first street. Demolition would likely have a high impact on these trees, also the trees would take up a large area of available space if retained. Oak trees #18 and #19 are within a few feet from the existing foundation.

Showing oak trees #18 and #19

Oak tree #29 is located in front of the property and is in good condition. This is the largest oak tree on the property.

Showing oak tree #29

1st Street (8)

Canary Island palm tree #30 is in good condition.

Showing palm tree #30

Trees proposed to be removed:
Trees #7-22, and 26-30 are proposed for removal in order to develop the property. A new landscape has been developed for the lot and has many replacement trees shown. The surveyor is double checking tree #26 as they are not sure if the tree is located on the lot or neighboring lot. If it is located on the lot, the tree will be removed.

1st Street (9)

Impacts/recommendations:

Showing neighboring magnolias

Neighboring magnolia trees #31-37, pear trees #38 and #39, and Brisbane box tree #40 are to be retained. These trees will be protected by tree protection fencing located at the property line. Camphor street trees #1-6 are to be retained. These trees will require tree protection fencing. It is recommended to fence off the entire street tree planting strips. Basement excavation is recommended to be inspected by the Project Arborist when near these trees. Exposed roots due to the excavation of the basement will need to be cleanly cut back to the basement wall. While cut root ends are exposed, the exposed roots are recommended to be covered by 3 layers of wetted down burlap. Burlap moisture will need to be retained by spraying down the burlap multiple times a day. The camphor trees are recommended to be deep water fertilized anytime between fall and early spring time. The retained camphor street trees will need to be irrigated every 2 weeks during the dry season. Soaker hoses on a timer are recommended to be installed within the street tree planting strips. Irrigation is recommended to saturate the top foot of soil every other week. Impacts are expected to be minor to moderate for the camphor trees. The recommended fertilizing and irrigation will help to keep impacts at a minor level. Neighboring trees #23-26 are to be retained. These trees will need to be protected by tree protection fencing located at the tree driplines where possible. The basement ramp excavation will have minor impacts on the health of the trees. The Project Arborist is recommended to be on site during the excavation of the basement ramp (parking garage) near these trees. These trees are young and able to handle such impacts. Irrigation is recommended to be provided for these trees on a weekly basis as a mitigation measure for the expected minor impacts. The following tree protection measures will protect the trees during the proposed construction.

Tree Protection Plan:

Tree Protection Zones

Tree protection zones should be installed and maintained throughout the entire length of the project. Prior to the commencement of any Development Project, a chain link fence shall be installed at the drip line(canopy spread) of any protected tree which will or will not be affected by the construction. Non-protected trees are recommended to also be protected in the same way. The drip line shall not be altered in any way so as to increase the encroachment of the construction. When work is to take place underneath a trees dripline, fencing must be placed as close as possible to the tree proposed work. If an area of access is needed underneath a trees canopy, the area shall be protected by a landscape barrier. Fencing for the protection zones should be 6-foot-tall metal chain link type supported my 2 inch metal poles pounded into the ground by no less than 2 feet. The support poles should be spaced no more than 10 feet apart on center. Signs should be placed on fencing signifying “Tree Protection Zone - Keep Out”. No materials or equipment should be

stored or cleaned inside the tree protection zones. Excavation, grading, soil deposits, drainage and leveling is prohibited within the tree protection zones without the project arborist consent. No wires, signs or ropes shall be attached to the protected trees on site. Utility services and irrigation lines shall all be place outside of the tree protection zones when possible. When access is needed and tree protection fencing restricts access a landscape barrier shall be installed to protected the non-protected root zone.

Landscape Barrier zone
If for any reason a smaller tree protection zone is needed for access, a landscape buffer consisting of wood chips spread to a depth of six inches with plywood or steel plates placed on top will be placed where tree protection fencing is required. The landscape buffer will help to reduce compaction to the unprotected root zone.

Inspections
The site arborist will need to verify that tree protection fencing has been installed before the start of construction. The site arborist must inspect the site anytime excavation work is to take place underneath a protected trees dripline. It is the contractor's responsibility to contact the site arborist if excavation work is to take place underneath the protected trees on site. Kielty Arborist Services can be reached at kkarbor0476@yahoo.com or by phone at (650) 515-9783 (Kevin), or (650) 532-4418 (David).

Root Cutting and Grading
If for any reason roots are to be cut, they shall be monitored and documented. Large roots (over 2" diameter) or large masses of roots to be cut must be inspected by the site arborist. The site arborist, at this time, may recommend irrigation or fertilization of the root zone. All roots needing to be cut should be cut clean with a saw or lopper. Roots to be left exposed for a period of time should be covered with layers of burlap and kept moist. The site arborist must first give consent if roots over 2 inches in diameter are to be cut.

Trenching and Excavation
Trenching for foundation, irrigation, drainage, electrical or any other reason shall be done by hand when inside the dripline of a protected tree. Hand digging and the careful placement of pipes below or besides protected roots will significantly reduce root loss, thus reducing trauma to the tree. All trenches shall be backfilled with native materials and compacted to near its original level, as soon as possible and if possible. Trenches to be left open for a period of time, will require the covering of all exposed roots with burlap and be kept moist. The trenches will also need to be covered with plywood to help protect the exposed roots.

Irrigation
Normal irrigation shall be maintained on this site at all times. The imported trees will require normal irrigation. On a construction site, I recommend irrigation during winter months, 1 time per month. Seasonal rainfall may reduce the need for additional irrigation. During the warm season, April – November, my recommendation is to use heavy irrigation, 2 times per month. This type of irrigation should be started prior to any excavation. The irrigation will improve the vigor and water content of the trees. The on-site arborist may make adjustments to the irrigation recommendations as needed. The foliage of the trees may need cleaning if dust levels are extreme. Removing dust from the foliage will help to reduce mite and insect infestation.

The information included in this report is believed to be true and based on sound arboricultural principles and practices.
Sincerely, Kevin R. Kielty Certified Arborist WE#0476A Kevin Kielty

Kielty Arborist Services
P.O. Box 6187
San Mateo, CA 94403
650-515-9783

ARBORIST DISCLOSURE STATEMENT

Arborists are tree specialists who use their education, knowledge, training and experience to examine trees, recommend measures to enhance the beauty and health of trees, and attempt to reduce the risk of living near trees. Clients may choose to accept or disregard the recommendations of the arborist, or seek additional advice.

Arborists cannot detect every condition that could possibly lead to the structural failure of a tree. Trees are living organisms that fail in ways we do not fully understand. Conditions are often hidden within trees and below ground. Arborists cannot guarantee that a tree will be healthy or safe under all circumstances, or for a specified period of time. Likewise, remedial treatments, like a medicine, cannot be guaranteed.

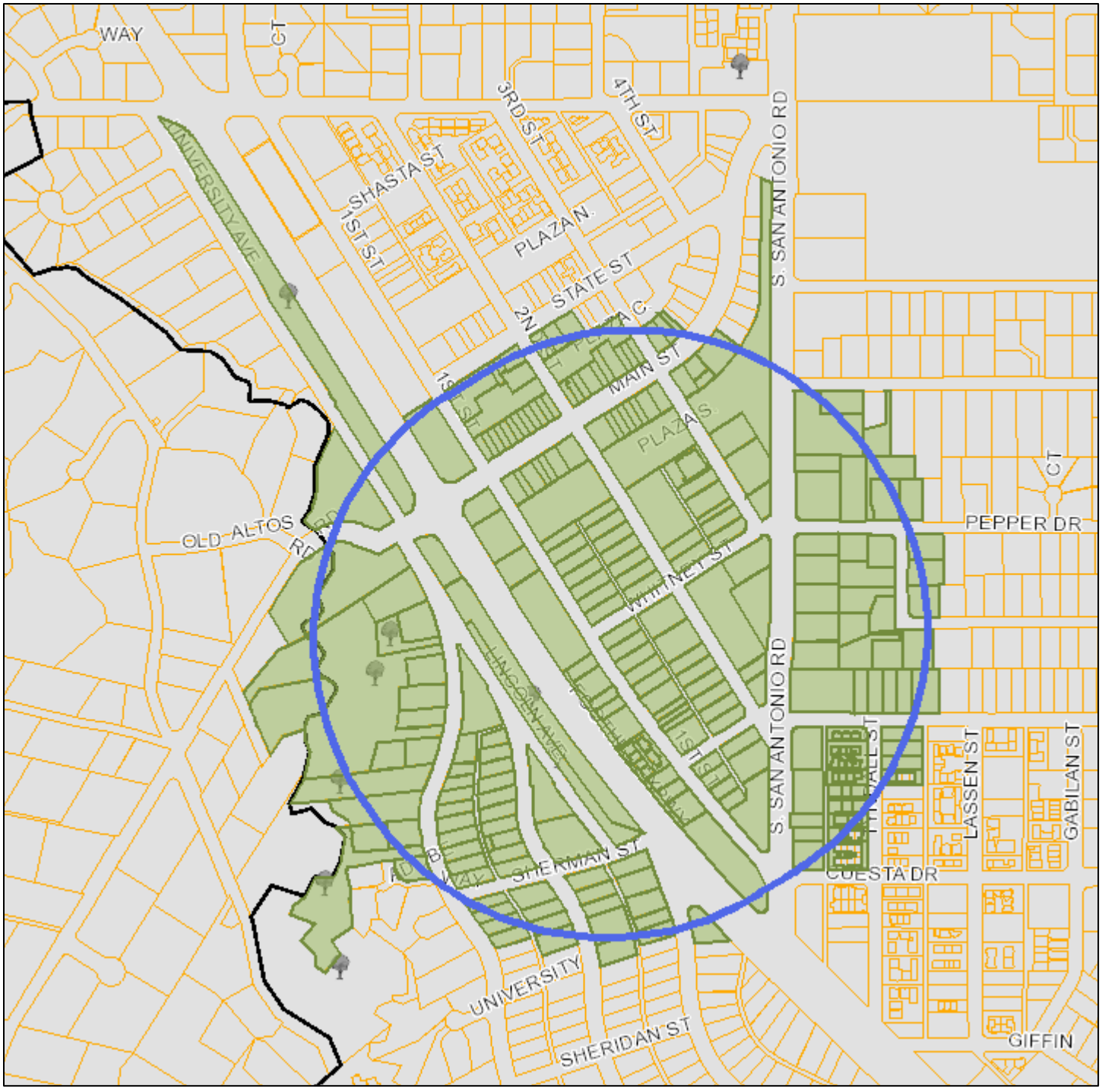
Treatment, pruning, and removal of trees may involve considerations beyond the scope of the arborist's services such as property boundaries, property ownership, site lines, disputes between neighbors, landlord-tenant matters, etc. Arborists cannot take such issues into account unless complete and accurate information is given to the arborist. The person hiring the arborist accepts full responsibility for authorizing the recommended treatment or remedial measures.

Trees can be managed, but they cannot be controlled. To live near a tree is to accept some degree of risk. The only way to eliminate all risks is to eliminate all trees.

Arborist: Kevin Kielty Kevin R. Kielty Date: July 19th, 2021

1000-foot Notification Map

Agenda Item # 11.



Print Date: April 11, 2021

1:7,702

0 0.05 0.1 0.2 mi

0 0.075 0.15 0.3 km

- Schools
- Park and Recreation Areas
- City Limit
- Road Names
- 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.

Vicinity Map

Print Date: April 11, 2021

1:2,367

0 0.015 0.03 0.06 mi

0 0.025 0.05 0.1 km

Schools

Park and Recreation Areas

City Limit

Road Names

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.

GRANT LINE LAND SURVEYING

November 12, 2021

355 First Street
Los Altos, CA

The constructed story poles located at 355 First Street were surveyed on November 12, 2021 and were found to be in conformance for location, heights and elevations as shown on the approved story pole plan for said project.

Kevin Nickolas PLS
L7392 Expires 12/31/21

11/13/2021

City of Los Altos Community Development Department **Mitigation Monitoring and Reporting Plan** ***pursuant to Public Resources Code Section 21081.6***	**Project Name: 355 First Street Residential Project** **File No: XXX** **Address: 355, 365, 371, 373 1st St.** **SCH#: N/A** **Date: November 23, 2021** **Approved by: City Council** **Resolution #**

Mitigation Measure Number	*Mitigation Measure*	*Monitoring Actions*	*Party Responsible for Compliance*	*Timing*	*Verification of Compliance (name/date)*
	Air Quality				
AQ-1	The project applicant shall include the following BAAQMD best management practices to minimize DPM (PM_{10}) and $PM_{2.5}$ emissions on the project plans and the contractor shall implement them during all phases of construction: a. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day; b. All haul trucks transporting soil, sand, debris, or other loose material off-site shall be covered; c. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited;	Include BAAQMD BMPs in project plans Implement BAAQMD BMPs	Applicant Contractor	Prior to Approval of Final Plans During all Phases of Construction	

	d. All vehicle speeds on unpaved roads shall be limited to 15 miles per hour; e. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used; f. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points; g. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation; and h. Post a publicly visible sign with telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The BAAQMD's phone number shall also be visible to ensure compliance with applicable				

	regulations.				
AQ-2	Prior to the issuance of the demolition and grading permits, the project developer shall prepare, and the project contractor shall implement, a demolition and construction emissions avoidance and reduction plan demonstrating a minimum 30 percent reduction in DPM emissions. The plan shall be prepared at the applicant's expense and shall be reviewed and approved by the City's Director of Planning or Director's designee, prior to issuance of demolition and grading permits. The plan shall be accompanied by a letter prepared by a qualified air quality consultant, verifying the equipment included in the plan meets the standards set forth in this mitigation measure. The plan shall include the following measures: a. At least five of the mobile diesel-powered off-road equipment operating on-site for more than two days and larger than 50 horsepower shall, at a minimum, meet U.S. Environmental Protection Agency (EPA) particulate matter emissions standards for Tier 4 engines. The plan shall include specifications of the equipment to be used during construction and confirmation this requirement is met; and, b. Other demonstrable measures identified by the developer and confirmed by the air quality consultant, that reduce emissions and avoid or	Prepare demolition and construction emissions avoidance and reduction plan The plan shall also include a letter prepared by a qualified air quality consultant The plan shall include these measures for implementation by the applicant or developer	Project Developer City's Director of Planning or Director's designee	Prior to issuance of the demolition and grading permits	

	minimize the affected sensitive receptors exposures by at least 30 percent.				
Biological Resources					
BIO-1	Prior to issuance of tree removal, demolition, and grading permits, to avoid impacts to nesting birds during the nesting season (January 15 through September 15), construction activities within or adjacent to the project site boundary that include any tree or vegetation removal, demolition, or ground disturbance (such as grading or grubbing) shall be conducted between September 16 and January 14, outside of the bird nesting season. If this type of construction occurs during the bird nesting season, then a qualified biologist shall conduct pre-construction surveys for nesting birds to ensure that no nests would be disturbed during project activities. If project-related work is scheduled during the nesting season (February 15 to August 30 for small bird species such as passerines; January 15 to September 15 for owls; and February 15 to September 15 for other raptors), or if construction activities are suspended for at least 14 days and recommence during the nesting season, a qualified biologist shall conduct nesting bird surveys. a. Two surveys for active bird nests shall occur within 14 days prior to start of construction, with the final survey conducted within 48 hours prior to	Retain qualified biologist to conduct survey, if construction occurs during the bird nesting season Conduct two surveys for active bird nests	Developers with oversight by the City of Los Altos	Prior to issuance of tree removal, demolition, and grading permits 14 days prior to construction start	

	construction. Appropriate minimum survey radii surrounding each work area are typically 250 feet for passerines, 500 feet for smaller raptors, and 1,000 feet for larger raptors. Surveys shall be conducted at the appropriate times of day to observe nesting activities. Locations off the site to which access is not available may be surveyed from within the site or from public areas. A report documenting survey results and plan for active bird nest avoidance (if needed) shall be completed by the qualified biologist prior to initiation of construction activities. b. If the qualified biologist documents active nests within the project site or in nearby surrounding areas, an appropriate buffer between each nest and active construction shall be established. The buffer shall be clearly marked and maintained until the young have fledged and are foraging independently. Prior to construction, the qualified biologist shall conduct baseline monitoring of each nest to characterize "normal" bird behavior and establish a buffer distance, which allows the birds to exhibit normal behavior. The qualified biologist shall monitor the nesting birds daily during construction activities and increase the buffer if birds show signs of unusual or distressed behavior (e.g. defensive flights and vocalizations, standing up from a brooding position, and/or flying away from the nest). If buffer establishment is not possible, the qualified biologist or construction foreman shall have the authority to cease all construction work in the area until	Establish appropriate buffer between each nest and active construction		Prior to construction	

	the young have fledged and the nest is no longer active. Developers shall be responsible for implementation of this mitigation measure with oversight by the City of Los Altos. Compliance with this measure shall be documented and submitted to the City prior to issuance of tree removal, demolition, and grading permits.				
BIO 2	Prior to issuance of a tree removal permit and/or a grading permit, developers shall retain a certified arborist to develop a site-specific tree protection plan for retained trees and supervise the implementation of all proposed tree preservation and protection measures during construction activities, including those measures specified in the 2021 Arborist Report (Kielty Arborist Services LLC). Also, in accordance with the City's Tree Protection Ordinance, the developer shall obtain a tree removal permit for proposed tree removals and shall install replacement trees in accordance with all mitigation, maintenance, and monitoring requirements specified in the tree removal permit(s) or otherwise required by the City for project approvals.	Retain certified arborist to develop a site-specific tree protection plan	Developer	Prior to issuance of a tree removal permit and/or a grading permit	
Cultural Resources					
CUL-1	In the event that prehistoric or historic resources are encountered during excavation and/or grading of the site, all activity within a 50-foot radius of the find will be stopped, the Director of Community Development will	Include measure on the project plans	Developer and Contractor	During construction activities	

	be notified, and the archaeologist will examine the find and make appropriate recommendations, in collaboration with a Tamien Tribal representative, prior to commencement of construction. Recommendations could include collection, recordation, and analysis of any significant cultural materials. A report of findings documenting any data recovery during monitoring would be submitted to the Director of Community Development, the California Historical Resources Information System (CHRIS) and the Tamien Nation.				
CUL-2	In the event that human remains are discovered during excavation and/or grading of the site, all activity within a 50-foot radius of the find will be stopped. The Santa Clara County Coroner will be notified and will make a determination as to whether the remains are of Native American origin. If the remains are determined to be Native American, the Coroner will notify the Native American Heritage Commission (NAHC) immediately. Once NAHC identifies the most likely descendants, the descendants will make recommendations regarding proper burial, which will be implemented in accordance with Section 15064.5(e) of the CEQA Guidelines.	Include measure on the project plans	Developer and Contractor	During construction activities	

Geology & Soils					
GEO-1	The project proponent shall ensure all construction personnel receive paleontological resources awareness training that includes information on the possibility of encountering fossils during construction; the types of fossils likely to be seen, based on past finds in the project area; and proper procedures in the event fossils are encountered. Worker training shall be prepared and presented by a qualified paleontologist. The applicant shall provide the Community Development Director with documentation showing the training has been completed by all required construction personnel prior to issuance of grading permits.	Include measure on the project plans Hire a qualified paleontologist to provide worker training	Developer and Contractor	Prior to issuing a grading permit	
GEO-2	If vertebrae fossils are discovered during construction, all work within 50 feet of the discovery shall stop immediately until a qualified professional paleontologist can assess the nature and importance of the find and recommend appropriate treatment. Treatment may include avoidance, if feasible, preservation in place, or preparation and recovery of fossil materials so that they can be housed in an appropriate museum or university collection and may also include preparation of a report for publication describing the finds.	Include measure on the project plans	Developer and Contractor	During Construction	

Hazards and Hazardous Materials					
HAZ-1	Prior to issuance of a demolition permit, the following measures shall be incorporated into demolition plans: a. All PCB-containing ballasts shall be removed and disposed of in accordance with state and local laws. b. All potentially friable asbestos-containing materials shall be removed in accordance with National Emissions Standards for Hazardous Air Pollutants (NESHAP) guidelines prior to building demolition or renovation that may disturb the materials. c. All demolition activities will be undertaken in accordance with Cal/OSHA standards, contained in Title 8 of the California Code of Regulations (CCR), Section 1529, to protect workers from exposure to asbestos. Materials containing more than one percent asbestos are also subject to BAAQMD regulations. d. During demolition activities, all building materials containing lead-based paint shall be removed in accordance with Cal/OSHA Lead in Construction Standard, Title 8, California Code of Regulations 1532.1, including employee training, employee air monitoring and dust control. Any debris or soil containing lead-based paint or coatings will be disposed of at landfills that meet acceptance criteria for the waste being disposed.	Incorporate measure into demolition plans Implement measures	Developer and Contractor Developer and Contractor	Prior to issuance of a demolition permit During Construction	

Noise					
NOI-1	Modification, placement, and operation of construction equipment are possible means for minimizing the impact of construction noise. Construction equipment shall be well-maintained and used judiciously to be as quiet as possible. Additionally, construction activities for the proposed project shall include the following best management practices to reduce noise from construction activities near sensitive land uses: a. Noise generating construction activities shall be limited to the hours between 7:00 a.m. and 5:30 p.m., Monday through Friday, and on Saturdays between 9:00 a.m. and 3:00 p.m., in accordance with the city's municipal code for construction in a single-family residential zone. Construction is prohibited on Sundays and holidays, unless permission is granted with a development permit or other planning approval. b. Use of the concrete saw within 50 feet of any shared property line shall be limited. c. Equip all internal combustion engine-driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the	Implement best management practices for construction equipment	City's Director of Planning or Director's designee	During construction activities	

	equipment. d. Unnecessary idling of internal combustion engines in construction equipment with a horsepower rating of 50 or more shall be strictly prohibited, and limited to five minutes or less, consistent with BAAQMD best management practices. e. Locate stationary noise-generating equipment, such as air compressors or portable power generators, as far as possible from sensitive receptors (residences). If they must be located near sensitive receptors, adequate muffling (with enclosures where feasible and appropriate) shall be used to reduce noise levels at the adjacent sensitive receptors. Any enclosure openings or venting shall face away from sensitive receptors. f. Utilize "quiet" air compressors and other stationary noise sources where technology exists. g. A temporary noise control blanket barrier could be erected, if necessary, at the property line or along building facades facing construction sites. This measure would only be necessary if conflicts occurred that were irresolvable by proper scheduling. Noise control blanket barriers can be rented and quickly erected. h. Control noise from construction workers' radios to a point where they are not audible at existing residences bordering the project site. i. The contractor shall prepare a detailed construction				

	plan identifying the schedule for major noise-generating construction activities and shall send a notice to all adjacent properties with the construction schedule. j. Designate a "disturbance coordinator" who would be responsible for responding to any complaints about construction noise. The disturbance coordinator will determine the cause of the noise complaint (e.g. bad muffler, etc.) and will require that reasonable measures be implemented to correct the problem. Conspicuously post the telephone number for the disturbance coordinator at the construction site and include it in the notice sent to neighbors regarding the construction schedule.				
NOI-2	Prior to the issuance of a building permit, mechanical equipment shall be selected and designed to reduce impacts on surrounding uses to meet the city's requirements. A qualified acoustical consultant shall be retained by the project applicant to review mechanical noise as the equipment systems are selected in order to determine whether the proposed noise reduction measures sufficiently reduce noise to comply with the city's noise limit at the shared property line. Noise reduction measures that would accomplish this reduction include, but are not limited to, selection of equipment that emits low noise levels and/or installation of noise barriers such as enclosures and parapet walls to block the line of sight between the noise source and the nearest receptors.	Retain qualified acoustical consultant	City's Director of Planning or Director's designee	Prior to issuance of a building permit	

NOI-3	A construction vibration-monitoring plan shall be implemented to document conditions at the structure located adjacent to the proposed construction prior to, during, and after vibration generating construction activities. All plan tasks shall be completed under the direction of a State of California licensed Professional Structural Engineer and be in accordance with industry accepted standard methods. The construction vibration monitoring plan shall include the following tasks: ◎ Identification of sensitivity to groundborne vibration of the structure located adjacent to the construction. ◎ Performance of a photo survey, elevation survey, and crack monitoring survey for the structure located adjacent to the construction. Surveys shall be performed prior to, in regular intervals during, and after completion of vibration generating activities and shall include internal and external crack monitoring in the structure, settlement, and distress and shall document the condition of the foundation, walls and other structural elements in the interior and exterior of said structure. Interior inspections would be subject to property owners' permission. ◎ Conduct a post-survey on the structure where monitoring has indicated damage. Make appropriate repairs or provide compensation where damage has occurred as a result of construction activities. ◎ Designate a person responsible for registering and investigating claims of excessive vibration. The	Implement construction vibration-monitoring plan	Developer and State of California licensed Professional Structural Engineer	Prior to grading activities	

	contact information of such person shall be clearly posted on the construction site.				
Tribal Cultural Resources					
TR-1	The applicant shall contract with the Tamien Nation to development and implement a cultural resource sensitivity training program for the construction work crew on the first day of construction. The archaeologist shall provide evidence of the training to the City Planning Division, which shall include the training materials and a sign-in list of trained construction personnel, at the end of the first day of construction.	Contract with Tamien Nation to develop and implement measure.	Developer	During construction activities	
TR-2	The applicant shall contract with the Tamien Tribal to monitor ground disturbing activities, including but not limited to removal of existing building foundations, trees, and grading activities. The applicant shall also contract with a qualified archaeologist to be on-call should cultural or Tribal resources be inadvertently discovered. Evidence of a contracts with the Tribal monitor and archaeologist shall be provided to the City Planning Division prior to issuance of a building demolition permit and/or a grading permit.	Contract with Tamien Nation to develop and implement measure.	Developer	During construction activities	

	Should Tribal or cultural resources be inadvertently discovered, the Tamien Nation Treatment Protocol shall be implemented. Whether or not Tribal or cultural resources are inadvertently discovered, the Tribal monitor shall prepare a monitoring report to be submitted to the City Planning Division, prior to issuance of an occupancy permit. The location of Tribal resources is confidential, may be redacted from monitoring reports, and shall not be made available for public review. The location of sensitive cultural resources is exempt from the Public Records Act.				

355 FIRST STREET

FOURTH SUBMITTAL | NOVEMBER 12, 2021

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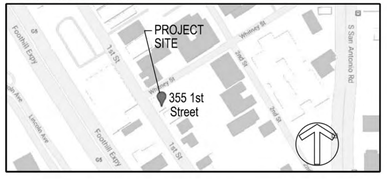
VICINITY MAP



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FIRST SUBMITTAL	03/26/2021
FIRE SUBMITTAL # 1	06/01/2021
SECOND SUBMITTAL	07/16/2021
FIRE SUBMITTAL # 2	08/25/2021
THIRD SUBMITTAL	09/03/2021
FOURTH SUBMITTAL	11/12/2021

366.014 355 First Street
Los Altos, CA
November 12, 2021

TITLE SHEET
T1

DENARDI WANG HOMES

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UNIT MIX CHART

	UNIT AREA	1ST FLOOR	2ND FLOOR	3RD FLOOR	4TH FLOOR	UNIT TOTAL	
1 BEDROOM / STUDIO UNITS							9 18%
1A (STUDIO)	621 SQ. FT.	1	1			2	9 BEDS
1B	790 SQ. FT.		1	1		2	
1C	988 SQ. FT.	1	1			2	
1D	1026 SQ. FT.	1	1	1		3	
2 BEDROOM UNITS							30 60%
2A	1178 SQ. FT.		1	1		2	60 BEDS
2B	1203 SQ. FT.	1	1	1	1	4	
2C	1245 SQ. FT.	1	1	1	1	4	
2D	1352 SQ. FT.	1				1	
2E	1369 SQ. FT.	4	4	3	3	14	
2F	1435 SQ. FT.			1	1	2	
2G	1174 SQ. FT.	1	1	1		3	
3 BEDROOM UNITS							11 22%
3A	1613 SQ. FT.		1	1	1	3	33 BEDS
3B	1729 SQ. FT.	1	1	1	1	4	
3C	2197 SQ. FT.				1	1	
3D	2049 SQ. FT.			1	1	2	
3E	1987 SQ. FT.				1	1	
		12	14	13	11	50 UNITS TOTAL	102 BEDS TOTAL

CODES AND STANDARDS

BUILDING PLANS TO COMPLY WITH THE FOLLOWING STANDARDS:
- 2019 CALIFORNIA CODE OF REGULATIONS
- CITY OF LOS ALTOS REACH CODE ORDINANCE

FIRE SAFETY REQUIREMENTS

1) FIRE SPRINKLERS: NFPA 13 SYSTEM WILL BE PROVIDED AS REQUIRED PER CBC 903.2.1 THROUGH 903.2.19.1.2.
2) STANDPIPES: STANDPIPE SYSTEMS SHALL BE PROVIDED IN NEW BUILDINGS AND STRUCTURES IN ACCORDANCE WITH THIS SECTION. FIRE HOSE THREADS USED IN CONNECTION WITH STANDPIPE SYSTEMS SHALL BE APPROVED AND SHALL BE COMPATIBLE WITH FIRE DEPARTMENT HOSE THREADS. THE LOCATION OF FIRE DEPARTMENT HOSE CONNECTIONS SHALL BE APPROVED. STANDPIPES SHALL BE MANUAL WET TYPE. IN BUILDINGS USED FOR HIGH- PILED COMBUSTIBLE STORAGE, FIRE HOSE PROTECTION SHALL BE IN ACCORDANCE WITH CHAPTER 32. STANDPIPE SYSTEMS SHALL BE INSTALLED IN ACCORDANCE WITH THIS SECTION AND NFPA 14 AS AMENDED IN CHAPTER 47. CFC SEC. 905.
3) EMERGENCY RADIO RESPONDER COVERAGE: ALL NEW BUILDINGS SHALL HAVE APPROVED RADIO COVERAGE FOR EMERGENCY RESPONDERS WITHIN THE BUILDING BASED UPON THE EXISTING COVERAGE LEVELS OF THE PUBLIC SAFETY COMMUNICATION SYSTEMS OF THE JURISDICTION AT THE EXTERIOR OF THE BUILDING. THIS SECTION SHALL NOT REQUIRE IMPROVEMENT OF THE EXISTING PUBLIC SAFETY COMMUNICATION SYSTEMS. REFER TO CFC SEC. 510 FOR FURTHER REQUIREMENTS. EMERGENCY RADIO RESPONDER COVERAGE REQUIREMENTS APPLIES TO ALL BUILDINGS.
4) WATER SUPPLY: POTABLE WATER SUPPLIES SHALL BE PROTECTED FROM CONTAMINATION CAUSED BY FIRE PROTECTION WATER SUPPLIES. IT IS THE RESPONSIBILITY OF THE APPLICANT AND ANY CONTRACTORS AND SUBCONTRACTORS TO CONTACT THE WATER PURVEYOR SUPPLYING THE SITE OF SUCH PROJECT, AND TO COMPLY WITH THE REQUIREMENTS OF THAT PURVEYOR. SUCH REQUIREMENTS SHALL BE INCORPORATED INTO THE DESIGN OF ANY WATER-BASED FIRE PROTECTION SYSTEMS, AND/OR FIRE SUPPRESSION WATER SUPPLY SYSTEMS OR STORAGE CONTAINERS THAT MAY BE PHYSICALLY CONNECTED IN ANY MANNER TO AN APPLIANCE CAPABLE OF CAUSING CONTAMINATION OF THE POTABLE WATER SUPPLY OF THE PURVEYOR OF RECORD. FINAL APPROVAL OF THE SYSTEM(S) UNDER CONSIDERATION WILL NOT BE GRANTED BY THIS OFFICE UNTIL COMPLIANCE WITH THE REQUIREMENTS OF THE WATER PURVEYOR OF RECORD ARE DOCUMENTED BY THAT PURVEYOR AS HAVING BEEN MET BY THE APPLICANT(S). 2019 CFC SEC. 903.3.5 AND HEALTH AND SAFETY CODE 13114.7.
5) TWO-WAY COMMUNICATION SYSTEM: TWO-WAY COMMUNICATION SYSTEMS SHALL BE DESIGNED AND INSTALLED IN ACCORDANCE WITH ALL CURRENT EDITIONS OF NFPA 72, THE CALIFORNIA ELECTRICAL CODE, THE CALIFORNIA FIRE CODE, THE CALIFORNIA BUILDING CODE, AND THE CITY OR TOWN ORDINANCES, POLICIES, AND STANDARDS WHERE A TWO-WAY SYSTEM IS BEING INSTALLED. OTHER STANDARDS ALSO CONTAIN DESIGN/INSTALLATION CRITERIA FOR SPECIFIC LIFE SAFETY RELATED EQUIPMENT. THESE OTHER STANDARDS ARE REFERRED TO IN NFPA 72.
6) ADDRESS IDENTIFICATION: NEW AND EXISTING BUILDINGS SHALL HAVE APPROVED ADDRESS NUMBERS, BUILDING NUMBERS OR APPROVED BUILDING IDENTIFICATION PLACED IN A POSITION THAT IS PLAINLY LEGIBLE AND WIDTH OF 0.5 INCH (12.7 MM). WHERE ACCESS IS BY MEANS OF A PRIVATE ROAD AND THE BUILDING CANNOT BE VIEWED FROM THE PUBLIC WAY, A MONUMENT, POLE OR OTHER SIGN OR MEANS SHALL BE USED TO IDENTIFY THE STRUCTURE. ADDRESS NUMBERS SHALL BE MAINTAINED. CFC SEC. 505.1.
7) FIRE ALARM REQUIREMENTS: REFER TO CFC SEC. 907 AND THE CURRENTLY ADOPTED EDITION OF NFPA 72. SUBMIT SHOP DRAWINGS (3 SETS) AND A PERMIT APPLICATION TO THE SCCFD FOR APPROVAL BEFORE INSTALLING OR ALTERING ANY SYSTEM. CALL (408) 378-4010 FOR MORE INFORMATION.
8) CONSTRUCTION SITE FIRE SAFETY: ALL CONSTRUCTION SITES MUST COMPLY WITH APPLICABLE PROVISIONS OF THE CFC CHAPTER 33 AND OUR STANDARD DETAIL AND SPECIFICATION SI-7. PROVIDE APPROPRIATE NOTATIONS ON SUBSEQUENT PLAN SUBMITTALS, AS APPROPRIATE TO THE PROJECT. CFC CHP. 33.

AFFORDABLE HOUSING / DENSITY BONUS

AFFORDABLE HOUSING

LOT SIZE:	27,887 / 43560 = 0.64 ACRE
ALLOWABLE DENSITY:	GOVERNED BY 35 FEET HEIGHT LIMIT
BASE DENSITY:	39 UNITS
CALCULATION:	39 UNITS x 15% B.M.R. = 5.85 = 6
AFFORDABLE UNITS:	6 B.M.R. UNITS (3 VERY LOW / 3 MODERATE)

DENSITY BONUS

3/39 = 7.69 = 8% VERY LOW UNITS --> 27.5% DENSITY BONUS
27.5% X 39 UNITS = 10.73 --> 11 ADDITIONAL UNITS PERMITTED
SEE CALIFORNIA GOVERNMENT CODE 65925.(f)(2)

8% VERY LOW UNITS --> 1 CONCESSIONS PERMITTED
SEE CALIFORNIA GOVERNMENT CODE 65925.(d)(2)(B)

PROPOSED BUILDING CONFIGURATION

STUDIO UNITS	2
1 BEDROOM UNITS	7
2 BEDROOM UNITS	30
3 BEDROOM UNITS	11
TOTAL UNITS	50

PROPOSED B.M.R. UNITS

STUDIO UNIT (VERY LOW INCOME)	1
1 BEDROOM UNITS (VERY LOW INCOME)	2
1 BEDROOM UNIT (MODERATE INCOME)	1
2 BEDROOM UNITS (MODERATE INCOME)	2

INCENTIVES		STANDARD	INCENTIVE
1.	HEIGHT INCREASE (11' ON-MENU)	35'	46'

WAIVERS		STANDARD	INCENTIVE
1.	PARKING STALL SIZE REDUCTION (10% OF STALLS)	9'-0"x18'-0"	8'-6"x18'-0"
2.	ELEVATOR TOWER HEIGHT INCREASE	12'	17'-6"

PROJECT DESCRIPTION

355 FIRST STREET IS A MULTIPLE-FAMILY RESIDENTIAL PROJECT COMPRISING 4 LOTS ON FIRST STREET. THE PROJECT CONSISTS OF A 79,885 SQUARE FOOT, 50-UNIT, FOUR-STORY BUILDING, WITH TWO LEVELS OF UNDERGROUND PARKING. THE PROJECT REPLACES THE 4 EXISTING BUILDINGS. THE UNDERGROUND PARKING LEVELS ARE ACCESSED FROM ALLEY AND INCLUDE; 113 PARKING STALLS, 34 BICYCLE LOCKERS, AND EV CHARGING STATIONS FOR EACH UNIT. THE FIRST FLOOR INCLUDES THE MAIN LOBBY AND A COURT FOR INTERIOR LIGHTING. THE ROOF TOP INCLUDES A 5,000 SQUARE FOOT ROOFTOP DECK WITH GRILLING STATIONS, DINING TABLES, AND OUTDOOR SEATING.

THE FOLLOWING TABLE SUMMARIZES THE PROJECT:

SETBACKS:	EXISTING	PROPOSED	REQUIRED / ALLOWED
FRONT	0'-22'	10'	10'
REAR	16'-116'	10'	10'
RIGHT SIDE	5'	4'	0'
LEFT SIDE	0'	2'	2'
HEIGHT:	+/- 16' - 28'	46' (11' ON-MENU INCENTIVE)	35'

PROJECT DATA TABLE

ADDRESS:	355, 365, 371, 373 FIRST STREET LOS ALTOS, CA 94022
APN:	167-41-026, 167-41-027, 167-41-028, 167-41-029
GENERAL PLAN:	DOWNTOWN COMMERCIAL (DC)
ZONING:	COMMERCIAL DOWNTOWN / MULTIPLE FAMILY (CD/R3)
SITE AREA (GROSS):	27,887 S.F. (0.64 ACRE)
SITE AREA (NET):	27,287 S.F. (0.63 ACRE)
BASE DENSITY:	37 (SEE SHEET T3)
PROPOSED DENSITY:	50 UNITS (79 du / net ac)
BUILDING CODE:	2019 C.B.C.
OCCUPANCY:	S2 / R2
CONSTRUCTION:	TYPE IA / IIIA
FIRE SPRINKLERS:	INCLUDED PER C.B.C. 903.2

BUILDING AREA SUMMARY (GROSS S.F.)

LOWER BASEMENT FLOOR:	25,381 S.F.
UPPER BASEMENT FLOOR:	25,642 S.F.
FIRST FLOOR:	18,674 S.F.
SECOND FLOOR:	20,142 S.F.
THIRD FLOOR:	20,305 S.F.
FOURTH FLOOR:	20,310 S.F.
ROOF LEVEL:	468 S.F.
TOTAL RESIDENTIAL:	79,431 S.F.
TOTAL GARAGE:	51,023 S.F.

PARKING STANDARDS

PARKING STANDARDS (PER LAMC 14.74.080)

REQUIRED SPACES

2 SPACES PER UNIT :	100 SPACES
1 GUEST SPACES PER 4 UNITS:	13 SPACES
TOTAL REQUIRED:	113 SPACES

DENSITY BONUS PARKING STANDARDS PER GOV. CODE 65915 (p) (1)

REQUIRED SPACES

1 SPACE PER UNIT 1 BEDROOM UNIT:	9 SPACES
1.5 SPACES PER UNIT 2&3 BEDROOM UNIT:	62 SPACES
GUEST AND ADA INCLUDED:	INCLUDED
TOTAL REQUIRED:	71 SPACES

PARKING PROVIDED

STANDARD SPACES:	99 SPACES
REDUCED SPACES (10%):	12 SPACES
ADA SPACES:	2 SPACES
TOTAL PROVIDED:	113 SPACES

NOTES:
1. ALL PARKING SHALL BE DOUBLE - STRIPED
2. PROVIDE ADEQUATE LIGHTING LEVELS & VIDEO SURVEILLANCE AT GARAGE LEVELS

BICYCLE PARKING STANDARDS

REQUIRED SPACES (PER VTA)

1 CLASS I SPACES PER 3 UNITS:	17 SPACES
1 CLASS II SPACES PER 15 UNITS:	4 SPACES

PROVIDED SPACES

CLASS I (34 BICYCLE LOCKERS):	34 SPACES
CLASS II (2 BICYCLE RACKS):	6 SPACES

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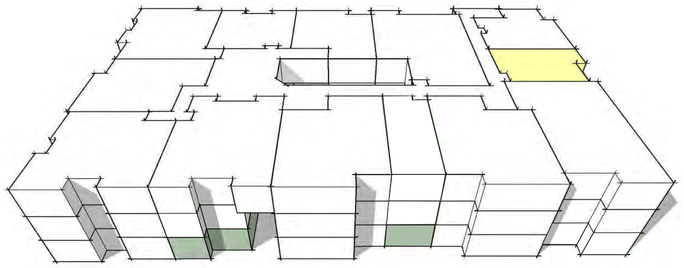
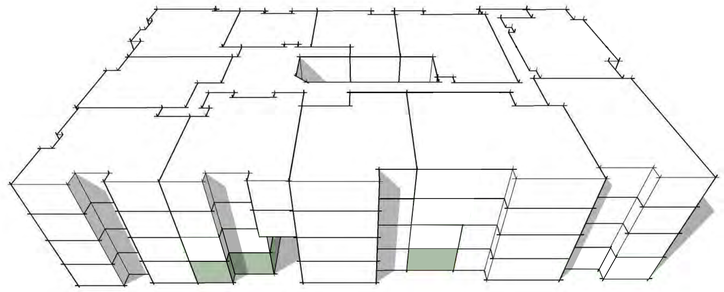


3 FLOORS

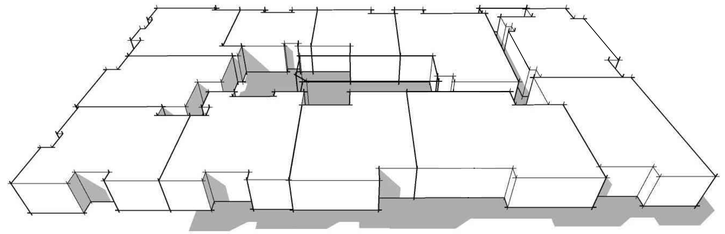
BASE DENSITY MODEL
39 UNITS TOTAL
61.9 DU/AC
59,121 SF
2.17 F.A.R.
6 BMR UNITS



4 FLOORS

DENSITY BONUS MODEL
50 UNITS TOTAL
79.4 DU/AC
79,431 SF
2.91 F.A.R.
6 BMR UNITS

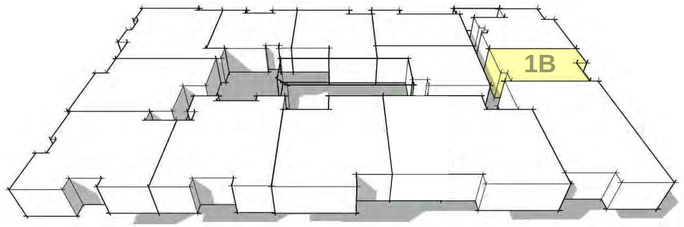
46 FEET HEIGHT LIMIT



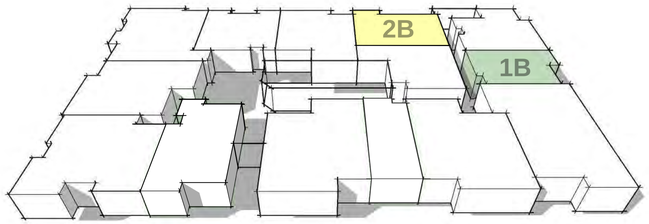
FLOOR 4
11 UNITS

11 FEET INCREASE
CITY OF LOS ALTOS
MUNICIPAL CODE
14.28.040.F.1.d
ON-MENU INCENTIVE

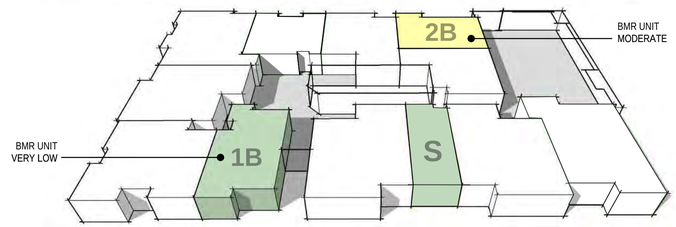
35 FEET HEIGHT LIMIT



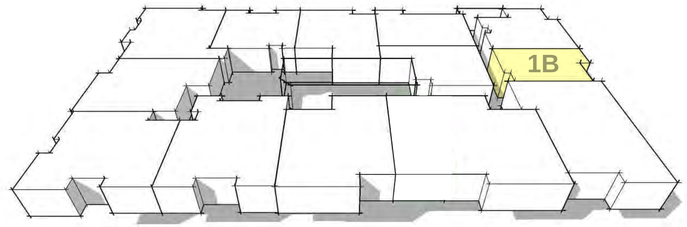
FLOOR 3
13 UNITS



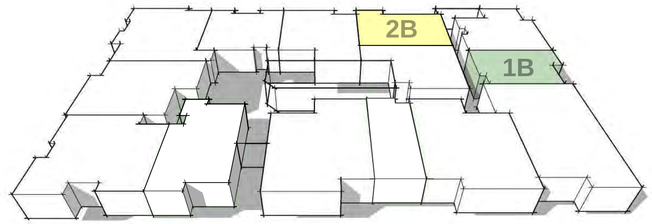
FLOOR 2
14 UNITS



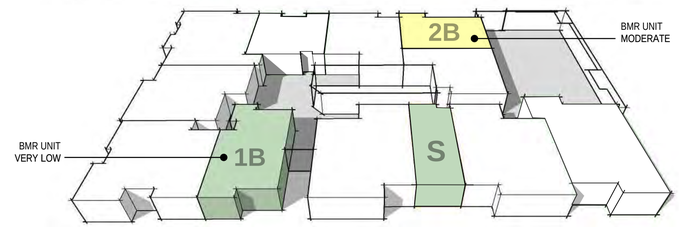
FLOOR 1
12 UNITS



FLOOR 3
13 UNITS



FLOOR 2
14 UNITS



FLOOR 1
12 UNITS

LEGEND

S	= STUDIO
1B	= 1 BEDROOM UNIT
2B	= 2 BEDROOM UNIT

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PROJECT DATA SHEET
T3

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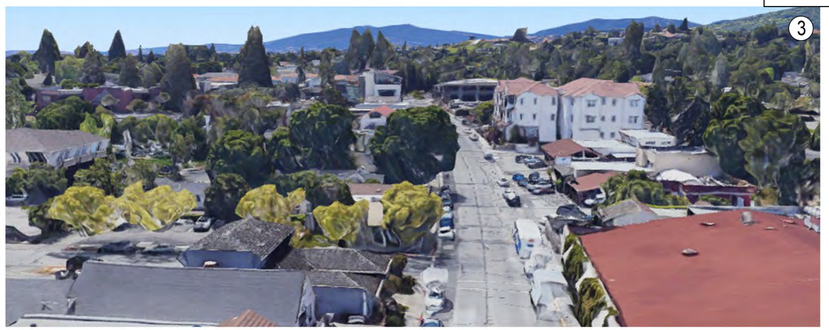

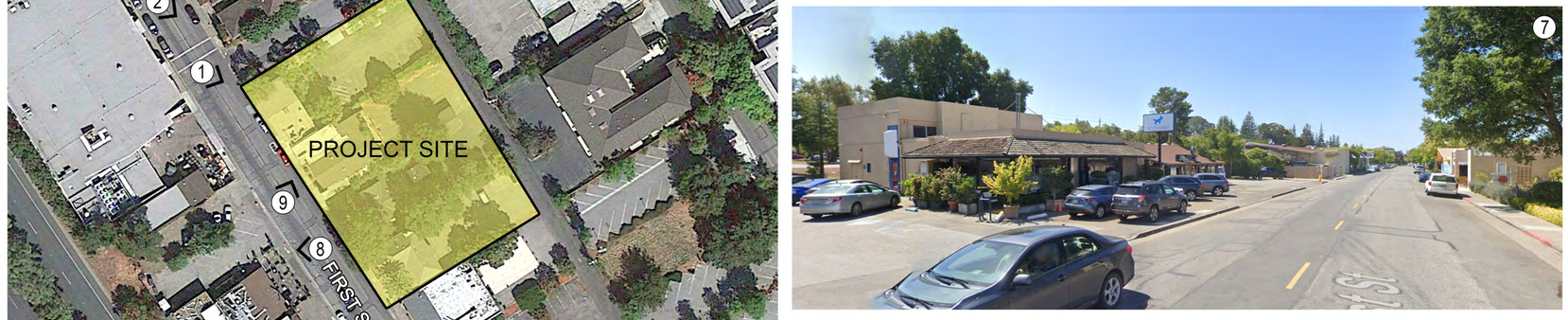

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EXISTING SITE & SURROUNDING CONTEXT
A01

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WHITNEY STREET

FIRST STREET

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STREET ELEVATIONS
A02

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BUILDING PERSPECTIVE
A03

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BUILDING PERSPECTIVE
A04

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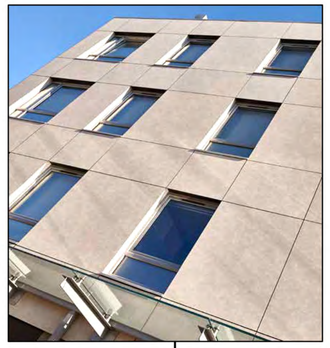
WOOD-LOOK BOARD SOFFIT
AT UPPER ROOF OVERHANG

TRESPA PURA
ROMANTIC WALNUT



TRESPA NATURALS WITH
STONE-TEXTURED PANELS
SANTIAGO BLANCO

ELDORADO STONE
VANTAGE30 WHITE ELM
PATIO WALLS

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MATERIAL SELECTIONS
A05

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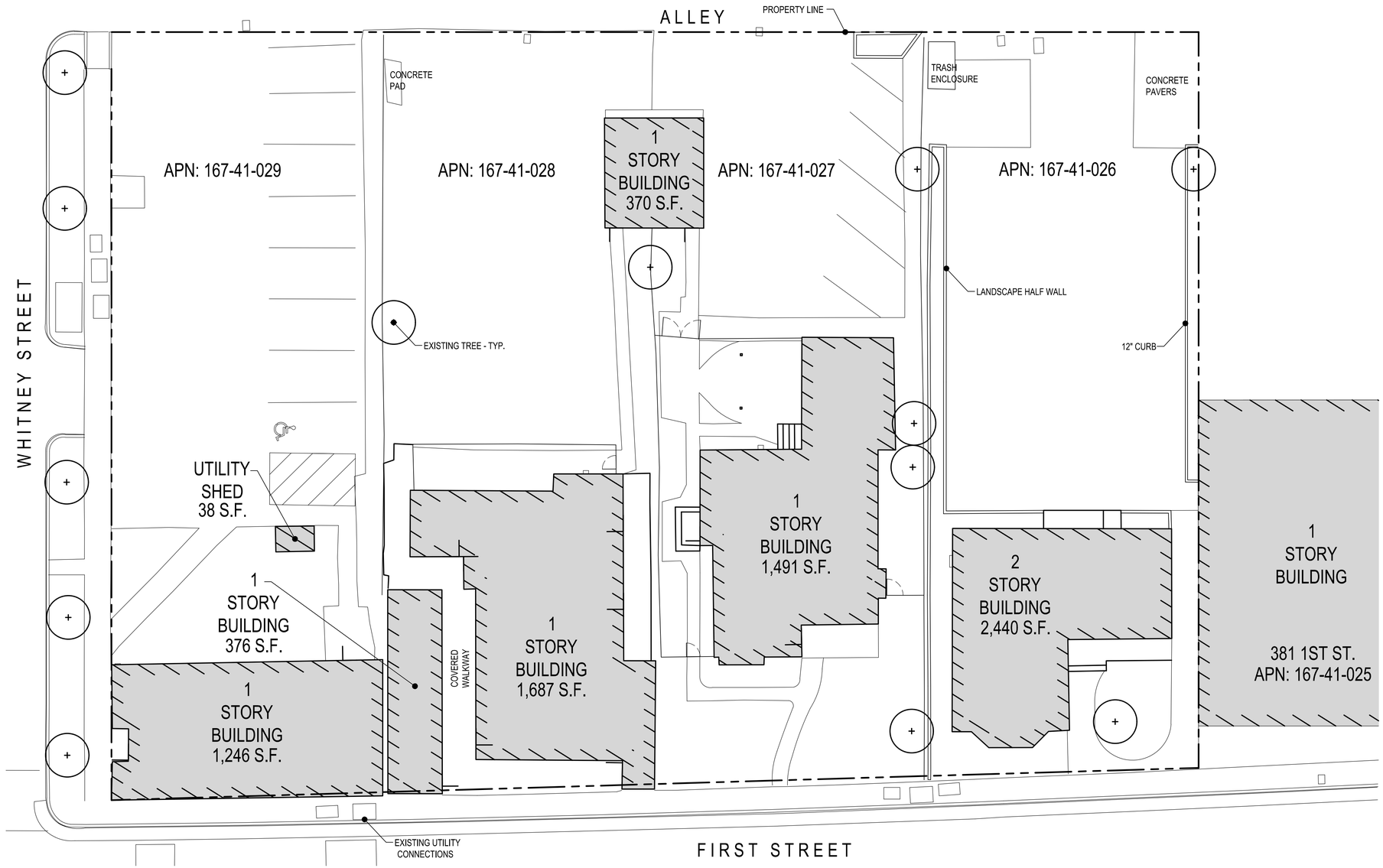

EXISTING BUILDING AREAS	
TOTAL	7,648 SF

NORTH

0 2' 4' 6' 8' 16'

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EXISTING SITE PLAN
A06

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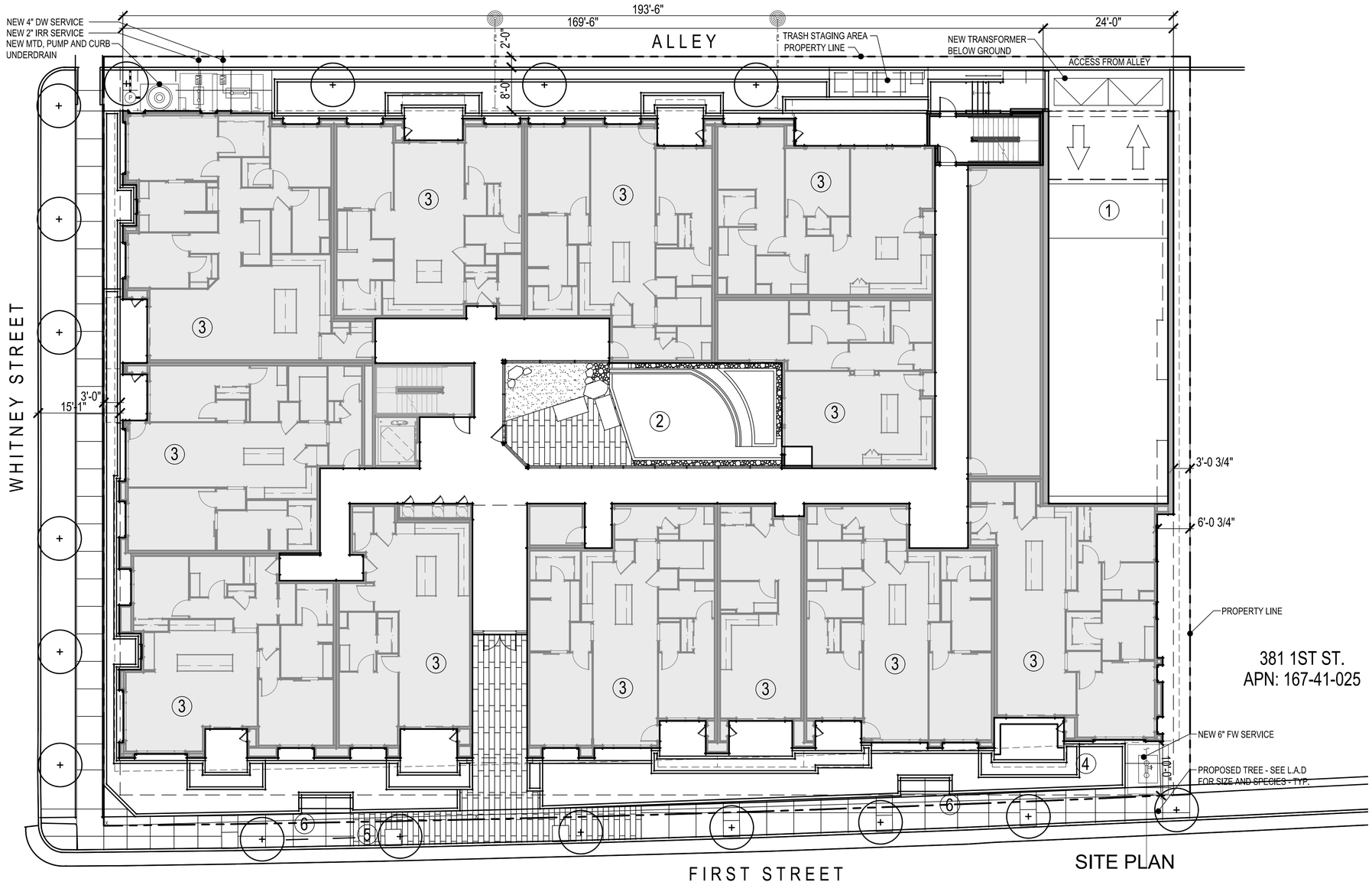

381 1ST ST.
APN: 167-41-025

SITE PLAN

KEY NOTES

1. GARAGE RAMP
2. COURT
3. RESIDENTIAL UNIT
4. RAISED PLANTERS
5. BICYCLE RACK
6. SITTING BENCH

NORTH

0 2' 4' 6' 8' 16'

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PROPOSED SITE PLAN
A07

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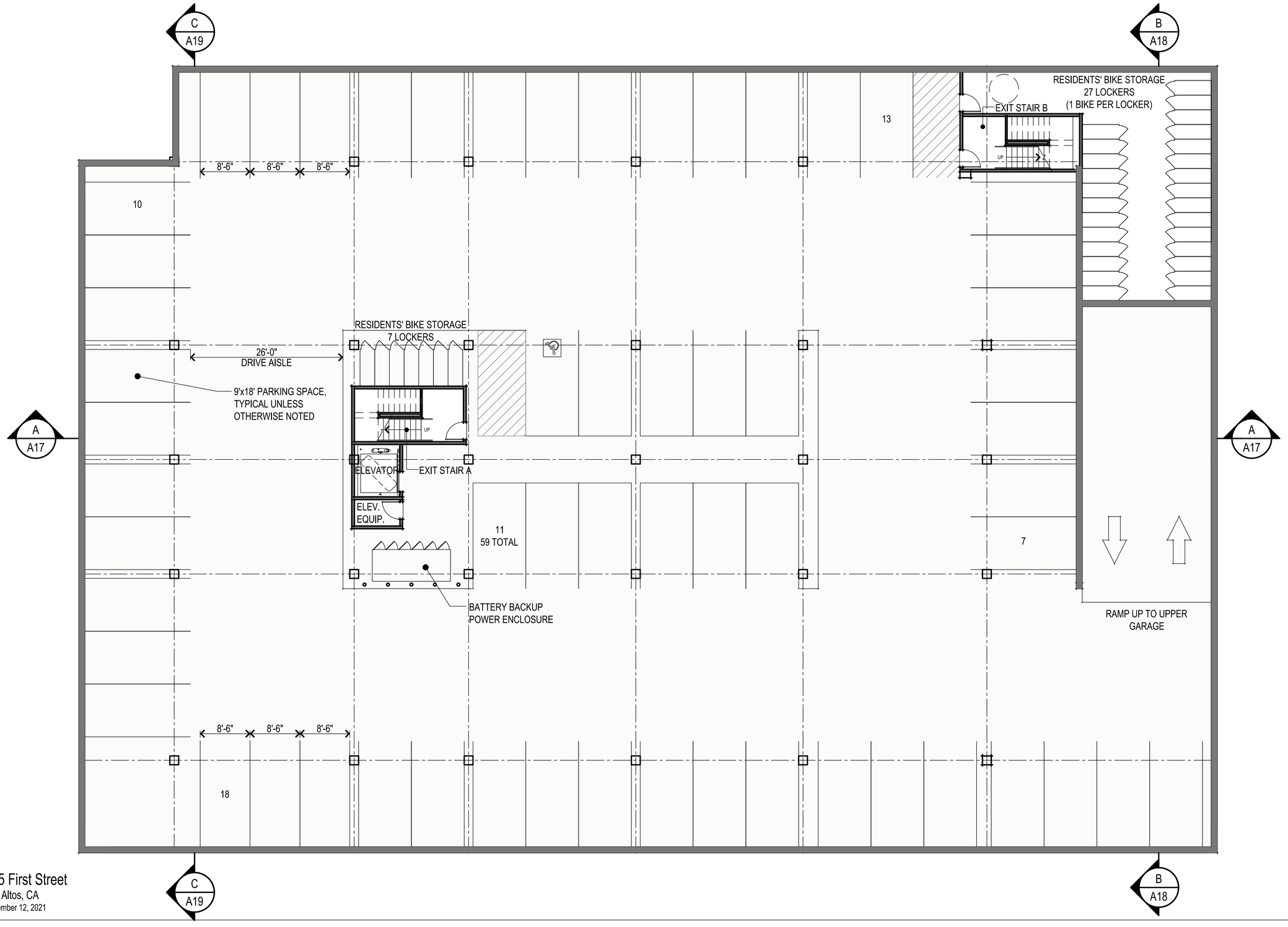

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NORTH
0 2' 4' 6' 8' 16'

LOWER GARAGE PLAN
A08

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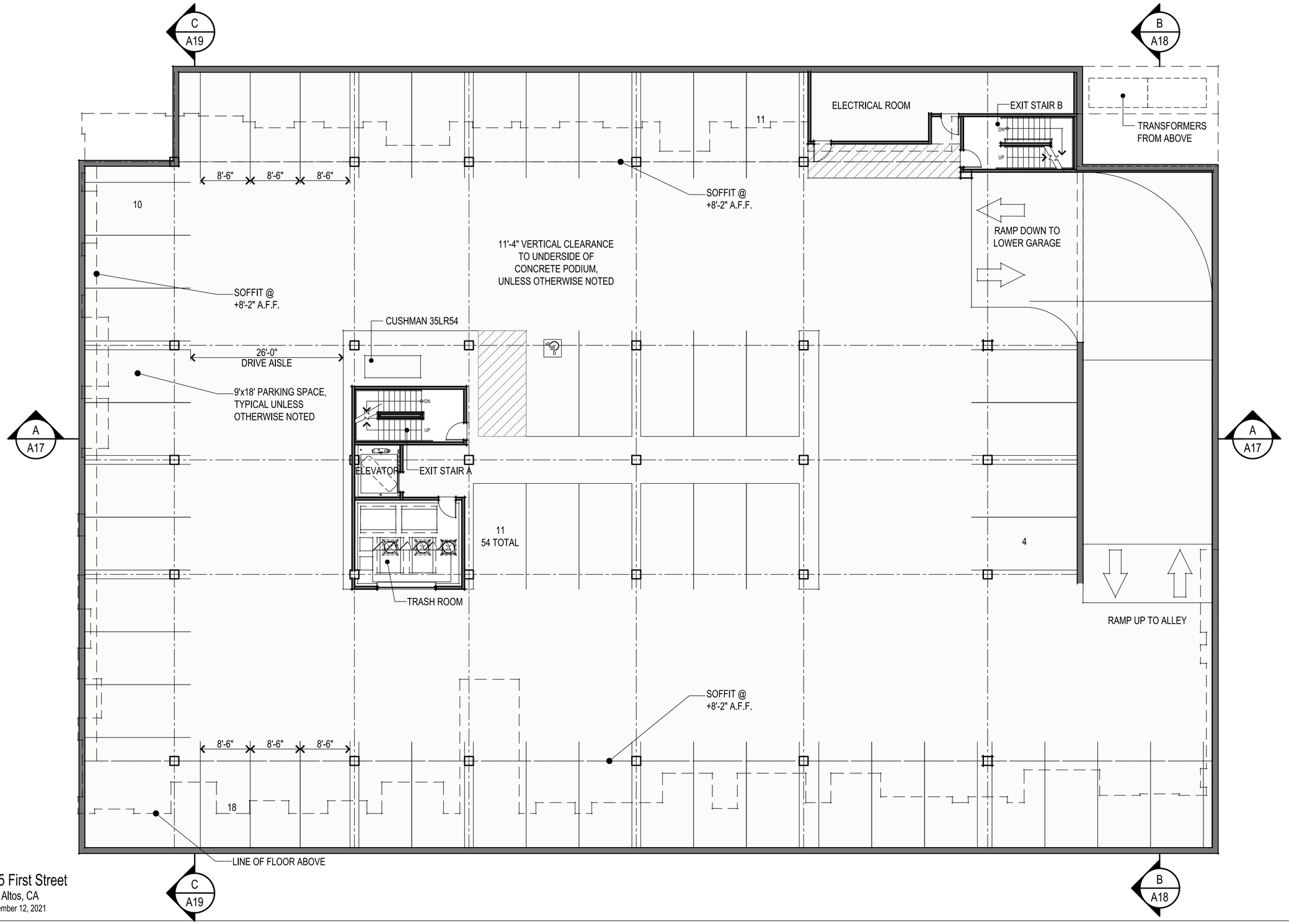

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0 2' 4' 6' 8' 16'

UPPER GARAGE PLAN
A09

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UNIT MIX CHART

1 BEDROOM UNITS/ STUDIO UNITS	UNIT AREA	1ST FLOOR	3	25%
1A (STUDIO)	621 SQ. FT.	1		
1B	790 SQ. FT.			
1C	988 SQ. FT.	1		
1D	1,026 SQ. FT.	1		
2 BEDROOM UNITS			**8**	**67%**
2A	1,178 SQ. FT.			
2B	1,203 SQ. FT.	1		
2C	1,245 SQ. FT.	1		
2D	1,352 SQ. FT.	1		
2E	1,369 SQ. FT.	4		
2F	1,435 SQ. FT.			
2G	1,174 SQ. FT.	1		
3 BEDROOM UNITS			**1**	**8%**
3A	1,613 SQ. FT.			
3B	1,729 SQ. FT.	1		
3C	2,197 SQ. FT.			
3D	2,049 SQ. FT.			
3E	1,987 SQ. FT.			

12

NORTH

0 2' 4' 6' 8' 16'

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FIRST FLOOR PLAN
A10

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UNIT MIX CHART

1 BEDROOM UNITS/ STUDIO UNITS	UNIT AREA	2ND FLOOR	4	29%
1A (STUDIO)	621 SQ. FT.	1		
1B	790 SQ. FT.	1		
1C	988 SQ. FT.	1		
1D	1,026 SQ. FT.	1		
2 BEDROOM UNITS			**8**	**57%**
2A	1,178 SQ. FT.	1		
2B	1,203 SQ. FT.	1		
2C	1,245 SQ. FT.	1		
2D	1,352 SQ. FT.			
2E	1,369 SQ. FT.	4		
2F	1,435 SQ. FT.			
2G	1,174 SQ. FT.	1		
3 BEDROOM UNITS			**2**	**14%**
3A	1,613 SQ. FT.	1		
3B	1,729 SQ. FT.	1		
3C	2,197 SQ. FT.			
3D	2,049 SQ. FT.			
3E	1,987 SQ. FT.			

14

NORTH

0 2' 4' 6' 8' 16'

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November 12, 2021

SECOND FLOOR PLAN
A11

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UNIT MIX CHART

1 BEDROOM UNITS/ STUDIO UNITS	UNIT AREA	3RD FLOOR	2	15%
1A (STUDIO)	621 SQ. FT.			
1B	790 SQ. FT.	1		
1C	988 SQ. FT.			
1D	1,026 SQ. FT.	1		
2 BEDROOM UNITS			8	62%
2A	1,178 SQ. FT.	1		
2B	1,203 SQ. FT.	1		
2C	1,245 SQ. FT.	1		
2D	1,352 SQ. FT.			
2E	1,369 SQ. FT.	3		
2F	1,435 SQ. FT.	1		
2G	1,174 SQ. FT.	1		
3 BEDROOM UNITS			3	23%
3A	1,613 SQ. FT.	1		
3B	1,729 SQ. FT.	1		
3C	2,197 SQ. FT.			
3D	2,049 SQ. FT.	1		
3E	1,987 SQ. FT.			

13

NORTH

0 2' 4' 6' 8' 16'

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THIRD FLOOR PLAN
A12

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UNIT MIX CHART

1 BEDROOM UNITS/ STUDIO UNITS	UNIT AREA	4TH FLOOR		
			0	0%
1A (STUDIO)	621 SQ. FT.			
1B	790 SQ. FT.			
1C	988 SQ. FT.			
1D	1,026 SQ. FT.			
2 BEDROOM UNITS			6	55%
2A	1,178 SQ. FT.			
2B	1,203 SQ. FT.	1		
2C	1,245 SQ. FT.	1		
2D	1,352 SQ. FT.			
2E	1,369 SQ. FT.	3		
2F	1,435 SQ. FT.	1		
2G	1,174 SQ. FT.			
3 BEDROOM UNITS			5	45%
3A	1,613 SQ. FT.	1		
3B	1,729 SQ. FT.	1		
3C	2,197 SQ. FT.	1		
3D	2,049 SQ. FT.	1		
3E	1,987 SQ. FT.	1		
		11		

NORTH

0 2' 4' 6' 8' 16'

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FOURTH FLOOR PLAN
A13

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C A19

B A18

EXIT STAIR B

VALLEY

1/4:12

ACCESS GATE FOR MAINTENANCE

RAISED TREE PLANTER, TYP - SEE LANDSCAPE DRAWINGS

ROOFTOP CONDENSER UNIT, TYP.

