



**LEAGUE OF WOMEN VOTERS
of the Los Altos-Mountain View Area
97 Hillview Avenue, Los Altos, CA 94022**

March 29, 2007

Chairman Phoebe Bressack and Members of the Architecture and Site Review Committee:

The League of Women Voters of the Los Altos-Mountain View Area supports a balance of housing choices, including retention of rental housing as opposed to conversions to condominiums, and housing that encourages each community to provide its fair share of housing as determined by our regional plan.

With regard to these positions and the 950 San Antonio Road development, we have two main concerns. We are making these comments at this early stage of the project's review, in case they have any impact on the design, although they are not specifically related to design.

First, we are concerned that the interests of the tenants at Los Altos Gardens be protected. Because of Los Altos' condo conversion ordinance, we believe that if any rental units are removed at Los Altos Gardens, these need to be replaced with rental units in the new development at 950 San Antonio Road. Apparently, this is what is planned.

We also understand that the developer has been attempting to come to an agreement with the residents of Los Altos Gardens. The LWV would like to see the tenants' interests protected, and, in particular, low-income tenants should be protected. We understand that presently the developer plans to make approximately 39% of the Los Altos Gardens moderate-income BMR rentals, restricted by the City. The attached chart shows that moderate-income rentals are similar to market rate units. We believe that this proposal is unacceptable for that reason, and, in addition, very low and low-income tenants will not be protected at all.

Our second concern is that the City needs to have long-term BMR units and that the developer should fulfill his FULL BMR responsibility. We believe, therefore, that if the developer wants to proceed by creating BMR units at Los Altos Gardens, the developer must show that the economic burden is similar to what would otherwise be required at 950 San Antonio Road. In other words, if there are current tenants who qualify for very low or low income BMR units and the reduction in rents is substantial and the financial burden on the developer is equal to building units, then his BMR responsibility would be met. However, if the reduction in rents is minor, then he should be held accountable to provide additional BMR units in the new development to meet his BMR requirement. In summary, the interests of both the tenants and the City need to be met.

Since the 950 San Antonio Road development borders the mixed use/affordable housing overlay district but does not lie within it, the flexibility of the BMR ordinance allows the City to consider a variety of ways to meet the BMR requirements. The City could require **rental** units to be very low-income BMR units and **ownership** units to be moderate-income BMR units. For example, if four of the new units will be rental due to the condo conversion ordinance, these could be very low-income rentals. If ownership units are selected for the BMR program, we encourage these to be moderate income, based on what nearby cities have found to be the best target for ownership BMR's. The economic burden to the developer of any of the alternatives should be weighed and if moderate income BMR's are selected, the percentage of units required should be higher. There could be a mix of rental and ownership BMR units, as well as a mix of BMR units in the new development and at Los Altos Gardens. And rental units at the present Los Altos Gardens must be restricted by the City for 30 years, thus protecting not only the present tenants, but providing long-term affordable units for the City.

The League believes that whatever the City requires as BMR units, the ordinance needs to be applied with transparency and consistency. And while we would like to see the present tenants protected with affordable rental units, we also want the policies of the City's BMR program to be fulfilled.

Sincerely,
Susan Russell
Co-Chair, Affordable Housing Committee
League of Women Voters of Los Altos/Mountain View Area
Cc: James Walgren