



**TOWN OF LOS GATOS
PLANNING COMMISSION AGENDA
MAY 11, 2022
110 EAST MAIN STREET
LOS GATOS, CA**

*Melanie Hanssen, Chair
Jeffrey Barnett, Vice Chair
Kylie Clark, Commissioner
Kathryn Janoff, Commissioner
Steven Raspe, Commissioner
Reza Tavana, Commissioner
Emily Thomas, Commissioner*

PARTICIPATION IN THE PUBLIC PROCESS

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

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

Deadlines for Public Comment and Presentations are as follows:

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

***Planning Commission meetings are broadcast Live on KCAT, Channel 15 (on Comcast) on the 2nd and 4th Wednesdays at 7:00 p.m.
Live and Archived Planning Commission meetings can be viewed by going to:
www.LosGatosCA.gov/TownYouTube***

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

IMPORTANT NOTICE REGARDING PLANNING COMMISSION MEETING

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

In accordance with Executive Order N-29-20, the public may only view the meeting on television and/or online and not in the Council Chambers.

PARTICIPATION

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

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

<https://losgatosca-gov.zoom.us/j/83836535836?pwd=MlZ6RXdnOVVuTzYzNXBIMFlYSVFFUT09>.

Passcode: 347810.

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

**TOWN OF LOS GATOS
PLANNING COMMISSION AGENDA
MAY 11, 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 25, 2022 Planning Commission Special Meeting.
2. Draft Minutes of the April 27, 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.)*

3. Consider an Appeal of a Community Development Director Decision to Deny a Fence Height Exception Request for Construction of a Five-Foot, Nine-Inch Fence Located Within the Required Front Yard Setback on Property Zoned R-1:10. Located at 14741 Blossom Hill Road. APN 527-41-047. Property Owner/ Applicant/Appellant: Alexandra Mims. Project Planner: Ryan Safty.

4. Requesting Approval for Technical Demolition of an Existing Single-Family Residence and Construction of a New Single-Family Residence on Property Zoned R-1:8. **Located at 16668 Shannon Road.** APN 532-05-002. Architecture and Site Application S-21-039. PROPERTY OWNERS/APPLICANTS: Peter and Cheri Binkley. PROJECT PLANNER: Erin Walters.

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

REPORT FROM THE DIRECTOR OF COMMUNITY DEVELOPMENT

SUBCOMMITTEE REPORTS / COMMISSION MATTERS

ADJOURNMENT *(Planning Commission policy is to adjourn no later than 11:00 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: 05/11/2022

ITEM NO: 1

**DRAFT
MINUTES OF THE PLANNING COMMISSION SPECIAL MEETING
APRIL 25, 2022**

The Planning Commission of the Town of Los Gatos conducted a Special Meeting on Monday, April 25, 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 PM

ROLL CALL

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

VERBAL COMMUNICATIONS

Lee Quintana

- Channel 15 is experiencing technical difficulties, so the Planning Commission meeting is not being broadcast on that channel.

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

None.

PUBLIC HEARINGS

1. 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.

Commissioners discussed the matter.

MOTION: **Motion by Commissioner Janoff** to accept the suggested changes listed as Items 81 and 84 from Exhibit 7 and remove “provided on a full cost recovery basis” from the first paragraph under Recreational Services on page 7-7 of the Open Space, Parks and Recreation Element. **Seconded by Commissioner Clark.**

VOTE: **Motion passed unanimously.**

Commissioners discussed the matter.

MOTION: **Motion by Commissioner Janoff** to recommend the modifications in Exhibit 7 listed as Items 89, 90, 95, and 96 but with “ensuring” changed to “working towards” in the Environment and Sustainability Element. **Seconded by Commissioner Raspe.**

VOTE: **Motion passed unanimously.**

Commissioners discussed the matter.

MOTION: **Motion by Commissioner Janoff** to recommend the modifications in Exhibit 7 listed as Items 98 (with “improve” instead of “improves”), 104, and 105. **Seconded by Commissioner Raspe.**

VOTE: **Motion passed unanimously.**

MOTION: **Motion by Commissioner Janoff** to recommend the modifications in Exhibit 7 listed as Items 106, 107, 108, 110, and 116 with the language modified to state, “Plant Based Education: Develop and implement a plan ~~Implement programs~~ to educate and support residents about the environmental, economic, and social benefits of shifting to a plant-based diet, examples of which may include informational materials, educational programs, community events, coordination with schools and businesses, or guidelines for procurement ~~which includes improved health, curbing greenhouse gas emissions, reducing biodiversity loss and deforestation,~~

~~reducing water usage, and reversing pollution of our air, land, and water.”~~, modification of Implementation Program M to include linkages between movement corridors, and changes suggested by Commissioner Clark regarding consulting Ohlone Indian tribes in the Environment and Sustainability Element. **Seconded by Commissioner Clark.**

VOTE: **Motion passed unanimously.**

MOTION: **Motion by Commissioner Raspe** to recommend the modifications in Exhibit 7 listed as Items 119 and 117 subject to review by the Santa Clara County Fire Department or CalFire. **Seconded by Vice Chair Barnett.**

VOTE: **Motion passed unanimously.**

Commissioners discussed the matter.

MOTION: **Motion by Commissioner Janoff** to accept Vice Chair Barnett’s revision to the definition of equality. **Seconded by Commissioner Clark.**

VOTE: **Motion passed unanimously.**

Commissioners discussed the matter.

MOTION: **Motion by Commissioner Clark** to extend the hearing until 11:30pm. **Seconded by Commissioner Thomas.**

VOTE: **Motion passed unanimously.**

Commissioners discussed the matter.

MOTION: **Motion by Commissioner Clark** to continue the public hearing regarding the Draft 2040 General Plan and Final Environmental Impact Report to a date certain of April 27, 2022. **Seconded by Vice Chair Barnett.**

VOTE: **Motion passed unanimously.**

ADJOURNMENT

The meeting adjourned at 11:22 p.m.

This is to certify that the foregoing is a true and correct copy of the minutes of the April 25, 2022 meeting as approved by the Planning Commission.

/s/ Vicki Blandin



**TOWN OF LOS GATOS
PLANNING COMMISSION
REPORT**

MEETING DATE: 05/11/2022

ITEM NO: 2

**DRAFT
MINUTES OF THE PLANNING COMMISSION MEETING
APRIL 27, 2022**

The Planning Commission of the Town of Los Gatos conducted a Regular Meeting on Wednesday, April 27, 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 PM

ROLL CALL

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

VERBAL COMMUNICATIONS

None.

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

1. Approval of Minutes – April 13, 2022

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

VOTE: Motion passed unanimously.

PUBLIC HEARINGS

2. 280 Carlton Avenue

Minor Residential Development Application MR-22-002

APN 424-16-067

Applicant: Shlomi Caspi

Property Owners: Rada and Mihailo Despotovic

Project Planner: Savannah Van Akin and Ryan Safty

Requesting approval for construction of a second-story addition to an existing single-family residence on property zoned R-1:8.

Savannah Van Akin, Assistant Planner, presented the staff report.

Opened Public Comment.

Mihailo Despotovic, Property Owner

- Our family of four has lived at 280 Carlton for 11 years. We are quiet and excellent neighbors and are truly vested in our neighborhood. We plan to live in our home at least until our children leave home. Our remodel goal is to add two bedrooms and a bathroom for our children on the second floor. We are building up because our lot is very small, and our backyard is already used for our kids' activities. Neighborhood privacy is very important to us. Our roof is as low as possible to be functional, 6 feet lower than required. We would be adding only a partial second floor with as little as possible added square footage. Our remodel does not expand toward any neighbors, and we are actually retracting some of our second floor walls. We have met many times with Town planners, the Town arborist, and have tried communicating in person with neighbors multiple times.

Sasha Shkolnik, 235 Carlester Drive

- I live behind the subject site. The applicants did talk to us in person in the beginning and provided plans. The applicant's architect was our architect as well, so I trusted the applicants because I know how creative he is. When the story poles went up I was shocked, because as proposed two large windows would look into my bedroom, my children's bedroom, and our back yard. I support the applicant's second story, but privacy is my biggest concern. The applicant has suggested we plant trees for screening, but it would take several years for them to grow and their health cannot be ensured. Although the applicants have proposed a fence, it could not be tall enough to provide privacy. My proposal is the applicants use the existing windows they already have on the side as egress windows and get light from skylights or windows that are 5-6 feet above the floor.

Mihailo Despotovic, Property Owner

- With respect to privacy, there are no code violations, but we are willing to be open. We want everyone to be happy with the outcome. There are three two-story homes very close

to our house, one across the street. There are 20 two-story houses in the neighborhood and none have visible privacy measures such as weird windows, nothing raised, and no screening trees. The Town arborist has suggested industry-standard privacy trees that grow 2-3 feet per year to over 30 feet tall, and are evergreen and opaque year round. I hope we can find a compromise that would not completely destroy our plans and that will also make the neighbors happy.

Shlomi Caspi, Architect/Applicant

- Between the two bedrooms upstairs, one already has the egress window, which is the larger of the two windows facing the side patio area. Yes, we can switch between the windows, but it will end up with a situation where the bigger window is actually closer, because it will be only 8 feet from the property line, but while facing the back it is approximately 25 feet from the property line.

Closed Public Comment.

Commissioners discussed the matter.

MOTION: **Motion by Commissioner Raspe** to approve a Minor Residential Development Application for 280 Carlton Avenue, with the requirement that the applicant plant trees along the rear property line as designated by the Town arborist. **Seconded by Commissioner Janoff.**

VOTE: **Motion passed unanimously.**

OTHER BUSINESS:

3. Draft Proposed Capital Improvement Program Budget for Fiscal Years 2022/23 – 2026/27.

WooJae Kim, Town Engineer, presented the staff report.

Opened Public Comment.

Closed Public Comment.

Commissioners discussed the matter.

MOTION: **Motion by Commissioner Raspe** to recommend approval of the Capital Improvement Program Budget as presented to the Town Council. **Seconded by Commissioner Thomas.**

VOTE: **Motion passed unanimously.**

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.*

Jennifer Armer, Planning Manager, presented the staff report.

Commissioners discussed the matter.

MOTION: **Motion by Commissioner Thomas** to recommend the changes in the Land Use Element outlined in Exhibit 7 as Items 21, 33, 34, and 40 (as an implementation program). **Seconded by Commissioner Clark.**

VOTE: **Motion passed unanimously.**

Commissioners discussed the matter.

MOTION: **Motion by Commissioner Janoff** to remove housing from the Office and Service Commercial designations.

Commissioners discussed the matter.

Seconded by Commissioner Clark.

Commissioners discussed the matter.

Commissioner Janoff amended the motion to include considering reducing the maximum allowed density in the Low Density Residential and Medium Density Residential designations to a number that still supports missing middle housing, but lowers the numbers.

Commissioners discussed the matter.

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

Commissioners discussed the matter.

MOTION: **Motion by Commissioner Thomas** to continue the hearing until 11:30pm. **Seconded by Commissioner Clark.**

VOTE: **Motion passed unanimously.**

Commissioners discussed the matter.

VOTE: **Motion failed 3-3 due to a tie vote with Commissioners Thomas, Raspe, and Barnett dissenting.**

Commissioners discussed the matter.

MOTION: **Motion by Commissioner Clark to use Commissioner Janoff's original motion, to remove 313 housing units from Office and Service Commercial designations. Seconded by Commissioner Thomas.**

Commissioners discussed the matter.

Commissioner Clark amended the motion to include two additional changes: 1) reverting the properties in the new Community Commercial designation back to Neighborhood Commercial, which would have a reduction of 58 units; and 2) reducing the Central Business District by 67 units.

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

Commissioners discussed the matter.

Commissioner Clark withdrew the motion.

MOTION: **Motion by Chair Hanssen to continue the public hearing regarding Draft 2040 General Plan and Final Environmental Impact Report to a date certain of May 2, 2022. Seconded by Commissioner Raspe.**

Commissioners discussed the matter.

VOTE: **Motion passed unanimously.**

ADJOURNMENT

The meeting adjourned at 11:35 p.m.

This is to certify that the foregoing is a true and correct copy of the minutes of the April 27, 2022 meeting as approved by the Planning Commission.

/s/ Vicki Blandin

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**TOWN OF LOS GATOS
PLANNING COMMISSION
REPORT**

MEETING DATE: 5/11/2022

ITEM NO: 3

DATE: May 6, 2022
TO: Planning Commission
FROM: Joel Paulson, Community Development Director
SUBJECT: Consider an Appeal of a Community Development Director Decision to Deny a Fence Height Exception Request for Construction of a Five-Foot, Nine-Inch Fence Located Within the Required Front Yard Setback on Property Zoned R-1:10. Located at 14741 Blossom Hill Road. APN 527-41-047. Property Owner/ Applicant/Appellant: Alexandra Mims. Project Planner: Ryan Safty.

RECOMMENDATION:

Deny the appeal of a Community Development Director decision to deny a fence height exception request for construction of a five-foot, nine-inch fence located within the required front yard setback on property zoned R-1:10, located at 14741 Blossom Hill Road.

PROJECT DATA:

General Plan Designation: Low Density Residential
Zoning Designation: R-1:10
Applicable Plans & Standards: General Plan
Parcel Size: 10,163 square feet
Surrounding Area:

	Existing Land Use	General Plan	Zoning
North	Residential	Low Density Residential	R-1:8
South	Residential	Hillside Residential	HR-1:PD
East	Residential	Low Density Residential	R-1:10
West	Residential	Low Density Residential	R-1:10

CEQA:

PREPARED BY: RYAN SAFTY
Associate Planner

Reviewed by: Planning Manager and Community Development Director

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 proposes a wooden fence.

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.

ACTION:

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

BACKGROUND:

The subject property is located on the north side of Blossom Hill Road, directly across the street from the intersection with Regent Drive (Exhibit 1).

On February 8, 2022, the Town's Code Compliance Officer was contacted by the property owner to provide information regarding height requirements for a shared-property fence. When at the site, the Officer observed a recently constructed non-compliant fence within the front setback area. The Officer spoke with the property owner, informed them of the Town's regulations, and advised them to modify the fence to comply with height requirements or apply for a Fence Height Exception.

On March 4, 2022, the Town received a Fence Height Exception application to permit a previously constructed five-foot, nine-inch, tall wooden fence within the required front yard setback at 14741 Blossom Hill Road (Exhibits 4 and 5). Town Code requires that fences and gates within the required front yard setback be limited to three feet in height.

On March 9, 2022, the Town denied the exception request since none of the required conditions listed in Town Code 29.40.0320 (*Exceptions*) were found to exist on the subject property. On March 18, 2022, the decision of the Community Development Director to deny the exception request was appealed to the Planning Commission by the property owner.

PROJECT DESCRIPTION:

A. Location and Surrounding Neighborhood

The subject property is located on the north side of Blossom Hill Road, directly across the street from the intersection with Regent Drive (Exhibit 1). The surrounding properties are low-density and hillside residential.

B. Project Summary and Zoning Compliance

The property owner is appealing the Community Development Director decision to deny a Fence Height Exception application to permit a previously constructed five-foot, nine-inch, tall wooden fence within the required front yard setback.

DISCUSSION:

A. Fence Height Exception

The property owner is requesting approval to permit a previously constructed wooden fence within the required front yard setback ranging in height from five-foot, five-inches to five-foot, nine-inches. As measured by Town staff, the fence is approximately 15.5 feet from the edge of the sidewalk, which is the approximate location of the front property line along Blossom Hill Road (Exhibit 8).

Per Town Code Section 29.40.0315, fences and gates are limited to six feet in height with one foot of lattice on top (seven feet total), but are limited to, “three feet in height when located within a required front or side yard abutting a street, driveway view area, traffic view area, or corner sight triangle unless an exception is granted by the Town Engineer and Community Development Director.” The subject fence is limited to three feet by Code as it is within the front yard setback requirement.

Town Code Section 29.40.0320, provided below, allows an exception to any of the fence regulations if a property owner can demonstrate that one of the following conditions exist.

DISCUSSION (continued):

Sec. 29.40.0320. - Exceptions.

An exception to any of these fence regulations may be granted by the Community Development Director. A fence exception application and fee shall be filed with the Community Development Department and shall provide written justification that demonstrates one (1) of the following conditions exist:

- (a) Adjacent to commercial property, perimeter fences or walls may be eight (8) feet if requested or agreed upon by a majority of the adjacent residential property owners.*
- (b) On interior lots, side yard and rear yard fences, walls, gates, gateways, entry arbors, or hedges, behind the front yard setback, may be a maximum of eight (8) feet high provided the property owner can provide written justification that either:
 - (1) A special privacy concern exists that cannot be practically addressed by additional landscaping or tree screening; or*
 - (2) A special wildlife/animal problem affects the property that cannot be practically addressed through alternatives. Documented instances of wildlife grazing on gardens or ornamental landscaping may be an example of such a problem.**
- (c) At public utility facilities, critical infrastructure, and emergency access locations, exceptions may be granted where strict enforcement of these regulations will result in a security or safety concern.*
- (d) A special security concern exists that cannot be practically addressed through alternatives.*
- (e) A special circumstance exists, including lot size or configuration, where strict enforcement of these regulations would result in undue hardship.*

The property owner references privacy and security to justify the exception request (Exhibit 4). Regarding privacy, the owner cites concerns related to the orientation of the home and placement of their child's bedroom window facing Blossom Hill Road. As the subject property is fronting the intersection of Blossom Hill Road and Regent Drive, the owner states that several times a day there is vehicular and pedestrian traffic that stops in front of the house and, without a privacy fence, they would be able to see directly into the bedroom window. Condition (b)-(1) of Town Code Section 29.40.0320 allows for a height exception when a special privacy concern exists that cannot be practically addressed by additional landscaping or tree screening; however, sub-section (b) only applies to side and rear yard fences. Therefore, the Town staff could not support the front yard exception with condition (b)-(1).

DISCUSSION (continued):

Regarding security, the owner cites concerns again related to the orientation of the home and placement of their child's bedroom window facing Blossom Hill Road (Exhibit 4). As Blossom Hill Road is a busy thoroughfare with pedestrian and vehicular traffic, there have been instances of trespassing and theft. The owner is concerned that a three-foot tall fence in front of their child's bedroom would not provide security. Condition (d) of Town Code Section 29.40.0320 allows for a height exception when a special security concern exists that cannot be practically addressed through alternatives. Per the hand-measurements provided on the site plan in Exhibits 4 and 5, the existing garage has a front setback of approximately 23.5 feet. The left side of the building and bedroom in question is setback an additional 17 feet from the front wall of the garage, resulting in an approximate front setback of over 40 feet to the bedroom wall. Town Code would allow a six-foot fence with one-foot of lattice above when outside of the 25-foot front setback requirement. The fence could be moved back, and previously installed landscaping removed, to meet setback requirements. With this alternative to provide security to the bedroom, staff could not support the exception with condition (d).

The Community Development Department denied the Fence Height Exception application on March 9, 2022 (Exhibit 6) for the reasons outlined above.

B. Appeal Analysis

The Decision of the Community Development Director to deny the Fence Height Exception application was appealed on March 18, 2022 (Exhibit 7).

In addition to the reasoning provided in the Project Description and Letter of Justification (Exhibit 4), the property owner provided additional justification in the appeal packet. Specifically, the fence was built shortly after the Town's updated Fence Ordinance adoption date of August 16, 2019, and the fence has now been in place for over two years. Pictures from staff's site visit are provided in Exhibit 8. Additionally, the cost of moving the fence back to comply with Town Code would be upwards of two thousand dollars, and they would need to remove the fruit trees and garden beds that were previously planted and installed behind the fence. The owner states that they are willing to add landscaping in front of the fence to help soften the appearance. The owner also expanded on the privacy and security concerns, pointing to the number of properties (44) that use Regent Drive to turn on to Blossom Hill Road, resulting in a busy intersection.

DISCUSSION (continued):

Lastly, the property owner referenced neighborhood compatibility. The owner identified four neighbors to the east, along the same side of Blossom Hill Road, which have fences, gates, or hedges that do not comply with the Town's updated Fence Ordinance (14761, 14771, 14781, and 14811 Blossom Hill Road) (Exhibit 7). Town staff visited the site to analyze these properties, and pictures of the site visit are included as Exhibit 9. 14761 Blossom Hill Road has an approximately 15-foot tall hedge within the front setback, located adjacent to the front property line; 14771 Blossom Hill Road has an approximately seven-foot tall wall and hedge, and approximately five-foot tall gate located approximately ten feet from the front property line; 14781 Blossom Hill Road has an approximately six-foot tall hedge and gate located approximately ten feet from the front property line; and 14811 Blossom Hill Road has an approximately eight-foot tall hedge located along the front property line, which is approximately ten feet further into Blossom Hill Road in an area of future Town right-of-way. However, per Google Maps historic imagery, the fence, gate, wall, or hedge of all four neighbors existed prior to adoption of the updated Fence Ordinance.

C. 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.

PUBLIC COMMENTS:

Written notice was sent to property owners and tenants within 300 feet of the subject property. Public comment is provided in Exhibit 10.

CONCLUSION:

A. Summary

The property owner is requesting that the Planning Commission reconsider the Community Development Director's decision to deny the Fence Height Exception application in order to maintain a five-foot, nine-inch fence within the required front yard setback.

B. Recommendation

Staff recommends that the Planning Commission deny the appeal and uphold the decision of the Community Development Director to deny the Fence Height Exception application.

CONCLUSION (continued):

C. Alternatives

Alternatively, the Commission can:

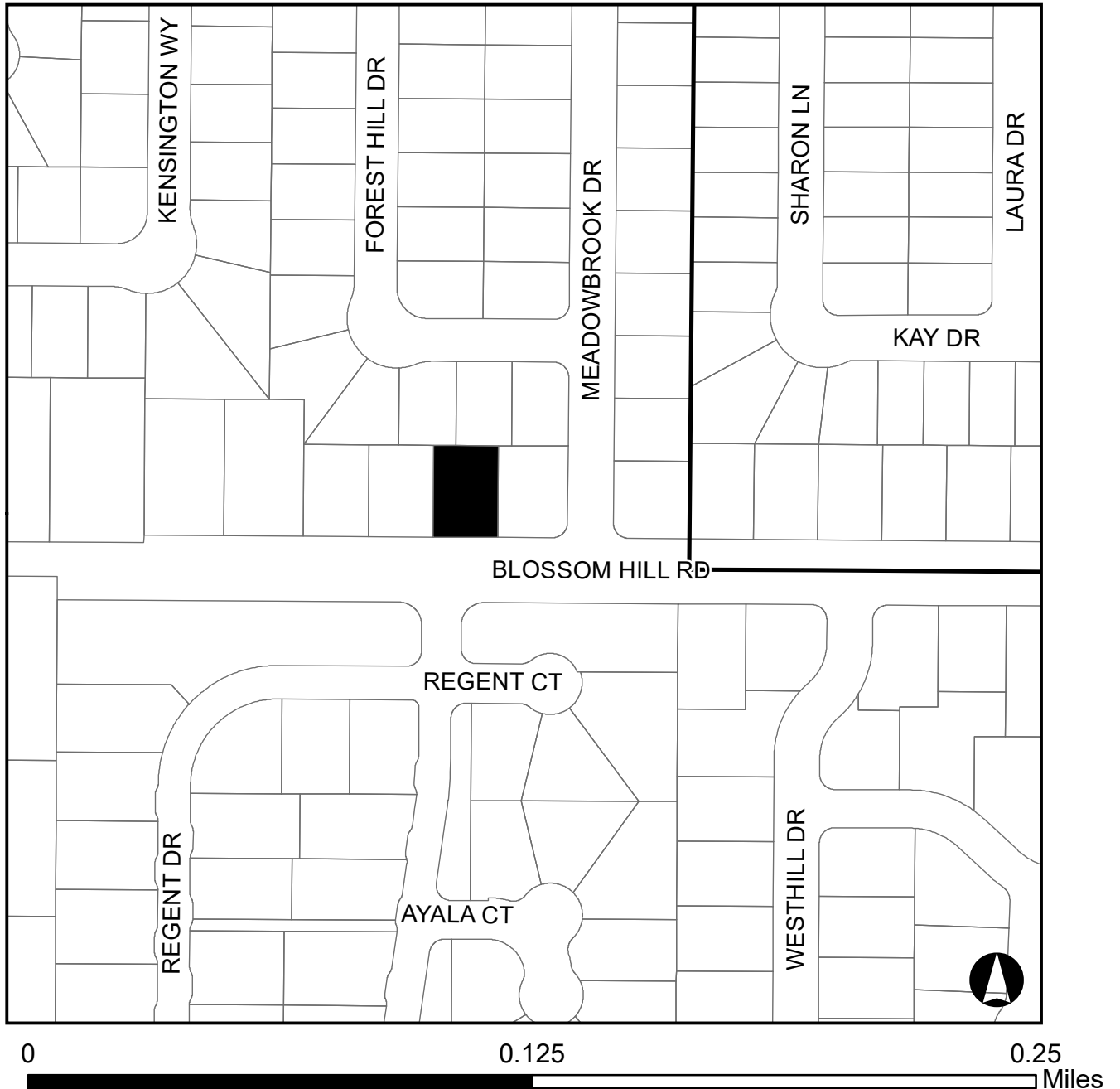
1. Continue the matter to a date certain with specific direction;
2. Grant the appeal and approve the Fence Height Exception application making the finding in Exhibit 2 and with the draft conditions provided in Exhibit 3; or
3. Grant the appeal with additional and/or modified conditions.

EXHIBITS:

1. Location Map
2. Required Findings and Considerations
3. Recommended Conditions of Approval if Appeal is Approved
4. Project Description and Letter of Justification, received March 1, 2022
5. Project Plans and Pictures, received March 1, 2022
6. Fence Height Exception Denial Letter, dated March 9, 2022
7. Appeal of Community Development Director Decision, received March 18, 2022
8. Pictures of Subject Property, taken April 15, 2022
9. Pictures of Surrounding Neighborhood, taken April 15, 2022
10. Public comment received prior to 11:00 a.m., Friday, May 6, 2022

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14741 Blossom Hill Road



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PLANNING COMMISSION –May 11, 2022
REQUIRED FINDINGS FOR:

14741 Blossom Hill Road
Fence Height Exception FHE-22-003

Consider an Appeal of a Community Development Director Decision to Deny a Fence Height Exception Request for Construction of a Five-Foot, Nine-Inch Fence Located Within the Required Front Yard Setback on Property Zoned R-1:10. APN 527-41-047. Property Owner/Applicant/Appellant: Alexandra Mims. Project Planner: Ryan Safty.

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.

EXHIBIT 2

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PLANNING COMMISSION – May 11, 2022
DRAFT CONDITIONS OF APPROVAL

14741 Blossom Hill Road
Fence Height Exception FHE-22-003

Consider an Appeal of a Community Development Director Decision to Deny a Fence Height Exception Request for Construction of a Five-Foot, Nine-Inch Fence Located Within the Required Front Yard Setback on Property Zoned R-1:10. APN 527-41-047. Property Owner/Applicant/Appellant: Alexandra Mims. Project Planner: Ryan Safty.

TO THE SATISFACTION OF THE DIRECTOR OF COMMUNITY DEVELOPMENT:

Planning Division

1. APPROVAL: This application shall be completed in accordance with all of the conditions of approval listed below.
2. EXPIRATION: The Fence Height Exception 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. 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

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Fence Exemption Application

To Whom It May Concern:

I am writing to request an exemption to the Ordinance 2286, which was effective August 6, 2019. Our property is at 14741 Blossom Hill Road, Los Gatos.

First off, I wanted to apologize for not being within code. When we bought our property in the Fall of 2019, along with the renovations we constructed a fence that is 6 feet high at a setback of 15'6". As new homeowners, we were unaware of the ordinance and our fence company was also unaware of the 25 foot setback (they thought it was 10 feet). We also checked with our neighbor before constructing the fence and they said the location was ok with them.

I would also like to note, that our house is a renovation and not a new construction. This means that our garage (which has probably been there since the original house was constructed in 1962) is only setback 23 feet. So even if we moved the fence back 8 feet to be in line with the closet part of the house, it still would not be within code.

Renovating a house also meant that we ended up with a slightly unconventional layout and we have one bedroom that is facing the street (which is on the other side of the fence we are requesting to keep). The bedroom window belongs to my 4 year old son. Due to this fact of his bedroom placement, I have a two-part concern with removing/lowering the fence.

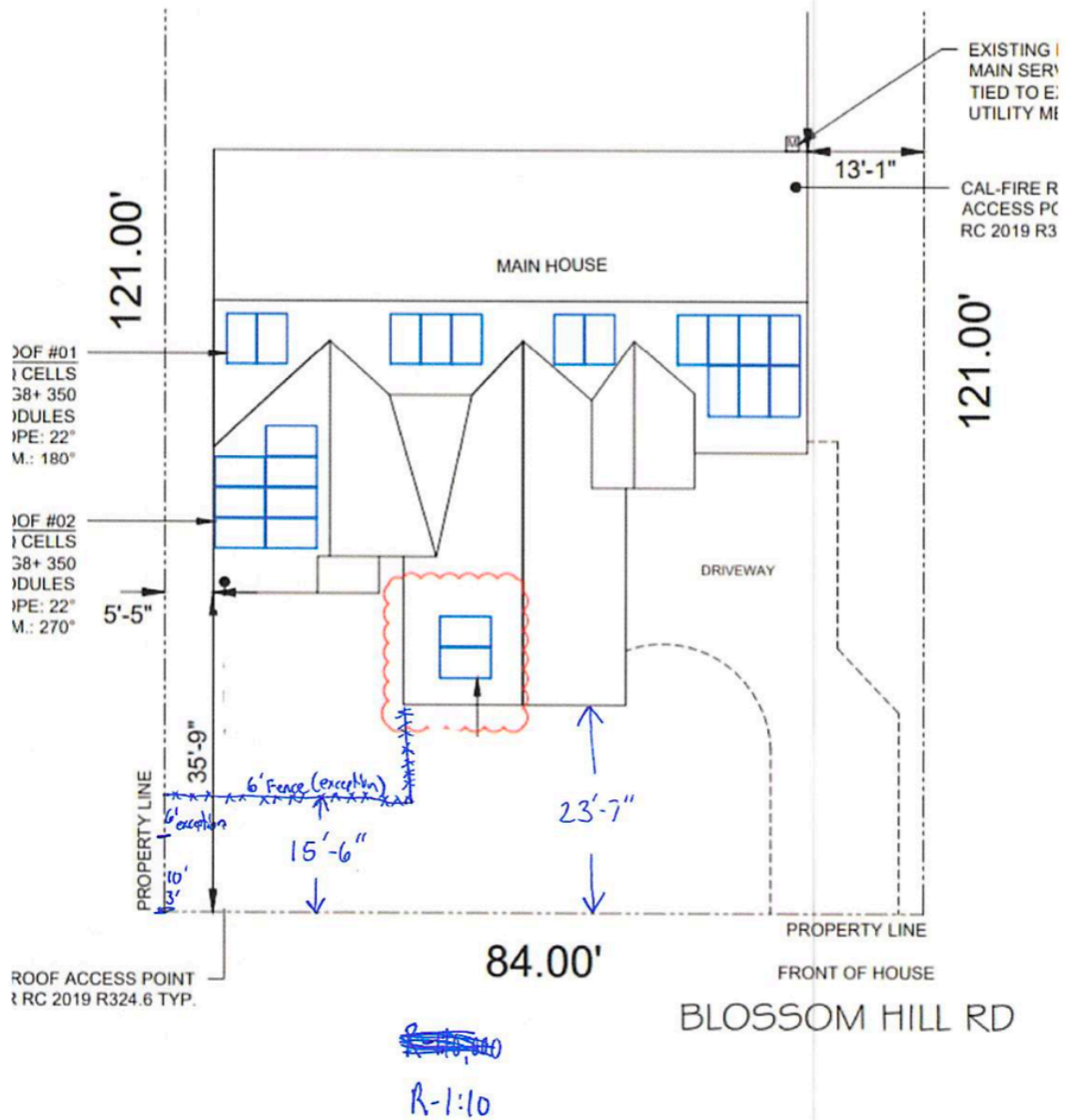
- 1) **Privacy** - As I mentioned, his bedroom is behind the fence. We have multiple people on a daily basis that stop in front of our house while waiting for cars to pass to cross the street onto Regent Drive. It's not an issue for them to see in our living room windows, but it would become very strange to have them be able to look into my son's bedroom window. It's also a very busy street in general and during rush hour traffic sometimes backs up where people are slowing down in front of our property. The fence really ensures our private bedroom area stays private.

The below picture shows what he sees out of his bedroom window. Dropping the fence to 3 feet would be a very clear view for the people from the street to see in.



- 2) **Security** – Since we are on a main street, we’ve had a number of issues related to security. We’ve had the property viewed a few times at night (which we see from our cameras). We also had one incident where we had something stolen from the front, which we did file a police report about. My neighbor has also had issues in the recent months. The fence around the property (specifically around my sons’ room), makes us feel more secure. Having to drop the fence height would definitely not help the security issue. We even designed the fence to only have a gate on one side in order to secure the property around the bedrooms better.

I have attached pictures that show the fence. The red circle shows my sons bedroom window.



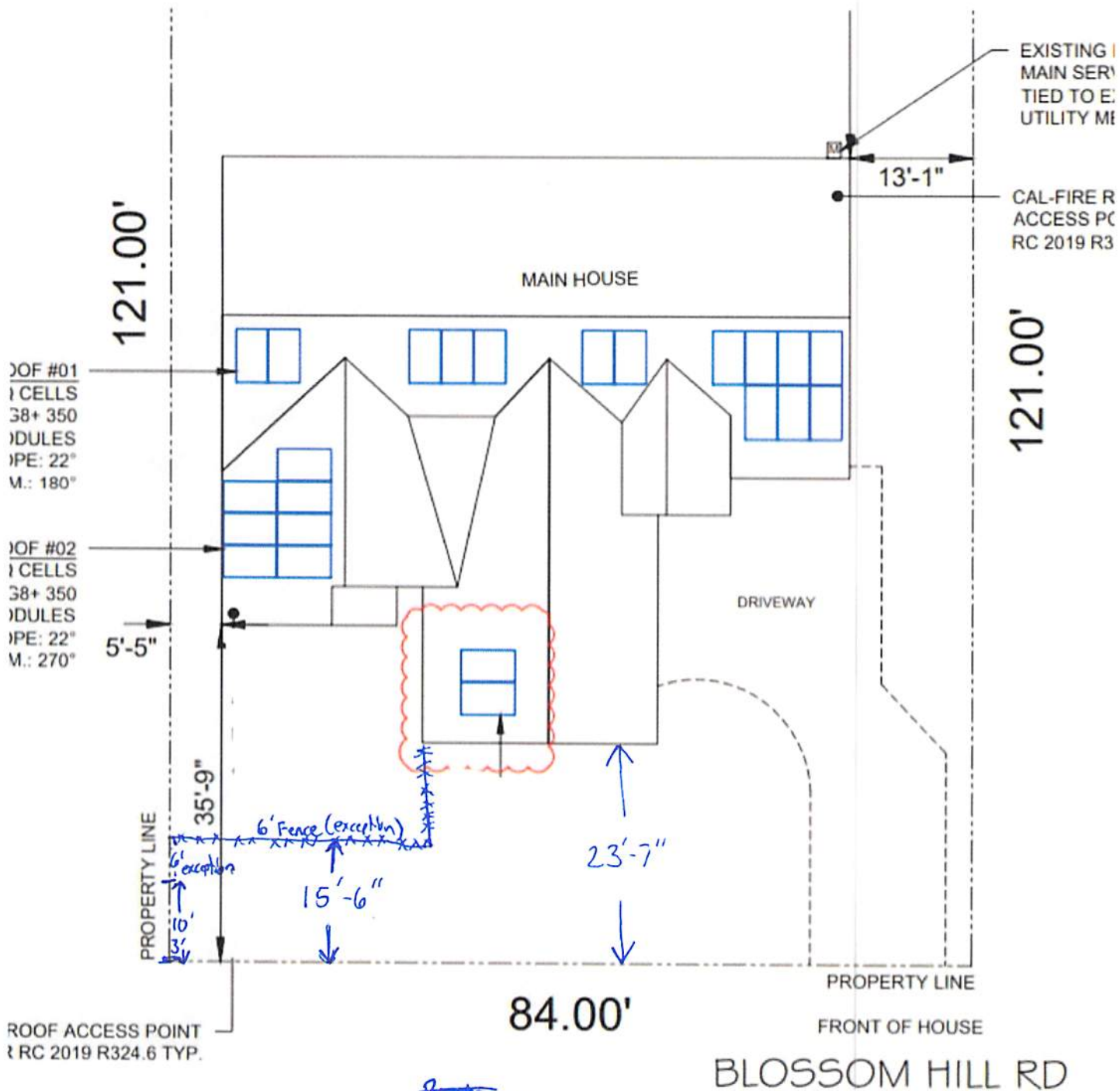
March 1, 2022



I can be reached by email at Alexandra.mims@gmail.com or by phone at 703-507-2825.

