



MEETING DATE: 09/06/2005

COUNCIL AGENDA REPORT

DATE: SEPTEMBER 6, 2005

TO: MAYOR AND TOWN COUNCIL

FROM: DEBRA FIGONE, TOWN MANAGER

SUBJECT: INTERVIEWS/BOARDS, COMMISSIONS, AND COMMITTEES.

Following are the names of the applicants for the vacant position on the Planning Commission, for the term ending December 31, 2005. Applications from these candidates are attached. Interviews will begin at 5:45 PM and appointment of the commissioner will be made on September 19, 2005.

POSITIONS AND APPLICANTS:

Planning Commission

One (1) Vacancy (Resident)

Applicants:

- John Bourgeois
- Susan Gomez
- Curtis Leigh
- Richard Minert
- Henry Redmond
- Steve Rice

Attachments: Applications for Planning Commission.

PREPARED BY:

Marlyn Rasmussen
Marlyn Rasmussen
Clerk Administrator

N:\CLK\BOARDS & COMMISSIONS FILE\TCRPT .09-06-05 planning interviews.wpd

Reviewed by: _____ Manager _____ Asst. Manager _____ Attorney _____ Community Services
_____ Community Development _____ Library _____ Parks

Revised: 9/1/05 10:21 am

TOWN OF LOS GATOS PLANNING COMMISSION APPLICATION

Submit to: Office of the Town Clerk 110 East Main Street, P.O. Box 949,
Los Gatos, CA 95031 Telephone: (408) 354-6834 Fax: (408) 354-8431
Email: clerk@losgatosca.gov

Please type or print legibly

* Last Name: <u>Bourgeois</u>	* First Name: <u>John</u>
* Address: <u>420 Alberto Way #37</u>	* City: <u>Los Gatos</u> * Zip: <u>95032</u>
* Home Phone: <u>408-356-7747</u>	Work Phone: <u>408-448-9450 x403</u>
Email: <u>love_bourgeois@yahoo.com</u>	Fax: <u>408-448-9454</u>
Present Employer: <u>H. T. Harvey & Associates</u>	Job Title: <u>Senior Restoration Ecologist</u>
Length of Residency in Los Gatos: <u>6 1/2 years</u>	
* If appointed, this information will be made available to the public.	

Previously Held Elected or Appointed Governmental Positions	Position/Office Held	Dates
Los Gatos Parks Commission	Commissioner	2004 - present
Apartment Ordinance Subcommittee	Tenant Representative	2003
Civic or Charitable Organizations You Have Belonged To	Position/Office Held	Dates
The Trust for Hidden Villa	Ranch and Wilderness Committee	2004 - present
Schools Attended/Attending	Major Subject and/or Grade Level	
University of Louisiana at Lafayette	M.S. in Biology	
Tulane University	B.S. in Biology	
A separate application is required for each Commission. Please list other Commissions you are applying to:		

Signature: _____

Date: 8/17/05

1. How many times have you attended a Planning Commission meeting? Please provide a summary of any thoughts you had.

I have been regularly attending Planning Commission meetings since November 2004, including the Planning Commission/Council Retreat. I have also been regularly attending Town Council meetings for a year and a half. My observations of both bodies for this amount of time have given me an appreciation of the complexities of Town government. I understand the level of personal commitment required by Planning Commissioners, and I also realize the steep learning curve required of newly appointed members.

My involvement with the Town began when I served as the tenant representative in a debt pass-through rental dispute at Riviera Terrace Apartments. My involvement in that case led me to apply for (but not get) an appointment on the Rental Advisory Committee. However, I was asked to serve on a subcommittee to look at changes in the apartment ordinance given my experience with the rental dispute process. This initial involvement then led to my enrollment in Leadership Los Gatos in October 2003, and an appointment to the Parks Commission in April 2004. Through my career as an ecological consultant, I have also been representing clients at various Commission and Council meetings throughout the Bay Area. These collective experiences have allowed me to truly appreciate the superior quality of the staff, elected officials and volunteers in the Town of Los Gatos. I am proud to be a part of this Town, and hope to be able to contribute to its excellence.

2. What design or land use experience do you have that would be useful on the Planning Commission?

As a project manager and senior ecologist at a Bay Area ecological consulting firm, I assist clients with land use decisions every day. I have worked for private developers and facilitated design improvements to avoid impacts to sensitive biological resources, and developed innovative mitigations for those times when impacts were not avoidable. I have also worked extensively for local municipalities and agencies including the Santa Clara Valley Water District, Santa Clara Valley Transportation Authority, and California Department of Transportation.

Among numerous other projects, I currently serve as the technical consultant to the California State Coastal Conservancy and the U.S. Fish and Wildlife Service in the restoration to tidal marshes of over 15,000 acres of former Cargill salt production ponds in South San Francisco Bay. Restoration planning at this scale is a very complex undertaking, especially since the wildlife refuge and the urban centers are so close in proximity.

I also serve on the Ranch and Wilderness Committee for The Trust for Hidden Villa located in Los Altos Hills. This committee makes land use recommendations to the Board of Directors for the 1,600-acre farm and wilderness preserve.

3. The Planning Commission meets at least twice a month and requires a significant amount of homework. Are you prepared to make the commitment to spend the amount of time required to attend regular meetings, committee meetings, do site visits, and study the packet material?

Yes.

4. How would you describe your philosophy of planning?

Since a Planning Commission is a judicial body, planning at this scale should be about fairness. Personal values and attitudes are to be minimized to administer a balanced judgment between individual rights and the greater good of the community.

5. What do you think is the Council's role in planning matters?

The Planning Commission's role is to objectively interpret and apply the policies of the Town. The Town Council's role in planning matters is to provide those policies.

