

TOWN OF LOS GATOS
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SUMMARY MINUTES OF A SPECIAL MEETING OF THE GENERAL PLAN COMMITTEE
OF THE TOWN OF LOS GATOS, **FEBRUARY 23, 2005** HELD IN THE TOWN COUNCIL
CHAMBERS, CIVIC CENTER, 110 EAST MAIN STREET, LOS GATOS, CALIFORNIA.

The meeting was called to order at 5:30 pm by Chair Phil Micciche.

ATTENDANCE

Members present: Mike Burke, Steve Glickman, Diane McNutt, Phil Micciche, Tom O'Donnell, Jane Ogle, Mark Sgarlato, Barry Waitte

Members absent: None

Staff present: Bud Lortz, Director of Community Development; Randy Tsuda, Assistant Community Development Director; Joel Paulson, Associate Planner

Others present: Larry Arzie, and one unidentified woman

VERBAL COMMUNICATIONS

None.

ITEM 1 FORMULA RETAIL BUSINESSES

Bud Lortz introduced the item and provided background information.

Randy Tsuda provided additional background information.

Phil Micciche asked for Committee comments and commented that he was not sure a change needed to be made.

Diane McNutt commented that the Council wanted this issue to be explored.

Mike Burke commented that he likes the idea of changing the number of stores that triggers a Conditional Use Permit (CUP) to a number greater than 1 store. Possibly use a sliding scale.

Steve Glickman commented on the reasoning for requiring a CUP for formula retail businesses.

Bud Lortz provided background information on the reasoning for requiring a CUP for formula retail businesses.

Steve Glickman commented that the discussion should have more specificity of what we are trying to encourage or discourage.

Barry Waitte asked what is the goal of the regulation of formula retail businesses and how could numbers achieve that goal?

Jane Ogle would like more information from the Economic Vitality Manager.

Tom O'Donnell would like to study the issue further.

Mark Sgarlato commented that it may be good information to find out how many of the existing

businesses in the C-2 zone would be considered formula retail businesses under our current regulations.

Diane McNutt asked if the code needs to be changed. Is the code too onerous or too expensive and are we losing good businesses due to the process? Would like to get input from the Economic Vitality Manager.

Public Comments:

Larry Arzie voiced his concerns with the existing ordinance and offered input on the item.

Mike Burke asked if national chains drive up the rent.

Larry Arzie said that they do not.

Mark Sgarlato asked what number of stores Mr. Arzie thought was appropriate.

Larry Arzie commented 4 or 6 would probably be appropriate.

Barry Waitte asked about the economic impact issues.

Larry Arzie commented that the Town is losing mainstay older shops.

Committee discussion continued.:

Consensus was reached by the Committee that input from the Economic Vitality Manager should be provided.

Steve Glickman commented regarding the consequences and impacts of the regulations and asked what are we trying to achieve with the Code and why. Are we trying to protect image, local small shops, ambience, attract shoppers, attract resident serving businesses, provide convenience to residents.

Barry Waitte commented that the process should be as easy as possible for businesses.

Jane Ogle commented that the character of the Town is important.

Tom O'Donnell commented that the cost of applications is burdensome and maybe an interim modification would be beneficial and discuss the bigger issues further.

Mark Sgarlato commented on using public companies for distinction.

Dianne McNutt commented that she would like more information from the Economic Vitality Manager regarding what stores we would like in Town.

Phil Micciche commented on a sliding scale for fees and looking at time lines for projects.

Tom O'Donnell commented on applicants paying fees for an application and not knowing what the conditions will be which creates a general uncertainty for applicants.

Mike Burke commented that some sort of interim modification should be explored.

Steve Glicman commented on his concerns of using a number to regulate formula retail businesses and that defining standards for fast track versus regular processing may be appropriate.

Public Comments:

Larry Arzie commented on the Town Attorney's interpretation of the existing Code.

Bud Lortz said that he will get the Town Attorney's input on his interpretation.

Committee discussion continued:

Steve Glickman asked why one store was used in the Code.

Bud Lortz provided background information.

Steve Glickman asked what we are trying to regulate, is it a matter of perception of certain stores. He also commented that if less than a certain number of stores possibly not requiring a CUP.

Diane McNutt commented that using a number could work.

The Committee requested additional information and input from the Economic Vitality Manager.

Staff will meet with the Economic Vitality Manager and this item will be scheduled for a future agenda for further discussion.

ITEM 2 APPROVAL OF MINUTES

Diane McNutt made a motion to approve the minutes of January 26, 2005. The motion was seconded by *Barry Waitte* and passed unanimously.

ADJOURNMENT

The meeting was adjourned at 6:40 pm by Chair *Phil Micciche*. The next meeting of the General Plan Committee is scheduled for Wednesday, March 9, 2005 at 5:30 pm.

Prepared By:

Joel Paulson, Associate Planner