



**TOWN OF LOS GATOS
PLANNING COMMISSION
REPORT**

MEETING DATE: 12/11/2019

ITEM NO: 1

**DRAFT
MINUTES OF THE PLANNING COMMISSION MEETING
NOVEMBER 13, 2019**

The Planning Commission of the Town of Los Gatos conducted a Regular Meeting on Wednesday, November 13, 2019, at 7:00 p.m.

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

ROLL CALL

Present: Chair Matthew Hudes, Commissioner Mary Badame, Commissioner Kendra Burch, Commissioner Kathryn Janoff, Commissioner Reza Tavana, and Commissioner Tom O'Donnell
Absent: Vice Chair Melanie Hansen

PLEDGE OF ALLEGIANCE

Chair Hudes led the Pledge of Allegiance. The audience was invited to participate.

VERBAL COMMUNICATIONS

None.

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

1. **Approval of Minutes** – October 9, 2019
2. **26 Alpine Avenue**
Architecture and Site Application S-19-042
APN 529-37-042
Applicant: Tom Sloan
Property Owner: DMJ Home Solutions LLC
Project Planner: Jocelyn Shoopman

Requesting approval of a time extension of an Architecture and Site approval for construction of a new single-family residence and removal of a large protected tree on vacant property zoned R-1:20. APN 529-37-042.

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

VOTE: **Motion passed unanimously.**

PUBLIC HEARINGS

3. 300 Marchmont Drive

Conditional Use Permit Application U-12-002

APNs 532-10-01 and 532-11-011

Applicant: Mark Silver

Property Owner: Hillbrook School

Project Planner: Jocelyn Shoopman

Annual review of an approved Conditional Use Permit for an existing private school (Hillbrook School) on property zoned HR-1.

Jocelyn Shoopman, Associate Planner, presented the staff report.

Opened Public Comment.

Mark Silver, Hillbrook Head of School

- They are proud that over the past five years Hillbrook has met their CUP requirements, particularly regarding traffic, and are grateful they have been able to work with the Town to make that happen.

Chuck Hammers, Hillbrook Chairman of the Board

- They have 70 more students than they did five years ago and the school is thriving, and their average car count of daily trips has been reduced by 172 trips. They are proud that they have added students while taking cars off the road.

Nancy Derham

- She lives on Wollin Way next to the Hillbrook gate. The neighborhood is very pleased that the Hillbrook bus program is working out well, but it seems like the construction, while it has not been very disruptive to the neighborhood, has been going on a long time.

Mark Silver

- They hope the construction will be complete around mid-February 2020. Last year's rain delayed it, but they are back on track.

Closed Public Comment.

Commissioners discussed the matter.

MOTION: **Motion by Commissioner Badame** to accept the report regarding the annual review of a Conditional Use Permit for 300 Marchmont Drive.
Seconded by Commissioner Burch.

VOTE: **Motion passed unanimously.**

4. 15960 Rose Avenue

Minor Residential Development Application MR-19-011

APN 410-19-018

Appellant: Manoochehr Kadkhodayan

Applicant: De Mattei Construction

Property Owner: David Doctorow and Sarah Munson

Project Planner: Ryan Safty

Consider an appeal of a Community Development Director decision approving a request for construction of a detached garage exceeding 450 square feet on property zoned R-1:8.

Ryan Safty, Associate Planner, presented the staff report.

Opened Public Comment.

Manoochehr Kadkhodayan, Appellant

- He lives to the right of the subject site with his home five feet from the property line. When he looked at the plans for the project he discovered there is a dormer that looks into his yard and there is an encroachment into his driveway. However, in 1993 there was an issue about the property line and at that time there was a quit claim from the applicant's property to his property.

Shawn Clevenger, Applicant

- The driveway encroachment has been removed from the plans. The approach of the driveway will remain as it currently exists. The dormer is to provide storage space, but they are willing to opaque the window or even omit it from the plans. The question of a 30-foot setback of a hillside easement has been found in the community records to be outside the property line.

