

Town of Los Gatos
110 East Main St
Los Gatos Ca 93030
Subdivision - 16466 Bonnie Lane

July 22nd, 2021

16466 Bonnie Lane, Los Gatos
CDAC 3-10-21 Considerations

The CDAC Minutes Synopsis [**Attached**] shows the general thrust of the Committee Members in their questions, both to "the Applicant" and to Staff, as well as some voiced concerns of neighbors. In conclusion the Committee provided useful comments for consideration.

Based on these concerns/comments we have responded with a revised set of plans, which addresses most of the items and gives better consideration to neighborhood compatibility:

- We provided a 10,000 sq ft Private Open Space dedication along the riparian corridor at the rear of the property in conjunction with the Lot Split to mitigate neighbor concern about what might happen immediately adjacent to Ross Creek.
- There are no flood-plain issues. The proposed building site on Parcel 2 is at a higher elevation than neighboring homes along Bonnie Lane and is over 150 ft from Ross Creek.
- The Access Corridor is no longer under consideration for a reduction in width.
- We have adjusted the Proposed Lot Line to provide for greater privacy with the neighbor to the North when any future house is designed.
- We located the new driveway to have ingress/egress directly onto Bonnie Lane.
- We have shown on the plans the slope of the new Parcel 2. It is under 10% - so this reasonably flat lot does not require HS&DG for future house design.

There are a number of questions, which relate more to the future development of the property [after a Lot Split] that we can touch on, but are not really relevant at this time. When an A&S application is submitted for the new lot, these can be discussed in detail.

- The owner has no plans to further develop the "Panhandle" at this time. I have not been asked to design an ADU in that location, but it might be permitted by code.
- The WUI designation for this lot, and in fact for this entire area, requires that any new home be designed/built with very high fire risk accommodations in mind. Hydrant Proximity, Fire Sprinklers, non-combustible Walls and Roof, Defensible Space and other Fire Dept imposed conditions are mandatory.

In their other comments the CDAC noted that the proposal complied with zoning rules, but asked us to review whether this was the best way to split the lot. We examined other options, but none was legally compliant with the Subdivision Map Act or the Town Zoning Code. We designed this subdivision explicitly so as not to ask for any variances, nor to require any zoning changes. In fact the lots being created are still 2 x the size of other similarly zoned lots on Bonnie Lane.

We have modified the original proposal to improve compatibility with neighboring lots and to provide better privacy opportunities during house design with neighboring homes. More specifically we have ensured that we are not creating any new inconsistencies that would allow this application to be denied pursuant to Gov't Code § 66474(a), (b) or Town Code § 24.20.020(b). **[Below]**

With this in mind, we respectfully request that the Planning Commission reviews the revisions that we have made to our original application to the CDAC in the context of the questions asked & comments made and determine that it should be approved as an opportunity to add to the Town housing stock in a responsible manner, consistent with the General Plan and Zoning Rules.

Thank you for your consideration.

Tony Jeans

California: 66474.

A legislative body of a city or county shall deny approval of a tentative map, or a parcel map for which a tentative map was not required, if it makes any of the following findings:

(a) That the proposed map is not consistent with applicable general and specific plans as specified in Section 65451.

(b) That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans.

Town Code: 24.20.020 (b): If the design of a proposed subdivision or the intended use of the land included in a proposed subdivision does not comply with all rules of the applicable zone, the tentative subdivision map shall not be accepted for filing or be deemed to have been filed unless the subdivider concurrently prosecutes proceedings under chapter 29 of this Code to change the zone or to obtain a variance from the provisions thereof, and the change or variance would, if granted, allow the subdivision or intended use.

FROM THE MINUTES OF CONCEPTUAL DEVELOPMENT ADVISORY
COMMITTEE MEETING OF MARCH 10, 2021: **16466 Bonnie Lane CD-21-001**

Committee members initially asked the following questions of the applicant:

- Are there alternative locations for the new home?
- Why request a reduction of the easement for egress and ingress?
- Where is the driveway for the house?
- Are there plans to build additional structures near the creek?
- Any plans to build any structures near the soccer field?
- Any plans for Accessory Dwelling Units (ADU)?
- The entire lot has an average slope of 13.1 percent. How will the Hillside Design and Guideline (HDS&G) be applied?
- Why request a lot line adjustment?
- Have you communicated with neighbors?
- Is there any issue with adding another driveway on the existing access easement?

Neighbors Spoke and addressed the Following Possible Issues:

- Privacy for the immediate neighbor at 16450 if a home were to be built.
- Concern from the owner of 16500 about reducing the Access Corridor width & increased traffic on the common access driveway currently serving 3 homes.
- Owner of 16417 Peacock has Privacy concerns if Panhandle were to be built on.
- Neighbor at 16420 would prefer to see no more development on the property.

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?
- 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?
- What are the constraints about building an ADU on either or both properties?
- Is there any difference in ADU allowances between a hillside lot and a non-hillside lot?

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.

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