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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
Jeffrey Barnett
Susan Burnett
Melanie Hanssen

Town Manager: Chris Constantin

Community Development Director: Joel Paulson

Town Attorney: Gabrielle Whelan

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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 agenda, and we have a number of items tonight.

The first item is Item #2, requesting approval for construction of a single-family residence and site improvements requiring a Grading Permit on a vacant property zoned R-1:8, located at 15411 National Avenue, APN 424-12-140, Architect and Site Application S-23-033. Categorically exempt pursuant to CEQA Guidelines 15303 for New Construction. Property owner Vyankatesh and Rammy Muddada, and Applicant is Jose Rama.

First by a show of hands, Commissioners, can I see those who have visited the property? Thank you, and are there any disclosures this evening? Seeing none, Ms. Walters, I believe you have a Staff Report for us.

ERIN WALTERS: Good evening, Planning Commissioners. The project before you this evening proposes a two-story, single-family home on a vacant rear flag lot located at 15411 National Avenue. The site is approximately 1,300 square feet. The site is located in a transitional neighborhood along National Avenue. Single-family

1 residential development surrounds the property with a
2 combination of one- and two-story homes. Office and multi-
3 family development is located across the street along
4 National Avenue.

5 The proposed single-family residence is
6 approximately 3,240 square feet and has a 901 square foot
7 three-car garage. The proposed residence and garage meet
8 the maximum allowable square footage and the maximum
9 allowable floor area ratio per Town Code.

10 The proposed project would result in the largest
11 residence in the immediate neighborhood by 511 square feet.
12 The proposed garage would result in the largest garage in
13 the immediate neighborhood by 124 square feet. The
14 Applicant has provided justification for being the largest
15 in the immediate neighborhood, and that can be found in
16 Exhibit 5.

17 The proposed residence does meet all required
18 setbacks, height, lot coverage, and parking requirements
19 for the zone.

20 The project was reviewed by the Town's consulting
21 architect who provided eight different recommendations. The
22 Applicant responded to all the recommendations through
23 design revisions, with the exception of meeting two
24 recommendations, which was Recommendation #1 and #5. The
25

1 Applicant has provided justification for not meeting those
2 two recommendations in Exhibit 5.

3 The property owners have been in communication
4 with the surrounding neighbors regarding this project, and
5 a summary of their outreach can be found in Exhibit 10.

6 Neighbors have provided public comment and raised
7 concerns regarding neighborhood compatibility, privacy, and
8 landscaping, and that can be found in Exhibit 12.

9 To address the neighbors' concerns and address
10 the consulting architect's recommendations the Applicant
11 modified the project by reducing the second-floor massing,
12 removing the second-story rear balcony, using obscured
13 glass on the two-story bedroom windows facing the Blackwell
14 Drive rear yards, proposing to plant evergreen trees for
15 privacy screening, and providing large setbacks between the
16 subject property and the existing two-story rear elevation
17 along the Blackwell rear yard properties.

18 Development plans can be found in Exhibit 11, and
19 then yesterday Planning Commission did receive an addendum
20 report that had additional public comment.

21 Staff recommends denial of the project based on
22 the concerns related to size, neighborhood compatibility,
23 and consistency with the Residential Design Guidelines.

24 However, if Planning Commission is able to make the
25

1 required findings for approval, the findings can be found
2 in Exhibit 2.

3 This concludes the Staffs report and Planning
4 Staff as well as Public Works Staff is available for
5 questions.

6 CHAIR RASPE: Thank you, Ms. Walters. Commission,
7 any members have questions for Staff, either Ms. Walters or
8 any other members? Commissioner Burnett.

9 COMMISSIONER BURNETT: Yes, I do have a question.
10 The response from the Applicant regarding the response to
11 our architect's Recommendation #4, my reading is that he
12 did not want to extend the main roof form over the bay
13 windows. I don't see that on the revised front elevation.
14

15 ERIN WALTERS: Through the Chair, is it #4?

16 COMMISSIONER BURNETT: Yes. Well, it's Exhibit 8,
17 and I'm talking about #4. It was the response from our
18 architect's suggestion, and I don't see that in his revised
19 front elevation.

20 ERIN WALTERS: Number Four says extend the main
21 roof form over the bay windows on the side elevations.

22 COMMISSIONER BURNETT: Correct.

23 ERIN WALTERS: So, I think the Exhibit that is
24 right above #4 is showing the front elevation, but the
25 Applicant did respond to modifying the bay windows along

1 the side elevations. The elevation that is shown underneath
2 #8 shows that. The south side elevation, and the north side
3 elevation as well.

4 COMMISSIONER BURNETT: Okay, thank you.

5 CHAIR RASPE: Thank you. Any other questions for
6 Staff? Seeing none, I believe the Applicant this evening
7 is represented by their architect, Jose Rama. Mr. Rama, if
8 you would approach the podium, and you have up to five
9 minutes to speak on behalf of the entire team.

10 JOSE RAMA: My name is Jose Rama; I represent JER
11 Design Group. I'm going to share my five minutes with the
12 ownership.

13 Just echoing Erin's communication basically. We
14 are following all the design guidelines with the exception
15 of the belly band. That would be interrupting the
16 surrounding of the perimeter of the building. It is a
17 breakup element that we are providing by just having the
18 roofline hitting the wall, and by having that belly band it
19 would interrupt the actual aesthetic of the design.

20 The front aspect of the house is very
21 straightforward. (Inaudible) accent wall accommodated by
22 stone. Commissioner Burnett, regarding that overhang on the
23 bay area, we implemented that into that set. We also
24 changed the standing seam element to just straightforward
25

1 architectural shingles. Basically, those two elements were
2 very minor. We did one of them. The other one is the belly
3 band that is interruption.

4 Regarding massing of the requirements of the Town
5 of Los Gatos, we meet those requirements. The formula is
6 pretty clear. We are actually less than 23 square feet of
7 the total sum of the maximum requirements.

8 We did follow all the requirements that are
9 implementing into the design guidelines regarding height,
10 density, setbacks; there is no exception to that at all.

11 The garage itself, it's 901 as per the Los Gatos
12 requirement.

13 Regarding the density overall on the formula, we
14 are following a guideline, and the formula is pretty clear.
15 You follow the guidelines, you give that formula, and we
16 implement that into the set of plans.

