

MEMORANDUM

DATE: May 21, 2009
TO: Planning Commission
FROM: Zachary Dahl, Associate Planner
SUBJECT: 07-GPA-01, 07-Z-01, 07-D-02 AND 07-UP-01—323 & 373 PINE LANE

RECOMMENDATION

Motions to recommend to the City Council:

1. Certification and adoption of the Environmental Impact Report with a Statement of Overriding Considerations;
2. Approval of the General Plan Map Amendment and Zoning Amendment subject to the attached findings; and
3. Approval of the Design Review and Use Permit applications subject to the attached findings and conditions.

PROJECT DESCRIPTION

The proposal includes the redevelopment and expansion of the existing Pilgrim Haven continuing care retirement community facility at 323 and 373 Pine Lane. The project will demolish 12 existing structures (77,869 square feet total), retain three buildings on the west end of the site (25,123 square feet total) and construct four new buildings, three two-story structures and one three-story structure (201,372 square feet total). The project will result in a new facility that is a total size of 226,495 square feet (a net increase of 123,503 square feet) with 105 independent senior living units and 76 assisted living units, or "beds" (a net increase of 31 living units and a net decrease of three beds). The project also includes 89 ground level on-site parking spaces and an underground parking garage with 83 spaces.

EXISTING GENERAL PLAN:	Public and Institutional and Single Family
PROPOSED GENERAL PLAN:	Public and Institutional
EXISTING ZONING:	PCF, Public and Community Facilities and R1-10, Single-Family
PROPOSED ZONING:	PCF, Public and Community Facilities
PARCEL SIZE:	5.99 acres (260,820 square feet)
MATERIALS:	Composition roof, horizontal lap siding, aluminum windows, natural stone veneer and wood trim, railings and architectural details

	Existing	Proposed	Allowed/Required
COVERAGE:	79,920 square feet (31%)	99,182 square feet (38%)	78,198 square feet (30%)
SETBACKS:			
Front (Los Altos Ave.)	180 feet	45 feet, 6 inches	40 feet
Exterior Side (Pine Lane) 1 st /2 nd	23 feet	37 feet/45 feet	35 feet/45 feet
Interior Side 1 st /2 nd	16 feet	29 feet/35 feet	25 feet/35 feet
Rear (west boundary)	82 feet	82 feet	50 feet
HEIGHT:	30 feet; 2 stories	30 feet; 3 stories	30 feet; 2 stories
PARKING:	91 spaces	172 spaces	118 spaces

BACKGROUND

Existing Use

The Pilgrim Haven continuing care retirement community is an existing senior care facility that has operated at this location since 1949. The main facility, located on a 4.83 acre parcel at 373 Pine Lane, consists of 13 buildings with 91 on-site parking spaces. The facility currently provides 65 beds in the skilled nursing unit, 14 beds in the assisted living unit and 74 senior housing, or "independent living," units. The site also includes administrative offices, dining facilities and other amenities necessary to operate a senior care facility. The adjacent property at 323 Pine Lane, referred to as the "Spagnoli Property", is 1.16 acres in size, owned by Pilgrim Haven and is developed with a residence and accessory structures that are used as part of the senior care facility.

As part of the applicant's effort to modernize the facility, they are seeking to construct a new facility that includes the Spagnoli property. In order to redevelop and expand the facility, the Spagnoli property will need a General Plan Amendment and a Zoning Amendment from the R1-10 Single Family designation to the PCF Public and Community Facilities designation. The project will also require an updated Use Permit to operate the new continuing care retirement community, a Lot-Line Adjustment to merge the two properties together and Design Review approval for the new buildings. Due to the size of the project and its location within a residential neighborhood, an Environmental Impact Report (EIR) has been prepared to evaluate its potential environmental effects.

Architecture and Site Review Committee Recommendation

The project was heard by the Architecture and Site Review Committee on March 19, 2008. The staff report and minutes from this meeting are attached. At that meeting, the Committee received a significant amount of public input. While the Committee raised some concern about aspects of the project that were not fully developed, they did express support for the overall design concept and recommended design approval subject to positive design findings with the following recommendations:

1. From the Pine Lane perspective, break up the massing of the Independent Living and the Memory Care buildings into actual or perceived smaller buildings and consider the use of paseos;
2. Break up the roof volumes of the larger buildings;
3. Provide a more effective landscape buffer on the western side;
4. Consider alternatives to the phasing in staff directive number two;
5. Provide a construction and safety plan for during and after the construction;
6. Summarize the Green Building standards used and consider exceeding the City's Green standards;
7. Provide building sections showing the relationship of the project to the Spagnoli Court properties; and
8. Consider and provide responses to the issues raised by the neighborhood.

Environmental Impact Report Public Hearing

The Planning Commission held a public hearing to receive public comment on the Draft EIR on September 18, 2008. The staff report and minutes from this meeting are attached. The Commission received written comments and oral comments from many different members of the public. Following the public hearing, the Commission outlined their questions and concerns and submitted the list for formal response. Following the end of the 45-day public review period, a Final EIR (attached) was prepared which addressed all written comments that were submitted. The response to the Planning Commission comments can be found on page 21 in the Final EIR.

DISCUSSION

Project Changes

In response to comments by staff and the Architectural and Site Review Committee, the applicant has modified the architectural design of the project. While the size and footprint of the proposed project is relatively unchanged, the architectural elevations have been revised to provide more articulation, reduce the appearance of bulk and mass and create more human scale elements. This is most apparent on the Pine Lane elevations, which have been redesigned to create the appearance of multiple house facades rather than one long continuous elevation. The elevation along Los Altos Avenue was also redesigned with similar goals in mind. The new elevations have also reduced the size and volume of the roof forms in order to decrease the appearance of bulk and mass from Pine Lane and Los Altos Avenue.

In order to address neighborhood concerns about parking in proximity to the Assisted Living, Skilled Nursing and Memory Support building, the applicant has added additional on-site parking near the building and worked with staff to develop six on-street parking stalls, with appropriate street trees and landscaping along Pine Lane between Guadalupe and Los Altos Avenue. While the on-street parking stalls will help provide more parking in proximity to this building, it will not be counted toward the number on-site parking that Pilgrim Haven will need to meet. The connection between this building and the underground parking garage has also been strengthened by developing a much more accessible pathway connection to the parking garage elevator. This pathway can be best seen on Sheet A2-2 in the project plans. The applicant has also provided an elevation that

shows a relationship between the Spagnoli Court residences and the proposed project (see Sheet A3-2, elevations 4 and 5).

As outlined in the Draft EIR, the applicants had originally proposed the project to be constructed in four phases over a span of 42 months (3.5 years). For a more detailed discussion about the construction phasing, see Master Response #1 in the Final EIR (page 7) and the text revisions in Section 4 of the Final EIR (page 261). As discussed further below, the duration of the construction noise is identified as a significant unavoidable environmental impact. In order to address the concerns related to the length of construction and the associated noise, the applicant has explored alternative construction methods and has reduced the expected construction timeline by six months, reducing the total construction time period to 36 months or three years. They were able to achieve a shorter construction timeframe and reduced noise impacts by using prefabrication techniques to construct portions of the new buildings off-site. An updated timeline for the construction phasing can be seen in Attachment E – Applicant Correspondence in the letter dated April 21, 2009. This issue is further discussed below in the Environmental Impact Report section.

Other changes to the project include new pedestrian crosswalks at the intersection of Pine Lane and Guadalupe Drive, a new sidewalk along Pine Lane between Guadalupe Drive and Los Altos Avenue and a new sidewalk along the project's Los Altos Avenue frontage. The sidewalks along Pine Lane and Los Altos Avenue will include landscaped parkways with street trees which will separate them from the street. These pedestrian improvements will provide better and safer pathways adjacent to the project site. The circular driveway which provides access to the parking garage and independent living units has also been reduced from four travel lanes down to two travel lanes.

General Plan and Zoning Amendment

The existing Pilgrim Haven property has a "Public and Institutional" land use designation and the Spagnoli property has a "Single Family" land use designation. As outlined in the Los Altos General Plan, both Single Family and Public and Institutional land use designations allow for the same type of uses to be developed. Therefore, the "Single Family" land use designation on the Spagnoli property would allow the proposed project without a General Plan map amendment. However, staff is recommending a General Plan map amendment to change the Spagnoli property to "Public and Institutional" for the purposes of clarity and consistency with the adjacent Pilgrim Haven property.

As discussed above, the proposed project expansion will include the development of the Spagnoli property at 323 Pine Lane, located on the corner of Pine Lane and Los Altos Avenue. This property is used as part of the senior care facility for administrative uses, storage and parking, but is designated as Single-Family in the General Plan and zoned R1-10. In order to move forward with the proposed development, the Zoning designation on this property will need to be changed from an R1-10 (Single-Family) designation to PCF (Public and Community Facilities) designation.

In order to approve a Zoning Amendment, the Planning Commission will need to make the following findings that: 1) the zoning change is in the best interest for the protection and/or

promotion of the public health, safety, comfort, convenience, prosperity, and welfare; and 2) the zoning change is consistent with the General Plan.

The zoning change is consistent with Policy 2.1 in the Land Use Element of the General Plan (Continue to apply land use designations which recognize existing development patterns and expected future growth). As outlined in the Los Altos General Plan, maintaining and expanding the senior housing opportunities in the City is an important objective. Specifically, the Housing Element contains seven different policies that focus on increasing housing opportunities for Los Altos' senior population. There are few sites remaining in Los Altos that have the opportunity to develop senior housing. Many of the sites that were identified in the General Plan as potential locations for senior housing, such as Chester Circle and the Los Altos Nursery, have been developed with single-family dwellings over the years. Thus, the Pilgrim Haven site and adjacent Spagnoli property provide an excellent opportunity to not only expand senior housing opportunities in Los Altos, but to also use a site that is already developed and used in a senior housing/retirement community capacity.

As outlined in the EIR, there will not be any long term environmental impacts related to operations, traffic, noise, etc. that will result from the proposed project. Based on these findings, the zoning change will not result in any negative effects related to public health, safety, comfort, convenience, prosperity, and welfare.

In addition to the zoning change on the Spagnoli property, the existing facility at 373 Pine Lane is located on a property with a split zoning of both PCF and R1-10. While the Code allows for an existing senior care facility to be located in the R1-10 zone district, the PCF District is more appropriate for this type of use and helps maintain its use over time. Therefore, the application also includes rezoning the R1-10 portion of the Pilgrim Haven site to PCF.

Design Review Findings

The current facility is developed with buildings that have a traditional style of architecture that is Craftsman inspired. The proposed development would maintain the facility's traditional architectural style with Craftsman style elements such as covered porches, horizontal lap siding, stone veneer and wood trim details such as exposed rafters and railings. These elements, combined with articulated elevations, the use of second story decks, steeper pitched roofs and various styles of dormers, create a feeling of smaller-scale buildings.

With the revised elevations and other design changes, the project has achieved a higher level of success in reducing the perception of height and bulk along Pine Lane by providing variations in wall planes, creating strong shadow relief and including smaller-scale elements. Building proportions at the ground level have been kept to a human scale and the entrances are directed toward the Pine Lane. Based on these findings, the project has architectural integrity, the buildings are well articulated and the exterior materials and finishes convey a high level of quality.

As shown on the landscape plan (Sheet L-2), a monument sign is proposed at the main entry. Staff also expects that a monument sign may be located at the entry to the skilled nursing and memory

support building. The applicant has noted that the existing signage; low profile monument signs that are currently located at the entry driveways, will be used for the new facility. Staff has added a condition (No. 8) to ensure that the signage design finding is met.

