TOWN OF LOS GATOS
PLANNING COMMISSION
REPORT

MEETING DATE: 11/12/2026

ITEM NO: 1

DATE: November 6, 2026

TO: Planning Commission

FROM: Joel Paulson, Community Development Director

SUBJECT: Consider Appeals of a Community Development Director Decision to Approve Construction of a New Second-Story Addition to an Existing Single-Family Residence on Property Zoned R-1:8. **Located at 100 Jamie Court**. APN 527-32-038. Minor Residential Application MR-26-007. Categorically Exempt Pursuant to the California Environmental Quality Act, Section 15301: Existing Facilities. Property Owner: Jaimin K Desai. Applicant: Duong Le. Appellants: Antonio J. and Georgia M. Ricco; and Mohammed Nazemi. Project Planner: Suray Nathan.

RECOMMENDATION:

Deny the appeals of the Community Development Director's decision approving a request to construct a second-story addition to an existing single-family residence on property zoned R-1:8, located at 100 Jamie Court.

PROJECT DATA:

General Plan Designation:	Low Density Residential
Zoning Designation:	R-1:8 – Single-Family Residential (8,000 square feet minimum)
Applicable Plans & Standards:	General Plan, Residential Design Guidelines
Parcel Size:	8,800 square feet

Surrounding Area:

	Existing Land Use	General Plan	Zoning
North	Commercial	Neighborhood Commercial	C-1
South	Residential	Low Density Residential	R-1:8
East	Residential	Low Density Residential	R-1:8
West	Residential	Low Density Residential	R-1:8

PREPARED BY: Suray Nathan
Assistant Planner

Reviewed by: Planning Manager, Community Development Director, and Town Attorney

CEQA:

The project is Categorically Exempt pursuant to the adopted Guidelines for the Implementation of the California Environmental Quality Act, Section 15301: Existing Facilities.

FINDINGS:

- The project is Categorically Exempt pursuant to the adopted Guidelines for the Implementation of the California Environmental Quality Act, Section 15301: Existing Facilities.
- The project meets the objective standards of Chapter 29 of the Town Code (Zoning Regulations).
- The project is in compliance with the Residential Design Guidelines for single-family residences not located in the hillside area.

ACTION:

The decision of the Planning Commission is final unless appealed within ten days.

BACKGROUND:

The subject property is located on the south side of Jamie Court, approximately 500 feet south of Blossom Hill Road (Exhibit 1). The 8,800-square foot subject lot is currently developed with a 2,433-square foot single-story residence and an attached 520-square foot garage. Surrounding properties are developed with one- and two-story single-family residences, except for the lot directly to the north, which is zoned Neighborhood Commercial (C-1).

On April 16, 2026, the applicant submitted a Minor Residential Development application to construct a second-story addition to an existing single-family residence.

In September of 2026, story poles and signage were installed on the site. On September 15, 2026, the Town mailed the Notice of Pending Approval to the neighboring residents, notifying them that it was the intent of the Town to approve the project on September 25, 2026, and providing them with appeal rights with a deadline of 4:00 p.m., Monday, October 5, 2026. The application was approved on September 25, 2026.

On October 1, 2026, the decision of the Community Development Director was appealed to the Planning Commission by neighbors to the rear, Antonio J. and Georgia M. Ricco (Exhibit 8). On October 5, 2026, the decision of the Community Development Director was appealed to the Planning Commission by a second neighbor west of the subject property, Mohammed Nazemi (Exhibit 10). The applicant has provided a summary of their neighborhood outreach efforts and a response to each of the two appeals received (Exhibits 11 and 12).

On October 14, 2026, the applicant submitted revised plans addressing neighbor concerns. The revisions include removing the rear elevation balcony opening and relocating the proposed

west-facing bedroom window to the north elevation, facing Jamie Court (Exhibit 14).

Pursuant to Section 29.20.480 (c) of the Town Code, any interested person, as defined in Section 29.10.020, will have ten (10) days from the date of approval to file a written notice of appeal to the Planning Commission with the Community Development Director. For residential projects, an interested person is defined as "a person or entity who owns property or resides within 1,000 feet of a property for which a decision has been rendered and can demonstrate that their property will be injured by the decision." The appellants meet the requirements.

Pursuant to Town Code Section 29.20.265, the hearing for the appeals must be set for the first regular meeting of the Planning Commission more than five days after the date of filing the appeal. Due to legal noticing timelines and full agendas, the November 12, 2026, Planning Commission meeting was the first regular meeting available to consider the appeals. The Planning Commission may hear the matter anew and render a new decision on the matter.

PROJECT DESCRIPTION:

A. Location and Surrounding Neighborhood

The subject property is located on the south side of Jamie Court, approximately 500 feet south of Blossom Hill Road (Exhibit 1). Surrounding properties are developed with one and two-story single-family residences.

