



## TOWN OF LOS GATOS

COMMUNITY DEVELOPMENT DEPARTMENT  
Planning Division  
(408) 354-6872 Fax (408) 354-7593

CIVIC CENTER  
110 E. MAIN STREET  
P.O. Box 949  
LOS GATOS, CA 95031

August 2, 2005

Mariposa Montessori  
16548 Ferris Avenue  
Los Gatos, CA 95032

**RE: Public Hearing**

**16548 Ferris Avenue**  
**Conditional Use Permit U-05-016**

**Requesting approval to modify an existing Conditional Use Permit for a day care center regarding the hours of operation on property zoned R-1:8. APNS 532-07-036, 037 and 091**  
**PROPERTY OWNER: Faith Lutheran Church**  
**APPLICANT: Mariposa Montessori**

At its meeting of August 2, 2005, the Town of Los Gatos Development Review Committee approved the above referenced application.

PLEASE NOTE: Pursuant to Section 29.20.275 of the Town Code, this approval may be appealed to the Planning Commission within 10 days of the date the approval is granted. Therefore, this action for approval should not be considered final, and no permits by the Town will be issued until the appeal period has passed.

This approval will expire two years from the date of the approval. Reasonable extensions of the time not exceeding one year may be granted upon application to and approval by the Development Review Committee. Extensions can be granted only if approved by the Committee prior to the expiration of the approval. Therefore, it is recommended that applications for time extension be filed with the Planning Department at least sixty days prior to the expiration of the approval.

If you have any questions, please contact **Joel Paulson, Associate Planner, at (408) 354-6879.**

Sincerely,

Bud N. Lortz, AICP  
Director of Community Development

cc: Morley Bros. LLC, 99 Almaden Blvd., Suite 720, San Jose, CA 95113  
Enclosed: Conditions of Approval (3 pages)  
BNL:JP:  
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## **CONDITIONS OF APPROVAL FOR:**

**16548 Ferris Avenue**

**Conditional Use Permit U-05-016**

**Requesting approval to modify an existing Conditional Use Permit for a day care center regarding the hours of operation on property zoned R-1:8. APNS 532-07-036, 037 and 091**

**PROPERTY OWNER: Faith Lutheran Church**

**APPLICANT: Mariposa Montessori**

**TO THE SATISFACTION OF THE DIRECTOR OF COMMUNITY DEVELOPMENT:**

(Planning Section)

1. **APPROVAL EXPIRATION:** Zoning approval will expire two years from the approval date pursuant to Section 29.20.320 of the Town Code, unless the application is vested.
2. **APPROVAL:** This application shall be completed in accordance with all of the conditions of approval listed below. Any minor changes or modifications made to the approved plans shall be approved by the Director of Community Development other changes will be approved by the Planning Commission, depending on the scope of the change(s).
3. **PREVIOUS CONDITIONS OF APPROVAL:** Any applicable Conditions of Approval from Town Council Resolution 2000-45 for the previous approval, not carried forward, are still in effect.
4. **CONDITIONAL USE PERMIT REVOCATION/AUTHORIZED USES.** Any violation of the conditions imposed by this permit may constitute grounds for revocation of the Conditional Use Permit in the same manner in which it was approved.
5. **LOT MERGER.** The property owner/developer shall merge all of the Faith Lutheran Church parcels prior to the issuance of final occupancy permits for the school.
6. **TRAFFIC IMPACT MITIGATION FEE (COMMERCIAL).** The property owner/developer shall pay a proportional fee to the project's share of transportation improvements needed to serve cumulative development within the Town of Los Gatos. The fee amount will be based upon the Town Council resolution in effect at the time the building permit application is made. The fee shall be paid before issuance of the building permit. The traffic impact mitigation fee for this project using the current fee schedule and submitted project information is \$8,670.00. The final fee shall be calculated from the final plans using the rate schedule in effect at the time of the building permit application.
7. **CHURCH SANCTUARY USE/HOURS.** The property owner/church shall limit worship services in the main church sanctuary to a maximum of 220 people at any given time. The hours of services shall be limited to the following times:
  - Monday - Saturday     5:00 p.m. to 10:00 p.m.
  - Sunday                     7:00 a.m. to 5:00 p.m.
  - Special Events             (As allowed with 30 day prior approval of the Planning & Police Departments)

The property owner/church shall ensure that these uses comply with the requirements of the Town Code, including but not limited to, the requirements of the Town's Noise Ordinance & Special Events Regulations.