Thank you so much for the consideration.

Best,
Alexandra Mims



~~R-1:10~~
R-1:10



Property line to fence 15'-6"

Property line to garage 23'-7"



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COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION
(408) 354-6872 Fax (408) 354-7593

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

March 9, 2022

Alexandra Mims
14741 Blossom Hill Rd
Los Gatos, CA 95032

RE: 14741 Blossom Hill Rd
Fence Height Exception (FHE-22-003)

Requesting Approval for an Exception to Construct a Six (6) Foot Tall Fence Within the Required Front Yard Setback on Property Zoned R-1:10. APN 527-41-047.
PROPERTY OWNER/APPLICANT: Alexandra Mims

The Los Gatos Community Development Department has reviewed the above referenced application for a fence height exception pursuant to Section 29.40.0320. On March 9, 2022, the Los Gatos Community Development Department has **denied** the request.

PLEASE NOTE: Pursuant to Section 29.20.255 of the Town Code, this decision may be appealed to the Planning Commission within 10 days of the denial date. Any interested person may appeal this decision to the Planning Commission. Appeals, with the completed Appeal Form and appeal fee payment, must be submitted within 10 days from the date of denial, or by 4:00 p.m., March 18, 2022.

If you have any questions concerning this decision, please contact Project Planner Ryan Safty at (408) 354-6802 or via email at RSafty@logatosca.gov.

Sincerely,

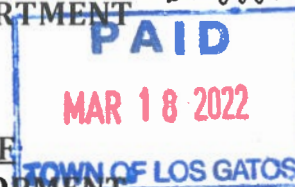
Ryan Safty
Associate Planner

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TOWN OF LOS GATOS
COMMUNITY DEVELOPMENT DEPARTMENT
 110 E. Main Street
 Los Gatos, CA 95030

BP000034286



APPEAL OF THE DECISION OF
DIRECTOR OF COMMUNITY DEVELOPMENT

PLEASE TYPE or PRINT NEATLY

I, the undersigned, do hereby appeal a decision of the DIRECTOR OF COMMUNITY DEVELOPMENT as follows:

DATE OF DECISION: March 9, 2022
 PROJECT/APPLICATION: Fence Height Exception (FHE-22-003)
 LOCATION: 14741 Blossom Hill Road, Los Gatos, CA

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

Interested person means:

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

LIST REASONS WHY THE APPEAL SHOULD BE GRANTED:

Please see the attached document

IMPORTANT:

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

RETURN APPEAL FORM TO COMMUNITY DEVELOPMENT DEPARTMENT

PRINT NAME: Alexandra Mims SIGNATURE:
 DATE: March 18, 2022 ADDRESS: 14741 Blossom Hill Road, Los Gatos, CA
 PHONE: 703-507-2825 EMAIL: alexandra.mims@gmail.com

OFFICE USE ONLY

DATE OF PLANNING COMMISSION HEARING: _____

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

PLAPPEAL \$ 221.00 Residential
 PLAPPEAL \$ 882.00 Commercial
 PLAPPEAL \$ 90.00 Tree Appeals

Dear Planning Commission:

I would like to appeal the decision of the Los Gatos Community Development Department regarding the denial of our fence height application.

First off, thank you for reviewing this appeal and considering our stance. We would also like to apologize that this initial fence was not within code, we had no idea when we put it in. Ironically, I was contacting the Planning Department to check the code on a property line fence we wanted to add, when they told me our front fence was not in code. So, we were really trying to make sure we did everything correctly.

In regards to the fence appeal, there are a number of points I would like to make.

1. Constructed Shortly after the New Ordinance –

As I mentioned previously, we had no idea our fence was not within code. To elaborate, we bought our house October 2019 and with the renovations we constructed a 6-foot fence to block our children's' front facing bedroom windows from the busy traffic. This fence has now been in place for over 2 years.

The fence is setback 15'6" from the sidewalk. It is not on the property line as most fences are on Blossom Hill. (Exhibit A). At the time of construction, our contractor spoke to the inspector about the setback, who told us it was ok. Therefore, I can only assume he did not know the new ordinance that was effective only a few months earlier. The fence company was also not aware of the new ordinance.

Additionally, our garage is setback only 23 feet, so even if we moved it back 8 feet to meet the garage (which I understand is allowed under the code), then it still would not be within the 25 feet. Part of the reason the fence was not constructed at the garage line to begin with, is that there is a large tree that is right at the corner of the garage that is in the path of the garage line. I understand the reasoning for the new ordinance, and not wanting huge fences at the property line blocking all the houses, but this one is setback fairly far and is only 8 feet short of code compliance.

2. Cost –

I requested a quote from a fence company to determine the cost of moving the fence back 8 feet in case I am unsuccessful with this appeal. The cost is \$1500-\$2000 to change the height or move the fence. In my opinion this seems like a very large cost to move a fence back 8 feet.

3. Privacy –

One of our biggest concerns about changing the fence is privacy for our two children that have windows facing the front of the house. If we lower the fence, it provides virtually no privacy since the bedroom windows are higher in elevation than the fence. Even with the current 6-foot fence, it barely blocks the street as you can still see the tops of the cars passing. The traffic

on Blossom Hill during rush hour often has cars sitting in front of our house at a standstill waiting for the traffic light on Union. (Exhibit B).

The privacy issue is both from the traffic on Blossom Hill (which I'm sure you know can be quite busy), but also from Regent Drive. Our house is positioned so that the front bedrooms are exactly in the line of traffic from Regent. This means many cars throughout the day are sitting there waiting to turn on Blossom Hill. (Exhibit C)

If you are not familiar with Regent Drive, there are 44 houses there and Regent is the only exit. There is also a trail up there that draws additional traffic. (Exhibit D). The nighttime is especially a problem since the headlights point directly at our house. The kids go to bed at 7, at which time we do have the windows open to cool the house. So, although we do have blackout shades, it's not helpful if you are naturally cooling throughout the day.

There are also many pedestrians that stand in front of our house throughout the day waiting for traffic to run across the street to Regent.

4. Landscaping –

We are about to begin landscaping the front yard and would be happy to conceal the fence more with plants.

We chose not to use privacy landscaping options to begin with for this particular fence issue because as discussed earlier, we have two kids under 5. The fence is absolutely necessary as opposed to hedges to keep the children safely playing in the back yard. It would be very dangerous for them to have access to Blossom Hill Road since it is so busy.

On the other side of the fence we also have a fairly extensive garden area that we've spent a lot of time fixing up over the last few years. We have two fruit trees and 6 garden beds. (Exhibit E). We planted everything ourselves, made the garden beds, and even hauled all the gravel and mulch over there. I point this out because we put a lot of manual labor into fixing this area up and it would be sad to see it go with having to move the fence back 8 feet.

I also know the rule was partially put in place to make homes more welcoming in the area, and to avoid large fences in front of the property. Our fence is setback almost 16 feet and is only in one portion of the property, not making this an issue in terms of neighborhood aesthetics. (Exhibit F)

5. Neighbor Consideration and Other Fences –

Before constructing the fence we did check with our next-door neighbors to ensure they were ok with it and there were no issues.

I have also looked at other homes on our same block of Blossom Hill, and all the houses in green have not only 6-foot-high fences, but they are all at the property line and have no setback like ours. (Exhibit G)

In summary, our largest concern is the privacy issue (cars/ pedestrians / headlights) from both Blossom Hill and Regent Drive. There is a lot of traffic that goes by our house daily. There is also a large cost for us in moving the fence (\$1500-\$2000). The fence was put up with the best intentions and we even checked with multiple sources (fence companies, inspector) before building it. This is our first house and we really wanted to do everything correctly. Unfortunately, the ordinance was put in place only a few months prior and everyone was unaware of this new rule.

I know I have provided a lot of information in regards to this fence appeal, but as you can see there are so many factors that become an issue with moving or lowering the fence. Please let me know if you need any additional information. I hope all this information has shown how much this issue is important to us.

Thank you for your consideration of this issue and the time you took to review it.

Best,

Alexandra Mims

Alexandra.mims@gmail.com

Exhibit A

Setbacks

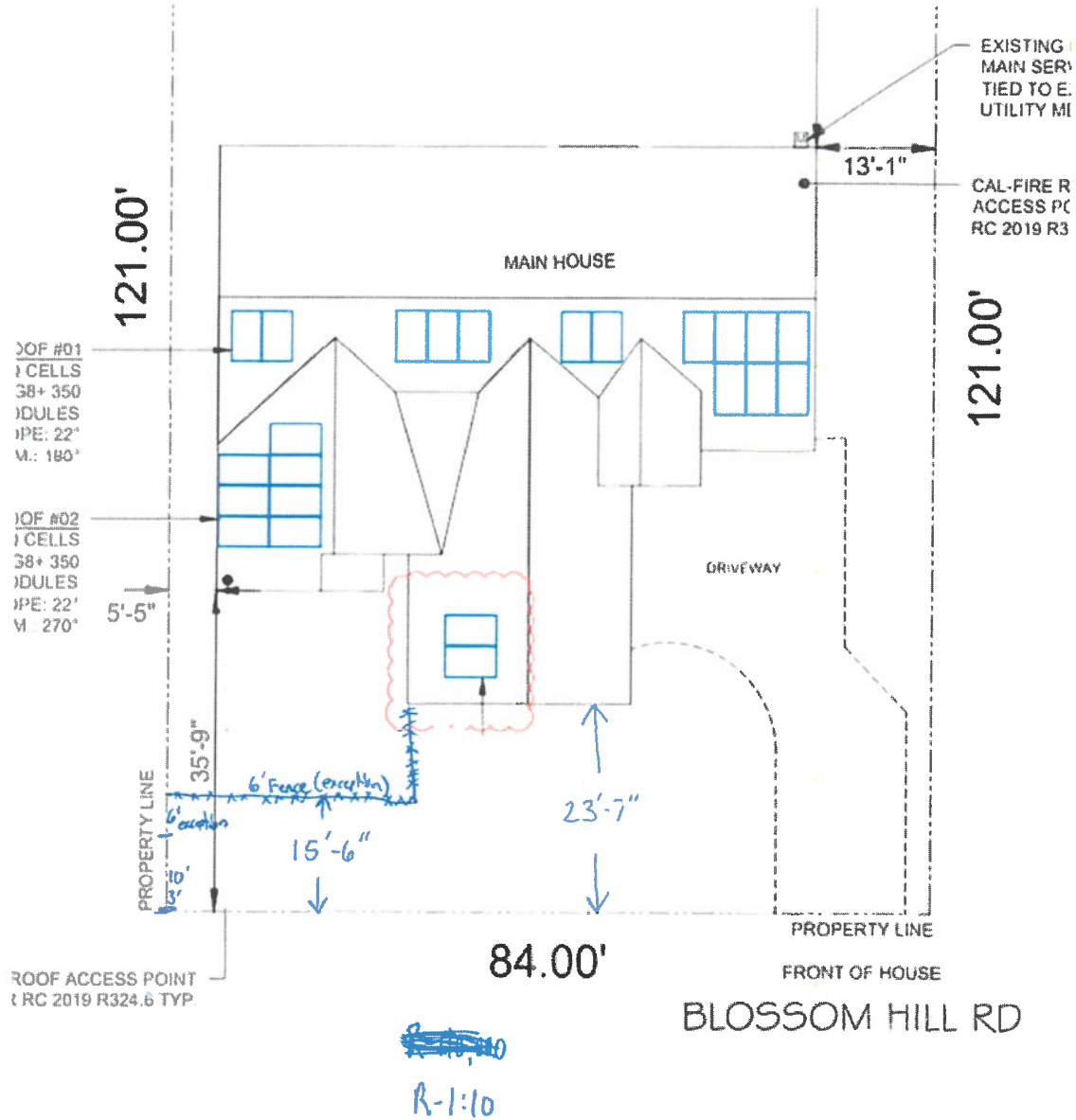


Exhibit B

Bedroom windows

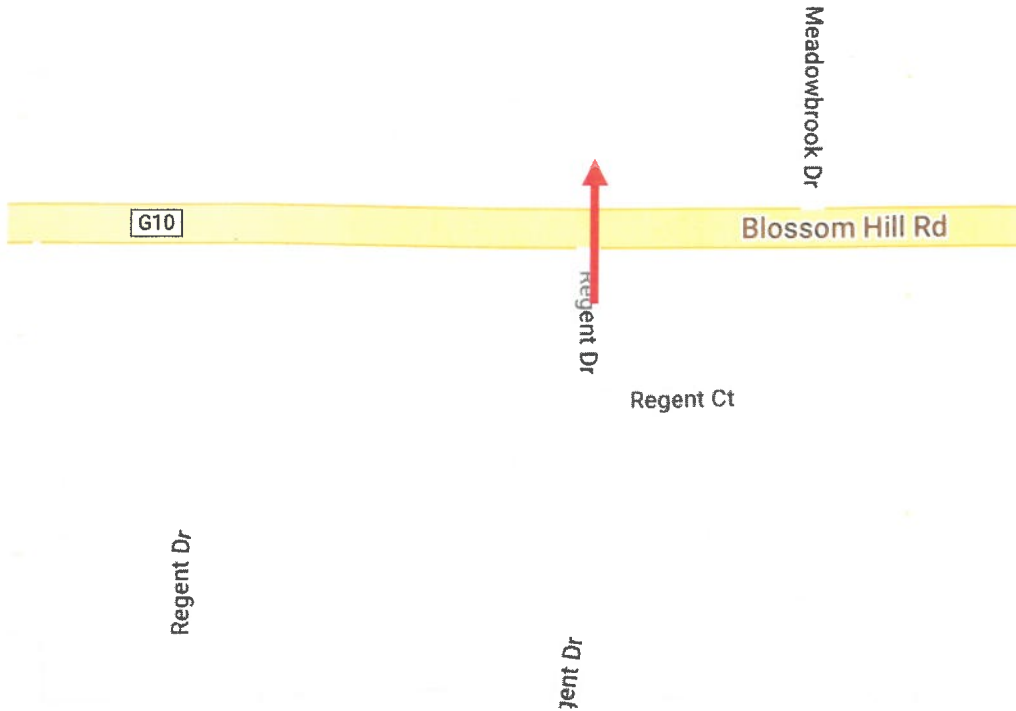


Weekday traffic on Blossom Hill (both morning and evening).



Exhibit C

Red line shows the headlights/traffic that point directly into the bedroom windows.



View at the stop sign of Regent and Blossom Hill. Looking directly at our house.



You can see the fence is barely tall enough to cover the street traffic and the T-Junction traffic with the cars and headlights at night. As you can see in the picture below Regent is also at an incline, so it steeps down directly into the bedrooms.



Exhibit D

44 houses with all traffic going through Regent Drive.

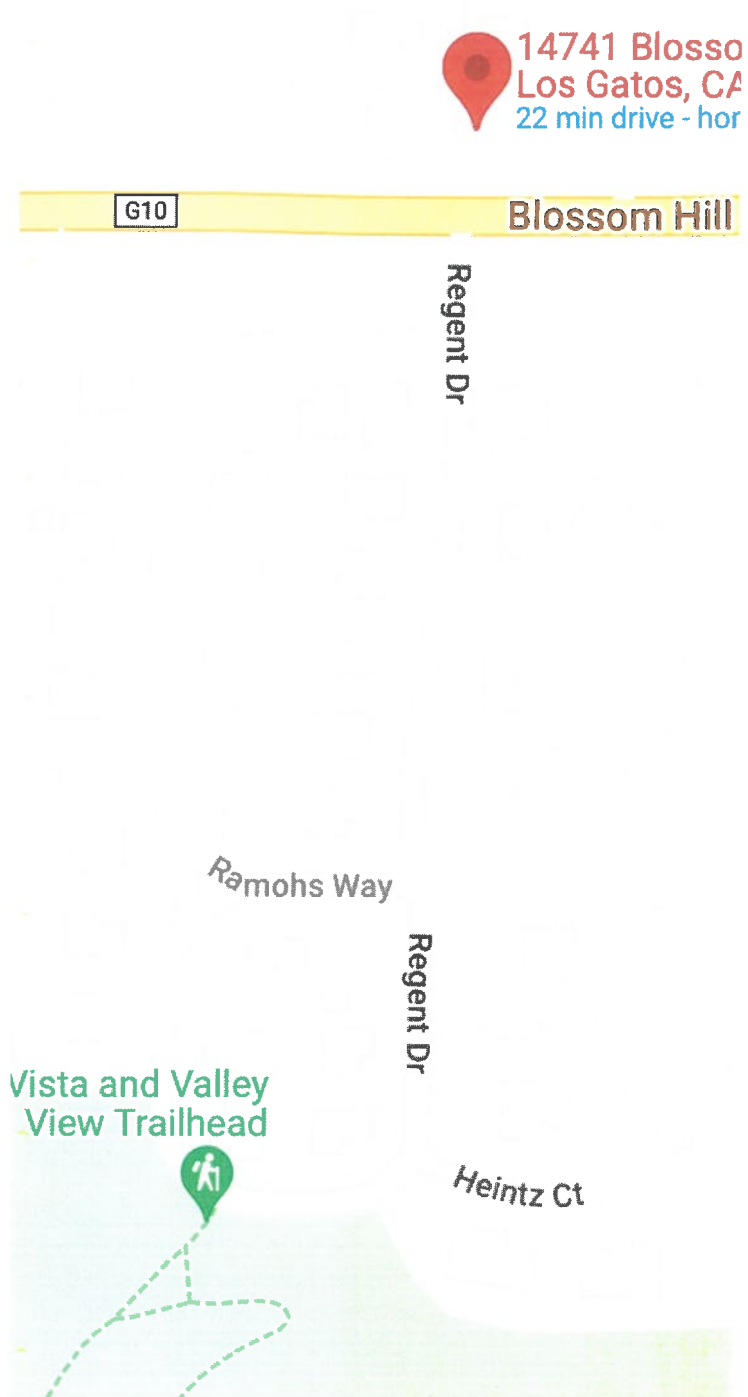


Exhibit E

This is what is on the other side of the fence. You can see we've spent a lot of time fixing up this area and moving the fence back, would destroy half of this. Plus, the fence would be very close to the bedroom windows, so you would essentially be looking at just a fence.



Exhibit F

As you can see from these pictures, our fence is setback quite far and is also not visually obtrusive to the front of the house.







Exhibit G

Houses on our block of Blossom Hill that have a 6-foot fence at the property line. Shown in red.

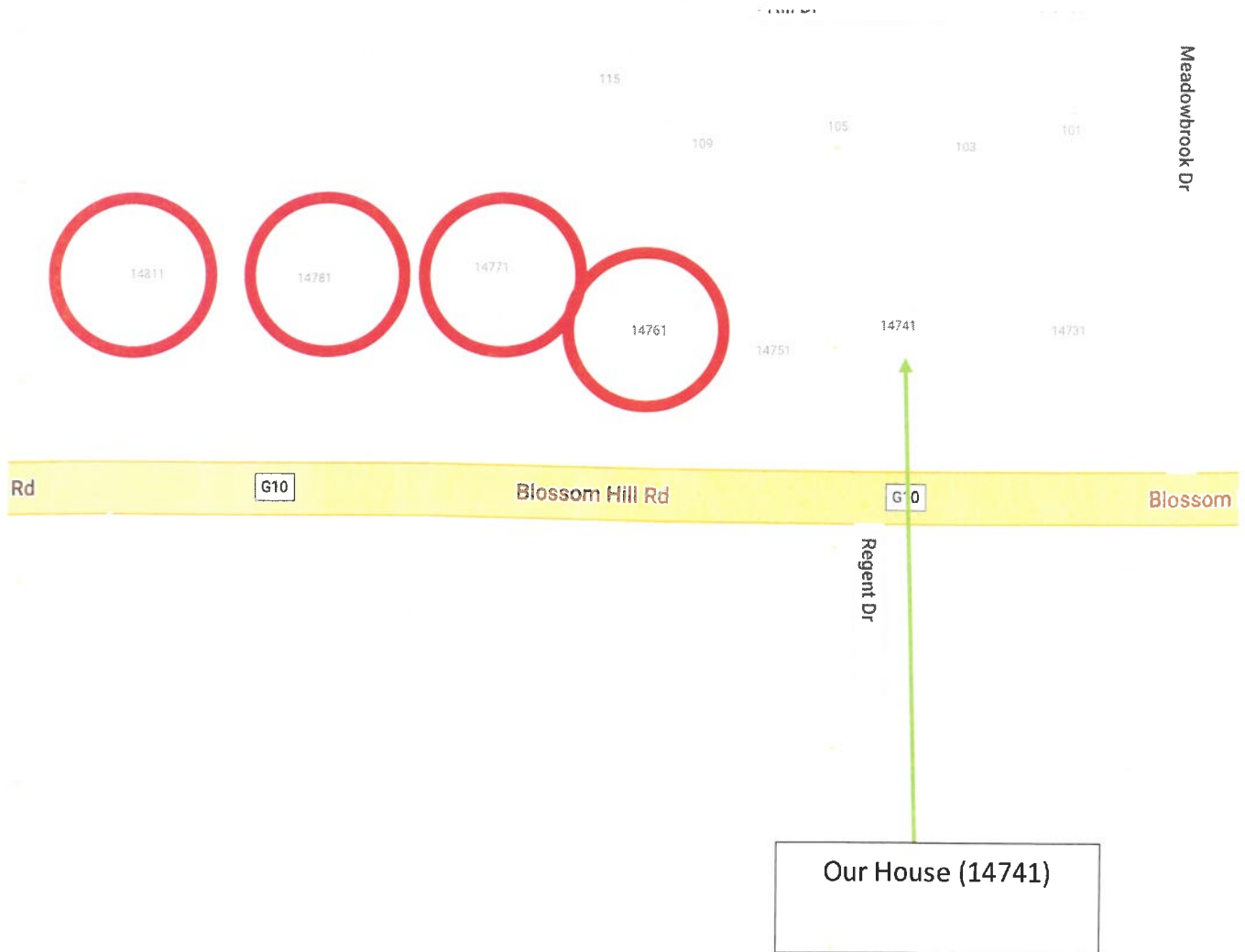




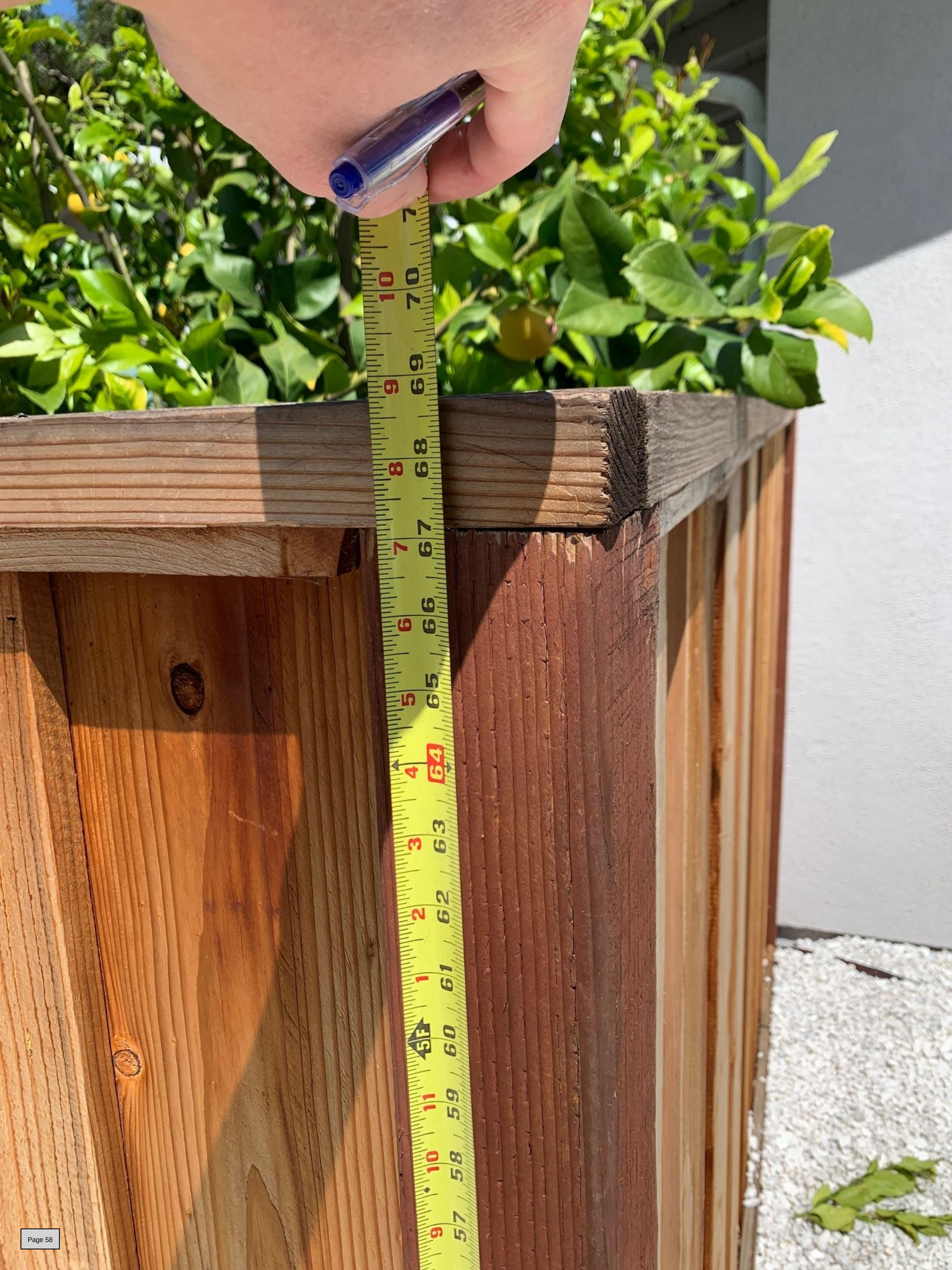
EXHIBIT 8













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14761 Blossom Hill Rd

EXHIBIT 9



14771 Blossom Hill Rd



14781 Blossom Hill Rd



14811 Blossom Hill Rd

April 18, 2022

To Whom It May Concern:

This letter is in reference to a fence at 14741 Blossom Hill Rd. Los Gatos, Ca. 95032. This fence encloses the side yard and a small area next to the garage. This creates a safe area for the Jaroudis children to play. Away from the traffic on Blossom Hill Rd. The fence is tastefully built, does not obstruct our view in any way it was built to tie in to our existing fence and gate.

Thank you for your consideration in this matter.

Carol Turner, Heidi Pellegrini, Race S, Williams

The tenants of [REDACTED]

Los Gatos, Ca 95032

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**TOWN OF LOS GATOS
PLANNING COMMISSION
REPORT**

MEETING DATE: 05/11/2022

ITEM NO: 4

DATE: May 6, 2022
TO: Planning Commission
FROM: Joel Paulson, Community Development Director
SUBJECT: Requesting Approval for Technical Demolition of an Existing Single-Family Residence and Construction of a New Single-Family Residence on Property Zoned R-1:8. **Located at 16668 Shannon Road.** APN 532-05-002. Architecture and Site Application S-21-039. PROPERTY OWNERS/APPLICANTS: Peter and Cheri Binkley. PROJECT PLANNER: Erin Walters.

RECOMMENDATION:

Denial.

PROJECT DATA:

General Plan Designation: Low Density Residential
Zoning Designation: R-1:8
Applicable Plans & Standards: General Plan, Residential Design Guidelines
Parcel Size: 15,392 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: Erin Walters
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.
- As required by Section 29.10.09030(e) of the Town Code for the demolition of existing 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.

CONSIDERATIONS:

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

ACTION:

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

BACKGROUND:

The project site is located on the south side of Shannon Road approximately 83 feet west of Englewood Avenue (Exhibit 1). The subject property is 15,392 square feet and developed with a single-story, 1,806-square foot single-family residence with an attached 500-square foot garage.

On May 3, 2021, the applicant submitted a Minor Residential Development application (MR-21-011) for the construction of a second story addition to an existing single-family residence. After review by staff and the Consulting Architect, it was determined that the proposed project would result in a major change of architecture style and would result in the largest house in terms of square footage in the immediate neighborhood, which requires an Architecture and Site application.

On December 2, 2021, the applicant submitted an Architecture and Site application (S-21-039) for a revised project with a proposed technical demolition of the existing house and construction of a new two-story single-family residence.

BACKGROUND (continued):

On March 15, 2022, Accessory Dwelling Unit Permit (D-22-010) was approved to construct a new detached 810-square foot Accessory Dwelling Unit (ADU) to be located at the rear of the subject property.

The project is being considered by the Planning Commission due to the project proposing the largest house in terms of square footage in the immediate neighborhood.

PROJECT DESCRIPTION:

A. Location and Surrounding Neighborhood

The subject property is 15,392 square feet, located on the south side of Shannon Road approximately 83 feet west of Englewood Avenue (Exhibit 1). The property is developed with a single-family residence and attached garage. Single-family residential development surrounds the property.

B. Project Summary

The applicant proposes to technically demolish the existing house and constructing a new 3,420-square foot, two-story single-family residence with an attached 715-square foot three-car garage, and 450 square-feet of below grade square footage (Exhibit 13). The project is considered a “technical demolition” as the project proposes to remove more than fifty (50) percent of the exterior wall framing. Pursuant to Town Code Section 29.10.020 demolition of non-historic structures means removal of more than fifty (50) percent of the exterior walls. The proposed residence would be the largest in terms of square footage in the immediate neighborhood.

The applicant is also proposing a 500-square foot attached Junior ADU on the second floor of the proposed residence. The proposed Junior ADU is not part of this application and will be reviewed under a separate ministerial application.

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 for the property. Additionally, the proposed residence is in compliance with height, setbacks, building coverage, and on-site parking requirements. No exceptions are requested.

DISCUSSION:A. Architecture and Site Analysis

The applicant is proposing to technically demolish the existing one-story 1,806 square foot ranch style residence and 500-square foot attached garage.

The applicant proposes the construction of a simplified Mediterranean style two-story single-family home with 3,420 square feet of house floor area, 450 square feet of below grade square footage, and a 715-square foot attached three car garage. The height of the proposed building would be approximately 26 feet, 5 inches where a maximum of 30 feet is allowed. The applicant has provided a Project Description and a Letter of Justification summarizing the project (Exhibit 4). The proposed Development Plans are included in Exhibit 13.

The applicant is also proposing a 500-square foot attached Junior ADU on the second floor of the proposed residence. Per State law the proposed Junior ADU is not part of this application and will be reviewed under a separate ministerial ADU Permit application. However, as shown in the table below, the approved detached ADU (890 square feet), plus the proposed Junior ADU (500 square feet) exceeds the 10 percent bonus square footage allowed for ADUs, and therefore 110 square feet counts toward the maximum house floor area, listed below as "Countable Junior ADU Square Footage."

A summary of the floor area for the existing residence and proposed residence is included below:

Floor Area			
	Existing SF	Proposed SF	Maximum Allowed SF
Main House - 1 st Floor	1,806	2,480	
Main House - 2 nd Floor	0	750	
Attic	0	80	
Countable Junior ADU Square Footage	0	110*	
Below Grade Square Footage	0	450	Exempt
Total	1,806	3,420	4,108
Attached Garage	500	715	1,091
Detached ADU	0	810	Max size 1,200
Attached Junior ADU	0	500	Max size 500
ADU Total	0	1,310 -110 countable SF*= 1,200	10% ADU increase – 1,200 Max Total

DISCUSSION (continued):

The proposed project materials include smooth stucco walls; concrete roof tiles; wood columns and iron railings at the rear seconds story balcony; wood trim; metal and glass front door; and wood sectional garage doors. The Color and Materials Board is included as Exhibit 5.

B. Building Design

Minor Residential Development Permit Application – Two-Story Addition

On July 22, 2021, Town's Consultant Architect reviewed the proposed two-story addition to an existing single-family residence for Minor Residential Development Permit application (Exhibit 7). The two-story addition proposed at total of 4,033 square feet.

The Town's Consulting Architect stated that the project consists of a significant increase of the existing house on the site, and a major change in architectural style. The site is relatively large, and surrounded by other similar sized parcels, some which have seen the addition of larger homes. The Consulting Architect stated that overall, the proposed design is well done with substantial integrity on all sides (Exhibit 7). The architect stated that the proposed design would have taller elements near the front setback line than the other new larger homes nearby, but the house would be setback forty feet.

The Consulting Architect made the following six recommendations:

1. Extend projecting base consistently around all sides of house;
2. Select windows that have sash widths consistent with the scale of the house (e.g. vinyl cover wood), and recess windows from exterior wall face;
3. Reassess all window trim sizes to be consistent, and of a size appropriate to the scale of the house and each window;
4. Consider cast stone trim instead of stucco-covered foam for a higher quality of finish at the windows and other projecting trim;
5. For windows showing divided panes, use true or simulated divided light, and
6. Add substantial landscaping in the driveway island similar to that which existed previously.

Due to the major change in architectural style of the proposed residence and the project resulting in the largest square footage in the immediate neighborhood the project required an Architecture and Site application.

DISCUSSION (continued):*Architecture and Site Application – New Two-Story Residence*

The applicant applied for an Architecture and Site application and resubmitted a revised design for a technical demolition of the existing house, to construct a new two-story residence with an attached three car garage, below grade square footage, and an attached Junior ADU on the second floor. The Junior ADU is not part of this review. Figure 1 and Figure 2 below compare the front elevations of the original two-story addition design and the revised new two-story residence design.

	
Figure 1. Original Minor Residential Permit Application New Second Story Addition Proposed Square Feet: 4,033 s.f.	Figure 2. Revised Design- Architecture and Site Application New Two-Story Residence Proposed Square Feet: 3,420 s.f.

The revised two-story residence was reduced in size by 613 square feet for compatibility with the immediate neighborhood. The revised project adds a 500-square foot attached Junior ADU occupying the rear left portion of the second floor, which is not a part of this review.

On December 16, 2021, the Town's Consulting Architect reviewed the new two-story residence for Architecture and Site application (Exhibit 8). The Town's Consulting Architect restated that overall, the proposed design is well done with substantial integrity on all sides. That the proposed design would be smaller in floor area and building mass than the initial design reviewed in July 2021. The Consulting Architect found that the design does a much better job of relating to the immediate neighborhood, and the front façade would be softened by substantial articulation, and an emphasis on the first-floor roof eave line.

The Consulting Architect made seven recommendations, and they are summarized below. The applicant's response to each recommendation follows in *italics* and are included in Exhibit 9.

1. Simplify the front façade by eliminating the second-floor bay window and match other rectangle windows.

DISCUSSION (continued):

- *The front façade was simplified as recommended by removing the bay window in favor of a rectangular window.*
- 2. Raise the first-floor eave on the front and right-side elevation to provide a common eave line height.
 - *The first-floor eave heights were changed to have a common eave height.*
- 3. Refine the rear elevation by using wood columns, beams, bases, and column caps in lieu of the proposed stucco. Also, open up the sides of the second-floor balcony.
 - *The rear balcony now has wood beams in lieu of stucco as recommended and the sides were opened.*
- 4. Provide uniform eave heights around all facades.
 - *Uniform eave heights were adopted.*
- 5. Carry the projecting base consistently around all sides of the structure.
 - *The projected base was removed instead of carrying it around to all sides as it became awkward with window placements.*
- 6. Provide additional buffer landscaping, retain the existing landscape area along the right property line, and use modular driveway paving.
 - *The existing driveway is not changing. The applicant has planted new trees in the front landscaping area.*
- 7. Use casement windows with wood trim and if the applicant desires divided light windows on the front façade, they should be repeated on other facades.
 - *Windows were updated to be turn and tilt to maximize environmentally friendly air ventilation. The window will not be divided.*

The applicant has addressed all of the Consulting Architect's recommendations with the exception of using modular driveway paving. The applicant will not be modifying the existing driveway.

