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A P P E A R A N C E S:

Los Gatos Planning Commissioners:
Matthew Hudes, Chair
Marico Sayoc, Vice Chair
Barbara Spector, Mayor
Jeffrey Barnett, Public Rep.
Charles Erekson, Planning Commissioner
Melanie Hanssen, Planning Commissioner

Town Manager: Laurel Prevetti

Community Development Director: Joel Paulson

Town Attorney: Robert Schultz

Transcribed by: Vicki L. Blandin
(510) 337-1558

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P R O C E E D I N G S :

LAUREL PREVETTI: Good evening, everyone. Thank you so much for joining us for a special meeting of our General Plan Committee. I'm Laurel Prevetti, your Town Manager. You have the agenda before you. It's been a little while since we've pulled together the General Plan Committee, so we really appreciate everyone joining us tonight.

Our first order of business is Verbal Communications, and we do have speaker cards if anyone is interested in commenting on something not on the agenda. If you're interested in speaking on something on the agenda, please fill out a speaker card, note which agenda item it is, and we will recognize you at the appropriate time later on this evening.

Seeing no Verbal Communications, our first item of business is the election of Chair and Vice Chair, and the floor is open for nominations.

VICE CHAIR SAYOC: If I may, I'd like to nominate Matthew Hudes for Chair.

LAUREL PREVETTI: Okay. Is there a second?

1 MAYOR SPECTOR: Second.

2 LAUREL PREVETTI: Any other nominations for
3 Chair? Okay, all in favor of Mr. Hudes being our Chair?
4 Congratulations. Any opposed? Seeing none, Mr. Hudes you
5 are the Chair, and I hereby turn the meeting over to you
6 for the election of Vice Chair and our remaining items.

7 CHAIR HUDES: Thank you, Ms. Prevetti. I'd like
8 to hear the next item, which is nomination and election of
9 a Vice Chair. Are there nominations? Yes?

10 MAYOR SPECTOR: I don't have any.

11 CHAIR HUDES: Oh, I'm sorry. I saw...

12 MAYOR SPECTOR: I thought you were looking at me.

13 CHAIR HUDES: I saw a light turn on, that's why I
14 was. Perhaps I could make a nomination of Council Member
15 Sayoc as the Vice Chair.

16 MAYOR SPECTOR: Second.

17 CHAIR HUDES: Let's call the item. All in favor?
18 Opposed? It looks like it was unanimous. Thank you.

19 The second item on the agenda today is the
20 Approval of Minutes from October 28, 2015. Has everyone had
21 a chance to review the minutes? I actually was not at that
22 meeting.

23 Commissioner Hanssen.

24
25

1 COMMISSIONER HANSSEN: I would like to propose to
2 approve the minutes from October 28, 2015, and I was at the
3 meeting.

4 CHAIR HUDES: Thank you. Vice Mayor Sayoc.

5 VICE CHAIR SAYOC: Actually, I caught a couple of
6 errors. The first was that under Item 3 it says that I had
7 recused myself. Well, two errors. First it says "Chair
8 Marico Sayoc." I wasn't the chair, and I didn't recuse
9 myself. Then when it comes to the end where it says,
10 "Motion passes," again, I did not recuse myself, and I was
11 part of the motion that passed it.
12

13 COMMISSIONER HANSSEN: So I could amend my motion
14 to approve the minutes with the changes that you suggested.

15 VICE CHAIR SAYOC: Okay, and I'll second the
16 motion.

17 CHAIR HUDES: With that amendment and second,
18 I'll call the question. Those in favor? Opposed? Passes
19 unanimously. Thank you.

20 MAYOR SPECTOR: And I'm going to abstain, and I
21 think you have two abstentions.

22 CHAIR HUDES: Okay, let the record show that.

23 LAUREL PREVETTI: For our records, who was the
24 second abstention?
25

CHAIR HUDES: I am.

1 LAUREL PREVETTI: Okay, thank you.

2 CHAIR HUDES: Okay, so Item 3, which is the North
3 40 Specific Plan Amendments. Do we have a Staff Report on
4 this, or do we go to public comment?

5 JOEL PAULSON: Staff doesn't have anything to
6 add. As noted in the memorandum, tonight we're here to
7 discuss the suggestions that the Town Council proposed, and
8 so we'll walk through those. We don't have a set process,
9 so you're free to come up with a process, or we can walk
10 through that, or your other Commissioners may have
11 suggestions.
12

13 CHAIR HUDES: Thank you. Yes, comment, Mayor?

14 MAYOR SPECTOR: Thank you. Question of Staff.
15 From what I hear you say—we have pages of issues here—
16 you're going to walk through each issue one-by-one, and are
17 you looking for this Committee to make motions on each one,
18 or are you going to have the community testify first? What
19 is your concept here?

20 LAUREL PREVETTI: We are making copies of this
21 Staff Report now for the members of the community, so we do
22 want to make sure that everybody has something to follow
23 along, because there are a lot of suggestions and we also
24 have cross-referenced the document. So Staff is making
25

1 those copies and as soon as they're available, they'll be
2 in the chambers.

3 We do have one public comment card on this item,
4 so you may want to take public testimony now, and then I
5 would suggest that we work through them by category. For
6 example, Attachment 1 identifies 13 items in the
7 Residential category; I would suggest we work through
8 those. We tried to group them close together.

9 Really what we're looking for is do you agree
10 with these suggestions moving forward as formal amendments
11 to the Specific Plan? If your answer is yes, then Staff will
12 do the additional work in preparation for formal hearings
13 before the Planning Commission and Town Council in terms of
14 converting the suggestions into actual redline language, so
15 really what we're looking for is your expertise as our
16 General Plan Committee of do you agree that these items
17 should move forward?
18

19 A lot of them work well together, but you'll see
20 some of them may create a little bit of tradeoff, so you
21 might have some choices to make if one idea seems stronger
22 than another.

23 CHAIR HUDES: Yes, Commissioner Hanssen.

24 COMMISSIONER HANSEN: I reviewed a couple of
25 times the Town Council meeting from September 27th when all

1 these ideas were presented by the public. What I wondered
2 is, especially given Vice Chair Sayoc's comments at that
3 meeting about making sure that we continue to take public
4 input, I'm assuming we're not limited to the suggestions
5 here, that there could be others that may not have come up
6 in the pick up comments or in that meeting that could be
7 added, as long as they don't force an EIR change or a major
8 rewrite of the plan?

9
10 LAUREL PREVETTI: Yeah, and we want to make sure
11 that we can have a package of ideas that ultimately go
12 through a public hearing process, and clearly the policy
13 document has a lot of interactive pieces to it, so it's
14 very possible that even as a General Plan Committee you
15 will see ideas that then lends itself to a companion idea
16 or a companion change.

17 I think we would just caution, we did a fair
18 amount of outreach before the September 27th Council
19 meeting, we received a lot of input from the community. The
20 Council considered it carefully and I think did a good job
21 of going through it, and so you have a fairly comprehensive
22 list of idea, so we aren't expecting a lot more new
23 suggestions and I think we need to respect the process that
24 the Council started by bringing forward these specific
25 suggestions.

1 So I'd say our first order to business is really
2 working through what we have, and then if there's something
3 that in the course of the conversation comes up that's
4 really urgent or ties a couple of these pieces together,
5 then I would say that would make sense, but I would caution
6 about not reopening as if this were a brand new process,
7 because we already have a good list to start with.

8 CHAIR HUDES: Thank you. I think that makes a lot
9 of sense, and having read the Staff Report and the
10 organization, to me, it puts a number of issues into
11 categories that will allow us to go through them.
12

13 The one thing that I might suggest though is that
14 since the General Plan Committee hasn't met in quite some
15 time maybe allowing a little bit of time before we dive
16 into those specific areas to see whether any of the members
17 of the Committee have any overall comments or suggestions
18 about direction as well. Does that make sense?

19 Yes, Commissioner Erekson.

20 COMMISSIONER EREKSON: As I've thought about and
21 read the Staff Report and watched the video of the Council
22 meeting I was trying to wrap my head around at how I should
23 think about what we're about, and it caused me to have
24 three broad questions that it would be helpful if I had
25 some better understanding of.

1 The first question is I read the suggestions that
2 are here and listened to the tape and it seems to me they
3 are answers, and what I was trying to understand is what
4 was the question, or what was the problem trying to be
5 solved? I thought to myself that in the past when I've
6 taught university classes I always gave an admonition to
7 the students who were at an exam moment to take adequate
8 time to understand the question that they were attempting
9 to answer before they tried to answer it. It seems to me we
10 have answers, and I'm not clear what the question or the
11 problem being solved is. That was the first one.

13 The second—and I'm not referring to the Vision
14 Statement or the Guiding Principles—but in the current
15 Specific Plan there are some underlying assumptions or
16 concepts that helped inform and direct the specifics of the
17 Specific Plan.

18 The biggest example of that is that the Specific
19 Plan includes three districts. At least my understanding of
20 the concept, that was very intentional, because the concept
21 underlying those districts, and as reflected in the name of
22 the middle one, is that the Lark District was conceptually
23 intended to be primarily residential, and the Northern
24 District was intended to be primarily commercial, and the
25 middle district was named the Transition District because

1 it was to be the transition between primarily residential
2 and primarily commercial.

3 That's an underlying assumption concept—not
4 saying whether it's right or wrong—and there are other
5 examples of those kind of underlying assumptions, so if we
6 understand what the question or the problem trying to be
7 solved is, it would help us understand, I believe, whether
8 we would need to reexamine what some of those
9 assumptions/underlying concepts are, which then would help
10 us, help inform at least me, what the appropriate answer
11 might be. That's the second thing.

13 The third thing is there is pending litigation
14 with the Town, and what I was also trying to understand is
15 depending upon what the outcome of that litigation is, and
16 let's just make it simple for the moment, either the Town
17 prevails or the Town doesn't prevail.

18 If the Town doesn't prevail, then the most likely
19 outcome of that is that the court will direct the Town to
20 allow the developers to develop as their application was,
21 so then that means that the Town is limited—I believe; Mr.
22 Schultz can correct me on this—in how it can modify the
23 Specific Plan and how we would think about it, because 40%
24 or so of the whole Specific Plan area is not up for
25 revision. Then if I were going to think about that

1 conceptually I would say what do I want to accomplish in
2 the large part, but I've got a subset of it that I don't
3 have any say over.

4 If the Town prevails in it, then the whole thing
5 can be rethought.

6 So if we understand what the question is that
7 we're trying to answer, then do we need to reexamine any of
8 the underlying assumptions, and once we do that, then are
9 we going to prepare two different ways to go about it? A
10 Plan A, assuming that the Town prevails, a Plan B, assuming
11 the Town doesn't prevail? Because I would proceed
12 differently in my thought process depending upon whether
13 the Town prevailed or the Town didn't prevail.

14 So those are my kind of broad questions that I
15 was trying to image how to go about the process that were
16 conundrums for me.

17
18 CHAIR HUDES: Commissioner Erekson, I find that
19 very helpful. I would suggest maybe we take the public
20 input first, because I think there are going to be follow
21 up questions to Staff on this, and maybe other members of
22 the community have other similar kinds of concerns as well
23 that are broader, and then proceed from there if that's
24 okay with you.
25

1 At this point I'd like to open the hearing to
2 public comment. I have two cards here at this point, and
3 certainly would like to hear from the public. I believe we
4 have three minutes, is that correct? Yeah, three minutes.
5 The first member of the public is Mr. Morimoto. And just
6 please state your name and address.

7 EDWARD MORIMOTO: Good evening, my name is Ed
8 Morimoto and I live at 460 Monterey Avenue.

9 I'm here to ask you to take great care in
10 addressing this daunting task entrusted to you by our Town
11 Council, one that is made even more difficult as the
12 outcome of the pending lawsuit could dramatically impact
13 the scope and context of the problem. Many, if not all of
14 you, were heavily involved in the creation of the Specific
15 Plan as well as the Housing Element, which has a critical
16 dependency, so I am probably preaching to the choir when I
17 talk about how incredibly complex it is.

18 The complexity I speak of is more than its sheer
19 scope and volume, but of the dozens, perhaps hundreds, of
20 decisions it took that were not simply black or white, but
21 balance across various shades of gray. I would posit any
22 responsible amendment to the Specific Plan calls for full
23 consideration of all the facts and inputs that went into
24 these gray decisions, a burden that you bear that does not
25

1 encumber the critics of the plan. Building, or even fixing,
2 something has always been more challenging than tearing it
3 apart.

4 It is easy for critics to attack the size,
5 location, and density of the North 40 housing when they
6 don't have to provide an alternative for the 270 housing
7 units for our RHNA requirements. Their objections are not
8 tempered with the responsibility borne by the School
9 District to decide between the certainty of an
10 unprecedented subsidy for a modest amount of student
11 generation versus the risk of having those students come
12 without any funding whatsoever, and it is a luxury that
13 those who assume that further prescription on the North 40
14 housing will pass muster with California HCD, as they are
15 unlikely to be held responsible if it doesn't.

17 The housing shortage in the Bay Area has reached
18 crisis levels, and I believe that the housing component of
19 the North 40 Specific Plan is a balanced and responsible
20 way to shoulder our fair share of the solution.

21 It is also not difficult to generate concern that
22 the North 40 commercial allowances will kill the downtown
23 when most haven't read the three independent studies to the
24 contrary. Why not call for reductions when you have the
25 luxury of not being responsible for addressing the 7.8%

1 decrease in Q1 sales tax receipts while the Town faces over
2 \$30 million in unfunded pension liabilities? Who is
3 challenging them on how limiting Town revenue from the
4 North 40 will help solve the parking and traffic issues
5 plaguing the downtown?

6 Like my neighbors, I too cherish our downtown. I
7 appreciate how we all want to protect it, but I also
8 acknowledge that there are those who have vested interests
9 in avoiding competition of any kind. But I have to ask, as
10 there is not yet a wall around our town, is it smart to
11 level the playing field by making the North 40 and our
12 downtown equally ill equipped to compete, or should we be
13 focusing our efforts on helping our downtown be more
14 vibrant?
15

16 The North 40 Specific Plan is a compromise, and a
17 compromise never feels great. Nobody really gets what they
18 want, and everyone thinks that somebody else did. Outrage
19 by those whose understanding of the end result is through
20 the lens of a narrow sliver of all the work is
21 understandable, and addressing those concerns is a
22 political necessity. However, just because a group of
23 citizens have objections doesn't mean that we all do, nor
24 does it mean those objections are correct.
25

1 I hope and trust this Committee will consider the
2 full measure of the facts if changes to the Specific Plan
3 are made, and not just vocal opinion. Having a good North
4 40 plan is important, but gilding the lily or chasing after
5 public approval is folly our Town can hardly afford.

6 CHAIR HUDES: Thank you very much. Are there
7 questions? Okay, thank you. The next and the only other
8 card I have is for Maria Ristow.

9 MARIA RISTOW: Hi, Maria Ristow, 85 Broadway.

10 I think Commissioner Erekson and Mr. Morimoto
11 essentially captured what was going on in my head. I did
12 give some input for amendments potentially to the Specific
13 Plan, but I really do not understand how you can look at
14 amendments to one specific plan at this point, because with
15 the lawsuit looming over our heads the only amendments I
16 could possibly suggest that would make sense regardless of
17 the outcome would be to increase the amount of housing, or
18 to increase something.

19 For example, you decide there was some concern
20 about spreading the housing out, if you decide that you're
21 going to take the 270 and do 90 units Lark District, 90
22 units Transition District, 90 Northern District, that
23 doesn't hold and you can't even accept any applications or
24 do anything with applications for the Northern District
25

1 until the lawsuit is settled, because if the lawsuit goes
2 in the direction of the developer, then you don't have 90
3 units in the Northern District, so if you want to encourage
4 housing there, the only thing that makes sense at this
5 point would be to increase the amount of housing total.

6 If you don't want to do that, you almost have to
7 come up with two sets of amendments—like Commissioner
8 Erekson said—if the Phase 1 application goes through as it
9 is, or if it doesn't.

10 Anyway, I don't envy your task. Thank you.

11 CHAIR HUDES: Thank you. Any questions? Okay, the
12 next speaker is Jan Olsen.

13 JAN OLSEN: Hi, I'm Jan Olsen. I live on Lester
14 Lane, directly behind the Office Depot, which is directly
15 across the street from the North 40. I'm directly impacted.

16 I'm sorry I missed the beginning. I thought the
17 meeting was at 7:00, not 6:00. I will go back and look at
18 it online.

19 Some of the things I would like to see mentioned
20 and brought up in the Specific Plan; I think this project
21 should be a green project. There should be LEED
22 certifications, alternative energy uses, things like
23 pervious pavement, low water use, using trees and plants
24
25

1 for shade, and the sprinkler system should be moisture
2 regulated.

3 If we're going to build this from scratch, we
4 should make Los Gatos a showcase for environmentally sound
5 development. I haven't been hearing that. You know, we have
6 a drought and everything else. I really would think here's
7 our opportunity. Solar. I mean there are so many things we
8 could be doing.

9 On a personal level, I'd like to make sure this
10 mitigation for dirt gets thrown up into the air. I'm kind
11 of concerned about this going on for four years. I think
12 that there should be a park or playground for the
13 residents. Trying to have the kids cross Los Gatos
14 Boulevard to get to Live Oak Park is really dangerous. They
15 should have a place to play, and green space should not
16 include back yards and parts of parking lots.

17 I'm very concerned about what the new Samaritan
18 Drive project will do to the area's traffic. I don't think
19 it was considered when the traffic study was conducted; I
20 think that was 2013. I want to make sure that that whole
21 new development is addressed as part of the traffic in the
22 EIR.
23

24 It would be great if there was housing for
25 developmentally disabled adults. There are needs out there,

1 unaddressed needs, for our citizens. Developmentally
2 disabled adults, there are a lot of kids on the spectrum
3 that just can't live anywhere. Or housing for the active
4 over 55; a move-down place, one level, that should include
5 universal aging in place design, showers and doorways wide
6 enough for walkers and wheelchairs, because stuff happens
7 like knees and hips and things we don't really plan on
8 happening.

9
10 I appreciate this. I appreciate your time. I
11 appreciate your consideration. Thank you.

12 CHAIR HUDES: Next speaker is Sandy Decker,
13 followed by Rod Teague and Tom Spilsbury.

14 SANDY DECKER: Sandy Decker, Glen Ridge, Los
15 Gatos.

16 I don't think we're here to decide whether this
17 decision should have been made. It was made by three
18 Council members who had the vision and courage to listen to
19 the community and give this community the chance to make
20 this huge site what we hoped it would be.

21 I'm confused right off the top. If you look at
22 1.5.3 of the Specific Plan, on page 1-9, it states two or
23 three times, "The Specific Plan standards and guidelines
24 supersede the existing Los Gatos Commercial Design
25 Guidelines and development of the Specific Plan area." It

1 also states over and over that the Specific Plan for this
2 particular site supersedes the General Plan.

