



**TOWN OF LOS GATOS  
PLANNING COMMISSION AGENDA  
OCTOBER 13, 2021  
110 EAST MAIN STREET  
LOS GATOS, CA**

*Kathryn Janoff, Chair  
Kendra Burch, Vice Chair  
Jeffrey Barnett, Commissioner  
Melanie Hanssen, Commissioner  
Jeffrey Suzuki, Commissioner  
Reza Tavana, Commissioner  
Emily Thomas, Commissioner*

**PARTICIPATION IN THE PUBLIC PROCESS**

How to participate: The Town of Los Gatos strongly encourages your active participation in the public process, which is the cornerstone of democracy. If you wish to speak to an item on the agenda, please follow the participation instructions on page 2 of this agenda. If you wish to speak to an item NOT on the agenda, you may do so during the “Verbal Communications” period, by following the participation instructions on page 2 of this agenda. The time allocated to speakers may change to better facilitate the Planning Commission meeting.

Effective Proceedings: The purpose of the Planning Commission meeting is to conduct the business of the community in an effective and efficient manner. For the benefit of the community, the Town of Los Gatos asks that you follow the Town’s meeting guidelines while attending Planning Commission meetings and treat everyone with respect and dignity. This is done by following meeting guidelines set forth in State law and in the Town Code. Disruptive conduct is not tolerated, including but not limited to: addressing the Commissioners without first being recognized; interrupting speakers, Commissioners or Town staff; continuing to speak after the allotted time has expired; failing to relinquish the podium when directed to do so; and repetitiously addressing the same subject.

Deadlines for Public Comment and Presentations are as follows:

- Persons wishing to make an audio/visual presentation on any agenda item must submit the presentation electronically, either in person or via email, to the Planning Department by 1 p.m. or the Clerk’s Office no later than 3:00 p.m. on the day of the Planning Commission meeting.
- Persons wishing to submit written comments to be included in the materials provided to the Planning Commission must provide the comments to the Planning Department as follows:
  - For inclusion in the regular packet: by 11:00 a.m. the Friday before the meeting
  - For inclusion in any Addendum: by 11:00 a.m. the day before the meeting
  - For inclusion in any Desk Item: by 11:00 a.m. on the day of the meeting

***Planning Commission meetings are broadcast Live on KCAT, Channel 15 (on Comcast) on the 2<sup>nd</sup> and 4<sup>th</sup> Wednesdays at 7:00 p.m.  
Live and Archived Planning Commission meetings can be viewed by going to:  
<https://www.kcat.org/government-meetings>***

***IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT, IF YOU NEED SPECIAL ASSISTANCE TO PARTICIPATE IN THIS MEETING,  
PLEASE CONTACT THE CLERK DEPARTMENT AT (408) 354-6834. NOTIFICATION 48 HOURS BEFORE THE MEETING WILL ENABLE THE TOWN  
TO MAKE REASONABLE ARRANGEMENTS TO ENSURE ACCESSIBILITY TO THIS MEETING [28 CFR §35.102-35.104]***

## IMPORTANT NOTICE REGARDING PLANNING COMMISSION MEETING

This meeting is being conducted utilizing teleconferencing and electronic means consistent with Government Code Section 54953, as Amended by Assembly Bill 361, in response to the state of emergency relating to COVID-19 and enabling teleconferencing accommodations by suspending or waiving specified provisions in the Ralph M. Brown Act (Government Code § 54950 et seq.). Consistent with AB 361 and Town of Los Gatos Resolution 2021-044 this meeting will not be physically open to the public and the Council and/or Commissioners will be teleconferencing from remote locations. Members of the public can only participate in the meeting by joining the Zoom webinar (log in information provided below). The live stream of the meeting may be viewed on television and/or online at:

<https://meetings.municode.com/PublishPage/index?cid=LOSGATOS&ppid=4bc370fb-3064-458e-a11a-78e0c0e5d161&p=0>. **In accordance with Executive Order N-29-20, the public may only view the meeting on television and/or online and not in the Council Chambers.**

### PARTICIPATION

If you are not interested in providing oral comments real-time during the meeting, you can view the live stream of the meeting on television (Comcast Channel 15) and/or online at <https://www.youtube.com/channel/UCFh35XRBWer1DPx-F7vvhcg>.

If you are interested in providing oral comments in real-time during the meeting, you must join the Zoom webinar at:

<https://losgatosca-gov.zoom.us/j/86250280552?pwd=WmFEK3VuZlVXcWRSVXhNWWREWHBGQT09>.  
Passcode: 688183.

Please be sure you have the most up-to-date version of the Zoom application should you choose to provide public comment during the meeting. Note that participants cannot turn their cameras on during the entire duration of the meeting.

During the meeting:

- When the Chair announces the item for which you wish to speak, click the “raise hand” feature in Zoom. If you are participating by phone on the Zoom app, press \*9 on your telephone keypad to raise your hand. If you are participating by calling in, press #2 on your telephone keypad to raise your hand.
- When called to speak, please limit your comments to three (3) minutes, or such other time as the Chair may decide, consistent with the time limit for speakers at a Council meeting.

If you are unable to participate in real-time, you may send an email to [PlanningComment@losgatosca.gov](mailto:PlanningComment@losgatosca.gov) with the subject line “Public Comment Item #” (insert the item number relevant to your comment) or “Verbal Communications – Non Agenda Item.” Comments will be reviewed and distributed before the meeting if received by 11:00 a.m. on the day of the meeting. All comments received will become part of the record. The Chair has the option to modify this action on items based on comments received.

### REMOTE LOCATION PARTICIPANTS

*The following Planning Commissioners are listed to permit them to appear electronically or telephonically at the Planning Commission meeting: CHAIR KATHRYN JANOFF, VICE CHAIR BURCH, COMMISSIONER BARNETT, COMMISSIONER HANSSEN, COMMISSIONER SUZUKI, COMMISSIONER TAVANA, AND COMMISSIONER THOMAS. All votes during the teleconferencing session will be conducted by roll call vote.*

**TOWN OF LOS GATOS  
PLANNING COMMISSION AGENDA  
OCTOBER 13, 2021  
7:00 PM**

**MEETING CALLED TO ORDER**

**ROLL CALL**

**VERBAL COMMUNICATIONS** *(Members of the public may address the Commission on any matter that is not listed on the agenda. Unless additional time is authorized by the Commission, remarks shall be limited to three minutes.)*

**CONSENT ITEMS** *(Items appearing on the Consent Items are considered routine Town business and may be approved by one motion. Any member of the Commission may request to have an item removed from the Consent Items for comment and action. Members of the public may provide input on any or multiple Consent Item(s) when the Chair asks for public comments on the Consent Items. If you wish to comment, please follow the Participation Instructions contained on Page 2 of this agenda. If an item is removed, the Chair has the sole discretion to determine when the item will be heard.)*

1. Drafted Minutes of the September 22, 2021 Planning Commission Meeting.

**PUBLIC HEARINGS** *(Applicants/Appellants and their representatives may be allotted up to a total of five minutes maximum for opening statements. Members of the public may be allotted up to three minutes to comment on any public hearing item. Applicants/Appellants and their representatives may be allotted up to a total of three minutes maximum for closing statements. Items requested/recommended for continuance are subject to the Commission's consent at the meeting.)*

2. Requesting Approval for Subdivision of One Lot into Two Lots on Property Zoned R-1:20. Located at **16466 Bonnie Lane**. APN 532-02-053. Subdivision Application M-21-003. Property Owner: Mish Chadwick. Applicant: Tony Jeans. Project Planner: Ryan Safty.

**OTHER BUSINESS** *(Up to three minutes may be allotted to each speaker on any of the following items.)*

**REPORT FROM THE DIRECTOR OF COMMUNITY DEVELOPMENT**

**SUBCOMMITTEE REPORTS / COMMISSION MATTERS**

**ADJOURNMENT** *(Planning Commission policy is to adjourn no later than 11:30 p.m. unless a majority of the Planning Commission votes for an extension of time)*

*Writings related to an item on the Planning Commission meeting agenda distributed to members of the Commission within 72 hours of the meeting are available for public inspection at the reference desk of the Los Gatos Town Library, located at 100 Villa Avenue; the Community Development Department and Clerk Department, both located at 110 E. Main Street; and are also available for review on the official Town of Los Gatos website. Copies of desk items distributed to members of the Commission at the meeting are available for review in the Town Council Chambers.*

*Note: The Town of Los Gatos has adopted the provisions of Code of Civil Procedure §1094.6; litigation challenging a decision of the Town Council must be brought within 90 days after the decision is announced unless a shorter time is required by State or Federal law.*



**TOWN OF LOS GATOS  
PLANNING COMMISSION  
REPORT**

MEETING DATE: 10/13/2021

ITEM NO: 1

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**DRAFT  
MINUTES OF THE PLANNING COMMISSION MEETING  
SEPTEMBER 22, 2021**

The Planning Commission of the Town of Los Gatos conducted a Regular Meeting on Wednesday, September 22, 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 PM**

**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**

Nancy Knight, 308 Harding Avenue

She is an appellant on the 17200 Los Robles Way lot line adjustment appeal which had a Planning Commission hearing on September 8<sup>th</sup>. She asked for clarity on the Town's obligation to adhere to its ordinances as related to lot mergers.

Alison Steer, 304 Harding Avenue

With respect to the 17200 Los Robles Way lot line adjustment appeal Planning Commission hearing on September 8<sup>th</sup>, the Appellants feel the Planning Commission was misdirected with regard to the Lot Merger Ordinance and permissions afforded by the SMA.

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

**1. Approval of Minutes – September 8, 2021**

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

**VOTE:** Motion passed unanimously (6-0), Commissioner Thomas absent during this vote.

**PUBLIC HEARINGS**

**2. 244 Harding Avenue**

Architecture and Site Application S-21-025

APN 532-36-049

Applicant: Henry Riggs

Property Owner: Marcus Thordal

Project Planner: Jocelyn Shoopman

Requesting Approval for Modification to an Existing Architecture and Site Application (S-19-016) to Modify the Conditions of Approval on Property Zoned R-1:8.

Jocelyn Shoopman, Associate Planner, presented the staff report.

Opened Public Comment.

Marcus Thordal (Applicant/Owner)

Conversations with more than 30 neighbors regarding the sidewalk led them to file for this modification to the sidewalk layout, as every single neighbor said continuing the existing sidewalk is the only layout that makes sense for a sidewalk that ends after their house and where the lot slopes, and that is his opinion as well. He supports installing a sidewalk and asked the Commission to focus on the objective of providing the best fitting sidewalk to the location.

Alison Steer, 304 Harding Avenue

I live around the corner from the subject site. The way the Town is asking the applicant to lay out the pavement would mean walking along then crossing the street. She asked why the homeowners of the newly built house at 234 Harding Avenue were not asked to install a planter strip.

Bill Ehlers, 544 University Ave

Los Gatos has street diversity in its hillsides and sidewalks that don't always go perfectly, and that is part of its charm. It doesn't seem fair to have homeowners

always pay for improvements that are dictated by the Town and perhaps some arbitrary standards that do not apply or are tough to apply to sloped lots. I support the applicant and encourages the Planning Commission to approve my appeal.

Terry Rinehart, 110 Worcester Loop

I live around the corner from the subject site. How many Commissioners have walked by the property firsthand because a first-hand observation shows that having that planter strip in there doesn't make any sense whatsoever.

Michelle Todus

I live in the neighborhood. Most of the neighborhood has no sidewalks, and if the Commission feels the neighborhood should have sidewalks then the Town should approach this with a broader view, because putting the onus on one homeowner for a 20-foot piece of sidewalk is unfair when the houses on either side do not have this. The Town should look at what the neighborhood wants in furthering goals of access and enjoyment.

Marcus Thordal (Applicant/Owner)

I understood from the beginning that he had to install a sidewalk but was surprised when I realized what the layout was.

Closed Public Comment.

Commissioners discussed the matter.

**MOTION:**                    **Motion by Commissioner Hanssen** to approve a modification to an existing architecture and site application to modify condition of approval 44 to state the applicant shall construct an attached sidewalk consistent with 246 and 248 Harding Avenue and to extend the length of the property instead of the current condition with the Town standards for 244 Harding Avenue. **Seconded by Commissioner Tavana.**

Commissioners discussed the matter.

Commissioner Barnett requested the motion be amended to require separate improvement of this property to conform to the sidewalks of 246 and 248 Harding Avenue at such time as either property is required to put in a parking strip.

The maker of the motion declined to amend the motion.

Commissioners discussed the matter.





**TOWN OF LOS GATOS  
PLANNING COMMISSION  
REPORT**

MEETING DATE: 10/13/2021

ITEM NO: 2

DATE: October 8, 2021  
TO: Planning Commission  
FROM: Joel Paulson, Community Development Director  
SUBJECT: Requesting Approval for Subdivision of One Lot into Two Lots on Property Zoned R-1:20. Located at 16466 Bonnie Lane. APN 532-02-053. Subdivision Application M-21-003. Property Owner: Mish Chadwick. Applicant: Tony Jeans. Project Planner: Ryan Safty.

**RECOMMENDATION:**

Consider approval of a request for subdivision of one lot into two lots on property zoned R-1:20, located at 16466 Bonnie Lane.

**PROJECT DATA:**

General Plan Designation: Low Density Residential  
Zoning Designation: R-1:20  
Applicable Plans & Standards: General Plan  
Existing Parcel Size: 81,857 square feet

Surrounding Area:

	Existing Land Use	General Plan	Zoning
North	Residential	Low Density Residential	R-1:20
South	Residential	Low Density Residential	R-1:20
East	Residential	Low Density Residential	R-1:8, R-1:20
West	Residential	Low Density Residential	R-1:8, R-1:20

**PREPARED BY:** RYAN SAFTY  
Associate Planner

Reviewed by: Planning Manager and Community Development Director



CEQA:

The project is Categorically Exempt pursuant to the adopted Guidelines for the Implementation of the California Environmental Quality Act, Section 15315: Minor Land Divisions. The project proposes to subdivide one lot into two. No development is proposed at this time.

FINDINGS:

- The project is Categorically Exempt pursuant to the adopted Guidelines for the Implementation of the California Environmental Quality Act, Section 15315.
- As required by Section 66474 of the Subdivision Map Act.

ACTION:

The decision of the Planning Commission is final unless appealed within ten days.

BACKGROUND:

The subject property is located on the east side of Bonnie Lane (Exhibit 1), accessed through a 50-foot wide ingress/egress easement connecting to Bonnie Lane. The application proposes to subdivide the existing lot into two lots. Due to the owner's desire to maintain the existing structures on site, the applicant is requesting two lots with an irregular property line configuration. The majority of the structures and improvements on the existing property would be within newly created Parcel 1, while Parcel 2 would be vacant. No construction is proposed with this Subdivision application.

On March 3, 2021, the Conceptual Development Advisory Committee (CDAC) reviewed the proposed subdivision proposal and provided comments on the proposal and questions to the applicant (Exhibit 5). Several neighbors submitted written comments which were included in the CDAC report (Exhibit 4). Four neighbors were present at the CDAC hearing and spoke in opposition to the proposed subdivision concept.

On April 23, 2021, the application submitted a Subdivision application to subdivide the property into two, irregularly shaped lots. The proposed project meets the technical requirements of the Town Code including minimum lot size, minimum street frontage, minimum lot depth, and maximum floor area. All setbacks to the proposed new property line would comply, except that one existing pergola structure will need to be moved to meet setbacks, which is noted on the plans and included as a condition of approval (Exhibit 3). The existing residence has a non-conforming side yard setback along the southern property line, which would not change.

PROJECT DESCRIPTION:

A. Location and Surrounding Neighborhood

The subject property is located on the east side of Bonnie Lane (Exhibit 1), accessed through a 50-foot wide ingress/egress easement connecting to Bonnie Lane. The surrounding properties are low density single-family residences.

B. Project Summary

The applicant is proposing to subdivide the property at 16466 Bonnie Lane from one lot to two irregularly shaped lots.

C. Zoning Compliance

The proposed new lots comply with minimum lot size, street frontage, lot depth, and floor area. The existing residence has a non-conforming side yard setback along the southern property line, which would not change. The existing structures on the site will comply with setback requirements to new property lines, except for the existing pergola adjacent to the pool which will need to be moved prior to recordation of the parcel map, per draft Condition of Approval 4 (Exhibit 3). The applicant provided a Letter of Justification (Exhibit 7) which summarizes compliance with the Town's Zoning Code.

DISCUSSION:

A. Subdivision Analysis

The subject property is 81,857 square feet and contains a 2,704-square foot single-family residence and 518-square foot attached garage on the southern portion of the property, a 2,468-square foot detached accessory structure labeled as a "barn" at the rear of the property, a pool area with associated equipment storage and pergola structure in the center of the property, and a sports court north of the pool area. The property is accessed from a 50-foot wide ingress/egress easement, 20 feet of which is paved, which serves two other properties. Ross Creek runs along the rear of the property, and there is an approximately 20,000-square foot grass field in the "panhandle" portion of the property running north along Ross Creek to the terminus of the Peacock Lane cul-de-sac to the north (Exhibit 10).

DISCUSSION (continued):

The application proposes to subdivide the existing property approximately in half based on square footage, creating two separate lots. The table below summarizes the existing and proposed lot configurations and Zoning Code requirements. The existing and proposed lots comply with minimum lot size, minimum street frontage, and minimum parcel depth. No construction is proposed with this Subdivision application. The future driveway, grading, and construction work would require an Architecture and Site application and environmental review.

	<b>Size</b>	<b>Frontage</b>	<b>Depth</b>
<b>Existing Parcel</b>	81,857 s.f.	263 feet	285 feet
<b>Parcel 1</b>	40,406 s.f.	142 feet	250 feet
<b>Parcel 2</b>	41,451 s.f.	121 feet	265 feet
<b>Minimum Required</b>	20,000 s.f.	100 feet	140 feet

In order to preserve the desired structures on one lot, comply with setbacks, and create a buildable area on the second lot, the proposed new lot line subdividing the property would be irregular with two separate bump-outs and one angle change.

Proposed Parcel 1 would contain the existing residence, detached accessory “barn” structure, and pool area. The applicant proposes to move the existing pergola to meet the required 15-foot side yard setback, which is included as a condition of approval (Exhibit 3). The total existing floor area that would remain on Parcel 1 would be 5,690 square feet, which would comply with the 6,000-square foot maximum for a 40,406-square foot lot with an average slope of 15.3 percent. The existing circular driveway and 20-foot paved portion of the access easement would remain and continue to be used to access Parcel 1.

Proposed Parcel 2 would be vacant after the removal of the existing sports court, as noted in the plans. The applicant has shown a potential building footprint and driveway location on the front half of Parcel 2 to show how setbacks and access could be complied with in the future. The conceptual driveway shown would run across the existing 50-foot ingress/egress easement, but would be separate from the existing 20-foot wide paved driveway serving the three existing properties. The back half of the property would contain the “panhandle” portion that runs along Ross Creek. No conceptual development is shown in the “panhandle” area for the Subdivision application (Exhibit 10).

As part of this Subdivision application, the applicant is proposing a 20-foot strip along the Ross Creek frontage as a private open space easement, for a total area of 10,000 square feet. The proposed parcels would meet the technical requirements of the Zoning Code; however, the proposed configuration is irregular and not consistent with the typical lot configurations in the surrounding neighborhood.

DISCUSSION (continued):

B. Conceptual Development Advisory Committee Review

Due to the irregular configuration of the proposed subdivision, Town Staff advised the applicant to apply for CDAC review prior to submitting their Subdivision application.

On March 10, 2021, the CDAC reviewed the conceptual subdivision proposal. Written public hearing notices were sent to surrounding property owners and occupants within 300 feet of the subject property.

Prior to the hearing, 12 written public comments were submitted by adjacent neighbors and added to the CDAC staff report (Exhibit 4). Additionally, 15 neighbors signed a letter in opposition to the proposed subdivision concept. The neighbors' concerns revolved around the following: buildability of the "panhandle", wildlife and riparian corridor impacts along Ross Creek, unusual lot configuration, impact to rural character of the neighborhood, and previous code complaints on the property.

At the March 10, 2021 CDAC hearing, four neighbors were present to speak in opposition to the project. The neighbors were concerned with the location of the future house on Parcel 2 and potential privacy impacts, the increased density impacting the rural character of the neighborhood, and any development on the panhandle portion of the property. The CDAC members asked questions of the applicant and staff and provided comments and direction to the applicant (Exhibit 5). The CDAC had the following summarized comments and direction for the applicant: concerns with fire danger and suitability of the site for additional development; questioned whether this was the best way to divide the property; and encouraged neighborhood outreach.

Following the direction received from the CDAC members and the concerns raised from the neighborhood, the applicant revised the proposal and submitted the Subdivision application. The applicant's response letter to the CDAC comments is included as Exhibit 8. To address concerns related to future impacts to Ross Creek riparian corridor, the applicant has proposed a 10,000-square foot private open space easement along Ross Creek, at the rear of the property. To address concerns related to privacy impacts of the future residence on Parcel 2, the applicant modified the proposed subdivision line, adding the first bump-out in order to increase the separation between the future residence on Parcel 2 and the neighbor to the north. Additionally, the plans were revised to show that the future driveway to Parcel 2 will not impact the existing 20-foot paved shared driveway within the ingress/egress easement. The applicant has also reached out to the neighborhood through a series of letters, included as Exhibit 11.

DISCUSSION (continued):

C. Neighbor Concerns

Following CDAC review and the applicant's neighborhood outreach efforts, several letters have been submitted to the public record in opposition to the project (Exhibit 13). The applicant's responses to these comments are provided as Exhibit 12.

The first point of contention in the letters questions the legality and approved use of the detached accessory "barn" structure. Town staff responded that the "barn" structure was approved as detached accessory living space without a kitchen or cooking facility, and the previous remodel of that structure was approved through Building Permit B16-0878. These communications resulted in a Code Enforcement Case being opened on the subject property to inspect whether a cooking facility was installed without permits. The Code Enforcement Officer confirmed that a cooking facility was installed without permits. The owner remedied the Code Enforcement Case by removing the existing stove and 220 outlet from the existing structure and removing the existing electrical wire connected to the electrical panel. The electrical permit for this work (E21-203) was approved and inspected by the Building Department on September 9, 2021, which closed the Case.

The public comment letters also questioned and raised concerns regarding the following: CEQA review of the project related to biological impacts along Ross Creek riparian corridor and development located in the Wildland Very High Fire Hazard Area; lot frontage compliance; arborist review; Hillside Development Standards and Guidelines compliance; and the history of illegal commercial uses associated with the property. The Town Attorney responded in writing to each of these concerns, included as Exhibit 6. A response letter to the Town Attorney's letter was then submitted on August 9, 2021, further questioning the Town's definition of "lot frontage" and "street".

As noted in Exhibit 6, Town Code defines both "lot frontage" and "street," provided below.

*Lot frontage means the property line of a lot abutting on a street, which affords access to a lot other than the side line of a corner lot.*

*Street means any thoroughfare for the motor vehicle travel which affords the principal means of access to abutting property, including public and private rights-of-way and easements.*

The proposed lots would have 142 feet and 121 feet of frontage along the existing 50-foot wide ingress/egress easement, and therefore comply with Town Code.

DISCUSSION (continued):

The Town Attorney has provided the following information below to further clarify the environmental review concern.

The Subdivision Map Act (SMA) does not contain a requirement for environmental review. Instead, one must do an analysis under the California Environmental Quality Act (CEQA) to determine whether and to what degree a CEQA analysis must be done for a subdivision application. In this case, staff has relied on a Categorical Exemption pursuant to the California Environmental Quality Act, Section 15315: Minor Land Divisions. The project proposes to subdivide one lot into two and no development is proposed at this time.

In addition to the Categorical Exemption for Minor Land Divisions, the Planning Commission can also rely on State CEQA Guidelines Section 15061(b)(3). The Common Sense Exemption applies when an action or project can be seen with certainty that there is no possibility that the activity may have a significant impact on the environment. Again, the project proposes to subdivide one lot into two and no development is proposed at this time. Also, environmental review will be done if an Architecture and Site application is filed.

Finally, Planning Commission can also rely on CEQA Guidelines Section 15183 which allows for a streamlined environmental review process for projects which are consistent with the development density established by existing zoning, community plan, or general plan policies. Again, the project proposes to subdivide one lot into two and no development is proposed at this time and the project is currently consistent with the development density established by existing zoning and General Plan policies.

Mr. Lippe's letter alleges that, "the Town cannot make a CEQA determination regarding the subdivision application considered in isolation from the proposed new residence. Doing so would unlawfully 'piecemeal' the CEQA determination". Generally, impermissible piecemeal review occurs when a large project is chopped into many little ones—each with a minimal potential impact on the environment or requiring only a ministerial permit—which cumulatively may have significant consequences (*Planning & Conservation League v. Castaic Lake Water Agency* [2009] 180 Cal.App.4th 210, 235). The piecemeal rule against segmenting does not, however, mean that every activity related to a proposed project must be included in a single CEQA document. Rather, the California Supreme Court held that related actions only had to be included in a CEQA document when they were reasonably foreseeable, but not when they were remote and speculative (*Laurel Heights Improvement Association v Regents of the University of California* 47 Cal. 3d 376). In *Laurel Heights*, the Supreme Court noted that the level of CEQA analysis required in any particular case depends on many factors, including the nature of the project, the directness or indirectness of the contemplated impact, the ability to forecast the actual effects the project will have on the physical environment, whether future effects will themselves require analysis under CEQA, and whether the effects will be felt outside of the project area.

DISCUSSION (continued):

Contrary to Mr. Lippe's letter, there is no "proposed new residence". The project proposes to subdivide one lot into two lots and no development is proposed at this time. Under such circumstances, it would be impossible to specify the precise development that will eventually occur and the impacts that would result therefrom. As mentioned, environmental review will be done if an Architecture and Site application is filed and such an application is not considered ministerial. Therefore, the Town is not piecemealing the project as alleged by Mr. Lippe.

D. Environmental Review

The project is Categorically Exempt pursuant to the adopted Guidelines for the Implementation of the California Environmental Quality Act, Section 15315: Minor Land Divisions. The project proposes to subdivide one lot into two. No development is proposed at this time.

PUBLIC COMMENTS:

Written notice of the Planning Commission hearing was sent to neighboring property owners and occupants. Public comments are provided in Exhibit 13. The applicant's responses are included as Exhibit 12.

CONCLUSION:

A. Summary

The applicant is requesting approval of a Subdivision application to subdivide one lot into two lots at 16466 Bonnie Lane. The proposed configuration of the two lots would be irregular and not consistent with the surrounding neighborhood lot pattern. The application complies with the technical requirements of Town Code. No construction is proposed with this application. None of the findings from Section 66474 of the SMA could be made to deny the application (Exhibit 2).

B. Recommendation

Based on the analysis above, staff recommends approval of the Subdivision application subject to the recommended conditions of approval (Exhibit 3). If the Planning Commission finds merit with the proposed project, it should:

1. Make the finding that the proposed project is categorically exempt pursuant to the adopted Guidelines for the Implementation of the California Environmental Quality Act, Section 15315: Minor Land Divisions (Exhibit 2);

CONCLUSION (continued):

2. Make the findings as required by Section 66474 of the Subdivision Map Act (Exhibit 2); and
3. Approve Subdivision application M-21-003 with the conditions contained in Exhibit 3 and the development plans in Exhibit 10.

C. Alternatives

Alternatively, the Commission can:

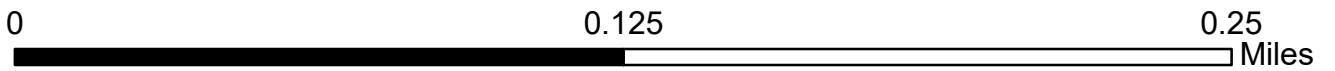
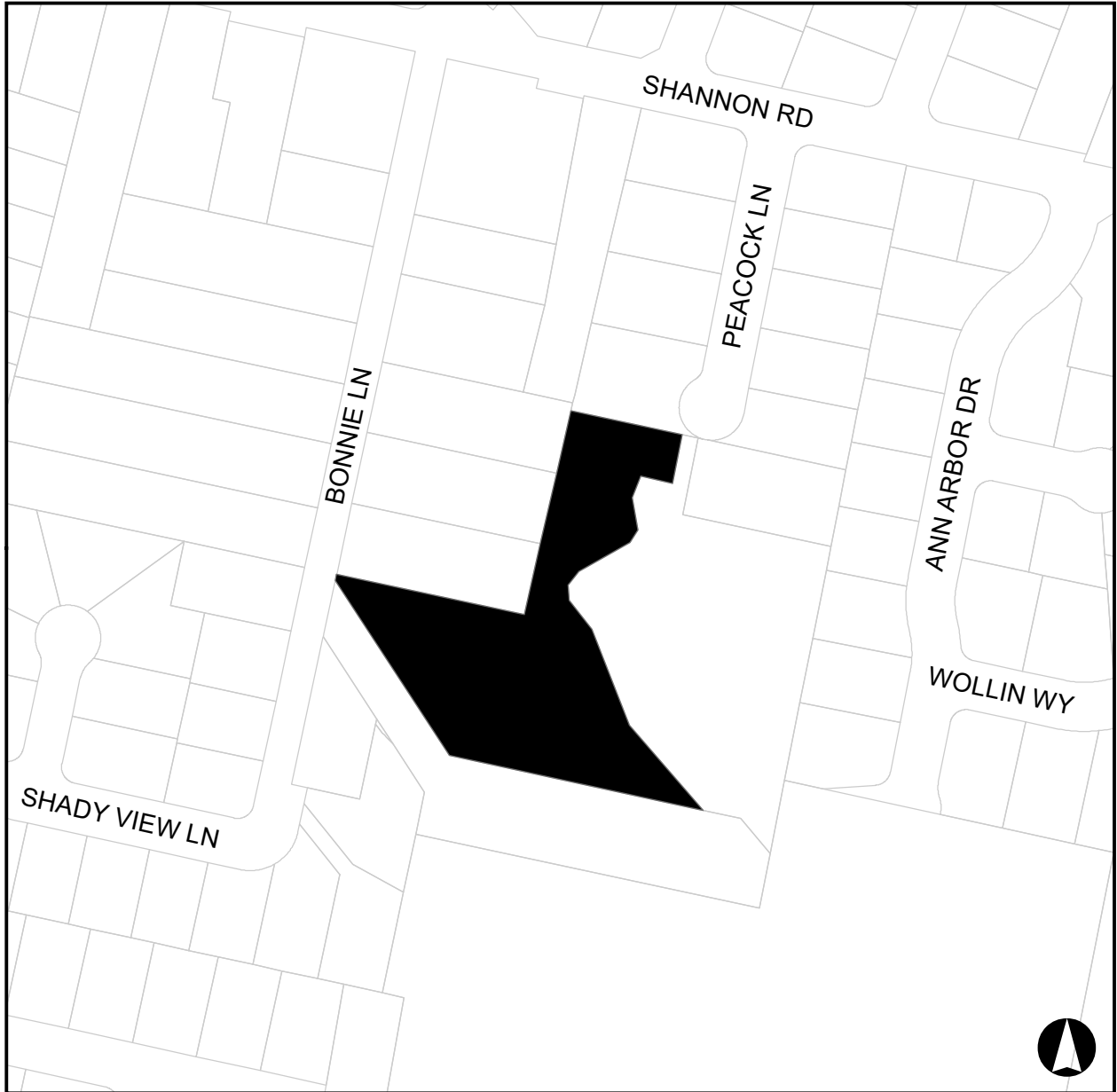
1. Continue the matter to a date certain with specific direction;
2. Approve the application with additional and/or modified conditions; or
3. Deny the application.

EXHIBITS:

1. Location Map
2. Required Findings
3. Recommended Conditions of Approval
4. March 10, 2021 Conceptual Development Advisory Committee report packet
5. March 10, 2021 Conceptual Development Advisory Committee meeting minutes
6. Town Attorney response letter to public comment, dated June 22, 2021
7. Project Description and Letter of Justification, received July 22, 2021
8. Applicant's response to Conceptual Development Advisory Committee recommendations, received July 22, 2021
9. Pictures of subject property, received July 26, 2021
10. Subdivision Plans, received July 29, 2021
11. Summary of neighborhood outreach, received August 6, 2021
12. Applicant's response to public comments, received September 10, 2021
13. Public Comments received prior to 11:00 a.m., Friday, October 8, 2021



# 16466 Bonnie Lane



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**PLANNING COMMISSION – October 13, 2021**  
**REQUIRED FINDINGS**

**16466 Bonnie Lane**  
**Subdivision Application M-21-003**

**Requesting Approval 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**

**FINDINGS**

**Required Finding for CEQA:**

- The project is Categorical Exempt pursuant to the adopted Guidelines for the Implementation of the California Environmental Quality Act, Section 15315: Minor Land Divisions.

**Required findings to deny a Subdivision application:**

- As required by Section 66474 of the State Subdivision Map Act the map shall be denied if any of the following findings are made: **None of the findings could be made to deny the application.**

Instead, the Planning Commission makes the following affirmative findings:

- a. That the proposed map is consistent with all elements of the General Plan.
- b. That the design and improvement of the proposed subdivision is consistent with all elements of the General Plan.
- c. That the site is physically suitable for the type of development.
- d. That the site is physically suitable for the proposed density of development.
- e. That the design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage nor substantially and avoidably injure fish or wildlife or their habitat.
- f. That the design of the subdivision and type of improvements is not likely to cause serious public health problems.
- g. That the design of the subdivision and the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.

EXHIBIT 2

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**PLANNING COMMISSION – October 13, 2021**  
**CONDITIONS OF APPROVAL**

**16466 Bonnie Lane**  
**Subdivision Application M-21-003**

**Requesting Approval 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**

TO THE SATISFACTION OF THE DIRECTOR OF COMMUNITY DEVELOPMENT:

*Planning Division*

1. APPROVAL: This application shall be completed in accordance with all of the conditions of approval listed below. Any changes or modifications to the approved plans shall be approved by the Community Development Director, the Development Review Committee, the Planning Commission, or Town Council, depending on the scope of the changes.
2. EXPIRATION: The Subdivision Application will expire two years from the date of approval, unless the approval is used before expiration. Section 29.20.335 defines what constitutes the use of an approval granted under the Zoning Ordinance.
3. ARCHITECTURE AND SITE APPROVAL: Approval of an Architecture and Site Application is required for the new residence, driveway, and any associated grading work shown conceptually on the subdivision plans.
4. NON-CONFORMING STRUCTURES: Any existing structures on that site that become non-conforming to setbacks with the subdivision application must be removed, moved to meet new setback requirements, or legally permitted prior to recordation of the parcel map.
5. TOWN INDEMNITY: Applicants are notified that Town Code Section 1.10.115 requires that any applicant who receives a permit or entitlement from the Town shall defend, indemnify, and hold harmless the Town and its officials in any action brought by a third party to overturn, set aside, or void the permit or entitlement. This requirement is a condition of approval of all such permits and entitlements whether or not expressly set forth in the approval.

TO THE SATISFACTION OF THE DIRECTOR OF PARKS AND PUBLIC WORKS:

*Engineering Division*

6. APPROVAL: This application shall be completed in accordance with all the conditions of approval listed below and in substantial compliance with the latest reviewed and approved development plans. Any changes or modifications to the approved plans or conditions of approvals shall be approved by the Town Engineer.
7. CONSTRUCTION PLAN REQUIREMENTS: Construction drawings shall comply with Section 1 (Construction Plan Requirements) of the Town's Engineering Design Standards, which are available for download from the Town's website.

