



TOWN OF LOS GATOS
AMENDED*
PLANNING COMMISSION AGENDA
APRIL 27, 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***](http://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://meetings.municode.com/PublishPage/index?cid=LOSGATOS&ppid=ed97530d-9c22-4c95-961a-4d6a2c43b619&p=1>. **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/82834920155?pwd=RDBTbmRrdi95MjBPNFpuNnVHS2dBZz09>.
Passcode: 882594.

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
AMENDED*
PLANNING COMMISSION AGENDA
APRIL 27, 2022
7:00 PM

MEETING CALL TO ORDER

ROLL CALL

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 April 13, 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. Requesting Approval for Construction of a Second-Story Addition to an Existing Single-Family Residence on Property Zoned R-1:8. **Located at 280 Carlton Avenue.** APN 424-16-067. Minor Residential Development Application MR-22-002. Property Owner: Rada and Mihailo Despotovic. Applicant: Shlomi Caspi. Project Planners: Savannah Van Akin and Ryan Safty.

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

- [3.](#) Draft Proposed Capital Improvement Program Budget for Fiscal Years 2022/23 - 2026/27.
- [4.](#) Review and Make Recommendations on the Draft 2040 General Plan and Final Environmental Impact Report to the Town Council. *Continued from the April 25, 2022 Special Meeting.**

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: 04/27/2022

ITEM NO: 1

**DRAFT
MINUTES OF THE PLANNING COMMISSION MEETING
APRIL 13, 2022**

The Planning Commission of the Town of Los Gatos conducted a Regular Meeting on Wednesday, April 13, 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 – March 23, 2022

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

VOTE: Motion passed unanimously.

PUBLIC HEARINGS

2. 33 Walnut Avenue

APN 510-41-007

Property Owner/Applicant/Appellant: Jeffrey Siegel

Project Planner: Erin Walters

Consider an Appeal of the Historic Preservation Committee Decision to Deny the Removal of a Presumptive Historic Property (Pre-1941) from the Historic Resources Inventory on Property Zoned R-1:8.

Erin Walters, Associate Planner, presented the staff report.

Opened Public Comment.

Jeffrey Siegel (Applicant/Appellant)

- Attachment 7 provides an in-depth assessment of whether there is historic integrity remaining on the property. In the expert opinion of Jay Correia of the California Office of Historic Preservation this house would not be eligible for the California Register because: too much modern intervention, new construction; new materials instead of an in-kind restoration; footprint has been dramatically expanded; and an altered roofline. The next-door neighbor of 62 years has stated the house looks nothing like it did in 1961. "Presumptive" means the house is pre-1941, not that there was ever a determination of any historic significance. The key question is whether or not there is historic integrity remaining after massive alterations over 60 years by multiple homeowners, and the answer, as verified by professional historic preservationists, is there is no historic integrity.

David Hernandez, Architect, 1150 Pedro Street, San Jose

- I concur with Jay Correia of the California Office of Historic Preservation that the current house does not resemble anything that would be considered historic given the number of changes structurally and aesthetically. The front porch expansion allowed us to maintain some of the character of the building front, but beyond that there is not much that remains of the original residence; the character of the building was lost long ago with the many changes made over time. I also concur with Mr. Correia and the applicant that this residence should be removed from the historical registry.

Closed Public Comment.

Commissioners discussed the matter.

MOTION: **Motion by Commissioner Janoff to deny an appeal of a Historic Preservation Committee decision for 33 Walnut Avenue. **Seconded by Commissioner Clark.****

Commissioners discussed the matter.

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

3. Draft 2040 General Plan and Final Environmental Impact Report

Review and Make Recommendations on the Draft 2040 General Plan and Final Environmental Impact Report to the Town Council.

Jennifer Armer, Planning Manager, presented the staff report.

Opened Public Comment.

Guilianna Pendleton, Environmental Advocacy Assistant, Santa Clara Valley Audubon Society

- I hope the Planning Commission will support the inclusion of a Dark Sky and Bird Safe Design Ordinance in the General Plan to reduce artificial light at night and protect our birds, hundreds of millions of which die each year due to building or structure collisions related to artificial light at night. Please also consider removing any goals or policies within the plan that would lead to over-lighting Los Gatos. Also, please strengthen biodiversity protections, native habitat enhancement, and wildlife connectivity as you review and make recommendations on the Draft General Plan.

Karen Rubio, Los Gatos Plant-Based Advocates

- I'm asking the Planning Commission and Town Council to take action to ensure a habitable planet for our children by including plant-based diet education into Section 8.12 of the General Plan. 47 percent of California's water goes to meat and dairy production and the livestock industry plays a key role in climate change. Any plan to achieve a sustainable environment must include education about plant-based diets.

Lisa Wade, Los Gatos Plant-Based Advocates

- Plant-Based Advocates has submitted a petition with 265 signatures requesting a plant-based education program be added to the Environmental section of the General Plan, Section 8.12. Mountain View has such a program and we would like to see Los Gatos have something similar. Our initiative has the support of health and environmental NGOs, prominent citizens of Los Gatos and neighboring cities, the Center for Biological Diversity, and the Sierra Club.

Jak Van Nada, Los Gatos Community Alliance

- The Department of Finance for the State of California believes that Los Gatos will not grow more than 1,954 households in 20 years, so why would the GPAC double that number to 3,738? We advocate a major effort by the Town to provide affordable housing and believe the Housing Element Advisory Board should be focused on low- and very-low income categories. It will be a major challenge in a built-out town with high land costs, but two successful housing developers have said it can be done and we encourage the Planning Commission to focus on the challenge of getting more affordable housing into Los Gatos.

Lee Quintana

- As a member of GPAC I voted to recommend the Draft General Plan go to the Planning Commission, but put it on the record that I did not agree to it's current form because it has many problems, including: 1) The manner in which GPAC was conducted, with very little leeway in recommendations or changes; 2) One of the biggest flaws of the process is that the General Plan base map was never reviewed for consistency between the General Plan and the Zoning Code; 3) There are no incentives in this General Plan to help get the type of housing we want, which are smaller units; and 4) Policies do not give true and clear direction.

Matt Francois, Rutan & Tucker

- I am the land use counsel for Los Gatos Community Alliance, who has concerns with the proposed General Plan and EIR. The proposed plan significantly and indiscriminately upzones almost the entire town, including low-density residential neighborhoods and the downtown, but the EIR does not study those changes, as required by CEQA. If the Draft General Plan is approved in its current form, the Town could not legally deny a project that complied with the new density standards. The Town should first focus on the mandatory changes to its Housing Element, due in January 2023, because the Housing Element will provide critical information as to where housing should be located and at what density. If the General Plan goes ahead in its current form, the Commission should recommend it be amended to provide for no more than 2,300 units, which would satisfy market demand and the Town's new RHNA number, plus a reasonable buffer.

Gina

- I'm particularly passionate about our need for wildlife crossings. I agree with the other speakers about the dark skies, bird safety, protecting biodiversity, protecting the environment and reducing pollution and greenhouse gases, and including education on a plant-based diet to the General Plan. I agree with approximately 2,000 units versus 4,000 units. I am, as much as possible, against the high-density and upzoning. I support eliminating pesticides that are devastating to the Monarch butterfly population, which migrates through Los Gatos.

Connie Hamra

- One of my concerns is maintaining the integrity and beauty of the Town of Los Gatos. We do not have enough water for all the development planned throughout Santa Clara Valley. How is Los Gatos addressing that in terms of the Town's continued growth? I agree with keeping the number of units to be added to Los Gatos at the lowest level possible, because we want to keep our community the way it is.

Rosalee

- I support a plant-based diet education program in the General Plan. I also support the dark sky petition. With plans for so much expansion in Los Gatos we have to keep in mind that wildlife is one of the things that gives Los Gatos its character and charm. The main sale point of the North Forty was to address the affordable housing crisis, but once the project was started, this was not upheld. Who is accountable to ensure that what happened with the North Forty will not happen again in the next development proposed under the guise of satisfying affordable housing in Los Gatos?

Catherine Somers, Los Gatos Chamber of Commerce

- I also support the dark skies. I get criticized a lot in my job for not looking out for all of the commercial hubs in Los Gatos. One very important thing the Commission has on its plate is to wrap those hub communities into the whole, and yet make them very special and unique so that they serve their individual neighborhoods, and I would love to see that reflected in the Land Use portion of the General Plan. The Commission has a unique opportunity when looking at these different neighborhoods to look at what would make Los Gatos special and what would be community hubs 20 years from now.

Jesus

- With respect to the General Plan Zoning Map, I own a property on Los Gatos Boulevard and Farley Road that has been a professional office building for all of its 35 years, is part of Santa Clara County, and is zoned for administrative and professional office use. If the property were annexed into Los Gatos it would be zoned for residential. Please consider the zoning in that area, because my property is already in a commercial area, but a technicality could stop me from renovating and updating the facility.

Arvin

- I would like to suggest that the General Plan consider turning downtown Santa Cruz Avenue into a pedestrian street that would allow Los Gatos residents and visitors to come to downtown and support the businesses and socialize.

Tony Alarcon

- The RHNA numbers provided by the state to Los Gatos should be appealed. I do not support exceeding the RHNA numbers or the approximately 4,000 units proposed in the General Plan. I agree with a prior speaker that the North Forty was promised as affordable housing and it is anything but that. Other solutions to create affordable options, such as

smaller units, are needed. I would like to see the historic districts retain their character. We have yet to see the impacts of SB 9 and SB 10. We should slow down on the General Plan and not be too aggressive with the number of proposed housing units, and further study should be done before making drastic changes in that direction.

Joe Rodgers

- I am very much opposed to a request being considered by the Town Council to add one to three cannabis dispensaries in the Town. It sends the wrong message about the quality and nature of Los Gatos, but my concerns also go to traffic and parking problems. The first step is a dispensary, then packaging and processing, and then growing cannabis with the accompanying water and electrical power needs. I request the Planning Commission and Town Council do an environmental impact study and include it in the General Plan.

Joanne Rodgers

- For every dollar taken in for a cannabis sale, four dollars is spent on policing, traffic management, crime, etc. We are asking for the environmental review to be included in the General Plan.

John

- I am generally supportive of additional housing units. What pops out in the plan are the 804 opportunities in Land Development, and maybe 1,200 opportunities in the Redevelopment section. The 3,900 new units and another approximately 9,000 residents in Los Gatos would not work well in terms of traffic, especially Los Gatos' summer traffic. It would great if most housing development were converting commercial properties along strong road corridors to multi-use. Wildfire is referenced extensively in the plan, but there is not much strength in the Wildfire Fuels, Mitigation, and Management; this is an essential area to pay attention to.

Closed Public Comment.

Commissioners discussed the matter.

MOTION: **Motion by Vice Chair Barnett** to approve changes to the Vision and Guiding Principles section of the Introduction, as recommended in Exhibit 7 to the staff report. **Seconded by Commissioner Tavana.**

VOTE: **Motion passed unanimously.**

Commissioners discussed the matter.

MOTION: **Motion by Commissioner Clark** to add language regarding the Ohlone and Tamien Indians to the Los Gatos Community section of the Introduction. **Seconded by Commissioner Thomas.**

VOTE: **Motion passed unanimously.**

Commissioners discussed the matter.

MOTION: **Motion by Commissioner Janoff** to accept the suggested changes listed as Items 2 through 7 in Exhibit 7 to the staff report. **Seconded by Chair Hanssen.**

VOTE: **Motion passed unanimously.**

Commissioners discussed the matter.

MOTION: **Motion by Commissioner Thomas** to recommend Town Council approval of the Racial, Social, and Environmental Justice Element, subject to the following modifications: 1) Add an implementation program for Policy RSEJ-4.1 to do research on coordinating and promoting acceptance of government-issued food vouchers; 2) Make the changes to reflect the definitions submitted by Commissioner Clark for key terms of equality and equity; 3) Approve Item 17 in Exhibit 7 of the staff report with the addition of “historically marginalized” to the language in Policy RSEJ-6.2; and 4) Approve Items 11, 15, and 18 from Exhibit 7 to the staff report. **Seconded by Commissioner Janoff.**

Commissioners discussed the matter.

VOTE: **Motion passed unanimously, with Vice Chair Barnett recommending the Town Council consider the terms “equality” and “equity” after further review by members of the Planning Commission of their use in the document. Vice Chair Barnett will provide further comment in writing after his review.**

Commissioners discussed the matter.

MOTION: **Motion by Commissioner Janoff** to recommend Item 67 from Exhibit 7, and add Items 62 and 63 from Exhibit 7 as a single implementation program in the Mobility Element.

Commissioner Thomas requested the motion be amended to change “Implementation Program D” to the 2020-2025 timeframe.

The maker of the motion accepted the amendment to the motion.

Seconded by Commissioner Thomas.

VOTE: **Motion passed unanimously.**

Commissioners discussed the matter.

MOTION: **Motion by Commissioner Tavana** to extend the meeting past 11:00 p.m. to 11:30 p.m. **Seconded by Commissioner Raspe.**

VOTE: **Motion passed unanimously.**

Commissioners discussed the matter.

MOTION: **Motion by Commissioner Thomas** to recommend Town Council approval of the Public Facilities, Services, and Infrastructure Element subject to the following modifications: 1) Add a definition of recycled and reclaimed water; 2) Change Implementation Program C to the 2020-2025 timeframe and expand it to looking at artificial turf and other ground cover alternatives; and 3) Accept Items 70, 73, and 80 of Exhibit 7 to the staff report. **Seconded by Commissioner Clark.**

VOTE: **Motion passed unanimously.**

MOTION: **Motion by Chair Hanssen** to continue the public hearing for the Draft 2024 General Plan and Final Environmental Impact Report to a date certain of April 25, 2022 at 7:00 p.m. **Seconded by Vice Chair Barnett.**

VOTE: **Motion passed unanimously.**

OTHER BUSINESS

REPORT FROM THE DIRECTOR OF COMMUNITY DEVELOPMENT

Joel Paulson, Director of Community Development

- Town Council met April 5, 2022:
 - Discussed whether or not additional fiscal analysis should be performed for the General Plan and determined no additional analysis was necessary.
 - Considered an appeal of 118 Olive Street, which was approved with modifications.
 - Considered 110 Wood Road, which was remanded back to the Planning Commission.
- A Study Session on affordable housing was held on April 6, 2022. A video is available for viewing on the Town's Housing Element website.
- The next Housing Element Advisory Board meeting will be April 21, 2022, via Zoom. The public is encouraged to attend.

SUBCOMMITTEE REPORTS/COMMISSION MATTERS

None.

ADJOURNMENT

The meeting adjourned at 11:29 p.m.

This is to certify that the foregoing is a true and correct copy of the minutes of the April 13, 2022 meeting as approved by the Planning Commission.

/s/ Vicki Blandin

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**TOWN OF LOS GATOS
PLANNING COMMISSION
REPORT**

MEETING DATE: 04/27/2022

ITEM NO: 2

DATE: April 22, 2022
TO: Planning Commission
FROM: Joel Paulson, Community Development Director
SUBJECT: Requesting Approval for Construction of a Second-Story Addition to an Existing Single-Family Residence on Property Zoned R-1:8. Located at 280 Carlton Avenue. APN 424-16-067. Minor Residential Development Application MR-22-002. Property Owner: Rada and Mihailo Despotovic. Applicant: Shlomi Caspi. Project Planners: Savannah Van Akin and Ryan Safty.

RECOMMENDATION:

Consider approval of a request for construction of a second-story addition to an existing single-family residence on property zoned R-1:8, located at 280 Carlton Avenue.

PROJECT DATA:

General Plan Designation: Low Density Residential
Zoning Designation: Zoned R-1:8
Applicable Plans & Standards: General Plan, Residential Design Guidelines
Parcel Size: 6,425 square feet
Surrounding Area:

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

PREPARED BY: SAVANNAH VAN AKIN and RYAN SAFTY
Assistant Planner Associate Planner

Reviewed by: Planning Manager and Community Development Director

CEQA:

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

FINDINGS:

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

ACTION:

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

BACKGROUND:

The subject property is located along Carlton Avenue between Carlton Court and Lester Drive, directly across from the Carlton Way cul-de-sac (Exhibit 1). The property is 6,425 square feet with an existing 1,304-square foot, single-story residence and 479-square foot attached garage. The immediate low-density residential neighborhood contains mostly one-story residences, and a few two-story residences on corner lots within the immediate neighborhood.

On December 14, 2021, the applicant submitted a Minor Residential Development application to construct a second story addition to an existing single-story residence.

The proposed project meets all technical requirements of Town Code including height, floor area, building coverage, parking, and setbacks.

PROJECT DESCRIPTION:

A. Location and Surrounding Neighborhood

The subject property is located along Carlton Avenue between Carlton Court and Lester Drive, directly across from the Carlton Way cul-de-sac (Exhibit 1). The immediate low-density residential neighborhood contains mostly one-story residences, and a few two-story residences on corner lots within the immediate neighborhood.

PROJECT DESCRIPTION (continued):

B. Project Summary

The applicant is proposing to construct a new 719-square foot second-story addition to an existing single-family residence (Exhibit 10). The proposal also includes a 76-square foot addition to the first floor. The project is in compliance with the Town Code. The proposed residence would not be the first two-story, would not be the largest in terms of floor area, would not have the largest floor area ratio (FAR), and would not be the tallest home in the immediate neighborhood.

C. Zoning Compliance

A single-family residence is permitted in the R-1:8 zone. The proposed residence is in compliance with the allowable floor area, building coverage, setbacks, parking, and height requirements for the property. No exceptions are requested. Pursuant to Town Code, the second-story addition requires approval of a Minor Residential Development application.

DISCUSSION:

A. Minor Residential Development Analysis

The applicant is proposing construction of a new 719-square foot second-story addition to an existing one-story single-family residence. The project also includes a 76-square foot addition to the first floor. The proposed two-story residence would be 2,099 square feet with a 479-square foot attached garage.

The maximum height of the proposed residence is 23.5 feet, where a maximum of 30 feet is allowed. The existing single-story residence is roughly 14 feet tall. The heights of the other two-story homes in the immediate neighborhood, 265 Carlton Court and 269 Carlton Way, are roughly 22 and 24 feet tall respectively, per building permit records. When expanding the immediate neighborhood, the residence four properties to the west at 264 Carlton Avenue is roughly 23.5 feet per building permit records.

The proposed residence would be of a traditional ranch style, with an asphalt shingled roof and stucco siding (Exhibit 10). The applicant provided a Letter of Justification (Exhibit 4) detailing the project, explaining the proposed design concept, and provided a study of two-story homes in the wider neighborhood.

The request is being considered by the Planning Commission because the proposed two-story home is within a predominantly single-story neighborhood. Three neighbors have submitted public comments in opposition to aspects of the proposed second-story addition (Exhibit 9).

DISCUSSION (continued):

B. Building Design

The applicant provided a Letter of Justification (Exhibit 4) along with their application, addressing the design of the home and its compatibility with the neighborhood. Specifically, the sensitivity around constructing a second-floor addition was addressed, and measures taken to consider bulk, mass, and privacy were provided.

The applicant cites several measures considered to address the bulk and mass of their project: the proposed plate heights for both floors are only eight feet; the resulting building height is at 23.5 feet; the second floor appears hidden under the extension of the existing roof; the consistency to other two-story homes in the neighborhood; and the second-floor wall complies with the required eight-foot side yard setback when the existing non-conforming six-foot, seven-inch setback could have been continued per Town Code. The applicant also addresses potential privacy concerns, noting that second floor windows along the east side have a 50-inch sill height to respect the neighbor's privacy, and all second-floor egress windows are located away from the adjacent neighbor to the east. To conclude, the applicant's Letter of Justification asks the Commission to consider the property's non-conforming lot size as a factor in the decision to build a new second floor rather than add a first-floor addition in the limited yard area.

The Town's Consulting Architect reviewed the design of the proposed project within the neighborhood context to provide recommendations regarding the building design (Exhibit 5). The site is located in an established neighborhood. Nearby homes on the south side of Carlton Avenue are all small-scale Ranch Style homes, one-story in height, with the exception of one home four parcels to the west at the end of the block which has a two-story mass and form similar to the proposed house. Two homes on this block, across Carlton Avenue, have partial second stories.

In the Issues and Concerns section of the report, the Consultant identified the following aspects of the design that are not compliant with the Town's Residential Design Guidelines. Specifically, the proposed use of stone on the front; the entry not being consistent with the Residential Design Guidelines; and the corbel supports on the right side and rear facade. The Consultant identified specific design changes in the Recommendations section of the report and noted that if the proposed house is revised to implement each recommendation, the project would meet the Town's Residential Design Guidelines and fit in with the surrounding neighborhood.

Following receipt of the Consulting Architect Report, the applicant revised the project plans to address each of the recommendations listed in the report (Exhibit 6). Specifically, the stone on the front façade was removed, stucco was used all throughout the residence, the tall entry form was modified and replaced with an entry under an eave extension, roof

DISCUSSION (continued):

segments were lowered to match the entry eave, and wood trim above the support corbels on both projecting pop-out bays was added. Although Recommendation 2 called for the use of board and batten siding on the second-floor walls to match the existing material on the existing front façade, staff confirmed with the Consultant that the use of all stucco on the residence would address the concern and would meet the intent of the recommendation.

C. Neighborhood Compatibility

The immediate residential neighborhood contains mostly one-story residences, and a few two-story residences on corner lots within the immediate neighborhood. Based on Town and County records, the residences in the immediate area range in size from 1,094 square feet to 2,599 square feet. The FARs range from 0.17 to 0.34. The proposed residence would be 2,099 square feet with a FAR of 0.33. Pursuant to Town Code, the maximum allowable square footage for the 6,425-square foot lot is 2,176 square feet with a maximum FAR of 0.34. The table below reflects the current conditions of the immediate neighborhood.

Address	Zoning	House	Garage	Total FAR	Lot Size	FAR	No. of Stories
280 Carlton Ave (Ex.)	R-1:8	1,304	479	1,783	6,425	0.20	1
280 Carlton Ave (Prop.)	R-1:8	2,099	479	2,578	6,425	0.33	2
284 Carlton Ave	R-1:8	1,296	475	1,771	6,461	0.20	1
288 Carlton Ave	R-1:8	1,094	418	1,512	6,496	0.17	1
276 Carlton Ave	R-1:8	1,296	475	1,771	6,390	0.20	1
272 Carlton Ave	R-1:8	1,094	418	1,512	6,278	0.17	1
265 Carlton Court	R-1:8	2,221	477	2,698	7,696	0.29	2
269 Carlton Way	R-1:8	2,599	478	3,077	7,698	0.34	2
297 Carlton Way	R-1:8	1,296	475	1,771	7,847	0.17	1
201 Lester Lane	R-1:8	2,343	485	2,828	8,955	0.26	1

The proposed residence would comply with the maximum allowed floor area on the site, would not be the first two-story home, and would not be the largest home in the immediate neighborhood in terms of floor area or FAR. However, the proposed residence would be the only two-story home not on a corner lot in the immediate, predominantly single-story neighborhood.

D. Tree Impacts

The Town Arborist prepared a report for the site and made recommendations for the project (Exhibit 7). The only tree that would be impacted by the proposed work is the Ailanthus Altissima tree in the side yard, behind the existing garage. The Town Arborist

DISCUSSION (continued):

recommended that the owners apply for a Tree Removal Permit prior to building permit submittal to remove this tree as it will outgrow the current planter area and is not suitable for preservation. Two, 15-gallon trees would be required to be replanted as a condition of the Tree Removal Permit.

E. Neighbor Outreach and Public Comments

The applicant provided a summary of their efforts to communicate with their neighbors (Exhibit 8). Following the applicant's initial neighborhood outreach efforts on January 31 and February 1, 2022, story poles and signage were installed on site. In the days following the story pole installation, several letters were submitted in opposition to the project (Exhibit 9). The applicant's responses to these comments are also provided in Exhibit 8, dated March 16 and March 22, 2022.

The public comments all relate to the proposed second-story. Specifically, the neighbors who submitted comments have concerns related to privacy of the second-story windows, neighborhood pattern with a new second-floor addition in a predominately single-story neighborhood, and shadow impacts of the second floor. Following receipt of the public comments, the applicant reinitiated public outreach in an attempt to find a solution for all parties involved (pages 5-14 of Exhibit 8). The owners explored ideas of increasing the rear fence height, installing privacy tree screening, and making second-story window adjustments. The owners could not come to an agreement with all parties involved and decided to wait to make additional plan changes based on the Planning Commission's feedback. As noted in page 13 of Exhibit 8: "We are open to reasonable plan change(s) the Commission decides as appropriate here, as long as we can legally call and use the 2nd floor rooms as our children's bedrooms [...] We are looking forward to the Commission hearing to see which of those solution(s) would be acceptable to all parties involved."

F. 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 or Conversion of Small Structures.

CONCLUSION:

A. Summary

The applicant is requesting approval of a Minor Residential Development application for construction of a new 719-square foot second-story addition to an existing single-family residence (Exhibit 10). The project is in compliance with the Town Code. The proposed

CONCLUSION (continued):

residence would not be the first two-story residence, would not be the largest in terms of floor area, would not have the largest FAR, and would not be the tallest home in the immediate neighborhood.

B. Recommendation

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

1. Make the finding that the proposed project is categorically exempt pursuant to the adopted Guidelines for the Implementation of the California Environmental Quality Act, Section 15303: New Construction or Conversion of Small Structures (Exhibit 2);
2. Make the finding that the project complies with the objective standards of Chapter 29 of the Town Code (Zoning Regulations) (Exhibit 2);
3. Make the finding that the project complies with the Town's Residential Design Guidelines (Exhibit 2); and
4. Approve Minor Residential Development application M-22-002 with the conditions contained in Exhibit 3 and the development plans in Exhibit 10.

C. Alternatives

Alternatively, the Commission can:

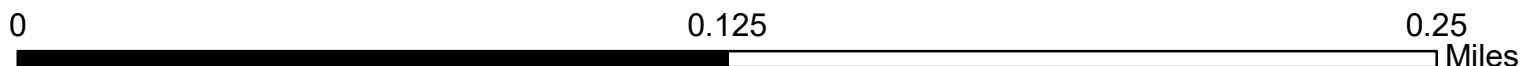
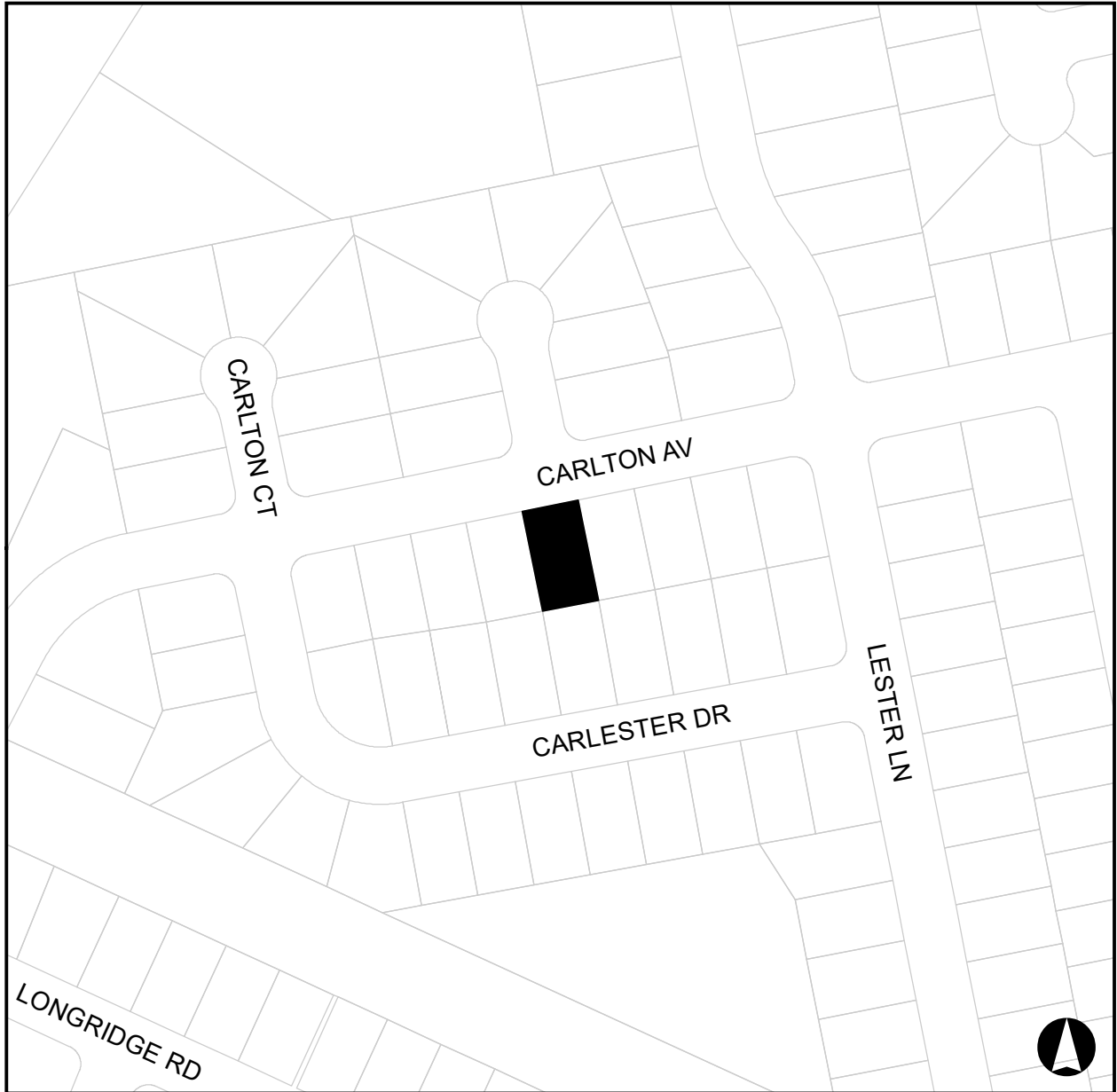
1. Continue the matter to a date certain with specific direction;
2. Approve the application with additional and/or modified conditions; or
3. Deny the application.