6. Have you discussed the role of a Planning Commissioner with a current or former Planning Commissioner or with anyone on the Planning staff?

Yes.

7. What specifically can you add or bring to the Planning Commission?

I bring a pragmatic and analytical mindset from my background as a scientist, as well as the perspective of an age and income demographic that is often underrepresented in local governments.

I do understand that the Planning Commission is a quasi-judicial body, and not a technical body. However, I possess a good deal of expertise in biological and environmental issues. I am also well versed in resource agency jurisdictions and permitting, and have received formal training and practical application in CEQA.

A resume has also been attached. Thank you for considering my application to the Planning Commission.

8. Please respond to the attached Case Study.

PLANNING COMMISSION CASE STUDY

PROPERTY LOCATION: 170 Canyon Oaks Road
PROPERTY OWNER: John Smith
APPLICANT: Superior Homes Development

OVERVIEW:

Existing Proposed General Plan Designation Low Density Residential Low Density Residential Zoning Designation R1:8 R-1:8 Existing Use Single-Family Home Single Family Home Property Size 15,000 Square Feet.

PROJECT DESCRIPTION: The applicant proposes to demolish the existing 1,400 square foot single-story home and replace it with a 3,000 square foot two story home 28' tall. The maximum height allowed by Town Code is 30' and the Floor Area Ratio would allow a house with 4,050 square feet of living area. The surrounding neighborhood is comprised of predominantly single-story homes with an average size of approximately 2,000 square feet.

NEIGHBORHOOD REACTION: The surrounding neighborhood is divided on the issue of development. Some of the neighbors are in support of the project and think it will increase their property values, while others are opposed to the project because they feel it is too large for the neighborhood and will create privacy concerns for the adjacent neighbors.

PROCESS:

- The Design Review Committee reviewed the project on two occasions and after numerous changes and additions of required information the Committee deemed the application complete.
- The Design Review Committee has the authority to approve a project of this nature, however, the Community Development Director has reviewed the project and determined that it will be forwarded to the Planning Commission for their review.

What is your initial reaction to the above referenced project?

My first reaction is to wonder why the Community Development Director decided to refer this project to the Planning Commission if the DRC had the authority to approve the project. I would definitely want to understand the specific reasons for his referral.

Otherwise, I did have an initial decisive reaction after reading the above case study. However, I am not sure that my initial reaction is that important. For the system to work properly, Planning Commissioners should be open to all possibilities and should carefully listen to the staff, the applicant, and other members of the community through the public hearing process. Only after hearing all sides can appropriate action be taken.

What issues do you feel will need to be investigated further?

This case study was selected because it would be what some may consider a "close call." As with all cases, I would want to do my homework. I would consult with the Community Development Director and/or the assigned planner, perform a site visit, and (within the guidelines of the Brown Act) consult with more senior members of the Planning Commission. Just because a proposal is below the height restriction and within the square footage allowed by

the FAR guidelines, does not necessarily mean that the mass and scale of the structure are appropriate for that particular neighborhood or parcel configuration.

At the public hearing I would want to explore the specific concerns of the neighbors on the issues of privacy and the size of the home. I would have a tendency to give more weight to the testimony of those neighbors closer in proximity to the property in question, as they would be more directly impacted by the project. Hopefully adjustments could be made to mitigate their specific concerns.

What is your position on the delicate balance between property rights and neighborhood input?

I do not think that it can ever be said that one is more important than the other. However, property rights are not absolute, as they must be weighed against the rights of the community. As I have observed, the Planning Commission and Council carefully examine this issue on a case-by-case basis.

John A. Bourgeois

420 Alberto Way #37

Los Gatos, California 95032

408-356-7747 (h)

408-448-9450 x403 (w)

jbourgeois@harveyecology.comlove_bourgeois@yahoo.com**Community:****Town of Los Gatos**

Los Gatos Parks Commission	4/04-present
Leadership Los Gatos	9/03-5/04
Apartment Ordinance Subcommittee	4/03-9/03

The Trust for Hidden Villa

Ranch and Wilderness Committee	9/04-present
--------------------------------	--------------

**Professional
Experience:****Senior Restoration Ecologist**

2/99-present

H.T. Harvey & Associates

San Jose, California

-Project Manager for an ecological consulting firm that provides sound scientific information for making responsible decisions involving land use and resource management. Duties include impact assessments, extensive habitat mapping, preparation of CEQA documents, and development of mitigation and monitoring plans for wetland and riparian ecosystem projects. Project management responsibilities include agency coordination, staff supervision, development of scopes and budgets, marketing, contracting, and client development. Most recently involved in large restoration design projects in the Bay Area, such as the consolidated mitigation for the Santa Clara Valley Transportation Authority Measure A/B projects as well as the restoration of tidal wetlands at the South Bay Salt Ponds.

