TOWN OF LOS GATOS
110 East Main Street, Los Gatos, CA 95032 (408) 354-6872

NOTES FROM THE **NORTH 40 ADVISORY COMMITTEE** MEETING OF OCTOBER 15, 2013, FOR ITEM 4 ON THE AGENDA: REVIEW OF REVISED DRAFT SPECIFIC PLAN

ATTENDANCE

Present: Joe Pirzynski, Barbara Spector, Todd Jarvis, Gordon Yamate, Matthew Hudes, Dan Ross, Marico Sayoc, Jim Foley, Deborah Weinstein, John Bourgeois, Bob Beyer, Charles Erekson

Absent: Barbara Cardillo and Tim Lundell

Town Staff: Sandy Baily, Community Development Director; Joel Paulson, Planning Manager; Maziar Bozorginia, Associate Civil Engineer

Town Consultant: Debbie Rudd, RRM Design Group

Item 4 – Review of Revised Draft Specific Plan

Sandy Baily

- Thanked the Committee for comments received. Noted that there was a desk item on this matter with two letters of correspondence (one of which was distributed at the meeting and is attached to these summary notes) and that these letters would be forwarded to the Planning Commission with the Draft Specific Plan. Based on Committee comments received, noted that the front cover of the Draft Specific Plan would be modified to be more reflective of the Town's vision of the N40 and that the acknowledgement page would be updated.

Marico Sayoc moved to amend first paragraph of Section 1.1 to discuss the process by the Town Council to get to the Vision Statement and Guiding Principles and to amend page 1-9 under outreach to discuss Town Council Vision Statement under the Outreach section. Motion seconded by *Bob Beyer*.

Joe Pirzynski

- Commented he does not want to diminish the role of the Town Council. Recommended to not put in outreach, but put in purpose, the process to get to the Town Vision.

Marico Sayoc

- Suggested explaining the vision process and adding the date the Council adopted the resolution. Reiterated that the Town Council Vision Statement took into consideration the input from the public.

Dan Ross

- Acknowledged it was a pivotal moment by Town Council. Suggested to add the date of the Vision Statement resolution.

Motion passed unanimously with *Joe Pirzynski's* recommendation.

Matthew Hudes moved to add "primarily" to retail on Page 2-2 Policy LU 6. *Jim Foley* seconded. Requested amendment was not accepted by the Committee.

*Matthew Hudes m*oved to add on page 2-2 Policy LU-11, economic balance application requirements for commercial developments in excess of 25,000 square feet, excluding restaurants.

Charles Erekson

- Commented that items on page 2-29 were not a policy, but a methodology.

Dan Ross

- Asked what an economic balance analysis is and how it would be done.
- Commented it is vague and questioned if it was required by the person building the building or the prospective tenant?
- Concurred with *Charles Erekson*. It should be made illustrative, not prescriptive.

John Bourgeois

- Commented he had concerns with the motion. The intent has not been stated. Staff should interpret when/size/etc., should be required.

Joe Pirzynski

- Concurred with *John Bourgeois* and *Charles Erekson*, this is not policy language. Economists need to outline what this is. Should be done as a sidebar in the plan.
- Commented he will not support the motion.

Charles Erekson

- Commented inserting "appropriate" would remove 25,000 square feet. Felt that the policy should stay the same and that the essence would go elsewhere in document.

Debbie Rudd

- Suggested it should go on page 2-26 or elsewhere and would develop the wording.

Dan Ross

- Asked what the pass/fail test is.

Matthew Hudes

- Asked if an economic analysis can be done so that residents and merchants have a better understanding of the benefits/impacts of the potential business.

Barbara Spector

- Commented she is struggling with the commercial square footage. Not enough information to make a decision.
- Commented that the motion is too complex. She was not comfortable with its substance, but in favor of its philosophy.

Ayes: Marico Sayoc, John Bourgeois, Deborah Weinstein, Jim Foley, Matthew Hudes

Noes: Bob Beyer, Barbara Spector, Joe Pirzynski, Todd Jarvis, Charles Erekson, Dan Ross, Gordon Yamate

Absent: Barbara Cardillo and Tim Lundell

Dan Ross moved to add "unmet needs" to policy LU-6 on page 2-2. Motion seconded by *Bob Beyer*.

Jim Foley modified the motion to include "the unmet needs of the Town of Los Gatos" which was accepted by the maker of the motion.

Matthew Hudes moved to modify the height section 2.6.6(a) on page 2-25 to include that the height of the buildings is limited to the amount of elevation drop from Los Gatos Blvd. *Todd Jarvis* seconded.

Joe Pirzynski

- Concerned that heights will all be the same.

John Bourgeois

- Commented he favors the current language. Concerned that height could get taller.

Charles Erekson

- Thought the intent was where to locate buildings, not to regulate the height.

Barbara Spector

- Requested clarification of Conditional Use Permit process for height increase.

Matthew Hudes withdrew his motion and *Todd Jarvis* withdrew his second.

