



**TOWN OF LOS GATOS**  
**PLANNING COMMISSION STAFF REPORT**  
**Meeting Date: August 22, 2012**

**ITEM NO: 3**  
**DESK ITEM**

PREPARED BY: Marni F. Moseley, Associate Planner, AICP  
[mmoseley@losgatosca.gov](mailto:mmoseley@losgatosca.gov)

APPLICATION NO.: Architecture and Site Application S-12-028

LOCATION: **357 Pennsylvania Avenue** (south side of Pennsylvania Avenue, near the intersection of Palm Avenue)

**APPLICANT/PROPERTY**

OWNER: Dave Lazares

CONTACT PERSON: Dave Lazares

**APPLICATION**

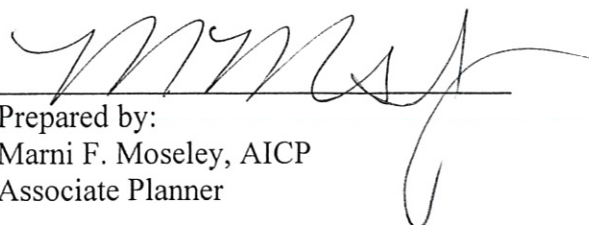
SUMMARY: Requesting approval to demolish a single family residence and construct a new single family residence on property zoned R-1:8. APNs 510-41-069 and 070.

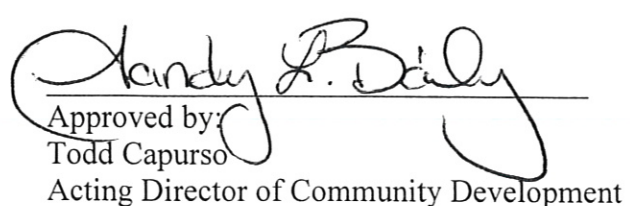
EXHIBITS: 1-18. Previously received  
19. Letter from 361 Pennsylvania, received August 15, 2012 (one page)  
20. Additional information from Consulting Architect, received August 20, 2012 (three pages)  
21. Letter from applicant, received August 17, 2012 (three pages)

REMARKS:

In the addendum report, staff noted that the applicant's recent submittal of a third elevation option (Exhibit 18) would be sent to the Town's Consulting Architect for review and that staff would report the Consultant's comments to the Commission. The Consultant noted that the third option was an improvement over the first revision; however, still felt that the original design was the better option (Exhibit 20).

Attached is a letter from the uphill neighbor at 361 Pennsylvania Avenue (Exhibit 19) and a letter from the applicant which partially responds to the letter from the downhill neighbor at 347 Pennsylvania Avenue (Exhibit 21).

  
Prepared by:  
Marni F. Moseley, AICP  
Associate Planner

  
Approved by:  
Todd Capurso  
Acting Director of Community Development

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Ref: 357 Pennsylvania Approval

Marcia Jensen  
Chair of the Planning Commission  
Town of Los Gatos

Dear Ms. Jensen,

My wife and myself will not be able to attend the Aug 22 Planning Commission Meeting. We've previously sent you a letter (July 25, 2012) presenting our thoughts on this matter. We respectfully urge you, and the Commission, to vote favorable for the revised plans presented by Mr. and Mrs. David Lazares. We live at 361 Pennsylvania, the uphill neighbors.

Thank You

Dennis Chambers  
Partner

Cassidy Turley  
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Turley** / Commercial  
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## Marni Moseley

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**From:** Larry Cannon <cdgplan@pacbell.net>  
**Sent:** Monday, August 20, 2012 2:13 PM  
**To:** Marni Moseley  
**Subject:** Re: 357 Pennsylvania  
**Attachments:** Design Elevations Comparison 082012.pdf; Roof Examples.pdf

RECEIVED

AUG 20 2012

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

TOWN OF LOS GATOS  
PLANNING DIVISION

Marni

I looked at the elevations, and compared it to the original and the first revision (see attached pdf). The change is definitely an improvement over the first revision with the large gable dormer. My feeling, however, is that the original design was a much better design because of its simplicity of roof treatment. I understand the thinking of using a hip roof, but it looks foreign to the design. To my eye, the scale of the roof and dormers, as originally proposed, is not fundamentally larger than the Los Gatos examples on the attached photos sheet.

