



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

**MINUTES OF THE CONCEPTUAL DEVELOPMENT ADVISORY COMMITTEE MEETING
MARCH 10, 2021**

The Conceptual Development Advisory Committee of the Town of Los Gatos conducted a Regular Meeting on March 10, 2021, at 4:30 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 COVID-19 pandemic and was conducted via Zoom. All committee members and staff participated from remote locations and all voting was conducted via roll call vote. In accordance with Executive Order N-29-20, the public could only view the meeting online and not in the Council Chamber.

MEETING CALLED TO ORDER AT 4:30 PM

ROLL CALL

Present: Vice Chair Jeffrey Barnett, Council Member Mary Badame, Council Member Matthew Hudes, Planning Commissioner Melanie Hanssen, and Planning Commissioner Reza Tavana.

Absent: None

VERBAL COMMUNICATIONS

None.

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

1. Approval of Minutes – January 13, 2020

MOTION: Motion by Council Member Matthew Hudes to approve the consent calendar. **Seconded** by Planning Commissioner Reza Tavana.

VOTE: Motion passed unanimously.

OTHER BUSINESS

3. Election of Chair and Vice Chair **(CONDUCTED OUT OF ORDER)**

MOTION: Motion by Council Member Matthew Hudes to appoint Planning Commissioner Jeffrey Barnett as Chair. **Seconded** by Council Member Mary Badame.

VOTE: **Motion passed unanimously.**

MOTION: **Motion by Planning Commissioner Jeffrey Barnett to appoint Council Member Mary Badame as Vice Chair. Seconded by Council Member Matthew Hudes.**

VOTE: **Motion passed unanimously.**

PUBLIC HEARINGS

2. 16466 Bonnie Lane

Conceptual Development Advisory Committee Application CD-21-001

Requesting preliminary review of a proposal for subdivision of one lot into two lots on property zoned R-1:20. APN 532-02-053.

PROPERTY OWNER: Mish Chadwick

APPLICANT: Tony Jeans

PROJECT PLANNER: Ryan Safty

Chair Jeffrey Barnett recused himself from this item.

Ryan Safty, Associate Planner, presented the staff report.

Applicant presented the proposed project.

Committee members asked the following questions of the applicant:

- Are there alternative locations for the new home?
Applicant: Other configurations, but not locations were considered. Did not consider using the panhandle. Considered rotating the house, but that would not be consistent with the other homes along Bonnie Lane.
- Why request a reduction of the easement for egress and ingress?
Applicant: The extra room in front would make it easier to manipulate the placement of the house and easier to work with the neighbor on left. However, he spoke with the owner of the right-of-way. She wants to keep it, so that request has been removed.
- Where is the driveway for the house?
Applicant: There is an existing driveway on the left side along the fence on Bonnie Lane that goes all the way back to the barn. Exact placement depends on the final house layout. The existing house's driveway would not change. Additional parking could be added in the front.

- Are there plans to build additional structures near the creek?
Applicant: Not at this time. Need to first determine if the lot can be split.
- Any plans to build any structures near the soccer field?
Applicant: Not at this time.
- Any plans for Accessory Dwelling Units (ADU)?
Applicant: Not at this time. State law probably allows it, but it has not been researched.
- The entire lot has an average slope of 13.1 percent. How will the Hillside Design and Guideline (HDS&G) be applied?
Applicant: They will comply with any grading and retaining wall requirements. However, if the lot is split, parcel two will have an average slope of eight percent and not be subject to the HDS&G. This needs to be confirmed with staff.
- Why request a lot line adjustment?
Applicant: There is an existing 50-foot wide right-of-way that was proposed to be reduced to 40 feet to allow additional flexibility with the future home placement on Parcel 2. However, the owner does not want to sell that property and this request has been removed.
- Have you communicated with neighbors?
Applicant: They have spoken to a couple, but not all. They thought that the CDAC was an informal review. Once a formal application is submitted, they will communicate with all the neighbors.
- Is there any issue with adding another driveway on the existing access easement?
Applicant: The primary access point is Bonnie Lane. If more of the frontage is needed, the owner can offer the neighbor who owns the right-of-way an additional incremental payment for road maintenance.

Opened Public Comment.