ACCESS GATE FOR MAINTENANCE

LOCATION OF SOLAR PANELS, TBD

A A17

EXIT STAIR A

48" HIGH ROOF TOP SAFETY GUARDRAIL

ELEVATOR

OPEN TO COURT BELOW

ACCESS GATE FOR MAINTENANCE

RAISED PLANTER, TYP - SEE LANDSCAPE DRAWINGS

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NORTH

0 2' 4' 6' 8' 16'

ROOF PLAN
A14

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LEFT ELEVATION

FRONT ELEVATION

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FRONT AND LEFT EXTERIOR ELEVATIONS
A15

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RIGHT ELEVATION

REAR ELEVATION

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REAR AND RIGHT EXTERIOR ELEVATIONS
A16

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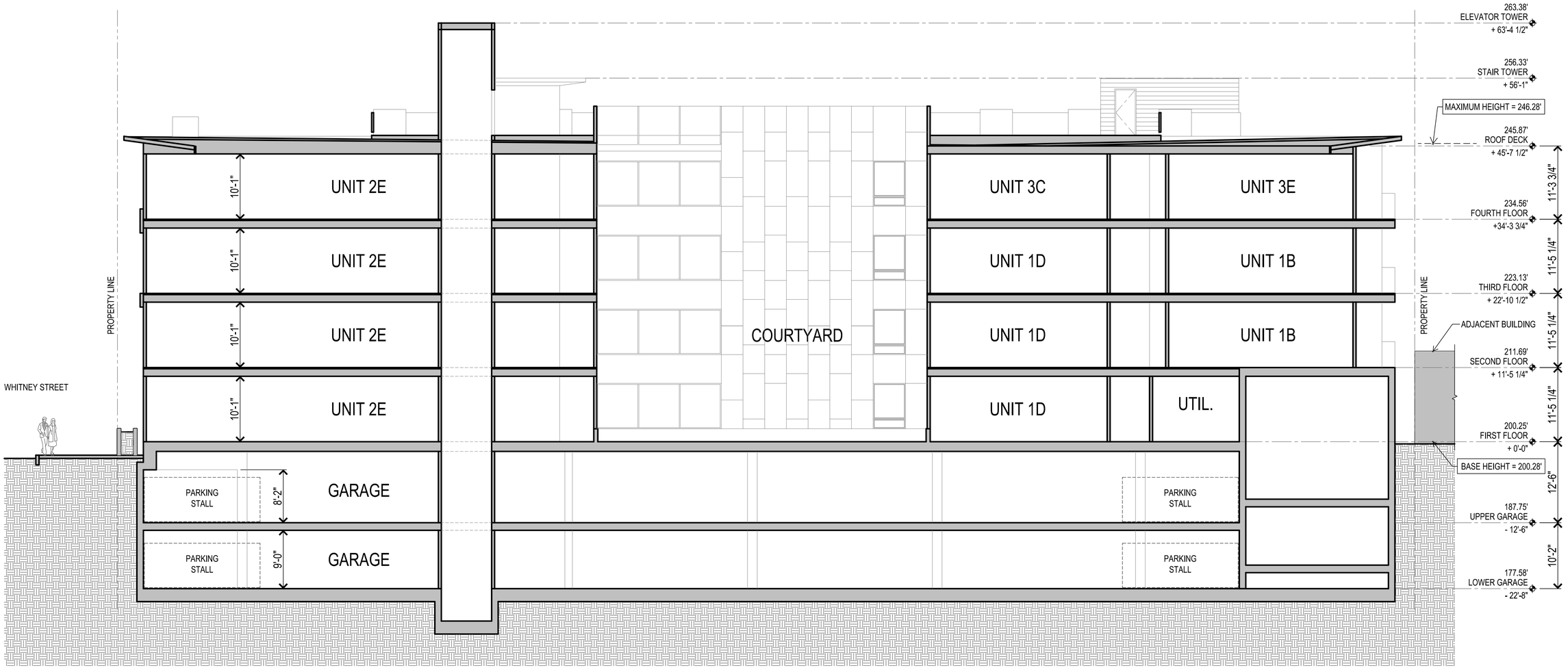

SECTION A

0 2' 4' 6' 8' 16'

BUILDING SECTION A
A17

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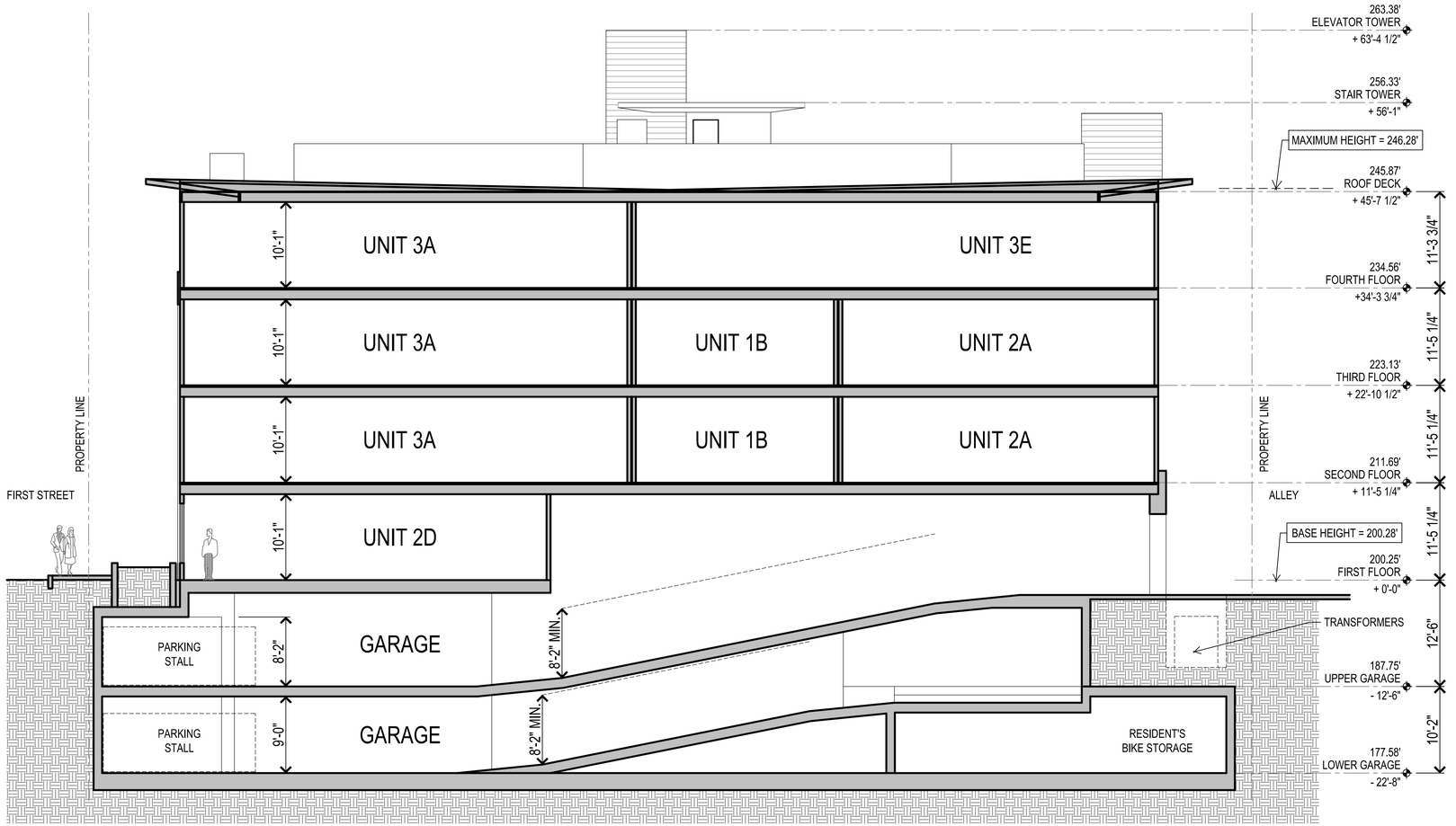

SECTION B

0 2' 4' 6' 8' 16'

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BUILDING SECTION B
A18

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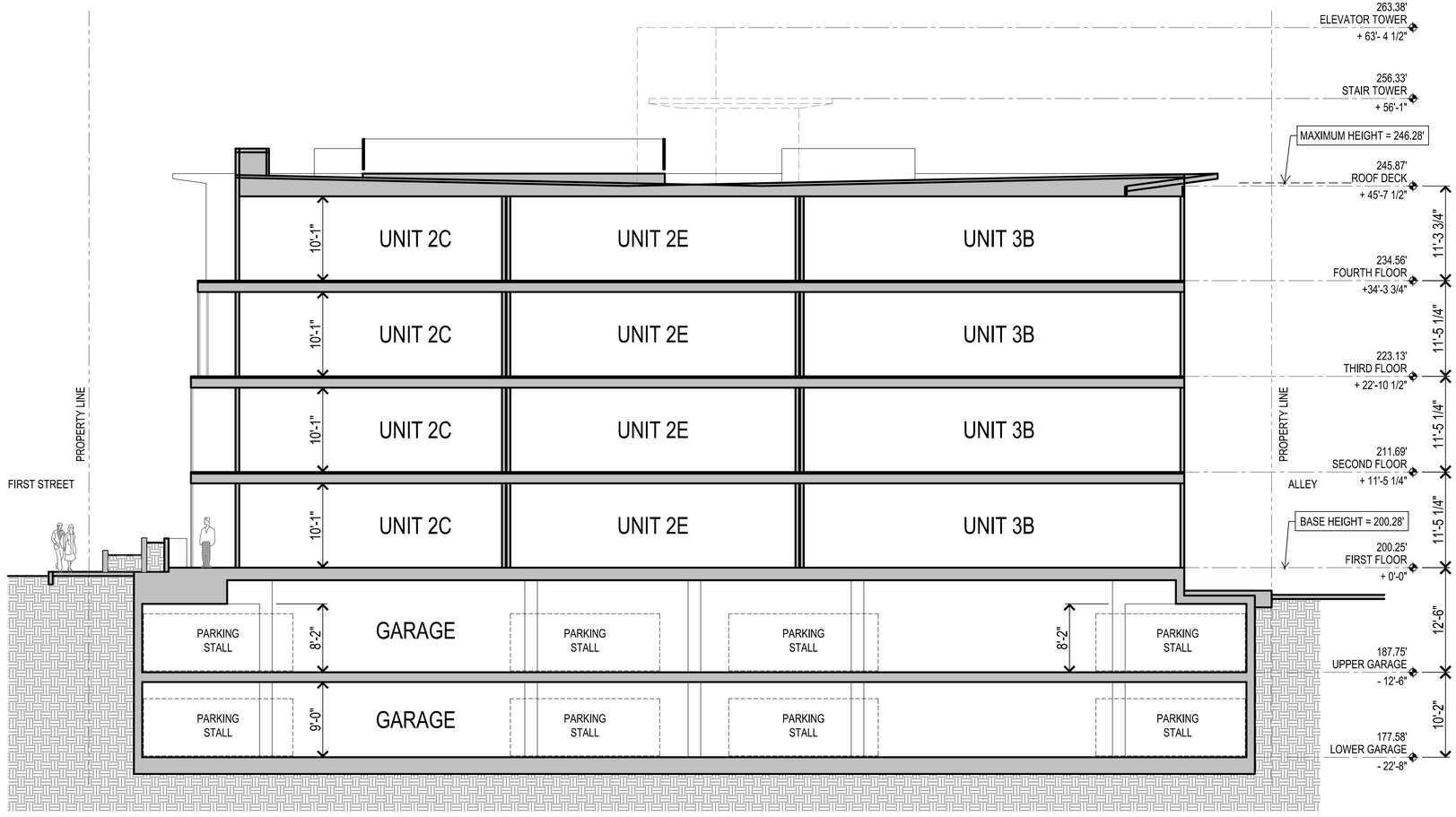

SECTION C

0 2' 4' 6' 8' 16'

BUILDING SECTION C
A19

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November 12, 2021

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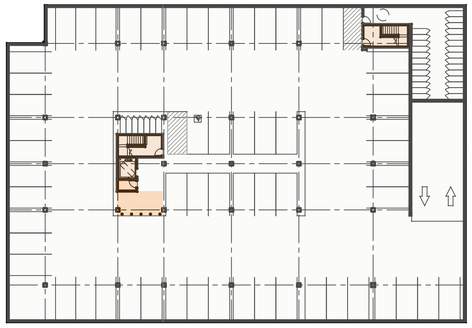
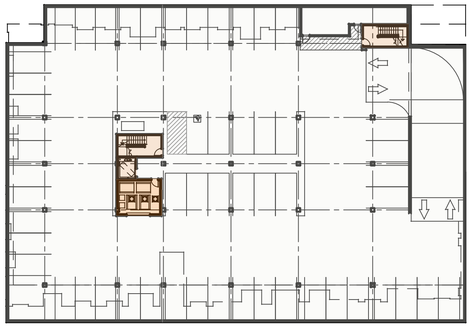
V:\366014_355 First Street\03_CAD\366014-04_Sheets\DRB\A19 BUILDING SECTION C.dwg, 11/15/2021 2:41:03 PM, JReardon



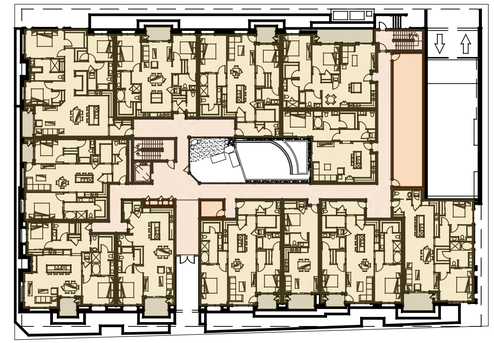
LOWER GARAGE LEVEL

CATEGORY	SUBTOTALS
PARKING	25,031 SF
CIRCULATION	471 SF
UTILITY	239 SF
DWELLING UNITS	
LEVEL TOTAL	25,741 SF



UPPER GARAGE LEVEL

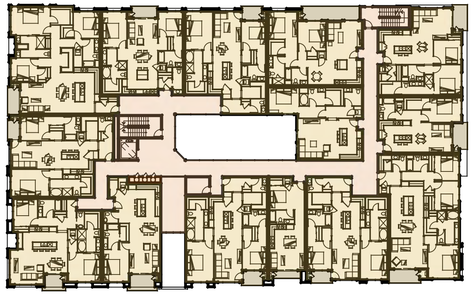
CATEGORY	SUBTOTALS
PARKING	24,493 SF
CIRCULATION	471 SF
UTILITY	296 SF
DWELLING UNITS	
LEVEL TOTAL	25,260 SF



GROUND FLOOR

CATEGORY	SUBTOTALS
PARKING	
CIRCULATION	2,740 SF
UTILITY	929 SF
DWELLING UNITS	15,006 SF
LEVEL TOTAL	18,675 SF

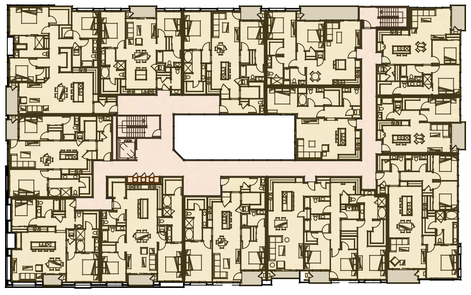
DECK AREA
795 SF



SECOND FLOOR

CATEGORY	SUBTOTALS
PARKING	
CIRCULATION	2,863 SF
UTILITY	42 SF
DWELLING UNITS	17,238 SF
LEVEL TOTAL	20,143 SF

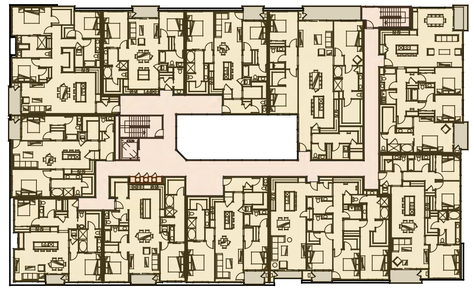
DECK AREA
844 SF



THIRD FLOOR

CATEGORY	SUBTOTALS
PARKING	
CIRCULATION	2,565 SF
UTILITY	42 SF
DWELLING UNITS	17,700 SF
LEVEL TOTAL	20,305 SF

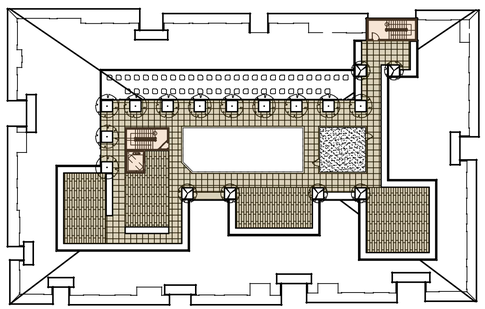
DECK AREA
801 SF



FOURTH FLOOR

CATEGORY	SUBTOTALS
PARKING	
CIRCULATION	2,553 SF
UTILITY	42 SF
DWELLING UNITS	17,724 SF
LEVEL TOTAL	20,319 SF

DECK AREA
779 SF



ROOF DECK

CATEGORY	SUBTOTALS
PARKING	
CIRCULATION	468 SF
UTILITY	
DWELLING UNITS	
ROOF DECK	
LEVEL TOTAL	468 SF

DECK AREA
5,318 SF

BUILDING TOTALS

CATEGORY	SUBTOTALS
PARKING	49,524 SF
CIRCULATION	12,131 SF
UTILITY	1,590 SF
DWELLING UNITS	67,668 SF
TOTAL	130,913 SF

TOTAL DECK AREA
8,537 SF

366.014 355 First Street
Los Altos, CA
November 12, 2021

FLOOR AREA CALCULATIONS
A20

DENARDI WANG HOMES

SDG Architects, Inc.
3361 Walnut Blvd. Suite 120
Brentwood, CA 94513
925.634.7000 | sdgarchitectsinc.com

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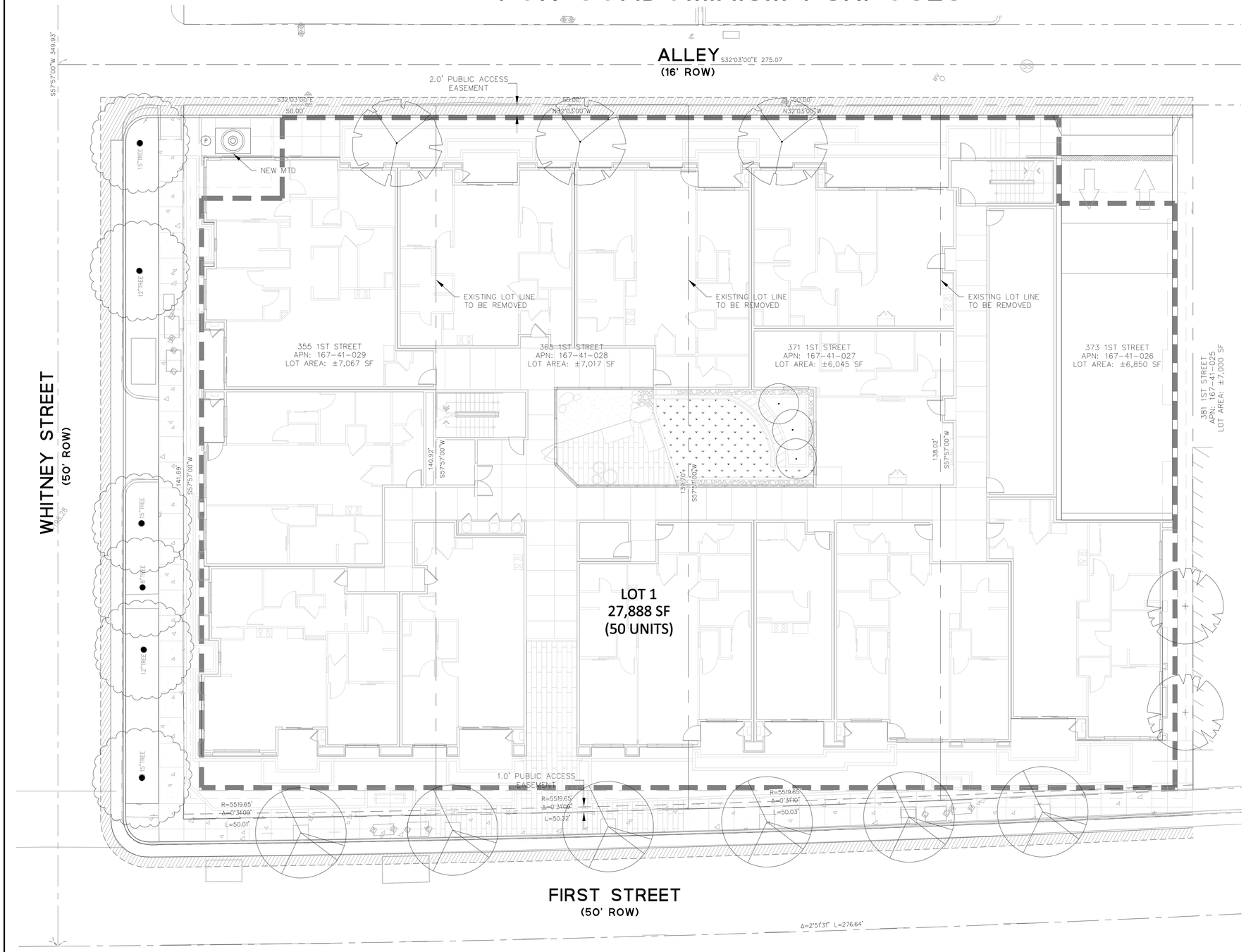
VESTING TENTATIVE MAP
FOR CONDOMINIUM PURPOSES



LEGEND

- PROPERTY LINE
- ADJACENT PROPERTY LINE
- STREET CENTER LINE
- EASEMENT LINE
- FLOW THROUGH PLANTER
- MECHANICAL TREATMENT DEVICE

GENERAL NOTES

1. THIS VESTING TENTATIVE MAP IS BEING FILED IN ACCORDANCE WITH ARTICLE 2, SECTION 86452 AND CHAPTER 4.5 OF THE SUBDIVISION MAP ACT.
2. AREA: THE BOUNDARIES OF THIS SUBDIVISION CONTAIN ±0.64 ACRES.
3. DURING CONSTRUCTION, ALL EQUIPMENT AND PARKING SHALL REMAIN ON-SITE UNLESS THE CONTRACTOR HAS APPROVAL FROM THE CITY.
4. ALL EXISTING WATER, SANITARY, AND STORM SERVICES ARE TO BE ABANDONED/REMOVED PER CITY OF LOS ALTOS STANDARDS AND SPECIFICATIONS.

PROJECT INFORMATION

OWNER/DEVELOPER:	355 1ST ST, LLC 419 SOUTH ANTONIO ROAD, SUITE 215 LOS ALTOS, CA 94022 CONTACT: KEVIN DENARDI (650) 842-2360
ARCHITECT:	SDG ARCHITECTS 3361 WALNUT BLVD. SUITE 120 BRENTWOOD, CA 94513 CONTACT: JEFF POTTS (925) 634-7000
CIVIL ENGINEER:	BKF ENGINEERS 1730 N. FIRST STREET, SUITE 600 SAN JOSE, CA 95112 CONTACT: ISAAC KONTOROVSKY (408) 467-9100
PROPERTY ADDRESS:	355 FIRST STREET, LOS ALTOS, CA
APN:	167-41-026/027/028/029
SPECIFIC PLAN:	DOWNTOWN CORE SPECIFIC PLAN
EXISTING ZONING:	COMMERCIAL DOWNTOWN/MULTIPLE FAMILY (CD/R-3)
PROPOSED ZONING:	COMMERCIAL DOWNTOWN/MULTIPLE FAMILY (CD/R-3)
EXISTING USE:	COMMERCIAL
PROPOSED USE:	RESIDENTIAL
GROSS AREA:	27,887 SF (0.64± ACRES)
NET AREA:	27,287 SF (0.63± ACRES)
PROPOSED NUMBER OF LOTS:	1 PARCEL FOR CONDOMINIUM PURPOSES (4 EXISTING LOTS)
NUMBER OF CONDO UNITS:	50
UTILITIES: A. WATER: B. SANITARY SEWER: C. STORM DRAIN: D. GAS/ELECTRIC: E. TELEPHONE: F. CABLE TV:	 CALIFORNIA WATER SERVICE COMPANY CITY OF LOS ALTOS N/A PACIFIC GAS & ELECTRIC AT&T COMCAST
BENCHMARK:	2-1/2" BRASS DISK IN CONCRETE BASE, STAMPED CS061013, INSIDE MONUMENT WELL AT THE INTERSECTION OF FIRST STREET AND MAIN STREET. ELEVATION = 193.13 FEET BASED ON CITY OF LOS ALTOS DATUM.
TOPOGRAPHY:	THE INFORMATION SHOWN IS BASED ON A GROUND SURVEY PREPARED BY BKF ENGINEERS DATED SEPTEMBER 28, 30 & OCTOBER 1, 2020.
FLOOD ZONE:	THIS PROPERTY IS LOCATED WITHIN ZONE X AS SHOWN IN FLOOD INSURANCE RATE MAP NO. 06085C0038H

ABBREVIATIONS

PG&E = PACIFIC GAS & ELECTRIC COMPANY
ROW = RIGHT OF WAY

SHEET INDEX

SHEET NO.	SHEET TITLE
TM1.0	VESTING TENTATIVE MAP
C1.0	EXISTING CONDITIONS
C2.0	PRELIMINARY SITE PLAN
C3.0	PRELIMINARY GRADING AND DRAINAGE PLAN
C3.1	PRELIMINARY SECTIONS
C4.0	PRELIMINARY UTILITY PLAN
C5.0	PRELIMINARY STORMWATER MANAGEMENT PLAN

GRAPHIC SCALE
10 0 10 20

1730 N. FIRST STREET
SUITE 600
SAN JOSE, CA 95112
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www.bkf.com

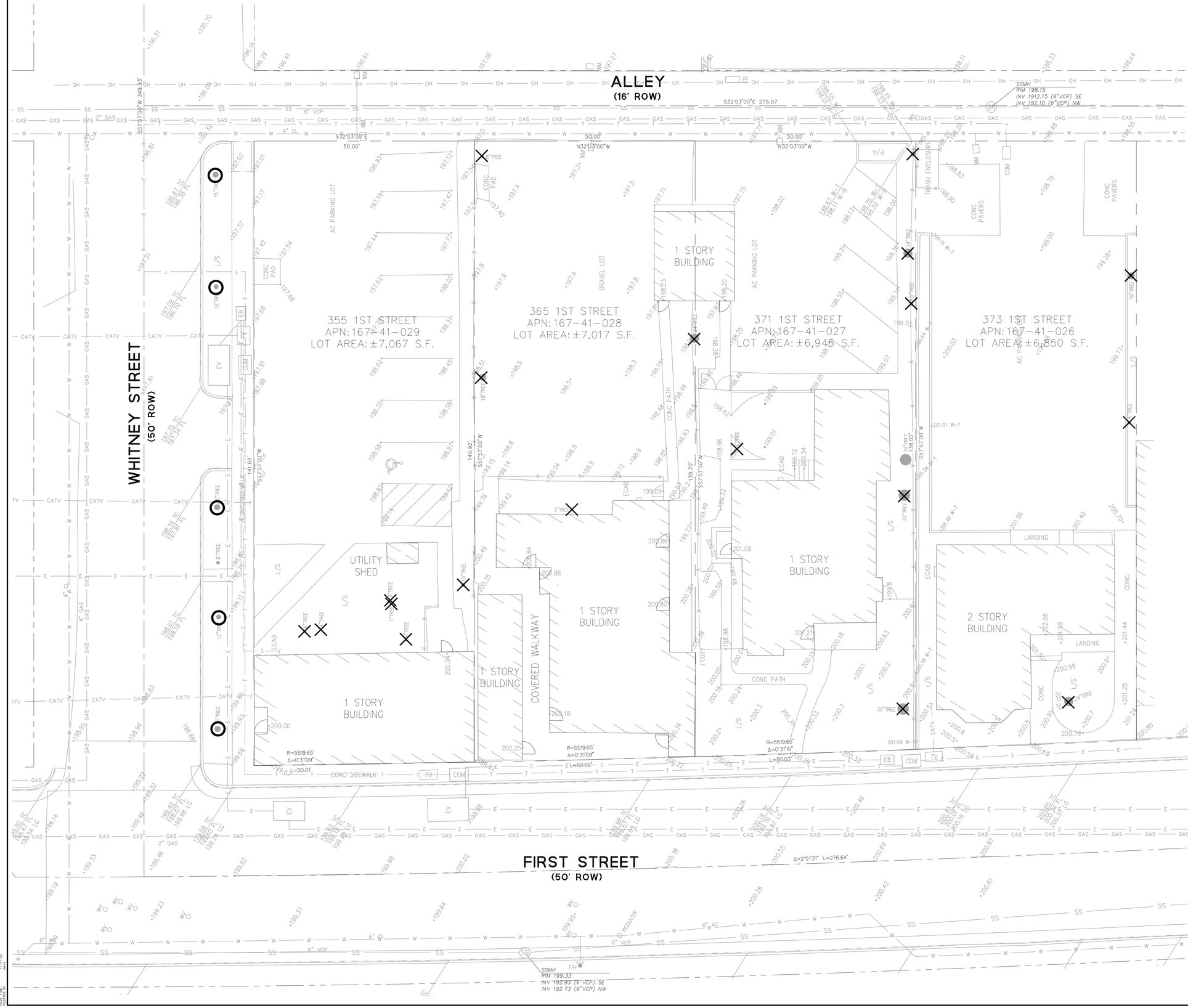
BKF

355-373 1ST STREET
VESTING TENTATIVE MAP
LOS ALTOS SANTA CLARA COUNTY CALIFORNIA

No.	Revisions
1	RESUBMITTAL 1
2	7/16/21 – RESUBMITTAL 2
3	09/03/21 – RESUBMITTAL 3
4	11/12/21 – RESUBMITTAL 4

Date 11/12/21
Scale AS SHOWN
Design RM
Drawn RM
Approved IB
Job No 20201231

Drawing Number:
TM1.0



LEGEND

- PROJECT BOUNDARY
- ADJACENT LOT LINE
- INTERIOR LOT LINE
- EASEMENT
- ROAD CENTER LINE
- EXISTING FENCE
- SANITARY SEWER LINE
- STORM DRAIN LINE
- WATER LINE
- GAS LINE
- ELECTRICAL LINE
- OVERHEAD LINE
- TELECOM LINE
- COMCAST LINE
- FIRE HYDRANT
- EXISTING TREE TO REMAIN
- REMOVE EXISTING TREE

SURVEY NOTES

1. ALL DISTANCES AND DIMENSIONS ARE SHOWN IN FEET AND DECIMALS THEREOF.
2. DATES OF FIELD SURVEY WAS SEPTEMBER 28, 30 & OCTOBER 1, 2020
3. BENCH MARK
   2-1/2" BRASS DISK IN CONCRETE BASE, STAMPED CS061013, INSIDE MONUMENT WELL AT THE INTERSECTION OF FIRST STREET AND MAIN STREET

   ELEVATION = 193.13 FEET BASED ON CITY OF LOS ALTOS DATUM
4. BASIS OF BEARINGS
   THE BEARING NORTH 32°03'00" WEST, BETWEEN FOUND IRON PIPE MONUMENTS, AS SHOWN ON THAT CERTAIN PARCEL MAP, FILED FOR RECORD ON FEBRUARY 14, 1980, IN BOOK 458 OF MAPS AT PAGES 51 AND 52, SANTA CLARA COUNTY RECORDS, WAS TAKEN AS THE BASIS OF BEARINGS
5. INFORMATION REGARDING BOUNDARY AND EASEMENTS; BKF ENGINEERS RELIED ON THE INFORMATION PROVIDED IN THE FOLLOWING PRELIMINARY TITLE REPORTS:
   A. OLD REPUBLIC TITLE COMPANY, ORDER NO. 0623015842-LM, DATED JUNE 25, 2020
   B. OLD REPUBLIC TITLE COMPANY, ORDER NO. 0623015841-LM, DATED JUNE 16, 2020
   C. CHICAGO TITLE COMPANY, ORDER NO. FWPS-2999200036MO, DATED JANUARY 13, 2020

ABBREVIATIONS

AC	ASPHALT CONCRETE
CLA	CITY OF LOS ALTOS
COM	COMMUNICATION
CONC	CONCRETE
DWY	DRIVEWAY
EB	ELECTRICAL BOX
EV	ELECTRICAL VAULT
ESMT	EASEMENT
FL	FLOW LINE
LG	LIP OF GUTTER
L/S	LANDSCAPE
PGE	PACIFIC GAS & ELECTRIC
ROW	RIGHT-OF-WAY
STD	STANDARD
SW	SIDEWALK
TC	TOP OF CURB
TYP	TYPICAL
WM	WATER METER
W-B	BOTTOM OF WALL
W-T	TOP OF WALL

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355-373 1ST STREET
EXISTING CONDITIONS

LOS ALTOS
SANTA CLARA COUNTY
CALIFORNIA

No.	Revisions
1	RESUBMITTAL 1
2	7/16/21 – RESUBMITTAL 2
3	09/03/21 – RESUBMITTAL 3
4	11/12/21 – RESUBMITTAL 4

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Design RM
Drawn RM
Approved JB
Job No 20201231

Drawing Number:
C1.0

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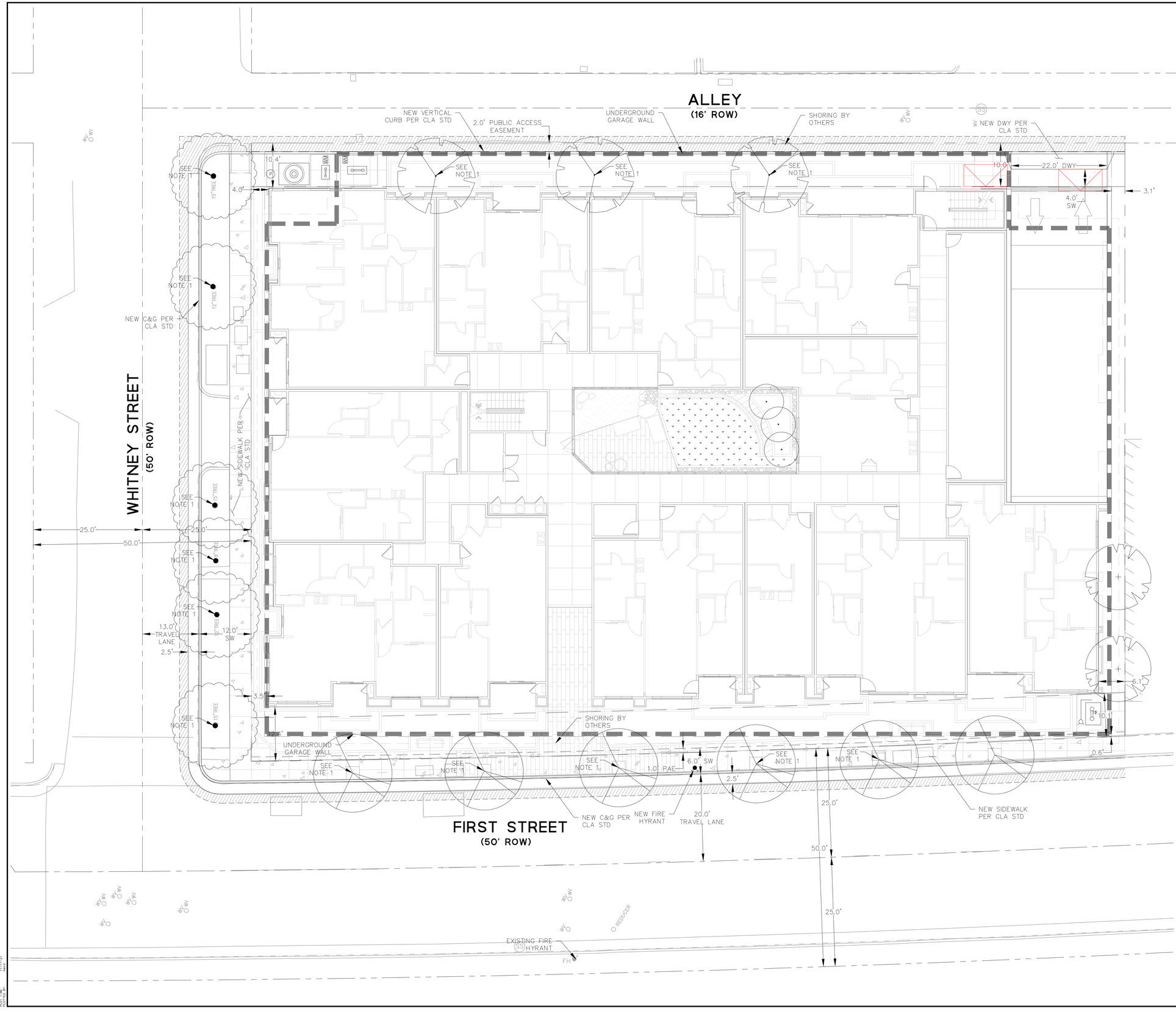

LEGEND

- PROPERTY LINE
- ADJACENT PROPERTY LINE
- STREET CENTER LINE
- EASEMENT LINE
- UNDERGROUND GARAGE
- VISIBILITY TRIANGLES
- SHORING
- FLUSH CURB
- NEW CITY STANDARD VERTICAL CURB AND GUTTER
- FLOW THROUGH PLANTER
- WV — WATER VALVE
- SSCO — SANITARY SEWER CLEANOUT
- SSMH — SANITARY SEWER MANHOLE
- FIRE BACKFLOW PREVENTER
- DOMESTIC BACKFLOW PREVENTER
- IRRIGATION BACKFLOW PREVENTER
- FDC — FIRE DEPARTMENT CONNECTION
- WM — WATER METER
- STORM DRAIN OVERFLOW DRAIN
- SDAD — STORM DRAIN AREA DRAIN
- MECHANICAL TREATMENT DEVICE
- TRANSFORMER (FOR REFERENCE ONLY)
- TREE TO REMAIN

ABBREVIATIONS

BFP	BACK FLOW PREVENTOR
C&G	CURB AND GUTTER
CLA	CITY OF LOS ALTO
COM	COMMUNICATION
DWY	DRIVEWAY
EB	ELECTRICAL BOX
EV	ELECTRICAL VAULT
ESMT	EASEMENT
PGE	PACIFIC GAS & ELECTRIC
ROW	RIGHT-OF-WAY
SDCO	STORM DRAIN CLEANOUT
SSCO	SANITARY SEWER CLEAN OUT
SSMH	SANITARY SEWER MANHOLE
STD	STANDARD
SW	SIDEWALK
TYP	TYPICAL
WM	WATER METER
WV	WATER VALVE

NOTES

1. ALL TREES, BOTH EXISTING AND PROPOSED, SHALL BE 1) VERIFIED WITH APPROVED PLANS, AND 2) SHALL NOT OBSTRUCT AERIAL ACCESS WHEN FULL GROWN WITHOUT MAINTENANCE.

GRAPHIC SCALE
10 0 10 20

1730 N. FIRST STREET
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355-373 1ST STREET
PRELIMINARY SITE PLAN

LOS ALTOS — SANTA CLARA COUNTY — CALIFORNIA

No.	Revisions
1	RESUBMITTAL 1
2	7/16/21 – RESUBMITTAL 2
3	09/03/21 – RESUBMITTAL 3
4	11/12/21 – RESUBMITTAL 4

Date 11/12/21
Scale AS SHOWN
Design RM
Drawn RM
Approved IB
Job No 20201231

Drawing Number:
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ALLEY
(16' ROW)

WHITNEY STREET
(50' ROW)

FIRST STREET
(50' ROW)

FF=200.25

LEGEND

- PROPERTY LINE
- ADJACENT PROPERTY LINE
- STREET CENTER LINE
- SAWCUT LINE
- GB — GRADE BREAK
- CITY STANDARD VERTICAL CURB
- CITY STANDARD VERTICAL CURB AND GUTTER
- TREATMENT AREA
- 1.8% — HARDSCAPE SLOPE
- (±1.8%) — HARDSCAPE SLOPE (EXISTING)
- TC 200.00 / PV 200.00 — PROPOSED ELEVATION
- (±TC 200.0) / (±PV 200.0) — EXISTING ELEVATION

ABBREVIATIONS

BW	BACK OF WALK
FF	FINISH FLOOR
FL	FLOW LINE
LG	LIP OF GUTTER
GB	GRADE BREAK
PV	PAVEMENT
ROW	RIGHT-OF-WAY
TC	TOP OF CURB

GRAPHIC SCALE
10 0 10 20

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355-373 1ST STREET
PRELIMINARY GRADING AND DRAINAGE PLAN

LOS ALTOS — SANTA CLARA COUNTY, CALIFORNIA

No.	Revisions
1	RESUBMITTAL 1
2	7/16/21 – RESUBMITTAL 2
3	09/03/21 – RESUBMITTAL 3
4	11/12/21 – RESUBMITTAL 4

Date 11/12/21
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Design RM
Drawn RM
Approved IB
Job No 20201231

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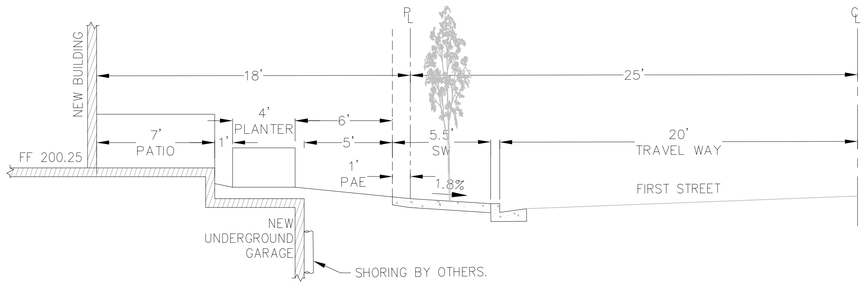
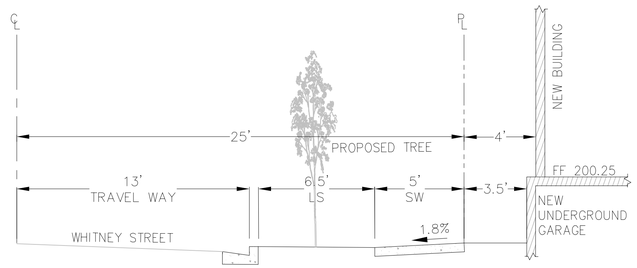


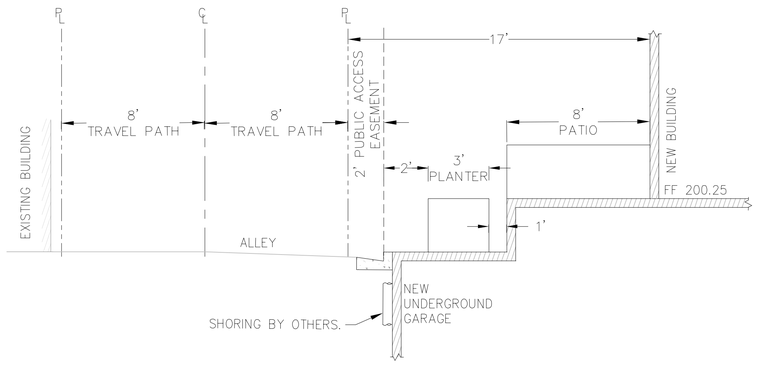
CROSS SECTION (A-A)

NTS



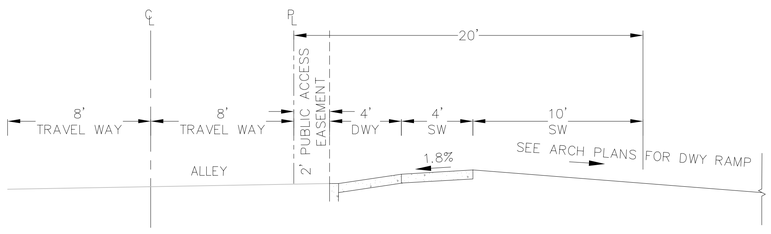
CROSS SECTION (B-B)

NTS



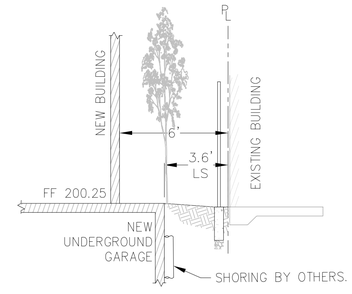
CROSS SECTION (C-C)

NTS



CROSS SECTION (D-D)

NTS



CROSS SECTION (E-E)

NTS

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355-373 1ST STREET
PRELIMINARY SECTIONS

LOS ALTOS — SANTA CLARA COUNTY, CALIFORNIA

No.	Revisions
1	RESUBMITTAL 1
2	7/16/21 – RESUBMITTAL 2
3	09/03/21 – RESUBMITTAL 3
4	11/12/21 – RESUBMITTAL 4

Date 11/12/21
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Drawn RM
Approved IB
Job No 20201231

Drawing Number:
C3.1

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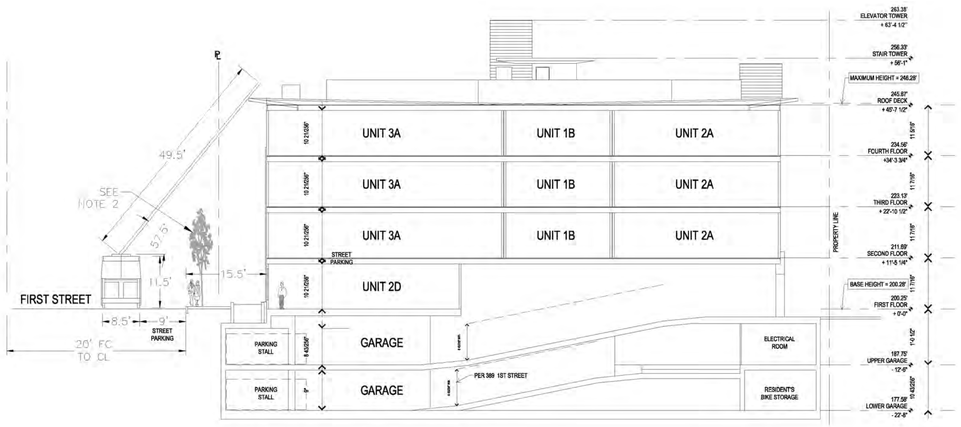
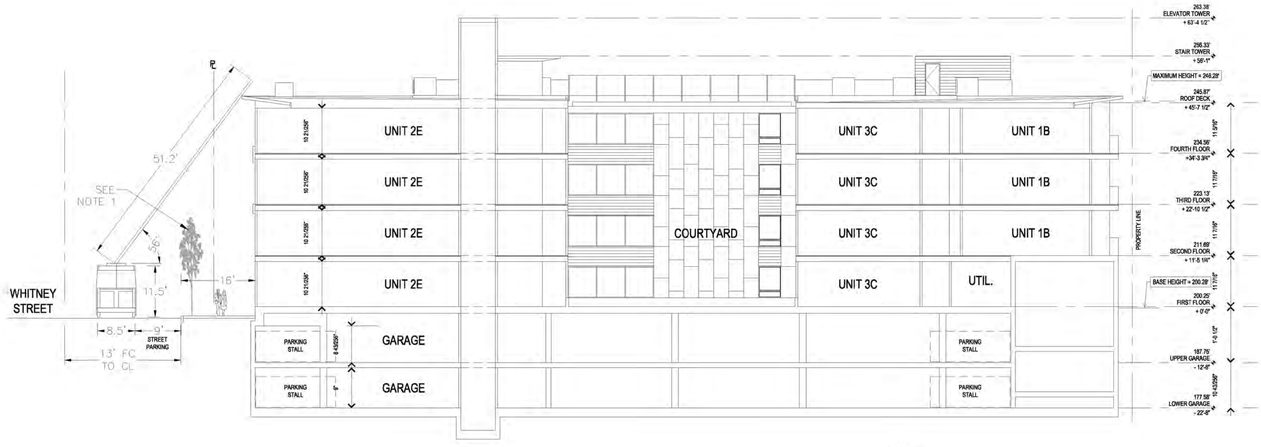


CROSS SECTION (F1-F1)

NTS

NOTES:

1. SECTION IS TAKEN AT WORST CASE SCENARIO, THIS OCCURS WHEN THE FIRE TRUCK IS CLOSEST TO THE BUILDING AT THE SOUTH EAST CORNER OF FIRST STREET.
2. THE STREET TREES (CREAT MYRTLE) ON FIRST STREET CAN BE MAINTAINED IN GOOD CONDITION AT A 20' MAXIMUM HEIGHT, WITH PROPER PRUNING AND MANAGEMENT.
3. VERTICAL HEIGHTS ARE SHOWN FOR REFERENCE ONLY. REFER TO ARCHITECTURAL SITE PLAN FOR ELEVATIONS.



CROSS SECTION (F2-F2)

NTS

NOTES:

1. ALONG WHITNEY BUILDING SET BACK IS CONSISTENT ALONG FRONTAGE, EXISTING TREE SIZE DO NOT HAVE AN AFFECT ON LADDER ACCESS AS STREET TREE SPACING IS ±25' HEPE, EXISTING TREE HEIGHT RANGES FROM 12'–25' ALONG WHITNEY, WELL BELOW THE FIRE LADDER ACCESS HEIGHT OF 35' AT TREE LOCATION PER THIS DIAGRAM.
2. VERTICAL HEIGHTS ARE SHOWN FOR REFERENCE ONLY. REFER TO ARCHITECTURAL SITE PLAN FOR ELEVATIONS.

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355-373 1ST STREET
PRELIMINARY FIRE LADDER ACCESS SECTIONS

LOS ALTOS — SANTA CLARA COUNTY — CALIFORNIA

No.	Revisions
1	RESUBMITTAL 1 – 7/16/21
2	RESUBMITTAL 2 – 09/03/21
3	RESUBMITTAL 3 – 11/12/21
4	RESUBMITTAL 4

Date 11/12/21
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Design RM
Drawn RM
Approved EB
Job No 20091231

Drawing Number:
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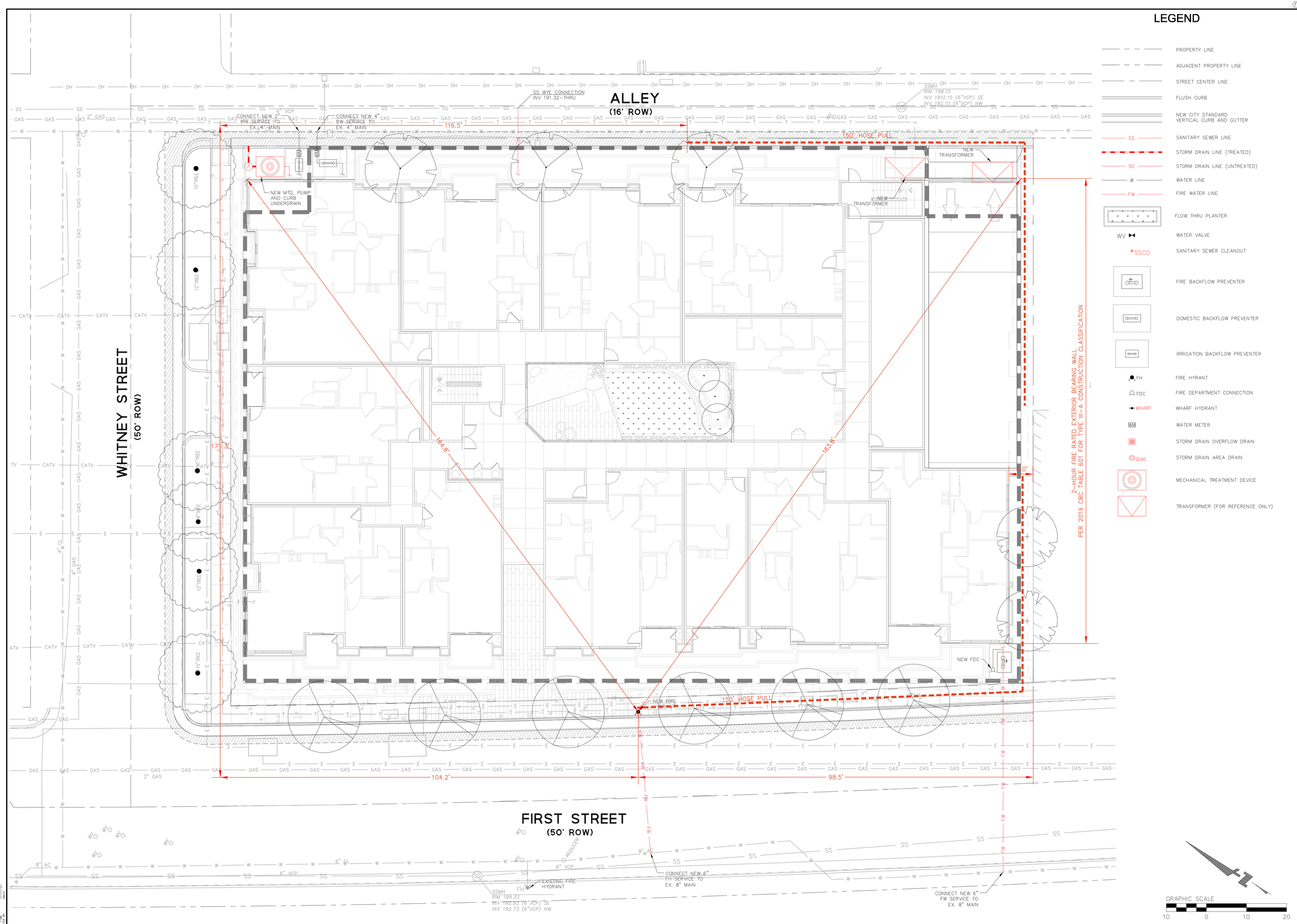
Agenda Item # 11.



LEGEND

- PROPERTY LINE
- ADJACENT PROPERTY LINE
- STREET CENTER LINE
- FLUSH CURB
- NEW CITY STANDARD VERTICAL CURB AND GUTTER
- SS — SANITARY SEWER LINE
- STORM DRAIN LINE (TREATED)
- SD — STORM DRAIN LINE (UNTREATED)
- W — WATER LINE
- FW — FIRE WATER LINE
- FLOW THRU PLANTER
- WV — WATER VALVE
- SSCO — SANITARY SEWER CLEANOUT
- FIRE BACKFLOW PREVENTER
- DOMESTIC BACKFLOW PREVENTER
- IRRIGATION BACKFLOW PREVENTER
- FH — FIRE HYRANT
- FDC — FIRE DEPARTMENT CONNECTION
- WHARF — WHARF HYDRANT
- WM — WATER METER
- STORM DRAIN OVERFLOW DRAIN
- SDAD — STORM DRAIN AREA DRAIN
- MECHANICAL TREATMENT DEVICE
- TRANSFORMER (FOR REFERENCE ONLY)

BKF
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355-373 1ST STREET
PRELIMINARY UTILITY PLAN

LOS ALTOS SANTA CLARA COUNTY CALIFORNIA

No.	Revisions
1	RESUBMITTAL 1
2	7/16/21 – RESUBMITTAL 2
3	09/03/21 – RESUBMITTAL 3
4	11/12/21 – RESUBMITTAL 4

Date 11/12/21
Scale AS SHOWN
Design RM
Drawn RM
Approved IB
Job No 20201231

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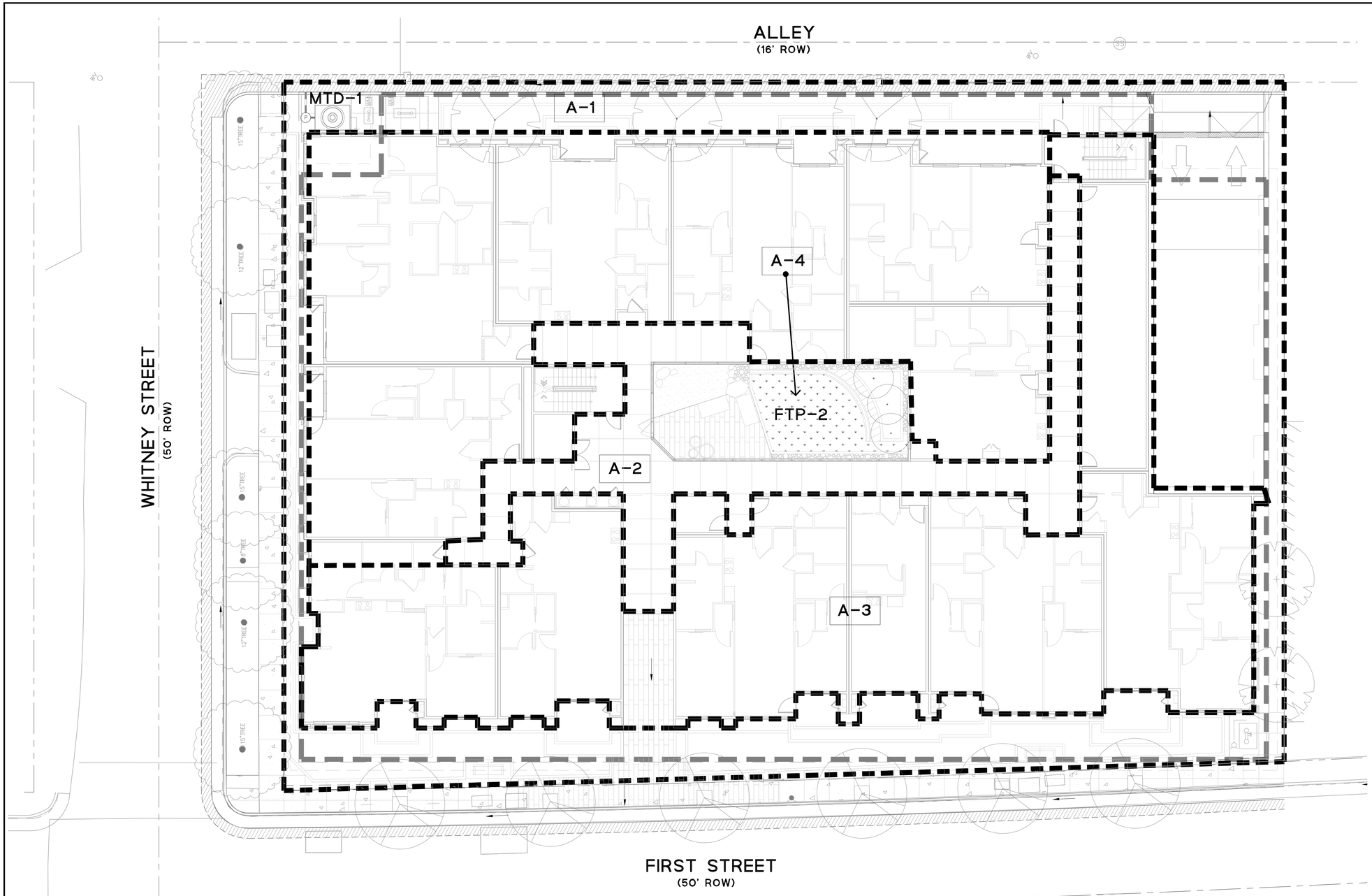

TABLE A

TREATMENT CONTROL MEASURE SUMMARY									
DRAINAGE AREAS	DRAINAGE AREA SIZE (SQ. FT.)	PERVIOUS SURFACE (SQ. FT.)	TYPE OF PERVIOUS SURFACE	IMPERVIOUS SURFACE (SQ. FT.)	TYPE OF IMPERVIOUS SURFACE	WATER QUANTITY (FLOW AND/OR VOLUME GENERATED)		PROPOSED TREATMENT CONTROLS	CONFORMS TO SIZE STANDARD?
						REQUIRED (SF)	PROVIDED (SF)		
A-1	7,449	479	LANDSCAPE	6,970	ROOF CONCRETE	746	746	MTD 1 MECH. TREATMENT DEVICE	YES
A-2	3,210	0	LANDSCAPE	3,210	ROOF				
A-3	8,470	0	LANDSCAPE	8,470	ROOF				
A-4	8,750	0	LANDSCAPE	8,750	ROOF	350	350	FTP 2 FLOW THROUGH PLANTER	YES

GRAPHIC SCALE
10 0 10 20

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355-373 1ST STREET
PRELIMINARY STORMWATER MANAGEMENT PLAN

LOS ALTOS SANTA CLARA COUNTY CALIFORNIA

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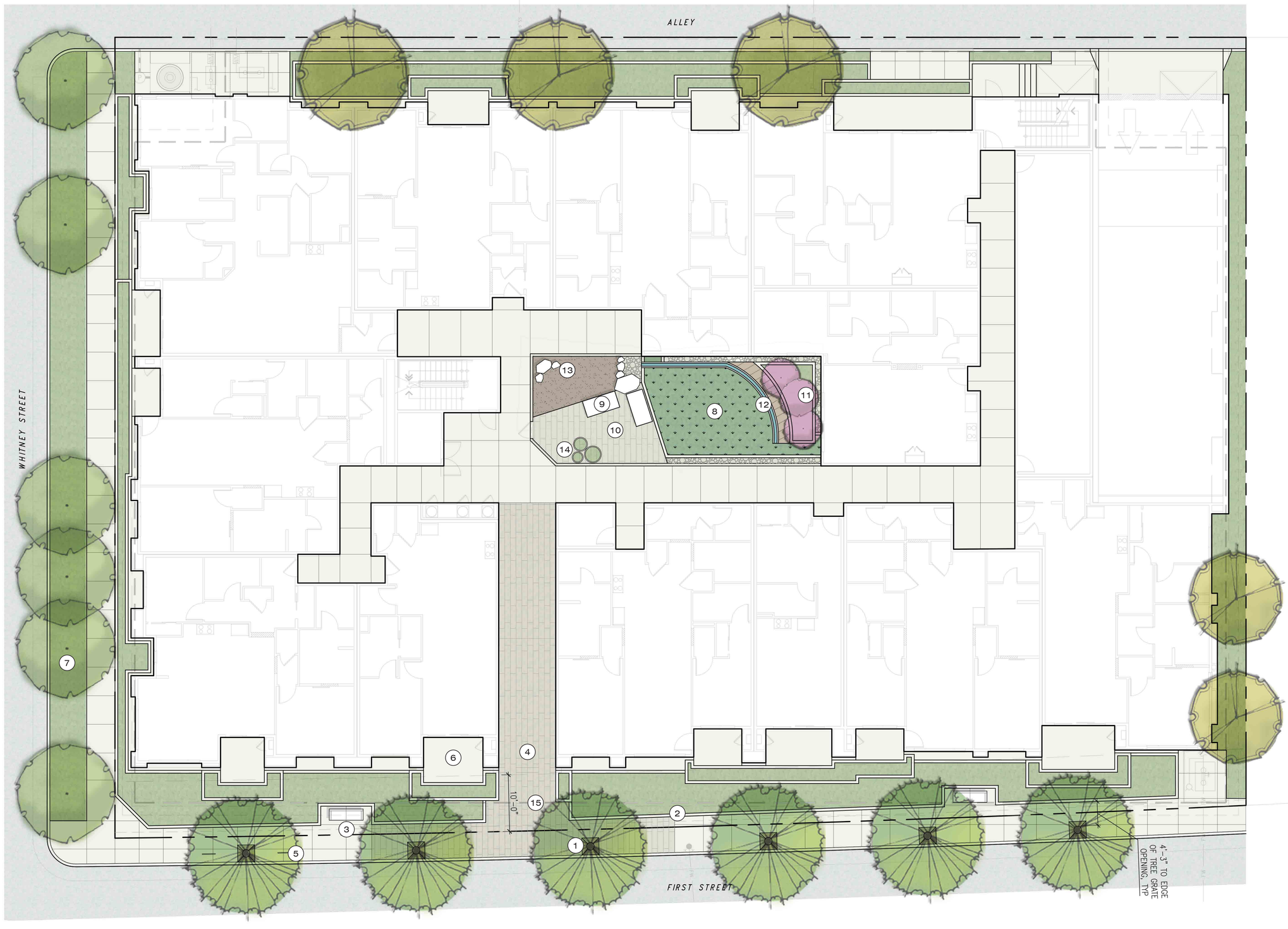


LEGEND

1. STREET TREES IN TREE GRATES AT 25' ON CENTER, TYP. 4'-3" CLEAR FROM PLANTER WALL TO EDGE OF TREE GRATE OPENING, TYP.
2. RAISED PLANTER, TYP
3. BENCH, TYP
4. LARGE FORMAT LINEAR PAVERS, TYP
5. BIKE RACK, TYP OF 2
6. UNIT PATIO, TYP
7. PLANTING STRIP WITH (E) STREET TREES
8. RAIN GARDEN, STORMWATER PLANTING
9. SEAT BLOCK, TYP
10. PATIO
11. ACCENT TREE, TYP
12. WATER WALL
13. ROCK GARDEN WITH BOULDERS
14. PRECAST PLANTER, TYP
15. PODIUM (DASHED)

LANDSCAPE AREA CALCS

60% MINIMUM SOFTSCAPE REQUIRED

1ST STREET SETBACK

HARDSCAPE:	798 SF
SOFTSCAPE:	1,197 SF
TOTAL:	1,995 SF
	60%

NORTH

8' 0' 4' 8' 16'

JETT Landscape Architecture + Design

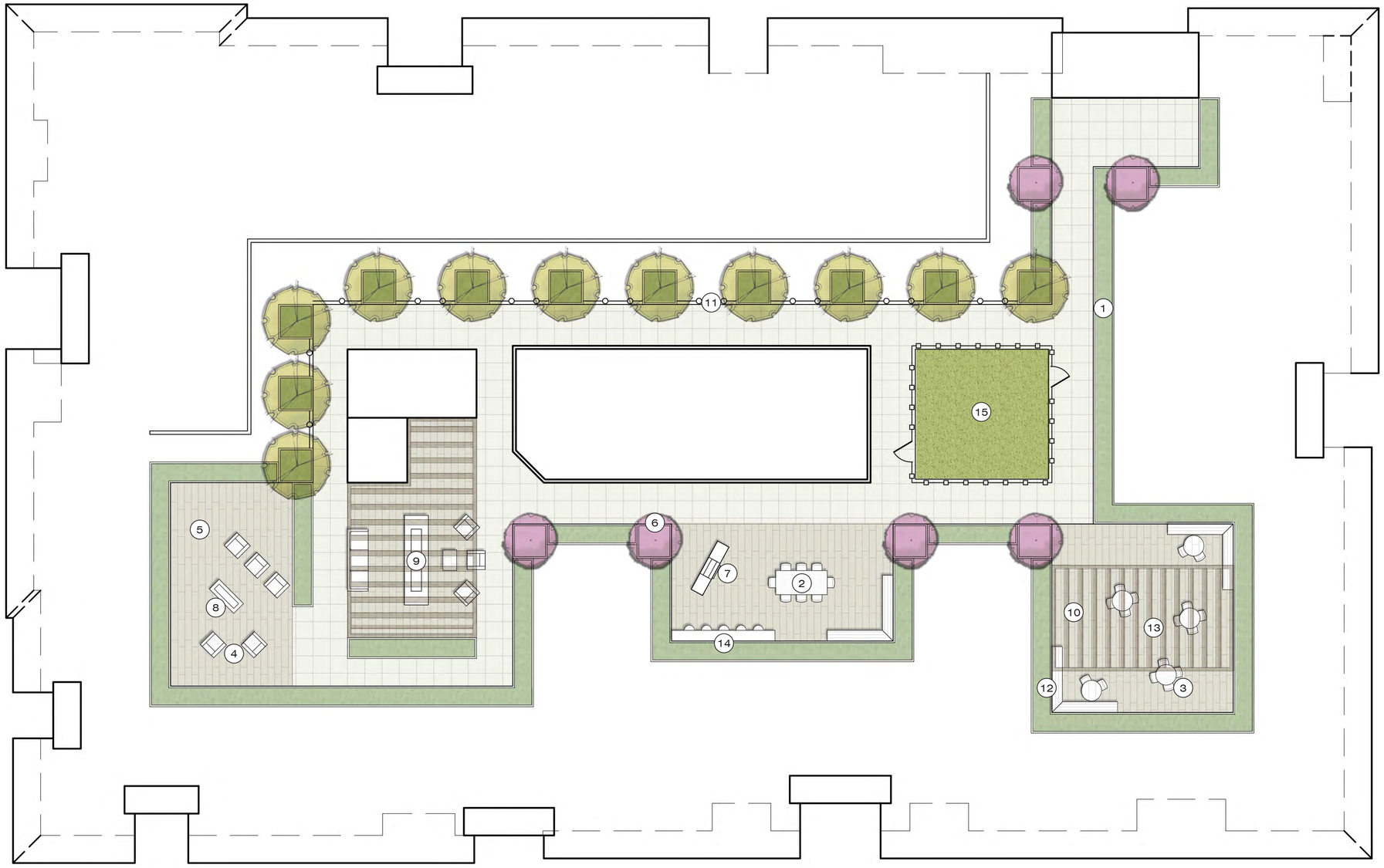
DENARDI WANG HOMES

355 1ST STREET, LOS ALTOS

November 12, 2021

LANDSCAPE CONCEPT GROUND FLOOR

L-1



LEGEND

1. PRECAST PLANTER, TYP
2. COMMUNITY TABLE
3. TABLE & CHAIRS, TYP
4. LOUNGE FURNITURE, TYP
5. PEDESTAL PAVERS, TYP
6. PRECAST TREE PLANTER, TYP
7. ELECTRIC BBQ & COUNTER
8. FIRE PIT
9. DOUBLE-SIDED FIREPLACE
10. SHADE STRUCTURE, TYP
11. DECORATIVE SCREEN
12. CANTILEVER BENCH ON PLANTER, TYP
13. OUTDOOR WORKSPACE
14. COUNTER SEATING
15. DOG LOUNGE WITH FENCE & GATES

NORTH 8′ 0′ 4′ 8′ 16′

JETT Landscape Architecture + Design

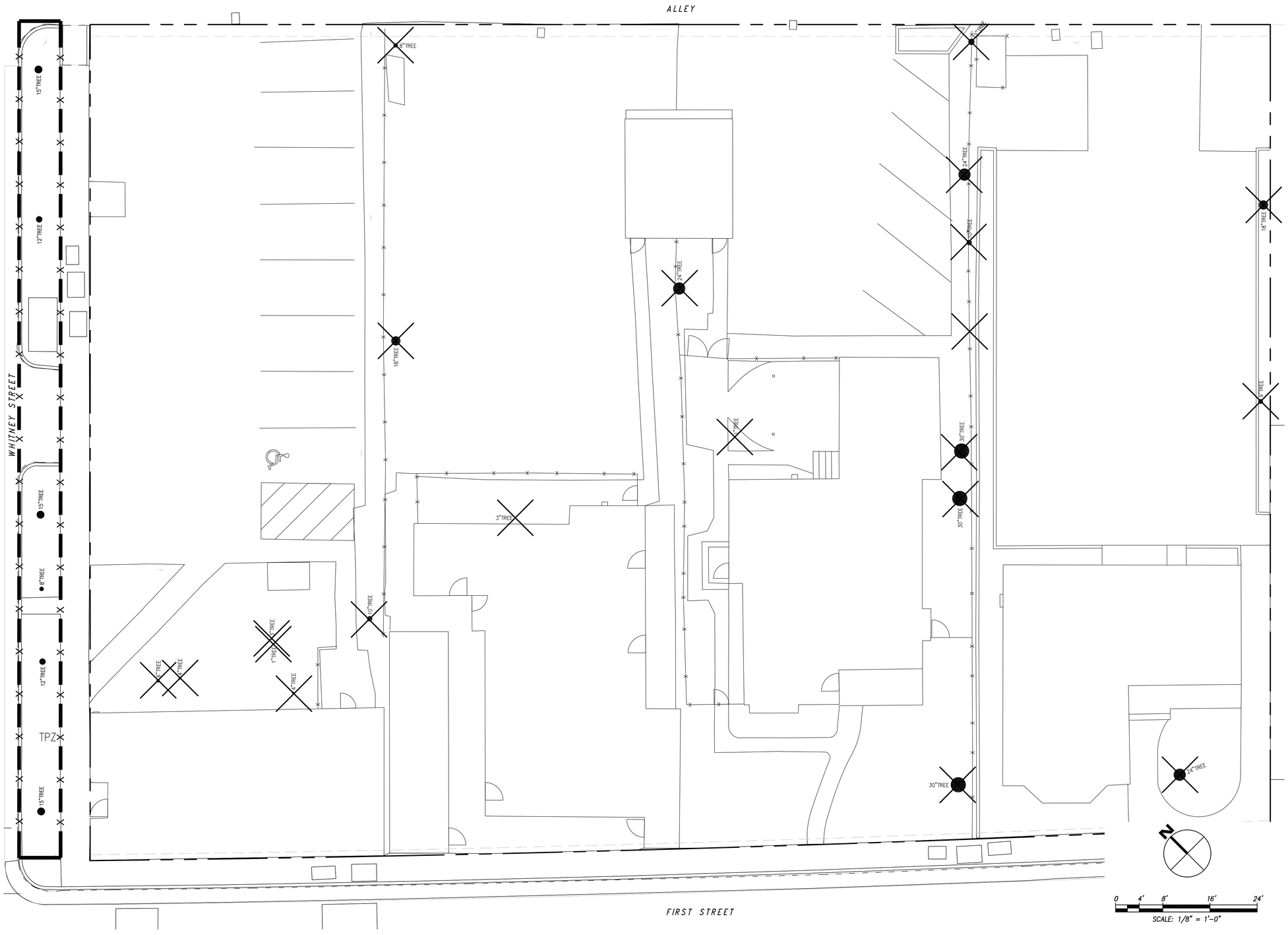
DENARDI WANG HOMES

355 1ST STREET, LOS ALTOS

November 12, 2021

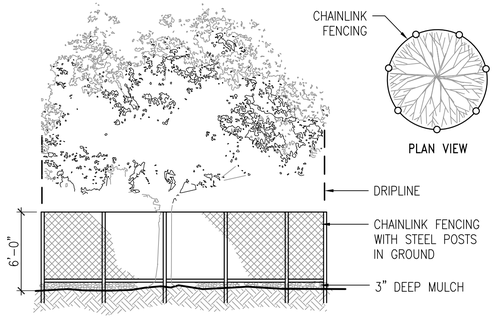
LANDSCAPE CONCEPT - ROOF DECK

L-2



EXISTING TREE PROTECTION NOTES

1. PRIOR TO AND DURING DEMOLITION, GRADING AND CONSTRUCTION, ALL TREES NOTED ON THE DRAWINGS SHALL BE PROTECTED BY FENCING INSTALLED OUTSIDE THE EXISTING DRIPLINE OF THE TREE, OR AS OTHERWISE SHOWN ON THE DRAWINGS. FENCING MAY OCCUR AT THE COMBINED DRIPLINES OF GROVES OF TREES.
2. EXISTING TREE DRIPLINES ARE SHOWN DIAGRAMMATICALLY ON THE PLANS; TREE PROTECTION FENCING INDICATED AT THEIR PERIMETER IS LIKEWISE DIAGRAMMATIC. THE LENGTH OF ALL TREE PROTECTION FENCING IS TO BE MEASURED IN THE FIELD ACCORDING TO THE TRUE SHAPE AND DIAMETER OF TREE DRIPLINES.
3. FENCING SHALL BE SIX FOOT HIGH CHAIN LINK WITH STEEL POSTS EMBEDDED IN THE GROUND. ALL FENCE SECTIONS SHALL BE CLEARLY MARKED WITH A SIGN STATING, "TREE PROTECTION ZONE."
4. FENCING SHALL REMAIN IN PLACE THROUGHOUT THE CONSTRUCTION PERIOD UNTIL FINAL LANDSCAPE INSPECTION BY THE LANDSCAPE ARCHITECT.
5. 3" DEEP MULCH IS TO BE PLACED BENEATH THE DRIPLINE OF ALL TREES SHOWN TO BE PROTECTED WITH FENCING.
6. NO GRADING OR CONSTRUCTION WORK SHALL OCCUR WITHIN THE DRIPLINE OF EXISTING TREES, WHETHER SHOWN WITH TREE PROTECTION FENCING OR NOT. IF EXCAVATION WITHIN THE DRIPLINE IS NECESSARY, THE CONTRACTOR SHALL HAND DIG UNDER THE DIRECTION OF A CERTIFIED ARBORIST. THE CONTRACTOR SHALL HAVE A CERTIFIED ARBORIST ON SITE TO MONITOR ALL ROOT PRUNING AND BRANCH PRUNING OF EXISTING TREES.
7. NO STOCKPILING/STORAGE OF FILL, ETC., SHALL TAKE PLACE UNDERNEATH OR WITHIN FIVE FEET OF THE DRIPLINE OF THE EXISTING TREES.
8. FOR ALL TREES TO REMAIN, NO OIL, GASOLINE, CHEMICALS, LIQUID WASTER, OR OTHER HARMFUL MATERIALS SHALL BE DEPOSITED, DISPOSED OR STORED WITHIN THE DRIPLINE OF THE TREES OR IN DRAINAGE CHANNELS, SWALES, OR AREAS THAT MAY LEAD TO THE DRIPLINE WHETHER SHOWN WITH TREE PROTECTION FENCING OR NOT. LIKEWISE, NO EQUIPMENT MAY BE WASHED WITHIN THE DRIPLINE OR DRAINAGE CHANNEL OF ANY TREE.
9. NO EQUIPMENT MAY BE STORED WITHIN OR BENEATH THE DRIPLINES OF THE EXISTING TREES.
10. THE CONTRACTOR IS REQUIRED TO WATER, FERTILIZE, AND ATTEND TO ALL MAINTENANCE NEEDS OF ANY EXISTING TREES TO REMAIN WHERE AFFECTED BY CONSTRUCTION WORK IN ORDER TO MAINTAIN HEALTHY GROWTH THROUGHOUT THE CONSTRUCTION PERIOD.
11. UNAUTHORIZED TREE REMOVAL IS SUBJECT TO REPLACEMENT EQUAL TO THE APPRAISED VALUE OF THE TREE LOST OR AS OTHERWISE DIRECTED BY THE UNIVERSITY REPRESENTATIVE.
12. ALL PRUNING SHALL BE APPROVED BY THE UNIVERSITY REPRESENTATIVE AND PERFORMED UNDER THE SUPERVISION OF A LICENSED ARBORIST.
13. SEE ALSO ARBORIST REPORT AND CIVIL EXISTING CONDITIONS PLAN, SHEET C1.0.