Marico Sayoc moved to include a comment in Policy LU-10 on page 2-2 to minimize impacts to schools. This change is contingent upon advice from the Town Attorney. Depending on the advice, shall be corrected throughout the document. *Deborah Weinsten* seconded. Motion passed unanimously.

Barbara Spector

- Questioned the freeway signage (page 2-23).

Charles Erekson

- Suggested eliminating "freeway" (page 2-23).

Matthew Hudes moved and *Jim Foley* seconded that new individual retail spaces of less than 10,000 square feet shall be limited to 60,000 square feet across all districts.

John Bourgeois

- Questioned if downtown information was provided (10,000 square feet data could be modified).

Marico Sayoc

- Commented she supports the intent but questioned the number.

Matthew Hudes amended the motion from 10,000 to 5,000 square feet.

Joe Pirzynski

- Commented he was concerned about math without data. No validation and counter-productive to what they are doing. Need to rely on the bodies that make decisions. Opposed to the motion. The Committee is not following directions given by Mayor to review document.

Charles Erekson

- Commented he was sympathetic to the intent of motion, but not comfortable with the specificity of the motion. Recommended putting this at the end when Committee forwards the comments.

Matthew Hudes

- Questioned second process for North 40 Advisory Committee.

Barbara Spector

- Explained that the first process is amending the draft plan and the second process is forwarding the comments.

Matthew Hudes

- Commented the document has no controls on retail. Agreed with *Joe Pirzynski* that this would be better with data, but we don't have information so he is more comfortable erring on the side of conservative.

Jim Foley

- Supported the motion on the basis given by *Matthew Hudes*. Is willing to go as a motion or a second process.

Deborah Weinstein

- Commented she supports the motion and the removal of the table. Uncomfortable with the way document is written.

Bob Beyer

- Commented that we don't know what type of retail will impact downtown. Better to have process define those parameters when applications are filed. Motion could be detrimental when applications are filed. When all documents get to the Planning Commission/Town Council, they will have the information to make direction.

Barbara Spector

- Commented she will support the motion.

Dan Ross

- Agreed with protecting downtown, but that they are shooting from the hip without having data to support. Trusts that proportions are going to play out.

Jim Foley

- Reminded the Committee that there is a process to amend the specific plan.

Ayes: Jim Foley, Deborah Weinstein, Barbara Spector, John Bourgeois, Marico Sayoc, Matthew Hudes

Noes: Dan Ross, Charles Erekson, Gordon Yamate, Todd Jarvis, Joe Pirzynski, Bob Beyer

Absent: Barbara Cardillo and Tim Lundell

Joe Pirzynski

- Commented it is a split vote. The document has a number of controls. Don't want to bind us to numbers. Need appropriate mix of sizes to protect the downtown and LGB and have a viable site on the North 40. This information needs to be vetted thoroughly. This is the number being targeted and now we are going to do it. Vote shows we need to do more work that is substantive and addresses how we are going to protect our downtown and business communities.

Bob Beyer

- *Eliminate "ridgeline" throughout document (when discussing views of hillsides) (Page 3-7).*

John Bourgeois

- Remove from plant list Japanese Privet, Chinese Pistachio, London Plane.
- Start with small street and move to LGB in document (section 4.13).

Barbara Spector

- Check with legal on Policy 18: Minimize School Impacts (page 5-1).

Barbara Spector

- Commented that page 6.1 is written as if there were a developer concerned about phasing of residential with no commercial which needs to be amended.

Deborah Weinstein

- Concurred with *Barbara Spector*.
- Questioned how residential phasing meets unmet needs. Phasing goes against vision statement.

Dan Ross

- Concurred with the concerns, but questioned how property owners could be mandated. Need to make it less complicated.

Marico Sayoc moved to eliminate sentences and bullets from Section 6.2 on page 6-1. Staff should provide language as it moves to Planning Commission. *Bob Beyer* seconded the motion.

Sentence to be removed: ~~Early phases will include the Lark and Transition Districts and later phases will incorporate the remainder of the Transition District and Northern District.~~
~~Due to existing property ownership and acquisition constraints development will generally be phased from south to north.~~

Joe Pirzynski

- Commented he concurs with *Marico Sayoc*. As it is currently written, it anticipates a specific developer. Does not think additional language is needed. Shouldn't create a direction on what should be phased first in the event a developer wants to start in the northern district.

Todd Jarvis

- Concurred that anticipating phasing is controlled by developer.

John Bourgeois

- Commented that he supports the motion but concerned there will be a ripple effect.

Marico Sayoc

- Suggested that staff highlight appropriate places where ripples are.

Bob Beyer

- Commented infrastructure is based on what is out there. The timing of the development and type of development will determine the phasing.

Deborah Weinstein

- Commented phasing is based on the proposal.

Motion passes unanimously.

Marico Sayoc

- Commented phasing applies with the appropriate deciding body.

Committee discussed adding the word "conceptual" to the phasing diagrams.

Barbara Spector moved and *Todd Jarvis* seconded to allow the public to amend specific plan.