Amir Sagev

- Neighbor across the fence on the left side. He urges the Committee to not look at the proposal as a conceptual sketch, but as a real structure. A two-story, 4,000 square-foot home will lessen the quality of life for him and make his backyard unenjoyable. It completely changes the street and life of the neighboring families. The lot already has two dwellings.

Rebecca Guerra

- Neighbor at 16500 Bonnie Lane. Three homes share the driveway that she owns. Reducing the driveway affects safety and her ability to improve her property. She is concerned about increased home density when building another home. She is concerned that the rural residential feel of the street will be lost due to the additional house.

MINUTES OF CONCEPTUAL DEVELOPMENT ADVISORY COMMITTEE MEETING OF MARCH 10, 2021

Patti and Erik Van der Burg

- Neighbor at 16417 Peacock Lane which is adjacent to the panhandle. Their property looks over the panhandle. The previous vineyard on the panhandle has been converted to a soccer field. Their yard is just on the other side and this will affect the enjoyment of their yard. They are opposed to further development in the panhandle.

Les Kishler

- Neighbor at 16420 Bonnie Lane. He agrees with prior comments and doesn't want further development of the property.

Applicant Comments:

- Applicant apologizes to Amir Seghev for not speaking to him earlier. He thought CDAC was an informal hearing. He intends to meet and talk with him.
- The owner offered to sell the back panhandle portion of the lot to adjacent neighbors, but there was no interest.
- Parcel two has a screen of mature trees along the left side providing a partial buffer of privacy for both houses.
- This is a nearly two acre property proposed to be split into separate one-acre properties. Neighboring properties are ½ acre lots. All structures are legal. The project is consistent with the General Plan and all zoning rules.

Public Comment Closed.

Committee members asked the following questions of staff:

- Has there been any consultation with County Fire about the proposed egress for the two properties and are the dimensions adequate?
Staff: Fire does not look at CDAC applications, only when a formal application is submitted. Fire has approved past projects with far more reduced access points, so no issues are anticipated with this plan.
- The soccer field is close to the Ross Creek riparian corridor, if the applicant wanted to build something there, what would staff need to consider? Are there additional setbacks required for riparian corridors? Is an EIR required?
Staff: The Guidelines and Standards for Land Use Near Streams requires additional setbacks. The plans show a 50-foot Santa Clara County Flood Control right-of-way on both sides of the creek. Once a formal application is submitted, it will be reviewed for conformance with Town standards.
- What are the constraints about building an ADU on either or both properties? Will the HSD&G apply?
Staff: If the new parcels have an average slope under 10%, the HSD&G would not apply. Every residentially zoned lot in Town is allowed an ADU and a Junior ADU. This is a State law that the Town adopted.

MINUTES OF CONCEPTUAL DEVELOPMENT ADVISORY COMMITTEE MEETING OF MARCH 10, 2021

- Is there any difference in ADU allowances between a hillside lot and a non-hillside lot?
Staff: There is no difference for the number of units, but there is a difference for the placement of units.

Committee members discussed the matter and provided the following comments:

- Concerned about fire danger and safety as the property is within a Wildfire Urban Interface zone.
- Questioned whether the site is physically suitable for the development.
- Although there is enough room to meet the subdivision requirements, the proposal needs more work as evident by the neighborhood outcry and public comments. There are potential concerns related to fire safety and the riparian corridor. The applicant needs to meet with the neighbors. There may be another way to divide the property to retain one existing structure on each lot.
- The lot is a unique shape. Questioned whether this was the best way to divide the land. Ingress and egress were a concern until removed from the plan.
- This plan is at a very conceptual level with few details, so it is hard to give specific feedback. The plans need to address potential flood plains and identify the footprint and driveway locations. The lot appears to be quite large and the proposal appears to comply with zoning requirements. There is the potential for issues with neighbor privacy and neighborhood compatibility. Lot two is quite large, but the actual building site is small. The fact that there was nothing in this area before doesn't mean that the owner can't construct something in the future as is their right.

ADJOURNMENT

The meeting adjourned at 5:34 p.m.

This is to certify that the foregoing is a true and correct copy of the minutes of the March 10, 2021 meeting as approved by the Conceptual Development Advisory Committee.

/s/Joel Paulson, Community Development Director

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