General Biologist

9/97-1/99

USGS National Wetlands Research Center

Natural Resources Geoscience Specialist

1/96-8/97

Louisiana Department of Natural Resources

Ecologist

3/95-9/95

USDA Forest Service, Institute of Pacific Islands Forestry

Research Assistant

6/93-12/94

University of Louisiana at Lafayette

**Teaching
Experience:****Guest Lecturer**

-Santa Clara University

3/01, 4/02, 10/02, and 4/04
6/00

-City College of San Francisco

Instructor (evening classes)

-Louisiana State University at Eunice

9/98-12/98

-Nicholls State University

9/96-5/97

Teaching Assistant

-University of Louisiana at Lafayette

1/93-5/93

Education:

Master of Science

University of Louisiana at Lafayette

Major: Biology

12/94

GPA: 3.833

Bachelor of Science

Tulane University

*Major: Ecological, Evolutionary,
and Organismal Biology*

12/92

GPA: 3.561

cum laude

Junior Year Abroad Program

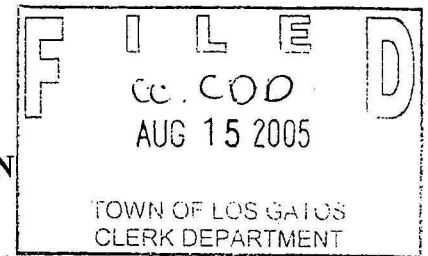
Glasgow University

9/91-5/92

[TOWN LOGO]

**TOWN OF LOS GATOS
PLANNING COMMISSION APPLICATION**

Submit to: Office of Town Clerk
110 East Main Street, P.O.Box 949, Los Gatos, CA 95031
Telephone: (408) 354-6834 * Fax: (408) 354-8431 * Email: clerk@losgatosca.gov



Please type or print legibly

*Last Name Gomez (Rossler-Gomez)
*Address 100 Kennedy Knolls Lane
*Home Phone 408-358-9912, 408-358-8962
Email sue.gomez@sun.com
Present Employer Sun Microsystems, Inc.
Length of Residency in Los Gatos 5.9 years

*First Name Susan (Sue)
*City Los Gatos Zip 95032
Work Phone 408-404-8562
Fax 408-404-8562
Job Title Sr. Counsel, Products & Technology Law Group

**If appointed, this information will be made available to the public.*

Previously Held Elected or Appointed Government Positions	Position/Office Held	Dates
--	-----------------------------	--------------

Not applicable

Civic or Charitable Organizations You Have Belonged To	Position/Office Held	Dates
---	-----------------------------	--------------

<u>San Jose State University Alumni Assoc</u>	<u>Board of Directors</u>	<u>1994-1996</u>
<u>Quito Little League</u>	<u>Board of Directors/Treasurer</u>	<u>1996-1998</u>
<u>Santa Clara County Bar Association</u>	<u>Fee Arbitrator (Pro Bono)</u>	<u>2001 – present</u>

Schools Attended/Attended	Major Subject and/or Grade Level
----------------------------------	---

<u>University of CA, Davis</u>	<u>General Education</u>
<u>San Jose State University</u>	<u>Bachelor of Science Nutrition, Minor Chemistry</u>
<u>San Jose State University</u>	<u>Masters in Business Administration (MBA)</u>
<u>Santa Clara Univeristy</u>	<u>Juris Doctor (JD) / Law</u>

A separate application is required for each Commission. Please list other Commissions you are applying to:

None

Signature: _____

Date: _____

12 August 2005

1. **How many times have you attended a Planning Commission meeting? Please provide a summary of any thoughts you had.** I attended four Planning Commission meetings (three meetings while researching for a Local Government Law paper and one related to a notice of public hearing regarding a neighbor's property). It was during these meetings that I formed the desire to one day serve on the Planning Commission. Although contentious, my impression was that the Planning Commission epitomizes democracy at its best where citizens at a local level have a forum in which to propose action, voice opinions and objections.
2. **What design or land use experience do you have that would be useful on the Planning Commission?** I am an intellectual property (IP) licensing, corporate and transactional attorney for a high technology company. I studied property and constitutional law, statutes and procedure in law school. During law school I took an elective entitled Local Government Law which focused on the relationship between and authority granted to local, state and federal governments.
3. **The Planning Commission meets at least twice a month and requires a significant amount of homework. Are you prepared to make the commitment to spend the amount of time required to attend regular meetings, committee meetings, do site visits and study packet material?** The subject matter of the Planning Commission is by its nature complex and multi-faceted affecting the lives of many. Each matter deserves the full attention and preparation of the Planning Commission members. As a lawyer I deal with complex issues every day and expect this position to be the same -- that's part of the allure. Community involvement is encouraged by my employer and my work hours and location are flexible. Should a conflict of interest arise, I will recuse myself.
4. **How would you describe your philosophy of planning?** Planning is the art of researching, resolving and documenting issues prior to execution. The cost of the alternative -- poor or non-existent planning -- can be high, particularly when dealing with environmental and land use issues where it's difficult to "undo" what has been done. Similarly it is difficult to restore the public's confidence once compromised, therefore I believe a critical component of planning is a fair and objective process in which to interpret and enforce local land use regulations and to hear the public's viewpoint.
5. **What do you think is the Council's role in planning matters?** The Town Council consists of elected officials who act on behalf of the residents of Los Gatos with authority and power derived from the United States and California Constitutions. Its actions must be "reasonably necessary and related to the health, safety, morals, or general welfare of the community."¹ The Planning Commission is an advisory body with members appointed by and who serve at the behest of the Town Council in order to investigate, analyze and recommend action regarding land use matters.
6. **Have you discussed the role of a Planning Commissioner with a current or former Planning Commissioner or with anyone on the Planning staff?** Not specifically, but while preparing my paper on the Town of Los Gatos Planning Commission for the Local Government Law class mentioned above (Question 1 & 2), I interviewed the parties involved in a particular matter and reviewed material in the Planning Department.
7. **What specifically can you add or bring to the Planning Commission?** I think it's

1 See generally *Friends of Davis v. City of Davis*, 83 Cal App.4th 1004 (2000);

important that an advisory body -- even a highly technical one vis-a-vis the architectural/
building trade like the Planning Commission -- include at least a few members that
represent the non-technical/layperson viewpoint - which I do. So to not bring the process to
a standstill, such members need to have the aptitude and desire to handle the complicated
subject matter -- which I have.