3 What we're being asked to do tonight is a little..
4 I really don't quite understand. Unless you are ready as a
5 General Plan Committee to tell us where the Specific Plan
6 does not meet General Plan requirements, I can't see,
7 frankly, why we're here. And if in fact the Specific Plan
8 does supersede General Plan requirements, it seems to me
9 the first meeting should have been Planning Commission, the
10 second one should have been Planning Commission, and then
11 if there were any leftover problems, possibly that could
12 have come from General Plan ideas that didn't fit what had
13 come out of Planning Commission, but this effort I just
14 find very difficult.

15 For instance, if you start talking about—and
16 we're all for it, of course—spreading the housing
17 population over the whole 40 acres, which I think everyone
18 expected and wants, we have already committed a great deal
19 of time and effort into laying out in the proposal of the
20 Specific Plan the various ways on the 40 acres that these
21 things were being laid out. Now, that's not a General Plan
22 problem as far as I can see, that's a problem within the
23 Specific Plan where we just state the two or three places
24 that it says housing has to be over commercial in such-and-
25

1 such an area, and on and on and on. If we've made the
2 decision that in fact we're going to spread it out, we
3 spread it out. If you're asking us today to tell you how
4 you want that spread out, that's one thing, but that feels
5 like a Planning Commission conversation.

6 So I guess you need to help me help you, because
7 I don't know what to do.

8 CHAIR HUDES: Thank you. Any questions? Okay,
9 thank you. The next speaker is Rod Teague.

10 ROD TEAGUE: Thank you. I didn't realize there
11 were going to be public comments, so I threw together some
12 quick comments.

13 I had hoped that Grosvenor would have hung in
14 there and saw that there were some compromises to be made,
15 and I hope moving forward, whatever those changes are, that
16 we simply defer to the Vision Statement of the Specific
17 Plan and the Guiding Principles for whatever changes are
18 made. That's the foundation, that's our goal. It was
19 created to prevent discord in the community, and any change
20 that does occur, you have to ask that simple question: Does
21 this comply with our vision and where we're going?
22

23 It was almost as if we were writing a screenplay
24 about the Vietnam War, and somehow in the process it turned
25 into World War Two, because the outcome, reading the

1 Specific Plan Vision Statement and Guiding Principles
2 paints a picture that conforms to the community, and in the
3 end what we got was a lot of row housing and things that
4 obviously were in contrast to what the community is about.
5 I think that's why so many community members were up in
6 arms; I think their vision was that their town would only
7 allow something with things conforming, like open space and
8 housing that conforms to the community.
9

10 I guess that's it. Just please ask that question:
11 Does this comply with our vision and where we're going and
12 how we're going to get there? Thank you.

13 CHAIR HUDES: The next speaker is Tom Spilsbury
14 followed by Woody Nedom.

15 TOM SPILSBURY: Good evening, Commission. This
16 project started out as the North 40. It's not the North 40;
17 it's the North 20. The grand vision started out as the
18 North 40; the pared down vision is the North 20. We don't
19 have what we started out with. We started with a big piece
20 of property that went from Lark Avenue to 87, from Bascom
21 to Highway 17, and what we really have is a lot of more
22 undeveloped land that is on Oka Road. All around there,
23 there are 60 to 70 acres of undeveloped land in East Los
24 Gatos that's going to come to the fruition of development
25 sooner or later.

1 Grosvenor started out with the North 40 but they
2 ended up with the North 20, and it's not what the Specific
3 Plan stated. Jamming all the houses into 20 acres is not
4 what anybody ever talked. I was on the committee originally
5 seven or eight years ago when Grosvenor showed up for the
6 first time with their Berkeley architect and told us how
7 neat he was. He's not that neat. We're sitting here today
8 because there are issues.

9
10 The biggest issue is traffic. We haven't solved
11 the traffic issue. We have properties on the east side of
12 Los Gatos Boulevard that still go out 30' to 40' into the
13 right-of-way; we haven't even figured out how to deal with
14 that. We have an intersection at Burton, where the
15 Starbucks is, that's the biggest nightmare of an
16 intersection that we have in the Town. Traffic is our
17 issue.

18 Streets are our issue; nobody has dealt with
19 that. Ten million to deal with that is a nice number, but
20 it's clearly not enough to deal with that.

21 We really need to probably form an Assessment
22 District for those properties that are around Los Gatos
23 Boulevard between Lark and 87, whether it's a popular
24 decision or not. Somehow the traffic issues have to be
25 solved before you start putting buildings on there with

1 people, because once you put buildings with people, you
2 can't go back and change what you're doing. I urge you all
3 to look at the traffic issues and think about how we can
4 deal with them in a productive way versus how we've dealt
5 with them, because that's what the issue is: traffic.

6 CHAIR HUDES: Thank you, Mr. Spilsbury. I'm
7 sorry; we have a question, if you don't mind coming back.

8 TOM SPILSBURY: I don't know. Yeah, I've got
9 enough time.

10 COMMISSIONER HANSSEN: Just a simple question.
11 I'm sure you meant 85, but you said 87.

12 TOM SPILSBURY: You know, it could go all the way
13 to 87. No, no, you're right. I get them confused all the
14 time. I've only lived here since 1962 and I still can't say
15 that right.

16 COMMISSIONER HANSSEN: That's fine. I just wanted
17 to make sure I heard you right.

18 TOM SPILSBURY: And I still call it Bascom
19 instead of Los Gatos Boulevard. I don't know; I'm screwed
20 up.

21 COMMISSIONER HANSSEN: It's fine.

22 CHAIR HUDES: Great, thank you. Woody Nedom, and
23 I think we have another card as well.
24
25

1 WOODY NEDOM: Good evening, everyone. My name is
2 Woody Nedom; I live on Azalea Way in Los Gatos.

3 I wasn't intending to say anything, but I'm glad
4 you guys are a little puzzled about how to proceed tonight,
5 because I certainly share that puzzlement. I don't really
6 know if we're just wandering in the desert or what's
7 happening, but in regard to that I think the best way to
8 proceed is to determine how the development does not comply
9 with the Specific Plan.
10

11 I recall at a meeting where everyone was up in
12 arms, the place was packed with people, they were
13 complaining about traffic, this and that, and the Town
14 Attorney said, "It's too late for that. The Environmental
15 Impact Report has been approved. The only issue is does it
16 comply with the Specific Plan?" Now, if I'm wrong in that,
17 I stand corrected, but isn't that the issue? How does this
18 development not comply with the Specific Plan?

19 I think there are lots of ways. I don't think the
20 Town is going to lose this lawsuit. I mean if you look at
21 all the meetings that led up to the Specific Plan you'll
22 see how this development does not comply with the Specific
23 Plan. It doesn't spread housing over the full development.
24 The units are way too large; they violate the appendix of
25 our own Specific Plan, which talked about smaller units.

1 We're here to meet the unmet needs of Los Gatos,
2 not the needs of families. We're here to mitigate the
3 impact on schools. These units don't do that. They have
4 three-bedroom units; they have two-bedroom units with a den
5 that could be turned into three bedrooms. Those are magnets
6 for families. They don't comply with the hours and hours
7 and months and months of talk that went into developing the
8 Specific Plan, and Mr. Capobres gets up here and says it
9 complies with it.
10

11 It does not comply with the Specific Plan. The
12 housing is not spread out, the units are too large, the
13 whole thing doesn't reflect the Town of Los Gatos, and
14 that's what I think people are saying.

15 Tonight, I think the people who have spoken here,
16 it's sort of like the thing is upside down. How can the
17 public comment on something when they don't know what it is
18 they're commenting on? It seems to me that there has to be
19 some sort of an idea as to how to proceed, and then maybe
20 some input from you folks, and then the public should be
21 able to talk about it, because the public, after all, they
22 are Los Gatos.

23 Thanks so much; I appreciate your time and all
24 the effort that's going into this thing.
25

1 CHAIR HUDES: Thank you, Mr. Nedom. The next
2 speaker I have is Diane Dreher, and that is the last card,
3 so if there's anyone else who would like to speak.

4 DIANE DREHER: Thank you, and good evening. I
5 came here actually just to show support, but like my
6 colleague Mr. Erekson, I also am a college professor, and
7 an idealist. I grew up watching a young president with the
8 vision and courage to say that we could put a man on the
9 moon and bring him back safely to earth. I believe that we
10 need to really affirm our ideals, or they will not happen,
11 and when we do, they do happen.

12 I've been to a number of meetings in which a lot
13 of Town neighbors said in many, many ways that the
14 Grosvenor plan did not coincide with the Specific Plan, and
15 I was here when the members of the Town Council voted to
16 that effect. I would like to see us affirm our vision of
17 what is possible for our community here in Los Gatos, and
18 have the courage and the ideals to really put those visions
19 forward. Therefore, I support the Town Council suggestions
20 for potential amendments to the Specific Plan, specifically
21 that housing should be spread across all three districts,
22 and require smaller, more affordable units.

23 One of the things I heard was that the one-
24 bedroom condominiums would start at something like \$900,000
25

1 to \$1.5 million, which would involve a house payment of
2 \$4,500 or \$6,500 a month. That is not affordable. There are
3 a lot of professionals in the area who could not afford to
4 live here. I would like us to have smaller, more affordable
5 units to welcome more people into our community.

6 Also, to provide senior housing at the ground
7 level, for obvious reasons, and many more really well
8 thought out suggestions.

9 I therefore suggest that we not surrender to
10 lawsuits or to what could possibly be a very crowded North
11 40, but really look to what is best for our community and
12 work together to make it happen. Thank you.

13 CHAIR HUDES: Thank you. That's the last comment
14 card that I have, so at this point I think it would be
15 valuable to hear from the Committee Members if they have
16 additional comments in terms of the general direction that
17 we're going, and then when that's done we'll proceed to go
18 through the structured sections as provided by the Town
19 Council and Staff. Would anyone like to make any general
20 comments about the process that we're following?

21 COMMITTEE MEMBER BARNETT: I have one question,
22 directed to Mr. Schultz, and that is this being an open
23 meeting I have concerns about what can be said and what
24 cannot be said, and do not want to prejudice the Town's
25

1 position? So I'd be interested in comment from you about
2 what might be wise to say or not say.

3 ROBERT SCHULTZ: You can say anything you want.
4 The lawsuit that was filed deals with a writ of mandate,
5 and so nothing that is said in this meeting can be
6 introduced into the record. A writ of mandate has to do
7 just with the administrative record, which is now closed;
8 it closed on September 6th. Anything that is said or done,
9 or changes made in any way, shape, or form won't have any
10 effect on that litigation whatsoever.

11 CHAIR HUDES: Thank you. I had those exact same
12 questions. Yes, Commissioner Hanssen.

13 COMMISSIONER HANSSEN: I had a question and a
14 comment.

15 My question is about the litigation that was
16 brought up. Since there is litigation on the table as we're
17 going through this process, I understand that the
18 litigation is relative to the existing version of the
19 Specific Plan and that's what standard the lawsuit will be
20 held to. So supposing we go through this process and we do
21 amend the Specific Plan, it would only apply to future
22 projects, but if we lose the lawsuit, where does that leave
23 our Specific Plan?
24
25

1 ROBERT SCHULTZ: If we were to lose the lawsuit
2 and the court would say that it did comply with the
3 Specific Plan and order the Town to implement the
4 application by the Specific Plan, it was be the old
5 Specific Plan that was approved that that application would
6 be able to be approved under.

7 COMMISSIONER HANSSEN: So we would proceed
8 forward with the old plan even though we'd revised the
9 current plan?
10

11 ROBERT SCHULTZ: Correct.

12 COMMISSIONER HANSSEN: Okay.

13 ROBERT SCHULTZ: And that would only apply to the
14 application that's in. The plan could be revised or
15 amended, and then any future applications would have to
16 comply with the plan as ordered.

17 COMMISSIONER HANSSEN: The revised plan.

18 ROBERT SCHULTZ: Correct.

19 COMMISSIONER HANSSEN: Then my comment is I was
20 looking through this, and we spent a lot of time on this
21 obviously this summer on the Planning Commission, and this
22 goes to some of the suggestions that came up that we have
23 in pipeline, I think it makes a lot of sense to look at the
24 Guiding Principles. I wondered if there wasn't a disconnect
25 in the existing plan between the Guiding Principles of the

1 look and feel of Los Gatos and the table that's in 6-14.
2 Also, in the Residential Guidelines it talks about only
3 multi-family housing and then the sizes of the houses are
4 1,000 to 2,000 square feet, and we saw a lot of that in the
5 proposal that we got, so I think it makes sense to look at
6 this in the context of does it fit with the Guiding Vision,
7 because I wondered if that table... It was a reference table,
8 it wasn't a mandated table, but when we heard a lot of
9 comments from the public it didn't seem like it met their
10 vision of what the Town was like, but this was the table
11 and the housing types that we had permitted in the Specific
12 Plan.
13

14 CHAIR HUDES: Thank you. Mayor Spector.

15 MAYOR SPECTOR: Thank you. One question, and then
16 possibly a comment.

17 The question is I should know, but remind me as
18 to why this is coming before the General Plan Committee.

19 LAUREL PREVETTI: A specific plan is essentially
20 a more detailed document that helps up implement our
21 General Plan, so typically a specific plan amendment could
22 affect the General Plan, so it's really important that it
23 has to be consistent with the General Plan.
24

25 You are the General Plan Committee, and you are
kind of the keepers of that long-range vision, so because

1 the Specific Plan is part of our General Plan, that's why
2 it's before you first, for your comments regarding the
3 suggestions before us. Depending on your deliberations the
4 public will certainly have more opportunities to comment
5 after the fact, because we will then go to Planning
6 Commission for formal public hearings. That will be noticed
7 and televised, et cetera, and then based on that
8 recommendation we would then go to the Council for final
9 decision. Again, another opportunity for the public.
10

11 The great thing about the General Plan Committee
12 is that it is a mix of Planning Commissioners, Town Council
13 members, and members of the public, so kind of the keepers
14 of our vision. You have the ability to go through these
15 ideas, understanding our land use framework, and can really
16 sort through the suggestions to determine which ones should
17 move forward and which ones shouldn't.

18 It's very possible for communities to consider
19 this process in parallel with a lawsuit, because specific
20 plans can be changed, and then they can be changed again,
21 et cetera, so the fact that there is a lawsuit, it will
22 proceed on its own path, and really, I think based on the
23 motion that Council made to deny the applications, that was
24 really to Commissioner Erekson's point. Clearly the
25 application didn't meet the expectation of what the

1 Specific Plan would deliver, so what do we need to do to
2 clarify the rules, particularly the objective criteria, to
3 make sure that the next application does in fact meet the
4 community's expectations?

5 CHAIR HUDES: Yes.

6 MAYOR SPECTOR: And follow up then with a couple
7 of comments.

8 First of all, I agree with Commissioner Hanssen,
9 various comments she made. With regard to what is the issue
10 that we're dealing with today, the issue that we're dealing
11 with today in view is should we amend the Specific Plan,
12 and if so, how?

13
14 With regard to how can you have one Specific Plan
15 with an application pending in litigation, that
16 application, as has been said by a couple of our Committee
17 Members here, is going to be evaluated under this current
18 Specific Plan and any amendments to the Specific Plan. Any
19 *future* applications would be considered under whatever
20 Specific Plan is in existence at that time.

21 So for me, I see the issues at least on a very
22 broad level, very clear cut. Let me get into these four or
23 five pages here, maybe not so much.

24 CHAIR HUDES: Thank you. Other Committee Members?
25

1 I had a question of Staff related to that, and
2 that has to do with the timing of this. Is there any
3 deadline or timeframe either that's been suggested by
4 Council or by the possibility of an application coming in
5 where there may be work ongoing for someone to actually
6 submit an application? And maybe also clarify what the date
7 is when they submit the application, as when it's complete,
8 what is the trigger event for which Specific Plan would
9 apply?
10

11 JOEL PAULSON: I don't know if there's a hard and
12 fast deadline of when this work needs to proceed. We
13 proposed to the Council a fairly aggressive schedule to try
14 to get this moved through the process prior to any further
15 applications being filed.

16 From a timeline perspective, it can go rapidly,
17 or there may be instances where we may not get through the
18 General Plan Committee's discussion in one meeting, or the
19 Planning Commission, or the Council, but those are some of
20 the lofty goals that we put forward.

21 In relation to an application if one is filed,
22 typically it's going to be the deemed-complete-by that's
23 going to be the arbiter of which Specific Plan it's under.
24 There are some other specifics there, but generally that's
25 what we would use for the tool. Obviously we'd also let any

1 potential applicant know that we're considering potential
2 Specific Plan amendments, and that's something that we
3 would bring forward to whatever bodies are reviewing the
4 potential amendments at that time.

5 CHAIR HUDES: Then I would also ask if you do
6 know of an application coming, would you also inform the
7 Committee so that we understand what kind of timeframe
8 we're working under?
9

10 JOEL PAULSON: We're not aware of any pending
11 applications, but if one is filed, then we will definitely
12 let both the public, as well as decision makers, know that.

13 CHAIR HUDES: Good. Yes, question, Commissioner
14 Erekson?

15 COMMISSIONER EREKSON: I think the Mayor in her
16 comments a moment ago asked the first right question, which
17 is should we amend the Specific Plan? The Council voted to
18 deny an application, and without getting into all the
19 detail of why they did, what underlay that decision was
20 that an application didn't meet the Specific Plan. That
21 doesn't necessarily mean the Specific Plan is wrong. That
22 wasn't part of their conclusion. Their conclusion, as I
23 understand it, was that a particular application didn't
24 meet the Specific Plan.
25

1 So the question seems to me still to be open:
2 Should the Specific Plan be amended? Because presumably if
3 a different application had come forward, the Council would
4 have approved that application and presumably we wouldn't
5 be here. So the fact that a particular application was not
6 approved doesn't seem to me to bear necessarily in any
7 relationship to whether the Specific Plan needs to be
8 amended, so the first question is should we amend the
9 Specific Plan, and the only reason why one would is if
10 there—maybe this isn't the right noun—were deficiencies in
11 the Specific Plan, or if we wanted to rethink what the
12 Specific Plan was, because there was no decision made that
13 the Specific Plan itself was not correct.

15 LAUREL PREVETTI: Mr. Chair, if I may? I think
16 that's a very fair point, and I would say that you don't
17 only need to look for deficiencies, because we're not
18 passing judgment one way or the other, it's really are
19 there places that need to be clarified? Is there language
20 that maybe reads more subjectively and you'd like to make
21 it more objective? It's really more are there ways that we
22 can clarify the intention so that way anyone looking at the
23 table of housing types, if that table doesn't reflect the
24 vision, are there some specific changes that can really
25

1 make sure, again, that if a development application comes
2 in we all know what that possible result might be?