EXHIBITS:

1. Location Map
2. Required Findings and Considerations
3. Recommended Conditions of Approval
4. Applicant's Letter of Justification, received January 12, 2022
5. Consulting Architect Report, dated February 8, 2022
6. Response to Consulting Architect Report, received February 14, 2022
7. Town Arborist Report, dated February 28, 2022
8. Applicant's Neighborhood Outreach Efforts, received March 23, 2022
9. Public Comments received prior to 11:00 a.m., Friday, April 22, 2022
10. Development Plans, received March 2, 2022

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280 Carlton Avenue



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PLANNING COMMISSION – April 27, 2022
REQUIRED FINDINGS:

280 Carlton Avenue
Minor Residential Application MR-22-002

Requesting Approval for Construction of a Second-Story Addition to an Existing Single-Family Residence on Property Zoned R-1:8. APN 424-16-067.

PROPERTY OWNER: Rada and Mihailo Despotovic.
APPLICANT: Shlomi Caspi.
PROJECT PLANNERS: Savannah Van Akin and Ryan Safty

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 15303: New Construction or Conversion of Small Structures.

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. The Town's Consulting Architect has reviewed the proposal and determined that if all recommendations are met, the proposed house would be designed in a way that meets the Town's Residential Design Guidelines. The applicant addressed all the Consulting Architect's recommendations. While the proposed home is within a predominately single-story neighborhood, it would be the third second story home in the neighborhood, would have the second largest FAR, would have the forth largest square footage, and would be the second tallest home.

EXHIBIT 2

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PLANNING COMMISSION – April 27, 2022
DRAFT CONDITIONS OF APPROVAL:

280 Carlton Avenue
Minor Residential Application MR-22-002

Requesting Approval for Construction of a Second-Story Addition to an Existing Single-Family Residence on Property Zoned R-1:8. APN 424-16-067.

PROPERTY OWNER: Rada and Mihailo Despotovic.

APPLICANT: Shlomi Caspi.

PROJECT PLANNERS: Savannah Van Akin and Ryan Safty

TO THE SATISFACTION OF THE DIRECTOR OF COMMUNITY DEVELOPMENT:

Planning Division

1. **APPROVAL:** This application shall be completed in accordance with all of the conditions of approval 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, Development Review Committee, 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. **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.
4. **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.
5. **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.
6. **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.
7. **TREE STAKING:** All newly planted trees shall be double-staked using rubber tree ties.
8. **FRONT YARD LANDSCAPE:** Prior to issuance of a Certificate of Occupancy the front yard must be landscaped.
9. **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.

EXHIBIT 3

10. **COMPLIANCE MEMORANDUM:** A memorandum shall be prepared and submitted with the building plans detailing how the Conditions of Approval will be addressed.
11. **DEMOLITION AFFIDAVIT:** Prior to issuance of a building permit, a demolition affidavit must be submitted and signed by the property owner, project architect, project engineer and contractor.
12. **ARBORIST REQUIREMENTS:** The developer shall implement, at their cost, all recommendations identified in the Arborist's report dated as received February 28, 2022, 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.
13. **STORY POLES:** The story poles on the project site shall be removed within 30 days of approval of the Minor Residential application.

DRAFT

December 27, 2021

To:
Town of Los Gatos
Director of Planning Division

Re: Application for Second Floor Addition, 280 Carlton Avenue

Hello,

Thank you you for reviewing our application for this second floor addition. We worked hard on the design and we believe it would be a good fit for the neighborhood. The homeowners are very excited about their project, which will allow them to have the additional space they need while keeping their back yard as is.

We do understand that a second floor addition is a sensitive issue and we want to let you know that we've taken several measures to address bulk and mass, as well as privacy. As you review your drawing, please note the following:

1. We kept the plate heights for both floors at 8 feet. As a result, the highest ridge is at 22 feet above floor (roughly 23'-6" above grade), more than 6' lower than the maximum allowable height.
2. Facing the street, the 2nd floor is mostly buried under the extension of the existing roof, with just a couple of dormers indicating the 2nd floor. This makes the house smaller than it actually is and reduces bulk. It is also consistent with the design of the 2nd floor at the nearby 264 Carlton Avenue, 4 houses to the west along the same block.
3. Despite being allowed per city code, we did not extend the existing non-conforming wall to the 2nd floor along the east side of the property. Instead, we pushed back the 2nd floor wall to comply with the current setback. Furthermore, all 2nd floor windows along the east side have a 50" sill height, to respect the neighbor's privacy. We designed all 2nd floor egress windows to face other directions.

As shown on the area map, there are 3 nearby two-story houses, included right across the street from our project. Also, please consider the fact that this property is sub-standard to R-1:8 (being only 6,425 SF), and as mentioned above, the only way to add the necessary space the homeowners need without compromising the already-small backyard, is to add a second floor.

Thank you for your consideration. We're looking forward to receiving your feedback.

Sincerely,

Shlomi Caspi,
Architectural Designer
Phone: (408) 358 0469
Email: shlomicaspi@gmail.com

Mihailo Despotovic

Sun 3/20/2022 4:04 PM

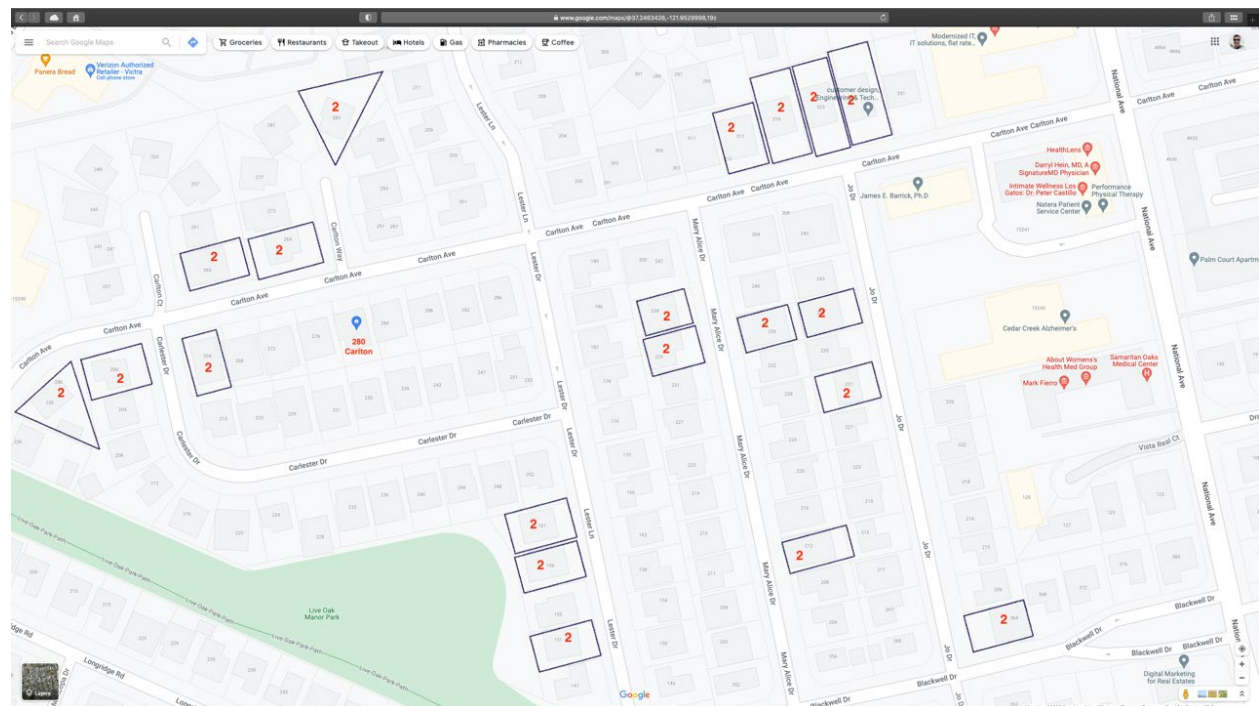
Hi Savannah/Ryan/Jennifer,

as discussed, please find attached a simple survey of the locations of 2nd story houses in our wider neighborhood. The consulting architect had a narrower study and you mentioned something like this might be helpful. The survey was done by me (and my bicycle :)) this morning.

BTW, almost all of these houses seem to me to have bigger and taller (some much bigger and taller) 2nd stories than what we are proposing and all of them have perfectly normal large windows on almost all sides with no special privacy trees planted anywhere. Most of the windows seem to have standard inside blinds. From those windows many surrounding backyards can be seen. We can send more real pictures of those houses if you think it would be useful. **We attached one picture (264 Carlton) as an example but all of them look very similar — see down below the survey.**

Let us know if Shlomi needs to upload this into the system or this email is enough.

Cheers,
Mihailo.





ARCHITECTURE PLANNING URBAN DESIGN

February 8, 2022

Ms. Savannah Van Akin
Community Development Department
Town of Los Gatos
110 E. Main Street
Los Gatos, CA 95031

RE: 280 Carlton Avenue

Dear Savannah:

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

NEIGHBORHOOD CONTEXT

The site is located in an established neighborhood. Nearby homes on the south side of Carlton Avenue are all small-scale Ranch Style homes one-story in height with the exception of one home four parcels to the west at the end of the block which has a two story mass and form similar to the proposed house.

Two homes on this block face across Carlton Avenue have partial second stories. Photos of the site and its surrounding neighborhood are shown on the following page.

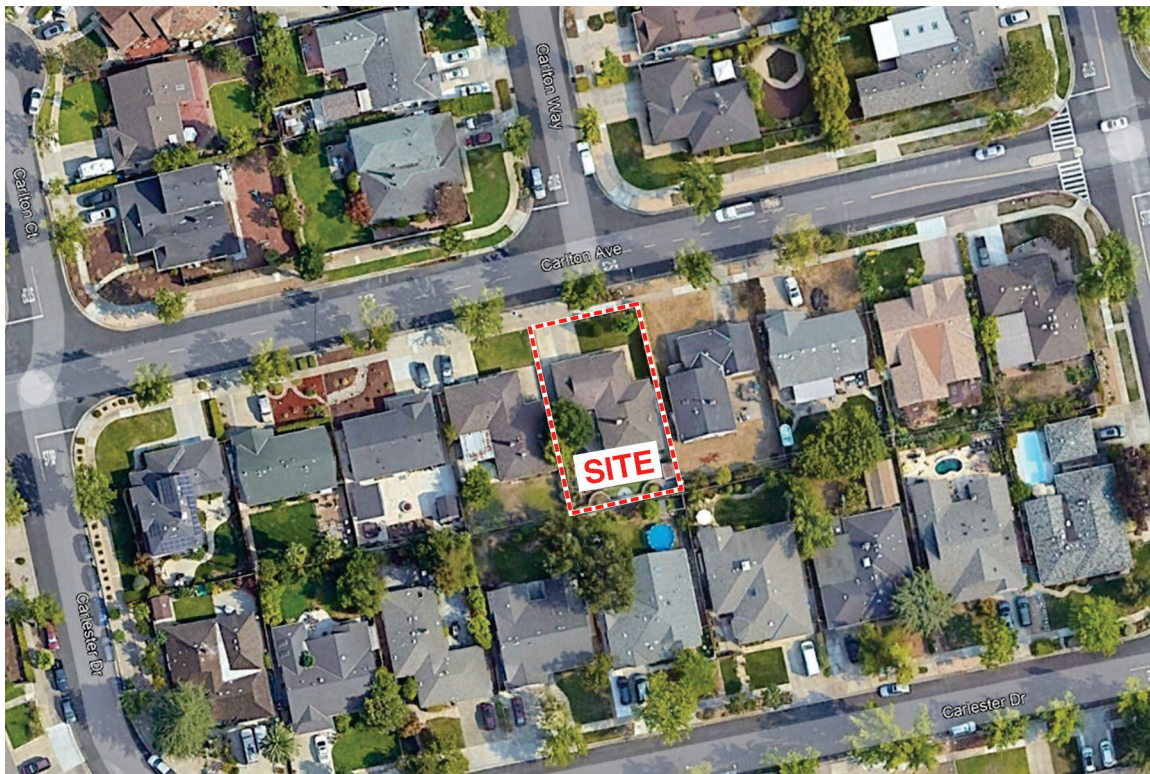


EXHIBIT 5



THE SITE



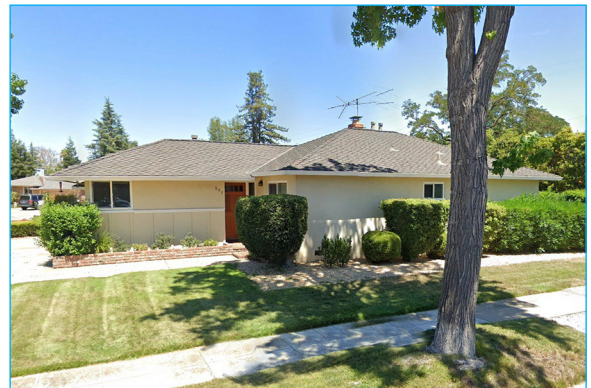
House to the immediate left



House to the immediate right



House across Carlton Avenue immediate left



House across Carlton Avenue immediate right



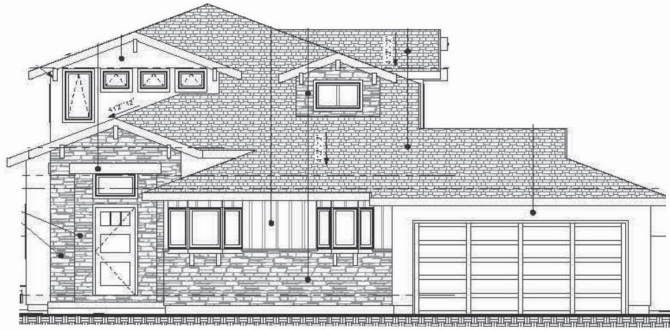
Nearby house to left



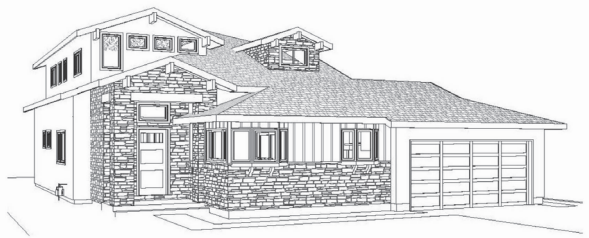
Nearby house to right

PROPOSED PROJECT

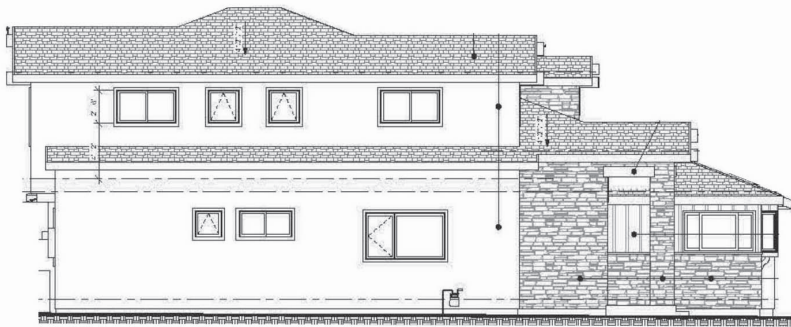
The existing home would be retained and a second floor added - see proposed elevations below.



Proposed Front Elevation



Proposed Rear Elevation



Proposed Left Side Elevation



Proposed Right Side Elevation

ISSUES AND CONCERNS

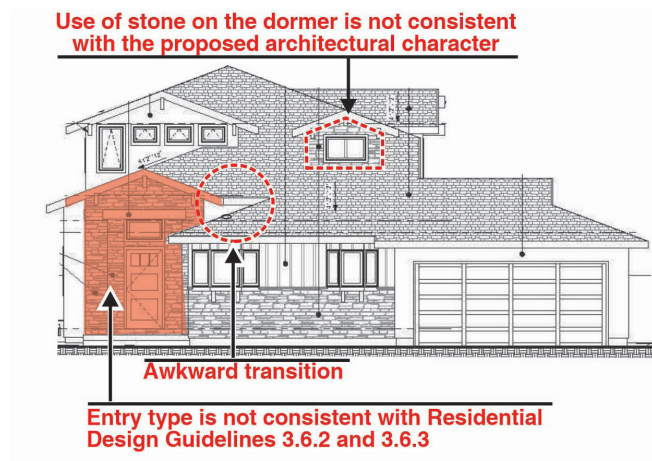
1. The proposed use of stone on the front dormer is heavy and not consistent with the architectural style.
2. The entry is not consistent with Residential Design Guidelines 3.6.2 and 3.6.3, and the roof transition at the entry is awkward.

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

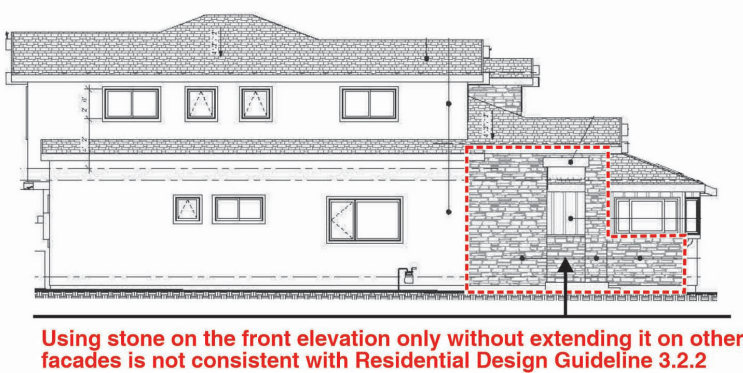
- *Avoid large and formal entries unless that is the norm for nearby houses. It is often best to start the design consideration with an entry type (e.g., projecting or under eave porch) that is similar to nearby homes.*



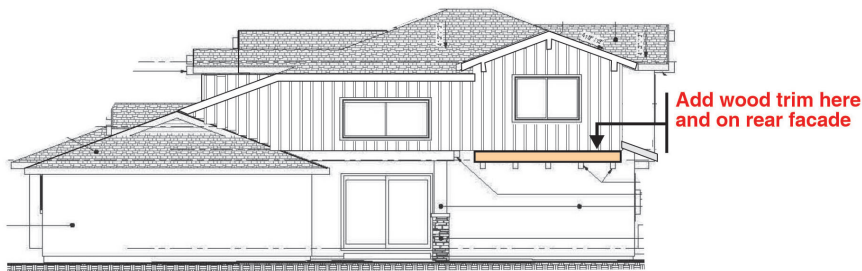
3. The use of stone on the front facade without carrying it consistently around the structure would not be consistent with Residential Design Guideline 3.2.2.

3.2.2 Design for architectural integrity

- *Carry wall materials, window types and architectural details around all sides of the house. Avoid side and rear elevations that are markedly different from the front elevation.*

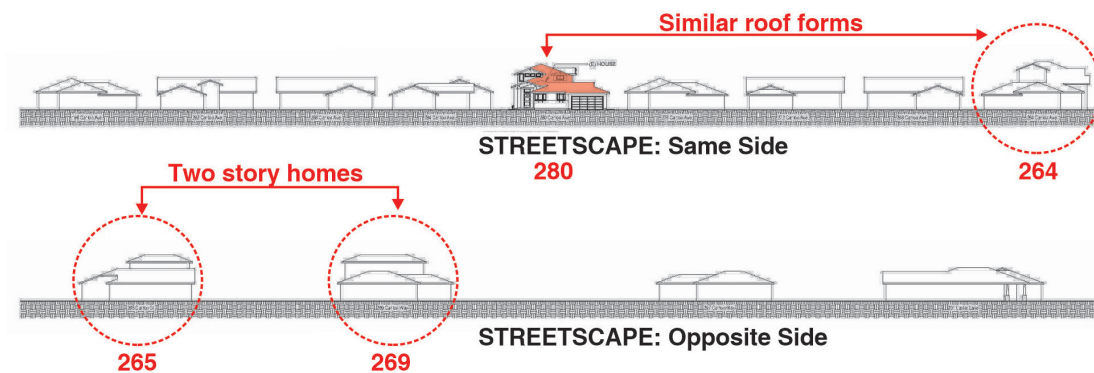


4. The corbel supports on the right side and rear facade projecting bay elements are good, but the detail is incomplete.



RECOMMENDATIONS

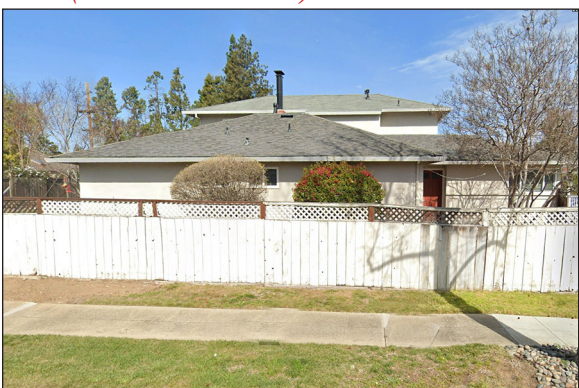
The size and bulk of the house are clearly different from its *immediate neighborhood*, which is the primary criterion established for review under the Town's Residential Design Guidelines. However, there is a house with similar roof forms four parcels away at the end of the block on Carlton Avenue - see streetscape diagram and photos below. There are also two 2-story homes across the Carlton Avenue.



Front (264 Carlton Avenue)



Side (264 Carlton Avenue)



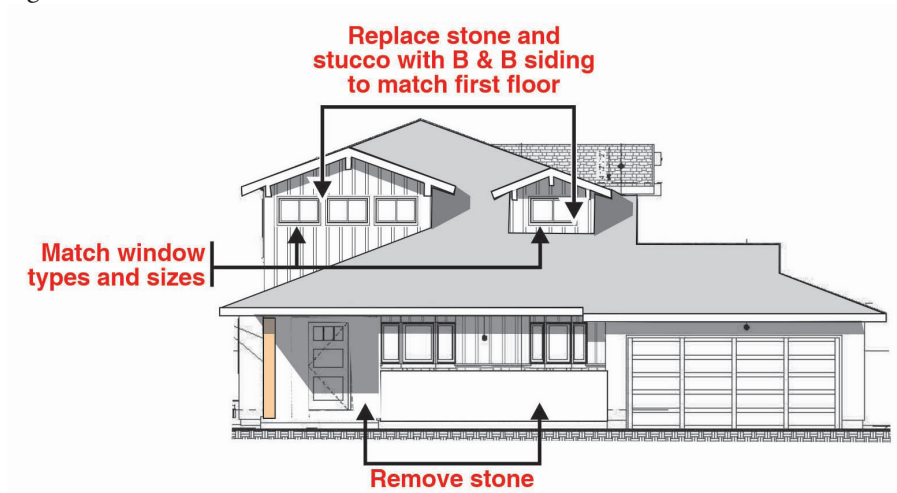
Side (265 Carlton Avenue)



Corner (269 Carlton Avenue)

I believe that if the proposed house is revised to implement the following specific recommendations, it would meet the Town's Residential Design Guidelines and fit in with the surrounding neighborhood.

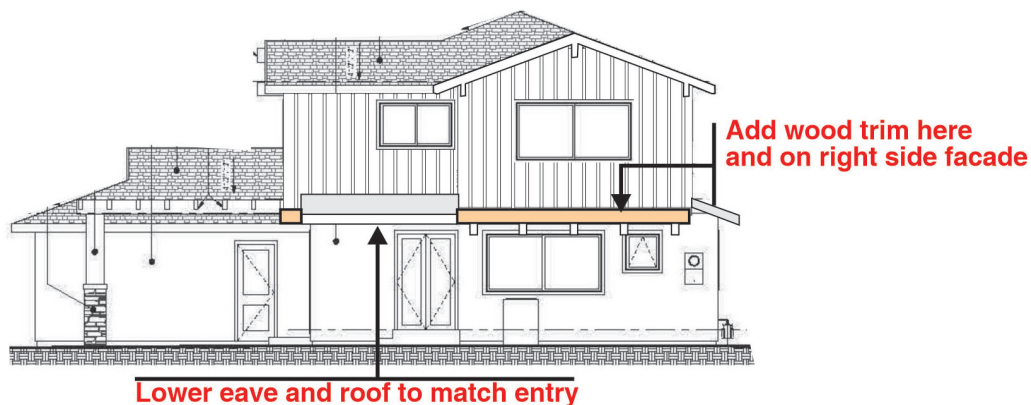
1. Remove all stone facing and replace with materials to match the rest of the first floor.
2. Add board and batten siding on all second floor walls to match the similar existing material on the existing front floor facade.



3. Replace the proposed tall entry form with an under the eave entry similar to the predominant entry type in the immediate neighborhood.



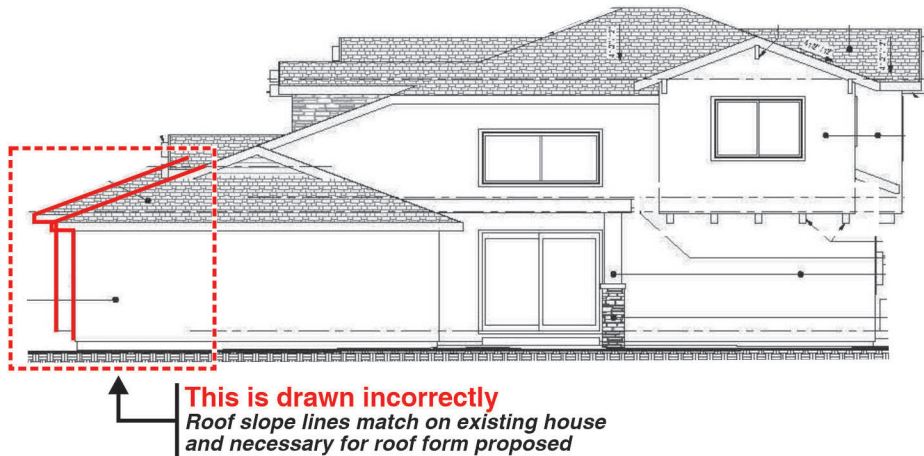
4. Lower applied roof segments on the left side and rear elevations to match the entry eave.
5. Add wood trim above the support corbels on both projecting pop out bays.



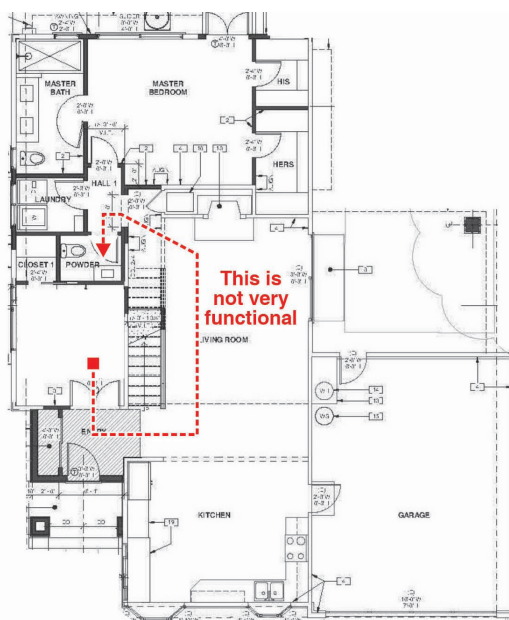
In summary, I believe that the specific recommendations above would substantially improve the design and, with the strong emphasis on its long first story eave line, would fit into the neighborhood comparable to the existing home at the nearby Calrester Drive intersection.

