



**TOWN OF LOS GATOS
PLANNING COMMISSION
REPORT**

MEETING DATE: 01/12/2022

ITEM NO: 2

ADDENDUM

DATE: January 11, 2022
TO: Planning Commission
FROM: Joel Paulson, Community Development Director
SUBJECT: Requesting Approval for Demolition of an Existing Single-Family Residence and Construction of a New Single-Family Residence to Exceed Floor Area Ratio (FAR) Standards with Reduced Front and Side Yard Setbacks on Nonconforming Property Zoned R-1D. **Located at 118 Olive Street.** APN 410-15-022. Architecture and Site Application S-21-013. PROPERTY OWNER: Thomas and Meredith Reichert. APPLICANT: Jay Plett, Architect.

REMARKS:

Exhibit 12 includes the applicant's response to previously distributed public comments. Exhibit 13 includes additional public comments received between 11:01 a.m., Friday, January 7, 2022 and 11:00 a.m., Tuesday, January 11, 2022.

EXHIBITS:

Previously received with the January 12, 2022 Staff Report:

1. Location Map
2. Required Findings and Considerations
3. Recommended Conditions of Approval
4. Project Description and Letter of Justification, dated August 2, 2021
5. Color and Materials Board
6. Consulting Architect's Report, dated August 4, 2021
7. Applicant's response to Consulting Architect's Report
8. Owner's summary of neighbor outreach
9. Photos of existing residence
10. Public comments received by 11:00 a.m., Friday, January 7, 2022
11. Development Plans

PREPARED BY: SEAN MULLIN, AICP
Senior Planner

Reviewed by: Planning Manager and Community Development Director

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SUBJECT: 118 Olive Street/S-21-013

DATE: January 11, 2022

EXHIBITS (continued):

Received with this Addendum Report:

12. Applicant's response to public comments

Public comments received between 11:01 a.m., Friday, January 7, 2022 and 11:00 a.m.,
Tuesday, January 11, 2022

Town of Los Gatos Planning Department
Attention Sean Mullin
Re 118 Olive St Los Gatos Ca 95030

January 10, 2022
Application 5-21-013

Dear Mr. Mullin,

This letter is in response to the letter received (reference letter) which is dated December 17th 2021 and received January 6th 2022 by the Town Planning Department regarding 118 Olive.

Response to Issue 1- Parking: The current proposed project site has 1 car parking garage and 1 driveway space. We are proposing to build a functional garage and maintain the driveway parking space, which would park all our cars, not contributing to any on street parking. There are several homes on this block which have small or unusable garages (including our current home) and no driveways, this combined with many painted red curbs may impact parking, however even with all of this, we have personally had no parking limitations since we have moved to Olive street since it is required to have permits to park.

Response to Issue 2- FAR and setbacks: As noted in the reference letter 118 Olive seeks approval of FAR to exceed allowable SF, there are 4 other homes in the immediate location that also exceed allowable:

Project Site (308 SF)

- *120 Olive (60 SF)
- 135 Olive (373 SF)
- 127 Olive (178 SF)
- *546 San Benito (398 SF)

As noted in the reference letter 118 Olive seeks approval of front and side yard setback reductions. There are many homes in the immediate location that are built with considerably more intrusive setbacks than our proposal.

Front Setback

Project Site 10'-0"

- 133 Olive 7'-0"
- 131 Olive 8'-0"
- 127 Olive 7'-0"
- 125 Olive 5'-0"
- 112 Olive 8'-9"
- *110 Olive 4'-0"
- *546 San Benito 8'-0"

Side yard Setback

Project Site 3'-0" (limited to the garage on the West side first story)

- *120 Olive 3'-0" +/- (along the entire length of the home for 2 stories)
- 135 Olive 0'-0"
- 131 Olive 2'-0" +/-
- 129 Olive 2'-0" +/-
- 127 Olive 1'-6" +/-
- *110 OLIVE 0'-0"
- 112 OLIVE 3'-0"

Response to Issue 3- building height and scale: We worked very closely with the Town planner, Architect and our design architect to be respectful to the scale of the proposed project, the adjacent properties and the neighborhood character- all which have been reviewed and align with the Los Gatos residential design guidelines and General plan by the town planning staff and consultants. We reviewed, iterated and collaborated to align on topics such as street presence, neighborhood patterns, forming, mass, garage guidelines etc. including talking with many neighbors.

- One point in the reference letter is in regard to 120 Olive and our proposal to build a 2 story home next to their 2 story home. If I understand it correctly, this home has a 3' side yard set back as is our proposal, and this home is a 2 story and we are proposing the same. The building height of our proposal is within the Towns guidelines and is not as tall as either of its neighbors to the West, furthermore 546 San Benito can be seen from Santa Cruz Ave even above our proposed flags which speaks to the considerations of our proposal to understand the scale of the neighborhood patterns and less than the max build height allowable.



