



**TOWN OF LOS GATOS
PLANNING COMMISSION
REPORT**

MEETING DATE: 06/10/2020

ITEM NO: 3

DATE: June 5, 2020
TO: Planning Commission
FROM: Joel Paulson, Community Development Director
SUBJECT: Accept the Annual Review Report as Required by Condition of Approval 21 of Approved Conditional Use Permit U-19-003 for Mariposa Montessori School on Property Zoned R-1:8 Located at 16548 Ferris Avenue. APN 532-07-127. Applicant: Kirstin Dawson, Mariposa Montessori School. Property Owner: Faith Lutheran Church. Project Planner: Sean Mullin.

RECOMMENDATION:

Accept the Annual Review Report as required by Condition of Approval 21 of approved Conditional Use Permit U-19-003 for Mariposa Montessori School on property zoned R-1:8 located at 16548 Ferris Avenue (Exhibit 3).

PROJECT DATA:

General Plan Designation: Low Density Residential
Zoning Designation: R-1:8 – Single-Family Residential, 8,000-square foot lot minimum
Applicable Plans & Standards: General Plan
Parcel Size: 96,589 square feet
Surrounding Area:

	Existing Land Use	General Plan	Zoning
North	Residential	Low Density Residential	R-1:8
East	Residential	Low Density Residential	R-1:8
South	Residential	Low Density Residential	R-1:8
West	Residential	Low Density Residential	R-1:8

PREPARED BY: Sean Mullin, AICP
Associate Planner

Reviewed by: Planning Manager, Community Development Director, and Town Attorney

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SUBJECT: 16548 Ferris Avenue/U-19-003

DATE: May 26, 2020

CEQA:

The project is Categorical Exempt pursuant to the adopted Guidelines for the Implementation of the California Environmental Quality Act, Section 15301: Existing Facilities. No significant effect on the environment will occur since the project uses an existing structure with no increase in floor area.

FINDINGS:

- As required, pursuant to the adopted Guidelines for the Implementation of the California Environmental Quality Act, this project is Categorical Exempt, Section 15301: Existing Facilities.
- As required by Section 29.20.190 of the Town Code for granting a Conditional Use Permit.

ACTION:

Accept this report for the annual review of the Conditional Use Permit (CUP) as required by Condition 21 (Exhibit 3).

BACKGROUND:

On May 22, 2019, the Planning Commission approved a modification to an existing CUP for an increase in student enrollment for the Mariposa Montessori School located on the Faith Lutheran Church property. Condition 21 included a requirement for a one-time annual review for compliance with the Conditions of Approval. Specifically, the Planning Commission was concerned with the following conditions for inclusion in the one-time annual review:

17. SCREENING: The school shall provide screening plantings between room 13 and the adjacent neighbors.
18. SAFE DRIVING LETTER: The school shall provide a letter to all current and future parents regarding safe driving.
19. SAFE ROUTES TO SCHOOL: The school shall engage in the Safe Routes to School Program.
20. PUBLIC OUTREACH: Within one month of the date of this approval, the school shall conduct a public outreach meeting to engage its neighbors.

PROJECT DESCRIPTION:

A. Location and Surrounding Neighborhood

The school is located within existing buildings on the Faith Lutheran Church property at 16548 Ferris Road (Exhibit 1). Adjacent properties are developed with single-family residences and are zoned R-1:8.

PROJECT DESCRIPTION (continued):

B. Zoning Compliance

The zoning designation, Residential R-1:8, allows a school pursuant to the approved CUP.

DISCUSSION:

A. Conditional Use Permit Annual Review

The applicant has provided documentation summarizing the actions taken to comply with Conditions 17 through 20 (Exhibits 4 through 7) as outlined below:

- Correspondence with neighbor behind room 13 indicating that the neighbor no longer wanted screening planting as required by Condition 17 (Exhibit 4);
- School newsletter including a reminder to drive safely as required by Condition 18 (Exhibit 5, page 2);
- Correspondence describing the efforts to engage in the Safe Routes to School program as required by Condition 19 (Exhibit 6); and
- Correspondence with neighbors summarizing outreach efforts as required by Condition 20 (Exhibit 7).

B. CEQA Determination

The project is Categorical Exempt pursuant to the adopted Guidelines for the Implementation of the California Environmental Quality Act, Section 15301: Existing Facilities. No significant effect on the environment will occur since the project uses an existing structure with no increase in floor area.

PUBLIC COMMENTS:

Written notice was sent to property owners and occupants within 300 feet of the property.

CONCLUSION:

A. Conclusion

Based on the information in this report, staff has determined that Mariposa Montessori School is in compliance with their CUP.

CONCLUSION (continued):

B. Recommendation

Based on the analysis above, staff recommends accepting this report for the one-time annual review of the CUP. If the Planning Commission finds merit with the request, it should:

1. Find that no further environmental analysis is required (Exhibit 2); and
2. Find that Mariposa Montessori School is in compliance with their CUP (Exhibit 2).

C. Alternatives

Alternatively, the Commission can:

1. Continue the matter to a date certain with specific direction.

EXHIBITS:

1. Location map
2. Required findings
3. Conditional Use Permit U-19-003
4. Landscape screening correspondence
5. March 2020 School Newsletter
6. Safe Routes to School correspondence
7. Neighbor outreach correspondence