



**TOWN OF LOS GATOS
PLANNING COMMISSION
REPORT**

MEETING DATE: 02/24/2021

ITEM NO: 1

**DRAFT
MINUTES OF THE PLANNING COMMISSION MEETING
FEBRUARY 24, 2021**

The Planning Commission of the Town of Los Gatos conducted a Regular Meeting on Wednesday, February 24, 2021, at 7:00 p.m.

This meeting was conducted utilizing teleconferencing and electronic means consistent with State of California Executive Order N-29-20 dated March 17, 2020, regarding the COVID19 pandemic and was conducted via Zoom. All planning commissioners and staff participated from remote locations and all voting was conducted via roll call vote.

MEETING CALLED TO ORDER AT 7:00 P.M.

ROLL CALL

Present: Chair Kathryn Janoff , Vice Chair Kendra Burch, Commissioner Jeffrey Barnett, Commissioner Melanie Hanssen, Commissioner Jeffrey Suzuki, Commissioner Reza Tavana, and Commissioner Emily Thomas

Absent: None.

VERBAL COMMUNICATIONS

None.

CONSENT ITEMS (TO BE ACTED UPON BY A SINGLE MOTION)

1. **Approval of Minutes** – February 10, 2021

MOTION: **Motion by Commissioner Barnett** to approve adoption of the Consent Calendar. **Seconded** by **Commissioner Burch**.

VOTE: **Motion passed unanimously.**

PUBLIC HEARINGS

2. **14300 Lora Drive**
Architecture and Site Application S-20-019
APN 409-15-028
Applicant: Krislani Mulia
Property Owner: Amrito Chaube
Project Planner: Jocelyn Shoopman

Requesting approval for demolition of an existing detached garage and construction of a new single-family residence on property zoned R-1:8 located at 14300 Lora Drive.

Jocelyn Shoopman, Associate Planner, presented the staff report.

Opened Public Comment.

Amrito Chaube, Property Owner

- They have designed their project to the Los Gatos building codes, ordinances, and design guidelines and take the concerns of neighbors and the neighborhood into consideration. The proposed house would be set in the middle of the lot with minimal shadow impact on neighboring properties. The home is surrounded by existing trees that will reduce the home's visual impact, and they propose adding more screening trees. The home is articulated with roof elevation lines, walls, and balconies to break up the overall mass. Most large windows and glass doors are located at the front and rear elevations to maintain privacy. They followed the Town's consulting architect's guidance and made all his suggested changes. They propose to reduce the height of the home by one-foot to address the neighbors' concerns.

Brian Gonzalez, 14245 Lora Drive

- He lives across the street and thinks the design of the proposed house is beautiful. He asked if there are plans to eventually take down or remodel the old cottage in the front of the lot or build a new house there. On the right side walking south the roof is sinking and it is the remaining house on the street that they had hoped would be improved with respect to curb appeal.

Joe Clark, 14298 Lora Drive

- He lives next door and is concerned regarding mass, bulk, scale, sun exposure, and privacy. The plans are contradictory, for example, the mass, bulk, and scale has three different levels. There are conflicting elevation plans and the grading is incorrect. The grading illustration shows nine steps going up to the house, which puts the finished floor height at the top of their shared neighboring fence at five feet. He suggested the top floor could be shifted to reduce mass and scale. The shadow study is incorrect and the proposed home would block their sunlight, which their child needs due to a medical condition. The current plan does not provide for privacy. They are asking for a reduction in height or a setback.

Michelle Miner

- She designed Joe Clark's house. After the story poles were erected he was concerned about the height because of the sun and privacy issues. The proposed home does not comply with the design guideline that states one should be respectful in scale and character with the neighborhood, because the proposed home's finished floor is five feet above Mr. Clark's property and the house is then 20 feet tall on top of that. The guidelines also state that if

utilizing an extended foundation wall the upper floor should be set back, which it is not. The guidelines also talk about maintaining privacy and solar access to the neighbors, which it does not. The solar plan is inaccurate and based on the finished floor sitting at the same level as Mr. Clark's finished floor, but it is five feet higher.

Lee Quintana, 5 Palm Avenue

- She asked if under the current Los Gatos zoning laws and state laws this large lot could be subdivided into two lots in the future?

Hooman Bolandi, 14333 Mulberry Drive

- His property is behind the subject sight. He has similar concerns as Mr. Clark regarding solar, privacy, scale, drainage, and inconsistencies in drawings. The mass illustrated by the story poles is huge and towers over his property. They ask that the height and second story mass be reduced, more trees added, a lattice installed on the fence, install obscured glass, and provide privacy around the balcony. The shadow study does not take in all angles.