Barbara Spector moved and *John Bourgeois* seconded that when the Specific Plan is passed on to the Planning Commission that it be provided with information on impacts of number of residential units, including a traffic study.

Marico Sayoc

- Commented she previously voiced a concern about residential. Would like communication between staff and school districts regarding additional information on generation ratios.

Motion passes unanimously.

Dan Ross

- Commented in hind sight he thought the Committee should have gone to the site and recommended that the Planning Commission go to the site. Could have had more outreach to the stakeholders, (downtown merchants, boulevard merchants, and current occupants of North 40) and residents.

Matthew Hudes

- Commented that the document is inadequate in some areas but will support moving it on.
- School impacts are the highest priority to look at.
- Need to go beyond CEQA regarding economic impacts to downtown. Does not think the solution is no competition. Could end up with a more vibrant downtown. Downtown has constraints regarding parking, CUPs, and being historic.
- Elements to help downtown that were part of the earlier input process should be included such as the co-promotion/marketing of the North 40 and downtown.

Charles Erekson

- Speaking as a member of the North 40 Advisory Committee, the Committee spent a lot of time in details. Recommends that the Planning Commission and Town Council read the document in its entirety and ensure that it meets the Town Council's vision and that it provides the proper balance between being viable for the private party, protecting existing merchants and meeting the intent of the Town.

Jim Foley

- Commented Planning Commission should look at adding incentives for commercial development for unmet needs to balance out overall developments.

Barbara Spector

- Commended the North 40 Advisory Committee and thanked the members. Noted that the Committee is now dissolved.

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Received at N40 Meeting 10/15/13

GROSVENOR

EDEN HOUSING

SUMMERHILL HOMES
COMMUNITIES OF DISTINCTION

October 15, 2013

Town of Los Gatos
North Forty Specific Plan Advisory Committee
c/o Sandy Baily, Planning Manager
110 E. Main St.
Los Gatos, California 95031

Dear Committee Members:

You are to be commended for the years of work that has gone into the North 40 Specific Plan. Your imprint on the future development of the North 40 will be felt for generations. While our vision for the portions of the North 40 that we control is in very much in line with your guidance, we do have a few final points that we would like to raise. These points are summarized below.

- Parking requirements.
  - Table 2-4. We request that consideration be given for the nature of senior affordable housing vs. traditional housing or traditional affordable housing especially when it pertains to guest parking. We recommend lowering this ratio to a blended 1.5 per dwelling unit for residents and guests.
  - Page 2-16. To encourage and reward a complementary mix of uses throughout the entire North 40 we request that consideration be given to allowing all residential parking to be included in the shared parking analysis/agreement not just the mixed use components.

- Height measurement.
  - Page 2-26, Section 2.6.6.e., 2.7.4.d., Glossary. Due to the large grading operation that will be required in order to implement infrastructure and cross-drainage, we request consideration be given to measuring from finished grade provided that finished grade is within 3 feet of existing grade. Measuring from finished grade provides additional opportunity for superior architecture and a diversity of roof lines.
  - Page 6-18 Definition of Story, treatment of podium in Lot Area Coverage on page 3-22 Section 3.3.2.e and elsewhere, and definition of "cellar" on page 6-12. Due to the changes in site slope we request that all references to "basements" and "podium parking" be consistent and that average measurements be allowed rather than absolute measurements. The six foot average applied to podiums should be applied to the definition of basements.

- Retail Tenant Space
  - Page 2-26, Section 2.6.7.b. A Conditional Use Permit should be considered for any retail tenant greater than 50,000 sf.

- Residential Open Space

- Page 2-27, Section 2.7.2. Because the unmet needs buyer desires private open space for their outdoor entertaining and pets, a diversity of private open space configurations should be offered. Rather than eliminating this opportunity, private yard space in excess of 200 square feet should be considered through the use of a conditional use permit to ensure the space is consistent with targeting this unmet need.
- Page 3-24, Section 3.3.4. Loosening of private open space requirements should be considered for Senior Affordable units, as many of these types of buildings have common open space in lieu of private open space.

- Site Access
  - Page 4-2, Section 4.2. Site access locations should be conceptual in nature and defined during the site design stage.

- Streetscape Parking Sections. Section 4.13.4. There are inconsistencies on how bumper overhangs are treated we recommended that the two foot bumper overhang be included in the 18 foot parking dimension as shown in Figure 4-10 Section 6.c

- Reimbursement Opportunities for Infrastructure
  - Page 5-4, Section 5.3.2., Page 5-7, Section 5.3.2.b, Page 6-5, Section 6.3.3. Infrastructure costs for the overall site may be incurred by a primary/master developer. There is no vehicle in the Specific Plan for reimbursement or fee credits for the significant infrastructure and offsite costs that are for public benefit. We recommend language be included that refers to fair share reimbursement.

We are prepared to discuss these points further at tonight's meeting. Again, congratulations on meeting this milestone.

Sincerely,

A. Don Capobres
Senior Vice President
Grosvenor

Linda Mandolini
President
Eden Housing

Wendi Baker
Vice President of Development
SummerHill Homes