



**TOWN OF LOS GATOS
PLANNING COMMISSION
REPORT**

MEETING DATE: 07/14/2021

ITEM NO: 2

DATE: July 9, 2021
TO: Planning Commission
FROM: Joel Paulson, Community Development Director
SUBJECT: Consider Approval of a Request for Modification to an Existing Architecture and Site Application (S-13-090) to Relocate an Existing Pre-1941 Single-Family Residence from Property in the Northern Portion of the North Forty Specific Plan Area to a Property in the Approved First Phase of the North Forty Specific Plan Area with Additional Below Grade Square Footage, a Reduction of Parking Spaces, and the Removal of One Housing Unit on Property Zoned North Forty Specific Plan. Located at 15011 Los Gatos Boulevard. APN 424-56-019. Architecture and Site Application S-20-035. Property Owner: Yuki Family c/o Edward Morimoto. Applicant: Don Capobres, Harmonie Park Development. Project Planner: Ryan Safty.

RECOMMENDATION:

Consider approval of a request for modification to an existing Architecture and Site application (S-13-090) to relocate an existing pre-1941 residence from property in the northern portion of the North Forty Specific Plan Area to a property in the approved First Phase of the North Forty Specific Plan Area with additional below grade square footage, a reduction of parking spaces, and the removal of one housing unit on property zoned North Forty Specific Plan, located at 15011 Los Gatos Boulevard.

PROJECT DATA:

General Plan Designation: North Forty Specific Plan
Zoning Designation: North Forty Specific Plan
Applicable Plans & Standards: General Plan; North Forty Specific Plan
Parcel Size: 1.47 acres

PREPARED BY: RYAN SAFTY
Associate Planner

Reviewed by: Planning Manager and Community Development Director

PROJECT DATA (continued):

Surrounding Area:

	Existing Land Use	General Plan	Zoning
North	Agriculture, Commercial, and Residential	North 40 Specific Plan (N40 SP)	N40 SP
East	Commercial and Residential	Mixed Use Commercial	CH and R-1:8
South	Commercial and Residential	N40 SP	N40 SP
West	Commercial and Residential	N40 SP	N40 SP

CEQA:

An Environmental Impact Report (EIR) was prepared and certified for the North Forty Specific Plan on January 5, 2015. No further environmental analysis is required.

FINDINGS:

- That the project is consistent with the North Forty Specific Plan.

CONSIDERATIONS:

- As required by Section 29.20.150 of the Town Code for granting approval of an Architecture and Site application.

ACTION:

The decision of the Planning Commission is final unless appealed within ten days.

BACKGROUND:

On June 17, 2015, the Town Council adopted the North Forty Specific Plan, providing more detailed land use and development guidance for the area than occurs in the General Plan. The approval of the North Forty Specific Plan also amended the zoning of the property to North Forty Specific Plan.

On August 1, 2017, the Town Council adopted a resolution to approve the Phase I Architecture and Site application (S-13-090) and Vesting Tentative Map application (M-13-014) for the construction of a new multi-story mixed-use development, which includes residential units, commercial square footage including a market hall, and on-site and off-site improvements on 20.7 acres of the North Forty Specific Plan Area.

BACKGROUND (continued):

On September 4, 2018, the Town Council adopted a resolution to approve amendments to the North Forty Specific Plan.

On December 11, 2019, the Conceptual Development Advisory Committee (CDAC) reviewed the proposed house relocation application and provided comments, questions, and preliminary support of the proposal (Exhibit 4). Following the first CDAC hearing, the applicant revised the proposal to include below grade retail space. On August 12, 2020, the CDAC reviewed the revised proposal and provided additional comments, questions, and preliminary support of the revised proposal (Exhibit 5).

Per the direction of the CDAC, the application was reviewed by the Historic Preservation Committee (HPC). On December 16, 2020, the HPC reviewed the proposed house relocation and request for minor exterior alterations, and unanimously voted to forward a recommendation of approval to the Community Development Director (Exhibit 6).

