



DATE: June 12, 2012

AGENDA ITEM # 7

## AGENDA REPORT

**TO:** City Council  
**FROM:** David Kornfield, Planning Services Manager  
**SUBJECT:** 40 Main Street

### **RECOMMENDATION:**

Deny a Mitigated Negative Declaration and deny design review and use permit applications per the listed findings

---

### **SUMMARY:**

#### **Estimated Fiscal Impact:**

**Amount:** None

**Budgeted:** Not applicable

**Public Hearing Notice:** January 19, 2012

**Previous Council Consideration:** April 24, 2012

**CEQA Status:** Mitigated Negative Declaration

#### **Attachments:**

1. Planning Commission Minutes dated January 19, 2012
2. Memorandum to the Planning Commission dated January 19, 2012, including Initial Study and Mitigated Negative Declaration
3. Packard letter dated June 1, 2012
4. Hechtman letter dated May 31, 2012
5. Borlik letter dated June 4, 2012
6. Chamber of Commerce letter dated June 5, 2012

## BACKGROUND

This is a design review and use permit application for a new office building at 40 Main Street. The scope of the project allows the adoption of a Mitigated Negative Declaration of environmental impact, although this has been challenged per the attached Hechtman letter discussed below. The site is located downtown in the CRS/OAD District near Main Street and Edith Avenue, within an arrival zone as defined by the Downtown Design Plan, subject to the Downtown Design Guidelines, and inside the public parking plaza district adjacent to Parking Plaza No. 10.

The project offers a pedestrian paseo from the parking plaza to the Main Street sidewalk as a public benefit and, in turn, seeks development exceptions for parking, height and rear yard setback. Development incentives are allowed when: they are not detrimental to or injurious to persons or property; when the public benefit to the City is appropriate when considered against the cost to the developer; and, when the project and mitigation are consistent with the General Plan and help accomplish the Downtown Design Plan objectives. The project had a parking shortfall of 28 parking spaces as presented to the Planning Commission. As revised for the City Council, the project has a deficit of 17 parking spaces by zoning (discussed below). The building exceeds the permitted height limit by approximately five (5) feet to facilitate the third level. The proposed second and third levels encroach two feet into the required rear yard setback and over the pedestrian paseo.

At its January 19, 2012 meeting, the Planning Commission recommended adoption of the Mitigated Negative Declaration consistent with the project's considered environmental impacts (see Memorandum to the Planning Commission). In separate motions, the Planning Commission recommended approval of the design review and use permit applications and provided direction to:

1. Reduce the bulk and mass of the third floor appreciably such that the project is more consistent with the buildings at 1 Main Street (the proposed hotel) and 4 Main Street;
2. Support the development incentive for the paseo and reduce the parking deficit to 15 parking spaces as calculated by the zoning code;
3. Encourage the applicant to work with the property owners at 4 Main Street to enhance the relationship between the buildings; and
4. Allow the ceiling height incentive at 35 feet to provide flexibility in the design for the arrival zone to the downtown.

The applicant changed the plans in reply to the Planning Commission direction as follows:

- Reconfigured the northern corner of the third level to square the wall with the street and allow for a wall off-set and gable roof eave on the side;
- Recessed part of the third level wall facing Main Street by approximately four feet and increased the balcony depths facing Main Street; and

- Reduced the net floor area of the second story by approximately 2,500 square feet by creating a mezzanine at the second level.

Additionally, the applicant submitted for City review a proposal to re-stripe the parking on Fourth Street and an offer of a developer's contribution to help fund a renovation of Parking Plaza No. 10.

## DISCUSSION

### Planning Commission Direction

The revised plans reduce the size of the third level by 140 square feet of gross floor area which is appreciable. However, there is some question as to the effectiveness of that reduction in terms of changing the mass and bulk of the building to relate better to the surroundings, especially when considering the potential change in bulk and massing that could be made to reduce the building's net floor area by 3,900 square feet (the equivalent to 13 parking spaces) to meet the Planning Commission's parking condition. The building is also 35 feet tall in a district with a 30-foot height limit. While the Planning Commission supported a height exception to allow a 35-foot ceiling, this was to give the applicant certainty that the taller ceiling could be an appropriate exception and allow design flexibility in addressing the project's parking, bulk and mass issues. From a bulk and mass perspective, the revised building design presents essentially the same building that was a significant Planning Commission concern in terms of relationship to the surrounding, smaller-scale buildings.

The project has a shortage of 17 parking spaces based on the zoning requirements. Although the revised plans reduce the net floor area of the building in an effort to meet the Planning Commission's direction, as calculated, the project remains approximately 560 square feet over the net size necessary to comply with the 15 parking space limit recommended by the Planning Commission:

- The zoning code requires a project in this district to provide parking spaces for the net building area in excess of the first 100 percent of the lot area (Section 14.74.100 of the Municipal Code). For parking purposes, the proposed net building area totals 12,900 square feet. Subtracting the first 100 percent of the lot area, or 7,841 square feet, from the net building area equals a building area of 5,059 square feet that must provide parking. Dividing 5,059 square feet by 300 (the parking requirement of one space for every 300 square feet of office area) equals a parking requirement of 17 spaces.

Despite the zoning analysis, the project creates an increase in parking demand. The revised building creates a real need of approximately 36 parking spaces over the existing building (the net difference of floor area divided by the office parking requirement, or, 10,773 square feet divided by 300). The attached memorandum to the Planning Commission describes the parking analysis in more detail.

Since the creation of the Downtown Development Plan, projects have received relatively minor development incentives for their public benefits. The hotel at 1 Main Street, for example, received a development incentive equivalent to 10 parking spaces for the off-peak-parking hotel use and a setback exception in exchange for developing an important public plaza recommended by the Downtown Design Plan at the entry to the downtown. Safeway, for example, received a setback exception along Foothill Expressway and a parapet height incentive to screen mechanical equipment in exchange for re-developing an anchor use, rebuilding their share of the First Street streetscape improvements and contributing approximately 150 parking spaces to the public parking plaza system.

Based on a lack of compliance with the Planning Commission's direction, staff prepared findings to deny the project. Should the City Council determine that the applicant's revised plans meet the Planning Commission direction, or are otherwise acceptable in terms of design, use and development exceptions, then staff recommends that the Council articulate positive findings and direct staff to prepare the appropriate findings and conditions for adoption.

### **Public Parking Changes and Developer's Contribution**

The applicant previously submitted a plan to reconfigure Parking Plaza No. 10 in an effort to increase the parking supply. Subsequently, the applicant submitted a proposal to change the on-street parking on Fourth Street to potentially increase the on-street parking supply near the project, which should be considered with the downtown parking management study. The applicant also submitted a proposal to contribute \$300,000 to redevelop Parking Plaza No. 10 if the project is approved without requiring the approximately 2,500-square-foot atrium. The developer's proposal to financially contribute to increasing the public parking is in effect the same as an in-lieu parking fee, which is a development benefit that the City has not established yet. Council determined that changes to the parking plazas will be studied comprehensively as part of the City's upcoming Parking Management Plan for downtown.

### **Environmental Review**

As outlined in the California Environmental Quality Act (CEQA) Environmental Checklist published on January 1, 2011, inadequate parking, while potentially inconvenient, is no longer automatically considered an environmental impact. A parking shortage still may fall within the purview of CEQA if there is substantial evidence that a significant secondary environmental impact may occur as a result of an identified lack of parking.

While parking exceptions might be granted within the scope of a Mitigated Negative Declaration as a matter of implementing the City's development incentive regulations, staff recommends considering the matter further if there is support for the project. Staff is in receipt of a letter making a fair argument that there is evidence that the project will create an unmitigated parking impact (see Hechtman letter).

If the project is otherwise acceptable, then the City Attorney recommends a third-party legal evaluation of the Mitigated Negative Declaration to evaluate if an Environmental Impact

Report is necessary. However, the project still has considerable issues related to considering the parking shortfall and height coverage as they relate to development incentives and the project's compliance with the City's General Plan, Downtown Design Plan, Downtown Design Guidelines and zoning code. If these issues cannot be supported then the Mitigated Negative Declaration should be denied and there is no need to evaluate it further.

### **FISCAL IMPACT**

None

### **PUBLIC CONTACT**

The City received a letter from an adjacent property owner raising concerns about the project's environmental review, parking shortage, paseo design, building height, and compatibility and bulk. The City also received a letter from an attorney expressing a concern about adopting the Mitigated Negative Declaration in light of the project's potential parking impacts. Lastly, the City received a letter from the Chamber of Commerce supporting the project.

The applicant has received a copy of this report.

Notices were mailed to all property and business owners within 500 feet of the project, and posted at the project site for each of the Architecture and Site Review and Planning Commission meetings.

Posting of the meeting agenda serves as notice to the general public.

### **ALTERNATIVE**

Procedurally, the City Council could approve the project if it found that the design review, use permit and development incentives were appropriate. With that alternative, however, staff recommends further evaluation of the Mitigated Negative Declaration, and, if supported, adding a condition requiring any development contribution, if desired, prior to the issuance of building permit. Additionally, conditions such as design requirements or net or gross floor area reductions could be added to be addressed for a final review by the Planning Commission and/or the City Council.

## FINDINGS

### 11-D-01 & 11-UP-01—40 Main Street

1. With regard to the Environmental Review, the City Council finds that the Mitigated Negative Declaration is not in accordance with the California Environmental Quality Act because there is a fair argument, based in the record, that the project may have a potentially significant effect related to a parking shortfall, and that appropriate alternatives and mitigations have therefore not been considered or incorporated.
2. With regard to the design review, the City Council finds in accordance with Section 14.78.040 of the Municipal Code that:
  - a. The proposal does not meet the General Plan, Downtown Design Guidelines and ordinance design criteria adopted for the CRS/OAD district in that the public benefit of the pedestrian paseo element does not adequately justify reducing the parking requirements and increasing the height limit to the degree requested; the paseo design does not meet the Downtown Design Guidelines, and the project lacks a proper attention to the downtown village character; and
  - b. The proposal lacks an appropriate architectural integrity and appropriate relationship with other structures in the immediate area in terms of height, bulk and design in that it appears significantly taller and out-of-scale with the existing and approved structures in the immediate vicinity.
3. With regard to the use permit, the City Council finds according to Section 14.80.60 of the Municipal Code that:
  - a. The proposed location of the conditional use is not in accordance with the objectives of the zoning plan as stated in Chapter 14.02 of this title because the project's potential parking impacts do not provide for community growth along sound lines;
  - b. The proposed location of the conditional use, under the circumstances of the particular case, will affect the convenience and prosperity of persons residing or working in the vicinity since the project will likely cause a substantial shortage of parking;
  - c. The proposed conditional use does not comply with the regulations prescribed for the district in which the site is located and the general provisions of Chapter 14.02; and
  - d. The proposed use and/or structure is not in scale with the existing development and does not enhance the unique village character of the CRS District.

4. With regard to the development incentives, the City Council finds in accordance with Section 14.54.180 of the Municipal Code that:
  - a. The granting of the exceptions will be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the area because of the project's lack of parking and the negative effects of reducing the parking supply;
  - b. The benefit to the City derived from granting the exception is not an appropriate mitigation when considered against the cost to the developer;
  - c. The project and mitigation will result in a negligible public benefit to the downtown and the parking shortage and height exceptions may cause undesirable parking and visual impacts; and
  - d. The resultant project and mitigation are not consistent with the general plan and do not promote or accomplish objectives of the downtown design plan in that the project's parking impacts outweigh the benefits of adding additional office workers to the downtown area.



## MINUTES PLANNING COMMISSION

---

7:30 p.m., January 19, 2012  
Community Chambers, Los Altos City Hall  
One North San Antonio Road, Los Altos, California 94022

---

### CALL TO ORDER

Chair BAER called the meeting to order at 7:30 PM.

### ROLL CALL

All Present: Chair BAER, Vice-Chair LORELL, Commissioners MOISON, BODNER, ABRAMS, and BRUINS, and JUNAID  
Staff: Planning Services Manager KORNFIELD, Senior Planner DAHL, and City Attorney HOUSTON

### PUBLIC COMMENT

None.

### CONSENT CALENDAR

1. **Planning Commission Minutes**

Minutes of the December 15, 2011 regular meeting.

MOTION BY COMMISSIONER BRUINS, SECONDED BY VICE-CHAIR LORELL, to approve the minutes from the December 15, 2011 regular meeting as written.  
THE MOTION CARRIED UNANIMOUSLY.

### PUBLIC HEARING

2. **11-V-19 and 11-SC-56 – L. Hoefflinger – 455 Aspen Way**

Variance request and design review to allow a side yard setback of eight feet where 15 feet is required for an addition to an existing uncovered deck and an accessory structure (up to 17 feet, 6 inches in height).

*Project Planner: Dabl*

Senior Planner DAHL presented the staff report recommending approval of variance application 11-V-19 and design review application 11-SC-56 subject to the listed findings.

The property owner read a letter of support from her neighbor. There was no other public comment.

MOTION BY COMMISSIONER BODNER, SECONDED BY COMMISSIONER MOISON, to approve variance application 11-V-19 and design review application 11-SC-56 per the staff report findings.  
THE MOTION CARRIED UNANIMOUSLY.

**3. 11-D-01 and 11-UP-01 – 40 Main Street Offices, LLC – 40 Main Street**

Design Review, Use Permit and Negative Declaration of environmental effects for a new office building totaling 17,567 square feet. *Project Planner: Kornfield*

Planning Services Manager KORNFIELD presented the staff report recommending to the City Council: a) adoption of a Mitigated Negative Declaration of environmental impact, and b) denial of design review and use permit applications 11-D-01 and 11-UP-01 subject to the listed findings.

The project applicant showed a PowerPoint presentation and discussed the project's history and its parking. The applicant stated that they received differing information on the project's parking requirements and that they relied on the staff input in developing the application. The project architect spoke in support of the building design.

Twenty-six members of the public spoke to the project. Several residents and business owners opposed the project based on the parking shortage, the impact on the parking plazas and the potential overflow into the residential neighborhood. Others raised concerns about the bulk, mass, and height of the three-story building and felt tower was out-of-character. Several residents and business owners expressed support for the project and noted that Los Altos needs class-A office space, more "feet on the street," and did not find the parking issue valid since they can always find parking in the other plazas.

The applicant suggested the redistribution of the all-day parking in Plaza 10 as a means to lessen the parking impacts, explained that underground parking was too costly, and that they lowered the building as much as possible in the prior designs.

The Chair called for a five minute break at 10:19 PM.

Staff explained that the parking requirements were a matter of the Municipal Code and discussed consistently with the applicant and in the reports. Staff also explained that in the pre-application stages of the project we had discussions with the applicant for using an alternative shared-parking ratio but that that our position was based on a misunderstanding of the parking study quoted by the applicant and that a shared-use standard would ultimately not be supported by staff since the project was not a mixed-use.

The Commission discussed the project and expressed their general support for the design, agreeing that the third story should be set in to better relate to the surroundings and should have more variation to de-emphasize the third story. Several Commissioners felt that the project should relate better to the windows on the adjacent building at 4 Main Street. One Commissioner noted that some of the renderings presented by the project opponents exaggerated the scale of the building. The Commission unanimously supported the office use for the project.

A majority of the Commissioners supported the paseo on the south side of the building (as proposed) but questioned the amount of public benefit from the paseo versus the parking deficit. Although some of the Commissioners supported the paseo design and thought it was attractive, they felt that parking was too great an issue to justify the incentive. Commissioners also suggested to the applicant that they consider adding underground parking to reduce the parking impacts. The Commission discussed the difference between parking studies such as provided by the applicant and the zoning requirement for parking spaces.

Several Commissioners raised concerns about the parking shortage and felt a parking management program should be considered by the City for the parking plazas to provide more equity in the all-day parking. A

Commissioner suggested that the applicant could develop underground parking under the building as a benefit to add value by leasing it to the building occupants, that the City consider re-striping the parking plazas to produce more parking spaces, and that the City should reconsider the number of all-day parking spots. Another Commissioner stated that the existing distribution of all-day parking in the parking plazas made sense because it was near the higher concentration of all-day office space users.

A consensus of the Commission felt that the project should return to the Planning Commission for a final design review should the City Council support the Commission's recommendations.

The City Attorney stated that applicants can only rely on entitlements and questioned that applicants were so vested in the staff input. The City Attorney explained that the economic factors, time and money invested in a project, are not relevant to a land use decision.

MOTION BY CHAIR BAER, SECONDED BY VICE-CHAIR LORELL, to recommend adoption of a Mitigated Negative Declaration of environmental impact to the City Council.  
THE MOTION CARRIED UNANIMOUSLY.

MOTION BY CHAIR BAER, SECONDED BY VICE-CHAIR LORELL, to recommend approval to the City Council of applications 11-D-01 and 11-UP-01 with positive findings and with the following conditions:

- Scale back the third floor to no greater than 50 percent floor area ratio;
- Make changes to respect light wells and windows on 4 Main Street;
- Modify the scale, the mass and the height of the tower element to relate better to the adjacent single-story building;
- Set the parking incentive between 10 and 20 spaces based on paseo and that the project must provide underground parking; and.
- Remand the final design to the Planning Commission.

Following a straw poll of the Commission, CHAIR BAER WITHDREW HIS MOTION due to lack of support.

MOTION BY CHAIR BAER, to reduce the building bulk and mass up to 4,000 square feet to make it more compatible with the surroundings. THE MOTION FAILED DUE TO LACK OF A SECOND.

MOTION BY COMMISSIONER BODNER, SECONDED BY COMMISSIONER JUNAID, to recommend approval to the City Council of applications 11-D-01 and 11-UP-01 with positive findings and with the following condition:

- Reduce the bulk and mass of the third floor appreciably such that the project is more consistent with the buildings at 1 Main Street (hotel) and 4 Main Street.

THE MOTION PASSED BY A 5/2 VOTE, WITH COMMISSIONERS ABRAMS AND BRUINS OPPOSED.

MOTION BY VICE-CHAIR LORELL, SECONDED BY COMMISSIONER JUNAID, to support the development incentive for the paseo and reduce the parking deficit to 15 parking spaces as calculated by the zoning code.

THE MOTION CARRIED UNANIMOUSLY.

MOTION BY VICE-CHAIR LORELL, SECONDED BY CHAIR BAER, to encourage the applicant to work with the property owners at 4 Main Street to enhance the relationship between the buildings.

THE MOTION PASSED BY A 5/2 VOTE, WITH COMMISSIONERS BODNER AND BRUINS OPPOSED.

MOTION BY COMMISSIONER BRUINS, SECONDED BY COMMISSIONER JUNAID, to allow the ceiling height incentive at 35 feet to provide flexibility in the design for the arrival zone to the downtown. THE MOTION CARRIED UNANIMOUSLY.

#### **CORRESPONDENCE**

None.

#### **ARCHITECTURE AND SITE REVIEW COMMITTEE REPORT**

None.

#### **BOARD OF ADJUSTMENTS REPORT**

None.

#### **CITY COUNCIL REPORT**

None.

#### **ADJOURNMENT**

Chair BAER adjourned the meeting at 1:14 AM.

---

David Kornfield, AICP  
Planning Services Manager



MEMORANDUM

DATE: January 19, 2012  
TO: Planning Commission  
FROM: David Kornfield, Planning Services Manager  
SUBJECT: 11-D-01 & 11-UP-01—40 MAIN STREET

**RECOMMENDATION**

Recommend to the City Council: a) adoption of a Mitigated Negative Declaration of environmental impact, and b) denial of design review and use permit applications 11-D-01 and 11-UP-01 subject to the listed findings.

**PROJECT DESCRIPTION**

This is a design review and use permit application for a three-story office building at 40 Main Street. The following table summarizes the project details:

**GENERAL PLAN DESIGNATION:** Downtown Commercial  
**ZONING:** CRS/OAD, Commercial Retail Sales/Office  
Administrative Design  
**PARCEL SIZE:** 7,841 square feet  
**MATERIALS:** Slate roof, cement plaster and concrete block siding,  
wood trim, stone veneer, fabric awnings

	Existing	Proposed	Allowed/Required
<b>FLOOR AREA:</b>	2,127 square feet	17,567 square feet*	N/A
<b>SETBACKS:</b>			
Front	--	0 feet	0 feet
Left Side	--	5 to 10 feet	0 feet
Right Side	--	0 feet	0 feet
Rear	--	0 feet	2 feet
<b>HEIGHT:</b>	16 feet	35 feet	30 feet
<b>PARKING:</b>	4 spaces	0 spaces	28 spaces

\* For parking purposes the proposed building contains a net of 16,275 square feet. The net parking square footage excludes stairways and shaft enclosures.

## **BACKGROUND**

At its third review of the project the Architecture and Site Review Committee voted 2-1 to recommend approval of the design application subject to positive findings (see Attachment A). In their action, a majority of the Committee stated that they had no problem with a three-story building, that the paseo was good and provided a setback from the adjacent single-story building, that a variety of design and fine-grain details were appropriate, that the pedestrian scale was acceptable, that the gables were compatible and that the tower worked well at the arrival zone to the downtown area.

A Committee member spoke in opposition to the project stating that the building was five feet taller than that allowed by Code and that was a significant concern in the downtown core, that the three-story vertical massing was inappropriate, that the third floor should be minimized either by setting it back or by using a sloping roof, that the design would benefit from a more distinctive and traditional architectural design and that the balconies should be more functional and that the bulk and mass were not compatible with the Downtown Design Guidelines or the General Plan.

Attachment B contains the most recent staff report to the Committee (and the prior staff reports) and provides the design review context and background.

## **DISCUSSION**

### **Parking Analysis**

The most significant issue with this project is its lack of parking. The project replaces the 2,127-square-foot office building with a 17,565-square-foot office building without providing any on-site parking. The 28 space parking deficit is a significant issue since the project is adjacent to Parking Plaza No. 10, which is an impacted plaza.

Per the zoning ordinance, this project must provide parking spaces for the net floor area in excess of 100 percent of the floor area ratio. The first 100 percent of floor area is exempt from providing parking since the project is within the parking plaza district. For parking purposes the net proposed floor area is 16,275 square feet. Subtracting the lot area of 7,841 from the net proposed floor area of 16,275 square feet leaves 8,434 square feet of office space that must be parked at a ratio of one space for every 300 square feet. This equals a zoning requirement to provide 28 parking spaces.

From another perspective the project creates an effective need of 47 parking spaces over the existing building. Subtracting 2,127 square feet (the existing building) from the net proposed floor area of 16,275 equals an increase of 14,148 square feet over the existing building. Using the office parking ratio this equals an effective difference of 47 parking spaces.

The parking deficit is an important subject because the lack of parking is a significant issue for the downtown area in general and specifically in the vicinity of the project. Plaza 10, which is the most proximate parking area for the site, is one of the most heavily used plazas downtown. During the

peak hours of Noon to 2 PM, Plaza 10 is at or above the 85 percent capacity, which is considered full (see the Parking Analysis discussion in the July 6, 2011 memorandum, and Attachments C through F of that report for the relevant parking plaza studies). At 85 percent occupancy, Plaza 10 would have only 14 parking spaces available. While only technically requiring 28 parking spaces the project would create an effective demand of 47 parking spaces over the existing building.

The applicant submitted a parking demand study suggesting that the project should have a requirement of 32 spaces based on a ratio of 1.97 spaces per 1,000 square feet (see Attachment C). This study makes a case that a lower parking ratio should be used in a shared parking environment. This type of analysis only makes sense to consider when a project has a mix of uses that have different demands and/or timing such as with residential and office space and a discrete parking area used only by the building. For example, in a mixed-use residential and office project the office use will need its full parking during the day and especially its mid-day peak, where as the residential uses need their parking typically during the evening and weekend. In the context of a single-use building putting a demand on a plaza parking system that has multiple, similar users, using a lower parking ratio for an individual project does not make sense.

The parking disparity is also a matter of fairness. The zoning code sets an expectation or requirement that is a development constraint. If the City waives or lowers its standards for a particular project without a sufficient basis then it benefits a property owner with a special privilege affording more development than would normally be allowed.

The City Council has been especially sensitive to lost parking spaces downtown. Generating a parking demand from a project without providing sufficient parking is the equivalent of losing parking spaces. While the significant parking difference created the project by itself is a basis to deny the project, a parking exception may only be allowed in the context of a development incentive (discussed below).

### **Zoning and Design Issues**

In addition to the parking deficit, the project exceeds the 30-foot height limit by five feet. The 35-foot tall ceiling of the upper floor leaves little room to vary the roof forms of the building to properly relate building to the village character and the scale of adjacent structures. From a staff perspective, the third floor is significantly taller than the adjacent structures and should be softened in its appearance to relate better to the surroundings such as with sloping roof forms and by setting it back from the sides and front. This is especially important next to the adjacent single-story structure. Since the upper ceiling is so tall in relation to what is allowed, there is little room to vary the roof forms or parapet walls to appropriately reduce its bulk.

A varied roof line and reduced scale is desired both by the CRS/OAD design controls (Code Section 14.54.130) and the Downtown Design Guidelines (Section 3.2.7). If such scaling cannot be achieved, then it is even more important that the project benefit from the use of a more traditional architectural style with a greater connection to the architectural fabric of the downtown area (Downtown Design Guidelines, Section 3.2.2).

From a staff perspective the tower element appears somewhat monumental in its context and out of character. Although the site is in the “arrival zone” to the downtown area (Downtown Design Plan, Page 9), it is not located at the entry or at a corner where more monumental elements are appropriate (Downtown Design Guidelines, Page 41). The tower element is allowed by the zoning code at its proposed 45-foot height limit; however, it presents an issue of scale in its relationship to the adjacent single-story structure.

There are also concerns about the integrity of the balcony elements: while some of the balconies have an effective, useful depth such as on the front and south elevation, some of them are shallow, plant-on elements such as on the tower and rear elevations where there are missed opportunities to provide authentic balconies that help relate the building’s use to the street level. The second and third floors on the rear building elevation encroach into the required two-foot building setback too.

The building mass is articulated in some desirable ways to relate to the human scale. The approximately 23-foot wide bays on the front elevation relate well to the finer grain of the buildings in the area. The height of the first story arches, overhangs and awnings relate well to a human scale as well as the character of the adjacent buildings. The building elevations generally have variation and depth, and avoid large blank wall surfaces. The project’s 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.

Landscaping is generous and inviting in the front yard and paseo areas. The colored concrete paseo paving is designed to complement the building and parking areas, and to be integrated with the building architecture and the surrounding streetscape. The project re-landscapes the Main Street frontage, has planters within the paseo and rear yard. The plan shows special stained concrete paving in the paseo area accenting the pass-through and the octagonal tower element.

Signage is designed to complement the building architecture in terms of style, materials, colors and proportions. The concept shows main tenant signage in the Main Street arches, blade signs and distinctive paseo markers.

The project’s mechanical equipment is located on the roof and set back appropriately and therefore appropriately screened from public view. The service, trash and utility areas are located well inside the building and hidden by a wooden door off the rear elevation, which is consistent with the building architecture in materials and detailing.

Notwithstanding the Architecture and Site Review Committee’s recommendation there are significant issues related to the size of the building and its lack of parking, and the project’s height difference and its relationship to the immediate surroundings.

## **Use Permit**

The zoning code requires granting a use permit for the project since the building exceeds 7,000 square feet. The purpose of the use permit is to give the City more discretion for large buildings in the downtown core in relation to village character and to consider potential traffic impacts.

The proposed office building is a desirable use. The proposed location of the office building in the combined CRS/OAD District is appropriate since it does not take away from the retail viability of the nearby core and has the potential to add additional customers. As designed the project can accommodate a 12-foot ceiling that allows for the potential retail use in the future. According to the traffic report (see Attachment D) the project will not significantly degrade street intersection level of service.

There is some question as to the project's village character and its scale and relationship to the adjacent structures. The parking disparity is a significant concern that may substantially affect convenience and prosperity of the area in that the project will likely impact the nearby parking plazas negatively and make parking more difficult for the area and drive away retail customers. Parking may also undesirably spill over into the nearby residential areas. For these reasons staff recommends against granting the use permit.

## **Development Incentives**

The project includes a paseo on its south side. Paseos are generally a desirable element in accordance with the Downtown Design Plan and the Downtown Design Guidelines. Paseos provide an important pedestrian connection to the parking plazas. The proposed paseo, however, is nearby an existing paseo, which weakens its use somewhat. The most recent design shows more interesting features in the paseo such as landscaped trellises and an opening to the garden next door. The project's entry lobby to the upper floors is located off the paseo which helps activate the element with the building users too. The paseo's basic 10-foot width responds to the Guidelines (Section 3.1.1), however the building is designed with five-foot overhangs at the second and third stories that diminish the space. Additionally, the tower element at the front narrows the paseo entry to approximately six feet which differs substantially from the paseo Guideline with of 10 feet.

The paseo element qualifies the project for consideration of a development incentive. The proposed development incentives include the aforementioned parking and height exceptions as well as a rear yard setback variance for the second and third stories that do not provide the required two-foot setback. To grant the development incentives the Council must find that they:

- Are not detrimental or injurious to properties in the vicinity, that the benefit to the City is appropriate compared to the cost to the developer;
- That the project and any mitigation will provide public benefit; and

- That the project and mitigation are consistent with the General Plan and promote or accomplish the objectives of the Downtown Design Plan.