8. Please respond to the attached Case Study.

See next page.

PLANNING COMMISSION CASE STUDY

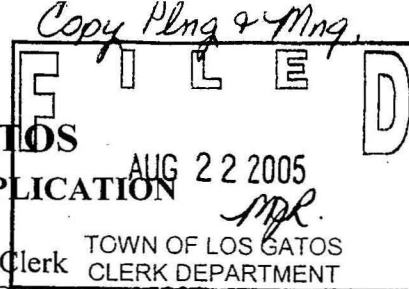
Questions:

1. **What is your initial reaction to the above referenced project?** The applicant (named "Superior Homes Development") may be a developer intending to sell, as opposed to live in, the proposed home. The specifications of the proposed home appear to be within the parameters allowable by the Town Code, below the maximum height and Floor Area Ratio. Nevertheless, the proposed home's "fit" within the surrounding neighborhood of single story, smaller homes is at issue. The specifications and Design Review Committee's review of the application for completeness provide the "floor" not the "ceiling" for approval and public input is needed.
2. **What issues do you feel need to be investigated further?** Where in Los Gatos is the property? Is this property on a hillside (the name "Canyon Oaks Road" indicates it may be) and subject to the Hillside Specific Plan? Are there safety concerns (e.g. traffic, ingress/egress, parking, visibility, erosion)? Are there environmental or wildlife concerns? What is the proximity to neighboring property/lots? What's the character of the neighboring streets? Is the applicant a developer? If so, has this developer built elsewhere (in Los Gatos or nearby community)? If so, what's the quality of the work? What are the plans for demolition? Specifically what are the neighbor's concerns (including privacy)? How accurate and prevalent are these concerns? Who is raising the concerns, neighbors or other parties? Are there steps that can be taken to mitigate these concerns? Is the developer attempting to work with concerned parties/neighbors? Is there precedence (legal or otherwise) to be followed?
3. **What is your position on the delicate balance between property rights and neighborhood input?** Rights inherent to property ownership are not limitless nor should the needs of surrounding property owners and municipalities take precedence every time – the action depends on the surrounding circumstances. The ensuing tug of war is not new or unique to Los Gatos. What is unique is the character of the Town of Los Gatos. The challenge is to "enhance the quality of life"² without destroying that character which is where neighborhood input, fair access and due process come into play and how the Planning Commission adds great value to the community. An objective and fair process promotes the credibility and continued legitimacy of local government – and is democracy at its best.

2 See Town of Los Gatos Mission Statement



TOWN OF LOS GATOS
PLANNING COMMISSION APPLICATION



Submit to: Office of the Town Clerk
110 East Main Street, P.O. Box 949, Los Gatos, CA 95031
Telephone: (408) 354-6834 • Fax: (408) 354-8431 • Email: clerk@losgatosca.gov

Please type or print legibly

* Last Name: LEIGH * First Name: CURTIS
* Address: 148 MAGGI CT * City: LOS GATOS * Zip: 95032
* Home Phone: 408-354-7380 Work Phone: _____
Email: CURTILEIGH@YAHOO.COM Fax: _____
Present Employer: HUNTER PROPERTIES Job Title: DEVELOPMENT MANAGER
Length of Residency in Los Gatos: 9 MONTHS

* If appointed, this information will be made available to the public.

Previously Held Elected or Appointed Governmental Positions	Position/Office Held	Dates		
Civic or Charitable Organizations You Have Belonged To	Position/Office Held	Dates		
<u>JUNIOR ACHIEVEMENT OF THE BAY AREA</u>	<u>TEACHER</u>	<u>2003 - 2004</u>		
<u>HANDS ON NASHVILLE</u>	<u>VOLUNTEER</u>	<u>2000 - 2002</u>		
Schools Attended/Attending	Major Subject and/or Grade Level			
<u>STANFORD UNIVERSITY</u>	<u>MASTER OF BUSINESS ADMINISTRATION</u>			
<u>VANDERBILT UNIVERSITY</u>	<u>BACHELOR OF CIVIL ENGINEERING</u>			
A separate application is required for each Commission. Please list other Commissions you are applying to:				

Signature: _____

Date: 8/19/05

1. How many times have you attended a Planning Commission meeting? Please provide a summary of any thoughts you had. FIVE (5) MEETINGS ATTENDED
PLANNING COMMISSION MEETINGS ARE AN EXCITING BALANCE BETWEEN
STRICTLY INTERPRETING THE CITY CODE AND DETERMINING WHAT IS
BEST FOR THE CITY (WITH INPUT FROM THE COMMUNITY)
2. What design or land use experience do you have that would be useful on the Planning Commission? BEING A DEVELOPER ALLOWS ME TO GAIN DESIGN AND LAND USE
EXPERIENCE ON A DAILY BASIS.
3. The Planning Commission meets at least twice a month and requires a significant amount of homework. Are you prepared to make the commitment to spend the amount of time required to attend regular meetings, committee meetings, do site visits, and study the packet material? YES, DEFINITELY
4. How would you describe your philosophy of planning? I WOULD CHARACTERIZE MY
PHILOSOPHY OF PLANNING AS CONSERVATIVE. GROWING UP IN THE
MIDWEST TAUGHT ME THAT IT IS IMPORTANT TO KEEP AN OPEN
MIND, BUT USE THE VIEWS OF THE MAJORITY.
5. What do you think is the Council's role in planning matters? THE COUNCIL'S ROLE IN
PLANNING MATTERS IS ANOTHER SET OF CHECKS & BALANCES BEYOND
THE COMMISSION. ALSO, THEY MAKE SURE THE CODE IS FOLLOWED
AND THE COMMUNITY IS REPRESENTED.
6. Have you discussed the role of a Planning Commissioner with a current or former Planning Commissioner or with anyone on the Planning staff? YES, IN SEVERAL OTHER COMMUNITIES,
BUT NOT IN LOS GATOS
7. What specifically can you add or bring to the Planning Commission? I WILL BRING
ENTHUSIASM TO THE COMMISSION AND ADDITIONAL VIEWPOINTS TO
CONSIDER. MY DIVERSE BACKGROUND WILL BE A BONUS TO THE
COMMISSION.
8. Please respond to the attached Case Study.

