



**TOWN OF LOS GATOS
PLANNING COMMISSION
REPORT**

MEETING DATE: 12/11/2024

ITEM NO: 1

**DRAFT
MINUTES OF THE PLANNING COMMISSION MEETING
NOVEMBER 13, 2024**

The Planning Commission of the Town of Los Gatos conducted a Regular Meeting on Wednesday, November 13, 2024, at 7:00 p.m.

MEETING CALLED TO ORDER AT 7:00 PM

ROLL CALL

Present: Chair Steve Raspe, Vice Chair Emily Thomas, Commissioner Jeffrey Barnett, Commissioner Susan Burnett, and Commissioner Melanie Hanssen

Absent: None.

PLEDGE OF ALLEGIANCE

VERBAL COMMUNICATIONS

Chris Constantin, Los Gatos Town Manager

It is an honor to be back home after 14 years of serving other cities. Part of the reason Los Gatos is so fabulous is the work of the Planning Commission, now even more important with the changes in law, so thank you for the hard work you do.

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

1. Approval of Minutes – October 23, 2024

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

VOTE: Motion passed unanimously.

PUBLIC HEARINGS

2. 15411 National Avenue

Architecture and Site Application S-23-033

APN 424-12-140

Applicant: Jose Rama

Property Owner: Vyankatesh and Rammy Muddada

Project Planner: Erin Walters

Requesting approval for construction of a single-family residence and site improvements requiring a Grading Permit on a vacant property zoned R-1:8. Categorically exempt pursuant to CEQA Guidelines Section 15303: New Construction.

Erin Walters, Associate Planner, presented the staff report.

Opened Public Comment.

Jose Rama, Architect

We are following all the design guidelines except for the belly band, because it would interrupt the surround of the perimeter of the building. To break up the elevation we are proposing to have the roofline hit the wall. The front elevation of the house has a very straightforward stone accent wall. We implemented an overhang on the bay area into the plans. We also changed the standing seam metal roof element to architectural shingles. We have met the Town of Los Gatos massing requirements. We followed all the design guideline requirements regarding height, density, and setbacks.

Ramya Muddada, Property Owner

This is a beautiful single-family, two-story home with a sophisticated design. It is a transitional home; we are surrounded by office buildings, with different setbacks, and different styles of homes. Our home is the largest, but as the family grows we will need a larger space, and we have accommodated that into the house.

Hellen Martinez, Neighbor

I am here as an adjacent neighbor on the Blackwell Drive north/northwest side. I also represent three other neighbors here and on Zoom. You have been given photos of my view from my property onto the subject lot. Our four concerns with this proposal are size, privacy, landscaping, and maintenance as it relates to the history of the last seven years with our neighbors.

Venkat Vuppunutula

I live behind the subject site and have the same concerns as Ms. Martinez. My only concern is privacy; we cannot use our back yard because of the proposed large windows. The balcony is directly looking towards both my neighbor's properties and my property. Based on

previous history with the applicants and a large oak tree I do not believe the applicant will maintain the five trees on the site.

David Ratsabonyuh

I live at 369 Blackwell Drive and am here to express my privacy and safety concerns regarding the project. The second floor windows and balcony overlook my master bedroom, bathroom, and backyard, creating a direct sight line into sensitive areas of my home. The frosted windows or trees suggested for screening may not fully address my concerns. I suggest the windows be relocated or use skylights.

Jose Rama, Architect

The laundry area has a two-foot window at eight feet, six inches, and they would not be frosted. The windows facing the north portion are egress windows, as required. The two bay windows will be frosted, but must be operable. The south portion window is not frosted, but is at eight feet and six feet at the sill. The oak tree that is in great condition and the applicant has clarified that the tree must stay. The proposed Cypress tree is a 48-inch box, fully grown at eight to ten feet, the owners will maintain it, it is within their property, and there is no dripline. A new privacy fence was installed a few months ago. There is no square footage limitation for a cellar, and we are much lower in height than allowed, so it is not considered a third story.

Closed Public Comment.

Commissioners discussed the matter.

MOTION: **Motion by Commissioner Barnett to deny an Architecture and Site Application for 15411 National Avenue. Seconded by Commissioner Burnett.**

VOTE: **Motion failed 2-3 with Chair Raspe, Vice Chair Thomas, and Commissioner Hassen dissenting.**

MOTION: **Motion by Chair Raspe to approve an Architecture and Site Application for 15411 National Avenue with the addition of the following conditions: The tree species shall be mutually agreed upon by the neighbors that they are at a minimum protective of privacy and non-allergenic to any of the neighbors; and the applicant shall meet in good faith to relocate the offending windows such that they are the least offensive to the privacy interests of the neighbors.**

Commissioner Hassen requested the motion be amended to state that the privacy windows shall utilize obscured glass and privacy film should not be used.