PROJECT DESCRIPTION:

A. Location and Surrounding Neighborhood

The subject parcel is approximately 1.47 acres, located within the Transition District of the North Forty Specific Plan Area east of Los Gatos Boulevard, and is currently vacant (Exhibit 1).

B. Project Summary

Architecture and Site application S-13-090 included approval of Phase 1 of the North Forty Specific Plan (Phase 1), including the Lark and Transition Districts. Phase 1 included approval of 320 residential units and approximately 57,522 square feet of commercial floor area. Based on current Town Code parking requirements, approximately 871 total parking spaces are required for Phase 1.

The current proposal is to relocate an existing pre-1941 residence from the Northern District of the North Forty Specific Plan Area to property in the Transition District of Phase 1. The relocation would include: additional below grade square footage; removal of one approved housing unit; and removal of 11 parking spaces.

C. Zoning Compliance

The two-story, mixed-use building with proposed office, residential, and basement retail is a permitted use within the Transition District in the North Forty Specific Plan.

DISCUSSION:

A. Architecture and Site Analysis

Phase 1 included approval of 320 residential units and approximately 57,522 square feet of commercial floor area. The applicant is proposing to modify application S-13-090 for Phase 1 in order to relocate an existing two-story single-family residence from the Northern District at 14919 Los Gatos Boulevard to the southwest portion of the lot at 15011 Los Gatos Boulevard within the Transition District, commonly referred to as "Building A1 West/live-work unit." Justification for the request is included in Exhibit 8, and the applicant's Project Description Letter is included in Exhibit 9.

Phase 1 approved two, "Type H" live/work units to the south of Building A1 located in Area A of the Transition District. The Type "H" units were each 1,075 square feet with 524 square feet of flex office space on the ground floor and 551 square feet of residential space on the second floor, for a total of 2,150 square feet between the two units. The approved building height for the two live/work units is 33.5 feet, with a design consisting of form-board concrete siding, standing seam metal roof, and aluminum windows. Excerpts from the Phase 1 approved plans are included in Exhibit 7.

The applicant is proposing to replace the two live/work units with an existing two-story single-family residence, currently located at 14919 Los Gatos Boulevard within the Northern District of the North Forty Specific Plan Area (Exhibit 11). The existing two-story residence is 24 feet tall and 2,611 square feet, with 1,517 square feet on the ground floor and 1,094 square feet on the second floor. The applicant is proposing to relocate the existing residence to the subject property at 15011 Los Gatos Boulevard, add 1,530 square feet of below grade square footage, and add an elevator and open-air courtyard, for a total of 4,101 square feet. The first floor, with removal of the existing closet, would become a 1,477-square foot commercial office space, and the 1,094-square foot second story would be used as a residential unit. All three proposed uses are permitted by the North Forty Specific Plan in this location.

The proposed project would modify Architecture and Site application S-13-090 as follows: reduce the number of approved residential units from 320 to 319; lower the approved building height by nearly 10 feet; decrease the proposed residential floor area by eight square feet; increase the proposed commercial square footage by 1,959 square feet; remove 11 parking spaces; alter the approved side and rear setbacks; increase the proposed open space by 337 square feet; and increase grading associated with the excavation for the new below grade square footage. More information regarding the commercial floor area, parking requirements, setbacks, and grading are provided below.

DISCUSSION (continued):

A. Commercial Floor Area

The North Forty Specific Plan approved a maximum development capacity of 501,000 square feet, which included 435,000 square feet of new non-residential square footage and 66,000 square feet of existing commercial uses. Phase 1 approved approximately 57,522 square feet of commercial area, with 62,115 square feet of existing commercial area shown as being retained in Phase 1 and other areas of the North 40 Specific Plan Area, for a remaining balance of approximately 381,363 square feet of commercial floor area per the North Forty Specific Plan. The proposed increase in commercial square footage complies with the North Forty Specific Plan.

