







AGENDA REPORT

DATE: August 24, 2010
TO: City Council
FROM: Zachary Dahl, Associate Planner
SUBJECT: MODIFICATION TO AN APPROVED PROJECT AT 100 FIRST STREET

RECOMMENDATION

Approve modified Design Review and Subdivision applications subject to findings and conditions.

BACKGROUND

In response to direction from the City Council at the June 22, 2010 meeting, the applicant took the opportunity to improve the project and address additional areas of concern. Changes made to the project design are outlined in a letter from the applicant (Attachment 4). Specifically, design changes that were presented to the Architecture and Site Review Committee included the following:

- The wall plate heights on each floor were reduced by two feet, six inches, resulting in the overall building profile being reduced by seven feet, six inches in height.
- The central towers were reduced by four and six feet in height, respectively, and the towers on each end were reduced by 16 feet in height.
- All of the tower elements were redesigned. While they still maintained the architectural appearance of tower elements, they were elongated to include a master suite for the unit below. The square footage in the tower elements, along with the rooftop terrace, establishes a fourth floor.
- The north elevation was redesigned to reduce the height by approximately 16 feet and increase articulation. Although not required, a shadow study was prepared (Sheet A7) to show that the existing office building at 20 First Street, even during the Winter Solstice, will not be in the shadow of the proposed project.
- The ground floor was redesigned to include a central stairwell adjacent to the elevator in the front lobby.
- The grade level parking area that can be used for guest parking was increased from six to 11 parking spaces.
- The front elevation was revised to reduce the building's bulk and mass, increase articulation and improve the front entry to be more of a focal point.
- The planter wall along the front property line was moved back to allow the sidewalk along First Street to be one-foot wider for the entire length of the property frontage.
- The parking spaces and storage units in the underground parking garage were reconfigured to be more evenly distributed.

The project was heard by the Architecture and Site Review Committee on August 4, 2010. At the meeting, the Committee expressed general support for the redesign, noting that the height reduction was positive, that the front and side elevations were improved, that the north elevation was compatible with the adjacent office at 20 First Street, that towers were appropriate for the architectural style, that the garage entrance clearance height of 10 feet for maintenance vehicles was acceptable, and that some variety in window style, but not too much, would improve the design. The Committee voted unanimously to recommend approval of the project subject to positive design findings with the following direction being addressed prior to City Council consideration:

- Provide more detail on the fourth floor and roof plan.
- Consider increasing variety in window size and type.

The draft meeting minutes (Attachment 2) and staff memorandum (Attachment 3) are attached for reference.

DISCUSSION

Design Changes

Per the direction from the Committee, the applicant has provided more detail on the fourth floor and roof plan. As required by the California Building Code, two non-elevator exit points are needed for the rooftop terrace. The plans show the second stairwell on the northwest elevation going up to the roof. The underground parking garage exhaust chimney and the elevator mechanical shaft are also shown. All three of these elements meet the District's height requirement, are designed to be architecturally compatible with the project and have minimal visual impact when viewed from the street.

The applicant also added more variety to the size and style of windows used – some windows on the front and side elevations have been reduced in size, and the rhythm of the third floor windows has been varied. The goal was to add interest without making the design overly complicated. The landscape plan has removed the two palm trees at the entrance and noted that the plans will include trees and landscaping that are found in the City's list of approved plantings for Foothill Expressway.

Development Incentives

As outlined in previous staff reports, since the project is providing five BMR units, or 10 percent of the total project units, it is entitled to a development incentive under State law. Previously, the applicant had not requested a development incentive. However, as part of the revised design, the applicant has requested a development incentive to allow a height of 47 feet for the two central towers, where a maximum height of 45 feet is allowed and to allow five arcade architectural elements on the First Street elevation to have a setback of eight feet where ten feet is required.

With regard to the height, all other portions of the project are 45 feet or less above grade. The two central towers were previously designed as architectural features, faux bell towers, and were 53 and 56 feet in height, respectively. As allowed in the Code, architectural elements that do not contain habitable square footage, such as towers, can be up to 60 feet in height (15 feet above the District height limit). While the overall height of the towers has been reduced, they have been redesigned to include habitable square footage and are now subject to the District's 45-foot height limit. These two tower elements could meet the height limit, but the additional two feet of height is architecturally appropriate to emphasize the central entrance of the building.

With regard to the arcade elements on the front elevation, they increase articulation and provide pedestrian scale details, but do not add any habitable square-footage to the project. The arcades were added to improve building articulation and address concerns raised by the City Council while still maintaining a minimum of 60 percent softscape landscaping in the front yard. The development incentive also provides an identifiable financial value for the applicant, thus meeting the criteria outlined by State law.