C. Neighborhood Compatibility

The subject property is 15,392 square feet and the maximum allowable floor area is 4,108 square feet for the residence and accessory structures, and 1,091 square feet for the garage. The maximum allowable Floor Area Ratio (FAR) for the residence and any accessory structure is 0.26. The table on the following page reflects the current conditions of the residences in the immediate neighborhood based on County records and the proposed project.

DISCUSSION (continued):

FAR Comparison - Neighborhood Analysis							
Address	Zoning	Residential SF*	Garage SF	Total SF**	Lot Area SF	Residential FAR	No. of Stories
16689 Shannon Road	R-1:8	1,280	360	1,640	9,265	0.14	1
16675 Shannon Road	R-1:8	2,727	503	3,230	9,833	0.28	2
16667 Shannon Road	R-1:8	1,634	437	2,071	9,229	0.18	1
16653 Shannon Road	R-1:8	2,600	560	3,160	10,035	0.26	1
16639 Shannon Road	R-1:8	2,128	482	2,610	8,037	0.26	1
16690 Shannon Road	R-1:8	1,988	484	2,472	12,331	0.16	1
16680 Shannon Road	R-1:8	2,803	962	3,765	16,387	0.17	2
16301 Englewood Ave.	R-1:20	2,139	480	2,619	13,023	0.16	1
16302 Englewood Ave.	R-1:20	2,788	534	3,322	14,299	0.19	1
16668 Shannon Road (P)	R-1:8	3,420	715	4,135	15,392	0.22	2
16668 Shannon Road (E)	R-1:8	1,806	500	2,306	15,392	0.12	1
* Residential square footage does not include garages.							
**The total square footage numbers do not include below grade square footage.							

The property sizes within the immediate neighborhood range from 8,037 square feet to 16,387 square feet. Based on Town and County records, the residences in the immediate neighborhood range in size from 1,280 square feet to 2,803 square feet. The FAR of the residences in the immediate neighborhood range from 0.14 to 0.28. The applicant is proposing a 3,420-square foot residence and a FAR of 0.22 on a 15,392-square foot parcel. The proposed project would be the largest residence in terms of square footage by 617 square feet. The proposed project would not be the largest FAR in the immediate neighborhood.

The applicant has provided a Letter of Justification for the proposed two-story single-family residence, and justification for neighborhood compatibility (Exhibit 4). The applicant states that there are other two-story homes in the immediate neighborhood. The Town's Residential Design Guidelines define the immediate neighborhood as the two residences located on each side of the subject property and the five residences located across the street. The applicant describes that the subject property is larger than the properties located across the street on Shannon Road, located within the immediate neighborhood. The applicant provides an example of a larger lot located behind the subject house at 16317 Englewood located outside of the defined immediate neighborhood with a building size of 3,203 square feet, similar to the proposed project. The applicant initially designed the two-story addition to almost the maximum allowable FAR of 4,033 square feet, but have since reduced the project to 3,420 square feet.

The applicants describe that although the proposed residence is the largest square footage in the immediate neighborhood by 617 square feet it is not over the maximum allowable

DISCUSSION (continued):

FAR or the largest FAR in the immediate neighborhood. The proposed square footage will accommodate the applicant's home offices and provide extra space for grandparents to stay to provide childcare during the applicant's work hours.

The applicants describe how the building setbacks and roof line soften the mass of the second story. The proposed house is set back approximately 16 feet further than the adjacent residences. The front setback, overall lot size, and front landscaping reduce the size and appearance from Shannon Road making it compatible with the neighborhood.

D. Tree Impacts

The Town's Arborist prepared a report for the site and made recommendations for the project (Exhibit 10). The applicant is not proposing to remove any existing on-site trees and all trees are proposed to remain and be protected. Arborist recommendations for tree protection have been included in the Conditions of Approval (Exhibit 3).

E. Neighbor Outreach

The applicants have indicated that they have shared the project plans with surrounding neighbors as outlined in Exhibit 11. The applicants have provided a summary of their outreach and the neighborhood's responses. Included in the outreach summary is a letter of support from a neighbor.

F. CEQA Determination

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.

PUBLIC COMMENTS:

Story poles and signage were installed on the site and written notice was sent to property owners and tenants located within 300 feet of the subject property. At time of preparation of this report, four public comments in support of the project have been received (Exhibit 12).

CONCLUSION:

A. Summary

The applicant is requesting approval of an Architecture and Site application for the technical demolition of an existing single-family residence and the construction of a new two-story

CONCLUSION (continued):

single-family residence. The proposed residence would be the largest in terms of square footage by 617 square feet in the immediate neighborhood. The proposed project is not the largest FAR in the immediate neighborhood. The project is in compliance with the objective standards of the Town Code related to allowable floor area, height, setbacks, lot coverage, and on-site parking requirements. The project was reviewed by the Town's Consulting Architect who provided recommendations to address the consistency of the project with the Residential Design Guidelines. The applicant addressed all of the Town's Consulting Architect's recommendations with the exception of modifying the existing driveway material. The project is consistent with the Zoning and General Plan Land Use designation for the property. The application was referred to the Planning Commission because the residence would be the largest in terms of square footage in the immediate neighborhood.

The applicant has provided a Project Description and Letter of Justification for the proposed two-story residence, describing the design's compatibility with the immediate neighborhood and positive neighborhood feedback (Exhibit 4).

B. Recommendation

Based on the analysis above, staff recommends denial of the Architecture and Site application based on concerns related to size, neighborhood compatibility, and consistency with the Residential Design Guidelines, as discussed in this report.

C. Alternatives

Alternatively, the Commission can:

1. Approve the application by taking the following actions:
 - a. 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);
 - b. Make the findings as required by Section 29.10.09030(e) of the Town Code for the demolition of existing structures (Exhibit 2);
 - c. Make the finding that the project complies with the objective standards of Chapter 29 of the Town Code (Zoning Regulations) (Exhibit 2);
 - d. Make the finding required by the Town's Residential Design Guidelines that the project complies with the Residential Design Guidelines (Exhibit 2);
 - e. Make the considerations as required by Section 29.20.150 of the Town Code for granting approval of an Architecture and Site application (Exhibit 2); and
 - f. Approve Architecture and Site application S-21-039 with the conditions contained in Exhibit 3 and the development plans in Exhibit 13.

CONCLUSION (continued):

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

EXHIBITS:

1. Location Map
2. Required Findings and Considerations
3. Recommended Conditions of Approval
4. Project Description and Letter of Justification, dated April 20, 2022
5. Color and Materials Board
6. Site Photographs
7. Consulting Architect's Report, dated July 22, 2021
8. Consulting Architect's Report, dated March 22, 2021
9. Applicant's response to the recommendations of the Consulting Architect, March 2, 2022
10. Town Arborist's Report, dated April 28, 2022
11. Applicant's Outreach Summary, dated March 1, 2022
12. Public Comments
13. Development Plans

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16668 Shannon Road

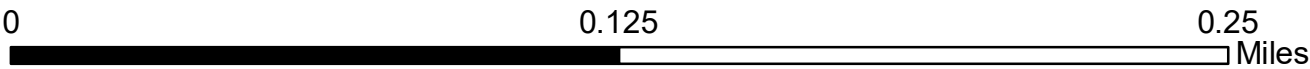
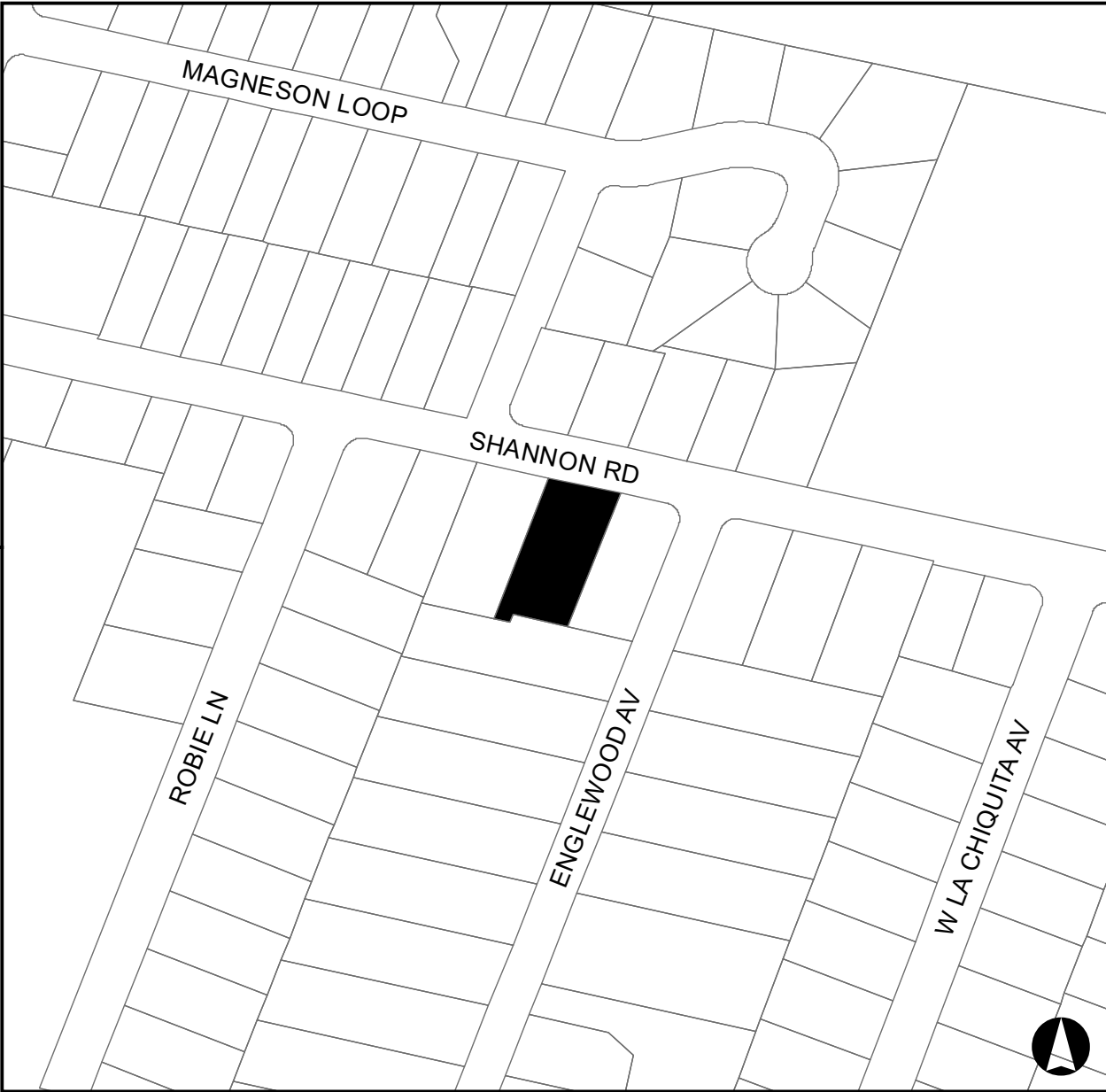


EXHIBIT 1

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PLANNING COMMISSION – May 11, 2022
REQUIRED FINDINGS AND CONSIDERATIONS FOR:

16668 Shannon Road
Architecture and Site Application S-21-039

Requesting Approval for Technical Demolition of an Existing Single-Family Residence and Construction of a New Single-Family Residence on Property Zoned R-1:8. APN 532-05-002. PROPERTY OWNERS/APPLICANTS: Peter and Cheri Binkley

FINDINGS

Required finding for CEQA:

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

Required finding for the demolition of existing structures:

- As required by Section 29.10.09030(e) of the Town Code for the demolition of existing structures:
 1. The Town's housing stock will be maintained as the single-family residence will be replaced.
 2. The existing structure has no architectural or historical significance and is in poor condition.
 3. The property owner does not desire to maintain the structure as it exists; and
 4. The economic utility of the structures was considered.

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 project was reviewed by the Town's Consulting Architect who noted that the proposed design is well designed with substantial integrity on all sides. The Town's Consulting Architect made recommendations to improve the consistency of the project with the Residential Design Guidelines and the applicant has responded to all recommendations with the exception of using modular driveway paving. The applicant will not be modifying the existing driveway.

CONSIDERATIONS

Required considerations in review of Architecture and Site applications:

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

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PLANNING COMMISSION –May 11, 2022
CONDITIONS OF APPROVAL

16668 Shannon Road
Architecture and Site Application S-21-039

Requesting Approval for Technical Demolition of an Existing Single-Family Residence and Construction of a New Single-Family Residence on Property Zoned R-1:8. APN 532-05-002.

PROPERTY OWNERS/APPLICANTS: Peter and Cheri Binkley

TO THE SATISFACTION OF THE DIRECTOR OF COMMUNITY DEVELOPMENT:

Planning Division

1. **APPROVAL:** This application shall be completed in accordance with all of the conditions of approval and in substantial compliance with the approved plans. Any changes or modifications to the approved plans and/or business operation shall be approved by the Community Development Director, DRC or the Planning Commission depending on the scope of the changes.
2. **EXPIRATION:** The approval will expire two years from the approval date pursuant to Section 29.20.320 of the Town Code, unless the approval has been vested.
3. **OUTDOOR LIGHTING:** Prior to final occupancy all exterior lighting shall be kept to a minimum and shall be down directed fixtures that will not reflect or encroach onto adjacent properties. All exterior lighting shall utilize shields so that no bulb is visible and to ensure that the light is directed to the ground surface and does not spill light onto neighboring parcels or produce glare when seen from nearby homes. 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 protected 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. **ARBORIST REQUIREMENTS:** The developer shall implement, at their cost, all recommendations identified in the April 28, 2022, Town Arborist's report. These recommendations must be incorporated in the building permit plans, and completed prior to issuance of a building permit where applicable. A Compliance Memorandum shall be prepared by the applicant and submitted with the building permit application detailing how the recommendations have or will be addressed.
7. **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.
8. **TREE REPLACEMENT:** Prior to issuance of final occupancy replacement trees must be planted.
9. **TREE STAKING:** All newly planted trees shall be double-staked using rubber tree ties.
10. **FRONT YARD LANDSCAPE:** Prior to issuance of a Certificate of Occupancy the front yard must be landscaped.
11. **WATER EFFICIENCY LANDSCAPE ORDINANCE:** The final landscape plan shall meet the requirements of the Town of Los Gatos Water Conservation Ordinance or the State Water

Efficient Landscape Ordinance, whichever is more restrictive. Submittal of a Landscape Documentation Package pursuant to WELO is required prior to issuance of a building permit. A review fee based on the current fee schedule adopted by the Town Council is required when working landscape and irrigation plans are submitted for review. A completed WELO Certificate of Completion is required prior to final inspection/certificate of occupancy.

12. STORY POLES: The story poles on the project site shall be removed within 30 days of approval of the Architecture & Site application.
13. 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.
14. COMPLIANCE MEMORANDUM: A memorandum shall be prepared and submitted with the building plans detailing how the Conditions of Approval will be addressed.

Building Division

15. PERMITS REQUIRED: Building Permit is required for the renovation and addition of the existing single-family residence and attached garage. An additional Building Permit will be required for the PV System if the system is required by the California Energy Code. The proposed ADU shown on the plans will require a separate permit but is not part of this preliminary review.
16. APPLICABLE CODES: The current codes, as amended and adopted by the Town of Los Gatos as of January 1, 2020, are the 2019 California Building Standards Code, California Code of Regulations Title 24, Parts 1-12, including locally adopted Energy Reach Codes.
17. CONDITIONS OF APPROVAL: The Conditions of Approval must be blue lined in full on the cover sheet of the construction plans. A Compliance Memorandum shall be prepared and submitted with the building permit application detailing how the Conditions of Approval will be addressed.
18. BUILDING & SUITE NUMBERS: Submit requests for new building addresses to the Building Division prior to submitting for the building permit application process.
19. SIZE OF PLANS: Minimum size 24" x 36", maximum size 30" x 42".
20. SOILS REPORT: A Soils Report, prepared to the satisfaction of the Building Official, containing foundation and retaining wall design recommendations, shall be submitted with the Building Permit Application. This report shall be prepared by a licensed Civil Engineer specializing in soils mechanics.
21. FOUNDATION INSPECTIONS: A pad certificate prepared by a licensed civil engineer or land surveyor shall be submitted to the project Building Inspector at foundation inspection. This certificate shall certify compliance with the recommendations as specified in the Soils Report, and that the building pad elevations and on-site retaining wall locations and elevations have been prepared according to the approved plans. Horizontal and vertical controls shall be set and certified by a licensed surveyor or registered Civil Engineer for the following items:
 - a. Building pad elevation
 - b. Finish floor elevation
 - c. Foundation corner locations
 - d. Retaining wall(s) locations and elevations

22. TITLE 24 ENERGY COMPLIANCE: All required California Title 24 Energy Compliance Forms must be blue-lined (sticky-backed), i.e. directly printed, onto a plan sheet.
23. BACKWATER VALVE: The scope of this project may require the installation of a sanitary sewer backwater valve per Town Ordinance 6.50.025. Please provide information on the plans if a backwater valve is required and the location of the installation. The Town of Los Gatos Ordinance and West Valley Sanitation District (WVSD) requires backwater valves on drainage piping serving fixtures that have flood level rims less than 12 inches above the elevation of the next upstream manhole.
24. HAZARDOUS FIRE ZONE: All projects in the Town of Los Gatos require Class A roof assemblies.
25. SPECIAL INSPECTIONS: When a special inspection is required by CBC Section 1704, the Architect or Engineer of Record shall prepare an inspection program that shall be submitted to the Building Official for approval prior to issuance of the Building Permit. The Town Special Inspection form must be completely filled-out and signed by all requested parties prior to permit issuance. Special Inspection forms are available from the Building Division Service Counter or online at www.losgatosca.gov/building. BLUEPRINT FOR A CLEAN BAY SHEET: The Town standard Santa Clara Valley Nonpoint Source Pollution Control Program Sheet (page size same as submitted drawings) shall be part of the plan submittal as the second page. The specification sheet is available at the Building Division Service Counter for a fee of \$2 or at ARC Blueprint for a fee or online at www.losgatosca.gov/building.
26. APPROVALS REQUIRED: The project requires the following departments and agencies approval before issuing a building permit:
 - a. Community Development – Planning Division: (408) 354-6874
 - b. Engineering/Parks & Public Works Department: (408) 399-5771
 - c. Santa Clara County Fire Department: (408) 378-4010
 - d. West Valley Sanitation District: (408) 378-2407
 - e. Local School District: The Town will forward the paperwork to the appropriate school district(s) for processing. A copy of the paid receipt is required prior to permit issuance.

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

Engineering Division

27. GENERAL: All public improvements shall be made according to the latest adopted Town Standard Plans, Standard Specifications and Engineering Design Standards. All work shall conform to the applicable Town ordinances. The adjacent public right-of-way shall be kept clear of all job-related mud, silt, concrete, dirt and other construction debris at the end of the day. Dirt and debris shall not be washed into storm drainage facilities. The storing of goods and materials on the sidewalk and/or the street will not be allowed unless an encroachment permit is issued by the Engineering Division of the Parks and Public Works Department. The Owner and/or Applicant's representative in charge shall be at the job site during all working hours. Failure to maintain the public right-of-way according to this condition may result in the issuance of correction notices, citations, or stop work orders and the Town performing the required maintenance at the Owner and/or Applicant's expense.
28. APPROVAL: This application shall be completed in accordance with all the conditions of approval listed below and in substantial compliance with the latest reviewed and approved

- development plans. Any changes or modifications to the approved plans or conditions of approvals shall be approved by the Town Engineer.
29. CONSTRUCTION PLAN REQUIREMENTS: Construction drawings shall comply with Section 1 (Construction Plan Requirements) of the Town's Engineering Design Standards, which are available for download from the Town's website.
 30. ENCROACHMENT PERMIT: All work in the public right-of-way will require a Construction Encroachment Permit. All work over \$5,000 will require construction security. It is the responsibility of the Owner/Applicant to obtain any necessary encroachment permits from affected agencies and private parties, including but not limited to, Pacific Gas and Electric (PG&E), AT&T, Comcast, Santa Clara Valley Water District, California Department of Transportation (Caltrans). Copies of any approvals or permits must be submitted to the Town Engineering Division of the Parks and Public Works Department prior to releasing any permit.
 31. PUBLIC WORKS INSPECTIONS: The Owner and/or Applicant or their representative shall notify the Engineering Inspector at least twenty-four (24) hours before starting any work pertaining to on-site drainage facilities, grading or paving, and all work in the Town's right-of-way. Failure to do so will result in penalties and rejection of any work that occurred without inspection.
 32. RESTORATION OF PUBLIC IMPROVEMENTS: The Owner and/or Applicant or their representative shall repair or replace all existing improvements not designated for removal that are damaged or removed because of the Owner and/or Applicant or their representative's operations. Improvements such as, but not limited to: curbs, gutters, sidewalks, driveways, signs, pavements, raised pavement markers, thermoplastic pavement markings, etc., shall be repaired and replaced to a condition equal to or better than the original condition. Any new concrete shall be free of stamps, logos, names, graffiti, etc. Any concrete identified that is displaying a stamp or equal shall be removed and replaced at the Contractor's sole expense and no additional compensation shall be allowed therefore. Existing improvement to be repaired or replaced shall be at the direction of the Engineering Construction Inspector and shall comply with all Title 24 Disabled Access provisions. The restoration of all improvements identified by the Engineering Construction Inspector shall be completed before the issuance of a certificate of occupancy. The Owner and/or Applicant or their representative shall request a walk-through with the Engineering Construction Inspector before the start of construction to verify existing conditions.
 33. SITE SUPERVISION: The General Contractor shall provide qualified supervision on the job site at all times during construction.
 34. STREET/SIDEWALK CLOSURE: Any proposed blockage or partial closure of the street and/or sidewalk requires an encroachment permit. Special provisions such as limitations on works hours, protective enclosures, or other means to facilitate public access in a safe manner may be required.
 35. DESIGN CHANGES: Any proposed changes to the approved plans shall be subject to the approval of the Town prior to the commencement of any and all altered work. The Owner and/or Applicant's project engineer shall notify, in writing, the Town Engineer at least seventy-two (72) hours in advance of all the proposed changes. Any approved changes shall be incorporated into the final "as-built" plans.
 36. PLANS AND STUDIES: Any studies imposed by the Planning Commission or Town Council shall be funded by the Owner and/or Applicant.
 37. GRADING PERMIT DETERMINATION DURING CONSTRUCTION DRAWINGS: In the event that, during the production of construction drawings and/or during construction of the plans

- approved with this application by the Deciding Body, it is determined that a grading permit would be required as described in Chapter 12, Article II (Grading Permit) of the Town Code of the Town of Los Gatos, an Architecture and Site Application would need to be submitted by the Owner/Applicant for review and approval by the Development Review Committee prior to applying for a grading permit.
38. DRAINAGE IMPROVEMENT: Prior to the issuance of any grading/improvement permits, the Owner and/or Applicant shall: a) design provisions for surface drainage; and b) design all necessary storm drain facilities extending to a satisfactory point of disposal for the proper control and disposal of storm runoff; and c) provide a recorded copy of any required easements to the Town.
 39. TREE REMOVAL: Copies of all necessary tree removal permits shall be provided prior to the issuance of a grading permit/building permit.
 40. PRECONSTRUCTION MEETING: Prior to the commencement of any site work, the general contractor shall:
 - a. Along with the Owner and/or Applicant, attend a pre-construction meeting with the Town Engineer to discuss the project conditions of approval, working hours, site maintenance and other construction matters;
 - b. Acknowledge in writing that they have read and understand the project conditions of approval and will make certain that all project sub-contractors have read and understand them as well prior to commencing any work, and that a copy of the project conditions of approval will be posted on-site at all times during construction.
 41. RETAINING WALLS: A building permit, issued by the Building Department, located at 110 E. Main Street, may be required for site retaining walls. Walls are not reviewed or approved by the Engineering Division of Parks and Public Works during the grading permit plan review process.
 42. WATER METER: The existing water meter, currently located within the Shannon Road right-of-way, shall be relocated within the property in question, directly behind the public right-of-way line. The Owner and/or Applicant shall repair and replace to existing Town standards any portion of concrete flatwork within said right-of-way that is damaged during this activity prior to issuance of a certificate of occupancy.
 43. SANITARY SEWER CLEANOUT: A sanitary sewer cleanout shall be located within the property in question, within one (1) foot of the property line per West Valley Sanitation District Standard Drawing 3, or at a location specified by the Town. The Owner and/or Applicant shall repair and replace to existing Town standards any portion of concrete flatwork within said right-of-way that is damaged during this activity prior to issuance of a certificate of occupancy.
 44. PUBLIC IMPROVEMENTS: In the event that construction commences prior to the Town's Shannon Road Pedestrian and Bikeway improvement project, the following improvements shall be installed by the Owner and/or Applicant. Plans for those improvements shall be prepared by a California registered civil engineer, reviewed and approved by the Town before the issuance of any grading or building permits. The improvements must be completed and accepted by the Town before a Certificate of Occupancy for any new building can be issued.
 - a. Shannon Road: Curb, gutter, sidewalk and landscape strip; 2" overlay from the centerline to the southwestern lip of gutter, or alternative pavement restoration measure as approved by the Town Engineer.

45. **TRENCHING MORATORIUM:** In the event that construction is completed during/after the Town's Shannon Road Pedestrian and Bikeway improvement project, trenching within a newly paved street will be allowed subject to the following requirements:
- The Town standard "T" trench detail shall be used.
 - A Town-approved colored controlled density backfill shall be used.
 - All necessary utility trenches and related pavement cuts shall be consolidated to minimize the impacted area of the roadway.
 - The total asphalt thickness shall be a minimum of three (3) inches, meet Town standards, or shall match the existing thickness, whichever is greater. The final lift shall be 1.5-inches of one-half ($\frac{1}{2}$) inch medium asphalt. The initial lift(s) shall be of three-quarter ($\frac{3}{4}$) inch medium asphalt.
 - The Contractor shall schedule a pre-paving meeting with the Town Engineering Construction Inspector the day the paving is to take place.
 - A slurry seal topping may be required by the construction inspector depending their assessment of the quality of the trench paving. If required, the slurry seal shall extend the full width of the street and shall extend five (5) feet beyond the longitudinal limits of trenching. Slurry seal materials shall be approved by the Town Engineering Construction Inspector prior to placement. Black sand may be required in the slurry mix. All existing striping and pavement markings shall be replaced upon completion of slurry seal operations. All pavement restorations shall be completed and approved by the Inspector before occupancy.
46. **CERTIFICATE OF OCCUPANCY:** The Engineering Division of the Parks and Public Works Department will not sign off on a Temporary Certificate of Occupancy or a Final Certificate of Occupancy until all required improvements within the Town's right-of-way have been completed and approved by the Town.
47. **GREEN INFRASTRUCTURE MEASURES:** Projects which propose work within the Town's right-of-way, including but not limited to pavement restoration, street widening, construction of curb, gutter and/or sidewalk, right-of-way dedication, etc., will be evaluated by Staff to determine its potential for the implementation of Green Infrastructure measures and associated improvements.
48. **FRONTAGE IMPROVEMENTS:** The Owner and/or Applicant shall be required to improve the project's public frontage (right-of-way line to centerline and/or to limits per the direction of the Town Engineer) to current Town Standards. These improvements may include but not limited to curb, gutter, sidewalk, driveway approach(es), pavement, etc. The improvements must be completed and accepted by the Town before a Certificate of Occupancy for any new building can be issued.
49. **DRIVEWAY APPROACH:** The Owner and/or Applicant shall install one (1) Town standard residential driveway approach. The new driveway approach shall be constructed per Town Standard Plans and must be completed and accepted by the Town before a Certificate of Occupancy for any new building can be issued. New concrete shall be free of stamps, logos, names, graffiti, etc. Any concrete identified that is displaying a stamp or equal shall be removed and replaced at the Contractor's sole expense and no additional compensation shall be allowed therefore.
50. **CONSTRUCTION VEHICLE PARKING:** Construction vehicle parking within the public right-of-way will only be allowed if it does not cause access or safety problems as determined by the Town.

51. **ADVANCE NOTIFICATION:** Advance notification of all affected residents and emergency services shall be made regarding parking restriction, lane closure or road closure, with specification of dates and hours of operation.
52. **HAULING OF SOIL:** Hauling of soil on- or off-site shall not occur during the morning or evening peak periods (between 7:00 a.m. and 9:00 a.m. and between 4:00 p.m. and 6:00
53. p.m.), and at other times as specified by the Director of Parks and Public Works. Cover all trucks hauling soil, sand and other loose debris.
54. **CONSTRUCTION HOURS:** All construction activities, including the delivery of construction materials, labors, heavy equipment, supplies, etc., shall be limited to the hours of 8:00 a.m. to 6:00 p.m., weekdays and 9:00 a.m. to 4:00 p.m. Saturdays, holidays excluded. The Town may authorize, on a case-by-case basis, alternate construction hours. The Owner and/or Applicant shall provide written notice twenty-four (24) hours in advance of modified construction hours. Approval of this request is at discretion of the Town.
55. **CONSTRUCTION NOISE:** Between the hours of 8:00 a.m. to 8:00 p.m., weekdays and 9:00 a.m. to 7:00 p.m. weekends and holidays, construction, alteration or repair activities shall be allowed. No individual piece of equipment shall produce a noise level exceeding eighty-five (85) dBA at twenty-five (25) feet from the source. If the device is located within a structure on the property, the measurement shall be made at distances as close to twenty-five (25) feet from the device as possible. The noise level at any point outside of the property plane shall not exceed eighty-five (85) dBA.
56. **CONSTRUCTION MANAGEMENT PLAN SHEET:** Prior to the issuance of any grading or building permits, the Owner and/or Applicant's design consultant shall submit a construction management plan sheet (full-size) within the plan set that shall incorporate at a minimum the Traffic Control Plan, Project Schedule, employee parking, construction staging area, materials storage area, concrete washout and proposed outhouse location(s). Please refer to the Town's Construction Management Plan Guidelines document for additional information.
57. **WVSD (West Valley Sanitation District):** A Sanitary Sewer Clean-out is required for each property at the property line, within one (1) foot of the property line per West Valley Sanitation District Standard Drawing 3, or at a location specified by the Town.
58. **SANITARY SEWER BACKWATER VALVE:** Drainage piping serving fixtures which have flood level rims less than twelve (12) inches (304.8 mm) above the elevation of the next upstream manhole and/or flushing inlet cover at the public or private sewer system serving such drainage piping shall be protected from backflow of sewage by installing an approved type backwater valve. Fixtures above such elevation shall not discharge through the backwater valve, unless first approved by the Building Official. The Town shall not incur any liability or responsibility for damage resulting from a sewer overflow where the property owner or other person has failed to install a backwater valve as defined in the Uniform Plumbing Code adopted by the Town and maintain such device in a functional operation condition. Evidence of West Sanitation District's decision on whether a backwater device is needed shall be provided prior to the issuance of a building permit.
59. **BEST MANAGEMENT PRACTICES (BMPs):** The Owner and/or Applicant is responsible for ensuring that all contractors are aware of all storm water quality measures and that such measures are implemented. Best Management Practices (BMPs) shall be maintained and be placed for all areas that have been graded or disturbed and for all material, equipment and/or operations that need protection. Removal of BMPs (temporary removal during construction activities) shall be replaced at the end of each working day. Failure to comply with the

construction BMP will result in the issuance of correction notices, citations, or stop work orders.

60. SITE DESIGN MEASURES: All projects shall incorporate at least one of the following measures:
 - a. Protect sensitive areas and minimize changes to the natural topography.
 - b. Minimize impervious surface areas.
 - c. Direct roof downspouts to vegetated areas.
 - d. Use porous or pervious pavement surfaces on the driveway, at a minimum.
 - e. Use landscaping to treat stormwater.
61. EROSION CONTROL: Interim and final erosion control plans shall be prepared and submitted to the Engineering Division of the Parks and Public Works Department. A maximum of two
62. (2) weeks is allowed between clearing of an area and stabilizing/building on an area if grading is allowed during the rainy season. Interim erosion control measures, to be carried out during construction and before installation of the final landscaping, shall be included. Interim erosion control method shall include, but are not limited to: silt fences, fiber rolls (with locations and details), erosion control blankets, Town standard seeding specification, filter berms, check dams, retention basins, etc. Provide erosion control measures as needed to protect downstream water quality during winter months. The Town of Los Gatos Engineering Division of the Parks and Public Works Department and the Building Department will conduct periodic NPDES inspections of the site throughout the recognized storm season to verify compliance with the Construction General Permit and Stormwater ordinances and regulations.
63. DUST CONTROL: Blowing dust shall be reduced by timing construction activities so that paving and building construction begin as soon as possible after completion of grading, and by landscaping disturbed soils as soon as possible. Further, water trucks shall be present and in use at the construction site. All portions of the site subject to blowing dust shall be watered as often as deemed necessary by the Town, or a minimum of three (3) times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas at construction sites in order to insure proper control of blowing dust for the duration of the project. Watering on public streets shall not occur. Streets shall be cleaned by street sweepers or by hand as often as deemed necessary by the Town Engineer, or at least once a day. Watering associated with on-site construction activity shall take place between the hours of 8 a.m. and 5 p.m. and shall include at least one (1) late-afternoon watering to minimize the effects of blowing dust. All public streets soiled or littered due to this construction activity shall be cleaned and swept on a daily basis during the workweek to the satisfaction of the Town. Demolition or earthwork activities shall be halted when wind speeds (instantaneous gusts) exceed twenty (20) miles per hour (MPH). All trucks hauling soil, sand, or other loose debris shall be covered.
64. AIR QUALITY: To limit the project's construction-related dust and criteria pollutant emissions, the following the Bay Area Air Quality Management District (BAAQMD)-recommended basic construction measures shall be included in the project's grading plan, building plans, and contract specifications:
 - a. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day, or otherwise kept dust-free.
 - b. All haul trucks designated for removal of excavated soil and demolition debris from site shall be staged off-site until materials are ready for immediate loading and removal from site.

- c. All haul trucks transporting soil, sand, debris, or other loose material off-site shall be covered.
 - d. As practicable, all haul trucks and other large construction equipment shall be staged in areas away from the adjacent residential homes.
 - e. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once a per day, or as deemed appropriate by Town Engineer. The use of dry power sweeping is prohibited. An on-site track-out control device is also recommended to minimize mud and dirt-track-out onto adjacent public roads.
 - f. All vehicle speeds on unpaved surfaces shall be limited to fifteen (15) miles per hour.
 - g. All driveways and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
 - h. Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within forty-eight (48) hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations. Please provide the BAAQMD's complaint number on the sign: 24-hour toll-free hotline at 1-800-334-ODOR (6367).
 - i. All excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed twenty (20) miles per hour.
 - j. Vegetative ground cover (e.g., fast-germinating native grass seed) shall be planted in disturbed areas as soon as possible and watered appropriately until vegetation is established.
65. **DETAILING OF STORMWATER MANAGEMENT FACILITIES:** Prior to the issuance of any grading or building permits, all pertinent details of any and all proposed stormwater management facilities, including, but not limited to, ditches, swales, pipes, bubble-ups, dry wells, outfalls, infiltration trenches, detention basins and energy dissipaters, shall be provided on submitted plans, reviewed by the Engineering Division of the Parks and Public Works Department, and approved for implementation.
66. **CONSTRUCTION ACTIVITIES:** All construction shall conform to the latest requirements of the CASQA Stormwater Best Management Practices Handbooks for Construction Activities and New Development and Redevelopment, the Town's grading and erosion control ordinance, and other generally accepted engineering practices for erosion control as required by the Town Engineer when undertaking construction activities.
67. **SITE DRAINAGE:** Rainwater leaders shall be discharged to splash blocks. No through curb drains will be allowed. On-site drainage systems for all projects shall include one of the alternatives included in section C.3.i of the Municipal Regional NPDES Permit. These include storm water reuse via cisterns or rain barrels, directing runoff from impervious surfaces to vegetated areas and use of permeable surfaces. No improvements shall obstruct or divert runoff to the detriment of an adjacent, downstream or down slope property.
68. http://www.scvurppp-w2k.com/nd_wp.shtml?zoom_highlight=BIOTREATMENT+SOIL.
69. **SILT AND MUD IN PUBLIC RIGHT-OF-WAY:** It is the responsibility of Contractor and homeowner to make sure that all dirt tracked into the public right-of-way is cleaned up on a daily basis. Mud, silt, concrete and other construction debris SHALL NOT be washed into the Town's storm drains.