As outlined in the memorandum to the Architectural and Site Review Committee, staff finds that the project meets all applicable findings with regard to landscaping, mechanical equipment, utility areas and trash enclosures. The updated landscape plan includes additional street trees and landscaping along Los Altos Avenue and Pine Lane, and a replacement tree for the large Pine tree along Pine Lane that recently fell due to poor health. Staff has added three conditions to ensure that the findings are met. Condition No. 20 outlines the requirements for all trash enclosures; and Conditions No. 9 and 32 outline the mechanical equipment requirements related to visual screening and noise buffering.

Use Permit

The senior care facility at 373 Pine Lane has an existing use permit. However, the proposed redevelopment of the facility and expansion to include the property at 323 Pine Lane will require a new use permit. The use permit application for the new senior care facility will include making findings that: 1) the use is desirable or essential to the public health, safety and welfare; 2) the use is in accordance with the objectives of the zoning plan; 3) the use will not be detrimental to the health, safety or welfare of persons residing or working in the vicinity or injurious to property or improvements in the vicinity; and 4) the use will comply with the zoning regulations.

The project complies with all zoning code requirements with the exception of the required lot coverage and maximum number of stories (see Development Incentives discussion below). As discussed earlier, the use is desired and encouraged in the General Plan, it meets the objectives of the zoning ordinance and the use is not detrimental to the health, safety or welfare of the surrounding neighborhood.

Staff has added three conditions to ensure that the project meets the Use Permit findings. Condition No. 12 ensures that project construction noise impacts on Saturdays will be minimized, Condition No. 13 ensures that Pilgrim Haven will provide employee parking on-site, and Condition No. 14 ensures that the proposed 36-month construction schedule will be maintained. Thus, with the recommended conditions of approval, the project meets all use permit findings.

Affordable Housing and Development Incentives

As part of the project application, Pilgrim Haven has requested two development incentives; one would allow for a lot coverage of 38 percent where a maximum of 30 percent is allowed; and the second would allow a third floor to be developed where a maximum of two stories are allowed. In exchange for these development incentives, Pilgrim Haven has offered 20 percent of the new independent living units as below market rate (BMR) units. Due to the fact that Pilgrim Haven offers amenities and meals with each living unit and requires an entry fee/deposit in addition to the monthly fee, the proposed BMR units may not meet the traditional definition of affordable housing units.

Since there are unique circumstances that surround this project, each development incentive should be considered for its individual merits. The development incentive to allow for an increased amount of lot coverage should not be viewed as allowing a higher density or more units. Even if the project lot coverage was reduced to meet the District requirement, the number of units and beds would most likely remain the same as currently proposed. The additional lot coverage allows the project to improve the architectural appearance of the development by increasing articulation, breaking up the massing, including larger cover porches and walkways and reducing the "institutional" appearance of the facility. Thus, staff finds that the lot coverage development incentive will result in a superior architectural design that is more compatible with the aesthetic of the surrounding neighborhood.

The development incentive that would allow a third floor would result in Pilgrim Haven being able to develop 22 additional independent living units; thus it is reasonable to require a percentage of the total new units be designated as BMR. However, staff found that it is challenging to come up with a workable BMR model for a senior care facility such as Pilgrim Haven, which offers amenities and meals with each living unit. Staff understands Pilgrim Haven's desire to keep all units in the facility consistent with its model of providing complete health care and services and is willing to support a concept which uses a percentage of total income to determine the monthly service fee that is charged for each BMR unit. Thus, staff is recommending that the entry fee/deposit remain for the BMR units and that the monthly fee be the area targeted for reduced rates.

After researching other facilities around the State that had BMR models which included rent, food and other amenities, staff found there were many examples of BMR agreements for senior care facilities that were either unworkable or did not provide units that were actually affordable to the targeted income group. Thus, rather than identifying a certain percentage reduction of the fees for Pilgrim Haven's market rate units, staff felt it was important to tie the monthly BMR rate to an independently verifiable number: the State established average median income (AMI).

Using the California State Code as a model for the BMR agreement, designating 20 percent of the units as affordable at the Moderate income level would qualify the project for two development incentives. However, since Pilgrim Haven will be charging an entry fee/deposit for the BMR units, staff recommends designating the units as affordable at the Low income level as a way to off-set the increased initial move-in cost. The goal of this BMR model would be to provide housing opportunities to seniors who may have a large asset, such as a house, but a low fixed monthly income.

As defined in the State Code, to remain affordable, 30 percent of a yearly income is allowed for housing costs (rent and utilities). This was staff's starting point. The next challenge was to identify an appropriate percentage to cover the additional amenity costs. As outlined by Pilgrim Haven, the following amenities would be included with each living unit: one meal per day per individual, housekeeping services, all utilities except telephone, property insurance, maintenance, activities, social programming and priority access to assisted living or nursing services. While it is an inexact science, after consulting with the applicant and other retirement communities that use this model, staff is recommending that the BMR agreement peg the amenity costs at 20 percent of the identified income level for an individual and 30 percent of the income level for a couple. The reason for the

difference between an individual and couple would be the added cost of providing twice as many meals for the couple. A breakdown of the proposed BMR agreement is shown below using the most current available income data for Santa Clara County.

BMR Monthly Fee for a Senior Individual

The 2009 State income limit for a low income, one-person household is \$59,400 per year.
 $\$59,400 \times 0.50 = \$29,700$ $\$29,700/12 \text{ months} = \$2,475$ (total monthly fee)
Rental Fee (30%) = \$1,485
Amenities Fee (20%) = \$990

BMR Monthly Fee for a Senior Couple

The 2009 State income limit for a low income, two-person household is \$67,900 per year.
 $\$67,900 \times 0.60 = \$40,740$ $\$40,740/12 \text{ months} = \$3,395$ (total monthly fee)
Rental Fee (30%) = \$1,697.50
Amenities Fee (30%) = \$1,697.50

Staff has added a condition of approval (No. 16) which outlines the requirements for the BMR agreement, which will be executed prior to issuance of the building permit. To get an idea of how these costs compare to the regularly charged entry fees, the applicant has provided a fee schedule for Pilgrim Haven (included in Attachment E – Applicant Correspondence) in the letter dated April 7, 2009 from Karen Jenney. Pilgrim Haven has also agreed to give first priority access to both the BMR and market rate units to Los Altos residents (Condition No. 15). In addition to the BMR units and first priority for Los Altos residents for all units, the fact that a modern senior living facility in Los Altos is a benefit to the entire community should also be taken into account when considering the development incentives.

Environmental Impact Report

Summary

This project is subject to the California Environmental Quality Act (CEQA), which requires an analysis of environmental impacts. Due to the size and scope of the project, an Environmental Impact Report (EIR) was prepared. Based on the findings and analysis in the attached Draft EIR and Final EIR, staff recommends certification of the EIR and adoption of a Statement of Overriding Considerations to address the significant environmental effect related to the short-term construction noise that will be generated by the project.

As part of the EIR, all potential environmental issues related to the project, including traffic, air quality and noise, were thoroughly analyzed. Where necessary, mitigation measures were added to ensure that the project did not create any significant impacts. All mitigation measures outlined in the EIR are included in the Mitigation Monitoring and Reporting Program in Exhibit B. A condition of approval (No. 2) was added to ensure that the project complies with all mitigation measures.

While the Draft EIR and Final EIR contain a comprehensive analysis of all areas of potential environmental effect, there are three areas that were identified as areas of particular concern. Below is a brief discussion outlining each issue and how it is addressed.

Traffic and Circulation

One of the main concerns about this project is the potential traffic and circulation impacts that it will have on the surrounding neighborhood. However, while the facility itself will be getting much larger, there will be a relatively small increase in the actual number of living units and a decrease in the number of beds. Thus, based on the findings in the traffic report and the analysis in the EIR, the project would only generate a small number of additional daily trips, would not create any significant impacts on the surround street network and would not create a visible increase in neighborhood traffic. A more detailed discussion about the traffic can be found in the Final EIR in the Traffic Master Response (page 10). The project will also be doubling the amount of on-site parking provided, thus greatly relieving the parking impacts on the surrounding residential streets.

The second part of the traffic analysis focused on the short term impacts related to construction activities. In order to mitigate any potential impacts related to construction impacts, the EIR has outlined a series of mitigation measures. These mitigation measures, outlined in Exhibit B as MM TRA-1.1 and MM TRA-1.2, include a restriction on construction traffic during student pick-up and drop-off times at Santa Rita Elementary School, preparation of a construction traffic management plan and inclusion of a crossing guard at the intersection of Pine Lane and Los Altos Avenue. With the included mitigation measures, there will not be any significant impacts related to construction traffic.

Air Quality

Another primary area of concern is related to air quality. While it is clear that the long term operation of this facility will not have any air quality impacts, there were questions about the impact that the construction activities would have on the air quality of the surrounding residences and Santa Rita Elementary School. In order to address these concerns, a series of mitigation measures have been included that will ensure that there are no air quality impacts during project construction. The mitigation measures include watering all active construction areas to minimize dust generation, covering all hauling trucks prior to leaving the site and suspending excavation and grading activities during periods of high winds. In addition to the mitigation measures, there are a variety of local, State and Federal laws that govern demolition activities to ensure toxic materials such as lead and asbestos are properly contained and disposed. This project would comply with all applicable laws and regulations. As a result, there are not any impacts related to air quality.

Construction Noise

The one environmental effect that can not be fully mitigated is related to the short-term construction noise that will be generated by the project. While the level of noise generated will not exceed that of a typical construction project, due to the length of time that it will take to complete all phases of construction, the analysis finds that the resulting environmental effect is significant and

unavoidable. However, it should be pointed out that this significant unavoidable impact will not result in extremely high levels of noise over a long period of time that could cause excessive amounts of vibration or be detrimental to human health and safety. In addition, as noted above, the applicant has reduced the projected length of the construction to 36 months in order to reduce the construction noise impact. The applicant has provided a letter dated April 21, 2009 (included in Attachment E – Applicant Correspondence) which outlined the updated construction schedule. To ensure that this timeframe is maintained, staff has added a condition (No. 13) that requires the construction

While this project is unique due to the phased construction schedule and subsequent length to complete, there have been other smaller projects in this area of Los Altos that have been recently constructed. The Whole Food grocery store at 4800 El Camino Real, which is approximately 55,000 square feet in size with two levels of underground parking, took approximately 12 months to construct. The Silverstone residential condominium project at 4400 El Camino Real, which developed 78 residential units with one level of underground parking, is just now getting finished and has taken approximately 20 months so far. The Santa Rita Elementary School modernization, which was much smaller than Pilgrim Haven in size, took approximately 13 months to complete. As outlined in the Alternatives section of the EIR, if this project was constructed in one phase, it would take approximately 26 months, which is consistent with the previously mentioned projects given its larger size. Thus, even if this project was constructed in one phase, there would still be a significant unavoidable impact related to construction noise.

As outlined in the attached letter, there will be periods of moderate to high levels of noise followed by periods of little or no noise throughout the life of the project. In addition to the mitigation measures included in the EIR, the applicant has agreed to a condition (No. 10) that would limit noise generating construction activities on Saturdays. This would ensure that during the weekends, there would be a minimal amount of noise impact on the surrounding neighborhood. Thus, with the mitigations measures and conditions, staff finds that the identified short term construction noise impact should be considered more along the lines of noise related to multiple construction projects back-to-back rather than an impact related to high noise exposure.

Given the public benefits of developing a modern continuing care retirement community in the City of Los Altos, the achievement of long standing General Plan policies, the increased living opportunities for Los Altos' seniors and the improvement of the surrounding pedestrian amenities, staff can support the findings for a Statement of Overriding Considerations (Exhibit A).

