



**TOWN OF LOS GATOS
PLANNING COMMISSION
REPORT**

MEETING DATE: 11/13/2024

ITEM NO: 2

ADDENDUM

DATE: November 12, 2024
TO: Planning Commission
FROM: Joel Paulson, Community Development Director
SUBJECT: 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. Architecture and Site Application S-23-033. Categorically Exempt Pursuant to CEQA Guidelines Section 15303: New Construction. Property Owner: Vyankatesh and Rammy Muddada. Applicant: Jose Rama. Project Planner: Erin Walters.

REMARKS:

Exhibit 13 includes correspondence with neighbors provided by the applicant.

Exhibit 14 includes public comments received between 11:01 a.m., Friday, November 8, 2024, and 11:00 a.m., Tuesday, November 12, 2024.

EXHIBITS:

Previously Received with the November 8, 2024, Staff Report:

1. Location Map
2. Required Findings and Considerations
3. Recommended Conditions of Approval
4. Scope of Work
5. Letter of Justification
6. Photographs of Site
7. Consulting Architect's Report
8. Applicant's Response to Consulting Architect
9. Consulting Arborist's Report
10. Applicant's Summary of Neighborhood Outreach
11. Development Plans
12. Public Comments received by 11:00 a.m., Friday, November 8, 2024

PREPARED BY: Erin Walters
Associate Planner

Reviewed by: Planning Manager and Community Development Director

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SUBJECT: 15411 National Avenue/S-23-033

DATE: November 12, 2024

Received with this Addendum Report:

13. Applicant's Correspondence with Neighbors

14. Public Comments received by 11:01 a.m., Friday, November 8, 2024, and 11:00 a.m., Tuesday, November 12, 2024

From: Ramya Muddada [REDACTED]
Sent: Tuesday, November 12, 2024 9:50 AM
To: Erin Walters <EWalters@losgatosca.gov>
Cc: Vyankatesh B [REDACTED]; Jose (Architect) rama [REDACTED] >
Subject: Fw: 15411 Naciona Ave. - Addressing comments received on 10.29.24

[EXTERNAL SENDER]

Additional responses were received from neighbors, and I have also included the response sent to them,

Best,

Ramya

----- Forwarded Message -----

From: Ramya Muddada [REDACTED]
To: [REDACTED]
Cc: Vyankatesh B <[REDACTED]>; Jose (Architect) rama [REDACTED]
Sent: Monday, November 11, 2024 at 10:46:24 PM PST
Subject: Re: 15411 Naciona Ave. - Addressing comments received on 10.29.24

Hello [REDACTED]

It is sad and disheartening that you are not willing to acknowledge the steps we have already taken and the additional efforts we are making to protect the privacy of our neighbors.

But I want to reiterate the following:

1. We have removed the whole balcony from the back of our property, and there are no windows with a line of sight to our backyard or our neighbors property.
2. The two-story bedroom windows on the north elevation face the Blackwell Drive rear yards, and they will have obscure/frosted glass—which would result in we not having a view of our side yard that would mean we don't have a view to your bathroom either.
3. We are also adding 5 Leyland trees to add more privacy.

And with regards to your shower area:

The only clear view in this photo is an area where our garage roof would be situated.



Lastly - we need not copy/imitate the same design as the other flag lot (please note the design, style, and requirements of the build are two decades old).

But I still want to provide a bit of history on the 15439 National Ave property. The house in the back was first built, and the subdivision was made later. The only space to split was the front, which resulted in a significantly higher FAR than the city's allowed FAR. In my case, we have a property in the front and subdivided the back, where we are proposing a two-story single-family residence.

Hope this helps,

Best,

Ramya

On Saturday, November 9, 2024 at 03:42:28 PM PST, [REDACTED] > wrote:

Hi Ramya,

Thank you for your response. I appreciate your consideration of the privacy concerns. However, I still have some reservations regarding the effectiveness of the giant tree in fully covering the view of my bathroom shower. The suggestion that visibility isn't an issue due to the distance (>100 feet) doesn't entirely address the privacy risk, as visibility remains a concern even with this distance.

