



**TOWN OF LOS GATOS
PLANNING COMMISSION
REPORT**

MEETING DATE: 07/26/2023

ITEM NO: 1

**DRAFT
MINUTES OF THE PLANNING COMMISSION MEETING
JUNE 28, 2023**

The Planning Commission of the Town of Los Gatos conducted a Regular Meeting on Wednesday, June 28, 2023, at 7:00 p.m.

MEETING CALLED TO ORDER AT 7:00 PM

ROLL CALL

Present: Vice Chair Jeffrey Barnett, Vice Chair Steve Raspe, Commissioner Susan Burnett, Commissioner Melanie Hanssen, and Commissioner Kathryn Janoff.

Absent: Commissioner Kylie Clark and Commissioner Emily Thomas.

PLEDGE OF ALLEGIANCE

VERBAL COMMUNICATIONS

None.

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

1. Approval of Minutes – June 14, 2023

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

VOTE: Motion passed unanimously.

PUBLIC HEARINGS

2. 473 Wraight Avenue

Minor Residential Development Application MR-22-013

APN 529-06-027

Property Owner/Applicant: Vicky Le

Appellant: James Woods

Project Planner: Ryan Safty

Consider an appeal of a Community Development Director Decision to approve a second-story addition to an existing single-family residence on property zoned R-1D. Categorically exempt pursuant to CEQA Guidelines Section 15303, New Construction.

Ryan Safty, Associate Planner, presented the staff report.

Opened Public Comment.

James Woods, Appellant

- The site of the approved project at 473 Wraight is next door to our home. The vast majority of our living space is on the southern side of our home and has southern-facing windows, which will face the proposed new structure. The response to our initial expression of concern and our subsequent appeal was they couldn't address our concerns and get what they want, so they are proceeding with their original plan. Our questions have not been answered, including how the first floor windows align with our windows. If there were window alignment issues we would ask for trees to be planted to shield the view. The minimal changes the applicant has made do not address our concerns. The subject site is a constrained lot, but the consequences of that constraint are transferred to us because the applicants will not compromise on anything meaningful. We suggest the balcony be eliminated, the garage be pushed to the back of the lot, and that we receive the analysis on the north-facing first and second floor windows. The neighbor to the north worked with us when they built their house. This currently approved plan would negatively impact our quality of life in our home.

Vicky Le, Applicant

- Buying this home and rebuilding it is something that I really want to do to create roots for my kids and myself. I met with Jim and Jenny Woods at their home to talk about my plans and I asked them to put their concerns in an email that I could forward to my architect. I'm doing everything I can to accommodate everyone's needs, but I also have to be mindful of what my needs are with my kids, and putting the garage to the back of the house would limit our back yard space for the boys and the dog to play in.

Commissioners asked questions of applicant and project architect Chris Spaulding.

Vicky Le, Applicant

- I'm doing everything I can to build this home for me and my boys and the dog so we can start our new chapter, and we just want to be part of the community. I'm not planning to build and flip, this will be our home and we'll be here for a while. The Junior ADU is really for my mom when she gets older so I can take care of her and she can watch the boys while I'm at work. Thank you for your time and consideration.

James Woods, Appellant

- The fact that this is a constrained lot and complying with those constraints would create a small back yard had to have been known before this process even started, so I don't understand the argument that doing what is right for the neighbor's results in a small back yard. I have the same size lot and we have a very small back yard, and at one point we had three children at home, so I really do get it. Having a small back yard with active children can be a challenge, and that is why we have parks and other places for children to go, but there is still a back yard that can be used by the family. The glass block window in the bathroom does not concern us. We are concerned about the other double-hung bathroom window that we open in the summertime, and perhaps making the wall on the balcony solid could cure that problem. We have limited space between our house and the shared lot line on both sides, and a two-story structure put up five feet from our house is just big, and that was the reason for us wanting the garage to be put in the back to provide more room between the houses on the side of the house that we live 95-percent of the time. If there are windows and doors on that side of the house, we ask that trees be planted along the side yard to provide more privacy between the bedroom and bathroom window and our windows into our living space.

Closed Public Comment.

Commissioners discussed the matter.

MOTION:

Motion by Vice Chair Raspe to deny an appeal of a Community Development Director Decision to approve a second-story addition to an existing single-family residence on property zoned R-1D, and grant approval of a Minor Development Application for 473 Wraight Avenue, with an added condition to modify the plans to show the screening wall on the north elevation of the rear balcony having a solid wall to screen the view to the neighbor to the north, and direction that the applicant and appellant discuss the reorientation or removal of the gable over the garage area and the planting of appropriate tree screening between the properties. **Seconded by Commissioner Janoff.**

Commissioner Hanssen requested the motion be amended to include the findings in Exhibit 2 and the conditions in Exhibit 3.

The maker of the motion accepted the amendment to the motion.

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Commissioners discussed the matter.

VOTE: Motion passed 4-1 with Commissioner Burnett dissenting.

OTHER BUSINESS

REPORT FROM THE DIRECTOR OF COMMUNITY DEVELOPMENT

Jennifer Armer, Planning Manager

- The Town Council met June 20th to consider the Economic Vitality Ordinance and approved it on its first reading. The ordinance's second reading is scheduled for August 1st and will go into effect in September 2023. The Planning Commission's recommended language was approved with modifications.
- A Housing Element Advisory Board meeting and a Special General Plan Committee meeting are both scheduled for July 20th to work on items related to the Housing Element update.

SUBCOMMITTEE REPORTS/COMMISSION MATTERS

Historic Preservation Committee

Commissioner Burnett

- The HPC met on June 28th and considered seven items.

ADJOURNMENT

The meeting adjourned at 8:04 p.m.

This is to certify that the foregoing is a true and correct copy of the minutes of the June 28, 2023 meeting as approved by the Planning Commission.

/s/ Vicki Blandin