- Another point in the referenced letter is in regard to the elevation drawings. The letter makes a good point about the sketches of 120 Olive and 546 San Benito being difficult to show accurately in drawing given the large slope of the site. That being said, the planner and reviewers are aware, make site visits and have photographs to understand streetscape and context of the neighborhood. A project of this scale and scope have significant review periods, we have been engaged with the Town planning department since April 2021 in making appropriate considerations. Additionally, the flag poles are only suggested to be up 10 day prior to the proposed hearing, as part of better understanding the context we elected to work with the Town Planning Department to have them up since before Halloween 2021 ahead of our January 12th 2022 hearing. This allowed as much feedback and context to be seen and reviewed, far exceeding the minimum required timing.
- In the reference letter it specifically highlights 546 San Benito elevations and building. If I understand it correctly, this is the largest house in the neighbor sphere by height, FAR, elevations, street presence and has taken advantage of the Towns allowances for basement space to not count against its FAR as its encouraged to build below grade to not overbuild the sight lines. Our project proposal is smaller in every comparison, and we too hope to take advantage of the Towns allowances for basement. To further clarify, our basement proposal is predominately underground, 546 San Benito elevation from San Benito Street is similarly positioned, but because of the significant site slope, when you turn the corner to Olive Street the elevation is an entire 3 story building (the only one on the street), it is far more imposing that our proposed standard 2 story project. That being said, I believe that 546 San Benito followed the rules, as does ours with heights, scale and basement.



Considered Basement Level, with 2 floors above

Response to Issue 4- Privacy: In terms of privacy for 120 Olive related to our proposed terrace. We can agree with the reference letters concern. This was discussed with the Towns consulting architect and Planning Department and is a good time to revisit given the concern. We recommend the terrace be reconsidered to allow us to do an alternate proposal of a sloped roof as referenced in the Consulting Architects review. This would allow proper massing and

scale relative to streetscape, while aligning with the design of the proposed home AND provide the privacy we think 120 Olive deserves. The design concern which was brought up during the consultant architects review of the roof vs terrace was regarding streetscape, to address this we highlight that the proposed roof will have a low top plate at its lowest point, thereby reduce the presence both to the direct 120 Olive neighbors and limit the overall height of the roof. Shown below as our proposed resolution to have terrace changed to roof.



Another point of privacy from the reference letter regarding the rear deck as potentially being a concern. The proposed deck would be level with exiting the back door and provides no vantage point for us to view into neighbor's yard, to clarify and press upon, we don't want to view anyone's yard from our own. Similar to the point of the lots being sloped, the deck as proposed would just make a safe and level exit from our house to the back yard.

Response to Issue 5- construction disruption: We agree with all the sentiment about how construction can be disruptive. Please note that we believe construction is allowed to take place where permits are issued and follow all rules and guidelines AND as any good neighbors would do we would work with each other to minimize distributions. Many of the neighbors on this very block have successfully completed construction work despite the issues noted- two house finished work this last few years and one of the homes who signed the letter of reference (546 San Benito) did a very extensive build.

Response to Issue 6- Design: Included here is several photos of the block highlighting the eclectic design of neighborhood. Also to note, we have reviewed this the Town Planning Department and consulting Architect to ensure our proposal fits with Los Gatos Residential Design Guidelines.





In closing: We believe the proposed project is reasonable, well fit and a benefit to the neighborhood which has many neighbors (who have become our friends) who support the project. We believe to have worked in good faith with the planning team and our neighbors to adequately address concerns and ask that this project proceed with planning approval.

We would like to thank the neighbors who chose to sign the reference letter. Having these comments is a valuable part of the process and helps us make more informed decisions and build a project with any concerns as part of the considerations. We hope that we could also come to agreement on other neighborhood issues like abandon houses or underutilized lots to support the housing crisis which the Towns General Plan hopes to make progress. For example, the abandoned home on the corner of Thurston and San Benito which is very close to all of us and might be an avenue for us to collaborate on to improve the neighborhood.

It makes sense to acknowledge that while we have met many friends and neighbors since moving to this home, COVID-19 has made it even more difficult to meet every neighbor- we ourselves have been conservative in our social activities since our immediate family has high risk factors to potential exposures. Interestingly, each homeowner who signed the reference letter is a someone we haven't gotten a chance to meet- we have since made headway into meeting these extended neighbors. Hoping these exchanged letters will bring a renewed sense of community given the context of living with the reality of a COVID-19 pandemic.

Sincerely,
The Reichert Family

*Parties who signed the reference letter of concern

- 107, 108, 110, 116, 120, 121 and 122 Olive and 546 San Benito

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From: Jason Malinsky <[REDACTED]>
Sent: Saturday, January 8, 2022 7:58 PM
To: Sean Mullin <SMullin@losgatosca.gov>
Subject: 118 Olive Street

EXTERNAL SENDER

Mr. Mullin:

I write in support of the proposed project at 118 Olive Street. I have reviewed the basic plans as well as walked and driven by the house numerous times as I live just a couple blocks away on San Benito and pass it daily as I take my son to kindergarten. The project appears eminently reasonable for the size and character of the neighborhood. Additionally, adding a property like this to the area encourages more families with children to live here as it is a more suitable home for a family than the current home on the lot. More families with kids roots people deeper into the community as I know the owners of 118 Olive are committed to being when their new home is constructed. This is what makes Los Gatos great and allows it to evolve to meet the needs of families that want to be here.

Please approve the project as designed.

Jason Malinsky
[REDACTED]

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