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

Los Gatos Planning Commissioners:	Emily Thomas, Chair Jeffrey Barnett Susan Burnett Steve Raspe Joseph Sordi
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P R O C E E D I N G S:

CHAIR THOMAS: We will now move on to our public hearings, starting with Item 2. Item 2 is to consider a request for approval to modify Planned Development Ordinance 2025 to allow modifications to Building E; an Architecture and Site Application for exterior modifications to an existing commercial building in the University/Edelen Historic District; and a Conditional Use Permit for formula retail over 10,000 square feet, and for a restaurant with alcohol service on property zoned C-2:LHP:PD.

Located at 31 University Avenue. APN 529-02-044, Planned Development Modification Application PD-25-001, Architecture and Site Application S-25-004, and Conditional Use Permit Application U-25-001.

Categorically exempt pursuant to California Environmental Quality Act Guidelines Section 15301, Existing Facilities.

Property Owner is SRI Old Town, LLC. The Applicant is Rick Nelson, MBH Architects. The project planner is Erin Walters.

1 Before the Staff Report, may I have a show of
2 hands of Commissioners that visited the property? All of
3 us. Are there any disclosures that we need to make? No.

4 Mr. Mullin, will you be presenting the Staff
5 Report this evening? Thank you.

6 SEAN MULLIN: Yes, thank you, Chair. The project
7 before you this evening is composed of several
8 applications, an amendment to the governing Planned
9 Development Ordinance; an Architecture and Site Application
10 for exterior modifications; and a Conditional Use Permit
11 for a formula retail greater than 10,000 square feet, and a
12 restaurant with alcohol service.
13

14 The existing PD Ordinance governing Old Town was
15 adopted in 1996 and includes specific performance standards
16 for the subject Building E. The Applicant proposes
17 amendments to the PD to eliminate the requirements that
18 Building E be designed so that it appears to be a
19 collective of individual structures that abut each other.
20 The Applicant requests these changes to allow for a more
21 cohesive and contextually appropriate façade, as discussed
22 in the Staff Report and the Applicant's Letter of
23 Justification.
24

25 Regarding the Architecture and Site Application,
the Applicant proposes exterior modifications to Building E

1 to establish a cohesive Mediterranean style architectural
2 character for a new single-tenant occupancy. All four
3 elevations of the building would be modified.

4 The design incorporates step-backs at the ground
5 level along the street-facing facades, alternating
6 rectangular and semicircular fenestration, and includes a
7 varied parapet line at the roof. The proposed windows have
8 deep recesses for shadow lines, and the design includes
9 louvered and fabric awnings, which add texture and depth to
10 the new façade.

11 The project proposes a centrally located
12 restaurant, which would be illuminated by a new skylight,
13 bringing natural light into the interior space.

14 Exterior finish materials, including multicoat
15 cement plaster finish accented with decorative steel and
16 aluminum architectural elements, and architectural aluminum
17 windows.

18 Sidewalk replacement and removal of two trees is
19 also included with the proposal.

20 As detailed in the Staff Report, the Historic
21 Preservation Committee considered the exterior design
22 modifications and the proposed PD amendments that would
23 allow for those modifications. The HPC was ultimately
24 unable to support these aspects of the project and
25

1 forwarded a recommendation of denial to the Planning
2 Commission.

3 The proposed project also includes a Conditional
4 Use Permit for a formula retail establishment exceeding
5 10,000 square feet, which will include the sale of home
6 furnishings, interior design services, and an integrated
7 restaurant. The restaurant component will offer onsite
8 alcohol service and is designed to be complementary to the
9 retail experience within the same space.

10
11 When reviewing a Conditional Use Permit, the
12 Commission should consider the information in the
13 Applicant's business plan; however, the key consideration
14 should be the proposed use, since the business plan can
15 change from owner to owner. The CUP runs with the land, and
16 the Commission should review the application based on the
17 use described in the recommended CUP in Exhibit 6 as
18 opposed to the Applicant's business plan.

19 An Addendum and Desk Item were distributed ahead
20 of tonight's hearing with additional public comments
21 received after publishing the Staff Report.

22 As discussed in the Staff Report, staff
23 recommends denial of the application reflecting the
24 recommendation provided by the HPC. Your Staff Report
25

1 includes alternatives to this recommendation, including
2 approval with modifications and continuation.

3 Planning, engineering, and economic vitality
4 Staff are on hand this evening to support your discussion,
5 and that concludes Staff's presentation.

6 DIRECTOR PAULSON: Thank you. Through the Chair,
7 I just wanted to add an update related to the
8 recommendation for the Conditional Use Permit. We should
9 have, in hindsight, probably split that out separately,
10 because the Conditional Use Permit is not the purview of
11 the Historic Preservation Committee, so we have reevaluated
12 that analysis and we are modifying our recommendation for
13 the Conditional Use Permit to recommended to the Planning
14 Commission that they recommend approval of the CUP as we
15 move forward through the process.

17 CHAIR THOMAS: Thank you for that clarification.
18 Are there any questions for Staff at this time? We will now
19 open the public portion of the public hearing on Item 2 and
20 give the Applicant an opportunity to address the Commission
21 for up to five minutes.

22 I have a card for Gary Friedman. Great, thank
23 you. I understand that you will be splitting your time, so
24 if you could just introduce yourself, and you have five
25 minutes. Oh, you aren't. Okay.

1 GARY FREIDMAN: First, thank you for having us
2 here, Commission. I'm Gary Freidman; I'm the Chairman and
3 Chief Executive Officer of RH. I have been with the company
4 now 25 years. I'm proud to have opened our gallery that's
5 up here just behind the location that we're presenting, and
6 where we've been, we believe, an active member of the
7 community now for 15 years.

8 Let me start with maybe we can go to the first
9 slide. I'm going to spend just a few minutes on who we are.
10 RH is the leading luxury home furnishings brand in North
11 America. We do about \$3.6 billion in sales, not just in
12 North America today, but we also are a global organization;
13 we're opening in Europe and across the UK.

14 We're best known for creating the most compelling
15 collection of luxury home furnishings presented in the most
16 inspiring spaces in the world. We say we are obsessed with
17 great architecture. We either find it and readapt it, or we
18 build it; spaces that are a reflection of human design, a
19 study of balance, symmetry, and perfect proportions.

20 Our design ethos in our company dates all the way
21 back to the 1st Century BC and to Marcus Vitruvius, who is
22 the author of the ten books on architecture, De
23 architectura. Vitruvius' principles inspired Leonard da
24 Vinci's world-famous sketch of the Vitruvian Man 1,500
25

1 years after his death, so we're very deep thinkers about
2 what we do, the buildings we inhabit, and the investments
3 we make to create great architectural experiences for the
4 public.

5 We say we don't build retail stores; we build
6 inspiring spaces. Spaces that blur the lines between
7 residential and retail, indoors and outdoors, and home and
8 hospitality. Spaces that activate all of the senses and
9 spaces that cannot be replicated online. If you think about
10 it, most retail stores are somewhat archaic, windowless
11 boxes that lack any sense of humanity. There is usually no
12 natural light, no fresh air, plants die in department
13 stores or most retail stores, and they can't be very good
14 for humans either, and that is why we take a different view
15 of that.

17 A few examples of some of our work. This is a
18 compound we built in the town of Yountville, California. I
19 remember when we were first pursuing this, everybody said
20 that a branded store won't be allowed north of the City of
21 Napa; it never has been. We presented to the council up
22 there that we don't build retail stores; what we try to do
23 is conform and elevate any environment that we go into.

24 We aggregated a historic building here, another
25 property, and we built the five-building compound that we

1 said was an integration of food, wine, art, and design, and
2 it was an integration of food, wine, art, and design
3 because that is what the Napa Valley was about first and
4 primarily, so we have a design aspect to the business, but
5 it's after the food and wine aspect.

6 Here, you can see the inside of the restaurant we
7 built. It won't be too unlike what we would do here where
8 we have trees, light coming through with the glass roof,
9 fountains, and so on and so forth, so they're not typical
10 restaurants.

11 This is the historic building that we completely
12 readapted. We have outdoor living rooms for wine tasting.
13 This is the inside of it. We created a two-level space,
14 again, to integrate with wine and food.

