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

Los Gatos Planning Commissioners:
Steve Raspe, Chair
Emily Thomas, Vice Chair
Susan Burnett
Melanie Hanssen
Kathryn Janoff
Adam Mayer

Town Manager: Laurel Prevetti

Community Development Director: Joel Paulson

Town Attorney: Gabrielle Whelan

Transcribed by: Vicki L. Blandin
(619) 541-3405

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

CHAIR RASPE: We'll now move to the Public Hearings portion of the calendar, of which there is one matter tonight. Tonight is a request for approval of demolition of an existing single-family residence and construction of a new single-family residence with reduced setbacks on a property zoned R-1D located at 212 Thurston Street, APN 410-15-039. The Property Owner/Applicant is Meleah Guillard, and the project planner is Maria Chavarin.

First, can I see a show of hands of Commissioners who have visited the property? Thank you all. Are there any disclosures on this item? Seeing none, can I please have the Staff Report then, Ms. Chavarin?

MARIA CHAVARIN: Good evening, Maria Chavarin, project planner for the property located at 212 Thurston Street.

The item before you this evening is an Architecture and Site Application for demolition of an existing single-family residence and construction of a new single-family residence with reduced setbacks on a property zoned R-1D. The project consists of the construction of a

1 two-story single-family residence including below-grade
2 square footage and the removal of two existing fruit trees.
3 As part of the application the Applicant is requesting an
4 exception to Chapter 29 of the Town Code of regulations for
5 reduced front yard setbacks.

6 This will conclude Staff's presentation. I'm
7 happy to answer questions. Thank you.

8 CHAIR RASPE: Thank you for that report, Ms.
9 Chavarin. Commissioners, any questions for Staff on this
10 matter? Seeing none, I have one card from the Applicant.
11 Meleah Guillardo is the project applicant. You can come
12 forward to the podium and speak. You have up to three
13 minutes to speak. Thank you.

14 JENNIFER ARMER: Through the Vice Chair, she has
15 up to five minutes, in combination with her architect as
16 well, who is available on Zoom, if she so chooses.

17 CHAIR RASPE: Very good. My apologies. You have
18 five minutes total. You can allot that as between you and
19 your architect in any fashion. Thank you.

20 MELEAH GUILLARDO: Thank you. My name is Meleah
21 Guillardo and I am the owner of 212 Thurston Street. I've
22 lived in Los Gatos my whole life and am excited to make
23 Thurston Street my forever home in this beautiful town.
24
25

1 I am requesting approval to build a new home, as
2 the current structure is very out of date and an eyesore in
3 the surrounding neighborhood. I also plan to repair the
4 garage. I look forward to being a good and accommodating
5 neighbor and I thank you, Commissioners, for your time this
6 evening.

7 I will pass it off to my architect, Chris
8 Spaulding, for further comments.

9 CHAIR RASPE: Thank you. Mr. Spaulding, can you
10 hear us on Zoom?

11 CHRIS SPAULDING: I can. Can you hear me?

12 CHAIR RASPE: Yes, we can. Go ahead and proceed.

13 CHRIS SPAULDING: Thank you. This is a very
14 interesting lot, a very small lot—you've all been out to
15 see it—and it's adjacent to the commercial zone, and the
16 adjacent property on the commercial zone has a house that's
17 actually partially on Meleah's property by 6", and is also
18 onto the public right-of-way by another 9", I believe.

19 At some point something is going to happen on
20 that property, so when we designed this we anticipated that
21 something large or unattractive might go there in the
22 future, maybe four units, or who knows? We designed his
23 house for Meleah's needs, and also as best as we could to
24
25

1 protect the neighbors' privacy, their light, and their
2 views.

3 As you can see from some of the neighbors, they
4 were also very concerned about their privacy, so we did
5 some revisions to the second floor windows. If you look in
6 your packet, it's page 74, or if Maria could put it up on
7 the screen, it's our slide "212 Thurston Privacy Window
8 Changes." That's it.

9 Originally we had some large windows in the
10 bathroom and we have made those windows with 5' sills and
11 changed them to obscure glass, and that leaves only one
12 window, which is in the bedroom facing the rear yard. We
13 have a photo of what it looks like looking out that window.
14 Maria, if you could put up "From Second Floor Looking at
15 Rear Neighbors with Proposed Hedge." There it is.

16 This is the view from that window, and we're
17 proposing a hedge, which is also in your packet, I think
18 page 75, and if Maria could put it on the screen, it's "212
19 Thurston Screening Plan." It shows the configuration of
20 that hedge that the landscape architect proposes. I think
21 with that hedge we could protect the neighbors' privacy
22 from that one remaining window on the second story. There
23 isn't really a privacy issue looking in the other
24 directions.
25

1 Also, I should say that the reason that we're
2 asking for reduced setbacks is those setbacks reduce the
3 shadows onto the rear neighbors a little bit; it allows for
4 us to have space for a small porch on the front, which was
5 requested by the Town's consulting architect, and we'd like
6 to have a porch ourselves; and even with the reduced
7 setbacks the proposed house is still farther back than the
8 existing house and it does allow for a little larger back
9 yard for Meleah, so that was the idea about asking for the
10 reduced setback.
11

12 That's all I have to say, unless you have some
13 questions of me. Thank you.

14 CHAIR RASPE: Thank you very much, Mr. Spaulding.
15 Please stay on the call for one moment and I'll ask my
16 fellow commissioners whether they have any questions for
17 the Applicant, either the owner or the architect on the
18 line? Commissioner Hanssen.

