

DRAFT



TOWN OF LOS GATOS PLANNING COMMISSION MEETING ACTION MINUTES TOWN COUNCIL CHAMBERS 110 E. MAIN STREET WEDNESDAY, APRIL 25, 2012

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

ROLL CALL

Present: Chair Marcia Jensen, Vice Chair Charles Erikson, Commissioner John Bourgeois, Commissioner Thomas O'Donnell, Commissioner Marico Sayoc, Commissioner Margaret Smith, and Commissioner Joanne Talesfore.

Absent: None

Others: Town Attorney Judith Propp, Planning Manager Sandy Baily, Associate Planner Heather Bradley, Assistant Public Works Director Kevin Rohani, Associate Civil Engineer Maziar Bozorginia, and Recording Secretary Linda Rowlett.

PLEDGE OF ALLEGIANCE

Led by **Chair Marcia Jensen**.

APPROVAL OF MINUTES OF APRIL 11, 2012

Motion by **Commissioner John Bourgeois** and seconded by **Vice Chair Charles Erikson** to approve meeting minutes of April 11, 2012.

Chair Marcia Jensen and **Commissioner Joanne Talesfore** commented that they were absent at the meeting on April 11, 2012, but that they have reviewed the materials and will be participating in the vote.

Motion carried 7-0.

WRITTEN COMMUNICATIONS

Chair Marcia Jensen noted that there was a desk item for Item #2.

REQUESTED CONTINUANCES - ITEM #1

Motion by **Commissioner Marico Sayoc** and seconded by **Commissioner Joanne Talesfore** to grant continuance of Item #1 (**16828 Kennedy Road**) to a date uncertain.

Motion carried 7-0.

SUBCOMMITTEE REPORTS

General Plan Committee -- **Commissioner John Bourgeois** reported that the committee met tonight and completed review of the Affordable Housing Overlay Zone Design Guidelines and Development Standards for two sites on Oka Road. Next steps at the May meetings include going through the Design Guidelines for Affordable Housing in the Town.

North 40 Specific Plan Advisory Committee -- **Commissioner Marico Sayoc** reported that the committee met on April 24 to look at six categories of land use (residential, office, retail, recreation, entertainment, and hotel) to see if they fit within the guiding principles set by Town Council.

Historic Preservation Committee -- **Commissioner Charles Erikson** commented that the committee met this afternoon and approved an Architecture and Site Application to allow cellar and first floor additions at a residence at **245 Almendra Avenue**.

VERBAL COMMUNICATIONS (AUDIENCE)

Christine Currie

- Presented a tribute to **Ray Davis (Citizen Ray)** who recently passed away recalling that he was a tireless champion of the hillsides and an amazing proponent of the Los Gatos community. She noted his participation in Planning Commission meetings and talked about some of the projects that were of particular interest to **Mr. Davis**. The Commission took a moment of silence in remembrance of **Mr. Davis**.

Chair Marcia Jensen thanked **Ms. Currie** for her comments and the remembrance of **Mr. Davis**.

Lee Quintana

- Read an article from the *San Jose Mercury News* regarding the Los Gatos Business Park development noting that an EIR (Environmental Impact Report) must be completed before construction of the Albright Netflix project.

CONSENT CALENDAR - NONE

CONTINUED PUBLIC HEARINGS

1. **16828 Kennedy Road** - Architecture and Site Application S-11-096. Requesting approval to construct a new second story on a single-family residence on property zoned R-1:8. APN 532-35-076. PROPERTY OWNER: Hillbrook School APPLICANT: Kim Midstokke. PROJECT PLANNER: Jennifer Savage. (Continued from 1/25/12, 2/22/12, & 3/14/12).

Continuance granted to a date uncertain. See Requested Continuances above.

NEW PUBLIC HEARINGS

2. **14251 Winchester Boulevard** - Conditional Use Permit U-11-020, Architecture & Site Application S-11-091. Requesting approval to demolish an existing office building and construct a new office building on property zoned C-1. APN: 406-30-011. PROPERTY OWNER: Khojasteh Family Trust. APPLICANT: John Lien. PROJECT PLANNER: Heather Bradley.

Chair Marcia Jensen opened the public hearing.

