

DRAFT
MINUTES OF THE PLANNING COMMISSION MEETING
AUGUST 12, 2015

The Planning Commission of the Town of Los Gatos conducted a Regular Meeting on Wednesday, August 12, 2015, at 7:00 PM.

MEETING CALLED TO ORDER

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

ROLL CALL

Present: Chair Kendra Burch, Vice Chair Mary Badame, Commissioner Charles Erikson, Commissioner Melanie Hanssen, Commissioner D. Michael Kane, and Commissioner Joanne Talesfore (via teleconference)

Absent: Commissioner Tom O'Donnell

PLEDGE OF ALLEGIANCE

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

APPROVAL OF MINUTES OF JULY 8, 2015

MOTION: Motion by Vice Chair Badame to approve the meeting minutes of July 8, 2015.
Seconded by Commissioner Kane.

VOTE: Motion passed 6-0.

WRITTEN COMMUNICATIONS

Desk Item for Items 2 and 3.

REQUESTED CONTINUANCES

None.

SUBCOMMITTEE REPORTS

None.

VERBAL COMMUNICATIONS (AUDIENCE)

None.

CONSENT CALENDAR

None.

CONTINUED PUBLIC HEARINGS

None.

PUBLIC HEARINGS

1. **25 E. Main Street**
Architecture and Site Application S-12-102
APN 529-28-037
Property Owner: Al Mansoorian
Applicant: Bob Flury – Flury Bryant Design
Project Planner: Marni Moseley

Requesting approval to construct a new second story addition to a commercial space (I Gatti Restaurant) for separate living quarters on property zoned C-2.

Chair Burch opened the public hearing.

Marni Moseley, Associate Planner, presented the staff report.

Commission members asked questions of staff.

Bob Flury

- Commented that the General Plan encourages functional outdoor living spaces, and if living spaces are relegated to the rear they will be used for storage, as freeway noise and exhaust odors will render the space unusable for living. The front of the building is the only place to put outdoor living space that can be functional.

Commission members asked questions of Mr. Flury.

Neda Mansoorian

- Commented that she represented her parents, the property owners. They took the Commission's comments from the last meeting very seriously and went back to the drawing board at great expense. They have met and exchanged emails with their neighbor, who now feels that their concerns have been addressed.

Chair Burch 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 Erikson** to approve Architecture and Site Application S-12-102 subject to the conditions of approval as noted in Exhibit 11 of the staff report dated August 12, 2015. The required findings were made as noted in Exhibit 2 of the staff report dated June 10, 2015, with the exception that the hedge be removed and the wall be 6 feet in height.
Seconded by Commissioner Hanssen.

Commission members asked questions of staff.

Commission members discussed the matter.

The maker of the motion amended the motion to remove the hedge and have a 5 feet, 6-inch wall.

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

VOTE: **Motion ended in no action due to a tie vote.**

Commission members discussed the matter.

Chair Burch reopened the public input portion of the hearing.

The Commission asked questions of the Applicant.

Commission members discussed the matter.

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

MOTION: **Motion by Commissioner Erikson** to approve Architecture and Site Application S-12-102 subject to the conditions of approval as noted in Exhibit 11 of the staff report dated August 12, 2015. The required findings were made as noted in Exhibit 2 of the staff report dated June 10, 2015, with the exception that the hedge be removed.

Seconded by Commissioner Hanssen.

VOTE: **Motion passed 4-2 with Commissioner Talesfore and Vice Chair Badame opposing.**

Planning Manager Joel Paulson cited the appeal rights.

2. 5 Augusta Court

Architecture and Site Application S-14-125

APN 529-11-006

Property Owner: Donald P. and Rose M. Arnaudo

Applicant: Mr. and Mrs. Stefan Arnaudo

Project Planner: Jocelyn Puga

Requesting approval to construct a new second story addition to an existing single-family residence with reduced setbacks and to exceed the maximum allowable floor area on property zoned RM-5:12.

Chair Burch opened the public hearing.

Jocelyn Puga, Assistant Planner, presented the staff report.

Commission members asked questions of staff.

Amy Arnaudo

- Commented that they listened to and addressed the Commission's concerns by revising the plans and removing 41 square feet from the top floor. In response to the consulting architect's concerns, they added a window and increased the porch roof slope, and instead of the planter box they moved the garage forward to have the mid-height step-back, which remedied the setback violation. Any of Mr. Cannon's concerns that were not addressed were due to structural functionality of the house. They don't want to change the character of the house.

Nick Struthers

- Commented that he is a neighbor of the proposed project. It doesn't make sense to penalize the applicants because their proposed house would be the biggest in the neighborhood when compared to the apartment complex next door.

Phil Knopf

- Commented that the previous concerns have been satisfied, and the square footage has been reduced, yet staff still recommends denial because it would be the largest home in the neighborhood. Five Augusta Court is the smallest of the six immediate neighboring lots. Using the allowed floor area ratio, 5 Augusta Court will eventually become the smallest house of the six lots as the five other lots have the potential to have larger homes.