17 There is another tier in your sheet on Design
18 Guideline #12, sheet #12. Refer to sheet #11 as well, that
19 because of the fact that we have an old, outdated design
20 guideline narrative, direction of the design guidelines in
21 general is a little bit outdated. Some of those homes on
22 adjacent properties are 30 years old. I don't know if they
23 have followed that formula or limited themselves to build
24 to a much smaller density within the site itself.
25

1 The formula is pretty clear. The smaller the
2 property, the bigger the house. Using the formula in our
3 sense, the bigger the site, the smaller the house. It
4 should actually be the opposite of that. Just FYI on that.

5 Now I'm going to give it to the ownership to
6 discuss a little bit further in detail.

7 CHAIR RASPE: Yes, if you could approach the
8 podium and state your name for the record, and you'll have
9 about one-and-one-half minutes.

10 RAMMY MUDDADA: (Inaudible) increased time?

11 CHAIR RASPE: No, but we can ask you questions if
12 we need to, and at the end there is an opportunity after
13 the public speaks for you to speak. Thank you.

14 RAMMY MUDDADA: Good evening, Chair,
15 Councilmembers, and Staff. Thank you for the opportunity to
16 present my case. I have shared a PowerPoint if (inaudible)
17 that would be great. But I'll start my (inaudible).

18 This is a single-family, two-story (inaudible)
19 sophisticated (inaudible) design and it (inaudible). I
20 think it's beautiful. It's a transitional home, so please
21 keep in mind (inaudible) and we are surrounded by—like my
22 architect said—office buildings, different setbacks,
23 different styles of homes and everything.
24
25

1 We are also saying that yes, we are the largest,
2 but please keep in mind that as the family grows, we need a
3 larger space. Me and my husband come from a multi-
4 generational style of living, and we have our in-laws
5 coming in to stay with us. We think our kids will stay
6 longer with us, so we have accommodated that into the
7 house. That is one of the points I would like to bring in.

8 CHAIR RASPE: Thank you. As you can see, the time
9 goes quickly, so we apologize for that. But please don't
10 sit. Commission members, any questions for the Applicant?
11 Yes, Commissioner Barnett.

12 COMMISSIONER BARNETT: Your architect referred to
13 a reluctance to change the entry, which was objected to by
14 Mr. Cannon, the consulting architect, and also the belly
15 band. Can you explain why that's important to you?

16 RAMMY MUDDADA: Belly band, I'm sorry to say, it
17 doesn't fit with the design. If you see the design, the
18 belly band around it, because of the bay windows it doesn't
19 jibe with the design; that's why we don't want it.

20 But we also provide an example that Los Gatos did
21 approve homes without belly bands. The most recent
22 construction was on 16030 Escobar Avenue; even that doesn't
23 have a belly band. And not just that, my neighbor's home
24 that is two stories has stucco and doesn't have a belly
25

1 band. I have multiple examples to say Los Gatos did approve
2 two-story structures without belly bands, and because my
3 design doesn't look good, that's why I am hoping for that.

4 And with regard to your first question where you
5 said we did not comply, I don't have the Exhibit in front
6 of me, but if you see the comparisons, we did change the
7 tower. We had a huge tower in front of the entryway and we
8 actually reduced it massively and blended it in it make
9 sure the whole front is a plain one structure and not
10 sticking out like a huge tower. So, we did implement it; we
11 did not implement it fully.

12
13 COMMISSIONER BARNETT: Thank you so much for your
14 comments.

15 CHAIR RASPE: Commissioner Hanssen.

16 COMMISSIONER HANSSEN: You were talking about the
17 tower, and I wanted to go to your point about the belly
18 band thing as well. Have you and you architect read our
19 Residential Design Guidelines?

20 RAMMY MUDDADA: Yes, we did.

21 COMMISSIONER HANSSEN: I'll first talk about the
22 size. I don't know if you saw the statement in there that
23 the maximum FAR is not a goal, it's a maximum for a reason,
24 and while you're not exceeding it, it is also not a goal to
25 become the largest house in the neighborhood. I know that

1 you weren't purposely trying that and you're trying to
2 build a multi-generational home for your family, but not
3 every lot is well suited to being that kind of home. I'm
4 glad you've read the design guidelines, but that's one of
5 the reasons that this has come to the Planning Commission,
6 that if it's a compelling kind of thing that you have to
7 give a good explanation for it.

8 As far as the tower is concerned, if I heard your
9 response to Commissioner Barnett correctly, you have
10 modified the design since the consulting architect.

11 RAMMY MUDDADA: Yes.

12 COMMISSIONER HANSSEN: And the picture that you
13 showed here is the revision of that?

14 RAMMY MUDDADA: That's the one. Before, it was a
15 huge one, I mean literally huge, sticking out; it is
16 classified as a tower. This one, I would say, cannot be
17 classified as a tower because it's just blending in, but
18 the main structure before the corrected one was sticking
19 out and it was a tower.

20 COMMISSIONER HANSSEN: So, the response is that
21 even though it wasn't in your written response to the
22 consulting architect, you had actually partially addressed
23 your point.
24
25

1 RAMMY MUDDADA: Yes, it is there in the design,
2 before and after, in that exhibit—I forgot which one—where
3 it shows the original and revised. The picture clearly
4 shows that it was a tower first and now it is revised.

5 COMMISSIONER HANSSEN: I was looking at the
6 response that said that we don't need to deal with that,
7 because there are other houses in Los Gatos that have that.

8 RAMMY MUDDADA: Yes, that's the example I
9 provided; I think it was 16419 Shady View Lane. That had a
10 tower, and we could have kept it but I wanted to blend it
11 into the house, so we revised it not to have the tower, so
12 we did revise it.

13 COMMISSIONER HANSSEN: So, even though your
14 response in our packet indicated otherwise, you did go
15 ahead and at least partially address it. Okay, thank you.

16 RAMMY MUDDADA: I do want to say more about the
17 511 square feet which you brought up again. It seems huge,
18 511 square feet, it seems huge. I know we cannot compare
19 with the offices in front of my house, which I look at
20 every day. I mean you guys have visited (inaudible), and
21 you have seen it; it's right in front of me; it's a huge
22 structure. There is no telling about it. But, again,
23 discounting that 511 after two decades, if you see the
24
25

1 overall homes, it's a minimum of two decades old home; it's
2 old homes.

3 Requirements have changed. Even now, I wouldn't
4 discount it, I'm just laying it out, more of nuclear
5 families, but in the past decades are staying a lot more
6 time. The in-laws are coming in to help. It's because of
7 the economic conditions, it's because of inflation and
8 everything, and we as parents want to address it ahead. I
9 have seen my own friends whose kids go to college, come
10 back, and work from their parents' homes, so I just want to
11 address that.

12
13 COMMISSIONER HANSSEN: Thank you for that. I
14 think you answered my question.

