



**TOWN OF LOS GATOS
PLANNING COMMISSION AGENDA
AUGUST 24, 2022
110 EAST MAIN STREET
LOS GATOS, CA**

*Melanie Hanssen, Chair
Jeffrey Barnett, Vice Chair
Kylie Clark, Commissioner
Kathryn Janoff, Commissioner
Steven Raspe, 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 2nd and 4th Wednesdays at 7:00 p.m. Live and Archived Planning Commission meetings can be viewed by going to:
www.LosGatosCA.gov/TownYouTube***

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://losgatos-ca.municodemeetings.com/>.

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/83406139834?pwd=UEdiVVZ5TUdMaWRcVVAyTUNMVzN5Zz09>.

Passcode: 737799.

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 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 MELANIE HANSSEN, VICE CHAIR JEFFREY BARNETT, COMMISSIONER KYLIE CLARK, COMMISSIONER KATHRYN JANOFF, COMMISSIONER STEVEN RASPE, COMMISSIONER REZA TAVANA, AND COMMISSIONER EMILY THOMAS. All votes during the teleconferencing session will be conducted by roll call vote.

**TOWN OF LOS GATOS
PLANNING COMMISSION AGENDA
AUGUST 24, 2022
7:00 PM**

ROLL CALL

MEETING CALL TO ORDER

RULES OF DECORUM AND CIVILITY

To conduct the business of the community in an effective and efficient manner, please follow the meeting guidelines set forth in the Town Code and State law.

The Town does not tolerate disruptive conduct, which includes but is not limited to:

- Addressing the Planning Commission without first being recognized;
- Interrupting speakers, Planning Commissioners, or Town staff;
- Continuing to speak after the allotted time has expired;
- Failing to relinquish the microphone when directed to do so;
- Repetitiously addressing the same subject.

Town Policy does not allow speakers to cede their commenting time to another speaker. Disruption of the meeting may result in a violation of Penal Code Section 403.

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. Draft Minutes of the August 10, 2022 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. Consider an Appeal of the Development Review Committee Decision to Approve a Request for Construction of a New Single-Family Residence and Site Improvements Requiring a Grading Permit on Property Zoned R-1:8. **Located at 17291 Wedgewood Avenue.** APN 409-14-013. Architecture and Site Application S-21-027. PROPERTY OWNER: Young Kim. APPLICANT: Edick Lazari. APPELLANT: Douglas Scott Maynard. PROJECT PLANNER: Sean Mullin.
3. Review and Recommendation of the Draft Objective Standards to the Town Council.

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: 08/24/2022

ITEM NO: 1

**DRAFT
MINUTES OF THE PLANNING COMMISSION MEETING
AUGUST 10, 2022**

The Planning Commission of the Town of Los Gatos conducted a Regular Meeting on Wednesday, August 10, 2022, at 7:00 p.m.

This meeting was 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, all planning commissioners and staff participated from remote locations and all voting was conducted via roll call vote.

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

ROLL CALL

Present: Chair Melanie Hanssen, Vice Chair Jeffrey Barnett, Commissioner Kylie Clark, Commissioner Kathryn Janoff, Commissioner Steve Raspe, Commissioner Reza Tavana, and Commissioner Emily Thomas.

Absent: None.

VERBAL COMMUNICATIONS

None.

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

1. Approval of Minutes – July 27, 2022

MOTION: Motion by Commissioner Clark to approve adoption of the Consent Calendar. **Seconded by Commissioner Thomas.**

VOTE: Motion passed unanimously.

PUBLIC HEARINGS

2. 198 Broadway

Minor Development in a Historic District Application HS-22-028

APN 510-43-001

Property Owner/Appellant: Heidi Bigge

Project Planner: Sean Mullin

Consider an Appeal of the Historic Preservation Committee Decision to Approve a Request for Modification of a Previously Approved Project on an Existing Non-Contributing Single-Family Residence in the Broadway Historic District on Property Zoned HR-5:LHP.

Sean Mullin, Senior Planner, presented the staff report.

Opened Public Comment.

Matt Bigge (Appellant/Property Owner)

- We have lived in Los Gatos for 20 years. No part of the house is visible from the street or any other house in the area so it does not impact the neighborhood in terms of the character, but as we were creating the plans we felt it important that the house maintain the character of the neighborhood and the original structure. Two things the Historic Preservation Committee highlighted were: 1) Windows: We chose double hung windows because we wanted more light. We found over 70 percent of the windows on Broadway are consistent with our windows, and the same with windows on Fairview Plaza that borders our property, thus keeping our home in character with the neighborhood and Town, and so we respectfully request to keep our windows; and 2) Garage door: The garage door we built is from original growth redwood used to construct the original house, thus keeping it consistent with the neighborhood. We studied garage doors on Broadway and Fairview Plaza and, again, found approximately 70 percent of the homes had garage doors consistent in style to the doors we built.

Matt Bigge (Appellant/Property Owner)

- Page 3 of the presentation shows more of how the house is currently relative to the original structure. We think our current home maintains the character of the original home.

Closed Public Comment.

Commissioners discussed the matter.

MOTION: **Motion by Commissioner Tavana to grant an appeal of the Historic Presentation Committee Decision for 198 Broadway. Seconded by Commissioner Clark.**

VOTE: **Motion passed 5-2, with Vice Chair Barnett and Commissioner Raspe dissenting.**

OTHER BUSINESS

REPORT FROM THE DIRECTOR OF COMMUNITY DEVELOPMENT

Jennifer Armer, Planning Manager

- None.

SUBCOMMITTEE REPORTS/COMMISSION MATTERS

Housing Element Advisory Board

Chair Hanssen

- HEAB met on August 4, 2022 and completed its review of the Draft Goals, Policies, and Implementation Programs for the Draft Housing Element. Next, HEAB will see the entire Draft Housing Element, which will then have a public review period and then go to the California Department of Housing and Community Development, the entity that will certify the Housing Element.

ADJOURNMENT

The meeting adjourned at 7:55 p.m.

This is to certify that the foregoing is a true and correct copy of the minutes of the August 10, 2022 meeting as approved by the Planning Commission.

/s/ Vicki Blandin

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**TOWN OF LOS GATOS
PLANNING COMMISSION
REPORT**

MEETING DATE: 08/24/2022

ITEM NO: 2

DATE: August 19, 2022
TO: Planning Commission
FROM: Joel Paulson, Community Development Director
SUBJECT: Consider an Appeal of the Development Review Committee Decision to Approve a Request for Construction of a New Single-Family Residence and Site Improvements Requiring a Grading Permit on Property Zoned R-1:8. **Located at 17291 Wedgewood Avenue.** APN 409-14-013. Architecture and Site Application S-21-027. PROPERTY OWNER: Young Kim. APPLICANT: Edick Lazari. APPELLANT: Douglas Scott Maynard. PROJECT PLANNER: Sean Mullin.

RECOMMENDATION:

Deny the appeal of the Development Review Committee (DRC) decision to approve the construction of a new single-family residence and site improvements requiring a Grading Permit on property zoned R-1:8.

PROJECT DATA:

General Plan Designation: Low Density Residential
Zoning Designation: R-1:8
Applicable Plans & Standards: General Plan; Residential Design Guidelines
Parcel Size: Gross: 14,065 square feet (0.32 acres)
Net: 12,225 square feet (0.28 acres)

Surrounding Area:

	Existing Land Use	General Plan	Zoning
North	Single-Family Residential	Low Density Residential	R-1:8
South	Open Space/Recreation	Open Space	R-1:20
East	Single-Family Residential	Low Density Residential	R-1:8
West	Single-Family Residential	Low Density Residential	R-1:8

PREPARED BY: SEAN MULLIN, AICP
Senior 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 15303: New Construction.

FINDINGS:

- The project is Categorically Exempt pursuant to the adopted Guidelines for the Implementation of the California Environmental Quality Act, Section 15303: New Construction.
- The project meets the objective standards of Chapter 29 of the Town Code (Zoning Regulations).
- The project is in compliance with the Residential Design Guidelines.

CONSIDERATIONS:

- As required by Section 29.20.150 of the Town Code for granting approval of an Architecture and Site application.

ACTION:

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

BACKGROUND:

The subject property is located on the northwest corner of the intersection of Wedgewood Avenue and Browns Lane (Exhibit 1). The property is currently developed with a single-story residence of approximately 720 square feet.

On July 12, 2022, the DRC considered a request for construction of a new single-family residence and site improvements requiring a Grading Permit on the subject property (Exhibit 4). Following a summary of the project from staff, a presentation of the project from the applicant, and public comments from neighbors including the appellant, the DRC made the required Findings and Considerations and unanimously approved the application with modified Conditions of Approval (Exhibit 5).

On July 22, 2022, the property owner of 17323 Wedgewood Avenue Drive appealed the decision of the Committee (Exhibit 6). The appeal form lists an additional address for the appellant at 14344 La Rinconada Drive, which is owned by William Maynard. The appellant notes that this is their son and that the two properties connect, sharing their rear yards. The appeal form was submitted and signed solely by the owner of 17323 Wedgewood Avenue, Douglas Scott Maynard, herein referred to as the appellant.

PROJECT DESCRIPTION:

A. Location and Surrounding Neighborhood

The subject property is located on the northwest corner of the intersection of Wedgewood Avenue and Browns Lane (Exhibit 1). The property is currently developed with a single-story residence of approximately 720 square feet. The surrounding properties are single-family residential and open space/recreation uses.

B. Project Summary

The applicant is requesting approval for construction of a new single-family residence and site improvements requiring a Grading Permit (Exhibit 14). The DRC approved the application on July 12, 2022 (Exhibit 5). The property owner of 17323 Wedgewood Avenue is appealing the DRC's approval of the application (Exhibit 6). The property owner's response to the appeal is included as Exhibit 7.

C. Zoning Compliance

A single-family residence is permitted in the R-1:8 zone. The proposed residence is in compliance with the zoning regulations for allowable floor area, height, setbacks, and on-site parking requirements for the property.

DISCUSSION:

A. Architecture and Site Analysis

The subject property is located on the north side of Wedgewood Avenue having a gross lot area of 14,065 square feet. The proposed development requires that 30 feet be dedicated to the Town along Wedgewood Avenue for future right-of way improvements. The net lot area after dedication will be 12,225 square feet.

The applicant proposes construction of a new 2,585-square foot, two-story residence with an attached 774-square foot garage (Exhibit 14). The project proposes a residence with traditional forms and exterior materials including a composition roof, cementitious board lap siding, window trim, and exposed gable trusses at the garage and front entry. The applicant provided a Written Description and a Letter of Justification detailing the project (Exhibits 8 and 9). The residence includes 900 square feet of below-grade area that does not count toward the allowed floor area for the property, and a 774-square foot attached garage. A summary of the floor area for the proposed residence is included in the table on the following page.

DISCUSSION (continued):

Floor Areas	
Main Floor	1,325 sf
Upper Floor	1,260 sf
Below-grade	900 sf
Garage	774 sf

The proposed residence would be sited on the southern portion of the property, in front of the existing residence, which would be converted into an accessory dwelling unit (ADU). The maximum height of the proposed residence is 28 feet, where a maximum of 30 feet is allowed by the Town Code. A new driveway would provide access from the north side of Wedgewood Avenue serving the attached garage. The project requires a Grading Permit for site improvements including earthwork quantities exceeding 50 cubic yards.

B. Building Design

The applicant proposes a residence with traditional forms and materials, including a composition roof, cementitious board lap siding, window trim, and exposed gable trusses at the garage and front entry (Exhibit 14). The residence primarily includes hipped roof forms, with two gable end roof forms on the front elevation above the entry and the garage with exposed trusses. The partial second-story steps in from the first floor adding to the articulation of the residence. The main floor of the residence includes the primary living areas, a bedroom suite, an office, and the garage. The second floor includes an additional bedroom and a main bedroom suite with a balcony on the front elevation.

The proposed residence was reviewed by the Town’s Consulting Architect on August 27, 2021 (Exhibit 10). The Consulting Architect remarked that the project is modest in size, with an overall mass and articulation sympathetic to the immediate neighborhood. The Consulting Architect identified several issues with the project that were inconsistent with the Residential Design Guidelines and provided six recommendations for design changes to increase consistency with the Residential Design Guidelines. The Consulting Architect’s recommendations are provided below, followed by a summary of the applicant’s response in *italics*.

1. Lower the entry gable eave line to match the remainder of the first floor.

The entry gable eave line was lowered by approximately one-foot, three-inches to match the first-floor eave line.

DISCUSSION (continued):

2. Increase the entry roof projection.

The easternmost post supporting the entry roof is located at the limit of the front setback; therefore, extending the entry roof further forward was not possible. To address the Consulting Architect's recommendations, the front wall of the kitchen was moved back resulting in the entry roof projection increasing by approximately one-foot, five-inches.

3. Increase the roof slope of the entry gable.

The entry gable roof slope was increased from 5:12 to 8:12.

4. Reduce the second-floor balcony size and better integrate it into the overall design by continuing the first-floor eave and sloped roof across its frontage.

The depth of the balcony was reduced by approximately 50 percent, from 19 feet, eight inches, to nine feet, 11 inches. By reducing the depth of the balcony, the applicant was able to extend the pitched roof above the first floor across the front elevation, integrating the balcony into the front of the residence.

5. Consider increasing all roof overhangs.

Typical eave depths were increased from eight inches to one-foot, four inches.

6. Recess the garage door consistent with Residential Design Guideline 3.4.1

The garage door was recessed one-foot from the garage façade.

The applicant responded to the Consulting Architect's issues and recommendations through design revisions. Staff determined that the applicant adequately addressed all issues and recommendations raised in the Consulting Architect's report.

C. Neighborhood Compatibility

Pursuant to the Town Code, the subject property includes a maximum allowable floor area of 3,545 square feet for the residence and 978 square feet for a garage. The table on the following page reflects the current conditions of the homes in the immediate area and the proposed project.

DISCUSSION (continued):

FAR Comparison - Neighborhood Analysis							
Address	Zoning	Lot Area SF	Residential SF	Garage SF	Total SF	FAR	No. of Stories
14330 Browns Ln	R-1:8	13,392	2,487	625	3,112	0.19	1
14331 Browns Ln	R-1:8	9,518	1,247	0	1,247	0.19	1
14340 Browns Ln	R-1:8	6,459	748	440	1,188	0.12	1
14341 Browns Ln	R-1:8	8,884	1,046	400	1,446	0.11	1
17265 Wedgewood Ave	R-1:8	6,841	2,617	435	3,052	0.29	2
17275 Wedgewood Ave	R-1:8	6,514	574	418	992	0.09	1
17311 Wedgewood Ave	R-1:8	8,703	2,339	440	2,779	0.27	2
17323 Wedgewood Ave	R-1:8	9,797	2,430	713	3,143	0.26	1
17291 Wedgewood Ave (E)	R-1:8	14,065	720	0	720	0.05	1
17291 Wedgewood Ave (P)	R-1:8	12,225	2,585	774	3,359	0.21	2

The properties in the immediate neighborhood are developed with one- and two-story residences and include a mix of architectural styles. The property sizes within the immediate neighborhood range from 6,459 square feet to 13,392 square feet. Based on Town and County records, the square footage of the residences located in the immediate neighborhood range from 574 square feet to 2,617 square feet. The applicant is proposing a 2,585-square foot residence with an attached 774-square foot garage on a 12,225-square foot parcel. The proposed project would be the second largest in terms of square footage and fourth largest in terms of FAR.

D. Tree Impacts

The development plans were reviewed by the Town's Consulting Arborist on September 9, 2021 (Exhibit 11). The Consulting Arborist inventoried eight protected trees within the project area and made recommendations for their preservation. The applicant responded to the recommendations of the Consulting Arborist by locating the proposed utilities outside of the driplines of the existing trees and adjusting the grading and driveway plans to limit impacts to the existing trees. No trees are proposed for removal.

Tree protection measures would be implemented prior to construction and maintained for the duration of construction activity. Arborist recommendations for tree protection have been included in the Conditions of Approval to mitigate impacts to protected trees (Exhibit 3).

E. Grading

The project includes site improvements with grading quantities exceeding 50 cubic yards, which requires approval of a Grading Permit. The new driveway and site contouring would

DISCUSSION (continued):

require 52 cubic yards of fill. The Town's Parks and Public Works Engineering staff have included a condition of approval requiring submittal and evaluation of a Grading Permit in parallel with the required Building Permits (Exhibit 3).

F. Neighbor Outreach

The owners have indicated that they contacted the surrounding neighbors to discuss the proposed project. A summary of their outreach efforts is included as Exhibit 12.

G. Development Review Committee

On July 12, 2022, the DRC considered a request for construction of a new single-family residence and site improvements requiring a Grading Permit on the subject property (Exhibit 4). The applicant submitted a Project Description and Letter of Justification for the project (Exhibits 8 and 9). The Committee received a summary of the project from staff, a presentation of the project from the applicant, and public comments from neighbors including the appellant (Exhibit 4). Staff provided clarification on a number of items raised during public comment and the DRC made the required Findings and Considerations and approved the request with modified Conditions of Approval (Exhibit 5).

H. Appeal to Planning Commission

The decision of the DRC was appealed by the property owner of 17323 Wedgewood Avenue, Douglas Scott Maynard, on July 22, 2022 (Exhibit 6). The property owner's detailed response to the appeal is included as Exhibit 7.

Pursuant to Section 29.20.257 of the Town Code, the decision of the DRC may be appealed to the Planning Commission by any interested party as defined by Section 29.10.020 within 10 days of the decision. For residential projects an interested person is defined as, "a person or entity who owns property or resides within 1,000 feet of a property for which a decision has been rendered and can demonstrate that their property will be injured by the decision." The appellant meets these requirements.

Pursuant to Town Code Section 29.20.265, the appeal shall be set for the first regular meeting of the Planning Commission in which the business of Planning Commission will permit, more than five (5) days after the date of filing the appeal. The Planning Commission may hear the matter anew and render a new decision and/or impose additional Conditions of Approval in the matter.

DISCUSSION (continued):

The appellant states that the appeal should be granted to preserve their privacy, the neighborhood character, and the peace and quiet of the neighborhood (Exhibit 6). The appellant's letter raises eight points in support of their appeal:

- The proposed residence impacts their privacy and the DRC's approval did not adequately address these concerns;
- The two-story residence is not compatible with the immediate neighborhood;
- The Brutalist design of the residence should not be permitted;
- It is the intent of property owner to create four rental units;
- The immediate neighborhood was not defined correctly;
- The proposed residence will increase freeway noise to the neighborhood;
- There are other options available to the property owner other than a two-story residence; and
- There is a history of unpermitted work.

The property owner's response to the appeal is included as Exhibit 7. Staff's analysis of each of these eight points is provided below.

The proposed residence impacts their privacy and the DRC's approval did not adequately address these concerns.

The appellant states that the proposed residence will have privacy impacts on their backyard/swimming pool area and that the DRC's approval with conditions does not adequately address these concerns. Letters from the appellant and a neighboring property owner expressing this concern were forwarded to the DRC ahead of the hearing on July 12, 2022. These letters are included in the appeal documents (Exhibit 6). The authors of the letters spoke at the hearing during public testimony. Staff provided clarification on a number of items raised during public testimony and the DRC made the required Findings and Considerations to approve the request with two additional conditions addressing the privacy concern (Exhibit 5). The Conditions of Approval, as reflected in Exhibit 3 require that the second-floor bathroom window on the left (west) side elevation use obscured or frosted glass and that mature trees be planted along the property line shared by the applicant and the appellant.

The two-story residence is not compatible with the immediate neighborhood.

The appellant states that the neighborhood is a one-story neighborhood and that all the residences in the entire neighborhood are one-story residences except those abutting Highway 85 and others east of the subject property. As indicated by staff at the hearing on July 12, 2022, there are no neighborhoods in the Town that are restricted to one-story

DISCUSSION (continued):

residences (Exhibit 4). During review of the application, staff evaluated the surrounding and immediate neighborhoods to establish the locations of other two-story residences. The Town's Residential Design Guidelines recognizes the immediate neighborhood as those properties where nearby homeowners are most likely to be confronted with the new house or addition on a daily basis, and where other residents driving by are most likely to see the new structure in the context of the nearby homes. As shown in Exhibit 13, the immediate neighborhood includes two two-story residences located at 17265 and 17311 Wedgewood Avenue. The proposed residence would not be the first two-story residence in the immediate neighborhood. Four other two-story residences are located east of the immediate neighborhood along Wedgewood Avenue. These two-story residences, along with the proposed residence, would be confronted by the surrounding property owners on a daily basis and the proposed residence would be seen in the context of these nearby two-story residences.

The appellant also states that the applicant lied in their application and during the hearing on July 12, 2022, by indicating that the residence located at 17311 Wedgewood Avenue, immediately west of the subject property, is a two-story residence. While evaluating the application, staff reviewed Town records for this property and found that a Notice of Violation for illegal construction that occurred around 1998 was filed on March 12, 2000, including:

- Conversion of existing attic space in the residence into habitable area (705 sf), addition of stairs, and interior improvements; and
- Construction of a habitable loft area in the detached garage with a maximum building height of 17 feet.

A new second-story addition on a residence requires Town approval of a discretionary permit, called a Minor Residential Development application at the time that the work occurred. Additionally, the Town Code limits accessory structures to a single story with a maximum height of 15 feet. To remedy the violation, the owner of 17311 Wedgewood Avenue applied for approval of a second-story addition on the residence on June 25, 1999. Following issuance of public notice, which included the appellant, the request was approved on August 16, 1999, with the condition that the detached garage be brought into compliance by removing the habitable loft and lowering the roof so that the maximum height of the garage does not exceed 15 feet. Building permits for the work on the residence and garage were issued on February 5, 2002. The residence was finalized on August 16, 2002, and the garage was finalized on November 17, 2003. The residence at 17311 Wedgewood Avenue meets the Town standards of a two-story residence.

Lastly, as detailed above, the proposed residence was reviewed by the Town's Consulting Architect on August 27, 2021 (Exhibit 10). The Consulting Architect remarked that the site is

DISCUSSION (continued):

located in an older neighborhood containing a mix of one and two-story residences and that new residences are beginning to replace smaller, older residences. Further, the Consulting Architect remarked that the project is modest in size, with an overall mass and articulation sympathetic to the immediate neighborhood. The Consulting Architect identified several issues with the project that were inconsistent with the Residential Design Guidelines and provided recommendations for design changes to increase consistency with the Residential Design Guidelines. In response, the applicant incorporated all recommendations into therevised design of the residence.

The Brutalist design of the residence should not be permitted.

The appellant states that the 'Brutalist' design does not include second-story windows on the right (east) elevation and only one bathroom window on the left (west) elevation, resulting in the appearance of a prison cell block. The applicant indicated to staff that second-story windows were not included on the side elevations to avoid privacy impacts to neighboring properties. The applicant agreed to obscuring or frosting the glass of the second-story bathroom window on the left (west) elevation to increase privacy. Further, the proposed residence includes a pitched roof with projecting eaves, an articulated second story, and traditional residential materials including a composition roof, cementitious board lap siding, window trim, and exposed gable trusses at the garage and front entry.

As detailed above, the proposed residence was reviewed by the Town's Consulting Architect on August 27, 2021 (Exhibit 10). The Consulting Architect provided six recommendations for design changes to increase consistency with the Residential Design Guidelines. The applicant responded to the Consulting Architect's issues and recommendations through design revisions. Staff determined that the applicant adequately addressed all issues and recommendations raised in the Consulting Architect's report.

It is the intent of property owner to create four rental units.

The appellant states that it is the intent of the property owner to create four residential units on the property through construction of the proposed residence, permitted conversion of the existing residence into an ADU, and unpermitted conversion of the below-grade area beneath the new residence and a portion of the garage into two additional living units. The subject property is zoned R-1:8 (Single-family residential, 8,000 square-foot minimum). The R-1 single-family residential zone allows for one single-family residence, and the Town's ADU Ordinance allows for an ADU and a Junior ADU. The sizes of the residence and ADU/JADU are controlled by the nominal size limitations included in the Town Code and summarized in the table on the following page.

DISCUSSION (continued):

Summary of Development

	Maximum Allowed	Existing	Proposed
Residence	3,545 sf	720 sf	2,585 sf
Garage	978 sf	0 sf	774 sf
ADU/JADU	1,200 sf	0 sf	720 sf Converted residence

The subject Architecture and Site application includes a proposal to construct a new single-family residence. In the application materials, the applicant disclosed their intent to convert the existing 720-square foot residence to an ADU. While not the subject of this Architecture and Site application, a condition was included in the DRC’s approval requiring the existing residence be converted to an ADU (Exhibit 3). By converting the existing residence into an ADU, the size of the existing residence would be attributed to the property’s ADU allowance of 1,200 square feet. Therefore, the conversion of the existing residence into an ADU does not impact the property’s nominal limit for a residence since the floor area limitations for an ADU and a residence are mutually exclusive. Should the property owner wish to introduce a JADU to the property in the future, this could be achieved with approval of an ADU permit and a Building Permit, both ministerial actions not subject to review by the Planning Commission or DRC.

Below-grade square footage is common with new residential projects in the Town. The proposed below-grade area does not count toward the maximum allowed floor area for the property. The Building Code requires light/air/egress light wells be provided for below-grade areas and it is common that residential light wells include stairs in place of a ladder as the means of emergency access to the surface. The Town Code does not limit the size of light wells when they are located within the required building setbacks, as is the case with the proposed residence. The proposed residence includes a 900 square feet of below-grade square footage with a single light well on the north side of the residence measuring 16-feet, nine-inches, by seven-feet, eight-inches. The light well includes a staircase providing access from the below-grade area to the surface above. The floor plan for the below-grade area includes an approximately 565-square foot open room with a sink and countertop, a full bathroom, and two unlabeled rooms of approximately 54 and 27 square feet. No cooking facilities are proposed. The floor plan of the below-grade area does not meet the requirements of an ADU.

The maximum allowed garage size for the subject property is 978 square feet. The applicant is proposing a 774-square foot garage. The minimum interior clear dimensions for two parking spaces within a garage is 20 feet by 20 feet. It is common for a single-family development proposal in the Town to include garages with sizes exceeding the minimum required parking area, which allows for other garage uses such as storage. Inclusion of a

DISCUSSION (continued):

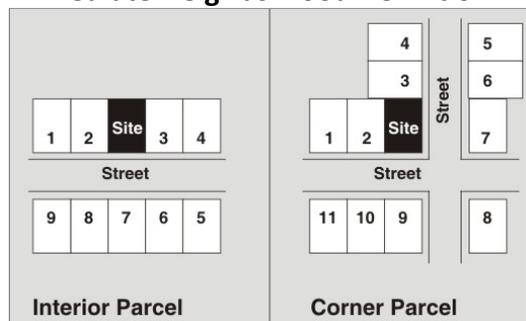
utility sink within a garage is also common. The floor plan of the garage does not meet the requirements of an ADU.

Any future work requiring a permit and/or the creation of a living unit completed without first obtaining the necessary entitlements and permits is subject to the Town's Code Compliance process.

The immediate neighborhood was not defined correctly.

The appellant states that their property (17323 Wedgewood Avenue) and their son's property (14344 La Rinconada Drive) are located within the immediate neighborhood. The Town's Residential Design Guidelines recognizes the immediate neighborhood as those properties where nearby homeowners are most likely to be confronted with the new house or addition on a daily basis, and where other residents driving by are most likely to see the new structure in the context of the nearby homes. The following diagram from the Residential Design Guidelines shows two interpretations of the immediate neighborhood in a standard subdivision.

Immediate Neighborhood Definition



Source: Residential Design Guidelines, Section 1.6

The subject property is located in an older neighborhood with an irregular subdivision pattern with a golf course on the southern edge. In determining the immediate neighborhood for the subject property, staff endeavored to include those properties that would be confronted on a daily basis by surrounding residents. With no residential properties located across Wedgewood Avenue, the immediate neighborhood was limited to properties on the north side of Wedgewood Avenue. The subject property is located on the corner of Wedgewood Avenue and Browns Lane. The immediate neighborhood includes the appellant's property, but not their son's property. Exhibit 13 includes the surrounding and immediate neighborhoods.

DISCUSSION (continued):

The proposed residence will increase freeway noise to the neighborhood.

The appellant states that the addition of a two-story residence will increase the freeway noise for all residents north of the subject property. The appellant requests that, if a two-story residence is considered, the applicant should be required to pay for a neutral scientific study of the impact of freeway noise bouncing off the back of the proposed residence. The Town does not require noise impact studies for single-family residential projects. The Planning Commission may hear the matter anew and render a new decision or include additional conditions if merit is found in the appeal.

There are other options available to the property owner other than a two-story residence.

The appellant states that the applicant has other options other than the proposed two-story residence. The properties in the immediate neighborhood are developed with one- and two-story residences and include a mix of architectural styles. The net lot area of the subject property after the required street dedication is 12,225 square feet. The lot is currently developed with a 720-square foot, single-story residence. The applicant proposes to construct a new two-story residence and convert the existing residence to an ADU. While there is myriad of other options available to the applicant, this is the proposal under review of this application. Staff, including Planning, Building, Engineering, Fire, Consulting Architect, and Consulting Arborist, have reviewed the application and deemed it complete. The proposed project was approved by the DRC on July 12, 2022. The Planning Commission may hear the matter anew and render a new decision or include additional conditions if merit is found in the appeal.

There is a history of unpermitted work.

Upon receipt of the appellant's letter dated July 5, 2022, in which the appellant states that the property owner had completed work on their property without the benefit of permits, Planning staff, the Town Arborist, and the Code Compliance Officer conducted a site visit at the subject property. Staff determined that interior improvements to the kitchen and the enclosing of a patio were completed without permits. The Town Arborist determined that the tree pruning that had occurred did not require a permit. As reflected in Exhibit 3, the DRC's approval included a condition that all permits required for any work found to be completed without the benefit of permits be obtained and any fees and penalties be paid prior to issuance of a Building or Grading permit for the project.

PUBLIC COMMENTS:

Written notice was sent to property owners and tenants within 300 feet of the subject property. At the time of this report's preparation, the Town has not received any public comment.

ENVIRONMENTAL REVIEW:

The project is Categorically Exempt pursuant to the adopted Guidelines for the Implementation of the California Environmental Quality Act, Section 15303: New Construction.

CONCLUSION:

A. Summary

The property owner of 17323 Wedgewood Avenue is appealing the DRC approval of the application and requests that the appeal be granted in order to preserve their privacy, the neighborhood character, and the peace and quiet of the neighborhood (Exhibit 6). The property owner's response to the appeal is included as Exhibit 7.

B. Recommendation

Based on the analysis provided in this report, staff recommends that the Planning Commission deny the appeal and uphold the DRC approval of the Architecture and Site application by making the required Findings and Considerations included in Exhibit 2 and subject to the recommended Conditions of Approval in Exhibit 3.

C. Alternatives

Alternatively, the Commission can:

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

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SUBJECT: 17291 Wedgewood Avenue

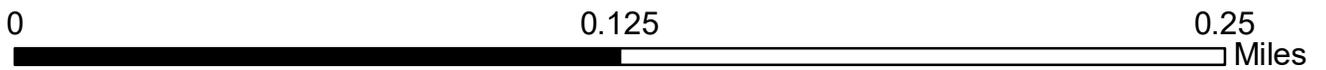
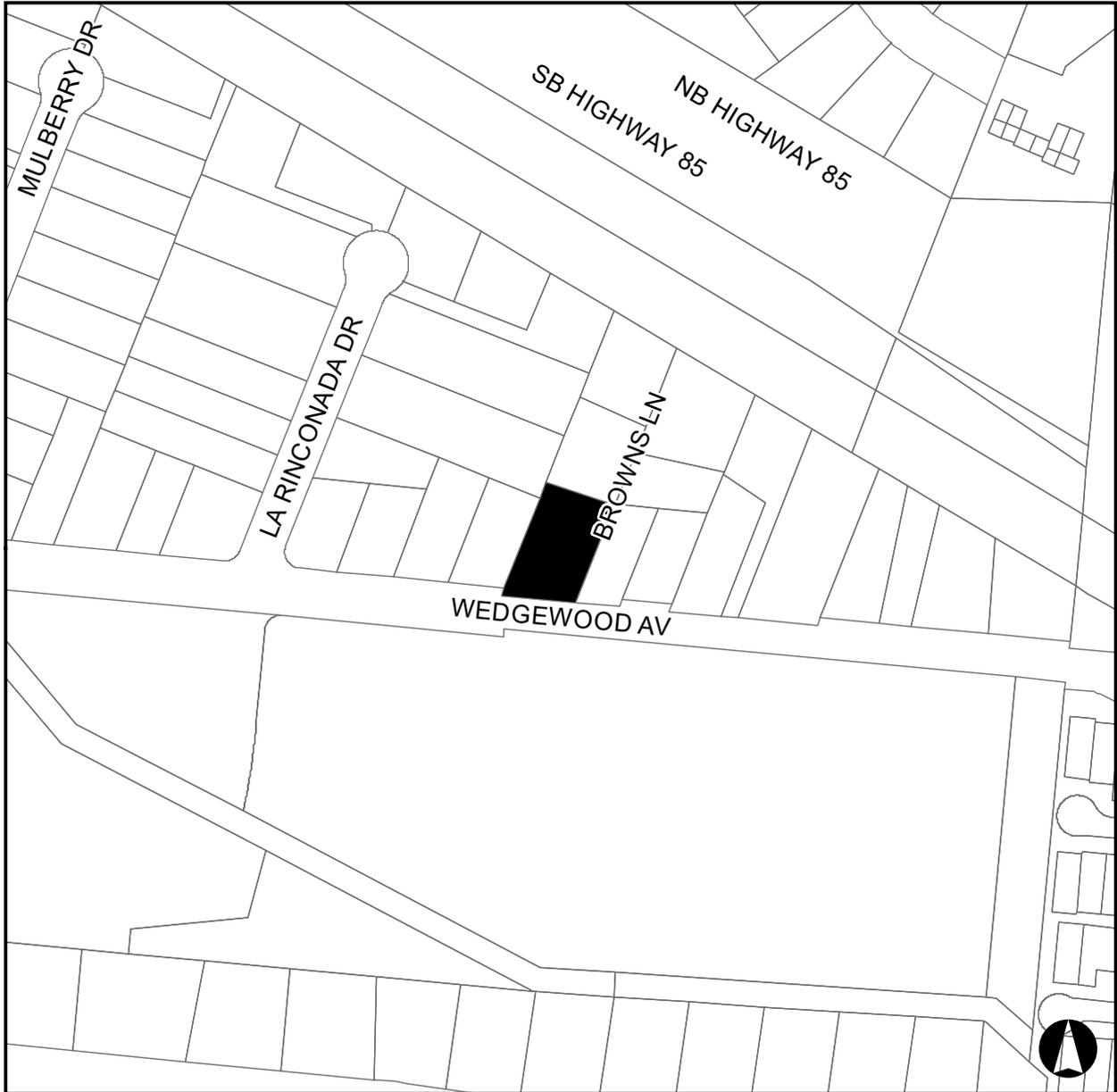
DATE: August 19, 2022

EXHIBITS:

1. Location Map
2. Required Findings and Considerations
3. Recommended Conditions of Approval
4. Development Review Committee Meeting Minutes for July 12, 2022
5. Development Review Committee Action Letter, July 12, 2022
6. Appeal of the Historic Preservation Committee, received July 22, 2022
7. Property owner's response to the appeal, received August 4, 2022
8. Project Description
9. Letter of Justification
10. Consulting Architect Report
11. Consulting Arborist Report
12. Neighbor outreach
13. Neighborhood Exhibit
14. Development Plans

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17291 Wedgewood Avenue



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PLANNING COMMISSION – August 24, 2022
REQUIRED FINDINGS AND CONSIDERATIONS FOR:

17291 Wedgewood Avenue
Architecture and Site Application S-21-027

**Requesting Approval for Construction of a New Single-Family Residence and Site Improvements Requiring a Grading Permit on Property Zoned R-1:8.
APN 409-14-013.**

PROPERTY OWNER: Young Kim
APPLICANT: Edick Lazari
PROJECT PLANNER: Sean Mullin

FINDINGS

Required finding for CEQA:

- The project is Categorically Exempt pursuant to the adopted Guidelines for the Implementation of the California Environmental Quality Act, Section 15301, Existing Facilities and 15303, New Construction.

Required compliance with the Zoning Regulations:

- The project meets the objective standards of Chapter 29 of the Town Code (Zoning Regulations).

Required compliance with the Residential Design Guidelines:

- The project is in compliance with the Residential Design Guidelines for single-family residences not in hillside areas. The project was reviewed by the Town’s Consulting Architect who noted that the project is modest in size, with an overall mass and articulation sympathetic to the immediate neighborhood. The Town’s Consulting Architect made recommendations to improve the consistency of the project with the Residential Design Guidelines to which the applicant responded.

CONSIDERATIONS

Required considerations in review of Architecture and Site applications:

- As required by Section 29.20.150 of the Town Code, the considerations in review of an Architecture and Site application were all made in reviewing this project.

EXHIBIT 2

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PLANNING COMMISSION – August 24, 2022
CONDITIONS OF APPROVAL

17291 Wedgewood Avenue
Architecture and Site Application S-21-027

Requesting Approval for Construction of a New Single-Family Residence and Site Improvements Requiring a Grading Permit on Property Zoned R-1:8.
APN 409-14-013.

PROPERTY OWNER: Young Kim
APPLICANT: Edick Lazari
PROJECT PLANNER: Sean Mullin

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 and in substantial compliance with the approved plans. Any changes or modifications to the approved plans and/or business operation shall be approved by the Community Development Director, DRC or the Planning Commission depending on the scope of the changes.
2. **EXPIRATION:** The approval will expire two years from the approval date pursuant to Section 29.20.320 of the Town Code, unless the approval has been vested.
3. **STORY POLES:** The story poles on the project site shall be removed within 30 days of approval of the Architecture & Site application.
4. **ACCESSORY DWELLING UNIT PERMIT:** An approved accessory dwelling unit (ADU) permit shall be obtained to reclassify the existing residence as an ADU prior to issuance of Building and/or Grading Permits.
5. **OUTDOOR LIGHTING:** Exterior lighting shall be kept to a minimum, and shall be down directed fixtures that will not reflect or encroach onto adjacent properties. No flood lights shall be used unless it can be demonstrated that they are needed for safety or security.
6. **TREE REMOVAL PERMIT:** A Tree Removal Permit shall be obtained for any trees to be removed, prior to the issuance of a building or grading permit.
7. **EXISTING TREES:** All existing trees shown on the plan and trees required to remain or to be planted are specific subjects of approval of this plan, and must remain on the site.
8. **ARBORIST REQUIREMENTS:** The developer shall implement, at their cost, all recommendations identified in the Arborist's report for the project, on file in the Community Development Department. These recommendations must be incorporated in the building permit plans and completed prior to issuance of a building permit where applicable.

EXHIBIT 3

9. TREE FENCING: Protective tree fencing and other protection measures shall be placed at the drip line of existing trees prior to issuance of demolition and building permits and shall remain through all phases of construction. Include a tree protection plan with the construction plans.
10. TREE STAKING: All newly planted trees shall be double-staked using rubber tree ties.
11. FRONT YARD LANDSCAPE: Prior to issuance of a Certificate of Occupancy the front yard must be landscaped.
12. WATER EFFICIENCY LANDSCAPE ORDINANCE: The final landscape plan shall meet the Town of Los Gatos Water Conservation Ordinance or the State Water Efficient Landscape Ordinance, whichever is more restrictive. A review fee based on the current fee schedule adopted by the Town Council is required when working landscape and irrigation plans are submitted for review.
13. UNPERMITTED WORK: Prior to issuance of a Building or Grading Permit, the property owner or authorized agent shall obtain all permits required for any work found to be completed without the benefit of permits and shall pay all associated fees and penalties.
14. BATHROOM WINDOWS: The second-floor bathroom window on the left (west) side elevations shall be use obscured or frosted glass.
15. PRIVACY SCREEN: Provide mature tree planting for privacy screening along the shared property line with 14344 La Rinconada Drive.
16. 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, and may be secured to the satisfaction of the Town Attorney.
17. COMPLIANCE MEMORANDUM: A memorandum shall be prepared and submitted with the building plans detailing how the Conditions of Approval will be addressed.

Building Division

18. PERMITS REQUIRED: A Building Permit is required for the construction of the new single-family residence and attached garage. An additional Building Permit will be required for the PV System if the system is required by the California Energy Code.
19. APPLICABLE CODES: The current codes, as amended and adopted by the Town of Los Gatos as of January 1, 2020, are the 2019 California Building Standards Code, California Code of Regulations Title 24, Parts 1-12, including locally adopted Energy Reach Codes.
20. CONDITIONS OF APPROVAL: The Conditions of Approval must be blue lined in full on the cover sheet of the construction plans. A Compliance Memorandum shall be prepared and submitted with the building permit application detailing how the Conditions of Approval will be addressed.
21. BUILDING & SUITE NUMBERS: Submit requests for new building addresses to the Building Division prior to submitting for the building permit application process.
22. SIZE OF PLANS: Minimum size 24" x 36", maximum size 30" x 42".
23. SOILS REPORT: A Soils Report, prepared to the satisfaction of the Building Official, containing foundation and retaining wall design recommendations, shall be submitted with

- the Building Permit Application. This report shall be prepared by a licensed Civil Engineer specializing in soils mechanics.
24. SHORING: Shoring plans and calculations will be required for all excavations which exceed five (5) feet in depth or which remove lateral support from any existing building, adjacent property, or the public right-of-way. Shoring plans and calculations shall be prepared by a California licensed engineer and shall confirm to the Cal/OSHA regulations.
 25. FOUNDATION INSPECTIONS: A pad certificate prepared by a licensed civil engineer or land surveyor shall be submitted to the project Building Inspector at foundation inspection. This certificate shall certify compliance with the recommendations as specified in the Soils Report, and that the building pad elevations and on-site retaining wall locations and elevations have been prepared according to the approved plans. Horizontal and vertical controls shall be set and certified by a licensed surveyor or registered Civil Engineer for the following items:
 - a. Building pad elevation
 - b. Finish floor elevation
 - c. Foundation corner locations
 - d. Retaining wall(s) locations and elevations
 26. TITLE 24 ENERGY COMPLIANCE: All required California Title 24 Energy Compliance Forms must be blue-lined (sticky-backed), i.e. directly printed, onto a plan sheet.
 27. TOWN RESIDENTIAL ACCESSIBILITY STANDARDS: New residential units shall be designed with adaptability features for single-family residences per Town Resolution 1994-61:
 - a. Wood backing (2" x 8" minimum) shall be provided in all bathroom walls, at water closets, showers, and bathtubs, located 34 inches from the floor to the center of the backing, suitable for the installation of grab bars if needed in the future.
 - b. All passage doors shall be at least 32-inch wide doors on the accessible floor level.
 - c. The primary entrance door shall be a 36-inch-wide door including a 5'x 5' level landing, no more than 1 inch out of plane with the immediate interior floor level and with an 18-inch clearance at interior strike edge.
 - d. A door buzzer, bell or chime shall be hard wired at primary entrance.
 28. BACKWATER VALVE: The scope of this project may require the installation of a sanitary sewer backwater valve per Town Ordinance 6.50.025. Please provide information on the plans if a backwater valve is required and the location of the installation. The Town of Los Gatos Ordinance and West Valley Sanitation District (WVSD) requires backwater valves on drainage piping serving fixtures that have flood level rims less than 12 inches above the elevation of the next upstream manhole.
 29. HAZARDOUS FIRE ZONE: All projects in the Town of Los Gatos require Class A roof assemblies.
 30. SPECIAL INSPECTIONS: When a special inspection is required by CBC Section 1704, the Architect or Engineer of Record shall prepare an inspection program that shall be submitted to the Building Official for approval prior to issuance of the Building Permit. The Town Special Inspection form must be completely filled-out and signed by all requested parties prior to permit issuance. Special Inspection forms are available from the Building Division Service Counter or online at www.losgatosca.gov/building.

31. BLUEPRINT FOR A CLEAN BAY SHEET: The Town standard Santa Clara Valley Nonpoint Source Pollution Control Program Sheet (page size same as submitted drawings) shall be part of the plan submittal as the second page. The specification sheet is available at the Building Division Service Counter for a fee of \$2 or at ARC Blueprint for a fee or online at www.losgatosca.gov/building.
32. APPROVALS REQUIRED: The project requires the following departments and agencies approval before issuing a building permit:
 - a. Community Development – Planning Division: (408) 354-6874
 - b. Engineering/Parks & Public Works Department: (408) 399-5771
 - c. Santa Clara County Fire Department: (408) 378-4010
 - d. West Valley Sanitation District: (408) 378-2407
 - e. Local School District: The Town will forward the paperwork to the appropriate school district(s) for processing. A copy of the paid receipt is required prior to permit issuance.

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

Engineering Division

33. GENERAL: All public improvements shall be made according to the latest adopted Town Standard Plans, Standard Specifications and Engineering Design Standards. All work shall conform to the applicable Town ordinances. The adjacent public right-of-way shall be kept clear of all job-related mud, silt, concrete, dirt and other construction debris at the end of the day. Dirt and debris shall not be washed into storm drainage facilities. The storing of goods and materials on the sidewalk and/or the street will not be allowed unless an encroachment permit is issued by the Engineering Division of the Parks and Public Works Department. The Owner and/or Applicant's representative in charge shall be at the job site during all working hours. Failure to maintain the public right-of-way according to this condition may result in the issuance of correction notices, citations, or stop work orders and the Town performing the required maintenance at the Owner and/or Applicant's expense.
34. 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.
35. 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.
36. ENCROACHMENT PERMIT: All work in the public right-of-way will require a Construction Encroachment Permit. All work over \$5,000 will require construction security. It is the responsibility of the Owner/Applicant to obtain any necessary encroachment permits from affected agencies and private parties, including but not limited to, Pacific Gas and Electric (PG&E), AT&T, Comcast, Santa Clara Valley Water District, California Department of Transportation (Caltrans). Copies of any approvals or permits must be submitted to the

Town Engineering Division of the Parks and Public Works Department prior to releasing any permit.

37. RESTORATION OF PUBLIC IMPROVEMENTS: The Owner and/or Applicant or their representative shall repair or replace all existing improvements not designated for removal that are damaged or removed because of the Owner and/or Applicant or their representative's operations. Improvements such as, but not limited to: curbs, gutters, sidewalks, driveways, signs, pavements, raised pavement markers, thermoplastic pavement markings, etc., shall be repaired and replaced to a condition equal to or better than the original condition. Any new concrete shall be free of stamps, logos, names, graffiti, etc. Any concrete identified that is displaying a stamp or equal shall be removed and replaced at the Contractor's sole expense and no additional compensation shall be allowed therefore. Existing improvement to be repaired or replaced shall be at the direction of the Engineering Construction Inspector and shall comply with all Title 24 Disabled Access provisions. The restoration of all improvements identified by the Engineering Construction Inspector shall be completed before the issuance of a certificate of occupancy. The Owner and/or Applicant or their representative shall request a walk-through with the Engineering Construction Inspector before the start of construction to verify existing conditions.
38. STREET CLOSURE: Any proposed blockage or partial closure of the street requires an encroachment permit. Special provisions such as limitations on works hours, protective enclosures, or other means to facilitate public access in a safe manner may be required.
39. DRIVEWAY: The driveway conform to existing pavement on Wedgewood Avenue shall be constructed in a manner such that the existing drainage patterns will not be obstructed.
40. PUBLIC IMPROVEMENTS: The following improvements shall be installed by the Owner and/or Applicant. Plans for those improvements shall be prepared by a California registered civil engineer, reviewed and approved by the Town, before the issuance of any grading or building permits. The improvements must be completed and accepted by the Town before a Certificate of Occupancy for any new building can be issued.
 - a. Wedgewood Avenue: signing, striping, and sanitary sewers, as required.
 - b. Wedgewood Avenue: 2" overlay from the centerline to the northern edge of pavement, or alternative pavement restoration measure as approved by the Town Engineer.
41. SITE SUPERVISION: The General Contractor shall provide qualified supervision on the job site at all times during construction.
42. PLAN CHECK FEES: Plan check fees associated with the Grading Permit shall be deposited with the Engineering Division of the Parks and Public Works Department prior to the commencement of plan check review.
43. GRADING PERMIT FEES: All fees associated with the grading permit shall be deposited with the Engineering Division of the Parks and Public Works Department prior to the issuance of a grading permit.
44. GRADING PERMIT: A grading permit is required for all site grading and drainage work except for exemptions listed in Section 12.20.015 of The Code of the Town of Los Gatos (Grading Ordinance). After the preceding Architecture and Site Application has been approved by the respective deciding body, the grading permit application (with grading

plans and associated required materials and plan check fees) shall be made to the Engineering Division of the Parks and Public Works Department located at 41 Miles Avenue. The grading plans shall include final grading, drainage, retaining wall location(s), driveway, utilities and interim erosion control. Grading plans shall list earthwork quantities and a table of existing and proposed impervious areas. Unless specifically allowed by the Director of Parks and Public Works, the grading permit will be issued concurrently with the building permit. The grading permit is for work outside the building footprint(s). Prior to Engineering signing off and closing out on the issued grading permit, the Owner/Applicant's soils engineer shall verify, with a stamped and signed letter, that the grading activities were completed per plans and per the requirements as noted in the soils report. A separate building permit, issued by the Building Department, located at 110 E. Main Street, is needed for grading within the building footprint.

45. 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.
46. PLANS AND STUDIES: Any studies imposed by the Planning Commission or Town Council shall be funded by the Owner and/or Applicant.
47. DRAINAGE IMPROVEMENT: Prior to the issuance of any grading/improvement permits, whichever comes first, the Owner and/or Applicant shall: a) design provisions for surface drainage; and b) design all necessary storm drain facilities extending to a satisfactory point of disposal for the proper control and disposal of storm runoff; and c) provide a recorded copy of any required easements to the Town.
48. PRECONSTRUCTION MEETING: Prior to the commencement of any site work, the general contractor shall:
 - a. Along with the Owner and/or Applicant, attend a pre-construction meeting with the Town Engineer to discuss the project conditions of approval, working hours, site maintenance and other construction matters;
 - b. Acknowledge in writing that they have read and understand the project conditions of approval and will make certain that all project sub-contractors have read and understand them as well prior to commencing any work, and that a copy of the project conditions of approval will be posted on-site at all times during construction.
49. DEDICATIONS: The following shall be dedicated by separate instrument. The dedication shall be recorded before any grading or building permits are issued:
 - a. Wedgewood Avenue: Thirty (30) feet of property frontage immediately adjacent to the current Wedgewood Avenue right-of-way (which currently extends to the centerline) shall be dedicated in fee.
50. SOILS REPORT: One electronic copy (PDF) of the soils and geologic report shall be submitted with the application. The soils report shall include specific criteria and standards governing site grading, drainage, pavement design, retaining wall design, and erosion control. The reports shall be signed and "wet stamped" by the engineer or geologist, in conformance with Section 6735 of the California Business and Professions Code.

51. SOILS ENGINEER CONSTRUCTION OBSERVATION: During construction, all excavations and grading shall be inspected by the Owner and/or Applicant's soils engineer prior to placement of concrete and/or backfill so they can verify that the actual conditions are as anticipated in the design-level geotechnical report and recommend appropriate changes in the recommendations contained in the report, if necessary. The results of the construction observation and testing shall be documented in an "as-built" letter/report prepared by the Owner and/or Applicant's soils engineer and submitted to the Town before a certificate of occupancy is granted.
52. SOIL RECOMMENDATIONS: The project shall incorporate the geotechnical/geological recommendations contained in the project's design-level geotechnical/geological investigation as prepared by the Owner and/or Applicant's engineer(s), and any subsequently required report or addendum. Subsequent reports or addendum are subject to peer review by the Town's consultant and costs shall be borne by the Owner and/or Applicant.
53. WATER METER: The existing water meter, currently located within the Wedgewood Avenue right-of-way, shall be relocated within the property in question, directly behind the public right-of-way line after the dedication required as part of this application. The Owner and/or Applicant shall repair and replace to existing Town standards any portion of concrete flatwork within said right-of-way that is damaged during this activity prior to issuance of a certificate of occupancy.
54. SANITARY SEWER CLEANOUT: The existing sanitary sewer cleanout, currently located within the Wedgewood Avenue right-of-way, shall be relocated within the property in question, within one (1) foot of the property line per West Valley Sanitation District Standard Drawing 3, or at a location specified by the Town. The Owner and/or Applicant shall repair and replace to existing Town standards any portion of concrete flatwork within said right-of-way that is damaged during this activity prior to issuance of a certificate of occupancy.
55. CERTIFICATE OF OCCUPANCY: The Engineering Division of the Parks and Public Works Department will not sign off on a Temporary Certificate of Occupancy or a Final Certificate of Occupancy until all required improvements within the Town's right-of-way have been completed and approved by the Town.
56. FRONTAGE IMPROVEMENTS: The Owner and/or Applicant shall be required to improve the project's public frontage (right-of-way line to centerline and/or to limits per the direction of the Town Engineer) to current Town Standards. These improvements may include but not limited to curb, gutter, sidewalk, driveway approach(es), curb ramp(s), signs, pavement, raised pavement markers, thermoplastic pavement markings, storm drain facilities, traffic signal(s), street lighting (upgrade and/or repaint) etc. The improvements must be completed and accepted by the Town before a Certificate of Occupancy for any new building can be issued.
57. UTILITIES: The Owner and/or Applicant shall install all new, relocated, or temporarily removed utility services, including telephone, electric power and all other communications lines underground, as required by Town Code Section 27.50.015(b). All new utility services shall be placed underground. Underground conduit shall be provided for cable television service. The Owner and/or Applicant is required to obtain approval of all proposed utility

alignments from any and all utility service providers before a Certificate of Occupancy for any new building can be issued. The Town of Los Gatos does not approve or imply approval for final alignment or design of these facilities.

58. **SIDEWALK/CURB IN-LIEU FEE:** A curb and sidewalk in-lieu fee of \$12,880.00 shall be paid prior to issuance of a grading or building permit. This fee is based on 92 linear feet of curb at \$68.00 per linear foot and 414 square feet of 4.5-foot wide sidewalk at \$16.00 per square foot in accordance with Town policy and the Town's Comprehensive Fee Schedule. The final curb and sidewalk in-lieu fee for this project shall be calculated using the current fee schedule and rate schedule in effect at the time the fee is paid.
59. **TRAFFIC IMPACT MITIGATION FEE:** Prior to the issuance of any building/grading permit(s), the Owner/Applicant shall pay the project's proportional share of transportation improvements needed to serve cumulative development within the Town of Los Gatos. The fee shall be paid before issuance of any grading or building permit. The final traffic impact mitigation fee for this project shall be calculated from the final plans using the current fee schedule and rate schedule in effect at the time, using a comparison between the existing and proposed uses.
60. **CONSTRUCTION VEHICLE PARKING:** Construction vehicle parking within the public right-of-way will only be allowed if it does not cause access or safety problems as determined by the Town.
61. **CONSTRUCTION TRAFFIC CONTROL:** All construction traffic and related vehicular routes, traffic control plan, and applicable pedestrian or traffic detour plans shall be submitted for review and approval by the Town Engineer prior to the issuance of an encroachment, grading or building permit.
62. **HAULING OF SOIL:** Hauling of soil on- or off-site shall not occur during the morning or evening peak periods (between 7:00 a.m. and 9:00 a.m. and between 4:00 p.m. and 6:00 p.m.), and at other times as specified by the Director of Parks and Public Works. Cover all trucks hauling soil, sand and other loose debris.
63. **CONSTRUCTION HOURS:** All construction activities, including the delivery of construction materials, labors, heavy equipment, supplies, etc., shall be limited to the hours of 8:00 a.m. to 6:00 p.m., weekdays and 9:00 a.m. to 4:00 p.m. Saturdays, holidays excluded. The Town may authorize, on a case-by-case basis, alternate construction hours. The Owner and/or Applicant shall provide written notice twenty-four (24) hours in advance of modified construction hours. Approval of this request is at discretion of the Town.
64. **CONSTRUCTION NOISE:** Between the hours of 8:00 a.m. to 8:00 p.m., weekdays and 9:00 a.m. to 7:00 p.m. weekends and holidays, construction, alteration or repair activities shall be allowed. No individual piece of equipment shall produce a noise level exceeding eighty-five (85) dBA at twenty-five (25) feet from the source. If the device is located within a structure on the property, the measurement shall be made at distances as close to twenty-five (25) feet from the device as possible. The noise level at any point outside of the property plane shall not exceed eighty-five (85) dBA.
65. **CONSTRUCTION MANAGEMENT PLAN SHEET:** Prior to the issuance of any grading or building permits, the Owner and/or Applicant's design consultant shall submit a construction management plan sheet (full-size) within the plan set that shall incorporate at a minimum the Earth Movement Plan, Project Schedule, employee parking, construction

staging area, materials storage area(s), concrete washout(s) and proposed outhouse location(s). Please refer to the Town's Construction Management Plan Guidelines document for additional information.

66. **SANITARY SEWER BACKWATER VALVE:** Drainage piping serving fixtures which have flood level rims less than twelve (12) inches (304.8 mm) above the elevation of the next upstream manhole and/or flushing inlet cover at the public or private sewer system serving such drainage piping shall be protected from backflow of sewage by installing an approved type backwater valve. Fixtures above such elevation shall not discharge through the backwater valve, unless first approved by the Building Official. The Town shall not incur any liability or responsibility for damage resulting from a sewer overflow where the property owner or other person has failed to install a backwater valve as defined in the Uniform Plumbing Code adopted by the Town and maintain such device in a functional operation condition. Evidence of West Sanitation District's decision on whether a backwater device is needed shall be provided prior to the issuance of a building permit.
67. **BEST MANAGEMENT PRACTICES (BMPs):** The Owner and/or Applicant is responsible for ensuring that all contractors are aware of all storm water quality measures and that such measures are implemented. Best Management Practices (BMPs) shall be maintained and be placed for all areas that have been graded or disturbed and for all material, equipment and/or operations that need protection. Removal of BMPs (temporary removal during construction activities) shall be replaced at the end of each working day. Failure to comply with the construction BMP will result in the issuance of correction notices, citations, or stop work orders.
68. **SITE DESIGN MEASURES:** All projects shall incorporate at least one of the following measures:
 - a. Protect sensitive areas and minimize changes to the natural topography.
 - b. Minimize impervious surface areas.
 - c. Direct roof downspouts to vegetated areas.
 - d. Use porous or pervious pavement surfaces on the driveway, at a minimum.
 - e. Use landscaping to treat stormwater.
69. **EROSION CONTROL:** Interim and final erosion control plans shall be prepared and submitted to the Engineering Division of the Parks and Public Works Department. A maximum of two (2) weeks is allowed between clearing of an area and stabilizing/building on an area if grading is allowed during the rainy season. Interim erosion control measures, to be carried out during construction and before installation of the final landscaping, shall be included. Interim erosion control method shall include, but are not limited to: silt fences, fiber rolls (with locations and details), erosion control blankets, Town standard seeding specification, filter berms, check dams, retention basins, etc. Provide erosion control measures as needed to protect downstream water quality during winter months. The Town of Los Gatos Engineering Division of the Parks and Public Works Department and the Building Department will conduct periodic NPDES inspections of the site throughout the recognized storm season to verify compliance with the Construction General Permit and Stormwater ordinances and regulations.
70. **DUST CONTROL:** Blowing dust shall be reduced by timing construction activities so that paving and building construction begin as soon as possible after completion of grading, and

by landscaping disturbed soils as soon as possible. Further, water trucks shall be present and in use at the construction site. All portions of the site subject to blowing dust shall be watered as often as deemed necessary by the Town, or a minimum of three (3) times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas at construction sites in order to insure proper control of blowing dust for the duration of the project. Watering on public streets shall not occur. Streets shall be cleaned by street sweepers or by hand as often as deemed necessary by the Town Engineer, or at least once a day. Watering associated with on-site construction activity shall take place between the hours of 8 a.m. and 5 p.m. and shall include at least one (1) late-afternoon watering to minimize the effects of blowing dust. All public streets soiled or littered due to this construction activity shall be cleaned and swept on a daily basis during the workweek to the satisfaction of the Town. Demolition or earthwork activities shall be halted when wind speeds (instantaneous gusts) exceed twenty (20) miles per hour (MPH). All trucks hauling soil, sand, or other loose debris shall be covered.

71. AIR QUALITY: To limit the project's construction-related dust and criteria pollutant emissions, the following the Bay Area Air Quality Management District (BAAQMD)-recommended basic construction measures shall be included in the project's grading plan, building plans, and contract specifications:
- a. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day, or otherwise kept dust-free.
 - b. All haul trucks designated for removal of excavated soil and demolition debris from site shall be staged off-site until materials are ready for immediate loading and removal from site.
 - c. All haul trucks transporting soil, sand, debris, or other loose material off-site shall be covered.
 - d. As practicable, all haul trucks and other large construction equipment shall be staged in areas away from the adjacent residential homes.
 - e. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day, or as deemed appropriate by Town Engineer. The use of dry power sweeping is prohibited. An on-site track-out control device is also recommended to minimize mud and dirt-track-out onto adjacent public roads.
 - f. All vehicle speeds on unpaved surfaces shall be limited to fifteen (15) miles per hour.
 - g. All driveways and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
 - h. Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within forty-eight (48) hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations. Please provide the BAAQMD's complaint number on the sign: 24-hour toll-free hotline at 1-800-334-ODOR (6367).
 - i. All excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed twenty (20) miles per hour.

- j. Vegetative ground cover (e.g., fast-germinating native grass seed) shall be planted in disturbed areas as soon as possible and watered appropriately until vegetation is established.
- 72. **DETAILING OF STORMWATER MANAGEMENT FACILITIES:** Prior to the issuance of any grading or building permits, all pertinent details of any and all proposed stormwater management facilities, including, but not limited to, ditches, swales, pipes, bubble-ups, dry wells, outfalls, infiltration trenches, detention basins and energy dissipaters, shall be provided on submitted plans, reviewed by the Engineering Division of the Parks and Public Works Department, and approved for implementation.
- 73. **CONSTRUCTION ACTIVITIES:** All construction shall conform to the latest requirements of the CASQA Stormwater Best Management Practices Handbooks for Construction Activities and New Development and Redevelopment, the Town's grading and erosion control ordinance, and other generally accepted engineering practices for erosion control as required by the Town Engineer when undertaking construction activities.
- 74. **SITE DRAINAGE:** Rainwater leaders shall be discharged to splash blocks. No through curb drains will be allowed. On-site drainage systems for all projects shall include one of the alternatives included in section C.3.i of the Municipal Regional NPDES Permit. These include storm water reuse via cisterns or rain barrels, directing runoff from impervious surfaces to vegetated areas and use of permeable surfaces. No improvements shall obstruct or divert runoff to the detriment of an adjacent, downstream or down slope property.
- 75. **SILT AND MUD IN PUBLIC RIGHT-OF-WAY:** It is the responsibility of Contractor and homeowner to make sure that all dirt tracked into the public right-of-way is cleaned up on a daily basis. Mud, silt, concrete and other construction debris SHALL NOT be washed into the Town's storm drains.
- 76. **GOOD HOUSEKEEPING:** Good housekeeping practices shall be observed at all times during the course of construction. All construction shall be diligently supervised by a person or persons authorized to do so at all times during working hours. The Owner and/or Applicant's representative in charge shall be at the job site during all working hours. Failure to maintain the public right-of-way according to this condition may result in penalties and/or the Town performing the required maintenance at the Owner and/or Applicant's expense.
- 77. **COVERED TRUCKS:** All trucks transporting materials to and from the site shall be covered.

TO THE SATISFACTION OF THE SANTA CLARA COUNTY FIRE DEPARTMENT:

- 78. **GENERAL:** Review of this Developmental proposal is limited to acceptability of site access, water supply and may include specific additional requirements as they pertain to fire department operations, and shall not be construed as a substitute for formal plan review to determine compliance with adopted model codes. Prior to performing any work, the applicant shall make application to, and receive from, the Building Department all applicable construction permits.
- 79. **FIRE SPRINKLERS REQUIRED:** (As Noted on A1.0) An automatic residential fire sprinkler system shall be installed in all new one- and two-family dwellings. Sprinklers are required

for the new residence only unless additions are made to the existing residence being converted to an Accessory Dwelling Unit (ADU).

80. **REQUIRED FIRE FLOW:** The fire flow for this project is 2,000 GPM at 20 psi residual pressure. Since an automatic fire sprinkler system will be installed, the fire flow will be reduced by 50%, establishing a required adjusted fire flow of 1,000 GPM at 20 psi residual pressure. Note: The minimum required number and spacing of the hydrants shall be in accordance with CFC Table C102.1. Letter received. Hydrant is capable of meeting required fire flow.
81. **ADDRESS IDENTIFICATION:** New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Where required by the fire code official, address numbers shall be provided in additional approved locations to facilitate emergency response. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall be a minimum of 4 inches (101.6 mm) high with a minimum stroke width of 0.5 inch (12.7 mm). Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure. Address numbers shall be maintained. CFC Sec. 505.1.
82. **CONSTRUCTION SITE FIRE SAFETY:** All construction sites must comply with applicable provisions of the CFC Chapter 33 and our Standard Detail and Specification S1-7. Provide appropriate notations on subsequent plan submittals, as appropriate to the project. CFC Chp. 33.
83. **WATER SUPPLY REQUIREMENTS:** Potable water supplies shall be protected from contamination caused by fire protection water supplies. It is the responsibility of the applicant and any contractors and subcontractors to contact the water purveyor supplying the site of such project, and to comply with the requirements of that purveyor. Such requirements shall be incorporated into the design of any water-based fire protection systems, and/or fire suppression water supply systems or storage containers that may be physically connected in any manner to an appliance capable of causing contamination of the potable water supply of the purveyor of record. Final approval of the system(s) under consideration will not be granted by this office until compliance with the requirements of the water purveyor of record are documented by that purveyor as having been met by the applicant(s). 2019 CFC Sec. 903.3.5 and Health and Safety Code 13114.7.
84. **GENERAL:** This review shall not be construed to be an approval of a violation of the provisions of the California Fire Code or of other laws or regulations of the jurisdiction. A permit presuming to give authority to violate or cancel the provisions of the fire code or other such laws or regulations shall not be valid. Any addition to or alteration of approved construction documents shall be approved in advance. [CFC, Ch.1, 105.3.6]



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

**MINUTES OF THE DEVELOPMENT REVIEW COMMITTEE MEETING
JULY 12, 2022**

The Development Review Committee of the Town of Los Gatos conducted a Regular Teleconference Meeting on July 12, 2022, at 10:00 a.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 Chambers.

ROLL CALL

Present: Joel Paulson, CDD Planning; Robert Gray, CDD Building; Corvell Sparks, PPW Engineering; Kenny Ip, SCCFD; and Janice Chin, PPW Engineering.

Absent: None.

Staff: Erin Walters, CDD Planning; Jocelyn Shoopman, CDD Planning; and Sean Mullin, CDD Planning.

MEETING CALLED TO ORDER AT 10:00 AM

VERBAL COMMUNICATIONS

- None.

CONSENT ITEMS

1. Approval of Minutes – July 5, 2022

MOTION: **Motion by Robert Gray to approve the consent calendar. Seconded by Kenny Ip.**

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

PUBLIC HEARINGS

2. 17291 Wedgewood Avenue
Architecture and Site Application S-21-027

Requesting Approval for Construction of a New Single-Family Residence and Site Improvements Requiring a Grading Permit on Property Zoned R-1:8. APN 409-14-013.
PROPERTY OWNER: Young Kim
APPLICANT: Edick Lazari
PROJECT PLANNER: Sean Mullin

The project planner presented the staff report.

Opened Public Comment.

Edick Lazari, Designer

He has worked with Mr. Kim for 15 years. Mr. Kim is a contractor. This project is like other projects they have done in Palo Alto and Saratoga. He is familiar with the guidelines and the importance of privacy.

The main item was deciding between a one or two-story structure. There are other two-story houses nearby. The neighborhood is mixed. Another item is that the 14,000-square foot lot looks large, but its useful area is limited. There is a 45 ft front setback, a second unit at the back, trees, and the street. 54 percent of the lot is taken up. There is only 2,100 square feet max available for a one-story house.

To maintain neighborhood privacy, there are no windows on the right side. There are only two or three windows on left side. There are windows at the back for bedroom egress. To be consistent with the neighborhood, they will use matching materials such as, siding and composition shingles. They lowered the size to midsize. In addition to the Town arborist, they hired an arborist for access. The window glass can be tinted. They can add screening trees in back for privacy.

Douglas Maynard, Neighbor

The description of mixed one- and two-story neighborhood is not true. The neighbor next door is a one-story house. They did unpermitted work and sheet the attic. They added a second-story on the garage, but were made to take it down by the Town. The only two-story homes are next to the freeway. This house overlooks our backyard which has a pool and garden. The proposed home is ugly with no windows on the right hand side. The house has a big basement of 955 square feet. This is a one story neighborhood. The ADU in the back also has a basement. I ask that it be made as a one-story house.

Will Maynard, Neighbor

He is Douglas Maynard's son. He wants to keep the privacy that they have had for 30 years. Screening trees were not a complete solution. There is plenty of room for a one-story home with a basement.

Young Kim, Owner

He served honorably in the US army for three years. He has lived in bay area since 1977 and raised their kids here. In November 2020, he and his wife bought this house. The home was very outdated, and the yard had not been maintained for many years. They currently live in the ADU. His wife, a florist, works daily on the garden. They thoughtfully designed the house to minimize impact on their neighbors. The neighbors were shown the site plan, floor plan, and elevations. Most of the neighbors are supportive and happy to see the property improved. He and his wife hope to grow old in this home.

Edick Lazari, Designer

The term, mixed use, was used in an architectural consultant firm report. It described the neighborhood context as “the site is located in an older neighborhood containing a mix of one- and two-story homes”. The neighboring house to the left, has a second story in the back. This statement is completely true based on what they see. Whether the second story is legal, or illegal, is not his job.

Closed Public Comment.

Staff,

The Town does not contain any single story neighborhoods where houses are limited to a single story. The Town looks at neighborhood compatibility. A detached accessory structure has restrictions and can only be one story unless it is an ADU. Regarding the property to the left, this is in fact a two-story residence as the Town sees it. An attic conversion was approved by the Town in 1999 and permitted. It added a 200 sf. Family room. An illegal loft area in the garage was removed. Regarding the claim of unpermitted work on the subject property, the Project Planner, Code Compliance Officer, and Arborist visited the site. Some of the work at the existing residence/future ADU will need permitting. The owner is amenable to retroactively permitting this work. Staff has added a Condition of Approval requiring that the unpermitted work be permitted prior to the issuance of a Building Permit for the proposed residence. The Town Arborist confirms that the tree pruning done did not require permitting. How far is the proposed home from the closest corner of where the Maynard property begins? It is approximately 41 feet away.

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

Additional Conditions:

- Obscure the window glass in the bathroom on the west elevation.
- Plant fast growing screening trees on the property line between the Kim and Maynard properties.

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

Appeal rights were recited.

3. 68 Fairview Plaza
Architecture and Site Application S-22-007

Requesting Approval for Construction of an Addition to a Single-Family Residence to Exceed the Floor Area Ratio (FAR) on Property Zoned R-1:8. APN 510-43-009.
PROPERTY OWNER: Jan and Irena Blom
APPLICANT: Jay Plett
PROJECT PLANNER: Jocelyn Shoopman

The project planner presented the staff report.

Opened Public Comment.

Thomas Krulevitch, Architect

The project is a 200-square foot addition to expand a family room and create a study nook. The owners are a growing family with three kids. The allowed FAR is .35. They are proposing .389. It is a non-conforming lot. It is the smallest lot in the neighborhood. There are five neighbors with larger homes. One neighbor has a larger FAR. The addition is not visible from the street. The property slopes down from the street. The addition will be tucked under the upper floor and into a covered patio. The project is viewable to one neighbor who was shown the plans and is supportive of the project.

Closed Public Comment.

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

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

Appeal rights were recited.

4. 205 Mistletoe Road
Architecture and Site Application S-22-006

Requesting Approval for Construction of a Second Story Addition to an Existing Single-Family Residence on Property Zoned R-1:10. APN 407-15-016.
PROPERTY OWNER: Ya Tang and Li (Leo) Li
APPLICANT: LELdesign
PROJECT PLANNER: Erin Walters

The project planner presented the staff report.

Opened Public Comment.

Leo Li, Owner/Architect

They are proposing a new 524-square foot one-story addition, and a 119-square foot second-story addition. All additions are within existing home boundaries. The home is surrounded by one- and two-story homes on higher land. The subject lot is located at a lower elevation than the adjacent properties. Five homes located in the immediate neighborhood are two-story homes and four are one-story homes. The design follows the consulting architect's suggestions in keeping the Ranch style but with a taller ceiling height. The proposed FAR is 0.24 which is in the midrange even though the lot is large. This will be the dream home for the owner, his wife, and son.

Closed Public Comment.

Committee members discussed the matter.

MOTION: **Motion by Kenny Ip** to approve with required findings and recommended conditions of approval. **Seconded by Robert Gray.**

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

Appeal rights were recited.

OTHER BUSINESS

- None.

ADJOURNMENT

The meeting adjourned 10:47 a.m.

This is to certify that the foregoing is a true and correct copy of the minutes of the July 12, 2022 meeting as approved by the Development Review Committee.