1 EXISTING TREE PROTECTION FENCING
SCALE: NTS

TREE REMOVAL & REPLACEMENT	
PROTECTED TREES PROPOSED TO BE REMOVED	5
NON-PROTECTED TREES PROPOSED TO BE REMOVED	16
TOTAL TREES PROPOSED TO BE REMOVED	21
OFF-SITE TREES PROPOSED TO BE REMOVED	0
TOTAL NEW PROPOSED TREES	11

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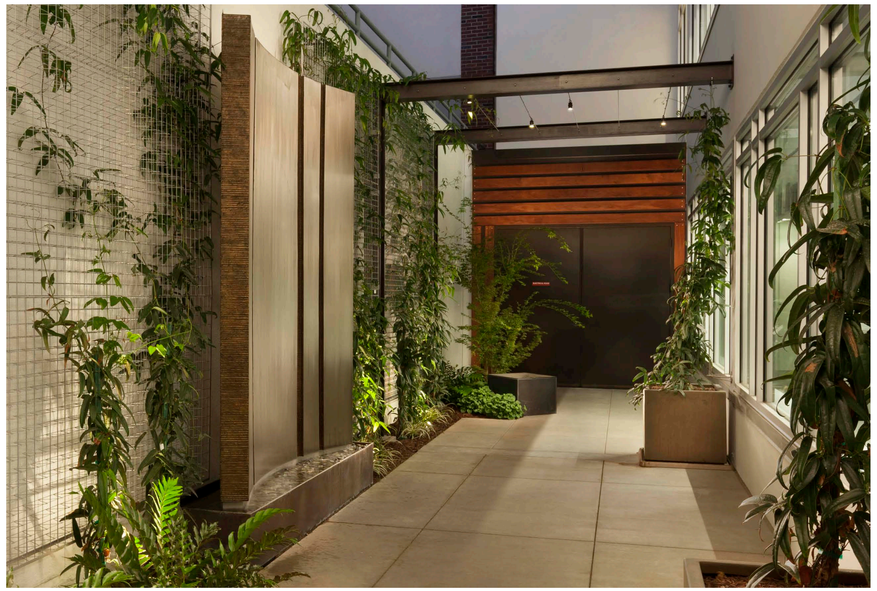
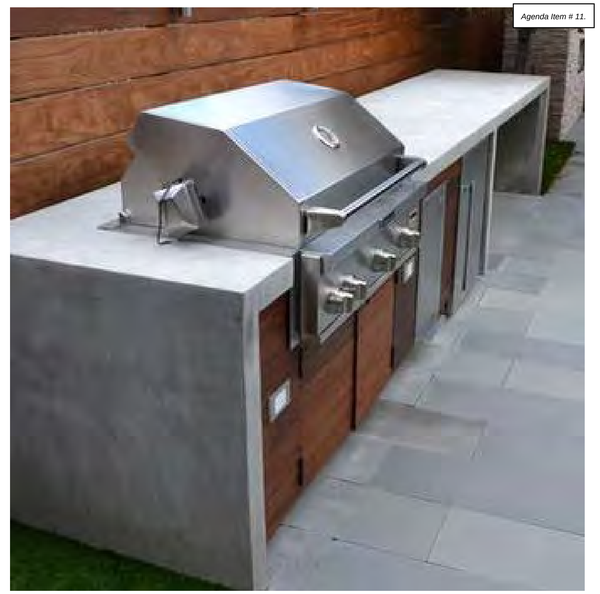
355 1ST STREET, LOS ALTOS
November 12, 2021

TREE PROTECTION & REMOVAL PLAN
L-3

SAND HILL ROAD COURTYARD

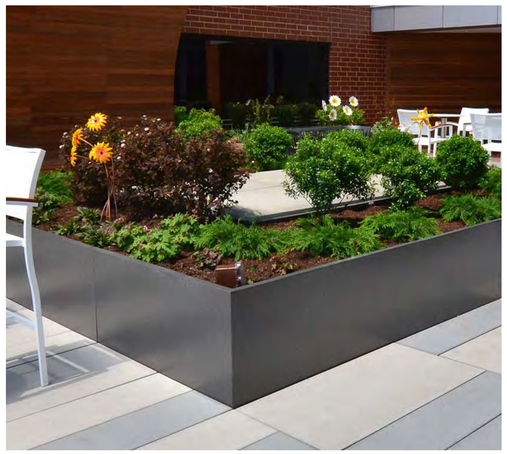


1450 CHAPIN AVENUE - ARCHIE HELD WATERWALL

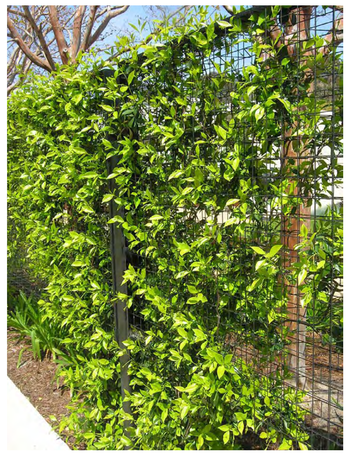


BBQ (ELECTRIC)/KITCHEN

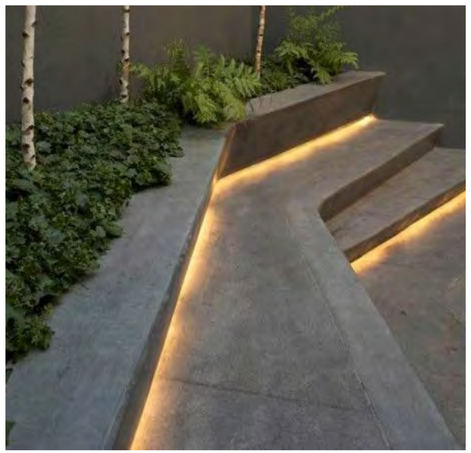
ROOF DECK



PRECAST PLANTERS - ROOF DECK



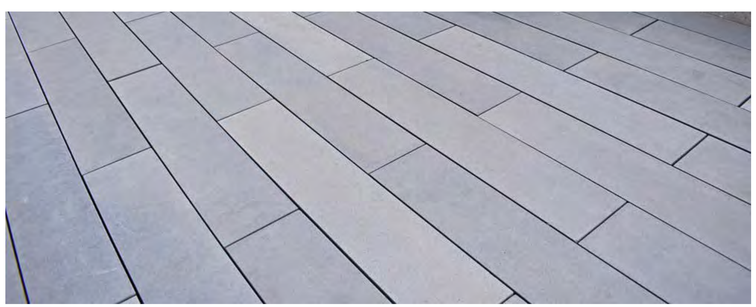
GREENSCREEN OR DECORATIVE METAL SCREEN



ACCENT LIGHTING

PRECAST CONCRETE PLANTER - GROUND FLOOR

BIKE RACK



LARGE FORMAT LINEAR PAVERS

BENCH

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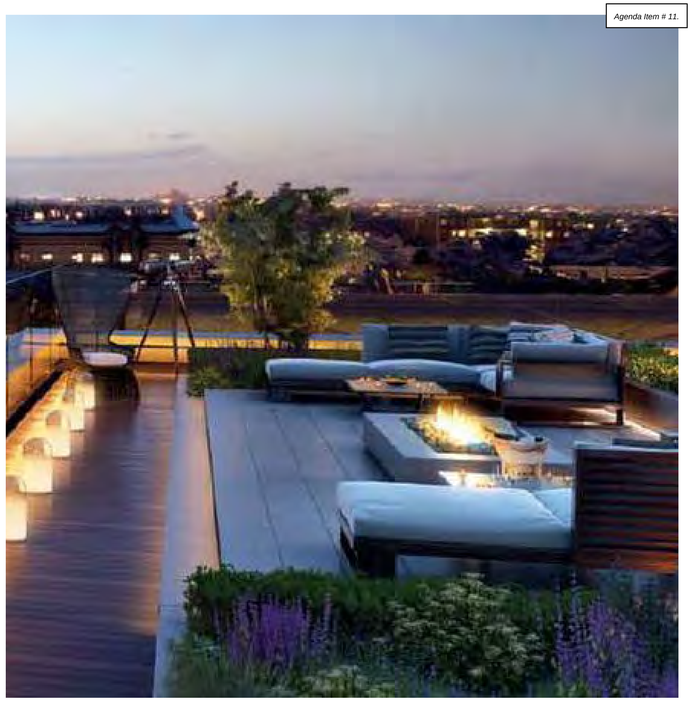
355 1ST STREET, LOS ALTOS
November 12, 2021

PRECEDENT & MATERIALS IMAGES
L-4

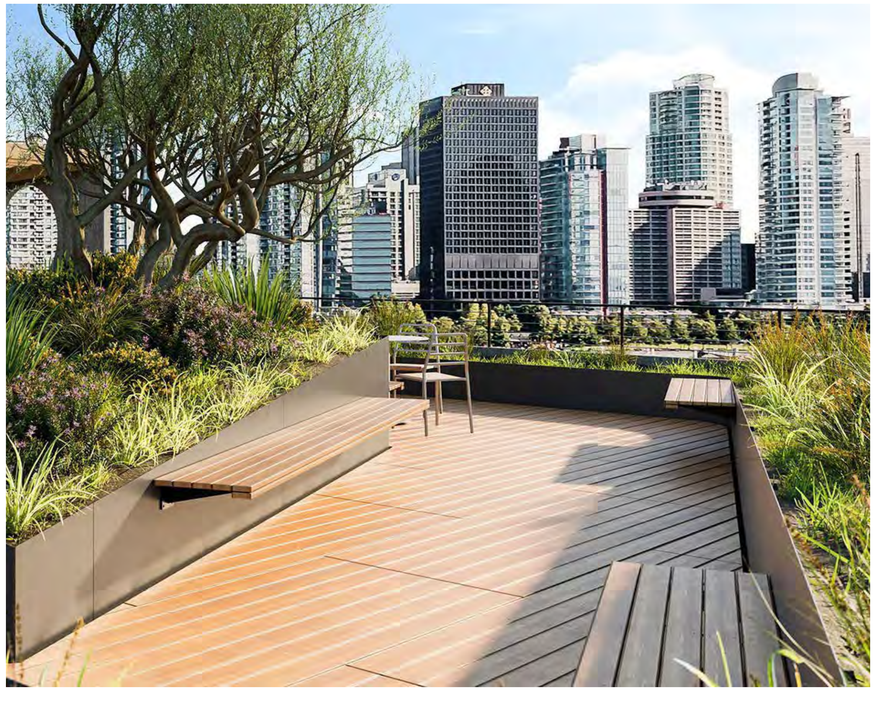
GARDEN SURROUND

DOUBLE-SIDED FIREPLACE & LOUNGE SEATING



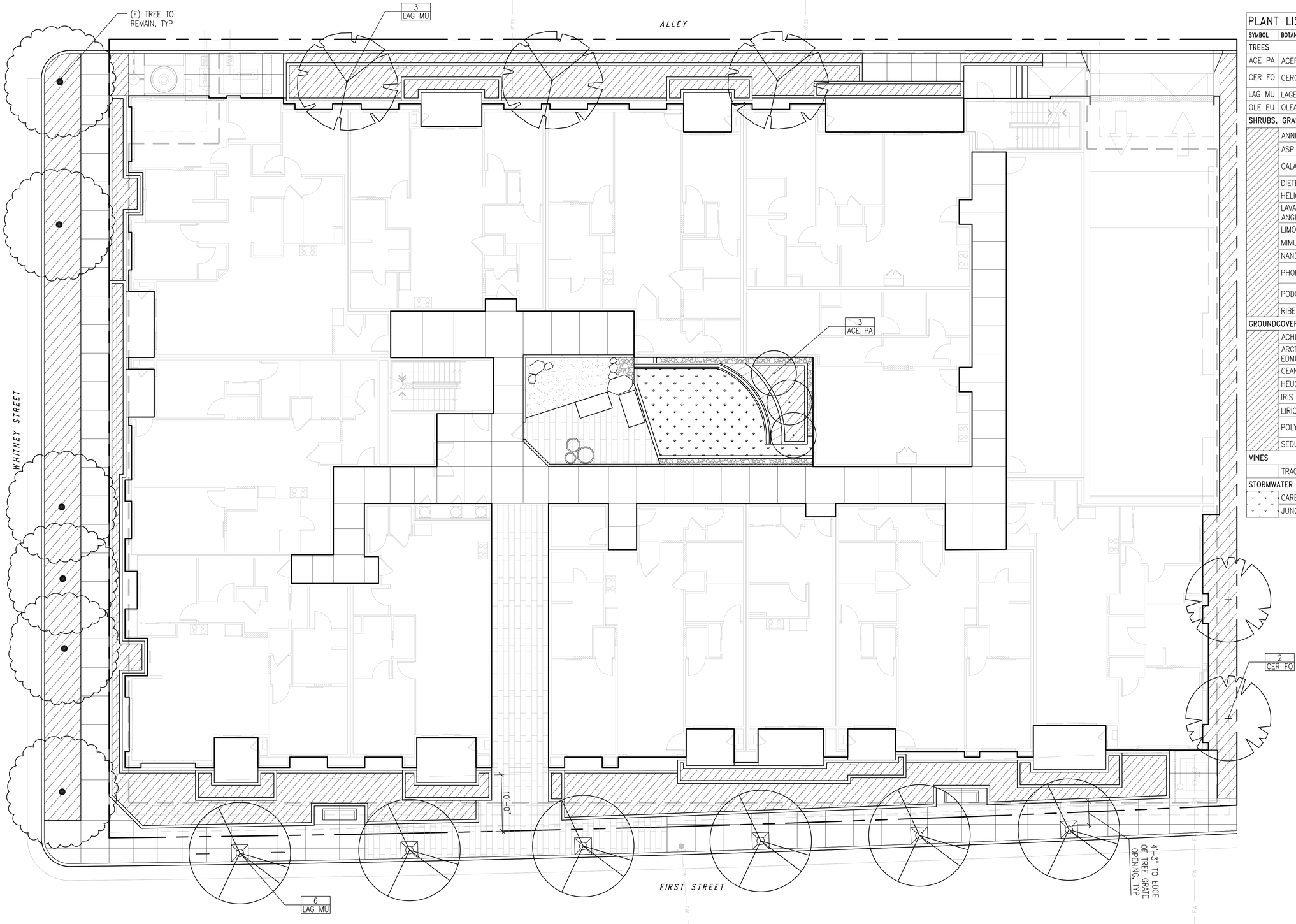
FIREPIT & LOUNGE SEATING

RYOAN-JI ROCK GARDEN



CANTILEVER BENCH ON PLANTER

OUTDOOR WORKSPACE WITH SEATING



PLANT LIST

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	SPACING	QTY	WUCOLS
TREES						
ACE PA	ACER PALMATUM 'SANGO KAKU'	JAPANESE MAPLE	24" BOX	PER PLAN		M
CER FO	CERCIS 'FOREST PANSY'	FOREST PANSY REDBUD	24" BOX	PER PLAN		M
LAG MU	LAGERSTROEMIA 'MUSKOGEE'	CRAPE MYRTLE	24" BOX	PER PLAN		L
OLE EU	OLEA EUROPAEA	FRUITLESS OLIVE	24" BOX	PER PLAN		L
SHRUBS, GRASSES, & PERENNIALS						
	ANNIGOZANTHOS 'BUSH GOLD'	KANGAROO PAW	1 GAL	3'-0" OC		L
	ASPIDISTRA ELATIOR 'ASAHI'	CAST IRON PLANT	1 GAL	2'-0" OC		L
	CALAMAGROSTIS 'KARL FOERSTER'	FEATHER REED GR.	5 GAL	2'-0" OC		L
	DIETES 'LEMON DROPS'	FORTNIGHT LILY	5 GAL	3'-0" OC		L
	HELICHTOTICHON SEMPERVIRENS	BLUE OAT GRASS	5 GAL	4'-0" OC		L
	LAVANDULA ANGUSTIFOLIA 'MUNSTEAD'	LAVENDER	5 GAL	3'-0" OC		L
	LIMONIUM PEREZII	SEA LAVENDER	1 GAL	3'-0" OC		L
	MIMULUS 'JELLYBEAN GOLD'	MONKEYFLOWER	1 GAL	2'-0" OC		L
	NANDINA DOMESTICA	HEAVENLY BAMBOO	5 GAL	3'-0" OC		L
	PHORMIUM 'RAINBOW MAIDEN'	NEW ZEALAND FLAX	5 GAL	4'-0" OC		L
	PODOCARPUS M. 'MAKI'	SHRUBBY YEW PODOC.	15 GAL	4'-0" OC		M
	RIBES SANGUINEUM 'KING EDWARD'	CA CURRANT	5 GAL	4'-0" OC		L
GROUNDCOVERS						
	ACHILLEA MILLEFOLIUM 'PAPRIKA'	YARROW	1 GAL	2'-0" OC		L
	ARCTOSTAPHYLOS EDMUNDSII 'EMERALD CARPET'	MANZANITA	1 GAL	5'-0" OC		L
	CEANOTHUS GRISEUS 'HORIZONTALIS'	CALIFORNIA LILAC	1 GAL	6'-0" OC		L
	HEUCHERA MAXIMA	CORAL BELLS	1 GAL	2'-0" OC		L
	IRIS DOUGLASIANA	DOUGLAS IRIS	1 GAL	2'-0" OC		L
	LIRIOPE MUSCARI 'VARIEGATA'	VARIEG. LILYTURF	1 GAL	1'-6" OC		M
	POLYSTICHUM MUNITUM	WESTERN SWORD FERN	1 GAL	3'-0" OC		M
	SEDUM RUPESTRE 'ANGELINA'	STONECROP	1 GAL	2'-0" OC		L
VINES						
	TRACHELOSPERMUM JASMINOIDES	STAR JASMINE	5 GAL	PER PLAN		M
STORMWATER PLANTING						
	CAREX TUMULCOLA	BERKELEY SEDGE	1 GAL	2'-0" OC		L
	JUNCUS PATENS	CA GRAY RUSH	1 GAL	2'-0" OC		L

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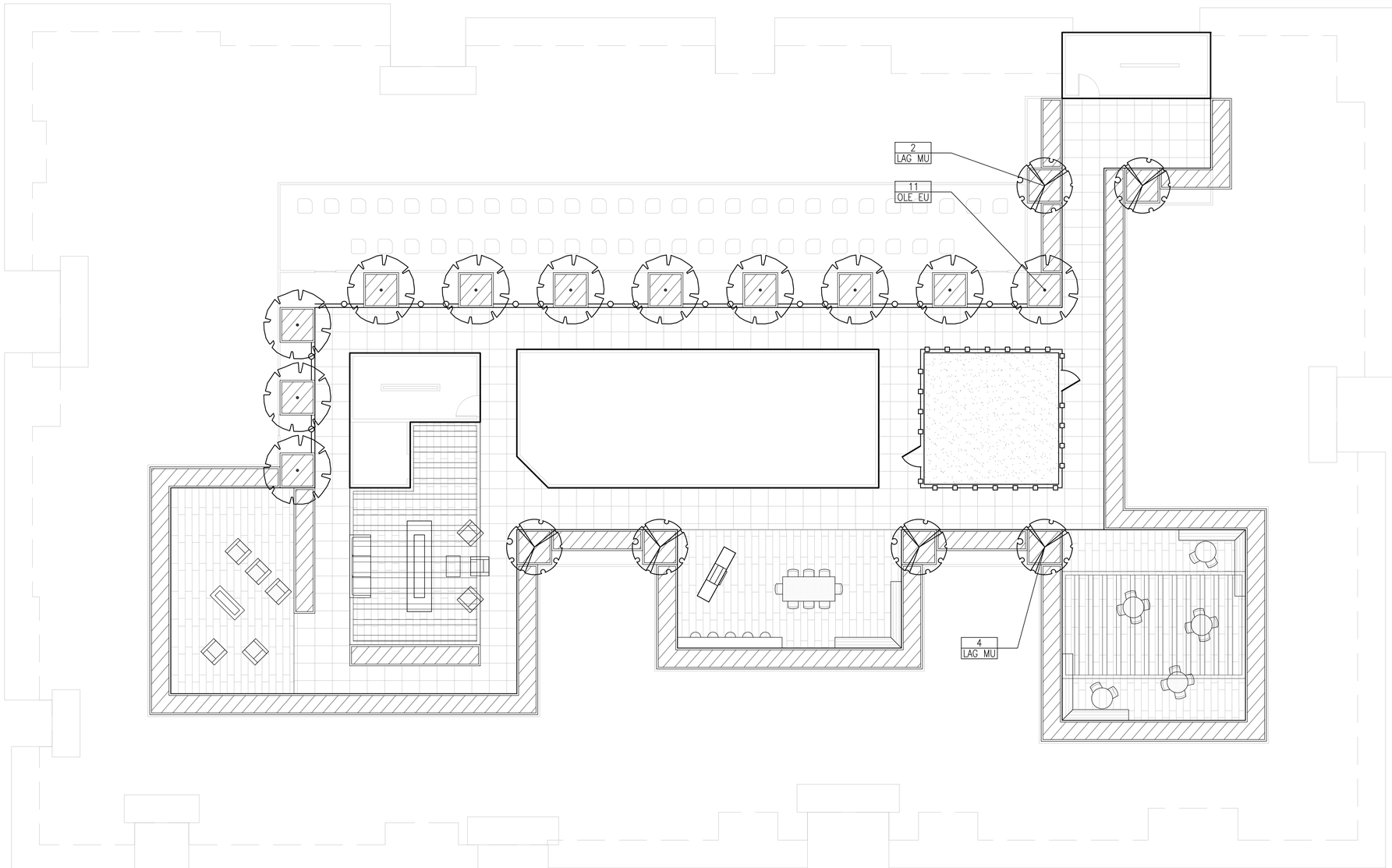
355 1ST STREET, LOS ALTOS

November 12, 2021

PRELIMINARY PLANTING PLAN - GROUND FLOOR

L-6



PLANT LIST

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	SPACING	QTY	WUCOLS
TREES						
ACE PA	ACER PALMATUM 'SANGO KAKU'	JAPANESE MAPLE	24" BOX	PER PLAN		M
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SHRUBS, GRASSES, & PERENNIALS						
	ANNIGOZANTHOS 'BUSH GOLD'	KANGAROO PAW	1 GAL	3'-0" OC		L
	ASPIDISTRA ELATIOR 'ASAHI'	CAST IRON PLANT	1 GAL	2'-0" OC		L
	CALAMAGROSTIS 'KARL FOERSTER'	FEATHER REED GR.	5 GAL	2'-0" OC		L
	DIETES 'LEMON DROPS'	FORTNIGHT LILY	5 GAL	3'-0" OC		L
	HELICHTOTICHON SEMPERVIRENS	BLUE OAT GRASS	5 GAL	4'-0" OC		L
	LAVANDULA ANGUSTIFOLIA 'MUNSTEAD'	LAVENDER	5 GAL	3'-0" OC		L
	LIMONIUM PEREZII	SEA LAVENDER	1 GAL	3'-0" OC		L
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	NANDINA DOMESTICA	HEAVENLY BAMBOO	5 GAL	3'-0" OC		L
	PHORMIUM 'RAINBOW MAIDEN'	NEW ZEALAND FLAX	5 GAL	4'-0" OC		L
	PODOCARPUS M. 'MAKI'	SHRUBBY YEW PODOC.	15 GAL	4'-0" OC		M
	RIBES SANGUINEUM 'KING EDWARD'	CA CURRANT	5 GAL	4'-0" OC		L
GROUNDCOVERS						
	ACHILLEA MILLEFOLIUM 'PAPRIKA'	YARROW	1 GAL	2'-0" OC		L
	ARCTOSTAPHYLOS EDMUNDSII 'EMERALD CARPET'	MANZANITA	1 GAL	5'-0" OC		L
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	HEUCHERA MAXIMA	CORAL BELLS	1 GAL	2'-0" OC		L
	IRIS DOUGLASIANA	DOUGLAS IRIS	1 GAL	2'-0" OC		L
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	POLYSTICHUM MUNITUM	WESTERN SWORD FERN	1 GAL	3'-0" OC		M
	SEDUM RUPESTRE 'ANGELINA'	STONECROP	1 GAL	2'-0" OC		L
VINES						
	TRACHELOSPERMUM JASMINOIDES	STAR JASMINE	5 GAL	PER PLAN		M
STORMWATER PLANTING						
	CAREX TUMULCOLA	BERKELEY SEDGE	1 GAL	2'-0" OC		L
	JUNCUS PATENS	CA GRAY RUSH	1 GAL	2'-0" OC		L

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Landscape Architecture + Design

DENARDI WANG
HOMES

355 1ST STREET, LOS ALTOS
November 12, 2021

PRELIMINARY PLANTING PLAN - ROOF DECK
L-7

CONSTRUCTION MANAGEMENT PLAN
355 1St Street
March 24, 2021

Acknowledgement

The goal of this Construction Management plan is to minimize the construction related impacts to the surrounding neighborhood and adjacent properties and their occupants. Specifically the objectives of this plan are to:

- Reduce parking impacts related to the proposed construction;
- Contain construction related parking to the project site and areas approved by the city;
- Reduce construction related noise to the greatest extent technically and economically feasible; and
- Minimize off-site dust and air quality impacts per best management practices.

In order to achieve the above stated goals and objectives, we agree to, and will abide by the terms contained in this Construction Management Plan.

_____

Kevin DeNardi Date
(Owners)

_____

General Contractor (TBD) Date

Pre-Construction Meeting

The owner and contractor shall schedule a pre-construction meeting with City Staff (Building, Planning and Engineering) after permit issuance, but prior to start of work, to review Construction Management Plan implementation.

Approvals

_____

Building *Date*

_____

Planning *Date*

_____

Engineering *Date*

PROJECT TOTAL EQUIPMENT HOURS

Equipment	dBA		
Excavators	81	XXX	hours
Trucks	79	XXX	hours
Loaders	85	XXX	hours
Backhoe	85	XXX	hours
Compactor/Roller	74	XXX	hours
Mobile Crane	83	XXX	hours
Air Compressor	81	XXX	hours
Generator	81	XXX	hours
Concrete Boom Pump	82	XXX	hours
Concrete Trucks	83	XXX	hours
Concrete Trailer Pump	82	XXX	hours
Misc. Hand Tools	74	XXX	hours
Personnel Hoist	75	XXX	hours
Fork Lifts	83	XXX	hours

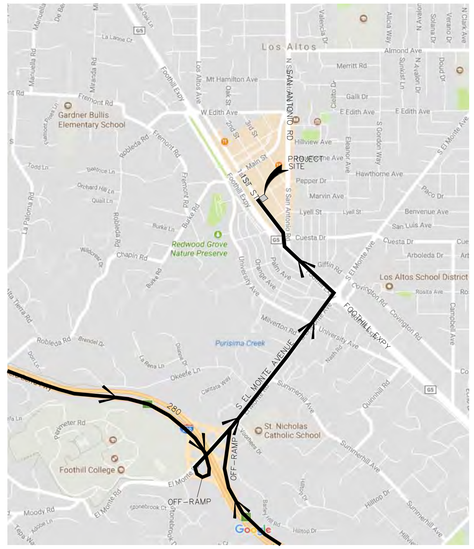
Loading, unloading, opening, closing, or handling of boxes, crates, containers, building materials, or similar objects, between the hours of 10:00 p.m. and 7:00 a.m. of the following day, in such a manner as to cause a noise disturbance across a residential real property line is prohibited.

At least 24 hours prior to any jack-hammering activities, all occupants of adjacent properties will be notified.

DELIVERIES WILL BE MADE FROM THE ALLEY WHEN FESIBLE.

DELIVERIES ARE ANTICIPATED ONLY BETWEEN 7:00 AM - 4:00 PM WEEKDAYS AND 10:00 AM - 2:00 PM ON SATURDAY

OFF-SITE TRUCK STAGING FOR MATERIAL DELIVERIES THAT REQUIRE MULTIPLE TRUCKS AT ANY ONE TIME (CONCRETE, BUILDING MATERIALS, ETC.) WILL BE DETERMINED WITH CITY STAFF PRIOR TO CONSTRUCTION COMMENCING



355 FIRST STREET–HAUL ROUTE IN–BOUND

FROM THE SOUTH:
1) TAKE I–280 NORTH BOUND.
2) TAKE EXIT 16 FOR EL MONTE ROAD.
3) KEEP RIGHT AT THE FORK, FOLLOW SIGNS FOR EL MONTE ROAD E AND KEEP RIGHT TO MERGE ONTO EL MONTE ROAD.
4) CONTINUE ON EL MONTE ROAD.
5) USE THE MIDDLE LANE TO TURN LEFT ONTO FOOTHILL EXPRESSWAY.
6) TURN RIGHT ONTO S SAN ANTONIO ROAD.
7) TURN LEFT ONTO FIRST STREET.

FROM THE NORTH:
1) TAKE I–280 SOUTH BOUND.
2) TAKE EXIT 16 FOR EL MONTE ROAD TOWARD MOODY ROAD.
3) KEEP LEFT AT THE FORK, FOLLOW SIGN FOR EL MONTE ROAD E.
4) KEEP RIGHT AT THE FORK, FOLLOW SIGN FOR EL MONTE ROAD E AND MERGE ONTO EL MONTE ROAD.
5) USE THE MIDDLE LANE TO TURN LEFT ONTO FOOTHILL EXPRESSWAY.
6) TURN RIGHT ONTO S SAN ANTONIO ROAD.
7) TURN LEFT ONTO FIRST STREET.

Noise Reduction Plan

During Construction and Demolition the project will adhere to the following noise reduction policies per LAMC 6.16.

The project will not operate or cause the operation of any tools or equipment used in construction, drilling, repair, alteration, or demolition work on weekdays before 7:00 a.m. and after 7:00 p.m. and Saturdays before 9:00 a.m. or after 6:00 p.m. or any time on Sundays or the city observed holidays of New Year's Day, Memorial Day, Independence Day, Labor Day, Veterans' Day, Thanksgiving Day and Christmas Day, such that the sound therefrom creates a noise disturbance across a residential or commercial real property line.

Where technically and economically feasible, construction activities shall be conducted in such a manner that the maximum noise levels at affected properties will not exceed:

Maximum noise levels for the nonscheduled, intermittent, short-term operation (less than ten (10) days) of mobile equipment or stationary equipment:

Daily, except Sundays and legal holidays 7:00 a.m. — 7:00 p.m.	85dBA
Daily, 7:00 p.m. — 7:00 a.m. and all day Sundays and legal holidays	60 dBA

No person shall operate, or cause to be operated, any source of sound at any location within the city, or allow the creation of any noise on property owned, leased, occupied, or otherwise controlled by such person, which causes the noise level, when measured on any other property, either incorporated or unincorporated, to exceed:

10:00 PM – 7:00 AM	60 dBA
7:00 AM – 10:00 PM	65d BA

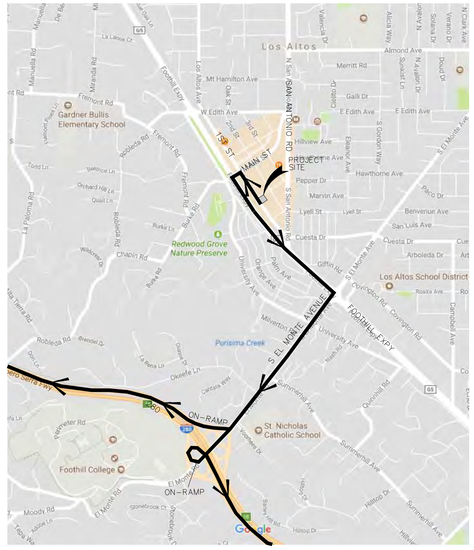
- For a cumulative period of more than thirty (30) minutes in any hour; or
- The noise standard plus five dB for a cumulative period of more than fifteen (15) minutes in any hour; or
- The noise standard plus ten (10) dB for a cumulative period of more than five minutes in any hour; or
- The noise standard plus fifteen (15) dB for a cumulative period of more than one minute in any hour; or
- The noise standard plus twenty (20) dB or the maximum measured ambient for any period of time.

SITE PARKING AND STAGING

The following outlines general methods to reduce construction impact on the surrounding neighbors:

1. Parking during basement excavation and construction is anticipate to be limited to the project frontage on First Street and on Whitney Street utilizing approximately 10 cars for this stage of construction.
2. After basement parking structure is built, then parking will be available for employees and materials in the garage.
3. Trailer size is approximately 8'x20'. See sheet CM2.0 for location.
4. Construction metal chain link fence is approximately 6' tall with a green screen.
5. Entrance/gate is located along the Alley at the proposed basement parking entry.
6. Material location is per sheet CM2.0.

NOTE: Contractor shall not be permitted to park on residential neighborhood streets beyond project frontage.



355 FIRST STREET–HAUL ROUTE OUT–BOUND

HEADED SOUTH:
1) HEAD NORTHWEST ON FIRST STREET TOWARDS MAIN STREET.
2) TURN LEFT ONTO MAIN STREET.
3) TURN LEFT ONTO FOOTHILL EXPRESSWAY.
4) TURN RIGHT ONTO S EL MONTE AVENUE (SIGNS FOR MOODY ROAD).
5) USE THE RIGHT LANE TO TAKE THE RAMP TO I–280 S TOWARDS SAN JOSE.

HEADED NORTH:
1) HEAD NORTHWEST ON FIRST STREET TOWARDS MAIN STREET.
2) TURN LEFT ONTO MAIN STREET.
3) TURN LEFT ONTO FOOTHILL EXPRESSWAY.
4) TURN RIGHT ONTO S EL MONTE AVENUE (SIGNS FOR MOODY ROAD).
5) USE THE RIGHT LANE TO MERGE ONTO I–280 N TOWARDS SAN FRANCISCO.

1730 N. FIRST STREET
SUITE 600
SAN JOSE, CA 95112
(408) 467-9100
www.bkf.com

BKF

355–373 1ST STREET
CONCEPTUAL CONSTRUCTION MANAGEMENT PLAN
LOS ALTOS SANTA CLARA COUNTY CALIFORNIA

No.	Revisions
1	RESUBMITTAL 1
2	7/16/21 – RESUBMITTAL 2
3	09/03/21 – RESUBMITTAL 3
4	11/12/21 – RESUBMITTAL 4

Date 11/12/21
Scale AS SHOWN
Design RM
Drawn RM
Approved IB
Job No 2020231

Drawing Number:
CM1.0

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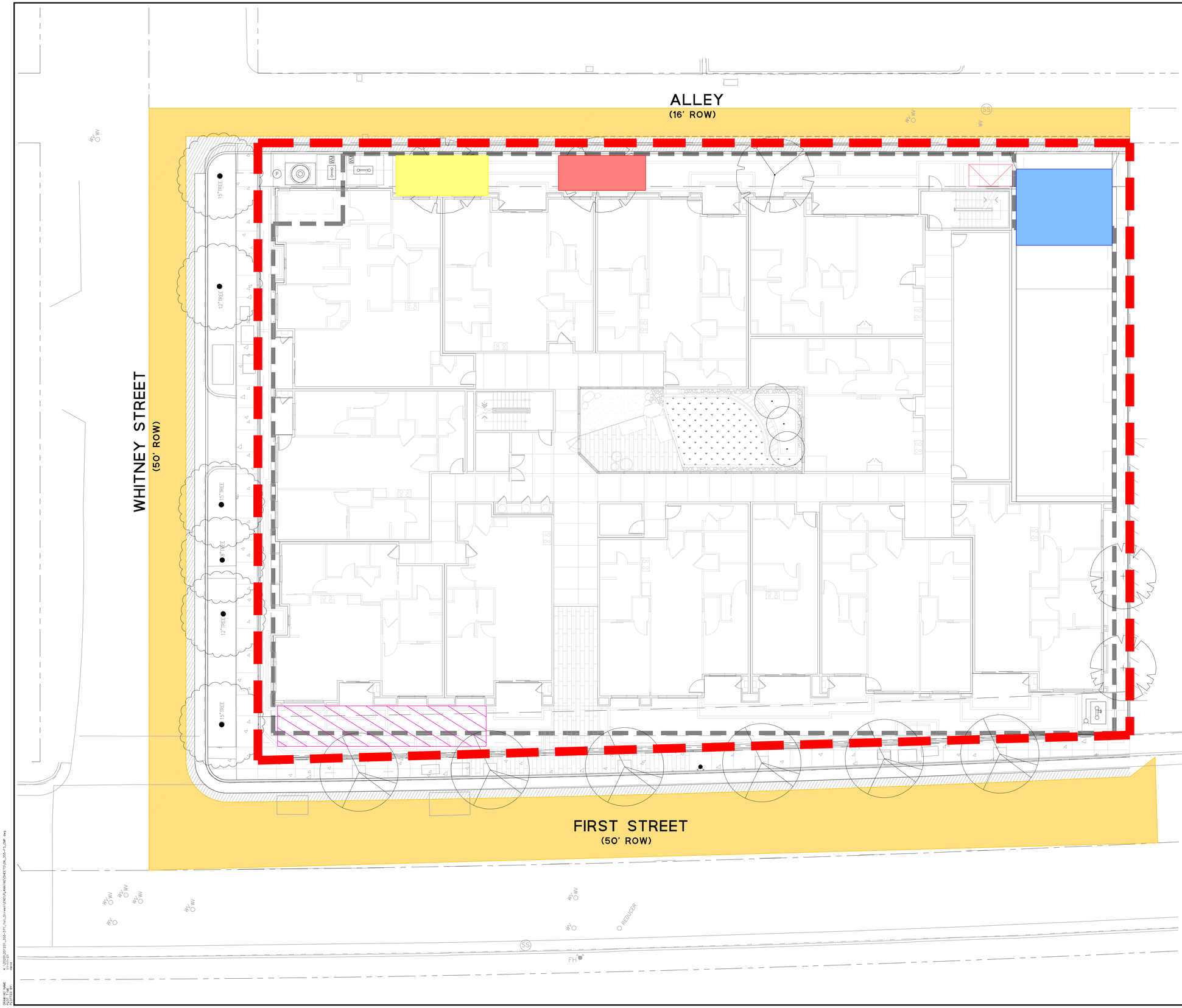


LEGEND

- TRUCK/MATERIAL DELIVERY (LOADING/UNLOADING)
- CONSTRUCTION SERVICES TEMP. POWER/TEMP TOILETS/CONSTRUCTION SHED
- BASEMENT PARKING ENTRY
- 8'X20' TRAILER (ACTUAL LOCATION TO BE DETERMINED IN FIELD)
- MATERIAL AND STORAGE YARD (ACTUAL LOCATION TO BE DETERMINED IN FIELD)
- CONSTRUCTION FENCE DRIVEN POST

1730 N. FIRST STREET
SUITE 600
SAN JOSE, CA 95112
(408) 467-9100
www.bkf.com

BKF

CONCEPTUAL CONSTRUCTION MANAGEMENT PLAN

355-373 1ST STREET

LOS ALTOS — SANTA CLARA COUNTY — CALIFORNIA

No.	Revisions
1	RESUBMITTAL 1
2	7/16/21 – RESUBMITTAL 2
3	09/03/21 – RESUBMITTAL 3
4	11/12/21 – RESUBMITTAL 4

Date 11/12/21
Scale AS SHOWN
Design RM
Drawn RM
Approved IB
Job No 20201231

Drawing Number:
CM2.0

© BKF ENGINEERS

NOTES:

1. Only signs related to pedestrians are shown. For all other signs see appropriate T-sheets.
2. Barricades closing sidewalk shall cover the full width of the sidewalk. Use R9-11 sign when there are destination points between the detour and the work area. Locate the R9-11 sign to allow pedestrian access.
3. Advance warning sign is not required if the work area is within the limits of a larger work zone. Sign shall be equipped with at least two flags for daytime closure. Each flag shall be orange or fluorescent red-orange in color.

NOTES:

See Standard Plan T9 for tables.

Use cone spacing X for taper segment, Y for tangent segment or Z for conflict situations, as appropriate, per Table 1 unless X,Y, or Z cone spacing is shown on this sheet.

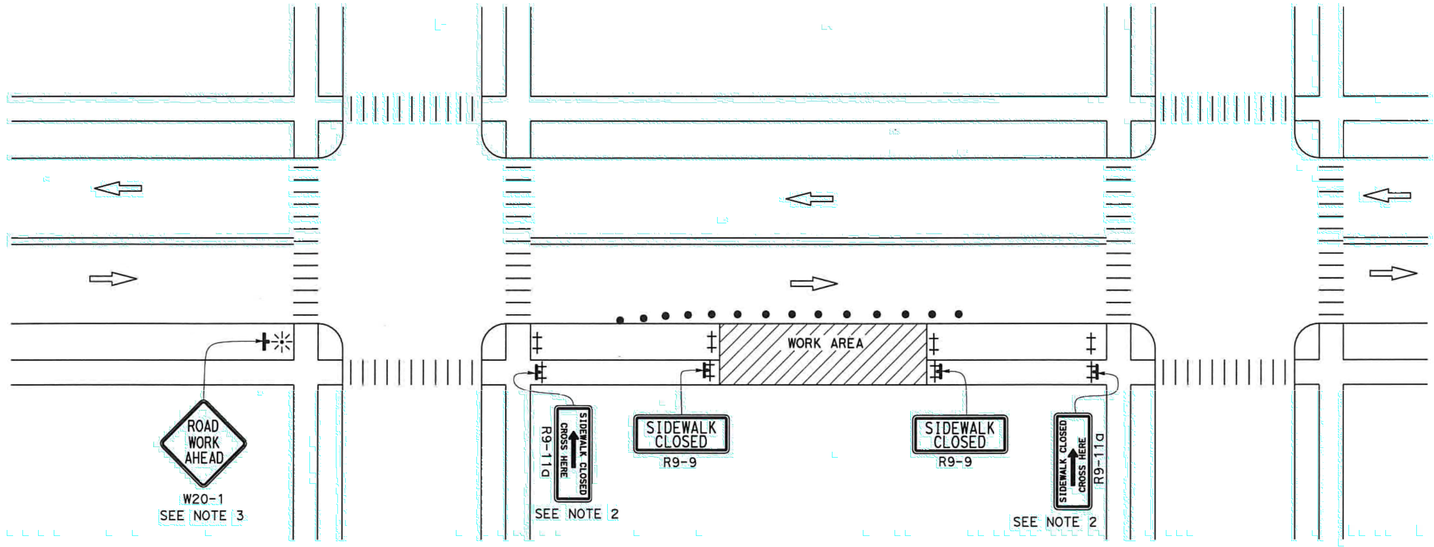
Dist	COUNTY	ROUTE	POST MILES TOTAL PROJECT	SHEET No.	TOTAL SHEETS

Atifa Ferouz
REGISTERED CIVIL ENGINEER

May 31, 2018
PLANS APPROVAL DATE

REGISTERED PROFESSIONAL ENGINEER
Atifa Ferouz
No. C80402
Exp. 3-31-19
CIVIL
STATE OF CALIFORNIA

THE STATE OF CALIFORNIA OR ITS OFFICERS OR AGENTS SHALL NOT BE RESPONSIBLE FOR THE ACCURACY OR COMPLETENESS OF SCANNED COPIES OF THIS PLAN SHEET.



LEGEND:

- BARRICADE
- TRAFFIC CONE
- PORTABLE FLASHING BEACON
- SIGN
- TEMPORARY TRAFFIC CONTROL SIGN ON BARRICADE

SIGN PANEL SIZE (Min)

SIGN DESIGNATION	SIGN OR PLAQUE	SIGN SIZE
R9-9	SIDEWALK CLOSED	24" x 12"
R9-11	SIDEWALK CLOSED AHEAD CROSS HERE	24" x 18"
R9-11a	SIDEWALK CLOSED CROSS HERE	24" x 12"
W20-1	ROAD WORK AHEAD	36" x 36"

2018 STANDARD PLAN T30

STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION

TEMPORARY PEDESTRIAN ACCESS ROUTES TYPICAL SIDEWALK CLOSURE AND PEDESTRIAN DETOUR

NO SCALE

T30

1-29-18

1730 N. FIRST STREET
SUITE 600
SAN JOSE, CA 95112
(408) 467-9100
www.bkf.com

355-373 1ST STREET
CONCEPTUAL CONSTRUCTION MANAGEMENT PLAN
LOS ALTOS SANTA CLARA COUNTY CALIFORNIA

No.	Revisions
1	RESUBMITTAL 1
2	7/16/21 - RESUBMITTAL 2
3	09/03/21 - RESUBMITTAL 3
4	11/12/21 - RESUBMITTAL 4

Date 11/12/21
Scale AS SHOWN
Design RM
Drawn RM
Approved IB
Job No 20201231

Drawing Number:
CM3.0

ATTACHMENT 4

CEQA Mitigated Negative Declaration Technical Appendices

available at the following web page links:

shorturl.at/rDE01

or

https://www.losaltosca.gov/communitydevelopment/page/355-first-street

355 FIRST STREET

FOURTH SUBMITTAL | NOVEMBER 12, 2021

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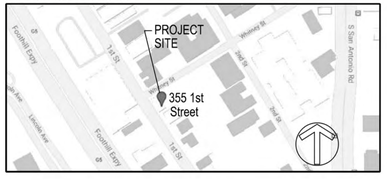
CONSTRUCTION MANAGEMENT PLAN	CM3.0

VICINITY MAP



PROJECT DIRECTORY

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355 1ST ST LLC.
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JETT LANDSCAPE ARCHITECTURE + DESIGN
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ORINDA, CA 94563
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CIVIL ENGINEER
BKF ENGINEERS
1730 N. FIRST STREET, SUITE 600
SAN JOSE, CA 95112
(408) 467-9187
CONTACT: ISAAC KONTOROVSKY

FIRST SUBMITTAL	03/26/2021
FIRE SUBMITTAL # 1	06/01/2021
SECOND SUBMITTAL	07/16/2021
FIRE SUBMITTAL # 2	08/25/2021
THIRD SUBMITTAL	09/03/2021
FOURTH SUBMITTAL	11/12/2021

366.014 355 First Street
Los Altos, CA
November 12, 2021

TITLE SHEET
T1

DENARDI WANG HOMES

SDG Architects, Inc.
3361 Walnut Blvd. Suite 120
Brentwood, CA 94513
925.634.7000 | sdgarchitectsinc.com

UNIT MIX CHART

	UNIT AREA	1ST FLOOR	2ND FLOOR	3RD FLOOR	4TH FLOOR	UNIT TOTAL	
1 BEDROOM / STUDIO UNITS							9 18%
1A (STUDIO)	621 SQ. FT.	1	1			2	9 BEDS
1B	790 SQ. FT.		1	1		2	
1C	988 SQ. FT.	1	1			2	
1D	1026 SQ. FT.	1	1	1		3	
2 BEDROOM UNITS							30 60%
2A	1178 SQ. FT.		1	1		2	60 BEDS
2B	1203 SQ. FT.	1	1	1	1	4	
2C	1245 SQ. FT.	1	1	1	1	4	
2D	1352 SQ. FT.	1				1	
2E	1369 SQ. FT.	4	4	3	3	14	
2F	1435 SQ. FT.			1	1	2	
2G	1174 SQ. FT.	1	1	1		3	
3 BEDROOM UNITS							11 22%
3A	1613 SQ. FT.		1	1	1	3	33 BEDS
3B	1729 SQ. FT.	1	1	1	1	4	
3C	2197 SQ. FT.				1	1	
3D	2049 SQ. FT.			1	1	2	
3E	1987 SQ. FT.				1	1	
		12	14	13	11	50 UNITS TOTAL	102 BEDS TOTAL

CODES AND STANDARDS

BUILDING PLANS TO COMPLY WITH THE FOLLOWING STANDARDS:
- 2019 CALIFORNIA CODE OF REGULATIONS
- CITY OF LOS ALTOS REACH CODE ORDINANCE

FIRE SAFETY REQUIREMENTS

1) FIRE SPRINKLERS: NFPA 13 SYSTEM WILL BE PROVIDED AS REQUIRED PER CBC 903.2.1 THROUGH 903.2.19.1.2.
2) STANDPIPES: STANDPIPE SYSTEMS SHALL BE PROVIDED IN NEW BUILDINGS AND STRUCTURES IN ACCORDANCE WITH THIS SECTION. FIRE HOSE THREADS USED IN CONNECTION WITH STANDPIPE SYSTEMS SHALL BE APPROVED AND SHALL BE COMPATIBLE WITH FIRE DEPARTMENT HOSE THREADS. THE LOCATION OF FIRE DEPARTMENT HOSE CONNECTIONS SHALL BE APPROVED. STANDPIPES SHALL BE MANUAL WET TYPE. IN BUILDINGS USED FOR HIGH- PILED COMBUSTIBLE STORAGE, FIRE HOSE PROTECTION SHALL BE IN ACCORDANCE WITH CHAPTER 32. STANDPIPE SYSTEMS SHALL BE INSTALLED IN ACCORDANCE WITH THIS SECTION AND NFPA 14 AS AMENDED IN CHAPTER 47. CFC SEC. 905.
3) EMERGENCY RADIO RESPONDER COVERAGE: ALL NEW BUILDINGS SHALL HAVE APPROVED RADIO COVERAGE FOR EMERGENCY RESPONDERS WITHIN THE BUILDING BASED UPON THE EXISTING COVERAGE LEVELS OF THE PUBLIC SAFETY COMMUNICATION SYSTEMS OF THE JURISDICTION AT THE EXTERIOR OF THE BUILDING. THIS SECTION SHALL NOT REQUIRE IMPROVEMENT OF THE EXISTING PUBLIC SAFETY COMMUNICATION SYSTEMS. REFER TO CFC SEC. 510 FOR FURTHER REQUIREMENTS. EMERGENCY RADIO RESPONDER COVERAGE REQUIREMENTS APPLIES TO ALL BUILDINGS.
4) WATER SUPPLY: POTABLE WATER SUPPLIES SHALL BE PROTECTED FROM CONTAMINATION CAUSED BY FIRE PROTECTION WATER SUPPLIES. IT IS THE RESPONSIBILITY OF THE APPLICANT AND ANY CONTRACTORS AND SUBCONTRACTORS TO CONTACT THE WATER PURVEYOR SUPPLYING THE SITE OF SUCH PROJECT, AND TO COMPLY WITH THE REQUIREMENTS OF THAT PURVEYOR. SUCH REQUIREMENTS SHALL BE INCORPORATED INTO THE DESIGN OF ANY WATER-BASED FIRE PROTECTION SYSTEMS, AND/OR FIRE SUPPRESSION WATER SUPPLY SYSTEMS OR STORAGE CONTAINERS THAT MAY BE PHYSICALLY CONNECTED IN ANY MANNER TO AN APPLIANCE CAPABLE OF CAUSING CONTAMINATION OF THE POTABLE WATER SUPPLY OF THE PURVEYOR OF RECORD. FINAL APPROVAL OF THE SYSTEM(S) UNDER CONSIDERATION WILL NOT BE GRANTED BY THIS OFFICE UNTIL COMPLIANCE WITH THE REQUIREMENTS OF THE WATER PURVEYOR OF RECORD ARE DOCUMENTED BY THAT PURVEYOR AS HAVING BEEN MET BY THE APPLICANT(S). 2019 CFC SEC. 903.3.5 AND HEALTH AND SAFETY CODE 13114.7.
5) TWO-WAY COMMUNICATION SYSTEM: TWO-WAY COMMUNICATION SYSTEMS SHALL BE DESIGNED AND INSTALLED IN ACCORDANCE WITH ALL CURRENT EDITIONS OF NFPA 72, THE CALIFORNIA ELECTRICAL CODE, THE CALIFORNIA FIRE CODE, THE CALIFORNIA BUILDING CODE, AND THE CITY OR TOWN ORDINANCES, POLICIES, AND STANDARDS WHERE A TWO-WAY SYSTEM IS BEING INSTALLED. OTHER STANDARDS ALSO CONTAIN DESIGN/INSTALLATION CRITERIA FOR SPECIFIC LIFE SAFETY RELATED EQUIPMENT. THESE OTHER STANDARDS ARE REFERRED TO IN NFPA 72.
6) ADDRESS IDENTIFICATION: NEW AND EXISTING BUILDINGS SHALL HAVE APPROVED ADDRESS NUMBERS, BUILDING NUMBERS OR APPROVED BUILDING IDENTIFICATION PLACED IN A POSITION THAT IS PLAINLY LEGIBLE AND WIDTH OF 0.5 INCH (12.7 MM). WHERE ACCESS IS BY MEANS OF A PRIVATE ROAD AND THE BUILDING CANNOT BE VIEWED FROM THE PUBLIC WAY, A MONUMENT, POLE OR OTHER SIGN OR MEANS SHALL BE USED TO IDENTIFY THE STRUCTURE. ADDRESS NUMBERS SHALL BE MAINTAINED. CFC SEC. 505.1.
7) FIRE ALARM REQUIREMENTS: REFER TO CFC SEC. 907 AND THE CURRENTLY ADOPTED EDITION OF NFPA 72. SUBMIT SHOP DRAWINGS (3 SETS) AND A PERMIT APPLICATION TO THE SCCFD FOR APPROVAL BEFORE INSTALLING OR ALTERING ANY SYSTEM. CALL (408) 378-4010 FOR MORE INFORMATION.
8) CONSTRUCTION SITE FIRE SAFETY: ALL CONSTRUCTION SITES MUST COMPLY WITH APPLICABLE PROVISIONS OF THE CFC CHAPTER 33 AND OUR STANDARD DETAIL AND SPECIFICATION SI-7. PROVIDE APPROPRIATE NOTATIONS ON SUBSEQUENT PLAN SUBMITTALS, AS APPROPRIATE TO THE PROJECT. CFC CHP. 33.

AFFORDABLE HOUSING / DENSITY BONUS

AFFORDABLE HOUSING

LOT SIZE:	27,887 / 43560 = 0.64 ACRE
ALLOWABLE DENSITY:	GOVERNED BY 35 FEET HEIGHT LIMIT
BASE DENSITY:	39 UNITS
CALCULATION:	39 UNITS x 15% B.M.R. = 5.85 = 6
AFFORDABLE UNITS:	6 B.M.R. UNITS (3 VERY LOW / 3 MODERATE)

DENSITY BONUS

3/39 = 7.69 = 8% VERY LOW UNITS --> 27.5% DENSITY BONUS
27.5% X 39 UNITS = 10.73 --> 11 ADDITIONAL UNITS PERMITTED
SEE CALIFORNIA GOVERNMENT CODE 65925.(f)(2)

8% VERY LOW UNITS --> 1 CONCESSIONS PERMITTED
SEE CALIFORNIA GOVERNMENT CODE 65925.(d)(2)(B)

PROPOSED BUILDING CONFIGURATION

STUDIO UNITS	2
1 BEDROOM UNITS	7
2 BEDROOM UNITS	30
3 BEDROOM UNITS	11
TOTAL UNITS	50

PROPOSED B.M.R. UNITS

STUDIO UNIT (VERY LOW INCOME)	1
1 BEDROOM UNITS (VERY LOW INCOME)	2
1 BEDROOM UNIT (MODERATE INCOME)	1
2 BEDROOM UNITS (MODERATE INCOME)	2

INCENTIVES		STANDARD	INCENTIVE
1.	HEIGHT INCREASE (11' ON-MENU)	35'	46'

WAIVERS		STANDARD	INCENTIVE
1.	PARKING STALL SIZE REDUCTION (10% OF STALLS)	9'-0"x18'-0"	8'-6"x18'-0"
2.	ELEVATOR TOWER HEIGHT INCREASE	12'	17'-6"

PROJECT DESCRIPTION

355 FIRST STREET IS A MULTIPLE-FAMILY RESIDENTIAL PROJECT COMPRISING 4 LOTS ON FIRST STREET. THE PROJECT CONSISTS OF A 79,885 SQUARE FOOT, 50-UNIT, FOUR-STORY BUILDING, WITH TWO LEVELS OF UNDERGROUND PARKING. THE PROJECT REPLACES THE 4 EXISTING BUILDINGS. THE UNDERGROUND PARKING LEVELS ARE ACCESSED FROM ALLEY AND INCLUDE; 113 PARKING STALLS, 34 BICYCLE LOCKERS, AND EV CHARGING STATIONS FOR EACH UNIT. THE FIRST FLOOR INCLUDES THE MAIN LOBBY AND A COURT FOR INTERIOR LIGHTING. THE ROOF TOP INCLUDES A 5,000 SQUARE FOOT ROOFTOP DECK WITH GRILLING STATIONS, DINING TABLES, AND OUTDOOR SEATING.

THE FOLLOWING TABLE SUMMARIZES THE PROJECT:

SETBACKS:	EXISTING	PROPOSED	REQUIRED / ALLOWED
FRONT	0'-22'	10'	10'
REAR	16'-116'	10'	10'
RIGHT SIDE	5'	4'	0'
LEFT SIDE	0'	2'	2'
HEIGHT:	+/- 16' - 28'	46' (11' ON-MENU INCENTIVE)	35'

PROJECT DATA TABLE

ADDRESS:	355, 365, 371, 373 FIRST STREET LOS ALTOS, CA 94022
APN:	167-41-026, 167-41-027, 167-41-028, 167-41-029
GENERAL PLAN:	DOWNTOWN COMMERCIAL (DC)
ZONING:	COMMERCIAL DOWNTOWN / MULTIPLE FAMILY (CD/R3)
SITE AREA (GROSS):	27,887 S.F. (0.64 ACRE)
SITE AREA (NET):	27,287 S.F. (0.63 ACRE)
BASE DENSITY:	37 (SEE SHEET T3)
PROPOSED DENSITY:	50 UNITS (79 du / net ac)
BUILDING CODE:	2019 C.B.C.
OCCUPANCY:	S2 / R2
CONSTRUCTION:	TYPE IA / IIIA
FIRE SPRINKLERS:	INCLUDED PER C.B.C. 903.2

BUILDING AREA SUMMARY (GROSS S.F.)

LOWER BASEMENT FLOOR:	25,381 S.F.
UPPER BASEMENT FLOOR:	25,642 S.F.
FIRST FLOOR:	18,674 S.F.
SECOND FLOOR:	20,142 S.F.
THIRD FLOOR:	20,305 S.F.
FOURTH FLOOR:	20,310 S.F.
ROOF LEVEL:	468 S.F.
TOTAL RESIDENTIAL:	79,431 S.F.
TOTAL GARAGE:	51,023 S.F.

PARKING STANDARDS

PARKING STANDARDS (PER LAMC 14.74.080)

REQUIRED SPACES

2 SPACES PER UNIT :	100 SPACES
1 GUEST SPACES PER 4 UNITS:	13 SPACES
TOTAL REQUIRED:	113 SPACES

DENSITY BONUS PARKING STANDARDS PER GOV. CODE 65915 (p) (1)

REQUIRED SPACES

1 SPACE PER UNIT 1 BEDROOM UNIT:	9 SPACES
1.5 SPACES PER UNIT 2&3 BEDROOM UNIT:	62 SPACES
GUEST AND ADA INCLUDED:	INCLUDED
TOTAL REQUIRED:	71 SPACES

PARKING PROVIDED

STANDARD SPACES:	99 SPACES
REDUCED SPACES (10%):	12 SPACES
ADA SPACES:	2 SPACES
TOTAL PROVIDED:	113 SPACES

NOTES:
1. ALL PARKING SHALL BE DOUBLE - STRIPED
2. PROVIDE ADEQUATE LIGHTING LEVELS & VIDEO SURVEILLANCE AT GARAGE LEVELS

BICYCLE PARKING STANDARDS

REQUIRED SPACES (PER VTA)

1 CLASS I SPACES PER 3 UNITS:	17 SPACES
1 CLASS II SPACES PER 15 UNITS:	4 SPACES

PROVIDED SPACES

CLASS I (34 BICYCLE LOCKERS):	34 SPACES
CLASS II (2 BICYCLE RACKS):	6 SPACES

DENARDI WANG HOMES

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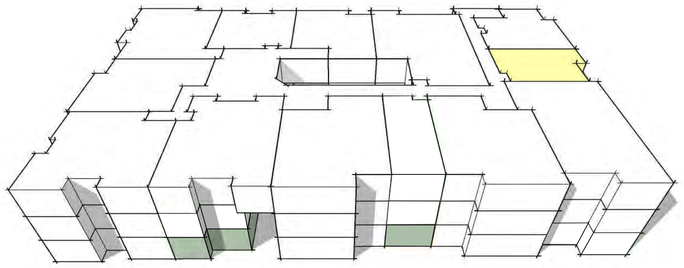
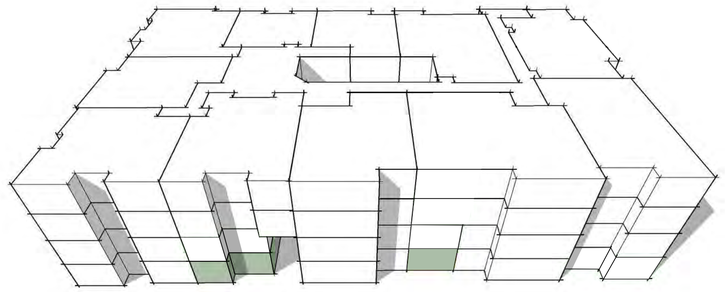
SDG architects



3 FLOORS

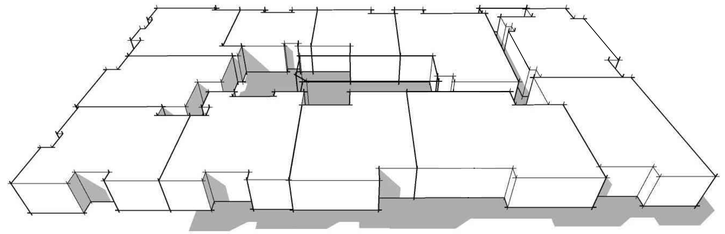
BASE DENSITY MODEL
39 UNITS TOTAL
61.9 DU/AC
59,121 SF
2.17 F.A.R.
6 BMR UNITS



4 FLOORS

DENSITY BONUS MODEL
50 UNITS TOTAL
79.4 DU/AC
79,431 SF
2.91 F.A.R.
6 BMR UNITS

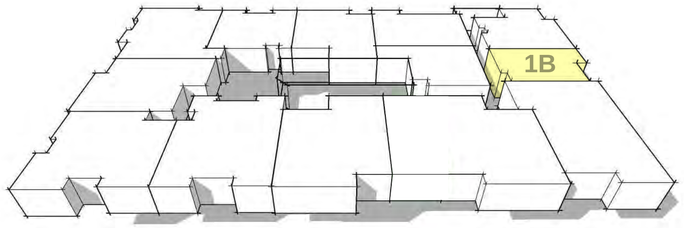
46 FEET HEIGHT LIMIT



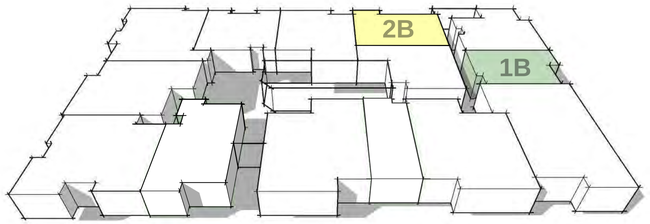
FLOOR 4
11 UNITS

11 FEET INCREASE
CITY OF LOS ALTOS
MUNICIPAL CODE
14.28.040.F.1.d
ON-MENU INCENTIVE

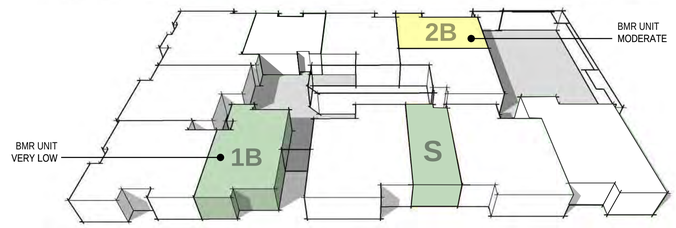
35 FEET HEIGHT LIMIT



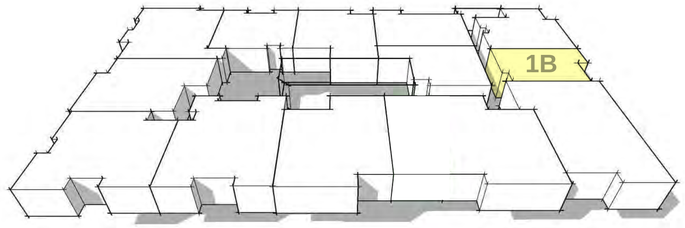
FLOOR 3
13 UNITS



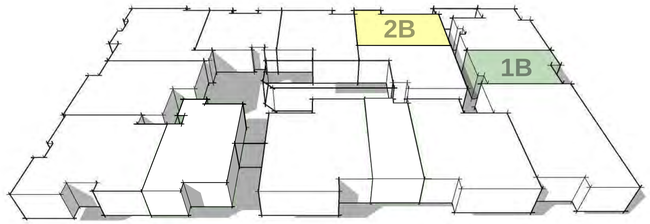
FLOOR 2
14 UNITS



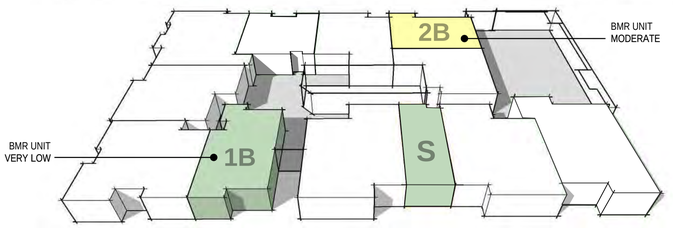
FLOOR 1
12 UNITS



FLOOR 3
13 UNITS



FLOOR 2
14 UNITS



FLOOR 1
12 UNITS

LEGEND

S	= STUDIO
1B	= 1 BEDROOM UNIT
2B	= 2 BEDROOM UNIT

366.014 355 First Street
Los Altos, CA
November 12, 2021

PROJECT DATA SHEET
T3

DENARDI WANG HOMES

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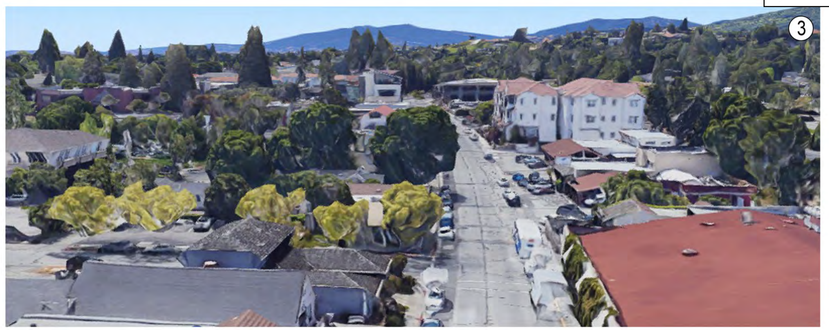

366.014 355 First Street
Los Altos, CA
November 12, 2021

EXISTING SITE & SURROUNDING CONTEXT
A01

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WHITNEY STREET

FIRST STREET

366.014 355 First Street
Los Altos, CA
November 12, 2021

DENARDI WANG HOMES

STREET ELEVATIONS
A02

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SDG architects

366.014 355 First Street
Los Altos, CA
November 12, 2021

BUILDING PERSPECTIVE
A03

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BUILDING PERSPECTIVE
A04

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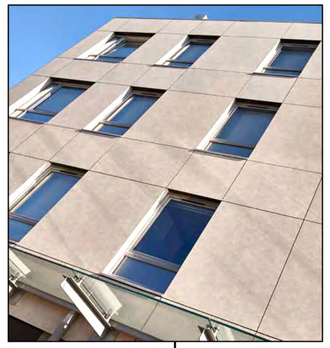
WOOD-LOOK BOARD SOFFIT
AT UPPER ROOF OVERHANG

TRESPA PURA
ROMANTIC WALNUT



TRESPA NATURALS WITH
STONE-TEXTURED PANELS
SANTIAGO BLANCO

ELDORADO STONE
VANTAGE30 WHITE ELM
PATIO WALLS

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MATERIAL SELECTIONS
A05

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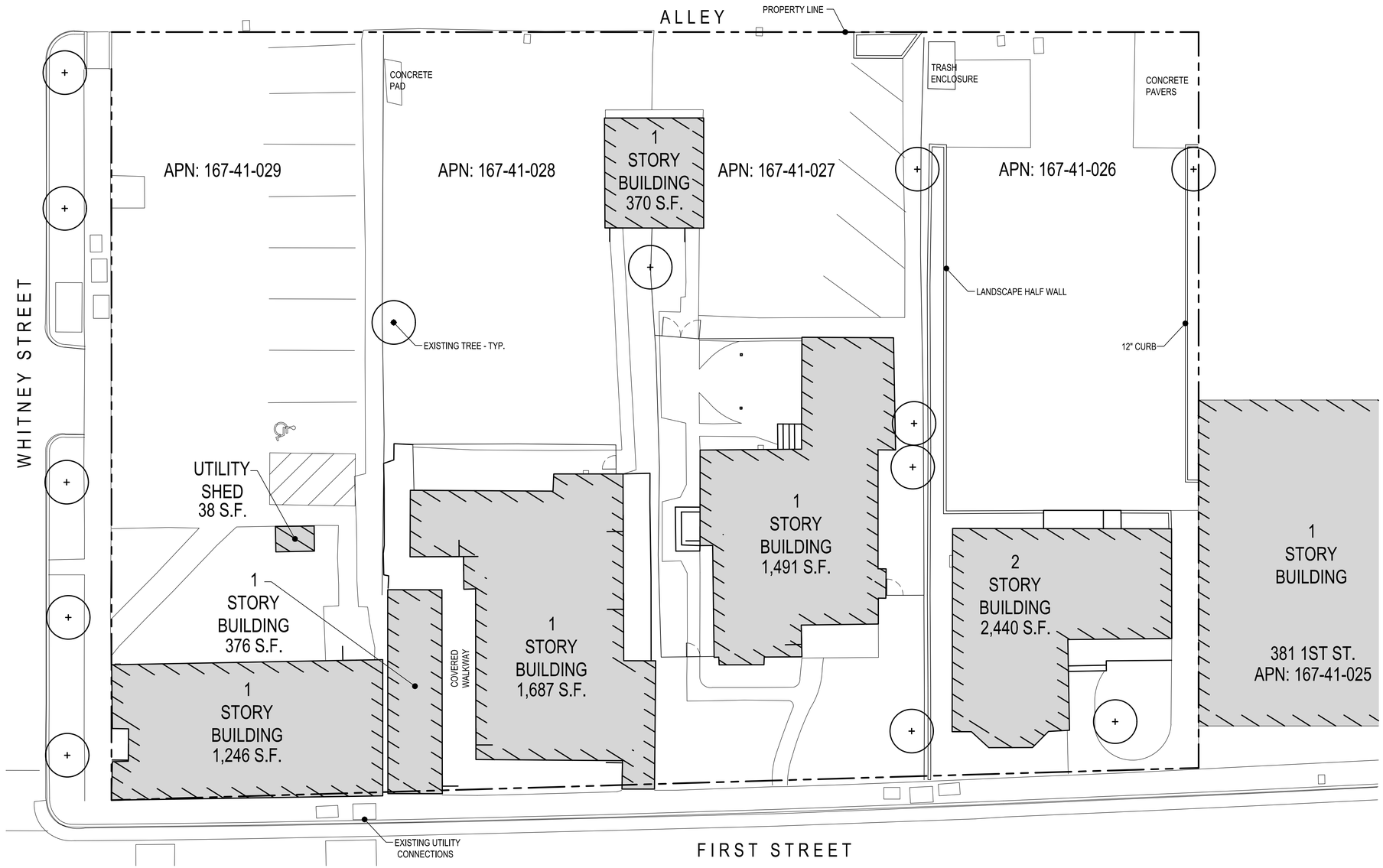

EXISTING BUILDING AREAS	
TOTAL	7,648 SF

NORTH

0 2' 4' 6' 8' 16'

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EXISTING SITE PLAN
A06

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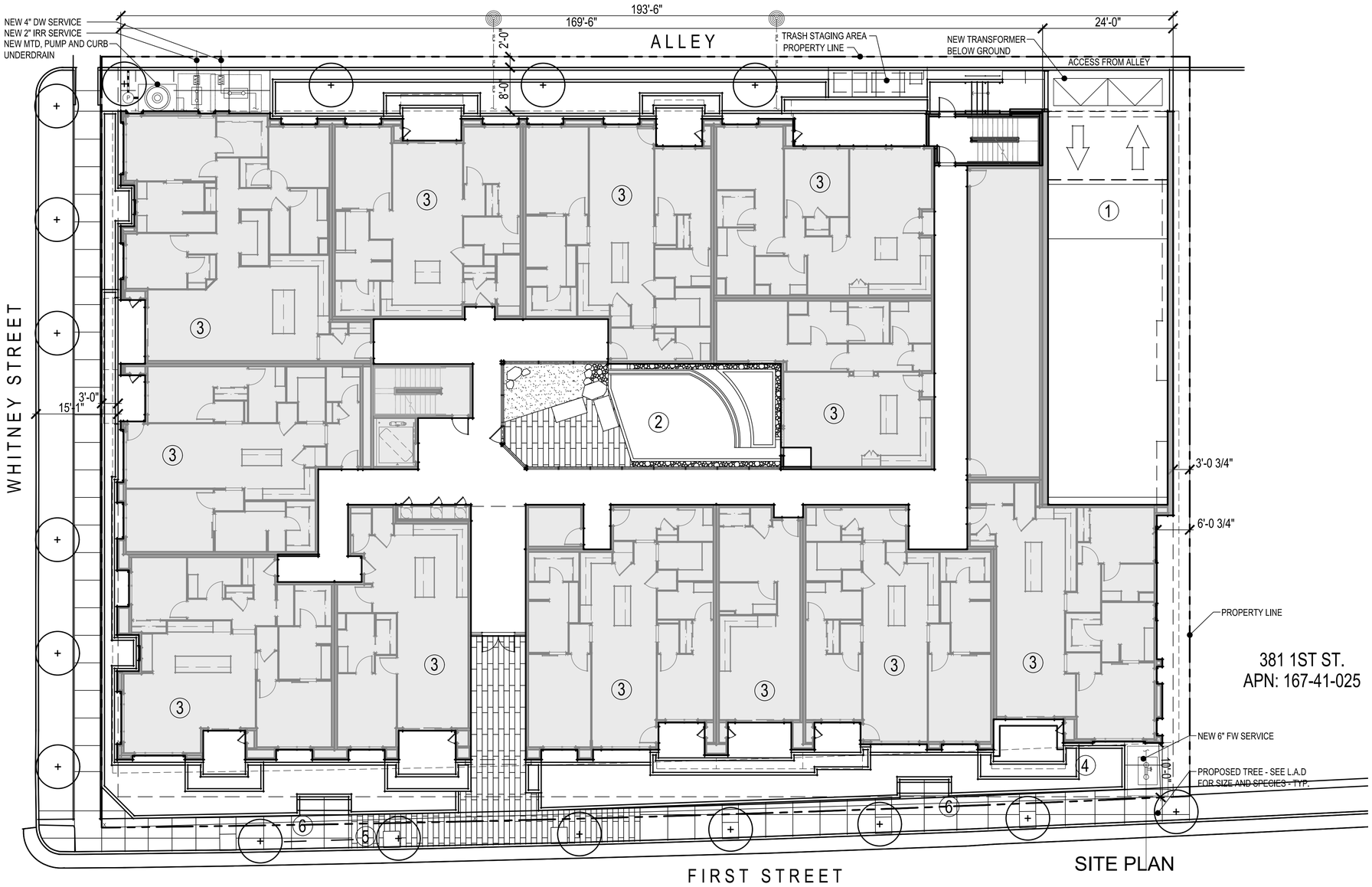

SITE PLAN

381 1ST ST.
APN: 167-41-025

KEY NOTES

1. GARAGE RAMP
2. COURT
3. RESIDENTIAL UNIT
4. RAISED PLANTERS
5. BICYCLE RACK
6. SITTING BENCH

NORTH

0 2' 4' 6' 8' 16'

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PROPOSED SITE PLAN
A07

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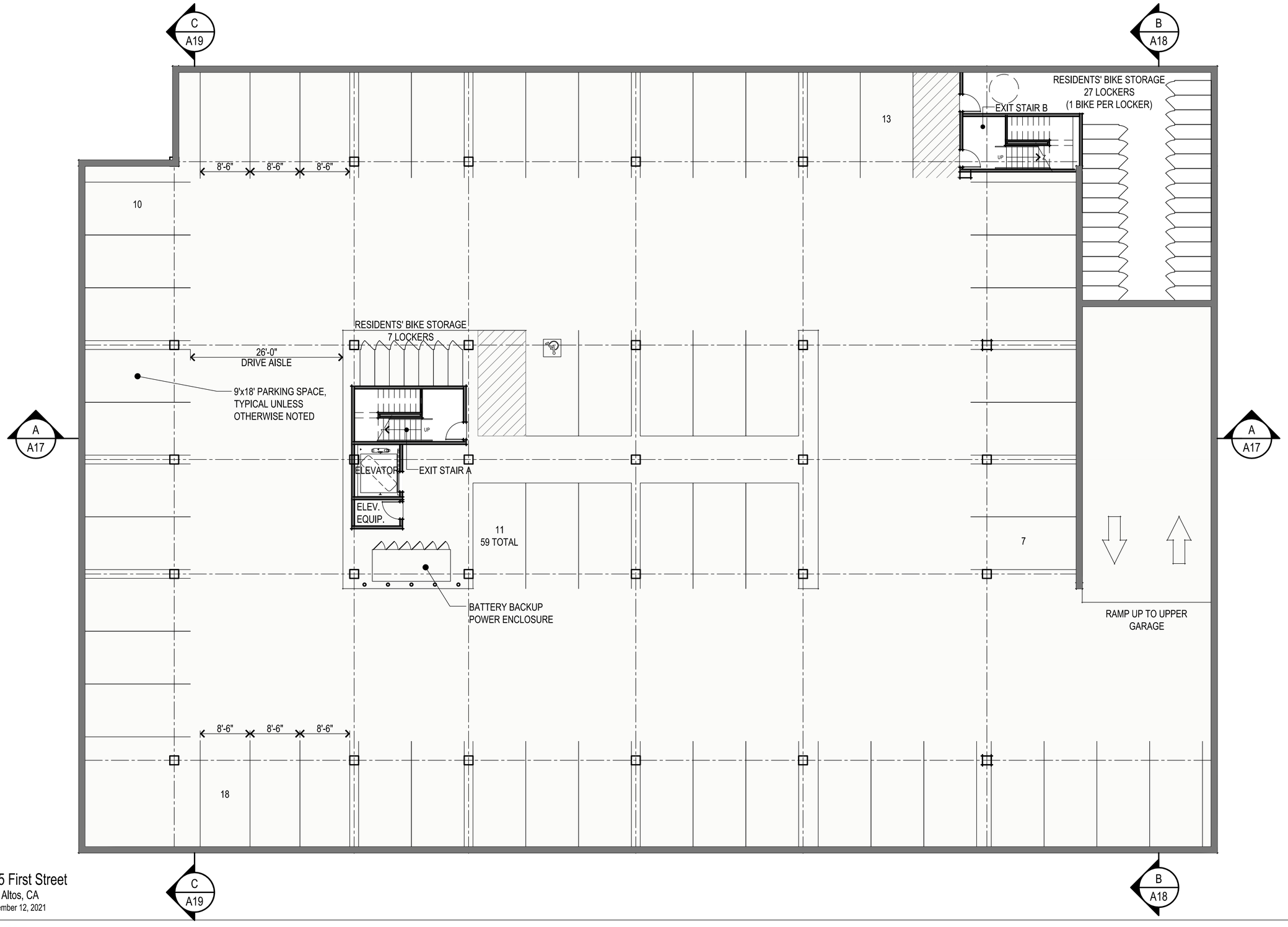

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November 12, 2021

NORTH
0 2' 4' 6' 8' 16'

LOWER GARAGE PLAN
A08

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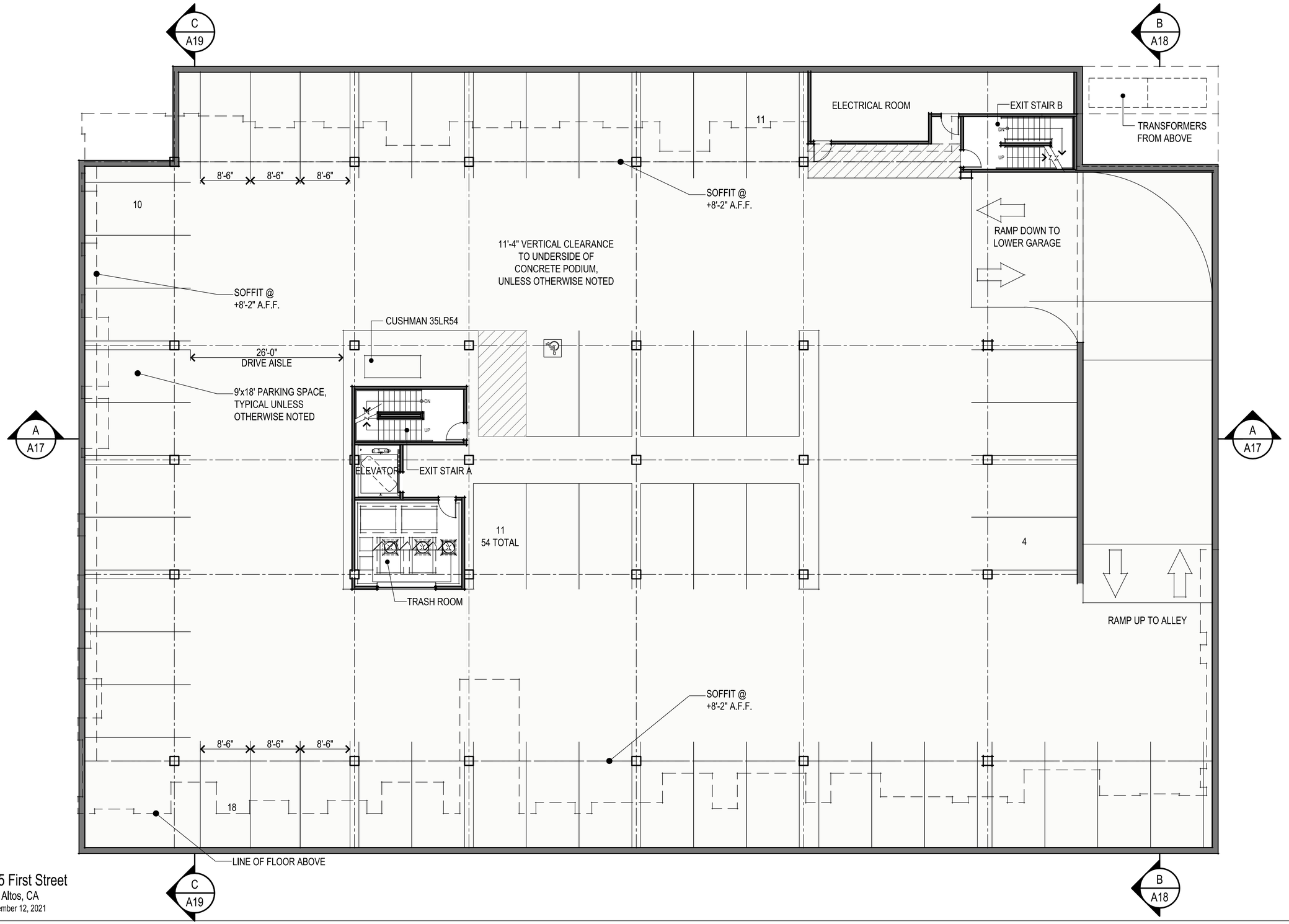

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0 2' 4' 6' 8' 16'

UPPER GARAGE PLAN
A09

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UNIT MIX CHART

1 BEDROOM UNITS/ STUDIO UNITS	UNIT AREA	1ST FLOOR	3	25%
1A (STUDIO)	621 SQ. FT.	1		
1B	790 SQ. FT.			
1C	988 SQ. FT.	1		
1D	1,026 SQ. FT.	1		
2 BEDROOM UNITS			**8**	**67%**
2A	1,178 SQ. FT.			
2B	1,203 SQ. FT.	1		
2C	1,245 SQ. FT.	1		
2D	1,352 SQ. FT.	1		
2E	1,369 SQ. FT.	4		
2F	1,435 SQ. FT.			
2G	1,174 SQ. FT.	1		
3 BEDROOM UNITS			**1**	**8%**
3A	1,613 SQ. FT.			
3B	1,729 SQ. FT.	1		
3C	2,197 SQ. FT.			
3D	2,049 SQ. FT.			
3E	1,987 SQ. FT.			

