



**TOWN OF LOS GATOS
PLANNING COMMISSION
REPORT**

MEETING DATE: 10/28/2020

ITEM NO: 3

DATE: October 23, 2020
TO: Planning Commission
FROM: Joel Paulson, Community Development Director
SUBJECT: Consider Approval of a Request for Subdivision of One Lot into Two Lots on Property Zoned R-1:8 Located at 15415 National Avenue. APN 424-12-006. Subdivision Application M-18-008. Property Owner: Ramya Muddada. Applicant: Kurt B. Anderson. Project Planner: Sean Mullin.

RECOMMENDATION:

Consider approval of a request for subdivision of one lot into two lots on property zoned R-1:8 located at 15415 National Avenue.

PROJECT DATA:

General Plan Designation: Low Density Residential
Zoning Designation: R-1:8
Applicable Plans & Standards: General Plan
Parcel Size: 0.53 acres (22,969 square feet)
Surrounding Area:

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

PREPARED BY: Sean Mullin, AICP
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.

FINDINGS:

- The project is Categorically Exempt pursuant to the adopted Guidelines for the Implementation of the California Environmental Quality Act, Section 15315: Minor Land Divisions.
- As required by Section 66474 of the State 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 west side of National Avenue, approximately 385 feet south of the intersection of National Avenue and Los Gatos-Almaden Road (Exhibit 1). The subject property is approximately 0.53 acres (22,969 square feet) and developed with a 1,719-square foot single-family residence, a 317-square foot detached garage, a carport, and approximately six additional accessory structures of various sizes. The subdivision application has been referred to the Planning Commission to determine if the proposed corridor lot is consistent with the Land Use Element of the General Plan, specifically Policy LU-4.5: Discourage corridor lots.

PROJECT DESCRIPTION:

A. Location and Surrounding Neighborhood

The subject property is approximately 0.53 acres (22,969 square feet), located on the west side of National Avenue. Single-family residential development surrounds the property to the north, south, and west; office uses are located to the east of the property across National Avenue. The existing single-family residence and detached garage are located toward the front (east) of the property. The property has a depth of 250 feet and is primarily flat with a four-foot difference in grade between the front and rear property lines.

B. Project Summary

The applicant is proposing subdivision of the property into two lots: Lot 1 would have a net area of 8,060 square feet and lot 2 would have a gross area of 13,209 square feet and a net area of 10,729 square feet with the corridor area removed. The applicant proposes

PROJECT DESCRIPTION (continued):

demolition of all existing structures on the property except the single-family residence. Lot 2 would be left vacant and future development would be regulated by the requirements of the zone. The proposed subdivision also includes a street dedication of 10 feet at the front of the property along National Avenue.

C. Zoning Compliance

The applicant proposes subdivision of one lot into two lots in the R-1:8 single-family residential zone. Lot 1 would continue the existing single-family residential use. Lot 2 would be vacant, and its use would be regulated by the allowed and conditional uses of the R-1:8 single-family residential zone.

DISCUSSION:

A. Subdivision Design Analysis

The R-1:8 zone includes requirements for lot area, frontage, depth, and setbacks. Section 29.10.085 includes requirements for the corridor portion of a corridor lot, including a minimum width of 20 feet and a maximum length of 300 feet. The existing property has 85 feet of frontage along National Avenue. Given the narrow shape of the existing property, a two-lot subdivision without a corridor lot would not meet the 60-foot frontage requirement for the zone. Use of a corridor lot would allow proposed lots 1 and 2 to meet the requirements of the R-1:8 zone and Section 29.10.085. A summary of the subdivision design is included in the table below.

Subdivision Design Summary

	Required in R-1:8	Lot 1	Lot 2
Area	8,000 sf	8,060 sf	10,729 sf*
Frontage	60 ft/20 ft for corridor	65 ft	20 ft
Depth	90 ft	124 ft	126 ft
Corridor Length	300 ft or less	N/A	124 ft
Lot Coverage	40% maximum	21%	0%
Setbacks			
Front	25 ft	33 ft	25 ft
Rear	20 ft	20 ft	20 ft
Side	8 ft	8 ft	8 ft
* - Does not include the area of the corridor 2,480 sf			

Section 29.40.075 of the Town Code provides a calculation of the maximum allowed floor area ratio (FAR) for residential lots. The applicant proposes demolition of all the existing

DISCUSSION (continued):

structures on the property except the single-family residence. The existing residence would be located on the proposed lot 1 and would comply with the FAR limitations for the lot. Lot 2 would be vacant. A summary of the FAR for the proposed lots is included in the table below.