CORRESPONDENCE

This project has received a significant amount of written correspondence since the staff report was published for the March 19, 2009 Architectural and Site Review Committee meeting. All written correspondence is included in Attachment F. Many of the letters raise concerns about the project related to increased traffic, visual and aesthetic impacts to the neighborhood, quality of life impacts during construction (noise, air quality, construction traffic, ect.), loss of mature trees and the size of the project in relation to a single-family neighborhood. Many letters also voice support for the project, noting that modern senior care facilities are needed in Los Altos, that it will provide

opportunities for Los Altos seniors to stay in the community, that it is an established use and that the short term construction impacts are justified by the long term benefits to the community.

One specific issue that was raised relates to the existing, informal pathway and gate across Pilgrim Haven that allows people to access the rear athletic fields at Santa Rita Elementary School. Several members of the public voiced support for keeping the pathway and gate and wanted to see it incorporated into the Pilgrim Haven plans. However, after discussions with staff, the applicant and the Los Altos School District, the school district superintendent, Tim Justus, submitted a letter saying that the District would like the pathway and gate to be removed from the Pilgrim Haven plans (see School District letter dated April 1, 2009 in Attachment E – Applicant Correspondence). The project plans have been revised accordingly.

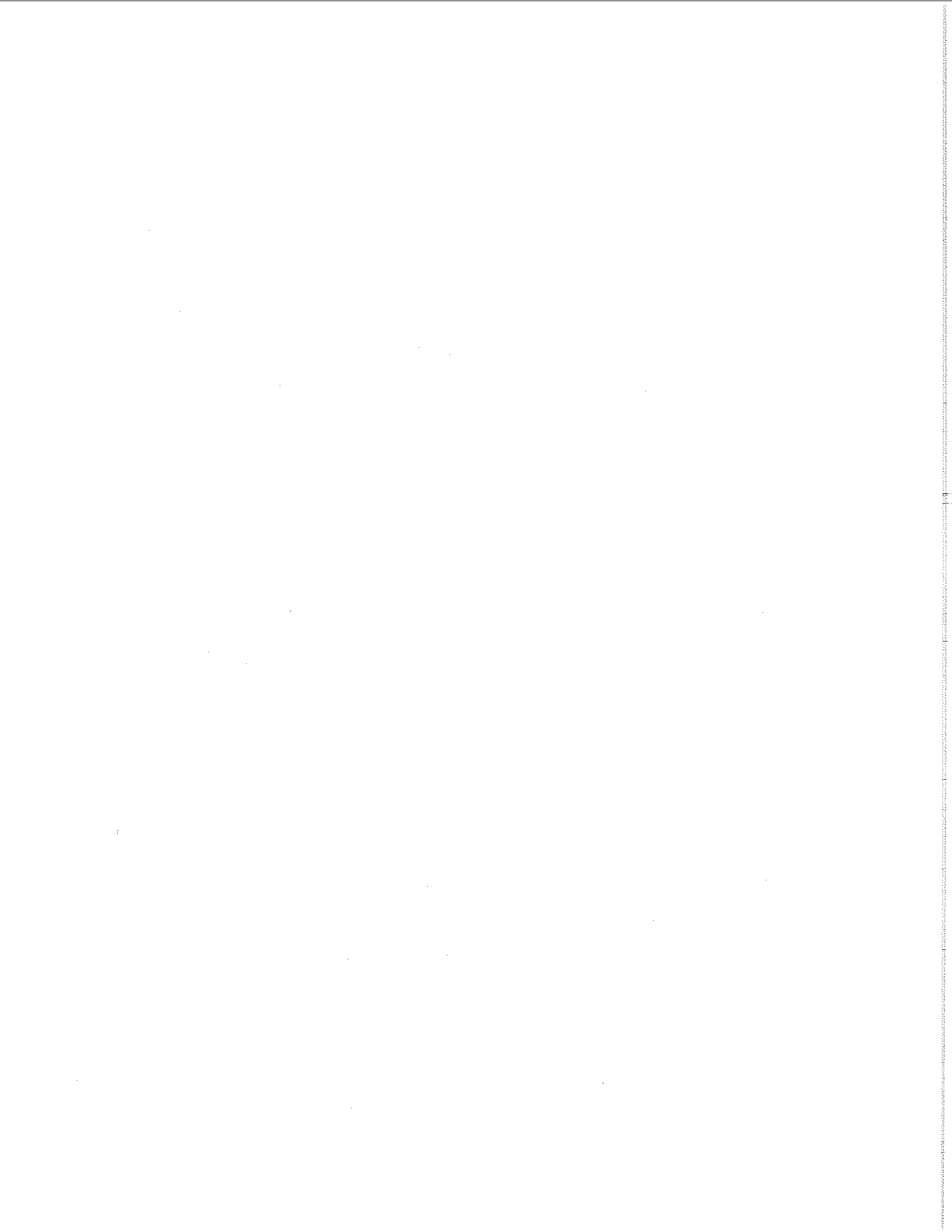
Cc: Sandy Sloan and Leigh Prince, Applicants
American Baptist Homes of the West, Owner
Karen Jenney, Executive Director, Pilgrim Haven CCRC
Ric D'Amico, Greystone Communities, Inc., Project Contractor
Engineering Division

Exhibits:

Statement of Overriding Considerations
Mitigation Monitoring and Reporting Program

Attachments:

- A. Planning Commission EIR Public Hearing Minutes, September 18, 2008
- B. Planning Commission EIR Public Hearing Staff Report, September 11, 2008
- C. Architectural and Site Review Committee Minutes, March 19, 2008
- D. Architectural and Site Review Committee Staff Report, March 13, 2008
- E. Applicant Correspondence
- F. Public Correspondence
- G. Draft Environmental Impact Report
- H. Final Environmental Report



FINDINGS

07-GPA-01, 07-Z-01, 07-D-02 & 07-UP-01—323 and 373 Pine Lane

1. With regard to Environmental Review, the Planning Commission finds in accordance with Section 15091 of the California Environmental Quality Act Guidelines, as amended on January 1, 2009:
 - A. For the identified significant environmental effect of short-term construction noise, appropriate findings have been made to support a Statement of Overriding Considerations (see Exhibit A); and
 - B. For all other identified significant environmental effects, changes and mitigations measures have been incorporated into the project to reduce the identified environmental effects to a less than significant level.
2. With regard to the General Plan Map Amendment, the Planning Commission finds that:
 - A. The amendment to the General Plan is in the best public interest pursuant to California State Government Code Section 65385(a);
 - B. The General Plan Map Amendment is compatible with adjacent land uses and consistent with all other sections of the adopted General Plan of the City; and
 - C. Oral comments and written information were accepted and considered at duly noticed public hearings.
3. With regard to the Zoning Map Amendment, The Planning Commission finds in accordance with Chapter 14.86 of the Municipal Code that:
 - A. The rezoning from R1-10 to PCF is in the best interest for the protection or promotion of the public health, safety, comfort, convenience, prosperity, and welfare;
 - B. The rezoning is consistent with the adopted General Plan of the City; and
 - C. Oral comments and written information regarding the zoning change have been accepted and considered.
4. With regard to Design Review, the Planning Commission finds in accordance with Chapter 14.78 of the Municipal Code that:
 - A. The proposal meets the goals, policies and objectives of the general plan and any specific plan, design guidelines and ordinance design criteria adopted for the specific district or area;

- B. The proposal has architectural integrity and has an appropriate relationship with other structures in the immediate area in terms of height, bulk and design;
 - C. Building mass is articulated to relate to the human scale, both horizontally and vertically. Building elevations have variation and depth and avoid large blank wall surfaces;
 - 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.
5. With regard to the Use Permit, the Planning Commission finds in accordance with Chapter 14.80 of the Municipal Code that:
- A. The proposed location of the conditional use is desirable or essential to the public health, safety, comfort, convenience, prosperity, or welfare;
 - B. The proposed location of the conditional use is in accordance with the objectives of the zoning plan as stated in Chapter 14.02 of this title;
 - C. The proposed location of the conditional use, under the circumstances of the particular case, will not be detrimental to the health, safety, comfort, convenience, prosperity, or welfare of persons residing or working in the vicinity or injurious to property or improvements in the vicinity; and
 - D. The proposed conditional use complies with the PCF District regulations and the general provisions of Chapter 14.02 except where development incentives have been granted.

CONDITIONS

07-GPA-01, 07-Z-01, 07-D-02 & 07-UP-01—323 and 373 Pine Lane

GENERAL

1. Project approval is based upon the plans received on April 21, 2009 except as modified by these conditions.
2. The applicant shall meet all conditions and mitigation measures, and provide all necessary reporting, as outlined in the Mitigation Monitoring and Reporting Program shown in Exhibit B. The project manager, contact information and other necessary information as outlined in the Reporting Program shall be posted on the site as outlined in Condition No. 10.
3. All projects shall comply with the Urban Runoff Pollutions Prevention Program regulations in place at the time of construction. The improvement plans shall include the "Blueprint for a Clean Bay" plan sheet as page 2 in all plan submittals.
4. The applicant shall submit a copy of the Notice of Intent to the City Engineer to comply with the State Construction Storm Water General permit summated to the State Water Resource Control Board prior to any demolition, any grading or issuance of the building permit, which ever happens first.
5. The applicant shall submit a copy of the Storm Water Pollution Prevention Plan (SWPPP) and Storm Water Management Plan (SWMP) to City Engineer for review prior to any demolition, any grading or issuance of the building permit, which ever happens first.
6. As required in the Mitigation Monitoring and Reporting Program, a Construction Traffic Management Plan that includes truck routing and staging for the proposed excavation of the site, shall be submitted for review and approval by the City Engineer.
7. All street tree species planted in the public right-of-way shall be approved by the City Arborist and be a minimum 24-inch box in size.
8. The project shall be allowed a maximum of two signs along the Pine Lane frontage but shall be prohibited from locating any signage along the Los Altos Avenue frontage. The total sign area shall be a maximum of 30 square feet and the location of the signs shall be reviewed and approved by the Community Development Director.
9. The applicant shall show the location of and provide a noise rating for all mechanical equipment. The mechanical equipment shall be fully screened from public view and meet the City's Noise Ordinance.

10. The applicant shall provide a temporary construction sign that is posted on the site in a conspicuous location for the duration of project construction. The sign shall include the project name, project manager, contact information and information required in the Mitigation Monitoring and Reporting Program. The design and location of the temporary construction sign shall be reviewed and approved by the Community Development Director.
11. The minimum number of on-site parking stalls, as required by Code Section 14.74.120, shall be maintained and available during all phases of the project.
12. As a condition of the Use Permit, construction activities on Saturdays shall be limited to work that does not generate noise in excess of the daytime noise limits for R1 Zoning Districts (see Table 1 in Sec. 6.16.050).
13. As a condition of the Use Permit, all Pilgrim Haven employees shall be provided with on-site parking and the applicant shall make all practical and feasible efforts to ensure that all employees park on-site.
14. As a condition of the Use Permit, the project is approved for phased construction as outlined in the project plans. The four (4) phases of construction shall be completed within 36 months from the date of permit issuance of the first building permit. The applicant shall obtain the building permits for the remaining phases of the project within 24 months of the date on which the phase one building permit is issued. An extension of up to 12 months may be granted by the Community Development Director upon review and approval of a written request which includes reasons for the extension request.
15. As a condition of the Use Permit, Pilgrim Haven shall provide first priority access to Los Altos residents when accepting applications to fill vacant living units. The priority system shall be in a form approved by the Community Development Director and the City Attorney.
16. Sixteen (16) units shall be offered for rent or lease to individuals or couples with Low Incomes as defined below. The required terms and conditions of the below market rate (BMR) units shall be as follows and executed in an Affordable Housing Agreement in a form approved by the City Attorney:
 - a. The monthly service fee, which includes rent along with other amenities, shall be set at 50 percent of the designated income level for an individual and 60 percent of the designated income level for a couple.
 - b. The monthly service fee shall include rent, one meal per day per individual, housekeeping services, all utilities except telephone, property insurance, maintenance, activities, social programming and priority access to assisted living or nursing services. The owner shall include an exhibit in the affordable housing agreement that lists services that will be provided as part of the monthly service fee. The services shall not be different from those offered to individuals or couples living in the market rate units.