PLANNING COMMISSION CASE STUDY

PROPERTY LOCATION: 170 Canyon Oaks Road

PROPERTY OWNER: John Smith

APPLICANT: Superior Homes Development

OVERVIEW:

	<u>Existing</u>	<u>Proposed</u>
General Plan Designation	Low Density Residential	Low Density Residential
Zoning Designation	R-1:8	R-1:8
Existing Use	Single-Family Home	Single Family Home
Property Size	15,000 Square Feet	

PROJECT DESCRIPTION:

The applicant proposes to demolish the existing 1,400 square foot single-story home and replace it with a 3,000 square foot two story home 28' tall. The maximum height allowed by Town Code is 30' and the Floor Area Ratio would allow a house with 4,050 square feet of living area. The surrounding neighborhood is comprised of predominantly single-story homes with an average size of approximately 2,000 square feet.

NEIGHBORHOOD REACTION:

The surrounding neighborhood is divided on the issue of development. Some of the neighbors are in support of the project and think it will increase their property values, while others are opposed to the project because they feel it is too large for the neighborhood and will create privacy concerns for the adjacent neighbors.

PROCESS:

- The Design Review Committee reviewed the project on two occasions and after numerous changes and additions of required information the Committee deemed the application complete.
- The Design Review Committee has the authority to approve a project of this nature, however, the Community Development Director has reviewed the project and determined that it will be forwarded to the Planning Commission for their review.

What is your initial reaction to the above referenced project?

What issues do you feel will need to be investigated further?

What is your position on the delicate balance between property rights and neighborhood input?

Planning Commission Case Study

What is your initial reaction to the above referenced project?

My initial reaction to the proposed home by Superior Homes Development is that the home is substantially larger than the existing home and other homes in the surrounding neighborhood with respect to height and square feet of living space. The information is limited and difficult to make a full assessment, but from the given facts, the home does not seem consistent with the neighborhood and requires additional investigation before approval.

What issues do you feel will need to be investigated further?

Many issues need to be investigated further with regard to the proposed project by Superior Homes Development. These include, but are not limited to, the floor plate size, height of existing houses, placement on the lot, location with respect to neighbors, and architecture (for the proposed house as well as the neighborhood). All these factors are unclear with the given information and could help determine the revisions necessary, if any, for approval of this project. For example, the floor plate size and height of 28' for the proposed home could be consistent with other houses in the neighborhood even though the neighborhood is comprised of predominantly single-story homes. The neighborhood homes could be tall single-story homes. The placement of the home on the lot and location with respect to neighbors is an important piece of information. If the proposed home is on a portion of the lot that does not disturb the privacy of neighbors and is not overbearing to the neighborhood, it may be acceptable. And lastly, the architecture must be consistent with the neighborhood.

What is your position on the delicate balance between property rights and neighborhood input?

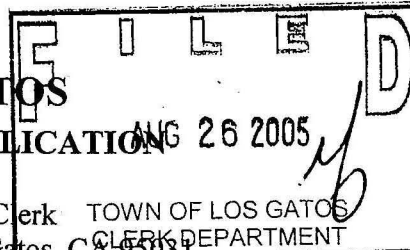
The balance between property rights and neighborhood input is the hardest part of city officials job. My position is not one way or the other because each development is different and requires input from the neighborhood while demonstrating awareness of property rights. Both are very important to every development. With my experience in real estate development, I have the skills to assess this difficult balance and make decisions that satisfy the most people.

Thank you for your time and I look forward to meeting each of you and helping to make Los Gatos a better place.



TOWN OF LOS GATOS

PLANNING COMMISSION APPLICATION



Submit to: Office of the Town Clerk TOWN OF LOS GATOS
110 East Main Street, P.O. Box 949, Los Gatos, CA 95031 CLERK DEPARTMENT

Telephone: (408) 354-6834 • Fax: (408) 354-8431 • Email: clerk@losgatosca.gov


Please type or print legibly

* Last Name: MINERT * First Name: RICHARD
* Address: 255 UNIVERSITY AVE. * City: LOS GATOS * Zip: 95030
* Home Phone: (408) 354-6652 Work Phone: (408) 944-9111
Email: richard@minertarchitects.com Fax: (408) 944-9116
Present Employer: MINERT ARCHITECTS Job Title: PRINCIPAL / OWNER
Length of Residency in Los Gatos: 9 YEARS

* If appointed, this information will be made available to the public.