Prepared by:

/s/ Joel Paulson, CDD Director

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TOWN OF LOS GATOS
COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION
(408) 354-6872 Fax (408) 354-7593

CIVIC CENTER
110 E. MAIN STREET
LOS GATOS, CA 95030

July 12, 2022

Edick Lazari
6154 Royal Acorn Place
San Jose, CA 95120
Via Email

**RE: 17291 Wedgewood Avenue
Architecture and Site Application S-21-027**

**Requesting Approval for Construction of a New Single-Family Residence and Site Improvements
Requiring a Grading Permit on Property Zoned R-1:8. APN 409-14-013.**

**PROPERTY OWNER: Young Kim
APPLICANT: Edick Lazari**

At its meeting of July 12, 2022, the Town of Los Gatos Development Review Committee approved the above referenced application subject to the enclosed amended draft conditions.

PLEASE NOTE: Pursuant to Section 29.20.257 of the Town Code, this approval may be appealed to the Planning Commission within 10 days of the date the approval is granted. Therefore, this decision should not be considered final and no permits by the Town will be issued until the appeal period has passed.

All approvals will expire two years from the date of approval (July 12, 2024), unless the approval has been vested. Section 29.20.335 of the Town Code defines what constitutes vesting an approval. Reasonable extensions of the time not exceeding one year may be granted upon application to and approval by the Development Review Committee. Extensions can be granted only if approved by the Committee prior to the expiration of the approval. Therefore, it is recommended that applications for a time extension be filed with the Community Development Department at least 60 days prior to the expiration of the approval.

If you have any questions, please contact Sean Mullin at SMullin@losgatosca.gov.

Sincerely,

Sean Mullin, AICP
Senior Planner

cc: Young Kim, via email

DEVELOPMENT REVIEW COMMITTEE – July 12, 2022
CONDITIONS OF APPROVAL

17291 Wedgewood Avenue
Architecture and Site Application S-21-027

**Requesting Approval for Construction of a New Single-Family Residence and Site Improvements Requiring a Grading Permit on Property Zoned R-1:8.
APN 409-14-013.**

PROPERTY OWNER: Young Kim
APPLICANT: Edick Lazari
PROJECT PLANNER: Sean Mullin

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 and in substantial compliance with the approved plans. Any changes or modifications to the approved plans and/or business operation shall be approved by the Community Development Director, DRC or the Planning Commission depending on the scope of the changes.
2. **EXPIRATION:** The approval will expire two years from the approval date pursuant to Section 29.20.320 of the Town Code, unless the approval has been vested.
3. **STORY POLES:** The story poles on the project site shall be removed within 30 days of approval of the Architecture & Site application.
4. **ACCESSORY DWELLING UNIT PERMIT:** An approved accessory dwelling unit (ADU) permit shall be obtained to reclassify the existing residence as an ADU prior to issuance of Building and/or Grading Permits.
5. **OUTDOOR LIGHTING:** Exterior lighting shall be kept to a minimum, and shall be down directed fixtures that will not reflect or encroach onto adjacent properties. No flood lights shall be used unless it can be demonstrated that they are needed for safety or security.
6. **TREE REMOVAL PERMIT:** A Tree Removal Permit shall be obtained for any trees to be removed, prior to the issuance of a building or grading permit.
7. **EXISTING TREES:** All existing trees shown on the plan and trees required to remain or to be planted are specific subjects of approval of this plan, and must remain on the site.
8. **ARBORIST REQUIREMENTS:** The developer shall implement, at their cost, all recommendations identified in the Arborist's report for the project, on file in the Community Development Department. These recommendations must be incorporated in the building permit plans and completed prior to issuance of a building permit where applicable.
9. **TREE FENCING:** Protective tree fencing and other protection measures shall be placed at the drip line of existing trees prior to issuance of demolition and building permits and shall

- remain through all phases of construction. Include a tree protection plan with the construction plans.
10. TREE STAKING: All newly planted trees shall be double-staked using rubber tree ties.
 11. FRONT YARD LANDSCAPE: Prior to issuance of a Certificate of Occupancy the front yard must be landscaped.
 12. WATER EFFICIENCY LANDSCAPE ORDINANCE: The final landscape plan shall meet the Town of Los Gatos Water Conservation Ordinance or the State Water Efficient Landscape Ordinance, whichever is more restrictive. A review fee based on the current fee schedule adopted by the Town Council is required when working landscape and irrigation plans are submitted for review.
 13. UNPERMITTED WORK: Prior to issuance of a Building or Grading Permit, the property owner or authorized agent shall obtain all permits required for any work found to be completed without the benefit of permits and shall pay all associated fees and penalties.
 14. WINDOWS: The windows on the west elevation of the upper story shall not exceed two-feet, six-inches by two-feet, six-inches and the glass in these windows be obscured or frosted.
 15. BATHROOM WINDOWS: The second-floor bathroom window on the left (west) side elevations shall be use obscured or frosted glass.
 16. PRIVACY SCREEN: Provide mature tree planting for privacy screening along the shared property line with 14344 La Rinconada Drive.
 17. 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, and may be secured to the satisfaction of the Town Attorney.
 18. COMPLIANCE MEMORANDUM: A memorandum shall be prepared and submitted with the building plans detailing how the Conditions of Approval will be addressed.

Building Division

19. PERMITS REQUIRED: A Building Permit is required for the construction of the new single-family residence and attached garage. An additional Building Permit will be required for the PV System if the system is required by the California Energy Code.
20. APPLICABLE CODES: The current codes, as amended and adopted by the Town of Los Gatos as of January 1, 2020, are the 2019 California Building Standards Code, California Code of Regulations Title 24, Parts 1-12, including locally adopted Energy Reach Codes.
21. CONDITIONS OF APPROVAL: The Conditions of Approval must be blue lined in full on the cover sheet of the construction plans. A Compliance Memorandum shall be prepared and submitted with the building permit application detailing how the Conditions of Approval will be addressed.
22. BUILDING & SUITE NUMBERS: Submit requests for new building addresses to the Building Division prior to submitting for the building permit application process.
23. SIZE OF PLANS: Minimum size 24" x 36", maximum size 30" x 42".

24. SOILS REPORT: A Soils Report, prepared to the satisfaction of the Building Official, containing foundation and retaining wall design recommendations, shall be submitted with the Building Permit Application. This report shall be prepared by a licensed Civil Engineer specializing in soils mechanics.
25. SHORING: Shoring plans and calculations will be required for all excavations which exceed five (5) feet in depth or which remove lateral support from any existing building, adjacent property, or the public right-of-way. Shoring plans and calculations shall be prepared by a California licensed engineer and shall conform to the Cal/OSHA regulations.
26. FOUNDATION INSPECTIONS: A pad certificate prepared by a licensed civil engineer or land surveyor shall be submitted to the project Building Inspector at foundation inspection. This certificate shall certify compliance with the recommendations as specified in the Soils Report, and that the building pad elevations and on-site retaining wall locations and elevations have been prepared according to the approved plans. Horizontal and vertical controls shall be set and certified by a licensed surveyor or registered Civil Engineer for the following items:
 - a. Building pad elevation
 - b. Finish floor elevation
 - c. Foundation corner locations
 - d. Retaining wall(s) locations and elevations
27. TITLE 24 ENERGY COMPLIANCE: All required California Title 24 Energy Compliance Forms must be blue-lined (sticky-backed), i.e. directly printed, onto a plan sheet.
28. TOWN RESIDENTIAL ACCESSIBILITY STANDARDS: New residential units shall be designed with adaptability features for single-family residences per Town Resolution 1994-61:
 - a. Wood backing (2" x 8" minimum) shall be provided in all bathroom walls, at water closets, showers, and bathtubs, located 34 inches from the floor to the center of the backing, suitable for the installation of grab bars if needed in the future.
 - b. All passage doors shall be at least 32-inch wide doors on the accessible floor level.
 - c. The primary entrance door shall be a 36-inch-wide door including a 5'x 5' level landing, no more than 1 inch out of plane with the immediate interior floor level and with an 18-inch clearance at interior strike edge.
 - d. A door buzzer, bell or chime shall be hard wired at primary entrance.
29. BACKWATER VALVE: The scope of this project may require the installation of a sanitary sewer backwater valve per Town Ordinance 6.50.025. Please provide information on the plans if a backwater valve is required and the location of the installation. The Town of Los Gatos Ordinance and West Valley Sanitation District (WVSD) requires backwater valves on drainage piping serving fixtures that have flood level rims less than 12 inches above the elevation of the next upstream manhole.
30. HAZARDOUS FIRE ZONE: All projects in the Town of Los Gatos require Class A roof assemblies.
31. SPECIAL INSPECTIONS: When a special inspection is required by CBC Section 1704, the Architect or Engineer of Record shall prepare an inspection program that shall be submitted to the Building Official for approval prior to issuance of the Building Permit. The Town Special Inspection form must be completely filled-out and signed by all requested

- parties prior to permit issuance. Special Inspection forms are available from the Building Division Service Counter or online at www.losgatosca.gov/building.
32. BLUEPRINT FOR A CLEAN BAY SHEET: The Town standard Santa Clara Valley Nonpoint Source Pollution Control Program Sheet (page size same as submitted drawings) shall be part of the plan submittal as the second page. The specification sheet is available at the Building Division Service Counter for a fee of \$2 or at ARC Blueprint for a fee or online at www.losgatosca.gov/building.
 33. APPROVALS REQUIRED: The project requires the following departments and agencies approval before issuing a building permit:
 - a. Community Development – Planning Division: (408) 354-6874
 - b. Engineering/Parks & Public Works Department: (408) 399-5771
 - c. Santa Clara County Fire Department: (408) 378-4010
 - d. West Valley Sanitation District: (408) 378-2407
 - e. Local School District: The Town will forward the paperwork to the appropriate school district(s) for processing. A copy of the paid receipt is required prior to permit issuance.

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

Engineering Division

34. GENERAL: All public improvements shall be made according to the latest adopted Town Standard Plans, Standard Specifications and Engineering Design Standards. All work shall conform to the applicable Town ordinances. The adjacent public right-of-way shall be kept clear of all job-related mud, silt, concrete, dirt and other construction debris at the end of the day. Dirt and debris shall not be washed into storm drainage facilities. The storing of goods and materials on the sidewalk and/or the street will not be allowed unless an encroachment permit is issued by the Engineering Division of the Parks and Public Works Department. The Owner and/or Applicant's representative in charge shall be at the job site during all working hours. Failure to maintain the public right-of-way according to this condition may result in the issuance of correction notices, citations, or stop work orders and the Town performing the required maintenance at the Owner and/or Applicant's expense.
35. 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.
36. 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.
37. ENCROACHMENT PERMIT: All work in the public right-of-way will require a Construction Encroachment Permit. All work over \$5,000 will require construction security. It is the responsibility of the Owner/Applicant to obtain any necessary encroachment permits from affected agencies and private parties, including but not limited to, Pacific Gas and Electric (PG&E), AT&T, Comcast, Santa Clara Valley Water District, California Department of

Transportation (Caltrans). Copies of any approvals or permits must be submitted to the Town Engineering Division of the Parks and Public Works Department prior to releasing any permit.

38. **RESTORATION OF PUBLIC IMPROVEMENTS:** The Owner and/or Applicant or their representative shall repair or replace all existing improvements not designated for removal that are damaged or removed because of the Owner and/or Applicant or their representative's operations. Improvements such as, but not limited to: curbs, gutters, sidewalks, driveways, signs, pavements, raised pavement markers, thermoplastic pavement markings, etc., shall be repaired and replaced to a condition equal to or better than the original condition. Any new concrete shall be free of stamps, logos, names, graffiti, etc. Any concrete identified that is displaying a stamp or equal shall be removed and replaced at the Contractor's sole expense and no additional compensation shall be allowed therefore. Existing improvement to be repaired or replaced shall be at the direction of the Engineering Construction Inspector and shall comply with all Title 24 Disabled Access provisions. The restoration of all improvements identified by the Engineering Construction Inspector shall be completed before the issuance of a certificate of occupancy. The Owner and/or Applicant or their representative shall request a walk-through with the Engineering Construction Inspector before the start of construction to verify existing conditions.
39. **STREET CLOSURE:** Any proposed blockage or partial closure of the street requires an encroachment permit. Special provisions such as limitations on works hours, protective enclosures, or other means to facilitate public access in a safe manner may be required.
40. **DRIVEWAY:** The driveway conform to existing pavement on Wedgewood Avenue shall be constructed in a manner such that the existing drainage patterns will not be obstructed.
41. **PUBLIC IMPROVEMENTS:** The following improvements shall be installed by the Owner and/or Applicant. Plans for those improvements shall be prepared by a California registered civil engineer, reviewed and approved by the Town, before the issuance of any grading or building permits. The improvements must be completed and accepted by the Town before a Certificate of Occupancy for any new building can be issued.
 - a. Wedgewood Avenue: signing, striping, and sanitary sewers, as required.
 - b. Wedgewood Avenue: 2" overlay from the centerline to the northern edge of pavement, or alternative pavement restoration measure as approved by the Town Engineer.
42. **SITE SUPERVISION:** The General Contractor shall provide qualified supervision on the job site at all times during construction.
43. **PLAN CHECK FEES:** Plan check fees associated with the Grading Permit shall be deposited with the Engineering Division of the Parks and Public Works Department prior to the commencement of plan check review.
44. **GRADING PERMIT FEES:** All fees associated with the grading permit shall be deposited with the Engineering Division of the Parks and Public Works Department prior to the issuance of a grading permit.
45. **GRADING PERMIT:** A grading permit is required for all site grading and drainage work except for exemptions listed in Section 12.20.015 of The Code of the Town of Los Gatos (Grading Ordinance). After the preceding Architecture and Site Application has been

approved by the respective deciding body, the grading permit application (with grading plans and associated required materials and plan check fees) shall be made to the Engineering Division of the Parks and Public Works Department located at 41 Miles Avenue. The grading plans shall include final grading, drainage, retaining wall location(s), driveway, utilities and interim erosion control. Grading plans shall list earthwork quantities and a table of existing and proposed impervious areas. Unless specifically allowed by the Director of Parks and Public Works, the grading permit will be issued concurrently with the building permit. The grading permit is for work outside the building footprint(s). Prior to Engineering signing off and closing out on the issued grading permit, the Owner/Applicant's soils engineer shall verify, with a stamped and signed letter, that the grading activities were completed per plans and per the requirements as noted in the soils report. A separate building permit, issued by the Building Department, located at 110 E. Main Street, is needed for grading within the building footprint.

46. 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.
47. PLANS AND STUDIES: Any studies imposed by the Planning Commission or Town Council shall be funded by the Owner and/or Applicant.
48. DRAINAGE IMPROVEMENT: Prior to the issuance of any grading/improvement permits, whichever comes first, the Owner and/or Applicant shall: a) design provisions for surface drainage; and b) design all necessary storm drain facilities extending to a satisfactory point of disposal for the proper control and disposal of storm runoff; and c) provide a recorded copy of any required easements to the Town.
49. PRECONSTRUCTION MEETING: Prior to the commencement of any site work, the general contractor shall:
 - a. Along with the Owner and/or Applicant, attend a pre-construction meeting with the Town Engineer to discuss the project conditions of approval, working hours, site maintenance and other construction matters;
 - b. Acknowledge in writing that they have read and understand the project conditions of approval and will make certain that all project sub-contractors have read and understand them as well prior to commencing any work, and that a copy of the project conditions of approval will be posted on-site at all times during construction.
50. DEDICATIONS: The following shall be dedicated by separate instrument. The dedication shall be recorded before any grading or building permits are issued:
 - a. Wedgewood Avenue: Thirty (30) feet of property frontage immediately adjacent to the current Wedgewood Avenue right-of-way (which currently extends to the centerline) shall be dedicated in fee.
51. SOILS REPORT: One electronic copy (PDF) of the soils and geologic report shall be submitted with the application. The soils report shall include specific criteria and standards governing site grading, drainage, pavement design, retaining wall design, and erosion control. The reports shall be signed and "wet stamped" by the engineer or

geologist, in conformance with Section 6735 of the California Business and Professions Code.

52. SOILS ENGINEER CONSTRUCTION OBSERVATION: During construction, all excavations and grading shall be inspected by the Owner and/or Applicant's soils engineer prior to placement of concrete and/or backfill so they can verify that the actual conditions are as anticipated in the design-level geotechnical report and recommend appropriate changes in the recommendations contained in the report, if necessary. The results of the construction observation and testing shall be documented in an "as-built" letter/report prepared by the Owner and/or Applicant's soils engineer and submitted to the Town before a certificate of occupancy is granted.
53. SOIL RECOMMENDATIONS: The project shall incorporate the geotechnical/geological recommendations contained in the project's design-level geotechnical/geological investigation as prepared by the Owner and/or Applicant's engineer(s), and any subsequently required report or addendum. Subsequent reports or addendum are subject to peer review by the Town's consultant and costs shall be borne by the Owner and/or Applicant.
54. WATER METER: The existing water meter, currently located within the Wedgewood Avenue right-of-way, shall be relocated within the property in question, directly behind the public right-of-way line after the dedication required as part of this application. The Owner and/or Applicant shall repair and replace to existing Town standards any portion of concrete flatwork within said right-of-way that is damaged during this activity prior to issuance of a certificate of occupancy.
55. SANITARY SEWER CLEANOUT: The existing sanitary sewer cleanout, currently located within the Wedgewood Avenue right-of-way, shall be relocated within the property in question, within one (1) foot of the property line per West Valley Sanitation District Standard Drawing 3, or at a location specified by the Town. The Owner and/or Applicant shall repair and replace to existing Town standards any portion of concrete flatwork within said right-of-way that is damaged during this activity prior to issuance of a certificate of occupancy.
56. CERTIFICATE OF OCCUPANCY: The Engineering Division of the Parks and Public Works Department will not sign off on a Temporary Certificate of Occupancy or a Final Certificate of Occupancy until all required improvements within the Town's right-of-way have been completed and approved by the Town.
57. FRONTAGE IMPROVEMENTS: The Owner and/or Applicant shall be required to improve the project's public frontage (right-of-way line to centerline and/or to limits per the direction of the Town Engineer) to current Town Standards. These improvements may include but not limited to curb, gutter, sidewalk, driveway approach(es), curb ramp(s), signs, pavement, raised pavement markers, thermoplastic pavement markings, storm drain facilities, traffic signal(s), street lighting (upgrade and/or repaint) etc. The improvements must be completed and accepted by the Town before a Certificate of Occupancy for any new building can be issued.
58. UTILITIES: The Owner and/or Applicant shall install all new, relocated, or temporarily removed utility services, including telephone, electric power and all other communications lines underground, as required by Town Code Section 27.50.015(b). All new utility services

shall be placed underground. Underground conduit shall be provided for cable television service. The Owner and/or Applicant is required to obtain approval of all proposed utility alignments from any and all utility service providers before a Certificate of Occupancy for any new building can be issued. The Town of Los Gatos does not approve or imply approval for final alignment or design of these facilities.

59. SIDEWALK/CURB IN-LIEU FEE: A curb and sidewalk in-lieu fee of \$12,880.00 shall be paid prior to issuance of a grading or building permit. This fee is based on 92 linear feet of curb at \$68.00 per linear foot and 414 square feet of 4.5-foot wide sidewalk at \$16.00 per square foot in accordance with Town policy and the Town's Comprehensive Fee Schedule. The final curb and sidewalk in-lieu fee for this project shall be calculated using the current fee schedule and rate schedule in effect at the time the fee is paid.
60. TRAFFIC IMPACT MITIGATION FEE: Prior to the issuance of any building/grading permit(s), the Owner/Applicant shall pay the project's proportional share of transportation improvements needed to serve cumulative development within the Town of Los Gatos. The fee shall be paid before issuance of any grading or building permit. The final traffic impact mitigation fee for this project shall be calculated from the final plans using the current fee schedule and rate schedule in effect at the time, using a comparison between the existing and proposed uses.
61. CONSTRUCTION VEHICLE PARKING: Construction vehicle parking within the public right-of-way will only be allowed if it does not cause access or safety problems as determined by the Town.
62. CONSTRUCTION TRAFFIC CONTROL: All construction traffic and related vehicular routes, traffic control plan, and applicable pedestrian or traffic detour plans shall be submitted for review and approval by the Town Engineer prior to the issuance of an encroachment, grading or building permit.
63. HAULING OF SOIL: Hauling of soil on- or off-site shall not occur during the morning or evening peak periods (between 7:00 a.m. and 9:00 a.m. and between 4:00 p.m. and 6:00 p.m.), and at other times as specified by the Director of Parks and Public Works. Cover all trucks hauling soil, sand and other loose debris.
64. CONSTRUCTION HOURS: All construction activities, including the delivery of construction materials, labors, heavy equipment, supplies, etc., shall be limited to the hours of 8:00 a.m. to 6:00 p.m., weekdays and 9:00 a.m. to 4:00 p.m. Saturdays, holidays excluded. The Town may authorize, on a case-by-case basis, alternate construction hours. The Owner and/or Applicant shall provide written notice twenty-four (24) hours in advance of modified construction hours. Approval of this request is at discretion of the Town.
65. CONSTRUCTION NOISE: Between the hours of 8:00 a.m. to 8:00 p.m., weekdays and 9:00 a.m. to 7:00 p.m. weekends and holidays, construction, alteration or repair activities shall be allowed. No individual piece of equipment shall produce a noise level exceeding eighty-five (85) dBA at twenty-five (25) feet from the source. If the device is located within a structure on the property, the measurement shall be made at distances as close to twenty-five (25) feet from the device as possible. The noise level at any point outside of the property plane shall not exceed eighty-five (85) dBA.
66. CONSTRUCTION MANAGEMENT PLAN SHEET: Prior to the issuance of any grading or building permits, the Owner and/or Applicant's design consultant shall submit a

construction management plan sheet (full-size) within the plan set that shall incorporate at a minimum the Earth Movement Plan, Project Schedule, employee parking, construction staging area, materials storage area(s), concrete washout(s) and proposed outhouse location(s). Please refer to the Town's Construction Management Plan Guidelines document for additional information.

67. **SANITARY SEWER BACKWATER VALVE:** Drainage piping serving fixtures which have flood level rims less than twelve (12) inches (304.8 mm) above the elevation of the next upstream manhole and/or flushing inlet cover at the public or private sewer system serving such drainage piping shall be protected from backflow of sewage by installing an approved type backwater valve. Fixtures above such elevation shall not discharge through the backwater valve, unless first approved by the Building Official. The Town shall not incur any liability or responsibility for damage resulting from a sewer overflow where the property owner or other person has failed to install a backwater valve as defined in the Uniform Plumbing Code adopted by the Town and maintain such device in a functional operation condition. Evidence of West Sanitation District's decision on whether a backwater device is needed shall be provided prior to the issuance of a building permit.
68. **BEST MANAGEMENT PRACTICES (BMPs):** The Owner and/or Applicant is responsible for ensuring that all contractors are aware of all storm water quality measures and that such measures are implemented. Best Management Practices (BMPs) shall be maintained and be placed for all areas that have been graded or disturbed and for all material, equipment and/or operations that need protection. Removal of BMPs (temporary removal during construction activities) shall be replaced at the end of each working day. Failure to comply with the construction BMP will result in the issuance of correction notices, citations, or stop work orders.
69. **SITE DESIGN MEASURES:** All projects shall incorporate at least one of the following measures:
 - a. Protect sensitive areas and minimize changes to the natural topography.
 - b. Minimize impervious surface areas.
 - c. Direct roof downspouts to vegetated areas.
 - d. Use porous or pervious pavement surfaces on the driveway, at a minimum.
 - e. Use landscaping to treat stormwater.
70. **EROSION CONTROL:** Interim and final erosion control plans shall be prepared and submitted to the Engineering Division of the Parks and Public Works Department. A maximum of two (2) weeks is allowed between clearing of an area and stabilizing/building on an area if grading is allowed during the rainy season. Interim erosion control measures, to be carried out during construction and before installation of the final landscaping, shall be included. Interim erosion control method shall include, but are not limited to: silt fences, fiber rolls (with locations and details), erosion control blankets, Town standard seeding specification, filter berms, check dams, retention basins, etc. Provide erosion control measures as needed to protect downstream water quality during winter months. The Town of Los Gatos Engineering Division of the Parks and Public Works Department and the Building Department will conduct periodic NPDES inspections of the site throughout the recognized storm season to verify compliance with the Construction General Permit and Stormwater ordinances and regulations.

71. DUST CONTROL: Blowing dust shall be reduced by timing construction activities so that paving and building construction begin as soon as possible after completion of grading, and by landscaping disturbed soils as soon as possible. Further, water trucks shall be present and in use at the construction site. All portions of the site subject to blowing dust shall be watered as often as deemed necessary by the Town, or a minimum of three (3) times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas at construction sites in order to insure proper control of blowing dust for the duration of the project. Watering on public streets shall not occur. Streets shall be cleaned by street sweepers or by hand as often as deemed necessary by the Town Engineer, or at least once a day. Watering associated with on-site construction activity shall take place between the hours of 8 a.m. and 5 p.m. and shall include at least one (1) late-afternoon watering to minimize the effects of blowing dust. All public streets soiled or littered due to this construction activity shall be cleaned and swept on a daily basis during the workweek to the satisfaction of the Town. Demolition or earthwork activities shall be halted when wind speeds (instantaneous gusts) exceed twenty (20) miles per hour (MPH). All trucks hauling soil, sand, or other loose debris shall be covered.
72. AIR QUALITY: To limit the project's construction-related dust and criteria pollutant emissions, the following the Bay Area Air Quality Management District (BAAQMD)-recommended basic construction measures shall be included in the project's grading plan, building plans, and contract specifications:
- a. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day, or otherwise kept dust-free.
 - b. All haul trucks designated for removal of excavated soil and demolition debris from site shall be staged off-site until materials are ready for immediate loading and removal from site.
 - c. All haul trucks transporting soil, sand, debris, or other loose material off-site shall be covered.
 - d. As practicable, all haul trucks and other large construction equipment shall be staged in areas away from the adjacent residential homes.
 - e. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day, or as deemed appropriate by Town Engineer. The use of dry power sweeping is prohibited. An on-site track-out control device is also recommended to minimize mud and dirt-track-out onto adjacent public roads.
 - f. All vehicle speeds on unpaved surfaces shall be limited to fifteen (15) miles per hour.
 - g. All driveways and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
 - h. Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within forty-eight (48) hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations. Please provide the BAAQMD's complaint number on the sign: 24-hour toll-free hotline at 1-800-334-ODOR (6367).

- i. All excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed twenty (20) miles per hour.
 - j. Vegetative ground cover (e.g., fast-germinating native grass seed) shall be planted in disturbed areas as soon as possible and watered appropriately until vegetation is established.
73. **DETAILING OF STORMWATER MANAGEMENT FACILITIES:** Prior to the issuance of any grading or building permits, all pertinent details of any and all proposed stormwater management facilities, including, but not limited to, ditches, swales, pipes, bubble-ups, dry wells, outfalls, infiltration trenches, detention basins and energy dissipaters, shall be provided on submitted plans, reviewed by the Engineering Division of the Parks and Public Works Department, and approved for implementation.
74. **CONSTRUCTION ACTIVITIES:** All construction shall conform to the latest requirements of the CASQA Stormwater Best Management Practices Handbooks for Construction Activities and New Development and Redevelopment, the Town's grading and erosion control ordinance, and other generally accepted engineering practices for erosion control as required by the Town Engineer when undertaking construction activities.
75. **SITE DRAINAGE:** Rainwater leaders shall be discharged to splash blocks. No through curb drains will be allowed. On-site drainage systems for all projects shall include one of the alternatives included in section C.3.i of the Municipal Regional NPDES Permit. These include storm water reuse via cisterns or rain barrels, directing runoff from impervious surfaces to vegetated areas and use of permeable surfaces. No improvements shall obstruct or divert runoff to the detriment of an adjacent, downstream or down slope property.
76. **SILT AND MUD IN PUBLIC RIGHT-OF-WAY:** It is the responsibility of Contractor and homeowner to make sure that all dirt tracked into the public right-of-way is cleaned up on a daily basis. Mud, silt, concrete and other construction debris SHALL NOT be washed into the Town's storm drains.
77. **GOOD HOUSEKEEPING:** Good housekeeping practices shall be observed at all times during the course of construction. All construction shall be diligently supervised by a person or persons authorized to do so at all times during working hours. The Owner and/or Applicant's representative in charge shall be at the job site during all working hours. Failure to maintain the public right-of-way according to this condition may result in penalties and/or the Town performing the required maintenance at the Owner and/or Applicant's expense.
78. **COVERED TRUCKS:** All trucks transporting materials to and from the site shall be covered.

TO THE SATISFACTION OF THE SANTA CLARA COUNTY FIRE DEPARTMENT:

- 2. **GENERAL:** Review of this Developmental proposal is limited to acceptability of site access, water supply and may include specific additional requirements as they pertain to fire department operations, and shall not be construed as a substitute for formal plan review to determine compliance with adopted model codes. Prior to performing any work, the applicant shall make application to, and receive from, the Building Department all applicable construction permits.

3. FIRE SPRINKLERS REQUIRED: (As Noted on A1.0) An automatic residential fire sprinkler system shall be installed in all new one- and two-family dwellings. Sprinklers are required for the new residence only unless additions are made to the existing residence being converted to an Accessory Dwelling Unit (ADU).
4. REQUIRED FIRE FLOW: The fire flow for this project is 2,000 GPM at 20 psi residual pressure. Since an automatic fire sprinkler system will be installed, the fire flow will be reduced by 50%, establishing a required adjusted fire flow of 1,000 GPM at 20 psi residual pressure. Note: The minimum required number and spacing of the hydrants shall be in accordance with CFC Table C102.1. Letter received. Hydrant is capable of meeting required fire flow.
5. ADDRESS IDENTIFICATION: New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Where required by the fire code official, address numbers shall be provided in additional approved locations to facilitate emergency response. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall be a minimum of 4 inches (101.6 mm) high with a minimum stroke width of 0.5 inch (12.7 mm). Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure. Address numbers shall be maintained. CFC Sec. 505.1.
6. CONSTRUCTION SITE FIRE SAFETY: All construction sites must comply with applicable provisions of the CFC Chapter 33 and our Standard Detail and Specification S1-7. Provide appropriate notations on subsequent plan submittals, as appropriate to the project. CFC Chp. 33.
7. WATER SUPPLY REQUIREMENTS: Potable water supplies shall be protected from contamination caused by fire protection water supplies. It is the responsibility of the applicant and any contractors and subcontractors to contact the water purveyor supplying the site of such project, and to comply with the requirements of that purveyor. Such requirements shall be incorporated into the design of any water-based fire protection systems, and/or fire suppression water supply systems or storage containers that may be physically connected in any manner to an appliance capable of causing contamination of the potable water supply of the purveyor of record. Final approval of the system(s) under consideration will not be granted by this office until compliance with the requirements of the water purveyor of record are documented by that purveyor as having been met by the applicant(s). 2019 CFC Sec. 903.3.5 and Health and Safety Code 13114.7.
8. GENERAL: This review shall not be construed to be an approval of a violation of the provisions of the California Fire Code or of other laws or regulations of the jurisdiction. A permit presuming to give authority to violate or cancel the provisions of the fire code or other such laws or regulations shall not be valid. Any addition to or alteration of approved construction documents shall be approved in advance. [CFC, Ch.1, 105.3.6]

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TOWN OF LOS GATOS
COMMUNITY DEVELOPMENT DEPARTMENT

110 E. Main Street
Los Gatos, CA 95030

RECEIVED

JUL 22 2022

TOWN OF LOS GATOS
PLANNING DIVISION

APPEAL OF THE DECISION OF
DEVELOPMENT REVIEW COMMITTEE

PLEASE TYPE or PRINT NEATLY

I, the undersigned, do hereby appeal a decision of the DEVELOPMENT REVIEW COMMITTEE as follows:

DATE OF DECISION: JULY 12, 2022

PROJECT/APPLICATION: S-21-027

LOCATION: 17291 WEDGEWOOD AVENUE

Pursuant to the Town Code, any interested person as defined in Section 29.10.020 may appeal to the Planning Commission any decision of the Development Review Committee.

Interested person means:

- 1. Residential projects. Any person or persons or entity or entities who own property or reside within 1,000 feet of a property for which a decision has been rendered, and can demonstrate that their property will be injured by the decision.
2. Non-residential and mixed-use projects. Any person or persons or entity or entities who can demonstrate that their property will be injured by the decision.

LIST REASONS WHY THE APPEAL SHOULD BE GRANTED:

MY SON AND DAUGHTER-IN-LAW AND I ALL LIVE WITHING 1000 FEET OF THE PROPOSED PROJECT. PLEASE SEE THE ATTACHED LETTER DESCRIBING THE BASIS FOR OUR APPEAL, AS WELL AS THE PLANNING COMMENTS THAT WE PREVIOUSLY SUBMITTED TO THE DEVELOPMENT REVIEW COMMITTEE

IMPORTANT:

- 1. Appeal must be filed not more than ten (10) days after the decision is rendered by the Development Review Committee. If the tenth (10th) day is a Saturday, Sunday, or Town holiday, then the appeal may be filed on the workday immediately following the tenth (10th) day, usually a Friday. Appeals are due by 4:00 P.M.
2. The appeal shall be set for the first regular meeting of the Planning Commission which the business of the Planning Commission will permit, more than five (5) days after the date of the filing of the appeal. The Planning Commission may hear the matter a new and render a new decision in the matter.
3. You will be notified, in writing, of the appeal date.
4. Contact the project planner to determine what material is required to be submitted for the public hearing.

RETURN APPEAL FORM TO COMMUNITY DEVELOPMENT DEPARTMENT

PRINT NAME: DOUGLAS SCOTT MAYNARD

SIGNATURE: [Signature]

DATE: JULY 21, 2022

ADDRESS: [Redacted]

PHONE: [Redacted]

EMAIL: [Redacted]

OFFICE USE ONLY

DATE OF PLANNING COMMISSION HEARING: _____

COMMISSION ACTION: 1. _____ DATE: _____
2. _____ DATE: _____
3. _____ DATE: _____

PLAPPEAL \$ 234.00 Residential
PLAPPEAL \$ 934.00 Commercial
PLAPPEAL \$ 95.00 Tree Appeals

July 21, 2022

APPEAL OF DECISION OF DEVELOPMENT REVIEW COMMITTEE
ARCHITECTURE AND SITE APPLICATION
AND ADU APPLICATION

Planning Commission
Town of Los Gatos
110 E. Main Street
Los Gatos, CA 95030

Architecture and Site Application S-21-027
ADU Application
Young Kim
APN: 409-14-013

Dear Planning Commission,

We are appealing the decision to approve the above Architecture and Site Application and ask that our privacy, the neighborhood character and the peace and quiet of our neighborhood be preserved. As we explained in our Planning Comments to the Development Review Committee, my son and I each own property that is negatively affected by the proposed development project at 17291 Wedgewood Avenue and our property borders on the subject property.¹

LIMIT THE PROJECT TO A 1-STORY HOUSE

We are asking for the project at 17291 Wedgewood Avenue to be modified to a 1 story house, to accommodate our existing privacy status for our pool and garden areas. Our pool and garden areas have been totally protected from the views of neighbors for 27 years. This is a one story neighborhood, and the proposal to build a 2 story house in this location is inconsistent with the character of the immediate neighborhood as well as the area in general.

The applicant is a contractor who has made a business out of buying properties with dilapidated homes on them, building a new home with multiple rental units and flipping the property. He routinely builds and modifies properties without permits and does not care about the neighborhoods that he damages in the process. He has already done extensive nonpermitted work on this property, and he does not consider the concerns of any of the neighbors, so long as he feels that his actions have a benefit to him.

¹ My son and daughter-in-law are William and Heather Maynard. They live at [REDACTED] and I live at [REDACTED]. Our yards connect together with no fencing and we have about 20 feet of common property line with Young Kim, on the left side.

In this application, the rule-breaking contractor is asking to build a new 2 story home on the property and to convert an existing poorly constructed 85 year old summer cabin to an ADU (which he has now already very recently renovated *without a permit* and to which he has built an *unpermitted* addition, as well. The unpermitted addition has a bank of windows up against our fence, that look right over the fence into our pool and garden area). The fact that he decided to keep the existing 700 square foot 85 year old cabin has triggered restrictions on the maximum square footage that is allowed for the new home he proposes to build.

A. THE APPLICANT WANTS A 2ND STORY SO HE CAN CONVERT THE PROPERTY INTO 4 RENTAL UNITS. What this contractor has not told the Town, is his real intention: that he plans to put 4 residential units on this lot, largely unpermitted. In order to accomplish this, he is proposing a permitted 2 story house, but the design is clearly set up for an additional 2 rental units to be created out of the proposed house after it is built, to be used as rentals. This would create the main house with 3 rentals, including the ADU.

- 1) **Rental Unit #1: The Basement.** The first rental unit is the basement, which, if you look at the plans, you can see that it will be converted to a separate unit without a permit after the home gets signed off by the Town. If you look through the plans, you will see that the basement is obviously intended as a separate unit, as it is set up with a full bathroom including a shower, and has a counter with a sink already set out on the plans. It has a full 15'6" by 7' lightwell, with a full staircase, leading to the rear patio behind the house. There are double sliding glass doors leading into the stairwell. The basement not only has a full bathroom, it has another sink with a large counter, and a total of 900 square feet. There is no question that this will be modified to be a separate unit after the inspectors give the applicant a final approval, upon completion of the project. If the project is approved, the lightwell should be reduced in width to 36 inches, with only a fire escape ladder to prevent this from being converted to a separate unit.
- 2) **Rental Unit #2: The Garage Conversion.** In addition to the planned basement conversion, the applicant is planning for an additional unpermitted rental unit to be located in the rear 16 feet of the 36 foot deep garage. As we have already seen, this contractor has a penchant for modifying property without a permit. A standard 2 car garage is 20 feet deep. He marks the standard 20 feet on his plans. The rear 16 feet of the garage has 2 exit doors to the outside, one to the west side yard, and one to the south rear yard. He also added a huge window, 6'4" in width on the east side. The garage is already plumbed for a sink, so the addition of a kitchen and bathroom are easy additions. Instead of making an oversized garage, if the applicant had used this area as additional square footage for the house, a larger one story house would be possible.

B. THE SMALLER FOOTPRINT FOR THE 1ST FLOOR IS A CHOICE BY THE APPLICANT.

At the Development Review Hearing, the Architect claimed that he needed a second story because he already maximized the first floor square footage at 1325 square feet. This statement is misleading at best, and the applicant has several options to increase the square footage to more than 1325 square feet.

- 1) **Testimony At The Previous Hearing about Setbacks and a “Maximum 1325 Square Foot First Floor.”** The applicant’s plan to design the property for 2 additional rental units became clear during the testimony of the Architect at the hearing before the Development Review Committee. The Architect testified that he maximized the square footage of the first floor at 1325 square feet, because required setbacks and FAR limits prohibited him from making the first floor any bigger than that. Thus, he argued that the house would be too small if it was just a 1 story house.

- 2) **The First Floor is Not Limited to 1325 Square Feet.** It does appear that with this design, which uses much of the space for the oversized garage, there is only 1325 feet left based on setbacks required to keep the so-called ADU. However, this is only the case because he stretched the garage from the usual 20 feet to 36 feet, thereby losing 347 square feet of the house. In addition, the setbacks are restricting the size because of the 85 year old illegally renovated cabin that he decided to retain. The 1325 square foot 1st floor limitation (which excludes the extra 347 square feet of garage space, and the 900 square feet of basement space) is based on the applicant’s decision to retain the 85 year old dilapidated 700 square foot vacation cabin as an ADU. The setback requirements for that unit, and the extra large size of the garage (36.5 feet deep) are the cause of the limited 1325 square foot footprint for the first floor of the house itself. These are choices that the applicant made. They are not true limits. As indicated, the obvious purpose of the large garage is to later add an unpermitted wall inside the garage, divide the garage in two, and convert the rear portion into a separate rental unit. Since the applicant has also planned the 900 square foot basement to be a separate unit he doesn’t count that as livable area.

Even keeping the 85 year old cabin in the rear with its setback requirements, a one story house, with a normal garage, which includes the square footage of the basement would be 2572 square feet. (1325 for the existing main floor, 347 for the excess garage space and 900 for the basement) On the other hand, if the applicant just demolished the old cabin, he could have a much larger one story house. But, what he really wants is to turn the property into apartments.

C. THE BRUTALIST DESIGN OF THIS PROJECT SHOULD NOT BE PERMITTED.

The design of this project with no windows on either side is offensive to our beautiful neighborhood. The design has the appearance of a prison cell block, and will be obvious to all persons passing on Wedgewood Avenue and along Browns Lane.

- 1) **“Prison Cell Block” Architectural Design.** As indicated on the drawings and at the last hearing, the existing proposal for a 2 story house has no windows on the right side of the second story, and only one small bathroom window over the toilet on the left side. Per the decision of the Development Review Committee, this small window on the left side is required to be tinted now, to protect the privacy of the one story house on the left. The stated purpose of the “Prison Cell Block” architecture is to give privacy to the houses on either side of the project. With no windows, this design gives the project a “Prison Cell Block” look, which is not compatible with our one story neighborhood. In addition, even if this horrendous design was somehow compatible in the neighborhood, there is no comparable privacy consideration that has been offered for our pool and garden which can be seen out all of the rear windows of the proposed structure, and where we have

spent many hours every day for 27 years. If this project is approved, our yard will be open to these massive rear windows of the second story of this ugly prison block house.

D. THE DECISION OF THE DEVELOPMENT REVIEW COMMITTEE DID NOT PROPERLY CONSIDER EITHER THE NEIGHBORHOOD OR OUR PRIVACY.

Even though we raised extensive issues that are supposed to be part of the review process under the Residential Design Guidelines, the Development Review Committee did not properly address those issues.

1) Inadequate Privacy Accommodation Offered By Development Review Committee.

After seeing our Planning Comments, and hearing our oral comments at the Development Review hearing, the Development Review Committee decided to throw us a bone and require a few 15 gallon trees along our common fence line with the property. First of all, privacy trees are supposed to be 24 gallon, not 15 gallon. Second, putting trees along that 20 foot fence line does not block the view of the 2nd story windows into our yard because the view to our yard goes diagonally across the neighbor to the left's back yard, as well.

2) Our 1 Story Neighborhood Will Be Converted To A Mixed Neighborhood of 2 Story Houses Looking into our Homes and Yards.

As we indicated in our Planning Comments, all of the houses in the entire neighborhood are one story houses, with the exception of houses that back up against the 85 Freeway, and 2 that are built in the wedge of land to the east, where Wedgewood and the railroad/freeway right of ways meet. And, more importantly, all of the houses in the immediate neighborhood (as defined in the Residential Design Guidelines described below) are one story houses.

a. False Information Was Presented to the Building Department By The Applicant And His Architect.

In the Application, the Architect lied about the house to the left of the project, calling it a 2 story house. This is clearly false, if you just stand out in front and look at it. Then, after this was pointed out, the Architect lied again at the hearing about that house next door, which he orally claimed was a 2 story house. The house to the left of the project is a one story house, where the attic was finished years after the original construction, and without a permit. When the attic was finished, the roofline remained the same, and there is only a modest window that was added in the rear. That window does not look toward anyone else's yard. I have been in that house next door, and you can barely stand up in the center of the attic. The sloping ceilings make the remainder of the space in the attic of only limited use. The original 1 story roofline was never touched, and the house is still a one story house, regardless of their putting a floor in the attic and sheetrocking the sloping rafters.

b. History of House Next Door: The Former Owner Built A Second Story Office Over The Detached Garage That Had To Be Removed.

At the same time that attic was built out, the then owner of the one story house next door to the project also built a second story "office" on top of the detached garage, with windows looking out on our pool and garden area.² *The Town red-tagged the project, and eventually required the second story to be torn down.* Again, this is the property next door to the project, and a 2nd story was not allowed on that property. It had to be removed.

At the last hearing, someone on the Development Review Committee commented that the finished attic caused this neighboring house to be a 2 story house, because it was later granted a permit for the sloping ceiling attic. However, anyone with any common sense can look at the house and see that it is only a one story house, and as discussed below, the profile and roofline of the house are what is important. Here is a picture of that house that is claimed to be a 2 story house. It is obviously a small one story house:



- c. **Allowing A 2 Story House In This Location Would Set A Precedent And Ruin Our Neighborhood.** Permitting this applicant to build a 2 Story house will set a precedent for the parcel on Browns Lane behind the Applicant, where there is currently a very old small one story house. In fact, all of the houses on Browns Lane are one story houses. Approval of a 2 story house on Wedgewood in front of them will give them reasons to build 2 story homes that totally change our *immediate neighborhood*. This is a neighborhood of one story houses, and it should stay that way.

E. THE APPLICANT HAS OTHER OPTIONS.

The applicant does not need a 2 story project to build a beautiful home on this lot.

- 1) **The Applicant Has The Option To Demolish The 85 Year Old Cabin If He Wants To Build A Bigger One Story House.** The only reason the Applicant is limited to 1325 square feet on the 1st floor, is he wants the 36 foot garage, and he wants to keep the so-called ADU unit as a rental. The Applicant wants to get the maximum square footage

possible after keeping the retention of the “ADU unit.” However, he could have a larger house if he just demolished the 85 year old cabin, or he could have a larger house if he used the excess garage space, and the basement as normal house use instead of rental space. In addition, he could build out the attic to make a small loft in a one story house, like the one next door to the left of the project. The applicant doesn’t want to do that because it impacts his plans to turn this into a 4 unit rental.

F. THE FOUR UNIT RENTAL PROJECT.

If other neighbors knew that the house was going to be 4 rental units, I have no doubt that they would oppose this project.

G. BOTH THE OVERALL NEIGHBORHOOD AND THE IMMEDIATE NEIGHBORHOOD ARE ONE STORY HOMES.

As discussed, our overall neighborhood is one story homes. This gives each one of us a level of privacy, and should be retained.

- 1) **The Houses Built In Our Neighborhood Have All Been Single Story.** Outside of the two story houses bordering the freeway and the wedge of property to the east, there are many houses that have been built and/or totally refurbished from the ground up in recent years. All of them have been one story houses. For example, the house next door to the left of the project (pictured above) was built from the ground up about 20 years ago as a one story house.³ My house, which is next door to that one at [REDACTED] Avenue, was built in 1992 as a one story house after the contractor tried to get approval for a 2 story house. The Town told him that a 2 story house would invade the privacy of the house to the east and only one story houses would be built in this neighborhood in order to preserve everyone’s privacy.⁴ Next, the house at 14330 Browns Lane, (two houses behind this project on the other side of Browns Lane) was built in 2000 as a one story, despite being backed up against the freeway. Another nearby home at 14350 La Rinconada Drive, next to my son’s home (near the corner of Wedgewood Avenue) was completely rebuilt as a one story just last year. The property at 14340 Mulberry (one and a half blocks down, at the corner of Wedgewood) was demolished and rebuilt as a 1 story sometime in the last few years. The house on the opposite corner from that one, at 17471 Wedgewood Avenue was originally built in 1991, then completely rebuilt many years later as a 1 story. The house at 14325 Mulberry Drive (a few houses down Mulberry) was built as a one story in 2016. There are many more, and none outside of the fringe areas are 2 story houses. Everyone has maintained that one story theme because it looks good and feels right in our neighborhood. Having a 2 story next door that peers into our pool and garden area is not right. To make matters worse, the “Prison Cell Block” architecture doesn’t look good in our neighborhood. Please don’t allow this.

³ My understanding is that the old owner told the Town that he was remodeling the existing building, but he tore down all of the old walls and replaced the foundation. Knowing the true facts, this was really a totally new house.

⁴ Yes, I know there is no zoning classification for one story houses. However, the Residential Design Guidelines discussed below, indicate that new homes should fit in with the class and style of the neighborhood. Ours is a one story home neighborhood and it should stay that way for everyone’s privacy. As explained below, the Town Code and the Residential Design Guidelines both require that these characteristics be considered and used in the decision as to whether to allow any specific project.

If this project is permitted, then we ask that there be no rear windows on the 2nd story that point in the direction of our pool and garden area. In that regard, if the second story goes forward, we are asking that the only window be one on the opposite side of the house, and that is totally blocked from looking toward us by the stairwell that protrudes from the back of the building. Of course, this would complete the Prison Cell Block look, which we don't think belongs in our neighborhood anyway. However, if this is the only way to maintain our privacy, that is what we ask. Again, though this project is inconsistent with our neighborhood and should not include a second story.

EXPLANATION AND LEGAL AUTHORITY

A. THE PLANNING COMMISSION HAS THE AUTHORITY AS WELL AS THE OBLIGATION TO DENY APPROVAL FOR A 2 STORY STRUCTURE IN OUR NEIGHBORHOOD.

The following legal authorities taken from the Town Code and the Residential Design Guidelines impose the obligation and give this Commission the authority to deny this second story building in our neighborhood, and we ask that you exercise that authority here.

1) Residential Design Guidelines:

The Town has adopted the "Los Gatos Single and Two Family Residential Design Guidelines" to guide the community and this Commission in all project development in the Town.⁵

The Residential Design Guidelines indicate very clearly that there should not be a 2 story house in this location, or even in this neighborhood. Portions of the Guidelines are quoted below to show that this house should not be approved as a 2 story house.

a. The Introduction to the Residential Guidelines states that:

Development should be "respectful of the scale, texture, and character of the community's individual neighborhoods."

b. "Applicability." Pursuant to Section 1.1, the Residential Design Guidelines "*are applicable to all residential development within the Town that requires a discretionary approval or a building permit...*", with exceptions for hillside development and large parcels.

c. "Purpose." As indicated in Section 1.2, the Guidelines are intended to "*ensure that new development is compatible with its surrounding neighborhood.*"

d. "Community Expectations." Section 1.4 requires that the overall basic design of new single family homes in our community respect the existing scale and character of the "*immediate neighborhood*" [as defined in Section 1.6 below] and be designed with respect for the privacy of their neighbors:

"1.4 COMMUNITY EXPECTATIONS

- *Homes will respect the scale and character of their immediate neighborhoods.*

...

- *Structures will be designed with architectural integrity with design and material consistency on all facades.*

....

- *Homes will be designed with respect for the views, privacy and solar access of their neighbors. ... ”*

e. **“How To Read Your Neighborhood.”** The Guidelines tell us that project applicants need to be respectful of the effect on the immediate neighbors. My home is 2 doors down, and my son’s and my property line adjoins the left hand side of the project parcel, where our garden and pool are located. Thus, both my home and my son’s are within the “*immediate neighborhood.*” Section 1.6 defines “*immediate neighborhood*” and provides guidelines on how a new project needs to be respectful of the privacy and consistency required for our neighborhoods:

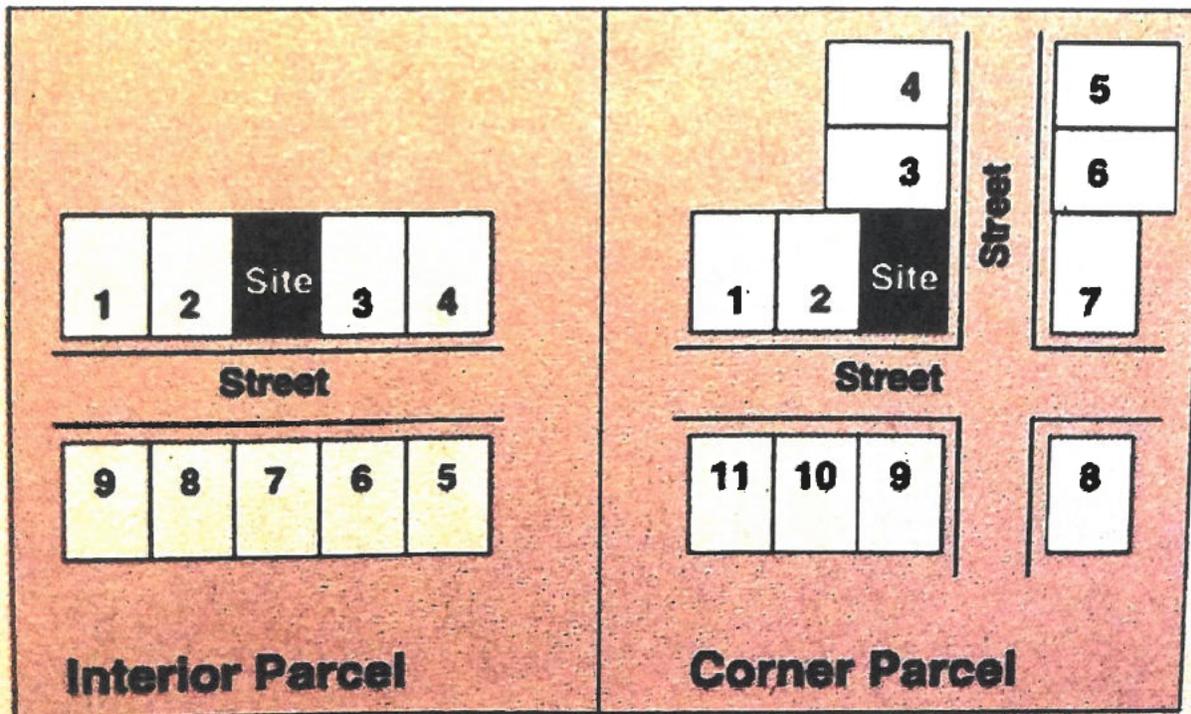
1.6 HOW TO READ YOUR NEIGHBORHOOD

...consideration must be given to ensure that privacy and shadow impacts on properties within and outside the immediate neighborhood are evaluated. The hope is that a greater awareness of one’s immediate neighborhood will bring increased design sensitivity to the design of both additions and new homes.

*The workbook also provides some guidance as to the context that will be used by the deciding body in reviewing the appropriateness of design proposals to neighborhood compatibility. The greatest attention will be given to the **immediate neighborhood** where nearby home owners are most likely to be confronted with the new house or addition on a daily basis, and where other residents driving by are most likely to see the new structure in the context of the nearby homes.[emphasis in original]*

... some houses were constructed with little consideration to the neighborhood architectural style or its site characteristics. Others were remodeled with little sensitivity to the existing architectural style. These aberrations will not be considered when analyzing a neighborhood. The presence of significantly different house styles or large scale houses located at a greater distance from the applicant’s site will be given less weight than the immediate neighborhood. ...

The diagram below illustrates the Town’s interpretation of the immediate neighborhood in standard subdivisions. There are several factors in determining an immediate neighborhood when this diagram may not be applicable. These factors include, but are not limited to, location and visibility of the building (e.g., terrain of the lots, lots with multiple frontages and diversity of parcel size).



Immediate Neighborhood definition

Residential Design Guidelines

The closest applicable figure above, is the “Corner Parcel” since the project is on the corner of Wedgewood Avenue and Browns Lane. There are no houses on the other side of the street, as that is the La Rinconada Country Club Driving Range.

Until now, there has been no consideration of the privacy of two specific neighbors who are in the *immediate neighborhood*, i.e. my son and daughter-in-law and me. Although in the planning stages the architect removed all windows from both sides of the house to protect the houses immediately adjoining this project along the street and on the other side of Browns Lane, our property adjoins the left side of this property, too. No consideration has been given to our privacy at all.

f. “General Design Principles.”

General design principles are supposed to be used where there is no other specific rule relating to a project issue. The concept of the *immediate neighborhood*, meaning the houses directly surrounding the project is utilized in this analysis, as well as the rules set forth above. My son, daughter-in-law and I are all in the *immediate neighborhood*.

“GENERAL DESIGN PRINCIPLES

The following principles have been used in the development of these guidelines, and will be used by the Town to evaluate plans and designs that are not covered by a specific design guideline.

- ...
- *Design to blend into the neighborhood rather than stand out*
- ...
- *Relate a structure's size and bulk to those in the **immediate neighborhood** [Emphasis in original.]*
- *Utilize roof forms and pitches similar to those in the **immediate neighborhood** [Emphasis in original.]*
- *Design with architectural integrity on all sides of the structure*
- ..."

All of the houses directly surrounding the project are one story houses.⁶ This includes the house on the right, the house on the left, the house behind the project, and all of the houses along Browns Lane. My house, 2 doors down, is one story. My son and daughter-in-law's house is one story. The proposed 2 story design does not blend into the neighborhood, but rather it stands out from it. The size and bulk of the project is in stark contrast to the *immediate neighborhood*. And, the windowless side walls are not architecturally consistent with the style of the home making it an eyesore.

g. “General Neighborhood Design Principles.”

A new project is generally required to be similar in mass to the houses in the immediate neighborhood, meaning houses immediately surrounding the project:

“2.1 GENERAL NEIGHBORHOOD DESIGN PRINCIPLES The following principles have been used as touchstones for the development of individual Neighborhood Pattern Guidelines. In the event that the specific guidelines do not clearly address a given condition, these principles, along with the General Design Principles on page 11 should be consulted for direction. The following principles will be used by the deciding body when evaluating projects, and when considering the acceptability of unique proposals that vary from the specific guidelines.

- *Residential development shall be similar in mass, bulk and scale to the immediate neighborhood.*

..."

h. “Form and Mass.”

For neighborhoods that are dominated by one-story homes, an effort should be made to limit the house to one-story in height or to accommodate second floor space within the existing roof, as the next door neighbor did with his finished attic. If a two-story house is proposed in this type of a neighborhood, the house is required to be designed to blend with the smaller homes. That means that the roofline should match the houses on either side and that a 2 story design is not appropriate for our neighborhood:

⁶ We do acknowledge that there is one anomalous 2 story house that is 2 doors past Browns Lane. This house could be considered to be within the “immediate neighborhood” if you ignore Browns Lane as a street. However, we believe the better view is that Browns Lane is a street, and the two behind the project, as well as the three houses along Browns Lane on the other side of that street should be considered the immediate neighborhood. These are all one story houses. And even if the 2 story house 2 doors past Browns Lane is part of the immediate neighborhood, it is only an anomaly.

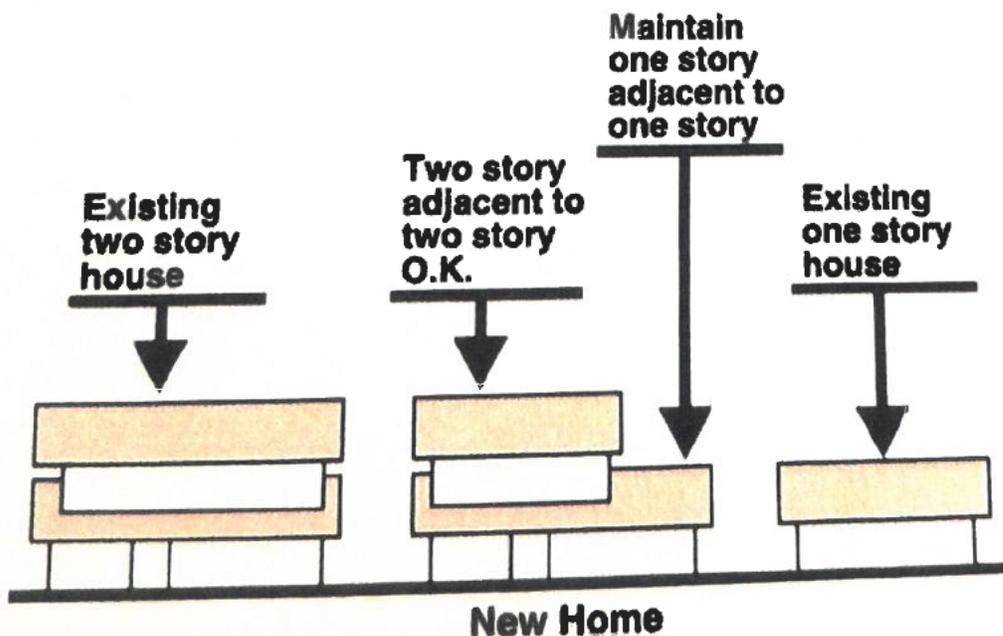
“2.3 FORM AND MASS 2.3.1 Design two story houses in predominantly one story neighborhoods to blend with the smaller homes.

Two-story houses may not be appropriate for every neighborhood. For neighborhoods dominated by one-story homes, an effort should be made to limit the house to one-story in height or to accommodate second floor space within the existing roof. If a two-story house is proposed in this type of a neighborhood, the house shall be designed to blend with the smaller homes.”

The Guidelines require that the streetscape and height of the project match the immediately adjoining neighbors. Thus if there is a 2 story house on one side but not the other, any 2nd story is limited to half the house, on the side with the 2 story neighbor. With the applicant’s project, both adjacent houses are one story. (Note again that the house to the left has a finished attic, but the roofline is still that of a one story house. See the Figure below, from the Guidelines:

“2.3.6 Locate second floor mass to minimize impacts on the streetscape and adjacent neighbors

- In one story neighborhoods, place additions at grade level behind the existing house whenever possible.*
- Place second story mass in locations appropriate to the height of adjacent homes.”*



Per the Guidelines, with this project there are one story houses on either side. Thus, Guideline 2.3.6 indicates that there should not be a 2 story house in this location.

i. Privacy.

In the final design guidelines relevant here, the Guidelines require that any windows should be placed to minimize views into yard spaces near neighboring homes, should be modest in size and if necessary, have sill heights above eye level, or have frosted or textured glass to reduce visual exposure. If for any reason the Commission decides to allow this project as a 2 story project, we ask that no windows face our yard, or that any that do, be above eye level and be frosted or textured glass. Planting a few trees along our fence line does not solve the problem, as the view extends through the neighbor’s rear yard, and is at best only a halfway solution. Obviously, small frosted windows and trees are not our preference, as the mass of this house is just not appropriate for our immediate neighborhood and will cause other neighbors to try to change the immediate neighborhood. The final privacy guideline reads as follows:

“3.11 PRIVACY AND SOLAR ACCESS

...

3.11.2 Minimize privacy intrusions on adjacent residences

- Windows should be placed to minimize views into the living spaces and yard spaces near neighboring homes.*
- When windows are needed and desired in side building walls, they should be modest in size and not directly opposite windows on adjacent homes.*
- Where possible, second floor windows that might intrude on adjacent property privacy should have sill heights above eye level or have frosted or textured glass to reduce visual exposure.*

...”

2. Discretionary Approval Pursuant to the Town Code.

As indicated in the Town Code, it is the purpose of Architecture and Site Approval to regulate the height, width, shape, proportion, siting, exterior construction and design of buildings to insure that they are architecturally compatible with their surroundings, as indicated in Town Code §29.20.140:

“Sec. 29.20.140. - Architecture and site approval, purpose and intent.

(a) Achievement of the following goals is important in order to maintain the economic welfare and stability of the Town and to preserve the health, safety and welfare of its citizens:

(1) Quality design and proper siting of residential and commercial structures, complementing the Town environment; and

...

(d) The purpose of architecture and site approval is to regulate the height, width, shape, proportion, siting, exterior construction and design of buildings to insure that they are architecturally compatible with their surroundings,...”

Thus, the role of the Planning Commission is to make decisions on the appropriateness to the neighborhood of all proposals and to ensure that the privacy of the neighbors is protected.

OVERVIEW AND CONCLUSIONS

This project is incompatible with our neighborhood. It has “Prison Cell Block” architecture on both sides and it will overpower all of the smaller one story houses around it.

Every person driving down either Wedgewood Avenue or Browns Lane will see this monstrous look. In my opinion, this is the worst design I have ever seen for a 2 story house. In addition, since there are no windows on the sides, the architect has added massive rear facing windows looking right into our yard, which adjoins this property on the left side in the rear. Those rear facing windows are invasive to our privacy. Those windows were placed there with the sole purpose of looking into our yard, and they need to be removed.

Revised architectural design elements, and a lower profile on a 1-story house are exactly what we are asking from this Commission. A 2 story house is not compatible with our immediate neighborhood, or the overall neighborhood. Under Town Code §29.20.150, your authority extends to restricting development to houses that are consistent with the existing character of the local area and neighborhood. Consistency and compatibility relate to height, design and appearance and harmony with the character of the existing neighborhood.

As we indicated in our original Planning Comments, the Applicant has a history of violating the law and taking selfish actions that damage the privacy of others. He is not a member of our community, he is an outsider who will leave the area as soon as he completes this 4 unit development. His severe and unpermitted pruning of redwood trees #27 and #28 have opened up the view of another house into our yard. His illegal, unpermitted renovation of the proposed "ADU" and his construction of an unpermitted addition onto that "ADU" displaying a large bank of windows that look into our yard, show that he only cares about himself.

As indicated in the Residential Design Guidelines, consideration of the privacy of the neighbors is a paramount concern in Los Gatos, and is one of the reasons that it is such a desirable place to live. Ours is a one story neighborhood and all of the houses surrounding the project are one story. The Residential Design Guidelines indicate that the height of the house should be the same as the houses on either side. Building a 2 story house in this location would be out of place, and would change the character of our wonderful little neighborhood. It would also invite all of Browns Lane to convert their properties to 2 story houses. Please limit the house to one story.

In the event that the decision is made to allow a 2 story, then there should be no windows facing our yard. Trees will not properly block this view, nor will it fix the monstrosity of the "Prison Cell Block" architecture that will be visible to Wedgewood Avenue. This brutalist looking building should never be built. The applicant can have a wonderful one story with 1672 square feet plus a 900 square foot basement, for a total of 2572 square feet, if he eliminates the extra square footage in the garage. Or, in the alternative, he can demolish the 85 year old cabin and build a larger house. His decision to spend his money illegally modifying that old cabin is irrelevant to the decision, since he should have applied for a permit before he began doing that work.

Finally, the addition of a 2 story house will increase the freeway noise for all of the neighbors behind him. If a 2 story is still being considered, the applicant should pay for a neutral scientific study of the impact of freeway noise bouncing off the back of this proposed project, because it is much larger than any of the other ones in the area. If ever there was a project that should follow the Residential Design Guidelines, this is it.

If I may ask, and I know it is a lot, please also read both my and my son's Planning Comments that were presented to the Project Planner and to the Development Review Committee. You will see that this contractor is not being honest about his intentions here. This has always been a

July 21, 2022

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neighborhood of one story houses, with the exception of those nearest the 85 Freeway. Putting 2 story houses up against the Freeway makes sense because they block some of the freeway noise, and we support that. However, putting 2 story houses in the middle of a neighborhood that has all been one story houses since before World War II does not make sense.

Thank you all for your valuable time to consider our appeal. Your service to the community is appreciated, however you decide on this application.

MOIRA ANN HOGAN C.F.L.S.
Certified Family Law Specialist*
*Certified by the State Bar of California
Board of Legal Specialization

Law Offices of
Maynard & Hogan
A Professional Corporation
ATTORNEYS AT LAW
Specializing in Family Law & Taxation

DOUGLAS SCOTT MAYNARD
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July 5, 2022

PLANNING COMMENT
OBJECTIONS TO
ARCHITECTURE AND SITE APPLICATION
AND ADU APPLICATION

Development Review Committee
Town of Los Gatos
110 E. Main Street
Los Gatos, CA 95030

Architecture and Site Application S-21-027
ADU Application
Young Kim
APN: 409-14-013

Dear Development Review Committee,

My son and I each own property that is affected by the proposed project at 17291 Wedgewood Avenue and our property borders on the subject property.¹ I have a number of constructive comments about the project, and I present those to you through this letter. However, let me begin by saying that I have no grudge against Young Kim, and would like to stay on good terms with him. Unfortunately, he has already taken 2 actions that have severely impacted my family's privacy without consulting us. This project would be the 3rd invasion of our privacy, and one that we will have to live with every day if it is allowed to go forward as proposed.

In sum, due to privacy and noise issues, I would like to ask that the project be limited to a one story house, consistent with the *one story neighborhood* that we live in, and that our privacy be restored from the 2 previous Town Code violations that have already been taken in the last year and a half by the Applicant, Young Kim. These suggestions are as follows:

- 1) **Privacy Concerns.** Before Young Kim arrived in the neighborhood, my son, daughter-in-law and I have always had complete privacy in our back yards. No one could see in unless they climbed up on the fence. Unfortunately, Young Kim has already compromised this former privacy in two major ways, both illegal under the Town Code, as will be explained below. In addition to those actions, the development as proposed will include a second story with windows that will look out over our garden and swimming pool. I would like the Development Review Committee to eliminate that interference with my family's privacy.

- 2) **Ours is a one story house neighborhood and the proposed development should be consistent with that neighborhood theme.** The Applicant attempts to characterize the neighborhood as a mix of one and two story houses. This is not true. Specifically, there is a comment from Cannon Design included in the application documents that the neighborhood is a mix of one and two story homes. This statement is false. While there are some two story homes on the periphery of the neighborhood, the portion we live in is all one story. All of the two story homes in the neighborhood are backed up against the freeway, or they are to the east of this property where the land between Wedgewood Avenue and the freeway narrows to nothing, thus essentially backing up to the freeway.² The home next door to the subject property which Canon Design describes as a two story house is not. It is a one story house that has a converted, finished attic, and the original one story roofline has not changed. Here is a photo of the alleged 2 story house next door, at 17311 Wedgewood:



This is clearly a one story home, as is the rest of our neighborhood other than the houses near the freeway. I told Young Kim about my feelings about two story houses in the area

well before he submitted these plans. He apparently felt no need to express my feelings to anyone at the Town.

- 3) **In anticipation of this application, the owner violated numerous Town Codes, specifically with the intention of evading the requirements of the Architecture and Site Application. Those violations should be corrected BEFORE any new development is allowed.** Young Kim purchased this property with the intent to flip the home, and he doesn't care about the neighbors or the neighborhood. As part of his plan, he has totally refurbished the so-called ADU and has built on an addition, all without permits. As is obvious from the submitted Architectural plans for the new house, this occurred since the architect inspected the site, as the architect did not draw the unpermitted addition onto the plans. Instead, he shows a wooden deck where the unpermitted addition now is.

Privacy Violation discussed in more detail later: The ADU new addition has windows that look right into my garden and pool area.

In another violation, the new owner removed all of the lower branches from tree #28, *consisting of more than 50% of the foliage of that tree* without a permit. This has removed our privacy from another house that is 3 doors down from our garden. The bedroom window from the closest 2 story house to ours, now looks directly into our garden, pool and my son's patio area. The severe pruning of this tree has compromised its health, and the arborist says that it may now die from Young Kim's actions.



Tree #28 is at the center of the picture, and you can see that all of the lower limbs have been cut off.³ The bottom half of this tree was very bushy before Young Kim took his saw to it.

³Per the arborist's report, the tree has a genetic condition that causes the top branches to appear to droop.

Before this tree was butchered, you could not see the yellow house at all. The 2 twin redwood trees to the right of Tree #28 is Tree #27, which was also butchered in the same manner.

This 2 story yellow house (center of picture) is now visible from the rear of my son's home, and from almost any point in our garden, pool and patio area, as shown below. As indicated, before Tree #28 was butchered, we could not see this house:



- 4) **Lastly, a two story house in this location will increase freeway noise in our garden and pool area, as noise from the freeway will bounce off the back of the two story house and be heard in our pool and garden area.** Our neighborhood only has two story houses up against the railroad and freeway right of ways. All of the rest of the houses, with the exception of a couple of houses to the east where the land between Wedgewood Avenue and the freeway narrows, are one story. Freeway noise in the neighborhood is a major issue, and that noise changes based on the weather, cloud cover, and buildings. A two story house in this area will worsen the problem by causing the sound to bounce back to our garden pool and patio areas.

Our History In The Neighborhood

I bought my home at [REDACTED] (2 doors down from the subject property) in 1992, raised my family there and have lived there ever since. I also bought the property at [REDACTED] in 1995, for our personal use. The property at [REDACTED] shares a common boundary where the existing "future ADU" building sits on the Applicant's property. My son and his wife now live at the [REDACTED] house and we share the garden and pool area of the Rinconada Drive property. As indicated, the La Rinconada property has a common boundary with the property at 17291 Wedgewood, and Young Kim's violations of the Town Code have already twice affected our privacy in a detrimental way, even though he has only owned the property for a little over a year.

Young Kim's History In The Neighborhood

After Young Kim bought the property, he immediately began unpermitted construction work on the so-called ADU building. What he did was a total refurbishment of the property, removing the sheetrock, rewiring the house, redoing the plumbing and much more. Although he moved in to the ADU during this reconstruction, he at times stayed in a Motor Home on the property when the construction work made staying in the house too difficult.

He then cut all of the lower 25 feet of branches from Tree #28 (as he did with Tree #27), because the branches touched his car when he parked there. This severe pruning without a permit opened up a view from the bedroom of another house at 17265 Wedgewood Ave (3 doors down from us) right into our garden and pool area, and that house now has a view extending into the garden and pool areas, and all the way to my son and daughter-in-law's back patio area nearest to La Rinconada Drive. Because of this severe pruning, this tree is now listed as in "Poor" condition by the arborist. After this illegal pruning, butchered Tree #27 is listed only as "Fair."

Continuing with his unpermitted construction work, Young Kim built a major room addition on the back of the ADU without a permit (the Architectural plans that are under review reference a "wood deck" in this location.) I wouldn't mind so much, except that this new addition now has a bank of windows facing my pool and garden area. The added room apparently includes a wood stove, based on my observation of a vent in the new roof he built. These windows are right next to our fence line, as can be seen in the photos below:





Even though the photos make this look like an old homemade project from years ago, I assure you that this is brand new. From this new room addition, the ADU occupants can see everything going on in our yard. Before this unpermitted addition, they would have needed to get up on a ladder to see over the fence.

