

TOWN OF LOS GATOS GENERAL PLAN COMMITTEE SPECIAL MEETING JUNE 26, 2024 110 EAST MAIN STREET TOWN COUNCIL CHAMBERS 5:30 PM

Ryan Rosenberg, Chair Emily Thomas, Vice Chair Rob Moore, Council Member Maria Ristow, Council Member Melanie Hanssen, Planning Commissioner Kathryn Janoff, Planning Commissioner Joseph Mannina, Public Representative

HOW TO PARTICIPATE

The Town of Los Gatos strongly encourages your active participation in the public process. If you are interested in providing oral comments during the meeting, you must attend in-person, complete a speaker's card, and return it to the staff. If you wish to speak to an item on the agenda, please list the item number on the speaker card. The time allocated to speakers may change to better facilitate the meeting. If you are unable to attend the meeting in-person, you are welcome to submit written comments via email to <u>planning@losgatosca.gov</u>.

Public Comment During the Meeting:

When called to speak, please limit your comments to three (3) minutes, or such other time as the Chair may decide, consistent with the time limit for speakers at a Town meeting. Speakers at public meetings may be asked to provide their name and to state whether they are a resident of the Town of Los Gatos. Providing this information is not required.

Deadlines to Submit Written Comments:

If you are unable to participate in person, you may email <u>planning@losgatosca.gov</u> with the subject line "Public Comment Item #_" (insert the item number relevant to your comment). Persons wishing to submit written comments to be included in the materials provided to the Committee must provide the comments as follows:

For inclusion in the agenda packet supplemental materials: by 11:00 a.m. the day before the Committee meeting.

For inclusion in a desk item: by 11:00 a.m. the day of the Committee meeting.

CALL MEETING TO ORDER

ROLL CALL

CONSENT ITEMS (Items appearing on the Consent are considered routine Town business and may be approved by one motion. Members of the public may provide input on any Consent Item(s) when the Chair asks for public comment on the Consent Items.)

<u>1.</u> Draft Minutes of the October 11, 2023 General Plan Committee Meeting

VERBAL COMMUNICATIONS (Members of the public are welcome to address the General Plan Committee on any matter that is not listed on the agenda and is within the subject matter jurisdiction of the Committee. To ensure all agenda items are heard, this portion of the agenda is limited to 30 minutes. In the event additional speakers were not able to be heard during the initial Verbal Communications portion of the agenda, an additional Verbal Communications will be opened prior to adjournment. Each speaker is limited to three minutes or such time as authorized by the Chair.)

PUBLIC HEARINGS (Applicants and their representatives may be allotted up to a total of five minutes maximum for opening statements. Members of the public may be allotted up to three minutes to comment on any public hearing item. Applicants and their representatives may be allotted up to a total of three minutes maximum for closing statements. Items requested/recommended for continuance are subject to the Committee's consent at the meeting.)

 Requesting Approval for Subdivision of One Lot into Two Lots and a General Plan Amendment to Change the Land Use Designation of Parcel A from Public to Low Density Residential on Property Zoned R-1:10. APN: 527-25-005. CEQA Review is Pending. Subdivision Application M-24-011 and General Plan Amendment Application GP-24-002.
 Project Location: 220 Belgatos Road. Property Owner: Union School District. Applicant: Robson Homes, LLC. Project Planner: Jocelyn Shoopman.

OTHER BUSINESS (Up to three minutes may be allotted to each speaker on any of the following items.)

ADJOURNMENT

ADA NOTICE In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Clerk's Office at (408) 354- 6834. Notification at least two (2) business days prior to the meeting date will enable the Town to make reasonable arrangements to ensure accessibility to this meeting [28 CFR §35.102-35.104].



DRAFT MINUTES OF THE GENERAL PLAN COMMITTEE MEETING OCTOBER 11, 2023

The General Plan Committee of the Town of Los Gatos conducted a regular meeting on October 11, 2023, at 5:30 p.m.

MEETING CALLED TO ORDER AT 5:30 P.M.