70. **GOOD HOUSEKEEPING:** Good housekeeping practices shall be observed at all times during the course of construction. All construction shall be diligently supervised by a person or persons authorized to do so at all times during working hours. The Owner and/or Applicant's representative in charge shall be at the job site during all working hours. Failure to maintain the public right-of-way according to this condition may result in penalties and/or the Town performing the required maintenance at the Owner and/or Applicant's expense.
71. **PERMIT ISSUANCE:** Permits for each phase; reclamation, landscape, and grading, shall be issued simultaneously.
72. **COVERED TRUCKS:** All trucks transporting materials to and from the site shall be covered.

TO THE SATISFACTION OF THE SANTA CLARA COUNTY FIRE DEPARTMENT:

73. **GENERAL:** Review of this Developmental proposal is limited to acceptability of site access, water supply and may include specific additional requirements as they pertain to fire department operations, and shall not be construed as a substitute for formal plan review to determine compliance with adopted model codes. Prior to performing any work, the applicant shall make application to, and receive from, the Building Department all applicable construction permits.
74. **FIRE SPRINKLERS REQUIRED:** An automatic residential fire sprinkler system shall be installed in one- and two-family dwellings as follows: 1) In all new one- and two-family dwellings and in existing one- and two-family dwellings when additions are made that increase the building area to more than 3,600 SF whether by increasing the area of the primary residence or by creation of an attached Accessory Dwelling Unit. 2) In all new basements and in existing basements that are expanded by more than 50%. 3) In all attached ADUs, additions or alterations to an existing one- and two-family dwelling that have an existing fire sprinklers. Exception: One or more additions made to a building after January 1, 2011 that does not total more than 1,000 square feet of building area and meets all access and water supply requirements of Chapter 5 and Appendix B and C of the 2019 California Fire Code. Make a note on sheet A1.0 that sprinklers will be installed and as a deferred submittal during building permit.
75. **REQUIRED FIRE FLOW:** (Letter received) The minimum require fireflow for this project is 1000 Gallons Per Minute (GPM) at 20 psi residual pressure. This fireflow assumes installation of automatic fire sprinklers per CFC [903.3.1.3] Provide a fire flow letter from a local water purveyor confirming the required fire flow of 1000 GPM @ 20 psi residual from a fire hydrant located within 600' of the farthest exterior corner of the structure is required. Contact your local water purveyor (San Jose Water) for details on how to obtain the fire flow letter.
76. **ADDRESS IDENTIFICATION** New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Where required by the fire code official, address numbers shall be provided in additional approved locations to facilitate emergency response. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall be a minimum of 4 inches (101.6 mm) high with a minimum stroke width of 0.5 inch (12.7 mm). Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure. Address numbers shall be maintained. CFC Sec. 505.1.

77. **WATER SUPPLY REQUIREMENTS:** Potable water supplies shall be protected from contamination caused by fire protection water supplies. It is the responsibility of the applicant and any contractors and subcontractors to contact the water purveyor supplying the site of such project, and to comply with the requirements of that purveyor. Such requirements shall be incorporated into the design of any water-based fire protection systems, and/or fire suppression water supply systems or storage containers that may be physically connected in any manner to an appliance capable of causing contamination of the potable water supply of the purveyor of record. Final approval of the system(s) under consideration will not be granted by this office until compliance with the requirements of the water purveyor of record are documented by that purveyor as having been met by the applicant(s). 2019 CFC Sec. 903.3.5 and Health and Safety Code 13114.7.
78. **CONSTRUCTION SITE FIRE SAFETY:** All construction sites must comply with applicable provisions of the CFC Chapter 33 and our Standard Detail and Specification S1-7. Provide appropriate notations on subsequent plan submittals, as appropriate to the project. CFC Chp. 33.
79. **GENERAL:** This review shall not be construed to be an approval of a violation of the provisions of the California Fire Code or of other laws or regulations of the jurisdiction. A permit presuming to give authority to violate or cancel the provisions of the fire code or other such laws or regulations shall not be valid. Any addition to or alteration of approved construction documents shall be approved in advance. [CFC, Ch.1, 105.3.6]

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4/20/22

Updated Letter of Justification

To whom it may concern,

We live at 16668 Shannon Road (APN 532-05-002), and would like to remodel the home which will requires a tech demo per the Planning Dept. The lot is 15,392 sq feet with less than 1% slope. The house was built in 1957. The yard was very overgrown with dried Juniper, Oleander, Bamboo and Ivy that we have slowly been removing for future landscaping as it was a fire hazard. The current home needs a new roof as it is very old shake (another fire hazard) and at the end of its life span. It also needs single pane windows replaced, improved insulation, grounded electrical work, and other repairs, including repairs to walls where stucco reaches the ground and many cracked windows.

We have lived in Los Gatos for 12 years, and absolutely love this town! Our roots here go deep, as Peter grew up in Saratoga and his father graduated from Los Gatos High School in 1958. We moved to this house recently because it had a larger south facing lot for gardening, with great solar power potential, and a location that allows Peter to bicycle commute, and the kids to bike to school. We hope to make our forever home here in this spot.

Environmentalists at heart, we hope to build a home that is efficient, uses solar energy (hopefully enough to power the home and a couple of electric vehicles), and uses greywater for irrigation. We also hope to enlarge the garage a bit to make space for a family of bikes that we use for our day-to-day transportation, while still having two vehicles in the garage. Our current "two car" garage is too narrow to functionally fit 2 cars. We feel that garaging our bikes is also important for ease of access and encouraging our use of bikes for commuting and getting to school.

The planning department brought up concerns about the 3 car garage element. The allowed area for the garage is 1,077 sq feet and we are requesting only 715 sq feet. The proposed width of the garage is 32 feet which is only 8 feet more than a standard 2 car 24 foot garage. We purpose only 2 openings, one existing, and a 2nd opening set back in order to reduce the overall appearance. We would like to have this space in order to keep our cars out of sight and house a family of bikes and scooters. Reducing cars on the sides of the road and in driveways is more aesthetically pleasing plus it gives more space for children walking and helps visibility for safety on Shannon Rd., which is a Safe Route to School. Tucking our cars away in the garage will also allow guests to park in the driveway rather than the street. Street parking will be limited with the new pedestrian/bikeway project that is scheduled for this fall on Shannon Road as part of the Connect Los Gatos and Safe Routes to School initiatives. Many of the older homes in our neighborhood have garages that are frankly too small to fit two cars. They therefore keep cars in the driveway and on the side of the road. We think the town is more beautiful when the cars aren't all lining the streets and filling the driveways. The size and number of cars per household have drastically increased since the 1950s when these houses were built, and the town planning department should not be ignoring this significant change, nor ignoring the importance of

making bike commuting more simplified and practical.

We feel a small recessed 2nd garage door is better than a window in that location, since it helps reduce the mass & scale of the home itself, plus allows for easy access to bikes for every-day use. Any bike-commuter can testify: it is frustrating to push a bike through a hinged pedestrian door regularly. Storing bikes in a shed around the back is also not viable given the difficulty of access and for security reasons given the current cost of bikes.

We have added the use of trellising and landscaping to help beautify the 2nd garage door. Furthermore the adjacent property behind us at 16317 Englewood has a 3 car garage facing our backyard. Looking at the extended neighborhood, this element is present including examples at: 16428 Englewood and 16373 Englewood. Forward facing three car garages can be seen along W. La Chiquita at property addresses 16316, 16396, and 16355.

To address the committee's concern about mass & scale, we have changed several elements and would like to highlight others. First we would like to point out that 2 of 3 of the adjoining properties are 2 story homes. The FAR of our property is 4,109 sq ft. We initially requested to build a home closer to 4,000sq feet but have drastically reduce the second story and home to 3,426 sq feet plus we removed 2 story high rooms on the first floor to make the second floor smaller. We were asked to compare our home to our "immediate neighborhood" that includes mostly properties on the north side of Shannon Road that are on properties much smaller than ours. Our property is over 15,000sq feet and more appropriate to be compared to the home behind & adjacent to us or to nearby homes on similar size lots. Below are some of our immediate neighbors lot sizes:

Our lot 15,392 sq feet

16639 Shannon Road 8,001 sq feet
16653 Shannon Road 10,036 sq feet
16667 Shannon Road 9,230 sq feet
16675 Shannon Road 10,000 sq feet
16301 Shannon Road 13,504 sq feet

As you can see above, many of our "immediate neighbors" have lots 5,000 sq feet less than our lot and therefor not comparable. Our adjacent neighbor behind our property that is not included as a comparison by the city is a similar sized home of 3,203 sq feet at the property address of 16317 Englewood.

The newest version of our project is only 600 sq feet larger than our immediate neighbor with 2,788 sq feet at 16680 Shannon Road. This square footage will allow for home office spaces that are needed for a family that has 2 working adults in an era where working from home is encouraged. Also we need the extra space for grandparents to sleep over when we work late or overnight in the hospital as we are both Emergency Medicine physicians.

We have also decreased the size of the entry and have already added rows of decorative olive and citrus trees in the driveway island and around the driveway to soften the look of the home. The second story will be set back from the bottom floor – 12.5 feet set back over

the garage and about 17 feet in the middle. The first floor roof line softens the mass of the second story. Other 2nd story design elements such as side set backs are included in the design. We would also like the committee to consider that our home is set back up to 16.5 feet further than others in our immediate neighborhood. For example our home is 67 feet from the middle of Shannon Rd, while by comparison, 16667 Shannon Road is 50.5 feet from center of road, and 16675 Shannon Road is 54 feet back. Keeping this set back will greatly reduce the size and appearance of the home and allow room for landscaping to obscure the house.

Other second story homes in our immediate neighborhood were completed prior to being annexed into the city. Therefore, the second stories of some of these homes were pushed to one side of the home. Per Los Gatos, design guidelines we have the second story set back from the front and both sides.

The Planning Committee's architectural review by Cannon Design Group notes that, in regard to our immediate neighborhood, "newer homes [have] 2 stories and greater floor area than the older homes." We feel that our home will fit the neighborhood in that regard. Our intention is to enclose the current front courtyard, and add a second story. The property across the street at 16675 Shannon Road has similar front entry and mass when viewed from Magneson Loop. Also the property at 16653 Shannon Road is 4,588 sq feet, uses a larger portion of the lot, plus is closer to the road at 53 feet. Another example is 16608 Shannon Rd which is 4,147 sq feet and approx 50 feet from the center of Shannon Road. The next door property 16301 Englewood appears small from Shannon Road but viewed from Englewood, has a much wider house, 114 feet wide with the garage and is much closer to the road at only 36 feet from the middle of Englewood. Our proposed project is only 68'4" in width and 67 feet from the center of Shannon Road.

Homes in the extended neighborhood that have similar appearing 2nd stories include:

16516 Shannon Road
16457, 16428, 16401, 16373, 16358, 16330 Englewood
16358, 16382, 16394 Robbie Ln
16336 W. La Chiquita

Per the Architectural Review by the Cannon Design Group "The site is relatively large and surrounded by other similar sized parcels, some of which have recently seen the addition of larger homes..." and "the proposed design is well done with substantial architectural integrity on all sides." Furthermore the review finds "ridge heights of the house would be similar to other new two story homes in the immediate neighborhood."

The architectural style of the neighborhood varies quite substantially. Nearby homes range from Craftsman, Contemporary, to Ultramodern. Our next door neighbors at 16668 Shannon Road have a Mediterranean styled home, and across the street 16675 Shannon Road is Modern Farmhouse with metal roofing. We hope to style our home Modern Mediterranean to fit into this section of Shannon Road and allow for drier landscaping ideas for less water usage.

We would also like the committee to note our current home at 16668 Shannon Road is a eclectic collection of different architectural styles already. Although at first glance the home looks like a California ranch style tract home, it has a large wall enclosing the front courtyard in a California mission style, window overhangs in the style of Swiss Chalet, and exterior walls are wooden siding in front of the house, and Mediterranean style stucco on the sides an rear. Updating the home will allow for a more consistent and beautiful style.

As part of our community outreach efforts, we have spoken to many of our neighbors, many times, via fliers and in person. So far we have unanimous support from our community. The home owners directly across the street, at 16667 Shannon Rd. Mr. Varun Shivakumar says “[it will] improve the look of the street & community and will fit into the neighborhood ” and at 16675 Shannon Rd. Mrs. Sheila Bony says “two thumbs up”. Our immediate neighbors to either side also expressed full support. Mrs. Helen Sun at 16680 Shannon Road feels we “have been attentive to any concerns.” We are continuously discussing the plans with neighbors and continuing our outreach. Everyone we have spoken to is excited to have this home updated per our plans.

Thank you for your consideration of our project!

Peter Binkley
917-842-2964

Cheri Binkley
281-543-3041

**16668 Shannon Road
Los Gatos, CA.**

MATERIAL BOARD



**Main Building Color & Garage Doors: Swiss Coffee KM23
By: "Kelly Moore"**



**Accent Color: Winter Solstice KM5812 (All trims)
By: "Kelly Moore"**



Suggested: Flat Tiles Roof by: Eagle Roofing
199 Charcoal range Golden eagle profiles

WINDOWS: BLACK ALUMINUM TILT & TURN

Tilt & Turn Windows

Highlights

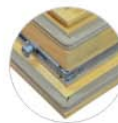
A European classic, tilt & turn windows are inswing windows with a double function. With a turn of the handle they either tilt or swing in. The tilt function provides secure ventilation while maintaining beautiful views.

Overview

Zola's tilt & turn windows can be made to very large sizes, with the biggest reaching nearly five feet in width and eight feet in height. We use only the finest German multi-point hardware sets to ensure a smooth and effortless operation, security, and superb air sealing. Tilt & Turn windows can be made as single units, either left or right hand hung, or double french units.



Multi-point locking hardware



Continuous air seals



Accessibility hardware (ADA compliant)



ALUMINUM THERMO ALU90™

Thermo Alu90 combines a Passive House level frame with the thin profile of aluminum for the modern high performance project. The frame is designed to support very large window sizes. Made in standard triple-pane, low-iron glass.

PERFORMANCE

Frame Depth = 90mm (3.54")

NFRC Values:

Fixed

$U = 0.16 \text{ Btu}/(\text{h} \cdot \text{ft}^2 \cdot \text{F})$

SHGC = up to 0.39

VT = 0.59

Condensation Resistance = 80

Operable

$U = 0.18 \text{ Btu}/(\text{h} \cdot \text{ft}^2 \cdot \text{F})$

SHGC = up to 0.34

VT = 0.5

Condensation Resistance = 78

CE Values:

$U_f = 1.23 \text{ W}/(\text{m}^2 \cdot \text{K})$

$U_g = 0.53 \text{ W}/(\text{m}^2 \cdot \text{K})$

$U_w = 0.8 \text{ W}/(\text{m}^2 \cdot \text{K})$

$\Psi = 0.050 \text{ W}/\text{mK}$

FINISH OPTIONS

Interior and Exterior: RAL powder coated, Tactile Series, and Anodized options.

CONFIGURATIONS AVAILABLE

Fixed

Tilt-turn, Tilt-only, Turn-only, Tilt-first

Fixed/Operable combinations

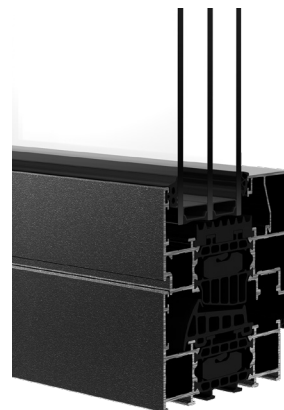
French window opening

Lift-Slide Doors

Entry Doors

HARDWARE

European multi-point locking system with up to eight locking points on windows and four points on entry doors. Visible hinges are standard but concealed hinges are available.



All performance data based on typical assemblies. Discuss specific performance values with a Zola Project Manager

LWM350-S7-GTL EQUINOX



MWM-BLP

The **LWM350** series of LED Wall Sconces is the latest addition to our growing line of innovative and exquisite wall mount luminaires. This series is available in four elegant shade designs and two progressive sizes. Its timeless design enhances architecture and garden elements such as pergolas or gazebos. Provide design continuity and use in conjunction with our LBD Bollard and LML Pendant Light series to create the perfect transition between landscape and architecture.

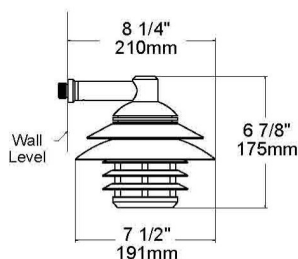
See **LWM250** for additional size and configuration options.

Features include:

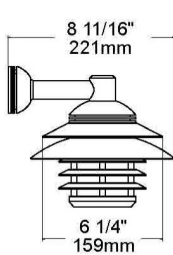
- 20 Watts
- Cree XLAMP® Extreme High Power (XHP) LED
- 2700, 3000 or 4500K (CRI 80 typ.)
- Thermally Integrated® and Field Serviceable LED Module
- TRIAC Dimming to <10% typ.
- 12 VAC Electronic or Magnetic Source Compatible
- Solid Copper and Brass Construction

Powered by
CREE
LEDs

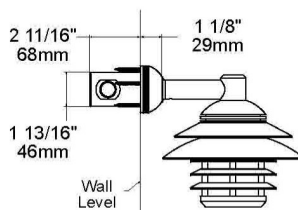
12V



Standard Configuration



With optional MWM

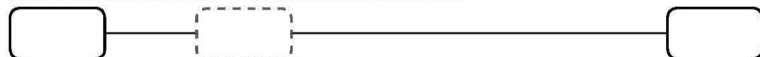


With optional MJB

ORDERING GUIDE: **LWM350-S7-GTL** L (LED) WM (WALL MOUNT) 350 (SERIES) S (SPHERICAL) 7 (INCHES) GTL (GLIMMER TOP W/ LOUVER)

INDICATES REQUIRED FIELD

INDICATES OPTIONAL FIELD



LED COLOR

[27D] 2700K
[30D] 3000K
[45D] 4500K

[D] = Dimmable

MOUNT

[MWM] Micro Wall Mount
[MJB] Micro Wall Mount w/ Micro J-Box
Provides 3 ports for multi-conduit entries
1/2 NPS CANOPIES:
[CP4] 4" Cover Plate*
[CP45] 4 1/2" Cover Plate *
[MC45] 4 1/2" Mount Canopy*
[PC60] Power Canopy (Inc. 60W 120-12V trans.)*
[SMJB] 3 1/2" Surface Mount J-Box

*Brass Escutcheon is standard. Add "C" for Copper

FINISH

[NAT] Natural
[BLP] Bronze Living Patina
[BLP-XD] BLP Extra Dark
[NI] Nickel PVD*

*When NI is selected underside will match



16668 Shannon Rd.







July 22, 2021

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

RE: 16668 Shannon Road

Dear Diego:

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

Neighborhood Context

The site is located on a large lot with a circular driveway. The nearby parcels are similar in size with newer homes of two stories and greater floor area than the older houses.. Photographs of the site and immediate neighborhood are shown on the following page.



EXHIBIT 7



THE SITE: Current Photo



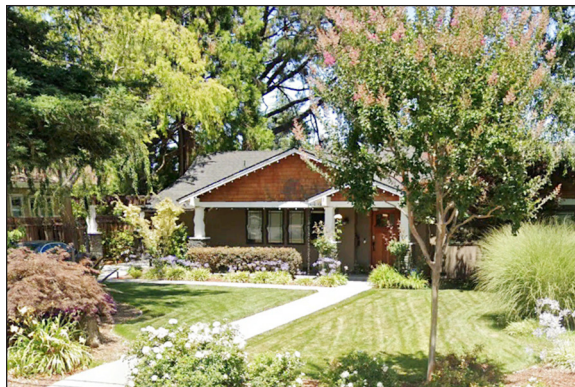
THE SITE: Earlier Photo



Parcel to the immediate left



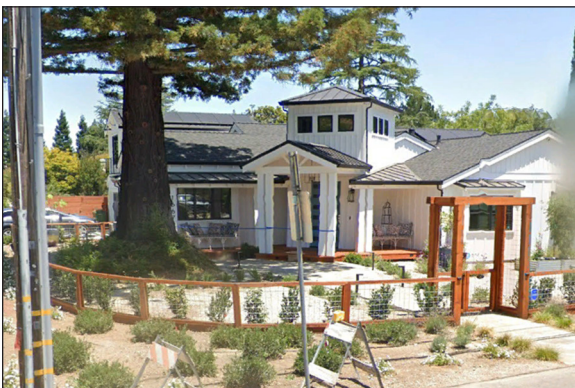
House to the immediate right



Nearby house across Shannon Road



Nearby house across Shannon Road



Nearby house across Shannon Road



Nearby houses across Shannon Road

ISSUES AND CONCERNS

The project consists of a significant increase in the size of the existing house on the site, and a major change in the architectural style. The site is relatively large, and surrounded by other similar sized parcels, some of which have recently seen the addition of larger homes - see aerial photos below.



Overall, the proposed design is well done with substantial architectural integrity on all sides - see proposed elevations below.



Proposed Front Elevation



Proposed Left Side Elevation



Proposed Right Side Elevation



Proposed Rear Elevation

The overall eave and ridge heights of the house would be similar to other new two-story homes in the immediate neighborhood - see streetscape comparisons below.



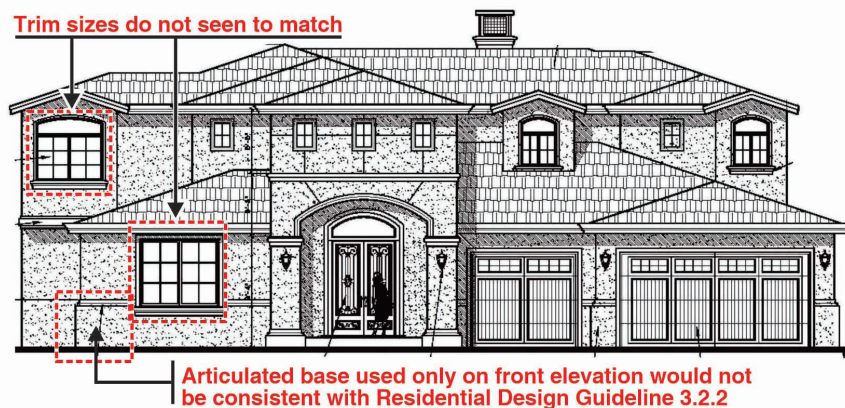
The proposed design would have taller elements near the front setback line than the other new larger homes nearby, but the house would be set back forty feet. The front facade would be softened by substantial articulation, and an emphasis on the first floor roof eave line.

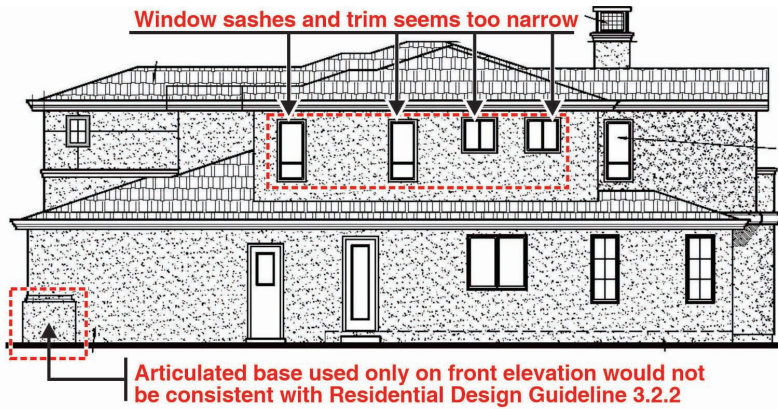
There are just a few issues of concern.

1. The articulated projecting base is appropriate to the architectural style, but does not carry around the sides and rear of the home which would not be consistent with Residential Design Guideline 3.2.2.

3.2.2 Design for architectural integrity

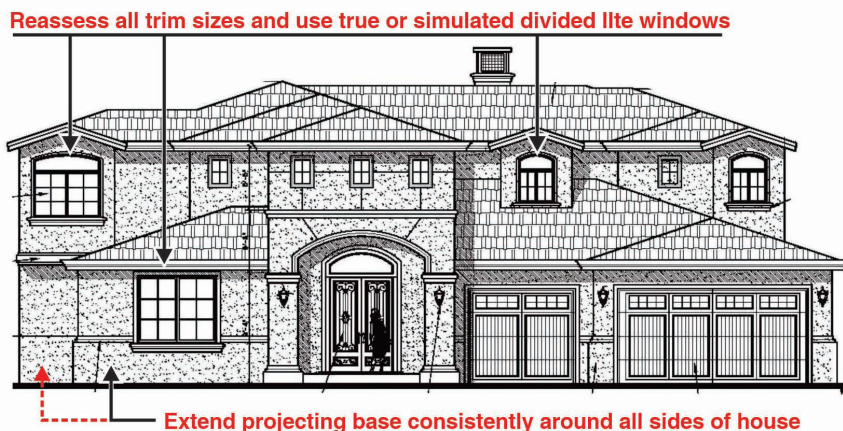
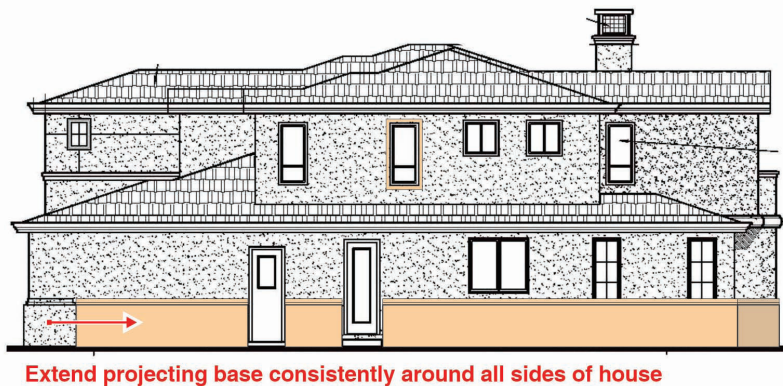
- Carry wall materials, window types and architectural details around all sides of the house. Avoid side and rear elevations that are markedly different from the front elevation.
2. Window details are not shown, but from the elevations, there may be some issues.
 - The sash widths appear too small for the scale of the proposed house design.
 - The window trim appears inconsistent, and in some cases too narrow.





RECOMMENDATIONS

1. Extend projecting base consistently around all sides of the house.
2. Select windows that have sash widths consistent with the scale of the house (e.g., vinyl cover wood), and recess windows from the exterior wall face.
3. Reassess all window trim sizes to be consistent, and of a size appropriate to the scale of the house and each window.
4. Consider cast stone trim instead of stucco-covered foam for a higher quality of finish at windows and other projecting trim.



5. For windows showing divided panes, use true or simulated divided lights consistent with Residential Design Guideline 3.7.4.



**True
Divided Lites**



**Simulated
Divided Lites**

6. Add substantial landscaping in the driveway island similar to that which previously existed - see top two photos on page 2 and the aerial photos on page 3. This will buffer views to the larger home entry element, and bring the design back into compliance with Residential Design Guideline 2.4.4.

2.4.4 Limit the use of circular driveways

- *Circular driveways are discouraged because they increase the amount of paving in front setbacks.*
- *Circular driveways may be considered for larger estate lots with wide street frontages where the width of the total driveway footprint is less than 50 percent of the parcel width.*
- *Where circular driveways are allowed, substantial landscaping should be provided along the street front, and special driveway paving materials and/or patterns should be provided.*

Diego, I have no other recommendations for change.

Sincerely,

CANNON DESIGN GROUP



Larry L. Cannon

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ARCHITECTURE PLANNING URBAN DESIGN

December 16, 2021

Ms. Erin Walters
Community Development Department
Town of Los Gatos
110 E. Main Street
Los Gatos, CA 95031

RE: 16668 Shannon Road

Dear Erin:

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

Neighborhood Context

The site is located on a large lot with a circular driveway. The nearby parcels are similar in size with newer homes of two stories and greater floor area than the older houses in the neighborhood. Photographs of the site and immediate neighborhood are shown on the following page.



EXHIBIT 8



THE SITE: Current Photo



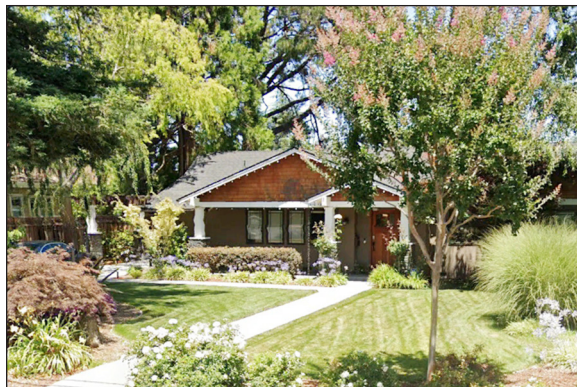
THE SITE: Earlier Photo



Parcel to the immediate left



House to the immediate right



Nearby house across Shannon Road



Nearby house across Shannon Road



Nearby house across Shannon Road



Nearby houses across Shannon Road

PROJECT OVERVIEW

The project consists of a significant increase in the size of the existing house on the site, and a major change in the architectural style. The site is relatively large, and surrounded by other similar sized parcels, some of which have recently seen the addition of larger homes - see aerial photos below.



The overall, the proposed design is well done with substantial architectural integrity on all sides - see proposed elevations below.



Proposed Front Elevation



Proposed Left Side Elevation



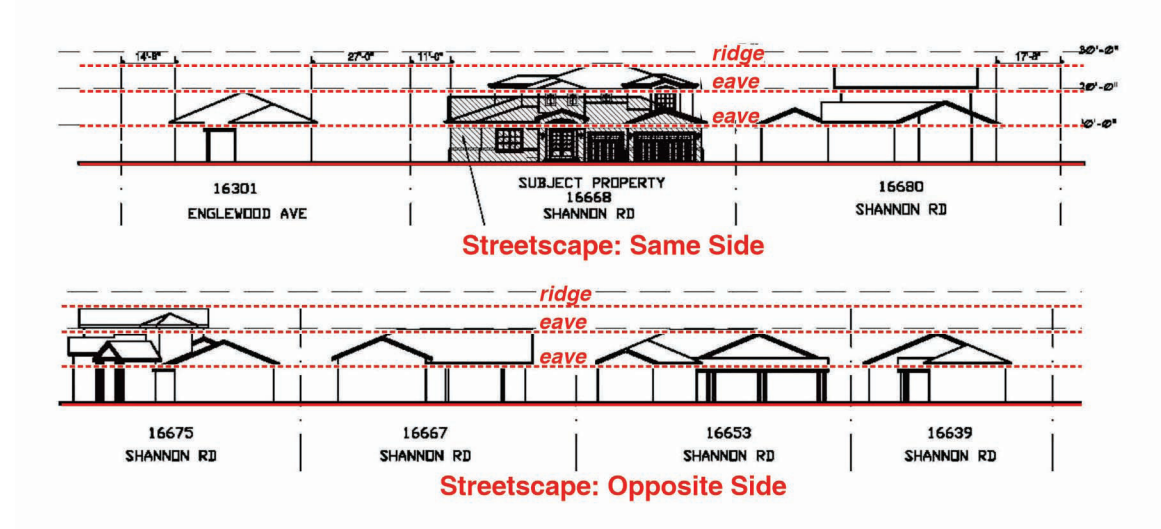
Proposed Right Side Elevation



Proposed Rear Elevation

ISSUES AND CONCERNS

The overall eave and ridge heights of the house would be similar to other new two-story homes in the immediate neighborhood - see streetscape comparisons below.



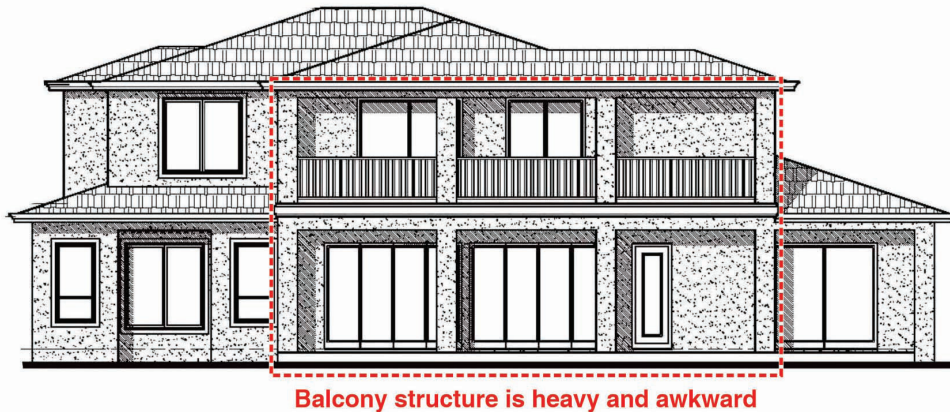
The proposed design would be smaller in floor area and building mass than the initial design that I reviewed in July. It does a much better job of relating to the immediate neighborhood, and the front facade would be softened by substantial articulation, and an emphasis on the first floor roof eave line.

There are, however, a few issues of concern.

1. The second floor bay window on the front facade is awkward and is fighting the entry for attention.
2. The differing first floor eave heights create awkward transition conditions, and are not typical of the proposed architectural style.



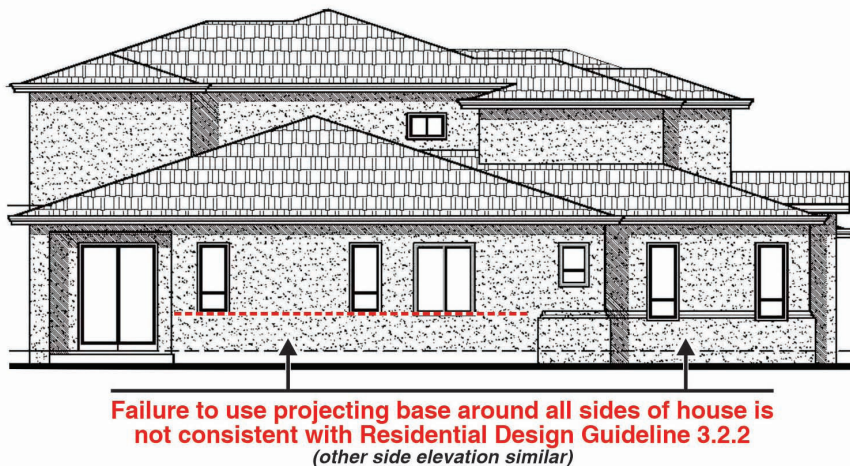
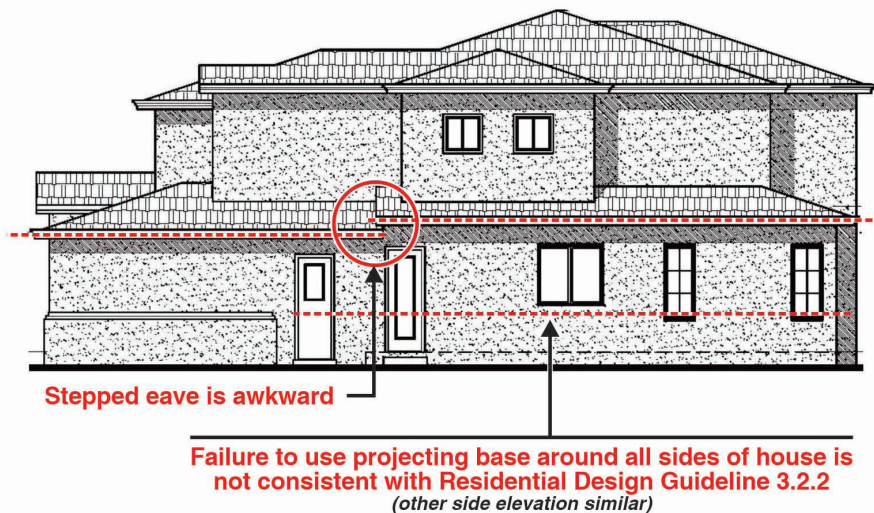
3. The covered terrace and balcony on the rear facade is heavy and awkward.