For reference purposes, here is a “before” picture taken during fence construction, before the unpermitted addition was built. The photo was taken a year and a half ago, while Young Kim owned the property. This open area in the fence is where the room has been added and where the windows now look over the fence:



STORY POLES

Now, Mr. Kim has erected story poles, and we can see exactly what is coming next. His upstairs bedroom and staircase windows will look directly into our yard, garden and pool area, as well. Now he will be able to watch everything we do in the garden, the pool area and the patio for both my house and my son and daughter-in-law's house. The last remnants of our privacy will be gone if this is allowed.

Next, we are attaching a photo of the story poles as seen from our pool and garden area:



Note that the larger tree in the right of the picture is Tree #25, which the arborist indicates has “Raywood Ash decline syndrome” and is expected to die within 1 to 5 years. Although this is in the corner on another neighbor’s property, when this tree dies, it will open up the view even more from Mr. Kim’s second story windows. As a result, there will be an even greater loss of our privacy when this occurs.

Issues and Resolution

- 1) **This is a one story house neighborhood and the proposed development should be consistent with that neighborhood theme.** Virtually all of the houses in the neighborhood are one story houses. When my house was built in 1991/1992, the builder originally proposed a two story home. The neighbor at 17331 Wedgewood complained about losing his privacy and sunlight due to the proposal. The Town imposed a one story limit, stating that the neighborhood was in essence exclusively one story homes, and would stay that way. One of the major reasons I bought the home was that the Town appeared to have restricted the entire neighborhood to one story homes. The comment from Cannon Design (which is part of the application) that the neighborhood is a mix of one and two story homes is not accurate. He states that the home next door at 17311 Wedgewood is a two story home. This is wrong. That house is a one story home with a finished attic. The roof line is that of a one story home, and the only attic window is at the back of the house, and it does not invade anyone’s privacy. If Mr. Kim wants to build a one story house at that same height and finish the attic (with sloping ceilings) and not have any windows looking at my yard, I will not object. However, his roofline should be no higher than the roofline at 17311 Wedgewood. To be sure, there are two story homes up against the railroad and freeway right-of-ways. I approve of houses closest to the freeway being 2 stories, as they block some of the freeway noise. The only two story houses in the neighborhood that do not back right up to the freeway (even those nearly do so) are only on the eastern edge of our neighborhood where the distance between Wedgewood Avenue and the freeway becomes very narrow.

- 2) **The Permit Should Not Be Approved Until Our Privacy Is Restored to the Status That Existed Before Young Kim Bought The Property and Destroyed it.** Young Kim is a rule violator. In order to evade the restrictions on his development permit, Young Kim has violated numerous Town Codes before the application has even been approved. These were purposeful actions that were taken and completed just before the Application was presented for approval. Knowing that he would not be allowed to do severe pruning to Tree #27 and Tree #28, and knowing that the ADU addition would not be approved with windows looking into our yard, he surreptitiously took those actions before the permit was issued. These actions were taken specifically to evade the requirements of the Architecture and Site Application, as they would never be allowed by the Town.

All of those violations should be corrected before any new development is allowed. Young Kim purchased the property with the intent to flip the property. Although he claims he wants to be a permanent resident, I know a flipper when I see one. Mr. Kim has extensive contacts in the residential repair business, and his modus operandi is that of a flipper. Young Kim doesn't care about the neighbors or the neighborhood. He will cause damage to everyone's privacy, increase the freeway noise levels, make a buck and move on.

In the other violations, Young Kim removed all of the lower branches to tree #28, consisting of more than 50% of the foliage of that tree without a permit. He knew this would not be allowed if he got a permit. This tree butchering has removed our privacy from another house that is 3 doors down from the La Rinconada property (4 doors down from my home on Wedgewood) that now looks right into our garden, pool and my son's patio area. This action has also endangered the tree, as indicated in the arborist's report. The tree is in his way, and he doesn't care.

- 3) **Freeway Noise.** When I moved into my home on Wedgewood, the West Valley Freeway (Highway 85) did not yet exist. It was so quiet, it was like living in the country. In October 1994, the freeway was built and we learned how the freeway would impact our neighborhood. The freeway noise is there now, all of the time. It is bearable, but you learn to do things to reduce the sound level. The sound level depends in large part on where you are in the yard. If you are close to the fence or the redwood trees on the northern part of the La Rinconada Drive property, it is often just a mild hush. But if you move out to the center of the yard, it is much louder. Cloud cover causes the sound to bounce and increase. Buildings do the same. The weather and the wind always change the noise levels. It is my belief that building a two story home in front of us will cause additional sound to bounce back to our yard, and I believe that a formal scientific study of the sound would confirm this. Young Kim should be required to hire an expert to do a comprehensive study on sound reflection if he is going to build a two story house in this location. That is not necessary if it is a one story house.
- 4) **Privacy Concerns.** The proposed development will include a second story that will look out over my garden and swimming pool. All of the privacy violations caused by Mr. Kim' actions need to be remedied and the height of the house needs to be lowered to reduce noise reflection.

As an aside, I do note also that Mr. Kim's Architecture and Site plans were not made for this house, but were copied from plans for another house.⁴ Thus, on page 19, there are 2 references to work that is required to be done on "Stephenie Lane," which is in South San Jose adjoining Blossom Hill Road. Obviously, the plans should not be approved with this kind of error in them.

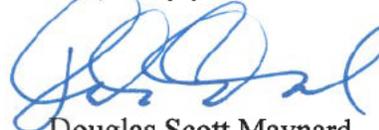
Conclusion

I will be 70 years old this year, and quiet time in our garden and pool/patio areas are the most important part of my relaxation time. In fact, I spend most of my free time in the portion of our garden that is directly adjacent to this project, where I could be watched at all hours of the day and night. I don't relish the idea of being watched when I am in the one place that has been private for 27 years. The privacy of our swimming pool and our family time would be severely compromised by any two story building with windows looking toward our yard. We would like to remedy the other privacy issues created by Young Kim, as well (i.e. the unpermitted ADU addition with windows looking into our yard and the destruction of foliage on Tree #28.) Lastly, the freeway noise problem will be increased with this proposal, and that needs to be addressed.

I have no problems with Mr. Kim. In fact, I wrote to him about this about a year ago and invited him to come talk to me. He ignored me. I try to be a good neighbor to all of our neighbors. If they need anything, I am willing to help. I try to be observant of and considerate of special occasions where the neighbors are celebrating a special event. Being a good neighbor means thinking about those who live around you when you are doing something that might affect them. I would like to see Mr. Kim to live by this standard, as well. I hope he will come to see me and resolve these issues in a friendly way, and we can all live in the neighborhood in harmony.

Thank you for considering my views, and I hope the Development Review Committee will consider my comments about the inappropriate actions of Mr. Kim, and place appropriate conditions on this Application.

Very truly yours,



Douglas Scott Maynard
Adjoining Neighbor

Objections to Architecture and Site Application S-21-027

To the Development Review Committee:

I own property directly adjacent to the proposed construction at [REDACTED] I reside with my wife, Heather Maynard, at [REDACTED]. My father is Douglas Maynard, with whom we share a connected yard. I have read his objections to this proposal and agree with them. Alongside his letter, I urge you to consider my own voice, as well as my wife's, when reviewing this project.

Mr. Kim introduced himself to us as a new and eager neighbor who wanted to build his "dream house" in our neighborhood. When he politely asked for our comments and provided us with designs, we expressed opposition to a two-story project. Mr. Kim did not reach out to us again to address these comments. With the recently-erected story poles, our concerns were greatly magnified. Clearly, our opinions were disregarded. We can only hope the town grants us more consideration.

Principal Concern: Privacy

I have lived in this neighborhood for 30 years. My father's property is my childhood home and adjacent to my own ([REDACTED]). I grew up here, and my wife first moved in with me in 2011.

For 30 years we have enjoyed near-complete privacy in our yard. Not once have we had to worry about neighbors peering over the fence, but this is no longer the case, and if construction at 17291 Wedgewood Avenue continues as the story poles suggest, we will always feel watched.

We can easily see windows now from nearly anywhere in our yard, and this is particularly unnerving when we (or guests) are swimming in our pool. We live in a world where digital privacy is a myth, and we refuse to let our yard follow suit - particularly when we have children. Our future kids deserve the same level of privacy that I had growing up, and in the same yard. The last thing we want to worry about is a nosy neighbor watching our kids from an overlooking window. To be clear, we are not alleging that Mr. Kim is a "nosy neighbor" - he has been nothing but pleasant in our limited interactions with him - however, a second story will enable any current or future resident to be one.

With our recent fence replacement, we thought we secured this privacy for years. However, Mr. Kim's "ADU" and tree trimming undermine this. Significant tree pruning has rendered a natural barrier to the two-story house at 17265 Wedgewood Ave. ineffective, and grants a clear line of

sight for its residents into our yard where there previously wasn't one. This two-story construction is just the latest and most egregious of privacy infringements.

Secondary Concern: Neighborhood Character & Precedent

Every adjacent house to my childhood home and current home are single story structures. It has been this way my entire life, and it is my understanding that the town historically restricted all surrounding structures to single-story buildings. Should the town allow this construction to move forward, this standard I've grown up with will be shattered.

New construction has no appreciation for the beauty of old neighborhoods and instead favors imposing "McMansions". We would hate to see our neighborhood built up just for the sake of having gargantuan homes, with each and every house peering into adjacent properties' yards and lower levels. This loops back around to our primary concern: privacy. Having visited friends in new developments, every house is at minimum two stories and built right up to every setback; there is zero privacy unless residents are locked inside with blinds drawn. Such construction and character is inconsistent with immediately surrounding homes in our neighborhood.

If a precedent is set for building two-story homes, there is nothing to prevent any other neighbor adjacent to our property from adding levels to their homes or demolishing a structure and rebuilding. If other neighbors follow suit and build vertically, I will fight for my privacy, and that of my family, each and every time.

Consideration: "Livable Space"

Lazari Design states that the proposed plans are "for a new 2-story house with 2846.0 SF living space, 760.0 SF garages, 955.0 SF basement and 720 SF converted house to ADU". In the development plans, it is clear that the basement has some intention of adding "livable space" to the house, as it contains four rooms including a main room with a sink and countertop, and a full bathroom complete with shower. The basement appears to have two access stairwells, either leading to the interior or exterior of the house.

The previous designs Mr. Kim provided to us did not include a basement and this is a surprising addition. To our knowledge, no other houses nearby have a basement, and this is going further to maximize usable indoor space. With these plans to add a basement in mind, it is feasible to us that Mr. Kim's "dream house" need not be two stories high, and in fact a one-story structure with this 955 sq. ft. of basement would be more than sufficient to meet his spatial needs, especially considering there is also a separate ADU. If Mr. Kim absolutely needs extra room, he could accomplish this with a windowless, finished attic (thus solving privacy concerns) like the directly adjacent home at 17311 Wedgewood Ave.

We have no objections to the new home's construction if redesigned as a one-story structure in this way.

Summary

Our objections to this two-story construction extend beyond our personal preferences into concern for the privacy of future generations. We plan on residing in our current house our entire lives, at which point it is our hope that our children and grandchildren may take our places. Indeed, this is exactly what I have done myself by continuing residence next to my father and childhood home.

We love Los Gatos and cannot envision our lives anywhere else, whether within the bay area or outside of the state. Los Gatos has an old-world charm to it. Our neighborhood is a hidden gem, removed from cookie-cutter housing developments that prioritize oversized houses as status symbols and ignore once-isolated yards. We seek to preserve the unique character of the neighborhood I grew up in, and the home we'll be at well into our future.

We are sympathetic to the desire to build a "dream house", but this dream cannot come at the cost of privacy for all adjacent neighbors. We certainly would never compromise any of our neighbors' privacy with future work on our own property.

We will be rooted at our property for decades to come. We look forward to a continued relationship with Mr. Kim as a neighbor, but we don't want to be under observation in our own yard. We ask for the following restrictions and resolutions:

1. Limit new construction at 17291 Wedgewood Avenue to one story and a height no greater than that of structures on immediately adjacent properties.
2. Prohibit any window in the new construction that overlooks our yard, in both initial construction and future renovations.
3. The windows for the "ADU" be removed, reduced in height so that they do not overlook our fence, or otherwise completely obscured from our yard.

Once privacy has been lost, it's nearly impossible to regain.

Thank you for your consideration. It is our hope that the Review Committee will grant us adequate assurance that our family's privacy will be restored and protected, and our voices heard.

Sincerely,

Handwritten signatures of Will and Heather Maynard. The signature on the left is 'Will M' and the signature on the right is 'Heather Maynard'.

Will & Heather Maynard

Neighbors at [REDACTED]

August 4, 2022

Planning Commission
Town of Los Gatos
110 E. Main Street
Los Gatos, CA 95030

Applicant's Response to the Appeal of the July 12, 2022 Decision of the Development Review Committee for 17291 Wedgewood Avenue

Dear Planning Commissioners,

My wife and I are the owners of the property at 17291 Wedgewood Avenue. Please find our responses to the Appeal of the Decision of Development Review Committee below. We thank you in advance for taking the time to review our responses and believe you'll find that the proposed plan not only meets all of the applicable zoning regulations and design guidelines but has also been thoughtfully designed in careful consideration of our neighbors.

1. We have absolutely zero intent to convert the property into four rental units.

The Appellant's letter appealing the decision of the Development Review Committee is predicated on baseless assumptions of our intended plans for the property and defamatory remarks about my character. While we believe many of the fallacious statements do not merit a response, I would like to take a moment to provide some facts about ourselves and our intent for the property.

My wife and I have lived in the Peninsula and South Bay area for 40 years and raised our children here. We have lived in nearby towns like Menlo Park, Palo Alto, and San Jose, but have always hoped to one day make beautiful Los Gatos our home, where we have enjoyed visiting friends, dining at restaurants and making our weekend shopping trips to the farmer's market downtown. So when we had the opportunity to purchase the property at 17291 Wedgewood Avenue, we were extremely excited to build our dream home together.

We currently live in a small house located at the back of the property, which we plan to turn into an ADU. When we purchased the property, the house was in very poor condition and inhabitable. Prior to moving in, we completed some minor repairs so that we could live at the property. The yard was littered with debris and dead vegetation, which was a visible eyesore to the neighborhood. Since the first day of living on the property, we have spent a considerable amount of time, money, and energy making the property our home. My wife, who is a former florist, has planted many flowers, fruits, and vegetables all around our property, and spends over 2 hours every day tending her garden.

While the appellant claims that our proposed design is "clearly set up" and "obviously intended" to serve as multiple rental units, our design is in fact a function of our true intent for this property to become our forever home, where my wife and I can grow old together after my retirement. We designed a comfortable home where we will be able to spend time together, entertain friends and neighbors, and have our children and grandchildren visit and stay with us for the holidays.

Incidentally, if our true intent was indeed to convert the property into four rental units as the appellant alleges, we would have utilized the California SB-9 law to process the permits ministerially, which would have allowed us to bypass any discretionary review. But because we have absolutely no other intention than to build a home for us to live in, we submitted an Architecture and Site Application which would subject our plans to a lengthy design review process and discretionary approval.

2. I am a general contractor with a great track record.

The offensive references to me as “a rule-breaking contractor” with a “history of violating the law”, and a person who “does not consider the concerns of any of the neighbors, so long as he feels that his actions have a benefit to him” are slanderous, defamatory, and could not be further from the truth. I have built a business in the Bay Area as a general contractor for four decades with an excellent track record. My reputation in the business is of utmost importance to me and conduct myself in accordance with my values. The majority of my business comes from repeat clients and referrals from those clients, which I believe is a testament to the professionalism, standard of care, and most importantly, the integrity in which I conduct myself and my business.

While my wife and I were extremely disheartened to read the appellant’s statement that I am “not a member of (his) community, and an outsider who will leave the area as soon as he completes this 4 unit development”, we are comforted by the support we’ve received from many of our other neighbors, who have welcomed us with open arms into a community that we are already very much a part of.

3. The proposed design maximizes the available ground floor space after accounting for Town code and utility requirements, existing site constraints, and code-permitted uses and floor areas allotted for each and the placing the entirety of the proposed second floor square footage at the ground level is infeasible.

Our decision to design a 2-story home was largely a result of several site constraints that limit the amount of buildable area on the ground level. In addition to the code-required property setbacks, the Town requires a 20’ right-of-way dedication and an additional 10’ utility easement, both of which span the entirety of the property’s 92’ frontage. These requirements significantly restrict the available buildable area of the ground level. Additionally, there are several existing trees that will remain on our property that require construction offsets ranging from 15’ to 25’, and further restrict the amount of buildable area.¹

We have spent significant time and resources into making the existing house on the property a nice home to live in. The appellant’s demand that it be demolished is unwarranted and given that both the State and Town codes permit the conversion of our current home into an ADU. Because we intend to keep the existing structure on the property and provide it with comfortable separation from the proposed home, the available buildable area on the ground level is further restricted.

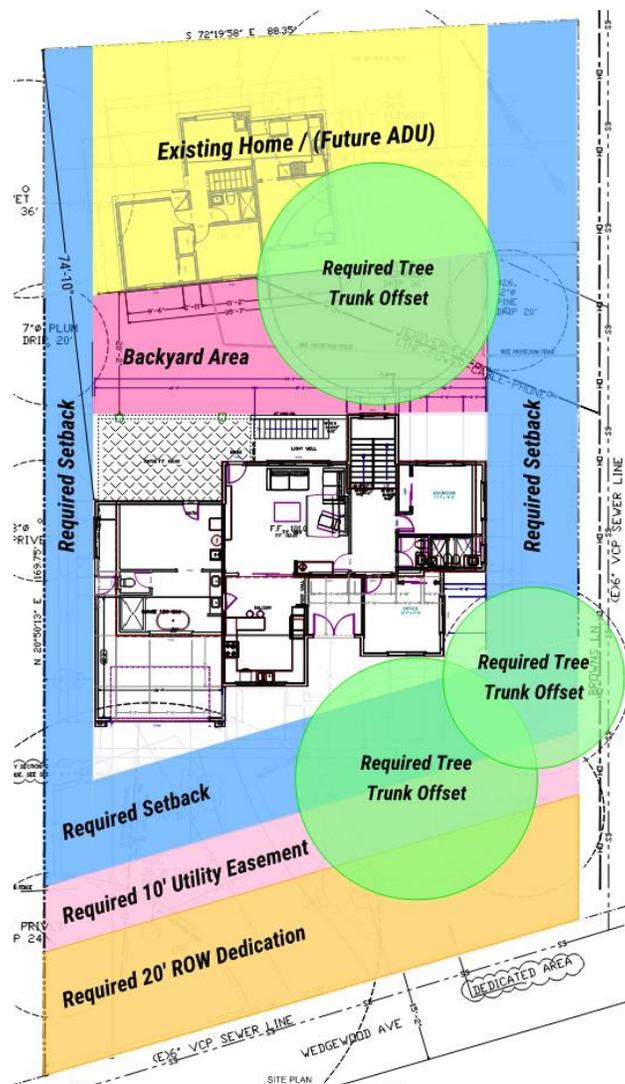
¹ The Architecture and Site Application S-21-027 Amended Draft Conditions of Approval No. 8 requires that the applicant “shall implement, at their cost, all recommendations identified in the Arborist’s report for the project (Consulting Arborist Report, Levison, W., Contract Town Arborist, 9/9/2021)” and that the “recommendations must be incorporated in the building permit plans and completed prior to issuance of a building permit where applicable.”

The proposed 775 sf garage is well below the code allowed maximum of 975 sf. We intend to use our garage for parking our two vehicles, which includes a pick-up truck with an extended truck bed I use as an active general contractor. We also intend to use the garage as overflow storage, which is arguably the most common way homeowners use their garage. Our garage will include a window to allow daylight into the space and is plumbed so we can install a utility sink.

We likely will use the proposed basement as a playroom for our grandchildren and an entertainment room. Because the space is in fact, a basement, and therefore is located below the ground level, we feel it is important to the comfort and usability of the space to have a wide enough entry that not only provides convenient outdoor access, but also lets in natural sun light and helps us reduce our ongoing energy costs.

Lastly, the ground floor level of the home could not be increased any further and still accommodate a modest amount of backyard space

The exhibit below depicts all of the site's existing constraints at the ground level and demonstrates that the proposed ground floor plan maximizes the available area after accounting for all of the factors mentioned above.



Based on all of the factors mentioned above, the appellant's demand that the proposed square footage of the second floor be placed entirely on the ground floor is infeasible and unreasonable. It would also render the home design inconsistent with many provisions of the Town of Los Gatos Single and Two Family Residential Design Guidelines ("Design Guidelines"), not least of which would create a large monolithic building without any articulation in the facades of the home.

4. The architecture of the home is contemporary Craftsman style, and the proposed plans are in conformance with all required zoning code regulations, and consistent with the Town of Los Gatos Single and Two Family Residential Design Guidelines.

Our home's Architecture and Site Application meets all of the required zoning regulations, including, setbacks, building height, and FAR, and includes no requests for variances.

It also meets all of the applicable Town Design Guidelines. The proposed architecture of the home is contemporary Craftsman, with a mix of gable and hip roofs, and variations in setbacks and massing, to reduce perceived bulk, and minimize its impacts on the streetscape and neighbors. The design incorporates a mix of colors and materials that are compatible with the character of Los Gatos.

Confirmation of these items were indicated in the Consulting Architect's Report, in which Mr. Cannon states, "the project is modest in size, with an overall mass and articulation sympathetic to the immediate neighborhood". He also makes note of the fact that "new homes are just recently beginning to replace smaller, older homes". Please be advised that all of the recommended modifications within his report were followed and incorporated into the current design.

Lastly, the approval of our application by the Development Review Committee during its July 12th meeting, where the proposed project was determined to meet all required findings and considerations for approval, is further affirmation of our proposed plan's compliance and conformance with all the Town's applicable codes, regulations, and Design Guidelines.

5. The proposed plans were designed, revised, and refined over the past 21 months with input from Town staff, the Town Consulting Architect, and neighbors.

As soon as we purchased the property, we reached out to our neighbors to letting them know about the repairs we would be making to the existing home, to share our proposed plans to build our home, and to start a dialogue with each of our neighbors regarding their possible concerns. We are pleased to report that with the exception of the appellant and his son, all of our immediate neighbors, including our immediate neighbors to the north and west, provided positive responses, and expressed they thought our proposed home would be a "beautiful addition" to our neighborhood. The Neighbor Notification & Response forms from our neighbors are attached with this letter for your reference.

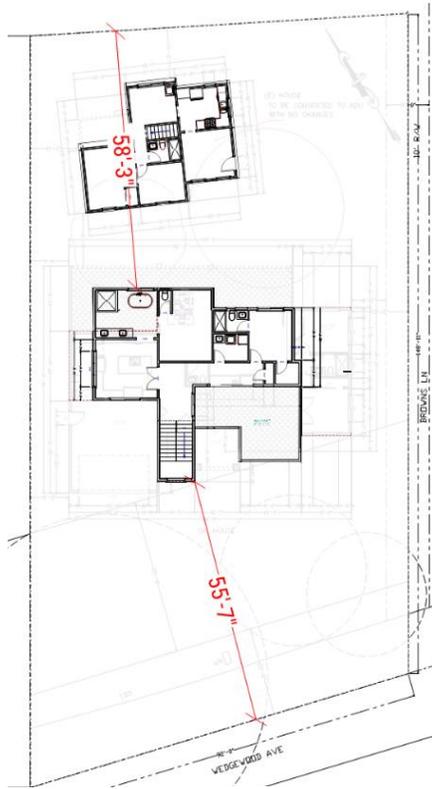
When we received feedback from the appellant and his son regarding potential impacts to their privacy, we understood the importance of addressing those concerns in our proposed plans. It should be noted however, that in a smaller lot single family residential neighborhood like ours, some visibility of one another's yards or even homes is unavoidable and an inherent part of living in a neighborhood where homes are spaced closer together. Nevertheless, we have worked diligently throughout the past 21 months to design, revise, and refine a plan for the home that not only meets

all of the applicable regulations and design guidelines, but also has minimal impact on our neighbors. To that end, we have made significant revisions to our original plan for the purpose of addressing the concerns about privacy from the appellant. More specifically, the following changes were made to the originally submitted plans in response to our neighbors' concerns regarding the proposed second floor and privacy:

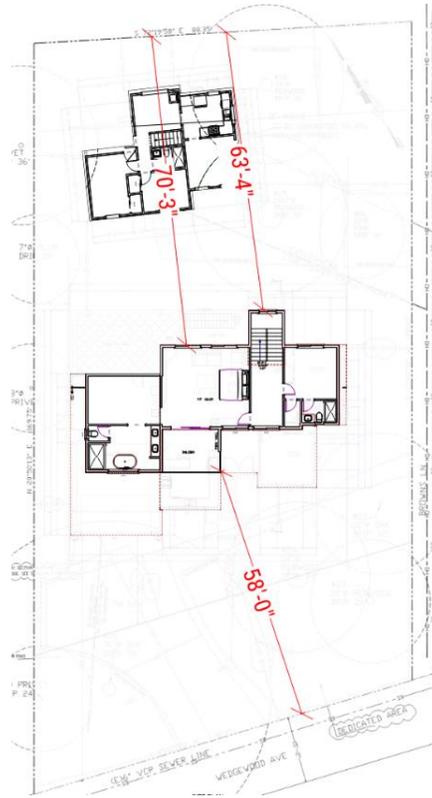
- A. The ground floor footprint of the home was shifted closer to Wedgewood Ave, away from the north and northwesterly property lines, increasing the setbacks by approximately 5' to 11.5'.



- B. The entire second floor layout was overhauled to rearrange the location of the primary bedroom, bathroom, and closet. This revised layout was not our preferred option, but we made a concession as a concerted effort to address the appellant's concerns and be good neighbors.
- C. We also revised the west elevation to include only a single clerestory window in the water closet, and the rear elevation so that the windows which face north – not to the northwest where the appellant's son's property at [REDACTED] – are now further inset and setback an additional 5' and 12' away from the northern property line.



Original Plan



Current Plan

D. Further, as directed by the DRC during its July 12th hearing, we will be obscuring the clerestory window of the primary bathroom and planting mature trees along the 20' of shared property line with [REDACTED].

Separately, a few months after we moved into our property, the appellant approached us with his plan to replace an old fence one along the 20' of the shared property line with his son's at [REDACTED] for privacy reasons. He asked us to split the cost of installing a new 6' fence, and as neighborly gesture of good faith, we agreed without hesitation, and have paid for half the cost of the work.

In spite of the many significant changes that were made to the proposed plans to address the appellant and his son's privacy concerns, he asserts the Planning Commission should require the elimination of all rear windows on the second story, and completely restrict any visibility out of the second floor of our home. As shown in the aerial image below, the limited visibility if any, from the second floor windows would be restricted to a small sliver of the backyard of [REDACTED]. Therefore, the appellant's demands are unreasonable and are not commensurate with the minimal impact our second-floor windows may have on the very edge of his son's property. Lastly, his demand for eliminating all rear windows run counter to one of his other primary complaints that the proposed home would look like a "prison cell block", which he attributed to the lack of windows on the left and right elevations.



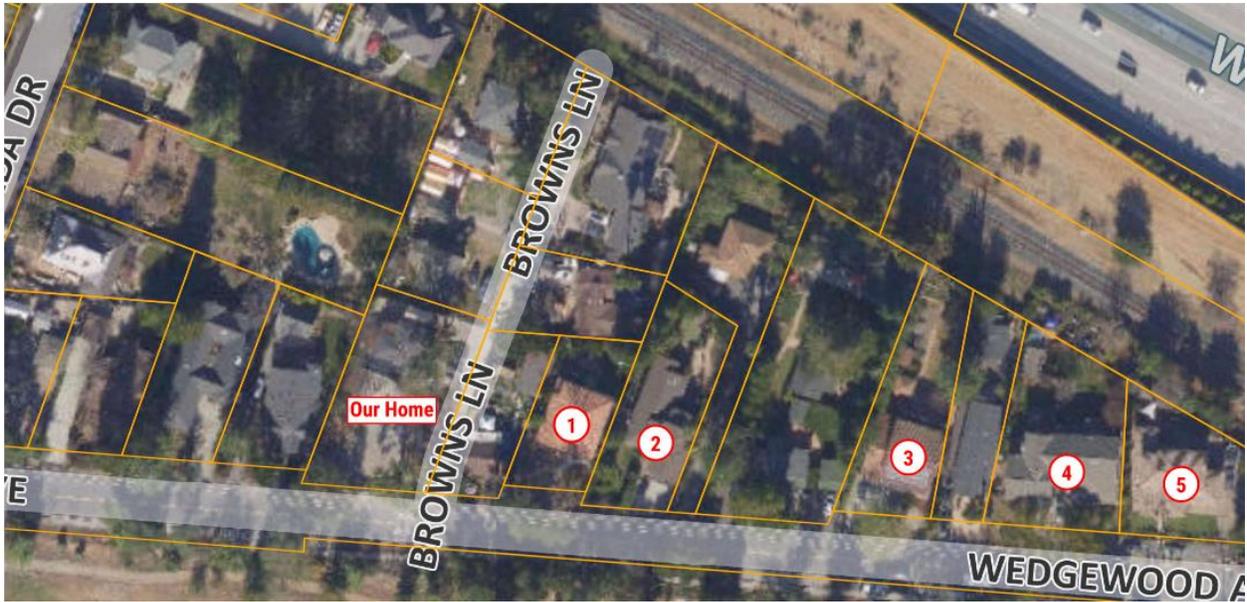
Aerial View of Proposed Second Floor Plan

We believe the current design has addressed all of the concerns from the appellant and his family to the extent that is feasible and reasonable. Being required to make any additional changes to the detriment of our home's livability would be unjustified.

6. The immediate neighborhood of the home includes a mix of 1-story and 2-story homes.

Contrary to the appellant's claims that the approval of our 2-story home "would set a precedent and ruin our neighborhood" and that "the houses built in our neighborhood have all been single story", our neighborhood includes a mix of both 1-story and 2-story homes, and the clear precedent for 2-story homes was established over 30 years ago.

On page 1 of CDG's Consulting Architect's Report, it states, "the site is located in an older neighborhood containing a mix of one and two-story homes." The project planner, Sean Mullen, reaffirmed this fact during his opening statement at the July 12, 2022, Development Review Committee, where he stated, "the proposed residence would not be the first two story residence in the immediate neighborhood, as one is located two properties down to the east and the project meets all the objective standards of the zoning code". There are in fact, five 2-story homes on the next block alone, starting from the home located two properties east of ours.



Based on the Town’s available online Building Permit Records², homeowners began renovating or constructing 2-story homes in our immediate neighborhood prior to 1994. The 1-story homes that the appellant referenced in his appeal letter are an incomplete portrayal of the history of home construction in the area. The table below clearly shows that homes in the immediate area of ours have been improved at various points over the past 30 years as 2-story homes. The addresses shown in red are those 1-story homes referenced in the appellant’s letter, while the addresses shown in blue are the 2-story homes that exist in our neighborhood today. As shown below, the homes referenced by the appellant in his letter were selected out of context to depict a false reality of our neighborhood.

Address	Stories	Permit Final Date
17177 Wedgewood	2 story	Before 1994*
17211 Wedgewood	2 story	Before 1994*
17481 Wedgewood	2 story	Before 1994*
14294 La Rinconada	2 story	Before 1994*
14300 La Rinconada	2 story	Before 1994*
14314 La Rinconada	2 story	Before 1994*
17311 Wedgewood	1 story	Before 1994*
17323 Wedgewood	1 story	1992
14292 Mulberry	2 story	1995
14299 Mulberry	2 story	1997

² Town of Los Gatos, Building Search Records. <https://permits.losgatosca.gov/Building/Search-Records>

14264 Mulberry	2 story	1998
17501 Wedgewood	2 story	1998
14330 Browns	1 story	1998
14322 Mulberry	2 story	2002
14330 Mulberry	2 story	2004
17159 Wedgewood	2 story	2006
17471 Wedgewood	1 story	2008
14317 La Rinconada	2 story	2009
17251 Wedgewood	2 story	2015
17265 Wedgewood	2 story	2015
14325 Mulberry	1 story	2016
14333 Mulberry	2 story	2018
14340 Mulberry	1 story	2016
14350 La Rinconada	1 story	2021
14311 Mulberry	2 story	2021
<i>*Town's Building Permit History records prior to 1994 are not available online and therefore assumed to have been completed prior to then.</i>		

As depicted in the exhibit below, 2-story homes within a two-block radius of our home, constitute nearly third of all homes in the immediate neighborhood.

***Out of the 60 homes shown within this map view, 18 homes are two-story, which constitute 30% of all homes in this area**



The proposed design of our home is a culmination of nearly two-years' worth of discussions with our design team, project planner, and most importantly, our neighbors. The plan has been thoroughly studied and refined through the design process, and meets all of the required Town code regulations and Design Guidelines, with any requests for variances.

We believe the current design has addressed all of the concerns from our neighbors, including those of the appellant, to the extent that is feasible and reasonable.

My wife and I are incredibly happy to be part of this wonderful community and look forward to your approval of our proposed plans on August 24th and allowing us to begin building our forever home.

Thank you very much for your time and consideration.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Young Kim', with a stylized, cursive script.

Young Kim
Owner of 17291 Wedgewood Avenue

New Home Construction
Neighbor Notification & Response

Property Address: 17291 Wedgewood Ave
Los Gatos, CA

Property Owner: Young and Tai Kim

Contact Info: (408) 206-2788 / youngchkim@gmail.com

Dear Neighbor,

We are planning to submit preliminary plans of my residence to the Town of Los Gatos for their Architecture and Site Plan application review. We respectfully request you to complete and sign this form to indicate you have had an opportunity to review and comment on the proposed plans.

Please note this notice and preliminary plans are being provided to all adjoining property owners and the property owner(s) across the street from the property address.

Neighbor Name: Paul Brown **Date:** 4/22/21

Neighbor Address: [REDACTED]

Neighbor Contact Info (Phone or email):- [REDACTED]

Thoughts and comments can be provided below:

Looks like a great and welcomed
addition to our neighborhood!

Welcome to Wedgewood.

Neighbor Signature: 

New Home Construction
Neighbor Notification & Response

Property Address: 17291 Wedgewood Ave
Los Gatos, CA

Property Owner: Young and Tai Kim

Contact Info: (408) 206-2788 / youngchkim@gmail.com

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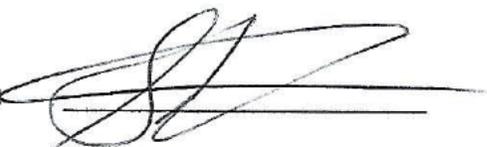
Neighbor Name: Kamran Shafiei **Date:** 04/22/2021

Neighbor Address: [REDACTED]

Neighbor Contact Info (Phone or email): [REDACTED]

Thoughts and comments can be provided below:

Supportive of your plans and
happy to see the neighbourhood
develop.

Neighbor Signature: 

New Home Construction
Neighbor Notification & Response

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Neighbor Name: Mike Schmidlin **Date:** 4/20/21

Neighbor Address: [REDACTED]
Neighbor Contact Info (Phone or email): [REDACTED]

Thoughts and comments can be provided below:

I am very happy to have Young
& Kim as neighbors. Looks
like it will be a nice house.

Neighbor Signature: 

New Home Construction
Neighbor Notification & Response

Property Address: 17291 Wedgewood Ave
Los Gatos, CA

Property Owner: Young and Tai Kim

Contact Info: (408) 206-2788 / youngchkim@gmail.com

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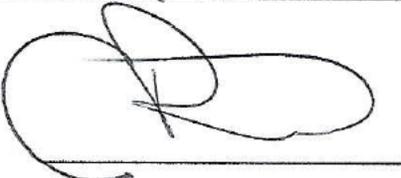
Neighbor Name: Caterina + Don Peterson **Date:** 4/21/21

Neighbor Address: [REDACTED]

Neighbor Contact Info (Phone or email):- [REDACTED]

Thoughts and comments can be provided below:

Would love to see more trees. look forward
to hearing about next steps and city
review. Its beautiful!

Neighbor Signature: 

New Home Construction
Neighbor Notification & Response

Property Address: 17291 Wedgewood Ave
Los Gatos, CA

Property Owner: Young and Tai Kim

Contact Info: (408) 206-2788 / youngchkim@gmail.com

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Neighbor Name: John Wallace **Date:** 4-22-21

Neighbor Address: [REDACTED]

Neighbor Contact Info (Phone or email):- [REDACTED]

Thoughts and comments can be provided below:

The Kim family have shared their plans for a new home.
We are excited for them, and their house looks like it
will be a beautiful addition to the neighborhood.

Neighbor Signature: 

New Home Construction
Neighbor Notification & Response

Property Address: 17291 Wedgewood Ave
Los Gatos, CA

Property Owner: Young and Tai Kim

Contact Info: (408) 206-2788 / youngchkim@gmail.com

Dear Neighbor,

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Neighbor Name: Michael Kowitz **Date:** 04/23/2021

Neighbor Address: [REDACTED]
Neighbor Contact Info (Phone or email):- [REDACTED]

Thoughts and comments can be provided below:

Everything looks good, looking forward
to seeing your home built.

Neighbor Signature: 

New Home Construction
Neighbor Notification & Response

Property Address: 17291 Wedgewood Ave
Los Gatos, CA

Property Owner: Young and Tai Kim

Contact Info: (408) 206-2788 / youngchkim@gmail.com

Dear Neighbor,

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Please note this notice and preliminary plans are being provided to all adjoining property owners and the property owner(s) across the street from the property address.

Neighbor Name: Cathy Vafasiz **Date:** 4/22/2021

Neighbor Address: [REDACTED]
Neighbor Contact Info (Phone or email):- [REDACTED]

Thoughts and comments can be provided below:

A nice addition to the neighborhood.

Neighbor Signature: [Signature]

New Home Construction
Neighbor Notification & Response

Property Address: 17291 Wedgewood Ave
Los Gatos, CA

Property Owner: Young and Tai Kim

Contact Info: (408) 206-2788 / youngchkim@gmail.com

Dear Neighbor,

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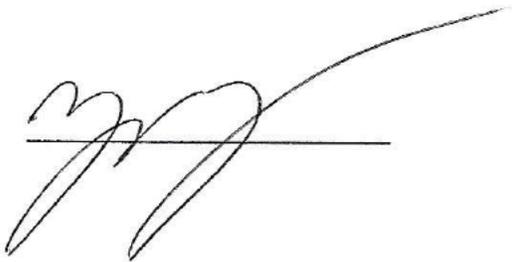
Neighbor Name: Zack Kowitz **Date:** 4/23/21

Neighbor Address: [REDACTED]

Neighbor Contact Info (Phone or email): [REDACTED]

Thoughts and comments can be provided below:

I'm not against any of the building
plans proposed by Young & Tai Kim

Neighbor Signature: 



LAZARI DESIGN

6154 Royal Acorn Pl.
San Jose CA 95120
Tel: (408) 781-8374
Fax: (408)323-9522
Email: elazari@comcast.net

Date: July 13th, 2021

Re: 17291 Wedgewood Ave.
Los Gatos, CA

Written Description

The current owner of this property when purchased it in 2020, there was a small house on it which we are trying to convert it to an ADU and a garage/shed almost demolished with no foundation.

We have included a photo of that garage just to show the situation of that in the plans. That garage does not exist and all we have now is a small house with many trees on the lot. After survey, the owner decided to have a new 2-story house on the lot and after receiving comments for the dedications, he decided to add abasement as well. The proposed plans are for a new 2-story house with 2846.0 SF living space, 760.0 SF garages, 955.0 SF basement and 720.0 SF converted house to ADU.

Young Kim *young kim*

Edick Lazari **LAZARI DESIGN**
6154 ROYAL ACORN PL
SAN JOSE CA 95120
(408)781-8374

EXHIBIT 8

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LAZARI DESIGN

6154 Royal Acorn Pl.
San Jose CA 95120
Tel: (408) 781-8374
Fax: (408)323-9522
Email: elazari@comcast.net

Date: Sep 30th, 2021

Re: 17291 Wedgewood Ave.
Los Gatos, CA

Letter of Justification

Fortunately, the owner of this project is a contractor. He was working on a two-story house in Los Gatos, so it was easier to convince him to follow the guideline.

This project is in area of combination of one and two-story houses, so we decided to go for two story. We started with bigger house but now, by some modifications, the proposed project size is almost same as mid-size houses in neighborhood. Please note we've reduced the size more than 250 SF in current submittal.

In terms of style, we tried simple architectural design considering Los Gatos traditional houses by using siding walls and composition shingles to keep our respect to the surrounding neighborhood. There were some minor items which after receiving Architectural consultant comments, we corrected them like the size of balcony which is half of original design and integrate that into the design by some modifications. The balcony is at the front and open only to the golf course. We also lowered the porch plate height to match with guideline 3.5.3.

At the right side, upper floor, we have no window and at the left side, only one small with 5' sill height to protect privacy of neighbors. Both side walls have bigger setback at the second floor. We've tried to have a shed roof between floors and to avoid stacked walls. Pitch of the roof is 5:12 which match with most neighborhood houses.

Lazari Design

LAZARI DESIGN
6154 ROYAL ACORN PL
SAN JOSE CA 95120
(408)781-8374



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August 27, 2021

Mr. Sean Mullin
Community Development Department
Town of Los Gatos
110 E. Main Street
Los Gatos, CA 95031

RE: 17291 Wedgewood Avenue

Dear Sean:

I reviewed the drawings and evaluated the site context. My comments and recommendations are as follows:

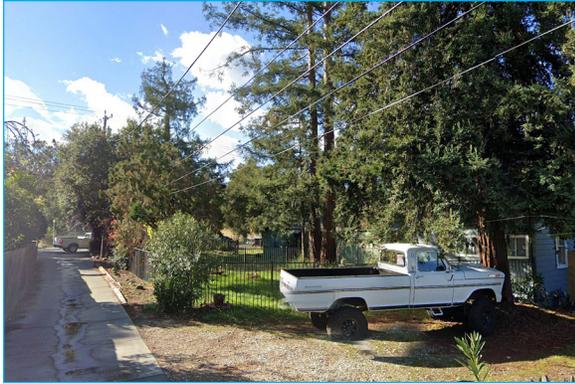
NEIGHBORHOOD CONTEXT

The site is located in an older neighborhood containing a mix of one and two-story homes. New homes are just recently beginning to replace smaller, older homes. Photos of the site and surrounding neighborhood context are shown on the following page.





The Site



The site viewed from the side street



Homes to the rear on the side street



Nearby house to the immediate left on Wedgewood Ave.



Nearby house to the right on Wedgewood Avenue

ISSUES AND CONCERNS

The project is modest in size, with an overall mass and articulation sympathetic to the immediate neighborhood - see elevations below.



PROPOSED FRONT ELEVATION



PROPOSED LEFT SIDE ELEVATION

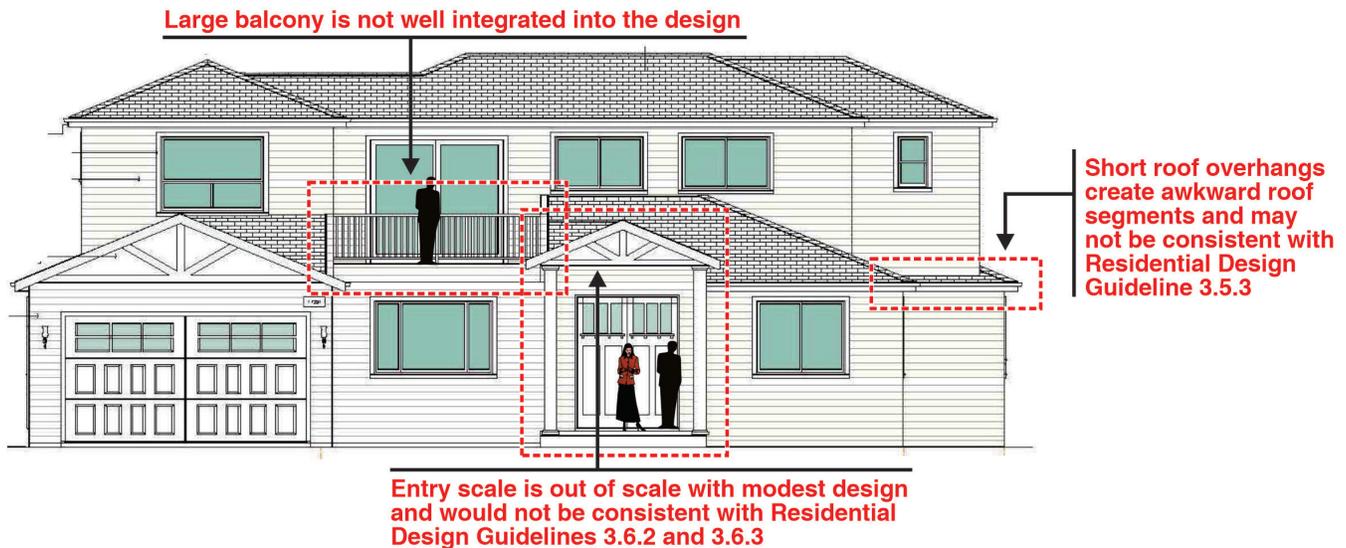


PROPOSED REAR ELEVATION



PROPOSED RIGHT SIDE ELEVATION

I only identified a few issues, as follows:



1. The entry is out of scale with the proposed architectural style and the other homes in the immediate neighborhood, and it would not be consistent with Residential Design Guidelines 3.6.2 and 3.6.3.

3.6.2 Design home entries with sensitivity to the architectural style

- *Most architectural styles have a distinctively unique entry type. Avoid using an entry type that is not part of the style. For example, avoid using projecting entries, especially those with an eave line higher than the first floor roof, for Ranch Style houses or in Ranch Style neighborhoods.*

3.6.3 Design entries with sensitivity to the surrounding neighborhood

- *Avoid large and formal entries unless that is the norm for nearby houses. It is often best to start the design consideration with an entry type (e.g., projecting or under eave porch) that is similar to nearby homes.*

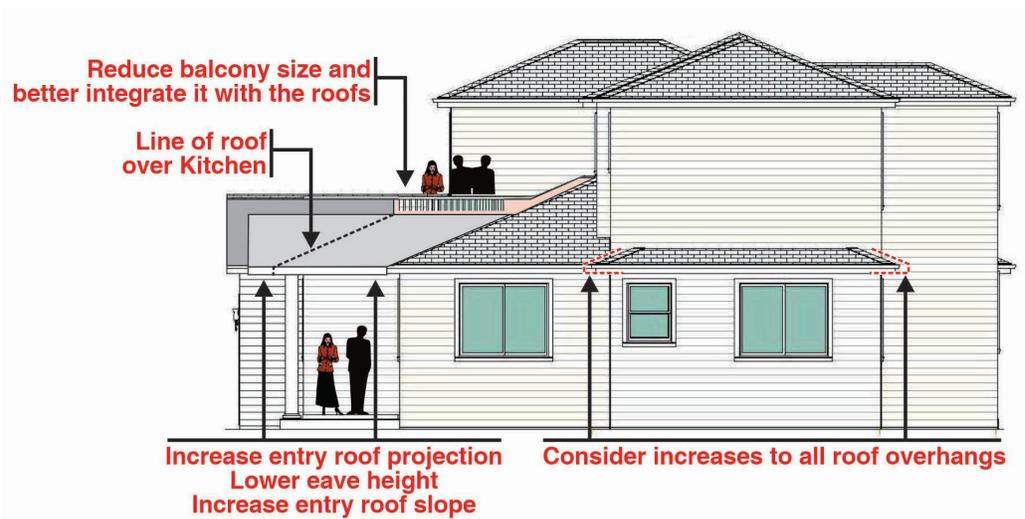
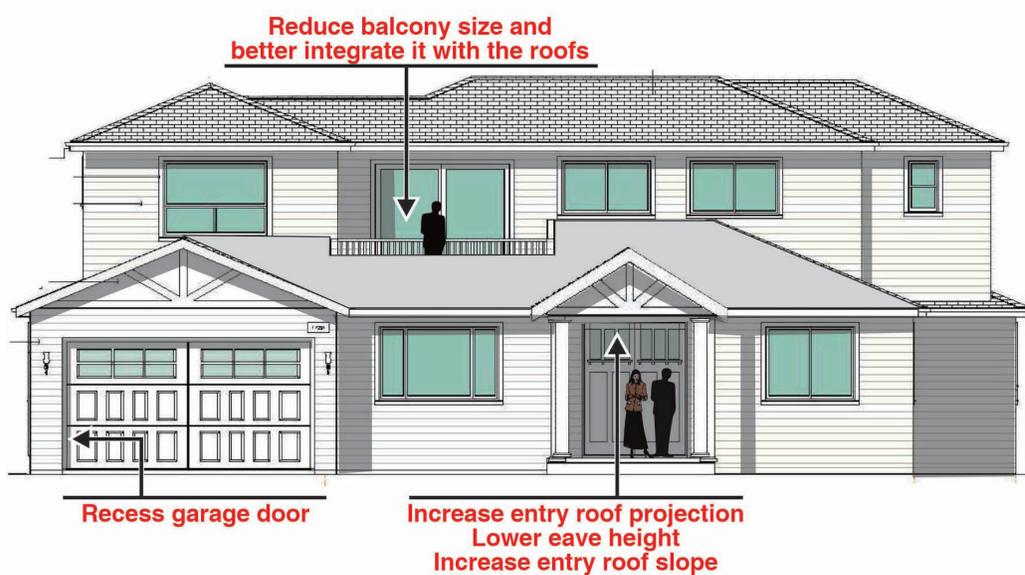
2. The very large second floor balcony is not well integrated into the overall design.
3. The roof overhangs are small for the architectural style, and result in some awkward small first floor roof segments. They may not be consistent with Residential Design Guideline 3.5.3.

3.5.3 Relate roof overhangs to the architectural style and to the surrounding neighborhood

- *Some architectural styles (e.g., Mission and Spanish Eclectic) often come in small and large overhang versions. In those circumstances, tailor the roof overhangs to the general character of the surrounding homes.*

RECOMMENDATIONS

1. Lower the entry gable eave line to match the remainder of the first floor.
2. Increase the entry roof projection.
3. Increase the roof slope of the entry gable.
4. Reduce the second floor balcony size and better integrate it into the overall design by continuing the first floor eave and sloped roof across its frontage.
5. Consider increasing all roof overhangs.
6. Recess the garage door consistent with Residential Design Guideline 3.4.1.



Sean, please let me know if you have any questions, or if there are other issues that I did not address.

Sincerely,

CANNON DESIGN GROUP

Larry L. Cannon

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**Assessment of Eight (8) Protected-Size Trees
at and adjacent to
17294 Wedgewood
Los Gatos, California**

Prepared for:
Mr. Sean Mullin, Associate Planner
Town of Los Gatos Community Development Department
110 E. Main Street
Los Gatos, CA 95030

Field Visit:
Walter Levison, Contract Town Arborist (CTA)
8/28/2021

Report by CTA
9/9/2021

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1.0 Summary

- a. Below is a matrix style overview of protected-size trees (non-exempt species, 4-inches diameter at 4.5 feet above grade). In the table, the CTA (Contract Town Arborist) has outlined expected impacts to each tree, along with suggestions for adjustments to the plan set (if applicable) that will optimize tree survival over the long term.

The CTA calculated the appraised value of each tree, which can be used as a tool for determining the proper security bond amount to have the applicant post with the Town as a hedge against site plan-related tree damages (if applicable). Appraised values can also be used to determine damage fees if trees are determined during or after construction to have been damaged such that mitigation is required.

Mitigation replacement rate and size is noted for each tree in the case that removal or damage to trees occurs.

Only trees within relatively close proximity of proposed work are included in this tree study (e.g. tree trunks located between approximately zero and 30 linear feet of current proposed new grading, utility trenching, excavation, haul routes, landscaping, etc. as shown on proposed plans, and trees with canopy driplines that encroach onto the subject property).

New Staff Protocols / High Risk Trees and Dead Trees

Per my communications with Town Planning Division Staff in 2021, all trees with a TRAQ risk rating of “high” or “extreme”, and all trees in “dead” (i.e. 0 to 5% overall condition ratings) are allowed to be removed as no-fee removals, without any canopy replacement fees or plantings required, when a site is undergoing entitlement review. The reference for this no-fee/no-replacement removal standard is tree ordinance section 29.10.0985.

Author’s Side Notes Regarding the 17294 Wedgewood Submittal Set of Plans:

1. Missing Plans:

The applicant’s set of plans from March, 2021 does not include utility hookup trench routing, drainage pipe and area drain trenching routes, electrical lighting conduit trenching routes, landscape planting plans, or irrigation pipe trenching plans. Therefore, these elements or a subset of these items will need to be reviewed by the CTA at a later time, under a separate contract in addition to and distinct from this initial tree assessment and arborist report preparation to 9/9/2021, in order to fully evaluate the various expected (potential) negative impacts that construction of these items will have on the health and structure of trees being protected and retained.

2. RPZ Root protection zone fencing:

It is not clear at the time of writing whether routing of the RPZ fencing per the author’s suggested perimeters will be feasible, or whether it will partial hinder construction staging, storage, work, ingress, egress, etc.

The way it is shown on the CTA’s tree protection map markup at the end of this report is considered “optimal” in terms of maximizing root system preservation around trees being retained, though even if fencing is set up along the routes suggested by the CTA, there will still be significant root loss

east of tree #21, and south of tree #27 (unless the basement footprint is pushed southward to 18 feet offset from trunk edge of tree #27, as was stated by the applicant during the CTA's field visit to this site in September, 2021).

Table 1.0(a) (REFER TO THE CTA'S TREE MAP MARKUP IN SECTION 12.0 WHEN REVIEWING THIS MATRIX)

Line Number	Tree Tag Number	Expected Tree Disposition	Appraised Value (per 10 th Edition of <i>Guide for Plant Appraisal</i> , for Trees Being Preserved)	Suggested Changes to Applicant's Proposed Plans to Boost Tree Conservation Suitability Rating (TCS) to "Moderate" or "Good"	Replacement Rate Per Canopy Lost	Replacement Size Tree
1	21	Retain	\$15,000.	<p>Minimize or eliminate all excavation for the proposed driveway and for any scarification/compaction related to "subbase preparation" below the proposed driveway base materials, within approximately 25 linear feet of the trunk edge. In order to accomplish this, the only methods and materials known to the author are to use a very high performance model of triaxial geogrid or biaxial geogrid laid down over the existing soil grade surface, which then provides increased load bearing performance and eliminates the need for any subbase preparation.</p> <p>In the author's recent 2021 experience with projects throughout the Bay Area, there may be a fire truck rating required for the drive, on the order of +/- 70,000 lbs of load bearing capacity. The author has worked on various driveway, walkway, and parking lot projects over the past few years at Stanford University where subbase preparation was completely eliminated, and we used Tensar TX160 triaxial geogrid laid over existing soil grade to achieve this level of performance. The project engineers and County engineers signed off on this "non-standard" build spec.</p>	(\$250 per each 24" Box) X 10 = \$2,500.	24" Box

Line Number	Tree Tag Number	Expected Tree Disposition	Appraised Value (per 10 th Edition of <i>Guide for Plant Appraisal, for Trees Being Preserved</i>)	Suggested Changes to Applicant's Proposed Plans to Boost Tree Conservation Suitability Rating (TCS) to "Moderate" or "Good"	Replacement Rate Per Canopy Lost	Replacement Size Tree
2	22	Retain	\$2,390.	<p>No changes to plans required.</p> <p>Note however that this tree will require chain link root protection zone (RPZ) fencing, and the degree to which the root system can be protected and preserved will depend completely on the ROUTE of the chain link fence in terms of fence offset distance from trunk, which should be at least 15 to 20 feet offset radius from trunk, or more, in all directions.</p>	(\$250 per each 24" Box) X 3 = \$750.	24" Box
3	23	Retain	\$3,220.	<p>No changes to plans required (caveat: the applicant does not appear to have submitted certain plan sheets such as grading, drainage, irrigation, etc. that would have allowed the CTA to assess specific negative impacts to this tree related to trenching, grading, etc. These impacts are considered "unknown" at this time).</p> <p>This tree will require chain link root protection zone (RPZ) fencing, and the degree to which the root system can be protected and preserved will depend completely on the ROUTE of the chain link fence in terms of fence offset distance from trunk, which should be at least 15 to 25 feet offset radius from trunk, or more, in all directions, per the CTA's tree map markup.</p>	(\$250 per each 24" Box) X 3 = \$750.	24" Box

Line Number	Tree Tag Number	Expected Tree Disposition	Appraised Value (per 10 th Edition of <i>Guide for Plant Appraisal, for Trees Being Preserved</i>)	Suggested Changes to Applicant's Proposed Plans to Boost Tree Conservation Suitability Rating (TCS) to "Moderate" or "Good"	Replacement Rate Per Canopy Lost	Replacement Size Tree
4	24	Retain	\$17,100.	<p>No changes to plans required (caveat: the applicant does not appear to have submitted certain plan sheets such as grading, drainage, irrigation, etc. that would have allowed the CTA to assess specific negative impacts to this tree related to trenching, grading, etc. These impacts are considered "unknown" at this time).</p> <p>This tree will require chain link root protection zone (RPZ) fencing, and the degree to which the root system can be protected and preserved will depend completely on the ROUTE of the chain link fence in terms of fence offset distance from trunk, which should be at least 15 to 25 feet offset radius from trunk, or more, in all directions, per the CTA's tree map markup.</p>	(\$250 per each 24" Box) X 6 = \$1,500.	24" Box
5	25	Retain	\$3,480.	<p>No protection is required for this tree, given that it is a neighbor-owned specimen behind an existing fence that is to remain as-is, and overhangs an existing residence roof peak that will remain as-is.</p>	(\$250 per each 24" Box) X 4 = \$1,000.	24" Box
6	26	Retain	\$1,610.	<p>This low-value tree has been severely pruned to clear airspace around existing utility wires, etc. The tree in its current position is slightly blocking ingress-egress to the proposed construction area. However, the CTA expects that the builder will access the site only from the south (i.e. from Wedgewood), as opposed to entering the project from Browns Lane, which would necessarily cause excessive traffic around trees #26, 27, 28.</p> <p>The CTA suggests that Staff formally create a project condition of approval (COA) that states that all site plan work for main residence construction and all related ancillary construction be performed using only Wedgewood as the ingress and egress point, and specifically note that contractor access through Browns Lane will not be allowed.</p>	(\$250 per each 24" Box) X 3 = \$750.	24" Box

Line Number	Tree Tag Number	Expected Tree Disposition	Appraised Value (per 10 th Edition of Guide for Plant Appraisal, for Trees Being Preserved)	Suggested Changes to Applicant's Proposed Plans to Boost Tree Conservation Suitability Rating (TCS) to "Moderate" or "Good"	Replacement Rate Per Canopy Lost	Replacement Size Tree
7	27	Retain	\$8,000.	<p>This tree is located in an existing gravel parking area in front of the existing smaller residence that is accessed from Browns Lane.</p> <p>In order to better preserve and protect the south and west portions of this tree's horizontally-extended root system, it would be beneficial if we could draw up a planning division condition of approval (COA) that restricts all contractor site access to Wedgewood, and states specifically that site access through Browns Lane will not be allowed. By restricting site access only through Wedgewood, we will be able to erect chain link RPZ fencing over a much larger portion of the root system, since the contractors will not access the site from Browns Lane.</p> <p>Note also that the current drawing from March, 2021 shows the distance between trunk base edge and basement limit of excavation at roughly 11 feet offset radius. This tree has a Critical Root Zone (CRZ) of approximately 20 feet radius in terms of recommended construction offset from edge of trunk. Therefore, the CTA recommends that the offset distance be increased to roughly 20 feet. I did speak with the applicant on site, who informed me that he had recently resubmitted a new site plan drawing to planning division which apparently shows a modified basement excavation offset of much farther south than currently shown on the CTA's tree map markup (e.g. 20 feet or more southwards offset, etc.).</p> <p>The CTA suggests that planning staff provide the CTA with an updated "finalized" layout of the proposed new residence and basement excavation limits, showing correct scale, with an offset distance of at least 20 feet or more between basement cut limit and tree #27 trunk base edge, so that the south side of the tree's root system is verified as being retained according to the accepted Critical Root Zone standard offset distance.</p>	(\$250 per each 24" Box) X 4 = \$1,000.	24" Box

Line Number	Tree Tag Number	Expected Tree Disposition	Appraised Value (per 10 th Edition of Guide for Plant Appraisal, for Trees Being Preserved)	Suggested Changes to Applicant's Proposed Plans to Boost Tree Conservation Suitability Rating (TCS) to "Moderate" or "Good"	Replacement Rate Per Canopy Lost	Replacement Size Tree
8	28	Retain	\$6,700.	<p>This tree is located in the front yard/gravel parking lot area of the existing smaller residence, and is accessed off of Browns Lane.</p> <p>There is no fencing required for the tree per-say. However, it would be beneficial, as noted above in this report summary table 1.0(a), if planning staff could create a planning division condition of approval (COA) that prohibits contractor access to/from Browns Lane, and restricts ingress/egress to Wedgewood only, so that the root system is not unnecessarily compacted by months or years of construction-related vehicle and machinery traffic.</p> <p>Even though the tree's root system is covered with gravel and would appear to be "impacted" by presence of the existing driveway/parking area, these older open soil root zone areas covered with gravel tend to be far less compacted than modern engineered surfaces, and therefore the tree #28 root system may be far more extensive and far-reaching in terms of radial extension out from trunk edge, and in much better condition, than might be expected. Therefore, any and all methods of excluding contractor staging, storage, movement, etc. within 30 feet of the tree would be beneficial for protection and preservation of the root system.</p> <p>Side note: coast redwoods tend to have root systems far more extended than their canopy dripline radii, sometimes as far as 3x or 4x the canopy dripline distance from trunk edge.</p>	(\$250 per each 24" Box) X 4 = \$1,000.	24" Box

2021-22 Town of Los Gatos In-lieu fee equivalent = \$250 per each required 24" box mitigation tree planting not installed on the site. 15-gallon size trees are only allowable as new plantings for properties measuring < 10,000 square feet, but the same \$250 per-tree fee still applies when calculating in-lieu fees for all required canopy replacement trees that will not actually be installed on the site by the applicant. This particular property measures +/-14,000 sq. ft., and is therefore not eligible for the 15-gallon size replacement tree standard.

2.0 Assignment & Background

Walter Levison, Contract Town Arborist (CTA) was directed to tag and assess all Protected-Size (4-inch diameter and greater) trees in relatively close proximity to the proposed site plan project area, including off-site trees on neighboring properties which were expected to be negatively impacted by the applicant's planned work.

The CTA assessed the entire set of 2021 plans. Tree data were collected and assembled by the CTA in section 11.0 of this report. Tree tags were affixed by the CTA to the mainstems of both the on-site and neighbor-owned trees. These tags were racetrack shaped aluminum tags numbering "21" through "28" (eight total trees assessed).

Missing Plan Sheets

This application did not include various standard plan sheets such as grading, drainage, utilities, irrigation, etc. Therefore, the CTA did not review any impacts to the trees from proposed construction, except for basic impacts from excavation related to the driveway and main residence footprints themselves. The CTA will need to review additional documents at a later time in order to fully assess expected construction-related impacts to trees being retained.

Privets, fruit trees, and palms were excluded from the study, as these are considered non-regulated "exemption trees" per the Town tree ordinance.

The CTA's recommendations in section 4.0 of this report are based on published information in various standard arboriculture texts, such as the series of *Best Management Practices* (BMP) companion publication (booklets) published by International Society of Arboriculture that are periodically updated over time. The series of BMP booklets accompany the ANSI-A300 USA standards for tree care used by U.S.-based tree care companies.

Additional supporting information includes digital images archived by the CTA as section 10.0, a tree map markup JPEG embedded as section 12.0.

The CTA utilized a forester's D-tape to determine tree mainstem (trunk) diameters at 4.5 feet above grade. The D-tape is a circumferential tape that converts actual trunk circumference to an averaged diameter in inches and tenths of inches. Tree heights were determined using a digital Nikon Forestry Pro 550 hypsometer. Tree canopy spread diameters were estimated visually or paced off.

Side Note on Fencing

The applicant discussed their plans with the CTA on site during the field assessment, and how they had recently resubmitted to planning with a different layout for the basement and residence footprint which pushes the massing farther southward than shown on the March 2021 site plan reviewed by the CTA and used to create the tree map markup included in this report. The "revised" sheet apparently shows the basement cut at 18 feet south of tree #27 trunk base edge (though this cannot be confirmed at the time of writing, since the CTA has not reviewed that updated site plan sheet).

The preservation of tree #27 will depend on the extent to which we can fence off its root system and prevent unnecessary compaction and other construction-related soil root zone damages. The CTA included a "suggested" route for the fencing around tree #27 on the tree map markup in this report, based solely on the existing March 2021 proposed site plan layout, which according to the applicant is now an obsolete drawing. It is

expected that the fencing can be set further southward than currently shown on the CTA's tree map markup, if the new layout of the proposed basement and residence foundation footprint has now been shifted to 18 feet south of the tree #27 trunk base edge.

3.0 Town of Los Gatos – What Trees are Protected?

Per the most recent (2015) iteration of the Town of Los Gatos tree ordinance (Town Code Chapter 29 – Zoning Regulations, Article 1), the following regulations apply to all trees within the Town's jurisdiction (wordage adjusted):

1. All trees with at least a single mainstem measuring four (4) inches diameter or greater at 4.5 feet above grade are considered “**Protected Trees**” when removal relates to any development review.
2. 12 inch diameter (18 inch multistem total) trees on developed residential property not currently subject to development review.
3. 8 inch diameter (8 inch multistem total) blue oak (*Quercus douglasii*), black oak (*Quercus kelloggii*), California buckeye (*Aesculus californica*), and Pacific madrone (*Arbutus menziesii*) on developed residential lots not currently subject to development review.
4. 8 inch diameter (8 inch multistem total) trees on developed residential property not currently subject to development review, on lots in the designated **Hillside Area** per the official Town map.
5. All trees with a single mainstem or sum of multiple mainstems totaling 48 inches diameter or greater at 4.5 feet above grade are considered “**Large Protected Trees**” (LPT).
6. All oak species (*Quercus spp.*), California buckeye (*Aesculus californica*), and Pacific madrone (*Arbutus menziesii*) with one or more mainstems totaling 24 inches diameter or more at 4.5 feet above grade are considered “**Large Protected Trees**” (LPT).
7. Section 29.10.0965. Prohibitions: A **permit** is required to prune, trim, cut off, or perform any work, on a single occasion or cumulatively, over a three-year period, affecting 25% or more of any **Protected Tree** (including below ground root system).
8. Section 29.10.0965. Prohibitions: A **permit** is required to prune, trim, or cut any branch or root greater than four (4) inches in diameter of a **Large Protected Tree**.
9. Section 29.10.0965. Prohibitions: A permit is required to conduct severe pruning on any protected tree. Severe pruning is defined in section 29.10.0955 as “topping or removal of foliage or significant scaffold limbs or large diameter branches so as to cause permanent damage and/or disfigurement of a tree, and/or which does not meet specific pruning goals and objectives as set forth in the current version of the International Society of Arboriculture Best Management Practices-Tree Pruning and ANSI A300-Part 1 Tree, Shrub, and Other Woody Plant Management-Standard Practices, (Pruning).”

10. Exceptions:

Severe Pruning Exception in Town Code section 29.10.1010(3) “.....except for pollarding of fruitless mulberry (*Morus alba*) or other species approved by the Town Arborist.....”.

Protected Tree Exceptions:

- a. Edible fruit or nut bearing trees less than 18 inches diameter (multistem total or single stem), including fruiting olive trees.
- b. *Acacia melanoxylon* (blackwood acacia) less than 24 inches (multistem total or single stem)
- c. *Liriodendron tulipifera* (tulip tree) less than 24 inches (multistem total or single stem)
- d. *Ailanthus altissima* (tree of heaven) less than 24 inches (multistem total or single stem)
- e. *Eucalyptus globulus* (Tasmanian blue gum) less than 24 inches (multistem total or single stem)
- f. *Eucalyptus camaldulensis* (River red gum) less than 24 inches (multistem total or single stem)
- g. *Other eucalyptus species* (E. spp.) not noted above, less than 24 inches (multistem total or single stem)
(REMOVAL O.K. ONLY AT HILLSIDE AREA LOCATIONS PER OFFICIAL TOWN MAP):
www.losgatosca.gov/documentcenter/view/176
- h. All palm species (except *Phoenix canariensis*) less than 24 inches (multistem total or single stem)
- i. *Ligustrum lucidum* (glossy privet) less than 24 inches (multistem total or single stem)

Note that per the exception in part ‘a’ above, fruiting olive trees with mainstems totaling less than 18 inches are considered non-protected.

4.0 Recommendations

1. Project Arborist (“PA”):

Initial Signoff

It is recommended that a third party ASCA registered consulting arborist or ISA Certified Arborist with good experience with tree protection during construction be retained by the applicant, to provide pre-project verification that tree protection and maintenance measures outlined in this section of the arborist report are adhered to. Periodic (e.g. monthly) inspections and summary reporting, if required as a project condition of approval, are suggested in order to verify contractor compliance with tree protection throughout the site plan project. This person will be referred to as the project arborist (“PA”). The PA should monitor soil moisture within the root protection zones of trees being retained, using a Lincoln soil moisture probe/meter or equivalent. If required, inspection reports shall be sent to Mr. Sean Mullin, Associated Planner (smullin@losgatosca.gov). Sample wordage for a condition of approval regarding monitoring of tree protection and tree condition:

“The required protective fencing shall remain in place until final landscaping and inspection of the project. Project arborist approval must be obtained and documented in a monthly site activity report sent to the Town. A mandatory Monthly Tree Activity Report shall be sent at least once monthly to the Town planner associated with this project (smullin@losgatosca.gov) beginning with the initial tree protection verification approval letter”.

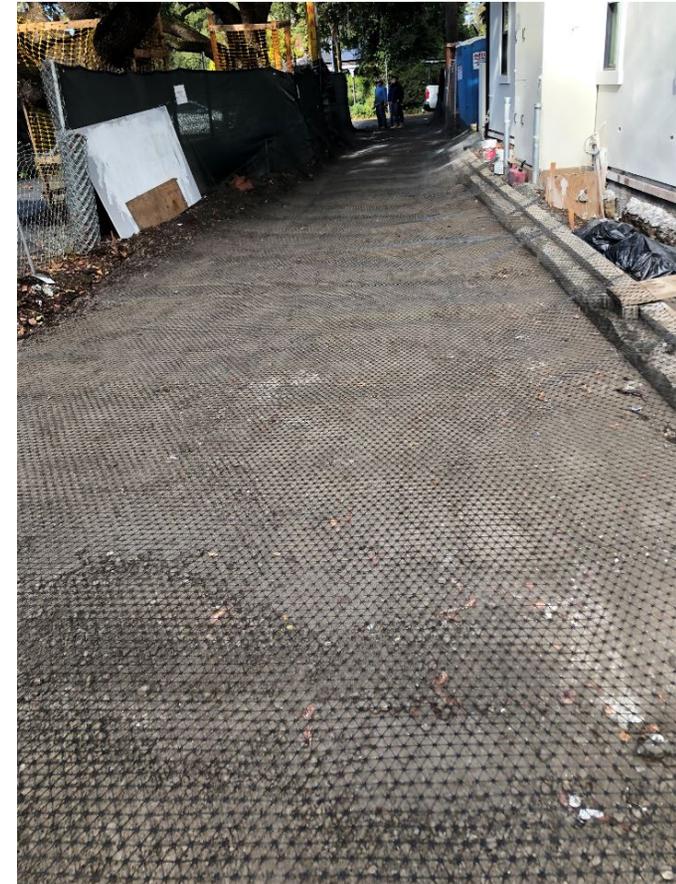
2. Project Team Pre-Project Adjustments, Clarifications, and Limits Suggested or Required:

2a. DRIVEWAY BASE SECTION, EDGE RESTRAINTS, ROUTING, AND WIDTH:

DRIVEWAY BASE SECTION:

Limit driveway base rock base section excavation cuts to **less than or equal to 6 inches of cut below existing soil surface grade elevations** to avoid severe damage to roots extending from **tree #21 being retained in close proximity to drive.**

Eliminate any “over-excavation” or “re-compaction” proposed for subbase prep, within 25 linear feet of tree #21. Geogrid materials may or may not be required to be laid over soil surface grade in order to achieve this type of restricted base prep depth (see photo at right of a recent 2020 geogrid install on a project overseen by the CTA in Menlo Park, CA, using a high performance triaxial geogrid TX160 TriAx, with the highest available load-bearing ratings. Baserock was laid directly over the grid and tamped down to 90% Proctor, after this photo was taken. Use of a high rated type geogrid over the existing soil surface means that zero scarification and zero recompaction needs to be performed, which avoids damage to or loss of the root systems of nearby trees being retained).



Note: there may be a County fire department regulation that governs the load bearing capacity of the driveway, such as “70,000 lbs. min.” or similar, such that fire response vehicles can utilize the drive without causing severe damage to the drive. Consult with geogrid manufacturers and distributors, as well as geotechnical engineers, to determine the load-bearing capacity of a “no dig” type driveway built up over grade without subbase prep, using a high performance type triaxial geogrid underlayment to provide lateral load dispersal qualities.

