

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

Rev: July 22nd, 2021

16466 Bonnie Lane, Los Gatos
Letter of Justification

The Property and the Request:

The Property [APN: 532- 02-053] is an irregular shaped parcel comprising almost 2 acres, at the edge of the R1:20 zoning district on Bonnie Lane, with R1:8 zoning directly across the road and a seasonal creek at the rear [a tributary to Ross creek].

We are requesting to subdivide it into 2 large parcels [>40,000 each], in a manner consistent with R1:20 Zoning regulations and the Town of Los Gatos General Plan.

CDAC Consideration:

We asked CDAC to look at this application in the light of the irregular shape of the parcel. Questions and Comments from CDAC Members included the following points, which we felt were helpful and have taken them into account for this submission:

- What is the Fire Impact for this?
- Is the slope of the [new] Parcel over 10% [HS&DG implications]?
- What impact will there be on the Riparian corridor [by the creek]?
- Are there any Flood-plain issues?
- Is the proposed lot-line the best option?
- Make the proposed Driveway location more clear.
- Work on Neighborhood Compatibility.
- Overall space seems OK. Neighbors cannot expect "nothing" forever.
- Meet with the neighbors to discuss concerns.

Please also see a **separate attachment** showing how the various issues, which were discussed at the CDAC hearing 3-10-21, have been addressed with this application:

The Proposed Configuration:

We are proposing to split the property into 2 roughly equal parcels - each over 40,000 sq ft. In designing this Lot Split we are attempting to retain the existing structures on the property [Residence, Barn, Pool and Cabana, with consideration also for the sports court and bocce court]. The primary parcel [Parcel 1] will retain the main structures while the owner will design and build a new home on Parcel 2. Parcel 2 has a panhandle of about 20,000 sq ft with a seasonal creek [East Ross Creek] in the rear, making a portion of the land suitable only for ancillary use, but the front portion is in itself 20,000 sq ft and is entirely suitable for development.

There is a logical lot line that we proposed for this subdivision based on the location of existing structures. We have modified it slightly after listening to CDAC and visiting with neighbors in order to improve privacy, but it still remains the most sensible option.

Access to the Property:

The existing property is accessed from a 50 ft wide easement described "for Road Purposes" which provides access to 3 homes including the existing home on Parcel 1 and is additionally accessible by a fourth. The 'shared access driveway' paved road to these homes is 20 ft in width and satisfies Fire regulations. The proposed new Parcel 2 will also use a portion of this easement, but not the physical pavement of the 'shared access driveway' to the other properties, as the new driveway will access Bonnie Lane directly.

Setbacks at New Property Line:

The newly created setbacks to the proposed Property Line are as follows:

- 53 ft - House. Complies
- 15 ft - Barn. Complies
- 6 ft - Pool Equipment shed <120sq ft enclosed for sound purposes. Exempt.
- 15 ft - Open Pergola adjacent to pool. This will be relocated for compliance.
- 27 ft - Pool. Complies
- 24 ft - Spa. Complies

It is believed that the pool equipment is exempt and can remain in the side setback area. The pergola will be relocated 3 ft. This is a condition of the Approval.

The primary residence setback to the southern side property line exists at 13' 6" and will not change. It conforms to other side setbacks along Bonnie Lane in this zoning district.

Considerations Addressed in this Proposal:

Compliance with General Plan and R1-20 Zoning:

Despite their irregular shape, the 2 Parcels would be in substantial compliance with the General Plan and Zoning regulations - so California Code 66474 and Town of Los Gatos Code 24.20.020(b) would not be applicable in a denial of this Subdivision Application.

- Approximately equal sizes: [over 40,000 sq ft] would be Low Density Residential.
- Conforming frontage [142 ft and 121 ft - with 100 ft required]
- Conforming depth [265 ft and 250 ft with 140 ft minimum for R1:20 zoning]
- Conforming setbacks are [30/15/25 ft] for front side and rear. No non-conforming setbacks are created as a result of this proposed Lot Split.

Parking/Circulation:

House placement has been suggested in the Map and a proposed driveway shown. It would allow adequate parking and turnaround for both parcels. Driveway slope would be minimal for the new parcel and the driveway would be at about a 5% grade to the street. The driveway is 20 ft wide and has been positioned for direct ingress/egress to Bonnie Lane.

Tree Impacts:

At this time there are no tree impacts. For the development of Parcel 2 an Arborist would evaluate the impact of any development on trees. No impact is anticipated for any significant trees, based on the probable house location. However, based on discussions with the immediate neighbor to the north [Segev] we would anticipate requesting the removal of one of the two 30" pine trees at the common Property Line for Fire Safety concerns. This approval cannot be guaranteed, so the new driveway has been designed to be sufficiently far from the pine trees to allow them adequate root zone clearance.

Creek/Riparian Corridor:

No development in or near this location is proposed with this application or from any subsequent follow-on project. A Private Open Space Easement has been offered along the Creek to further protect the riparian corridor. The owner developed the area as a soccer field and a bocce court. A preliminary site visit would indicate that the Panhandle Area could anticipate long-term future ancillary use such as a tennis court or ADU and still remain outside any water easement. Or it could be left as it is. Flooding from the creek is unlikely to impact any development at the front of the property, which is above the creek high bank & 150 feet away, It is also above the level of most of the surrounding homes.

Private Open Space:

At the CDAC hearing, concern was noted as to the possible impact of future development on the riparian zone along Ross Creek. With this Application, the owner is proposing a 10,000 sq ft Private Open Space dedication along 500 linear ft of the creek, encompassing both properties. This zone would provide an additional buffer adjacent to the creek.

Fire Hazard Area [WUI]:

This entire area of Los Gatos is in the Wildland/Urban Interface and requires fire sprinklers, compliant roofing & exterior cladding, defensible space landscaping and other measures dictated by Central Fire. State and local codes have been updated to address WUI and any future new construction will be conditioned by strong safety measures.

HS&DG:

The development of Parcel 2 would not be subject to HS&DG as the slope is under 10%.

Compatibility with neighboring Properties:

The two properties would be larger than their neighbors, with frontages and side setbacks greater than others along Bonnie Lane. However, the overall street presence that might result from a new single family home on Parcel 2 would be similar to that of other homes.

We have had discussions with several neighbors already, whose concerns have revolved primarily around Privacy + the Panhandle. This dialogue is continuing.

Thank you for your consideration.

Tony Jeans

Attachments: Plan Set [6 sheets], Google Street View & Google 3D Aerial View

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