15 CHAIR RASPE: Thank you for those comments.
16 Commissioners, any other questions for the Applicant? Let
17 me just ask one quick question. A large portion of this
18 application addressed privacy issues with the neighbors.
19 Can you tell me what your current understanding is of the
20 privacy issues with the neighbors?

21 RAMMY MUDDADA: They say that our windows, not
22 side windows, are looking into their windows. But I
23 personally feel we have addressed all their concerns,
24 because we are frosting the windows.
25

1 We have addressed multiple things. We had a
2 balcony before. Our neighbor who lives on Leila Court said
3 make sure you put privacy trees, make sure the dripline is
4 inside your space and the dripline doesn't go to their
5 space, and you are fine. They were okay with a smaller
6 balcony, but having seen so many questions about the
7 balcony, we removed it. We didn't even add line of sight
8 windows for our back side property. That means technically
9 we don't have a set of windows for our own back yard to
10 address our neighbor's privacy concerns.

12 Not just that. On our side yard, which is
13 in the north, we have frosted our windows, which means
14 frosted our windows for the line of sight. Anything line of
15 sight, we have frosted it. That means we ourselves don't
16 have a side yard view either. So, two sides, even though we
17 could have had windows, we don't line of sight windows, we
18 don't have a view for back yard and for our side yard.

19 CHAIR RASPE: So, is it fair to say then that you
20 think you've addressed all the neighbors' privacy concerns
21 to the best...

22 RAMMY MUDDADA: To the best. And on top of that,
23 not just that, we are saying we'll put evergreen trees with
24 dripline in our property. We also said that from our window
25 to their window is 100 feet distance; that should play into

1 the picture too. I understand you can't say window-to-
2 window, you have to say side yard, even the yard is 40 feet
3 away.

4 CHAIR RASPE: I appreciate the insight. I just
5 wanted to confirm your understanding.

6 RAMMY MUDDADA: If you think I missed anything,
7 please let me know.

8 CHAIR RASPE: I appreciate that. Commissioner
9 Barnett.
10

11 COMMISSIONER BARNETT: I don't want to beat this
12 to death, but on the issue of the entry height, is it
13 correct or incorrect that Mr. Cannon reviewed the final
14 plan where you reduced the tower, removed the tower, but
15 you still left a large entry?

16 JOSE RAMA: There was a tower as a foyer entry,
17 double space; it's been entirely reduced. The height that
18 you see is only 17 feet. There is not much of an entry
19 anymore, it's just a little, small, just a percent of an
20 entrance.

21 The stone accommodates the hierarchy portion of
22 the building itself. There is not even a porch area there.

23 COMMISSIONER BARNETT: But what I'm trying to get
24 to is with Mr. Cannon's comment, which was adverse to the
25 entry. Was that in relation to the final plan?

1 JOSE RAMA: Yes, we reduced that. That's been
2 entirely redefined and revised. There's not a tower there
3 anymore; that's part of the house.

4 COMMISSIONER BARNETT: I understand about the
5 tower. But I'm trying to understand if Mr. Cannon's comment
6 about the entry was made *after* you reduced the size of the
7 tower.

8 JOSE RAMA: Oh, no. That was in the beginning.

9 COMMISSIONER BARNETT: His comment was related to
10 the tower?
11

12 JOSE RAMA: Yes, sir.

13 COMMISSIONER BARNETT: And not the revision?

14 JOSE RAMA: No, sir.

15 COMMISSIONER BARNETT: Okay, thank you.

16 CHAIR RASPE: Thank you. Commissioner Burnett.

17 COMMISSIONER BURNETT: Yes, thank you. When you
18 purchased this property, being a flag lot adds a lot, there
19 are a lot of issues connected with that. Did you look at
20 other flag lot properties in the area? I did, and I noticed
21 that those homes that were built on the flag lots blended
22 in with the present neighborhood much better, where your
23 project is in the very middle of a block, so many different
24 homes are affected by its mass and density, and I'm
25 wondering when you wanted to do this project if you weren't

1 thinking that maybe this would be too large for that flag
2 lot in the middle of neighborhood, that most of the homes
3 there are just one story, smaller, so I was just wondering
4 what your thoughts were?

5 JOSE RAMA: The diagram of the adjacent property
6 on Blackwell, the secondary perimeter is much wider, like
7 10', than ours is 36'. We are following the requirements.
8 The flag lot is a narrow space, because the back becomes
9 wider. We kept the setback, all the requirements.
10

11 On the north side on the property line we have
12 80'; that's a big number we're discussing here. The width
13 of the house itself on the first floor, it's 48'. The
14 second story is only 36' max, and narrows to 20' only, so
15 we did put that in the equation there. It's a fitted lot,
16 so we are accommodating the size of the lot: narrow,
17 elongated.

18 COMMISSIONER BURNETT: Thank you for that.

19 RAMMY MUDDADA: If you don't mind, I want to add
20 some more context.

21 CHAIR RASPE: Before you do, was your question
22 answered, Commissioner Burnett?

23 COMMISSIONER BURNETT: Yes.

24 CHAIR RASPE: Okay, then the question has been
25 answered. Commissioners, any other question for the

1 Applicant? Seeing none, you may be seated, but at the end
2 you'll have another three minutes opportunity to speak.

3 RAMMY MUDDADA: But if you don't mind.

4 CHAIR RASPE: At the end you'll have three
5 minutes, please. Thank you.

6 I now open the matter to members of the public
7 who wish to be heard on this matter. I don't have any
8 yellow cards from anybody in the chambers, but if there is
9 somebody in chambers... Yes, I see somebody approaching. If
10 you could provide Staff with the cards.
11

12 All right, I have two cards here. The first card
13 is Helen M. If you would approach the podium, please, and
14 you'll have three minutes.

15 HELEN MARTINEZ: Good evening, Mr. Chairman. Good
16 evening, Vice Chair. Good evening, members of the Council,
17 Staff, members of the public and fellow neighbors.

18 My name is Helen Martinez. I am here as an
19 adjacent neighbor on the north/northwest side, the
20 Blackwell side, of the property.

21 I am here also with two other neighbors, present
22 physically as well as on Zoom, and tonight we want to
23 discuss four concerns that we have with this proposal.
24 Ideally, we'll try not to repeat ourselves for everybody's
25 sake; we'll give it our best shot.

1 I have two posters of the properties I will refer
2 to in a moment. You have files of these photos in your
3 packet. Those are the views from my property onto the lot.

