



**TOWN OF LOS GATOS  
PLANNING COMMISSION  
REPORT**

MEETING DATE: 01/13/2021

ITEM NO: 2

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**DATE:** January 8, 2021

**TO:** Planning Commission

**FROM:** Joel Paulson, Community Development Director

**SUBJECT:** Consider an Appeal of a Development Review Committee Decision Approving a Request for Demolition of an Existing Single-family Residence and Construction of a New Single-family Residence with Reduced Setbacks on Nonconforming Property Zoned R-1:8. Located at 15 Loma Alta Avenue. APN 532-29-073. Architecture and Site Application S-19-023. Property Owner: BAB Investment Group LLC. Applicant: Babak Homayouni. Appellants: Kelly Luoma and Rick Rutter. Project Planner: Jennifer Armer

**BACKGROUND:**

The Planning Commission considered the appeal of the Development Review Committee (DRC) decision approving the application on November 11, 2020 and continued the matter to January 13, 2021. The Planning Commission directed the applicant to consider the comments of the Planning Commission, including the house style compatibility with the immediate neighborhood.

**DISCUSSION:**

The applicant has revised the development plans in response to the comments received from the Planning Commission and provided a summary of the revisions to the development plans (Exhibit 18). The revised development plans include two alternatives, a Mediterranean/Spanish style (Exhibit 20) and a Craftsman style (Exhibit 21). The materials proposed for the Mediterranean style include stucco walls, and clay tile roof. The materials proposed for the Craftsman style include stucco or paint grade siding for the first floor, stained wood siding for the second floor, and composition shingle roof. Both style alternatives include wood windows and doors. The two style alternatives both reduce the overall height from 27 feet to 24 feet 10

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Senior Planner

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Reviewed by: Planning Manager and Community Development Director

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DISCUSSION (continued):

inches and reduce the roof pitch from 12:12 to 8:12. The footprint and floorplan of the proposed residence have both been maintained as previously proposed with only minor changes for windows and exterior features.

In response to the letter (Exhibit 19) from Mr. Lyon sent on January 2, 2021, on behalf of the neighbors, the applicant has made additional revisions to the Craftsman style alternative. The applicant's response to the neighbor comments is included in Exhibit 18, and a revised set of development plans, the "Revised Craftsman Proposal," was submitted on January 7, 2021 and is included as Exhibit 22.

STORY POLES:

Revised story poles and blue netting have been installed on the site showing the reduced height and change in roof pitch along with the original story poles and orange netting. The two different colors of netting allow for a massing comparison between the previous and revised development plans. The story poles have been certified by a licensed surveyor who indicated that they accurately reflect the height and location of the proposed residence.

PUBLIC COMMENTS:

Public comments received between 11:01 a.m., Wednesday, November 11, 2020 and 11:00 a.m., Friday, January 8, 2020 are included as Exhibit 19.

CONCLUSION:

A. Summary

The applicant has submitted revised development plans responding to the Planning Commission's direction (Exhibits 20, 21, and 22).

B. Recommendation

Should the Planning Commission determine that the revised project meets the direction provided at the November 11, 2020 meeting, the Commission can take the actions below to deny the appeal and approve the Architecture and Site application:

1. Find that the proposed project is categorically exempt pursuant to the adopted Guidelines for the implementation of the California Environmental Quality Act, Section 15303: New Construction or Conversion of Small Structures (Exhibit 17);

CONCLUSION (continued):

2. Make the required findings as required by Section 29.10.09030(e) of the Town Code for the demolition of a single-family residence (Exhibit 17);
3. Make the finding required by Section 29.10.265(3) of the Town Code for modification of zoning rules on nonconforming lots (Exhibit 17);
4. Make the finding required by the Town's Residential Design Guidelines that the project complies with the Residential Design Guidelines (Exhibit 17);
5. Make the required considerations as required by Section 29.20.150 of the Town Code for granting approval of an Architecture and Site application (Exhibit 17); and
6. Approve Architecture and Site application S-19-023 with the conditions contained in Exhibit 3 and the development plans attached as Exhibit 22.

C. Alternatives

Alternatively, the Commission can:

1. Continue the matter to a date certain with specific direction;
2. Deny the appeal and approve the application with the previous development plans in Exhibit 15, Exhibit 20, or Exhibit 21;
3. Deny the appeal and approve the application with additional and/or modified conditions;
4. Grant the appeal and remand the application to the DRC with direction for revisions; or
5. Grant the appeal and deny the Architecture and Site application.

EXHIBITS:

Previously received with the November 11, 2020 Staff Report:

1. Location Map
2. Required Findings and Considerations
3. Recommended Conditions of Approval
4. Project Description and Letter of Justification
5. Consulting Architect's First Report, dated May 24, 2019
6. Applicant's Response to the Consulting Architect's First Report
7. Consulting Architect's Second Report, dated February 25, 2020
8. Consulting Arborist's Report, dated September 2, 2019
9. Public Comments received prior to 10:00 a.m., Friday, September 4, 2020
10. September 8, 2020 Development Review Committee meeting minutes
11. Applicant's neighbor outreach efforts
12. Public Comments received prior to 10:00 a.m., Monday, September 21, 2020
13. September 22, 2020 Development Review Committee meeting minutes
14. Appeal of Development Review Committee received October 1, 2020

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SUBJECT: 15 Loma Alta Avenue/S-19-023

DATE: January 8, 2021

EXHIBITS (continued):

15. Development Plans, received September 21, 2020

Previously received with the November 11, 2020 Addendum Report:

16. Additional comment provided by the appellant

Received with this Staff Report:

17. Revised Required Findings and Considerations

18. Applicant Response Letter

19. Public comments received between 11:01 a.m., Wednesday, November 11, 2020 and 11:00 a.m., Friday, January 8, 2021

20. Revised Development Plans – Mediterranean Alternative, received December 9, 2020

21. Revised Development Plans – Craftsman Alternative, received December 9, 2020

22. Revised Development Plans – Revised Craftsman Proposal, received January 7, 2021