EXHIBIT 3

8. DESIGN CHANGES: Any proposed changes to the approved plans shall be subject to the approval of the Town prior to the commencement of any and all altered work. The Owner and/or Applicant's project engineer shall notify, in writing, the Town Engineer at least seventy-two (72) hours in advance of all the proposed changes. Any approved changes shall be incorporated into the final "as-built" plans.
9. PLANS AND STUDIES: All required plans and studies shall be prepared by a Registered Professional Engineer and maps prepared by a Licensed Land Surveyor in the State of California and submitted to the Town Engineer for review and approval. Additionally, any studies imposed by the Planning Commission or Town Council shall be funded by the Owner and/or Applicant.
10. GENERAL: The Owner and/or Applicant shall comply with all Town, County, State and Federal laws and regulations applicable to this land division. No other proposed development is included in this particular Subdivision. Approval of a Parcel Map will acknowledge the Town's acceptance of the parcel as legally created in accordance with the Subdivision Map Act. Any subsequent development will be required to demonstrate compliance with the Town Development Standards and Codes.
11. PARCEL MAP: A parcel map shall be recorded. An electronic copy (PDF) of the parcel map and all associated materials shall be submitted to the Engineering Division of the Parks and Public Works Department for review and approval. Submittal shall include closure calculations, title reports and the appropriate fee. The map shall be recorded prior to the issuance of any grading or building permits. The Owner/Applicant shall provide the Engineering Division with an electronic copy (in PDF format) of the signed recorded map along with a CAD drawing of the Parcel Map after it is recorded.
12. WEST VALLEY SANITATION DISTRICT: All sewer connection and treatment plant capacity fees shall be paid either immediately prior to the issuance of any building or grading permits, or immediately prior to the issuance of a sewer connection permit, whichever event occurs first. Written confirmation of payment of these fees shall be provided prior to the issuance of permits.
13. DEDICATIONS: The following shall be dedicated on the parcel map. The dedication shall be recorded before any grading or building permits are issued.
  - a. Public Utility Easement (PUE): Ten (10) feet wide, next to the Bonnie Lane right-of-way.
  - b. Ingress-egress, storm drainage and sanitary sewer easements, as required.
  - c. Private Open Space Easement across the eastern portions of both Parcels 1 and 2, as delineated on the Tentative Map (sheet 2 of 6) that was submitted to the down, prepared by Westfall Engineers, Inc., and dated June 16, 2021.
14. PRIVATE EASEMENTS: Agreements detailing rights, limitations, and responsibilities of involved parties shall accompany each private easement. The easements and associated agreements shall be recorded simultaneously with the Parcel map. An electronic copy (PDF) of the recorded agreement(s) shall be submitted to the Engineering Division of the Parks and Public Works Department prior to the issuance of any permit.



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

MEETING DATE: 03/10/2021

ITEM NO: 2

---

DATE: March 4, 2021

TO: Conceptual Development Advisory Committee

FROM: Joel Paulson, Community Development Director

SUBJECT: Conceptual Development Advisory Committee Application CD-21-001. Project Location: **16466 Bonnie Lane**. APN. 532-02-053. Property Owner: Mish Chadwick. Applicant: Tony Jeans, THIS Design.  
Requesting preliminary review of a proposal for subdivision of one lot into two lots on property zoned R-1:20.

ROLE OF THE CDAC:

The Conceptual Development Advisory Committee (CDAC) advises a prospective applicant on the overall consistency of a project with Town policies prior to submitting a formal application and investing in the development review process. The Committee also endeavors to identify the potential issues that will need to be addressed during the development review process should the applicant wish to submit an application. The issues identified by the Committee are not intended to be all-inclusive and other additional issues may be identified during the formal development review process.

None of the Committee's comments are binding on the Town and in no way are they intended to indicate whether the project will be received favorably by the various review bodies that are charged with evaluating and deciding the application. As noted in this report, if an application is filed, technical analysis would need to be done during the evaluation of the proposal. In addition, public input is a required and essential component in the development review process. Notice has been sent to residents and property owners within 300 feet of the project site. In addition to the public comments received at this meeting, all applicants are strongly encouraged to hold neighborhood meetings to receive input as the design of the project evolves should they decide to proceed with the development review process.

PREPARED BY: RYAN SAFTY  
Associate Planner

---

Reviewed by: Planning Manager and Community Development Director

---

PROJECT DESCRIPTION:

The applicant has submitted a project description (Attachment 3), site photographs (Attachment 4), and conceptual plans (Attachment 5) for the subdivision of one lot into two lots at 16466 Bonnie Lane. Due to the owner's desire to maintain the existing structures on site, the applicant is requesting two lots with an irregular property line configuration. The subject property is zoned R-1:20 (Single-Family Residential) and is outside of the Hillside Planning Area. Future development would require an Architecture and Site application and be subject to the Residential Design Guidelines and portions of the Hillside Development Standards and Guidelines (HDS&G) due to the average slope of the lot.

The subject property is accessed through a 50-foot wide ingress/egress easement off Bonnie Lane, which is shared with two other properties. The proposed new lot would also have access through this easement, serving a proposed total of four properties. The applicant is also requesting preliminary review of an optional 10-foot reduction to this easement (from 50 feet to 40 feet) for added flexibility with the future house design and placement. To pursue this option, the applicant would need to work with the surrounding property owners to amend the easement and receive approval through a Subdivision application.

Key elements of the proposed project, as listed on the project description and plans submitted, are as follows:

- Subdivision of one 81,866-square foot lot into two irregularly shaped single-family residential lots of approximately 40,000 square feet with frontages of 138 and 124 feet and depths of 230 and 240 feet; and
- Optional ingress/egress easement reduction from 50 feet to 40 feet.

EXISTING GENERAL PLAN, ZONING, SPECIFIC PLAN DESIGNATION, AND PLANNING AREA:

1. General Plan designation: Low Density Residential, 0-5 dwelling units per net acre.
2. Surrounding General Plan designations: Low Density Residential on all sides.
3. Zoning designation: R-1:20 (Single-Family Residential).
4. Surrounding zoning designations: R-1:20 (Single-Family Residential) to the north and south, and R-1:8 (Single-Family Residential) and R-1:20 (Single-Family Residential) to the east and west.
5. Hillside Specific Plan (HSP) Study Area: Not located in a sub-area.
6. Hillside Development Standards and Guidelines: Residentially zoned parcels with an average slope of 10 percent or greater outside of the Town's Hillside Area.



EXISTING CONDITIONS:

1. The project site is 1.88 acres (81,866 square feet).
2. The average slope of the project site is 13.1 percent.
3. The project site contains an existing single-family home, detached 2,256-square foot accessory barn structure, pool with a cabana structure, sports court, and large grass field in the “panhandle” portion of the lot.

POTENTIAL CONSIDERATIONS AND ISSUES:

The following is a brief list of issues and topics for consideration by the CDAC. Staff has not reached conclusions on these topics. Staff is identifying them here to help frame the discussion and to solicit input. The main question for the CDAC is whether or not the applicant’s concept for the project creates a high-quality plan appropriate for Los Gatos in this location. If an application is filed, staff would evaluate the technical issues.

1. General Plan/Zoning
  - a. The subject property is currently zoned R-1:20 (Single-Family Residential), which is consistent with the existing General Plan designation, Low Density Residential.
  - b. Is the proposed subdivision consistent with all elements of the General Plan?
2. Density
  - a. Is this site physically suitable for the proposed density?
3. Lot Configurations
  - a. Minimum lot area for the R-1:20 zone is 20,000 square feet.
  - b. The minimum frontage required for the R-1:20 zone is 100 feet.
  - c. The minimum lot depth required for the R-1:20 zone is 140 feet.
  - d. Is the site physically suitable for the type of development?
  - e. Is the site layout and lot pattern compatible with the surrounding properties?
4. Parking/Circulation
  - a. Would each lot have adequate access?
  - b. Will adequate parking be provided for each lot?
  - c. Would driveway slopes exceed the 15 percent limit in the HDS&G?
  - d. Is a reduction to the shared ingress/egress easement appropriate?
5. Tree Impacts
  - a. An arborist report will be required during development review to evaluate the potential impact to trees.
  - b. Will driveways be located to avoid tree impacts?
  - c. Will underground water, sewer, electrical, and telephone utility lines impact trees?

6. Creeks/Waterways
  - a. Would future development impact existing creeks or waterways?
  - b. Compliance with the Standards and Guidelines for Land Use Near Streams will be required if there are existing creeks or waterways on the site.
  - c. Valley Water, Regional Water Quality Board, and other agencies may need to review a future project.
  
7. Wildland Urban Interface Zone
  - a. The subject property is located in the Wildland Very High Fire Hazard Area.
  
8. Hillside Development Standards and Guidelines
  - a. Future development of the lots would be subject to portions of the HDS&G due to the average slope exceeding 10 percent.
  - b. Would future development of the proposed lots require grading that would meet the HDS&G?

PUBLIC COMMENTS:

Staff has included all public comments received by 11:00 a.m., Friday, March 4, 2021 as Attachment 6.

Attachments:

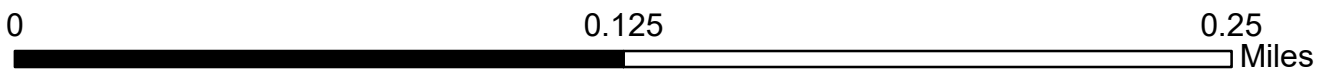
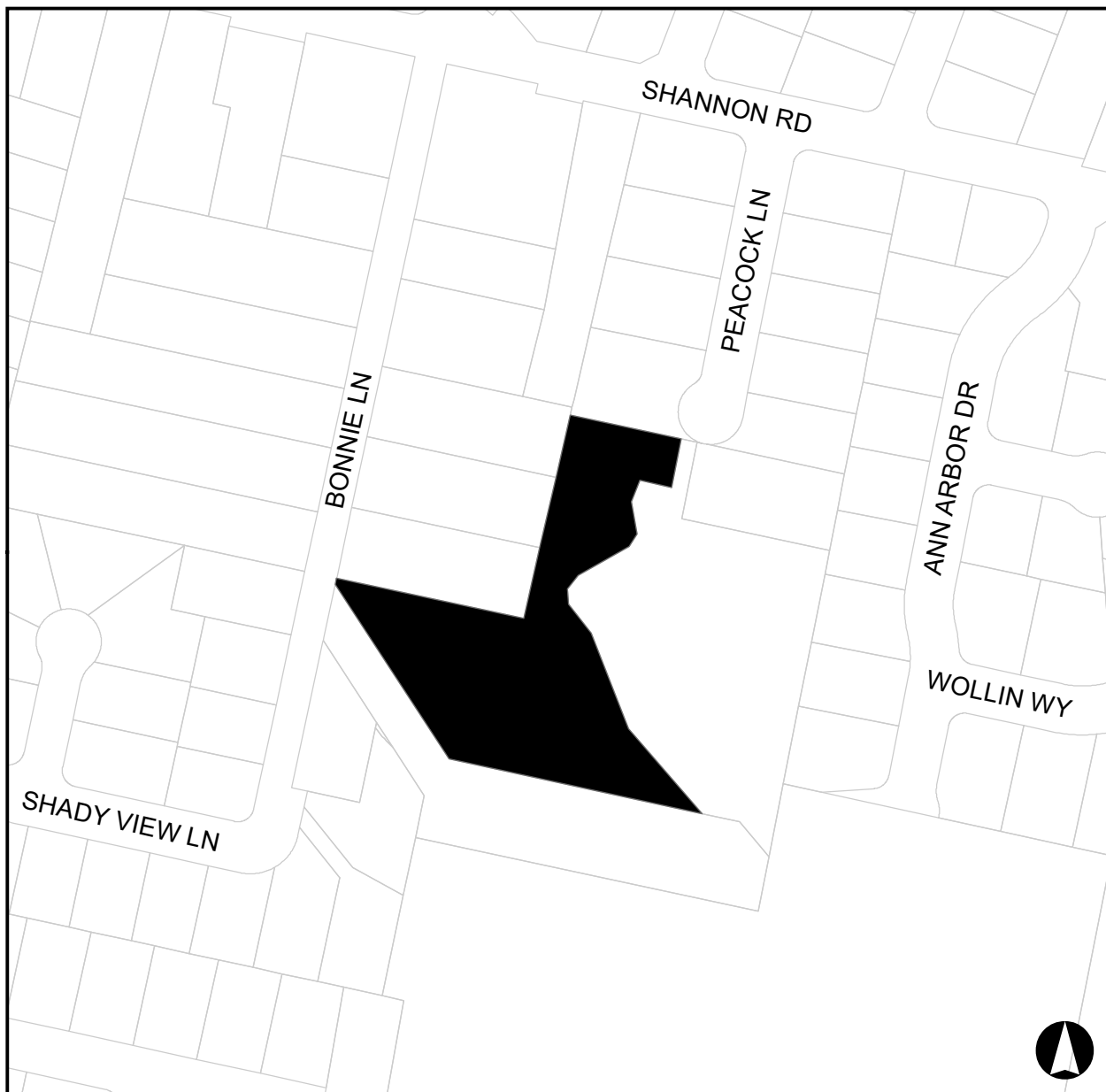
1. Location map
2. CDAC Application
3. Project Description Letter
4. Site Photographs
5. Conceptual Plans
6. Public comments received by 11:00 am, Thursday, March 4, 2021

Distribution:

Tony Jeans, PO Box 1518, Los Gatos, CA 95031

Mish Chadwick, 16466 Bonnie Lane, Los Gatos, CA 95032

# 16466 Bonnie Lane



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# APPLICATION FOR PROJECT REVIEW CONCEPTUAL DEVELOPMENT ADVISORY COMMITTEE

**TOWN OF LOS GATOS - COMMUNITY DEVELOPMENT DEPARTMENT**  
 110 E. Main St., Los Gatos, CA 95030  
 Phone: (408) 354-6874 FAX: (408) 354-7593

PLEASE TYPE OR PRINT CLEARLY

**PROPERTY DETAIL:**

Address of subject property: 16466 BONNIE LANE  
 Zoning R1-20 Site Area 81,866 # APN 532-02-053  
 Existing use SINGLE FAMILY RESIDENTIAL

**BRIEFLY DESCRIBE PROJECT:**

CONSIDER A LOT SPLIT OF AN IRREGULARLY SHAPED PARCEL INTO 2 LOTS  
BOTH LOTS WOULD BE CONFORMING. CONSIDER ALSO ALLOWING A REDUCTION  
IN WIDTH OF ROW ACCESS STREET TO REDUCE FROM 50' TO 40'.

**APPLICANT:**

NAME TONY JEANS / THIS DESIGN PHONE: (408) 354-1833  
 ADDRESS P.O. BOX 1518  
 CITY LOS GATOS STATE CA ZIP 95031

**NAME OF PROPERTY OWNER: (If same as above, check here )**

NAME MISH CHADWICK PHONE: (408) 458-6966  
 ADDRESS 16466 BONNIE LANE  
 CITY LOS GATOS STATE CA ZIP 95032

I hereby certify that I am the owner of record of the property described in Box #2 above, and that I approve of the action requested herein.

SIGNATURE OF OWNER  DATE 1/28/21

### ACKNOWLEDGMENT FORM

I, the undersigned, fully acknowledge and understand the Conceptual Development Advisory Committee is only an advisory body and is not empowered by the Town Council or the Planning Commission to render recommendations or decisions regarding land use issues.

I further understand and acknowledge that any statement by the Committee that a potential land use appears consistent with Town Policy is not an express or implied approval of a development project. A project may be rejected by the Planning Commission and/or Town Council for inconsistency with Town policy or for other reasons in the course of the development review process, including public input.

I further understand and acknowledge that the members of the Conceptual Development Advisory Committee are in no way bound in their future review of my project, by their comments at this very preliminary state of project development.

SIGNATURE OF OWNER  DATE 1/28/21

**\*\* DO NOT WRITE BELOW THIS LINE**

APPLICATION No. \_\_\_\_\_

	PLPERMIT	\$2,966.00
	PLTRACK	118.64
	PLANAP	296.60
(Noticing Deposit)	PLPERMIT	500.00
	<b>TOTAL FEE</b>	<b>\$3,881.24</b>

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

February 13<sup>th</sup>, 2021

Dear Committee Members

1. We are requesting that you review the Proposed Application for consideration as a pre-cursor to an application to subdivide a large [81,166 SF], irregularly shaped lot in the R1-20 zoning district into 2 parcels - each in excess of 40,000 sq ft.
2. We are also requesting that you give consideration to an associated Lot Line Adjustment, which would modify the Right of Way access in front of the property from 50 ft in width down to 40ft.

Discussion:

Bonnie Lane is a 40 ft wide Right of way along its length from Shannon Road. Most of the properties along Bonnie Lane are legal non-conforming lots with typical frontages of 80-90 ft [100 ft standard] and with side setbacks of 5-10 ft [15 ft standard].

The property has a panhandle of about 20,000 sq ft with a seasonal creek in the rear, making a portion of the land suitable only for ancillary use. In attempting to design 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 bocci court].

There is a reasonably logical lot line that we are proposing for this subdivision based on the location of existing structures. Even though the overall property is irregular in shape, it is sufficiently large that our proposal would create 2 conforming lots:

- Approximately equal size [over 40,000 sq ft - with 20,000 sq ft required]
- Conforming frontage [138 ft and 124 ft - with 100 ft required]
- Conforming depth [230 ft and 240 ft with 140 ft minimum for R1:20 zoning]
- Conforming setbacks [30/15/25 ft] for front side and rear.

House placement has been suggested in the Map and would conform to the homes along Bonnie Lane, except that Bonnie Lane homes have significantly reduced side setbacks.

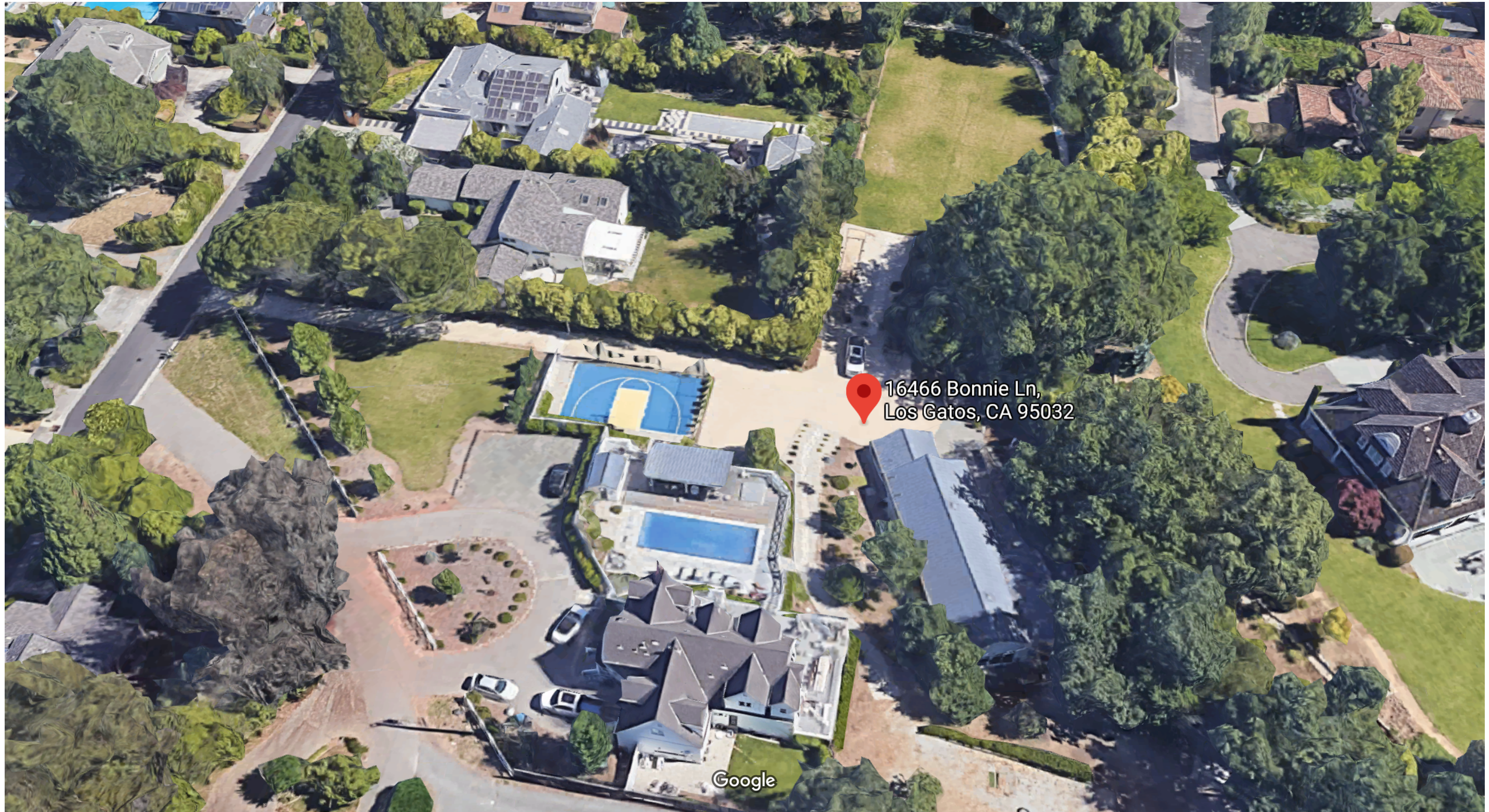
It would be desirable to reduce the frontage street RoW from a 50 ft wide access corridor to 40 ft in width to allow for more flexibility in house placement. Bonnie Lane itself is a 40ft wide RoW, and this would be consistent. We would also like the thoughts of the committee members as to the desirability of this aspect of the project. It is not fundamental to the success of the project, but the added flexibility might help with the house design and placement to reduce neighbor impacts and privacy.

Tony Jeans

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

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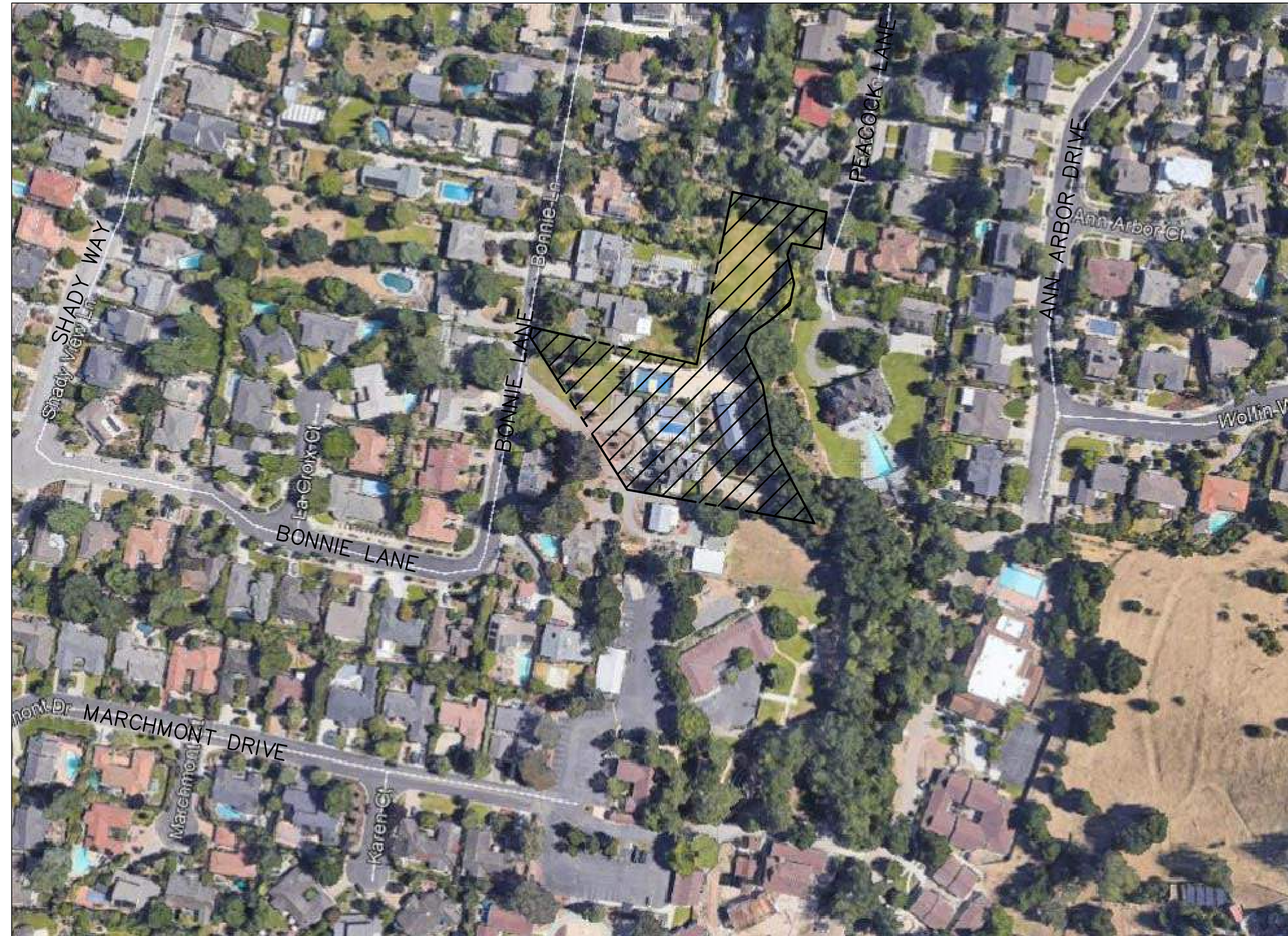




BENCHMARK:  
 LG39, BRASS DISK IN MONUMENT BOX ON LA CHIQUITA AVENUE  
 ELEV. = 360.23'

LEGEND

EXISTING		PROPOSED
	BUILDING	
	MONUMENT	
	CURB INLET	
	AREA DRAIN	
	POLE	
	SANITARY SEWER MANHOLE	
	STORM DRAIN MANHOLE	
	FIRE HYDRANT	
	WATER VALVE	
	STREET LIGHT	
	CLEANOUT	
	BOUNDARY	
	LOT LINE	
	CENTERLINE	
	LIMIT OF EASEMENT	
	CURB	
	CURB AND GUTTER	
	EDGE OF PAVEMENT	
	CONTOUR	
	FENCE	
	FLOW LINE	
	SANITARY SEWER	
	STORM DRAIN	
	ELECTRICAL	
	GAS	
	WATER	
	SETBACKS	



VICINITY MAP

NOTES:

OWNER:  
 MATTHEW BRENNAN & MICHELLE CHADWICK  
 16466 Bonnie Lane  
 Los Gatos, CA 9503

ENGINEER:  
 WESTFALL ENGINEERS, INC.  
 14583 BIG BASIN WAY  
 SARATOGA, CA 95070  
 408-867-0244

UTILITIES:

WATER - SAN JOSE WATER COMPANY  
 SANITARY SEWER - WEST VALLEY SANITATION DISTRICT  
 GAS AND ELECTRIC - P.G.&E.  
 TELEPHONE - ATT  
 CABLE - COMCAST  
 THE SUBJECT PROPERTY IS NOT SUBJECT TO INUNDATION.

	ACRES	SQUARE FEET
PARCEL 1	0.95	41,205
PARCEL 2	0.93	40,655
TOTAL	1.88	81,866

INDEX

- SHEET 1 COVER SHEET
- SHEET 2 TENTATIVE MAP
- SHEET 3 EXISTING SITE PLAN
- SHEET 4 PROPOSED SITE PLAN
- SHEET 5 AERIAL TOPO 1"=20'
- SHEET 6 AERIAL TOPO 1"=30'

SLOPE (S)  
 CONTOUR INTERVAL (I)  
 CONTOUR LENGTH (L)  
 AREA (A)  
 $S = I * L * 100 / A$

$S = 2 * 4053 * 100 / 81866 = 9.9\%$  (WITHOUT CREEK)

$S = 2 * 5373 * 100 / 81866 = 13.1\%$  (WITH CREEK)

NO.	BY	DATE	REVISION	BY	DATE

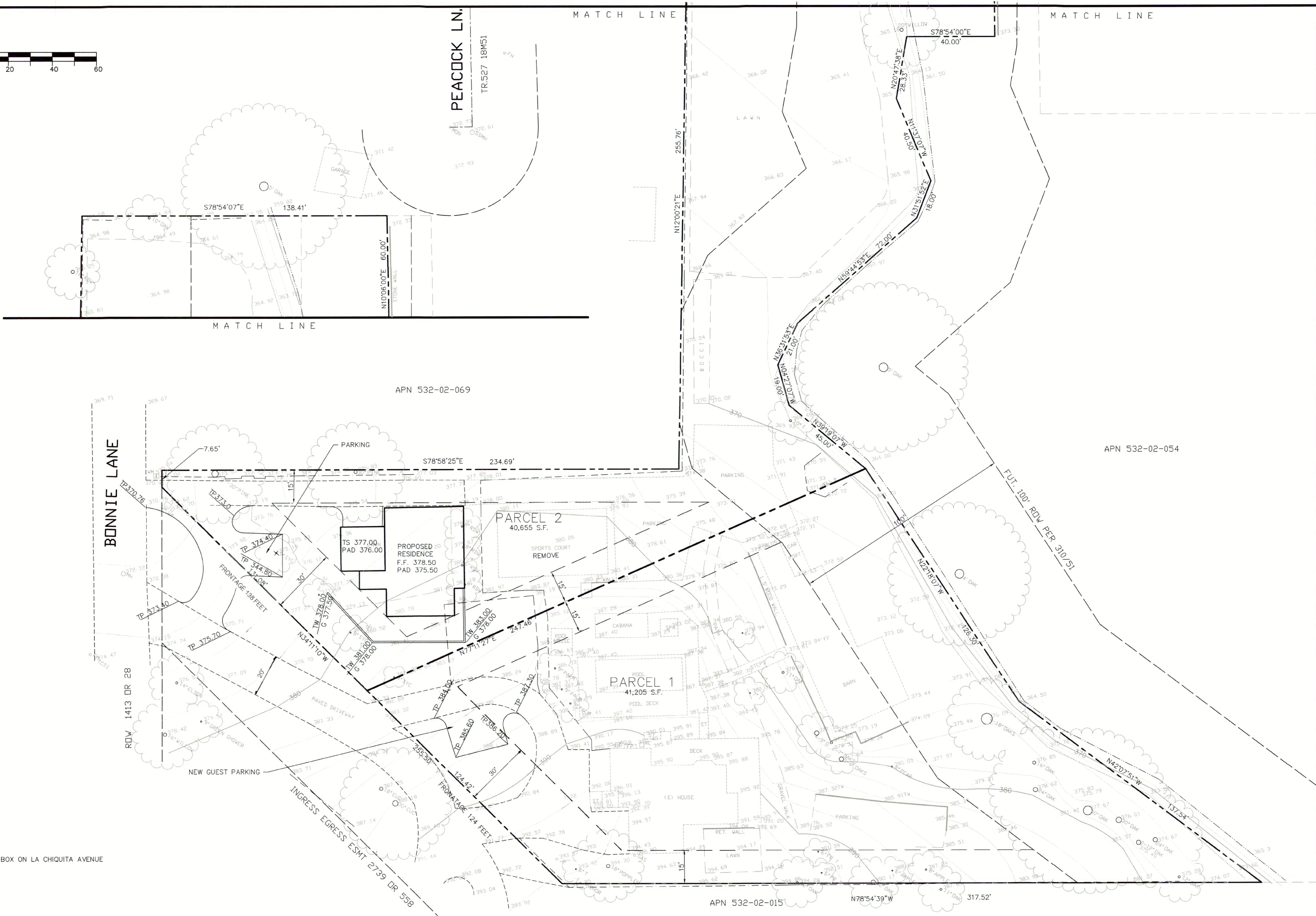
DATE: February 2021  
 SCALE: HOR. N. T. S.  
 VERT.  
 DESIGNED: JC  
 CHECKED: KC  
 PROJ. ENGR: JC

BY: KAREL CYMBAL, RCE 34534  
 DATE:

WESTFALL ENGINEERS, INC.  
 14583 BIG BASIN WAY, SARATOGA, CA 95070 (408) 867-0244

COVER SHEET  
 16466 BONNIE LANE, LOS GATOS

JOB NO. 2020-059
SHEET 1 OF 6



BENCHMARK:  
 LG39, BRASS DISK IN MONUMENT BOX ON LA CHIQUITA AVENUE  
 ELEV.= 360.23'

NO.	BY	DATE	REVISION	BY	DATE	DATE: February 2021
						SCALE: HDR. = 1" = 20'
						DESIGNED:
						DRAWN: HB
						PRD.J. ENGR:

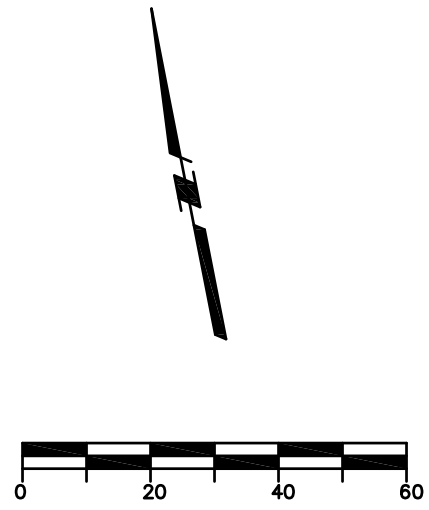
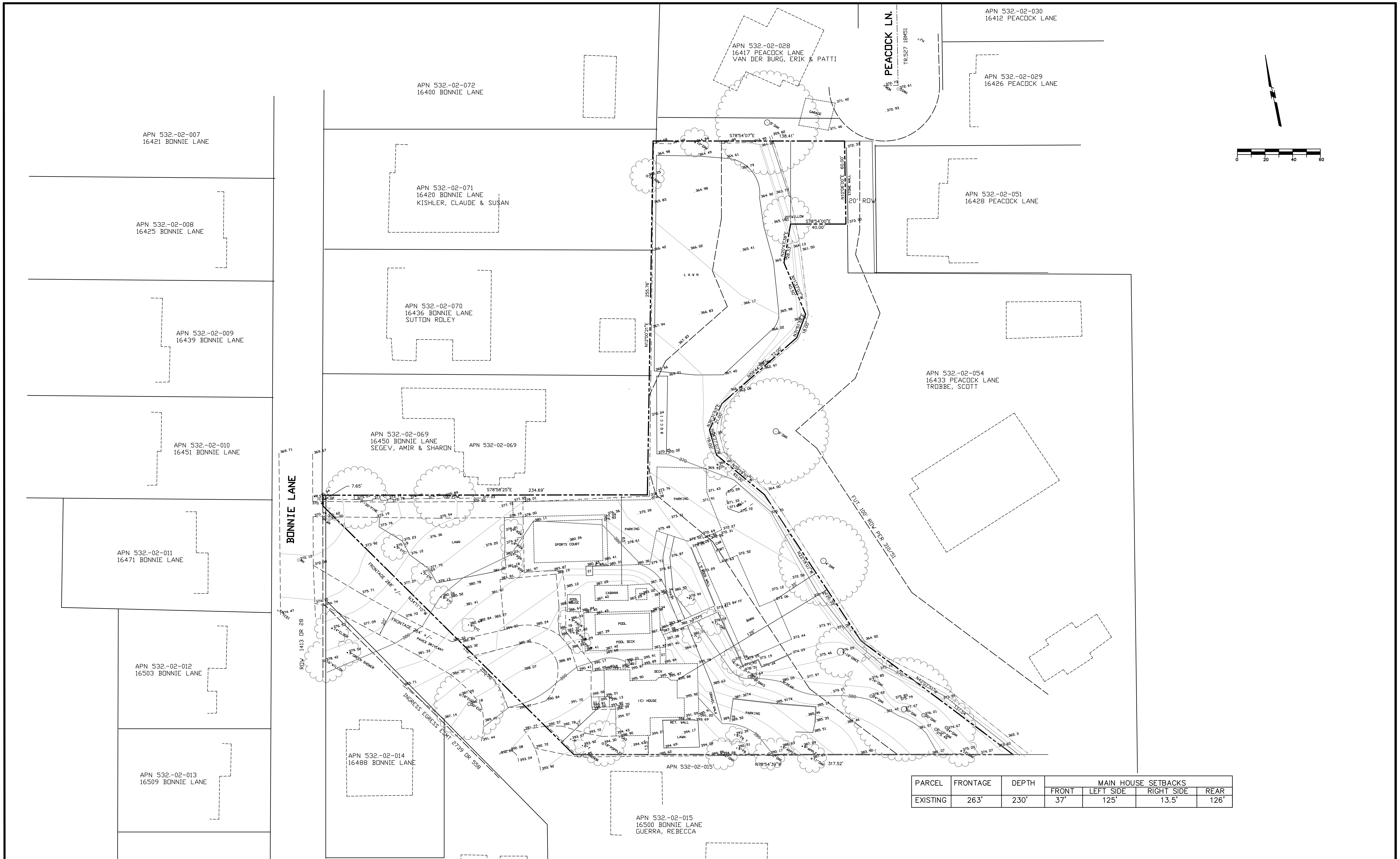
BY: HARRY BABICKA, LS 4953  
 DATE:



**WESTFALL ENGINEERS, INC.**  
 14583 BIG BASIN WAY, SARATOGA, CA 95070 (408) 867-0244

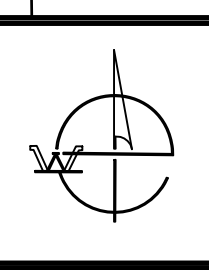
**TENTATIVE MAP**  
 16466 BONNIE LANE, LOS GATOS, CA

JOB NO. 2020-059
SHEET 2
OF 6



NO.	BY	DATE	REVISION

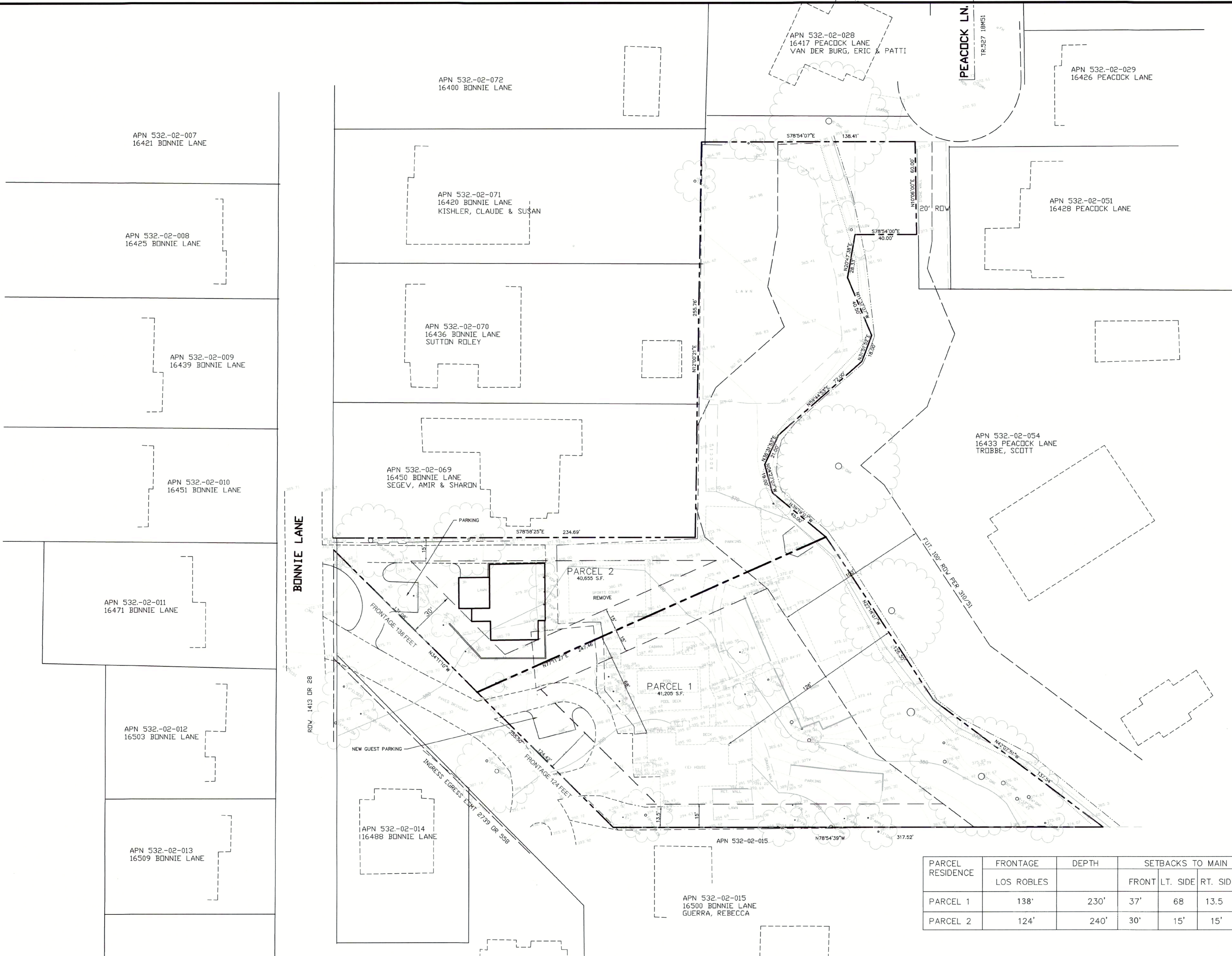
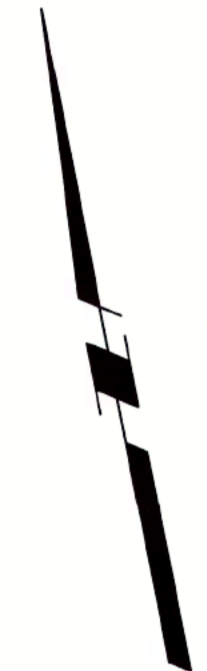
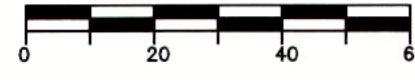
DATE: February 2021  
 SCALE: HOR. = 1" = 30'  
 DESIGNED: BY: HARRY BABICKA, LS 4953  
 DRAWN: HB DATE:  
 PROJ. ENGR:



**WESTFALL ENGINEERS, INC.**  
 14583 BIG BASIN WAY, SARATOGA, CA 95070 (408) 867-0244

**EXISTING SITE PLAN**  
 16466 BONNIE LANE, LOS GATOS, CA

JOB NO. 2020-059  
 SHEET 3  
 OF 6



- APN 532-02-007  
16421 BONNIE LANE
- APN 532-02-008  
16425 BONNIE LANE
- APN 532-02-009  
16439 BONNIE LANE
- APN 532-02-010  
16451 BONNIE LANE
- APN 532-02-011  
16471 BONNIE LANE
- APN 532-02-012  
16503 BONNIE LANE
- APN 532-02-013  
16509 BONNIE LANE

- APN 532-02-072  
16400 BONNIE LANE
- APN 532-02-071  
16420 BONNIE LANE  
KISHLER, CLAUDE & SUSAN
- APN 532-02-070  
16436 BONNIE LANE  
SUTTON ROLLEY
- APN 532-02-069  
16450 BONNIE LANE  
SEGEV, AMIR & SHARDON
- APN 532-02-014  
16488 BONNIE LANE
- APN 532-02-015  
16500 BONNIE LANE  
GUERRA, REBECCA
- APN 532-02-028  
16417 PEACOCK LANE  
VAN DER BURG, ERIC & PATTI
- APN 532-02-029  
16426 PEACOCK LANE
- APN 532-02-051  
16428 PEACOCK LANE
- APN 532-02-054  
16433 PEACOCK LANE  
TROBBE, SCOTT

PARCEL RESIDENCE	FRONTAGE	DEPTH	SETBACKS TO MAIN			
			FRONT	LT. SIDE	RT. SIDE	REAR
PARCEL 1	138'	230'	37'	68'	13.5'	126'
PARCEL 2	124'	240'	30'	15'	15'	30'

NO.	BY	DATE	REVISION

DATE: February 2021  
 SCALE: HDR. = 1" = 30'  
 DESIGNED:  
 DRAWN: HB  
 PROJ. ENGR:

BY: HARRY BABICKA, LS 4953  
 DATE:  
**WESTFALL ENGINEERS, INC.**  
 14583 BIG BASIN WAY, SARATOGA, CA 95070 (408) 867-0244

**PROPOSED SITE PLAN**  
 16466 BONNIE LANE, LOS GATOS, CA

JOB NO.  
2020-059  
SHEET 4  
OF 6

SHANNON RD

LANDS OF VAN DER BURG  
16417 PEACOCK LN.

PARCEL 2  
PANHANDLE

LANDS OF TROBBE  
16433 PEACOCK LN.

PARCEL 1

LANDS OF KISHLER  
16420 BONNIE LN.

LANDS OF SUTTON  
16436 BONNIE LN.

LANDS OF SEGEV  
16450 BONNIE LN.

LANDS OF GUERRA  
16500 BONNIE LN.

PARCEL 2

OPTIONAL 10 FT WIDE  
LOT LINE ADJUSTMENT

124 FT FRONTAGE

40 FT

138 FT FRONTAGE

50 FT

88 FT

89 FT

89 FT

75 FT

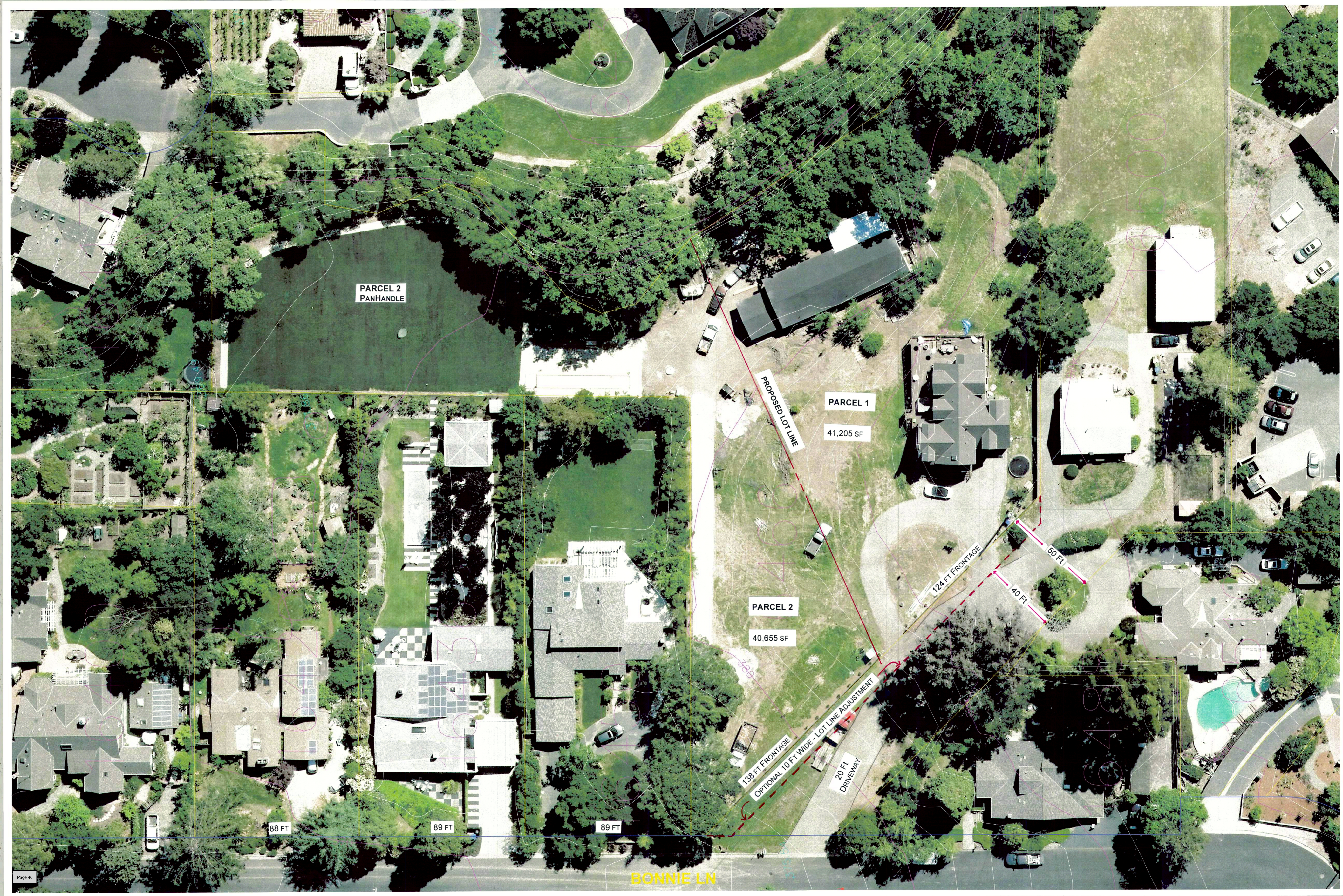
80 FT

88 FT

75 FT

BONNIE LN

SCALE: 1"=30'



PARCEL 2  
PANHANDLE

PARCEL 1  
41,205 SF

PARCEL 2  
40,655 SF

PROPOSED LOT LINE

OPTIONAL 10 FT WIDE - LOT LINE ADJUSTMENT

20 FT DRIVEWAY

BONNIE LN

88 FT

89 FT

89 FT

138 FT FRONTAGE

124 FT FRONTAGE

50 FT

40 FT



**From:** Anne Roley <anne@anne4pt.com>  
**Sent:** Wednesday, March 3, 2021 2:14 PM  
**To:** Planning Comment <PlanningComment@losgatosca.gov>  
**Subject:** RE: Conceptual Development Advisory Committee Application #CD-21-00

Dear Planning Department  
Project Planner: Ryan Safty

Regarding the application #CD-21-00 for 16466 Bonnie Lane.

What is permissible to develop on the rectangular piece of property that runs along the creek behind our home at 16436 Bonnie Lane??

Can the owner build a structure on that land? Another barn? A livable structure? A shed?

Can the owner put a tennis court or sports court on that land along the creek behind our home?

What are the limitations to that area - setbacks from the creek etc.....

What is possible?

Thank you,

Anne Roley  
16436 Bonnie Lane  
Los Gatos, CA. 95032

408-410-5781

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

MEETING DATE: 03/10/2021

ITEM NO: 2  
**ADDENDUM**

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DATE: March 9, 2021

TO: Conceptual Development Advisory Committee

FROM: Joel Paulson, Community Development Director

SUBJECT: Conceptual Development Advisory Committee Application CD-21-001. Project Location: **16466 Bonnie Lane**. APN. 532-02-053. Property Owner: Mish Chadwick. Applicant: Tony Jeans, THIS Design. Requesting preliminary review of a proposal for subdivision of one lot into two lots on property zoned R-1:20.

REMARKS:

Attachment 7 contains written comments received by 11:00 a.m., Tuesday, March 9, 2021.

ATTACHMENTS:

Attachments previously received with March 10, 2021 Staff Report:

1. Location map
2. CDAC Application
3. Project Description Letter
4. Site Photographs
5. Conceptual Plans
6. Public comments received by 11:00 am, Thursday, March 4, 2021

Attachment received with this Addendum:

7. Public Comments received by 11:00 a.m., Tuesday, March 9, 2021

PREPARED BY: RYAN SAFTY  
Associate Planner

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Reviewed by: Planning Manager and Community Development Director

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**From:** Rebecca Guerra <rmaguerra@gmail.com>  
**Sent:** Saturday, March 6, 2021 1:07 PM  
**To:** Ryan Safty  
**Cc:** Rebecca Guerra; Planning Comment  
**Subject:** Re: 16466 Bonnie Lane APN 532-02-053

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dear Mr. Safty,

Thank you for returning my call on Friday regarding the proposed/conceptual development of the parcel APN 532-02-053. I am the property owner of the parcel immediately adjacent to the parcel in question. My property address is 16500 Bonnie Lane APN 532-02-015.

I wish to confirm in writing that I object specifically to the aspect of that proposal that suggests the modification of the lot line by 10 feet into my property – specifically along my driveway for ingress and egress.

There are a number of reasons for my concern and rejection of that suggestion. I spent time reviewing the drawings submitted with the conceptual plan Mr. Jeans submitted to the City of Los Gatos for the planning department review.

After consideration of the pros and cons of the proposal to move the lot line for 16500 Bonnie Lane inward 10 feet, I have concluded that it is not in our best interest to agree. Frankly, there are few, if any benefits to me to do so. The several factors causing us to make this conclusion include the narrowing of the ingress to my property at the top of the drive which will make it harder to access the drive on the side adjacent to the property of Mish Chadwick. I also am concerned about the impact on fire and safety vehicles who might need to service our property. Lastly, I have been looking into the potential modification/upgrade of 16500 – potentially including the addition of an ADU. The impact to the driveway easement concerns me as it may limit my ability to do so. Lastly, I wish to make it clear that do not want yet another property accessing the driveway for ingress and egress. It does not appear that the proposal includes that for the second parcel, but it does appear to include a parking pad immediately adjacent to the lot line. I anticipate that the second parcel would access that off of Bonnie Lane.

The net result is that losing more than 1200 square feet of property with a lot line adjustment does not benefit me in the least and can only impair my property access, value and future potential improvement flexibility.

I plan to attend the video meeting as well, but wished to submit my concerns and objections in writing in advance.

Sincerely,  
Rebecca M.Guerra

**From:**  
**Sent:** Sunday, March 7, 2021 8:06 PM  
**To:** Ryan Safty  
**Subject:** Proposed subdivision on Bonnie Lane File #: CD-21-001

**Follow Up Flag:** Flag for follow up  
**Flag Status:** Flagged

To Whom It May Concern:

We would like this email to be kept anonymous for the public Zoom meeting.

We are opposed to the proposed development at 16466 Bonnie Lane, **File #: CD-21-001**, to subdivide the property into two parcels.

Our main concerns are:

- 1) If the neighbor residing at 16500 Bonnie Lane does not want to sell or gift the 10 feet of their property line, is this subdivision proposal no longer viable?
- 2) The panhandle that runs along the creek, behind three homes. It seems there was a reason that nothing has been built there before, mainly due to the creek. Our concern is this will disturb the wildlife and plant life in the area.
- 3) If a house is zoned for the front portion of the property, what size building would be allowed?

Both portions of the proposed property are very unusual shapes for a home and don't seem suited to be separated from the current, larger property.

We plan to attend the Zoom meeting on Wednesday, March 10.

Thank you,

**From:**  
**Sent:** Monday, March 8, 2021 7:51 AM  
**To:** Ryan Safty  
**Subject:** 16466 Bonnie Lane

**Follow Up Flag:** Flag for follow up  
**Flag Status:** Flagged

02.08.2021

Att: Ryan Safty  
Project Planner

Dear Ryan Safty,

I am writing in regard to the proposed lot line change at 16466 Bonnie Lane.

It is insufficient to consider subdividing one lot into two lots because there are enough outstanding issues that have not been addressed.

This area of Bonnie Lane, so close to Ross Creek, is a sensitive riparian corridor; there are foxes, quail, and screech owl who have permanent habitats. It is not uncommon to have turkey, deer, bobcat, and mountain lion pass through. Clearly, this is not an area that is suitable for infill building.

I object to modifying the Right of Way access from 50 ft in width to 40 ft. It does not align or conform with any of the existing properties on Bonnie Lane with 100 ft. as standard. As you are aware, this property already is built out with 2 existing homes — the barn is a fully built single family home. The Town has failed to acknowledge this fact: there is no barn in its definition.

By creating a lot split, there is now precedent for an additional lot split in a sensitive habitat corridor. Approximately 7 years ago, we lost our frog population in Ross Creek. It used to be a cacophony in the evenings of frog croaking from spring to early/mid summer. The time frame of the loss of frog population aligns with the construction of the 16466 Bonnie Lane's soccer field; the use of Round Up to keep the grass in perfect condition and/or the pumping of Ross Creek for irrigation purposes may represent the frog die off.

I chose not to make my concerns public because I don't want to have the 16466 Bonnie Lane neighbor disgruntled because I have valid concerns and questions about this project.

Thank you.

**From:** Planning Comment  
**Sent:** Monday, March 8, 2021 10:38 AM  
**To:** Ryan Safty  
**Cc:** Sally Zarnowitz; Alexa Nolder  
**Subject:** FW: Public Comment Application CD-21-001

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**From:** elgr1969@gmail.com <elgr1969@gmail.com>  
**Sent:** Monday, March 8, 2021 10:01 AM  
**To:** Planning Comment <PlanningComment@losgatosca.gov>  
**Subject:** Public Comment Application CD-21-001

To: Conceptual Development Advisory Committee

RE: 16466 Bonnie Lane – Conceptual Development Advisory Committee Application CD-21-001

We received notice of the public hearing regarding the proposal to subdivide one lot into two lots at 16466 Bonnie Lane in Los Gatos. The plans show “parcel 1” and two additional areas labeled “parcel 2” and “parcel 2 panhandle”. We are opposed to any development on “parcel 2 panhandle”. By history, this section has been offered for sale to neighbors with the suggestion it could be developed for multiple housing units.

“Parcel 2 panhandle” does not have street access necessary for vehicular and safety equipment if property is developed. Developers would have to consider building street access to “parcel 2 panhandle” via a bridge over Ross Creek from Peacock Lane, which is a narrow lane that eventually tapers down into a single-car-width driveway for access to the last two houses on the lane. There is no area for maneuverability on Peacock for large vehicles such as trash trucks and fire trucks. Currently, large trucks have to back up Peacock Lane over 400 ft because there is no space to turn around causing significant traffic hazards, especially for many children playing in the quiet cul-de-sac.

The riparian corridor along Ross Creek between Peacock Lane and “parcel 2 panhandle” would be significantly harmed by development.

Many moved to East Los Gatos because of the semi- rural atmosphere. Approving a subdivision only for profit is an injustice.

For these reasons, we are asking the Town to ensure there will never be development on “parcel 2 panhandle”. There would be no benefit to the public by developing the panhandle parcel, but much harm would be done to this quiet neighborhood.



**From:** Steve <captsteven@aol.com>  
**Sent:** Monday, March 8, 2021 11:25 AM  
**To:** Ryan Safty  
**Subject:** Re: 16466 Bonnie Lane

**Follow Up Flag:** Flag for follow up  
**Flag Status:** Flagged

Hi Ryan,

Thank you for help Friday. Below are my concerns regarding 16466 Bonnie lane:

More studies need to be conducted before a lot split is talked about-

1. Will the property owner continue to rent out her barn for events
2. Is water being pumped out of Ross creek to water the soccer field that they installed
3. Has a environmental impact report been completed as the land is next to a waterway.
4. Has any study been down regarding the soccer field, chemicals used on the lawn and the yellow leg frog die off in the creek
5. What is the owner providing to the neighborhood by wanting to split this land?  
I.e.- trees, street lighting etc.
6. Since the owner converted the barn to a different usage without a permit- got caught- then went back and tried to pass it. Why should we trust there word on this lot split.

Thank you,

Steve werner

Sent from my iPhone

**From:**  
**Sent:** Monday, March 8, 2021 11:46 AM  
**To:** Planning Comment; Ryan Safty  
**Subject:** Objection to 16466 Bonnie Lane Proposed Development Plan

**Follow Up Flag:** Flag for follow up  
**Flag Status:** Flagged

Dear Conceptual Development Advisory Committee,

We are reaching out to you regarding the proposed development plan at 16466 Bonnie Lane and the grave concerns we have about it. We would like to express our vehement and complete objection to it for the following reasons:

1. The proposed plan will materially and permanently damage the character of Bonnie Lane that was carefully and very meticulously defined and agreed on between the town and the residents decades ago. Throughout the history of Bonnie Lane being part of Los Gatos, the town made sure the strict definitions are kept and residents adhered to them in order to maintain the understandings. The proposed plan shatters the status quo that has always been central to the street's character.
2. The proposed plan completely ignores the wellbeing, quality of life, privacy, and property value of its neighboring properties. We purchased our house for the feel of the street, the privacy of the lot, the open lines of sights around it, the quiet surroundings and the importance of blending in nature and supporting its habitat. We made our decisions based on the fact that the land use around it is not subject to change, as was clarified by both the original owners of 16466 Bonnie Lane and the town.
3. The proposed plan is designed to accommodate one need only – maximizing profitability for its current owners while completely ignoring its material adverse impact on others. Its whole purpose is to leave the main house of 16466 Bonnie Lane and the adjacent barn structure, that was completely rebuilt and repurposed by the current owners recently, on the same lot while creating a second, oddly shaped, and completely unviable lot. Future development on the front part of that lot facing Bonnie lane will force somehow "shoving" a house against the neighbors' fence in a way that will severely violate the neighbor's privacy, block light, increase noise, and significantly and materially change their quality of life beyond repair. We strongly believe it's the town's duty to protect its residents and prefer the life quality of many over the profit of one.
4. The 16466 Bonnie Lane lot already has two dwellings on it. While we categorically object the plan to subdivide the plot for the reasons mentioned above, it is very clear that if there was any subdivision possible it would leave the main house on one lot and the very large 3,000sf "barn", that is really being used as a business, on the second, allowing the development of a second house to be based on the "barn" structure or replace it. This will also allow a more reasonable lot shapes, setbacks, and a more limited impact on the street, nature and the immediate neighbors. Again, it seems like the only reason the current owner chose not to pursue this type of plan is a desire to maximize profit, which shouldn't be a legitimate basis for support by the town when so many problems, exemptions, and permanent alteration of residents' lives are involved.
5. It is our desire to keep our objections and concerns independent of any personal grievances and past incidents but it is very hard to ignore the fact that this development plan is a direct continuation of a never-ending pattern of behavior that violates any basic decency or consideration to others. From building and remodeling violations to high-traffic business operation in a quiet residential street, it will be a complete shame if on their way out of the neighborhood the owners of 16466 will also be rewarded with the support of the town for a development work that will forever change what this part of the neighborhood has always been – a quiet, rural-like, and open enclave.

We put our trust in the hands of the planners and the advisory committee with the hope they will protect the families and residents of Bonnie Lane and around it from this intrusive, aggressive, and unviable development plan. It is this sense of community and quality of life that brought us to Los Gatos to begin with, and we truly hope the town will come through in defending us against a plan that threatens to eliminate it. We will object any plan that ignores our concerns with every means available and insist that any possible development that benefits one resident is not detrimental in any way to another. Last, we will appreciate it if you keep these comments anonymous as it is not our desire to get into personal confrontations.

Best Regards,

**From:** Scott Trobbe <strobbe@southbay.us>  
**Sent:** Monday, March 8, 2021 3:15 PM  
**To:** Planning Comment <PlanningComment@losgatosca.gov>  
**Cc:** Mish Chadwick (mishdesigns@me.com) <mishdesigns@me.com>; Mattb7@me.com  
**Subject:** 16466 Bonnie Lane - Conceptual Development Advisory Committee Application CD-21-001

Good Afternoon,

My Name is Scott Trobbe and I reside at 16433 Peacock Lane, Los Gatos and I received the "Notice of a Public Meeting" for the above referenced property.

I live directly adjacent to the subject property where I have been an owner for over 22 years.

I have reviewed the materials online, as well as having either met or spoken directly with the property owners.

I recognize that this is a conceptual advisory meeting and therefore, a lot of material as it relates to design, site placement, etc., is still basically undetermined.

While not opposed to "Lot Splits" in general, I do reserve the right to have more comments as this project moves forward. For the moment, I do have some questions regarding the suggested lot split.

Specifically, what will the overall coverage be for the proposed Lot containing the existing house, cabana and "Barn"? Also, is the Town considering or allowing the "Barn" to become another legal residence or an ADU of that size?

Thank you for your assistance and I will be participating in the "Zoom" hearing on the 10<sup>th</sup> of March.

**SCOTT TROBBE**  
16433 Peacock Lane  
Los Gatos, CA. 95032

c 408 499.0357

Dear Conceptual Development Advisory Committee:

We are writing in opposition to the proposed subdivision of the property at 16466 Bonnie Lane. There are many significant reasons why this proposal should be rejected, and we hope that you will take a stand against approval. My mother and brother have lived in our house on Bonnie Lane since 1963, longer than anyone else on the street. I grew up on Bonnie Lane and my wife and I have lived next door, with frontage onto Shannon Road, since 1983. As such, we perhaps have the strongest sense of attachment to this wonderful neighborhood. We would like to share a few of the reasons we feel that this proposed project should not move forward.

From an historical perspective, Bonnie Lane was a rural private road when we moved in. The lots are large, with many mature trees and a country feeling. Nearby Ross Creek parallels Bonnie Lane as well as Peacock Lane, and borders the property subject to subdivision. In 1982 we residents, in negotiation with the town council and Jim van Houten at the public works department, agreed to deed our private road to the town (paying for half of the improvement costs), and annex our properties into the town limits. In order to retain the rural feel of the neighborhood, the town planners acquiesced to keeping our street narrow and without sidewalks or street lights. While my recollection is that there was an agreement that no new lots could be split off with less than one acre, specifically to keep the 1.8 acre lot at 16466 from being subdivided, since the zoning is now listed as R1-20, this apparently is not a legal element. Nevertheless, most of the neighbors, both then and now, hope to preserve this rural open atmosphere.

Environmentally, this property is very sensitive, with almost a third of the total acreage in the riparian exclusion zone. This property has many hundreds of feet of stream bed and is partly bisected by Ross Creek. While the 50' exclusion zone for development has not of yet been subjected to the same level of development as the rest of the property, it appears that this owner's continuous development in the watershed, coupled with the pesticides and fertilizers used on the half acre of lawn, has had a negative impact on the area's wildlife. The proposed new home would be built in this watershed as well, putting further stress on the riparian habitat. And although the proposal notes only "ancillary" use of the panhandle part of the new property, this sensitive area should have no

development at all. I believe that an environmental impact report should be required in advance of further action for this development.

Finally, there is the question of the management and future of the subdivision itself. This space was not ever going to be a logical spot for a new home, and assuming special exceptions are granted for this development to take place, it would not be in the best interest of the rest of the neighborhood. This homeowner has a history of blatantly ignoring town regulations, and as a licensed contractor in the Town of Los Gatos for the last 44 years, I have seen homeowners such as this one forge ahead with unsanctioned additional work after receiving a final inspection. The Town, unfortunately, seems to have little enforcement leverage in these cases, and I worry that whatever assurances are written into the conditions of approval, we can have little faith that these would be adhered to.

In summary, it is our opinion that this is a misguided and short-sighted proposal that is entirely about profits for one person, at the expense and to the detriment of the entire neighborhood. We strongly oppose it, and while we look forward to hearing your findings and the opinions of others, we will do what we can to keep this project from moving forward.

Sincerely,  
Dan and Mary-Lynne Bainbridge

**From:** Patti van der Burg <pvanderburg@siestamedical.com>  
**Sent:** Monday, March 8, 2021 3:29 PM  
**To:** Planning Comment <PlanningComment@losgatosca.gov>  
**Subject:** comment

Dear Conceptual Development Advisory Committee,

We received your notice regarding your consideration of the 16466 Bonnie Lane proposed subdivision into 2 lots. We are opposed to the development for the following reasons.

1. We wish to maintain the rural and natural feel of the neighborhood, as it is along Ross Creek and is a riparian zone.
2. We are concerned it may be promised to the buyers of the new lot that they can build in the "Parcel 2 Panhandle" as shown in the proposal. This is a concern because the applicant Tony Jeans suggested building will be allowed when he discussed the desire to sell the Panhandle zone to us. We don't want this property sold with the promise of building in this zone.
3. Frogs along this section of Ross Creek have disappeared over the last few years, possibly due to drought and possibly to fertilizer and pesticide runoff from the existing soccer field. More development will surely negatively affect frog species in the area, as well as local bee hives, deer, hawks, owls, bobcats, coyotes, wild turkeys, etc.
4. We would like the town to assure that there never will be development, ADU's, or large paved areas in the "Parcel 2 Panhandle" zone.
5. We would like the town to assure that there never will be an access road built from Peacock Lane to the "Parcel 2 Panhandle" This would damage the creek and add traffic to the quiet Peacock cul-de-sac.
6. We are concerned the Owner, who has used the property for un-sanctioned weddings and rental events despite the town's objections, will not follow town protocols with this change, as there is history.
7. There may not be building legally allowed as this low zone is flooded in heavy rains, and may be a flood zone.
8. There may not be subdivision allowed as there is not enough Bonnie Lane fronted space to allow a new parcel.
9. There may be town planning history involving the building of Bonnie Lane as a narrow street to not allow further parcels.

Thank you for your consideration.

Regards,

Patti and Erik van der Burg  
16417 Peacock Lane

PS I understand the deadline for submitting written correspondence is 3/10 11:00am, per the green notice we received. Please confirm your receipt of the above comments by the deadline to be considered at the meeting 3/10 4:30. Thanks.

**From:** Amanda Kerlee <amandakerlee@gmail.com>  
**Sent:** Tuesday, March 9, 2021 9:50 AM  
**To:** Planning Comment <PlanningComment@losgatosca.gov>  
**Subject:** Regarding the application #CD-21-00 for 16466 Bonnie Lane

Dear Planning Department Project Planner: Ryan Safty,

Regarding the application #CD-21-00 for 16466 Bonnie Lane.

We have three main concerns.

First, given that both ourselves and 16513 have had major plumbing issues stemming from the street's sewage line within the past year, we are concerned about the ability for the existing infrastructure to absorb additional stresses from a property and structures it was not designed for given that it already seems to be at capacity.

Second, we believe that the ten foot easement is both unnecessary and disruptive. We have often seen delivery trucks struggle to make that turn when going downhill on Bonnie and believe narrowing the space for them to correct their turns would be unwise. We are also wondering where the new driveway would be compared to Bonnie Ln to get a better idea of what would happen on trash collection days since trash is currently collected at the base of the easement directly in front of where the new structure has been proposed. Also, that ten feet currently provides a place for Ms. Chadwick's guests to park during her large gatherings as parking is legal only in front 16503, ourselves, and 16513 and many times Bonnie Ln has been overwhelmed on both sides of the street far beyond the front of these three houses even with people parked where the new lot line would be. When this happens the width of the street is narrowed to a very narrow single lane that is quite a tight squeeze in a larger car as well as being a major safety concern.