4 The four issues that we want to address are the
5 size of the house, the size of the proposal, the size of
6 the building. The second is privacy; we all have very
7 serious concerns about that. The third is landscaping, and
8 the fourth is maintenance as it relates to the history over
9 the last seven years with these neighbors.

10 When it comes to the size of the house, yes, this
11 is a very special location. This would be a beautiful
12 house, a great house, for another neighborhood, not for the
13 middle of our back yards.

14 It is a rear lot, and it's not a rear lot that
15 was purchased as a rear lot, it's a rear lot that was
16 chosen to be a rear lot. The owners purchased the single
17 lot that went all the way from National Avenue to Leila
18 Court. They chose to subdivide this lot, which they have
19 every right to do.

20 At the time, in October 2020, corridor lots were
21 not very popular here in Los Gatos, and it was approved
22 because ideally, as the then-architect, Kurt Anderson, said
23 in a justification letter as to why this should be
24 approved, to make sure that the residences that were built,
25

1 one in the back and one in the front, would match what was
2 in their neighborhood so that there wouldn't be an overly
3 large, towering house proposed, and sure enough, that's
4 what we ended up getting anyway.

5 Our houses that are on the north/northwest have
6 the special architectural feature that our living areas all
7 face the back; they all face this property. For two of us
8 three of the bedrooms face that side, and the areas that
9 most people use most in their house, our kitchen, family
10 room, and that downstairs bedroom and area, so it's the
11 spaces that we occupy the most in our house.
12

13 CHAIR RASPE: Thank you, your time is up. Before
14 you sit down though, Commissioners, any questions for this
15 speaker?

16 COMMISSIONER BARNETT: Do we have a better
17 representation of the photo, a better location so we can
18 actually see better. Maybe toward the front? Thanks.

19 CHAIR RASPE: While they're doing that,
20 Commissioners, any other questions for this speaker? I
21 think the Vice Chair has a question.

22 VICE CHAIR THOMAS: You said that size is a
23 concern for you, and privacy, landscaping, and maintenance
24 over the last seven years, so with regard to the size, can
25 you explain very concisely what your main concern is?

1 HELEN MARTINEZ: The main concern is that it just
2 doesn't fit in the area. It doesn't go along. It completely
3 disrupts the landscape from our homes. It's bulky, it
4 doesn't blend in, it's massive. Even though there is a
5 cellar or a basement that's been added of 12 to 700 square
6 feet, the whole point was to reduce the volume, and you can
7 see in the picture the size; it just does not blend in at
8 all.

9
10 The owners have plenty of space. They have 22,000
11 square feet, and now they have over 10,000, almost 11,000
12 square feet of space for their dreams and realization.

13 Our lots are 10,000 square feet and we value
14 landscaping, we value space. It's okay that they're
15 prioritizing something else, but it just cannot come at the
16 cost of our privacy.

17 VICE CHAIR THOMAS: Thank you. So, then your
18 second point was privacy. Can you just state your main
19 concern from your specific lot and your ownership, or where
20 you live? Thank you.

21 HELEN MARTINEZ: Sure. As you can see in the
22 pictures that are there, we have direct sight line pretty
23 much from the entire area facing us. Of course, the windows
24 upstairs that are two proposed bedrooms, that bathroom, and
25 then they even have a storage room that has windows

1 directly, directly, facing our house, our bedrooms, our
2 living areas, and even the garage doors on the bottom.
3 Because our house is at a certain height you have to take a
4 few steps to get into it and then the fence is lower, you
5 can completely see, even from downstairs, so those are the
6 main concerns from our house.

7 VICE CHAIR THOMAS: With regard to those two
8 things, is there any type of development on this lot that
9 you would be okay with?
10

11 HELEN MARTINEZ: Of course. Yes, of course. We've
12 addressed that there's a very similar lot nearby, but it's
13 towering, and they have a very unique..

14 VICE CHAIR THOMAS: You answered my question.
15 Thank you.

16 HELEN MARTINEZ: Oh, sorry.

17 VICE CHAIR THOMAS: And then also your last
18 concern was landscaping. Can you just state what your
19 concern with landscaping is?

20 HELEN MARTINEZ: Yes, they have offered some
21 Leyland Cypress trees. All the neighbors have had serious
22 issues with the maintenance of trees currently. They are to
23 be in a 4'x4' area squinched together. First, they don't
24 resolve all my privacy issues; more trees would be needed.
25 But specifically, that type of tree, when they're together

1 they're not maintained, which has been a big issue. They're
2 not kept up. They're a fire danger, and they're going to
3 overlap over our fence.

4 VICE CHAIR THOMAS: So, what type of landscaping
5 would you be happy with?

6 HELEN MARTINEZ: We would like different types of
7 trees that do not grow to be 60' tall that cover more than
8 the house already requires. And by the way, my son is
9 allergic to cypress trees, so that also is a concern.
10

11 VICE CHAIR THOMAS: Okay, great. Thank you.

12 CHAIR RASPE: Thank you. Commissioner Hanssen.

13 COMMISSIONER HANSSEN: Following on our Vice
14 Chair's line of questions, the Applicant has stated in a
15 number of responses in our report from Staff about all the
16 things that they've done to try to address privacy.
17 Specifically, on your concerns of privacy, if as they have
18 stated they would have frosted windows on the back and the
19 side, what would be your additional concern about them
20 being able to see if they have frosted windows? Is there
21 something else?

22 HELEN MARTINEZ: Yes. Thank you for the question.
23 The windows they they're proposing are not the only ones
24 that directly face my property, it includes the storage
25 room on the right. But frosted windows have to be

1 maintained. They don't block the entire view, and these
2 owners have had the opportunity to face towards the street,
3 the front, to face toward the back. That neighbor has no
4 second floor, has no windows, there's an attic. They've had
5 the opportunity to face diagonal. There is a one-story
6 house, to face the entire span of that very low lot where
7 there is nothing, to face diagonal towards Leila where
8 there is a cul de sac and even a basketball court. They've
9 had all these opportunities to position as much density as
10 they value, and they've put it directly in front of our
11 bedrooms, in front of our living area, and in front of our
12 yards. Frosted windows need to be maintained.

14 I've wrestled with how much to share in writing
15 or even in presentation with the problems that we've had
16 with maintenance. You can get a sneak peek of that in sheet
17 A0.8, the pictures on the right. Fences blowing off and
18 holes being there and not a willingness to resolve that. I
19 won't bore you with all the details, but it's been
20 extremely difficult, and this is an experience across the
21 board with neighbors that in fact didn't even come up
22 because when we get together, which is regularly. It's a
23 very harmonious neighborhood, we don't discuss this and it
24 came up when this proposal came up, so it's a concern to
25

1 have those windows directly facing us when they had so many
2 choices.

