



**TOWN OF LOS GATOS
PLANNING COMMISSION
REPORT**

MEETING DATE: 01/26/2022

ITEM NO: 1

**DRAFT
MINUTES OF THE PLANNING COMMISSION MEETING
JANUARY 12, 2022**

The Planning Commission of the Town of Los Gatos conducted a Regular Meeting on Wednesday, January 12, 2022, at 7:00 p.m.

This meeting was conducted utilizing teleconferencing and electronic means consistent with Government Code Section 54953, as Amended by Assembly Bill 361, in response to the state of emergency relating to COVID-19 and enabling teleconferencing accommodations by suspending or waiving specified provisions in the Ralph M. Brown Act (Government Code § 54950 et seq.). Consistent with AB 361 and Town of Los Gatos Resolution 2021-044, all planning commissioners and staff participated from remote locations and all voting was conducted via roll call vote.

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

ROLL CALL

Present: Chair Kathryn Janoff, Commissioner Jeffrey Barnett, Commissioner Kylie Clark, Commissioner Melanie Hanssen, Commissioner Steve Raspe, Commissioner Reza Tavana, and Commissioner Emily Thomas.

Absent: None.

VERBAL COMMUNICATIONS

None.

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

1. Approval of Minutes – December 8, 2021

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

VOTE: Motion passed unanimously.

PUBLIC HEARINGS

2. 118 Olive Street

Architecture and Site Application S-21-013

APN 410-15-022

Property Owners: Thomas and Meredith Reichert

Project Planner: Jay Plett, Architect

Project Planner: Sean Mullin

Requesting approval for demolition of an existing single-family residence and construction of a new single-family residence to exceed floor area ratio (FAR) standards with reduced front and side yard setbacks on nonconforming property zoned R-1D.

Sean Mullin, Senior Planner, presented the staff report.

Opened Public Comment.

Jay Plett, Architect

- We designed the house in keeping with the Town's design guidelines after consulting with staff and the Town's Consulting Architect. The neighborhood is in transition with young families moving in and homes being enlarged to accommodate them. Our design blends in with the neighborhood with neither the largest floor area or floor area ratio, falls within the average of the four largest homes, and resembles the form and mass of several neighboring homes.

Thomas Reichert, Owner

- We hope to expand the home to meet our family's needs, especially in this time of COVID. Our architect has helped us be realistic regarding the home size to fit in the neighborhood, and with feedback from Town staff and neighbors we were able to make meaningful changes to make the design better.

Shelli Baker, 120 Olive Street

- I own the home next door to the subject site, a 1,500 square foot home that has a good amount of natural light and a beautiful mountain view from the master bedroom. The shadow study shows that from mid-December to June the proposed home would leave my home completely in shadow for most of the day. The requested reduced setback would also bring privacy issues. The proposed home is enormous in an area of tiny lots. Reducing setbacks, putting the proposed house closer to the street, and exceeding the FAR are reasons why I oppose this project.

Mark Boskovich, 112 Olive Street

- I live a couple of houses down from the subject site. I love the design of the proposed home and believe it would be a beautiful addition to the neighborhood and would raise the value of the all homes on the street. Unorthodox setbacks are the norm in this neighborhood, so the applicant's requested reduced setbacks does not set a dangerous precedent. The applicants made a huge effort to speak with the neighbors and ensure we are fine with their plans.

Bonnie Hurwitz, 121 Olive Street

- This is an eclectic neighborhood. Olive Street is quite narrow with permitted parking that alternates between one side and another and to add additional parking outside the scope of the norm would be problematic. I frequently have to park around the corner from my home. The applicants did not contact me in any manner regarding their plans, which is a huge issue. I was shocked at the size of the proposed structure when the story poles went up.

Darren Carol

- Several people who signed the letter with the eight signatures asked me to relay the fact that their position has not changed; they are just unable to call in. The story pole netting does not depict the true setting of the house to the southeast corner. The architect's summary and signs on the property say it is an addition, not a new construction, which is confusing and misleading, because the applicants are building new. My main concern is the setback requirements, because there are no circumstances that dictate a setback reduction. Olive Street is the narrowest street with the smallest lots in Los Gatos and the size of the home would eclipse everything around it.