Manoochehr Kadkhodayan, Appellant

- There is an issue about the dormer because the roof pitch is only 5:1. Now he has heard the applicant is changing the asphalt shingles that matches the house to a steel standing seam roof that he would not want to look at. With respect to the 30-foot easement, the deeds he has checked say the easement is on the other side of the property.

Closed Public Comment.

MOTION: **Motion by Commissioner Badame** to deny the appeal of a Minor Residential Application for 15960 Rose Avenue and uphold the decision of the Community Development Director and add a condition of approval

that the glass in the attic dormer facing south be obscured. **Seconded by Commissioner Tavana.**

VOTE: Motion passed unanimously.

5. 25 W. Main Street

Architecture and Site Application S-19-005

Conditional Use Permit Application U-19-001

Variance Application V-19-002

Applicant: Gordon Wong

Property Owner: Steven and Mary Leonardis

Project Planner: Erin Walters

Requesting approval for construction of an addition to a contributing building in the Downtown Historic Commercial District, including variances for maximum floor area and driveway length for a multi-family use in a mixed-use project on property zoned C-2:LHP.

Commissioner O'Donnell indicated that he would recuse himself from participating in the public hearing for 25 W. Main Street, as he lives within 1,000 feet of the subject site.

Erin Walters, Associate Planner, presented the staff report.

Opened Public Comment.

Gordon Wong, Applicant

- They are improving one commercial unit and have three residential units, two of which would be affordable housing. They seek to improve the accessibility of the commercial unit by moving the door, enclosing the trash area, and making units barrier-free. All housing units have parking garages. They worked with the HPC to determine the historical significance of the building. They have utilized double hung windows and wood siding, matched the roof pitch, and designed the façade to match the original street façade design for the commercial unit.

Kevin Yu, Designer

- They would add a 10-foot wide sidewalk street dedication to the public right of way on W. Main Street, a new curb and gutter on Park Avenue, and 405 square feet of common open space for the three residential units. The commercial space would contain an ADA compliant bathroom and an enclosed trash area. They request an exception to reduce the parking spaces from the required 12 to 10 spaces: three for the onsite garage and seven for additional parking in the Parking Assessment District.

Ken Anderson, Traffic Consultant

- The project requires a variance for driveway length. They discovered that because of the width of parking and the size of the driveways that full size vehicles would have trouble backing in and out, and it was rectified by widening the garage door.

Shari Flick

- She owns the property next door to the subject site. Water from the project's downspouts and trench drains are supposed to drain into the soil, but the soil is clay so the water will not percolate down but instead will run onto her driveway and push her drainage system beyond capacity. There is no plan for the water coming off the back-sloped roof which would flood her property. The plans do not include the proposed retaining wall, but it would add 10 feet to the elevation on the plans; the building would be 33 feet high. Building the new retaining wall so close to her own retaining wall would likely require replacing her drainage system.

Karen Delaney

- She asked why the traffic consultant's report was not included in the public packet. The summaries and diagram provided by the Planning Department assume that cars back out, but the traffic consultant's report recommends cars backing in. Is there no required report regarding how many vehicles, pedestrians, and cyclists would be impacted by the two-point turns while backing in and out. She requested the project be denied.

Gordon Wong

- Regarding the drainage system, their civil engineer has experience doing projects on steep grades. They are happy to work with the neighbor to explain how they plan to do the retaining wall and ensure the water goes in the correct direction. Their soils report suggests grade beams and piers in the appropriate areas to ensure there is full stability of the site. They are matching the height of the existing building and only going one foot taller in the back. Their client was hoping because of the pedestrian-friendly location that the affordable housing unit tenants would be able to use public transportation.

Ken Anderson

- The backing up two-point turn maneuver deals with the original plan that had an 8-foot garage opening, but the wider door eliminates that issue. With respect to conflict with pedestrians and other traffic, the normal mathematics for a single-family residence like this would be one car an hour accessing each door, which is rather minimal.

Closed Public Comment.

Commissioners discussed the matter.