15 This is a project that we just finished last
16 year. This was a historic firehouse in Montecito,
17 California, and it was a highly aware group of like what we
18 were going to do with it, and we brought it back to life
19 and reimagined it as a beautiful integrated space with not
20 only a store, but hospitality. This is looking down through
21 the space, and we built a beautiful indoor/outdoor
22 courtyard restaurant.

23 This is a historic building that was vacant for
24 about 35 years, I believe, in San Francisco in the
25

1 Dogpatch. This is the historic Bethlehem Steel Building
2 that we reimaged into a gallery space and a restaurant.
3 Here you can see the interior space of a restaurant with
4 natural light.

5 This is a 17th Century English 73-acre estate in
6 the English countryside; this is RH England. We reimaged
7 this into a retail gallery and architecture and design
8 library, three retail spaces..
9

10 Am I done?

11 CHAIR THOMAS: Yes, that was your five minutes.
12 However, you will have an additional three minutes at the
13 end, and before you leave, we Commissioners may have
14 questions. Are there any questions for the speaker at this
15 time? Commissioner Barnett.

16 COMMISSIONER BARNETT: Thank you for the
17 presentation, sir. As I understand it, the Historic
18 Preservation Committee was most concerned with the lack of
19 what they thought was an existing illusion of different
20 building as contributing to the Historic District, and I
21 know that that was something that was not accepted by your
22 company, and I guess the question is why not?

23 GARY FRIEDMAN: Can I show the one slide of the
24 existing conditions, so we can look at it? Just click
25 forward. There we go.

1 One, I'd say I'd start with what are we looking
2 at today? From our point of view, it's kind of a cacophony
3 of a single building. Like, I'd call it an albatross.
4 You've got all kinds of different colors, different
5 materials, and it's clear that there is nothing historic
6 here, so to me this is bad architecture, this is something
7 that renders the neighborhood less valuable.

8 We're pretty firm in our principles about what we
9 do and what we don't do, but we don't do bad architecture.
10 Trying to take this building and create multiple looking
11 facades that aren't even real, honestly, I'm a little
12 surprised that it even comes under historic review. I mean,
13 it's not a well-built building, it's not a good-looking
14 building, so we're here to do something spectacular.

15 COMMISSIONER BARNETT: Okay, I understand your
16 point.

17 GARY FRIEDMAN: That's why I say we believe in
18 great architecture.

19 CHAIR THOMAS: Thank you. Are there any other
20 questions for the speaker at this time? Okay, thank you. I
21 now invite comments from members of the public. If you have
22 not already turned in your speaker card to Staff, please do
23 so at this time, and/or raise your hand on Zoom. I have a
24 number of cards. First I have Jennifer Lynn.

1 JENNIFER LYNN: Good evening, Chair and
2 Commissioners. I am Jennifer Lynn, CEO of the Los Gatos
3 Chamber of Commerce. I am here to express the Chamber's
4 strong support for the proposed RH gallery and restaurant.
5 Our support rests on four pillars that reflect our mission
6 of driving businesses forward and championing a thriving
7 community.

8 First, durable economic impact. The RH flagship
9 concept consistently generates millions in sales. This
10 activity means stable sales tax revenue and steady foot
11 traffic, benefits that ripple across our small business
12 community year-round.

13 Second, balance in our retail ecosystem. A
14 thriving economy isn't about one type of business, it's
15 about balance. According to the U.S. Chamber of Commerce
16 and confirmed by our own local experience, thoughtfully
17 selected anchors like RH serve as regional magnets.
18 Hospitality, retail, and dining anchors bring more people
19 into the area, who then discover and support our locally
20 owned businesses.

21 Third, placemaking at a dormant corner. Since The
22 Gap vacated nearly three years ago this prime location has
23 been underutilized. RH transforms it into an all-day
24
25

1 destination from brunch through dinner, bringing renewed
2 energy into the street and a dynamic presence.

3 Fourth, brand elevation and a defining
4 opportunity. Los Gatos is already recognized for retail,
5 design, and culinary experiences. A flagship RH further
6 elevates that identify and shares it with a wider audience.

7 This project is a vote of confidence in our
8 community's future. RH's leadership has already reached out
9 to our Chamber, asking how they can support our small
10 business community, a clear signal of partnership.

11 Anchor businesses like this one also bring
12 quality jobs and supplier relationships, further
13 strengthening the local economy.

14 I also want to address concerns that the RH
15 gallery and restaurant could feel big, but please note that
16 it fits comfortably within the existing building's
17 footprint. There are no added stories, there is no
18 expansion of borders. What is proposed is an elegant
19 Mediterranean inspired design, a refined architectural
20 refresh. Greenery and design details will add interest,
21 texture, and dimension to the façade.

22 Los Gatos harmony does not mean sameness; it
23 means thoughtful design that complements historic charm.
24 The three-façade requirement made sense when multiple
25

1 tenants occupied the building. Today, a unified,
2 sophisticated façade is not only appropriate for one
3 tenant, but it also enhances our character and reflects our
4 identity as both timeless and forward thinking.

5 In short, this project creates a vibrant corner,
6 strengthens our tax base, reinforces Los Gatos' identity as
7 a destination, and delivers broad benefits to small
8 businesses through increased visibility, jobs, and customer
9 traffic.

10 This is a rare and pivotal opportunity, one that
11 deserves thoughtful consideration. On behalf of the
12 Chamber, I urge you to recommend approval of the PD
13 Ordinance modification.

14 CHAIR THOMAS: Thank you. Are there any questions
15 for the speaker? Thank you. Next I have Ryan Rosenberg.

16 RYAN ROSENBERG: I'd like to start by thanking
17 this entire Commission for all the great work that you guys
18 do for our town; and to reward that, I'll be really quick.

19 I am in favor of this. There are three reasons.

20 The first reason is I like the idea of two for
21 one. We want a vibrant downtown, that's what we're going
22 for, and here you've got an opportunity to have both retail
23 as well as restaurant.

1 I've been to the other RHs. They're really nice,
2 and they do actually elevate the town. They even elevate a
3 place like Yountville; it's really impressive.

4 The other thing is, I do get what people are
5 saying about this façade being kind of "samey," but if you
6 just turn around and look in the other direction, it's
7 actually even a little more detailed than what you see in
8 Old Town. Old Town is pretty samey already, so I don't
9 think that it will transform that area in a negative way.
10 In fact, I think it will make it look nicer; that's my
11 opinion.
12

13 So, I think it will make the Town more vibrant, I
14 think it's a great destination, and I think that it should
15 fit.

16 The last thing I'll add is I think there is some
17 chance that we might get a little bit of a little corridor
18 there. You've got significant furniture stores next to each
19 other, creating a little bit more of a destination, and I
20 think people will go to one, they go to another, making our
21 Town more active. Thank you.

22 CHAIR THOMAS: Thank you. Are there any questions
23 for the speaker? Thank you. Next I have Taylor Burke.

24 TAYLOR BURKE: Hi, thank you for having me. This
25 is my first time doing one of these.

1 Mine will be a little bit more personal or family
2 oriented. I'm a mom. My husband is also here. We have three
3 kids, and buying a house in Los Gatos at the beginning of
4 COVID was a big stretch for us, but we bought it because we
5 wanted to give our kids the best resources and community in
6 the area.

7 We grew up here, but we also spent 11 years in
8 New York, and what you find in New York is that the
9 neighborhoods and the walkability become your family and
10 become your community, so having a destination like this
11 where you can walk downtown and socialize and sit at a big
12 table with other people is so important, and I think it
13 lacks a little bit here.

14 Just this week, two of our kids go to Daves
15 Avenue, and we're planning a mom's night out with the
16 second-grade moms. Lots of options were thrown out, only
17 one of which is in Los Gatos, so we're probably going to
18 end up at Flowers Saratoga, or in Palo Alto, and that's not
19 where we want to be. We want to be able to walk downtown
20 and run into people that we know and have our kids play. My
21 sister's kids go to Van Meter, so it's so fun to have
22 places where you can gather a big group and just develop
23 that kinship and the investment in the community.
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1 Not to mention, I bring up Daves, that our
2 waitlist is huge. Our neighbors bought a \$6.5 million house
3 last year, and their kids are on the waitlist for a public
4 school that is a quarter of a mile from where we live, so
5 it's kind of shocking, and I just think that from an
6 economic perspective that it could have a huge impact on
7 our parks and our public schools. I think that's all.