4. The articulated projecting base is appropriate to the architectural style, but does not carry around the sides and rear of the home which would not be consistent with Residential Design Guideline 3.2.2.

3.2.2 Design for architectural integrity

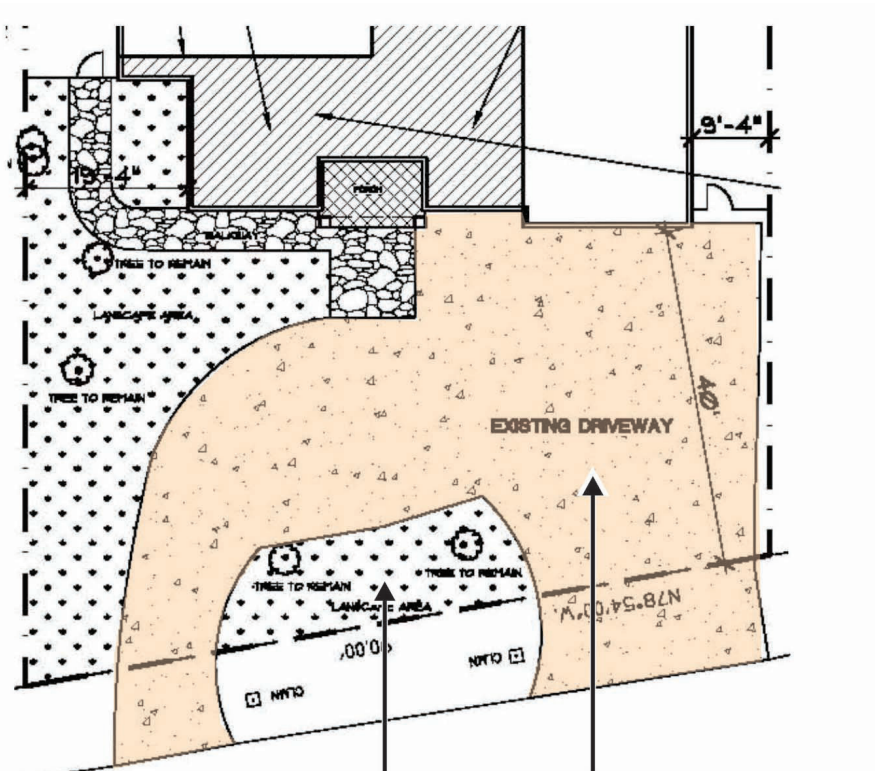
- *Carry wall materials, window types and architectural details around all sides of the house. Avoid side and rear elevations that are markedly different from the front elevation.*



5. The circular driveway without substantial landscape buffering and modular paving would not be consistent with Residential Design Guideline 2.4.4.

2.4.4 Limit the use of circular driveways

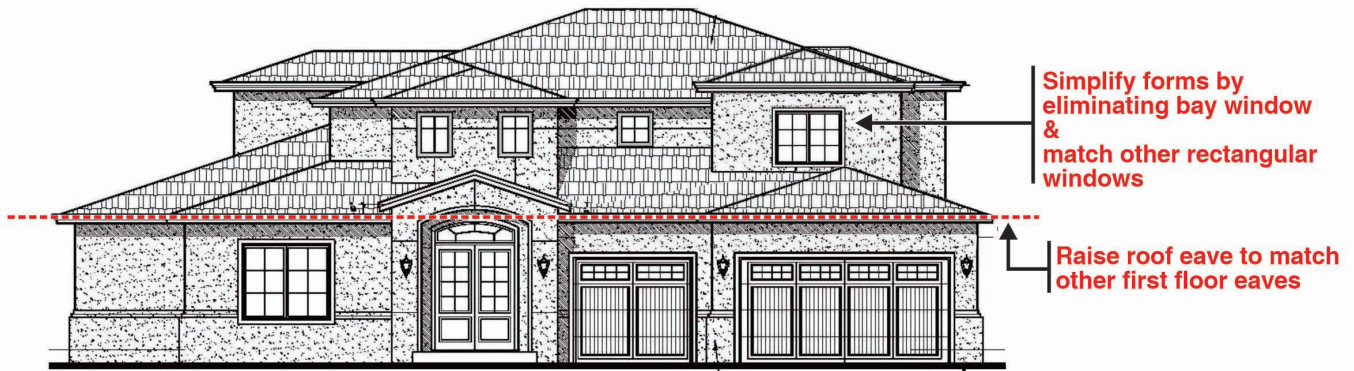
- Circular driveways are discouraged because they increase the amount of paving in front setbacks.
- Circular driveways may be considered for larger estate lots with wide street frontages where the width of the total driveway footprint is less than 50 percent of the parcel width.
- Where circular driveways are allowed, substantial landscaping should be provided along the street front, and special driveway paving materials and/or patterns should be provided.



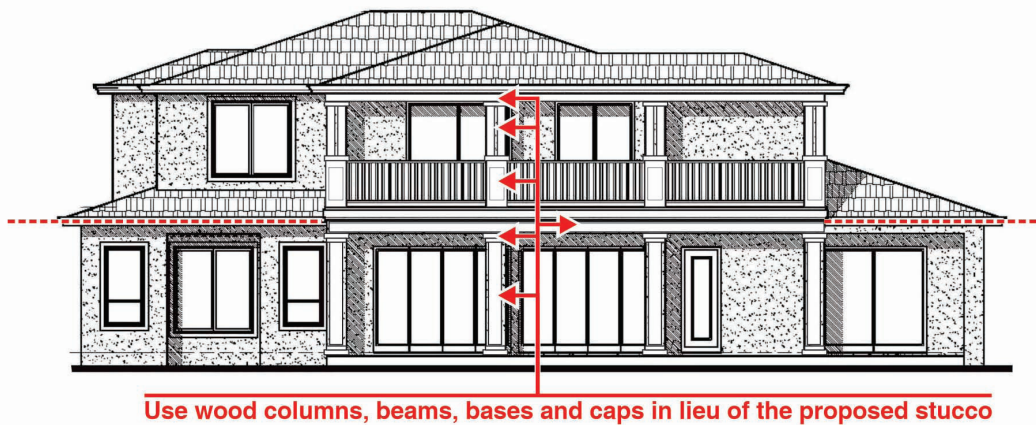
Circular driveways without substantial landscaping and modular paving is not consistent with Residential Design Guideline 2.4.4

RECOMMENDATIONS

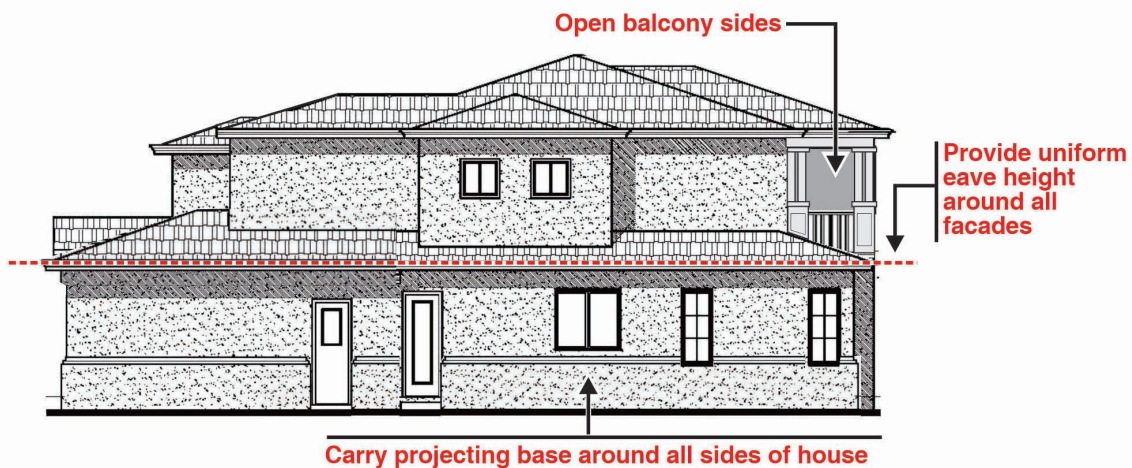
1. Simplify the front facade by eliminating the second floor bay window and match other rectangular windows.
2. Raise the first floor eave on the front and right side elevation to provide a common eave line height.

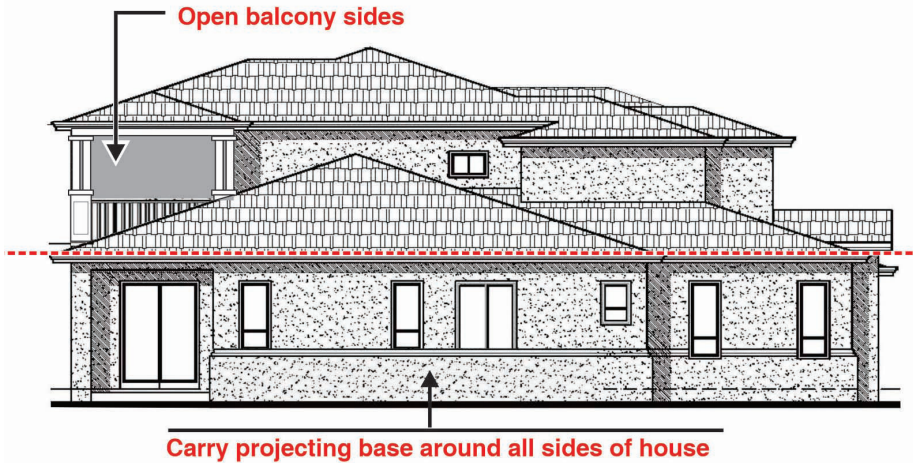


3. Refine the rear elevation by using wood columns, beams, bases and column caps in lieu of the proposed stucco. Also, open up the sides of the second floor balcony.

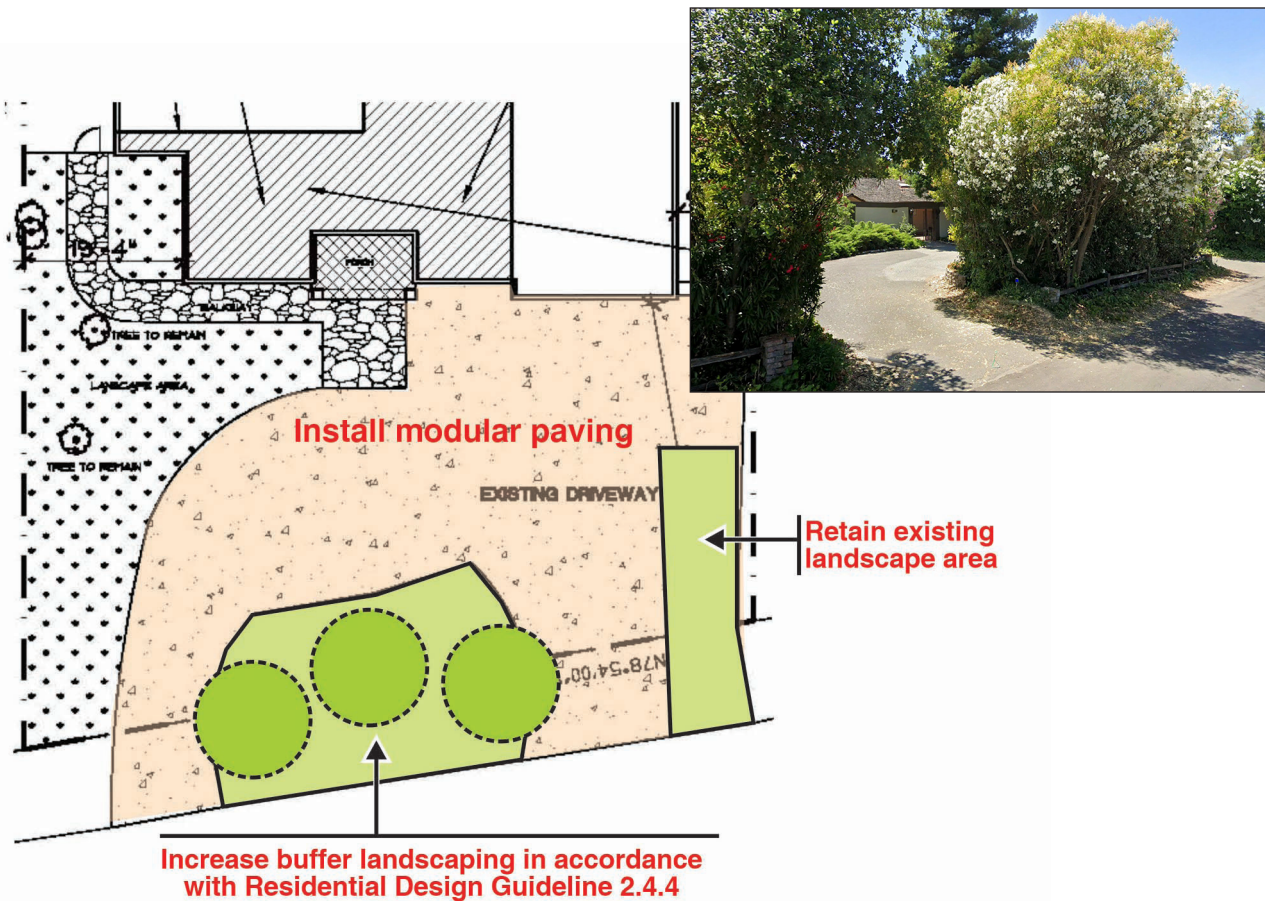


4. Provide uniform eave heights around all facades.
5. Carry the projecting base consistently around all sides of the structure.





6. Provide additional buffer landscaping, retain the existing landscape area along the right property line, and use modular driveway paving consistent with Residential Design Guideline 2.2.4. See photo of previous landscaping below



7. Windows:

- Use casement windows with wood trim.
- If the applicant desires divided light windows on the front facade, they should be repeated on the other facades to be consistent with Residential Design Guideline 3.2.2. And, divided lites should be either true or simulated divided light (see example illustration below) to be consistent with Residential Design Guideline 3.7.4.



**True
Divided Lites**



**Simulated
Divided Lites**

Erin, I have no other recommendations for change.

Sincerely,

CANNON DESIGN GROUP



Larry L. Cannon

March 2, 2022
16668 Shannon Road – S-21-039

Architectural Memo March 2022 Issues/Concerns Response

1. The floor second floor bay window was removed. Eave heights were adjusted.
2. The back balcony was softened and sides opened.
3. The articulated base was removed. Window types and architectural details are now consistent around all sides as recommend.
4. The drive way landscaping is not being removed.

Architectural Recommendation Response:

1. The front facade was simplified as recommended by removing the bay window in favor of a rectangular window.
 2. The first floor eave heights were changed to have a common eave height.
 3. The rear balcony now wood beams in lieu of stucco as recommended and the sides were opened.
 4. Uniform eave heights were adopted.
 5. The projected base was removed instead of carrying it around to all sides as it became awkward with window placements.
 6. The drive way is not changing with the these plans. Existing landscaping will not be removed. We will be adding trees to the front of the property but we are awaiting Shannon Road Ped/Bike improvement plans. The diagram that points to the east part (right) of the front yard states “retain existing landscaped area” is a misunderstanding as driveway already exists there. The area was overgrown ivy from our neighbors property that has been removed – the existing tree (Pyracantha) will remain.
 7. Windows were update to be turn and tilt to maximize environmentally friendly air ventilation. The windows will not be divided.
- .

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TOWN OF LOS GATOS

PARKS AND PUBLIC WORKS DEPARTMENT

PHONE (408) 399-5770

FAX (408) 354-6824

SERVICE CENTER
41 MILES AVENUE
LOS GATOS, CA 95030

**A Tree Review of Proposed
New Single-Family Residence
The Binkley Residence
16668 Shannon Road
Los Gatos, CA 95030**

**Property Owners: Peter and Cheri Binkley
Project Designer: Cherine Bassal, Bassal Architecture
APN: 532-05-002
Zoned R-1:8**

Submitted to:

**Erin Walters: Associate Planner
Community Development Department
Town of Los Gatos
110 E. Main Street
Los Gatos, Ca. 95030**

**Submitted by:
Robert Moulden
Los Gatos Town Arborist
ISA Certified Arborist: #WE-0532A**

April 28, 2022

EXHIBIT 10



TOWN OF LOS GATOS

PARKS AND PUBLIC WORKS DEPARTMENT

PHONE (408) 399-5770

FAX (408) 354-6824

SERVICE CENTER
41 MILES AVENUE
LOS GATOS, CA 95030

Introduction

I have been asked by Los Gatos Community Development Dept. to review the potential tree impacts associated with plan for the technical demolition of an existing single-family residence and the construction of a new single-family residence located at 16888 Shannon Road, Los Gatos.

Trees on Site

There are no trees on the submitted plans that are in footprint of the proposed construction. There are two protected trees on the property. No trees are proposed to be removed as part of the proposed project.

Tree #1 is a 6.5" multi-trunk Eucalyptus Snow Gum that is in front of property on Eastern side. This tree is in good health.

Tree #2 is a 7.5" Ginko located in the Southeast corner of the rear property. This tree is in fair health.

In addition to the protected trees there are newly planted trees and fruit trees. There are three fruit trees located in the front landscape area of the property, recently planted. There are two newly planted avocado trees and a mature lemon tree located in the rear yard. There are three fruitless olive trees located in the front of the property, recently planted as tree replacement for the permitted removal of a diseased Box Elder formally located in the rear yard.

Recommendations

Tree #1 and a newly planted olive tree are located in a planting area in the front yard landscaping area and should be protected with Type I tree protection (2x4" s wrapped with orange fencing) to remain in place for duration of project.

The newly planted olive trees and fruit trees in the front yard landscaping area shall be protected with Type I tree protection (2x4" s wrapped with orange fencing) to remain in place for duration of project.

Tree #2 and the two newly planted avocado trees shall be protected by Type II tree protection fencing (permanent chain link fencing) at no less than 8' from the base of this tree, also to remain for duration of project.

Protective tree fencing shall be in place and inspected before start of construction, (see Sec.29.10.1005 below). If there are any questions concerning fencing, please let me know and I will assist as needed.



TOWN OF LOS GATOS
PARKS AND PUBLIC WORKS DEPARTMENT
PHONE (408) 399-5770
FAX (408) 354-6824

SERVICE CENTER
41 MILES AVENUE
LOS GATOS, CA 95030

Sec.29.10.1005. – Protection of trees during construction

(a) Protective tree fencing shall specify the following:

(1) Size and materials: A five (5) or six (6) foot high chain link fencing, mounted on two-inch diameter galvanized iron posts, shall be driven into the ground to a depth of at least two (2) feet at no more than 10-foot spacing. For paving area that will not be demolished and when stipulated in a tree preservation plan, posts may be supported by a concrete base.

(2) Area type to be fenced. Type I: Enclosure with chain link fencing of either the entire drip line 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 cut-out only (such as downtown): orange plastic fencing shall be wrapped around the trunk from the ground to the first branch with 2-inch wooden boards bound securely on the outside. Caution shall be used to avoid damaging any bark or branches.

(3) Duration of Type I, II, III fencing. Fencing shall be erected before demolition, grading or construction begins and remain in place until final landscaping is required. Contractor shall first obtain the approval of the project arborist on record prior to removing a tree protection fence.

(4) Warning sign. Each tree fence shall have prominently displayed an 8.5 x 11-inch sign stating: "Warning—Tree Protection Zone-this fence shall not be removed and is subject to penalty according to Town Code 29.10.1025".

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

(1) Prior to the commencement of construction, install the fence at the drip line, 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 or vehicles inside the fence. The drip line shall not be altered in any way so as to increase the encroachment of the construction.

(2) Prohibit excavation, grading, drainage and levelling within the drip line of the tree unless approved by the director.

(3) Prohibit disposal or depositing of oil, gasoline, chemicals or other harmful materials within the drip line of or in drainage channels, swales or areas that may lead to the drip line of a protected tree



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41 MILES AVENUE
LOS GATOS, CA 95030

- (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 drip line when feasible.
- (6) Retain the services of the certified or consulting arborist for periodic monitoring of the project site and the health of those trees to be preserved. The certified or consulting arborist shall be present whenever activities occur which poses a potential threat to the health of the trees to be preserved.
- (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.

Rob Moulden
(408) 761-4530
Town Arborist

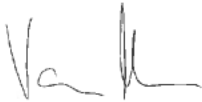
Neighborhood Outreach Summary
16668 Shannon Road – S-21-039
March 1, 2022

Out reach has been ongoing since July 2020. I have updated the previous Memo.

1. Arun & Poojam Venugopal [REDACTED] Supportive Since Sept 2020, have seen plans multiple times
2. Jimmie Yip & Helen Sun [REDACTED] Supportive since Sept 2020, text with plans and website sent 7/1/21, windows removed at their request in design process
3. Sheila & Mark Bony [REDACTED] Supportive since Sept 2020, text with plans and website sent 7/1/21, they remain supportive
4. Ankush & Revti [REDACTED] Supportive Since Jan 2021
5. [REDACTED] owners living in Santa Cruz just moved left prelim letter for new owners 7/1/21 Now Andry Horwitz very supportive
6. Ryan Rosenberg [REDACTED] spoke to son who will pass letter on to parents 7/1/21 , since then spoken many times
7. Ned Finkle [REDACTED] supportive 7/1/21
8. Micheal & Anital Nyland [REDACTED] supportive 7/1/21
9. [REDACTED] no answer letter left 7/1/21 have spoken in passing and supportive
10. [REDACTED] no answer letter left 7/1/21
11. [REDACTED] no answer letter left 7/1/21

Dear Town of Los Gatos,

I am writing in support of the project at 16668 Shannon Rd, Los Gatos, CA 95032. The home owners, Peter & Cheri Binkley have been actively involved with us and other neighbors on their plans and have taken our feedback into consideration. We believe their new construction will improve the look of the street & community and will fit into the neighborhood.



Regards,

Varun Sivakumar & Pooja Venugopal

████████ Shannon Rd, Los Gatos, CA

408-████████

From: Helen Sun <[REDACTED]>
Sent: Wednesday, April 20, 2022 12:05 PM
To: Erin Walters <EWalters@losgatosca.gov>
Subject: 16668 Shannon Rd: Renovation Project

EXTERNAL SENDER

Hi Erin,

it is nice to e-meet you here. This is Helen and Jimmy at [REDACTED]. We are here to support our neighbor, Cheri and Pete's renovation project to expand and improve the existing house as long as we can continue maintaining the level of privacy of our property. Our initial concern was the privacy if there will be windows looking into our driveway and the kitchen/dining windows from their second floor because our garage is more setback beyond the main house. Cheri and Pete are aware of this concern and it appears that they had modified their initial design to two small privacy windows in the bathroom facing our side (west side) on the second floor. They have been attentive to how the neighbors feel about their project.

Thank you!

Helen

From: Mark Wyss <[REDACTED]>

Sent: Wednesday, April 20, 2022 2:41 PM

To: Erin Walters <EWalters@losgatosca.gov>

Subject: Support for the Remodel Plans for 16668 Shannon Rd, Los Gatos, CA 95032

EXTERNAL SENDER

Hello,

I am a homeowner on [REDACTED] and wanted to express my approval of the plans to build such a beautiful home on our street.

Thank you,

Mark S. Wyss, Realtor

Proudly Serving Peninsula & South Bay Communities

Compass Real Estate – Los Gatos

[REDACTED]

[REDACTED]

Cal. BRE# [REDACTED]

Team Wyss - [REDACTED]

[REDACTED] **Agent in the County** by Real Trends The Thousand, as advertised in the Wall Street Journal

Ranked # [REDACTED] in California in Transaction Sides

[REDACTED] in SF Bay Area Leading 100

300+ 5-star Reviews On [Zillow.com](https://www.zillow.com)

From: Ned Finkle [REDACTED]
Sent: Wednesday, April 20, 2022 4:38 PM
To: Erin Walters <EWalters@losgatosca.gov>
Subject: Brinkley house plans

EXTERNAL SENDER

Hi Erin,
I am a neighbor to the Brinkleys and support their house plan.
Thanks !
Ned Finkle
[REDACTED] [REDACTED]

From: Ryan Rosenberg <[REDACTED]>
Sent: Wednesday, April 20, 2022 10:49 PM
To: Erin Walters <EWalters@losgatosca.gov>
Cc: Cheri Finalle [REDACTED]; Maria Gerst [REDACTED] binkley Peter
<[REDACTED]>
Subject: We are fine with the work at

EXTERNAL SENDER

Dear Erin,

We support the planned home remodel of our neighbors, Peter Binkley and Cheri Finalle, at 16688 Shannon Road.

Regards,
Ryan Rosenberg
Maria Gerst
[REDACTED] [REDACTED]

From: Andrew Horwitz <[REDACTED]>
Sent: Thursday, April 21, 2022 7:47 AM
To: Erin Walters <EWalters@losgatosca.gov>
Cc: Cheri Finalle <[REDACTED]>
Subject: Support for 16668 Home Remodel

EXTERNAL SENDER

Planning Commission,

We support the continued investment in our neighborhood and support the home remodel of the Binkley family at 16668 Shannon Road.

Regards,

Andy Horwitz

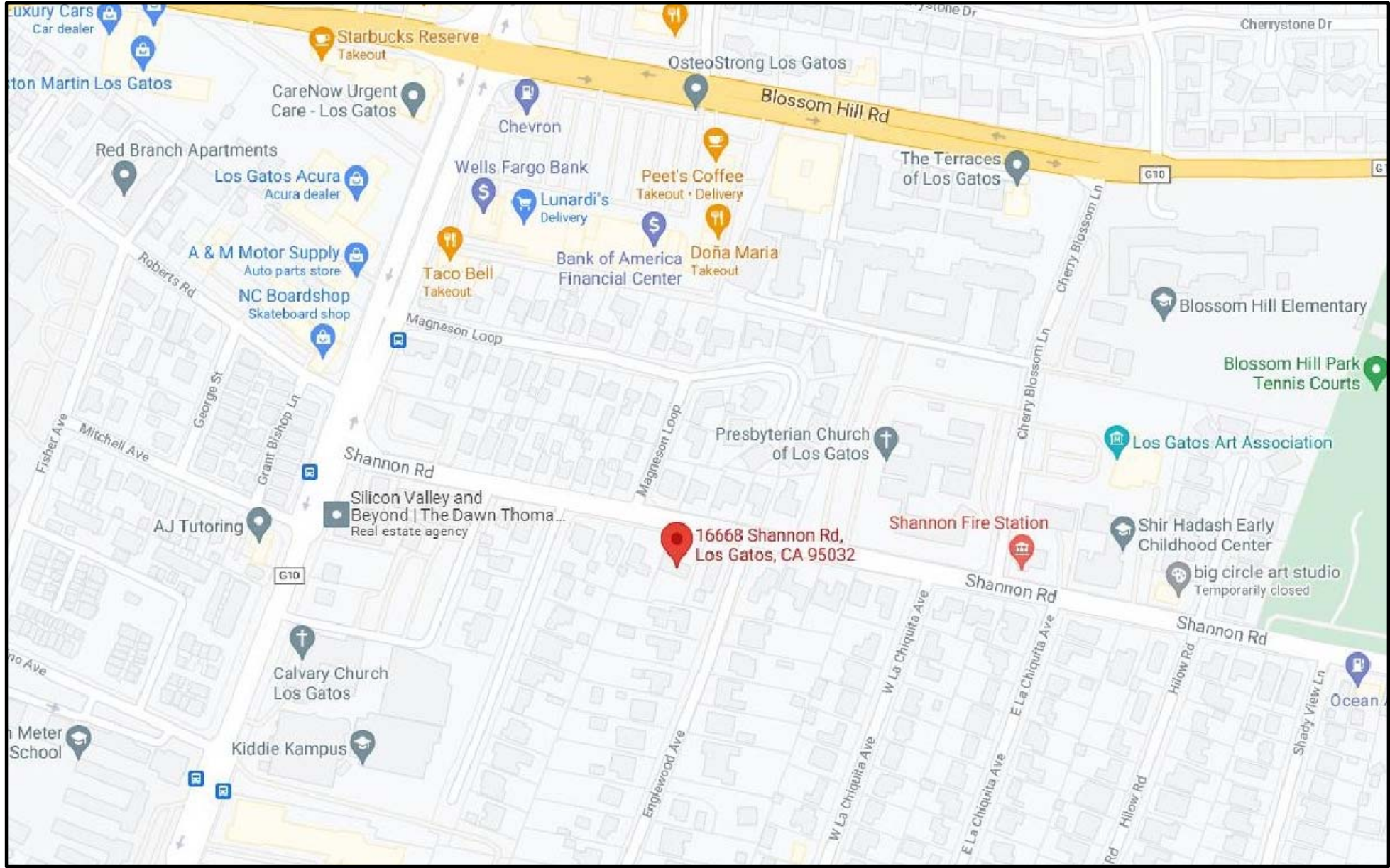
Resident: [REDACTED] [REDACTED]

--

Andy Horwitz
[REDACTED]
[REDACTED]

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BINKLEY RESIDENCE
16668 SHANNON ROAD
LOS GATOS, CA 95032



VICINITY MAP

A1.0	PROJECT DATA / VICINITY MAP
A1.1	PROPOSED SITE PLAN
A1.2	EXISTING/ DEMOLITION SITE PLAN
A1.3	TREE PROTECTION CONDITIONS
G1	GRADING PLAN
A2.1	PROPOSED FIRST FLOOR PLAN
A2.2	PROPOSED SECOND FLOOR PLAN
A2.3	PROPOSED CELLAR PLAN / BUILDING SECTION
A2.4	TECHNICALDEMOLITION FLOOR PLAN
A2.5	ROOF PLAN
A3.1	EXTERIOR ELEVATIONS
A3.2	EXTERIOR ELEVATIONS / LIGHT FIXTURE
A4.1	EXISTING FLOOR PLAN
A4.2	EXISTING ELEVATIONS / PICTURES
A5.1	STREETSCAPE
A5.2	SHADOW STUDY

SHEET INDEX

CONTACT: PETER & CHERI BINKLEY
(281) 543-3041

- NET LOT SIZE: 15,392 SQ. FT. = 0.36 AC.
APN 532-05-002
ZONING: R-1:8
LOT HAS LESS THAN 2% SLOPE

FIRE SPRINKLERS WILL BE INSTALLED

PROJECT SCOPE:

TECHNICAL DEMOLITION OF EXISTING ONE-STORY 1806 S.F. RESIDENCE AND 715 S.F. ATTACHED GARAGE. PROPOSED NEW TWO-STORY HOME WITH ATTACHED THREE CAR GARAGE. PROPOSED ATTACHED JUNIOR ADU (SEPARATE ADU PERMIT REQUIRED). NO PROTECTED TREES ARE PROPOSED TO BE REMOVED

- ALLOWED FLOOR AREA FOR THE HOUSE EXCLUDING GARAGES:
FAR = 0.35 - (15.4 - 5)/25 x 0.20
FAR = 0.35 - 0.428 x 0.20
FAR = 0.2668 = 26.7 %
FAR FOR HOUSE = 4,109 SQ. FT.
- ALLOWED FLOOR AREA FOR THE GARAGES:
FAR = 0.10 - (15.4 - 5)/25 x 0.07
FAR = 0.10 - 0.428 x 0.07
FAR = 0.070 = 7.0 %
FAR GARAGES = 1,077 SQ. FT.
- MAXIMUM ALLOWABLE FLOOR AREA FOR GARAGE: 1,091 S.F.

FLOOR AREA RATIO (FAR)

	EXISTING	PROPOSED	MAX. ALLOWED	
LOT SIZE	15,392 S.F.	SAME		
1ST FLOOR	1,806 S.F.	2,480 S.F.		
2ND FLOOR	0	750 S.F.		
ATTIC	0	80 S.F.		
BELOW GRADE S.F.	0	450 S.F. (NOT COUNTABLE)		
TOTAL COUNTABLE	1,806 S.F.	3,230 S.F. + Countable ADU 110 S.F. + Attic Space 80 s.f. = 3,420 S.F.	4,108 S.F. MAX.	REQUIRES APPROVAL OF A4S FOR NEW 2 STORY HOUSE
GARAGE	500 S.F.	715 S.F.	1,091 S.F. MAX.	
APPROVED DETACHED ADU	0	810 S.F. (ADU EXEMPT)		APPROVED D-22-010
ATTACHED 2ND. STORY JR. ADU	0	390 S.F. (ADU Exempt + 110 S.F. (Countable Towards House) = 500 S.F.		REQUIRES APPROVAL OF A4S FOR NEW 2 STORY HOUSE, ADU PERMIE, NEW ADDRESS
ADU FAR 10% BUMP	0	1,200 S.F. MAX.		1,200 S.F. MAX.

LOT COVERAGE:

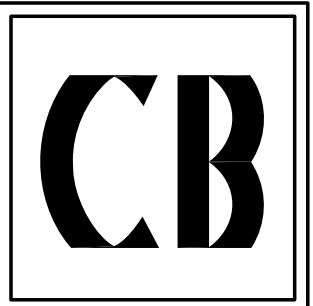
FLOOR AREA	AREA	COVERAGE
HOUSE & GARAGE	3,195 S.F.	20.75 %
PORCHES	685 S.F.	4.4 %
DETACHED ADU	810 S.F.	5.26 %
TOTAL LOT COVERAGE		30.41 %

ALLOWED LOT COVERAGE: 40%

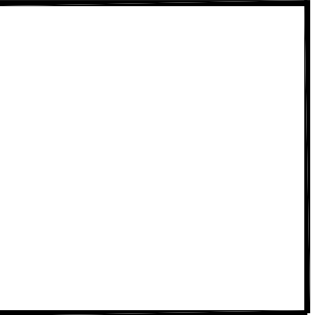
PERMIT APPROVED D-22-010

PROJECT DATA

REVISIONS	BY



BASSAL
Architecture
916.435.0605
408.674.2077



PROJECT DATA

BINKLEY RESIDENCE
16668 SHANNON ROAD
LOS GATOS, CA 95032

DATE:	3-21-2022
SCALE:	NOTED
DRAWN	CB
JOB NO	
SHEET NO.	A1.0
OF SHEETS	

Tree Protection Conditions

1. TREE FENCING. Protective tree fencing 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 fencing plan with the construction plans. Tree fencing should be established at least 24 inches from existing hardscape, and placed no farther than 60 inches from the existing structure. The fencing should consist of five-to six foot high chain link mounted on eight foot tall, two-inch diameter galvanized steel posts that are driven into the ground 24 inches deep and spaces apart no more than approximately ten feet. It must remain intact and maintained throughout construction, and only removed upon completion of construction and final inspection.

a. Pursuant to Section 29.10.1005(a)(4) of the Town Code, 8.5-by 11-inch warning signs shall be affixed and proximately displayed on each side of the fencing opposite the trees' trunks: "WARNING- Tree Protection Zone- this fence shall not be removed and is subject to penalty according to Town Code 29.10.1025." These signs should be intact prior to commencing demolition.