3 ROBERT SCHULTZ: I'll just follow up. I think
4 clarification is the issue, because certainly the Applicant
5 believed, and still believes by the lawsuit, that their
6 application met the objective standards of the Specific
7 Plan, and even Staff's recommendation was that it met those
8 objective standards, and Council disagreed with that and
9 said it did not. So that's what I think the main purpose
10 would be is where can we provide clarifications, because we
11 don't want to rewrite the whole plan and have an EIR and go
12 through the Housing Element again. But where are there
13 clarifications so that if another application come in it
14 would be much more, I don't know if the word is easier, but
15 it would be able to be addressed by a Specific Plan that's
16 easier to understand through clarifications.

18 CHAIR HUDES: Commissioner Hanssen.

19 COMMISSIONER HANSEN: Just to give a specific
20 example relative to Commissioner Erekson's comments, I
21 think one thing that I've noticed in having gone through
22 the process is that—and I was on the Housing Element
23 Advisory Board as well—when we went through the process of
24 determining what types would be applicable for RHNA, and we
25 decided on placing some of that at the North 40, it made

1 sense from every perspective, but I think that from a
2 timing perspective, even though the Specific Plan got
3 approved after the Housing Element, a lot of the thought
4 process that went into it was not with the idea that every
5 housing unit had to be zoned at 20 dwelling units per acre,
6 because as you back into the numbers, that's the only way
7 that you could do the housing.

8 And I understand why to keep it to that number,
9 so that we didn't have a lot more housing than we wanted or
10 needed or could handle, but now we found out like, for
11 example, during the summer, if a decision was made to do
12 housing in the Northern District, because you have to zone
13 it 20 dwelling units per acre we had testimony from the
14 Applicant, and I think it was pretty valid, that with the
15 requirement to do a residential over commercial in the
16 Northern District, the only way you could get 20 dwelling
17 units per acre is to have units that are 500 square feet or
18 smaller, or they might have said 600, but that's an example
19 of how when one thing kind of came before the other it
20 didn't flow all the way through with the numbers, and so I
21 think there are other examples of things that we could
22 clarify and make in line with the Guiding Principles better
23 now that we know what we know.
24
25

1 CHAIR HUDES: If I might add my comments as well.
2 At the end of the work that the Planning Commission did on
3 the application I observed that this was really the first
4 test of the Specific Plan, and having been involved in the
5 creation of the Specific Plan and some of the other areas
6 along the way, I think there is some learning from going
7 through that test, the areas for clarification and,
8 frankly, also areas that working on the plan we were not
9 informed about, for instance, the impact of the buy right
10 law and the need to translate things such as the Vision
11 Statement into objective standards throughout the plan, and
12 so when faced with an application after learning that, it
13 became more challenging.

15 I actually went back to the hearings of the
16 Planning Commission as well as the Council's discussion
17 about why to look at the plan, and so just for my own sort
18 of direction from what the public cares about I tabulated
19 those comments, and I'll pass them to the rest of the
20 committee and can submit for the record. I wasn't going to
21 do this, but I think maybe it should be part of the record
22 for going forward.

24 During the Planning Commission hearings there
25 were several hearings where we took public input and we
 also accumulated a great deal of correspondence on the

1 application, and I think that that is informative about
2 where some of the issues or challenges may be. There were a
3 total of 500 unique comments between the emails and the
4 public testimony at those hearings. Four hundred and
5 eighty-five were against the application and 15 were for
6 the application, not including the Applicants themselves.

7
8 Then the Town Council, there were fewer, and I
9 only recorded the comments from the public hearing on
10 August 9th and I didn't go through the correspondence there,
11 but there were a similar number of comments or issues that
12 were raised, and I tabulated the issues into different
13 categories, and many of these map to the suggestions from
14 the Town Council in terms of areas in which the Specific
15 Plan can be improved. But I think notably there were some
16 that maybe didn't map, and so I would just add that for
17 information to the Committee Members. Commissioner Hanssen
18 raised the first one that I saw, which was the look and
19 feel as inconsistent with Los Gatos where we had 18% of the
20 comments falling into that category.

21 The other one was traffic, which was actually the
22 largest number of issues, that the traffic impacts were too
23 great.

24 I would just offer this as potential other input
25 to the Committee as areas in which we might look at the

1 Specific Plan and say is it objective? Does it need to be
2 clarified? Will it result in an improved type of a project
3 should another project come forward?

4 Given that backdrop, I think we should probably
5 move on to the areas that were suggested, because I think
6 that organization makes a lot of sense, and maybe walk
7 through those.

8 The first category is Residential, and the way
9 this has been organized I think is a good way to think
10 about it, but there aren't really a lot of answers here.
11 There is sort of this is where you could do something if
12 you wanted to do it, but there are not a lot of
13 suggestions, so I'm not sure how far we'll get just doing
14 this on the fly tonight, but I thought we'd give it a try
15 and walk through it and see whether we have some
16 suggestions relative to these particular points.

17 LAUREL PREVETTI: Thank you, Mr. Chair. I would
18 just say that I think really what we want to know is are
19 these suggestions useful to continuing the process? I
20 wouldn't worry about finding a specific solution to how we
21 would address it, but do you agree with the Council's
22 suggestion that this should be addressed in amendments? And
23 then again the full Planning Commission and Council and the
24 public will have opportunity to weigh in on those
25

1 specifics, because we may find that there are different
2 options for addressing them, so I think we just really need
3 your feedback of do you agree with the Council that this is
4 a suggestion that should in fact move forward?

5 CHAIR HUDES: Okay, thank you. Question? Yes,
6 Mayor.

7 MAYOR SPECTOR: Thank you. Following up on what
8 Staff just said, I'm just going to use this as an example
9 so that I have a better understanding.

10 Just looking at Residential, there's number one
11 and number two that is on Staff's report. And let's say
12 that I think that the housing units should be spread across
13 all three districts, but that I don't think there should be
14 a maximum density of eight units per acre, is that what
15 you're looking for? Are you looking for all of us to weigh
16 in on it with that kind of discreteness, or are you looking
17 for something more global?
18

19 LAUREL PREVETTI: What you just said would be
20 very helpful for us, so if there are ideas, and even if
21 it's priorities where of these 13 items the top three, for
22 example, are what the speaker raised, the units should be
23 spread across, smaller units, more affordable, and put the
24 senior at the ground level, if that's the consensus of the
25 group, these are the top three and the others are if we can

1 do it, that's great. Or this idea you don't agree with,
2 that would be helpful as well.

3 MAYOR SPECTOR: Thank you. Well, with that
4 direction, I'll kick it off and we'll see where we go.

5 I think the units should be spread throughout the
6 40 acres. I would like them to be smaller, and I would
7 prefer that the senior housing not be on the second or
8 third floor, and I can't remember what else you said, Ms.
9 Prevetti. Is that the three? Okay. I get three, that's it.
10

11 CHAIR HUDES: Well, why don't we look at the top
12 three points here, because there are a lot? There are 13
13 items in this section and the top three seem to go together
14 and I think your comments apply to that. Other comments on
15 those?

16 COMMISSIONER HANSSEN: I was just going to take
17 each one quickly.

18 In the Lark perimeter area setting the maximum
19 density of eight units per acre, what I understood from
20 watching the hearing was the intent to a) enable lower
21 intensity, which was the intent of the plan, and b) as it
22 stood during the process it didn't appear that even though
23 cottage clusters were a permitted type, since they required
24 a CUP and also because you couldn't make cottage clusters
25 achieve a twenty dwelling units per acre, it wasn't

1 possible to use them at all in any plan that was submitted.
2 So I don't know if eight units per acre is the right number
3 to make cottage clusters feasible, but it seemed like there
4 was a lot of interest in making that a feasible type, and
5 we had it in our plan as a desire with a limit of a certain
6 number of units, or a suggested number of units up to I
7 think 40 or 50.

8
9 On the housing units spread across all the
10 districts, I know we talked about this in the Planning
11 Commission hearings. It seemed to make a lot of sense in
12 terms of balancing out and coming up with the best plan we
13 can, knowing that it's going to be phased in over time, to
14 not try to digest everything, the housing, where all the
15 commercial or anything in one fell swoop, so to me it made
16 a lot of sense to spread the housing across the three
17 districts because of that.

18 And I did agree with the third point though,
19 especially if we're going to consider that realistically
20 there would be more housing in the Northern District, that
21 we need to decide if the neighborhood is what we want it to
22 be.

23 CHAIR HUDES: Thank you. Other Committee Members
24 on the first three? Vice Mayor.
25

1 VICE CHAIR SAYOC: Similar question of Staff with
2 regard to number one. Given our 20 units per acre Housing
3 Element requirement, number one couldn't even... I guess I
4 should ask you to clarify. Could number one even be a
5 possibility?

6 JOEL PAULSON: It could be a possibility, because
7 the perimeter zone, which is what is called for, is fairly
8 small, and so you still have plenty of acres left
9 throughout the rest of the plan area to accommodate that,
10 so that is possible.

11 VICE CHAIR SAYOC: We need 270, and it has to be
12 at 20 units per acre. That leaves us at 13.5, right? Which
13 is exactly...

14 JOEL PAULSON: Correct. You wouldn't be
15 accommodating any of the 20 units per acre requirements.
16 You have to accommodate those on 13.5 acres elsewhere in
17 the plan area.

18 VICE CHAIR SAYOC: But if we put a cap on
19 residential only at 270, how can you have an additional...
20 Let's say you did eight homes in the Lark perimeter area,
21 wouldn't you then go over your maximum ceiling of 270,
22 because you're still going to have to somehow build those
23 13.5?
24
25

1 LAUREL PREVETTI: I think that was one thought
2 that did come up in the Council discussion, and I think we
3 had testimony this evening, perhaps the total capacity of
4 the plan needs to be increased by some amount, and if the
5 goal is we do want a lower density perimeter and you just
6 give that as a goal, then we would say okay, therefore we
7 need to add ten more units to the plan, so now it's 280,
8 ten of which could be done at a lower density and the
9 remainder at the 20 units per acre.

10
11 The other answer is we could assume a density
12 bonus, but I don't think that would hold up in Housing
13 Element. I think they would want us to make sure that we're
14 planning deliberately for the 13.5 acres, so we shouldn't
15 rely on an expectation of density bonus.

16 CHAIR HUDES: Commissioner Hanssen.

17 COMMISSIONER HANSSEN: I had meant to ask
18 earlier, what is the amount of acreage in the perimeter
19 zone? I couldn't remember from our hearings, or find it.

20 JOEL PAULSON: We don't have that. It's the 50'
21 along Lark, that's all it is, so that's not going to be...

22 COMMISSIONER HANSSEN: It's not going to be
23 allowed?

24 JOEL PAULSON: No.

25 COMMISSIONER HANSSEN: Okay.

1 CHAIR HUDES: Other Committee Members on points
2 1, 2 and 3? Yes, Mr. Barnett.

3 COMMITTEE MEMBER BARNETT: I just wanted to voice
4 my support for the Mayor's position on the first three
5 items. There has been a lot of public comment about the
6 look and feel issue, and I think that distributing the
7 housing across the entire site would go a long way towards
8 achieving that, because Los Gatos isn't a cookie cutter
9 operation. If you look at any of the large shopping
10 centers, Whole Foods or Nob Hill, it's kind of nestled in
11 with the residential.
12

13 CHAIR HUDES: Maybe I could just add my comments
14 to that, that I am in support of doing something along
15 those three.

16 With regard to the second point, I'm not
17 advocating for this, but I'm suggesting maybe we think
18 about modifying Table 2-2 or 2-1 to include some
19 percentages to accomplish this. As an example, maybe 40%
20 residential in the Lark District, 30% in the Transition
21 District, and 30% in the Northern District. For hotel,
22 maybe 0% in the Lark District, 60% in the Transition
23 District, and 40% in the Northern District. For commercial,
24 maybe 15% in the Lark District, 35% in the Transition
25 District, and 50% in the Northern District.

1 And I use the word "maybe." I'm just not sure
2 we've done any analysis on this or whether those are the
3 right ones, but those are the ones that came off the top of
4 my head when I started trying to integrate the information
5 that we had.

6 Yes, Mayor.

7 MAYOR SPECTOR: I was flipping pages while you
8 were talking. I now have Table 2-1 and Table 2-2 in front
9 of me. Could you just tell me again what you said, so I can
10 follow you?
11

12 CHAIR HUDES: I suggested adding a column either
13 to Table 2-2 or 2-1, and I'm not sure which one would be...
14 Maybe 2-2 is the easier one to do it on, but that would be
15 to add a column that says Residential, and then says, 40%
16 Lark District, 30% Transition District, and 30% Northern
17 District, and those are the examples I gave.

18 MAYOR SPECTOR: Thank you.

19 CHAIR HUDES: I don't think we're going to be
20 taking votes on these, so I just want to offer all the
21 Committee Members the opportunity to either agree or
22 disagree with the comments that have been made on the first
23 three points.
24

25 Okay, so let's move to the next one, and I think,
again, points 4, 5 and 6 are related to each other, so why

1 don't you look at those three together? Require smaller,
2 more affordable units, only allow units from 900 to 1,500
3 square feet, and reduce maximum size of some units to 1,700
4 square feet. What are the Committee Members' thoughts on
5 those suggestions; first of all as to whether they should
6 be included, and whether those are viable suggestions?

7 Yes, Mayor.

8 MAYOR SPECTOR: Yes, I agree with those three,
9 and in my mind they were part of what I originally
10 mentioned with regard to smaller units throughout the
11 property. The only caveat there is, we have point 5 goes
12 from 900 to 1,500 square feet, and point 6 goes to 1,700
13 square feet. I'm inclined to the 1,500 square feet, but not
14 wedded to it, and would be looking for other Committee
15 Members to weigh in on that somewhat discrete issue.

16 CHAIR HUDES: Thank you. Commissioner Hanssen.

17 COMMISSIONER HANSSEN: Thank you, Mayor, that was
18 really helpful.

19 In looking at the hearing, I wanted to just make
20 a comment on point 4. I remembered in the Town Council
21 hearing that this came up when we discussed the Housing
22 Element as well, that we can't require units to be at
23 certain levels of affordability, because the state
24 perceives that as a barrier to affordable housing, but
25

1 another way to accomplish it might be to reduce the sizes
2 of the units. I remember Ms. Prevetti also said as well
3 that it doesn't guarantee that you're going to be
4 economically affordable, given the examples like in San
5 Francisco.

6 One thing that came to mind, and we asked this
7 during the Planning Commission hearings, was why there
8 weren't any units that were smaller than 900 square feet?
9 Because Gen Y, all the research that has been done about
10 it, especially the younger parts of Gen Y, is that a 500
11 square foot unit might be just fine, a studio, so why
12 didn't we have any of those? And if you had some 500 square
13 foot units it might actually be affordable, especially if
14 they were a rental.

16 I know that SummerHill Homes had said we can't
17 sell units at 500 square feet, but I don't think our
18 objective is to make money for the developer. If there is a
19 market for Gen Y housing with 500 square foot units, I
20 could see easily, for example, in the Northern District
21 with all the shopping there young people might like to live
22 in a studio, and that they're not going to spend a lot of
23 time in their unit.

24 If I were going to modify this I would recommend
25 going with 500 to 1,500 square feet as in (inaudible) and

1 modify it. We're not telling them they have to build that,
2 I'm just saying that that might be our target range.

3 CHAIR HUDES: Thank you. Other Committee Members
4 want to weigh in on points 4, 5 and 6?

5 I might add a comment that we had through public
6 input some requests for significant senior housing beyond
7 the housing that was proposed with some other types of
8 housing, and I know that Kirsten Duggins, Dr. Weissman, and
9 Rob Walker had suggestions about that.

10
11 It seems to me that if we are trying to
12 accommodate smaller, more affordable units and senior
13 housing, we might want to give some thought to what
14 suggestions a developer who works on senior communities
15 might suggest. I think there were some things that were
16 suggested on the fly: changing some of the corner units to
17 be accessible and that type of thing, that were suggestions
18 made by Council Members, but it seems as though if we are
19 trying to accommodate that we might want to actually
20 discuss this and say what would be attractive in terms of
21 affordable and senior affordable that isn't necessarily the
22 very, very low 400-500 square foot unit that was proposed
23 in the application?

24
25 So in terms of that range that's been suggested,
it sounds like some members feel that the 1,500 square feet

1 should be the top, and other members think that we should
2 also potentially allow units smaller than 900 square feet.
3 Any other comments on that?

4 Yes, Mayor.

5 MAYOR SPECTOR: Thank you. I used the 900 square
6 feet, because it's one of these line items here, but
7 dropping that back to 500 to 1,500 square feet, given what
8 our stated objectives are in the Specific Plan, that would
9 be fine with me.
10

11 CHAIR HUDES: Okay, thank you. Let's move on to
12 point 7. This seems to be an administrative issue. What's
13 Staff's position on point 7?

14 JOEL PAULSON: On point 7 it's actually already
15 required in the Specific Plan. I think where the challenge
16 came up was given the density bonus they could ask for
17 relief from that type of exception, and so that's where it
18 came up, and it is actually currently in the Specific Plan.

19 CHAIR HUDES: Yes, Vice Mayor.

20 VICE CHAIR SAYOC: So if I hear correctly then,
21 any change in the Specific Plan to clarify this may even be
22 another area to be waived if someone chooses to use a
23 density bonus?
24

25 JOEL PAULSON: Correct.

1 VICE CHAIR SAYOC: If that's the case, then I
2 don't... It's there, and I don't think there's anything else
3 we could have done to tighten that language, and it was
4 just a provision that was waived and out of our control.

5 CHAIR HUDES: Yes, Mayor.

6 MAYOR SPECTOR: Thank you, and I would agree. I
7 don't know, I like our BMP provisions; I've liked them ever
8 since we've had them. I think they're great. But what I
9 hear you say in response to the Vice Mayor's questions is
10 we the Town can't do anything about it if a developer
11 chooses to eliminate them. However, I would just say if
12 there is anything the Town can do, and I don't know if
13 there is, then I would like our BMP provisions to be
14 protected.

15 CHAIR HUDES: Okay, thank you. Yes, Mr. Schultz.

16 ROBERT SCHULTZ: It was not only a request of
17 waiver, but our BMP unit also had, and this might be the
18 issue you also talk about when you get down to senior on
19 the ground level, is if you remember, their project... We
20 require our BMP to be spread out, as long as it's feasible.
21 So the Applicant said well, it's not feasible in senior
22 housing; if you're going to do senior housing we have to
23 put them all together, we can't spread them out.
24
25

1 Council had two ways to go about it. They could
2 agree that it's not feasible, or he could have requested
3 the wavier because of the density bonus. Either way he had
4 the ability to do it, but I think when we talk about senior
5 housing in relation to our BMP, to address that issue of
6 whether you are okay with that idea of it being all
7 together or whether it should be spread out.

