

**DRAFT**  
**MINUTES OF THE PLANNING COMMISSION MEETING**  
**MAY 14, 2014**

The Planning Commission of the Town of Los Gatos conducted a Regular Meeting on Wednesday, May 14, 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, Vice Chair Kendra Burch, Commissioner Mary Badame, Commissioner Tom O'Donnell, Commissioner Marico Sayoc, Commissioner Joanne Talesfore

**Absent:** Commissioner Charles Erekson

**PLEDGE OF ALLEGIANCE**

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

**APPROVAL OF MINUTES OF APRIL 23, 2014**

**MOTION:** Motion by **Commissioner Sayoc** to approve meeting minutes of **April 23, 2014**.  
**Seconded** by **Commissioner Talesfore**.

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

**WRITTEN COMMUNICATIONS**

Two Desk Items for Item 2.

**REQUESTED CONTINUANCES**

None.

**SUBCOMMITTEE REPORTS**

**Housing Element Advisory Matters**

Commissioner Sayoc

- The Housing Element Advisory Board met twice since the last Planning Commission meeting:
  - Looked at several potential sites that could accommodate affordable housing, including secondary units and mixed-use options along Los Gatos Boulevard.
  - Directed Staff to look at pros and cons of all the alternatives presented.

**Chair Cox introduced and welcomed Laurel Prevetti, the Town's new Community Development Director.**

**VERBAL COMMUNICATIONS (AUDIENCE)**

Ingrid Oakley-Girvan

- Commented that the Town Traffic Engineer should review two examples of traffic enhancements that could be made in the Town: Lark off University should extend the red curb to enhance traffic flow off University turning right onto Lark; the traffic light at Lark and University should be changed to a blinking red when there is no oncoming traffic and red for the left turn lane off of University.

**CONSENT CALENDAR**

None.

## CONTINUED PUBLIC HEARINGS

None.

## NEW PUBLIC HEARINGS

### 1. North Forty Specific Plan

General Plan Amendment: GP-14-001

Zoning Code Amendment: Z-14-001

Environmental Impact Report: EIR-10-002

Property Owners: Thomas & Miyoko Yuki, Herbert & Barbara Yuki, ETPH LP, William Mattes, Peter Brutsche, William Fales, William Hirschman, Elizabeth Dodson, Patricia Connell, Hans Mattes, Tak Petroleum, Dewey Ventura, Alexander & Betty Moisenko, Lucy, Dagostino, Robert & Georgianna Spinazze, Marianne Ezell, Los Gatos Medical Office Center, LLC

Applicant: Town of Los Gatos

Project Planner: Joel Paulson

Accepting public comment on the Draft Environmental Impact Report, (Draft EIR), for the North Forty Specific Plan. The plan area comprises approximately 44 acres located at the northern extent of the Town of Los Gatos, bordered by State Route 17 and State Route 85 freeways to the west and north, Los Gatos Boulevard to the east, and Lark Avenue to the south. No action will be taken at this meeting.

**Chair Smith opened the public hearing.**

**Vice Chair Burch indicated that she would recuse herself from participating in the public hearing because she lives within 500 feet of the subject property.**

Jak Van Nada

- Commented that in general he is in favor of the North Forty development, however it will contribute to gridlock. The North Forty Specific Plan favors cars and it is uncertain if the bike path on Lark will ever happen, because they are proposing a wider than usual median.

Lee Quintana

- Commented that the readability of the report is poor. Under Historic Resources the Phase One Historic Evaluation and Final Historic Resources Technical Report are not accurately summarized in the text, and the Traffic and Transportation section does not provide graphics to help understand the configurations.

Andy Wu

- Commented about Pearl Harbor and Japanese internment.

Amy Despars

- Commented on discrepancies in the North Forty Specific Plan with respect to traffic congestion, overcrowding in the schools and transportation improvements, and requested no more pizza, coffee or burritos venues.

Matthew Hudes

- Commented that the Draft EIR is insufficient in looking at the proposed development's substantial negative impact to the downtown, which is less amenable to mitigation measures. The analysis is flawed and makes a case for building a new shopping center on the scale of Santana Row.

Terry McBriarty

- Commented that the Draft EIR's assertion that the proposed units will house people without children and thus have no impact on the schools is incorrect and would put the nail in the coffin of the Los Gatos School System. The improvements called for in the report will make the already horrible conditions on Lark worse and endanger more people by increasing traffic.