ROLL CALL

Present: Chair Ryan Rosenberg, Vice Chair Emily Thomas, Council Member Rob Moore, Council Member Hudes, Commissioner Melanie Hanssen, Commissioner Kathryn Janoff, and Public Representative Steve Piasecki.

Absent: Public Representative Joseph Mannina and Public Representative Adam Mayer.

VERBAL COMMUNICATIONS

None.

CONSENT ITEMS (TO BE ACTED UPON BY A SINGLE MOTION)

- 1. Approval of Minutes July 20, 2023
- MOTION:Motion by Planning Commissioner Hanssen to Approve Consent Item.Seconded by Committee Member Piasecki.
- VOTE: Motion passed unanimously.

PUBLIC HEARINGS

 Requesting Approval for a Zone Change from RC (Resource Conservation) to HR-2½ (Hillside Residential), a General Plan Amendment to Change the Land Use Designation from Agricultural to Hillside Residential, and Subdivision of One Lot into Nine Lots on Property Zoned RC. APN: 537-27-047. CEQA Review is Pending. Zone Change Application Z-22-001, General Plan Amendment Application GP-22-001, and Subdivision Application M-22-003. Project Location: 14915 Shannon Road. Property Owner: Ray M. Elam, III, Trustee of Elam Family Trust. Applicant: Terence J. Szewczyk. Project Planner: Sean Mullin. Senior Planner, Sean Mullin, presented the staff report.

Opened Public Comment.

Terry Szewczyk, Applicant

 The location's agricultural uses were a vineyard, then an apricot orchard, and then walnut tree orchard, which is why the Williamson Act is mentioned. The Williamson Act was removed in 2006 and ended in 2016 while still in the County of Santa Clara. It was eventually annexed into the Town in 2018. There are not a lot of choices for this property since it is in the hillside. It is one of the few properties that has both public water and sewer way access. In terms of wildfire safety, we have an existing 300,000gallon water tank adjacent to the property. We will enhance the safety by adding extensions up the hill.

Mary McNabb

 Around 1986, Diduca Way, across from Shannon Road, was being developed to have individual houses, and the County recommended 12 acres per lot. The developer decided to have several homes to be less than 12 acres per lot, going against the County's recommendation. The Town of Los Gatos didn't want the traffic that would come from Shannon, so it was stated that driveways would have to double and connect to Diduca. With these changes, addresses changed and caused mail issues. And if the current proposal is 2.5 acres per lot, it won't work, but maybe 5 acres per lot could work and lessen the traffic a bit.

Jon Toor

Traffic is an issue. While there are some improvements being done to the east, to the west there isn't anything being fixed. Shannon is very narrow, which is a safety issue.
 Fire is another issue. This is a high-risk fire area and getting out of the area should a fire occur will be a huge issue.

Jon Garliepp

The approach to this is not right. The proposal seems to be all over the place. The biological study seems incorrect as we have a lot of wildlife and have at least one on the endangered species list that should be protected. The traffic analysis is incorrect, too. The report doesn't include information for lot 7, which is the most dangerous part of Shannon Road. The driveway entrance will be way above grade at the property. There are accidents in this area often. There is also no consideration for the traffic impact to Sky Lane.

PAGE **3** OF **4** SUBJECT: MINUTES OF THE GPC MEETING OF OCTOBER 11, 2023

Melody Garliepp

Is there a reason for this change before a plan is place? Shannon Road was designated a scenic road when it was in the County. Is it still designated as such now that it is in the Town of Los Gatos? We believe this project affects more people than who were notified, so how do we notify more folks who are affected by this project? We have problems with selling in the area because of this project.

Jim Yoke

 As an Emergency Manager with over 20-years' experience in the field, the proposed development at this property, which is below us, is considered a high severity fire zone. Increased development in this area is asking for trouble around safety and evacuation. I ask that you reject this proposal.

Tina Yoke

- We investigated the potential development of surrounding areas of our home before purchasing, and this proposed change causes a huge impact on our home. In looking at the Town's website, you find contradicting information. You find information around protection of scenic, open space, fire risk, etc., but allowing this change seems to be against what the website states. Sky Lane cannot accommodate more than 2 vehicles.

