



**TOWN OF LOS GATOS
CONCEPTUAL
DEVELOPMENT ADVISORY
COMMITTEE REPORT**

**DRAFT
MINUTES OF THE CONCEPTUAL DEVELOPMENT ADVISORY COMMITTEE MEETING
MAY 11, 2022**

The Conceptual Development Advisory Committee of the Town of Los Gatos conducted a Regular Meeting on May 11, 2022, at 4:00 p.m.

This meeting is being 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 this meeting will not be physically open to the public and the Council and/or Commissioners will be teleconferencing from remote locations. Members of the public can only participate in the meeting by joining the Zoom webinar.

MEETING CALLED TO ORDER AT 4:00 PM

ROLL CALL

Present: Chair Jeffrey Barnett, Vice Chair Mary Badame, Vice Mayor Maria Ristow, and Planning Commissioner Kathryn Janoff.

Absent: Planning Commissioner Reza Tavana

VERBAL COMMUNICATIONS

- None.

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

1. **Approval of Minutes** – March 9, 2022

Amendment: Remove “and if positioned too close to the freeway.”

MOTION: **Motion by Vice Chair Badame** to approve the consent calendar with the amendment proposed by Chair Barnett. **Seconded by Vice Mayor Ristow.**

VOTE: **Motion passed unanimously.**

MINUTES OF CONCEPTUAL DEVELOPMENT ADVISORY COMMITTEE MEETING
OF MAY 11, 2022

PUBLIC HEARINGS

2. 300 Mountain Laurel Lane

Conceptual Development Advisory Committee Application CD-22-003.

Requesting Preliminary Review of a Proposal to Amend a Planned Development Ordinance to Increase the Maximum Residence Size Allowed on Property Zoned HR-5:PD. APN: 567-24-023.

PROPERTY OWNER: Bright Smile Dental Office Defined Benefit Plan

APPLICANT: Kunling Wu, Trustee of the Bright Smile Dental Office Defined Benefit Plan

PROJECT PLANNER: Sean Mullin

Project Planner presented the staff report.

Committee asked questions of the Staff.

Opened Public Comment.

Applicant presented the proposed project.

Tao Ning, Speaker for the Applicant

- They are applying for a single-story home. They want to be allowed to build up to but not necessarily at 6,000 square feet. The houses on the current lots 1 to 13, range in size from 4,500 to 6,441 square feet in the immediate surroundings. The proposed house will only have a single-story and hopefully lighting will not be a concern. The lot size is 8.1 acres with 7,500 square feet of buildable area. Current development estimates list a land value of \$1.7 million and a building cost of \$1 million. If a residential house were to be built, the cost would be \$2.7 million. If restricted to only 2,400 to 3,000 square feet, that would vastly undervalue what they can develop on this property. SB 9 was passed to promote development.

Committee asked questions of the Applicant.

Tao Ning, Speaker for the Applicant

- The definition of a big family includes the extended family of cousins, grandparent, parents, one unmarried son, and any future grandchildren. Currently there are four adults.
- There is a tentative plan for sale to a third-party developer. If the restriction of 2,400 to 3,000 square feet cannot be amended, they would consider selling it to a third party. A third party has not been defined.

MINUTES OF CONCEPTUAL DEVELOPMENT ADVISORY COMMITTEE MEETING
OF MAY 11, 2022

Kim Willingham, Neighbor

- The driveway for lot 14 is adjacent to their driveway. It is a very long steep way up. They are concerned about the driveway speed and noise on the right side of their house. The neighborhood is quiet with mainly retired residents and very few kids. They cannot tell people how many can live in a home, but it does impact them. Does the 6,000 square feet include an accessory structure? They are limited to the amount square feet they can have in the HOA. Lot 14 is a part of the HOA.

Mitch, Secretary of Shannon Valley Ranch HOA

- Some of the house size comps used were part of another subdivision and not part of the Shannon Valley Ranch HOA. The HOA home sizes are limited to 4,800 square feet. The size of a lot 14 home was discussed at their board meeting when lot 14 was sold. They did not object to lot 14 expanding beyond the original 2,500 sf size. But no other home in the HOA is 6,000 square feet. The structure should stay within with the HOA home size limit. The CCRs and board thought lot 14 was part of the HOA restrictions.

Tao Ning, Speaker for the Applicant

- The noise and traffic on the driveway should not be a significant burden to the community. The grandparent will not be driving, just the other three adults. They work consistently throughout the week and weekend. The traffic level would be nothing equal to a commercial entity such as a preschool. There would be no young children coming in and out.

Closed Public Comment.

Committee members discussed the matter and provided the following questions and comments:

- The title was transferred in October 2020.
- No secondary access is planned at this time. Secondary access was considered from the bottom of the hill at Mount Laurel Lane.
- CDAC is not here to approve, but to bring up what could be potential issues. What can be built is regardless of who might or will live there. Projects might change after approval. People move. Who will be living there, is a secondary consideration.
- How does SB 9 tie into this? With the HOA there are restrictions on how many structures, how big a development, etc. For example, FAR vs HOA restriction, which takes precedence?
- According to staff the SB 9 ordinance is not applicable to the PD. The PD is an overlay zone. If there's a limitation on FAR in the PD it takes precedence over any underlying zone.
- This is a recently established development. It has a cohesive spread out look. The lot should be under the HOA restrictions.

MINUTES OF CONCEPTUAL DEVELOPMENT ADVISORY COMMITTEE MEETING
OF MAY 11, 2022

- The driveway length will probably require an exception for length and grading.
- It's a recently established planned development. There are advantages and disadvantages for living in a planned development. It's hard for a deciding body to change that.
- Concerned about the lack of secondary access for fire safety. Making an exception is a tough call. Fire safety and the lives of people should be the number one concern.
- The driveway seems excessively long. Is it possible to gain secondary access from Santa Rosa or a street closer to the building site?
- According to staff, secondary access from Santa Rosa requires easements from one or two private parties. Staff would check should an application come forward.
- If the committee allowed a 6,000 square foot expansion, would that open it up to the other lots? The committee is concerned about creating a problem.
- Lighting would double when expanding from a 3,000 to 6,000 square foot structure.
- This PD was already looked at by DRC, the Planning Commission, and twice by the Town. The circumstances have not changed. I am reluctant to see that change.
- There is a history of compatibility of the house being at 6,000 square feet to the remaining lots 1 to 13 at 4,850 square feet. The General Plan policy requires compatibility with the scale and character of the surrounding structures.
- Placement on the ridge causes concern.
- Concerned about the slope and length of the driveway for fire safety and other reasons.
- According to staff, a formal LRDA analysis was probably not done before this meeting. It was probably identified by just looking at the topo map for the flattest portion of the property and where the former home was located. With an Architecture and Site application, staff would look at the LRDA, etc.

OTHER BUSINESS

- None.

ADJOURNMENT

The meeting adjourned at 4:37 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
Conceptual Development Advisory Committee.

/s/ Joel Paulson, Community Development Director