2. The posts should be planned at least 10 feet from the trunk, minimized in diameter and spaced as far apart as possible (e.g. at least five plus feet apart). The design should specify that the post holes are manually dug using a post hole digger or shovel, and roots two inches and greater in diameter retained and protected through the process (in the event a root of this size is encountered during digging, the hole should be shifted over 12 inches and the process repeated).
3. All utilities and services (e.g. storm drain, area drain, joint trenches, electrical, water, sewer, fiber optic, gas, etc) should be routed beyond the tree protection zone (TPZ). In the event this is not feasible, the location and proximity to the tree's trunk would dictate which of the following methods can offer sufficient mitigation: hand-digging, a pneumatic air device or directional boring. For directional boring, the ground above any tunnel must remain undistributed, and access pits and any infrastructure (e.g. splice boxes, meters and vaults) established beyond the TPZ.
4. Any future pathway or other landscape features established within a TPZ should be a raised or no-dig design, with a vertical soil cute of no more than 2 to 3 inches (including for base material, edging and forms); or where there are large surface roots (e.g. greater or equal to 2 inches in diameter), then on top of (i.e. raised above) the roots. Additionally, compaction of the soil surface or subgrade must be avoided (foot tamping is acceptable), and soil fill used to bevel the top of walk or drive to existing grade should be confined to 24 inches beyond the edge, and be at least 24 inches from the tree's trunk.
5. Where beneath a tree's canopy, over excavation, compaction, grading, trenching, and other soil disturbance beyond any approved curb, gutter, pavement, wall, building foundation or driveway should be confined to 12 inches.
6. Staging areas and routes of access should be planned beyond tree canopies.
7. Preventative measures shall be implemented to avoid soil eroding or being spread/placed downhill beneath a tree's canopy.
8. Spoils created during digging should not be piled or spread on unpaved ground within the TPZ, rather they should be temporarily piled on plywood or a tarp.

9. The limits of grading should be staked upon completion of demolition and prior to any soil cut, fill or compaction (the protection fencing may also need to be modified at this stage to protect tree roots).
10. Great care must be taken during demolition of existing hardscape, curb/gutters, staircases, walkways, walls, sheds, foundations, fences, planter boards, mowbands, etc. within a TPZ to avoid excavating into roots and existing grade. Also, equipment used during the process must not operate or travel on a newly exposed soil surface.
11. Tree trunks must not be used as winch supports for moving or lifting heavy loads.
12. Fill and debris covering root collars should be cleared to minimize the risk of harmful organisms rotting healthy tissue. This work involves manually clearing soil to expose the root collar, work that must be carefully performed to avoid damaging the trunk and roots during the process.
13. Dust accumulating on trunks and canopies during dry weather periods should be periodically washed away (e.g. every month or two).
14. The disposal of harmful products (such as cement, paint, chemicals, oil and gasoline) is prohibited beneath canopies or anywhere on site that allows drainage beneath or near TPZs. Herbicides should not be used with a TPZ; where used on site, they should be labeled for safe use near trees.
15. The landscape design should conform to the following additional guidelines:

a. Plant material installed beneath the canopies of oaks must be drought-tolerant, limited in amount, and planted at least five or more feet from their trunks. Plant material installed beneath the canopies of all other trees should be at least 24 to 36 inches from their trunk.

b. Irrigation can, overtime, adversely impact the oaks and should be avoided. Irrigation for any new plant material beneath an oak's canopy should be low volume, applied irregularly (such as only once or twice per week), and temporary (such as no more than three years).

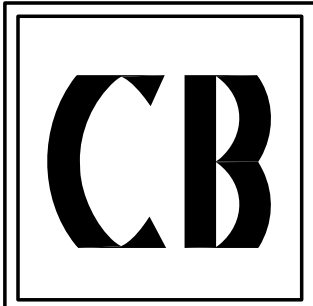
c. Irrigation should not be applies within five feet from the oak trunks, or within six inches from the trunks of all other trees (existing and proposed).

d. Irrigation and lighting features (e.g. main line, lateral lines, valve boxes, wiring and controllers) should be established so that no trenching occurs within a TPZ. In the event this is not feasible, they may require being installed in a radial direction to a tree's trunk, and terminate a specific distance from a trunk (versus crossing past it). Should this not be possible, the work may need to be performed using a pneumatic air device to avoid root damage.

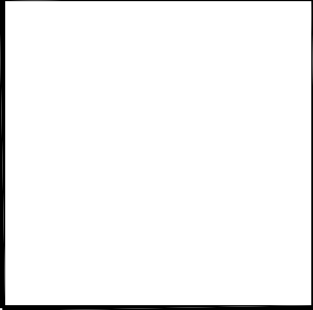
e. Ground cover beneath canopies should be compromised of a three- to four-inch layer of coarse wood chips or other high-quality mulch (gorilla hair, bark or rock, stone, gravel, black plastic or other synthetic ground cover should be avoided). Mulch should not be placed against the tree trunk.

TREE PROTECTION CONDITIONS

REVISIONS	BY



BASSAL
Architecture
916.435.0605
408.674.2077



TREE PROTECTION CONDITIONS

BINKLEY RESIDENCE
16668 SHANNON ROAD
LOS GATOS, CA 95032

DATE:	3-21-2022
SCALE:	NOTED
DRAWN	CB
JOB NO	
SHEET NO.	A1.3
OF	SHEETS

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CONSTRUCTION NOTES

- 1) Roof rainwater leaders are to be discharged onto splash blocks or paved surfaces that will spread the rainwater so that it enters the landscaped areas as sheet flow. No improvements shall obstruct or divert runoff to the detriment of an adjacent downstream or downslope property.
- 2) GENERAL: All public improvements shall be made according to the latest adopted town standards plans, standard specifications and engineering design standards. All work shall conform to the applicable Town ordinances. The adjacent public right of way shall be kept clear of all job-related mud, silt, concrete, dirt and other construction debris at the end of the day. Dirt and debris shall not be washed into storm drainage facilities. The storing of goods and materials on the sidewalk and/or street will not be allowed unless an encroachment permit is issued by the engineering division of the Parks and Public Works Department. The owner and/or applicants' representative in charge shall be at the job site during all working hours. Failure to maintain the public right of way according to this condition may result in the issuance of correction notices, citations, or stop work orders and the Town performing the required maintenance at the owner and/or applicant's expense.
- 3) ENCROACHMENT PERMIT: All work in the public right of way will require a construction encroachment permit. All work over \$5000 will require construction security. It is the responsibility of the owner/applicant to obtain any necessary encroachment permits from affected agencies and private parties including but not limited to PG&E, AT&T, Comcast, Valley Water, Caltrans. Copies of any approvals or permits must be submitted to the town engineering division of the parks and public works department prior to releasing any permit.
- 4) PUBLIC WORKS INSPECTIONS: The owner and/or applicant or their representative shall notify the engineering inspector at least 24 hours before starting any work pertaining to the on-site drainage facilities, grading or paving, and all work in the town's right of way. Failure to do so will result in penalties and rejection of any work that occurred without inspection.
- 5) RESTORATION OF PUBLIC IMPROVEMENTS: The owner and or applicant or their representative shall repair or replace all existing improvements not designated for removal that are damaged or removed because of the owner and or applicant or their representative's operations. Improvements such as, but not limited to, curbs, gutters, sidewalks, driveways, signs, pavements, raised pavement markers, thermal plastic pavement markings, etc. shall be repaired and replaced to a condition equal to or better than the original condition. Any new concrete shall be free of stamps, logos, names, graffiti, etc. Any concrete identified that is displaying a stamp or equal shall be removed and replaced at the contractor's sole expense and no additional compensation shall be allowed therefore. Existing improvement to be repaired or replaced shall be at the direction of the engineering construction inspector and shall comply with all title 24 disabled access provisions. The restoration of all improvements identified by the engineering construction inspector shall be completed before the issuance of a certificate of occupancy. The owner and or applicant or their representative shall request a walkthrough with the engineering construction inspector before the start of construction to verify existing conditions.
- 6) SITE SUPERVISION: The general contractor shall provide qualified supervision on the job site at all times during construction.
- 7) STREET/SIDEWALK CLOSURE: Any proposed blockage or partial closure of the street and or sidewalk requires an encroachment permit special provisions such as limitations on works hours, protective enclosures, or other means to facilitate public access in a safe manner may be required.
- 8) DESIGN CHANGES: Any proposed changes to the approved plans shall be subject to the approval of the Town prior to the commencement of any and all altered work. The owner and or applicants project engineer shall notify in writing the Town engineer at least 72 hours in advance of all of the proposed changes. Any approved changes shall be incorporated into the final "as-built" plans.
- 9) TREE REMOVAL: copies of all necessary tree removal permits shall be provided prior to the issuance of a grading permit/building permit.
- 10) PRECONSTRUCTION MEETING: prior to the commencement of any site work, the general contractor shall:
 - a) Along with the owner and or applicant, attend a pre-construction meeting with the town engineer to discuss the project conditions of approval, working hours, site maintenance and other construction matters.
 - b) Acknowledge in writing that they have read and understand the project conditions of approval and will make certain that all project subcontractors have read and understood them as well prior to commencing any work, and that a copy of the project conditions of approval will be posted on site at all times during construction.
- 11) WATER METER: The existing water meter currently located within the Shannon Road right of way shall be relocated within the property in question directly behind the public right of way line. The owner and or applicant shall repair and replace to existing town standards any portion of concrete flat work within said right of way that is damaged during this activity prior to the issuance of a certificate of occupancy.
- 12) SANITARY SEWER CLEANOUT: A sanitary sewer cleanout shall be located within the property in question within one foot of the property line per West Valley Sanitation District standard drawing 3 or at a location specified by the Town. the owner and or applicant shall repair and replace to existing town standards any portion of concrete flat work within said right of way that is damaged during this activity prior to the issuance of a certificate of occupancy.
- 13) CONSTRUCTION VEHICLE PARKING: construction vehicle parking within the public right of way will only be allowed if it does not cause access or safety problems as determined by the town.
- 14) ADVANCE NOTIFICATION: advanced notification of all affected residents and emergency services shall be made regarding parking restriction, lane or road closure, with specification dates and hours of operation.
- 15) HAULING OF SOIL: Hauling of soil on or off site shall not occur during the morning or evening peak periods (between 7:00 o'clock AM and 9:00 o'clock AM and between 4:00 o'clock PM and 6:00 o'clock PM) and at other times as specified by the Director of Parks and Public Works. Cover all trucks hauling soil, sand and other loose debris.
- 16) CONSTRUCTION NOISE: Between the hours of 8:00 AM to 8:00 PM weekdays and 9:00 AM to 7:00 PM weekends and holidays construction, alteration or repair activities shall be allowed. no individual piece of equipment shall produce a noise level exceeding 85 dBA at 25 feet from the source. If the device is located within a structure on the property the measurement shall be made at a distance as close to 25 feet from the device as possible. The noise level at any point outside of the property plane shall not exceed 85 dBA.
- 17) WEST VALLEY SANITATION DISTRICT: A sanitary sewer clean out is required add the property line, within one foot of the property line per West Valley sanitation district standard drawing 3, or at a location specified by the town.
- 18) BEST MANAGEMENT PRACTICES (BMPs): the owner and or applicant is responsible for ensuring that all contractors are aware of all storm water quality measures and that such measures are implemented. BMP's shall be maintained and be placed for all areas that have been graded or disturbed and for all material, equipment and or operations that need protection. Removal of BMP's (temporary removal during construction activities) shall be replaced at the end of each working day. Failure to comply with construction BMP's will result in the issuance of correction notices, citations, or stop work orders.
- 19) EROSION CONTROL: Interim and final erosion control plans shall be prepared and submitted to the engineering division of the parks and public works department. A

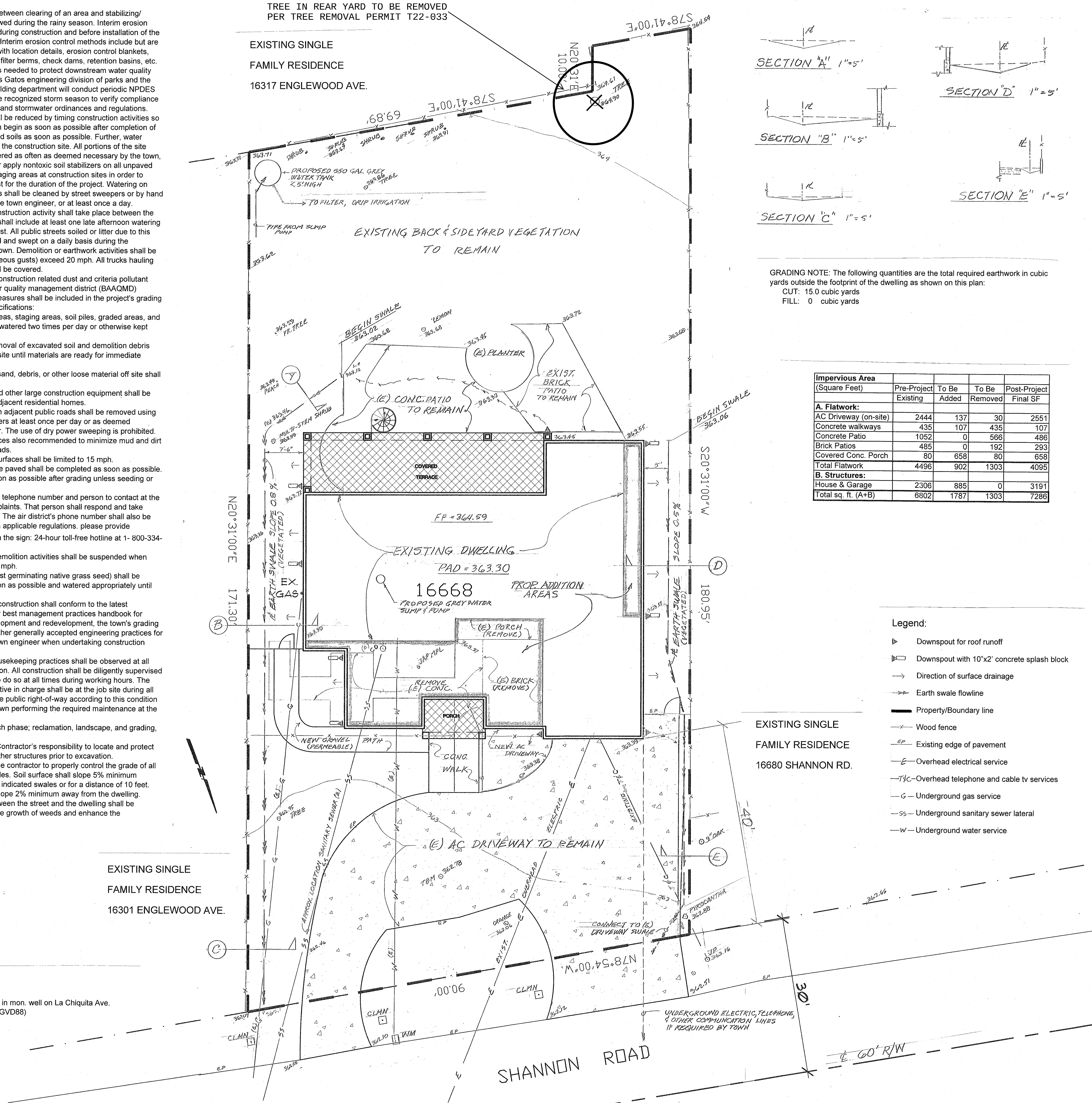
- maximum of two weeks is allowed between clearing of an area and stabilizing/ building on an area if grading is allowed during the rainy season. Interim erosion control measures, to be carried out during construction and before installation of the final landscaping, shall be included. Interim erosion control methods include but are not limited to: silt fences, fiber rolls with location details, erosion control blankets, town standard seating specification, filter berms, check dams, retention basins, etc. Provide erosion control measures as needed to protect downstream water quality during winter months the town of Los Gatos engineering division of parks and the public works department and the building department will conduct periodic NPDES inspections of the site throughout the recognized storm season to verify compliance with the construction general permit and stormwater ordinances and regulations.
- 20) DUST CONTROL: blowing dust shall be reduced by timing construction activities so that paving and building construction begin as soon as possible after completion of grading and by landscaping disturbed soils as soon as possible. Further, water trucks shall be present and in use at the construction site. All portions of the site subject to blowing dust shall be watered as often as deemed necessary by the town, or a minimum of three times daily, or apply nontoxic soil stabilizers on all unpaved access roads, parking areas, and staging areas at construction sites in order to ensure proper control of blowing dust for the duration of the project. Watering on public streets shall not occur. Streets shall be cleaned by street sweepers or by hand as often as deemed necessary by the town engineer, or at least once a day. Watering associated with on-site construction activity shall take place between the hours of 8:00 AM and 5:00 PM and shall include at least one late afternoon watering to minimize the effects of blowing dust. All public streets soiled or litter due to this construction activity shall be cleaned and swept on a daily basis during the workweek to the satisfaction of the town. Demolition or earthwork activities shall be halted when wind speeds (instantaneous gusts) exceed 20 mph. All trucks hauling soil, sand, or other loose debris shall be covered.
- 21) AIR QUALITY: to limit the projects construction related dust and criteria pollutant emissions, the following Bay Area air quality management district (BAAQMD) recommended basic construction measures shall be included in the project's grading plan building plans and contract specifications:
- a) All exposed surfaces (parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day or otherwise kept dust free.
 - b) All haul trucks designated for removal of excavated soil and demolition debris from the site shall be staged offsite until materials are ready for immediate loading and removal from site.
 - c) All haul trucks transporting soil, sand, debris, or other loose material off site shall be covered.
 - d) As practicable, all haul trucks and other large construction equipment shall be staged in areas away from the adjacent residential homes.
 - e) All visible mud or dirt track out on adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day or as deemed appropriate by the town engineer. The use of dry power sweeping is prohibited. And on site trackout control devices also recommended to minimize mud and dirt track out onto adjacent public roads.
 - f) All vehicle speeds on unpaved surfaces shall be limited to 15 mph.
 - g) All driveways and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
 - h) Post a publicly visible sign with a telephone number and person to contact at the lead agency regarding dust complaints. That person shall respond and take corrective action within 48 hours. The air district's phone number shall also be visible to ensure compliance with applicable regulations. please provide BAAQMD's complaint number on the sign: 24-hour toll-free hotline at 1-800-334-ODOR (6367).
 - i) all excavation, grading, and or demolition activities shall be suspended when average wind speeds exceed 20 mph.
 - j) Vegetative ground cover (e.g., fast germinating native grass seed) shall be planted in disturbed areas as soon as possible and watered appropriately until vegetation is established.
- 22) CONSTRUCTION ACTIVITIES: all construction shall conform to the latest requirements of CASQA storm water best management practices handbook for construction activities and new development and redevelopment, the town's grading and erosion control ordinance and other generally accepted engineering practices for erosion control as required by the town engineer when undertaking construction activities.
- 23) GOOD HOUSEKEEPING: Good Housekeeping practices shall be observed at all times during the course of construction. All construction shall be diligently supervised by a person or persons authorized to do so at all times during working hours. The owner and/or applicant's representative in charge shall be at the job site during all working hours. Failure to maintain the public right-of-way according to this condition may result in penalties and/or the town performing the required maintenance at the owner and/or applicant's expense.
- 24) PERMIT ISSUANCE: permits for each phase; reclamation, landscape, and grading, shall be issued simultaneously.
- 25) UNDERGROUND STRUCTURES: Contractor's responsibility to locate and protect all underground utilities, pipes and other structures prior to excavation.
- 26) GRADES: It is the responsibility of the contractor to properly control the grade of all drain lines, sloped surfaces and swales. Soil surface shall slope 5% minimum downward away from the dwelling to indicated swales or for a distance of 10 feet. Paved impermeable surfaces shall slope 2% minimum away from the dwelling.
- 27) MULCH: All disturbed soil areas between the street and the dwelling shall be smoothed and mulched to prevent the growth of weeds and enhance the appearance during construction.

BENCHMARK:
LGBM #39, Brass disk in mon. well on La Chiquita Ave.
Elevation = 360.23' (NGVD83)

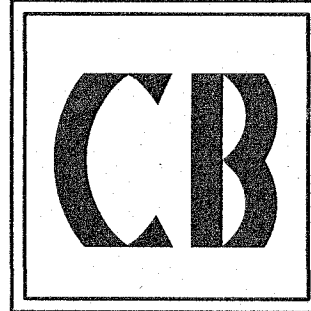
EXISTING SINGLE
FAMILY RESIDENCE
16301 ENGLEWOOD AVE.

TREE IN REAR YARD TO BE REMOVED
PER TREE REMOVAL PERMIT T22-033

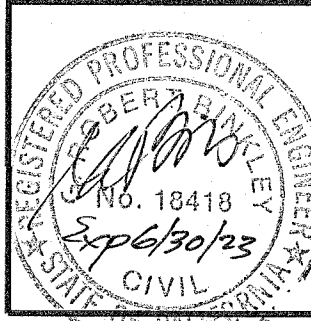
EXISTING SINGLE
FAMILY RESIDENCE
16317 ENGLEWOOD AVE.



REVISIONS	BY
2/15/22 GENL.	CHS



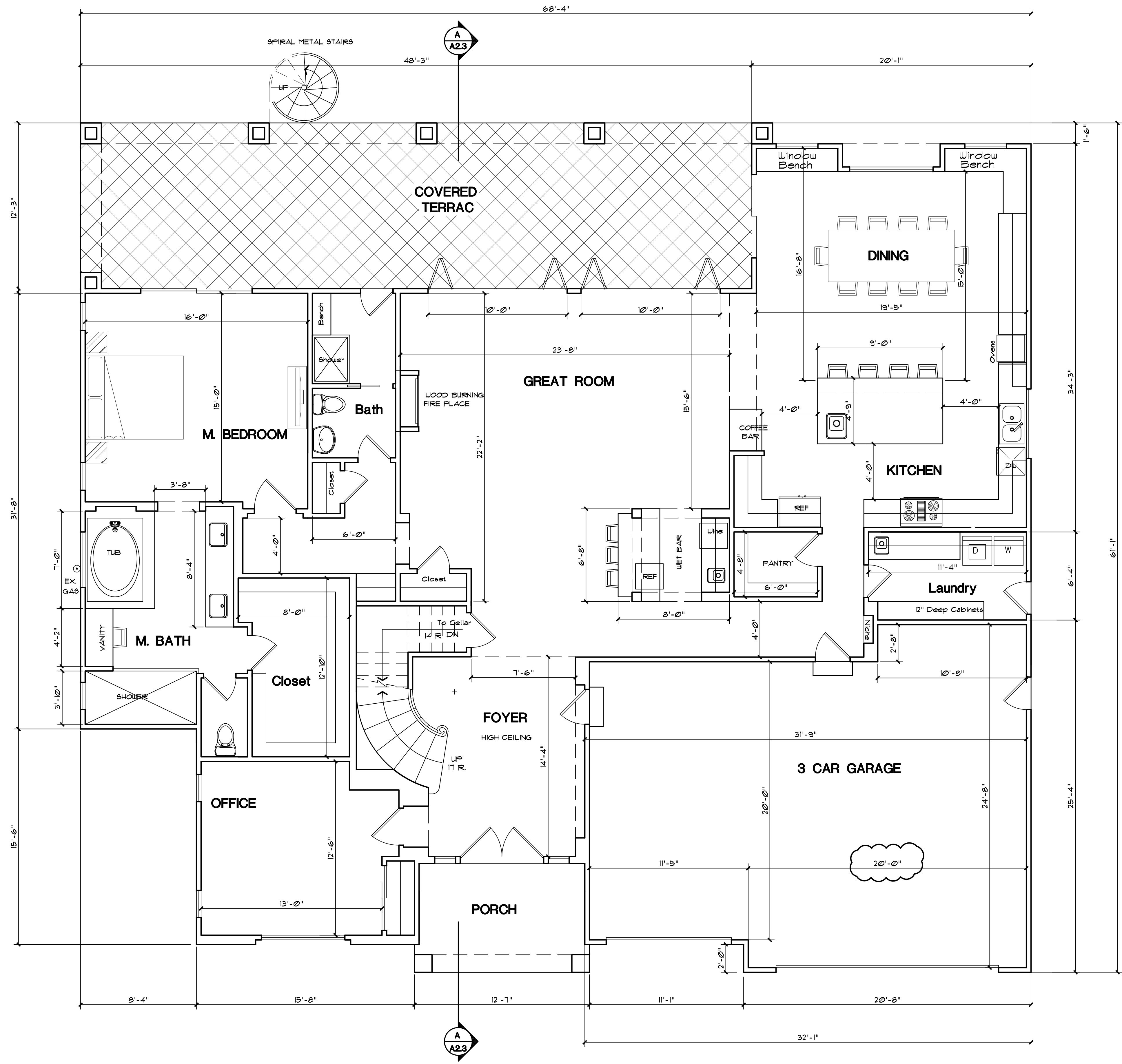
BASSAL
Architecture
916.435.0605
408.674.9077



GRADING AND DRAINAGE
PLAN

BINKLEY RESIDENCE
16688 SHANNON ROAD
LOS GATOS, CA 95032

DATE:	1/31/22
SCALE:	1"=10'-0"
DRAWN:	GRB
JOB NO:	
SHEET NO:	1
OF 1 SHEETS	



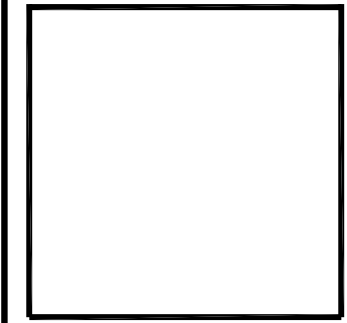
FIRST FLOOR
2,480 SQ. FT. (NOT INCLUDING STAIRS)

FIRST FLOOR PLAN

REVISIONS	BY
PLANNING 1-14-2022	

CB

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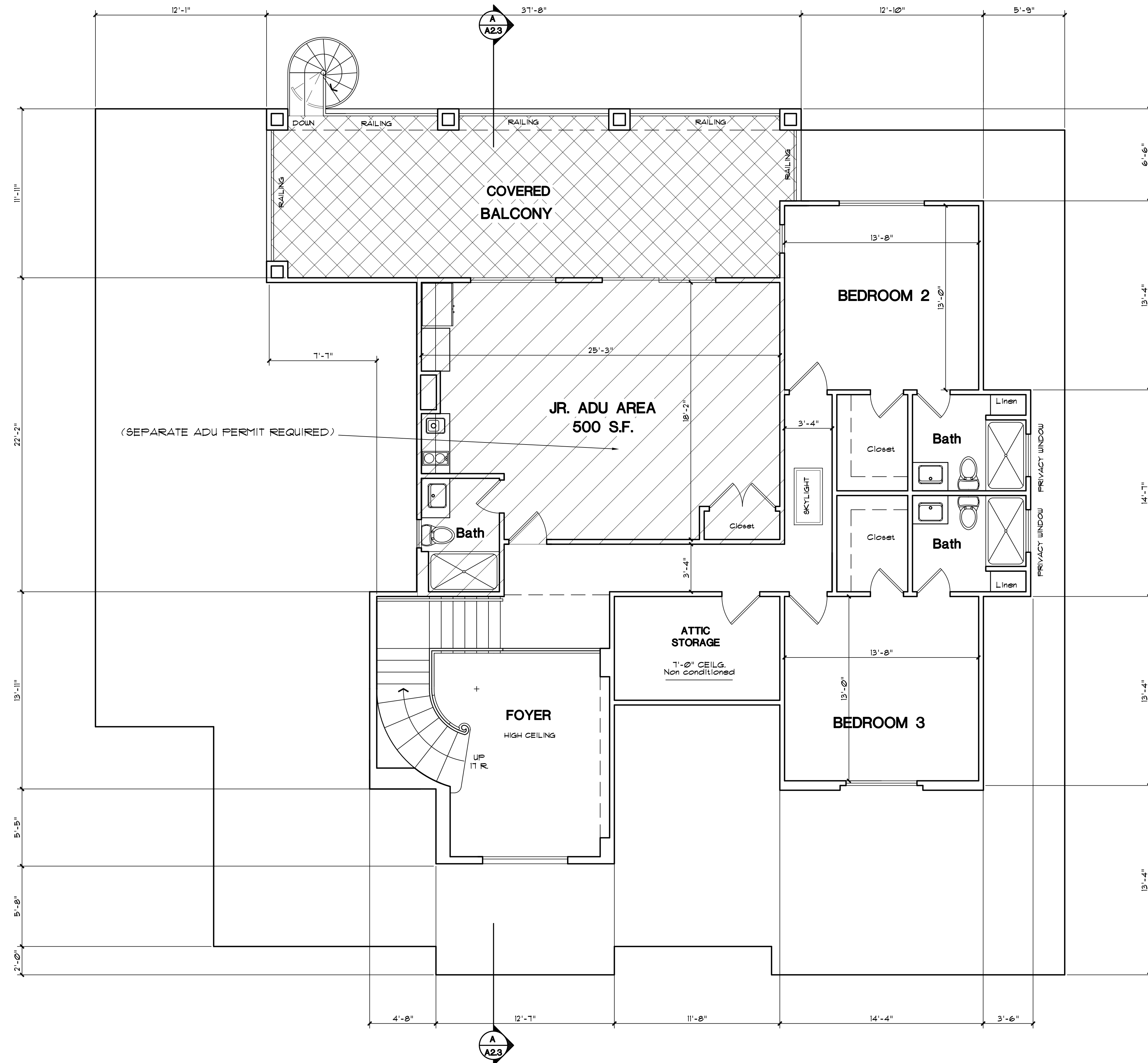


FIRST
FLOOR PLAN

BINKLEY RESIDENCE
16668 SHANNON ROAD
LOS GATOS, CA 95032

DATE: 3-21-2022
SCALE: 1/4" = 1'-0"
DRAWN CB
JOB NO
SHEET NO. A2.1
OF SHEETS

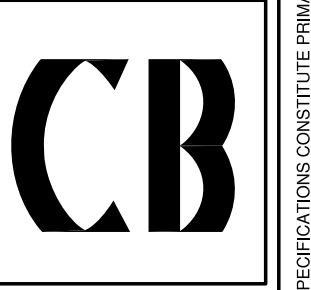
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SECOND FLOOR 750 SQ. FT.
JR. ADU 500 SQ. FT.
(STAIRS COUNTED ONCE)

SECOND FLOOR PLAN

REVISIONS	BY

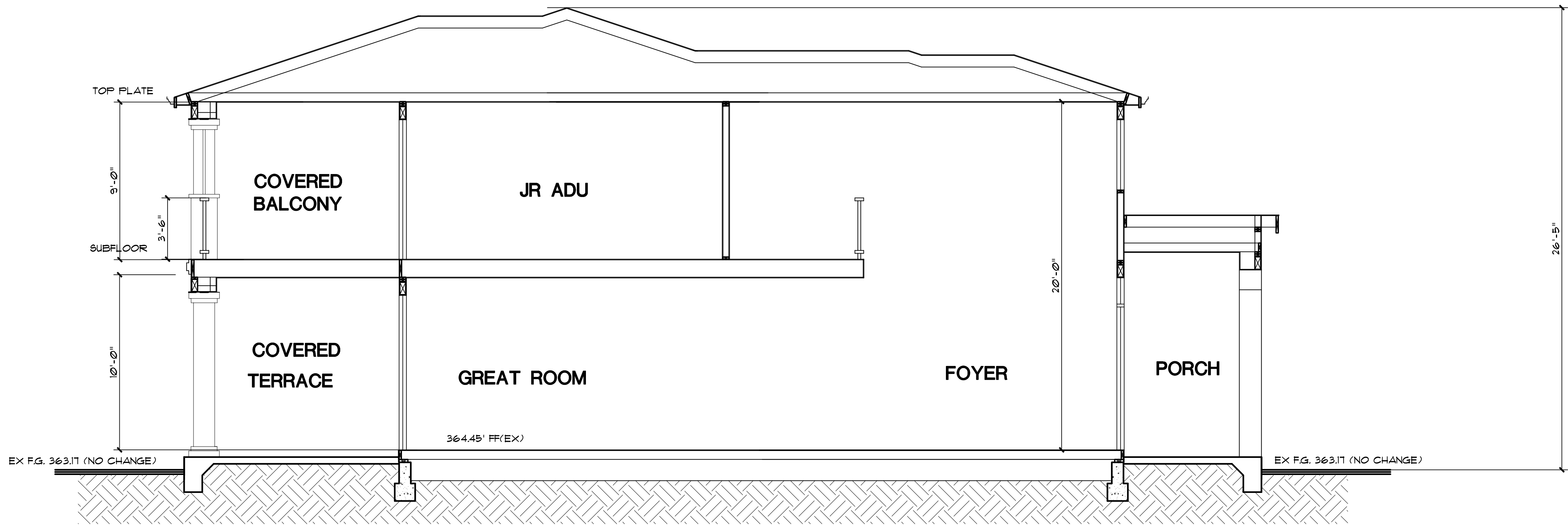


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architecture
16.435.0605
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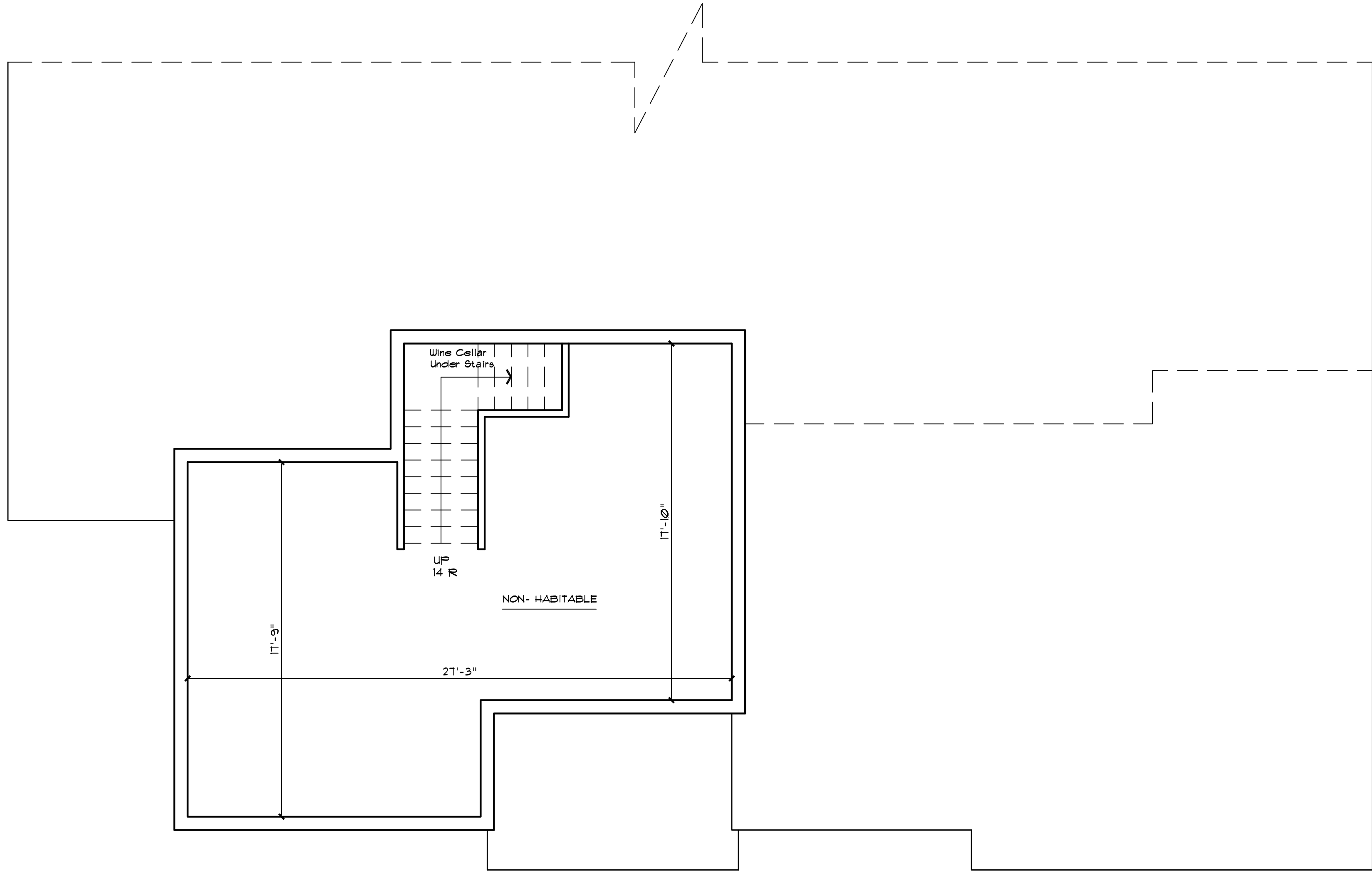
SECOND FLOOR PLAN

