



MEETING DATE: 10/02/06  
ITEM NO: 5  
DESK ITEM

COUNCIL AGENDA REPORT

DATE: October 2, 2006

TO: MAYOR AND TOWN COUNCIL

FROM: DEBRA J. FIGONE, TOWN MANAGER

SUBJECT: CONSIDER A REQUEST TO CHANGE THE ZONE FROM RM:5-12 TO RM:5-12:PD FOR A SEVEN LOT RESIDENTIAL SUBDIVISION AND APPROVAL TO DEMOLISH A SINGLE FAMILY RESIDENCE AND A 3-UNIT APARTMENT BUILDING BUILT PRIOR TO 1941. NO SIGNIFICANT ENVIRONMENTAL IMPACTS HAVE BEEN IDENTIFIED AND A MITIGATED NEGATIVE DECLARATION IS RECOMMENDED. APNS 529-16-021 AND 045. PLANNED DEVELOPMENT APPLICATION PD-05-1, ARCHITECTURE AND SITE APPLICATION S-05-15, NEGATIVE DECLARATION ND-05-03. PROPERTY LOCATION: 17005 AND 17017 ROBERTS ROAD. PROPERTY OWNER: KHURRAM IQBAL APPLICANT: LOUIE LEU ARCHITECTS

REMARKS:

The attached e-mail was received after the report on this matter was finalized.

Attachments:

- 1-14. Previously Submitted
- 15. E-Mail in opposition to the project, received October 1, 2006

n:\dev\cnclrpts\2006\bellavasona.doc

PREPARED BY: BUD N. LORTZ,   
Director of Community Development

Reviewed by: PS Assistant Town Manager AK Town Attorney  
\_\_\_\_ Clerk Administrator \_\_\_\_ Finance  Community Development

**From:** "Debra Figone" <dfigone@losgatosca.gov>  
**To:** <RTsuda@losgatosca.gov>, <PGARCIA@losgatosca.gov>, <PJacobs@losgatosca.gov>, <MCOSDEN@losgatosca.gov>, <OKORB@losgatosca.gov>  
**Date:** 10/1/2006 5:20:24 PM  
**Subject:** FW:Re:

fyi

[Message delivered by NotifyLink]

-----Original Message-----

From: "Diane McNutt" <dmcnutt@losgatosca.gov>  
Sent: Sun, October 01, 2006 5:02 PM  
To: diane\_roberts@att.net  
Cc: "Debra Figone" <DFigone@losgatosca.gov>  
Subject: Re:

Ms. Roberts,

No decision has been made on this application. It was continued to the Council meeting on Oct. 2, so you still have time to express your concerns. 7 p.m. at Council Chambers, 110 E. Main St.

FYI - Planned Development projects are not decided by the Planning Commission. They always come to Council, so we are not hearing an appeal but making a decision and using the recommendation and comments of the Planning Commission transcripts as part of the evidence we consider.

I was surprised that you thought I was lobbying for a particular decision. My intention is only to conduct a fair and impartial meeting and to put forth my viewpoint as one of five equal votes of Town Council.

Diane McNutt

>>> Diane Roberts <diane\_roberts@att.net> 10/01/06 1:45 PM >>>  
(I submitted this to the Weekly but it was too late for the deadline so I am forwarding it to your attention.)

WHAT WERE THEY THINKING?

I could not believe what I witnessed during the telecast of the Sept. 18 council meeting concerning the appeal of a denial by the Planning Commission of a application for a 7 unit residential planned development on the corner of Roberts and Blossom Hill Roads.

One of the reasons given to move forward with the proposal was that the site was an eyesore and something should be built there. The majority disregarded many major problem issues such as parking, density, a 7' sound wall, and in general, a poor site plan, that will impact a highly visible intersection.

It appears as though Mayor McNutt was lobbying for a "yes" vote with flawed logic. Is this legal?

When the criteria for a planned development which includes design excellence as a priority is pushed aside, what can we expect of the

quality of future developments for our town?

Council members Spector and Pirzynski presented convincing arguments to deny the appeal. Both have extensive planning policy and land use expertise gained while serving as planning commissioners. Council members Wasserman, McNutt and Glickman, not having this experience, voted to extend the appeal on a motion with confused reasoning.

Why didn't the council uphold the decision of the Planning Commission instead of granting an extension on a basically flawed project?

The Council is required to show that the Commission erred in their decision. I look forward to seeing how the Council will meet that requirement.

I urge the council to deny the project as proposed and return it for a significant re-design. Let's get it right before an old "eyesore" is replaced by a new "eyesore".

Diane Roberts  
50 Hernandez Ave  
Los Gatos  
395 5214