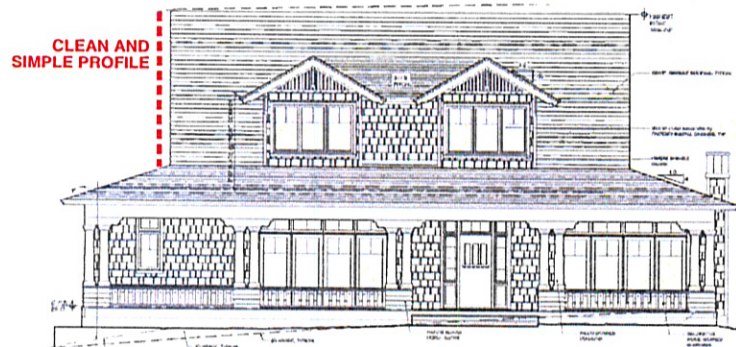
Larry

*Larry Cannon*

CANNON DESIGN GROUP  
700 Larkspur Landing Circle  
Suite 199  
Larkspur, CA 94939  
(415) 331-3795

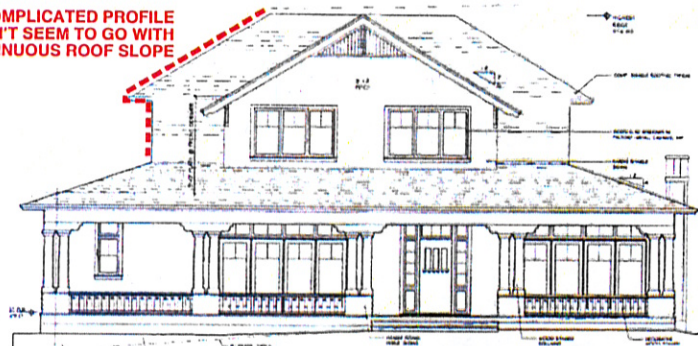
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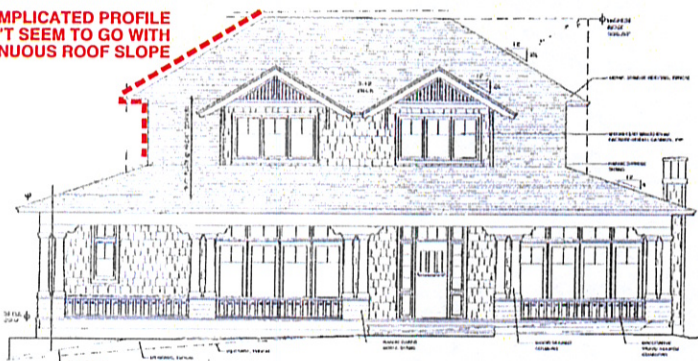
ORIGINAL DESIGN

