



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 06/18/2024

ITEM NO: 19

DATE: June 13, 2024
TO: Mayor and Town Council
FROM: Laurel Prevetti, Town Manager
SUBJECT: Consider a Request for an Exception to the Height Pole, Flagging, Netting, and Signage Policy to Allow Preparation of Visual Renderings by the Applicant Rather than the Town's Consultant as Required by the Policy on Property Zoned R:PD Located at 110 Wood Road. This Request is Not a Project as Defined by CEQA Guidelines Section 21065. APN 510-47-038. Applicant: Frank Rockwood. Property Owner: Front Porch Communities. Project Planner: Sean Mullin

RECOMMENDATION:

Consider a request for an exception to the Height Pole, Flagging, Netting, and Signage Policy (Policy) to allow preparation of visual renderings by the applicant rather than the Town's consultant as required by the Policy on property zoned R:PD located at 110 Wood Road.

BACKGROUND:

Historically, story poles have been used for two purposes. The primary purpose is to help illustrate proposed building locations and heights for pending development applications. Additionally, the story poles help alert the community of development applications that are scheduled for consideration at a public hearing.

The existing Policy was recently updated and adopted by the Town Council on April 16, 2024 (Attachment 2). The updated Policy requires installation of story poles and netting for new non-residential primary structures. However, the Policy provides an exemption for buildings that are over 55 feet tall, requiring these projects to provide alternative/video renderings prepared by the Town's consultant. The current project qualifies for the exemption with buildings ranging in height from 59 feet to 93.5 feet.

PREPARED BY: Sean Mullin, AICP
Senior Planner

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

BACKGROUND (continued):

The subject site is an approximately 10.84-acre parcel at the intersection of Wood Road and South Santa Cruz Avenue (Attachment 1). The site has been occupied by the Los Gatos Meadows, a senior living community since 1971. In February 2019, the Los Gatos Meadows facility initiated a month's long closure and transition process to relocate all residents. By September 2019, the facility was vacant. While the property owner, Front Porch Communities, has completed the closure process, the property continues to be staffed to provide on-going maintenance and to ensure security of the property.

On February 12, 2020, an application was filed requesting a new Planned Development (PD) zoning for the property for the purpose of building a new senior living community. The existing zoning is Residential, Planned Development (R:PD) and the General Plan Land Use designation is Medium Density Residential.

On October 19, 2021, the Town Council approved an exception to the previous Policy to allow installation of story poles with a double row of flagging, rather than the required netting. The Planning Commission then considered the project on January 12, 2022, and forwarded a recommendation of denial to the Council based on concerns related to building height, tree removal, and unit mix. On April 5, 2022, The Town Council considered the project and several options presented by the applicant in response to the concerns expressed by the Planning Commission. The Council remanded the application back to the Planning Commission for further discussion. On October 25, 2023, the Planning Commission held a study session and provided feedback to the applicant on a revised submittal presented in a conceptual fashion.

The Town Council and Planning Commission staff reports and meeting minutes are available at www.losgatosca.gov/110WoodRoad.

The revised project is currently progressing through the staff technical review process and will be forwarded to the Planning Commission at a future date to be determined.

DISCUSSION:

On May 8, 2024, the applicant submitted a request for an exception to the Policy to allow preparation of visual renderings by their consultant rather than the Town's consultant (Attachment 3). The applicant's request letter provides additional details and justification, including a link to the visual renderings prepared by their consultant. The applicant indicates that their consultant began preparing the renderings several months prior to the Council's April 16, 2024 adoption of the revised Policy. The renderings were being prepared to accompany their next submittal to the Town to help clarify the visual impacts of the revised project.

DISCUSSION (continued):

The timing of the Council's adoption of the revised Policy relative to the applicant's preparation of the visual renderings by their consultant creates a unique circumstance. The applicant is concerned that adhering to the Policy could place undue financial hardship and delay on the applicant by having to repeat the work to prepare visual renderings by the Town's consultant.

Additionally, since the adoption of the revised Policy in April, staff has prepared a Request for Proposals (RFP) to retain a consultant which was released on June 5, 2024. Proposals are due at the end of this month and after review, the Town will enter into a contract with a qualified consultant. A consultant should be under contract by the end of August.

PUBLIC COMMENTS:

Pursuant to the Policy, notice of the Town Council hearing was sent to property owners and tenants within 1,000 feet of the subject property and agendas for the hearing were posted outside Town Hall and in the Town Library. Notice was also published in the Los Gatos Weekly, posted under "What's New" on the Town's website, and posted on the Town's social media platforms. Lastly, the request for an exception from the policy and the proposed story pole plan was posted under "Pending Projects" on the Town's website. Comments received by 11:00 a.m., Thursday, June 13, 2024 are included as Attachment 4.

CONCLUSION:

Based on the discussion above, staff recommends approval of the request for an exception to the Policy to allow preparation of visual renderings by the applicant rather than the Town's consultant as required by the Policy on property zoned R:PD located at 110 Wood Road as the Town has not retained a consultant.

ALTERNATIVES:

1. Continue the request to a date certain with specific direction; or
2. Approve the request with modified requirements; or
3. Deny the request.

ENVIRONMENTAL REVIEW:

Action on the requested exception does not constitute a "project" as defined by section 15378 of the CEQA Guidelines because it is not an action which has a potential for resulting in either a direct or reasonably foreseeable indirect physical change in the environment.

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SUBJECT: 110 Wood Road/Story Pole Exception Request

DATE: June 13, 2024

ATTACHMENTS:

1. Location Map
2. Height Pole, Flagging, Netting, and Signage Policy
3. Exception Request from the Applicant, dated May 8, 2024
4. Public Comments received by 1100 a.m., Thursday, June 13, 2024