8 CHAIR HUDES: Yes, Mayor.

9
10 MAYOR SPECTOR: Thank you. Well, then I'm going
11 to swing back to Staff. Let's assume that this one
12 committee member likes the BMPs. What I hear you say is
13 that if we put into effect our BMP Ordinance, then we would
14 have to eliminate, or not allow, or say we don't want all
15 of the below market price units together? I mean what is
16 Staff looking for on this? If we make the assumption that I
17 want BMP units, what needs to be done?

18 ROBERT SCHULTZ: I think it's more addressing the
19 senior housing. I think the only thing here is senior
20 housing on the ground senior level, but also discuss the
21 fact that it will be all together. It needs to kind of be
22 put in the plan if you're okay with that, which is contrary
23 to your BMP Ordinance, because when you have affordable
24 senior housing, I think—at least that's what Eden said—it
25 all has to be together; we can't have a housing project

1 separate. So the minute you do that, then you are in
2 contradiction with your BMP Ordinance that says they will
3 be spread out. I think the issue is if you want to have
4 senior housing, is it acceptable to place it all together,
5 because that's the only way it can be done? And then you
6 can talk about whether it can be on one floor or on three
7 floors.

8 CHAIR HUDES: Vice Mayor Sayoc.

9 VICE CHAIR SAYOC: I think what I've also learned
10 from this experience and just talking with other colleagues
11 is there are various definitions of senior housing. What
12 was proposed with Eden was this collective...it wasn't
13 assisted living, but it was collective senior living that
14 had a facilitator, a coordinator, group activities, whereas
15 through our discussions through the Specific Plan Committee
16 we were also looking at move-down, active living. So what
17 I'm learning is there are various forms of senior living
18 that we all have various interpretations on, yet we did not
19 specify in our Specific Plan what kind of senior housing we
20 were targeting. And maybe that was intentional, but I think
21 what I've learned throughout this process is there are
22 various forms, and perhaps that's an area we should
23 discuss, what type of senior housing are we really truly
24 trying to target?
25

1 CHAIR HUDES: Yes, Commissioner Hanssen.

2 COMMISSIONER HANSSEN: I thought that was a great
3 comment. I actually had spoken to Eden Housing when we were
4 on the Housing Element as a matter of interest, and we
5 actually asked them this question during the Planning
6 Commission hearings, and we're talking about it doesn't
7 necessarily have to be senior affordable housing, but an
8 affordable housing project, as you probably know, the
9 economics of that don't work here in Silicon Valley, so the
10 way that this works is Eden Housing, a nonprofit, takes
11 these tax credits and grants and all these things and they
12 kind of piece together the delta between what the market
13 would command and what the people are able to pay.

15 They came out and basically said they have a
16 system for how they do this stuff and they need to keep
17 everything all together, senior or affordable or not. If
18 it's an affordable housing development, they have to keep
19 it all together for funding and all these administrative
20 purposes and everything like that.

21 We did actually ask them the question that I
22 thought too: Why would you put senior housing above
23 commercial? But the president of Eden Housing got up and
24 said that's the way we like it.
25

1 So then the second question is what if there's a
2 new application? I don't know if it would be different, it
3 might be a different affordable housing company, but
4 certainly if the affordable housing isn't going to happen
5 without one of these nonprofit affordable housing
6 developers.

7 And then you also have, as you said, the senior
8 step-down housing, which is a different thing, and
9 certainly we've had plenty of testimony from seniors that
10 they want to not have to climb stairs, so then their
11 options were you could put it on the ground level.
12 Grosvenor had testified during the hearings that one
13 version of the Phase 1 plan had step-down housing, but they
14 would have had elevators, and then there was a height issue
15 with the 35'.

16 So we do have to think that through if we want to
17 come up with the kind of housing our seniors that are
18 currently in town would want to step down into, because I
19 don't think we had much of that in the proposal we got for
20 Phase 1.

21 ROBERT SCHULTZ: I think that perfectly frames
22 the issue and to go just a little bit earlier, really the
23 question is do you want the senior affordable housing that
24 she described, which takes advantage of the tax credits and
25

1 has all these requirements? Because if you really want
2 that, it really has to be the Eden model, it has to be
3 floors going up. Based on land value you're not going to
4 get anybody that's going to be able to come in and spread
5 it out on a ground floor where it's going to economically
6 make money. It won't happen. You could say that's what we
7 want, we want our senior affordable housing on a ground
8 floor, but it's not going to happen.

9
10 The other one is then you could still have the
11 senior buy-down spread out BMPs amongst there, but they're
12 not the senior housing project that's going to be
13 affordable the other way.

14 And that was a rental too, and that goes back to
15 we really didn't address in Residential-Commissioner
16 Hanssen kind of brought it-the fact that we got all
17 homeowner, no resident, no rental, and so should there be a
18 mixture or percentage of rental that we thought we were
19 going to get?

20 CHAIR HUDES: I'm going to add that one to the
21 list. I think we're really talking about point 9 right now,
22 so I'd like to maybe just open further comments on senior
23 housing, and senior housing at the ground level.

24 I think there were other considerations that were
25 made during the Council hearings. I remember a suggestion

1 by Committee Member Rennie to incorporate some senior units
2 on I think the corners and bottom floor of the multi-family
3 units. I think there was also discussion about not just
4 ground level, but the fact that senior housing would have
5 to be in buildings that had elevator access.

6 Are there other comments? Commissioner Erekson.

7 COMMISSIONER EREKSON: I think the Vice Mayor was
8 right in suggesting we need to clarify what we want to
9 accomplish for senior housing, because there's everything
10 from memory units, to what Eden proposed, to lie down
11 units, to something like The Villages in East San Jose.

12 It would seem like to me if the intent is to
13 suggest that the Town would like to use this part of this
14 development opportunity as a way to respond significantly
15 to senior housing needs, what does that mean? What
16 particular senior housing needs do we want to respond to?
17 Then someone can figure out ground level, multi-level,
18 whatever it is. So what senior needs are we trying to
19 accommodate, and to what extent do we want to accommodate
20 them? Then someone can figure out ground level, height
21 limitations, how does it pencil out, all those kind of
22 things, but it's hard for me to comment whether I think
23 senior housing should be on ground level when I don't know
24 what seniors I'm trying to accommodate.
25

1 LAUREL PREVETTI: Right, and if I may, Mr. Chair?
2 I think we could certainly look at amendments that would be
3 clearer around a variety of senior living choices, the
4 move-down or step-down, active living, et cetera. I think
5 the one type that is not currently allowed, but it could be
6 for your consideration, is there is no allowance for the
7 continuum of care. So if someone wanted the independent
8 living to the nursing to the assisted and memory care, that
9 is not a housing type or an allowed use in this current
10 Specific Plan, but if that's part of the vision for the
11 plan then you would need to make that very explicit.

13 CHAIR HUDES: Yes, Vice Mayor.

14 VICE CHAIR SAYOC: A question for our Town
15 Manager. Is that because we disallowed medical and so
16 there's that medical hybrid to it, or we didn't specify
17 that?

18 LAUREL PREVETTI: Right. When you look at the
19 Specific Plan and the housing types it really conveys
20 independent living, so that active senior, and maybe we
21 need to do a little bit more to articulate that more
22 clearly, but when you look at all of the design guidelines
23 and the multi-family housing types and other housing types,
24 it really kind of assumes that everyone is ambulatory or
25 has an accessible ability to meet their basic needs.

1 State law is pretty strict on ADA and access for
2 disabled persons, so we would have to still comply with
3 state law, but if there's an interest in introducing
4 something else, and depending on the zoning, some
5 communities consider those continuums of care to be more of
6 a commercial type of use, because while people are living
7 there it's really a business. It's 24/7, there are workers,
8 and it's kind of a different type of operation, unlike a
9 residential neighborhood in its more typical form.
10

11 CHAIR HUDES: It seems like item 9 is a little
12 bit of the tip of the iceberg and it's opened up a number
13 of questions about different types of senior housing. Would
14 the Committee Members feel that we might want to come back
15 to this after maybe Staff providing us with a little bit of
16 what are the types and the options and ways that the plan
17 might be modified to accommodate?
18

19 ROBERT SCHULTZ: And to weigh in on some of the
20 legal issues, because the framework that you were
21 discussing, where some of maybe the row house or the
22 clusters had to be senior affordable or senior housing at
23 the corners, is not capable from its law standpoint. You
24 can't force that on a developer, to make certain ones
25 senior housing in that situation, so I think it would help

1 to come back with some of the legal restrictions that we
2 have.

3 CHAIR HUDES: Commissioner Hanssen.

4 COMMISSIONER HANSSEN: I realize we have to come
5 back to it, but I did want to throw one more thing out on
6 this. I think we clearly need to define what the senior
7 housing means, and I know this came up in the hearings that
8 you can't restrict housing to seniors. Well, the affordable
9 housing they can, because it's income restricted, not
10 because they're seniors. Well, actually they could, because
11 they're seniors as well. But in a market economy you can't
12 do that, because it's discrimination.
13

14 But in terms of addressing unmet needs, I
15 remember working on the Housing Element and it really
16 struck me, we have fully a third of our population during
17 the Housing Element timeline that is going to be over 65
18 years old, and to think that we had in the Phase 1 proposal
19 maybe 10 or 15 units out of 270 that were suitable for
20 seniors other than the affordable housing, which isn't
21 targeted at our own move-down seniors, just didn't make any
22 sense to me.

23 I did want to put that out there that whatever we
24 do I hope that we have some goal, a range of what we're
25 looking for in terms of housing that's suitable for

1 seniors, even if it's not restricted in terms of the plan.
2 I hope we can put that in there.

3 CHAIR HUDES: Mayor.

4 MAYOR SPECTOR: Thank you. I totally agree.
5 Looking back on the North 40 Advisory Committee, my sense,
6 my memory, was that we did want to address Los Gatos' unmet
7 needs of future seniors, which as the Commissioner said, is
8 a significant portion of our community. But we were
9 addressing it with the size of the units, or at least that
10 was my mindset. If you have the size of the units small
11 enough, then you can have a move-down senior move into
12 those units.
13

14 The issue of ground floor, actually I don't
15 remember if it came up with the Advisory Committee, but it
16 certainly came up during our hearings on this specific
17 application, so I think that is an important issue that it
18 is one level. Maybe the elevators to the one-level unit are
19 okay, I don't know. I do remember the specific testimony
20 with regard to Eden, which is that having these units on
21 the second and third floor reduces the price for that
22 organization, since air rights are less expensive than
23 ground-level rights. So taking it back in, I think that we
24 can address our unmet needs by the size of the units.
25

1 With regard to continuum of care, I think that is
2 something like the Hyatt. That was discussed by the North
3 40 Advisory Committee, and we did get individuals from the
4 community who actually suggested that, but we never moved
5 forward with it, and I believe it was because we didn't see
6 a lot of that property being used with one use, but that is
7 just what I think I remember.

8 CHAIR HUDES: Yes, Committee Member Barnett.

9 COMMITTEE MEMBER BARNETT: Very briefly, as part
10 of the legal analysis on this issue I'd be interested to
11 know whether the intention is 55+ or 62+ housing. The
12 former, I understand, allows a little more flexibility, for
13 example, a disabled child or grandchild, versus 62+, which
14 is exclusive.

15 CHAIR HUDES: It sounds like we have a request
16 for more information and more discussion on senior housing
17 and the options, the types, and the legal parameters that
18 we have to operate with.

19 Let's move to items 8 and 10, which have to do
20 with location. So 8 is don't allow residential on Los Gatos
21 Boulevard, and 10 is consider the possibility of moving the
22 houses away from Highway 17 and putting commercial in that
23 area. Committee Members have ideas about those?
24
25

 Vice Mayor.

1 VICE CHAIR SAYOC: I'm going to weigh in, and in
2 weighing in I'm going to actually include number 8 and
3 number 3 together.

4 I think when we were looking at the actual
5 application what struck me was just the layout of the
6 application did not make sense, and so if I'm taking points
7 3 and 8 together, and I'm going to point to I think it was
8 units 24 and 25 that were actually on Los Gatos Boulevard
9 yet surrounded by commercial, that to me is an example of
10 how the vision and making it fit wasn't necessarily
11 working. So I'm going to even broaden that step back beyond
12 that and see if there's a way within the Specific Plan to
13 somehow change the process so that there's a discussion up
14 front of layouts before the vesting so that we have an
15 ability to have a discussion on layouts, so that we don't
16 have to come to the final minute on two units that happen
17 to be sticking out like a sore thumb, in my opinion.

18 When I look at residential on Los Gatos
19 Boulevard, in that particular application, yes, those two
20 units should not be there. Should that be extended all the
21 way to Highway 85? In my opinion, it should, because that
22 just continues the Los Gatos Boulevard Plan that we had
23 developed many, many years ago, and it just continues the
24 scale of the commercial aspects on Los Gatos Boulevard.
25

1 CHAIR HUDES: Other members? Commissioner
2 Hanssen.

3 COMMISSIONER HANSSEN: When I looked at this I
4 said yes. I didn't even think about it, it just seemed to
5 make sense because of the Los Gatos Boulevard Plan and all
6 the discussions we had.

7 On number 10, I thought I remember are Community
8 Development Director saying something about if you move the
9 entire width of the property in the Lark District, is that
10 880', or did I mishear that? I heard that there might a
11 width issue if you were really going to try to put a
12 buffer, particularly in the Lark District relative to 17,
13 but maybe I misheard.

14
15 JOEL PAULSON: I think that was in reference to a
16 suggestion from a member of the public to increase the
17 buffer to 300', I think, so it was a third of the entire
18 depth of the whole site, and that becomes challenging.

19 This is a little bit different comment, I think.
20 It's maybe looking at the potential restriction of
21 residential within a certain distance, so that wouldn't
22 preclude commercial necessarily, it wouldn't be taking the
23 full use of that entire area, so I think that was in
24 reference to a different comment.
25

1 COMMISSIONER HANSSEN: Okay, but I thought about
2 the part about the commercial as well. Well, there are
3 permitted commercial uses in the Lark District in the
4 current plan, so that might be a good place to put them.
5 There wasn't a lot in the Phase 1 proposal that we saw. I
6 don't think there was any in the Lark District; it was in
7 the Transition District. But that might be a change to
8 consider putting in there, and it would address two
9 concerns. One is having a little bit of neighborhood-
10 serving commercial in the Lark District, and two,
11 addressing the issue that was brought up about how health.
12 I'd be supportive of thinking about that.

14 CHAIR HUDES: Other Committee Members on items 8
15 or 10?

16 I might just add my comment that, again, reading
17 8, I thought it was a great idea, particularly since it
18 looked like we were getting sort of an isolated set of
19 residential buildings there that didn't have continuity.
20 Looking forward into the Northern District, it seems as
21 though it would probably be a good idea there as well, from
22 my perspective.

23 Item 10, I am not particularly swayed by the
24 argument to move all houses away from there. Considering
25

1 the need to achieve density, I think it could be difficult,
2 but that's just my perspective on that one.

3 I'm going to move on to item 11, which really has
4 to do with the cottage clusters, and I think we found that
5 the cottage clusters didn't move forward, they required a
6 Conditional Use Permit, so there's a suggestion to remove
7 the Conditional Use Permit for cottage clusters.

8 Yes, Mayor.

9
10 MAYOR SPECTOR: Thank you. I think that one is a
11 very good idea, to get rid of that. Now, I understand that
12 there were reasons within a specific development not to
13 include the cottage clusters, but during the history of
14 developing the Specific Plan the cottage cluster in
15 discussions was a very popular use, whether or not any one
16 specific developer could or could not use it within its
17 plan, I don't know, but I like getting rid of the CUP.

18 CHAIR HUDES: Thank you. I would agree. Any other
19 comments?

20 I want to just maybe ask Staff what was the
21 history of putting the CUP on the cottage clusters?

22 JOEL PAULSON: I think Vice Mayor Sayoc can
23 answer that.

24 VICE CHAIR SAYOC: I was going to comment on
25 that. The history of that, this is an example of one area

1 that did not get cleaned up when we did the Housing Element
2 and the Specific Plan.

3 During the Specific Plan residential use
4 discussion we were very clear that we did not want detached
5 single-family homes, because that was not an unmet need,
6 and we were afraid that cottage clusters could in essence
7 be detached single-family homes, and thus the CUP
8 requirements, so that we had the opportunity to look at it
9 and say hey, don't try to fool us, basically. But now that
10 we have the density requirement there really is no way, in
11 my mind, that someone could do a single-family home and
12 call it a cottage cluster, so I think that's just an
13 obsolete requirement that we should all be able to agree
14 on.
15

16 JOEL PAULSON: I think it also brings back one of
17 your first comments on item 1, which is if you have
18 development of a number of units, the cottage cluster
19 clearly will not be at 20 units per acre, so you end up
20 moving to 12, where there was the comment made before that
21 you may have to increase the number of units to accomplish
22 that.
23

24 CHAIR HUDES: I agree. I think there was public
25 testimony about missing out on the cottage cluster housing

1 type, and so I think that it makes sense to remove that,
2 from my perspective.

3 Number 12 is a big issue. Increase the total
4 number of residential units on the North 40, and I was a
5 little surprised to see it on the list, because it seemed
6 to me that this one would move into the redo the EIR
7 category. Maybe you could explain how that works.

8 JOEL PAULSON: It wouldn't require any change to
9 the EIR, because the EIR actually looked at 364 units, so
10 that wouldn't be a problem from that standpoint. I can't
11 remember the exact genesis of that, but in looking at maybe
12 not having... With item 1 and item 11 potentially, not being
13 built at 20 units per acre, you eat those units up but you
14 won't be able to achieve the 20 units on the back end,
15 unless someone, as the Town Attorney said before, requested
16 a density bonus, then you may be able to get back there,
17 but we're probably not going to be able to rely on that
18 assumption.

19 CHAIR HUDES: So there is a cap though at 364. I
20 know there was some public comment that the entire North 40
21 could be residential, but that would go beyond the EIR?
22

23 JOEL PAULSON: Correct.

24 CHAIR HUDES: Okay. So Committee Members opinions
25 about increasing the number of units?

1 Commissioner Erekson.

2 COMMISSIONER EREKSON: It seemed like to me one
3 would have to be clear about, if I was going to do that,
4 what I'm doing with item 5 under the Commercial. Does that
5 imply if I'm increasing the number of residential... Again,
6 with a fixed amount of land with limitations on height and
7 expectations for open space, if we're suggesting increasing
8 the number of residential units, are we also suggesting to
9 reduce the amount of allowable commercial space? Are we
10 changing the mix? I mean the mix wasn't prescribed at a
11 specific, but there were boundaries put around it that were
12 potentially achievable, so if we were to significantly
13 increase the number of residential units we wouldn't be
14 able to stay within the same range of commercial square
15 footage.
16

17 LAUREL PREVETTI: Mr. Chair, if I may? As we've
18 been talking with some of the other items, the idea of
19 being able to do smaller units means that you can put more
20 units in a same area of land, so it doesn't have to affect
21 the mix of the land uses, so we should be okay there.

