



**TOWN OF LOS GATOS
PLANNING COMMISSION
REPORT**

**MINUTES OF THE PLANNING COMMISSION MEETING
OCTOBER 13, 2021**

The Planning Commission of the Town of Los Gatos conducted a Regular Meeting on Wednesday, October 13, 2021, at 7:00 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 COVID19 pandemic and was conducted via Zoom. All planning commissioners and staff participated from remote locations and all voting was conducted via roll call vote.

MEETING CALLED TO ORDER AT 7:00 P.M.

ROLL CALL

Present: Chair Kathryn Janoff, Vice Chair Kendra Burch, Commissioner Jeffrey Barnett, Commissioner Melanie Hanssen, Commissioner Jeffrey Suzuki, Commissioner Reza Tavana, and Commissioner Emily Thomas.

Absent: None.

VERBAL COMMUNICATIONS

None.

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

1. Approval of Minutes – September 22, 2021

MOTION: Motion by Commissioner Barnett to approve adoption of the Consent Calendar. **Seconded** by Vice Chair Burch.

VOTE: Motion passed unanimously.

PUBLIC HEARINGS

2. 16466 Bonnie Lane

Subdivision Application M-21-003

APN 532-02-053

Applicant: Tony Jeans

Property Owner: Mish Chadwick

Project Planner: Ryan Safty

Requesting Approval for Subdivision of One Lot into Two Lots on Property Zoned R-1:20.

Commissioner Barnett announced that he would recuse himself from participating in the public hearing for 16466 Bonnie Lane because he lives within the prescribed radius for proximity to the subject site.

Ryan Safty, Associate Planner, presented the staff report.

Opened Public Comment.

Tony Jeans, Applicant:

- The parcel is irregularly shaped, but is almost 2 acres in size in the R-1:20 zoning district, so it is way bigger than anything else. They considered other alternatives for splitting the lot, but decided to go with the current plan to introduce a "jog" in the division between the parcels to give more room for a potential future house with more privacy for the neighbor to the left. The irregular shape of the existing parcel would not be made any worse by this lot split, rather it brings more conformity to the neighborhood, and the lot split of a 2-acre parcel to permit this is almost required by the Subdivision Map Act, the General Plan, and the zoning rules of the Town.

Tom Lippe, Attorney representing Patti and Erik Van Der Burg of 6417 Peacock Lane:

- The Town Code requires 100 feet of street frontage for this interior lot and the proposed new parcel has only about seven feet of street frontage on Bonnie Lane. The plans dated July 2021 show vehicle access provided by a new driveway from Bonnie Lane across an unpaved easement area to the new lot, but the unpaved easement is a street and is not a thoroughfare for vehicle travel affording the principle means of access, it is in fact someone's yard. The actual thoroughfare that provides vehicle access to this parcel is Bonnie Lane and the new parcel does not have 100 feet of frontage on Bonnie Lane.

Les Kishler:

- He and his wife bought their property in the Ross Creek neighborhood in 1971. In the 1980s the neighborhood was an unincorporated country island and he and his neighbors were annexed to the Town of Los Gatos, and the Town agreed at that time to protect the neighborhood's character, such as low density. The Planning Commission at that time spoke of the value of allowing neighborhoods in Los Gatos to keep their unique character

and not push all of them towards greater density and he hopes the current Planning Commission will continue that history.

Amir Segev, next-door neighbor:

- He hopes this is not some type of rubber-stamp ceremony without an opportunity to act on the decision and that the neighbors will be heard. His objections and those of his neighbors are not automatic objections. He would like to support this project, but a couple of things prevent that: 1) This project would be detrimental to the quality of life for the neighbors and the nature and character of the street with the increased density; and 2) He is terrified that a monstrosity would be built on the site. The neighbors are not concerned about a subdivision, but what that may bring later on and they are being kept in the dark regarding the proposal.

Rebecca Guerra, 16500 Bonnie Lane:

- Her property includes the discussed driveway easement. She and her two immediate neighbors are the properties that have right of easement on that driveway. She is trying to understand the difference between a private driveway and easement versus street frontage and how that is interpreted in this particular proposal.

Pamela Kee, 16509 Bonnie Lane:

- She lives across the street. Nothing has been said about whether sub-parcel 1 would be built. If this is a shared driveway access sub-parcel 1 could be in violation of the Santa Clara County Fire Standard and cause 16500 and 16510 Bonnie Lane to be in violation of the standard also, because their driveways would be in excess of 250 feet from the nearest hydrant.

Unidentified Speaker, Peacock Lane:

- He lives across the street from the Ross Creek riparian corridor, which is in a flood zone. Because of this his insurance is triple. Because of this new construction and the other construction upstream the potential for flooding is increased. The riparian corridor should be increased to 100 feet or more to reduce the likelihood of flood damage. This has not been investigated as much as it should be.

Tony Jeans, Applicant:

- With respect to the 50-foot wide easement on the 16500 Bonnie Lane property, this is a 50-foot wide dedication made in 1953 explicitly for road purposes, and all of that area is singled out. The frontage is along the property line of that, not along the road itself, so the fact that there was a 20-foot roadway or thoroughfare supposedly put on it does not determine the frontage. The frontage is the edge of the 50-foot easement. He has done his best to give additional space so that there is flexibility in designing a home for parcel 2 as to location and the design of the house. Fire safety will be determined at the architecture and site application phase. This is in flood zone D, which is not in the 100-year flood zone district.

Closed Public Comment.

Commissioners discussed the matter.

MOTION: **Motion by Commissioner Hanssen** to approve a Subdivision Application for 16466 Bonnie Lane, including a condition of approval to include the open space easement near the riparian corridor. **Seconded by Vice Chair Burch.**

VOTE: **Motion passed unanimously with Commissioner Barnett recused.**

OTHER BUSINESS

REPORT FROM THE DIRECTOR OF COMMUNITY DEVELOPMENT

Joel Paulson, Director of Community Development

- A General Plan community meeting was held October 6th and was well attended. The Town is working with our consultants to determine the next steps for completing the Final EIR and responding to public comments.
- Recruitment is being held for various commissions and committees with a deadline of December 3rd.

SUBCOMMITTEE REPORTS/COMMISSION MATTERS

Conceptual Development Advisory Committee

Commissioner Barnett

- The CDAC met 10/13/21; discussed the request for a proposal for a preliminary review of an amendment to the North Forty Specific Plan that concerns the construction of a two-story commercial building at 15171 Los Gatos Boulevard.

ADJOURNMENT

The meeting adjourned at 8:33 p.m.

This is to certify that the foregoing is a true and correct copy of the minutes of the October 13, 2021 meeting as approved by the Planning Commission.

/s/ Vicki Blandin