Associate Planner Heather Bradley

- Referenced a list of questions from **Lee Quintana** and responses from staff regarding primarily traffic impacts and tree removals. Copies were provided to the Commissioners and staff.
- Noted that a handicap access ramp was added to the front of the building subsequent to the preparation of the staff report primarily affecting the landscape plan.
- Corrected that several of the trees on site do not meet the threshold for ordinance protection. Twenty trees will be removed, three will remain, and five are too small to qualify for protection.

Commissioner Charles Erikson

- Asked about setback requirements, if the proposed building is outside or inside of the setbacks, and if the story poles are properly placed.

Associate Planner Heather Bradley

- Commented that the setback is 15 feet to the property line. She could not speak to the story poles. The building is at least 15 feet outside of the property line at the Knowles Drive side.

Commissioner Joanne Talesfore

- Asked if the project is compatible with projects immediately adjacent to it.
- Asked about landscape requirements that were not included.
- Asked about the Community Benefit for the sidewalk upgrade.

Associate Planner Heather Bradley

- Commented that the project is compatible with other commercial and office projects in the neighborhood. Residences were not taken into consideration.
- Commented that there was a request for additional landscape enhancements that could not be included because of the street and sidewalk improvements required along Knowles Drive.
- Commented that there is an identified need in the General Plan for Knowles Drive improvements at that intersection. The portion along Winchester Boulevard was not a requirement, so the applicant is offering to widen the right turn lane onto Winchester Drive as a Community Benefit.

Commissioner Thomas O'Donnell

- Asked if there is a requirement that Commissioners read letters that are received after the deadline has passed.

Town Attorney Judith Propp

- Commented that the Commission must take in all communications, written or oral, until the close of the public input portion of the hearing.

John Lien, Applicant (Project Architect), gave a presentation on the proposed project.

Commissioner Joanne Talesfore

- Commented on the plethora of tower elements on this building and the corner building across the street and asked the applicant about the thought process for the purpose of the tower.
- Asked about the grade of the building.

John Lien

- Commented that the building is meant to be a gateway or landmark building. The tower is more identifiable and gives a visual connection as you travel down Winchester Boulevard as an important building and that you are entering town.
- Commented that they will be lowering the building pad by six to eight inches and there is a five-foot slope from Capri Drive toward Winchester Boulevard so that the pad stays level as it approaches Winchester Boulevard.

Chair Marcia Jensen

- Expressed concern about the tower elements and asked if there is another way to articulate a building without a tower and still be a gateway.

John Lien

- Commented that it is possible to articulate a multi-story building, but they were limited on how much in and out articulation they could do. The towers are the best solution for that site.

Commissioner Charles Erekson

- Asked if there are functional reasons for the tower.

John Lien

- Commented that the towers provide the required simple form for the nature of the services that the occupant will provide.

Commissioner Thomas O'Donnell

- Asked how the applicant's improvements will impact the traffic.
- Asked where the stacking lane will be in relation to the driveway out of Vasona Station.

John Lien

- Commented that they are making a right hand turn lane that runs along Knowles Drive that provides a deeper stacking lane for cars wanting to turn right. They are also providing a dedicated right hand lane on Winchester Boulevard as you turn right onto Knowles Drive.
- Commented that the cars will not be stacked up as long waiting to make a right turn onto Winchester Boulevard which will help the cars coming out of Vasona Station to get over to the right turn lane.

Commissioner Margaret Smith

- Asked if the peak hours during the day are driven by the medical shift hours of the hospital.
- Commented that the towers are very imposing at that site and asked about the windows.

John Lien

- Commented that he did not know about the hospital staff's impact on traffic.
- Commented on the tower elements showing which elevations had windows.

Commissioner Joanne Talesfore

- Asked about the parapet screening the mechanical equipment and what the purpose is for making it that tall.

John Lien

- Commented that the mechanical equipment is in the middle of the building roof with a four-foot tall screen. **Larry Cannon** (Town's Consulting Architect) recommended that the wall be stepped back five feet to give relief.

Chair Marcia Jensen

- Asked if the building could be made smaller to accommodate two more parking spaces to give the site more adaptability if there was a non-medical use for the building in the future.