3 Even in the current design they have choices to
4 move those windows to the side. It seems that they have
5 this concern, they're not facing their yard. We invite
6 them, we encourage them, we would love for them to face
7 their own back yard or their own front yard and not have
8 those windows looking over ours. They chose to have a
9 higher density; they have an intention to add two
10 additional units. Please don't make our private back yards
11 where we spend every day with our child, our dog, our
12 families, be like the public square that the high-density
13 buildings get to overlook.

15 COMMISSIONER HANSSEN: I think I hear and
16 understand you. I would like to just go back to the frosted
17 windows for a moment. In my home—I live in Los Gatos, of
18 course—we do have one frosted window in the back of our
19 house in one of the bathrooms, and I don't know why it was
20 frosted; when we bought the house it was already 20 years
21 old. It overlooks the deck that's attached to our house. I
22 can't even see the deck from my frosted window, so I'm just
23 trying to understand how frosted windows wouldn't do it. I
24 understand that you would prefer that they have the windows
25 in other places, but if they can't see you and they had it,

1 say, on the storage area too, I'm still trying to
2 understand what the concern would be other than you wish
3 that they had put them in other places.

4 HELEN MARTINEZ: Excellent question. Right now,
5 they don't have a plan for them to be in that storage area
6 that directly overlooks... Right now, they don't have a plan
7 for that, and they don't have a plan for putting it on the
8 middle bathroom window, so there are two bedrooms upstairs
9 and a middle window. They have no plan to put it on the
10 garage windows that for some reason are facing my property,
11 the garage, when there is all this space.
12

13 But frosted windows need to be maintained.

14 We also don't know the level of opacity, the
15 obscurity level. We cannot enforce that; we don't know it.
16 Big size windows, different size windows from my
17 understanding—I'm going to reveal that I'm not an architect
18 or a designer or in any way involved in this—the film
19 doesn't fully put the edge; there are still areas. It
20 truly, truly makes us so uncomfortable to have those
21 windows directly, and not just me and my property, but an
22 adjacent neighbor, and the neighbor even diagonal to that
23 who you will hear from.
24

25 COMMISSIONER HANSSEN: Okay, thank you.

1 CHAIR RASPE: Commissioners, any other questions
2 for the speaker? Seeing none, thank you so much. Our next
3 speaker then is Venkat Vonitla (phonetic). You'll have
4 three minutes, sir.

5 VENKAT VONITLA: My name is Venkat Vonitla and I
6 have the same concerns as Helen Martinez; I am next to her.
7 I'm behind the construction.

8 The only concern is privacy. We cannot use the
9 back yard. The big windows that they are going to have,
10 it's going to kill us. We cannot go to the back yard with
11 those windows. They need to do something about those
12 windows and the privacy.

13 And balcony, they took care of on the side, it's
14 directly looking towards mine and my neighbor's property.

15 They are saying five trees, but it's not going
16 to... With the previous history, like a big oak tree and
17 flying sheets, I don't believe what they are saying like
18 five trees, we are going to maintain those trees, it's not
19 going to happen looking at the past history.

20 So, I'm worried about my privacy and that's all I
21 want to say.

22 CHAIR RASPE: Thank you for those comments.
23 Before you sit, Commissioner, questions for this speaker?
24 Commissioner Hanssen.

1 COMMISSIONER HANSSEN: What kind of house would
2 not affect your privacy?

3 VENKAT VONITLA: I just want to go for being a
4 family like us, like what we have, not a big house with
5 multiple families living there, so I just want to have a
6 single-family, less windows, less construction. It's not
7 private. Privacy is a big concern.

8 COMMISSIONER HANSSEN: I'm not sure I understand
9 your comment about multi-family versus single-family. I
10 mean, the Applicant has made testimony that this is their
11 extended family living in their home, which I don't know
12 why that would constitute a multi-family. If you're
13 referring to the ADUs that are proposed...

14 VENKAT VONITLA: Yes.

15 COMMISSIONER HANSSEN: ...we can say nothing about
16 those. Every home in Los Gatos and all of California is
17 entitled to build at least one detached ADU and a Junior
18 ADU and it is a ministerial permit. They have to comply
19 with size requirements, but we can say nothing about it;
20 it's California law, so we can't really take that into
21 consideration with regard to this house, because everyone
22 in California can do the same thing and it's law. So, while
23 I appreciate what you're saying, it's not this family and
24 they can't change.
25

1 CHAIR RASPE: Thank you. The Vice Chair has a
2 question for you, I believe.

3 VICE CHAIR THOMAS: Thank you, and thank you for
4 that question, and thank you for coming tonight. My
5 question is just about what additional changes would you be
6 happy with regarding privacy?

7 VENKAT VONITLA: Single-family, smaller size, not
8 a huge building, I mean like not (inaudible) construction
9 (inaudible).
10

11 VICE CHAIR THOMAS: Okay, thank you.

12 CHAIR RASPE: Thank you. Any other questions for
13 the speaker? Seeing none, I have no more yellow cards for
14 speakers this evening, so thank you for those in the
15 chambers speaking on this matter. Do we have anybody on
16 Zoom for this matter?

17 DIRECTOR PAULSON: Thank you, Chair. I'm going to
18 allow "iPad 3" to speak.

19 CHAIR RASPE: iPad 3, if you're speaking on Item
20 #2, please state your name for the record and you'll have
21 three minutes to speak.

22 DAVID RATSABONYAH (Phonetic): My name is David
23 Ratsabonyuh. Good evening, everyone. And good morning to
24 me; it's 5:00am here.
25

1 I live at 369 Blackwell Drive, and I'm here to
2 express my privacy and safety concerns regarding the
3 construction plans at 15411 National Avenue. I understand
4 the desire to build, but the current design has significant
5 issues that I believe could be better addressed.

6 I think firstly, privacy. The second-floor
7 windows and balcony all look at my master bedroom,
8 bathroom, shower area, and back yard, creating a direct
9 sight line into sensitive areas of my home.

10 I think frosted windows or trees have been
11 proposed as privacy solutions; these may not fully address
12 my concerns. Frosted windows can still be opened and I
13 don't know what is the level of obscurity that they have.

14 I respectfully suggest design adjustments like
15 relocating the windows or using skylights that can prevent
16 this privacy invasion more (inaudible).

