



MEETING DATE: 01-17-06

AGENDA ITEM: 10A

### COUNCIL AGENDA REPORT

DATE: January 13, 2006

TO: MAYOR AND TOWN COUNCIL

FROM: ORRY P. KORB, TOWN ATTORNEY *OK*

SUBJECT: ADOPT RESOLUTION APPROVING A REQUEST FOR APPROVAL OF A ZONE CHANGE FROM HR- 2 ½ TO HR - 2 ½ PD TO SUBDIVIDE 66.2 ACRES INTO 19 LOTS. THIS PROJECT MAY HAVE A SIGNIFICANT IMPACT ON THE ENVIRONMENT AND AN ENVIRONMENTAL IMPACT REPORT (EIR) HAS BEEN PREPARED. PROPERTY LOCATION: TERMINUS OF SHADY LANE. FILE# PD-04-3 EIR-04-1. PROPERTY OWNER: HIGHLANDS OF LOS GATOS LLC. APPLICANT: SANDY HARRIS.

RECOMMENDATION:

A. Adopt resolution confirming Council Action on December 19, 2005

DISCUSSION:

On December 19, 2005 Council approved a request for approval of a zone change from HR- 2 ½ to HR - 2 ½ PD to subdivide 66.2 acres into 19 lots. The attached resolution contains the findings necessary for project approval.

Attachment: Resolution

Distribution: Sandy Harris, Highlands of Los Gatos, LLS, 906 Capri Drive, Campbell CA 95008  
David Fox, David R. Fox & Company, 479 N. Santa Cruz Avenue, Los Gatos CA 95032

PREPARED BY: ORRY P. KORB, TOWN ATTORNEY

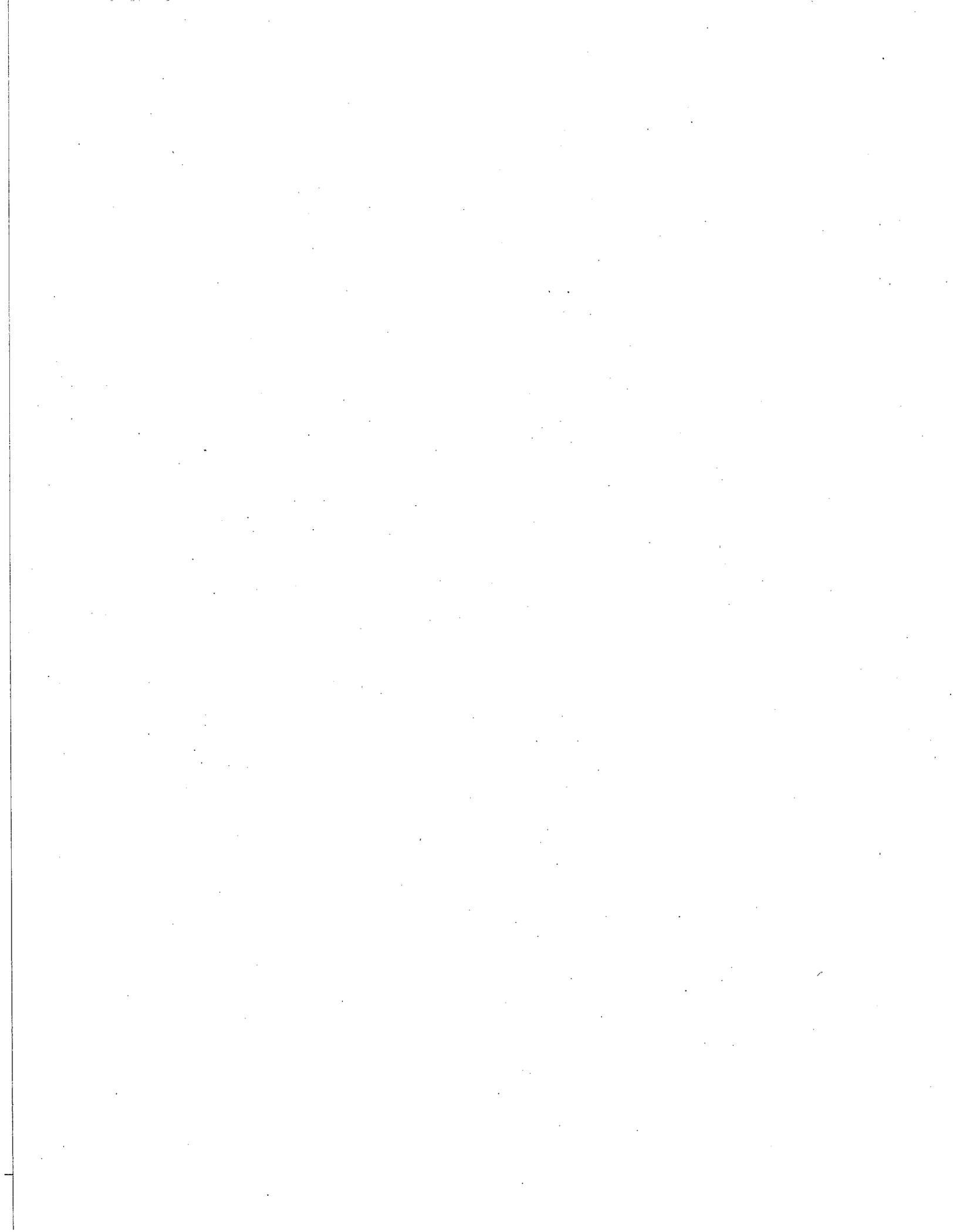
Reviewed by: *[Signature]* Town Manager PSJ Assistant Town Manager \_\_\_\_\_ Clerk  
Finance \_\_\_\_\_ Community Development

