



**TOWN OF LOS GATOS
PLANNING COMMISSION
REPORT**

MEETING DATE: 10/14/2020

ITEM NO: 2

**DRAFT
MINUTES OF THE SPECIAL PLANNING COMMISSION MEETING
SEPTEMBER 28, 2020**

The Planning Commission of the Town of Los Gatos conducted a Special Meeting on Monday, September 28, 2020, at 7:00 p.m.

This meeting was conducted utilizing teleconferencing and electronic means consistent with State of California Executive Order N-29-20 dated March 17, 2020, regarding the COVID19 pandemic and was conducted via Zoom. All planning commissioners and staff participated from remote locations and all voting was conducted via roll call vote.

MEETING CALLED TO ORDER AT 7:00 P.M.

ROLL CALL

Present: Chair Melanie Hanssen, Vice Chair Kathryn Janoff, Commissioner Mary Badame, Commissioner Jeffrey Barnett, Commissioner Kendra Burch, Commissioner Matthew Hudes, and Commissioner Reza Tavana

Absent: None.

VERBAL COMMUNICATIONS

None.

CONSENT ITEMS (TO BE ACTED UPON BY A SINGLE MOTION)

1. Approval of Minutes – September 9, 2020

MOTION: Motion by Commissioner Barnett to approve adoption of the Consent Calendar. **Seconded** by Commissioner Badame.

VOTE: Motion passed unanimously

PUBLIC HEARINGS

2. 14225 Walker Street (Market Hall)

Architecture and Site Application S-20-012

APN 424-56-017

Property Owner/Applicant: Summerhill N40, LLC

Project Planner: Jocelyn Shoopman

Consider approval of a request for modification to an existing Architecture and Site Application (S-13-90) to remove underground parking for construction of a commercial building (Market Hall) in the North 40 Specific Plan Area. Continued from the September 9, 2020 and September 23, 2020 Planning Commission meetings.

Commissioner Burch indicated that she would recuse herself from participating in the public hearing for 14225 Walker Street due to the proximity of her residence to the subject site.

Jocelyn Shoopman, Associate Planner, presented the staff report.

Town Attorney Robert Schultz provided a recap of information in his letter distributed with the meeting's agenda.

Opened Public Comment.

Michael Keaney, Development Manager for Summerhill Homes (Applicant)

- The proposed modification for Market Hall is consistent with the North 40 Specific Plan and the Town Code and would provide 176 commercial parking spaces and 50 residential parking spaces, a surplus of 52 commercial spaces for the Transition District, 70-percent more than is required. Summerhill has prepared the "Transition District Parking Summary Table" to help clarify questions for the Commission and community regarding parking calculations for the Commercial Transition District and the Market Hall. The currently proposed 319 parking spaces is 46 spaces more than required for the Market Hall. There is no obligation in the conditions or the Specific Plan for Market Hall to provide parking for future phases.

Mark Miller

- He and his neighbors already deal with parking overflow and can't image what it would be like if the North 40 had insufficient parking. He asked why there is no development agreement and said he had assumed there were measures in place to protect the residents. He was concerned about transparency because he did not know about this meeting until a neighbor told him.

Jeff Loughridge

- The Market Hall plan that included the parking garage was approved years ago and designed to accommodate parking at the North 40. As a resident he does not look at the North 40 in phases but as one project. Utilizing the current parking requirements for only the phase one portion of the North 40 would be irresponsible for the Town to consider since phase two will require additional parking. Summerhill knew what the project was before they signed on and agreed to build it.

Barbara Dodson

- Summerhill was party to the original proposal and if they didn't want to build the garage they should have said so in 2016. Approval with the three applicants, Grosvenor, Summerhill, and Eden, was based on a commitment to include an underground garage that was a condition of approval and the subject of considerable discussion. It is a bad idea to reduce parking without knowing how much commercial space there would be.

Lisa Miller

- She asked how anyone would know about changes made with no review beyond staff, and how many other changes have been made from the approved set of construction documents being used to build the project? Where is the transparency?

Maria Ristow

- She was concerned that this matter was even continued from the beginning, because at the first meeting when this came up there was plenty of residential opposition to allowing this change. She agreed with Mr. Loughridge that this is for the entire North 40 and parking should be considered for the entire scope of the project.

Lee Quintana

- By her recollection the changes to the parking were the result of the fact that downtown businesses felt that there should be equity in the parking requirements between downtown and the North 40 and that the North 40 was being required to supply more parking than downtown.