8 CHAIR THOMAS: Thank you. Are there any questions
9 for the speaker? No. Okay, thank you very much. The next
10 speaker I have is Pete Burke, and if I could just ask you
11 to state your name for the record. Thank you.

12 PETER BURKE: Hi, everyone. Peter Burke, local
13 here of Los Gatos, live on Rose Avenue. My wife, Taylor,
14 just spoke. We have three kids at Daves Avenue.

15 I am in favor of this project for four specific
16 reasons, and I think Gary outlined it very nicely.

17 We have Los visibly enhanced. That's through the
18 beautiful architecture.

19 Drive revenue for the community. That culinary
20 experience that my wife mentions that we're lacking. Just
21 the other week, I work for the world's largest CRM company
22 and I had a number of executives come down to lunch, and we
23 ended up going to Teleferic across the street, but really
24 that was my only option outside of Dio Dekka in terms of a
25

1 quality, high-end restaurant that was open during lunch, so
2 Dio Dekka was out. I think that is a great opportunity for
3 us, and also a great opportunity for that customer traffic
4 that Jennifer Lynn alluded to, not only driving people to
5 obviously seek a great location like Restoration Hardware
6 eatery and an experience, but also drive it for the local
7 business.

8 So, again, very much in favor of this project and
9 would like to see it through. Thank you.

10 CHAIR THOMAS: Thank you. Are there any questions
11 for the speaker? Next, I have Maria Gerst.

12 MARIA GERST: Hi, I'm Maria Gerst, and I'm a
13 resident of Los Gatos. I want to thank you guys for what
14 you do and for hearing me speak today.

15 I'm here also in support of Restoration Hardware.
16 I'm not quite sure why the building that is currently there
17 is considered historic, but I'm a native Californian and
18 I've been coming to Los Gatos since the late seventies, and
19 I can tell you I've seen a lot of change, some of it good,
20 some of it bad. I think this is definitely something good,
21 as we need to evolve.

22 If you look at where all the Restoration
23 Hardwares are placed, they are in prominent areas, and I
24 think we should consider ourselves kind of lucky that we
25

1 have been considered as one of those places, because they
2 are destination spots. I have been to many of them in
3 California. I frequent the one in Palo Alto, because I
4 enjoy the overall vibrancy and it is a destination place;
5 there are lots of people there are lunchtime, there are
6 lots of people there in the evening.

7 I love downtown Los Gatos. I frequent downtown
8 Los Gatos. I'm at the coffee shop all the time, and I'm
9 also at Tereferic, and I'm at The Cellar, and even if you
10 aren't eating at Restoration Hardware, you will be able to
11 enjoy the beautiful views it will give you when you are at
12 either of those places dining out. I think it's going to
13 complete and enhance and elevate our downtown area over
14 there, and I would love to see the space that is currently
15 not being used to be used quickly, to have something in
16 there to retain its vibrancy. Thank you.

18 CHAIR THOMAS: Thank you. Any questions for the
19 speaker? Thank you. Next I have Annette Badger.

20 ANNETTE BADGER: Good evening, I'm Annette
21 Badger. I'm the Director of Construction and Tenant
22 Services for Federal Realty. We are the owners of Old Town,
23 and also Santana Row, as some of you may know.

24 I would like to say that I am in favor of the
25 modification of the Planned Development for several

1 reasons—many of which have already been stated—not only for
2 the economic growth, as Jennifer mentioned, increasing
3 sales tax, increasing jobs, but it's going to bring world
4 class architecture to this town, as Gary mentioned, and it
5 will enhance the already beautiful architecture that you
6 have here.

7 RH has renovated many historical buildings over
8 the years, so they really know what they're doing in a
9 community. Their grand and classical architecture will do
10 an excellent job of integrating into the setting and the
11 surrounding community.
12

13 Having RH here will certainly elevate our
14 shopping center, but more importantly, I believe it will
15 elevate and complement Los Gatos. Thank you.

16 CHAIR THOMAS: Thank you very much. Are there any
17 questions? Thank you for your comments. Next, I have Scot
18 Vallee.

19 SCOT VALLEE: Thank you, Commissioners, for
20 hearing this item tonight. My name is Scot Vallee; I'm Head
21 of Development for Federal Realty for the west coast.

22 As Annette had said, we own Old Town, Santana
23 Row, and Westgate in this area. We think we've been a very
24 strong partner in Los Gatos, both for the Town with the
25 events we hold, and with the other businesses around us.

1 We spent a lot of time and money curating the
2 type of people, and we heard a person earlier talk about
3 Teleferic; that took a long time to find that, and now it's
4 packed every single night. Arhaus is another great
5 addition. The Warby Parkers, the Salt & Straws, we believe
6 that bringing Restoration Hardware is as good, or even
7 better, than adding those. We believe it is going to be a
8 destination for both Old Town and for Los Gatos, and we
9 appreciate any kind of support we can get on this topic
10 tonight. Thank you very much.

11
12 CHAIR THOMAS: Thank you. Any questions for the
13 speaker? Next, I have Christian Irwin.

14 CHRISTIAN IRWIN: Good evening. Thank you for
15 hearing this matter, and thank you for having me. My name
16 is Christian Irwin, I'm the Vice President of Leasing for
17 Federal Realty, and I'm excited to be here.

18 I think the rest of the speakers have done a good
19 job talking about the economic impact and the vibrancy that
20 RH will bring, so I just wanted to tie this into a more
21 local perspective.

22 I grew up in a town in Southern California called
23 Pacific Palisades, which I think shares a lot of the same
24 charm and magic that I got introduced to when I joined
25 Federal Realty eight years ago and got to start working on

1 Old Town. It's been an absolute passion project for me.

2 I've been intricately involved in every lease that we have
3 signed and every new business that we've opened.

4 And credit to the community; your community has
5 momentum. Retailers that historically haven't looked at Los
6 Gatos because it wasn't one of the big four in the Bay
7 Area, now all of a sudden, this idea of meeting people
8 where they are at their homes and being in a vibrant,
9 smaller community, that resonates with retailers.

10
11 Each move that we've done, whether it was in
12 bringing in a great regional restaurant in Teleferic
13 Barcelona, I'm a partnering with Jovie (phonetic) and
14 bringing that to the community and see what that did from a
15 vibrancy perspective, or providing ice cream for the kids.
16 Each move has been well thought out, and I'm happy to
17 discuss any of them.

18 RH, to me, is the crown jewel. I was so proud to
19 be a part of this deal. It was one of the most exciting
20 leases that I've worked on, and opportunities to partner
21 with such a great team since I've been at Federal, so I'm a
22 staunch supporter of this.

23 I'm from a town; my mom owns a hair salon in
24 Pacific Palisades. We moved from Ireland in 1981. My fabric
25 is small businesses, and I think Jennifer said it best: the

1 balance and what we've created here in Los Gatos, I think
2 is a great balance between small business and brands that
3 people know, and I just think the mix in Los Gatos today is
4 better than it's ever been, so thank you.

5 CHAIR THOMAS: Thank you. Yes, Commissioner
6 Burnett.

7 COMMISSIONER BURNETT: Yes, and thank you.
8 Question. Do you think this is more about welcoming a
9 beautiful Restoration Hardware store in our downtown on
10 University Avenue? Do you think it's about that, or do you
11 think we're really sort of having issues about the Planned
12 Development, the LHP, which was 30 years old and signed by
13 the Planning Commission back then and the Town Council, and
14 in that Planned Development, which is Old Town, Building E
15 was specifically mentioned on how it should be maintained
16 or changed.

18 There were four items, very direct, very clean,
19 and aside from what was said about the architecture, I
20 think at that time the townspeople put that together, which
21 was part of the Historic Preservation Committee, which I
22 was part of actually, a lot of time and effort went into
23 that from many members of the community.

24 So, do you think this is not about not wanting
25 Restoration Hardware here, a large store, it's that like

1 many of their stores in like Chicago, they did a beautiful
2 flagship store, a building of 1914; that was beautiful. So,
3 I'm wondering what are your thoughts on that?

4 CHRISTIAN IRWIN: I got up to speak about what I
5 think it does for the community. Yes, I know the issue that
6 went in front of the Historic Preservation Committee was
7 the storefront. I personally believe that what RH will do
8 to that storefront will be magnificent. It's objective. Do
9 you like the storefront? Do you not?