B. Project Summary

The applicant is proposing to expand the existing 2,433-square foot single-story residence with an 1,185-square foot second-story addition and a 38-square foot first-story addition for a total of 2,776 square feet. Additionally, the applicant proposes to dedicate 880 square feet of the existing first-floor area as an ADU (Exhibit 13, Sheet A6). Pursuant to state law, the ADU will be processed under a ministerial building permit and is not the subject of this Minor Residential application.

C. Zoning Compliance

A single-family residence is permitted in the R-1:8 zone. The project meets the objective standards of the zoning code for height, floor area, building coverage, parking, and setbacks.

DISCUSSION:

A. Minor Residential Development Application

Town Code Section 29.20.480 (2)(a) requires approval of a Minor Residential Development application for a new second-story addition to single or two-family dwellings. The applicant proposes expanding the existing 2,433-square foot, single-story residence with an 1,185-

square foot second-story addition and a 38-square foot first-story addition. The resulting two-story residence would be 2,776 square feet; the maximum allowed for the lot is 2,816 square feet (Exhibit 13). The proposed project would comply with the Town's demolition calculation and would not be considered a new residence. A summary of the floor area for the proposed residence is included in the following table.

Floor Area Summary				
	Existing SF	**Addition SF**	**Proposed SF**	**Max Allowed SF**
First Floor	2,433	38	1,591	
Second Floor	--	1,185	1,185	
Total	**2,433**	**1,223**	**2,776**	**2,816**
ADU (first floor)	**--**	880	880	

B. Neighborhood Compatibility

The immediate neighborhood consists of one and two-story traditional single-family residences, with the exception of the lot directly to the north, which is zoned C-1 and is home to the Blossom Hill Square shopping center. Based on Town and County records, the residences in the immediate neighborhood range in size from 1,400 to 4,205 square feet. The FAR ranges from 0.20 to 0.38. The proposed residence would be 2,776 square feet with a FAR of 0.32, making it the third-largest residence in the immediate neighborhood by square footage and the second-largest by FAR. Pursuant to the Town Code, the maximum allowable square footage for the 8,800-square foot lot is 2,816 square feet with a maximum FAR of 0.32. The table below reflects the current conditions of the immediate neighborhood:

Address	**Zoning**	**Residence Floor Area**	**Garage Floor Area**	**Total Floor Area**	**Lot Size**	**Residence FAR**	**No. of Stories**
100 Jamie Court (Ex.)	**R-1:8**	**2,433**	**520**	**2,953**	**8,800**	**0.28**	**1**
100 Jamie Court (Prop.)	**R-1:8**	**2,776**	**520**	**3,296**	**8,800**	**0.32**	**2**
104 Jamie Court	R-1:8	2,339	520	2,859	8,008	0.29	1
108 Jamie Court	R-1:8	2,339	520	2,859	8,000	0.29	1
15080 Harwood Road	R-1:8	4,205	748	4,250	10,967	0.38	2
101 Gemini Court	R-1:8	2,788	400	3,188	8,800	0.32	2
102 Gemini Court	R-1:8	2,098	440	2,538	8,800	0.24	2
16180 Harwood Road	R-1:8	3,150	519	2,789	11,240	0.28	2
16190 Harwood Road	R-1:10	2,447	659	3,106	10,300	0.24	1
101 Bacigalupi Dr	R-1:8	2,248	504	2,752	8,393	0.27	1
100 Bacigalupi Dr	R-1:8	1,400	440	1,840	7,100	0.20	1

C. Building Design

The Town's Consulting Architect reviewed the proposed residence on April 24, 2026, and provided six recommendations to ensure conformance with the Residential Design Guidelines (Exhibit 6). These are detailed below, followed by the applicant and staff's responses (Exhibit 7).

1. Simplify the second-floor plan and massing, and move entry and stair back.

   Applicant Response: We simplified the second-floor plan and massing by reducing the overall height from 26 feet to 22 feet and reconfiguring the entrance and staircase back by approximately three feet.

   Staff Response: The applicant incorporated the recommendations provided by the Consulting Architect.

2. Lower the first floor-to-second-floor height to nine feet and the second-floor to ceiling height to nine feet to be more in scale with other homes in the immediate neighborhood.

   Applicant Response: We lowered the first-floor-to-second-floor height to nine feet and the second-floor ceiling height to nine feet, as recommended, to better match the scale of other homes in the immediate neighborhood. The overall height is now 22 feet. The adjacent structure West of the proposed home is 16 feet; across the street East of the proposed home is 25 feet.

   Staff Response: The applicant incorporated the recommendations provided by the Consulting Architect.