Terry Szewczyk, Applicant

 To answer some of the questions presented, the biological assessment is also being done by the Town, so if fixes are needed based of the assessments, we will do so. On traffic issues, the west end will likely widen to 24 feet. The road is considered a class 3 bike path, and the fire exit road to Sky Lane has not been discussed yet. The plan is to install a 20-foot roadway to allow for emergency route for those who live on Sky Lane.

Closed Public Comment.

Committee Members discussed the matter.

MOTION: Motion by Commissioner Janoff to recommend to the Planning Commission, the denial for a General Plan Amendment to Change the Land Use Designation from Agricultural to Hillside Residential. Seconded by Vice Chair Thomas.

VOTE: Motion passed unanimously.

PAGE **4** OF **4** SUBJECT: MINUTES OF THE GPC MEETING OF OCTOBER 11, 2023

OTHER BUSINESS

None.

ADJOURNMENT

The meeting adjourned at 6:46 p.m.

This is to certify that the foregoing is a true and correct copy of the minutes of the October 11, 2023, meeting as approved by the General Plan Committee.

Jennifer Armer, Planning Manager



DATE: June 21, 2024
TO: General Plan Committee
FROM: Joel Paulson, Community Development Director
SUBJECT: Requesting Approval for Subdivision of One Lot into Two Lots and a General Plan Amendment to Change the Land Use Designation of Parcel A from Public to Low Density Residential on Property Zoned R-1:10. APN: 527-25-005. CEQA Review is Pending. Subdivision Application M-24-011 and General Plan Amendment Application GP-24-002. Project Location: 220 Belgatos Road. Property Owner: Union School District. Applicant: Robson Homes, LLC. Project Planner: Jocelyn Shoopman.

RECOMMENDATION:

Consider a request for subdivision of one lot into two lots and a General Plan amendment to change the land use designation of Parcel A from Public to Low Density Residential for a property zoned R-1:10, located at 220 Belgatos Road.

BACKGROUND:

The subject parcel is 9.10 acres and located south of Blossom Hill Road, situated between Belgatos Road and Belvue Drive (Attachment 1). The property was previously occupied by Mirassou Elementary School which closed in 1989. Presently, the site is leased by the Union School District to the Stratford School and Bright Horizons Preschool. Concurrently with the General Plan amendment application that is currently under review by the Town, the applicant has submitted a Subdivision application to subdivide the 9.10-acre property into two lots, resulting in an approximate 4.3-acre parcel (Parcel A) and an approximate 4.8-acre parcel (Parcel B). The existing school uses and existing General Plan designation of Public would be retained for Parcel B (Attachment 4).

On September 1, 2023, a preliminary application under Senate Bill 330 was deemed submitted to the Town for the subject property. The preliminary application proposed a subdivision, 24

PREPARED BY: Jocelyn Shoopman Senior Planner

Reviewed by: Planning Manager and Community Development Director

PAGE **2** of **4** SUBJECT: 220 Belgatos Road/M-24-011 and GP-24-002 DATE: June 21, 2024

BACKGROUND (continued):

detached single family homes, and three duet/duplex buildings. After submitting a preliminary application, an applicant has 180 days to submit a full application or the preliminary application expires. On March 13, 2024, the preliminary application for the property expired.

The role of the General Plan Committee (GPC) is to assist the Planning Commission and Town Council on matters relating to the General Plan or any specific plans. As a legislative item, the Planning Commission will make a recommendation to Town Council on the entire project, including the General Plan amendment.

DISCUSSION:

The following is a brief list of issues and topics for consideration by the GPC. Staff has not reached conclusions on these topics and provides them to help frame the discussion and to solicit input. The main question for the GPC is whether the applicant's request to change the General Plan land use designation is consistent with the General Plan.

A. General Plan Land Use Designations

The applicant is proposing a General Plan amendment to change the land use designation from Public to Low Density Residential for the approximate 4.3-acre portion of the property designated as Parcel A in Attachment 5. The applicant is not requesting a change to the land use designation of the property designated as Parcel B. The proposed General Plan amendment is discussed in a project description letter and letter of justification from the applicant included as Attachments 2 and 3.