Environmental Review

Based on the fact that the modified project does not create any new significant environmental effects and maintains and/or reduces all environmental effects identified in the adopted Mitigated Negative Declaration, preparation of a new environmental initial study or subsequent negative declaration is not required. The modified project description is reflected as part of an addendum to the Mitigated Negative Declaration. The addendum is included as Attachment 1.

Cc: Randy Lamb, First Street Holdings, LLC, Owner
Chris Wuthmann, Project Manager
The Dahlin Group, Architect
Engineering Division

Attachments:

1. Addendum to the Certified Mitigated Negative Declaration
2. Architecture and Site Review Committee Minutes (Draft), August 4, 2010
3. Architecture and Site Review Committee Memorandum, August 4, 2010
4. Correspondence

FINDINGS

07-D-05 and 07-SD-02—100 First Street

1. With regard to the Amendment to Mitigated Negative Declaration that was certified by the City Council on November 13, 2007 for the original project, the City Council finds in accordance with the California Environmental Quality Act Guidelines, as amended January 1, 2010, and that the modified project does not create any new significant environmental effects, and the adopted Mitigated Negative Declaration maintains and/or reduces all environmental effects to a less than significant level.
2. With regard to Design Review application 07-D-05, the City Council finds in accordance with Chapter 14.78 of the Municipal Code that:
 - A. The proposal meets the goals, policies and objectives of the General Plan and any specific plan, design guidelines and ordinance design criteria adopted for the specific district or area;
 - B. The proposal has architectural integrity and has 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. Residential or mixed-use residential projects incorporate elements that signal habitation, such as identifiable entrances, stairs, porches, bays and balconies;
 - D. Exterior materials and finishes convey quality, integrity, permanence and durability, and materials are used effectively to define building elements such as base, body, parapets, bays, arcades and structural elements;
 - 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. Mechanical equipment is screened from public view and the screening is designed to be consistent with the building architecture in form, material and detailing; and
 - H. 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.
3. With regard to Subdivision application 07-SD-02, the City Council finds in accordance with Section 66474 of the Subdivision Map Act of the State of California that:

- A. The proposed subdivision is consistent with the Downtown Commercial General Plan land use;
- B. The site is physically suitable for this type and density of development;
- C. The design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage, or substantially injure fish or wildlife;
- D. The design of the subdivision is not likely to cause serious public health problems; and
- E. The design of the subdivision will not conflict with public access easements.

CONDITIONS

07-D-05 and 07-SD-02—100 First Street

GENERAL

1. Project approval is based upon the plans received on August 17, 2010 except as modified by these conditions.
2. The applicant shall be responsible for construction and installation of the First Street Streetscape Improvement Plan within the public-right-of-way along the frontage of the subject property. Improvements include, but are not limited to, curb, gutter, sidewalk, landscaping and half-street pavement overlay with associated striping. The improvements shall be installed per City plans and specifications.
3. The applicant shall coordinate their construction schedule with the City for the purpose of excavation, undergrounding utilities and installation of curb, gutter, sidewalk and pedestrian amenities within the First Street right-of-way.
4. An encroachment permit and/or a permit to open streets 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.
5. The project shall comply with the City of Los Altos Municipal Regional Stormwater (MRP) NPDES Permit No. CA S612008, Order R2-2009-0074 dated October 14, 2009.
6. The City Engineer shall approve any sewer lateral connection(s).
7. Four condominium units: Unit 211 (one-bedroom), Unit 213 (two-bedroom), Unit 315 (one-bedroom), and Unit 313 (two-bedroom), shall be offered for sale to a moderate income household for a 30-year period or for rent at a price that is affordable to a low income household for a 30-year period in accordance with the City's Affordable Housing Agreement.
8. One condominium unit: Unit 215 (one-bedroom), shall be offered for sale to a low income household for a 30-year period or for rent at a price that is affordable to a low income household for a 30-year period in accordance with the City's Affordable Housing Agreement.
9. In the event it is necessary to acquire offsite easements or street rights-of-way, the owner shall enter into an agreement with the City prior to final map approval agreeing to pay all condemnation costs, for dedication of all required easements or street right-of-way. This agreement shall be recorded and require the owner to deposit all condemnation costs with the City within 21 days of Parcel Map approval. The owner shall agree to provide an initial cash deposit as determined by the City.
10. The applicant agrees to hold City harmless from all costs and expenses, including attorney's fees, incurred by the City or held to be the liability of City in connection with City's defense of its actions

in any proceeding brought in any State or Federal Court, challenging the City's action with respect to the applicant's project in accordance with Section 66474.9 of the Subdivision Map Act.