3. Add trim to all windows to match existing.

   Applicant Response: We added wooden trim to all windows to match the existing windows.

   Staff Response: The applicant incorporated the recommendations provided by the Consulting Architect.

4. Add belly band trim on two-story walls.

   Applicant Response: We added wooden belly band trim to the two-story walls to visually separate the number of stories.

   Staff Response: The applicant incorporated the recommendations provided by the Consulting Architect.

5. Revise the balcony railing to blend with the proposed architectural style.

   Applicant Response: We revised the street-facing balcony from a glass railing to a three-foot, six-inch high wall with wooden siding, matching the exterior walls, to blend in with the proposed architectural style. The applicant also removed the rear bedroom balcony to preserve the rear neighbor's privacy.

   Staff Response: The applicant incorporated the recommendations provided by the Consulting Architect.

6. Add traditional beam and other structures at side balcony as necessary.

   Applicant Response: We added a traditional beam at the side balcony to support the large opening facing the street.

   Staff Response: The applicant incorporated the recommendations provided by the Consulting Architect.

D. Appeals to Planning Commission

The Community Development Director's approval was appealed by two separate parties. The first was submitted on October 1, 2026, by Antonio J. and Georgia M. Ricco, the property owner to the rear of the subject site at 101 Bacigalupi Drive (Exhibit 8). The appeal includes a detailed letter specifying their concerns for consideration by the Planning Commission (Exhibit 9). The second appeal was submitted on October 5, 2026, by a neighbor, Mohammed Nazemi, who lives west of the subject site at 104 Jamie Court (Exhibit 10). The applicant's response letter, which addresses each of the appellant's concerns, is attached to this report (Exhibit 11). Additionally, the applicant submitted revised plans that implement changes to the plans approved by the Community Development Director to address the appellants' concerns (Exhibit 14). A summary of the specific reasons for each appeal is provided below, followed by staff's analysis.

Appeal #1

The first appeal was submitted by the neighbors to the rear of the subject property at 101 Bacigalupi Drive. The appeal form and a detailed letter specifying their concerns are included as Exhibits 8 and 9. The applicant's response letter, which addresses the appellant's concerns, is also attached to this report (Exhibit 11).

Appellant's reason #1: Neighborhood incompatibility: Mass, scale, and character. A 3,650-square foot, two-story home is proposed in a neighborhood block of closely spaced 2,400-square foot one-story homes.

Staff response: The proposed expansion of the single-family residence complies with the Town Code requirements for floor area, height, setbacks, lot coverage, and parking. The

proposal would not be the largest home in the immediate neighborhood in terms of square footage or FAR. There are currently four two-story homes within the immediate neighborhood and three outside of it, but within the Jamie Court cul-de-sac. In response to feedback from the Consulting Architect, the applicant successfully refined the project design by reducing the overall height of the proposed second-story addition from approximately 26 feet to 22 feet and additionally reconfiguring the main entrance and staircase by setting them back approximately three feet to address massing (Exhibit 7 and Exhibit 13, Sheet A12).

Appellant's reason #2: Loss of light and sky view impacts the yard, kitchen, office, family room, and primary room at 101 Bacigalupi Drive.

Staff response: The Town Code does not include provisions or limitations regarding the preservation of open sky views. The proposed second-story addition ridge height is 22 feet above grade, approximately 4.5 feet higher than the existing single-story roofline, which complies with the maximum allowable height limit of 30 feet for the subject parcel (Exhibit 13, Sheet A12.3). The shadow study analysis demonstrates that the proposed addition will not cast any shadows on the neighboring rear residence at 101 Bacigalupi Drive on either June 21 or December 21 at the peak assessment hours of 9:00 AM, 12:00 PM, or 3:00 PM (Exhibit 13, Sheet A12.8).

Appellant's reason #3: Privacy intrusions from proposed windows and balcony will look downward into patio, family room, and dining area.

Staff response: To address and mitigate potential privacy concerns, the applicant submitted updated plans on October 14, 2026, eliminating the previously proposed rear balcony opening (Exhibit 14). However, the bedroom window on the south elevation, facing the adjacent neighbor at 101 Bacigalupi Drive, remains and is required for ingress and egress pursuant to the Building Code. The applicant proposes planting 21 bamboo trees (Bambusa textiles gracilis) along the 80-foot rear property line to provide privacy (Exhibit 13, Sheet A12). Condition number five requires that privacy screening vegetation along the 80-foot rear property line be perpetually maintained at a minimum height of 12 feet. Additionally, any dead, dying, or diseased vegetation must be replaced in kind within 30 days to ensure continuous compliance (Exhibit 3).

In an October 15, 2026, email to staff, the appellants stated that they were encouraged by the removal of the balcony opening; however, they still have concerns with the bedroom window at the rear elevation and indirect illumination from the sky.