Additionally, I believe the comparison to the neighbor's two-story building on Blackwell Drive is not fully aligned with the context of your project. There are notable differences:

1. The neighboring property on Blackwell Drive is not a flagpole lot, whereas your construction is.
2. Their house was constructed before I purchased my current property, and its windows do not directly overlook sensitive areas of my home, like the bathroom shower.

As such, I believe this comparison is less relevant than the example I shared in my previous email. A closer and more appropriate comparison would be with the property at "15439 National Avenue", which, like yours, is a flagpole lot.

I appreciate your understanding and consideration of these points and look forward to working toward a resolution that respects the privacy needs of all parties.

Best regards,

[REDACTED]

On Mon, 4 Nov 2024 at 11:02, Ramya Muddada [REDACTED] wrote:

> Good Morning [REDACTED],

>

> Thank you for the comments/concerns sent to the city, which will be addressed below:

>

> 1. Privacy: The current design of the second-floor windows, based on the story poles, continues to present a privacy issue. The placement and height of the windows appears to allow direct visibility into my master bedroom, bathroom (particularly the shower area), and backyard. Given the proximity, this remains a significant concern for my family's privacy. Additionally, the proposed new trees do not adequately shield the second-floor view. I've attached a few pictures below from my bathroom to illustrate this issue:

>

> Thank you for the picture - which clearly shows that the Oak tree branch obstructs the bedroom window from 15411. The only clear structure visible from your photo is the garage; we have also addressed the privacy concern in the email sent on 07.31.2024

> 1. Removing the balcony from the plans (please see the revised attached plans)

> 2. Adding 5 Leyland trees – Know the best trees to create privacy.

> 3. A privacy layer (blurred windows) covers the window's line of sight (mentioned in the housing development guidelines).

> 4. The giant oak tree will be the best privacy screen.

> 5. The distance between windows (yours and proposed) is over 100ft, which should be considered while discussing privacy.

> I also want to add that you have a neighbor with a two-story building with three windows facing your property, and the distance between the windows is less than 20f

>

> 3. Neighborhood Comparisons:

>

> We need not replicate any construction style in the neighborhood as it is not a community-based construction; we have used our neighbors on Blackwell Dr as an example to propose the 2-story (one of them is your neighbor).

>

>

> 4. Tree Placement:

>

> The image on the architectural drawing may not provide an accurate image of the tree; it just shows the placement of the trees. The proposed privacy trees can easily grow in a 4x4 area.

> Adequacy of privacy is also addressed in my first point and on my 07.31.2024 email.

>

> 3. Basement Impact:

>

> The basement/cellar is proposed according to town codes.

>

> Please let me know if you have any additional questions or concerns,

>

> Best,

> Ramya

>

From: Ramya Muddada <[REDACTED]>
Sent: Tuesday, November 12, 2024 12:42 AM
To: [REDACTED]
Cc: Vyankatesh B [REDACTED]; Jose (Architect) rama [REDACTED]; Erin Walters <EWalters@losgatosca.gov>
Subject: Re: Your neighbor at 15411 National Ave (APN 424-12-40 Site application S-23-033)

[EXTERNAL SENDER]

Hello [REDACTED],

Unfortunately, you are unwilling to acknowledge the steps and additional efforts we have taken to protect our neighbors ' privacy.

But I want to reiterate the following:

1. We have removed the whole balcony from the back of our property, and there are no windows with a line of sight to our backyard or neighbor's property.
2. The two-story bedroom windows on the north elevation face the Blackwell Drive rear yards, and they will have obscure/frosted glass.

This would result in us not having a view of our side yard, which would mean we don't have a view of your bedrooms either.

3. We are also adding 5 Leyland trees to add more privacy.

Best,

Ramya

On Thursday, November 7, 2024 at 04:16:43 PM PST, [REDACTED] > wrote:

Hi Ramya,

The concerns we raised with the city and also we are asking the city and you about the same concerns.