Third, we would like a better understanding of what the environmental impacts of constructing the new structures would be in both the ecological sense and for the neighborhood. As stated previously, Bonnie has very limited street parking and there would be very little space for contractors and deliveries to park without disrupting the neighborhood.

Finally, we are pleased to see that the land remains zoned for residential use rather than commercial as past events had left us uncertain.

Thank you.

Pamela Kee

Amanda Kerlee

Alexandra Kerlee

16509 Bonnie Ln

Los Gatos, CA 95032

(408) 358-6958





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

MEETING DATE: 03/10/2021

ITEM NO: 2

DESK ITEM

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DATE: March 10, 2021

TO: Conceptual Development Advisory Committee

FROM: Joel Paulson, Community Development Director

SUBJECT: Conceptual Development Advisory Committee Application CD-21-001. Project Location: **16466 Bonnie Lane**. APN. 532-02-053. Property Owner: Mish Chadwick. Applicant: Tony Jeans, THIS Design. Requesting preliminary review of a proposal for subdivision of one lot into two lots on property zoned R-1:20.

REMARKS:

Attachment 8 contains written comments received by 11:00 a.m., Wednesday, March 10, 2021.

ATTACHMENTS:

Attachments previously received with March 10, 2021 Staff Report:

1. Location map
2. CDAC Application
3. Project Description Letter
4. Site Photographs
5. Conceptual Plans
6. Public comments received by 11:00 am, Thursday, March 4, 2021

Attachment previously received with March 10, 2021 Addendum Report:

7. Public Comments received by 11:00 a.m., Tuesday, March 9, 2021

Attachment received with this Desk Item Report:

8. Public Comments received by 11:00 a.m., Wednesday, March 10, 2021

PREPARED BY: RYAN SAFTY  
Associate Planner

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Reviewed by: Planning Manager and Community Development Director

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**From:** slkishler <slkishler@aol.com>  
**Sent:** Tuesday, March 9, 2021 12:00 PM  
**To:** Planning Comment <PlanningComment@losgatosca.gov>  
**Subject:** CDAC Application CD-21-001, 16466 Bonnie Lane

As owners of an adjacent property, we wish to register our concerns about the proposed development at 16466 Bonnie Lane. We have viewed all the provided materials and we would like to know if the owners are requesting to split the parcel only, or if they actually intend to build the house shown in a specific location on the plan.

We would like to know what uses are intended for the proposed parcel 2 which borders on Ross Creek. This area is currently a play field, was once a successful vineyard, and could be planted as an orchard/garden. Our strong preference is that the riparian corridor, which is environmentally sensitive and extremely important to local bird life and other native animal species, be preserved as much as possible with no structures. We feel all existing protective restrictions should be strictly upheld.

We will be following the proposal as it develops and appreciate notification of relevant meetings.

Sincerely, Claude and Susan Kishler, 16420 Bonnie Lane

Dear Conceptual Development Advisory Committee:

Regarding the proposed subdivision of the property at 16466 Bonnie Lane, the following neighbors on Bonnie and Peacock Lanes would like to object to this project in its present form. Concerns about this development range from a desire by some neighbors to see more stringent conditions of approval built into the proposal, and by other neighbors who are firmly opposed to this development ever taking place. We hope that individual disagreements with this plan can be articulated in separate letters, calls, or meetings. We encourage this committee to reject this proposal until neighborhood concerns can be fully addressed.

Thank you.

Residents of Bonnie Lane and adjacent properties (a partial list):

Segev 16450 Bonnie  
Kishler 16420 Bonnie  
*(owner's information redacted)*  
Bainbridge (E., R., D.) 16380 Bonnie  
Hammers 16230 Shannon Road (X Bonnie)  
Hayashi 16250 Shannon Road (X Bonnie)  
Ettinger 16375 Bonnie  
Georges 16421 Bonnie  
Romano 16439 Bonnie  
Fleming 16451 Bonnie  
Baunach 16488 Bonnie  
Bainbridge (D., ML) 16200 Shannon  
Cook 16369 Peacock  
Orsi-Hartigan 16428 Peacock  
Van der Burg 16417 Peacock



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

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**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.

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.



- 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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**TOWN OF LOS GATOS**  
**OFFICE OF THE TOWN ATTORNEY**  
**PHONE (408) 354-6818**

CIVIC CENTER  
110 E. MAIN STREET  
LOS GATOS, CA 95031

June 22, 2021

Sent by Email Only

Thomas N. Lippe, APC  
Lippelaw@sonic.net  
201 Mission Street  
12th Floor  
San Francisco, California 94105

Re: 16466 Bonnie Lane; Subdivision Application M-21-003

Dear Mr. Lippe,

This correspondence is in response to your correspondence dated June 8, 2021 directed to Town employee Ryan Safty. Please direct any further communications to my attention.

Initially, it is important to recognize that the Conceptual Development Advisory Committee (CDAC) that reviewed the above reference project advises a prospective applicant on the overall consistency of a project with Town policies prior to submitting a formal application and investing in the development review process. The Committee also endeavors to identify the potential issues that will need to be addressed during the development review process should the applicant wish to submit an application. The issues identified by the Committee are not intended to be all-inclusive and other additional issues may be identified during the formal development review process.

In addition, the Staff Technical Review Comments dated May 26 is not a report. All development applications of any type are required to go through a process. This process begins with a technical review of the application by staff representatives of Town departments, which include Community Development (Planning and Building Divisions), Fire, and Parks and Public Works (Engineering Division) to determine whether the project applicant is complete, meets all code and policy requirements; and meets the requirements of the California Environmental Quality Act. Applications that do not meet all of these requirements are continued at this level until the application is complete. At this time, the above reference project is not complete.

In regard to the specific points set forth in your correspondence, the Town responds as follows:

1. Town Code requires a minimum of 100' frontage for interior lots in the R-1:20 zone. The proposed frontage for the parcels would be 142' and 121' along the existing ingress/egress easement. Per Town Code, "lot frontage" is defined as, "the property line of a lot abutting on a street, which affords access to a lot other than the sideline of a corner lot." "Street" is then defined as, "any thoroughfare for the motor vehicle travel which affords the principal means of access to abutting property, including public and private rights-of-way and easements."

2. The CDAC staff report states, "An arborist report will be required during development review to evaluate the potential impact to trees." No development is proposed with this subdivision application, and therefore, no tree impacts would occur. Any future proposed development (construction activities, grading, etc.) would be reviewed for compliance with the Town Code regarding protected trees. The applicant has chosen not to submit development applications at this time. The driveways and home footprints shown are conceptual.
3. No construction is proposed as a part of this subdivision application. Potential house footprints and driveways are shown to demonstrate that the proposed parcels could accommodate development in a manner consistent with the Zoning Code and General Plan. Pursuant to the Subdivision Map Act and Town Code, any subdivision that results in four or fewer parcels (referred to as a "minor subdivision") requires a "parcel map." This project appears to meet all of the criteria and is eligible for a Class 15 Categorical Exemption per Section 15315 of the State CEQA Guidelines as it involves a minor land division.
4. A large portion of the Town is within a Wildland Very High Fire Hazard Area. The future development applications will be reviewed by the Fire Department and Building Official for compliance with applicable Fire and Building Codes.
5. Average slope is requested to determine the allowable building size on each parcel and to confirm that the existing structures on proposed Parcel 1 would comply with maximum FAR allowances with reductions for lots over 10% slope. Additionally, if the lots are over 10% slope, they will be subject to portions of the HDS&G during construction, not subdivision.
6. Previous code enforcement cases on this property are irrelevant to the minimum requirements to subdivide the property and current code enforcement compliance is also not a basis for denial findings under the Subdivision Map Act.

If you have any questions, please do not hesitate to contact me by calling (408) 354-6880.

Thank you.

Sincerely,



ROBERT SCHULTZ  
Town Attorney

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

Rev: July 22<sup>nd</sup>, 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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Town of Los Gatos  
110 East Main St  
Los Gatos Ca 93030  
Subdivision - 16466 Bonnie Lane

July 22<sup>nd</sup>, 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.

**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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**PARCEL 2 – POTENTIAL BUILDING SITE**





**PARCEL 2 - VIEW OF PANHANDLE**



16466 BONNIE LANE – ACCESSORY STRUCTURES



POOL EQUIPMENT SHED [108 SF]



INTERIOR OF SHED



PERGOLA AT POOL [OPEN 3 SIDES]

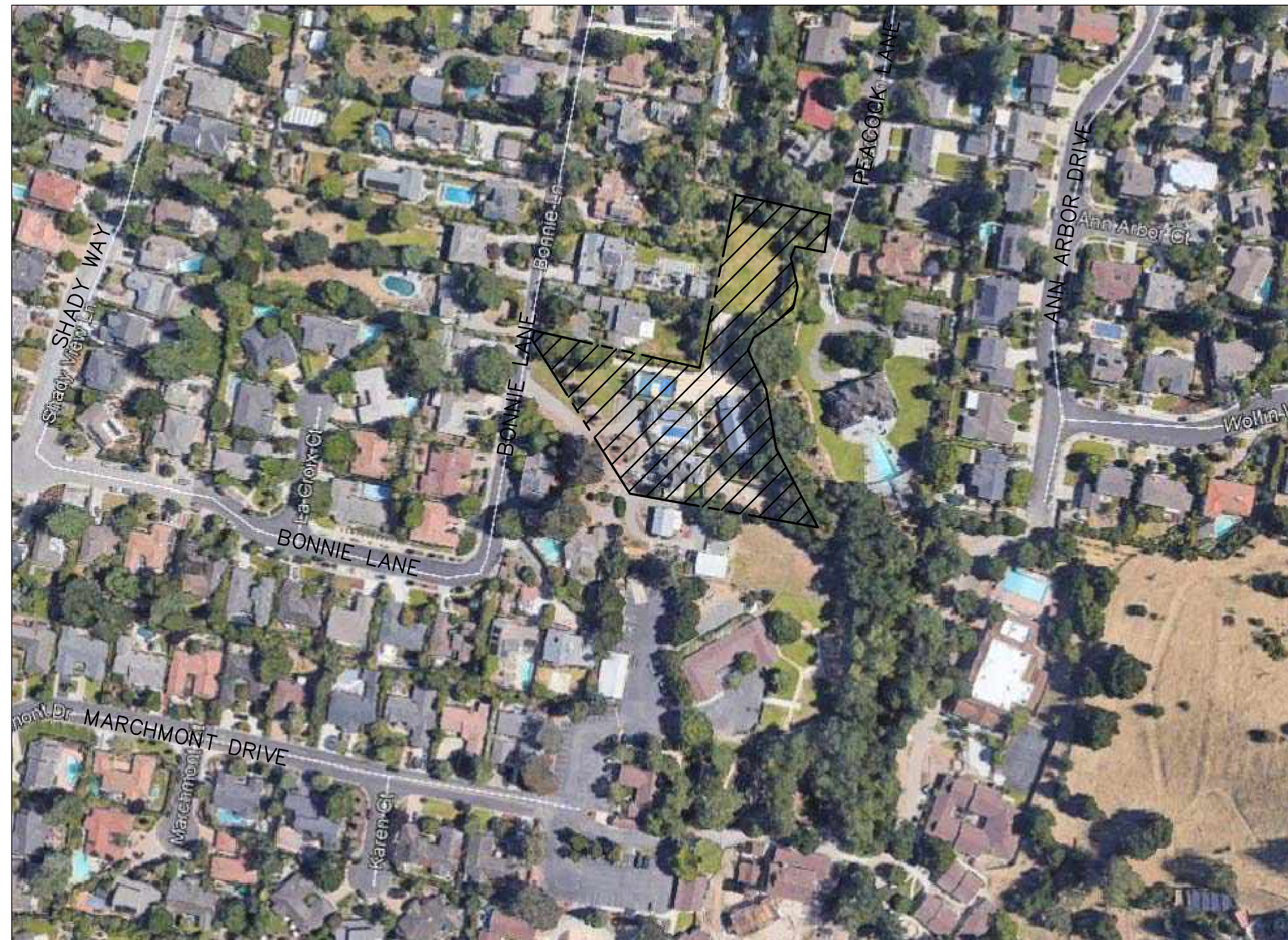
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BENCHMARK:  
 LG39, BRASS DISK IN MONUMENT BOX ON LA CHIQUITA AVENUE  
 ELEV. = 360.23'

LEGEND

EXISTING		PROPOSED
	BUILDING	
	MONUMENT	
	CURB INLET	
	AREA DRAIN	
	POLE	
	SANITARY SEWER MANHOLE	
	STORM DRAIN MANHOLE	
	FIRE HYDRANT	
	WATER VALVE	
	STREET LIGHT	
	CLEANOUT	
	BOUNDARY	
	LOT LINE	
	CENTERLINE	
	LIMIT OF EASEMENT	
	CURB	
	CURB AND GUTTER	
	EDGE OF PAVEMENT	
	CONTOUR	
	FENCE	
	FLOW LINE	
	SANITARY SEWER	
	STORM DRAIN	
	ELECTRICAL	
	GAS	
	WATER	
	SETBACKS	



VICINITY MAP

NOTES:

OWNER:  
 MATTHEW BRENNAN & MICHELLE CHADWICK  
 16466 Bonnie Lane  
 Los Gatos, CA 9503

ENGINEER:  
 WESTFALL ENGINEERS, INC.  
 14583 BIG BASIN WAY  
 SARATOGA, CA 95070  
 408-867-0244

UTILITIES:

WATER - SAN JOSE WATER COMPANY  
 SANITARY SEWER - WEST VALLEY SANITATION DISTRICT  
 GAS AND ELECTRIC - P.G.&E.  
 TELEPHONE - ATT  
 CABLE - COMCAST  
 THE SUBJECT PROPERTY IS NOT SUBJECT TO INUNDATION.

	ACRES	SQUARE FEET	AVERAGE SLOPE WITH CREEK	AVERAGE SLOPE WITHOUT CREEK
PARCEL 1	0.93	40,406	15.3%	12.3%
PARCEL 2	0.95	41,451	9.7%	7.5%
TOTAL	1.88	81,857	12.4%	9.9%

SLOPE (S)  
 CONTOUR INTERVAL (I)  
 CONTOUR LENGTH (L)  
 AREA (A)  
 $S = I * L * 100 / A$

INDEX

- SHEET 1 COVER SHEET
- SHEET 2 TENTATIVE MAP
- SHEET 3 EXISTING SITE PLAN
- SHEET 4 PROPOSED SITE PLAN
- SHEET 5 AERIAL TOPO 1"=20'
- SHEET 6 AERIAL TOPO 1"=30'

NO.	BY	DATE	REVISION	BY	DATE	DATE: JULY 21, 2021
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						DESIGNED: JC
						CHECKED: KC
						PROJ. ENGR: JC

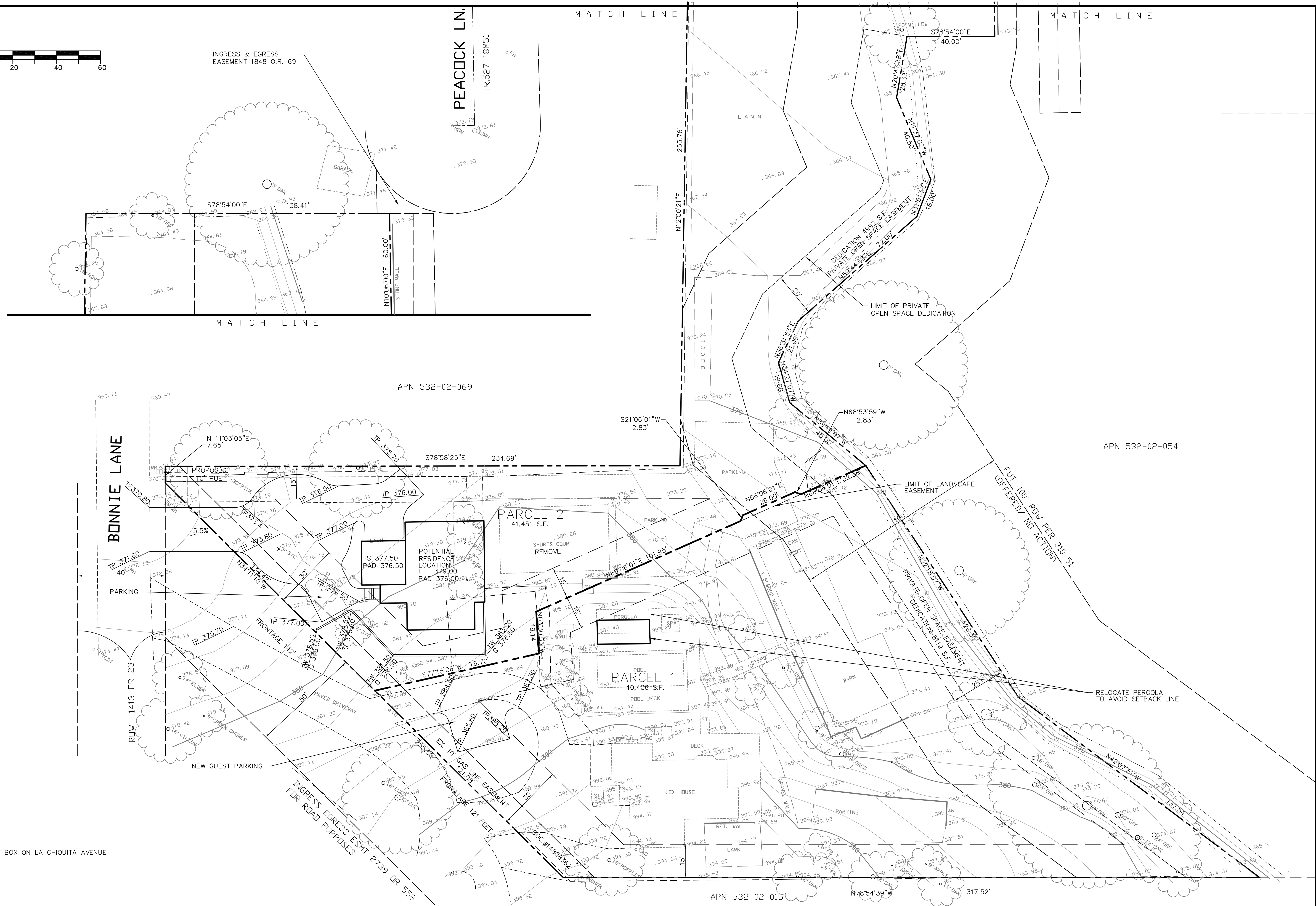
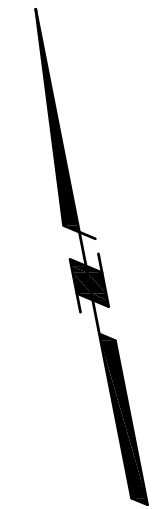
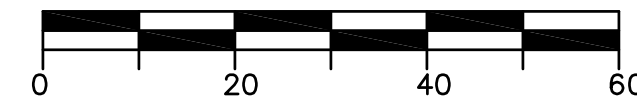
BY: KAREL CYMBAL, RCE 34534  
 DATE:



WESTFALL ENGINEERS, INC.  
 14583 BIG BASIN WAY, SARATOGA, CA 95070 (408) 867-0244

COVER SHEET  
 16466 BONNIE LANE, LOS GATOS

JOB NO.  
 2020-059  
 SHEET  
 1  
 OF  
 6

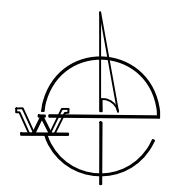


BENCHMARK:  
LG39, BRASS DISK IN MONUMENT BOX ON LA CHIQUITA AVENUE  
ELEV.= 360.23'

NO.	BY	DATE	REVISION	BY	DATE

DATE: JULY 21, 2021  
SCALE: HDR. = 1" = 20'  
DESIGNED:  
DRAWN: HB  
PROJ. ENGR:

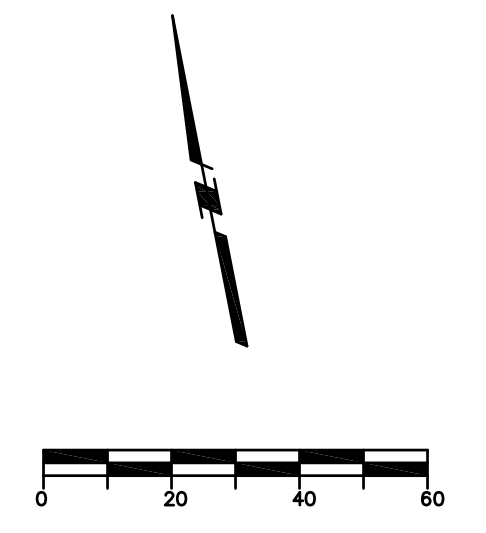
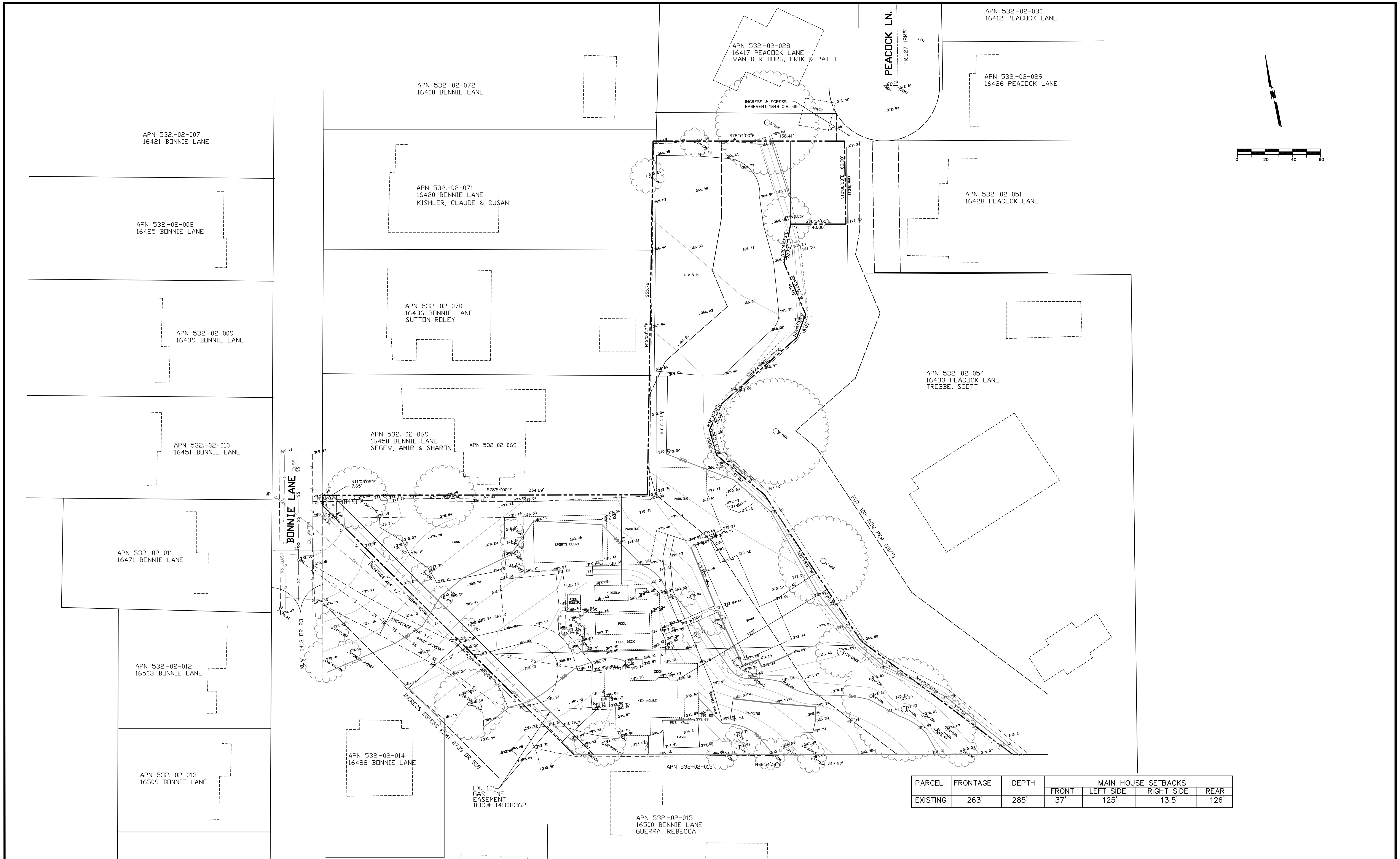
BY: HARRY BABICKA, LS 4953  
DATE:



**WESTFALL ENGINEERS, INC.**  
14583 BIG BASIN WAY, SARATOGA, CA 95070 (408) 867-0244

**TENTATIVE MAP**  
16466 BONNIE LANE, LOS GATOS, CA

JOB NO.  
2020-059  
SHEET 2  
OF 6



PARCEL	FRONTAGE	DEPTH	MAIN HOUSE SETBACKS			
			FRONT	LEFT SIDE	RIGHT SIDE	REAR
EXISTING	263'	285'	37'	125'	13.5'	126'

NO.	BY	DATE	REVISION

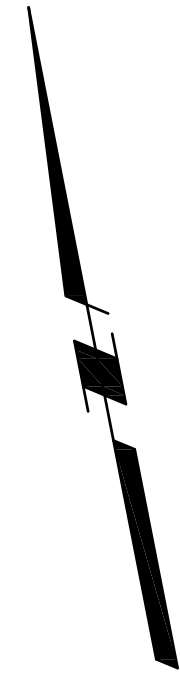
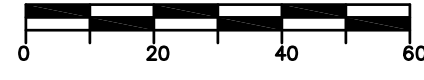
DATE: JULY 21, 2021  
 SCALE: HOR. = 1" = 30'  
 DESIGNED:  
 DRAWN: HB  
 PROJ. ENGR:

BY: HARRY BABICKA, LS 4953  
 DATE:


**WESTFALL ENGINEERS, INC.**  
 14583 BIG BASIN WAY, SARATOGA, CA 95070 (408) 867-0244

**EXISTING SITE PLAN**  
 16466 BONNIE LANE, LOS GATOS, CA

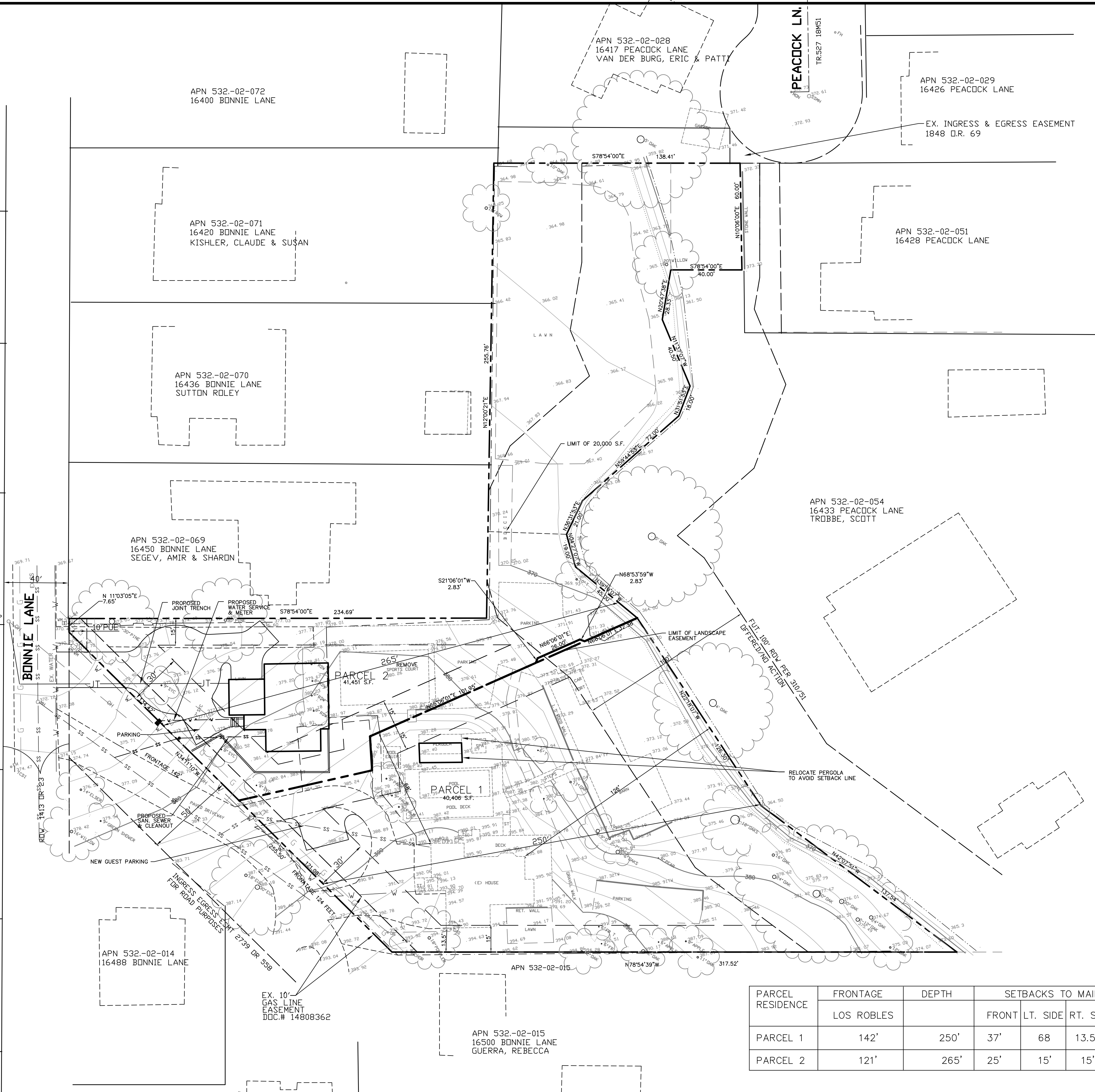
JOB NO. 2020-059  
 SHEET 3 OF 6



COMPLIANCE FOR EXISTING STRUCTURES (NEW P/L)

	COVER AGE	FAR	SETBACKS
HOUSE	1547	2704	53
(+) GARAGE	518	518	N/A
(+) PORCH	25	N/A	N/A
BARN	(2,468)	2468	15
PERGOLA (1)	(254)	N/A	15
POOL EQUIP.	(108)	N/A	6
POOL	(585)	N/A	27
SPA	(64)	N/A	24
TOTALS	4,930 (2,840)	5690	(ACCESSORY)

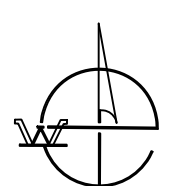
(1) PERGOLA TO BE RELOCATED



PARCEL RESIDENCE	FRONTAGE	DEPTH	SETBACKS TO MAIN			
			FRONT	LT. SIDE	RT. SIDE	REAR
PARCEL 1	142'	250'	37'	68	13.5	126'
PARCEL 2	121'	265'	25'	15'	15'	30'

NO.	BY	DATE	REVISION	BY	DATE	DATE: JULY 21, 2021
						SCALE: HOR. = 1" = 30'
						DESIGNED:
						DRAWN: HB
						PROJ. ENGR:

BY: HARRY BABICKA, LS 4953  
DATE:



**WESTFALL ENGINEERS, INC.**  
14583 BIG BASIN WAY, SARATOGA, CA 95070 (408) 867-0244

**PROPOSED SITE PLAN**  
16466 BONNIE LANE, LOS GATOS, CA

JOB NO.  
2020-059  
SHEET 4  
OF 6

LANDS OF VAN DER BURG  
16417 PEACOCK LN.

PARCEL 2  
PANHANDLE

10,000 Sq Ft  
OPEN SPACE  
DEDICATION

LANDS OF TROBBE  
16433 PEACOCK LN.

PARCEL 1  
40,406 Sq Ft

LANDS OF GUERRA  
16500 BONNIE LN.

LANDS OF KISHLER  
16420 BONNIE LN.

LANDS OF SUTTON  
16436 BONNIE LN.

LANDS OF SEGEV  
16450 BONNIE LN.

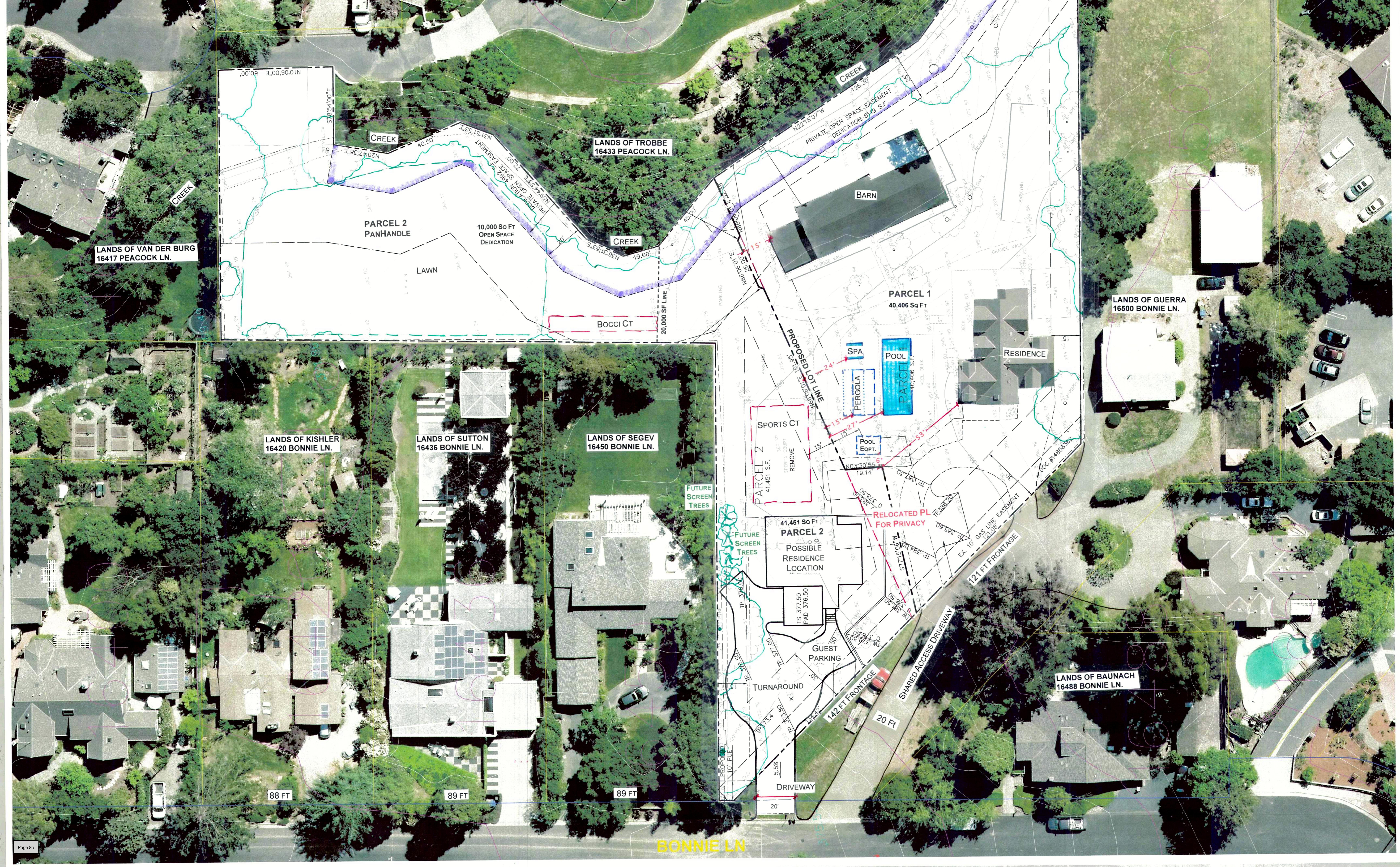
LANDS OF BAUNACH  
16488 BONNIE LN.