17 I think the second thing I wanted to mention was
18 like the justification letter that compares this project to
19 nearby structures, including a large hospital and two-story
20 building. However, these examples don't reflect the unique
21 nature of this flag lot. I think one of the Commissioners
22 pointed that out exactly. A more fitting comparison would
23 be nearby (inaudible) properties like 15439 National
24 Avenue, which maintain the neighborhood character by
25

1 building a single-story structure on its rear lot; that is
2 what the current neighbors are trying to do.

3 In summary, I am requesting adjustments that
4 protect my family's privacy and property, while allowing
5 sensitive development. Thank you for considering these
6 concerns, and I'm happy to work with the Applicants toward
7 a more mutually respectful solution. Thank you, folks.

8 CHAIR RASPE: Thank you so much, and before you
9 disconnect, Commissioners, any questions for this speaker?
10 Seeing none, thank you, sir.

11 Any other callers on Zoom?

12 DIRECTOR PAULSON: Thank you, Chair. I do not see
13 any other hands on Zoom.

14 CHAIR RASPE: Thank you so much. Then I'll ask
15 the Applicant. You have up to three minutes if you wish to
16 address any of the comments that you've heard today, and at
17 least from my own perspective, I encourage you to focus on
18 some of the privacy concerns.

19 JOSE RAMA: Right. Basically, they're talking
20 about windows. The laundry area has a 2' rear view window
21 at a height of 8'-6", a peek-a-boo up there to oversee
22 that. They're not going to be frosted.

23 The two windows that are facing the north
24 portion, they are egress windows. We are under the
25

1 requirement of the 5.1 square feet as the minimum we have.
2 The two bays will be frosted, diffused, they can't see in,
3 they can't see out, but it is an operable window; it has to
4 be. The south portion is also (inaudible) window is not
5 frosted, but it's a height of 8', 6' of seal.

6 Regarding concerns about trees and the
7 maintenance of the trees, the only tree they have there is
8 an oak tree that is in great condition that is dividing
9 that tree on 669 Blackwell Drive; it's in the center of the
10 property, and they provided a clarification that that tree
11 has to stay.

12 Also, the owner has retrofit the privacy fence, a
13 brand-new fence, that was just been installed maybe a
14 couple of months ago.

15 Regarding the cypress, we are keeping a full
16 height of 48" box with a full grown of 8-10'. It is a
17 cypress; they will maintain it. It's within his property.
18 There is not a dripline.

19 Regarding the cellar, we are under the
20 requirement, so there is no square footage limitation for a
21 cellar there. There is a limitation of height, and we are
22 much lower than what we're supposed to be, so it is not
23 considered to be a third story.

1 Second, the window facing the north portion on
2 that cellar, it's much lower. From grade to top it's only
3 2', so there is not really a concern of privacy there.

4 We could try to see if we could relocate the
5 windows, but that's the only egress we have. The pitch of
6 the slope does not clarify a relocation of those windows,
7 so basically it would be a full redesign.

8 CHAIR RASPE: Thank you, and before you sit down,
9 Commissioners, any questions? I just have one.

10 I think one of the speakers indicated that a
11 family member had perhaps an allergy to the proposed trees.
12 Would you be willing to use alternatives?

13 JOSE RAMA: Of course. Yes, sir.

14 CHAIR RASPE: Okay, thank you so much. Seeing
15 none, I'll close the public portion of this matter and
16 invite my fellow commissioners to pose questions of Staff,
17 of each other, make comments, and/or if appropriate, make a
18 motion. Commissioner Barnett.

19 COMMISSIONER BARNETT: I have two questions of
20 Staff.

21 The first question is if this project were
22 approved a condition could be a covenant for maintenance of
23 the trees. Could it be imposed or not?

24 ATTORNEY WHELAN: Yes, that would be defensible.

1 COMMISSIONER BARNETT: Okay, thank you. And I
2 wonder if Staff can comment on the issue of the efficacy of
3 frosted windows. I know that's been used in the past.

4 ERIN WALTERS: It has been used in the past; it's
5 actually in our Residential Design Guidelines. We do use
6 them for conditions like this often.

7 COMMISSIONER BARNETT: Thank you.

8 CHAIR RASPE: Thank you. Vice Chair.

9 VICE CHAIR THOMAS: I have a couple of questions
10 about the consulting architect's comments.
11

12 The first recommendation was about the tower, and
13 we've already discussed that. The architect's actual
14 comments said, "Specific issues include the following," and
15 then it notes that it should, "Avoid large and formal
16 entries unless the norm of nearby homes."

17 I'm sorry, maybe you should come back to me. I
18 need to find my page again.

19 CHAIR RASPE: Very good, we will come back to
20 you. Commissioner Hanssen.

21 COMMISSIONER HANSSEN: Also a question for Staff.
22 On the frosted windows, I was surprised, because I can tell
23 you I've never done anything in the 22 years of owning my
24 home to maintain the frosted window that we have. We might
25 have washed it one time. So, is that a common thing with

1 frosted windows that maybe I'm not aware of that you must
2 do something special to maintain them so they remain
3 frosted?

4 ERIN WALTERS: I think there are a couple of ways
5 to frost a window. One would be with a film which might
6 deteriorate, as I can (inaudible) my house. However, if the
7 glass is actually obscure, that's just a pane of glass and
8 it will not change.

9 COMMISSIONER HANSEN: So, if we were to specify
10 that they must have obscured glass, then there wouldn't be
11 a maintenance issue, is that what I'm hearing?
12

13 ERIN WALTERS: That's correct.

14 COMMISSIONER HANSEN: Okay, thank you.

15 CHAIR RASPE: Thank you. Vice Chair, are you
16 ready?

17 VICE CHAIR THOMAS: Yes. For the design
18 requirements, basically it says to, "Avoid large and formal
19 entries unless this is a norm for nearby homes..." and then
20 it says, "e.g. projecting or under-eave porch." Like it's
21 best to start with that type of entry. Obviously, this
22 project, they weren't going back to the start, so they made
23 an adjustment, and I see how it doesn't comply, but we
24 don't have our consulting architects go back and look at
25 the reapplication. I'm just curious what my fellow

1 commissioners think, and if you have any information, Ms.
2 Walters, about if this was semi-addressed or not in Staff's
3 opinion.

4 ERIN WALTERS: I can start. It is semi-addressed.
5 They did modify. Obviously, you can see they modified the
6 front elevation, the side elevation, and it did modify the
7 full tower and it is integrated into that front plane.