You are saying in this email, the privacy or other concerns we mentioned to the city are not going to resolve.

We will ask during the city hall meeting on Nov. 13th and see what city is going to say.

Privacy, Hazard from the trees, Building such a huge structure inside in the backyard very risky.

Thanks

— [REDACTED]

On Nov 5, 2024, at 8:45 PM, Ramya Muddada [REDACTED] wrote:

Hi [REDACTED]

This email addresses the concerns/comments sent to the city on 10.29.24

The image on the architectural drawing may not provide an accurate picture of the tree; it just shows the placement of the trees. The proposed privacy trees can easily grow in a 4x4 area and will grow within our property line; said that the photos you shared show plants near the fence. Will you also ensure the drip line of those plants, when grown, is within your property

Our first-floor windows shouldn't be a concern due to the fence. Still, I think you meant 2nd floor - The two windows combined on our property are smaller than the combined two windows on your home; even though you have more windows than us,

However, we've ensured we provide additional privacy, which was addressed in my 07.31.24 email. I am also repeating them below

1. Removing the balcony from the plans.
2. Adding five non-deciduous trees – Know the best trees to create privacy (less debry as they are non-deciduous trees)
3. A privacy layer (blurred windows) covers the window's line of sight (mentioned in the housing development guidelines).
4. The current giant oak tree will be the best privacy screen.

5. The distance between windows (yours and proposed) is over 100ft, which should be considered while discussing privacy.

I would like to point out that one of your neighbors, who is also two-story, has a clear view of your bedrooms and backyard through their side window, which is less than 20 feet in distance.

So, as you know, ADUs are not part of this application.

Again, I think you meant two-story and not three. I also want to point out that our property is just a little over 500 sqft larger than your property, which doesn't qualify as gigantic.

Please let me know if you have any additional questions or concerns.

Best,

Ramya

On Wednesday, July 31, 2024 at 01:49:03 PM PDT, Ramya Muddada [REDACTED] wrote:

Hello [REDACTED]

After reviewing all the neighbors' comments and concerns, we have decided to take more steps to mitigate the privacy concerns.

Below are all the things done/available to address the privacy concerns of the neighbors about the two windows and balcony:

1. Removing the balcony from the plans (please see the revised attached plans)
2. Adding 5 Leyland trees – Know the best trees to create privacy.
3. Privacy layer to cover the line of sight of the window (mentioned in the housing development guidelines).
4. The current oak tree will be trimmed and will be the best privacy screen even after the trim.
5. The distance between windows (yours and proposed) is over 100ft, which should be considered while discussing privacy.

Please let me know if you have any more questions or concerns,

Best,

Ramya

On Sunday, May 12, 2024 at 02:48:07 PM PDT, Ramya Muddada <[REDACTED]> wrote:

Hello [REDACTED]

Thank you for the comments sent to the planning, we take privacy concerns of 15411 and all immediate neighborhood very seriously as mentioned on the email sent to you early morning of May 7th,

Below are the responses to the comments sent (**bold**):

1. Concerned about the privacy due to a big two storied building. As our 3 bedrooms (including the Master Bedroom) are open to our backyard and it's a concern for the privacy of my family due this big construction.

We are mitigating the privacy concern by planting 3-4 Leyland trees which are commonly used to create privacy, this would cover all of the view from the 2 windows you see in the plan- These are evergreen trees with minimal maintenance, in addition to the Leyland trees we are going put privacy layer to cover line of sight of the window please see the attached (please note this reference only not exact). I would also bring to your attention that the proposed structure of 15411 is similar to your two storied structure, but due to the placement of site location the house might look big.

2. This big two floored building is going to obstruct the view of the mountains and it's a claustrophobic for my family.

All most all the mountain viewing is obstructed by the tree in your backyard or trees on my other side of my property and with regards to claustrophobic - your neighboring house which is of same height as

yours's much closer to you (appro.10ft) then 15411 structure (over 80ft in distance from your structure to the purposed structure).