19 COMMISSIONER HANSSEN: Thank you for your
20 presentation. I wanted to ask about the consulting
21 architect's comments. While you responded to a number of
22 the architectural concerns I didn't see a lot of discussion
23 of when they brought up being the largest house in the
24 neighborhood from a couple of different metrics.
25 Specifically the consulting architect talked about because

1 you're so close to the front setback and having a wall of
2 two-story, so I was curious if you could address that,
3 because I didn't see that in there? Maybe I missed it, but
4 maybe you could address that.

5 CHRIS SPAULDING: Sure. One of his suggestions to
6 mitigate not having such a tall wall at the front of the
7 house was to expand the front porch, and so we took that
8 suggestion and added that to the plans so that there is no
9 longer any full two-story wall segments that are visible at
10 the front; the front porch is a one-story element that
11 mitigates the height, I guess I could say.

12 COMMISSIONER HANSSEN: Maybe it's because we
13 don't have drawings like the consulting architect does. So
14 it sounds like you have made some effort to reduce the
15 massing at the street.

16 CHRIS SPAULDING: Yes.

17 COMMISSIONER HANSSEN: Can I also ask you about
18 the garage? The Applicant did mention yes, we're going to
19 fix the garage, but you had a number of comments from your
20 neighbors about the garage, and it wasn't in the plans to
21 tear down and rebuild the garage. What is planned for the
22 garage since that was a source of complaint from at least a
23 couple neighbors?
24
25

1 CHRIS SPAULDING: It can't be torn down if we
2 want to leave it in its existing location, and we do want
3 to leave it in the existing location, because it's almost
4 at zero lot line, so on this tiny property it gives more
5 space for parking in front of the garage and it also gives
6 more yard space. The intent is to repair it and fix it and
7 make it as nice as the new house will be, but it will
8 essentially be the same building, just with cosmetic
9 repairs.

10
11 COMMISSIONER HANSSEN: But the cosmetic repairs
12 will at least address the concerns that the neighbors had
13 about it looking dilapidated and things falling off?

14 CHRIS SPAULDING: Correct. It is dilapidated and
15 things are falling off, and that will all get repaired.
16 That will be included in our construction plans, but this
17 application was really for the house, not the garage, so
18 that's why it's not included in the application.

19 COMMISSIONER HANSSEN: Understood, but we just
20 want to make sure that you've addressed all the neighbors'
21 concerns as best as possible. Thank you.

22 CHRIS SPAULDING: That is our intent.

23 CHAIR RASPE: Thank you so much. Any other
24 questions or comments from Commissioners? Yes, Commissioner
25 Burnett.

1 COMMISSIONER BURNETT: Thank you, Mr. Spaulding,
2 for responding to our questions. After going through the
3 documents here, our Town architect made six recommendations
4 and you really only agree with two, wanting to maintain
5 more of a contemporary style home.

6 After walking the neighborhood, which I did,
7 there's really only one home that is contemporary; most of
8 the houses are one- to two-story traditional. You refer
9 mostly to the house on Monterey Avenue; I think it's 529
10 Monterey.
11

12 Did you discuss other options with your client,
13 since this is predominantly a traditional neighborhood and
14 there's really only one other home that is real
15 contemporary? There is one home on Olive Street that has a
16 similar roof, but the FAR is very small; it's a small lot
17 and small home, and considering the size of this lot and
18 the other FARs in the neighborhood that are less but the
19 lots are much larger, this adds to the dominance of the
20 style of this home, so I'm wondering if there were other
21 options for your client considering four of the
22 recommendations of our Town architect were not acted upon?
23 Thank you.
24

25 CHRIS SPAULDING: Sure. Maria, could you put up
the slide of 529 Monterey, please? There it is. That's the

1 house you're referring to, which is across the street and
2 one property over. Similar style to what Meleah would like.
3 We discussed it and she wants a more contemporary house,
4 not such a traditional one, so that's what we're trying to
5 achieve. There is already an example in the neighborhood,
6 so the Planning Staff said that since there is already one
7 it's kind of the ice had been broken and we could follow
8 suit.

9
10 I'd also like to say that it's likely that
11 something more contemporary will probably happen adjacent
12 to us on the property zoned commercial, and this house is
13 right at the edge of the neighborhood, it's not in the
14 center of the neighborhood.

15 Perhaps Maria could also put on the slide
16 "Thurston Street View of Story Poles." There we go. This is
17 looking down the street and that contemporary house on
18 Monterey is to your right. Our proposed house, you can see
19 with the orange netting, is on the left. I just don't see
20 that this is going to be an overwhelming presence on the
21 street. It's not going to be orange, so it's not going to
22 stand out like the netting. I think it will fit in very
23 nicely, and we're trying to do what the owner prefers, and
24 she prefers the contemporary style.
25

1 COMMISSIONER BURNETT: Thank you for that, but
2 again, that's the only real contemporary home in the
3 neighborhood that you're describing. I walked the whole
4 neighborhood, and that's the only one, and we do have a
5 Residential Design Guideline and our architect recommended
6 six changes, and you decided to only go for two. Those are
7 just my comments, so that concerns me.