The parking, height and setback exceptions may be injurious to properties in the vicinity because of the project's likely negative parking impacts. The cost to the developer to provide such an element is minimal since the paseo provides the building's main entry to the upper levels and must be developed anyway for this type of building design. Otherwise, without a paseo, a significant part of the first level would be devoted to access to the building core for a multi-story building.

Furthermore, the proposed development exceptions have the effect of foregoing the developer's need to build the required 28 parking spaces. At a typical cost of \$40,000 per parking space, this equals a windfall of over a million dollars to the developer avoid constructing the required parking.

### **Downtown Parking Incentives**

It has been noted by the applicant that the City has waived parking for other recent downtown projects. This is not an accurate comparison. The following projects have been approved by the City within the past few years that had parking issues:

#### *Within the Public Parking District*

- One Main Street – Enchante Hotel

The City granted a development incentive in exchange for the proposed outdoor plaza area to waive a small number of parking spaces, which will be needed in the evenings when there is significant available downtown public parking. The hotel generates minimal mid-day parking demand. The parking demand generated by an office is right at the peak mid-day period.

- 160 First Street – Safeway Market

City Council has considered allowing Safeway to join the public parking district by building and contributing 154 parking spaces to the district. The concept being that during the holiday seasons and other special events that overflow Safeway customers can use the public parking spaces, and vice versa during off-peak market shopping periods. This agreement is contingent upon knowing that Safeway will only need these additional spaces during off-peak parking plaza periods.

#### *Outside the Public Parking District*

- 343 Second Street – Packard Foundation Office

The office campus provides 67 of its required 151 parking spaces and the Foundation contributed a sum of \$3.4M in community contribution in lieu of the difference in parking cost. The Foundation also entered into an agreement that requires them to build a parking garage if they do not meet their Transportation Management Program trip reduction goals via ride sharing and other alternative transportation means. It is a well developed program with extensive monitoring requirements that the City believes can be achieved.

- 129 First Street – Styler’s Floor Covering

They received a variance to build a 2,685-square-foot, one-story building and provide seven parking spaces where 14 would otherwise be required. Staff supported the variance in that a bulk-retail type business like Styler’s – e.g., furniture and appliance stores, etc – are typically assessed a lowered parking requirement but Los Altos’ parking regulations did not provide this acknowledgement. Following the project approval, which provides the actual parking the business needs, the parking regulations were amended to require one space per each 500 square feet of gross floor area for “extensive retail” versus one space per each 200 square feet of gross floor area for “intensive retail.”

All other downtown projects have been required, at a minimum, to meet their parking demand requirements. Clearly, the cases noted above are exceptional and any similar situations where shared parking demand can be achieved should continue to be considered.

### **Environmental Review**

Staff prepared an Initial Study of environmental impacts for this project (see Attachment D). Based on the project’s lack of significant effects we prepared a Mitigated Negative Declaration. The main considerations included traffic, noise and air quality.

The transportation analysis concluded that the project will add a net increase of 170 weekday vehicle trips over the existing building. This increase in trips equates to a net increase of approximately 25 peak-hour trips in the morning and evening. There was no level of service change identified for any nearby intersections. The Traffic Commission concurred with the transportation report’s conclusions that the project’s traffic impacts are negligible (see Attachment E).

The acoustical study concluded that the project’s anticipated mechanical equipment will comply with the City’s noise limit of 60 decibels at the property lines. Due to its small scope and location the project is under the air quality thresholds for green house gas emissions and particulate emissions.

The identified measures to keep the effects as less than significant include provisions to control the dust during the demolition and site preparation, and to assess any discovery of prehistoric resources, to control storm water runoff during construction.

To date staff has received one letter with regard to the environmental review (see Attachment F). The stated concerns fall outside the parameter of the environmental review statutes. For instance, a lack of parking and its potential impacts were removed from the State’s environmental checklist of potential effects; and those effects are better assessed by the City during entitlement process. The stated aesthetic impacts of the project are subject to the City’s design review process rather than an environmental matter.

Cc: 40 Main Street, LLC, Owners  
Uesugi & Associates, Architect

Attachments

- A. September 14, 2011 Architecture and Site Review Committee Minutes
- B. September 14, 2011 Memorandum to the Architecture and Site Review Committee
- C. Applicant's Parking Demand Analysis
- D. Initial Study of Environmental Impacts and Mitigated Negative Declaration
- E. Traffic Commission Memorandum
- F. E-mail Comment Regarding Environmental Review

## FINDINGS

11-D-01—40 Main Street

1. With regard to the design review, the Planning Commission finds in accordance with Section 14.78.040 of the Municipal Code that:
  - a. The proposal does not meet the General Plan, Downtown Design Guidelines and ordinance design criteria adopted for the CRS/OAD district in that the paseo element does not adequately justify reducing the parking requirements and increasing the height limit to the degree requested; the paseo design does not meet the Guidelines, and that the project lacks a proper attention to the downtown village character;
  - b. The proposal lacks an appropriate architectural integrity and 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;
  - 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.
2. With regard to the use permit, the Planning Commission finds according to Section 14.80.60 of the Municipal Code that:
  - a. That the proposed location of the conditional use is desirable or essential to the public health, safety, comfort, convenience, prosperity, or welfare;

- b. That the proposed location of the conditional use is not in accordance with the objectives of the zoning plan as stated in Chapter 14.02 of this title because the project's potential parking impacts are not providing for community growth along sound lines;
  - c. That the proposed location of the conditional use, under the circumstances of the particular case, will affect the convenience and prosperity of persons residing or working in the vicinity since the project will likely cause a substantial shortage of parking;
  - d. That the proposed conditional use does not comply with the regulations prescribed for the district in which the site is located and the general provisions of Chapter 14.02;
  - e. That the proposed use and/or structure is not in scale with the existing development and does not enhance the unique village character of the CRS District; and
  - f. That the proposed use and/or structure will not cause degradation in the level of service of the streets and intersections within the CRS District.
3. With regard to the development incentives, the Planning Commission finds in accordance with Section 14.54.180 of the Municipal Code that:
- a. The granting of the exceptions will be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the area because of the project's lack of parking and the negative effects of reducing the parking supply;
  - b. The benefit to the City derived from granting the exception is not an appropriate mitigation when considered against the cost to the developer;
  - c. The project and mitigation will result in a negligible public benefit to the downtown; and
  - d. The resultant project and mitigation are not consistent with the general plan and promote or accomplish objectives of the downtown design plan in that the project's parking impacts outweigh the benefits of adding additional office workers to the downtown area.



**Environmental Initial Study and  
Mitigated Negative Declaration**

**40 Main Street  
Office Building**

**Prepared by the  
City of Los Altos**

**December 16, 2011**

# CONTENTS

---

SECTION	PAGE
1. Introduction and Purpose	3
2. Project Information	3
3. Project Description	4
4. Environmental Checklist and Discussion of Impacts	4
4.1 Aesthetics	4
4.2 Agriculture and Forestry Resources	5
4.3 Air Quality	5
4.4 Biological Resources	7
4.5 Cultural Resources	8
4.6 Geology	9
4.7 Greenhouse Gas Emissions	10
4.8 Hazards and Hazardous Materials	11
4.9 Hydrology and Water Quality	12
4.10 Land Use	14
4.11 Mineral Resources	14
4.12 Noise	15
4.13 Population and Housing	16
4.14 Public Services	16
4.15 Recreation	17
4.16 Transportation and Traffic	17
4.17 Utilities and Service Systems	18
4.18 Mandatory Findings of Significance	19

## APPENDIXES

- A. Acoustical Analysis
- B. Transportation Impact Analysis

## **1. INTRODUCTION AND PURPOSE**

---

This Initial Study of environmental impacts is being prepared to conform to the requirements of the California Environmental Quality Act (CEQA), the CEQA Guidelines (California Code of Regulations 15000 et. seq.), and the regulations and policies of the City of Los Altos. This Initial Study evaluates the potential environmental impacts which might reasonably be anticipated to result from implementation of the proposed office building at 40 Main Street.

The City of Los Altos is the Lead Agency under CEQA and has prepared this Initial Study to address the environmental impacts of implementing the proposed project.

## **2. PROJECT INFORMATION**

---

### **PROJECT TITLE**

40 Main Street, Office Building

### **PROJECT LOCATION**

The proposed project site is located at 40 Main Street in the City of Los Altos, County of Santa Clara.

### **LEAD AGENCY CONTACT**

David Kornfield, AICP  
Planning Services Manager  
Community Development Department  
City of Los Altos  
One North San Antonio Road  
Los Altos, CA 94022  
(650) 947-2632

### **PROJECT PROPONENT**

40 Main Street Offices, LLC  
40 Main Street  
Los Altos, CA 94022

### **ASSESSOR'S PARCEL NUMBER**

APN 167-38-032

### **GENERAL PLAN AND ZONING DESIGNATIONS**

The project site has a General Plan land use designation of *Downtown Commercial* and has a Zoning designation of *Commercial Retail Sales/Office (CRS/OAD)*.

### 3. PROJECT DESCRIPTION

The project site, a single parcel, is 7,841 square feet. The site is bordered by Main Street to the south, a retail building to the west, a parking plaza and an office building to the east. The site is within the City's public parking plaza district.

The project replaces the existing office building containing 2,127 square feet with a new office building having 17,567 square feet. The proposed three story building is approximately 35 feet in height measured to the upper ceiling. The project creates a pedestrian paseo connecting the parking plaza to Main Street and providing an entry to the building core and allowing public access from the parking plaza to the Main Street sidewalk. The main ground floor entry faces Main Street. The project provides no off-street parking.

All of the existing utilities (water, sewer, gas, electric, etc.) have the capacity to serve the project.

### 4. ENVIRONMENTAL CHECKLIST AND DISCUSSION OF IMPACTS

This section describes the existing environmental conditions on and near the project area, as well as environmental impacts associated with the proposed project. The environmental checklist, as recommended in the California Environmental Quality Act (CEQA) Guidelines, identifies environmental impacts that could occur if the proposed project is implemented. Mitigation measures are identified for all significant project impacts. "Mitigation Measures" are measures that will minimize, avoid, or eliminate a significant impact (CEQA Guideline 15370).

#### 4.1 AESTHETICS

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact
Would the project:					
1) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

#### *Discussion*

While the mass, scale, and building height of the proposed building would be greater than the one-story office building currently on the site, the project is in the context of the existing commercial development in the Downtown area and subject to the City's Commercial Design Review process with final approval by the City Council. For these reasons, the proposed project would not degrade the existing visual character of the surrounding area, and would not impact scenic resources, scenic vista or create light and glare.

#### 4.2 AGRICULTURAL AND FOREST RESOURCES

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact
Would the project:					
1) 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 non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3) 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))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4) Result in a loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

#### 4.3 AIR QUALITY

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact
Would the project:					
1) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is classified as non-attainment under an applicable federal or state ambient air quality standard including releasing emissions which exceed quantitative thresholds for ozone precursors?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact
Would the project: 5) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Discussion of Operational Impacts**

The project would provide a net increase of 15,440 square feet of new office space. An office building of such size is below the thresholds adopted by the Bay Area Air Quality Management District (BAAQMD) for a California Environmental Quality Act review for substantial impacts. Therefore, the project would have a less than significant impact on regional air quality.

**Discussion of Construction Impacts**

The proposed project would require demolition of the existing wood framed and brick building, minor excavation, grading and construction of the proposed building and other improvements on site. Excavation and grading of soil has a high potential for creating air pollutants. In addition to the dust created during excavation, substantial dust emissions could be created as debris and soil are loaded into trucks for removal.

Construction activities could temporarily affect local air quality. Construction activities may generate exhaust emissions from vehicles/equipment and fugitive particulate matter emissions that could affect local air quality. Construction activities are also a source of organic gas emissions. Solvents in adhesives, non-water based paints, thinners, some insulating materials and caulking materials evaporate into the atmosphere and contribute to the photochemical reaction that creates urban ozone.

During construction, various diesel-powered vehicles and equipment would be used on the site. Health risks from toxic air contaminants are a function of both concentration and duration of exposure. Construction diesel emissions are temporary, affecting an area for a period of days or perhaps weeks. Because of the project’s relatively short construction period, health risks from construction emissions of diesel particulates would be a less than significant impact.

According to the *BAAQMD CEQA Guidelines*, emissions of ozone precursors (ROG and NO<sub>x</sub>) and carbon monoxide related to construction equipment are already included in the emission inventory that is the basis for regional air quality plans and, as such, are not expected to impede attainment or maintenance of ozone and carbon monoxide standards in the Bay Area. The effects of construction activities would be increased dustfall and locally elevated levels of particulate matter (PM<sub>10</sub> and PM<sub>2.5</sub>) downwind of construction activity, which would be a significant impact. As a result, construction of the proposed project would result in temporary air quality impacts associated with dust and particulate matter generation at nearby uses.

In order to address this potential impact, the BAAQMD has prepared a list of feasible dust control measures for construction projects. These project-specific mitigation measures will reduce construction impacts to a less than significant level.

**Mitigation Measure (AIR MM 1):** The following mitigation measures shall be implemented during all phases of construction to prevent visible dust emissions from leaving the project site:

- Water all active construction areas at least twice daily or as often as needed to control dust emissions.
- Cover all trucks hauling soil, sand, and other loose materials and/or ensure that all trucks hauling

such materials maintain at least two feet of freeboard.

- Pave, apply water twice daily, or as often as necessary, to control dust, or apply non-toxic soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites.
- Sweep daily, or as often as needed, with water sweepers all paved access roads, parking areas and staging areas at construction sites to control dust.
- Sweep adjacent public streets daily, or as often as needed, to keep streets free of visible soil material.
- Hydroseed or apply non-toxic soil stabilizers to inactive construction areas.
- Enclose, cover, water twice daily or apply non-toxic soil binders to exposed stockpiles (dirt, sand, etc.).
- Replant vegetation in disturbed areas as quickly as possible.
- Install sandbags or other erosion control measures to prevent silt runoff to public roadways.

With the implementation of the proposed mitigation measures, the proposed project would have less than significant impact on air quality impacts associated with the construction.

#### 4.4 BIOLOGICAL RESOURCES

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact
Would the project:					
1) 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, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Discussion**

Based on the urbanized and developed nature of the project site, habitats for special status plant and wildlife species are not present on the site. Although unlikely, since the project is approximately 2,000 feet of the Adobe Creek riparian corridor, raptors (birds of prey) could use the mature trees adjacent to the site for nesting and foraging habitat. Raptors are protected by the Federal Migratory Bird Treaty Act (MBTA) and California Department of Fish and Game (CDFG) Code. Since the project is located 2,000 feet from the riparian corridor and the project would remove two minor trees on the site it is expected that the project will have a less than significant impact on wildlife habitat.

**4.5 CULTURAL RESOURCES**

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact
Would the project:					
1) Cause a substantial adverse change in the significance of an historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2) Cause a substantial adverse change in the significance of an archaeological resource as defined in §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3) Directly or indirectly destroy a unique paleontological resource or site, or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Discussion**

Based on the proximity of the site to historic Downtown buildings and Adobe Creek, there is the potential that buried historical or prehistoric resources could be present on site, which would be a significant impact if disturbed. Historic-era materials that might be present include backfilled privies, wells, and trash pits; concrete, stone, or adobe walls or foundations; and concentrations of metal, glass, and ceramic domestic refuse.

Prehistoric cultural remains might include chert and obsidian flaked-stone tools (such as projectile points, knives), midden (culturally darkened soil containing heat-affected rock, artifacts, animal bone, shell), and/or stone milling equipment such as portable or bedrock mortars (food grinding holes in bedrock or boulders), pestles, hand stones, etc. As a result, construction of the proposed project could result in impacts to buried cultural resources.

In order to address this potential impact, the project includes the implementation of the following avoidance measures to reduce impacts to buried cultural resources to a less than significant level, should any be discovered on site.

**Mitigation Measure (CR MM 1):** In the event of the discovery of unanticipated buried prehistoric or historic era cultural materials during project construction, work will halt within 30 feet of the discovery until it has been inspected by a qualified archaeologist. If it appears that additional construction related earthmoving will affect a potentially significant resource, the archaeologist shall submit a plan for the evaluation of the resource to the Los Altos Planning Department for approval. Evaluation normally

takes the form of limited hand excavation of the suspected cultural deposit to determine if it contains information and/or materials that make it eligible for placement on the California Register of Historic Resources (CRHR).

If it is determined that construction activity will impact an eligible resource, the City of Los Altos shall prepare a plan for mitigation of impacts to the resource before work is allowed to recommence in the zone designated as archaeologically sensitive. Mitigation can take the form of additional hand excavation coupled with limited hand excavation to ensure that significant archaeological materials and information are retrieved for analysis and report preparation as required by CEQA.

**Mitigation Measure (CR MM 2):** If human remains are discovered during construction, construction activities that could disturb the remains and any associated artifacts would halt and the project sponsor will contact the local Coroner's Office and the Native American Heritage Commission (NAHC). The NAHC would then name a Most Likely Descendant (MLD) to advise the project sponsor on the manner of exposure and removal of burials and associated grave goods, and to help designate a place for the reburial of these materials.

With the implementation the mitigation measures, the project will have a less than significant cultural resources impact.

#### 4.6 GEOLOGY

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact
Would the project:					
1) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:					
a) Rupture of a known earthquake fault, as described 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.)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3) Be located on a geologic unit or soil that is unstable, or that will become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact
Would the project:					
4) Be located on expansive soil, as defined in Section 1802.3.2 of the California Building Code (2007), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Discussion**

The project site would not be exposed to slope instability, erosion, or landslide related hazards due to the relatively flat topography of the site and surrounding areas. The proposed project will be designed and constructed in accordance with standard engineering safety techniques and in conformance with design-specific geotechnical reports prepared for the site. With the use of standard engineering and seismic design techniques, construction of the proposed project would result in less than significant geology or soils impacts, and would not significantly expose people or structures to adverse seismic risks.

**4.7 GREENHOUSE GAS EMISSIONS**

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact
Would the project:					
1) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Operational Impacts Discussion**

BAAQMD recently adopted new *CEQA Air Quality Guidelines* (May 2011) that include thresholds for greenhouse gas emissions. Under these thresholds, if a project would result in operational-related greenhouse gas emissions of 1,100 metric tons (or 4.6 metric tons per service population) of carbon dioxide equivalents a year or more, it would make a cumulatively considerable contribution to greenhouse gas emissions and result in a cumulatively significant impact to global climate change. The project is well below the adopted thresholds and therefore has a less than significant impact.

#### 4.8 HAZARDS AND HAZARDOUS MATERIALS

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact
Would the project:					
1) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4) 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, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5) 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 public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7) Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

#### *Discussion*

The site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 (Cortese List). Based on the proposed use, hazardous substances that may be used on site during normal operations could include cleaning solvents, degreasers, mechanical fluids, paints, and paint thinners. Compliance with applicable federal, state, and local handling, storage, and disposal requirements would ensure that no significant hazards to the public or the environment is created by the routine transport, use, or disposal of these substances.

The proposed project site is over five miles south of the Palo Alto Airport, and is approximately four miles southwest of Moffett Federal Airfield. The project site is not within safety zones or planning areas

for these airports. The project site is located in a developed urban area, and would not expose people or structures to wildland fires. For these reasons, the project will not have any impacts with regard to hazards or hazardous materials.

#### 4.9 HYDROLOGY AND WATER QUALITY

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact
Would the project:					
1) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on-or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on-or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5) 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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7) Place housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9) Expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10) Be subject to inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## ***Discussion***

Implementation of the proposed project would require some excavation and paving and minor grading of the site. Construction activities would temporarily increase the amount of unconsolidated materials on-site, and grading activities could increase erosion and sedimentation that could be carried by runoff into natural waterways via the storm drain system, which could increase sedimentation impacts to local creeks or San Francisco Bay. The proposed project, when completed, would not significantly increase the amount of runoff or pollutants flowing into the storm drain system. Construction and excavation activities could, however, temporarily increase pollutant loads, resulting in a significant impact. As a result, construction activities could degrade water quality downstream of the site.

To reduce potential construction-related and post-construction water quality impacts, the following measures, based on Regional Water Quality Control Board (RWQCB) requirements, have been included in the project:

**Mitigation Measure (HYDRO MM 1):** The project will implement Best Management Practices (BMPs) for reducing the volume of runoff and pollution in runoff to the maximum extent practicable per MRP. These BMPs may include source control measures, site design elements, and post-construction treatment measures such as the following:

- Vegetated swales and flow-through areas;
- Bioretention areas or basins;
- Disconnected downspouts that are directed into landscape areas;
- Minimization of impervious surfaces and increased use of permeable pavement;
- Location of all storm drain inlets to be stenciled with, “No Dumping! Flows to Bay” to discourage illegal dumping;
- Location and design of trash enclosures (all shall be covered) and materials handling areas; and
- Use effective, site-specific erosion and sediment control methods during post-construction periods.

**Mitigation Measure (HYDRO MM 2):** The proposed project shall comply with all City of Los Altos ordinances, policies, and processes regarding the post-construction treatment of stormwater runoff. Specifically, a Stormwater Management Plan (SWMP) will be developed prior to issuance of building permits for project construction, to ensure compliance with City of Los Altos and MRP requirements. The SWMP will meet the criteria for stormwater protection outlined in Chapters 10.16 of the Los Altos Municipal Code. The purpose of the SWMP is to:

- Identify the pollutants of concern;
- Identify the site constraints that could limit the types of BMPs and site design measures that can be implemented;
- Incorporate site design measures to minimize imperviousness and redirect runoff from impervious surfaces to less pervious surfaces; and
- Select BMPs (both source and treatment control measures) for those impervious areas that cannot be served by site design measures.

**Mitigation Measure (HYDRO MM 3):** Best Management Practices shall be implemented for reducing the volume of runoff and pollution in runoff to the maximum extent practicable during site excavation, grading, and construction. All measures shall be included in the project’s Storm Water Pollution Prevention Plan and printed on all construction documents, contracts, and project plans.

- Restrict grading to the dry season or meet City requirements for grading during the rainy season;
- Use effective, site-specific erosion and sediment control methods during the construction periods. Provide temporary cover of all disturbed surfaces to help control erosion during construction. Provide permanent cover as soon as is practical to stabilize the disturbed surfaces after construction has been completed;

- Cover soil, equipment, and supplies that could contribute non-visible pollution prior to rainfall events or perform monitoring of runoff. Cover stockpiles with secure plastic sheeting or tarp;
- Implement regular maintenance activities such as sweeping driveways between the construction area and public streets. Clean sediments from streets, driveways, and paved areas on-site using dry sweeping methods. Designate a concrete truck washdown area;
- Dispose of all wastes properly and keep site clear of trash and litter. Clean up leaks, drips, and other spills immediately so that they do not contact stormwater; and
- Place fiber rolls or silt fences around the perimeter of the site. Protect existing storm and sewer inlets in the project area from sedimentation with filter fabric and sand or gravel bags.

With implementation of the mitigation measures included in the project, the project will have a less than significant impact on stormwater quality. The project will not deplete the groundwater supply, increase stormwater runoff, or expose people or structures to flood hazards.

#### 4.10 LAND USE

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact
Would the project:					
1) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

#### *Discussion*

The proposed project, if approved, will be consistent with the General Plan and Zoning Ordinance; and would not physically divide an established community, conflict with applicable plans or policies, or result in other significant land use impacts.

#### 4.11 MINERAL RESOURCES

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact
Would the project:					
1) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

#### 4.12 NOISE

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact
Would the project result in:					
1) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2) Exposure of persons to, or generation of, excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5) 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 public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

#### *Operational Noise Discussion*

The project site is located in the commercial Downtown core area of Los Altos. Roadways adjacent to the site include Main Street, Edith Avenue and San Antonio Road. The predominant source of noise in the project area is vehicle traffic on these downtown streets and San Antonio Road; although the site is outside the noise contour from San Antonio Road. The project site is not located within an airport land use plan or within the vicinity of a private airstrip or public use airport.

An acoustical report was prepared for the project by IHA Consulting Mechanical Engineers, dated November 8, 2011. The report outlines the mechanical equipment planned for the project and determines that it will operate within the City's noise limits for commercial properties. Therefore, the project will result in a less than significant impact.

#### *Construction Noise Discussion*

Construction on the site would generate noise, and would temporarily increase noise levels at adjacent land uses. Construction-related noise levels are normally highest during the demolition phase and during the construction of project foundations and framing. These phases of construction require heavy equipment that normally generates the highest noise levels over extended periods of time. Typical hourly average construction generated noise levels are about 81 dBA to 88 dBA Leq measured at a distance of 50 feet from the center of the site during busy construction periods (e.g., earth moving equipment, impact tools, etc.). Construction-related noise levels are normally less during building framing, finishing, and landscaping phases. There would be variations in construction noise levels on a day-to-day basis depending on the actual activities occurring at the site. Construction generated noise levels drop off at a rate of about six dBA per doubling of distance between the source and receptor.

Typically, projects do not generate significant noise impacts when standard construction noise control measures are enforced at the project site and when the duration of the noise generating construction period is limited to one construction season (typically one year) or less. Construction noises associated with projects of this type are disturbances that are necessary for the construction or repair of buildings and structures in urban areas. Limiting the hours when construction can occur to daytime hours is often a simple method to reduce the potential for noise impacts.

Noise levels generated by construction activities on the site would not be expected to adversely affect adjacent land uses provided standard construction best management practices are implemented at the site and the duration of construction noise is limited to one construction season or less.

#### 4.13 POPULATION AND HOUSING

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact
Would the project:					
1) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

#### *Discussion*

The project would not result in an increase in housing units or result in the displacement of substantial numbers of people. The project would increase the amount of commercial office area, which would result in a small increase in new jobs in the City of Los Altos. Although it would result in a slight increase in jobs, the project would not induce substantial population growth in the City, and would therefore result in a less than significant population and housing impact.

#### 4.14 PUBLIC SERVICES

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact
Would the project:					
1) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the 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 public services: Fire Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Police Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other Public Facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Discussion**

The project may incrementally increase the demand for fire and police protection services in the City because of the larger building and greater number of occupants. The project, however, would not result in adverse physical impacts associated with a need for new public safety, recreational or educational facilities in order to maintain acceptable levels of service. The project would pay school impact fees and benefit the school districts.

**4.15 RECREATION**

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact
Would the project:					
1) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**4.16 TRANSPORTATION AND TRAFFIC**

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact
Would the project:					
1) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact
Would the project:					
4) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible land uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Discussion**

A Transportation Analysis was prepared by Nelson Nygaard for the project, dated December 2, 2011. According to the report the project would generate a net increase of 170 weekday vehicle trips to the site over the existing office building. This equates to a net increase of less than 25 peak-hour trips in the morning and evening peak hours.

The project would not substantially change the level of service of the nearby major intersections. With the project all of the studied intersections will remain at their existing level of service and therefore have a less than significant impact.

The transit, bicycle, and pedestrian facilities in the area would be adequate to serve the project site, and would not be adversely impacted by the additional employees and customers. Overall, the proposed project would have a less than significant transportation and traffic impact.

**4.17 UTILITIES AND SERVICE SYSTEMS**

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact
Would the project:					
1) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3) Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact
Would the project:					
5) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Discussion**

In accordance with City policies and requirements, the project will be designed to conserve water to the greatest extent feasible. The expansion of the existing grocery store would not substantially increase water use or wastewater discharge from the site. The existing sewer lines that currently serve the site would have capacity to serve the proposed building. The proposed project would also not require additional landfills or waste facilities.

The project proposes to maintain the existing connections to the City's storm drainage system. The proposed project would not substantially change the impervious area on the site, and would not substantially increase the volume and rate of stormwater runoff generated by the project site. Prior to discharge into the City's storm drainage system, runoff would be directed to on-site landscaping and/or treatment areas to the extent feasible, which would help reduce the volume and rate of runoff from the site. For these reasons, the proposed project would not contribute runoff water which would exceed the capacity of the existing stormwater drainage system, and would not require the construction of new or expanded off-site storm drain facilities.

**4.18 MANDATORY FINDINGS OF SIGNIFICANCE**

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact
1) Does the project have the potential to 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, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<p>2) 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)?</p> <p>3) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?</p>	<table border="1"> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </table>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>							
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>							

**Discussion**

The project could result in temporary air quality, noise, and water quality impacts during construction. The project could also result in impacts to biological and cultural resources, should they be discovered on site during construction. With the implementation of the mitigation measures included in the project and described in the specific sections of this Initial Study, the proposed project would not result in significant environmental impacts.



## MITIGATED NEGATIVE DECLARATION

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

**Proposed Project:** Office Building, 11-D-01 & 11-UP-01

**Location:** 40 Main Street, Los Altos, County of Santa Clara.

**Finding:** As mitigated in the Initial Study, the project will not have a significant effect on the environment.

### Reasons Supporting the Finding:

- An Initial Study has been prepared that identified no potentially significant impacts.
- The project, if approved, will conform to the City's General Plan and zoning.
- Because of its in-fill location, no new public services and utilities are required.
- The project will not adversely impact fish and wildlife resources or their habitats.