12

NORTH

0 2' 4' 6' 8' 16'

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November 12, 2021

FIRST FLOOR PLAN
A10

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UNIT MIX CHART

1 BEDROOM UNITS/ STUDIO UNITS	UNIT AREA	2ND FLOOR	4	29%
1A (STUDIO)	621 SQ. FT.	1		
1B	790 SQ. FT.	1		
1C	988 SQ. FT.	1		
1D	1,026 SQ. FT.	1		
2 BEDROOM UNITS			**8**	**57%**
2A	1,178 SQ. FT.	1		
2B	1,203 SQ. FT.	1		
2C	1,245 SQ. FT.	1		
2D	1,352 SQ. FT.			
2E	1,369 SQ. FT.	4		
2F	1,435 SQ. FT.			
2G	1,174 SQ. FT.	1		
3 BEDROOM UNITS			**2**	**14%**
3A	1,613 SQ. FT.	1		
3B	1,729 SQ. FT.	1		
3C	2,197 SQ. FT.			
3D	2,049 SQ. FT.			
3E	1,987 SQ. FT.			

14

NORTH

0 2' 4' 6' 8' 16'

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November 12, 2021

SECOND FLOOR PLAN
A11

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UNIT MIX CHART

1 BEDROOM UNITS/ STUDIO UNITS	UNIT AREA	3RD FLOOR	2	15%
1A (STUDIO)	621 SQ. FT.			
1B	790 SQ. FT.	1		
1C	988 SQ. FT.			
1D	1,026 SQ. FT.	1		
2 BEDROOM UNITS			8	62%
2A	1,178 SQ. FT.	1		
2B	1,203 SQ. FT.	1		
2C	1,245 SQ. FT.	1		
2D	1,352 SQ. FT.			
2E	1,369 SQ. FT.	3		
2F	1,435 SQ. FT.	1		
2G	1,174 SQ. FT.	1		
3 BEDROOM UNITS			3	23%
3A	1,613 SQ. FT.	1		
3B	1,729 SQ. FT.	1		
3C	2,197 SQ. FT.			
3D	2,049 SQ. FT.	1		
3E	1,987 SQ. FT.			

13

NORTH

0 2' 4' 6' 8' 16'

THIRD FLOOR PLAN
A12

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Los Altos, CA
November 12, 2021

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UNIT MIX CHART

1 BEDROOM UNITS/ STUDIO UNITS	UNIT AREA	4TH FLOOR		
			0	0%
1A (STUDIO)	621 SQ. FT.			
1B	790 SQ. FT.			
1C	988 SQ. FT.			
1D	1,026 SQ. FT.			
2 BEDROOM UNITS			6	55%
2A	1,178 SQ. FT.			
2B	1,203 SQ. FT.	1		
2C	1,245 SQ. FT.	1		
2D	1,352 SQ. FT.			
2E	1,369 SQ. FT.	3		
2F	1,435 SQ. FT.	1		
2G	1,174 SQ. FT.			
3 BEDROOM UNITS			5	45%
3A	1,613 SQ. FT.	1		
3B	1,729 SQ. FT.	1		
3C	2,197 SQ. FT.	1		
3D	2,049 SQ. FT.	1		
3E	1,987 SQ. FT.	1		
		11		

NORTH

0 2' 4' 6' 8' 16'

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November 12, 2021

FOURTH FLOOR PLAN
A13

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C A19

B A18

EXIT STAIR B

VALLEY

1/4:12

ACCESS GATE FOR MAINTENANCE

RAISED TREE PLANTER, TYP - SEE LANDSCAPE DRAWINGS

ROOFTOP CONDENSER UNIT, TYP.

ACCESS GATE FOR MAINTENANCE

LOCATION OF SOLAR PANELS, TBD

A A17

EXIT STAIR A

48" HIGH ROOF TOP SAFETY GUARDRAIL

ELEVATOR

OPEN TO COURT BELOW

ACCESS GATE FOR MAINTENANCE

RAISED PLANTER, TYP - SEE LANDSCAPE DRAWINGS

366.014

355 First Street
Los Altos, CA
November 12, 2021

NORTH

0 2' 4' 6' 8' 16'

ROOF PLAN
A14

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LEFT ELEVATION

FRONT ELEVATION

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November 12, 2021

FRONT AND LEFT EXTERIOR ELEVATIONS
A15

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RIGHT ELEVATION

REAR ELEVATION

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November 12, 2021

REAR AND RIGHT EXTERIOR ELEVATIONS
A16

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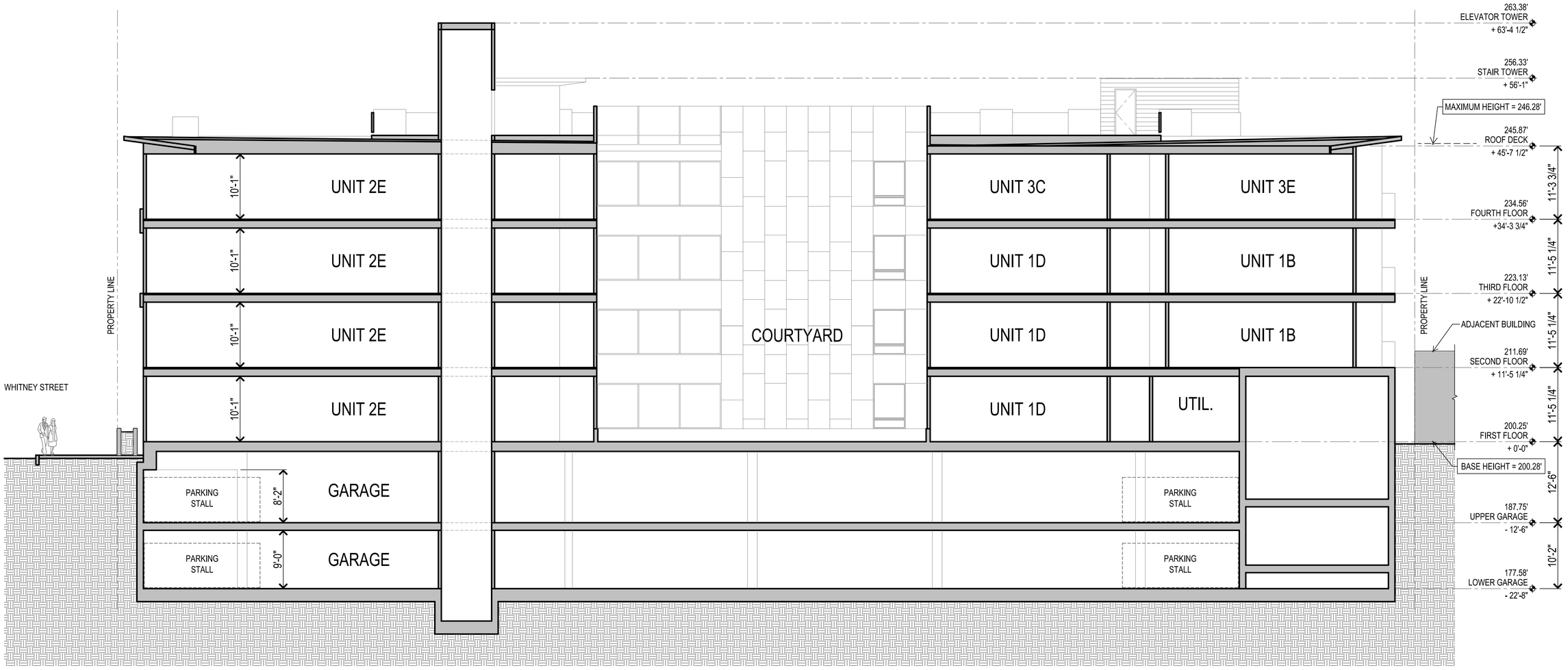

SECTION A

366.014 355 First Street
Los Altos, CA
November 12, 2021

0 2' 4' 6' 8' 16'

BUILDING SECTION A
A17

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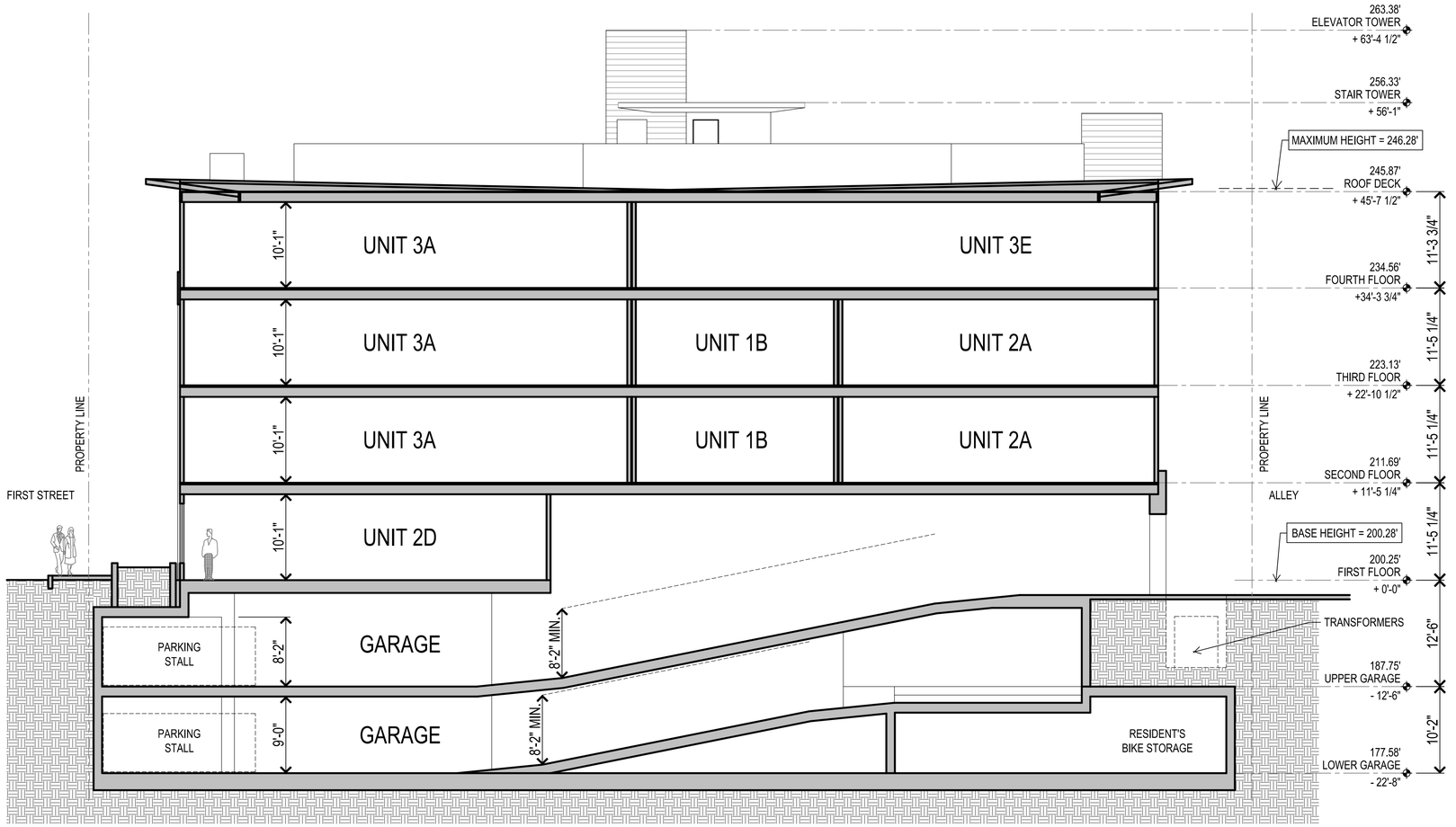

SECTION B

366.014 355 First Street
Los Altos, CA
November 12, 2021

0 2' 4' 6' 8' 16'

BUILDING SECTION B
A18

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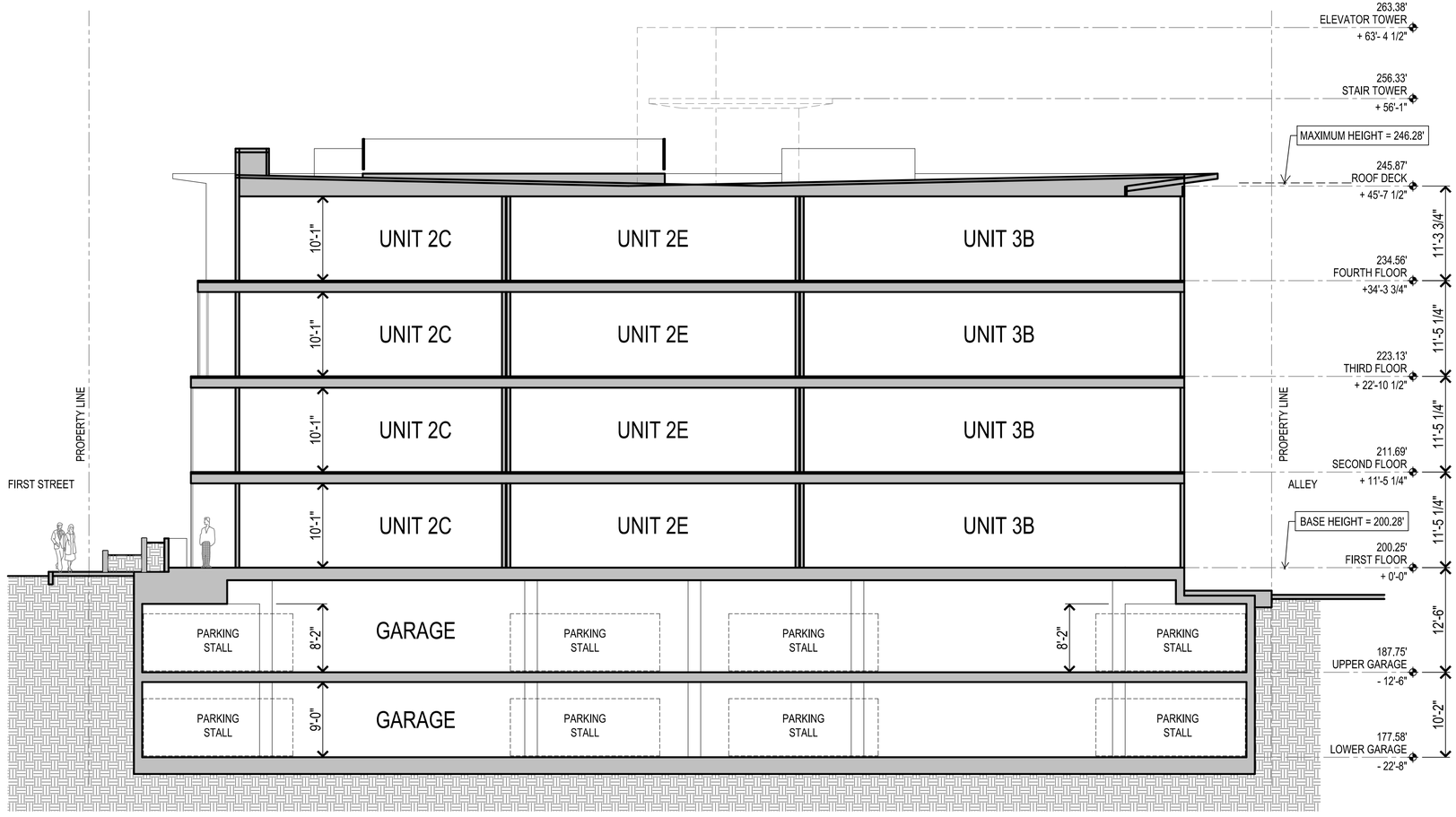
V:\366014_355 First Street\03_CAD\366014-04_Sheets\DRB\A18 BUILDING SECTION B.dwg, 11/15/2021 2:40:31 PM, JHamilton



SECTION C

0 2' 4' 6' 8' 16'

BUILDING SECTION C
A19

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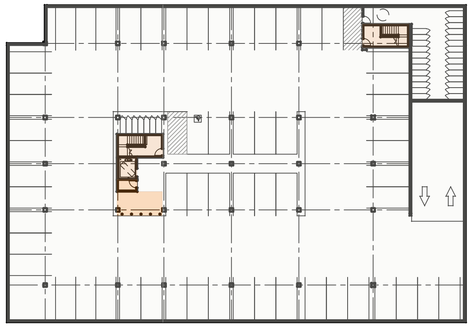
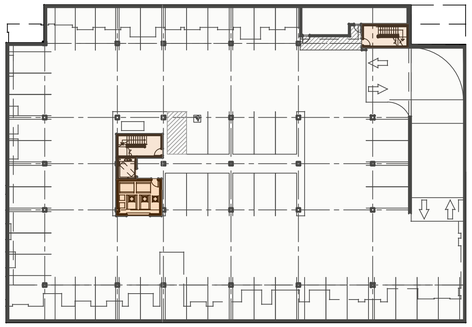
V:\366014_355 First Street\03_CAD\366014-04_Sheets\DRB\A19 BUILDING SECTION C.dwg, 11/15/2021 2:41:03 PM, JReardon



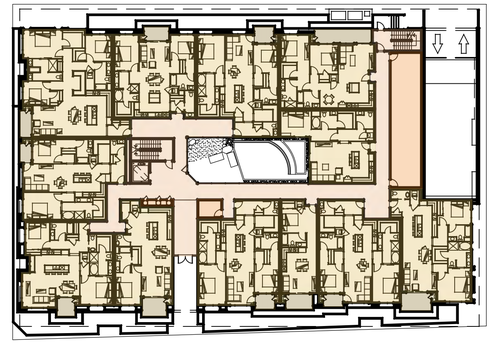
LOWER GARAGE LEVEL

CATEGORY	SUBTOTALS
PARKING	25,031 SF
CIRCULATION	471 SF
UTILITY	239 SF
DWELLING UNITS	
LEVEL TOTAL	25,741 SF



UPPER GARAGE LEVEL

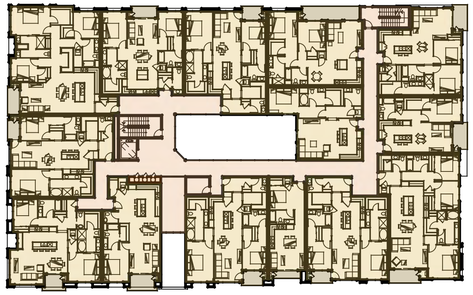
CATEGORY	SUBTOTALS
PARKING	24,493 SF
CIRCULATION	471 SF
UTILITY	296 SF
DWELLING UNITS	
LEVEL TOTAL	25,260 SF



GROUND FLOOR

CATEGORY	SUBTOTALS
PARKING	
CIRCULATION	2,740 SF
UTILITY	929 SF
DWELLING UNITS	15,006 SF
LEVEL TOTAL	18,675 SF

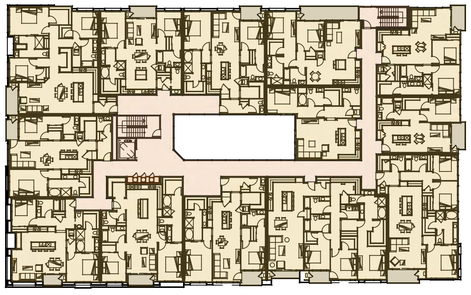
DECK AREA
795 SF



SECOND FLOOR

CATEGORY	SUBTOTALS
PARKING	
CIRCULATION	2,863 SF
UTILITY	42 SF
DWELLING UNITS	17,238 SF
LEVEL TOTAL	20,143 SF

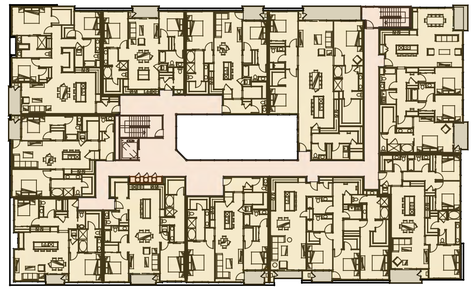
DECK AREA
844 SF



THIRD FLOOR

CATEGORY	SUBTOTALS
PARKING	
CIRCULATION	2,565 SF
UTILITY	42 SF
DWELLING UNITS	17,700 SF
LEVEL TOTAL	20,305 SF

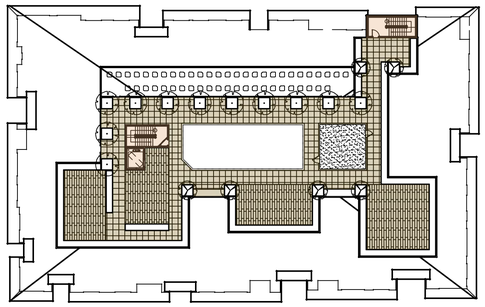
DECK AREA
801 SF



FOURTH FLOOR

CATEGORY	SUBTOTALS
PARKING	
CIRCULATION	2,553 SF
UTILITY	42 SF
DWELLING UNITS	17,724 SF
LEVEL TOTAL	20,319 SF

DECK AREA
779 SF



ROOF DECK

CATEGORY	SUBTOTALS
PARKING	
CIRCULATION	468 SF
UTILITY	
DWELLING UNITS	
ROOF DECK	
LEVEL TOTAL	468 SF

DECK AREA
5,318 SF

BUILDING TOTALS

CATEGORY	SUBTOTALS
PARKING	49,524 SF
CIRCULATION	12,131 SF
UTILITY	1,590 SF
DWELLING UNITS	67,668 SF
TOTAL	130,913 SF

TOTAL DECK AREA
8,537 SF

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FLOOR AREA CALCULATIONS
A20

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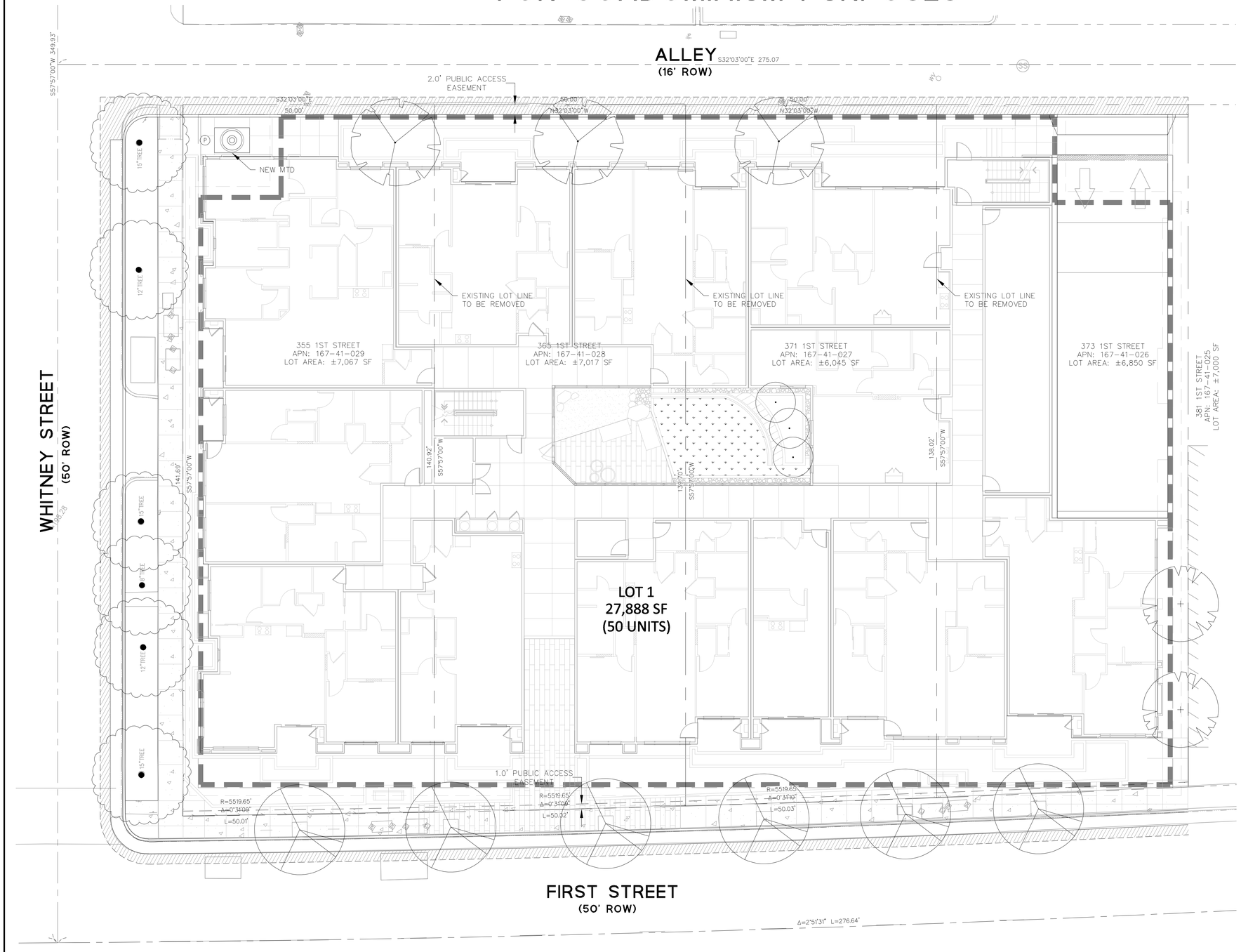
VESTING TENTATIVE MAP
FOR CONDOMINIUM PURPOSES



LEGEND

- PROPERTY LINE
- ADJACENT PROPERTY LINE
- STREET CENTER LINE
- EASEMENT LINE
- FLOW THROUGH PLANTER
- MECHANICAL TREATMENT DEVICE

GENERAL NOTES

1. THIS VESTING TENTATIVE MAP IS BEING FILED IN ACCORDANCE WITH ARTICLE 2, SECTION 86452 AND CHAPTER 4.5 OF THE SUBDIVISION MAP ACT.
2. AREA: THE BOUNDARIES OF THIS SUBDIVISION CONTAIN ±0.64 ACRES.
3. DURING CONSTRUCTION, ALL EQUIPMENT AND PARKING SHALL REMAIN ON-SITE UNLESS THE CONTRACTOR HAS APPROVAL FROM THE CITY.
4. ALL EXISTING WATER, SANITARY, AND STORM SERVICES ARE TO BE ABANDONED/REMOVED PER CITY OF LOS ALTOS STANDARDS AND SPECIFICATIONS.

PROJECT INFORMATION

OWNER/DEVELOPER:	355 1ST ST, LLC 419 SOUTH ANTONIO ROAD, SUITE 215 LOS ALTOS, CA 94022 CONTACT: KEVIN DENARDI (650) 842-2360
ARCHITECT:	SDG ARCHITECTS 3361 WALNUT BLVD. SUITE 120 BRENTWOOD, CA 94513 CONTACT: JEFF POTTS (925) 634-7000
CIVIL ENGINEER:	BKF ENGINEERS 1730 N. FIRST STREET, SUITE 600 SAN JOSE, CA 95112 CONTACT: ISAAC KONTOROVSKY (408) 467-9100
PROPERTY ADDRESS:	355 FIRST STREET, LOS ALTOS, CA
APN:	167-41-026/027/028/029
SPECIFIC PLAN:	DOWNTOWN CORE SPECIFIC PLAN
EXISTING ZONING:	COMMERCIAL DOWNTOWN/MULTIPLE FAMILY (CD/R-3)
PROPOSED ZONING:	COMMERCIAL DOWNTOWN/MULTIPLE FAMILY (CD/R-3)
EXISTING USE:	COMMERCIAL
PROPOSED USE:	RESIDENTIAL
GROSS AREA:	27,887 SF (0.64± ACRES)
NET AREA:	27,287 SF (0.63± ACRES)
PROPOSED NUMBER OF LOTS:	1 PARCEL FOR CONDOMINIUM PURPOSES (4 EXISTING LOTS)
NUMBER OF CONDO UNITS:	50
UTILITIES: A. WATER: B. SANITARY SEWER: C. STORM DRAIN: D. GAS/ELECTRIC: E. TELEPHONE: F. CABLE TV:	 CALIFORNIA WATER SERVICE COMPANY CITY OF LOS ALTOS N/A PACIFIC GAS & ELECTRIC AT&T COMCAST
BENCHMARK:	2-1/2" BRASS DISK IN CONCRETE BASE, STAMPED CS061013, INSIDE MONUMENT WELL AT THE INTERSECTION OF FIRST STREET AND MAIN STREET. ELEVATION = 193.13 FEET BASED ON CITY OF LOS ALTOS DATUM.
TOPOGRAPHY:	THE INFORMATION SHOWN IS BASED ON A GROUND SURVEY PREPARED BY BKF ENGINEERS DATED SEPTEMBER 28, 30 & OCTOBER 1, 2020.
FLOOD ZONE:	THIS PROPERTY IS LOCATED WITHIN ZONE X AS SHOWN IN FLOOD INSURANCE RATE MAP NO. 06085C0038H

ABBREVIATIONS

PG&E = PACIFIC GAS & ELECTRIC COMPANY
ROW = RIGHT OF WAY

SHEET INDEX

SHEET NO.	SHEET TITLE
TM1.0	VESTING TENTATIVE MAP
C1.0	EXISTING CONDITIONS
C2.0	PRELIMINARY SITE PLAN
C3.0	PRELIMINARY GRADING AND DRAINAGE PLAN
C3.1	PRELIMINARY SECTIONS
C4.0	PRELIMINARY UTILITY PLAN
C5.0	PRELIMINARY STORMWATER MANAGEMENT PLAN

GRAPHIC SCALE
10 0 10 20

1730 N. FIRST STREET
SUITE 600
SAN JOSE, CA 95112
(408) 467-9100
www.bkf.com

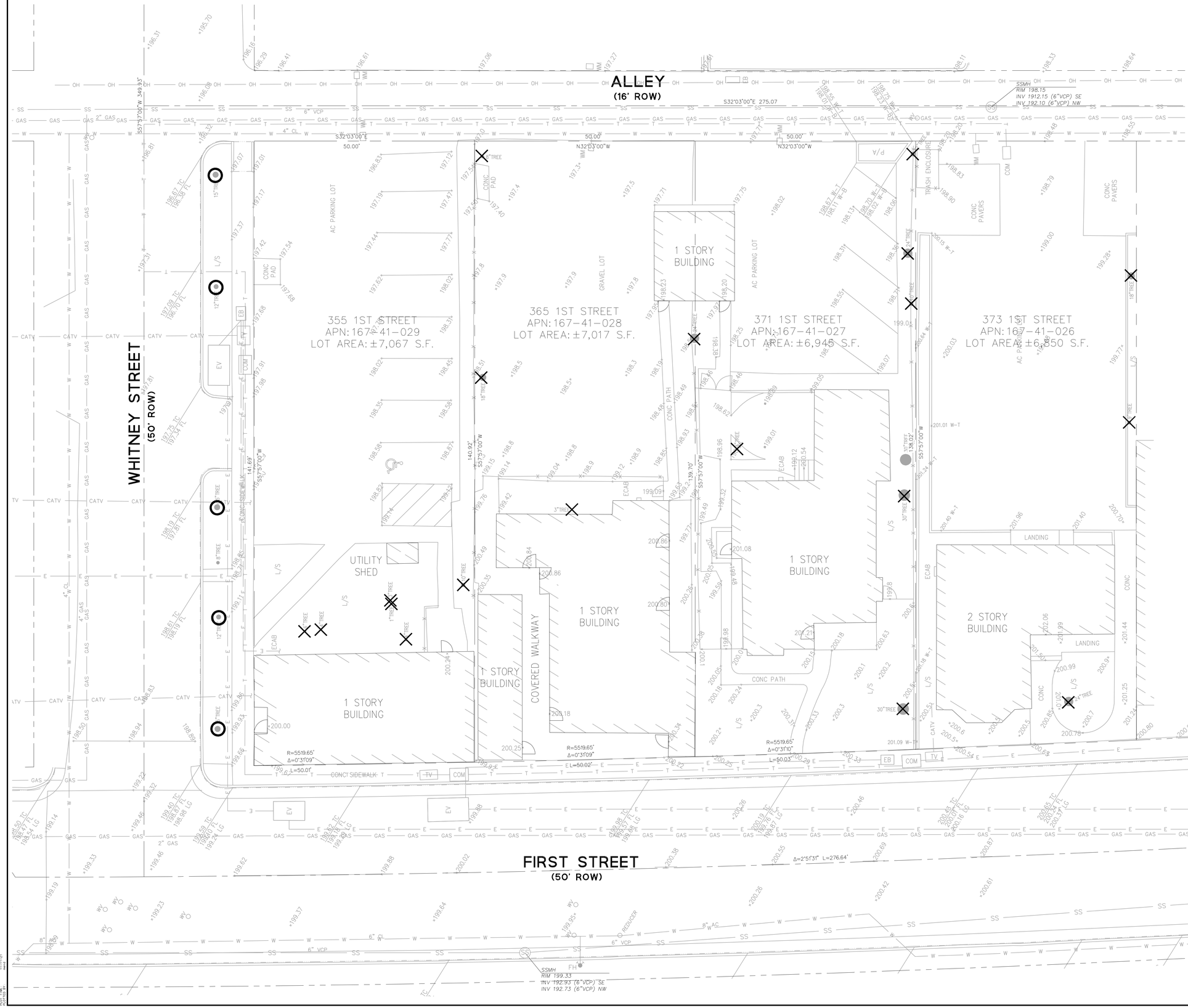
BKF

355-373 1ST STREET
VESTING TENTATIVE MAP
LOS ALTOS SANTA CLARA COUNTY CALIFORNIA

No.	Revisions
1	RESUBMITTAL 1
2	7/16/21 – RESUBMITTAL 2
3	09/03/21 – RESUBMITTAL 3
4	11/12/21 – RESUBMITTAL 4

Date 11/12/21
Scale AS SHOWN
Design RM
Drawn RM
Approved IB
Job No 20201231

Drawing Number:
TM1.0



LEGEND

PROJECT BOUNDARY	
ADJACENT LOT LINE	
INTERIOR LOT LINE	
EASEMENT	
ROAD CENTER LINE	
EXISTING FENCE	
SANITARY SEWER LINE	SS
STORM DRAIN LINE	SD
WATER LINE	W
GAS LINE	GAS
ELECTRICAL LINE	E
OVERHEAD LINE	OH
TELECOM LINE	T
COMCAST LINE	CATV
FIRE HYDRANT	FH
EXISTING TREE TO REMAIN	
REMOVE EXISTING TREE	

SURVEY NOTES

1. ALL DISTANCES AND DIMENSIONS ARE SHOWN IN FEET AND DECIMALS THEREOF.
2. DATES OF FIELD SURVEY WAS SEPTEMBER 28, 30 & OCTOBER 1, 2020
3. BENCH MARK
   2-1/2" BRASS DISK IN CONCRETE BASE, STAMPED CS061013, INSIDE MONUMENT WELL AT THE INTERSECTION OF FIRST STREET AND MAIN STREET

   ELEVATION = 193.13 FEET BASED ON CITY OF LOS ALTOS DATUM
4. BASIS OF BEARINGS
   THE BEARING NORTH 32°03'00" WEST, BETWEEN FOUND IRON PIPE MONUMENTS, AS SHOWN ON THAT CERTAIN PARCEL MAP, FILED FOR RECORD ON FEBRUARY 14, 1980, IN BOOK 458 OF MAPS AT PAGES 51 AND 52, SANTA CLARA COUNTY RECORDS, WAS TAKEN AS THE BASIS OF BEARINGS
5. INFORMATION REGARDING BOUNDARY AND EASEMENTS; BKF ENGINEERS RELIED ON THE INFORMATION PROVIDED IN THE FOLLOWING PRELIMINARY TITLE REPORTS:
   A. OLD REPUBLIC TITLE COMPANY, ORDER NO. 0623015842-LM, DATED JUNE 25, 2020
   B. OLD REPUBLIC TITLE COMPANY, ORDER NO. 0623015841-LM, DATED JUNE 16, 2020
   C. CHICAGO TITLE COMPANY, ORDER NO. FWPS-2999200036MO, DATED JANUARY 13, 2020

ABBREVIATIONS

AC	ASPHALT CONCRETE
CLA	CITY OF LOS ALTOS
COM	COMMUNICATION
CONC	CONCRETE
DWY	DRIVEWAY
EB	ELECTRICAL BOX
EV	ELECTRICAL VAULT
ESMT	EASEMENT
FL	FLOW LINE
LG	LIP OF GUTTER
L/S	LANDSCAPE
PGE	PACIFIC GAS & ELECTRIC
ROW	RIGHT-OF-WAY
STD	STANDARD
SW	SIDEWALK
TC	TOP OF CURB
TYP	TYPICAL
WM	WATER METER
W-B	BOTTOM OF WALL
W-T	TOP OF WALL

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355-373 1ST STREET
EXISTING CONDITIONS

LOS ALTOS SANTA CLARA COUNTY CALIFORNIA

No.	Revisions
1	RESUBMITTAL 1
2	7/16/21 – RESUBMITTAL 2
3	09/03/21 – RESUBMITTAL 3
4	11/12/21 – RESUBMITTAL 4

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Drawn RM
Approved JB
Job No 20201231

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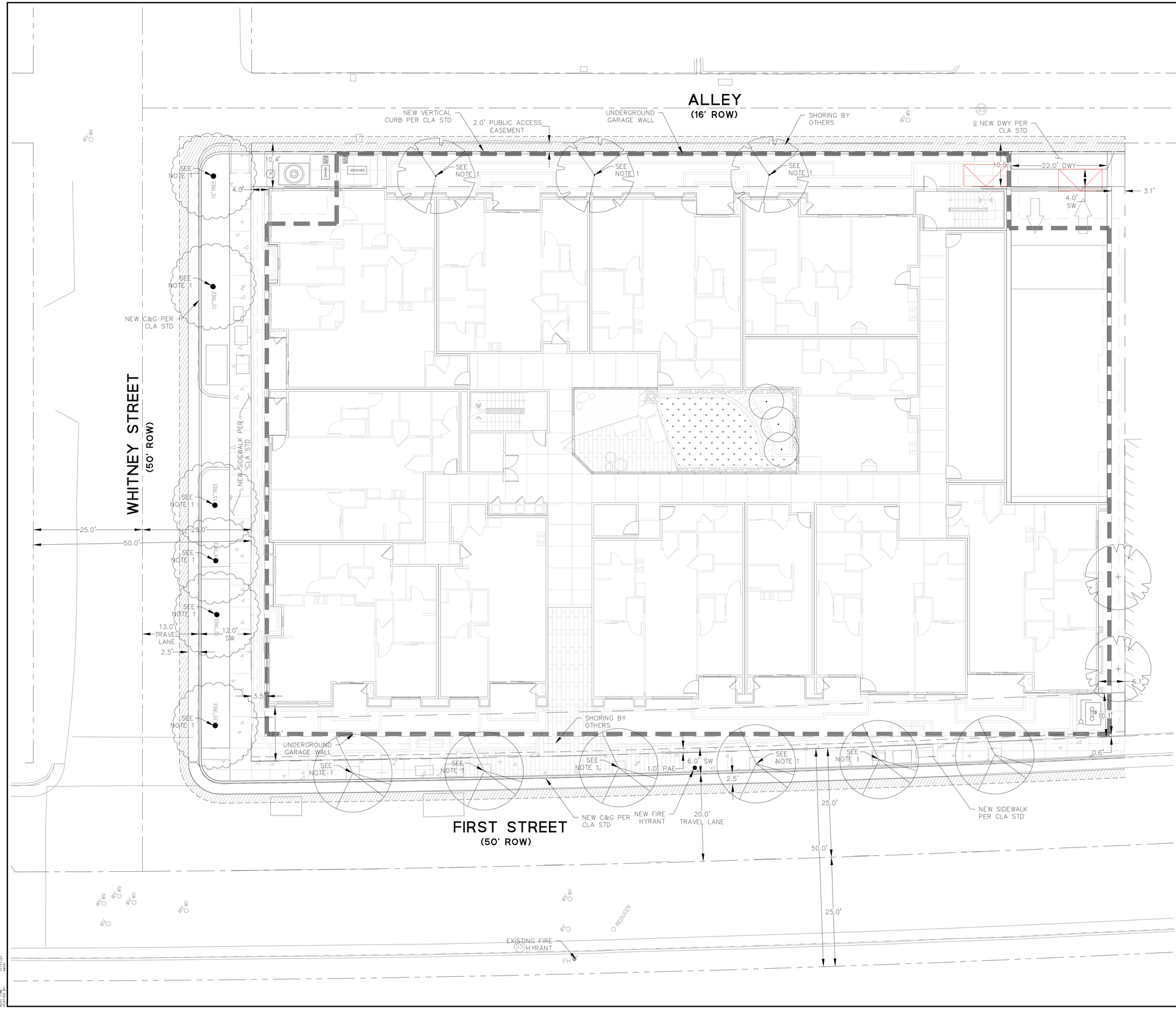

LEGEND

- PROPERTY LINE
- ADJACENT PROPERTY LINE
- STREET CENTER LINE
- EASEMENT LINE
- UNDERGROUND GARAGE
- VISIBILITY TRIANGLES
- SHORING
- FLUSH CURB
- NEW CITY STANDARD VERTICAL CURB AND GUTTER
- FLOW THROUGH PLANTER
- WV — WATER VALVE
- SSCO — SANITARY SEWER CLEANOUT
- SSMH — SANITARY SEWER MANHOLE
- FIRE BACKFLOW PREVENTER
- DOMESTIC BACKFLOW PREVENTER
- IRRIGATION BACKFLOW PREVENTER
- FDC — FIRE DEPARTMENT CONNECTION
- WM — WATER METER
- STORM DRAIN OVERFLOW DRAIN
- SDAD — STORM DRAIN AREA DRAIN
- MECHANICAL TREATMENT DEVICE
- TRANSFORMER (FOR REFERENCE ONLY)
- TREE TO REMAIN

ABBREVIATIONS

BFP	BACK FLOW PREVENTOR
C&G	CURB AND GUTTER
CLA	CITY OF LOS ALTO
COM	COMMUNICATION
DWY	DRIVEWAY
EB	ELECTRICAL BOX
EV	ELECTRICAL VAULT
ESMT	EASEMENT
PGE	PACIFIC GAS & ELECTRIC
ROW	RIGHT-OF-WAY
SDCO	STORM DRAIN CLEANOUT
SSCO	SANITARY SEWER CLEAN OUT
SSMH	SANITARY SEWER MANHOLE
STD	STANDARD
SW	SIDEWALK
TYP	TYPICAL
WM	WATER METER
WV	WATER VALVE

NOTES

1. ALL TREES, BOTH EXISTING AND PROPOSED, SHALL BE 1) VERIFIED WITH APPROVED PLANS, AND 2) SHALL NOT OBSTRUCT AERIAL ACCESS WHEN FULL GROWN WITHOUT MAINTENANCE.

GRAPHIC SCALE
10 0 10 20

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355-373 1ST STREET
PRELIMINARY SITE PLAN

LOS ALTOS — SANTA CLARA COUNTY — CALIFORNIA

No.	Revisions
1	RESUBMITTAL 1
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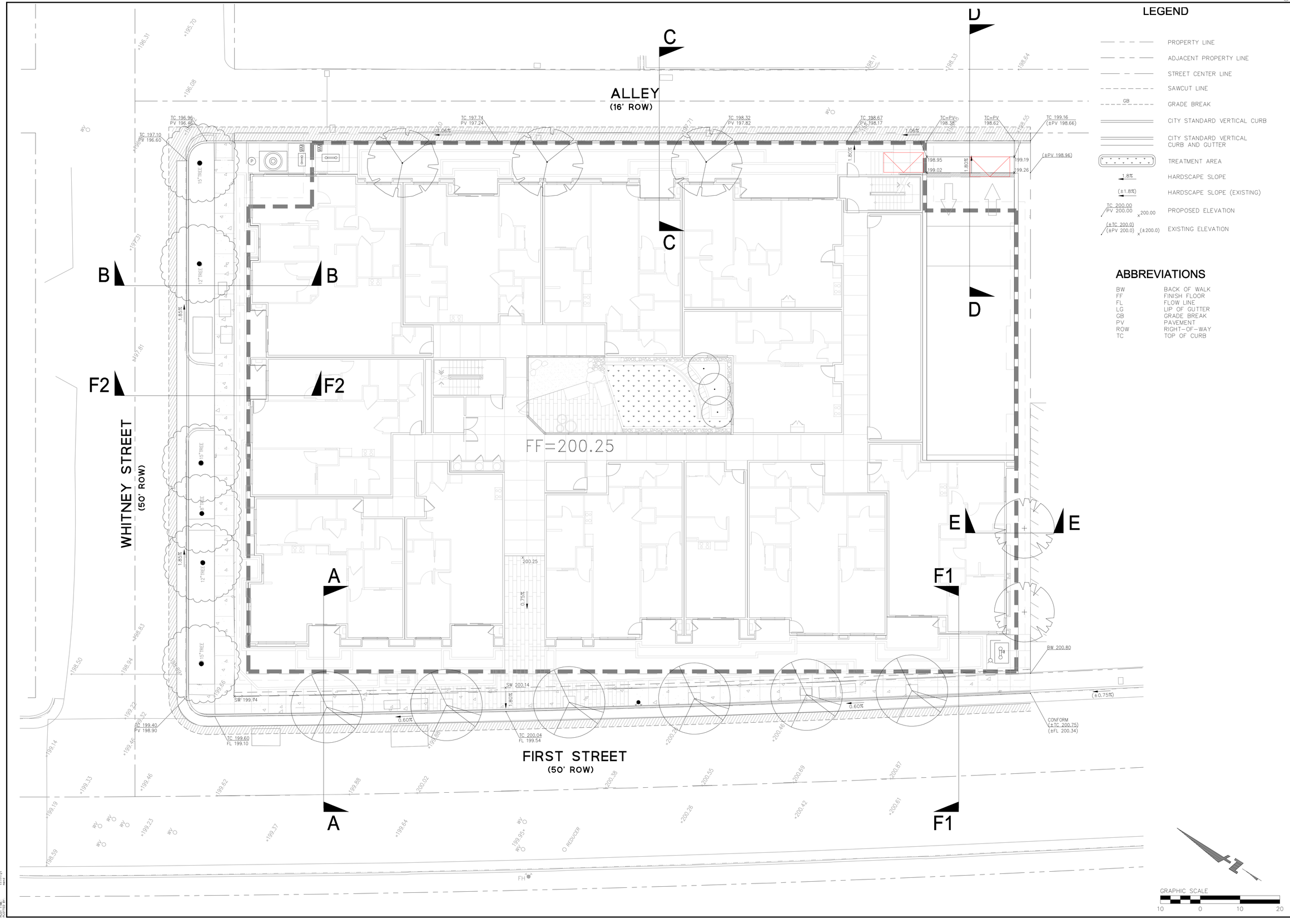

LEGEND

- PROPERTY LINE
- ADJACENT PROPERTY LINE
- STREET CENTER LINE
- SAWCUT LINE
- GRADE BREAK
- CITY STANDARD VERTICAL CURB
- CITY STANDARD VERTICAL CURB AND GUTTER
- TREATMENT AREA
- 1.8% HARDSCAPE SLOPE
- (±1.8%) HARDSCAPE SLOPE (EXISTING)
- TC 200.00 / PV 200.00 x200.00 PROPOSED ELEVATION
- (±TC 200.0) / (±PV 200.0) x(±200.0) EXISTING ELEVATION

ABBREVIATIONS

BW	BACK OF WALK
FF	FINISH FLOOR
FL	FLOW LINE
LG	LIP OF GUTTER
GB	GRADE BREAK
PV	PAVEMENT
ROW	RIGHT-OF-WAY
TC	TOP OF CURB

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PRELIMINARY GRADING AND DRAINAGE PLAN

LOS ALTOS SANTA CLARA COUNTY CALIFORNIA

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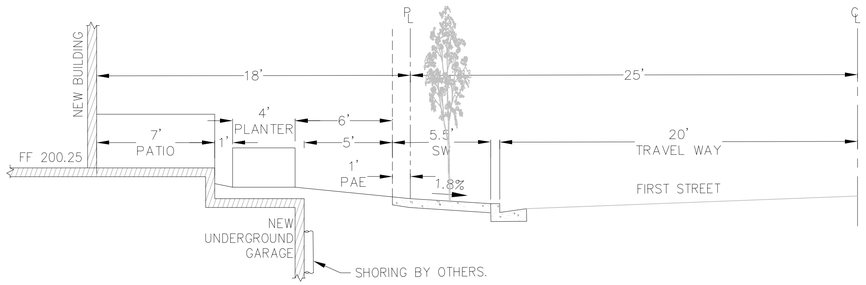
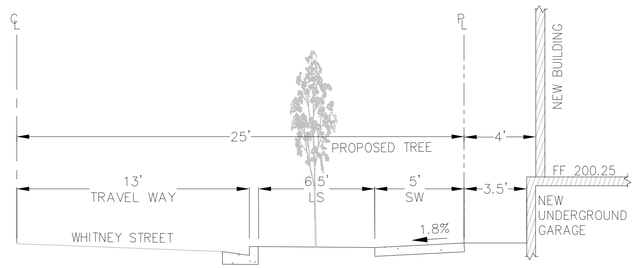


CROSS SECTION (A-A)

NTS



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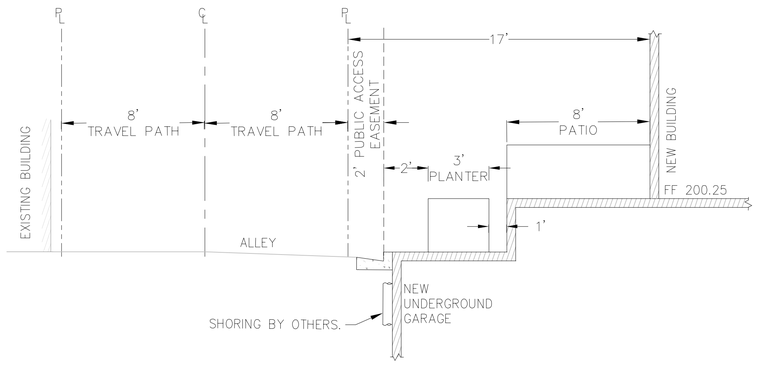

CROSS SECTION (C-C)

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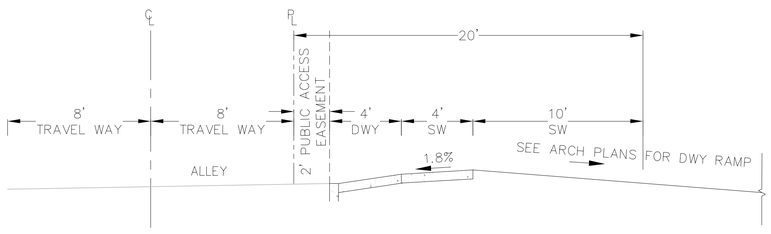

CROSS SECTION (D-D)

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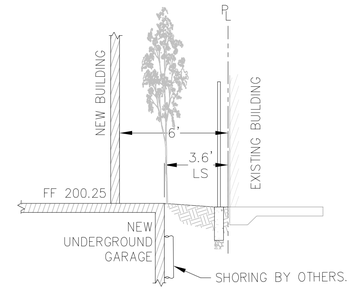

CROSS SECTION (E-E)

NTS

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355-373 1ST STREET
PRELIMINARY SECTIONS

LOS ALTOS SANTA CLARA COUNTY CALIFORNIA

No.	Revisions
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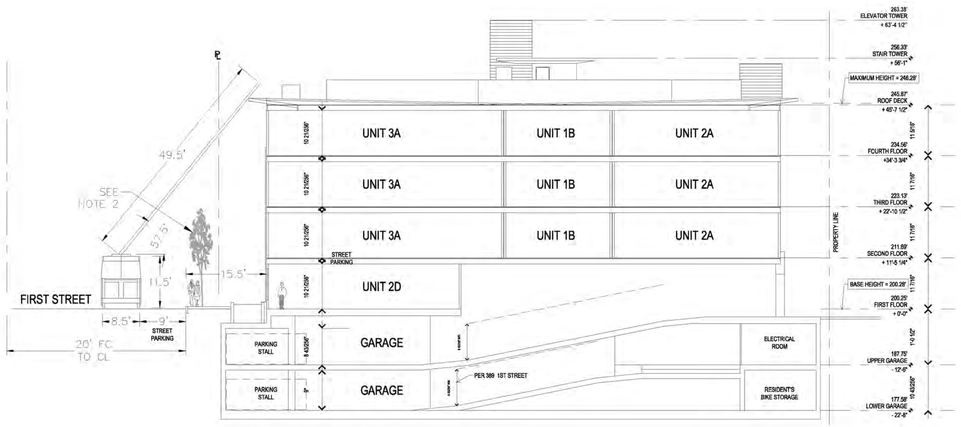
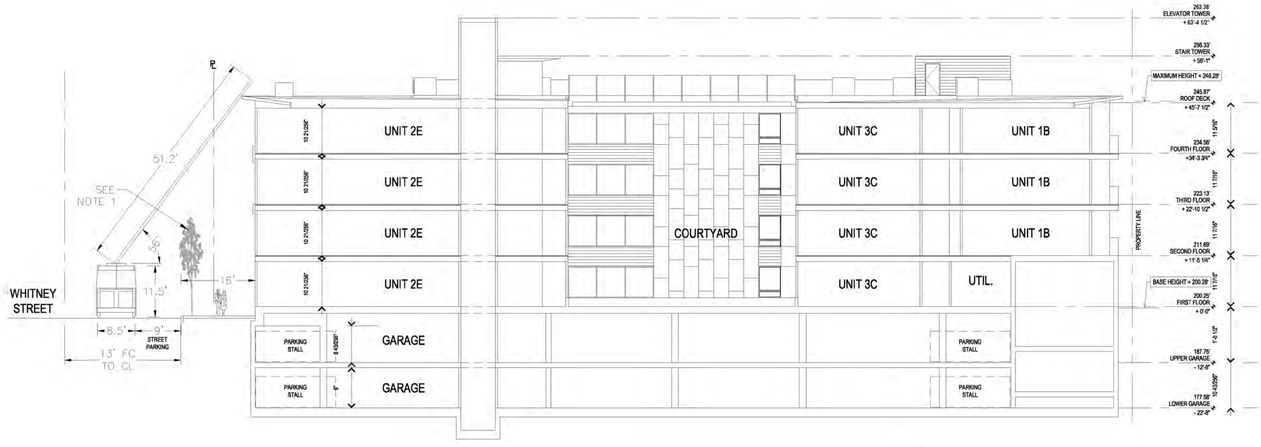


CROSS SECTION (F1-F1)

NTS

NOTES:

1. SECTION IS TAKEN AT WORST CASE SCENARIO, THIS OCCURS WHEN THE FIRE TRUCK IS CLOSEST TO THE BUILDING AT THE SOUTH EAST CORNER OF FIRST STREET.
2. THE STREET TREES (CREAT MYRTLE) ON FIRST STREET CAN BE MAINTAINED IN GOOD CONDITION AT A 20' MAXIMUM HEIGHT, WITH PROPER PRUNING AND MANAGEMENT.
3. VERTICAL HEIGHTS ARE SHOWN FOR REFERENCE ONLY, REFER TO ARCHITECTURAL SITE PLAN FOR ELEVATIONS.



CROSS SECTION (F2-F2)

NTS

NOTES:

1. ALONG WHITNEY BUILDING SET BACK IS CONSISTENT ALONG FRONTAGE, EXISTING TREE SIZE DO NOT HAVE AN AFFECT ON LADDER ACCESS AS STREET TREE SPACING IS ±25' HEPE, EXISTING TREE HEIGHT RANGES FROM 12'-25' ALONG WHITNEY, WELL BELOW THE FIRE LADDER ACCESS HEIGHT OF 35' AT TREE LOCATION PER THIS DIAGRAM.
2. VERTICAL HEIGHTS ARE SHOWN FOR REFERENCE ONLY. REFER TO ARCHITECTURAL SITE PLAN FOR ELEVATIONS.

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355-373 1ST STREET
PRELIMINARY FIRE LADDER ACCESS SECTIONS

LOS ALTOS — SANTA CLARA COUNTY — CALIFORNIA

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Job No 20091231

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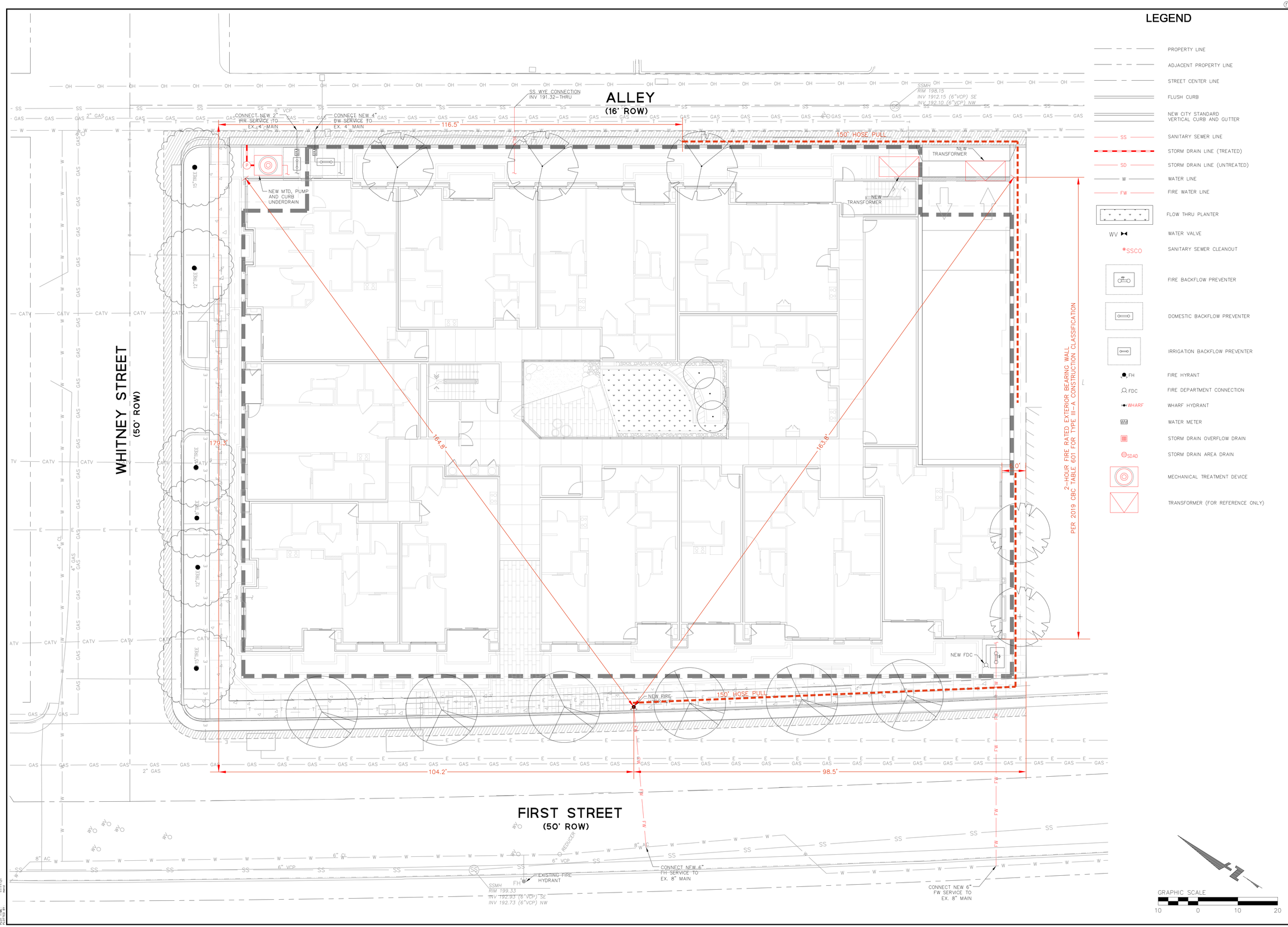
Agenda Item # 11.



