

DRAFT
MINUTES OF THE PLANNING COMMISSION MEETING
FEBRUARY 12, 2014

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

MEETING CALLED TO ORDER

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

ROLL CALL

Present: Chair Margaret Smith, Vice Chair Kendra Burch, Commissioner Mary Badame, Commissioner Charles Erikson, Commissioner Tom O'Donnell, Commissioner Marico Sayoc, Commissioner Joanne Talesfore

Absent: None.

PLEDGE OF ALLEGIANCE

The Commission recited the Pledge of Allegiance. The audience was invited to participate.

APPROVAL OF MINUTES OF DECEMBER 11, 2013 AND JANUARY 8, 2014

MOTION: **Motion by Commissioner Sayoc to approve meeting minutes of December 11, 2013 and January 8, 2014.**
 Seconded by Commissioner Erikson.

VOTE: **Motion passed 7-0.**

WRITTEN COMMUNICATIONS

Desk Item for Item #3.

REQUESTED CONTINUANCES

None.

SUBCOMMITTEE REPORTS

None.

VERBAL COMMUNICATIONS (AUDIENCE)

John Shepardson

- Commented that the Citizen's group is making a public offer to the developer on the Albright project to drop its lawsuits in return for the developer following the Town Council's approval that has been rendered and not attempting to follow the terms they are seeking in the ballot measure.

CONSENT CALENDAR

1. **50 University Avenue. Suite 300**
 Conditional Use Permit Application U-12-013
 APN: 529-02-044
 Project Planner: Marni Moseley

One year review of the approved Conditional Use Permit for Fusion school on property zoned C-2:LHP:PD.

Chair Smith and Commissioners Sayoc and O'Donnell indicated they would recuse themselves from the consent calendar item because they live with 500 feet from the subject property.

MOTION: **Motion by Commissioner Talesfore to approve Consent Item #1.
Seconded by Commissioner Badame.**

VOTE: **Motion passed 4-0 with Chair Smith and Commissioners Sayoc and
O'Donnell recusing.**

CONTINUED PUBLIC HEARINGS

None.

NEW PUBLIC HEARINGS

2. **346 Santa Cruz Avenue**
Conditional Use Permit U-13-023
APN: 529-04-043
Property Owner: Linda Pond, Pond Family Trust
Applicant: Matt Oetinger, Fernwood Cellars
Project Planner: Jennifer Savage

Requesting approval to operate a tasting room on property zoned C-2.

Chair Smith opened the public hearing.

Commission members asked questions of Staff.

Matt Oetinger

- Commented that he is a native of Los Gatos and he and his family have owned the building since the 1950s.

Commission Members asked questions of Mr. Oetinger.

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 O'Donnell to recommend approval of Conditional Use Permit U-13-023 to the Town Council subject to the conditions of approval as noted in Exhibit 3 of the staff report dated February 12, 2014. The required findings were made as noted in Exhibit 2 of the staff report dated February 12, 2014.**

Commissioner Sayoc requested that Condition of Approval 4, which reads, "Approved use is a wine tasting room with retail sales," be amended to, "Approved use is a wine tasting room with no more than two wineries not selling beer or hard liquor."

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

Seconded by Commissioner Sayoc.

Commission members discussed the matter.

Commission members asked questions of Staff.

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

3. **16428 Englewood Avenue**

Architecture and Site Application S-13-089

APN 532-05-019

Property Owner: Steve Massei

Applicant: Gary Kohlsaas

Project Planner: Suzanne Avila

Requesting approval to demolish an existing single-family residence and to construct a new residence with reduced side setbacks and a detached garage with a reduced side setback on property zoned R-1:20.

Chair Smith opened the public hearing.

Suzanne Avila, Project Planner, presented a staff report.

Commission members asked questions of Staff.

Gary Kohlsaas

- Commented that their goal is to create family style house that fits within the neighborhood and they chose Englewood Avenue because it contained several large lots and already had several large homes built on it.

Commission members asked questions of Mr. Kohlsaas.

Michael Eckhardt

- Commented that he and his wife live in the house to the left of the subject property, that their home is a 3,500 square foot single-story and the proposed house is 5,700 or 5,800 square foot two-story and they are concerned about privacy, setbacks, light, air, and potential noise from a proposed mechanical equipment.

Commission members asked questions of Mr. Eckhardt.

Commission members asked questions of Staff.

Joe Piazza

- Commented that he supports the project because he respects the architect and builder and there are a number of two-story homes on the street.

Commission Members asked questions of Mr. Piazza.

Gary Kohlsaas

- Commented that the stated square footage of the proposed home also includes the garage and that the FAR of the house and all accessory structures are combined and they have excluded on all the numbers all the non-habitable garages, so any numbers in the tables are Floor Area Ratio only.

Commission members asked questions of Mr. Kohlsaas.

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

MOTION: **Motion by Commissioner O'Donnell** to continue the public hearing for 16428 Englewood Avenue to the meeting of March 12, 2014.
 Seconded by Commissioner Burch.

Commission members discussed the matter.

VOTE: **Motion passed 7-0.**

NEW OTHER BUSINESS

4. Report from Director of Community Development Planning Manager Joel Paulson
 - Development Review Committee has not taken final action on any items.
 - Town Council met 2/3/14, denied appeal of the Planning Commission's approval of 134 Loma Alta.
5. Commission Matters
None.

ADJOURNMENT

Meeting adjourned at 8:47 p.m.

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

Margaret Smith, Chair

APPROVED AS TO FORM AND ATTEST:

Joel Paulson
Planning Manager