**Initial Study Prepared by:** David Kornfield, Planning Services Manager, City of Los Altos

My signature below certifies that this Mitigated Negative Declaration was prepared in accordance with the provisions of the California Environmental Quality Act of 1970, as amended and applicable State and City Guidelines.

By: \_\_\_\_\_

David Kornfield, AICP  
Planning Services Manager

Date: \_\_\_\_\_

November 8, 2011

Ms. Shakti P. Ahmed  
Uesugi & Associates  
870 Market St., Suite 505  
San Francisco, CA 94102

Project: Commercial Office Project  
40 Main St.  
Los Altos, CA

Dear Shakti:

The outdoor air-cooled condensing unit for the HVAC system of the above project is an LG Multi V Sync II ARUB470DI2. This unit has 38 tons capacity of cooling, operating at a sound level of **63 dB** at peak hour in the summer at 4:00 PM. In the evenings, the sound level will drop to **45 dB** ( $63 \times 0.71$ ). By limiting the fan speed during off-peak hours, the sound level is reduced.

The location of the air-cooled condensing unit is on the roof, facing the street, almost 10 feet from the property line. Please see the attached roof plan drawing. The sound level would decrease by 10% at 10 feet away from the unit.

This is a very quiet unit and ought to meet all the sound criteria for the City of Los Altos

Please let me know if you have any questions regarding the above.

Sincerely,



Ihsan H. Ali, P.E.

IHA:dk

40main.doc

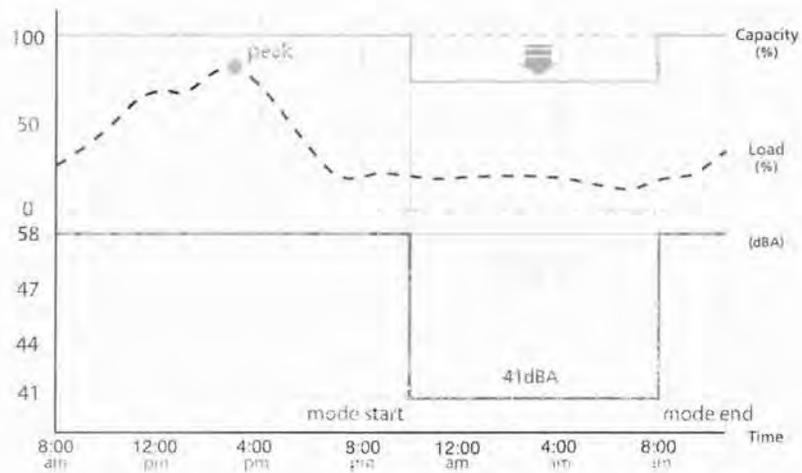


## DEHUMIDIFICATION AND COMFORT CONTROL

With the use of inverters and dual compressor outdoor units, the LG Multi V system offers superior load matching, preventing constant cycling or large temperature swings. Tight temperature control through precise load matching ensures maximum comfort, efficient operation, and superior dehumidification.

## QUIET

Work without distraction. Sleep without noise. With indoor units that can operate at sound levels as low as 23dB(A) and outdoor units that operate as low as 50dB(A) and lower with night quiet operation, Multi V creates a comfortable environment so quiet its almost undetectable. For additional sound level control, a night quiet mode can be set to limit fan speed during off peak hours.



Based on single frame Multi V Plus II and Sync II

Sound Pressure (dBA)	MINI	Plus II	Sync II
Normal	50	58	58
Step 1	46	47	47
Step 2	43	44	44
Step 3	40	41	41

Based on single frame outdoor unit

## QUALITY AND RELIABILITY

With controls that alternate compressors and protect against oil migration, coil icing and short cycling, the Multi V offers unmatched quality and reliability. LG also has expertise in compressor design, motors, and printed circuit boards resulting in superior quality control. Multi V is backed up with a 2 year parts and additional 4 year compressor warranty.

Job Name/Location:

Tag #:

Date: \_\_\_\_\_ For:  File  Resubmit  
 PO No.: \_\_\_\_\_  Approval  Other \_\_\_\_\_  
 Architect: \_\_\_\_\_ GC: \_\_\_\_\_  
 Engr: \_\_\_\_\_ Mech: \_\_\_\_\_  
 Rep: \_\_\_\_\_  
 (Company) \_\_\_\_\_ (Project Manager) \_\_\_\_\_



**ARUB470DT2** (a) ARUB154DT2  
**Multi V™ Sync II** (b) ARUB154DT2  
**38.0 Ton Outdoor Unit** (c) ARUB154DT2

**Performance:**

**Cooling Mode:**

Capacity (Btu/h)	458,700
Capacity (tons)	38.0
Power Input (kW)	42.0

**Heating Mode:**

Capacity (Btu/h)	516,000
Power Input (kW)	37.2

Cooling Nominal Test Conditions: Indoor: 80°F DB / 67°F WB Outdoor: 95° DB  
 Heating Nominal Test Conditions: Indoor: 70°F DB Outdoor: 47°F DB / 43°F WB

**Operating Range:**

Cooling (°F DB)	23 - 110
Heating (°F WB)	-4 - 60
Synchronous (°F DB)	14 - 81

**Unit Data:**

Refrigerant Type	R410A
Refrigerant Control	EEV
Max Num of Indoor Units <sup>1</sup>	64
Sound Pressure <sup>2</sup> dB(A)	63
Net Unit Weight (a) + (b) + (c) (lbs)	628 + 628 + 628
Shipping Weight (a) + (b) + (c) (lbs)	664 + 664 + 664
Communication Cable (No. x AWG)	
Outdoor to Indoor <sup>3</sup>	2 x 18
Outdoor to Outdoor <sup>4</sup>	2 x 18
Heat Exchanger Coating	GoldFin™

**Compressor:**

Inverter Scroll Quantity	3
Constant Scroll Quantity	2
Oil / Type	PVE/FVC68D

**Fan:**

Type	Propeller
Quantity (a) + (b) + (c)	2 + 2 + 2
Motor/Drive	Brushless Digitally Controlled/Direct
Air Flow Rate (a) + (b) + (c) (CFM)	6,700 + 6,700 + 6,700

**Notes:**

- The combination ratio must be between 50-130%.
- Sound pressure levels are tested in an anechoic chamber under Korea Standard K5A0701 for the combination of outdoor units.
- All communication cables to be minimum 18 AWG, 2-conductor, stranded, shielded and must comply with applicable local and national code. Cables terminate at each frame.
- All communication cables to be minimum 18 AWG, 2-conductor, stranded and must comply with applicable local and national code. Cables terminate at each frame.
- The data mentioned in the above tables is applied with non-ducted indoor units.
- This data is rated 0 ft above sea level, with 25 ft of refrigerant line per indoor unit and a 0 ft level difference between outdoor and indoor units. All capacities are net with a combination ratio between 95 - 105%.
- The voltage tolerance is ± 10%.
- Power wiring cable size must comply with the applicable local and national code. Cables terminate at each frame.
- Requires ARCNB20 and ARCNB30 connecting branch pipes to connect components.

**Electrical:**

	(a) ARUB154DT2	(b) ARUB154DT2	(c) ARUB154DT2
Power Supply (V/Hz/Ph)	460/60/3	460/60/3	460/60/3
MOP (A)	50	50	50
MCA (A)	33	33	33
Rated Amps (A)	31.9	31.9	31.9
Compressor A (A)	18.0	18.0	18.0
Compressor B (A)	11.5	11.5	11.5
Fan Motor (A)	2.4	2.4	2.4
Max Starting Current (A)	84.4	84.4	84.4

**Piping:**

	(a) ARUB154DT2	(b) ARUB154DT2	(c) ARUB154DT2
Refrigerant Charge (lbs)	17.6	17.6	17.6
Liquid Line (in, OD)	1/2 Flare	1/2 Flare	1/2 Flare
Vapor Line High (in, OD)	7/8 Braze	7/8 Braze	7/8 Braze
Vapor Line Low (in, OD)	1-1/8 Braze	1-1/8 Braze	1-1/8 Braze

**Standard Features:**

- Limited Warranty with LG Certified Installation
  - Two Year Functional Parts Warranty
  - Additional Four Year Compressor Warranty
- Black Box Function
- Night Quiet Operation
- Fault Detection and Diagnosis



**ARUB470DT2**  
 Multi V™ Sync II  
 38.0 Ton Outdoor Unit

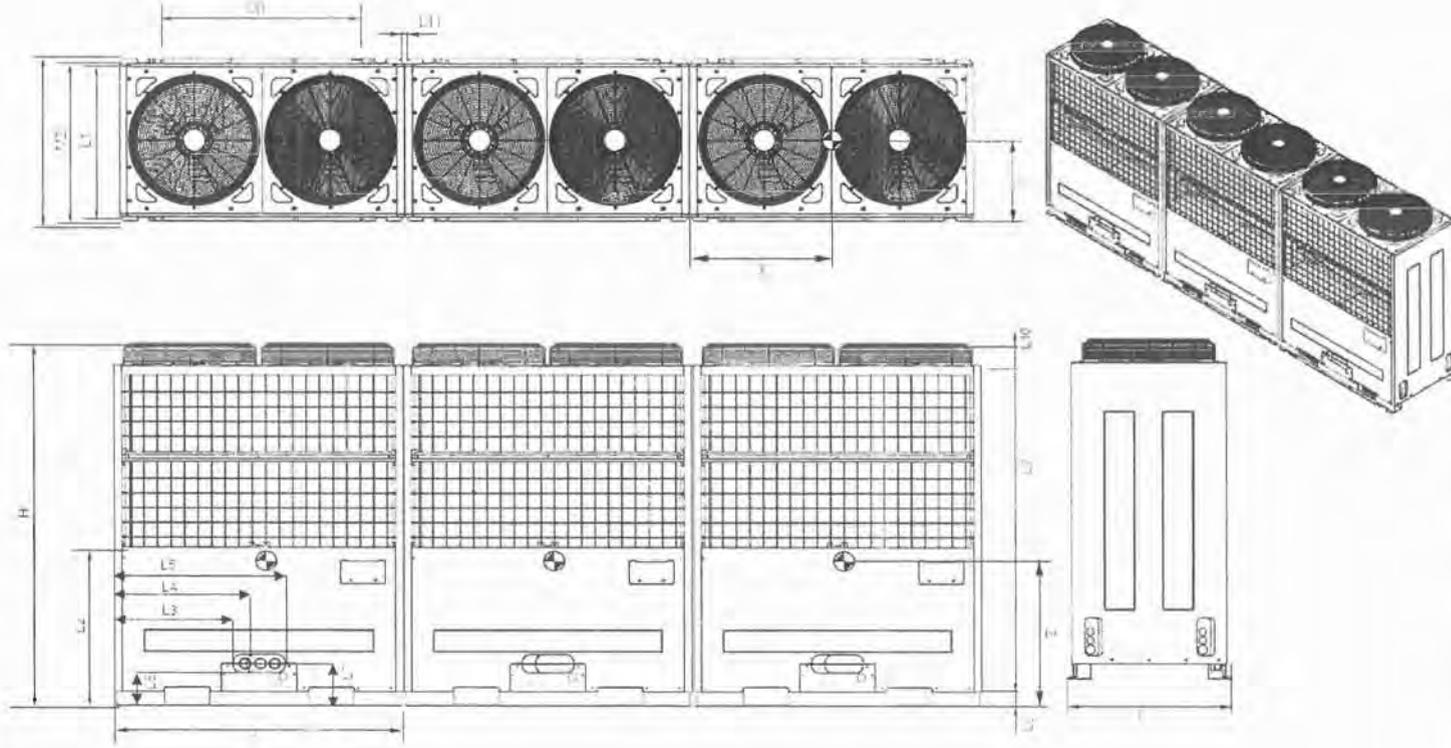
(a) ARUB154DT2  
 (b) ARUB154DT2  
 (c) ARUB154DT2



Tag #:

Date:

PO No.:



**Center of Gravity**

	(a) ARUB154DT2	(b) ARUB154DT2	(c) ARUB154DT2
X	21-3/4	21-3/4	21-3/4
Y	12	12	12
Z	21-5/16	21-5/16	21-5/16

= Center of gravity

W	50-3/8
H	63-5/16
D	28-11/16
L1	27-3/8
L2	27-11/16
L3	20-5/8
L4	23
L5	29-7/8
L6	7-3/8
L7	5-7/8
L8	3-3/16
L9	56-1/8
L10	3-7/8
M1	35-7/16
M2	27-9/16

Note - All dimensions have a tolerance of ± 0.25 in.



## MEMORANDUM

**To:** Ted Sorensen  
**From:** Colin Burgett, Jeremy Nelson, and Magnus Barber  
**Date:** December 2, 2011  
**Subject:** 40 Main Street Transportation Analysis

---

### INTRODUCTION

The purpose of this memorandum is to provide information for the City of Los Altos to assess the potential for significant transportation impacts resulting from a proposed 17,567 square foot office building at 40 Main Street in Los Altos, California (the "Project"). The Project would replace an existing 2,127 square foot office building on the site.

This transportation analysis (TA) is prepared in response to section c 8(2) of the Circulation Element of the Los Altos General Plan that provides in part that review of proposed developments should:

*Require a transportation analysis for all development projects resulting in 50 or more net new daily trips.... Impact significance should be consistent with the criteria maintained by the Santa Clara Valley Transportation Authority.*

Santa Clara Valley Transportation Authority (VTA) guidelines<sup>1</sup> specify that a transportation impact analysis (TIA) should be prepared for projects that will generate 100 net new peak hour vehicle trips (AM or PM), and/or projects that increase traffic by 10 vehicle trips per lane at intersections during the peak hour (AM or PM).

This report has been prepared consistent with the TA prepared for an adjacent project in the City of Los Altos (proposed Bed & Breakfast<sup>2</sup> at the corner of San Antonio Road and Main Street). As identified in the Bed & Breakfast TA, the primary objective of this TA analysis is to:

- Provide a forecast of traffic generation for the proposed Project
- Compare the forecasted level of trip generation with that of the current and previous uses of the site, in order to determine the net increase in trips resulting from the Project

---

<sup>1</sup> Santa Clara Valley Transportation Authority (VTA) *Transportation Impact Analysis Guidelines* (Updated March 2009), page 6.

<sup>2</sup> Transportation assessment prepared for the Bed & Breakfast project by Pang Engineers, May 10, 2010.

- Assign and distribute the net new AM and PM Peak Hour vehicle trips to the adjacent street network, in order to assess the likelihood of Project trips causing, or contributing significantly to, significant traffic impacts at intersections near the Project site

## PROJECT DESCRIPTION & SURROUNDINGS

Figures 1 and 2 show the Project Location and Site Plan.

### Project Location

The Project Site is located at the northern end of Main Street, approximately 80 feet southwest of the signalized intersection with West Edith Avenue and San Antonio Road. Main Street and Edith Avenue are both local collectors with two lanes (posted speed limit of 25 mph), while San Antonio Road is an important peninsula north-south major arterial with four lanes (posted speed limit of 35 mph).

Sidewalks of varying width are provided on both sides of each of those three streets. Bicycle lanes are provided on both sides of San Antonio Road, and one side of Edith Avenue (westbound). On-street parking is provided on Main Street, Edith Avenue and Fourth Street. The nearest bus stops are located on San Antonio Road between Edith Avenue and Mount Hamilton Road.

### Site Access

Access to the Project Site would be provided by an upgraded concrete sidewalk (5 to 6 feet in width; will be 6 feet in width at its widest point) fronting the site on Main Street and a 10-foot wide “public paseo” (pathway) connecting Main Street with the parking plaza to the rear of the site (as shown on Figure 2). These two pathways will provide access to and from the building entrances to be located on the first floor of the proposed office building, and will accommodate pedestrian circulation to and from adjacent parking locations (both off-street and on-street parking and delivery spaces) as well as adjacent transit stops and other land uses within downtown Los Altos.

Vehicle access routes to the Project Site will be largely a function of parking locations. The proposed office building has options for up to 40 parking spaces in the public parking plazas. Parking needs in downtown Los Altos are currently served by on-street parking in addition to 10 parking plazas (nine of which are publicly owned, and one that is jointly owned by the City and a private property owner)<sup>3</sup>, located behind businesses and accessed from Main and State streets and the numbered north-south streets.

Main Street has time limited parking on both sides (currently either 2-hour or 20-minutes). Except for two stalls on the north side, Edith Avenue permits parking only on the south side (including an on-street loading space

---

<sup>3</sup> Source: e-mail from Ted Sorensen, November 8, 2011.

## 40 Main Street Transportation Analysis

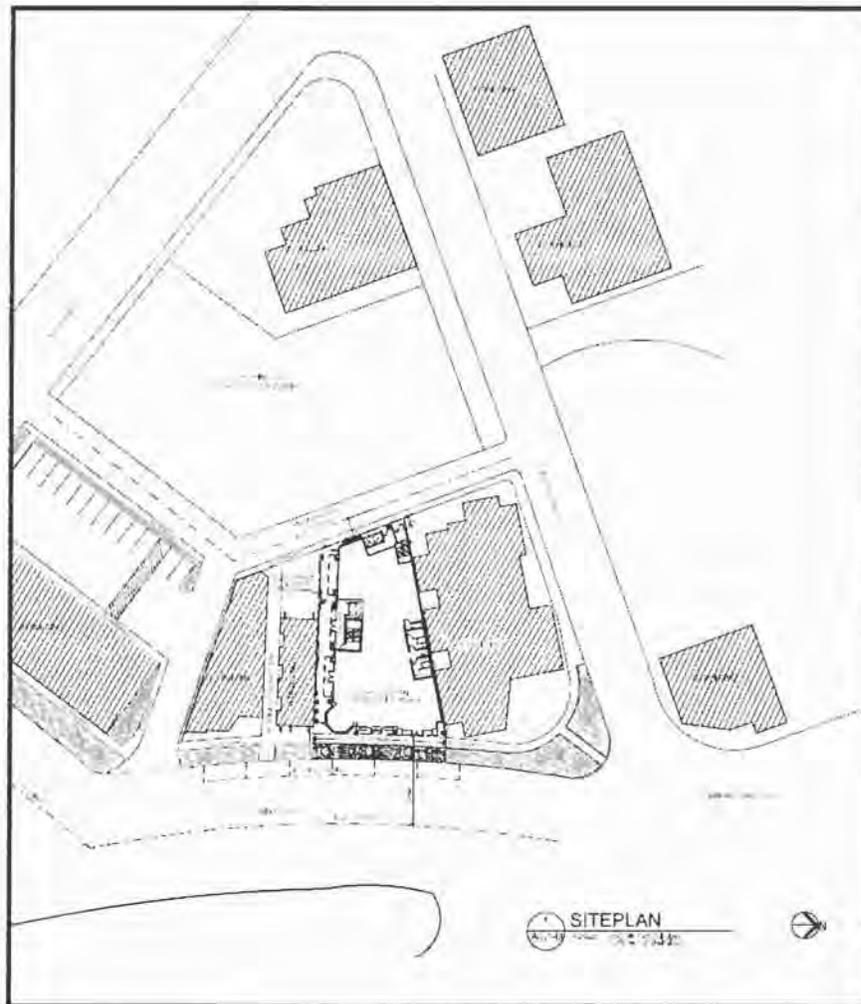
December 2, 2011

approximately 100 feet west of the intersection with Main Street), while Fourth Street permits parking on the north side. On-street parking is prohibited on San Antonio Road.

Bicyclists arriving on Main Street, San Antonio Road, or Edith Avenue, would have access to on-site bicycle parking spaces to be provided in bicycle racks to be located adjacent to the sidewalk and “public paseo” (as shown on Figure 2).

The shared parking environment in downtown Los Altos, the parking plazas, will also contribute to reducing the impact of the new development. Particularly visitors to the office can use the parking plazas as a “park once” environment – many destinations can be conveniently reached from one parking space without needing to move the car between errands, because the shared parking has allowed downtown Los Altos to remain compact and walkable. The same holds true for tenants of the proposed office – most of their daily needs (lunch, coffee, services) are within walking distance of the office and do not require additional midday vehicle trips.

Figure 1. Project Location





## VEHICLE TRIP GENERATION

Nelson\Nygaard prepared a forecast of the net increase in vehicle trips resulting from the Project based on national trip generation rates identified by the Institute of Transportation Engineers (ITE) *Trip Generation, 8<sup>th</sup> Edition* (2008). As directed by City of Los Altos staff, the trip generation forecast was based on the ITE average rate for the proposed land use, with no adjustment for local travel mode characteristics.

Figure 3 shows the unadjusted ITE vehicle trip generation rates for General Office developments (prior to accounting for local travel modes as described further below).

Figure 3 ITE Vehicle Trip Generation Rates (Unadjusted Baseline Rate)

Land Use	Unit	AM Peak Hour	PM Peak Hour	Weekday
General Office (ITE Land Use 710)	1,000 gross square feet	1.55 (88% inbound / 12% outbound)	1.49 (17% inbound / 83% outbound)	11.01 (50% inbound / 50% outbound)

## Travel Modes in Los Altos

For purposes of forecasting trips by other travel modes (described in the Multi-modal Assessment provided on Page 13 of this report), the following data was compiled for commute trips in Los Altos based on data from the Year 2000 United States Census (summarized on Figure 4) which found that 84.2% of commute trips in Los Altos are by drive-alone automobile<sup>5</sup>.

Figure 4 Travel Modes in Los Altos for Work Commute Trips

Census 2000	
Car, drove alone	84.2%
Car, carpoled	4.3%
Public Transportation	1.5%
Walked	1.4%
Other Means/Bicycle	1.6%
Worked from home	7.1%

Taking into account the travel mode characteristics described above (as well as the likelihood that rates of walking will be even higher for mid-day trips,

<sup>5</sup> Institute of Transportation Engineers, *Trip Generation, 8<sup>th</sup> Edition* (2008), User's Guide Page 1-2

including employee lunch trips) given the proximity of the Project site to other land uses and services within walking distance in Downtown Los Altos. ITE trip generation rates (including the General Office rate described on Figure 3) are based on national data collected at locations having few nearby pedestrian amenities, local transit service, or travel demand management (TDM) programs<sup>6</sup>. In addition, as noted in *ITE Trip Generation 8<sup>th</sup> Edition*, page 1195: "Transit service was either nonexistent or negligible at the majority of sites surveyed in this land use (ITE Land Use 710: General Office). Users may wish to modify trip generation rates presented in this land use to reflect the presence of public transit, carpools, and other transit demand management (TDM) strategies".

Figure 5 shows the net vehicle trip generation forecast for the Project, based on the unadjusted ITE average rate (shown on Figure 3):

- The net vehicle trip forecast was prepared based on the net increase in gross office space to be provided by the Project in comparison with the current use of the site:
  - The Project would replace an existing 2,127-square foot office building with a new 17,567 square foot office building. Therefore, the Project represents a net increase of 15,440 gross square feet of office space.
  - Based on the prescribed trip generation forecasting methodology described above, the Project (in comparison with the current 2,127-square foot office building on the site) would generate a net increase of 24 vehicle trips during the AM Peak Hour, and 22 vehicle trips during the PM Peak Hour.
  - Figure 5 also provides a forecast of the net increase in daily vehicle trips. Based on the prescribed trip generation forecasting methodology, the Project would generate a net increase of 170 daily vehicle trips (in comparison with the current office use at the site). However, since rates of walking are likely to be higher, in comparison with typical suburban office locations, for certain types of mid-day trips in downtown Los Altos (including lunch trips as well as trips to/from local services within the downtown area): this should be viewed as a conservatively high forecast of daily vehicle trips.

**40 Main Street Transportation Analysis**  
December 2, 2011

**Figure 5      Vehicle Trip Generation Forecast: Net Increase from Current Use (2011)**

Land Use	Size	AM Peak Hour	PM Peak Hour	Weekday
Proposed Use (General Office)	17,567 gross square feet	27	26	194
Current Use (General Office)	(2,127 gross square feet)	(3)	(4)	(24)
<b><i>Net Increase</i></b>	<b>15,440 gross square feet</b>	<b>24</b>	<b>22</b>	<b>170</b>

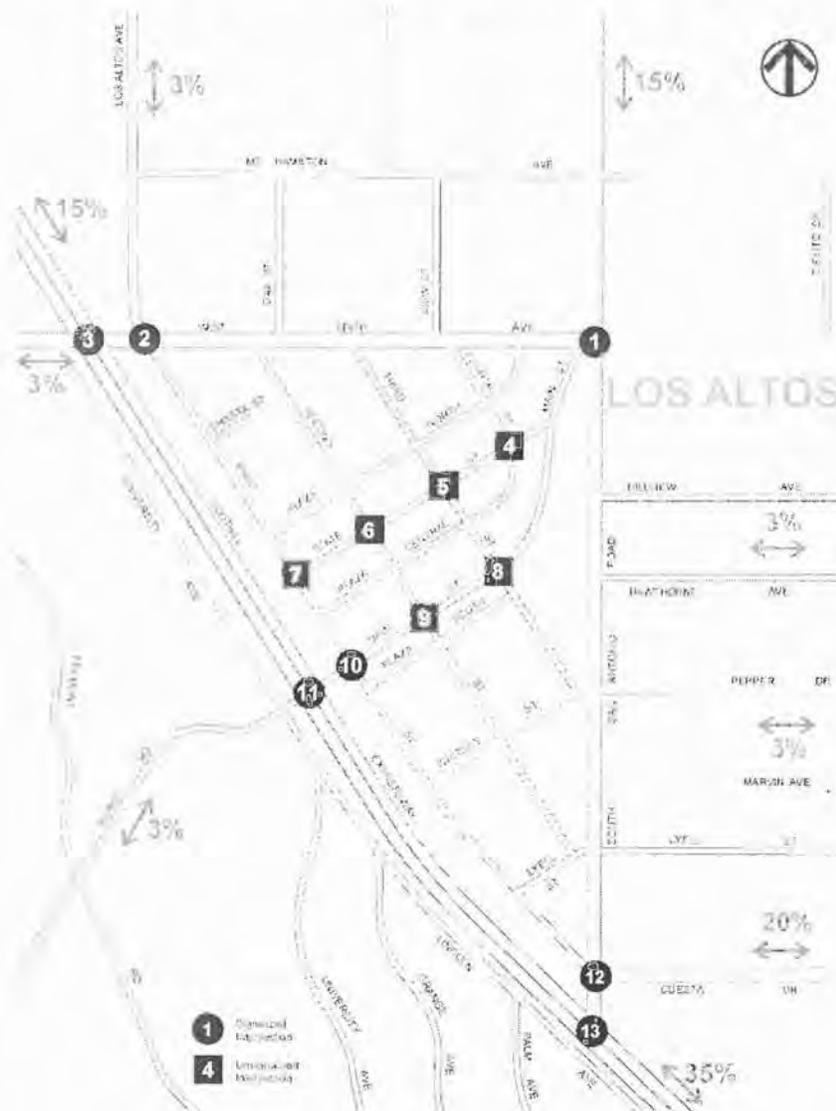
As shown on Figure 5, the Project will result in a net increase of less than 25 vehicle trips during both the AM and PM Peak Hours.

## VEHICLE TRIP DISTRIBUTION

Parking for the project will be on-street parking or off-street parking in the plaza system, and since only a few on-street spaces are available on Main Street the majority of trips will be dispersed throughout the downtown network – accessing the parking plazas from Edith Ave, San Antonio Road or the Foothill Expressway, filtering down to local streets.

Figure 6 shows the anticipated distribution of Project vehicle trips during the AM and PM Peak Hours, based on the distribution of peak hour downtown traffic as described in the *Los Altos Downtown Traffic Impact Analysis* (Los Altos Downtown TIA) prepared by AECOM in February 2011.

Figure 6 Vehicle Trip Distribution from Los Altos Downtown TIA (February 2011)



## 40 Main Street Transportation Analysis

December 2, 2011

The Los Altos Downtown TIA also provides an evaluation of Existing and forecasted Background and Year 2014 level of service (LOS) at 13 intersections near the Project site. The forecast of Background traffic, which includes traffic that would be generated by several approved development projects in the area, was based on an assumption that peak hour traffic volume will increase at a rate of one percent annually. The Year 2014 forecast also includes potential traffic that would be generated other proposed development projects in downtown Los Altos. Based on those forecasts, most intersections would operate at LOS A, B or C under all scenarios (while just one intersection would operate at LOS D). LOS D or better is considered acceptable by the City of Los Altos.

Figure 7 shows the assignment of Project trips to each of the 13 intersections evaluated in the Los Altos Downtown TIA. The assignment of trips is derived from the net vehicle trip increase (shown on Figure 5) and the Trip Distribution pattern for downtown Los Altos vehicle trips (shown on Figure 6).

As shown, the Project would contribute fewer than 11 peak hour vehicle trips per intersection (with no more than five peak hour vehicle trips per lane at each approach).