10
11 I know from my own experiences with my mom, when
12 Rick Casuso came to the Palisades and built a new project,
13 there were changes, and some people embraced them, others
14 didn't, but eventually over time things evolve.

15 I look at things on a case-by-case basis, and
16 relative to this building and the façade that is there
17 today, and what RH is going to do and what it's going to
18 bring to the community, for me, my personal opinion is it's
19 going to be magnificent, and it's going to look way better
20 than what I see there today.

21 COMMISSIONER BURNETT: Okay, thank you.

22 CHAIR THOMAS: Any additional questions for the
23 speaker? Thank you. The last speaker card I have is Michael
24 Costigan.
25

1 MICHAEL COSTIGAN: Thank you to the Commission.
2 Michael Costigan, 5930 Rose Avenue. My wife is a native Los
3 Gatan. We moved back here from San Francisco in 2020. I'm
4 originally from Ireland, where we're too poor to have good
5 architecture.

6 When I look at that block, it reminds me of the
7 buildings I grew up around, built by engineers rather than
8 architects. The only architecturally designed buildings we
9 had were churches, which tended to be larger, and even
10 though they were large, they could also be beautiful and
11 they could complement, so I'm not sure if we need to
12 fetishize smaller storefronts; we can have big, large
13 buildings that add beauty.

14 As a former resident of San Francisco through
15 more than 15 years, I saw a lot of vacant storefronts and I
16 see what happens when we leave storefronts vacant. I didn't
17 realize it was three years for The Gap, but that's not
18 good. It's not good for foot traffic, it's not good for
19 vibrancy. I think a lot of the other speakers have spoken
20 to that.

21 We son attends Fusion, we go to the library
22 regularly, we were bringing down the average age of Music
23 in the Park by 20 years on Sunday. We want to be here in
24 this town and we want to be spending our time here, and I
25

1 think this is the type of development that will help that
2 to happen.

3 We've eaten at RH in Napa. I've been into the RH
4 store on North Santa Cruz, but it's too small. There are a
5 lot of things you might want to buy in a house, and I would
6 prefer a larger space. I have bought more things at Arhaus,
7 because it's a bigger floor plan. People will go to larger
8 malls, and they do go out of Los Gatos to San Jose, to
9 these larger malls where they can get access to an overall
10 wider variety of objects and then see them in situ, and I
11 think that's a consideration.
12

13 Again, we shouldn't fetishize small in the case
14 of this type of store having a bit more space to showcase
15 more objects, both in the restaurant and in the gallery
16 space; it seems like a useful thing, and again, will drive
17 more people to shop in Los Gatos rather than leaving Los
18 Gatos. It will drive more people to eat in Los Gatos rather
19 than leaving Los Gatos.

20 I spent the first six months or year of living in
21 Los Gatos and people would say, "Do you like Los Gatos?"
22 and I'd say, "I love Los Gatos, but I live in my house,
23 which could be on the surface of the moon, because we're
24 stuck at home." Now that we're back, now that we're out of
25 COVID, now that we're recovering as a town, I think this is

1 only going to add to the momentum and drive more community,
2 so I firmly recommend the project.

3 CHAIR THOMAS: Thank you. Are there any questions
4 for the speaker? Thank you. I have no more speaker cards
5 for anyone here in the chambers. Okay, there's one more.

6 JIM FOLEY: Thank you, Planning Commission. Jim
7 Foley. It's been awhile. Glad to be back in front of you. I
8 wanted to touch on a couple of things I heard Commissioner
9 Burnett bring up, specifically regarding the PD that was
10 done and the architecture.

11
12 I am a member of the Chamber and on the Chamber
13 board, but I'm speaking right now just on behalf of a long-
14 term family and stakeholder. We own the La Canada building
15 in town; that's an historical building and that's something
16 I think we certainly need to protect, and there are a
17 number of other historically designated buildings.

18 This version of Old Town that we're looking at is
19 important, but it was totally redone, and I think you all
20 took great care in figuring out what that was supposed to
21 look like, and did your best to plan for the future by
22 whatever that designated block, and trying to say let's try
23 to break up certain linear feet of storefront to look like
24 X and Y, and I think it's served its purpose for a long
25 time.

1 But when you have RH here, who is known for
2 worldwide design and everything else, I think we ought to
3 put our trust in them. I love the design that they came up
4 with; I think it's a beautiful building, and I think it's
5 going to update everything really nicely.

6 I heard what you said. I don't think it's a
7 question of whether or not we're asking do we want a bigger
8 RH? Do we want the restaurant? What do we want? I think
9 those questions were answered a long time ago with a lot of
10 policy changes we made in and around town.

11 Anyway, just wanted to comment on that a little
12 bit, that I think you guys do a really great job trying to
13 keep up with everything. There are so many guiding
14 documents, but we can't tackle them all at once, and so I
15 think it's about time to maybe take a fresh look, and these
16 are the right guys to do it.

17
18 CHAIR THOMAS: Thank you. Are there any questions
19 for the speaker? Thank you. Any more speakers?

20 CAROL CUSTER: Hello, my name is Carol Custer and
21 I live here in town, and I love Los Gatos. I love spending
22 time in downtown Los Gatos, and I very much support the
23 Restoration Hardware project.

24 I agree with the other reasons that people have
25 articulated here tonight. I think Restoration Hardware is a

1 stable, well-respected company, and their projects in other
2 locations are very popular. It would definitely draw people
3 to the downtown area, which in turn would support the
4 smaller businesses surrounding the Restoration Hardware
5 project, and it would encourage them to come to downtown
6 Los Gatos instead of going elsewhere, like Santana Row.

7 The design, in my opinion, is beautiful and
8 really thoughtfully done. I was here for the Historic
9 Preservation Committee meeting and personally think that
10 there is appropriate variation in the façade of the
11 Restoration Hardware design with the varying rooflines and
12 the awning treatment. My impression is that it has that
13 nice variance across the front. I also think the design is
14 harmonious with the character of downtown Los Gatos and
15 would elevate the downtown area. Thank you.

17 CHAIR THOMAS: Thank you. Are there any questions
18 for the speaker? Are there any additional speaker cards
19 that are coming forward? Any hands raised on Zoom?

20 DIRECTOR PAULSON: Thank you, Chair. If you would
21 like to speak and you're on Zoom, please raise your hand.
22 There are no hands raised.

23 CHAIR THOMAS: Okay, thank you. Now we will
24 invite the Applicant to come back up and give a closing
25 statement. You can come up to the microphone, and you will

1 have an additional three minutes to speak, and then
2 Commissioners will have an opportunity to ask some
3 questions.

4 GARY FRIEDMAN: First, I'd like to just thank the
5 members of the community that spoke out in support of our
6 project; we greatly appreciate that.

7 Just note, while I might have sounded a little
8 harsh about the existing architecture, we just would love
9 to be here, and we will do something, I think, that will
10 make the community proud. We're also open to your feedback,
11 so it's not that we're just black and white here.

12 Just know, at our core, everything we do comes
13 through a lens of architecture. We have a design ethos
14 that's printed everywhere in our company, and we plan to be
15 here for the distance.

16 In the 25 years I've been here, I've never opened
17 a store that I've closed, and we invest, I think, on
18 average three times more than the next closest retail
19 store, so we're prepared to make a meaningful investment.

20 When you think about us as formula retail, I
21 would also think of the point of view that we actually run
22 three businesses in the building. It is a full restaurant,
23 open for lunch, brunch, and dinner. That could be seen as a
24 separate business in this building. We also run an interior
25

1 design business. We're the largest residential interior
2 design company in the world today, so we not only are a
3 retail home furnishing store, but we're also an interior
4 design business store, and we have space allocated to that;
5 presentation rooms, offices with the building, and so on
6 and so forth, so it's not just one business or one company.
7 It might be one brand, but there are three real businesses
8 beautifully integrated into a singular building. Thank you.

9
10 CHAIR THOMAS: Thank you. I think we probably
11 will have some questions for you. Yes, we will have some
12 questions. Do Commissioners have questions? Commissioner
13 Burnett.

14 COMMISSIONER BURNETT: Yes, thank you. I do
15 appreciate that you changed the way the skylight is. You
16 can't really see it now; there's just one area that...so I
17 really appreciate you working on that.