22 I would just suggest that for number 12, given
23 the spirit of the conversation this evening, that any
24 increase in the total number of units would only be to
25 facilitate the cottage cluster or the low-density along

1 Lark, so it could be constrained. As this reads now,
2 "Increase the total number of units," it sounds like the
3 sky is the limit, let's go to that EIR max of 364, but I
4 don't think that was really the spirit of the suggestion
5 that came forward from the Council, so I think if the
6 Committee is agreeable, I think we would be looking for how
7 do we tighten that up and make it very clear that we're
8 looking for some boundaries around how much of an increase.
9

10 CHAIR HUDES: Right. Other Committee Members on
11 the increase, the amount, or whether we should?

12 Commissioner Hanssen.

13 COMMISSIONER HANSSEN: I actually did some back
14 of the envelope math. The way the current Specific Plan is,
15 with the 270 units and the zoning requirement for 13.5 at
16 20 units per acre, and the potential for a 35% density
17 bonus, which we don't know if it would happen, but we have
18 to assume that it could, and that was certainly the way the
19 Phase 1 proposal went with the first round. That being the
20 case, if you want to facilitate cottage clusters, which I
21 think we do, you have to add number of units to the plan,
22 because we can't count on using the density bonus for it.
23

24 I would suggest, and what I was doing in my mind
25 was keeping a cap on it, which we kind of already have a
suggested range of a top at 40 to 50 units, so if it turned

1 out that cottage clusters could only be eight units per
2 acre, I don't know if that's right or not, you could
3 basically set it up where there was a limit of a certain
4 number of units that can be at that low of a density, but
5 you'd have to add those to the total of 364.

6 LAUREL PREVETTI: To the total 270.

7 COMMISSIONER HANSEN: Two-seventy, but knowing
8 that there is going to be potentially a bonus that will
9 take you up to 364.

10 LAUREL PREVETTI: No, you wouldn't have to...

11 COMMISSIONER HANSEN: No? No, don't worry about
12 that? Okay.

13 LAUREL PREVETTI: Don't worry about the density
14 bonus. If it comes, we'll have to deal with it at that
15 time.

16 COMMISSIONER HANSEN: So it's 270 plus whatever
17 number it takes to accomplish the number of cottage cluster
18 units that you want to have.

19 CHAIR HUDES: Other comments on that? My comment
20 on that is that given that we do get these bonuses on top
21 of numbers that are prescribed that we should stay toward
22 the 270 number, my opinion, but I guess we'd be waiting to
23 see what number would come about if we included cottage
24 cluster then.

1 I had one more question in the Residential
2 section, and then I think we'll take a break and figure out
3 how late we're going to go.

4 Number 13 doesn't have a Staff response, but it
5 says is it possible for the Town to allow a developer to
6 have a density bonus if the developer requests it, but not
7 necessarily have those 13.5 acres in a certain location
8 that is spread throughout the property? This has been a
9 question for me as well, how do you define that 13.5 acres,
10 and how does that relate to a particular application?
11

12 ROBERT SCHULTZ: I'm not sure I quite understand
13 the question the way its phrased, but I'll try to interpret
14 the way I think it is.

15 If a developer comes in and wants a density
16 bonus, he can put it within that application's property.
17 For example, in this case let's suppose the application
18 came in and wanted the density bonus, but wanted to carry
19 it over to the other Transition District and say that's
20 going to be part of the next phase coming in. We told them
21 no, you can't do that. So it would have to be part of your
22 application within the property that you currently develop,
23 if that's the question you were asking.
24

25 If it's regarding where the 13.5 acres is,
another way to do it besides this percentage and spreading

1 it out is you can actually take the map and rezone the 13.5
2 acres on this map and say these are the acres where there
3 will be 20 units per acre, instead of doing a
4 percentagewise, if you want to be that specific. That's
5 really what our Housing Element says. It says you will
6 rezone 13.5 acres, so that's a possibility to look exactly
7 at the map and determine exactly where those 13.5 are. So
8 if it was part of the application, it could be done, and if
9 that was done, 13.5 were, and they're all situated
10 wherever, so long as they had control of the property and
11 that was part of their application, to build those dense a
12 units right there at that time as part of their
13 application, yes, they could do that. They can't say okay,
14 I've got a density bonus of 20 units and I'm just going to
15 carry those over and build them later; that we would not
16 allow. I hope that answered the question.

18 CHAIR HUDES: This was a question that was one
19 for inclusion, so other Committee Members want to comment
20 on item 13?

21 Yes, Mayor.

22 MAYOR SPECTOR: Follow up with Mr. Schultz. Just
23 hypothetically, could the Town say, following up on what
24 you said, we want—I'm going to use round numbers—four of
25 those acres in the Lark District and four of those acres in

1 the Transition District and four of those acres in the
2 Northern District?

3 ROBERT SCHULTZ: Yes.

4 MAYOR SPECTOR: Okay, thank you.

5 ROBERT SCHULTZ: And then I guess the question
6 was, and Joel just mentioned that, when they take that
7 density bonus could we tell them where to put the units?
8 No, that's part of their application. They can determine if
9 they want to make their density at 20 acres and want to
10 make that one at 24 or 25, that's where they get that
11 choice to do that, unless you can make that health and
12 safety finding.
13

14 CHAIR HUDES: It sounds like with regard to item
15 13 and the area of the 13.5 acres for the density bonus
16 that there are several approaches for it. One would be to
17 just specify how housing is distributed across all three
18 districts and let those 13.5 come about. The second
19 alternative would be to actually rezone the map and say
20 this is where the 13.5 acres are located. It sounds like a
21 third alternative is to say that of the 13.5 this many
22 acres would be in this district, this many in the second,
23 and this many in the third.
24

25 Do Committee Members have an opinion about those
three alternatives for addressing where to put the 13.5

1 acres? Okay. I think it's a lot to take in. Maybe we ought
2 to think about that one and revisit it the next time. Maybe
3 Staff will have some suggestions about those options.

4 LAUREL PREVETTI: The other option is that just
5 having the question on the table allows us to bring back
6 those options for Planning Commission consideration. I
7 think we have some ideas of what the Planning Commission
8 and Council might want to see in terms of next steps, so it
9 doesn't necessarily have to come back to this Committee,
10 but certainly for most of you on the other bodies, you'll
11 have a chance to look through those options.

12 CHAIR HUDES: Well, we'll leave that open then,
13 and we won't necessarily come back to it, but if Committee
14 Members think about it and want to weigh in on those three
15 options or other ones, we'll certainly not close that off.

16 Are there other comments on Residential before we
17 take a break? These were the ones that came to us from
18 Council, but are there other considerations that are not
19 related to height, which also I think impacts residential,
20 which we'll come to in a few minutes?

21 Commissioner Hanssen.

22 COMMISSIONER HANSEN: I don't know if it belongs
23 in this Residential discussion, but the comment I brought
24 up at the beginning about the current Specific Plan, you
25

1 can only put residential over commercial in the Northern
2 District, and I'm not saying we need to revisit that, but
3 it's tied into this density discussion.

4 We learned during the hearings that it might not
5 be feasible to do twenty dwelling units per acre,
6 especially since we're talking about potentially putting
7 numbers in, or percentage ranges of what needs to be in
8 each district. I wondered if we shouldn't make sure we
9 discuss that and see if we need to change it, because it
10 seemed like it was sort of a nonstarter for trying to
11 accomplish the housing over commercial with the density.
12

13 CHAIR HUDES: Okay, sounds like there's agreement
14 on that one.

15 Mayor.

16 MAYOR SPECTOR: There's an agreement on that one.

17 CHAIR HUDES: Thank you. I had a couple other
18 points on housing that really related to the comment about
19 translating the vision into specifics in the plan that seem
20 to be lacking a little bit, and so I would want to maybe
21 consider one of them, which is it doesn't only affect
22 housing, but it comes about strongly, and that's the look
23 and feel of Los Gatos, and the potential of including in
24 the Specific Plan some examples, architectural styles, and
25 much as we do with the housing, define what is good and

1 what is not good. In terms of look and feel, trying to make
2 look and feel a little bit more objective than it is. I
3 know it's an area that's difficult, but I wonder if other
4 Committee Members think that we should try to make that a
5 little bit less subjective and a little bit more objective?

6 Yes, Mayor.

7 MAYOR SPECTOR: I'm seeing yeses along here, and
8 maybe you are too. I think the answer to that is yes. I
9 personally think that the look and feel is objective, or
10 can be seen as objective in our current plan. However,
11 since not everybody does, it would be a good idea to
12 tighten it up.

13 CHAIR HUDES: The other one that came up again in
14 public comment, because he had sort of legal definitions of
15 density, but there was the term "intensity" that was used,
16 and I think there were some descriptions about how you can
17 achieve density with less intensity, and I'm wondering if
18 that's something that we might want to at least define, try
19 to define intensity, and try to assert that we are looking
20 to limit the intensity. Maybe it's just me, but I had
21 trouble with those two terms, and I didn't really find
22 anything in the Specific Plan that helped me to achieve the
23 density with less intensity. A lot of nodding heads on that
24 one, so maybe we could look at that.

1 Okay, I would suggest that we take a ten-minute
2 break, since I wasn't quite prepared for the hearing, and
3 we'll figure out how far we're going to get tonight, so if
4 we could take ten minutes, please.

5 (INTERMISSION)

6 CHAIR HUDES: I'd like to get started again if we
7 could. I'd like to move on to the next section, which is
8 Commercial. There are a number of suggestions in Commercial
9 and I wonder if there is any sort of broad discussion,
10 anything anyone would like to say about the Commercial
11 area, before we get into the specific suggestions?
12

13 I do have some comments about this section in
14 general. I think we had a very small test of the commercial
15 with the application, but I think it's also given the
16 opportunity to raise other questions, and there were quite
17 a few comments about the Specific Plan during the study
18 session on the Specific Plan that preceded the Council's
19 deliberations on the application as well, and so I did want
20 to make a few comments from my perspective.

21 This is an area that I've been very passionate
22 about for some time, and it's really not about eliminating
23 competition to the downtown. To me it's about creating a
24 level playing field so that the entire town can thrive, and
25 leveling the playing field I think involves two steps, or

1 two parts. Only part of it is applicable to the North 40,
2 and part of it is contained in the North 40 Specific Plan,
3 but I think we have to think about these two things in
4 tandem and not have the North 40 progress be the cart that
5 comes before the horse.

6 The first step to me is in enhancing the business
7 environment of the downtown so it can be competitive and
8 thrive and create synergies with the North 40, and so there
9 are some suggestions that came about as a result of this
10 process. I think Council Member Rennie's suggestion, Mr.
11 Millen (phonetic) to provide zoning to accommodate a market
12 hall elsewhere in town, perhaps in downtown. Other ways of
13 achieving synergy and enhancing the downtown would be to
14 have transit connections between the North 40 and downtown,
15 to revise or relax the CUPs in downtown for businesses that
16 could compete with North 40 retail. Also, funding town-wide
17 parking improvements, and also requiring the development of
18 the North 40 to include a specific cross-marketing plan and
19 funding of cross-marketing activities. Another idea that
20 was considered is forming a standing economic vitality
21 advisory group to monitor the impacts of commercial
22 development in the North 40 and recommend actions, should
23 they be appropriate.
24
25

1 Then there are other areas that would go in
2 tandem with this and may or may not be as necessary, but
3 those fall more into the control side of it on the North 40
4 and so very little controls actually exist in the plan, but
5 there are some things that could be considered.

6 One is a distribution matrix with ranges not just
7 of the space and sizes, but also the business types. This
8 was originally proposed by the consultant and considered by
9 the North 40 Committee. It was also referred to in I think
10 the first economic report. Other ideas would be to limit
11 Phase 1 retail, and that's one of the specific points
12 below. Limit Phase 2 retail to a certain number of units
13 per square footage, and then to include the requirement to
14 objectively analyze the economic impacts of the specific
15 application, not just the plan, and I think some of that is
16 incorporated now in the Specific Plan, but I think we've
17 learned something from doing that economic analysis about
18 improving that a bit. Then potentially including CUP
19 requirements for a development application that has a
20 potential of introducing retail that's substantially
21 competitive to downtown and other areas.

22 So that gets us really to our first point, but to
23 me those are sort of the broad ways of looking at in order
24 to have a thriving town we need to think about leveling the
25

1 field, and that comes from creating some synergies with
2 downtown, and it comes from potentially putting some
3 controls in the Specific Plan on commercial development and
4 getting the balance right between those so that we end up
5 with a level playing field.

6 Those are just my thoughts broadly on that. Any
7 reaction to that? And then happy to go through the specific
8 points.

9 Yes, Commissioner Hanssen.

10 COMMISSIONER HANSSSEN: I just had a question.
11
12 There's obviously a lot of history with our CUP process
13 downtown. If you weren't involved in the process it would
14 seem like the easiest thing to do would be to just take
15 away CUPs from downtown, but I'm sure that's been discussed
16 already. There was a little bit of discussion about it
17 during the Town Council hearing on the 27th. I was just
18 curious what the thoughts were, because it seems to be
19 adding an undue burden to add that to the North 40, but
20 certainly it makes sense to have them on a level playing
21 field with downtown, but would it be easier to modify what
22 we have downtown?

23 MAYOR SPECTOR: Thank you. This is an area that
24 when we did the North 40 Advisory Committee this was an
25 issue, the commercial, that Mr. Hudes and I probably, I

1 think, focused on maybe more then other members of our
2 committee, and it is an important area. It's important to
3 the success of the North 40, and it's important to the
4 continuing success of the downtown. There was an attempt to
5 include in our Specific Plan either certain square footages
6 of different commercial uses, or total square footages, and
7 that component never made it into the final Specific Plan.
8 There were also considerations of having more CUPs in the
9 Specific Plan; that never made it into the Specific Plan.
10 Quite frankly, it was the reason I voted against the
11 Commercial component and the entire Specific Plan, for
12 those reasons.
13

14 Some of the things that Mr. Hudes was talking
15 about, the transit, shuttles, whatever, between the two
16 parts of town, I think that is a great idea. Making the
17 CUPs in the North 40 consistent with the downtown, I think
18 that is very important.

19 Going to Commissioner Hanssen's questions, if you
20 want to take the big Conditional Use Permit parameters in
21 the downtown, they deal with CUPs for formula stores, or
22 chain stores, and not for our local small businesses. They
23 are for service, spa kinds of uses. They are for
24 restaurants and bars. The whole history—getting back to
25 what you were saying—of those Conditional Use Permits was

1 in order to increase the existence of success of our local
2 businesses. We know that it is far easier for a bar or a
3 restaurant or a spa or a formula store, chain store, to
4 come in to Los Gatos, but we were trying to keep a blend,
5 and to the extent of that, we've done that, we do have a
6 blend in our town far greater, for example, than Palo Alto
7 that was just in the newspaper today, and Campbell that was
8 in the newspaper within the past six months.

9
10 If you start changing those balances between the
11 locally owned store and the chain store, between the spa
12 and non-spa, you're going to disrupt the equilibrium that
13 we tried so hard to create. So if that's where people want
14 to go with regard to the downtown, I think it needs to be
15 done very cautiously, and if our reason for doing it is so
16 that we protect the downtown from the North 40, it might be
17 premature.

18 I share Mr. Hudes' passion about this issue, and
19 I think it's one that this committee, the Planning
20 Commission, and the Council needs to examine cautiously.

21 CHAIR HUDES: Thank you. Vice Mayor.

22 VICE CHAIR SAYOC: I'm think I'm going to echo
23 the comments... Let me step back. I'm going to echo the words
24 "act cautiously" on this. This morning I spent some time
25 with I believe it's the West Valley Brokerage community,

1 and just having now had an opportunity at a Council level
2 to really sit at the discussions that are happening region-
3 wise on economics, vitality, and the changing world of
4 retail and learning that it's quickly changing, it's very
5 dynamic, it's evolving. Even the discussions that we've had
6 previously on formula retail. Formula retail, just learned
7 today, that's at a decline. With online sales, things that
8 we are thinking of that are traditionally in brick and
9 mortar are slowing changing, and what other communities are
10 doing is they're loosening their regulations to better
11 adapt to new policies and to new changing environments.

12
13 So when I say I agree with working cautiously, I
14 think, yes, we have to look at what is best so that we
15 don't have one neighborhood at an advantage over another,
16 but we also have to look at not harming all of our downtown
17 business corridors inadvertently by putting unnecessary
18 regulations when we're in a dynamic environment that is at
19 least is making me think loosening regulations might be the
20 better way to move forward.

21 CHAIR HUDES: Just to add a comment to that, I
22 think that we have to be realistic about what's the purview
23 of this General Plan Committee and our task to revise the
24 Specific Plan if it does need that. In my mind, you have to
25 couple these things. There are some things that have been

1 discussed at the Council level about revising or relaxing
2 CUPs or providing parking, but I think that we can't assume
3 that those are going to happen necessarily, so to me it's
4 about getting that balance and so potentially including
5 some controls in the Specific Plan until such time as that
6 loosening, or freeing up of the ability of the downtown to
7 compete, actually occurs. That's what I meant about the
8 cart before the horse.

9
10 I'm concerned about allowing just anything goes
11 in the North 40 while we're still very constrained
12 downtown, maybe with the hope of loosening things up but
13 we're not there yet, and so that was my thinking about why
14 we might consider some controls in the North 40 regarding
15 commercial, with the possibility of relaxing those when the
16 playing field does even out, if that makes sense.

17 Commissioner Hanssen.

18 COMMISSIONER HANSEN: So much discussion went
19 into this during the North 40 Specific Plan, it's kind of
20 hard to come back after the fact and say wow. But given
21 what the Mayor just said, I wondered if a way to start with
22 it might be to take some of the permitted land uses, and
23 maybe the ones that we think would be most threatening to
24 downtown, maybe they'd need to have a CUP. There are a
25 number of businesses that have that already in the

1 permitted land uses, and I don't honestly know which ones
2 they would be, but maybe that would be the start, not
3 having everything have to have a CUP, but maybe the ones
4 that we thing that would be the most threatening to
5 downtown, and that way it would be somewhat of a control,
6 but it wouldn't be overly burdensome.