Janice Fok

- Commented on discrepancies in the report with respect to traffic from the JCC, student counts from local schools and school overcrowding.

Jeff Harlan

- Commented that there are significant flaws in the Draft EIR: Estimates from developers on school impact are inaccurate, and traffic reports are low with significant gaps on the intersections and no samples from Los Gatos Boulevard, East Main Street or University Avenue.

Larry Arzie

- Commented that the previously planned fifth lane for Lark Avenue to Samaritan or a ring road around the North Forty should have been considered in the Draft EIR and questioned whether the EIR weighed the possibility of a 20-year build out.

Jeff Loughridge

- Commented that the North Forty project contains elements currently lacking in Los Gatos, such as more diverse housing. However, he is concerned that even before the future effects of new developments the Town's Level of Service at intersections across town is on the edge of the lower Level of Service rating of D and finds the mitigation outlined in the Draft EIR to be inadequate.

Anne Robinson

- Commented on impacts of the proposed North Forty development on hillside views. The hillside views cannot be preserved when there is no limitation on how tall the buildings can be and the only requirement is the building not have an adverse affect on the ridgeline.

Ingrid Oakley-Girvan

- Commented that driving on or crossing Lark is unsafe and they absolutely need a buffer zone. She supports retail in the North Forty area, but it needs to be easy to walk to the stores. The schools are overcrowded and the numbers will continue to grow, because of the desirability of Los Gatos schools.

Woody Nedom

- Commented that 364 housing units all jammed into the southern Lark Avenue portion is a horrible idea, because it's all in the Los Gatos School District. The units should be spread out over the North Forty so half or more are in the north section, which is the Campbell School District, who would welcome new students.

Jason Farwell

- Commented that the project would impact parking, the schools and the downtown. His major issue is they still don't know the square footage of the downtown and how it compares to the proposed development. The North Forty project would be beautiful and become a regional draw and would change the Town forever.

Brent Ventura

- Commented that because the North Forty site has been left undeveloped for so long there is an incredible amount of wildlife there. He personally has seen cougar, coyote, fox, snakes, and golden eagle. The report's wildlife survey is inadequate in failing to identify any of the wildlife and containing no relocation plan. He also would like the Draft EIR to explore senior housing being incorporated into the plan, which would be a less intensive traffic generator.

Jennifer Greway

- Commented on the traffic problems, such as only one way in and out off of Lark, no access to southbound 85 from Winchester, six traffic lights in less than one mile on Lark Avenue, and merge issues in the morning at the intersection of Highway 17 and Lark. The developer's traffic

mitigation only faces his portion of the property as it affects Los Gatos Boulevard, Bascom, and Lark. The developer should consider an entrance to Highway 17 on the backside of the property.

**Chair Smith closed the public input portion of the hearing.**

**2. 375 Knowles Drive**

Planned Development Application: PD-13-002

General Plan Amendment: GP-13-001

Environmental Impact Report: EIR-13-003

APN: 406-28-032

Property Owner: County of Santa Clara

Applicant: KT Properties

Project Planner: Suzanne Avila

Requesting approval of a General Plan Amendment from Public to Office and a Planned Development to demolish the existing building and to construct 40 single-family residences on property zoned O. An Environmental Impact Report has been prepared for the project.

**Chair Smith opened the public hearing.**

Suzanne Avila, Senior Planner, presented a staff report.

Commission members asked questions of staff.

Mark Tersini

- Commented that his company has developed three properties in Los Gatos and they believe their plan is the best use of the property. They do not have the support of the Planning Staff, but they are seeking direction on how to modify the residential plans to better address the comments from Staff and the Commission as they move forward.

Laura Worthington-Forbes

- Commented that they have worked closely with Staff and the community to design a project that meets the intent of the 2020 General Plan. After input from the community they reduced the height of the units, increased the setbacks, and reduced the number of units facing Knowles.

Commission members asked questions of Ms. Worthington-Forbes, Mr. Tersini and Don Ruthroff, the architect.

Liz Ansnes

- Commented that the development is an ideal use of a piece of property shaped like this one. She supports the project because it concentrates the housing in an area that has easy access to what people need and want: transportation, parks and recreation, and hospital and medical buildings. Los Gatos does not need more multi-million houses.

John Wytmans

- Commented that he supports the project because a chain link fence surrounds the property currently. If this project is not approved he worries an out of town developer, who does not have the Town's best interests at heart, will develop the property.