The proposed Low Density Residential land use designation provides for the following:

• A low density (0-5 dwelling units per net acre), single-family residential properties located on generally level terrain. It encourages single-family residential development in either the standard development established by traditional zoning or by innovative forms obtained through planned development.

The existing Public land use designation identifies public facilities in the Town such as the Civic Center, courthouse, schools, parks, libraries, hospitals, churches, and fire stations.

The parcels to the north, east, west, and south have a Low Density Residential designation, and are all (including the subject parcel) zoned R-1:10. A table of the surrounding General Plan land use designations and zoning is provided on the following page.

PAGE **3** of **4** SUBJECT: 220 Belgatos Road/M-24-011 and GP-24-002 DATE: June 21, 2024

DISCUSSION (continued):

	Existing Land Use	Existing General Plan	Existing Zoning
North	Residential	Low Density Residential	R-1:10
South	Residential	Low Density Residential	R-1:10
East	Residential	Low Density Residential	R-1:10
West	Residential	Low Density Residential	R-1:10

The present use of the subject property is a school use. The area described as Parcel A is a currently unused portion of the existing parcel. The applicant has submitted an application for a two-lot subdivision to enable a portion of the site (Parcel B) to retain the school and Public land use designation, while allowing the proposed General Plan amendment from Public to Low Density Residential for the portion of the property designated as Parcel A (Attachment 5). The subdivision application does not include any proposal for future development or improvements to the property.

B. General Plan Goals/Policies/Strategies

Applicable 2020 General Plan Goals and Policies that will be used to evaluate the proposed General Plan amendment for this site include, but are not limited to the following:

Land Use Goals

- LU-1 To preserve, promote, and protect the existing small-town character and quality of life within Los Gatos.
- LU-4 To provide for well-planned, careful growth that reflects the Town's existing character and infrastructure.
- LU-6 To preserve and enhance the existing character and sense of place in residential neighborhoods.
- LU-7 To use available land efficiently by encouraging appropriate infill development.

Land Use Policies

- LU-1.4 Infill projects shall be designed in context with the neighborhood and surrounding zoning with respect to the existing scale and character of surrounding structures, and should blend rather than compete with the established character of the area.
- LU-4.2 Allow development only with adequate physical infrastructure (e.g. transportation, sewers, utilities, etc.) and social services (e.g. education, public safety, etc.).
- LU-4.4 Project applicants shall evaluate and provide appropriate mitigation measures to reduce impacts on urban services including schools, utilities, police, and fire.

PAGE **4** of **4** SUBJECT: 220 Belgatos Road/M-24-011 and GP-24-002 DATE: June 21, 2024

DISCUSSION (continued):

- LU-6.1 Protect existing residential areas from the impacts of nonresidential development.
- LU-6.4 Prohibit uses that may lead to the deterioration of residential neighborhoods, or adversely impact the public safety or the residential character of a residential neighborhood.
- LU-6.5 The type, density, and intensity of new land use shall be consistent with that of the immediate neighborhood.
- LU-6.7 Continue to encourage a variety of housing types and sizes that is balanced throughout the Town and within neighborhoods, and that is also compatible with the character of the surrounding neighborhood.
- LU-7.1 Allow redevelopment of unused school sites commensurate with the surrounding residential neighborhood and availability of services.

PUBLIC COMMENTS:

At the time of this report, no public comments were received.