Previously Held Elected or Appointed Governmental Positions	Position/Office Held	Dates
SAN JOSE - "INCLUSIONARY ZONING TASK FORCE"	APPOINTED - COMMITTEE MEMBER	1992-1994
SAN JOSE - "COMMUNITY ARTS COUNCIL"	APPOINTED - COMMITTEE MEMBER / VICE PRESIDENT	1991-1993
SAN JOSE - ENVIRONMENTAL ISSUES ADVISOR TO COUNCILMAN BOB PUTNAM	APPOINTED ADVISOR	1988-89
Civic or Charitable Organizations You Have Belonged To	Position/Office Held	Dates
AMERICAN INSTITUTE OF ARCHITECTS, SANTA CLARA VALLEY CHAPTER	CHAIR, GALLERY COMMITTEE	1988-1991
	CHAPTER DIRECTOR (ELECTED)	1990-1991
	CHAIR - GOVERNMENT RELATIONS	1990-1991
	CHAIR - DESIGN AWARDS	1993-1999
Schools Attended/Attending	Major Subject and/or Grade Level	
UNIVERSITY OF OREGON	ARCHITECTURE / UNDERGRAD. / POST-GRAD	
BOSTON ARCHITECTURAL CENTER	ARCHITECTURE / UNDERGRADUATE	

A separate application is required for each Commission. Please list other Commissions you are applying to:

Signature: 

Date: 8/26/05

1. How many times have you attended a Planning Commission meeting? Please provide a summary of any thoughts you had. HAVE ATTENDED MORE MEETINGS THAN I CAN RECALL - PERHAPS 60-75 IN VARIOUS PENINSULA AREA COMMUNITIES, ALWAYS INTERESTING TO OBSERVE THE DIALOGUE, THE LEVELS OF EXPERTISE AMONG THE COMMISSION MEMBERS, AND HOW DECISIONS ARE MADE.
2. What design or land use experience do you have that would be useful on the Planning Commission? STUDIED LAND USE DESIGN AND HAD COURSE IN LAND USE LAW AT THE UNIVERSITY OF OREGON. DESIGN EXPERIENCE INCLUDES PROJECT DESIGNS IN ARCHITECTURAL OFFICES, AND AS AN ARCHITECT OVER THE PAST 30 YEARS.
3. The Planning Commission meets at least twice a month and requires a significant amount of homework. Are you prepared to make the commitment to spend the amount of time required to attend regular meetings, committee meetings, do site visits, and study the packet material? YES, I AM VERY FAMILIAR WITH THE TASKS AND THE TIME COMMITMENT.
4. How would you describe your philosophy of planning? PLANNING COMMISSION RECOMMENDATIONS ARE MADE IN THE CONTEXT OF PERMITTED USE, ZONING ORDINANCE REQUIREMENTS, THE NEIGHBORHOOD CONTEXT, INPUT FROM RESIDENTIAL AND BUSINESS OWNERS IN THE NEIGHBORHOOD, RECOMMENDATIONS FROM TOWN PLANNING STAFF AND THE TOWN CONSULTING ARCHITECT, AND THE QUALITY OF THE DESIGN.
5. What do you think is the Council's role in planning matters? THE TOWN COUNCIL MAKES AND IMPLEMENTS TOWN POLICY. THE PLANNING COMMISSION MAKES RECOMMENDATIONS TO THE COUNCIL FOR CONSIDERATION.
6. Have you discussed the role of a Planning Commissioner with a current or former Planning Commissioner or with anyone on the Planning staff? YES. LEN PACHECO. I HAVE KNOWN LEN FOR MORE THAN 10 YEARS.
7. What specifically can you add or bring to the Planning Commission? EXPERIENCE AND EXPERTISE IN MANY AREAS OF DESIGN AND LAND PLANNING, AND A REASONED AND BALANCED APPROACH TO DECISION-MAKING.
8. Please respond to the attached Case Study.

PLANNING COMMISSION CASE STUDY

PROPERTY LOCATION: 170 Canyon Oaks Road

PROPERTY OWNER: John Smith

APPLICANT: Superior Homes Development

OVERVIEW:

	<u>Existing</u>	<u>Proposed</u>
General Plan Designation	Low Density Residential	Low Density Residential
Zoning Designation	R-1:8	R-1:8
Existing Use	Single-Family Home	Single Family Home
Property Size	15,000 Square Feet	

PROJECT DESCRIPTION:

The applicant proposes to demolish the existing 1,400 square foot single-story home and replace it with a 3,000 square foot two story home 28' tall. The maximum height allowed by Town Code is 30' and the Floor Area Ratio would allow a house with 4,050 square feet of living area. The surrounding neighborhood is comprised of predominantly single-story homes with an average size of approximately 2,000 square feet.

NEIGHBORHOOD REACTION:

The surrounding neighborhood is divided on the issue of development. Some of the neighbors are in support of the project and think it will increase their property values, while others are opposed to the project because they feel it is too large for the neighborhood and will create privacy concerns for the adjacent neighbors.

PROCESS:

- The Design Review Committee reviewed the project on two occasions and after numerous changes and additions of required information the Committee deemed the application complete.
- The Design Review Committee has the authority to approve a project of this nature, however, the Community Development Director has reviewed the project and determined that it will be forwarded to the Planning Commission for their review.

What is your initial reaction to the above referenced project?

What issues do you feel will need to be investigated further?

What is your position on the delicate balance between property rights and neighborhood input?

August 26, 2005

Planning Commission Application of Richard Minert, AIA

Response to Case Study.

1. What is your initial reaction to the above reference project?

The fact that the Community Development Director has forwarded the project to the Planning Commission indicates that there are issues that are not completely resolved. The initial response to the project description and to the neighborhood response is that although the proposed design meets the requirements of the zoning ordinance, the size and height of the project may be "out-of-context" with the neighborhood, and that these issues may not have been adequately addressed in the design.

2. What issues do you feel will need to be investigated further?

The project needs to be looked at to determine if the proposed two-story home has been designed within the context of the neighborhood. Has the designer or architect attempted to mitigate issues regarding height and massing? Is the proposed structure appropriately sited to mitigate size and height? Does a landscape plan offer mitigation through planting that would screen the home where privacy issues may be involved? These and other questions may be important in coming to a decision on contextual matters. It is also important for the Commission members to come to agreement on whether the proposed design meets or enhances the design objectives that preserve or enhance the character of the Town of Los Gatos.