**Figure 7 Project Trip Assignment**

#	Location	Distribution of Project Vehicle Trips	Net Vehicle Trips	
			AM Peak Hour	PM Peak Hour
1	San Antonio Rd/Edith Ave/Main St	20%	5	4
2	Edith Ave/Los Altos Ave	9%	2	2
3	Foothill Expwy/ W. Edith Ave	18%	4	4
4	State St/Fourth St	3%	1	1
5	State St/Third St	3%	1	1
6	State St/Second St	3%	1	1
7	State St/First St	3%	1	1
8	Main St/Third St	25%	6	6
9	Main St/Second St	25%	6	6
10	Main St/First St	25%	6	6
11	Foothill Expwy/Main St	40%	10	9
12	San Antonio Rd / Cuesta Dr/ First St	30%	7	7
13	San Antonio Rd / Foothill Expwy (CMP)	35%	8	8

## Assessment of Potential Traffic Impacts

The likelihood of potential traffic impacts is evaluated below, based on the assignment of project vehicle trips shown in Figure 7.

### Intersection Level of Service

Significant traffic impacts would result if the Project were to result in a degradation of intersection level of service (LOS) to LOS E or worse.

Based on a review of the level of service (LOS) analysis presented in the *Downtown Los Altos TIA*, the following seven intersections would operate at LOS C or D under Existing, Background or 2014 Cumulative (with Downtown Plaza Redevelopment) conditions:

- #1) San Antonio Road / Edith Ave/Main St
- #2) Edith Ave / Los Altos Ave
- #3) Foothill Expressway / Edith Ave
- #8) 3<sup>rd</sup> St / Main St
- #9) 2<sup>nd</sup> St / Main St
- #11) Foothill Expressway / Main St (CMP intersection)
- #13) San Antonio Road / Foothill Expressway (CMP intersection)

The remaining six intersections evaluated in the Downtown Los Altos TIA were found to operate at LOS B or better under all scenarios.

Figure 8 shows the Existing, Background, and 2014 Cumulative (with Downtown Plaza Redevelopment) LOS at each of those seven major intersections forecasted to operate at LOS C or D.

## 40 Main Street Transportation Analysis

December 2, 2011

**Figure 8 Level of Service at Major Intersections<sup>9</sup>**

Intersection	Existing LOS (AM)	Existing LOS (PM)	Background LOS (AM)	Background LOS (PM)	2014 with Downtown Plaza Redevelopment (AM)	2014 with Downtown Plaza Redevelopment (PM)
1. San Antonio Rd / Edith Ave/Main St	C	C-	C-	D <i>(43.1 sec of avg veh del)</i>	C-	D <i>(45.7 sec of avg veh del)</i>
2. Edith Ave / Los Altos Ave / First St	B-	B-	B-	C+	C+	C+
3. Foothill Expwy / W. Edith Ave	C+	C+	C+	C+	C	C+
8. Third St / Main St	B	B	B	B	B	C
9. Second St / Main St	N/A	C	N/A	C	C	C
11. Foothill Expwy / Main St (CMP)	B	C+	B	C+	B-	C+
13. San Antonio Rd / Foothill Expwy (CMP)	B	B	B	B-	B-	C+

Note: LOS D or better is considered acceptable in the City of Los Altos (representing average vehicle delay of less than 55 seconds at signalized intersections).

<sup>9</sup> LOS based on *Los Altos Downtown Traffic Impact Analysis*, AECOM, February 2011

**Project Contribution to Existing Intersection Volumes**

Based on the LOS analysis summarized on Figure 8, unacceptable traffic operations would result if the net increase in vehicle trips resulting from the Project were to cause an increase in average vehicle delay of more than nine seconds at the intersection of Main Street / West Edith Avenue / San Antonio Road (while an even greater increase in average vehicle delay would be allowable at each of the other Downtown LOS TIA study intersections, without triggering significant traffic impacts).

As shown on Figure 7, the Project will contribute less than 11 peak hour vehicle trips to each study intersection, and no more than 5 peak hour trips to the intersection of Main Street / West Edith Avenue / San Antonio Road.

Figure 9 shows the Project contribution to traffic volumes at four of the major intersections, including the intersection most likely to be potentially impacted based on LOS (San Antonio Road / Edith Avenue / Main Street) as well as three intersections on Foothill Expressway. This calculation is provided based on both the net increase in vehicle trips compared to the current use (24 AM and 22 PM Peak Hour vehicle trips as shown on Figure 5).

As shown on Figure 9, the Project will cause traffic volumes to increase (compared to existing volumes) by less than one-half of one percent at each of those major intersections, including an increase of just 0.20 percent (one-fifth of one percent) at the Main Street / West Edith Avenue / San Antonio Road intersection. This level of traffic generation will not cause a change in level of service (LOS) at a potentially impacted intersection, nor would the Project contribute significantly to cumulative traffic impacts. Significant traffic impacts are not anticipated to result from the Project.

Figure 9 Project Contribution to Existing Traffic Volumes (Net Increase from Current Use)

NET PROJECT TRAFFIC							
Major Intersections	Existing Traffic Volume (AM Peak Hour)	Existing Traffic Volume		Project Net		Project Contribution to Existing Volumes (AM Pk Hr)	Project Contribution to Existing Volumes (AM Pk Hr)
		(PM Peak Hour)	Project Net Vehicle Trips (AM)	Project Net Vehicle Trips (PM)			
San Antonio Rd/ EdithAve/Main St	2,476	2,992	5	4	0.20%	0.13%	
Foothill Expwy / W. Edith Ave	2,257	2,659	4	4	0.18%	0.15%	
Foothill Expwy / Main St (CMP)	2,197	2,266	10	9	0.46%	0.40%	
San Antonio Rd / Foothill Expwy (CMP)	2,557	3,745	8	8	0.31%	0.21%	

As shown on Figure 9: the net increase in vehicle traffic resulting from the Project would represent less than one percent of existing volumes. This level of traffic contribution is not anticipated to result in significant traffic impacts.

## MULTI-MODAL ASSESSMENT

### **Pedestrian Trip Generation & Site Access**

Nearly all of the trips to and from the Project site will include a pedestrian trip:

- Pedestrian trips to/from nearby parking locations
- Pedestrian trips to/from adjacent transit stops
- Pedestrian trips to/from the site from other land uses (including the portion of Los Altos employees that walk to work)
- Pedestrian trips to/from adjacent services within the downtown area

Therefore, the total number of pedestrian trips to and from the Project site is likely to be similar to the total number of vehicle trips, based on the unadjusted ITE rate described earlier in this report and on Figures 3 and 5:

- The Project will generate up to 190 total daily pedestrian trips, representing a net increase of up 170 daily pedestrian trips (compared to the current land use at the site)
- During both the AM and PM Peak Hours, the Project will generate approximately up to 27 pedestrian trips, representing a net increase of approximately 24 peak hour pedestrian trips

The major roads that surround the downtown area – San Antonio Road, West Edith Avenue and the Foothill Expressway – do not have marked or controlled pedestrian crossings at all intersections, which could present a barrier to some pedestrians traveling to and from destinations outside of the downtown core.

Pedestrians have a well-connected system of sidewalks, pathways and crosswalks within downtown Los Altos. In addition, downtown Los Altos is quite compact and surrounded on all sides by residential neighborhoods that are within walking distance.

The Project Site Plan (shown on Figure 2) will provide adequate accommodation for the anticipated volume of pedestrians, including a reconstructed sidewalk on Main Street (up to six feet in width) and a 10-foot wide pedestrian “paseo” connecting the Project Site, Main Street, and the adjacent parking lot (west of the Project site).

No significant impacts to pedestrian circulation are anticipated as a result of the Project.

### **Bicycle Trip Generation & Site Access**

Downtown Los Altos is well connected to the regional bicycle network, with bicycle lanes on S San Antonio Rd, Edith Ave and the Foothill Expressway. Within the downtown itself there are no dedicated bicycle facilities, but the roads all have 25 mph speed limits and should function well for cyclists.

The anticipated volume of bicycle trips – based on the travel mode data presented in Figure 4 – indicates that approximately one to two percent of Project trips will

be made by bicycle. Based on that mode share, the Project will generate up to 3 bicycle trips per day (inbound and outbound), which could be accommodated by providing two bicycle parking spaces.

As shown on Figure 2 (Project Site Plan), three outdoor bicycle racks will be provided. Therefore, the proposed provision of bicycle parking will accommodate the anticipated volume of bicycle trips resulting from the Project.

No significant impacts to bicycle circulation or bicycle parking are anticipated as a result of the Project.

### **Transit Trip Generation & Site Access**

Transit users have stops for VTA bus Route 40 (San Antonio-Edith) within a few minutes' walk. Route 40 connects at the San Antonio Transit Center with local VTA routes 22, 32, 34, 35 and 522 Rapid. Route 40 also provides a connection to the San Antonio Caltrain station, which opens up regional destinations to transit users.

The anticipated level of transit demand resulting from the Project – based on the travel mode data presented in Figure 4 – indicates that approximately one to two percent of trips to and from the Project Site will be made by transit. Based on that mode share, the Project will generate up to 2 transit trips per day.

No significant impacts to transit service or transit circulation are anticipated as a result of the Project.

### **DELIVERIES & LOADING**

Deliveries and typical daily loading activities can be accommodated by existing on-street loading spaces, including the loading zone located on the south side of Edith Avenue (approximately 100 feet west of the intersection with Main Street, and less than 100 feet from the Project Site). The on-street loading space on Edith Avenue is designated with a painted yellow curb zone, approximately 50 feet in length (beginning east of the driveway entrance to the parking plaza that borders the Project Site). In addition, since most major delivery companies (such as UPS or FedEx) are likely to serve multiple customers within the area (commonly using a single truck, parked at one location, for multiple deliveries), a portion of daily deliveries would also be accommodated by delivery vehicles using other on-street loading spaces within the blocks bordering the Project site.

No significant traffic or circulation impacts are anticipated to result due to delivery or loading activities at the Project Site.

### **SUMMARY OF FINDINGS**

Based on the assessment described in this report:

**No significant traffic or circulation impacts are anticipated to result from the Project.**



***Von G. Packard***  
*Four Main Street, Suite 200*  
*Los Altos, CA 94022*

June 1, 2012

Honorable Mayor Val Carpenter  
and City Council Members  
City of Los Altos  
One North San Antonio Road  
Los Altos, CA 94022

Re: 40 Main Street, Los Altos

Dear Mayor Carpenter and Members of the City Council:

Yesterday I received in the mail the notice that the application for a three story development at 40 Main Street will be on the agenda for June 12, 2012. For the reasons stated below, I respectfully and urgently request that the application be denied.

Only if, however, a majority of the Council would otherwise approve the project, then I request that you disapprove the Mitigated Negative Declaration (MND) and require a full EIR due to the parking deficiencies, height violations, and non-compatibility issues. Deferring the issue by requiring an EIR is not our preferred approach since (a) if the project would otherwise be denied, requiring the applicant to spend the considerable costs for an EIR would be unnecessary, along with the City's staff time; (b) requiring an EIR would delay the application for 6-9 months; (c) the applicant would publicly accuse the City's procedures as being fraught with delays, bias and abuse, even though delays are really caused by the applicant's refusal to comply with established zoning requirements; and (d) this application should not become a campaign issue for the fall elections or be decided by the next Council.

### **Parking**

Parking is a major issue. As indicated in Mr. Kornfield's January 19, 2012, Memorandum to the Planning Commission (Kornfield's Memo), Parking Plaza 10 "is one of the most heavily used plazas downtown," and during the peak hours of noon to 2 PM, it "is at or above the 85 percent capacity, which is considered full. . ." (pp. 2-3) The Pang Engineers, Inc. study of February 25, 2008, concludes:

"Thus, the parking survey confirms that Parking Lot # 10 has a higher parking occupancy than the average parking occupancies for the overall average of Plaza 1 thru 10, and in fact exceeds not only the 85% 'full' theoretical capacity, but also over 100% with several illegally parked vehicles." (p. 4)

These studies were done under the current conditions of 40 Main Street being a building with

only 2,127 square feet and 4-5 on-site parking spaces.<sup>1</sup> Using the City's standard of 1 parking space required for every 300 square feet of office space, 40 Main Street currently requires 7 parking spaces. After accounting for the on-site parking, the net burden it currently places on Plaza 10 is 2-3 cars. The proposed building at 40 Main Street is claimed to be 12,900 for parking purposes (ignoring the fact that square footage not counted by an internal mezzanine is merely a camouflage for future development). Using the same required 1 parking space for every 300 square feet, there would be a burden of 43 parking spaces. Plaza 10 is only 88 parking stalls in total (per the Pang Report). These numbers make it clear that this type of additional burden on an already fully utilized parking plaza would be enormous. Parking on neighboring residential streets would be inevitable and resented by local residents.

Ignoring the practical aspects of the burden the proposed building would have on Plaza 10, the applicant is entitled to 26 parking spaces due to being part of the Parking Plaza District.<sup>2</sup> Those 26 additional parking spaces, with the loss of the already on-site parking for 4-5 cars, would indeed place a likely impossible, but allowed, burden on Plaza 10 and its neighboring areas. The proposed building, however, would go well beyond this extreme burden, and require an additional 17 parking spaces, without providing any on-site parking.

The Planning Commission, in its January 19, 2012 meeting, recommended that the on-site parking required by the City be reduced from 28 spaces<sup>3</sup> to 15 spaces, as a potential award for the proposed paseo. The proposed paseo, however, falls far short of the type of paseo described in the 1992 Downtown Urban Design Plan and the 2009 Downtown Design Guidelines.<sup>4</sup> Thus, using it as a basis for the trade-off, would not only be grossly inappropriate, but would be reckless and fail to take into account the negative impact on Parking Plaza 10, the neighborhood, and the very improper precedent it would set for the rest of the village.

The description of the 1992 Downtown Urban Design Plan begins on page 29, as follows:

### Pedestrian Paseo and Circulation System

Pedestrian paseos can be a vital part of a pedestrian environment. These narrow walkways are intended to provide a sense of mystery and discovery away from the

---

<sup>1</sup> The Kornfield's Memo indicates that there are 4 on-site parking spaces, but I have often seen 5 cars parked on-site at 40 Main Street.

<sup>2</sup> This is obtained by dividing the parcel square footage by 300 (i.e., 7,841/300 = 26).

<sup>3</sup> The recommendation was made when the proposed square footage was larger, without the recent reduction due to the mezzanine.

<sup>4</sup> The proposed paseo also fails to satisfy the explanation and examples provided in the 2009 Downtown Design Guidelines, page 18, a copy of which is attached. The minimum width should be 10 feet, as shown in two exemplary photographs. The proposal for 40 Main is so substandard to these Guidelines, that it is not a fair exchange for a substantial increase in parking congestion and height violations.

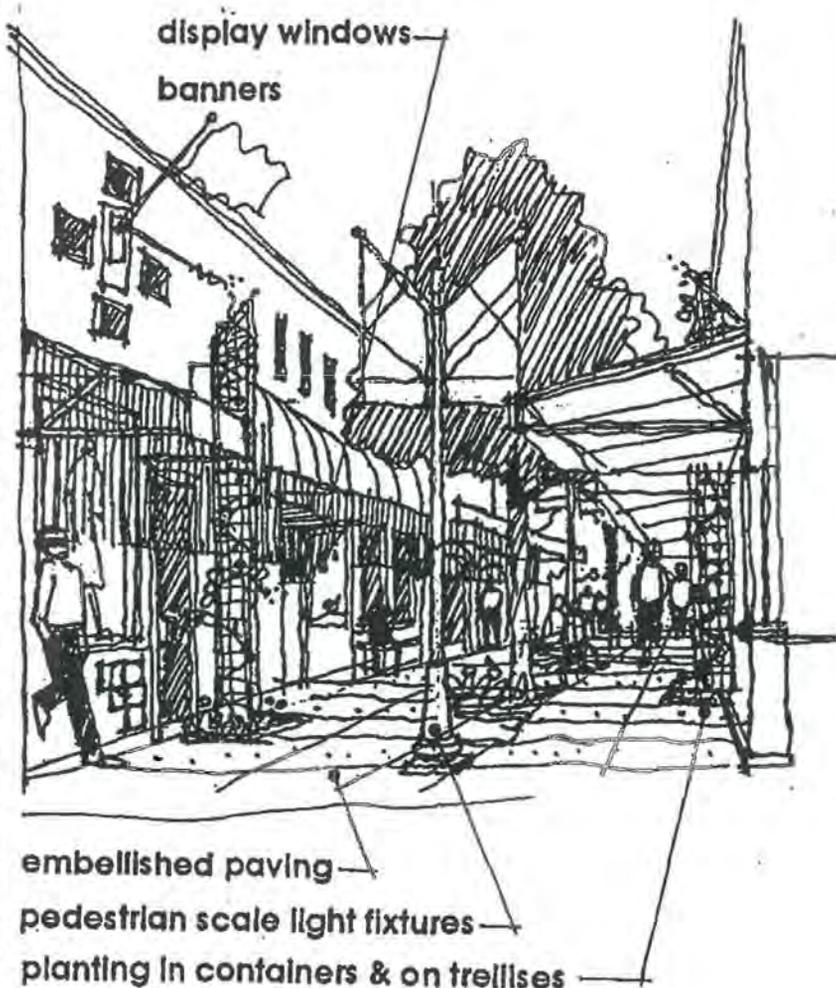
automobile. A common occurrence in European cities, the paseo is designed as a retail-lined walkway with small scale colorful planting, pots, seating, lighting and signing. The design of these walkways should encourage activities typical to a small town, village, environment: people-watching, resting, waiting, meeting, etc.

A drawing is provided on page 29 of the 1992 Urban Design Plan for a typical paseo, as indicated on the side. below. The passageway proposed by the applicant is not a "retail-lined walkway" with display windows and seating. Indeed, it is substantially different from the drawing. Instead, it is merely another narrow passageway between Plaza 10 and Main Street, with the second story overhanging part of the walkway.

There is not a desperate need for such a narrow passageway at this location. Some 70 feet away there is already a nicely landscaped passageway between Plaza 10 and Main Street between the Christian Science Reading Room and the dental office. While this may not be a dedicated walkway, it has existed for years. In addition,

there is a very wide driveway between the dental office and Wells Fargo Bank that also connects Plaza 10 to Main Street, and is regularly used by pedestrians. Wells Fargo Bank is a conforming use, and there is no indication that it will be moving. For all of these reasons, this passageway is not of high benefit to the downtown as a whole, let alone for this small half-block area.

Even if the applicant were willing to upgrade the paseo to a higher level, the trade-off of one more passageway between Plaza 10 and Main Street is grossly disproportionate to the burdens caused by proposed waiver of 17 (= 43-26) parking spaces on Plaza 10, which begins with a capacity of only 88 spaces, is already at full capacity with the 40 Main Street building at a mere 2,127 square feet, and is going to be burdened with substantial additional parking due to the normal parking entitlements of the proposal. It should be remembered that, in any event, we are talking about an additional 43 cars parking in Plaza 10, if the applicant is granted a waiver of the 17 parking spaces.



Some have suggested that it is unfair for 4 Main Street to use disproportionate parking, supposedly at the expense of 40 Main Street. This argument fails for at least two reasons. First, the current owners of these two buildings both purchased their respective properties long after they were developed with their current uses. As such, the purchase prices of each reflected the current parking situation and parking requirements. Second, since 40 Main Street is part of the Parking Plaza District, it is entitled to a certain number of parking spaces irrespective of the parking use by 4 Main Street. The unfairness of the requested trade-off is not due to the 26 parking spaces to which 40 Main is entitled, but to the additional parking waivers requested by the applicant.

In response to the applicant's prior request to waive its parking requirements by restriping Plaza 10, I submitted a letter pointing out the deficiencies of that plan. If it comes up again, I am attaching a copy of that letter for your reference. It also addresses applicant's frequent statement that other comparable properties are receiving parking waivers that they should also receive.

### **Height**

The proposed project does not comply with the required height limitations by five feet. Exceeding the 30' code height limit would create a precedent for additional similar-height buildings in the Main corridor, each using the same parapet justification.<sup>5</sup> Increased rental space should not be justification for code violations.

Any comparison of the height of 40 Main Street with the existing building at 4 Main Street, and the approved hotel at 1 Main Street, can be extremely misleading. The perceived height is primarily the eve line, which is at 2-stories for both 4 Main and 1 Main. The eve line for the proposed 40 Main Street is at the top of the 3<sup>rd</sup> story. As a result, not only is the actual height of the proposed 40 Main Street building in violation of the city codes, but the perception of the height will be substantially greater.

The increased height cannot be justified by any claim that 40 Main Street is a needed "gateway" to the village. The building at 4 Main Street already provides a welcoming gateway, with considerable land in its front to provide an open ambience to the village. There is no need for a second "gateway," that is higher, and therefore architecturally imbalanced.

### **Compatibility and Perceived Bulk**

The proposed building is not compatible with the downtown, and has a perceived bulk that is out of place. The applicant has continuously refused to reduce the bulk. Review of the long list of plans the applicant has submitted to the City over several years painfully demonstrates that the applicant has restricted the architect to merely make variations of the same plan, retaining the same

---

<sup>5</sup> This 30' code measurement is to the interior ceiling height. By way of comparison, the interior ceiling height for 4 Main Street is 25 to 26 feet. This means that just going to code limits would already put 40 Main Street at 4 to 5 feet taller, and an additional 5 feet would put it 9 to 10 feet taller than 4 Main Street.

size and bulk. Even the new plan fails to comply with the Planning Commission's request to "Reduce the bulk and mass of the third floor appreciably, . . ." In order to preserve the ability to later add substantially all the square footage originally requested, the applicant insists on keeping the outside bulk of the building and making one floor a mezzanine. The slight set-back of the third floor is not "appreciable," and fails to be more compatible with the buildings at 1 Main Street (proposed hotel) and 4 Main Street. This lack of consistency is due to the fact that once again the eve line is incompatible with the other two buildings, and instead jumps up substantially. The result is that the appearance of the proposed 40 Main Street building continues to give an appearance of being incompatible and bulky.

The proposed project also fails to comply with one of the most important elements of the Design Guideline Criteria, which is "...[e]xternalizing the character of the downtown..." The proposed building is quite different in both actual size, bulk and feel, and therefore it does not reflect or externalize that same "small-town village" character.

Another aspect of the Design Guideline criteria is to not be detrimental to existing properties. Placing the walkway so as to exclude light to the light-wells of 4 Main Street (by construction of a flat 3-story wall against them) is a significant detriment to an existing property.

At my request, Scott Atkinson, who is the property manager for 4 Main Street, engaged a professional to take photo-simulations of the proposed building at 40 Main Street. The instructions were to make them as accurate as possible to be representative of overall size, scale, look and relationships. Several of these were presented at the January 2012 meeting of the Planning Commission. At that meeting, the applicant's architect complained that they were misleading. Since then, I had Scott Atkinson contact applicant's architect, request that they provide photo-simulations, or that they explain if ours are misleading so that they can be corrected. To my knowledge, the applicant and its architect have failed to do either. We have not incurred the expense of having new photo-simulations produced since the outside of the new building, with the minor set-backs on the third floor in the front only, has not materially changed.

### **Procedures**

I have personally attended most of the meetings for the processing of this application. What has struck me most is that time and again the staff, A&S and finally the Planning Commission have made various requests to reduce the bulk and make the property more compatible, and the refusal of the applicant to comply. My understanding is that generally an applicant works with the City staff to make sure a project meets the various zoning requirements, and then the project is submitted to A&S. During that initial stage, the applicant's designs were so out of line with the zoning requirements that the applicant could not get staff's approval. Prior to the first application, the City had a traffic study completed for downtown. That study considered various alternatives, including three stories along downtown. The conclusion was that three stories would cause havoc, and that even second stories should not be allowed unless the second story were residential (with no required on-site parking required), or was office (which would require full on-site parking for that second floor). It is also my understanding that the applicants often attended the downtown zoning committee meetings, and knew or should have known this.

Knowing that three stories were out of the question, that a second story of office would require full on-site parking, and that the City staff could not support their proposed three-story office building for various reasons, the applicant nevertheless charged ahead with their non-conforming application. Then they came back to the A&S again and again with minor variations of their plan, but substantially maintaining the same bulk and design. At the same time, they began complaining to the press that they were being treated unfairly. They have also claimed that the staff's opposition to their non-conforming project was due to bias because my brother has been on the City Council. This seems odd since an extremely important issue for us has been that any walkway/paseo be on our side of the property, thereby allowing some light into the long-existing light-wells on that side of our 4 Main Street property.<sup>6</sup> This demonstrates that City staff is not beholden to the Packard's concerns, but are making independent recommendations.

To gain further support for their non-conforming application, the applicant has also rallied its investors and other property owners, architects and developers to claim that the City is biased and causes undue delays. These delays, however, have been caused by the applicant. No other applicant has made such demands as made by this applicant, which are contrary to the zoning regulations. Indeed, other applicants for projects downtown that comply with the zoning regulations have sailed through the process.

### Summary

For all the above reasons, I respectfully suggest that the preferred and most appropriate action by this Council would be an outright denial of this non-conforming project, along with an iteration of the reasons: (1) need to provide all the required parking; (2) need to conform to the height limitations; (3) need to substantially reduce the bulk of the building, have the eave lines conform to the neighboring property, and (4) any walkway should be on the side adjacent to 4 Main Street. At the same time, this would render any required EIR actions, with its associated time and costs, unnecessary at this time, and send a clear message to the applicant that it needs to start over, and not merely come up with a new variation of the same plan.

Very truly yours,



---

<sup>6</sup> Although the walkway was originally proposed to face 4 Main, and the existing light-wells to the north, applicant planned only a 3-story flat wall facing the village on their south property line. Staff recommended that the village-facing aesthetics be modified and somehow improved. Among several solutions, staff discussed that the walkway "could" be flipped to the south of 40 Main.

## DOWNTOWN CORE DISTRICT

## 3



Santa Barbara

*Courtyards and paseos can increase downtown vitality and economic success through development intensity and tenant variety.*



Santa Barbara



Valencia

*Clusters of varied dining opportunities can create a distinctive sense of place and an enhanced street environment after normal working hours.*



Valencia

*Outdoor dining is strongly encouraged.*

### b) Explore opportunities for additional tenants through the use of courtyards and paseos.

Current uses are largely contained within one-story structures, often containing only a single tenant. Opportunities for additional retail, service commercial and office tenants, in courtyards or along paseos, abound. They can be especially useful for deep parcels where primary tenants do not need the full depth of the lot. Their use could enhance individual property utilization while supplying additional foot traffic to support other downtown uses. Existing paseos and courtyards should be preserved. Arbors and trellises are encouraged in paseos and courtyards (see example below).



Irvine

#### Guidelines for Courtyards:

- Enclose on at least two sides by buildings.
- Remain open to the sky.  
(Arbors and trellises are allowed.)
- Minimum width: 20 feet.
- Minimum area: 400 square feet.

#### Guidelines for Paseos:

- Minimum width: 10 feet for through-block paseos,  
4 feet for entries to courtyards  
or individual single businesses.
- Courtyards along the paseo are encouraged.

### c) Explore opportunities for active evening uses.

Consider nearby uses when planning for property design changes. There may be opportunities for adding to an existing cluster of after-hours uses with outdoor dining or complementary uses (e.g., bookstore for browsing near restaurants or coffee houses).

### 3.1.2 Design landscaping and open space to enhance the Downtown Village Character

Downtown open spaces and landscaping are as much responsible for the area's uniqueness as are the buildings. They provide the framework to unify an otherwise potentially chaotic collection of eclectic building designs into a strong sense of place. Some of the main features of Downtown's open space and landscape system include:

- Continuous pedestrian links between uses and between parking and storefront clusters

**40 Main Street Proposal (1-19-2012)**  
Before and after at scale.









0801  
February 25, 2008

GUY LAWRENCE PANG, C.E., T.E.

Mr. Scott C. Atkinson  
FOUR MAIN STREET ASSOCIATES  
Four Main Street, Suite 200  
Los Altos, CA 94022

Re: Parking Survey  
Parking Lot #10  
Los Altos, CA

Dear Mr. Atkinson:

Pursuant to your recent request, we have reviewed the City of Los Altos Downtown Wide Traffic and Parking Impact Analysis report dated September 2007 by DMJM/Harris, with the focus on the parking data. Additionally, your request included a parking supply and parking demand survey on Parking Lot #10 (Plaza 10).

The objective is to (1) provide a comparison of the average overall parking occupancy of the entire off-street parking lots (Plaza 1 thru 10) to Parking Lot #10 alone, and (2) to confirm the parking supply and parking demand data contained in the DMJM/Harris report with an actual parking survey and analysis of the existing parking supply, demand, and accumulation for Parking Lot #10.

The parking review and parking demand survey was performed in light of the current City of Los Altos plan to "encourage appropriate redevelopment of some downtown sites" with a second story component as part of the proposed rezoning.

#### EXISTING CONDITION

The Four Main Street office building is located on the southwest corner of Main Street and San Antonio Road. Immediately to the south is the single story office building with law offices at 40 Main Street. Further southerly is the Christian Science reading room. At 80 Main Street there is Main Street Dental, and then the Wells Fargo Bank building. All of these properties are within the CRS/OAD Commercial Retail Sales/Office Zoning District. Parking Lot #10 is located immediately to the west of these buildings, and has vehicular access from Edith Avenue, a two lane east-west street, and from Fourth Street, a two lane street (Refer to Plate 1-Vicinity Map).

