



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 10/19/2021

ITEM NO: 10

DATE: October 13, 2021
TO: Mayor and Town Council
FROM: Laurel Prevetti, Town Manager
SUBJECT: Consider a Request for an Exception to the Height Pole and Netting Policy to Allow an Alternative to Standard Story Pole Installation to Illustrate and Provide Notice of the Proposed Project on Property Zoned R:PD Located at 110 Wood Road. APN 510-47-038. Applicant: Frank Rockwood. Property Owner: Covia Communities. Project Planner: Sean Mullin

RECOMMENDATION:

Consider a request for an exception to the Height Pole and Netting Policy (Policy) to allow an alternative to standard story pole installation to illustrate and provide notice of the proposed project 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 approved by the Town Council on August 5, 2013 (Attachment 2). The existing Policy specifies the conditions and process for a possible story pole exception. Specifically, the Policy identifies that the applicant must clearly demonstrate to the Town that the installation of story poles would: (a) cause a threat to public health and safety; or (b) impair the use of existing structures or the site to the extent it would not be able to be occupied and the business or residential use would be infeasible. A Planned Development (PD) application with multiple detached commercial structures and/or residential units may request to erect story poles on the locations where the key structures will be placed. The deciding body will take into account the density of the development when considering an exception request.

PREPARED BY: Sean Mullin, AICP
Associate Planner

Reviewed by: Town Manager, Assistant Town Manager, Town Attorney, and Finance Director

BACKGROUND (continued):

The Policy requires that story poles be installed at the corners of all structures and that the rooflines of the proposed structures be represented by at least two-foot-wide orange woven plastic snow fencing (netting).

The Policy requires the Town Manager to determine if at least one of two criteria is met before the Council can consider requests for exceptions to the story pole installation requirements. As discussed below, the proposal meets the public health and safety criterion. The Council is the deciding body for story pole exceptions.

On January 19, 2021, the Council considered a request from the applicant for the following exceptions from the Policy requirements to minimize nuisance to the neighbors and damage to the existing structures:

1. To install story poles only at the corners of perimeter buildings for five of the proposed eight buildings that are visible from public views;
2. To install rope flags connecting the story poles, in lieu of netting;
3. To provide additional scale visualizations utilizing photo simulations of the proposed project from the following three locations: Broadway and Farwell Lane (secondary access road to the site off of Broadway), Wood Road and South Santa Cruz Avenue, and East Main Street and Church Street; and
4. To install the story poles for a maximum of 20 days from the completion of installation and circulation of additional scale visualizations.

The Council continued consideration of the request with direction to the applicant to provide better visualization, increase the number of story poles, and consider using the orange netting to ensure visibility from a distance. On March 5, 2021, the applicant withdrew the request citing feedback received from the neighbors.

DISCUSSION:

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, Covia Communities, has completed the closure process, the property continues to be staffed to provide on-going maintenance and to ensure security of the property.

An application has been filed by Frank Rockwood requesting a new Planned Development zoning for the property for the purpose of rebuilding a new senior living community. The

DISCUSSION (continued):

existing zoning is Residential, Planned Development (R:PD) and the General Plan land use designation is Medium Density Residential.

On September 23, 2021, the applicant submitted a request for an exception to the Policy to install rope flags connecting the story poles, in lieu of the required two-foot-wide orange netting (Attachment 3). The applicant indicates that, given the number of poles and the spacing between the poles, the weight of the required netting would create a safety hazard, causing a threat to public health and safety. Attachment 3 includes the proposed story pole plan representing the height and mass of the buildings in the proposed senior living community. The Policy requires that story poles and project signage be installed prior to mailing public notice or advertising for a public hearing. The application for the new senior living community and the associated Environmental Impact Report will be considered by the Planning Commission at a future hearing date to be determined.

PUBLIC COMMENTS:

Pursuant to the Policy, notice of the Town Council hearing was sent to property owners and tenants within 300 feet of the subject property and agendas for the hearing were posted outside Town Hall and 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. Public comments received by 11:00 a.m., October 15, 2021 are included in Attachment 4.

CONCLUSION:

Staff recommends approval of the proposed exception to install the story poles with rope flags in lieu of netting. If the Town Council determines that the story pole exception request is appropriate, staff recommends that the Town Council limit the approval to the proposed story pole exception request and plan in Attachment 3. Any new request to modify the proposed story pole plan would be required to return to the Town Council for consideration of a new story pole exception.

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.

PAGE 4 OF 4

SUBJECT: 110 Wood Road/Story Pole Exception Request

DATE: October 13, 2021

COORDINATION:

The Community Development Department coordinated with the Town Manager's Office in the review of the requested exception.

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.

ATTACHMENTS:

1. Location Map
2. Height Pole and Netting Policy
3. Exception Request and Proposed Story Pole Plan from the Applicant, dated September 23, 2021
4. Public Comments received by 11:00 a.m., Thursday, October 14, 2021