88 FT

89 FT

89 FT

BONNIE LN



SHANNON RD



R 1:20  
ZONING  
DISTRICT

R 1:8  
ZONING  
DISTRICT

BONNIE LN

SCALE: 1"=30'

Date: March, 2021  
To: All Neighbors and nearby Residents.  
From: Tony Jeans of T.H.I.S. Design and Development.  
Subject: Proposed Lot Split at 16466 Bonnie Lane

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#### Nearby Residents:

I am writing to introduce myself and to let you know that the owner of 16466 Bonnie Lane has asked me to undertake some design/development work for her. As some of you already know, the initial plan is to take the existing 1.8 acre property and split it into 2 parcels - each just under on acre. They would be fully in compliance with the zoning ordinances for this zoning district [R1:20] and with the Town of Los Gatos General Plan.

Because this property is an irregular shaped lot, we decided to ask the CDAC [Conceptual Development and Advisory Committee] to consider if we were going in the right direction. Several residents also spoke at the meeting - many expressing surprise in that they had not heard anything about the plan, some wondering about the impact on Bonnie Lane of an additional home and others asking what might happen at the rear of the property [the 'panhandle']. I am taking the feedback and incorporating it into the plans to address comments and will continually revising my thoughts as I speak to more neighbors.

The first application we will submit to the Town will be to split the lot in half - no house design will be proposed, although consideration of the placement of a future home is always in my mind as I develop a Site Plan. The owner plans to sell the main parcel and build a home on the empty lot and I have tried to ensure that any home that might be designed to fit the proposed lot split will be in keeping with the neighborhood and character of Bonnie Lane. It will be well separated from neighboring homes, set back from the street a good way, and not be a privacy concern to neighbors. Yes - it will be a change! But if it is designed well, I think that it become a natural part of the streetscape and fit in well.

For those of you who are interested to discuss in more detail what I have put together, please contact me and we can talk on the phone or I can come by and we can have a socially distanced conversation and you can review the plans. I understand that disruption and privacy will be of concern to those close by, but I have tried to be considerate of neighbor sensibilities with what we have planned.

I have been developing properties, designing new homes, additions and remodels in Los Gatos, Monte Sereno, Saratoga and beyond for over 35 years and my wife, Carol and I are long-time local residents ourselves. If you have any questions, please call me at (408)354-1833 or email me at [Tony@thisdesign.com](mailto:Tony@thisdesign.com) . I would be happy to discuss them with you.

Tony Jeans

## Ryan Safty

---

**From:** Tony Jeans <tony@thisdesign.com>  
**Sent:** Friday, March 26, 2021 11:58 AM  
**To:**  
**Subject:** Re: 16466 Bonnie Lane Lot Split  
**Attachments:** Adjusted PL.pdf

**Follow Up Flag:** Flag for follow up  
**Flag Status:** Flagged

It was good to meet with you on Monday. Thanks for spending some time letting me visit with you and look at everything 'from your side of the fence'. Because you are immediately adjacent to where any house would potentially be built I felt that it was important to talk to you first.

I have since spoken to Mish and explained what could work to make this a better project and she agrees.

Per our discussion - what would be an improvement - and help with privacy issues for both you and Mish is:

1. Adjusting the proposed 'lot split line' in such a way as to allow a future house to be moved further away from your property line. Any final determination of house placement would come at the time the house is designed, but the provision would be made with the lot split.
2. Considering lowering the grade where the house is, so as to reduce the overall elevations of each floor. Again a house-design issue.
3. Planting a row of evergreen trees that grow to a height of about 18-20 ft along the area adjacent to your outside dining area. I suggested 'podocarpus' as a possible choice - but that could be changed. This would provide a double row of screening as you already have a row of privets along your side of the fence, but they are deciduous.
4. Not placing any second floor windows [other than bathrooms or other non-significant windows] on the side facing your property.
5. Removing or Pruning the Pine Tree as a fire hazard - we agreed would be a good idea.

We also touched base on the 'panhandle' area at the end of your yard, but it would appear that is less of a concern for you than a good privacy solution for your outside entertaining area.

I understand that you still want to register your opposition to the project as "no house is your preferred solution". Assuming that the Planning Commission agrees that there is plenty of room for a home here I would hope that you will voice your support the adjusted lot split line so that we can at least keep any privacy issues to a minimum as discussed.

Thanks.

Let me know if I have missed anything - or if you think of anything else. See the marked up Property Line solution we discussed.



APN 532.-02-070  
16436 BONNIE LANE  
SUTTON ROLEY

APN 532.-02-069  
16450 BONNIE LANE  
SEGEV, AMIR & SHARON

APN 532.  
16433 PE  
TROBBE,

BONNIE LANE

THIS PINE  
TREE SHOULD BE  
PRUNED OR  
REMOVED  
(FIRE  
HAZARD)

EVERGREEN TREES  
COULD BE PLANTED

PARKING

S78°58'25"E 234.69'

PARCEL 2  
40,655 S.F.

HOUSE  
COULD BE  
MOVED

REMOVE  
BUILDING SETBACK LINE  
ORIGINAL PL  
PROPOSED

ADJUSTED  
SETBACK LINE

ADJUSTED PL

PARCEL 1  
41,205 S.F.

RDW 1413 DR 28

NEW GUEST PARKING

## Ryan Safty

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**From:** Tony Jeans <tony@thisdesign.com>  
**Sent:** Monday, March 29, 2021 8:46 AM  
**To:** Mish Chadwick  
**Subject:** Fwd: 16466 Bonnie Lane Lot Split

**Follow Up Flag:** Flag for follow up  
**Flag Status:** Flagged

From \_\_\_\_ next door, Mish.

It looks like I will not be able to convince him that this is a reasonable plan. He is concerned solely about his own privacy, even though we can ensure that. He wants a bridge over the creek at Peacock and the barn as the other house. This would cause more opposition than support and the CDAC members also showed concern about the panhandle area.

I have sent a letter to all neighbors, Bonnie and Peacock residents [23 total] and will see who responds. I will also talk to the other immediate neighbors.

Tony

Hi Tony,

I hope you are well. I would like to emphasize and make it clear again that we will object, resist, and fight with all means any plan that puts a house at the front part next to our fence. It will dramatically change our quality of life and we won't allow it.

As I suggested when we met - there is only one plan that we will support, and it is the one that subdivides the lot right between the main house and the barn and attaches the panhandle to the barn as it becomes the basis for the new dwelling. You dismissed it because of the 100ft requirement for no good reason. I believe you already know it, but there is already a proper easement on the Peacock side, there is an address designated, and all you need to do is to claim it. If you haven't gone to the bottom of what's going on at the peacock side you should try harder, the solution is there. This is the one and only viable plan, one that also follows the original intention of this lot.

Town of Los Gatos  
110 East Main St  
Los Gatos Ca 93030

April 19<sup>th</sup>, 2021

**16466 Bonnie Lane, Los Gatos**  
**Neighborhood Outreach**

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From early neighbor discussions and from the CDAC meeting it was clear that there were several areas of neighbor concern/interest in this proposal. This is in part because there are a dozen neighbors who either abut the property or are directly across the street, but also because this is a large property that has been underdeveloped for years and is seen by many as part of the rural aspect of the neighborhood.

In March, I sent a letter to nearby residents [30 or so in all - copy attached]. I was also able to email some, because of the CDAC hearing communications. As a result I have been able to meet with several neighbors and correspond with others. The outreach that I am undertaking now revolves around three areas of neighbor interest:

1. The rural aspect of this part of Bonnie Lane.  
A number of neighbors are concerned that any development by means of adding an additional lot will change the rural aspect of this part of Bonnie Lane. Yes it will be a change, but this is a 2-acre property, where most others on this side of Bonnie Lane are  $\frac{1}{2}$  acre. But there is no reason to penalize property owners by prohibiting development because the property was under-developed historically. The resulting subdivision will be more in keeping with the overall neighborhood parcel layout.
2. The Panhandle and Riparian Corridor at the rear of the Property.  
The rear of the property is riparian in nature, bordering East Ross Creek and the Panhandle portion has provided a visual 'open space' buffer for 5 or 6 immediate neighbors to enjoy over the years. They do not want to lose a valuable asset to their properties. There is, however, not sufficient interest for them to want to purchase portions of the panhandle for a realistic sum to increase their parcel-sizes, nor to ensure continued privacy. Current laws would allow only ancillary development in this location in any event.
3. Privacy concerns for future development of Parcel 2 of the Property.  
From a privacy standpoint Amir Segev [16450 Bonnie Lane] stands to be the most impacted by any development that might be proposed on Parcel 2. In conversations with him we discussed how this might best be mitigated. As a result I have adjusted the Proposed Lot Split Property Line so as to allow for a future home to be located further away from his fence line [15 ft is the standard setback]. He is still concerned - so we will have to wait until a home is designed to address this further.

Tony Jeans

[I will update this as communication continues].

Date: August, 2021  
To: All Neighbors and nearby Residents.  
From: Tony Jeans of T.H.I.S. Design and Development.  
Subject: Proposed Lot Split at 16466 Bonnie Lane

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#### Nearby Residents:

This is a follow-up letter to the one I sent in March and subsequent to the CDAC hearing, which several of you attended. I have met with several of you in person and would welcome the opportunity to talk to those of you who still have questions about what is now planned.

Since the CDAC hearing, in which a number of important questions were raised, we have taken the opportunity to make some significant changes to the proposal in order that any eventual home that might be built would allow more privacy to all concerned and create less of an impact in the neighborhood. I am also clarifying here that this proposal is to split approximately 2 acres into 2 separate parcels, each over 40,000 sq ft. It is not proposing a specific house design, nor any ADU at this time [which would be a separate, rather it is simply asking the Town to consider whether the lot split proposed is in compliance with the General Plan and Applicable Zoning Laws for this site.

The changes we have made since the CDAC hearing, amongst other things, have been:

- to modify the proposed lot line so that it will be possible to achieve greater privacy in relation to the Segev residence next door
- to remove from consideration any reduction in width of the 50 ft wide access corridor at the front of the property
- to locate the driveway to the new property so that it accesses Bonnie Lane directly, rather than the privately owned access corridor
- to dedicate 10,000 sq ft of Private Open Space along the creek at the rear of the property to encourage restrictions as to what can be placed there
- to ensure, through a series of meetings with the Town, that the Town of Los Gatos General Plan and Zoning regulations would not be contravened with this proposal

For those of you who are interested, please contact me and we can talk on the phone or I can come by and we can have a socially distanced conversation and you can review the plans. I understand that disruption and privacy will be of concern to those close by, but we have tried to be considerate of neighbor sensibilities with what we have planned.

I have been developing properties, designing new homes, additions and remodels in Los Gatos, Monte Sereno, Saratoga and beyond for over 35 years and my wife, Carol and I are long-time local residents ourselves. If you have any questions, please call me at (408)354-1833 or email me at [Tony@thisdesign.com](mailto:Tony@thisdesign.com).

Tony Jeans

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

August 10<sup>th</sup>, 2021

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**16466 Bonnie Lane, Los Gatos  
Rebuttal/Lippe Law Ltr 8.9.21**

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Commissioners

This rebuttal addresses the letter I just received from Lippe Law.

It is a technical letter concerning "Frontage at Bonnie Lane". Lippe Law is representing a neighbor on Peacock Lane on the other side of the property who has no interest in street frontage at Bonnie Lane, but would rather just stop the Project from happening. The real question to them should be - "What is it about this project that concerns you personally?"

The 2 relevant paragraphs, taken from the Lippe Law Letter, which run counter to the argument that the proposed new Parcel lacks the necessary 100 ft of Frontage are:

**"Lot Frontage, means the property line of a lot abutting on a Street,** which affords access to a lot" Town Code § 29.10.020.

**"Street means** any thoroughfare for the motor vehicle travel which affords the principal means of access to abutting property, **including** public and **private rights-of-way and easements.**"

If we analyze the Parcel in question, it has 7.65 ft of Frontage on Bonnie Lane and an additional 134.42 ft on "a private right-of-way easement" specifically dedicated for "Road Purposes" for a total of 142 ft of legal frontage.

Thus - per Town Code, Planning and Engineering departments and the Lippe Law Letter itself, the street frontage is adequate for R1:20 Zoning purposes. Furthermore, there are 3 other properties calling this Private Easement "frontage" - two are R1:20 and one is in the R1:8 Zoning district.

If there are any questions, I will answer them at the Planning Commission Meeting.

Thank you

Tony Jeans

## Ryan Safty

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**From:** Tony Jeans <tony@thisdesign.com>  
**Sent:** Wednesday, August 11, 2021 12:49 PM  
**To:** Ryan Safty  
**Cc:** Robert Schultz  
**Subject:** Re: 16466 Bonnie Lane; Subdivision Application M-21-003  
**Attachments:** 2739OR558.pdf

On Aug 11, 2021, at 11:22 AM, Tony Jeans <[tony@thisdesign.com](mailto:tony@thisdesign.com)> wrote:

Ryan:

So that the Town can feel more comfortable in its response, I am providing a copy of the grant deed [2739OR559] that created Lands of Guerra [16500 Bonnie Lane] and the Road Easement in question in the Lippe Law Letter:

In this Grant Deed:

Parcel One is the Legal description of Guerra Property at the end of the Road Easement.  
Parcel Two is the Legal Description of the Road Easement Area.  
Parcel Three is Legal Description of the access along Bonnie Lane to Shannon Road.  
The “Reservation” at the end retains for “Road Purposes over the entire Parcel [2]”.

Hope this helps.

Tony

On Aug 10, 2021, at 2:23 PM, Ryan Safty <[RSafty@losgatosca.gov](mailto:RSafty@losgatosca.gov)> wrote:

710

Grant Deed

By this instrument dated October 7, 1953, for a valuable consideration,

Affix  
IRS  
\$ 2.00

F. M. TROUTNER and FLORENCE M. TROUTNER, his wife,

hereby GRANT (S) to

HAROLD E. ANDREWS and BETTY J. ANDREWS, his wife,

IN JOINT TENANCY

The following described Real Property in the State of California, County of Santa Clara

PARCEL ONE

BEGINNING at a point in the Easterly line of a certain 10.984 acre parcel of land described in the Deed from Victor E. Fink to F. M. Troutner, recorded April 4, 1941 in Book 1036 Official Records, page 123, Records of Santa Clara County, California, distant thereon N. 9 deg. 59 min. E. 200.76 feet from the Southeast corner thereof; thence from said point of beginning continuing along said Easterly line N. 9 deg. 59 min. E. 67.96 feet and N. 41 deg. 02 min. W. 55.92 feet; thence leaving said line N. 79 deg. 06 min. 30 sec. W. 364.36 feet thence N. 34 deg. 21 min. 40 sec. W. 28.90 feet; thence S. 10 deg. 40 min. 50 sec. E. 122.68 feet; thence S. 79 deg. 06 min. 40 sec. E. 429.58 feet to the point of beginning.

BEING a portion of Lot 8 of the Estate of M. S. Gardner the Map of which was filed for record in the office of the Recorder of the County of Santa Clara, State of California, in Book E of Maps, at page 81.

PARCEL TWO

COMMENCING at the Southeast corner of the 10.984 acre parcel of land described in the Deed from Victor E. Fink to F. M. Troutner recorded April 4, 1941 in Book 1036 Official Records, page 123, Records of Santa Clara County, California; thence from said point of commencement N. 9 deg. 59 min. E. along the Easterly line of said parcel 268.87 feet to an angle point therein; thence continuing along said Easterly line, N. 41 deg. 02 min. W. 55.92 feet; thence N. 79 deg. 06 min. 30 sec. W. leaving said Easterly line 364.36 feet; thence N. 34 deg. 21 min. 40 sec. W. 28.90 feet to the true point of beginning of this description; thence from said true point of beginning, continuing N. 34 deg. 21 min. 40 sec. W. 227.90 feet to an iron pipe which bears S. 10 deg. 49 min. 20 sec. W. 6.60 feet from the Northerly line of said 10.984 acre parcel; thence S. 10 deg. 49 min. 20 sec. E. 70.49 feet; thence S. 34 deg. 21 min. 40 sec. E. 227.78 feet to an iron pipe which bears S. 10 deg. 40 min. 50 sec. W. 70.65 feet from the true point of beginning of this description thence N. 10 deg. 40 min. 50 sec. E. 70.65 feet to the true point of beginning.

BEING a portion of Lot 8 of the Estate of M. S. Gardner, the Map of which was filed for record in the office of the Recorder of the County of Santa Clara, State of California, in Book E of Maps, at page 81.

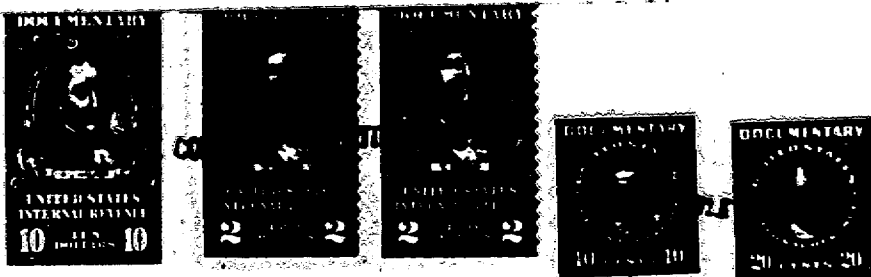
Right of way for ingress and egress over a parcel of land 24 feet wide, the center line of which is described as follows:

BEGINNING at a point in the center line of Shannon Road, distant thereon S. 78 deg. 54 min. E. 399.33 feet from the Northwesterly corner of that certain 27.147 acre tract of land conveyed by Henry Carlson and Alma K. Carlson, his wife, to Victor E. Fink and Maggie May Fink, his wife, by Deed dated July 21, 1925 and recorded August 3, 1925 in Book 177 Official Records, at page 142, Santa Clara County Records; thence Southwesterly in a direct line 670 feet; more or less, to a point in the Northerly line of the 10.984 acre tract hereinabove referred to, said last named point being distant N. 12 deg. 43 min. E. 486.22 feet and S. 79 deg. 10 min. E. 422.33 feet from the Southwesterly corner of said 27.147 acre tract of land.

ALSO the right to lay and maintain a pipe line within said 24 foot strip of land adjacent to the Easterly line thereof and right to install a pole line adjacent to the Westerly line and within said 24 foot strip of land, as granted by Victor E. Fink and Maggie May Fink, his wife, also known as Maggie M. Fink, to F. M. Troutner and Florence M. Troutner, husband and wife, by Deed dated March 3, 1941 and recorded April 4, 1941 in Book 1036 Official Records, at page 123.

TOGETHER with a right of way for ingress and egress over the now existing roadway running from the Southerly terminus of said 24 foot right of way above described to the Westerly line of Parcel No. 2 above described.

2 ✓



RESERVING FROM PARCEL NO. 2 above described, an easement for road purposes over the entire parcel, which easement is hereby made appurtenant to the remaining lands of the Grantors.

*F. M. Troutner*  
*Florence M. Troutner*

STATE OF CALIFORNIA  
COUNTY OF  
Santa Clara

ss.

On October 7, 1953 before me, the undersigned, a Notary Public in and for said County and State, personally appeared

F. M. Troutner and Florence M. Troutner

known to me to be the person s whose name s are subscribed to the within instrument, and acknowledged to me that they executed the same.

WITNESS my hand and Official Seal

*Joe Keppach*  
Notary Public in and for Said County and State.

SPACE BELOW FOR RECORDERS USE ONLY

921297  
FILED FOR RECORD  
VALLEY TITLE COMPANY

1953 OCT 14 PM 3:21  
BOOK 2739 PAGE 558

AFTER RECORDING MAIL TO

Mr. Harold E. Andrews  
1423 6th Avenue  
San Francisco, Calif.

770

2 x



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

September 10<sup>th</sup>, 2021

**16466 Bonnie Lane, Los Gatos**  
**Rebuttal - Anon Neighbor Ltr 8.18.21**

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Commissioners

This rebuttal addresses the letter I received - anon: dated 8.18.21

There is a structure on the property, which I have consistently referred to as 'The Barn'. After reading the anonymous letter I am clarifying my use of the term:

By 'The Barn', I am referring to the old barn-like structure at the rear of the property, which was built in the early 1970's and remodeled by the current owner in 2016. In Town records it is considered a "Legal Detached Accessory Structure permitted as Detached Living Space" but is not considered a "Dwelling Unit" per se.

The owners have used this space for parties and family gatherings as well as overflow bedroom space for family visiting from Australia. Periodically, since being told that permits were required, she has obtained permits for Film Shoots to be carried out there.

A stove had been installed in the unit to help facilitate at parties, but this was removed with permits, as it is not allowed in a Detached Living Space.

The side setback for a Detached Living Space is the same as a Main Residence and so we have configured a 15 ft side setback from the New Property Line for 'The Barn' with the proposed Lot Split.

If there are any questions, I will answer them at the Planning Commission Meeting.

Thank you

Tony Jeans

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## Ryan Safty

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**From:**  
**Sent:** Thursday, July 29, 2021 2:51 PM  
**To:** Ryan Safty  
**Subject:** 16466 Bonnie Lane/SA M-21-003

**Follow Up Flag:** Flag for follow up  
**Flag Status:** Completed

07.29.21

Att: Ryan Safty  
Project Planner

Hello,

In review of the July 21, 2021, document, Subdivision Application M-21-003, it is unclear why, "The project appears to be exempt pursuant to the adopted Guidelines for the Implementation of the CEQA, Sec. 15315: Minor Land Divisions." Can you explain why it "appears" to be exempt? Additionally, why wouldn't CA Fish & Game weigh in on the proximity to Ross Creek with its unique habitat?

Did the existing barn receive a final permit once the structure was fully remodeled?

There are contiguous neighbors on both sides of 16466 Bonnie Lane. Because the property owner at 16466 Bonnie Lane does not have the required minimum street footage for egress and ingress, is the property owner required to get approval from the contiguous property owner/s for the adequate street footage?

Thank you.

## Ryan Safty

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**From:**  
**Sent:** Tuesday, August 3, 2021 2:47 PM  
**To:** Ryan Safty  
**Subject:** 16466 Bonnie Lane

**Follow Up Flag:** Flag for follow up  
**Flag Status:** Completed

08.03.21

Hello,

I am writing to confirm, yes, I would like my contact information redacted regarding the 16466 Bonnie Lane property as it relates to my emails and their plan to split the lot and develop the entire property.

Regarding the nomenclature of an existing structure at 16466 Bonnie Lane, I am requesting this existing house be stated and described not as a barn. *It is fully remodeled house.* This house has bedroom/s, bathrooms, kitchen, family room and work out room. The home was built without permits. (My understanding is it eventually received a final permit?) To be clear, it is a house not a barn.

On the Planning Division document dated May 26, 2021, page 2, item #7 states, "*label setbacks to all structures: sports court, **barn**, cabana, pool house, spa, pool, etc., (existing and proposed).*" The Planning Division document dated July 21, 2021, page 2, under Letter of Justification, item #7, states incorrectly, "*In the Setbacks at New Property Line section of the letter, the barn is shown with a 15' side setback when the setback table on Sheet 4 lists a 13' setback to the barn.*" As you are aware, the language "**barn**" is inaccurate: **there is no barn**. The Merriam-Webster Dictionary's definition of a barn: "*A barn is an agricultural building usually on farms.....a barn refers to structures that house livestock, including cattle and horses, as well as equipment and fodder, and often grain.*"

Please confirm the language referenced as "**barn**" shall be removed from all documents related to 16466 Bonnie Lane's Subdivision and Development Plans which includes correcting the language in the Town of Los Gatos Staff Technical Review Comments. Can you confirm the setbacks are accurate not for a barn but for this fully remodeled house?

Additionally, I had a question regarding the General Comments from both Planning Division documents dated May 26, 2021 and July 21, 2021. Each document under General Comments states, "We encourage you to speak with your neighbors about your proposal. Please submit in writing the following information as part of your resubmittal materials: 1) What neighbors you have spoken to (name and address). 2) What neighbors you did not speak to and why. 3) When you met with neighbors. Why is this request included in the General Comments section of each document when it isn't a true requirement whereby the Planning Commission could or would deny a project because the property owner didn't comply with speaking with neighbors?"

Thank you.

## Ryan Safty

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**From:**  
**Sent:** Wednesday, August 4, 2021 1:38 PM  
**To:** Ryan Safty  
**Subject:** Re: 16466 Bonnie Lane

**Follow Up Flag:** Flag for follow up  
**Flag Status:** Flagged

08.04.21

Att: Ryan Safty  
Associate Planner  
Town of Los Gatos, CA  
Re: 16466 Bonnie Lane/Existing House as Structure Not Barn

Hello,

Thank you for answering my questions and concerns as well as clarifying the process of redaction. Yes, to the redaction of my contact information on prior email/s (and subsequent email/s).

Regarding your email above, the third paragraph, second sentence states, "Per the approved building plans, there are no cooking facilities, thus there is no kitchen. This sentence is inaccurate; the statement is false. In fact, there is a very nice kitchen in the structure. And, the house is advertised as such. If the Town would have performed their due diligence in advance of the subdivision application, the Town would not have written such a statement. It could have been easily determined, too. For example, from the comfort of a Townemployee's desktop, laptop, Ipad or Iphone, they would have learned the house has a kitchen: Here is language on Peerspace.com hidden in plain sight: "One of the buildings on the property is a gorgeous 2,500 square feet of remodeled Barn, turned into a two bedroom guesthouse and large entertaining space with a theatre. Huge open floor plan with high ceilings and open rafter ceilings with lots of natural light. Upmarket but with lots of recycled and rustic features including a vintage style workout gym, full bathroom and entertaining style *kitchen*."

Why has the Town failed to accurately account for the structure as a secondary dwelling unit? The Subdivision Application M-21-003 is inaccurate because the second structure is a secondary unit. It comprises a very nice kitchen. The Town must reject the existing Subdivision Application M-21-003 and only resubmit when the plans are redrawn accurately showing the second house for what it actually is, a secondary unit with a kitchen intact.

Thank you.

(\*\*Note: From a historical view, the prior owners, now deceased, lived in the structure for at least 3 to 5 years while they built the house in front. The owner was an elderly man and built the home, painstakingly, by himself (although the spouse helped on occasion but worked full time). The house at that time also had a full kitchen, just not nearly as nice a kitchen as exists now.)

**From:**  
**To:** [Ryan Safty](#)  
**Subject:** Two Existing SFR's at 16466 Bonnie Ln.  
**Date:** Wednesday, August 18, 2021 3:54:33 PM

---

08.18.21

Att: Ryan Safety  
Associate Planner  
Town of Los Gatos

Hello,

I am writing as a follow up to your email of August 4, 2021 regarding the code violation for one of the SFR's at 16466 Bonnie Lane. As you recall, the property owner did not accurately state and describe this existing structure as a SFR; *the property owner failed to disclose to the Town Planner that there has always been a fully operational kitchen in this SFR.* In fact, it is known throughout the world at large that the structure is a SFR because the SFR is advertised on the web to anyone, anywhere, 24/7, as including an "entertaining kitchen" (Peerspace.com). Despite referring the matter to code enforcement, does the lack of disclosure -- the fact that the structure is a SFR -- to the Town Planner change the way a planner configures setbacks or anything else related to the submitted lot split subdivision? If so, what does change? If not, why not? Generally speaking, if and when a property owner applies for a subdivision lot split with inaccurate information and we'll assume it was intended to obfuscate because the property owner advertises to the world that the structure does have an "entertaining kitchen", how does the Town proceed with the submitted subdivision lot split knowing it is legally inaccurate? Additionally, is it a subjective call by a Town Planner to simply overlook a legal detail; that is, claiming a structure is not a SFR when in fact it is and always has been? Does the Town have a specific procedure to follow when, as described above, this occurs?

The property owner did not inadvertently omit this significant, legal detail with the Town Planners. As a result, your email of 08.04.21 describing the SFR as a detached accessory or "detached living space" is inaccurate and *should* have been approved as a permitted house, a SFR. Therefore, is it correct then that the structure does not meet the 15' required side setback for detached accessory structures in this zone?

Based on these facts, Building Permit B16-0878 must be revoked; the Town's Planning Dept. must begin the process anew and the property owner must reapply for the correct permit etc.,; the structure must be changed to its actual configuration as a SFR.

Your attention to this matter is appreciated.

I continue to request a redaction of my contact information.

Thank you.

---

Law Offices of  
THOMAS N. LIPPE, APC

201 Mission Street  
12th Floor  
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Telephone: 415-777-5604  
Facsimile: 415-777-5606  
Email: [Lippelaw@sonic.net](mailto:Lippelaw@sonic.net)

June 8, 2021

*By Email Only: [RSafty@losgatosca.gov](mailto:RSafty@losgatosca.gov)*

Mr. Ryan Safty  
Town of Los Gatos  
Community Development Department  
Planning Division  
110 E. Main Street  
Los Gatos, CA 95030

Re: 16466 Bonnie Lane; Subdivision Application M-21-003

Dear Mr. Safty:

This office represents [REDACTED], owners and residents of [REDACTED] Los Gatos, regarding Subdivision Application M-21-003.

I note that your to May 26, 2021, Staff Technical Review Comments (May 26 report) does not address a number of items listed in the March 4, 2021, Staff report to the Conceptual Development Advisory Committee (CDAC Staff report).

1. The Town cannot accept the subdivision application as complete or approve it because the frontage of the proposed new parcel on Bonnie Lane is not sufficient for the proposed residence to comply with the zoning code. The R1:20 zone requires 100 feet of frontage for an interior lot. The proposed new parcel has only 7.65 feet of frontage, which is not nearly enough.<sup>1</sup>

2. The CDAC Staff report states: “5. Tree Impacts. a. An arborist report will be required during development review to evaluate the potential impact to trees. b. Will driveways be located to avoid tree impacts? c. Will underground water, sewer, electrical, and telephone utility lines impact trees?”

The May 26 report does not appear to require an arborist’s report or answers to the other questions posed regarding tree impacts. Can you explain why?

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<sup>1</sup>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”].

June 8, 2021

Ryan Safty, Town of Los Gatos Community Development Department

Re: 16466 Bonnie Lane; Subdivision Application M-21-003

Page 2

The project plans show two 30” pines located on-site near the property line with 16450 Bonnie Lane. The trees are “protected trees” pursuant to Town Code § 29.10.0960(4) [“All trees which have a four-inch or greater diameter (twelve and one half-inch circumference) of any trunk, when removal relates to any review for which zoning approval or subdivision approval is required”].

The applicant has expressed his intention to remove at least one of these trees in connection with construction of the proposed residence, due to concerns about increased fire safety risks associated with the new construction. (See Applicant’s April 19, 2021, Letter of Justification, p. 2.) Therefore, approval of a tree removal permit pursuant to Town Code § 29.10.0980 is required in order to comply with Town Zoning and an arborist’ report is required for this permit. Unless and until this is done, the Town of Los Gatos cannot approve the subdivision application.<sup>2</sup>

3. The CDAC Staff report states: “6. Creeks/Waterways. a. Would future development impact existing creeks or waterways? b. Compliance with the Standards and Guidelines for Land Use Near Streams will be required if there are existing creeks or waterways on the site. c. Valley Water, Regional Water Quality Board, and other agencies may need to review a future project.”

The property borders Ross Creek, which has many documented biological resources that the project may impact.

Despite this, the May 26 report does not further mention potential impacts on Ross Creek or its biological resources.

I note that the May 26 report indicates a tentative determination that the project is categorically exempt from CEQA review pursuant to the Class 15 categorical exemption at CEQA Guideline 13315. The applicant’s intention to build a new residence on the proposed new parcel is a matter of public record.<sup>3</sup> Therefore, the Town cannot make a CEQA determination regarding the subdivision application considered in isolation from the proposed new residence. Doing so would unlawfully “piecemeal” the CEQA determination.

Indeed, depending on its design and construction materials, the new residence could have significant impacts on wildlife in the area. For example, large areas of glass are known to cause substantial bird mortality.

Also, CEQA Guideline 15300.2(b) prohibits the use of a categorical exemption “when the cumulative impact of successive projects of the same type in the same place, over time is

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<sup>2</sup>See Gov’t Code § 66474(a), (b); Town Code § 24.20.020(b).

<sup>3</sup>See e.g., February 13, 2021, letter from Tony Jean to neighbors, stating: “The owner plans to sell the main parcel and build a home on the empty lot;” April 19th, 2021, Letter of Justification, stating: “The primary parcel [Parcel 1] will retain the main structures while the owner will design and build a new home on Parcel 2.”



June 8, 2021

Ryan Safty, Town of Los Gatos Community Development Department

Re: 16466 Bonnie Lane; Subdivision Application M-21-003

Page 3

significant.” Given the history of significant impacts from development in the area on Ross Creek and its biological resources, the Town must require the applicant to provide complete details regarding proposed new residential development on the proposed new parcel and to investigate the potential impacts of the total development project on Ross Creek and its biological resources.

4. The CDAC Staff report states: “7. Wildland Urban Interface Zone. a. The subject property is located in the Wildland Very High Fire Hazard Area.”

The May 26 report does not mention any consideration of whether the total project may exacerbate fire risks in the area. Again, to comply with CEQA, the applicant and Town must investigate this issue before the Town makes a CEQA determination.

5. The CDAC Staff report states: “8. Hillside Development Standards and Guidelines. a. Future development of the lots would be subject to portions of the HDS&G due to the average slope exceeding 10 percent. b. Would future development of the proposed lots require grading that would meet the HDS&G?”

The May 26 report does not mention consideration of the Hillside Development Standards and Guidelines, but does require that the applicant “Provide the average slope of existing property, and each proposed parcel.”

Since the CDAC Staff report finds that the “average slope of the project site is 13.1 percent,” can you explain why the applicant is required to further document the slope and which Hillside Development Standards and Guidelines apply to the total project (i.e., the subdivision and new residence).

6. The owners of the existing parcel have a long and well-documented history of using the property for commercial uses. These illegal uses can be expected to continue on the new parcel. Therefore, it would be inappropriate to approve this subdivision application.<sup>4</sup>

Thank you for your attention to this matter.

Very Truly Yours,



Thomas N. Lippe

cc: Tony Jeans [By Email: [Tony@thisdesign.com](mailto:Tony@thisdesign.com)]

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<sup>4</sup>See Gov’t Code § 66474 (a), (b); Town Code § 24.20.020(b).

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August 9, 2021

*By Email Only: [RSafty@losgatosca.gov](mailto:RSafty@losgatosca.gov)*

Mr. Ryan Safty  
Town of Los Gatos  
Community Development Department  
Planning Division  
110 E. Main Street  
Los Gatos, CA 95030

Re: 16466 Bonnie Lane; Subdivision Application M-21-003

Dear Mr. Safty:

This office represents [REDACTED], owners and residents of [REDACTED], Los Gatos, regarding Subdivision Application M-21-003.