LEGEND

- PROPERTY LINE
- ADJACENT PROPERTY LINE
- STREET CENTER LINE
- FLUSH CURB
- NEW CITY STANDARD VERTICAL CURB AND GUTTER
- SS — SANITARY SEWER LINE
- STORM DRAIN LINE (TREATED)
- SD — STORM DRAIN LINE (UNTREATED)
- W — WATER LINE
- FW — FIRE WATER LINE
- FLOW THRU PLANTER
- WV — WATER VALVE
- SSCO — SANITARY SEWER CLEANOUT
- FIRE BACKFLOW PREVENTER
- DOMESTIC BACKFLOW PREVENTER
- IRRIGATION BACKFLOW PREVENTER
- FH — FIRE HYRANT
- FDC — FIRE DEPARTMENT CONNECTION
- WHARF — WHARF HYDRANT
- WM — WATER METER
- STORM DRAIN OVERFLOW DRAIN
- SDAD — STORM DRAIN AREA DRAIN
- MECHANICAL TREATMENT DEVICE
- TRANSFORMER (FOR REFERENCE ONLY)

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355-373 1ST STREET
PRELIMINARY UTILITY PLAN

SANTA CLARA COUNTY CALIFORNIA

LOS ALTOS

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Drawn RM
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Job No 20201231

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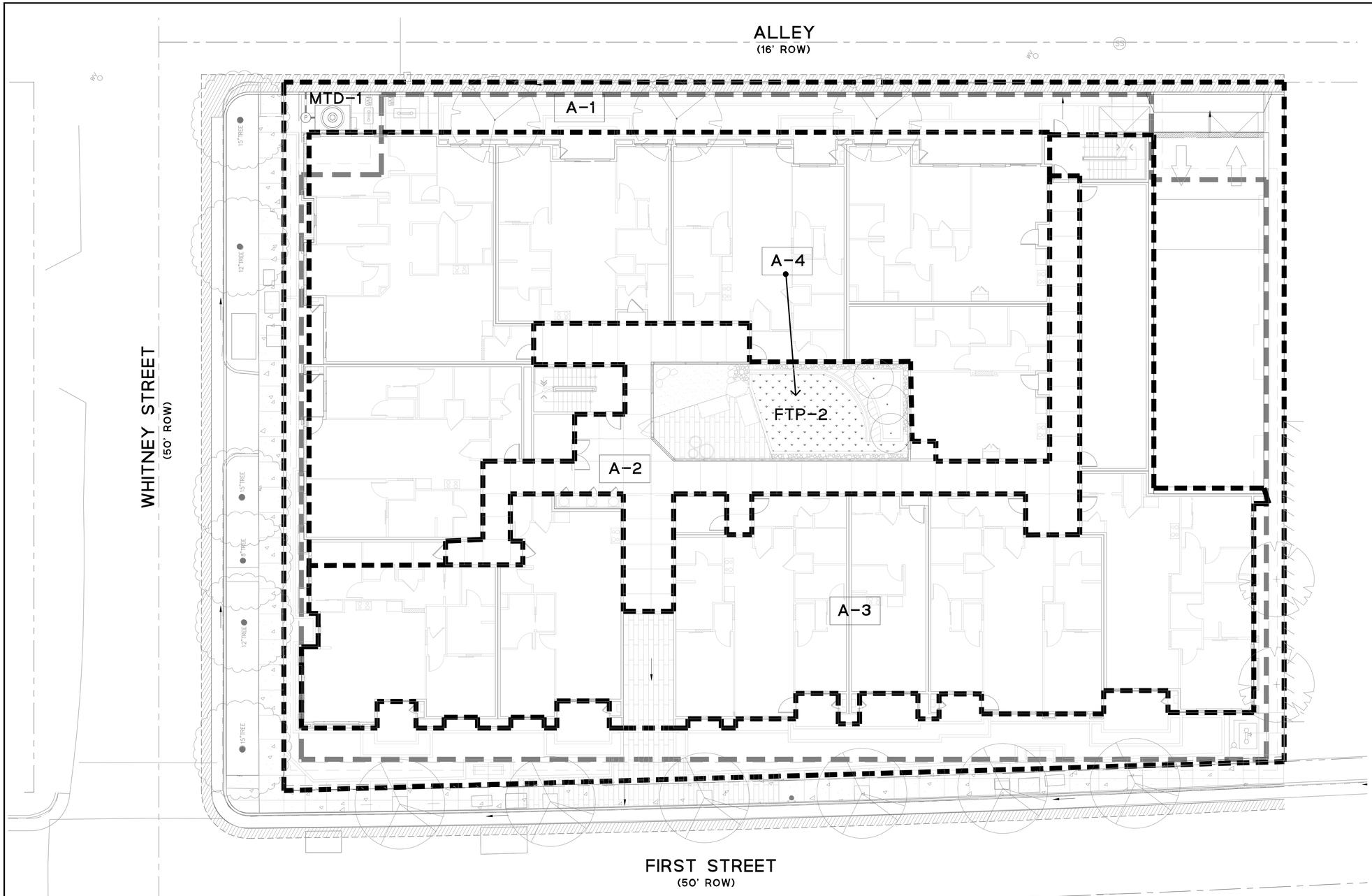

TABLE A

TREATMENT CONTROL MEASURE SUMMARY									
DRAINAGE AREAS	DRAINAGE AREA SIZE (SQ. FT.)	PERVIOUS SURFACE (SQ. FT.)	TYPE OF PERVIOUS SURFACE	IMPERVIOUS SURFACE (SQ. FT.)	TYPE OF IMPERVIOUS SURFACE	WATER QUANTITY (FLOW AND/OR VOLUME GENERATED)		PROPOSED TREATMENT CONTROLS	CONFORMS TO SIZE STANDARD?
						REQUIRED (SF)	PROVIDED (SF)		
A-1	7,449	479	LANDSCAPE	6,970	ROOF CONCRETE	746	746	MTD 1 MECH. TREATMENT DEVICE	YES
A-2	3,210	0	LANDSCAPE	3,210	ROOF				
A-3	8,470	0	LANDSCAPE	8,470	ROOF				
A-4	8,750	0	LANDSCAPE	8,750	ROOF	350	350	FTP 2 FLOW THROUGH PLANTER	YES

GRAPHIC SCALE
10 0 10 20

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PRELIMINARY STORMWATER MANAGEMENT PLAN

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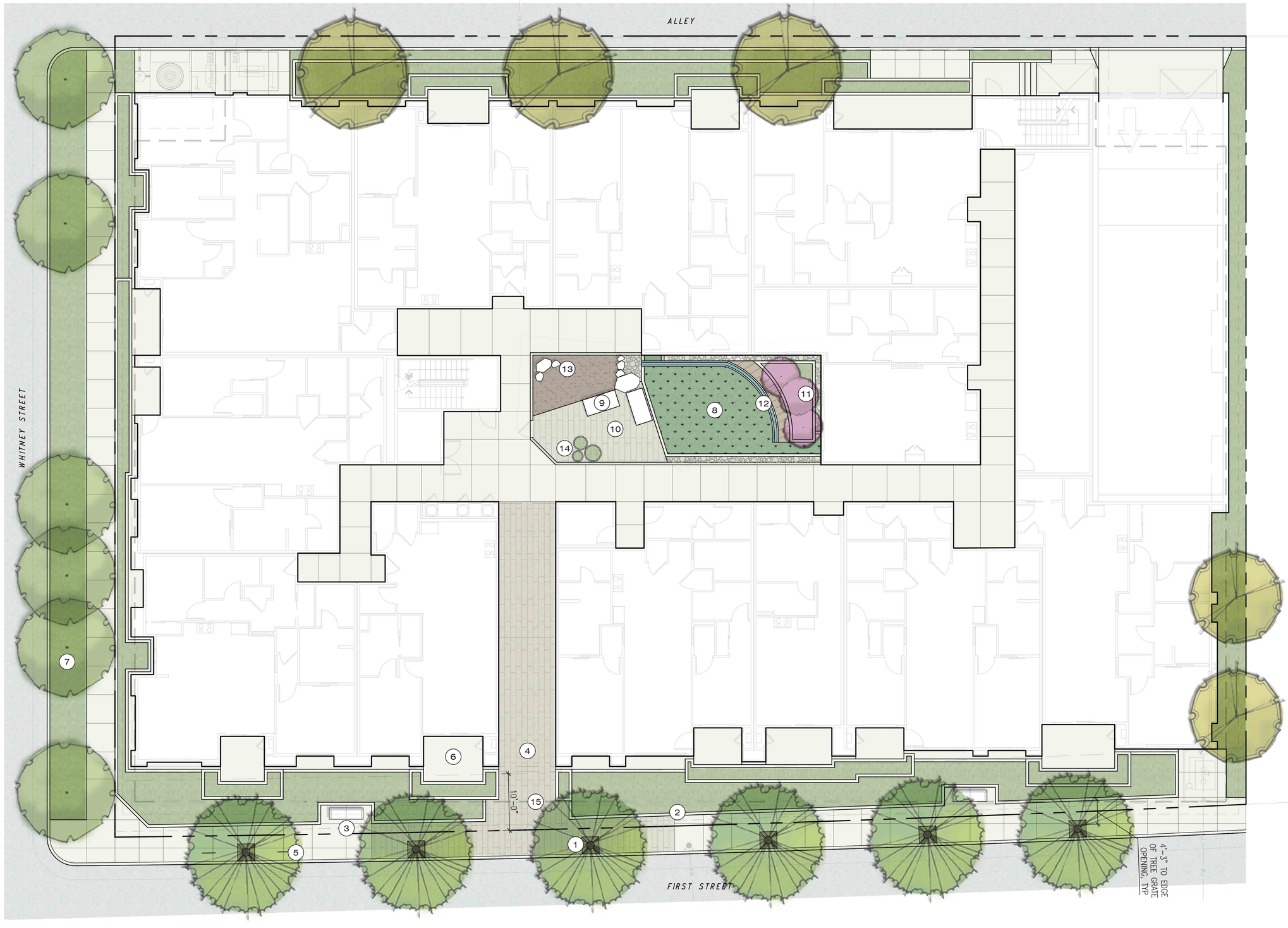


LEGEND

1. STREET TREES IN TREE GRATES AT 25' ON CENTER, TYP. 4'-3" CLEAR FROM PLANTER WALL TO EDGE OF TREE GRATE OPENING, TYP.
2. RAISED PLANTER, TYP
3. BENCH, TYP
4. LARGE FORMAT LINEAR PAVERS, TYP
5. BIKE RACK, TYP OF 2
6. UNIT PATIO, TYP
7. PLANTING STRIP WITH (E) STREET TREES
8. RAIN GARDEN, STORMWATER PLANTING
9. SEAT BLOCK, TYP
10. PATIO
11. ACCENT TREE, TYP
12. WATER WALL
13. ROCK GARDEN WITH BOULDERS
14. PRECAST PLANTER, TYP
15. PODIUM (DASHED)

LANDSCAPE AREA CALCS

60% MINIMUM SOFTSCAPE REQUIRED

1ST STREET SETBACK

HARDSCAPE:	798 SF
SOFTSCAPE:	1,197 SF
TOTAL:	1,995 SF
	60%

NORTH 8' 0' 4' 8' 16'

JETT Landscape Architecture + Design

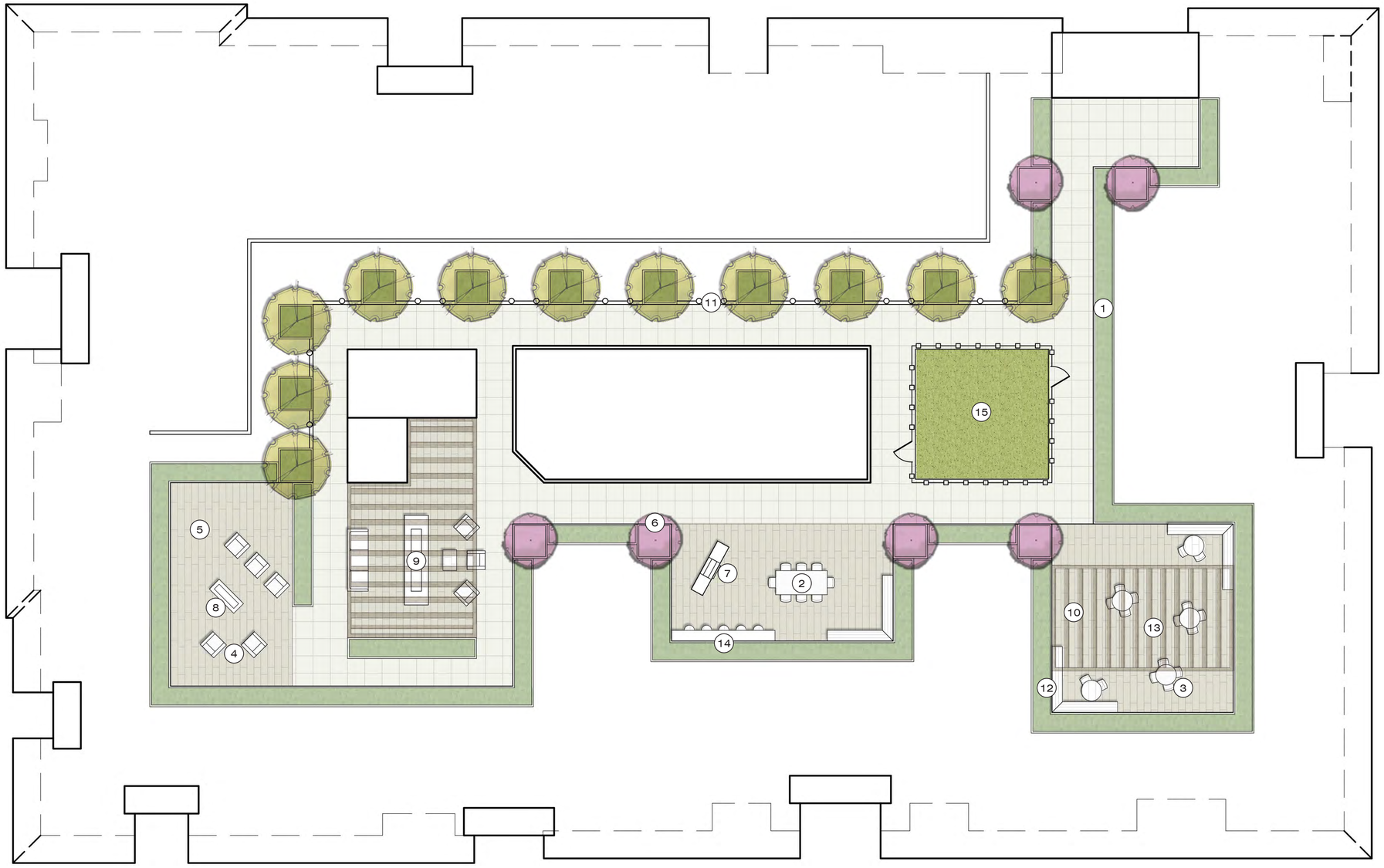
DENARDI WANG HOMES

355 1ST STREET, LOS ALTOS

November 12, 2021

LANDSCAPE CONCEPT GROUND FLOOR

L-1



LEGEND

1. PRECAST PLANTER, TYP
2. COMMUNITY TABLE
3. TABLE & CHAIRS, TYP
4. LOUNGE FURNITURE, TYP
5. PEDESTAL PAVERS, TYP
6. PRECAST TREE PLANTER, TYP
7. ELECTRIC BBQ & COUNTER
8. FIRE PIT
9. DOUBLE-SIDED FIREPLACE
10. SHADE STRUCTURE, TYP
11. DECORATIVE SCREEN
12. CANTILEVER BENCH ON PLANTER, TYP
13. OUTDOOR WORKSPACE
14. COUNTER SEATING
15. DOG LOUNGE WITH FENCE & GATES

NORTH 8′ 0′ 4′ 8′ 16′

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DENARDI WANG HOMES

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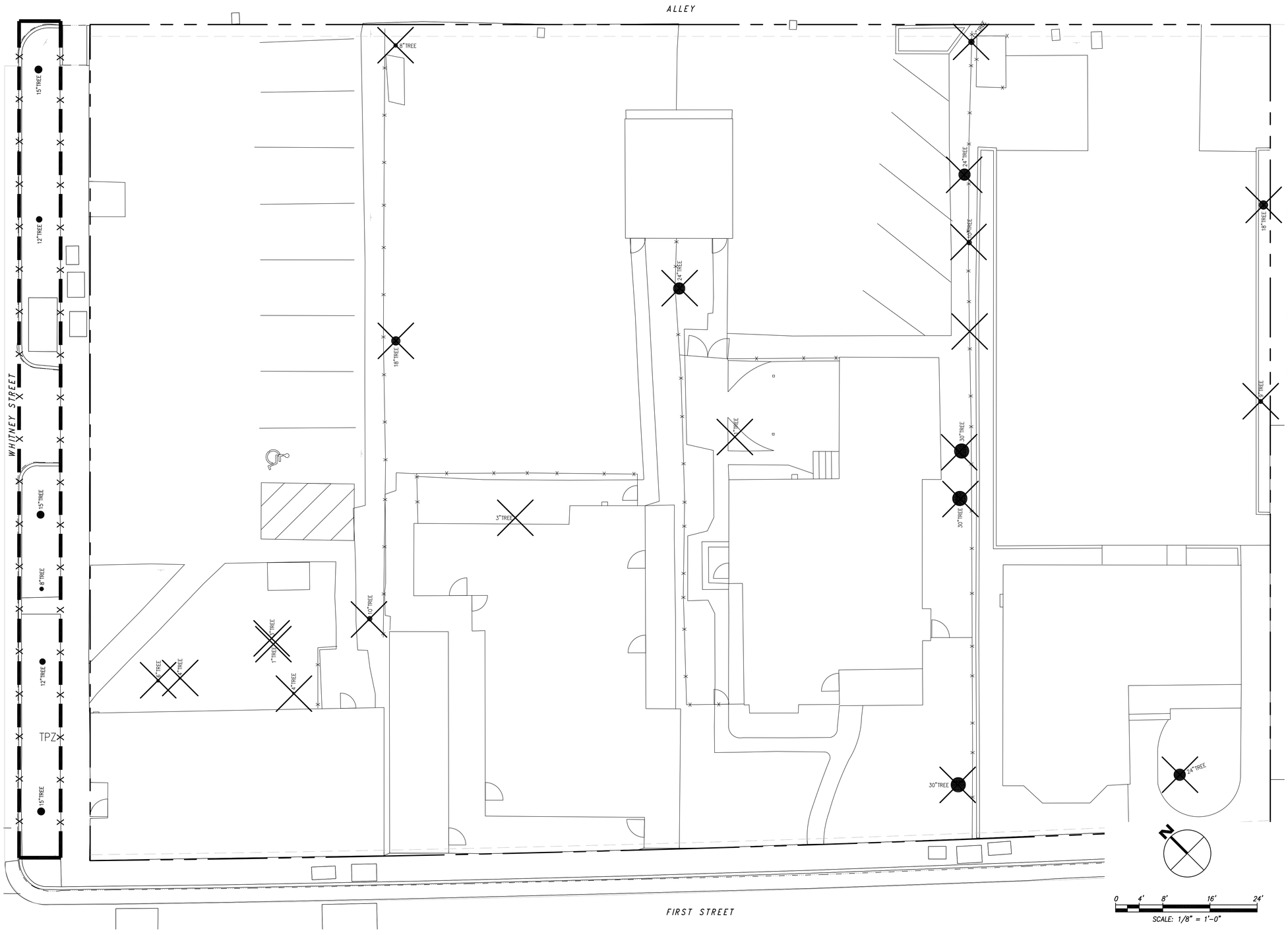
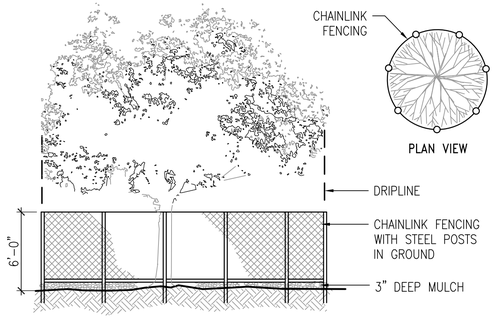
LANDSCAPE CONCEPT - ROOF DECK

L-2



EXISTING TREE PROTECTION NOTES

1. PRIOR TO AND DURING DEMOLITION, GRADING AND CONSTRUCTION, ALL TREES NOTED ON THE DRAWINGS SHALL BE PROTECTED BY FENCING INSTALLED OUTSIDE THE EXISTING DRIPLINE OF THE TREE, OR AS OTHERWISE SHOWN ON THE DRAWINGS. FENCING MAY OCCUR AT THE COMBINED DRIPLINES OF GROVES OF TREES.
2. EXISTING TREE DRIPLINES ARE SHOWN DIAGRAMMATICALLY ON THE PLANS; TREE PROTECTION FENCING INDICATED AT THEIR PERIMETER IS LIKEWISE DIAGRAMMATIC. THE LENGTH OF ALL TREE PROTECTION FENCING IS TO BE MEASURED IN THE FIELD ACCORDING TO THE TRUE SHAPE AND DIAMETER OF TREE DRIPLINES.
3. FENCING SHALL BE SIX FOOT HIGH CHAIN LINK WITH STEEL POSTS EMBEDDED IN THE GROUND. ALL FENCE SECTIONS SHALL BE CLEARLY MARKED WITH A SIGN STATING, "TREE PROTECTION ZONE."
4. FENCING SHALL REMAIN IN PLACE THROUGHOUT THE CONSTRUCTION PERIOD UNTIL FINAL LANDSCAPE INSPECTION BY THE LANDSCAPE ARCHITECT.
5. 3" DEEP MULCH IS TO BE PLACED BENEATH THE DRIPLINE OF ALL TREES SHOWN TO BE PROTECTED WITH FENCING.
6. NO GRADING OR CONSTRUCTION WORK SHALL OCCUR WITHIN THE DRIPLINE OF EXISTING TREES, WHETHER SHOWN WITH TREE PROTECTION FENCING OR NOT. IF EXCAVATION WITHIN THE DRIPLINE IS NECESSARY, THE CONTRACTOR SHALL HAND DIG UNDER THE DIRECTION OF A CERTIFIED ARBORIST. THE CONTRACTOR SHALL HAVE A CERTIFIED ARBORIST ON SITE TO MONITOR ALL ROOT PRUNING AND BRANCH PRUNING OF EXISTING TREES.
7. NO STOCKPILING/STORAGE OF FILL, ETC., SHALL TAKE PLACE UNDERNEATH OR WITHIN FIVE FEET OF THE DRIPLINE OF THE EXISTING TREES.
8. FOR ALL TREES TO REMAIN, NO OIL, GASOLINE, CHEMICALS, LIQUID WASTER, OR OTHER HARMFUL MATERIALS SHALL BE DEPOSITED, DISPOSED OR STORED WITHIN THE DRIPLINE OF THE TREES OR IN DRAINAGE CHANNELS, SWALES, OR AREAS THAT MAY LEAD TO THE DRIPLINE WHETHER SHOWN WITH TREE PROTECTION FENCING OR NOT. LIKEWISE, NO EQUIPMENT MAY BE WASHED WITHIN THE DRIPLINE OR DRAINAGE CHANNEL OF ANY TREE.
9. NO EQUIPMENT MAY BE STORED WITHIN OR BENEATH THE DRIPLINES OF THE EXISTING TREES.
10. THE CONTRACTOR IS REQUIRED TO WATER, FERTILIZE, AND ATTEND TO ALL MAINTENANCE NEEDS OF ANY EXISTING TREES TO REMAIN WHERE AFFECTED BY CONSTRUCTION WORK IN ORDER TO MAINTAIN HEALTHY GROWTH THROUGHOUT THE CONSTRUCTION PERIOD.
11. UNAUTHORIZED TREE REMOVAL IS SUBJECT TO REPLACEMENT EQUAL TO THE APPRAISED VALUE OF THE TREE LOST OR AS OTHERWISE DIRECTED BY THE UNIVERSITY REPRESENTATIVE.
12. ALL PRUNING SHALL BE APPROVED BY THE UNIVERSITY REPRESENTATIVE AND PERFORMED UNDER THE SUPERVISION OF A LICENSED ARBORIST.
13. SEE ALSO ARBORIST REPORT AND CIVIL EXISTING CONDITIONS PLAN, SHEET C1.0.



1 EXISTING TREE PROTECTION FENCING
SCALE: NTS

TREE REMOVAL & REPLACEMENT	
PROTECTED TREES PROPOSED TO BE REMOVED	5
NON-PROTECTED TREES PROPOSED TO BE REMOVED	16
TOTAL TREES PROPOSED TO BE REMOVED	21
OFF-SITE TREES PROPOSED TO BE REMOVED	0
TOTAL NEW PROPOSED TREES	11

JETT Landscape Architecture + Design

DENARDI WANG HOMES

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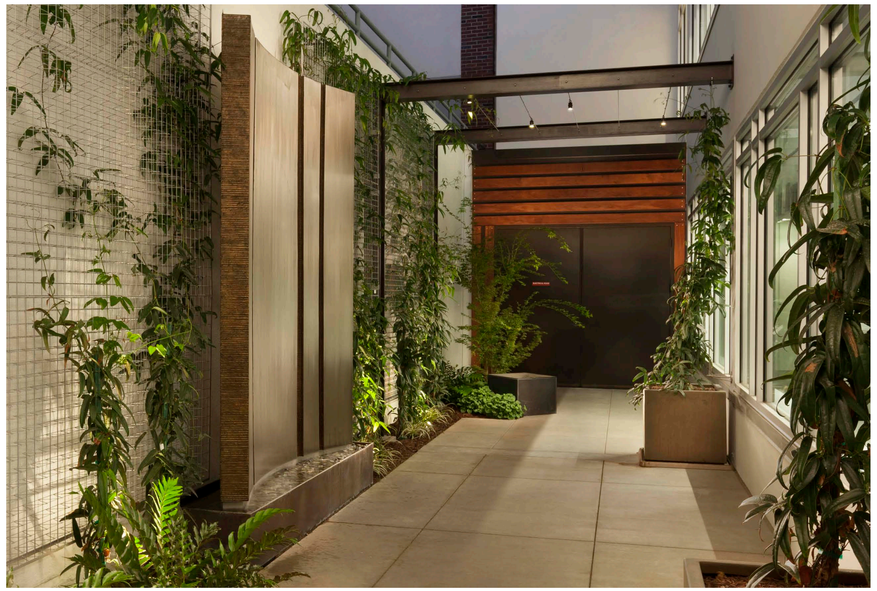
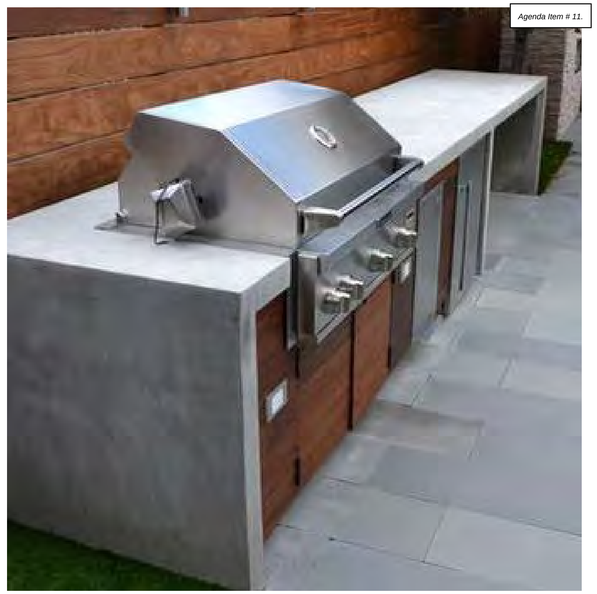
November 12, 2021

TREE PROTECTION & REMOVAL PLAN
L-3

SAND HILL ROAD COURTYARD

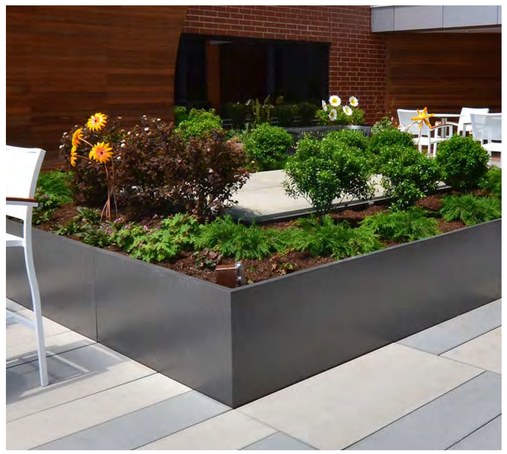


1450 CHAPIN AVENUE - ARCHIE HELD WATERWALL

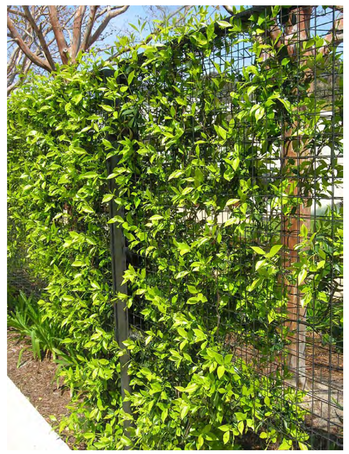


BBQ (ELECTRIC)/KITCHEN

ROOF DECK



PRECAST PLANTERS - ROOF DECK

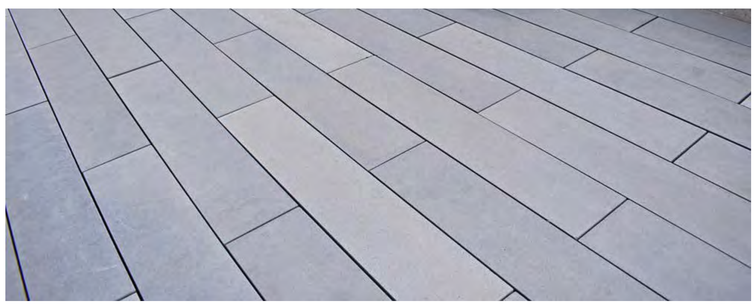


GREENSCREEN OR DECORATIVE METAL SCREEN

ACCENT LIGHTING

PRECAST CONCRETE PLANTER - GROUND FLOOR

BIKE RACK



LARGE FORMAT LINEAR PAVERS

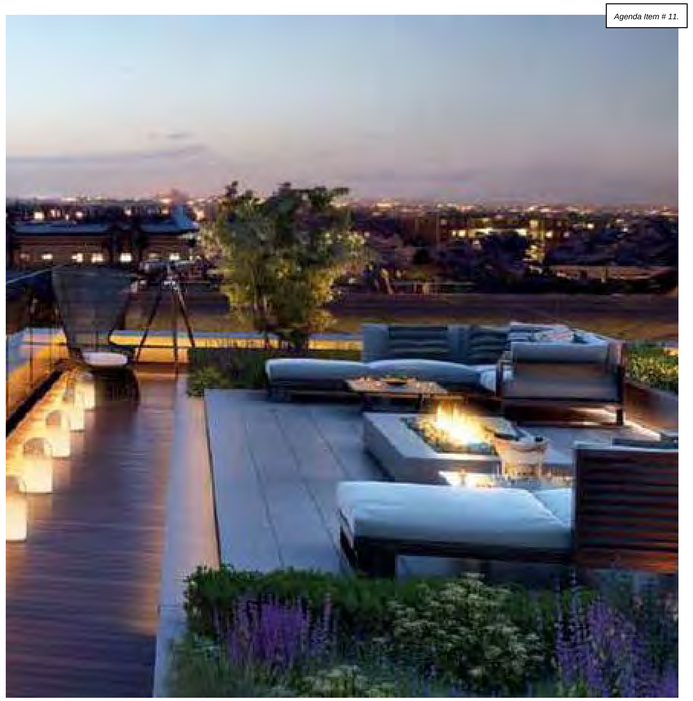
BENCH

JETT Landscape Architecture + Design

DENARDI WANG HOMES

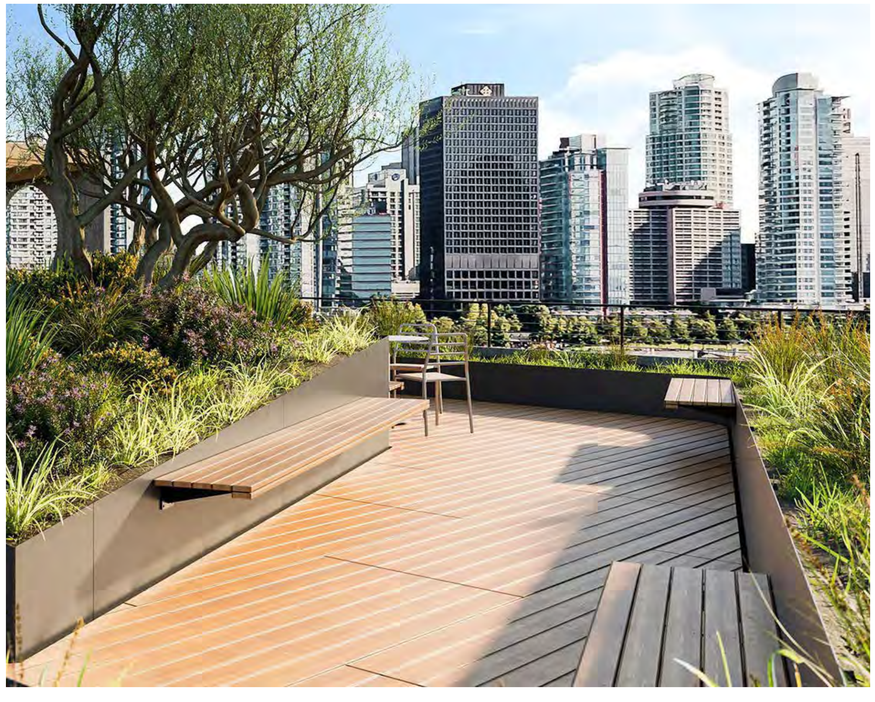
GARDEN SURROUND

DOUBLE-SIDED FIREPLACE & LOUNGE SEATING



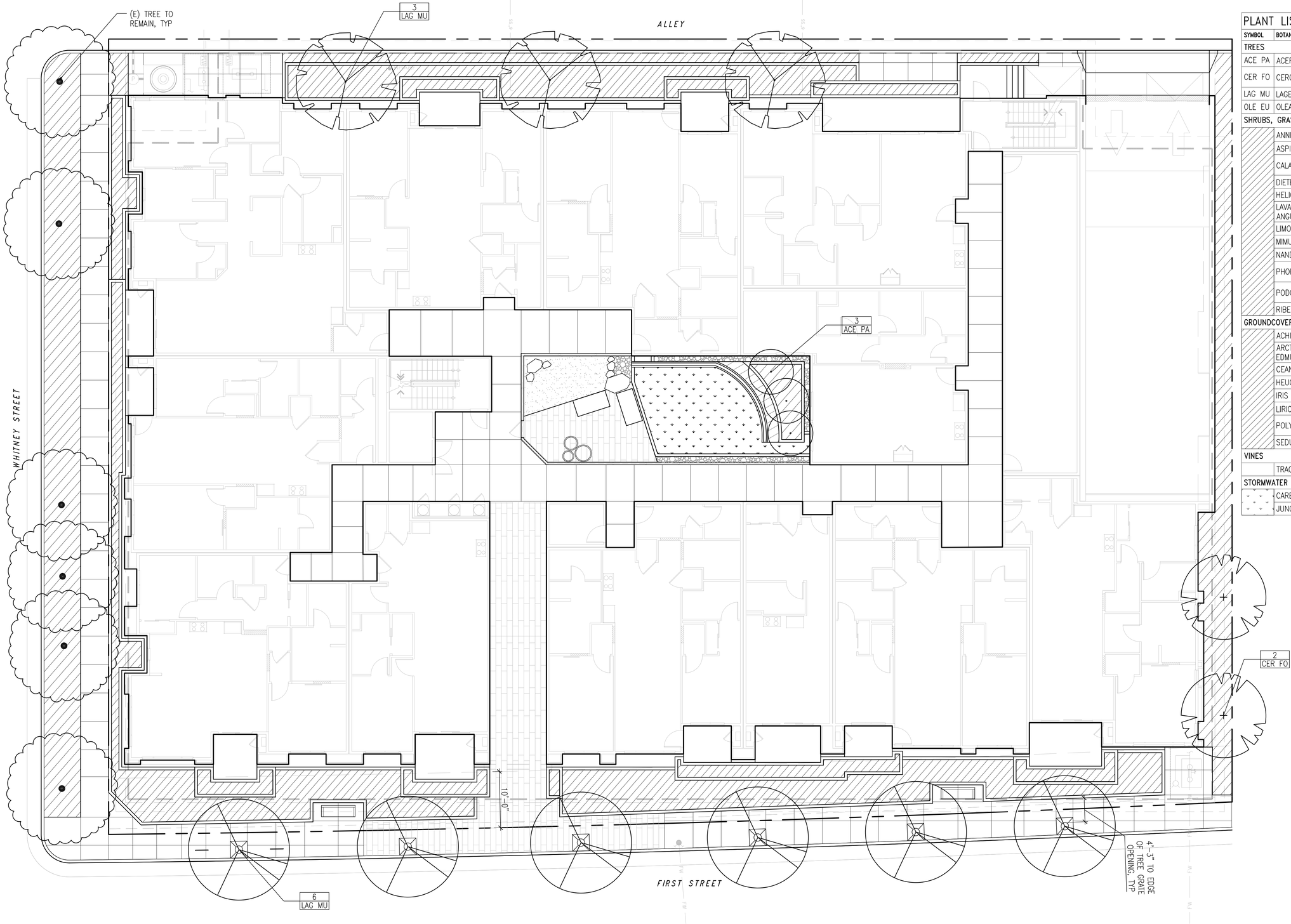
FIREPIT & LOUNGE SEATING

RYOAN-JI ROCK GARDEN



CANTILEVER BENCH ON PLANTER

OUTDOOR WORKSPACE WITH SEATING



PLANT LIST

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	SPACING	QTY	WUCOLS
TREES						
ACE PA	ACER PALMATUM 'SANGO KAKU'	JAPANESE MAPLE	24" BOX	PER PLAN		M
CER FO	CERCIS 'FOREST PANSY'	FOREST PANSY REDBUD	24" BOX	PER PLAN		M
LAG MU	LAGERSTROEMIA 'MUSKOGEE'	CRAPE MYRTLE	24" BOX	PER PLAN		L
OLE EU	OLEA EUROPAEA	FRUITLESS OLIVE	24" BOX	PER PLAN		L
SHRUBS, GRASSES, & PERENNIALS						
	ANNIGOZANTHOS 'BUSH GOLD'	KANGAROO PAW	1 GAL	3'-0" OC		L
	ASPIDISTRA ELATIOR 'ASAHI'	CAST IRON PLANT	1 GAL	2'-0" OC		L
	CALAMAGROSTIS 'KARL FOERSTER'	FEATHER REED GR.	5 GAL	2'-0" OC		L
	DIETES 'LEMON DROPS'	FORTNIGHT LILY	5 GAL	3'-0" OC		L
	HELICHTOTICHON SEMPERVIRENS	BLUE OAT GRASS	5 GAL	4'-0" OC		L
	LAVANDULA ANGUSTIFOLIA 'MUNSTEAD'	LAVENDER	5 GAL	3'-0" OC		L
	LIMONIUM PEREZII	SEA LAVENDER	1 GAL	3'-0" OC		L
	MIMULUS 'JELLYBEAN GOLD'	MONKEYFLOWER	1 GAL	2'-0" OC		L
	NANDINA DOMESTICA	HEAVENLY BAMBOO	5 GAL	3'-0" OC		L
	PHORMIUM 'RAINBOW MAIDEN'	NEW ZEALAND FLAX	5 GAL	4'-0" OC		L
	PODOCARPUS M. 'MAKI'	SHRUBBY YEW PODOC.	15 GAL	4'-0" OC		M
	RIBES SANGUINEUM 'KING EDWARD'	CA CURRANT	5 GAL	4'-0" OC		L
GROUNDCOVERS						
	ACHILLEA MILLEFOLIUM 'PAPRIKA'	YARROW	1 GAL	2'-0" OC		L
	ARCTOSTAPHYLOS EDMUNDSII 'EMERALD CARPET'	MANZANITA	1 GAL	5'-0" OC		L
	CEANOTHUS GRISEUS 'HORIZONTALIS'	CALIFORNIA LILAC	1 GAL	6'-0" OC		L
	HEUCHERA MAXIMA	CORAL BELLS	1 GAL	2'-0" OC		L
	IRIS DOUGLASIANA	DOUGLAS IRIS	1 GAL	2'-0" OC		L
	LIRIOPE MUSCARI 'VARIEGATA'	VARIEG. LILYTURF	1 GAL	1'-6" OC		M
	POLYSTICHUM MUNITUM	WESTERN SWORD FERN	1 GAL	3'-0" OC		M
	SEDUM RUPESTRE 'ANGELINA'	STONECROP	1 GAL	2'-0" OC		L
VINES						
	TRACHELOSPERMUM JASMINOIDES	STAR JASMINE	5 GAL	PER PLAN		M
STORMWATER PLANTING						
	CAREX TUMULCOLA	BERKELEY SEDGE	1 GAL	2'-0" OC		L
	JUNCUS PATENS	CA GRAY RUSH	1 GAL	2'-0" OC		L

JETT Landscape Architecture + Design

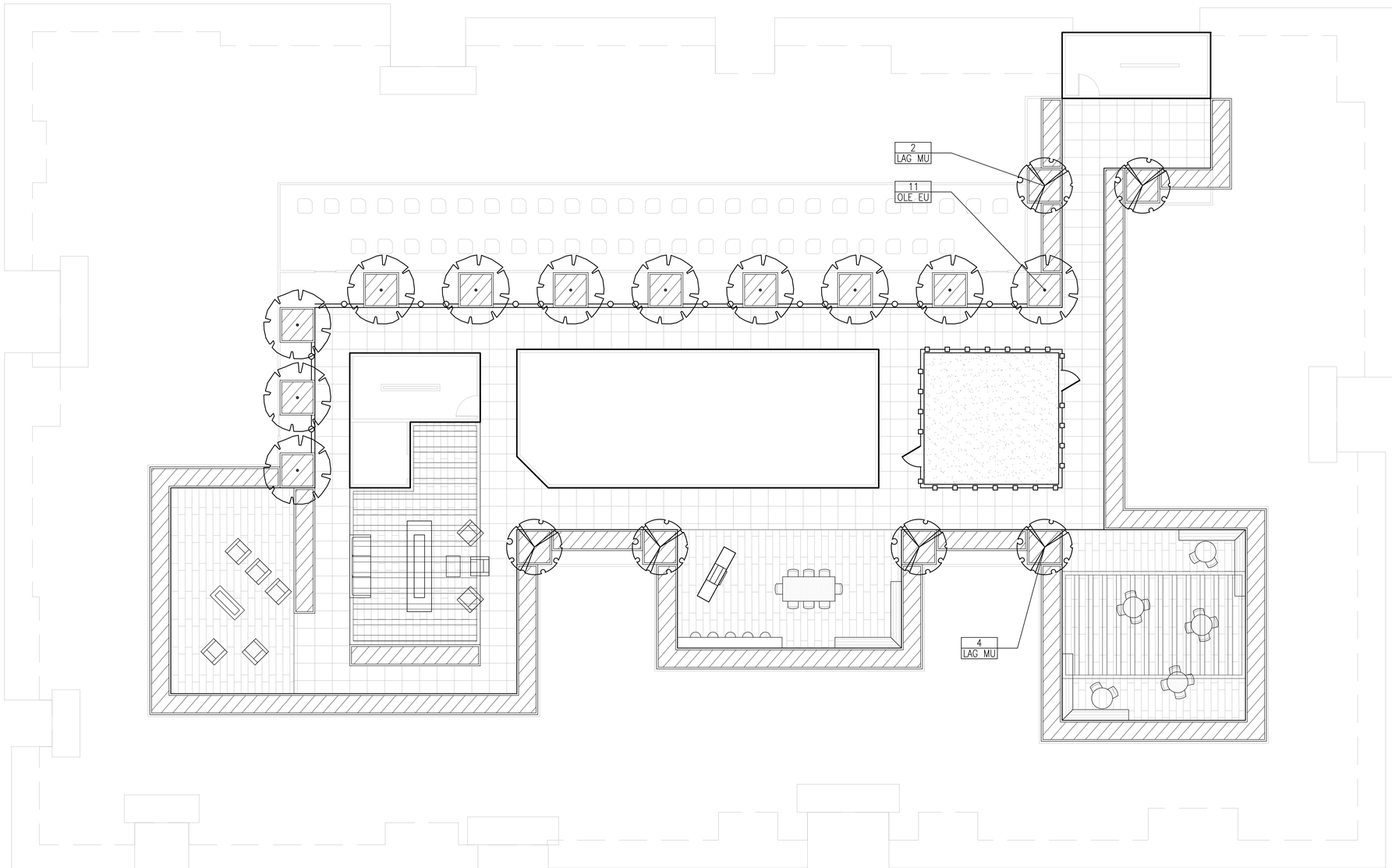
DENARDI WANG HOMES

355 1ST STREET, LOS ALTOS

November 12, 2021

PRELIMINARY PLANTING PLAN - GROUND FLOOR

L-6



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JETT
Landscape Architecture + Design

DENARDI WANG
HOMES

355 1ST STREET, LOS ALTOS
November 12, 2021

PRELIMINARY PLANTING PLAN - ROOF DECK
L-7

CONSTRUCTION MANAGEMENT PLAN
355 1St Street
March 24, 2021

Acknowledgement

The goal of this Construction Management plan is to minimize the construction related impacts to the surrounding neighborhood and adjacent properties and their occupants. Specifically the objectives of this plan are to:

- Reduce parking impacts related to the proposed construction;
- Contain construction related parking to the project site and areas approved by the city;
- Reduce construction related noise to the greatest extent technically and economically feasible; and
- Minimize off-site dust and air quality impacts per best management practices.

In order to achieve the above stated goals and objectives, we agree to, and will abide by the terms contained in this Construction Management Plan.

_____

Kevin DeNardi Date
(Owners)

_____

General Contractor (TBD) Date

Pre-Construction Meeting

The owner and contractor shall schedule a pre-construction meeting with City Staff (Building, Planning and Engineering) after permit issuance, but prior to start of work, to review Construction Management Plan implementation.

Approvals

_____

Building *Date*

_____

Planning *Date*

_____

Engineering *Date*

Noise Reduction Plan

During Construction and Demolition the project will adhere to the following noise reduction policies per LAMC 6.16.

The project will not operate or cause the operation of any tools or equipment used in construction, drilling, repair, alteration, or demolition work on weekdays before 7:00 a.m. and after 7:00 p.m. and Saturdays before 9:00 a.m. or after 6:00 p.m. or any time on Sundays or the city observed holidays of New Year's Day, Memorial Day, Independence Day, Labor Day, Veterans' Day, Thanksgiving Day and Christmas Day, such that the sound therefrom creates a noise disturbance across a residential or commercial real property line.

Where technically and economically feasible, construction activities shall be conducted in such a manner that the maximum noise levels at affected properties will not exceed:

Maximum noise levels for the nonscheduled, intermittent, short-term operation (less than ten (10) days) of mobile equipment or stationary equipment:

Daily, except Sundays and legal holidays 7:00 a.m. — 7:00 p.m.	85dBA
Daily, 7:00 p.m. — 7:00 a.m. and all day Sundays and legal holidays	60 dBA

No person shall operate, or cause to be operated, any source of sound at any location within the city, or allow the creation of any noise on property owned, leased, occupied, or otherwise controlled by such person, which causes the noise level, when measured on any other property, either incorporated or unincorporated, to exceed:

10:00 PM – 7:00 AM	60 dBA
7:00 AM – 10:00 PM	65d BA

- For a cumulative period of more than thirty (30) minutes in any hour; or
- The noise standard plus five dB for a cumulative period of more than fifteen (15) minutes in any hour; or
- The noise standard plus ten (10) dB for a cumulative period of more than five minutes in any hour; or
- The noise standard plus fifteen (15) dB for a cumulative period of more than one minute in any hour; or
- The noise standard plus twenty (20) dB or the maximum measured ambient for any period of time.

PROJECT TOTAL EQUIPMENT HOURS

Equipment	dBA		
Excavators	81	XXX	hours
Trucks	79	XXX	hours
Loaders	85	XXX	hours
Backhoe	85	XXX	hours
Compactor/Roller	74	XXX	hours
Mobile Crane	83	XXX	hours
Air Compressor	81	XXX	hours
Generator	81	XXX	hours
Concrete Boom Pump	82	XXX	hours
Concrete Trucks	83	XXX	hours
Concrete Trailer Pump	82	XXX	hours
Misc. Hand Tools	74	XXX	hours
Personnel Hoist	75	XXX	hours
Fork Lifts	83	XXX	hours

Loading, unloading, opening, closing, or handling of boxes, crates, containers, building materials, or similar objects, between the hours of 10:00 p.m. and 7:00 a.m. of the following day, in such a manner as to cause a noise disturbance across a residential real property line is prohibited.

At least 24 hours prior to any jack-hammering activities, all occupants of adjacent properties will be notified.

DELIVERIES WILL BE MADE FROM THE ALLEY WHEN FESIBLE.

DELIVERIES ARE ANTICIPATED ONLY BETWEEN 7:00 AM - 4:00 PM WEEKDAYS AND 10:00 AM - 2:00 PM ON SATURDAY

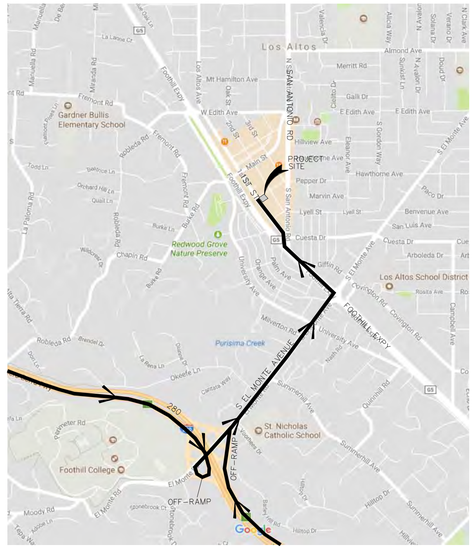
OFF-SITE TRUCK STAGING FOR MATERIAL DELIVERIES THAT REQUIRE MULTIPLE TRUCKS AT ANY ONE TIME (CONCRETE, BUILDING MATERIALS, ETC.) WILL BE DETERMINED WITH CITY STAFF PRIOR TO CONSTRUCTION COMMENCING

SITE PARKING AND STAGING

The following outlines general methods to reduce construction impact on the surrounding neighbors:

1. Parking during basement excavation and construction is anticipate to be limited to the project frontage on First Street and on Whitney Street utilizing approximately 10 cars for this stage of construction.
2. After basement parking structure is built, then parking will be available for employees and materials in the garage.
3. Trailer size is approximately 8'x20'. See sheet CM2.0 for location.
4. Construction metal chain link fence is approximately 6' tall with a green screen.
5. Entrance/gate is located along the Alley at the proposed basement parking entry.
6. Material location is per sheet CM2.0.

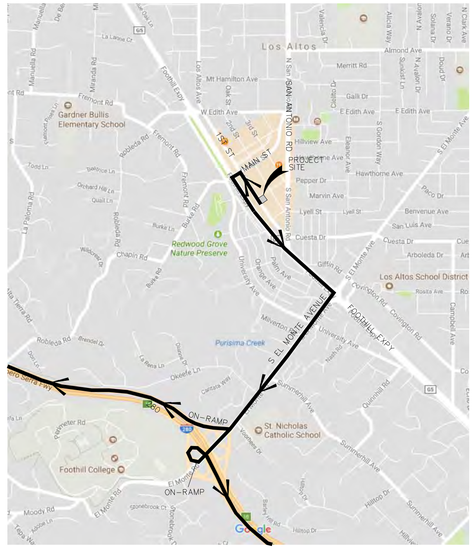
NOTE: Contractor shall not be permitted to park on residential neighborhood streets beyond project frontage.



355 FIRST STREET–HAUL ROUTE IN–BOUND

FROM THE SOUTH:
1) TAKE I–280 NORTH BOUND.
2) TAKE EXIT 16 FOR EL MONTE ROAD.
3) KEEP RIGHT AT THE FORK, FOLLOW SIGNS FOR EL MONTE ROAD E AND KEEP RIGHT TO MERGE ONTO EL MONTE ROAD.
4) CONTINUE ON EL MONTE ROAD.
5) USE THE MIDDLE LANE TO TURN LEFT ONTO FOOTHILL EXPRESSWAY.
6) TURN RIGHT ONTO S SAN ANTONIO ROAD.
7) TURN LEFT ONTO FIRST STREET.

FROM THE NORTH:
1) TAKE I–280 SOUTH BOUND.
2) TAKE EXIT 16 FOR EL MONTE ROAD TOWARD MOODY ROAD.
3) KEEP LEFT AT THE FORK, FOLLOW SIGN FOR EL MONTE ROAD E.
4) KEEP RIGHT AT THE FORK, FOLLOW SIGN FOR EL MONTE ROAD E AND MERGE ONTO EL MONTE ROAD.
5) USE THE MIDDLE LANE TO TURN LEFT ONTO FOOTHILL EXPRESSWAY.
6) TURN RIGHT ONTO S SAN ANTONIO ROAD.
7) TURN LEFT ONTO FIRST STREET.



355 FIRST STREET–HAUL ROUTE OUT–BOUND

HEADED SOUTH:
1) HEAD NORTHWEST ON FIRST STREET TOWARDS MAIN STREET.
2) TURN LEFT ONTO MAIN STREET.
3) TURN LEFT ONTO FOOTHILL EXPRESSWAY.
4) TURN RIGHT ONTO S EL MONTE AVENUE (SIGNS FOR MOODY ROAD).
5) USE THE RIGHT LANE TO TAKE THE RAMP TO I–280 S TOWARDS SAN JOSE.

HEADED NORTH:
1) HEAD NORTHWEST ON FIRST STREET TOWARDS MAIN STREET.
2) TURN LEFT ONTO MAIN STREET.
3) TURN LEFT ONTO FOOTHILL EXPRESSWAY.
4) TURN RIGHT ONTO S EL MONTE AVENUE (SIGNS FOR MOODY ROAD).
5) USE THE RIGHT LANE TO MERGE ONTO I–280 N TOWARDS SAN FRANCISCO.

1730 N. FIRST STREET
SUITE 600
SAN JOSE, CA 95112
(408) 467-9100
www.bkf.com

BKF

355–373 1ST STREET
CONCEPTUAL CONSTRUCTION MANAGEMENT PLAN
LOS ALTOS SANTA CLARA COUNTY CALIFORNIA

No.	Revisions
1	RESUBMITTAL 1
2	7/16/21 – RESUBMITTAL 2
3	09/03/21 – RESUBMITTAL 3
4	11/12/21 – RESUBMITTAL 4

Date 11/12/21
Scale AS SHOWN
Design RM
Drawn RM
Approved IB
Job No 20201231

Drawing Number:
CM1.0

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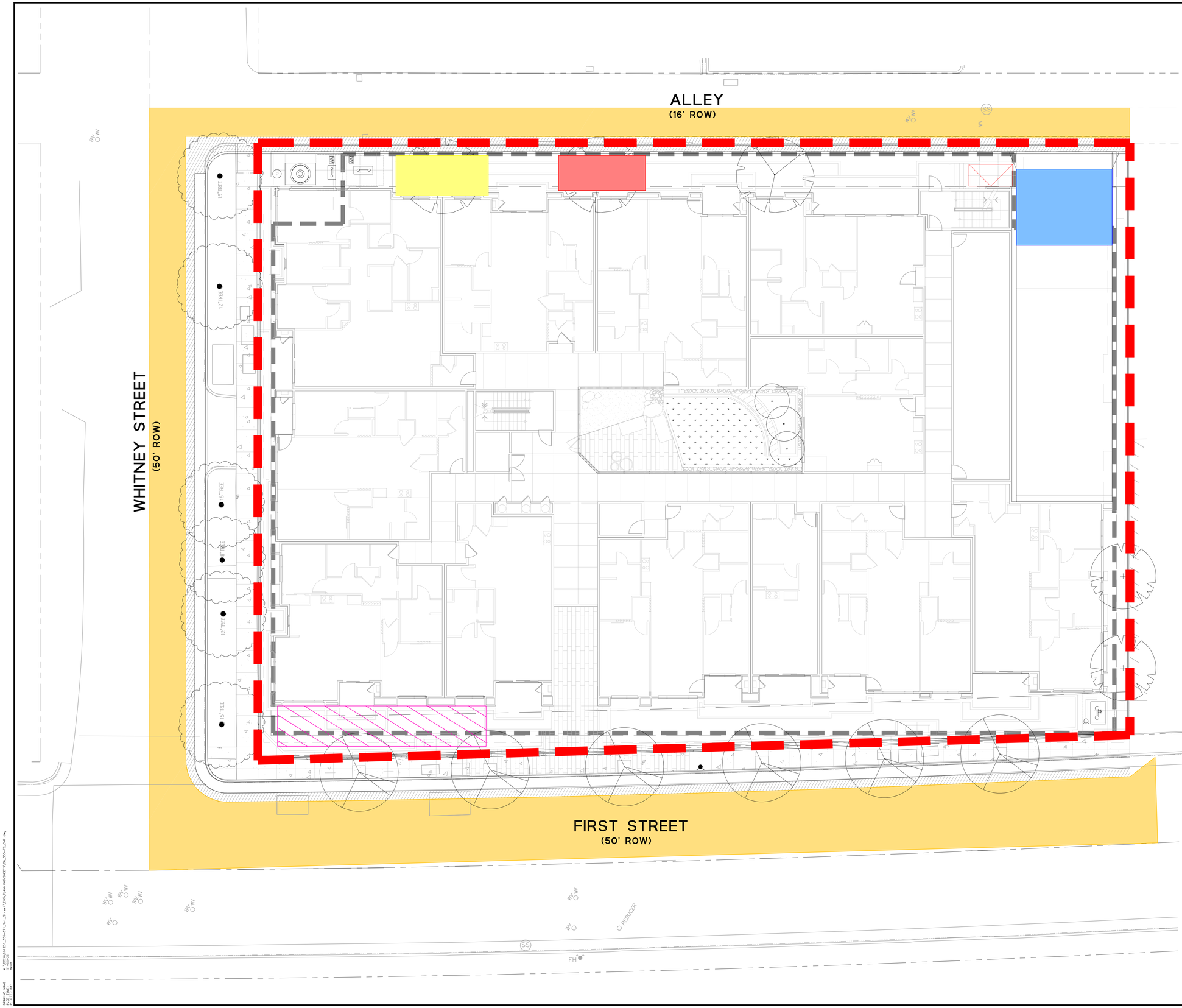

LEGEND

- TRUCK/MATERIAL DELIVERY (LOADING/UNLOADING)
- CONSTRUCTION SERVICES TEMP. POWER/TEMP TOILETS/CONSTRUCTION SHED
- BASEMENT PARKING ENTRY
- 8'X20' TRAILER (ACTUAL LOCATION TO BE DETERMINED IN FIELD)
- MATERIAL AND STORAGE YARD (ACTUAL LOCATION TO BE DETERMINED IN FIELD)
- CONSTRUCTION FENCE DRIVEN POST

1730 N. FIRST STREET
SUITE 600
SAN JOSE, CA 95112
(408) 467-9100
www.bkf.com

BKF

CONCEPTUAL CONSTRUCTION MANAGEMENT PLAN

355-373 1ST STREET

LOS ALTOS — SANTA CLARA COUNTY — CALIFORNIA

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Date 11/12/21
Scale AS SHOWN
Design RM
Drawn RM
Approved IB
Job No 20201231

Drawing Number:

CM2.0

© BKF ENGINEERS

NOTES:

1. Only signs related to pedestrians are shown. For all other signs see appropriate T-sheets.
2. Barricades closing sidewalk shall cover the full width of the sidewalk. Use R9-11 sign when there are destination points between the detour and the work area. Locate the R9-11 sign to allow pedestrian access.
3. Advance warning sign is not required if the work area is within the limits of a larger work zone. Sign shall be equipped with at least two flags for daytime closure. Each flag shall be orange or fluorescent red-orange in color.

NOTES:

See Standard Plan T9 for tables.

Use cone spacing X for taper segment, Y for tangent segment or Z for conflict situations, as appropriate, per Table 1 unless X,Y, or Z cone spacing is shown on this sheet.

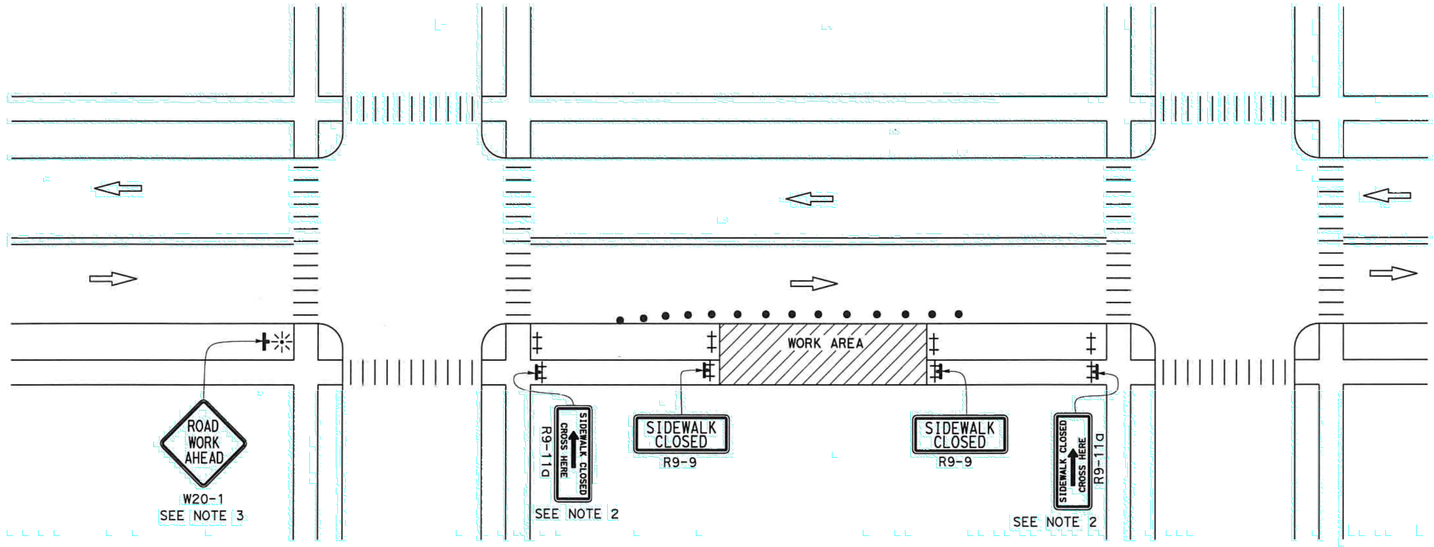
Dist	COUNTY	ROUTE	POST MILES TOTAL PROJECT	SHEET No.	TOTAL SHEETS

Atifa Ferouz
REGISTERED CIVIL ENGINEER

May 31, 2018
PLANS APPROVAL DATE

REGISTERED PROFESSIONAL ENGINEER
Atifa Ferouz
No. C80402
Exp. 3-31-19
CIVIL
STATE OF CALIFORNIA

THE STATE OF CALIFORNIA OR ITS OFFICERS OR AGENTS SHALL NOT BE RESPONSIBLE FOR THE ACCURACY OR COMPLETENESS OF SCANNED COPIES OF THIS PLAN SHEET.



LEGEND:

- BARRICADE
- TRAFFIC CONE
- PORTABLE FLASHING BEACON
- SIGN
- TEMPORARY TRAFFIC CONTROL SIGN ON BARRICADE

SIGN PANEL SIZE (Min)

SIGN DESIGNATION	SIGN OR PLAQUE	SIGN SIZE
R9-9	SIDEWALK CLOSED	24" x 12"
R9-11	SIDEWALK CLOSED AHEAD CROSS HERE	24" x 18"
R9-11a	SIDEWALK CLOSED CROSS HERE	24" x 12"
W20-1	ROAD WORK AHEAD	36" x 36"

2018 STANDARD PLAN T30

STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION

TEMPORARY PEDESTRIAN ACCESS ROUTES TYPICAL SIDEWALK CLOSURE AND PEDESTRIAN DETOUR

NO SCALE

T30

1-29-18

1730 N. FIRST STREET
SUITE 600
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355-373 1ST STREET
CONCEPTUAL CONSTRUCTION MANAGEMENT PLAN
LOS ALTOS SANTA CLARA COUNTY CALIFORNIA

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Date 11/12/21
Scale AS SHOWN
Design RM
Drawn RM
Approved IB
Job No 20201231

Drawing Number:
CM3.0

#	Council Comments	City Attorney Comments	Staff Response	Applicant Response
1	Recommended the creation of a subcommittee of the Planning Commission and to work through the Commission's recommendation. After subcommittee work is done, it will be returned to Council.	This recommendation requires CC approval following an agendized meeting and would cut into the maximum five meetings for the project.	Refer to the comment from the City Attorney.	This was a City discussion only, and no response is provided.
2	Supports the waiver to allow for a building height to allow the elevator to be 17 feet six inches when the code prohibits roof top structures taller than 12 feet in height.	Cannot eliminate the amenity to deny the waiver. See Wollmer and Bankers Hill 150.	Refer to the comment from the City Attorney.	We believe the roof amenity is an important element. We took care and time to develop it in a tasteful and considerate manner. There is a dog play area, which will relieve the need for the residents to travel to other dog parks. The spaces that the residents will use are stepped far back from the roof edge to protect everyone's privacy. The greenery is purposely located for further privacy.
3	On the roof deck, the second density bonus request relies on the roof deck. Without the roof deck, we would not have the second waiver request for the elevator shaft. The Councilmember has not made a decision whether to support the granting of the waiver.	Cannot eliminate the amenity to deny the waiver. See Wollmer and Bankers Hill 150.	Refer to the comment from the City Attorney.	We believe the roof amenity is an important element. We took care and time to develop it in a tasteful and considerate manner. There is a dog play area, which will relieve the need for the residents to travel to other dog parks. The spaces that the residents will use are stepped far back from the roof edge to protect everyone's privacy. The greenery is purposely located for further privacy.

#	Council Comments	City Attorney Comments	Staff Response	Applicant Response
4	Concerns with second waiver for rooftop, if the building could have been setback more and create more area for open space.	Cannot eliminate the amenity to deny the waiver. See Wollmer and Bankers Hill 150.	Refer to the comment from the City Attorney.	We believe the roof amenity is an important element. We took care and time to develop it in a tasteful and considerate manner. There is a dog play area, which will relieve the need for the residents to travel to other dog parks. The spaces that the residents will use are stepped far back from the roof edge to protect everyone's privacy. The greenery is purposely located for further privacy.
5	A reevaluation of floor heights (I think meant plate height) should be considered.	The applicant is requesting a height increase as an on-menu concession, and applicant is allowed to build to the height authorized. Also, the CC cannot eliminate amenities to avoid the need for concessions or waivers.	Refer to the comment from the City Attorney.	The project meets the height requirements.
6	Supports a waiver for the off-street parking space width to be reduced from nine feet to 8.5 feet for twelve paring spaces. No Comment	Cannot deny waiver if denial would physically preclude a development applicant is otherwise entitled to construct	Refer to the comment from the City Attorney.	OK

#	Council Comments	City Attorney Comments	Staff Response	Applicant Response
7	The applicant and architect advised the focal point of the building is first and Whitney, but the councilmember is not convinced it should be the focal point. This building is right at the crossroads of entry points into the city, if you're entering from San Antonio Road or First Street, the building is very drab and unappealing. The building should more attractive and welcoming, such as is the corner of Whitney Street and First Street is currently.	The CC can condition the design of the project in a manner that does not deny the project or reduce the density. The CC also cannot require amenities to be eliminated to deny waiver requests.	The elevations along First Street and Whitney Avenue were modified with new first and second floor wall planes stepping forward with wood siding to improve the cohesiveness of the two-story design feature for the building and deemphasize the focal point of the corner. The project proposes a more integrated design with greater articulation and segmentation of the façade, increased step back at the fourth floor that has improved the aesthetics of the building.	The building design has been modified so that all of the visible corners from First and Whitney have similar design treatments. See also the attached design narrative.
8	The overall mass and bulk needs to be addressed. When you look at the building and consider that First Street is not a wide street, we need to work on articulation and setback to make it more appealing. (NF). The building is bulky and massive, and it doesn't look like it belongs in Los Altos or on First Street (AE)	The CC can condition the design of the project in a manner that does not deny the project or reduce the density. The CC also cannot require amenities to be eliminated to deny waiver requests.	The building mass was reduced along the three visible elevations of the buildings, which included reducing large areas of mass and significant plane breaks to reduce the building from looking as one-block or a "Lego." At the corner of First Street and Whitney Avenue, the first through third floor walls planes were moved forward to improve the step-back of the fourth floor. Along the left elevation (Whitney Avenue), the building massing was reduced at the upper floors and a full wall plane setback was introduced with a wood siding element.	The building design has been modified see attached design narrative.

#	Council Comments	City Attorney Comments	Staff Response	Applicant Response
9	In other buildings approved, where we had an all residential. We had a significant or different design difference or variation at third and fourth floor to bring down human or pedestrian scale. We do not have this with the proposed building design, instead, it is highly vertical and a uniform look. It has the appearance of a "Lego building," like its been built with Lego blocks.	The CC can condition the design of the project in a manner that does not deny the project or reduce the density. The CC also cannot require amenities to be eliminated to deny waiver requests.	The elevations along First Street and Whitney Avenue were modified with the first and second floor wall planes stepping forward with wood siding to deemphasize the focal point at the corner. The project proposes greater articulation and increased segmentation into smaller vertical elements with introduction of full height recesses to reduce the box-like appearance, increased step back at the fourth floor has improved the aesthetics of the building.	The building design has been modified see attached design narrative.
10	In regards to bulk and mass, some of the banding that is used and the composite wood siding that wraps around Whitney Street and First Street at the first and second story has the effect of making the entire building look like one block or mass, irrespective of the subtle differentiation in setback or articulation, it is undone by the material and mass.	Provided any changes to the façade do not affect density, the CC can impose appropriate conditions of approval.	The elevations along First Street and Whitney Avenue were modified with new first and second floor wall planes stepping forward with wood siding to improve the cohesiveness of the two-story design feature for the building and deemphasize the focal point of the corner. The project proposes a more integrated design with greater articulation and segmentation of the façade, increased step back at the fourth floor that has improved the aesthetics of the building.	The building design has been modified see attached design narrative

#	Council Comments	City Attorney Comments	Staff Response	Applicant Response
11	The floors are all the same. While the building is built out at the upper stories to provide depth to create the perception of setting back the third and fourth floor, when in fact there isn't really any setback along the floors. That has to get better.	The CC can condition the project on reasonable design changes, but it cannot reduce the height or impose additional setbacks.	The proposal has eliminated the built-out forms at the upper stories. Instead, the building wall planes have been shifted forward to more accurately reflect the mass and volume of the building, which improves the perception of increase step back for the fourth floor.	The building design has been modified see attached design narrative
12	The building design should have vertical elements at the property line or at an easement.	Provided any changes to the façade do not affect density, the CC can impose appropriate conditions of approval.	The elevations along First Street and Whitney Avenue were modified with new first and second floor wall planes stepping forward with wood siding to improve the cohesiveness of the two-story design feature for the building. The project proposes a more integrated design with greater articulation and segmentation of the façade to reduce the massing and bulk of the building, increased step back at the fourth floor that has improved the aesthetics of the building.	The building design has been modified see attached design narrative.
13	The building appears to be least pleasant of all the buildings approved on First Street.	The CC can condition the design of the project in a manner that does not deny the project or reduce the density. The CC also cannot require amenities to be eliminated to deny waiver requests.	The applicant improved the overall building aesthetic by improving the integration of the first and second story wall planes with wood siding, by adding smaller scale two-story tall features along the front and left elevations, incorporating greater articulation and segmentation to break-up to avoid a box-like structure and increasing the depth landscaping planters to soften building façade.	The building design has been modified. See attached design narrative.

#	Council Comments	City Attorney Comments	Staff Response	Applicant Response
14	The building design is uninviting.	Provided any changes to the façade do not affect density, the CC can impose appropriate conditions of approval.	The applicant improved the overall building aesthetic by improving the integration of the first and second story wall planes with wood siding, by adding smaller scale two-story tall features along the front and left elevations, incorporating greater articulation and segmentation to break-up to avoid a box-like structure and increasing the depth landscaping planters to soften building façade.	The building design has been modified. See attached design narrative.
15	The entrance is not at the pedestrian scale with the entrance awning well up at the second story. It would be the only property on the street with such a high or tall entrance. Furthermore, the entrance is very sterile in appearance.	The CC can address this concern through appropriate conditions of approval.	The applicant revised the entry to improve the pedestrian scale of the entrance by modifying the size of the window system. However, the entry continues to have an out-scale appearance, which does not reinforce the pedestrian scale of the entry. The City Council can condition the design of the project in a manner that does not deny the project or reduce the density.	We have reviewed the entrance several times both before and after the City Council hearing and feel that this design is the most pleasing.

#	Council Comments	City Attorney Comments	Staff Response	Applicant Response
16	Recommends staff look at all the examples that were in the downtown building committee report, which was adopted in total by the Council. The report provides examples for First Street, which stated "Do this, Not That". She encourages the applicant to review the examples in the report for the kinds of entrances that should occur on First Street that would make the entries warm, inviting, village-like, and make it Los Altos.	n/a	The applicant revised the entry to improve the pedestrian scale of the entrance by modifying the size of the window system. However, the entry continues to have an out-scale appearance, which does not reinforce the pedestrian scale of the entry. The City Council can condition the design of the project in a manner that does not deny the project or reduce the density.	We have reviewed the entrance several times both before and after the City Council hearing and feel that this design is the most pleasing.
17	The parapets add to the height and they call attention to the height of the building.	The CC cannot reduce the height of the structure, but it can condition the project on design changes to the parapets to reduce visual impact.	The applicant lowered the height of the parapets, and the parapet material varies to contributing to breaking up the building mass and accentuate facades with trespa meteon siding.	The building design has been modified see attached design narrative
18	The eave projections add to feelings of mass.	The CC can address this concern through appropriate conditions of approval.	The eave elements were reduced by more than half. In addition they were reduced in linear footage across the elevations and redesign to turn the corners.	The cornice has been modified and reduced in depth. See also the attached design narrative

#	Council Comments	City Attorney Comments	Staff Response	Applicant Response
19	The courtyard is not an amenity, and it is not a Zen space. The space is going to be rather noisy and dark, and it appears very tomb-like.	The CC can condition the design of the project in a manner that does not deny the project or reduce the density. The CC also cannot require amenities to be eliminated to deny waiver requests.	The project plans do not show alterations to the courtyard by the applicant and architect to address the City Council comment. The City Council can condition the design of the project in a manner that does not deny the project or reduce the density.	We believe the court feature will enhance the building interior. We plan to work on renderings to showcase this to City Council.
20	Supports improving the courtyard and is puzzled by it. It didn't appear to be a useful space.	The CC can condition the design of the project in a manner that does not deny the project or reduce the density. The CC also cannot require amenities to be eliminated to deny waiver requests.	The project plans do not show alterations to the courtyard by the applicant and architect to address the City Council comment.	We believe the court feature will enhance the building interior. We plan to work on renderings to showcase this to City Council.
21	The windows appear industrial, and they should complement the residential (multi-family building)	The CC can address this concern through appropriate conditions of approval.	The windows were revised to be symmetrical and more residential as to address the City Council comment.	Windows have been modified. See also the attached design narrative. We went through multiple iterations and plan to show the iterations in our presentation to City Council.
22	The windows go in a column up, and the entire look of the building is uniform. It does not have the kind of articulation and differences as we envisioned with 50-foot/75-foot modules on First Street.	Provided any changes to the façade do not affect density, the CC can impose appropriate conditions of approval.	The windows were revised to be symmetrical and more residential. The elevations along street frontages were modified at the first and second floor wall planes stepping forward with trespa meteon siding to deemphasize bulk. The building has greater articulation and increased segmentation into smaller elements to reduce the box-like appearance of the building.	Windows have been modified. See also the attached design narrative. We went through multiple iterations and plan to show the iterations in our presentation to City Council.

#	Council Comments	City Attorney Comments	Staff Response	Applicant Response
23	Does not support the glass railing (JW). Questions whether the material is appropriate (NF). The glass is a safety hazard for wildlife (LLE). The balconies, we need to lose the glass. It doesn't belong (AE).	The CC can address this concern through appropriate conditions of approval.	The balcony railings were revised to be horizontal metal rails with wood caps.	Railings have been modified. See also the attached design narrative. We went through several iterations and plan to show the iterations in our presentation to City Council.
24	In regard to the roof amenity, there are perspectives: 1) If we go back to our general plan, it states the FAR should be no greater than 2.0:1.0, but the proposed project is almost 3.0: 1.0. The reason there isn't a place for people to play is the applicant has packed and stacked the units as densely as possible. while the council person appreciates and agrees we need to add housing, the applicant has made a decision to add some two bedroom and three-bedroom units, which means the building is maxed out the space for the building. As a result, you are left with the light well.	Cannot eliminate the amenity to deny the waiver. See Wollmer and Bankers Hill 150.	There are no proposed alterations to the roof amenities. The proposed roof top includes four seating or activity areas, which include gas fire pits, electric barbeques with counters, and a dog play area.	We believe the roof amenity is an important element. We took care and time to develop it in a tasteful and considerate manner. There is a dog play area, which will relieve the need for the residents to travel to other dog parks. The spaces that the residents will use are stepped far back from the roof edge to protect everyone's privacy. The greenery is purposely located for further privacy.

#	Council Comments	City Attorney Comments	Staff Response	Applicant Response
25	A lesson learned from 100 First Street, a planter wall proposed immediately adjacent to the sidewalk has the effect of reducing the size of the sidewalk and for that reason the Council has insisted that other buildings on First Street not have a vertical element immediately at the edge of the sidewalk, at the property line, or at an easement. There needs to be landscaping between a sidewalk and a planter to soften the appearance and create an inviting pedestrian appearance.	The CC can condition the project on reasonable design changes, but it cannot reduce the height or impose additional setbacks.	The sidewalk along this project has been widened. We feel that the risk of someone stepping off the sidewalk into a low planter is problematic.	We reviewed this comment along with the sidewalk at 100 First Street. The sidewalk along this project has been widened. We feel that the risk of someone stepping off the sidewalk into a low planter is problematic.
26	The City has a long standing practice to distribute the below market-rate units equitably, and the current proposal does not appear to equitably distribute the below market rate units throughout the building.	The CC can address this concern through appropriate conditions of approval.	The applicant did not modify the distribution of below market-rate units (BMR) to address the City Council comment. In order to ameliorate the inequity of the distribution of the units, the applicant has provided an additional seventh BMR unit.	Even though we still believe we are were meeting all the requirements by providing 6 BMR units with 3 at very low and 3 at moderate, we decided to provide an additional 7th BMR unit in a prime location.

#	Council Comments	City Attorney Comments	Staff Response	Applicant Response
27	The Below Market Rate Unit should not be adjacent to the designated trash pickup area.	The CC can address this concern through appropriate conditions of approval.	The applicant did not modify the distribution of BMR units to address the City Council comment. Chapter 14.28.030.C requires BMR units be dispersed throughout the project, and shall not be significantly distinguishable by size, design, construction or materials. The applicant has not equitably distributed market-rate or BMR units adjacent to the trash room inconsistent with Chapter 14.28.030.	Even though we still believe we are meeting all the requirements by providing 6 BMR units with 3 at very low and 3 at moderate, we decided to provide an additional 7th BMR unit in a prime location.
28	Supports increasing the number of below market rate units.	The CC cannot impose a requirement on this project in excess of its generally applicable inclusionary requirements.	The applicant has proposed to increase the number of BMR units from six to seven units. The new unit would be located on the second floor facing Whitney Street.	Even though we still believe we are meeting all the requirements by providing 6 BMR units with 3 at very low and 3 at moderate, we decided to provide an additional 7th BMR unit in a prime location.
29	Can we have a requirement for the below market rate units to be held in perpetuity, and have it revert to a certain number of years.	It is recommended that the maximum term be 99-years.	Refer to the comment from the City Attorney.	This was a City discussion only, and no response is provided.