- c. The income levels for Low Income households will be calculated by the California State Department of Housing and Community Development.
- d. The units shall be designated as BMR for a period of 30 years.
- e. Priority access to the BMR units shall be given to Los Altos residents.
- f. A one-time entry fee, consistent with entry fees paid by residents living in comparable market rate units, may be charged for the BMR units.
- g. The applicant shall provide an annual report to the City and the City's designated affordable housing administrator outlining compliance with the affordable housing agreement. The annual report shall include documentation showing that the BMR household's income is within the Low Income limit in effect at the time of occupancy and that one-time entry fees charged for the BMR units are the same as the entry fees charged on comparable market rate units.
- h. The BMR units do not need to be pre-assigned, but Pilgrim Haven shall provide evidence in the annual report that 16 BMR units are available and/or occupied at all times.

PRIOR TO ISSUANCE OF BUILDING PERMIT

- 17. The applicant shall submit on-site grading and drainage plans that include (i.e. drain swales, drain inlets, rough pad elevations, building envelopes, drip line of major trees, elevations at property lines, all trees and screens to be saved) for approval by City staff. No grading or building pads are allowed within two-thirds of the drip line of trees unless authorized by a certified arborist and the Planning Department.
- 18. All works within the public right-of-way shall be done in accordance with plans to be approved by the City Engineer.
- 19. The applicant shall submit a cost estimate for review for work in the public right-of-way and shall submit a 100 percent performance bond (to be held until acceptance of improvements) and a 50 percent labor and material bond (to be held 6 months after acceptance of improvements) in an amount as approved by the City Engineer. A one-year, 10 percent maintenance bond shall be submitted upon acceptance of improvements in the public right-of-way.
- 20. The applicant shall contact the Los Altos Garbage Company and submit a solid waste disposal plan indicating the type and size of containers proposed and the frequency of pick-up service subject to the approval of the Engineering Department. The applicant shall submit evidence that LAGCo has reviewed and approved the size and location of the proposed new enclosure for recyclables. Each enclosure shall be roofed to prevent rainwater from missing with the enclosure's contents and then draining out and into the sewer system. The enclosure's pad shall be designed to not drain outward, and the grade surrounding the enclosure designed to not drain

into the enclosure. The locations of all trash enclosures shall be reviewed and approved by the Community Development Director.

21. The applicant shall provide a parking management and circulation plan for the on-site parking facilities.
22. The applicant shall file and record a lot-line adjustment merging the parcels at 323 and 373 Pine Lane.
23. The applicant shall submit a noise assessment that demonstrates that the noise levels generated by the HVAC system and mechanical equipment are consistent with the approved plans and comply with the City's Noise Ordinance.
24. The property owner shall execute an agreement with the City to retain the below market rate units as affordable and record the applicable deed restrictions as required by the City Attorney and the Community Development Director.

PRIOR TO FINAL OCCUPANCY

25. The applicant shall remove and replace all asphalt sidewalks, curb and gutter along the Los Altos Avenue frontage with new concrete sidewalk, curb and gutter and a planter strip between the new sidewalk and new curb and gutter.
26. The applicant shall construct parking duck-outs along the Pine Lane frontage from Guadalupe Drive to Los Altos Avenue as approved by the City Engineer. Landscaping shall be installed between and at the ends of the duck-outs.
27. The applicant shall remove and replace the existing asphalt pathway along the Pine Lane frontage from Guadalupe Drive to Los Altos Avenue with new concrete sidewalk, curb and gutter to tie-in to the new concrete sidewalk, curb and gutter on the Los Altos Avenue frontage with the current ADA Standard ramp in accordance with plans to be approved by the City Engineer.
28. The applicant shall provide new crosswalks at Guadalupe Drive and Pine Lane as approved by the City's Traffic Engineer. New ADA Standard ramps shall be constructed at the corners leading into the new crosswalks at Guadalupe St. and Pine Lane.
29. The applicant shall record a maintenance agreement for the approved storm water treatment system as approved by the City Engineer.
30. The applicant shall provide a letter from their civil engineer certifying that the storm water treatment system was constructed per approved plans.
31. The applicant shall label all new or existing public and private catch basin inlets, which are on or directly adjacent to the site with the NO DUMPING – FLOWS TO BAY logo.

32. The applicant shall provide an acoustical analysis that evaluates the noise generated by the mechanical equipment to ensure that the project is in compliance with the City's General Plan and Noise Ordinance.
33. Prior to final inspection for each phase of construction, all new landscaping shall be installed and approved by the Planning Division.

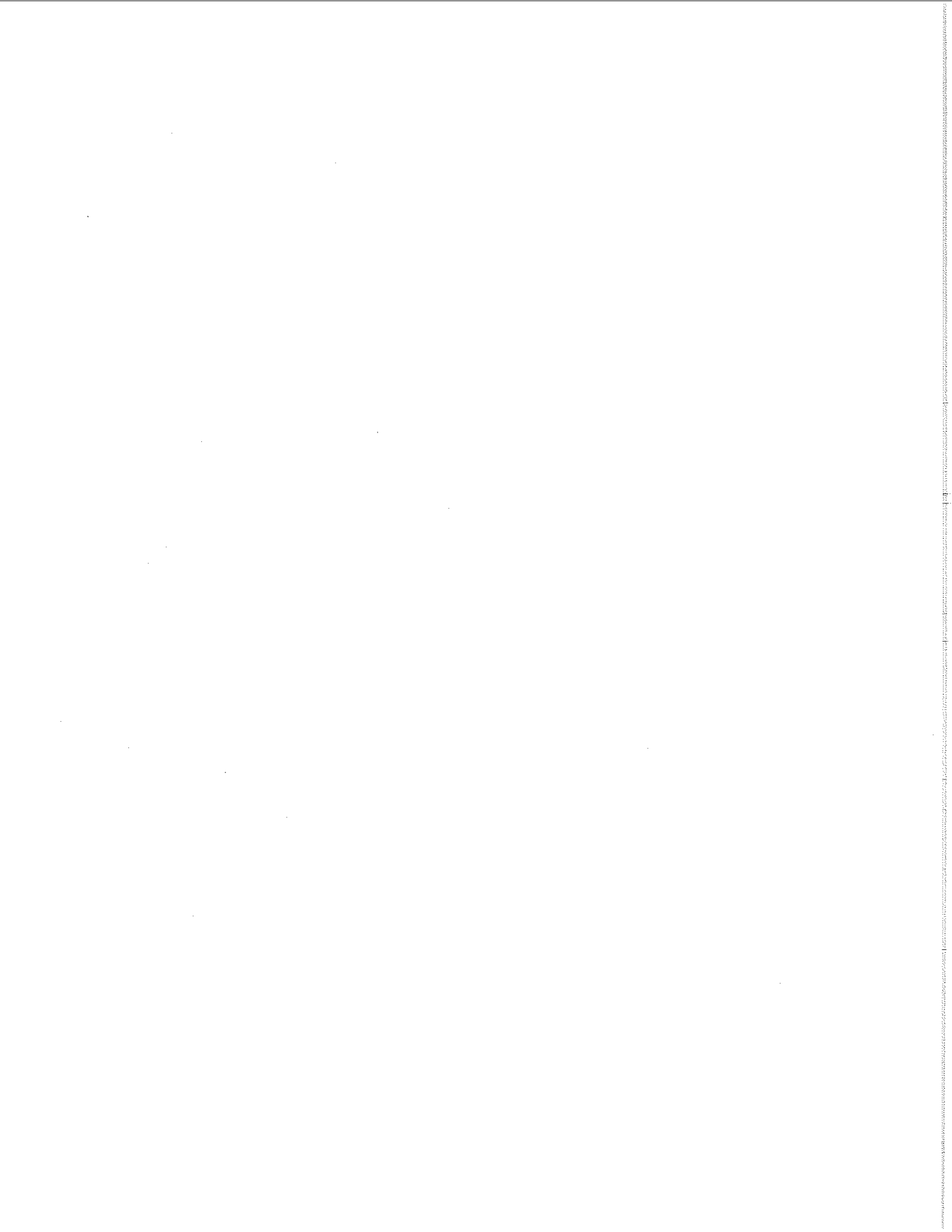


EXHIBIT A

FINDINGS AND STATEMENT OF OVERRIDING CONSIDERATIONS FOR SIGNIFICANT UNAVOIDABLE ENVIRONMENTAL IMPACTS IDENTIFIED IN THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE PILGRIM HAVEN CONTINUING CARE RETIREMENT COMMUNITY EXPANSION AND REDEVELOPMENT PROJECT

State Clearinghouse Number 2008 022102
May 2009

Basis

Prior to approving a project for which an Environmental Impact Report (EIR) was certified and for which findings were made that one or more significant impacts would result because mitigation measures or alternatives identified in the EIR are infeasible, CEQA requires that the Lead Agency find that specific overriding economic, legal, social, technological, or other benefits of the project outweigh the significant effects on the environment. This must be a written finding stating the agency's specific reasons supporting its action based on the Final EIR and/or other information in the record. The requirements for a Statement of Overriding Considerations are established in Section 15093 of the State CEQA Guidelines (14 CCR 15000 et seq.) and in the CEQA statute in Section 21081 of the Public Resources Code.

Findings

The City of Los Altos has adopted feasible mitigation measures, considered possible alternatives to the project, and certified the Final EIR. Nonetheless, the Pilgrim Haven Continuing Care Retirement Community expansion and redevelopment will result in a short-term significant unavoidable impact with regard to construction noise. The degree of impact related to construction noise will be lessened by the implementation of feasible mitigation measures and will not result in any long-term noise impacts related to this project once construction has been completed. Therefore, in accordance with Section 15091 of the State CEQA Guidelines, the City finds that the mitigation measures incorporated into the project will substantially lessen the significant environmental effects as identified in the Final EIR.

Statement of Overriding Considerations

For the reasons stated below, The City of Los Altos hereby finds that the benefits of the project outweigh and render acceptable the unavoidable significant environmental effect related to short-term construction noise as identified in the findings and the Final EIR:

1. The project will further the goals and objectives of the Los Altos General Plan. Specifically it meets Housing Element Goal 6, which seeks to increase housing opportunities for Los Altos'

senior populations and Land Use Element Policy 1.4, which encourages continued efforts to improve the parking, aesthetics and neighborhood compatibility of Pilgrim Haven;

2. The project will provide 105 independent living units, including 16 below-market-rate housing units, that will be available to Los Altos seniors;
3. The project will provide a state-of-the-art Continuing Care Retirement Community that is available to Los Altos seniors; and
4. The project will provide substantial pedestrian improvements along Pine Lane and Los Altos Avenue including, but not limited to, a new sidewalk with street trees along Los Altos Avenue from the corner of Pine Lane to Santa Rite Elementary School.

EXHIBIT B

MITIGATION MONITORING AND REPORTING PROGRAM Pilgrim Haven Redevelopment and Expansion

PREFACE

Section 21081 of the California Environmental Quality Act (CEQA) requires a Lead Agency to adopt a Mitigation Monitoring and Reporting Program whenever it approves a project for which measures have been required to mitigate or avoid significant effects on the environment. The purpose of the monitoring and reporting program is to ensure compliance with the mitigation measures during project implementation.