In reviewing this design I noted that there are a few elements of the design which are functionally awkward that I would note as a courtesy to the applicant, but which do not require floor plan or elevation changes.

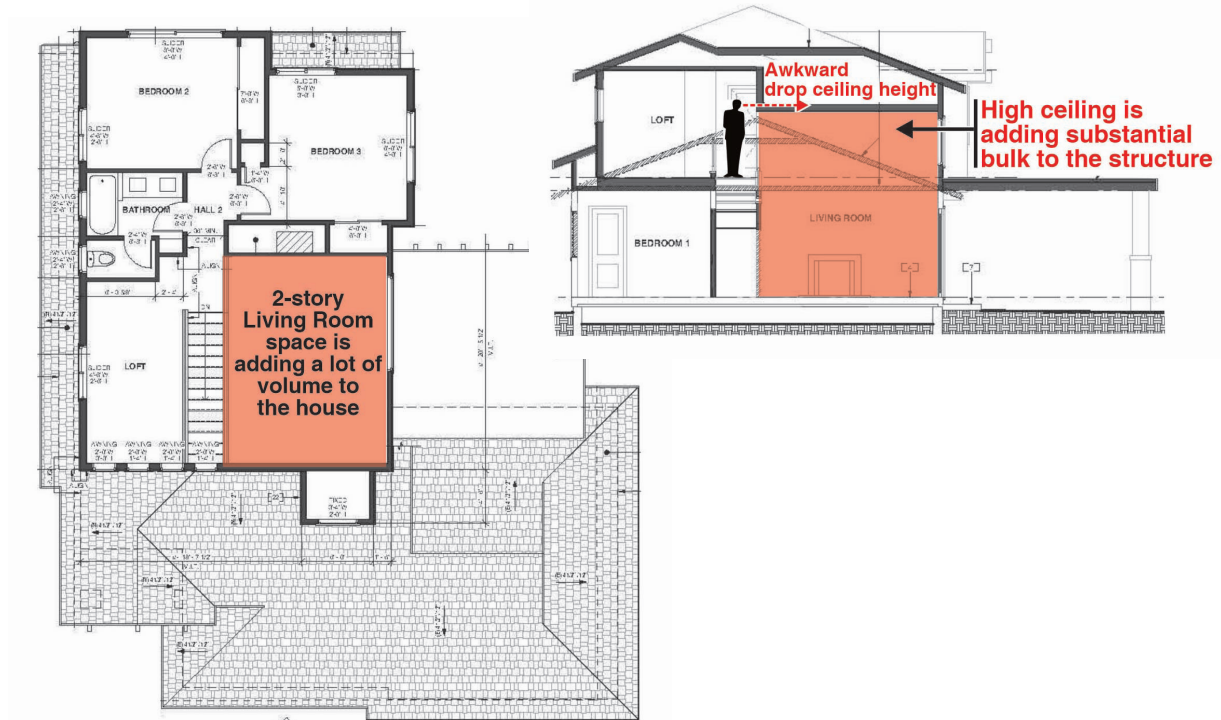
A. The right side elevation is drawn incorrectly. The front of the bay windows align with the garage face and the roof surfaces align in a single flat plane.



B. The placement of the bedroom adjacent to the entry is functionally poor as it relates to its location relative to the nearest bathroom, and that bathroom is only a powder room with no tub or shower. Functionally, the room is more like a Den or Home Office.



- C. The very high ceiling over the Living Room is unusual for the Ranch Style of the house and will increase the visual bulk of the house.
- D. The applicant should be aware that the drop ceiling over the Living Room is a bit too low relative to eye level on the second floor.



Sincerely,
CANNON DESIGN GROUP

Larry L. Cannon

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

ARCHITECTURAL CONSULTANT, ISSUES AND CONCERNS:

1. *The proposed use of stone on the front dormer is heavy and not consistent with the architectural style.*

Response:

All stone is removed from the design, please see exterior elevations on sheets A3.1 and A3.2.

2. *The entry is not consistent with Residential Design Guidelines 3.6.2 and 3.6.3, and the roof transition at the entry is awkward.*

Response:

Entry feature is removed, roof lines are adjusted per consultant's recommendations, please see exterior elevations on sheets A3.1 and A3.2.

3. *The use of stone on the front facade without carrying it consistently around the structure would not be consistent with Residential Design Guideline 3.2.2.*

Response:

All stone is removed from the design. All 4 sides of the house are now proposed to have cement plaster finish, consistent at all elevations, please see sheets A3.1 and A3.2.

4. *The corbel supports on the right side and rear facade projecting bay elements are good, but the detail is incomplete.*

Response:

A wood trim is added per consultant's recommendations, please see elevations on sheets A3.1 and A3.2.

ARCHITECTURAL CONSULTANT, RECOMMENDATIONS:

1. *Remove all stone facing and replace with materials to match the rest of the first floor.*

Response:

All stone is removed from the design, please see exterior elevations on sheets A3.1 and A3.2.

2. *Add board and batten siding on all second floor walls to match the similar existing material on the existing front floor facade.*

Response:

Per additional email correspondence with the city, and per architectural consultant's approval, all wood siding is removed from the design. All exterior walls are now proposed to have cement plaster finish, please see elevations on sheets A3.1 and A3.2.

3. *Replace the proposed tall entry form with an under the eave entry similar to the predominant entry type in the immediate neighborhood.*

Response:

Entry feature is removed, roof lines are adjusted per consultant's recommendations, please see exterior elevations on sheets A3.1 and A3.2.

4. *Lower applied roof segments on the left side and rear elevations to match the entry eave.*

Response:

Roof line is adjusted per consultant's recommendations, please see elevations on sheets A3.1 and A3.2.

5. *Add wood trim above the support corbels on both projecting pop out bays.*

Response:

A wood trim is added per consultant's recommendations, please see elevations on sheets A3.1 and A3.2.

ARCHITECTURAL CONSULTANT, ADDITIONAL COURTESY RECOMMENDATIONS:

A. *The right side elevation is drawn incorrectly. The front of the bay windows align with the garage face and the roof surfaces align in a single flat plane.*

Response:

Drafting mistake is now fixed, please see exterior elevations on A3.2.

B. *The placement of the bedroom adjacent to the entry is functionally poor as it relates to its location relative to the nearest bathroom, and that bathroom is only a powder room with no tub or shower. Functionally, the room is more like a Den or Home Office.*

Response:

Homeowners are aware of that. This bedroom will indeed be used as an office. No changes made.

C. *The very high ceiling over the Living Room is unusual for the Ranch Style of the house and will increase the visual bulk of the house.*

Response:

In an effort to avoid visual bulk, this space is buried under the extension of the existing roof. No actual recommendation is made here, so no changes are made. Other recommendations are implemented, and per the consultant's report, implementing them would make the house "fit into the neighborhood comparable to the existing home at the nearby Calrester Drive intersection" (page 7).

D. *The applicant should be aware that the drop ceiling over the Living Room is a bit too low relative to eye level on the second floor.*

Response:

Homeowners are aware of that. This ceiling is kept at that height to keep it below the existing roof plane. No changes are made. All head-heights are compliant with building code.



TOWN OF LOS GATOS

PARKS AND PUBLIC WORKS DEPARTMENT

PHONE (408) 399-5770

FAX (408) 354-8529

SERVICE CENTER
41 MILES AVENUE
LOS GATOS, CA 95030

February 28, 2022

Mr. Ryan Safty *Associate Planner*
Ms. Savannah Van Akin *Assistant Planner*
TOWN OF LOS GATOS
Planning Department
110 E. Main Street
Los Gatos, California 95030

Re: Tree Impact Inspection – 280 Carlton Ave – MR-22-002

Ryan,

I inspected this site for the proposed addition and remodel per your request.

The only tree that will be impacted by the proposed work is the Ailanthus Altissima tree in the side yard, behind the existing garage. I recommend that the owners apply for a Tree Removal Permit prior to building permit submittal to remove this tree as it will outgrow the current planter area and is not suitable for preservation. Two, 15-gallon trees will be required to be replanted as a condition of the Tree Removal Permit.

For additional questions, please contact me at (408) 761-4530.

Sincerely,

Rob Moulden, Town Arborist

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 ten-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 two-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 eight and one-half-inch by eleven-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.

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Neighborhood Outreach Document

Minor Residential Development Application: **MR-22-002**
Property Owners: Rada and Mihailo Despotovic
280 Carlton Avenue, APN 424 16 067

Summary

- Total neighbors contacted: 9 of 9
- No concern received: 8 of 9 (6 explicit + 2 implicit)
 - No email reply after reasonable time, assumed no concerns: 1
 - No USPS mail reply after reasonable time, assumed no concerns: 1
- Have a concern: 1 of 9

Neighbors with no concerns

We spoke directly to these neighbors and gave them printed images of the suggested remodeled house exterior, as well as our contact information (full name and address, email, mail and phone):

On 1/31/22:

- Shkolnik Boris & Sasha, [REDACTED] Carlester Dr, LOS GATOS, CA 95032
- Li Fiona H, [REDACTED] Carlester Dr, LOS GATOS, CA 95032
- Taylor Michael B, [REDACTED] Carlton Av, LOS GATOS, CA 95032
- Paulding Larry D & Marsha J Trustee, [REDACTED] Carlton Wy, LOS GATOS, CA 95032
- Occupant, [REDACTED] Carlton Wy, LOS GATOS, CA 95032

On 2/1/22:

- Occupant, [REDACTED] Carlton Av, LOS GATOS, CA 95032

Email sent on 1/31/22:

- Jarugula Sarath & Nalamothu Vamsee Trustee, [REDACTED] Townsend St Unit 325, SAN FRANCISCO, CA 94107
 - We knew these neighbors before they moved to San Francisco. We once did a project together (replacement of fence between our properties). They haven't replied with any concerns.

USPS mail sent on 1/31/22:

- Zhong Jian & Zhang Lan, [REDACTED] Innes Rd, SCARSDALE, NY 10583
 - We don't know these neighbors/owners. We sent our information package to them via USPS. Haven't received a reply so we assume no concerns.

Neighbors with concerns

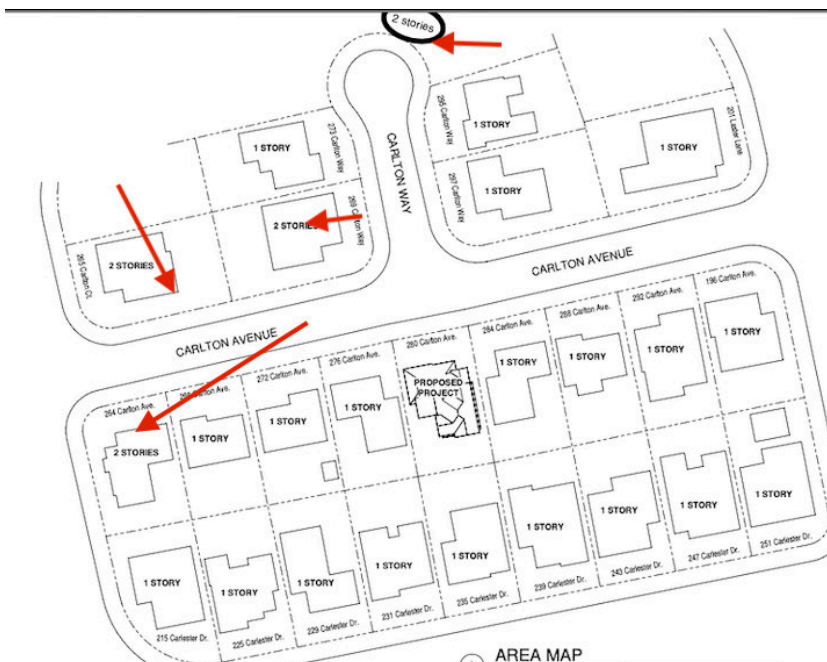
On 1/31/22, we talked in person to the following neighbor with a general and non-specific concern about 2nd floor proposals. They did not want any additional information nor further discussions with us:

- Wong Becky Trustee, [REDACTED] Carlester Dr, LOS GATOS, CA 95032

Potential concerns mitigation / addressing

General steps taken to address general concerns from any and all neighbors

- We worked very hard on the design and we believe it would be a good conceptual and cosmetic fit for the whole neighborhood
- We are very excited about the prospect of additional indoor space for our 5th grade twin boys that currently go Blossom Hill Elementary in Los Gatos. We'd like to retain our existing backyard space, play areas, and landscaping
- We did anticipate that a partial 2nd floor addition could be a sensitive issue and we already took many measures during planning to proactively address bulk, mass, and privacy. In particular, please note the following in our plan:
 - We didn't make the 2nd story as tall or massive as we could have or is allowed; it's only a partial 2nd floor, a minimum possible for 2 rooms for our kids, plus a bathroom for them
 - We kept the plate heights for both floors at 8 feet only. As a result, the highest ridge is just at 22 feet above floor (roughly 23'-6" above grade), more than 6 feet lower than the maximum allowable height
 - Facing the street, the 2nd floor is mostly buried under the extension of the existing roof, with just a couple of dormers indicating it. This makes the house smaller than it actually is and reduces the bulk. (That is consistent with the 2nd floor design at the nearby 264 Carlton Avenue, 4 houses to the west in the same block.)
 - Despite being allowed per city code, we did not extend the existing non-conforming wall to the 2nd floor along the east side of the property. Instead, we pushed it back to comply with the current setback. Furthermore, all 2nd floor windows along the east side have a 50" sill height, to respect the neighbor's privacy
- Our property lot is sub-standard to R-1:8 (being only 6,425 SF), and as mentioned above, the only way to add the necessary space without compromising the already-small backyard, was to add a second floor
- As per area map, there are already four (4) two-story houses in our immediate neighborhood, including 269 Carlton Wy that is part of this outreach document:



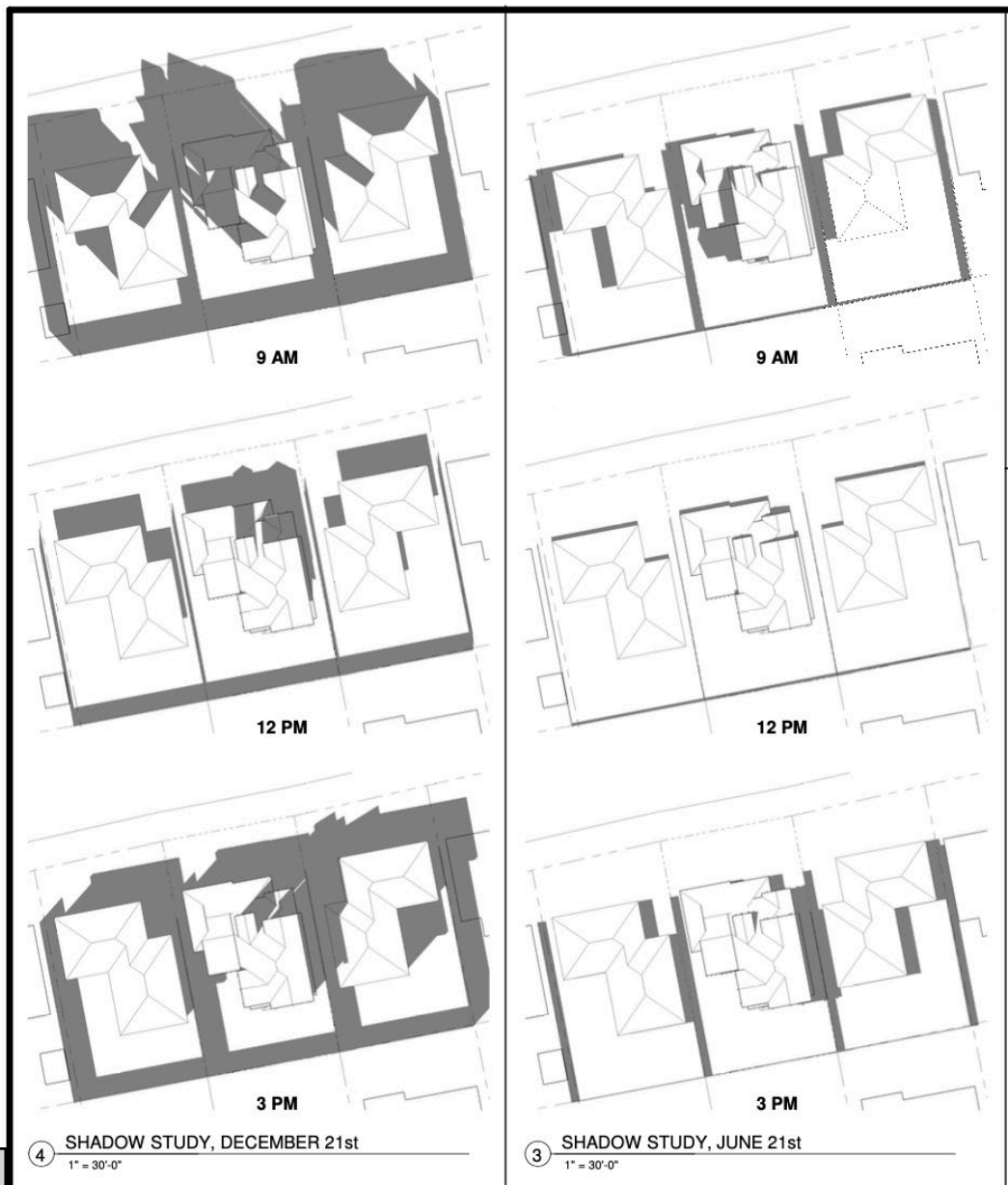
Specific steps related to potential specific concerns from 239 Carlester

We don't know the specifics of the concern(s), except a broad "don't like 2nd floors". They did not want to see the pictures nor discuss our plan details. However, we can envision two groups of concerns:

- Sun-blocking concerns
- Privacy concerns

Sun-blocking mitigation:

We don't believe this would be a valid concern because the surveyor's shadow study calculations show that the proposed design will never obstruct any part of the 239 Carlester house. Please see "AREA MAP, STREETSCAPES AND SHADOW STUDY" (A0.2 part of the plan) for details and the following picture:



Privacy mitigation:

- We could have put more windows in the back and on the side but we limited their number and size due to potential privacy concerns
- The only larger upstairs window toward 239 Carlester is a bedroom window. Our kids are in school and enrichment programs most of the day, so that room will be used primarily for sleeping. All larger 2nd floor windows will have privacy blinds
- Depending on the appeal(s) and potential commission suggestions resulting from it we are open to accommodate additional reasonable requests such as:
 - planting more trees in the backyard to increase privacy
 - increasing the fence height on certain segments to increase privacy

We hope this document will be helpful while making a decision on our application.

Thank you for your consideration.

Rada Despotovic



radadespotovic@me.com
(408) 348-3730

Mihailo Despotovic



mihailod@me.com
(408) 348-2442

Neighborhood Outreach Document **PART II (Responses to Complaints)**

Minor Residential Development Application: **MR-22-002**
Property Owners: Rada and Mihailo Despotovic
280 Carlton Avenue, APN 424 16 067
3/16/2022

Summary

- Neighbors that complained:
 - [REDACTED] Carlester Dr, LOS GATOS, CA 95032
 - [REDACTED] Carlester Dr, LOS GATOS, CA 95032

We would like to re-emphasize that during the design we already paid particular attention to all neighbors' privacy as clearly documented in the design plan, and more specifically in our architect's answers to the city consultant architect's remarks (part of our file).

We had an initial walk around the neighborhood and talked in person to 7 neighbors, of which 6 initially did not have any complaint. We also contacted 2 remote neighbors: one replied to our email saying no concerns and the other did not respond to our mail (they are located in New York; their tenant had no complaints). This has been already documented in the previous Neighborhood Outreach Document — also part of our file.

In addition to those preemptive efforts, we welcomed the feedbacks from two above mentioned neighbors and immediately had several additional meetings and conversations with the city officials (Savannah and Ryan), the city arborist who visited our residence (Rob), our architect, and our builders.

Based on those meetings to further address these privacy concerns, we created a custom letter for each of the two neighbors, with specific steps that we are willing to take.

[REDACTED] case ([REDACTED] Carlester)

Please see the [REDACTED] pdf letter which is enclosed in our file (uploaded by Savannah on 3/16/2022 per her email, also on page 3 of this document) which explains in details how we intend to address their concerns.

We attempted to deliver a paper copy of that letter in person on:

- **3/16/2022 @ 10AM** — nobody appeared to be at home
- **3/16/2022 @ 3:40PM** — nobody appeared to be at home

Then:

- **3/16/2022 @ 6:50PM** — [REDACTED] husband) opened the door and we had a good conversation. We explained how we want to address their concerns and left the letter with him. He said he understood our approach and that they will think about it. We encouraged him to talk directly to us or to the city in case they have any further remarks. We hope we reduced the probability of them filing a formal complaint.

[REDACTED] case ([REDACTED] Carlester)

Please see the [REDACTED].pdf letter which is enclosed in our file (uploaded by Savannah on 3/16/2022 per her email, also on pages 4 and 5 of this document) which explains in detail how we intend to address their concerns.

We attempted to deliver a paper copy of that letter in person on:

- **3/16/2022 @ 10:40AM** — we rang once and heard steps inside the house but no answer. We rang again and someone shut the blinds on one of the windows. We then decided to leave and try later.
- **3/16/2022 @ 3:40PM** — we rang once and again heard steps inside and a dog barking. We waited and then rang the 2nd time and heard the sound of someone approaching the entrance door and locking it from inside. We waited a bit more and nobody showed up. At that point we decided to call Savannah and to let her know that we don't feel comfortable going the 3rd time. We left the letter in the mailbox.
- At this point, unfortunately, we can only wait and see if they file a formal complaint and then go from there.

We hope this document will be helpful while making the final decision on our application.

Thank you for your consideration.

Rada Despotovic



radadespotovic@me.com
(408) 348-3730

Mihailo Despotovic



mihailod@me.com
(408) 348-2442

RE: 280 Carlton Ave MR-22-002 Neighbor Comments March 15, 2022

To: [REDACTED], [REDACTED] Carlester Dr

Wednesday, March 16th 2022

Original concern(s):

[...] the current plan shows a huge window that is direct across from our two windows. One of them is the master bedroom, another one - is my son's bedroom (8th grader). This is a huge concern to our privacy. [...] I would politely ask to either relocate that window so it does not overlook directly into our bedrooms or to make it into the narrow top window above average person height.

Response:

During design, we paid particular attention to neighbors' privacy as documented in the design plan, and more specifically in our answers to the city consultant architect's remarks (all available publicly on the city website).

In addition to those, we welcomed your feedback and immediately had several additional meetings with city officials (Savannah and Ryan), the city arborist on site (Rob), our architect and our builders.

Based on those meetings and to further address your privacy concerns, we offer the following:

- Plant several screening evergreen trees (Rob recommended Italian Cypress). We already have a 3 feet head start (due to elevated landscaping near the fence) and the initial trees will be ~6 feet tall so that yields instant ~9 feet of privacy. Per Rob, they grow 2-3 feet every year so by the time our kids are in high school we will have almost 20 feet of height there. Planting these trees is a standard procedure and a go-to privacy solution in Bay Area.
- Increase the height of the fence between our properties by 1 foot lattice (per city recommendation)

Please also note that relocating or resizing of the window is not an option because it is the (legally required) fire escape ("egress") window for that room.

We sincerely hope that all this helps with your concerns. If not, please feel free to contact us directly.

Regards,

Mihailo Despotovic

Rada Despotovic

RE: 280 Carlton Ave MR-22-002 Neighbor Comments March 15, 2022

To: [REDACTED], [REDACTED] Carlester Dr

Wednesday, March 16th 2022

Concern:

Privacy – The second story can cause privacy impacts for adjacent and nearby homes by creating unwanted view points from windows that would allow someone to look into the yards and private spaces of the neighbors. [...]

Response:

During design, we paid particular attention to neighbors' privacy as documented in the design plan, and more specifically in our answers to the city consultant architect's remarks (all available publicly on the city website).

In addition to those, we welcomed your feedback and immediately had several additional meetings with city officials (Savannah and Ryan), the city arborist who came on site (Rob), our architect and our builders.

Based on those meetings and to further address your privacy concerns related to the big backyard window, we offer the following:

- Plant several screening evergreen trees between us and 235 Carlester (Rob recommended Italian Cypress). We already have a 3 feet head start (due to elevated landscaping near the fence) and the initial trees will be ~6 feet tall so that yields instant ~9 feet of privacy. Per Rob, they grow 2-3 feet every year so by the time our kids are in high school we will have almost 20 feet of height there. Planting these trees is a standard procedure and a go-to privacy solution in Bay Area.
- Increase the height of the fence between our property and 235 Carlester by 1 foot lattice (per city recommendation)
- As we don't share any fence with you, we can also offer to increase the fence between us and 284 Carlton by 1 foot lattice

Please note that (per Rob) we cannot plant any trees between us and 284 Carlton due to the power pole and power lines configuration in that area.

Please also note that relocating or resizing of the backyard window is not an option because it is the (legally required) fire escape ("egress") window for that room.

The other side window in that room is small and already elevated (it will be above our kid's writing desk).

Concern:

Neighborhood Pattern - I live in a neighborhood that consists of predominantly one-story homes - eight out of nine homes on Carlton Avenue are one-story and eighteen out of eighteen homes on Carlester Drive are one-story. Currently, the only two-story home on Carlton is on a corner lot. The second-story addition will change the appearance and characters of the homes on Carlton and Carlester neighborhood.

Response:

Per consulting architect's feedback document, the "NEIGHBORHOOD CONTEXT" chapter, there are multiple 2-story houses in the relevant area (which is wider than quoted in the concern) and there were no compliance violations found by the consulting architect nor the city.

Concern:

Sunlight and shade – [...]

Response:

Per extensive Shadow Study, plan document, page A0.2, there is no sunlight and shade impact to 239 Carlester.

We sincerely hope that all this helps with your concerns. If not, please feel free to contact us directly.

Regards,

Mihailo Despotovic

Rada Despotovic

Neighborhood Outreach Document

PART III (Summary Outreach)

Minor Residential Development Application: **MR-22-002**

Property Owners: Rada and Mihailo Despotovic

280 Carlton Avenue, APN 424 16 067

3/22/2022

Summary

- One additional neighbor (name and address withheld) complained
- 235 Carlester neighbors rejected our idea of planting the trees and elevating the fence and also had additional privacy comments on our windows

An anonymous neighbor case — NEW CASE

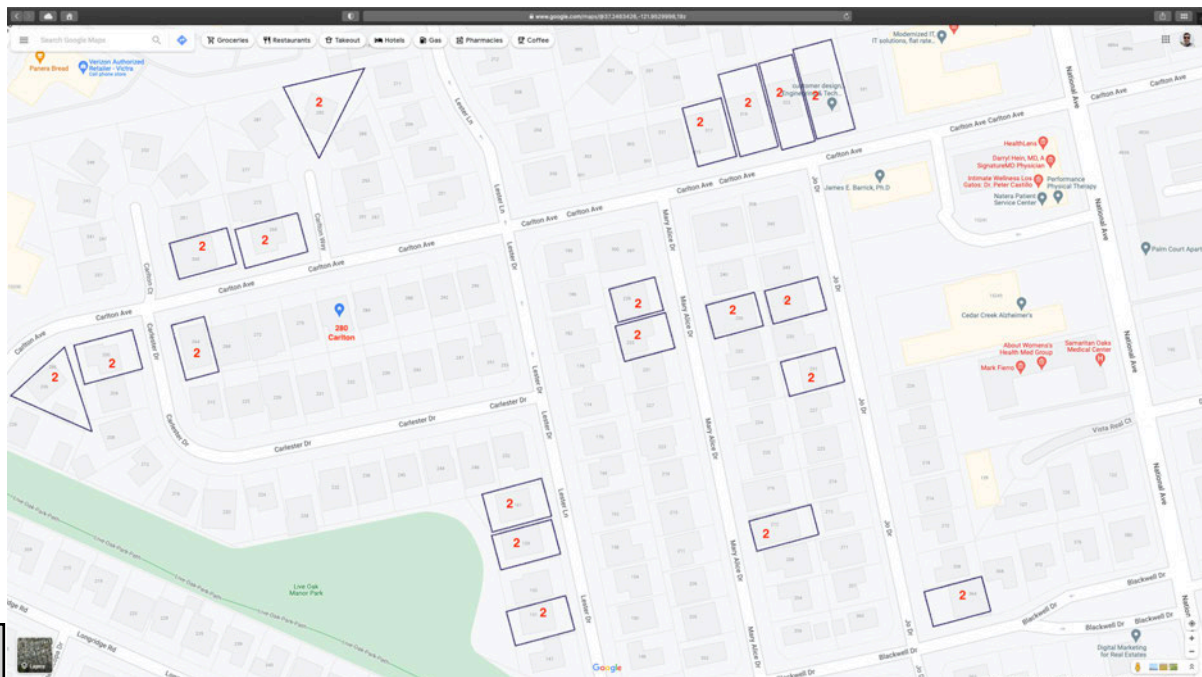
> 1. A one-story community

> Carlton, Carlester and neighboring streets predominantly

> have one-story homes. [...]