As stated in my June 8, 2021, letter, the Town cannot accept the subdivision application as complete or approve it because the street frontage of the proposed new parcel is not sufficient for the proposed residence to comply with the zoning code. The R1:20 zone requires 100 feet of frontage for an interior lot. The proposed new parcel has only 7.65 feet of frontage on Bonnie Lane, which is not enough.<sup>1</sup>

The applicant apparently contends that the boundary line between proposed Parcel 2 and the adjacent property at 16500 Bonnie Lane constitutes “frontage” for purposes of the zoning code. This contention is incorrect.

“Lot, frontage means the property line of a lot abutting on a street, which affords access to a lot other than the side line of a corner lot.” Town Code § 29.10.020.

“Street means any thoroughfare for the motor vehicle travel which affords the principal means of access to abutting property, including public and private rights-of-way and easements.”

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<sup>1</sup>See Town Code § 29.24.400. See also, 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”].

August 9, 2021

Ryan Safty, Town of Los Gatos Community Development Department

Re: 16466 Bonnie Lane; Subdivision Application M-21-003

Page 2

Town Code § 29.10.020.

Applying the definition of “lot frontage,” the term “lot abutting on a street” refers to proposed Parcel 2. Similarly, applying the definition of “street,” the term “abutting property” also refers to proposed Parcel 2.

There is no “thoroughfare for the motor vehicle travel which affords the principal means of access to” Parcel 2 that abuts proposed Parcel 2 for at least 100 feet. Instead, as shown on the new project plans, the only “thoroughfare for the motor vehicle travel which affords the principal means of access to” Parcel 2 that abuts proposed Parcel 2 is Bonnie Lane. That is where the new plans show access to a street, i.e., Bonnie Lane, by way of the proposed new driveway.

The fact that the definition of “street” can include “public and private rights-of-way and easements” is not pertinent here, because the easement that the owner of 16466 Bonnie Lane claims on the property at 16500 Bonnie Lane is not a “thoroughfare for the motor vehicle travel which affords the principal means of access to” Parcel 2.

The fact that the driveway located within that easement “affords the principal means of access to” 16466 Bonnie Lane is irrelevant because that driveway does not “afford the principal means of access to” Parcel 2.

Thank you for your attention to this matter.

Very Truly Yours,



Thomas N. Lippe

cc: Tony Jeans [By Email: [Tony@thisdesign.com](mailto:Tony@thisdesign.com)]

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**From:**  
**To:** [Planning; Ryan Safty](#)  
**Subject:** 16466 Bonnie Lane lot split application  
**Date:** Thursday, October 7, 2021 12:31:26 PM

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EXTERNAL SENDER

Dear Town Planning Commission,

Regarding the lot split application for 16466 Bonnie Lane, we have been disappointed to date that the town has asked for neighbor input, but seems undeterred in granting lot split approval despite dozens of neighbors objecting, and none supporting. I'm curious why neighbor input is requested, if it is dismissed.

If the town disregards neighbor input, it seems they may be required to at least consider the legal issue of frontage road requirements, which are clearly not met.

Per attorney Tom Lippe's letter dated Aug 9, 2021 to Mr. Safty, in part, "the Town cannot accept the subdivision application as complete or approve it because the street frontage of the proposed new parcel is not sufficient for the proposed residence to comply with the zoning code. The R1:20 zone requires 100 feet of frontage for an interior lot. The proposed new parcel has only 7.65 feet of frontage on Bonnie Lane, which is not enough. The applicant apparently contends that the boundary line between proposed Parcel 2 and the adjacent property at 16500 Bonnie Lane constitutes "frontage" for purposes of the zoning code. This contention is incorrect.

"Lot, frontage means the property line of a lot abutting on a street, which affords access to a lot other than the side line of a corner lot." Town Code § 29.10.020.

"Street means any thoroughfare for the motor vehicle travel which affords the principal means of access to abutting property, including public and private rights-of-way and easements." Applying the definition of "lot frontage," the term "lot abutting on a street" refers to proposed Parcel 2. Similarly, applying the definition of "street," the term "abutting property" also refers to proposed Parcel 2.

There is no "thoroughfare for the motor vehicle travel which affords the principal means of access to" Parcel 2 that abuts proposed Parcel 2 for at least 100 feet. Instead, as shown on the new project plans, the only "thoroughfare for the motor vehicle travel which affords the principal means of access to" Parcel 2 that abuts proposed Parcel 2 is Bonnie Lane. That is where the new plans show access to a street, i.e., Bonnie Lane, by way of the proposed new driveway.

The fact that the definition of "street" can include "public and private rights-of-way and easements" is not pertinent here, because the easement that the owner of 16466 Bonnie Lane claims on the property at 16500 Bonnie Lane is not a "thoroughfare for the motor vehicle travel which affords the principal means of access to" Parcel 2.

The fact that the driveway located within that easement "affords the principal means of access to" 16466 Bonnie Lane is irrelevant because that driveway does not "afford the principal means of access to" Parcel 2.

We are opposed to the development for the following reasons.

1. We wish to maintain the rural and natural feel of the neighborhood, as it is along Ross Creek and is a riparian zone.
2. We are concerned it may be promised to the buyers of the new lot that they

can build in the "Parcel 2 Panhandle" as shown in the proposal. This is a concern because the applicant Tony Jeans suggested building will be allowed when he discussed the desire to sell the Panhandle zone to us. We don't want this property sold with the promise of building in this zone.

3. Frogs along this section of Ross Creek have disappeared over the last few years, possibly due to drought and possibly to fertilizer and pesticide runoff from the existing soccer field. More development will surely negatively affect frog species in the area, as well as local bee hives, deer, hawks, owls, bobcats, coyotes, wild turkeys, etc.
4. We would like the town to assure that there never will be development, ADU's, or large paved areas in the "Parcel 2 Panhandle" zone.
5. We would like the town to assure that there never will be an access road built from Peacock Lane to the "Parcel 2 Panhandle" This would damage the creek and add traffic to the quiet Peacock cul-de-sac.
6. We are concerned the Owner, who has used the property for un-permitted weddings and rental events despite the town's zoning objections, will not follow town protocols with this change, as there is history.
7. There may not be building legally allowed as this low zone is flooded in heavy rains, and may be a flood zone.
8. There may not be subdivision allowed as there is not enough Bonnie Lane fronted space to allow a new parcel.

If despite the legal and other issues raised above, the town grants the lot split, and it survives further legal actions, we request the following:

the town clarify in writing that no development of any kind, including parking lots and ADU's, be allowed in the panhandle section, and no bridge or road be built across Ross Creek.

We feel given the documented history of the owner disregarding zoning and permit laws, this un-approved development will occur with irreversible damage to the riparian corridor.

Regards,

**From:**  
**To:** [Planning; Ryan Safty](#)  
**Subject:** 16466 Bonnie Ln. lot split application  
**Date:** Friday, October 8, 2021 8:28:48 AM

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EXTERNAL SENDER

Dear Town Planning Commission,

As residents of Bonnie Lane for 50+ years, we have serious concerns about the proposed lot split and development of the property at 16466 Bonnie Ln. Bonnie Lane is a somewhat unique area in this part of Los Gatos as it has a charming rural ambience. This property in question borders Ross Creek, which in this stretch is unrestrained by concrete walls and provides a riparian environment that is extremely beneficial to birds and other wildlife. It provides an open vista of the hills that is available to residents and visitors to our neighborhood. It appears that recent changes to zoning requirements could result in a level of development that could be extremely destructive to peaceful atmosphere that is so dear to us.

In addition, the developer claims there is adequate frontage the new parcel and we fail to understand this argument after looking at the maps provided. Also, Bonnie lane is a narrow road with restricted parking. The access it provides to residents currently is sufficient but it could be become problematic if future development is too dense.

I know we are not alone in our objections to the proposal under consideration. We do hope that the feelings of the neighbors are given due consideration by representatives of the Town.

Regards,

Susan and Les [REDACTED]

**From:** [Rebecca Guerra](#)  
**To:** [Ryan Safty](#)  
**Cc:** [Rebecca Guerra](#)  
**Subject:** Application for subdivision of APN 532-02-053  
**Date:** Thursday, October 7, 2021 7:47:15 PM

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EXTERNAL SENDER

Dear Mr. Safty,

I am the owner of [REDACTED], the property adjacent to 16466 Bonnie Lane. I received the notice regarding the application #M-21-003 for subdivision of the 16466 Bonnie Lane property and the scheduled hearing date of October 13, 2021. As the documents attached in your files indicate, I did have a conversation with Mr. Tony Jeans regarding the revised plans and most particularly, the creation of a new driveway crossing the lower portion of my property which today hosts a shared driveway for 16466, [REDACTED] Bonnie Lane. While there is an easement granted to the properties at 16466 and [REDACTED], it is based upon a common driveway.

In conversation with Mr. Jeans, he indicated that in the proposal for the subdivision, a new driveway would be created and would cross my property at the lower portion of the current easement. I would like to point out that there has been no indication that I would receive any consideration for this. Moreover, in the entire time that Mish Chadwick has occupied her property and used the shared driveway, no support for upkeep or maintenance has been offered or provided. In fact, I have had to notify her repeatedly not to allow her visitors to park off the margins of the drive as it causes breakdown of the edges and creates deep ruts in the turf, making it impossible to mow.

In summary, I have no confidence that the further access to the easement by a fourth home would not offer anything but greater upkeep for me. And, as indicated above, I have not been approached with any offer of consideration for the land which would be utilized for that new driveway as proposed by the application M-21-003.

I plan to participate in the meeting on October 13 but if you have any questions regarding my comments, please feel free to contact me at this e-mail address, or my mobile [REDACTED].

Thank you,

Rebecca Guerra, owner  
[REDACTED]  
[REDACTED]  
[REDACTED]

Regarding **16466 Bonnie Lane** - Subdivision Application M-21-003. Requesting approval 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.

To the Planning Commission:

As a resident of Bonnie Lane in Los Gatos, I'd like to submit my opposition to the referenced application to split lots. Bonnie Lane is a very narrow street that already carries a surprising volume of traffic. The Lane narrows as it approaches Shannon Road, to the point where it is dangerous for two cars and pedestrians to cross each other, and where it is impossible for a car and a large truck to pass at the same time.

Traffic is already a problem, even with no street parking allowed, and speeding is also a problem. I am concerned that a lot split could exacerbate the traffic problem on Bonnie Lane.

Please redact my name regarding this letter.





**TOWN OF LOS GATOS  
PLANNING COMMISSION  
REPORT**

MEETING DATE: 10/13/2021

ITEM NO: 2

ADDENDUM

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DATE: October 12, 2021  
TO: Planning Commission  
FROM: Joel Paulson, Community Development Director  
SUBJECT: Requesting Approval for Subdivision of One Lot into Two Lots on Property Zoned R-1:20. Located at 16466 Bonnie Lane. APN 532-02-053. Subdivision Application M-21-003. Property Owner: Mish Chadwick. Applicant: Tony Jeans. Project Planner: Ryan Safty.

REMARKS:

Exhibit 14 includes additional public comments received between 11:01 a.m., Friday, October 8, 2021, and 11:00 a.m., Tuesday, October 12, 2021. Exhibit 15 includes the applicant's response letter to these comments.

EXHIBITS:

Previously received with the October 13, 2021 Staff Report:

1. Location Map
2. Required Findings
3. Recommended Conditions of Approval
4. March 10, 2021 Conceptual Development Advisory Committee report packet
5. March 10, 2021 Conceptual Development Advisory Committee meeting minutes
6. Town Attorney response letter to public comment, dated June 22, 2021
7. Project Description and Letter of Justification, received July 22, 2021
8. Applicant's response to Conceptual Development Advisory Committee recommendations, received July 22, 2021
9. Pictures of subject property, received July 26, 2021
10. Subdivision Plans, received July 29, 2021
11. Summary of neighborhood outreach, received August 6, 2021
12. Applicant's response to public comments, received September 10, 2021
13. Public Comments received prior to 11:00 a.m., Friday, October 8, 2021

PREPARED BY: RYAN SAFTY  
Associate Planner

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Reviewed by: Planning Manager and Community Development Director

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PAGE 2 OF 3

SUBJECT: 16466 Bonnie Lane/M-21-003

DATE: October 12, 2021

Received with this Addendum Report:

14. Public comments received between 11:01 a.m., Friday, October 8, 2001 and 11:00 a.m., Tuesday, October 12, 2021
15. Applicant's response to public comments, received October 11, 2021

**From:**  
**To:** [Planning](#)  
**Cc:** [Ryan Safty](#)  
**Subject:** 16466 Lot Split Application  
**Date:** Friday, October 8, 2021 12:20:24 PM

---

**EXTERNAL SENDER**

Dear town Planning Commission,

I am writing to you in regards to the lot split application at 16466 Bonnie Lane. I would like to express my complete objection to it, my concerns, and my plea to you to protect the residents of this neighborhood and listen to them. I would like to assume that this is the purpose of this whole process – examining what is the impact of a plan that serves the interests of one resident on the life quality of the others.

The overwhelming opinion in the neighborhood is that this request must be rejected. Approving it will change the character of our tiny street and harm its rural feeling, the same feeling that was so central back at the time when the residents agreed for Bonnie Lane to be annexed and become part of the Los Gatos town. It will impose a monstrous dwelling that will violently encroach the neighbor's backyard, that happens to be downhill from it. Splitting the lot will set the ground for an unknown turn of events and a rolling development that will rob the rest of the residents from what brought them to this part of town to begin with.

What is on the agenda is a request to split an **oddly shaped, landlocked** plot of land that already has two dwellings on it. It doesn't meet the frontage requirements of a lot split, it comes on the heels of long years of multiple brazen code violations and careless behavior, and it involved no meaningful communication with the neighbors. Its sole purpose is to maximize one resident's profit, which is fine, but it comes so clearly at the direct expense of the rest of all other residents while violating their rights and the town's own definitions, as reflected by the overwhelming objection and the legal advice that supports it.

I hope, and even expect, the town will make a stand here and reject this lot split request so we don't need to pursue additional avenues of protection. It will be the right thing to do and it's the town's primary job – protect the quality of life of the community as a whole.

**I will appreciate it if you keep my name off the records in case this message is made public.**

Thanks,

**\*\*Please redact my contact information.**

10.08.21

Att: Los Gatos Planning Commission  
Los Gatos, CA 95030

Dear Members of the Los Gatos Planning Commission,

I am writing to ask that the application from 16466 Bonnie Lane, LG, for a lot split be denied. It is imperative that the Planning Commission fully understand a lot split for purposes of housing development at this location is not possible because the property fails to meet the required Town Code/s due to the lack of frontage on Bonnie Lane. Additionally, no neighbor north or south of the applicant's property will cede their legal frontage to 16466 Bonnie Lane for a housing development.

As you are aware, the Santa Clara County Fire Dept. Spec No D-1, revised date 04.27.21 under **STANDARD DETAILS & SPECIFICATIONS, DRIVEWAY WIDTH REQUIREMENTS: 1. A. For Campbell, Cupertino, Los Gatos, Monte Sereno, and Los Altos Hills: A 12-foot-wide paved surface**. 16466 Bonnie Lane's driveway is 10 feet. As stated above, the north and south property owners will not cede their legal frontage.

The proposed parcel has a feeble 7.65 feet of frontage; **R1: 20 zone requires 100 feet of frontage for an interior lot.** Additionally, 16466 Bonnie Lane does not have the legal right to use an existing private driveway that 16466 Bonnie Lane uses to access their home for purposes of a lot split for housing development.

It should be noted that Bonnie Lane is a narrow road with NO PARKING on either side of the street for the majority of the Lane. (Please see attached photo.) **At the driveway of 16466 Bonnie Lane, the Lane is a narrow section of 23 feet. With recycling/garbage cans on the street, the Lane width is 17 feet.**

Both Bonnie Lane and Peacock Lane are unique Lanes for a myriad of reasons. Both offer a character unlike a street. Both Lanes abut to the hillside offering a mini abundance of wildlife. Fox, bobcat, wild turkey, mountain lion, families of quail, various species of hawk, various species of owl, deer, and coyote traverse, not to mention the smaller bird and amphibian life. Equally unique and environmentally important, Bonnie and Peacock Lane are between Ross Creek, ***the last open riparian corridor before it disappears into concrete channels and pipes.*** For these reasons alone, I urge the Planning Commission to recognize this area as environmentally fragile and to recognize the interdependence at play between the existing wildlife at the base of the hillside where the creek runs between Bonnie and Peacock Lane.

The following vinette demonstrates the fragility of the Bonnie & Peacock Lane area: When 16466 Bonnie Lane created a soccer field with a green lawn on the "panhandle" of their property abutting

to the creek, it can assumed that it is necessary to use lawn chemicals so the lawn will thrive lush, green, and weed free. However, prior to the soccer field, the "panhandle" was a field in its natural state. Wildlife foraged and from Winter until mid-June or July, our "Lanes" and in between were a cacophony of frogs throughout the evening. It was amazing. It was shortly after the soccer field was established, the frogs went silent. No croaking, no cacophony. The common chemical RoundUp is used for weed control; its causal effect kills not only weeds but frog life. The frog population was decimated. After speaking with a Biologist from NASA about our Ross Creek's "Silent Spring" (author, Rachel Carson), the Biologist confirmed frogs are like the canary in the coal mine in that the smallest quantity of Roundup immediately kills amphibian life. ***It is not a stretch of the imagination to correlate keeping a soccer field green by chemical function and the wipe out of a healthy frog population and its habitat.***

As a result of the aforementioned, the lot split must be denied; any future housing development as a result of a lot split fails on every level from land use to building in and around an environmentally sensitive area.

In closing, I would like to comment on the improper nomenclature regarding 16466 Bonnie Lane's SFR referenced by Town Planners as a "Barn." There are two existing SFR on the property. There is NO barn. As we know, a barn is a structure used for livestock. Additionally, the SFR referenced by the Town Planners is ***also not an ADU*** but a SFR with 2,256 square feet. Until 2 weeks ago, this SFR of 2,256 square feet contained a full kitchen. The last Planning Commission meeting was canceled as the property owner had falsely stated there was no full kitchen in the home. Code Enforcement for the Town determined there was a stove. Quickly the property owner removed the existing stove (confirmed by LG Code Enforcement) for purposes of conforming to their lot split application and, in order to be considered, falsely, an ADU structure. In fact, it is not an ADU. Recently, for purposes of moving the property owners' application for a lot split, the owner canceled all advertising on [www.peerspace.com](http://www.peerspace.com). However, the home advertised for years on Peerspace offering "an entertaining kitchen."; advertisement until last month, was 24 hours a day, 7 days a week with the language "entertaining kitchen" offered for \$400.00 an hour.

Thank you.

Very Truly Yours,

[Redacted signature]

**\*\*Please redact my contact information.**

Note: Photo #1 presents the narrow 10' driveway to 16466 Bonnie Lane.

Photo #2 presents the narrow street of 17' with receptacles present on Lane.





**From:**  
**To:** [Ryan Safty](#)  
**Cc:** [Planning](#)  
**Subject:** Subdivision Application M-21-003 for 16466  
**Date:** Friday, October 8, 2021 2:26:32 PM

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**EXTERNAL SENDER**

Ryan Safty, Planner

Dear Mr. Safety,

Please, stop and deny this application as the criteria being presented for this split is inadequate to allow this split.

I would appreciate your prompt attention in this regard.

Sincerely,  
Roy Moses

Los Gatos, CA 95032

**\*Wire Fraud is Real\*. Before wiring any money, call the intended recipient at a number you know is valid to confirm the instructions.** Additionally, please note that the sender does not have authority to bind a party to a real estate contract via written or verbal communication.



Town Planning Commission:

The developer, Tony Jeans sent us neighbors of the Bonnie Lane a letter in August 2021 in which he suggested dedicating part of the panhandle, 10,000 sq ft to Open Space. Any building in the panhandle disturbs the natural beauty of the area. It has been open land forever, only growing grapes in its positioning between many neighbors. It's a riparian environment and if we ever get rain again, could easily flood the panhandle which means building in it isn't very practical.

So, I suggest the panhandle be donated to Open Space as a "conservation easement" giving the owner a huge tax deduction and solving the question of what to do to economically benefit the owner and satisfying the neighbors.

Should they agree to the Open Space solution, I would whole heartedly be in favor of the changes to property lines and ingress/egress issues.

They're trying to accommodate all of us, and this trade-off solution rewards all parties.

*Jim Hartigan*

*16428 Peacock Lane*

*Los Gatos, CA 95032*

**From:**  
**To:** [Ryan Safty](#)  
**Subject:** Proposed Lot split - 16466 Bonnie Lane  
**Date:** Sunday, October 10, 2021 1:53:25 PM

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EXTERNAL SENDER

Dear Planning Department,

The proposed lot split will lead to more traffic on Bonnie Lane and ruin the rural nature of the street. Many neighbors walk long this narrow street every day. Any consideration of this lot split must consider its impact on resident safety. For this reason, the lot split, if approved, must require an extension of the existing Bonnie Lane sidewalk from its dead end opposite this site to Shannon Road, to better protect the walkers. In addition, several street lights should be installed along this stretch of Bonnie Lane. For traffic mitigation, the narrowing of Bonnie Lane near its intersection with Shannon Road should be eliminated to improve visual safety for drivers and walkers alike. If the city is going to allow the lot split and the future addition of more housing, the rural nature of Bonnie Lane will be lost and the above street improvements will be needed.

Sincerely, [REDACTED], long time resident of

**From:** [REDACTED]  
**To:** [Ryan Safty; Planning](#)  
**Subject:** OPPOSITION to subdivision of 16444 Bonnie LN  
**Date:** Monday, October 11, 2021 8:59:22 AM  
**Attachments:** [Attachment 3 Project Plans - 16466 Bonnie Lane 202107291801531627.pdf](#)  
[Attachment 2 SDS D-1 DrivewaysTurnaroundsTurnOuts 04272021 1.pdf](#)  
[Attachment 1 CFMO W1 Res Water.pdf](#)  
[Attachment 4 - Plat Map.pdf](#)

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**EXTERNAL SENDER**

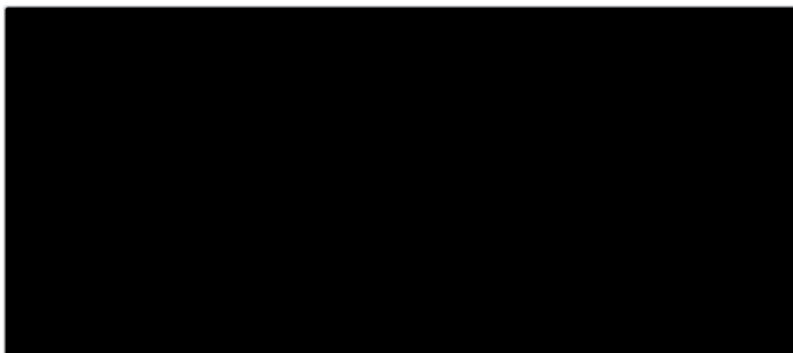
Dear Mr. Safty and the Planning Commission:

I am opposed to subdividing the property identified as:

16466 Bonnie LN (hereinafter "the Applicant")  
APN: 532-02-053

**ACCESS to the Public Road for the Santa Clara County Fire Standard is not met for proposed subdivision parcel 1 (existing dwelling site)**

- According to the Santa Clara County Fire Standard CFMO-W1, no driveway shall be in excess of 250 feet from an approved hydrant. (Attachment 1 – Section IV F)
  - o The original driveway for 16466 Bonnie Ln was through the 7.65 feet of access. The sole hydrant is ACROSS the street in front of 16503 Bonnie LN. Bonnie LN is approximately 20 feet wide.
  - o Applicant purchased the home in 2014 and installed a second driveway (shown in Attachment 2 as the circular driveway). The EXISTING circular driveway of proposed subdivision parcel 1 is in **excess of 250 feet from the approved hydrant** and may place Applicant in direct violation of the Santa Clara County Fire Standard dependent upon how the access on 16500 Bonnie LN is defined (addressed below).
  - o Further, as shown in Applicant's video [16466 Bonnie Lane, Los Gatos: Full Property Tour!](#) when offering the property for sale, Applicant's realtor has suggested that either of the TWO existing dwellings, e.g. the main home and the Barn, may be used for as a primary residence. The Barn is advertised as a guest house, hence a dwelling. The Barn is solely accessible by the original driveway. Were this subdivision plan to be approved, this dwelling loses its access to the fire hydrant on Bonnie Ln as the original driveway is the proposed home site of subdivision parcel 1. This dwelling is not easily accessible from the circular driveway and will likely perish in a fire. Applicant's proposal is silent as to installing a private hydrant or evaluating the existing water pressure and resources to determine the feasibility of just a project.





## 16466 Bonnie Lane, Los Gatos: Full Property Tour!

- o Applicant's proposal endangers the residential use of proposed subdivision parcel 1, e.g. the EXISTING DWELLINGS.
- o If any of the structures on the site are used as dwellings, the creation of proposed subdivision parcel 1 could be in direct violation of the Santa Clara County Fire Standard. (Attachment 3)
- According to the plat map, the ONLY public access is BONNIE LN. (Attachment 4)
- The property boundary on Bonnie Ln is 7.65 feet, e.g. the driveway access to Bonnie Ln. The minimum driveway width in Los Gatos is a 12- foot-wide paved surface. Approving this project solely using Applicant's property would violate the Santa Clara County Fire Standard. (Attachment 2- Section I)
  - o To remedy the above, Applicant proposed a driveway for subdivision parcel 1 that is built on 16500 Bonnie LN. The proposed driveway requires the owners 16500 Bonnie LN to grant a permanent easement as the driveway would be a structure built on THEIR property. There is no suggestion in Applicant's submission that the owners of 16500 Bonnie LN approve of the subdivision. Applicant is suggesting having a neighbor be disadvantaged for Applicant's financial benefit!
- Applicant's architect Tony Jean mischaracterizes the land between the existing shared access driveway as **frontage road**. To permit this definition, the shared access driveway must be considered a **private access road**.
  - o If the access on 16500 Bonnie Ln is a road, the Proposed subdivision parcel 1 is in violation of the Santa Clara County Fire Standard as the circular driveway of 16444 Bonnie LN is greater than 250 feet away from the fire hydrant on Bonnie LN. The nearest hydrant is in front of 16503 Bonnie LN. Further, the properties at 16500 and 16510 would also be in violation of the Santa Clara County Fire Standard. Applicant would be financially burdening the owners of 16500 and 16510 to become compliant with the Standard at some undetermined time in the future.
  - o If the access on 16500 Bonnie Ln is a driveway, Applicant is requesting that the Town of Los Gatos sanction appropriating someone else's property!

This proposal should be denied. The existing proposal endangers Applicant's and the immediate neighbors' safety. The proposal is asking the Town of Los Gatos to legitimize the theft of someone's else's land for Applicant's personal financial benefit.

Sincerely,

Pamela Kee

<b>STANDARD DETAILS &amp; SPECIFICATIONS</b>	Spec. No.: <b>CFMO-W1</b>
<b>SUBJECT:</b> Fire Protection Water Supplies for One-and Two Family Dwellings and Associated Structures	Rev. Date: 07/01/10
	Eff. Date: 08/02/00
	Approved By: J. Saunders
	Page: 1 of 10

### SCOPE

The Fire Marshal is authorized to require the installation of fire protection water supplies in accordance with the provisions of the County Fire Code. This standard applies to the installation of such equipment related to residential occupancies, including manufactured homes and non-dwelling structures on residential properties located in the unincorporated areas of Santa Clara County.

### DEFINITIONS

Approved: Approved by the Santa Clara County Fire Marshal’s Office.

Accessory Structures: Structures on residential properties used for non-dwelling and non-commercial purposes.

Fire-Flow: Fire-flow is the flow rate of water supply, measured in gallons per minute (gpm) at 20 pounds per square inch (psi) (138kPa) residual pressure, that is available for firefighting. This refers to available water supply from a fire hydrant. [REF: County Fire Code]

CFC: County Fire Code, current edition adopted by the Santa Clara County Board of Supervisors.

Fire Protection Water Supply: Water provided for fire fighting purposes only. Water required for domestic, industrial, irrigation, agricultural or any other use shall be provided in addition to water required by this standard.

Major Residential Subdivision: A division of land into five or more lots zoned for residential use.

Modified NFPA 13D Automatic Fire Sprinkler System: A residential fire sprinkler system based on the National Fire Protection Association’s NFPA 13D standard and modified by the County Fire Marshal. The system is typically used to mitigate for lack of required fire-flow, adequate access or some other requirement as approved by the County Fire Marshal. See Standard Detail CFMO-SP6 *Installation of Fire Sprinkler Systems in One-and Two-Family Dwellings*.

State Response Area (SRA): The State Responsibility Areas of Santa Clara County lie within the emergency response area of the California Department of Forestry and Fire Protection, and are subject to the requirements set forth under Title 14 of the California Code of Regulations. [REF: *Public Resources Code §4290*]

Wildland Urban Interface Fire Area: All unincorporated areas within the County of Santa Clara as delineated on the current map entitled “Wildland Urban Interface Fire Area” adopted by resolution of the Board of Supervisors. The map is on file at the Office of the Fire Marshal.

## REQUIREMENTS

### I GENERAL REQUIREMENTS

- A) Water supplies required by this standard shall be maintained for the purposes of fire protection only, and shall be in addition to water provided for any other purpose.
- B) Fire protection water systems shall be installed and approved prior to the foundation inspection, or prior to final inspection for construction with completely non-combustible components, as specified by the Fire Marshal. **NOTE: a stop-work order will be placed on the project if the water system is not installed, accessible and functioning at all times during construction.**
- C) Modification or removal of any part of the fire protection water system shall require a permit from the Fire Marshal's Office.
- D) **Maintenance:**
  - 1. The fire protection water system shall be maintained in good working order and accessible throughout construction. **NOTE: A stop-work order may be placed on the project if the system is not functioning and accessible at all times during construction.**
  - 2. Upon completion of the project, the fire protection water system shall be visible, accessible, and maintained in an operative condition at all times and shall be repaired where defective. Additions, repairs, alterations, and servicing shall be in accordance with approved standards, and all applicable permits and approvals shall be obtained prior to installation.
- E) Fire-flow requirements for multiple structures shall be calculated based on the largest structure covered by the permit application.
- F) If a regulated fire protection water supply is available within 300 feet of the property, the property owner may be required to extend the water system to provide fire protection water to the property.

### II FIRE PROTECTION WATER SUPPLY FOR ONE- & TWO-FAMILY DWELLINGS

- A) **System Type:** Fire protection water supply requirements are broken down into categories based on the capabilities of the available water system. Types 1 and 2 below are considered to be "Regulated".
  - 1. Municipal-Type Water Purveyors are regulated by the State Public Utility Commission (PUC). San Jose Water Co., Great Oaks Water Co., California Water Service Co. and Purissima Hills Water District are the only Municipal-Type systems in Santa Clara County.
  - 2. Private Water Mutuals are not as large as Municipal-type systems and include both Public Water Systems (15+ connections) and State Small Water Systems (5-14 connections). These systems are regulated by either the PUC or County Department of Environmental Health and must be approved to provide fire protection water.

3. Where no regulated water system exists, Individual Water Systems or Shared Water Systems (2-4 connections) may be used.

B) **Regulated Water Purveyors:**

1. **Municipal-Type Water Systems:**

- a. Fire protection water supply shall be in compliance with the following:

<b>501 - 3,600 sq. ft.</b>	1,000 gpm at 20 psi for 2 hour duration
<b>Over 3,600 sq. ft.</b>	As per County Fire Code Table B105.1 for 2 hour duration

- b. Hydrants: An approved standard hydrant located within 600 feet of any exterior portion of the structure(s) is required.

- c. Acceptable alternate methods of protection:

The installation of an approved automatic fire sprinkler system will be deemed adequate provided a minimum of 500 gpm is available from approved standard hydrant(s) located within the required distance. If the available fire flow is less than 500 gpm, or the hydrant is in excess of 600 feet from any exterior portion of the structure, the hydrant system shall be improved or extended to provide adequate water supply.

- d. Individual tanks may be approved on a case-by-case basis only when other options are not available.

2. **Private Water Mutuals:**

- a. Fire protection water supply shall be in compliance with the following:

<b>501 - 3,600 sq. ft.</b>	1,000 gpm at 20 psi for 30 minute duration
<b>3,601 – 10,000 sq. ft.</b>	1,500 gpm at 20 psi for 30 minute duration
<b>Over 10,000 sq. ft.</b>	1,500 gpm at 20 psi for 60 minute duration

- b. Acceptable alternate methods of protection:

The installation of an approved automatic fire sprinkler system will be deemed adequate provided a minimum of 500 gpm is available from approved standard hydrant(s) located within the required distance. If the available fire flow is less than 500 gpm, or the hydrant is in excess of 600 feet from any exterior portion of the structure, the hydrant system shall be improved or extended to provide adequate water supply.

- c. Hydrants: An approved standard hydrant located within 600 feet of any exterior portion of the structure(s) is required.

3. Miscellaneous Details:

Where the flow from a single hydrant is insufficient to meet fire-flow demands, the combined flow from two hydrants may be used, provided that:

- a. the nearest hydrant is located no more than 600 feet from all exterior portions of the structure, and
- b. the second hydrant is no more than 500 feet from the first hydrant, and
- c. all hydrants are flowing simultaneously
- d. *NOTE:* it is preferred that both hydrants are not on the same main.

C) No Available Recognized Water Purveyors:

1. Shared Water Systems (2-4 connections):

- a. Fire protection water quantity requirements shall be in accordance with Sec. II.C.2 (below). A tank system may be shared between up to 4 properties.
- b. Each individual property shall provide a minimum of one wharf hydrant located on that property in a location acceptable to the Fire Marshal in compliance with CFMO-W4.
- c. Proof of legal access to the shared water system shall be required prior to issuance of the building permit.

2. Individual Water Systems:

- a. Fire protection water supply shall be in compliance with the following for single family dwellings:

<b>501-3,600 sq. ft.</b>	Minimum of <b>5,000</b> gallons of above-ground water storage for fire protection use only [REF: Standard CFMO-W5] <i>Exception:</i> If the property is <u>NOT</u> located in the Wildland Urban Interface Fire Area, an acceptable alternative would be 30,000 gallon approved fire protection above-ground water storage tank without fire sprinklers ( <i>NOTE: a permit is required</i> )
<b>3,601-10,000 sq. ft.</b>	Minimum of <b>10,000</b> gallons of above-ground water storage for fire protection use only [REF: Standard CFMO-W5]
<b>10,001-15,000 sq. ft.</b>	Installation of an approved Minimum of <b>30,000</b> gallons of above-ground water storage for fire protection use only [REF: Standard CFMO-W5]
<b>Over 15,000 sq. ft.</b>	Minimum of <b>45,000</b> gallons of above-ground water storage for fire protection use only [REF: Standard CFMO-W5]

- b. Fire Sprinkler System: The installation of an approved fire sprinkler system is required regardless of the size of the structure. [REF: Standard CFMO-SP6]
- c. Hydrant: One wharf hydrant with a single 2-1/2-inch outlet shall be installed regardless of type of structure. The hydrant shall be a minimum of 55 ft. from



the closest portion of the structure and no further than 600 ft. from all exterior portions of the structure in a location acceptable to the Fire Marshal. [REF: Standard CFMO-W4]

d. Miscellaneous Details:

1. If the water supply for an existing structure is sufficient in quantity to meet the requirements for any additional structures as calculated separately, the existing approved supply may be used to supply both structures, and no additional water will be required. The system shall be in conformance with current standards. [REF: CFMO-W5 & CFMO-W4]
2. An existing on-site hydrant may be used to satisfy the hydrant requirement for new structures provided it is located within the required distance, the water supply is sufficient for each structure and the system is in conformance with current standards.
3. New hydrants may be fed from existing tanks provided the tank complies with CFMO-W5. However, if an effective draft cannot be obtained from the hydrant due to friction loss caused by distance from the tank, an additional tank may be required.
4. When tanks are the sole source of water for the property, water supply for any fire sprinkler system, shall be supplied from the same tank as the domestic water or other approved use to ensure proper maintenance of the system.
5. If a well and pump are to be used to supply fire protection water, the pump must be one that is used regularly, and that will be noticed if not working. This is what is considered to be a 'reliable water source'. A pump used exclusively for fire protection water shall be a listed fire pump.
6. Tanks supplying water for fire protection purposes shall be maintained at full required capacity at all times, and shall be filled automatically.
7. Privately owned hydrants or tanks located off the property shall not be considered usable unless they are part of an approved shared water system or water mutual, and the property owner can provide proof that he/she has legal rights to the water or equipment.
8. If a well and pump is to be used as the sole source for fire protection water, a well report from a licensed well-drilling contractor or a registered Civil Engineer may be required to show that both the well and the pump can provide adequate fire-flow as required by this standard.