On _____, the Environmental Impact Report was certified for the Pilgrim Haven Expansion and Redevelopment project. The Final Environmental Impact Report concluded that the implementation of the project could result in significant effects on the environment; therefore, mitigation measures were incorporated into the proposed project or are required as a condition of project approval. This Mitigation Monitoring and Reporting Program outlines these measures and how, when, and by whom they will be implemented.

**MITIGATION MONITORING AND REPORTING PROGRAM
PILGRIM HAVEN EXPANSION AND REDEVELOPMENT**

Impact(s)	Mitigation and Avoidance Measures	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
TRANSPORTATION AND TRAFFIC				
<p>Impact TRA-1: Exporting soil from the site during project construction would generate a substantial number of truck trips, which could impact traffic operations in the project area.</p>	<p>MM TRA-1.1 The project applicant shall prepare a Construction Traffic Management Plan (CTMP). The (CTMP) shall be reviewed and approved by the Los Altos Community Development Director. The CTMP will coordinate truck traffic to and from the project site with Santa Rita Elementary School to ensure that truck traffic is not scheduled during student drop-off and pick-up times. For example, all trucks shall be restricted from traveling through the school traffic areas (Pine Lane, Los Altos Avenue and West Portola Avenue) between the hours of 8 AM and 9 AM and 2 PM and 3 PM. The CTMP would also identify the following:</p> <ul style="list-style-type: none"> • Details regarding construction vehicle parking on-site (e.g., where the vehicles will park and if it is necessary to shuttle CCRC employees and/or construction workers to and from the site). • The specific construction truck route to and from the project site. • The need for any tree trimming and techniques to avoid tree damage from trucks. • The need for flagpeople at intersections, driveways, or other locations off-site. • Details for street sweeping. • Details regarding shuttle service to and from the Pilgrim Haven CCRC, if it is necessary to avoid on-street parking in the surrounding neighborhood during project construction. • Damage to City streets as a result of truck traffic shall be repaired by the project contractor at no expense to the City. 	<p>Prior to issuance of a grading permit, the developer shall ensure this measure are implemented.</p>	<p>All measures shall be printed on all construction documents, contracts, and plans.</p>	<p>Los Altos Community Development Director</p>

**MITIGATION MONITORING AND REPORTING PROGRAM
 PILGRIM HAVEN EXPANSION AND REDEVELOPMENT**

Impact(s)	Mitigation and Avoidance Measures	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
	<p>MM TRA-1.2 The project shall implement the following measures to enhance pedestrian facilities in the project area during and after construction of the proposed project:</p> <ul style="list-style-type: none"> • Construction vehicle ingress and egress to the project site will be from Pine Lane to avoid conflict with the existing sidewalk along the site's Los Altos Avenue frontage. Construction vehicles would enter and exit the project site from Pine Avenue during all phases of construction. • The sidewalk along the site's Los Altos Avenue frontage would be improved to include a wider sidewalk and a landscape strip between the street and the sidewalk • Crosswalks would be provided on the south and east legs of the Guadalupe Drive and Pine Lane intersection. • A sidewalk would be installed on the north side of Pine Lane between Los Altos Avenue and the proposed crosswalk across Pine Lane at Guadalupe Drive. • The project would reimburse the Los Altos School District for the provision of a crossing guard at the intersection of Los Altos Avenue and Pine Lane during the heavy construction periods of the proposed project. 	<p>During construction the developer shall ensure these measures are implemented.</p>	<p>All measures shall be printed on all construction documents, contracts, and plans.</p>	<p>Los Altos Community Development Director</p>
NOISE				
<p>Impact NOI-1: Construction activities would substantially increase short-term noise levels for sensitive receptors in the project area.</p>	<p>MM NOI-1.1 Prior to the start of construction of Phase I, the developer shall construct the proposed eight-foot tall concrete masonry unit (CMU) wall along the Spagnoli Court property lines.</p>	<p>Prior to the onset of Phase I construction, the developer shall ensure this measure is implemented.</p>	<p>This measure shall be printed on all construction documents, contracts, and plans.</p>	<p>Los Altos Community Development Director</p>

**MITIGATION MONITORING AND REPORTING PROGRAM
 PILGRIM HAVEN EXPANSION AND REDEVELOPMENT**

Impact(s)	Mitigation and Avoidance Measures	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
	<p>MM NOI-1.2 The developer shall implement the following measures to reduce noise generated during demolition, site excavation, grading, and construction activities. The following measures shall be printed on all construction documents, contracts, and project plans:</p> <ul style="list-style-type: none"> • During all project site excavation and on-site grading, the project contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturers' standards. All heavy construction equipment used on the project site shall be maintained in good operating condition, with all internal combustion, engine-driven equipment equipped with intake and exhaust mufflers that are in good condition. The construction contractors shall post signs prohibiting unnecessary idling of internal combustion engines. • "Quiet" models of air compressors and other stationary noise sources shall be utilized where such technology exists. • The construction contractors shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the project site. The construction contractors shall also locate equipment staging in areas as far away as possible distance from noise-sensitive receptors nearest the project site during all project construction. <p>MM NOI-1.3 The contractors shall designate a "noise disturbance coordinator" who will be present at the site during construction and responsible for responding to any local complaints about construction noise. The disturbance coordinator will determine the cause of the noise complaints (e.g. beginning work too early, bad muffler) and</p>	<p>During construction the developer shall ensure these measures are implemented.</p>	<p>These measures shall be printed on all construction documents, contracts, and plans.</p>	<p>Los Altos Community Development Director</p>
		<p>Prior to the onset of construction, the developer shall ensure this measure is implemented.</p>	<p>This measure shall be printed on all construction documents, contracts, and plans.</p>	<p>Los Altos Community Development Director</p>

**MITIGATION MONITORING AND REPORTING PROGRAM
 PILGRIM HAVEN EXPANSION AND REDEVELOPMENT**

Impact(s)	Mitigation and Avoidance Measures	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
	<p>institute reasonable measures warranted to correct the problem. A telephone number for the disturbance coordinator will be conspicuously posted at the construction site and included in the notice sent to neighbors regarding the construction schedule.</p>			
	<p>MM NOI-1.4 During all project construction, the construction contractors shall limit all noise-producing construction-related activities to the hours of 7:00 a.m. to 5:30 p.m. on weekdays and 9:00 a.m. to 3:00 p.m. on Saturdays. All noise-producing construction activity shall be completely restricted on all Sundays and City-observed holidays. The acceptable hours of construction apply to deliveries of materials and equipment, arrival of workers, start-up and closing down, and departure activities on the project site.</p>	<p>During construction the developer shall ensure this measure is implemented.</p>	<p>This measure shall be printed on all construction documents, contracts, and plans.</p>	<p>Los Altos Community Development Director</p>
	<p>MM NOI-1.5 The developer shall construct a temporary soundwall along the Santa Rita Elementary School property line. The temporary soundwall would be eight feet tall and constructed of 0.5-inch plywood, which would provide a five to 10 dBA noise reduction.</p>	<p>Prior to the onset of construction, the developer shall ensure this measure is implemented.</p>	<p>This measure shall be printed on all construction documents, contracts, and plans.</p>	<p>Los Altos Community Development Director</p>
	<p>MM NOI-1.6 Prior to each phase of construction, the developer shall construct a temporary soundwall between the area under construction and the existing residences on the Pilgrim Haven site. The temporary soundwall would be eight feet tall and constructed of 0.5-inch plywood, which would provide a five to 10 dBA noise reduction.</p>	<p>Prior to each phase of construction, the developer shall ensure this measure is implemented.</p>	<p>This measure shall be printed on all construction documents, contracts, and plans.</p>	<p>Los Altos Community Development Director</p>

**MITIGATION MONITORING AND REPORTING PROGRAM
 PILGRIM HAVEN EXPANSION AND REDEVELOPMENT**

Impact(s)	Mitigation and Avoidance Measures	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
	<p>MM NOI-1.7 Use manually adjustable or self-adjusting back-up alarms to increase or decrease the volume of based on background noise levels. Installation and use of the back-up alarms shall be consistent with OSHA regulations.</p>	<p>During construction the developer shall ensure this measure is implemented.</p>	<p>This measure shall be printed on all construction documents, contracts, and plans.</p>	<p>Los Altos Community Development Director</p>
	<p>MM NOI-1.8 Construction shall be planned and organized so that vehicles, machines and equipment are NOT operated in reverse to the extent feasible.</p>	<p>During construction the developer shall ensure this measure is implemented.</p>	<p>This measure shall be printed on all construction documents, contracts, and plans.</p>	<p>Los Altos Community Development Director</p>
	<p>MM NOI-1.9 The Operator shall always attempt to park the vehicle in such a manner as to eliminate the need for reversing, when feasible.</p>	<p>During construction the developer shall ensure this measure is implemented.</p>	<p>This measure shall be printed on all construction documents, contracts, and plans.</p>	<p>Los Altos Community Development Director</p>
	<p>MM NOI-1.10 When feasible, back-up alarms shall be turned off and competent construction personnel will be used to direct the vehicle along its intended path of travel in accordance with OSHA regulations.</p>	<p>During construction the developer shall ensure this measure is implemented.</p>	<p>This measure shall be printed on all construction documents, contracts, and plans.</p>	<p>Los Altos Community Development Director</p>
	<p>MM NOI-1.11 Shield adjacent sensitive uses from stationary equipment with individual noise barriers or partial acoustical enclosures.</p>	<p>During construction the developer shall ensure this measure is implemented.</p>	<p>This measure shall be printed on all construction documents, contracts, and plans.</p>	<p>Los Altos Community Development Director</p>
	<p>MM NOI-1.12 Notify all adjacent land uses of the construction schedule in writing at the beginning of each phase of construction.</p>	<p>Prior to the onset of construction, the developer shall ensure this measure is implemented.</p>	<p>This measure shall be printed on all construction documents, contracts, and plans.</p>	<p>Los Altos Community Development Director</p>

**MITIGATION MONITORING AND REPORTING PROGRAM
PILGRIM HAVEN EXPANSION AND REDEVELOPMENT**

Impact(s)	Mitigation and Avoidance Measures	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
	<p>MM NOI-1.13 Construction noise would be held to a minimum every Friday morning from 8:20 AM to 9:00 AM when outdoor assemblies are held in the Santa Rita Elementary School amphitheater.</p>	<p>During construction the developer shall ensure this measure is implemented.</p>	<p>This measure shall be printed on all construction documents, contracts, and plans.</p>	<p>Los Altos Community Development Director</p>

AIR QUALITY

<p>Impact AQ-1: Air quality impacts resulting from project construction would substantially affect nearby sensitive receptors.</p>	<p>MM AQ-1.1 Prior to the onset of demolition/construction activities, chain link construction fencing with a wind screen (e.g., PVC slats) shall be installed around the construction site.</p> <p>MM AQ-1.2 The developer shall implement the following measures, which would reduce dust generation to a less than significant level during demolition of existing structures. These measures shall be printed on all construction documents, contracts, and project plans:</p> <ul style="list-style-type: none"> • Watering will be used to control dust generation during demolition of structures and break-up of pavement. • All trucks hauling demolition debris from the site will be covered. • Dust-proof chutes to load debris into trucks will be used whenever feasible. <p>MM AQ-1.3 The developer shall implement the following measures, which would reduce dust generation during construction to a less than significant level. These measures shall be printed on all construction documents, contracts, and project plans:</p> <ul style="list-style-type: none"> • Water all active construction areas at least twice daily and more often during windy periods; active areas 	<p>Prior to the onset of demolition/construction, the developer shall ensure this measure is implemented.</p> <p>During construction the developer shall ensure these measures are implemented.</p>	<p>This measure shall be printed on all construction documents, contracts, and plans.</p> <p>These measures shall be printed on all construction documents, contracts, and plans.</p>	<p>Los Altos Community Development Director</p> <p>Los Altos Community Development Director</p>
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**MITIGATION MONITORING AND REPORTING PROGRAM
 PILGRIM HAVEN EXPANSION AND REDEVELOPMENT**

Impact(s)	Mitigation and Avoidance Measures	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
	<p>adjacent to existing land uses shall be kept damp at all times, or shall be treated with non toxic stabilizers or dust palliatives.</p> <ul style="list-style-type: none"> • Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard. • Pave, apply water three times daily, or apply (non toxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas at construction sites. • Sweep daily (preferably with water sweepers) all paved access roads, parking areas, and staging areas at construction sites; water sweepers shall vacuum up excess water to avoid runoff related impacts to water quality. • Sweep streets daily (preferably with water sweepers) if visible soil material is carried onto adjacent public streets. • 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.). • Limit traffic speeds on unpaved roads to 15 mph. • Install sandbags or other erosion control measures to prevent silt runoff to public roadways. • Replant vegetation in disturbed areas as quickly as possible. • Suspend construction activities that cause visible dust plumes to extend beyond the project site. • Install wheel washers for all existing trucks, or wash off the tires or tracks of all trucks and equipment leaving the site. • Install wind breaks, or plant trees/vegetative wind breaks at windward side(s) of construction areas. 			

