

Draft Resolution to be modified by Town Council deliberations and direction.

RESOLUTION 2016-___

**RESOLUTION OF THE TOWN COUNCIL
OF THE TOWN OF LOS GATOS**

DENYING A REQUEST FOR THE CONSTRUCTION OF A NEW MULTI-USE, MULTI-STORY DEVELOPMENT CONSISTING OF 320 RESIDENTIAL UNITS, WHICH INCLUDES 50 AFFORDABLE SENIOR UNITS; APPROXIMATELY 66,800 SQUARE FEET OF COMMERCIAL FLOOR AREA, WHICH INCLUDES A MARKET HALL; ON-SITE AND OFF-SITE IMPROVEMENTS; AND A VESTING TENTATIVE MAP ON PROPERTY ZONED NORTH 40 SPECIFIC PLAN

APNS: 424-07-024 THROUGH 027, 031 THROUGH 037, 070, 083 THROUGH 086, 090, AND 100.

SUBDIVISION APPLICATION: M-13-014

ARCHITECTURE AND SITE APPLICATION: S-13-090

PROPERTY LOCATION: SOUTHERLY PORTION OF THE NORTH 40 SPECIFIC PLAN AREA, LARK AVENUE TO SOUTH OF NODDIN AVENUE

PROPERTY OWNERS: YUKI FARMS, ETPH LP, GROSVENOR USA LIMITED, SUMMERHILL N40 LLC, ELIZABETH K. DODSON, AND WILLIAM HIRSCHMAN

APPLICANT: GROSVENOR USA LIMITED

WHEREAS, on June 17, 2015, the Town Council adopted the North 40 Specific Plan, providing detailed land use and development guidance for the area bounded by Highway 17 to the west, Los Gatos Boulevard to the east, Lark Avenue to the south and Highway 85 to the north.

WHEREAS, an Environmental Impact Report (EIR) was prepared and certified for the North 40 Specific Plan in compliance with the California Environmental Quality Act (CEQA).

WHEREAS, the applicant, Grosvenor USA Limited, submitted Architectural and Site (A&S) and Vesting Tentative Map (VTM) applications for the portion of the Specific Plan area south of Noddin Avenue.

WHEREAS, the proposed development included in the A&S application includes: 260 residential condominiums/rowhomes, 10 rental apartments (including two live-work units), 50

affordable senior rental units, and 66,791 square feet of commercial floor area.

WHEREAS, the VTM proposes to subdivide the 20.7-acre project area into 113 lots, with up to 320 residential condominiums.

WHEREAS, the Planning Commission held a duly noticed public hearing on March 30, 2016, at which time the Commission considered the public testimony, the staff report prepared for that meeting, and all other documentation related to the applications, and continued consideration of the applications to April 27, 2016.

WHEREAS, on April 27, 2016, the Planning Commission continued consideration of the applications to a date uncertain.

WHEREAS, the Planning Commission held a duly noticed public hearing on July 12, 2016, at which time the Commission considered the public testimony, the staff report prepared for that meeting, and all other documentation related to the applications, closed the public comment portion of the public hearing, and began to ask questions of the applicant team, and continued the applications to their July 13, 2016 meeting.

WHEREAS, the Planning Commission continued consideration of the applications on July 13, 2016, at which time the Commission concluded its questions of the applicant and staff and deliberated on the applications. Following their deliberations and consideration of all the documentary evidence from the applicant and all interested persons who wished to testify or submit documents, the Commission recommended that the Town Council deny the proposed applications.

WHEREAS, the Town Council held a duly noticed public hearing on August 9, 2016, 2016, at which time the Council considered the public testimony, the staff report prepared for that meeting, and all other documentary evidence related to the applications from the applicant and all interested persons who wished to testify or submit documents and continued the

applications to their August 11, 2016 meeting.

WHEREAS, To be determined

WHEREAS, the Town Council considered all facts and information related to the applications.

NOW, THEREFORE, BE IT RESOLVED:

1. Vesting Tentative Map application M-13-014 and Architecture and Site application S-13-090 are denied based on the following findings:
 - A. To be determined
3. The decision constitutes a final administrative decision pursuant to Code of Civil Procedure section 1094.6 as adopted by section 1.10.085 of the Town Code of the Town of Los Gatos. Any application for judicial relief from this decision must be sought within the time limits and pursuant to the procedures established by Code of Civil Procedure section 1094.6, or such shorter time as required by state and federal Law.

PASSED AND ADOPTED at a regular meeting of the Town Council of the Town of Los Gatos, California, held on the ___ day of August, 2016, by the following vote:

COUNCIL MEMBERS:

AYES:

NAYS:

ABSENT:

ABSTAIN:

SIGNED:

MAYOR OF THE TOWN OF LOS GATOS
LOS GATOS, CALIFORNIA

ATTEST:

CLERK ADMINISTRATOR OF THE TOWN OF LOS GATOS
LOS GATOS, CALIFORNIA

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