PO BOX 4255  
MOUNTAIN VIEW  
CA 94040

-1-

(650) 948-1030  
FAX : (650) 941-PANG

## COMPARISON OF PARKING OCCUPANCY- AVERAGE OVERALL OFF-STREET PARKING VS PARKING LOT #10

The DMJM/Harris report was reviewed with the appropriate data extracted and summarized on Table I for the parking occupancies of Plaza 1 thru 10 versus Parking Lot #10 alone. In this report, the terms "Plaza" and "Parking Lot" are interchangeable, and represent off-street parking. Even though there may be slight differences in the actual counting of the existing parking supply due to unmarked spaces or stalls, the overall parking occupancy of Plaza 1 thru 10 has peak occupancies exceeding the 85%, the theoretical thresholds defined by the Institute of Transportation Engineers, from 12 noon thru 2PM. The maximum occupancy is 90.2% at 1PM. This may be compared with the parking occupancy for Plaza 10 alone where the 85% threshold is met or exceeded from 10AM thru 4PM, and the maximum occupancy is 96.7% over a sustained three hour period from 1PM to 3PM.

Thus, the parking occupancy for Parking Lot #10 is higher than the overall average occupancy for Plaza 1 thru 10. The primary reason that Parking Lot #10 has higher occupancy percentages is its proximity to adjacent office uses, where the parking demand for employees are for the entire working day.

### PARKING SURVEY

Due to severe time constraints with the upcoming City Council meeting to discuss the Downtown rezoning in late February, a parking survey was performed at Parking Lot #10 on February 20 and 21, 2008, a Wednesday and Thursday, respectively. The survey included a parking supply, a parking demand from 10AM thru 6PM for two days, and a parking accumulation. It should be noted that the parking survey occurred during the Winter break for the Los Altos School system for kindergarten thru grade 12. Additionally, for the Thursday count, there were heavy rains during the morning that abated later in the day.

The parking supply for Parking Lot #10 in the DMJM/Harris report was listed as 90 standard parking stalls and 2 handicap stalls for a total of 92 stalls. That report analyzed the occupancies separately for "standard" and "handicap" stalls for Plaza 1 thru 10. There was also a colored map which we reviewed, that indicated the off-street parking with the limited hours. In reviewing the parking supply for Parking Lot #10, there apparently are some minor differences between the DMJM/Harris data and the actual count in the field. For example, in attempting to arrive at the 90 standard stalls and the 2 handicap stalls presented by DMJM/Harris, we were able to ascertain only 88 standard stalls, but confirmed the 2 handicap stalls. The assumption is that two unmarked stalls adjacent to Four Main Street offices are considered "legal" stalls.

The 90 total stalls or only 88 standard stalls, represent the maximum parking supply scenario, but differs from the DMJM/Harris data by two stalls. Since the DMJM/Harris analysis included a separate analysis for "standard" and "handicap" stalls, another scenario is presented which would focus on the "standard" stalls alone in an attempt to compare "like" to "like". The latter analysis also excluded the two unmarked stalls adjacent to the Four Main Street offices so that the driveway exit to Edith Avenue may operate more safely. The total number of standard stalls is thus 86.

The majority of the parking stalls are signed for 3 hours excluding Sunday and holidays. The stalls adjacent to the Wells Fargo bank site are signed for 1 hour parking. The Wells Fargo bank on-site parking is excluded from the analysis.

The parking survey included the measurement of parking demand within Parking Lot #10. Table II contains the parking demand survey data with the assumption that the total parking supply of 90 stalls included 88 standard stalls plus 2 handicap stalls. The Wednesday data had higher occupancies from 10AM to 1PM when compared with the Thursday data, with the maximum occupancy of 98.9% at 1PM. The Thursday data had slightly higher occupancies from 2PM to 3PM, and about the same or slightly less occupancy from 4PM to 6PM when compared with the Wednesday data. For a Wednesday, Plate 2 graphically presents the parking supply and parking demand data, while Plate 4 shows the parking accumulation. Similarly, for a Thursday, Plate 3 graphically presents the parking supply and parking demand data, while Plate 5 shows the parking accumulation.

The parking occupancies for Parking Lot #10 are contained on Table III. The assumption is that the total parking supply consists of 86 standard stalls and excludes the 2 unmarked stalls adjacent to the Four Main Street offices and the 2 handicap stalls. The parking occupancies are presented with only the standard parking stalls in an attempt to compare "like" to "like" with the DMJM/Harris report. The survey data had no parked vehicles in the handicap stalls for the two day survey. The Wednesday data had higher occupancies from 10AM to 1PM than the Thursday data. The 12 noon (101.2%) and 1PM (103.5%) hours both had parking occupancies greater than 100%, which implies that vehicles were parked in unmarked or illegal spaces. The data presented is also very conservative in that there were between 2 and 4 vehicles parked on the private aisle at the 40 Main Street address throughout the day, 2 vehicles parked legally on-street on the south side of Edith Avenue along the frontage of Parking Lot #10 throughout the day, and several other vehicles numbering between 1 and 5 on the south side of Edith Avenue and westerly of Parking Lot #10. All of these parked vehicles clearly had a desire to be parked within Parking Lot #10, but were excluded from the parking occupancy calculations.

The Thursday data had slightly higher occupancies from 2PM to 3PM, and about the same or a slightly less occupancy from 4PM to 6PM when compared with the Wednesday data. The Wednesday parking occupancy data indicates a greater than the 85% "full" capacity threshold from 10AM thru 4PM and compares favorably with the Plaza 10 data on Table I for that identical time period.

Plates 6 and 7 graphically presents the parking accumulation for a Wednesday and Thursday respectively for the 86 standard stalls. The data on Plates 6 and 7 may be compared with the data contained in the DMJM/Harris report on a "like" to "like" basis, that is, comparing the parking occupancies for Parking Lot #10 for standard parking stalls as a separate and distinct calculation.

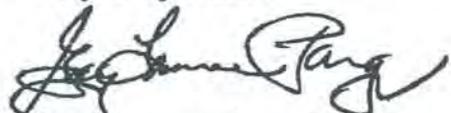
### SUMMARY

A review of the DMJM/Harris report confirms that the parking occupancy of Parking Lot #10 is higher than that of the overall average occupancy for Plaza 1 thru 10 (Table I).

Additionally, the recent Parking Lot #10 supply and demand survey confirms that the parking occupancies between 10AM and 4PM exceed the 85% theoretical "full" capacity. The 12 noon and 1PM hours at 101.2% and 103.5% occupancies respectively indicate that there are several illegally parked vehicles (Table III). The parking occupancy and accumulation data contains a conservative representation in that there were vehicles that clearly had a desire to be parked within Parking Lot #10 but were excluded from the analysis.

Thus, the parking survey confirms that Parking Lot # 10 has a higher parking occupancy than the average parking occupancies for the overall average of Plaza 1 thru 10, and in fact exceeds not only the 85% "full" theoretical capacity, but also over 100% with several illegally parked vehicles. Therefore, any building increase or intensification under the proposed rezoning within the CRS zoning district adjacent to Parking Lot #10 would have a significant parking issue as evidenced not only by the data within the DMJM/Harris report, but also with the recent parking survey data which was collected and analyzed for Parking Lot #10.

Very Truly Yours,



Gay Lawrence Pang, CE, TE

Enclosures:

Plate 1-Vicinity Map

Plate 2-Parking Lot #10-Supply and Demand, Wednesday

Plate 3-Parking Lot #10-Supply and Demand, Thursday

Plate 4-Parking Lot #10-Accumulation, Wednesday with 88 standard and 2 handicap stalls

Plate 5-Parking Lot #10-Accumulation, Thursday with 88 standard and 2 handicap stalls

Plate 6-Parking Lot #10-Accumulation, Wednesday with 86 standard stalls

Plate 7-Parking Lot #10-Accumulation, Thursday with 86 standard stalls

Table I-Parking Demand and Accumulation-DMJM/Harris data for Plaza 1 thru 10

Table II-Parking Lot #10-Demand Survey with 88 standard and 2 handicap stalls

Table III-Parking Lot #10-Demand Survey with 86 standard stalls

**TABLE I**

**PARKING DEMAND AND ACCUMULATION <sup>(1)</sup>  
CITY OF LOS ALTOS**

HOUR	EXISTING	
	Percent Occupied <sup>(1) (2)</sup> Weekday - Plaza 1 thru 10	Percent Occupied <sup>(3) (4)</sup> Weekday - Plaza 10
10:00 AM	68.5	<b>92.2 *</b>
11:00 AM	77.1	<b>93.3 *</b>
12:00 PM	<b>86.3 *</b>	<b>94.4 *</b>
1:00 PM	<b>90.2 *</b>	<b>96.7 *</b>
2:00 PM	<b>85.0 *</b>	<b>96.7 *</b>
3:00 PM	76.4	<b>96.7 *</b>
4:00 PM	73.9	<b>90.0 *</b>
5:00 PM	70.6	82.2
6:00 PM	58.9	61.1

(1) Reference: Final Report, City of Los Altos Downtown Wide Traffic and Parking Impact Analysis, by DMJM / Harris, September 2007, Table 3.5 and 3.6

(2) Parking Supply equals 1108 regular spaces and 50 handicap spaces within Plaza 1 thru 10 inclusive.

(3) Reference: Draft Report, City of Los Altos Downtown Wide Traffic and Parking Impact Analysis, by DMJM / Harris, April 2007, Appendix B

(4) Parking Supply equals 90 regular spaces and excludes the 2 handicap spaces.

\* Exceeds 85% or the theoretical "full" occupancy of a parking facility.

**TABLE II**  
**PARKING LOT #10**  
**DEMAND SURVEY**  
**CITY OF LOS ALTOS**

HOUR	Occupied Parking Stalls Wednesday	Percent Occupied Wednesday	Occupied Parking Stalls Thursday	Percent Occupied Thursday
10:00 AM	77	85.6	58	64.4
11:00 AM	85	94.4	73	81.1
12:00 PM	87	96.7	74	82.2
1:00 PM	89	98.9 *	84	93.3 **
2:00 PM	82	91.1	83	92.2
3:00 PM	76	84.4	80	88.9
4:00 PM	77	85.6	77	85.6
5:00 PM	65	72.2	64	71.1
6:00 PM	49	54.4	49	54.4

Survey on Wednesday, February 20, 2008 and Thursday, February 21, 2008 with 90 existing parking stalls of which 88 (97.78%) are standard and 2 (2.22%) handicap stalls.

\* Maximum parking accumulation for a typical Wednesday.

\*\* Maximum parking accumulation for a typical Thursday.

**TABLE III**  
**PARKING LOT #10**  
**DEMAND SURVEY**  
**CITY OF LOS ALTOS**

HOUR	Occupied Parking Stalls Wednesday	Percent Occupied Wednesday	Occupied Parking Stalls Thursday	Percent Occupied Thursday
10:00 AM	77	89.5	58	67.4
11:00 AM	85	98.8	73	84.9
12:00 PM	87	101.2	74	86.1
1:00 PM	89	<b>103.5</b> *	84	<b>97.7</b> **
2:00 PM	82	95.4	83	96.5
3:00 PM	76	88.4	80	93.0
4:00 PM	77	89.5	77	89.5
5:00 PM	65	75.6	64	74.4
6:00 PM	49	57	49	57.0

Survey on Wednesday, February 20, 2008 and Thursday, February 21, 2008 with 86 existing standard parking stalls, excluding 2 unmarked stalls adjacent to Four Main Street and 2 handicap stalls.

\* Maximum parking accumulation for a typical Wednesday.

\*\* Maximum parking accumulation for a typical Thursday.



Plate 2

Parking Lot #10  
Wednesday

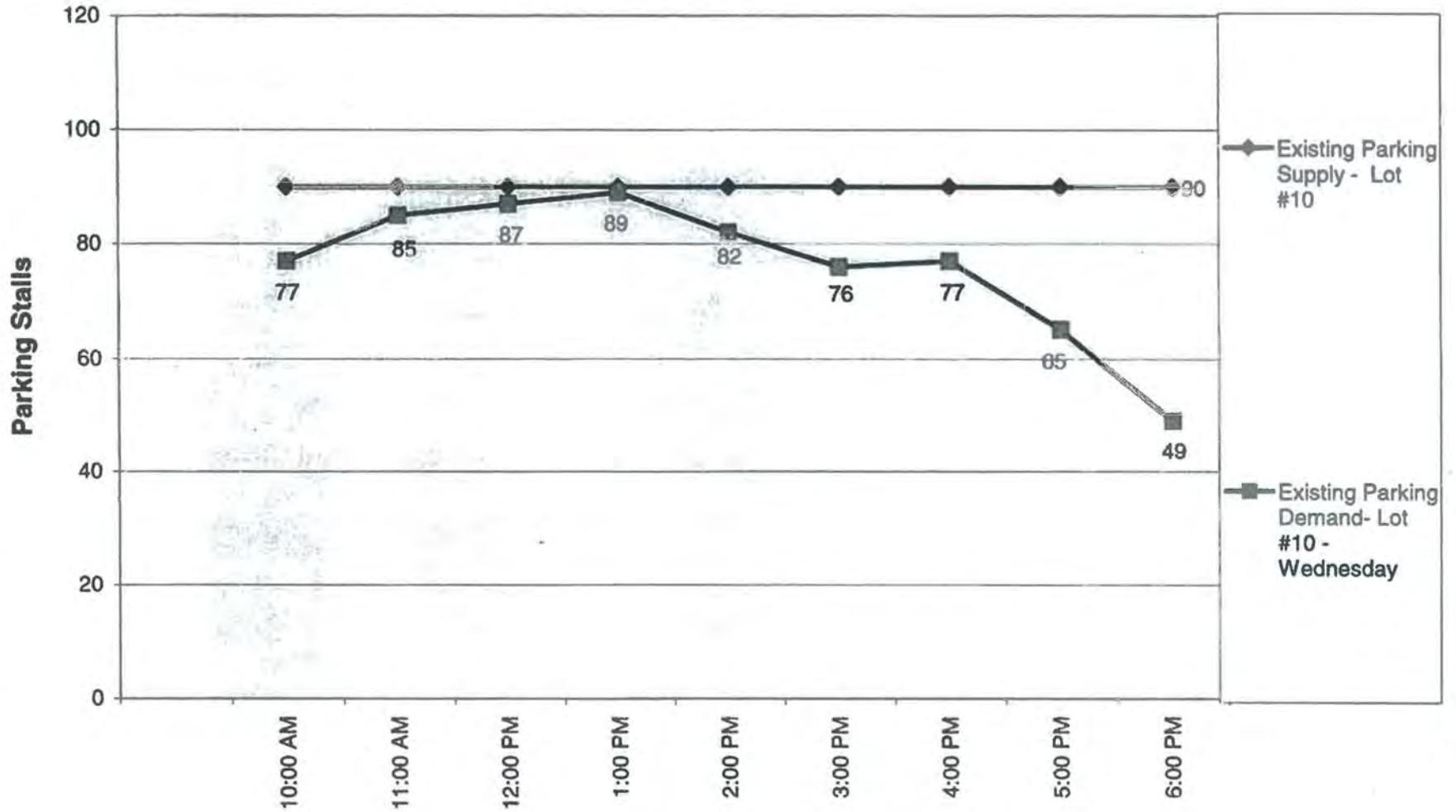
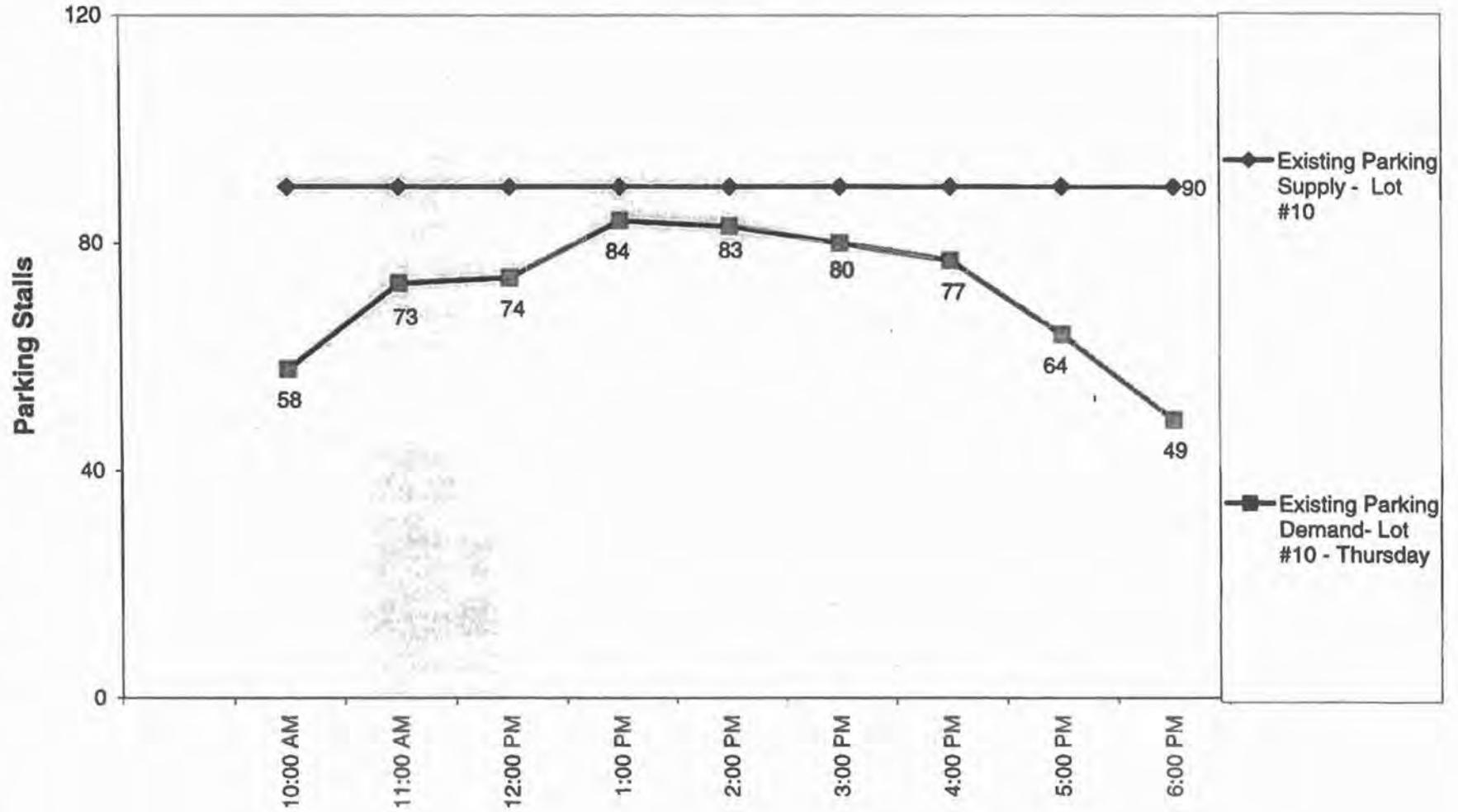


Plate 3

Parking Lot #10  
Thursday



### Plate 4

### Parking Lot #10 - Accumulation Wednesday



Plate 5

Parking Lot #10 - Accumulation  
Thursday

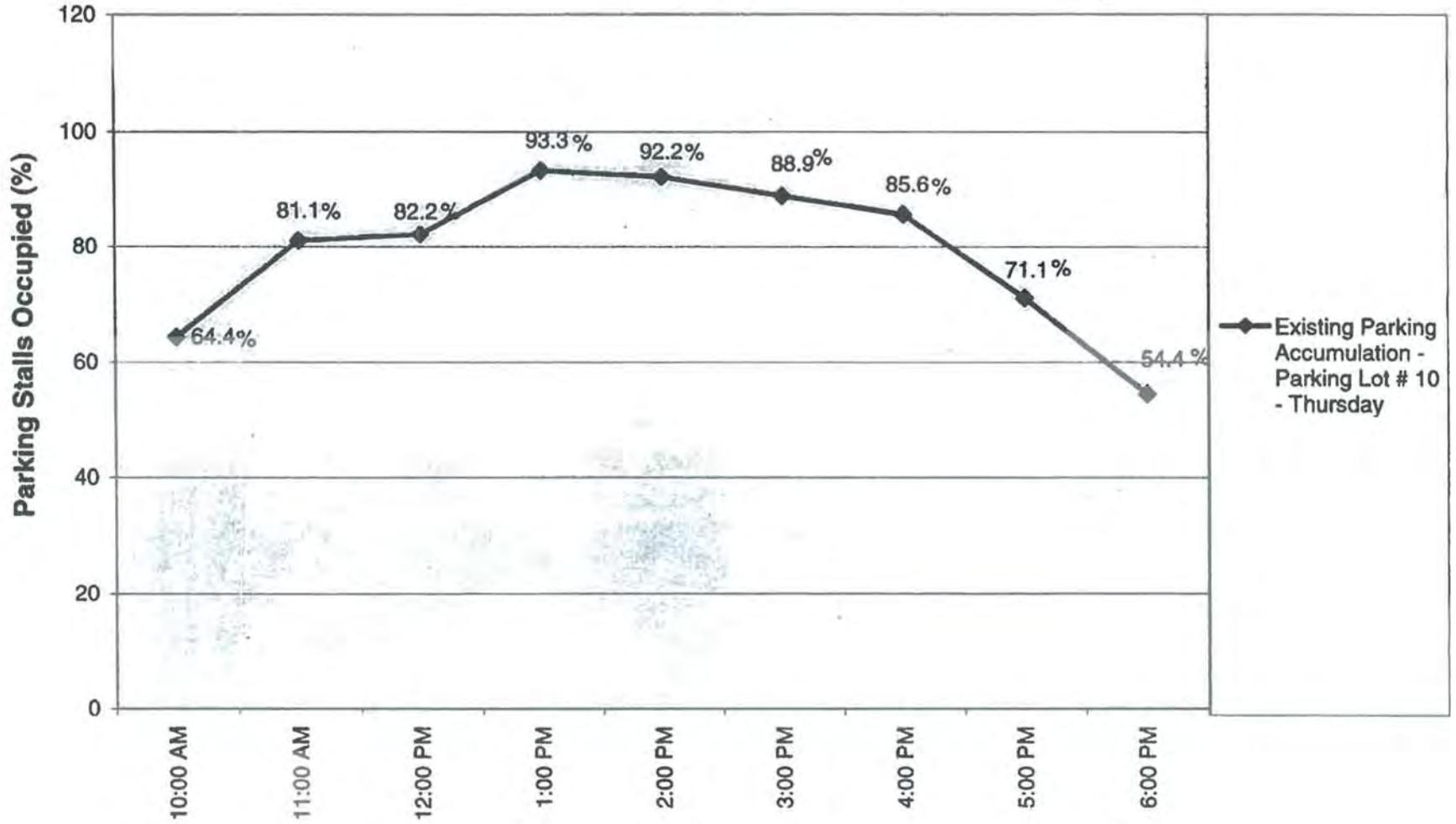
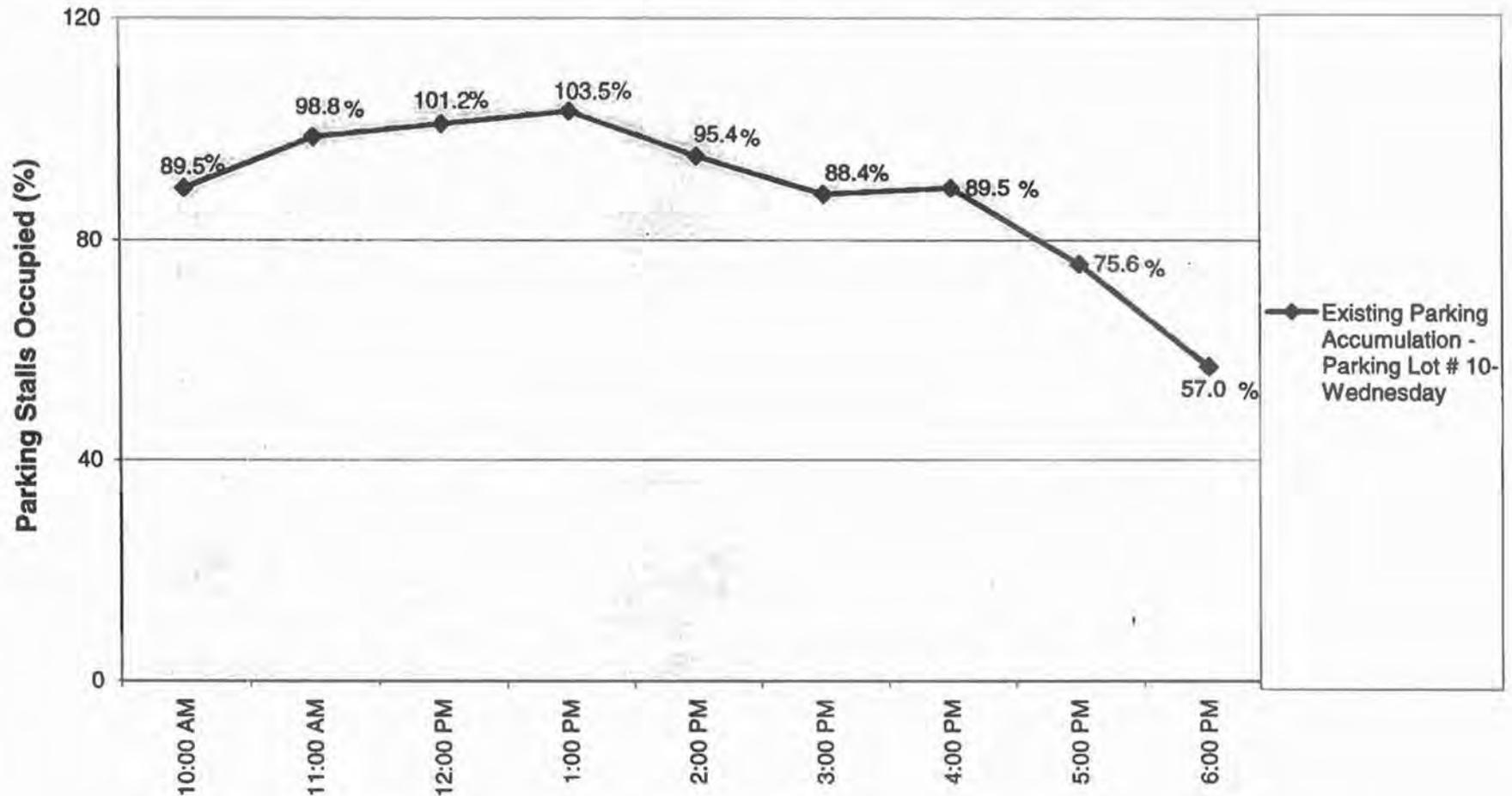


Plate 6

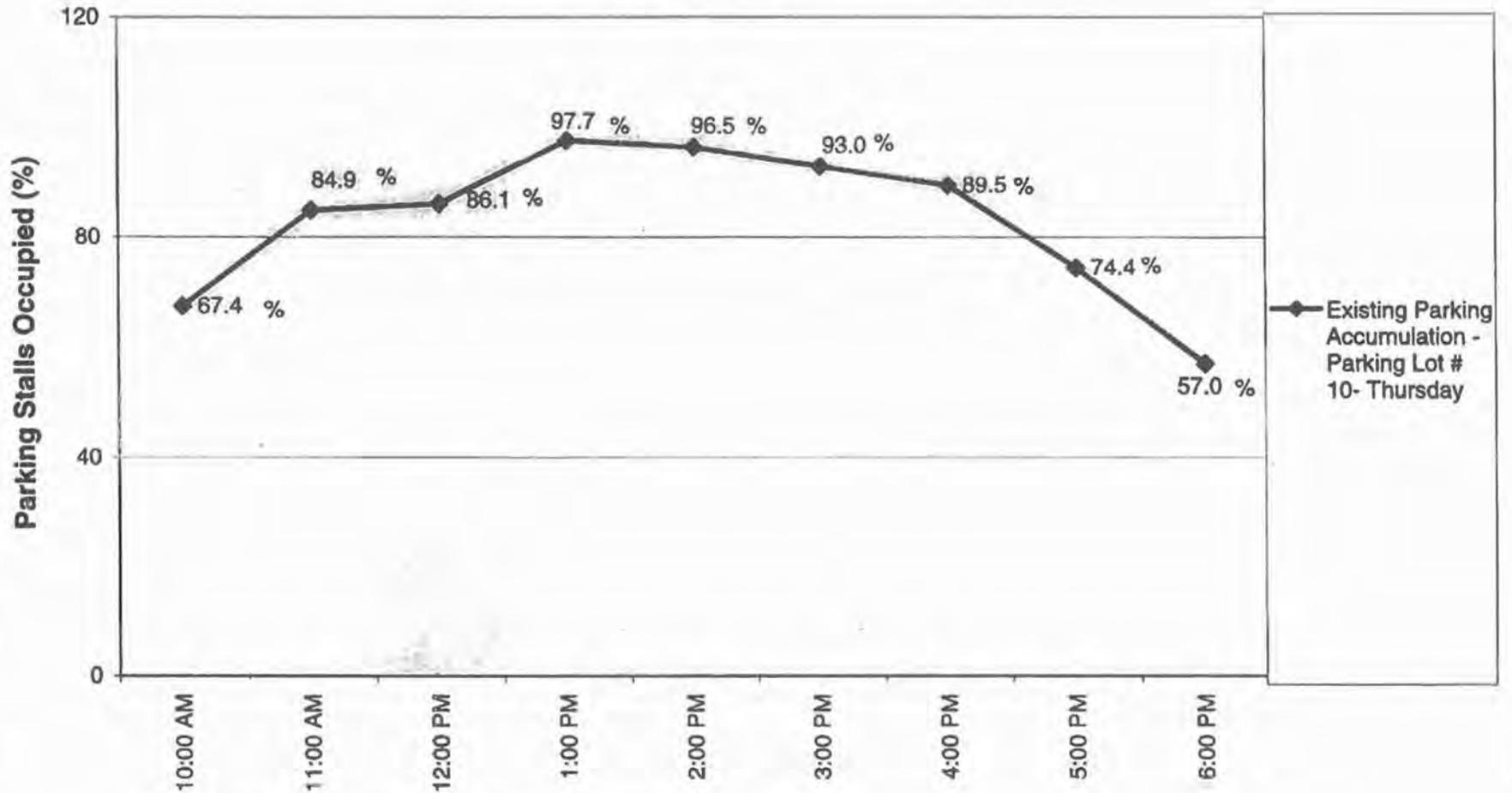
Parking Lot #10 - Accumulation\*  
Wednesday



\* with 86 standard parking stalls only

Plate 7

Parking Lot #10 - Accumulation\*  
Thursday



\* with 86 standard parking stalls only

201201®  
January 13, 2012

GAY LAWRENCE PANG, C.E., T.E.

