



**TOWN OF LOS GATOS
PLANNING COMMISSION
REPORT**

MEETING DATE: 10/09/2024

ITEM NO: 1

**DRAFT
MINUTES OF THE PLANNING COMMISSION MEETING
JULY 24, 2024**

The Planning Commission of the Town of Los Gatos conducted a Regular Meeting on Wednesday, July 24, 2024, at 7:00 p.m.

MEETING CALLED TO ORDER AT 7:00 PM

ROLL CALL

Present: Chair Steve Raspe, Commissioner Jeffrey Barnett, Commissioner Susan Burnett, Commissioner Melanie Hanssen, Commissioner Kathryn Janoff, and Commissioner Adam Mayer
Absent: Vice Chair Emily Thomas

PLEDGE OF ALLEGIANCE

VERBAL COMMUNICATIONS

None.

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

1. **Approval of Minutes** – June 26, 2024
2. **Approval of Minutes** – July 10, 2024

MOTION: **Motion by Commissioner Barnett** to approve adoption of the Consent Calendar. **Seconded by Commissioner Mayer.**

VOTE: **Motion passed unanimously.**

PUBLIC HEARINGS

3. 120 Oak Meadow Drive

Subdivision Application M-20-011

Planned Development Application PD-20-002

Architecture and Site Application S-22-021

APN 529-10-131

Applicant: Terence J. Szewczyk (M-20-011 and PD-20-002) and
Jay Plett, Architect (S-22-021)

Property Owner: Marty and Penny McFarland

Project Planner: Sean Mullin

Requesting approval for Modification of Planned Development Ordinance 1412, subdivision of one lot into two lots, construction of a single-family residence, and site work requiring a Grading Permit on property zoned O:PD. Categorically exempt pursuant to CEQA Guidelines Section 15315: Minor Land Divisions; 15303: New Construction; and 15304: Minor Alterations to Land.

Sean Mullin, Senior Planner, presented the staff report.

Opened Public Comment.

Terence J. Szewczyk, Applicant

- This project represents the ideal creation of generational housing on one parcel, which is the intent of SB 9. We would have changed this to an SB 9 application, but the underlying zoning is Office, so we are unable to use SB 9. We ask the Planning Commission to recommend to the Town Council modification of the PD zoning to allow for this additional house. The McFarlands want to build a house for their two daughters. We have carefully sited this house for tree protection, safety, and the least impact from the driveway. We have to increase the driveway slope to get up higher to avoid damaging the base of some spectacular oak trees. Oak Meadow Drive is a private road and it would not be unreasonable for the applicants to agree to a condition to participate in road maintenance.

Marty McFarland, Property Owner

- We have lived on this property for over 32 years and are excited about this project and the opportunity to provide a lot to our two daughters to build a house. Our youngest daughter is a local special education teacher, and teachers don't make a lot of money.

Paul Vieth

- My wife and I live across from the McFarlands and I am one of the board members of Regency Court HOA. In 1985 the McFarland's lot was removed from the HOA except for the purposes of contributing to road maintenance, and pursuant to that agreement the HOA retains a right of architectural control over that lot. The CC&Rs go along with the

deed and contain clear guidelines on architectural approval by the CC&Rs and bylaws, and that process has not occurred. There was never an attempt to review this with the Architectural Committee or the HOA. In October 2021, the HOA denied Mr. McFarland's request to give up two of our seven community parking spots so he could put a driveway on the other side. The HOA also expressed that we do not want to change the view, see a house in the immediate view, or have windows facing our home, as well as several other issues.

Desiree Hedberg

- I am a therapist with my business adjacent to the subject property, and my concern is the construction noise could be significant and impact my business in a very negative way. My question is what the audio impact might be?

Terence J. Szewczyk, Applicant

- If we have overlooked the formal HOA Architectural Committee review of the plans, we will complete that.

Jay Plett, Architect

- The window that faces the townhomes is a bedroom window, not a place where people will gather and be looking down. The house has a 6.5-foot setback, but then there is 20 feet of parking and then a road for the townhomes, so the proposed home and its windows would be probably 30 feet away from anybody. The existing McFarland's home is just as close to the street, and there are townhomes that almost border on the road. There is noise when anything is built, but we don't anticipate driving piles or anything that would make excessive noise, just typical construction noise.

Closed Public Comment.

Commissioners discussed the matter.

Opened Public Comment.

Commissioners asked questions of the applicant.

Closed Public Comment.

MOTION: **Motion by Chair Raspe** to continue the public hearing for 120 Oak Meadow Drive to a date uncertain. **Seconded by Commissioner Janoff.**

VOTE: **Motion passed unanimously.**

REPORT FROM THE COMMUNITY DEVELOPMENT DEPARTMENT

Jennifer Armer, Planning Manager

- The Planning Commission meeting of August 14, 2024 will be cancelled due to lack of items.
- This is the final meeting for Commissioner Janoff and Commissioner Mayer. Staff thanked them for their service to the Town of Los Gatos.

SUBCOMMITTEE REPORTS/COMMISSION MATTERS

Historic Preservation Committee

Commissioner Burnett

- The HPC met on July 24, 2024.

Commission Matters

Chair Raspe

- This will be the final Planning Commission meeting for Commissioner Janoff and Commissioner Mayer. The Planning Commission thanks them for their work over the years.
- Planning Manager Jennifer Armer will be leaving the Town of Los Gatos. Ms. Armer has served with the Town for nine years and the Town wishes her the best.

ADJOURNMENT

The meeting adjourned at 7:49 p.m.

This is to certify that the foregoing is a true and correct copy of the minutes of the July 24, 2024 meeting as approved by the Planning Commission.

/s/ Vicki Blandin