8 And it is the tallest house that is going to be
9 built. It's a very small lot and the FAR is one of the
10 fifth highest of the FARs. The other FARs are on much
11 larger lots, so I was just making those comments. Thank
12 you.

13 CHAIR RASPE: Thank you so much. Any other
14 Commissioner comments for the Applicant? Commissioner
15 Mayer.

16 COMMISSIONER MAYER: I just want to ask a
17 question for clarification. The reason that the setback
18 went from 10' to 7'3" was because of the addition of the
19 front porch? Am I understanding that correctly?
20

21 CHRIS SPAULDING: Yes.

22 COMMISSIONER MAYER: Okay, thanks.

23 CHAIR RASPE: Thank you. Any other questions from
24 Commissioners? Mr. Spaulding, please stand by. There will
25

1 be a chance to ask and answer some additional questions
2 after we hear from the rest of the public.

3 Now I open the discussion to comments from the
4 public. I know we have at least one on Zoom, Mr. Paulson.
5 Zoom callers, if you want to speak, please raise your hand.
6 You will be called up and then please state your name for
7 the record.

8 JENNIFER ARMER: The first speaker is Bill Hopps.

9 CHAIR RASPE: Mr. Hopps. Welcome.

10 BILL HOPPS: Thank you. My name is Bill Hopps. I
11 am a resident on Olive Street behind the property.
12

13 First off, I've got to acknowledge that I didn't
14 have time to look at any of the planning documents that
15 were revised; I haven't seen them, so thank you for
16 addressing some of the issues.

17 Overall my biggest concern is just the scale of
18 the property. It's much larger than any of the other homes,
19 and especially any of the homes behind it. It's going to
20 impact our light and visibility out of the back. I
21 acknowledge the input of a hedge is great. The master
22 bedroom windows though, I don't know how much that hedge
23 blocks, but they weren't changed in size and they do have a
24 good view of our back entryway and bedroom.
25

1 I think that kind of sums it up. My concern
2 overall is that you have a consulting architect that has
3 said the size and scale was out of character of the
4 neighborhood, and that seems to have been somewhat ignored.
5 Thank you.

6 CHAIR RASPE: Thank you very much for your
7 comments. Before you go, any questions? Mr. Hopps, we have
8 one question for you from our commissioner.

9 VICE CHAIR THOMAS: Hi, Mr. Hopps. Thank you for
10 speaking during public comment tonight. My question for you
11 is would you not be comfortable with any two-story home, or
12 is it really just the location of the bedroom?
13

14 BILL HOPPS: That's kind of a long and not deep
15 lot. A two-story home is going to be imposing on that
16 structure, so that is an overall concern.

17 I will live with accommodation somewhat of the
18 windows. I understand the neighborhood is changing and I'm
19 basically not stuck in the mud or not open to change, but
20 it does imply that the entire neighborhood is going to be
21 going through a change. If the two stories get built there,
22 then I don't see what logic stops two-story buildings from
23 being built on all of our lots except behind it, and that
24 will definitely start changing the entire character of the
25 neighborhood. I hope that answers your question.

1 VICE CHAIR THOMAS: Thank you.

2 CHAIR RASPE: Thank you. Any other questions for
3 Mr. Hopps? Seeing none, thank you for your comments
4 tonight, Mr. Hopps. Mr. Paulson, any other comments on
5 Zoom?

6 JOEL PAULSON: Martha, you'll be next to speak.

7 CHAIR RASPE: Hi Martha. You have three minutes
8 to speak, and if you can begin by stating your name for the
9 record, please.
10

11 MARTHA: My name is Martha (inaudible) and my
12 husband and I are the owners of 105 Olive and our back yard
13 shares a little bit of the garage and a little bit of the
14 fence with Meleah.

15 I want to thank Meleah for taking some measures
16 to respect our privacy. One of the concerns that have not
17 been addressed is that the house next to Meleah is also a
18 two-story house, but it is much lower. I look in my back
19 yard and I can barely see that house, even the two-story,
20 but Meleah's house is much taller than that. Can the two-
21 story house be lower like the other one next to it? It's
22 one of my questions. Why does it have to be so much taller?
23 So that's one of the things.

24 Then the window, I'm very happy that there are
25 going to be some privacy measures for our privacy concerns,

1 otherwise, our whole back yard is like completely visible,
2 but I don't know that that hedge is going to protect our
3 privacy, because the window, it didn't show what it does to
4 our yard really. I'm not sure if it's because it's not
5 visible from that window or not, but I would be surprised,
6 because that house, from our yard looking just from our
7 back yard door, it's very prominent right now what you see
8 of that house.

9
10 And again, the one just in front of me, I cannot
11 see that second floor; it's much lower. So it's not that a
12 second floor couldn't be built, it's like can it be like 5'
13 lower like the one next to it is what I'm asking.

14 CHAIR RASPE: Thank you for your comments. Before
15 you leave, do any Commissioners have questions for this
16 witness? Seeing none, thank you so much. Mr. Paulson, any
17 other voices to be heard on Zoom?

