




MEETING DATE: 03/21/05
ITEM NO. 12
DESK ITEM

COUNCIL AGENDA REPORT

DATE: March 21, 2005

TO: MAYOR AND TOWN COUNCIL

FROM: DEBRA J. FIGONE, TOWN MANAGER 

SUBJECT: CONSIDER A REQUEST TO CHANGE THE GENERAL PLAN DESIGNATION FROM LOW DENSITY RESIDENTIAL AND NEIGHBORHOOD COMMERCIAL TO MEDIUM DENSITY RESIDENTIAL AND TO CHANGE THE ZONE FROM R-1:8:PD TO RM:5-12:PD TO DEMOLISH THE MOTEL AND RESTAURANT AND TO CONSTRUCT 33 RESIDENTIAL UNITS. NO SIGNIFICANT ENVIRONMENTAL IMPACTS HAVE BEEN IDENTIFIED AND A MITIGATED NEGATIVE DECLARATION IS RECOMMENDED. APNS 424-29-024 THROUGH 026 - GENERAL PLAN GP 05-1 - PLANNED DEVELOPMENT APPLICATION PD-04-5 - NEGATIVE DECLARATION ND-05-04 PROPERTY LOCATION: **15350 WINCHESTER BLVD** PROPERTY OWNER: DONALD BERSANO APPLICANT: SANTA CLARA DEVELOPMENT CO.

A. REMARKS

1. Trees

In response to meet neighborhood concerns, the applicant has informed the Town that they have further revised the tree planting along the southern and northern property lines. The applicant proposes to plant 15-36 inch box trees and five 48 to 86 inch box trees along the southern property line and 12-36 inch box trees along the northern property line. If Council agrees with this change, performance standard #11 should be amended as follows:

(Continued on Page 2)


PREPARED BY: BUD N. LORTZ,
DIRECTOR OF COMMUNITY DEVELOPMENT

Reviewed by: PSJ Assistant Town Manager AL Attorney _____ Clerk _____ Finance
_____ Community Development

Revised: 3/21/05 4:57 pm

ADDITIONAL TREES. To mitigate the removal of the Monterey Pine trees along the southern property boundary, 15 -36 inch box trees and five 48 to 86 inch box trees shall be planted in the backyards of Lots 1 through 12. Twelve additional 36 inch box trees shall be planted along the northern property line. The applicant shall work with the adjacent homeowner associations to determine the tree specie(s). These trees shall be included in the final landscape plan.

2. Changes to Plan

The applicant has continually been working with the neighbors and revising the plans to meet concerns. The applicant has recently made an agreement with one adjacent property owner for items on the neighbor's property (Attachment 12). These agreements reached between the applicant and the property owner have not been included in the performance standards of the Planned Development (PD). It is anticipated that additional changes will be raised at the hearing tonight. These changes could be addressed during the Architecture and Site approval process. However, if Council determines that time is needed to evaluate these changes and/or modify the performance standards of the PD, Council should continue this matter to a date certain with specific directions.

3. Analysis Chart

In developing the FAR analysis chart, staff had to conduct extensive research and it was difficult to arrange the data in such a way to provide appropriate and comparable data. Subsequent to the preparation of the Council report, staff discovered that the site summary analysis provided by the Boyer Lane applicant, was inconsistent with the square footage of the land uses within the development as described as part of the Architecture and Site Application. Staff recalculated the information and the corrected FAR figures are shown in bold print below.

	VILLA FELICE	VASONA RANCH	BOYER LN
Density (du/gross acre)			
Excluding BMP's	4.7	8.2	5.9
Including BMP's	5.6	8.6	6.7
Ex BMP's and slope/riparian area	5.5	8.2	12.0
Inc BMP's and ex slope/riparian area	6.5	8.6	13.7
Overall FAR*			
Gross site sq ft	.30	.33	.17 .30
Net site sq ft (excludes streets/sidewalks)	.39	.40	.23 .36
Net and excluding slope/riparian area	.50	.40	.33 .42

*Excludes garages

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MAYOR AND TOWN COUNCIL
SUBJECT: 15350 Winchester Blvd
March 21, 2005

The applicant has reviewed the Boyer Lane development and believes that additional area should be excluded in deriving the net land area. This will increase the FAR. Although some of these areas are steep, staff concluded that these areas provide passive/visual open space which can be enjoyed by the property owners. A landscaped public pedestrian access trail is located in one of the sloped areas to further allow enjoyment of this area. The detached single family dwellings of the Boyer Lane Development range in size from 1,755 to 2,600 square feet on lots which range in size from 3,000 to 5,300 sq feet.

The Villa Felice dwellings range in size from 2,165 to 2,943 square feet on lots which range in size from 4,250 to 6,050 square feet. The slope along the University Avenue side of Villa Felice is about .93 acres. This slope area does not provide passive open space and is not beneficial as scenic open space amenity since it is not visible unless a person stands on the ridge overlooking Vasona Lake.

Attachments:

- 1 thru 11. Previously Submitted.
- 12. Two letters from Santa Clara Development Company (two pages), received March 21, 2005.

BNL:SLB:mdc

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**RECEIVED**

MAR 21 2005

TOWN OF LOS GATOS
PLANNING DIVISION

March 18, 2005

Barbara and Jim Sanders
15300 Winchester Blvd., #1
Los Gatos, CA 95030

Dear Barbara and Jim:

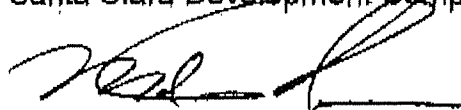
Thank you for taking the time to meet with me earlier this week regarding our proposed project at the Villa Felice site. As we discussed, we are committed to assisting you with the impact your home may have from being next to the access road to the project. As part of the final approval of our project by the Town of Los Gatos, we agree to the following:

- To address the drainage issue, we will install a drainage system on our side of the wall along units 1-5 of the Villa Felice Townhomes.
- Remove and replace the wall which runs along the southern edge of your property with a wall with a maximum height of eight (8) feet from the driveway side (with the Town of Los Gatos approval).
- Replace the windows on the southern side (driveway side) of your home plus the window in Jim's office with vinyl or fiberglass windows which have a STC rating of 32 or higher. This work will be done during the window installation of our project.

In addition, the Sanders agree to vote yes on the sale of the easement property on the terms and conditions presented in our December 16, 2004 letter to your association (see attached letter).

If you have any questions, please do not hesitate to contact me.

Sincerely,
Santa Clara Development Company



Mark Robson
President

cc: Sandy Baily, Town of Los Gatos



**SANTA CLARA
DEVELOPMENT**
An affiliate of Robson Communities

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MAR 21 2005

TOWN OF LOS GATOS
PLANNING DIVISION

March 19, 2005

Barbara and Jim Sanders
15300 Winchester Blvd., #1
Los Gatos, CA 95030

Dear Barbara and Jim:

This is a follow up letter to you regarding your conversation with Mark Robson yesterday. We are amending our letter to you dated March 18, 2005 as it relates to the replacement of windows:

- We agree to replace the windows as stated in the letter plus we will be adding the replacement of windows in your son's bedroom (1), living room (1), dining room (1), and replacing the sliding door to your patio. In addition, we will not be replacing the window in Jim's office.

All other terms of the letter remain unchanged. If you have any questions you can reach me on my cell phone at (408)761-5188.

Sincerely,
Santa Clara Development Company


Rick Knauf

cc: Mark Robson
Sandy Bailly, Town of Los Gatos