7 CHAIR HUDES: Let's try to draw it back to the
8 list that we have in front of us. I think that that comment
9 may relate to item 4 and some other items, but let's just
10 take the first item on its merits and get some comments,
11 and that is that CUP requirements should be the same as
12 downtown. Is there a sense of the Committee on that?
13

14 VICE CHAIR SAYOC: I have a question of Staff.

15 CHAIR HUDES: Yes, go ahead.

16 VICE CHAIR SAYOC: Just a quick question of
17 Staff. In our CUP requirements we have various requirements
18 not only for downtown, but various parts of our other
19 commercial centers, right? I should have thought of it
20 earlier, but is it possible to look at what it is for each
21 district? Is there an opportunity if we're looking at it to
22 make it the same town-wide, versus just downtown? I'd be
23 interested to hear with this committee if we're looking at
24 just putting downtown and North 40 on the same.
25

1 JOEL PAULSON: I'll just speak generally. There
2 are some differences. The two big differences are that
3 formula retail outside of downtown only requires a
4 Conditional Use Permit if it's over 6,000 square feet.
5 Where the downtown requires a Conditional Use Permit for
6 personal service, that's not required outside of the
7 downtown. I think those are the two big differences.
8 Restaurants already require CUPs in both areas, so those
9 are really the two differences between downtown and outside
10 of downtown.
11

12 CHAIR HUDES: Mayor.

13 MAYOR SPECTOR: Following up on that, it would be
14 helpful to me if this is going to come back to us, the CUP
15 issue, or I guess any control issue, to see where the
16 differences are; I mean a red line or whatever you want to
17 call it. This is the North 40 current Specific Plan, and
18 this is the Boulevard or whatever, and this is the
19 downtown.
20

21 JOEL PAULSON: We can do that.

22 CHAIR HUDES: Yeah.

23 MAYOR SPECTOR: And so then we can like zero in
24 on... It may be that we want it to be all the same, or it may
25 be that that's not realistic, but there are defined areas
where we think it should be.

1 CHAIR HUDES: I see a lot of nodding of heads on
2 that one. Any other comments with regard to number 1. I
3 think we've had a request for some more information on
4 that, but any other comments on it? Okay.

5 The next one is to allow commercial or mixed-use
6 on Los Gatos Boulevard. First of all, let me get some
7 clarification on that. Is it not allowed in the Specific
8 Plan currently? What's the current status?

9
10 JOEL PAULSON: I think this is related to the one
11 in Residential where we said we don't want residential
12 along Los Gatos Boulevard. The one modification here is
13 this potentially would allow mixed-use, so you'd still have
14 commercial, but it wouldn't be standalone commercial, it
15 would be generally residential above commercial, and so
16 whether one or both of those should be added to the
17 Specific Plan.

18 CHAIR HUDES: The way I read it then, it would be
19 to allow only commercial or mixed-use on Los Gatos
20 Boulevard; that's the intention.

21 JOEL PAULSON: Correct.

22 CHAIR HUDES: Okay. Yes, Vice Mayor.

23 VICE CHAIR SAYOC: Actually, that's a wrinkle
24 that I hadn't thought about when looking at Residential
25 number 8. I'd be interested to know what people think of

1 mixed-use. I don't believe just absolute residential on Los
2 Gatos Boulevard makes sense, but perhaps mixed-use might
3 open up some options. I'm just curious what other Committee
4 members think.

5 CHAIR HUDES: Yes, Commissioner Hanssen.

6 COMMISSIONER HANSSEN: When we were doing our
7 walk through of the North 40 I thought we had this
8 discussion, and I don't know if I remember correctly, but I
9 thought that because of the perimeter rule you can only go
10 up to 25'. I think it applies to Los Gatos Boulevard too,
11 if I'm not mistaken, so then that makes mixed-use not
12 possible. I think we talked about why there was only
13 housing and why couldn't it be retail over commercial,
14 because that would make more sense given the flow of what's
15 going on on the Boulevard. I don't know if we want to open
16 up a can of worms to make the height bigger, but that would
17 be a way to do it. I don't think we'd be missing that much.
18 I mean there are plenty of opportunities for mixed-use
19 elsewhere in the North 40 besides on Los Gatos Boulevard. I
20 don't think we'd be missing anything by not allowing that.
21

22 CHAIR HUDES: Thank you. Other comments? Okay,
23 then I'm going to move on to number 3, which is to explore
24 commercial uses in the Lark District, and currently I
25 believe that's not permitted at all in the Lark District.

1 JOEL PAULSON: There are some uses that are
2 permitted in the Lark District that are commercial.

3 CHAIR HUDES: So would we need to actually modify
4 anything or change the Specific Plan to accommodate that
5 idea?

6 JOEL PAULSON: I think the question is probably
7 twofold.

8 One, should more of the commercial uses that
9 currently are not permitted or permitted using a
10 Conditional Use Permit be permitted or require a
11 Conditional Use Permit in the Lark District? That's
12 probably the first one.
13

14 The other potentially is changing the general
15 overview of the Lark District. The language in here
16 regarding the Lark District and commercial uses and maybe
17 freeing that up a little bit more on the commercial side
18 are two areas where I see that as being potentially
19 beneficial to that comment specifically.

20 CHAIR HUDES: And we do already have a fair
21 amount of commercial in the Lark District through the
22 grandfathered businesses, correct?

23 JOEL PAULSON: Currently there is the gas
24 station, and then I can't remember where the Transition
25

1 straddles and whether or not the three office buildings as
2 you go north are all in that, or only two of them are.

3 CHAIR HUDES: All right. Mayor.

4 MAYOR SPECTOR: Thank you. It would seem to me
5 that if we do indeed reduce the new Specific Plan, reduce...
6 Well, we already have it in the old Specific Plan, but if
7 you have a reduced number of housing in the Lark area, then
8 you have the opportunity to have more commercial, and if
9 your goal is to have commercial that serves the northern
10 part of Los Gatos and the North 40, I don't know if the
11 answer is to create more commercial than we already have,
12 or not, but I think we should provide commercial for the
13 north part of Los Gatos and for the North 40 and to have it
14 included on the Lark area.

16 CHAIR HUDES: Other comments? I'm getting some
17 head nodding. Yes, Mr. Barnett.

18 COMMITTEE MEMBER BARNETT: The concern that comes
19 to my mind would be adverse consequences: traffic,
20 nuisance, and whatnot. I assume that there would be some
21 planning tools that could be used to mitigate this, but I'm
22 open for comment.

23 CHAIR HUDES: I would maybe also add my comment
24 to that, that this goes to me hand-in-hand with eliminating
25 the residential that's currently in that pocket in the Lark

1 District on the Boulevard. It does make sense to me to look
2 at potentially more commercial in the Lark District and to
3 change the general overview of that, so I'm sort of in
4 favor of what's in number 3 myself.

5 Commissioner Hanssen.

6 COMMISSIONER HANSSEN: I know we're going to talk
7 about this later, but I wondered if the thing to do might
8 be to put a limit on the total amount of square footage for
9 commercial in the Lark District? There is also the CUP
10 process and the what's permitted uses. I'm looking at Table
11 2-1, the Permitted Land Uses. Right now there are typical
12 things that would be personal service: restaurant, personal
13 service office, financial institution, the bank. There
14 isn't a whole lot else that isn't without a CUP that's a
15 business per se, but even like a small family day care,
16 would that be in somebody's home? A botanical nursery is
17 allowed. So there are already some permitted uses, but if
18 we were worried about it being too much, we could always
19 put a limit on how much square footage, or maybe not.

20
21 CHAIR HUDES: I think we're on to number 4 now,
22 which is considering maximum square footages for commercial
23 use instead of CUPs, and we haven't resolved the CUP part
24 of that statement, but maybe take it without the CUP
25

1 portion of that statement, but to consider maximum square
2 footages.

3 The other idea and the other thing that came in
4 and out of the Specific Plan a number of times was square
5 footage ranges as well, and a table of ranges of square
6 footage, not just maximums. Do other Committee Members find
7 merit in those ideas?

8 Mayor.

9 MAYOR SPECTOR: Thank you. Yes, I do. Having been
10 someone who tried to create those tables, it's difficult,
11 and having the square footage is never accepted into the
12 Specific Plan as a further indication of how many
13 individuals will consider it difficult, but I like the
14 idea.
15

16 CHAIR HUDES: My recollection is we were close on
17 that one, and I think maybe we did have maybe a straw man
18 to go in to that from the previous work that the Committee
19 did, and that in conjunction with considering CUPs, this
20 could be a useful way of working on the level playing
21 field.
22

23 I'm going to move on to number 5, which is to
24 consider a reduction in the amount of commercial square
25 footage; Table 2-2 in Section 2.5.1, address that. Maybe

1 Staff could remind us what the current square footage is
2 that we would consider reducing.

3 JOEL PAULSON: The current maximum new square
4 footage is 435,000 square feet.

5 CHAIR HUDES: And is that strictly... What's
6 included in commercial?

7 JOEL PAULSON: There are two categories. That's
8 Total New. There is approximately 66,000 square feet of
9 existing, and the cap is 501,000 square feet. The
10 commercial, which is everything excluding office or hotel,
11 the cap is 400,000 square feet. Then the cap for office or
12 hotel is 250,000 square feet. So clearly, and this came up
13 a lot with the Advisory Committee, you'll never be able to
14 accomplish the maximum of both of those, but just throw
15 that in there. I'm sure people remember those conversations
16 as well.

17 CHAIR HUDES: And commercial includes
18 restaurants, retail, specialty market, health club,
19 personal service, and entertainment?
20

21 JOEL PAULSON: It's generally everything except
22 for office and hotel.
23

24 CHAIR HUDES: Right. So Committee Members, what
25 are your thoughts about reducing the 435,000 number
overall, without delving into the specifics?

1 Commissioner Hanssen.

2 COMMISSIONER HANSSEN: I don't know if I heard
3 this right, but in the Town Council hearing there was some
4 testimony that the 435,000 square feet is more than double
5 what we have downtown. Is that correct?

6 JOEL PAULSON: Not from a commercial square
7 footage.

8 COMMISSIONER HANSSEN: All right, so that was
9 incorrect, but I know that was a concern that was
10 expressed. Something that came to my mind, there are a lot
11 of balls in play here, for example, if we decided—which we
12 haven't yet—that we had to increase the number of the
13 amount of open space and we reduced the density requirement
14 and had a push back from Highway 17, I wondered if
15 everything could fit, all the commercial.

16
17 Then you already mentioned you can't have all the
18 commercial and office and hotel, so at some point we have
19 to do that analysis and say what is the most important
20 thing that we have to accomplish out of this in addition to
21 addressing the competitiveness issue? So I wondered if
22 we're able even to say what it needs to be until we kind of
23 decide what the other pieces look like, if that makes
24 sense?
25

1 LAUREL PREVETTI: And that's certainly a
2 possibility as the amendments themselves move through to
3 Planning Commission and Town Council. I think the other
4 piece to remember is Table 2-2 really sets out the
5 maximums, so if there's a specific reason why you would
6 want to reduce them, that would be helpful to know, but
7 otherwise this really is just an envelope; it doesn't mean
8 that you have to achieve all of the square footage either;
9 this is just the capacity.

10
11 CHAIR HUDES: Vice Mayor.

12 VICE CHAIR SAYOC: In looking at all the various
13 commercial uses allowable. One of the items that the
14 Advisory Committee continually expressed a desire for was a
15 hotel, and so I'm thinking now how do we provide incentives
16 to get what we want? Loosening regulations is one way, but
17 what other ways besides saying we would like a hotel can we
18 actually see that take place in the next iteration?

19 LAUREL PREVETTI: There are a couple of ways to
20 accomplish that, and it looks like the Town Attorney is
21 ready to go, so why don't you get started?

22 ROBERT SCHULTZ: Well, it's just near and dear,
23 because I dealt with this issue quite a bit in some other
24 jurisdictions, and you do have to relax the regulations for
25 that to occur. One of the issues that we did when we put

1 the height restriction, you have limited the ability to
2 obtain hotels, because they don't want to spread their
3 units out; they want to go up. Once you tell them about the
4 restriction, they pretty much will just walk. They don't
5 even want to listen to what else you could give them as far
6 as incentive, so that's what you have to deal with really.
7 The height would probably be the number one, but there are
8 other incentives you can do, that we could do, if that was
9 the goal. Then we could come back with language that would
10 provide those incentives.
11

12 JOEL PAULSON: And I think the existing Specific
13 Plan, for the hotel, it's actually a permitted use, so we
14 don't even require a Conditional Use Permit, so that's one
15 incentive. It's kind of coupling all of the issues together
16 is really great, it's permitted use, you have the height
17 challenge, which may be challenged, but then when you park
18 it you provide the 30% open space and all of the other
19 requirements, it becomes challenging. It doesn't mean it's
20 impossible, but probably becomes challenging, because
21 typically that market for hotels is very tight as far as
22 what they can make work economically.
23

24 ROBERT SCHULTZ: And just from a corporate
25 standpoint, the big names, they have their set protocols of
what they're looking for and what their standard building

1 is, and so they look to see if it's going to fit in the
2 box, and if it doesn't...

3 CHAIR HUDES: I think we've gotten a little into
4 the discussion on number 6, which are the actual commercial
5 needs. I wanted to try to draw number 5 to a conclusion, if
6 I could. Are there other comments from Committee Members on
7 reducing the amount of commercial square footage?

8 Mayor.

9
10 MAYOR SPECTOR: Thank you. It's actually going to
11 go back, because I do think that we've had a lot of input
12 over the years that people want a hotel, and I understand
13 that there are development parameters, but one way to do
14 that and to also get to wherever you were going on number
15 5, I think, is to take that Table 2-2 and increase the
16 square footage for the office hotel, and then that would,
17 if you wanted to keep the total, decrease the square
18 footage for the other commercial. So that's another metric
19 that could play into these two potential objectives, which
20 is less commercial and a hotel.

21 CHAIR HUDES: Commissioner Erekson.

22 COMMISSIONER EREKSON: I think if one wants to
23 aggressively pursue a hotel as an option, one probably
24 should... Well, I guess I wonder, should one decouple office
25 and hotel but then also put an upper limit on the square

1 footage of hotel that's reasonable? That would attract some
2 hotels, but without suggesting that one was going to build
3 a 1,000-room hotel in town, so one could find some ground.

4 Attached to the hotel also, it wasn't always
5 clear to me in the earlier conversations whether the
6 interest was in a hotel or an interest was in the meeting
7 room, conference space, that was associated with the hotel;
8 whether it was our hotel itself, or whether it was to
9 achieve the other? But it seems like to me if one steps
10 back and thinks about community needs, all of the major
11 service clubs in the town now utilize the same space, which
12 we all know will be developed for something other than Los
13 Gatos Lodge in the reasonably near future. There's no
14 alternative in this town for those service clubs to meet,
15 and for other organizations, because places like the
16 History Club are limited in size, they're limited in
17 parking, and the opera house is limited in parking.

18 So if we have an opportunity to tweak this so
19 that we respond to what is a real need in the community, so
20 that one doesn't have to go to Villa Ragusa in Campbell or
21 other kinds of places that that would be good, from my
22 perspective it might be another reason for isolating the
23 hotel conference use away from office.
24
25

CHAIR HUDES: Mayor.

1 MAYOR SPECTOR: Thank you. I agree with Mr.
2 Erekson. What happened during the discussions leading up to
3 the Specific Plan is that it was consistent that we got
4 input that the community wanted a hotel, and they wanted a
5 hotel with meeting rooms. I mean that was consistent, and
6 so therefore it made the cut on Table 2-2. But then the
7 Specific Plan allows the developer to come forward with
8 components of the Specific Plan, and my sense is that a
9 hotel use, besides having the limitations that Mr. Schultz
10 pointed out, may not be as economically feasible as
11 building homes with commercial.
12

13 CHAIR HUDES: Thank you. I did want to weigh in
14 on that one, if I may, as well. There's been a fair amount
15 of time that's passed since we first were working on this
16 issue, and there have been developments, particularly
17 looking at Sand Hill Road, where you have venture capital,
18 you have incubators, and you have a very fine hotel located
19 in that space. We talked about retail leakage; I'm thinking
20 about brain drain leakage where we have our best innovators
21 leaving town to go work in a venture capital firm outside
22 of town when there is the opportunity to combine really
23 excellent office space, potentially incubator space, that
24 goes nicely with a modest sized hotel.
25

1 I think that's an important component and I
2 personally believe, coming back to the numbers, that
3 250,000 is a bit small to accomplish something of that
4 magnitude and potential real benefit for the Town.

5 The other side of that where I wanted to weigh in
6 was on number 5, on the amount of commercial. The amount
7 that we have is not equal to, but it's in the same league
8 as, a Santana Row, and it's certainly quite large compared
9 to our downtown. So without some of the limitations or
10 controls, I had proposed some smaller numbers of 300,000
11 square feet, particularly in the way it was phased,
12 combined with 67,000 square feet of real neighborhood-
13 serving that was integrated with the community.

14 I would put those numbers out there for
15 consideration of options, since it seems like we are going
16 to consider a reduction of the number of commercial square
17 footage, so I just wanted to put that out there.

18 VICE CHAIR SAYOC: What would be helpful when
19 this comes back is to have our economic vitality manager
20 weigh in. During the time that the Specific Plan has been
21 in creation were there any inquiries about a hotel, and
22 what parameters were they looking at? That might be helpful
23 to us, because clearly, as I mentioned, that was a
24 identified need that I can't say all of us, but the
25

1 majority of us, clearly wanted and desired in this plan,
2 and so it would be helpful for me to know if there was any
3 interest that was ever expressed and what those parameters
4 were.

5 It might even be a nice exercise to know what
6 those parameters were, and if that is something that we as
7 a committee can look at to see if that could fit within the
8 various criteria that exist now in the plan and whether we
9 would need to tweak it, and whether those tweaks would be
10 something we would support.

11 JOEL PAULSON: I just offer that we definitely
12 can talk to the vitality manager. We have had inquiries
13 about hotels. They generally don't give us their
14 parameters; they ask what our regulations are, and then
15 they go back and see if they can make it work. But we
16 definitely can try to get some general information on what
17 a hotel needs maybe from a square footage perspective
18 versus keys or number of rooms.

19 ROBERT SCHULTZ: Kind of a general rule of thumb
20 is 50,000 square feet for a 100-room, but that's kind of
21 changed. That's based on a 325,000 square foot room, and
22 now sometimes they're doing bigger and they're doing
23 boutique size, but that used to be the general rule of
24 thumb. I was just trying to look it up to see how much it's
25

1 changed, but that was kind of where you went when you were
2 looking at square footage of what it would take, and that's
3 just the rooms, and it depends on how much you want for the
4 conference facilities and other things, or if it includes a
5 restaurant.

6 CHAIR HUDES: I think we're addressing number 5
7 and number 7. I wanted to maybe focus a little bit more on
8 number 6 and the unmet commercial needs that have
9 previously been identified: general merchandise, building
10 materials, resident-serving businesses defined as serving
11 the north part of Los Gatos and the North 40. Do Committee
12 Members want to weigh in on those particular commercial
13 needs? Is that a good list? Should there be additional
14 items that should be considered in terms of commercial
15 needs?
16

17 Commissioner Hanssen.

18 COMMISSIONER HANSSEN: What we have in the
19 Specific Plan is fairly general right now. I don't think
20 that it makes sense to put names of businesses in there,
21 but it might be like we have in the Hillside Guidelines and
22 the Residential Design Guidelines, maybe some more examples
23 of what is desirable versus not in the districts. We have
24 some architecture things and pictures of row houses and
25 stuff, but not a lot of description about what we what.

1 That might help in terms of clarifying the goals, because
2 we have the CUPs and the permitted uses, but not a lot of
3 direction besides that.