3. After hearing that we are going to have tree screening to obstruct view from their windows or big balcony, we are concerned about the time and maintenance of these trees going forward. Looking at the situation now, we are concerned about the maintenance.

As mentioned in my previous email and above Leyland trees are evergreen trees with minimal maintenance, and as we are going to be living on that property, we would be maintaining the Leyland trees. With regards to balcony - 80 % of the view from balcony will be blocked by the huge oak tree we share in the back yard and then for the remaining % we are going to install privacy screen on the balcony mentioned in my previous email. (please see the attached for the balcony screening)

4. As I mentioned, the way the bushes (vine iv) or sheds or barn roof iron sheets are maintained, I see animals (bobcats), snakes on the fence or barn roof and it's a big concern. Another concern about the flying barn roof iron sheets during the storm and not maintaining them.

As we are proposing to build a beautiful house replacing all the sheds there wouldn't be any flying barns roofs - this proposal would improve/enhance the neighborhood and also increase the value of the properties in the immediate neighborhood, with regards to bobcats and snakes - was the animal control called as this is first time I am hearing about it, please let me know immediately when you see any sighting of either bobcats or snakes as we all have kids and pets and need immediate attention, but all of this wouldn't be problem once the purposed plan comes to fruition results.

5. Due to vine iv bushes in the back, growing on my shed and damaging the roof. Also the fence. My gardener cleaned the vines and also paid for the repair of fence in the past.

This shouldn't be a concern - as you and I are working on getting a new fence on a different email, the only request I had made was that we trim the Oak tree we share first.

6. Looked at the latest plans at this link and here is the big balcony that my family is concerned about...This situation gives rise to considerable privacy concerns for my family.

Addressed on Comment # 3.

— [REDACTED]

[REDACTED]

November 12, 2024

Town Planning Division

Ms. Erin Walters
110 E. Main Street
Los Gatos, CA 95030

Subject: Objection to Building Proposal at **15411 National Avenue**

Dear Members of the Town Planning Division,

We are writing to formally express our strong objection to the proposed building plans for the flag lot located at 15411 National Avenue. As adjacent neighbors, we are deeply concerned about the scale, mass, and bulky design of the proposed structure, which we believe is out of character with the surrounding neighborhood. After careful consideration of the plans, we feel that this proposal is not only inappropriate for the area, but that it will have negative and long-lasting consequences on the quality of life, as well as property values, views, and privacy, for those of us who live in close proximity to the site.

First and foremost, the proposed three-level, sprawling building is far too large and voluminous in relation to the surrounding homes, specially given that it is located in a rear/flag lot in the middle of a city block. The sheer mass and positioning of the structure, towering over our backyards, as well as the blunt design will overshadow neighboring properties, creating an unharmonious and unbalanced feeling. This level of bulk is neither consistent with the existing homes nor appropriate for the size and position of the flag lot.

In addition, the immense size and the flag lot positioning of the proposed building will block sunlight from neighboring yards, creating shadows and darkening what were once sunny spaces enjoyed on a daily basis by adjacent families.

Moreover, the scale of the project will likely lead to undue increased noise and disruption after its construction, which will negatively impact the peaceful and residential nature of the area. The excessive size of the building and the stated intent to build multiple dwelling structures in the same flag lot as well as the adjacent one on the front of the property is likely to result in much higher traffic volume, disrupting the balance of the neighborhood. In evaluating the size of the proposed single family residence, it is important to factor all the proposed dwellings

The fact that this proposed house is in the middle of the city block, makes its enormous size clash with the surrounding area, but even if it were on the street, it would still be too massive, bulky and not in line with the rest of the residential neighborhood.

Additionally, the proposal does not adequately address important concerns about privacy, light and landscaping for neighboring properties. More specific concerns about this as well as proposed solutions are included in separate, individual letters from each of the neighboring property owners listed below.