18 Second of all, I'd like to know the length of the
19 building, the front, the whole façade from the courtyard to
20 Elm Street. Do you know the footage on that?

21 GARY FRIEDMAN: Give us 15 seconds and we'll
22 probably have it. Do you have it, Jordan?

23 COMMISSIONER BURNETT: Then, the color of the
24 plaster versus the stucco that's there now, which is there
25 are many colors of stucco, which I think gives the building

1 a little more interest and variation, and I know yours is
2 just one color for a very long distance, so I think that
3 that does give the texture of it more of a modern look,
4 like the Stanford store, let's say.

5 GARY FRIEDMAN: I would say, we're not using
6 blown on stucco or slapped on stucco, we only use Venetian
7 plaster. It is the most expensive, hand-trowelled finish,
8 which gives it a beautiful variation, and you'll see it,
9 it's like a work of art when you do Venetian plaster.

10 COMMISSIONER BURNETT: But it is one color.

11 GARY FRIEDMAN: Yes, that's true. Just like human
12 beings are generally one color.

13 COMMISSIONER BURNETT: And it's a smooth quality,
14 not like a rough texture like it is there now.

15 GARY FRIEDMAN: Yes, it's a hand-trowelled,
16 smooth finish. It's 131' distance from one end to the
17 other.

18 COMMISSIONER BURNETT: Thank you.

19 GARY FRIEDMAN: And broken up how many times?
20 Five times? There are five varying breaks within the
21 building as it articulates in and out over that 131'.

22 CHAIR THOMAS: Anyone else have any questions? I
23 have a couple of questions.

1 I'm looking at some of our Commercial Design
2 Guidelines; there are a couple of things that I wanted to
3 ask about. I know that in this plan you plan to change and
4 then repair the sidewalk, if needed, for some of the
5 architectural changes that you're planning on. Right now,
6 there is some brick there. You will be planning on
7 replacing that or making sure that that fits seamlessly
8 into the current situation?

9
10 GARY FRIEDMAN: Yes, we would upgrade everything
11 that needs to be upgraded.

12 CHAIR THOMAS: Okay, perfect. Then, as far as
13 other pedestrian amenities, will you have any benches
14 outside? Previously, Steamer's was there and they had,
15 obviously, some outdoor seating for eating, but are you
16 planning on having any seats by your windows or anything
17 for people?

18 GARY FRIEDMAN: I don't know. Do you they have
19 the renderings of the interior of the restaurant?

20 CHAIR THOMAS: Yes.

21 GARY FRIEDMAN: You do. Okay, so the interior
22 restaurant is basically like sitting outside 365 days a
23 year, so we have that. Then on the corridor we have benches
24 and so on and so forth. We actually have outdoor furniture
25 in the corridor between the two buildings. Our plan is to

1 kind of use that as a promenade and try to upgrade it going
2 all the way through.

3 CHAIR THOMAS: Okay, great. That's good to hear.
4 Then, there are a lot of very big, beautiful windows. At
5 what level will those be openable or not? None?

6 GARY FRIEDMAN: The tough thing about doing
7 operable windows is two things. When you have a restaurant
8 it messes with the whole air extraction, and for a kitchen,
9 and so on and so forth. And also, can mess up your air
10 conditioning system. We will have two entrances into the
11 gallery today, one inside. Yes, so we'll have two
12 entrances, those are operable, but currently the other ones
13 are not operable.
14

15 CHAIR THOMAS: Okay, thank you. My last question
16 is related to the outdoor dining. Obviously, it's a loss in
17 the community to lose some outdoor dining space. I
18 understand you design your dining to be like an outdoor
19 experience, but did you think at all about trying to use
20 some of the outdoor space for dining?

21 GARY FRIEDMAN: You mean along the sidewalk?

22 CHAIR THOMAS: Yes.

23 GARY FRIEDMAN: No really. We're trying to focus
24 our investment and do something spectacular, and so nothing
25 really was considered along the sidewalk. Is that something

1 that's really meaningful to the Commission? I mean, I could
2 look at having some tables out there.

3 CHAIR THOMAS: No, I mean like it is just one of
4 the... It's encouraged; like we appreciate... I mean, if you
5 have been down to the space a lot across the street, all of
6 those outdoor areas. We don't have a lot of outdoor dining
7 space in town, and we have beautiful weather and people
8 like to sit outside. The outdoor space was very much
9 utilized for the previous restaurant, so I was just
10 wondering if that was in any part of your plan, if you had
11 a reason for not doing it or doing it.

13 GARY FRIEDMAN: No, I mean, one of the reasons we
14 started building restaurant pavilions with glass rooftops
15 is to give you the feeling that you're sitting outside, and
16 you don't have to sit under an umbrella, because we have UV
17 filtered glass.

18 At first everybody told me in the Napa Valley,
19 when I was trying to build those buildings with the olive
20 trees, that we'd never pass Title 24 for the energy,
21 because the sun was going to beat down on that building,
22 and I almost gave up on that. Then I was Las Vegas for the
23 National Real Estate Convention, and at 3:00 o'clock in the
24 afternoon I had to get something out of my room, and I
25 walked up and I realized it was 107-degrees in Las Vegas

1 and the sun was blasting in my room, and I realized there
2 had to be glass that could control temperature and control
3 UV, and that's how we were able to figure out how to build
4 a glass roof with olive trees in it in the Napa Valley.

5 I think we give you the best of kind of usable
6 tables all year round. You're completely under sunlight,
7 it's filtered, so hopefully it doesn't aggravate skin
8 cancer or anything, and it's at a 68-72 degrees setting.
9 It's not fresh air, but the closest thing to it.

10
11 CHAIR THOMAS: Thank you. Are there any other
12 questions? Commissioner Sordi does have a question.

13 COMMISSIONER SORDI: I did have one question.
14 Thank you for clarifying the three businesses, because I
15 was a little confused with that.

16 I guess my question is what are the operational
17 hours of those three businesses? Is there overlap? Are
18 there hours in which the restaurant is going to be open and
19 the other two are closed?

20 GARY FRIEDMAN: Sure. Sometimes it depends. We
21 kind of look at each of these locations on an individual
22 basis. We know that at the restaurant we seat generally
23 until sometimes in the winter, 8:00 o'clock last seating,
24 meaning we're open till about 9:30-10:00 before people are
25

1 exiting; but most generally summer hours at 9:00 o'clock
2 last seating.

3 Because this is a central courtyard restaurant,
4 the gallery will be open to be able to look through and
5 shop around. We may not be fully functioning with interior
6 designers and everything, because we'll operate the
7 restaurant fully functioning, and a semi-functioning
8 gallery, if you will.

9
10 CHAIR THOMAS: Any other questions? Thank you
11 very much. We will now close the public portion of the
12 public hearing on Item 2, and I invite Commissioners to ask
13 questions of Staff, provide comments, and eventually
14 hopefully propose a motion.

15 Before everyone gets started, I just do have a
16 couple of questions for Staff that I think it would be
17 helpful for everyone to understand before we start our
18 discussion.

19 Can someone please explain why this went to the
20 Historic Preservation Committee first, even though it's not
21 a historic building, and what that means? Thank you.

22 SEAN MULLIN: Thank you for that question. This
23 property, including Old Town, is included in the
24 University/Edelen District; this is an adopted historic
25 district that the Council approved many years ago.

1 As with any of our historic districts, there can
2 be a number of newer buildings, or residences in most
3 context, with the district, and while they're not old,
4 they're not pre-1941; they support the district, so any
5 exterior modifications to buildings or residences within a
6 district need a recommendation by the Historic Preservation
7 Committee.

8 CHAIR THOMAS: Okay, thank you for that
9 explanation. Then, can you just explain the purview of the
10 Historic Preservation Committee? What they're supposed to
11 be looking at and making decisions about?

12 SEAN MULLIN: I touched on it in my presentation,
13 but I can elaborate a little bit. There are three
14 components to this application.

15 There is the CUP, which we've been talking a bit
16 about tonight. Then there are the Architecture and Site
17 Application, which really deals with the exterior
18 modifications to the building, and the modification to the
19 Planned Development. The Architecture and Site and Planned
20 Development Applications are tied together, because the
21 Planned Development dictates for this building that it's
22 broken up to feel like multiple buildings.

