



**TOWN OF LOS GATOS
PLANNING COMMISSION
REPORT**

MEETING DATE: 01/11/2023

ITEM NO: 4

DATE: January 6, 2023
TO: Planning Commission
FROM: Joel Paulson, Community Development Director
SUBJECT: Consider an Appeal of a Historic Preservation Committee Decision to Deny a Request to Modify the Previously Approved Front Door on a New Single-Family Residence Located in the Broadway Historic District on Property Zoned R-1D:LHP. **Located at 253 W. Main Street.** APN 510-45-006. Minor Development in a Historic District Application HS-22-051. PROPERTY OWNER/APPELLANT: Mike and Kim Wasserman. APPLICANT: Bess Wiersema, Studio Three Design. PROJECT PLANNER: Sean Mullin.

RECOMMENDATION:

Deny the appeal of the Historic Preservation Committee decision to deny a request to modify the previously approved front door on a new single-family residence in the Broadway Historic District on property zoned R-1D:LHP, located at 253 W. Main Street.

PROJECT DATA:

General Plan Designation: Medium Density Residential
Zoning Designation: R-1D:LHP, Single-Family Residential Downtown with a Landmark and Historic Preservation Overlay
Applicable Plans & Standards: General Plan, Residential Design Guidelines
Parcel Size: 7,500 square feet
Surrounding Area:

	Existing Land Use	General Plan	Zoning
North	Residential and Commercial	Medium Density Residential and Central Business District	R-1D:LHP and C-2:LHP
South	Residential	Medium Density Residential	R-1D:LHP
East	Residential	Medium Density Residential	R-1D:LHP
West	Residential	Medium Density Residential	R-1D:LHP

PREPARED BY: SEAN MULLIN, AICP
Senior Planner

Reviewed by: Planning Manager and Community Development Director

CEQA:

The request to modify the previously approved front door is not considered a project under the California Environmental Quality Act.

FINDINGS:

- The project complies with the Residential Design Guidelines for single-family residences located in historic districts.

CONSIDERATIONS:

- As required by Section 29.80.290, in evaluating applications, the deciding body shall consider the architectural style, design, arrangement, texture, materials and color, and any other pertinent factors. Applications shall not be granted unless:

(2) In historic districts, the proposed work will neither adversely affect the exterior architectural characteristics or other features of the property, which is the subject of the application, nor adversely affect its relationship, in terms of harmony and appropriateness, with its surroundings, including neighboring structures, nor adversely affect the character, or the historical, architectural or aesthetic interest or value of the district.

ACTION:

The decision of the Planning Commission is final unless appealed within ten days.

BACKGROUND:

The subject property is located on the south side of W. Main Street across from its intersection with Tait Avenue (Exhibit 1). The property is located in the Broadway Historic District and a new single-family residence is currently under construction.

On February 26, 2020, the Historic Preservation Committee reviewed a request for a determination regarding the contributing status of an existing single-family residence on the subject property and found that the residence was not historically or architecturally significant and that the integrity had been compromised through alterations over time.

On July 22, 2020, the Historic Preservation Committee considered an Architecture and Site application requesting demolition of the existing residence and construction of a new single-family residence and forwarded a recommendation of approval.

BACKGROUND (continued):

On November 18, 2020, the Development Review Committee approved the project and Building Permits were issued on May 26, 2021.

On November 3, 2022, staff was made aware that the installed front door was not consistent with door approved by the Development Review Committee. Staff determined that the installed front door was not in substantial conformance with the approved project and was unable to find an administrative remedy to allow the modification at the staff level. After consulting with the applicant, staff scheduled the modification request for the next available Historic Preservation Committee meeting.

On December 14, 2022, the Historic Preservation Committee considered a request to modify the previously approved front door and by a vote of two to one denied the request finding that the proposed modification was not consistent with the chosen architectural style or with the Broadway Historic District (Exhibits 3 and 4).

On December 20, 2022, the property owner appealed the decision of the Historic Preservation Committee to the Planning Commission (Exhibit 5). In their appeal, the appellant indicates that the proposed front door is consistent with Section 29.80.290 of the Town Code as it complements the architectural style, design, arrangement, texture, materials, and color and that the door does not adversely affect the architectural characteristics or other features of the property.

Pursuant to Section 29.20.258 of the Town Code, the decision of the Historic Preservation Committee may be appealed to the Planning Commission by any interested person as defined by Section 29.10.020 within 10 days of the decision.

Pursuant to Town Code Section 29.20.265, the appeal shall be set for the first regular meeting of the Planning Commission in which the business of Planning Commission will permit, more than five (5) days after the date of filing the appeal. The Planning Commission may hear the matter anew and render a new decision in the matter.

PROJECT DESCRIPTION:

A. Location and Surrounding Neighborhood

The subject property is located on the south side of W. Main Street across from its intersection with Tait Avenue (Exhibit 1). The surrounding properties are zoned R-1D:LHP and C-2:LHP.

PROJECT DESCRIPTION (continued):

B. Project Summary

The property owner is appealing the Historic Preservation Committee's decision to deny a request to modify the previously approved front door.

DISCUSSION:

A. Front Door Modification Request

The property owner has appealed the Historic Preservation Committee's denial of their request to modify the previously approved front door. The requested modification would change the front door from the approved divided-lite, aluminum clad wood door (Exhibit 3, Attachment 1) to a custom antique wood door (Exhibit 3, Attachment 2). A Letter of Justification presented to the Historic Preservation Committee provided reasons for the modification, including that the approved front door lacked the appearance of a formal entry door and that the proposed door is an antique door that would formalize the entry by providing character in-keeping with traditional homes in the neighborhood (Exhibit 3, Attachment 2). This Letter of Justification also includes a letter from the property owners indicating that the proposed door originated in Mexico and is approximately 300 years old. This letter further details the familial origins of the proposed door and how it came into the owners' possession. A supplemental letter from the property owners provides additional information and details regarding the door (Exhibit 3, Attachment 3).

