

**DRAFT**  
**MINUTES OF THE PLANNING COMMISSION MEETING**  
**JUNE 25, 2014**

The Planning Commission of the Town of Los Gatos conducted a Regular Meeting on Wednesday, June 25, 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 (from during Item 1 forward), Commissioner Mary Badame, Commissioner Charles Ereksen, Commissioner Tom O'Donnell, Commissioner Marico Sayoc, Commissioner Joanne Talesfore

**Absent:** Vice Chair Kendra Burch (absent through Approval of Minutes.)

**PLEDGE OF ALLEGIANCE**

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

**WRITTEN COMMUNICATIONS**

Desk Item for Item 3.

**REQUESTED CONTINUANCES**

None.

**SUBCOMMITTEE REPORTS**

**Historic Preservation Committee Matters**

Commissioner O'Donnell

- The 6/25/14 HPC meeting considered three matters:
  - 115-1½ Wilder Avenue
  - North Forty
  - 327 University Avenue

**Housing Element Advisory Board**

Commissioner Sayoc

- The 6/12/14 Housing Element Advisory Board meeting:
  - Recommended a strategy to meet the Town's regional housing allocation numbers.
  - The Board will meet next in August to finalize that recommendation and provide a recommendation that will come to the Planning Commission next.

**VERBAL COMMUNICATIONS (AUDIENCE)**

Jeff Loughridge

- Commented that there should be a moratorium on granting any new Planned Developments until the Town's review is complete and consensus has been reached.

**APPROVAL OF MINUTES OF MAY 21, 2014, MAY 28, 2014, JUNE 11, 2014**

**MOTION:** Motion by Commissioner Talesfore to approve meeting minutes of May 21, 2014, May 28, 2014 and June 11, 2014  
Seconded by Commissioner Badame.

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

## CONSENT CALENDAR

1. **14107 Winchester Boulevard**

Conditional Use Permit Application: U-14-012

APN: 406-30-015

Property Owner: Winchester Associates, LLC

Applicant: William Evon

Project Planner: Erin Walters

Requesting approval to operate a martial arts studio (Modern Taekwondo Academy) on property zoned C-1.

**MOTION:**        **Motion by Commissioner O'Donnell to approve Consent Item #1.  
Seconded by Commissioner Sayoc.**

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

**Chair Smith indicated that Vice Chair Burch had arrived at the meeting during Item 1.**

## CONTINUED PUBLIC HEARINGS

2. **15540 El Gato Lane**

Architecture and Site Application: S-14-003

APN: 523-23-021

Property Owner: Fletch and Florence Sullivan

Applicant: Chris Spaulding

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 R-1:8.

**Chair Smith opened the public hearing.**

Jennifer Savage, Associate Planner, presented a staff report.

Fletch Sullivan

- Commented that although the Planning Commission instructed that they design their residence as a one-story, after considering their family's needs and meeting with their architect and appraisers, they feel strongly that a one-story will not suit their needs and ask the Commission to reconsider their initial application.

Commission members asked questions of Mr. Sullivan.

May Pope-Handy

- Commented that she is a Los Gatos realtor. She believes the applicant lives in a transitional neighborhood that will not be an affordable housing neighborhood.

Commission members asked questions of Ms. Pope-Handy.

Francesca Sullivan

- Commented that if her family builds a two-story home it will change her life, because her family is cramped in their present home.

Florence Sullivan

- Commented that their plan for a two-story home has the full support of their nine immediate neighbors. She requested the Commission not discriminate against them because they live in a cluster of substandard housing at the moment.

Commission members asked questions of Ms. Sullivan.

**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 deny Architecture and Site Application S-14-003.  
Seconded by Commissioner Erikson.**

**VOTE:**        **Motion passed 4-3 with Chair Smith, Vice Chair Burch and Commissioner Sayoc opposing.**

Planning Manager Joel Paulson cited the appeal rights.

3.    **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 33 single-family residences on property zoned O.

**Chair Smith opened the public hearing.**

Joel Paulson, Planning Manager, presented a staff report.

Commission members asked questions of staff.