Lee Quintana

- Because the proposed project is a demolition and not a remodel, as originally stated, wider setbacks are required, and although there can be exceptions made, this project is asking for five exemptions, each of which individually may meet the findings, but cumulatively would have a greater impact, and it is not required that the Planning Commission grant any of the exemptions. The parking exemption might be reasonable because the project would make the garage more conforming, but I question shortening the driveway and the exemption to the FAR. Olive Street is such a cute street because of the small cottages there and it is changing so that it no longer has that character.

Leslie Garrison

- I own the property on the other side of the fence from Olive Street. The applicant's proposed plan is tasteful and in line with the neighborhood aesthetics and would yield increased property values for the wider neighborhood. As a parent I relate to the applicant's desires and constraints and encourage the Planning Commission to reduce barriers to new families being able to buy and stay in the neighborhood rather than create conditions that push them away.

Marcus Lam

- We recently remodeled our home with Jay Plett as our architect. I agree with Ms. Garrison that this neighborhood is nice, but needs ways to accommodate the changing demographics with growing families in Los Gatos. We had to compromise on our remodel plans because of neighborhood feedback, but hope the applicants will not have to compromise on their plans as well. We support their project.

Andrea Galatea

- I rent the home next door to the subject site. The applicants did reach out to me. I was drawn to this home because of the character and charm of the small-town feel, the natural light coming through all the windows, and the views. After viewing the story poles, I believe the large proposed house, although nice, belongs on a larger property because it takes away from the feel and quaintness of the neighborhood and would eliminate my views and sunlight.

Christie Boskovich

- We are very supportive of the applicant's plan. They are a wonderful family in the community. I support more and more young families moving onto our street. The applicant's plan is tasteful and thoughtful and matches the neighborhood.

Thomas Reichert, Owner

- With respect to 120 Olive sunlight issues, the part of our house that would affect the sunlight in their main area is not proposed to change at all, is not getting any closer to the front setback, and the sunlight will not change because the height of the home at that point would not go higher than the current garage. Their view will also not change at all. We are proposing a second story next to their second story in the back. With respect to the parking concerns of 121 Olive Street, a full-size car does fit in the current driveway and that driveway will not change, so both of our cars will be parked onsite.

Jay Plett, Architect

- A statement was made that the home is 10 feet away and 28 feet tall and that is not accurate. The home is 27 feet tall and the 10-foot setback only pertains at the first floor; the second story has a conforming setback of 15 feet, which is correct in this neighborhood. The perception of small homes in that neighborhood is false because 120 and 546 San Benito Avenue loom over our story poles and by no means would our project be dominant.

Closed Public Comment.

Commissioners discussed the matter.

MOTION: **Motion by Commissioner Barnett** to continue the public hearing for 118 Olive Street for 30 days or more, and that additional elevations be provided. **Seconded by Commissioner Hanssen.**

Community Development Director Paulson suggested the motion be amended to continue the hearing to a date certain of February 9, 2022.

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

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

VOTE: **Motion passed unanimously.**

3. 110 Wood Road

Planned Development Application PD-20-001

Environmental Impact Report EIR-21-002

APN 510-47-038

Applicant: Rockwood Pacific

Property Owner: Covia Communities

Project Planner: Sean Mullin

Requesting approval of a Planned Development for construction of a senior living community, removal of large protected trees, and site improvements requiring a grading permit on property zoned R:PD.

Sean Mullin, Senior Planner, presented the staff report.

Opened Public Comment.

Frank Rockwood, Applicant

- We propose to rebuild a better Los Gatos Meadows and do not propose to increase the number of units, residents, staff, or to change the use. Our proposal mitigates issues related to parking, fire access, and fire safety and would have larger units and more amenity spaces. We propose only a modest reduction in the number of units and propose to reduce the development pad in several key areas, which taken with the other constraints and goals would entail an increase in massing. This location is well suited for a market rate senior community of this scale. Our plan includes an on-demand self-driving vehicle system to allow residents and staff to not use their cars. We have done neighborhood outreach with open house sessions and have taken all comments into consideration. We plan to conform to the Town's standards with respect to construction. Visual impacts are less than significant and in character with the hillside area.

Julie Southern

- I am a neighbor and have attended the open houses at the Meadows. I support the Meadows project, but have concerns. The story poles show more bulk than I anticipated. I am happy to see the use of solar energy, but hope it will not add much to the height. More parking is good for the workers, but will add more traffic. Wood Road gets a lot of pedestrian and bike traffic, adding to the traffic, which would only increase after the project is completed. There is only a sidewalk a few feet up the road and it would be nice to have a sidewalk or street marking where bikes or pedestrians could go safely. I am also concerned with closing off the Broadway exit to neighbors.

