



**TOWN OF LOS GATOS
PLANNING COMMISSION
REPORT**

**MINUTES OF THE PLANNING COMMISSION MEETING
FEBRUARY 9, 2022**

The Planning Commission of the Town of Los Gatos conducted a Regular Meeting on Wednesday, February 9, 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 P.M.

ROLL CALL

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

VERBAL COMMUNICATIONS

None.

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

1. Approval of Minutes – January 26, 2022

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

VOTE: Motion passed unanimously.

PUBLIC HEARINGS

2. 118 Olive Street

Architecture and Site Application S-21-013

APN 410-15-022

Applicant: Jay Plett, Architect

Property Owner: Thomas and Meredith Reichert

Project Planner: Sean Mullin

Requesting approval for demolition of an existing single-family residence and construction of a new single-family residence to exceed floor area ratio (FAR) standards with reduced front and side yard setbacks on nonconforming property zoned R-1D.
Continued from January 12, 2022 meeting.

Jennifer Armer, Planning Manager, presented the staff report.

Opened Public Comment.

Jay Plett, Applicant/Architect

- Per instructions from the Planning Commission, we have submitted a 3-D diagram of the structure and a Desk Item showing that the façade of the house is not flat. The 3-D depiction shows that the balcony over the garage was eliminated and instead shows the current design of a sloping shed roof over the garage. We conducted further outreach and allowed neighbors to walk around the subject site, view the story poles close up, and speak with the property owners.

Thomas Reichert, Owner

- The residents at 108 Olive Street are the only neighbors who did not sign the current letter or show up at the open houses. Everyone who signed the letter participated in the first and second open houses.

Shelly Baker, Neighbor

- We live directly next door on the west side of the proposed home and are the most affected. The mountain view from our living room, kitchen, dining room, and master bedroom would be completely blocked. We would lose natural lighting for all these rooms and our backyard as confirmed in the provided shadow study. These areas would also lack privacy. The proposed exception for reducing the side setback from 5 feet to 3 feet is preposterous, especially when considering the stitch piercing process that would be that much closer. The architectural rendering of the rear deck elevation does not depict the height. Approval of this project would set a precedent that every cottage sale will be viewed as a tear down to make way for more overbuilt homes.

Bonnie Hurwitz, Neighbor

- I agree with a great deal of Ms. Baker's comments. The owner of 108 Olive is unable to attend these meetings, but he signed both letters. I attended the outreach meeting, but was not invited to walk the property. The rendering looks like a tear down, not an addition.

When I asked questions regarding the garage and the property the feeling I got from the applicants was they know what they want and no one told them they couldn't do it. I disagree with a Commissioner's comment from the prior meeting that this neighborhood is in transition. Many of us have owned our properties for a long time and intend to stay.

Keith White, Neighbor

- When we bought our home, Olive Street was mostly made up of smaller homes, some remodels. We even asked the Town what we could expect for changes to the neighborhood and were assured the Town is a stickler for the rules, and yet here we are 20 years later and it's the house right next door that is changing, which we expected, but we didn't expect it to not follow all the rules. The proposed reduction to the front and side setbacks concern us the most, as they have the greatest impact on our property, but also the FAR being exceeded is a concern, because the Town expected smaller homes to remain the norm. Why are the rules not being followed?

Darren, Neighbor

- Both outreach meetings were held after dark, we were not invited to walk the property, there were no suggestions for compromise, and we were not privy to any additional information as we assumed was part of the Planning Commission's direction, and no plans or renderings were offered. Olive Street is a very narrow street with abysmal parking and efforts should be made to lessen the impact by enforcing a full-length driveway not in the public right-of-way and installing the car lift in the plans. Slight modifications to the plans would bring the home back into line with the rules and lessen the neighbors' concerns.