Mark Tersini

- Commented that after the May 14, 2014 meeting they met with the consulting architect and their own architect, their civil engineer and Town staff. They made several key changes, including moving setbacks along Capri to provide as much as 15' of setback; reduced all three-story homes to two-story, which had a substantial impact on the project density; and added a second common open space.

Commission members asked questions of Mr. Tersini.

Jeff Loughridge

- Commented that he wondered if a Planned Development is the best use of the land. The proposed development has too many units to allow proper traffic circulation as well as providing open space, setbacks and parking. The development asks for too many exceptions and should be denied in its present form.

Lee Quintana

- Commented that the project looks reasonable at first, except if the .83 acres that go to the private circulation is taken out it's 12-plus units per acre rather than 8.8, which increases the FAR. Whether the project is two or three stories, it is too intense. Both density and intensity need to be considered. The project does not have maximum open space or excellence in architectural or site design.

Commission members asked questions of Ms. Quintana.

Mark Tersini

- Commented that the project is a housing type that is desired by working couples who may work at the upcoming Albright Way project. It is in a fantastic location with shopping, recreation and medical nearby. This is an opportunity to provide needed housing in the community to accommodate the Bay Area's job growth.

Commission members asked questions of Tersini.

Paul Reed

- Commented that he is the landscape architect. With respect to the Town architect's suggestion to upgrade the fences, they are not tied into one particular fence yet, but he suggested a semi-transparent stain, which is easier to maintain than paint.

Donald Ruthroff

- Commented that he is the architect. They do not see a problem addressing the Town Architect's suggestions.

Commission members asked questions of Mr. Ruthroff.

Commission members asked questions of Tersini.

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

**MOTION:**      **Motion** by **Commissioner O'Donnell** to recommend to the Town Council approval of Planned Development Application PD-13-002; that the EIR be certified as shown in Exhibit 1; that the Mitigation Monitoring Reporting Plan as shown in Exhibit 4 be approved; that the proposed residential land use will require the Town Council Resolution 211-063 as shown in Exhibit 7 be amended or rescinded; that the required finding for community benefit be as discussed by the applicant at the hearing; that the required finding for consistency with the General Plan as shown in Exhibit 5 would be approved; the required finding for the General Plan Amendment from Public to Office Professional as shown in Exhibit 5 be approved; and adoption of the resolution for the General Plan Application GP-13-001 as shown in Exhibit 10 be approved; find that the General Plan Amendment is consistent with the existing goals and policies of the General Plan and its corresponding elements as shown in Exhibit 6; and recommending the Town Council's resolution is consistent.

**Seconded by Commissioner Erikson.**

**Chair Smith requested that the specific requirements that Mr. Tersini agreed to during the meeting be added to the motion.**

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

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

Commission members discussed the motion.

**VOTE:**           **Motion failed 4-3 with Vice Chair Burch and Commissioners Badame, Sayoc and Talesfore opposing.**

**MOTION:**       **Motion by Commissioner Badame to recommend to the Town Council denial of Planned Development Application PD-13-002, and General Plan Amendment GP-13-001 based on finding that the zone change is not consistent with the General Plan and that the General Plan Amendment is not consistent with the goals and policies of the General Plan and its corresponding elements for the reasons stated during the Commission's discussion.**  
**Seconded by Vice Chair Burch.**

**VOTE:**           **Motion passed 4-3 with Chair Smith and Commissioners Erikson and O'Donnell opposing.**

#### **NEW OTHER BUSINESS**

4.       Report from Community Development Director, Laurel Prevetti
  - Town Council met 6/2/14; clarified the requirements for a quorum.
  - Town Council met 6/16/14; considered modifications to the resolution regarding the consulting architect; approved the Conditional Use Permit for the Inn of Los Gatos for a high-quality restaurant; approved for publication the Electric Vehicle Ordinance.
  - The July 9, 2014 Planning Commission meeting will be cancelled. The next regularly scheduled meeting is July 23, 2014.
5.       Commission Matters  
None.

#### **ADJOURNMENT**

**Meeting adjourned at 9:47pm.**

TOWN OF LOS GATOS PLANNING COMMISSION  
Wednesday, June 25, 2014

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/s/ Margaret Smith, Chair

APPROVED AS TO FORM AND ATTEST:

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/s/ Joel Paulson  
Planning Manager