PRIOR TO MAP RECORDATION

11. The applicant shall dedicate public utility easements as required by the utility companies to serve the site.
12. The applicant shall dedicate a one-foot pedestrian use easement along the frontage of the subject property.
13. The applicant shall include provisions in the Covenants, Conditions and Restrictions (CC&Rs) that restrict storage on the private patio and decks and outline rules for other objects stored on the private patio and decks with the goal of minimizing visual impacts to First Street and Foothill Expressway.
14. The applicant shall pay a fee in lieu of parkland dedication in accordance with Chapter 13.24 of the Los Altos Municipal Code.
15. The applicant shall pay a fee in lieu of traffic impact in accordance with Chapter 3.48 of the Los Altos Municipal Code.
16. The applicant shall pay all applicable sanitary sewer connection fees.

PRIOR TO BUILDING PERMIT SUBMITTAL

17. The applicant shall submit a copy of the Notice of Intent to comply with the State Construction Storm Water General permit submitted to the State Water Resource Control Board. The applicant shall also submit a final copy of the State's Storm Water Pollution Prevention Plan (SWPPP) to the City Engineer prior to any demolition, any grading or issuance of the building permit, whichever happens first. The building plans shall include the "Blueprint for a Clean Bay" plan sheet in all plan submittals.
18. The plans shall show that all exterior lighting on the building and balconies have shrouds and/or are directed downward to avoid impacts to the adjoining properties.
19. The applicant shall revise the plans to include a traction elevator.
20. The applicant shall contact electric, gas, communication and water utility companies regarding the installation of new utility services to the site.
21. The applicant shall provide verification that the project is designed with a GreenPoint Rating of 50 points or more and identify the project's GreenPoint rater.
22. The applicant shall prepare a landscape and irrigation plan that includes the Foothill Expressway shoulder within the public right-of-way that fronts on the subject property. The landscaping along Foothill Expressway shall include trees and landscaping that are found in the City's list of approved plantings for Foothill Expressway. The plan shall meet the requirements of the State's

Model Water Efficient Landscape Ordinance (AB 1881) and it shall be reviewed and approved by the Community Development Director.

PRIOR TO ISSUANCE OF BUILDING PERMIT

23. The property owner shall execute an Affordable Housing Agreement with the City to retain the five below market rate units as required by the City Attorney and the Community Development Director.
24. The applicant shall obtain written approval from the owner of the property at 20 First Street to remove the existing 16-inch oak tree located on the subject property.
25. All windows and glass doors facing Foothill Expressway shall be Sound Transmission Class (STC) rated to meet the City's General Plan requirement for the maximum allowable interior sound level in a residential use.
26. The applicant shall submit the Storm Water Management Plan (SWMP) in compliance with the MRP and based on guidance provided by the Engineering Division. The SWMP and the building plans shall be reviewed and certified by a City-approved third-party consultant at the applicant's expense prior to submittal of the Plan. The recommendations from the SWMP shall be shown on the building plans.
27. The applicant shall submit on-site grading and drainage plans that include all the required features (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 the 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 Division.
28. Detailed plans for any construction activities affecting the public right-of-way, including but not limited to excavation, traffic control, pedestrian protection, material storage, earth retention, and construction vehicle parking, shall be provided to the City Engineer for review and approval.
29. A truck routing and staging plan for the proposed excavation of the site shall be submitted for review and approval by the City Engineer. Applicant shall pay the applicable fees before the transportation permit can be issued by the Traffic Engineer.
30. The applicant shall contact Mission Trail Waste Systems and submit a solid waste disposal plan indicating the type and size of container proposed and the frequency of pick-up service subject to the approval of the Engineering Division.

PRIOR TO FINAL INSPECTION/OCCUPANCY

31. 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.

32. A 36-inch box replacement oak tree shall be planted in the southeast corner of the property at 20 First Street if required by the Community Development Director.
33. The applicant shall provide verification that the project was built in compliance with the GreenPoint Rated approval.
34. All landscaping and irrigation shall be installed. The applicant shall obtain an encroachment permit from County Roads and Airports prior to installation of landscaping and irrigation in the Foothill Expressway shoulder.
35. The applicant shall provide an acoustical analysis that evaluates the noise generated by the rooftop and garage mechanical equipment, and the interior noise levels in the residential units, to ensure that the project is in compliance with the City's General Plan and Noise Ordinance.
36. A one-year, 10 percent maintenance bond shall be submitted upon acceptance of improvements in the public right-of-way if necessary.
37. The applicant shall remove and resurface the entire width of street pavement from the south side of the property line on First Street to the intersection of First Street and West Edith Avenue, if necessary, and as directed by the City Engineer.
38. The applicant shall label all new or existing public and private catch basin inlets which are on or directly to the site with the "NO DUMPING - FLOWS TO ADOBE CREEK" logo as required by the City.
39. The applicant shall install a stop sign at the parking garage outbound vehicle exit before the driveway incline crosses the public sidewalk. The stop sign location shall be approved by the City Engineer.
40. The applicant shall submit a copy of the recorded maintenance agreement for the storm water treatment devices installed in accordance with the Storm Water Management Plan and the Municipal Regional Permit.