### III FIRE PROTECTION WATER SUPPLY – RESIDENTIAL ACCESSORY STRUCTURES

- A) Municipal-Type Systems: See Sec. II-B.1 (*above*).
- B) Private Water Mutuals: See Sec. II-B.2 (*above*).

C) Individual Water Systems:

1. Above-ground fire protection water supply in quantities listed below shall be provided for residential accessory structures (*see notes below*):

TYPE	SQUARE FOOTAGE				
	0-500	501-3,600	3,600-10,000	10,001-15,000	OVER 15,000
Accessory Structure	<u>SRA ONLY:</u> 5,000 gal.	5,000 gal. (7,500) <sup>1</sup>	15,000 gal. (22,500) <sup>1</sup>	30,000 gal. (45,000) <sup>1</sup>	+ 30,000 gal. ea. additional 10,000 sf
Greenhouse <sup>2</sup>	N/A	5,000 gal.		7,500 gal.	10,000 gal.
Shade Structure <sup>3</sup>	N/A			7,500 gal.	

**NOTE 1:** Water storage requirements shall be increased by 50% for all structures located within fifty (50) feet of other significant structures or a property line.

**NOTE 2:** May not be used for purposes of storage of any kind. Greenhouses with covering material exceeding a Class-A (0-25) flame-spread rating shall meet the requirements for Accessory Structures.

**NOTE 3:** Shade structures qualifying for water requirements listed in table above must meet all of the following conditions or shall comply with requirements for Accessory Structures.

- a. Walls shall be left at least 75% open (no covering materials at any time). Roof and maximum of 25% of each wall may be covered. Covering material with a flame-spread rating exceeding Class-A (0-25) is not allowed.
- b. No electrical service, gas service or mechanical ventilation
- c. No wood rack or shelving material
- d. Located a minimum of 20 feet from any other structure or any property line
- e. Structure shall not be used for storage purposes of any kind

2. Hydrant: One wharf hydrant with a single 2-1/2-inch outlet shall be installed regardless of type of structure. The hydrant shall be a minimum of 55 ft. from the closest portion of the structure and no further than 600 ft. from all exterior portions of the structure in a location acceptable to the Fire Marshal. [REF: Standard CFMO-W4]

3. Residential Riding Arenas:

Noncombustible canopy structures with dirt floors and no sides, used only for the purpose of providing shelter for riding arenas which are not used in any way for combustible or noncombustible storage, may be approved with no requirements for fire protection water supply. Such structures shall be approved on a case-by-case basis.

4. Miscellaneous Details:

- a. All the provisions of Sec. II.C.2.d (above) shall apply unless otherwise specified below.
- b. If a well and pump are to be used to supply fire protection water, the pump must be one that is used regularly, and that will be noticed if not working. This is what is considered to be a 'reliable water source'. A pump used exclusively for fire protection water shall be a listed fire pump.

*Exception:* Tanks supplying only a wharf hydrant required for non-dwelling structures where no domestic service is provided.

- c. Use of water from a Santa Clara County Water District major conduit for fire protection water supply is prohibited without express written permission from the Water District.

#### IV REQUIREMENTS FOR NEW MAJOR RESIDENTIAL SUBDIVISIONS

- A) **TIMING:** Fire protection water systems shall be installed and approved prior to issuance of the building permit for the first structure to be built in the subdivision. If the subdivision includes existing structures, proof of adequate fire protection consistent with current standards for the affected structure(s) shall be provided prior to recordation of the final map if the fire protection water system is not in place.
- B) A new major subdivision shall require either connection to a regulated water purveyor, or the formation of a Mutual Water Company if there is no recognized water purveyor available. New mutual water companies shall provide the minimum required fire-flow for structural fire protection in Section II.B, above. Individual tanks and shared water systems are not allowed. If the required fire-flow from standard hydrants cannot be supplied by an existing regulated water system, an approved fire sprinkler system shall also be required in each structure as a mitigative measure, provided a minimum of 500 gpm is available from area hydrants.
- C) Duration for fire-flow shall be for two (2) hours regardless of the size of the proposed/existing structure(s).
- D) Fire-flow requirements for subdivisions shall be based on the largest proposed or existing structure in the subdivision.
- E) Fire protection water supply shall be stored in combination with the domestic water supply to ensure the reliability of the system, however quantities in storage required by this standard shall be in addition to the domestic supply. A pump used exclusively to pressurize the fire protection system shall be a listed fire pump.
- F) Approved standard hydrants shall be required and shall be spaced a maximum of 500 feet apart. No driveway shall be in excess of 250 feet from an approved hydrant. Additional hydrants may be required if the distance between the hydrant and furthest exterior portion of the structure exceeds 600 ft. in length (measured along the approved path of travel). Hydrants shall be provided for existing structures within the subdivision.

*Exception:* Subdivisions with lots of such size or arrangement that the above spacing is infeasible shall provide hydrant placement and spacing as required by the Fire Marshal.

- G) Additional hydrants may be required when mains are installed along streets where hydrants are not needed for protection of structures. Such hydrants shall be spaced at 1,000 ft. to provide for traffic hazards.

- H) Installation of standard hydrants requires a permit from the Fire Marshal unless installed by a PUC-regulated water purveyor (e.g., San Jose Water Co.). Permits may also be required from other County and non-County agencies prior to installation.
- I) Installation of Standard hydrants and supplying underground piping shall comply with NFPA 24, *Standard For The Installation Of Private Fire Service Mains And Their Appurtenances*.
- J) The installation of tanks for Water Mutuals shall comply with NFPA 22, *Water Tanks for Private Fire Protection*, adopted edition.
- K) Standard hydrants shall be pressurized commercial-style wet barrel-type type with a four inch (4") or four-and-one-half inch (4-1/2-inch) pumper connection and double two-and-one-half inch (2-1/2-inch) outlets. Outlet size shall be based upon the responding fire jurisdiction's specifications (see note below). Hydrants shall be installed such that the center of the pumper connection outlet is not less than eighteen inches (18") above the finish grade, and shall face the driving surface. Hydrants may be fed from either an approved storage tank or a recognized water purveyor. Dry barrel hydrants are not allowed.

**NOTE:** Standard hydrants located within the South Santa Clara County Fire Protection District, all State Response Areas (SRA), the Stanford University campus, and within the Palo Alto Fire Department's sphere of influence require a 4-1/2 inch pumper connection.

## V REQUIRED PLANS SUBMITTAL, PERMITS & INSPECTIONS

### A) Fire Marshal Permits:

#### 1. When required:

- a. Installation or modification of residential-style wharf hydrant and tank(s) for one- and two-family use. A permit may be issued without plan review provided the building permit for the structure has been approved by the Fire Marshal. [REF: CFMO-W4 & CFMO-W5]
- b. Installation or modification of standard hydrants or standard hydrant systems. [REF: NFPA 24]
 

**Exception:** Hydrant(s) or hydrant systems installed and inspected by PUC-regulated water purveyors. **NOTE:** Systems intended to be turned over to a regulated water purveyor after completion that are installed by private contractors shall obtain a permit from the Fire Marshal.
- c. Installation or modification of residential fire sprinkler systems. [REF: CFMO-SP6]
- d. 30,000 gallon tank and hydrant system installed as an alternative to requirements in Sec. II.C.2 (*Exception*), for non-dwelling structures up to 3,600 sq. ft. not located within the Wildland Urban Interface.

- e. A permit from the Building Inspection Office is required for the installation of tanks in excess of 5,000 gallons, those which exceed the ratio of height to diameter or width of 2:1, and tanks of any size located within a flood plain.
2. Contact the Fire Marshal's Office for details regarding permits, applications, and fees or see our website at <http://firemarshal.sccgov.org>.
3. No work shall commence prior to permit issuance.
4. Permits from other County Departments may be required. Contact the County Building Inspection Office at (408) 299-5700, Planning Office at (408) 299-5770, Land Development Engineering at (408) 299-5730, and Department of Environmental Health at (408) 299-5748 for further information.

B) Submittals:

1. Proof of available fire protection water supply is required at time of building permit submittal. If a regulated water purveyor supplying a hydrant system is available, provide a will-serve letter to include available fire-flow at the nearest hydrant (or hydrants if the nearest hydrant cannot supply the required fire-flow) and a map showing the location of hydrant(s) in relation to the property.
2. Installation of residential tanks and wharf hydrants will be included in the building permit process. An inspection by the Fire Marshal's Office is required. Details shall be included on the site plan in the set of drawings submitted to the Building Inspection Office for Building Permit. All plans shall be drawn to scale and contain the following information:
  - a. Water source, including location of well or connection to a water main, location, capacity & number of on-site tanks, and available fire-flow (if any).
  - b. Elevation of both base of tank and hydrant orifice shall be indicated on the plans.
  - c. Location and size of all piping from the water main or tank to proposed and/or existing hydrant(s) as well as any piping between tanks.
  - d. Size, type (wharf or standard) and location of all hydrants, existing and proposed (indicate status on plans).
3. Fees shall apply (*see fee schedule: <http://firemarshal.sccgov.org>*)
4. Standard Hydrants:
  - a. A separate submittal to the Fire Marshal's Office is required. The submittal shall show compliance with NFPA 24, *Standard for the Installation of Private Fire Service Mains and their Appurtenances*, adopted edition.
  - b. Submittals shall be made by a State-licensed contractor with a "C16", "C34" or "A" license only.
  - c. Submittal shall include manufacturer's specifications for all equipment and appurtenances to be installed. Plans shall indicate size of pumper connection (4-inch or 4-1/2-inch) and number of 2-1/2-inch outlets.

C) Installation Requirements:

1. Installation shall be performed by fully experienced and responsible persons. Poor workmanship shall not be accepted.
2. All materials shall be new.

D) Inspection Requirements:

1. Wharf Hydrants:

- a. All underground piping for hydrants shall be inspected by this office while system is pressurized to 50 lbs. over normal system pressure prior to covering.
- b. Flushing and flow tests shall also be observed by this office prior to final acceptance of the hydrant installation.

2. Standard Hydrants:

- a. All underground piping for standard hydrants and standard hydrant systems shall be inspected by this office under pressure per NFPA 24 prior to covering.
- b. Flushing and fire-flow tests shall also be observed prior to final acceptance of the standard hydrant or hydrant system installation.



<b>STANDARD DETAILS &amp; SPECIFICATIONS</b>	Spec No	<u>D-1</u>
	Rev. Date	<u>04/27/21</u>
	Eff. Date	<u>01/23/97</u>
	Approved By	<u>[Signature]</u>
	Page <u>1</u>	of <u>4</u>

SUBJECT: Specifications for Driveways, Turnarounds and Turn Outs Serving up to Two (2) Single Family Dwellings

**SCOPE**

This standard is applicable to driveways serving up to two (2) single family dwellings where any portion of the dwelling(s) is greater than 200 feet from the center line of a public roadway. The specifications contained in this standard apply only to properties located within the incorporated city/town services areas of the Santa Clara County Fire Department. Fire department access for dwellings in unincorporated County areas shall conform to County of Santa Clara driveway/roadway standards.

**AUTHORITY**

California Fire Code (C.F.C), Applicable Municipal/Town Codes and Standards

**DEFINITIONS**

**Driveway:** A vehicular access roadway less than 20 feet in width and serving no more than two single-family dwellings.

**Roadway:** A vehicular access roadway greater than or equal to 20 feet in width serving more than two single-family dwellings.

**REQUIREMENTS**

**I. DRIVEWAY WIDTH**

- A. For Campbell, Cupertino, Los Gatos, Monte Sereno, and Los Altos Hills: A 12-foot-wide paved surface.
- B. For Los Altos: A 14-foot-wide paved surface.
- C. For Saratoga: A 14-foot-wide paved surface.

## II. VERTICAL CLEARANCE

- A. The vertical clearance above the entire length of the driveway shall be in accordance with the CFC; 13 feet 6 inches.

## III. GRADE

**NOTE:** When approved by the Fire Code official, grades up to 20% may be allowed. In no case shall the portion of driveway exceeding 15% gradient be longer than 300-feet in length. For longer driveways, there shall be at least 100-feet of driveway at 15% or less gradient between each 300-foot section that exceeds 15%.

## IV. GATES

The installation of gates or other barricades across driveways shall comply with Santa Clara County Fire Department's Standard G-1.

## V. PAVEMENT SURFACE:

Driveways shall be an all-weather surface of either asphalt, concrete or another engineered surface acceptable to the fire department. The surface shall be approved by a civil engineer and be able to support apparatus weighing at least 75,000 pounds.

**NOTE:** For alternative roadway surfaces such as "Turf Block" or other materials that blend into landscaping and/or that do not readily appear to be driving surfaces, the boundary edges of the alternate material shall be delineated as approved by the fire code official. Delineation shall be by concrete curbs, borders, posts, or other means that clearly indicate the location and extent of the driving surface.

## VI. BRIDGES AND CULVERTS:

- A. Where a bridge or an elevated surface is part of a fire apparatus access road, the bridge shall be constructed and maintained in accordance with AASHTO HB-17.
- B. All bridges, elevated surfaces and culverts shall be designed for a live load sufficient to carry the imposed load of a fire apparatus weighing at least 75,000 pounds. Vehicle load limits shall be posted at the entrance to the bridge. Additional signs may be required by the fire code official. Where elevated surfaces designed for emergency vehicle use are adjacent to surfaces which are not designed for such use, approved barriers, approved signs or both shall be installed and maintained when required by the fire code official.





**VII. ANGLES OF APPROACH AND DEPARTURE:**

For driveways sloping upward from the access roadway, the angles of approach and departure shall be as approved by the fire code official.

**VIII. TURNING RADIUS:**

The minimum outside turning radius is 40 feet, unless otherwise specified.

**Exception:** Modified turning radius may be allowed by the fire code official in cases where conditions acceptable under the CFC allow for such deviation. Requests for such modifications must be made in writing to the fire code official for review.

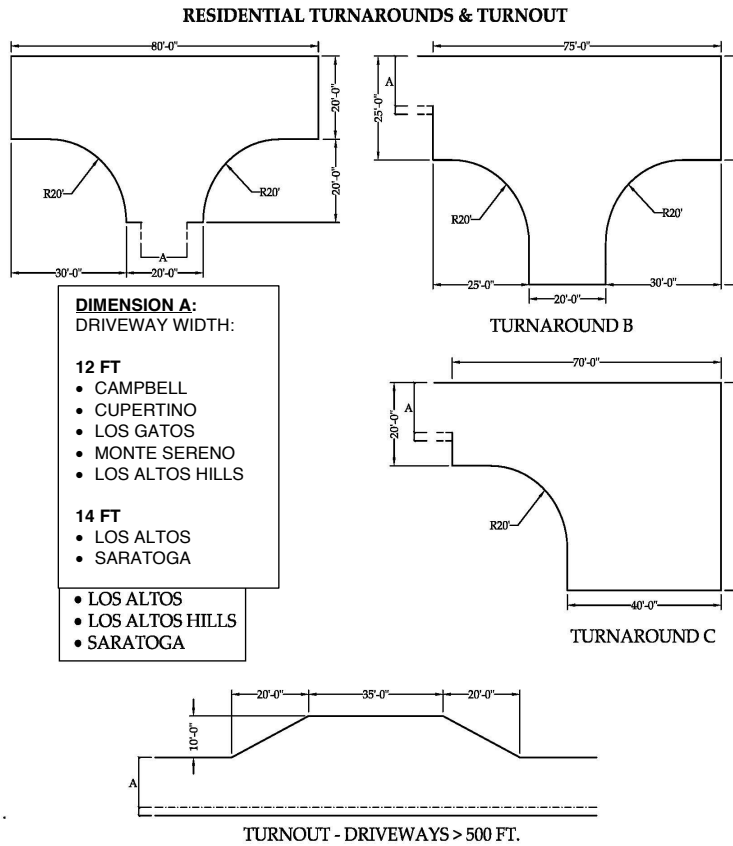
**IX. TURNOUTS:**

Turnouts are required every 500 feet for driveways in excess of 500 feet.



X. TURNAROUNDS:

Turnarounds are required for all driveways with a length in excess of 150 feet.

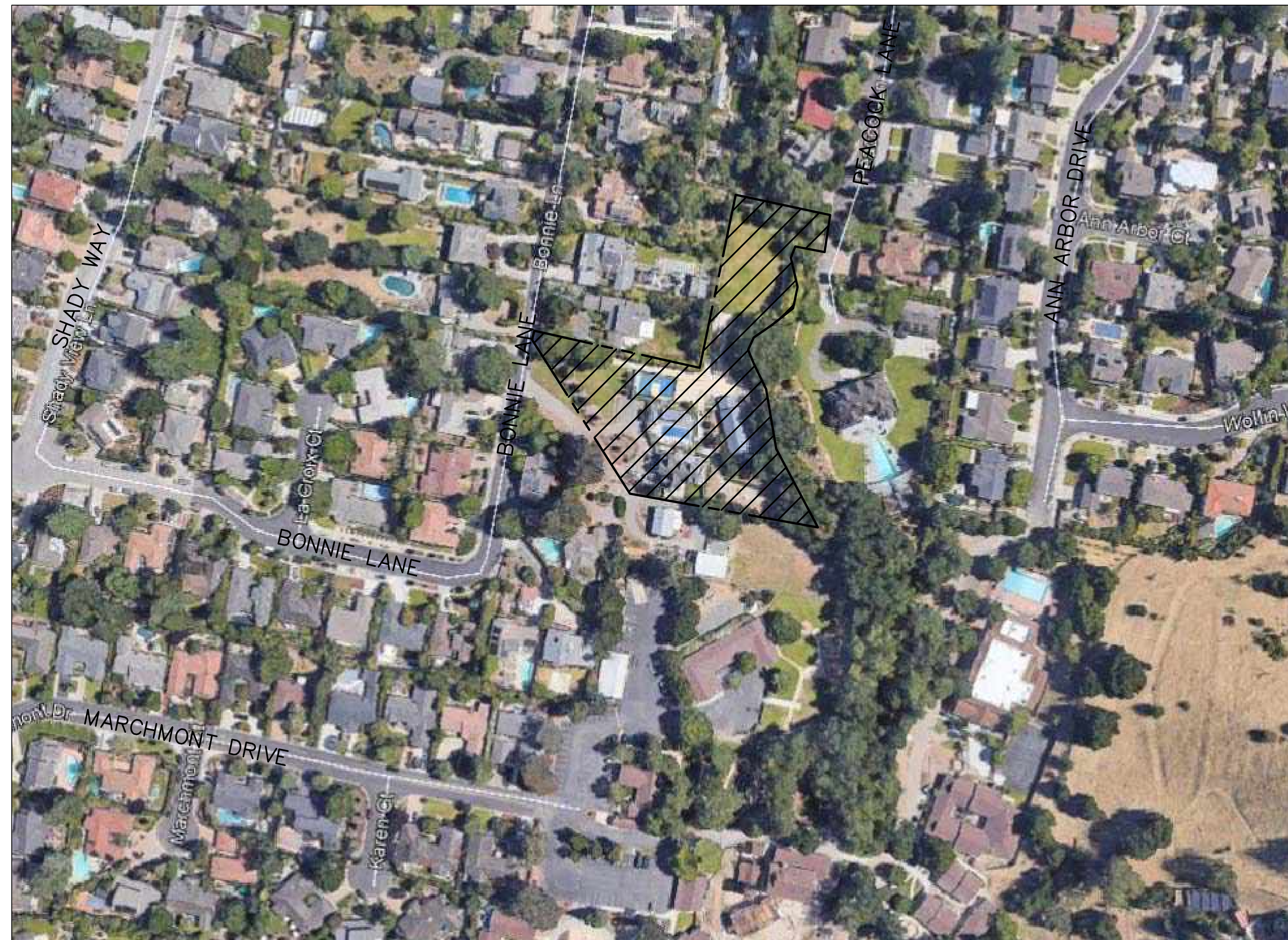


**NOTE:** Turnarounds cannot exceed 5% in any one direction.

BENCHMARK:  
 LG39, BRASS DISK IN MONUMENT BOX ON LA CHIQUITA AVENUE  
 ELEV. = 360.23'

LEGEND

EXISTING		PROPOSED
	BUILDING	
	MONUMENT	
	CURB INLET	
	AREA DRAIN	
	POLE	
	SANITARY SEWER MANHOLE	
	STORM DRAIN MANHOLE	
	FIRE HYDRANT	
	WATER VALVE	
	STREET LIGHT	
	CLEANOUT	
	BOUNDARY	
	LOT LINE	
	CENTERLINE	
	LIMIT OF EASEMENT	
	CURB	
	CURB AND GUTTER	
	EDGE OF PAVEMENT	
	CONTOUR	
	FENCE	
	FLOW LINE	
	SANITARY SEWER	
	STORM DRAIN	
	ELECTRICAL	
	GAS	
	WATER	
	SETBACKS	



VICINITY MAP

NOTES:

OWNER:  
 MATTHEW BRENNAN & MICHELLE CHADWICK  
 16466 Bonnie Lane  
 Los Gatos, CA 9503

ENGINEER:  
 WESTFALL ENGINEERS, INC.  
 14583 BIG BASIN WAY  
 SARATOGA, CA 95070  
 408-867-0244

UTILITIES:

WATER - SAN JOSE WATER COMPANY  
 SANITARY SEWER - WEST VALLEY SANITATION DISTRICT  
 GAS AND ELECTRIC - P.G.&E.  
 TELEPHONE - ATT  
 CABLE - COMCAST  
 THE SUBJECT PROPERTY IS NOT SUBJECT TO INUNDATION.

	ACRES	SQUARE FEET	AVERAGE SLOPE WITH CREEK	AVERAGE SLOPE WITHOUT CREEK
PARCEL 1	0.93	40,406	15.3%	12.3%
PARCEL 2	0.95	41,451	9.7%	7.5%
TOTAL	1.88	81,857	12.4%	9.9%

SLOPE (S)  
 CONTOUR INTERVAL (I)  
 CONTOUR LENGTH (L)  
 AREA (A)  
 $S = I * L * 100 / A$

INDEX

- SHEET 1 COVER SHEET
- SHEET 2 TENTATIVE MAP
- SHEET 3 EXISTING SITE PLAN
- SHEET 4 PROPOSED SITE PLAN
- SHEET 5 AERIAL TOPO 1"=20'
- SHEET 6 AERIAL TOPO 1"=30'

NO.	BY	DATE	REVISION	BY	DATE

DATE: JULY 21, 2021  
 SCALE: HOR. N.T.S.  
 VERT.  
 DESIGNED: JC  
 CHECKED: KC  
 PROJ. ENGR: JC

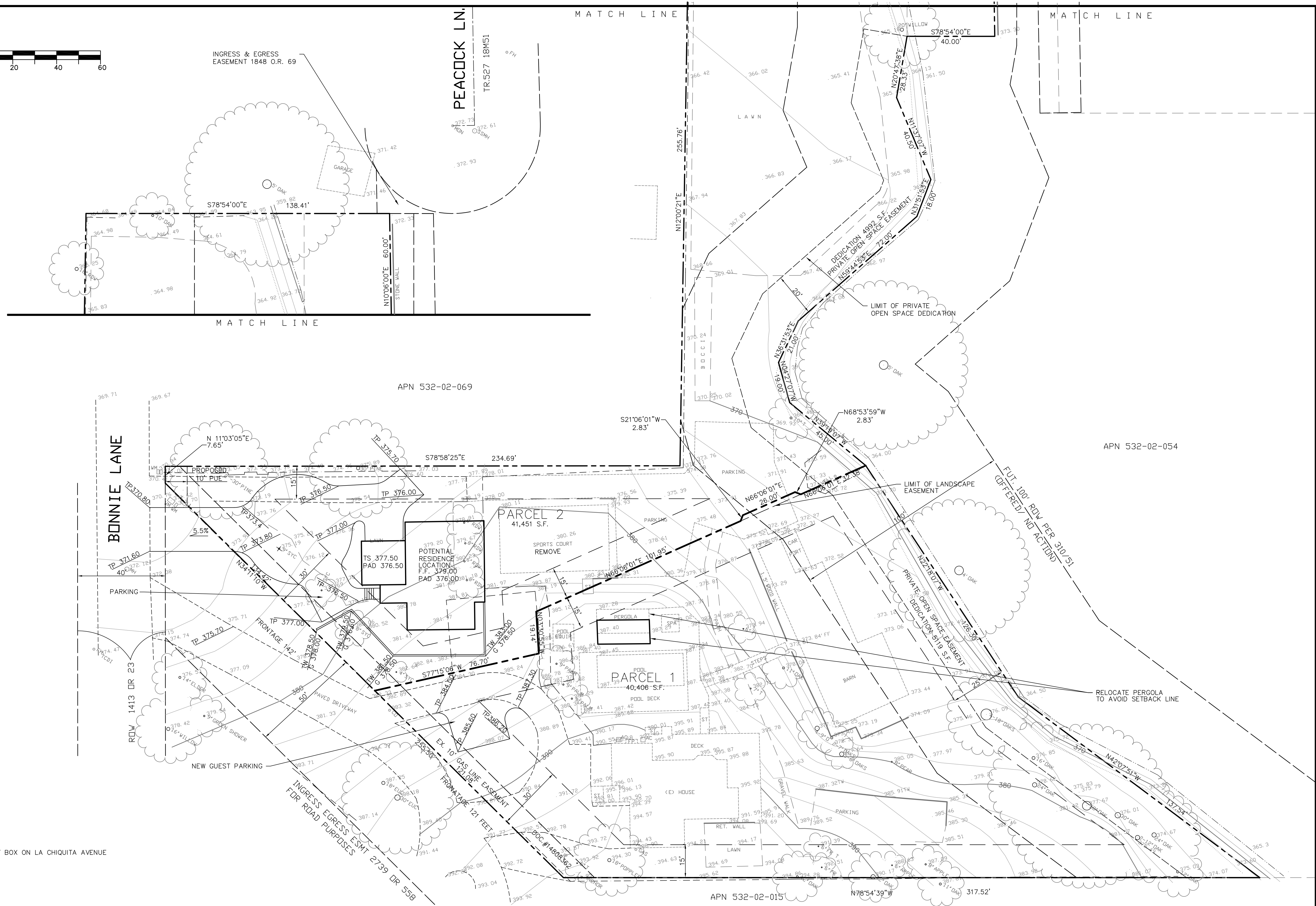
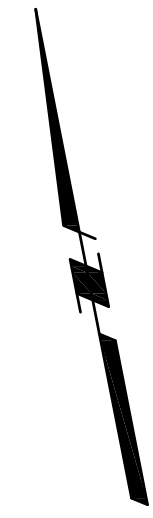
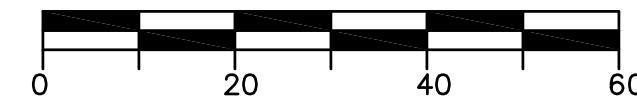
BY: KAREL CYMBAL, RCE 34534  
 DATE:



**WESTFALL ENGINEERS, INC.**  
 14583 BIG BASIN WAY, SARATOGA, CA 95070 (408) 867-0244

**COVER SHEET**  
 16466 BONNIE LANE, LOS GATOS

JOB NO.  
 2020-059  
 SHEET  
 1  
 OF  
 6

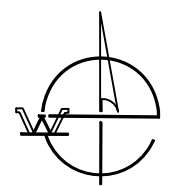


BENCHMARK:  
LG39, BRASS DISK IN MONUMENT BOX ON LA CHIQUITA AVENUE  
ELEV.= 360.23'

NO.	BY	DATE	REVISION	BY	DATE

DATE: JULY 21, 2021  
SCALE: HDR. = 1" = 20'  
DESIGNED:  
DRAWN: HB  
PROJ. ENGR:

BY: HARRY BABICKA, LS 4953  
DATE:



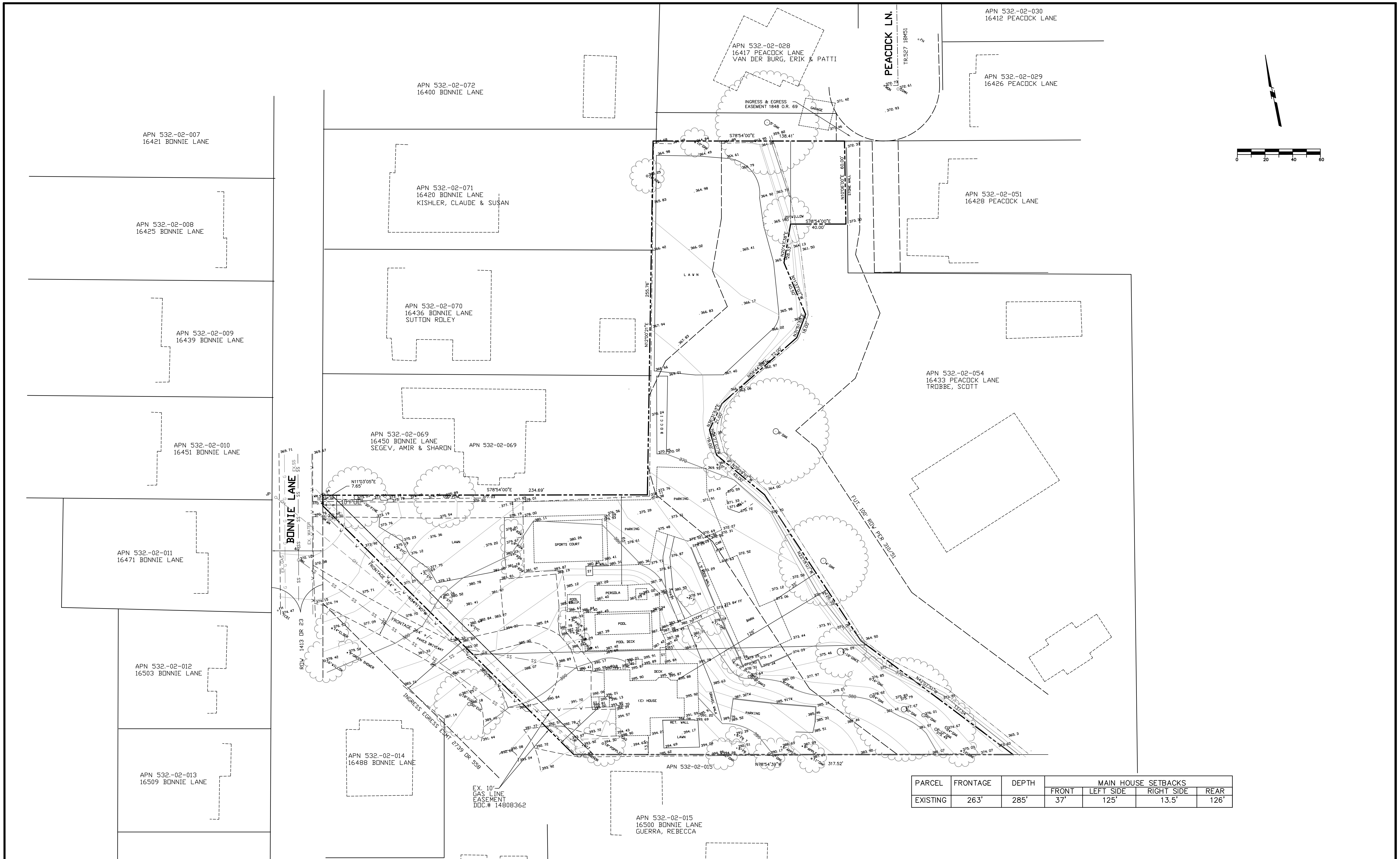
**WESTFALL ENGINEERS, INC.**

14583 BIG BASIN WAY, SARATOGA, CA 95070 (408) 867-0244

**TENTATIVE MAP**

16466 BONNIE LANE, LOS GATOS, CA

JOB NO. 2020-059
SHEET 2
OF 6



PARCEL	FRONTAGE	DEPTH	MAIN HOUSE SETBACKS			
			FRONT	LEFT SIDE	RIGHT SIDE	REAR
EXISTING	263'	285'	37'	125'	13.5'	126'

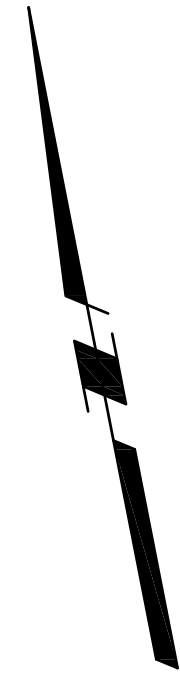
NO.	BY	DATE	REVISION

BY: HARRY BABICKA, LS 4953  
 DATE: JULY 21, 2021  
 SCALE: HOR. = 1" = 30'  
 DESIGNED:  
 DRAWN: HB  
 PROJ. ENGR:

  
**WESTFALL ENGINEERS, INC.**  
 14583 BIG BASIN WAY, SARATOGA, CA 95070 (408) 867-0244

**EXISTING SITE PLAN**  
 16466 BONNIE LANE, LOS GATOS, CA

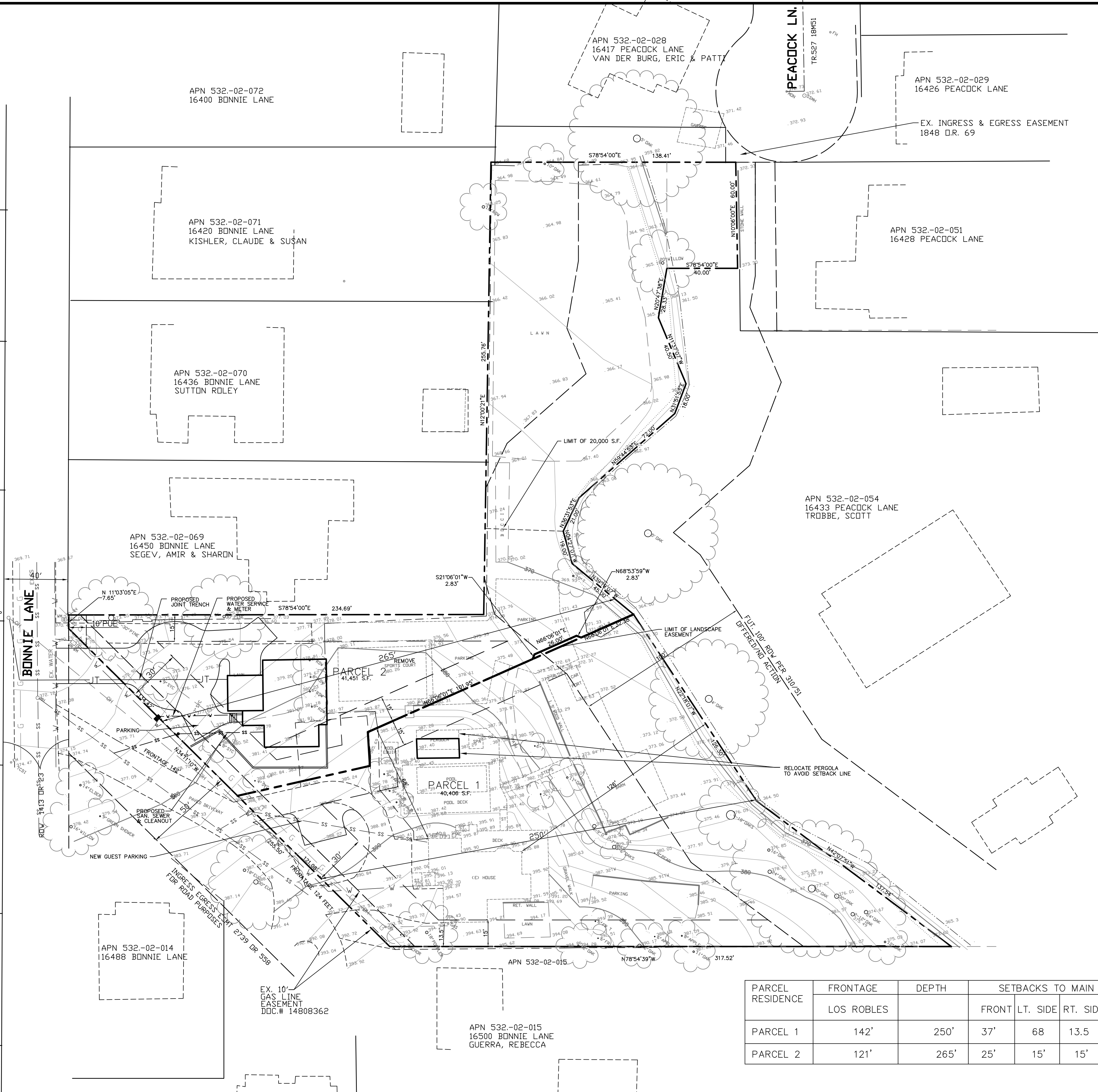
JOB NO. 2020-059
SHEET 3
OF 6



COMPLIANCE FOR EXISTING STRUCTURES (NEW P/L)

	COVER AGE	FAR	SETBACKS
HOUSE	1547	2704	53
(+) GARAGE	518	518	N/A
(+) PORCH	25	N/A	N/A
BARN	(2,468)	2468	15
PERGOLA (1)	(254)	N/A	15
POOL EQUIP.	(108)	N/A	6
POOL	(585)	N/A	27
SPA	(64)	N/A	24
TOTALS	4,930 (2,840)	5690	(ACCESSORY)

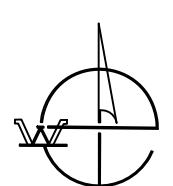
(1) PERGOLA TO BE RELOCATED



PARCEL RESIDENCE	FRONTAGE	DEPTH	SETBACKS TO MAIN			
			FRONT	LT. SIDE	RT. SIDE	REAR
PARCEL 1	142'	250'	37'	68	13.5	126'
PARCEL 2	121'	265'	25'	15'	15'	30'

NO.	BY	DATE	REVISION	BY	DATE

DATE: JULY 21, 2021  
 SCALE: HOR. = 1" = 30'  
 DESIGNED:  
 DRAWN: HB  
 PROJ. ENGR:  
 BY: HARRY BABICKA, LS 4953  
 DATE:



**WESTFALL ENGINEERS, INC.**  
 14583 BIG BASIN WAY, SARATOGA, CA 95070 (408) 867-0244

**PROPOSED SITE PLAN**  
 16466 BONNIE LANE, LOS GATOS, CA

JOB NO.  
 2020-059  
 SHEET 4  
 OF 6

LANDS OF VAN DER BURG  
16417 PEACOCK LN.

