



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 03/07/2023

ITEM NO: 7

DATE: March 2, 2023
TO: Mayor and Town Council
FROM: Laurel Prevetti, Town Manager
SUBJECT: Introduce an Ordinance of the Town Council of the Town of Los Gatos, by Title Only, Amending Planned Development Ordinance 2172 Relative to the Maximum Residence Size Allowed on Lot 14 and the Maximum Average Residence Size Allowed in the Shannon Valley Ranch Subdivision and Repealing Ordinance 2172 for the Shannon Valley Ranch Subdivision at Shannon and Hicks Roads (Shannon Oaks and Mountain Laurel Lanes) on Property Zoned HR-5:PD. APN: 567-24-023. This Request for Modification of a Planned Development Ordinance is not Considered a Project Under the California Environmental Quality Act. Planned Development Ordinance Application PD-22-001. Location: 300 Mountain Laurel Lane. PROPERTY OWNER: Bright Smile Dental Office Defined Benefit Plan. APPLICANT: Kunling Wu, Trustee.

RECOMMENDATION:

Introduce an Ordinance of the Town Council of the Town of Los Gatos, by title only, amending Planned Development Ordinance 2172 relative to the maximum residence size allowed on Lot 14 and the maximum average residence size allowed in the Shannon Valley Ranch subdivision and repealing Ordinance 2172 for the Shannon Valley Ranch subdivision at Shannon and Hicks Roads (Shannon Oaks and Mountain Laurel Lanes).

BACKGROUND:

The subject property is approximately 8.14 acres located in the northern portion of the Shannon Valley Ranch subdivision (Attachment 2, Exhibit 1). A single-family residence was once located on the property, but was destroyed by fire in 1997, prior to the 2004 subdivision. The property is the last undeveloped residential property in the subdivision.

PREPARED BY: Sean Mullin, AICP
Senior Planner

Reviewed by: Town Manager, Community Development Director, Town Attorney, and Finance Director

BACKGROUND (continued):

In March 2002, the Town Council considered a Planned Development (PD) application at 17101 Hicks Road and 14045 Shannon Road. Town Council approved application DEV-99-02, adopted PD Ordinance 2097; amended the General Plan land use designation from Agricultural to Hillside Residential; and changed the zoning from HR-5:Prezone to HR-5:PD to allow subdivision of the property into 14 single-family lots and three open space lots (Attachment 2, Exhibit 3). Architecture and Site applications for new residences on Lots 1 through 13 were approved in 2002 and 2003. The subdivision was completed in November 2004 and subsequent Building Permits were issued in December of 2004. In 2006, the Town Council adopted PD Ordinance 2150 amending the original PD with a modified grading plan for Lots 6 through 11. The 13 new residences were completed by 2007. In 2009, the Town Council adopted PD Ordinance 2172 amending the Ordinance 2150 to allow accessory structures on all 14 lots, provided they comply with the Hillside Development Standards and Guidelines (HDS&G) (Attachment 2, Exhibit 4).

The original PD application was considered numerous times by the Development Review Committee and the Planning Commission prior to the Council's action in March 2002. During the final Planning Commission meeting on January 23, 2002, two members of the public spoke on the project, offering comments specific to the size of the replacement residence on Lot 14 (Attachment 2, Exhibit 5, highlighted text). Both commenters expressed concern on whether developing Lot 14 was appropriate, with one commenter adding that if Lot 14 is to be developed, it should be rebuilt in the original footprint and not turned into a 4,600 or 4,800 square foot home. The motion to forward a recommendation of approval to the Town Council included an additional performance standard that Lot 14 be developed under the guidelines of a replacement structure, similar in square footage, mass, and scale to the original residence that was destroyed by fire. This additional performance standard was forwarded to the Council and included as Performance Standard 8 in Ordinance 2097 and the amended Ordinances 2150 and 2172. The Town Council approved the PD application in March 2002 with the additional performance standard as recommended by the Planning Commission.

Town records for Lot 14 do not provide much detail on the original residence that was destroyed by fire. An April 20, 2016, letter from Greenbriar Homes Communities (applicant under the original PD application) to Mr. Alan Barbie of the Sereno Group indicates that the original home was one story and approximately 2,400 square feet (Attachment 2, Exhibit 6). Other anecdotal information indicates that the size of the original residence was closer to 3,000 square feet. Given the incomplete nature of the records for Lot 14, staff has communicated that the lot could be developed with a single-story residence with a maximum size of 3,000 square feet to be located in the general area of the previous residence subject to Architecture and Site approval.

BACKGROUND (continued):

In addition to Lot 14, Performance Standard 8 limits the sizes of the residences on Lots 1 through 13 to a maximum of 4,850 square feet, with an average size of 4,650 square feet (Attachment 2, Exhibit 4, Performance Standard 8). Additionally, two-thirds of the 13 residences are limited to a one-story design. The table below provides a summary of the development on Lots 1 through 13.