4 CHAIR HUDES: Commissioner Erekson.

5 COMMISSIONER EREKSON: I guess I would caution us
6 that while I think in general the Specific Plan needs to be
7 more specific than it was, so it needs to be a more
8 specific Specific Plan in general; I think that's where
9 everyone got into trouble a little bit. But if we begin to
10 name types of commercial enterprises building, and I'll
11 just use the examples that are here, building materials and
12 general merchandize, the retail area is really dynamic, and
13 to the extent that we become too specific with those kinds
14 of uses and we approach it by being restrictive—and I'm not
15 saying remove the rule or guidelines that would prevent us
16 from having a huge big box store or something, although the
17 marketplace may be taking care of that for us—but I think
18 we have to figure out how to nuance the language so that it
19 will achieve what we want to achieve while not precluding
20 the fact that we may not know five years from now what
21 would be desirable to develop in that area because of the
22 changing retail nature. I don't know how to nuance the
23 language in that manner, but I think we have to be very
24 careful with the language so that we don't restrict or we
25

1 don't make our own language outdated by the time that the
2 property is actually developed.

3 CHAIR HUDES: Mayor.

4 MAYOR SPECTOR: Thank you, and Mr. Erekson is
5 correct. I remember speaking with Mr. Capobres when this
6 whole process first started and he was talking about
7 general merchandise, and he was talking about a Target
8 store, and then by the time we got to 2015 it was a little
9 Target or a baby Target, so yes, it does evolve.

10 COMMISSIONER EREKSON: I would say something
11 like, saying or thinking about so great, you pose the
12 problem and you don't offer any help with the answer. Fire
13 that guy. But some phraseology like "resident-serving
14 businesses," if we take the other one, if we intend for it
15 to be resident-serving, that can change over time, but
16 that's a nature of a use, not a specific commercial or
17 retail kind of thing.

18
19 So if we can figure out language, if you and
20 Monica can figure out language, or in the chamber,
21 whomever, can help us figure out language like that, that
22 is serving needs, that's more descriptive than simply
23 saying, "Serving unmet needs." Serving unmet needs is so
24 general and unspecific that I don't think it's really
25 helpful to the Town decision makers, nor is it helpful for

1 people who would want to apply and develop, because it's
2 just so innocuous, I think.

3 CHAIR HUDES: I'm going to take all of these
4 comments. I think they all address questions 5, 6, and 7,
5 and I wanted to move on to 8 and 9, maybe take those two
6 together.

7 Eight, the intent of the Specific Plan was to
8 protect downtown while providing neighborhood-serving
9 commercial and reducing retail sales tax leakage, and 9,
10 how do we make commercial that's near residential be truly
11 neighborhood-serving and not shoe stores and handbag stores
12 that draw people away from downtown, and then how do we get
13 the other portion of it to be general merchandising, again,
14 without creating a food court and a bunch of small stores
15 with dress shops and so forth?

16 That's pretty complex language for us to tackle,
17 but I think it boils down to how do we get the balance
18 right with the downtown, and how do we serve the
19 neighborhood needs without making this necessarily
20 regional? Do Committee Members want to weigh in on 8 and 9,
21 ways that we might accomplish that?

22 Yes, Committee Member Barnett.

23 COMMITTEE MEMBER BARNETT: I have a couple of
24 thoughts I'll throw out.
25

1 The first one is in terms of protecting the
2 downtown, but also making the North 40 economically viable,
3 I need that question and answer to whether the Town has
4 received consulting information from knowledgeable parties
5 about the proper mix and square footage that's
6 appropriate,, and potentially even the pad sizes that we've
7 been talking about.

8 Then a related concern I have is that I'm not a
9 barebones free market person, but the North 40 is not the
10 only competition for the downtown. There's Campbell,
11 there's San Jose, and there are limits to what we can do. I
12 really embrace the idea of having transit and other
13 practical ideas that would encourage shopping between the
14 two centers, but I'm wary about the ability of the Town of
15 Los Gatos to effectively protect the downtown. There's a
16 free market out there, ultimately.

18 CHAIR HUDES: Maybe I can weigh in a little bit.
19 I don't agree that the intent of the plan is to protect the
20 downtown. I think, in my opinion, the specific plan should,
21 and the intent is to, have the entire town thrive and to do
22 that by encouraging synergies between the downtown and the
23 North 40, not to go into a huge protectionist mode, but to
24 look at controls where they're appropriate, but that
25 shouldn't, in my mind, be the intent.

1 I do think though that there was a lot of
2 discussion that goes a long way back about neighborhood-
3 serving, or I like Commissioner Erekson's term, "resident-
4 serving," and in order to distinguish this from a Santana
5 Row or a Westfield or something like that I would suggest
6 some language for consideration regarding retail and
7 restaurants, that it be primarily or principally resident-
8 serving, and that then gives I think the deciding bodies
9 the ability to look at something and say okay, it's not
10 just serving a few neighborhoods or a few residents, but
11 that's the primary goal of this application, and I would
12 suggest that language to be considered for LU-6 and LU-7,
13 the land use statements.

14 Reactions to that? Commissioner Hanssen.

15 COMMISSIONER HANSEN: I think that makes a lot
16 of sense. I think it was brought up earlier, we've seen
17 some pretty dramatic changes in the kind of retail
18 applications that have been coming in for downtown, the
19 traditional shopping clothing stores and stuff going down
20 and we're getting spinning classes and cooking classes and
21 all this kind of stuff, so I wondered if we shouldn't have
22 some more eyes on this. I know the Town's plate is very
23 full, but it seems like this is really important to make
24 our town thrive, and I'm not sure that the info that we had
25

1 when we made the Specific Plan in the first place and did
2 all the market studies, if it's still valid. I don't mean
3 starting all over again, but it might be worth getting some
4 additional opinions on this. I just throw that out.

5 CHAIR HUDES: Vice Mayor.

6 VICE CHAIR SAYOC: A couple of points to that.
7 I'm going to touch on comments that you both have made, and
8 I'll ask our Town Manager to weigh in on some ideas we've
9 been talking about.
10

11 But this notion not to protect downtown, but to
12 have all our commercial business districts thrive, I think
13 is very important. Today at this meeting that I went to
14 when I was listening to our economic vitality manager, she
15 was pointing out how just with the addition of Lester
16 Square, which is the corner of Blossom Hill and Los Gatos
17 Boulevard, that's created some energy there where now you
18 see more people walking to have a hamburger, and after
19 school at 2:35pm you see the mass of Fisher kids that are
20 heading there. That's neighborhood-serving. You see Downing
21 Square where just with a couple of additions all of a
22 sudden there's synergy there. That's neighborhood-serving.
23 So it's hard to predict unless you're actually looking at
24 those parameters what one addition will be the critical key
25 to make that a vital element to make that neighborhood-

1 serving, and that's difficult for me at this level to
2 prescribe in the Specific Plan.

3 I like the general terms that we talk about,
4 neighborhood-serving, but it's always been difficult for me
5 to say, whether it's a CUP or a maximum square footage,
6 what it is that that particular neighborhood will be
7 needing at that particular time. But what's exciting is
8 we're seeing it happen town-wide now, and I do think that
9 further helps us in our infrastructure needs, because any
10 time we can get people walking to a neighborhood-serving
11 center, that just helps alleviate the traffic that we all
12 have been experiencing.

14 There are so many ways to look at this, and to
15 look at this challenge, and I agree, we need more eyes
16 looking at this, and I know the Town Manager and Joel
17 Paulson have some ideas on perhaps how we may be able to
18 look at town-wide commercial interests in the future; that
19 may be helpful as we look down and drill down on what the
20 North 40 actually should be looking at.

21 LAUREL PREVETTI: Thank you, and I think there
22 are a lot of opportunities and we're very fortunate to see
23 so much great investment happening in different parts of
24 our town, so we are getting some really good input on that.
25

1 I would just also remind the Committee that Table
2 2-1, the Permitted Land Use table, actually already
3 includes a vast number of these neighborhood- or resident-
4 serving uses, so we might be able to fine tune it, but
5 whether it's an exercise class, which some have seen does
6 add more people on the street and activity as well, or a
7 coffee shop, or a small restaurant, there are a lot of
8 different ways to make this happen.

9
10 We're certainly happy to engage our economic
11 vitality manager on this. I do want to just caution though
12 that we are absorbing all of the costs associated with
13 amendments to the Specific Plan, so we really don't have
14 the budget to hire an economist to do any new studies for
15 us, but I'm sure just given our public and as we go through
16 the public hearing process, I'm confident that we will be
17 getting input from brokers or others who might have some
18 professional expertise to lend to this. We'll do our best
19 with the resources that we have, but I just can't afford at
20 this point to have another consultant study.

21 CHAIR HUDES: I'll just make one quick comment on
22 that. I believe there is a requirement for an application
23 to do an economic analysis. One way to address this would
24 be to be a little bit more specific about what goes into
25 that analysis. I personally found there were some very big

1 flaws in the report that came in earlier, and I think we
2 could solve that by putting in more of a table of contents,
3 if you will, for the economic analysis.

4 Mayor.

5 MAYOR SPECTOR: Thank you. Following up on
6 several things that have been stated.

7 First of all, I agree. We are getting in Los
8 Gatos more shopping areas that are neighborhood-serving,
9 and that's a really good thing, and we didn't use to have
10 it, it was basically just downtown. One of the things that
11 I was doing when we were working on the Specific Plan is
12 actually was looking at—and maybe Mr. Spilsbury did this
13 too—the shopping areas, like Vasona Station or Trader
14 Joe's, looking to see how big are those square footage-wise
15 and what do they have in them? I characterize those in my
16 own mind as neighborhood-serving, so that's how I was
17 helping myself identify the uses and the square footage.

18 With regard to more studies, we have I think
19 three studies associated with the Specific Plan.
20 Personally, I thought only the first one had any valid
21 substance. Other people disagree with me, but I did not
22 think the other two necessarily did; I thought they needed
23 a lot of help.
24
25

1 With regard to having the applicant go to the
2 CDAC, that wasn't very helpful either. If we want to use
3 these mechanisms, we're going to have to define them better
4 so that they are truly a benefit to the decision makers.

5 CHAIR HUDES: Commissioner Erekson.

6 COMMISSIONER EREKSON: Without being redundant to
7 what other people say, I've always been troubled with the
8 discussion about protecting the downtown, and if you'll let
9 me use a sports metaphor, that was for me playing not to
10 lose, as opposed to playing to win if we could make it
11 create energy. I guess for me while we don't want it to be
12 regional, and I don't know what the right language is, the
13 Staff will know better than I, but in and of itself having
14 people who don't live here come into town and spend their
15 money is not bad, but we don't want to create a huge
16 regional center either, so I don't know what the right
17 language to describe it is. Limited regional. I mean I
18 don't know what the right language is, but limited regional
19 is the best I could come up with.

20 The other thing that I would wonder with the
21 Staff is we have a tendency to regulate in a specific plan,
22 and I wonder—and I don't have the experience that you would
23 have with other kinds of plans—are there ways to put
24 incentives in a Specific Plan? I have no idea if that's
25

1 even possible or what those might be, but if we could
2 regulate where it would be appropriate to regulate, but
3 incentivize in some way in the plan that would help us, I
4 think, but I don't know what that looks like, feels like,
5 smells like, or tastes like, because I don't have the
6 experience base to know.

7 CHAIR HUDES: Commissioner Hanssen.

8 COMMISSIONER HANSSEN: I don't know if we need to
9 change anything, but when I was listening to the Vice Mayor
10 talk about the successes we were having it made me think
11 maybe just as a sanity check we ought to look at what are
12 the places that are having the most success right now, and
13 another one I thought of is that Office Depot shopping
14 area, because they have the Panera and they have the
15 exercise place and that place is doing pretty well as well.

16 Like I said earlier, we've definitely seen at
17 Planning Commission and also at Town Council some different
18 kinds of retail, and so I was just doing a sanity check,
19 just for example like a spin class; there's one at Downing
20 Center, then there is the one proposed for downtown, and
21 then there's the cooking class coming in. Would any of
22 those be prohibited, not in the Northern District, because
23 that isn't an option right now, but in the Transition
24 District? Are some of those businesses that we've been
25

1 having so much success with? I know restaurants are fine,
2 but like the exercise class, because it says in here there
3 is health club, and then there's commercial, recreation,
4 and amusement establishment, so just as a sanity check I
5 would want to look at where we're having the most success
6 and make sure we're not standing in their way of coming to
7 the North 40.

8 CHAIR HUDES: Other comments on this? Maybe I'd
9 just add one comment. I personally don't think that we
10 should be discussing a regional center, whether it's
11 limited or otherwise. I think that's what opens the door to
12 something that doesn't create synergies but creates a real
13 potential negative impact on the downtown.

14 I don't believe that the downtown is thriving
15 relative to other downtowns in other areas. I think it's a
16 delicate balance. I think there has been some loss of
17 business. Some of the economic analysis that was submitted
18 actually showed to me that we're not quite as healthy as we
19 should be or could be, and so I would personally support
20 more language that talks about the synergies and talks
21 about being primarily or principally neighborhood-serving,
22 rather than just using the words neighborhood-serving. I'm
23 uncomfortable with just neighborhood-serving without some
24 kind of direction that it should be principally or
25

1 primarily neighborhood-serving. Again, that's my personal
2 position on this one.

3 That gets us through items 8 and 9, and that
4 takes us through Commercial. Now, we are at 9:15pm, and I
5 know we don't have a limit on this, but it seems like we
6 probably shouldn't go beyond 10:00pm. I guess are other
7 Committee Members willing to move on to the Open Space
8 discussion? Getting nods, so let's talk about that.

9
10 First of all, are there any general comments on
11 Open Space? If not, we can proceed to the particular items
12 that are in here.

13 Yes, Mayor.

14 MAYOR SPECTOR: The general comment I would have
15 is based upon the input that we've received from the
16 community, and the general input that we've received from
17 the community is they want more real open space, i.e. green
18 versus cement.

19 CHAIR HUDES: Great. Well, I think that gets
20 right to point 3. Why don't we start with that one, which
21 is have real open space. There are some ways we could
22 modify Section 2.5.4. to address that. Other Committee
23 Members on that particular issue?

24 Commissioner Erekson.
25

1 COMMISSIONER EREKSON: I think, and it's not
2 clear to us about point 3 solely, but also it seems like to
3 me while we required a high percentage of open space we
4 didn't require that it be contiguous, so that seems to me
5 to be, if I heard what the public was saying also, that we
6 need to have larger single—I don't know how to say it
7 exactly right now—open spaces that approximate small parks,
8 and those kinds of things, as opposed to just meeting the
9 30% or whatever the right percentage is, was another kind
10 of input from the public, I think.
11

12 CHAIR HUDES: Yes, Commissioner Hanssen.

13 COMMISSIONER HANSSEN: If I recall, they were
14 able to count like if you had a little patch of grass in
15 your back yard, private, that was counting towards open
16 space. Because they had to have 30% total open space and
17 then 20% that wasn't hardscape, I think that's correct. Off
18 the top of my head I wondered why it couldn't just be 30%
19 real open space that had public access, but maybe that's
20 too much to ask given all the other things that we need to
21 get out of the North 40, but it definitely seemed like we
22 could do better.
23

24 I know this came up, and it wasn't that they
25 weren't willing to do it, but in the Phase 1 application
there wasn't a single place for kids to play, and

1 considering that we know there is going to be children
2 there we don't want them walking across the street to the
3 park, and this whole idea of neighborhood-serving. I don't
4 know how you can force them to have a park, but you can
5 certainly encourage them, and I don't know that it's not
6 permitted to have a park, but we didn't necessarily
7 strongly encourage it, so I think some language could be in
8 there to make sure that we have that kind of stuff and
9 maybe make the open space requirement stronger and more
10 public.
11

12 CHAIR HUDES: Vice Mayor.

13 VICE CHAIR SAYOC: That was an interesting
14 discussion that we had during Advisory Committee, because
15 at the time we were designing for millennials and move-down
16 seniors, and so one of the areas that we could do it
17 legally was by architecture and amenities, so there was a
18 discussion on not having playgrounds, because you wanted to
19 cater to millennials who wanted open pit barbeque places
20 versus... So those are the types of things that we are
21 discussing, and I guess we could have a more realistic
22 discussion given what we know about our community, but the
23 more you change it to be family-friendly, then you are
24 going to slowly cater to a different demographic, and those
25

1 are the types of discussions I think the Committee was
2 grappling with: Who are you designing it for?

3 CHAIR HUDES: I wanted to add a comment to it,
4 because I was struck by the confusion of what is open
5 space, and there is a definition in the current Specific
6 Plan that looks to me like it's sort of a developer's
7 designation of open space, so I went and looked for other
8 definitions of open space and the first hit on Google
9 actually was the US EPA's language, which I thought could
10 enhance what we have in there. I'll provide it.

11
12 I won't go through the details, but it starts by
13 saying that open space is, "Any open piece of land that is
14 undeveloped, has no buildings or other built structures,
15 and is accessible to the public. Open space can include
16 green space," and it goes into a description of what that
17 is, "including gardens, shrubs," and things like that,
18 "schoolyards, playgrounds, public seating areas, public
19 plazas, vacant lots." It doesn't specify the strips between
20 parking in a parking lot there. It also talks about, "Open
21 space provides recreational areas for residents and helps
22 to enhance the beauty and environmental quality of
23 neighborhoods," and it goes on from there. I'll provide
24 that language, but I think that type of language would
25

1 enhance the pretty narrow description that we have in
2 Section 2.5.4.

3 JOEL PAULSON: Not to interrupt, but also we have
4 the open space definition, and then there is also a green
5 open space definition, and then the hardscape definition,
6 so those could also be modified to get more to what the
7 community was looking for.

8 CHAIR HUDES: Any other comments on number 3,
9 have real open space?

10 So let's go back to number 1, which is the
11 perimeter district should be larger, and this refers to
12 Section 2.5.7 on page 215. Any comments on that particular
13 perimeter district?

14 VICE CHAIR SAYOC: Is this the 50'?

15 CHAIR HUDES: Yes, this is buildings or portions
16 of buildings located within 50' of Lark restricting their
17 height.

18 Yes, Commissioner Hanssen.

19 COMMISSIONER HANSSEN: When I think about the
20 perimeter it kind of goes around the outside of the
21 property, and I wonder if that's the place that you really
22 want open space? I don't see people going out to the fence.
23 I would think you'd want it more inside, so I'm not sure if
24
25

1 increasing the perimeter space would accomplish what we
2 want.

3 CHAIR HUDES: Any other reaction to that?

4 JOEL PAULSON: I think the question is what is
5 the author of the question trying to achieve? Is it going
6 to be more of a buffer from noise or pollution, and would
7 any available measurement increase actually make a
8 practical difference? I personally would doubt it.