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

Seconded by Commissioner Hanssen.

VOTE: Motion passed 3-2 with Commissioner Barnett and Commissioner Burnett dissenting.

3. 110 Wood Road

Planned Development Application PD-20-001

Environmental Impact Report EIR-21-002

APN 510-47-038

Applicant: Frank Rockwood

Property Owner: Front Porch Communities

Project Planner: Sean Mullin

Requesting approval of a Planned Development for demolition of a senior living community, construction of a new senior living community, removal of large protected trees, and site improvements requiring a Grading Permit on property zoned R:PD. An Environmental Impact Report (EIR), Mitigation Monitoring and Reporting Program, and modified CEQA Checklist has been prepared for this project.

Sean Mullin, Planning Manager, presented the staff report.

Opened Public Comment.

Frank Rockwood, Applicant

After prior efforts were shelved in 2008, the owner of Los Gatos Meadows restarted the planning process for rebuilding the community in 2018. We are hearing support for a senior living community at this location from the broader community, and appreciation of the project's improved fire safety attributes. Community members' primary focus of concern has been related to building mass and the potential impacts on view lines.

Dave Hovlan with Perkins Eastman, Project Architect

The Los Gatos Meadows redesign was inspired by the nature and live oaks on the property. The materials are metal siding, precast concrete, and stone cladding over a fire-resistant concrete structure. The materials and colors are organic and darker in nature than the existing buildings, with the intent to blend more into the hillside. The proposed design creates a village feel with eight villa buildings and a total of 187 units. The villas' underground base contains adequate parking, services, and community space, and from which the villas rise three stories in the front and up to six stories in the rear. At the Planning Commission's suggestion, we went back and looked at expanding the building development area, but the options destroyed the existing tree cover, brought the development closer to neighbors, created access issues, extensive retaining walls, and compromised fire safe. We strongly believe that retaining the existing development pad is critical. We have shifted and tucked more of the development

into the hillside and tried to balance the neighbors' concerns while creating a financially sustainable community.

Mary McMullin, Chief Advancement Officer, Front Porch

Front Porch is a strong community neighbor involved for the long run and for broader community benefit as we continue to invest in Los Gatos. In addition to this site, Front Porch has purchased 142 South Santa Cruz Avenue for additional programs that benefit the entire Town. Our current plan for the senior community is the minimum scale we need to make it work financially.

Rob Stump

Since 2019, I have worked with the Town of Los Gatos on wildfire preparation and prevention. I met with the developer of the project twice to give my input on their efforts to make this project wildfire resistant. The building is constructed of concrete instead of wood and will be fire resistant. Building materials are far superior to ones used when this project was originally developed in 1967. 192 trees will be removed for fire safety and public safety in general, but the landscape plan calls for more trees to be planted than will be removed, and they will be better species for development in the Wildfire Urban Interface. I strongly encourage the applicant to aggressively manage the five acres of forest.

Julie Southern

Impact on her view, Buildings F and A are now 5-6 stories in front of her house. Preservation and enhancement of the screening trees would be great. Proper handling of harmful chemicals and materials, is the responsibility of the builder. Traffic management during construction needs to be addressed, coming off Wood Road is bad.

Clair Southern

The building mass is large and there are requests for a height reduction. Story poles are useful in understanding the mass and impact, but in lieu of that we have had visualizations of varying quality and a little bit misleading. There are traffic and fire safety concerns regarding being able to evacuate from this secluded location.

Tom Picrow

I am president of the Los Gatos Foundation for Older Adults to Thrive Foundation. Our Executive Committee and members have met with Front Porch and Rockwell Properties and discussed the use of the developer's other property at 142 South Santa Cruz Avenue for community events and meetings, and a proposal to bring Home Match into Los Gatos, which we have advocated for. From my personal perspective, this is an excellent development that I support for our increasing senior population, which has nearly doubled in the last decade.

Teri Hope

As a lifelong resident of Los Gatos, a downtown business owner, and board member of the Los Gatos Foundation for Older Adults to Thrive, the Los Gatos Meadows project is of utmost importance to me and to the community, and I ask the Planning Commission to recommend to Town Council approval of the rebuild proposal. The project would address several key issues also important to Los Gatos including housing, supporting older adults in the community, wildfire safety, and the housing shortage for seniors who wish to remain in Los Gatos. Front Porch has a track record of providing exemplary care to seniors for over 50 years.