Mr. Scott C. Atkinson  
FOUR MAIN STREET ASSOCIATES  
Four Main Street, Suite 200  
Los Altos, CA 94022

Re: Peer Review  
40 Main Street Transportation Analysis  
Los Altos, CA

Dear Mr. Atkinson:

Pursuant to your recent request, we have reviewed the 40 Main Street Transportation Analysis letter report by Nelson\Nygaard Consulting Associates, Inc. dated December 2, 2011 for the development of a 17,567 square foot office building which would replace an existing 2,127 square foot office building in Downtown Los Altos.

The objective is to: (1) peer review and provide relevant comments on the letter report, e.g. trip generation estimates and potential parking demand; (2) reference relevant parking generation demand data from the Institute of Transportation Engineers (ITE); and (3) refer to prior City of Los Altos and Pang Engineers, Inc. parking demand studies in the Downtown Area and specifically for Parking Lot #10, westerly and adjacent to the proposed development.

#### PEER REVIEW

The "peer review" of the Transportation Analysis focuses on two items. The first is the estimated trip generation and trip distribution, and the second is the potential parking demand for the proposed office building of 17,567 gross floor area (GFA).

The 40 Main Street office building is located near the southwest corner of Main Street and San Antonio Road. Immediately to the north is an existing office building. Further southerly is the Christian Science reading room. At 80 Main Street there is Main Street Dental, and then the Wells Fargo Bank building. All of these properties are within the CRS/OAD Commercial Retail Sales/Office Zoning District. Parking Lot #10 is located immediately to the west of these buildings, and has vehicular access from Edith Avenue, a two lane east-west street, and from Fourth Street, a two lane street.

PO BOX 4255  
MOUNTAIN VIEW  
CA 94040

## Trip Generation and Trip Distribution

The estimated trip generation utilized in the Transportation Analysis (refer to pages 5, 6 and 7) assumes the “average” ITE rate. While that may be an acceptable method for estimating daily and AM and PM peak hour trips, the “fitted curve equation” methodology is also available from ITE, and is preferred in light of the particulars of this project. A comparison was made with the two methodologies to obtain a “worst case” alternative. The “average” method results in a net increase of 170 daily trips, 24 AM peak hour trips, and 23 PM peak hour trips. The estimated 23 PM peak hour trips exceed probably through rounding, the 22 PM peak hour trips contained within the Transportation Analysis.

When utilizing the “fitted curve equation” methodology, the daily and AM peak hour had available a logarithmic equation, while the PM peak hour only had a standard equation. This method results in a net increase of 281 daily trips, a net increase of 38 AM peak hour trips, and a net increase of 18 PM peak hour trips. The reason for the smaller increase in the PM peak hour estimate, from 23 to 18, is due to the higher than expected volumes for the “existing” condition with the small office building GFA and the availability of the standard equation but not a logarithmic equation.

Notwithstanding the above concerns, the differences in the two methodologies results in the following:

1. the “fitted curve equation” method results in a higher daily estimate of trips e.g. 281 vs 170 for an increase of 111 daily trips or a 65.3% increase above the “average” method;
2. the “fitted curve equation” method results in a higher AM peak hour estimate of trips e.g. 38 vs 24 for an increase of 14 AM peak hour trips or a 58.3% increase above the “average” method;
3. the “fitted curve equation” method utilizes a standard equation and results in a lower PM peak hour estimate of trips e.g. 18 vs 23 for a decrease of 5 PM peak hour trips or a 21.7% decrease from the “average” method.

A summary of the estimated trip generation from the two methodologies is contained on Table I.

While the number of estimated trips for the AM and PM peak hours remains below the 50 peak hour trips threshold to perform Level of Service (LOS) analysis, there are no actual LOS reference calculation sheets that were contained in the Transportation Analysis. As a result, the Transportation Analysis is considered incomplete.

## Trip Distribution

There are several factual statements in the Transportation Analysis which appear to be incorrect, and thereby place in question the reliability of the balance of the analysis. For instance, the trip distribution within the Transportation Analysis (refer to page 8) indicated 20% of the project trips will be to and from Cuesta Drive. That projected trip distribution is higher than what is shown for the north segment on San Antonio Road as well as for the northwesterly segment of Foothill Expressway, where both of those segments are shown as 15%. Clearly, those trip distribution estimates for the three segments may require some adjustments due to local knowledge as Cuesta Drive is a two lane collector street, while San Antonio Road is a four lane major arterial street and Foothill Expressway a four lane limited access expressway facility. The expectation is that more project trips will occur on San Antonio Road and Foothill Expressway than on Cuesta Drive.

## Parking

While the parking supply, demand and accumulation issues were not thoroughly addressed, the Transportation Analysis does mention on page 2, that "The proposed office building has options for up to 40 parking spaces in the public parking plazas." The source of the 40 parking spaces is unknown and unconfirmed.

If the proposed office building utilized the ITE Parking Generation, 4<sup>th</sup> Edition, 2010 reference for Land Use 701, Office Building, an estimate of the desired parking spaces may be determined. The ITE reference utilizes GFA as an assumption. While the "average" rate for parking spaces could be utilized, the 85<sup>th</sup> percentile would be the recommended method.

The estimated parking stalls desired are as follows:

1. For the "average" condition, the parking rate is  $2.47 \times 17.567$  (proposed office building) or 44 parking stalls;
2. For the "average" condition, the parking rate is  $2.47 \times 2.127$  (existing office building) or 6 parking stalls;
3. For the "average" condition, the ADDITIONAL parking stalls desired is 38 (44-6);
4. For the "85<sup>th</sup> percentile" condition, the parking rate is  $2.98 \times 17.567$  (proposed office building) or 53 parking stalls;
5. For the "85<sup>th</sup> percentile" condition, the parking rate is  $2.98 \times 2.127$  (existing office building) or 7 parking stalls;
6. For the "85<sup>th</sup> percentile" condition, the ADDITIONAL parking stalls desired is 46 (53-7).

Therefore, the proposed 17,567 square foot GFA office building will have for the recommended 85<sup>th</sup> percentile condition, the desire for an additional 46 parking stalls above the existing 7 parking stalls for the current 2,127 square foot office building.

#### Other Parking Comparisons

A comparison may be made with the current City of Los Altos code requirements of one parking stall per 300 square feet for an office building. This alternative would be for the entire GFA of 17,567 square feet less the existing GFA of 2,127 square feet, and would result in 52 (15,440/300) additional parking stalls desired.

In a February 25, 2008 parking study performed by Pang Engineers, Inc., Traffic and Transportation Consultants, for Parking Lot #10, the parking demand for a typical weekday of Wednesday and Thursday had maximum parking demands in the high nineties and over 100% with some illegally parked vehicles. The peak parking demand levels were significantly over the 85<sup>th</sup> percentile threshold. That parking study report is attached and indicates the dearth of existing parking during the peak demand periods.

#### SUMMARY

The peer review of the Transportation Analysis indicates that the “worst case” scenario for estimating the trip generation for the proposed office building would result in higher daily (+65.3%), and AM peak hour (+58.3%) estimates if the “fitted curve equation” method is utilized rather than the “average” method. It is my professional opinion that the “fitted curve equation” is preferred since it would represent the “worst case” condition, which is warranted in this situation. The PM peak hour trip generation estimates should utilize the “average” method due to the inconsistencies with the estimated trips when compared with the daily trips for the “fitted curve equation” method.

The trip distribution appears not to reflect local knowledge as there are more trips projected on Cuesta Drive, a two lane local collector street, than on San Antonio Road, a four lane major arterial street, and Foothill Expressway, a four lane limited vehicular access expressway facility.

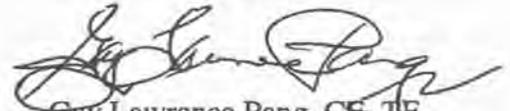
The parking demand is not adequately addressed in the Transportation Analysis, given the plethora of prior studies in the Downtown Area and specifically within Parking Lot #10. Several alternative analyses have been presented for consideration. The 85<sup>th</sup> percentile method from ITE is recommended as a guideline and would result in an additional 46 parking stall demand for the proposed project. The City of Los Altos zoning code would suggest that there would be an additional parking demand of 52 parking stalls.

Since Parking Lot #10 is essentially at full occupancy during peak demand periods during a typical weekday as indicated from prior studies, the proposed development will have a dearth of parking in proximity to the site. That future additional parking demand increase of between 46 and 52 additional stalls, and the location of the corresponding parking supply, should be addressed during the review of the proposed office building development.

Based on the peer review of the Transportation Analysis, there are :

**Potentially significant traffic, parking and/or circulation impacts that are anticipated and not as yet addressed satisfactorily with respect to the 40 Main Street office intensification project.**

Very Truly Yours,



Gay Lawrence Pang, CE, PE

Enclosures:

Table I-Trip Generation Comparison

Parking Study Report by Pang Engineers, Inc. for Lot #10 (2/25/2008)

Table I  
TRIP GENERATION  
(continued...)

LAND USE	UNIT	TRIP RATE	DAILY TRIPS	AM PEAK HOUR TRIPS		PM PEAK HOUR TRIPS	
				IN	OUT	IN	OUT

FITTED CURVE EQUATION (2)

1. Office Building – Existing

	2.127 sq. ft.	.....	69	88%	12%	17%	83%
AM	.....	.....	.....	8	1		
					9		
PM	.....	.....	.....	.....	.....	14	67
							81*

2. Office Building – Proposed

	17.567 sq. ft.	.....	350	88%	12%	17%	83%
AM	.....	.....	.....	41	6		
					47		
PM	.....	.....	.....	.....	.....	17	82
							99

TOTAL FITTED CURVE EQUATION METHOD WITH NET INCREASE

DAILY			281				
AM	.....	.....	.....	33	5		
					38		
PM	.....	.....	.....	.....	.....	3	15
							18

Table I  
TRIP GENERATION  
COMPARISON

LAND USE	UNIT	TRIP RATE	DAILY TRIPS	AM PEAK HOUR TRIPS		PM PEAK HOUR TRIPS	
				IN	OUT	IN	OUT

AVERAGE METHOD (1)

1. Office Building – Net Increase  
17,567 – 2,127 = 15,440 sq. ft.

	15,440 sq. ft.	11.01 <sup>(a)</sup>	170	88%	12%	17%	83%
AM	.....	1.55 <sup>(b)</sup>	.....	21	3		
					24		
PM	.....	1.49 <sup>(b)</sup>	.....	.....	.....	4	19
						23	

TOTAL AVERAGE METHOD WITH NET INCREASE

DAILY			170				
AM	.....	.....	.....	21	3		
					24		
PM	.....	.....	.....	.....	.....	4	19
						23	

Table I  
TRIP GENERATION  
(continued...)

LAND USE	UNIT	TRIP RATE	DAILY TRIPS	AM PEAK HOUR TRIPS		PM PEAK HOUR TRIPS	
				IN	OUT	IN	OUT

DIFFERENCES: "FITTED CURVE EQUATION" LESS "AVERAGE" METHOD

DAILY			+111				
AM	.....	.....	.....	+12	+2		
					+14		
PM	.....	.....	.....	.....	.....	(1)	(4)
						(5)	

AM = Morning Peak Hour  
PM = Evening Peak Hour

GFA = Gross Floor Area  
Sq.ft. = square feet

Source: (1) Institute of Transportation Engineers, "Trip Generation", Eighth Edition, 2008, with "Average" rates  
(2) Institute of Transportation Engineers, "Trip Generation", Eighth Edition, 2008, with "Fitted Curve Equation".

(a) Per 1000 square feet GFA per day  
(b) Per 1000 square feet GFA per peak hour

\* Note that estimated PM peak hour trips of 81 exceeds total daily trips estimate of 69; thus, the "Fitted Curve Equation" is not an acceptable estimate; use "Average" method for PM peak hour.

---

**From:** Von Packard  
**Sent:** Monday, April 23, 2012 12:45 PM  
**To:** vcarpenter@losaltosca.gov  
**Cc:** David@CasasRealEstate.com; megan.satterlee@gmail.com; jfishpaw@losaltosca.gov; marcia.somers@losaltosca.gov; kkleinbaum@losaltosca.gov; JWalgren@losaltosca.gov; jolie.houston@berliner.com  
**Subject:** Parking RFP

Dear Mayor Carpenter and Council members,

In case the agenda item for the RFP for a downtown parking plan is pulled for separate discussion, I would like to share a few comments:

1. I have personally attended a number of the A&S and Planning Commission meetings on the proposed development of 40 Main. In almost every meeting, the developers have been asked by the governing body to scale back the design and provide parking. At the next meeting, however, instead of doing so, they have made only cosmetic changes and then railed against the staff for being unfair. Again the developers have even been told that they were not listening. I could not understand why this was happening until our architect, who designed the gateway building at Edith and First Street, met with their architect in San Francisco to review their prior and current plans. It became obvious that the architects for 40 Main have been severely restrained by the developers to merely come up with variations of the same design plan, not allowing a new design that complies with the city or commission requirements. In my opinion, the developers have been very unfair to city staff.
2. It does not seem appropriate that this agenda item should be used as a vehicle by the developers of 40 Main Street to ask for major development concessions on their requirement to provide off-site parking.
3. The concept of re-stripping the parking plazas with narrower parking stalls is not new. It was previously considered and rejected.
4. Jeff Morris proposed similar narrowing of parking stalls for his project, but that was rejected. He is being required to live by the rules, as should the developers at 40 Main.
5. It would be a major policy decision to allow improvements on public land to accrue to the personal financial benefit of an individual property owner. If the master plan for downtown parking involves re-stripping, shouldn't that be for the benefit of the entire community, and not one property owner?
6. During the last council meeting, the developer of 40 Main suggested that all downtown projects in recent years have required some form of parking accommodation. Any such suggestion is misleading, as evidenced by the following:
  - (a) The prior Bank of the West building at 240 Third Street was approved by the Council on April 22, 2008, without any parking reductions or accommodations. In fact, the developer is providing 56 parking spaces, when only 55 were required.
  - (b) The old Post Office building at 100 First Street was approved by the Council on August 24, 2010, without any parking reductions or accommodations.

- (c) The prior Adobe Hospital at 396 First Street was approved for redevelopment by the Council on May 24, 2011, without any parking reduction or accommodations.
- (d) The project at First and Main has been submitted to the City, without any parking reductions or accommodations.

The only exceptions have been three situations which are very unique. (1) The Packard Foundation, which is a charitable organization making hundreds of thousands of dollars of grants to our community each year, paid the City some \$3,400,000, and guaranteed that it would build additional parking if it does not meet its limited parking projections. (2) The Safeway project received a special parking arrangement, but it is paying the City \$500,000 and providing well over 100 shared parking stalls for joint public use. It is also a major downtown draw and sales tax generator. (3) The Enchanté Hotel is receiving a waiver of 10 parking spaces, since it is anticipated that the guest parking will be at its peak when downtown parking is at its lowest, in the late evening and overnight. In addition, the hotel is anticipated to be a huge occupancy tax generator.

- 7. Their proposed parking solution for Plaza 10 is inaccurate and misleading. Of their claimed 36 increase in parking spaces, sixteen are on Fourth Street, and not within the Parking Plaza. Changes to public streets should not be counted, but analyzed separately as to street safety, etc. Five additional spaces are a result of undercounting the current number of parking places as 87, whereas City documents indicate and actual spaces are 92. The plan ignores the requirement for access to the large garbage roll-out bins currently located behind 4 Main, and which will be needed at the rear of 40 Main and other buildings and will likely take up 4-5 spaces. Further, their proposal does not seem to include adequate access to the Wells Fargo driveway, proposed Paseo, the Condo entry currently existing at the East side, and general passage-ways from one aisle of the Plaza to the other. The suggestion that “Note that the office peak will occur *after* the lunch hour restaurant peak” is inaccurate, since most office employees do not wait until *after* lunch to show up at their offices. Bike racks are claimed, but not shown — nor is space provided for such. The net gain within Plaza 10 might be 4-7 parking stalls, in exchange for a huge environmental cost, far less desirable parking, increased door dings, and a congested atmosphere.
- 8. I concur that a well-thought out downtown parking study (including Plaza 10) would be helpful. It is important, however, that the City not rush the consultants because seasonal and/or other factors might have a major impact and need to be studied out carefully. As to the development of 40 Main, there is no reason why a decision as to that non-compliant proposal should have to wait.

Thank you for your consideration of the above,

Von Packard

May 31, 2012

Norman E. Matteoni  
Peggy M. O'Laughlin  
Bradley M. Matteoni  
Barton G. Hechtman  
Gerry Houlihan

The Honorable Mayor Val Carpenter  
and City Council Members  
City of Los Altos  
One North San Antonio Road  
Los Altos, CA 94022

Re: 40 Main Street; Your File Numbers 11-D-L1 & 11-UP-01;  
EIR Required

Dear Mayor Carpenter and Members of the City Council:

This office represents 4 Main Street LLC, the owners of the office building adjacent to 40 Main Street. The owners of 40 Main Street are seeking the approvals needed to construct a three-story office building. This would be the first three-story office building to be approved for Main Street, Los Altos, and would set a very negative precedent of disregarding the compatibility, parking, and height limitation requirements. It is our position that the project is inconsistent with City regulations in so many respects that it should be outright denied. If the City Council is not inclined to outright deny the application, however, then we object to the recommended mitigated negative declaration (MND).

The matter is brought to hearing before you with certain recommendations from your Planning Commission, including a recommendation to adopt the MND for the proposed project. For the reasons stated hereafter, due to the numerous inconsistencies between the project as proposed and applicable City regulations, approval of the MND would violate CEQA. If it is the City Council's desire to approve the project as proposed, it must first cause to be prepared a legally adequate Environmental Impact Report (EIR) and approve that EIR along with a Statement of Overriding Considerations,

because that is the only mechanism recognized by CEQA to allow project approval despite unmitigated significant environmental impacts such as presented by the project proposed for 40 Main Street.

#### **A. The Fair Argument Standard**

Because adoption of a negative declaration has a "terminal effect on the environmental review process," the standard for requiring an EIR is very low: the negative declaration must be set aside whenever substantial evidence supports a "fair argument" that an impact may occur. (*No Oil, Inc. v. City of Los Angeles* (1974) 13 Cal.3d 68, 75.) Under such circumstances, it is enough to establish that a significant impact may occur; "contrary evidence is not adequate to support a decision to dispense with an EIR." (*Sierra Club v. County of Sonoma* (1994) 6 Cal.App.4th 1307, 1316; *Sundstrom v. County of Mendocino* (1988) 202 Cal.App.3d 296, 310; *Friends of B Street v. City of Hayward* (1980) 106 Cal.App.3d 998, 1003.

The threshold for finding the "fair argument" is exceedingly low:

"The court reviewing an agency's decision not to prepare an EIR in the first instance must set aside the decision if the administrative record contains substantial evidence that a proposed project might have an environmental impact: in such a case, the agency has not proceeded as required by law.... Under this 'fair argument' standard, deference to the agency's determination is not appropriate and its decision not to require an EIR can be upheld only when there is no credible evidence to the contrary." (*Sierra Club v. County of Sonoma, supra*, at 1317-1318.)

"Because a negative declaration ends environmental review, the fair argument test provides a low threshold for requiring an EIR." (*Ocean View Estates Homeowners Association, Inc. v. Montecito Water District* (2004) 116 Cal.App.4th 396, 399.)

Based upon evidence already in the administrative record, there presently exists a fair argument that the project as currently proposed may cause significant environmental impacts of at least three types: land use inconsistencies; parking and aesthetics. Each of those is discussed separately below.

#### **B. Land Use and Planning**

The CEQA Guidelines checklist describes the environmental inquiry regarding land use and planning as follows:

Would the project: . . . (b) conflict with any land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the General Plan, Specific Plan, local council program or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?"

The MND before you concludes that this impact is less than significant with mitigation. That view, however, is necessarily based upon an overly flexible interpretation of the City's General Plan, Zoning Ordinance and Design Guidelines.

To find an accurate and detailed description of the inconsistencies between the project as proposed and the City's regulations, one need look no further than Mr. Kornfeld's January 9, 2012 memorandum to the Planning Commission. In that memorandum, Mr. Kornfeld correctly described the following conflicts from either Planning Staff perspective or, in some instances, relating comments of members of the Architectural and Site Review Committee: Building 5' taller than allowed by code; bulk and mass incompatible with the Downtown Design Guidelines or the General Plan; parking does not meet code requirements; tower element inconsistent with Downtown Design Guidelines; paseo does not meet code requirements or satisfy the findings for the grant of a development incentive; lack of appropriate architectural integrity; the conditional use does not comply with the regulations prescribed for its district; and the structure is not in scale with existing development.

Despite the existence all of these inconsistencies, the Planning Commission recommended approval of the MND. This appears to have been based on a view of the City's regulations being so flexible that they can absorb virtually any deviation from the standards set forth in those regulations. That interpretation would make the regulations themselves meaningless. It would be an abuse of discretion for the City Council to view its General Plan, Zoning Ordinance or Design Guidelines in this manner.

It appears to be the Planning Commission's view, for example, that an exception or variance can be granted regarding the height of the building and its third floor massing, and since the City's regulations recognize the availability of the exception or variance procedure, there is no inconsistency with the City regulations so long as the variances are granted. Following that logic, there is no maximum height for structures in the City, just a generally suggested height, which any applicant can exceed by obtaining a variance.

---

<sup>1</sup> As a tangential matter, it should be noted that it would be an abuse of discretion for the City to grant a variance to 40 Main Street for its height and third floor massing. State law requires that

Similarly, it appears to be the Planning Commission's perspective that virtually any regulation can be circumvented using the development incentive process. While staff is of the opinion that the development incentive findings cannot be made (and we concur with staff's analysis in that regard), your Planning Commission nonetheless appears to believe that the availability of the development incentives program has the ability to make project features which are on their face inconsistent with regulations somehow consistent with these regulations. It is our assertion that an inconsistency is an inconsistency.

There is certainly a fair argument that the project as proposed is inconsistent in many respects with the City's land use regulations. In addition to the above, you will also be receiving letters from architect Steve Borlik, and from Von G. Packard, listing additional land use and planning conflicts. At a minimum, to demonstrate consistency with those regulations in light of the need for variances and development incentives, it would be necessary for the City to establish at the CEQA stage that facts exist to support the granting of the variances and that the development incentive findings can be made. As we have asserted in this letter evidence that the variance findings cannot be made, and by reference to the staff report, architect's letter, and neighbor's letter evidence that the development incentive findings cannot be made, we have set forth a fair argument of substantial unmitigated land use and planning impacts, and an EIR is required.

### **C. Parking Impacts**

Mr. Kornfeld's memorandum also properly provides substantial evidence that the project as proposed will cause a parking impact. However, that memo takes the position that parking does not constitute an environmental impact because the inquiry of whether the project would "result in inadequate parking capacity" was removed from the State's most recent environmental checklist of potential effects. While the Natural Resources Agency removed that language from the environmental checklist in its most recent amendment to the checklist, Mr. Kornfeld has read too much into that amendment.

The amendment of the CEQA checklist was the culmination of a lengthy process by the Natural Resources Agency, primarily focused on addressing greenhouse gasses in the context of CEQA, but also addressing other issues,

---

such a variance be based upon unique characteristics of the site that, in the absence of the variance, deprive the property owner of rights enjoyed by other properties in the same zoning district (Government Code Section 65906). It appears from the administrative record that no such showing could be made, and therefore allowing 40 Main Street to exceed the code requirements regarding height and third floor massing would constitute a grant of special privilege.

including parking. In its *Initial Statement of Reasons* (July 2009, p. 68), the Natural Resources Agency described the following reasons for eliminating the "parking questions" from the CEQA checklist:

"... The proposed amendments would eliminate the existing question (f) related to parking capacity. Case law recognizes that parking impacts are not necessary environmental impacts. [Citation omitted.] So therefore the question related to parking is not relevant in the initial study checklist. As noted above, however, if there is substantial evidence indicating adverse environmental impacts from the project relating to parking capacity, the lead agency must address such potential impact regardless of whether the checklist contains parking questions." (*Id*, emphasis added.)

Regarding the proposed project, Mr. Kornfeld correctly described in his memo the adverse environmental impacts from the proposed project relating to parking capacity. Based on the City's own study, Plaza 10 is at or above 85% capacity during the peak midday hours. As a result, there is insufficient parking capacity to satisfy the 28 parking space City code determined need of the proposed project (and even more of a shortfall when considering the effective 47 stall need of the proposed project). On this point, see also the Pang Engineers, Inc. study dated 2/25/2008, and the Pang Engineers, Inc. Peer Review dated 1/6/2012.

Consequently, because the parking shortfall undeniable has a potential environmental impact associated with the project, that impact must be analyzed notwithstanding the absence of the "parking question" from the CEQA checklist. Here, substantial evidence exists supporting a fair argument that the project as proposed will create a substantial unmitigated parking impact in the area. That impact must necessarily be the subject of a complete analysis in the EIR before the City can consider approving the project as proposed.

#### **D. Aesthetic Impact**

Aesthetics is one of the categories included in the CEQA environmental checklist. Included within the aesthetics section of the checklist is the following inquiry:

Would the project: : . . (c) substantially degrade the existing visual character or quality of the site and its surroundings?"

This required inquiry clearly requires an analysis of the aesthetic compatibility of the proposed project with the surrounding land uses. That being so, it is not

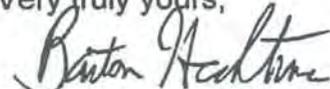
enough to say that the aesthetic impacts of the project are subject to the City's design review process rather than an environmental matter.

Instead, the aesthetics of this project in the context of its surroundings are an environmental matter, as reflected in the CEQA checklist. The aesthetic impacts identified in Mr. Kornfeld's memo, the architect's letter, the photo simulations, and the letter of Von G. Packard, along with those described elsewhere in the record create a fair argument that the project as proposed will cause a significant aesthetic impact. CEQA requires that a full analysis of that impact be provided in an EIR.

**E. Statement of Overriding Considerations**

It is our belief that when the land use inconsistencies, parking capacity shortfall and aesthetics are fully analyzed in an EIR, that EIR will conclude that the proposed project will cause a significant environmental impact which cannot be reduced to a level of insignificance absent substantial modifications to the project. In that event, one of two things must occur. Either the project applicant must modify the project so that it (a) is no longer inconsistent with land use regulations, (b) provides the required number of parking spaces, and (c) is not aesthetically incompatible with its surroundings, or the City must adopt a Statement of Overriding Consideration.

Very truly yours,

  
BARTON G. HECHTMAN

BGH/jm

cc: 4 Main Street Partners, LLC

**YOUNG AND BORLIK**  
**ARCHITECTS INCORPORATED**

480 LYTTON AVENUE, SUITE 8  
PALO ALTO, CA. 94301

TELEPHONE:           FAX:  
(650) 688-1950       (650) 323-1112

June 4, 2012

The Honorable Mayor Val Carpenter  
and City Council Members  
City of Los Altos  
One North San Antonio Road  
Los Altos, CA 94022

Re: 40 Main Street, Los Altos

Dear Mayor Carpenter and Members of the City Council:

This firm was been involved in the Los Altos downtown for many years. It was engaged by the owners of 4 Main Street, Los Altos, over a decade ago regarding different aspects of their building, and I am writing this letter on their behalf. In addition, we were the architects who designed the building at 20 First Street, Los Altos, at the corner of Edith and First Street. As such, we are very familiar with the City's procedures and requirements regarding its downtown. As a Los Altos resident of more than 15 years, I also share a particular interest in the success of the Los Altos downtown.