DRIVEWAY EDGE RESTRAINTS:

Important: Eliminate all cut depths for installation of the driveway “edging” (aka “pavement or paver restraint”) along the west edge of the driveway facing tree #21. Use an edging treatment that can be laid directly over existing soil grade elevation to avoid all excavation cuts related to edge installation. This can be accomplished through use of steel edging pinned in place using long steel pins. Note that if a standard deep cut depth type edge restraint is used, it would effectively nullify all of the tree root preservation benefits of the “no dig” geogrid system, rendering the special system useless.

DRIVEWAY FOOTPRINT ROUTING:

If possible, push the proposed driveway footprint farther eastward than currently proposed, to further minimize root loss/damage east of the trunk of tree #21



Above right: Close-up image of a WALCA project at Stanford where TriAx TX160 triaxial geogrid was used as a geogrid underlayment over the soil surface, to allow the construction to proceed as a “no dig” system where no subbase prep was performed at all. The grid was laid over the existing soil surface, and baserock and asphalt laid directly over that baserock after the baserock was compacted to a 90% or 95% rate.

Note that in this system, the subbase is not prepared with any initial scarification/recompaction, and is simply left at the existing “background natural compaction rate” such as 83-85%, which allows for continued normal tree root growth through the subbase area. With this type of system, there is continued tree root expansion and elongation underneath the geogrid footprint over time.

Engineers all signed off on this alternative specification type “no-dig” build, the actual load-bearing capacity of which is not known, but is assumed to be at least +/- 70,000 lb or greater (i.e. fire truck capacity), though this cannot be verified.

2c. BASEMENT EXCAVATION LIMIT / REDWOOD #27:

The property owner confirmed with the CTA verbally in August, 2021 that the finalized plan distance from redwood #27 trunk base edge to basement excavation limit would be greater than +/-20 linear feet. However, per the existing March, 2021 site plan sheet A1.0 reviewed by the CTA for this arborist report, the proposed distance from trunk base edge is only +/- 11 feet offset radius: well below the Critical Root Zone of approximately 20 feet calculated for tree #27.

It is suggested that Town Planning Staff verify that updated "final" construction site plan sheet(s) indicate a basement excavation offset radius of at least 20 to 25 feet linear distance between the limit of main residence construction and the trunk base edge of redwood #27. Note that the basal area of this tree is roughly 5 to 6 feet diameter, which means that the actual scaled offset should be measured from approximately 3 feet south of the tree #27 trunk plot center point as shown on the applicant's site plan sheet.

2d. CONTRACTOR EXCLUSION FROM EXISTING SMALL RESIDENCE AND EXISTING PARKING AREAS ACCESSED FROM BROWNS LANE:

In order to further protect and preserve the root system extending from redwood #27, which may extend as far as 2x to 3x the canopy dripline radius (i.e. 50 feet southward extension radius from trunk edge), the CTA suggests that Town Planning Staff prepare a planning condition of approval (COA) that prohibits all contractor site work from using Browns Lane, and requires that all site plan construction-related work use only the Wedgewood access point for ingress, egress, staging, storage, work, hauling, etc.

Toward this end, it is further suggested that Town Staff require that an exclusion fence of chain link steel material be erected across the entire width of the site in an east-west trajectory, to exclude all movement between the (existing residence and parking lot areas in the north 1/3 of the site), and the south 2/3 of the site where the new main residence is to be built.

The location of this east-west oriented exclusion fence would ideally be 5 to 8 feet north of the basement excavation limit, which would give contractors a narrow but adequately-wide "construction corridor" area to work in, for exterior finishing, scaffold erection, etc. along the north side of the proposed new main residence and basement.

For reference, a typical build site in San Francisco, for instance, requires at least 4 to 5 feet of construction corridor width, for scaffold erection around a new construction footprint or around an existing structure undergoing renovation.

3. Trunk Buffer Wrap Type III Protection:

Prior to demolition commencement, install trunk buffers around all trees being retained on-site:

Wrap **one (1) entire roll of orange plastic snow fencing around the trunk of each single on-site tree**, between grade and 6 to 8 feet above grade to create a padding of at least 1 to 2 inches thickness around each tree trunk. Stand 2x4 wood boards upright, side by side, around the entire circumference of the orange plastic wraps. Affix using duct tape (do not use wires or ropes). See spec image above right showing the wooden boards correctly mounted against one entire roll of orange snow fencing, such that the wood does not actually touch the trunk at all.

Trees to be wrapped at this site: All surveyed trees noted in this CTA report, except for neighbor tree #25.

No storage, staging, work, or other activities will be allowed inside the RPZ except with PA monitoring.

4. Signage: The RPZ fencing shall have one sign affixed with UV-stabilized zip ties to the chain link at eye level for every 20 linear feet of fencing, minimum 8"X11" size each, plastic laminated or printed with waterproof ink on waterproof paper, with wordage that includes the Town Code section that refers to tree fence protection requirements (wordage can be adjusted):



TREE PROTECTION ZONE FENCE ZONA DE PROTECCION PARA ARBOLES

**-NO ENTRE SIN PERMISO-
-LLAME EL ARBOLISTA-**

**REMOVAL OF THIS FENCE IS
SUBJECT TO PENALTY ACCORDING TO
LOS GATOS TOWN CODE 29.10.1025**

**PROJECT ARBORIST:
TELEFONO CELL:**

EMAIL:

Note: Walter Levison, Contract Town Arborist is an independent consultant retained under contract with Town of Los Gatos Planning Division Staff, and is not the “PROJECT ARBORIST”.

5. Chain Link Fencing Type I and/or Type II Root Protection Zone (RPZ):

Prior to demolition commencement, erect chain link fencing panels set on moveable concrete block footings (see sample image below right). Wire the fence panels to iron layout stakes pounded 24 inches into the ground at the ends of each fence panel to keep the fence route stabilized and in its correct position. Do not wire the fence panels to the trunks of the trees. These panels are available commonly for rent or purchase.

Alternative Fencing / Tube Posts and Rolled Chain Link: Using a professional grade post bender, pound 7-foot long 2-inch diameter iron tube posts 24-inches into the ground, at 6 to 10-foot spacing maximum on-center, and hang steel chain link fencing material minimum 5-feet height on the tube posts. These materials are available for purchase at many retail and wholesale construction supply houses such as Home Depot, Lowe's, Grainger's, White Cap, Harbor Freight, etc.



Pre-construction fence routes:

Per the red dashed lines on the tree map mark-up attached to this WLCA arborist report:

(Routes may be subject to change, depending on the finalized limit of basement excavation, which is expected to be 20 feet or greater linear offset from the trunk base edge of redwood #27).

As noted above in this recommendations section of the CTA report, the CTA suggests that Town Planning Staff create a planning condition of approval that prohibits ingress/egress via Browns Lane, and restricts all contractor activity to use of the Wedgewood access point only, in order to minimize root damage to redwoods #27 and #28. Toward this end, the “ideal” RPZ fence erection route would span east-west across the entire width of the property to effectively prohibit all contractor access via Browns Lane.

RPZ fencing must be erected prior to any heavy machinery traffic or construction material arrival on site.

The protective fencing must not be temporarily moved during construction. No materials, tools, excavated soil, liquids, substances, etc. are to be placed or dumped, even temporarily, inside the root protection zone or “RPZ”.

No storage, staging, work, or other activities will be allowed inside the RPZ except with PA monitoring.

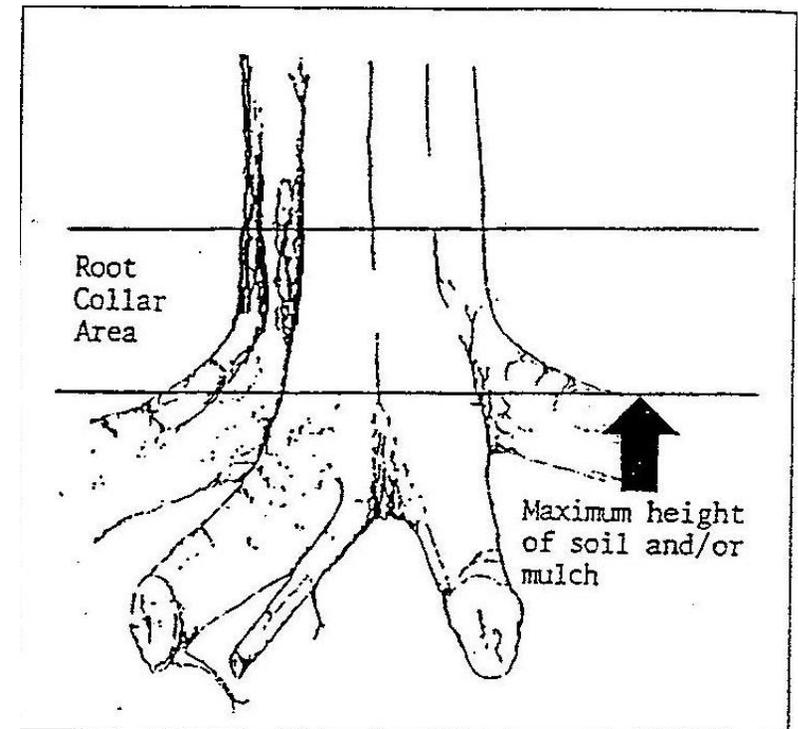
6. Tree Pruning and Maintenance:

6a. ROOT CROWN EXCAVATION (RCX):

Retain the services of an **ISA Certified Arborist** to perform root crown excavation between zero and 2 horizontal feet of the trunk edge of **oak #21**, in order to unbury the natural flaring buttress roots that would normally extend outward from the trunk base.

See the image at right showing the correct elevation of soil around a trunk (courtesy of Bartlett Tree Research Labs, USA).

The reason that soil needs to be removed from the root collar down to the indicated elevation is because this is the transition point where trunk tissue becomes root tissue. Trunk tissue is not resistant to being moist from soil contact at all times and will rot from digestion by wood decay-causing organisms, whereas root tissue can remain under soil cover at all times without rotting. Thus, when soil is present above the indicated “maximum height” line where trunk tissue begins to merge with root tissue, a tree can actually decay and die from proliferation of fungal pathogens that digest wood tissue. When soil is removed down to the indicated level, the root collar can “breathe” and remain healthy.



6b. ASTRO+PENTRABARK SPRAY:

Spray Astro and Pentrabark solution onto the lower 8 feet of the mainstems of oak #21, as a prophylaxis for (assumed) bark beetle attack.

7. Irrigation Temporary (During Work Period):

Apply approximately 1x/week to 3x/week heavy irrigation to redwood specimens being retained, during the proposed site work, using any and all methods and equipment, such as soaker hoses, garden hose, water truck, tow-behind water tank and spray apparatus, etc.

Apply water over a large square footage of the trees' root zones (i.e. not at trunk base). Irrigation should occur between zero and 30 feet out from trunk edge.

Volume: +/- 100 to 150 gallons per large redwood tree per week.

Right: Image of a spray tank apparatus on one of the CTA's projects, used to irrigate coast redwood specimens adjacent to the roadway. When using spray tanks, the application needs to be at least 3x to 4x/day on a single irrigation day, because a large amount of water is being applied relatively quickly. Spray tank application of irrigation water can often cause runoff and soil erosion without actually penetrating down into the root zones of trees, unless multiple heavy applications are performed over a few hour period. Use of straw wattles and other "dams" (watering berms) are set up to force water directly downward into the root zones of trees being retained.



5.0 Tree Protection and Maintenance Directions per Town Code

The following is excerpted directly from the 2015 iteration of the Town of Los Gatos tree ordinance sections which provide specific tree protection directions and limitations on root pruning and above-ground pruning:

Sec. 29.10.1000. New property development.

(a) A tree survey shall be conducted prior to submittal of any development application proposing the removal of or impact to one or more protected trees. The development application shall include a Tree Survey Plan and Tree Preservation Report based on this survey. The tree survey inventory numbers shall correspond to a numbered metal tag placed on each tree on site during the tree survey. The tree survey plan shall be prepared by a certified or consulting arborist, and shall include the following information:

- (1) Location of all existing trees on the property as described in section 29.10.0995;
- (2) Identify all trees that could potentially be affected by the project (directly or indirectly- immediately or in long term), such as upslope grading or compaction outside of the dripline;

- (3) Notation of all trees classified as protected trees;
 - (4) In addition, for trees four (4) inches in diameter or larger, the plan shall specify the precise location of the trunk and crown spread, and the species, size (diameter, height, crown spread) and condition of the tree.
- (b) The tree survey plan shall be reviewed by the Town's consulting arborist who shall, after making a field visit to the property, indicate in writing or as shown on approved plans, which trees are recommended for preservation (based on a retention rating of high/moderate/low) using, as a minimum, the Standards of Review set forth in section 29.10.0990. This plan shall be made part of the staff report to the Town reviewing body upon its consideration of the application for new property development;
- (c) When development impacts are within the dripline of or will affect any protected tree, the applicant shall provide a tree preservation report prepared by a certified or consulting arborist. The report, based on the findings of the tree survey plan and other relevant information, shall be used to determine the health and structure of existing trees, the effects of the proposed development and vegetation removal upon the trees, recommendations for specific precautions necessary for their preservation during all phases of development (demolition, grading, during construction, landscaping); and shall also indicate which trees are proposed for removal. The tree preservation report shall stipulate a required tree protection zone (TPZ) for trees to be retained, including street trees, protected trees and trees whose canopies are hanging over the project site from adjacent properties. The TPZ shall be defined as specified in section 29.10.1005:
- (1) The final approved tree preservation report shall be included in the building permit set of development plans and printed on a sheet titled: Tree Preservation Instructions (Sheet T-1). Sheet T-1 shall be referenced on all relevant sheets (civil, demolition, utility, landscape, irrigation) where tree impacts from improvements may be shown to occur;
 - (2) The Town reviewing body through its site and design plan review shall endeavor to protect all trees recommended for preservation by the Town's consulting arborist. The Town reviewing body may determine if any of the trees recommended for preservation should be removed, if based upon the evidence submitted the reviewing body determines that due to special site grading or other unusual characteristics associated with the property, the preservation of the tree(s) would significantly preclude feasible development of the property as described in section 29.10.0990;
 - (3) Approval of final site or landscape plans by the appropriate Town reviewing body shall comply with the following requirements and conditions of approval:
 - a. The applicant shall, within ninety (90) days of final approval or prior to issuance of a grading or building permit, whichever occurs first, secure an appraisal of the condition and value of all trees included in the tree report affected by the development that are required to remain within the development using the Tree Value Standard methodology as set forth in this Chapter. The appraisal of each tree shall recognize the location of the tree in the proposed development. The appraisal shall be performed in accordance with the current edition of the Guide for Plant Appraisal published by the Council of Tree and Landscape Appraisers (CTLA) and the Species and Group Classification Guide published by the Western Chapter of the International Society of Arboriculture. The appraisal shall be performed at the applicant's expense, and the appraisal shall be subject to the Director's approval.
 - b. The site or landscape plans shall indicate which trees are to be removed. However, the plans do not constitute approval to remove a tree until a separate permit is granted. The property owner or applicant shall obtain a protected tree removal permit, as outlined in section 29.10.0980, for each tree to be removed to satisfy the purpose of this division.
 - (d) Prior to acceptance of proposed development or subdivision improvements, the developer shall submit to the Director a final tree preservation report prepared by a certified or consulting arborist. This report shall consider all trees that were to remain within the development. The report shall note the trees' health in relation to the initially reported condition of the trees and shall note any changes in the trees' numbers or physical conditions. The

applicant will then be responsible for the loss of any tree not previously approved for removal. For protected trees, which were removed, the developer shall pay a penalty in the amount of the appraised value of such tree in addition to replacement requirements contained in section 29.10.0985 of this Code. The applicant shall remain responsible for the health and survival of all trees within the development for a period of five (5) years following acceptance of the public improvements of the development or certificate of occupancy.

(e) Prior to issuance of any demolition, grading or building permit, the applicant or contractor shall submit to the Building Department a written statement and photographs verifying that the required tree protection fence is installed around street trees and protected trees in accordance with the tree preservation report.

(f) If required by the Director and conditioned as part of a discretionary approval, a security guarantee shall be provided to the Town. Prior to the issuance of any permit allowing construction to begin, the applicant shall post cash, bond or other security satisfactory to the Director, in the penal sum of five thousand dollars (\$5,000.00) for each tree required to be preserved, or twenty-five thousand dollars (\$25,000.00), whichever is less. The cash, bond or other security shall be retained for a period of one (1) year following acceptance of the public improvements for the development and shall be forfeited in an amount equal to five thousand dollars (\$5,000.00) per tree as a civil penalty in the event that a tree or trees required to be preserved are removed, destroyed or severely damaged.

(g) An applicant with a proposed development which requires underground utilities shall avoid the installation of said utilities within the dripline of existing trees whenever possible. In the event that this is unavoidable, all trenching shall be done using directional boring, air-spade excavation or by hand, taking extreme caution to avoid damage to the root structure. Work within the dripline of existing trees shall be supervised at all times by a certified or consulting arborist.

(h) It shall be a violation of this division for any property owner or agent of the owner to fail to comply with any development approval condition concerning preservation, protection, and maintenance of any protected tree.

(Ord. No. 2114, §§ I, II, 8-4-03)

Sec. 29.10.1005. Protection of trees during construction.

(a) Protective tree fencing shall specify the following:

- (1) Size and materials. Six (6) foot high chain link fencing, mounted on two-inch diameter galvanized iron posts, shall be driven into the ground to a depth of at least two (2) feet at no more than 10-foot spacing. For paving area that will not be demolished and when stipulated in a tree preservation plan, posts may be supported by a concrete base.
- (2) Area type to be fenced. Type I: Enclosure with chain link fencing of either the entire dripline area or at the tree protection zone (TPZ), when specified by a certified or consulting arborist. Type II: Enclosure for street trees located in a planter strip: chain link fence around the entire planter strip to the outer branches. Type III: Protection for a tree located in a small planter cutout only (such as downtown): orange plastic fencing shall be wrapped around the trunk from the ground to the first branch with 2-inch wooden boards bound securely on the outside. Caution shall be used to avoid damaging any bark or branches.
- (3) Duration of Type I, II, III fencing. Fencing shall be erected before demolition, grading or construction permits are issued and remain in place until the work is completed. Contractor shall first obtain the approval of the project arborist on record prior to removing a tree protection fence.
- (4) Warning sign. Each tree fence shall have prominently displayed an 8.5 x 11-inch sign stating: "Warning—Tree Protection Zone-this fence shall not be removed and is subject to penalty according to Town Code 29.10.1025".

(b) All persons, shall comply with the following precautions:

- (1) Prior to the commencement of construction, install the fence at the dripline, or tree protection zone (TPZ) when specified in an approved arborist report, around any tree and/or vegetation to be retained which could be affected by the construction and prohibit any storage of construction materials or other materials, equipment cleaning, or parking of vehicles within the TPZ. The dripline shall not be altered in any way so as to increase the encroachment of the construction.
- (2) Prohibit all construction activities within the TPZ, including but not limited to: excavation, grading, drainage and leveling within the dripline of the tree unless approved by the Director.
- (3) Prohibit disposal or depositing of oil, gasoline, chemicals or other harmful materials within the dripline of or in drainage channels, swales or areas that may lead to the dripline of a protected tree.
- (4) Prohibit the attachment of wires, signs or ropes to any protected tree.
- (5) Design utility services and irrigation lines to be located outside of the dripline when feasible.
- (6) Retain the services of a certified or consulting arborist who shall serve as the project arborist for periodic monitoring of the project site and the health of those trees to be preserved. The project arborist shall be present whenever activities occur which may pose a potential threat to the health of the trees to be preserved and shall document all site visits.
- (7) The Director and project arborist shall be notified of any damage that occurs to a protected tree during construction so that proper treatment may be administered.

(Ord. No. 2114, §§ I, II, 8-4-03)

Sec. 29.10.1010. Pruning and maintenance.

All pruning shall be in accordance with the current version of the International Society of Arboriculture Best Management Practices—Tree Pruning and ANSI A300-Part 1 Tree, Shrub and Other Woody Plant Management—Standard Practices, (Pruning) and any special conditions as determined by the Director. For developments, which require a tree preservation report, a certified or consulting arborist shall be in reasonable charge of all activities involving protected trees, including pruning, cabling and any other work if specified.

- (1) Any public utility installing or maintaining any overhead wires or underground pipes or conduits in the vicinity of a protected tree shall obtain permission from the Director before performing any work, including pruning, which may cause injury to a protected tree. (e.g. cable TV/fiber optic trenching, gas, water, sewer trench, etc.).
- (2) Pruning for clearance of utility lines and energized conductors shall be performed in compliance with the current version of the American National Standards Institute (ANSI) A300 (Part 1)- Pruning, Section 5.9 Utility Pruning. Using spikes or gaffs when pruning, except where no other alternative is available, is prohibited.
- (3) No person shall prune, trim, cut off, or perform any work, on a single occasion or cumulatively, over a three-year period, affecting twenty-five percent or more of the crown of any protected tree without first obtaining a permit pursuant to this division except for pollarding of fruitless mulberry trees (*Morus alba*) or other species approved by the Town Arborist. Applications for a pruning permit shall include photographs indicating where pruning is proposed.
- (4) No person shall remove any Heritage tree or large protected tree branch or root through pruning or other method greater than four (4) inches in

diameter (12.5" in circumference) without first obtaining a permit pursuant to this division.

(Ord. No. 2114, §§ I, II, 8-4-03)

6.0 Tree Replacement Standards – Los Gatos Town Code

(Excerpted from Town Code 29.10.0985 and 29.10.0987)

- (1) Two (2) or more replacement trees, of a species and size designated by the Director, shall be planted on the subject private property. Table 3-1 The Tree Canopy—Replacement Standard shall be used as a basis for this requirement. The person requesting the permit shall pay the cost of purchasing and planting the replacement trees.
- (2) If a tree or trees cannot be reasonably planted on the subject property, an in-lieu payment in an amount set forth by the Town Council by resolution shall be paid to the Town Tree Replacement Fund to:
 - a. Add or replace trees on public property in the vicinity of the subject property; or
 - b. Add or replace trees or landscaping on other Town property; or
 - c. Support the Town's urban forestry management program. (Ord. No. 2114, §§ I, II, 8-4-03)

Table 3-1 - Tree Canopy - Replacement Standard

Canopy Size of Removed Tree ¹	(Staff is using 24" box size as the Replacement Standard for SFR Projects as of 2016 for properties >10,000 sq.ft.) ^{2,4}	Single Family Residential Replacement for Properties <10,000 sq. ft. ^{3,4}
10 feet or less	Two 24 inch box trees	Two 15 gallon trees
More than 10 feet to 25 feet	Three 24 inch box trees	Three 15 gallon trees
More than 25 feet to 40 feet	Four 24 inch box trees; or Two 36 inch box trees	Four 15 gallon trees
More than 40 feet to 55 feet	Six 24 inch box trees; or Three 36 inch box	Not Available

Greater than 55 feet	Ten 24 inch box trees; or Five 36 inch box trees	Not Available
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Notes

- ¹To measure an asymmetrical canopy of a tree, the widest measurement shall be used to determine canopy size.
- ²Often, it is not possible to replace a single large, older tree with an equivalent tree(s). In this case, the tree may be replaced with a combination of both the Tree Canopy Replacement Standard and in-lieu payment in an amount set forth by Town Council resolution paid to the Town Tree Replacement Fund.
- ³Single Family Residential Replacement Option is available for developed single family residential lots under 10,000 square feet that are not subject to the Town's Hillside Development Standards and Guidelines. All 15-gallon trees must be planted on-site. Any in-lieu fees for single family residential shall be based on 24" box tree rates as adopted by Town Council.
- ⁴Replacement Trees shall be approved by the Town Arborist and shall be of a species suited to the available planting location, proximity to structures, overhead clearances, soil type, compatibility with surrounding canopy and other relevant factors. Replacement with native species shall be strongly encouraged. Replacement requirements in the Hillside Development Standards and Guidelines Appendix A and Section 29.10.0987 Special Provisions--Hillsides.

Sec. 29.10.0987. Special Provisions—Hillsides

The Town of Los Gatos recognizes its hillsides as an important natural resource and sensitive habitat which is also a key component of the Town's identity, character and charm. In order to maintain and encourage restoration of the hillside environment to its natural state, the Town has established the following special provisions for tree removal and replacement in the hillsides:

- (1) All protected trees located 30 or more feet from the primary residence that are removed shall be replaced with native trees listed in *Appendix A Recommended Native Trees for Hillside Areas of the Town of Los Gatos Hillside Development Standards and Guidelines* (HDS&G).
- (2) All protected trees located within 30 feet of the primary residence that are removed shall be replaced as follows:
 - (a) If the removed tree is a native tree listed in Appendix A of the HDS&G, it shall only be replaced with a native tree listed in Appendix A of the HDS&G.
 - (b) If the removed tree is not listed in Appendix A, it may be replaced with a tree listed in Appendix A, or replaced with another species of tree as approved by the Director.
 - (c) Replacement trees listed in Appendix A may be planted anywhere on the property.
 - (d) Replacement trees not listed in Appendix A may only be planted within 30 feet of the primary residence.
- (3) Replacement requirements shall comply with the requirements in Table 3-1 Tree Canopy Replacement Standard of this Code.

- (4) Property owners should be encouraged to retain dead or declining trees where they do not pose a safety or fire hazard, in order to foster wildlife habitat and the natural renewal of the hillside environment.

7.0 Author's Qualifications

- Continued education through The American Society of Consulting Arborists, The International Society of Arboriculture (Western Chapter), and various governmental and non-governmental entities.
- Contract Town Arborist, Town of Los Gatos, California
Community Development Department / Planning Division
2015-present
- Tree Risk Assessment Qualified (ISA TRAQ Course Graduate, Palo Alto, California)
- Millbrae Community Preservation Commission (Tree Board)
2001-2006
- ASCA Registered Consulting Arborist #401
- ASCA Arboriculture Consulting Academy graduate, class of 2000
- Associate Consulting Arborist
Barrie D. Coate and Associates
4/99-8/99
- Contract City Arborist, City of Belmont, California
Planning and Community Development Department
5/99-5/20 (21 years)
- ISA Certified Arborist #WE-3172A
- Peace Corps Soil and Water Conservation Extension Agent
Chiangmai Province, Thailand 1991-1993
- B.A. Environmental Studies/Soil and Water Resources
UC Santa Cruz, Santa Cruz, California 1990

UCSC Chancellor's Award, 1990

(My full curriculum vitae is available upon request)

8.0 Assumptions and Limiting Conditions

Any legal description provided to the consultant/appraiser is assumed to be correct. Any titles and ownership to any property are assumed to be good and marketable. No responsibility is assumed for matters legal in character. Any and all property is appraised and evaluated as through free and clean, under responsible ownership and competent management.

It is assumed that any property is not in violation of any applicable codes, ordinance, statutes, or other government regulations.

Care has been taken to obtain all information from reliable sources. All data has been verified insofar as possible; however, the consultant/appraiser can neither guarantee nor be responsible for the accuracy of information provided by others.

The consultant/appraiser shall not be required to give testimony or to attend court by reason of this report unless subsequent contractual arrangements are made, including payment of an additional fee for such services as described in the fee schedule and contract of engagement.

Unless required by law otherwise, the possession of this report or a copy thereof does not imply right of publication or use for any other purpose by any other than the person to whom it is addressed, without the prior expressed written or verbal consent of the consultant/appraiser.

Unless required by law otherwise, neither all nor any part of the contents of this report, nor copy thereof, shall be conveyed by anyone, including the client, to the public through advertising, public relations, news, sales, or other media, without the prior expressed conclusions, identity of the consultant/appraiser, or any reference to any professional society or institute or to any initiated designation conferred upon the consultant/appraiser as stated in his qualifications.

This report and any values expressed herein represent the opinion of the consultant/appraiser, and the consultant's/appraiser's fee is in no way contingent upon the reporting of a specified value, a stipulated result, the occurrence of a subsequent event, nor upon any finding to be reported.

Sketches, drawings, and photographs in this report, being intended for visual aids, are not necessarily to scale and should not be construed as engineering or architectural reports or surveys unless expressed otherwise. The reproduction of any information generated by engineers, architects, or other consultants on any sketches, drawings, or photographs is for the express purpose of coordination and ease of reference only. Inclusion of said information on any drawings or other documents does not constitute a representation by Walter Levison to the sufficiency or accuracy of said information.

Unless expressed otherwise:

- a. information contained in this report covers only those items that were examined and reflects the conditions of those items at the time of inspection; and
- b. the inspection is limited to visual examination of accessible items without dissection, excavation, probing, or coring. There is no warranty or guarantee, expressed or implied, that problems or deficiencies of the plants or property in question may not arise in the future.

Loss or alteration of any part of this report invalidates the entire report.

Arborist Disclosure Statement:

Arborists are tree specialists who use their education, knowledge, training, and experience to examine trees, recommend measures to enhance the beauty and health of trees, and attempt to reduce the risk of living near trees. Clients may choose to accept or disregard the recommendations of the arborist, or to seek additional advice.

Arborists cannot detect every condition that could possibly lead to the structural failure of a tree. Trees are living organisms that fail in ways we do not fully understand. Conditions are often hidden within trees and below ground. Arborists cannot guarantee that a tree will be healthy or safe under all circumstances, or for a specified period of time. Likewise, remedial treatments, like any medicine, cannot be guaranteed.

Treatment, pruning, and removal of trees may involve considerations beyond the scope of the arborist's services such as property boundaries, property ownership, site lines, disputes between neighbors, and other issues. Arborists cannot take such considerations into account unless complete and accurate information is disclosed to the arborist. An arborist should then be expected to reasonably rely upon the completeness and accuracy of the information provided.

Trees can be managed, but they cannot be controlled. To live near trees is to accept some degree of risk. The only way to eliminate all risk associated with trees is to eliminate the trees.

9.0 Certification

I hereby certify that all the statements of fact in this report are true, complete, and correct to the best of my knowledge and belief, and are made in good faith.

Signature of Consultant



Walter Levison

DIGITAL BADGES:

ISA CERTIFIED ARBORIST CREDENTIAL:

https://certificates.isa-arbor.com/f1918723-df46-48cc-ace2-c12625530fec?record_view=true

ISA TREE RISK ASSESSMENT QUALIFIED (TRAQ):

https://certificates.isa-arbor.com/d180515f-ab75-440b-9c66-106005e3cf10?record_view=true#gs.hpb30w

10.0 Digital Images

Below: Digital Images by the CTA archived August, 2021

Tag #	Image	Tag #	Image
21		21	

21



22



22



Tree is located along Browns Lane.

23



This tree was severely pruned by PG&E to clear high voltage wires and other equipment in the right of way. This severely downgraded the tree's structure and health.

24



It appears that the root crown morphology of this tree was compromised by presence of some growth impediment such as a curb or patio (?) that was recently demolished prior to the CTA's arrival on site. It is quite possible that the tree is missing a large percentage of its radially-extended woody roots (not verified). Tree stability is currently not known, and outside the scope of this Town arborist report writing assignment.

24



There is somewhat of an S-bend at height that may or may not have been related to past topping pruning (?). It is possible that the tree could have been completely topped in the past, and then regrew with a new mainstem and canopy above that cut point (see the uppermost portion of this image).

25



The Raywood ash species is in decline throughout the Bay Area since maybe 10 to 15 years ago, when the Raywood ash decline syndrome was noticed by UC Cooperative Extension agents working with urban forest trees. It is quite possible that this tree will continue to decline and die outright within 1 to 5 years, from the date of writing.

26



This tree is a low value evergreen species.

27



27



28



28



11.0 Tree Data Table

NOTE 1: Fruit and nut trees measuring less than 18" diameter (total of all mainstems), including fruiting olive trees, both on the site and on adjacent neighbor properties are excluded from the CTA's tree studies as "exemption trees" per the Town tree ordinance.

NOTE 2: Tree conservation suitability ratings (CSR) are now based on the 2016 version of *Best Management Practices: Managing Trees During Construction, 2nd Edition*, published by the International Society of Arboriculture. These ratings are linked to tree health, desirability, distance between tree trunk edges and construction impacts such as root cuts and graded fill soil as shown on the applicant's current-proposed set of plan sheets, species' tolerance to construction impacts, etc. See the worksheet at the end of this data table for the full breakdown of TCS rating determinations and definitions. Adjustments to the applicant's proposed plans which would boost the TCS ratings up to 'Moderate' or 'Good' are noted in the CTA's Table 1.0(a) Summary above in this report.

Tree Tag Number	Genus & Species	Common Name	Trunk1 Diameter	Trunk2 Diameter	Trunk3 Diameter	Sum of All Trunk Diameters	Height & Canopy Spread (Ft.)	Health & Structural Rating (100% Each)	Overall Condition Rating (0 to 100%)	(R)emove Tree	(S)ave Tree	Tree Conservation Suitability Ratings (TCS)	Lopsided Canopy (note direction)	Trunk Lean (note direction)	Girdling Roots	Root Flares Buried in Fill Soil	Pests and Disease Presence, and Other Notes	MAINTENANCE AND PROTECTION
21	<i>Quercus agrifolia</i>	Coast live oak	24	20	17	61	35/60	50/50	50% Fair		X	Poor				X	<p>Tree appears to be owned by County or Town of Los Gatos.</p> <p>Tree root crown buried in fill, and needs to be dug out to unbury the flaring buttress roots.</p> <p>Bark beetle attack appears to be causing flux on lower trunk (see photos by the CTA in this report). Apply Astro or other pesticide.</p> <p>Tree has been directionally pruned into a "V" to clear overhead high voltage electrical wires.</p> <p>Critical Root Zone = Approx. 25 feet radius</p> <p>Proposed driveway subbase prep and base prep excavation will cause severe root loss if the project does not use alternative build specs.</p>	<p>TB, RPZ, W, RCX, and use triaxial or biaxial geogrid laid over existing soil grade within 25 feet of the trunk edge, to allow the entire driveway profile to be built up over the oak tree root system with little or no loss of root function. Use of a geogrid will also allow us to eliminate all subbase prep such as scarification or recompaction. Edging will also need to be zero-cut depth. ("no-dig" construction).</p>

Tree Tag Number	Genus & Species	Common Name	Trunk1 Diameter	Trunk2 Diameter	Trunk3 Diameter	Sum of All Trunk Diameters	Height & Canopy Spread (Ft.)	Health & Structural Rating (100% Each)	Overall Condition Rating (0 to 100%)	(R)emove Tree	(S)ave Tree	Tree Conservation Suitability Ratings (TCS)	Lopsided Canopy (note direction)	Trunk Lean (note direction)	Girdling Roots	Root Flares Buried in Fill Soil	Pests and Disease Presence, and Other Notes	MAINTENANCE AND PROTECTION
22	<i>Quercus agrifolia</i>	Coast live oak	14.1	-	-	14.1	30/20	65/45	54% Fair		X	Mod	North east	North east			Tree located on Browns Lane, just 30" offset from the existing road bed. Trunk systems lean north east due to redwood #23 canopy conflict/shading. Tree has been liontailed by the property owner to remove lower and inner live wood and foliage, which has permanently damaged the tree's health and structure.	TB, RPZ fencing.
23	<i>Sequoia sempervirens</i>	Coast redwood	25.9	-	-	25.9	30/25	35/30	33% Poor		X	Poor					Tree is a remnant parasol of foliage at after having been top pruned by PG&E to remove the entire mainstem and canopy at 25 to 30 feet elevation. Tree has a "poor" tree conservation suitability rating due to its compromised structure after topping pruning. Critical Root Zone = 12 feet radius offsets for construction.	TB, RPZ, Heavy Water

Tree Tag Number	Genus & Species	Common Name	Trunk1 Diameter	Trunk2 Diameter	Trunk3 Diameter	Sum of All Trunk Diameters	Height & Canopy Spread (Ft.)	Health & Structural Rating (100% Each)	Overall Condition Rating (0 to 100%)	(R)emove Tree	(S)ave Tree	Tree Conservation Suitability Ratings (TCS)	Lopsided Canopy (note direction)	Trunk Lean (note direction)	Girdling Roots	Root Flares Buried in Fill Soil	Pests and Disease Presence, and Other Notes	MAINTENANCE AND PROTECTION
24	<i>Sequoia sempervirens</i>	Coast redwood	46.1	-	-	46.1	70/45	40/30	34% Poor		X	Poor					<p>Some buttress roots may be missing on north side of root crown where there is an anomaly due to the assumed past presence of curbwork or other impediment that prevented the tree from extending normal radial roots.</p> <p>Tree is being well-irrigated by owner. Live twig extension and foliar density is poor.</p> <p>South side of canopy was removed by PG&E to clear high voltage wires between roughly 30 and 50 feet above grade.</p>	<p>TB, RPZ, Heavy Water.</p> <p>Fencing should be erected at roughly 15 to 25 feet minimum radius from trunk edge in all directions.</p>
25	<i>Fraxinus</i> 'Raywood' NEIGHBOR TREE	Raywood ash	16	-	-	16	30/40	30/30	30% Poor		X	Poor					<p>Tree overhangs the project area by at least 15 to 20 horizontal feet. Trunk located on neighbor property.</p> <p>Species is not a good choice for long term preservation due to susceptibility to decline and death from Raywood ash decline syndrome.</p> <p>Live twig extension and foliar density is currently very poor to poor.</p> <p>No protection is needed, as this area of site is already built out and is to remain as-is.</p>	n/a

Tree Tag Number	Genus & Species	Common Name	Trunk1 Diameter	Trunk2 Diameter	Trunk3 Diameter	Sum of All Trunk Diameters	Height & Canopy Spread (Ft.)	Health & Structural Rating (100% Each)	Overall Condition Rating (0 to 100%)	(R)emove Tree	(S)ave Tree	Tree Conservation Suitability Ratings (TCS)	Lopsided Canopy (note direction)	Trunk Lean (note direction)	Girdling Roots	Root Flares Buried in Fill Soil	Pests and Disease Presence, and Other Notes	MAINTENANCE AND PROTECTION
26	<i>Evergreen species (not verified)</i> Probably <i>Juniperus</i> or <i>Cupressus</i>	Evergreen tree species (not verified) Low-value tree species	8.7	5.8	-	14.5	23/15	40/30	33% Poor		X	Poor					Tree has been severely pruned back to clear existing overhead electrical drop wire, etc. Poor to moderate live twig extension and foliar density. Bark inclusion type fork noted at 2 feet elevation. This is a low-value tree species in poor overall condition rating.	TB, RPZ, Water

Tree Tag Number	Genus & Species	Common Name	Trunk1 Diameter	Trunk2 Diameter	Trunk3 Diameter	Sum of All Trunk Diameters	Height & Canopy Spread (Ft.)	Health & Structural Rating (100% Each)	Overall Condition Rating (0 to 100%)	Remove Tree	Save Tree	Tree Conservation Suitability Ratings (TCS)	Lopsided Canopy (note direction)	Trunk Lean (note direction)	Girdling Roots	Root Flares Buried in Fill Soil	Pests and Disease Presence, and Other Notes	MAINTENANCE AND PROTECTION
27	<i>Sequoia sempervirens</i>	Coast redwood	32	27	-	59	90/35	46/55	50% Fair		X	Mod					<p>Moderate overall live twig extension and foliar density.</p> <p>Tree exhibits two mainstems with normal wide fork at 1 to 2 feet elevation.</p> <p>Lignotuber bulges out to at least 2 or 3 feet from centerpoint of the massing. Owner is providing good "heavy" irrigation to the tree at time of writing, which is great, as these coast redwoods do require 100's of gallons of irrigation each month year-round to thrive, especially when root systems will be compromised to some degree during construction.</p> <p>Critical root zone is roughly 20 feet radius for construction offsets. The finalized position of the new basement and foundation work will apparently be at or farther than this distance, per my discussion with owner at site.</p> <p>Note canopy has been limbed up to 23 feet elevation, which is already "excessive".</p>	<p>TB, RPZ, and Heavy Water (Irrigation)</p> <p>If possible, fence off the entire north side of the property to prevent all access by contractors, so that this tree's root system impacts will be minimized and all construction material and vehicle movement and storage will occur southward of the proposed new main residence basement excavation edge.</p>

Tree Tag Number	Genus & Species	Common Name	Trunk1 Diameter	Trunk2 Diameter	Trunk3 Diameter	Sum of All Trunk Diameters	Height & Canopy Spread (Ft.)	Health & Structural Rating (100% Each)	Overall Condition Rating (0 to 100%)	Remove Tree	Save Tree	Tree Conservation Suitability Ratings (TCS)	Lopsided Canopy (note direction)	Trunk Lean (note direction)	Girdling Roots	Root Flares Buried in Fill Soil	Pests and Disease Presence, and Other Notes	MAINTENANCE AND PROTECTION
28	<i>Sequoia sempervirens</i>	Coast redwood	30.1	-	-	30.1	85/30	35/20	26% Poor		X	Poor					<p>Irrigation status of this tree is not known, since the root system is located under a gravel-surfaced open soil type driveway that has received decades of motor vehicle travel, but is probably at background low compaction rate.</p> <p>Scaffold limbs have been removed to 25 feet elevation. The majority of the remaining scaffold limbs are in "downward drooping orientation", due to a rare, genetically-controlled morphology which has caused the tree to develop a very narrow diameter canopy.</p> <p>The tree is expected to survive construction, if site plan contractors are restricted from accessing this northernmost area of the property (i.e. if all ingress/egress via Browns Lane is prohibited).</p> <p>Regular heavy irrigation may or may not help boost the tree's overall live twig extension and foliar density ("TDE"). Very heavy irrigation has improved TDE of subject coast redwood specimens in the past.</p>	<p>TB, and Very Heavy Irrigation.</p> <p>Prohibit contractor access via Browns Lane.</p> <p>Restrict all site work, ingress/egress, etc. to the Wedgewood side of site only. Toward this end, Town Staff may want to require that a chain link exclusion fence be erected in an east-west orientation across the entire width of the property, as a barrier between the existing "ADU" residence and the proposed main residence construction area.</p>

Overall Tree Condition Ratings / Breakdown of Numeric Ranges (New, Per *Guide for Plant Appraisal, 10th Edition*):

00 - 05% = Dead

06 - 20% = Very Poor

21 - 40% = Poor

41 - 60% = Fair

61 - 80% = Good

81 - 100% = Exceptional

Tree Conservation Suitability (TCS) Ratings¹

A tree's suitability for conservation is determined based on its health, structure, age, species and disturbance tolerances, proximity to proposed cutting and filling, proximity to proposed construction or demolition, and potential longevity, using a scale of good, fair, or poor (Fite, K, and Smiley, E. T., 2016). The following list defines the rating scale. Note that if proposed site work can be offset to farther linear distances from a tree's trunk edge, a tree's TCS rating may be elevated by one rating tier, given that there would be a corresponding reduction in expected future root zone impacts.

TPS Ratings	Range of values	
Good	80-100	Trees with good health, good structural stability and good expected longevity after construction.
Moderate	60-79	Trees with fair health and/or structural defects that may be mitigated through treatment. These trees require more intense management and monitoring, before, during, and after construction, and may have shorter life expectancy after development.
Poor	<59	Trees are expected to decline during or after construction regardless of management. The species or individual may possess characteristics that are incompatible or undesirable in landscape settings or unsuited for the intended use of the site.

TCS Ratings Worksheet Factors (Total Possible: 100 Points)

Health (1-15)
Root Cut/Fill Distance from Trunk (1-15)
Structure Defects (1-15)
Construction Tolerance of the tree species (1-15)
Age relative to typical species lifespan (1-10)
Location of construction activity (1-10)
Soil quality/characteristics (1-10)
Species desirability (1-10)

¹ Derived from Fite and Smiley, 2016. *Best Management Practices: Managing Trees During Construction, 2nd Edition*. International Society of Arboriculture.

Tree Maintenance and Protection Codes Used in Data Table:

RPZ: Root protection zone fence, chain link, with 2" diameter iron posts driven 24" into the ground, 6 to 8 feet on center max. spacing. Alternative material: chain link fence panels set over concrete block-type footings, with the fence panels wired to steel pins pounded 24 inches into the ground at both ends of each panel.

RB: Root buffer consisting of wood chip mulch lain over existing soil as a 12 inch thick layer, overlain with 1 inch or greater plywood strapped together with metal plates. This root buffer or soil buffer should be placed over the entire width of the construction corridor between tree trunks and construction.

RP: Root pruning. Prune woody roots measuring greater than or equal to 1 inch diameter by carefully back-digging into the soil around each root using small hand tools until an area is reached where the root is undamaged. Cleanly cut through the root at right angle to the root growth direction, using professional grade pruning equipment and/or a Sawzall with wood pruning blade. Backfill around the cut root immediately (same day), and thoroughly irrigate the area to saturate the uppermost 24 inches of the soil profile.

BDRP: Back-dig root pruning: Hand-dig around the broken root, digging horizontally into the open soil root zone until a clean, unbroken, unshattered section of the root is visible. Proceed as per 'root pruning'.

RCX: Root crown excavation. Retain an experienced ISA-Certified arborist to perform careful hand-digging using small trowels or other dull digging tools to uncover currently-buried buttress root flares. Digging shall occur between trunk edge and at least two (2) feet horizontal from trunk edge. The final soil elevation will be at a level such that the tree's buttress roots visibly flare out from the vertical trunk.

TB: Trunk buffer consists of 20-40 wraps of orange plastic snow fencing to create a 2 inch thick buffer over the lowest 8 feet of tree trunk (usually takes at least an entire roll of orange fencing per each tree). Lay 2X4 wood boards vertically, side by side, around the entire circumference of the trunk. Secure buffer using duct tape (not wires).

F: Fertilization with slow-release Greenbelt 22-14-14 tree formula, as a soil injection application using a fertilizer injection gun. This brand and formulation is commonly used by reputable tree care companies in the Bay Area. Apply at label rate and injection hole spacing.

M: 4-inch thick layer of chipper truck type natural wood chips (example source: Lyngso Garden Supply, self pick-up). Do not use bark chips or shredded redwood bark.

W: Irrigate using various methods to be determined through discussion with General Contractor. Irrigation frequency and duration to be determined through discussion and/or per directions in this report. Native oak species typically require 1x/month irrigation, while other tree species tend to prefer 2x/month or 4x/month moderate to heavy irrigation during construction.

P: Pruning per specifications noted elsewhere. All pruning must be performed only under direct site supervision of an ISA Certified Arborist, or performed directly by an ISA Certified Arborist, and shall conform to all current ANSI A300 standards.

MON: A Project Arborist must be present to monitor specific work as noted for each tree.

12.0 Tree Location & Protection Fence Map Mark-up by the Applicant and the CTA

The CTA marked up the applicant's sheet A-1.0 site plan dated March, 2021 by Lazari Design of San Jose, California as the basis for the tree location map markup on the following page of this CTA arborist report.

The CTA added the following items to this plan sheet for reference purposes:

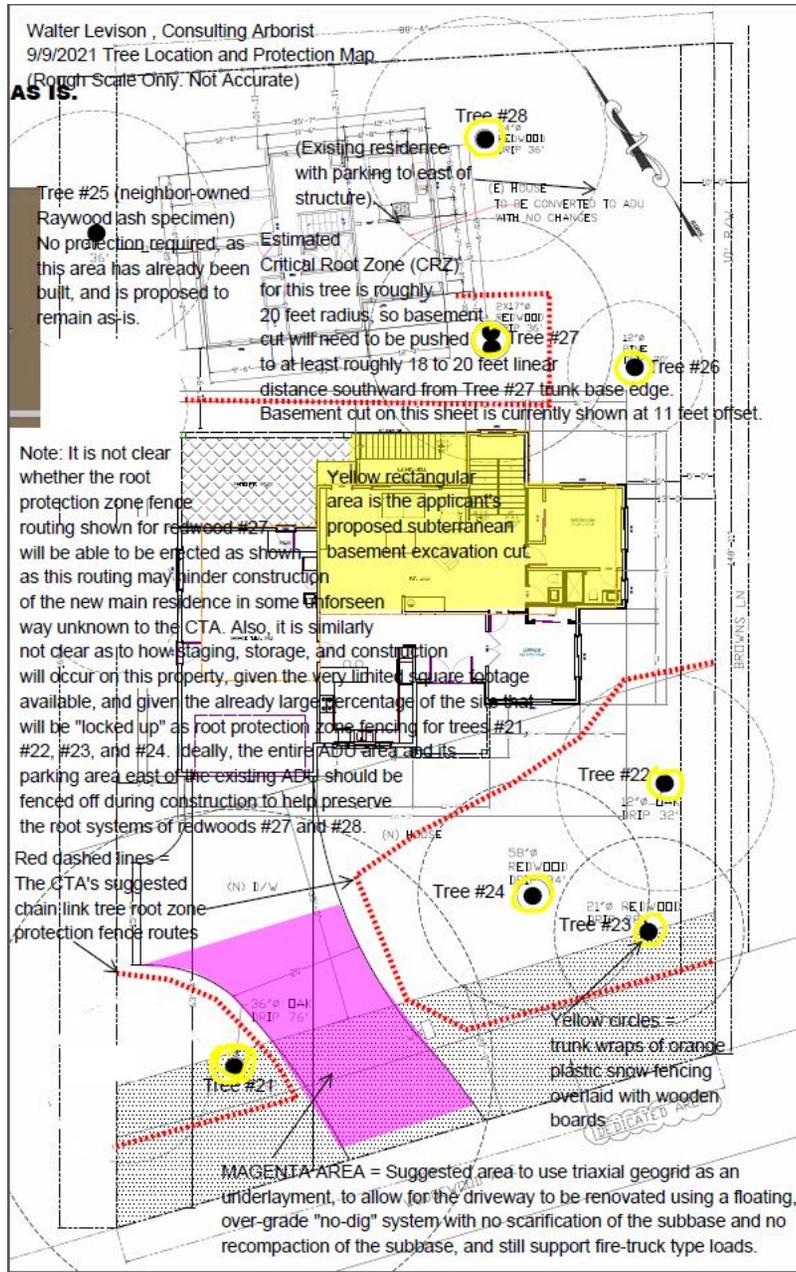
- a. Trunk plot dots are enlarged as black circles.
- b. (Tree canopies were already indicated by the architect, and are somewhat accurate in terms of true scale radius and diameter).
- c. Yellow highlighting indicates the applicant's proposed subterranean basement excavation cut daylights (farthest extent). The applicant has expressed to the CTA during his field visit that a 3rd round submittal set has been sent to Town of Los Gatos, showing a farther offset distance between redwood #27 edge of trunk massing, and the proposed garage limit of excavation, such that the new limit of excavation is roughly 18 linear feet from the trunk base edge (i.e. roughly the Critical Root Zone offset distance from trunk edge), which is good.
- d. Magenta highlight indicates the author's approximate proposed area where triaxial geogrid should be laid down over the soil surface to provide increased load capacity and allow for what is known as a "no dig" (floating) type driveway design where the entire set of layered materials is literally built up over existing soil grade elevation, avoiding excavation and avoiding subbase scarification and recompaction, which will help preserve and protect tree roots extended from redwood #27.
- e. The red dashed lines indicate the CTA's suggested routing for chain link tree root protection zone fencing, to optimize tree root preservation and protection. At the time of writing, it is not entirely clear whether all of the suggested routes can be effectively installed without hindering proposed main residence construction, staging, storage, ingress, egress, etc.

This is a subject for further discussion with the applicant, since the more square footage we can protect behind chain link fencing, the better the root systems around trees #21, 22, 23, 24, 25, 26, 27, and #28 will be preserved and protected during construction.

From the CTA's perspective, ideal tree root protection and preservation for redwoods #27 and #28 would require that the entire north 1/3 of the property would have to be literally fenced off with a single length of chain link fencing to block all contractor access to the existing small residence and its existing parking areas north and east of the small residence. However, it is simply not clear at the time of writing whether this is feasible, given the large size of the proposed new residence and the extent of proposed excavation and construction.

At the very least, it would be beneficial if Town Staff could prepare a planning division condition of approval (COA) that prohibits all ingress/egress by contractors via Browns Lane.

Below: Tree Map Markup by the CTA Version 9/9/2021



13.0 Attached Below: Appraisal Worksheet by the CTA

Appraisal information was prepared using the 10th edition of the *Guide for Plant Appraisal, 2nd Printing* (2019). The dollar values of each survey tree derived from these calculations are useful in helping determine the monetary fines for construction team violations of the Town of Los Gatos tree ordinance, and for other Town Staff purposes. For instance, if a tree is found by an ISA Certified Arborist (e.g. the Project Arborist, or the Contract Town Arborist) to be "50% damaged" in terms of below and/or above-ground losses to structure and/or health (vigor), the fine assessed on the construction team might be calculated as 50% of the tree's appraised dollar value.



Valuation Appraisal Worksheet Based on *Guide for Plant Appraisal, 10th Edition*, 2nd Printing (2019)
"Functional Replacement Method / Trunk Formula Technique"
17291 Wedgewood, Los Gatos, CA 9/9/2021

Tree Tag #	Name (Initials)	WCISA Species Group Classification Booklet Page	Health (Weighted 0.15)	Structure (Weighted 0.70)	Form (Weighted 0.15)	Overall Condition Rating (OCR) "Weighted Method"	Diameter Inches at 4.5 ft. Above Grade	Depreciation Factors		WCISA Species Group Number	Trunk Square Inches for Replacement-Size Specimen of This Species	Average SF Bay Area Cost of 24 Inch Box Tree (2019)	Line 9	Trunk Area (TA) ((dia. x dia.) x 0.785)	Line 10	Line 11	Rounded-off Appraised Values
								Functional Limitations	External Limitations				(UTC) Unit Tree Cost per Sq Inch (M Divided by L)		Basic Functional Replacement Cost (BFRC) = (OxN)	Depreciated Functional Replacement Cost (DFRC) = PxGxIxJ	
21	Qa	30	0.5	0.5	0.6	52%	multi stem total	50%	90%	3	3.8	\$250.00	\$65.79	987.00	\$ 64,934	\$ 15,049	\$15,000
22	Qa	30	0.65	0.45	0.7	52%	14.1	50%	90%	3	3.8	\$250.00	\$65.79	156.07	\$ 10,267	\$ 2,391	\$2,390
23	Ss	34	0.35	0.3	0.4	32%	25.9	40%	90%	4	4.75	\$250.00	\$52.63	526.59	\$ 27,715	\$ 3,218	\$3,220
24	Ss	34	0.4	0.3	0.6	36%	46.1	60%	90%	4	4.75	\$250.00	\$52.63	1668.29	\$ 87,805	\$ 17,069	\$17,100
25	FR	16	0.3	0.3	0.6	35%	16	50%	90%	2	2.24	\$250.00	\$111.61	200.96	\$ 22,429	\$ 3,482	\$3,480
26	Tree sp.	n/a	0.4	0.3	0.4	33%	multi stem total	60%	90%	2	2.24	\$250.00	\$111.61	81.00	\$ 9,040	\$ 1,611	\$1,610
27	Ss	34	0.46	0.55	0.7	56%	multi stem total	70%	90%	4	4.75	\$250.00	\$52.63	430.00	\$ 22,632	\$ 7,970	\$8,000

Valuation Appraisal Worksheet Based on *Guide for Plant Appraisal, 10th Edition*, 2nd Printing (2019)
 "Functional Replacement Method / Trunk Formula Technique"
 17291 Wedgewood, Los Gatos, CA 9/9/2021

Tree Tag #	Name (Initials)	WCISA Species Group Classification Booklet Page	Health (Weighted 0.15)	Structure (Weighted 0.70)	Form (Weighted 0.15)	Overall Condition Rating (OCR) "Weighted Method"	Diameter Inches at 4.5 ft. Above Grade	Depreciation Factors		WCISA Species Group Number	Trunk Square Inches for Replacement-Size Specimen of This Species	Average SF Bay Area Cost of 24 Inch Box Tree (2019)	Line 9	Line 10	Line 11	Rounded-off Appraised Values	
								(JTC) Unit Tree Cost per Sq Inch (M Divided by L)	Basic Functional Replacement Cost (BFRC) = (OxN)				Depreciated Functional Replacement Cost (DFRC) = PxGxIxJ				
28	Ss	34	0.35	0.2	0.6	28%	30.1	70%	90%	4	4.75	\$250.00	\$52.63	711.22	\$ 37,433	\$ 6,662	\$6,700
<p>Notes:</p> <p>1. OVERALL CONDITION RATING RANGE per the new 10th edition, 2nd Printing, of <i>Guide for Plant Appraisal</i> (2019): Excellent: 81-100% Good: 61-80% Fair: 41-60% Poor: 21-40% Very Poor: 6-20% Dead: 0-5%</p> <p>2. MULTI STEM TREES: For trees with multiple mainstems, the total of all mainstem cross sectional areas was used as the "trunk area" calculation. For trees with mainstems larger than 30 inches diameter each, an "adjusted trunk area" or "ATA" value is used, from a table of values in the older 9th edition of the <i>Guide for Plant Appraisal</i>. The ATA value is smaller than the actual trunk diameter, and brings the tree's appraised dollar value down to a more "reasonable" level.</p> <p>3. NEIGHBOR TREES: For neighbor-owned trees that were not accessible by the CTA, the trunk diameter was estimated from a distance to the best of the CTA's ability.</p> <p>4. CONDITION RATINGS / APPRAISAL TABLE VS. DATA TABLE: Because of the new appraisal methods outlined in the 2019 edition of the <i>Guide for Plant Appraisal</i>, 10th edition 2nd printing, the condition ratings calculated in the "Overall Condition Rating / Weighted Method" column, and the data noted in the health and structure columns of this spreadsheet (with calculations embedded), may in some cases be slightly different from data in the CTA's arborist report tree data table. The CTA attempted to keep overall condition rating values as consistent as possible between the two data tables (i.e. the appraisal data table and the tree data table in the arborist report).</p>															Total Appraised Value of the Study Trees Proposed to be Retained and Protected		\$57,500

New Home Construction
Neighbor Notification & Response

Property Address: 17291 Wedgewood Ave
Los Gatos, CA

Property Owner: Young and Tai Kim

Contact Info: (408) 206-2788 / youngchkim@gmail.com

Dear Neighbor,

We are planning to submit preliminary plans of my residence to the Town of Los Gatos for their Architecture and Site Plan application review. We respectfully request you to complete and sign this form to indicate you have had an opportunity to review and comment on the proposed plans.

Please note this notice and preliminary plans are being provided to all adjoining property owners and the property owner(s) across the street from the property address.

Neighbor Name: Michael Kowitz **Date:** 04/23/2021

Neighbor Address: [REDACTED]

Neighbor Contact Info (Phone or email):- [REDACTED]

Thoughts and comments can be provided below:

Everything looks good, looking forward
to seeing your home built.

Neighbor Signature: [Signature]

New Home Construction
Neighbor Notification & Response

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Los Gatos, CA

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Contact Info: (408) 206-2788 / youngchkim@gmail.com

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Neighbor Name: Will & Heather Maynard **Date:** 4/23/21

Neighbor Address: [REDACTED]

Neighbor Contact Info (Phone or email):- [REDACTED]

Thoughts and comments can be provided below:

I'm excited to see a new house in the neighborhood! Personally,
I would prefer one-story construction. We have had issues in the past
with second-story windows overlooking our yard. I don't think
we have to worry about your planned house, but if
other neighbors build second stories, we might lose privacy. ~~#####~~
I think the neighborhood is improved with you in it and I
hope you enjoy it as much as I have for the last 28 years!
Welcome!!

Neighbor Signature: Will

Hi Young and Tai,

Thank you for leaving your building plan information with my son Will, who lives around the corner from my house. I looked over the plans and, although I cannot see the dimensions due to the tiny size and poor quality printing, I do have some comments and a request for you to consider. (I would like to see a clearer version of the plans where the dimensions are readable, if that is possible.) What I am asking is that you consider revising your plans to make your main home a one-story home. You have a large lot that can easily accommodate both a 3,100 square foot single story home, and your existing little home that you refer to as a future ADU.

First, I want to say that we are happy to have you as neighbors, and we hope that you will want to stay in the neighborhood for decades, as we have done. This is a wonderful neighborhood, and it has many great qualities that we would like to retain to the extent possible, despite the many negative changes that have been coming statewide and in neighboring cities. We consider you and your wife to be the perfect addition to our great neighborhood.

One of the best things about our little neighborhood is the privacy and quiet that we enjoy. You may have noticed that all of the homes within our small area are one-story homes. I love that characteristic of our area, as we do not have others peering into our yards, or into our homes, as happens with 2 story homes that are built close to one another. Yes, there are a number of 2 story homes behind us that are backed up against the freeway. And there are some further down toward Wimbledon Drive, but again, all but one of those homes are on lots that are backed up against the freeway. Two story homes being backed up against the freeway is actually a good thing, as it helps block some of the freeway noise from coming to our homes and yards.

I was here before the freeway went in. It was so quiet then. You would have sworn that you lived in the country. There were no noises other than an occasional child's voice or a dog barking. Now, there is some level of freeway noise. As I discovered, freeway noise is an unpredictable thing. I planted some 13 or 14 redwood trees along the 200+ feet of our property line that is parallel to the freeway. This has absorbed a lot of freeway noise coming from that direction. I also recently built a fence with the Gera neighbors along that boundary, which has provided additional sound reduction benefit. However, there is still more freeway noise coming from the west. What I have noticed is that new structures can cause noise bounce, where it increases the noise for the rest of us. It is not predictable, as far as I can see.

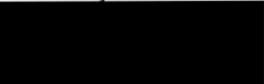
I have real concerns about starting to include 2 story houses in and around mine and other properties. If you put one in, the neighbor behind you will undoubtedly feel that sets a precedent and then he will build one that is perched over my rear yard. Again, I don't mind if he builds a 2 story on his lot that is up against the freeway, but I would be very upset if he builds one on the lot right behind you.

So, let me comment on the beauty of a single story home. When my house was being built in 1991, the neighbors next door (to the West) objected to the 2 story design that had been presented to the Town by the builder. They complained that they would lose their privacy, that they would have a shadow on their home, that a 2 story home would be too imposing for the neighborhood. A number of changes were made to the home to satisfy their concerns. One of them was that the house be a one story home. That was the best decision that any contractor ever made. A smart realtor will tell you this, too, but everyone now seems to be concerned with how many square feet they can get out of their lot. A lot of realtors seem to think a house should sell for a price per square foot of living space. Well, maybe they are right. But, if you build a single story home, you will recognize that there are special benefits to the single story. As the realtors will tell you, as you get older, you will start to have difficulty to climb the stairs to the second floor. What a wonderful thing to be able to remain in your home after you start having that difficulty! I have stairs at my office, and already, I really appreciate being at home where there are no stairs. In addition, you don't waste square footage with stairways and extra hallways. There are less issues with moving heavy furniture. Your house throws less of a shadow on your own yard, as well as the yard of others. I have lived in both, and to me, a one story house is so much more comfortable than a 2 story house.

Your property in particular is perfectly suited for a one story home. You have a very large lot, and lots of room if the space is used intelligently. I see that someone already reduced the second story "to reduce perceived massing of the home and to step down in scale towards the surrounding homes and streets." To me, this is a recognition that the one story house is better, and especially that it is better in our little neighborhood. I am sure that others in the neighborhood will agree with me after they realize what I am saying. I am asking you, to please consider changing from a 2 story house to a one story house.

Thank you.

Scott Maynard



New Home Construction
Neighbor Notification & Response

Property Address: 17291 Wedgewood Ave
Los Gatos, CA

Property Owner: Young and Tai Kim

Contact Info: (408) 206-2788 / youngchkim@gmail.com

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Neighbor Name: Caterina + Don Peterson **Date:** 4/21/21

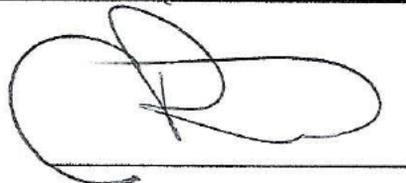
Neighbor Address: [REDACTED]

Neighbor Contact Info (Phone or email):- [REDACTED]

Thoughts and comments can be provided below:

Would love to see more trees. look forward
to hearing about next steps and city
review. Its beautiful!

Neighbor Signature:



New Home Construction
Neighbor Notification & Response

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Neighbor Name: John Wallace **Date:** 4-22-21

Neighbor Address: [REDACTED]

Neighbor Contact Info (Phone or email):- [REDACTED]

Thoughts and comments can be provided below:

The Kim family have shared their plans for a new home.
We are excited for them, and their house looks like it
will be a beautiful addition to the neighborhood.

Neighbor Signature: 

New Home Construction
Neighbor Notification & Response

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Los Gatos, CA

Property Owner: Young and Tai Kim

Contact Info: (408) 206-2788 / youngchkim@gmail.com

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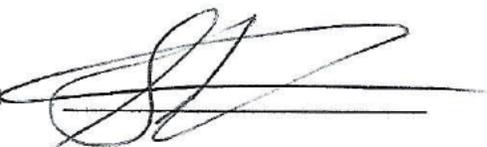
Neighbor Name: Kamran Shafiei **Date:** 04/22/2021

Neighbor Address: _____

Neighbor Contact Info (P _____

Thoughts and comments can be provided below:

Supportive of your plans and
happy to see the neighbourhood
develop.

Neighbor Signature: 

New Home Construction
Neighbor Notification & Response

Property Address: 17291 Wedgewood Ave
Los Gatos, CA

Property Owner: Young and Tai Kim

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Neighbor Name: Cathy Vargas **Date:** 4/22/2021

Neighbor Address: _____

Neighbor Contact Info (Phone or email):- _____

Thoughts and comments can be provided below:

A nice addition to the neighborhood.

Neighbor Signature: 

New Home Construction
Neighbor Notification & Response

Property Address: 17291 Wedgewood Ave
Los Gatos, CA

Property Owner: Young and Tai Kim

Contact Info: (408) 206-2788 / youngchkim@gmail.com

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Neighbor Name: Mike Schmidlin **Date:** 4/20/21

Neighbor Address: [REDACTED]
Neighbor Contact Info (Phone or email): [REDACTED]

Thoughts and comments can be provided below:

I am very happy to have Young & Kim as neighbors. Looks like it will be a nice house.

Neighbor Signature: 

New Home Construction
Neighbor Notification & Response

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Los Gatos, CA

Property Owner: Young and Tai Kim

Contact Info: (408) 206-2788 / youngchkim@gmail.com

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Neighbor Name: Paul Brown **Date:** 4/22/21

Neighbor Address: [REDACTED]

Neighbor Contact Info (Phone or email):- [REDACTED]

Thoughts and comments can be provided below:

Looks like a great and welcomed
addition to our neighborhood!

Welcome to Wedgewood.

Neighbor Signature: 

New Home Construction
Neighbor Notification & Response

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Los Gatos, CA

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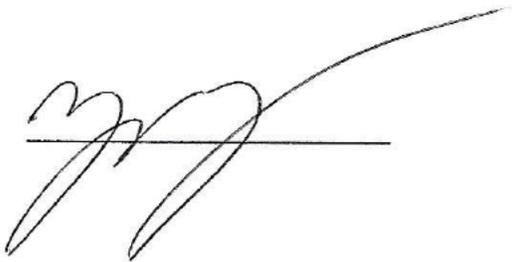
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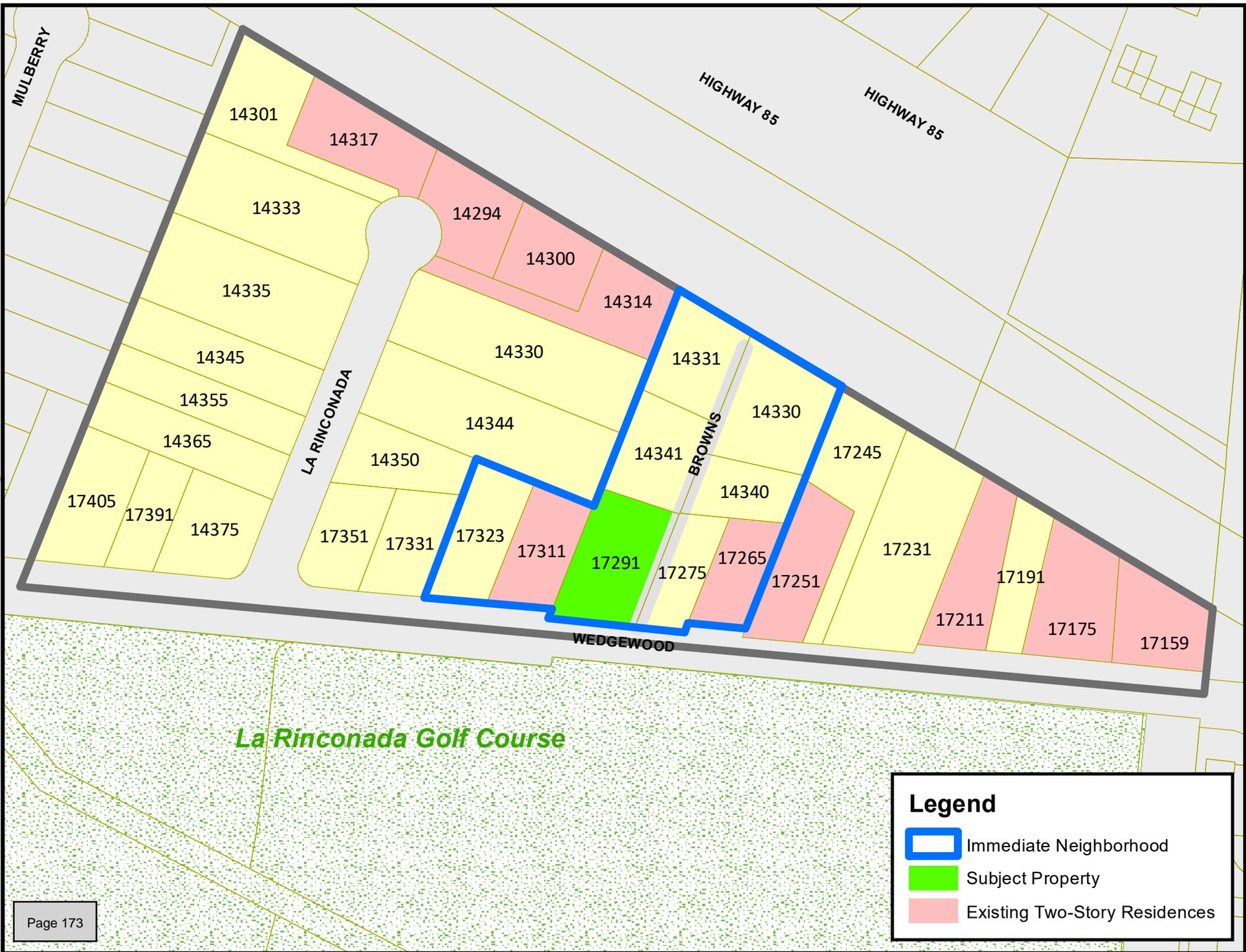
Neighbor Name: Zack Kowitz **Date:** 4/23/21

Neighbor Address: [REDACTED]
Neighbor Contact Info (Phone or email): [REDACTED]

Thoughts and comments can be provided below:

I'm not against any of the building
plans proposed by Young & Tai Kim

Neighbor Signature: 



Legend

- Immediate Neighborhood
- Subject Property
- Existing Two-Story Residences

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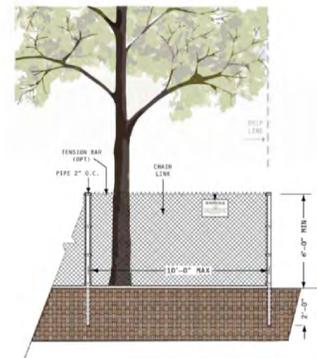
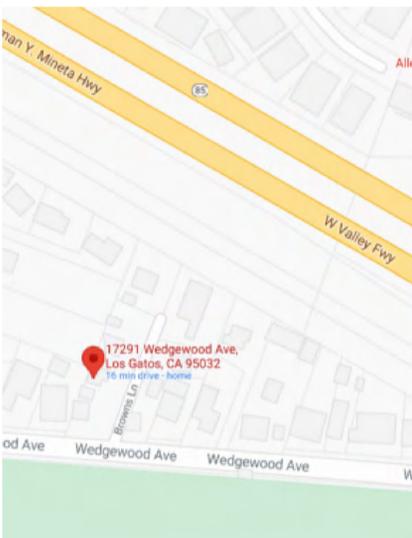
-A NEW 2-STORY HOUSE
-CONVERTING EXISTING HOUSE TO AN ADU AS IS.