As documented previously, and as per the consulting architect report, the close neighborhood we are in already has two 2-story houses (one just across the street and another one just three houses away on the same street). On top of that, we did a survey of a slightly wider neighborhood and documented twenty 2-story houses around us. This survey (in a form of a Google maps view with annotated 2-story houses) was sent via email to Savannah and she included it into our case file.

For convenience, here is a smaller version of that picture:



**> Although there are 2-story houses in the neighborhood, they blend in as corner
> properties or in a cul de sac.**

Today we confirmed with Ryan and Savannah that there are no zoning laws against non-corner and/or non-cul-de-sac houses having 2nd story in our neighborhood. Also, the survey of the wider neighborhood shows many 2-story houses which are not on a corner lot or in cul-de-sac. The closest one would be on 239 Mary Alice Dr, mere 150 yards from our house.

For reference, this is what the back of 239 Mary Alice Dr looks like (this is not a corner house):



And this is what the back of 264 Carlton looks like (this is a corner house):



> 2. Privacy

Since this is essentially the same complaint as the existing complaints from [REDACTED] and [REDACTED] Carlester, please see the [REDACTED] case below for how we plan to approach this.

**> I have never thought of building a second story on my property
> out of respect and courtesy to my friendly neighbors.**

We sincerely hope that the commission will focus on facts, codes, and zoning laws and not statements that are personal, biased, and/or cannot be proven. People don't build 2nd stories for many reasons, the top two being cost and inconvenience (one has to live outside the house for many months while it is being built).

██████ case (██████ Carlester) – OUR REPLY TO THEIR REPLY

██████ family rejected our proposal to plant trees and increase the fence size.

I am sure we can find another solution. In specific, their response was:

**> Upon further inspection of the plans for the proposed second story,
> we saw that both second-story bedrooms have windows on the sides - those
> windows address the egress requirements. Therefore, the windows that
> face ████████ Carlester Dr are not required per city code.**

We think this pertains to the statement we made in the previous letter saying: *"Please also note that relocating or resizing of the window is not an option because it is the (legally required) fire escape ("egress") window for that room."*

Upon further consultations with our architect and also Savannah and Ryan, the ████████ are indeed correct here and we are open to accommodating the plan changes to position the egress windows on the sides and change the nature of the backyard windows.

At this point, and as per agreement with Ryan and Savannah and since every plan change incurs additional cost and we are not sure what change(s) exactly to implement (we need the commission to advise us on that), we will make this generic statement which should apply to all current and potential future privacy concerns:

We are open to reasonable plan change(s) the commission decides as appropriate here, as long as we can legally call and use the 2nd floor rooms as our children's bedrooms. We know that some neighbors proposed some solutions and we also proposed some on earlier meetings as well (moving windows, reducing windows, partial frosting). We are looking forward to the commission hearing to see which of those solution(s) would be acceptable to all parties involved.

We again hope this document will be helpful while making the final decision on our application.

Thank you for your consideration.

Rada Despotovic

A handwritten signature in black ink, appearing to read 'Rada Despotovic', with a stylized flourish at the end.

radadespotovic@me.com
(408) 348-3730

Mihailo Despotovic

A handwritten signature in black ink, appearing to read 'Mihailo Despotovic', with a long, sweeping flourish extending to the right.

mihaillod@me.com
(408) 348-2442

Mon 3/14/2022 11:56 PM

Hi Savannah,

Thanks for your help in answering my questions this morning.

The owners of the property located at 280 Carlton Avenue (APN 424 16 067) wants to add a second story to their property. I am concerned that this second-story addition will have the following impacts on the surrounding property:

Privacy – The second story can cause privacy impacts for adjacent and nearby homes by creating unwanted view points from windows that would allow someone to look into the yards and private spaces of the neighbors. The privacy-invasion is my big concern. My back wall of the house (a master bedroom and two other bedrooms) are facing the backyard. My master bedroom has a double glass door facing the backyard. The big window of the other bedrooms almost covers the entire back wall. The back and side windows of the second-story addition would cause the loss of my privacy – anyone in the second-story rooms can look into my yards and private spaces.

Neighborhood Pattern - I live in a neighborhood that consists of predominantly one-story homes - eight out of nine homes on Carlton Avenue are one-story and eighteen out of eighteen homes on Carlester Drive are one-story. Currently, the only two-story home on Carlton is on a corner lot. The second-story addition will change the appearance and characters of the homes on Carlton and Carlester neighborhood.

Sunlight and shade – The additional building height created by a second story can block sunlight into a nearby home or create too much shade in nearby yards.

Per owners' Neighborhood Outreach Document, the owners of 280 Carlton Ave may think that planting more trees in the backyard and/or increasing the fence height may increase some privacy. Planting trees as screens will not work – when the winter comes and leaves drop, the privacy disappears. Increasing the height of the fence also will not work as the windows on the second level are much higher than the fence. Further, a higher fence will change the appearance of the yards.

In the document, the owners mentioned that they would put their kids in the upstairs bedroom that has a bigger window towards [REDACTED]. They think that this would mitigate the privacy concerns because their two kids are in school and enrichment programs most of the day, so this room with a larger window will be used primarily for sleeping. They also think that all larger second-story windows will have privacy blinds. This is likely the owners' ideal scenarios. In a few years, the kids will grow up and become young adults; the second-story will be occupied by young adults and likely someone else.

Due to the above concerns, I request the building department to review these concerns and support alternatives to avoid the impacts on surrounding properties that are caused by the second-story addition.

Thanks,

[REDACTED]
[REDACTED]

Los Gatos

Mon 3/14/2022 3:13 PM

Hello Ryan and Savannah,

My name is [REDACTED] and I live at [REDACTED]

The house behind us on 280 Carlton Ave (APN 424 16 067) is planning to build a second story and the post went up over the weekend.

When the owners stopped by a few weeks ago to talk about the second story, I did not have an immediate concern, as I could not visualize how it will project over the fence.

I do not mind the second story as an idea, but the current plan shows a huge window that is direct across from our two windows. One of them is the master bedroom, another one - is my son's bedroom (8th grader).

This is a huge concern to our privacy. When we rebuilt our house a few years ago, we did not add on the second story. The second story would give us the ability to have an extra bedroom for two of our boys and increase the house value, but we keep the house to three-bedroom out of the concern and respect our neighbor's privacy.

I would politely ask to either relocate that window so it does not overlook directly into our bedrooms or to make it into the narrow top window above average person height.

Thank you,

[REDACTED]

Wed 3/16/2022 3:12 PM

Hi Savannah,

Thanks for your email.

After looking into the pending project plan on Town of Los Gatos's website, I noticed that the windows facing my home are very large. These windows look into a large section of my home – an actively used backyard/garden; a master bedroom with a double door; and two bedrooms each with a large window.

I have gone through a home addition project. We remodeled and increased the living area of our home in a 6,000+ sq. ft. lot at the ground level for a family of 4. My children were 8- and 6-year old at the time. When we planned our project, we liked the idea of having a second-story addition - more living space, better views, increase in property value, etc. However, we also considered other factors (privacy, neighborhood pattern, sunlight and shade, etc.) in determining whether a second-story addition was appropriate for our current location. Like many other additions of one-story homes in the neighborhood, we decided not to add a second-story in order to retain the characters/appearance of the existing neighborhood (Carlton Avenue/Carlester Drive) and respect the privacy of the surrounding neighbors.

Due to the privacy concern, I respectfully request the pending plan to be reviewed and considered other design options. Specifically, the back and side windows need to be much smaller and to be relocated with the base of the windows above the eye level of an average adult.

Attached are pictures taken from my home for review.

Thanks,

██████









Fri 3/18/2022 5:54 PM

Via email

Ms. Savannah Van Akin, Assistant Planner
Mr. Ryan Safty, Associate Planner
Community Development Department
Los Gatos, CA

Dear Ms. Savannah and Mr. Safty,

I am the property owner of [REDACTED]. I am writing this letter to express my comments in connection with the proposed plan to construct a second story addition to the existing property on 280 Carlton Avenue.

The Despotovics stopped by my house a couple of months ago to distribute some images of what the 2-story home would look like (just pictures with no dimensions). I perceived the visit as a courtesy notification to affected neighbors, thinking that there would be additional notifications such as plan details. I appreciate their outreach, but the images provided are not enough for anyone to form any opinion on the spot. The moment came last week (week of March 7) when I saw workers putting up posts on the roof. I realize the addition creates concerns for me.

1. A one-story community

Carlton, Carlester and neighboring streets predominantly have one-story homes. These homes create a peaceful architectural flow, one of the elements that makes this part of Los Gatos a sought-after neighborhood where people enjoy its charm. There are many families here with 2-3 school age children who happily reside in single-story homes, enjoying the closeness they offer. Although there are 2-story houses in the neighborhood, they blend in as corner properties or in a cul de sac. A 2-story property on a relatively busy street such as Carlton where properties on both sides are primarily single-story homes tarnishes its clean appearance.

2. Privacy

When I saw the posts and the workers, I instantly recognized the threat to my privacy. For a week now, I have not opened the blinds wide in my living room and family room like I used to. Looking up at the right-hand corner of the backyard seeing those posts (and potentially a structure soon) obstructing part of the sky view is disappointing. My property is already not directly behind 280 Carlton. Other neighbors are even more adversely affected. A second story with windows all around turns my property into a bird cage. It does not matter whether the occupants of the second floor are children or whether they are home all the time or not. A loss of privacy is a loss. I cannot plant taller trees in the back yard to block because there are power lines.

I sincerely hope that the natural charm and beauty in this neighborhood can be preserved and treasured. I have never thought of building a second story on my property out of respect and courtesy to my friendly neighbors. I respectfully ask you to consider my comments above. Thank you.

Sincerely,

[REDACTED]
[REDACTED]

Mon 3/21/2022 9:29 AM

Hello Savannah,

We have received a reply from the owners to our previous ask to respect our privacy while planning the 280 Carlton Ave project. The reply does not address our request to avoid the view inside our bedrooms and actively used backyard.

A. The proposed tree planting solution will take several years to work and is not a permanent solution. Once the house is built - the occupant of the house will have a clear view into our master and kids' bedroom.

If the trees are planted:

1. It would take several years for them to grow, in the meantime, our house and the backyard is exposed
2. For those types of trees, no legal guarantees can be made that in that time they will not be removed
3. The trees can be cut down due to the ownership change.

B. For the fence lattice solution - our lot sits higher than the 280 Carlton lot and even a 1-foot lattice will not provide adequate privacy to either bedrooms or a backyard.

Upon further inspection of the plans for the proposed second story, we saw that both second-story bedrooms have windows on the sides - those windows address the egress requirements. Therefore, the windows that face [REDACTED] are not required per city code.

All of our bedrooms are built with the permit and have a single window.

If the lighting in the bedroom is the concern - there are several ways to solve it: recess lights, skylights, a window at the top of the room, with the height to the opening starting at minimum average person height

Regards,

[REDACTED]

To: Town of Los Gatos
Planning Director/Commission

March 22, 2022

Notice of Appeal

New Second-Story Addition at 280 Carlton Avenue, Los Gatos (APN 424 16 067)

Thank you for your reply regarding the window minimum opening area (5.7 sq ft; 24"H x 20"W – net clear). The Despotovics' second-story windows (facing the back and east) are significantly larger than the minimum requirements and each room has more than one window. The window size of these windows ranging from (48"H x 96"W) to (30"H x 54"W).

Per Despotovics' response (dated 3/16/2022) to the neighbors' privacy concern issue, they said that "relocating or resizing of the backyard window is not an option". It appears that they do have an option to redesign and make a change to the window; but they are unwilling to do so.

The Town of Los Gatos provides residential design guidelines (copy attached/highlighted in yellow) to homeowners who want to add a new second story to an existing home. Section 3.11.2 of the guidelines states that:

"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."***

The Town of Los Gatos Code of Ordinances, Section 29.20.480(c) - Administrative Procedure for Residential Project (copy attached/highlighted in yellow) states that ***"if the Planning Director intends to approve the application, a "Notice of Pending Approval" will be mailed to neighboring residents and property owners including any applicable conditions, exactions or dedications as required. The notice will advise the neighboring residents and property owners of the applicant's plans, and that the application will be approved ten (10) days from the date of mailing. Any interested person as defined in section 29.10.020 will have (10) days from the date of approval in which to file a written notice of appeal to the Planning Commission with the Planning Director."***

Section 29.10.020 (copy attached/highlighted in yellow) defines an interested person as ***"any person or persons or entity or entities who own property or reside within one thousand (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."***

As of today, I have not received a Notice of Pending Approval from the Town of Los Gatos. As such, I do not know whether the Planning Director intends to approve the application. Since this subject is time sensitive; and there is a time window to file a written notice of appeal to the Planning Commission with the Planning Director, this letter will serve as the notice of appeal. Please forward this letter and the attachments to the Planning Director and Planning Commission. Please advise if there is any issue in forwarding this appeal letter to them.

[REDACTED], Los Gatos

3.10 ARCHITECTURAL DETAIL

3.10.1 Porches and Entries

- Select columns that are traditional to the architectural style of the house. Take care in selecting columns with an appropriate width to height ratio for the style. Except for a very few styles, the columns should have appropriate caps and bases with proportions typical of the style.
- Provide a well proportioned beam between the column caps and the roof. Size and detail the beam so that it looks like a convincing structural member. It should be visible both from inside and outside of the porch. A common problem is to make this element of the porch too small or to face it with a material (e.g., siding) that would not carry the weight above if it were structural. For most architectural styles, molding and trim will divide the beam vertically into three major elements of varying height.
- Railings should generally be constructed of wood unless the specific architectural style allows for metal or stone. Provide both top and bottom rails with the bottom rail raised above the porch floor level.
- Vertical balusters should be appropriate to the architectural style. Some are quite simple while others may have special shapes.
- Take care in designing porch stairs. They generally should match the porch floor (e.g., wood) or the sidewalk material if other than concrete (e.g., brick).

Note: All porches are expected to be usable and have a minimum depth of 6 feet or preferably more.

3.10.2 Balconies

- Avoid balconies that project more than 3 feet from the face of the building unless they are typical of the architectural style.
- Provide supporting brackets or beams that are large enough to clearly appear to provide structural support for the balcony.
- Railings should be designed as discussed above for porch railings. For longer railings, intermediate posts with caps and bases should be used to break the railing into smaller increments.

3.10.3 Brackets

- Brackets at roof overhangs, balconies and bay windows should be designed to extend to fascia/balcony edge/projecting bay front or slightly beyond. Avoid stub brackets that do not appear substantial enough to support the element above.



Porch beam example with good depth and details



Some architectural styles suggest simple columns and railings



While others require much more refined details

3.10.4 Chimneys

- Chimneys should extend to ground level. Avoid cantilevers above the ground.
- Chimney materials, size, shape and height should be appropriate to the architectural style and to the scale of the house. Avoid undersized chimneys that are too narrow and too low. Add chimneys for gas fireplaces when the architectural style would normally feature chimneys.
- Provide chimney caps that are interesting and appropriate to the architectural style.

3.10.5 Roof flashing and vents

- Paint flashing and vents to match the color of the roof.

3.10.6 Skylights

- First, consider the use of roof dormers or clerestories instead of skylights.
- Use flat profile skylights rather than domed models.
- Select glazing to avoid the feeling of roof beacons or lanterns that are highly visible from the street or neighboring properties.

3.11 PRIVACY AND SOLAR ACCESS**3.11.1 Minimize shadow impacts on adjacent properties**

- Locate structures to minimize blocking sun access to living spaces and actively used outdoor areas on adjacent homes.

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.
- Bay windows should be avoided on side walls where they would intrude on adjacent residents' privacy.
- Second floor balconies and decks should be used only when they do not intrude on the privacy of adjacent neighbors.

- As a general rule, balconies and decks that are more than two feet above grade should try to maintain a distance of ten feet from side property lines and twenty feet from rear property lines when the adjacent use is single family residential.
- When allowed, the design of railings should be tailored to the privacy concerns of neighbors (e.g., balcony or deck sides overlooking adjacent windows or actively used yard space should be solid in form). Open railings should only be used where privacy concerns are minimal.
- Landscaping may be used to mitigate privacy concerns so long as the landscaping does not deny solar access to living spaces and actively used yard areas of neighboring homes.
- Landscaping used for privacy screening purposes, should be of sufficient size and of an appropriate species to provide such privacy within a two year time frame.
- Trees should be twenty-four inch box size.
- Shrubs used to promote privacy should be fifteen gallon in size and six feet minimum height at planting.
- As a general rule, privacy landscaping should be placed with a cone-of-vision defined by a thirty degree angle from the side window jambs of second story windows.

3.11.3 Design and plan for energy efficiency

- Design to minimize energy costs by selecting and locating landscaping and windows to block hot summer sun exposure and allow winter sun exposure.

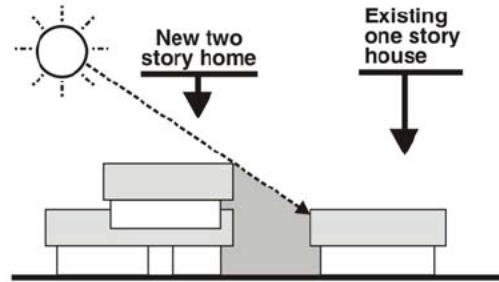
3.11.4 Solar Panels

The Town supports the use of alternative energy sources and provides the following advisory guidelines to reduce potential negative visual impacts of solar energy systems.

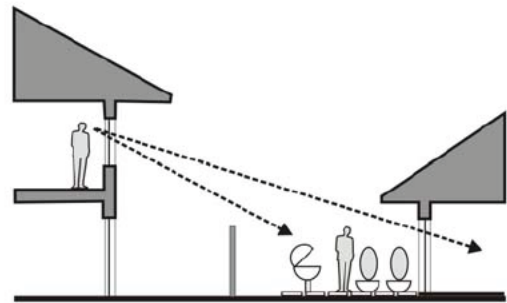
- Design solar panels and any piping to be an integral part of the architecture.
- Align solar panel faces with that of the underlying roof slope. Avoid panels with slopes that are different than that of the roof.
- Integrate the design of panels into the design of the roof. Avoid a tacked-on appearance.

3.11.5 Minimize exterior lighting impacts on neighbors

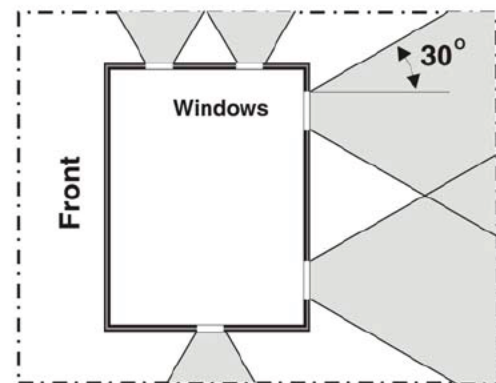
- All permanent exterior light fixtures should utilize shields so that no bulb is visible and to ensure that light is directed to the ground surface and does not spill light onto neighboring parcels or produce glare when seen from nearby homes.
- Decorative residential light fixtures are preferred rather than strictly utilitarian security lighting fixtures.



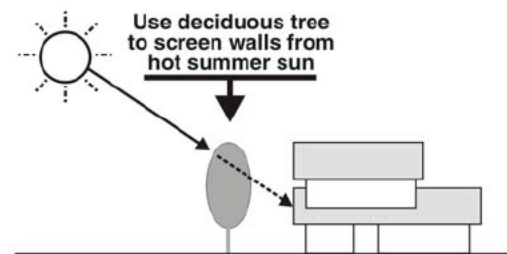
Avoid second floor masses in locations that would block sun access to adjacent homes



Avoid placing windows in locations that would look into adjacent neighbors' windows or active private yard spaces



Place landscaping in the shaded areas shown on the diagram above to mitigate privacy intrusions on adjacent homes



Use landscaping to minimize energy usage

Los Gatos, CA Code of Ordinances

THE CODE OF THE TOWN OF LOS GATOS, CALIFORNIA modified

SUPPLEMENT HISTORY TABLE modified

- Chapter 1 - GENERAL PROVISIONS
- Chapter 2 - ADMINISTRATION
- Chapter 3 - AMUSEMENTS
- Chapter 4 - ANIMALS AND FOWL
- Chapter 5 - BICYCLES
- Chapter 6 - BUILDINGS AND BUILDING REGULATIONS
- Chapter 7 - CABLE TELEVISION
- Chapter 8 - CIVIL DEFENSE AND DISASTER
- Chapter 9 - FIRE PREVENTION AND PROTECTION
- Chapter 10 - FOOD AND FOOD ESTABLISHMENTS
- Chapter 11 - GARBAGE, REFUSE AND WEEDS
- Chapter 12 - GRADING, EROSION AND SEDIMENT CONTROL
- Chapter 13 - HEALTH AND SANITATION
- Chapter 14 - LICENSES AND MISCELLANEOUS BUSINESS REGULATIONS
- Chapter 15 - MOTOR VEHICLES AND TRAFFIC
- Chapter 16 - NOISE
- Chapter 17 - NUISANCES
- Chapter 18 - OFFENSES AND MISCELLANEOUS PROVISIONS

- Chapter 19 - PARKS AND RECREATION
- Chapter 20 - PLANNING
- Chapter 21 - POLICE
- Chapter 22 - SEWERS AND SEWAGE DISPOSAL
- Chapter 23 - STREETS AND SIDEWALKS
- Chapter 24 - SUBDIVISION REGULATIONS
- Chapter 25 - REVENUE AND TAXATION
- Chapter 26 - TREES AND SHRUBS
- Chapter 27 - UTILITIES
- Chapter 28 - VEHICLES FOR HIRE
- ✓ Chapter 29 - ZONING REGULATIONS

✓ ARTICLE I. - IN GENERAL

✓ DIVISION 1. - MISCELLANEOUS

Sec. 29.10.010. - Reference.

Sec. 29.10.015. - Zoning map.

Sec. 29.10.020. - Definitions.

Sec. 29.10.025. - Savings clause.

Sec. 29.10.030. - Intent.

Sec. 29.10.035. - Application.

Sec. 29.10.040. - Land use.

Sec. 29.10.045. - Uses prohibited.

Sec. 29.10.046. - Special events.

Sec. 29.10.050. - Scope of sections 29.10.070 through 29.10.295.

Sec. 29.10.055. - Landscape required.

Sec. 29.10.060. - Parking.

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Sec. 29.10.067. - Subdivision requirements, standards, and specifications.

Sec. 29.10.06701. - Subdivision Design standards—Generally.

Sec. 29.10.06702. - Same—Streets.

Sec. 29.10.06703. - Same—Design standards.

Sec. 29.10.06704. - Streets necessary for development of adjoining property.

Sec. 29.10.06705. - Off-street parking on narrow streets.

Sec. 29.10.06706. - Trails.

Sec. 29.10.06707. - Street alignment.

Sec. 29.10.06708. - Grades of streets, highways and alleys.

Sec. 29.10.06709. - Dedication of open space.

Sec. 29.10.06710. - Paving of streets.

Sec. 29.10.06711. - Street intersections.

Sec. 29.10.06712. - Sidewalks.

Sec. 29.10.06713. - Curbs and gutters.

Sec. 29.10.06714. - Cul-de-sac length.

Sec. 29.10.06715. - Improvements on half-streets.

Sec. 29.10.06716. - Culverts, storm drains and drainage structures.

Sec. 29.10.06717. - Sewers.

Sec. 29.10.06718. - Utilities.

Sec. 29.10.06719. - Domestic water service.

Sec. 29.10.06720. - Fire hydrants.

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Sec. 29.10.06723. - Retaining walls.

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Sec. 29.10.06725. - Double frontage lots.

Sec. 29.10.06726. - Lot standards—Design, area and width.

Sec. 29.10.06727. - Cleanliness, etc., of building sites.

Sec. 29.10.070. - Lot merger.

Sec. 29.10.075. - Lot restrictions for public utilities.

Sec. 29.10.080. - Through lots.

Sec. 29.10.085. - Corridor lots.

Sec. 29.10.087. - Lot frontage.

Sec. 29.10.090. - Height restriction, exception.

Sec. 29.10.09010. - Garbage and waste containers.

Sec. 29.10.09015. - Residential outdoor lighting.

Sec. 29.10.09020. - Swimming pools.

Sec. 29.10.09025. - Home occupations.

Sec. 29.10.09030. - Demolitions.

Sec. 29.10.09035. - Performance standards as to glare.

Sec. 29.10.09040. - Temporary structures.

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➤ DIVISION 4. - PARKING

✓ DIVISION 5. - NONCONFORMING BUILDINGS, LOTS AND USES

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Sec. 29.10.180. - Nonconforming status.
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Sec. 29.10.190. - Cessation of nonconforming uses.

Sec. 29.10.195. - Termination of nonconforming use status.

Sec. 29.10.200. - Duration of nonconforming building status.

Sec. 29.10.205. - Record of nonconforming uses and buildings.

Sec. 29.10.207. - Effect of nonconforming use as to parking on commercial uses.

Sec. 29.10.210. - Changing use of a nonconforming building.

Sec. 29.10.215. - Modification of a nonconforming use.

Sec. 29.10.220. - Proceedings to determine that nonconforming use is no longer lawful.

Sec. 29.10.225. - Grounds for determining that a nonconforming use is no longer lawful.

Sec. 29.10.230. - Remedies; conditional use permit.

Sec. 29.10.235. - Use of nonconforming buildings.

Sec. 29.10.240. - Findings.

Sec. 29.10.245. - Expansion of nonconforming building.

Sec. 29.10.250. - Rules governing the expansion of nonconforming buildings.

Sec. 29.10.255. - Work on buildings.

Sec. 29.10.260. - Rebuilding nonconforming buildings.

Sec. 29.10.263. - Additional conditions of approval for a conditional use permit for a nonconforming use or building.

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- DIVISION 2. - COMPLIANCE REVIEW
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- DIVISION 3B. - EXPEDITED PERMIT PROCESS FOR SMALL RESIDENTIAL ROOFTOP SOLAR SYSTEMS
- DIVISION 4. - POST-APPROVAL ACTIONS
- ▼ DIVISION 5. - PROCEDURES

Sec. 29.20.405. - Applications and notices of appeal.

Sec. 29.20.410. - Application forms.

Sec. 29.20.415. - Fees.

Sec. 29.20.420. - Requirements for action.

Sec. 29.20.425. - Consolidated proceedings.

Sec. 29.20.430. - Hearings required.

Sec. 29.20.435. - Consent items.

Sec. 29.20.440. - Continuances.

Sec. 29.20.445. - Findings.

Sec. 29.20.450. - Notices.

Sec. 29.20.455. - Development Review Committee.

Sec. 29.20.460. - Chair.

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- ARTICLE VIII. - OVERLAY ZONES AND HISTORIC PRESERVATION
- ARTICLE IX. - FLOODPLAIN MANAGEMENT
- Chapter 30 - NEIGHBORHOOD PRESERVATION
- Chapter 31 - STATE VIDEO SERVICE FRANCHISES

CODE COMPARATIVE TABLE 1968 CODE

CODE COMPARATIVE TABLE - ORDINANCES modified

STATE LAW REFERENCE TABLE modified

◀ Secs. 29.20.350—29.20.400. - Reserved.