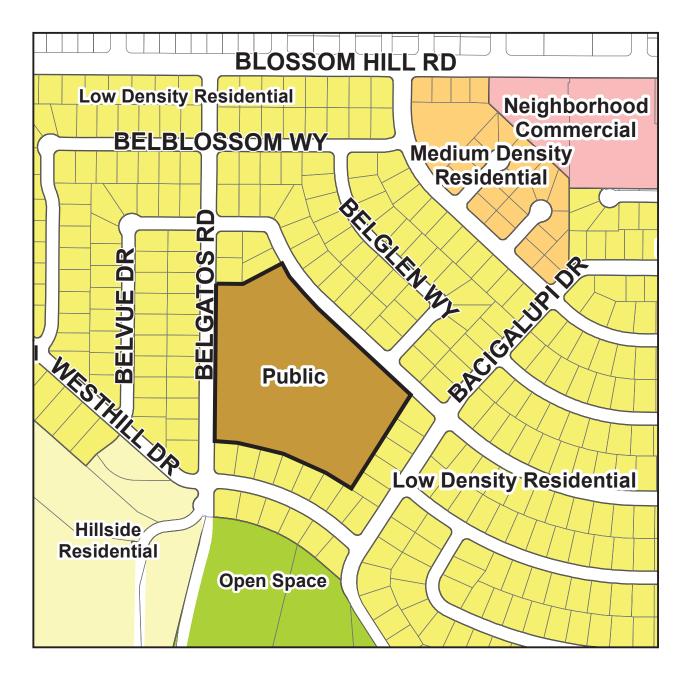
CONCLUSION:

The GPC should consider the existing and proposed General Plan land use designations and make a recommendation to the Planning Commission and Town Council on whether the proposed General Plan amendment from Public to Low Density Residential for the portion of the subject property designated as Parcel A is consistent with the Town's General Plan.

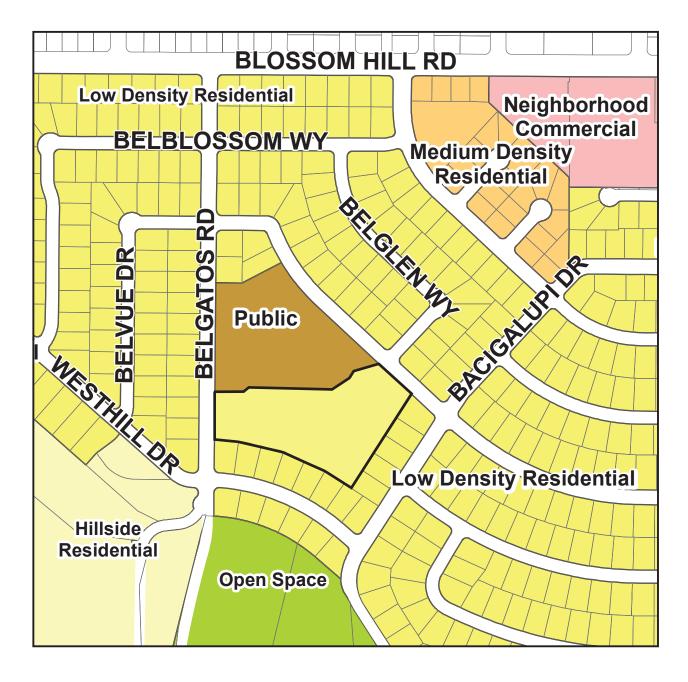
ATTACHMENTS:

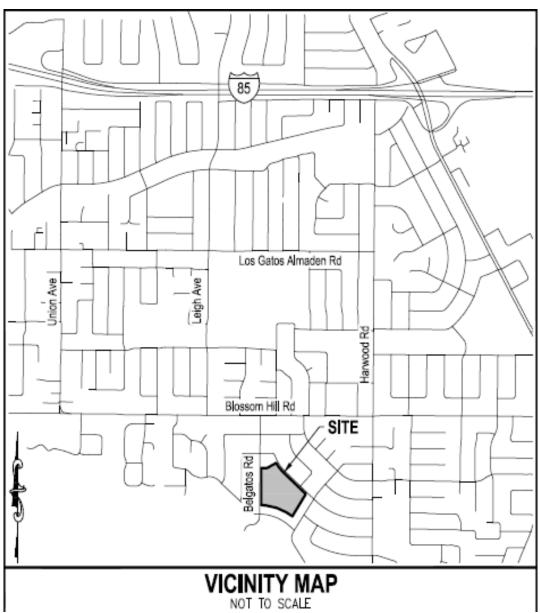
- 1. Location Maps (Showing Existing and Proposed General Plan Designations)
- 2. Project Description
- 3. Letter of Justification
- 4. Site Photos
- 5. Tentative Parcel Map