18 JOEL PAULSON: Thank you, Vice Chair. The next
19 speaker will be Carolyn.

20 CAROLYN BECHTEL: I am Carolyn Bechtel and I'm
21 right between those last two neighbors. I'm at 103 Olive
22 Street, and yes, this is directly in my back yard, over the
23 fence.

24 I am all for building our personal homes that
25 make us feel wonderful in this fantastic town of Los Gatos.

1 I will miss my sky view and trees and all that will happen,
2 but I also appreciate progress.

3 You talked about the bathroom windows being
4 elevated and frosted, shaded, whatever, but I'm not quite
5 clear on the bedroom windows, because I think it's looking
6 directly into my bedroom, so I'm not quite clear on that.
7 It does seem like the height is quite tall in the
8 neighborhood, but I also look up our street on Olive and I
9 think it's kind of the same thing. I don't know, I'm a
10 little concerned about the visual from the windows looking
11 right into my bedroom window, and I'm not sure what can be
12 done about that, but that's all I have to say.

14 CHAIR RASPE: Thank you for your comments. Before
15 you leave, I'm going to ask if any Commissioners have any
16 questions for you, and I see Commissioner Janoff.

17 COMMISSIONER JANOFF: Thank you. Just a question.
18 Your primary concern sounds like it is the rear bedroom
19 window that you stated appears to look directly into yours.
20 The Applicant has proposed a hedge screening that, by
21 documentations provided to us and in the package for public
22 review, would seem to obscure from that window to yours.
23 Have you seen that proposed hedge, and do you find that an
24 acceptable means to ensure your privacy?
25

1 CAROLYN BECHTEL: I did see that earlier and that
2 actually very positively affected me, and I really
3 appreciate that that is their intention. So yes, I would
4 say that I have better feelings about that.

5 COMMISSIONER JANOFF: Thank you so much for your
6 response.

7 CHAIR RASPE: Commissioner Thomas.

8 VICE CHAIR THOMAS: My question has to do with
9 the front yard setback. One of the requests that the
10 Applicant is making tonight is that the front yard setback
11 is only at 7' versus 15' so that there is a larger back
12 yard space. I'm just asking you as a neighbor, how you feel
13 about that adjustment, making sure that that house is
14 closer to the front lot line than the back, and does that
15 help with your privacy concerns?
16

17 CAROLYN BECHTEL: Who was that question actually
18 addressed to?

19 VICE CHAIR THOMAS: That was to you. So sorry,
20 let me summarize it again. To meet the setbacks required
21 for this neighborhood and for this lot, the house would
22 need to be moved back, so one of the things we're
23 considering tonight is an exception to that rule. I was
24 just asking if having the house set more forward toward its
25

1 front lot line, father away from your lot line, would help
2 with some of your privacy concerns?

3 CAROLYN BECHTEL: That's an architectural
4 question. Gosh, I really don't know how to answer that. He
5 faced that on our own street on Olive Street, and from the
6 other perspective, I wouldn't have a problem either way.

7 VICE CHAIR THOMAS: But would you be comfortable
8 with the house closer to you?

9 CAROLYN BECHTEL: I wouldn't want to ruin the
10 plans. I don't know.

11 VICE CHAIR THOMAS: Okay, thank you.

12 CHAIR RASPE: Thank you so much. Any other
13 questions from Commissioners for this witness? Seeing none,
14 thank you, again for attending this evening. Mr. Paulson,
15 any other Zoom speakers?

16 JOEL PAULSON: Yes, thank you. The next speaker
17 will be Lee Quintana.

18 CHAIR RASPE: Thank you. Ms. Quintana, if you
19 could state your name for the record, and you have three
20 minutes.

21 LEE QUINTANA: My name is Lee Quintana, and I
22 should mention that I'm currently a member of the Historic
23 Preservation Committee, but I am making this comment as an
24 individual resident.

1 My comment has to do with the garage and the fact
2 that it is going to have a separate application. I am
3 wondering, since that seems to be a consideration for the
4 neighbor, if the Conditions of Approval should add a
5 condition that the Occupancy Permit cannot be finalized
6 until the garage has also been repaired? That's one thing.

7 The other thing is in response to a Commissioner
8 question. If you move the house back as built, obviously it
9 would probably have more impact on the rear yard neighbors;
10 if you move it forward it would have more impact on the
11 street, so in a sense the question is not whether it should
12 be moved back or forward, but whether it should be modified
13 to not be as massive and imposing. Thank you.

14 CHAIR RASPE: Thank you, Ms. Quintana. Any
15 questions from Commissioners for Ms. Quintana? Seeing none,
16 Mr. Paulson, any further?

17 JOEL PAULSON: Thank you, Chair. No, no further
18 hands.

19 CHAIR RASPE: Thank you. I don't have any yellow
20 cards for anybody in the audience who wants to be heard on
21 this matter, but if there is anybody who wishes to be
22 heard, please, as you would reach the podium, state your
23 name and address for the record, and you would have three
24 minutes to speak.
25

1 MOSES GUILLARDO: Hi, my name is Moses Guillardo;
2 this is my daughter here.

3 CHAIR RASPE: Sorry, then you would be part of
4 the Applicant's team, so you'll have another chance to
5 speak. Again, you'll have three minutes at the end; you can
6 apportion that between you and the architect.