Andy Ghofrani

I live directly behind the Meadows and am the most visually impacted neighbor. The increased height in the back would add one or two stories in front of me and cut off half my view. I have a large deck in front of my house and we bought the property for the unobstructed view we can see from there. I am not against the construction, but hope to find a way that the project is less impactful to us, perhaps by rebalancing the mass. Traffic during construction would be 24,000 trucks in and out of the project site in the nine months of excavation, a truck every minute-and-a-half, which would stop the traffic at Santa Cruz Avenue.

Grant Sedgwick

I'm a real estate developer with 50 years' experience, and I spent seven years as a consultant to one of the leading developers and operators of continuing care retirement communities in the world. I want to confirm the architect's statement that the 1,400-square foot size of these units is typical for California, are 75 percent larger than the 800-square foot units in the original Meadows design, and meet a huge market demand. I also support the accuracy of the applicant's statements regarding the challenges to the financial feasibility of the project and confirm that they cannot make this project any smaller.

Matthew Southern

I have concerns about the development due to potential habitat destruction and the impact on the very animals Los Gatos is named for. The town was originally called La Rinconada de Los Gatos ("The Corner of the Cats"), after the wildcats of the Santa Cruz Mountains, which are now at risk through threats of habitat loss and urban development. I support the Meadows, but tripling the current floor plan would significantly infringe on this wildcat habitat. I implore the Planning Commission to limit the size of this development.

Sean Kelly, Front Porch CEO

I thank the Planning Commission, Town Staff, and the public for their input; the project we have now is much better than what we brought it to you in first place. Though not every accommodation can be met, or agreements always reached on what we hope to do, the discussion doesn't end. We intend to build a community that is part of a bigger community. My hope is we can move ahead with your support, and to continue to listen and dialogue until we can break ground.

Closed Public Comment.

Commissioners discussed the matter.

MOTION: **Motion by Vice Chair Thomas** to recommend approval of a Planned Development Application and Environmental Impact Report, Mitigation and Monitoring and Reporting Program, and Modified CEQA Checklist for 110 Wood Road. **Seconded by Commissioner Hanssen.**

VOTE: **Motion passed unanimously.**

4. 108 Westchester Drive

Fence Height Exception Application FHE-24-003

APN 523-36-037

Property Owner/Applicant/Appellant: Parul Upadhyaya and Deepak Pandey

Project Planner: Suray Nathan

Consider an Appeal of a Community Development Director's decision to deny a Fence Height Exception request for construction of a six-foot tall fence with a required street-side setback and traffic view area on property zoned R-1:8. Categorically exempt pursuant to the adopted guidelines for the implementation of the California Environmental Quality Act, Section 15303; New Construction or Conversion of Small Structures

Suray Nathan, Assistant Planner, presented the staff report.

Opened Public Comment.

Parul Upadhyaya, Property Owner

We are here to appeal the denial of our fence. It was an honest mistake; we did not know that there were regulations in place when we considered buying this property. After we bought our home, we realized there were quite a few houses on Westchester Drive and Camino del Cerro with lots like ours where they had made use of their side yards by fencing them in, and we thought we could do the same. Our reasons for wanting the fence are most of our outdoor space is in the front and side yards, the side yard is very close to our neighbor's side yard, our back yard is very narrow, and we would like visual privacy from heavy pedestrian traffic.

Robert Meyers

I live across the street from the subject site and this fence has not impeded my use of the court in any way. I understand the applicant's desire to keep animals out of their yard so their kids can play safely, and all us neighbors have high fences for similar reasons. I support my neighbors and hope you can come to a resolution for this fence.

Parul Upadhyaya, Property Owner

I want to thank everyone involved in this process.

Closed Public Comment.

Commissioners discussed the matter.

MOTION: **Motion by Vice Chair Thomas** to grant an appeal of a Community Development Director's Decision to Deny a Fence Height Exception Request for 108 Westchester Drive. **Seconded by Commissioner Hanssen.**

Commissioners discussed the matter.

VOTE: **Motion passed unanimously.**

5. 228 Bachman Avenue

Request for Review Application PHST-24-017

APN 510-14-053

Property Owner/Applicant/Appellant: James Wood

Project Planner: Sean Mullin

Consider an Appeal of a Community Development Director decision determining that the residence remain a contributor to the Historic District for property located in the Almond Grove Historic District zoned O:LHP. Exempt pursuant to CEQA Section 15061(b)(3)

Chair Raspe reported that the applicant had requested the public hearing for 228 Bachman Avenue be continued to a date certain of January 8, 2025.