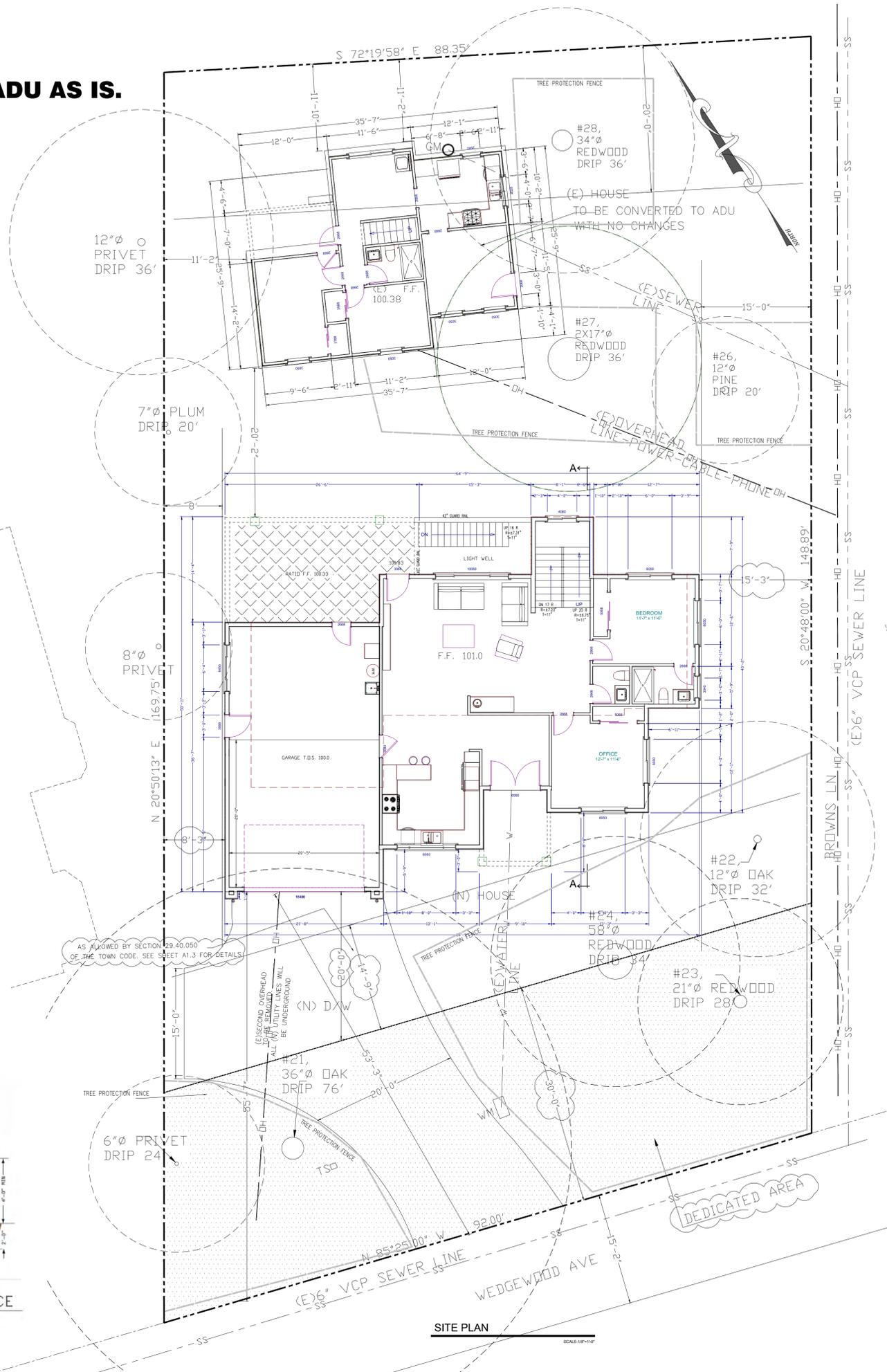
OWNER:
YOUNG KIM

ADDRESS:
17291 WEDGEWOOD AVE.
LOS GATOS, CA

THIS PROJECT SHALL COMPLY WITH THE 2019 CBC, CMC, CPC, 2019 CEC, 2019 CALIFORNIA ENERGY CODE, 2019 CALIFORNIA FIRE CODE, 2019 CALIFORNIA RESIDENTIAL CODE, 2019 CALIFORNIA GREEN BUILDING STANDARD, AND LOCAL MUNICIPAL CODE.



1 TREE PROTECTION FENCE PER ARBORIST REPORT



ZONING R-1-8
 BUILDING OCCUPANCY GROUPS: R3/U1
 TYPE OF CONSTRUCTION: V-B
 AUTOMATIC FIRE SPRINKLERS: YES
 PARCEL NUMBER 409-14-013

SETBACKS Front - 25 ft. / Sides - 8' / Rear - 20'
 ALLOWED

SITE GROSS AREA 14064.87 SF
 STREET DEDICATION 20'X92'=1840.0 SF
 SITE NET AREA 12224.87 SF

(N) 1ST FLOOR AREA	1325.0 SF
(N) 2ND FLOOR	1259.6 SF
TOTAL MAIN HOUSE LIVING AREA	2584.6 SF
(N) BASEMENT	900.0 SF
(E) HOUSE CONVERTED TO ADU	720.0 SF
TOTAL FLOOR AREAS	3304.6 SF
ALLOWABLE AREA=0.35-(12.224-5)/25X0.2=0.292	
0.292X12224=3569.4 SF	
(N) GARAGE	774.4 SF
ALLOWABLE GARAGE AREA=0.1-(12.224-5)/25X0.07=0.08	
0.08X12224=975.0 SF	
PORCH	101.0 SF
COVERAGE (1325+774.4+720+101)/14064.87=	20.76%

SHEET INDEX

A1.0	PROPOSED SITE PLAN & PROJECT INFORMATION
A1.1	SITE PHOTOS
A1.2	(E) & (N) FLOOR PLAN & ELEVATION
A1.3	JUSTIFICATION OF FRONT SETBACK
T-1	SURVEY PLAN
A2.0	PROPOSED 1ST FLOOR PLAN
A3.0	PROPOSED 2ND FLOOR PLAN
A3.1	PROPOSED BASEMENT PLAN
A4.0	ELEVATIONS
A4.1	COLOR & MATERIAL BOARD SECTIONS
A5.0	ROOF PLAN
A6.0	FLOOR AREA DIAGRAM
A7.0	WEDGEWOOD STREETSCAPE STUDY
A8.0	WEDGEWOOD STREETSCAPE STUDY
A8.1	

SCOPE OF WORK:
 - 2584.6 SF, TWO STORY HOUSE.
 - CONVERTING (E) HOUSE TO AN ADU.

DESIGN CONSULTANT
 LAZARI DESIGN
 MFA ENGINEERS & ASSOCIATES
 6154 ROYAL ACORN PL.
 SAN JOSE CA 95120
 PHONE (408) 781-8374
 (408) 509-3461
 EMAIL: ELAZARI@COMCAST.NET

- GENERAL NOTES**
- THE GENERAL CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND SITE CONDITIONS BEFORE STARTING WORK. THE DESIGNER OR ENGINEER SHALL BE NOTIFIED OF ANY DISCREPANCY.
 - THE DESIGN, ADEQUACY AND SAFETY OF ERECTION, BRACING, SHORING, TEMPORARY SUPPORTS, ETC., IS THE SOLE RESPONSIBILITY OF THE CONTRACTOR, AND HAS NOT BEEN CONSIDERED BY THE ENGINEER.
 - IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO LOCATE ALL EXISTING UTILITIES WHETHER SHOWN HEREON OR NOT AND TO PROTECT THEM FROM DAMAGE. THE CONTRACTOR SHALL BEAR ALL EXPENSE OF REPAIR OR REPLACEMENT IN CONJUNCTION WITH THE PROSECUTION OF THIS WORK.
 - THE CONTRACTOR SHALL BE HELD RESPONSIBLE FOR THE RESULTS OF ERRORS, DISCREPANCIES OR OMISSIONS WHICH THE CONTRACTOR FAILED TO NOTIFY THE DESIGNER OR THE OWNER BEFORE CONSTRUCTION AND/OR FABRICATION OF THE WORK.

PV PERMIT:
 A separate building permit is required for the PV system that is required by the Energy Calculations compliance modeling. The separate PV System permit must be finalized prior to issuance of Certificate of Occupancy.

ALL ELECTRIC RESIDENCE.
 This residence will comply with the Town's all electric appliance, electric vehicle, and energy storage system requirements in accordance with Town Code Section 6.70.020 and 6.120.020.

LAZARI DESIGN
 6154 ROYAL ACORN PLACE
 SAN JOSE CA 95120
 Tel: (408) 781-8374
 elazari@comcast.net

OWNER
MR. PHONE:

PROJECT LOCATION:
 YOUNG KIM
 17291 WEDGEWOOD AVE.
 LOS GATOS, CA

REVISIONS	DATE

SCALE: AS SHOWN
 DRAWN: E. LAZARI



SHEET TITLE:
SITE PLAN

SHEET NO. **A1.0**

DATE: **MARCH 2021 EXHIBIT 14**

LAZARI DESIGN

6154 ROYAL ACORN PLACE
SAN JOSE CA 95120

Tel: (408) 781-8374
elazari@comcast.net

OWNER

**MR.
PHONE:**

PROJECT LOCATION:
YOUNG KIM
17291 WEDGEWOOD AVE.
LOS GATOS, CA

REVISIONS	DATE

SCALE: AS SHOWN
DRAWN: E. LAZARI

LAZARI DESIGN
6154 ROYAL ACORN PL
SAN JOSE CA 95120
(408)781-8374

SHEET TITLE:
PHOTOS OF THE SITE

SHEET NO. **A1.1**

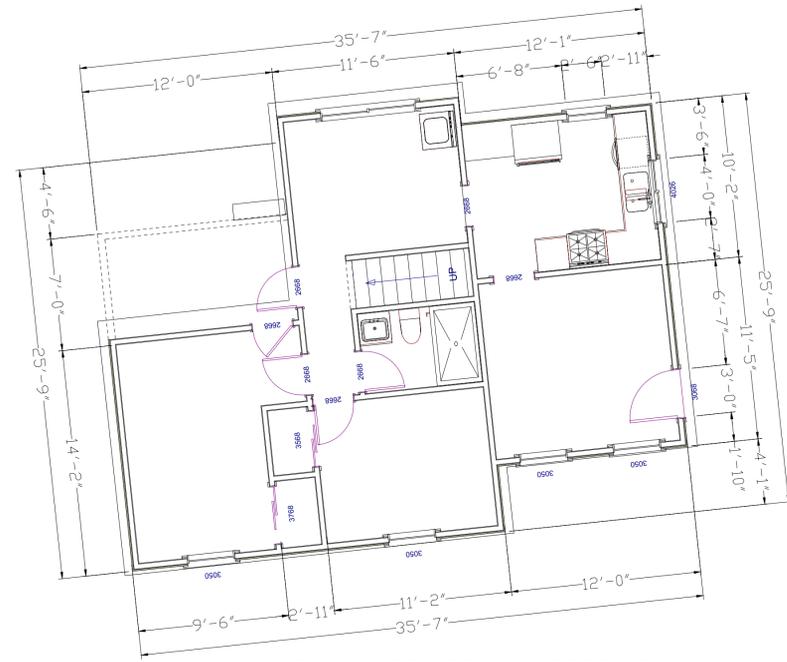
DATE: **MARCH 2021**



OWNER

MR.
PHONE:

PROJECT LOCATION:
YOUNG KIM
17291 WEDGEWOOD AVE.
LOS GATOS, CA



(E) HOUSE TO BE CONVERTED TO ADU

SCALE: 3/16"=1'-0"

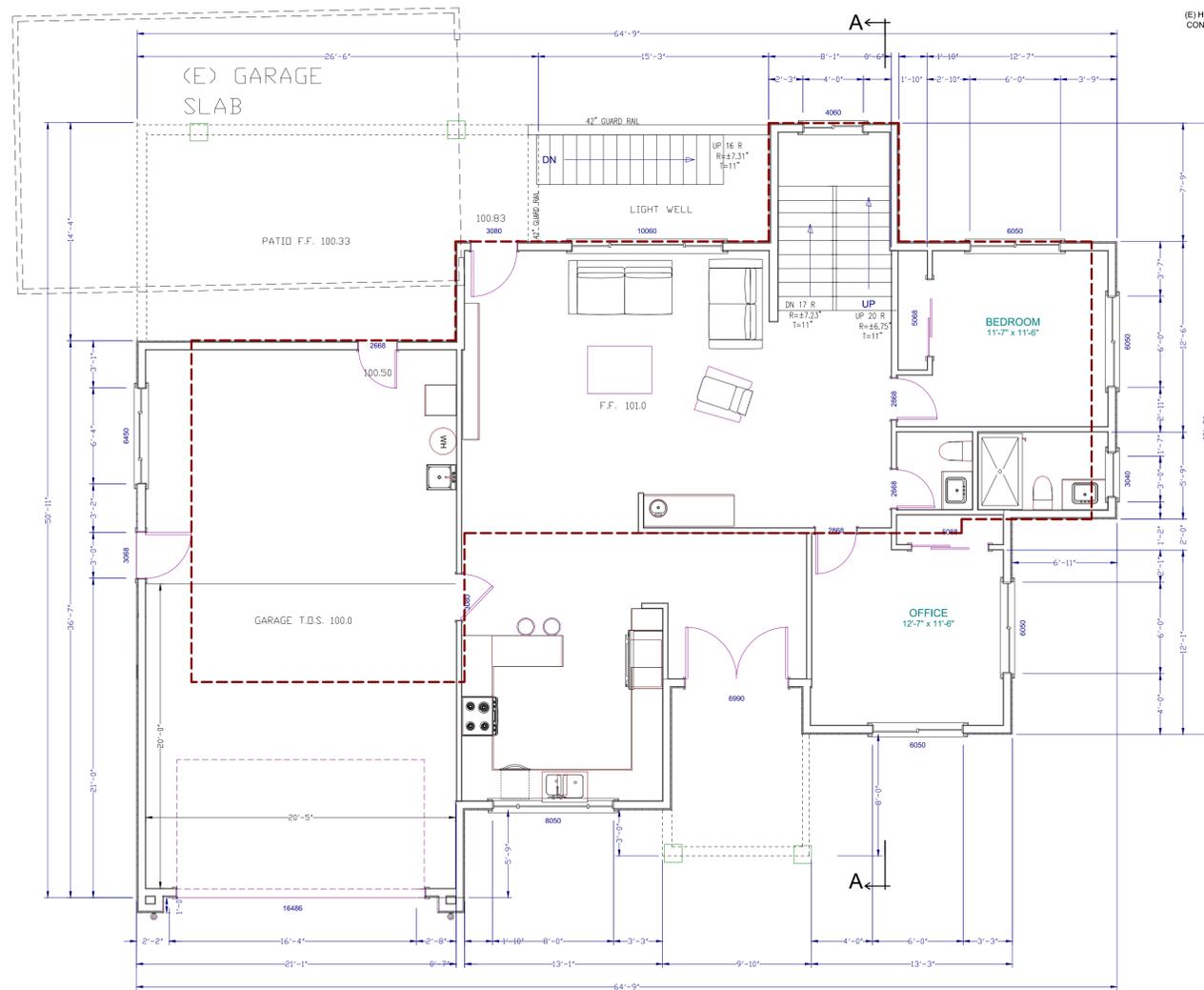


PROPOSED FRONT ELEVATION

(E) HOUSE TO REMAIN
CONVERTED TO ADU

FRONT ELEVATION
(E) & (N)

SCALE: 3/16"=1'-0"



PROPOSED HOUSE

SCALE: 3/16"=1'-0"

REVISIONS	DATE

SCALE: AS SHOWN
DRAWN: E. LAZARI

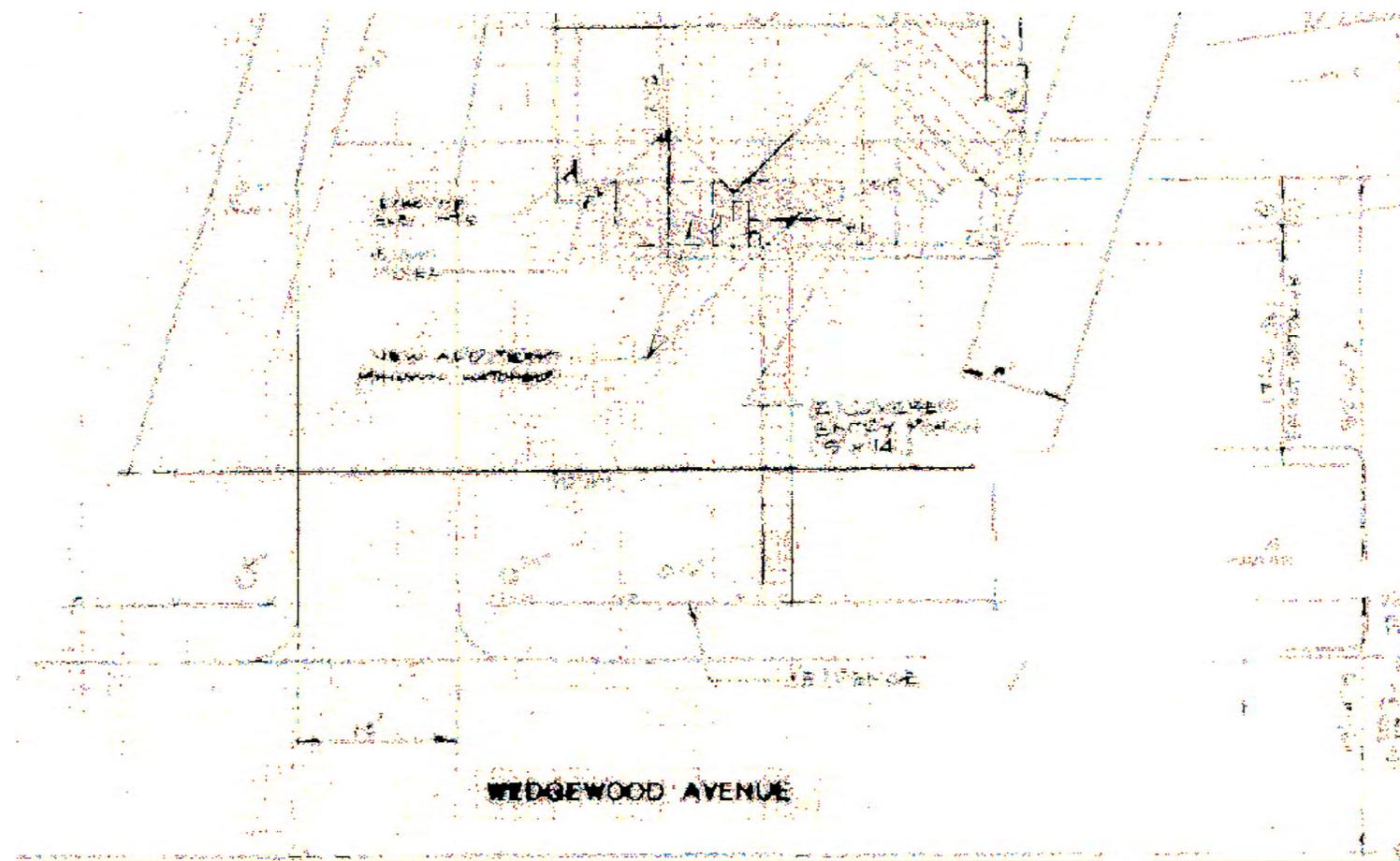
LAZARI DESIGN
6154 ROYAL ACORN PL
SAN JOSE CA 95120
(408) 781-8374

SHEET TITLE:
EXISTING & NEW

SHEET NO. **A1.2**

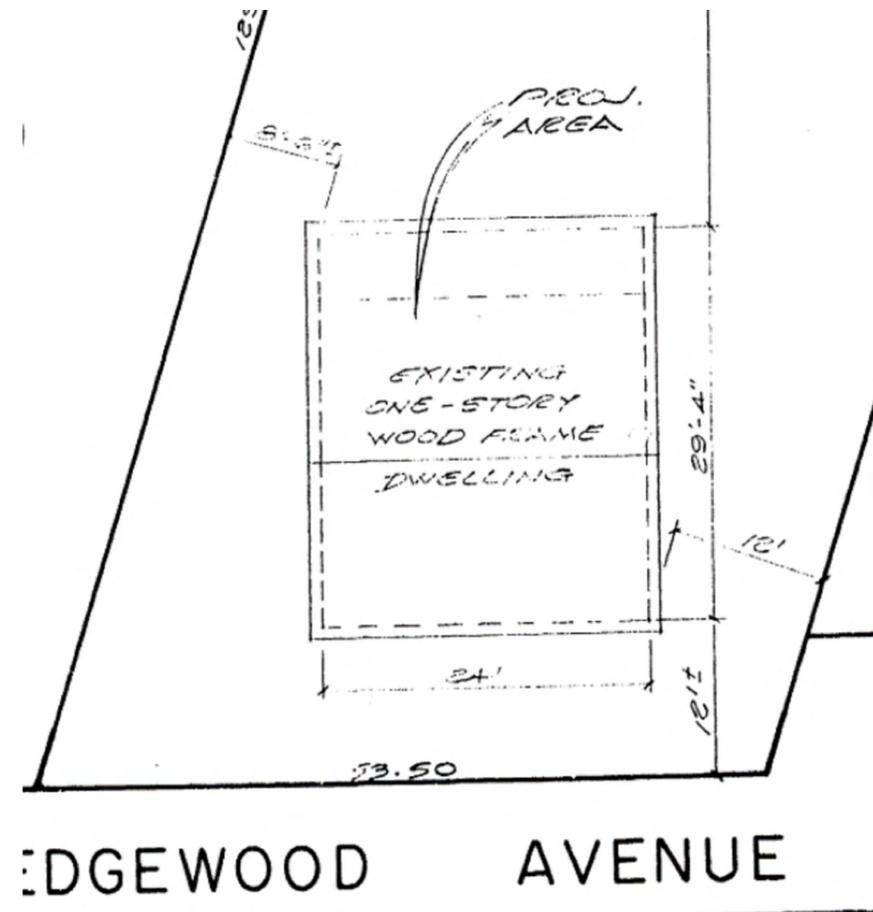
DATE: **MARCH 2021**

1-Per approved plans for 17311 Wedgewood from 2011 permit # B00-000571:
Existing front setback 17.5'



2-Per approved plans for 17275 Wedgewood from 1992 permit # B23689:
Existing front setback 12'

PER SECTION 29.40.050 THE REQUIRED FRONT SETBACK IS:
 $(17.5+12)/2=14.75'$



LAZARI DESIGN

6154 ROYAL ACORN PLACE
SAN JOSE CA 95120

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elazari@comcast.net

OWNER

MR.
PHONE:

PROJECT LOCATION:

YOUNG KIM
17291 WEDGEWOOD AVE.
LOS GATOS, CA

REVISIONS	DATE

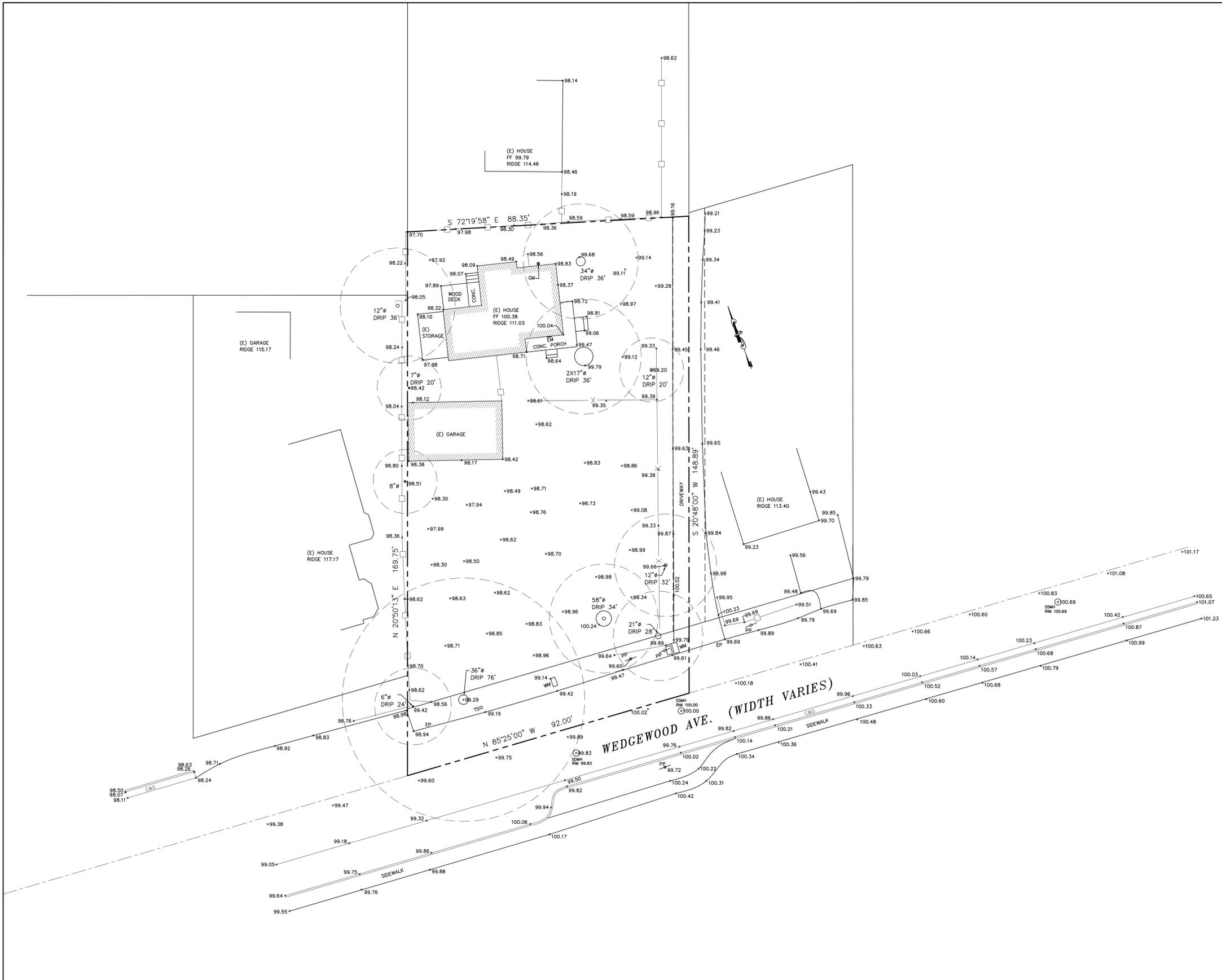
SCALE: AS SHOWN
DRAWN: E. LAZARI

LAZARI DESIGN
6154 ROYAL ACORN PL
SAN JOSE CA 95120
(408)781-8374

SHEET TITLE:
**FRONT SETBACK
JUSTIFICATION**

SHEET NO. **A1.3**

DATE: **MARCH 2021**



LEGEND

---	PROPERTY LINE	AC	ASPHALT
---	EXISTING LOTS	AD	AREA DRAIN
---	CENTERLINE	ANC	ANCHOR
---	EASEMENT LINE	BSBL	BUILDING SETBACK LINE
---	---	C&G	CURB AND GUTTER
---	---	CB	CATCH BASIN
---	---	CO	CLEAN OUT
---	---	DW	DRIVEWAY
---	---	EB	ELECTRIC BOX
---	---	EM	ELECTRIC METER
---	---	EP	EDGE OF PAVEMENT
---	---	FH	FIRE HYDRANT
---	---	GA	GUY ANCHOR
---	---	GM	GAS METER
---	---	GV	GAS VALVE
---	---	IV	IRRIGATION VALVE
---	---	LP	LIGHT POLE
---	---	MB	MAIL BOX
---	---	MH	UTILITY MANHOLE
---	---	P.U.E.	PUBLIC UTILITY EASEMENT
---	---	P	BRICK CONC PILLAR
---	---	PP	POWER POLE
---	---	(R)	RADIAL BEARING
---	---	SL	STREET LIGHT
---	---	SDMH	STORM DRAINAGE MANHOLE
---	---	SSMH	SANITARY SEWER MANHOLE
---	---	SSCO	SANITARY SEWER CLEAN OUT
---	---	TCD	THROUGH CURB DRAIN
---	---	TS	TRAFFIC SIGN
---	---	VG	VALLEY GUTTER
---	---	WM	WATER METER
---	---	WV	WATER VALVE

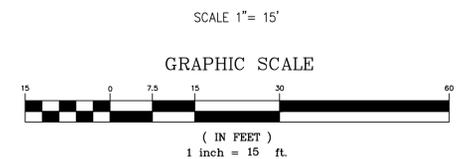
DISCLAIMER:
SMP ENGINEERS OR ITS OFFICERS OR AGENTS SHALL NOT BE RESPONSIBLE FOR THE ACCURACY OR COMPLETENESS OF ELECTRONIC COPIES OF THIS PLAN.

NOTE:
THIS MAP REPRESENTS TOPOGRAPHY OF THE SURFACE FEATURES ONLY. UNLESS SPECIFIED ON THIS MAP, LOCATIONS OF THE UNDERGROUND UTILITIES ARE NEITHER INTENDED NOR IMPLIED. FOR THE LOCATIONS OF UNDERGROUND UTILITIES CALL "USA" (1-800-642-2444). SURFACE FEATURES ARE LOCATED BY MEANS OF A STATION AND OFFSET FROM THE CONTROL LINE.

BASIS OF BEARINGS:
THE BEARING S 85°25'00" E OF CENTERLINE OF WEDGEWOOD AVE., AS SHOWN ON THAT CERTAIN RECORD OF SURVEY MAP, RECORDED IN BOOK 702 OF MAPS AT PAGE 52, SANTA CLARA COUNTY RECORDS, WAS USED AS THE BASIS OF BEARINGS SHOWN ON THIS MAP.

SITE BENCHMARK:
REFERENCED ASSUMED B.M :
TOP OF SANITARY SEWER MANHOLE LOCATED ON WEDGEWOOD AVE., NEAR SOUTHEASTERLY PROPERTY CORNER EL: 100.00'

- NOTES:**
- ALL DIMENSIONS ARE GIVEN IN FEET AND DECIMALS THEREOF.
 - THE GROSS AREA OF LAND OF RECORD IS 14,064.87 SQ. FT. ±.
 - THE MAP WAS BASED ON A GRANT DEED DOC.# 24727794 BY ORANGE COAST TITLE CO. DATED 11/30/2020, RECORDED IN SANTA CLARA COUNTY.
 - ALL EXISTING BUILDINGS ARE WOOD.
 - FOR PRECISE SPECIES OF TREES A CERTIFIED ARBORIST SHALL BE CONSULTED.
 - THIS DRAWING REPRESENTS A TOPOGRAPHIC SURVEY PREPARED IN CONFORMANCE WITH THE REQUIREMENTS OF THE LAND SURVEYORS ACT. THE PROPERTY LINES SHOWN HEREON ARE COMPILED FROM RECORD DATA AND REPRESENT THE BEST GRAPHICAL FIT BETWEEN RECORD INFORMATION AND THE TOPOGRAPHICAL FEATURES SURVEYED AND SHOULD NOT BE RELIED UPON OR USED FOR ANY OTHER PURPOSES. PURSUANT TO THE CLIENT'S DIRECTION A BOUNDARY SURVEY WAS NOT PERFORMED AT THIS TIME WHICH MAY HAVE DETERMINED THE ACTUAL PROPERTY LINES.



17291 WEDGEWOOD AVE.
LOS GATOS
APN: 409-14-013



SMP ENGINEERS
CIVIL ENGINEERS—LAND SURVEYORS
1534 Carob Lane Los Altos, CA 94024
Tel. (650) 941-8055 Fax (650) 941-8755

Scale: 1" = 15'
Prepared by: S.P.
Checked by: S.R.
Date: 12/19/2020
Project No: 220173

PRELIMINARY BOUNDARY AND TOPOGRAPHIC SURVEY MAP

Sheet No: T-1

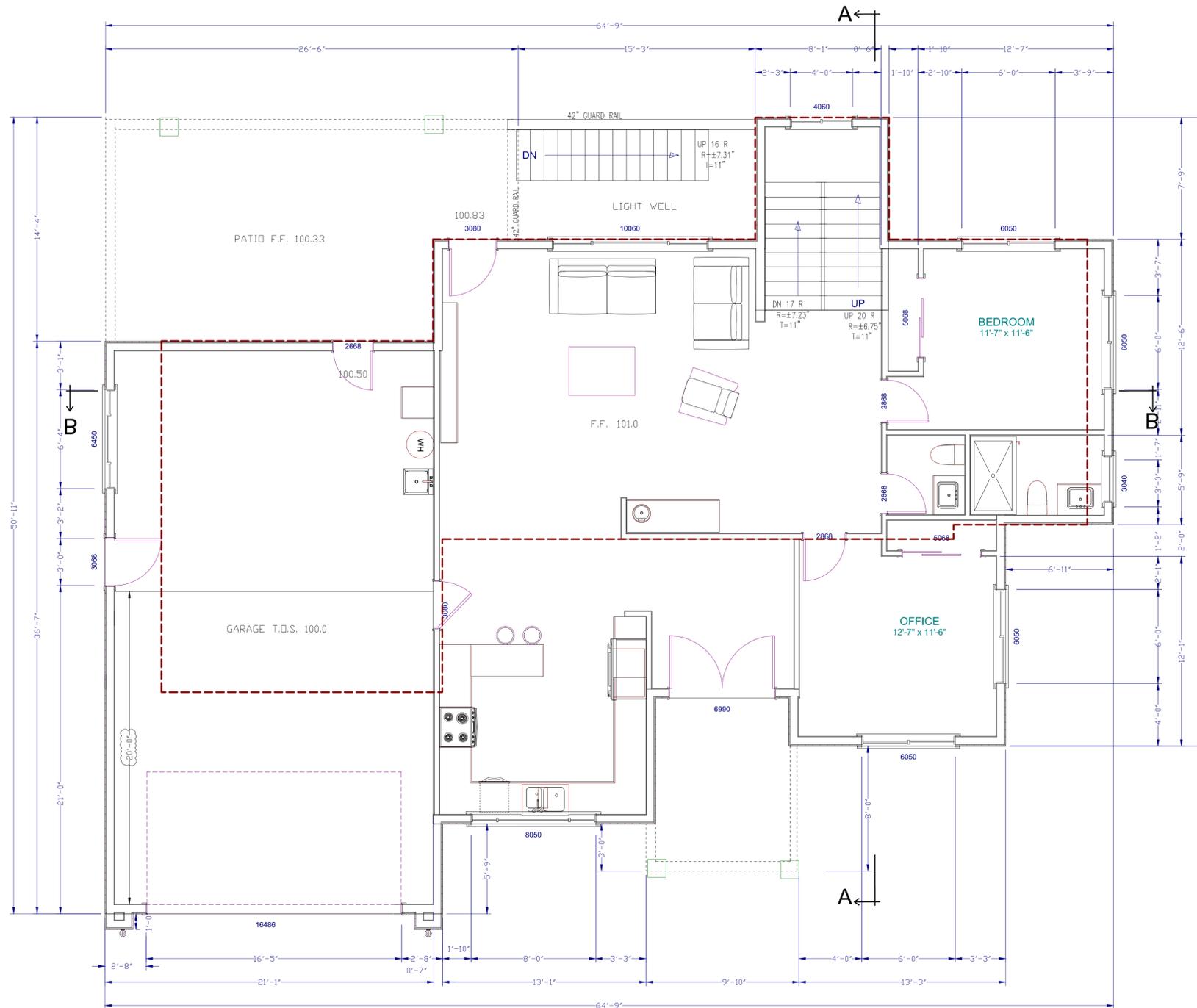
REVISIONS	DESIGN BY	DESIGN DATE	CITY APPR.	APPR. DATE

CITY OF LOS GATOS

OWNER

MR.
PHONE:

PROJECT LOCATION:
YOUNG KIM
17291 WEDGEWOOD AVE.
LOS GATOS, CA



PROPOSED 1ST FLOOR PLAN

AREA=1325.0 SF

SCALE: 1/4"=1'-0"

REVISIONS	DATE

SCALE: AS SHOWN
DRAWN: E. LAZARI

LAZARI DESIGN
6154 ROYAL ACORN PL
SAN JOSE CA 95120
(408)781-8374

SHEET TITLE:
PROPOSED 1ST FLOOR PLAN

SHEET NO. **A2.0**

DATE: **MARCH 2021**

OWNER

MR.
PHONE:

PROJECT LOCATION:
YOUNG KIM
17291 WEDGEWOOD AVE.
LOS GATOS, CA

REVISIONS DATE

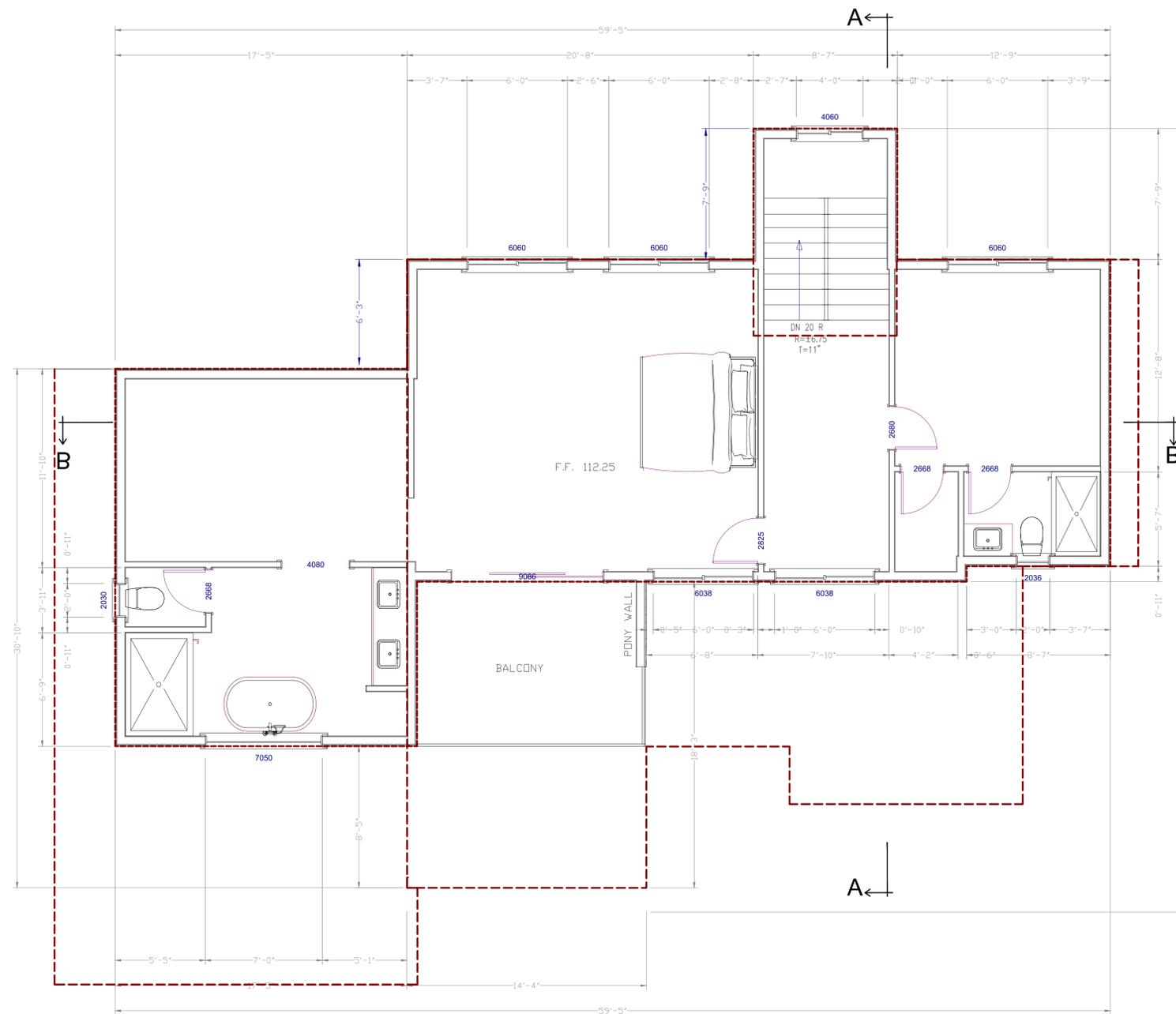
SCALE: AS SHOWN
DRAWN: E. LAZARI



SHEET TITLE:
PROPOSED 2ND FLOOR PLAN

SHEET NO. **A3.0**

DATE: **MARCH 2021**



PROPOSED 2ND FLOOR PLAN

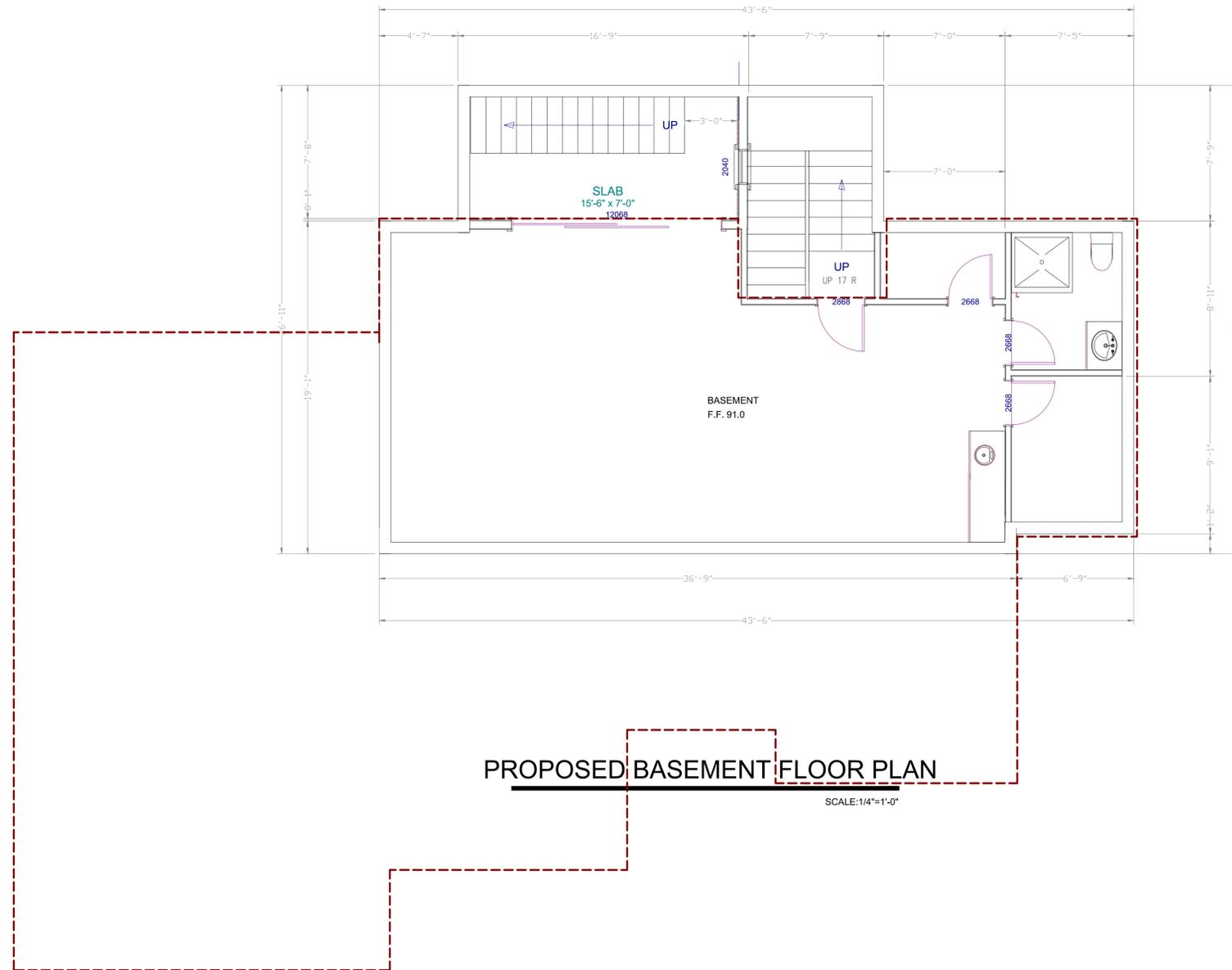
AREA=1261.0 SF

SCALE: 1/4"=1'-0"

OWNER

MR.
PHONE:

PROJECT LOCATION:
YOUNG KIM
17291 WEDGEWOOD AVE.
LOS GATOS, CA



REVISIONS	DATE

SCALE: AS SHOWN
DRAWN: E. LAZARI

LAZARI DESIGN
6154 ROYAL ACORN PL
SAN JOSE CA 95120
(408)781-8374

SHEET TITLE:
PROPOSED BASEMENT PLAN

SHEET NO. **A3.1**

DATE: **MARCH 2021**

OWNER

MR.
PHONE:

PROJECT LOCATION:
YOUNG KIM
17291 WEDGEWOOD AVE.
LOS GATOS, CA

REVISIONS	DATE

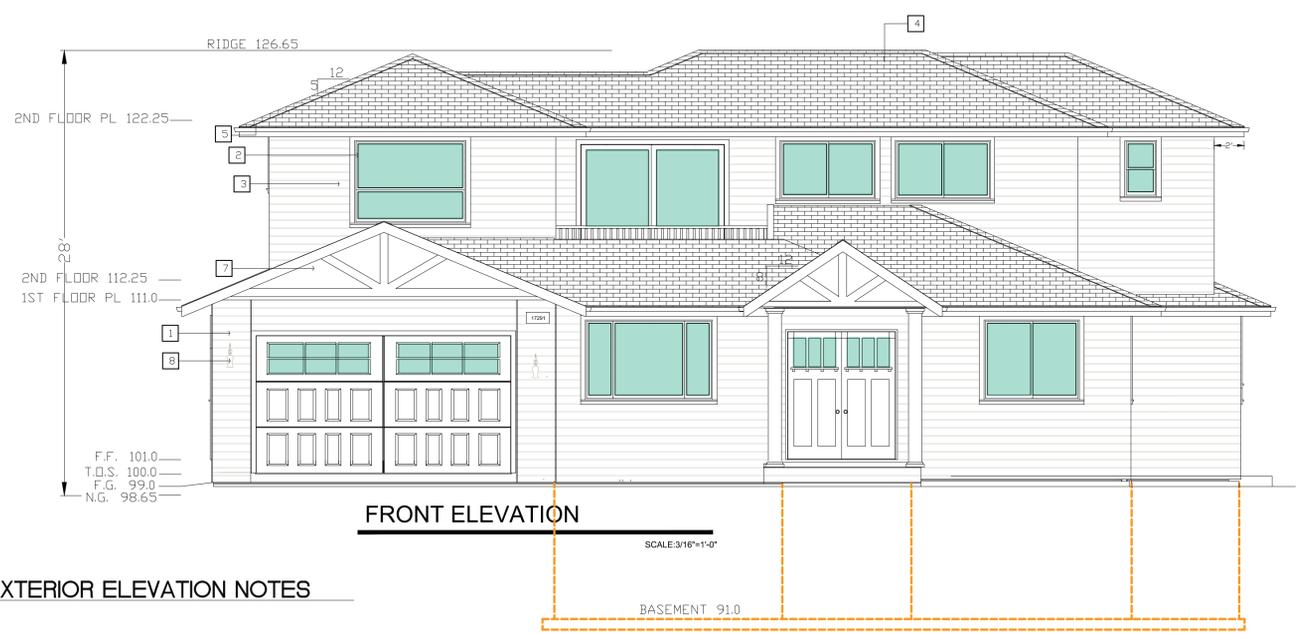
SCALE: AS SHOWN
DRAWN: E. LAZARI



SHEET TITLE:
ELEVATIONS

SHEET NO. **A4.0**

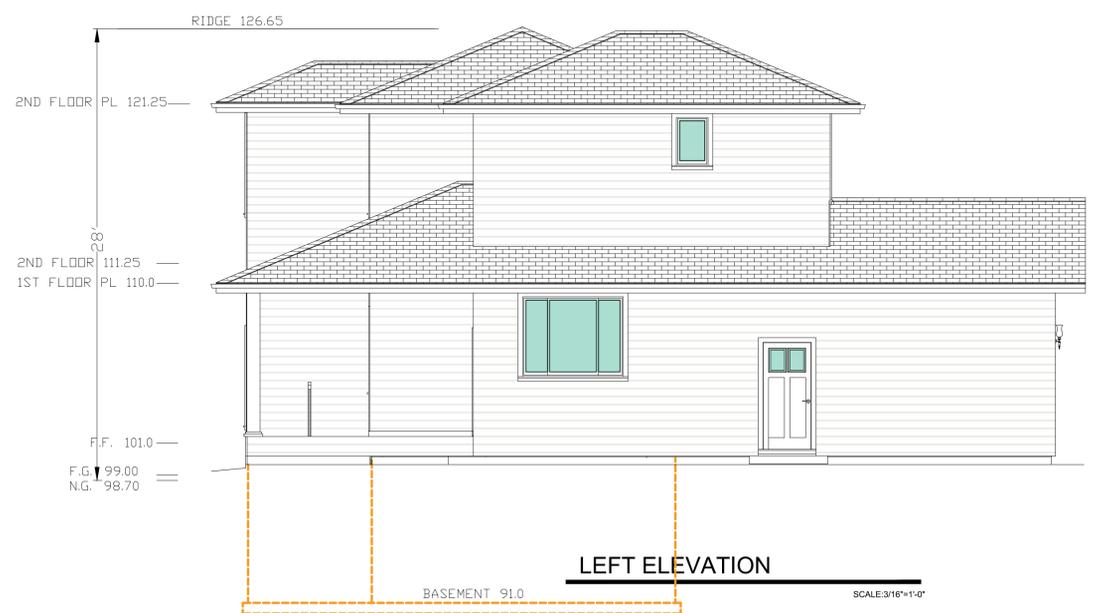
DATE: **MARCH 2021**



FRONT ELEVATION

SCALE: 3/16"=1'-0"

BASEMENT 91.0



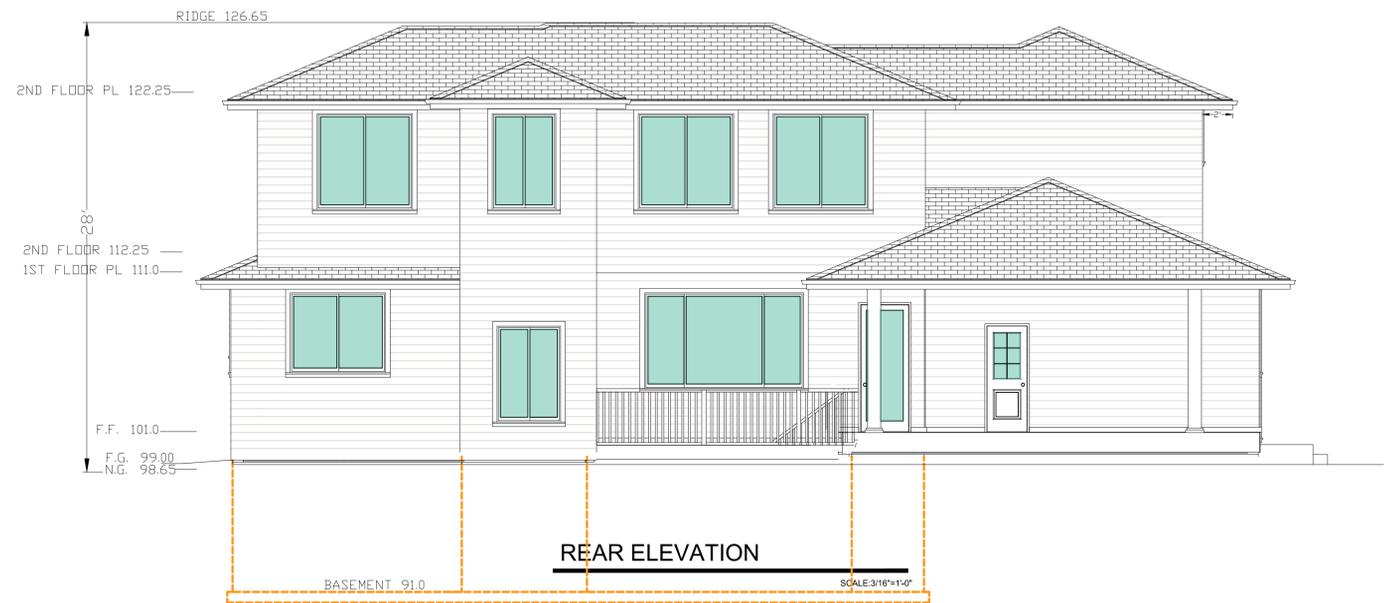
LEFT ELEVATION

SCALE: 3/16"=1'-0"

BASEMENT 91.0

EXTERIOR ELEVATION NOTES

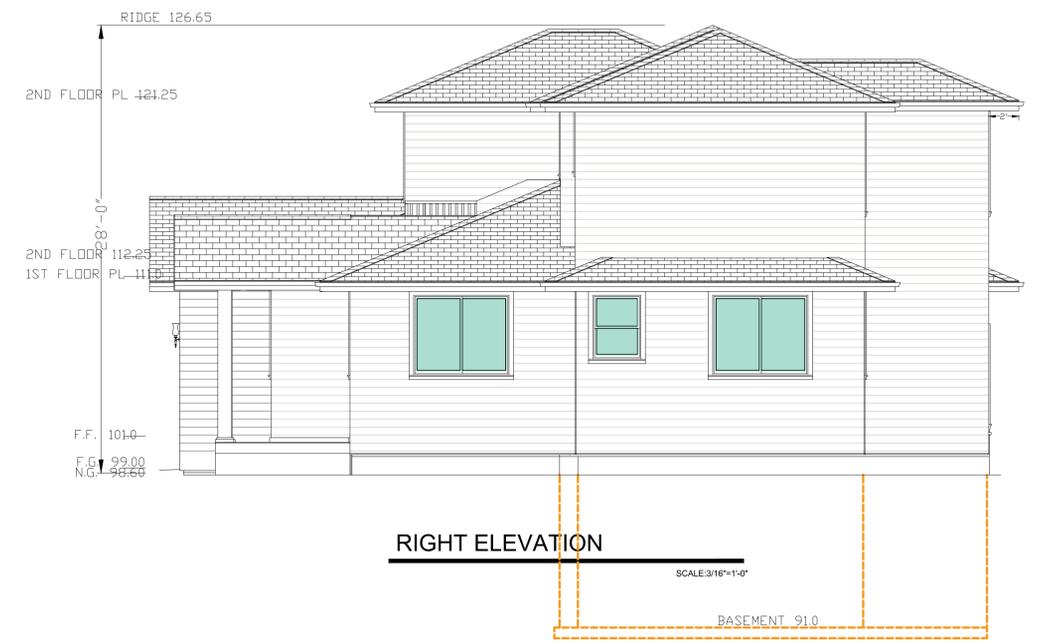
1. EXTERIOR WALLS: JAMES HARDIE SIDING, BENJAMIN MOORE, GRAY OWL OC-52
2. TRIMS: 2X TRIMS, BENJAMIN MOORE, STORM AF-700
3. WINDOWS: MILGARD, ANDERSON OR BY OWNER, DUAL GLAZED w/ LOW-E GLAZING, SASH COLOR = BLACK
4. ROOFING: (N) COMPOSITION SHINGLE, MIN. CLASS-B. (MALARKEY ROOFING PRODUCT, ESR-3150)
USE 2- LAYERS OF THE 15# FELT UNDERLAYMENT AS DESCRIBED IN CRC R905.1.1 AND TABLE R905.1.1(1).
COLOR= BLACK
5. FASCIA & GUTTER: PAINTED 6" G.I FASCIA GUTTER o/ 2x8 FASCIA BOARD; COLOR = BENJAMIN MOORE AF-700
6. THE ADDRESS NUMBER, NUMBER SHALL CONTRAST WITH THEIR BACKGROUND.
NUMBERS SHALL BE NOT LESS THAN 4" HIGH WITH A STROKE WIDTH
OF NOT LESS THAN 0.5". (CRC SECTION R319.1)
7. PRE-STAINED OR CEMENT PANEL OF SIDING WITH 2X6 ARCHITECTURAL FEATURES AS SHOWN.
8. ALL EXTERIOR FIXTURES WILL COMPLY WITH TOWN CODE REQUIREMENTS TO BE DOWNWARD DIRECTED AND SHIELDED PURSUANT TO SECTION 29.10.09015



REAR ELEVATION

SCALE: 3/16"=1'-0"

BASEMENT 91.0



RIGHT ELEVATION

SCALE: 3/16"=1'-0"

BASEMENT 91.0

OWNER

MR.
PHONE:

PROJECT LOCATION:
YOUNG KIM
17291 WEDGEWOOD AVE.
LOS GATOS, CA



EXTERIOR WALLS: JAMES HARDIE SIDING. BENJAMIN MOORE
COLOR, GRAY OWL OC-52



TRIMS: 2X TRIMS. BENJAMIN MOORE, STORM AF-700
FASCIA & GUTTER: PAINTED 6" G.I FASCIA GUTTER o/ 2x8
FASCIA BOARD; COLOR = BENJAMIN MOORE AF-700



EXTERIOR WALLS: JAMES HARDIE SIDING.



DOORS: MILGARD, ANDERSON OR BY OWNER,
DUAL GLAZED w/ LOW-E GLAZING, SASH COLOR = BLACK



ROOFING: COMPOSITION SHINGLE.
COLOR= BLACK



WINDOWS: MILGARD, ANDERSON OR BY OWNER,
DUAL GLAZED w/ LOW-E GLAZING, SASH COLOR = BLACK

REVISIONS	DATE

SCALE: AS SHOWN
DRAWN: E. LAZARI

LAZARI DESIGN
6154 ROYAL ACORN PL
SAN JOSE CA 95120
(408)781-8374

SHEET TITLE:
COLOR & MATERIAL BOARD

SHEET NO. **A4.1**

DATE: **MARCH 2021**

OWNER

MR.
PHONE:

PROJECT LOCATION:
YOUNG KIM
17291 WEDGEWOOD AVE.
LOS GATOS, CA

REVISIONS	DATE

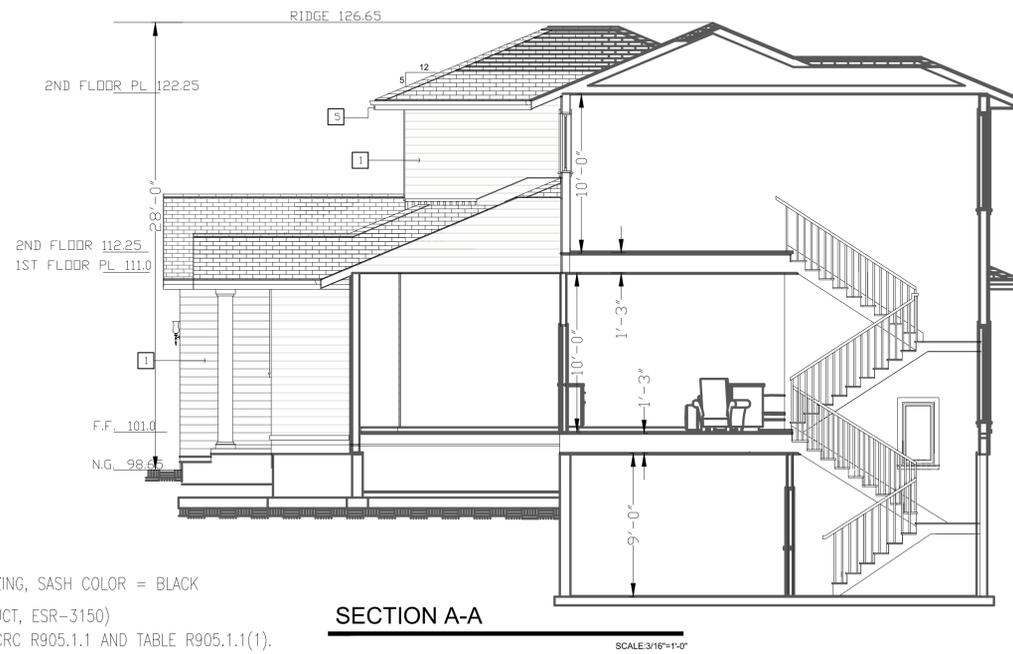
SCALE: AS SHOWN
DRAWN: E. LAZARI

LAZARI DESIGN
6154 ROYAL ACORN PL
SAN JOSE CA 95120
(408)781-8374

SHEET TITLE:
SECTIONS

SHEET NO. **A5.0**

DATE: **MARCH 2021**



SECTION A-A

SCALE: 3/16"=1'-0"

EXTERIOR ELEVATION NOTES

1. EXTERIOR WALLS: JAMES HARDIE SIDING. BENJAMIN MOORE , GRAY OWL OC-52
2. TRIMS: 2X TRIMS. BENJAMIN MOORE, STORM AF-700
3. WINDOWS: MILGARD, ANDERSON OR BY OWNER, DUAL GLAZED w/ LOW-E GLAZING, SASH COLOR = BLACK
4. ROOFING: (N) COMPOSITION SHINGLE. MIN. CLASS-B. (MALARKEY ROOFING PRODUCT, ESR-3150)
USE 2- LAYERS OF THE 15# FELT UNDERLAYMENT AS DESCRIBED IN CRC R905.1.1 AND TABLE R905.1.1(1).
COLOR= BLACK
5. FASCIA & GUTTER: PAINTED 6" G.I FASCIA GUTTER o/ 2x8 FASCIA BOARD; COLOR = BENJAMIN MOORE AF-700
6. THE ADDRESS NUMBER. NUMBER SHALL CONTRAST WITH THEIR BACKGROUND.
NUMBERS SHALL BE NOT LESS THAN 4" HIGH WITH A STROKE WIDTH
OF NOT LESS THAN 0.5". (CRC SECTION R319.1)
7. PRE-STAINED OR CEMENT PANEL OF SIDING WITH 2X6 ARCHITECTURAL FEATURES AS SHOWN.



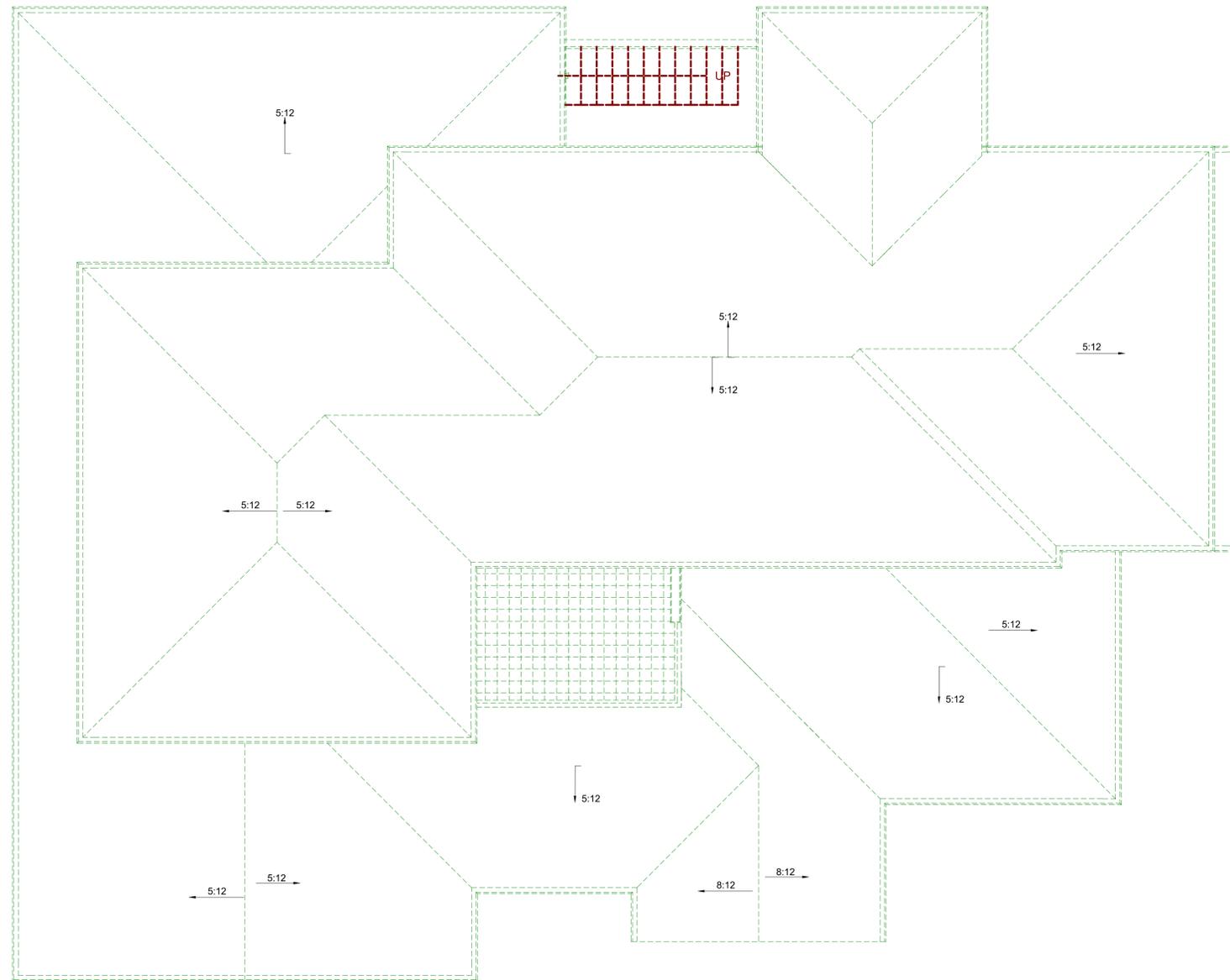
SECTION B-B

SCALE: 3/16"=1'-0"

OWNER

MR.
PHONE:

PROJECT LOCATION:
YOUNG KIM
17291 WEDGEWOOD AVE.
LOS GATOS, CA



ROOF PLAN

SCALE: 1/4"=1'-0"

REVISIONS	DATE

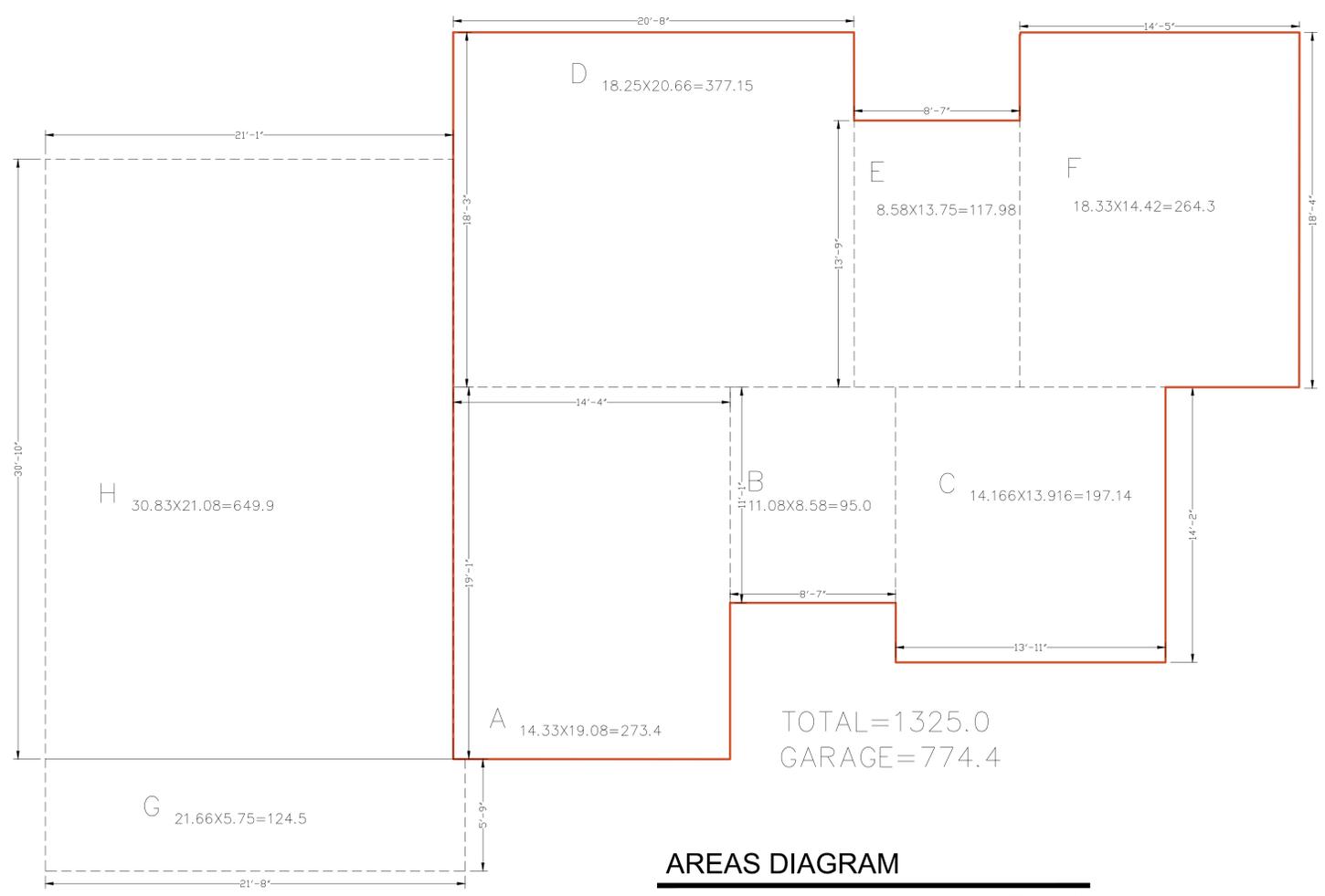
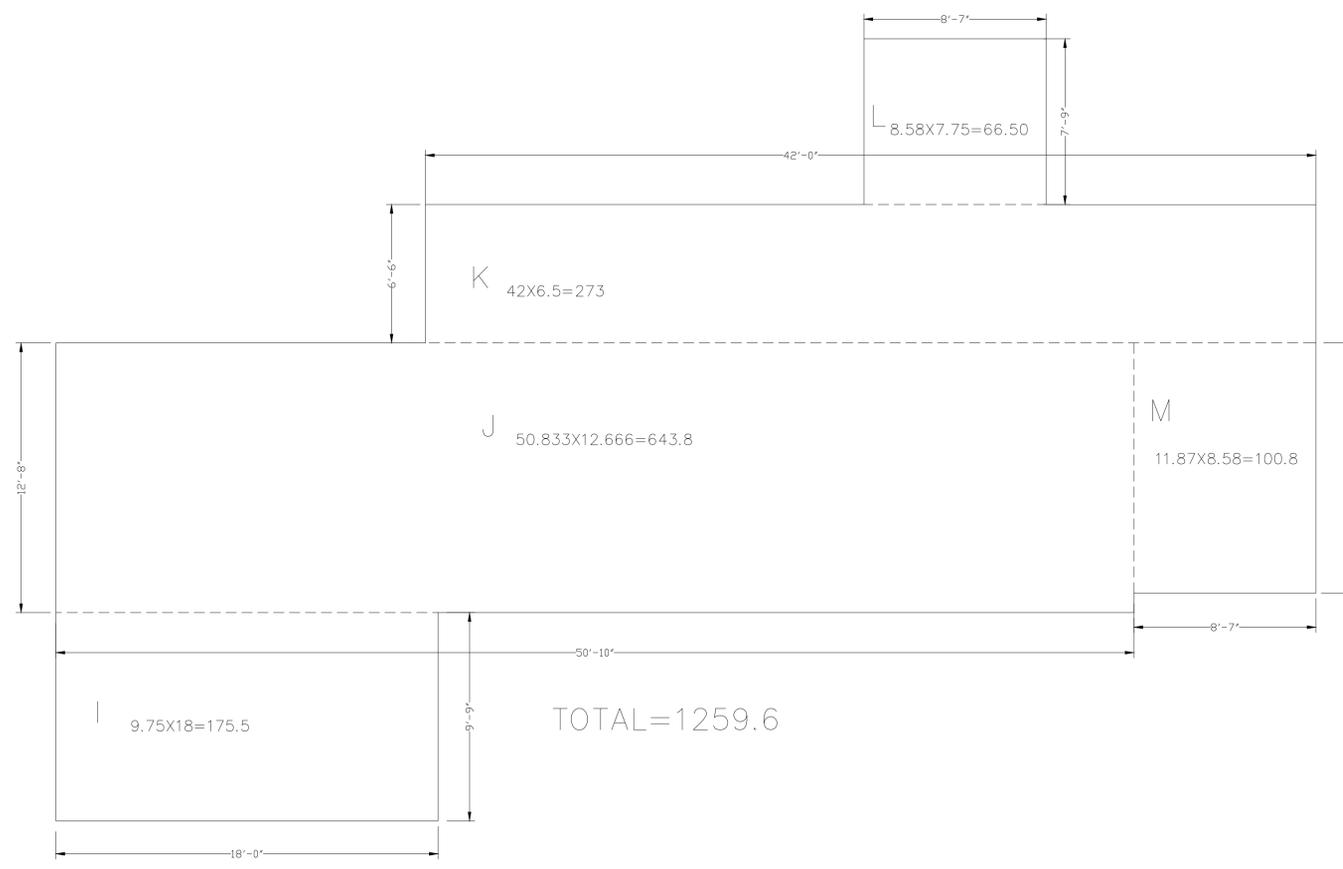
SCALE: AS SHOWN
DRAWN: E. LAZARI



SHEET TITLE:
ROOF PLAN

SHEET NO. **A6.0**

DATE: **MARCH 2021**



AREAS DIAGRAM

SCALE: 1/4"=1'-0"

LAZARI DESIGN

6154 ROYAL ACORN PLACE
SAN JOSE CA 95120

Tel: (408) 781-8374
elazari@comcast.net

OWNER

MR.
PHONE:

PROJECT LOCATION:

YOUNG KIM
17291 WEDGEWOOD AVE.
LOS GATOS, CA

REVISIONS	DATE

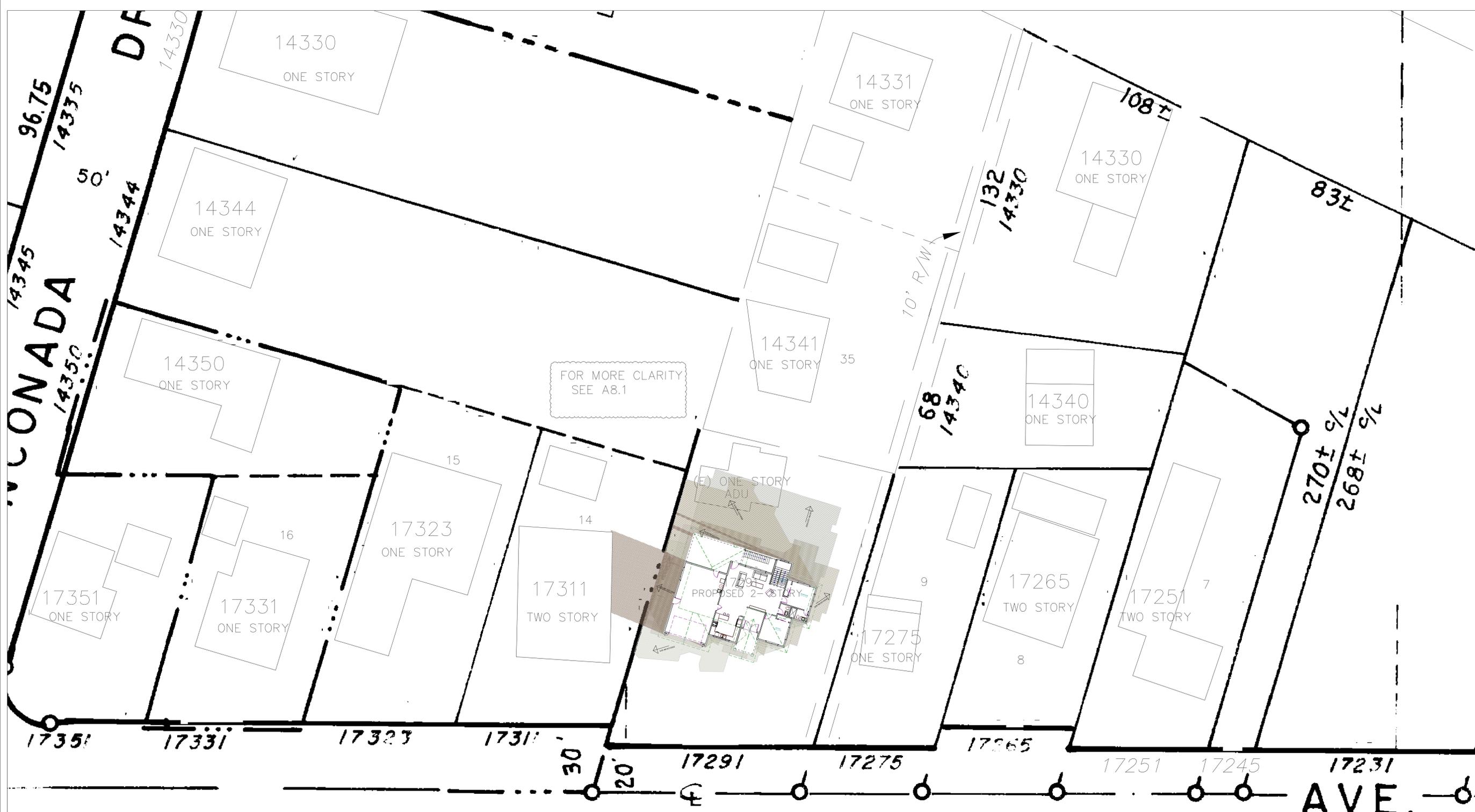
SCALE: AS SHOWN
DRAWN: E. LAZARI



SHEET TITLE:
AREAS DIAGRAM

SHEET NO. **A7.0**

DATE: **MARCH 2021**



LAZARI DESIGN
 6154 ROYAL ACORN PLACE
 SAN JOSE CA 95120
 Tel: (408) 781-8374
 elazari@comcast.net

OWNER
MR.
 PHONE:

PROJECT LOCATION:
 YOUNG KIM
 17291 WEDGEWOOD AVE.
 LOS GATOS, CA

REVISIONS	DATE

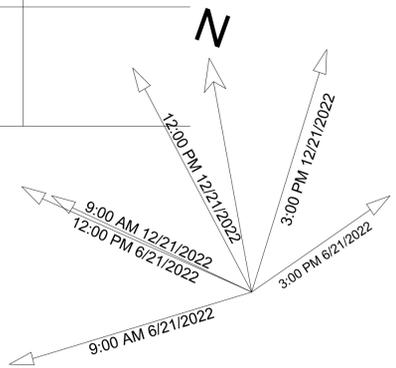
SCALE: AS SHOWN
 DRAWN: E. LAZARI

LAZARI DESIGN
 6154 ROYAL ACORN PL
 SAN JOSE CA 95120
 (408) 781-8374

SHEET TITLE:
WEDGEWOOD STREETScape STUDY

SHEET NO. **A8.0**

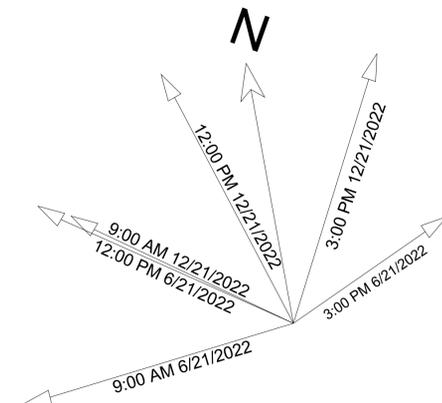
DATE: **MARCH 2021**



OWNER

MR.
PHONE:

PROJECT LOCATION:
YOUNG KIM
17291 WEDGEWOOD AVE.
LOS GATOS, CA



WEDGEWOOD AVE.

