



**TOWN OF LOS GATOS  
PLANNING COMMISSION  
REPORT**

MEETING DATE: 11/11/2020

ITEM NO: 1

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**DRAFT  
MINUTES OF THE PLANNING COMMISSION MEETING  
OCTOBER 28, 2020**

The Planning Commission of the Town of Los Gatos conducted a Regular Meeting on Wednesday, October 28, 2020, at 7:00 p.m.

**This meeting was conducted utilizing teleconferencing and electronic means consistent with State of California Executive Order N-29-20 dated March 17, 2020, regarding the COVID19 pandemic and was conducted via Zoom. 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 Kathryn Janoff , Commissioner Mary Badame, Commissioner Jeffrey Barnett, Commissioner Kendra Burch, and Commissioner Matthew Hudes  
Absent: Commissioner Reza Tavana

**VERBAL COMMUNICATIONS**

None.

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

**1. Approval of Minutes – October 14, 2020**

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

**VOTE:** Motion passed unanimously.

**PUBLIC HEARINGS**

**2. 101 Broadway**

Architecture and Site Application S-20-003

APN 510-45-041

Applicant: Jay Plett, Architect

Property Owner: ZKJ LLC

Project Planner: Sean Mullin

Consider an Appeal of a Development Review Committee decision approving a Request for Demolition of an Existing Single-family Residence and Construction of a New Single-family Residence Located in the Broadway Historic District on Property Zoned R-1D:LHP.

Sean Mullin, Associate Planner, presented the staff report.

Opened Public Comment.

Karen Kurtz, 107 Broadway (Appellant)

- She has lived in Los Gatos for 54 years and on her property for 32 years. She is a local realtor who has remodeled and refurbished 12 homes in Los Gatos and surrounding areas. The staff report bases its support of the height approval on incorrect drawings that do not show the true negative impact the proposed home would have on the surrounding neighbors. Statements that the height of the proposed house is consistent with the neighboring properties are false. She also requests that the fire hazard be reassessed. The results of the shadow study bear no resemblance to reality.

Jay Plett, Architect (Applicant)

- The shadow study was based on the GIS and Town data. His October 26, 2020 summary shows the most extreme shadows cast on 107 Broadway will pass by mid-morning, with no noticeable shadows as the season goes on. The home is five feet from the property line and 107 Broadway's main structure is 16 feet from the property line, so from their house to 107 Broadway is approximate 21 feet, and the windows on that elevation have been minimized and one has been eliminated. They propose to move the garage back five feet, move the main level and upstairs mass back, and are stepping up the hillside per the design guidelines. They have met all the criteria of the historic regulations, design guidelines, and hillside guidelines.

Tami Kurtz

- She is the daughter of the Appellant. The story poles tell the picture of the mass of the proposed home. The view from the interior and back yard of the Appellant's home has been of the east foothills and entire valley for over a century, but will now see a wall if the proposed home is built. The only portion of the Appellant's yard where she could see the view is a steep hill, not a usable portion of the back yard. The proposed home is highly out of context for the neighborhood and character of historic Broadway.

Paul Clark, 117 Broadway

- One of the reasons the back of the proposed home is so high is because it sits on the upper floor above an Accessory Dwelling Unit (ADU), and that ADU is excluded from the application plans, but the presence of that ADU is what forces the building so high at the back. He asked if the applicant had considered an alternative design that does not include that?

Larry Brandhorst, 93 Broadway

- He supports the appeal, as decisions of both the Historic Preservation Committee and the Development Review Committee were based upon misleading, deceptive, and inaccurate information submitted by the applicant in their Letter of Justification and other materials. He hoped the Commissioners had read this information before taking action on this appeal. He focused on the impact the project would have on the quality of life for the occupants of 93 Broadway and neighboring homes.

Ilona Merli, 89 Broadway

- The inaccuracies the Applicant has put forth still have not been addressed. An entire story pole section on the front of the house was ignored and just put up last week after two months of asking people to look at them. It was suggested their picture was superimposed, but the measurements have been reviewed by two architects and are correct. Her biggest concern is the balcony which would be hanging over her yard.

