



**TOWN OF LOS GATOS
PLANNING COMMISSION
REPORT**

MEETING DATE: 01/11/2023

ITEM NO: 1

**DRAFT
MINUTES OF THE PLANNING COMMISSION MEETING
DECEMBER 14, 2022**

The Planning Commission of the Town of Los Gatos conducted a Regular Meeting on Wednesday, December 14, 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 PM

ROLL CALL

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

VERBAL COMMUNICATIONS

None.

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

- 1. Approval of Minutes** – November 9, 2022
- 2. Approval of Minutes** – November 21, 2022 Special Meeting

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

VOTE: Motion passed unanimously.

PUBLIC HEARINGS

3. 202 University Avenue

Variance Application V-22-003

APN 529-04-001

Applicant: Jay Plett, Architect

Property Owner: Tyler and Kristine Shewey

Requesting Approval for Construction of an Accessory Structure Requiring Variances to Accessory Structure Lot Coverage Standards and Side and Rear Setback Requirements in the University-Edelen Historic District on Property Zoned R-1D:LHP.

Chair Hanssen reported that the applicants for Item 3, 202 University Avenue, had requested the item be continued.

Commissioners discussed the matter.

MOTION: **Motion by Vice Chair Barnett** to continue the public hearing for 202 University Avenue to a date certain of January 25, 2023. **Seconded by Commissioner Thomas.**

VOTE: **Motion passed unanimously.**

4. 14876 Clara Street

Architecture and Site Application S-22-033

APN 409-25-027

Applicant: Louie Leu, Architect

Property Owner: Jacob John

Project Planner: Jocelyn Shoopman

Requesting Approval for Construction of a Second Story Addition to an Existing Single-Family Residence on Property Zoned R-1:12.

Jocelyn Shoopman, Associate Planner, presented the staff report.

Opened Public Comment.

Louie Leu, Architect/Applicant

- The lot zoning allows for structures up to 30 feet high, and our structure is only 23 feet, five inches. The maximum allowed floor area is approximately 5,766, and ours is less than 4,000. The house sits down a couple of feet from the street, so the overall height impact would be less. The proposed addition is fairly modest at 1,200 square feet, and the new upper floor is located above the existing main floor with setbacks of 48 feet from the front (two times the required front setback), 44 feet from one side and 48 feet from the other side (four times the required side setback), and 52 feet from the rear, so impact to the

neighbors is minimal. The upper floor windows are minimal facing toward the sides and we do not believe neighbor privacy is an issue. We have made sure the massing and elevation blend in with the smaller one-story homes of the neighborhood. The site has many mature trees, all are to be retained, particularly the five large evergreen trees in the front that obscure much of the home from the two houses directly in front. Our design is close to the Consulting Architect's recommendations, with the exception of gables instead of hips for the roof, and a standing metal seam roof instead of asphalt shingles, but we would be open to changing the gables to hips and standing seam to asphalt shingles if that is the Commission's preference. We raised the roofline in the middle of the house to reduce the height of the second floor. We felt the brick would add interest to the project and reflect other homes in the area that also have a feature material.

Jeff Whalen

- My property is contiguous to the subject property at the street. Because this is predominantly a single-story neighborhood this project is not consistent with the Town's Residential Guidelines with respect to special qualities, scale, character, and architectural sensitivity with respect to surrounding neighborhood homes. Of the 12 remodels in the neighborhood over 28 years, including mine, no one has requested nor added a second story out of respect for the neighborhood and integrity of the architectural style, consistency, good will, and privacy. The two homes referenced by the architect as having metal roofs and brick facades were permitted prior to being annexed into the Town. The proposed covered grand entry juts out from the existing front door 10 feet and beyond the current overhanging front porch and door, which moves the front mass to the street. Overhanging front porches are dominant in the neighborhood and desired per the Town guidelines.

Lainey Richardson

- We have only single-story homes on the circle. A developer owns the house above me and I'm concerned that if he submits plans and can go up two stories, we will lose all backyard and pool privacy. If the burned-down house across the street is able to go up two stories, we'll lose the view of the mountains. If the Commission allows the applicants to build a two-story home on the circle, nothing will stop future applicants from adding on a second story, and the look of the entire neighborhood would be changed. The neighborhood is all single-story ranch homes on large lots. The subject project has a large backyard and the applicants should consider placing an ADU back there to extend their living space in a way that is not be visible to neighbors and would not change the neighborhood look.

Brent Ventura

- The circle consists of 14 homes and is characterized by 2,035 square foot, one-story homes on large, half-acre lots. This would be the first two-story home on the circle, and staff recommends denial because it doesn't comply with the Town's Residential Design Guidelines. In my 30 years on the circle there have been 13 remodels, and not one has ever added a second story, because the lots are so large that there is plenty of room to expand outward. This neighborhood would be high on the list if the Town considered early post-war neighborhoods as worthy of protection, due to its harmony and unity of design.

The applicant did not incorporate most of the Consulting Architect's suggested changes. I request the application be returned to the Development Review Committee with instructions that the applicant proceed with a one-story remodel with design changes consistent with the Guidelines and the Consulting Architect.

Irv John, Son of Property Owner

- My name is Irv John and I'm a sixth grader at Fisher Middle School. My family and I have been living on Clara Street for two-and-a-half years. My brother and I always dreamed of having our own rooms, but there were not many two-story homes available, so we checked the zoning on this single-story property when it was purchased to ensure we could have two stories. We have counted at least ten two-story homes in the immediate neighborhood. Our home would be a great upgrade, like homes on La Rinconada and Golf Links Drive. Currently my brother and I share a room, and there is not enough room for our grandmothers to visit.