23 The Historic Preservation Committee was looking
24 at the exterior modifications, the design, and its
25

1 compatibility with Commercial Design Guidelines and the
2 Historic District. Because they're connected, they touched
3 on the Planned Development Amendment as well.

4 CHAIR THOMAS: So, then a follow-up question to
5 that related to the Planned Development Ordinance. Can you
6 explain what a Planned Development Ordinance is, and what
7 findings typically need to be made to modify one?

8 SEAN MULLIN: A Planned Development Ordinance is
9 an overlay that dictates additional what we call
10 performance standards that govern beyond the base zoning
11 designation. So, while this property is located in the C-2
12 district, which has its own set of zoning requirements and
13 the Commercial Design Guidelines, this Planned Development
14 allows for additional sometimes allowances, so it could be
15 taller buildings, it could be more floor area, or it could
16 be really specific design, like we see in this case.

17 The Planned Development findings, I'm not going
18 to be able to rattle them off in real time. They're
19 provided in your Staff Report, as I search here.

20 CHAIR THOMAS: They're on page 33 of the Staff
21 Report.

22 SEAN MULLIN: Thank you.

23 CHAIR THOMAS: Mainly it's about aligning with
24 specific parts of the General Plan.

1 SEAN MULLIN: Yes, so there is General Plan
2 compliance that the other provisions of the Town Code, so
3 we'll look at that from a technical standpoint, and that
4 the proposed amendment includes the development standards
5 or uses that deviate from the underlying zoning, and so the
6 findings as included in Exhibit 2 are articulated the way
7 that Staff thinks they can be achieved.

8 CHAIR THOMAS: Okay, thank you. Before I open up
9 for more questions to Staff, I do just want to say that as
10 a planning commission—for those of you that are new here,
11 this is your first time—essentially our job is to look at
12 our Town rules that we have set up, our ordinances, our
13 General Plan, and make decisions based on what exists in
14 those documents. So, all of us could sit up here and think
15 that this building is the most beautiful thing that's ever
16 going to come to town, but we have to scrutinize and we
17 have to make sure that it aligns with all of our Town
18 guidelines; essentially, that's our job.

19 So, that's really our job here tonight, and as
20 Mr. Mullin and Mr. Paulson both said, there are two
21 separate parts that I think that we should talk about, and
22 one is the PD Ordinance possible change, and this
23 Architecture and Site, and then separately the CUP. We can
24 do it in either order, but that's my recommendation just
25

1 because I think that they are separate things, and we've
2 done that before in the past.

3 That being said, I would like to open it up to
4 questions from other people. Yes, Commissioner Barnett and
5 then Commissioner Burnett.

6 COMMISSIONER BARNETT: Thank you. Question for
7 Staff. To me, the crux of this hearing seems to be about
8 the PD Ordinance 2025 specifically requiring for Building E
9 to appear as a collection of individual structures that
10 abut each other. I'm just curious if there is any historic
11 knowledge about where that came from.

12 DIRECTOR PAULSON: Surprisingly, that even
13 precedes me. I do not have any of that historic knowledge,
14 but ultimately, when a Planned Development comes through,
15 and I think Commissioner Burnett mentioned that when that
16 PD was coming through HPC had some input, Planning
17 Commission had some input, that ultimately, Council makes
18 the final decision. But I think ultimately the Planning
19 Commission tonight is going to make a recommendation on all
20 three of these applications, which will then go on to the
21 Town Council for consideration.

22 COMMISSIONER BARNETT: Thank you.

23 CHAIR THOMAS: Commissioner Burnett.

1 COMMISSIONER BURNETT: Yes, question for Staff. I
2 actually wanted you just to go over the four areas that
3 Building E was commented on in the Ordinance 2025, and as I
4 recall, when this Planned Development was done, it was to
5 keep in tune with the way Los Gatos has been laid out, the
6 Town itself: any small stores, individual shops, a lot of
7 articulation, a lot of movement. So, that's sort of the
8 idea of the plan that was behind developing this Planned
9 Development 30 years ago, and Building E, which is
10 Steamer's, there were four directions given specifically
11 for that building in the Architecture and Site. So, Mr.
12 Mullin, would you mind just reading those four?
13

14 SEAN MULLIN: Thank you for that question.
15 Performance Standard 15 included in the governing ordinance
16 talked about opening up the center pathway. This is all
17 relative to Building E. "Design the structure so it appears
18 to be a collective of individual structures that abut each
19 other, that the roof design shall be reflective of the
20 individual structures." In other words, break up the roof
21 lines. "The corner tower shall be redesigned into a clipped
22 corner design," and lastly, "Provide more variety in the
23 buildings."
24

25 COMMISSIONER BURNETT: Okay, thank you.

1 CHAIR THOMAS: Do you have any other questions
2 for Staff? Commissioner Raspe.

3 COMMISSIONER RASPE: Thank you, Chair. I have no
4 questions, but if you want, I can begin our discussion. You
5 wanted to break it up in two parts, correct?

6 CHAIR THOMAS: Yes, do we want to do the CUP...
7 Commissioner Sordi.

8 COMMISSIONER SORDI: Just following on the
9 historic discussion, I wanted to understand a little bit
10 more about the nature of a nonparticipating structure
11 versus participating, and if, for example, we had a
12 participating structure that qualified, if it's not opening
13 a can of worms, like succinctly, would it be a different
14 set of design guidelines that would apply to a
15 participating structure versus nonparticipating?
16

17 SEAN MULLIN: Thank you for that question. The
18 guidelines make a distinction between contributing and
19 noncontributing structures; this would be considered
20 noncontributing since it's not old. The modifications that
21 can be made to a contributing structure, I wouldn't say
22 that they're limited, but they're guided more strongly
23 through the guidelines.
24

25 Whereas a newer structure and noncontributing
structure, the guidelines would reinforce that these

1 modifications should further support the district. So, when
2 we typically look at residence, it's about taking something
3 that may not be as ornate in the Almond Grove and improving
4 it to getting closer to a contributing status, and further
5 enhancing the Almost Grove in that scenario. So, that's
6 what we'd look at for this, as a noncontributing structure
7 if any changes are going to be made, how does it continue
8 to support the character and strengthen the cohesiveness of
9 that district?

10
11 COMMISSIONER SORDI: Okay, thank you.

12 CHAIR THOMAS: Commissioner Raspe, did you want
13 to start us off?

14 COMMISSIONER RASPE: Sure. I have some notes here
15 in no discernable order, and it occurs to me that perhaps I
16 should have started this night with a disclosure, and that
17 my house stuffed full of RH furniture, but notwithstanding
18 that, I believe I can sit here and judge in a neutral
19 fashion.

20 The three asks for us tonight are the
21 modification of the PD Ordinance; the Architecture and Site
22 Application, which includes the exterior modifications; and
23 the CUP to allow retail greater than 10,000 square feet
24 with the restaurant.
25

1 Turning first to the first two components, that
2 is the PD Ordinance and the Architecture and Site
3 Application. Really, I think there are three or four
4 changes to the PDO, depending on how we look at it, and
5 largely it is to break up the façade, or to allow the
6 façade to be non-broken-up. Under the current ordinance,
7 it's required to appear to be separate storefronts, and the
8 change requested is to allow it to be one.

9
10 I suspect back in the day—we don't have the
11 historical evidence—this was probably done, I think, to
12 preclude the use of big box stores in Los Gatos, and we've
13 done that, I think, successfully. If that is what this
14 ordinance was intended to do, I think we are not harming
15 ourselves then by modifying this ordinance to allow
16 Restoration Hardware.

17 The modified design really does create an
18 articulated storefront. It allows step-backs on the ground
19 floor, there are alternating fenestrations, it's got a
20 varied roof line, there are deeply recessed windows, and
21 then there are awning. I think those changes will help
22 articulate the frontage to this store, which will preclude
23 what I think our forefathers were trying to preclude, that
24 is, a single, flat base surface facing University Avenue.
25

1 I would be in favor of modifying the Planned
2 Development Ordinance.

3 As for the Architecture and Site Application,
4 again, I find that the design is, I think, very attractive.
5 To the extent it's in an historic district, not itself an
6 historic building, it does contain a cohesive Mediterranean
7 design, which I think complements Old Town across the way.