#	Council Comments	City Attorney Comments	Staff Response	Applicant Response
30	In reviewing the law, it was found that the State Density Bonus law states that if a waiver will preclude the construction of the density proposed for the project. We need some very clear direction on when there is an optional amenity that does not otherwise impact the number of units or size of units being proposed. what are the parameters that allow us to deny, or if we must approve a waiver for the amenity.	The CC cannot impose a requirement on this project in excess of its generally applicable inclusionary requirements.	Refer to the comment from the City Attorney.	This was a City discussion only, and no response is provided.
31	Supports the incorporation of charging for electric bicycles at each bicycle locker. Electric bicycles are a key component of the Climate Action Adaption Plan.	The comment exceeds the otherwise generally applicable standard imposed by the City and/or the building code. The CC cannot impose this condition.	The Class I bicycle parking was relocated from the building's lower garage to the first floor. The secured bicycle room has direct access off the alley along the north side of the building and it has the capacity for 65 bicycles. The bicycle room has been expanded to provide a bicycle maintenance area, each bicycle spaces has a power outlet.	The bicycle parking has been completely reimagined. Bicycle parking is now in a secure bike room on the First Floor and each bike rack has power for e-bike charging.
32	Supports the addition of more electric vehicle charging stations. The project shall indicate the type of EV chargers for each space. Recommends level 2 electric vehicle charging stations for each unit.	The comment is consistent with the generally applicable standard imposed by the City and/or the building code. The City can impose the condition if it is not confiscatory.	The project exceeds the requirements of Section 4.106.4.2 (New Multiple-Family Dwellings) of the Municipal Code and complies with the Council comment by providing one Level 2 chargers, or their equivalent or better for each unit.	EV chargers have been indicated as Level 2 chargers. In case the technology improves by the time of construction, we will target Level 2 chargers, or their equivalent or better. The 50 (1 per unit) installed charging stations far exceed the requirements.

#	Council Comments	City Attorney Comments	Staff Response	Applicant Response
34	The BMR discussion regarding perpetuity by the Assistant City Attorney makes sense.	It is recommended that the maximum term be 99-years.	Refer to the comment from the City Attorney.	This was a City discussion only, and no response is provided.
35	Can we have a requirement for the below market rate units to be held in perpetuity, and have it revert to a certain number of years.	It is recommended that the maximum term be 99-years.	Refer to the comment from the City Attorney.	This was a City discussion only, and no response is provided.
36	A materials board with physical materials shall be provided for the project.	The applicant has agreed to provide this.	The applicant has agreed to provide the materials board.	We are in the process of preparing the physical materials board so that City Council will have ample of time to review before the City Council meeting.

355, 365, 371, 373 1st St
Design Revisions Narrative

Based on feedback from the Neighborhood Meeting, the Peer Review, the Planning Commission, the Complete Streets Commission, and the City Council several revisions were made to the design of the project.

Starting at the main corner of the building at the intersection of Whitney and First Street the main building walls of the upper floors and lower floors were shifted out of plane to create a more significant visual step-back of the upper floor. As you proceed down Whitney the massing was reduced at the upper floors and a full wall plane setback was introduced with a wood siding element. This not only reduced the massing in this area, it created more of a defined element at the corner of the upper floors. This was also accentuated by the revised design of the cornice and the reduced depth of that detail. Proceeding further down Whitney the massing was further reduced by removing some of the building elements and creating a wider, full height, building inset with wood detailing. Finally, the corner of Whitney and the alley was accented with a similar corner detail to the one at the corner of Whitney and First Street.

When looking down First Street from the corner you see a similar inset wall plane at the upper floors that reduces the massing in that area as well as creating the more defined corner element at the upper floors. In addition the large lower floor wood massing was broken down into two smaller pieces which provide a building inset along the lower floors. As we move further down First Street a much wider, full height, building inset was created to further reduce the massing and break the overall building down into smaller components. Finally the southeast corner of the building was treated with a similar detail to the corner of Whitney and First Street both at the lower floors and the upper floors.

In addition to the massing revisions noted above some of the building details were revised including the window patterns, the balcony railing designs, and the cornice details. In regards to interior building details the major revisions were at the bicycle storage and the EV charging stations. The EV charging stations were confirmed to be Level 2 chargers, and will include an energy management system. In case the technology improves by the time of construction, we will target Level 2 chargers, or their equivalent or better. The bicycle storage was totally reconfigured with a secure bike room configured on the First Floor. The bike room provides individual racks for up to 65 bikes with each rack including a power outlet for e-bikes. This configuration allows easy retrieval of bikes without venturing into the basement and easy access to the exterior via the rear exit door which is in close proximity to the bike room entrance. We believe this will be a very positive feature of a pedestrian friendly building.

355 FIRST STREET

FIFTH SUBMITTAL | APRIL 8, 2022

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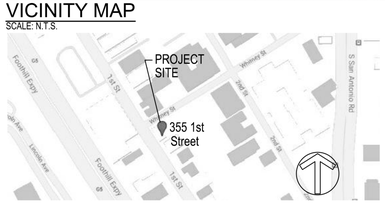
VICINITY MAP

SCALE: N.T.S.



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FIRST SUBMITTAL	03/26/2021
FIRE SUBMITTAL # 1	06/01/2021
SECOND SUBMITTAL	07/16/2021
FIRE SUBMITTAL # 2	08/25/2021
THIRD SUBMITTAL	09/03/2021
FOURTH SUBMITTAL	11/12/2021
FIFTH SUBMITTAL	04/08/2022

366.014 355 First Street
Los Altos, CA
April 8, 2022

TITLE SHEET
T1

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UNIT MIX CHART

	UNIT AREA	1ST FLOOR	2ND FLOOR	3RD FLOOR	4TH FLOOR	UNIT TOTAL	
1 BEDROOM / STUDIO UNITS							9 18%
1A (STUDIO)	617 SQ. FT.	1	1			2	9 BEDS
1B	804 SQ. FT.		1	1		2	
1C	993 SQ. FT.	1	1			2	
1D	1026 SQ. FT.	1	1	1		3	
2 BEDROOM UNITS							30 60%
2A	1164 SQ. FT.		1	1		2	60 BEDS
2B	1206 SQ. FT.	1	1	1	1	4	
2C	1272 SQ. FT.			1	1	2	
2C-ALT	1449 SQ. FT.	1	1			2	
2D	1341 SQ. FT.	1				1	
2E	1366 SQ. FT.	1	1			2	
2E-ALT 1	1406 SQ. FT.	1	1			2	
2E-ALT 2	1391 SQ. FT.	1	1	1	1	4	
2E-ALT 3	1373 SQ. FT.	1	1	2	2	6	
2F	1438 SQ. FT.			1	1	2	
2G	1175 SQ. FT.	1	1	1		3	
3 BEDROOM UNITS							11 22%
3A	1598 SQ. FT.		1	1	1	3	33 BEDS
3B	1767 SQ. FT.	1	1			2	
3B-ALT	1734 SQ. FT.			1	1	2	
3C	2199 SQ. FT.				1	1	
3D	2040 SQ. FT.			1	1	2	
3E	1982 SQ. FT.				1	1	
		12	14	13	11	50 UNITS TOTAL	102 BEDS TOTAL

CODES AND STANDARDS

BUILDING PLANS TO COMPLY WITH THE FOLLOWING STANDARDS:
- 2019 CALIFORNIA CODE OF REGULATIONS
- CITY OF LOS ALTOS REACH CODE ORDINANCE

FIRE SAFETY REQUIREMENTS

1) FIRE SPRINKLERS: NFPA 13 SYSTEM WILL BE PROVIDED AS REQUIRED PER CBC 903.2.1 THROUGH 903.2.19.1.2.
2) STANDPIPES: STANDPIPE SYSTEMS SHALL BE PROVIDED IN NEW BUILDINGS AND STRUCTURES IN ACCORDANCE WITH THIS SECTION. FIRE HOSE THREADS USED IN CONNECTION WITH STANDPIPE SYSTEMS SHALL BE APPROVED AND SHALL BE COMPATIBLE WITH FIRE DEPARTMENT HOSE THREADS. THE LOCATION OF FIRE DEPARTMENT HOSE CONNECTIONS SHALL BE APPROVED. STANDPIPES SHALL BE MANUAL WET TYPE. IN BUILDINGS USED FOR HIGH- PILED COMBUSTIBLE STORAGE, FIRE HOSE PROTECTION SHALL BE IN ACCORDANCE WITH CHAPTER 32. STANDPIPE SYSTEMS SHALL BE INSTALLED IN ACCORDANCE WITH THIS SECTION AND NFPA 14 AS AMENDED IN CHAPTER 47. CFC SEC. 905.
3) EMERGENCY RADIO RESPONDER COVERAGE: ALL NEW BUILDINGS SHALL HAVE APPROVED RADIO COVERAGE FOR EMERGENCY RESPONDERS WITHIN THE BUILDING BASED UPON THE EXISTING COVERAGE LEVELS OF THE PUBLIC SAFETY COMMUNICATION SYSTEMS OF THE JURISDICTION AT THE EXTERIOR OF THE BUILDING. THIS SECTION SHALL NOT REQUIRE IMPROVEMENT OF THE EXISTING PUBLIC SAFETY COMMUNICATION SYSTEMS. REFER TO CFC SEC. 510 FOR FURTHER REQUIREMENTS. EMERGENCY RADIO RESPONDER COVERAGE REQUIREMENTS APPLIES TO ALL BUILDINGS.
4) WATER SUPPLY: POTABLE WATER SUPPLIES SHALL BE PROTECTED FROM CONTAMINATION CAUSED BY FIRE PROTECTION WATER SUPPLIES. IT IS THE RESPONSIBILITY OF THE APPLICANT AND ANY CONTRACTORS AND SUBCONTRACTORS TO CONTACT THE WATER PURVEYOR SUPPLYING THE SITE OF SUCH PROJECT, AND TO COMPLY WITH THE REQUIREMENTS OF THAT PURVEYOR. SUCH REQUIREMENTS SHALL BE INCORPORATED INTO THE DESIGN OF ANY WATER-BASED FIRE PROTECTION SYSTEMS, AND/OR FIRE SUPPRESSION WATER SUPPLY SYSTEMS OR STORAGE CONTAINERS THAT MAY BE PHYSICALLY CONNECTED IN ANY MANNER TO AN APPLIANCE CAPABLE OF CAUSING CONTAMINATION OF THE POTABLE WATER SUPPLY OF THE PURVEYOR OF RECORD. FINAL APPROVAL OF THE SYSTEM(S) UNDER CONSIDERATION WILL NOT BE GRANTED BY THIS OFFICE UNTIL COMPLIANCE WITH THE REQUIREMENTS OF THE WATER PURVEYOR OF RECORD ARE DOCUMENTED BY THAT PURVEYOR AS HAVING BEEN MET BY THE APPLICANT(S). 2019 CFC SEC. 903.3.5 AND HEALTH AND SAFETY CODE 13114.7.
5) TWO-WAY COMMUNICATION SYSTEM: TWO-WAY COMMUNICATION SYSTEMS SHALL BE DESIGNED AND INSTALLED IN ACCORDANCE WITH ALL CURRENT EDITIONS OF NFPA 72, THE CALIFORNIA ELECTRICAL CODE, THE CALIFORNIA FIRE CODE, THE CALIFORNIA BUILDING CODE, AND THE CITY OR TOWN ORDINANCES, POLICIES, AND STANDARDS WHERE A TWO-WAY SYSTEM IS BEING INSTALLED. OTHER STANDARDS ALSO CONTAIN DESIGN/INSTALLATION CRITERIA FOR SPECIFIC LIFE SAFETY RELATED EQUIPMENT. THESE OTHER STANDARDS ARE REFERRED TO IN NFPA 72.
6) ADDRESS IDENTIFICATION: NEW AND EXISTING BUILDINGS SHALL HAVE APPROVED ADDRESS NUMBERS, BUILDING NUMBERS OR APPROVED BUILDING IDENTIFICATION PLACED IN A POSITION THAT IS PLAINLY LEGIBLE AND WIDTH OF 0.5 INCH (12.7 MM). WHERE ACCESS IS BY MEANS OF A PRIVATE ROAD AND THE BUILDING CANNOT BE VIEWED FROM THE PUBLIC WAY, A MONUMENT, POLE OR OTHER SIGN OR MEANS SHALL BE USED TO IDENTIFY THE STRUCTURE. ADDRESS NUMBERS SHALL BE MAINTAINED. CFC SEC. 505.1.
7) FIRE ALARM REQUIREMENTS: REFER TO CFC SEC. 907 AND THE CURRENTLY ADOPTED EDITION OF NFPA 72. SUBMIT SHOP DRAWINGS (3 SETS) AND A PERMIT APPLICATION TO THE SCCFD FOR APPROVAL BEFORE INSTALLING OR ALTERING ANY SYSTEM. CALL (408) 378-4010 FOR MORE INFORMATION.
8) CONSTRUCTION SITE FIRE SAFETY: ALL CONSTRUCTION SITES MUST COMPLY WITH APPLICABLE PROVISIONS OF THE CFC CHAPTER 33 AND OUR STANDARD DETAIL AND SPECIFICATION SI-7. PROVIDE APPROPRIATE NOTATIONS ON SUBSEQUENT PLAN SUBMITTALS, AS APPROPRIATE TO THE PROJECT. CFC CHP. 33.

AFFORDABLE HOUSING / DENSITY BONUS

AFFORDABLE HOUSING

LOT SIZE:	27,887 / 43560 = 0.64 ACRE
ALLOWABLE DENSITY:	GOVERNED BY 35 FEET HEIGHT LIMIT
BASE DENSITY:	39 UNITS
CALCULATION:	39 UNITS x 15% B.M.R. = 5.85 = 6
AFFORDABLE UNITS:	7 B.M.R. PROVIDED (3 VERY LOW / 4 MODERATE)

DENSITY BONUS

3/39 = 7.69 = 8% VERY LOW UNITS --> 27.5% DENSITY BONUS
27.5% X 39 UNITS = 10.73 --> 11 ADDITIONAL UNITS PERMITTED
SEE CALIFORNIA GOVERNMENT CODE 65925.(f)(2)

8% VERY LOW UNITS --> 1 CONCESSIONS PERMITTED
SEE CALIFORNIA GOVERNMENT CODE 65925.(d)(2)(B)

PROPOSED BUILDING CONFIGURATION

STUDIO UNITS	2
1 BEDROOM UNITS	7
2 BEDROOM UNITS	30
3 BEDROOM UNITS	11
TOTAL UNITS	50

PROPOSED B.M.R. UNITS

STUDIO UNIT (VERY LOW INCOME)	1
1 BEDROOM UNITS (VERY LOW INCOME)	2
1 BEDROOM UNIT (MODERATE INCOME)	1
2 BEDROOM UNITS (MODERATE INCOME)	3

INCENTIVES	STANDARD	INCENTIVE
1. HEIGHT INCREASE (11' ON-MENU)	35'	46'

WAIVERS	STANDARD	INCENTIVE
1. PARKING STALL SIZE REDUCTION (10% OF STALLS)	9'-0"x18'-0"	8'-6"x18'-0"
2. ELEVATOR TOWER HEIGHT INCREASE	12'	17'-6"

PROJECT DESCRIPTION

355 FIRST STREET IS A MULTIPLE-FAMILY RESIDENTIAL PROJECT COMPRISING 4 LOTS ON FIRST STREET. THE PROJECT CONSISTS OF A 79,643 SQUARE FEET ABOVE GRADE, 50-UNIT, FOUR-STORY BUILDING, WITH TWO LEVELS OF UNDERGROUND PARKING. THE PROJECT REPLACES THE 4 EXISTING BUILDINGS. THE UNDERGROUND PARKING LEVELS ARE ACCESSED FROM ALLEY AND INCLUDE; 113 PARKING STALLS, AND (1) LEVEL 2 EV CHARGING STATION (OR EQUIVALENT) FOR EACH UNIT. THE FIRST FLOOR INCLUDES THE MAIN LOBBY, A COURT FOR INTERIOR LIGHTING, AND A SECURE BIKE ROOM FOR UP TO 65 BIKE RACKS. THE ROOF TOP INCLUDES A 5,000 SQUARE FOOT ROOFTOP DECK WITH GRILLING STATIONS, DINING TABLES, AND OUTDOOR SEATING.

THE FOLLOWING TABLE SUMMARIZES THE PROJECT:

SETBACKS:	EXISTING	PROPOSED	REQUIRED / ALLOWED
FRONT	0'-22'	10'	10'
REAR	16'-116'	10'	10'
RIGHT SIDE	5'	4'	0'
LEFT SIDE	0'	2'	2'
HEIGHT:	+/- 16' - 28'	46' (11' ON-MENU INCENTIVE)	35'

PROJECT DATA TABLE

ADDRESS:	355, 365, 371, 373 FIRST STREET LOS ALTOS, CA 94022
APN:	167-41-026, 167-41-027, 167-41-028, 167-41-029
GENERAL PLAN:	DOWNTOWN COMMERCIAL (DC)
ZONING:	COMMERCIAL DOWNTOWN / MULTIPLE FAMILY (CD/R3)
SITE AREA (GROSS):	27,887 S.F. (0.64 ACRE)
SITE AREA (NET):	27,287 S.F. (0.63 ACRE)
BASE DENSITY:	37 (SEE SHEET T3)
PROPOSED DENSITY:	50 UNITS (79 du / net ac)
BUILDING CODE:	2019 C.B.C.
OCCUPANCY:	S2 / R2
CONSTRUCTION:	TYPE IA / IIIA
FIRE SPRINKLERS:	INCLUDED PER C.B.C. 903.2

BUILDING AREA SUMMARY (GROSS S.F.)

LOWER BASEMENT FLOOR:	25,741 S.F.
UPPER BASEMENT FLOOR:	25,355 S.F.
FIRST FLOOR:	18,781 S.F.
SECOND FLOOR:	20,005 S.F.
THIRD FLOOR:	20,194 S.F.
FOURTH FLOOR:	20,195 S.F.
ROOF LEVEL:	468 S.F.
TOTAL RESIDENTIAL:	79,175 S.F.
TOTAL GARAGE:	51,096 S.F.

PARKING STANDARDS

PARKING STANDARDS (PER LAMC 14.74.080)
REQUIRED SPACES

2 SPACES PER UNIT :	100 SPACES
1 GUEST SPACES PER 4 UNITS:	13 SPACES
TOTAL REQUIRED:	113 SPACES

DENSITY BONUS PARKING STANDARDS PER GOV. CODE 65915 (p) (1)
REQUIRED SPACES

1 SPACE PER UNIT 1 BEDROOM UNIT:	9 SPACES
1.5 SPACES PER UNIT 2&3 BEDROOM UNIT:	62 SPACES
GUEST AND ADA INCLUDED:	INCLUDED
TOTAL REQUIRED:	71 SPACES

PARKING PROVIDED

STANDARD SPACES:	99 SPACES
REDUCED SPACES (10%):	12 SPACES
ADA SPACES:	2 SPACES
TOTAL PROVIDED:	113 SPACES

NOTES:
1. ALL PARKING SHALL BE DOUBLE - STRIPED
2. PROVIDE ADEQUATE LIGHTING LEVELS & VIDEO SURVEILLANCE AT GARAGE LEVELS

BICYCLE PARKING STANDARDS

REQUIRED SPACES (PER VTA)

1 CLASS I SPACES PER 3 UNITS:	17 SPACES
1 CLASS II SPACES PER 15 UNITS:	4 SPACES

PROVIDED SPACES

CLASS I (ENCLOSED BICYCLE STORAGE):	65 SPACES
CLASS II (2 BICYCLE RACKS):	6 SPACES

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PROJECT DATA SHEET
T2

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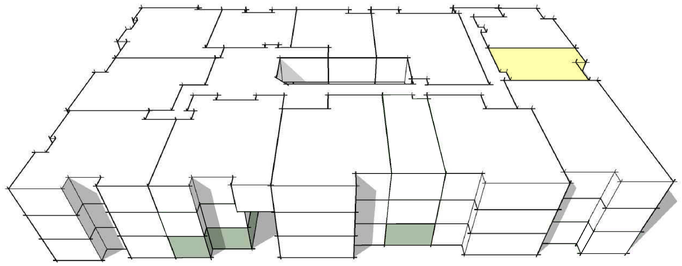
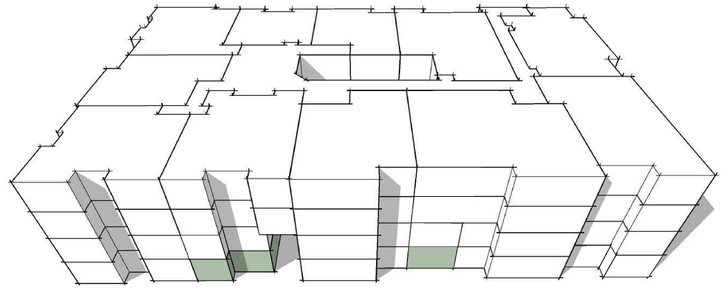


3 FLOORS

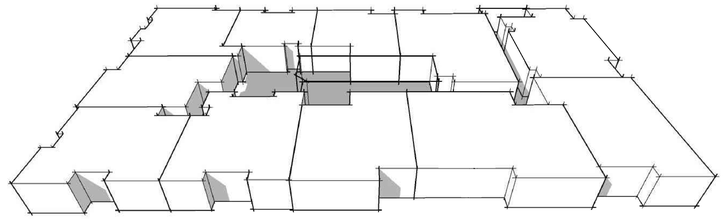
BASE DENSITY MODEL
39 UNITS TOTAL
61.9 DU/AC
59,121 SF
2.17 F.A.R.
6 BMR UNITS



4 FLOORS

DENSITY BONUS MODEL
50 UNITS TOTAL
79.4 DU/AC
79,431 SF
2.91 F.A.R.
6 BMR UNITS

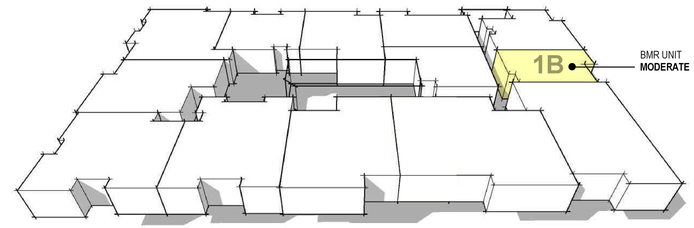
46 FEET HEIGHT LIMIT



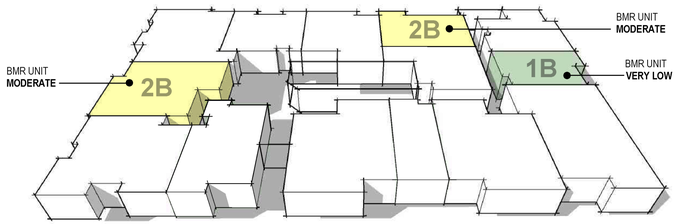
FLOOR 4
11 UNITS

11 FEET INCREASE
CITY OF LOS ALTOS
MUNICIPAL CODE
14.28.040.F.1.d
ON-MENU INCENTIVE

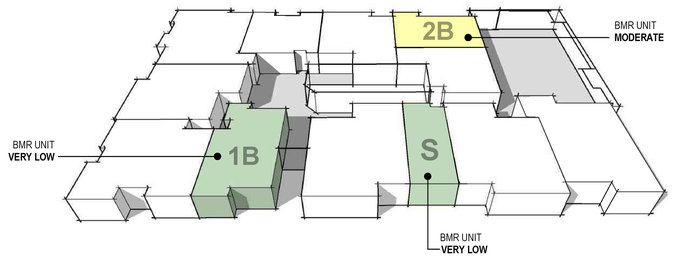
35 FEET HEIGHT LIMIT



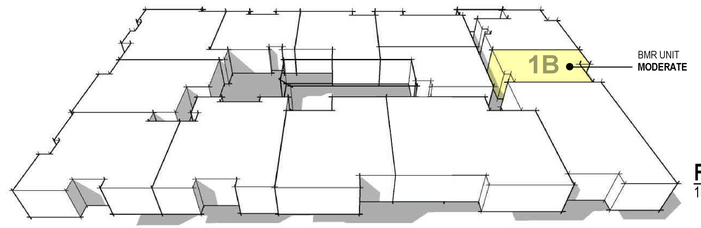
FLOOR 3
13 UNITS



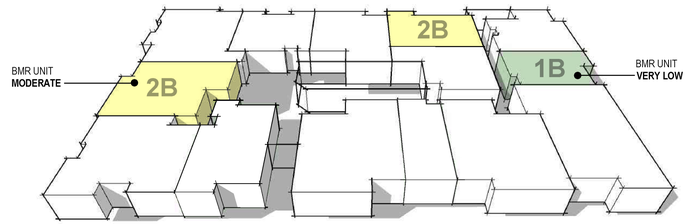
FLOOR 2
14 UNITS



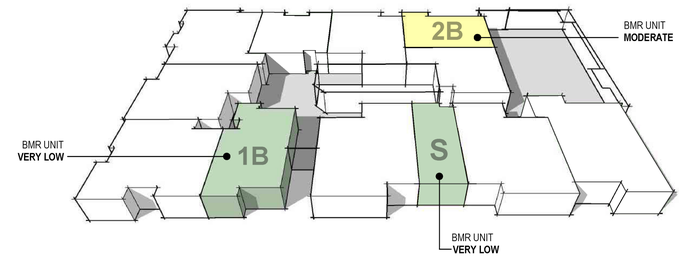
FLOOR 1
12 UNITS



FLOOR 3
13 UNITS



FLOOR 2
14 UNITS



FLOOR 1
12 UNITS

LEGEND

S	= STUDIO
1B	= 1 BEDROOM UNIT
2B	= 2 BEDROOM UNIT

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PROJECT DATA SHEET
T3

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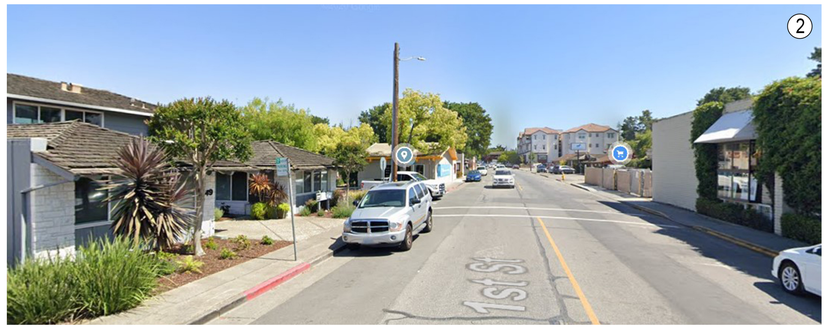

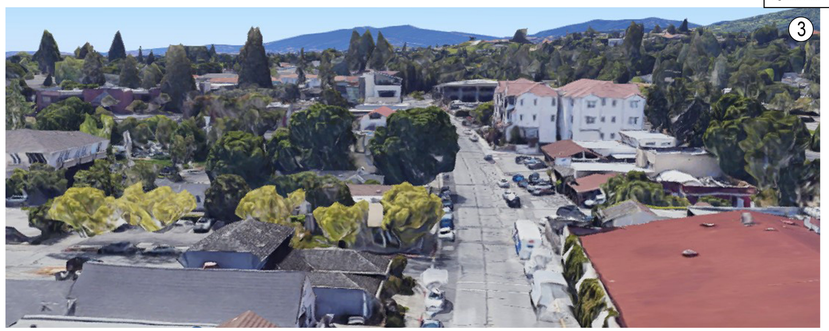

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EXISTING SITE & SURROUNDING CONTEXT
A01

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WHITNEY STREET

FIRST STREET

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STREET ELEVATIONS
A02

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BUILDING PERSPECTIVE
A03

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BUILDING PERSPECTIVE
A04

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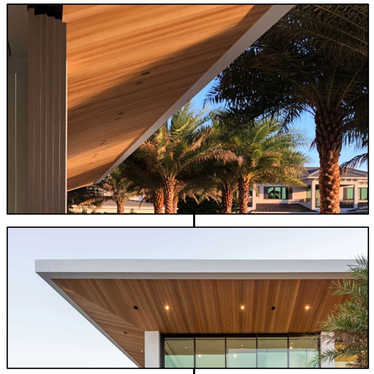
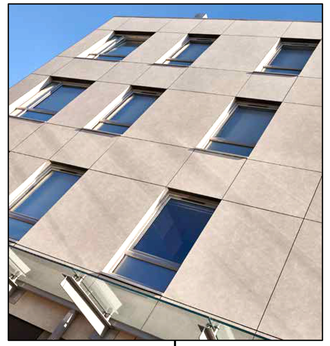


WOOD-LOOK BOARD SOFFIT
AT UPPER ROOF OVERHANG

TRESPA METEON
NW08 ITALIAN WALNUT



TRESPA FOCUS
BROOKLYN CLASSIC
OR TRESPA NATURALS
CRAFTED WHITE

ELDORADO STONE
VANTAGE30 WHITE ELM
PATIO WALLS

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MATERIAL SELECTIONS
A05

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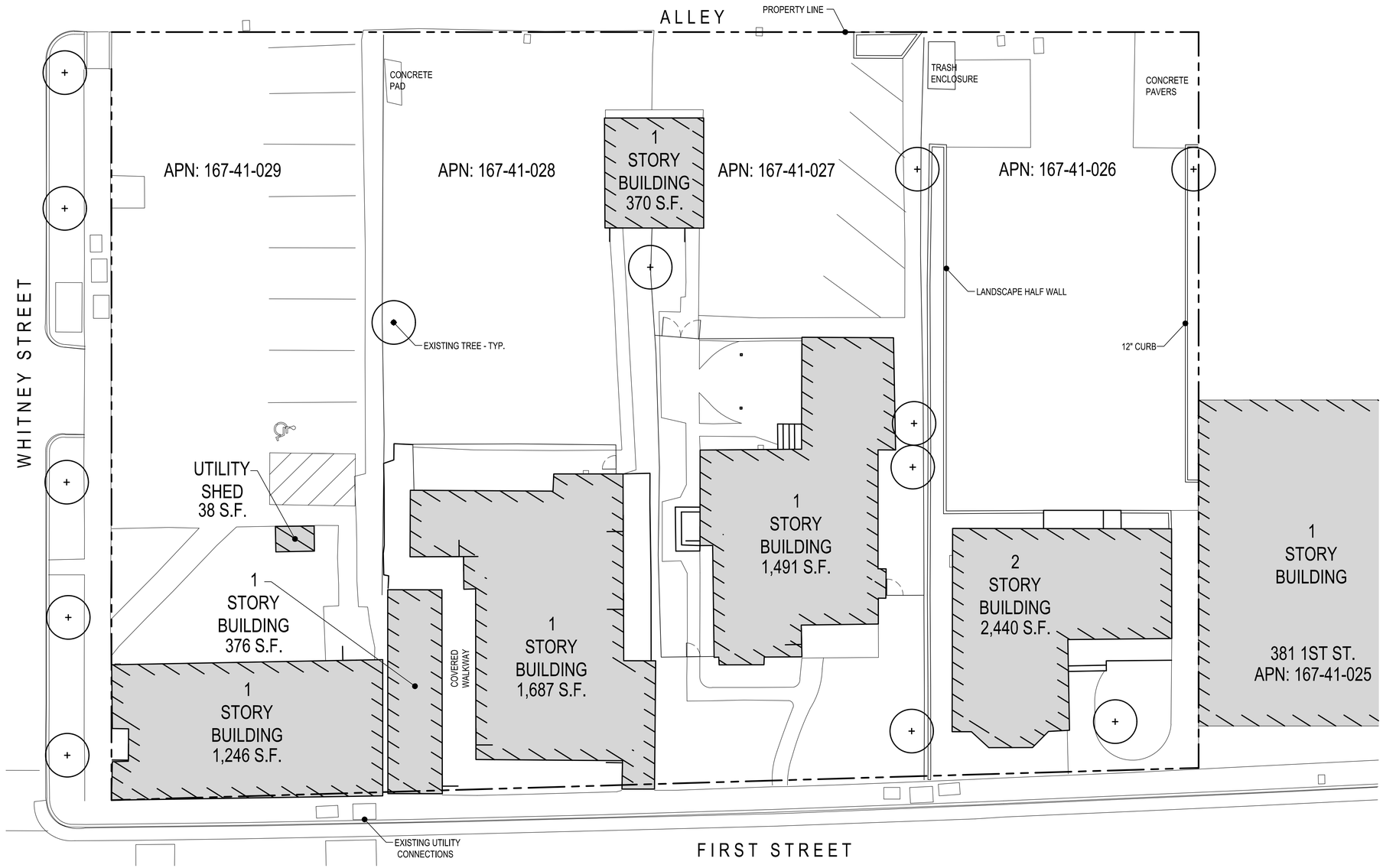

EXISTING BUILDING AREAS	
TOTAL	7,648 SF

NORTH

0 2' 4' 6' 8' 16'

EXISTING SITE PLAN
A06

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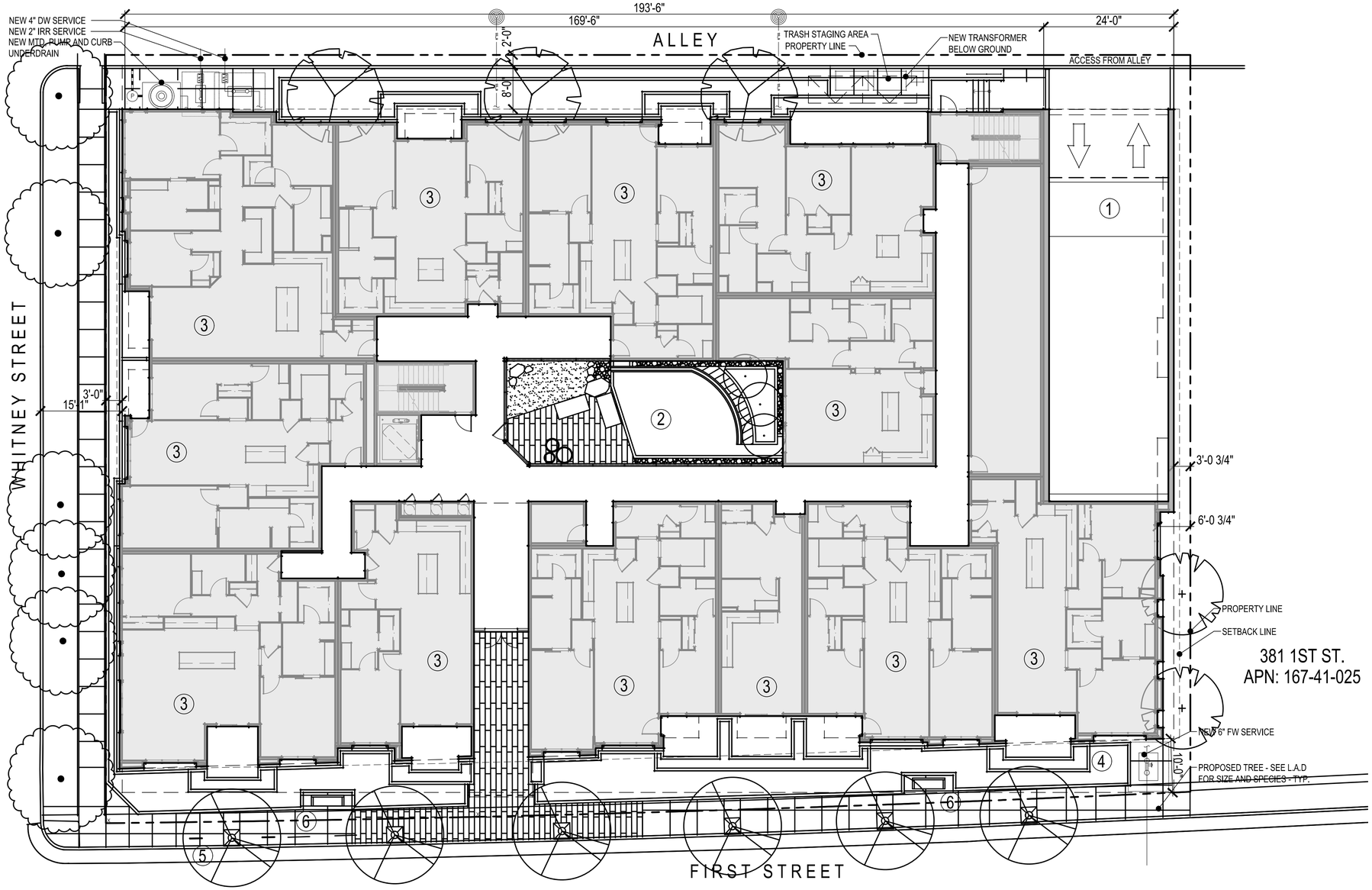

KEY NOTES

1. GARAGE RAMP
2. COURT
3. RESIDENTIAL UNIT
4. RAISED PLANTERS
5. BICYCLE RACK
6. SITTING BENCH

NORTH

0 2' 4' 6' 8' 16'

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PROPOSED SITE PLAN
A07

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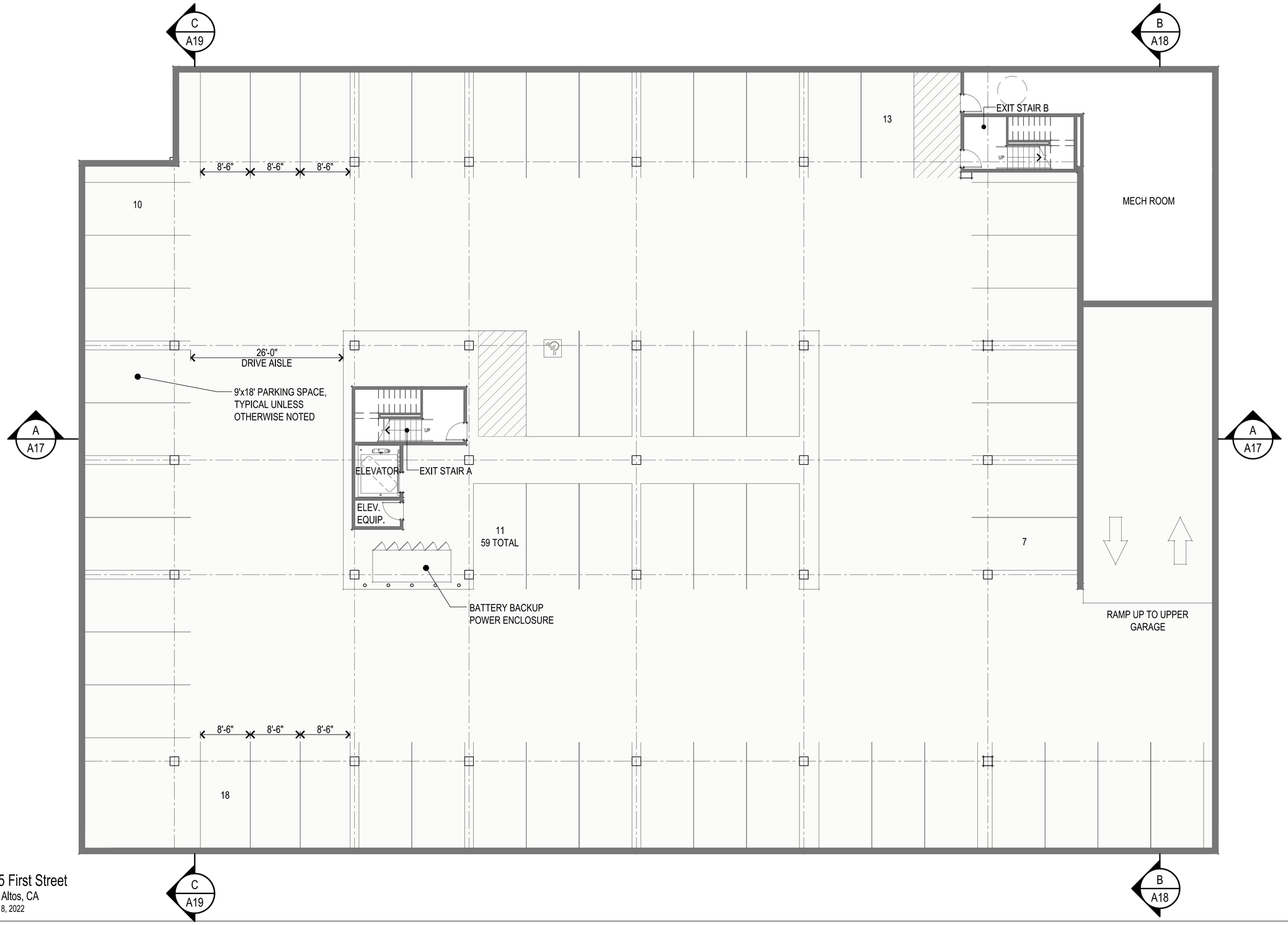

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NORTH
0 2' 4' 6' 8' 16'

LOWER GARAGE PLAN
A08

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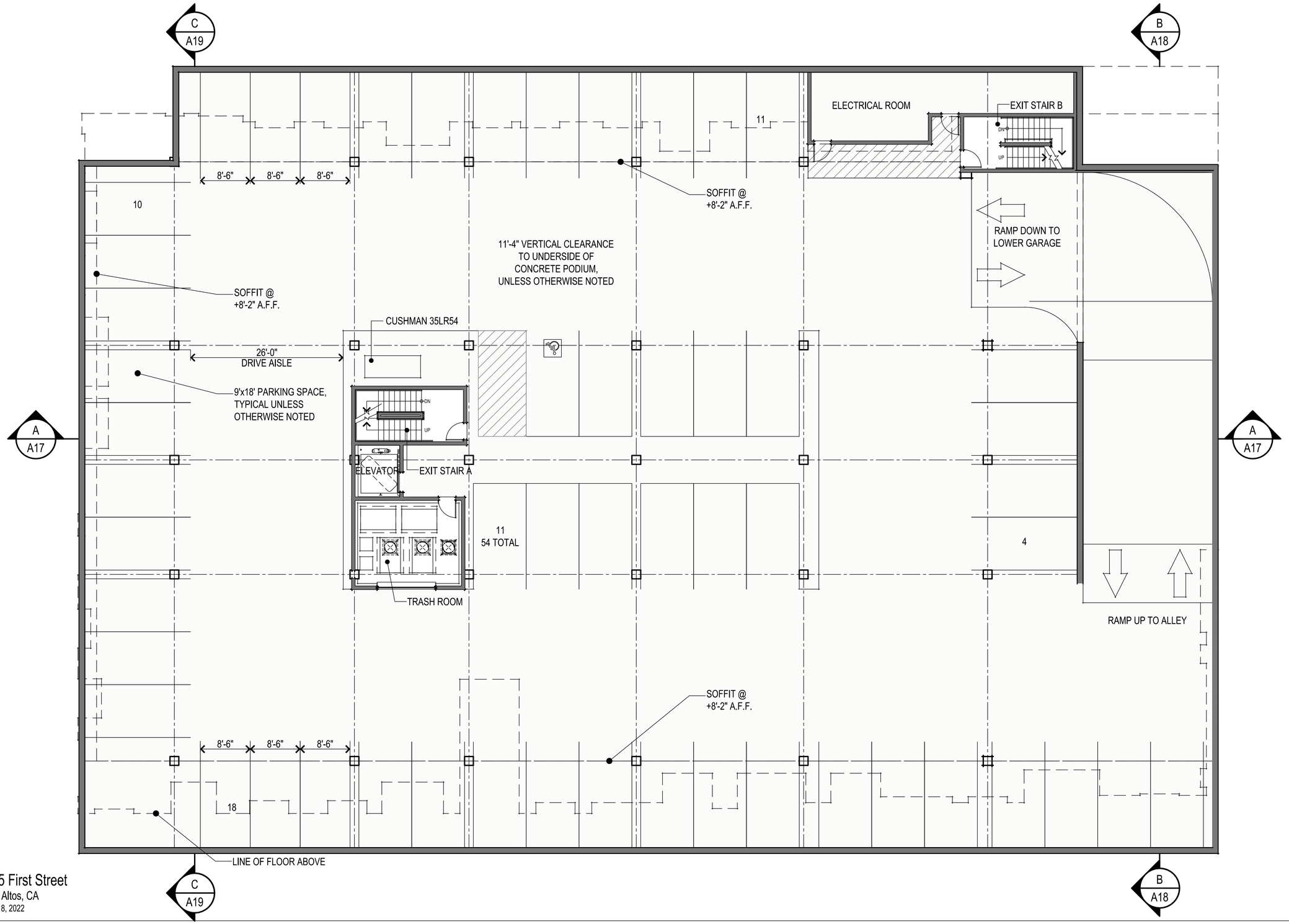

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0 2' 4' 6' 8' 16'

NORTH

UPPER GARAGE PLAN
A09

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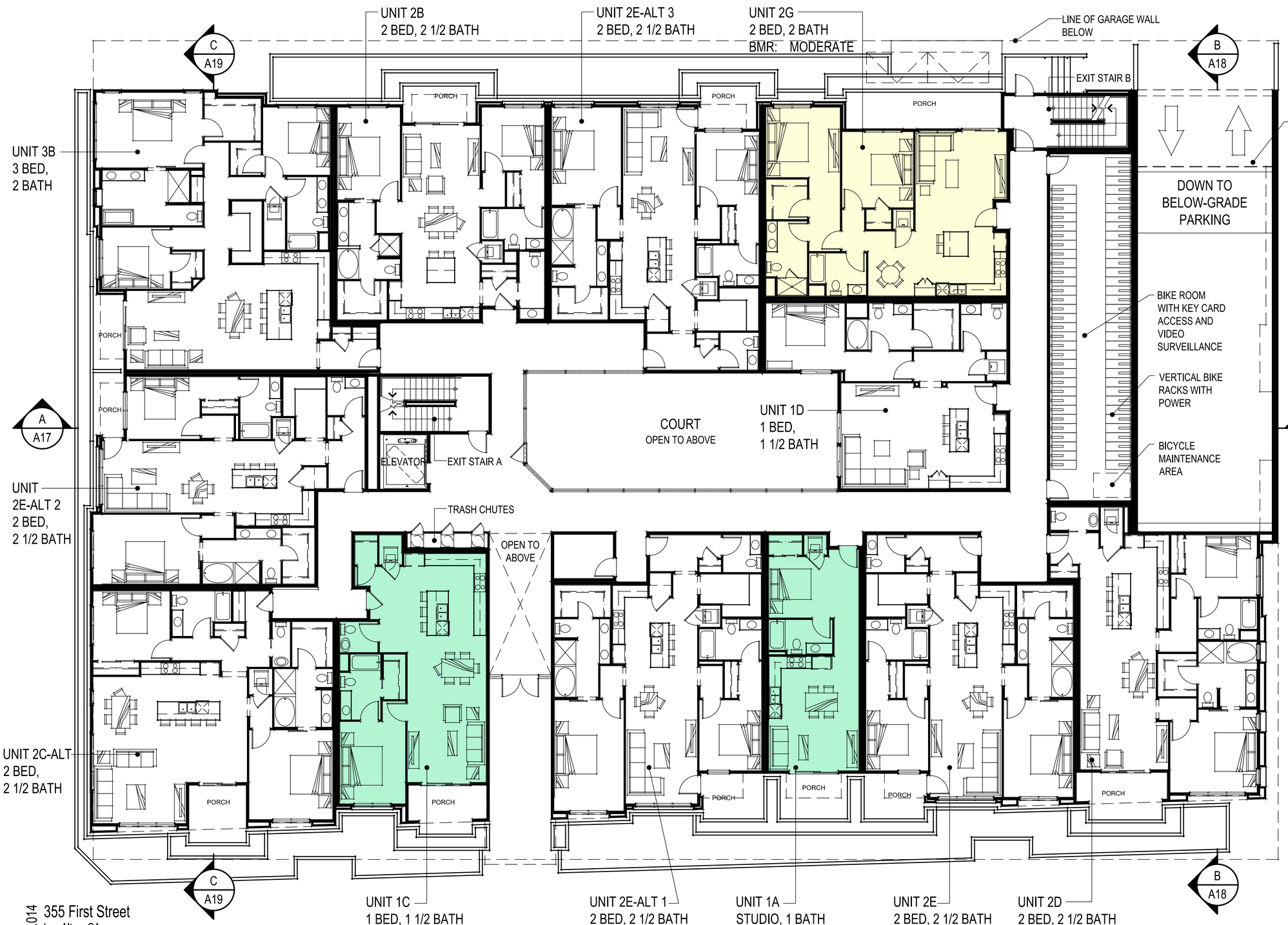

UNIT MIX CHART

1 BEDROOM UNITS/ STUDIO UNITS	UNIT AREA	1ST FLOOR	3	25%
1A (STUDIO)	617 SQ. FT.	1		
1B	804 SQ. FT.			
1C	993 SQ. FT.	1		
1D	1,026 SQ. FT.	1		
2 BEDROOM UNITS			**8**	**67%**
2A	1,164 SQ. FT.			
2B	1,206 SQ. FT.	1		
2C	1,272 SQ. FT.			
2C-ALT	1,449 SQ. FT.	1		
2D	1,341 SQ. FT.	1		
2E	1,366 SQ. FT.	1		
2E-ALT 1	1,406 SQ. FT.	1		
2E-ALT 2	1,391 SQ. FT.	1		
2E-ALT 3	1,373 SQ. FT.	1		
2F	1,438 SQ. FT.			
2G	1,175 SQ. FT.	1		
3 BEDROOM UNITS			**1**	**8%**
3A	1,598 SQ. FT.			
3B	1,767 SQ. FT.	1		
3B-ALT	1,734 SQ. FT.			
3C	2,199 SQ. FT.			
3D	2,040 SQ. FT.			
3E	1,982 SQ. FT.			
		12		

NORTH

0 2' 4' 6' 8' 16'

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FIRST FLOOR PLAN
A10

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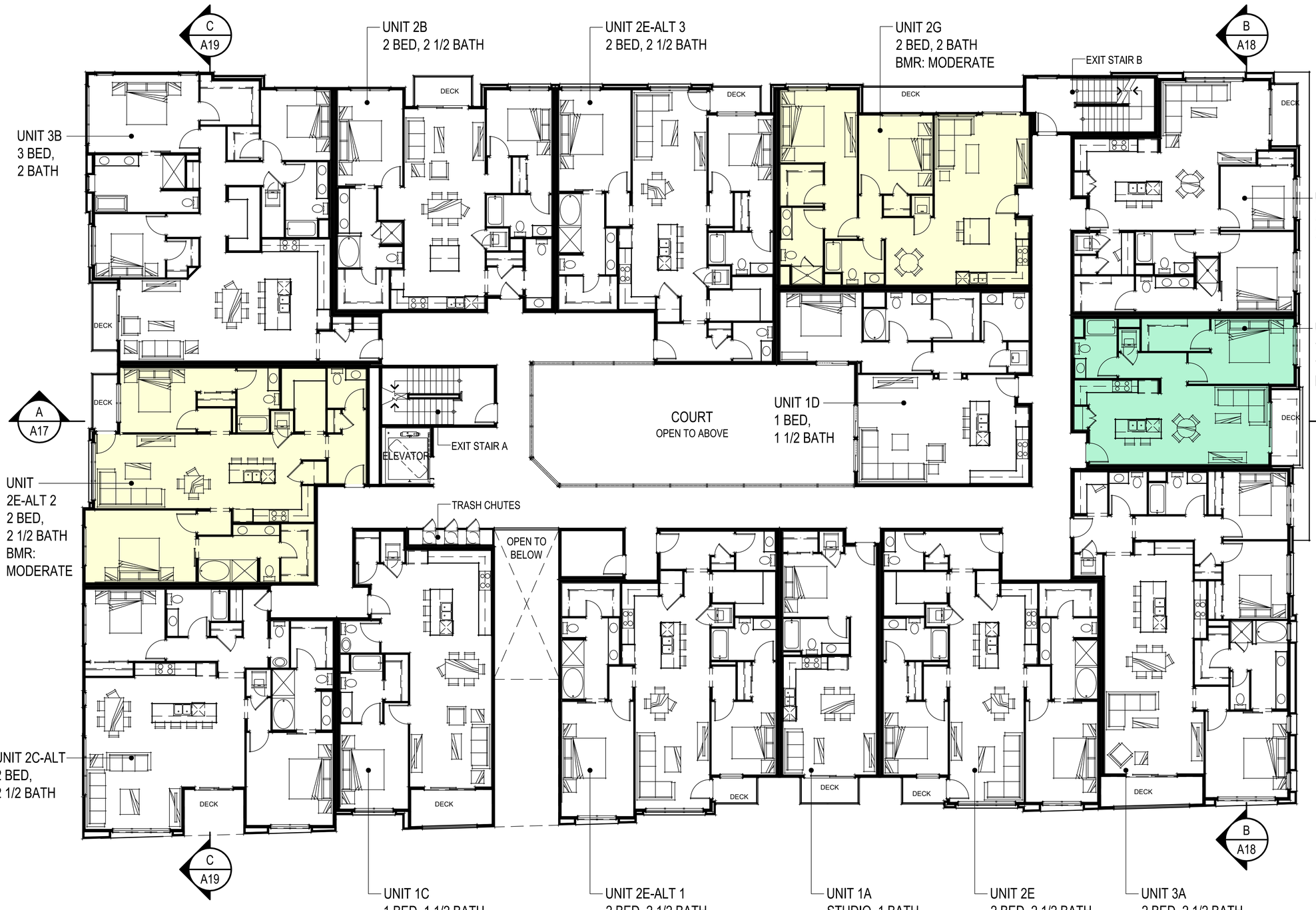

UNIT MIX CHART

1 BEDROOM UNITS/ STUDIO UNITS	UNIT AREA	2ND FLOOR	4	29%
1A (STUDIO)	617 SQ. FT.	1		
1B	804 SQ. FT.	1		
1C	993 SQ. FT.	1		
1D	1,026 SQ. FT.	1		
2 BEDROOM UNITS			**8**	**57%**
2A	1,164 SQ. FT.	1		
2B	1,206 SQ. FT.	1		
2C	1,272 SQ. FT.			
2C-ALT	1,449 SQ. FT.	1		
2D	1,341 SQ. FT.			
2E	1,366 SQ. FT.	1		
2E-ALT 1	1,406 SQ. FT.	1		
2E-ALT 2	1,391 SQ. FT.	1		
2E-ALT 3	1,373 SQ. FT.	1		
2F	1,438 SQ. FT.			
2G	1,175 SQ. FT.	1		
3 BEDROOM UNITS			**2**	**14%**
3A	1,598 SQ. FT.	1		
3B	1,767 SQ. FT.	1		
3B-ALT	1,734 SQ. FT.			
3C	2,199 SQ. FT.			
3D	2,040 SQ. FT.			
3E	1,982 SQ. FT.			
		14		

NORTH

0 2' 4' 6' 8' 16'

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SECOND FLOOR PLAN
A11

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UNIT MIX CHART

1 BEDROOM UNITS/ STUDIO UNITS	UNIT AREA	3RD FLOOR		
			2	15%
1A (STUDIO)	617 SQ. FT.			
1B	804 SQ. FT.	1		
1C	993 SQ. FT.			
1D	1,026 SQ. FT.	1		
2 BEDROOM UNITS			8	62%
2A	1,164 SQ. FT.	1		
2B	1,206 SQ. FT.	1		
2C	1,272 SQ. FT.	1		
2C-ALT	1,449 SQ. FT.			
2D	1,341 SQ. FT.			
2E	1,366 SQ. FT.			
2E-ALT 1	1,406 SQ. FT.			
2E-ALT 2	1,391 SQ. FT.	1		
2E-ALT 3	1,373 SQ. FT.	2		
2F	1,438 SQ. FT.	1		
2G	1,175 SQ. FT.	1		
3 BEDROOM UNITS			3	23%
3A	1,598 SQ. FT.	1		
3B	1,767 SQ. FT.			
3B-ALT	1,734 SQ. FT.	1		
3C	2,198 SQ. FT.			
3D	2,040 SQ. FT.	1		
3E	1,982 SQ. FT.			
		13		

NORTH

0 2' 4' 6' 8' 16'

THIRD FLOOR PLAN
A12

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UNIT MIX CHART

1 BEDROOM UNITS/ STUDIO UNITS	UNIT AREA	4TH FLOOR	0	0%
1A (STUDIO)	617 SQ. FT.			
1B	804 SQ. FT.			
1C	993 SQ. FT.			
1D	1,026 SQ. FT.			
2 BEDROOM UNITS			**6**	**55%**
2A	1,164 SQ. FT.			
2B	1,206 SQ. FT.	1		
2C	1,272 SQ. FT.	1		
2C-ALT	1,449 SQ. FT.			
2D	1,341 SQ. FT.			
2E	1,366 SQ. FT.			
2E-ALT 1	1,406 SQ. FT.			
2E-ALT 2	1,391 SQ. FT.	1		
2E-ALT 3	1,373 SQ. FT.	2		
2F	1,438 SQ. FT.	1		
2G	1,175 SQ. FT.			
3 BEDROOM UNITS			**5**	**46%**
3A	1,598 SQ. FT.	1		
3B	1,767 SQ. FT.			
3B-ALT	1,734 SQ. FT.	1		
3C	2,198 SQ. FT.	1		
3D	2,040 SQ. FT.	1		
3E	1,982 SQ. FT.	1		
		11		

NORTH

0 2' 4' 6' 8' 16'

FOURTH FLOOR PLAN
A13

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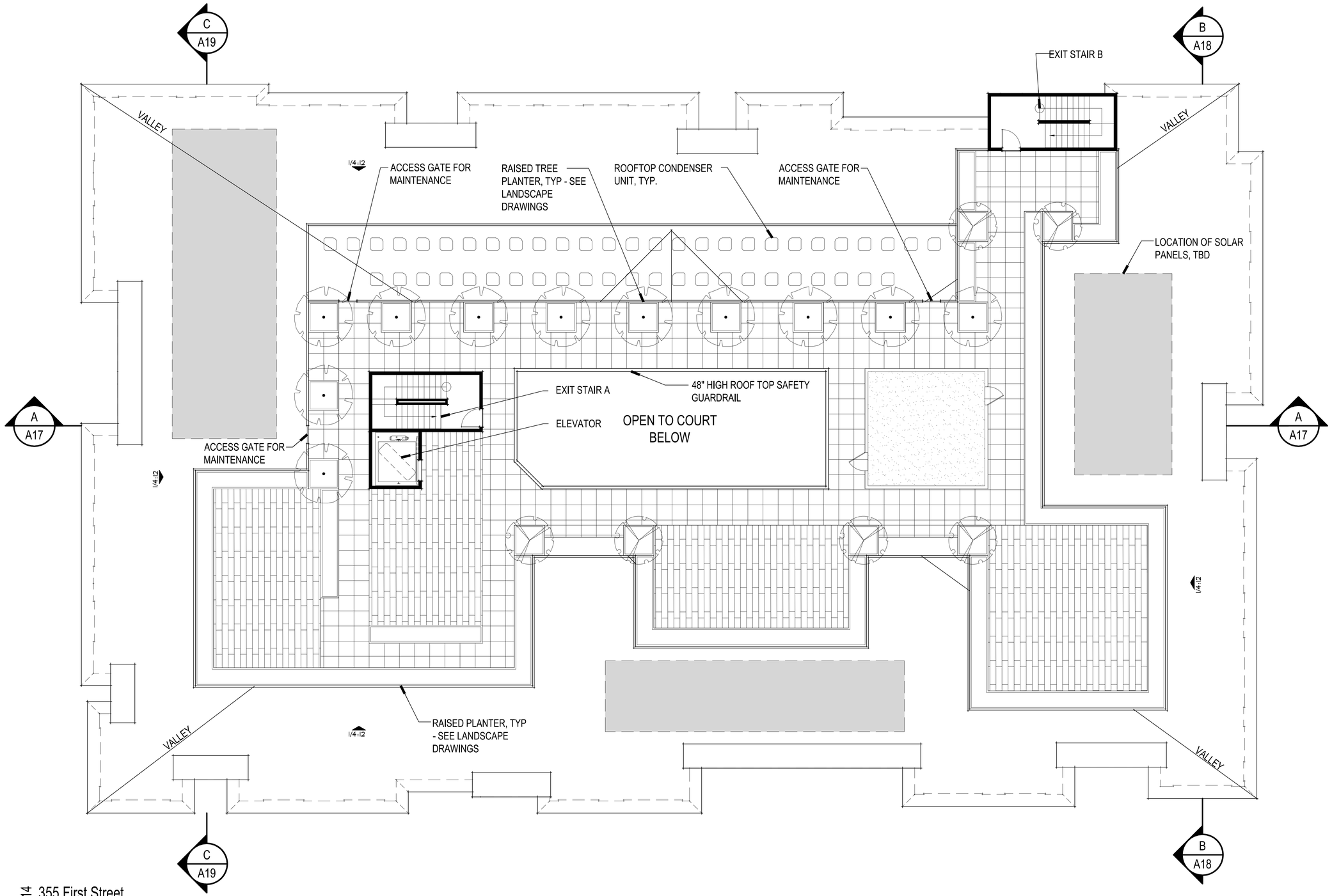

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ROOF PLAN
A14

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LEFT ELEVATION

FRONT ELEVATION

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FRONT AND LEFT EXTERIOR ELEVATIONS
A15

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RIGHT ELEVATION

REAR ELEVATION

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REAR AND RIGHT EXTERIOR ELEVATIONS
A16

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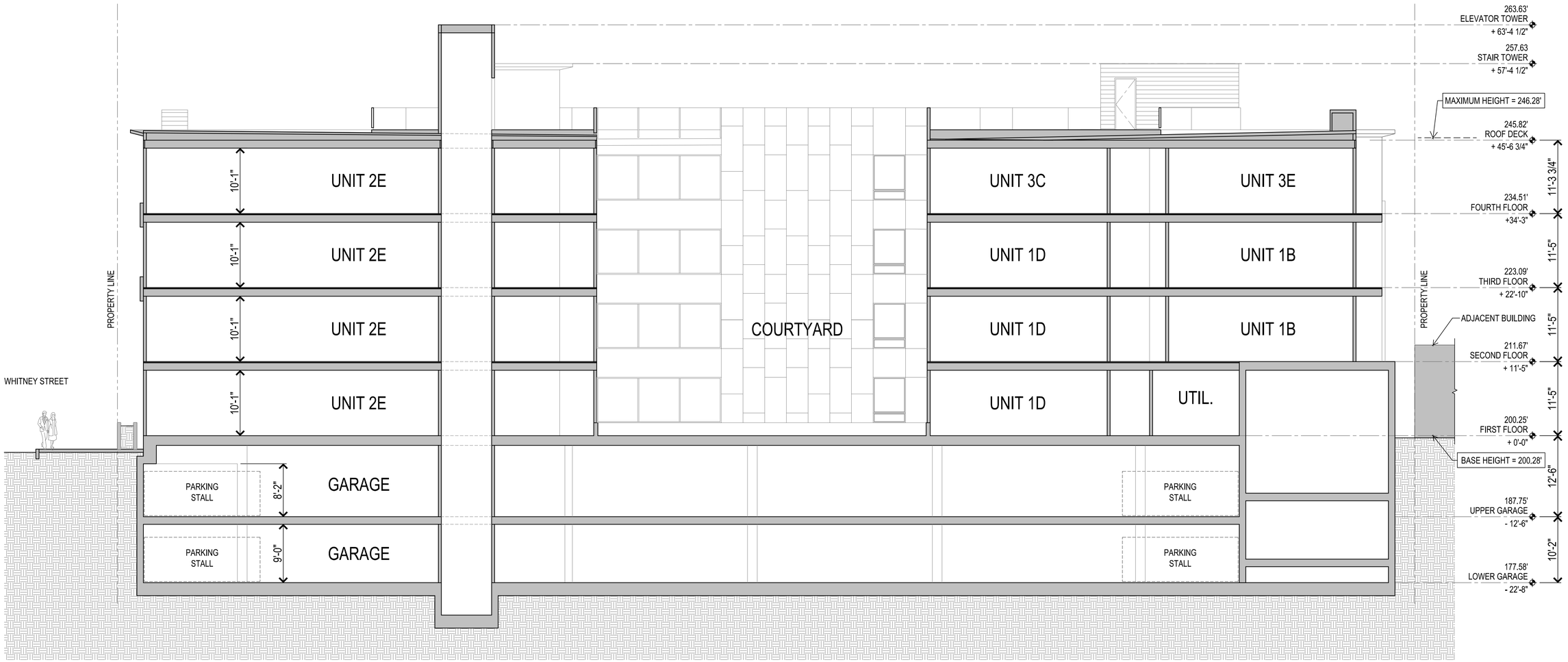
3361 Walnut Blvd. Suite 120
Brentwood, CA 94513
925.634.7000 | sdgarchitectsinc.com



SECTION A

366.014 355 First Street
Los Altos, CA
April 8, 2022

0 2' 4' 6' 8' 16'

BUILDING SECTION A
A17

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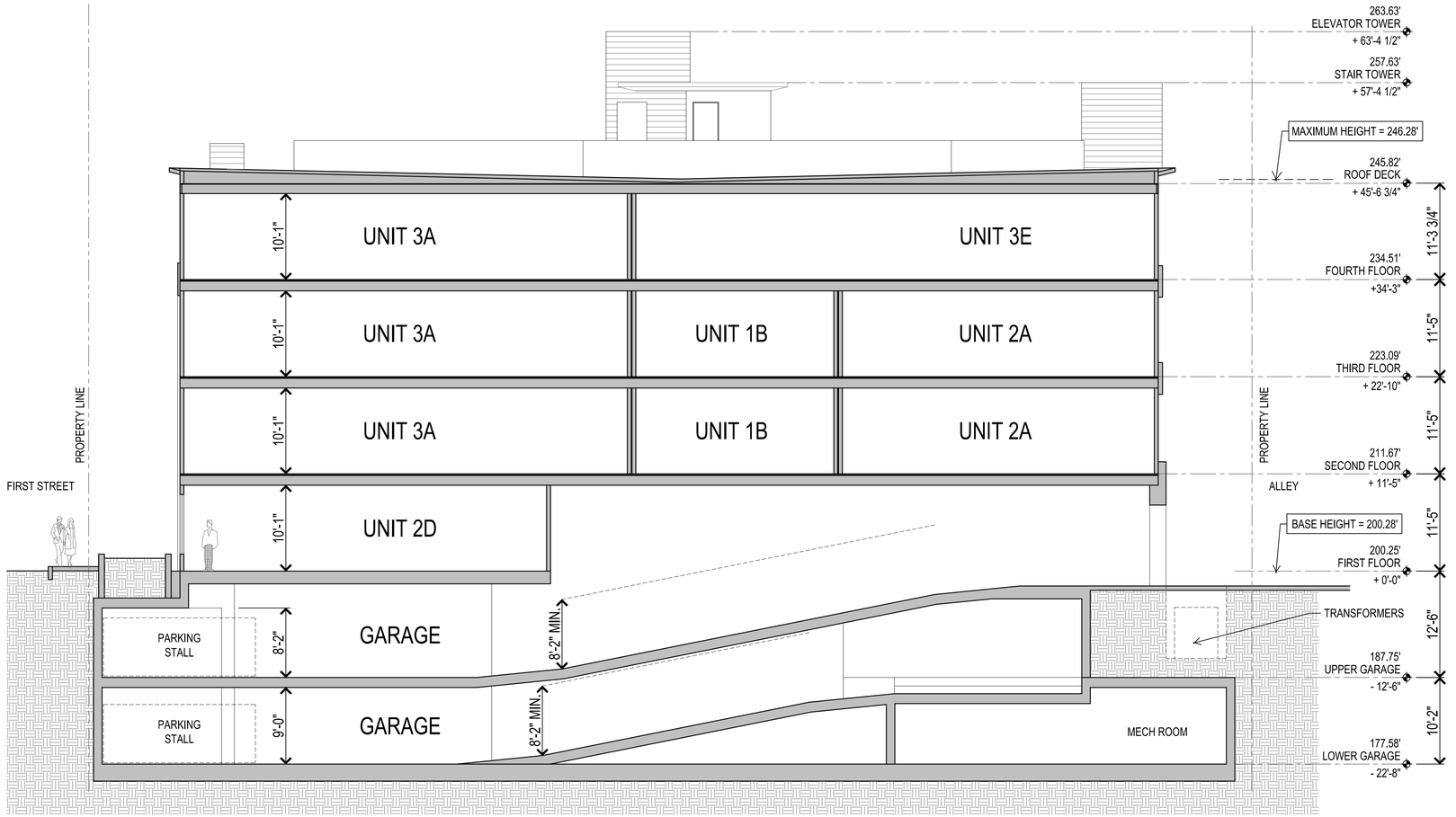

SECTION B

0 2' 4' 6' 8' 16'

366.014 355 First Street
Los Altos, CA
April 8, 2022

BUILDING SECTION B
A18

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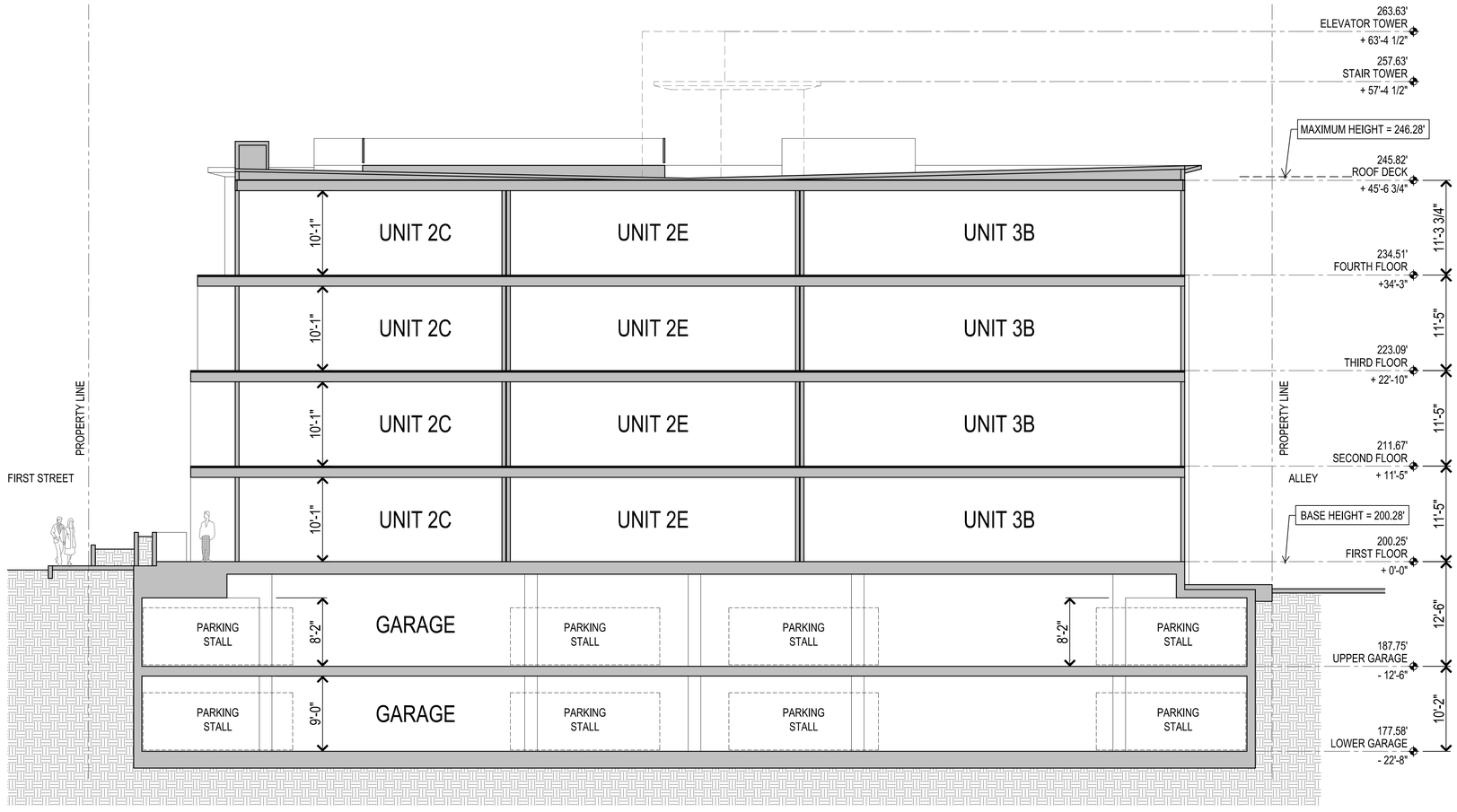

SECTION C

0 2' 4' 6' 8' 16'

BUILDING SECTION C

A19

366.014 355 First Street
Los Altos, CA
April 8, 2022

DENARDI WANG HOMES

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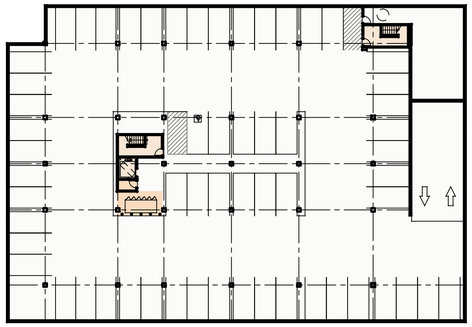
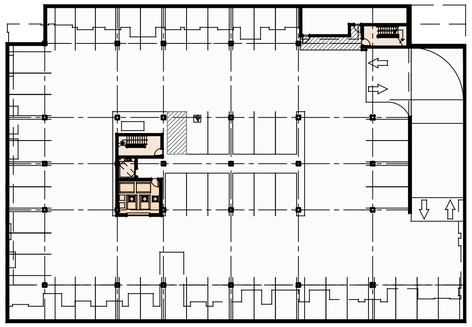


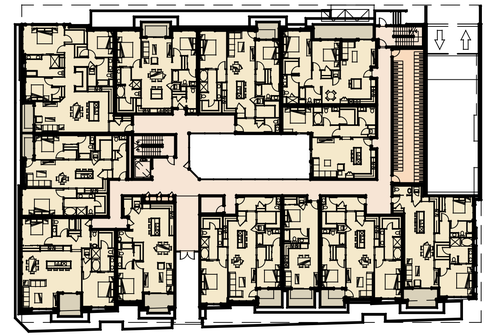
LOWER GARAGE LEVEL

CATEGORY	SUBTOTALS
PARKING	25,031 SF
CIRCULATION	471 SF
UTILITY	239 SF
DWELLING UNITS	
LEVEL TOTAL	25,741 SF



UPPER GARAGE LEVEL

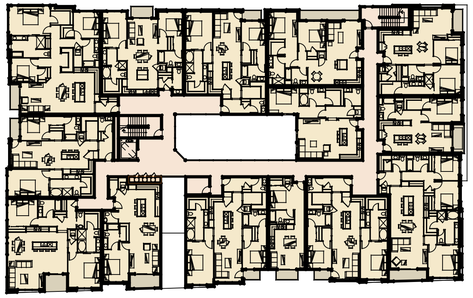
CATEGORY	SUBTOTALS
PARKING	24,588 SF
CIRCULATION	471 SF
UTILITY	296 SF
DWELLING UNITS	
LEVEL TOTAL	25,355 SF



GROUND FLOOR

CATEGORY	SUBTOTALS
PARKING	
CIRCULATION	2,836 SF
UTILITY	834 SF
DWELLING UNITS	15,111 SF
LEVEL TOTAL	18,781 SF

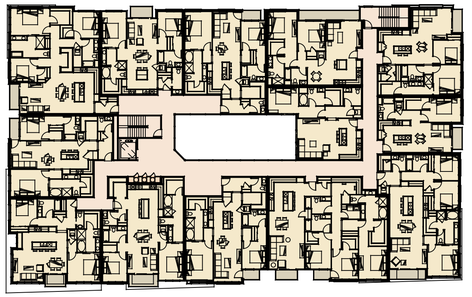
PORCH AREA
922 SF



SECOND FLOOR

CATEGORY	SUBTOTALS
PARKING	
CIRCULATION	2,620 SF
UTILITY	42 SF
DWELLING UNITS	17,343 SF
LEVEL TOTAL	20,005 SF

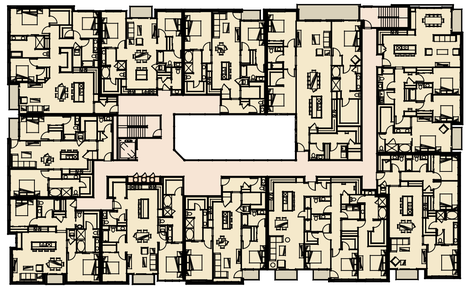
DECK AREA
646 SF



THIRD FLOOR

CATEGORY	SUBTOTALS
PARKING	
CIRCULATION	2,564 SF
UTILITY	42 SF
DWELLING UNITS	17,588 SF
LEVEL TOTAL	20,194 SF

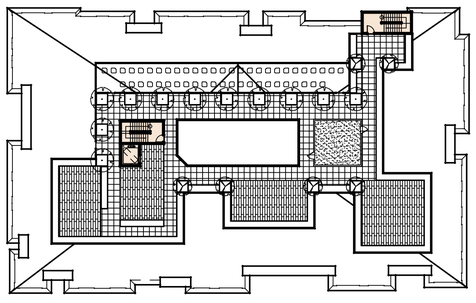
DECK AREA
579 SF



FOURTH FLOOR

CATEGORY	SUBTOTALS
PARKING	
CIRCULATION	2,553 SF
UTILITY	42 SF
DWELLING UNITS	17,600 SF
LEVEL TOTAL	20,195 SF

DECK AREA
578 SF



ROOF DECK

CATEGORY	SUBTOTALS
PARKING	
CIRCULATION	468 SF
UTILITY	
DWELLING UNITS	
ROOF DECK	
LEVEL TOTAL	468 SF

DECK AREA
5,318 SF

BUILDING TOTALS

CATEGORY	SUBTOTALS
PARKING	49,619 SF
CIRCULATION	11,983 SF
UTILITY	1,495 SF
DWELLING UNITS	67,642 SF
TOTAL	130,739 SF

TOTAL PORCH / DECK AREA
8,044 SF

366.014 355 First Street
Los Altos, CA
April 8, 2022

FLOOR AREA CALCULATIONS
A20

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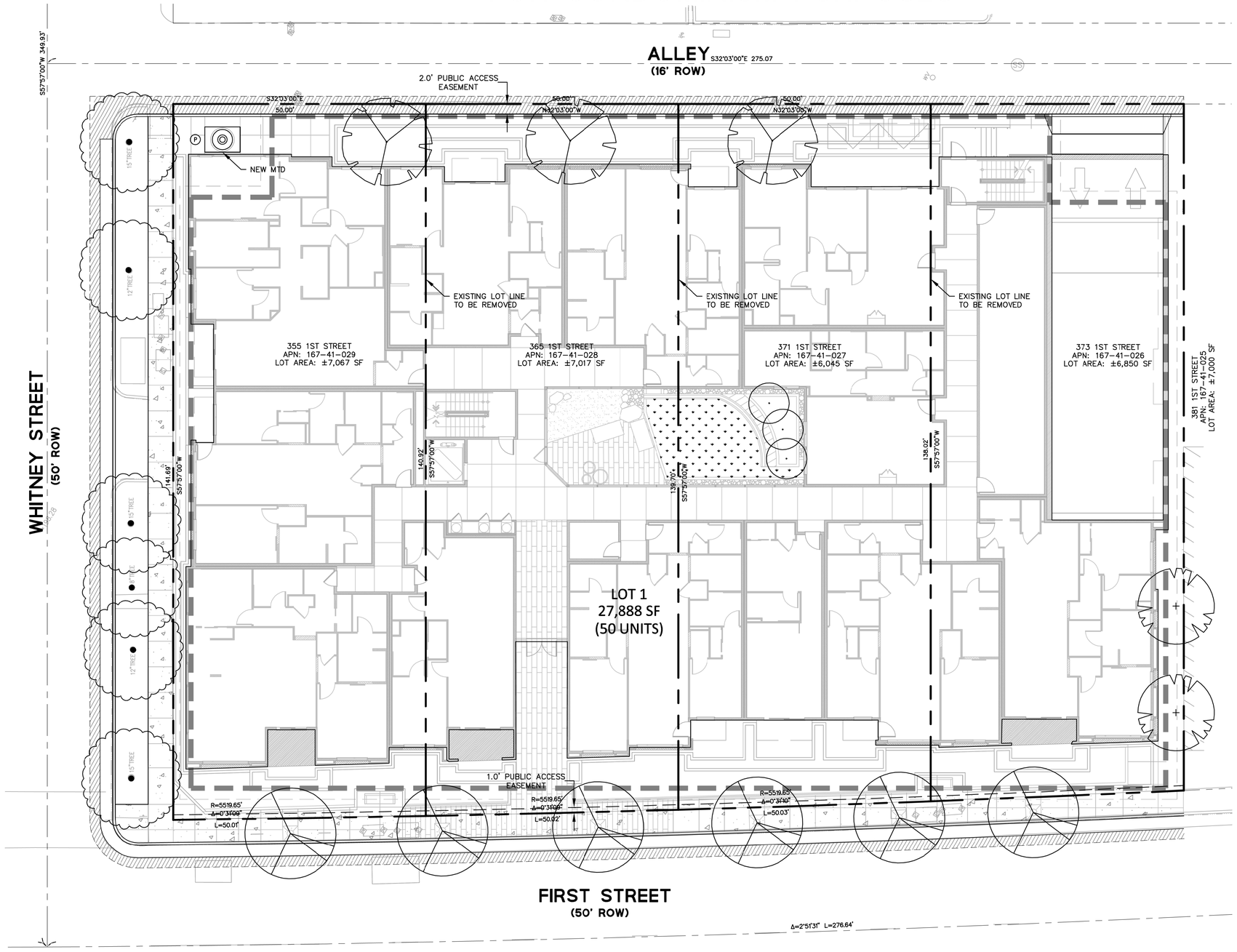
SDG architects

VESTING TENTATIVE MAP
FOR CONDOMINIUM PURPOSES



LEGEND

- PROPERTY LINE
- ADJACENT PROPERTY LINE
- STREET CENTER LINE
- EASEMENT LINE
- FLOW THROUGH PLANTER
- MECHANICAL TREATMENT DEVICE

GENERAL NOTES

1. THIS VESTING TENTATIVE MAP IS BEING FILED IN ACCORDANCE WITH ARTICLE 2, SECTION 86452 AND CHAPTER 4.5 OF THE SUBDIVISION MAP ACT.
2. AREA: THE BOUNDARIES OF THIS SUBDIVISION CONTAIN ±0.64 ACRES.
3. DURING CONSTRUCTION, ALL EQUIPMENT AND PARKING SHALL REMAIN ON-SITE UNLESS THE CONTRACTOR HAS APPROVAL FROM THE CITY.
4. ALL EXISTING WATER, SANITARY, AND STORM SERVICES ARE TO BE ABANDONED/REMOVED PER CITY OF LOS ALTOS STANDARDS AND SPECIFICATIONS.