MOTION: **Motion by Chair Raspe** to continue the public hearing for 228 Bachman Avenue to a date certain of January 8, 2025. **Seconded by Vice Chair Thomas.**

VOTE: **Motion passed unanimously.**

6. State Mandated Density Bonus

Town Code Amendment A-24-005

Project Location: Town Wide

Applicant: Town of Los Gatos

Make a recommendation to the Town Council on an ordinance amending Chapter 29 (Zoning Regulations) of the Town Code regarding the State Mandated Density Bonus, pursuant to Implementation Program R of the 2023-2031 Housing Element. Adoption of the ordinance is exempt pursuant to CEQA, Section 15061(b)(3) in that it can be seen with certainty that it will not impact the environment, because the Town is already subject to Government Code Sections 65915 and following.

Gabrielle Whelan, Town Attorney, presented the staff report.

Opened Public Comment.

There was no Public Comment.

Closed Public Comment.

Commissioners discussed the matter.

MOTION: **Motion by Commissioner Hanssen** to recommend approval to Town Council of an ordinance amending Chapter 29 of the Town Code regarding the State Mandated Density Bonus pursuant to Implementation Program R of the newly adopted 2023-2031 Housing Element, and with the additional recommendation to consider additional density bonus incentives for developers. **Seconded by Commissioner Barnett.**

VOTE: **Motion passed unanimously.**

7. Low Barrier Navigation Centers

Town Code Amendment Application A-24-006

Project Location: Town Wide

Applicant: Town of Los Gatos

Make a recommendation to the Town Council on an ordinance amending Chapter 29 (Zoning Regulations) of the Town Code to add Low Barrier Navigation Centers as a by-right use in Mixed-Use and Nonresidential zones, pursuant to Implementation Program AD of the 2023-2031 Housing Element. Adoption of this ordinance is exempt pursuant to CEQA, Section 15061(b)(3) in that it can be seen with certainty that it will not impact the environment, because the Town is already subject to Government Code Sections 65660-65668.

Gabrielle Whelan, Town Attorney, presented the staff report.

Opened Public Comment.

Lee Fagot

This issue is concerning, because who is going to pay for these two facilities? Los Gatos' homeless population is approximately 20 people, and the Town provides hotel vouchers for them, and less than half the people offered these vouchers use them. For the Town to burden itself with these low barrier navigation centers makes no sense.

Closed Public Comment.

Commissioners discussed the matter.

MOTION: **Motion by Chair Raspe** to recommend approval to Town Council of an ordinance amending Chapter 29 of the Town Code to add Low Barrier Navigation Centers as a by-right use in Mixed-Use and Nonresidential zones pursuant to Implementation Program AD of the 2023-2031 Housing Element, with the added provision that the ordinance shall expire upon the expiration or earlier termination of the mandating government code.
Seconded by Commissioner Barnett.

VOTE: **Motion passed unanimously.**

- 8. Replacement Units Ordinance & Guidelines**
Town Code Amendment Application A-24-007
Project Location: Town Wide
Applicant: Town of Los Gatos

Make a recommendation to the Town Council on Adoption of a Replacement Units Ordinance and Adoption of a Resolution Adopting Replacement Units Guidelines, pursuant to Implementation Program AU of the 2023-2031 Housing Element. Adoption of this ordinance is exempt pursuant to CEQA, Section 15061(b)(3) in that it can be seen with certainty that it will not impact the environment, because the Town is already subject to State law.

Gabrielle Whelan, Town Attorney, presented the staff report.

Opened Public Comment.

No Public Comment.

Closed Public Comment.

Commissioners discussed the matter.

MOTION: **Motion by Commissioner Hansen** to recommend approval to Town Council of adoption of a Replacement Units ordinance and Replacement Units Guidelines. **Seconded by Barnett.**

VOTE: **Motion passed unanimously.**

REPORT FROM THE COMMUNITY DEVELOPMENT DEPARTMENT

Joel Paulson, Community Development Director
There is nothing to report.

SUBCOMMITTEE REPORTS/COMMISSION MATTERS

None.

ADJOURNMENT

The meeting adjourned at 11:14 p.m.

This is to certify that the foregoing is a true and correct copy of the minutes of the November 13, 2024 meeting as approved by the Planning Commission.

/s/ Vicki Blandin

*This Page
Intentionally
Left Blank*