MEMORANDUM

DATE: August 4, 2010
TO: Architecture and Site Review Committee
FROM: Zachary Dahl, Associate Planner
SUBJECT: MODIFICATION TO 07-D-05—100 FIRST STREET

RECOMMENDATION

Recommend approval of a modification to Design Review application 07-D-05 to the City Council subject to the attached findings and direction.

BACKGROUND

This Project was heard by the City Council on June 22, 2010. At the meeting the Council discussed the revised architectural design, setbacks on the first and second stories, frontage improvements, on-street parking, parking requirements relative to the below-market-rate units located on- or off-site, narrow sidewalks (pedestrian “pinch-points”) on the sidewalk within the public right-of-way, street trees and other design elements. The Council voted to send the revised architectural design back to the Architecture and Site Review Committee for a review and recommendation before they made a final decision. The Council provided a list of items in the motion that should be considered, without considering a bias by the Council in favor or opposed, when the Committee reviews the revised architectural design. The list of items to address included:

- Parking reconfigured so that it is more evenly distributed;
- Whether the reduced number of parking spaces allowed by State law for a project with below market rate units provides adequate parking for the project;
- Wider sidewalks;
- Maintain Spanish (as opposed to Mediterranean) style, particularly with no requirements for shutters;
- Truck parking locations to allow loading and unloading for move-ins and move-outs;
- Adequacy of focal point for pedestrian entrance;
- Towers – should they be included or not;
- North wall – increase articulation and add more interest;
- Ten-foot setback on the third floor on the north side to provide light and softening; and
- Eliminate towers on the north side to lessen the impact on neighboring property.

The City Council minutes and the Agenda Report are attached for reference.

DISCUSSION

Design Changes

The City Council wants the Architecture and Site Review Committee to review the project changes made after the Planning Commission made its recommendation before they take a final action. The applicant has taken this opportunity to further revise the project to address comments made by the Planning Commission and the City Council. The changes to the project design are outlined in a letter from the applicant (Attachment C). Specific changes that were made to address prior comments by the Planning Commission and the City Council include:

- The wall plate heights on each floor that have been reduced by two feet, six inches, resulting in the overall building profile being reduced by seven feet, six inches of height.
- The central towers have been reduced between four and six feet in height and the towers on each end have been reduced by 16 feet in height.
- The towers have been redesigned to include habitable square footage. The square footage in the towers along with a rooftop terrace and garden area create a fourth floor.
- The north elevation has been redesigned to reduce the height by approximately 16 feet and increase articulation. A shadow study has been prepared (Sheet A7) to show that the existing office building at 20 First Street will not be in the shadow of the proposed project.
- The ground floor has been redesigned to include a central stairwell adjacent to the elevator, a smaller club house patio area, and include 11 parking spaces that can be used for guest parking.
- The front elevation has been revised to reduce the building's bulk and mass, increase articulation and improve the front entry to be more of a focal point.
- The planter wall along the front property line has been moved back allow the sidewalk along First Street to be one-foot wider for the entire length of the property frontage.
- The parking spaces and storage units in the underground parking garage have been reconfigured.

As noted above, the reduction in overall height, along with the lowering of the tower elements, reduces the bulk and mass of the project and is more compatible with the adjacent buildings. To make up for the patio that was removed to provide additional parking on the ground floor, a rooftop terrace and garden that face Foothill Expressway have been added. The rooftop terrace and garden do not result in any aesthetic changes with the exception of the south stairwell and the elevator extending to the rooftop. The stairwell element on the southeast elevation is below the 45-foot height limit and the elevator tower is located in the center of the roof and is screened from view at the ground level by the sloping roof. A rendering of the original project, for comparison purposes, is included in Attachment E.