7 Any other members of the public wish to be heard?
8 Okay, now Applicant, you have up to three minutes to speak
9 in rebuttal to any of the points that the members of the
10 public have stated. You can allot that time any way you
11 wish, between yourselves or your architect on Zoom. If you
12 do speak in person, please attend the podium. You can
13 begin.

14 MOSES GUILLARDO: Hi, my name is Moses Guillardo;
15 this is my daughter Meleah. I've lived in Los Gatos since
16 1978 and I've seen the whole area grow. After the 1989
17 earthquake I've seen all the remodeling people did in
18 downtown and stuff like that. A lot of stuff is going
19 through changes right now.

20 We're a landscape construction company, me and my
21 brother, we have a company, been around for a long time, so
22 I see a lot of change in the neighborhood and stuff like
23 that, and I hear some of the neighbors behind, what they're
24 asking about the height and the house like that.

1 I said I would bring in big English Laurel
2 between 8'-9'tall, and if I have to I would bring in 14'-
3 16' foot camphor trees if they want to be screened for the
4 back. We're going to build a brand new fence, so there
5 would be privacy down there; we're not going to be
6 affecting anybody for any views that you are seeing. You'll
7 still see the mountains in Los Gatos.

8 The only thing I'm trying to say is this house,
9 my daughter works hard and you can barely afford to live in
10 this neighborhood. We looked at just fixing the house up,
11 but it is not fixable, it is a tear down. And the house
12 right next to her, it's like a chicken coop. It's sitting
13 on her property, but we would like to make a change and
14 build something nice for Los Gatos.

15 We love Los Gatos. We've lived here all our years
16 and I'd like to see Los Gatos grow, but I do see a lot of
17 change in all these neighborhoods, so I'm just asking
18 Commissioners to take a look at everything and see what you
19 guys can do, and I really appreciate you giving us a chance
20 to talk. Thank you.

21
22 CHAIR RASPE: Thank you, Mr. Guillard. Before
23 you sit down, there may be questions from the Commissioners
24 for either of you, your daughter, or for the architect on
25 Zoom. Let's see what the questions are. You also have an

1 additional one minute and 20 seconds. Does anyone have
2 anything further to say?

3 JOEL PAULSON: The architect has his hand raised.
4 I assume he wants to speak.

5 CHAIR RASPE: If we can go to Zoom, Mr. Paulson.
6 Yes, Mr. Spaulding.

7 CHRIS SPAULDING: I was just raising my hand in
8 case you had a question for me.

9 CHAIR RASPE: Okay, before we go to questions,
10 your team essentially has a little over a minute left to
11 speak if you have any comments before you take questions.
12

13 CHRIS SPAULDING: I don't at the moment.

14 CHAIR RASPE: Then please stay on Zoom. I think
15 there will be some questions from Commissioners.
16 Commissioners, any questions?

17 MELEAH GUILLARDO: I just want to say that while
18 I do respect the privacy concerns of my neighbors, I also
19 want to acknowledge I have my own privacy concerns too,
20 being it's my bedroom window, my bathroom window. I won't
21 be looking into my neighbors' yards all day. I want to have
22 my privacy protected as much as possible, which is why we
23 are making these changes as well.

24 Like I said, I do want to be a good neighbor,
25 better the neighborhood, better the community as best as I

1 can, but I just want to make that clear that my privacy is
2 a concern as well.

3 CHAIR RASPE: Thank you so much. Again, I think
4 we've heard from all the members of the Applicant's team.
5 Commissioners, any question for any members of the
6 Applicant's team? Commissioner Thomas.

7 VICE CHAIR THOMAS: My question is actually for
8 Mr. Spaulding. Well, both of you, but probably for Mr.
9 Spaulding. The screening that you plan on doing will be
10 evergreen, correct?
11

12 CHRIS SPAULDING: Yes.

13 VICE CHAIR THOMAS: Okay, thank you.

14 CHAIR RASPE: Thank you. Any other Commissioners?
15 Commissioner Janoff.

16 COMMISSIONER JANOFF: Thank you. For the
17 Applicant. There was a suggestion that we consider adding a
18 Condition of Approval to not finalize your project until
19 the garage is repaired as well. Would you be willing to
20 accept that condition as part of the terms of approval?
21

22 MELEAH GUILLARDO: I would say yes, I'm just not
23 sure on the planning steps when that is. I mean overall
24 when the house is built, I would like the garage to be
25 built simultaneously in that same time frame. I'm not sure,

1 just timing, when that needs to be about to happen. I'd
2 probably defer to my architect to address that.

3 COMMISSIONER JANOFF: Thank you.

4 CHRIS SPAULDING: Yes, we'll accept the Condition
5 of Approval.

6 COMMISSIONER JANOFF: Great, thank you.

7 CHAIR RASPE: Thank you. Any others questions,
8 Commissioners? Commissioner Thomas.

9 VICE CHAIR THOMAS: This is actually a question
10 for Staff regarding that. Is that a legal Condition of
11 Approval, Ms. Whelan, that we could require?
12

13 ATTORNEY WHELAN: Yes. I'd have to check in with
14 Planning as to whether that was part of the planning
15 application, and if it's part of the planning application,
16 the Town can impose that condition. If the planning
17 application did not reference the garage, the Town cannot
18 mandate it, but the Applicant can agree to it.