DIVISION 6. - AMENDMENT ▶

DIVISION 5. - PROCEDURES

⋮

Sec. 29.20.405. - Applications and notices of appeal.

⋮

When an approval or review of any action is sought under the terms of this chapter, a written application or notice of appeal is required to be filed. All applications and notices of appeal are filed in

Office of the Planning Director, except notices of appeal to the Council which are filed in the office of

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(Ord. No. 1316, § 5.40.010, 6-7-76)

Sec. 29.20.410. - Application forms.

⋮

The Planning Director prescribes the form and content of all applications and notices of appeal. If information not ordinarily required is reasonably necessary to permit the correct determination of an application, the Planning Director may instruct the applicant to provide the additional information. Every application must show in a manner prescribed by the Planning Director that the owner of the land in question is the applicant or joins in the application.

(Ord. No. 1316, § 5.40.020, 6-7-76)

Sec. 29.20.415. - Fees.

⋮

When an application or notice of appeal is required to be filed, there is a filing fee which is set by Council resolution and which shall be paid at the time of filing. If no Council resolution sets a fee, there is no fee.

(Ord. No. 1316, § 5.40.030, 6-7-76; Ord. No. 1363, 8-1-77)

Sec. 29.20.420. - Requirements for action.

⋮

Except as otherwise provided by statute, all Planning Commission actions shall be performed by an affirmative vote of a majority of the members present. A quorum is required for any action except a decision to adjourn.

(Ord. No. 1316, § 5.40.040, 6-7-76; Ord. No. 1375, 11-21-77)

Sec. 29.20.425. - Consolidated proceedings.

⋮

When a single project has to have both a conditional use permit and architecture and site approval, a combined application may be filed and the matter considered in a consolidated proceeding.

(Ord. No. 1316, § 5.40.050, 6-7-76)

Sec. 29.20.430. - Hearings required.

⋮

(a) Hearings are required in the determination of the following matters:

- (1) Amendments to this chapter which change land from one (1) zone to another or which create, abolish or alter a zone or the regulations of a zone which govern a land use.
- (2) Variances.
- (3) Conditional use permits.

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- (5) Revocations or Town-initiated modifications of any permit or approval, regardless of whether a hearing was required for the existing permit.
- (6) Applicant-initiated modification for any permit or approval when a hearing was required for the existing permit.
- (7) Time extensions for any permit or approval when a hearing was required for the existing permit.
- (8) Demolition of a designated landmark.
- (9) Whether to extend suspension of action on applications for subsection (8).
- (b) For the purposes of this section, a matter is deemed to be one where a hearing was required on the existing permit or approval, if a hearing is currently required by this chapter for the existing permit or approval.

(Ord. No. 1316, § 5.40.060, 6-7-76; Ord. No. 1328, 8-2-76; Ord. No. 1375, 11-21-77; Ord. No. 1963, § II, 11-15-93)

Sec. 29.20.435. - Consent items.



Any matter for determination by the Planning Commission, including matters requiring a noticed public hearing, may be placed on the Planning Commission's meeting agenda as a separate item or as a consent item together with other matters, at the discretion of the Planning Director. At the request of any member of the Planning Commission, any consent item must be removed from the consent calendar and be considered as a separate item. At the request of any member of the audience any consent item for which a noticed hearing is required must be removed, and any other consent item may be removed from the consent calendar and considered as a separate item.

(Ord. No. 1316, § 5.40.065, 6-7-76; Ord. No. 1375, 11-21-77)

Sec. 29.20.440. - Continuances.



All hearings under this division may be continued from time to time.

(Ord. No. 1316, § 5.40.070, 6-7-76)

Sec. 29.20.445. - Findings.



Except in the case of hearings concerning the adoption of ordinances, where a hearing is required by this chapter, the body which renders the decision must make findings sufficient to bridge the analytic gap between the raw evidence and the decision. When a hearing concerns adoption of an ordinance, only those findings required by statute need be made.

Sec. 29.20.450. - Notices.

⋮

Where a hearing is required by this chapter other than a hearing concerning an ordinance amendment, the following notice is required. At least ten (10) days before the hearing, the Planning Director shall give notice by publication at least once in a newspaper of general circulation, published and circulated in the Town, or if there is none, by posting in at least three (3) public places in the Town, and through the United States mail, with postage prepaid using addresses from the last equalized assessment roll, or alternatively, from such other records of the Assessor or the Tax Collector as contain more recent addresses in the opinion of the Director, to all properties lying within a three-hundred-foot radius of the land which is the subject of the hearing.

(Ord. No. 1316, § 5.40.090, 6-7-76; Ord. No. 1654, 4-22-85)

Sec. 29.20.455. - Development Review Committee.

⋮

A Development Review Committee is established for the Town. The members of the Development Review Committee who attend all of the Committee meetings are the Planning Director, the Town Engineer, the Building Official and the Director of Parks, Forestry and Maintenance Services. The Fire Chief, Chief of Police, Town Attorney and Health Officer are also members of the Development Review Committee, but each of them only attends meetings when it is determined that the matters under consideration require attendance or when the Planning Director requests attendance.

(Ord. No. 1316, § 5.40.100, 6-7-76; Ord. No. 1375, 11-21-77; Ord. No. 1617, 5-21-84)

Sec. 29.20.460. - Chair.

⋮

The Planning Director shall be the Chair of the Development Review Committee. For items that require a public hearing, the Planning Director shall determine whether an item before the Development Review Committee will be placed on the Planning Commission's consent calendar, placed as a regular Planning Commission agenda item or continued to a subsequent Development Review Committee meeting. When the Development Review Committee does not reach a consensus on a matter, a dissenting report is required.

(Ord. No. 1316, § 5.40.110, 6-7-76; Ord. No. 1375, 11-21-77; Ord. No. 1963, § III, 11-15-93)

Sec. 29.20.465. - Representative members.

⋮

Any member of the Development Review Committee may designate a person to act in the member's place at committee meetings, subject to approval of the Town Manager. One (1) member may not be the designee of another, nor may any one (1) designee represent more than one (1) member.

Sec. 29.20.470. - Meeting; schedule and notices.

- (a) A reasonable period of time before each meeting the Chair shall notify the members of the Development Review Committee of the time and place of the meeting. The notification shall state what matters will be considered at the meeting.
- (b) The meetings shall be held on a regular schedule during business hours, but may extend or be continued to other times.

(Ord. No. 1316, § 5.40.130, 6-7-76; Ord. No. 1375, 11-21-77)

Sec. 29.20.475. - Applicant attendance.

The applicant or the applicant's representative is required to attend the Development Review Committee meeting.

(Ord. No. 1316, § 5.40.140, 6-7-76; Ord. No. 1375, 11-21-77)

Sec. 29.20.480. - Administrative procedure for minor residential projects.

- (1) This procedure is established for review of minor residential projects to provide for neighborhood review in a timely and streamlined process. This process shall be used by the Planning Director for projects listed in [section 29.20.480\(2\)](#).
- (a) An application and fee is submitted. In addition to the standard application materials (application and plans), the applicant will be required to submit one (1) set of stamped, addressed envelopes to neighboring residents and property owners. The Planning Department will assist the applicant in determining the neighboring properties to be notified (all properties abutting the applicant's parcel, properties directly across the street and the two (2) parcels on each side of it).
- (b) The deciding body reviews the application using the Town's Development Standards, as well as the Town Code requirements.
- (c) If the Planning Director intends to approve the application, a "Notice of Pending Approval" will be mailed to neighboring residents and property owners including any applicable conditions, exactions or dedications as required. The notice will advise the neighboring residents and property owners of the applicant's plans, and that the application will be approved ten (10) days from the date of mailing. Any interested person as defined in [section 29.10.020](#) will have ten (10) days from the date of approval in which to file a written notice of appeal to the Planning Commission with the Planning Director .
- (f) If the Planning Director determines that the application cannot be approved because it

does not comply with the Town's Development Standards and the applicant is unwilling to revise the plans, then the applicant may file an Architecture and Site Application (including the required fee) and the application shall be considered by the Planning Commission.

- (2) In addition to the projects identified in subsections [29.20.745](#)(12) and (15), the following projects will be considered under this administrative procedure.
- (a) New second-story additions to single and two-family dwellings.
 - (b) Additions to an existing second story where the additional area will exceed one hundred (100) square feet.
 - (c) Reconstruction to a portion of a single or two-family dwelling or an accessory structure with a nonconforming setback.
 - (d) Accessory structures exceeding a combined square footage of four hundred fifty (450) square feet.
 - (e) Additions to accessory structures resulting in the structures containing a combined square footage more than four hundred fifty (450) square feet.
 - (f) Request to reduce side and rear yard setback requirements for accessory structures.
 - (g) Sport court lighting and/or fencing over six (6) feet high enclosing court game areas.

(Ord. No. 1963, § IV, 11-15-93; Ord. No. 2100, § II, 7-1-02; Ord. No. 2149, § I, 5-1-06; Ord. No. 2283, § I, 5-21-19)

Sec. 29.20.485. - Administrative procedure for minor historic projects.

This procedure is established for review of minor historic residential or commercial projects not covered under the architecture and site approval process or the minor residential development permit for designated properties with a LHP overlay zone. This process shall be used by the Historic Preservation Committee and the Planning Director.

- (1) An application with no fee is submitted.
- (2) The deciding body reviews the application using the designating ordinance as well as the Town Code requirements.
- (3) The following projects will be considered under this administrative procedure.
 - a. Additions to an existing second story residence where the additional area will be one hundred (100) square feet or less and is visible from the street(s) in the immediate neighborhood.
 - b. New residential accessory structures less than four hundred fifty (450) square feet in area visible from the street(s) in the immediate neighborhood.
 - c. Additions to the first floor of a residence (excluding additions not visible from the street that do not exceed fifteen (15) percent of the existing floor area of the house

(excluding below grade square footage) or four hundred (400) square feet of gross floor area, whichever is less).

- d. Exterior alterations which require a building permit that changes the historic architectural style of the structure or eliminates/alters character defining features. This includes but is not limited to: new porches, porch enclosures, awnings, new dormer windows, bay windows and change in siding material.
- (4) The following projects do not fall under this application and can be approved by the Planning Director through the building permit process provided it meets Town Code and the designating ordinance requirements:
Building repairs including replacement of exterior siding, windows, trim, and roof materials where the repair work or replacement matches the original building form and materials.

(Ord. No. 2041, § V, 2-2-98; Ord. No. 2169, § I, 10-20-08; Ord. No. 2264, § I, 11-7-17)

Secs. 29.20.490—29.20.525. - Reserved.

< Secs. 29.20.350—29.20.400. - Reserved.

DIVISION 6. - AMENDMENT >

Fence height means measured from finished grade and shall be measured from either side of the property line which affords affected property owners the most buffering from noise, light, glare, or privacy impacts.

Historic structure means:

- (1) Any structure that is located within an historic district; or
- (2) Any structure that is historically designated; or
- (3) Any primary structure constructed prior to 1941, unless the deciding body has determined that the structure has no historic significance and should not be included in the Town Historic Resources Inventory.

Home occupation means the use of a dwelling unit for a nonresidential purpose, but in a limited manner both subordinate to the residential use and not discernible from the exterior of the dwelling unit so used.

Hospital means an institution designed and operated to provide a full range of diagnostic, surgical and therapeutic treatment to the sick or injured, as well as short-term recuperative residency for patients. "Hospital" does not include convalescent, nursing or rest homes as defined herein.

Hotel/motel means a building where lodging, with or without meals, is provided for compensation and where occupancy is generally limited to no more than thirty (30) days.

Interested person means:

- (1) *Residential projects.* Any person or persons or entity or entities who own property or reside within one thousand (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.

Junkyard means any open space where waste or scrap materials are bought, sold, exchanged, stored, baled, packed, disassembled, or handled, including, but not limited to, scrap metals, paper, rags, rubber tires, old building materials, old plumbing fixtures, and bottles. Junkyard includes automobile wrecking yard, any open area where automobiles are disassembled, but does not include lawful activities in buildings.

Land, abutting means parcels of land having a common property line.

Livestock farming, small means the raising or keeping of more than four (4) chickens, hens, pigeons or a similar fowl or four (4) rabbits or similar animals, or any ducks, geese, guinea fowl, peafowl, goats, sheep or similar livestock, or the raising or keeping for commercial purposes of any cats or dogs, but shall not include hog farming or dairying.

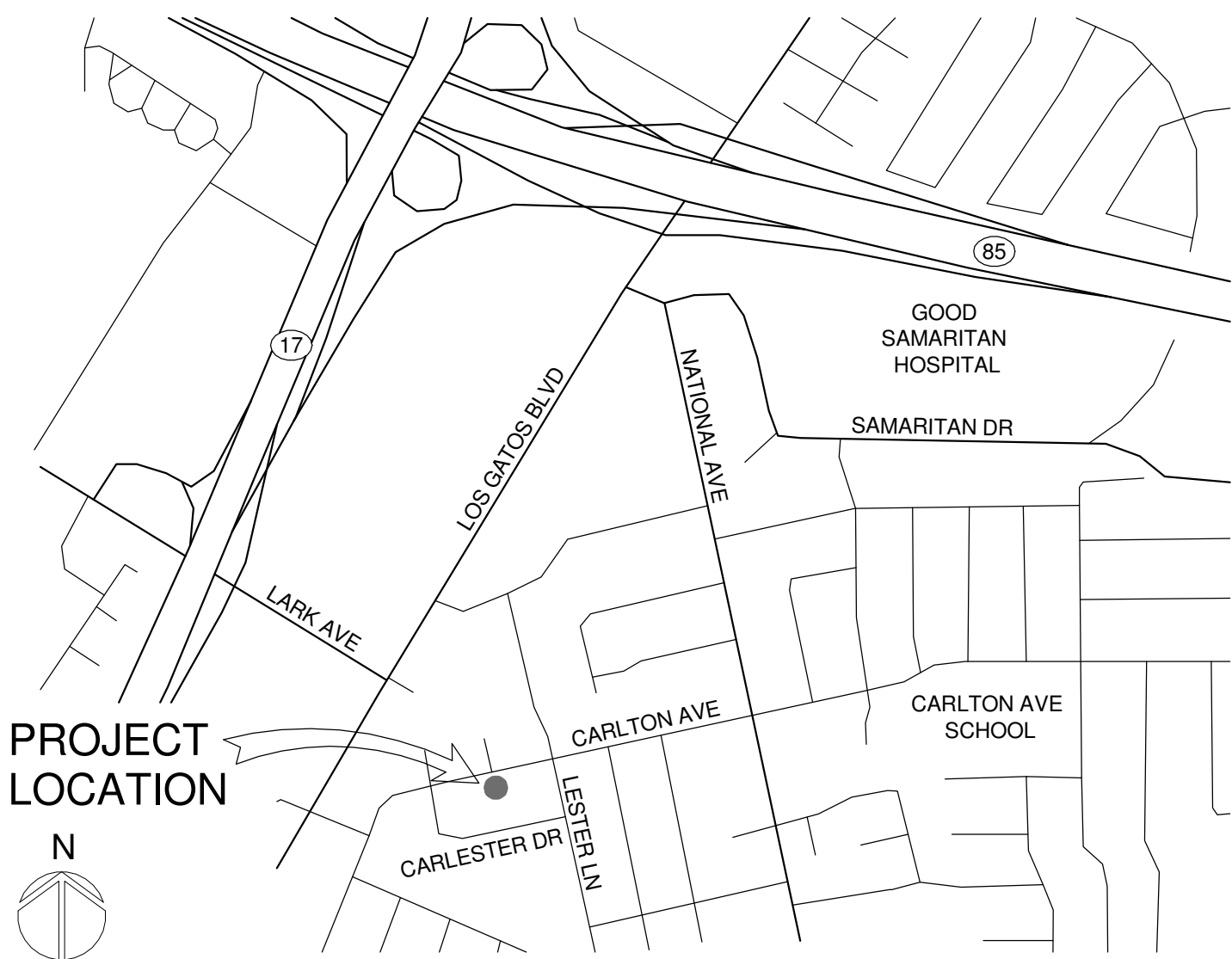
DESPOTOVIC RESIDENCE ADDITION

280 CARLTON AVENUE , LOS GATOS, CALIFORNIA, 95032

CITY NOTES

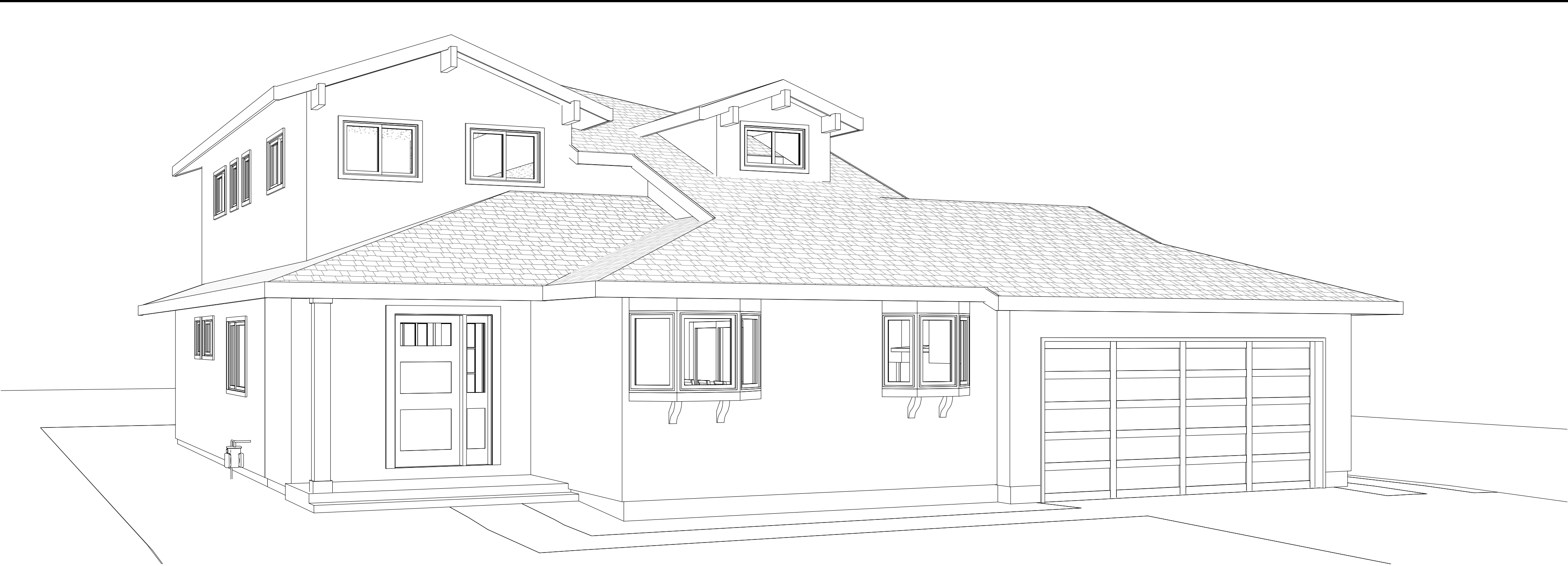
1. THERE IS NO EXISTING FIRE SPRINKLER SYSTEM IN THE HOUSE.
2.

VICINITY MAP



ABBREVIATIONS

&	AND	JT.	JOINT
@	AT	K.D.	KILN DRIED
Ø	DIAMETER	LAM.	PLASTIC LAMINATE
A.B.	ANCHOR BOLT	LAV.	LAVATORY
A.F.F.	ABOVE FINISH FLOOR	MAX.	MAXIMUM
ALUM.	ALUMINUM	MAT.	MATERIAL
APPROX.	APPROXIMATELY	MECH.	MECHANICAL
BD.	BOARD	MFR.	MANUFACTURER
BLKG.	BLOCKING	MIN.	MINIMUM
BM.	BEAM	(N)	NEW
B.O.	BOTTOM OF	N.I.C.	NOT IN CONTRACT
CAB.	CABINET	N.T.S.	NOT TO SCALE
C.J.	CONTROL JOINT	O/	OVER
CLG.	CEILING	O.C.	ON CENTER
CLR.	CLEAR	O.D.	OUTSIDE DIAMETER
C.M.U.	CONCRETE MASONRY UNIT	PL.	PLATE
COL.	COLUMN	PLYWD.	PLYWOOD
CONC.	CONCRETE	(P)	PROPOSED
CONT.	CONTINUOUS	P.T.	PRESSURE TREATED
D	DRYER	(R)	REMODEL
DBL.	DOUBLE	R.	RADIUS
DTL.	DETAIL	REF.	REFRIGERATOR
DN.	DOWN	REQ'D.	REQUIRED
D.F.	DOUGLAS FIR	RM.	ROOM
DR.	DOOR	RND.	ROUND
D.W.	DISHWASHER	R.O.	ROUGH OPENING
DWG.	DRAWING / DRAWINGS	RWD.	REDWOOD
EA.	EACH	S.C.	SOLID CORE
EL.	ELEVATION	SIM.	SIMILAR
EQL.	EQUAL	SPEC.	SPECIFICATIONS
EQUIP.	EQUIPMENT	SQ.	SQUARE
(E), EXIST.	EXISTING	S.S.	STAINLESS STEEL
EXT.	EXTERIOR	STD.	STANDARD
FDN.	FOUNDATION	STL.	STEEL
F.D.	FLOOR DRAIN	STRUCT.	STRUCTURAL
F.O.	FACE OF	T&G	TONGUE AND GROOVE
F.O.C.	FACE OF CONCRETE	THK.	THICK
F.O.F.	FACE OF FINISH	T.O.	TOP OF
F.O.S.	FACE OF STUD	T.O.C.	TOP OD CONCRETE
FT.	FOOT / FEET	T.O.P.	TOP OF PLATE
FTG.	FOOTING	T.O.S.	TOP OF SLAB
GA.	GAUGE	T.O.W.	TOP OF WALL
GALV.	GALVANIZED	TYP.	TYPICAL
G.I.	GALVANIZED IRON	U.O.N.	UNLESS OTHERWISE NOTED
G.L.B.	GLUE LAM BEAM	VERT.	VERTICAL
H.C.	HOLLOW CORE	V.I.F.	VERIFY IN FIELD
HDR.	HEADER	W	WASHER
H.M.	HOLLOW METAL	W/	WITH
HORIZ.	HORIZONTAL	W.C.	WATER CLOSET
H.T.	HEIGHT	WD.	WOOD
I.D.	INSIDE DIAMETER	W.H.	WATER HEATER
IN.	INCHES	W/O	WITHOUT
INSUL.	INSULATION	WT.	WEIGHT
INT.	INTERIOR		



GENERAL NOTES

1. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE 2019 EDITIONS OF THE CALIFORNIA BUILDING, MECHANICAL, ELECTRICAL AND PLUMBING CODES, STATE OF CALIFORNIA TITLE-24 REQUIREMENTS, AND ALL APPLICABLE CODES AND ORDINANCES. IN THE EVENT OF CONFLICT BETWEEN PERTINENT CODES AND REGULATIONS AND THE REQUIREMENTS OF THE REFERENCED STANDARDS OF THESE NOTES, THE PROVISIONS OF THE MORE STRINGENT SHALL GOVERN.
2. DIMENSIONS HAVE PREFERENCE OVER SCALE. ALL WALL DIMENSIONS ARE GIVEN TO THE FACE OF FRAMING OR TO FACE OF CONCRETE UNLESS OTHERWISE NOTED. DOOR AND WINDOW DIMENSIONS ARE GIVEN TO THE CENTER OF THE OPENING UNLESS OTHERWISE NOTED.
3. THE CONTRACTOR SHALL VISIT THE SITE AND SHALL NOTIFY THE DESIGNER IF THERE ARE ANY OBSERVED DISCREPANCIES BETWEEN EXISTING CONDITIONS AND THE CONTRACT DOCUMENTS. THE CONTRACTOR SHALL VERIFY ALL THE INFORMATION IN THE DRAWINGS AND SHALL NOTIFY THE DESIGNER OF ANY DISCREPANCY PRIOR TO ORDERING MATERIALS OR COMMENCING WITH WORK.
4. IF HIDDEN OR UNUSUAL SITUATIONS ARE ENCOUNTERED DURING CONSTRUCTION WHICH COULD NOT HAVE BEEN FORESEEN PRIOR TO CONSTRUCTION, NOTIFY THE DESIGNER BEFORE PROCEEDING WITH THE WORK.
5. THE CONTRACTOR SHALL NOT ENCUMBER ANY PUBLIC OR PRIVATE PROPERTY OTHER THAN THE SITE WITHOUT ENCROACHMENT PERMITS OR WRITTEN PERMISSION FROM THE PROPERTY OWNERS.
6. THE CONTRACTOR SHALL PROVIDE FENCING, BARRICADES, WARNING SIGNS / SIGNALS OR OTHER PROTECTIVE MEASURES AS NEEDED TO PROVIDE FOR THE PUBLIC'S SAFETY.
7. THE CONTRACTOR SHALL SCHEDULE AND COORDINATE ALL INSPECTIONS AND AT THE END OF THE WORK AND SHALL PROVIDE THE OWNER WITH ALL THE ORIGINAL SIGNED DOCUMENTS FROM ANY INSPECTING ENTITY.
8. TYPICAL DETAILS AND NOTES SHALL APPLY UNLESS SPECIFICALLY SHOWN OR NOTED OTHERWISE. DETAILS NOT FULLY SHOWN OR NOTED SHALL BE SIMILAR TO DETAILS SHOWN FOR SIMILAR CONDITIONS. DIMENSIONS TAKE PRECEDENCE OVER SCALE SHOWN ON DRAWINGS. SCALING DRAWINGS TO DETERMINE DIMENSIONS IN NOT VALID.
9. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO DESIGN AND PROVIDE SHORING, BRACING, FORMWORK, ETC., AS REQUIRED TO PROTECT LIFE AND PROPERTY.
10. JOB COPIES OF THE BUILDING PERMITS SHALL BE ON-SITE DURING INSPECTIONS.

APPLICABLE CODES

- 2019 CALIFORNIA CODES (CBC, CRC, CEC, CMC, CPC)
- 2019 CALIFORNIA GREEN BUILDING STANDARD CODE (CALGreen)
- 2019 CALIFORNIA FIRE CODE
- 2019 CALIFORNIA ENERGY CODE
- TOWN OF LOS GATOS ORDINANCES

PROJECT DATA

OWNER:	RADA AND MIHAILO DESPOTOVIC 280 CARLTON AVENUE, LOS GATOS, CALIFORNIA 95032
PROPERTY ADDRESS:	SAME
APN:	424-16-067
ZONING DISTRICT:	R-1:8
SCOPE OF WORK:	2nd STORY ADDITION, REMODEL 1st FLOOR AND 63.75 SF ADDITION AT ENTRY, TO AN EXISTING SINGLE STORY RESIDENCE. EXISTING HOUSE HAS 3 BEDROOMS AND TWO BATHROOMS. PROPOSED HOUSE HAS 4 BEDROOMS AND 2-1/2 BATHROOMS. NO PROPOSED CHANGES TO EXISTING GARAGE. TOTAL PROPOSED 1st FLOOR HABITABLE SPACE = 1,368.09 SF TOTAL PROPOSED 2nd FLOOR HABITABLE SPACE = 729.01 SF TOTAL PROPOSED HABITABLE SPACE = 2,087.10 SF
OCCUPANCY CLASS	R-3 / U
CONSTRUCTION TYPE	V - B

AREA CALCULATIONS

EXISTING HOUSE	1,304.34 S.F.
EXISTING GARAGE	478.91 S.F.
1st FLOOR ADDITION	75.97 S.F.
2nd FLOOR ADDITION	719.01 S.F.
TOTAL ADDITIONS	794.98 S.F.

TOTAL PROPOSED HABITABLE AREA:	
1st FLOOR	1,380.31 S.F.
2nd FLOOR	719.01 S.F.

TOTAL HABITABLE (w/o GARAGE)	2,099.32 S.F.
------------------------------	---------------

MAX. ALLOWABLE FLOOR AREA

LOT SIZE: 6,425 SF

ALLOWABLE HABITABLE AREA:
(EXCLUDING GARAGE, ADU)
0.35 - [(6,425-5) x 0.2 / 25] = 0.3386
0.3386 x 6425 = 2,175 SF

ALLOWABLE GARAGE AREA:
0.1 - [(6,425-5) x 0.07 / 25] = 0.09601
0.09601 x 6425 = 617 SF

LOT COVERAGE

LOT SIZE: 6,425 SF

ALLOWABLE COVERAGE: 40% = 2,570.00 S.F.

