

DRAFT
MINUTES OF THE PLANNING COMMISSION MEETING
NOVEMBER 12, 2014

The Planning Commission of the Town of Los Gatos conducted a Regular Meeting on Wednesday, November 12, 2014, at 7:00 PM.

MEETING CALLED TO ORDER

Chair Smith called the meeting to order at 7:00 pm.

ROLL CALL

Present: Chair Margaret Smith, Commissioner Mary Badame, Commissioner Tom O'Donnell, Commissioner Marico Sayoc, and Commissioner Joanne Talesfore

Absent: Vice Chair Kendra Burch, Commissioner Charles Erikson

PLEDGE OF ALLEGIANCE

Commissioner Sayoc led the Pledge of Allegiance. The audience was invited to participate.

VERBAL COMMUNICATIONS (AUDIENCE)

Lee Quintana

- Commented that the Action Minutes of October 22, 2014, Item 5, 481 Woodland Avenue, say, "The Commission gave directions to the applicant," with no elaboration of what those directions were. The minutes should be clarified to summarize the directions.

Commission members asked questions of staff.

Commission members discussed the matter.

APPROVAL OF MINUTES OF OCTOBER 22, 2014

MOTION: Motion by **Commissioner O'Donnell** to approve the meeting minutes of **October 22, 2014**, with a modification to the last line for item 5 to read "Commission members discussed the matter, and provided their views, and asked the applicant to consider those views."
Seconded by Commissioner Talesfore.

VOTE: Motion passed 5-0.

WRITTEN COMMUNICATIONS

Desk Item for Item 6.

REQUESTED CONTINUANCES – ITEMS #5 and #6

MOTION: Motion by **Commissioner Talefore** to continue the public hearing for Item 5, 106 East Main Street, to December 10, 2014, and to continue the public hearing for Item 6, Housing Element General Plan Amendment GP-14-002, to December 10, 2014.
Seconded by Commissioner O'Donnell.

VOTE: Motion passed 5-0.

VERBAL COMMUNICATIONS (AUDIENCE)

None.

SUBCOMMITTEE REPORTS

None.

CONSENT CALENDAR

None.

CONTINUED PUBLIC HEARINGS

1. **16347 Aztec Ridge**
Architecture and Site Application: S-14-050
APN: 532-26-027
Property Owner: Sean Raft
Applicant: Tom Sloan
Project Planner: Jennifer Savage

Requesting approval to demolish an existing single-family residence and to construct a new single-family residence on property pre-zoned HR-2½.

Chair Smith opened the public hearing.

Jennifer Savage, Senior Planner, presented the staff report.

Tom Sloan

- Commented that they have mitigated the visual impact of the building as seen from the viewing platform by locating the second story element away from the viewing platform. Their project meets the stated goals in the Hillside Development Standards and Guidelines.

Commission members asked questions of Mr. Sloan.

Kate Raft

- Commented that they need to preserve some of the limited flat space around the home as their children's play area. Their home remodel has been designed to accommodate the care of the children.

Commission members asked questions of Ms. Raft.

David Maggetti

- Commented that that applicant was born and raised in the home and is now proposing a very modest addition that is not visible from the valley floor. They have tried to maintain the area's topography as much as possible and have complied with the hillside regulations in all aspects of the project.

Commission members asked questions of Mr. Maggetti.

Tom Sloan

- Commented that the new addition is more visible because they are raising the plate line, which they have mitigated by changing the exterior colors of the walls and roof so the home disappears into the trees and shrubs.

Commission members asked questions of Mr. Sloan.

Chair Smith closed the public input portion of the hearing and returned to the Commission for deliberation.

Commission members asked questions of staff.

Commission members discussed the matter.

MOTION: **Motion by Commissioner Sayoc** to approve Architecture and Site Application S-14-050 subject to the conditions of approval as noted in Exhibit 3 of the staff report dated November 12, 2014. The required findings were made as noted in Exhibit 2 of the staff report dated November 12, 2014.
Seconded by Commissioner O'Donnell.

Commission members discussed the matter.

VOTE: **Motion passed 5-0.**

Planning Manager Joel Paulson cited the appeal rights.

NEW PUBLIC HEARINGS

2. **140 Hollycrest Drive**
Tree Removal Permit Application: T-14-138
APN: 424-13-026
Property Owner/Applicant/Appellant: Brett and Heidi Murray
Project Planner: Marni Moseley

Appeal of a decision to deny a Tree Removal Permit on property zoned R-1:8.

Chair Smith opened the public hearing.

Marni Moseley, Associate Planner, presented the staff report.

Commission members asked questions of staff.

Brett Murray

- Commented that the two trees in front release large amounts of pollen, drop branches during windstorms, and have included bark. The trees are growing together in an unhealthy way and they would like to remove one tree, let the other tree restore itself, and then replace the tree they remove.

Commission members asked questions of Mr. Murray.

Bruce Manson

- Commented that he lives across the street from the subject property. He encouraged the Commission to work with the Murrays to remove the tree, because the trees are not aesthetically compatible with the home and the neighborhood.

Rich Briones

- Commented that he lives across the street from the subject property and has always hated the trees because of the pollen they release, they block the light, they do not fit in with the community, and recent structural integrity issues with falling branches. He supports the removal of one of the trees and would actually prefer they both be removed.