19 VICE CHAIR THOMAS: Okay, so basically it can be
20 a strong suggestion that the Applicant would agree to?

21 JENNIFER ARMER: Or a condition could be added
22 based on the fact that the Applicants have agreed to it.

23 ATTORNEY WHELAN: And once the condition is
24 added, it will be enforceable.

25 VICE CHAIR THOMAS: Okay, thank you.

1 CHAIR RASPE: Thank you. Any other questions from
2 Commissioners? Commissioner Mayer.

3 COMMISSIONER MAYER: This is for Mr. Spaulding.
4 Thank you; I appreciate your team responding to the
5 neighbor concerns regarding privacy by raising the sills in
6 the bathroom.

7 I do have a question about the master bedroom, if
8 you had discussed with the client perhaps using one of the
9 walls, primarily the wall with the window that the
10 neighbors are concerned about, as the bed wall and having
11 Clerestory windows there so there is privacy, and then the
12 main windows looking outside or to the side yard. I'm just
13 wondering if that is something you had taken a look at.

14 CHRIS SPAULDING: We did look at that option.
15 Meleah would prefer to look out to the north, mainly
16 because we don't know what's going to happen on the
17 property to the east. So yes, we did look at that, but
18 Meleah preferred the way it is currently.

19 COMMISSIONER MAYER: Got it. Thank you.

20 CHAIR RASPE: Any other questions from
21 Commissioners? Vice Chair Thomas.

22 VICE CHAIR THOMAS: Mr. Spaulding, my last
23 question for you is with regard to some of the consulting
24 architect's suggestions that one of my other Commissioners
25

1 brought up before, and that is the stucco and the stone to
2 maintain that more contemporary style, which I understand.
3 That other house that you are citing is in the immediate
4 neighborhood, its stone and the stucco are the same color,
5 so I was wondering what the plan was for this stone and
6 stucco combination?

7 CHRIS SPAULDING: Ours is similar. We do have a
8 color board; it's in your packet. I don't know if it's in
9 color in your packet; it should be. It's page 39. Ours is a
10 similar color scheme; the stone is a little more golden,
11 but otherwise very similar.

12 JENNIFER ARMER: It's included as Exhibit 4.

13 VICE CHAIR THOMAS: Thank you. I was looking at
14 the adjusted ones at the end and that was black and white.
15 So those colors are the same, but the porch and everything
16 is what ended up changing. Okay, thank you.

17 CHAIR RASPE: Thank you. Any further questions? I
18 actually have one. Mr. Spaulding, I think you're the best
19 one to answer this. One of the neighbors indicated that
20 they also had a two-story structure, but it was shorter in
21 height than this proposed one, so I'm curious, what is your
22 floor plate height on this building?

23 CHRIS SPAULDING: First of all, that second story
24 is over the garage, so the 8' garage ceiling is measured
25

1 from the grade, whereas our plate is measured from a raised
2 floor that is 2' off the ground, so that's 2' right there,
3 and then we have a 10' ceiling on the lower floor and 9' on
4 the top, so that's the other. And they probably have an 8'
5 second floor, so we're about 5' taller than that building.

6 CHAIR RASPE: As a follow up question then, as
7 part of your planning did you consider—especially with
8 respect to the second floor, the 10' high ceilings—reducing
9 that floor height?
10

11 CHRIS SPAULDING: The second floor is 9'.

12 CHAIR RASPE: I'm sorry, 9'.

13 CHRIS SPAULDING: I've suggested it. Meleah would
14 like to keep the ceiling heights the way they are, but it's
15 up to her.

16 CHAIR RASPE: I appreciate that. Thank you. If I
17 can ask the Applicant, you've heard my question to your
18 architect, would you be willing to consider reducing the
19 ceiling height as a way to reduce the overall height of it?

20 MELEAH GUILLARDO: I would be open to it. I don't
21 want to make extreme concessions to that. Maybe like 6" on
22 each level could be my concession, but I'm trying to make
23 the most out of the house, as it is a small lot and it is a
24 pretty small house, so I'm just trying to maximize where I
25 can, but if that is necessary.

1 CHAIR RASPE: I appreciate your response.
2 Commissioners, do you have any further questions? No. Then
3 I will close the public portion of this matter and then
4 open it up to my Commissioners for discussion of questions,
5 comments, or a motion. Commissioners Janoff.

6 COMMISSIONER JANOFF: This is a very small lot,
7 it's a very challenging lot, it's sort of long and not very
8 deep, which is also unusual and challenging. The house
9 itself is pretty modest in size, which is consistent with
10 the size of the lot.

11
12 I think that the plans are reasonable for the
13 area. I can find consistent with the Residential Design
14 Guideline that in terms of the 2-2-5 rule guideline that
15 the contemporary house that you see on the corner of
16 Monterey is in that 2-2-5 immediate neighborhood, and
17 therefore there is context for this house being a
18 contemporary house as well, so I think that we can make
19 that finding.

20 As a result of the choice of the contemporary
21 design the two of six requests from the consulting
22 architect wouldn't apply, because this is a contemporary
23 style and so the metal roof as well as the window trim
24 would be consistent with the contemporary style, so I can
25 see that to the extent that the architectural style is

1 contemporary the architect has managed to make the
2 adjustments that the consulting architect has recommended
3 that would apply, so I find that this is a reasonable
4 project for this site.