BINKLEY RESIDENCE
16668 SHANNON ROAD
LOS GATOS, CA 95032

DATE:	3-21-2022
SCALE:	1/4" = 1' - 0"
DRAWN	CB
CHECKED BY	
DESIGNED BY	
DATE	
SHEET NO.	A2.2
OF SHEETS	



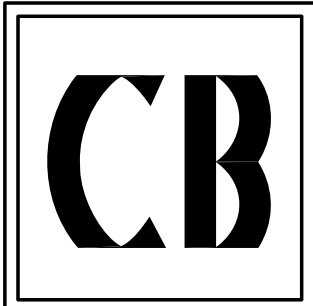
BUILDING SECTION A -- A



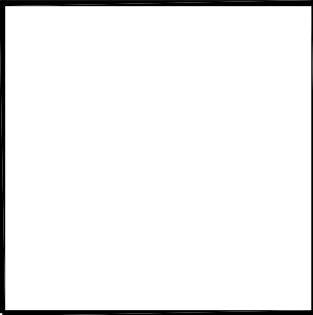
CELLAR

CELLAR FLOOR PLAN

REVISIONS	BY



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Architecture
916.435.0605
408.674.2077

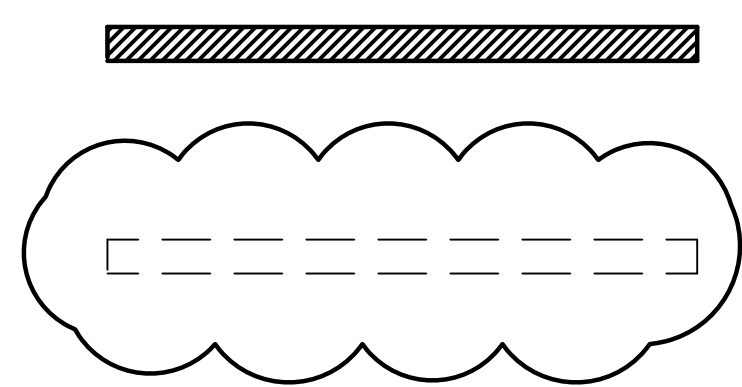


CELLAR
FLOOR PLAN

BINKLEY RESIDENCE
16668 SHANNON ROAD
LOS GATOS, CA 95032

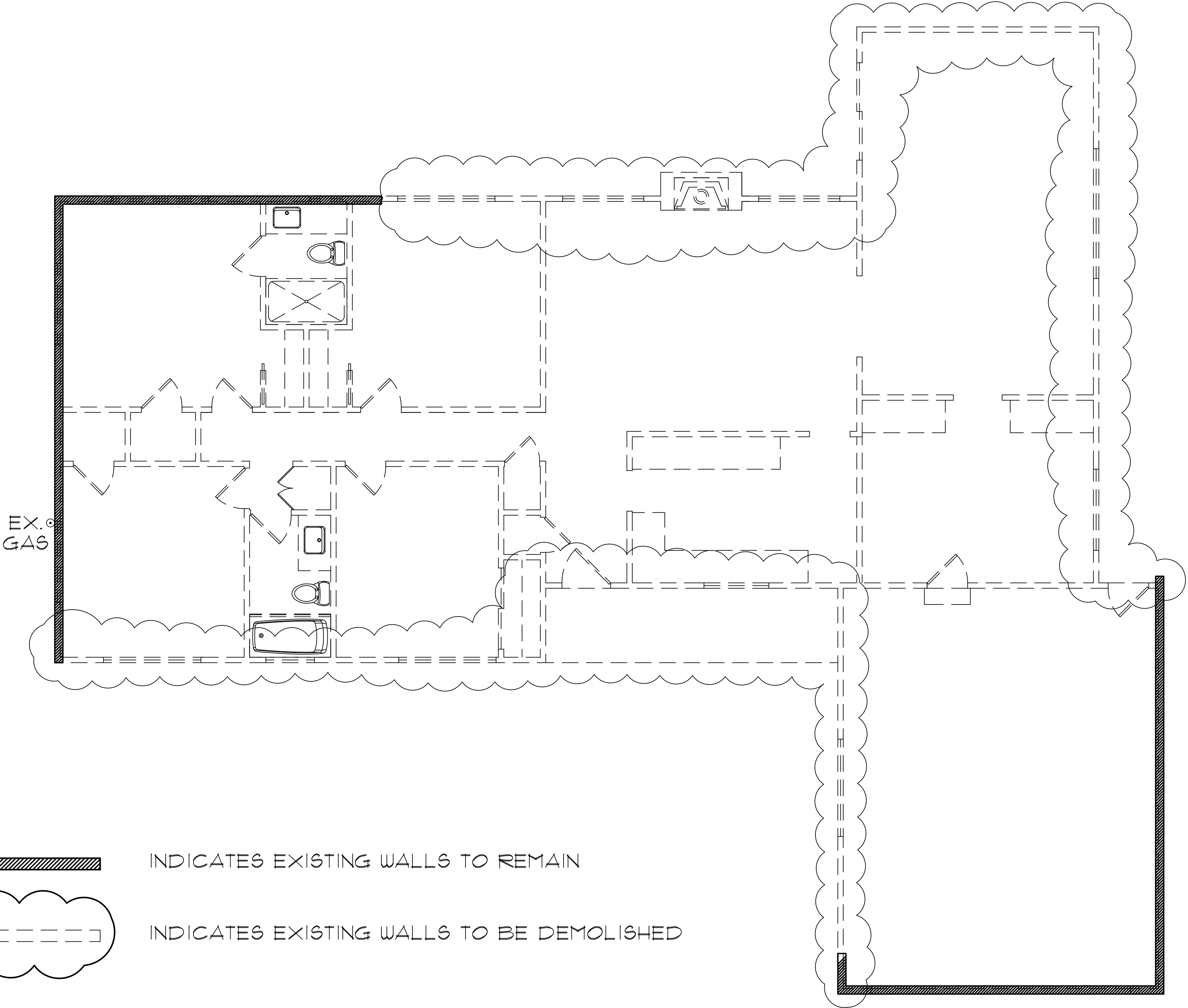
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SCALE:	1/4" = 1'-0"
DRAWN	CB
JOB NO	

SHEET NO.	A2.3
OF SHEETS	



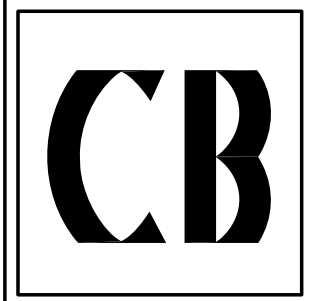
INDICATES EXISTING WALLS TO REMAIN

INDICATES EXISTING WALLS TO BE DEMOLISHED

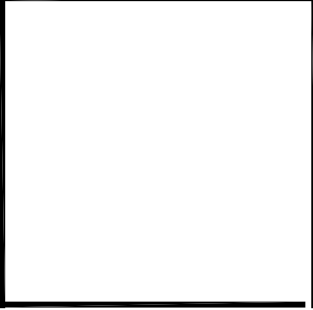


TECHNICAL DEMOLITION PER TOWN CODE

REVISIONS	BY



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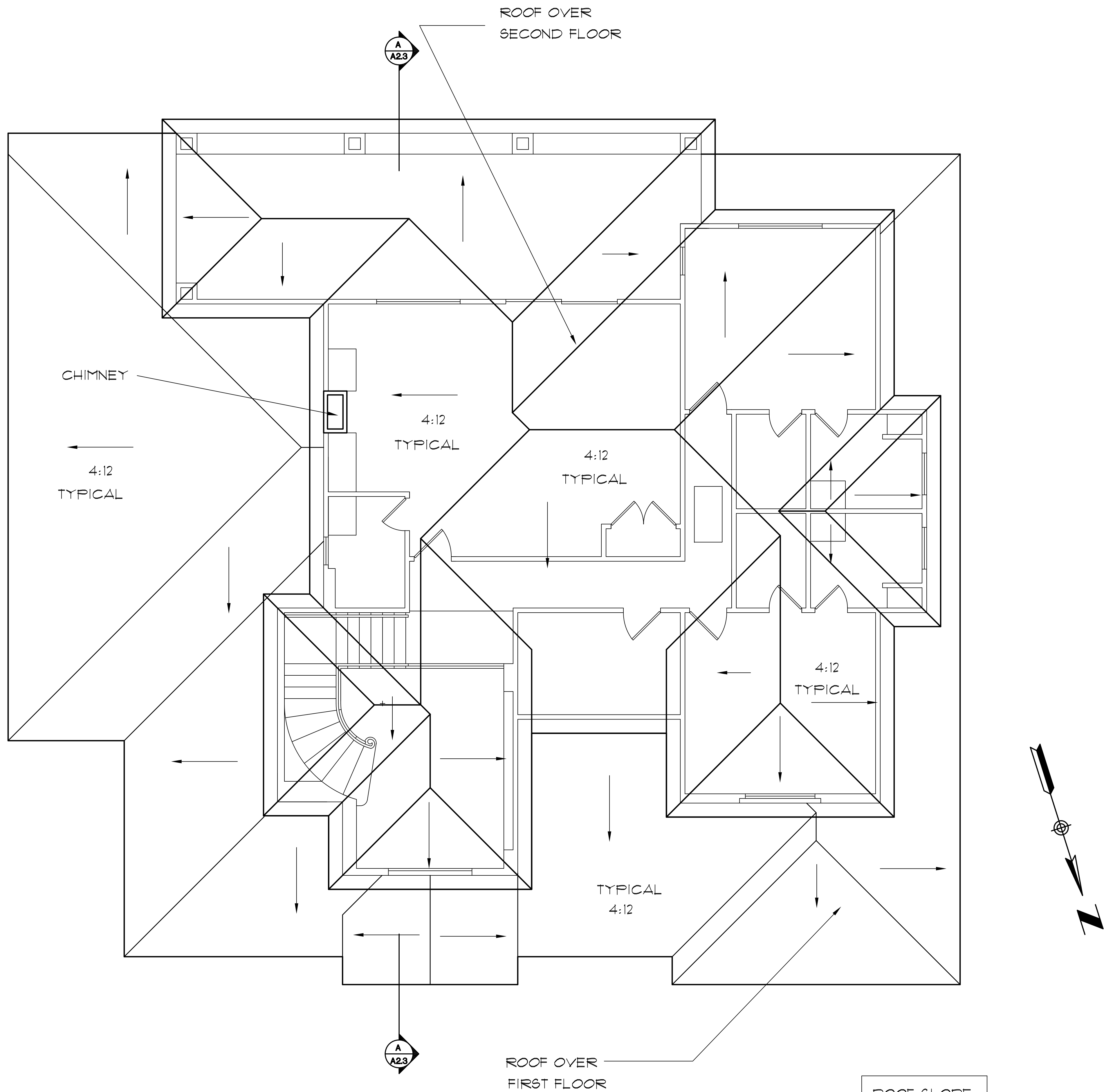


DEMOLITION DIAGRAM

BINKLEY RESIDENCE
16668 SHANNON ROAD
LOS GATOS, CA 95032

DATE:	2-2-2022
SCALE:	1/4" = 1'-0"
DRAWN	CB
JOB NO	

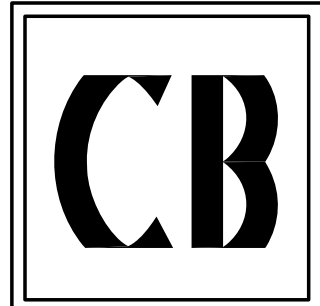
SHEET NO.	A2.4
OF	SHEETS



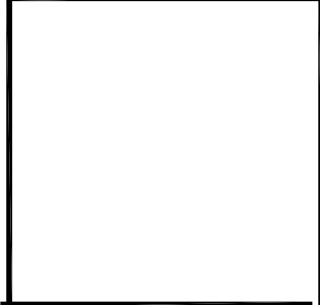
ROOF SLOPE
4:12 TYPICAL

ROOF PLAN

REVISIONS	BY



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Architecture
916.435.0605
408.674.2077

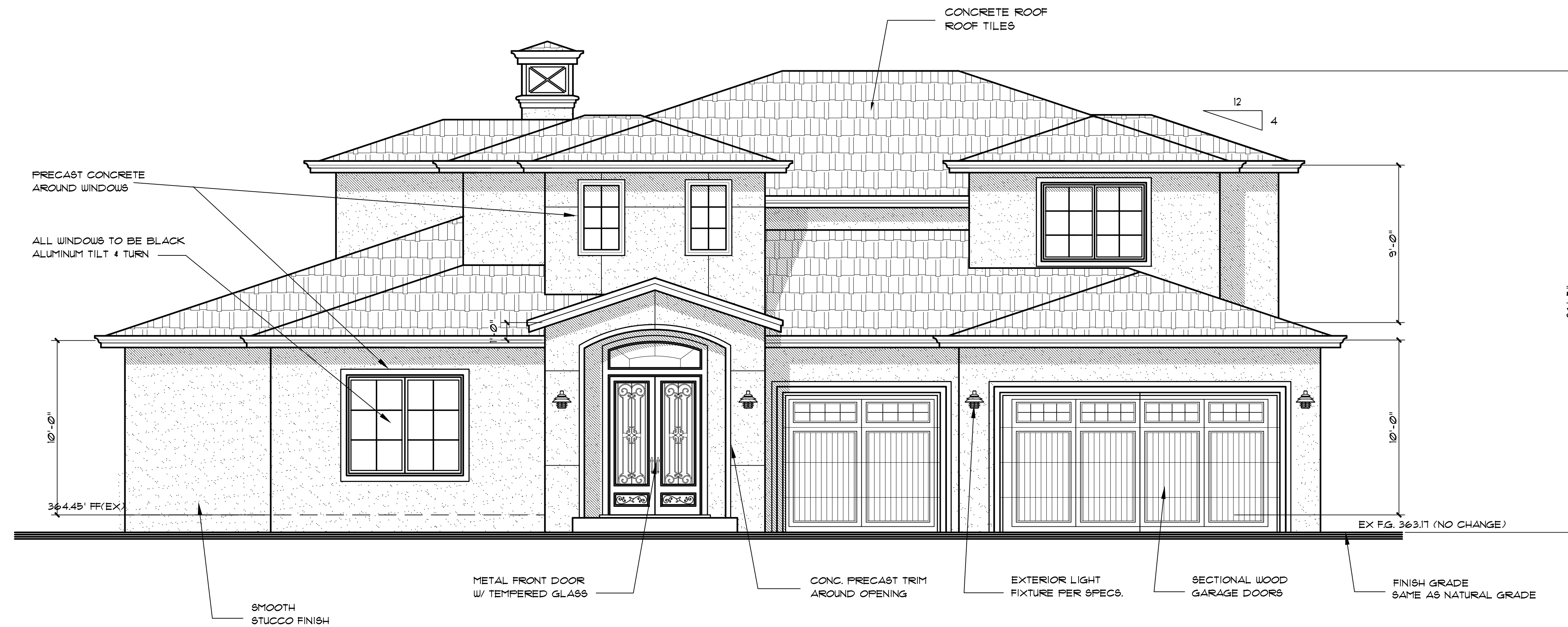


ROOF PLAN

BINKLEY RESIDENCE
16668 SHANNON ROAD
LOS GATOS, CA 95032

DATE: 2-2-2022
SCALE: 1/4" = 1'-0"
DRAWN: CB
JOB NO:

SHEET NO.
A2.5
OF SHEETS



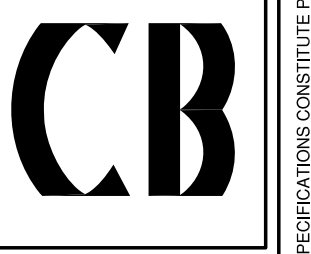
FRONT ELEVATION



REAR ELEVATION

EXTERIOR FINISHES:	
ROOFING:	
①	199 CHARCOAL RANGE GOLDEN EAGLE PROFILE BY "EAGLE ROOFING"
BUILDING COLORS BY: SHERWIN WILLIAMS	
②	MAIN COLOR: Swiss Coffee KM123
③	SECOND COLOR: Winter Solstice KM5812
④	GARAGE DOOR COLOR: Swiss Coffee KM123
⑤	SECTIONAL GARAGE DOORS.
⑥	ALL WINDOWS TO BE BLACK ALUMINUM TILT & TURN
⑦	ALL EXTERIOR WINDOWS AND DOORS FRAME TO BE DARK COLOR (BLACK OR DARK GRAY)

REVISIONS	BY



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Architecture
916.435.0605
408.674.2077

EXTERIOR
ELEVATIONS

BINKLEY RESIDENCE
16668 SHANNON ROAD
LOS GATOS, CA 95032

DATE:	3-21-2022
SCALE:	1/4" = 1'-0"
DRAWN	CB
JOB NO	
SHEET NO.	A3.1
OF SHEETS	

EXTERIOR ELEVATIONS

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Architectural

SERIES



LWM350-S7-GTL

TYPE:

CAT # LWM350-S7-GTL

LWM350-S7-GTL EQUINOX

The LWM350 series of LED Wall Sconces is the latest addition to our growing line of innovative and exquisite wall mount luminaires. This series is available in four elegant shade designs and two progressive sizes. Its timeless design enhances architecture and garden elements such as pergolas or gazebos. Provide design continuity and use in conjunction with our LBD Bollard and LML Pendant Light series to create the perfect transition between landscape and architecture.

See LWM250 for additional size and configuration options.

Features include:

- 20 Watts
- Cree XLAMP® Extreme High Power (XHP) LED
- 2700, 3000 or 4500K (CRI 80 typ.)
- Thermally Integrated® and Field Serviceable LED Module
- TRIAC Dimming to <10% typ.
- 12 VAC Electronic or Magnetic Source Compatible
- Solid Copper and Brass Construction

Approved by CREE LEDs 12V

Standard Configuration

With optional LMM

With optional MBS

8 1/4" 210mm

8 11/16" 221mm

1 1/8" 28mm

7 1/2" 191mm

6 1/4" 158mm

1 13/16" 46mm

ORDERING GUIDE: LWM350-S7-GTL L (LED) WM (WALL MOUNT) 350 (SERIES) S (SPHERICAL) 7 (INCHES) GTL (GLIMMER TOP W/ LOUVER)

INDICATES REQUIRED FIELD

INDICATES OPTIONAL FIELD

LED COLOR

[270] 2700K

[300] 3000K

[450] 4500K

[D] = Dimmable

MOUNT

[MWM] Micro Wall Mount

[BLM] Micro Wall Mount w/ Micro J-Box

Provides 3 ports for multi-conduit entries

1/2" NPS CANOPIES:

[CP45] 4" Cover Plate

[CP45] 4 1/2" Cover Plate

[MC45] 4 1/2" Mount Canopy

[PC45] Power Canopy (Int. 60W 120-120V trans.)

[SM45] 5 1/2" Surface Mount J-Box

FINISH

[NAT] Natural

[BLP-XD] BLP Extra Dark

[N] Nickel PVD*

*When N is selected underside will match

*Brass Escutcheon is standard. Add "C" for Copper

WMM

MB

CP45

CP45

MC45

PC45

SM45

CARLSBAD, CA | PHONE 877 942 1179 | FAX 760 931 2916 | E-MAIL SALES@AUORALIGHT.COM | AUORALIGHT.COM

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PROPOSED LIGHT FIXTURES

ALL EXTERIOR LIGHTING SHALL BE KEPT TO A MINIMUM, AND SHALL BE DOWN DIRECTED FIXTURES THAT WILL NOT REFLECT OR ENCROACH ONTO ADJACENT PROPERTIES. ALL LIGHTING SHALL UTILIZE SHIELDS SO THAT NO BULB IS VISIBLE AND TO ENSURE THAT THE LIGHT IS DIRECTED TO THE GROUND SURFACE AND DOES NOT SPILL LIGHT ONTO NEIGHBORING PARCELS OR PRODUCE GLARE WHEN SEEN FROM NEARBY HOMES. NO FLOOD LIGHTS SHALL BE USED UNLESS IT CAN BE DEMONSTRATED THAT THEY ARE NEEDED FOR SAFETY OR SECURITY

EXTERIOR FINISHES:

ROOFING:

1

199 CHARCOAL RANGE GOLDEN EAGLE PROFILE BY "EAGLE ROOFING"

BUILDING COLORS BY: SHERWIN WILLIAMS

2

MAIN COLOR: Swiss Coffee KM23

3

SECOND COLOR : Winter Solstice KM5812

4

GARAGE DOOR COLOR : Swiss Coffee KM23

5

SECTIONAL GARAGE DOORS.

6

ALL WINDOWS TO BE BLACK ALUMINUM TILT & TURN

1

ALL EXTERIOR WINDOWS AND DOORS FRAME TO BE DARK COLOR (BLACK OR DARK GRAY)

LEFT SIDE ELEVATION

EXTERIOR ELEVATIONS

REVISIONS	BY

CB

BASSAL

Architecture

916.435.0605

408.674.2077

EXTERIOR
ELEVATIONS

BINKLEY RESIDENCE
16668 SHANNON ROAD
LOS GATOS, CA 95032

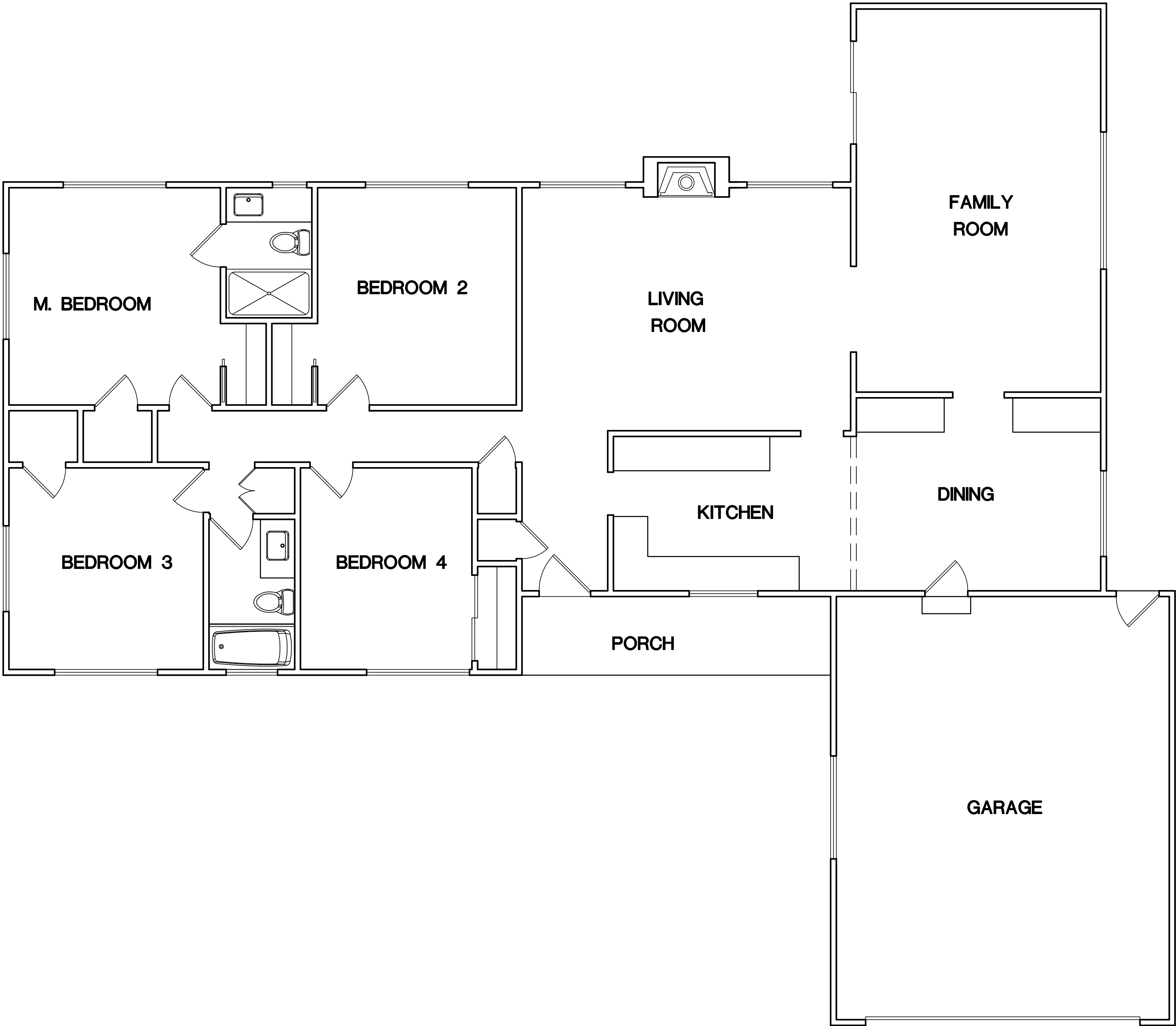
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OF SHEETS	

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Page 148



EXISTING ELEVATIONS



EXISTING FLOOR PLAN

REVISIONS	BY

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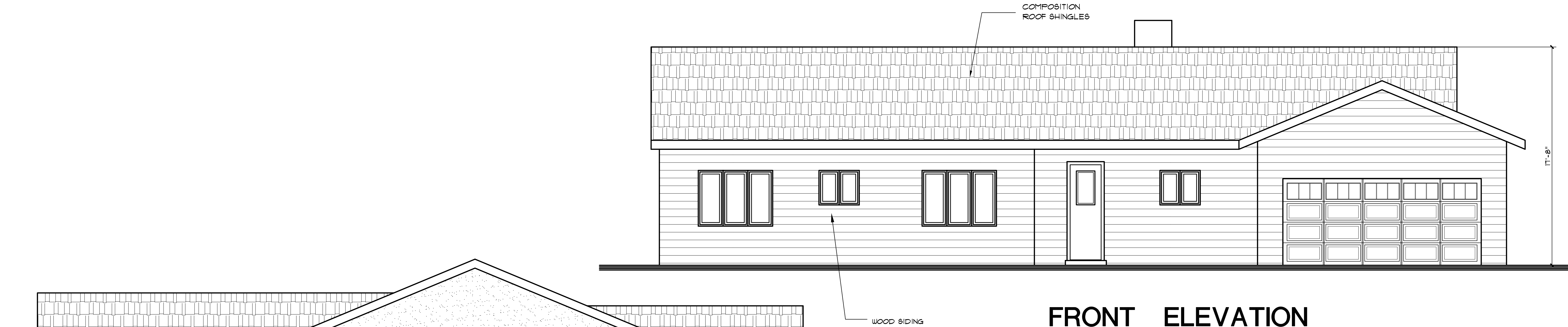
BASSAL
Architecture
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408.674.2077

PICTURES OF EXISTING
EXISTING FLOOR PLAN

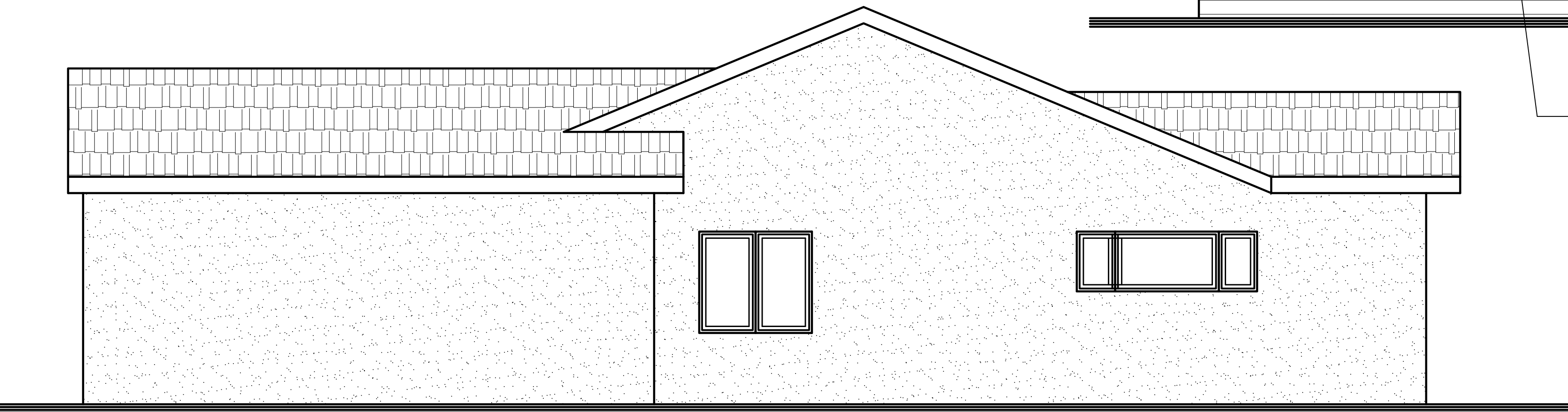
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16668 SHANNON ROAD
LOS GATOS, CA 95032

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JOB NO	

SHEET NO.	A4.1
OF SHEETS	



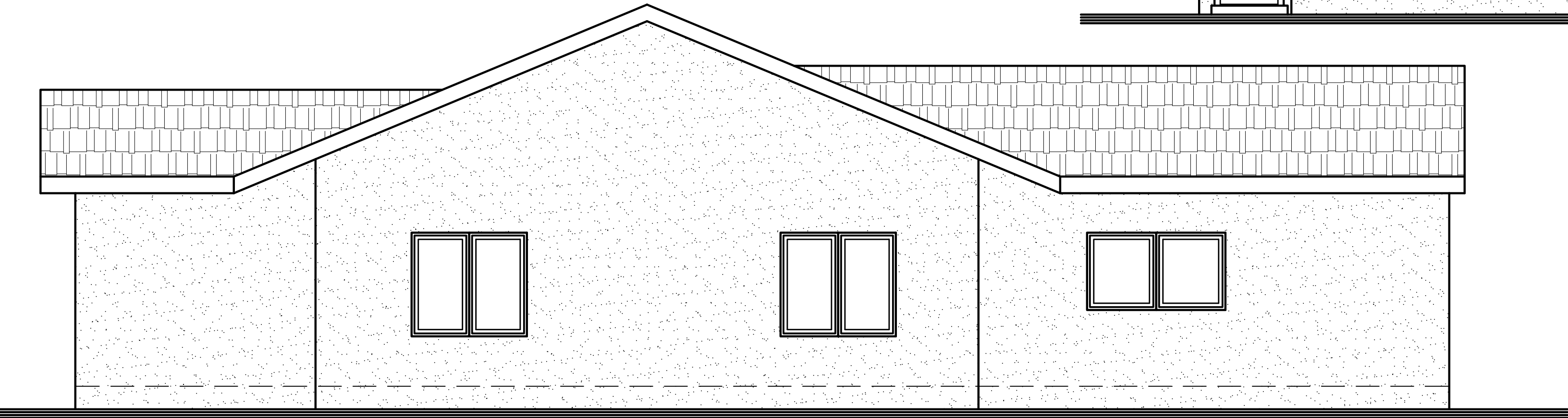
FRONT ELEVATION



RIGHT SIDE ELEVATION

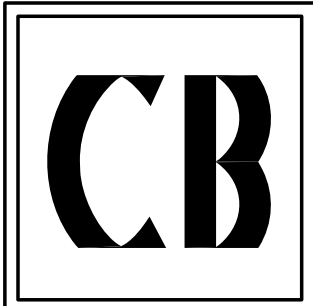


REAR ELEVATION



LEFT SIDE ELEVATION

REVISIONS	BY



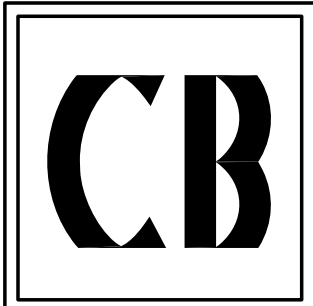
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EXISTING ELEVATIONS

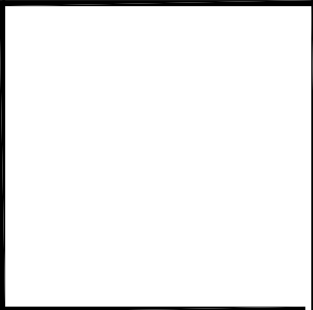
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16668 SHANNON ROAD
LOS GATOS, CA 95032

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JOB NO	
SHEET NO.	A4.2
OF SHEETS	

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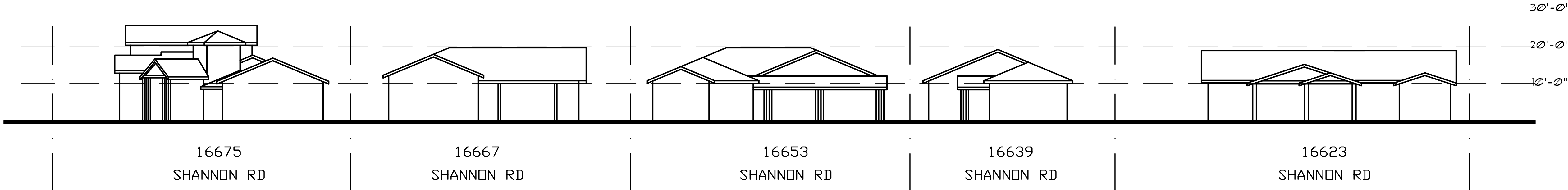
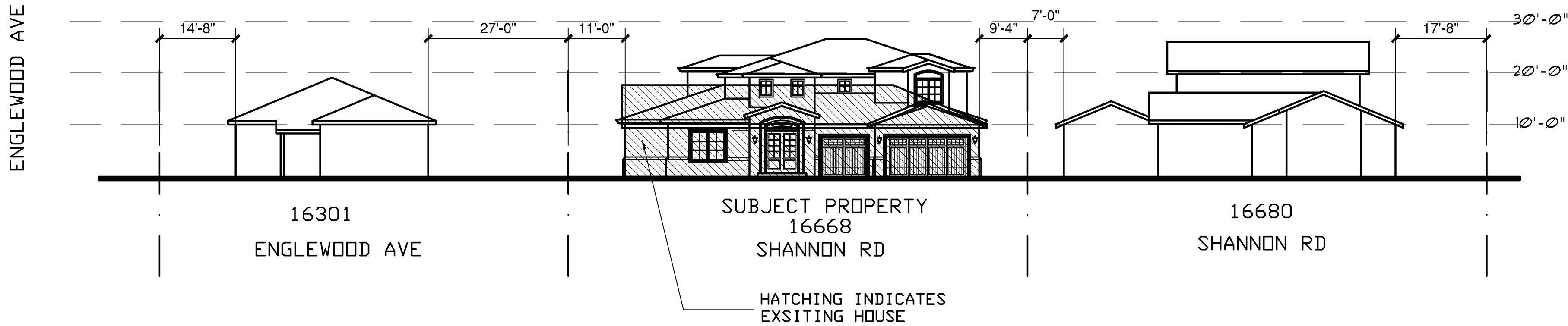