MORE COMPLICATED PROFILE  
DOESN'T SEEM TO GO WITH  
CONTINUOUS ROOF SLOPE

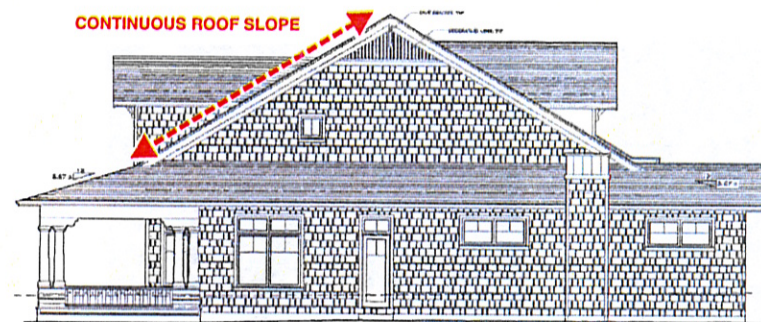


REVISION #1

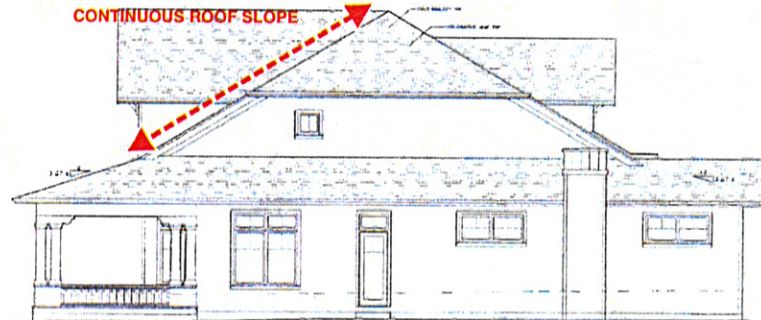
MORE COMPLICATED PROFILE  
DOESN'T SEEM TO GO WITH  
CONTINUOUS ROOF SLOPE



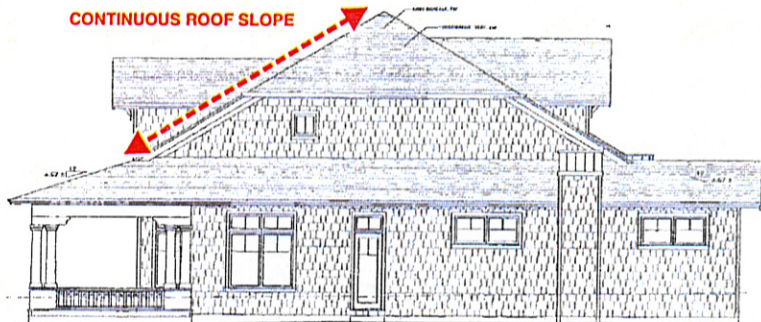
CURRENT REVISION



CONTINUOUS ROOF SLOPE



CONTINUOUS ROOF SLOPE



Design Comparisons and Comments  
357 PENNSYLVANIA AVENUE

CANNON DESIGN GROUP  
August 20, 2012

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Attention: Marni Moseley, Associate Planner

RE: Response to the letter from neighbor 347 Macnaughton dated August 16, 2012

Dear Marni,

We want to make a few comments regarding the above letter of August 16th. We sent Mr. Macnaughton and the Quintana's a package with the revised plan, landscape plan and the Town Architects comments on the revised house design. I invited them to call me should they have any questions. Mr. Macnaughton sent me an email regarding the plan and the letter that was sent to the Town. The Quintanas requested a meeting which happened today Friday August 17. At no time has Mr. Macnaughton requested a face to face meeting.

Mr. Macnaughton's residence sits on a lot that is 4983 square feet, the smallest lot in the area of Palm Avenue to Wissahickon Avenue including Palm and Walnut Avenues, which includes approximately 30 lots. 347 and 345 Pennsylvania were originally one lot of approximately 10,000 sq ft and was subdivided into the two smallest lots in the area. The house on the property is in the middle of the lot as Mr. Macnaughton has stated because there is no back yard. This lot would not be approved in Los Gatos today. This lot is different and the smallest lot in the entire neighborhood.

With regard to the placement of our residence it is in accordance with the town ordinance set back 20 feet as is the next door neighbor at 361 Pennsylvania and the balance of neighbors on Pennsylvania to Wissahickon. This complies with the neighborhood. 347 Pennsylvania seems to only be set back 16'.

Our side yard requirement also complies with the town ordinance. The town ordinance says that the side yard setback needs to be 8 feet. We are currently designed at 10 feet. Because of the size of Mr. Macnaughton's lot his house is only set back 5 feet.

With regard to his fence comment you have ordinances stating the height that a fence can be built. We will comply with all the town requirements when building our fencing. The house was overgrown with weeds and bushes when we purchased the site. Had we not taken these bushes down we believe the neighbor would have had no view. Also as you visit the site we question his view that he states he currently has. We have tried to see the view from his house and do not see what view he is talking about.

We are trying to be a good neighbor and consider the concerns of all of the neighbors but we cannot make this neighbor happy no matter what we build unless we ruin the integrity of our proposed house. Our neighbor is at 30% coverage and we are only at 23% coverage. We have complied with all the town ordinances and setbacks and have worked with staff to achieve a positive staff report and as was stated in the last planning commission meeting by one of the commissioners, as positive a report as