1st FLOOR HABITABLE:	1,380.31 S.F.
GARAGE:	478.91 S.F.
COVERED REAR PATIO:	212.46 S.F.
COVERED FRONT PORCH:	52.63 S.F.

TOTAL PROPOSED COVERAGE: 2,124.31 S.F.

PROJECT TEAM

ARCHITECTURE
SHLOMI CASPI
2360 CARLTON AVE.
SAN JOSE, CA 95124
(408) 358-0469
shlomicaspi@gmail.com

SURVEYOR
ED WU
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2625 MIDDLEFIELD RD.
PALO ALTO, CA 94306
(650) 823-6466
ed@weceng.com

SHEET INDEX

A0.1	COVER SHEET
A0.2	AREA MAP, STREETSCAPES AND SHADOW STUDY
C.0	SURVEY
A1.1	SITE PLAN, DEMOLITION PLAN
A2.1	PROPOSED FLOOR PLANS
A2.2	ROOF PLANS
A3.1	EXISTING AND PROPOSED ELEVATIONS
A3.2	EXISTING AND PROPOSED ELEVATIONS
A4.1	SECTIONS
SP-1	STORY POLES, PLAN AND 3D VIEWS
SP-2	STORY POLES, ELEVATIONS
SP-3	STORY POLES, ELEVATIONS
SP-4	STORY POLES, SIGN

Shlomi Caspi
Architectural Design

2360 CARLTON AVENUE
SAN JOSE , CA 95124
(4 0 8) 3 5 8 - 0 4 6 9

THE DATA SET FORTH ON THIS SHEET IS THE PROPERTY OF SHLOMI CASPI ARCHITECTURAL DESIGN. IT IS AN INSTRUMENT OF SERVICE AND MAY NOT BE ALTERED, REPRODUCED, OR USED WITHOUT THE CONSENT OF THE DESIGNER. THE PROPER ELECTRONIC TRANSFER OF DATA SHALL BE THE USER'S RESPONSIBILITY WITHOUT LIABILITY TO THE DESIGNER. UNAUTHORIZED USE IS PROHIBITED.

PREPARED BY:
SHLOMI CASPI

RADA and MIHAILO DESPOTOVIC
280 CARLTON AVENUE, LOS GATOS, CALIFORNIA, 95032

CITY APPROVAL:

JOB NUMBER: 168
PHASE: SD CD CA

DATE: 03/01/22

REVISIONS

NO.	DESCRIPTION	DATE

SHEET NAME :

COVER SHEET

SHEET NUMBER :

A0.1

EXHIBIT 10



9 AM



12 PM

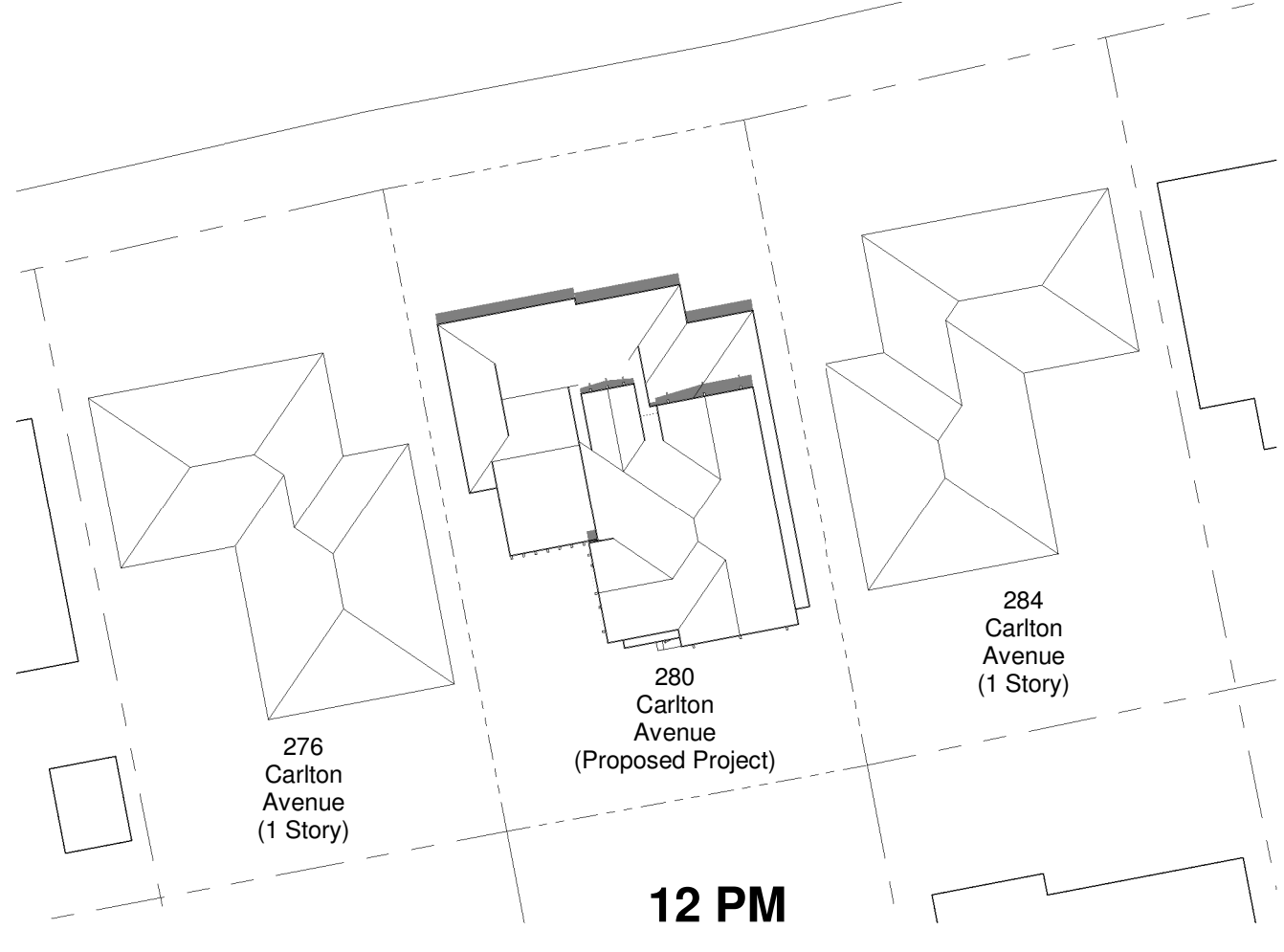


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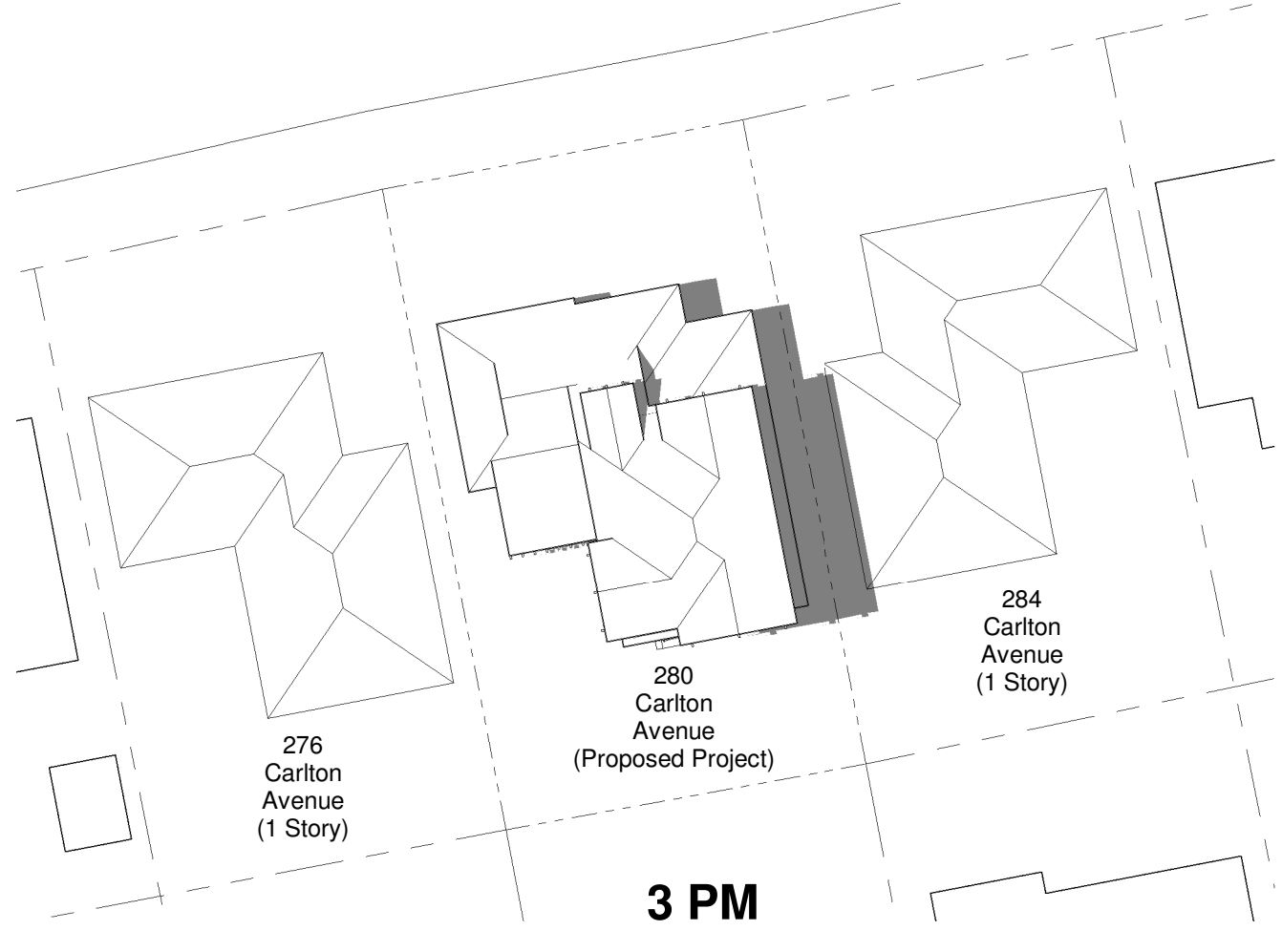
4 SHADOW STUDY, DECEMBER 21st
1" = 30'-0"



9 AM

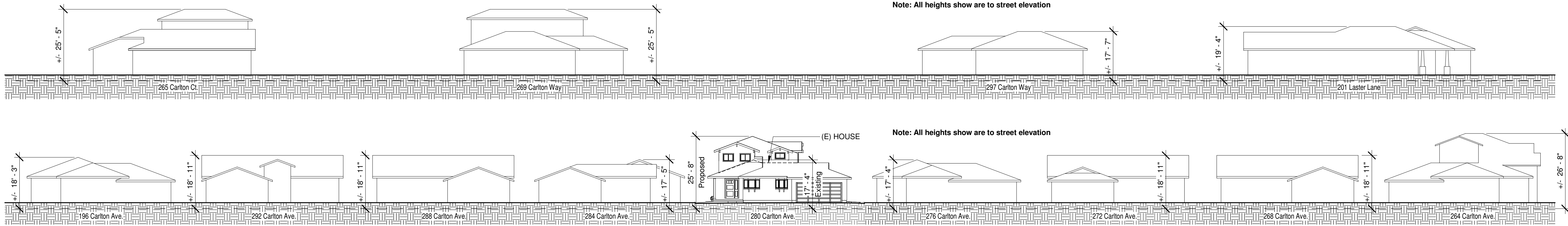
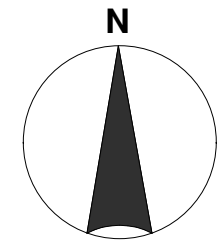
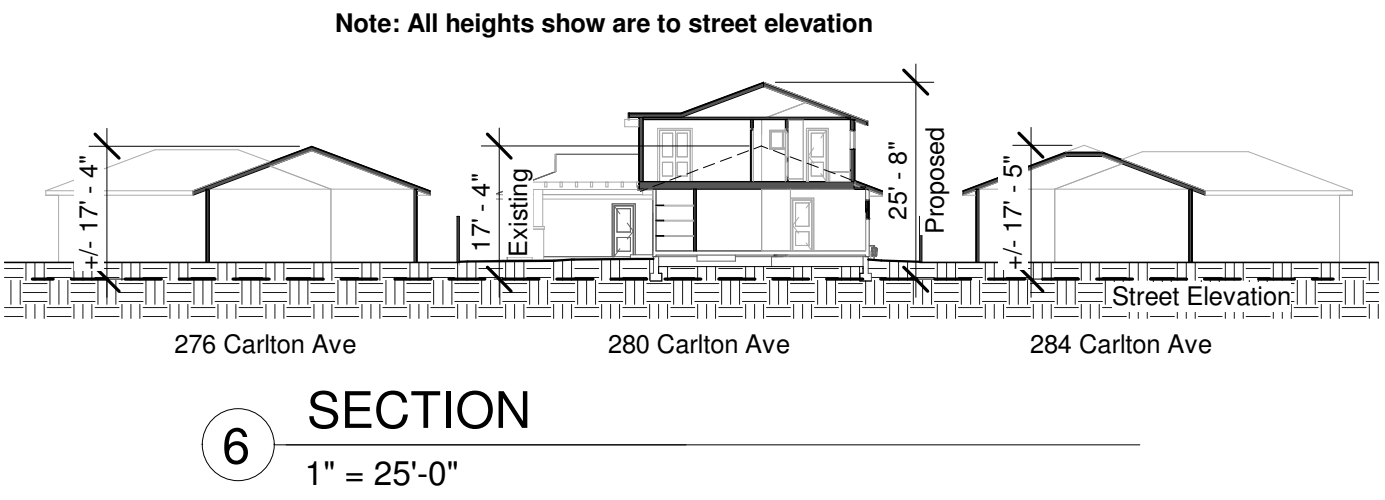
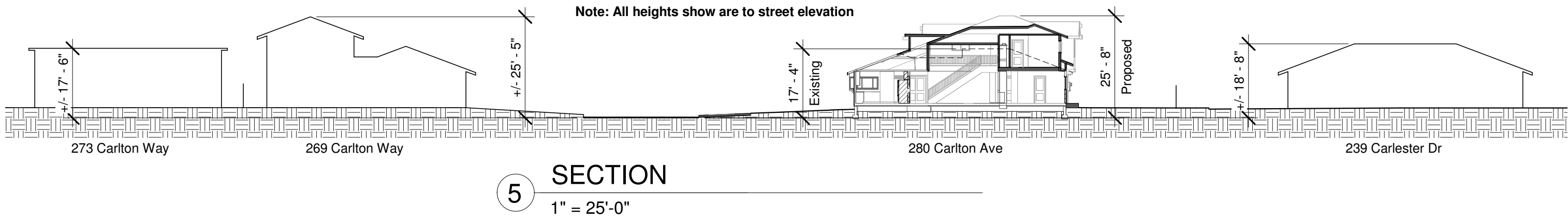


12 PM



3 PM

3 SHADOW STUDY, JUNE 21st
1" = 30'-0"



2 STREETScape
1" = 20'-0"



MEASUREMENT OF BUILDING LINE IS TO THE FACE OF STUCCO OR SIDING

Page 89

TREE SCHEDULE

No.	SPECIES	TRUNK SIZE	STATUS
1	Aliso	17"Ø	RETAIN
2	Black Poui	5"Ø	RETAIN
3	Biota	5"Ø	RETAIN
4	Allanthus Altissima	14"Ø	RETAIN
5	Crape Myrtle	2"Ø	RETAIN
6	Crape Myrtle	2"Ø	RETAIN
7	Navel Orange	1"Ø	RETAIN
8	Meyer Lemon	2"Ø	RETAIN
9	Crape Myrtle	3"Ø	RETAIN

KEYNOTES

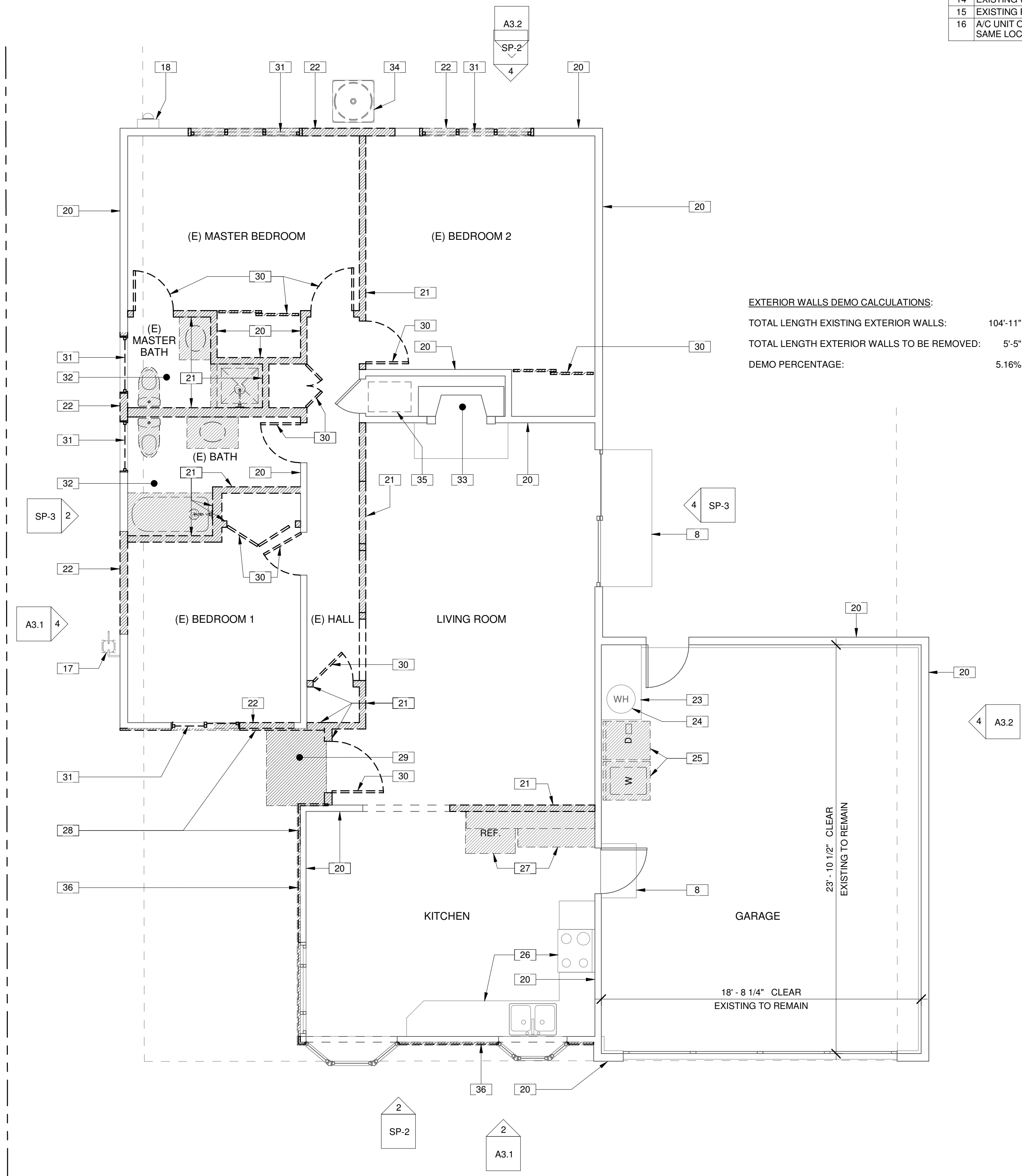
1	EXISTING HOUSE TO REMAIN; REFER TO DEMOLITION PLAN AND PROPOSED PLAN FOR REMODEL WORK
2	EXISTING GARAGE TO REMAIN
3	SHADE INDICATES AREA OF PROPOSED ADDITION AT FIRST FLOOR
4	PATTERN INDICATES PROPOSED SECOND FLOOR ADDITION
5	NEW COVERED PORCH
6	NEW PATIO ROOF ABOVE, RETAIN EXISTING PAVERS AND CONCRETE HARDSCAPE
7	NEW POST
8	EXISTING LANDING TO REMAIN
9	NEW LANDING AND STEPS, REFER TO PROPOSED FLOOR PLAN
10	EXISTING TREE TO REMAIN, REFER TO TREE SCHEDULE; NO TREE REMOVAL IS PROPOSED
11	EXISTING DRIVEWAY TO REMAIN
12	EXISTING LANDSCAPE AREA TO REMAIN
13	EXISTING LAWN TO REMAIN
14	EXISTING WALKWAY TO REMAIN
15	EXISTING RETAINING-WALL TO REMAIN
16	A/C UNIT OVER AN EXISTING CONCRETE PAD; REPLACE UNIT AT SAME LOCATION

KEYNOTES

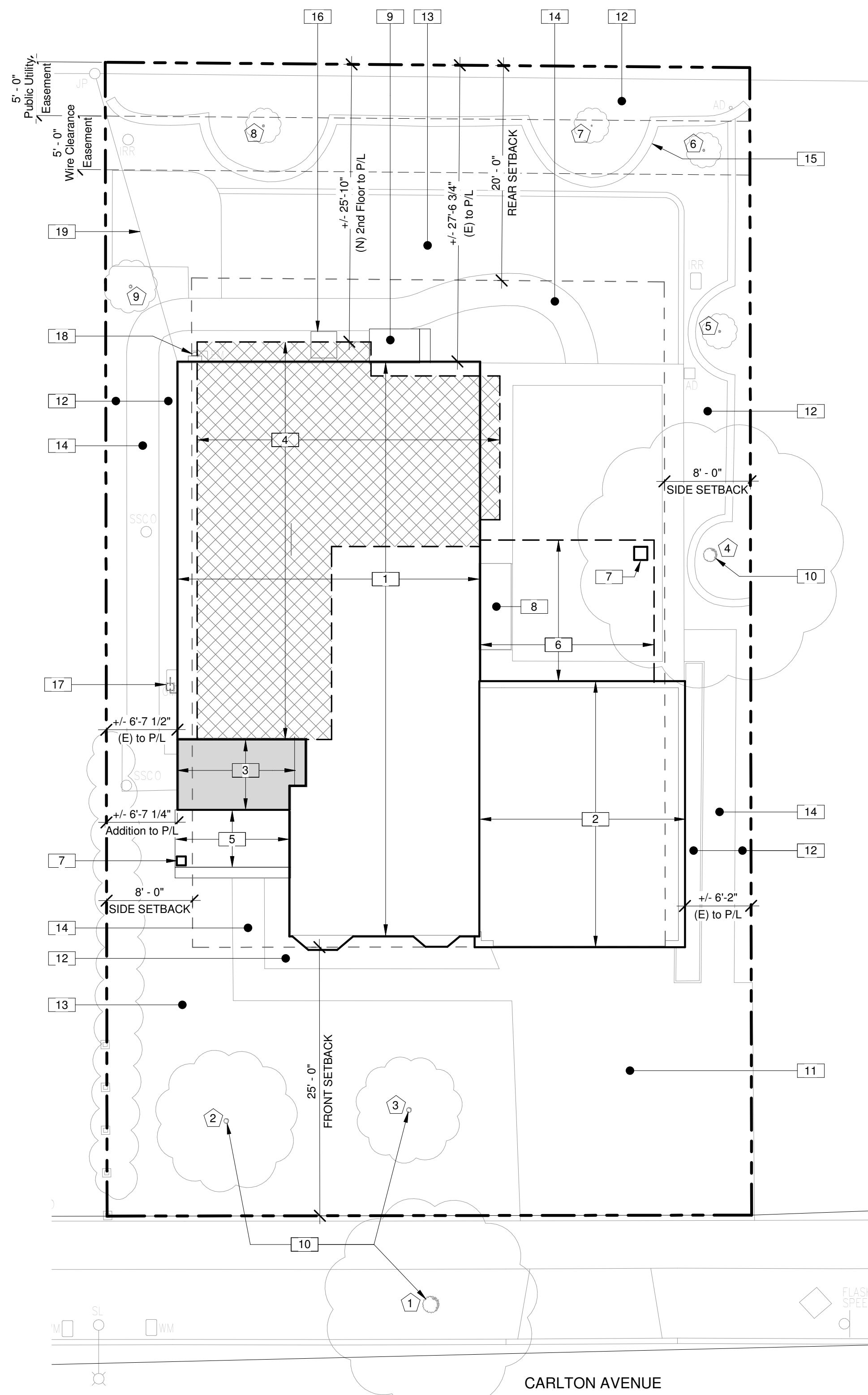
17	EXISTING GAS METER TO REMAIN
18	EXISTING ELECTRICAL PANEL, UPDRADE TO 200 AMPS
19	EXISTING OVERHEAD POWER FEED; RELOCATE TO NEW, HIGHER ROOF
20	EXISTING WALL TO REMAIN
21	REMOVE EXISTING WALL AS SHOWN
22	CUT A NEW OPENING IN EXISTING WALL, REFER TO PROPOSED FLOOR PLAN FOR DIMENSIONAL REQUIREMENTS
23	EXISTING PLATFORM TO REMAIN
24	EXISTING WATER HEATER TO REMAIN
25	REMOVE AND SLAVAGE WASHER AND DRYER, REFER TO PROPOSED FLOOR PLAN FOR NEW LOCATION
26	RETAIN KITCHEN CABINETS, FIXTURES AND APPLIANCES AS SHOWN
27	REMOVE AND SALVAGE KITCHEN CABINETS, FIXTURES AND APPLIANCES AS SHOWN; COORDINATE WITH HOMEOWNERS FOR NEW LOCATION
28	REMOVE EXISTING EXTERIOR FINISHES WHERE ADDITION OCCURS
29	REMOVE EXISTING LANDING
30	REMOVE EXISTING DOOR

KEYNOTES

31	REMOVE EXISTING WINDOW
32	BATHROOM DEMOLITION: REMOVE ALL CABINETS, FIXTURES AND FINISHES
33	EXISTING GAS FIREPLACE AND CHIMNEY TO REMAIN; EXTEND VENT UP TO NEW ROOF
34	REMOVE EXISTING A/C UNIT, RETAIN CONCRETE PAD; NEW A/C UNIT TO BE INSTALLED AT SAME LOCATION, REFER TO PROPOSED FLOOR PLAN
35	REMOVE EXISTING FURNACE; NEW FURNACE TO BE INSTALLED AT SAME LOCATION, REFER TO PROPOSED FLOOR PLAN
36	REMOVE EXISTING BOARD AND BATTEN SIDING AT KITCHEN WALLS