John Lien

- Commented that it is not possible to add more parking spaces and moving the building or making it smaller would not allow for additional spaces. It is a limitation that cannot be changed and, if necessary in the future, a use would have to be found for a portion of the building to keep it in compliance with the parking requirement.

Commissioner Charles Erikson

- Asked about the decision to keep three entrances to the property.

John Lien

- Commented that he did not recall any discussions about eliminating one of the driveways, but if the entrance on Capri Drive was eliminated it may allow for two more parking spaces. He would be agreeable to doing that.

Commissioner Margaret Smith

- Asked if the Winchester Boulevard entrance is ingress and egress and if that is necessary.

John Lien

- Commented that the entrance on Winchester Boulevard is ingress and egress and is necessary for functionality.

Commissioner Joanne Talesfore

- Asked about the height of the interior walls.
- Asked about the landscape plans as compared to Vasona Station.

John Lien

- Commented that the height is 18 feet as prescribed by the major tenant because of all the utilities that the medical use requires above the ceiling.
- Commented that the landscaping was not intended to be similar to Vasona Station.

Chris Kankel, Landscape Architect

- Commented that they are proposing more vertical elements to the planting with more texture and color giving more impact. The trees have varying heights along Winchester Boulevard.

David Matsuo

- Commented that he lives on Clearview Drive and owns the adjacent property on Capri Drive and a business in Vasona Station.
- Commented that a trash bin has been placed adjacent to his property on Capri Drive and he is concerned about the type of waste that will be placed in that bin and the impact the trash bin will have on the value of his property.
- Commented that he is also concerned about drainage and how it will impact his property.
- Commented that it is a beautiful project and will be a benefit to the medical community.

John Lien

- Commented that they plan to address **Mr. Matsuo's** issues. Medical waste is not allowed to go into a public dumpster but the dumpster could be moved away from the property line and they can add some landscape screening.
- Commented that the drainage is not an issue. There is a swale continuous along the property line which will slow down the water and allow it to dissipate on their property. They can guarantee that drainage will not impact neighboring properties.

Commissioner Margaret Smith

- Asked if there will be a fence next to the fruit stand.

John Lien

- Commented that there is no wall or fence planned next to the fruit stand.

Associate Planner Heather Bradley

- Commented that a wall is not required because the property to the south is zoned commercial even though it does have a single family home. She is not aware of any concerns by the homeowner.

Commissioner Marico Sayoc

- Asked if there have been any discussions with the adjacent homeowners.

John Lien

- Commented that he is not aware of any concerns or discussions with the homeowner.

Chair Marcia Jensen closed the public input portion of the hearing and returned to the Commission for deliberations.

Commissioner Thomas O'Donnell

- Asked about exiting Vasona Station onto Knowles Drive to turn right onto Winchester Boulevard.
- Asked if the Town has looked at the exit from Vasona Station noting that a sign restricting left turns would be helpful.

Assistant Public Works Director Kevin Rohani

- Commented the two eastbound lanes are the major problems. The proposal is one additional lane on Knowles Drive resulting in five lanes. The traffic signals will be synchronized which will help the traffic flow.
- Commented that Vasona Station is a private center. Most people exit the center directly onto Winchester Boulevard. Enforcement of a sign restricting left turns onto Knowles Drive would be difficult, but staff will look into it.

Commissioner Margaret Smith

- Asked about traffic synchronization on Knowles Drive.

Assistant Public Works Director Kevin Rohani

- Commented that the northbound left turn signal from Winchester Boulevard onto Knowles Drive will be synchronized with the Capri Drive intersection.
- Commented that the intersection at Winchester Boulevard and Knowles Drive operates at Level D and the improvements will improve the level of service by almost 25 percent which will help facilitate the flow of traffic.

Commissioner Joanne Talesfore

- Asked how extending the right turn lane on Knowles Drive will benefit the cars exiting the project to turn left onto Winchester Boulevard.

Assistant Public Works Director Kevin Rohani

- Commented that the driveway serves as ingress and egress for the site. Coming out of the driveway to turn left onto Winchester Boulevard is a function of the time of day and flow of traffic.

Commissioner Thomas O'Donnell

- Asked about three exits versus two exits noting that the exit onto Knowles Drive may be hazardous.
- Asked for **Mr. Rohani's** position on the exits.

