



**TOWN OF LOS GATOS
PLANNING COMMISSION
REPORT**

**MINUTES OF THE PLANNING COMMISSION MEETING
JULY 22, 2020**

The Planning Commission of the Town of Los Gatos conducted a Regular Meeting on Wednesday, July 22, 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, Commissioner Matthew Hudes, and Commissioner Reza Tavana.

Absent: None.

VERBAL COMMUNICATIONS

None.

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

1. Approval of Minutes – June 10, 2020

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

VOTE: Motion passed unanimously

PUBLIC HEARINGS

2. 146 Robin Way

Architecture and Site Application S-19-043

APN 532-12-015

Applicant: Gary Kohlsaar

Property Owner: Mehrdad and Leila Dehkordi
Project Planner: Diego Mora

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 on property zoned R-1:10.

Diego Mora, Assistant Planner, presented the staff report.

Opened Public Comment.

Jim Zaky, 140 Robin Way, Appellant

- He filed the appeal to ensure the screening and fence is provided. They have many privacy concerns such as the removal of an apple tree and rhododendrons that provide screening, which would create a clear line of site from their back yard to the Applicant's back yard and the rear elevation of the new home and they wish to have that screened with plants. The Applicants have proposed keeping the apple tree and installing ten 15-gallon, 6-foot tall podocarpus. He proposes 20 36-inch box podocarpus along the fence line to provide privacy screening.

Gary Kohlsaas, Applicant

- They met with the Appellants on July 9, 2020 to address their concerns and are fine with the 8-foot fence with 6 feet of solid and 2 feet of lattice. They believe the apple tree could survive with some soil around it and are raising the house up by 6-inches, so they have the ability to add topsoil to cover the roots. The difficulty with installing larger podocarpus in 36-inch boxes is they are very expensive and it is preferred to plant smaller sizes in the long term because they will catch up to 36-inch boxes and do not require as large a planter, but he understood the Appellant's desire for immediate screening.

Robert Buxton, 118 Robin Way

- He supports the Appellants and their right to privacy and quality of life. 36-inch box podocarpus is appropriate for the Applicant to install. He recommends the Planning Commission continue the matter to a date certain with special direction. His memo to the DRC dated May 18, 2020 points out that Exhibit 15 is incorrect in many ways as to the neighbors' positions. They never approved the project last December and they do not approve it now, and they support the Appellants.

Gary Kohlsaas, Applicant

- They have not given up on working with the Appellants and this is not their final offer. They respect the process and Town staff and will ensure they do right by everyone. They changed the architecture dramatically in terms of simplifying it after receiving the Town Architect's review and staff found it appropriate. They simplified it even more to address

neighbors' concerns by lowering the house and creating more exhibits to showcase what they had done.

Jim Zaky, 140 Robin Way, Appellant

- The ten 15-gallon podocarpus are no more than 6 feet tall. The existing apple tree has a surface root system and any proposed foundation would encroach well under the canopy and over the exposed root structure. The 20 lineal feet of 12-foot tall rhododendrons to be removed was not addressed in the revised plan and leaves substantial exposure. The required no less than 8-foot fence was also not reflected in the revised plans. 15-gallon podocarpus take ten years to reach the height and girth for the required screening; 36-inch box podocarpus would be required to achieve that.

Closed Public Comment.

Commissioners discussed the matter.

MOTION: **Motion by Vice Chair Janoff** to deny the appeal with the condition of amending the conditions of approval to include the four points of the proposal provided by the Appellant. **Seconded by Commissioner Badame.**

VOTE: **Motion passed 5-2 with Commissioners Burch and Hudes dissenting.**

OTHER BUSINESS

REPORT FROM THE DIRECTOR OF COMMUNITY DEVELOPMENT

Joel Paulson, Director of Community Development

- The General Plan Update Advisory Committee met July 16, 2020 to begin discussion on the General Plan Mobility Element with further discussion in August.
- A scoping meeting for the Environmental Impact Report for the General Plan Update is scheduled for July 23, 2020.
- The General Plan Update Advisory Committee will hold a special a meeting on July 30, 2020 to discuss pandemic response, emergency health issues, and racial inequality and social justice.

SUBCOMMITTEE REPORTS/COMMISSION MATTERS

Historic Preservation Committee

Commissioner Hudes

- HPC met July 22, 2020 and considered six items:
 - o 445 Los Gatos Boulevard

- 224 Wilder Avenue
- 253 West Main Street
- 78 West Main Street
- 17361 East Vineland Avenue
- Input to the General Plan

General Plan Update Advisory Committee

Chair Hanssen

- The GPAC has met three times since the last Planning Commission meeting on June 10, 2020:
 - June 18, 2020 regarding the Public Facilities, Services, and Infrastructure Element.
 - July 2, 2020 regarding the Environment and Sustainability Element.
 - July 16, 2020 regarding the Mobility Element.

Commission Matters

None.

ADJOURNMENT

The meeting adjourned at 8:12 p.m.

This is to certify that the foregoing is a true and correct copy of the minutes of the July 22, 2020 meeting as approved by the Planning Commission.

/s/Vicki Blandin