PROJECT INFORMATION

OWNER/DEVELOPER:	355 1ST ST. LLC 419 SOUTH ANTONIO ROAD, SUITE 215 LOS ALTOS, CA 94022 CONTACT: KEVIN DENARDI (650) 842-2360
ARCHITECT:	SDG ARCHITECTS 3361 WALNUT BLVD. SUITE 120 BRENTWOOD, CA 94513 CONTACT: JEFF POTTS (925) 634-7000
CIVIL ENGINEER:	BKF ENGINEERS 1730 N. FIRST STREET, SUITE 600 SAN JOSE, CA 95112 CONTACT: ISAAC KONTOROVSKY (408) 467-9100
PROPERTY ADDRESS:	355 FIRST STREET, LOS ALTOS, CA
APN:	167-41-026/027/028/029
SPECIFIC PLAN:	DOWNTOWN CORE SPECIFIC PLAN
EXISTING ZONING:	COMMERCIAL DOWNTOWN/MULTIPLE FAMILY (CD/R-3)
PROPOSED ZONING:	COMMERCIAL DOWNTOWN/MULTIPLE FAMILY (CD/R-3)
EXISTING USE:	COMMERCIAL
PROPOSED USE:	RESIDENTIAL
GROSS AREA:	27,887 SF (0.64± ACRES)
NET AREA:	27,287 SF (0.63± ACRES)
PROPOSED NUMBER OF LOTS:	1 PARCEL FOR CONDOMINIUM PURPOSES (4 EXISTING LOTS)
NUMBER OF CONDO UNITS:	50
UTILITIES: A. WATER: B. SANITARY SEWER: C. STORM DRAIN: D. GAS/ELECTRIC: E. TELEPHONE: F. CABLE TV:	 CALIFORNIA WATER SERVICE COMPANY CITY OF LOS ALTOS N/A PACIFIC GAS & ELECTRIC AT&T COMCAST
BENCHMARK:	2-1/2" BRASS DISK IN CONCRETE BASE, STAMPED CSD61013, INSIDE MONUMENT WELL AT THE INTERSECTION OF FIRST STREET AND MAIN STREET. ELEVATION = 193.13 FEET BASED ON CITY OF LOS ALTOS DATUM.
TOPOGRAPHY:	THE INFORMATION SHOWN IS BASED ON A GROUND SURVEY PREPARED BY BKF ENGINEERS DATED SEPTEMBER 28, 30 & OCTOBER 1, 2020.
FLOOD ZONE:	THIS PROPERTY IS LOCATED WITHIN ZONE X AS SHOWN IN FLOOD INSURANCE RATE MAP NO. 06085C0038H

ABBREVIATIONS

PG&E = PACIFIC GAS & ELECTRIC COMPANY
ROW = RIGHT OF WAY

SHEET INDEX

SHEET NO.	SHEET TITLE
TM1.0	VESTING TENTATIVE MAP
C1.0	EXISTING CONDITIONS
C2.0	PRELIMINARY SITE PLAN
C3.0	PRELIMINARY GRADING AND DRAINAGE PLAN
C3.1	PRELIMINARY SECTIONS
C4.0	PRELIMINARY UTILITY PLAN
C5.0	PRELIMINARY STORMWATER MANAGEMENT PLAN

GRAPHIC SCALE
10 0 10 20

1730 N. FIRST STREET
SUITE 600
SAN JOSE, CA 95112
(408) 467-9100
www.bkf.com

BKF

355-373 1ST STREET
VESTING TENTATIVE MAP
LOS ALTOS SANTA CLARA COUNTY CALIFORNIA

No.	Revisions
1	RESUBMITTAL 1
2	7/16/21 - RESUBMITTAL 2
3	09/03/21 - RESUBMITTAL 3
4	11/12/21 - RESUBMITTAL 4
5	04/08/22 - RESUBMITTAL 5

Date 04/08/2022
Scale AS SHOWN
Design RM
Drawn RM
Approved IB
Job No 20201231

Drawing Number:
TM1.0

ALLEY
(16' ROW)

S32°03'00"E 275.07

S57°57'00"W 349.93'

S32°03'00"E 50.00'

N32°03'00"W 50.00'

N32°03'00"W 50.00'

WHITNEY STREET
(50' ROW)

355 1ST STREET
APN: 167-41-029
LOT AREA: ±7,067 S.F.

365 1ST STREET
APN: 167-41-028
LOT AREA: ±7,017 S.F.

371 1ST STREET
APN: 167-41-027
LOT AREA: ±6,945 S.F.

373 1ST STREET
APN: 167-41-026
LOT AREA: ±6,850 S.F.

1 STORY BUILDING

AC PARKING LOT

GRAVEL LOT

CONC PATH

CONC PAVERS

TRASH ENCLOSURE

UTILITY SHED

1 STORY BUJILDING

COVERED WALKWAY

2 STORY BUILDING

LANDING

CONC SIDEWALK

FIRST STREET
(50' ROW)

Δ=2°51'31" L=276.64'

R=5519.65'
Δ=0°31'09"
L=50.01'

R=5519.65'
Δ=0°37'09"
L=50.02'

R=5519.65'
Δ=0°31'10"
L=50.03'

140.92'
S57°57'00"W

141.69'
S57°57'00"W

139.70'
S57°57'00"W

138.02'
S57°57'00"W

SSMH
RIM 198.15
INV 1912.15 (6"VCP) SE
INV 192.10 (6"VCP) NW

SSMH
RIM 199.33
INV 192.93 (6"VCP) SE
INV 192.73 (6"VCP) NW

LEGEND

PROJECT BOUNDARY	
ADJACENT LOT LINE	
INTERIOR LOT LINE	
EASEMENT	
ROAD CENTER LINE	
EXISTING FENCE	X X
SANITARY SEWER LINE	SS
STORM DRAIN LINE	SD
WATER LINE	W W
GAS LINE	GAS GAS
ELECTRICAL LINE	E E
OVERHEAD LINE	OH OH
TELECOM LINE	T T
COMCAST LINE	CATV
FIRE HYDRANT	FH
EXISTING TREE TO REMAIN	
REMOVE EXISTING TREE	

SURVEY NOTES

1. ALL DISTANCES AND DIMENSIONS ARE SHOWN IN FEET AND DECIMALS THEREOF.
2. DATES OF FIELD SURVEY WAS SEPTEMBER 28, 30 & OCTOBER 1, 2020
3. BENCH MARK
   2-1/2" BRASS DISK IN CONCRETE BASE, STAMPED CS061013, INSIDE MONUMENT WELL AT THE INTERSECTION OF FIRST STREET AND MAIN STREET

   ELEVATION = 193.13 FEET BASED ON CITY OF LOS ALTOS DATUM
4. BASIS OF BEARINGS
   THE BEARING NORTH 32°03'00" WEST, BETWEEN FOUND IRON PIPE MONUMENTS, AS SHOWN ON THAT CERTAIN PARCEL MAP, FILED FOR RECORD ON FEBRUARY 14, 1980, IN BOOK 458 OF MAPS AT PAGES 51 AND 52, SANTA CLARA COUNTY RECORDS, WAS TAKEN AS THE BASIS OF BEARINGS
5. INFORMATION REGARDING BOUNDARY AND EASEMENTS; BKF ENGINEERS RELIED ON THE INFORMATION PROVIDED IN THE FOLLOWING PRELIMINARY TITLE REPORTS:
   A. OLD REPUBLIC TITLE COMPANY, ORDER NO. 0623015842-LM, DATED JUNE 25, 2020
   B. OLD REPUBLIC TITLE COMPANY, ORDER NO. 0623015841-LM, DATED JUNE 16, 2020
   C. CHICAGO TITLE COMPANY, ORDER NO. FWPS-2999200036MO, DATED JANUARY 13, 2020

ABBREVIATIONS

AC	ASPHALT CONCRETE
CLA	CITY OF LOS ALTOS
COM	COMMUNICATION
CONC	CONCRETE
DWY	DRIVEWAY
EB	ELECTRICAL BOX
EV	ELECTRICAL VAULT
ESMT	EASEMENT
FL	FLOW LINE
LG	LIP OF GUTTER
L/S	LANDSCAPE
PGE	PACIFIC GAS & ELECTRIC
ROW	RIGHT-OF-WAY
STD	STANDARD
SW	SIDEWALK
TC	TOP OF CURB
TYP	TYPICAL
WM	WATER METER
W-B	BOTTOM OF WALL
W-T	TOP OF WALL

GRAPHIC SCALE
10 0 10 20

BKF
1730 N. FIRST STREET
SUITE 600
SAN JOSE, CA 95112
(408) 467-9100
www.bkf.com

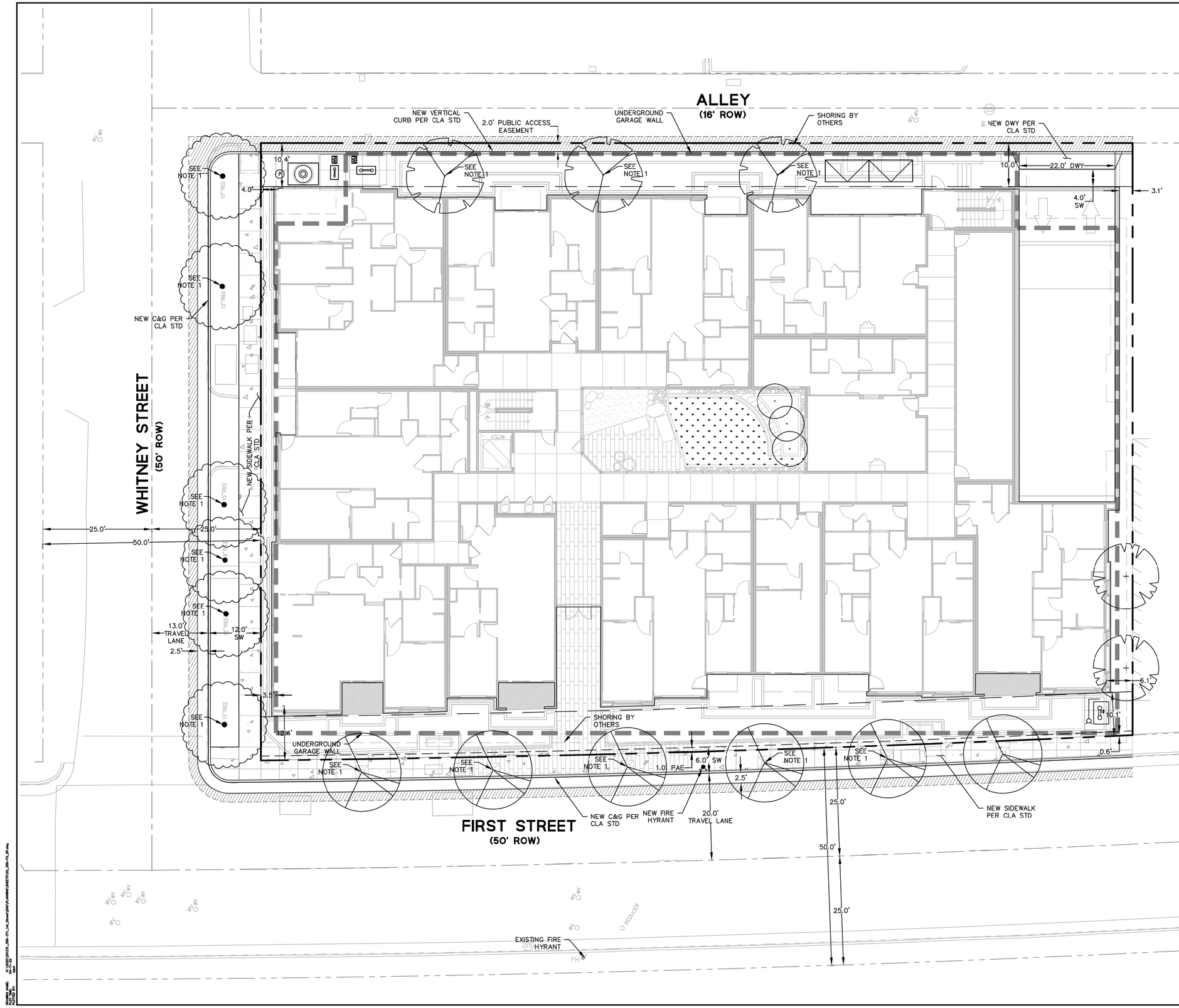
355-373 1ST STREET
EXISTING CONDITIONS

LOS ALTOS
SANTA CLARA COUNTY
CALIFORNIA

No.	Revisions
1	RESUBMITTAL 1
2	7/16/21 - RESUBMITTAL 2
3	09/03/21 - RESUBMITTAL 3
4	11/12/21 - RESUBMITTAL 4
5	04/08/22 - RESUBMITTAL 5

Date 04/08/2022
Scale AS SHOWN
Design RM
Drawn RM
Approved IB
Job No 20201231

Drawing Number:
C1.0



LEGEND

- PROPERTY LINE
- ADJACENT PROPERTY LINE
- STREET CENTER LINE
- EASEMENT LINE
- UNDERGROUND GARAGE
- VISIBILITY TRIANGLES
- SHORING
- FLUSH CURB
- NEW CITY STANDARD VERTICAL CURB AND GUTTER
- FLOW THROUGH PLANTER
- WV — WATER VALVE
- SSCO — SANITARY SEWER CLEANOUT
- SSMH — SANITARY SEWER MANHOLE
- FIRE BACKFLOW PREVENTER
- DOMESTIC BACKFLOW PREVENTER
- IRRIGATION BACKFLOW PREVENTER
- FDC — FIRE DEPARTMENT CONNECTION
- WM — WATER METER
- STORM DRAIN OVERFLOW DRAIN
- SDAD — STORM DRAIN AREA DRAIN
- MECHANICAL TREATMENT DEVICE
- TRANSFORMER (FOR REFERENCE ONLY)
- TREE TO REMAIN

ABBREVIATIONS

BFP	BACK FLOW PREVENTOR
C&G	CURB AND GUTTER
CLA	CITY OF LOS ALTO
COM	COMMUNICATION
DWY	DRIVEWAY
EB	ELECTRICAL BOX
EV	ELECTRICAL VAULT
ESMT	EASEMENT
PGE	PACIFIC GAS & ELECTRIC
ROW	RIGHT-OF-WAY
SDCO	STORM DRAIN CLEANOUT
SSCO	SANITARY SEWER CLEAN OUT
SSMH	SANITARY SEWER MANHOLE
STD	STANDARD
SW	SIDEWALK
TYP	TYPICAL
WM	WATER METER
WV	WATER VALVE

NOTES

1. ALL TREES, BOTH EXISTING AND PROPOSED, SHALL BE 1) VERIFIED WITH APPROVED PLANS, AND 2) SHALL NOT OBSTRUCT AERIAL ACCESS WHEN FULL GROWN WITHOUT MAINTENANCE.

GRAPHIC SCALE
10 0 10 20

1730 N. FIRST STREET
SUITE 600
SAN JOSE, CA 95112
(408) 467-9100
www.bkf.com

355-373 1ST STREET
PRELIMINARY SITE PLAN

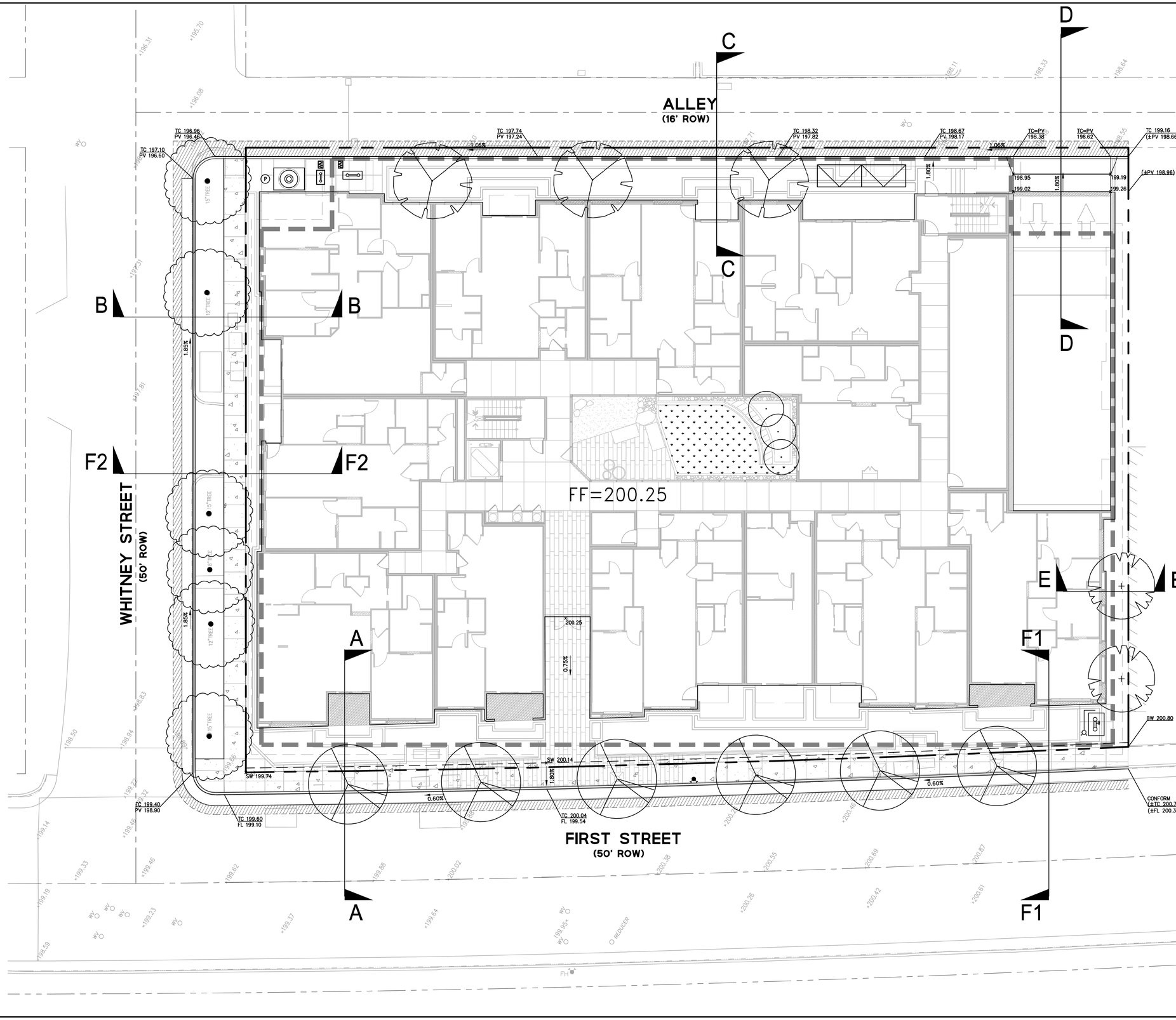
LOS ALTOS — SANTA CLARA COUNTY — CALIFORNIA

No.	Revisions
1	RESUBMITTAL 1
2	7/16/21 – RESUBMITTAL 2
3	09/03/21 – RESUBMITTAL 3
4	11/12/21 – RESUBMITTAL 4
5	04/08/22 – RESUBMITTAL 5

Date 04/08/2022
Scale AS SHOWN
Design RM
Drawn RM
Approved IB
Job No 20201231

Drawing Number:
C2.0

© BKF ENGINEERS



LEGEND

- PROPERTY LINE
- ADJACENT PROPERTY LINE
- STREET CENTER LINE
- SAWCUT LINE
- GB — GRADE BREAK
- CITY STANDARD VERTICAL CURB
- CITY STANDARD VERTICAL CURB AND GUTTER
- TREATMENT AREA
- 1.8% — HARDSCAPE SLOPE
- (±1.8%) — HARDSCAPE SLOPE (EXISTING)
- TC 200.00 / PV 200.00 x200.00 — PROPOSED ELEVATION
- (±TC 200.00) / (±PV 200.0) x(±200.0) — EXISTING ELEVATION

ABBREVIATIONS

BW	BACK OF WALK
FF	FINISH FLOOR
FL	FLOW LINE
LG	LIP OF GUTTER
GB	GRADE BREAK
PV	PAVEMENT
ROW	RIGHT-OF-WAY
TC	TOP OF CURB

GRAPHIC SCALE
10 0 10 20

1730 N. FIRST STREET
SUITE 600
SAN JOSE, CA 95112
(408) 467-9100
www.bkf.com

BKF

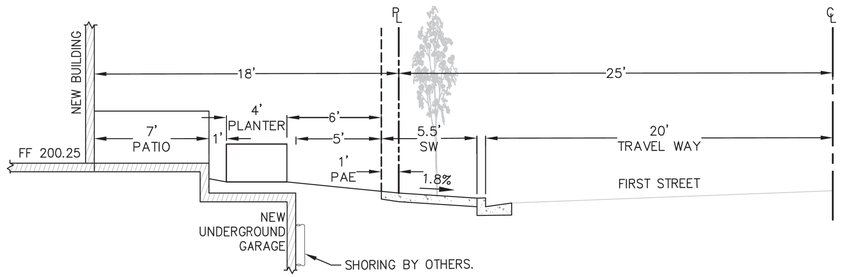
355-373 1ST STREET
PRELIMINARY GRADING AND DRAINAGE PLAN
LOS ALTOS CALIFORNIA
SANTA CLARA COUNTY

No.	Revisions
1	RESUBMITTAL 1
2	7/16/21 – RESUBMITTAL 2
3	09/03/21 – RESUBMITTAL 3
4	11/12/21 – RESUBMITTAL 4
5	04/08/22 – RESUBMITTAL 5

Date 04/08/2022
Scale AS SHOWN
Design RM
Drawn RM
Approved IB
Job No 2020123I

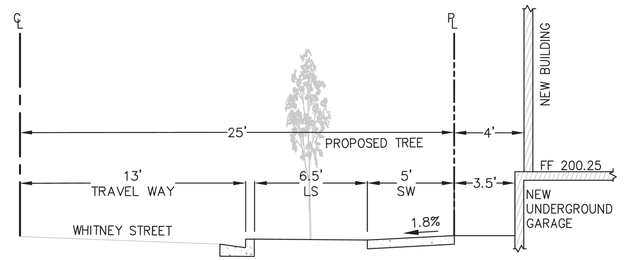
Drawing Number:
C3.0

Agenda Item # 11.



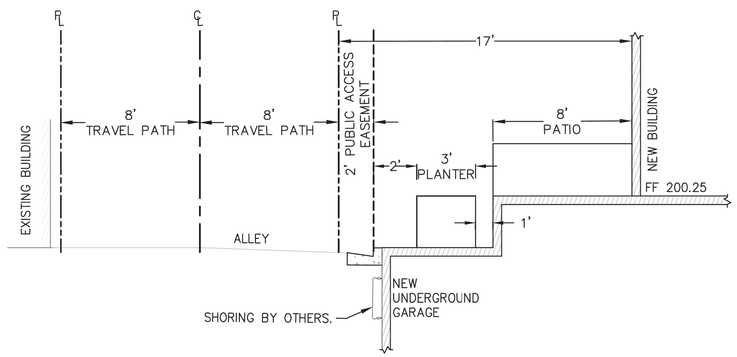
CROSS SECTION (A-A)

NTS



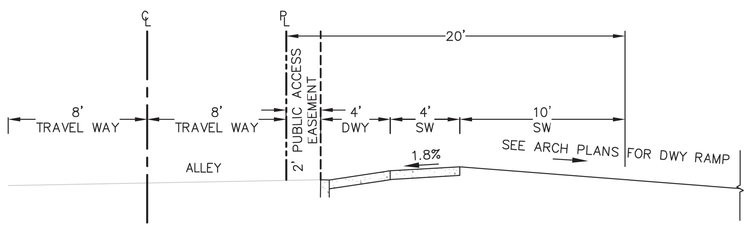
CROSS SECTION (B-B)

NTS



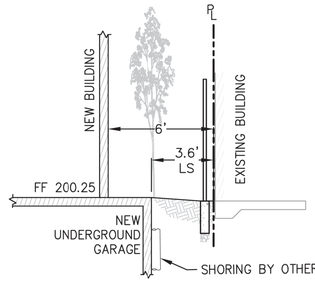
CROSS SECTION (C-C)

NTS



CROSS SECTION (D-D)

NTS



CROSS SECTION (E-E)

NTS

1730 N. FIRST STREET
SUITE 600
SAN JOSE, CA 95112
(408) 467-9100
www.bkf.com

355-373 1ST STREET
PRELIMINARY SECTIONS

LOS ALTOS SANTA CLARA COUNTY CALIFORNIA

No.	Revisions
1	RESUBMITTAL 1
2	7/16/21 – RESUBMITTAL 2
3	09/03/21 – RESUBMITTAL 3
4	11/12/21 – RESUBMITTAL 4
5	04/08/22 – RESUBMITTAL 5

Date 04/08/2022
Scale AS SHOWN
Design RM
Drawn RM
Approved IB
Job No 2020123I

Drawing Number:
C3.1

CROSS SECTION (F1-F1)

NTS

NOTES:

1. SECTION IS TAKEN AT WORST CASE SCENARIO. THIS OCCURS WHEN THE FIRE TRUCK IS CLOSEST TO THE BUILDING AT THE SOUTH EAST CORNER OF FIRST STREET.

2. THE STREET TREES (GREAT MYRTLE) ON FIRST STREET CAN BE MAINTAINED IN GOOD CONDITION AT A 20' MAXIMUM HEIGHT, WITH PROPER PRUNING AND MANAGEMENT.

3. VERTICAL HEIGHTS ARE SHOWN FOR REFERENCE ONLY. REFER TO ARCHITECTURAL SITE PLAN FOR ELEVATIONS.

CROSS SECTION (F2-F2)

NTS

NOTES:

1. ALONG WHITNEY BUILDING SET BACK IS CONSISTENT ALONG FRONTAGE, EXISTING TREE SIZE DO NOT HAVE AN AFFECT ON LADDER ACCESS AS STREET TREE SPACING IS ±25' HERE. EXISTING TREE HEIGHT RANGES FROM 12'–25' ALONG WHITNEY, WELL BELOW THE FIRE LADDER ACCESS HEIGHT OF 35' AT TREE LOCATION PER THIS DIAGRAM.

2. VERTICAL HEIGHTS ARE SHOWN FOR REFERENCE ONLY. REFER TO ARCHITECTURAL SITE PLAN FOR ELEVATIONS.

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355-373 1ST STREET
PRELIMINARY FIRE LADDER ACCESS SECTIONS

LOS ALTOS SANTA CLARA COUNTY CALIFORNIA

No.	Revisions
1	RESUBMITTAL 1
2	7/16/21 – RESUBMITTAL 2
3	09/03/21 – RESUBMITTAL 3
4	11/12/21 – RESUBMITTAL 4
5	04/08/22 – RESUBMITTAL 5

Date 04/08/2022
Scale AS SHOWN
Design RM
Drawn RM
Approved IB
Job No 20201231

Drawing Number:

C3.2

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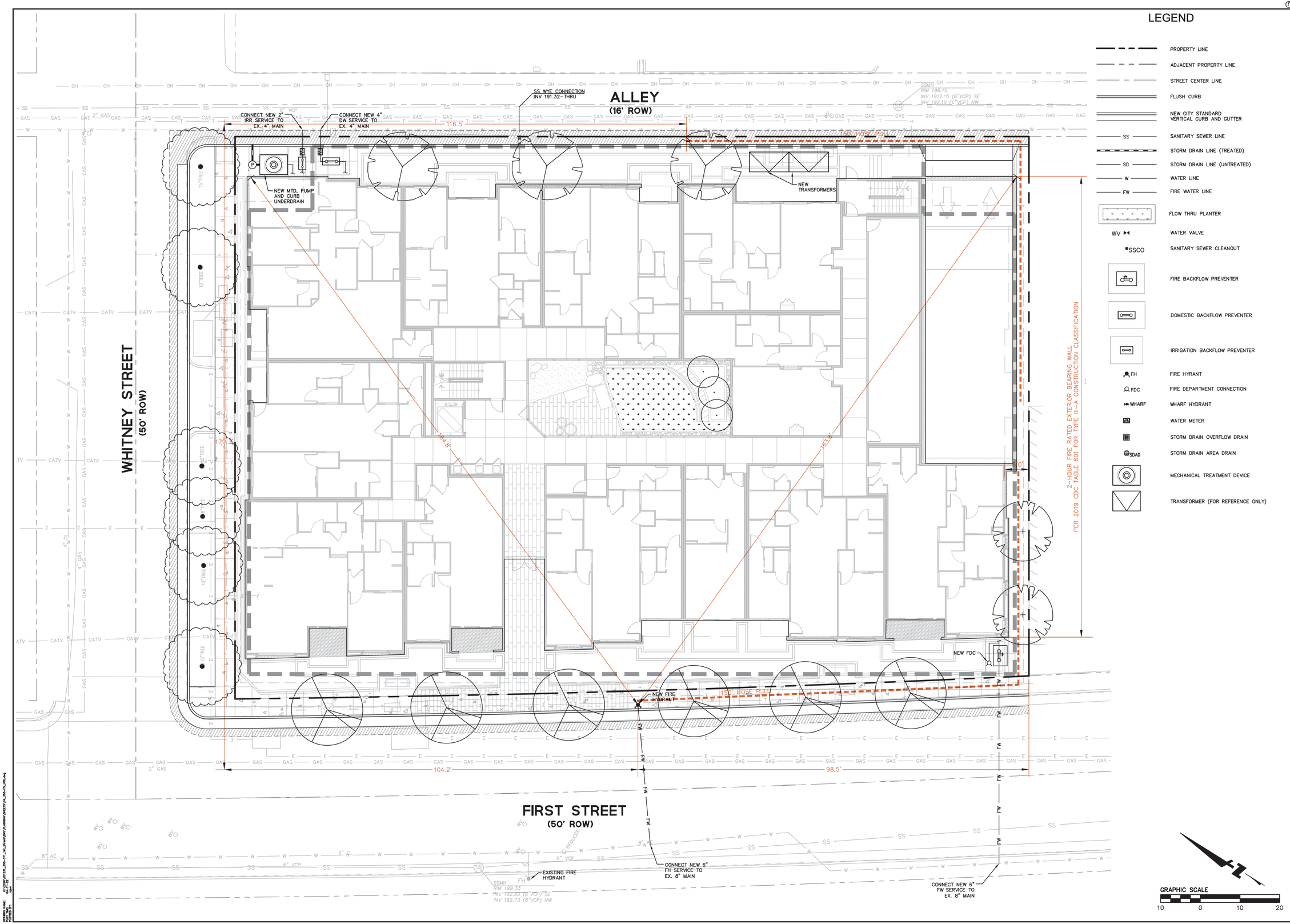

LEGEND

- PROPERTY LINE
- ADJACENT PROPERTY LINE
- STREET CENTER LINE
- FLUSH CURB
- NEW CITY STANDARD VERTICAL CURB AND GUTTER
- SS — SANITARY SEWER LINE
- STORM DRAIN LINE (TREATED)
- SD — STORM DRAIN LINE (UNTREATED)
- W — WATER LINE
- FW — FIRE WATER LINE
- FLOW THRU PLANTER
- WV — WATER VALVE
- SSCO — SANITARY SEWER CLEANOUT
- FIRE BACKFLOW PREVENTER
- DOMESTIC BACKFLOW PREVENTER
- IRRIGATION BACKFLOW PREVENTER
- FH — FIRE HYRANT
- FDC — FIRE DEPARTMENT CONNECTION
- WHARF — WHARF HYDRANT
- WM — WATER METER
- STORM DRAIN OVERFLOW DRAIN
- SDAD — STORM DRAIN AREA DRAIN
- MECHANICAL TREATMENT DEVICE
- TRANSFORMER (FOR REFERENCE ONLY)

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355-373 1ST STREET
PRELIMINARY UTILITY PLAN

LOS ALTOS
SANTA CLARA COUNTY
CALIFORNIA

No.	Revisions
1	RESUBMITTAL 1
2	7/16/21 – RESUBMITTAL 2
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Design RM
Drawn RM
Approved IB
Job No 20201231

Drawing Number:
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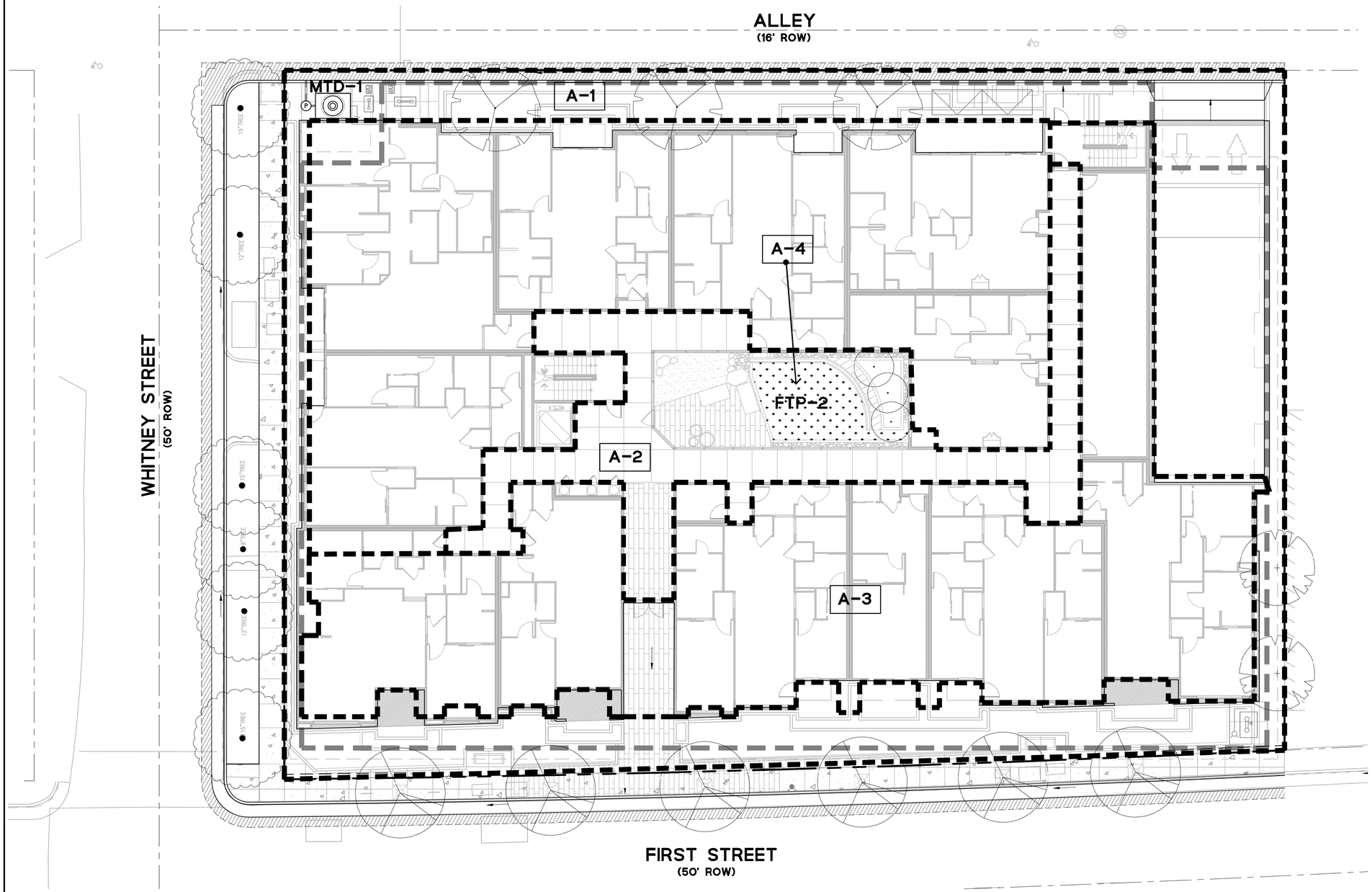

TABLE A

TREATMENT CONTROL MEASURE SUMMARY									
DRAINAGE AREAS	DRAINAGE AREA SIZE (SQ. FT.)	PERVIOUS SURFACE (SQ. FT.)	TYPE OF PERVIOUS SURFACE	IMPERVIOUS SURFACE (SQ. FT.)	TYPE OF IMPERVIOUS SURFACE	WATER QUANTITY (FLOW AND/OR VOLUME GENERATED)		PROPOSED TREATMENT CONTROLS	CONFORMS TO SIZE STANDARD?
						REQUIRED (SF)	PROVIDED (SF)		
A-1	7,449	479	LANDSCAPE	6,970	ROOF CONCRETE	746	746	MTD 1 MECH. TREATMENT DEVICE	YES
A-2	3,210	0	LANDSCAPE	3,210	ROOF				
A-3	8,470	0	LANDSCAPE	8,470	ROOF				
A-4	8,750	0	LANDSCAPE	8,750	ROOF	350	350	FTP 2 FLOW THROUGH PLANTER	YES

GRAPHIC SCALE
10 0 10 20

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355-373 1ST STREET
PRELIMINARY STORMWATER MANAGEMENT PLAN
LOS ALTOS — SANTA CLARA COUNTY — CALIFORNIA

No.	Revisions
1	RESUBMITTAL 1
2	7/16/21 – RESUBMITTAL 2
3	09/03/21 – RESUBMITTAL 3
4	11/12/21 – RESUBMITTAL 4
5	04/08/22 – RESUBMITTAL 5

Date 04/08/2022
Scale AS SHOWN
Design RM
Drawn RM
Approved IB
Job No 20201231

Drawing Number:
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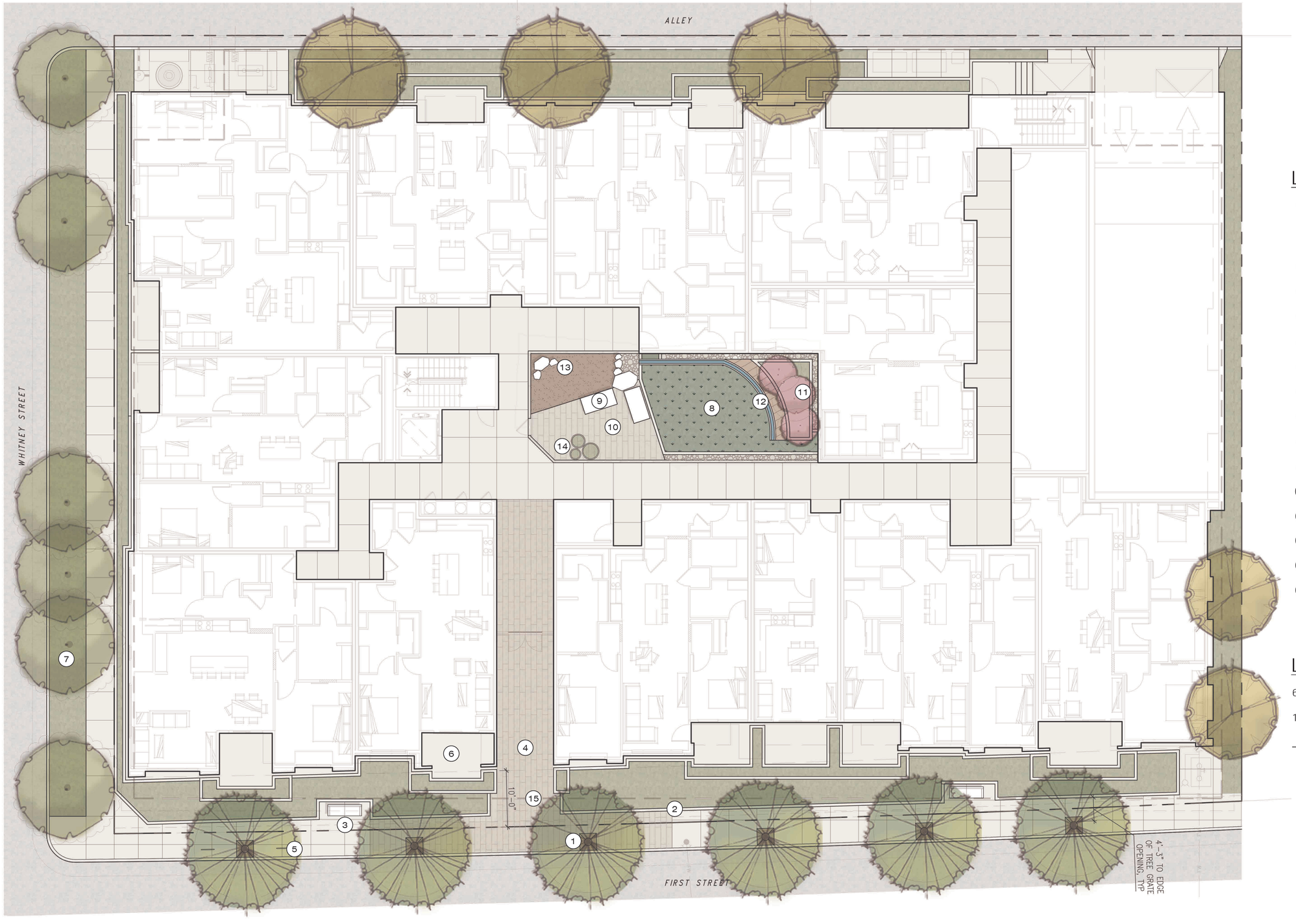

LEGEND

1. STREET TREES IN TREE GRATES AT 25' ON CENTER, TYP. 4'-3" CLEAR FROM PLANTER WALL TO EDGE OF TREE GRATE OPENING, TYP.
2. RAISED PLANTER, TYP
3. BENCH, TYP
4. LARGE FORMAT LINEAR PAVERS, TYP
5. BIKE RACK, TYP OF 2
6. UNIT PATIO, TYP
7. PLANTING STRIP WITH (E) STREET TREES
8. RAIN GARDEN, STORMWATER PLANTING
9. SEAT BLOCK, TYP
10. PATIO
11. ACCENT TREE, TYP
12. WATER WALL
13. ROCK GARDEN WITH BOULDERS
14. PRECAST PLANTER, TYP
15. PODIUM (DASHED)

LANDSCAPE AREA CALCS

60% MINIMUM SOFTSCAPE REQUIRED

1ST STREET SETBACK

HARDSCAPE:	775 SF
SOFTSCAPE:	1,220 SF
TOTAL:	1,995 SF
	61%

NORTH 8' 0' 4' 8' 16'

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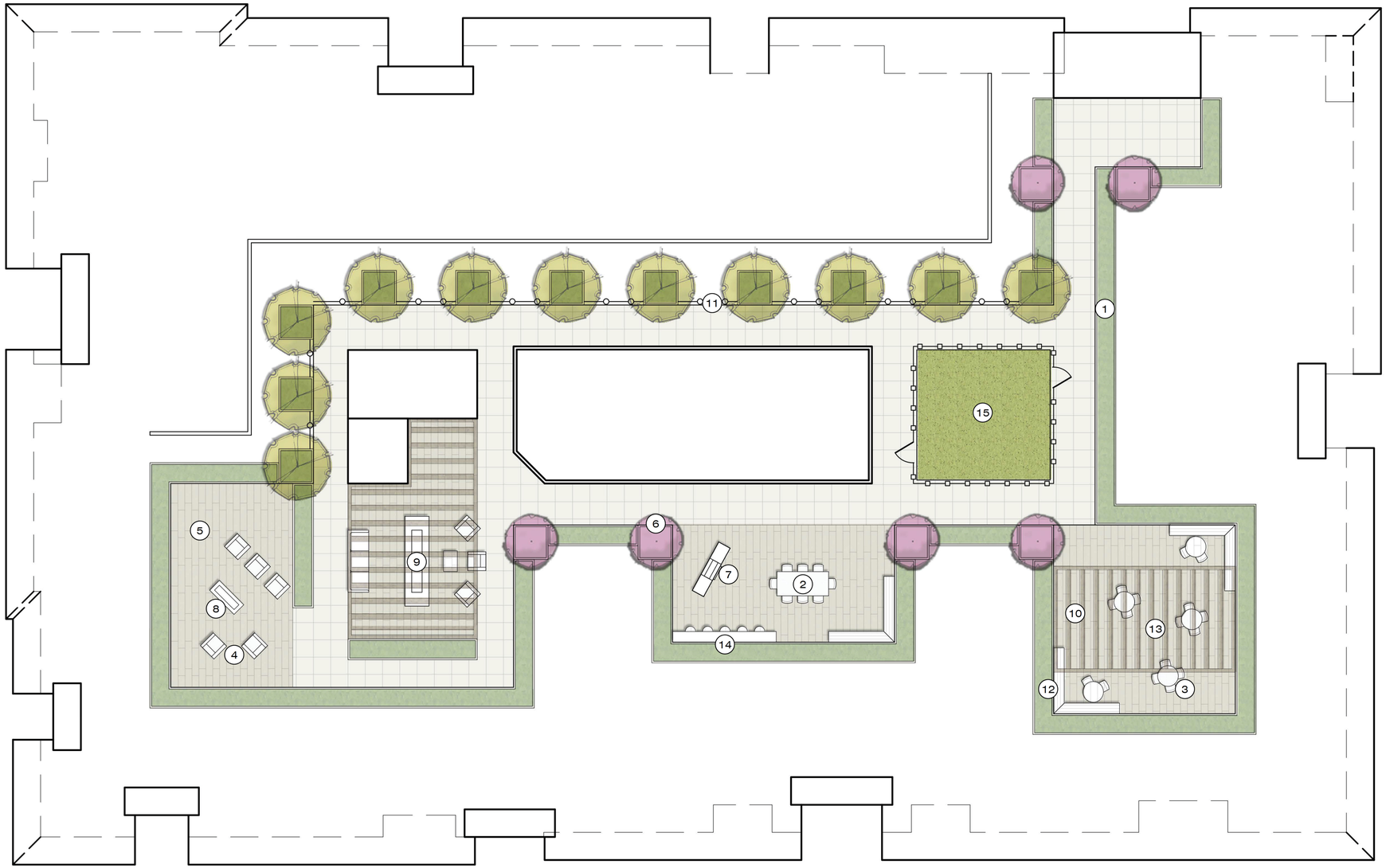
LANDSCAPE CONCEPT GROUND FLOOR
L-1



LEGEND

1. PRECAST PLANTER, TYP
2. COMMUNITY TABLE
3. TABLE & CHAIRS, TYP
4. LOUNGE FURNITURE, TYP
5. PEDESTAL PAVERS, TYP
6. PRECAST TREE PLANTER, TYP
7. ELECTRIC BBQ & COUNTER
8. FIRE PIT
9. DOUBLE-SIDED FIREPLACE
10. SHADE STRUCTURE, TYP
11. DECORATIVE SCREEN
12. CANTILEVER BENCH ON PLANTER, TYP
13. OUTDOOR WORKSPACE
14. COUNTER SEATING
15. DOG LOUNGE WITH FENCE & GATES

NORTH

8′ 0′ 4′ 8′ 16′

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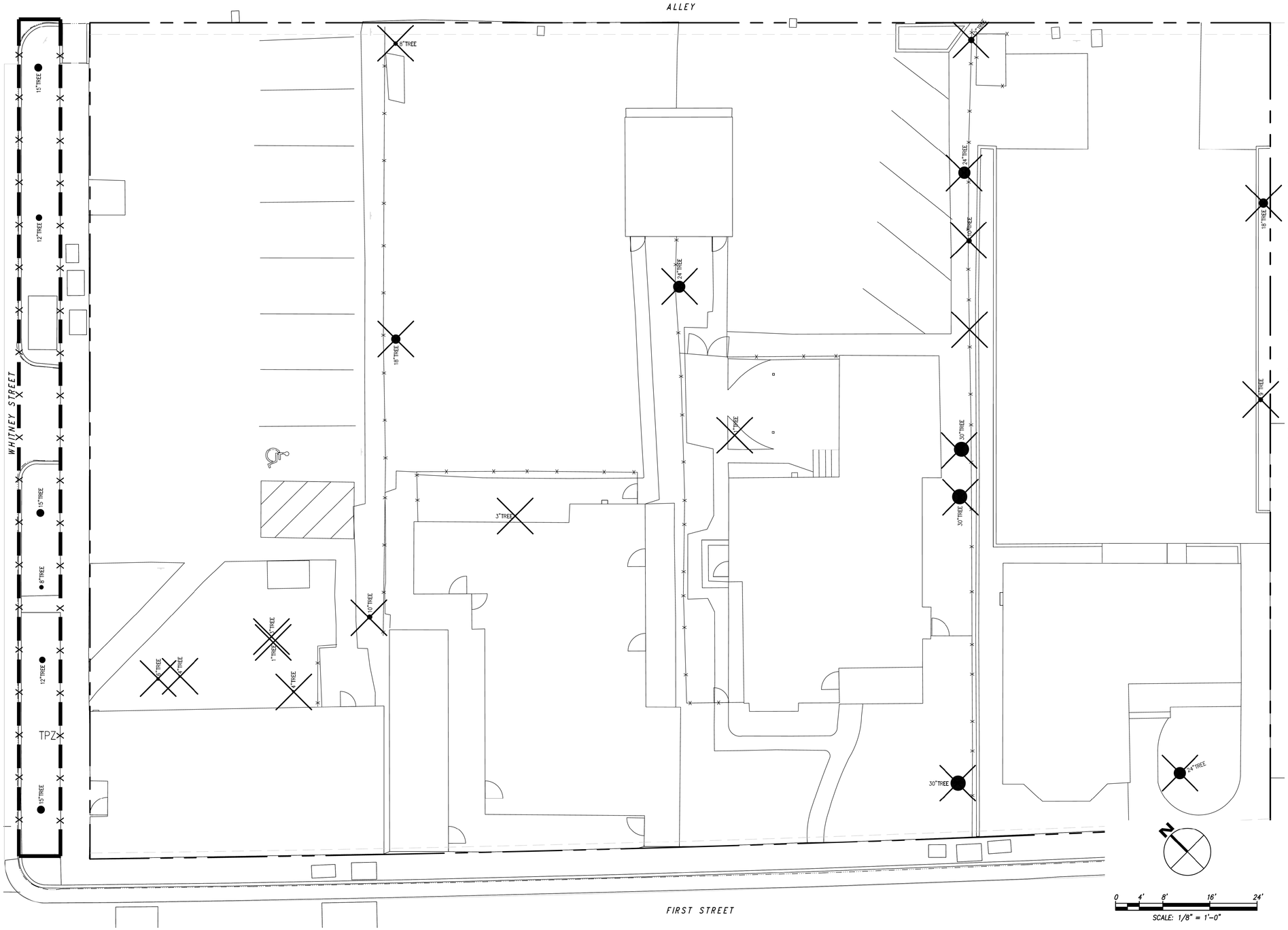
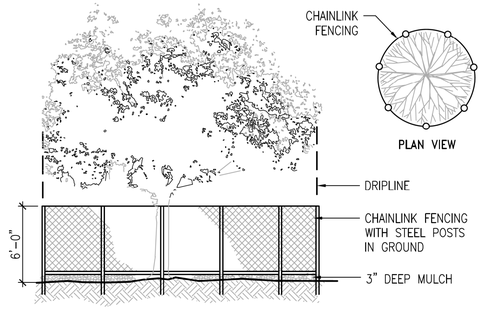
LANDSCAPE CONCEPT - ROOF DECK

L-2



EXISTING TREE PROTECTION NOTES

1. PRIOR TO AND DURING DEMOLITION, GRADING AND CONSTRUCTION, ALL TREES NOTED ON THE DRAWINGS SHALL BE PROTECTED BY FENCING INSTALLED OUTSIDE THE EXISTING DRIPLINE OF THE TREE, OR AS OTHERWISE SHOWN ON THE DRAWINGS. FENCING MAY OCCUR AT THE COMBINED DRIPLINES OF GROVES OF TREES.
2. EXISTING TREE DRIPLINES ARE SHOWN DIAGRAMMATICALLY ON THE PLANS; TREE PROTECTION FENCING INDICATED AT THEIR PERIMETER IS LIKEWISE DIAGRAMMATIC. THE LENGTH OF ALL TREE PROTECTION FENCING IS TO BE MEASURED IN THE FIELD ACCORDING TO THE TRUE SHAPE AND DIAMETER OF TREE DRIPLINES.
3. FENCING SHALL BE SIX FOOT HIGH CHAIN LINK WITH STEEL POSTS EMBEDDED IN THE GROUND. ALL FENCE SECTIONS SHALL BE CLEARLY MARKED WITH A SIGN STATING, "TREE PROTECTION ZONE."
4. FENCING SHALL REMAIN IN PLACE THROUGHOUT THE CONSTRUCTION PERIOD UNTIL FINAL LANDSCAPE INSPECTION BY THE LANDSCAPE ARCHITECT.
5. 3" DEEP MULCH IS TO BE PLACED BENEATH THE DRIPLINE OF ALL TREES SHOWN TO BE PROTECTED WITH FENCING.
6. NO GRADING OR CONSTRUCTION WORK SHALL OCCUR WITHIN THE DRIPLINE OF EXISTING TREES, WHETHER SHOWN WITH TREE PROTECTION FENCING OR NOT. IF EXCAVATION WITHIN THE DRIPLINE IS NECESSARY, THE CONTRACTOR SHALL HAND DIG UNDER THE DIRECTION OF A CERTIFIED ARBORIST. THE CONTRACTOR SHALL HAVE A CERTIFIED ARBORIST ON SITE TO MONITOR ALL ROOT PRUNING AND BRANCH PRUNING OF EXISTING TREES.
7. NO STOCKPILING/STORAGE OF FILL, ETC., SHALL TAKE PLACE UNDERNEATH OR WITHIN FIVE FEET OF THE DRIPLINE OF THE EXISTING TREES.
8. FOR ALL TREES TO REMAIN, NO OIL, GASOLINE, CHEMICALS, LIQUID WASTER, OR OTHER HARMFUL MATERIALS SHALL BE DEPOSITED, DISPOSED OR STORED WITHIN THE DRIPLINE OF THE TREES OR IN DRAINAGE CHANNELS, SWALES, OR AREAS THAT MAY LEAD TO THE DRIPLINE WHETHER SHOWN WITH TREE PROTECTION FENCING OR NOT. LIKEWISE, NO EQUIPMENT MAY BE WASHED WITHIN THE DRIPLINE OR DRAINAGE CHANNEL OF ANY TREE.
9. NO EQUIPMENT MAY BE STORED WITHIN OR BENEATH THE DRIPLINES OF THE EXISTING TREES.
10. THE CONTRACTOR IS REQUIRED TO WATER, FERTILIZE, AND ATTEND TO ALL MAINTENANCE NEEDS OF ANY EXISTING TREES TO REMAIN WHERE AFFECTED BY CONSTRUCTION WORK IN ORDER TO MAINTAIN HEALTHY GROWTH THROUGHOUT THE CONSTRUCTION PERIOD.
11. UNAUTHORIZED TREE REMOVAL IS SUBJECT TO REPLACEMENT EQUAL TO THE APPRAISED VALUE OF THE TREE LOST OR AS OTHERWISE DIRECTED BY THE UNIVERSITY REPRESENTATIVE.
12. ALL PRUNING SHALL BE APPROVED BY THE UNIVERSITY REPRESENTATIVE AND PERFORMED UNDER THE SUPERVISION OF A LICENSED ARBORIST.
13. SEE ALSO ARBORIST REPORT AND CIVIL EXISTING CONDITIONS PLAN, SHEET C1.0.