Jacob John, Property Owner

- This is clearly not a single-story overlay zone. This lot was advertised as being capable of having two stories. This is not a single-story neighborhood. Our project is very modest and located where it needs to be relative to the existing house. The house cannot be arbitrarily moved back, because the existing house is not being demolished. We are willing to accept all of the Consulting Architect's recommendations if the Commission prefers.

Closed Public Comment.

Commissioners discussed the matter.

MOTION: **Motion by Commissioner Thomas** to approve an Architecture and Site Application for 14876 Clara Street, subject to implementing the Consulting Architect's recommendations as determined by the Planning Manager. **Seconded by Commissioner Janoff.**

Vice Chair Barnett requested the motion be amended to include the requirement of a composition shingle roof.

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

The seconder of the motion accepted the modification to the motion.

Closed Public Comment.

Commissioners discussed the matter.

VOTE: **Motion passed unanimously.**

5. Amendments to Town Code Regarding Town-Initiated Parcel Mergers

Town Code Amendment Application A-22-003

Applicant: Town of Los Gatos

Project Location: Town-Wide

Consider Amendments to Chapter 24 (Subdivision Regulations) and Chapter 29 (Zoning Regulations) to the Town Code Regarding Town-Initiated Parcel Mergers.

Gabrielle Whelan, Town Attorney, presented the staff report.

Closed Public Comment.

Commissioners discussed the matter.

MOTION: **Motion by Commissioner Raspe** to recommend to Town Council amendments to Chapter 24 and Chapter 29 of the Zoning Code regarding Town-initiated parcel mergers. **Seconded by Commissioner Thomas.**

Vice Chair Barnett requested the motion be amended to include the findings that the project is exempt from CEQA, and the Town Code amendments are consistent with the General Plan.

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

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

Opened Public Comment.

None.

Closed Public Comment.

VOTE: **Motion passed unanimously.**

6. General Plan Amendment to the Hazards and Safety Element

General Plan Amendment Application GP-22-002

Location: Town Wide

Consider a General Plan Amendment to Add Policies to the Hazards and Safety Element.

Jennifer Armer, Planning Manager, presented the staff report.

Commissioners discussed the matter.

Opened Public Comment.

None.

Closed Public Comment.

Commissioners discussed the matter.

MOTION: **Motion by Vice Chair Barnett** to recommend Town Council add policies to the Hazards and Safety Element. **Seconded by Commissioner Raspe.**

VOTE: **Motion passed unanimously.**

OTHER BUSINESS

Item 7 under Other Business has been postponed to a later Planning Commission meeting and will be re-noticed. No action is required from the Planning Commission on either Item 7 or Item 8.

7. 15860-15894 Winchester Boulevard and 17484 Shelburne Way

Architecture and Site Application S-21-008

Conditional Use Permit Application U-21-010

Variance Application V-21-003

Mitigated Negative Declaration ND-22-001

APNs 529-11-013, -038, -039, and -040

Applicant/Property Owner: Green Valley Corp. d.b.a. Swenson

Project Planner: Jennifer Armer

Requesting Approval for Demolition of Four Residential Buildings, Construction of an Assisted Living and Memory Care Facility, Variance from the Maximum Height and Lot Coverage Requirements, and Removal of Large, Protected Trees on Property Zoned O.

8. Draft 2023 Planning Commission Meeting Schedule

REPORT FROM THE DIRECTOR OF COMMUNITY DEVELOPMENT

Jennifer Armer, Planning Manager

- The Town Council held a special meeting on December 13, 2022 where they elected Maria Ristow to Mayor and Mary Badame to Vice Mayor for 2023.
- Thanked Commissioner Tavana, who has completed his term as a Planning Commissioner.
- Congratulate Chair Melanie Hanssen has been reappointed to the Planning Commission.
- Welcome new 2023 Planning Commissioner Susan Burnett, currently on the Historic Preservation Committee (HPC), who will join the Planning Commission in January 2023.
- New HPC and General Plan Committee (GPC) members have been appointed, with two members from the HEAB appointed to full-term GPC positions.

MINUTES OF PLANNING COMMISSION MEETING OF DECEMBER 14, 2022

- The Town Council will discuss the next steps for the Housing Element at its December 20, 2022 meeting.
- Town offices will be closed for the holidays from December 23, 2022 through January 2, 2023. No new Planning or Building applications will be accepted or processed during that time.

SUBCOMMITTEE REPORTS/COMMISSION MATTERS

Historic Presentation Committee

Commissioner Raspe

- The HPC met on December 14, 2022 with a full calendar, although Commissioner Raspe was unable to attend.

Housing Element Advisory Board

Chair Hanssen

- The HEAB met on December 1, 2022 rescheduled from the November 17, 2022 meeting, and prepared for written comments on the Draft Housing Element from HCD in January 2023.

Commission Matters

Chair Hanssen

- Thanked Commissioner Tavana for his service to the Planning Commission for the past four years.
- Congratulated Adam Mayer and Ryan Rosenberg, both appointed to the GPC, and future Planning Commissioner Susan Burnett.

ADJOURNMENT

The meeting adjourned at 9:01 p.m.

This is to certify that the foregoing is a true and correct copy of the minutes of the December 14, 2022 meeting as approved by the Planning Commission.

/s/ Vicki Blandin

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