B. Parking

Phase 1 included approval of 320 residential units and approximately 57,522 square feet of commercial floor area. Based on current parking standards in Town Code, approximately 871 parking spaces are required for the approved uses in Phase 1. In the Phase 1 area, 1,044 parking spaces are provided, which results in an excess of approximately 173 parking spaces. The proposed project would result in the removal of 11 uncovered parking spaces, as shown on Sheet C0 of Exhibit 11 and detailed in Exhibit 9. With the proposed modification, the proposal would result in 1,033 parking spaces provided for Phase 1, which would result in an excess of approximately 162 spaces from the requirements for the proposed uses in Phase 1. The proposed reduction of 11 parking spaces complies with the North Forty Specific Plan.

C. Setbacks

Per the North Forty Specific Plan, the required street setback along South Turner Street is 25 feet and includes the parking area, with a 10-foot setback requirement from the building face to the curb of the parking spaces. There are no side or rear setback requirements for mixed-use buildings in the Transition District. The proposed relocated structure would maintain the required 10-foot setback to the adjacent parking spaces along South Turner Street. The proposed side setback along Curtis Street would be five feet, six inches, the rear setback along the parking lot would range from roughly five feet, eight inches to ten feet, seven inches, and the internal side setback would range from 10 to 12 feet. The proposed setbacks comply with the North Forty Specific Plan.

DISCUSSION (continued):

D. Grading

The proposed relocation application includes new below grade square footage underneath the relocated house footprint, resulting in 750 cubic yards of excavation, as well as additional grading outside of the footprint. The applicant will work with Parks and Public Works make any necessary revisions to the existing Grading Permit that are required.

E. CEQA Determination

An EIR was prepared and certified for the North Forty Specific Plan on January 5, 2015. No further environmental analysis is required.

PUBLIC COMMENTS:

Written notice was sent to property owners and tenants located within 300 feet of the subject property. No public comments were received by 11:00 a.m., Friday, July 9, 2021.

CONCLUSION:

A. Summary

The applicant is requesting approval to modify Architecture and Site application S-13-090 (Phase 1) to relocate an existing pre-1941 residence from property in the northern portion of the North Forty Specific Plan Area to a property in the approved First Phase of the North Forty Specific Plan Area with additional below grade square footage, a reduction of 11 parking spaces, and the removal of one approved housing unit on property zoned North Forty Specific Plan.

B. Recommendation

Based on the analysis above, staff recommends approval of the Architecture and Site application subject to the recommended conditions of approval (Exhibit 3). If the Planning Commission finds merit with the proposed project, it should:

1. Make the finding that no further environmental analysis is required (Exhibit 2);
2. Make the finding that the project complies with the North Forty Specific Plan (Exhibit 2);
3. Make the considerations as required by Section 29.20.150 of the Town Code for granting approval of an Architecture and Site application (Exhibit 2); and
4. Approve Architecture and Site application S-20-035 with the conditions contained in Exhibit 3 and the development plans in Exhibit 11.

CONCLUSION (continued):

C. Alternatives

Alternatively, the Commission can:

1. Continue the matter to a date certain with specific direction; or
2. Approve the application with additional and/or modified conditions; or
3. Deny the application.

EXHIBITS:

1. Location Map
2. Required Findings and Considerations
3. Recommended Conditions of Approval
4. December 11, 2019 Conceptual Development Advisory Committee staff report and meeting minutes
5. August 12, 2020 Conceptual Development Advisory Committee staff report and meeting minutes
6. December 16, 2020 Historic Preservation Committee staff report and meeting minutes
7. North Forty Phase 1 Excerpts
8. Letter of Justification, received November 4, 2020
9. Project Description Letter, received April 26, 2021
10. North Forty Parking Exhibit, received March 17, 2021
11. Development Plans, received May 27, 2021

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