**MITIGATION MONITORING AND REPORTING PROGRAM
 PILGRIM HAVEN EXPANSION AND REDEVELOPMENT**

Impact(s)	Mitigation and Avoidance Measures	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
	<ul style="list-style-type: none"> • Suspend excavation and grading activities when instantaneous wind gusts exceed 25 mph; and • Limit the area subject to excavation grading, and other construction activity at any one time. 			

CULTURAL RESOURCES

<p>Impact CUL-1: Archaeological resources may be discovered during construction of the proposed project.</p>	<p>MM CUL-1.1 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).</p> <p>If it is determined that construction activity will impact an eligible resource, a plan for mitigation of impacts to the resource shall be submitted to the Los Altos Planning Department for approval 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.</p>	<p>During construction the developer shall ensure this measure is implemented.</p>	<p>This measure shall be printed on all construction documents, contracts, and plans.</p>	<p>Los Altos Community Development Director</p>
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**MITIGATION MONITORING AND REPORTING PROGRAM
PILGRIM HAVEN EXPANSION AND REDEVELOPMENT**

Impact(s)	Mitigation and Avoidance Measures	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
	<p>MM CUI-1.2 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.</p>	<p>During construction the developer shall ensure this measure is implemented.</p>	<p>This measure shall be printed on all construction documents, contracts, and plans.</p>	<p>Los Altos Community Development Director</p>
BIOLOGICAL RESOURCES				
<p>Impact BIO-1: Construction of the proposed project could result in potential disturbance to active raptor nests.</p>	<p>MM BIO 1.1 In compliance with the MBTA and the California Fish and Game Code, the proposed project shall implement the following measures:</p> <ul style="list-style-type: none"> Pre-construction surveys shall be completed by a qualified ornithologist to identify active nests that may be disturbed during project implementation. All potential nesting areas (trees, tall shrubs) shall be surveyed no more than 30 days prior to tree removal or pruning, if the activity will occur within the breeding season (February – August). If more than 30 days pass between the completion of the preconstruction survey and the initiation of construction activities, the preconstruction survey shall be completed again and repeated at 30 day intervals until construction activities are initiated. If an active nest is observed, tree removal and pruning shall be postponed until all the young have fledged. An exclusion zone shall be established around the nest site, in consultation with the California Department of Fish and Game (CDFG). Exclusion zones for active passerine (songbirds) nests shall have a 50-foot radius centered on the nest tree or shrub. <p>Active nests shall be monitored weekly until the young</p>	<p>Prior to the onset of construction, the developer shall ensure these measures are implemented.</p>	<p>These measures shall be printed on all construction documents, contracts, and plans.</p>	<p>Los Altos Community Development Director</p>

**MITIGATION MONITORING AND REPORTING PROGRAM
PILGRIM HAVEN EXPANSION AND REDEVELOPMENT**

Impact(s)	Mitigation and Avoidance Measures	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
<p>Impact BIO-2: Construction of the proposed project would result in the removal of up to 134 trees, 38 of which are protected trees, and could result in impacts to the trees to be retained.</p>	<p>MM BIO-2.1 The project shall implement the following measures to reduce impacts associated with tree removal:</p> <ul style="list-style-type: none"> • In accordance with the City of Los Altos Tree Protection Ordinance, a tree removal permit shall be obtained for the 38 protected trees proposed to be removed as part of the project. • All healthy, mature trees will be incorporated into the proposed project to the greatest extent feasible. • Each tree removed by the proposed project on the project site will be replaced by one 15-gallon minimum sized specimen, incorporated into the site landscaping. <p>MM BIO-2.2 The project will implement the following tree protection measures during construction to protect the trees to be retained on the project site:</p> <ul style="list-style-type: none"> • Trees within areas where construction activity may take place shall be enclosed in a tree protection zone (TPZ) to prevent damage to the tree and its growing environment. A TPZ shall be set around the tree at a distance greater than the dripline of the tree. The absolute minimum clearance zone of a TPZ would be a radial dimension of six inches for each inch of trunk diameter. The fence shall be chain link, a minimum of five feet in height with posts set into the ground. The fencing shall be installed before any construction activities begin and shall not be removed until all construction activities in the vicinity of the tree is completed. • TPZs would be set up surrounding the orchard area to prevent tree damage and soil compaction. 	<p>Prior to the onset of construction, the developer shall ensure these measures are implemented.</p> <p>During construction the developer shall ensure these measures are implemented.</p>	<p>These measures shall be printed on all construction documents, contracts, and plans.</p> <p>These measures shall be printed on all construction documents, contracts, and plans.</p>	<p>Los Altos Community Development Director</p> <p>Los Altos Community Development Director</p>

**MITIGATION MONITORING AND REPORTING PROGRAM
 PILGRIM HAVEN EXPANSION AND REDEVELOPMENT**

Impact(s)	Mitigation and Avoidance Measures	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
	<ul style="list-style-type: none"> Debris or materials shall not be placed within the TPZ around the dripline or leaning against the trunk. There shall be no heavy machinery passing through or parked within the TPZ. If it is necessary for heavy machinery to operate within the dripline, then a layer of mulch or pea gravel of at least four inches in depth shall be placed beneath the dripline and a ¾ inch layer of plywood shall be placed on the mulch. The plywood and mulch will reduce compaction of the soil within the dripline. The existing grade level around a tree shall normally be maintained out to the dripline of the tree. Alternate grade levels may be approved by the City of Los Altos Community Development Director. Drain wells shall be installed whenever impervious surfaces will be placed over the root system of a tree (the root system generally extends to the outermost edges of the branches). Tree canopies shall be trimmed, as necessary, to reduce the hazard of accidental limb failure. Branch removal for this purpose should consider removing dead, crossed and/or malformed limbs. All branches to be removed should be pruned back to an appropriately-sized lateral or to the trunk by following proper pruning guidelines. A professional tree company with certified arborists shall be retained to do the above described work. Trees that have been damaged by construction shall be repaired in accordance with accepted arboriculture methods. No signs, wires, or any other object shall be attached to the tree. (Ord. 07-314 § 2 (part); prior code § 10.2.26513) 			

**MITIGATION MONITORING AND REPORTING PROGRAM
 PILGRIM HAVEN EXPANSION AND REDEVELOPMENT**

Impact(s)	Mitigation and Avoidance Measures	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
HYDROLOGY AND DRAINAGE				
<p>Impact HYD-1: The proposed project would increase the rate and amount of stormwater runoff from the site, which could degrade water quality downstream of the project site.</p>	<p>MM HYD-1.1 The proposed project shall comply with the requirements of the Santa Clara Valley Urban Runoff Pollution Prevention Program (SCVURPPP), as well as the City of Los Altos' ordinances, policies, processes, and other local, state, and federal requirements. Specifically, the project shall comply with provision C.3 of the National Pollution Discharge Elimination System (NPDES) permit, which provides enhanced performance standards for the management of stormwater for new development. The project will implement Best Management Practices (BMPs) for reducing the volume of runoff and pollution in runoff to the maximum extent practicable. These BMPs may include source control measures, site design elements, and post-construction treatment measures such as the following:</p> <ul style="list-style-type: none"> • Vegetated swales and flow-through areas. • Bio-retention 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. • Use effective, site-specific erosion and sediment control methods during post-construction periods. 	<p>Prior to the onset of construction, the developer shall ensure these measures are implemented.</p>	<p>These measures shall be printed on all construction documents, contracts, and plans.</p>	<p>Los Altos Community Development Director</p>

**MITIGATION MONITORING AND REPORTING PROGRAM
 PILGRIM HAVEN EXPANSION AND REDEVELOPMENT**

Impact(s)	Mitigation and Avoidance Measures	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
<p>Impact HYD-2: Construction activities would contaminate runoff from the project site.</p>	<p>MM HYD-2.1 The proposed project will file a Notice of Intent (NOI) with the State of California Water Resource Quality Control Board (SWRCB) and prepare a Storm Water Pollution Prevention Plan (SWPPP) prior to commencement of construction. The project's SWPPP shall include measures for:</p> <ul style="list-style-type: none"> • Soil stabilization, • Sediment control, • Sediment tracking control, • Wind erosion control, and • Non-storm water management and waste management and disposal control. <p>MM HYD-2.2 The developer shall implement Best Management Practices (BMPs) for reducing the volume of runoff and pollution in runoff to the maximum extent practicable during demolitions, site excavation, grading, and construction. All measures shall be included in the project's SWPPP and printed on all construction documents, contracts, and project plans.</p> <ul style="list-style-type: none"> • 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 	<p>Prior to the onset of construction, the developer shall ensure these measures are implemented.</p>	<p>These measures shall be printed on all construction documents, contracts, and plans.</p>	<p>Los Altos Community Development Director</p>

**MITIGATION MONITORING AND REPORTING PROGRAM
 PILGRIM HAVEN EXPANSION AND REDEVELOPMENT**

Impact(s)	Mitigation and Avoidance Measures	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
	<p>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.</p> <ul style="list-style-type: none"> • 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. • 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. 			