Summary of Developed Lots					
Lot	Address	Residence	Stories	Garage	Accessory Structure
1	280 Shannon Oaks Ln	4,656 sf	1	768 sf	--
2	282 Shannon Oaks Ln	4,815 sf	2	799 sf	--
3	286 Mountain Laurel Ln	4,655 sf	1	811 sf	--
4	288 Mountain Laurel Ln	4,612 sf	1	781 sf	--
5	290 Mountain Laurel Ln	4,815 sf	2	799 sf	--
6	299 Mountain Laurel Ln	4,327 sf	1	806 sf	--
7	297 Mountain Laurel Ln	4,635 sf	1	811 sf	--
8	293 Mountain Laurel Ln	4,611 sf	1	781 sf	--
9	291 Mountain Laurel Ln	4,655 sf	1	811 sf	--
10	289 Mountain Laurel Ln	4,315 sf	1	806 sf	--
11	287 Mountain Laurel Ln	4,814 sf	2	799 sf	636 sf
12	283 Shannon Oaks Ln	4,605 sf	1	781 sf	960 sf
13	281 Shannon Oaks Ln	4,808 sf	2	799 sf	--
AVERAGE RESIDENCE: 4,640 sf			69 percent one-story		

On May 11, 2022, the Conceptual Development Advisory Committee (CDAC) reviewed and provided preliminary feedback on the proposed PD amendment (Attachment 2, Exhibits 9 and 10). The feedback of the CDAC is discussed in the January 25, 2023, Planning Commission staff report included as Attachment 2.

DISCUSSION:

A. Project Summary

On August 25, 2022, the property owner submitted an application to amend Planned Development Ordinance 2172 to increase the maximum residence size allowed on Lot 14 from 3,000 square feet to 4,850 square feet and the maximum average residence size allowed in the Shannon Valley Ranch subdivision from 4,650 square feet to 4,655 square feet. No construction or site development is proposed with this application. A development proposal for construction of a new residence would be processed and reviewed under a future Architecture and Site application.

DISCUSSION (continued):

B. Planning Commission

On January 25, 2023, the Planning Commission received the staff report including public comments (Attachment 2) and considered the application. Verbatim minutes are included as Attachment 3. Staff recommended approval of the project to the Planning Commission as the findings for approval of a PD Ordinance required by Section 29.80.095 of the Town Code could be made as detailed in the Planning Commission staff report (Attachment 2).

Following discussion, the Planning Commission recommended approval of the application to the Town Council.

C. Environmental Review

The request to modify PD Ordinance 2172 is not considered a project under the California Environmental Quality Act.

PUBLIC COMMENTS:

Written notice was sent to property owners and tenants within 600 feet of the subject property. The applicant indicated to staff that a letter was sent to their immediate neighbors on Mountain Laurel Lane ahead of the Planning Commission meeting. Following the Planning Commission meeting, the applicant extended their outreach efforts by providing a letter describing the request along with other attachments to all 13 properties within the Shannon Valley Ranch subdivision on February 13, 2023 (Attachment 5). Public comments received ahead of the January 25, 2023, Planning Commission meeting are included in Attachment 2, Exhibit 10. Public comments received between 11:01 a.m., Wednesday, January 25, 2023, and 11:00 a.m., Thursday, March 2, 2023, are included as Attachment 6.

CONCLUSION:

A. Recommendation

Based on the summary provided above and in the Planning Commission staff report, staff recommends that the Town Council accept the recommendation of the Planning Commission and take the following actions:

1. Make the finding that the request for modification of a planned development ordinance is not considered a project under the California Environmental Quality Act (Attachment 1);
2. Make the findings required by Section 29.80.095 of the Town Code for approval of a Planned Development Ordinance (Attachment 1); and

CONCLUSION (continued):

3. Introduce a Planned Development Ordinance, by title only, amending Planned Development Ordinance 2172 to increase the maximum residence size allowed on Lot 14 and the maximum average residence size allowed in the Shannon Valley Ranch subdivision on property zoned HR-5:PD located at 300 Mountain Laurel Lane, subject to the performance standards included in Attachment 4, or as otherwise modified by the Town Council.

C. Alternatives

Alternatively, the Town Council may:

1. Approve the application with modifications and/or additional performance standards; or
2. Continue the application to a date certain with specific direction; or
3. Remand the application to the Planning Commission with specific direction; or
4. Deny the application.

Attachments:

1. Required Findings
2. January 25, 2023, Planning Commission Staff Report with Exhibits 1 through 18
3. January 25, 2023, Planning Commission Verbatim Minutes
4. Draft Planned Development Ordinance
5. Applicant's Neighbor Outreach Letter, dated February 13, 2023
6. Public Comments received between 11:01 a.m., Wednesday, January 25, 2023, and 11:00 a.m., Thursday, March 2, 2023

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