



**TOWN OF LOS GATOS
DEVELOPMENT REVIEW
COMMITTEE REPORT**

**MINUTES OF THE DEVELOPMENT REVIEW COMMITTEE MEETING
AUGUST 15, 2023**

The Development Review Committee of the Town of Los Gatos conducted a regular meeting on August 15, 2023, at 10:00 a.m.

ROLL CALL

Present: Jennifer Armer, CDD Planning; Roy Alba, CDD Building; Corvell Sparks, PPW Engineering; and Kenny Ip, SCCFD.

Absent: None.

MEETING CALLED TO ORDER AT 10:00 AM

VERBAL COMMUNICATIONS

None.

CONSENT ITEMS

1. Approval of Minutes – July 25, 2023

MOTION: **Motion by Corvell Sparks to approve the consent calendar. Seconded by Kenny Ip.**

VOTE: **Motion passed unanimously 4-0.**

PUBLIC HEARINGS

2. 17200 Los Robles Way
Lot Line Adjustment Application M-23-001

Requesting Approval of a Lot Line Adjustment Application in Accordance with California Government Code Section 66412(d) for Three Adjoining Lots on Properties Zoned R-1:20. APNs 532-36-075, -076, and -077. Ministerial Project Approval Under CEQA. Application is Only for Ministerial Approval of Lot Line Adjustment Pursuant to Section 66412(d) of the Subdivision Map Act.

Property Owners: Daren Goodsell, Trustee and Mark Von Kaenel

Applicant: Tony Jeans

Project Planner: Ryan Safty

The project planner presented the staff report.

Opened Public Comment.

Tony Jeans, Applicant

Their engineer revised the plans to address items that need to be clarified. There were 3 letters from neighbors with concerns about privacy and water drainage. These will be addressed with a future Architecture & Site Application submittal. The frontage is shown on the plans and is accurate; it extends 242 feet from Los Robles Way to Parcel 1.

Alison Steer, Neighbor

The existing parcels meet the criteria for a lot merger and so the determination should be made that they have been merged. They are not in support of the lot line adjustment. The proposed Worcester Lane access is not the principal means of access; it is Los Robles Way. The State CEQA Guidelines only exempt four or fewer lots depending on the property slope. There will be environmental and visual impact to the neighboring properties. The General Plan section of the staff report cherry picks specific items, but the General Plan doesn't allow new housing in high fire areas. There is not enough room for a fire turnaround nor the 30 feet setback requirements for the existing house. Lot 77 is too small, landlocked, and too steep and narrow for a turnaround. Parcels 76 and 77 should be merged into one parcel.

Nancy Neipp, Neighbor

They have concerns that were also raised 2 years ago in an appeal. The property is in a Seismic Landslide Hazard area. The risk is not only at the top of the hill. The 1989 Loma Prieta earthquake shifted her land into 2 sections. In addition, a neighbor's home on Worcester Loop has suffered flood damage. Adding impervious surfaces along the driveway will exacerbate this flood problem. Three new homes, with potentially 3 new Accessory Dwelling Units, should not be built in a Wildfire Hazard zone. The property should protect wildlife habitat, scenic views, open space, public space, and the privacy of neighbors. The parcel is a narrow strip on a steep lot with an average slope of over 26 percent, landlocked and sliding into a neighbor's yard. All elements of the General Plan should apply.

Tony Jeans, Applicant

There are 3 existing lots. They are not creating any additional lots. Concerns about structures will be addressed separately when parcel 1, 2, or 3 plans are submitted. Applications under Government Code 66412(d) must be administrative.

Closed Public Comment.

Committee members asked questions of staff.

Staff: Ryan Safty, Project Planner

The setbacks for existing houses are allowed to remain non-conforming. No development or physical improvements are currently proposed. When development applications are submitted, there will be a full review on environmental, seismic, fire, and flood risks.

Staff: Gabrielle Whelan, Town Attorney

The State law provides that public entities may initiate lot mergers under specified circumstances. The Town Code was recently amended to align with State law. The Town may initiate lot mergers under specified circumstances. No lot merger was initiated with this proposal. Lot line adjustments are ministerial actions, and this application is exempt from CEQA.

Committee members discussed the matter.

MOTION: **Motion by Corvell Sparks** to approve with required findings and recommended conditions of approval. **Seconded by Roy Alba.**

VOTE: **Motion passed unanimously 4-0.**

Appeal rights were recited.

OTHER BUSINESS

None.

ADJOURNMENT

The meeting adjourned 10:22 a.m.

This is to certify that the foregoing is a true and correct copy of the minutes of the August 15, 2023 meeting as approved by the Development Review Committee.

Prepared by:

/s/ Jennifer Armer, AICP, Planning Manager