



**TOWN OF LOS GATOS
PLANNING COMMISSION
REPORT**

**MINUTES OF THE PLANNING COMMISSION MEETING
DECEMBER 11, 2019**

The Planning Commission of the Town of Los Gatos conducted a Regular Meeting on Wednesday, December 11, 2019, at 7:00 p.m.

MEETING CALLED TO ORDER AT 7:00 P.M.

ROLL CALL

Present: Chair Matthew Hudes, Vice Chair Melanie Hanssen, Commissioner Mary Badame, Commissioner Kendra Burch, Commissioner Kathryn Janoff, Commissioner Reza Tavana, and Commissioner Tom O'Donnell

Absent: None.

PLEDGE OF ALLEGIANCE

Commissioner Badame led the Pledge of Allegiance. The audience was invited to participate.

VERBAL COMMUNICATIONS

None.

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

- 1. Approval of Minutes – November 13, 2019**
- 2. Adoption of the 2020 Planning Commission Meeting Schedule**

MOTION: **Motion by Commissioner Burch to approve adoption of the Consent Calendar. Seconded by Commissioner Badame.**

Vice Chair Hanssen declared that although she did not attend the Planning Commission meeting of November 13, 2019 she reviewed the minutes and watched the meeting video and felt comfortable voting on the minutes.

VOTE: **Motion passed unanimously**

PUBLIC HEARINGS

3. 16 Chestnut Avenue

Architecture and Site Application S-17-047

APN 510-40-012

Applicant/Appellant: Bess Wiersema, Studio3 Design

Property Owner: Kim Roper

Project Planner: Erin Walters

Consider an appeal of a Development Review Committee decision approving a request for demolition of an existing pre-1941 single-family residence and construction of a new single-family residence on property zoned R-1:12. Continued from July 10, 2019 and October 9, 2019.

Erin Walters, Associate Planner, presented the staff report.

Opened Public Comment.

Barton Hechtman

- He clarified that the portion of the staff report that talked about the driveway being safer was not a statement from the traffic engineer, it is from the Los Gatos Public Works Department and is contrary to the statements from the TJKM traffic engineer in the traffic study. The traffic engineer recommended having the driveway at the corner location and he requested the Commission approve it that way.

Bess Wiersema, Architect

- The only outstanding matter that they are appealing is moving the location of the driveway that has been at its current location over a century and is consistent with driveways in its immediate and expanded neighborhoods. They are trying to protect a tree and maintain a turnaround, a house footprint, and the owner's right to some privacy in her back yard.

Kim Roper, Homeowner

- She is disappointed with the process. They have lived on the street for 17 years and have done all they could, such as including the neighbors in everything, hired an expert, and didn't seek a teardown but it fell into that category of work, however, the goalpost is constantly moving. They hired a traffic consultant and provided the traffic study that concludes that the current driveway is acceptable, not better or worse. She has never seen an accident there.

Rita Kelly

- She lives across the street from the subject site. She requested the driveway remain at its current location because it is safe and moving it to Chestnut would not make it safer and would be detrimental to the look and feel of the neighborhood, because the current

driveway has character. Moving the driveway would also require the removal of an oak tree that would impact her front window view. The proposed new location would also mean vehicle lights would come in her windows.

Sharon Herald

- The applicant's driveway with the pillars is iconic and they have done all that has been asked of them. The proposed home is in keeping with the neighborhood. The driveway is safe where it is and she encouraged the Planning Commission to allow it to remain in place.

Bob Simmons

- He was stunned to learn the pillars on the applicant's driveway had been there 100 years. His home is on the edge of the subject property and looks out over a very nice old short stone wall and stonework that line that street and that would have to be taken out to move the driveway and would destroy that part of the neighborhood character. Also, the driveway would then be closer to them as well and perhaps headlights would shine into his home.

Margo Simmons

- The stones lining the street that her husband referred to are absolutely gorgeous because that type of stonework is not often seen. There have been no accidents with the driveway in its present location and she urged the Planning Commission to allow it to remain in place because it works.

Bess Wiersema, Architect

- She thanked the Planning Commission for protecting the character of the neighborhoods in Los Gatos, saying that granting this exception would do just that.

Closed Public Comment.

Commissioners discussed the matter.

MOTION: **Motion by Commissioner O'Donnell** to grant the appeal of the decision of the Development Review Committee and approve an Architecture and Site Application for 16 Chestnut Avenue with modified conditions to allow the existing driveway approach to remain. **Seconded** by **Commissioner Burch.**

Commissioners discussed the matter.

VOTE: **Motion passed unanimously.**

4. 16940 Roberts Road

Architecture and Site Application S-19-008

Subdivision Application M-19-002

APN 529-18-053

Property Owner/Applicant: Josephine Chang

Project Planner: Ryan Safty

Requesting approval for demolition of an existing single-family residence, construction of three condominium units that will exceed the floor area ratio standards, and site improvements requiring a grading permit on property zoned RM:5-12.

Ryan Safty, Associate Planner, presented the staff report.