The streetscape improvements within the First Street right-of-way that are shown on the project's site and landscape plan have been already been reviewed and approved by the City, and are currently in the engineering and construction drawing phase. However, to address the comments about the narrow passageway where street trees are located in the sidewalk (pedestrian "pinch-points"), staff is revising the streetscape improvement plans to increase the spacing between street trees from 20 feet, as shown on the plans, to 25 to 30 feet. In addition, the applicant is offering a one-foot wide strip of land along the entire frontage for use as a sidewalk. This effectively widens the space between the street tree trunk and the planter wall from a minimum of three feet, seven inches to four feet seven inches. These two changes will widen the sidewalk and improve the overall pedestrian path of travel along this section of First Street.

The revised design also increases the amount of on-site parking from 86 spaces to 91 spaces. While this is still five spaces short of the 96 spaces (two spaces per unit) required by the Zoning Ordinance, it does exceed the minimum 78 spaces that are allowed by State law for projects with affordable housing, and thus is not considered a development incentive.

While the revised design addresses all of the City Council comments, it does not correctly show the wall along Foothill Expressway and it still shows two palm trees along First Street. Also, City staff recently developed a list of approved trees and landscaping for the Foothill Expressway shoulder adjacent to downtown Los Altos. Therefore, staff recommends the following direction prior to City Council review:

- Revise the plans to show a wall along Foothill Expressway that does not exceed six feet in height with an additional one-foot wrought iron detail on top.
- Remove the two Queen Palms and replace them with a street tree that is compatible with the First Street Streetscape Improvement Plan.
- Revise the landscape plan to include trees and landscaping that are found in the City's list of approved plantings for Foothill Expressway.

Development Incentives

As outlined in the previous staff reports, since the project is providing five BMR units, or 10 percent of the total project units, it is entitled to a development incentive under State law. Previously, the applicant had not requested a development incentive. However, as part of the revised design, the applicant has requested a development incentive to allow a height of 47 feet for the two central towers where a maximum height of 45 feet is allowed. All other portions of the project would be 45 feet or less in height. The two towers were previously designed as architectural features, faux bell towers, and were 53 and 56 feet in height, respectively. As allowed in the Code, architectural elements that do not contain habitable square footage, such as towers, can be up to 60 feet in height (15 feet above the District height limit). While the overall height of the towers has been reduced, there is now habitable square footage at the fourth floor level and they are subject to the District's 45-foot height limit. The development incentive does not substantially increase the overall height, bulk

or mass of the structure beyond what was allowed as an architectural feature. The development incentive also provides an identifiable financial value for the applicant, so it meets the criteria outlined by State law.

The applicant has also included five arcades along the first floor of the front elevation. These elements increase articulation and pedestrian scale details, but do not add any habitable square-footage to the project. As designed, they have a front yard setback of eight feet where ten feet is required. Since the arcades were added to improve building articulation and address concerns raised by the City Council while still maintaining a minimum of 60 percent softscape landscaping in the front yard, staff supports a two-foot exception to the front yard setback requirement.

CORRESPONDENCE

A letter was submitted which addresses the project's driveway clearance. Based on the discussion in the letter, many of the smaller service vehicles will be able to use on-site parking, but the larger vehicles may have to park on the street. Since the project lowered the wall plate heights to approximately 10 feet, six inches, raising the driveway clearance to 11 feet is not possible.

Cc: Randy Lamb, First Street Holdings, LLC, Owner
Chris Wuthmann, Project Manager
Glen Simmons, Dahlin Group, Project Architect

Attachments:

- A. Applicant Cover Letter
- B. Correspondence
- C. City Council Minutes, June 22, 2010
- D. City Council Agenda Report, June 22, 2010
- E. Rendering of Project Approved by Planning Commission

FINDINGS

07-D-05—100 First Street

With regard to Design Review application 07-D-05, the Architecture and Site Review Committee finds in accordance with Chapter 14.78 of the Municipal Code that:

- A. The proposal meets the goals, policies and objectives of the General Plan and any specific plan, design guidelines and ordinance design criteria adopted for the specific district or area;
- B. The proposal has architectural integrity and has 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. Residential or mixed-use residential projects incorporate elements that signal habitation, such as identifiable entrances, stairs, porches, bays and balconies;
- D. Exterior materials and finishes convey quality, integrity, permanence and durability, and materials are used effectively to define building elements such as base, body, parapets, bays, arcades and structural elements;
- 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. Mechanical equipment is screened from public view and the screening is designed to be consistent with the building architecture in form, material and detailing; and
- H. 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.

DIRECTION

07-D-05—100 First Street

1. Revise the plans to show a wall along Foothill Expressway that does not exceed six feet in height with an additional one-foot wrought iron detail on top.
2. Remove the two Queen Palms and replace them with a street tree that is compatible with the First Street Streetscape Improvement Plan.
3. Revise the landscape plan to include trees and landscaping that are found in the City's list of approved plantings for Foothill Expressway.

