



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 01/21/2025

ITEM NO: 6

DATE: January 16, 2025
TO: Mayor and Town Council
FROM: Chris Constantin, Town Manager
SUBJECT: Adopt a Resolution Granting an Appeal of a Planning Commission Decision to Approve an Architecture and Site Application for Construction of a Single-Family Residence and Site Improvements Requiring a Grading Permit on Vacant Property Zoned R-1:8 and Remanding the Decision to the Planning Commission with Specific Direction. **Located at 15411 National Avenue.** APN 424-12-140. Architecture and Site Application S-23-033. Categorically Exempt Pursuant to CEQA Guidelines Section 15303: New Construction. Property Owners: Vyankatesh and Ramya Muddada. Applicant: Jose Rama. Appellant: Hellen Martinez. Project Planner: Erin Walters.

RECOMMENDATION:

Adopt a resolution (Attachment 1) granting an appeal of a Planning Commission decision to approve an Architecture and Site Application for the construction of a single-family residence and site improvements requiring a grading permit on vacant property zoned R-1:8 and remanding the decision to the Planning Commission with specific direction.

DISCUSSION:

On December 17, 2024, the Town Council directed staff to prepare a resolution granting the appeal of a decision of the Planning Commission and remanding the application back to the Planning Commission with specific direction, including the following:

1. Reduce the second floor massing;
2. The number, location, and species of the privacy trees shall be mutually agreed upon by the neighbors;
3. Work with the neighbors and Town staff to minimize and relocate windows to mitigate privacy impacts on the neighbors; and
4. Use obscure glass to address privacy at impacted locations.

PREPARED BY: Erin M. Walters
Senior Planner

Reviewed by: Assistant Town Manager, Town Attorney, and Community Development Director

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The Council made the findings in accordance with Town Code section 29.20.275, that there was an error or abuse of discretion by the Planning Commission in approving the Architecture and Site application, because:

- a. The Planning Commission's decision was not supported by substantial evidence;
- b. The application does not comply with the Residential Design Guidelines, including Section 2.1 of the Residential Design Guidelines, which states residential development shall be similar in mass, bulk, and scale to the immediate neighborhood and consideration will be given to the existing FARs, residential square footages and lot size in the neighborhood, as described by Commissioner Barnett at the November 13, 2024, Planning Commission public hearing; and
- c. Staff's recommended denial of the application.

The Council directed staff to return to the Town Council with an updated resolution.

Adoption of the attached resolution (Attachment 1) would finalize that decision.

ENVIRONMENTAL ASSESSMENT:

The project is Categorically Exempt pursuant to CEQA Guidelines Section 15303: New Construction.

FISCAL IMPACT:

None.

Attachments:

1. Draft Resolution Granting the Appeal and Remand the Application Back to the Planning Commission with Specific Direction