Another critical concern is the potential decrease in property values. With such an out-of-scale development in such close proximity overlooking all our backyards, we fear that the alteration of the neighborhood's character will make our properties less attractive to future buyers. Homes of this size, especially when they disrupt the overall harmony of the area, tend to have a detrimental effect on surrounding property values.

We kindly ask that you carefully consider the above concerns and that you take into account the potential adverse impact this proposal could have on the character, environment, and quality of life of our harmonious community. We strongly believe that the applicants need to scale back the design to something more appropriate for the neighborhood.

Thank you for your time and consideration.

Sincerely,

Concerned neighbors at

████████████████████

████████████████████

████████████████████

████████████████

Ms. Erin M. Walters
Los Gatos Community Development Department

Dear Ms. Walters,

As the owners of the property located at [REDACTED] in Los Gatos, we are writing to you to express our various concerns about the current application and intent to build on the flag lot at 15411 National Avenue, Los Gatos.

1) Size and position of the proposed structure: We believe the proposed structure's large massing and bulky style does not harmonize with the other houses in the neighborhood surround it, including ours, especially given its position in the flag lot, in the middle of the city block. The very large size of the side of the structure facing NNW into our property (see Fig.1 below) is not shown in the provided 3D views (see Fig.2) but it can be appreciated better by the (sagging) story poles. Decreasing the size of the structure to achieve a massing which is more harmonious with all the single-family houses surrounding it (see Fig.) is our first suggestion. We feel it is important to note that this flag lot at 15411 National Avenue is a recent subdivision created in 2020 from the lot at 15415 National Avenue by the applicants, who now own both (sub)lots. We believe the size of the original lot at 15415 National Avenue (before the subdivision) would have been more adequate for the dimensions of the proposed structure and the intended additional structures (ADUs) to be built to form a multi-dwelling complex, and it would have allowed for greater flexibility in their positioning to alleviate our privacy concerns (see section #2 below).

Note also in Figure that the hospital building located at 15400 National Ave is completely outside the view from any of the surrounding houses and thus does not contribute to the area around this flag lot, contrary to one of the arguments in the project approval request in favor of such a large structure.

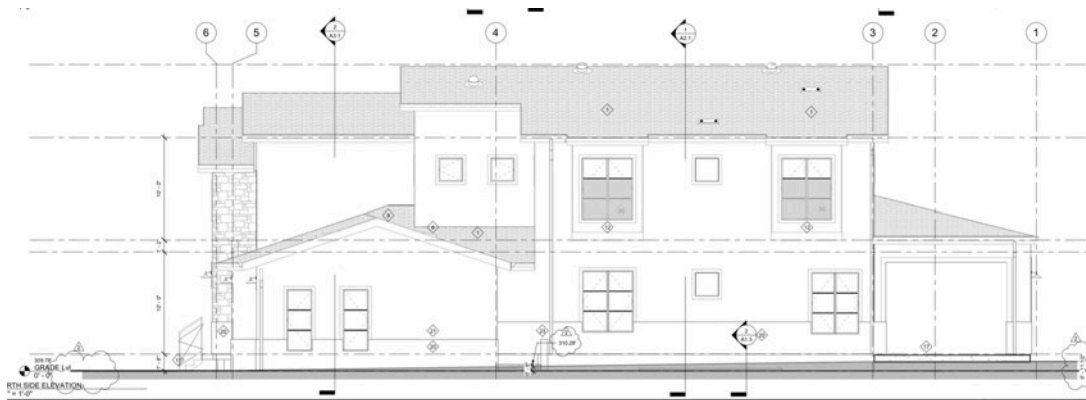


Figure 1 – Side of the house facing NNW into our property



Figure 2 – 3D views of the proposed house (NNW-facing side not shown)



Figure 6 – Aerial view of all the single-family houses around the proposed house. General area. Lot not precise.