HAZARDOUS MATERIALS

<p>Impact HAZ-1: Construction of the proposed project has the potential to create a significant hazard to the environment, construction workers and/or the public, due to the presence of pesticide contaminated soil on a portion of the Spagnoli property.</p>	<p>MM HAZ-1.1 The top two feet of soil from the garden area in the northwest corner of the Spagnoli property shall be handled, transported, and disposed of separately from other soil excavated at the site in accordance with local, state, and federal laws.</p> <p>MM HAZ-1.2 Confirmation samples will be collected to verify that the contaminated soil has been removed and that the property is suitable for unrestricted use.</p>	<p>Prior to the onset of construction, the developer shall ensure this measure is implemented.</p> <p>Prior to the onset of construction, the developer shall ensure this measure is implemented.</p>	<p>This measure shall be printed on all construction documents, contracts, and plans.</p> <p>This measure shall be printed on all construction documents, contracts, and plans.</p>	<p>Los Altos Community Development Director</p> <p>Los Altos Community Development Director</p>
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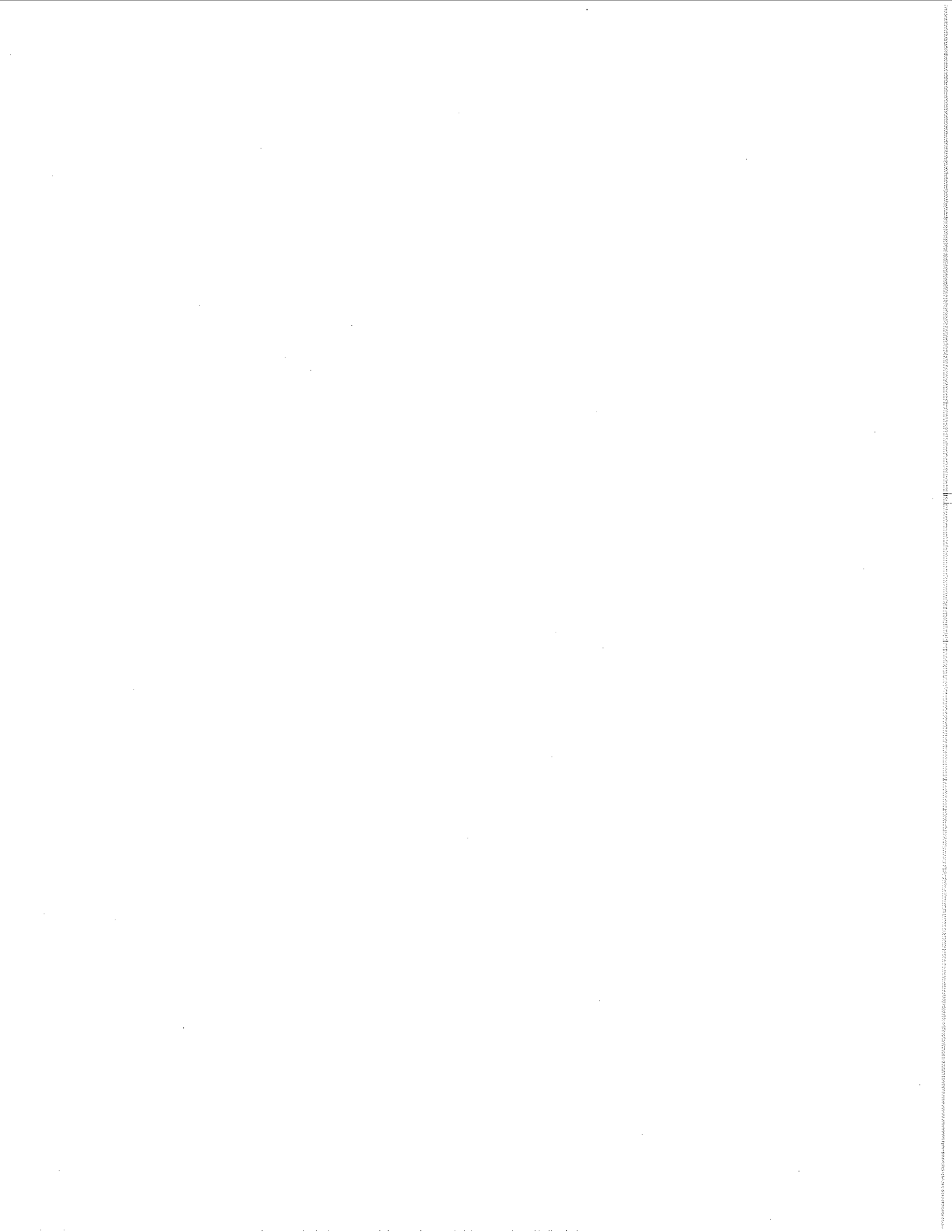
**MITIGATION MONITORING AND REPORTING PROGRAM
 PILGRIM HAVEN EXPANSION AND REDEVELOPMENT**

Impact(s)	Mitigation and Avoidance Measures	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
<p>Impact HAZ-2: Demolition of the proposed project could expose construction workers and sensitive receptors, including the existing adjacent elementary school, lead-based paint and/or ACMs.</p>	<p>MM HAZ-2.1 In conformance with local, state, and federal laws, an asbestos building survey and a lead-based paint survey shall be completed by a qualified professional to determine the presence of ACMs and/or lead-based paint on the structures proposed for demolition. The surveys shall be completed prior to demolition of these structures.</p> <p>MM HAZ-2.2 A registered asbestos abatement contractor shall be retained to remove and dispose of all potentially friable asbestos-containing materials, in accordance with the National Emissions Standards for Hazardous Air Pollutants (NESHAP) guidelines, prior to building demolition or renovation that may disturb the materials. All demolition activities shall be undertaken in accordance with Cal/OSHA standards, contained in Title 8 of the California Code of Regulations (CCR), Section 1529, to protect workers from exposure to asbestos. Materials containing more than one percent asbestos are also subject to Bay Area Air Quality Management District (BAAQMD) regulations.</p> <p>MM HAZ-2.3 During demolition activities, all building materials containing lead-based paint shall be removed in accordance with Cal/OSHA Lead in Construction Standard, Title 8, CCR 1532.1, including employee training, employee air monitoring and dust control. Any debris or soil containing lead-based paint or coatings shall be disposed of at landfills that meet acceptance criteria for the waste being disposed.</p>	<p>Prior to the onset of demolition, the developer shall ensure this measure is implemented.</p> <p>Prior to the onset of demolition, the developer shall ensure this measure is implemented.</p>	<p>This measure shall be printed on all construction documents, contracts, and plans.</p> <p>This measure shall be printed on all construction documents, contracts, and plans.</p>	<p>Los Altos Community Development Director</p> <p>Los Altos Community Development Director</p>

**MITIGATION MONITORING AND REPORTING PROGRAM
PILGRIM HAVEN EXPANSION AND REDEVELOPMENT**

Impact(s)	Mitigation and Avoidance Measures	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
	<p>MM HAZ-2.4 Hazardous waste shall be appropriately managed, labeled, transported, and disposed of in accordance with local, state, and/or federal requirements by trained workers.</p> <p>MM HAZ-2.5 Santa Rita Elementary School personnel shall be notified prior to hazardous material abatement activities at the project site. These demolition/construction activities would be completed during non-school days to the extent feasible, and conditions at the adjacent school site would be monitored. If it is determined that the school site was exposed to asbestos or lead, the site would be remediated according to local, state, and federal law.</p>	<p>During demolition the developer shall ensure this measure is implemented.</p> <p>Prior to hazardous materials abatement, the developer shall ensure this measure is implemented.</p>	<p>This measure shall be printed on all construction documents, contracts, and plans.</p> <p>This measure shall be printed on all construction documents, contracts, and plans.</p>	<p>Los Altos Community Development Director</p> <p>Los Altos Community Development Director</p>

SOURCE: Los Altos, Pilgrim Haven Expansion and Redevelopment FEIR, April 2009.





MINUTES PLANNING COMMISSION

7:30 p.m., September 18, 2008
Los Altos Community Meeting Chambers
One North San Antonio Road, Los Altos, California 94022

CALL TO ORDER

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

ROLL CALL

All Present: Chair LORELL, Vice-Chair BAER, Commissioners BRESSACK, ABRAMS, BOCOOK, HULL and UHLIR
Staff: Planning Services Manager KORNFIELD, Associate Planner DAHL, Assistant Planner LACEY, and EIR Consultant LOUKAS

MINUTES

MOTION BY COMMISSIONER BRESSACK, SECONDED BY COMMISSIONER HULL, to approve the August 21, 2008 meeting minutes as amended. THE MOTION PASSED BY A 6/0/1 VOTE, WITH UHLIR ABSTAINING.

PUBLIC COMMENT

None.

DISCUSSION ITEM

1. 514 Torwood Lane – Appeal Application

Assistant Planner LACEY presented the staff report and answered questions.

The appellant expressed his concerns about the project, with respect to the bulk and mass of the design. Several neighbors voiced their concerns about the design and the bulk, while others expressed their support for the design.

The applicants presented their design to the Commission and made themselves available for questions from the Commission.

The Commission discussed their support for the project. VICE-CHAIR BAER did not feel that the applicant had done enough to reduce the bulk and massing.

MOTION BY COMMISSIONER HULL, SECONDED BY COMMISSIONER BOCOOK, to deny the appeal application.

THE MOTION PASSED BY A 6/1 VOTE, WITH VICE-CHAIR BAER OPPOSED.

PUBLIC HEARING

2. 323 and 373 Pine Lane – Pilgrim Haven Retirement Community – Environmental Review

Associate Planner DAHL presented the staff report, noting that the intent of the meeting was to collect public comments on the Draft Environmental Impact Report, and answered questions.

Chair LORELL noted that all members of the public that wanted to receive a response to their comments would need to submit their comments in writing.

A total of 18 members of the public commented on the Draft Environmental Impact Report (DEIR). The public comments/questions included the following:

- Multiple neighbors had concerns about the construction traffic and increased traffic once the project was completed.
- There were concerns raised about the specific impacts to the children that attend Santa Rita Elementary School (i.e. dust, noise, toxic materials, construction vehicles).
- Is the project consistent with the General Plan in terms of preserving neighborhood character?
- What are the health and safety impacts of the building demolition and soil excavation on the school children and residents?
- How would the project impact the Santa Rita School campus in terms of runoff, noise, building shadows?
- The alternatives section should be more complete and provide more details. Specifically, a new alternative that evaluates the feasibility of doing all of the construction at once should be provided.
- What will the visual impacts of the project be to Pine Lane and Los Altos Avenue?
- Will there be enough parking both on-street and on-site both after the project is complete?
- Pedestrian and bike access should have more discussion. Specifically, Pilgrim Haven should provide a pedestrian access trail to access Santa Rita Elementary School.
- More details are needed for the construction phasing plan and construction management plan.

The Planning Commission discussed the DEIR, noting that they had many of the same questions and concerns as the members of the public. Specifically, the Commission had the following questions/comments:

- The traffic and transportation section should be updated to be consistent with the technical traffic analysis prepared by DMJM Harris, or the EIR should provide an explanation as to why the finds are different.
- The EIR should include a discussion about potential impacts that may be caused by emergency vehicle trips, such as paramedics, to and from the new facility.
- The alternatives section should provide more details about why they are not feasible. What makes an alternative financially infeasible?
- The construction timeframe of 42 months should provide more details in terms of the phasing of each structure, types of activities during each phase, etc. The construction schedule should be modified to schedule heavy traffic activities, such as excavation for the subterranean garage, with the summer months when the school is on vacation.
- Provide an on-site parking plan for construction.

- The EIR should provide more analysis about the specific impacts on the Santa Rita School campus and the students who attend.
- There should be more analysis about the pedestrian and bicycle activity in the area.
- Will there be acoustical monitoring of the construction noise?
- Will there be an arborist on-site before, during and after construction to ensure the health and viability of all trees proposed to be protected?
- Will the proposed parking, both on-site and on-street, realistically provide for the increased use that is proposed?
- The EIR should provide more details about on-site and off-site parking related to construction.

MOTION BY COMMISSIONER UHLIR, SECONDED BY COMMISSIONER BRESSACK, to include responses to the public comment and Planning Commission comment in the Final Environmental Impact Report.
THE MOTION PASSED UNANIMOUSLY.

CORRESPONDENCE

None.

REPORT OF THE BOARD OF ADJUSTMENTS

None.

REPORT OF THE ARCHITECTURE AND SITE REVIEW COMMITTEE

Vice-Chair BAER reported on the actions of the Architecture and Site Review Committee for the September 3, 2008 meeting and September 18, 2008 special meeting.