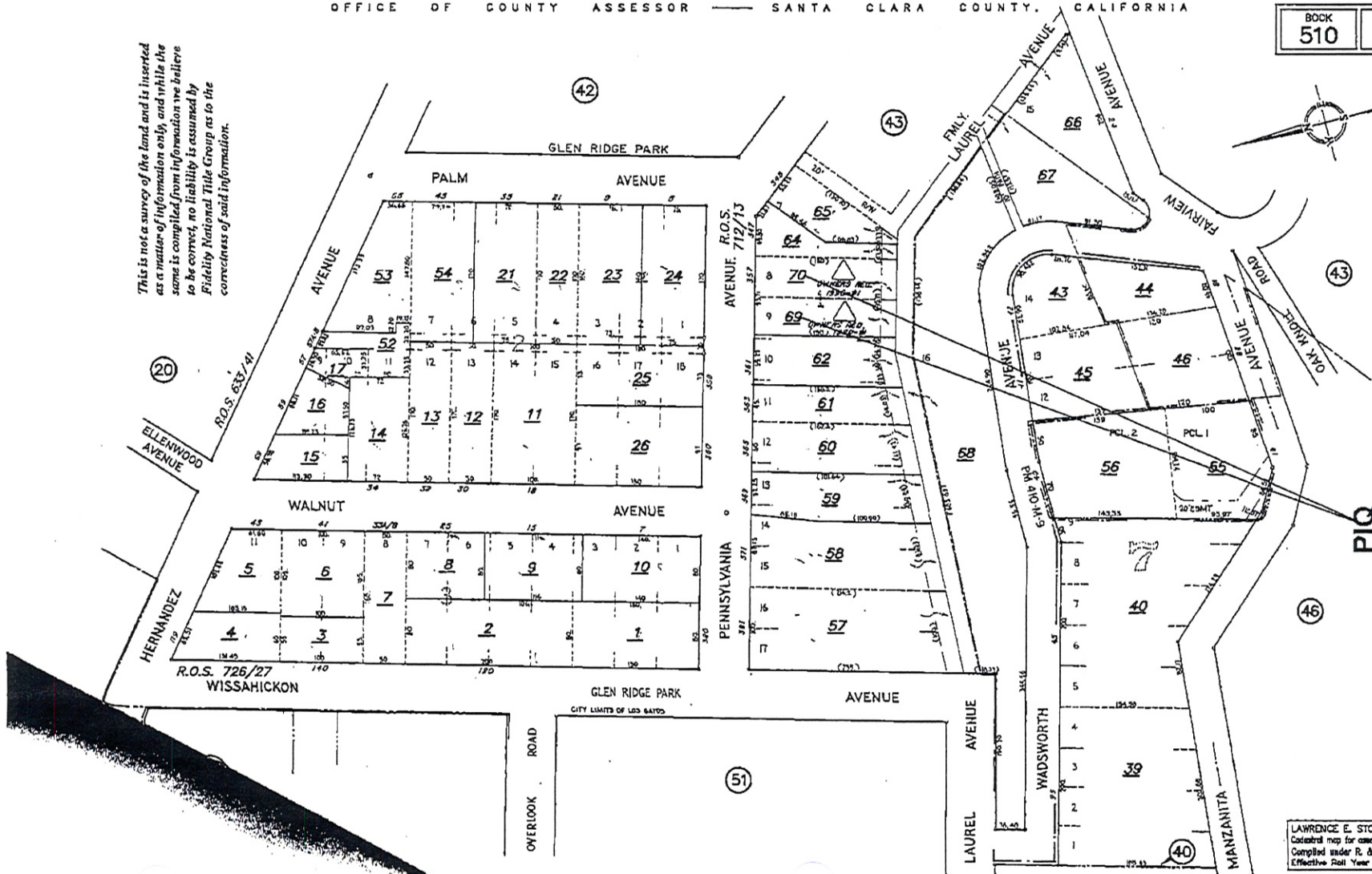
he has seen written by the Town's Architectural consultant. We have tired to screen our house with planting more than the required amount of trees in the front. We don't think there is anything else we can do to please all the neighbors. Additional studies will produce nothing positive. We would like a ruling tonight August 22 on our application that we have been working on for nine months.

Thank you for your time and consideration.

DLL

David Lazares  
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Los Gatos, CA 95032  
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fax 408 399-4397  
email [dlazares@lazareshcompanies.com](mailto:dlazares@lazareshcompanies.com)

This is not a survey of the land and is inserted as a matter of information only, and while the same is compiled from information we believe to be correct, no liability is assumed by Fidelity National Title Group as to the correctness of said information.



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