8 I'll note for the record that the overall height
9 of the building is reduced from 27'-4" to 26'-8", and by
10 the way, this is in an area where 45' is allowed, and so in
11 a time when I know this Town is very concerned about some
12 of our building heights, this is a building that could have
13 gone higher, and they've elected not to.

14 The Applicant is not asking for any new parking,
15 and there is some minor tree removal, but I think that's
16 handled well.

17 So, without turning to the CUP—I'll reserve those
18 comments until later—my view with respect to the PD
19 Ordinance and the Architecture and Site Application is that
20 this is a thoughtful design. I think it protects our
21 historic area and our downtown and would be a good add, so
22 I would support it as currently presented. Thank you,
23 Chair.

24 CHAIR THOMAS: Thank you. Commissioner Burnett.

1 COMMISSIONER BURNETT: Yes. In response to
2 Commissioner Raspe, I would have to say that the present
3 building there has many colors of stucco, with one entire
4 storefront in brick, breaking up the textures. There are
5 wonderful, unique roof designs, and heights reflective of
6 the different stores—that was requested in the PD—versus a
7 long, flat roof with the same parapet across.

8 The Applicant's design is homogeneous. It's one
9 color, 131' feet or whatever, exactly not what the Planned
10 Development Ordinance had in mind.

11 The present building has belly bands, it has
12 wainscots, it has different parapets, it has small windows
13 below the roof line, it has decorative elements, it has
14 brackets, it has corbels, it has eaves, it has bases.

15 The Applicant's building has limited variation.
16 There are no metal glass canopies in Building E, which the
17 Applicant's building has metal glass canopies.

18 The present building has canvas awnings. I think
19 that's a big one.

20 The Applicant wants the façade to be symmetrical
21 and cohesive, which was said over and over again, massing
22 mirror images versus asymmetrical, creating visual
23 interest, conveying movement and dynamism, contributing
24 with the cooler stability of symmetry.

1 I think there are a lot of differences, and I
2 think as Mr. Foley said, these guys can do anything. We're
3 not saying we don't want wonderful Restoration Hardware,
4 we're just saying we need something a little different,
5 something a little more like you've done to other buildings
6 all over the place. A little more personality, a little
7 more charm, I think, in my estimation. So, those are my
8 feelings.

9
10 And asking us to change an ordinance that's been
11 around for 30 years, a Planned Development that a lot of
12 effort went into from the townspeople at that time, I think
13 it's a lot to ask, for myself. Thank you.

14 CHAIR THOMAS: Commissioner Sordi.

15 COMMISSIONER SORDI: Just to address the PD
16 Ordinance, I should mention I'm a city planner in my day
17 job. The one thing I love about PD ordinances is you can
18 change them. You can change them a little bit easier than
19 you can change an entire zoning designation, for example,
20 and they're intended to be tailor fit for the properties,
21 and I think that this isn't all just about design.

22 A lot of the comments we heard, and a lot of the
23 considerations I think that we need to apply to this
24 property, are market driven. We're dealing with a site
25

1 that's now been vacant, at least The Gap portion, for going
2 on three years.

3 It's not just a design driven discussion; we have
4 to take in the totality of all these issues when we make
5 our decision. I think that, and the market, supports a
6 fresh look at this, and we have the opportunity here to
7 make a big change the PD Ordinance, and I think we should.

8 COMMISSIONER BARNETT: I have a couple of
9 comments. I agree with fellow Commissioners Sordi and
10 Raspe. I respect the detail that Commissioner Burnett
11 mentioned about the differentiation of the existing
12 buildings, and the articulation and whatnot.

13 But to me, just looking at the building, I don't
14 think it's convincing that they're separate buildings. I
15 look across at Old Town the shopping center; there is
16 articulation there. But I look at other buildings downtown
17 and I see... Mr. Foley mentioned the La Canada building.
18 Except for the (inaudible) on the corner, it's a pretty
19 rectangular building, a linear building. The same thing is
20 true of the Purple Onion building, except for the corner,
21 which is cut out.

22 So, I don't find in incompatible with the
23 existing historic structures downtown, and I certainly
24 agree that's a beautiful plan that has a tremendous amount
25

1 of consideration that went into it; obviously, an
2 attractive building that would be inviting to customers, as
3 was mentioned.

4 I think it's important for us to keep in mind the
5 General Plan goals relating to economic vibrance and
6 vitality and creating a community, so I in all certainly
7 agree with Commissioner Raspe and Commissioner Sordi that
8 this makes a lot of sense for the Town.

9
10 CHAIR THOMAS: I want to echo my fellow
11 Commissioners comments. I first also want to say that I sit
12 on the Historic Preservation Committee, and I joined that
13 committee in between the two initial meetings for this, and
14 I agree that the current proposed building structure does
15 not comply with the PD Ordinance.

16 However, I also agree with my fellow
17 Commissioners that I don't have a problem changing it based
18 on really looking closely at our Commercial Design
19 Guidelines, and looking at the Land Use Element and
20 Community Design Element of our General Plan.

21 That being said, I think that there are a couple
22 of key parts. In one part in our Commercial Design
23 Guidelines there is a goal that says, "Break larger facades
24 into smaller segments," but I read through the entire
25 thing, and that was the only aspect that this conflicted

1 with, and I do think that it does break it into smaller
2 segments with some of the articulation, even though it is
3 going to be all the windows will be relatively consistent,
4 and the material will be consistent.

5 I understand that it's a slight conflict, but I
6 also found many aspects that this building improves,
7 including larger windows, high transparency of windows,
8 high-quality storefront materials, access to pedestrians,
9 prioritizing pedestrians, adding seats and opportunities
10 for pedestrians to gather outside, in addition to many
11 other things.
12

13 From that perspective, from our Commercial Design
14 Guidelines and what my other Commissioners have said, I
15 also support changing the Planned Development Ordinance,
16 because I do believe that it is not necessarily serving the
17 purpose that it once did in the late nineties.

18 In order to make the findings for amending this
19 Planned Development, we also need to make sure that it
20 complies with the Land Use Element of our General Plan,
21 specifically 1.4, which states that, "In-fill projects
22 shall be designed in context with the neighborhood and
23 surrounding zoning with respect to the existing scale and
24 character of surrounding structures, and should blend
25 rather than compete with the established character of the

1 area," and I do really think that across the street when
2 you look at the original Old Town, that is one large
3 building. When this building was originally built at the
4 time in the late nineties, or whenever it was finished, it
5 was nice, but it looks dated at this point, and I don't
6 think that it doesn't tie in as much with the history
7 aspect of the Town as the rest of Old Town does at this
8 point. Those are a few the findings I feel like I could
9 make.

10
11 In addition, with the aspects for the Commercial
12 Design Guidelines, it specifically says that "Development
13 on all elevations shall be high-quality design and
14 construction, a positive addition to and compatible with,
15 the Town's ambiance. Development shall enhance the
16 character and unique identity of existing commercial and/or
17 residential neighborhoods." That's Policy CD-1.4, and I
18 really believe that this proposed project does that.

19 With those aspects being said, I am in support of
20 making a recommendation to Town Council to approve the
21 amending of the Planned Development and the Architecture
22 and Site Application aspect of this.

23 Obviously we are not going to have a motion or
24 whatnot now, and we do also need to discuss the CUP, but
25 Commissioner Burnett, do you have additional?

1 COMMISSIONER BURNETT: I have a question for the
2 Chair. You bought up outside seating/dining. I don't know
3 where that ended, because I know Steamer's now has that
4 outside in the courtyard there, and I don't know what the
5 final outcome was of that. I think it would be a nice thing
6 to add on if it's going to be forwarded to the Town
7 Council.

8 CHAIR THOMAS: I think that that would be nice. I
9 agree, the more outside space that people can use, the
10 better. I was just referring to the part of our Commercial
11 Design Guidelines that talked about benches and places for
12 seating. Like not for food service or things, but I do
13 agree that if that is something... I wouldn't want to make
14 any conditions of approval based on that, but if there is
15 any opportunity for additional outdoor space. It sounds
16 like they're planning on using the passageway with outdoor
17 furniture and everything, so that would be nice.