9 CHAIR HUDES: Commissioner Erekson.

10 COMMISSIONER EREKSON: My question when I read
11 this is I wasn't exactly sure why this was put under Open
12 Space. I assume what it is talking about is the Perimeter
13 Overlay Zone; there's no perimeter district, and Perimeter
14 Overlay Zone specifies limitations on what can happen in
15 there, but it doesn't specify that open space... There's no,
16 that I can see, real relationship between open space and
17 the Perimeter Overlay Zone, so I wasn't exactly sure why it
18 was there.

19
20 JOEL PAULSON: I just offer that if you get to
21 the table on 2-5 there's discussion relating to landscaped
22 areas, planting with orchard trees, and multi-modal paths,
23 so increasing that probably gets a larger greenscape buffer
24 in conjunction with it, so I would assume that's what they
25 were looking for in that sense.

1 CHAIR HUDES: Any other comments on number 1? It
2 doesn't sound like there's a resounding recommendation of
3 this Committee to make that perimeter district larger.

4 Number 2 I think is very important, and that's
5 the amount of open space. More open space should be
6 required. I think there were conversations or arguments
7 made that there is quite a bit of open space in the plan.
8 What are Committee Members' thoughts about whether a total
9 of more open space should be required? And maybe Staff
10 could remind us on how much is required?
11

12 JOEL PAULSON: The total is 30%, 20% of which
13 must be green open space, and we've already obviously
14 talked about potentially more green open space, so that's
15 one avenue, or just limiting what we count as open space
16 and not including the hardscape areas, so those are just a
17 couple options.

18 CHAIR HUDES: Any other comments about those
19 numbers, the 30% or the distribution between green and
20 other open space?

21 Commissioner Hanssen.

22 COMMISSIONER HANSSEN: I said this a few minutes
23 earlier, and I don't know if other people feel the same
24 way, but it seemed to me that in listening to some of the
25 concerns of the residents one thing we could do that would

1 help is eliminate private residential green space in the
2 count of open space. It doesn't benefit the community, it
3 only benefits the person that's living there, and that
4 would automatically force them to have some more green
5 space.

6 Another thing we could do is eliminate hardscape
7 as an option for achieving green space and leave the number
8 at 30%.

9 Those would be two easy things to do, whether or
10 not that's economically feasible and won't take away from
11 some of the other goals, I don't know that, but those are
12 two thoughts I had.

13 CHAIR HUDES: Mayor.

14 MAYOR SPECTOR: I agree.

15 CHAIR HUDES: I'll just add my comment to that. I
16 agree, and I think it's consistent with the EPA definition,
17 which says that open space is accessible to the public. So
18 that might mean changing the numbers or the percentages to
19 be realistic, but also sharpening our definition of what
20 open space is to not include the back yards.

21 VICE CHAIR SAYOC: (Inaudible) number 4?

22 CHAIR HUDES: Yup, number 4, which I wasn't sure
23 if this was more of a legal issue or more of policy issue,
24
25

1 so maybe Staff could explain, "Public access easements
2 shall be required for the open space."

3 ROBERT SCHULTZ: It's more of a legal issue. I
4 think even not in the Specific Plan when it came forward
5 with Conditions of Approval and everything else we would
6 have that in there, but we certainly could add it also.
7 It's a question of making certain that the public space
8 remained open to the public; so something we could
9 certainly do since we're making changes, just add it.

10
11 JOEL PAULSON: The other is that the requirement
12 in the Specific Plan was 20% of the 30% had to be publicly
13 accessible, so that number could also be increased.

14 CHAIR HUDES: Vice Mayor.

15 VICE CHAIR SAYOC: I believe when we brought this
16 up we also talked about fencing and how there should be no
17 fencing so that it just continues to leave that open to the
18 public feel. I mean obviously private residents will have..
19 I meant like the parks should not be fenced.

20 CHAIR HUDES: So coming back, does that require
21 public access easements, or can that just be addressed in
22 the language of the Specific Plan that the public shall
23 have access?

24 ROBERT SCHULTZ: We can just put some language in
25 there that they would be recorded easements for the public

1 space, so we know it's a requirement. Like I said, if the
2 application would have been approved, there would have been
3 requirements for those easements to be recorded to begin
4 with, so we'd catch it on the application anyway, but it's
5 good to have in the Specific Plan just as a reminder.

6 CHAIR HUDES: Yes, go ahead.

7 VICE CHAIR SAYOC: So using that example, let's
8 say a park was placed, could that park, even though it's
9 privately owned, be put on our inventory of parks that
10 residents could go to?
11

12 ROBERT SCHULTZ: Yes.

13 VICE CHAIR SAYOC: Okay.

14 CHAIR HUDES: So we are about to close out Open
15 Space. Are there any other issues on open space that I've
16 missed?

17 VICE CHAIR SAYOC: (Inaudible) open space.

18 CHAIR HUDES: Okay.

19 VICE CHAIR SAYOC: We're getting punchy.

20 CHAIR HUDES: Yeah, I think we are. I think we
21 ought to adjourn at this point, if that's okay with the
22 other Committee Members, before I close anything else out
23 that I shouldn't. So we'll take up the next matters,
24 Parking, and Height, for which I think we'll have some
25 discussion.

1 Yes, Mayor.

2 MAYOR SPECTOR: Before you gavel us closed, the
3 next three areas, Parking, Height, and General/Other, I'm
4 thinking we can get through them, but you are now the
5 Chair, so you make the call.

6 CHAIR HUDES: Well, I'm happy to go longer
7 personally. I do think that General/Other is a fairly large
8 topic as we bring in some of the other considerations, so
9 maybe we'll do Parking and Height then, is that okay,
10 Committee Members? Okay.

11 So let's move forward. Parking has only one item,
12 and it is underground parking should be explored. What do
13 Committee Members think about underground parking and
14 whether it should be explored?

15 Commissioner Hanssen.

16 COMMISSIONER HANSSEN: I think I remember from
17 being on the Transportation and Parking Commission years
18 ago, and also it came up in some of the recent discussions,
19 that underground parking adds significantly to the expense,
20 and so I don't know if that's the right... Certainly not to
21 make it required. To me, I would put it in that it's
22 encouraged as a way to create more open space and to reduce
23 bulk and mass. We could certainly put language in there
24 that it's encouraged, but I would be worried if the costs
25

1 were going to go way up when we're trying to get more
2 affordable housing; that would be my main concern.

3 ROBERT SCHULTZ: I would look at it more like if
4 it's a real goal like you talk about hotels or other things
5 you're trying to accomplish, the way to do that then is
6 you've got to provide other incentives, so there is a
7 tradeoff. If you're going to encourage or just put language
8 in there, it's not going to happen, because it's cost
9 prohibitive. But if you provide other incentives, and I
10 don't know what those would be right now, maybe there is a
11 reduction in open space if you do that, maybe there are
12 other things, so it's kind of how important that
13 underground is to you. Do you get a height variance because
14 of it? I don't know what issues, but that would be kind of
15 the thing you would look for if that were what you're
16 trying to do. The same with some of the other components of
17 the project that you're trying to do is how do you get the
18 developer to do it is usually because you give him some
19 other carrot.
20

21 CHAIR HUDES: Commissioner Erekson.

22 COMMISSIONER EREKSON: I guess consistent with
23 Mr. Schultz's comments, it would be helpful at least to me
24 for the Staff to kind of identify what some of those
25 incentives or tradeoffs might be. If all we were going to

1 do in the Specific Plan was add language, "Underground
2 parking should be explored," okay, check that one and move
3 on to the next. It's kind of a no harm, no foul, but it's
4 probably okay, so if I'm an applicant, I thought about it
5 for five minutes when I was at Starbucks waiting for my
6 latte, so I explored it, check that box, move on to the
7 next thing. So unless we want to do something like what Mr.
8 Schultz was talking about and understand what the advantage
9 might be for us and what the advantage might be for someone
10 who would develop it, it's kind of okay, put the language
11 in there, move on.

12
13 ROBERT SCHULTZ: Because we're restricting square
14 footage, maybe that's one of the incentives, but we can
15 look into that. But right now the Specific Plan doesn't
16 restrict and not allow underground parking, so it's already
17 allowed, so they can explore it. Like I said, I don't think
18 you're going to get it unless you provide them something
19 else.

20 LAUREL PREVETTI: Mr. Chair, if I may? I would
21 just be careful about this one, because in the public
22 testimony some members of our public thought that if we
23 required the underground parking that that would actually
24 create more room for open space, but as was mentioned, you
25 really can't be asking... That would be a huge ask of a

1 developer, so I think we would just need to be careful
2 about how much time we want to really invest in underground
3 parking. It's not precluded, as the Town Attorney said, and
4 it's always an option for a developer, especially here
5 where we don't have some water table problems or other
6 issues, but I think given the talk that we were just having
7 on open space, and the need for banquet space and some
8 things, as we look at the priorities this one seems a
9 little bit on the lower side in terms of really investing a
10 lot more time on policy language for this.

12 CHAIR HUDES: I appreciate that input. Maybe we
13 could just explore... There have been some developments
14 recently that have included underground parking. Could
15 maybe you tell us a little bit about why those developments
16 did that and why we didn't see that on the application on
17 the North 40?

18 JOEL PAULSON: I can give you some potential
19 observations. One is there's not a 30% requirement for open
20 space in any other zone in the Town. There's also not this
21 type of cap on square footage; it's capped on other things
22 such as they're allowed to cover 50% of the lot. Here, you
23 can't get anywhere near that. So some of those are probably
24 generally how those work. Additionally, some of them are
25

1 medical uses, and so they probably are able to foot that
2 cost for that type of use.

3 But there have been a number of them that have
4 done it, and it's not that it hasn't been done, I think
5 it's just when you couple the other requirements it becomes
6 challenging from that perspective. I think in the example a
7 hotel, a hotel would also have to do some underground
8 parking to meet all the other requirements of the Specific
9 Plan, and so they would have to find a way to manage that
10 cost.

11
12 CHAIR HUDES: Any other comments on parking
13 beyond underground parking?

14 Let's move on to Height. I'm surprised there are
15 only two items considering the amount of public input on
16 this. Are there any general comments on height, or any
17 comments actually? Let's just jump to the ones that are
18 here. Increasing the height to 45' as long as there is more
19 open space. Is that an idea that has merit or are there
20 some general comments?

21 Commissioner Erekson.

22 COMMISSIONER EREKSON: I would not be in favor
23 linking height to open space. I think, for me, we need to
24 decide what kind of open space we want and how much public
25 open space there is; that's just my opinion.

1 Height should be linked to the type of uses and
2 what we want to accomplish in the space. That being said,
3 once we clarify what it is, my sense is then we need to be
4 realistic about what the height limitations are on it, but
5 I think trading height simply for open space is not where I
6 would land.

7 CHAIR HUDES: Commissioner Hanssen.

8 COMMISSIONER HANSSEN: Going back to what we
9 talked about with residential, in the Northern District if
10 we wanted there to be 20 units per acre one way to
11 accomplish it would be to let the height go up to 45' and
12 then they could have three or four floors, and that way
13 they could accomplish that 20 units per acre, and in the
14 Northern District it might not matter as much.

15 Then I think we heard about the hotel issue; they
16 might need to do that. I think we at least ought to
17 seriously consider it.

18 The other place this came up, and I don't know if
19 it would feel good to do that in the Lark District, but the
20 idea of the stacked flats for the seniors. For move-down
21 with elevator they would need to go over 35', from what we
22 heard in testimony. So that's one I think we should
23 seriously consider.

1 I agree with Commissioner Erekson about not
2 coupling it to open space. As long as we have the
3 requirement for open space, I don't know that it has to be
4 a tradeoff.

5 CHAIR HUDES: Vice Mayor.

6 VICE CHAIR SAYOC: I know we used height as an
7 incentive. Right now there are two areas that allow 45';
8 one is the hotel and one is affordable housing. When I was
9 listening to the testimony about the Northern District and
10 how residential has to be above commercial, immediately I
11 thought if you added an affordable housing component to it
12 you'll go to 45', but then I went back to my Specific Plan
13 and saw that we didn't actually define what percentage of
14 that unit needed to be affordable housing. But again, I
15 look at that as an incentive that we can provide, so using
16 the Northern District example, housing, and maybe we want
17 to define it, use our BMP, so if 20% of that residential
18 unit has affordable housing, they get that incentive of
19 going up to 45'. Those are the things that I was
20 considering when I was looking at the height exception.

22 CHAIR HUDES: Mayor.

23 MAYOR SPECTOR: Thank you. Basically agree.
24 Forty-five feet I think can be an option. I just would add,
25 for me, 45' all-inclusive, because I've gone through

1 developments that you say 45' and it's really 55' or 60',
2 because they have things like elevators. I don't think it
3 should be tied to more open space. That's it.

4 CHAIR HUDES: I had another point I wanted to add
5 to this one. I agree with the 45' and the comments and the
6 not tying it to open space.

7 But there's another concept that I think we had
8 in the plan and I think maybe needs a little bit more
9 clarification, and that has to do with the placement of
10 buildings that are above 35'. The argument that we heard
11 was that the property naturally slopes away from Los Gatos
12 Boulevard and Lark. Remember, the backdrop for this was the
13 public outcry about height of buildings, and so there was
14 sort of a compromise or a discussion that said if the
15 property slopes away, and the taller buildings, the ones
16 that are larger than the district maximums, which is I
17 think 25' in the Lark District and 35' in the Transition
18 District and Northern District, if they are set back into
19 areas and we measure the height from existing grade rather
20 than finished grade, that would work if we do that
21 measurement from existing rather than finished.

22 And then also consider that they are placed in
23 areas that have an equivalent amount of slope reduction
24 from Los Gatos Boulevard and Lark, so that we don't end up
25

1 with the tallest buildings right at the front, and so where
2 we do have these exceptions that get up to 45'? I
3 personally would feel more comfortable with working off of
4 finished grade, and I know Committee Member Jarvis isn't
5 here tonight, but I know that was one of his strong points
6 in our previous deliberations, and that turned into an
7 exception; I think that was requested.

8
9 But I think that we should think about how to use
10 the natural slope of the property to prevent tall buildings
11 from occurring in the most visible areas, so I would
12 suggest adding some language about that.

13 The other point we have is to reduce the height
14 of residential to 25'. Could Staff explain what is the
15 current height for residential?

16 JOEL PAULSON: The current height for an
17 affordable housing building is 45', which was mentioned
18 before. The other maximum is 35', with the exception of the
19 Lark District, which also has a requirement for 25'
20 buildings for I can't remember how many percent it is was;
21 I want to say 15%. So those are generally the residential
22 requirements. There are also the Perimeter Overlay Zones,
23 which also have a 25' height limit for any use.
24
25

1 CHAIR HUDES: So Committee Members' comments
2 about reducing the height of residential, or limiting I
3 guess throughout to 25'? Does that seem feasible?

4 VICE CHAIR SAYOC: If we do that throughout, I
5 just don't think we would meet our density bonus.

6 CHAIR HUDES: (Inaudible).

7 VICE CHAIR SAYOC: Yeah.

8 CHAIR HUDES: Commissioner Hanssen.

9
10 COMMISSIONER HANSSEN: I had the same concern. I
11 wondered about maybe just in the Lark District, especially
12 with smaller units. I don't know the math relative to the
13 acreage, if it's possible, but if it was possible to have a
14 certain amount of cottage cluster units plus achieve the
15 density of 20 units per acre using those smaller units. I
16 think that was the thing that really alarmed people was
17 seeing that wall of 35' building, and maybe if it wasn't in
18 the Lark District. That would be the one place I wouldn't
19 think about the 25' height limit if we could make it work
20 with our numbers.

21 CHAIR HUDES: Any other comments about height
22 that we want to include?

23
24 So it seems as though we've got those comments
25 incorporated, and I think we're going to stop at this
point. There's quite a bit of discussion on some of the

1 general items, including a whole series of things that I
2 would suggest we include to make the Specific Plan more
3 objective, particularly in translating the vision into
4 objective statements in the plan I think is something that
5 we were missing, that guidance, when we did it the first
6 time. I'd like to maybe stop on this at this point and
7 maybe then just review a couple of things with Staff on
8 where we go from here.

9
10 JOEL PAULSON: I think from here what we'll do is
11 we will try to find some available dates when the chambers
12 are available, and then we'll poll the General Plan
13 Committee and get a date set to continue the discussion of
14 the other items as well as any of that information we can
15 pull together for the questions that were raised tonight
16 about additional information. We'll pull together as much
17 of that as we can as well, and then we'll move forward and
18 try to get through the rest of the list and any other
19 comments.

20 CHAIR HUDES: Okay, and since I kind of jumped
21 into this role I wasn't quite aware of some of the ways
22 that this works, so maybe you could refresh me and any
23 other members of the Committee.

24 This is a public meeting. It is being recorded,
25 is that correct?

1 JOEL PAULSON: Correct.

2 CHAIR HUDES: And there will be minutes?

3 JOEL PAULSON: There will be minutes as well,
4 yes.

5 CHAIR HUDES: We are short a few people, but I
6 think we're okay relative to a quorum?

7 JOEL PAULSON: Correct.

8 CHAIR HUDES: Okay. And anything you'd like to
9 say about Brown Act or public discussion guidelines. We
10 were just reviewing some of that at the Planning Commission
11 level, but it would be good for maybe the Committee to
12 understand.
13

14 ROBERT SCHULTZ: I could go into a couple of
15 hours on the Brown Act.

16 CHAIR HUDES: I think maybe just...

17 ROBERT SCHULTZ: I've getting nodding that you
18 know.

19 CHAIR HUDES: ...whether it applies to this
20 committee.

21 ROBERT SCHULTZ: Yes, it is a Brown Act committee
22 meeting, so the Brown Act does apply. We do our agenda
23 posting 72 hours in advance for the public and for you, and
24 then amongst yourselves you're not allowed to talk with the
25 majority about the issues that come in front of you.

1 CHAIR HUDES: And ex parte discussions with
2 regard to Commissioners, Council Members, and other
3 representatives on this committee?

4 ROBERT SCHULTZ: The two Planning Commissioners
5 are constrained because of their Planning Commission rules
6 and regulations, but the others are allowed to speak ex
7 parte with members of the public.

8 CHAIR HUDES: Thank you. Any other questions from
9 Committee members?

10 VICE CHAIR SAYOC: Would you like to announce
11 that we have vacancies?

12 CHAIR HUDES: I believe we do, and so how many
13 vacancies do we have on this committee?

14 LAUREL PREVETTI: We have one currently, and I
15 would just encourage members of the public to go to our
16 Clerk Department website to see all of the board and
17 commission and committee opportunities.

18 CHAIR HUDES: Great. That would be terrific.
19 Well, thank you all for a tremendous amount of work in
20 getting us here. Thank you to the Committee Members for
21 bearing with me as I kind of found my way through this.

22 VICE CHAIR SAYOC: You're a very good Chair.

23 CHAIR HUDES: Well, my pleasure. So thanks again.
24 We'll conclude this meeting.
25