

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

A P P E A R A N C E S:

Los Gatos Planning Commissioners:	Jeffrey Barnett, Chair Steve Raspe, Vice Chair Susan Burnett Melanie Hanssen Kathryn Janoff
Town Manager:	Laurel Prevetti
Community Development Director:	Joel Paulson
Town Attorney:	Gabrielle Whelan
Transcribed by:	Vicki L. Blandin (619) 541-3405

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

P R O C E E D I N G S:

CHAIR BARNETT: We're going to move on to Item 1, and that is asking the Commission to consider a request for approval of a zone change from R-1:8 (Prezone Single-Family Residential, Minimum Lot Size of 8,000 square feet) to CH (Restricted Commercial Highway), and also a General Plan Amendment to change the land use designation from Low Density Residential to Mixed Use Commercial for property located at 15810 Los Gatos Boulevard. APN 523-01-001.

As noted in the agenda, an Environmental Impact Report was prepared and certified for the 2040 General Plan Update on June 30th and included a proposed General Plan Amendment for this property. Per staff, no additional environmental analysis is required.

The requests apply to Zone Change Application Z-23-001 and General Plan Amendment Application GP-23-001. The property owners are Jesus Ching and Kathleen Ban, and the project planner is Jocelyn Shoopman.

We'll have a request for hands of those who have visited the property. Thank you, and are there any disclosures tonight? I don't see any. We will begin with a presentation by Ms. Shoopman, if you would.

1 JOCELYN SHOOPMAN: Thank you, good evening.
2 Before you tonight is a request for approval of a zone
3 change from R-1:8 Prezone to CH, and a General Plan
4 Amendment to change the land use designation from Low
5 Density Residential to Mixed-Use Commercial.

6 The approximate 10,000 square foot parcel is
7 located at the southeast corner of Los Gatos Boulevard and
8 Farley Road and contains an existing commercial building.
9 The property is presently located in an unincorporated area
10 of Santa Clara County with the zoning of Administrative and
11 Professional Office and a General Plan use designation of
12 Urban Service Area Los Gatos.
13

14 Concurrently with the zone change and General
15 Plan Amendment Application the property owner has also
16 submitted an Annexation Application that is currently under
17 review by the County. It is anticipated that the Town
18 Council will consider this once that review has been
19 completed.

20 At this time no modifications to the building or
21 use of the building as a dentist office is proposed by the
22 Applicant. The General Plan Committee considered the
23 request on May 10th of this year where the Committee
24 recommended approval of the General Plan Amendment.
25

1 This completes Staff's presentation, but I'm
2 available for any questions.

3 CHAIR BARNETT: Thank you for that, Ms. Shoopman,
4 and I'll turn to my fellow commissioners and see if they
5 have any questions, and I do not see any, so thank you
6 again.

7 We'll now open the public portion of the public
8 hearing on Item 1 and give the Applicant an opportunity to
9 address the Commission for up to five minutes, and we have
10 two cards, Mr. Ching and Mr. Shanks, and if you're part of
11 the same team then there will be a five-minute limit for
12 both of you.

13 ROGER SHANKS: Good evening, I'm Roger Shanks, a land
14 use consultant working with the applicant on this project.
15 This is an interesting project in that it's already been
16 changed to this designation with the 2040 General Plan,
17 which has now been suspended for a while, so we are asking
18 that this go back to the same designation.

19 If we could put up that one slide. This is your
20 General Plan and the property under discussion is right
21 here; I tried to circle that. It is about the only
22 commercial piece fronting on Los Gatos Boulevard that is
23 not in this designation; it is designated right now Single-
24 Family. The three properties adjacent to it, right here,
25

1 all back up to Los Gatos Boulevard; they have no access to
2 the street, so they're accessing into the residential
3 neighborhood.

4 This is a single-story building; they want to
5 keep that. At this point they have no intention of changing
6 it. The access is out to Los Gatos Boulevard. We feel this
7 really conforms to the overall goal and objective of the
8 General Plan and is in keeping with the theme of
9 maintaining the residential character of the surrounding
10 area and not impacting on that.

11
12 If you have any questions, I would be more than
13 glad to answer, and the property owner is here also.

14 CHAIR BARNETT: Will the property owner be
15 speaking too?

16 ROGER SHANKS: Yes, he will.

17 CHAIR BARNETT: So let's stop the clock if we can
18 and ask Commissioners if they have any questions for you at
19 this time. I don't see any. So, Mr. Ching.

20 JESUS CHING: My name is Jesus Ching; I'm the
21 property owner of 15810 Los Gatos Boulevard. I just want to
22 say thank you to Jennifer and Jocelyn for helping me walk
23 through this whole detailed process over the last three
24 years.
25

1 Please consider our proposal here. We are trying
2 to get the property incorporated into the Town of Los Gatos
3 and continue to provide services for the community. Thank
4 you.

5 CHAIR BARNETT: Thank you, sir. Before you go
6 back to sitting down, I'll ask Commissioners if they have
7 any questions for you, and I do not see any, so thank you
8 again.

9 JESUS CHING: Thank you.

10 CHAIR BARNETT: We'll invite comments on Item 1
11 from members of the public. Please use the raised hand
12 feature in Zoom, or if you're speaking in person tonight
13 and have not already done so, please bring up a card to
14 Staff. I don't see anyone. Mr. Paulson?