MOTION: **Motion by Commissioner Burch** to approve an Architecture and Site Application, Variance Application, and Conditional Use Permit for 25 W. Main Street. **Seconded by Commissioner Janoff.**

VOTE: **Motion passed unanimously.**

Commissioner O'Donnell returned to the meeting.

6. 15921 Linda Avenue

Architecture and Site Application S-19-017

APN 523-25-022

Applicant: Daryl V. Harris

Property Owner: Firouz Behnamfar

Project Planner: Sean Mullin

Requesting approval for demolition of an existing single-family residence and construction of a new single-family residence with reduced setbacks on nonconforming property zoned R-1:8.

Sean Mullin, Associate Planner, presented the staff report.

Opened Public Comment.

Firouz Behnamfar, Owner

- They met with their neighbors and they all supported their plans, including the reduced setbacks. Their front elevation with reduced setbacks is consistent with the neighborhood given that they are the narrowest lot on Linda Avenue and it is a single-story house. An 8-foot setback would make the garage the prominent factor of the front elevation, which the Town's consulting architect advised against. They are actually increasing the current setbacks of 3.6 feet to five feet.

Daryl Harris

- The area surrounding the subject site is unincorporated and allows five-foot setbacks. Having a five-foot setback would allow them to have a width that would be standard on a conforming lot in this zone, providing compatibility with other homes in this zone.

Closed Public Comment.

Commissioners discussed the matter.

MOTION: **Motion by Commissioner O'Donnell to approve an Architecture and Site Application for 15921 Linda Avenue. Seconded by Commissioner Badame.**

VOTE: **Motion passed unanimously.**

OTHER BUSINESS

7. 66 E. Main Street

Conditional Use Permit Application U-19-010

APN 529-29-049

Applicant: Alex Anderson

Property Owner: Jane Thomas Living Trust

Project Planner: Jennifer Armer

Three-month status report on a Conditional Use Permit for a non-formula private sports recreation club offering group classes and facilities for private fitness workout on property zoned C-2.

Commissioner O'Donnell indicated that he would recuse himself from participating in the public hearing for 66 E. Main Street and exit the meeting, as he lives within 1,000 feet of the subject site.

Joel Paulson, Community Development Director, presented the staff report.

The Planning Commission accepted the three-month status report.

REPORT FROM THE DIRECTOR OF COMMUNITY DEVELOPMENT

Joel Paulson, Director of Community Development

- At its November 5th meeting the Town Council:
 - Reappointed Chair Hudes as a planning commissioner, appointed Jeffrey Barnett to the Planning Commission, and appointed Steve Raspe to the Historic Preservation Committee. A vacancy on the General Plan Committee was left unfilled.
 - Adopted a resolution continuing the streamlining efforts until code amendments are done. Those code amendments will come before the Planning Commission for recommendation to Council.
 - Discussed potential adoption of building and fire codes with local amendments and continued the item.
 - Approved the General Plan Amendment relating to Highway 17.

- Approved the Hillside Development Standards and Guidelines modifications using the Town Council Policy Committee version in which non-visible homes in the hillsides that meet the FAR could be approved by the Development Review Committee.
- Introduced the demolition modifications that the Planning Commission had reviewed.

SUBCOMMITTEE REPORTS/COMMISSION MATTERS

Conceptual Development Advisory Committee

Commissioner Badame

- The CDC met on November 13, 2019 and considered one item:
 - 16492 Los Gatos Boulevard

Historic Preservation Committee

Chair Hudes

- The HPC met on October 23, 2019 and considered three items:
 - 16195 George Street
 - 10 Charles Street
 - 50 University Avenue
- The HPC met on November 13, 2019 and considered two items:
 - 225 Wilder Avenue
 - 29 Broadway

Commission Matters

None.

ADJOURNMENT

The meeting adjourned at 9:28 p.m.

This is to certify that the foregoing is a true and correct copy of the minutes of the November 13, 2019 meeting as approved by the Planning Commission.

Vicki Blandin