2) Privacy concerns: The proposed three level structure raises serious various privacy concerns for us. Our houses face back. Since it is positioned in the center of the city block and given its very large size, it has numerous windows on its second and first floors facing our backyard, with direct visibility into three of our bedrooms and other outdoor and lower-level indoor living areas (family room). Additionally, we are concerned that the privacy concerns will worsen in the future due to the owners' stated intent of converting their flag lot into a multi-dwelling complex by subsequently adding (at least) two ADUs. The numerous windows facing upper- and lower-level indoor living spaces in our property in the proposed design correspond to two upstairs bedrooms, one upstairs bathroom, an upstairs storage room, and the downstairs garage, as shown in Figure 7.

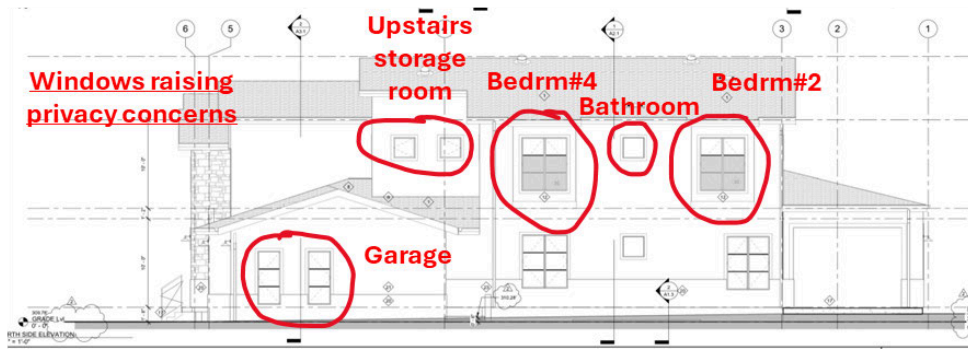
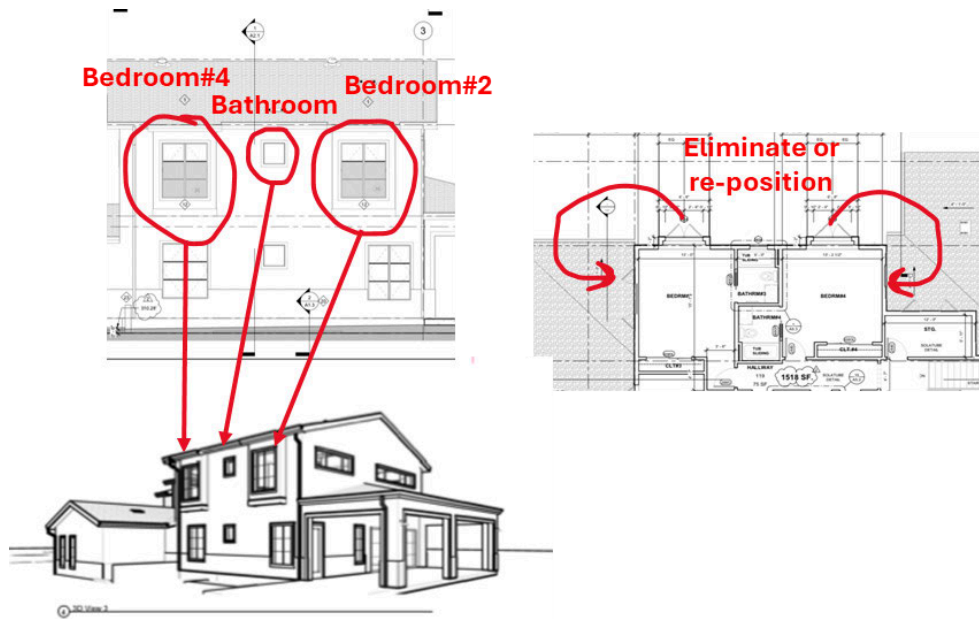