15 JOEL PAULSON: Thank you, Chair. No, there's no
16 one with their hand raised for this item.

17 CHAIR BARNETT: Okay, thank you. We'll now close
18 the public portion of the public hearing and ask if any
19 Commissioners have questions of Staff, wish to comment on
20 the request, or introduce a motion for consideration by the
21 Commission? Commissioner Hanssen.

22 COMMISSIONER HANSSEN: I don't have any
23 questions. I actually sit on the General Plan Committee
24 when we heard the General Plan Amendment portion of this.
25

1 This is both a General Plan Amendment and a zoning change,
2 but it would make it consistent with its General Plan
3 designation if the Commission approves it.

4 When we heard this at the General Plan Committee
5 there were a few questions, but there were no issues that
6 anyone brought up; it seemed very straightforward. We don't
7 have the Los Gatos Boulevard Plan anymore, but when we had
8 that plan the idea was the only Residential on the
9 boulevard was going to be farther down south, so this
10 seemed to be very consistent with both the 2020 General
11 Plan and what we were looking at in the Housing Element,
12 and ultimately if the 2040 Land Use Plan is approved in any
13 form it should be consistent with that as well.

14 CHAIR BARNETT: Thank you, Commissioner Hanssen.
15 Other input? We'll start with Commissioner Janoff.

16 COMMISSIONER JANOFF: Thank you. I also sit on
17 the General Plan Committee, and the comments that we had
18 during that meeting also involved talking about this notion
19 of small town character, the proximity of this Residential
20 designation to other residences, and whether it made sense
21 for there to be a Residential designation on Los Gatos
22 Boulevard with an access off of Los Gatos Boulevard, and
23 for a lot of reasons it doesn't make sense for that to be
24 Residential, so the request seemed reasonable to us.
25

1 It's designated Residential, but if it's changed
2 to Mixed-Use then in theory we have the opportunity to see
3 more Residential than just one unit on this property, and
4 that's also consistent with where we want to go with the
5 General Plan and the Housing Element.

6 I want to just reiterate that I believe it is the
7 only Residential... I mean it isn't Residential, it's working
8 as a Commercial entity, but there are no other residences
9 or anything close to Residential from Lark Avenue down to
10 probably past Blossom Hill Road, so it doesn't seem to make
11 sense for the overall fabric of the Town for this to remain
12 Residential, so I'm in support of making the recommendation
13 as requested.

14
15 CHAIR BARNETT: Thank you for that, and
16 Commissioner Burnett, you had your hand up.

17 COMMISSIONER BURNETT: Yes, thank you, Chair. A
18 question. I agree with Commissioner Janoff. I did want to
19 mention that the property is located in an unincorporated
20 area of Santa Clara County and that the property owner has
21 submitted an Annexation Application that is under review,
22 so I just wanted to be sure there would be no issue
23 regarding that matter.

24 JOCELYN SHOOPMAN: No, there's no issue with
25 that.

1 CHAIR BARNETT: Anything further? I'd like Ms.
2 Armer to confirm what I believe I heard yesterday, which is
3 that housing would be allowed in this CH zone, at least if
4 there was a Conditional Use Permit.

5 JENNIFER ARMER: Thank you for that question.
6 Yes, this is in a Mixed-Use zone, or is proposed to be in a
7 Mixed-Use zone, and therefore Residential could be allowed
8 on the site as part of a Mixed-Use project through the
9 Conditional Use Permit process.
10

11 CHAIR BARNETT: Thank you very much. I think we
12 might be ready for a motion. Commissioner Hanssen.

13 COMMISSIONER HANSSEN: I move that we approve
14 General Plan Amendment Application GP-23-001 and Zone
15 Change Application Z-23-001, which is considering a request
16 for approval for a zone change from R-1:8 Prezone (Single-
17 Family Residential) to CH (Restricted Commercial Highway),
18 as well as the General Plan Amendment to change the land
19 use designation from Low Density Residential to Mixed-Use
20 Commercial for property located at 15810 Los Gatos
21 Boulevard, APN 523-01-001.

22 An Environmental Impact Report was prepared and
23 certified for the 2040 General Plan Update on June 30,
24 2022, which was mentioned by our Chair. This included the
25 proposed general amendment for the property. No further

1 environmental analysis is required because of that, and the
2 property owners were already speaking.

3 I can make the required findings for CEQA, and I
4 can make the findings for the required consistency with the
5 Town's General Plan, that the General Plan Amendment is
6 internally consistent with the existing goals and policies
7 of the plan and its elements, and that the proposed zoning
8 is also consistent with the proposed General Plan change.
9

10 I think there is a draft ordinance. Do we have to
11 mention that as well in the motion? Okay, so that's my
12 motion.

13 CHAIR BARNETT: Thank you for the motion. Do we
14 have a second? Commissioner Janoff.

15 COMMISSIONER JANOFF: Second.

16 CHAIR BARNETT: Any discussion? We can have show
17 of hands now, so all those in favor of the motion? It
18 passes unanimously. Thank you very much.

19 (END)
20
21
22
23
24
25