

**MOTION:** Motion by Council Member Rennie to adopt the draft resolution in Attachment 2 and make the required findings and approve the Architecture and Site, the Conditional Use Permit, the Subdivision Applications, and the Conditions of Approval. **Seconded by Council Member Ristow.**

**VOTE:** Motion passed 4-0. Council Member Badame recused.

Council Member Badame returned to the Council Chambers.

11. Consider an Appeal of a Planning Commission Decision to Approve a Request to Construct a New Single-Family Residence with Reduced Side and Rear Yard Setbacks, Site Improvements Requiring a Grading Permit, and Removal of Large Protected Trees on Vacant Property Zoned R-1:20. **Located at 45 Reservoir Road.** APN 529-33-054. Architecture and Site Application S-22-048. Categorically Exempt according to CEQA Guidelines Section 15303: New Construction or Conversion of Small Structures. Property Owner: Farnaz Agahian. Applicant: Gary Kohlsaas, Architect. Appellant: Mary J. Vidovich. Project Planner: Sean Mullin.

Sean Mullin, Planning Manager, presented the staff report.

Council provided the following disclosures:

- Council Member Rennie stated he met with the appellant and a neighbor and visited the site.
- Vice Mayor Moore stated he visited and met with the appellant.
- Council Member Ristow stated she visited the site, walked the access road, and met with the appellant.
- Council Member Badame stated she met with the appellant and walked the site and roadway.
- Mayor Hudes stated he met with the appellant and walked the site.

Mayor Hudes opened public comment.

Mary J. Vidovich, Appellant, provided opening comments and discussed the reasons for the appeal.

Gary Kohlsaas, Architect, provided opening comments and discussed the project.

Paul Paspas

- Commented on concerns with the size of the proposed project.

Kathleen Watson

- Commented on concerns with safety, tree protection, and the size of the proposed project.

Gary Kohlsaatt, Architect, provided closing comments and addressed speaker comments.

Mary J. Vidovich, Appellant, provided closing comments stating her concerns with the project.

Mayor Hudes closed public comment.

Council asked questions and discussed the item.

**MOTION: Motion by Council Member Badame** to have staff prepare a resolution to grant the appeal, remand the application back to the Planning Commission with direction to reduce the building footprint and consideration of the (least restrictive development areas) LRDA and reduce the volume. **Seconded by Vice Mayor Moore.**

**VOTE: Motion passed 4-1. Council Member Ristow voted no.**

**MOTION: Motion by Council Member Ristow** [to extend the meeting to] no later than 12:30 [a.m.] **Seconded by Vice Mayor Moore.**

**VOTE: Motion passed unanimously.**

Mayor Hudes called a recess at 11:33 p.m.

Mayor Hudes reconvened the meeting at 11:42 p.m.

12. Conduct a Public Hearing for Appeal of Administrative Citation VL-19-362 (16660 Cypress Way) for Violations of the Los Gatos Town Code Related to Grading and Building and Adopt a Resolution Upholding the Administrative Citation and Imposing Costs According to Proof.

**RESOLUTION 2025-008**

Mayor Hudes stated the process of the appeal. Gabrielle Whelan, Town Attorney, stated the appeal is limited to the December 13, 2024, and January 16, 2025, correspondence submitted by the appellants.

Mayor Hudes opened public comment.

Lance Bayer, Special Counsel, provided opening comments and addressed the concerns stated in the December 13, 2024, correspondence.

Josh Balsur, Counsel for Appellant, provided opening comments and provided an update on the required permits.

Scott Watson, Neighbor

- Commented on the citations and litigation with the appellant.