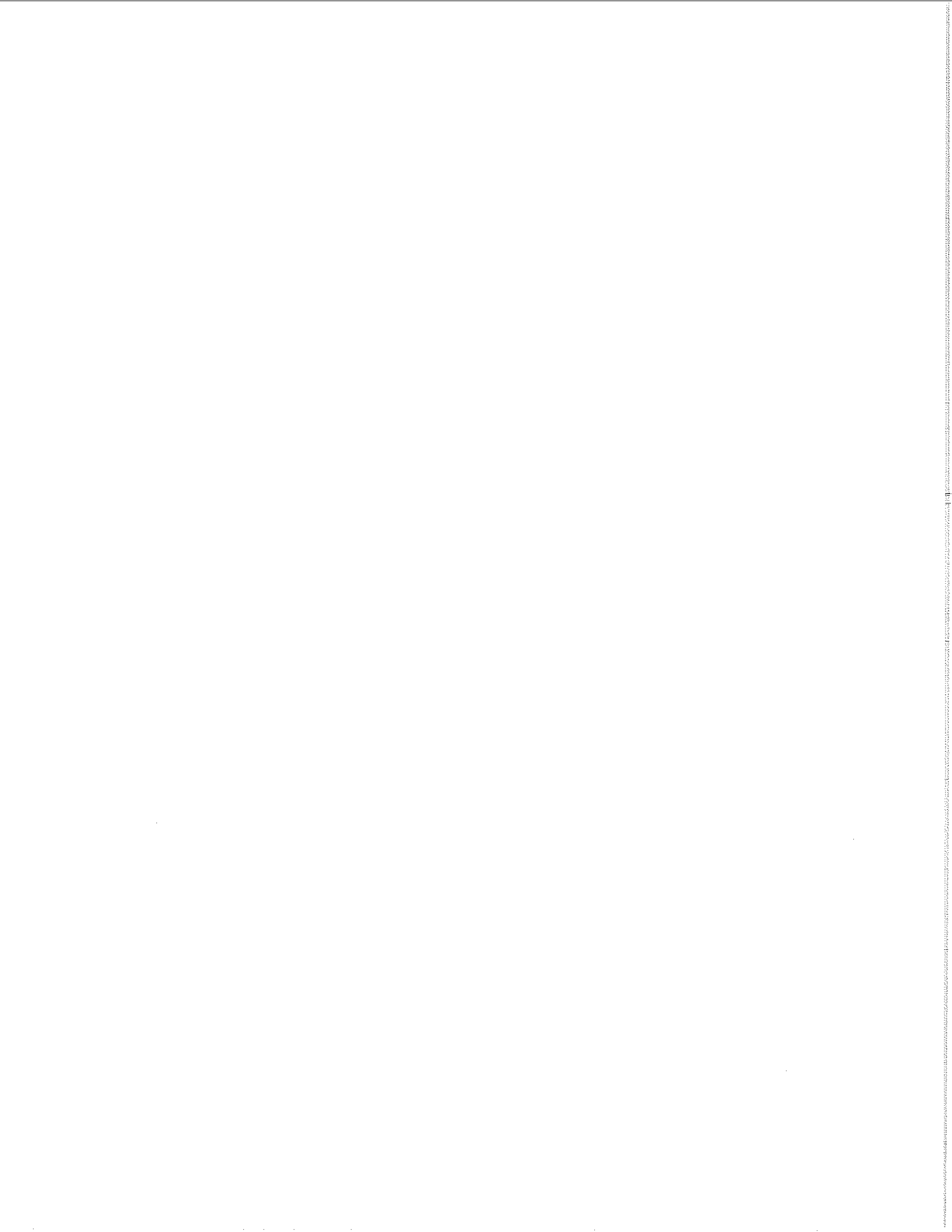
REPORT OF THE CITY COUNCIL

Vice-Chair BAER reported on the City Council actions.

ADJOURNMENT

Chair LORELL adjourned the meeting at 10:24 PM.

David Kornfield, AICP
Planning Services Manager





MEMORANDUM

DATE: September 11, 2008
TO: Planning Commission
FROM: Zachary Dahl, Associate Planner
SUBJECT: DRAFT ENVIRONMENTAL IMPACT REPORT—323 & 373 PINE LANE

PROJECT DESCRIPTION

A Draft Environmental Impact Report (DEIR) has been prepared for the proposed redevelopment and expansion of the Pilgrim Haven Continuing Care Retirement Community. The DEIR provides an evaluation of all known potential environmental effects that may result from the project. Mitigation measures have been proposed in order to reduce potential impacts to a less than significant level. Potential impacts that have been identified include transportation and traffic, air quality, noise and biological resources. With the exception of the short term impact of construction noise, which is considered a significant, unavoidable impact, all other impacts are considered less than significant with mitigation measures.

DISCUSSION

The primary purpose of this public hearing is to solicit public comments on the DEIR. In addition, this meeting will give the Planning Commission an opportunity to get further information and clarification on the DEIR and hear comments from members of the public regarding the potential environmental effects of the project. This meeting is intended to address issues related to the DEIR only. All comments and questions related to the project development applications will be addressed at a future meeting and should not be part of the evaluation and discussion of the DEIR.

The DEIR was published for public review on Thursday, August 21, 2008 and the 45-day public review period will end on Monday, October 6, 2008 at 5:00 pm. Following the completion of the public review period, a Final Environmental Impact Report (FEIR) will be prepared that addresses all comments that were submitted in writing. Comment cards will be available for any members of the public who wish to submit comments on the DEIR.

This public meeting is not a requirement of California Environmental Quality Act (CEQA) public review process nor is an action required by the Planning Commission. However, in order to provide ample opportunity for the public and the Commission to review and comment on the DEIR, staff felt that it was important to hold a public meeting. If Commissioners feel that there are questions or issues that merit further evaluation or discussion, the Commission may pass a motion that outlines those questions and they will be addressed as part of the FEIR. Evaluation and certification of the FEIR by the Planning Commission and City Council is a later step in the approval process.

PLANNING COMMISSION AGENDA

September 18, 2008

Planning Commission

September 11, 2008

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Once the FEIR has been published, a public hearing will be scheduled for the Planning Commission to consider the proposed Pilgrim Haven development application. The Pilgrim Haven Development Application will include certification of the Final Environmental Impact Report and consideration of a General Plan Amendment, a Zoning Change, a Use Permit, Design Review, a Lot-Line Adjustment and development incentives in exchange for below market rate housing units. Following a recommendation from the Planning Commission, the project will be forwarded to the City Council for final consideration.



Zachary Dahl, AICP
Associate Planner

ZD/tms

Cc: Leigh Prince, Applicant
Russell Mauk, American Baptist Homes of the West, Owner
Karen Jenney, Executive Director, Pilgrim Haven
Ric D'Amico, Greystone Communities, Inc., Contractor

Attachments

Draft Environmental Impact Report



MINUTES ARCHITECTURE AND SITE REVIEW COMMITTEE

6:00 p.m., March 19, 2008
Los Altos Community Meeting Chambers
One North San Antonio Road, Los Altos, California 94022

CALL TO ORDER

Chair BAER called the meeting to order at 6:00 PM.

ROLL CALL

Present: Chair BAER, Vice-Chair BRESSACK, and Commissioner UHLIR (for LORELL)
Absent: Commissioner LORELL
Staff: Senior Planner KORNFELD and Associate Planner DAHL

MINUTES

MOTION BY VICE-CHAIR BRESSACK, SECONDED BY CHAIR BAER, to approve the March 5, 2008 meeting minutes as amended. THE MOTION PASSED 2/0/1, WITH UHLIR ABSTAINING.

CONSENT CALENDAR

None.

DISCUSSION

VICE-CHAIR BRESSACK recused herself from the first discussion item because she lives within 500 feet of the project.

1. 140 S. Avalon Drive – Design Review Application

Senior Planner KORNFELD presented the staff report answered questions of the Committee.

The project architect and property owner spoke in support of the design change. The designer presented renderings of the project including a new alternative to include siding on the garage

Two neighbors spoke in opposition to the project stating that the roof material change did not fit in the neighborhood, that the house was too bulky and that the trees were necessary to screen the house. Additionally, several letters from the neighborhood in opposing to the project were submitted.

The Committee discussed the appropriateness of keeping the horizontal siding as it helped the project fit in better especially from the Santa Barbara street perspective. One commissioner felt that the change to metal, standing seam roofing was out of character; the other commissioner felt the metal roof was compatible. One commissioner felt that keeping the evergreen Magnolia street tree was important; the other commissioner felt that either the Magnolia tree or the Medesto Ash tree was acceptable as they both occurred in the immediate vicinity.

MOTION BY COMMISSIONER UHLIR to approve the metal roof only. The motion failed due to a lack of a second.

MOTION BY CHAIR BAER, SECONDED BY COMMISSIONER UHLIR, to deny the design changes to design review application 05-SC-66. THE MOTION PASSED 2/0.

VICE-CHAIR BRESSACK then rejoined the meeting.

2. 323 and 373 Pine Lane – Commercial Design Review Application

Associate Planner DAHL presented the staff report and answered questions of the Committee.

The applicant presented the project and provided a history of the Pilgrim Haven site. The project architect noted that the proposed facility was smaller than comparable facilities and used a Craftsman design theme. The landscape architect stated that their goal was to preserve the existing landscape where possible and add screening to buffer the new buildings.

Thirty-seven residents spoke to the project. Those in favor felt that Pilgrim Haven was a convenient community asset allowing residents to retire in the same community that they lived in, that the facility was a good neighbor to the community, that multi-level care was important especially providing for memory care, that the Los Altos community was aging and that the facility was important to their future, that the facility needs upgrades, that the facility was one of the best in the area, that the proposed design fit in with the residential area, that the surrounding neighborhood was developed after the facility, and that the project met the basic zoning limits and only expanded the facility by 28 units.

Those residents opposed to the project felt that the project was too large and dense, that the protracted construction impacts were unacceptable, that it was inappropriate to rezone the corner property to allow the expansion, that three-story development was out of character and scale, that the traffic impacts negatively affected the area and the nearby schools, that the property was too small to support such a use, that the additional services provided by the project provided could be located off-site, that the project would lead to even more future growth at the site, that five driveways on Pine Lane were too many and conflicted with pedestrian use of the street, that the project would cause parking problems on the street, that the project needed more screening along its perimeter, that there was a lack of public notice, that the facility belonged elsewhere such as downtown along Foothill Expressway or along El Camino Real, that the use was inappropriate next to the school, that the Pine Lane/Los Altos Avenue intersection was already dangerous and the project would make it worse, that the construction noise and dust would negatively affect the school, that no traffic calming was possible on Pine Lane due to Fire Department requirements, and that the development takes away from the single-family development potential of the site and the additional property tax revenue.

The Committee discussion included a general support for the use of the Spagnoli property to expand the facility, the use of underground parking and the site plan. The Committee expressed concerns about the monolithic design and scale of some of the building elements, the need for more landscape at the perimeter to buffer the project from the school and residences, the need for a construction and traffic impact plan, the need for clearer plans and specific sectional views, the need for more open space around the buildings, and the potential traffic impacts.

MOTION BY VICE-CHAIR BRESSACK, SECONDED BY COMMISSIONER UHLIR, to recommend approval the design review application 07-D-02 to the Planning Commission per the staff report findings and direction with the following additional direction:

- From the Pine Lane perspective, break up the massing of the Independent Living and the Memory Care buildings into actual or perceived smaller buildings and consider the use of paseos;
- Break up the roof volumes of the larger buildings;
- Provide a more effective landscape buffer on the western side;
- Consider alternatives to the phasing in staff directive number two;
- Provide a construction and safety plan for during and after the construction;
- Summarize the Green Building standards used and consider exceeding the City's Green standards;
- Provide building sections showing the relationship of the project to the Spagnoli Court properties; and
- Consider and provide responses to the issues raised by the neighborhood.

THE MOTION CARRIED UNANIMOUSLY.

ADJOURNMENT

Chair BAER adjourned the meeting at 9:35 PM.

Prepared by:

David Kornfield, AICP
Senior Planner