5 Regarding the 7' setback, it's an improvement
6 over the setback you currently have, and as Commissioner
7 Thomas was alluding to in her questions about resiting the
8 house itself back on the lot in order to be able to meet
9 the 15' setback, it would be a loss of the use of the
10 property in the rear yard, so that doesn't seem reasonable,
11 and the mass moving backwards would certainly impinge on
12 your neighbor's privacy. That's why the 7' setback seems
13 reasonable, particularly when you're adding a porch, which
14 is something that's very consistent within the Town and a
15 good recommendation from Staff, so I can justify the 7'
16 setback in that regard.

18 I also appreciate that the Applicant has agreed
19 to the privacy hedge, and you've heard the neighbor tonight
20 agree that that would go a long way toward preserving the
21 privacy.

22 Lastly, I'm glad that the Applicant brought up
23 her own concerns for privacy. It is always a two-way
24 street, and the privacy that each party desires to cherish
25 is one that we hope to achieve, so I'm glad that you are

1 also concerned with your privacy and that the measure that
2 you're taking will afford that as well as your neighbors,
3 so I'm in favor of this application.

4 CHAIR RASPE: Thank you for those comments.
5 Commissioner Hanssen.

6 COMMISSIONER HANSSEN: I pretty much agree with
7 everything that Commissioner Janoff said. I thought long
8 and hard about it. I always look to the consulting
9 architect's comments, but to be able to provide any
10 reasonable amount of space with this small of a lot, it's
11 going to be very difficult to move the second story back
12 and all that, and then you might create unintended
13 consequences, so I do think that this size of it is
14 appropriate for this remodeling. We're improving the
15 setback to a certain extent.

16 I would, pursuant to your Vice Chair's
17 suggestion, want to consider at least removing some of the
18 things that put it over the top maybe by very slightly
19 lowering the plate height of the second floor by even 6";
20 that would hopefully bring the house down under the 3" and
21 not be the tallest in the neighborhood. I think whenever
22 we're pushing things to the very edge, it's problematic.
23
24
25

1 I do think the things you've suggested for
2 privacy will make a lot of sense, and I agree that is a
3 two-way street.

4 Generally I'm in favor of the application, but I
5 would maybe like to see a very slight height reduction; and
6 I would also be in favor of the Condition of Approval for
7 the garage, since we had enough neighbors complaining about
8 it.

9
10 CHAIR RASPE: Thank you for those comments.
11 Commissioner Janoff.

12 COMMISSIONER JANOFF: The plate height issue is
13 one that we see on every application these days when it's a
14 residential application; it's always a 10' first floor and
15 proposed 9' second floor. Normally I would not be in favor
16 of those plate heights, particularly when we are looking at
17 designs where the houses are quite large, but when you have
18 a modest sized house like this the plate heights make a
19 huge difference when you're overall room size is small. I
20 know this from personal experience since my kids live in a
21 1,000 square foot house, and it doesn't seem so, because
22 it's got 10' height ceilings in the living areas and 9' in
23 the bedroom; it makes a big difference.

24
25 When I look at the plans for this, especially on
the upper floor, you have a very modest couple of rooms, so

1 although the Applicant graciously would accept a lower
2 plate height I wouldn't recommend lowering it any more than
3 6", because those inches really do make a big difference on
4 a small scale.

5 CHAIR RASPE: Thank you. Vice Chair Thomas.

6 VICE CHAIR THOMAS: I would like to echo
7 Commissioner Janoff's comments. I would not be in favor of
8 reducing the plate height, again, because I do think that
9 what is being requested has become more of the standard,
10 and I think that it is a very modest and well designed
11 house that would fit into the neighborhood and take into
12 account the privacy issues of the neighborhood.
13

14 I'm also speaking as someone who has a neighbor
15 that has rooms that look in, trees and screening and window
16 coverings, these are all things because they don't want me
17 looking out at them in their bedroom window either, so I
18 appreciate that the Applicant pointed that out. I don't
19 think that 6" is going to make a huge difference with
20 regard to privacy or to the bulk and mass from the street,
21 so I would not be in favor of changing that, unless my
22 fellow commissioners feel very passionate about it.
23

24 Overall I do agree that it does comply with our
25 Residential Design Guidelines and I think that it would
really improve the neighborhood, and so I'm happy to

1 support the application as is, with making sure that those
2 screen trees are included.

3 CHAIR RASPE: Thank you for those comments. Any
4 further comments, Commissioners? Commissioner Mayer.

5 COMMISSIONER MAYER: I'm pretty much in agreement
6 with what the other Commissioners have said so far. I
7 somewhat disagree with the consulting architect's comments.
8 Even though the material palette for the exterior is
9 contemporary, I think it's tastefully done, but you have
10 sort of more traditional window proportions and the roof
11 gable forms that kind of tie it back to the historic nature
12 of the neighborhood.
13

14 We have to remember too that this particular
15 block is sort of a transition zone between the commercial
16 area of Santa Cruz Avenue and the more residential area
17 going up Thurston Street, so I think this design is
18 appropriate for that zone.

19 I don't take asking for setback exceptions
20 lightly, but in this case this is a very special
21 circumstance, it's a nonconforming lot that is smaller than
22 a typical lot in this zoning district, and the way that the
23 house meets the street is really nice, the addition of the
24 front porch, and I especially love the fact that you are
25

1 planning to keep the garage and rehabilitate it and refresh
2 it so it doesn't look like it's falling apart.