220 Belgatos Road Existing Land Use Designation



220 Belgatos Road Proposed Land Use Designation





WRITTEN DESCRIPTION OF PROPOSED PROJECT

Address: 220 Belgatos Road Los Gatos, CA 95032

APN: 527.25.005 Lot Size: 9.10 Acres (396,511 SF) Owner: Union School District Applicant: Robson Homes, LLC

Current General Plan Designation: Public Current Zoning Designation: R-1:10

Application Request: General Plan Amendment & Subdivision (Tentative Map)

Subdivision Request: Applicant requests to subdivide property from a 9.1 Acre parcel into two parcels (Identified by applicant as Parcel A & Parcel B): Parcel A: 186,242 SF (Approx 4.3 Acres) Parcel B: 210,269 SF (Approx 4.8 Acres)

General Plan Amendment Request:Applicant proposes an amendment to the General Plan for
Parcel A only from Public to Low Density Residential.
No change to the General Plan Designation for Parcel B.

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ROBSON () HOMES

June 5, 2024

Town of Los Gatos Community Development Department 110 E. Main Street Los Gatos, CA 95030

Re: Mirassou School - Union School District & Robson Homes General Plan Land Use Change

Dear Planning Department Staff:

This letter is submitted with the development application for 220 Belgatos Road, owned by the Union School District (USD), in which Robson Homes is applying to change the General Plan designation for a 4.3-acre portion of the property from Public to Low Density Residential. The subject portion is a fenced-off, unused area of the former Mirassou School site, which closed in 1989. Concurrently, we have applied for the subdivision of the property into two parcels. The remaining portion of the school site, currently leased to the Stratford School and Bright Horizons Preschool, will retain its Public designation. This request is consistent with the goals and policies of the Town's General Plan, supports local schools, and provides quality new housing, including Below Market Rate homes.

In order to create a much-needed new revenue stream, USD entered into a Land Exchange Agreement with Robson Homes for the development of this portion of their property. USD has stated that they are the most underfunded District in Santa Clara County and lack adequate means to operate and repair existing schools, and to continue providing a high-quality education to its students. Our plan is to build low-density, single-family homes consistent with the surrounding neighborhood. This supports General Plan Goal LU-7: "To use available land efficiently by encouraging appropriate infill development" and specifically Policy LU-7.1: "Allow redevelopment of unused school sites commensurate with the surrounding residential neighborhood and availability of services."

The subject property has an underlying zoning of R-1-10 and is surrounded on all sides by Low-Density Residential. Our new homes will comply with the property's underlying CCR's allowing for only single-family detached homes on lots no smaller than 10,000 square feet. Policy LU-6.5 states that, "The type, density, and intensity of new land use shall be consistent with that of the immediate neighborhood." Additionally, Policy LU-6.8 calls for "new construction, remodels, and additions (to) be compatible and blend with the existing neighborhood."

We have engaged with USD on this development since the summer of 2023 and have spent the better part of a year conducting due diligence and performing extensive neighborhood outreach, including neighborhood open house meetings, meetings with the Belwood HOA Board and members, door knocking efforts, and individual meetings with neighbors. Additionally, we met with Town Staff and Town Councilmembers on multiple occasions. We listened to concerns and refined our development plan to design a project the community supports. General Plan Policy LU-1.1: "Encourage developers to engage in discussions as early as possible regarding the nature and scope of the project and possible impacts and mitigation requirements."

ROBSON 🛞 HOMES

This property has the potential to be a great residential neighborhood, and Robson Homes is committed to creating an enclave of wonderful new homes here, homes that will speak to the character and high design standards of the Town. We ask for the Town's support of this General Plan Amendment to create a project that not only financially assists the Union School District, but also provides a practical land use change that is supported by the community and is additive to the Town's housing inventory.

¥.