ATTACHMENT D



AGENDA REPORT SUMMARY

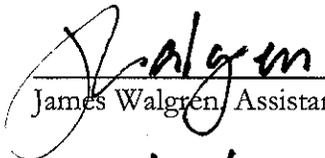
MEETING DATE: June 22, 2010

SUBJECT: Modification to Approved Project at 100 First Street

RECOMMENDATION:

Approve a modification to an approved Design Review and Subdivision application subject to the findings and conditions.

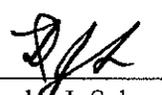
| ESTIMATED FISCAL IMPACT | ATTACHMENTS | PUBLIC HEARING NOTICE |
|--|---|---|
| <p>AMOUNT: Not Applicable</p> <p>BUDGETED: Not Applicable</p> <p>FUNDING SOURCE: Not Applicable</p> | <p>Planning Commission Agenda Report</p> <p>Addendum to the Certified Mitigated Negative Declaration</p> <p>Planning Commission Minutes, June 3, 2010</p> <p>Planning Commission Memorandum, June 3, 2010</p> <p>Correspondence</p> | <p style="text-align: center;">June 9, 2010</p> |
| | | <p style="text-align: center;">PREVIOUS COUNCIL CONSIDERATION</p> <p style="text-align: center;">November 13, 2007</p> |
| | | <p style="text-align: center;">CEQA STATUS</p> <p style="text-align: center;">Mitigated Negative Declaration</p> |



 James Walgren, Assistant City Manager

6/15/10

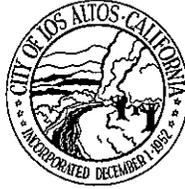
 Date



 Douglas J. Schmitz, City Manager

15 June '10

 Date



AGENDA REPORT

DATE: June 22, 2010

TO: City Council

FROM: Planning Commission

SUBJECT: MODIFICATION TO APPROVED PROJECT AT 100 FIRST STREET

RECOMMENDATION

Approve a modification to an approved Design Review and Subdivision application subject to the findings and conditions.

BACKGROUND

The project is a modification to an approved design review and subdivision application. The revised proposal includes a new, 43-foot tall, three-story residential structure with 48 condominium units at 100 First Street (the former site of the Los Altos Post Office). The project includes a ground-level garage with six parking spaces, and one level of underground parking with 80 spaces.

The project was heard before the Planning Commission on June 3, 2010. At the meeting, the applicant presented additional design revisions to address some of the public comments submitted to the Planning Commission (Attachment 4 - Correspondence). The revisions included a larger mix of window types and treatments (i.e., wooden shutters) on the front elevation, an accent color to differentiate architectural elements on the front elevation and entrances on First Street for the ground floor units facing the street. The Commission supported the revisions, noting that they improved the design of the proposed project.

The Commission expressed general support for the project and the benefits to Downtown of adding 48 new residential units. There were some concerns raised regarding the lack of windows at the end of the building corridors at each level, the accessibility and location of the elevator and the lobby, the lack of a central staircase, the relatively blank elevation facing the adjacent property at 20 First Street, and the plain appearance of the driveway entrance. However, the Commission voted 5-1 to recommend approval to the City Council provided that the applicant make the following revisions prior to City Council consideration:

1. Windows shall be included at the end of the building corridors;
2. In lieu of a central stairwell, the applicant shall install a faster operating traction elevator versus the proposed hydraulic elevator;
3. The elevator and the lobby shall be reconfigured to be more accessible and user friendly;

4. The northwest elevation shall be revised to introduce windows and additional landscaping – as feasible within the space and podium constraints – to soften the appearance from the adjacent property; and
5. The primary entrance drive shall include enhanced paving treatment, which could include decorative pavers, among other features.

The dissenting Commissioner noted that he supported the overall project but was concerned about what he perceived to be inconvenient internal access for the building, however, this was noted as being outside the purview of the design review findings. The draft Planning Commission minutes and the staff Memorandum are attached for reference.

DISCUSSION

In response to the recommendations made by the Planning Commission, the applicant made some revisions to the project design. The doors at the end of each corridor are now clear glass to let in more natural light, the plans show a traction elevator (Condition No. 13), the lobby and mail center are reconfigured to be more accessible and better connected to the elevator, the northwest (side) elevation includes arched windows that are more compatible with the adjacent building at 20 First Street, and the entrance driveway is improved with the use of decorative pavers. With these changes, staff finds that the application meets the recommendations made by the Planning Commission.

