



**TOWN OF LOS GATOS
PLANNING COMMISSION
REPORT**

**MINUTES OF THE PLANNING COMMISSION MEETING
MARCH 13, 2024**

The Planning Commission of the Town of Los Gatos conducted a Regular Meeting on Wednesday, March 13, 2024, at 7:00 p.m.

MEETING CALLED TO ORDER AT 7:00 PM

ROLL CALL

Present: Chair Steve Raspe, 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 – February 28, 2024

MOTION: Motion by Commissioner Hanssen to approve adoption of the Consent Calendar. **Seconded** by Commissioner Janoff.

VOTE: Motion passed unanimously.

PUBLIC HEARINGS

2. 124 Garden Hill Drive

Fence Height Exception Application FHE-23-005

APN 424-23-084

Property Owner/Appellant: Rushikesh Kulkarni

Project Planner: Ryan Safty

Consider on remand an Appeal of a Denial of a Fence height Exception Request for Construction of a 6-Foot-Tall Fence Located Within the Required Front Yard Setback, Street Side Yard Setback, and Corner Sight Triangle on Property Aoned R-1:8.

Categorically Exempt Pursuant to CEQA Guidelines Section 15303: New Construction or Conversion of Small Structures, and Section 15301: Existing Facilities.

Ryan Safty, Associate Planner, presented the staff report.

Opened Public Comment.

Rushikesh Kulkarni

- We have reached a point of consensus between the Planning Department and myself and believe we can achieve a happy medium where my security concerns as a parent of two toddlers who play in that side of the yard can be addressed. One concern is coyote sightings in the neighborhood, leading to the need for a 6-foot-high fence, as well as an occasion where a dog jumped the fence into our yard. We erected the bamboo fence as a temporary arrangement. I believe we have addressed all concerns the Planning Commission and Public Works had. If the appeal is granted, we will remove the solid fence and install the wrought iron fence as shown in the plans.

Closed Public Comment.

Commissioners discussed the matter.

MOTION: **Motion by Commissioner Hanssen** to grant an Appeal of a Denial of a Fence Height Exception for construction of a 6-foot-tall fence located within the required front yard setback, street side yard setback, and corner sight triangle on property zoned R-1:8 for 124 Garden Hill Drive with the Special Circumstance finding in Town Code Section 29.40.0320(e)) for the configuration of the property and lack of a rear yard. **Seconded by Commissioner Burnett.**

VOTE: **Motion passed unanimously.**

3. 666 North Santa Cruz Avenue

Conditional Use Permit Application U-22-004

APN 529-10-141

Property Owner/Applicant: Samir Dave, HDLM Associates

Project Planner: Jocelyn Shoopman

Requesting Approval of a Modification to an Existing Conditional Use Permit for a Convenience Market that Includes the Sale of Beer and Wine at an Automobile Service Station on Property Zoned C-1. Categorically Exempt Pursuant to CEQA Guidelines Section 15301: Existing Facilities.

Jocelyn Shoopman, Associate Planner, presented the staff report.

Opened Public Comment.

Kurt Wagenknecht, K12 Architects

- It is common today to have beer and wine sales within convenience stores and most of them provide chilled beer and wine, which is a competitive sale item.

Gary Fowler

- I've been in Town for 36 years and know Sam and his family. He is a hardworking businessperson and a really good guy, and he and his family run a great business. I don't go to Sam's convenience store for beer or wine, but I run in for milk or eggs, as will the 500 new residents of the North Forty and the 500 members of the Los Gatos Lodge. There are only two other convenience stores in town, and with limited parking. I think Sam has a great idea.

Eric Monsef

- I grew up in Los Gatos and have known Sam for 15 years. Sam is a person I can rely on as a friend and a neighborhood helper. Sam, his family, and his business are one of the anchors of the community. That particular location serves as a visual gateway to the town, so having a person and business of such integrity there is a big upgrade to the Town.

Closed Public Comment.

Commissioners discussed the matter.

MOTION: **Motion by Commissioner Hanssen** to approve a modification to an existing Conditional Use Permit for a convenience market that includes the sale of beer and wine at an automobile service station on property zoned C-1 with a modification of Condition 5 to modify the hours of operation to 6:00 a.m. to 10:00 p.m. Monday through Friday and 7:00 a.m. to 10:00 p.m. Saturday and Sunday. **Seconded by Commissioner Janoff.**

VOTE: **Motion passed unanimously.**

OTHER BUSINESS

REPORT FROM THE COMMUNITY DEVELOPMENT DEPARTMENT

Jennifer Armer, Planning Manager

- The Town Council met March 5, 2024:

- Discussed the Housing Element and approved a motion to move forward with the process. The Draft Housing Element is currently in the seven-day public review period with the goal of submitting it to HCD on March 18, 2024.
- An appeal of Planning Commission approval of the new home at 212 Thurston Street was considered. The Town Council denied the appeal and upheld the Planning Commission's decision.

SUBCOMMITTEE REPORTS/COMMISSION MATTERS

Historic Preservation Committee

Commissioner Burnett

- The HPC met March 13, 2024 and considered three items.
 - Two items had returned to the Committee for a final resolution, which was accomplished.
 - The third item was alterations to a storefront on a pre-1941 building on North Santa Cruz Avenue.

ADJOURNMENT

The meeting adjourned at 7:47 p.m.

This is to certify that the foregoing is a true and correct copy of the minutes of the March 13, 2024 meeting as approved by the Planning Commission.

/s/ Vicki Blandin