Richard Konrad

- I am the chair of the Los Gatos Community Health and Senior Services Commission. There are a lot of people who want to stay in Los Gatos, but can't afford to. I urge you to consider affordability going forward. I am also a member of a service committee that is conducting an extensive survey of seniors in Los Gatos, and that data, which might be of use to the Planning Commission, will be available soon.

Andy Ghofrani, 121 Wood Road

- I live on the hill directly behind the proposed development and my property would have the largest visual impact by the massing. Per the EIR, 85-foot building heights are 35 feet more than the original elevation of 50 feet, a 35-foot reduction of my view of the Town and the east hills. I ask that the building masses be distributed more evenly to reduce the visual impact to my property and the view from my deck, which is all I have for outdoor space as I do not have a yard. The amount of trucks needed to off haul 140,000 cubic yards of dirt would be 14,000 truck trips, meaning approximately 15 trucks per hour over six months.

Frank Rockwood, Applicant

- With respect to community outreach, we have maintained a project website since 2018 where we post a video summary of our project proposal and update the FAQs on a regular basis, including contact information and links to the Town's website. We give marketing inquiries once a month and keep track of potential clients. As part of the draft conditions we are obligated to install a sidewalk on Wood Road up to the entrance of our property.

Closed Public Comment.

Commissioners discussed the matter.

Opened Public Comment.

Commissioners asked questions of the applicant.

Closed Public Comment.

Commissioners discussed the matter.

MOTION: **Motion** by **Commissioner Hanssen** to recommend denial of a Planned Development Application for 110 Wood Road to the Town Council based on concerns related to building heights, tree removal, lack of diversity in housing types, concentration on luxury housing, without certifying the Final Environmental Impact Report because it is not based on a project that the Planning Commission finds appropriate, and with direction from the Planning Commission.

Commissioner Thomas requested the motion be amended to include a comment that the ratio of number of units (fewer than existing) to the overall height and size of the buildings (greater than existing) does not align with the General Plan.

Seconded by **Commissioner Thomas**.

Commissioner Hanssen requested the motion be amended to include that items she cited are founded in the General Plan, and even though not strictly applicable, the spirit is for the Hillside Design Standards and Guidelines as well.

Commissioner Barnett requested the motion be amended to emphasize to the Town Council where there have been points of agreement by the applicant concerning the valet parking, sidewalks on Wood, and the contribution to the traffic control on Wood Road and Highway 17.

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

The Seconder of the Motion accepted the amendments to the motion.

VOTE: **Motion passed unanimously.**

OTHER BUSINESS

4. Election of Chair and Vice Chair

MOTION: **Motion** by **Chair Janoff** to nominate **Commissioner Hanssen** for Chair of the Planning Commission. **Seconded** by **Commissioner Clark**.

VOTE: **Motion passed unanimously.**

MOTION: **Motion** by **Chair Hanssen** to nominate **Commissioner Barnett** for Vice Chair of the Planning Commission. **Seconded** by **Commissioner Tavana**.

VOTE: Motion passed unanimously.

Chair Hanssen appointed Commissioner Janoff, Chair Hanssen, and Commissioner Thomas to the General Plan Committee (and therefore also the Housing Element Advisory Board).

Chair Hanssen appointed Vice Chair Barnett, Commissioner Tavana, and Commissioner Janoff to the Conceptual Development Advisory Committee.

Chair Hanssen appointed Commissioner Raspe and Commissioner Clark to the Historic Preservation Committee.

REPORT FROM THE DIRECTOR OF COMMUNITY DEVELOPMENT

Joel Paulson, Director of Community Development

- The Town Council will hold a Strategic Priority meeting on January 25, 2022.
- The Town Council will consider whether or not it wishes to extend the Urgency Ordinance the Town adopted on December 21, 2021 regarding SB 9.
- Associate Planner Sean Mullin has been promoted to Senior Planner.
- The Town has a new assistant planner, Savannah Van Akin, who has been interning for the Planning Department.
- The Town will be hiring a new associate planner to backfill Mr. Mullin's position.

SUBCOMMITTEE REPORTS/COMMISSION MATTERS

None.

ADJOURNMENT

The meeting adjourned at 10:36 p.m.

This is to certify that the foregoing is a true and correct copy of the minutes of the January 12, 2022 meeting as approved by the Planning Commission.

/s/ Vicki Blandin