Jay Plett, Architect (Applicant)

- His team met three times with Mr. Brandhorst. They agreed to move the balcony back five feet to accommodate him and to erect the fence from their ground floor for privacy, which they were not required to do. They addressed all Mr. Brandhorst's concerns and he agreed to them. Windows have been set way back from Mr. Brandhorst's property and there are no two-story windows near the property line.

Karen Kurtz, 107 Broadway (Appellant)

- She suggested designing the house more towards the front to reduce the scale and to utilize the basement better than it is now. She liked the design of 93 Broadway and the way it fits into the site without obstructing views or privacy, and for its tandem garage rather than a side-by-side, two-car garage. The proposed building would cover all of 94 Broadway and all of her living area. Contrary to what the Applicant has said, 101 Broadway would have views from their first story. The front of 101 would shut off her views from the north.

Closed Public Comment.

Commissioners discussed the matter.

**MOTION:**                    **Motion by Commissioner Badame** to continue the public hearing for 101 Broadway with direction to the meeting of December 9, 2020.

Commissioners discussed the matter.

**Seconded by Commissioner Hudes.**

Commissioners discussed the matter.

**VOTE:**                           **Motion passed unanimously.**

**3. 15415 National Avenue**

Subdivision Application M-18-008

APN 424-12-006

Applicant: Kurt B. Anderson

Property Owner: Ramya Muddada

Project Planner: Sean Mullin

Consider approval of a Request for Subdivision of One Lot into Two Lots on property zoned R-1:8.

Sean Mullin, Associate Planner, presented the staff report.

Opened Public Comment.

Kurt Anderson (Applicant)

- A letter of complaint from adjacent property owners at Leila Court contained unfounded concerns. There are great community benefits from their project, such as improvements on National Avenue, undergrounding utilities along the frontage, blending in with the surrounding neighborhood, and keeping the scale of future residences in line with what is adjacent to the property. They meet the subdivision requirements of the lot and are looking for an approval.

Donna and Paul Nelson, 15425 National Avenue

- They live alongside the subject site. They are not against the corridor, or flag lot, however she thought they were frowned upon. If this application is approved they will have a flag lot on each side of their property and she wondered if they are allowed.

Kurt Anderson (Applicant)

- The Nelsons support the corridor and their concern is that their lot is also large enough to support a corridor lot and would like to do the same thing in the future, but they want to know what their potential is.

Closed Public Comment.

Commissioners discussed the matter.

**MOTION:**                           **Motion by Commissioner Badame to approve a Subdivision Application for 15415 National Avenue. Seconded by Commissioner Hudes.**

**Commissioner Barnett requested the motion be amended to include the findings pursuant to LU-4.5.**

**The Maker of the Motion accepted the amendment to the motion.**

**The Seconder of the Motion accepted the amendment to the motion.**

**VOTE: Motion passed unanimously.**

## **OTHER BUSINESS**

### **REPORT FROM THE DIRECTOR OF COMMUNITY DEVELOPMENT**

Joel Paulson, Director of Community Development

- Town Council met October 20, 2020:
  - Considered a second reading for the modifications to the Zoning Ordinance for Lighting and BMP regulations.
  - Adopted revisions to the Hillside Design Standards and Guidelines regarding Visibility Analysis.
  - Denied an appeal of a Planning Commission decision denying the North 40 Market Hall underground parking removal.

### **SUBCOMMITTEE REPORTS/COMMISSION MATTERS**

#### **Historic Preservation Committee**

Commissioner Hudes

- HPC met October 28, 2020 and considered four items:
  - 15 Ellenwood Avenue.
  - 225 Wilder Avenue.
  - 432 Los Gatos Boulevard.
  - 15 Chestnut Avenue.

#### **General Plan Update Advisory Committee**

Commissioner Hanssen

- GPAC met October 15, 2020 and considered the Environment and Sustainability Element second draft.
- GPAC will meet November 5, 2020 to discuss the Land Use and Community Design Elements.

#### **Commission Matters**

None.

**ADJOURNMENT**

The meeting adjourned at 9:24 p.m.

This is to certify that the foregoing is a true and correct copy of the minutes of the October 28, 2020 meeting as approved by the Planning Commission.

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/s/ Vicki Blandin