Amrito Chaube, Property Owner

- They will address the front cottage at a future phase. Based on the topographical survey the existing house in front is at 262.59 inches height and this has a five inch depth into the ground for the stucco, which was the old code. The new code needs at least one-foot, and then there is a five percent foundation required, which takes them to 263.59 inches, which is what they have proposed. He has spoken with the neighbor at 14333 Mulberry Drive and proposes to reduce the height of the home by two feet and planting additional privacy screen trees. With respect to the neighbor at 14298 Lora Drive, they have their windows facing the back yard and do not look into his house, and they propose to make the windows opaque to five and a half feet.

Krislani Mulia, Architect

- With respect to grading, the stucco line of the existing house in the front is buried about five inches into the ground. This is the main reason why they are elevating the finished floor of the garage to 263 inches. She proposes the finished floor to be 264 inches instead, but Mr. Clark of 14298 Lora Drive insists they drop it down three feet, which they object to because that will cause them drainage problems because the level of the house will be lower than the natural grade.

Closed Public Comment.

Commissioners discussed the matter.

MOTION: **Motion by Commissioner Hanssen** to continue the public hearing for 14300 Lora Drive to a date certain of April 14, 2021.

Vice Chair Burch requested the motion be amended to include direction to address concerns

with the height of the structure, providing additional tree screening, ensuring that the architectural and civil plans match, and that the Town's Consulting Architect review the revised plans.

The Maker of the Motion accepted the amendment to the motion.

Seconded by Vice Chair Burch.

Commissioners discussed the matter.

VOTE: Motion passed unanimously.

3. 16666 Topping Way

Architecture and Site Application S-19-044

APN 532-09-018

Property Owner/Applicant: Arthur Lin

Project Planner: Sean Mullin

Requesting approval for demolition of an existing single-family residence, construction of a new single-family residence, and site improvements requiring a Grading Permit on property zoned R-1:8 located at 16666 Topping Way.

Sean Mullin, Associate Planner, presented the staff report.

Opened Public Comment.

Steve Yang, Architect

- The proposed house is designed within the parameters of Los Gatos zoning code with respect to height and square footage. If the home is too large, they can mitigate the problem.

Arthur Lin, Owner

- He surveyed 68 houses on Marchmont Drive and of them 11 are built after 2000. Of those 11 all of them are over 3,000 square feet. Of the 11 houses seven are over 3,500 square feet, and four houses are over 4,000 square feet. The house behind the subject site is over 4,000 square feet and two stories. Los Gatos has become more urban and suburban and the houses reflect that style and size, so it is not unreasonable to design a house in 2021 in the current contemporary style, which is larger, and that is what people want. In the proposed house the first floor is only 2,448 square feet, the second floor is 1,528 square feet, almost 1,000 square feet less than the first floor; 40-percent less and less imposing. The grade level is two feet lower than Marchmont Drive. The height of the house is 28 feet tall, two feet lower than the Town's height limit.

Chris Owisney (phonetic), 16665 Topping Way

- They live directly across the street from the subject site and are surprised by what the applicant is proposing because he has been an absent property owner, lacks transparency, and has zero communication with the neighborhood. This 7,000-square foot home is massive and much too large for the lot. The windows of the second story look directly into her master bedroom, her daughter's bedroom, and the neighbors next door at 16667 Topping Way. There are almost 11 windows and a glass door on the west side that will look directly into the neighbors to the west. The outdoor patio goes right up to the 10 foot easement line. The look of the home does not match the neighborhood. They ask for a reduction of bulk, mass, and scale of the project and for the applicant to work with the neighbors and hear their concerns.

Robin Matlock, 16678 Topping Way

- She and her husband live directly adjacent to the subject property. Topping Way is not in the early stage of transition; it has been undergoing a transformation for many, many years and there is no house of the size and footprint and scale as the proposed home on this street. The lot may be large, but there are no other lots that size on the street and it does not make a good guidepost. They are concerned about their privacy because the proposed home would contain a sunken patio, entertainment area, and large windows lining up against her dining room and main living space. With respect to the proposed home's 2,300 square foot sunken basement they are concerned about erosion, water, flooding, and the need for pumps to run around the clock to pump the water out of this large area.

Mark Stefan, 16647 Topping Way

- He lives across the street from the subject site. He is concerned about the size of the project that will be unlike any other house on the block. The block has great character with views of the hillsides and many single-story homes. The proposed house will completely wipe out his views of the hills. A one-story house would be more appropriate for this lot. The proposed house does not fit in with the character of the neighborhood at all.

Karen

- She lives behind the subject site. The applicant has proposed an excessively sized, very tall two-story house that gives them concerns regarding the size, height, and privacy because there would not be much screening between her home the proposed home. The proposal also calls for removing two tall 15-20 foot trees, which would eliminate most of the screening between the two properties, leaving only one tree in her yard as screening.

Arthur Lin, Owner

- The house is 3,976 square feet on the first floor and 1,528 square feet on the second floor, and the rest of the square footage of the home is in the basement. From the street the house would not look large at all and the FAR is only 27 percent.

Closed Public Comment.

Commissioners discussed the matter.