3. What is your position on the delicate balance between property rights and neighborhood input?

The rights of property owners are clearly defined by law and ordinance, in terms of both allowances and constraints. And there is also clearly a difference between a single neighborhood voice, and overwhelming neighborhood response. It is my position that the neighborhood should always have a voice, and sometimes be a major determinant in the approval process. The sense of "ownership" in neighborhoods is a significant factor in the strength of our communities and our sense of community values. Neighborhood input also strengthens the necessity of dialogue and a participatory recommendation-making, or decision-making process at all levels.



TOWN OF LOS GATOS

PLANNING COMMISSION APPLICATION

Submit to: Office of the Town Clerk
110 East Main Street, P.O. Box 949, Los Gatos, CA 95031
Telephone: (408) 354-6834 • Fax: (408) 354-8431 • Email: clerk@losgatosca.gov

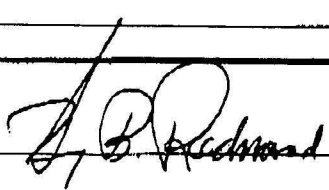
Please type or print legibly

* Last Name: <u>REDMOND</u>	* First Name: <u>HENRY</u>
* Address: <u>236 CARLTON AVE #1</u>	* City: <u>LOS GATOS</u> * Zip: <u>95032</u>
* Home Phone: <u>650-704-7980</u>	Work Phone: <u>650-428-3274</u>
Email: <u>henryl@northcoast.com</u>	Fax: <u>408-356-6968</u>
Present Employer: <u>WASHINGTON MUTUAL BANK</u>	Job Title: <u>LOAN CONSULTANT</u>
Length of Residency in Los Gatos: <u>6 MO</u>	

* If appointed, this information will be made available to the public.

Previously Held Elected or Appointed Governmental Positions	Position/Office Held	Dates
<u>NONE</u>		
Civic or Charitable Organizations You Have Belonged To	Position/Office Held	Dates
<u>NAVY LEAGUE OF U.S.</u>	<u>MEMBER / PRESIDENT</u>	<u>1999-2000</u>
Schools Attended/Attending	Major Subject and/or Grade Level	
<u>HUMBOLDT STATE UNIVERSITY</u>	<u>BUS. ADM. - STATISTICS</u>	

A separate application is required for each Commission. Please list other Commissions you are applying to:

Signature: 

Date: 8-2-05

1. How many times have you attended a Planning Commission meeting? Please provide a summary of any thoughts you had. NONE HERE
2. What design or land use experience do you have that would be useful on the Planning Commission? REAL ESTATE BROKER FOR 35 YEARS DEALING WITH LAND AND ALL ITS USES.
3. The Planning Commission meets at least twice a month and requires a significant amount of homework. Are you prepared to make the commitment to spend the amount of time required to attend regular meetings, committee meetings, do site visits, and study the packet material? YES
4. How would you describe your philosophy of planning? IT IS IMPORTANT TO STICK WITH THE COMMUNITY "MASTER PLAN" AS CLOSE AS POSSIBLE. AS YEARS GO BY AND CHANGE HAPPENS REASSESSMENTS MAY BE APPROPRIATE
5. What do you think is the Council's role in planning matters? THE COUNCIL SETS THE OVER ALL DIRECTION THE CITY WANTS TO GO BUT THE MICRO ACTION IS CARRIED OUT BY THEIR APPOINTED COMMISSION.
6. Have you discussed the role of a Planning Commissioner with a current or former Planning Commissioner or with anyone on the Planning staff? No
7. What specifically can you add or bring to the Planning Commission? A NEW AND FRESH CONSERVATIVE OUTSIDE LOOK AT LOS CATOS PLANNING
8. Please respond to the attached Case Study.

PLANNING COMMISSION CASE STUDY

PROPERTY LOCATION: 170 Canyon Oaks Road

PROPERTY OWNER: John Smith

APPLICANT: Superior Homes Development

OVERVIEW:

	<u>Existing</u>	<u>Proposed</u>
General Plan Designation	Low Density Residential	Low Density Residential
Zoning Designation	R-1:8	R-1:8
Existing Use	Single-Family Home	Single Family Home
Property Size	15,000 Square Feet	

PROJECT DESCRIPTION:

The applicant proposes to demolish the existing 1,400 square foot single-story home and replace it with a 3,000 square foot two story home 28' tall. The maximum height allowed by Town Code is 30' and the Floor Area Ratio would allow a house with 4,050 square feet of living area. The surrounding neighborhood is comprised of predominantly single-story homes with an average size of approximately 2,000 square feet.

NEIGHBORHOOD REACTION:

The surrounding neighborhood is divided on the issue of development. Some of the neighbors are in support of the project and think it will increase their property values, while others are opposed to the project because they feel it is too large for the neighborhood and will create privacy concerns for the adjacent neighbors.

PROCESS:

- The Design Review Committee reviewed the project on two occasions and after numerous changes and additions of required information the Committee deemed the application complete.
- The Design Review Committee has the authority to approve a project of this nature, however, the Community Development Director has reviewed the project and determined that it will be forwarded to the Planning Commission for their review.

What is your initial reaction to the above referenced project? *SEEMS OK BUT WOULD REQUIRE A PERSONAL LOOK ABOUT PRIVACY*

What issues do you feel will need to be investigated further? *THE NEIGHBORHOOD CONCERNS*

What is your position on the delicate balance between property rights and neighborhood input?

I COME DOWN ON THE SIDE OF PROPERTY RIGHTS EXCEPT WHEN THE GOOD OF THE COMMUNITY COULD BE ADVERSELY EFFECTED.