8 VICE CHAIR THOMAS: Okay, thank you. Then I guess
9 as a follow-up, when we're saying e.g., these are just
10 examples of how to change it?
11

12 ERIN WALTERS: (Nods head yes.)

13 VICE CHAIR THOMAS: Okay, thank you.

14 CHAIR RASPE: Thank you. Commissioner Burnett.

15 COMMISSIONER BURNETT: Yes, thank you. I'm having
16 problems with this project after reading our architect's
17 comments that basically it would be not consistent with the
18 Town's Residential Design Guidelines, basically 3.2.1 and
19 3.2.2. There were other guidelines that were suggested and
20 they were followed, but there were some that were not.

21 I feel that basically it does not fit in the
22 surrounding neighborhood, which is 3.2.1, which is our
23 design guideline, and I think it's a very important one
24 being a flag lot and where this home is situated. I mean,
25

1 it has great prominence and I think it does affect the rest
2 of the neighborhood there.

3 I think the massing and the size of it is what
4 I'm having a real issue with. I appreciate that there were
5 some efforts to go along with some of the recommendations
6 by our architect, but I think the major...the tower. I see
7 the redesign, but I think his designs are really an
8 improvement, and actually I think the architectural
9 features of his designs basically would fit better in the
10 neighborhood if it wasn't so large of a house.
11

12 The other issue I have with it is that noticing
13 the photos that were shown, the mountains were eliminated
14 from view from many of the homes there, as well as I don't
15 know if some of the homes in the area have solar panels, so
16 I don't know if that would be effected by the height of
17 this home, and I think it's quite large.

18 Those would be my basic concerns. Thank you.

19 CHAIR RASPE: Thank you for those comments.

20 Commissioners, any other questions or comments? I have one
21 for Staff.

22 I just wanted to confirm—and we discussed this in
23 other projects—the Town of Los Gatos does not currently
24 protect, at least in our written codes, light or view
25 easements. Is that correct?

1 ATTORNEY WHELAN: That's correct.

2 CHAIR RASPE: As part of our discussions we take
3 into consideration privacy concerns, generally speaking,
4 correct?

5 ERIN WALTERS: That is correct.

6 CHAIR RASPE: Thank you. Commissioner Hanssen.

7 COMMISSIONER HANSSSEN: I have one more question
8 for Staff. Based on being at the site with only story poles
9 you don't really know, but it seemed to me—and I'm asking
10 Staff for your opinion' I'll leave the back neighbors
11 aside—do you feel that the front of the house where the
12 tower is, because it's in a flag lot and the way it is
13 oriented and that there are trees in front, it didn't seem
14 to me like it would be visible from the street, so I'm
15 asking for your opinion on that, and I'm leaving the back
16 neighbors aside for the moment.

17 ERIN WALTERS: That's correct, you can't see it
18 behind the house that's in front of it.

19 COMMISSIONER HANSSSEN: I wanted to add on a
20 comment to that, if it's okay, Chair? Because that was my
21 thought on this, I do think that we have to delve in a
22 little bit more with the back neighbors, but if you
23 consider this project on the whole, while we don't
24
25

1 encourage the largest house in the neighborhood, it's not
2 that much larger than the next largest house.

3 It also won't be visible from the street—and
4 again, I'm leaving the back neighbors aside from that—it
5 also meets most aspects of our code, so it's really just a
6 neighborhood compatibility issue, because it doesn't
7 violate any parts of our code.

8 I wondered if the place to go might be to try to
9 make some additional adjustments to satisfy the back
10 neighbors, but I suspect that the only one that would
11 really work for them is making it a single story. I also
12 think that it wouldn't be reasonable to ask them to reduce
13 to single-story, because several other homes in that
14 neighborhood and throughout Los Gatos have two stories, and
15 this is something we see pretty commonly.

16 I'd be curious what the other Commissioners have
17 to say, but I do think that other than trying to do more
18 for the neighbors behind, that this project doesn't push
19 any other boundaries.

20 CHAIR RASPE: Thank you for those comments. Vice
21 Chair.

22 VICE CHAIR THOMAS: Thank you. I would like to
23 echo Commissioner Hanssen's comments. I also did recognize
24 that the entryway adjustment didn't completely provide an
25

1 under the eave entry in lieu of the proposed stone tower or
2 anything, however, I also figured that this is not
3 necessarily viewable from the street, and I do think that
4 the other recommendations by the consulting architect were
5 taken into account and I do appreciate that.

6 I feel the same way, that I think that it is
7 difficult to address the privacy issue in so many of these
8 hearings that we have and agenda items that we often have
9 when it is a two-story situation, however, as a body we
10 don't have the authority to just tell someone that they
11 can't build a second story, especially when they're
12 complying with all of the aspects of code and not asking
13 for any variances with regard to setbacks and height and
14 everything like that.

15 I agree with Commissioner Hanssen and I think
16 that moving forward hopefully we can try to make some sort
17 of recommendations to address some of the privacy issues
18 while hopefully moving this project forward, and I do think
19 that the changes to the landscape trees, that's a place to
20 start.

21 One other thing I wanted to say about windows. We
22 can't require anyone to have windows that don't open,
23 because you must be able to get in and out of them, so I
24 think the frosted windows is the best option for moving
25

1 forward, and so I am curious to hear what my fellow
2 commissioners have to say.

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

5 COMMISSIONER BARNETT: I strongly support the
6 recommendation of Staff to deny the Architecture and Site
7 Application based on concerns of size, neighborhood
8 compatibility, and consistency with the Residential Design
9 Guidelines.

10
11 One that we haven't talked about so far is 2.1 of
12 the General Neighborhood Design Principles, which says,
13 "Residential development shall be similar in mass, bulk,
14 and scale to the immediate neighborhood, although
15 consideration will be given to the existing FAR,
16 residential square footage, and lot size." I recognize this
17 is a very large lot and consideration should be given to
18 that, but nevertheless I think the bulk and mass are
19 unacceptable.

20 CHAIR RASPE: Thank you for those comments. I'll
21 go ahead and chime in then. I would echo, I think, largely
22 the comments of Commissioner Hanssen and Vice Chair Thomas.
23 It seems to me we have two issues, that is compliance with
24 the Design Guidelines and the privacy issue.
25

1 On the Design Guidelines, the home—I think we've
2 discussed—is within all legal standards: within FAR, within
3 the building envelope, within height, setbacks, and they're
4 not asking for any variances. So, then we are left with is
5 the building compatible within the neighborhood? We've seen
6 this issue many times before. The first two-story home in a
7 neighborhood is always disruptive and it's difficult for
8 the neighbors, and we understand that.

9
10 Nevertheless, I think it is inevitable that as
11 this town grows older, homes will be removed. Newer, larger
12 homes will take their place and many times it will be
13 second-story homes, and so I think we cannot stop that line
14 of progression. The best I think we can do as a planning
15 Commission is trying to mitigate that process a little bit.

