



**TOWN OF LOS GATOS
PLANNING COMMISSION
REPORT**

MEETING DATE: 07/24/2024

ITEM NO: 3

DESK ITEM

DATE: July 24, 2024
TO: Planning Commission
FROM: Joel Paulson, Community Development Director
SUBJECT: Requesting Approval for Modification of Planned Development Ordinance 1412, Subdivision of One Lot into Two Lots, Construction of a Single-Family Residence, and Site Work Requiring a Grading Permit on Property Zoned O:PD. **Located at 120 Oak Meadow Drive.** APN 529-10-131. Subdivision Application M-20-011, Planned Development Application PD-20-002, Architecture and Site Application S-22-021. Categorically Exempt Pursuant to CEQA Guidelines Sections 15315: Minor Land Divisions; 15303: New Construction; and 15304: Minor Alterations to Land. Property Owner: Marty and Penny McFarland. Applicants: Terence J. Szewczyk (M-20-011 and PD-20-002) and Jay Plett, Architect (S-22-021). Project Planner: Sean Mullin.

REMARKS:

Exhibit 17 includes a public comment received between 11:01 a.m., Friday, July 19, 2024, and 11:00 a.m., Wednesday, July 24, 2024.

In response to questions from a Planning Commissioner, staff has prepared the following information.

Is there a road maintenance agreement among the property owners since it is a private road? If so, does it address increased burdens or what arrangements are anticipated?

Being a private party agreement for a private road, staff is not aware of any existing road maintenance agreements, or any increased burdens created by the project. The applicant and/or property owner may be able to address this question during the public hearing.

PREPARED BY: Sean Mullin, AICP
Senior Planner

Reviewed by: Planning Manager and Community Development Director

REMARKS (continued):

Has there been a Staff analysis of the traffic impact that would result from the additional residence?

Pursuant to the current Institute of Transportation Engineers Trip Generation Manual's assignment for specific use types, a new detached single-family residence is assigned an Average Daily Traffic or ADT of 9.43 trips per day. The added trips require payment of a Traffic Impact Fee. Condition of approval #74 included in Exhibit 4 requires payment of the Traffic Impact Fees prior to recordation of the parcel map.

The existing residence has a plaque indicating it is a historic property. Is it in the inventory, and, if so, would that affect the subdivision application?

The existing residence is included on the Town's Historic Resources inventory. Town records indicate that the original residence was constructed between 1860 and 1890 with a number of additions being constructed over time. The subdivision application does not pose an impact on the historic residence.

There is limited visibility to the proposed site. Can Staff opine on whether the new two-story home would be visible to any neighbors?

The new residence would be visible from surrounding properties with existing trees and other vegetation providing some screening. The applicant has provided a summary of their neighbor outreach efforts (Exhibit 13). Public comments on the project are included as Exhibits 16 and 17.

EXHIBITS:

Previously Received with the July 24, 2024, Staff Report:

1. Location Map
2. Required Findings and Considerations
3. Draft Planned Development Ordinance
4. Recommended Conditions of Approval
5. Planned Development Ordinance 1412
6. Letter of Justification
7. Project Description
8. Color and Materials Board
9. Letter of Justification for Garage Terrace
10. Town's Consulting Architect Report
11. Response to Consulting Architect's Recommendations
12. Arborist Report

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SUBJECT: 120 Oak Meadow Drive/M-20-011, PD-20-002, S-22-021

DATE: July 24, 2024

EXHIBITS (continued):

13. Summary of Neighbor Outreach
14. Building Envelope Study by Applicant
15. Development Plans
16. Public Comments received by 11:00 a.m., Friday, July 19, 2024

Received with this Desk Item Report:

17. Public Comments received between 11:01 a.m., Friday, July 19, 2024, and 11:00 a.m., Wednesday, July 24, 2024

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From: Andrew Quan <[REDACTED]>

Sent: Wednesday, July 24, 2024 9:05 AM

To: Sean Mullin <SMullin@losgatosca.gov>

Subject: Valley Water Comments re: Subdivision, Modification of Planned Development Ordinance 1412, Construction of Single-Family Residence, and Grading at 120 Oak Meadow Drive

[EXTERNAL SENDER]

Hi Sean,

Valley Water has reviewed the documents for the subdivision of one lot into two lots, modification of Planned Development Ordinance 1412, construction of a single-family residence, and grading at 120 Oak Meadow Drive in Los Gatos, received on July 15, 2024. Per our review, we have the following comments:

1. There is no Valley Water right of way or facilities at the project site; therefore, in accordance with Valley Water's Water Resources Protection Ordinance, a Valley Water encroachment permit is not required for the proposed improvements.
2. On Page 9 of the Town of Los Gatos Community Development Department Environmental Checklist Form, for Item (i), the document states "No Impact". Please note that the project site is located within the James J. Lenihan dam inundation zone and include this information about the dam inundation zone in this document. Please revise the degree of impact, if needed.
3. The proposed development needs to follow the Guidelines and Standards for Land Use Near Streams, which was adopted by the Town of Los Gatos. In particular, see the sections on drainage, landscaping, and creek setbacks. More information can be found on our website here: <https://www.valleywater.org/contractors/doing-businesses-with-the-district/permits-working-district-land-or-easement/guidelines-and-standards-land-use-near-streams>.
4. According to Valley Water's records, there are no wells within the property boundary. While Valley Water has records for most wells located in the County, it is always possible that a well exists that is not in Valley Water's records. If previously unknown wells are found on the subject property during development, they must be properly destroyed under permit form Valley Water or registered with Valley Water and protected from damage. For more information, please call Valley Water's Well Ordinance Program Hotline at (408) 630-2660.

For any questions, please contact me at [REDACTED] For any future correspondence, please reference File No. 28236.

Thank you,

ANDREW QUAN

ASSISTANT ENGINEER II - CIVIL

Community Projects Review Unit

Tel. [REDACTED]

Santa Clara Valley Water District is now known as:



Clean Water • Healthy Environment • Flood Protection

VALLEY WATER

5750 Almaden Expressway, San Jose CA 95118

www.valleywater.org