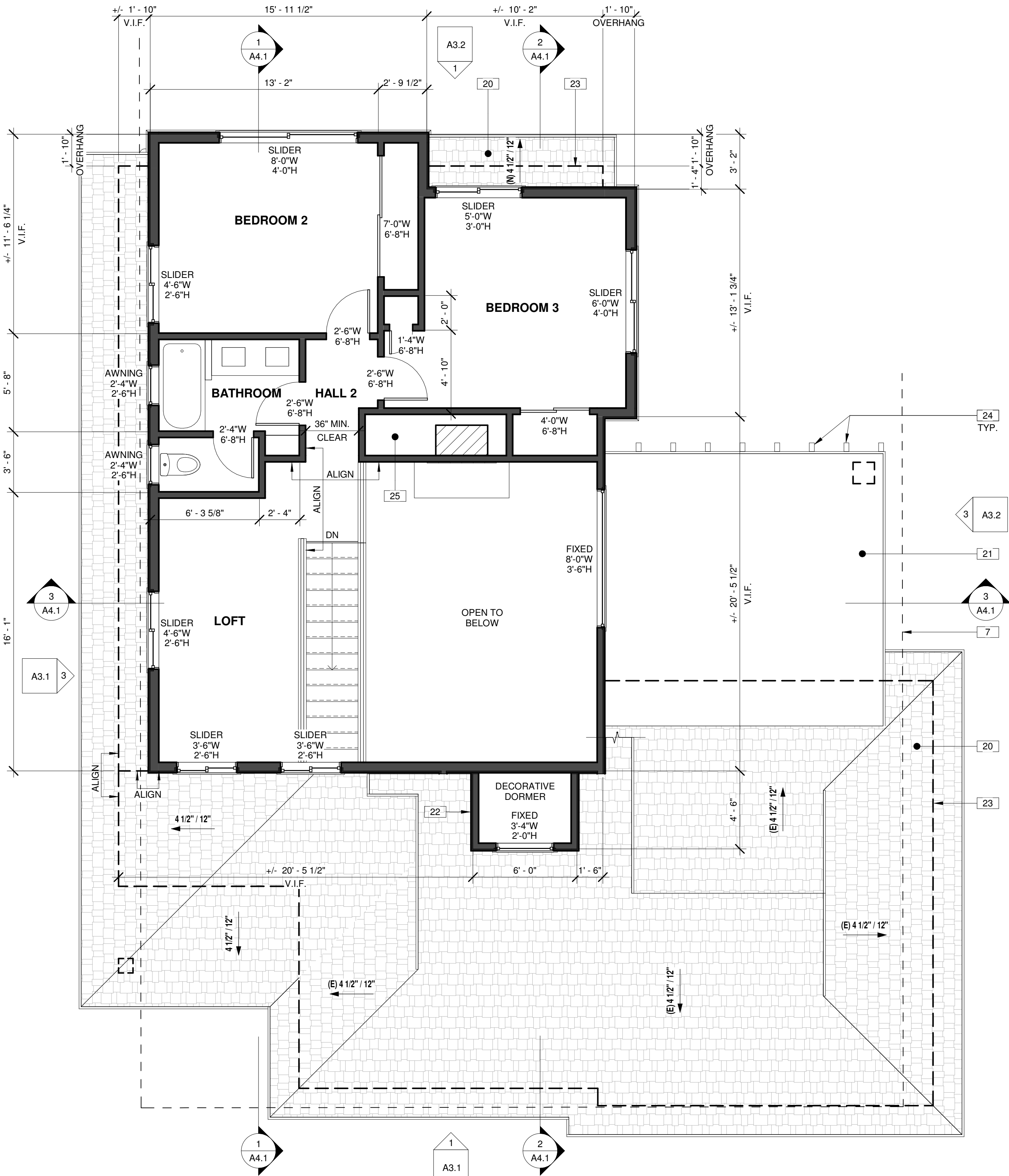
2 EXISTING AND DEMOLITION PLAN
1/4" = 1'-0"



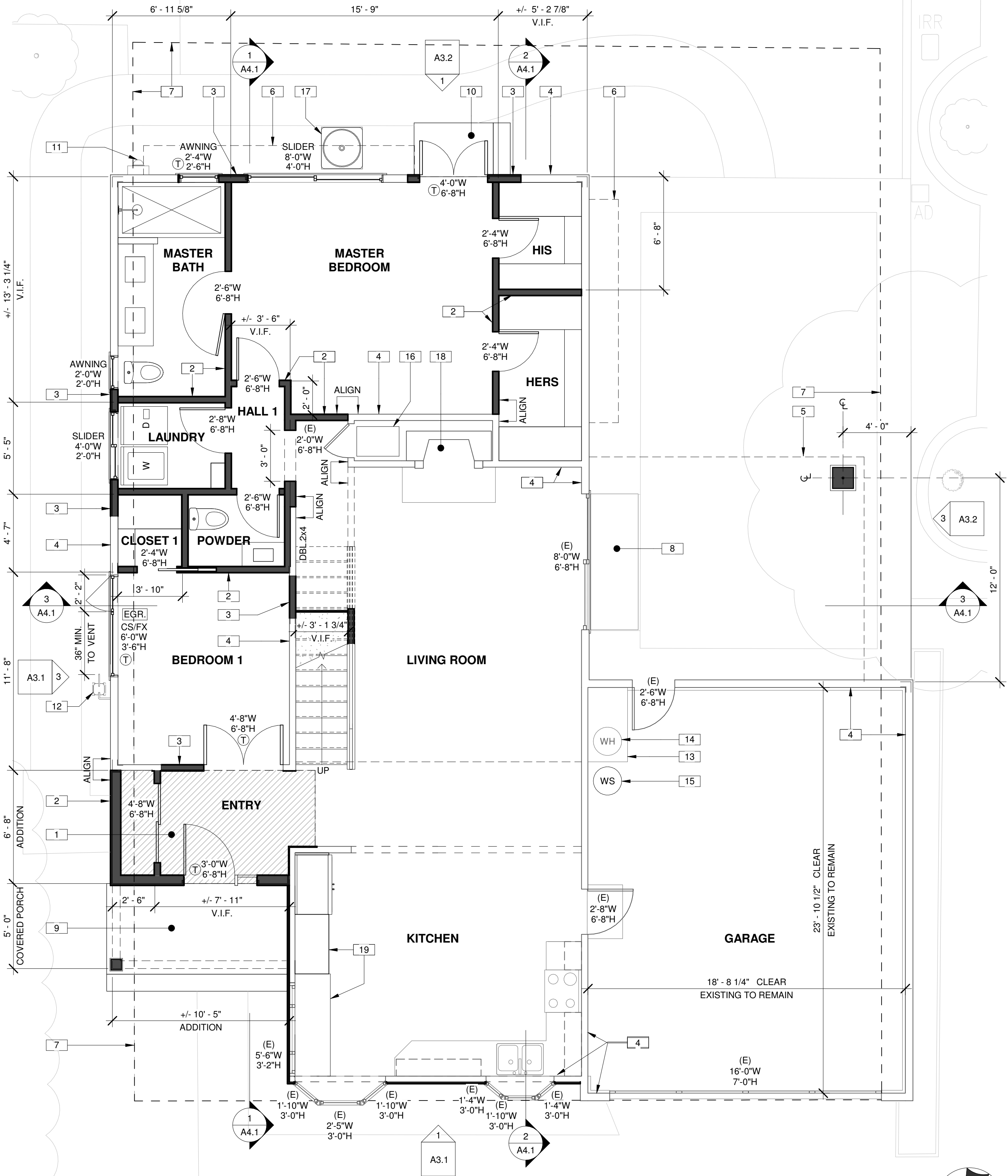
KEYNOTES	
1	PATTERN INDICATES AREA OF ADDITION
2	NEW WALL, TYPICAL
3	ENCLOSE EXISTING OPENING, MATCH AND ALIGN WITH WALL FINISHES ON BOTH SIDES
4	EXISTING WALL TO REMAIN
5	NEW PATIO ROOF ABOVE
6	PROPOSED 2ND FLOOR OVERHANG ABOVE
7	SETBACK LINE, REFER TO SITE PLAN ON A1.1
8	EXISTING LANDING TO REMAIN
9	NEW LANDING; TOP OF LANDING SURFACE TO BE 6" BELOW T.O. SUBFLOOR, SLOPE 2% AWAY FROM DOOR; STEP AT DOOR THRESHOLD SHALL NOT EXCEED 7-3/4"
10	NEW LANDING; TOP OF LANDING SURFACE TO ALIGN WITH T.O. SUBFLOOR, SLOPE 2% AWAY FROM DOOR; STEP AT DOOR THRESHOLD SHALL NOT EXCEED 1"

KEYNOTES	
11	EXISTING ELECTRICAL PANEL, UPGRADE TO 200 AMPS
12	EXISTING GAS METER TO REMAIN
13	EXISTING PLATFORM TO REMAIN
14	EXISTING WATER HEATER TO REMAIN
15	NEW WATER SOFTENER
16	NEW FURNACE
17	NEW A/C UNIT
18	EXISTING GAS FIREPLACE AND CHIMNEY TO REMAIN; EXTEND VENT UP TO NEW ROOF
19	NEW CABINETS, COORDINATE WITH OWNERS
20	ROOF WITH ASPHALT SHINGLES OVER #15 UNDERLAYMENT
21	FLAT ROOF WITH IB ROOFING; SLOPE 1/4" PER FOOT TO DRAIN

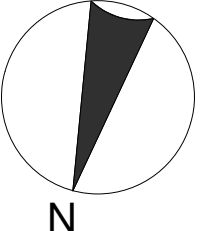
KEYNOTES	
22	DECORATIVE DORMER
23	DASH LINE INDICATES EXTERIOR FACE OF WALL FRAMING BELOW
24	4x8 DECOTATIVE OUTRIGGERS
25	HVAC SHAFT



2 PROPOSED SECOND FLOOR PLAN
1/4" = 1'-0"

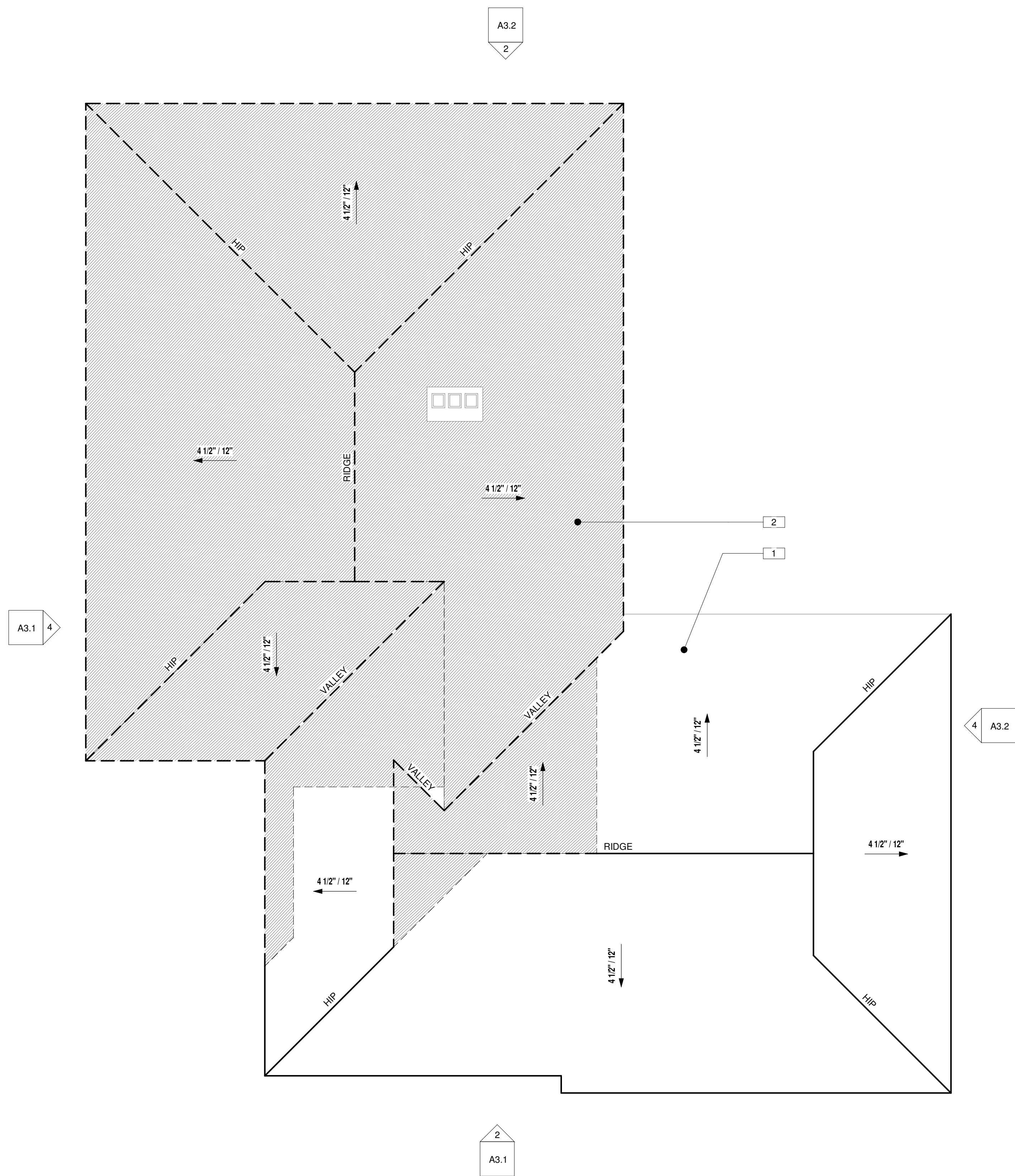


1 PROPOSED FIRST FLOOR PLAN
1/4" = 1'-0"

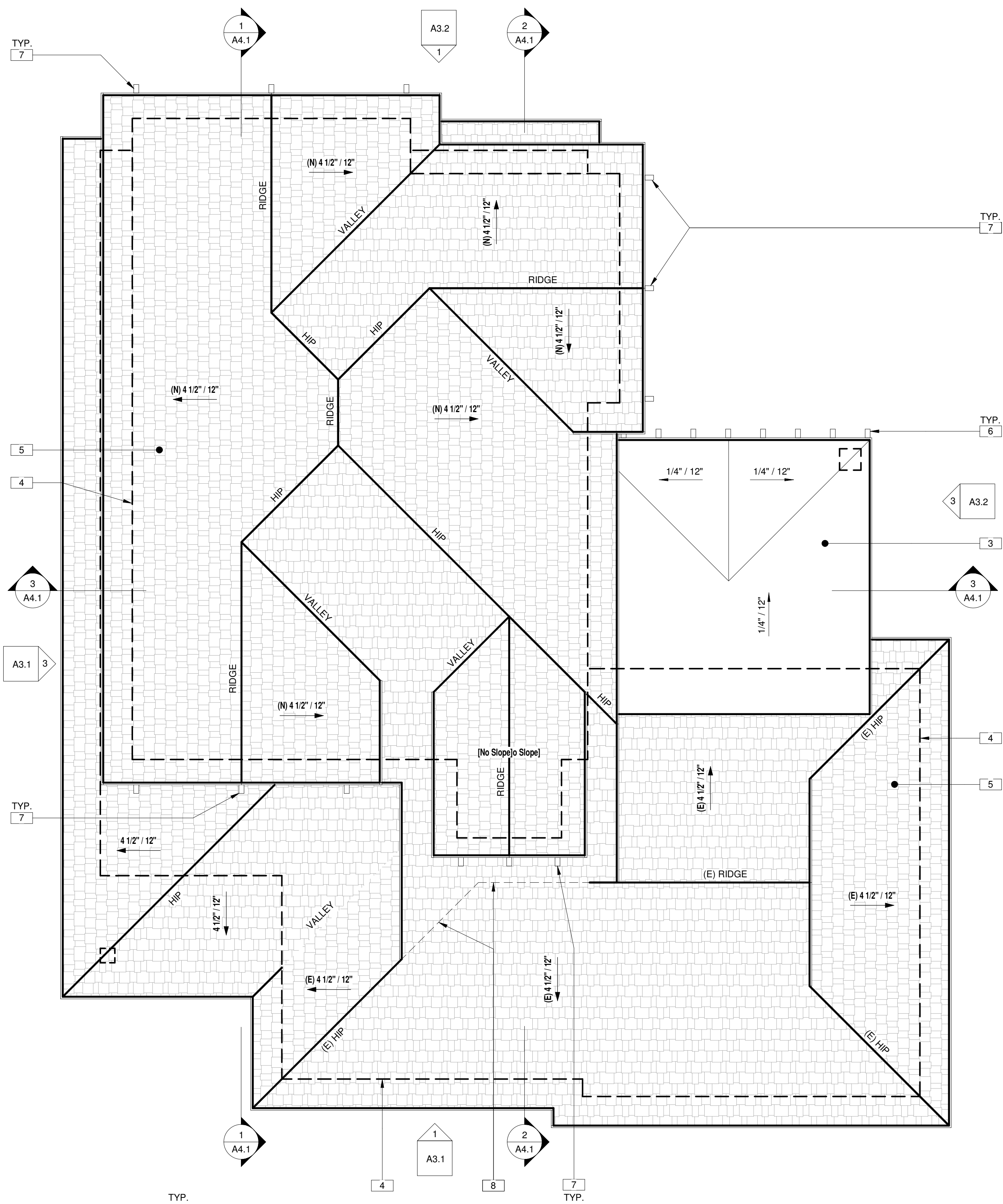


KEYNOTES

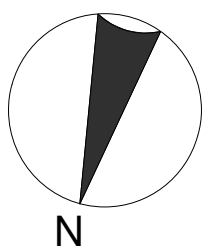
- 1 EXISTING ROOF TO REMAIN, REMOVE EXISTING ASPHALT SHINGLES AND UNDERLAYMENT
- 2 PATTERN INDICATES ROOF DEMOLITION AREA
- 3 FLAT ROOF WITH IB ROOFING; SLOPE 1/4" PER FOOT TO DRAIN
- 4 DASH-LINE INDICATES EXTERIOR FACE OF WALL FRAMING BELOW
- 5 PROVIDE NEW ASPH/FLT SHINGLES OVER #15 UNDERLAYMENT AT ALL ROOFS, EXISTING AND NEW
- 6 4x8 DECOTATIVE OUTRIGGERS
- 7 4x12 DECOTATIVE OUTRIGGERS
- 8 ALIGN NEW ROOF WITH EXISTING ROOF



2 ROOF DEMOLITION PLAN
1/4" = 1'-0"

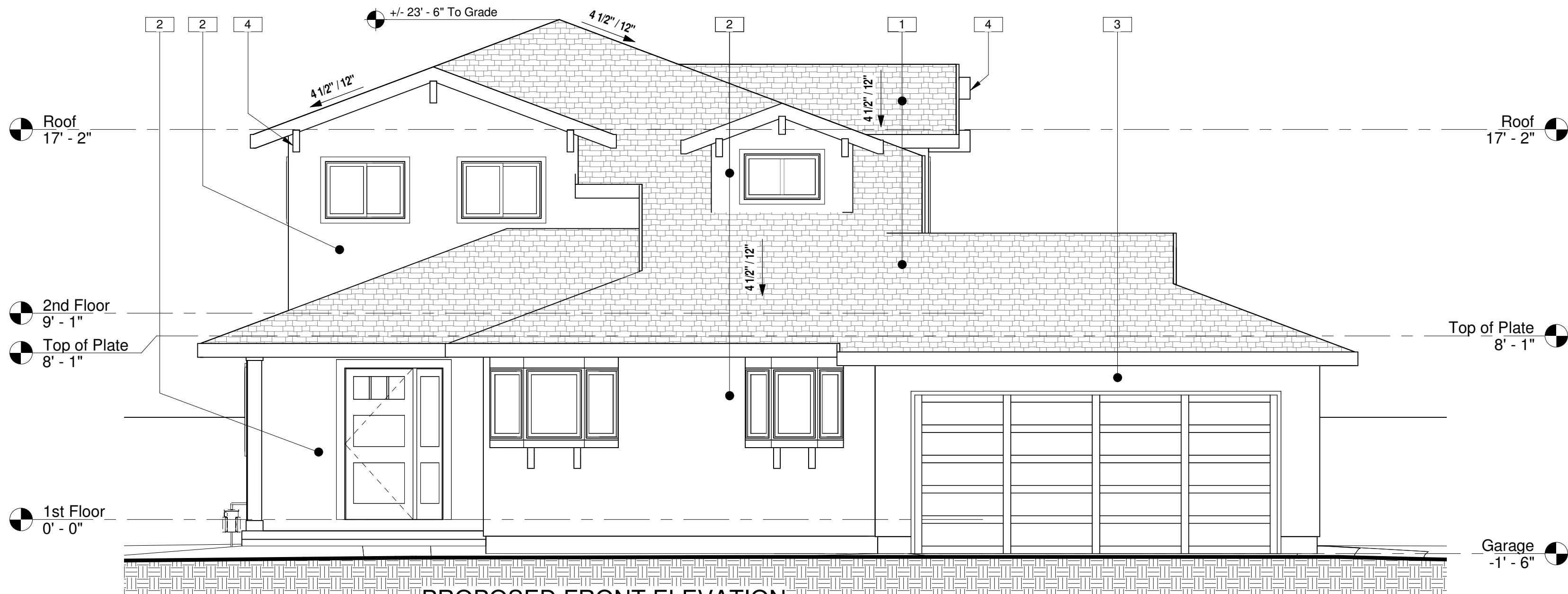


1 PROPOSED ROOF PLAN
1/4" = 1'-0"





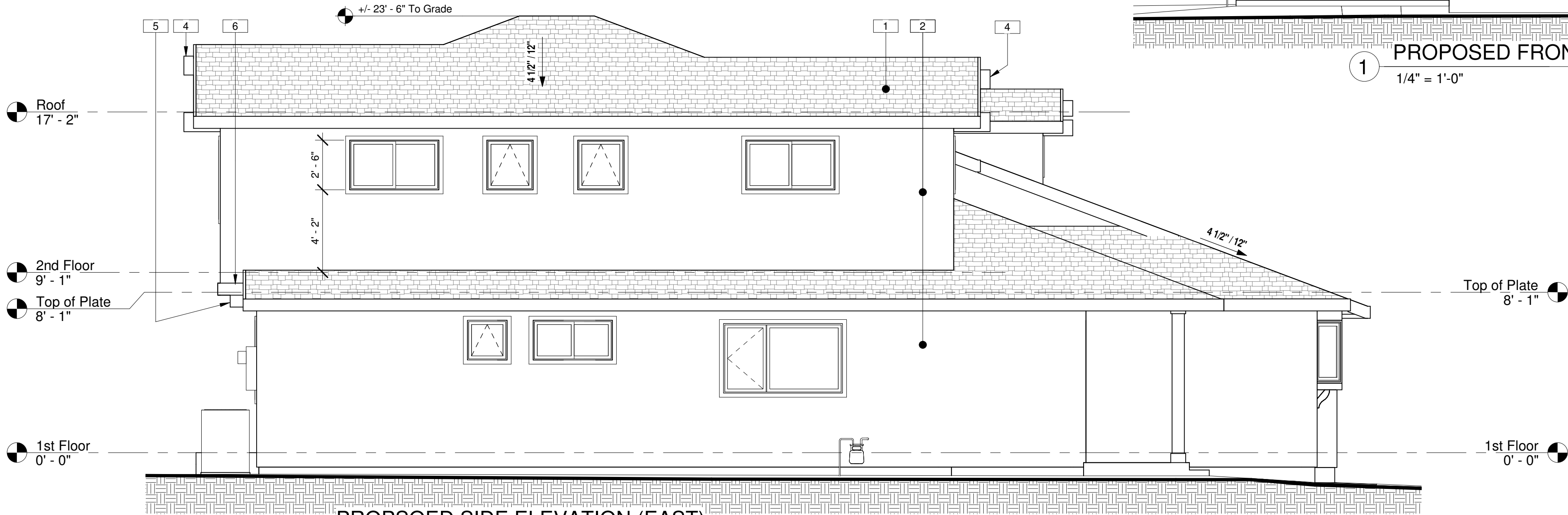
PROPOSED HOUSE



1 PROPOSED FRONT ELEVATION

1/4" = 1'-0"

KEYNOTES	
1	PROVIDE NEW ASPH/FLT SHINGLES OVER #15 UNDERLAYMENT AT ALL ROOFS, EXISTING AND NEW
2	NEW STUCCO TO MATCH EXISTING TEXTURE; PROVIDE 7/8" THICK 3-COAT CEMENT PLASTER SYSTEM OVER 2 LAYERS OF GRADE 'D' PAPER
3	EXISTING STUCCO FINISH
4	4x12 DECORATIVE OUTRIGGERS
5	6x8 DECORATIVE CORBELS
6	2x8 WOOD TRIM



3 PROPOSED SIDE ELEVATION (EAST)

1/4" = 1'-0"

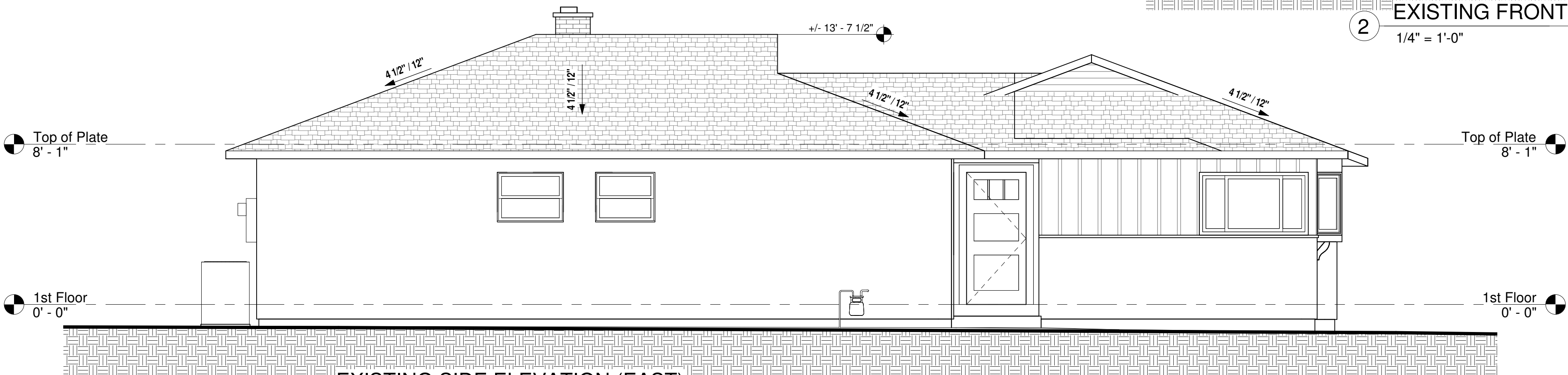


EXISTING HOUSE



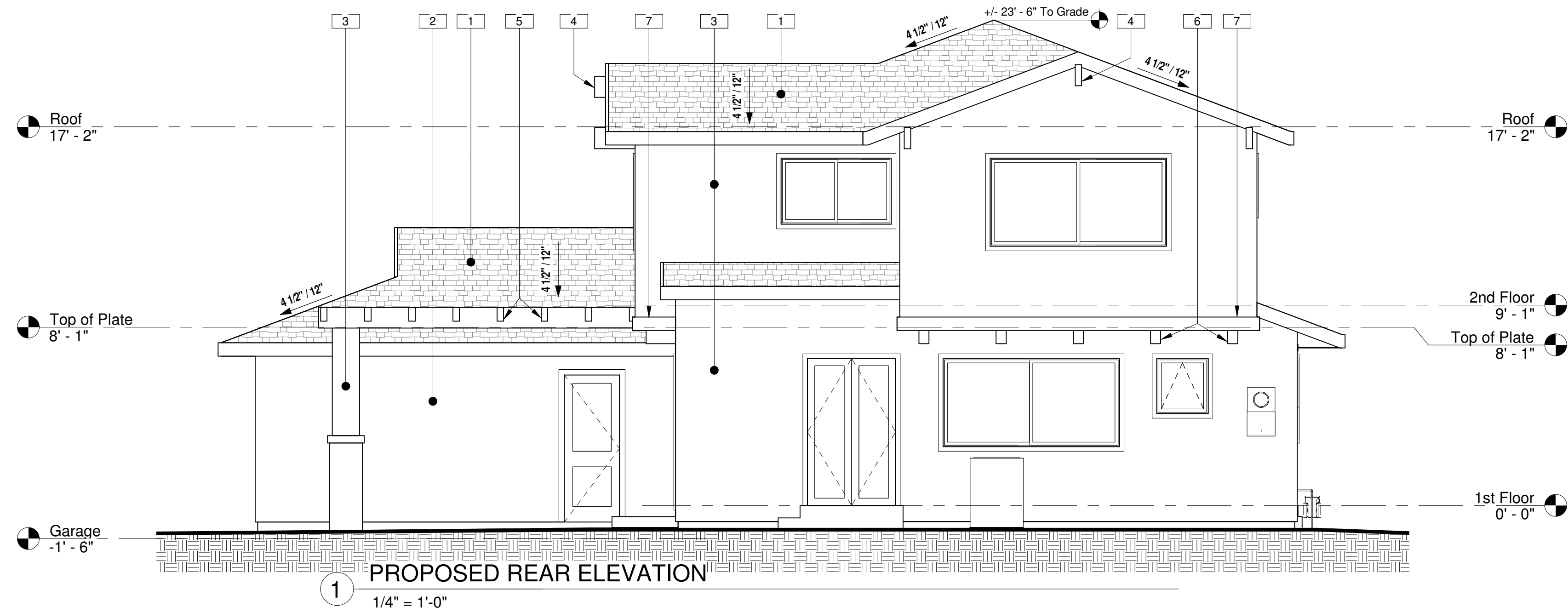
2 EXISTING FRONT ELEVATION

1/4" = 1'-0"