Opened Public Comment.

Josephine Chang, Applicant

- Her parents are the property owners and she has lived in Los Gatos for 40 years. They have worked with the Town to determine the best site plan for the property that was the most compatible with the neighborhood. They are proposing three single-family detached units, 1,800 square feet, four bedroom, three baths, with one bedroom/bath on the ground floor. Each unit would have its own front and back yard. The street improvements and landscaping they will install would greatly improve the corner.

Lee Quintana

- If this were not allowed because it exceeds the FAR by so much and the applicant chose to do an attached development instead, when that attached development came in it would very likely be so big that there would be problems with it, so that by itself is not rationale for approving the extent of the exception. One unit has the garage in the back and that creates a lot of additional hardscape and leaves little open space to be used by the occupant of the unit.

Josephine Chang, Applicant

- There are no private open spaces abutting any of the streets. One unit does have a garage in the rear but it does still provide almost 800 square feet of unpaved private open space, and the requirement is 200 square feet.

Closed Public Comment.

Commissioners discussed the matter.

MOTION: **Motion by Commissioner Badame to approve an Architecture and Site Application and Subdivision Application for 16940 Roberts Road.
Seconded by Commissioner O'Donnell.**

VOTE: **Motion passed unanimously.**

5. 15925 Quail Hill Drive

Architecture and Site Application S-19-012

APN 527-02-007

Applicant: Tom Sloan

Property Owner: John and Allison Diep

Project Planner: Jennifer Armer

Requesting approval for demolition of an existing single-family residence and detached accessory dwelling unit, and construction of a two-story single-family residence on property zoned HR-1.

Jennifer Armer, Senior Planner, presented the staff report.

Opened Public Comment.

Tom Sloan, Architect

- The surrounding neighbors all have homes elevated above the proposed residence. This residence conceals and disguises the retaining walls so they create no visual impacts, and meets the standards and guidelines. They completed all of the Town consulting architect's recommendations to mitigate the effect of classical style architecture, such as new rooflines, added windows, and pushing the second story back. The one area where the garage is tunneled in is where the project has a higher height.

Arvin Khosravi

- His property is adjacent to the subject site. One concern is that the properties have a wire fence between them and he doesn't want any of the subject property fence sides to be changed, because it would look odd. The previous owner removed a lot of trees and they lost privacy into their bedroom and bathroom on the second floor and he requested they maintain a privacy screen. They have a vineyard on their property and any tall structures would impact the sunlight it gets.

Bernard Caullahan

- He lives on the adjacent property on the other side of the subject site. They are concerned about construction traffic parking on Drysdale Drive, but the project architect has assured him they would not. They have no objection to the house or its design, size, placement, or the exceptions the applicants seek. He requested the Commission approve the project so the neighborhood can finish with building.

Lee Quintana

- The site is constrained, but the design has been developed to meet the owners' objectives while trying to fit it into the constraints of the site, and where they cannot be met they are asking for exceptions, but that is not what the Hillside Standards and Guidelines were developed to do. The design itself is very nice and an improvement over the original design,

but that is not a reason to approve this particular design in the hillsides given that it does not meet all the standards and guidelines.

Tom Sloan, Architect

- This project does not have large impacts to the neighbors, which is one of the objectives of designing in the hillsides. They are adding a tremendous number of trees that would conceal the house when they are grown. They have done a lot of mitigation for the 35 feet height limit and the house will be perceived as being 25 feet high.

Closed Public Comment.

Commissioners discussed the matter.

Opened Public Comment.

Commissioners asked questions of the applicant.

Closed Public Comment.

MOTION: **Motion by Commissioner O'Donnell** to continue the public hearing for 15925 Quail Hill Drive to the meeting of March 25, 2020. **Seconded by Vice Chair Hanssen.**

Commissioners discussed the matter.

VOTE: **Motion passed unanimously.**

OTHER BUSINESS

REPORT FROM THE DIRECTOR OF COMMUNITY DEVELOPMENT

Joel Paulson, Director of Community Development

- The Town Council met on December 3, 2019 and considered two items:
 - Modifications to the land use appeal process; and
 - Adoption of the new building code, fire code, and reach codes.
- The General Plan Advisory Committee will meet on December 12th and review:
 - A land use alternatives report prepared for the General Plan update.

SUBCOMMITTEE REPORTS/COMMISSION MATTERS

Conceptual Development Advisory Committee

Commissioner Badame

- The CDAC met on December 11th and considered one item:
 - o 14919 Los Gatos Boulevard.

Historic Preservation Committee

Chair Hudes

- The HPC met on December 11th and considered two items:
 - o 477 University Avenue; and
 - o 29 Broadway.

Members of the Planning Commission thanked Commissioner O'Donnell for his service on the Planning Commission for the past 16 years as this was his last meeting.

ADJOURNMENT

The meeting adjourned at 9:38 p.m.

This is to certify that the foregoing is a true and correct copy of the minutes of the December 11, 2019 meeting as approved by the Planning Commission.

/s/ Vicki Blandin