8. **CHURCH WEDDINGS/FUNERALS USES/HOURS.** The property owner/church shall limit Weddings and Funerals on-site to the hours of 8:00 a.m. to 10 p.m. daily. The property owner/church shall ensure that these uses comply with the requirements of the Town Code,

including but not limited to, the requirements of the Town's Noise Ordinance & Special Events Regulations.

9. CHURCH OFFICE USE/HOURS. The property owner/church shall limit the Office uses on-site to the following hours:
  - Monday - Saturday 8:00 a.m. to 5:00 p.m.
  - Sunday 7:00 a.m. to 12:00 Noon
10. CHURCH COMMUNITY SERVICES/OUTREACH USES/HOURS: The property owner/church shall limit Community Service/Outreach uses (e.g. 12 step meetings., counseling services, Girl Scout activities, Youth Gatherings, Social Meetings, misc. classes, choir practices, Volunteer Days, etc.) to the hours of 7:00 a.m. to 10:00 p.m., daily. The property owner/church shall ensure that these uses comply with the requirements of the Town Code, including but not limited to, the requirements of the Town's Noise Ordinance & Special Events Regulations.
11. CHURCH COMMITTEE MEETING USES/HOURS. The property owner/church shall limit Committee Meetings to the hours of 3:00 p.m. to 12:00 Midnight, daily. The property owner/church shall ensure that these uses comply with the requirements of the Town Code, including but not limited to, the requirements of the Town's Noise Ordinance.
12. VACATION BIBLE SCHOOL EVENT. Once per year the property owner/church shall be allowed to conduct a vacation bible school event for parents and students. The vacation bible school event shall be allowed to continue for a maximum duration of 14 days, and is limited to the hours of 8 am to 8 p.m., daily.
13. CHURCH SPECIAL EVENT USES/HOURS. The property owner/church may have Special Events (i.e. any on-site activity exceeding 100 people that is not specifically authorized by this use permit) with at least 90 days prior notice and preapproval of the Town Police and Planning Departments. The property owner/church shall provide the Police and Planning Departments the purpose, proposed uses, dates, times, duration, and number of persons to attend the event. The property owner/church shall ensure that these uses comply with the requirements of the Town Code, including but not limited to, the requirements of the Town's Noise Ordinance & Special Events Regulations.
14. CHURCH SPECIAL EVENTS TRAFFIC/PARKING CONTROL. If the Town determines that an on-site Special Event will generate more parking demand than can be reasonably accommodated by the existing on-site facilities, the property owner/church shall provide additional overflow parking which meets Town standards, stagger or modify activities/event times or days, provide an off-site park-n-ride program, and /or other measures to mitigate the parking impacts as required by the Town. The property owner/church shall provide uniformed sworn officers for traffic control during special events as required by the Chief of Police or Town designee.
15. CHURCH CARETAKER/PASTOR'S QUARTERS. The existing Caretaker/Pastor's quarters located in the church offices adjacent to the central play area shall not be expanded without obtaining prior approvals from the Town.
16. MONTESSORI SCHOOL USE/HOURS. The property owner/school operator shall limit the number of montessori school students on-site to a maximum of 50 students at any given time. Any increase in enrollment will require amendment of the Conditional Use Permit for the entire facility. The property owner/school operator shall limit the school's operation to the hours of:

8:15 a.m. - 4:15 p.m., Monday through Friday. No weekend hours are permitted. The property owner/school operator shall limit school classes to the hours of 9:15 a.m. - 4:00 p.m.. Once per month the school shall be permitted to conduct parent meetings between the hours of 4:00 p.m. and 10 p.m. Four times per month the teachers and administrative staff shall be permitted extended staff hours (7:30 a.m. to 8:00 p.m.) to prepare for seasonal or holiday school programs that will occur during normal school hours (8:15 a.m. - 4:15 p.m.).

17. MONTESSORI SCHOOL PARKING LOT RE-STRIPING. The property owner/school operator shall re-stripe the parking lot to meet minimum Town Code requirements and also provide the designated student drop-off area and circulation plan noted on the development plans submitted.
18. MONTESSORI SCHOOL PLAY AREA & FACILITY FENCES. The property owner/school operator shall construct the 4 ft. & 6 ft. wooden fences noted on the development plans submitted and shall repair damaged sections of the existing wood fence surrounding the property prior to final inspection approvals or occupancy.