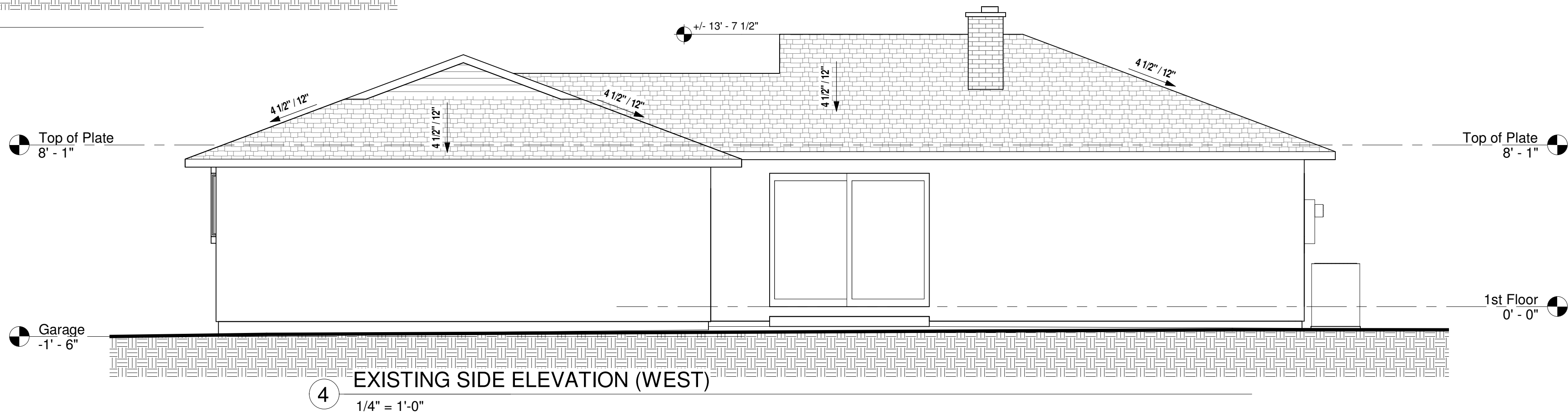
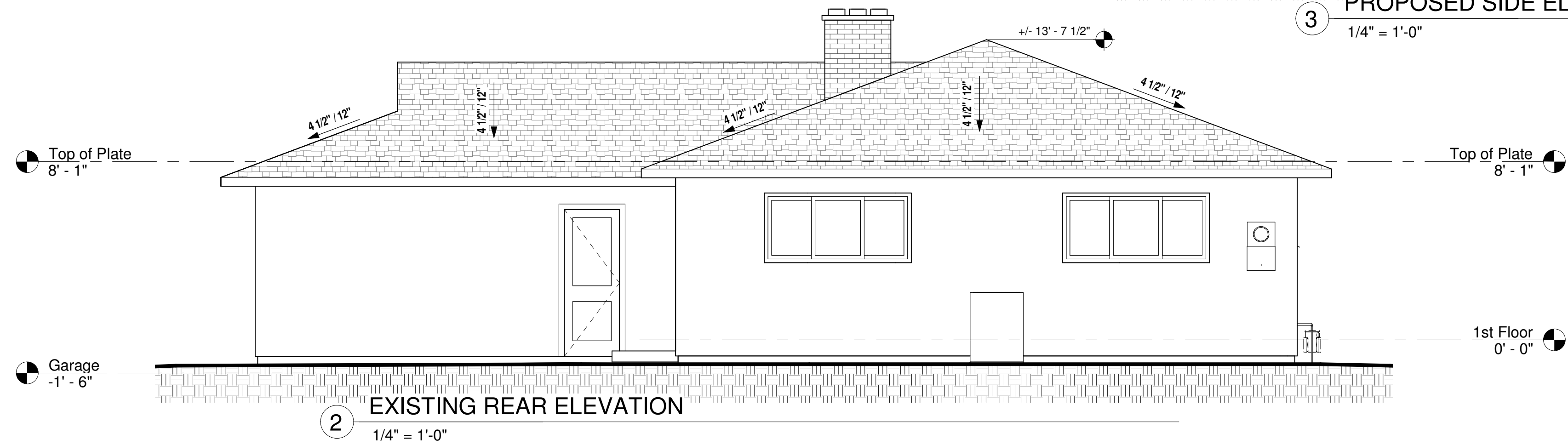
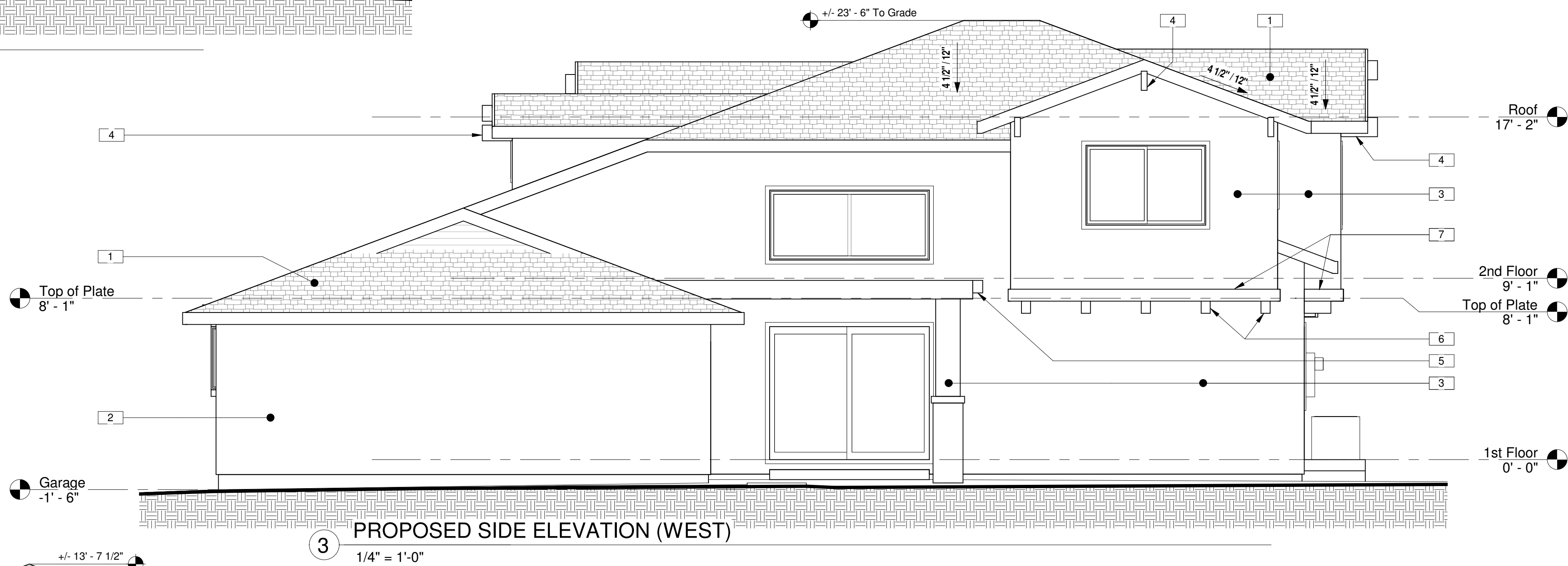


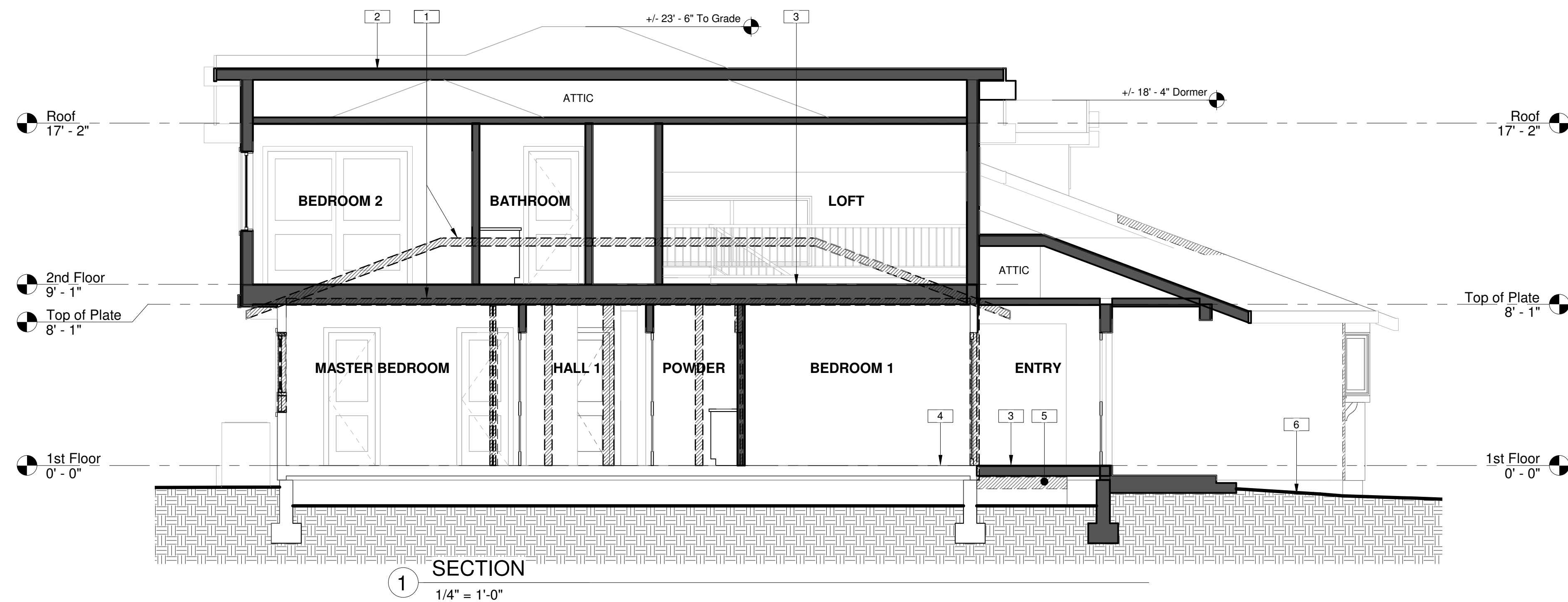
4 EXISTING SIDE ELEVATION (EAST)

1/4" = 1'-0"

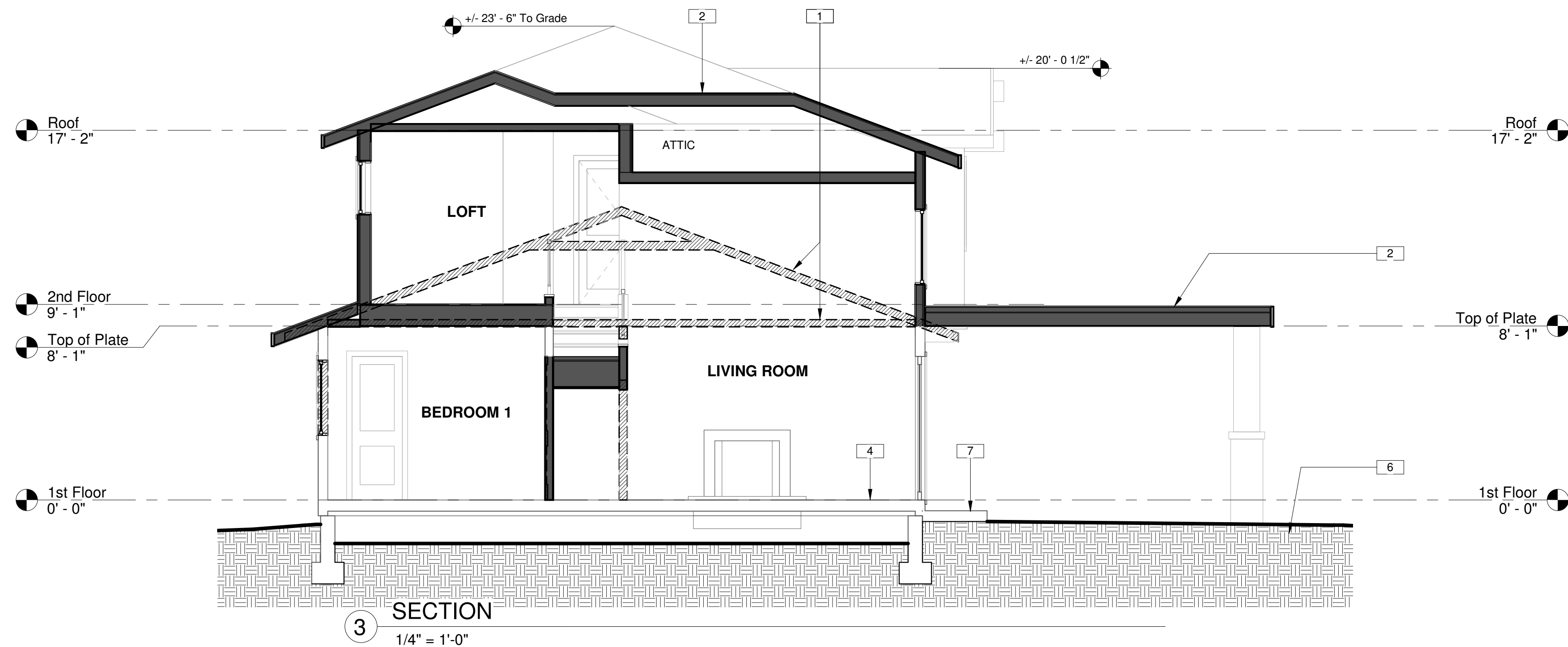
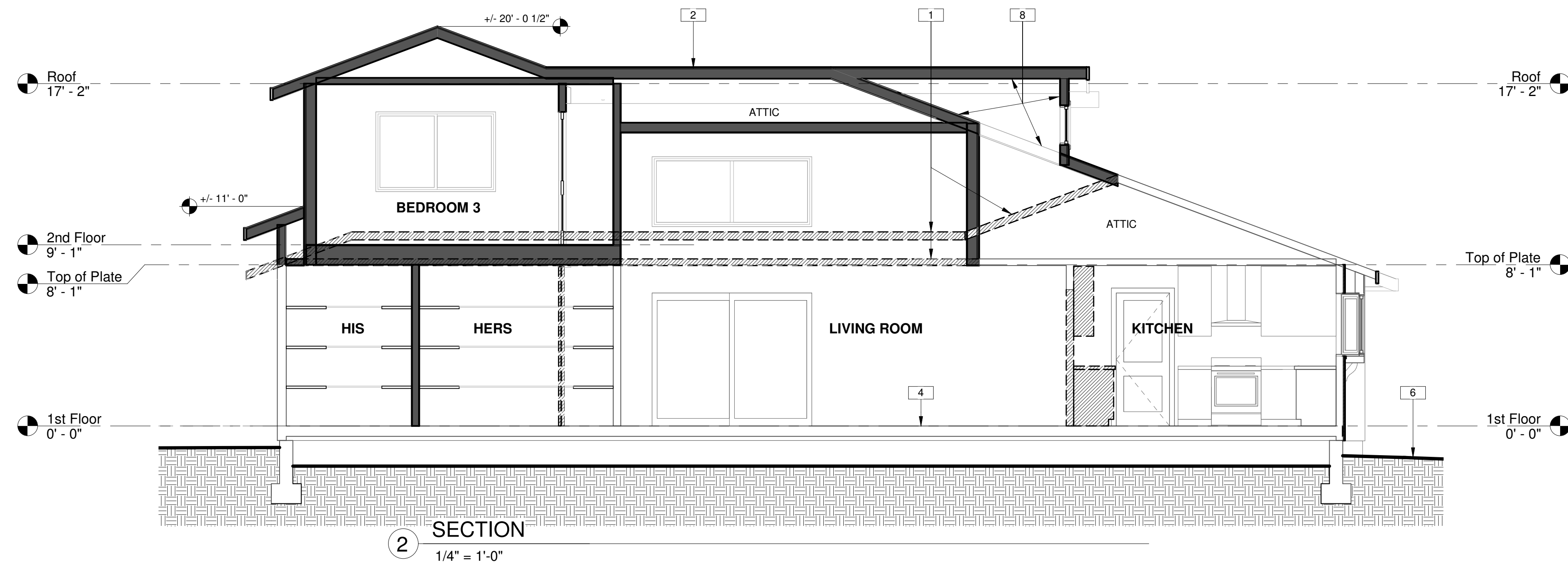


KEYNOTES	
1	PROVIDE NEW ASPH/FLT SHINGLES OVER #15 UNDERLAYMENT AT ALL ROOFS, EXISTING AND NEW
2	EXISTING STUCCO FINISH
3	NEW STUCCO TO MATCH EXISTING TEXTURE; PTOVIE 7/8"-THICK 3-COAT CEMENT PLASTER SYSTEM OVER 2 LAYERS OF GRADE 'D' PAPER
4	4x12 DECOTATIVE OUTRIGGERS
5	4x8 DECOTATIVE OUTRIGGERS
6	6x8 DECOTATIVE CORBELS
7	2x8 WOOD TRIM





KEYNOTES	
1	REMOVE EXISTING ROOF AND CEILING AS SHOWN
2	NEW ROOF, REFER TO ROOF PLAN
3	NEW FLOOR
4	EXISTING FLOOR
5	REMOVE EXISTING LANDING
6	EXISTING / FINISH GRADE; NO GRADING WORK IS PROPOSED IN THIS PROJECT
7	EXISTING LANDING TO REMAIN
8	DECAORATIVE DORMER



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**TOWN OF LOS GATOS
PLANNING COMMISSION
REPORT**

MEETING DATE: 04/27/2022

ITEM NO: 3

DATE: April 22, 2022
TO: Planning Commission
FROM: Joel Paulson, Community Development Director
SUBJECT: Draft Proposed Capital Improvement Program Budget for Fiscal Years
2022/23 - 2026/27.

RECOMMENDATION:

Forward a recommendation of approval to the Town Council for the draft Proposed Capital Improvement Program (CIP) Budget for Fiscal Years (FY) 2022/23 - 2026/27 (Exhibit 1).

CEQA:

The project is Categorically Exempt pursuant to the adopted Guidelines for the Implementation of the California Environmental Quality Act, Section 15061(b)(3), in that it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. Any effects on the environment will be evaluated, as applicable, at each individual project level, and the recommended action does not constitute approvals of any specific project in the CIP.

FINDINGS:

- As required, pursuant to the adopted Guidelines for the Implementation of the California Environmental Quality Act, this project is Categorically Exempt per Section 15061(b)(3).
- That the projects in the draft Proposed FY 2022/23 - 2026/27 CIP Budget are consistent with the General Plan, North 40 Specific Plan, Albright Specific Plan, and Hillside Specific Plan.

ACTION:

Forward a recommendation of approval to the Town Council for the draft Proposed CIP Budget for FY 2022/23 - 2026/27.

PREPARED BY: WooJae Kim
Town Engineer

Reviewed by: Finance Director, Community Development Director, and Parks and Public Works Director

DISCUSSION:

Section 65401 of the Government Code requires that when a town or city has adopted a General Plan, a list of the proposed public works projects recommended for planning, initiation, or construction during the ensuing fiscal year be classified into a coordinated program and submitted to the Planning Commission for review for conformity with the adopted General Plan or parts thereof. The findings for conformity would then be reported to the Town Council.

A capital improvement project includes design, construction, acquisition, rehabilitation, or non-routine maintenance that generally costs \$25,000 or more with a minimum useful life of five years. The CIP Budget is evaluated annually to ensure funding of critical priority projects related to public streets, parks, facilities, and other Town infrastructure to support the current needs of the Los Gatos community. The CIP Budget also reflects realistic revenue sources and use of funds for capital projects for upcoming fiscal years. Funding sources include General Fund Appropriated Reserve, Gas Tax, Measure B, Traffic Mitigation Funds, Storm Basin Funds, and Grant Funds. The Town continues its efforts to secure reliable ongoing sources of revenue for the CIP.

The draft Proposed FY 2022/23 - 2026/27 CIP Budget includes projects under the Street Program that support and implement the General Plan's goals and policies of the Transportation, Environmental and Sustainability, Safety, and Human Service Elements. Examples of Street Program projects include the annual Street Repair and Resurfacing; Highway 17 Bicycle and Pedestrian Bridge; Winchester Boulevard Complete Streets; and Bicycle and Pedestrian Improvements. All projects cited improve the condition and safety of the Town roadways; install safe pedestrian and bikeway facilities; and promote alternate modes of transportation, which ultimately support the goal of greenhouse gas (GHG) reduction.

The Open Space, Parks, and Recreation Element goals and policies of the General Plan are implemented through the project scopes of the Los Gatos Creek Trail to Highway 9 Trailhead Connector Project; Open Space Trail Upgrades; Pinehurst Community Garden; and through other capital maintenance projects to ensure that Town parks and open spaces remain in good condition. The Town will also move forward with the design and construction of the Oak Meadow Bandstand Area Improvements this year, largely funded through the State Proposition 68 grant program administered by the State Department of Parks and Recreation.

The Town's Environment and Sustainability Element goals and policies are being implemented through a variety of CIP projects such as the Annual Storm Drain Improvement Project; Stormwater System – Pollution Prevention Compliance; Battery Power Supply – Library; and Vehicle Miles Traveled (VMT) Mitigation Program. As mentioned earlier, many of the projects under the Street Program contribute to the reduction of GHG emissions by improving Town

DISCUSSION (continued):

roadway infrastructure for multi-modal or active transportation and getting people out of their cars.

Safety is the most important factor for prioritizing CIP projects. The goals and policies of the Safety Element are being implemented through projects including Vegetation Management and Roadside Fire Fuel Reduction to prevent wildfires; various Street Program projects including Blossom Hill Road Traffic Safety and Traffic Calming Projects to improve safety of Town roadways; and Measure B Education and Encouragement to promote safety programs to Town schools.

The Human Services Element goals and policies promote good programs and services for the youth and seniors, including ensuring safety for children biking and walking and improving mobility and access for seniors. The CIP projects such as the ADA Transition Plan and Local Road Safety Plan will set the course for long-term infrastructure plans to remove accessibility barriers and address roadway safety for students biking and walking to schools. Furthermore, the Parks Playground Fibar and various other Park Program projects would continue to maintain the Town's recreational and outdoor facilities for the Town youth and seniors to safely enjoy.

For any questions related to the projects in the draft Proposed FY 2022/23 – 2026/27 CIP Budget document, Parks and Public Works Department staff will be available to answer any questions at the meeting. The scope of the Planning Commission's review is to determine that the draft Proposed CIP is consistent with the General Plan, North 40 Specific Plan, Albright Specific Plan, and Hillside Specific Plan.

PUBLIC COMMENTS:

At this time, the Town has not received any public comment.

RECOMMENDATION:

The Town Council is tentatively scheduled to consider the draft Proposed CIP on May 17, 2022. For the reasons stated above, staff recommends that the Planning Commission take the following actions:

1. Find that the project is Exempt pursuant to the adopted Guidelines for the Implementation of the California Environmental Quality Act, Section 15061(b)(3);
2. Find that the potential projects in the 2022/23 - 2026/27 draft Proposed CIP are consistent with the General Plan, North 40 Specific Plan, Albright Specific Plan, and Hillside Specific Plan; and

PAGE 4 OF 4

SUBJECT: Draft Proposed Capital Improvement Program Budget for Fiscal Years 2022/23 – 2026/27

DATE: April 22, 2022

RECOMMENDATION (continued):

3. Forward a recommendation of approval of the 2022/23 - 2026/27 draft Proposed CIP to the Town Council.

EXHIBIT:

1. Draft Proposed CIP Budget for FY 2022/23 - 2026/27
(Available on Town's website at
<https://www.losgatosca.gov/DocumentCenter/View/30428/FY-2022-23-Capital-Budget>)



**TOWN OF LOS GATOS
PLANNING COMMISSION
REPORT**

MEETING DATE: 4/27/2022

ITEM NO: 4

DESK ITEM

DATE: April 27, 2022
TO: Planning Commission
FROM: Joel Paulson, Community Development Director
SUBJECT: Review and Make Recommendations on the Draft 2040 General Plan and Final Environmental Impact Report to the Town Council.

REMARKS:

On April 13, 2022, the Planning Commission received public comments on the Draft 2040 General Plan and Environmental Impact Report (EIR); and began the review of the Draft 2040 General Plan including the Introduction; Racial, Social and Environmental Justice Element; Mobility Element; and Public Facilities, Services, and Infrastructure Element.

On April 25, 2022, the Planning Commission held a special meeting to continue the review of the Draft 2040 General Plan including the Open Space, Parks, and Recreation Element; the Environment and Sustainability Element; the Hazards and Safety Element; and began review of the Land Use Element. Shortly before 11:30 p.m. the Planning Commission continued the discussion to the regular Planning Commission meeting on April 27, 2022. At this meeting the Planning Commission will continue their discussion including review of:

- The Land Use Element;
- The Community Design Element; and
- The Final EIR.

Exhibit 17 contains Planning Commissioner comments.

PREPARED BY: Jennifer Armer, AICP
Planning Manager

Reviewed by: Community Development Director

EXHIBITS:

Exhibits previously provided: (available online here: <http://logatos2040.com/documents.html>)

1. Draft 2040 General Plan
2. Draft EIR
3. Revised NOA and Transportation section
4. Final EIR

Exhibits previously received with the April 13, 2022 Staff Report:

5. Draft Findings of Fact and Statement of Overriding Considerations
6. GPAC Recommended Changes to the Vision and Guiding Principles
7. Modifications Proposed in Public Comment
8. Board of Forestry Recommended Changes
9. Public Comments received between 11:01 a.m., Thursday, May 6, 2021, and 11:00 a.m., Monday, September 20, 2021
10. Public Comments received between 11:01 a.m., Monday, September 20, 2021, and 11:00 a.m., Thursday, April 7, 2022

Exhibit previously received with the April 13, 2022 Addendum:

11. Public Comments received between 11:01 a.m., Thursday, April 7, 2022, and 11:00 a.m., Monday, April 11, 2022

Exhibits previously received with the April 13, 2022 Desk Item:

12. Planning Commissioner Comments
13. Public Comments received between 11:01 a.m., Monday, April 11, 2022, and 11:00 a.m., Wednesday, April 13, 2022

Exhibits previously received with the April 25, 2022 Staff Report:

14. Planning Commissioner Comments
15. Public Comments received between 11:01 a.m., Wednesday, April 13, 2022, and 11:00 a.m., Friday, April 22, 2022

Exhibit previously received with the April 25, 2022 Desk Item:

16. Public Comments received between 11:01 a.m., Friday, April 22, 2022, and 11:00 a.m. on Monday, April 25, 2022

Exhibit received with this Desk Item:

17. Planning Commissioner Comments

From: Jeffrey Barnett

Sent: Tuesday, April 26, 2022 11:37 AM

To: Jennifer Armer; Joel Paulson

Subject: Revised Spreadsheet Regarding Buildout Capacity for Consideration on 4.27.22

Good morning, Jennifer and Joel.

Attached please find my revised spreadsheet which I wish to submit as a desk item. Again, this proposal represents my preliminary thinking, and I am certainly interested in the viewpoints of the other Commissioners.

The changes made are as follows:

1. Deleted Hillside Residential as part of the capacity (166 units).
2. Lowered the deduction for Medium Density to 165, thereby providing for 165 housing units in that designation. This is roughly half of the potential decrease of 327 indicated in bullet point two on Page 6 of the Staff Report of April 7, 2022 (packet Page 184)
3. Increased the reduction figure in the Central Business District to 67 from 56 due to a mathematical error. This reduction is roughly half of the full buildout capacity for downtown which is included in the 2,763 figure provided by Staff as shown on the same Page 6.

Thank you.

Requirements		Capacity	Figures	Reductions in Capacity	Reduction Figures	Net New Housing	Total Over RHNA With Buffer	% over RHNA With Buffer
2480720-558	1993	New and Redeveloped Under GP	2763	Low Density Residential	279	2469	177.05	0.08
15% buffer	298.95	ADUs: 25/year for 8 years	200	Medium Density Residential	165			
		Hillside Residential	0	Hillside Residential	0			
Total	2291.95	In process	75	High Density Residential	0			
		SB 9 Developments	?					
		Total Capacity Excluding SB 9	3038	Neighborhood Commercial	0			
		Amount over RHNA	746.05	Community Commercial to Neighborhood Commercial	58			
				Mixed Use	0			
				Central Business District	67			
				Office and Service Commercial	0			
				Total Reductions	569			