1 EXISTING TREE PROTECTION FENCING
SCALE: NTS

TREE REMOVAL & REPLACEMENT	
PROTECTED TREES PROPOSED TO BE REMOVED	5
NON-PROTECTED TREES PROPOSED TO BE REMOVED	16
TOTAL TREES PROPOSED TO BE REMOVED	21
OFF-SITE TREES PROPOSED TO BE REMOVED	0
TOTAL NEW PROPOSED TREES	11

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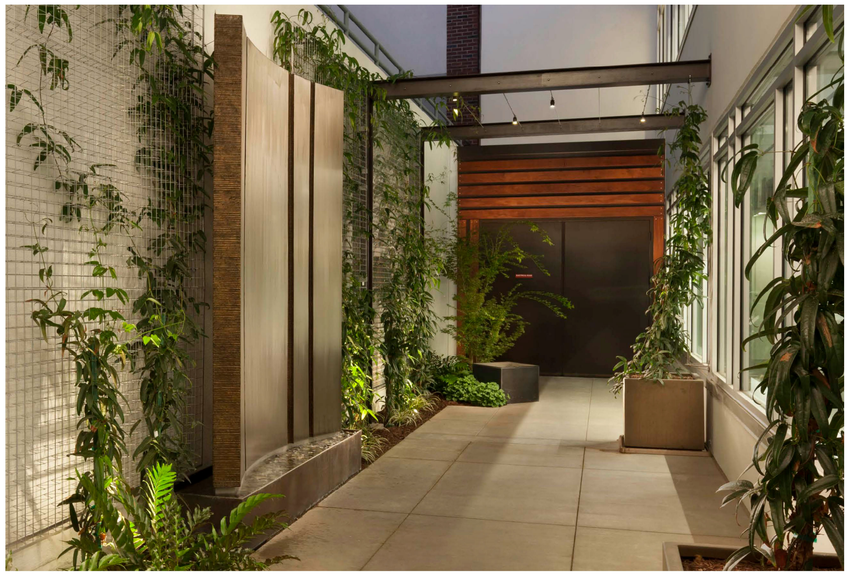
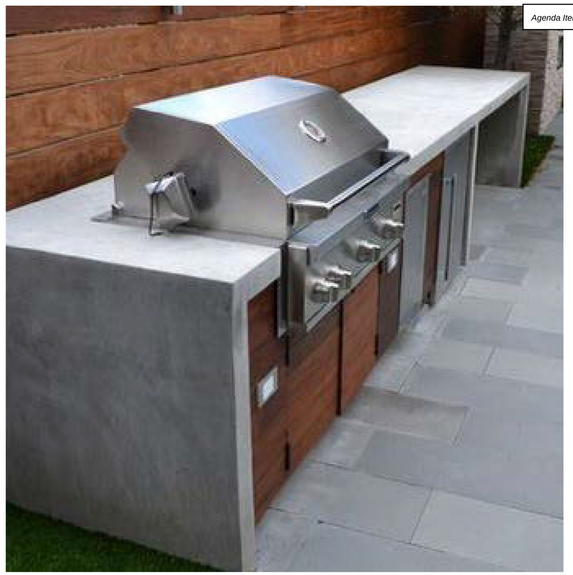
April 8, 2022

TREE PROTECTION & REMOVAL PLAN
L-3

SAND HILL ROAD COURTYARD

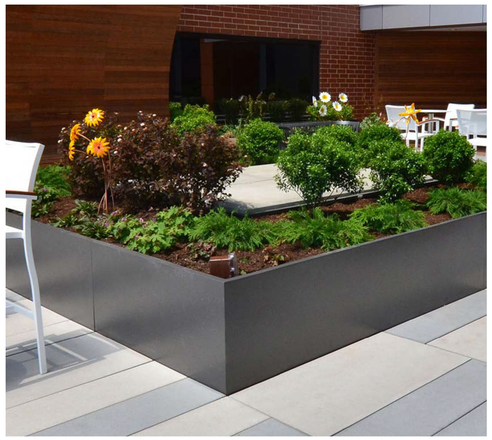


1450 CHAPIN AVENUE - ARCHIE HELD WATERWALL

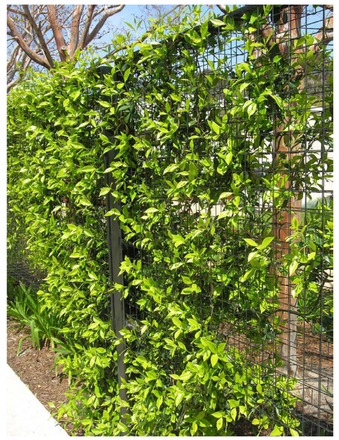


BBQ (ELECTRIC)/KITCHEN

ROOF DECK



PRECAST PLANTERS - ROOF DECK



GREENSCREEN OR DECORATIVE METAL SCREEN

ACCENT LIGHTING

PRECAST CONCRETE PLANTER - GROUND FLOOR

BIKE RACK

LARGE FORMAT LINEAR PAVERS

BENCH

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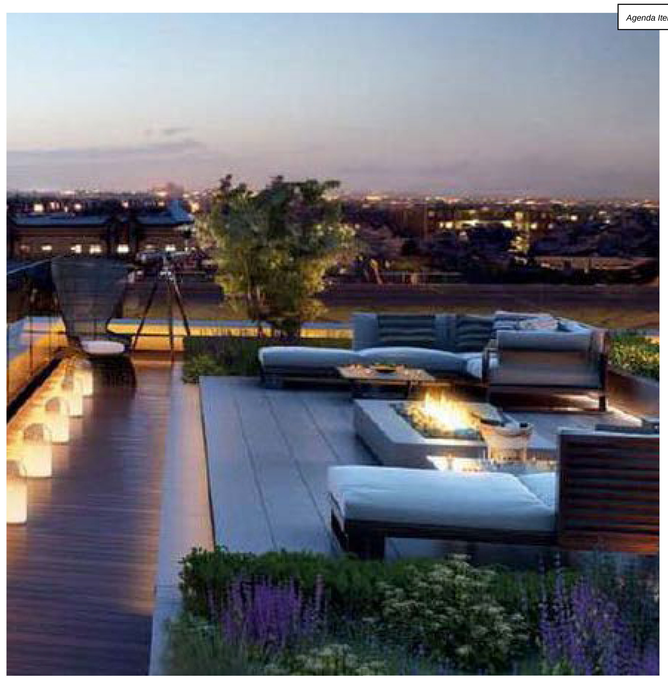
April 8, 2022

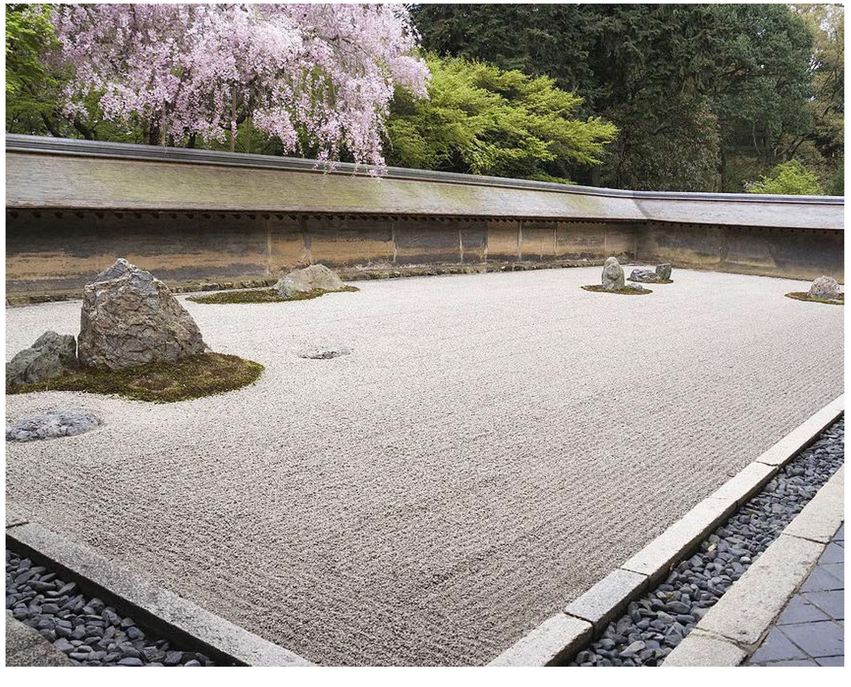
PRECEDENT & MATERIALS IMAGES
L-4

GARDEN SURROUND

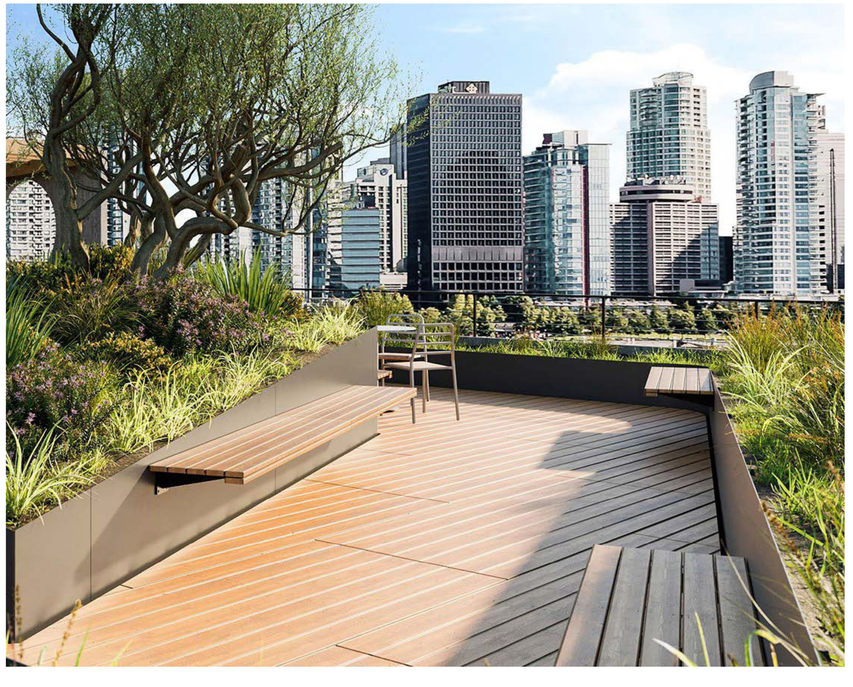
DOUBLE-SIDED FIREPLACE & LOUNGE SEATING



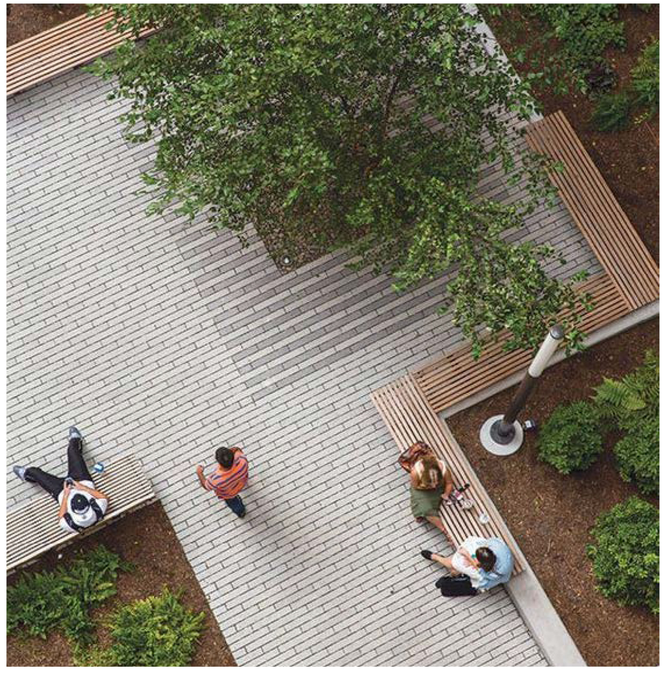
FIREPIT & LOUNGE SEATING



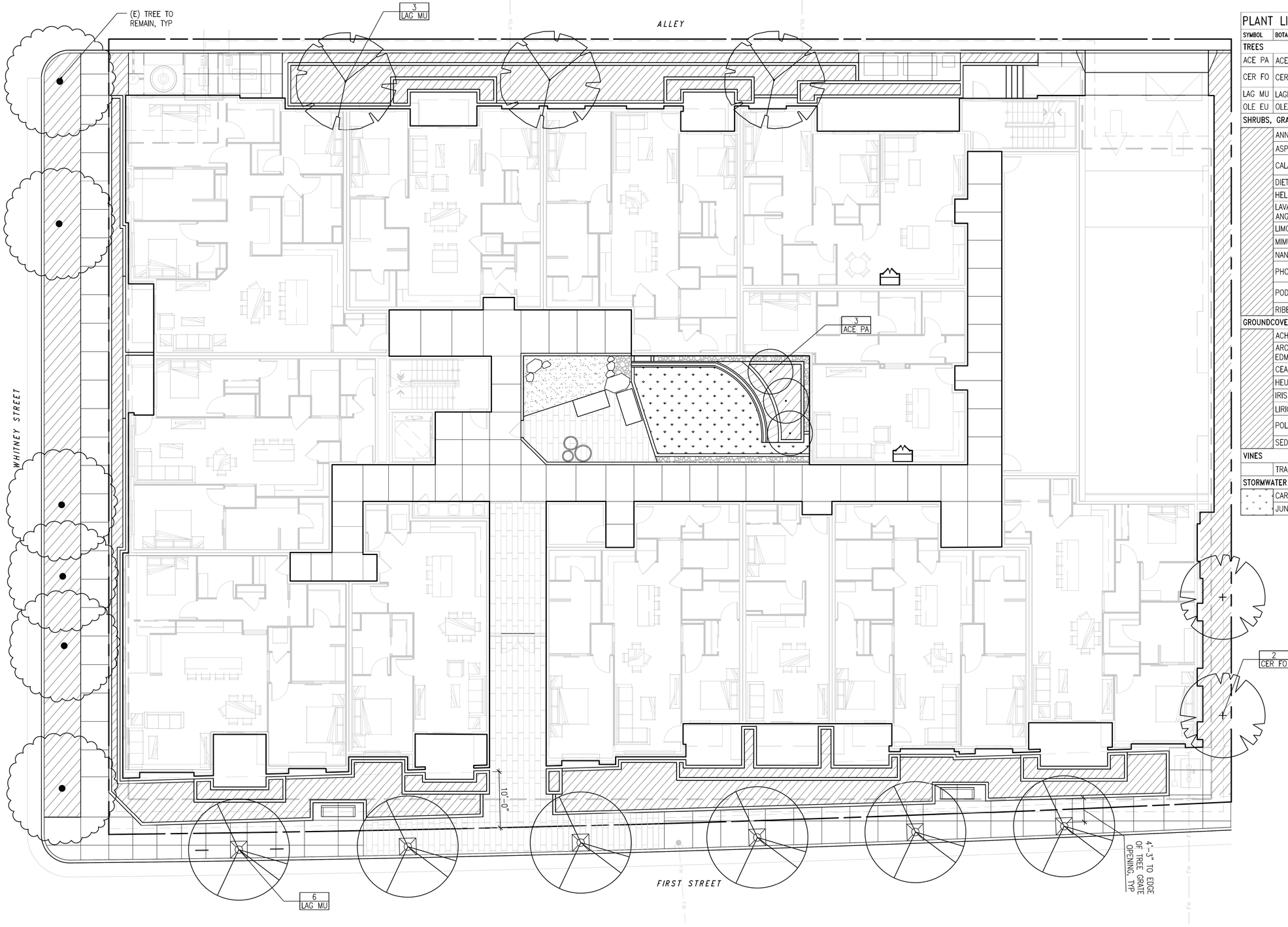
RYOAN-JI ROCK GARDEN



CANTILEVER BENCH ON PLANTER



OUTDOOR WORKSPACE WITH SEATING



PLANT LIST

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	SPACING	QTY	W.UCOLS
TREES						
ACE PA	ACER PALMATUM 'SANGO KAKU'	JAPANESE MAPLE	24" BOX	PER PLAN		M
CER FO	CERCIS 'FOREST PANSY'	FOREST PANSY REDBUD	24" BOX	PER PLAN		M
LAG MU	LAGERSTROEMIA 'MUSKOGEE'	CRAPE MYRTLE	24" BOX	PER PLAN		L
OLE EU	OLEA EUROPAEA	FRUITLESS OLIVE	24" BOX	PER PLAN		L
SHRUBS, GRASSES, & PERENNIALS						
	ANNIGOZANTHOS 'BUSH GOLD'	KANGAROO PAW	1 GAL	3'-0" OC		L
	ASPIDISTRA ELATIOR 'ASAHI'	CAST IRON PLANT	1 GAL	2'-0" OC		L
	CALAMAGROSTIS 'KARL FOERSTER'	FEATHER REED GR.	5 GAL	2'-0" OC		L
	DIETES 'LEMON DROPS'	FORTNIGHT LILY	5 GAL	3'-0" OC		L
	HELICHTOTICHON SEMPERVIRENS	BLUE OAT GRASS	5 GAL	4'-0" OC		L
	LAVANDULA ANGUSTIFOLIA 'MUNSTEAD'	LAVENDER	5 GAL	3'-0" OC		L
	LIMONIUM PEREZII	SEA LAVENDER	1 GAL	3'-0" OC		L
	MIMULUS 'JELLYBEAN GOLD'	MONKEYFLOWER	1 GAL	2'-0" OC		L
	NANDINA DOMESTICA	HEAVENLY BAMBOO	5 GAL	3'-0" OC		L
	PHORMIUM 'RAINBOW MAIDEN'	NEW ZEALAND FLAX	5 GAL	4'-0" OC		L
	PODOCARPUS M. 'MAKI'	SHRUBBY YEW PODOC.	15 GAL	4'-0" OC		M
	RIBES SANGUINEUM 'KING EDWARD'	CA CURRANT	5 GAL	4'-0" OC		L
GROUNDCOVERS						
	ACHILLEA MILLEFOLIUM 'PAPRIKA'	YARROW	1 GAL	2'-0" OC		L
	ARCTOSTAPHYLOS EDMUNDSII 'EMERALD CARPET'	MANZANITA	1 GAL	5'-0" OC		L
	CEANOTHUS GRISEUS 'HORIZONTALIS'	CALIFORNIA LILAC	1 GAL	6'-0" OC		L
	HEUCHERA MAXIMA	CORAL BELLS	1 GAL	2'-0" OC		L
	IRIS DOUGLASIANA	DOUGLAS IRIS	1 GAL	2'-0" OC		L
	LIRIOPE MUSCARI 'VARIEGATA'	VARIEG. LILYTURF	1 GAL	1'-6" OC		M
	POLYSTICHUM MUNITUM	WESTERN SWORD FERN	1 GAL	3'-0" OC		M
	SEDUM RUPESTRE 'ANGELINA'	STONECROP	1 GAL	2'-0" OC		L
VINES						
	TRACHELOSPERMUM JASMINOIDES	STAR JASMINE	5 GAL	PER PLAN		M
STORMWATER PLANTING						
	CAREX TUMULCOLA	BERKELEY SEDGE	1 GAL	2'-0" OC		L
	JUNCUS PATENS	CA GRAY RUSH	1 GAL	2'-0" OC		L

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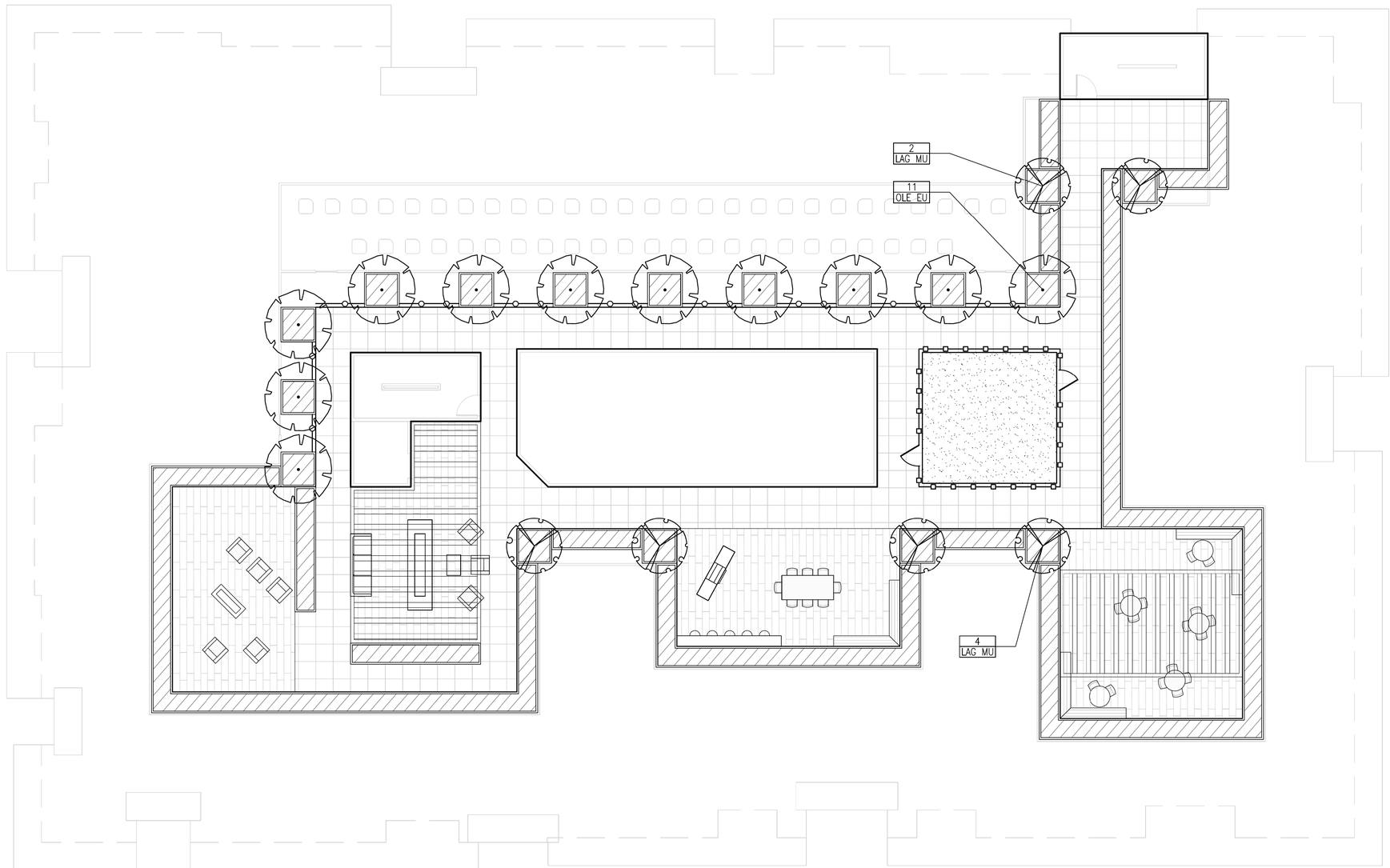
April 8, 2022

PRELIMINARY PLANTING PLAN - GROUND FLOOR
L-6



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	ASPIDISTRA ELATIOR 'ASAHI'	CAST IRON PLANT	1 GAL	2'–0" OC		L
	CALAMAGROSTIS 'KARL FOERSTER'	FEATHER REED GR.	5 GAL	2'–0" OC		L
	DIETES 'LEMON DROPS'	FORTNIGHT LILY	5 GAL	3'–0" OC		L
	HELICHTOTICHON SEMPERVIRENS	BLUE OAT GRASS	5 GAL	4'–0" OC		L
	LAVANDULA ANGUSTIFOLIA 'MUNSTEAD'	LAVENDER	5 GAL	3'–0" OC		L
	LIMONIUM PEREZII	SEA LAVENDER	1 GAL	3'–0" OC		L
	MIMULUS 'JELLYBEAN GOLD'	MONKEYFLOWER	1 GAL	2'–0" OC		L
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	PHORMIUM 'RAINBOW MAIDEN'	NEW ZEALAND FLAX	5 GAL	4'–0" OC		L
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	RIBES SANGUINEUM 'KING EDWARD'	CA CURRANT	5 GAL	4'–0" OC		L
GROUNDCOVERS						
	ACHILLEA MILLEFOLIUM 'PAPRIKA'	YARROW	1 GAL	2'–0" OC		L
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	HEUCHERA MAXIMA	CORAL BELLS	1 GAL	2'–0" OC		L
	IRIS DOUGLASIANA	DOUGLAS IRIS	1 GAL	2'–0" OC		L
	LIRIOPE MUSCARI 'VARIEGATA'	VARIEG. LILYTURF	1 GAL	1'–6" OC		M
	POLYSTICHUM MUNITUM	WESTERN SWORD FERN	1 GAL	3'–0" OC		M
	SEDUM RUPESTRE 'ANGELINA'	STONECROP	1 GAL	2'–0" OC		L
VINES						
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HOMES

355 1ST STREET, LOS ALTOS
April 8, 2022

PRELIMINARY PLANTING PLAN - ROOF DECK
L-7

CONSTRUCTION MANAGEMENT PLAN
355 1St Street
March 24, 2021

Acknowledgement

The goal of this Construction Management plan is to minimize the construction related impacts to the surrounding neighborhood and adjacent properties and their occupants. Specifically the objectives of this plan are to:

- Reduce parking impacts related to the proposed construction;
- Contain construction related parking to the project site and areas approved by the city;
- Reduce construction related noise to the greatest extent technically and economically feasible; and
- Minimize off-site dust and air quality impacts per best management practices.

In order to achieve the above stated goals and objectives, we agree to, and will abide by the terms contained in this Construction Management Plan.

Kevin DeNardi (Owners) — Date

General Contractor (TBD) — Date

Pre-Construction Meeting

The owner and contractor shall schedule a pre-construction meeting with City Staff (Building, Planning and Engineering) after permit issuance, but prior to start of work, to review Construction Management Plan implementation.

Approvals

Building — Date

Planning — Date

Engineering — Date

PROJECT TOTAL EQUIPMENT HOURS

Equipment	dBA		
Excavators	81	XXX	hours
Trucks	79	XXX	hours
Loaders	85	XXX	hours
Backhoe	85	XXX	hours
Compactor/Roller	74	XXX	hours
Mobile Crane	83	XXX	hours
Air Compressor	81	XXX	hours
Generator	81	XXX	hours
Concrete Boom Pump	82	XXX	hours
Concrete Trucks	83	XXX	hours
Concrete Trailer Pump	82	XXX	hours
Misc. Hand Tools	74	XXX	hours
Personnel Hoist	75	XXX	hours
Fork Lifts	83	XXX	hours

Loading, unloading, opening, closing, or handling of boxes, crates, containers, building materials, or similar objects, between the hours of 10:00 p.m. and 7:00 a.m. of the following day, in such a manner as to cause a noise disturbance across a residential real property line is prohibited.

At least 24 hours prior to any jack-hammering activities, all occupants of adjacent properties will be notified.

DELIVERIES WILL BE MADE FROM THE ALLEY WHEN FESIBLE.

DELIVERIES ARE ANTICIPATED ONLY BETWEEN 7:00 AM - 4:00 PM WEEKDAYS AND 10:00 AM - 2:00 PM ON SATURDAY

OFF-SITE TRUCK STAGING FOR MATERIAL DELIVERIES THAT REQUIRE MULTIPLE TRUCKS AT ANY ONE TIME (CONCRETE, BUILDING MATERIALS, ETC.) WILL BE DETERMINED WITH CITY STAFF PRIOR TO CONSTRUCTION COMMENCING

355 FIRST STREET—HAUL ROUTE IN-BOUND

FROM THE SOUTH:
1) TAKE I-280 NORTH BOUND.
2) TAKE EXIT 16 FOR EL MONTE ROAD.
3) KEEP RIGHT AT THE FORK, FOLLOW SIGNS FOR EL MONTE ROAD E AND KEEP RIGHT TO MERGE ONTO EL MONTE ROAD.
4) CONTINUE ON EL MONTE ROAD.
5) USE THE MIDDLE LANE TO TURN LEFT ONTO FOOTHILL EXPRESSWAY.
6) TURN RIGHT ONTO S SAN ANTONIO ROAD.
7) TURN LEFT ONTO FIRST STREET.

FROM THE NORTH:
1) TAKE I-280 SOUTH BOUND.
2) TAKE EXIT 16 FOR EL MONTE ROAD TOWARD MOODY ROAD.
3) KEEP LEFT AT THE FORK, FOLLOW SIGN FOR EL MONTE ROAD E.
4) KEEP RIGHT AT THE FORK, FOLLOW SIGN FOR EL MONTE ROAD E AND MERGE ONTO EL MONTE ROAD.
5) USE THE MIDDLE LANE TO TURN LEFT ONTO FOOTHILL EXPRESSWAY.
6) TURN RIGHT ONTO S SAN ANTONIO ROAD.
7) TURN LEFT ONTO FIRST STREET.

Noise Reduction Plan

During Construction and Demolition the project will adhere to the following noise reduction policies per LAMC 6.16.

The project will not operate or cause the operation of any tools or equipment used in construction, drilling, repair, alteration, or demolition work on weekdays before 7:00 a.m. and after 7:00 p.m. and Saturdays before 9:00 a.m. or after 6:00 p.m. or any time on Sundays or the city observed holidays of New Year's Day, Memorial Day, Independence Day, Labor Day, Veterans' Day, Thanksgiving Day and Christmas Day, such that the sound therefrom creates a noise disturbance across a residential or commercial real property line.

Where technically and economically feasible, construction activities shall be conducted in such a manner that the maximum noise levels at affected properties will not exceed:

Maximum noise levels for the nonscheduled, intermittent, short-term operation (less than ten (10) days) of mobile equipment or stationary equipment:

Daily, except Sundays and legal holidays 7:00 a.m. — 7:00 p.m.	85dBA
Daily, 7:00 p.m. — 7:00 a.m. and all day Sundays and legal holidays	60 dBA

No person shall operate, or cause to be operated, any source of sound at any location within the city, or allow the creation of any noise on property owned, leased, occupied, or otherwise controlled by such person, which causes the noise level, when measured on any other property, either incorporated or unincorporated, to exceed:

10:00 PM – 7:00 AM	60 dBA
7:00 AM – 10:00 PM	65d BA

- For a cumulative period of more than thirty (30) minutes in any hour; or
- The noise standard plus five dB for a cumulative period of more than fifteen (15) minutes in any hour; or
- The noise standard plus ten (10) dB for a cumulative period of more than five minutes in any hour; or
- The noise standard plus fifteen (15) dB for a cumulative period of more than one minute in any hour; or
- The noise standard plus twenty (20) dB or the maximum measured ambient for any period of time.

SITE PARKING AND STAGING

The following outlines general methods to reduce construction impact on the surrounding neighbors:

1. Parking during basement excavation and construction is anticipate to be limited to the project frontage on First Street and on Whitney Street utilizing approximately 10 cars for this stage of construction.
2. After basement parking structure is built, then parking will be available for employees and materials in the garage.
3. Trailer size is approximately 8'x20'. See sheet CM2.0 for location.
4. Construction metal chain link fence is approximately 6' tall with a green screen.
5. Entrance/gate is located along the Alley at the proposed basement parking entry.
6. Material location is per sheet CM2.0.

NOTE: Contractor shall not be permitted to park on residential neighborhood streets beyond project frontage.

355 FIRST STREET—HAUL ROUTE OUT-BOUND

HEADED SOUTH:
1) HEAD NORTHWEST ON FIRST STREET TOWARDS MAIN STREET.
2) TURN LEFT ONTO MAIN STREET.
3) TURN LEFT ONTO FOOTHILL EXPRESSWAY.
4) TURN RIGHT ONTO S EL MONTE AVENUE (SIGNS FOR MOODY ROAD).
5) USE THE RIGHT LANE TO TAKE THE RAMP TO I-280 S TOWARDS SAN JOSE.

HEADED NORTH:
1) HEAD NORTHWEST ON FIRST STREET TOWARDS MAIN STREET.
2) TURN LEFT ONTO MAIN STREET.
3) TURN LEFT ONTO FOOTHILL EXPRESSWAY.
4) TURN RIGHT ONTO S EL MONTE AVENUE (SIGNS FOR MOODY ROAD).
5) USE THE RIGHT LANE TO MERGE ONTO I-280 N TOWARDS SAN FRANCISCO.

BKF
1730 N. FIRST STREET
SUITE 600
SAN JOSE, CA 95112
(408) 467-9100
www.bkf.com

355-373 1ST STREET
CONCEPTUAL CONSTRUCTION MANAGEMENT PLAN
LOS ALTOS SANTA CLARA COUNTY CALIFORNIA

No.	Revisions
1	RESUBMITTAL 1
2	7/16/21 – RESUBMITTAL 2
3	09/03/21 – RESUBMITTAL 3
4	11/12/21 – RESUBMITTAL 4
5	04/08/22 – RESUBMITTAL 5

Date 04/08/2022
Scale AS SHOWN
Design RM
Drawn RM
Approved IB
Job No 20201231

Drawing Number:
CM1.0

ALLEY
(16' ROW)

WHITNEY STREET
(50' ROW)

FIRST STREET
(50' ROW)

LEGEND

- TRUCK/MATERIAL DELIVERY (LOADING/UNLOADING)
- CONSTRUCTION SERVICES TEMP POWER/TEMP TOILETS/CONSTRUCTION SHED
- BASEMENT PARKING ENTRY
- 8'X20' TRAILER (ACTUAL LOCATION TO BE DETERMINED IN FIELD)
- MATERIAL AND STORAGE YARD (ACTUAL LOCATION TO BE DETERMINED IN FIELD)
- CONSTRUCTION FENCE DRIVEN POST

GRAPHIC SCALE
10 0 10 20

1730 N. FIRST STREET
SUITE 600
SAN JOSE, CA 95112
(408) 467-9100
www.bkf.com

BKF

355-373 1ST STREET
CONCEPTUAL CONSTRUCTION MANAGEMENT PLAN

LOS ALTOS CALIFORNIA
SANTA CLARA COUNTY

No.	Revisions
1	RESUBMITTAL 1
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Date 04/08/2022
Scale AS SHOWN
Design RM
Drawn RM
Approved IB
Job No 20201231

Drawing Number:
CM2.0

NOTES:

1. Only signs related to pedestrians are shown. For all other signs see appropriate T-sheets.
2. Barricades closing sidewalk shall cover the full width of the sidewalk. Use R9-11 sign when there are destination points between the detour and the work area. Locate the R9-11 sign to allow pedestrian access.
3. Advance warning sign is not required if the work area is within the limits of a larger work zone. Sign shall be equipped with at least two flags for daytime closure. Each flag shall be orange or fluorescent red-orange in color.

NOTES:

See Standard Plan T9 for tables.

Use cone spacing X for taper segment, Y for tangent segment or Z for conflict situations, as appropriate, per Table 1 unless X,Y, or Z cone spacing is shown on this sheet.

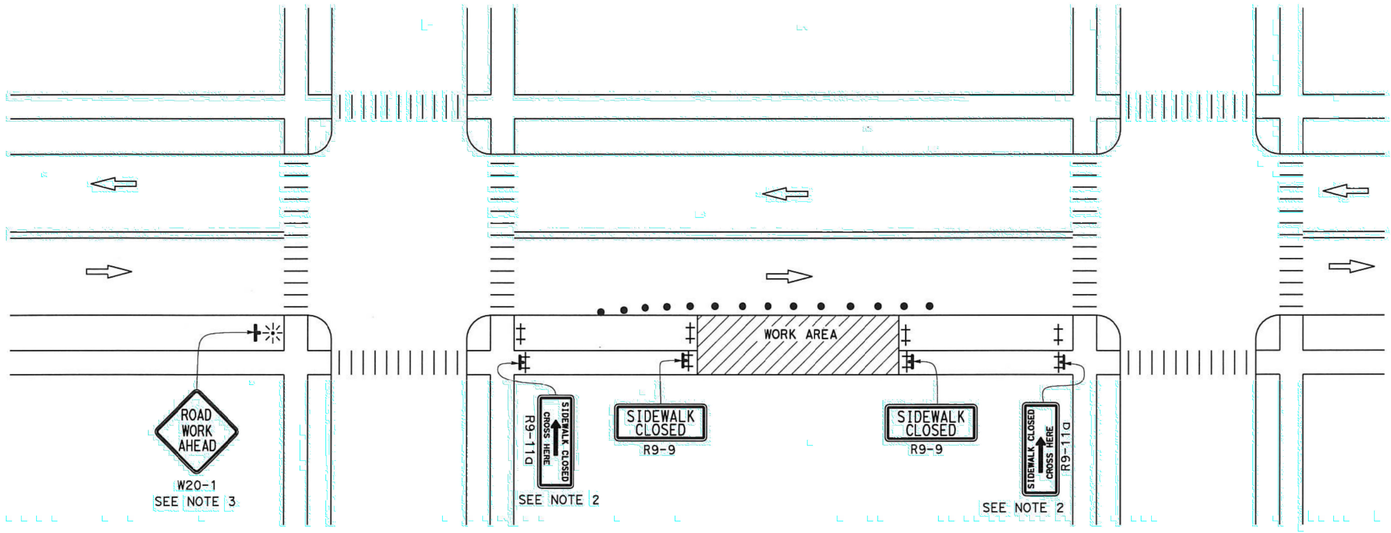
Dist	COUNTY	ROUTE	POST MILES TOTAL PROJECT	SHEET No.	TOTAL SHEETS

Atifa Ferouz
REGISTERED CIVIL ENGINEER

May 31, 2018
PLANS APPROVAL DATE

THE STATE OF CALIFORNIA OR ITS OFFICERS OR AGENTS SHALL NOT BE RESPONSIBLE FOR THE ACCURACY OR COMPLETENESS OF SCANNED COPIES OF THIS PLAN SHEET.

REGISTERED PROFESSIONAL ENGINEER
Atifa Ferouz
No. C80402
Exp. 3-31-19
CIVIL
STATE OF CALIFORNIA



LEGEND:

- BARRICADE
- TRAFFIC CONE
- PORTABLE FLASHING BEACON
- SIGN
- TEMPORARY TRAFFIC CONTROL SIGN ON BARRICADE

SIGN PANEL SIZE (Min)

SIGN DESIGNATION	SIGN OR PLAQUE	SIGN SIZE
R9-9	SIDEWALK CLOSED	24" x 12"
R9-11	SIDEWALK CLOSED AHEAD CROSS HERE	24" x 18"
R9-11a	SIDEWALK CLOSED CROSS HERE	24" x 12"
W20-1	ROAD WORK AHEAD	36" x 36"

STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION

TEMPORARY PEDESTRIAN ACCESS ROUTES TYPICAL SIDEWALK CLOSURE AND PEDESTRIAN DETOUR

NO SCALE

T30

1-29-18

296

2018 STANDARD PLAN T30

1730 N. FIRST STREET
SUITE 600
SAN JOSE, CA 95112
(408) 467-9100
www.bkf.com

BKF

355-373 1ST STREET
CONCEPTUAL CONSTRUCTION MANAGEMENT PLAN
LOS ALTOS CALIFORNIA
SANTA CLARA COUNTY

No.	Revisions
1	RESUBMITTAL 1
2	7/16/21 – RESUBMITTAL 2
3	09/03/21 – RESUBMITTAL 3
4	11/12/21 – RESUBMITTAL 4
5	04/08/22 – RESUBMITTAL 5

Date 04/08/2022
Scale AS SHOWN
Design RM
Drawn RM
Approved IB
Job No 20201231

Drawing Number:
CM3.0

PUBLIC CORRESPONDENCE

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To send correspondence to the City Council, on matters listed on the agenda please email PublicComment@losaltosca.gov

From: Christine Talbott
To: Public Comment
Subject: 355 First Street-SB 330 Project
Date: Tuesday, June 21, 2022 2:28:05 PM

I am strongly opposed to the construction of a FOUR story building at this location.

There are so many large condo buildings on 1st street, that the street is more of a tunnel than a welcoming entrance to downtown Los Altos.

All the condo buildings have taken away retail shops and small offices. Again, changing the flavor of downtown Los Altos.

Such large structures block the afternoon sun from many buildings.

Please do not allow this building.

Christine Talbott
Regency Investment Associates
[redacted]

PUBLIC CORRESPONDENCE

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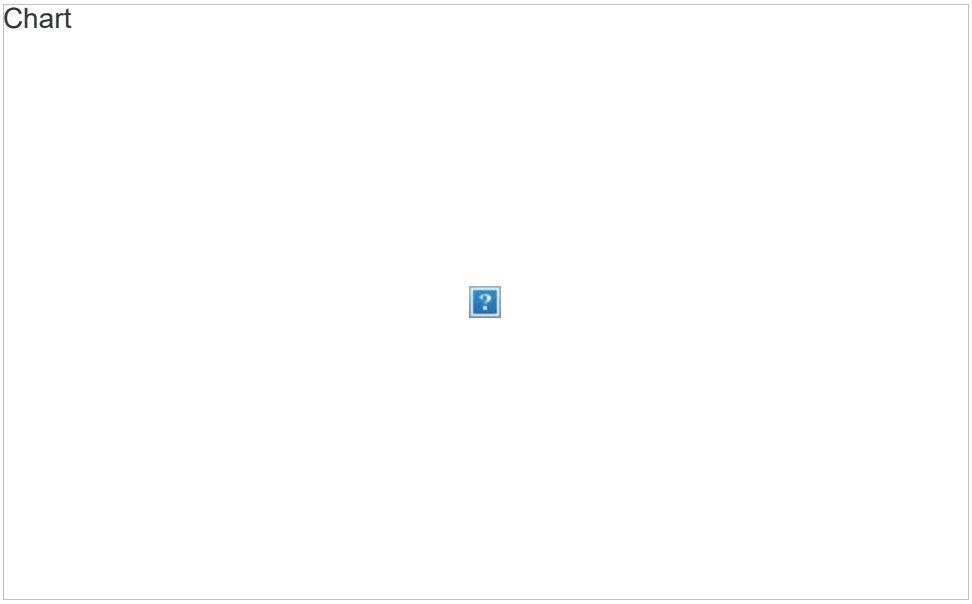
To send correspondence to the City Council, on matters listed on the agenda please email PublicComment@losaltosca.gov

From: Anne Paulson
To: Public Comment
Subject: PUBLIC COMMENT AGENDA ITEM 11 - June 28, 2022
Date: Friday, June 24, 2022 10:15:56 AM

Re: Distribution of Inclusionary Units in 355 First Street.

Dear Mayor Enander and City Council,

The size distribution of inclusionary units in 355 First Street does not follow Los Altos' ordinance requiring that inclusionary units "shall not be significantly distinguishable by size" from the market rate units. On average, the inclusionary units are much smaller. As shown by this graph, the below market (BMR) units are mostly one and two bedroom units, whereas the market rate units are mostly two and three bedroom units.

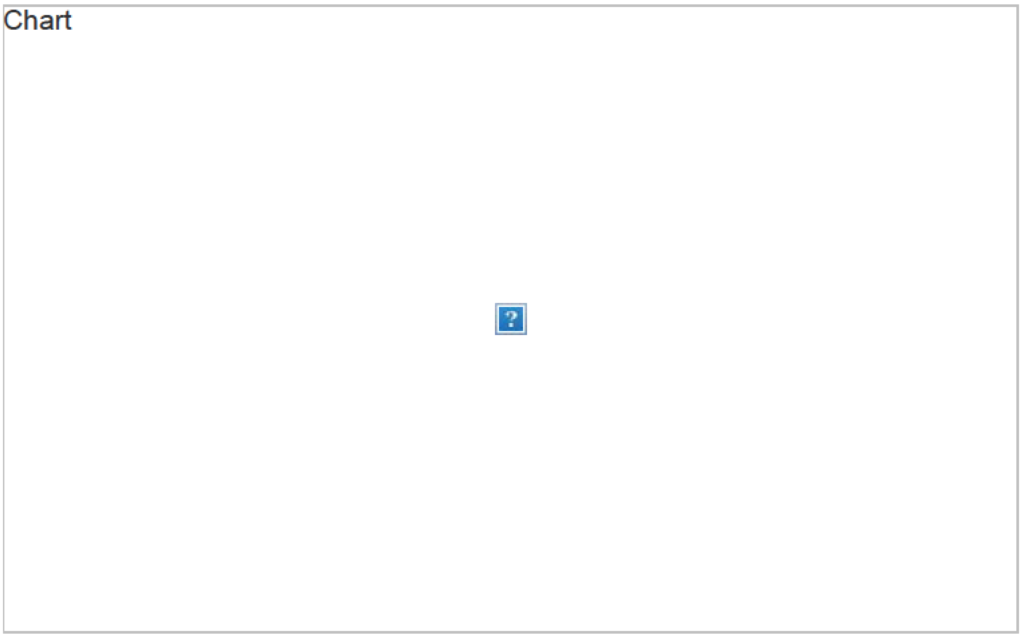


If the units were distributed as follows:

Unit size	All BMR	Very Low	Moderate
Studio	0	0	0
1 BR	1	0	1
2 BR	4	2	2
3 BR	2	1	1

then the market rate units and the below market units would have similar size distributions, as follows, which would be in conformance with our ordinance.

Chart



The project should be required to follow our ordinance by adjusting the size distribution of the inclusionary units.

Sincerely,

Anne Paulson

From: Jon Baer
To: Anita Enander; Jonathan Weinberg; Sally Meadows; Lynette Lee Eng; Neysa Fligor
Cc: Gabriel Engeland; Public Comment
Subject: Agenda Item # 11 355 First Street
Date: Sunday, June 26, 2022 3:24:00 PM

City Council- my comments with regard 355 First Street project:

Is it better than the version you reviewed on February 8th ? Really no. Is it worse? Perhaps. Have the key items that can and should be addressed been fixed? Nope.

While some in the community may plead for you to approve this project as we need more housing in our City and the City attorney may warn you that not approving it risks a lawsuit, those arguments are not valid reasons to approve this project. This project is flawed and should be denied. Most of the legitimate issues raised at the last council meeting have been ignored-the applicant is basically daring you to deny the project. Deny it.

What is wrong with this project:

1. The design does not minimize mass and bulk. The revised exterior wood cladding actually increased the mass and bulk at Whitney and First and further emphases that corner. It also fails to minimize the focal point being at Whitney and First, which was one of the city council objections. The condition of approval of having the Community Development Director work with the applicant to remedy planning commission and city council objections is unacceptable.
2. The right side of the building has windows and balconies that are 3 feet from the property line. Another building will get constructed and it will render those balconies and windows essentially useless for air and light. And it will create privacy issues. There should be no windows or balconies on the right side of the building unless the building façade has a more generous setback from the property line.
3. The courtyard is nothing more than a light well in the center of the building. It is a joke- tenement buildings on the lower east side of New York provided more light and air than what is being provided here.
4. The entrance is not human scale. It can and should be modified to be human scale. This alone is basis for denial of this project. It is irrelevant if the applicant thinks the current design is the most pleasing. It has to be of human scale. End of discussion
5. While extending the lower floors to give the upper floors a greater perception of setback is a clever trick, it does not address the fundamental problem. There already is minimal setback from the street, so the lower floors should not be allowed to be extended out. Doing this does not reduce the appearance of mass and bulk, despite what staff and applicant profess.
6. Adding another BMR unit, while good, does not address the fundamental issue that we require BMR units to be spread out within a building. Take the additional BMR unit, but enforce our requirement.
7. It is sheer nonsense that the roof deck is necessary for the project to be feasible. A well designed courtyard would provide a far more appealing and useful amenity. All the roof deck does is add additional height, mass and bulk to the building.
8. The overall design as well as individual elements such as balcony railings and windows continue to give the building an industrial look, not a residential feel compatible with surrounding buildings.

I am not against more well-designed housing along First Street. This project as currently proposed

represents poor architectural choices, does not meet our guidelines and is not compatible with the downtown.

LEAGUE OF WOMEN VOTERS®
OF LOS ALTOS-MOUNTAIN VIEW AREA

June 26, 2022

Mayor Enander and Members of the City Council
City of Los Altos
1 N. San Antonio Road
Los Altos, CA 94022

Re: Council Meeting June 28, 2022, Item #11 – 355 First Street

Dear Mayor Enander and Members of the City Council:

As we stated in February, the League of Women Voters supports urban infill developments such as the proposed 355 First Street complex. Its additional 50 residential units will help us reach our RHNA goals in a way that fulfills the Downtown Vision. The project is recommended by both the Complete Streets Commission and the Planning Commission.

However, we do not agree with the Staff that the BMR unit mix reflects the bedroom mix of the entire project. Out of nine studio and one-bedroom units, four are proposed as BMRs, while out of a total of forty-one two and three-bedroom units, only three are proposed to be BMRs. We would like this discrepancy to be corrected, along with relocating the BMRs— per Staff's direction.

The Housing Element includes programs to reduce constraints on housing development. This project reflects the slow and inconsistent approval process that many developers have complained about. In addition, 355 First Street reinforces the importance of Council and Planning Commission considering only objective standards. The City Attorney pointed out that much of the Council direction on February 8th was not legally permissible and that many of the Council comments were clearly subjective and should be eliminated under the new Housing Element. Some examples of this include:

#13 "building appears to be the least pleasant of all the buildings approved on First Street"
#14 "building design is uninviting"
#16 "make the entries warm, inviting, village-like and make it Los Altos"

(Please send comments related to this letter to [redacted]

Thank you for your consideration,
Karin Bricker, President LWV of Los Altos Mountain View

cc: Gabriel Engeland Nick Zornes Sean Gallegos. Jolie Houston Angel Rodriguez

PUBLIC CORRESPONDENCE

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To send correspondence to the City Council, on matters listed on the agenda please email PublicComment@losaltosca.gov

YIMBY Law

57 Post St, Suite 908

San Francisco, CA 94104

[redacted]

YIMBY LAW

6/28/2022

Los Altos City Council
1 N San Antonio Road
Los Altos, CA 94022

PublicComment@losaltosca.gov
Via Email

Re: 355 1st Street
167-41-029 & 167-41-028

Dear Los Altos City Council,

YIMBY Law is a 501(c)3 non-profit corporation, whose mission is to increase the accessibility and affordability of housing in California. YIMBY Law sues municipalities when they fail to comply with state housing laws, including the Housing Accountability Act (HAA). As you know, the City Council has an obligation to abide by all relevant state housing laws when evaluating the above captioned proposal, including the HAA. Should the City fail to follow the law, YIMBY Law will not hesitate to file suit to ensure that the law is enforced.

The project at 355 First Street will be a multiple-family residential project comprising four lots on First Street. The project will create 50 units (six affordable). The project will also create two levels of underground parking.

California Government Code § 65589.5, the Housing Accountability Act, prohibits localities from denying housing development projects that are compliant with the locality's zoning ordinance or general plan at the time the application was deemed complete, unless the locality can make findings that the proposed housing development would be a threat to public health and safety.

The above captioned proposal is zoning compliant and general plan compliant, therefore, your local agency must approve the application, or else make findings to the effect that the proposed project would have an adverse impact on public health and safety, as described above. Should the City fail to comply with the law, YIMBY Law will not hesitate to take legal action to ensure that the law is enforced.

I am signing this letter both in my capacity as the Executive Director of YIMBY Law, and as a resident of California who is affected by the shortage of housing in our state.

Sincerely,

Sonja Trauss
Executive Director
YIMBY Law

From: Dylan Casey
To: Public Comment
Cc: Courtney Welch
Subject: [External Sender]Written Comment on Agenda Item 11, 355 1st St LLC Housing Development
Date: Tuesday, June 28, 2022 4:34:08 PM
Attachments: Los Altos - 355 First St HAA Letter.pdf

Dear City Council,

Please consider the attached letter as public comment on the proposed housing development at 355 First Street.

Thank you,

Dylan Casey

Executive Director, California Renters Legal Advocacy and Education Fund
www.carlaef.org

California Renters Legal Advocacy and Education Fund
360 Grand Ave, #323
Oakland, CA 94612
[redacted]

June 28, 2021

City of Los Altos
1 North San Antonio Road
Los Altos, CA 94022

Re: Proposal to Approve Housing at 355 First Street.

Dear Los Altos City Council and City Attorney,

The California Renters Legal Advocacy and Education Fund (CaRLA) submits this letter to inform the Los Altos City Council that they have an obligation to abide by all relevant state housing laws when evaluating the 355 First Street fifty-unit condominium project. The Housing Accountability Act (Gov. Code Section 65589.5) requires approval of zoning and general plan compliant projects, such as this once, unless findings can be made regarding specific, objective, written health and safety hazards. These impacts must be unmitigable, and must be established through a preponderance of evidence. As indicated in the Agenda Report prepared for this meeting, the proposed development would comply with all of the city's objective zoning and general plan standards, and no evidence of adverse health and safety impacts exists. Further, the city must grant all proposed waivers and concessions under State Density Bonus Law, because they would reduce costs and facilitate the development of housing. (*see* Gov. Code, § 65915 et seq.; *Bankers Hill 150 v. City of San Diego* (2022) 74 Cal.App.5th 755.)

As you are well aware, California remains in the throes of a statewide crisis-level housing shortage. New housing such as this is a public benefit. It will bring increased tax revenue, new customers to local businesses, decarbonization in the face of the climate crisis, but most importantly, it will reduce the displacement of existing residents into homelessness or carbon-heavy car commutes. The laws cited in this letter are designed to allow and require cities to approve of new homes over the objection of a small minority of neighbors. Research indicates that the anti-housing voices frequent in public hearings are disproportionately white, higher-income, and homeowners.[1] These voices do not represent the best interests of Los Altos or the broader community. Approving developments like this one over these vocal objections is a step towards racial, economic, environmental, and social justice. We urge Los

[1] Einstein, Palmer, and Glick, *Who Participates in Local Government? Evidence from Meeting Minutes*, Perspectives on Politics , Volume 17 , Issue 1 , March 2019 https://www.dropbox.com/s/k4kzph3ynal3xai/ZoningParticipation_Perspectives_Final.pdf?dl=0

Altos to approve of this project because it is the right decision for the City and is required by state law.

CaRLA is a 501(c)3 non-profit corporation whose mission includes advocating for increased access to housing for Californians at all income levels, including low-income households. The proposed project, which is generally consistent with the Los Altos Zoning Code, will provide badly needed housing, support long-term economic stability, and encourage nearby commercial development. In addition, the proposed project will improve the streetscape and incorporate design elements that support residential use. While no one project will solve the regional housing crisis, the proposed 355 First Street development is the kind of housing Los Altos needs to mitigate displacement, provide shelter for its growing population, and arrest unsustainable housing price appreciation. You may learn more about CaRLA at www.carlaef.org.

Sincerely,

Dylan Casey
Executive Director
California Renters Legal Advocacy and Education Fund

AGENDA REPORT SUMMARY

Report and attachments to be posted on or before June 23, 2022

Reviewed By:

City Manager	City Attorney	Finance Director
CJ	JH	SE

Los Altos City Council
Legislative Committee
June 14, 2022

Summary of current status on bills being followed, listed in two sections: “Recommended for Action” and “Continue to Watch” (no action recommended at this time).

RECOMMENDED FOR ACTION

AB 1944 (Lee) – *Amend Brown Act to allow hybrid meetings, change notice and requirements regarding legislative body officials participating remotely*.

Previous letter of Support Unless Amended was sent, with recommended amendment to require notice to city of location of member not appearing in person (with location not to be disclosed to public) for purposes of establishing there is a quorum in the jurisdiction.
Amended May 25 in Assembly to allow notice to be given within 72 hours and posted to agenda (exception to current Brown Act) and with requirement that there to be a quorum in person. Effective date established of Jan. 1, 2024.

Recommendation: Reaffirm support in letter, with or without request for further amendments at Council direction.

AB 2011 (Wicks) – *Allow housing and mixed-use in office, retail, or parking regardless of general plan or zoning*

Last amended May 11 (minor). Hot bill per CalCities.

Recommendation: Send Oppose letter

AB 2097 (Friedman) – *Prohibit any requirement for parking on developments within one-half mile of major transit stop*

Previous letter of Oppose. Amended May 19 to apply to developments within 1/2 mile of major transit stop (eliminated “major transit corridor”). All other objections remain.

Recommendation: Send revised Oppose letter acknowledging amendment and restating reasons for opposition.

AB 2181 (Berman) – *Change composition and selection of VTA board*

VTA board took Oppose position on June 2.

Recommendation: Send Oppose letter based on recent VTA Board opposition, with specific focus on the lack of small city representation.

SB 897 (Wieckowski) – *Requires objective standards for ADUs/JADUs; prohibits limiting to less than 25 feet; reduces parking; further limits owner-occupancy requirement*

Previous letter of Oppose. Amended May 19, but only significant change re: deadline for limit on rules and effective dates prohibiting owner occupancy requirements.

Recommendation: Send revised Oppose letter acknowledging amendments and restating reasons for opposition.

SB 922 (Wiener) – *Changes sunset for exempting certain bicycle and other transportation plans from CEQA.*

Support by CalCities. Amended May 11 (minor).

Recommendation: Send letter of Support.

SB 932 (Portantino) – *Changes requirements in Circulation Element of General Plan*

Amended May 4 with new expiration date; limits new "cause of action" that creates new liability for cities to the period 1/1/24-1/1/28.

Recommendation: Send Oppose letter using CalCities letter as revised based on committee and council member Weinberg's input (if received).

CONTINUE TO WATCH

AB 2053 (Lee) – *Would create a new California Housing Authority*

Amended May 19. Continue to watch.

AB 2164 (Lee) – *Use business license tax to provide financial assistance to small businesses re: Disability access*

Support letter previously sent. Significantly amended May 19 (seems to gut bill). Continue to watch for new amendments.

AB 2221 (Quirk-Silva) – *Specifies additional staff requirements on processing ADU applications*.

Amended May 2. Continue to watch.

AB 2625 (Ting) – *Exceptions to Subdivision Map Act for leasing or easement on land involving an electrical energy storage system.*

Amended May 5. Continue to watch.

SB 930 (Wiener) – (as of April 18) *Authorizes HCD to review, adopt, amend, and repeal standards, forms, or definitions to implement the Housing Accountability Act without complying with the Administrative Procedure Act.*

Amended June 2. Gut and amend to replace HCD bill with alcohol control bill. Continue to watch for possible return of HCD language.

[Addressee TBD upon assignment by Senate Rules Committee]

RE: AB 1944 (Lee): Brown Act Modernization
SUPPORT IF AMENDED (As amended 5/25/22)

The City of Los Altos supports AB 1944, as amended. AB 1944 aims to modernize the Brown Act by giving local legislative bodies the option to waive the requirement that its members who are appearing virtually from a remote location need to publish their private address on the public meeting agenda. AB 1944 also requires a remote participation option for members of the public to address the body.

During the COVID-19 pandemic, Governor Newsom issued Executive Order N-29-20 that allowed officials of local agencies to appear remotely without having to disclose their private addresses. In 2021, Assemblymember Rivas's Bill 361 further allowed local agencies to continue to meet virtually during a state-declared emergency without having to meet the quorum and other requirements of teleconference meetings under the Brown Act. Our city council has taken advantage of AB 361 and continues to meet virtually.

[DELETE THE FOLLOWING ORIGINAL PARAGRAPH AND REPLACE WITH NEW TERMINAL PARAGRAPH BASED ON MAY AMENDMENT]

[ORIGINAL] The City of Los Altos recommends that AB 1944 be amended to require local legislative bodies, which opt to waive the requirement, have its members who are appearing virtually from a remote location provide the legislative body with the address of the remote location. The legislative body would be required not to make the address public. We support this amendment to ensure that members who are appearing virtually from a remote location are participating within the jurisdiction, thus avoiding any potential abuse of the flexibility that AB 1944 provides. This amendment further makes it easier to enforce compliance with the Brown Act quorum requirement. Therefore, the City of Los Altos supports AB 1944 with that amendment.]

[NEW] The amendments made May 25, 2022, address the concerns previously expressed. The current language, which requires a physical quorum while allowing remote participation without necessitating that the member disclose their physical address, resolves the issues we previously raised while maintaining compliance with the Brown Act quorum requirement.

Sincerely,

Anita Enander
Mayor, City of Los Altos

Cc:
The Honorable Alex Lee
The Honorable Josh Becker
The Honorable Marc Berman
League of California Cities cityletters@calcities.org
Seth Miller smiller@calcities.org

The Honorable Scott Wiener
Chair, Senate Housing Committee
1021 O Street, Room 3330
Sacramento, CA 95814

Dear Senator Wiener:

Re: AB 2011 (Wicks) Affordable Housing and High Road Jobs Act of 2022
NOTICE OF OPPOSITION (As amended 5/11/22)

The City of Los Altos joins the League of California Cities (Cal Cities) in respectfully opposing AB 2011, which would require cities to ministerially approve, without condition or discretion, certain affordable housing and mixed-use housing developments in zones where office, retail, or parking are a principally permitted use regardless of any inconsistency with a local government's general plan, specific plan, zoning ordinance, or regulation.

Housing affordability and homelessness are among the most critical issues facing California cities. Affordably priced homes are out of reach for many people, and housing is not being built fast enough to meet the current or projected needs of people living in the state. Cities lay the essential groundwork for housing production through planning and zoning new projects in their communities based on extensive public input and engagement, state housing laws, and the needs of the building industry. Importantly, cities are currently updating housing plans to identify sites for more than two million additional housing units.

AB 2011 disregards this state-mandated local planning effort and forces cities to allow housing developments in nearly all areas of a city. This seriously questions the rationale for the regional housing needs allocation (RHNA) process. If developers can build housing in office, retail, and parking areas, why should cities go through the multiyear planning process to identify sites suitable for new housing units, only to have those plans ignored and housing built on sites never considered for new housing?

Less than 5% of the land area in the City of Los Altos is currently devoted to commercial and retail use. These areas provide critical retail (especially grocery) within walkable distances to every neighborhood. Nevertheless, we have judiciously identified commercial areas that could accommodate mixed use and multi-family housing while retaining walkability. This bill would potentially negate those efforts.

Eliminating opportunities for public review of housing developments goes against the principles of transparency and public engagement. Public hearings allow members of the community to inform their representatives of their support or concerns. "Streamlining" in the context of AB 2011 is a shortcut around public input. While it may be frustrating for some developers to address neighborhood concerns about traffic, parking, and other development impacts, those directly affected by such projects should be heard. Public engagement often leads to better projects. Developers for projects that we have approved in recent years have uniformly stated that the Planning Commission and public review have resulted in better projects. Disregarding community input will increase public distrust in government and may result in additional efforts by voters to restrict growth.

The City of Los Altos is committed to being part of the solution to the housing shortfall across all income levels and will work collaboratively with you and other stakeholders on legislative

proposals that will spur much needed housing construction without disregarding the state-mandated local planning process and important public engagement.

For these reasons, the City of Los Altos of opposes AB 2011.

Sincerely,

Anita Enander
Mayor, City of Los Altos

Cc:
The Honorable Buffy Wicks
The Honorable Josh Becker
The Honorable Marc Berman
League of California Cities cityletters@calcities.org
Seth Miller smiller@calcities.org

[Amended from original to reflect single amendment that eliminates “public transit corridors”]

[Addressee TBD upon assignment by Senate Rules Committee]

RE: AB 2097 (Friedman): Residential and Commercial Development. Parking Requirements.
NOTICE OF OPPOSITION (As amended 5/19/22)

The City of Los Altos joins the League of California Cities (Cal Cities) in respectfully opposing your measure Assembly Bill 2097, which would prohibit a local government from imposing or enforcing a minimum automobile parking requirement on residential, commercial, or other developments, without regard to the development size, if the development is located on a parcel within one-half mile of public transit.

The amendment to eliminate applicability to high-frequency transit routes improves but does not eliminate the problems with the bill. AB 2097 would essentially allow developers to dictate parking requirements in areas within ½ mile of current major transit stops. This does not guarantee individuals living, working, or shopping on those parcels will actually use transit. Many residents will continue to own automobiles and require nearby parking, which will only increase parking demand, displace parking to adjacent neighborhoods, and increase congestion.

AB 2097 would give both developers and transit agencies, who are unaccountable to local voters, the power to determine parking requirements. Transit agencies would be able to dramatically alter local parking standards by shifting transit routes and adjusting service intervals.

Additionally, AB 2097 could negatively impact the State’s Density Bonus Law by providing developers parking concessions without also requiring developers to include affordable housing units in the project. The purpose of the Density Bonus Law is to provide concessions and waivers to developers in exchange for affordable housing units.

While AB 2097 may be well intended, parking requirements are most appropriately established at the local level based on community needs. A one-size fits all approach to an issue that is project specific just does not work. For these reasons, the City of Los Altos opposes AB 2097.

Sincerely,

Anita Enander
Mayor, City of Los Altos

Cc:
The Honorable Laura Friedman
The Honorable Josh Becker
The Honorable Marc Berman
League of California Cities cityletters@calcities.org
Seth Miller smiller@calcities.org

The Honorable Lena Gonzalez
Chair, Senate Transportation Committee
State Capitol, Room 405
Sacramento, CA 95814

Dear Senator Gonzalez:

AB 2181 (Berman) Santa Clara Valley Transportation Authority: board of directors.
NOTICE OF OPPOSITION (As amended 5/2/22)

The City of Los Altos respectfully opposes AB 2181. We concur with Assembly member Berman's concern that the Valley Transportation Authority (VTA) Governance structure should provide the most effective policy and oversight leadership possible for this critical transportation agency.

A complete change to the governance structure as proposed in AB 2181 would have far reaching implications and long-lasting effects on the delivery of transit and transportation in Santa Clara County. On behalf of our community, we must make sure any legislated change to the Board structure is an effective change, which, regrettably, AB 2181 is not.

The total re-structuring of the VTA Board of Directors under AB 2181 would eliminate the role of elected representatives from certain jurisdictions, leaving no representatives – who are accountable to residents – to convey and represent their city's priorities and concerns.

Elected city officials provide critical experience and knowledge of local transit and transportation concerns, land use and policy making. Mayors and council members understand and implement land-use decisions that enhance VTA's transit service planning as well. But more particularly for small cities like Los Altos, AB 2181 would greatly reduce our ability to meaningfully represent the interests of our city within the context of regional needs. AB 2181 would seriously undermine this principle of local representation. The Legislature has chosen to link a number of housing bills and parking requirements for multi-family developments to the availability of local transit. Under AB 2181, jurisdictions seeking to meet housing goals, that both depend on and are affected by transit, would be excluded from participating in VTA governance, with potentially profound adverse effects.

VTA's Board Enhancement Committee and the Governance and Audit Committee have worked effectively since 2019 on dozens of improvements to the governance of VTA and the process for recruiting and retaining engaged and knowledgeable Board members. Los Altos has diligently participated in and supported these efforts, and VTA's governance has been improved through these changes. Additional potential improvements are undergoing careful evaluation, consistent with an open process that involves all affected jurisdictions.

The future carries a double responsibility for the VTA Board, as public transportation has the huge challenge of recovering from the impacts of the pandemic and providing service to help Santa Clara County and the state reduce GHG emissions by moving people from single-occupancy vehicles to transit. This bill is not a good solution to these challenges, especially as there has been insufficient engagement with the Santa Clara County community and the member cities like Los Altos that would be most directly affected.

The City of Los Altos therefore must oppose AB 2181.

Sincerely,

Anita Enander
Mayor, City of Los Altos

Cc:
The Honorable Marc Berman
The Honorable Josh Becker
League of California Cities cityletters@calcities.org
Seth Miller smiller@calcities.org

The Honorable Buffy Wicks
Chair, Assembly Housing and Community Development Committee
1020 N Street, Room 156
Sacramento, CA 95814

Dear Assembly Member Wicks:

Senate Bill 897 (Wieckowski): Accessory dwelling units: junior accessory dwelling units.
NOTICE OF OPPOSITION (As amended 5/19/22)

The City of Los Altos joins the League of California Cities (Cal Cities) in regrettably taking an "oppose" position on **your** Senate Bill 897, which would significantly amend the statewide standards that apply to locally adopted ordinances concerning the construction of accessory dwelling units (ADUs), even though the law has been substantially amended nearly every year since 2016.

Specifically, SB 897 would require local jurisdictions to:
• **Allow ADUs to be constructed with a height of up to 25 feet.** Current law appropriately authorizes cities and counties to restrict ADU height to 16 feet, thus helping ensure that these accessory units blend into the existing neighborhood. Mandating that local jurisdictions allow essentially two-story ADUs, even if limited to residential neighborhoods near transit, is completely contrary to the stated belief that ADUs are a way to increase density in a modest fashion that is not disruptive to established communities. Shoehorning a 25-foot structure into a backyard of a single-story ranch style home calls to question the idea that these are "accessory dwelling units."

• **Permit constructed ADUs in violation of State building standards and in violation of local zoning requirements.** Current law already requires cities and counties to approve ADUs ministerially, without discretionary review. Expanding this to prohibit local jurisdictions from denying permits for already constructed ADUs that fail to comply with State mandated building standards or local zoning requirements could result in dangerous or substandard living conditions.

• **Allow two ADUs to be constructed on a lot if a multifamily dwelling is proposed to be developed.** SB 897 would allow a property owner to construct two ADUs on a vacant parcel years before the proposed multifamily structure begins construction. Additionally, there is no guarantee that the multifamily structure will ever be constructed. It is unclear why local jurisdictions should be forced to allow ADUs to be constructed before the originally proposed multifamily structure. Constructing an ADU without a primary structure makes them accessory to nothing, but rather a standalone unit.

For these reasons, the City of Los Altos opposes SB 897.

Sincerely,

Anita Enander
Mayor, City of Los Altos

Cc:
The Honorable Bob Weickowski

The Honorable Josh Becker
The Honorable Marc Berman
League of California Cities cityletters@calcities.org
Seth Miller smiller@calcities.org

The Honorable Luz Rivas
Chair, Assembly Natural Resources Committee
1020 N Street, Room 164
Sacramento, CA 95814

Dear Assembly Member Rivas:

RE: SB 922 (Wiener) California Environmental Quality Act: Exemption: transportation Related Projects
NOTICE OF SUPPORT (As Amended 5/11/22)

The City of Los Altos write in support of SB 922 to help transit agencies and local governments build active and sustainable transportation projects that will create a safer, healthier, and more equitable future for all Californians. The author's previous bill (SB 288) temporarily exempted from CEQA certain clean transportation projects. Under current law, these CEQA exemptions sunset on January 1, 2023.

SB 922 would eliminate the sunset and provide greater clarity about how to use the exemption and which types of projects are eligible for exemption. SB 922 would streamline CEQA with targeted statutory exemptions for transit and active transportation projects that significantly advance the state's climate, safety, and health goals.

We favor the criteria required in the bill that the community be meaningfully engaged in shaping projects to require that they benefit residents. The racial equity analysis and residential displacement risk analysis are particularly significant.

SB 922 helps ensure that transportation spending aligns with the state's policy goals while benefitting communities. For these reasons, the City of Los Altos is pleased to support SB 922.

Sincerely,

Anita Enander
Mayor, City of Los Altos

Cc:
The Honorable Scott Wiener
The Honorable Josh Becker
The Honorable Marc Berman
League of California Cities cityletters@calcities.org
Seth Miller smiller@calcities.org

[Note: final Senate amendments only limited new cause of action applicability to the period 1/1/24-1/1/28. Changes were made to original draft of letter in response to Council member Weinberg's comments. Project description in paragraph 2 was revised and then reviewed by staff transportation consultant familiar with the project for accuracy.]

The Honorable Cecelia M. Aguiar-Curry
Chair, Assembly Local Government Committee
1020 N Street, Room 157
Sacramento, CA 95814

Dear Assembly Member Aguiar-Curry:

Senate Bill 932 (Portantino): General plans, circulation element
NOTICE OF OPPOSITION UNLESS AMENDED (As amended 5/4/22)

Dear Chair Portantino:
The City of Los Altos joins the League of California Cities (Cal Cities) in regrettably taking an "oppose unless amended" position on your Senate Bill 932. SB 932 would make significant, unprecedented, and overly prescriptive changes to the requirements of the circulation element of local general plans; impost costly, unfunded mandates for changes to local transportation infrastructure; and expose local governments to significant legal liability.

The City of Los Altos has taken a pro-active approach to meeting the important goals of this bill: to make streets and roads safer for all users. With impetus from Los Altos, a safe-routes-to school infrastructure project is underway along Homestead Road that transects rights-of-way in the city of Los Altos, County of Santa Clara, City of Cupertino, and City of Sunnyvale and will integrate those new paths with local streets. After Los Altos brought all stakeholders together (the above jurisdictions plus two school districts), the County was persuaded to fund and complete the initial planning phase to help build consensus on a unified vision. Following a two-year period of awaiting appropriate grant fund opportunities, the Santa Clara Valley Transportation Agency took the lead in developing and securing grant fund sources for the design and environmental phases of the project. Grant funding for the construction phases of the project are still unidentified. This project continues to require considerable interagency coordination as part of the design, but the result will be a significant improvement in safe, shared use for students who live in one city but attend school in another. This is just one example of critical projects that require flexibility and quick response to the opportunities to work across multiple jurisdictions to improve bicycle and pedestrian safety. They cannot be achieved through a top-down approach that dictates the type of improvements and timing for implementation when multiple jurisdictions are involved.

We are nearing completion of a new Complete Streets Master Plan that integrates improved bicycle/pedestrian paths and safety with routine street maintenance and sets out a long-term plan for making our streets more available to and safer for all users. Much of the plan remains unfunded, despite planned use of state funding from sources such SB-1, Block Grants, gas tax, and other County return-to-fund sources. The requirements of SB 932 are likely even to exceed the ambitious plan we have just developed; without any additional revenue sources, SB 932 will place even greater strain on limited City resources.

We note that cities that have made safety a priority and that have virtually no fatalities would be penalized under 65302(b)(2)(ii)(III) because the already excellent safety record would not allow

for the reductions that are needed to be granted a 10-year extension of time to implement the provisions of SB 932. This is probably unintended and could perhaps be corrected through amendment.

Our city faces significant tradeoffs in prioritizing competing needs for roadway maintenance and improvements. The loss of employees during COVID, escalating costs for materials, and problems with supply chains are all impediments to be overcome. The circulation element must continue to provide flexibility as to the type of transportation improvements warranted in specific contexts, and any timelines for implementation must be developed in consideration of realistically available financial resources. We note that there is significant pressure from the legislature for local agencies to reduce, eliminate or defer development impact fees, which are among the few sources of revenue the small cities need to implement the provisions of this bill.

Finally, SB 932 creates significant new legal liability for local jurisdictions in Santa Clara County that fail to meet the bill's arbitrary implementation timeframes. In addition to the funding constraints and issues discussed above, the new private right of action created by SB 932 will be counter-productive to making progress on improving our local streets. Simply put, every additional dollar that goes toward defending against litigation is one fewer dollar available for improving our local streets and roads. Section 65302(b)(2)B)(iii) must be removed from the bill for our city to remove opposition to SB 932.

The following would allow us to remove our OPPOSE UNLESS AMENDED position.

1. Remove the uniform, top-down mandates as to project type and timing.
2. Allow for flexibility in projects that cross jurisdictions.
3. Identify new funding sources for any new mandate.
4. Remove entirely the proposed new cause of action liability (we note the currently amended version imposes a time limit on its application, but the entire concept is problematic).
5. Eliminate the perhaps unintended penalties of 65302(b)(2)(ii)(III), as described above.

Sincerely,

Anita Enander
Mayor, City of Los Altos

Cc:
The Honorable Anthony Portantino
The Honorable Josh Becker
The Honorable Marc Berman
League of California Cities cityletters@calcities.org
Seth Miller smiller@calcities.org

Santa Clara Valley Transportation Authority

June 8, 2022

Re: AB 2181 (Berman) OPPOSE

Dear Mayor and Councilmembers and Board of Supervisors of the County of Santa Clara,

Per action taken by the Santa Clara Valley Transportation Authority (VTA) Board of Directors on June 2, 2022, I respectfully request your jurisdiction to consider opposing Assembly Bill 2181. Please see the attached letter on behalf of the Board indicating VTA's opposition.

VTA remains committed to implementing governance reforms initiated by the VTA Board in 2019.

Thank you for your consideration and support of public transportation in Santa Clara County.

A letter stating your jurisdiction's official position on AB 2181 can be submitted electronically at https://calegislation.lc.ca.gov/Advocates/faces/index.xhtml.

Sincerely,

Charles "Chappie" Jones
Chairperson, Board of Directors
Santa Clara Valley Transportation Authority

Cc: Santa Clara Valley Transportation Authority Board of Directors
Santa Clara Valley Transportation Authority Policy Advisory Committee
Cities Association of Santa Clara County

Santa Clara Valley Transportation Authority

June 8, 2022

Honorable Marc Berman
Assemblymember
State Capitol
Box 942849
Sacramento, CA 94249

Re: AB 2181 (Berman) OPPOSE

Dear Assemblymember Berman,

On behalf of the Santa Clara Valley Transportation Authority (VTA), I respectfully submit the Board of Directors' opposition to Assembly Bill 2181. We appreciate and commend your efforts to reform local governance in Santa Clara County and agree that our organization, like any other, has areas in which it can certainly improve. However, we found that these proposed changes to the structure of the VTA Board of Directors in AB 2181 will undermine this policy making and oversight body as well as diminish our chances of successfully passing future local sales tax measures. These measures represent more than 63 percent of the funding for the day to day services VTA and its workforce provide. They would further weaken our position in competition for federal, state and regional funds.

AB 2181 would reduce the number of local elected officials on the VTA Board through a complex process to select city group representatives. The replacement of the Board with the proposed hybrid structure will limit the role of local elected officials who make the land use decisions that ultimately determine the transportation needs in the county. These local elected officials bring experience providing policy direction and oversight of the services VTA provides to the many jurisdictions within the county, the pay and benefits workers receive and their pensions. These local elected officials are vital to ensuring that cities' priorities are represented in transportation sales tax measures and ensuring city council support.

With these concerns in mind, the VTA Board voted unanimously to oppose AB 2181 on June 2, 2022. When we voted, we made clear that VTA is not opposed to improvements and pledged to complete the reforms developed by the Board Enhancement Committee in a thoughtful process that began in 2019.

Thank you for your leadership, consideration and service to our community. We look forward to continuing to work with you on future transportation policies, projects and services.

Sincerely,

Charles "Chappie" Jones
Chairperson, Board of Directors
Santa Clara Valley Transportation Authority

Cc: County of Santa Clara Legislative Delegation
Santa Clara Valley Transportation Authority Board of Directors
Santa Clara Valley Transportation Authority Policy Advisory Committee
Cities Association of Santa Clara County

April XX, 2022

Senate Bill 932 (Portantino): General plans, circulation element
OPPOSE UNLESS AMENDED

Dear Senator Portantino:

The City of Los Altos joins the League of California Cities (Cal Cities) in regrettably taking an “oppose unless amended” position on your Senate Bill 932. SB 932 would make significant, unprecedented, and overly prescriptive changes to the requirements of the circulation element of local general plans; impost costly, unfunded mandates for changes to local transportation infrastructure; and expose local governments to significant legal liability.

The City of Los Altos has taken a pro-active approach to meeting the important goals of this bill: to make streets and roads safer for all users. We have partnered with the County of Santa Clara in designing new bike paths along the section of Foothill Expressway that transects the city of Los Altos and integrated those new paths with local streets. This required considerable interagency coordination, but the result is a significant improvement in safe, shared use. In another project, we partnered with the County and with the City of Cupertino to design comprehensive pedestrian and bicycle paths to schools that cross all three jurisdictions. These are the types of critical projects that require flexibility and quick response to the opportunities to work across multiple jurisdictions to improve bicycle and pedestrian safety. They cannot be achieved through a top-down approach that dictates the type of improvements and timing for implementation when multiple jurisdictions are involved.

Most recently we completed a new Complete Streets Master Plan that codifies the integration of improved bicycle/pedestrian paths and safety with routine street maintenance and sets out a long-term plan for making our streets more available to and safer for all users. Unfortunately, the plan will require funding of at least $44Million (today’s dollars). Much of the plan remains unfunded, despite planned

use of SB 1, Block Grants, fuel tax, and other revenue sources. The requirements of SB 932 are likely even to exceed the ambitious plan we have just developed.

We note that cities that have made safety a priority and that have virtually no fatalities would be penalized under 65302(b)(2)(ii)(III) because their already excellent safety record would not allow for the reductions that are needed to be granted a 10-year extension of time to implement the provisions of SB 932. This is probably unintended and could perhaps be corrected through amendment.

Our city faces significant tradeoffs in prioritizing competing needs for roadway maintenance and improvements. The loss of employees during COVID, escalating costs for materials, and problems with supply chains are all impediments to be overcome. The circulation element must continue to provide flexibility as to the type of transportation improvements warranted in specific contexts, and any timelines for implementation must be developed in consideration of realistically available financial resources. We note that there is significant pressure from the legislature for local agencies to reduce, eliminate or defer development impact fees, which are among the few sources of revenue the small cities need to implement the provisions of this bill.

Finally, SB 932 creates significant new legal liability for local jurisdictions in Santa Clara County that fail to meet the bill's arbitrary implementation timeframes. In addition to the funding constraints and issues discussed above, the new private right of action created by SB 932 will be counter-productive to making progress on improving our local streets. Simply put, every additional dollar that goes toward defending litigation is one fewer dollar available for improving our local streets and roads. Section 65302(b)(2)B)(iii) must be removed from the bill for our city to remove opposition to SB 932.

We hope you will continue to work with the League of California Cities and others on amendments that will allow us to remove our position of "oppose unless amended."

City of Los Altos 2022 Tentative Council Agenda Calendar

June 20, 2022

All items and dates are tentative and subject to change unless a specific date has been noticed for a legally required Public Hearing. Items may be added or removed from the shown date at any time and for any reason prior to the publication of the agenda eight days prior to the next Council meeting.

Date	Agenda Item (Date identified by Council)	Agenda Section (Consent, Discussion Item - note in red if Public Hearing)	Dept/ Date of request to add.
July 12, 2022	**REGULAR COUNCIL MEETING**		
	AB 481	Discussion/Public Hearing?	Katie
	Housing Element	Discussion	Nick
	Award the CIPP Corrosion Rehabilitation Safety Project	Consent	Aida
	Award the on call spot repairs and CCTV Inspection Services	Consent	Aida
	Contract Amendment with Traffic Patterns	Consent	Jim
	Complete Streets Master Plan	Consent	Nick
August 23, 2022	Reach Code Study Session with Env Commission	Study Session	Aida
August 23, 2022	**REGULAR COUNCIL MEETING**		
	4350 El Camino Real	Discussion/Public Hearing???	
	5150 El Camino Real	Discussion/Public Hearing???	
August 30, 2022	**Commission Interviews**		
September 6, 2022	REGULAR COUNCIL MEETING		
	Sewer Treatment Plant Amendment	Consent	

City of Los Altos Tentative Council Agenda Calendar

June 20, 2022

All items and dates are tentative and subject to change unless a specific date has been noticed for a legally required Public Hearing. Items may be added or removed from the shown date at any time and for any reason prior to the publication of the agenda eight days prior to the next Council meeting.

Date	Agenda Item (Date identified by Council)	Agenda Section (Consent, Discussion Item - note in red if Public Hearing)	Dept.
September 20, 2022*	Year End tentative report – September (if needed)		
	REGULAR COUNCIL MEETING		
October 11, 2022	REGULAR COUNCIL MEETING		
October 25, 2022	REGULAR COUNCIL MEETING		
November 1, 2021	Joint w/Commissions		
November 15, 2022 *	1st Quarter report FY 2021/2022		
	REGULAR COUNCIL MEETING		
November 29, 2022	REGULAR COUNCIL MEETING		
December 6, 2022	CAFR and Year End – 1st meeting December		
December 13, 2022	Special meeting REORG.		

City of Los Altos Tentative Council Agenda Calendar

June 20, 2022

All items and dates are tentative and subject to change unless a specific date has been noticed for a legally required Public Hearing. Items may be added or removed from the shown date at any time and for any reason prior to the publication of the agenda eight days prior to the next Council meeting.

Date	Agenda Item (Date identified by Council)	Agenda Section (Consent, Discussion Item - note in red if Public Hearing)	Dept.

Future Agenda Topics To Be Scheduled….

Proposed City policy that modifies the environmental analysis standard for circulation impacts from a Level of Service (LOS) analysis to a Vehicle Miles Traveled (VMT) analysis.	Public Hearing	
info on Cuesta speed tables		
League of California Cities – Role and Representation	Presentation/Discussion	Council Initiated
Subcommittee on Grants		NF 03.25.2022
Comprehensive multi-modal traffic study (analysis of recent projects projected parking, trip generation, & traffic impacts to actuals; ECR impacts should include adjacent streets)		ES
Reach Code 2.0		
Boards and Commission Process /Survey use		
PCI Report		
Complete Streets Master Plan		
Discussion “Ceding Time” at meeting		
Flag Raising Policy		
Contributions to non-profits policy		

City of Los Altos Tentative Council Agenda Calendar

June 20, 2022

All items and dates are tentative and subject to change unless a specific date has been noticed for a legally required Public Hearing. Items may be added or removed from the shown date at any time and for any reason prior to the publication of the agenda eight days prior to the next Council meeting.

Date	Agenda Item (Date identified by Council)	Agenda Section (Consent, Discussion Item - note in red if Public Hearing)	Dept.
	Funding mechanisms for housing and housing programs		