FAR Summary

	Lot 1		Lot 2	
Lot Area	8,060 sf		10,729 sf*	
	Allowed	Proposed	Allowed	Proposed
FAR				
Residence	0.326	0.213	0.304	0 sf
Garage	0.091	0.000	0.084	0 sf
Floor Area				
Residence	2,624 sf	1,719 sf	3,263 sf	0 sf
Garage	737 sf	0 sf	901 sf	0 sf
* - Does not include the area of the corridor 2,480 sf				

B. Neighborhood Compatibility

The proposed subdivision would result in two lots: Lot 1 would be 8,060 square feet and lot 2 would be 10,729 square feet with the corridor area removed. As summarized in the table below, the proposed lot sizes would be consistent with those of the neighboring R-1:8 zoned properties. The proposed subdivision would create a corridor lot for lot 2. While generally discouraged by General Plan Policy LU-4.5, corridor lots may be allowed if found to be consistent with the character of the surrounding neighborhood, which includes a corridor lot at 15439 National Avenue. In this context, the proposed corridor lot would be consistent with the surrounding neighborhood as summarized in the table below.

DISCUSSION (continued):

Summary of Neighborhood R-1:8 Lot Sizes

Address	Lot Size
15415 National Ave (Lot 1)	8,060 sf
15415 National Ave (Lot 2)*	10,729 sf
15385 National Ave	10,707 sf
15425 National Ave	20,726 sf
15439 National Ave*	9,655 sf
15461 National Ave	6,970 sf
15465 National Ave	8,993 sf
15475 National Ave	7,592 sf
15485 National Ave	7,592 sf
369 Blackwell Dr	10,138 sf
373 Blackwell Dr	10,180 sf
377 Blackwell Dr	9,883 sf
381 Blackwell Dr	9,147 sf
* - Does not include the area of the corridor	

C. Public Improvements

The proposed subdivision includes an 85-foot wide and 10-foot deep dedication along National Avenue. The applicant will be responsible for public improvements including installation of new roadway, curb, gutter, sidewalk, and driveway and relocation of existing utility poles. These improvements will be required prior to issuance of any future Building or Grading Permits.

D. Tree Impacts

The proposed subdivision and subsequent public improvements would require removal of five trees, four of which are located in the Town right-of-way. The proposed tree removals are necessary for the required public improvements. The property owner will be required to obtain a Tree Removal Permit prior to removal of the trees. This permit will require planting of replacement trees onsite or the payment of in-lieu fees to offset the tree removals.

E. General Plan

General Plan Land Use Element Policy LU-4.5 discourages corridor lots; however, if a corridor lot is proposed, it should only be allowed if its use is consistent with the following criteria. The applicant has provided a Letter of Justification addressing these criteria (Exhibit 4). Staff’s analysis is included below.

DISCUSSION (continued):

- The use of a corridor lot decreases the amount of public street required for the subdivision.

The proposed subdivision involves a single lot of limited size within an established neighborhood. The use of a corridor lot would not impact the amount of public street required for the subdivision as National Avenue is an existing street providing service to the existing neighborhood.

- The use of a corridor lot contributes to the surrounding neighborhood.

The proposed corridor lot would allow for subdivision of the existing property into two lots that are more consistent in size with the surrounding neighborhood. As a result, the development potential of the proposed lots would be consistent with the surrounding neighborhood in terms of mass and scale. If lot 2 is developed with a single-family residence, the subdivision would add at least one additional unit to the Town's housing stock.

- The use of a corridor lot is in context with the existing scale and established character of the neighborhood (current letter).

As discussed above, subdivision of the existing property would produce two lots that are consistent in size with the surrounding neighborhood. This will allow for development that is in context with the existing scale and established character of the surrounding neighborhood.

- The subdivider shall also demonstrate that the use of a corridor lot benefits surrounding properties.

The use of the corridor lot would facilitate the subdivision of a lot that is much larger than most of the surrounding lots. Use of a corridor lot would reduce the scale and size of the potential development to a level consistent with the neighborhood.

F. CEQA Determination

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

PUBLIC COMMENTS:

At the time of this report's preparation, the Town has not received any public comment.

CONCLUSION:

A. Summary

The applicant is requesting approval for subdivision of one lot into two lots, including a corridor lot. General Plan Land Use Element Policy LU-4.5 discourages corridor lots unless found to be consistent and beneficial to the surrounding neighborhood. The applicant has provided justification for the proposed corridor lot and demonstrated that the proposed lot configuration would create two lots that would be consistent with the surrounding neighborhood.

B. Recommendation

Based on the analysis above, staff recommends approval of the Subdivision application subject to the recommended conditions of approval included in Exhibit 3. Should the Planning Commission find merit in the request, 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);
2. Making the findings in the affirmative as required by Section 66474 of the Subdivision Map Act (Exhibit 2); and
3. Approve Subdivision Application M-18-008 with the conditions of approval contained in Exhibit 3, and the plans in Exhibit 5.

C. Alternatives

Alternatively, the Commission can:

1. Continue the matter to a date certain with specific direction; or
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. Letter of Justification
5. Development Plans

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