Sara Model

- Commented that she supports the project, because it addresses the issues of running out of cheap land, cheap energy and water. It has become necessary to build higher to provide housing for increasing numbers of people. The project is close to public transportation and office employment, meaning less driving and energy savings. Water will be conserved with the small lot sizes and the lower purchase price will allow younger people to move into Los Gatos.

Lee Quintana

- Commented that before considering the specific PD site plan or the conceptual A&S the Commission should address the question of what is the appropriate land use, and given that land use, what is the appropriate corresponding General Plan designation and zoning? As the project is proposed, the Office Professional General Plan and Office Zoning will not match the actual use of the project. The intensity of the project is extreme and it is not clear what exceptions are being granted based on what zoning is being considered.

Beverly Bryant

- Commented that with respect to KT Properties' community outreach, they made 541 neighborhood contacts, advertised to the 500' range, made it a point to have in-person meetings with the nearby neighbors and business neighbors, and reached out to the larger community in general.

Commission members asked questions of Ms. Bryant.

John Shepardsen

- He is concerned that the developer is trying to drive the project rather than the General Plan standards driving the project with resulting friction when the developer tries to extend what the standards mean. Medium-density housing will not be enough to mitigate the Town's traffic problems.

Andy Wu

- Commented that \$1.1 million is not an inexpensive unit. The eight BMP units from the development will be nowhere close to the numbers that the Town has to build in terms of affordable housing.

Lee Fagot

- Commented that he has issues with density, height and the architectural style of the buildings, which look like a large condo complex rather than detached single-family homes. The units are so close to each other it looks like cheap, dense housing, and the height is too high.

Jeff Loughridge

- Commented that the design does not fit with the existing neighborhood of single-family luxury homes and seems two-dimensional. The existing neighboring setbacks are far greater than the requested setbacks. It is unusual to make so many exceptions for such a development. Traffic is going to be a major concern.

Len Williams

- Commented he is with the County Executive's Office for the County of Santa Clara, the property owner. The County supports the project and believes KT Properties builds a quality product and has worked cooperatively with the Los Gatos Planning Department to reduce density. The immediate neighbors have not spoken against the project and many have come out in support of it.

Commission members asked questions of Mr. Williams.

Woody Nedon

- Commented that he supports Staff's recommendation of denial for the project. He urged caution in any approval of any Planned Developments in the Town, because they violate the General Plan.

Mark Tersini

- Commented that early on they did look at the site from an office development perspective. With respect to the proposed density, the project calls for 12 units to the acre, however, when looking

at surrounding properties, Villa Vasona's density is 39 units per acre and Villa Capri is 27 units to the acre. In terms of height, 555 Knowles Drive is 35', Villa Vasona is 35', and Villa Capri is 33'.

Commission members asked questions of Mr. Tersini and Laura Worthington-Forbes.

**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 O'Donnell to continue the Planned Development application for 375 Knowles Drive to the meeting of June 25, 2014. Seconded by Chair Smith.**

Commission members discussed the matter.

Commission members asked questions of Staff.

**VOTE: Motion passed 4-2 with Commissioners Badame and Sayoc dissenting.**

### **NEW OTHER BUSINESS**

3. Report from Planning Manager, Joel Paulson
  - Development Review Committee met on 4/29/14 and approved an Architecture and Site Application for a new house in the Highland Oaks Planned Development; met and approved a building permit for a parking lot improvement at St. Mary's; met on 5/6/14 and approved a parking lot modification for Classic Burgers on Los Gatos Boulevard; met on 5/13/14 and approved a demolition of an existing house and construction of a new house at 1466 Hancock Court; met on 5/13/14 and approved minor exterior alterations to commercial buildings at Downing Center.

Report from Community Development Director, Laurel Prevetti

- Town Council met on 5/5/14 and approved a Conditional Use Permit at 81 East Main Street for Zona Rosa, introduced and adopted the first reading of an ordinance regulating the use of leaf blowers in town with the second reading to return to the Town Council.
- The Mayor will present a State of the Town address on 5/16/14 at Oak Meadow Park from 4:00 pm to 6:00pm.

4. Commission Matters
  - None.

### **ADJOURNMENT**

**Meeting adjourned at 10:29 pm.**

TOWN OF LOS GATOS PLANNING COMMISSION  
Wednesday, November 13, 2014

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Margaret Smith, Chair

APPROVED AS TO FORM AND ATTEST:

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Joel Paulson  
Planning Manager