Brett Murray

- Commented that they have neighborhood support for the tree removal, but they do not take it lightly.

Chair Smith closed the public input portion of the hearing and returned to the Commission for deliberation.

Commission members discussed the matter.

Commission members asked questions of staff.

MOTION: **Motion** by **Commissioner Talesfore** to grant the appeal of a decision to deny a Tree Removal Permit T-14-138, subject to the conditions of approval as noted in Exhibit 3 of the staff report dated November 12, 2014. The required findings were made as noted in Exhibit 2 of the staff report dated November 12, 2014.
Seconded by **Commissioner O'Donnell**.

VOTE: **Motion passed 5-0.**

Planning Manager Joel Paulson cited the appeal rights.

3. **16611 Madrone Avenue**
Tree Removal Permit Application: T-14-154
APN: 510-38-009
Property Owner/Applicant/Appellant: Mark Anderson
Project Planner: Marni Moseley

Appeal of a decision to deny a Tree Removal Permit on property zoned R-1:12.

Chair Smith opened the public hearing.

Marni Moseley, Associate Planner, presented the staff report.

Commission members asked questions of staff.

Commission members asked questions of Town Consulting Arborist, Deborah Ellis.

Michael Young

- Commented that because the retaining wall was built too close to the cedars they are now stressed and lack vitality, from which they will not come back. There are no merits to keeping the Monterey Pine, which is on a steep slope. This is a good time to remove ailing trees and replace them with trees that will last 50 to 100 years.

Commission members asked questions of Mr. Young.

Chair Smith closed the public input portion of the hearing and returned to the Commission for deliberation.

Commission members discussed the matter.

MOTION: **Motion** by **Commissioner O'Donnell** to grant the appeal of a decision to deny a Tree Removal Permit T-14-154, subject to the conditions of approval as noted in Exhibit 3 of the staff report dated November 12, 2014. The required findings were made as noted in Exhibit 2 of the staff report dated November 12, 2014.
Seconded by **Commissioner Talesfore**.

Commissioner O'Donnell amended the motion to state that the tree removal shall be conditioned upon submittal of a replacement tree plan for the prompt replacement of the trees, subject to the Town's approval.

The seconder of the motion accepted the amendment.

Commission members discussed the matter.

VOTE: **Motion passed 5-0.**

Planning Manager Joel Paulson cited the appeal rights.

4. **206 Bella Vista Avenue**
Conditional Use Permit: U-14-010
Architecture and Site Application: S-14-075
APN: 529-24-008
Property Owner/Applicant: Samuel Yung
Project Planner: Jennifer Savage

Requesting approval to construct additions to a non-conforming residential use (four existing units) on property zoned R-1:8.

Chair Smith opened the public hearing.

Jennifer Savage, Senior Planner, presented the staff report.

Samuel Yung

- Commented that the property has fallen into disrepair and they hope to tastefully update it. The neighbors have seen the plans and samples and are in support of the project. Their design is sensitive to the neighborhood.

Commission members asked questions of Mr. Yung.

Chair Smith closed the public input portion of the hearing and returned to the Commission for deliberation.

Commission members discussed the matter.

MOTION: **Motion by Commissioner O'Donnell** to approve Conditional Use Permit Application U-14-010, subject to the conditions of approval as noted in Exhibit 3 of the staff report dated November 12, 2014, with the required findings made as noted in Exhibit 2 of the staff report dated November 12, 2014; and Architecture and Site Application S-14-07, subject to considerations noted in Exhibit 2 and the discussion set forth after that.
Seconded by Chair Smith.

Chair Smith requested the motion be amended to include the Conditions of Approval in Exhibits 2 and 3.

The maker of the motion accepted the amendment to the motion.

Commission members discussed the matter.

Commission members asked questions of staff.

Commissioner O'Donnell amended the motion to remove Condition 9, pertaining to the roof form, and replace it with the Condition of Approval that the applicant provides staff with an alternative green shade of the material that would be less reflective, if it is available, to the satisfaction of the Community Development Director or a designee.

Commission members discussed the matter.

The seconder of the motion agreed to the amendment.

Chair Smith requested the motion be amended to include the Required Finding as required by Section 4(b) of the Redevelopment Plan of the Central Los Gatos Redevelopment Project, that it meets the use set forth in the Town's General Plan as outlined in Exhibit 2.

The maker of the motion agreed to the amendment to the motion.

Commission members discussed the matter.

Commissioner O'Donnell amended the motion to state that the applicant shall match the roof color similar to other houses to the satisfaction of the Community Development Director or designee.

The seconder of the motion agreed to the amendment.

VOTE: Motion passed 5-0.

Planning Manager Joel Paulson cited the appeal rights.

NEW OTHER BUSINESS

1. Report from Community Development Director, Laurel Prevetti
 - Town Council met 11/4/14; considered and granted the appeal of the traffic fee condition in the CUP for Jersey Mike's Subs shop; and continued the Planning Commission's Planned Development Report to a future date.
 - The Town is accepting applications to boards and commissions. Applications are available on the Town's website and are due December 5, 2014.

ADJOURNMENT

Meeting adjourned at 9:25 pm.

TOWN OF LOS GATOS PLANNING COMMISSION
Wednesday, November 12, 2014

/s/ Margaret Smith, Chair

APPROVED AS TO FORM AND ATTEST:

/s/ Joel Paulson
Planning Manager