Rev: 1/13/06 12:12 pm

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Reformatted: 7/19/99

File# 301-05



**RESOLUTION 2006 -**

**RESOLUTION OF THE TOWN OF LOS GATOS  
APPROVING A REQUEST FOR APPROVAL OF A ZONE CHANGE  
FROM HR- 2 ½ TO HR - 2 ½ PD TO SUBDIVIDE 66.2 ACRES INTO 19 LOTS.  
THIS PROJECT MAY HAVE A SIGNIFICANT IMPACT ON THE ENVIRONMENT  
AND AN ENVIRONMENTAL IMPACT REPORT (EIR) HAS BEEN PREPARED**

**PROPERTY LOCATION: TERMINUS OF SHADY LANE  
FILE# PD-04-3 EIR-04-1  
PROPERTY OWNER: HIGHLANDS OF LOS GATOS LLC  
APPLICANT: SANDY HARRIS**

**WHEREAS:**

- A. This matter came before the Town Council for public hearing on December 19, 2005 and was regularly noticed in conformance with State and Town law.
- B. Council received testimony and documentary evidence from the applicant and all interested persons who wished to testify or submit documents. Council considered all testimony and materials submitted, including the record of the Planning Commission proceedings and the packet of material contained in the Council Agenda Report dated January 12, 2006, along with subsequent reports and materials prepared concerning this application.
- C. The applicant seeks approval of a zone change from hr- 2 ½ to hr - 2 ½ pd to subdivide 66.2 acres into 19 lots.
- D. The Planning Commission considered this matter on November 9 and November 15, 2005 and approved the request.
- E. The Planning Commission recommendation was correct.

F. The findings of the Commission are, by this reference, incorporated herein. In addition, Council finds as follows:

1. The proposed zone change is consistent with both the Town's General Plan and the Hillside Specific Plan, which envision the area for residential development and which allow a the level of density proposed for this project. The proposed home sites are designed to be developed on the least restrictive development areas and consistent with the Hillside Development Standards and Guidelines, with specific concern for minimizing grading, retaining walls and tree impacts. Traffic circulation will follow existing graded roads, will effectively meet the 24 foot width requirement and will have emergency access on Shannon Road. A trail is proposed to connect to Blossom Hill Road.

2. The project has community benefits that outweigh its associated traffic impacts. These include open space dedications, a water system that will serve the project and provide much needed domestic water hookups for nearby properties accessed from Shannon Road, Shady Lane and Francis Oaks Way, will extend sanitary sewer facilities, will provide much needed water for area fire protection, will provide emergency access, will provide a tree restoration program and will improve sight lines on Gum Tree Road.

3. The project meets the Town In-Fill Policy in all regards as already described herein and in the staff reports and testimony provided in support of the application and incorporated herein by this reference.

**RESOLVED:**

The approval of a zone change from HR-2 ½ to HR-2 ½ PD to subdivide 66.2 acres into 19 lots for PD-04-03, EIR-04-1 is granted.

PASSED AND ADOPTED at a regular meeting of the Town Council of the Town of Los Gatos, California, on the 17<sup>h</sup> day of January, 2006, by the following vote.

COUNCIL MEMBERS:

AYES:

NAYS:

ABSENT:

ABSTAIN:

SIGNED:

MAYOR OF THE TOWN OF LOS GATOS  
LOS GATOS, CALIFORNIA

ATTEST:

CLERK ADMINISTRATOR  
TOWN OF LOS GATOS, CALIFORNIA