B. Required Review Criteria

Section 4.10 of the Residential Design Guidelines provides guidance for new construction within the Town's historic districts (Exhibit 6). In general, this section stresses the importance of designing within a recognized architectural style that is consistent with and supportive of the district, does not create a false sense of historical development within the district, and is respectful of the established patterns. Proposed exterior alterations in a historic district are required to comply with the Residential Design Guidelines.

Town Code Section 29.80.290 provides standards for review that the deciding body shall consider in their review of a proposal for exterior alterations. The subject property is located in the Broadway Historic District, to which the following standard applies:

- (2) In historic districts, the proposed work will neither adversely affect the exterior architectural characteristics or other features of the property, which is the subject of the application, nor adversely affect its relationship, in terms of harmony and appropriateness, with its surroundings, including neighboring structures, nor adversely

DISCUSSION (continued):

affect the character, or the historical, architectural or aesthetic interest or value of the district.

On July 22, 2020, the Historic Preservation Committee considered the proposed new home and forwarded a recommendation of approval to the deciding body. Included with this action was a recommendation that the deciding body make the required finding and consideration discussed above.

On November 18, 2020, the Development Review Committee made all required Findings and Considerations and approved the project.

The proposed alteration to the approved front door qualifies as an exterior alteration in a historic district and the project is required to comply with the Findings and Considerations outlined above.

C. Historic Preservation Committee

On December 14, 2022, the Historic Preservation Committee received the staff report (Exhibit 3), opened the meeting, and considered testimony from the applicant. After asking questions of the applicant, the Historic Preservation Committee closed the public hearing and discussed the project. The Historic Preservation Committee reopened the public hearing to ask the applicant specific questions before continuing their discussion. A motion was made to approve the request, but failed to secure a second. Another motion was offered to deny the request on the basis that the proposed door was not consistent with the chosen architectural style or with the Broadway Historic District. This motion was seconded and passed with a vote of two to one, with two Committee members absent (Exhibit 4).

D. Appeal to Planning Commission

The decision of the Historic Preservation Committee was appealed on December 20, 2022, by the property owner, Mike Wasserman (Exhibit 5). Per the appellant, the appeal should be granted for the three following reasons. The three points made in the appeal are followed by staff analysis in *italic font*.

1. Appellant: The proposed door meets with the requirements of Section 29.80.290 of the Town Code as it complements the architectural style, arrangement, texture, materials, and color.

During their December 14, 2022, consideration of the proposed front door, the Historic Preservation Committee was unable to make the required Findings and Considerations

DISCUSSION (continued):

as discussed above. The Historic Preservation Committee discussed the proposed door and found that it was not consistent with the chosen architectural style or with the Broadway Historic District. The Historic Preservation Committee denied the request with a vote of two to one, with two Committee members absent.

2. Appellant: The proposed door does not adversely affect the exterior architectural characteristics or other features of the property.

As discussed above, the Historic Preservation Committee was unable to support the proposed door, finding that it was not consistent with the chosen architectural style or with the Broadway Historic District.

3. Appellant: The proposed door brings some history to the property.

The appellant provided the history of the proposed door (Exhibits 3 and 5) and indicates in their appeal that including it on the new residence would preserve this artifact and add history to the new home currently under construction (Exhibit 5). The appellant also included a list of 50 residences in the area with solid wood front doors.

In addition to the information provided by the appellant, the project architect submitted information on the chosen architectural style and discussed how the proposed door is consistent (Exhibit 7). The new residence is described by the project architect as being designed in the Tudor/Tudor Revival/New Traditional style. The project architect outlines some of the key design elements of the chosen architectural style, including “articulated/paneled entry doors, solid in nature, wood.” The architect, as well as the appellant, also stress that the front door would be well set back from the street, which would reduce its prominence.

E. Neighbor Outreach

The appellant has indicated that they have been communicating with the surrounding neighbors to discuss the proposed project. A summary of their outreach efforts is included as Exhibit 8.

PUBLIC COMMENTS:

Written notice was sent to property owners and tenants within 300 feet of the subject property. Public comments received by 11:00 a.m., Friday, January 6, 2023, are included as Exhibit 9.

ENVIRONMENTAL REVIEW:

The request to modify the previously approved front door is not considered a project under the California Environmental Quality Act.

CONCLUSION:

A. Summary

The appellant is requesting that the Planning Commission grant their appeal of the Historic Preservation Committee's decision to deny a request to modify the previously approved front door and approve the proposed front door.

B. Recommendation

For reasons stated in this report, it is recommended that the Planning Commission deny the appeal and uphold the decision of the Historic Preservation Committee to deny the request to modify the previously approved front door.

C. Alternatives

Alternatively, the Commission can:

1. Continue the matter to a date certain with specific direction;
2. Grant the appeal and approve the proposed front door, making the required findings and considerations provided in Exhibit 2; or
3. Remand the appeal to the Historic Preservation Committee with specific direction.

EXHIBITS:

1. Location Map
2. Required Findings and Considerations
3. Historic Preservation Committee Staff Report and Attachments, December 14, 2022
4. Historic Preservation Committee Action Letter, December 14, 2022
5. Appeal of the Historic Preservation Committee Denial, received December 20, 2022
6. Residential Design Guidelines, Section 4.10
7. Summary of Architectural Style by the Project Architect
8. Summary of Neighbor Outreach
9. Public Comments Received by 11:00 a.m., Friday, January 6, 2023

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