Cc: Randy Lamb, First Street Holdings, LLC, Owner
Gerald Yates, Architect
Chris Wuthmann, Project Manager
Engineering Division

Attachments:

1. Addendum to the Certified Mitigated Negative Declaration
2. Planning Commission Minutes, June 3, 2010
3. Planning Commission Memorandum, June 3, 2010
4. Correspondence

FINDINGS

07-D-05 and 07-SD-02—100 First Street

1. The City Council finds that the Amendment to Mitigated Negative Declaration certified by the City Council on November 13, 2007 for the original project is in accordance with the California Environmental Quality Act Guidelines, as amended January 1, 2010, and that the modified project does not create any new significant environmental effects, and the adopted Mitigated Negative Declaration maintains and/or reduces all environmental effects to a less than significant level.
2. The City Council finds in accordance with Chapter 14.78 of the Municipal Code that the following Design Review findings can be made:
 - A. The proposal meets the goals, policies and objectives of the General Plan and any specific plan, design guidelines and ordinance design criteria adopted for the specific district or area;
 - B. The proposal has architectural integrity and has 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. Residential or mixed-use residential projects incorporate elements that signal habitation, such as identifiable entrances, stairs, porches, bays and balconies;
 - D. Exterior materials and finishes convey quality, integrity, permanence and durability, and materials are used effectively to define building elements such as base, body, parapets, bays, arcades and structural elements;
 - 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. Mechanical equipment is screened from public view and the screening is designed to be consistent with the building architecture in form, material and detailing; and
 - H. 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.

3. The City Council finds in accordance with Section 66474 of the Subdivision Map Act of the State of California that the following summary findings can be made with regard to subdivision application 07-SD-02 to create 48 condominium units:
 - A. The proposed subdivision is consistent with the Downtown Commercial General Plan land use;
 - B. The site is physically suitable for this type and density of development;
 - C. The design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage, or substantially injure fish or wildlife;
 - D. The design of the subdivision is not likely to cause serious public health problems; and
 - E. The design of the subdivision will not conflict with public access easements.

CONDITIONS

07-D-05 and 07-SD-02—100 First Street

GENERAL

1. Project approval is based upon the plans received on June 15, 2010 except as modified by these conditions.
2. All exterior lighting on the building and balconies shall have shrouds and be directed downward to avoid impacts to the adjoining properties.
3. The applicant shall include provisions in the Covenants, Conditions and Restrictions (CC&Rs) that restrict storage on the private patio and decks and outlines rules for other objects stored on the private patio and decks with the goal of minimizing visual impacts to First Street and Foothill Expressway.
4. Prior to submitting for the building permit, the applicant shall provide verification that the project is designed with a GreenPoint Rating of 50 points or more and identify the project's GreenPoint rater;
5. Four condominium units: Unit 209 (one-bedroom), Unit 206 (two-bedroom), Unit 309 (one-bedroom), and Unit 306 (two-bedroom), shall be offered for sale to a moderate income household for a 30-year period or for rent at a price that is affordable to a low income household for a 30-year period.
6. One condominium unit: Unit 106 (one-bedroom), shall be offered for sale to a low income household for a 30-year period or for rent at a price that is affordable to a low income household for a 30-year period.
7. The applicant shall coordinate their construction schedule with the City for the purpose of excavation, undergrounding utilities and installation of curb, gutter, sidewalk and pedestrian amenities within the First Street right-of-way.
8. An encroachment permit and/or a permit to open streets 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.
9. The project shall comply with the City of Los Altos Municipal Regional Stormwater (MRP) NPDES Permit No. CA S612008, Order R2-2009-0074 dated October 14, 2009.
10. The developer shall contact electric, gas, communication and water utility companies regarding the installation of new utility services to the site.

11. Off-site improvements shall comply with the Americans with Disabilities Act (ADA).
12. The City Engineer shall approve any sewer lateral connection(s).
13. Prior to submitting for the building permit, the applicant shall revise the plans to show a faster operating traction elevator.
14. The applicant shall submit a copy of the Notice of Intent to comply with the State Construction Storm Water General permit submitted to the State Water Resource Control Board. The applicant shall also submit a final copy of the State's Storm Water Pollution Prevention Plan (SWPPP) to the City Engineer prior to any demolition, any grading or issuance of the building permit, whichever ever happens first. The building plans shall include the "Blueprint for a Clean Bay" plan sheet in all plan submittals.
15. In the event it is necessary to acquire offsite easements or street rights-of-way, the owner shall enter into an agreement with the City prior to final map approval agreeing to pay all condemnation costs, for dedication of all required easements or street right-of-way. This agreement shall be recorded and require the owner to deposit all condemnation costs with the City within 21 days of Parcel Map approval. The owner shall agree to provide an initial cash deposit as determined by the City.
16. The applicant agrees to hold City harmless from all costs and expenses, including attorney's fees, incurred by the City or held to be the liability of City in connection with City's defense of its actions in any proceeding brought in any State or Federal Court, challenging the City's action with respect to the applicant's project in accordance with Section 66474.9 of the Subdivision Map Act.