Appeal #2

The second appeal was submitted by the neighbor who lives west of the subject site at 104 Jamie Court. The appeal form specifying their concerns is included as Exhibit 10. The applicant's response letter, which addresses the appellant's concerns, is also attached to this report (Exhibit 11).

Appellant's reason #1: The second-story bedroom window looks into both our yards and house, including the family room and bathroom. The applicant stated that they would redesign the second story to remove the bedroom window to address our privacy concerns; however, the updated plans were not submitted before the appeal deadline.

Staff response: To address privacy concerns, the applicant submitted updated plans on October 14, 2026, showing the removal of the previously proposed west-facing bedroom window and its relocation to the north elevation, facing Jamie Court. The only windows facing the west elevation are two clerestory frosted windows, with a sill height of six feet above the finished floor, for the proposed bathrooms (Exhibit 14, Sheet A11).

In an October 18, 2026 email to staff, the appellant indicated that the project changes successfully resolved their privacy concerns.

Appellant's reason #2: The scale and size of the project seem out of place in the street, especially considering the lot size.

Staff response: The proposed expansion of the single-family residence complies with the Town Code requirements for floor area, height, setbacks, lot coverage, and parking. The proposal would not be the largest home in the immediate neighborhood in terms of square footage or FAR. There are currently four two-story homes within the immediate neighborhood and three outside of it, but within the Jamie Court cul-de-sac. In response to feedback from the Consulting Architect, the applicant successfully refined the project design by reducing the overall height of the proposed second-story addition from approximately 26 feet to 22 feet and additionally reconfiguring the main entrance and staircase by setting them back approximately three feet to address massing (Exhibit 7 and Exhibit 13, Sheet A12)

E. Tree Impacts

The subject property contains five protected trees, which will remain. Additionally, the applicant proposes planting 26 bamboo trees (15-gallon size) along the rear property line and along the west property line by the proposed second-story bedroom window. Furthermore, the project will not impact any trees on adjacent properties.

F. Parking

Pursuant to Section 29.10.150 (c)(1) of the Town Code, a single-family residence requires two on-site parking spaces. An existing attached two-car garage will remain to meet the minimum required parking spaces.

G. Neighbor Outreach

The applicant conducted neighbor outreach with the surrounding neighbors regarding the proposed project. A summary of their outreach efforts is included as Exhibit 12.

PUBLIC COMMENTS:

As required by Town policy, story poles and project signage were installed on the subject property prior to the mailing of notices for the public hearing. Written notice was sent to property owners and residents within 300 feet of the subject property. Public comments received by 11:00 a.m., Friday, November 6, 2026 are included in Exhibit 15.

ENVIRONMENTAL REVIEW:

The project is Categorically Exempt pursuant to the adopted Guidelines for the Implementation of the California Environmental Quality Act, Section 15301: Existing Facilities.

CONCLUSION:

A. Summary

The proposed project is in compliance with the Residential Design Guidelines and Town Code regulations. Two neighbors appealed the Community Development Director's decision to the Planning Commission. The appellants' concerns relate to mass, scale, and privacy, and they contend that the proposed height will reduce sunlight and that the bedroom window will adversely affect their privacy.

B. Recommendation

For the reasons stated in this report, it is recommended that the Planning Commission deny the appeals of the Community Development Director's decision approving a request to construct a second-story addition to an existing single-family residence on property zoned R-1:8, located at 100 Jamie Court as shown in Exhibit 13 and subject to the recommended Conditions of Approval included in Exhibit 3. The applicant submitted updated plans on October 14, 2026, in response to the concerns provided in the appeals (Exhibit 14). The Planning Commission may choose to incorporate all or portions of the revised plans as additional conditions of approval.

C. Alternatives

Alternatively, the Commission can:

1. Continue the matter to a date certain with specific direction;
2. Deny the appeals and approve the Minor Residential Development application with additional and/or modified conditions of approval; or
3. Grant the appeals and deny the Minor Residential Development application.

EXHIBITS:

1. Location Map
2. Required Findings
3. Recommended Conditions of Approval
4. Letter of Justification
5. 3D Rendering
6. Consulting Architect's Report, dated April 24, 2026
7. Applicant's Response to the Consulting Architect's Report, dated August 4, 2026
8. Appeal of the Director of Community Development, received October 1, 2026
9. Appellant’s Letter to Planning Commission, received October 1, 2026
10. Appeal of the Director of Community Development, received October 5, 2026
11. Applicant’s Response to Both Appeals, received October 14, 2026
12. Summary of Applicant’s Neighborhood Outreach
13. Approved Development Plans
14. Revised Development Plans, received October 14, 2026