Earlier this year I traveled to San Francisco with the business manager of 4 Main and one of the owners to meet with the Architect for the proposed development at 40 Main. This meeting was pursuant to one of the conditions set by the Planning Commission in its January 19, 2012 action regarding the 40 Main proposal. The purpose of this letter is to review some aspects of the project and to comment on the most recent application.

**1. Parking.**

The project fails to provide the required parking. The significance of this is that the application could be denied based on this issue alone. Approval would be inconsistent with the City's plans, the needs of the downtown, and would set a precedent that could eventually result in shoppers avoiding the Los Altos downtown. It should be noted that under the current proposal, in addition to the deficit, there would be a real net loss of parking, since the existing driveway and on-site parking in the back of 40 Main, which together allows up to five cars, would be lost.

## **2. Height.**

The proposed project does not comply with the required height limitations. This is of such a concern that the application could be denied. The applicant proposes exceeding the height by almost 5 feet (34'-11"). Allowing excess of the 30' code prescribed height limit sets a precedent for additional similar-height buildings in the Main corridor by creating a loop-hole to incentivize future projects. The only basis for proposing the exception for the height limitation appears to be the goal of obtaining a third floor of rentable square footage. Approval would set a negative precedent in addition to being inconsistent with the rest of Main Street.

The 30' code height limit necessitates that the "head height" of windows on the uppermost floor be below that 30' level. Window heights strongly affect the perceived height of a building, thus this proposal appears contrary to the intent of the code. By ignoring the 30' limit, and substituting the parapet limit instead, the raised 3rd floor window heights as viewed from street level would be allowed to extend well above the 30' limit. Arguments suggesting that the variance of the interior ceiling height is not noticed at the exterior façade are not correct. The excess height and bulk created is contrary to the code limitation both in literal and perceived terms.

Finally, the applicant cites the need for a "gateway" for their project. There already is, however, a gateway building at the entrance of Main Street and W. Edith, which is 4 Main Street. It was built to be a welcoming gateway, with considerable landscape space in front devoted to providing an open ambience to the village. There is no need for a second "gateway," particularly one which would be higher and further from San Antonio Road. If special consideration is contemplated for developing "near" the gateway, then arguments should favor strict, rather than relaxed compliance with codes and standards of the Main Street corridor enhancing public presentation of the downtown scale, character and village charm.

## **3. Compatibility and perceived bulk.**

As proposed, the building is still not compatible with the downtown, and has a perceived three-story bulk that is out of place. Comparing the overall height of the proposed hotel to 40 Main can be misleading, since the top floor of the hotel is hidden within the roof structure, the perceived height being primarily the eave line, which is at two-stories for both 4 Main and 1 Main. The condition from the Planning Commission, which we consider generous, is to: "Reduce the bulk and mass of the third floor appreciably such that the project is more consistent with the buildings at 1 Main Street (hotel) and 4 Main Street." The applicant's newly revised plan fails to comply with this condition. The slight set-back of the third floor is not "appreciable," and fails to achieve the goal of being more consistent with the buildings at 1 Main Street (proposed hotel) and 4 Main Street. This failure of consistency remains due to the fact that the new proposal is substantially the same as previous versions; its eave/cornice line is substantially taller than those of surrounding buildings, so it continues to present an appearance of incompatible bulk.

The proposed project also fails to comply with one of the most important elements of the Design Guideline criteria, which is "...Externalizing the character of the downtown..." The proposed

building is different in both bulk and actual size, and therefore does not reflect or externalize that same "small-town village" character. Instead, it could abruptly change it.

When in San Francisco, I was shown a collection of plans the applicant had submitted to the City over several years. Such a collection might draw sympathy if it showed the applicant had tried different approaches to comply fully with the requirements of the City. As an architect, however, it became clear to me that the many applications have been minor variations of the same overall plan retaining substantially the same size and bulk. The most current application still maintains the bulk of the outer structure of the building, primarily removing only internal 2nd floor area, thus making no change to the bulk, and possibly allowing the square footage to be added at a future date.

#### **4. Paseo & Tower.**

Although the paseo is offered as a design incentive, used to justify overlooking the challenging problems with parking and height restriction limitations, it fails to meet the city's minimum standards and recommendations for a paseo. In my opinion the proposed paseo should be on the 4 Main Street side. The 4 Main building was originally designed to capture natural light. There is a potential design benefit to both buildings in recognizing rather than ignoring these large existing light wells with the new design. The light wells on the 4 Main building provide opportunities for "punctuation and articulation" in developing a successful paseo. The Downtown Design Guidelines call for paseos to be a minimum of 10' in width, and encourage courtyards which remain open to the sky. The narrow six foot width of the proposed paseo at the Main Street sidewalk is functionally substandard, and the overhangs from floors above decrease the benefit substantially. Even as the light wells of 4 Main do not meet all of the requirements for courtyards, it is obvious that they would contribute constructively to a successful paseo between the two buildings.

The 45' tower element may need to be eliminated. If the tower is intended to be the expression of a gateway, it should be closer to W. Edith Ave., not further within the village. The tower element would be more complementary to the two story height of 4 Main than the adjacent one story building. We were told by the applicant's Architect that the tower was originally created to be complimentary to a now defunct proposal at 1 Main. So, it now seems out of place, a remnant with no balancing reference, its height and scale potentially out of proportion with neighboring buildings. I believe both the tower and paseo would be more successful on the W. Edith side of the proposed development.

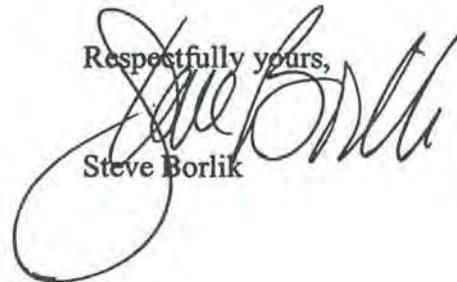
#### **5. Summary.**

In summary, the current proposal is contrary to the City's compatibility requirements, height limitations, and parking requirements. These would set a precedent for the downtown core that could be a detriment to the retail environment. While we would like to see a development proceed at 40 Main Street, it needs to comply with the City's codes and policies with regard to the issues raised above. Instead of continuing the current application and expend City resources, we recommend that it be denied.

The Los Altos Downtown Urban Design Plan recommends “presenting an outward appearance, consistent with the small-scale pedestrian core.” It also says that entry zones to the downtown should be designed so as to “give a distinct identity to the Village.” The Los Altos Downtown “village character” is referenced throughout the Plan; it is recognized as something which cannot be duplicated in a modern shopping mall.

The Plan concludes by saying that “Success will require a focused effort on the part of City decision-makers, Downtown merchants, as well as continued support by the community.” On behalf of 4 Main Street, and as an Architect, I ask the City Council and Staff to consider this question in evaluating the application: Does the considered proposal for new development capitalize on an opportunity to realize the framework for updating the village in a way that retains the “small-scale, historic character that no mall or shopping center can match” which is so highly regarded within the Downtown Urban Design Plan? In my professional opinion, the answer is “no.”

Respectfully yours,

A handwritten signature in black ink, appearing to read "Steve Borlik", written over the typed name.

Steve Borlik



June 5, 2012

Los Altos City Council  
City of Los Altos  
1 North San Antonio Road  
Los Altos, CA 94022

Dear Council Members:

The Los Altos Chamber of Commerce urges your approval of the three-story office project proposed for 40 Main Street. Jerry Sorensen presented the plans to the Chamber's Government Affairs Committee on May 14. The committee subsequently recommended a support position, which was approved by the Board of Directors on May 17.

For several years the Sorensens have worked persistently with the City planning staff on plans to develop this property. It is the opinion of the Board of Directors that the project as now proposed complies with the City's building requirements and will be an enhancement to Downtown Los Altos, both economically and visually.

Los Altos is experiencing a welcome resurgence in the core downtown area and we encourage the City Council to be leader in fostering efforts in this direction.

Sincerely,

Julie Rose  
President

# CITY COUNCIL SUBMISSION

## 40 MAIN STREET, LOS ALTOS, CA

MAY 22, 2012  
ALTERNATE PROPOSAL "E"



A0.0	COVERSHEET
A0.01	RENDERING- VIEW FROM MAIN STREET
A0.02	RENDERING-VIEW OF PASEO
A0.1	SITEPLAN
A0.2	LANDSCAPE PLAN
A1.0	GROUND FLOOR PLAN
A2.0	MEZZANINE FLOOR PLAN
A3.0	SECOND FLOOR PLAN
A4.0	ROOF PLAN
A5.0	EAST AND SOUTH ELEVATIONS
A6.0	NORTH AND WEST ELEVATIONS
A7.0	PASEO PLAN AND TRELLIS ELEVATION
A8.0	BUILDING SECTIONS AND DETAILS
A9.0	WINDOW DETAILS
A10.0	MATERIALS BOARD

ARCHITECTS  
UESUGI & ASSOCIATES  
870 MARKET STREET, SUITE 505  
SAN FRANCISCO, CA 94111

40 MAIN STREET  
COMMERCIAL OFFICE PROJECT  
LOS ALTOS, CALIFORNIA

CITY COUNCIL SUBMISSION  
MAY 22, 2012  
SCHEME E

A0.0

COVERSHEET



ARCHITECTS  
UESUGI & ASSOCIATES  
870 MARKET STREET, SUITE 505  
SAN FRANCISCO, CA 94111

40 MAIN STREET  
COMMERCIAL OFFICE PROJECT  
LOS ALTOS, CALIFORNIA

CITY COUNCIL SUBMISSION  
MAY 22, 2012  
SCHEME E

A0.01

RENDERING-  
VIEW FROM  
MAIN STREET



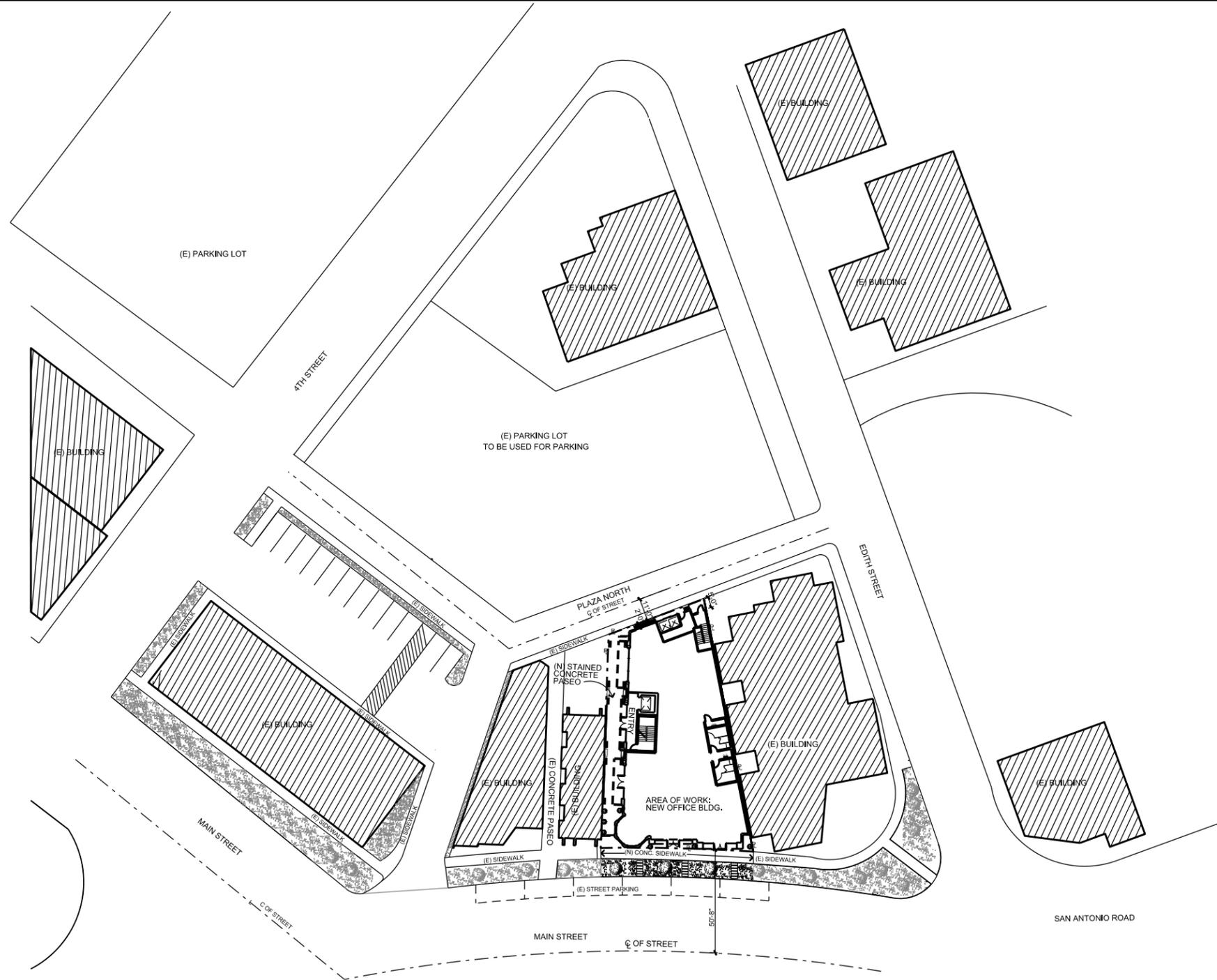
ARCHITECTS  
UESUGI & ASSOCIATES  
870 MARKET STREET, SUITE 505  
SAN FRANCISCO, CA 94111

40 MAIN STREET  
COMMERCIAL OFFICE PROJECT  
LOS ALTOS, CALIFORNIA

PLANNING SUBMITTAL  
MAY 22, 2012  
SCHEME E

A0.02

RENDERING-  
PASEO VIEW



LAND DEVELOPMENT CALCULATIONS (SCHEME E)	
SITE AREA:	7,841 SQ.FT.
LOT COVERAGE PROPOSED:	
GROUND FLOOR:	72.6%
MEZZANINE FLOOR:	51%
SECOND FLOOR:	72.5%
TOTAL PROPOSED IMPERVIOUS SURFACE: (PASEO: 989 SQ.FT.) (BLDG. FRONTAGE: 176 SQ.FT.) (BLDG. REAR: 82)	1,247 SQ.FT.
GROSS BUILDING AREA:	GROUND FLOOR: 5,694.6 SQ.FT. MEZZANINE FLOOR: 4,025 SQ.FT. SECOND FLOOR: 5,690 SQ.FT. TOTAL: 15,409.6 SQ.FT.
NET BUILDING AREA	GROUND FLOOR : 4,921 SQ.FT. MEZZANINE FLOOR: 3104 SQ.FT. SECOND FLOOR: 4,875 SQ.FT. TOTAL: 12,900 SQ.FT. FOR PARKING CALCULATIONS.
NOTE: PARKING PROVIDED PER LOS ALTOS MUNICIPAL CODE.	

1 SITEPLAN  
 A0.1 SCALE: 1/30" = 1'-0" (full size)  
 1/60" = 1'-0" (half size)

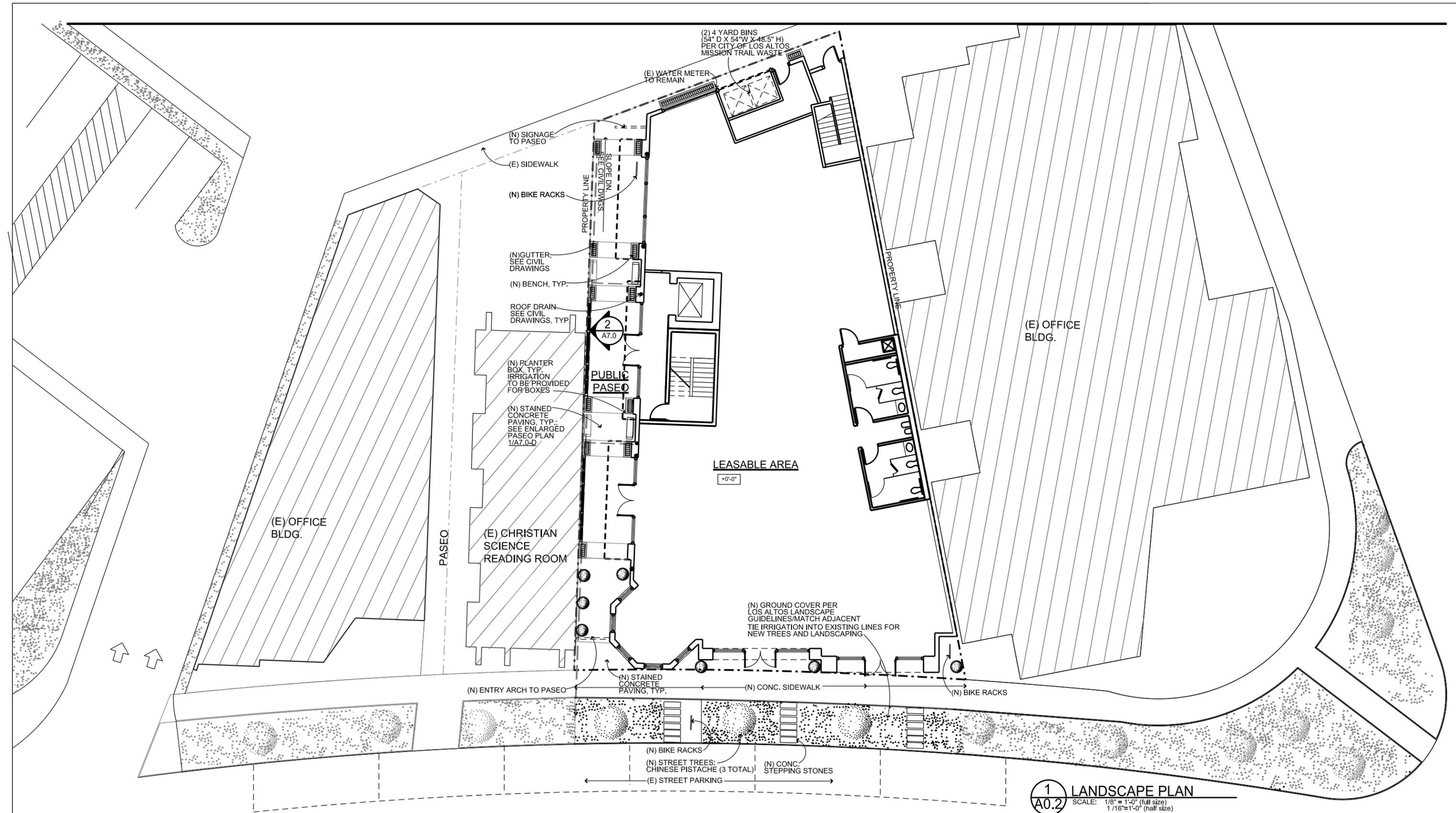
ARCHITECTS  
 UESUGI & ASSOCIATES  
 870 MARKET STREET, SUITE 505  
 SAN FRANCISCO, CA 94111

40 MAIN STREET  
 COMMERCIAL OFFICE PROJECT  
 LOS ALTOS, CALIFORNIA

CITY COUNCIL SUBMISSION  
 MAY 22, 2012  
 SCHEME E

A0.1

SITEPLAN



**1** LANDSCAPE PLAN  
**A0.2** SCALE: 1/8" = 1'-0" (full size)  
 1/16" = 1'-0" (half size)

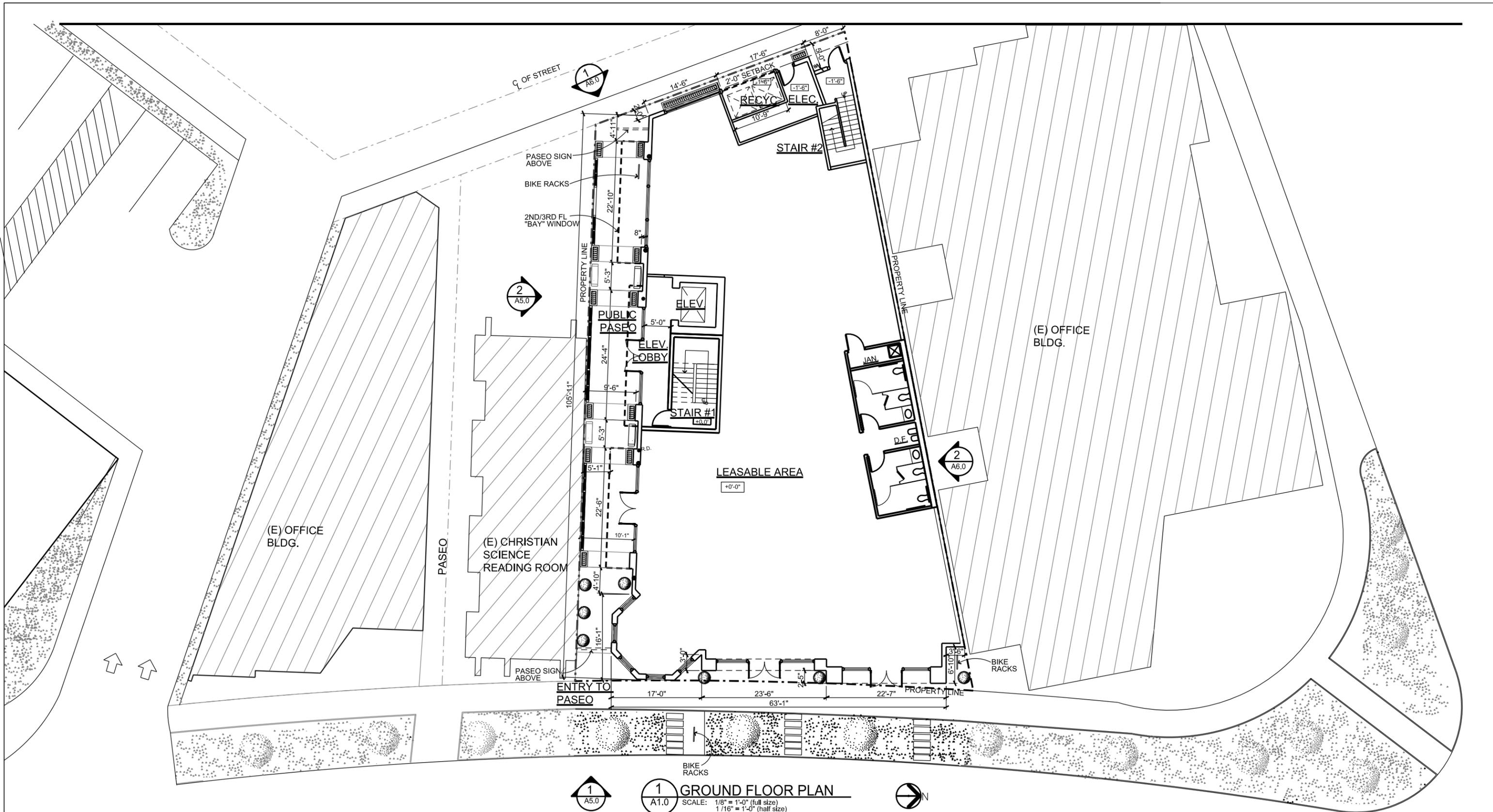
ARCHITECTS  
 UESUGI & ASSOCIATES  
 870 MARKET STREET, SUITE 505  
 SAN FRANCISCO, CA 94111

40 MAIN STREET  
 COMMERCIAL OFFICE PROJECT  
 LOS ALTOS, CALIFORNIA

CITY COUNCIL SUBMISSION  
 MAY 8, 2012  
 SCHEME E

A0.2

LANDSCAPE PLAN



**1**  
A1.0 **GROUND FLOOR PLAN**  
SCALE: 1/8" = 1'-0" (full size)  
1/16" = 1'-0" (half size)

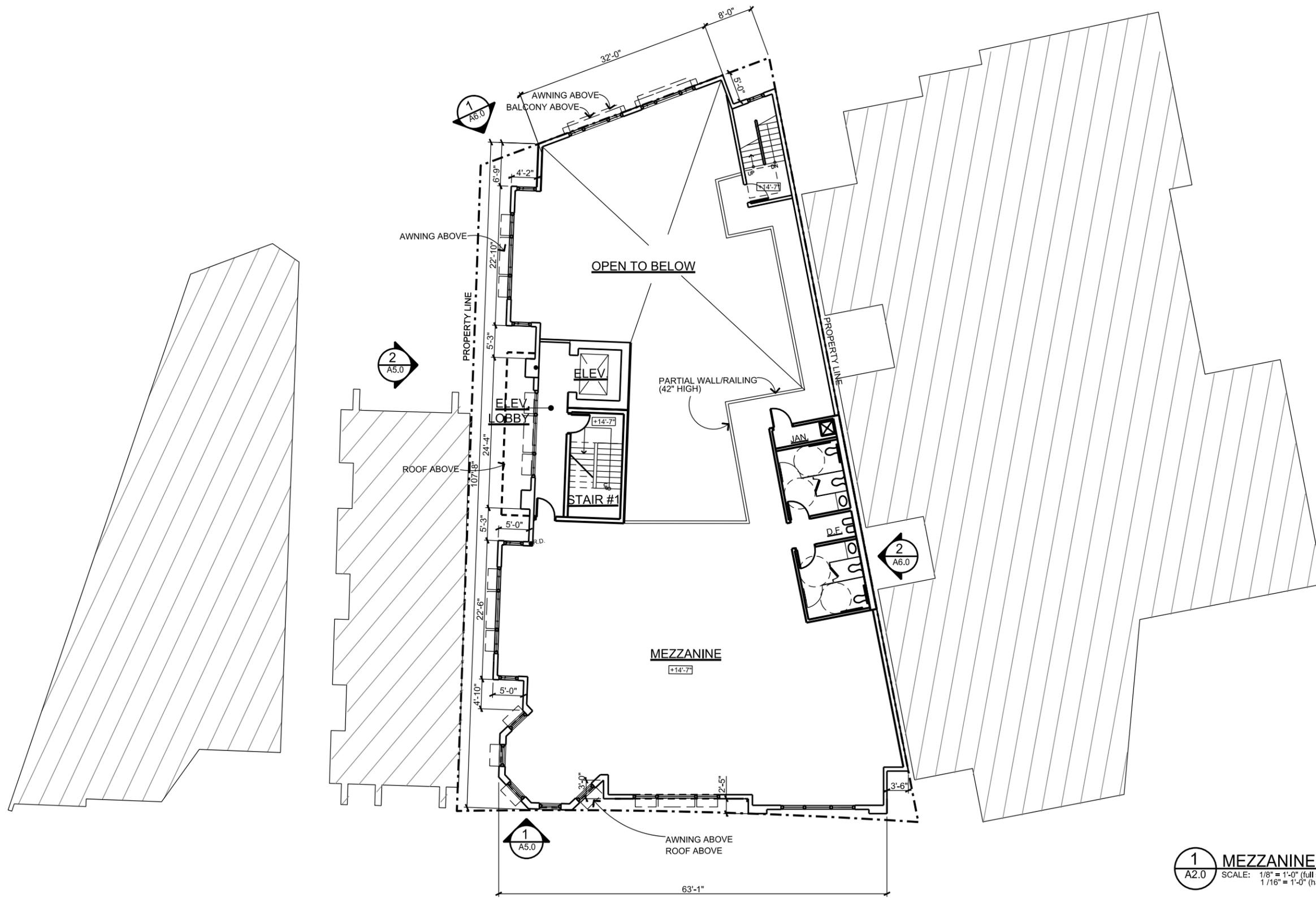
ARCHITECTS  
UESUGI & ASSOCIATES  
870 MARKET STREET, SUITE 505  
SAN FRANCISCO, CA 94111