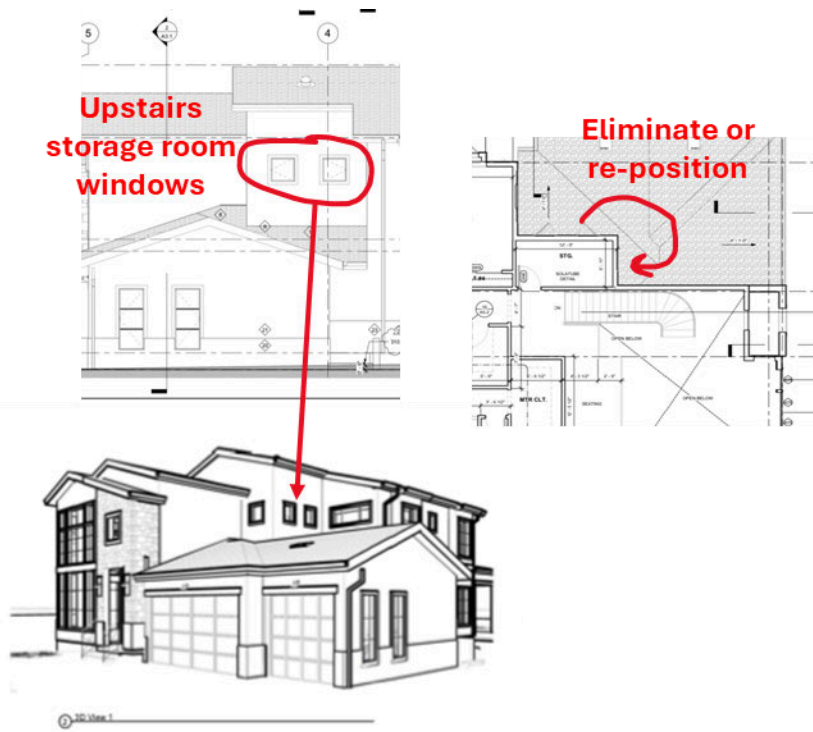
Figure 7 – Windows in the structure raising privacy concerns

The most optimum solution to address our privacy concerns would be to move Bedrooms #2 and #4 to the downstairs space directly below, currently shown as a “guest room” and as a very large “garage storage room.” This would also decrease the size of the upstairs level and partially address our strong concerns about the size and massing of the structure described in section #1 above. Alternatively, these windows could either be eliminated or re-positioned. The details of our privacy concerns are as follows:

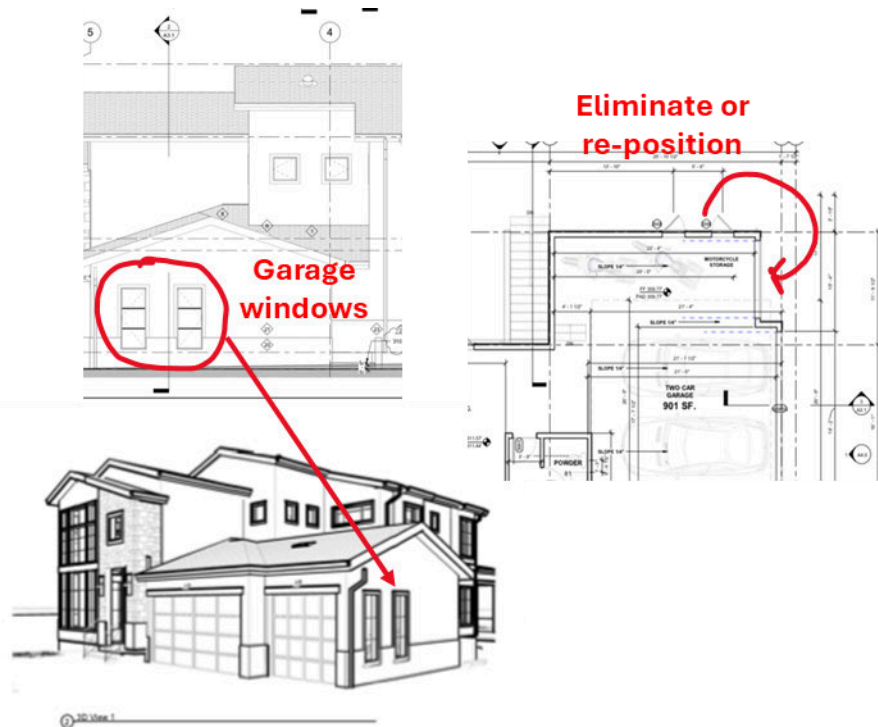
- A. The windows in Bedroom #2, Bedroom #4, and the upstairs bathroom currently facing NNW have a direct line of sight into our master bedroom & bathroom upstairs, our bedroom upstairs, our bedroom downstairs, and our kitchen/family room.