REVISIONS	DATE

SCALE: AS SHOWN
DRAWN: E. LAZARI

LAZARI DESIGN
6154 ROYAL ACORN PL
SAN JOSE CA 95120
(408)781-8374

SHEET TITLE:
**WEDGEWOOD STREETSCAPE
STUDY**

SHEET NO. **A8.1**

DATE: **MARCH 2021**

ABBREVIATIONS		
	DESCRIPTION	DESCRIPTION
AB	AGGREGATE BASE	LIP LIP OF GUTTER
AC	ASPHALT CONCRETE	LP LOW POINT
AD	AREA DRAIN	MON MONUMENT
BC	BACK OF CURB	MON (N) NEW
BFP	BACKFLOW PREVENTOR	OG ORIGINAL GROUND
BSW	BACK OF SIDEWALK	PB PULL BOX
BW	BOTTOM OF WALL	PGEV PG&E VAULT
C&G	CURB AND GUTTER	R_P/L PROPERTY LINE
C.C/L	CENTERLINE	PP POWER POLE
CLSW	CENTERLINE SWALE	PPP PLASTIC PERFORATED PIPE
CO	CLEANOUT	PSE PUBLIC SERVICE EASEMENT
CP	CONTROL POINT	PVC POLYVINYL CHLORIDE
DWY	DRIVEWAY	R/W RIGHT OF WAY
DJ	DROP INLET	RCP REINFORCED CONCRETE PIPE
DTL	DETAIL	SD STORM DRAIN
ELCT	ELECTRIC	SDMH STORM DRAIN MANHOLE
EP	EDGE OF PAVEMENT ELEVATION	STD STANDARD
EUC	EUCALYPTUS TREE	SS SANITARY SEWER
(E),EX	EXISTING	SSMH SANITARY SEWER MANHOLE
FF	FINISH FLOOR	SW SIDEWALK
FG	FINISH GRADE	TC TOP OF CURB
FH	FIRE HYDRANT	TF TOP OF FOUNDATION
FL	FLOWLINE	TC TOP OF GRADE
FNC	FENCE	TOS TOP OF SLAB
FQC	FACE OF CURB	TP TOP OF PAVEMENT
GB	GRADE BREAK	TW TOP OF WALL
GUY	GUY WIRE	(TYP) TYPICAL
HP	HIGH POINT	VCP VITRIFIED CLAY PIPE
DIP	DUCTILE IRON PIPE	WL WHITE LINE STRIPE
INV	INVERT	WLK WALKWAY
JP	JOINT POLE	WM WATER METER
JB	JUNCTION BOX (UTILITY)	WV WATER VALVE
CONC.	CONCRETE	

GRADING AND DRAINAGE PLANS

NEW SINGLE FAMILY HOME

17291 WEDGEWOOD AVE., LOS GATOS, CA 95032

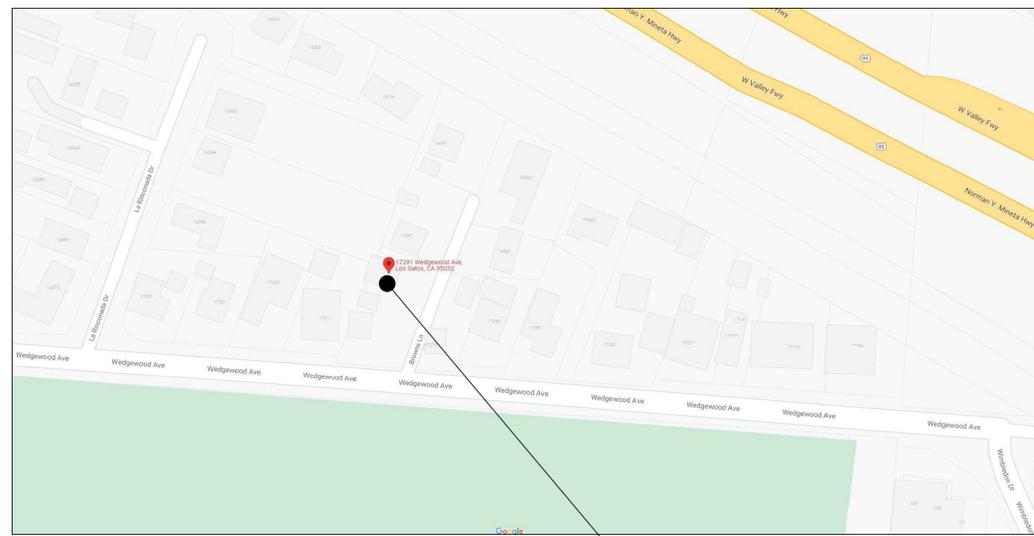
APN: 523-25-034

GRADING AND DRAINAGE NOTES:

- All work shall conform to Chapter 12 of The Code of the Town of Los Gatos, the adopted California Building Code and the latest edition of the Standard Specifications for Public Works Construction except as specified otherwise on these plans and details.
- No work may be started on-site without an approved Grading Plan and a Grading Permit issued by the Town of Los Gatos, Public Works Department located at 41 Miles Avenue, Los Gatos, CA 95030
- A Pre-Job meeting shall be held with the Town Engineering Inspector from the Department of Parks and Public Works prior to any work being done. The Contractor shall call the Inspections Line at (4080 399-5771) at least forty-eight (48) hours prior to any grading or onsite work. This meeting should include: a. A discussion of the project conditions of approval, working hours, site maintenance and other construction matters; b. Acknowledgement in writing that Contractor and Applicant have read and understand the project conditions of approval, and will make certain that all project sub-contractors have read and understand them prior to commencing work and that a copy of the project conditions of approval will be posted on site at all times during construction.
- Approval of plans does not release the developer of the responsibility for the correction of mistakes, errors, or omissions contained therein. If, during the course of construction of the improvements, public interest and safety requires a modification or departure from the Town Specifications or these improvement plans, the Town Engineer shall have full authority to require such modification or departure and to specify the manner in which the same is to be made.
- Approval of this plan applies only to the grading, excavation, placement, and compaction of natural earth materials. This approval does not confer any rights of entry to either public property or the private property of others and does not constitute approval of any other improvements.
- Excavated material shall be placed in the fill areas designated or shall be hauled away from the site to be disposed of at approved location(s).
- It shall be the responsibility of the Permittee or Contractor to identify, locate and protect all underground facilities. Permittee or Contractor shall notify USA (Underground Service Alert) at 1-800-227-2600 a minimum of forty-eight (48) hours but not more than fourteen (14) days prior to commencing all work.
- All grading shall be performed in such a manner as to comply with the standards established by the Air Quality Management District for airborne particulates.
- The General Contractor shall provide qualified supervision on the job site at all times during construction.
- Horizontal and vertical controls shall be set and certified by a licensed surveyor or registered civil engineer qualified to practice land surveying, for the following items: a. Retaining wall: top of wall elevations and locations (all walls to be permitted separately and applied for at the Town of Los Gatos Building Department). b. Toe and top of cut and fill slopes.
- Prior to issuance of any permit, the applicant's soils engineer shall review the final grading and drainage plans to ensure that designs for foundations, retaining walls, site grading, and site drainage are in accordance with their recommendations and the peer review comments. The Applicant's soils engineer's approval shall then be conveyed to the Town either by letter or by signing the plans. Soils Engineer: _____, Reference Report No. _____, dated: _____, Letter No. _____, dated: _____ shall be thoroughly complied with. Both the mentioned report and all updates/addendums/ letters are hereby appended and made a part of this grading plan.
- During construction, all excavations and grading shall be inspected by the Applicant's soils engineer. The Engineer shall be notified at least fortyeight (48) hours before beginning any grading. The Engineer shall be onsite to verify that the actual conditions are as anticipated in the designlevel geotechnical report and/or provide appropriate changes to the report recommendations, as necessary. All unobserved and/or unapproved grading shall be removed and replaced under soils engineer observation (the Town Inspector shall be made aware of any required changes prior to work being performed).
- The results of the construction observation and testing should be documented in an "as-built" letter/report prepared by the applicants' soils engineer and submitted for the Town's review and acceptance before final release of any occupancy permit is granted.
- All private and public streets accessing Project Site shall be kept open and in a safe, drivable condition throughout construction. If temporary closure is needed, then formal written notice to the adjacent neighbors and the Town of Los Gatos Parks and Public Works Department shall be provided at least one (1) week in advance of closure and no closure shall be granted without the express written approval of the Town. No material or equipment shall be stored in the public or private right-of-way.
- The contractor shall install and maintain fences, barriers, lights and signs that are necessary to give adequate warning and/protection to the public at all times.
- Owner/Applicant: _____
- General Contractor (If available): _____ Phone: _____
- Grading Contractor (If available): _____
- Cut: 349 CY Export: 280 CY Fill: 66 CY Import: 0 CY
- Water shall be available on the site at all times during grading operations to properly maintain dust control.
- This plan does not approve the removal of trees. Appropriate tree removal permits and methods of tree preservation shall be required. Tree Removal Permits are required prior to the approval of all plans.
- A Town Encroachment Permit is required for any work within the public right-of-way. A State Encroachment Permit is required for any work within State right-of-way (if applicable). The Permittee and/or Contractor shall be responsible coordinating inspection performed by other governmental agencies.
- No cross-lot drainage will be permitted without satisfactory stormwater acceptance deed/facilities. All drainage shall be directed to the street or other acceptable drainage facility via a non-erosive method as approved by the Town Engineer.
- It is the responsibility of contractor and/or owner to make sure that all dirt tracked into the public right-of-way is cleaned up on a daily basis. Mud, silt, concrete and other construction debris SHALL NOT be washed into the Town's storm drains.
- Good housekeeping practices shall be observed at all times during the course of construction. Superintendence of construction shall be diligently performed by a person or persons authorized to do so at all times during working hours. The storing of goods and/or materials on the sidewalk and/or the street will not be allowed unless a special permit is issued by the Engineering Division. The adjacent public right-of-way shall be kept clear of all job related dirt and debris at the end of the day. Failure to maintain the public right-of-way according to this condition may result in penalties and/or the Town performing the required maintenance at the developer's expense.
- Grading shall be undertaken in accordance with conditions and requirements of the project Storm Water Pollution Control Plan and/or Storm Water Pollution Prevention Plan (SWPPP), the Town of Los Gatos Storm Water Quality Management Program, National Pollutant Discharge Elimination System (NPDES) and any other permits/requirements issued by the State of California Regional Water Quality Control Board. Plans (including all updates) shall be on-site at all times. No direct stormwater discharges from the development will be allowed onto town streets or into the public storm drain system without treatment by an approved storm water pollution prevention device or other approved methods. Maintenance of private stormwater pollution prevention devices shall be the sole responsibility of the owner. Discharges or connection without treatment by an approved and adequately operating stormwater pollution prevention device or other approved method shall be considered a violation of the above referenced permit and the Town of Los Gatos Stormwater Ordinance.

UTILITY NOTE:

ALL NEW, RELOCATED, OR TEMPORARILY REMOVED UTILITY SERVICES, INCLUDING TELEPHONE, ELECTRIC POWER AND ALL OTHER COMMUNICATIONS LINES SHALL BE INSTALLED UNDERGROUND.



LOCATION MAP
N.T.S.

NPDES NOTES

- Sediment from areas disturbed by construction shall be retained on site using structural controls as required by the statewide General Construction Stormwater Permit.
- Stockpiles of soil shall be properly contained to minimize sediment transport from the site to streets, drainage facilities or adjacent properties via runoff, vehicle tracking, or wind as required by the statewide General Construction Stormwater Permit.
- Appropriate best management practices (BMPs) for construction-related materials, wastes, spill or residues shall be implemented to minimize transport from the site to streets, drainage facilities, or adjoining property by wind or runoff as required by the statewide General Construction Stormwater Permit.
- Runoff from equipment and vehicle washing shall be contained at construction sites and must not be discharged to receiving waters or to the local storm drain system.
- All construction contractor and subcontractor personnel are to be made aware of the required best management practices (BMPs) and good housekeeping measures for the project site and any associated construction staging areas.
- At the end of each day of construction activity, all construction debris and waste materials shall be collected and properly disposed in trash or recycle bins.
- Construction sites shall be maintained in such a condition that a storm does not carry waste or pollutants off of the site. Discharges of material other than stormwater (non-stormwater discharges) are prohibited except as authorized by an individual National Pollutant Discharge Elimination System (NPDES) permit or the statewide General Construction Stormwater Permit. Potential pollutants include but are not limited to: solid or liquid chemical spills; wastes from paints, stains, sealants, solvents, detergents, glues, lime, pesticides, herbicides, fertilizers, wood preservatives and asbestos fibers, paint flakes or stucco fragments; fuels, oils, lubricants, and hydraulic, radiator or battery fluids; concrete and related cutting or curing residues; floatable wastes; wastes from engine/equipment steam cleaning or chemical degreasing; wastes from street cleaning; and superchlorinated potable water from line flushing and testing. During construction, disposal of such materials should occur in a specified and controlled temporary area on-site physically separated from potential stormwater runoff, with ultimate disposal in accordance with local, state and federal requirements.
- Discharging contaminated groundwater produced by dewatering groundwater that has infiltrated into the construction site is prohibited. Discharging of contaminated soils via surface erosion is also prohibited. Discharging noncontaminated groundwater produced by dewatering activities requires a National Pollutant Discharge Elimination System (NPDES) permit from the respective State Regional Water Quality Control Board.

SHEET INDEX:

C-1	COVER SHEET/ NOTES
C-2	GRADING AND DRAINAGE PLAN
C-3	DETAILS
C-4	NOTES
C-5	BEST MANAGEMENT PRACTICES
C-6	CONSTRUCTION MANAGEMENT & EROSION CONTROL PLAN

BASIS OF BEARINGS:

THE BEARING S 85°25'00" E OF CENTERLINE OF WEDGEWOOD AVE., AS SHOWN ON THAT CERTAIN RECORD OF SURVEY MAP, RECORDED IN BOOK 702 OF MAPS AT PAGE 52, SANTA CLARA COUNTY RECORDS, WAS USED AS THE BASIS OF BEARINGS SHOWN ON THIS MAP

SITE BENCHMARK:

REFERENCED ASSUMED B.M. #1:
TOP OF SANITARY SEWER MANHOLE LOCATED ON WEDGEWOOD AVE., NEAR SOUTHEASTERLY PROPERTY CORNER EL: 100.00'

NOTE:

GRADING AND DRAINAGE PLANS SHALL BE REVIEWED AND APPROVED BY THE PROJECT GEOTECHNICAL ENGINEER.

SANITARY SEWER NOTE:

ANY EXISTING SANITARY SEWER LATERAL PROPOSED TO BE REUSED MUST BE TELEVIEWED BY WEST VALLEY SANITATION DISTRICT AND APPROVED BY THE TOWN BEFORE REUSED.

GRADING AND DRAINAGE NOTES:

- Surface water shall be directed away from all buildings into drainage swales, gutters, storm drain inlets and drainage systems.
- Connect roof down spouts to 4" solid PVC (4" for individual down-spouts) @ minimum 1% slope and min. 6" ground cover. connect pipes to on-site inlets. see architectural plans for roof downspout locations.
- On site storm drain lines shall consist of solid PVC-SCH 40 minimum or better. Use PVC SCH80 for pipes running under driveway.
- Storm drain inlets shall be precast concrete, Christy U23 type or equivalent.

NOTE:

IT IS THE RESPONSIBILITY OF CONTRACTOR AND HOMEOWNER TO MAKE SURE THAT ALL DIRT TRACKED INTO THE PUBLIC RIGHT-OF-WAY IS CLEANED UP ON A DAILY BASIS. MUD, SILT, CONCRETE AND OTHER CONSTRUCTION DEBRIS SHALL NOT BE WASHED INTO THE TOWN'S STORM DRAINS.

NOTICE TO CONTRACTORS

CONTRACTOR TO NOTIFY U.S.A. (UNDERGROUND SERVICE ALERT) AT 800-227-2600 A MINIMUM OF 2 WORKING DAYS BEFORE BEGINNING UNDERGROUND WORK FOR VERIFICATION OF THE LOCATION AND DEPTH OF UNDERGROUND UTILITIES.



1534 CAROB LANE
LOS ALTOS, CA 94024
TEL: (650) 941-8055
FAX: (650) 941-8755

OWNER:

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SMP ENGINEERS
CIVIL ENGINEERS

GRADING AND DRAINAGE PLANS
NEW SINGLE FAMILY HOME
17291 WEDGEWOOD AVE., LOS GATOS, CA 95032
APN: 523-25-034
COVER SHEET / NOTES

Revisions:



Ghaid Razaqi

Date: 04/28/2022

Scale: NTS

Prepared by: S.P.

Checked by: S.R.

Job #: 221151

Sheet:

1 OF 6

C-1

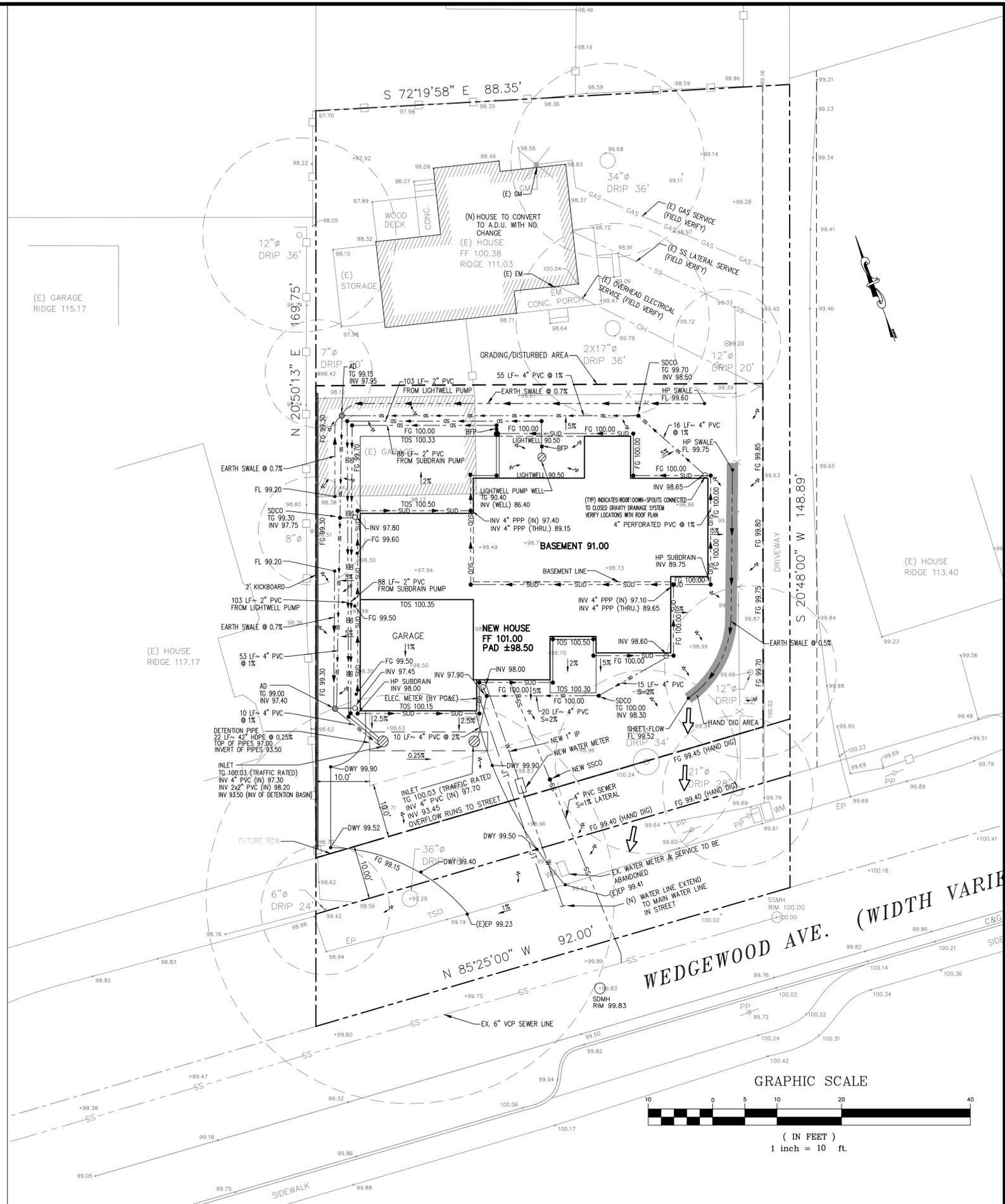
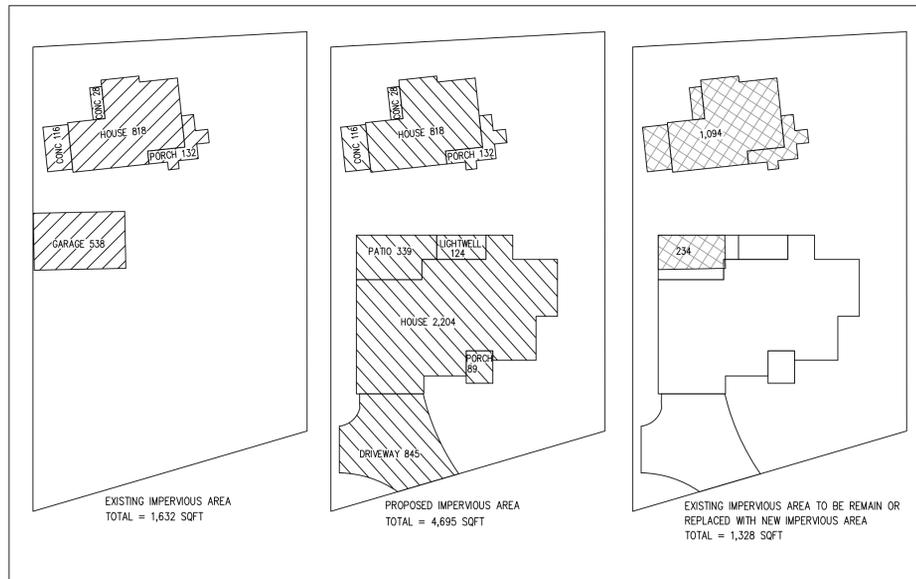
17291 WEDGEWOOD AVE., LOS GATOS, CA 95032

ON-SITE IMPERVIOUS AREAS:		
PRE-DEVELOPMENT:		
DESCRIPTION	AREA	
BUILDING	818	SQ.FT
DRIVEWAY	0	SQ.FT
GARAGE	538	SQ.FT
PORCH	132	SQ.FT
PATIO	144	SQ.FT
TOTAL	1,632	
POST-DEVELOPMENT:		
DESCRIPTION	AREA	
BUILDING	3,022	SQ.FT
DRIVEWAY	845	SQ.FT
PATIO	483	SQ.FT
PORCH	221	SQ.FT
LIGHTWELL	124	SQ.FT
TOTAL	4,695	
TOTAL CHANGE	3,063	

17291 WEDGEWOOD AVE., LOS GATOS, CA 95032

IMPERVIOUS AREA CALCULATION (CITY IMPERVIOUS AREA WORKSHEET)		
A	12,225	SQ.FT. TOTAL AREA OF PARCEL
B	10,593	SQ.FT. EXISTING PERVIOUS AREA
C	1,632	SQ.FT. EXISTING IMPERVIOUS AREA
D	13	% EXISTING % IMPERVIOUS
E	234	SQ.FT. EXISTING IMPERVIOUS AREA TO BE REPLACED W/ NEW IMPERVIOUS AREA
F	3,367	SQ.FT. EXISTING PERVIOUS AREA TO BE REPLACED W/ NEW IMPERVIOUS AREA
G=E+F	3,601	SQ.FT. NEW IMPERVIOUS AREA (CREATING OR REPLACING)
H	304	SQ.FT. EXISTING IMPERVIOUS AREA TO BE REPLACED W/ NEW PERVIOUS AREA
I=F-H	3,063	SQ.FT. NET CHANGE IN IMPERVIOUS AREA
J=B-I	7,530	SQ.FT. PROPOSED PERVIOUS AREA
K	4,695	SQ.FT. PROPOSED IMPERVIOUS AREA
J+K	12,225	SQ.FT. VERIFY THAT J+K=A
L	38	% PROPOSED PERCENTAGE IMPERVIOUS

IMPERVIOUS AREA CALCULATION
N. T.S



SMP ENGINEERS
CIVIL ENGINEERS
LAND SURVEYORS

1534 CAROB LANE
LOS ALTOS, CA 94024
TEL: (650) 941-8055
FAX: (650) 941-8755

OWNER:

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CIVIL ENGINEERS

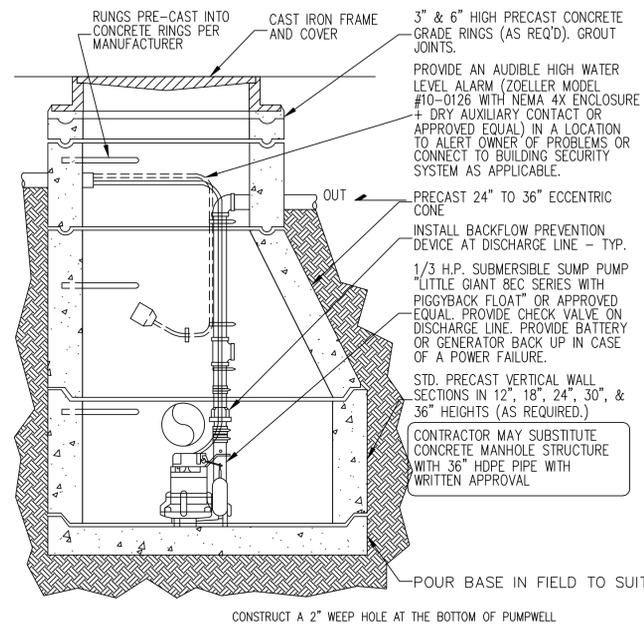
GRADING AND DRAINAGE PLANS
NEW SINGLE FAMILY HOME
17291 WEDGEWOOD AVE., LOS GATOS, CA 95032
APN: 523-25-034
GRADING AND DRAINAGE PLAN

Revisions:

Date: 04/28/2022
Scale: 1"=10'
Prepared by: S.P.
Checked by: S.R.
Job #: 221151
Sheet: 2 OF 6
C-2

REGISTERED PROFESSIONAL ENGINEER
SHELDON RAZAVI
No. C52724
CIVIL
STATE OF CALIFORNIA

Graphic Scale: 1 inch = 10 ft.



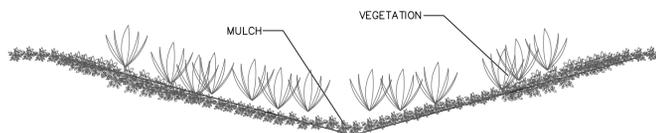
CONSTRUCT A 2" WEEP HOLE AT THE BOTTOM OF PUMPWELL

PUMPWELL DETAIL FOR OVERFLOW & SUBDRAIN

N.T.S.

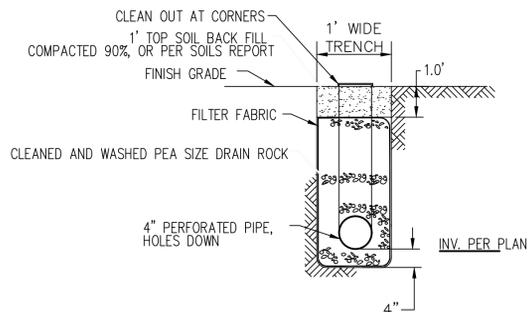
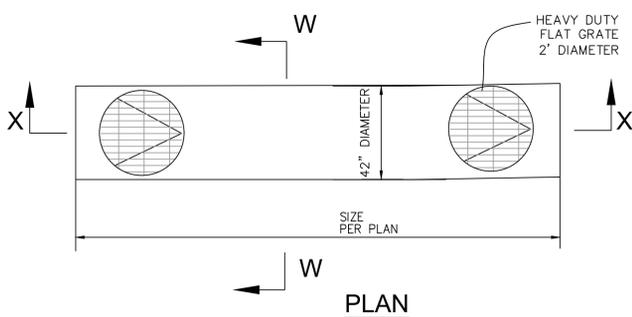
PUMP NOTES:

- HARD WIRE THE PUMPS TO PREVENT ANY UNPLUGGING.
- PUMPS TO BE CONNECTED TO BACKUP GENERATORS OR BATTERIES TO PREVENT FLOODING IN CASE OF BLACKOUT.
- PROVIDE BACK FLOW PREVENTOR VALVE FOR PUMP OUTLET.
- PROVIDE RESERVE PUMP FOR EACH PUMP WELL.
- PROVIDE FLOATING DEVICE, CONNECTED TO SOUND/ LIGHT ALARM, TO NOTIFY RESIDENTS OF POSSIBLE RISE OF WATER IN PUMPWELL.
- PROVIDE TWO SEPARATE SYSTEM AND PUMP WELLS FOR: a) SUBDRAIN AND b) LIGHTWELL AREA DRAINS.



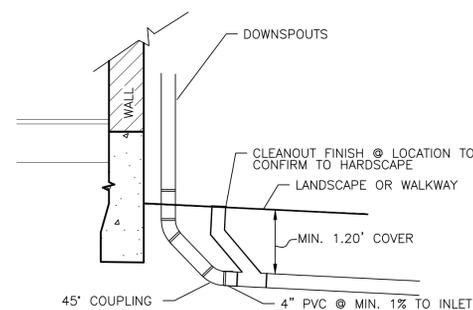
EARTH SWALE DETAIL

N.T.S.



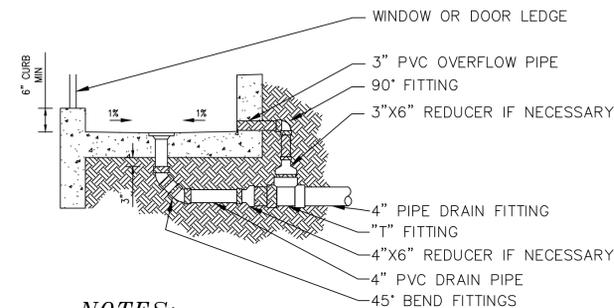
SUBDRAIN TRENCH DETAIL

ELEVATION VIEW- N.T.S.



ROOF DOWN-SPOUT CONNECTION

N.T.S.

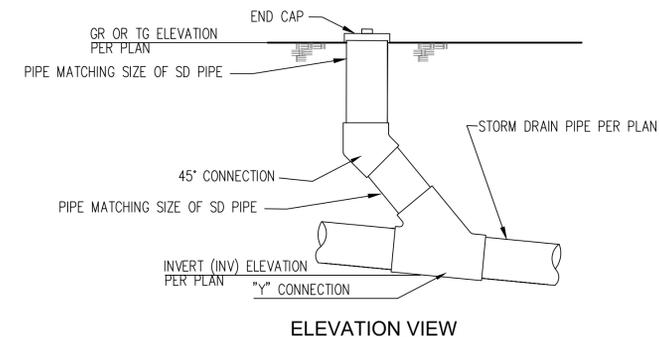


NOTES:

- SLOPE INTERIOR SLAB OF LIGHTWELL @ 1% MIN IN ALL DIRECTIONS TO DIRECT FLOW TOWARDS INLET.
- MAINTAIN 6" MIN FROM BOTTOM OF SILL/DOOR TO BOTTOM OF LIGHTWELL.
- INSTALL "NEENAH R-4344" GRATE AND 3" PVC OUT GOING PIPE IN LIGHTWELLS NOT INTENDED TO HAVE FOOT TRAFFIC.
- INSTALL 4" METAL GRATE AND 4" PVC OUTGOING PIPE IN AREAS INTENDED TO HAVE FOOT TRAFFIC.
- INSTALL 3" PVC OVERFLOW PIPE AS SHOWN.
- CONTRACTOR SHALL SUBMIT TO THE OWNER IN WRITING THE NEED FOR PERIODIC MAINTENANCE AND REMOVAL OF DEBRIS.
- REFER TO STRUCTURAL PLAN FOR WALL CONSTRUCTION DETAIL.

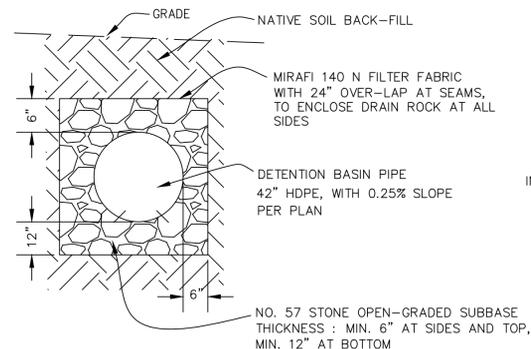
OVERFLOW FOR BASEMENT LIGHTWELL DRAIN

N.T.S.

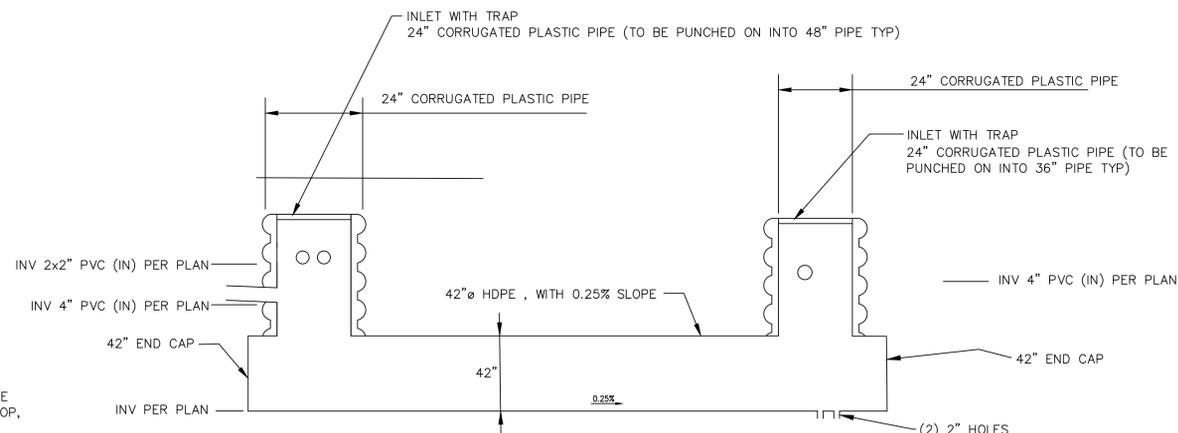


STORM DRAIN CLEANOUT DETAIL

N.T.S.



STORM DRAIN INLET & DETENTION PIPE



SECTION X-X

N.T.S.

OWNER:

Revisions:

Sayed Rajani

Date: 04/28/2022
Scale: AS NOTED
Prepared by: S.P.
Checked by: S.R.
Job #: 221151

NOTES:

1. GENERAL: All public improvements shall be made according to the latest adopted Town Standard Plans, Standard Specifications and Engineering Design Standards. All work shall conform to the applicable Town ordinances. The adjacent public right-of-way shall be kept clear of all job-related mud, silt, concrete, dirt and other construction debris at the end of the day. Dirt and debris shall not be washed into storm drainage facilities. The storing of goods and materials on the sidewalk and/or the street will not be allowed unless an encroachment permit is issued by the Engineering Division of the Parks and Public Works Department. The Owner, Applicant and/or Developer's representative in charge shall be at the job site during all working hours. Failure to maintain the public right-of-way according to this condition may result in the issuance of correction notices, citations, or stop work orders and the Town performing the required maintenance at the Owner, Applicant and/or Developer's expense.
2. APPROVAL: This application shall be completed in accordance with all of 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.
3. STREET/SIDEWALK CLOSURE: Any proposed blockage or partial closure of the street and/or sidewalk requires an encroachment permit. Special provisions such as limitations on works hours, protective enclosures, or other means to facilitate public access in a safe manner may be required.
4. ENCROACHMENT PERMIT: All work in the public right-of-way will require a Construction Encroachment Permit. All work over \$5,000 will require construction security. It is the responsibility of the Owner/Applicant/Developer to obtain any necessary encroachment permits from affected agencies and private parties, including but not limited to, Pacific Gas and Electric (PG&E), AT&T, Comcast, Santa Clara Valley Water District, California Department of Transportation (Caltrans). Copies of any approvals or permits must be submitted to the Town Engineering Division of the Parks and Public Works Department prior to releasing any permit.
5. PRIVATE IMPROVEMENTS IN THE PUBLIC RIGHT-OF-WAY (INDEMNITY AGREEMENT): The property owner shall enter into an agreement with the Town for all existing and proposed private improvements within the Town's right-of-way. The Owner shall be solely responsible for maintaining the improvements in a good and safe condition at all times and shall indemnify the Town of Los Gatos. The agreement must be completed and accepted by the Director of Parks and Public Works, and subsequently recorded by the Town Clerk at the Santa Clara County Office of the Clerk-Recorder, prior to the issuance of any permits. Please note that this process may take approximately six to eight (6-8) weeks.
6. PUBLIC WORKS INSPECTIONS: The Owner, Applicant and/or Developer or their representative shall notify the Engineering Inspector at least twenty-four (24) hours before starting any work pertaining to on-site drainage facilities, grading or paving, and all work in the Town's right-of-way. Failure to do so will result in penalties and rejection of work that went on without inspection.
7. RESTORATION OF PUBLIC IMPROVEMENTS: The Owner, Applicant and/or Developer or their representative shall repair or replace all existing improvements not designated for removal that are damaged or removed because of the Owner, Applicant and/or Developer or their representative's operations. Improvements such as, but not limited to: curbs, gutters, sidewalks, driveways, signs, pavements, raised pavement markers, thermoplastic pavement markings, etc., shall be repaired and replaced to a condition equal to or better than the original condition. Any new concrete shall be free of stamps, logos, names, graffiti, etc. Any concrete identified that is displaying a stamp or equal shall be removed and replaced at the Contractor's sole expense and no additional compensation shall be allowed therefore. Existing improvement to be repaired or replaced shall be at the direction of the Engineering Construction Inspector, and shall comply with all Title 24 Disabled Access provisions. The Owner, Applicant and/or Developer or their representative shall request a walk-through with the Engineering Construction Inspector before the start of construction to verify existing conditions.
8. SITE SUPERVISION: The General Contractor shall provide qualified supervision on the job site at all times during construction.
9. 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, Applicant and/or Developer'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.
10. PLANS AND STUDIES: All required plans and studies shall be prepared by a Registered Professional Engineer in the State of California, and submitted to the Town Engineer for review and approval. Additionally, any post-project traffic or parking counts, or other studies imposed by the Planning Commission or Town Council shall be funded by the Applicant.
11. GRADING PERMIT: A grading permit is required for all site grading and drainage work except for exemptions listed in Section 12.20.015 of The Code of the Town of Los Gatos (Grading Ordinance). The grading permit application (with grading plans) shall be made to the Engineering Division of the Parks and Public Works Department located at 41 Miles Avenue. The grading plans shall include final grading, drainage, retaining wall location(s), driveway, utilities and interim erosion control. Grading plans shall list earthwork quantities and table of existing and proposed impervious areas. Unless specifically allowed by the Director of Parks and Public Works, the grading permit will be issued concurrently with the building permit. The grading permit is for work outside the building footprint(s). A separate building permit, issued by the Building Department on E. Main Street, is needed for grading within the building footprint.
12. DRIVEWAY: The driveway conform to existing pavement on STEPHENIE Lane shall be constructed in a manner such that the existing drainage patterns will not be obstructed.
13. TREE REMOVAL: Copies of all necessary tree removal permits shall be provided prior to the issuance of a grading permit/building permit.
14. PAD CERTIFICATION: A letter from a licensed land surveyor shall be provided stating that the building foundation was constructed in accordance with the approved plans shall be provided subsequent to foundation construction and prior to construction on the structure. The pad certification shall address both vertical and horizontal foundation placement.
15. RETAINING WALLS: A building permit, issued by the Building Department at 110 E. Main Street, may be required for site retaining walls. Walls are not reviewed or approved by the Engineering Division of Parks and Public Works during the grading permit plan review process.
16. WATER DESIGN: In the event of any required improvements to the existing water service and/or meter, the existing water meter, currently located within the STEPHENIE Lane right-of-way, shall be relocated within the property in question, directly behind the public right-of-way line. The Owner, Applicant and/or Developer shall repair and replace to existing Town standards any portion of concrete flatwork within said right-of-way that is damaged during this activity. Water plans prepared by San Jose Water Company must be reviewed and approved prior to issuance of any permit.
17. SANITARY SEWER CLEANOUT: The existing sanitary sewer cleanout, currently located within the STEPHENIE Lane right-of-way, shall be relocated within the property in question, directly behind the public right-of-way line. The Owner, Applicant and/or Developer shall repair and replace to existing Town standards any portion of concrete flatwork within said right-of-way that is damaged during this activity.
18. UTILITIES: The Owner, Applicant and/or Developer shall install all new, relocated, or temporarily removed utility services, including telephone, electric power and all other communications lines underground, as required by Town Code Section 27.50.015(b). All new utility services shall be placed underground. Underground conduit shall be provided for cable television service. The Owner, Applicant and/or Developer is required to obtain approval of all proposed utility alignments from any and all utility service providers before a Certificate of Occupancy for any new building can be issued. The Town of Los Gatos does not approve or imply approval for final alignment or design of these facilities.
19. UTILITY SETBACKS: House foundations shall be set back from utility lines a sufficient distance to allow excavation of the utility without undermining the house foundation. The Town Engineer shall determine the appropriate setback based on the depth of the utility, input from the project soils engineer, and the type of foundation.
CURB AND GUTTER REPAIR: The Owner, Applicant and/or Developer shall repair and replace to existing Town standards any curb and gutter damaged now or during construction of this project. All new and existing adjacent infrastructure must meet Town standards. New curb and gutter shall be constructed per Town Standard Details. New concrete shall be free of stamps, logos, names, graffiti, etc. Any concrete identified that is displaying a stamp or equal shall be removed and replaced at the Contractor's sole expense and no additional compensation shall be allowed therefore. The limits of curb and gutter repair will be determined by the Engineering Construction Inspector during the construction phase of the project. The improvements must be completed and accepted by the Town before a Certificate of Occupancy for any new building can be issued.
FENCING: Any fencing proposed within two hundred (200) feet of an intersection shall comply with Town Code Section §23.10.080.
SIGHT TRIANGLE AND TRAFFIC VIEW AREA: Any proposed improvements, including but not limiting to trees and hedges, will need to abide by Town Code Sections 23.10.080, 26.10.065, and 29.40.030.
20. FENCES: Fences between all adjacent parcels will need to be located on the property lines/boundary lines. Any existing fences that encroach into the neighbor's property will need to be removed and replaced to the correct location of the boundary lines before a Certificate of Occupancy for any new building can be issued. Waiver of this condition will require signed and notarized letters from all affected neighbors.
21. CONSTRUCTION VEHICLE PARKING: Construction vehicle parking within the public right-of-way will only be allowed if it does not cause access or safety problems as determined by the Town.
22. PARKING: Any proposed parking restriction must be approved by The Town of Los Gatos, Community Development Department.
23. CONSTRUCTION TRAFFIC CONTROL: All construction traffic and related vehicular routes, traffic control plan, and applicable pedestrian or traffic detour plans shall be submitted for review and approval by the Town Engineer prior to beginning of any work.
24. ADVANCE NOTIFICATION: Advance notification of all affected residents and emergency services shall be made regarding parking restriction, lane closure or road closure, with specification of dates and hours of operation.
25. COVERED TRUCKS: All trucks transporting materials to and from the site shall be covered.
26. HAULING OF SOIL: Hauling of soil on- or off-site shall not occur during the morning or evening peak periods (between 7:00 a.m. and 9:00 a.m. and between :00 p.m. and 6:00 p.m.), and at other times as specified by the Director of Parks and Public Works. Prior to the issuance of a building permit, the Owner, Applicant and/or Developer or their representative shall work with the Town Building Department and Engineering Division Inspectors to devise a traffic control plan to ensure safe and efficient traffic flow under periods when soil is hauled on or off of the project site. This may include, but is not limited to provisions for the Owner, Applicant and/or Developer to place construction notification signs noting the dates and time of construction and hauling activities, or providing additional traffic control. Coordination with other significant projects in the area may also be required. Cover all trucks hauling soil, sand and other loose debris.
27. CONSTRUCTION NOISE: Between the hours of 8:00 a.m. to 8:00 p.m., weekdays and 9:00 a.m. to 7:00 p.m. weekends and holidays, construction, alteration or repair activities shall be allowed. No individual piece of equipment shall produce a noise level exceeding eighty-five (85) dBA at twenty-five (25) feet from the source. If the device is located within a structure on the property, the measurement shall be made at distances as close to twenty-five (25) feet from the device as possible. The noise level at any point outside of the property plane shall not exceed eighty-five (85) dBA.
28. CONSTRUCTION MANAGEMENT PLAN SHEET: Prior to the issuance of any permits, the Owner, Applicant and/or Developer's design consultant, shall submit a construction management plan sheet (full-size) within the plan set that shall incorporate at a minimum the Project Schedule, site security fencing, employee parking, construction staging area, materials storage area(s), concrete washout(s) and proposed outhouse locations. Please refer to the Town's Construction Management Plan Guidelines document for additional information.

29. SANITARY SEWER BACKWATER VALVE: Drainage piping serving fixtures which have flood level rims less than twelve (12) inches (304.8 mm) above the elevation of the next upstream manhole and/or flushing inlet cover at the public or private sewer system serving such drainage piping shall be protected from backflow of sewage by installing an approved type backwater valve. Fixtures above such elevation shall not discharge through the backwater valve, unless first approved by the Building Official. The Town shall not incur any liability or responsibility for damage resulting from a sewer overflow where the property owner or other person has failed to install a backwater valve as defined in the Uniform Plumbing Code adopted by the Town and maintain such device in a functional operation condition. Evidence of West Sanitation District's decision on whether a backwater device is needed shall be provided prior to the issuance of a building permit.
30. BEST MANAGEMENT PRACTICES (BMPs): The Owner, Applicant and/or Developer is responsible for ensuring that all contractors are aware of all storm water quality measures and that such measures are implemented. Best Management Practices (BMPs) shall be maintained and be placed for all areas that have been graded or disturbed and for all material, equipment and/or operations that need protection. Removal of BMPs (temporary removal during construction activities) shall be replaced at the end of each working day. Failure to comply with the construction BMP will result in the issuance of correction notices, citations, or stop work orders.
31. SITE DESIGN MEASURES: All projects shall incorporate at least one of the following measures:
 - a) Protect sensitive areas and minimize changes to the natural topography.
 - b) Minimize impervious surface areas.
 - c) Direct roof downspouts to vegetated areas.
 - d) Use porous or pervious pavement surfaces on the driveway, at a minimum.
 - e) Use landscaping to treat stormwater.
32. UNLAWFUL DISCHARGES: It is unlawful to discharge any wastewater, or cause hazardous domestic waste materials to be deposited in such a manner or location as to constitute a threatened discharge, into storm drains, gutters, creeks or the San Francisco Bay. Unlawful discharges to storm drains include, but are not limited to: discharges from toilets, sinks, industrial processes, cooling systems, boilers, fabric cleaning, equipment cleaning or vehicle cleaning.
33. EROSION CONTROL: Interim and final erosion control plans shall be prepared and submitted to the Engineering Division of the Parks and Public Works Department. A maximum of two(2) weeks is allowed between clearing of an area and stabilizing/building on an area if grading is allowed during the rainy season. Interim erosion control measures, to be carried out during construction and before installation of the final landscaping, shall be included. Interim erosion control method shall include, but are not limited to: silt fences, fiber rolls (with locations and details), erosion control blankets, Town standard seeding specification, filter berms, check dams, retention basins, etc. Provide erosion control measures as needed to protect downstream water quality during winter months. The Town of Los Gatos Engineering Division of the Parks and Public Works Department and the Building Department will conduct periodic NP DES inspections of the site throughout the recognized storm season to verify compliance with the Construction General Permit and Stormwater ordinances and regulations.
34. DUST CONTROL: Blowing dust shall be reduced by timing construction activities so that paving and building construction begin as soon as possible after completion of grading, and by landscaping disturbed soils as soon as possible. Further, water trucks shall be present and in use at the construction site. All portions of the site subject to blowing dust shall be watered as often as deemed necessary by the Town, or a minimum of three (3) times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas at construction sites in order to insure proper control of blowing dust for the duration of the project. Watering on public streets shall not occur. Streets shall be cleaned by street sweepers or by hand as often as deemed necessary by the Town Engineer, or at least once a day. Watering associated with on-site construction activity shall take place between the hours of 8 a.m. and 5 p.m. and shall include at least one (1) late-afternoon watering to minimize the effects of blowing dust. All public streets soiled or littered due to this construction activity shall be cleaned and swept on a daily basis during the workweek to the satisfaction of the Town. Demolition or earthwork activities shall be halted when wind speeds (instantaneous gusts) exceed twenty-five (25) miles per hour (MPH). All trucks hauling soil, sand, or other loose debris shall be covered.
35. DETAILING OF STORMWATER MANAGEMENT FACILITIES: Prior to the issuance of any permits, all pertinent details of any and all proposed stormwater management facilities, including, but not limited to, ditches, swales, pipes, bubble-ups, dry wells, outfalls, infiltration trenches, detention basins and energy dissipaters, shall be provided on submitted plans, reviewed by the Engineering Division of the Parks and Public Works Department, and approved for implementation.
36. CONSTRUCTION ACTIVITIES: All construction shall conform to the latest requirements of the CASQA Stormwater Best Management Practices Handbooks for Construction Activities and New Development and Redevelopment, the Town's grading and erosion control ordinance, and other generally accepted engineering practices for erosion control as required by the Town Engineer when undertaking construction activities.
37. SITE DRAINAGE: Rainwater leaders shall be discharged to splash blocks. No through curb drains will be allowed. On-site drainage systems for all projects shall include one of the alternatives included in section C.3.i of the Municipal Regional NPDES Permit. These include storm water reuse via cisterns or rain barrels, directing runoff from impervious surfaces to vegetated areas and use of permeable surfaces. If dry wells are to be used they shall be placed a minimum of ten (10) feet from the adjacent property line and/or right-of-way. Alternatively, the facility may be located with an offset between five (5) and ten (10) feet from the adjacent property and/or right-of-way line(s) if the responsible engineer in charge provides a stamped and signed letter stating that addresses infiltration and how facilities, improvements and infrastructure within the Town's right-of-way (driveway approach, curb and gutter, etc.) and/or the adjacent property will not be adversely affected. No improvements shall obstruct or divert runoff to the detriment of an adjacent, downstream or down slope property.
38. SILT AND MUD IN PUBLIC RIGHT-OF-WAY: It is the responsibility of Contractor and homeowner to make sure that all dirt tracked into the public right-of-way is cleaned up on a daily basis. Mud, silt, concrete and other construction debris SHALL NOT be washed into the Town's storm drains.
39. GOOD HOUSEKEEPING: Good housekeeping practices shall be observed at all times during the course of construction. All construction shall be diligently supervised by a person or persons authorized to do so at all times during working hours. The Owner, Applicant and/or Developer's representative in charge shall be at the job site during all working hours. Failure to maintain the public right-of-way according to this condition may result in penalties and/or the Town performing the required maintenance at the Developer's expense.
40. CERTIFICATE OF OCCUPANCY: The Engineering Division of the Parks and Public Works Department will not sign off on a Temporary Certificate of Occupancy or a Final Certificate of Occupancy until all required improvements within the Town's right-of-way have been completed and approved by the Town.
41. FUTURE STUDIES: Any post-project traffic or parking counts, or other studies imposed by Planning Commission or Town Council shall be funded by the Applicant.
42. 36) AIR QUALITY: To limit the project's construction-related dust and criteria pollutant emissions, the following the Bay Area Air Quality Management District (BAAQMD)-recommended basic construction measures shall be included in the project's grading plan, building plans, and contract specifications:
 - a) All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day, or otherwise kept dust-free.
 - b) All haul trucks designated for removal of excavated soil and demolition debris from site shall be staged off-site until materials are ready for immediate loading and removal from site.
 - c) All haul trucks transporting soil, sand, debris, or other loose material off-site shall be covered.
 - d) As practicable, all haul trucks and other large construction equipment shall be staged in areas away from the adjacent residential homes.
 - e) All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day, or as deemed appropriate by Town Engineer. The use of dry power sweeping is prohibited. An on-site track-out control device is also recommended to minimize mud and dirt-track-out onto adjacent public roads.
 - f) All vehicle speeds on unpaved surfaces shall be limited to fifteen (15) miles per hour.
 - g) All driveways and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
 - h) Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within forty-eight (48) hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations. Please provide the BAAQMD's complaint number on the sign: 24-hour toll-free hotline at 1-800-334-ODOR (6367).
 - i) All excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed twenty (20) miles per hour.
 - j) Vegetative ground cover (e.g., fast-germinating native grass seed) shall be planted in disturbed areas as soon as possible and watered appropriately until vegetation is established.
43. CONSTRUCTION HOURS: All construction activities, including the delivery of construction materials, labors, heavy equipment, supplies, etc., shall be limited to the hours of 8:00 a.m. to 6:00 p.m., weekdays and 9:00 a.m. to 4:00 p.m. Saturdays, holidays excluded. The Town may authorize, on a case-by-case basis, alternate construction hours. The Owner and/or Applicant shall provide written notice twenty-four (24) hours in advance of modified construction hours. Approval of this request is at discretion of the Town.



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FAX: (650) 941-8755

OWNER:

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GRADING AND DRAINAGE PLANS
NEW SINGLE FAMILY HOME
17291 WEDGEWOOD AVE., LOS GATOS, CA 95032
APN: 523-25-034
NOTES

Revisions:



Date: 04/28/2022

Scale: AS NOTED
Prepared by: S.P.
Checked by: S.R.
Job #: 221151

Sheet: 4 OF 6
C-4

OWNER:

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CA 95032

APN: 523-25-034

GRADING AND DRAINAGE PLANS
NEW SINGLE FAMILY HOME
17291 WEDGEWOOD AVE., LOS GATOS, CA 95032
BEST MANAGEMENT PRACTICES

Revisions:



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Sheet: 5 OF 6
C-5

Preventing Pollution: It's Up to Us

In the Santa Clara Valley, storm drains transport water directly to local creeks and San Francisco Bay without treatment. Storm water pollution is a serious problem for wildlife dependent on our waterways and for the people who live near polluted streams or bay lands. Some common sources of this pollution include spilled oil, fuel, and fluids from vehicles and heavy equipment; construction debris; sediment created by erosion; landscaping runoff containing pesticides or weed killers; and materials such as used motor oil, antifreeze, and paint products that people pour or spill into a street or storm drain. Thirteen valley municipalities have joined together with Santa Clara County and the Santa Clara Valley Water District to educate local residents and businesses and fight storm water pollution. TO comply with this program, contractors must comply with the practices described in this drawing sheet.

Spill Response Agencies

DIAL 9-1-1
State Office of Emergency Services Warning Center (24 hours): 800-852-7550
Santa Clara County Environmental Health Services: (408) 299-6930

Local Pollution Control Agencies

County of Santa Clara Pollution Prevention Program: (408) 441-1195
County of Santa Clara Integrated Waste Management Program: (408) 441-1198
County of Santa Clara District Attorney Environmental Crimes Hotline: (408) 299-TIPS
Santa Clara County Recycling Hotline: 1-800-533-8414
Santa Clara Valley Water District: (408) 265-2600
Santa Clara Valley Water District Pollution Hotline: 1-888-510-5151
Regional Water Quality Control Board San Francisco Bay Region: (510) 622-2300
Palo Alto Regional Water Quality Control Plant: (650) 329-2598
Serving East Palo Alto Sanitary District, Los Altos, Los Altos Hills, Mountain View, Palo Alto, Stanford

City of Los Altos

Building Department: (650) 947-2752
Engineering Department: (650) 947-2780

Doing The Job Right

General Business Practices

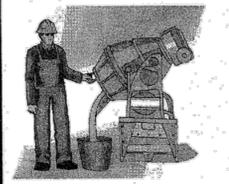
- Wash out concrete mixers only in designated wash-out areas in your yard, away from storm drains and waterways, where the water will flow into a temporary storage pit in a dirt area. Let water percolate through soil and dispose of settled, hardened concrete as garbage. Whenever possible, recycle washout by pumping back into mixers for reuse.
- Wash out chutes onto dirt areas at site that do not flow to streets or drains.
- Always store both dry and wet materials under cover, protected from rainfall and runoff and away from storm drains or waterways. Protect dry materials from wind.
- Secure bags of cement after they are open. Be sure to keep wind-blown cement powder away from streets, gutters, storm drains, rainfall, and runoff.
- Do not use diesel fuel as a lubricant on concrete forms, tools, or trailers.

During Construction

- Don't mix up more fresh concrete or cement than you will use in a two-hour period.
- Set up and operate small mixers on tarps or heavy plastic drop cloths.
- When cleaning up after driveway or sidewalk construction, wash fines onto dirt areas, not down the driveway or into the street or storm drain.
- Protect applications of fresh concrete and mortar from rainfall and runoff until the material has dried.
- Wash down exposed aggregate concrete only when the wash water can (1) flow onto a dirt area; (2) drain onto a paved surface from which it can be pumped and disposed of properly; or (3) be vacuumed from a catchment created by blocking a storm drain inlet. If necessary, divert runoff with temporary berms. Make sure runoff does not reach gutters or storm drains.
- When breaking up pavement, be sure to pick up all the pieces and dispose of properly. Recycle large chunks of broken concrete at a landfill.
- Never bury waste material. Dispose of small amounts of excess dry concrete, gravel, and mortar in the trash.
- Never dispose of washout into the street, storm drains, drainage ditches, or streams.

Fresh Concrete and Mortar Application

Best Management Practices for the Construction Industry



- Masons and bricklayers
- Sidewalk construction crews
- Patio construction workers
- Construction inspectors
- General contractors
- Home builders
- Developers
- Concrete delivery/pumping workers

Storm Drain Pollution from Fresh Concrete and Mortar Applications

Fresh concrete and cement-related mortars that wash into lakes, streams, or estuaries are toxic to fish and the aquatic environment. Disposing of these materials to the storm drains or creeks can block storm drains, causing serious problems, and is prohibited by law.



Los Altos Municipal Code Requirements

Los Altos Municipal Code Chapter 10.08.390 Non-storm water discharges

- Unlawful discharges. It shall be unlawful to discharge any domestic waste or industrial waste into storm drains, gutters, creeks, or San Francisco Bay. Unlawful discharges to storm drains shall include, but not be limited to, discharge from toilets, sinks, industrial processes; cooling systems; boilers; fabric cleaning; equipment cleaning; construction activities, including, but not limited to, painting, paving, concrete placement, saw cutting and grading; swimming pools; spas; and fountains, unless specifically permitted by a discharge permit or unless exempted pursuant to guidelines published by the superintendent.
- Threatened discharges. It shall be unlawful to cause hazardous materials, domestic waste, or industrial waste to be deposited in such a manner or location as to constitute a threatened discharge into storm drains, gutters, creeks or San Francisco Bay. A "threatened discharge" is a condition creating a substantial probability of harm, when the probability and potential extent of harm make it reasonably necessary to take immediate action to prevent, reduce or mitigate damages to persons, property or natural resources. Domestic or industrial wastes that are not longer contained in a pipe, tank or other container are considered to be threatened discharges unless they are actively being cleaned up.

Los Altos Municipal Code Section 10.08.430 Requirements for construction operations.

- A spill response plan for hazardous waste, hazardous materials and uncontained construction materials shall be prepared and available at the construction sites for all projects where the proposed construction site is equal to or greater than one acre of disturbed soil and for any other projects for which the city engineer determines it is necessary to protect surface waters. Preparation of the plan shall be in accordance with guidelines published by the city engineer.
- A storm water pollution prevention plan shall be prepared and available at the construction sites for all projects greater than one acre of disturbed soil and for any other projects for which the city engineer determines that a storm water management plan is necessary to protect surface waters. Preparation of the plan shall be in accordance with guidelines published by the city engineer.
- Prior approval shall be obtained from the city engineer or designee to discharge water pumped from construction sites to the storm drain. The city engineer or designee may require gravity settling and filtration upon a determination that either or both would improve the water quality of the discharge. Contaminated groundwater or water that exceeds state or federal requirements for discharge to navigable waters may not be discharged to the storm drain. Such water may be discharged to the sewer, provided that the requirements of Section 10.08.240 are met and the approval of the superintendent is obtained prior to discharge.
- No cleanup of construction debris from the streets shall result in the discharge of water to the storm drain system; nor shall any construction debris be deposited or allowed to be deposited in the storm drain system. (Prior code § 5-5.643)

Criminal and judicial penalties can be assessed for non-compliance.

Doing The Job Right

General Business Practices

- Develop and implement erosion/sediment control plans for roadway embankments.
- Schedule excavation and grading work during dry weather.
- Check for and repair leaking equipment.
- Perform major equipment repairs at designated areas in your maintenance yard, where collection and disposal of contaminated liquids is possible. Avoid performing equipment repairs at construction sites.
- When refueling or when vehicle/equipment maintenance must be done on site, designate a location away from storm drains and creeks.
- Do not use diesel oil to lubricate equipment parts or clean equipment.
- Recycle used oil, concrete, broken asphalt, etc. whenever possible, or dispose of properly.

During Construction

- Avoid paving and seal coating in wet weather, or when rain is forecast, to prevent fresh materials from contacting stormwater runoff.
- Cover and seal catch basins and manholes when applying seal coat, slurry seal, fog seal, or similar materials.
- Protect drainage ways by using earth dikes, berms, or other controls to divert or trap and filter runoff.

Storm Drain Pollution from Roadwork

Road paving, surfacing, and pavement removal happen right in the street, where there are numerous opportunities for asphalt, sealants, or excavated material to illegally enter storm drains. Extra planning is required to store and dispose of materials properly and prevent pollution of storm drains, creeks, and the Bay.

Roadwork and Paving

Best Management Practices for the Construction Industry



- Road crews
- Driveways/sidewalk/parking lot construction crews
- Seal coat contractors
- Operators of grading equipment, paving machines, dump trucks, concrete mixers
- General contractors
- Home builders
- Developers

Painting and Application of Solvents and Adhesives

Best Management Practices for the Construction Industry



- Homeowners
- Painters
- Paperhangers
- Plasterers
- Graphic artists
- Dry wall crews
- Floor covering installers
- General contractors
- Home builders
- Developers

Doing The Job Right

Handling Paint Products

- Keep all liquid paint products and wastes away from the gutter, street, and storm drains. Liquid residues from paints, thinners, solvents, glues, and cleaning fluids are hazardous wastes and must be disposed of at a hazardous waste collection facility (contact your local stormwater program listed on the back of this brochure).
- When thoroughly dry, empty paint cans, used brushes, rags, and drop cloths may be disposed of as garbage in a sanitary landfill. Empty dry paint cans also may be recycled as metal.
- Wash water from painted buildings constructed before 1978 can contain high amounts of lead, even if paint chips are not present. Before you begin stripping paint or cleaning pre-1978 building exteriors with water under high pressure, test paint for lead by taking paint samples for a state-certified laboratory. See Yellow Pages for a state-certified laboratory.
- If there is a loose paint on the building, or if the paint tests positive for lead, block storm drains. Check with the wastewater treatment plant to determine whether you may discharge water to the sanitary sewer, or if you must send it offsite for disposal as hazardous waste.

Storm Drain Pollution from Paints, Solvents, and Adhesives

All paints, solvents, and adhesives contain chemicals that are harmful to wildlife in local creeks, San Francisco Bay, and the Pacific Ocean. Toxic chemicals may come from liquid or solid products or from cleaning residues or rags. Paint materials and wastes, adhesives and cleaning fluids should be recycled when possible, or disposed of properly to prevent pollution from flowing into storm drains and watercourses.

Doing The Job Right

Site Planning and Preventive Vehicle Maintenance

- Maintain all vehicles and heavy equipment. Inspect frequently for and repair leaks.
- Perform major maintenance, repair jobs, and vehicle and equipment washing off site where pollution is easier.
- If you must drain and replace motor oil, radiator coolant, or other fluids on site, use drip pans or drop cloths to catch drips and spills. Collect all spent fluids, store in separate containers, and properly dispose as hazardous waste (recycle whenever possible).
- Do not use diesel oil to lubricate equipment parts, or clean equipment. Use only water for any onsite cleaning.
- Cover exposed fifth wheel hitches and other oily or greasy equipment during rain events.

Storm Water Pollution from Heavy Equipment on Construction Sites

Poorly maintained vehicles and heavy equipment that leak fuel, oil, antifreeze or other fluids on the construction site are common sources of storm drain pollution. Prevent leaks and spills by isolating equipment from runoff channels, and by watching for leaks and other maintenance problems. Remove construction equipment from the site as soon as possible.

Heavy Equipment Operation

Best Management Practices for the Construction Industry



- Vehicle and equipment operators
- Site supervisors
- General contractors
- Home builders
- Developers

Landscaping, Gardening, and Pool Maintenance

Best Management Practices for the Construction Industry



- Landscapers
- Gardeners
- Swimming pool/spa service and repair workers
- General contractors
- Home builders
- Developers
- Homeowners

Doing The Job Right

General Business Practices

- Protect stockpiles and landscaping materials from wind and rain by storing them under tarps or secured plastic sheeting.
- Store pesticides, fertilizers, and other chemicals indoors or in a shed or storage cabinet.
- Schedule grading and excavation projects during dry weather.
- Use temporary check dams or ditches to divert runoff away from storm drains.
- Protect storm drains with sandbags or other sediment controls.
- Re-vegetation is an excellent form of erosion control for any site.

Landscaping/Garden Maintenance

- Use pesticides sparingly, according to instructions on the label. Rinse empty containers, and use rinse water as product. Dispose of rinsed, empty containers in the trash. Dispose of unused pesticides as hazardous waste.
- Collect lawn and garden clippings, pruning waste, and tree trimmings. Chip if necessary, and compost.
- In communities with outside pickup of yard waste, place clippings and pruning waste at the curb in approved bags or containers. Or, take to a landfill that composts yard waste. No outside pickup of yard waste is available for commercial properties.

Storm Drain Pollution from Landscaping and Swimming Pool Maintenance

Many landscaping activities expose soils and increase the likelihood that earth and garden chemicals will run off into the storm drains during irrigation or when it rains. Swimming pool water containing chlorine and copper-based algicides should never be discharged to storm drains. These chemicals are toxic to aquatic life.

Spill Cleanup

- Clean up spills immediately when they happen.
- Never hose down "dirty" pavement or impermeable surfaces where fluids have spilled. Use dry cleanup methods (absorbent materials, cat litter, and/or rags) whenever possible and properly dispose of absorbent materials.
- Sweep up spilled dry materials immediately. Never attempt to "wash them away" with water, or bury them.
- Use as little water as possible for dust control. Ensure water used doesn't leave silt or discharge to storm drains.
- Clean up spills on dirt areas by dragging up and properly disposing of contaminated soil.
- Report significant spills to the appropriate local spill response agencies immediately.
- If the spill poses a significant hazard to human health and safety, property or the environment, you must also report it to the State Office of Emergency Services.

General Construction And Site Supervision

Best Management Practices For Construction



- General contractors
- Site supervisors
- Inspectors
- Home builders
- Developers

Storm Drain Pollution from Construction Activities

Construction sites are common sources of storm water pollution. Materials and wastes that blow or wash into a storm drain, gutter, or street have a direct impact on local creeks and the Bay. As a contractor, or site supervisor, owner or operator of a site, you may be responsible for any environmental damage caused by your subcontractors or employees.

Doing The Job Right

General Principles

- Keep an orderly site and ensure good housekeeping practices are used.
- Maintain equipment properly.
- Cover materials when they are not in use.
- Keep materials away from streets, storm drains and drainage channels.
- Ensure dust control water doesn't leave site or discharge to storm drains.

