



**TOWN OF LOS GATOS
PLANNING COMMISSION
REPORT**

**MINUTES OF THE PLANNING COMMISSION MEETING
MAY 11, 2022**

The Planning Commission of the Town of Los Gatos conducted a Regular Meeting on Wednesday, May 11, 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, and Commissioner Reza Tavana
Absent: Commissioner Steve Raspe, Commissioner Emily Thomas

VERBAL COMMUNICATIONS

None.

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

- 1. Approval of Minutes** – April 25, 2022 Planning Commission Special Meeting
- 2. Approval of Minutes** – April 27, 2022 Planning Commission Meeting

MOTION: **Motion by Commissioner Clark to approve adoption of the Consent Calendar. Seconded by Commissioner Tavana.**

VOTE: **Motion passed unanimously.**

PUBLIC HEARINGS

3. 14741 Blossom Hill Road

Fence Height Exception Application FHE-22-003

APN 527-41-047

Property Owner/Applicant/Appellant: Alexandra Mims

Project Planner: Ryan Safty

Consider an Appeal of a Community Development Director Decision to deny a fence height exception request for construction of a five-foot, nine-inch fence located within the required front yard setback on property zoned R-1:10.

Ryan Safty, Associate Planner, presented the staff report.

Opened Public Comment.

Alexandra Mims (Property Owner/Applicant/Appellant)

- This fence has been in place for over two years. At the time we had the fence built, just a few months after the new Fence Ordinance had passed, we asked the fence company and an inspector for the house about the correct setback and they all cleared it. Several houses in the neighborhood have very high fences at the property line. Our fence is set back 15 feet, not at the property line, and is not along the entire frontage. There is a privacy issue along Blossom Hill Road; we have stand-still traffic in front of our house with people staring into our bedrooms. Regent Drive, a community of 40-plus houses, is directly across the street with cars going up and down Regent and coming to the stop sign directly in front of our house, so people look into the windows and headlights shine into the house at night. Reducing the fence height would not help with privacy. We have a fence rather than shrubs or landscaping because we have young children, and it is dangerous for them to have access to Blossom Hill Road. Fence companies have said it would be \$2,000 to move the fence 8 feet. Moving the fence would also wipe out the garden area and fruit trees on the other side of the fence.

Alexandra Mims (Property Owner/Applicant/Appellant)

- Part of the Fence Code specifically calls out the right of residents to install fences to protect their children, and that is part of the reason why we chose a fence and not landscaping.

Closed Public Comment.

Commissioners discussed the matter.

MOTION: **Motion by Commissioner Janoff** to grant the appeal and approve the five-foot, nine-inch fence as currently built, located in the front yard within the required front setback, with an exception to the Fence Ordinance Section 29.40.0320, Item e, Special Circumstance, for the reasons provided. **Seconded by Commissioner Clark.**

VOTE: **Motion passed unanimously.**

4. 16668 Shannon Road

Architecture and Site Application S-21-039

APN 532-05-002

Property Owners/Applicants: Peter and Cheri Binkley

Project Planner: Erin Walters

Requesting Approval for Technical Demolition of an existing single-family residence and construction of a new single-family residence on property zoned R-1:8.

Erin Walters, Associate Planner, presented the staff report.

Opened Public Comment.

Cheri Binkley (Property Owner/Applicant)

- We have lived in Los Gatos for 12 years. We love the location of our current lot because of the proximity to work, school, parks, and the downtown reachable by using bikes, scooters, and walking. It is a large lot with a south-facing backyard that allows vegetable gardening and the use of solar energy. Our current home requires a lot work: it needs a new roof; and all the windows are currently single-pane and cracked. Because the stucco goes all the way to the ground more walls will have to be removed than originally hoped.

Peter Binkley (Property Owner/Applicant)

- We want to have a two-story house that is larger than houses in the immediate neighborhood, but there are many homes of similar size going down Englewood. Sometimes second stories can look imposing, but our second story would be set back significantly from both the front, back, and sides. The setbacks, along with landscaping, should soften the imposing nature. Our home is nestled between two two-story homes, to the right and behind, so our two-story home would not obstruct anything other than a view of another two-story home.

Closed Public Comment.

Commissioners discussed the matter.

MOTION: **Motion by Vice Chair Barnett** to approve the Architecture and Site application for 16668 Shannon Road. **Seconded by Commissioner Tavana.**

Commissioner Janoff requested the motion be amended to include clarifying language that the front elevation windows in Exhibit 13 would not have divided lights.

The maker of the motion accepted the amendment to the motion.

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VOTE: **Motion passed unanimously.**

OTHER BUSINESS

None.

REPORT FROM THE DIRECTOR OF COMMUNITY DEVELOPMENT

Joel Paulson, Director of Community Development

- A community meeting regarding objective standards is scheduled for May 12, 2022 via Zoom.
- A Housing Element Advisory Board (HEAB) meeting is scheduled for May 19, 2022 to discuss site inventory selection for the Housing Element. The HEAB will make a recommendation to the Town Council, who will consider the draft site inventory.

SUBCOMMITTEE REPORTS/COMMISSION MATTERS

Conceptual Development Advisory Committee

Vice Chair Barnett

- CDAC met May 11, 2022 regarding a request to amend a Planned Development for 300 Mountain Laurel Lane and allow construction of a 6,000 square foot residence where 3,000 square feet is the maximum allowed. The Committee made recommendations and comments.

Housing Element Advisory Board

Chair Hanssen

- HEAB met May 5, 2022 to discuss the site inventory and the ten districts in which new housing could be built. HEAB will meet again on May 19, 2022 to review more details regarding those sites, with the goal of recommending a list of potential sites to go to the Town Council that would satisfy the RHNA allocation plus the required buffer.

Commission Matters

Commissioner Clark

- Encouraged fellow commissioners to use the Balancing Act tool to have an understanding of what community members are seeing when they think about sites, and to provide Commissioner input. Commissioner Clark also encouraged community members to use the tool.

ADJOURNMENT

The meeting adjourned at 8:15 p.m.

This is to certify that the foregoing is a true and correct copy of the minutes of the May 11, 2022 meeting as approved by the Planning Commission.

/s/ Vicki Blandin