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

MOTION: **Motion by Commissioner Talesfore** to approve Architecture and Site Application S-14-125 subject to the required findings made as noted in Exhibit 9 of the staff report dated August 12, 2015.
Seconded by Vice Chair Badame.

Commission members discussed the matter.

Commission members asked questions of staff.

VOTE: **Motion passed 6-0.**

Planning Manager Joel Paulson cited the appeal rights.

4. **60½ Rogers Street (taken out of order)**
Architecture and Site Application S-15-048
APN 529-33-003
Property Owner: Clark and Suzanne Cochran
Applicant: Terence Szewczyk
Project Planner: Jennifer Savage

Requesting approval to eliminate a detached second dwelling unit on property zoned R-1:20.

Chair Burch opened the public hearing.

Jennifer Savage, Senior Planner, presented the staff report.

Suzanne Cochran

- Commented that their goal is to reduce the “paper” label of a secondary dwelling unit on their property, the final step of an already approved lot merger.

Commission members asked questions of Ms. Cochran.

Lee Quintana

- Commented that if the secondary unit label is removed from the structure, wouldn't that make the rental of that unit inconsistent with Town Code?

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

MOTION: **Motion by Vice Chair Badame** to approve Architecture and Site Application S-15-048 subject to the conditions of approval as noted in Exhibit 3 of the staff report dated August 12, 2015. The required findings were made as noted in Exhibit 2 of the staff report dated August 12, 2015.
Seconded by Commissioner Kane.

VOTE: **Motion passed 6-0.**

Planning Manager Joel Paulson cited the appeal rights.

3. **16350 Blackberry Hill Road**
Architecture and Site Application S-14-067
APN 532-26-085
Property Owner: Lily Sarafan and Amir Ghorbani
Applicant: Malika Junaid
Project Planner: Jocelyn Puga

Requesting approval to exceed the maximum floor area and maximum building height for an addition to a single-family residence on property zoned HR-2½.

Chair Burch opened the public hearing.

Jocelyn Puga, Assistant Planner, presented the staff report.

Lily Sarafan

- Commented that the property is not appropriate for starting a family or for her elderly father.

Malika Junaid

- Commented that two of their proposed additions are under the existing roof, which will not be changed. They are enclosing existing porches, which is the only way to add bedrooms to the upper floor without tearing too much into the existing house. The family room addition is off the kitchen to avoid bringing the kitchen into the house, which would necessitate much more remodeling. They are trying to maintain the architectural style of the house.

Commission members asked questions of Ms. Junaid and Ms. Sarafan.

Dan Phillips

- Commented that he is a neighbor to the subject property. He looked at the property when he was in the market to buy his home, but it was clear something like the proposed plan would need to be done. He believes the proposed design is ingenious and will have minimal impact on the property.

Shirley Smith

- Commented that the applicants are wonderful neighbors and the proposed house design would not pose a hardship for her. She supports their project.

Malika Junaid

- Commented that they have worked to ensure the privacy of the neighbors. They have met all the findings to help support this project.

Commission members asked questions of Ms. Junaid and Ms. Sarafan.

Chair Burch 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.

Chair Burch reopened the public input portion of the hearing.

The Commission asked questions of the applicant.

Commission members asked questions of staff.

Commission members discussed the matter.

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

Commission members discussed the matter.

MOTION: **Motion by Chair Burch** to continue the public hearing for Architecture and Site Application S-14-067 to the meeting of September 9, 2015 with direction to comply with the Hillside Guidelines and Standards and reconfigure the project as necessary to meet the FAR and square footage requirements, and have no additional visibility from viewing platforms.
Seconded by Vice Chair Badame.

VOTE: **Motion passed 6-0.**

NEW OTHER BUSINESS

5. Report from Community Development Director, Laurel Prevetti
 - Town Council met 8/4/15; considered and approved the adoption of the North 40 Zoning Ordinance; heard and approved an appeal for 657 University Avenue.
6. Commission Matters
 - Chair Burch asked for case studies of when Town Council decisions differ from that recommended by the Planning Commission.
 - Commissioner Kane said he did not want to do exceptions, and requested clarification that exceptions are considered on a case-by-case basis. He also requested staff or the chair make a list of items that the applicant should provide in time for the public hearing (e.g., materials board, CAD drawings, etc.).
 - Commissioner Hanssen said she would like to have drawings when an alternative would result in a material change to the plan. She also asked if progress had been made to form a planned development group in conjunction with the General Plan Committee.

ADJOURNMENT

Meeting adjourned at 10:03 pm.

TOWN OF LOS GATOS PLANNING COMMISSION
Wednesday, August 12, 2015

Kendra Burch, Chair

APPROVED AS TO FORM AND ATTEST:

Joel Paulson
Planning Manager