- B. The two windows facing NNW in the upstairs Storage Room have a direct line of sight into our master bedroom & bathroom upstairs, our bedroom upstairs, our bedroom downstairs, and our kitchen/family room.



C. The two windows currently facing NNW in the garage downstairs have a direct line of sight into our bedroom downstairs, and our kitchen/family room.



3) New trees: The current application shows the intent to plant privacy trees along the fence facing the property at [REDACTED], but not facing our property at [REDACTED]. Additionally, note that the drawing included on the application shown in Figure 8 below is erroneous since it shows our [REDACTED] property with “existing trees,” although we currently have no trees in our backyard. We request that privacy trees of the appropriate type and height be added to the applicant’s side of the lot, with their drip lines fully on their property and thus with no maintenance requirements for us. Such trees should be high enough to address privacy concerns, but not too high in order to minimize blocking sunlight into our backyard. We would like to ensure that the location and the type of these privacy trees be enforceable, regardless of any future application for an additional ADU, which is the applicant’s stated intent. Additionally, we would like to ensure that the maintenance of such trees by our neighbors be consistent and enforceable, given some concerns raised by past interactions while repairing our common fence and the generally poor state of maintenance by the current owners of the former structures on the flag lot (see Fig. 9).

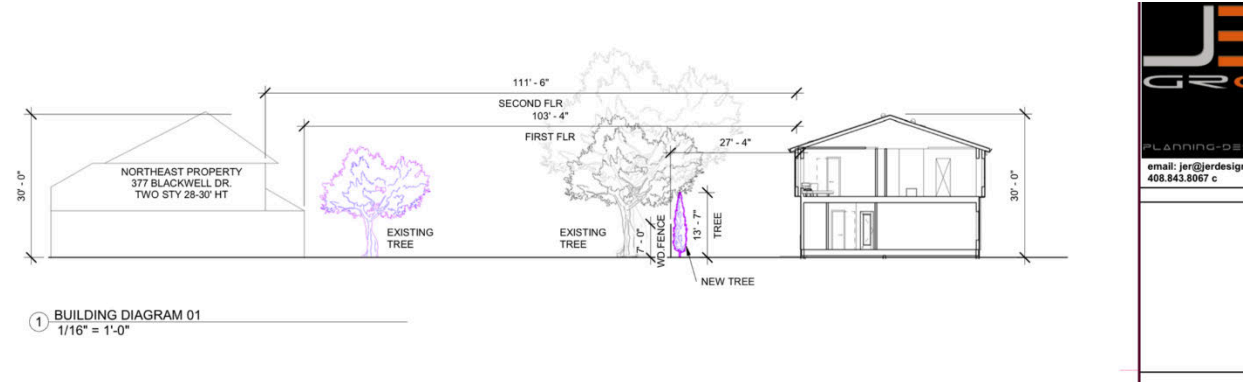


Figure 8 – Drawing erroneously showing existing trees on our property at [REDACTED]



Figure 9 – View of the prior structures at 15411 National Avenue from our master bedroom (photo taken in May 2024, showing unrepaired storm damage on the roof from February 2024)

We thank you for your attention to this matter and are available to provide any further information or clarification.

Best regards,

Christian Urricariet and Hellen Martinez-Visbal