Assistant Public Works Director Kevin Rohani

- Commented that the Knowles Drive exit can be problematic at certain times of the day. A right in/right out could be entertained, if recommended.
- Commented that he would recommend the right in/right out of Knowles Drive as a Condition of Approval.

Chair Marcia Jensen

- Asked if the addition of the eastbound lane on Knowles Drive in the CIP (Capital Improvement Program) is part of Albright.

Associate Civil Engineer Maziar Bozorginia

- Commented that the addition of the eastbound lane on Knowles Drive is a CIP project and is not correlated with any other project. It is strictly a LOS (Level of Service) project.

Motion by **Chair Marcia Jensen** and seconded by **Commissioner Margaret Smith** to continue Conditional Use Permit U-11-020 and Architecture & Site Application S-11-091 to May 23, 2012, for a redesign of the tower elements, a site circulation plan, the addition of two parking spaces, and for articulation of the landscape plan.

Commissioner Thomas O'Donnell

- Commented that he is confused by so much discussion about the design of the building and is unsure of where the other Commissioners stand.

Commissioner Joanne Talesfore

- Commented that she supports the motion and that not all landmark buildings have towers. She does not want to see Winchester Boulevard as a wall with two turrets at the end. The project should complement Vasona Station and fit into the scale of the adjacent property.

Commissioner Marico Sayoc

- Commented that she would like to support the motion and would like to remind the applicant to show additional trash screening.

Motion carried 5-1 with **Commissioner John Bourgeois** dissenting and **Commissioner Thomas O'Donnell** abstaining.

Commissioner Thomas O'Donnell

- Commented that he is abstaining because he does not understand the scope of the Commission's ability on the motion to redesign the project and he does not feel fully advised to support or oppose the motion.

CONTINUED OTHER BUSINESS - NONE

NEW OTHER BUSINESS

3. Consider Capital Improvement Program Projects for Fiscal Year July 1, 2012 to June 30, 2017 - Parks and Public Works.

Chair Marcia Jensen opened the public hearing.

Assistant Public Works Director Kevin Rohani gave an overview of the Capital Improvement Program projects for Fiscal Year July 1, 2012 to June 30, 2017.

Commissioner Margaret Smith

- Asked about the Sports Park and the fence that was put up next to the neighboring business.
- Asked about crosswalk improvements.

Assistant Public Works Director Kevin Rohani

- Commented that the fence is a piece of railing that was put up for safety by the Building Department.
- Commented that there is not a specific project for crosswalks. However, whenever a CIP project is done, crosswalks are included as part of the project. Staff discourages mid-block crossings due to operational enforcement and maintenance.

Commissioner Charles Erikson

- Asked about the possibility of putting a skinny island on Knowles Drive from Capri Drive to Winchester Boulevard to help traffic flow.

Assistant Public Works Director Kevin Rohani

- Commented that a two-tier system would be considered. First a right in/right out would be put into place, and then an island could be considered. That would eliminate left turns out of both sides onto Knowles Drive.

Commissioner Joanne Talesfore

- Asked how often the CIP is reviewed during the five-year plan.
- Asked how money is set aside for future projects that come up.

Assistant Public Works Director Kevin Rohani

- Commented that the 5-year CIP is reviewed on an annual basis and it is a living document. The first year is funded and the remainder is more of a planning tool that allows for changes. When private projects are approved, improvements are required by the developer.

Chair Marcia Jensen closed the public input portion of the hearing and returned to the Commission for deliberations.

Motion by Vice Chair Charles Erikson and seconded by **Commissioner Joanne Talesfore** to recommend approval of the Capital Improvement Program Projects for Fiscal Year July 1, 2012 to June 30, 2017, and forward to Town Council for final consideration. The Program is consistent with the General Plan and Hillside Specific Plan.

Motion carried 7-0.

4. Report from Director of Community Development - None

5. Commission Matters - None

ADJOURNMENT

Meeting was adjourned at 9:04 p.m.

TOWN OF LOS GATOS PLANNING COMMISSION
Wednesday, April 25, 2012

Marcia Jensen, Chair

APPROVED AS TO FORM AND ATTEST:

Sandy L. Baily
Planning Manager