16 That raises the second concern, and that is
17 privacy. In this case I think there are privacy concerns.
18 The builder has done some efforts in that regard. They've
19 agreed to remove the balcony, they've agreed to tint the
20 windows. I think there's more that can be done. Certainly,
21 we've discussed the trees, and I would argue that one of
22 the conditions of approval would be the non-allergic style
23 trees to be determined between the two neighbors.

24 I think maybe one last ask that I would have, and
25 the architect mentioned it, and I suspect it would be

1 expensive and I'm sorry to do this, but if there is a way
2 to relocate the actual location of those windows, the
3 sizing of the windows, something that would help ameliorate
4 the privacy of the back yards and still provide this
5 Applicant with egress rights and view rights, that's a
6 project I could accept. Those are my thoughts.

7 Commissioner Hanssen.

8 COMMISSIONER HANSSSEN: I just wanted to add a
9 clarifying comment, because you mentioned about the first
10 two-story house. Maybe you didn't mean to say it that way,
11 but it sounded to me like this might be the first two-story
12 house in the neighborhood. It is not. On page 12 we have
13 the neighborhood analysis that is defined in the
14 Residential Design Guidelines and there are clearly three
15 other two-story homes, including on Blackwell, which is
16 behind them.

18 CHAIR RASPE: Thank you.

19 COMMISSIONER HANSSSEN: So, I don't think that
20 that's a hurdle that they need to overcome like if they
21 were the first two-story house in the neighborhood. Bulk
22 and mass could be addition to that, but not the two
23 stories.

24 CHAIR RASPE: No. I stand corrected. Thank you.
25 Yes, Commissioner Burnett.

1 COMMISSIONER BURNETT: Thank you. I do agree with
2 our Chair's comments about a new second-story home; it's
3 not the first second-story in this neighborhood, however, I
4 think you can build a two-story home in the neighborhood
5 that would be more congruent and more acceptable to the
6 neighbors, reducing the size and the mass, and that would
7 be my comment. I don't think you have to have this large of
8 a home that impedes and has issues in quite a large, whole
9 block basically, and it's in the very middle so it's very
10 prominent. I think it could be architecturally designed as
11 a two-story but would be more compatible and meet the needs
12 of the neighbors that have been there for years. That's
13 just my thoughts. Thank you.

15 CHAIR RASPE: Thank you. Commissioner Barnett.

16 COMMISSIONER BARNETT: I have the concept of
17 making a motion to deny the request to make further efforts
18 to address the privacy concerns and suggestions of the
19 neighbors, and potentially to request but not require
20 consultation with Mr. Cannon regarding the entry as
21 revised, and that I cannot make the findings required,
22 something along those lines.

23 CHAIR RASPE: Is there a motion pending, or do
24 you wish to make a motion?

25 COMMISSIONER BURNETT: I'll second that motion.

1 COMMISSIONER BARNETT: It wasn't really a motion.

2 CHAIR RASPE: That's what I thought.

3 COMMISSIONER BARNETT: It wasn't a motion, but
4 it's a promotion.

5 CHAIR RASPE: If you'd like to make that a
6 formalized motion, then we can take a tally and see where
7 we sit.

8 COMMISSIONER BARNETT: Okay, then. My motion is
9 to deny the requested approval for construction of a
10 single-family residence and site improvements requiring a
11 Grading Permit on vacant property zoned R-1:8 located at
12 15411 National Avenue, APN 424-12-140, Architecture and
13 Site Application S-23-033, on the basis that I cannot make
14 the findings that the project meets the objective standards
15 of the Zoning Code and the Residential Design Guidelines.

16 No other considerations in Section 29.21.50 of
17 the Town Code for granting approval of Architecture and
18 Site Applications and would recommend that the Applicant
19 come back to us with revised plans after consideration of
20 the neighbors' concerns and potential changes, and a
21 request, but not a requirement, that Mr. Cannon be
22 consulted with respect to the adequacy of the changes on
23 the entry.
24
25

1 CHAIR RASPE: Thank you for that motion. Do I
2 have a second? Commissioner Burnett.

3 COMMISSIONER BURNETT: I'll second that motion.

4 CHAIR RASPE: Thank you. I have a first and a
5 second. Discussion? All right, by a show of hands, all
6 those in favor the motion, please raise your hands. I see
7 two. All those opposed. Three, and the motion fails.

8 Let's try a different format. Commissioners,
9 shall I give it a try? Or Commissioner Hanssen, do you have
10 an idea?

11 COMMISSIONER HANSSEN: If you would like to go
12 ahead and make a motion, Chair, that's fine, or I can do
13 it.

14 CHAIR RASPE: I move to approve construction of a
15 single-family residence and site improvements requiring a
16 Grading Permit on vacant property zoned R-1:8 located at
17 15411 National Avenue, APN 424-12-140, Architecture and
18 Site Application S-23-033. Property owner Muddada and
19 Applicant Jose Rama. Subject to all the findings required
20 in our Staff Report with two additional conditions of
21 approval, that is first with respect to plantings, that
22 they be mutually agreed up by the neighbors such that they
23 are at a minimum protective of privacy and non-allergenic
24 to any of the neighbors; and second, that the Applicant
25

1 meet in good faith to relocate the offending windows such
2 that they are the least offensive to the privacy interests
3 of the neighbors.

4 Do I have a second? Commissioner Hanssen.

5 COMMISSIONER HANSSEN: I'll second the motion,
6 but I would ask for one amendment to the motion.

7 CHAIR RASPE: Please.

8 COMMISSIONER HANSSEN: That would be the windows
9 that need to be frosted have the obscured glass, not the
10 film that has to be maintained.

11 CHAIR RASPE: The motion is so amended.

12 COMMISSIONER HANSSEN: And so, I will second.

13 CHAIR RASPE: Thank you for the second. Is there
14 any discussion? Then by a show of hands, all those in favor
15 of the motion. Thank you. And all those opposed. And the
16 motion carries 3-2. Are there any appeal rights?

17 DIRECTOR PAULSON: Thank you, Chair. Yes, there
18 are appeal rights. Anyone who is not satisfied with the
19 decision of the Planning Commission can file an appeal to
20 the Town Council. Forms are available online and in the
21 Community Development and Clerk Office. There is a fee for
22 filing the appeal, and the appeal must be filed within ten
23 days.
24
25

CHAIR RASPE: Thank you so much.

LOS GATOS PLANNING COMMISSION 11/13/2024
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