18 COMMISSIONER BARNETT: Question for Staff. Since
19 this PD Ordinance 2025 specifically related to Building E,
20 are there other ordinances for noncontributing commercial
21 buildings that also would be affected by the concept of
22 separate buildings? It's not a very well-articulated
23 question, but is that enough to answer? I can try again.
24
25

1 SEAN MULLIN: Thank you for that question. I can
2 try. The existing PD Ordinance talks about a lot of things,
3 but that performance standard is specific to Building E, so
4 everything else in the existing PD Ordinance would be
5 carried forward. The draft ordinance in front of you this
6 evening would just eliminate performance standards 15-B, C,
7 and D, which relate to breaking it up; B and C really to
8 breaking up into individual structures; and D talks about
9 changing the massing on the corner, which was already
10 achieved, because that's how it's built, so its purpose has
11 been served.
12

13 COMMISSIONER BARNETT: I think that responds to
14 my question, thank you.

15 CHAIR THOMAS: Do we want to discuss the CUP, or
16 do you have additional comments?

17 COMMISSIONER RASPE: No. If you like, I can begin
18 that discussion as well. No additional comments on the
19 other.
20

21 CHAIR THOMAS: Okay.

22 COMMISSIONER RASPE: On the CUP, again, according
23 to my notes I think we as a commission have to make four
24 findings. That is that the CUP is essential to the public
25 convenience and welfare, that it doesn't impair the
existing use in the zone, that it's not detrimental to the

1 public health or welfare, and that it is in harmony with
2 the General Plan.

3 Based upon just even the comments we received
4 tonight from the public I think it's clear that this
5 facility, including the restaurant, especially the
6 restaurant perhaps, is going to be a large add to the
7 public convenience and welfare of Los Gatos. It's going to
8 create a destination for eating, for shopping, and would
9 create foot traffic. I think overall it's clear that the
10 project is in compliance with the General Plan, it's in
11 compliance with the Commercial Design Guidelines, zoning
12 requirements, height, parking, etc.

14 We've noticed strong public support, including
15 the Chamber of Commerce, noting again the strong revenue
16 that is derived just from the restaurant component of
17 Restoration Hardware alone.

18 Frankly, it seems to me that the project is, as
19 noted, a "lift" for Los Gatos. It really does show who we
20 are, puts us higher up on the map, and so for all those
21 reasons I think the creation of the CUP to allow the retail
22 in greater than 10,000 square feet, and restaurant which is
23 serving alcohol, should be part of our recommendation to
24 Town Council. Thank you.
25

1 CHAIR THOMAS: I have question for Staff about
2 some other CUPs in this area. Do we have any idea what the
3 business hours are for maybe some of the restaurants across
4 the street, if they are under that, or what Steamer's had
5 before?

6 SEAN MULLIN: I don't have that information
7 ready, but I can pull some of it in the next few minutes if
8 you want to return.

9 CHAIR THOMAS: Would that impact any of our
10 decision making, or do we feel like we've seen enough CUPs
11 that we're comfortable with the hours?

12 COMMISSIONER RASPE: I can only speak personally,
13 and it seems to me if the hours proposed comports with what
14 I would want to make seen in town, and especially if we are
15 going to cast ourselves as a sophisticated, upscale
16 destination location, these are the hours I think that
17 would be appropriate for that kind of destination.

18 CHAIR THOMAS: Yes. You don't have to look that
19 up, Mr. Mullin. I think from my perspective also, sitting
20 on the Commission now for a while, this is in line with
21 other CUPs in the area that we have seen, so I'm not
22 concerned with that. Commissioner Barnett.

23 COMMISSIONER BARNETT: One small point to add is
24 that we haven't seen any opposition to this application
25

1 whatsoever from the public, and it's been widely
2 advertised. The Staff Report and the public comment have
3 been available for review by members of the public, and I
4 think it's telling that there has been no opposition.

5 CHAIR THOMAS: Do anyone maybe want to try for a
6 motion?

7 COMMISSIONER RASPE: I can try, Chair, if you'd
8 like. All right, one second. For Staff, how would you like
9 it? I'm not sure we are in consensus on all three points.
10 Do you want one motion for all three points? How would you
11 like that?
12

13 ATTORNEY WHELAN: It sounds like there might be
14 consensus on the CUP, but not on the Planned Development
15 and Architecture and Site, so maybe you could do two votes,
16 one on each.

17 COMMISSIONER RASPE: Very good. I will then
18 create two motions.

19 First, I move to forward a recommendation of
20 approval to Town Council to modify the Planned Development
21 Ordinance 2025 to allow modifications to existing Building
22 E, as well as an Architecture and Site Application for
23 exterior modifications to an existing commercial building
24 in the University/Edelen Historic District for property
25 zoned C-2:LHP:PD located at 31 University Avenue. APN 529-

1 02-044. Planned Development Modification Application PD-25-
2 001. Architecture and Site Application S-25-004. The
3 project is categorically exempt pursuant to CEQA Guideline
4 Section 15301.

5 I can make the required findings that the project
6 is categorically exempt from CEQA; that pursuant to Section
7 29-0.80.095 of the Town Code the proposed PD Amendment is
8 consistent with Chapter 29, Article 8, Division 2 of the
9 Town Code; the proposed PD Amendment is in conformance with
10 the goals, policies, and applicable land use designations
11 and standards of the Town's General Plan; the proposed PD
12 Amendment is in conformance with all applicable provisions
13 of the Town Code, including Town Council adopted
14 guidelines; that the proposed amendment includes
15 development standards for uses that deviate from the
16 underlying zone in a way that results in innovative site
17 planning and provides public benefit to the citizens of the
18 Town by providing additional dining opportunities, and
19 available, if goods and services, tax revenue.
20

21 Staff, is that an adequate motion?

22 ATTORNEY WHELAN: Did you want to consider the
23 Architecture and Site Application with this vote?
24

25 COMMISSIONER RASPE: Yes, with respect to the
Architecture and Site Application, let's see...

1 ATTORNEY WHELAN: We don't have findings for
2 that; we have considerations.

3 COMMISSIONER RASPE: Okay, how about I will just
4 include the considerations as provided in the Staff Report.
5 One question for my fellow commissioners before either. Did
6 we want to include a side recommendation of outdoor
7 seating?

8 CHAIR THOMAS: It sounds like they already have
9 that in the plans.

10 COMMISSIONER RASPE: Then no further
11 modifications to the motion.

12 CHAIR THOMAS: Does someone have a second?

13 COMMISSIONER SORDI: Second.

14 CHAIR THOMAS: Commissioner Sordi, thank you.
15 Discussion before I call the question? All those in favor
16 of the current motion, raise your hand. The motion passes
17 4-1.
18

19 Then the second motion for the CUP. Do you want
20 to go again?

21 COMMISSIONER RASPE: I move to forward approval
22 to Town Council to approve the Conditional Use Permit for
23 formula retail over 10,000 square feet, and for a
24 restaurant with alcohol service on property zoned C-
25

1 2:LHP:PD located at 31 University Avenue. APN 529-02-044.
2 Conditional Use Permit Application U-25-001.

3 I can make the findings that the proposed uses of
4 the property are essential or desirable to the public
5 convenience or welfare; that the proposed uses will not
6 impair the integrity and character of the zone since it is
7 a commercial use located in a commercial zone; that the
8 proposed uses would not be detrimental to public health,
9 safety, or general welfare; and that the proposed uses of
10 the property are in harmony with the various elements or
11 objectives of the General Plan.
12

13 I can also make the further findings, as required
14 by Section 29.20.19(b) of the Town Code, that the proposed
15 use of the property is in harmony with specific provisions
16 or objectives of the General Plan, that the proposed use
17 will not detract from the existing balance and diversity of
18 business in the Commercial District, that the proposed use
19 would not create an overconcentration of similar types of
20 businesses, and that the proposed use would not detract
21 from existing land use mix and high urban design standards.
22

23 CHAIR THOMAS: Is there a second? Commissioner
24 Barnett.

25 COMMISSIONER BARNETT: Second the motion.

1 CHAIR THOMAS: Thank you. Discussion? Are we good
2 on the motion? Perfect. I'll call the question. All those
3 in favor, please raise your hand. The motion passes
4 unanimously.

5 I believe we are done with this. Because it is a
6 recommendation, there are no appeal rights.

7 DIRECTOR PAULSON: That's correct.

8 CHAIR THOMAS: Okay, thank you.

9 (END)
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