Town of Los Gatos Planning Commission Application

Submit to: Office of the Town Clerk
110 East Main Street, P.O. Box 949, Los Gatos, CA 95031
Telephone: (408) 354-6834 • Fax: (408) 354-8431 • Email: clerk@losgatosca.gov

Please type or print legibly

* Last Name: <u>Rice</u>	* First Name: <u>Stephen M. (Steve)</u>
* Address: <u>54 Alpine Avenue</u>	* City: <u>Los Gatos</u> * Zip: <u>95030</u>
* Home Phone: <u>(408) 354-2575</u>	Work Phone: <u>(408) 487-9900, ext. 252</u>
Email: <u>steverice@msn.com</u> or <u>steve@steverice.com</u>	Fax: <u>(408) 354-2939</u>
Present Employer: <u>The Guardian</u>	Job Title: <u>Field Representative</u>
Length of Residency in Los Gatos: <u>30+ years</u>	

** If appointed, this information will be made available to the public.*

Previously Held Elected or Appointed Governmental Positions	Position/Office Held	Dates
Santa Clara County Roads Commission	Commissioner	1996 - 2003
Town of Los Gatos General Plan Committee	Committee Member	1991 - 1992
Town of Los Gatos Commercial Specific Plan Comm.	Vice - Chair	1990 - 1991
Civic or Charitable Organizations You Have Belonged To	Position/Office Held	Dates
Rotary Club of Los Gatos	Many, including President	1987 - Pres.
Los Gatos Museum Association	Board Member and President	1988 - 1994
Schools Attended/Attending	Major Subject and/or Grade Level	
Los Gatos High School	Graduate	
San Jose State University	Up through Post Graduate work	
A separate application is required for each Commission. Please list other Commissions you are applying to:		

Signature: Stephen M. Rice

Date: August 2, 2005

1. How many times have you attended a Planning Commission meeting? Please provide a summary of any thoughts you had. It has been a number of years since I have attended any meetings of the Planning Commission. I attended them both as an applicant and as a member of other Town Commissions. My recollection of the meetings is that they were always too long and focused too much on minutiae.
2. What design or land use experience do you have that would be useful on the Planning Commission? I dealt with these types of issues fairly regularly, if only peripherally, on both the County Roads Commission and the Town Commercial Specific Planning Committee.
3. The Planning Commission meets at least twice a month and requires a significant amount of homework. Are you prepared to make the commitment to spend the amount of time required to attend regular meetings, committee meetings, do site visits, and study the packet material? Yes
4. How would you describe your philosophy of planning? I view the Planning Commission as an implementation "arm" of the Town Council. The Commission does not set policy; it only implements the policies set by the Town Council. The Planning Commission can also make suggestions to the Town Council, but the final policy decisions are up to the elected body.
5. What do you think is the Council's role in planning matters? The Town Council, as the elected body, sets the policies that the Planning Commission implements.
6. Have you discussed the role of a Planning Commissioner with a current or former Planning Commissioner or with anyone on the Planning staff? Yes. Bud Lortz, Council Member Joe Pirzynski and former Council Member Linda Lubeck.
7. What specifically can you add or bring to the Planning Commission? A reasonable approach to problem solving; good analytical skills, and the experience of having gone through the process myself. I have also worked on other commissions like this, where the interests of the various parties are sometimes in conflict, and I helped to work out solutions that were agreeable to all concerned.

8. Please respond to the attached Case Study.

PLANNING COMMISSION CASE STUDY

PROPERTY LOCATION: 170 Canyon Oaks Road

PROPERTY OWNER: John Smith

APPLICANT: Superior Homes Development

OVERVIEW:

	<u>Existing</u>	<u>Proposed</u>
General Plan Designation	Low Density Residential	Low Density Residential
Zoning Designation	R-1:8	R-1:8
Existing Use	Single-Family Home	Single Family Home
Property Size	15,000 Square Feet	

PROJECT DESCRIPTION:

The applicant proposes to demolish the existing 1,400 square foot single-story home and replace it with a 3,000 square foot two story home 28' tall. The maximum height allowed by Town Code is 30' and the Floor Area Ratio would allow a house with 4,050 square feet of living area. The surrounding neighborhood is comprised of predominantly single-story homes with an average size of approximately 2,000 square feet.

NEIGHBORHOOD REACTION:

The surrounding neighborhood is divided on the issue of development. Some of the neighbors are in support of the project and think it will increase their property values, while others are opposed to the project because they feel it is too large for the neighborhood and will create privacy concerns for the adjacent neighbors.

PROCESS:

- The Design Review Committee reviewed the project on two occasions and after numerous changes and additions of required information the Committee deemed the application complete.
- The Design Review Committee has the authority to approve a project of this nature, however, the Community Development Director has reviewed the project and determined that it will be forwarded to the Planning Commission for their review.

What is your initial reaction to the above referenced project?

My initial reaction is that the application fits within the guidelines of "the letter of the law."

What issues do you feel will need to be investigated further?

The first thing that I would investigate would be whether a single-story home might work better within the surroundings, as well as meet the applicants goals and objectives. Might that also

allay the concerns of the neighbors?

What is your position on the delicate balance between property rights and neighborhood input?

From my experience, one of the first things to determine is the validity of the neighborhood input. I have seen (on numerous occasions) where people will complain regardless of the merits of the application – they just do not want any change, no matter what. That attitude would “tip the balance” too much toward neighborhood input, and would negate any property rights of the owner. Conversely, valid, constructive neighborhood input is valuable and necessary. A project should not adversely affect the character of a neighborhood, regardless of property rights and “the letter of the law.”