Advance Planning To Prevent Pollution

- Schedule excavation and grading activities for dry weather periods. To reduce soil erosion, plant temporary vegetation or place other erosion controls before rain begins. Use the Erosion and Sediment Control Manual, available from the Regional Water Quality Control Board.
- Control the amount of runoff crossing your site (especially during excavation) by using berms or temporary or permanent drainage ditches to divert water flow around the site. Reduce storm water runoff velocities by constructing temporary check dams or berms where appropriate.
- Train your employees and subcontractors. Make these best management practices available to everyone who works on the construction site. Inform subcontractors about the storm water requirements and their own responsibilities.

Good Housekeeping Practices

- Designate one area of the site for auto parking, vehicle refueling, and routine equipment maintenance. The designated area should be well away from streams or storm drain inlets, bermed if necessary. Make major repairs off site.
- Keep materials out of the rain - prevent runoff contamination at the source. Cover exposed piles of soil or construction materials with plastic sheeting or temporary roofs. Before it rains, sweep and remove materials from surfaces that drain to storm drains, creeks, or channels.
- Keep pollutants off exposed surfaces. Place trashcans and recycling receptacles around the site to minimize litter.

Do not blow or rake leaves, etc. into the street, or place yard wastes in gutters or on dirt shoulders, unless you are piling them for recycling (allowed by San Jose and unincorporated County only). Sweep up any leaves, litter or residue in gutters or on street.

In San Jose, leave yard waste for outside recycling pickup in piles in the street, 18 inches from the curb and completely out of the flow line to any storm drain.

Pool/Fountain/Spa Maintenance

Draining Pools Or Spas

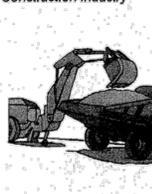
- When it's time to drain a pool, spa, or fountain, please be sure to call your local wastewater treatment plant before you start for further guidance on flow rate restrictions, backflow prevention, and handling special cleaning waste (such as acid wash). Discharge flows shall not exceed 100 gallon per minute.
- Never discharge pool or spa water to a street or storm drain; discharge to a sanitary sewer instead.
- If possible, when emptying a pool or spa, let chlorine dissipate for a few days and then recycle/reuse water by draining it gradually into a landscaped area.
- Do not use copper-based algicides. Control algae with chlorine or other alternatives, such as sodium bromide.

Filter Cleaning

- Never clean a filter in the street or near a storm drain. Rinse cartridge and diatomaceous earth filter residue into a dirt area, and spades filter residue into soil. Dispose of spent diatomaceous earth in the garbage.
- If there is no suitable dirt area, call your local wastewater treatment plant for a permit on discharging filter backwash or rinse water to the sanitary sewer.

Earth-Moving And Dewatering Activities

Best Management Practices for the Construction Industry



- Bulldozer, back hoe, and grading machine operators
- Dump truck drivers
- Site supervisors
- General contractors
- Home builders
- Developers

Doing The Job Right

General Business Practices

- Schedule excavation and grading work during dry weather.
- Perform major equipment repairs away from the job site.
- When refueling or vehicle/equipment maintenance must be done on site, designate a location away from storm drains.
- Do not use diesel oil to lubricate equipment parts, or clean equipment.

Practices During Construction

- Remove existing vegetation only when absolutely necessary. Plant temporary vegetation for erosion control on slopes or where construction is not immediately planned.
- Protect down slope drainage courses, streams, and storm drains with berms, or temporary drainage swales. Use check dams or ditches to divert runoff around and over swales. Refer to the Regional Water Quality Control Board's Erosion and Sediment Control Field Manual for proper erosion and sediment control measures.

Storm Drain Pollution from Earth-Moving Activities and Dewatering

Soil excavation and grading operations loosen large amounts of soil that can flow or blow into storm drains when handled improperly. Sediments in runoff can clog storm drains, smother aquatic life, and destroy habitats in creeks and the Bay. Effective erosion control practices reduce the amount of runoff crossing a site and slow the flow with check dams or roughened ground surfaces. Contaminated groundwater is a common problem in the Santa Clara Valley. Depending on soil types and site history, groundwater pumped from construction sites may be contaminated with toxic chemicals (as oil or solvents) or laden with sediments. Any of these pollutants can harm wildlife in creeks or the Bay, or interfere with wastewater treatment plant operation. Discharging sediment-laden water from a dewatering site into any water of the state without treatment is prohibited.

Doing The Job Right

Dewatering Operations

- Check for Toxic Pollutants**
 - Check for odors, discoloration, or an oily sheen on groundwater.
 - Call your local wastewater treatment agency and ask whether the groundwater must be tested.
 - If contamination is suspected, have the water tested by a certified laboratory.
 - Depending on the test results, you may be allowed to discharge pumped groundwater to the storm drain (if no sediments present) or sanitary sewer. OR, you may be required to collect and haul pumped groundwater offsite for treatment and disposal at an appropriate treatment facility.
- Check for Sediment Levels**
 - If the water is clear, the pumping time is less than 24 hours, and the flow rate is less than 20 gallons per minute, you may pump water to the street or storm drain.
 - If the pumping time is more than 24 hours and the flow rate greater than 20 gpm, call your local wastewater treatment plant for guidance.
 - If the water is not clear, solids must be filtered or settled out by pumping to a settling tank prior to discharge. Options for filtering include:
 - Pumping through a perforated pipe sunk part way into a small pit filled with gravel.
 - Pumping from a bucket placed below water level using a submersible pump; or
 - Discharge through a filtering device such as a swimming pool filter or filter fabric wrapped around end of suction pipe.

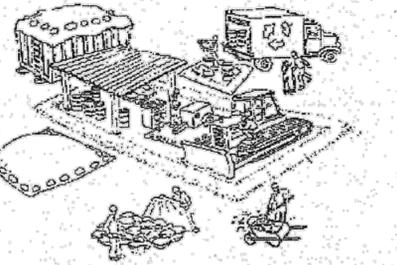
When Discharging to a Storm Drain, protect the inlet using a barrier of burlap bags tied with drain rock, or cover inlet with filter fabric anchored under the grate. OR pump water through a grassy swale prior to discharge.

Blueprint for a Clean Bay

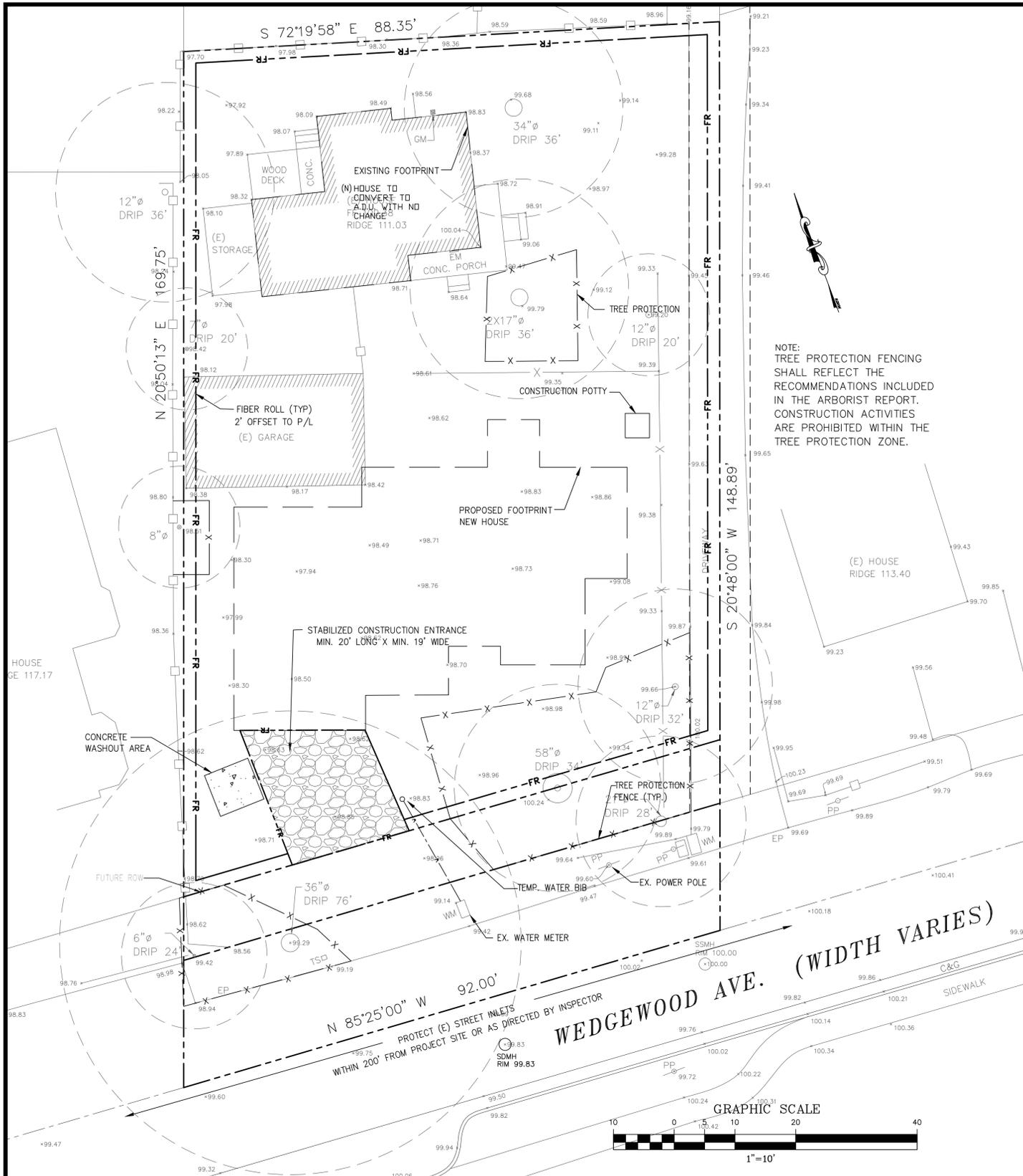
Remember: The property owner and the contractor share ultimate responsibility for the activities that occur on a construction site. You may be held responsible for any environmental damage caused by your subcontractors or employees.

Best Management Practices for the Construction Industry

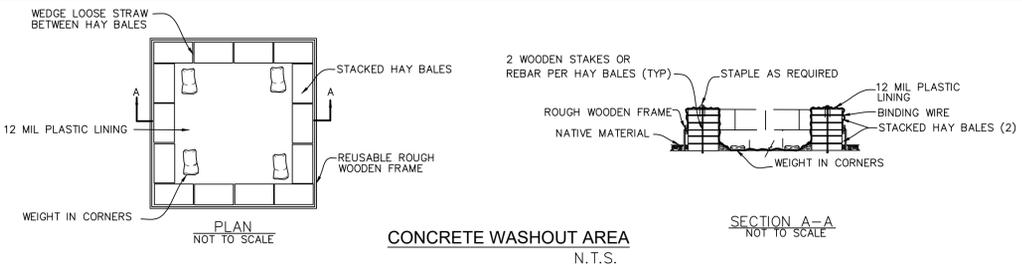
Santa Clara Urban Runoff Pollution Prevention Program



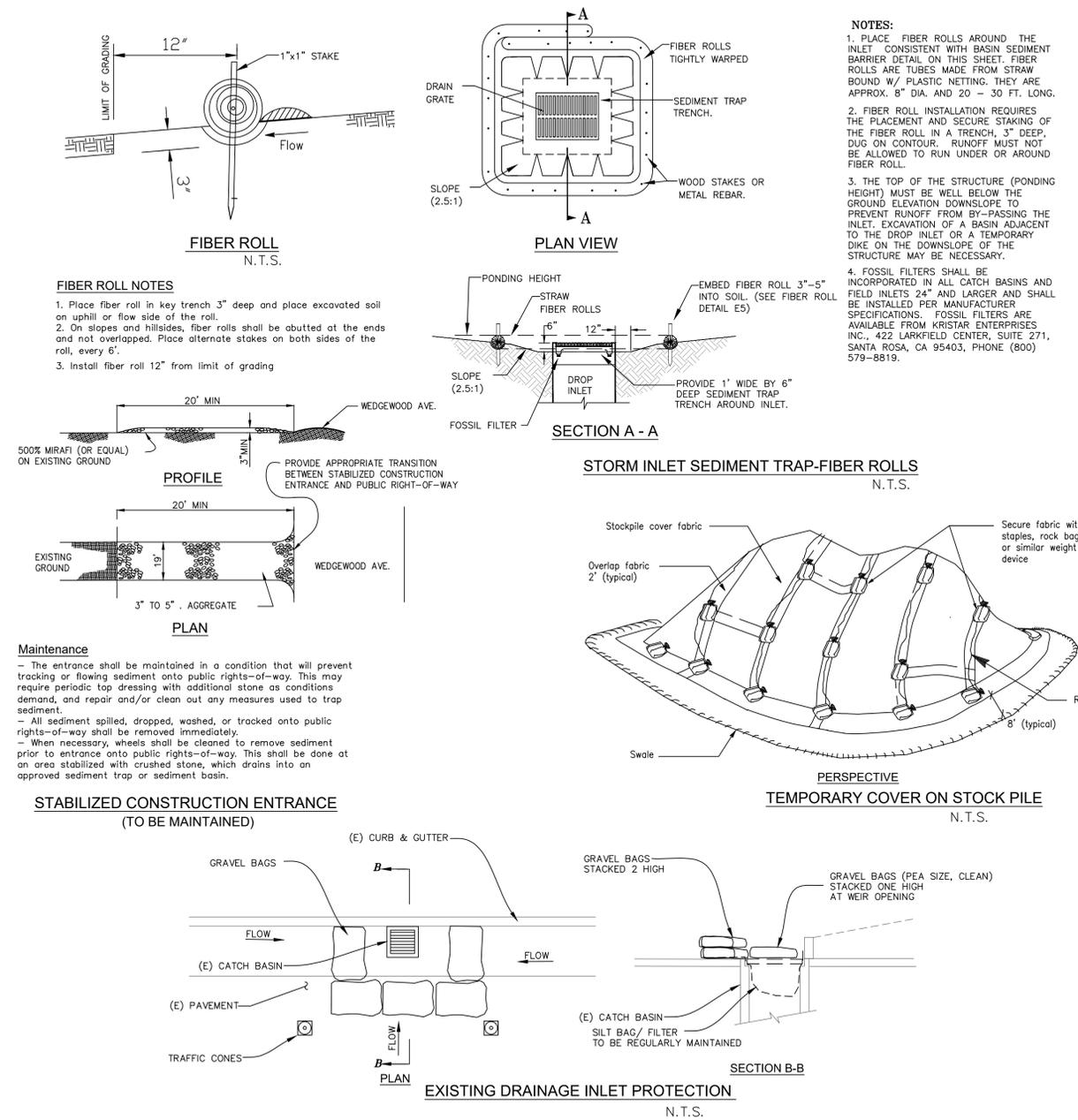
DESIGNED BY: LARRY LIND	APPROVED BY: <i>[Signature]</i> CITY ENGINEER	CITY OF LOS ALTOS 18056 R.C.E.	DATE: OCTOBER, 2003
DRAWN BY: VICTOR CHEN	CHECKED BY: JIM GUSTAFSON	SHEET OF SHEETS	SCALE: N.T.S.
DRAWING NO:			



SITE PLAN
1"=10'



CONCRETE WASHOUT AREA
N.T.S.



EROSION AND SEDIMENT CONTROL NOTES AND MEASURES

- The facilities shown on this Plan are designed to control Erosion and sediment during the rainy season, October 1st to April 30th. Facilities are to be operable prior to October 1 of any year. Grading operations during the rainy season, which leave denuded slopes shall be protected with erosion control measures immediately following grading on the slopes.
- This plan covers only the first winter following grading with assumed site conditions as shown on the Erosion Control Plan. Prior to September 15, the completion of site improvement shall be evaluated and revisions made to this plan as necessary with the approval of the city engineer. Plans are to be resubmitted for city approval prior to September 1 of each subsequent year until site improvements are accepted by the city.
- Construction entrances shall be installed prior to commencement of grading. All construction traffic entering onto the paved roads must cross the stabilized construction entranceways.
- Contractor shall maintain stabilized entrance at each vehicle access point to existing paved streets. Any mud or debris tracked onto public streets shall be removed daily and as required by the city.
- If hydroseeding is not used or is not effectively 10/10, then other immediate methods shall be implemented, such as Erosion control blankets, or a three-step application of: 1) seed, mulch, fertilizer 2) blown straw 3) tackifier and mulch.
- Inlet protection shall be installed at open inlets to prevent sediment from entering the storm drain system. Inlets not used in conjunction with erosion control are to be blocked to prevent entry of sediment.
- Lots with houses under construction will not be hydroseeded. Erosion protection for each lot with a house under construction shall confirm to the Typical Lot Erosion Control Detail shown in this sheet.
- This erosion and sediment control plan may not cover all the situations that may arise during construction due to unanticipated field conditions. Variations and additions may be made to this plan in the field. Notify the city representative of any field changes.
- This plan is intended to be used for interim erosion and sediment control only and is not to be used for final elevations or permanent improvements.
- Contractor shall be responsible for monitoring erosion and sediment control prior, during, and after storm events.
- Reasonable care shall be taken when hauling any earth, sand, gravel, stone, debris, paper or any other substance over any public street, alley or other public place. Should any blow, spill, or track over and upon said public or adjacent private property, immediately remedy shall occur.
- Sanitary facilities shall be maintained on the site.
- During the rainy season, all paved areas shall be kept clear of earth material and debris. The site shall be maintained so as to minimize sediment laden runoff to any storm drainage systems, including existing drainage swales and water courses.
- Construction operations shall be carried out in such a manner that erosion and water pollution will be minimized. State and local laws concerning pollution abatement shall be complied with.
- Contractors shall provide dust control as required by the appropriate federal, state, and local agency requirements.
- With the approval of the city inspector, erosion and sediment controls may be removed after areas above them have been stabilized.

MAINTENANCE NOTES

- Maintenance is to be performed as follows:
 - Repair damages caused by soil erosion or construction at the end of each working day.
 - Swales shall be inspected periodically and maintained as needed.
 - Sediment traps, berms, and swales are to be inspected after each storm and repairs made as needed.
 - Sediment shall be removed and sediment traps restored to its original dimensions when sediment has accumulated to a depth of one foot.
 - Sediment removed from trap shall be deposited in a suitable area and in such a manner that it will not erode.
 - Rills and gullies must be repaired.
- All existing drainage inlets on St. George Lane within the limit of the project shall be protected with sand bags during construction. See detail. Sand bag inlet protection shall be cleaned out whenever sediment depth is one half the height of one sand bag.
- Existing concrete ditch sediment trap shall be cleaned out routinely during construction.



1534 CAROL LANE
LOS ALTOS, CA 94024
TEL: (650) 941-8055
FAX: (650) 941-8755

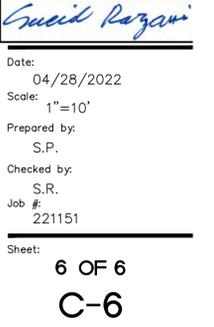
OWNER:

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SMP ENGINEERS
CIVIL ENGINEERS

GRADING AND DRAINAGE PLANS
NEW SINGLE FAMILY HOME
17291 WEDGEWOOD AVE., LOS GATOS, CA 95032
APN: 523-25-034
CONSTRUCTION MANAGEMENT AND
EROSION CONTROL PLAN

Revisions:

Date: 04/28/2022
Scale: 1"=10'
Prepared by: S.P.
Checked by: S.R.
Job #: 221151
Sheet: 6 OF 6
C-6



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**TOWN OF LOS GATOS
PLANNING COMMISSION
REPORT**

MEETING DATE: 08/24/2022

ITEM NO: 2

DESK ITEM

DATE: August 24, 2022
TO: Planning Commission
FROM: Joel Paulson, Community Development Director
SUBJECT: Consider an Appeal of the Development Review Committee Decision to Approve a Request for Construction of a New Single-Family Residence and Site Improvements Requiring a Grading Permit on Property Zoned R-1:8. **Located at 17291 Wedgewood Avenue.** APN 409-14-013. Architecture and Site Application S-21-027. PROPERTY OWNER: Young Kim. APPLICANT: Edick Lazari. APPELLANT: Douglas Scott Maynard. PROJECT PLANNER: Sean Mullin.

REMARKS:

Exhibit 15 includes public comment received between 11:01 a.m., August 23, 2022, and 11:00 a.m., August 24, 2022.

EXHIBITS:

Previously received with the August 24, 2022 Staff Report:

1. Location Map
2. Required Findings and Considerations
3. Recommended Conditions of Approval
4. Development Review Committee Meeting Minutes for July 12, 2022
5. Development Review Committee Action Letter, July 12, 2022
6. Appeal of the Historic Preservation Committee, received July 22, 2022
7. Property owner's response to the appeal, received August 4, 2022
8. Project Description
9. Letter of Justification
10. Consulting Architect Report
11. Consulting Arborist Report
12. Neighbor outreach
13. Neighborhood Exhibit
14. Development Plans

PREPARED BY: SEAN MULLIN, AICP
Senior Planner

Reviewed by: Planning Manager and Community Development Director

PAGE 2 OF 2

SUBJECT: 17291 Wedgewood Avenue

DATE: August 24, 2022

Received with this Desk Item Report:

15. Public Comment received between 11:01 a.m., August 23, 2022 and 11:00 a.m., August 24, 2022

From: peastalker@sbcglobal.net [REDACTED]
Sent: Tuesday, August 23, 2022 10:52 PM
To: Planning Comment <PlanningComment@losgatosca.gov>
Subject: 17291 Wedgewood Av - Public comment

EXTERNAL SENDER

Good morning

Hello,

Please find attached comments for the public hearing on 8/24/2022. Am not sure how many comments I can make, so will list them in order of asking if only one is allowed. Thank you.

1) There is a modest size septic tank on the neighboring property at 14341 Browns Lane. The previous owners had it pumped annually due to a past back flow issue (stinky indeed). Does anyone know if the leach field could cross into the property boundary of 17291 Wedgewood? Just a concern with building on top of or that when digging and during excavation the septic field lines could be tore up or damaged. Thank you.

2) On 9-9-2021 The towns CTA suggested that the Town Planning Staff prepare a planning condition of approval (COA) that prohibits all contractor site work from using Browns Lane, and requires that all site plan construction-related work use only the Wedgewood access point for ingress, egress, staging, storage, and work. Upon review of the Amended Draft COA dated 6-12-2022 I noticed this very important condition was hard to find and I don't think I ever really found it, but then again I am no town planner :) My concerns are in regard to safety and major inconvenience. The size of the project is big and does not leave much space for delivery of materials starting early as 8:00 am. About the same time that children living on Browns lane leave for school and others for work. If a construction delivery, the excavator or septic truck by chance does park on Browns and are in "the middle" of their task then everyone will have to wait until completed or ability to move vehicle. The major inconvenience. Escape routes blocked in or out for first responders and fire. The safety concern. Thank you.

Best Regards ~ Jacqueline Theriault
[REDACTED]

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**TOWN OF LOS GATOS
PLANNING COMMISSION
REPORT**

MEETING DATE: 08/24/2022

ITEM NO: 3

DATE: August 19, 2022
TO: Planning Commission
FROM: Joel Paulson, Community Development Director
SUBJECT: Review and Recommendation of the Draft Objective Standards to the Town Council.

RECOMMENDATION:

Review and recommendation of the Draft Objective Standards to the Town Council.

BACKGROUND:

On June 22, 2022, the Planning Commission received and considered public comments on the Draft Objective Standards, completed the review of the document, and provided input to staff on recommended modifications. The item was continued to a future meeting to allow staff time to prepare responses to the input received and to prepare a revised Draft Objective Standards document (Exhibit 9).

DISCUSSION:

The revised Draft Objective Standards document (Exhibit 9) continues to be organized into two sections: Site Standards (Section A); and Building Design (Section B). The Site Standards section includes objective standards for: site layout and building placement; vehicular access and parking; and outdoor spaces and amenities. The Building Design section includes objective standards for: building form and massing; façade articulation; materials; and roof design. Many of the objective standards in the revised document have been updated and several new standards have been added. Diagrams throughout the document have also been updated. The revised draft includes a new Key Terms section providing definitions for many terms used in the document.

A redline version of the revised Draft Objective Standards showing the changes made throughout the document is included as Exhibit 10. Staff has also prepared a summary of the revisions made and responses to comments received from the Planning Commission on

PREPARED BY: SEAN MULLIN, AICP and RYAN SAFTY
Senior Planner Associate Planner

Reviewed by: Planning Manager and Community Development Director

DISCUSSION (continued):

June 22, 2022 (Exhibit 11). Lastly, staff conducted an evaluation of three existing developments in the Town using several of the revised Draft Objective Standards for the purpose of illustrating how these objective standards would not prevent projects from being designed to the quality level required by the current subjective process (Exhibit 12).

As the Planning Commission reviews the revised Draft Objective Standards and other supporting materials, staff requests direction on several specific items summarized below and highlighted in Exhibit 11:

New A.11.1 (Line 41): The Community Design Element of the 2040 General Plan encourages consistent setbacks Town-wide and reduced setbacks in Community Growth Districts (CGD). For this reason, Standard A.11.1 was written to be specific to CGDs. Given the polices in the Community Design Element and the comments made by the Planning Commission during discussion of this item, staff requests direction on whether this standard should apply Town-wide or only within CGDs.

New B.4.11 (Line 68): The standard relating to reducing privacy intrusions created by balconies was revised to provide more opportunity for developments to achieve the private recreation space requirements while protecting existing residential uses at all scales. Even with this change, staff is concerned with the requirement for private recreation space while simultaneously restricting its location to protect privacy. Staff looks to the Planning Commission for discussion of this potential conflict and welcomes direction on the matter.

PUBLIC COMMENTS:

Throughout the process and prior to the Planning Commission meeting of August 24, 2022, staff contacted several professional organizations, design professionals, developers, and residents to inform them about the meeting and encourage participation and written comments on the Draft Objective Standards. In addition to the direct contact summarized above, staff requested public input through the following media and social media resources:

- On the Town's website home page, What's New;
- On the Town's webpage dedicated to objective standards; and
- On the Town's social media accounts.

At this time, no public comments have been received.

CONCLUSION:

A. Summary

The Town of Los Gatos has prepared Draft Objective Standards for the review of multi-family and mixed-use development applications as required by State legislation. The Draft Objective Standards were developed following research by staff and the Town's consultant, five meetings with the Planning Commission subcommittee, and two community engagement meetings. Following input received from the Planning Commission on June 22, 2022, staff prepared revised Draft Objective Standards and other supporting materials for consideration by the Planning Commission.

B. Recommendation

The revised Draft Objective Standards have been forwarded to the Planning Commission for review. Staff recommends that the Planning Commission:

- Receive and consider public comments;
- Complete the review of the revised Draft Objective Standards; and
- Forward a recommendation to the Town Council to approve the revised Draft Objective Standards.

C. Alternatives

Alternatively, the Commission can:

1. Forward a recommendation of approval to the Town Council with additional and/or modified objective standards; or
2. Continue the matter to a date certain with specific direction to staff.

NEXT STEPS:

Following review and recommendation by the Planning Commission, the Town Council will consider the revised Draft Objective Standards, the Planning Commission recommendation, and any additional public comments. Once the Town Council adopts objective standards, staff will develop streamlined review procedures for applications proposing qualifying housing projects.

PAGE 4 OF 4

SUBJECT: Draft Objective Standards

DATE: August 19, 2022

EXHIBITS:

Previously received with the June 22, 2022, Staff Report:

1. Town Council Resolution 2019-053
2. Summary of feedback received during community engagement meetings
3. Draft Objective Standards
4. Public Comments received prior to 11:00 a.m., Friday, June 17, 2022

Previously received with the June 22, 2022, Addendum Report:

5. Staff response to Commissioner's questions
6. Issues considered by the Objective Standards Subcommittee
7. Commissioner email regarding City of Palo Alto Objective Standards

Received with the June 22, 2022, Desk Item Report:

8. Suggested additions and modifications provided by a Planning Commissioner

Received with this Staff Report:

9. Revised Draft Objective Standards
10. Revised Draft Objective Standards with Redlines
11. Summary of Revisions Made and Responses to Comments Received at the Planning Commission Hearing of June 22, 2022
12. Evaluation of Existing Developments

TOWN OF LOS GATOS
DRAFT OBJECTIVE STANDARDS
August 24, 2022

PURPOSE AND APPLICABILITY

The purpose of the Objective Design Standards is to ensure that new qualifying projects in Los Gatos provide high-quality architecture, integrate with surrounding development, and include well-designed amenities and outdoor areas to enhance community character. These standards are intended to guide property owners, applicants, developers, and design professionals by providing clear design direction that enhances the Town's unique character and ensures a high-quality living environment.

A qualifying project is a Housing Development Project as defined in Gov. Code 65589.5 in zones where the use is principally permitted. Housing Development Projects shall comply with the Objective Design Standards, and include multi-family housing, residential mixed-use projects with at least two-thirds of the square footage designated for residential use, or supportive and transitional housing.

Qualifying projects must also comply with all existing development requirements in the Town, including but not limited to:

- General Plan
- Town Code
- Guidelines and Standards for Land Use Near Streams
- Bicycle and Pedestrian Master Plan
- Parks and Public Works Standards
- Santa Clara County Fire Department Requirements

ORGANIZATION

The following Objective Design Standards are organized into two primary sections: Site Standards; and Building Design. The Site Standards section includes objective standards for site layout and building placement, vehicular access and parking, and outdoor areas and amenities. The Building Design section includes objective standards for building form and massing, façade articulation, materials, and roof design.

KEY TERMS

Community recreation space in mixed-use developments means public gathering spaces, such as: plazas, outdoor dining areas, squares, pocket parks, or other community areas for the use of the public. *Community recreation space* in multi-family developments means gathering spaces, such as: play areas, pool areas, patios, rooftop decks, or other community areas for the use of residents.

Façade articulation means the division of a building façade into distinct sections; including the materials, patterns, textures, and colors that add visual interest to a building or façade.

Fenestration means the design, construction, and presence of any openings in a building, such as: windows, doors, vents, wall panels, skylights, curtain walls, and louvers.

Mixed-use means a development project where a variety of uses such as office, commercial, institutional, and residential are combined in a single building or on a single site in an integrated project.

Multi-family use means the use of a site for three or more dwelling units on the same site.

Landscaping means an area devoted to plantings, lawn, ground cover, gardens, trees, shrubs, and other plant materials; excluding driveways, parking, loading, or storage areas.

Primary building means a building within which the principal or main use on a lot or parcel is conducted. Where a permissible use involves more than one building designed or used for the primary purpose on the subject property, each such building on the parcel shall be construed as constituting a primary building.

Private recreation space at the ground level means a single outdoor enclosed patio or deck. *Private recreation space* above the ground level means an outdoor balcony, rooftop deck, or similar.

Transitional and supportive housing means a type of housing used to facilitate the movement of people experiencing homelessness into permanent housing and independent living.

A. SITE STANDARDS

A.1. Pedestrian Access

- 1.1 All on-site buildings, entries, facilities, amenities, and parking areas shall be internally connected with pedestrian pathways and may include use of the public sidewalk. Pedestrian pathways shall connect to the public sidewalk along each street.
- 1.2 Pedestrian pathways within internal parking areas shall be separated from vehicular circulation by a physical barrier, such as a grade separation or a raised planting strip, of at least six inches in height and at least six feet in width.

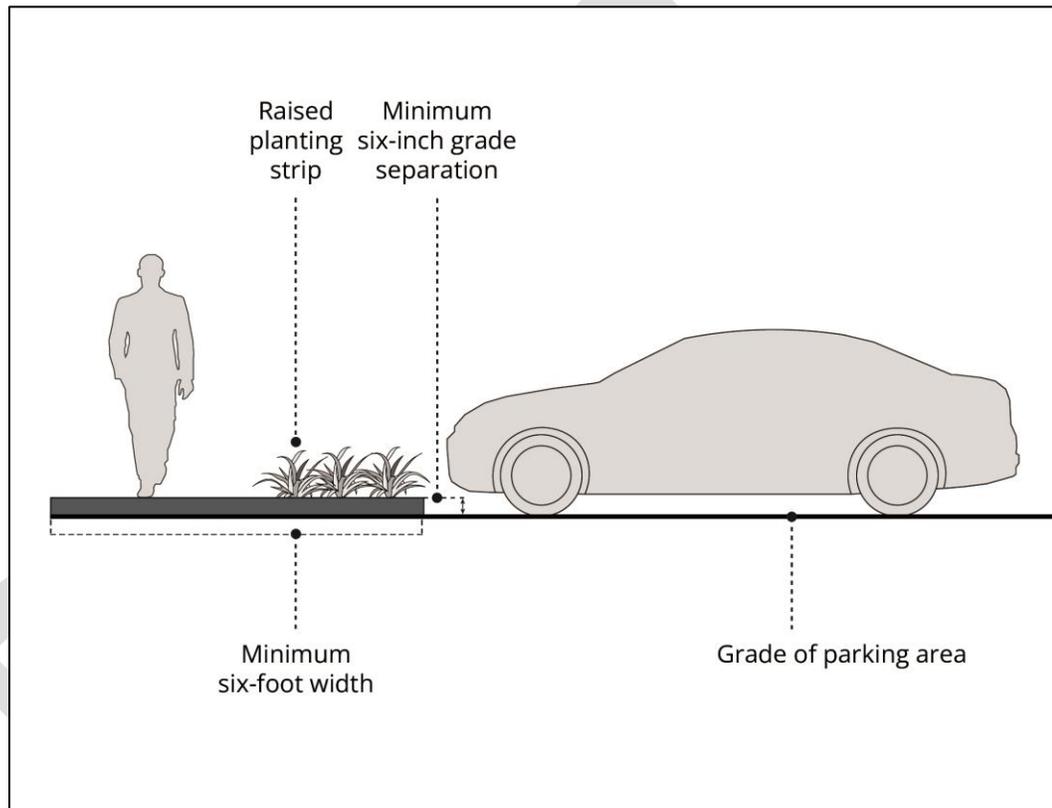


Figure A.1.2

A.2. Bicycle Access

- 2.1 Bicycle parking shall be located within 50 feet of at least one primary building entrance.
- 2.2 Multi-family residential buildings shall provide one bicycle parking space per dwelling unit.
- 2.3 Mixed-use projects shall provide one bicycle parking space per dwelling unit and one bicycle parking space per 2,000 square feet of commercial space.
- 2.4 A minimum five-foot-wide walkway shall be provided connecting the bicycle parking area(s) and the street-facing sidewalk.

A.3. Vehicular Access

- 3.1 Off-street parking shall have internal vehicular circulation that precludes the use of a street for aisle-to-aisle circulation.

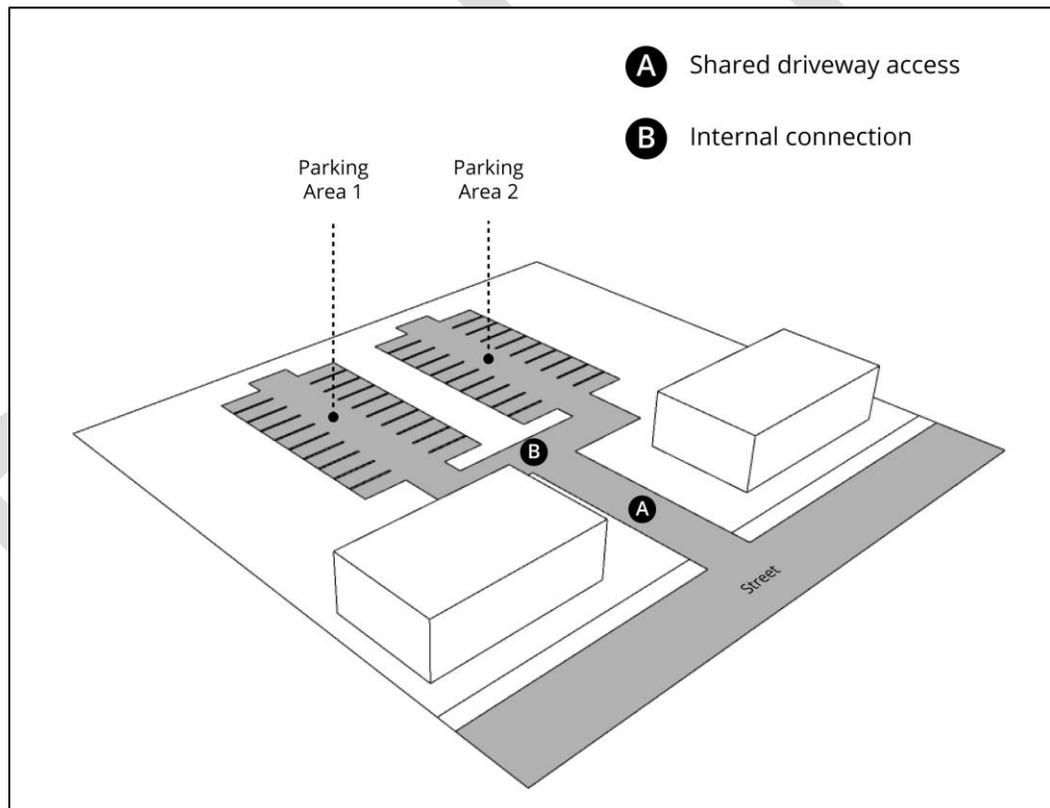


Figure A.3.1

A.4. Parking Location and Design

- 4.1 Driveways and surface parking lots shall not be located between the primary building frontage and the street.
- 4.2 Multiple parking areas located on a common property shall be internally connected and shall use shared driveways to access the street.
- 4.3 Uncovered parking rows with at least 15 consecutive parking spaces shall include a landscape area of six feet minimum width at intervals of no more than 10 consecutive parking stalls. One tree shall be provided in each landscape area.

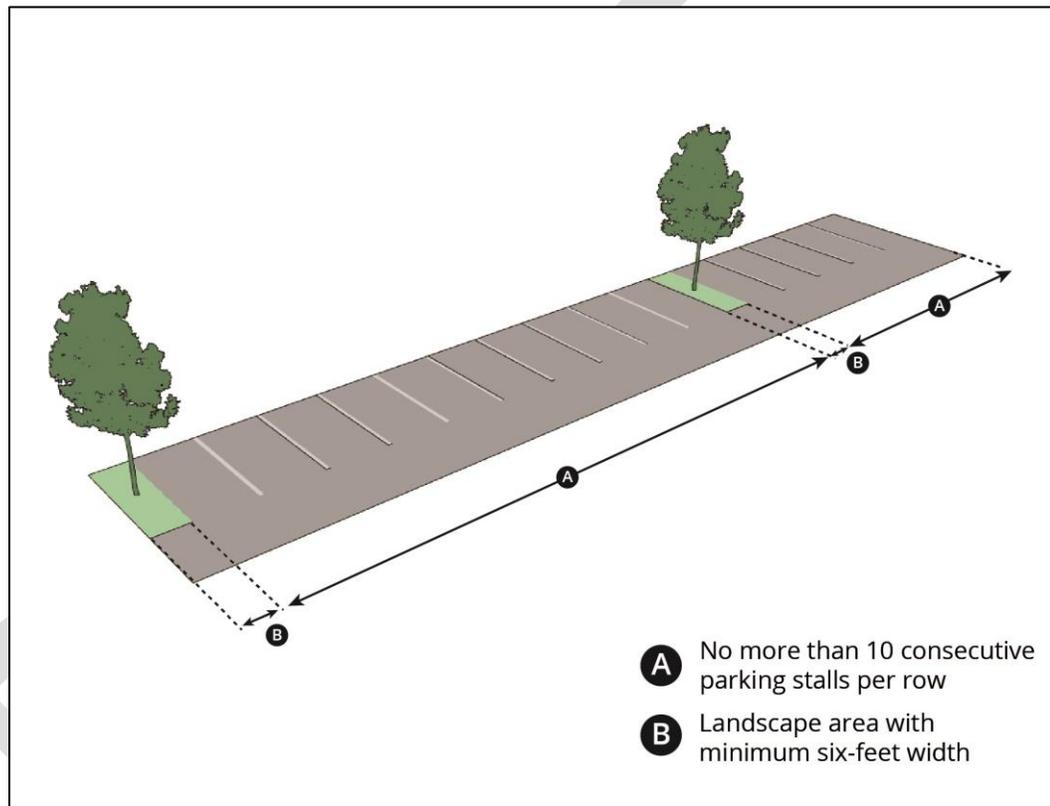


Figure A.4.3

- 4.4 Carports shall not be located between a primary building and a street.

A.5. Parking Structure Access

- 5.1 Any automobile entry gate to a parking structure shall be located to allow a minimum of 25 feet between the gate and the back of the sidewalk to minimize conflicts between sidewalks and vehicle queuing.
- 5.2 A parking structure shall not occupy more than 50 percent of the building width of any street-facing façade and shall be recessed a minimum five feet from street-facing façades of the building.

A.6. Utilities

- 6.1 Pedestrian-oriented lighting shall be provided along all pedestrian paths in community recreation spaces. Exterior lighting fixtures shall be a minimum of three feet and a maximum of 12 feet in height. Light fixtures shall be placed along the pedestrian path at a spacing of no more than 30 linear feet.
- 6.2 Exterior lighting shall be fully shielded and restrain light to a minimum 30 degrees below the horizontal plane of the light source. Lighting shall be arranged so that the light will not shine directly on lands of adjacent residential zoned properties. Uplighting is prohibited.

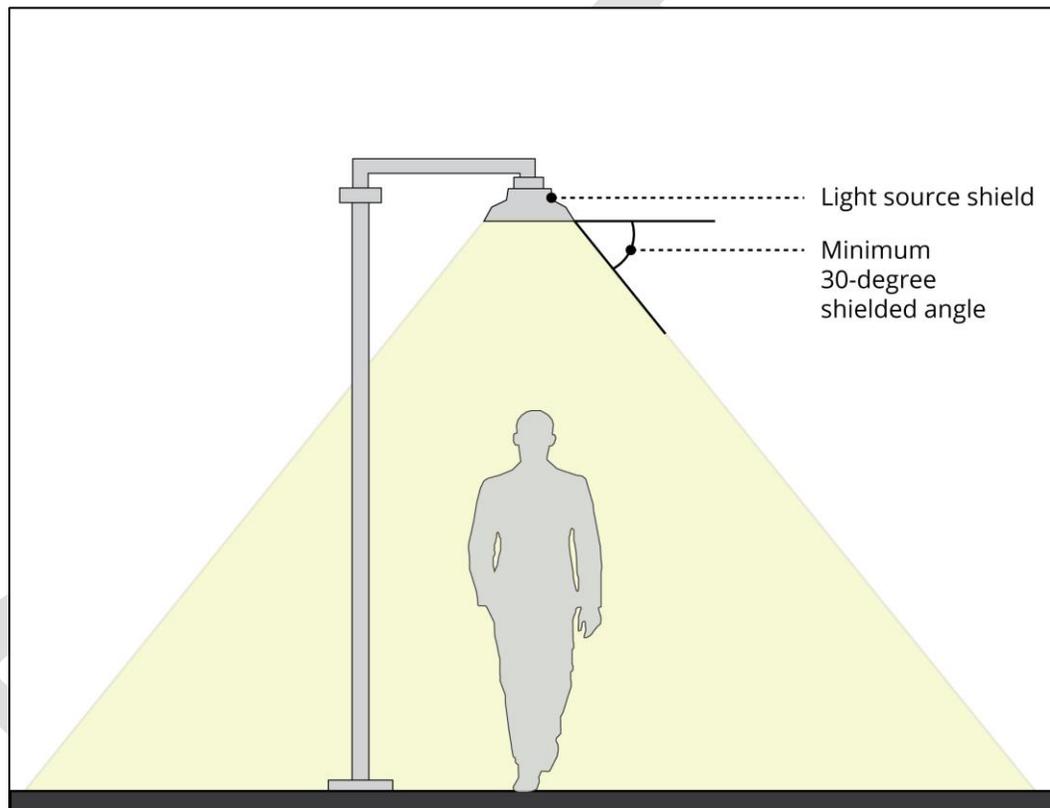


Figure A.6.2

- 6.3 Rooftop and ground-mounted utility cabinets, mechanical equipment, trash, and service areas shall be screened from view from the street with landscape planting, fencing, or a wall. The screening shall be at least the same height as the item being screened and shall be constructed with one or more of the materials used on the primary building. Solar equipment is exempt from this requirement.

A.7. Landscaping and Screening

- 7.1 At least 50 percent of the front setback area shall be landscaped.
- 7.2 A minimum 10-foot-wide landscape buffer shall be provided along the full length of the shared property line between multi-family or mixed-use development and abutting residential properties. The buffer shall include the following:
 - a. A solid masonry wall with a six-foot height, except within a street-facing setback where walls are not permitted; and

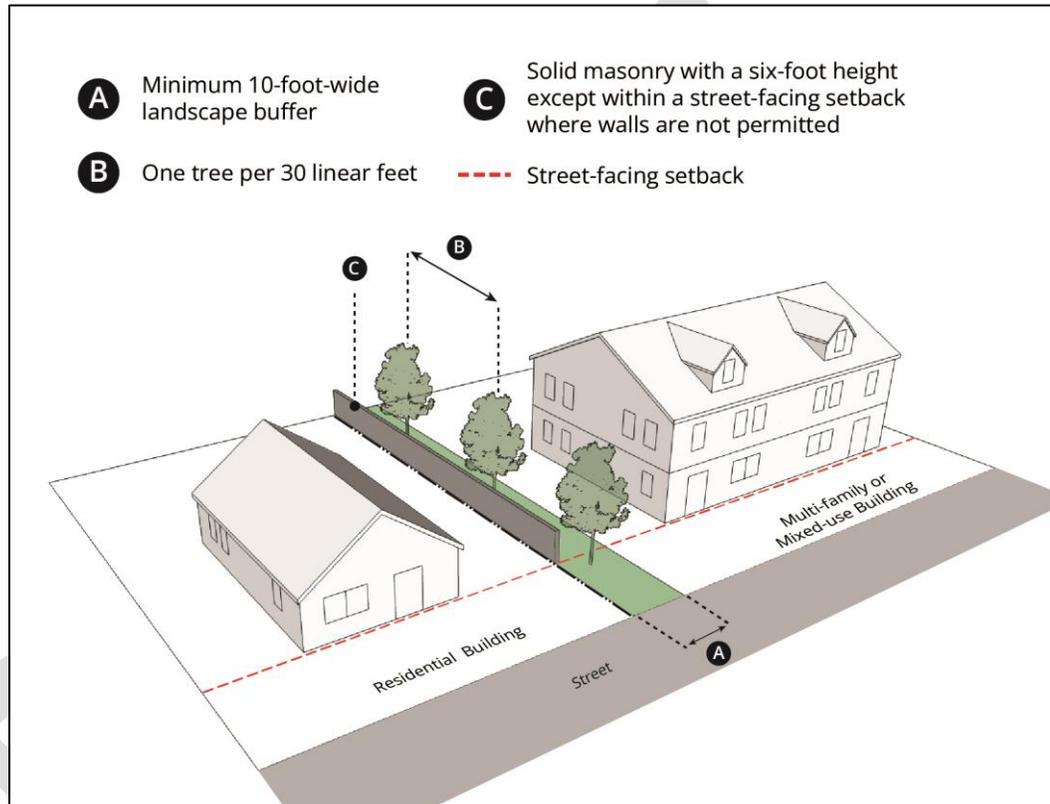


Figure A.7.2a

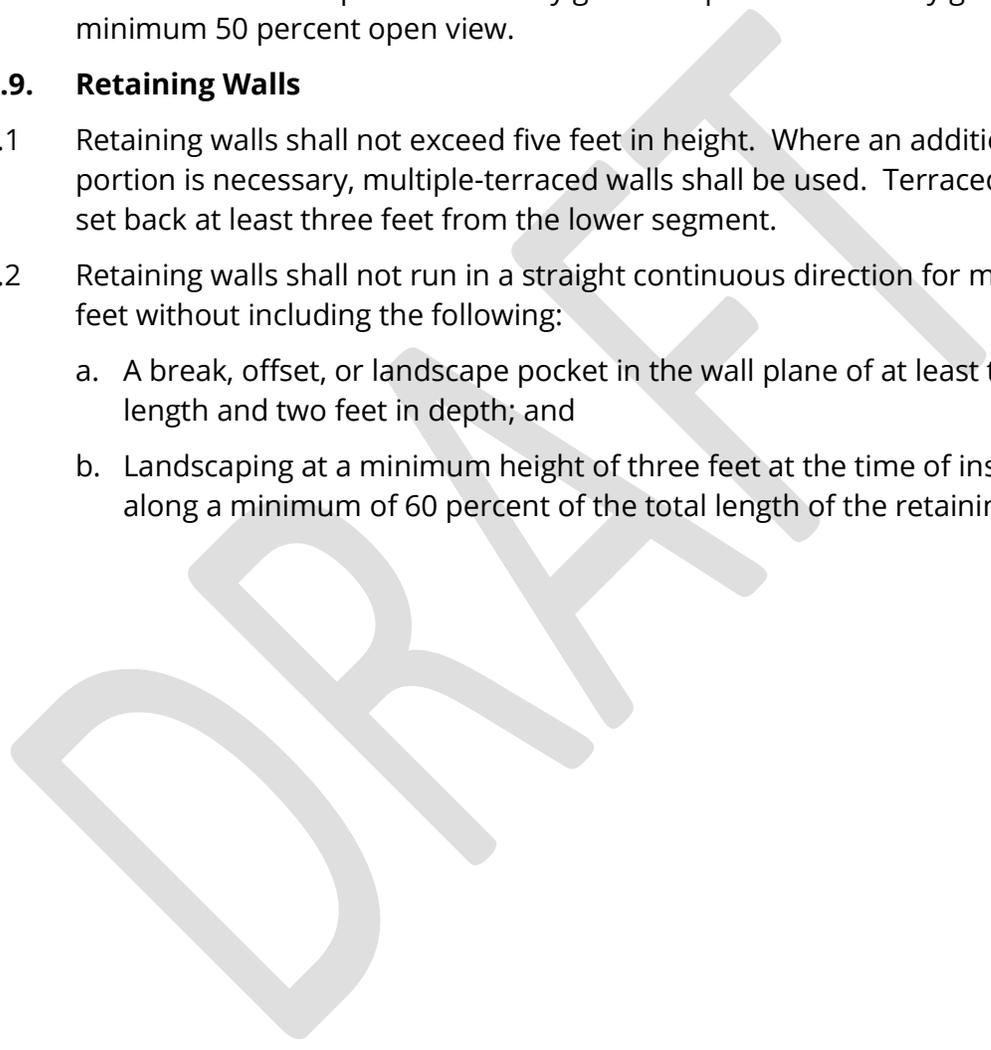
- b. Trees planted at a rate of at least one tree per 30 linear feet along the shared property line. Tree species shall be selected from the Town of Los Gatos Master Street Tree List and shall be a minimum 15-gallon size.
- 7.3 Surface parking lots shall be screened from view of the street with landscaping or a wall with a minimum three-foot height to screen the parking lot. When located in a street-facing setback, screening may not exceed a height of three feet.

A.8. Fencing

- 8.1 Fences, walls, hedges, and gates within required setbacks along all street frontages shall have a maximum height of three feet.
- 8.2 Chain link fencing is prohibited.
- 8.3 Vehicular entry gates and pedestrian entry gates shall have a maximum height of six feet.
- 8.4 Solid vehicular and pedestrian entry gates are prohibited. Entry gates shall be a minimum 50 percent open view.

A.9. Retaining Walls

- 9.1 Retaining walls shall not exceed five feet in height. Where an additional retained portion is necessary, multiple-terraced walls shall be used. Terraced walls shall set back at least three feet from the lower segment.
- 9.2 Retaining walls shall not run in a straight continuous direction for more than 50 feet without including the following:
 - a. A break, offset, or landscape pocket in the wall plane of at least three feet in length and two feet in depth; and
 - b. Landscaping at a minimum height of three feet at the time of installation along a minimum of 60 percent of the total length of the retaining wall.



A.10. Landscaped, Private, and Community Recreation Spaces

- 10.1 The following landscaped, private, and community recreation spaces are required for all qualifying projects and are calculated independent of each other:
- a. Landscaped space: A minimum of 20 percent of the site area shall be landscaped.
 - b. Private recreation space: The minimum horizontal dimensions are 10 feet by six feet. The minimum vertical clearance required is eight feet. Private recreation space shall be directly accessible from the residential unit.
 - i. Each ground floor dwelling unit shall have a minimum of 200 square feet of usable private recreation space.
 - ii. Each dwelling unit above the ground floor shall have 120 square feet of usable private recreation space.
 - c. Community recreation space: The minimum dimensions are 10 feet by six feet. A minimum of 60 percent of the community recreation space shall be open to the sky and free of permanent solid-roofed weather protection structures. Community recreation space shall provide shading for a minimum 15 percent of the community recreation space by either trees or structures, such as awnings, canopies, umbrellas, or a trellis. Tree shading shall be calculated by using the diameter of the tree crown at 15 years maturity. Shading from other built structures shall be calculated by using the surface area of the overhead feature.
 - i. Community recreation space shall be provided in mixed-use developments at a minimum of 200 square feet per residential unit plus a minimum of two percent of the commercial square footage.
 - ii. Community recreation space shall be provided in multi-family residential development projects at a minimum of 200 square feet per residential unit.

A.11. Building Placement

- 11.1 To create a continuous streetscape appearance, development in a Community Place Growth shall place at least 75 percent of the ground floor of a building within five feet of the front and street-side setback (where applicable) requirement of the Town Code.

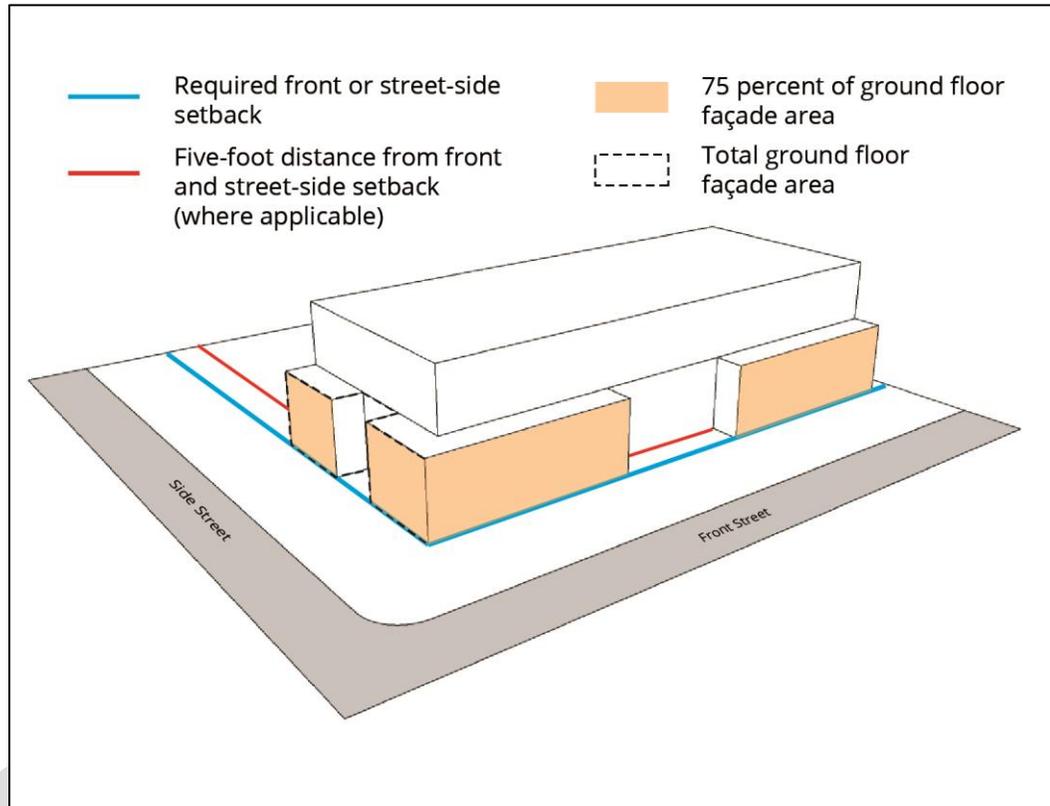


Figure A.11.1

- 11.2 A mixed-use residential project with a ground-floor commercial use shall provide site amenities on a minimum of 15 percent and maximum of 30 percent of the ground plane between the building and the front or street-side property line. The site amenities shall be comprised of any of the following elements:
- Landscape materials or raised planters;
 - Walls designed to accommodate pedestrian seating, no higher than 36 inches;
 - Site furnishings, including fountains, sculptures, and other public art; or
 - Tables and chairs associated with the ground floor use.

B. BUILDING DESIGNS

B.1. Massing and Scale

1.1 Multiple-story building façades that face a street shall incorporate breaks in the building mass by implementing a minimum of three of the following solutions along the façades facing the street:

- a. A minimum of 40 percent of the upper floor façade length shall step back from the plane of the ground-floor façade by at least five feet;

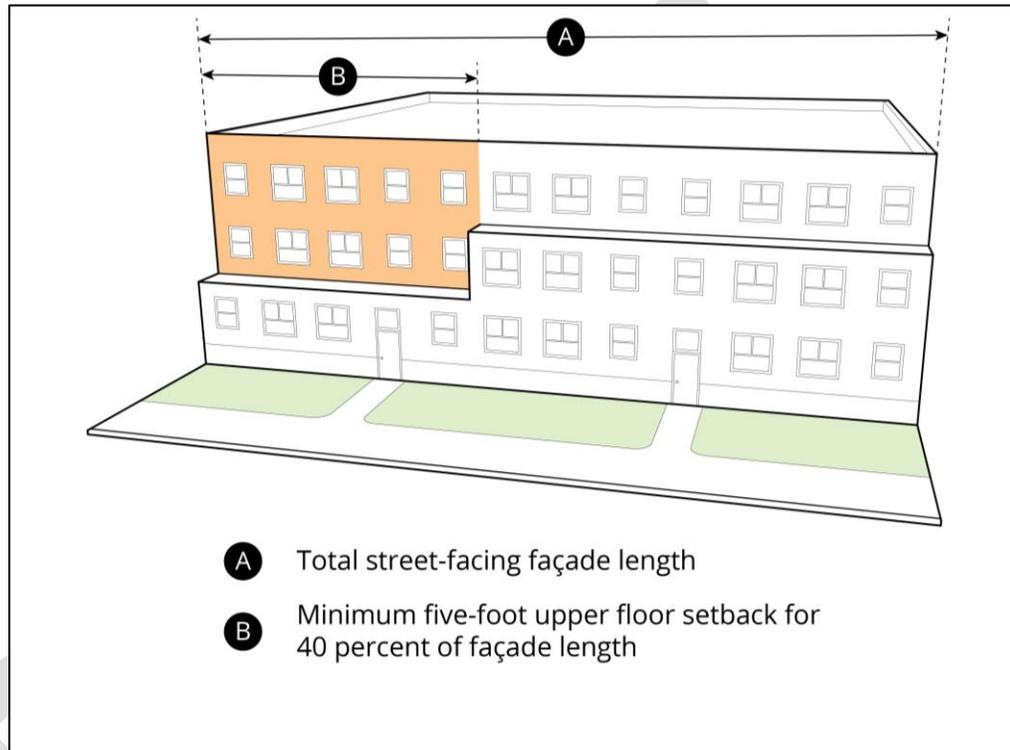


Figure B.1.1a

- b. Changes in the façade plane with a minimum change in depth of two feet for a minimum length along the façade of two feet at intervals of no more than 30 feet;

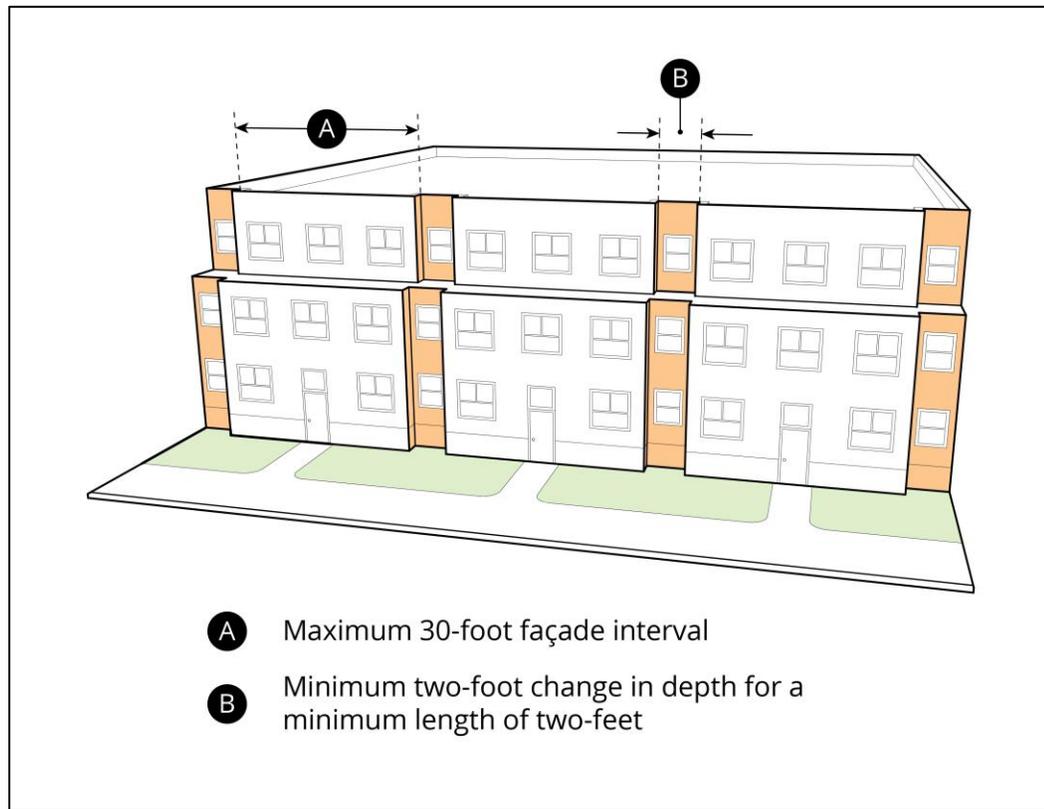


Figure B.1.1b

- c. Recessed building entry for the full height of the facade with a minimum ground plane area of 24 square feet;



Figure B.1.1c

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- d. An exterior arcade that provides a sheltered walkway within the building footprint with a minimum depth of eight feet, extending the full length of the façade;

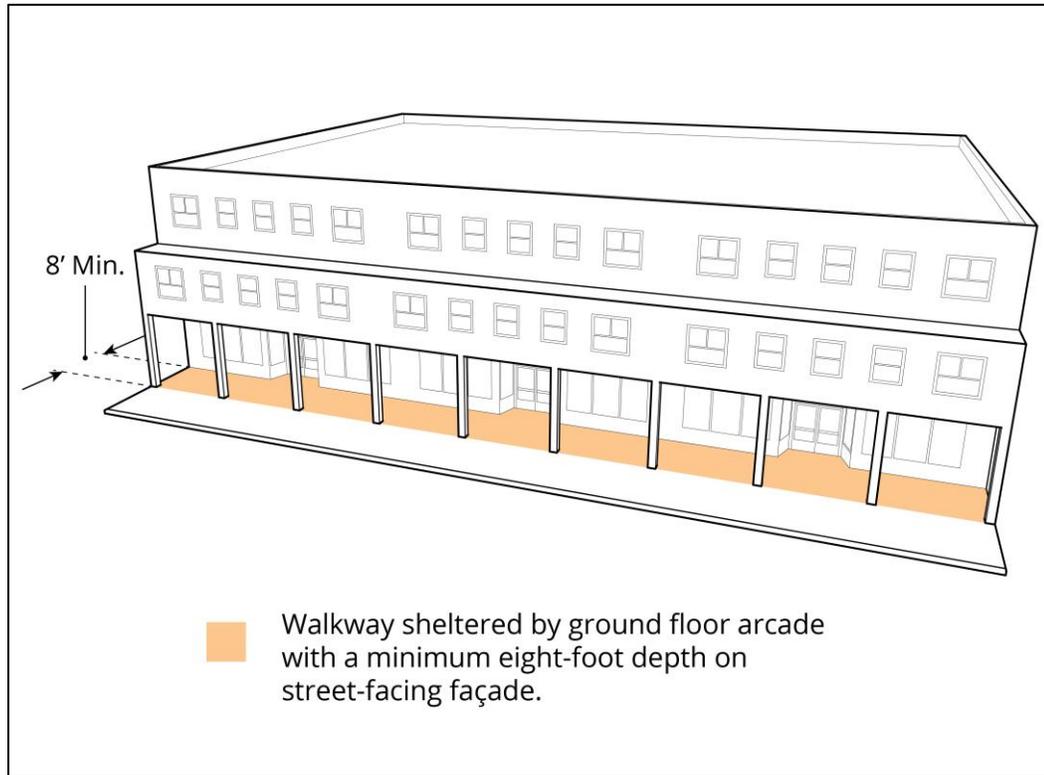


Figure B.1.1d

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- e. Ground floor courtyards within the building footprint with a minimum area of 60 square feet; or



Figure B.1.1e

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- f. Vertical elements, such as pilasters or columns, that protrude a minimum of one foot from the façade and extend the full height of the building base or ground floor, whichever is greater.

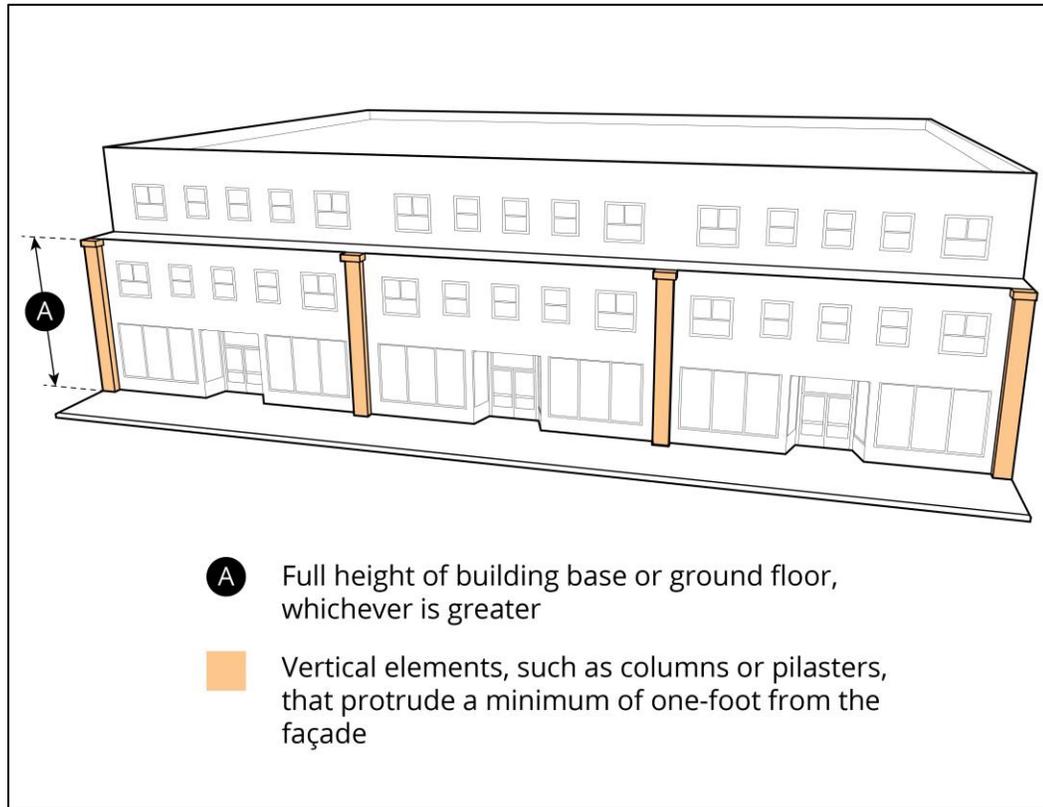


Figure B.1.1f

- 1.2 Upper floors above two stories shall be set back by a minimum of five feet from the ground-floor façade.
- 1.3 Townhomes or rowhouses shall have no more than six contiguous units in any single building.

B.2. Parking Structure Design

- 2.1 The ground-floor façade of a parking structure facing a street or pedestrian walkway shall be fenestrated on a minimum of 40 percent of the façade.
- 2.2 Façade openings on upper levels of a parking structure shall be screened up to 30 percent of the opening to prevent full transparency into the structure.
- 2.3 Parking structures facing a street and greater than 40 feet in length shall include landscaping between the building façade and the street, or façade articulation of at least 25 percent of the façade length. The façade articulation shall be implemented by one of the following solutions:
 - a. An offset of the façade plane with a depth of at least 18 inches for a minimum of eight feet in horizontal length; or
 - b. A different building material covering the entire façade articulation.

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B.3. Roof Design

- 3.1 At intervals of no more than 40 feet along the building façade, horizontal eaves shall be broken using at least one of the following strategies:
- Gables;
 - Building projection with a depth of a minimum of two feet;
 - Change in façade or roof height of a minimum of two feet;
 - Change in roof pitch or form; or
 - Inclusion of dormers, parapets, and/or varying cornices.



Figure B.3.1

- 3.2 Skylights shall have a flat profile rather than domed.
- 3.3 The total width of a single dormer or multiple dormers shall not exceed 50 percent of the length of the roof.



Figure B.3.3

- 3.4 Carport roof materials shall be the same as the primary building.