PARCEL 2  
PANHANDLE

10,000 Sq Ft  
OPEN SPACE  
DEDICATION

LANDS OF TROBBE  
16433 PEACOCK LN.

PARCEL 1  
40,406 Sq Ft

LANDS OF GUERRA  
16500 BONNIE LN.

LANDS OF KISHLER  
16420 BONNIE LN.

LANDS OF SUTTON  
16436 BONNIE LN.

LANDS OF SEGEV  
16450 BONNIE LN.

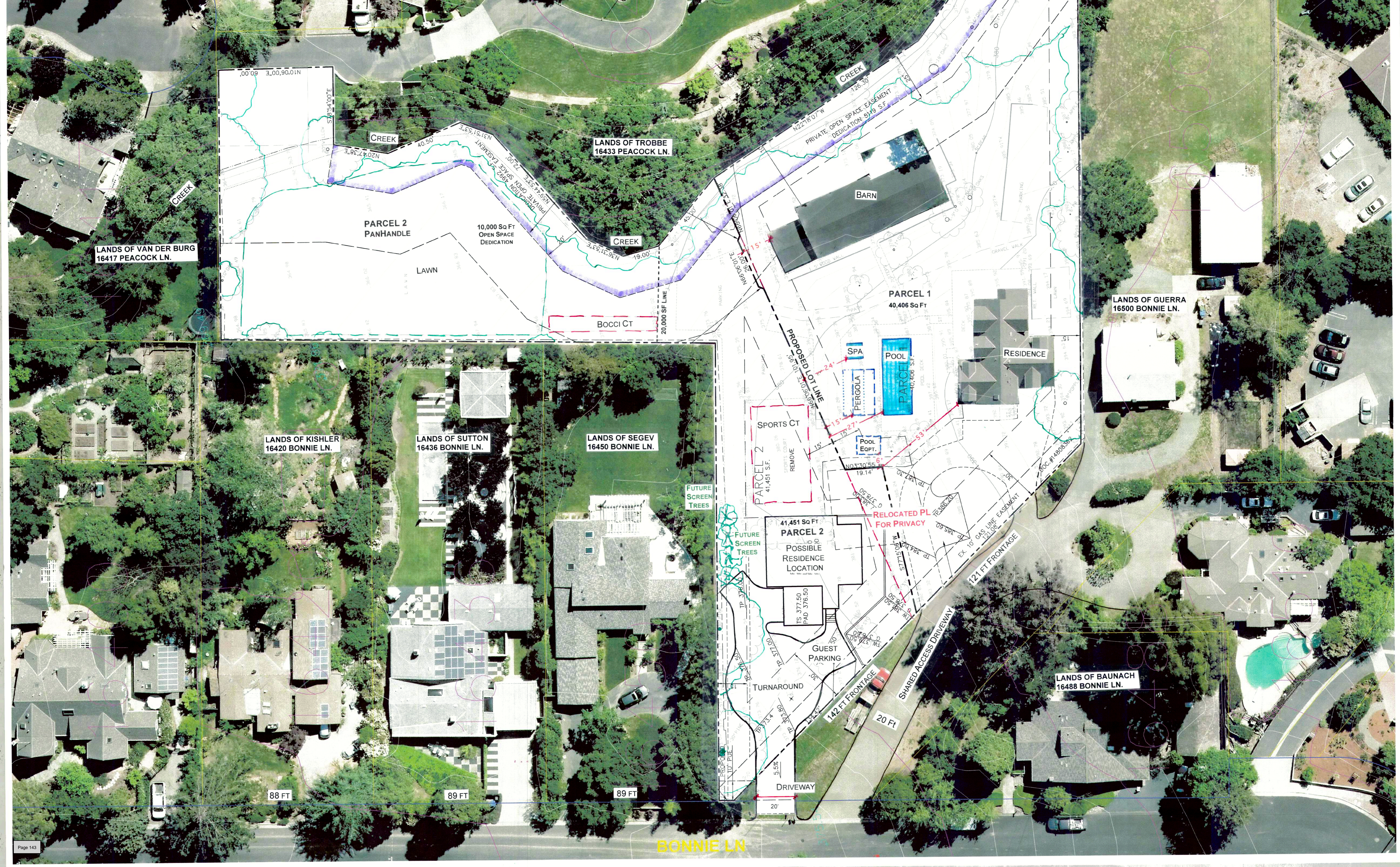
LANDS OF BAUNACH  
16488 BONNIE LN.

88 FT

89 FT

89 FT

BONNIE LN



SHANNON RD



R 1:20 ZONING DISTRICT

R 1:8 ZONING DISTRICT

88 FT

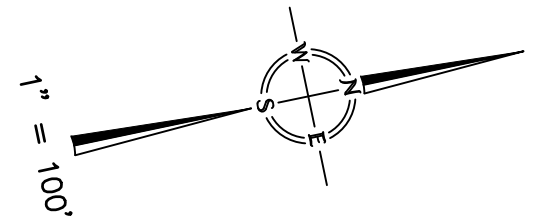
89 FT

89 FT

BONNIE LN

SCALE: 1"=30'





10

42

BOOK 523

SHADY VIEW LN.

BONNIE LN.

LN

ROAD

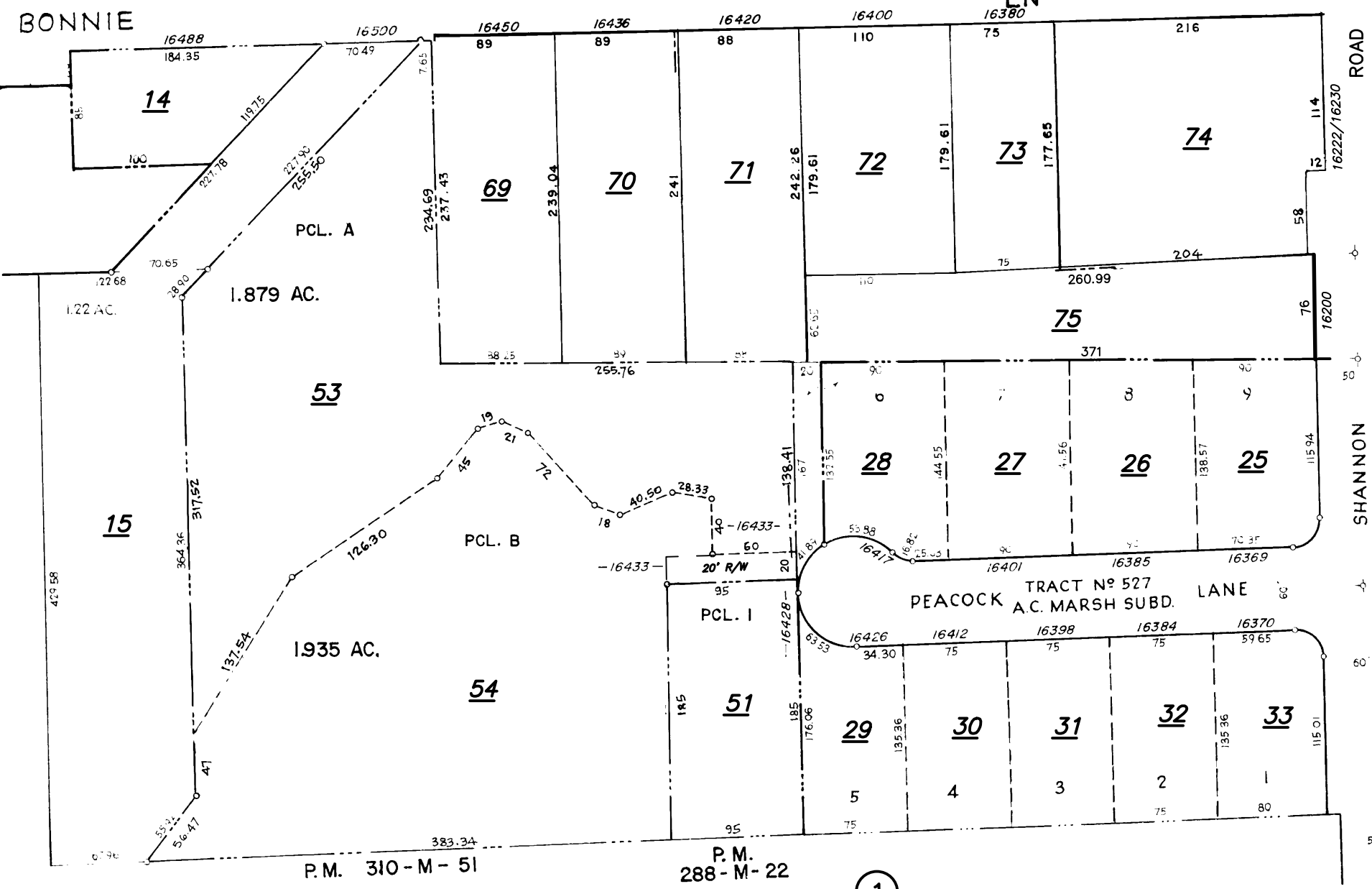
SUBDIVISION LOT 8 - M.S. GARDNER ESTATE

SHANNON

AMANDA LANE

11

1





**From:** [REDACTED]  
**To:** [Planning@losgatos.gov](mailto:Planning@losgatos.gov)  
**Cc:** [Ryan Safty](#)  
**Subject:** 16466 Bonnie Lane subdivision  
**Date:** Monday, October 11, 2021 7:59:32 PM

---

**EXTERNAL SENDER**

Dear Planning Commission:

We are writing to express our strong opposition to the proposed subdivision at 16466 Bonnie Lane the and subsequent additional construction on this property. As the longest tenured resident on Bonnie Lane, we have previously written at length noting the many valid reasons why this application should be denied. You have many other letters expressing similar points of view. Rather than reiterating our position, I would like to make just 4 points for your consideration.

- 1) Neighborhood concern. More than 20 affected neighbors have officially expressed their position against this proposal for a broad range of important issues. Not a single neighbor has been in favor of this subdivision.
- 2) Non-conformance of proposal. This lot split does not meet zoning requirements as outlined by our attorney Tom Lippe in his letter to Ryan Safty dated 9/9/21. There is no reason why this applicant should be granted a variance to create a second lot.
- 3) Bonnie Lane access. Bonnie Lane is a narrow road with a number of blind driveways. The road has been subject to repeated speeding incidents and was never designed for high density development.
- 4) Applicant. This applicant has a history of disregarding town laws, the well-being of the adjacent riparian habitat, and the interests or goodwill of the neighborhood. We are very concerned that despite any conditions that planning or building might impose on this development, should it be approved, the applicant would not hesitate to ignore said conditions.

As natives of Los Gatos and local business owners, we have always hoped that the idea of a Planning Commission would be to help neighborhoods maintain those aspects of their community that make them special. In this case, the entire neighborhood has made their request, and the only winner, should you approve this application, would be the applicant.

Thank you for your consideration,

[REDACTED]

[REDACTED]

**From:** [REDACTED]  
**To:** [Planning; Ryan Safty](#)  
**Subject:** 16466 Bonnie Lane; Subdivision Application M-21-003  
**Date:** Tuesday, October 12, 2021 9:42:07 AM

---

EXTERNAL SENDER

October 12, 2021

To: Planning Commission of Los Gatos  
Community Development Dept.  
Planning Division

I am writing to oppose Subdivision Applicant's proposed lot split. The property fails to meet the "Standard Details & Specifications" (Spec No D-1) for vehicle travel and as it relates to the applicants property falls which falls under Santa Clara County's Wildland Urban Interface Zone (WUI).

The Santa Clara County Fire Department Fire/Town Code states the definition of "Driveways" and "Roadways". The applicant has called the current driveway servicing three homes: 16466, 16500, and 16510 Bonnie Lane, as a roadway when in fact it is a driveway. The Town Fire Code only allows two residences on a driveway; the applicant cannot put a driveway off of a driveway.

The Los Gatos Planning Commission must deny the Subdivision Application M-21-003.

Thank you.

Steven Werner  
Ret. Fire Captain, SCCFD

Town of Los Gatos  
110 East Main St  
Los Gatos Ca 93030

October 11<sup>th</sup>, 2021

**Lot Split at 16466 Bonnie Lane, Los Gatos**  
**Rebuttal/Semi-Anonymous Letters Received 10.11.21**

---

Commissioners

This rebuttal addresses the group of letters I just received re: This Project.

**Issue #1: Inadequate Fire Resources**

As stated in Letter #1 - There is a Fire Hydrant directly across the street from the New Parcel 1. It is 45 ft from the proposed Driveway. Any new building will have to be designed to comply with fire resistant construction techniques including exterior materials, fire sprinklers and defensible space. Access to the barn, if it were to be considered a habitable structure, would need to be provided via the existing driveway to the panhandle or otherwise, but this would be addressed at a subsequent A&S application.

This proposal has been approved by SCFD subject to these conditions.

**Issue #2: Inadequate Frontage and Access**

As I previously pointed out in my rebuttal to Lippe Law dated August 10<sup>th</sup>, the proposed Parcel #1 has 7.65 ft of Frontage on Bonnie Lane and an additional 134.42 ft on "a Private Right-of-Way Easement" specifically dedicated for "Road Purposes" for a total of 142 ft of legal frontage. The grant of easement "For Road Purposes" is called out on the Civil Plans - sheets 2, 3 and 4 as 2739 of Santa Clara County Official Records Page 558 and was recorded October 14<sup>th</sup>, 1953. I have attached a copy of the original grant deed and a more recent Record of Survey [Book 65 of Maps Page 26], which shows it pictorially.

The frontage is correct and there is no violation of any easement.

**Issue #3: The Character of the Street will Change - and Safety.**

There are 10 houses on the East side of Bonnie Lane and 11 on the West. It is not credible to think that the addition of one house [making it 11 + 11] will change the character of the street. This is not a 'rural street' as some have suggested, but rather a zoning transition from urban R1:8 to R1:20 districts. There is, in fact, only one parcel on the street, which is "underdeveloped" and this is it: 2 acres with one house and one barn/accessory building.

Some suggestions have been made in these letters that Bonnie Lane should be improved with the addition of sidewalks, widening, street lamps and other improvements - making it less rural (?). Others, from the pan-handlers have suggested that the owner dedicate the entire Pan Handle as a Conservation Easement.

The owner is already proposing 10,000 sq ft of 'open space' dedication. 20,000 sq ft is somewhat excessive, but offered earlier that they might choose to buy it - with no takers.

**Issue #4: Verbal Comments from Owner at [REDACTED] Bonnie Lane**

I am including this in the rebuttal - as it was the only interesting/constructive suggestion from opponents of the project - [REDACTED] suggested an alternate lot split that would remove the possibility of 'loss of privacy' for him as the immediate neighbor to any future house on Parcel #1.

He suggested splitting the lot to have the 'barn' on a new lot at the rear of the property, accessed from Peacock Lane via a bridge across Ross Creek and keeping the existing residence as the sole house with access to Bonnie Lane. This would be entirely feasible from a logistics standpoint and I considered it briefly. I ultimately rejected it as impractical with the current Zoning Regulations at to frontage and my belief that there would be more opposition than support for such a proposal.

**In Conclusion:**

It is my opinion that this project is entirely in keeping with all applicable rules and regulations of the Town for a minor land division.

Not allowing the owner to develop the property in a manner entirely in keeping with the Town General Plan, zoning standards and the rhythm of the neighborhood by denying this Lot Split as proposed would be entirely in contravention with the Rules and Guidelines of the Subdivision Map Act.

Notwithstanding comments from some neighbors who are against the project, I think that [in the future] an appropriate house designed on a new Parcel #1 would be a benefit to the neighborhood, rather than a detriment. It is unfortunate that Covid restricted my dialogue with neighbors in the early stages of the project and I was unaware that the original CDAC hearing was public and the neighborhood would be noticed - so I had attempted no outreach at that time - mea culpa!

If there are any questions, I will answer them at the Planning Commission Meeting.

Thank you

Tony Jeans

Attachments - reviewed by PPW/Engineering:  
2739OR558: Creation of Road Easement October 1953  
RoS: 65M26: Record of Survey showing Easement

Grant Deed

By this instrument dated October 7, 1953 for a valuable consideration,

Affix  
IRS  
\$

F. M. TROUTNER and FLORENCE M. TROUTNER, his wife,

hereby GRANT (S) to

HAROLD E. ANDREWS and BETTY J. ANDREWS, his wife,

IN JOINT TENANCY

The following described Real Property in the State of California, County of Santa Clara

PARCEL ONE

BEGINNING at a point in the Easterly line of a certain 10,984 acre parcel of land described in the Deed from Victor E. Fink to F. M. Troutner, recorded April 4, 1941 in Book 1036 Official Records, page 123, Records of Santa Clara County, California, distant thereon N. 9 deg. 59 min. E. 200.76 feet from the Southeast corner thereof; thence from said point of beginning continuing along said Easterly line N. 9 deg. 59 min. E. 67.96 feet and N. 41 deg. 02 min. W. 55.92 feet; thence leaving said line N. 79 deg. 06 min. 30 sec. W. 364.36 feet thence N. 34 deg. 21 min. 40 sec. W. 28.90 feet; thence S. 10 deg. 40 min. 50 sec. E. 122.68 feet; thence S. 79 deg. 06 min. 40 sec. E. 429.58 feet to the point of beginning.

BEING a portion of Lot 8 of the Estate of M. S. Gardner the Map of which was filed for record in the office of the Recorder of the County of Santa Clara, State of California, in Book E of Maps, at page 81.

PARCEL TWO

COMMENCING at the Southeast corner of the 10,984 acre parcel of land described in the Deed from Victor E. Fink to F. M. Troutner recorded April 4, 1941 in Book 1036 Official Records, page 123, Records of Santa Clara County, California; thence from said point of commencement N. 9 deg. 59 min. E. along the Easterly line of said parcel 268.87 feet to an angle point therein; thence continuing along said Easterly line, N. 41 deg. 02 min. W. 55.92 feet; thence N. 79 deg. 06 min. 30 sec. W. leaving said Easterly line 364.36 feet; thence N. 34 deg. 21 min. 40 sec. W. 28.90 feet to the true point of beginning of this description; thence from said true point of beginning, continuing N. 34 deg. 21 min. 40 sec. W. 227.90 feet to an iron pipe which bears S. 10 deg. 49 min. 20 sec. W. 6.60 feet from the Northerly line of said 10,984 acre parcel; thence S. 10 deg. 49 min. 20 sec. E. 70.49 feet; thence S. 34 deg. 21 min. 40 sec. E. 227.78 feet to an iron pipe which bears S. 10 deg. 40 min. 50 sec. W. 70.65 feet from the true point of beginning of this description thence N. 10 deg. 40 min. 50 sec. E. 70.65 feet to the true point of beginning.

BEING a portion of Lot 8 of the Estate of M. S. Gardner, the Map of which was filed for record in the office of the Recorder of the County of Santa Clara, State of California, in Book E of Maps, at page 81.

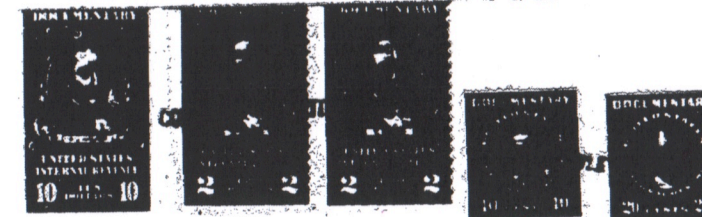
2739  
10R  
558

Right of way for ingress and egress over a parcel of land 24 feet wide, the center line of which is described as follows:

BEGINNING at a point in the center line of Shannon Road, distant thereon S. 78 deg. 54 min. E. 399.33 feet from the Northwesterly corner of that certain 27,147 acre tract of land conveyed by Henry Carlson and Alma K. Carlson, his wife, to Victor E. Fink and Maggie May Fink, his wife, by Deed dated July 21, 1925 and recorded August 3, 1925 in Book 177 Official Records, at page 142, Santa Clara County Records; thence Southwesterly in a direct line 670 feet; more or less, to a point in the Northerly line of the 10,984 acre tract hereinabove referred to, said last named point being distant N. 12 deg. 43 min. E. 486.22 feet and S. 79 deg. 10 min. E. 422.33 feet from the Southwesterly corner of said 27,147 acre tract of land.

ALSO the right to lay and maintain a pipe line within said 24 foot strip of land adjacent to the Easterly line thereof and right to install a pole line adjacent to the Westerly line and within said 24 foot strip of land, as granted by Victor E. Fink and Maggie May Fink, his wife, also known as Maggie M. Fink, to F. M. Troutner and Florence M. Troutner, husband and wife, by Deed dated March 3, 1941 and recorded April 4, 1941 in Book 1036 Official Records, at page 123.

TOGETHER with a right of way for ingress and egress over the now existing roadway running from the Southerly terminus of said 24 foot right of way above described to the Westerly line of Parcel No. 2 above described.



RESERVING FROM PARCEL NO. 2 above described, an easement for road purposes over the entire parcel, which easement is hereby made appurtenant to the remaining lands of the Grantors.

*F. M. Troutner*

*Florence M. Troutner*

STATE OF CALIFORNIA  
COUNTY OF  
Santa Clara } ss.

On October 7, 1953 before me,  
the undersigned, a Notary Public in and for said County and State,  
personally appeared

F. M. Troutner and Florence M. Troutner

And to me to be the person S whose name S are  
subscribed to the within instrument, and acknowledged to me that  
they executed the same.

WITNESS my hand and Official Seal

*Joe Keppisch*  
Notary Public in and for said County and State.

SPACE BELOW FOR RECORDERS USE ONLY

921297  
FILED FOR RECORD  
VALLEY TITLE COMPANY  
1953 OCT 14 11 31 AM  
BOOK 2739 PAGE 558

AFTER RECORDING MAIL TO

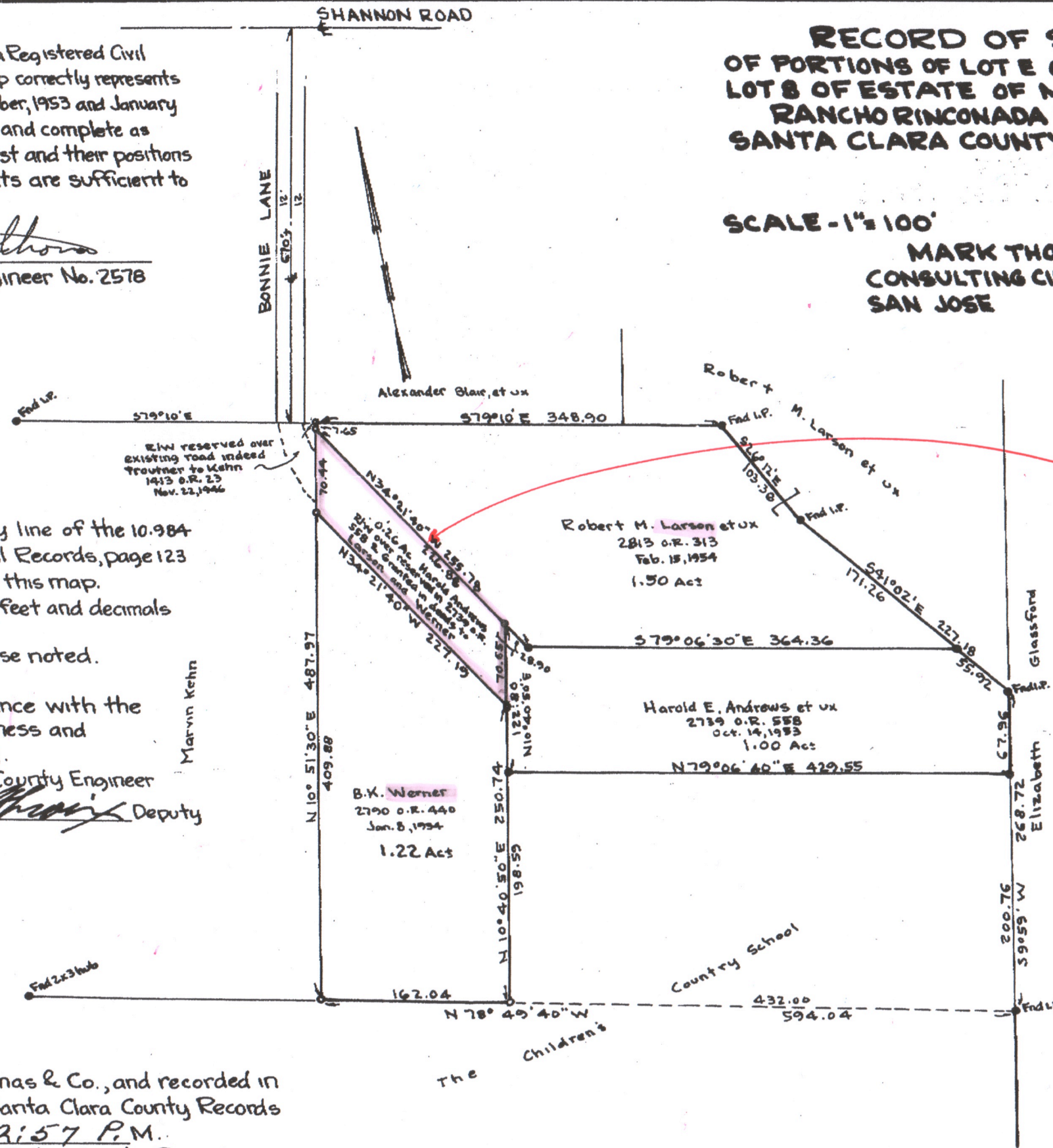
Mr. Harold E. Andrews  
1423 6th Avenue  
San Francisco, Calif.

I, Mark E. Thomas, hereby certify that I am a Registered Civil Engineer of the State of California, that this map correctly represents surveys made under my supervision in September, 1953 and January 1954 for F.M. Troutner, that the surveys are true and complete as shown, that all monuments shown actually exist and their positions are correctly shown and that said monuments are sufficient to enable the survey to be retraced.

*Mark E. Thomas*  
Registered Civil Engineer No. 2578

**RECORD OF SURVEY  
OF PORTIONS OF LOT E OF SUBDIVISION OF  
LOT 8 OF ESTATE OF M.S. GARDNER  
RANCHO RINCONADA DE LOS GATOS  
SANTA CLARA COUNTY CALIFORNIA**

**SCALE - 1" = 100'  
DECEMBER, 1955  
MARK THOMAS & CO.  
CONSULTING CIVIL ENGINEERS  
SAN JOSE CALIFORNIA**



The bearing (S79°10'E) of the northeasterly line of the 10.984 acre tract described in Book 1036 of Official Records, page 123 was used as basis of bearings shown upon this map. All distances and dimensions are shown in feet and decimals thereof.

o Indicates 1/2" iron pipe set, unless otherwise noted.

This map has been examined in compliance with the provisions of Section 8766 of the Business and Professions Code and found satisfactory.

Leonard Bushnell, County Engineer

Dec 12 1955, by *[Signature]* Deputy

**THIS PARCEL  
WAS EXPLICITLY  
GRANTED IN  
2739 OR 558  
"FOR ROAD PURPOSES"  
TO LARSEN (16466 BONNIE LANE)  
& WERNER (SUBSEQUENTLY SPLIT)**

**ROS  
65 M  
26**

1159794

Filed at the request of Mark Thomas & Co., and recorded in Book 65 of Maps, page 26, Santa Clara County Records this 15 day of December, 1955, at 2:57 P.M.

Syl C. Tully, County Recorder  
by *G.B. O'Brien*  
Deputy





**TOWN OF LOS GATOS  
PLANNING COMMISSION  
REPORT**

MEETING DATE: 10/13/2021

ITEM NO: 2

DESK ITEM

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DATE: October 13, 2021  
TO: Planning Commission  
FROM: Joel Paulson, Community Development Director  
SUBJECT: Requesting Approval for Subdivision of One Lot into Two Lots on Property Zoned R-1:20. Located at 16466 Bonnie Lane. APN 532-02-053. Subdivision Application M-21-003. Property Owner: Mish Chadwick. Applicant: Tony Jeans. Project Planner: Ryan Safty.

REMARKS:

Exhibit 16 includes additional public comments received between 11:01 a.m., Tuesday, October 12, 2021, and 11:00 a.m., Wednesday, October 13, 2021.

EXHIBITS:

Previously received with the October 13, 2021 Staff Report:

1. Location Map
2. Required Findings
3. Recommended Conditions of Approval
4. March 10, 2021 Conceptual Development Advisory Committee report packet
5. March 10, 2021 Conceptual Development Advisory Committee meeting minutes
6. Town Attorney response letter to public comment, dated June 22, 2021
7. Project Description and Letter of Justification, received July 22, 2021
8. Applicant's response to Conceptual Development Advisory Committee recommendations, received July 22, 2021
9. Pictures of subject property, received July 26, 2021
10. Subdivision Plans, received July 29, 2021
11. Summary of neighborhood outreach, received August 6, 2021
12. Applicant's response to public comments, received September 10, 2021
13. Public Comments received prior to 11:00 a.m., Friday, October 8, 2021

PREPARED BY: RYAN SAFTY  
Associate Planner

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Reviewed by: Planning Manager and Community Development Director

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PAGE 2 OF 3

SUBJECT: 16466 Bonnie Lane/M-21-003

DATE: October 13, 2021

Previously received with October 13, 2021 Addendum Report:

14. Public comments received between 11:01 a.m., Friday, October 8, 2021 and 11:00 a.m., Tuesday, October 12, 2021
15. Applicant's response to public comments, received October 11, 2021

Received with this Desk Item:

16. Public comments received between 11:01 a.m., Tuesday, October 12, 2021 and 11:00 a.m., Wednesday, October 13, 2021

**DATE:** Oct. 12, 2021

**TO:** Planning Commissioners and Town Council Members  
Town of Los Gatos, California

**SUBJECT:** Proposal to Subdivide and Develop Property at  
16466 Bonnie Lane, Los Gatos, CA 95032

Dear Planning Commissioners and Council Members,

Please add our names to those opposing the proposal to subdivide and develop the parcel at 16466 Bonnie Lane.

As Bonnie Lane residents since 1969, our family co-led Bonnie Lane preservationists in the 1980s to change our zone and thereafter deed our dilapidated, private road over to the Town of Los Gatos for paving and maintenance. That effort over several years involved building a consensus to limit subdivisions, and to accept inclusion in an extension of town boundaries (which had already included only several of us).

We neighbors worked very hard for that success in protecting our tranquil environment of lush greenery, open space, and frequent wildlife – including birds, deer, honeybees, cottontails, possums, raccoons, etc.

Our own property is not as close to the proposal as are others on Bonnie Lane, but we would feel its likely effects of increased traffic, lesser wildlife, and damage to nearby Ross Creek.

Moreover, we sympathize with those who would be more impacted, and we support their request that you preserve our neighborhood's unique character by denying the proposal.

Thank you for your dedicated service to Los Gatos!

Sincerely,  
*Karen Ettinger, Trustee, Karen Ettinger Family Trust*  
*Nanette K. Ettinger*  
*Anthony D. Ettinger*

*[email submission]*