**40 MAIN STREET**  
COMMERCIAL OFFICE PROJECT  
LOS ALTOS, CALIFORNIA

CITY COUNCIL SUBMISSION  
MAY 8, 2012  
SCHEME E

A1.0

**GROUND FLOOR PLAN**



**1 MEZZANINE FLOOR PLAN**  
 A2.0 SCALE: 1/8" = 1'-0" (full size)  
 1/16" = 1'-0" (half size)

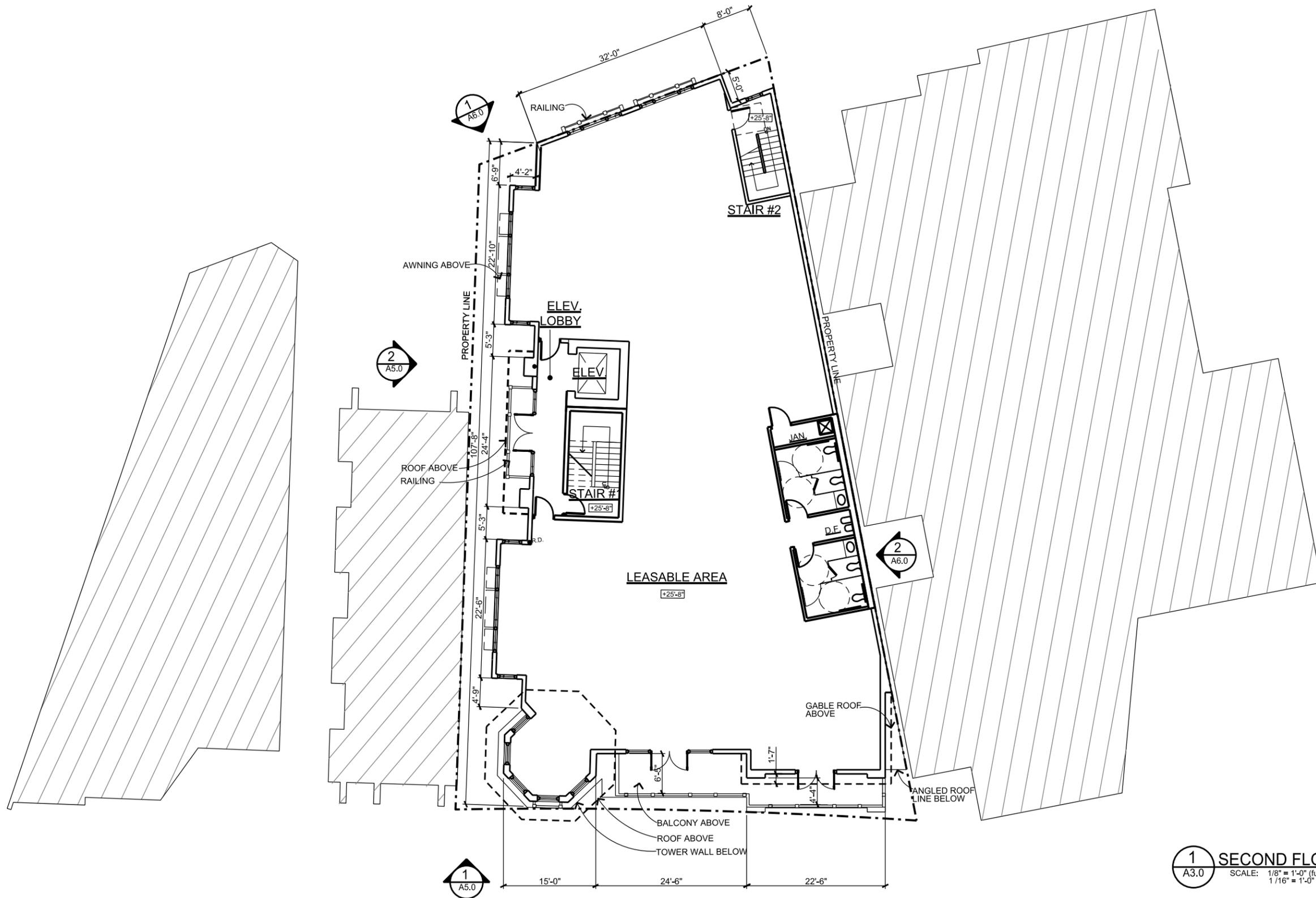
ARCHITECTS  
 UESUGI & ASSOCIATES  
 870 MARKET STREET, SUITE 505  
 SAN FRANCISCO, CA 94111

**40 MAIN STREET**  
 COMMERCIAL OFFICE PROJECT  
 LOS ALTOS, CALIFORNIA

CITY COUNCIL SUBMISSION  
 MAY 8, 2012  
 SCHEME E

A2.0

**MEZZANINE  
 FLOOR  
 PLAN**



**1 SECOND FLOOR PLAN**  
 A3.0 SCALE: 1/8" = 1'-0" (full size)  
 1/16" = 1'-0" (half size)

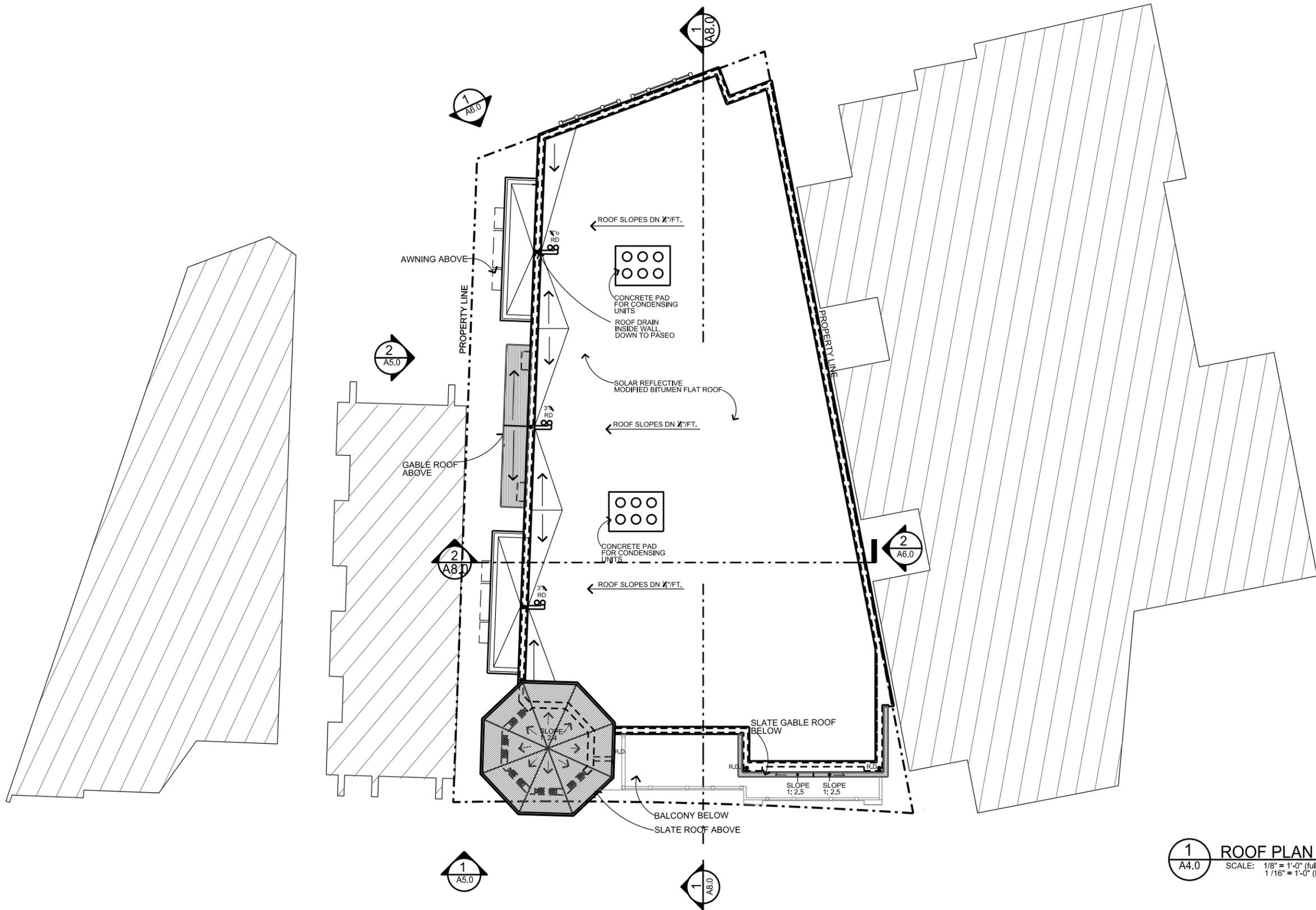
ARCHITECTS  
 UESUGI & ASSOCIATES  
 870 MARKET STREET, SUITE 505  
 SAN FRANCISCO, CA 94111

**40 MAIN STREET**  
 COMMERCIAL OFFICE PROJECT  
 LOS ALTOS, CALIFORNIA

CITY COUNCIL SUBMISSION  
 MAY 8, 2012  
 SCHEME E

A3.0

**SECOND FLOOR PLAN**



**1** ROOF PLAN  
 SCALE: 1/8" = 1'-0" (full size)  
 1/16" = 1'-0" (half size)

ARCHITECTS  
 UESUGI & ASSOCIATES  
 870 MARKET STREET, SUITE 505  
 SAN FRANCISCO, CA 94111

**40 MAIN STREET**  
 COMMERCIAL OFFICE PROJECT  
 LOS ALTOS, CALIFORNIA

CITY COUNCIL SUBMISSION  
 MAY 8, 2012  
 SCHEME E

A4.0

ROOF PLAN



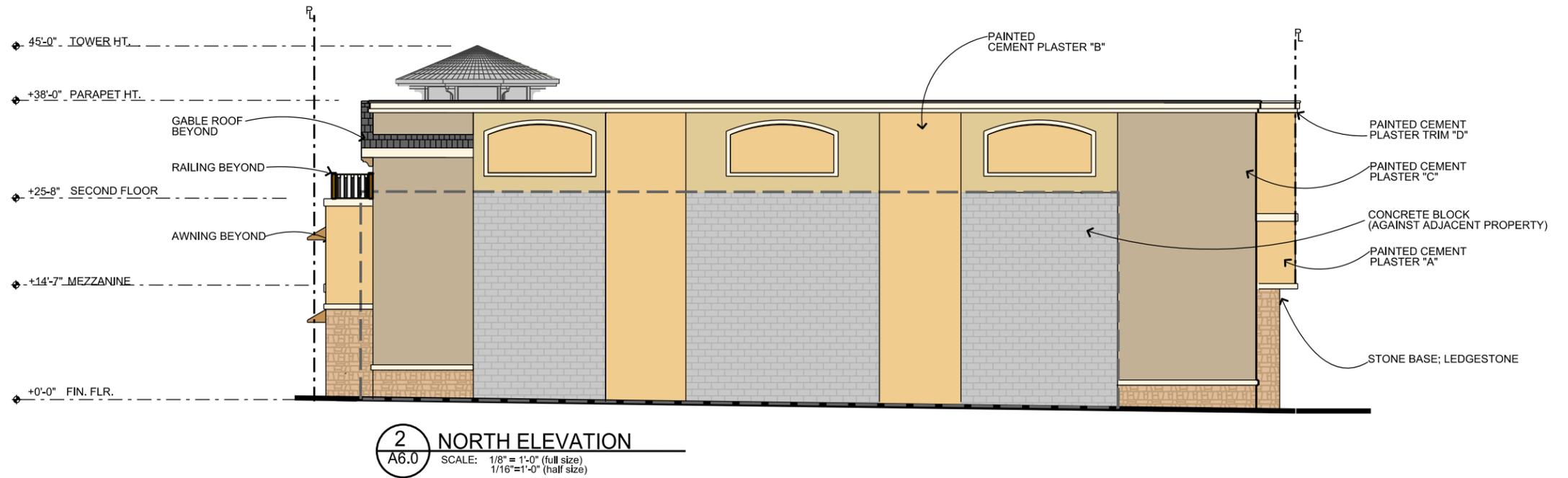
ARCHITECTS  
UESUGI & ASSOCIATES  
870 MARKET STREET, SUITE 505  
SAN FRANCISCO, CA 94111

40 MAIN STREET  
COMMERCIAL OFFICE PROJECT  
LOS ALTOS, CALIFORNIA

CITY COUNCIL SUBMISSION  
MAY 8, 2012  
SCHEME E

A5.0

EAST/ SOUTH  
ELEVATIONS



ARCHITECTS  
UESUGI & ASSOCIATES  
870 MARKET STREET, SUITE 505  
SAN FRANCISCO, CA 94111

40 MAIN STREET  
COMMERCIAL OFFICE PROJECT  
LOS ALTOS, CALIFORNIA

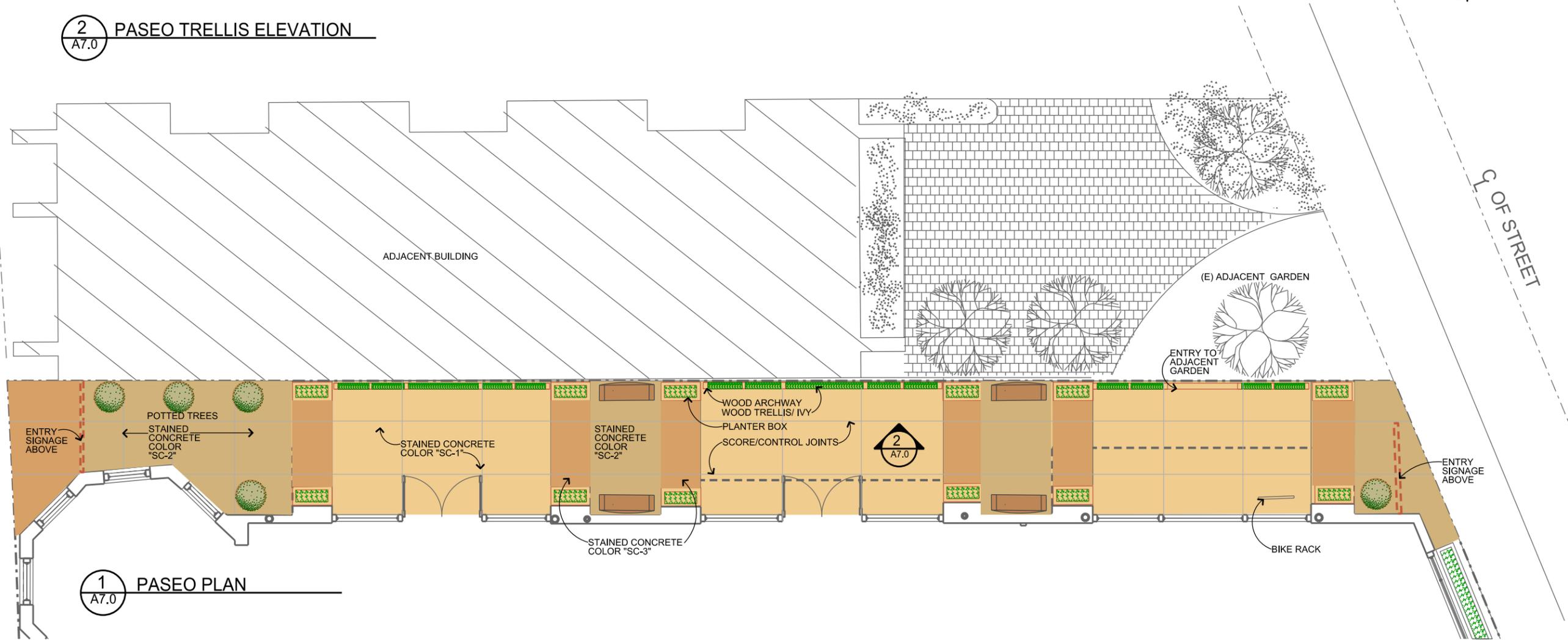
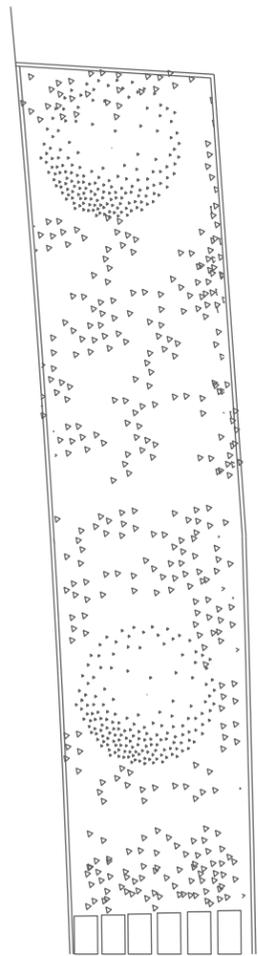
CITY COUNCIL SUBMISSION  
MAY 8, 2012  
SCHEME E

A6.0

WEST AND  
NORTH  
ELEVATIONS



2 PASEO TRELLIS ELEVATION  
A7.0



ARCHITECTS  
UESUGI & ASSOCIATES  
870 MARKET STREET, SUITE 505  
SAN FRANCISCO, CA 94111

40 MAIN STREET  
COMMERCIAL OFFICE PROJECT  
LOS ALTOS, CALIFORNIA

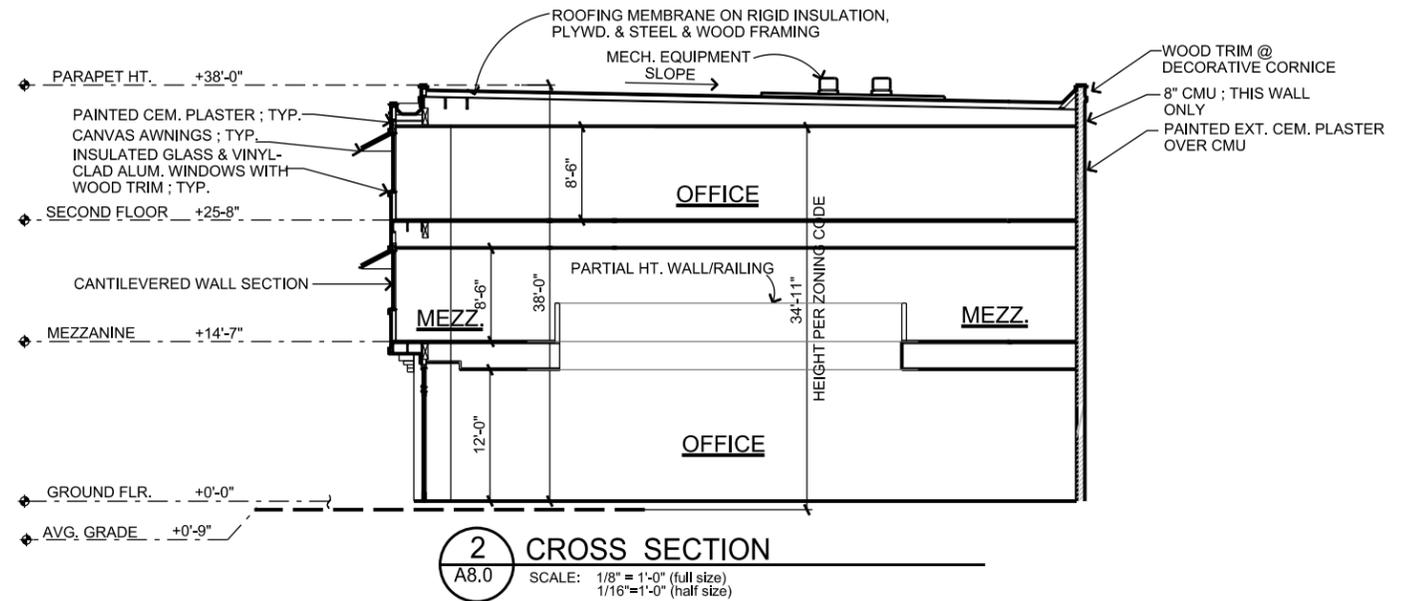
CITY COUNCIL SUBMISSION  
MAY 8, 2012  
SCHEME E

A7.0

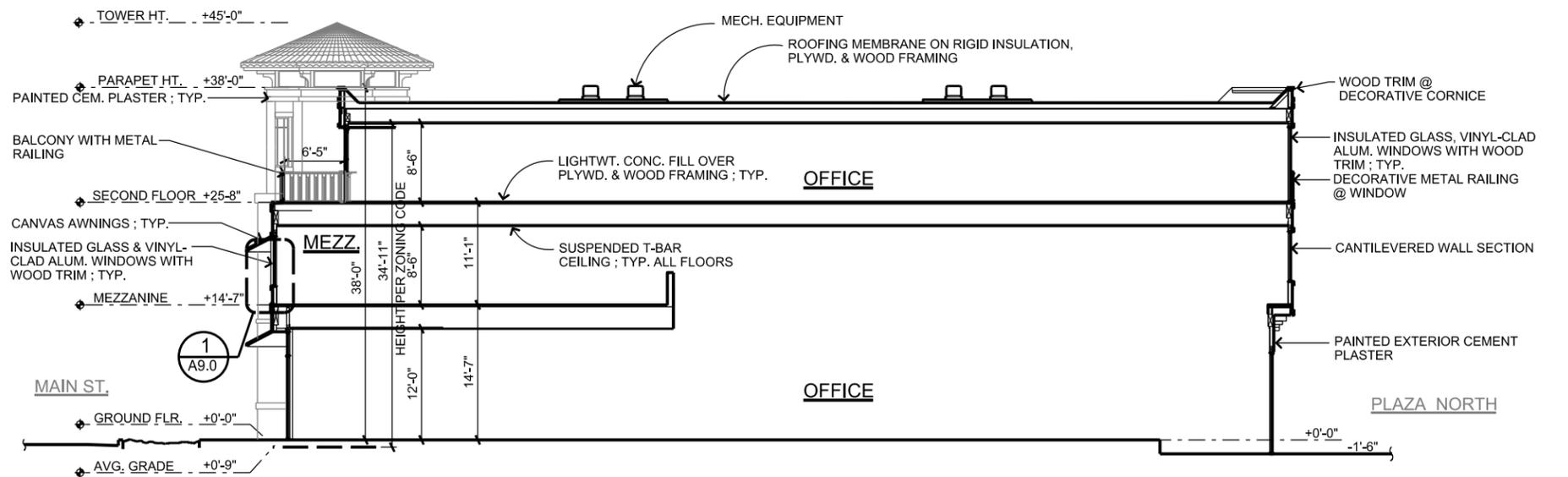
PASEO PLAN  
AND  
TRELLIS  
ELEVATION



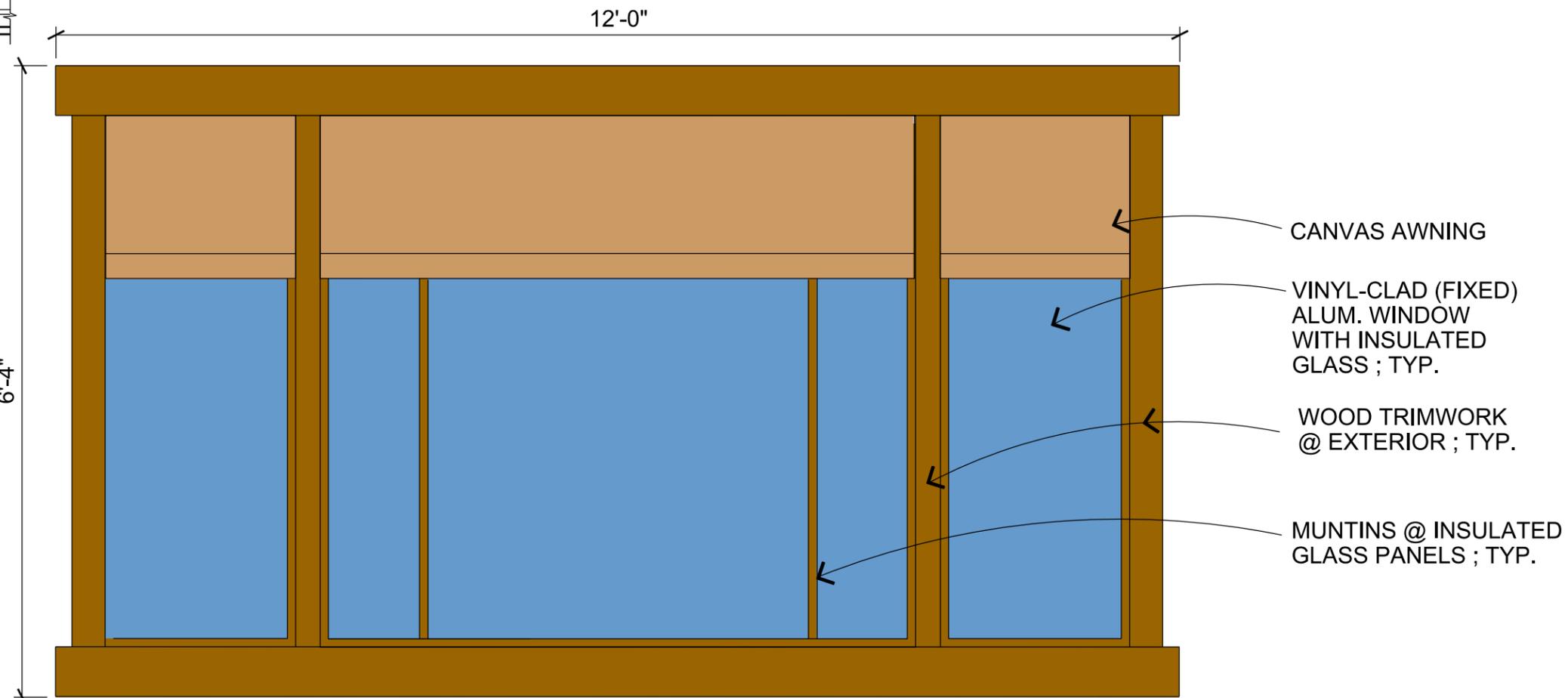
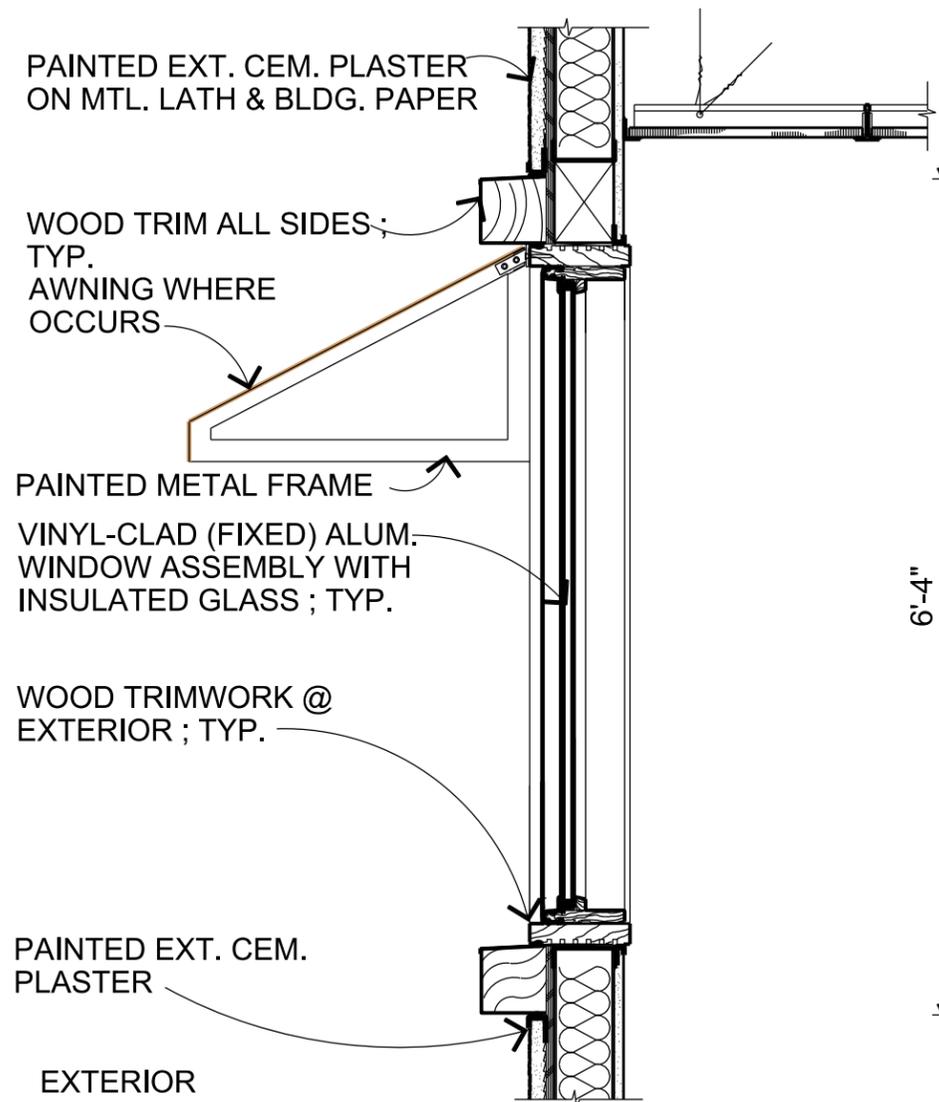
**3** RAILING DETAIL  
A8.0



**2** CROSS SECTION  
A8.0  
SCALE: 1/8" = 1'-0" (full size)  
1/16" = 1'-0" (half size)



**1** LONGITUDINAL SECTION  
A8.0  
SCALE: 1/8" = 1'-0" (full size)  
1/16" = 1'-0" (half size)



**1** TYP. SECTION @ WINDOW  
 A9.0 SCALE : 3" = 1'-0" (full size)  
 1½" = 1'-0" (half size)

**2** TYP. SECTION @ WINDOW  
 A9.0 SCALE : 3" = 1'-0" (full size)  
 1½" = 1'-0" (half size)

ARCHITECTS  
 UESUGI & ASSOCIATES  
 870 MARKET STREET, SUITE 505  
 SAN FRANCISCO, CA 94111

40 MAIN STREET  
 COMMERCIAL OFFICE PROJECT  
 LOS ALTOS, CALIFORNIA

CITY COUNCIL SUBMISSION  
 MAY 8, 2012  
 SCHEME E

A9.0

WINDOW DETAILS



ARCHITECTS  
UESUGI & ASSOCIATES  
870 MARKET STREET, SUITE 505  
SAN FRANCISCO, CA 94111

40 MAIN STREET  
COMMERCIAL OFFICE PROJECT  
LOS ALTOS, CALIFORNIA

CITY COUNCIL SUBMISSION  
MAY 8, 2012  
SCHEME E

A10.0

MATERIALS  
BOARD