B.4. Façade Design and Articulation

4.1 Buildings greater than two stories shall be designed to differentiate the base, middle, and top of the building on any street-facing façade. Each of these elements shall be distinguished from one another using at least two of the following solutions:

- a. Variation in building mass for a minimum of 60 percent of the length of the street-facing façade through changes in the façade plane that protrude or recess with a minimum dimension of two feet;

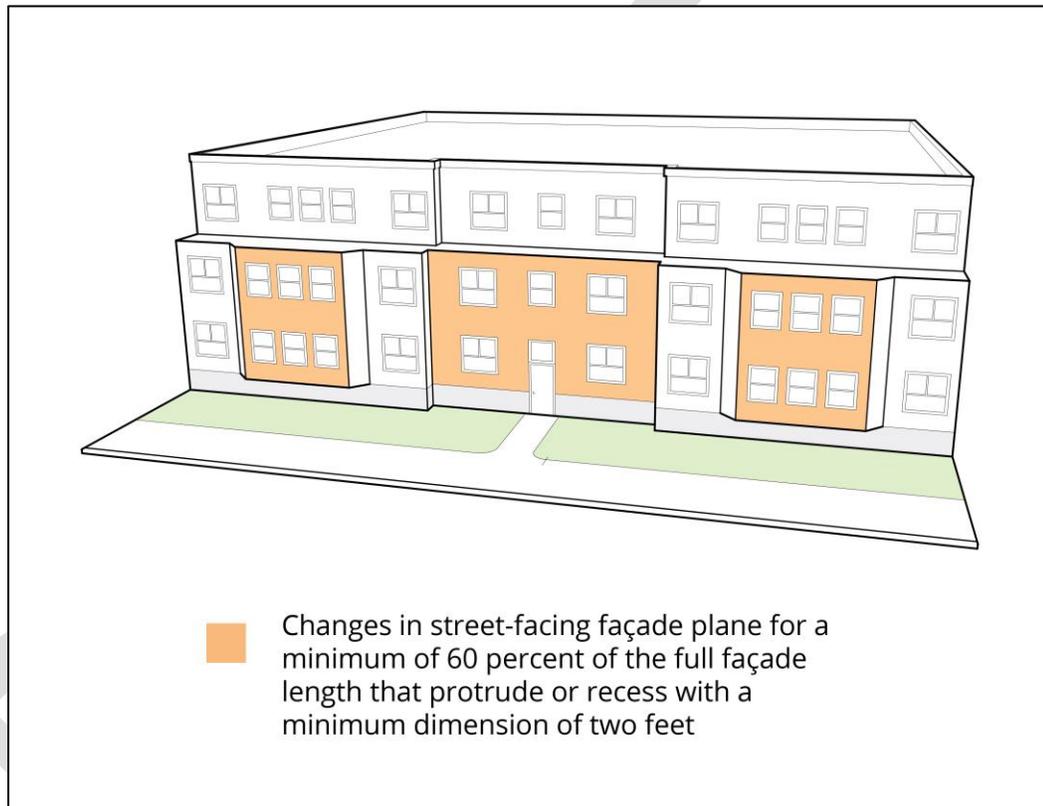


Figure B.4.1a

- b. Balconies or habitable projections with a minimum depth of two feet for a minimum of 20 percent length of the street-facing façade;

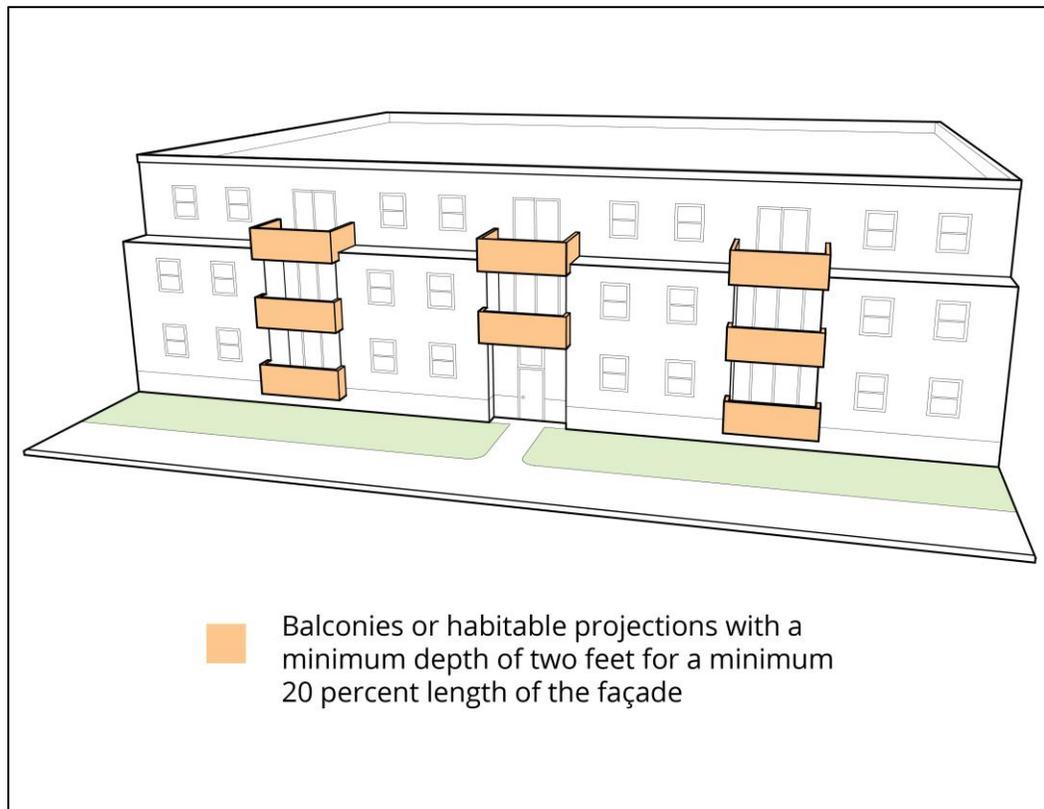


Figure B.4.1b

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- c. Variation in façade articulation, using shade and weather protection components, projecting a minimum of three feet for a minimum of 20 percent length from the street-facing-façade;

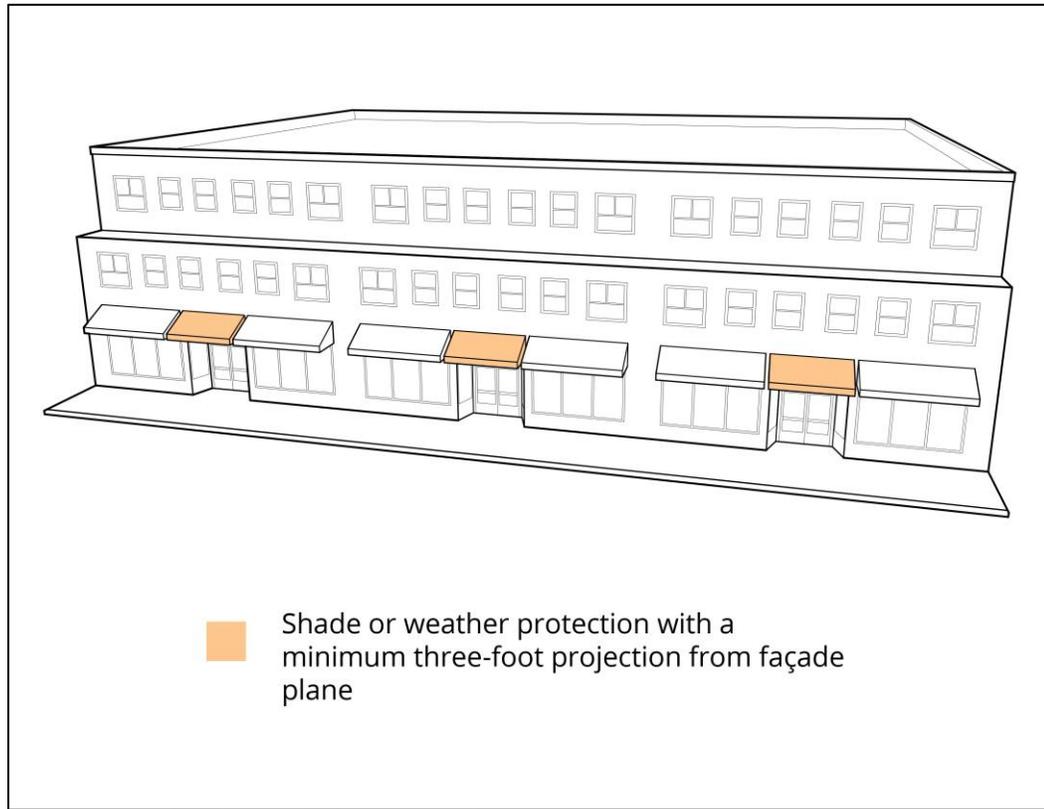


Figure B.4.1c

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- d. Use of a belly band or horizontal architectural element with a minimum height of 10 inches between the first and second floor;

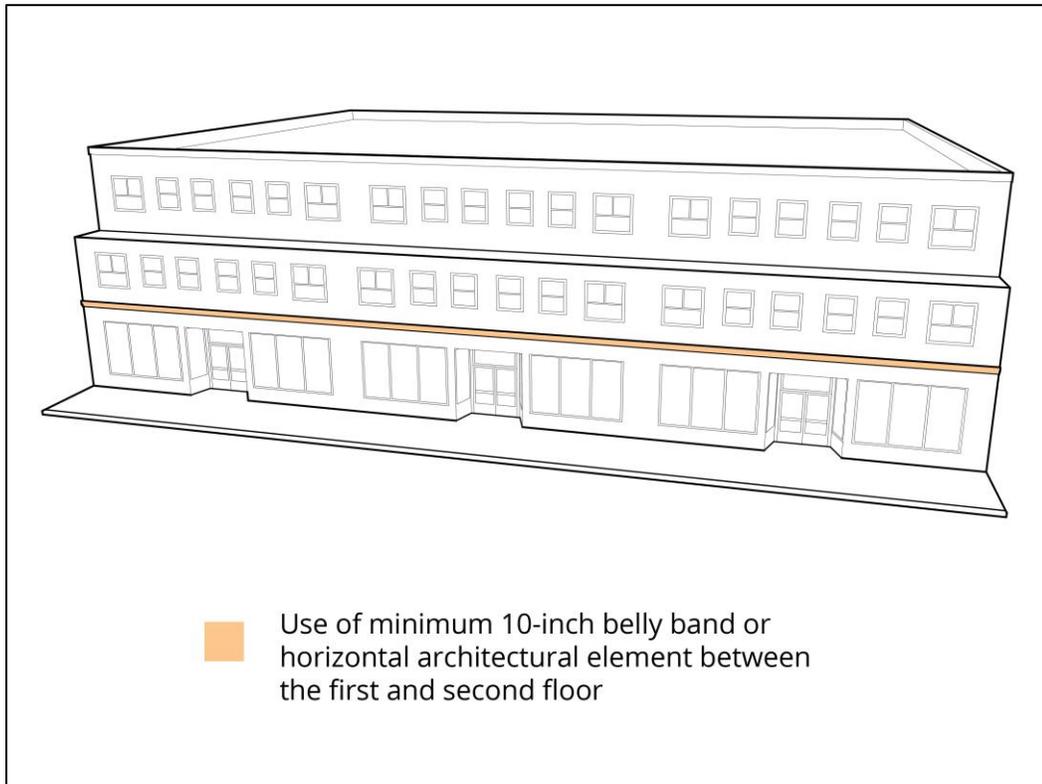


Figure B.4.1d

- e. The use of at least two different façade materials, each covering a minimum of 20 percent of the street-facing façade, or

- f. The upper floor shall utilize a higher floor-to-ceiling height that is a minimum of two feet greater than the floor-to-ceiling height of the floor immediately below.

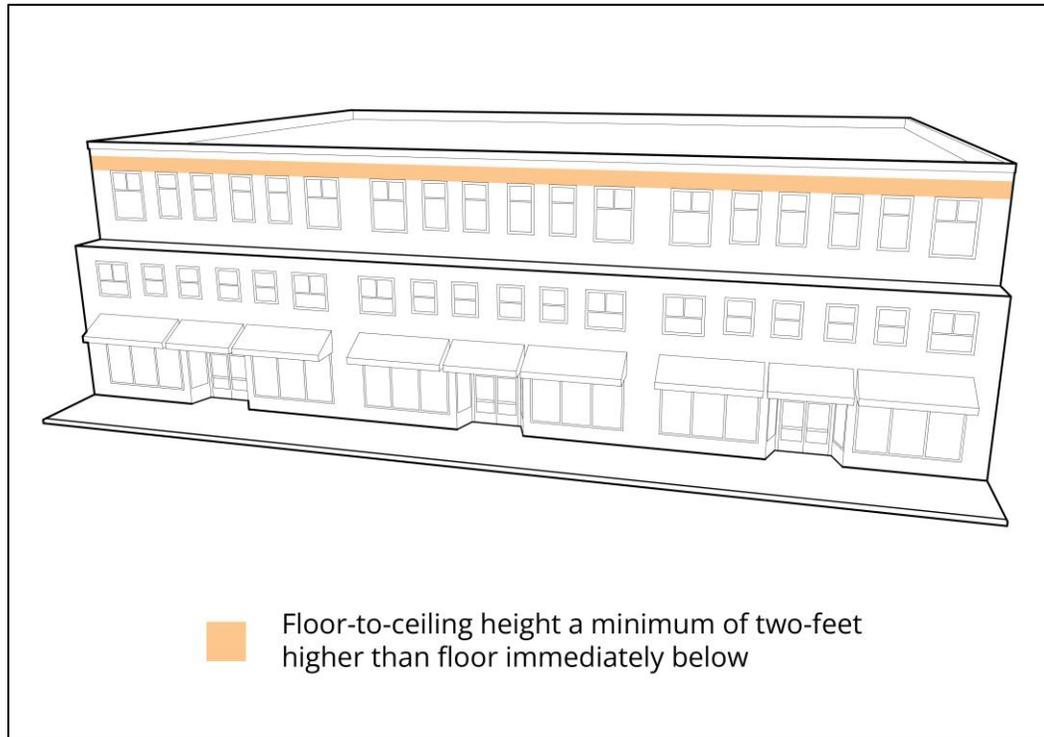


Figure B.4.1f

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- 4.2 All façade materials, such as siding, window types, and architectural details, used on the street-facing façade shall be used on all other building façades.
- 4.3 Variation in the street-facing façade planes shall be provided for buildings greater than one story by incorporating any combination of the following architectural solutions to achieve a minimum of 16 points:
- Architectural features, such as:
 - Arcade or gallery along the ground floor; 8 points
 - Awnings or canopies; 6 points
 - Building cornice; 5 points
 - Belly band, or horizontal architectural element, between the first and second floor; or 5 points
 - Façade sconce lighting. 3 points
 - Bay windows; 6 points
 - Balconies or Juliet balconies; 5 points
 - Landscaped trellises or lattices; 5 points
 - Materials and color changes; 3 points
 - Chimneys; 3 points
 - Eaves that overhang a minimum of two feet from the facade with supporting brackets; 3 points
 - Window boxes or plant shelves; or 3 points
 - Decorative elements such as molding, brackets, or corbels. 3 points
- 4.4 Garage doors shall be recessed a minimum of 12 inches from the façade plane and along the street-facing façade shall not exceed 40 percent of the length of the building façade.

- 4.5 Changes in building materials shall occur at inside corners or at architectural features that break up the façade plane such as columns.

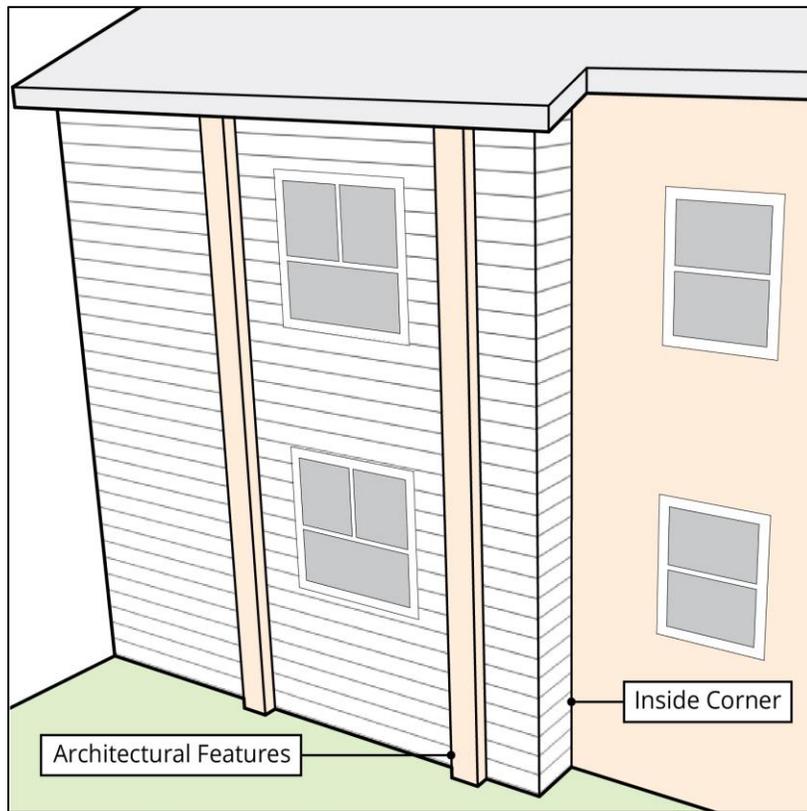


Figure B.4.5

- 4.6 A primary building entrance shall be provided facing a street or community recreation space. Additionally, all development shall meet the following requirements:
- a. Pedestrian entries to ground-floor and upper-floor commercial uses shall meet at least one of the following standards:
 - i. The entrance shall be recessed in the façade plane at least three feet in depth; or
 - ii. The entrance shall be covered by an awning, portico, or other architectural element projecting from the façade a minimum of three feet.

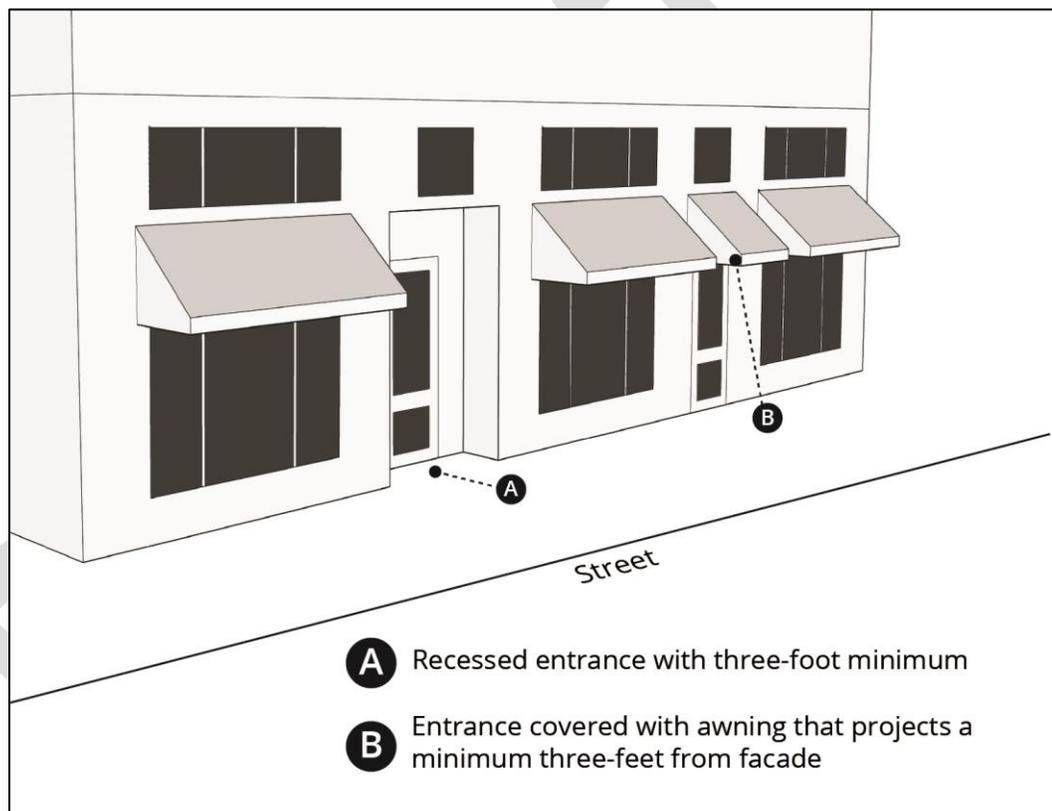


Figure B.4.6a

- b. For ground-floor commercial uses, façades facing a street shall include windows, doors, or openings for at least 60 percent of the building façade that is between two and 10 feet above the level of the sidewalk.

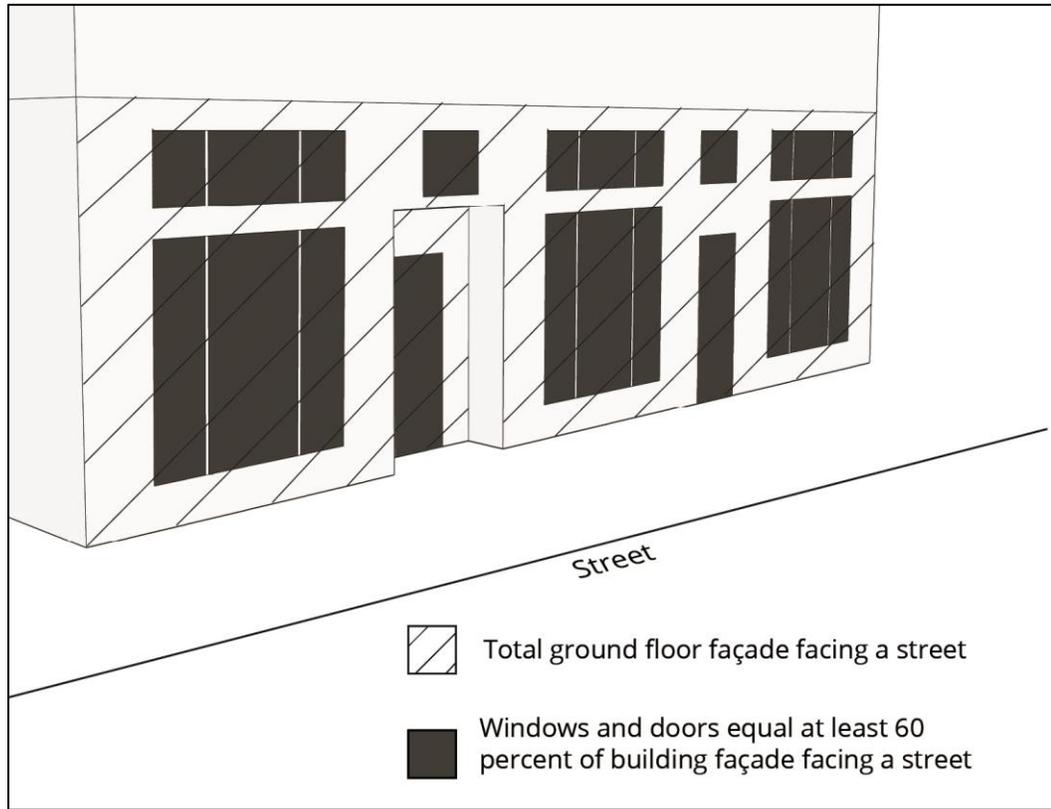


Figure B.4.6b

- 4.7 Pedestrian entries to buildings shall meet minimum dimensions to ensure adequate access based on use and development intensity. Building entries inclusive of the doorway and the facade plane shall meet the following minimum dimensions:
 - a. Individual residential entries: five feet in width
 - b. Single entry to multiple residential unit building, including mixed-use buildings: eight feet in width
 - c. Storefront entry: six feet in width

- 4.8 Mirrored windows are prohibited.
- 4.9 Awnings shall be subject to the following requirements:
 - a. A minimum vertical clearance of eight feet measured from the pedestrian pathway;
 - b. Shall not extend beyond individual storefront bays; and
 - c. Shall not be patterned or striped.
- 4.10 For buildings abutting a single-family zoning district, rooftop and upper floor terraces and decks are prohibited.
- 4.11 Balconies are allowed on facades facing the street and those facades facing existing non-residential uses on abutting parcels. Balconies facing existing residential uses on abutting parcels are allowed when the design is proven to prevent views to the residential use. Such balconies shall be without any projections beyond the building footprint.
- 4.12 Mixed-use buildings shall provide at least one of the following features along street-facing façades where the façade exceeds 50 feet in length:
 - a. A minimum five-foot offset from the façade plane for a length of at least 10 feet;
 - b. Multiple pilasters or columns, each with a minimum width of two feet; or
 - c. Common open space, such as a plaza, outdoor dining area, or other spaces.
- 4.13 Continuous blank façades on any floor level shall not exceed 25 percent of the entire façade length along any street.

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TOWN OF LOS GATOS
DRAFT OBJECTIVE STANDARDS
August 24, 2022

PURPOSE AND APPLICABILITY

The purpose of the Objective Design Standards is to ensure that new qualifying ~~multi-family and mixed-use~~ projects in Los Gatos provide high-quality architecture, integrate with surrounding development, and include well-designed amenities and ~~open spaces outdoor areas~~ to enhance community character. These standards are intended to guide property owners, applicants, developers, and design professionals by providing clear design direction that enhances the Town's unique character and ensures a high-quality living environment.

~~A qualifying project is a Housing Development Project as defined in Gov. Code 65589.5 in zones where the use is principally permitted. Housing Development Projects shall comply with the Objective Design Standards, and include multi-family housing, residential mixed-use projects with at least two-thirds of the square footage designated for residential use, or supportive and transitional housing.~~

~~Qualifying projects must also comply with all existing development requirements in the Town, including but not limited:~~

- ~~• General Plan~~
- ~~• Town Code~~
- ~~• Guidelines and Standards for Land Use Near Streams~~
- ~~• Bicycle and Pedestrian Master Plan~~
- ~~• Parks and Public Works Standards~~
- ~~• Santa Clara County Fire Department Requirements~~

ORGANIZATION AND APPLICABILITY

The following Objective Design Standards are organized into two primary sections: Site Standards; and Building Design. The Site Standards section includes objective standards for site layout and building placement, vehicular access and parking, and outdoor ~~spaces areas~~ and amenities. The Building Design section includes objective standards for building form and massing, façade articulation, materials, and roof design.

~~Qualifying multi-family and mixed-use projects must also comply with all existing development requirements in the Town Code, including but not limited to building code requirements, existing Town standards, adopted specific plans, and development standards such as height and setbacks. If there is any conflict between these standards and those in another adopted document, the more restrictive standard shall apply.~~

KEY TERMS

Community recreation space in mixed-use developments means public gathering spaces, such as: plazas, outdoor dining areas, squares, pocket parks, or other community areas for the use of the public. Community recreation space in multi-family developments means gathering spaces, such as: play areas, pool areas, patios, rooftop decks, or other community areas for the use of residents.

Façade articulation means the division of a building façade into distinct sections; including the materials, patterns, textures, and colors that add visual interest to a building or façade.

Fenestration means the design, construction, and presence of any openings in a building, such as: windows, doors, vents, wall panels, skylights, curtain walls, and louvers.

Mixed-use means a development project where a variety of uses such as office, commercial, institutional, and residential are combined in a single building or on a single site in an integrated project.

Multi-family use means the use of a site for three or more dwelling units on the same site.

Landscaping means an area devoted to plantings, lawn, ground cover, gardens, trees, shrubs, and other plant materials; excluding driveways, parking, loading, or storage areas.

Primary building means a building within which the principal or main use on a lot or parcel is conducted. Where a permissible use involves more than one building designed or used for the primary purpose on the subject property, each such building on the parcel shall be construed as constituting a primary building.

Private recreation space at the ground level means a single outdoor enclosed patio or deck. Private recreation space above the ground level means an outdoor balcony, rooftop deck, or similar.

Transitional and supportive housing means a type of housing used to facilitate the movement of people experiencing homelessness into permanent housing and independent living.

A. SITE STANDARDS

A.1. Pedestrian Access

- 1.1 All on-site buildings, entries, facilities, amenities, and parking areas shall be internally connected with pedestrian pathways and may include use of the public sidewalk. Pedestrian pathways shall connect to the public sidewalk along each street.
- 1.2 Pedestrian ~~walkways-pathways~~ within internal parking areas shall be separated from vehicular circulation by a physical barrier, such as a grade separation or a raised planting strip, of at least six inches in height and at least six feet in length.

Figure A.1.2

A.2. Bicycle Access

- 2.1 Bicycle parking shall be located within 50 feet of at least one primary building entrance.
- 2.2 Multi-family residential buildings shall provide one bicycle parking space per dwelling unit.
- 2.3 Mixed-use projects shall provide one bicycle parking space per dwelling unit and one bicycle parking space per 2,000 square feet of commercial space.
- 2.4 A minimum five-foot-wide walkway shall be provided connecting the bicycle parking area(s) and the street-facing sidewalk.

A.2.A.3. Vehicular Access

- 2.13.1 Off-street parking shall have internal vehicular circulation that precludes the use of a street for aisle-to-aisle circulation.

Figure A.23.1

A.3.A.4. Parking Location and Design

- 3.14.1 Driveways and surface parking lots shall not be located between the primary building frontage and the street.
- 3.24.2 Multiple parking areas located on a common property shall be internally connected and shall use shared driveways to access the street.

3.34.3 Uncovered parking rows with at least 15 consecutive parking spaces shall include a landscape area of six feet minimum width at intervals of no more than 10 consecutive parking stalls. One tree shall be provided in each landscape area.

Figure A.34.3

3.44.4 Carports shall not be located between a primary building and a street.

A.4.A.5. Parking Structure Access

4.15.1 Any automobile entry gate to a parking structure shall be located to allow a minimum of 25 feet between the gate and the back of the sidewalk to minimize conflicts between sidewalks and vehicle queuing.

4.25.2 A parking structure shall not occupy more than 50 percent of the building width of any street-facing façade and shall be recessed a minimum five feet from street-facing façades of the building.

A.5.A.6. Utilities

5.16.1 Pedestrian-oriented lighting shall be provided along all pedestrian paths in community recreation spaces. Exterior lighting fixtures shall be a minimum of three feet and a maximum of 15-12 feet in height. Light fixtures shall be placed along the pedestrian path at a spacing of no more than 30 linear feet.

5.26.2 Exterior lighting shall be fully shielded and restrain light to a minimum 30 degrees below the horizontal plane of the light source. Lighting shall be arranged so that the light will not shine directly on lands of adjacent residential zoned properties. Uplighting is prohibited.

Figure A.6.2

5.36.3 Rooftop and ground-mounted utility cabinets, mechanical equipment, trash, and service areas shall be screened from view from the street with landscape planting, fencing, or a wall. The screening shall be at least the same height as the item being screened and shall be constructed with one or more of the materials used on the primary building. Solar equipment is exempt from this requirement.

A.6.A.7. Landscaping and Screening

6.47.1 At least 50 percent of the front setback area shall be landscaped.

6.27.2 A minimum 10-foot-wide landscape buffer shall be provided along the full length of the shared property line between multi-family or mixed-use development and abutting residential properties. The buffer shall include the following:

a. A solid masonry wall with a six-foot height, except within a street-facing setback ~~where walls are not permitted, where the maximum permitted height is three feet; and~~

Figure A.76.2a

b. Trees planted at a rate of at least one tree per 30 linear feet along the shared property line. Tree species shall be selected from the Town of Los Gatos Master Street Tree List and shall be a minimum 15-gallon size; ~~and~~

~~6.37.3~~ Surface parking lots shall be screened from view of the street with landscaping or a wall with a minimum three-foot height to screen the parking lot. When located in a street-facing setback, screening may not exceed a height of three feet.

A.7.A.8. Fencing

~~7.18.1~~ Fences, walls, hedges, and gates within required setbacks along all street frontages shall have a maximum height of three feet.

~~7.28.2~~ Chain link fencing is prohibited.

~~7.38.3~~ Vehicular entry gates and pedestrian entry gates shall have a maximum height of six feet.

~~7.48.4~~ Solid vehicular and pedestrian entry gates are prohibited. Entry gates shall be a minimum 50 percent open view.

A.8.A.9. Retaining Walls

~~8.19.1~~ Retaining walls shall not exceed five feet in height. Where an additional retained portion is necessary, multiple-terraced walls shall be used. Terraced walls shall set back at least three feet from the lower segment.

~~8.29.2~~ Retaining walls shall not run in a straight continuous direction for more than 50 feet without including the following:

a. A break, offset, or landscape pocket in the wall plane of at least three feet in length and two feet in depth; and

b. Landscaping at a minimum height of three feet at the time of installation along a minimum of 60 percent of the total length of the retaining wall.

A.9.A.10. Open Landscaped, Private, and Community Recreation Spaces

- ~~9.1 — A minimum of 20 percent of the site area shall consist of landscaped open space. Landscaped open space may be in the form of trees, hedgerows, flowerbeds, or ground cover vegetation, such as grass.~~
- ~~9.2 — Common open space shall be provided in mixed-use developments in the form of public gathering spaces, such as plazas, outdoor dining areas, squares, or pocket parks. The space required is a minimum of 100 square feet per residential unit plus a minimum of two percent of the commercial square footage.~~
- ~~9.3 — Common open space shall be provided in multi-family residential development projects in the form of gathering spaces, such as play areas, pool areas, patios, rooftop decks, or other community areas for the use of residents. The minimum space required is 100 square feet per residential unit.~~
- ~~9.4 — Common open spaces shall provide shading for a minimum 15 percent of each open space area by either trees or structures, such as awnings, canopies, umbrellas, or a trellis. Tree shading shall be calculated by using the diameter of the tree crown at 15 years maturity. Shading from other built structures shall be calculated by using the surface area of the overhead feature.~~
- ~~10.1 — The following landscaped, private, and community recreation spaces are required for all qualifying projects and are calculated independent of each other:~~
- ~~a. Landscaped space: A minimum of 20 percent of the site area shall be landscaped.~~
 - ~~b. Private recreation space: The minimum horizontal dimensions are 10 feet by six feet. The minimum vertical clearance required is eight feet. Private recreation space shall be directly accessible from the residential unit.~~
 - ~~i. Each ground floor dwelling unit shall have a minimum of 200 square feet of usable private recreation space.~~
 - ~~ii. Each dwelling unit above the ground floor shall have 120 square feet of usable private recreation space.~~
 - ~~c. Community recreation space: The minimum dimensions are 10 feet by six feet. A minimum of 60 percent of the community recreation space shall be open to the sky and free of permanent solid-roofed weather protection structures. Community recreation space shall provide shading for a minimum 15 percent of the community recreation space by either trees or structures, such as awnings, canopies, umbrellas, or a trellis. Tree shading shall be calculated by using the diameter of the tree crown at 15 years maturity. Shading from other built structures shall be calculated by using the surface area of the overhead feature.~~

- i. Community recreation space shall be provided in mixed-use developments at a minimum of 200 square feet per residential unit plus a minimum of two percent of the commercial square footage.
- ii. Community recreation space shall be provided in multi-family residential development projects at a minimum of 200 square feet per residential unit.

A.10.A.11. Building Placement

10.111.1 To create a continuous streetscape appearance, development in a Community Place-Growth District shall place at least 75 percent of the ground floor of a building within five feet of the front and street-side setback (where applicable) requirement of the Town Code.

Figure A.1011.1

10.211.2 A mixed-use residential project with a ground-floor commercial use shall provide site amenities on a minimum of 15 percent and maximum of 30 percent of the ground plane between the building and the front or street-side property line. The site amenities shall be comprised of any of the following elements:

- a. Landscape materials or raised planters;
- b. Walls designed to accommodate pedestrian seating, no higher than 36 inches;
- c. Site furnishings, including fountains, sculptures, and other public art;
- or
- d. Tables and chairs associated with the ground floor use.

B. BUILDING DESIGNS

B.1. Massing and Scale

1.1 Multiple-story building façades that face a street shall incorporate breaks in the building mass by implementing a minimum of three of the following solutions along the façades facing the street:

- a. A minimum of 40 percent of the upper floor façade length shall step back from the plane of the ground-floor façade by at least six-five feet;

Figure B.1.1a

b. Changes in the façade plane with a minimum change in depth of two feet for a minimum length along the façade of two feet at intervals of no more than 30 feet;

Figure B.1.1b

c. Recessed ~~or projected covered~~ building entries ~~entry~~ for the full height of the façade with a minimum ground plane area of 24 square feet;

Figure B.1.1c

d. An exterior arcade that provides a sheltered walkway within the building footprint with a minimum depth of eight feet, extending the full length of the façade;

Figure B.1.1d

e. Ground floor courtyards within the building footprint with a minimum area of ~~48-60~~ square feet; or

Figure B.1.1e

f. Vertical elements, such as pilasters or columns, that protrude a minimum of one foot from the façade and extend the full height of the building base or ground floor, whichever is greater.

Figure B.1.1f

1.2 Upper floors above two stories shall be set back by a minimum of five feet from the ground-floor façade.

1.3 Townhomes or rowhouses shall have no more than six contiguous units in any single building.

B.2. Parking Structure Design

2.1 The ground-floor façade of a parking structure facing a street or pedestrian walkway shall be fenestrated on a minimum of 40 percent of the façade.

2.2 Façade openings on upper levels of a parking structure shall be screened up to 30 percent of the opening to prevent full transparency into the structure.

2.3 Parking structures facing a street and greater than 40 feet in length shall include landscaping between the building façade and the street, or façade articulation of at least 25 percent of the façade length. The façade articulation shall be implemented by one of the following solutions:

a. An offset of the façade plane with a depth of at least 18 inches for a minimum of eight feet in horizontal length; or

b. A different building material covering the entire façade articulation ~~change of 25 percent of the façade length.~~

B.3. Roof Design

3.1 At intervals of no more than 40 feet along the building façade, horizontal eaves shall be broken using at least one of the following strategies:

a. Gables;

b. Building projection with a depth of a minimum of two feet;

c. Change in façade or roof height of a minimum of four two feet;

d. Change in roof pitch or form; or

e. Inclusion of dormers, parapets, and/or varying cornices.

Figure B.3.1

3.2 Skylights shall have a flat profile rather than domed.

3.3 The total width of a single dormer or multiple dormers shall not exceed 50 percent of the length of the roof.

Figure B.3.3

~~3.4 — Eave depths shall not exceed 24 inches from the façade plane.~~

~~3.53.4~~ Carport roof materials shall be the same as the primary building.

B.4. Façade Design and Articulation

4.1 Buildings greater than two stories shall be designed to differentiate the base, middle, and top of the building on any street-facing façade. Each of these elements shall be distinguished from one another using at least two of the following solutions:

a. Variation in building mass for a minimum of ~~70~~60 percent of the length of the street-facing façade through changes in the façade plane that protrude or recess with a minimum dimension of two feet;

Figure B.4.1a

b. Balconies or habitable projections with a minimum depth of two feet for a minimum of 20 percent length of the street-facing façade;

Figure B.4.1b

c. Variation in façade articulation, using shade and weather protection components, projecting a minimum of three feet for a minimum of 20 percent length from the street-facing-façade;

Figure B.4.1c

d. Use of a belly band or horizontal architectural element with a minimum height of 10 inches between the first and second floor; ~~or~~

Figure B.4.1d

e. The use of at least two different façade materials, each covering a minimum of 20 percent of the street-facing façade, ~~or~~

f. The upper floor shall utilize a higher floor-to-ceiling height that is a minimum of two feet greater than the floor-to-ceiling height of the floor immediately below.

Figure B.4.1f (new Figure)

4.2 ~~Buildings shall incorporate the same materials on all façades. All building materials façade materials, such as siding, window types, and architectural details, used on the street-facing façade shall be used on all other building façades.~~

4.3 Variation in the street-facing façade planes shall be provided for buildings greater than one story by incorporating any combination of the following architectural solutions to achieve a minimum of ~~12~~16 points:

- Architectural features, such as:
 - Arcade or gallery along the ground floor; *8 points*
 - Awnings or canopies; *6 points*
 - Building cornice; *5 points*

- Belly band, or horizontal architectural element, between the first and second floor; or 5 points
- Façade sconce lighting. 3 points
- Bay windows; 6 points
- ~~Façade plane of upper floors steps back a minimum of five feet from the ground floor façade;~~ ~~6 points~~
- ~~Material and color changes;~~ ~~5 points~~
- Balconies or Juliet balconies; 5 points
- Landscaped trellises or lattices; 5 points
- Materials and color changes; 3 points
- Chimneys; 3 points
- Wide Eaves that overhangs a minimum of two feet from the facade with supporting projecting brackets; 3 points
- Window boxes or plant shelves; or 3 points
- Decorative elements such as molding, ~~ornamentation brackets,~~ or corbels. 3 points

~~4.4 Mixed-use buildings shall provide the following architectural elements along the ground floor:~~

~~a. A minimum of 60 percent of the street-facing façade between two and 10 feet above the adjacent grade shall consist of transparent windows; and~~

~~b. A form of weather protection above storefront entries that extends from the façade a minimum of three feet.~~

4.54.4 Garage doors shall be recessed a minimum of 12 inches from the façade plane and along the street-facing façade shall not exceed 40 percent of the length of the building façade.

4.64.5 Changes in building materials shall occur at inside corners or at architectural features that break up the façade plane such as columns.

Figure B.4.65

4.74.6 Mixed-use A primary building entrance shall be provided facing a street or community recreation space. Additionally, all development shall meet the following requirements:

- a. Pedestrian entries to ground-floor and upper-floor commercial uses shall meet at least one of the following standards:
 - i. The entrance shall be recessed in the façade plane at least three feet in depth; or
 - ii. The entrance shall be covered by an awning, portico, or other architectural element projecting from the façade a minimum of three feet.

Figure B.4.76a

b. For ground-floor commercial uses, façades facing a street shall include windows, doors, or openings for at least 60 percent of the building façade that is between two and 10 feet above the level of the sidewalk.

Figure B.4.76b

4.7 Pedestrian entries to buildings shall meet minimum dimensions to ensure adequate access based on use and development intensity. Building entries inclusive of the doorway and the facade plane shall meet the following minimum dimensions:

- a. Individual residential entries: five feet in width
- b. Single entry to multiple residential unit building, including mixed-use buildings: eight feet in width
- c. Storefront entry: six feet in width

4.8 Mirrored windows are prohibited.

~~4.9 A primary building entrance shall be provided facing a street or common opencommunity recreation space. All building entrances shall be recessed from the façade plane or covered by a building projection of at least three feet in depth measured from the wall plane. [if this edit works for you, I think we should move this Standard up to become B.4.7]~~

4.104.9 Awnings shall be subject to the following requirements:

- a. A minimum vertical clearance of eight feet measured from the pedestrian pathway;

- b. Shall not extend beyond individual storefront bays; and
- c. Shall not be patterned or striped.

4.114.10 For buildings abutting a single-family zoning district, rooftop and upper floor terraces and decks are prohibited.

4.124.11 ~~Balconies are allowed on facades facing the street and those facades facing existing non-residential uses on abutting parcels. Balconies facing existing residential uses on abutting parcels are allowed when the design is proven to prevent views to the residential use. For buildings abutting a single-family zoning district, balconies shall only be permitted on the street-facing building façade.~~ Such balconies shall be without any projections beyond the building footprint.

4.134.12 Mixed-use buildings shall provide at least one of the following features along street-facing façades where the façade exceeds 50 feet in length:

- a. A minimum five-foot offset from the façade plane for a length of at least 10 feet;
 - b. Multiple pilasters or columns, each with a minimum width of two feet;
- or
- c. Common open space, such as a plaza, outdoor dining area, or other spaces.

4.144.13 Continuous blank façades on any floor level shall not exceed 25 percent of the entire façade length along any street.

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Summary of Revisions Made and Responses to Comments Received at the Planning Commission Hearing of June 22, 2022

Line #	OLD #	NEW #	Comments Received	Staff Response
PUBLIC TESTIMONY				
1	--	--	In previous meetings, it was stated that there would be one unifying document of all objective standards. If we don't do this, it will be confusing for the public to understand. Document should be integrated.	Other applicable development requirements in the Town are now listed in the "Purpose and Applicability" section.
2	--	--	Define qualifying project.	"Qualifying Project" are now outlined in the "Purpose and Applicability" section.
3	--	--	Photos or graphics would be helpful for the public to understand the concepts.	Diagrams have been updated throughout the document.
4	--	--	The document covers many building types and the concepts should be broken up for each building type.	The document has not be modified to cover different building types. Staff does not recommend this approach as it will over-complicate the document.
COMMISSIONER DISCUSSION				
5	--	--	How will the objective standards document be viewed from a developer perspective?	The final formatting and application process for qualifying projects will be developed by staff after adoption of the final document. Staff will determine the best approach based on the final adopted document. All documents and applications will be made available on the Town's website.
6	--	--	Is this applicable to single-family?	No. "Qualifying Projects" is now outlined in the "Purpose and Applicability" section.
7	--	--	Will there still be discretionary review if an applicant does not want to follow these standards?	Yes.
8	--	--	What does "qualifying" mean in this sense?	"Qualifying Projects" are now outlined in the "Purpose and Applicability" section.
9	--	--	Discussion on amending Town Code and guideline documents.	The intent is that the document would be a stand-alone policy document without requiring any other amendments to existing Town documents. A stand-alone document, similar to the Hillside Development Standards and Guidelines, allows for increased flexibility through periodic updates that are more difficult to accomplish within the structure of the Town Code.
10	--	--	What happens if an element was not included in the objective standards?	The goal of the document is to include all relevant standards. Being a stand-alone policy document, staff can return with updates periodically as needed.
11	--	--	Likes the idea of real-world examples instead of simplistic diagrams.	Photographic examples of the concepts have the potential to communicate unintended values or design guidance. Diagrams have been updated throughout the document to better illustrate the concepts in a more realistic style. Staff does not recommend the use of photos in the document.
12	--	--	Is protection of views covered and considered? Do any other jurisdictions have objective standards for view protection?	Protection of views is not covered in the document. The concept was discussed in previous meetings and researched by the consultant. Staff is not aware of other jurisdictions having objective view standards. The Town would first need to adopt a view shed protection ordinance in order to include standards in the document to protect views. This would be a Council-level priority decision and is not appropriate for this policy document.
13	--	--	Since Palo Alto's standards are much more comprehensive, how should we move forward?	Palo Alto's ordinance includes both objective standards and context based design criteria formatted in line with one another. The context based criteria lines up with the Town's discretionary review application process. If there are specific pieces of objective standards from other jurisdictions that the Planning Commission thinks should be included in the Town's document, please let staff know.
14	--	--	There would be merit to having a more comprehensive document even if we are duplicating code.	From the onset, the goal was to avoid duplication of the Town Code. Staff has revised the document to eliminate unnecessary duplication of the Town Code.
15	--	--	Clearly describe that there are objective standards in other areas - we should list them in this document.	Other applicable development requirements in the Town are now listed in the "Purpose and Applicability" section.
16	--	--	We should be consistent about when we duplicate existing Town Code requirements.	From the onset, the goal was to avoid duplication of the Town Code. Staff has revised the document to eliminate unnecessary duplication of the Town Code.

Summary of Revisions Made and Responses to Comments Received at the Planning Commission Hearing of June 22, 2022

Line #	OLD #	NEW #	Comments Received	Staff Response
17	--	--	Staff addition/revision.	"Purpose and Applicability" section now includes an outline of Qualifying Projects and lists other applicable development requirements in the Town. Other revisions made for document consistency.
18	--	--	Staff addition/revision.	A "Key Terms" section has been added to clarify several terms used throughout the document.
19	A.1	A.1	Regarding Pedestrian Access, Palo Alto has a hierarchy prioritizing different modes of transportation.	Palo Alto's modal hierarchy is included in their contextual design criteria, which is not objective. Through research, staff determined that a modal hierarchy would be very difficult to objectify. Such a hierarchy should be determined at the Council level and included in a more appropriate policy document.
20	A.1	A.1	Why don't we have bicycle standards? We should prioritize bicycles.	Bicycle standards have been added (new A.2). The standards included are those that can be required on-site. Off-site improvements (such as the addition of bike lanes) are not appropriate in this document and may be required on a case-by-case basis through the Parks and Public Works Department.
21	A.1	A.1	This document should cover all modes of transportation in some way.	In addition to the pedestrian access and vehicular access/parking standards, bicycle standards have been added (new A.2).
22	A.1.2	A.1.2	Why don't we mention depth? We only specify height.	A width dimension of six feet has been added.
23	A.3.4	A.4.4	Staff addition/revision.	Clarified that the standard is applicable to the "primary" building.
24	A.5.1	A.6.1	Is this related to height or location? 15' is very tall. There should be location standards.	The original standard was related to height. The maximum height allowed has been revised from 15 feet to 12 feet. A maximum spacing between lighting has been added (30 feet).
25	A.5.1	A.6.1	Staff addition/revision.	"in community recreation spaces" added to align with new A.10.
26	A.5.2	A.6.2	Staff addition/revision.	Added language requiring exterior lighting be directed to not shine on neighboring residential properties to be consistent with Town Code.
27	A.6 A.9	A.7 A.10	Landscaping should be required to be native and drought tolerant	The terms "native" and "Drought tolerant" are not objective without very specific definitions and/or lists of allowed species. This level of specificity may limit the variety of landscaping in the Town. Additionally, the Town and the State already have rules addressing water use. Chapter 26 of the Town Code and the State's Model Water Efficient Landscape Ordinance (MWELO) promote efficient water use in landscape areas. These ordinances recognize that large water savings can be gained by efficient landscape design, installation, management, and maintenance. This is accomplished by choosing climate adapted plants, improving soil conditions, using and maintaining high efficiency irrigation equipment, and managing the irrigation schedule to fit the plants water needs as they are influenced by local climates.
28	A.6	A.7	Do we define "landscape"?	"Landscaping" has been added to the Key Terms.
29	A.6.2	A.7.2	Staff addition/revision.	Clarified that the landscape buffer must stretch the full length of the shared property line.
30	A.6.2.a	A.7.2.a	Why is a masonry wall is required over regular fencing?	The requirement in the document for a masonry wall reflects the Town Code, which requires a masonry wall between residential zoned properties and commercial/office/manufacturing zoned properties. The intent of the wall is to provide robust separation between more intense uses (commercial, mixed-use, multiple-family) and less intense single- and two-family uses. As written, the standard would not require a masonry wall separating single- and two-family residential uses from neighboring single- and two-family residential uses.
			Is there a way to be clear that this doesn't apply to residential facing residential?	
			Would a duplex need a multi-family wall? We should be clear when this is required.	
31	A.6.2.a	A.7.2.a	Staff addition/revision.	Added clarification that a six-foot tall masonry wall is not allowed within a street-facing setback, consistent with Town Code Section 29.50.035
32	A.6.3	A.7.3	Should we create a maximum height as well for parking lot buffers?	Added a maximum height allowance for screening located within a street-facing setback.

Summary of Revisions Made and Responses to Comments Received at the Planning Commission Hearing of June 22, 2022

Line #	OLD #	NEW #	Comments Received	Staff Response
33	A.7	A.8	Consider deleting this sections as it duplicates Town Code.	This standard duplicates elements of the fence regulations application to residential properties. The residential fence regulations contained in Sections 29.40.030 through 29.40.0330 would not apply to qualifying projects outside of residential zones. Therefore, this standards was not deleted as it does not duplicate Town Code regulations.
34	A.9	A.10	Are these two standards combined to burdensome? Do these two standards overlap? Can we clarify that these do overlap?	The entire A.9 section has been replaced with new A.10 to align with the Town Code, eliminate overlap, specify the types of "open areas", and clarify applicability between multi-family and mixed use projects.
35	A.9	A.10	Use of the word "may" - is this objective?	Conflict eliminated. The entire A.9 section has been replaced with new A.10.
36	A.9	A.10	Perhaps we remove the allowance of grass due to the drought.	Landscaping is now defined in the "Key Terms" section. The definition includes lawns allowing developers flexibility to meet their project goals while recognizing the Town regulates water use through Chapter 26 of the Town Code and the MWEL0.
37	A.9	A.10	Palo Alto has an "open to sky" requirement. Recommends we look into this.	"Community recreation space" includes a requirement that 60 percent of the space remain open to the sky (A.10.1.c).
38	A.9	A.10	Look at private open space that is used in Palo Alto's code.	Revised A.10 addresses this comment.
39	A.9	A.10	Requirement for multi-story to have a balcony as discussed during the General Plan update.	"Private recreation space" added as a "Key Term" that includes balconies. Private recreation space above the ground floor is required in multi-story qualifying projects.
40	A.10.1	A.11.1	Staff addition/revision.	Changed "Community Place District" to "Community <u>Growth</u> District".
41	A.10.1	A.11.1	Why does this only include Community Growth Districts (CGDs)?	<p>The following polices discussing setbacks are included in the Community Design Element of the 2040 General Plan:</p> <p>CD-2.10 (Town-wide): Well-Defined Street Fronts - Require new buildings to maintain a consistent setback from the public right-of-way in order to create a well-defined streetscape. Require new buildings throughout Town to use consistent setbacks.</p> <p>CD-7.1 (All CGDs): Neighborhood-Friendly Design - Encourage buildings and sites within all Community Growth Districts regardless of designation, including shopping centers undergoing redevelopment, to integrate design features that create a pedestrian- and neighborhood-friendly environment, such as by siting buildings close to the sidewalks, providing space for small plazas, and including public art.</p> <p>CD-9.1: (LGB CGD): Setbacks and Step Backs of Massing - Require medium density, high density, and mixed-use parcels in the Los Gatos Boulevard District adjacent to single-family parcels to include increased site setbacks and multi-story step backs to minimize the impact and increase compatibility with smaller adjacent structures.</p> <p>CDP-11.7: (Lark CGD): Reduced Setbacks - Allow reduced setbacks to foster a more urban environment focused on corporate centers, commercial shopping areas, medical services, and hospitality uses.</p> <p>Consistent setbacks are encouraged by CD-2.10, while reduced setbacks are encouraged in CGDs. For this reason, Standard A.11.1 was written specific to CGDs. Given the above polices and the comments made by the Commission during discussion of this item, staff requests direction on whether this standard should apply Town-wide or only within CGDs. The corresponding figure/diagram will be updated accordingly.</p>
			Likes that it only applies to Community Growth Districts otherwise it could make them look out of place. It might also limit design related to arcade setback standards in Section B.	
			Can we apply this just to mixed-use? It should apply to ground-floor commercial.	
			Big focus during GP discussions was street-activation and should be kept in mind during revisions.	
41	A.10.1	A.11.1	Perhaps replace "Community Growth District" with "Mixed-Use".	
42	B.1.1	B.1.1	There is chance that using three of these approaches may result in poor design. Maybe two would be better. Perhaps anchor it to the amount of street facing façade that exists. If under 50 feet, only require two.	This Standards continues to require implementation of at least three solutions. Staff evaluated several projects in the Town to see if they would meet this Standards (Exhibit X). A quality design should not have a problem implementing at least three solutions.
	B.1.1	B.1.1	Palo Alto requires three or more. Good architects should be able to make it work.	
	B.1.1	B.1.1	Would the mixed use building at N40 meet this standard?	

Summary of Revisions Made and Responses to Comments Received at the Planning Commission Hearing of June 22, 2022

Line #	OLD #	NEW #	Comments Received	Staff Response
43	B.1.1	B.1.1	Detailed images or renderings would be helpful for this section.	Photographic examples of the concepts have the potential to communicate unintended values or design guidance. Diagrams have been updated throughout the document to better illustrate the concepts in a more realistic style. Staff does not recommend the use of photos in the document.
44	B.1.1.a	B.1.1.a	Staff addition/revision.	Revised required step back from six feet to five feet for consistency within the document.
45	B.1.1.e	B.1.1.e	Staff addition/revision.	Changed 48 to 60 square feet to align with new A.10.
46	B.2.3	B.2.3	Staff addition/revision.	Added "façade" to align with key term "façade articulation".
47	B.2.3.b	B.2.3.b	Where did the 25% number come from?	This metric is included in B.2.3 above. Staff simplified language by removing "25 percent of the façade length" since this minimum is required in B.2.3 above. Also added "façade" to align with key term "façade articulation".
48	B.3.1.c	B.3.1.c	Staff addition/revision.	Revised the change in façade or roof height from four feet to two feet to align with the height limitations of the Town Code.
49	B.3.4	B.3.4	Staff addition/revision.	Deleted to eliminate potential conflict with architectural styles.
50	B.4.1	B.4.1	Example pictures would be helpful.	Photographic examples of the concepts have the potential to communicate unintended values or design guidance. Diagrams have been updated throughout the document to better illustrate the concepts in a more realistic style. Staff does not recommend the use of photos in the document.
51	B.4.1.a	B.4.1.a	Staff addition/revision.	Revised the minimum percent from 70 to 60 percent following case study of buildings with similar heights to those allowed in the Town.
52	B.4.1	B.4.1	Why not include varied plate heights in this section? It would make for dynamic architecture.	Added B.4.1.f, offering a solution that the upper floor utilize a higher floor-to-ceiling height that is a minimum of two feet greater than the floor-to-ceiling height of the floor immediately below. New figure B.2.1.f added.
53	B.4.2	B.4.2	Inconsistency with 4.1.e regarding the use of different building materials. What is 4.2 trying to say?	Revised to clarify that the building elements that need to be repeated on all elevations are the façade materials (such as siding, window types, trim) and not forms (such as chimneys, arcades, etc.). Revised standard does not conflict with B.4.1.e and does not require that materials be distributed consistently between elevations; (i.e.; if a second material is used on 30 percent of the front elevation, it does not need to be included at 30 percent of each of the other elevations).
54	B.4.2	B.4.2	The 360 degree architecture might limit design.	This requirement has been applied for designs of residences and structures throughout the Town for some time without any significant impacts to quality architecture.
55	B.4.2	B.4.2	360 degree architecture is in the draft General Plan. Perhaps there is a better way to say this. Please look into this further.	B.4.2 revised as discussed above.
56	B.4.3	B.4.3	Staff addition/revision.	Increased the point requirement from 12 to 16 points to require incorporation of more than two architectural solutions.
57	B.4.3	B.4.3	Has this menu been used successfully in other places? Likes the idea.	Yes. This leaves flexibility for the architect/designer.
58	B.4.3	B.4.3	This only addresses street-façade planes. Should consideration be given to other sides of the building?	B.4.2 addresses carrying architectural detailing around all sides of a building. The purpose of B.4.3 is to require more articulation on the most visible facades.
59	B.4.3	B.4.3	Staff addition/revision.	Removed upper floor step back as it is required elsewhere for buildings greater than two floors and could result in an awkward design if used on a two-story building
60	B.4.3	B.4.3	Staff addition/revision.	Reduce point value for materials and color changes from five points to three points
61	B.4.3	B.4.3	Staff addition/revision.	Removed "ornamentation" for specifics of decorative elements since it is a general term.
62	B.4.3	B.4.3	Staff addition/revision.	Revised "overhang" language to increase objectivity.
63	B.4.4	B.4.4	Staff addition/revision.	Deleted individual standard due to repetition in following new B.4.6.
64	B.4.7	B.4.6	Staff addition/revision.	Added elements of old B.4.9 to reduce repetition in new B.4.6.
65	B.4.6	B.4.5	How would you do this with a column? An illustration of the columns or projection would help	Revised illustration added.

Summary of Revisions Made and Responses to Comments Received at the Planning Commission Hearing of June 22, 2022

Line #	OLD #	NEW #	Comments Received	Staff Response
66	B.4.7	B.4.7	Palo Alto document details entry (not just door width) dimensions. Perhaps we should consider.	New B.4.7 includes entry width requirements based on use.
67	B.4.9	--	Staff addition/revision.	Deleted and incorporated concept into ne B.4.6.
68	B.4.12	B.4.11	Staff addition/revision.	Revised standard to allow balconies on street-facing facades and on facades that face existing non-residential uses on abutting parcels. Additionally, balconies are allowed when facing residential uses when proven that it will not create a privacy issue with the neighboring residential use. The applicant would be required to submit additional drawings (site line study, section, screening, etc.) to prove compliance with this standard. This provides more opportunity for developments to achieve the private recreation space requirements while protecting existing residential uses at all scales. Even with this change, staff is concerned with the requirement for private recreation space while simultaneously restricting its location in an attempt to protect privacy. Staff looks forward to the discussion with the Planning Commission.

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Evaluation of Existing Developments

Staff evaluated several existing developments in the Town to see if they would meet three standards that offer multiple design solutions. These projects were designed and built without requirements to adhere to specific objective design standards. While some of the projects would not comply with all of the standards below, incorporating additional design solutions would be easily accomplished during the design phase.

B. BUILDING DESIGNS

B.1. Massing and Scale

- 1.1 Multiple-story building façades that face a street shall incorporate breaks in the building mass by implementing a minimum of three of the following solutions along the façades facing the street:
 - a. A minimum of 40 percent of the upper floor façade length shall step back from the plane of the ground-floor façade by at least five feet;
 - b. Changes in the façade plane with a minimum change in depth of two feet for a minimum length along the façade of two feet at intervals of no more than 30 feet;
 - c. Recessed building entry for the full height of the facade with a minimum ground plane area of 24 square feet;
 - d. An exterior arcade that provides a sheltered walkway within the building footprint with a minimum depth of eight feet, extending the full length of the façade;
 - e. Ground floor courtyards within the building footprint with a minimum area of 60 square feet; or
 - f. Vertical elements, such as pilasters or columns, that protrude a minimum of one foot from the façade and extend the full height of the building base or ground floor, whichever is greater.

B.4. Façade Design and Articulation

4.1 Buildings greater than two stories shall be designed to differentiate the base, middle, and top of the building on any street-facing façade. Each of these elements shall be distinguished from one another using at least two of the following solutions:

- a. Variation in building mass for a minimum of 60 percent of the length of the street-facing façade through changes in the façade plane that protrude or recess with a minimum dimension of two feet;
- b. Balconies or habitable projections with a minimum depth of two feet for a minimum of 20 percent length of the street-facing façade;
- c. Variation in façade articulation, using shade and weather protection components, projecting a minimum of three feet for a minimum of 20 percent length from the street-facing-façade;
- d. Use of a belly band or horizontal architectural element with a minimum height of 10 inches between the first and second floor;
- e. The use of at least two different façade materials, each covering a minimum of 20 percent of the street-facing façade; or
- f. The upper floor shall utilize a higher floor-to-ceiling height that is a minimum of two feet greater than the floor-to-ceiling height of the floor immediately below.

- 4.3 Variation in the street-facing façade planes shall be provided for buildings greater than one story by incorporating any combination of the following architectural solutions to achieve a minimum of 16 points:
- Architectural features, such as:
 - Arcade or gallery along the ground floor; *8 points*
 - Awnings or canopies; *6 points*
 - Building cornice; *5 points*
 - Belly band, or horizontal architectural element, between the first and second floor; or *5 points*
 - Façade sconce lighting. *3 points*
 - Bay windows; *6 points*
 - Balconies or Juliet balconies; *5 points*
 - Landscaped trellises or lattices; *5 points*
 - Materials and color changes *3 points*
 - Chimneys; *3 points*
 - Eaves that overhang a minimum of two feet from the facade with supporting brackets; *3 points*
 - Window boxes or plant shelves; or *3 points*
 - Decorative elements such as molding, brackets, or corbels. *3 points*

University Avenue at Los Gatos-Saratoga Road



B.1.1 - (Minimum 3)

- a. Changes in the façade plane with a minimum change in depth of two feet for a minimum length along the façade of two feet at intervals of no more than 30 feet.
- b. Recessed building entry for the full height of the facade with a minimum ground plane area of 24 square feet.

B.4.1 – Not applicable, only two stories.

B.4.3 – (16 points minimum)

Arcade (8 points)

Belly Band (5 points)

Sconce lighting (3 points)

Balconies (5 points)

Decorative elements (3 points)

Building cornice (5 points)

Belly band (5 points)

TOTAL = 34 points

Aventino – Winchester Boulevard



B1.1 - (Minimum 3)

- b. Changes in the façade plane with a minimum change in depth of two feet for a minimum length along the façade of two feet at intervals of no more than 30 feet.
- c. Recessed building entry for the full height of the facade with a minimum ground plane area of 24 square feet.

B4.1 – (Minimum 2)

- a. Variation in building mass for a minimum of 60 percent of the length of the street-facing façade through changes in the façade plane that protrude or recess with a minimum dimension of two feet;
- b. Balconies or habitable projections with a minimum depth of two feet for a minimum of 20 percent length of the street-facing façade;

B4.3 – (16 points minimum)

Material and color changes (3 points)

Balconies or Juliet balconies (5 points)

Landscaped trellises or lattices (5 points)

Eaves that overhang a minimum of two feet from the façade with supporting brackets (3 points)

Window boxes or plant shelves (3 points)

Decorative elements such as molding, ornamentation, or corbels (3 points):

TOTAL = 22 points

North 40 - Market Hall (previously approved plans from A&S)



B1.1 – (minimum 3)

- b. Changes in the façade plane with a minimum change in depth of two feet for a minimum length along the façade of two feet at intervals of no more than 30 feet;
- c. Recessed building entry for the full height of the facade with a minimum ground plane area of 24 square feet;
- f. Vertical elements, such as pilasters or columns, that protrude a minimum of one foot from the façade and extend the full height of the building base or ground floor, whichever is greater.

B4.1 – (Minimum 2)

- a. Variation in building mass for a minimum of 60 percent of the length of the street-facing façade through changes in the façade plane that protrude or recess with a minimum dimension of two feet;
- b. Balconies or habitable projections with a minimum depth of two feet for a minimum of 20 percent length of the street-facing façade;
- c. Variation in façade articulation, using shade and weather protection components, projecting a minimum of three feet for a minimum of 20 percent length from the street-facing-façade;
- e. The use of at least two different façade materials, each covering a minimum of 20 percent of the street-facing façade; or
- f. The upper floor shall utilize a higher floor-to-ceiling height that is a minimum of two feet greater than the floor-to-ceiling height of the floor immediately below.

B4.3 – (16 points minimum)

Awnings or canopies (6 points)

Belly band, or horizontal architectural element, between the first and second floor (5 points)

Material and color changes (3 points)

Balconies or Juliet balconies (5 points)

TOTAL = 19 points



**TOWN OF LOS GATOS
PLANNING COMMISSION
REPORT**

MEETING DATE: 8/24/2022

ITEM NO: 3

ADDENDUM

DATE: August 23, 2022
TO: Planning Commission
FROM: Joel Paulson, Community Development Director
SUBJECT: Review and Recommendation of the Draft Objective Standards to the Town Council.

REMARKS:

Exhibit 13 includes Planning Commissioner comments.

EXHIBITS:

Previously received with the June 22, 2022, Staff Report:

1. Town Council Resolution 2019-053
2. Summary of feedback received during community engagement meetings
3. Draft Objective Standards
4. Public Comments received prior to 11:00 a.m., Friday, June 17, 2022

Previously received with the June 22, 2022, Addendum Report:

5. Staff response to Commissioner's questions
6. Issues considered by the Objective Standards Subcommittee
7. Commissioner email regarding City of Palo Alto Objective Standards

Previously received with the June 22, 2022, Desk Item Report:

8. Suggested additions and modifications provided by a Planning Commissioner

Previously received with the August 24, 2022 Staff Report:

9. Revised Draft Objective Standards
10. Revised Draft Objective Standards with Redlines
11. Summary of Revisions Made and Responses to Comments Received at the Planning Commission Hearing of June 22, 2022
12. Evaluation of Existing Developments

PREPARED BY: SEAN MULLIN, AICP and RYAN SAFTY
Senior Planner Associate Planner

Reviewed by: Planning Manager and Community Development Director

PAGE 2 OF 2

SUBJECT: Draft Objective Standards

DATE: August 23, 2022

Received with this Addendum Report:

13. Planning Commissioner Comments

From: Jeffrey Barnett
Sent: Tuesday, August 23, 2022 9:38:09 AM
To: Sean Mullin <SMullin@losgatosca.gov>
Subject: PC Meeting 8.24.22 - Balconies

EXTERNAL SENDER

Hello, Sean.

Reference is made to the following language in the Staff Report and Draft Objective Standards: Page 198 of the Staff Report concerning balconies and privacy; Section B.4.11 on Page 243; and the Staff comment on Page 249 concerning B.4.11.

It has come to my attention that the Palo Alto Municipal Code includes language concerning privacy with respect to balconies adjacent to residential properties. It is found at Section 18.24.050(C)(2) and provides:

Balconies: Within 30 feet of residential windows (except garage or common space windows) or private open space on an adjacent residential building, balconies and decks on the subject site shall be designed to prevent views:

- (i) No sight lines to the adjacent property window or open space are permitted within five feet above the balcony or deck flooring and a 45-degree angle downward from balcony railing.
- (ii) Submit section view of proposed balcony/deck and abutting residential windows and/or private open space.
- (iii) Provide balcony/deck design measure which may include:
 - a. Minimum 85% solid railing
 - b. Obscure glass railing
 - c. Barrier with min. 18" horizontal depth from railing (e.g., landscape planter).

Subsections (i) - (iii) would be appropriate for discussion at the meeting tomorrow.

Thank you.

Jeffrey

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**TOWN OF LOS GATOS
PLANNING COMMISSION
REPORT**

MEETING DATE: 08/24/2022

ITEM NO: 3

DESK ITEM

DATE: August 24, 2022
TO: Planning Commission
FROM: Joel Paulson, Community Development Director
SUBJECT: Review and Recommendation of the Draft Objective Standards to the Town Council.

REMARKS:

Exhibit 14 includes Planning Commissioner comments. Exhibit 15 includes public comment received between 11:01 a.m., August 23, 2022, and 11:00 a.m., August 24, 2022.

EXHIBITS:

Previously received with the June 22, 2022, Staff Report:

1. Town Council Resolution 2019-053
2. Summary of feedback received during community engagement meetings
3. Draft Objective Standards
4. Public Comments received prior to 11:00 a.m., Friday, June 17, 2022

Previously received with the June 22, 2022, Addendum Report:

5. Staff response to Commissioner's questions
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PREPARED BY: SEAN MULLIN, AICP and RYAN SAFTY
Senior Planner Associate Planner

Reviewed by: Planning Manager and Community Development Director

PAGE 2 OF 2

SUBJECT: Draft Objective Standards

DATE: AUGUST 24, 2022

Received with this Addendum Report:

13. Planning Commissioner Comments

Received with this Desk Item Report:

14. Planning Commissioner Comments

15. Public Comment received between 11:01 a.m., August 23, 2022 and 11:00 a.m., August 24, 2022

From: Jeffrey Barnett
Sent: Tuesday, August 23, 2022 11:33:24 AM
To: Sean Mullin <SMullin@losgatosca.gov>
Subject: PC Hearing 8.24.22 - Objective Standards

EXTERNAL SENDER

Good morning, Sean.

I have a few questions that I would like to discuss with you in advance of tomorrow's meeting.

- (1) A.1.2 Page 233: Explain how this standard applies where pedestrians must cross a car driveway in the parking lot.
- (2) 4.1 on Page 233: Would a standard preferring a rear parking structure be objective?
- (3) A.6 on Page 234: This lighting rule does not include pathways adjacent to buildings. The "key term" definition of "community recreation space" for mixed-use projects and multi-family developments does not seem to encompass these areas, and the language "other community areas for the use of residents", in my opinion" may not apply to such pathways. Also, I do not see a provision for lighting in parking areas. I don't believe that these too are community recreation spaces.
- (4) 10.1c Page 236: sixty square feet is very small. My pool is almost that large, and is not particularly big.
- (5) Figure B.1.1(b) on Page 238: should this only apply to staircases that are open to view?

Is there a convenient time for us to talk about these questions? I am free from 1 to 3:30 today and all day tomorrow.

Thanks in advance, Sean.

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To Planning Commission
Item 2 August 24th Planning Commission Meeting
From: Lee Quintana

COMMENTS ON TOWN OF LOS GATOS
DRAFT OBJECTIVE STANDARDS,
AUGUST 24, 2022

GENERAL COMMENTS:

Comprehensive stand alone document: It is my understanding, from previous public discussions of the Objective Guidelines, that the Objective Standards would be a comprehensive “stand alone” document containing the objective standards from all relevant documents and regulations. It is difficult to assess the Draft Objective Standards without knowing what other objective standards also apply to “qualified projects”. At a minimum, please consider adding a list of *all* objective standards contained . Consider adding a Table of all other objective standards that would apply to multi-family and mixed-use residential projects and include hyper-links to the individual standards.

PURPOSE AND APPLICABILITY

This section defines “qualifying project” and where the definition can be found in the California Government Code. However it does not define “Objective Standards” as defined by the Government Code. Most importantly, it does not explain how these apply to the approval process for “qualifying projects”.

Please delete and revise the first paragraph to better define the purpose of Objective Standards, (streamlining approval process? .

Delete and receive the second paragraph and include the following as part of that paragraph:

Gov. Code 65559.5 identifies Qualifying Housing Development Projects:

- Multi-family housing developments,
- Residential Mixed Use Housing developments with a minimum of two-thirds of the square footage is designated for residential use,
- Supportive and transitional housing development

Delete and revise the last paragraph as follows:

A Qualifying project shall be approved through a ministerial review process when the project complies with these Objective Site Standards as well as complying with all existing objective development regulations in the Town,., including but not limited to the following:

- General Plan
- Town Code

- Guideline and Standards Near Streams
- Bicycle and Pedestrian Master Plan
- Parks and Public Works Standards
- Santa Clara County Fire Department Regulations.

ORGANIZATION

The Following Objective ~~Design~~ Standards are organized into two primary sections:.....

KEY TERMS

Community recreation space Delete and replace with:

Community recreation space in a mixed use residential development means public gathering spaces such as: plazas, outdoor dining, squares, pocket parks, or other community areas for the use of the public.

- Please clarify whether this applies to non-residential and residential parts of a mixed use residential project or just to the non-residential part.
-
- Should the Community space require a public access easement.

Community recreation space in multi-family developments means gathering spaces such as: play areas, pool areas, patios, rooftop decks, and other community areas available for the use of all residents.

Please clarify whether this applies to projects just with MF zoning designation or applies to the multi-family part of a Mixed Use Residential Project

Mixed Use Residential means a development project where a variety of uses such as office, commercial, or institutional, ~~and residential~~ are combined with residential use(s) in a single building or on a single site in an integrated project.

Private recreation space above ground level means an outdoor balcony, or rooftop deck, or similar, accessible from a single dwelling unit.

similar” = subjective. Delete or replace with more specific language

Private recreation space at ground level means ~~a single~~ an outdoor enclosed patio or deck accessible from a single dwelling unit.

Objective Standard means.....(add language)

A .SITE STANDARDS

A.1 Pedestrian Access

1.2 & Figure A.1.1: Is there a minimum width for the sidewalk? Or for the planting strip

A.2 Bicycle Access

2.4. 1.2 was “modified from walkway” to “pathway”. Should 2.4 also be changed to “pathway as well?”

A.3 Vehicular Access and A.4 Parking Location and Design

Figure A.3.1, A.3.1 and A4.3 need clarification

:What is the difference between aisle to aisle circulation (A3.1) and parking areas (Figure A3.1)? Does Figure A.3.1 represent multiple parking areas (see A.4.2) or aisle-to-aisle circulation of A.3.1.

4.3 *Comment:* Consider decreasing spacing between trees. Aside from aesthetic value, the shading trees decrease radiation from the parking lot surfaces

4.4 Move 4.4 up under 4.1

A.5 Parking Structure Access

Add a standard for pedestrian access to a parking garage

A.6 Utilities

6.3-Delete and separate ground and rooftop:

6.3 Views from the street of ground level utility cabinets, mechanical equipment, trash enclosures shall be screened from view.

- a. Screening shall be provided by landscaping, fencing or a wall.
- b. The screening shall be at least the same height as the utility being screened.
Comment: Should they also be screened from within a site? Or at a minimum from common areas?

6.4 Rooftop mechanical equipment shall be screened from view from the street

- a. Solar equipment is exempt from this requirement
Consider a height exemption of the area required for an elevator shaft.

A.7 Landscaping and Landscape Screening

A.7.2.c *Comment:* Is there a requirement for planting between the trees?

A.10. Landscaping, Private, and Community Recreation Spaces

A10.1. The following landscaped, private, and community recreation spaces shall be ~~are~~ required for all qualifying projects and ~~are~~ shall be calculated independent of each other:

A.11 Building Placement

11.1.c. How shade is calculated needs to be more specific.

B.4 Facade Design and Articulation

4.3 Change format consistent with the rest of the document

B. BUILDING DESIGN

B.1.3.e and Figure B.1.3..e

Comment: I don't understand this one. The illustration does not fit my understanding of a courtyard. Is this intended to be private the private use of the dwelling units? Is this an illustration of B.1.3 (Townhouse)

B.2.2 If the intent is to prevent full transparency into the structure, should there be a minimum as well as a maximum?

B.3 Roof Design

Figure B.3.3 ***Comment:*** This figure looks more like the gable illustrated in Figure.3.1 than it looks like a dormer

B.4 Facade Design and Articulation

B.4.3 Why change in format?