

TOWN OF LOS GATOS
110 East Main Street, Los Gatos, CA 95030 (408) 354-6872

SUMMARY MINUTES OF A SPECIAL MEETING OF THE GENERAL PLAN COMMITTEE OF THE TOWN OF LOS GATOS ON **SEPTEMBER 30, 2009**, HELD AT THE NEIGHBORHOOD CENTER, ROOM 214, 110 EAST MAIN STREET, LOS GATOS, CALIFORNIA.

The meeting was called to order at 5:30 pm by Jane Ogle.

ATTENDANCE

Members present: Barbara Cardillo, Marcia Jensen, Tom O'Donnell, Jane Ogle, Joe Pirzynski, Chuck Sloan, Barbara Spector

Members absent: John Bourgeois

Staff present: Wendie Rooney, Director of Community Development; Suzanne Davis, Associate Planner; Joel Paulson, Associate Planner

Public attendees: Ray Davis

VERBAL COMMUNICATIONS:

Ray Davis commented on the Kaiser Cement Plant in Cupertino and the need to fight the extension of the permit.

ITEM 1 REVISED HOUSING SITES INVENTORY

Wendie Rooney introduced the item explaining that a revised inventory has been developed based on previous Committee discussion. The inventory includes about 48 acres that would have an affordable housing overlay zone.

Tom O'Donnell clarified that it would apply only to specific sites. *Wendie Rooney* noted that the chart on page 3 includes eight distinct areas. The overlay zones would be tailored for each area. For example, specific percentages of affordable housing may be required. Other criteria could also be included such as additional uses that could be included.

Marcia Jensen asked if each property would have an individual ordinance. *Wendie Rooney* noted that areas would be grouped. For example, the Oka Road sites would have an overlay zone, Los Gatos Boulevard sites would have one, etc.

Joe Pirzynski asked if each site would have the same density. *Wendie Rooney* said that each site would have its own density and percentage of affordability based on GPC direction. HCD would likely require that the default density of 20 units per acre be used. *Joel Paulson* noted that affordable units are not counted toward density, so the overall density for the sites will appear higher.

Joe Pirzynski questioned whether different density ranges could be used for different sites within the same zone. *Wendie Rooney* said that different densities could be used; however, sites within an area would have similar characteristics and would likely have the same density applied.

Barbara Spector asked if the Oka Road site A currently allows 0 to 5 units/acre. If a 60% overlay is applied, what is the number of potential units? She asked how the sites were chosen. *Joel Paulson* said that the sites were selected based on the Committee's past discussions. Sites with more constraints were deleted.

Barbara Spector asked about the numbers under capacity development and why the total is greater than the number needed. *Joel Paulson* explained that staff and consultants looked at the sites and added up the collective numbers associated with each of them. There is some excess which allows some flexibility in changing numbers for some sites. *Wendie Rooney* noted that with the exception of the Dittos Lane Site, none of the sites will be 100% affordable. It is primarily a math exercise and shows potential.

Chuck Sloan asked if there has been discussion with the owners of these properties. *Wendie Rooney* said that with the exception of some of the Los Gatos Boulevard sites, that has not occurred.

Barbara Cardillo asked about the process for rezoning. *Wendie Rooney* clarified that with the overlay zone, none of the parcels will need to be rezoned. If a property is proposed to be developed, it could either be developed under the base district zoning or the overlay zoning.

Marcia Jensen asked why sites have been chosen that will provide more than what is needed. It should be over designated. *Wendie Rooney* said that it is unrealistic to assume that all of the sites will be developed, and it allows a lower percentage of affordable units to be provided, which is consistent with the GPC's direction.

Chuck Sloan commented that if there is overdevelopment, will the Town be penalized for the next housing cycle. *Wendie Rooney* said that under the current system, there will not be a penalty. The 915 units will not likely be realized in the next five years.

Tom O'Donnell commented that establishing the numbers is primarily an exercise. The likelihood is that the numbers won't be achieved given current market conditions. This is being done to achieve certification.

Joe Pirzynski commented that the question is what does the Town want to achieve. Right now an array of options is being provided to satisfy the mandates for housing. The Town needs to be careful about what is put out. He questioned whether a much higher number should be provided to HCD, and believes there might be a penalty in the next cycle if too many units are provided. Not having approached property owners is a major issue. He would like to see another round of evaluation. He would like to see the number closer to the target number using sites that have real potential.

Marcia Jensen asked if the proposed density at 20 units/acre includes the affordable units. *Wendie Rooney* said it does not.

Joe Pirzynski commented that the Courthouse site is County property and as such it has to be offered for affordable housing. That site may need to be 100% affordable.

Barbara Spector commented that for people in Los Gatos 913 units is too much. There is a State obligation, however, it is theoretical since most developers will not want to do any higher percentage of affordable units that necessary. *Joel Paulson* said that using the base zoning, the development capacity is around 560 units.

Marcia Jensen agreed with Barbara Spector. She is concerned about what the overlay zone ordinances will look like. *Wendie Rooney* said the ordinances are not intended to be included in the Housing Element.

Marcia Jensen asked for clarification on the development capacity. *Joel Paulson* said that physical site constraints have been factored in.

Tom O'Donnell asked if the Housing Element isn't approved, will the General Plan be subject to litigation? *Wendie Rooney* said that if the Housing Element isn't certified, there is a layer of protection that isn't provided. The other risk or penalty is the Town and/or developers would not be eligible for state funds or grants for affordable housing development.

Barbara Cardillo asked if the current sites are used, is it committing the Town to providing that number. Also, if a site isn't developed during the five year cycle, can it be resubmitted for the next update? *Wendie Rooney* said that under current process, a site could not be used again even if it is not developed.

Joe Pirzynski said the Town is going to achieve a certified Housing Element. The Town needs to be very strategic, including sites that are realistic. Sites that are not realistic should not be used.

Barbara Spector asked if some sites are held back and kept for the next cycle, is a different percentage suggested? *Joel Paulson* said assuming 100% for the Courthouse and Dittos Lane sites, those can be backed out and perhaps remove some sites that are

unlikely to be redeveloped such as Vasona Junction. The percentages can be modified for the remaining sites to meet the number goal.

Wendie Rooney said the site list will be re-evaluated and resubmitted to the Committee. The goal is to come up with about 600 units. *Wendie Rooney* noted that staff will send out the revised sites inventory and if the Committee finds it acceptable, there will not be a need to meet on this topic again.

Marcia Jensen asked why percentages have to be specified if that information is not being provided to the State. *Joel Paulson* said staff will verify whether than is correct.

Staff will revise the table and sites inventory and distribute to the Committee for review.

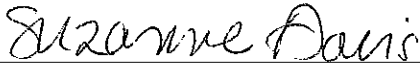
NEW BUSINESS

None

ADJOURNMENT

Meeting was adjourned at 6:45 PM. The next meeting of the General Plan Committee is scheduled for October 14, 2009.

Prepared by:


Suzanne Davis, Associate Planner