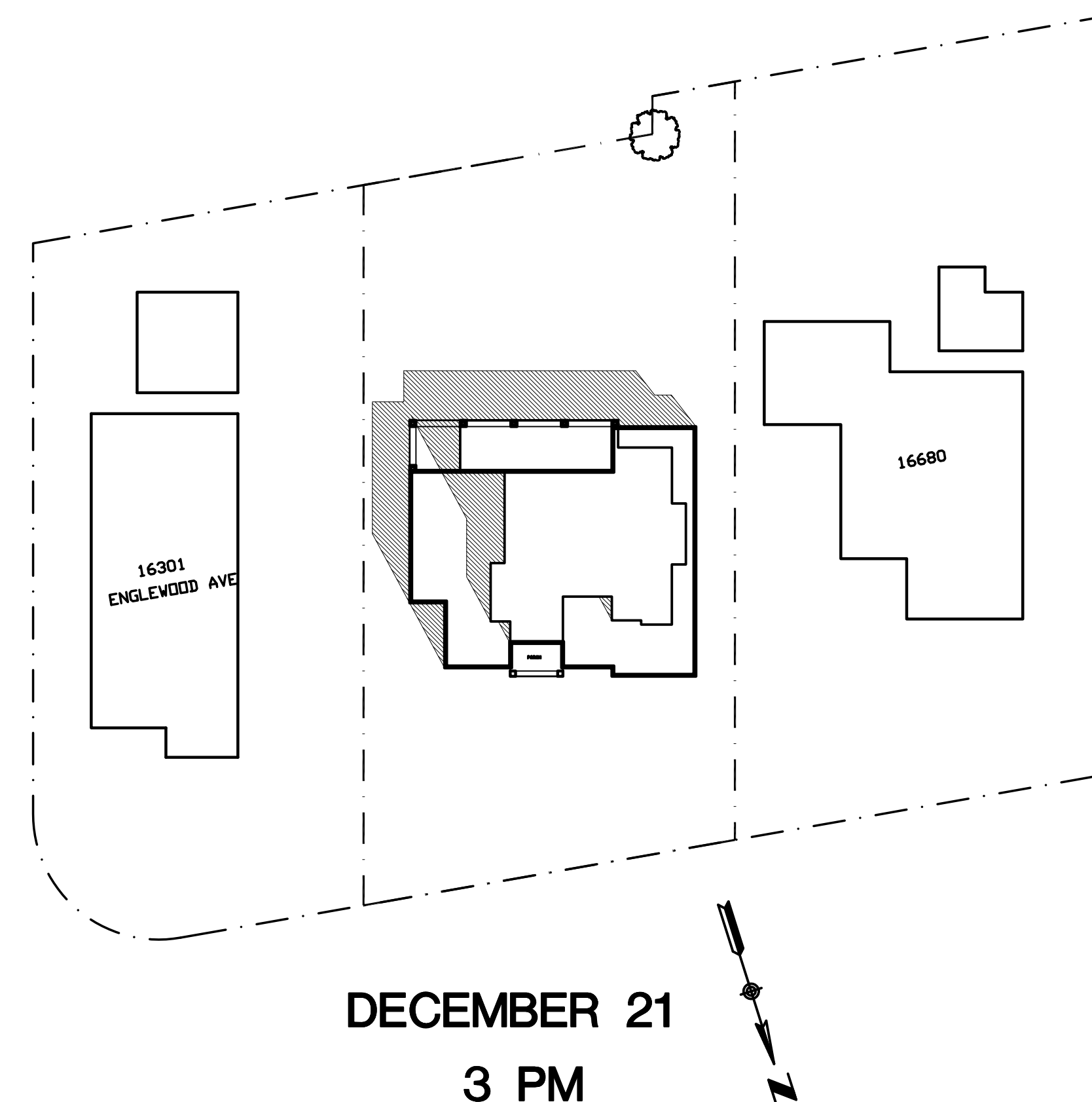
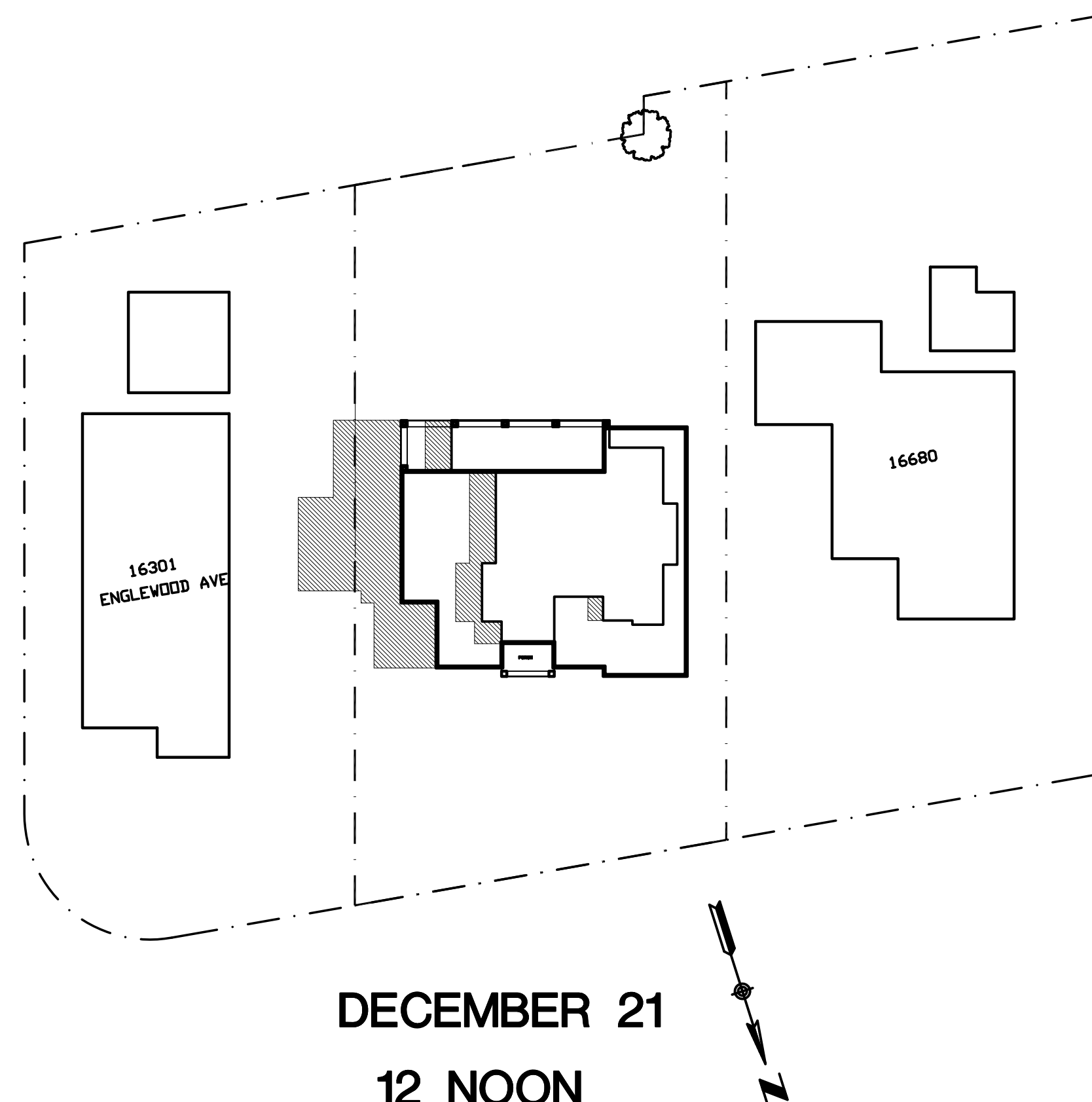
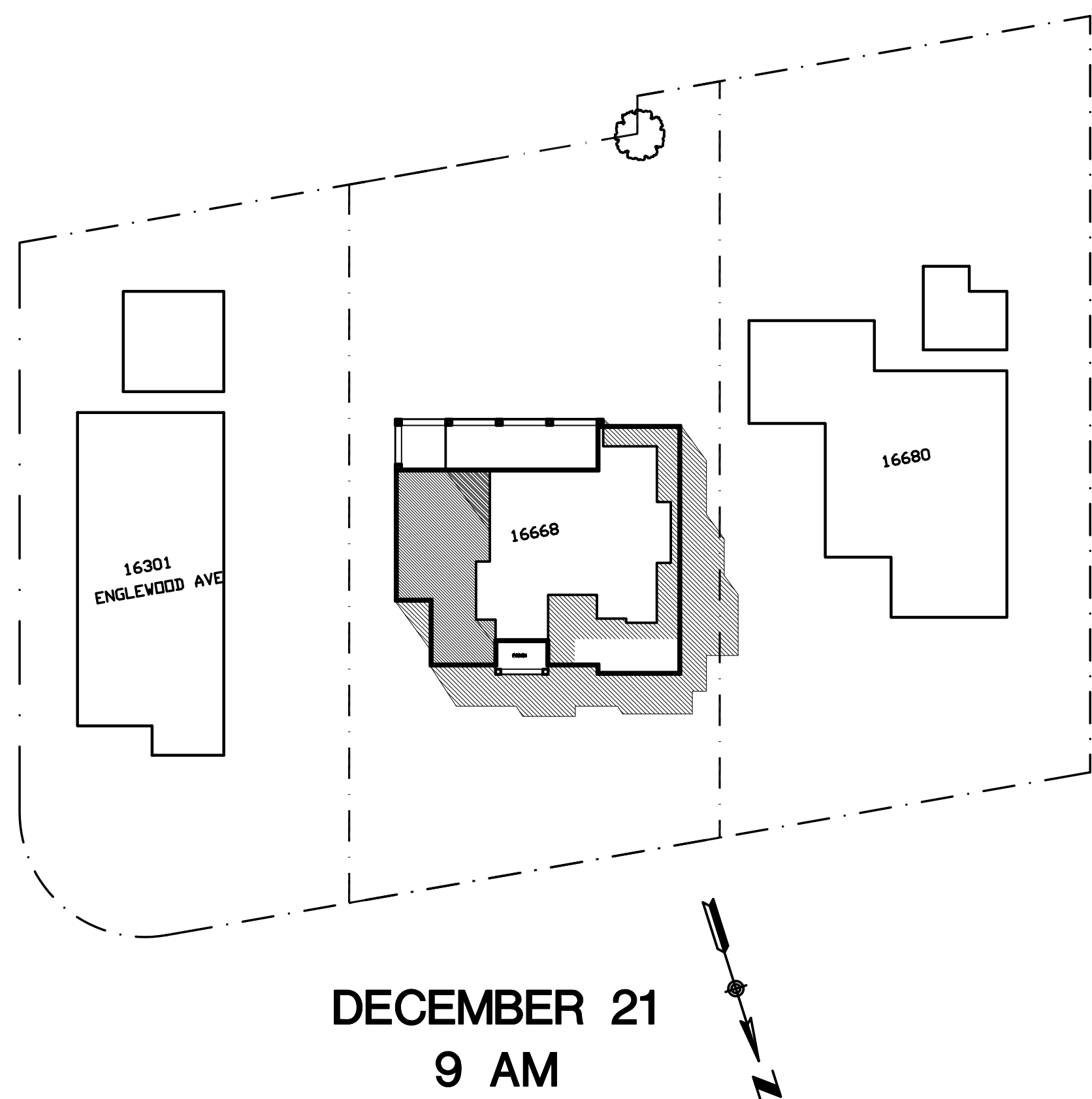
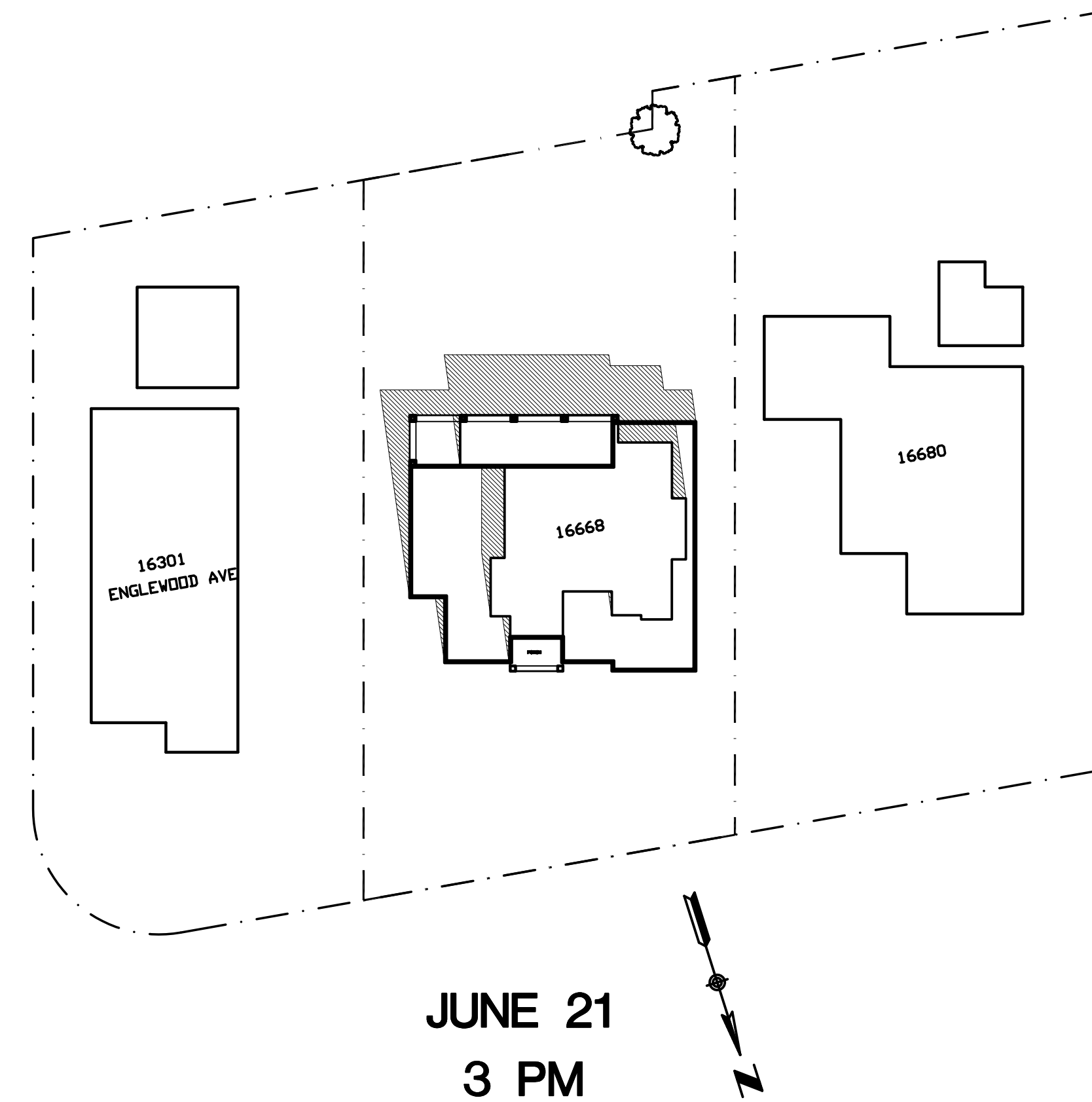
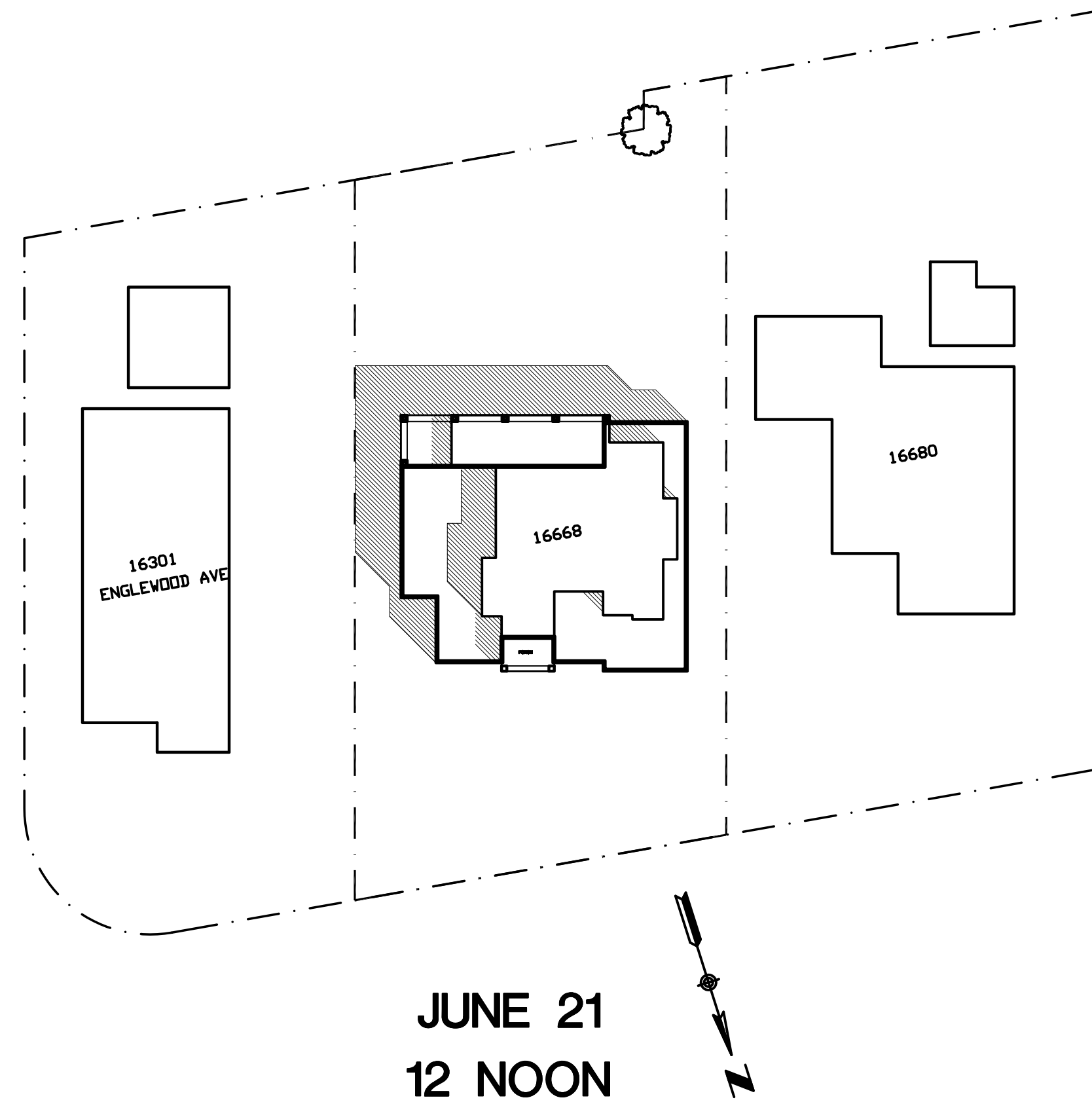
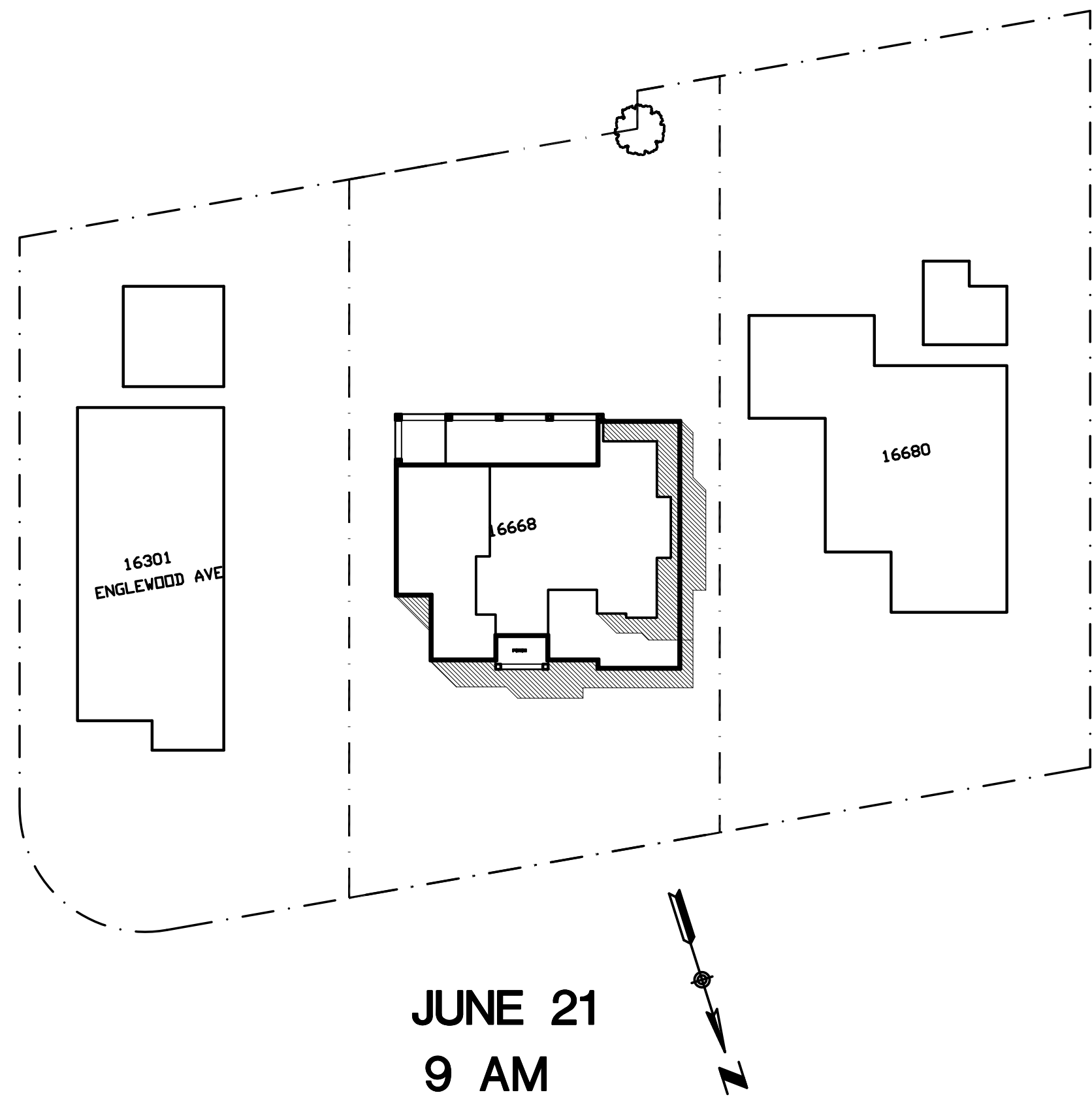
DEMOLITION PLAN

BINKLEY RESIDENCE
16668 SHANNON ROAD
LOS GATOS, CA 95032

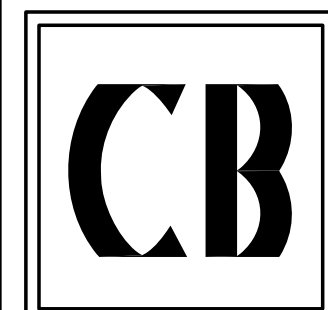
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JOB NO	

SHEET NO.	A5.1
OF SHEETS	

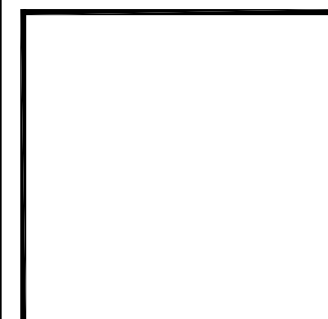




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SHADOW STUDY

BINKLEY RESIDENCE
16668 SHANNON ROAD
LOS GATOS, CA 95032

DATE:	2-2-2022
SCALE:	1/4" = 1' - 0"
DRAWN	CB
JOB NO	

SHEET NO.	A5.2
OF SHEETS	

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**TOWN OF LOS GATOS
PLANNING COMMISSION
REPORT**

MEETING DATE: 05/11/2022

ITEM NO: 4

ADDENDUM

DATE: May 6, 2022
TO: Planning Commission
FROM: Joel Paulson, Community Development Director
SUBJECT: Requesting Approval for Technical Demolition of an Existing Single-Family Residence and Construction of a New Single-Family Residence on Property Zoned R-1:8. **Located at 16668 Shannon Road.** APN 532-05-002. Architecture and Site Application S-21-039. PROPERTY OWNERS/APPLICANTS: Peter and Cheri Binkley. PROJECT PLANNER: Erin Walters.

REMARKS:

Exhibit 14 includes additional information provided by the applicant received on May 10, 2022.

EXHIBITS:

Previously Received with the May 11, 2022 Staff Report:

1. Location Map
2. Required Findings and Considerations
3. Recommended Conditions of Approval
4. Project Description and Letter of Justification, dated April 20, 2022
5. Color and Materials Board
6. Site Photographs
7. Consulting Architect's Report, dated July 22, 2021
8. Consulting Architect's Report, dated March 22, 2021
9. Applicant's response to the recommendations of the Consulting Architect, March 2, 2022
10. Town Arborist's Report, dated April 28, 2022
11. Applicant's Outreach Summary, dated March 1, 2022
12. Public Comments
13. Development Plans

PREPARED BY: Erin Walters
Associate Planner

Reviewed by: Planning Manager and Community Development Director

PAGE 2 OF 2

SUBJECT: 16668 Shannon Road/S-21-039

DATE: May 10, 2022

EXHIBITS (continued):

Received with this Addendum Report:

14. Additional Information Provided by the Applicant, received May 10, 2022



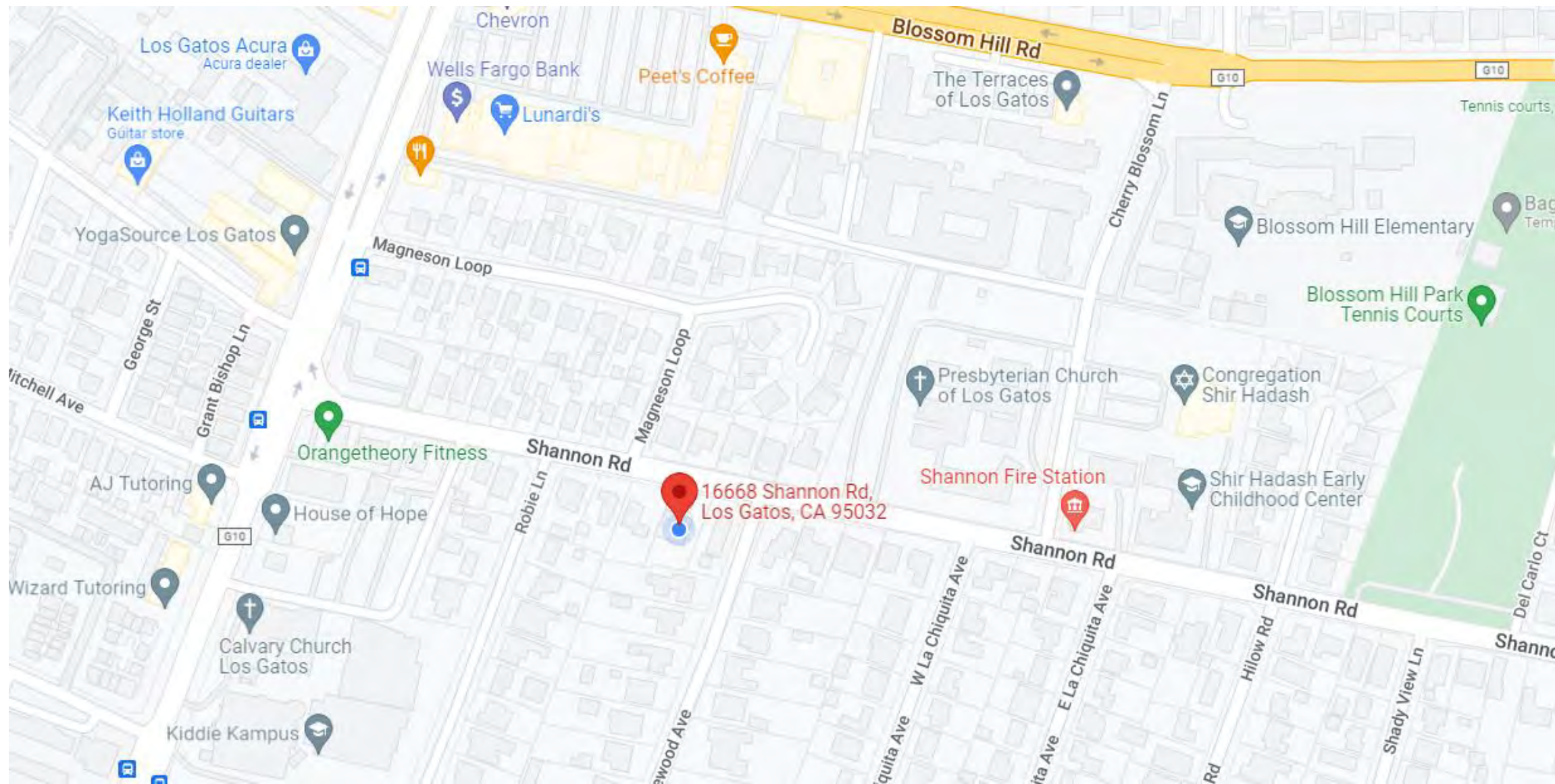
Binkley Family Home

16668 Shannon Road



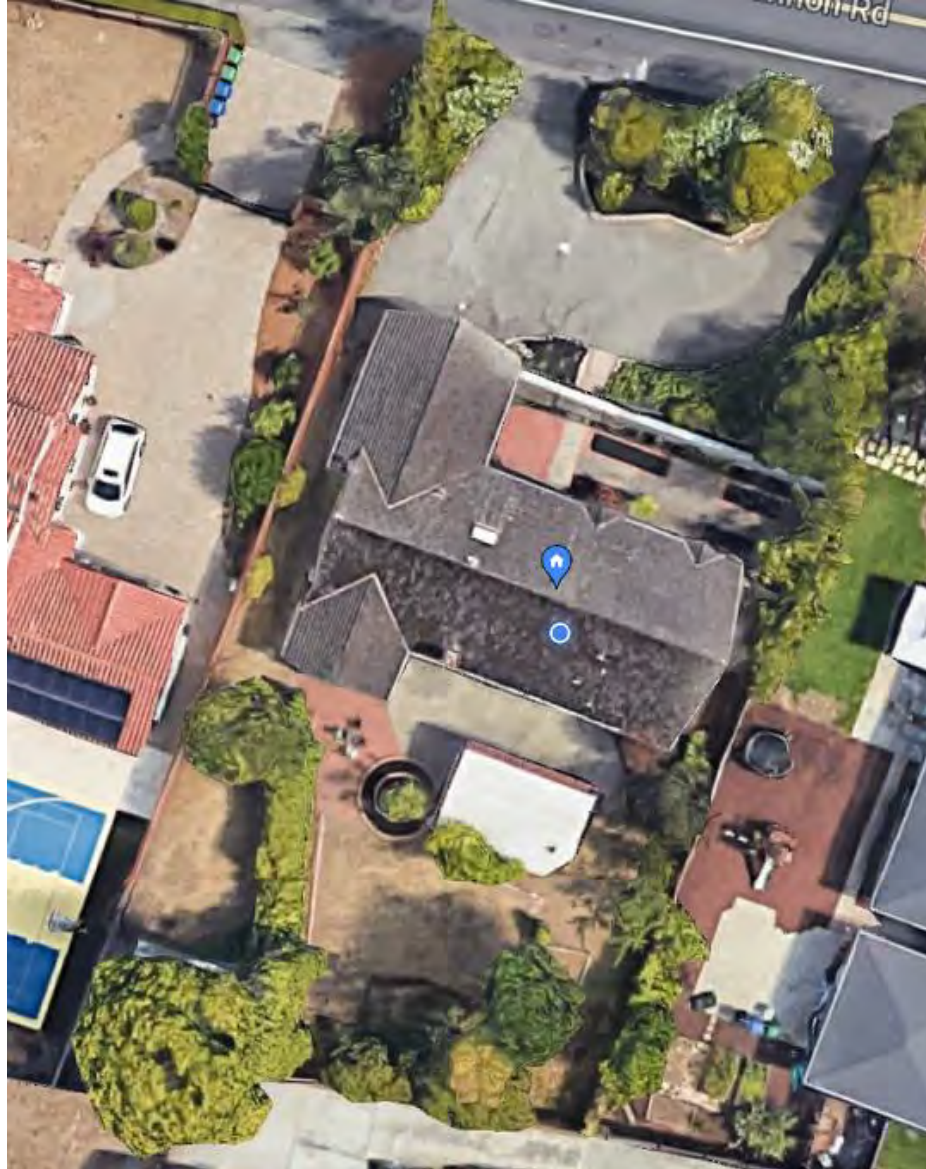
Our Old Home of 10 years on Frank Avenue

- Lawn Removed
- Trees & Edible Landscaping Added

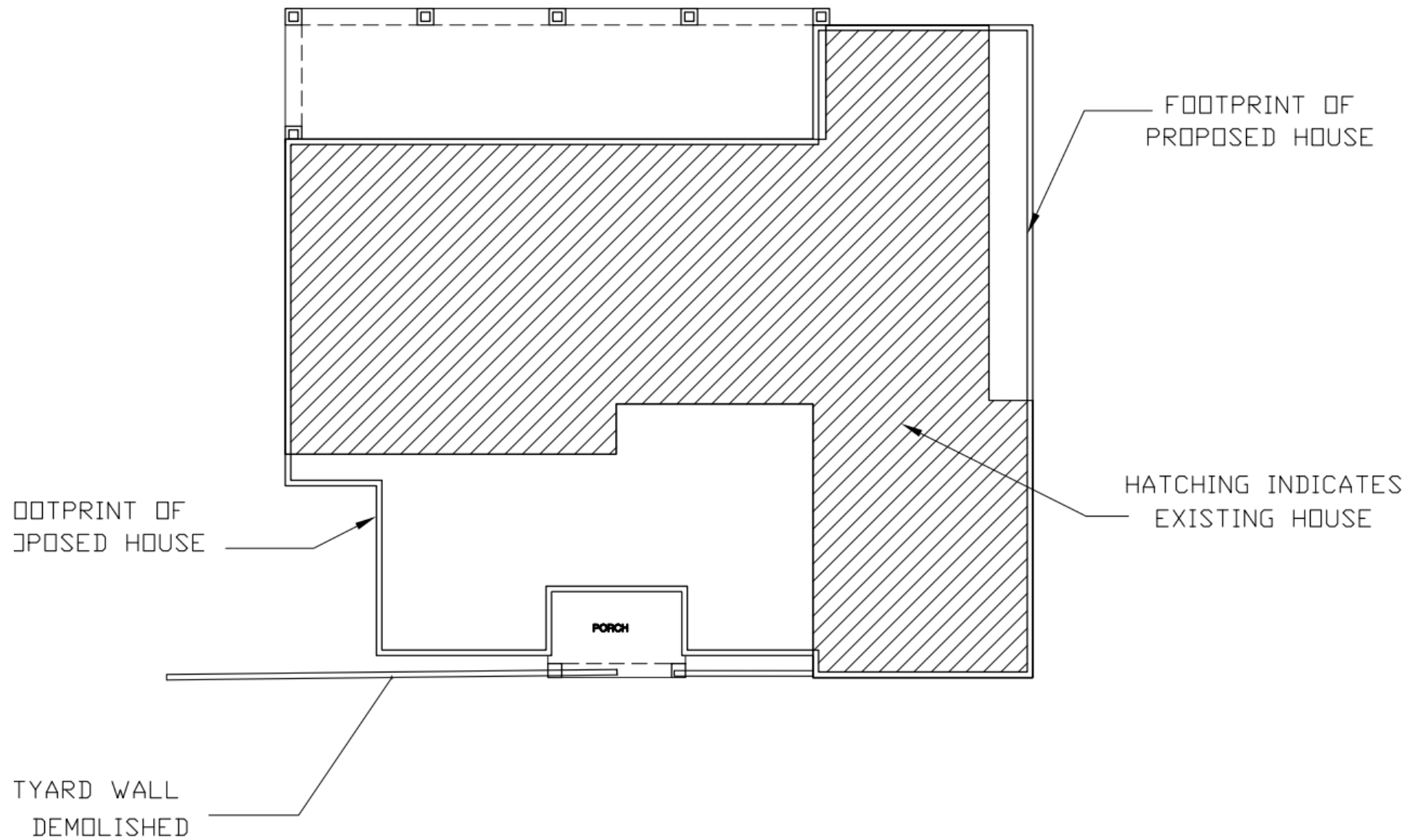




Our Current Home at 16668 Shannon Road







EXISTING SINGLE
FAMILY RESIDENCE
16317 ENGLEWOOD AVE

68'69 300'10'86 S
N20°31'00"E
10.00
C/O TREE
AREA

EXISTING BACK/SIDEYARD VEGETATION
TO REMAIN

EXISTING DWELLING
16668
TREE ADDITION AREAS

SHANNON ROAD



Immediate Neighbors

Expanded-Square Footage from Zillow