Sincerely,

Mark Robson President Robson Homes

220 Belgatos, Los Gatos, CA 95030

APN: 527-25-005

Site Map:



Site Photos:

Photo #1:



Photo #2:



Photo #3:



Photo #4:



Photo #5:



Photo #6:



Photo #7:



Photo #8:



Photo #9:



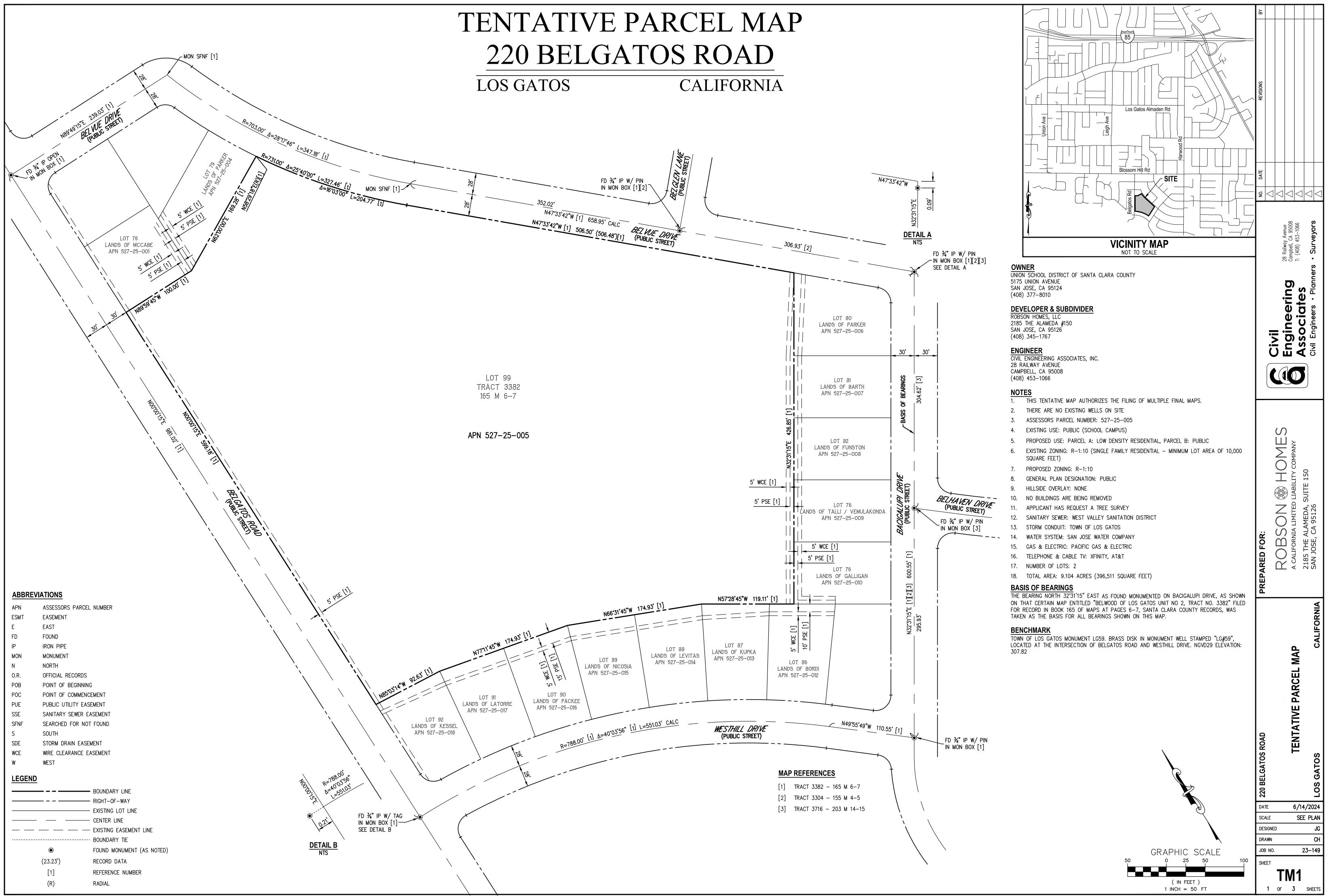
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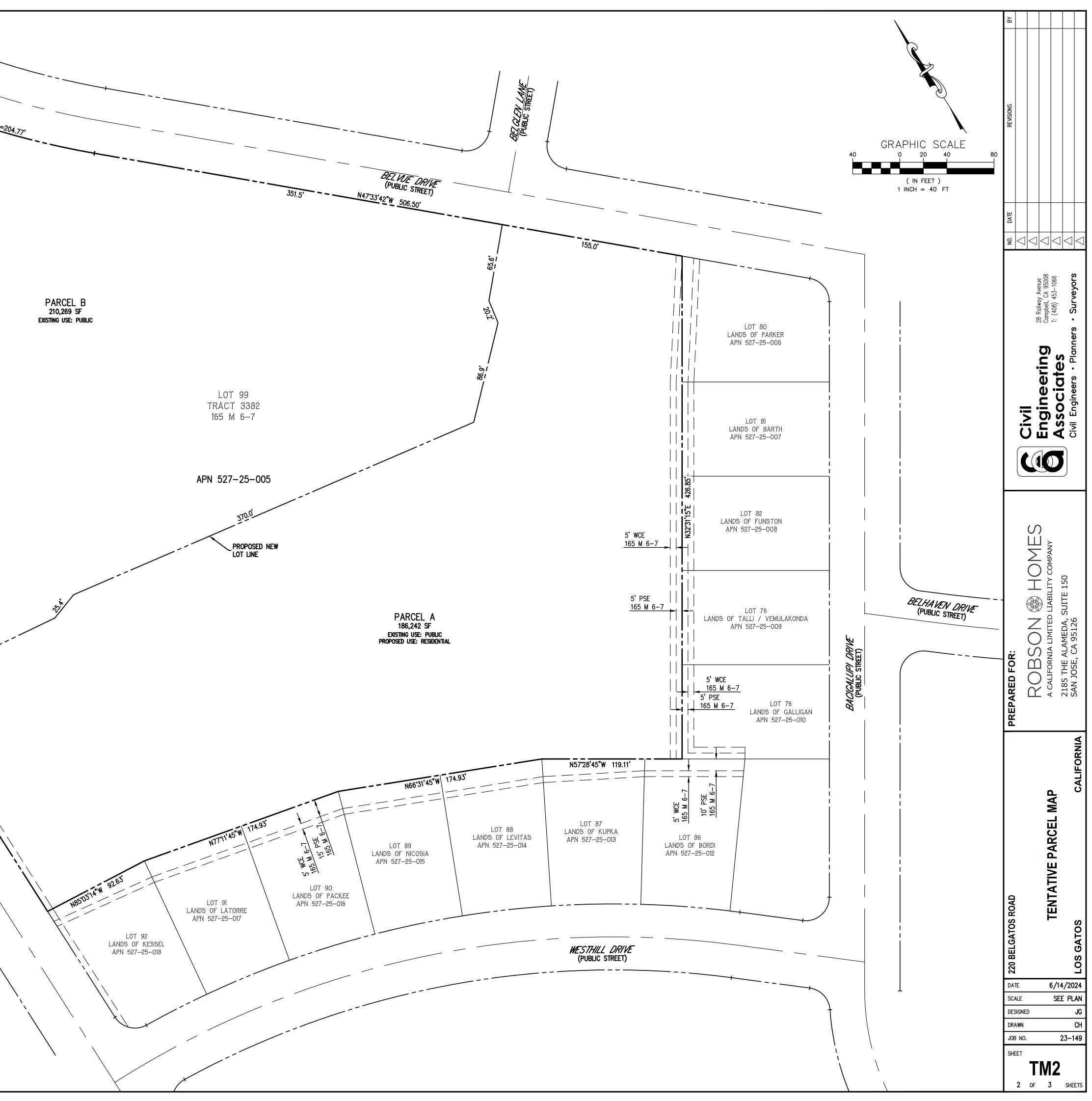


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ATTACHMENT 5

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