3 One of the disappointments I see with a lot of
4 new construction houses, not just in Los Gatos but in other
5 Bay Area cities, is having a gargantuan garage like right
6 on the street side. I really miss the days of garages in
7 the rear, so I'm happy that that's the proposal here.

8 I'm probably inclined to support this. The only
9 comment I would make is--this is for the architect--in the
10 future for these kinds of applications I'd like to see more
11 3-D visualization. I'd like to see maybe a 3-D view of the
12 street, like a rendering of the proposal in the context of
13 the neighborhood. I know we have the elevations and the
14 diagrams and the story poles, but I would like to see more
15 3-D visualization.

16
17 CHAIR RASPE: Thank you for those comments. Any
18 other comments, Commissioners? Commissioner Hanssen.

19 COMMISSIONER HANSSEN: I just wanted to follow up
20 based on Commissioner Janoff's response to my comments. I
21 don't feel incredibly strongly about reducing the height. I
22 always prefer to have less exceptions than more, but I do
23 think that this is a small enough house, we're looking at
24 above ground 1,600 square feet, it's not a very big house
25 at all, and I can imagine that the extra few inches would

1 make a big difference in terms of comfort of living, so I
2 could let go of that.

3 I still feel that we have to be committed to make
4 sure that the garage is fine.

5 I also agree with Commissioner Mayer's comments
6 about having the garage in the back. It is in our
7 Residential Design Guidelines not to have a big, massive
8 garage in front, but we see it a lot.

9 CHAIR RASPE: Thank you for those comments. Any
10 further comments? I will just make one to note that the
11 only ask in this application really was the setback. I made
12 comments about floor plates earlier and I appreciate
13 Commissioner Janoff's comments, but the house is within our
14 Town limits and guidelines for height as well as FAR, and I
15 think this helps this application, so I would be supportive
16 of it in its configuration with the added provisos
17 regarding the garage being simultaneously constructed.
18 Commissioner Burnett.

19 COMMISSIONER BURNETT: Thank you. I will not be
20 able to support this project. I think it is a nice design.
21 I tend to agree with our Town Architect on his six
22 recommendations, only of which two were followed. This is a
23 neighborhood that is still pretty much intact and I think
24 there is a lot of value in keeping a traditional
25

1 architectural designed neighborhood, and I feel some
2 changes could have been made of recommendations from our
3 architect that I could have gone along with the project,
4 but because I don't feel it's following our design
5 guidelines and I'd like to look further, because it's not
6 in my book about modern design in the neighborhood, so that
7 would be my feeling. Thank you.

8 CHAIR RASPE: Thank you for those comments.
9 Commissioner Janoff.

10 COMMISSIONER JANOFF: I'm prepared to make a
11 motion.

12 CHAIR RASPE: Thank you. Before the motion,
13 Commissioner Thomas I think had her hand raised.

14 VICE CHAIR THOMAS: I just wanted to add that I
15 think that we should definitely add the garage situation.

16 CHAIR RASPE: Thank you. If we're ready then,
17 Commissioner Janoff, I'd like to receive your motion,
18 please.

19 COMMISSIONER JANOFF: All right, thank you. I
20 move to approve demolition of an existing single-family
21 residence and construction of a new single-family residence
22 with reduced setbacks on property zoned R-1D, APN 410-15-
23 039. This is Architecture and Site Application S-23-009,
24 and the address is 212 Thurston Street.
25

1 This project is categorically exempt from the
2 California Environmental Quality Act Guidelines, Section
3 15303(a), New Construction or Conversion of Small
4 Structures. Property owner/Applicant, Meleah Guillardo.
5 Project Planner, Maria Chavarin.

6 I can make the required findings for CEQA. I can
7 make the required finding for the demolition of existing
8 structures, make the required compliance with zoning
9 regulations, make the required finding for nonconforming
10 lots, and I can make the required findings that this
11 project is in compliance with the Residential Design
12 Guidelines and this is in consideration of an Architecture
13 and Site Application, and these findings are in Exhibit 2.
14 We're also including the Condition of Approval in Exhibit 3
15 with the addition that we are asking the Applicant to
16 repair the garage in sequence with the build of the house
17 so that the final approval will include the repaired garage
18 as well.
19

20 CHAIR RASPE: Thank you for that motion.
21 Commissioners, do I have a second? Commissioner Hanssen.

22 COMMISSIONER HANSSEN: I second the motion.

23 JENNIFER ARMER: Through the Chair, just a
24 clarification that whether the motion was also intended to
25 include the modifications for privacy shown in Exhibit 11

1 for the hedge, and the modifications to windows? There was
2 discussion of that by the Planning Commission.

3 COMMISSIONER JANOFF: Yes, the motion would
4 include the privacy screening as well as the window change
5 in Exhibit 11. Thank you.

6 COMMISSIONER HANSSEN: And I concur with the
7 second.

8 CHAIR RASPE: Thank you. With the so modified
9 motion, show by a raise of hands all those in favor of the
10 motion. And all those opposed.

11 CHAIR RASPE: The motion carries 5-1. Thank you
12 so much.

13
14 (END)

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