Michael Keaney, Development Manager for Summerhill Homes (Applicant)

- They checked the history of the secondary access point to the garage from their perspective and found the elimination of the access point to the garage that was shown in the original A&S approval was done during the schematic design in coordination with the Planning and Building Department in the Spring of 2018. There is still a loading area in that location and the building permit that they have been issued includes that modification, but the modification to eliminate the basement has no relationship to how that access point would be implemented going forward.

Closed Public Comment.

Commissioners discussed the matter.

Opened Public Comment

Michael Keaney, Development Manager for Summerhill Homes (Applicant)

- They prefer the Commission make a decision at this meeting rather than a continuance.

Closed Public Comment

MOTION: **Motion by Commissioner Hudes** to deny a request for modification to an existing Architecture and Site Application for 14225 Walker Street (Market Hall). **Seconded by Commissioner Barnett.**

Commissioners discussed the matter.

VOTE: **Motion passed 4-2 with Chair Hanssen and Vice Chair Janoff dissenting.**

Commissioner Burch returned to the meeting.

3. Modifications to Hillside Development Standards & Guidelines Regarding the Visibility Analysis

Applicant: Town of Los Gatos

Forward a recommendation to the Town Council for approval of modifications to Chapter II (Constraints Analysis), Chapter III (Site Planning), and Chapter IX (Project Review and Approval Process) of the Hillside Design Standards and Guidelines (HDS&G) regarding the visibility analysis.

Jocelyn Shoopman, Associate Planner, presented the staff report.

Opened Public Comment.

Dr. David Weissman

- Hillside homeowners generally want to see city lights at night, but flatlanders prefer to look at tree-covered hillsides and not see nighttime light pollution and daytime reflective window glare and the Hillside Guidelines have taken the side of flatlanders. Non-native hillside trees that are extremely flammable, such as eucalyptus, should be removed and not counted as providing screening. Native species that are fire resistant, such as oak, would still be protected under the Tree Ordinance and should be counted as providing screening.

Closed Public Comment.

Commissioners discussed the matter.

MOTION: **Motion by Vice Chair Janoff** to forward a recommendation to Town Council to approve the language defining "elevation" as recommended by the Policy Committee. **Seconded by Commissioner Hudes.**

VOTE: **Motion passed 6-1 with Commissioner Barnett dissenting.**

Commissioners discussed the matter.

MOTION: **Motion** by **Vice Chair Janoff** to forward a recommendation to Town Council that (existing trees and/or branches subject to clearing in Zone 2 and Zone 3 should not be included as screening in the visibility analysis and) non-native trees and native trees with an under 8-inch diameter, none of which require a removal permit, should not be included as screening in the visibility study. **Seconded** by **Commissioner Tavana**.

VOTE: **Motion passed unanimously.**

Commissioners discussed the matter.

MOTION: **Motion** by **Commissioner Burch** to forward a recommendation to Town Council to approve the graphic image update as recommended by the Policy Committee. **Seconded** by **Commissioner Hudes**.

Commissioners discussed the matter.

VOTE: **Motion passed unanimously.**

Commissioners discussed the matter.

MOTION: **Motion** by **Commissioner Badame** to forward a recommendation to Town Council to retain project review and approval process with the Planning Commission for visible homes. **Seconded** by **Commissioner Hudes**.

VOTE: **Motion passed with 6-1 with Commissioner Burch dissenting.**

OTHER BUSINESS

REPORT FROM THE DIRECTOR OF COMMUNITY DEVELOPMENT

Joel Paulson, Director of Community Development

- A community workshop regarding affordable housing is scheduled for September 29, 2020 at 7:00p.m.

SUBCOMMITTEE REPORTS/COMMISSION MATTERS

General Plan Advisory Committee

Commissioner Hanssen

- GPAC met on September 3, 2020; covered the Mobility Element and the Hazards and Safety Element.
- GPAC will review the Public Facilities, Sewage, and Infrastructure Element at its next meeting on October 1, 2020.
- GPAC's rest-of-the-year agenda will include review of a new Racial Justice Element, Land use, and Community Design Element.

Historic Preservation Committee

Commissioner Hudes

- HPC met on September 23, 2020; considered one item:
 - o 32 Walnut Avenue

Commission Matters

Commissioner Hanssen

- The Planning Commission voted at its last meeting to establish a subcommittee to identify areas for more objective standards in the General Plan and other land use documents. The three Planning Commissioners on the subcommittee will be Commissioner Hudes, Commissioner Barnett, and Commissioner Burch, and staff will also be hiring a consultant to look into this matter as well.

ADJOURNMENT

The meeting adjourned at 10:35 p.m.

This is to certify that the foregoing is a true and correct copy of the minutes of the September 28, 2020 meeting as approved by the Planning Commission.

/s/ Vicki Blandin