PRIOR TO MAP RECORDATION

17. The applicant shall dedicate public utility easements as required by the utility companies to serve the site.
18. The applicant shall pay a fee in lieu of parkland dedication in accordance with Chapter 13.24 of the Los Altos Municipal Code.
19. The applicant shall pay a fee in lieu of traffic impact in accordance with Chapter 3.48 of the Los Altos Municipal Code.
20. The applicant shall pay all applicable sanitary sewer connection fees.

PRIOR TO ISSUANCE OF BUILDING PERMIT

21. The property owner shall execute an agreement with the City to retain the below market rate units as affordable as required by the City Attorney and the Community Development Director.

22. The applicant shall obtain written approval from the owner of the property at 20 First Street to remove and replace the existing 16-inch oak tree located on the subject property.
23. The applicant shall be financially responsible for the City's construction and installation of the First Street Streetscape Improvement Plan along the frontage of the subject property. The applicant shall submit a payment, currently estimated at \$153,000, to the City for the cost of these improvements. The exact amount shall be determined by the Community Development Director at time of payment.
24. The applicant shall provide a landscape and irrigation plan that includes the Foothill Expressway shoulder that fronts on the subject property. The landscape and irrigation plan shall be reviewed and approved by the Community Development Director. The landscape and irrigation plan shall meet the requirements of the State's Model Water Efficient Landscape Ordinance (AB 1881).
25. All windows and glass doors facing Foothill Expressway shall be Sound Transmission Class (STC) rated to meet the City's General Plan requirement for the maximum allowable interior sound level in a residential use.
26. The applicant shall submit the Storm Water Management Plan (SWMP) in compliance with the MRP and based on guidance provided by the Engineering Division. The SWMP and the building plans shall be reviewed and certified by a City-approved third-party consultant at the applicant's expense prior to submittal of the Plan. The recommendations from the SWMP shall be shown on the building plans.
27. The applicant shall submit on-site grading and drainage plans that include all the required features (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 the 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 Division.
28. Detailed plans for any construction activities affecting the public right-of-way, including but not limited to excavation, traffic control, pedestrian protection, material storage, earth retention, and construction vehicle parking, shall be provided to the City Engineer for review and approval.
29. A truck routing and staging plan for the proposed excavation of the site shall be submitted for review and approval by the City Engineer. Applicant shall pay the applicable fees before the transportation permit can be issued by the Traffic Engineer.
30. The applicant shall contact Mission Trail Waste Systems and submit a solid waste disposal plan indicating the type and size of container proposed and the frequency of pick-up service subject to the approval of the Engineering Division.

PRIOR TO FINAL INSPECTION/OCCUPANCY

31. 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.
32. A 36-inch box replacement oak tree shall be planted in the southeast corner of the property at 20 First Street if required by the Community Development Director.
33. The applicant shall provide verification that the project was built in compliance with the GreenPoint Rated approval.
34. All landscaping and irrigation shall be installed. The applicant shall obtain an encroachment permit from County Roads and Airports prior to installation of landscaping and irrigation in the Foothill Expressway shoulder.
35. The applicant shall provide an acoustical analysis that evaluates the noise generated by the rooftop and garage mechanical equipment, and the interior noise levels in the residential units, to ensure that the project is in compliance with the City's General Plan and Noise Ordinance.
36. A one-year, 10 percent maintenance bond shall be submitted upon acceptance of improvements in the public right-of-way if necessary.
37. The applicant shall remove and resurface the entire width of street pavement from the south side of the property line on First Street to the intersection of First Street and West Edith Avenue, if necessary, and as directed by the City Engineer.
38. The applicant shall label all new or existing public and private catch basin inlets which are on or directly to the site with the "NO DUMPING - FLOWS TO ADOBE CREEK" logo as required by the City.
39. The applicant shall install a stop sign at the parking garage outbound vehicle exit before the driveway incline crosses the public sidewalk. The stop sign location shall be approved by the City Engineer.
40. The applicant shall submit a copy of the recorded maintenance agreement for the storm water treatment devices installed in accordance with the Storm Water Management Plan and the Municipal Regional Permit.