



**TOWN OF LOS GATOS
PLANNING COMMISSION
REPORT**

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

The Planning Commission of the Town of Los Gatos conducted a Regular Meeting on Wednesday, March 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, Commissioner Reza Tavana, and Commissioner Emily Thomas

Absent: None.

VERBAL COMMUNICATIONS

None.

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

1. Approval of Minutes – February 23, 2022

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

VOTE: Motion passed unanimously.

PUBLIC HEARINGS

2. 289 Marchmont Drive

APN 532-10-019

Applicant: David Britt

Appellants: Mark Jamieson and Don Woodward

Property Owner: Durgaprasad Shamain

Project Planner: Jocelyn Shoopman

Consider an Appeal of a Community Development Director Decision to Approve Construction of a Second Story Addition to an Existing Single-Family Residence on Property Zoned R-1:10.

Jocelyn Shoopman, Associate Planner, presented the staff report.

Vice Chair Barnett indicated he would recuse himself from the public hearing regarding 289 Marchmont Drive due to the proximity of his residence to the subject site.

Opened Public Comment.

Mark Jamieson (Appellant)

- The appeal was made in conjunction with our neighbors at 293 Marchmont, Jihun Choi and Naree Yoon. The proposed 1,320-foot second-story addition is not in character with the neighborhood; it is too large, with an FAR that is 20 percent more than any other residence. The applicant's foundation is three feet higher than ours, making the proposed structure appear taller than 28 feet. Of the 25 houses in the subdivision, only five are two-story homes.

Jihun Choi (Appellant)

- I conducted a shadow study based on the owner's information and found that our solar access would be impacted by the proposed second story. There is also a tree impacting our solar and I hope the property owner can cut it down to get some sun. I believe the cost of the impact will be over 10 percent, due to the impact on our solar energy. We will also be directly impacted by one of the windows on the second story addition.

Janhavi Gudal (Applicant/Owner)

- We plan to add a second floor to our home because our family has grown to three children. The appellants are concerned that additional bathrooms would not be in alignment with California water conservation, but our house occupancy would stay the same and we plan to install water-conserving fixtures. We are not increasing the house's footprint in order to preserve trees, outdoor spaces, and our long driveway. The appellants are concerned about construction vehicle parking and noise that is inherent to any construction. Our long driveway will be used for construction vehicle parking, and a contractor will follow Los

Gatos ordinances regarding construction timing and noise. We are asking for no exceptions or variances. We have followed all the Town Consulting Architect's recommendations. We have conducted neighborhood outreach door to door and through emails and have received positive feedback. We met with the appellants after the appeal was filed with the Town and appellant Woodward viewed our evergreen trees that provide screening and agreed that there would be no privacy issues. There is 130 feet between the appellant's second story bedroom windows and our bedroom windows on the proposed addition.

David Britt of Britt/Rowe (Applicant/Architect)

- I designed the project within the Municipal Code as well as the Los Gatos Residential Design Guidelines, worked closely with Town staff to ensure the project was compatible with the neighborhood, and adopted all the Town Consulting Architect's recommendations. I commend my client for working so closely with the neighbors and received comments that there would be no issues.

Mark Jamieson (Appellant)

- We have met with the applicants several times to discuss the issues and have gotten nowhere, as the applicants are unwilling to change their plans. What I really object to is demolishing some of the first-floor square footage to increase the second story square footage. Five bedrooms and six-and-a-half bathrooms seem excessive. Changes I've come up with include: decreasing the second floor ceilings to eight feet; decreasing the roof slope; increasing the second story setback on the 293 Marchmont side; or building an addition on the front of the house that would not affect 293 Marchmont's solar. We are also concerned about traffic safety for pedestrians walking by the school, as I don't believe the applicants would keep their word to not have construction vehicles parked on the street. This is a large project, not just an addition, but basically remodeling the whole house.

Jihun Choi (Appellant)

- We have two groups of windows facing the applicant's wall. One is a bathroom that is impacted by shadows in the late afternoon, and the other is a powder room window closer to the wall, which is a source of sunshine, so that is a big concern. Solar is our biggest concern, because we rely on it, and I have an electric vehicle, so the project would definitely make some trouble for us.

Closed Public Comment.

Commissioners discussed the matter.

Opened Public Comment.

Commissioners asked questions of the applicant.

Closed Public Comment.

Commissioners discussed the matter.

MOTION: **Motion by Commissioner Raspe** to deny an appeal of a Community Development Director decision to approve construction of a second story addition to an existing single-family residence at 289 Marchmont Drive, with conditions that: 1) the overall building structure be reduced by two feet by imposition of eight-foot second floor ceiling heights and a 4:12 roof pitch on the second story; and 2) the Town imposes conditions regarding appropriate traffic measures during school hours. **Seconded by Commissioner Clark.**

VOTE: **Motion passed unanimously.**

OTHER BUSINESS

None.

REPORT FROM THE DIRECTOR OF COMMUNITY DEVELOPMENT

Joel Paulson, Director of Community Development

- The Town Council held a retreat on March 5, 2022.

SUBCOMMITTEE REPORTS/COMMISSION MATTERS

Conceptual Development Advisory Committee

Vice Chair Barnett

- The CDAC met March 9, 2022, to discuss a proposal for mixed-use development in Phase 2 of the North Forty Specific Plan. Items discussed included: a percentage of below-market housing; public outreach requirements; a mix of residential, commercial, and retail; building heights; and density.

Commissioner Janoff

- Attended her first CDAC meeting on March 9, 2022, and was impressed that the input from the community was in 100 percent agreement that more below-market affordable housing is needed.

Commission Matters

Chair Hanssen

- Thanked West Valley Community Services for holding a session on the Housing Element and hoped they could continue doing that as the Housing Element process moves forward.

Commissioner Thomas

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- Spoke at the Youth Commission meeting on March 8, 2022, in her capacity as a teacher and told the Commission about the Balancing Act, the community tool available soon that will bring information from the community to the Housing Element Advisory Board.

ADJOURNMENT

The meeting adjourned at 8:35 p.m.

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

/s/ Vicki Blandin