Thomas Reichert, Owner

- The open houses were not the only two opportunities neighbors had to visit our home. We gave everyone our contact information. If the neighbors felt the information they needed was not provided, they did not reach out to ask for it. No one asked to walk to the back yard, but some walked to the side yard. No one asked to see the plans in the hour we spoke at the second meeting, although we had them. We are not asking for variances, we're asking for two exceptions to the code that are consistent with the neighborhood. 120 Olive is potentially the most impacted, but it has all the same exceptions we are requesting. Their home has a 3-foot setback, is two-story, has a front yard setback of less than 15 feet, and it doesn't have a 20-foot driveway. We are literally proposing the same house as theirs, except ours would have a compliant driveway.

Jay Plett, Applicant/Architect

- Staff found this project worthy of approval. We are consistent with the patterns of the neighborhood and even more compliant than most of the houses in the neighborhood with respect to setbacks. We are not the largest house and do not have the largest floor area.

Closed Public Comment.

Commissioners discussed the matter.

MOTION: **Motion by Commissioner Barnett** to approve an Architecture and Site Application for 118 Olive Street. **Seconded by Commissioner Raspe.**

VOTE: **Motion passed unanimously.**

3. 15605 El Gato Lane

Architecture and Site Application S-21-020

APN 523-22-010

Applicant: Archana Jain

Property Owner: Natasha Malisic

Project Planner: Ryan Safty

Requesting approval for demolition of an existing single-family residence and construction of a new single-family residence with an exemption from the parking requirements, an exception for maximum lot coverage, and site work requiring a Grading Permit on nonconforming property pre-zoned R-1:8.

Ryan Safty, Associate Planner, presented the staff report.

Opened Public Comment.

Archana Jain, Applicant/Architect

- We would like to demolish the existing house and construct a new single-story residence with four bedrooms and four bathrooms. As the lot is very narrow, we are requesting an exception for one of the parking spaces. For the lot coverage, we have proposed covered entries along the front and back elevation and a covered side porch, which requires the extra 51 square feet. The plans were developed based on the requirements of the County and met all the County setbacks, etc., so the only exceptions came out to be the parking and the lot coverage. In terms of architecture, we have worked with staff and the Consulting Architect to ensure the style is consistent with the neighborhood, especially with the roofing material. The Consultant also requested that we break up the side elevations. The main reason we have kept the roofline very consistent and straight is because of the narrow lot; we don't want to indent more and lose more area in the house. We wish to make the house economical for construction to have trusses and build out straight at the back. We are not requesting any setback exceptions. The property is one of the most well-kept properties in the neighborhood. The owner wants to keep the existing landscaping in the front. We are willing to work with the Consultant, but also do not want to make many changes as the side and rear elevations are not visible from the street.

Natasha Malisic, Owner

- I understand everything the Town Architect sent to me. I love the Eichler style, but this neighborhood is changing. All the houses in the unincorporated area look nothing like this neighborhood. This is an eclectic neighborhood, and my proposed house style is simple, clean, and timeless, so I don't understand the push for the flat roof, which could be

problematic with respect to leaking. There are a few homes on my street that look like new renovations that are very similar to my house's style, so it's not that it wouldn't fit into the neighborhood. In my case, the Town and the County properties both have to be taken into consideration.

Closed Public Comment.

Commissioners discussed the matter.

MOTION: **Motion by Commissioner Janoff** to approve an Architecture and Site Application for 15605 El Gato Lane. **Seconded by Commissioner Clark.**

VOTE: **Motion passed unanimously.**

OTHER BUSINESS

None.

REPORT FROM THE DIRECTOR OF COMMUNITY DEVELOPMENT

Joel Paulson, Director of Community Development

- Town Council extended the Urgency Ordinance for SB 9 with modifications at their February 1, 2022 meeting.
- The Housing Element Advisory Board will be meeting on February 17, 2022 to discuss the site inventory analysis process.
- A community meeting regarding objective standards will be held on February 22, 2022 for the public to provide input on a variety of topics as the Town prepares a draft document with objective standards for mixed-use and multi-family projects, which will then go before the Planning Commission and Town Council.

SUBCOMMITTEE REPORTS/COMMISSION MATTERS

None.

ADJOURNMENT

The meeting adjourned at 8:59 p.m.

This is to certify that the foregoing is a true and correct copy of the minutes of the February 9, 2022 meeting as approved by the Planning Commission.

/s/ Vicki Blandin