MOTION: **Motion by Commissioner Hanssen** to continue the public hearing for 16666 Topping Way to a date certain of April 14, 2021. **Seconded** by **Commissioner Barnett**.

Commissioner Burch requested the motion be amended to include ensuring that if the tree removal at the back of the property is required based on the health of the trees that the applicant shall work with staff on installing appropriate replacement trees that would allow ample screening.

The Maker of the Motion accepted the amendment to the motion.

The Seconder of the Motion accepted the amendment to the motion.

VOTE: **Motion passed unanimously.**

4. 4 Tait Avenue

Zone Change Application Z-20-002
General Plan Amendment Application GP-20-001
APN 510-44-054
Applicant: Jim Foley
Property Owner: Town of Los Gatos
Project Planner: Jennifer Armer

Consider a request for approval for a zone change from R-1D:LHP (Single-Family Residential Downtown with a Landmark and Historic Preservation Overlay) to C-2:LHP (Central Business District with a Landmark and Historic Preservation Overlay) and a General Plan Amendment to change the land use designation from Medium Density Residential to Central Business District for property located at 4 Tait Avenue.

Jennifer Armer, Senior Planner, presented the staff report.

Opened Public Comment.

Jim Foley, Applicant

- The Tait firehouse property is zoned for residential use and needs to undergo the proposed zone change and General Plan amendment in order to accomplish the goals of the master lease. The Tate firehouse has always operated as a museum and has had only an ancillary residential use as a component of the old firehouse. The property is adjacent to the Central Business District and the neighbor to the east is zoned for commercial use. This project has restoration at its heart and does not contemplate expansion or redevelopment. They acknowledge that the property borders a residential neighborhood and nearby schools and church, and they have been in touch with the schools and the church and they are supportive of the rezoning effort. Many homeowners in the residential neighborhood also support the project. The General Plan Committee and Town staff recommend approval of the application.

Kat Battaglia/Robert White, 300 West Main Street

- They are directly across from the subject site and an entire side of their house looks out onto that property, so what happens to it is important to them. When they purchased their home the Town told them the firehouse would be used as a museum only and the view they have of it was one of the reasons they bought their home. They are concerned about what will now go into the firehouse and how it might impact traffic, their views, foot traffic, parking, and roof heights.

Lee Quintana, 5 Palm Avenue

- This was the first firehouse in Los Gatos. The first fire bell was moved from the Town plaza back to the firehouse with the understanding that there would be a structure built on that site to house the bell. Her concern is what would happen to the fire bell as part of any plans for the site and whether the bell could be integrated into something available for public use, such as a pocket park. She was a member of the General Plan Committee who was concerned about the possible uses on the site because all uses allowed in the C-2 would be by-right uses and it is not clear what control the Town Council would have over the use rather than just the architecture.

Jim Pappas, 5 Tait Avenue

- Although he would love to see something developed on the site he is concerned about the ability of the Town to control what commercial is and he and his neighbors are concerned that if the use turns into retail there is the likelihood of that retail would change hands frequently. Also, due to beach traffic in the summer any retailers would be unable to do business on the weekends and they would not survive, and that is why the neighbors prefer residential, but if that is not possible, then office.

Jim Foley, Applicant

- He wants to make sure everyone in the surrounding area is on board with the project. They believe this is a project that would keep the Town, the neighborhood, and themselves aligned together. They are open to further comment and encourage everyone to contact

them with any questions. As an actual project comes into focus where they know what the use would be, they will have much more conversation with everyone and be open to ensuring the immediate neighborhood is not impacted and has a chance to provide its input.

Closed Public Comment.

Commissioners discussed the matter.

MOTION: **Motion by Commissioner Burch** to recommend approval of the Zone Change and General Plan Amendment for 4 Tait Avenue. **Seconded by Commissioner Hanssen.**

VOTE: **Motion passed 6-1 with Commissioner Suzuki dissenting.**

OTHER BUSINESS

REPORT FROM THE DIRECTOR OF COMMUNITY DEVELOPMENT

Joel Paulson, Director of Community Development

- A scoping meeting will be held via Zoom on February 25, 2021 regarding the Environmental Impact Report for 110 Wood Road, which is redevelopment of the Los Gatos Meadows facility.

SUBCOMMITTEE REPORTS/COMMISSION MATTERS

General Plan Advisory Committee

Commissioner Hanssen

- The General Plan Advisory Committee February 18, 2021; began consideration of the Community Design Element, the companion Element to the Land Use Element, and will continue discussion of it at the next meeting on March 4, 2021.

Historic Preservation Committee

Commissioner Burch

- The HPC meeting scheduled for February 24, 2021 was continued to a date uncertain, perhaps the first week of March.

ADJOURNMENT

The meeting adjourned at 9:57 p.m.

This is to certify that the foregoing is a true and correct copy of the minutes of the February 24, 2021 meeting as approved by the Planning Commission.

/s/ Vicki Blandin

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