



**TOWN OF LOS GATOS
PLANNING COMMISSION AGENDA
JULY 10, 2019
110 EAST MAIN STREET
LOS GATOS, CA**

*Matthew Hudes, Chair
Melanie Hanssen, Vice Chair
Mary Badame, Commissioner
Kendra Burch, Commissioner
Kathryn Janoff, Commissioner
Tom O'Donnell, Commissioner
Reza Tavana, 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 complete a “speaker’s card” and return it to the Staff Liaison. If you wish to speak to an item NOT on the agenda, you may do so during the “verbal communications” period. 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 1p.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 Monday 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/Councilvideos***

***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]***

**TOWN OF LOS GATOS
PLANNING COMMISSION AGENDA
JULY 10, 2019
7:00 PM**

MEETING CALLED TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

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 (TO BE ACTED UPON BY A SINGLE MOTION) *(Before the Planning Commission acts on the consent agenda, any member of the public or Commission may request that any item be removed from the consent agenda. At the Chair's discretion, items removed from the consent calendar may be considered either before or after the Public Hearings portion of the agenda)*

1. Minutes of June 12, 2019

2. Architecture and Site Application S-19-026 and Subdivision Application M-19-006.
Project Location: **15860-15894 Winchester Boulevard**. Applicant: Doug Rich, Valley Oak Partners. Property Owners: South Beach Partners LLC and Cumulus Capital Holdings LLC.
Requesting approval of a time extension to demolish three existing single-family residences, remove an accessory dwelling unit, remove large protected trees, and merge four lots for the purposes of constructing a new two-story office building with below grade and at grade parking. APNs 529.11-013, -038, -039, and -040.

PUBLIC HEARINGS *(Applicants/Appellants and their representatives may be allotted up to a total of ten 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 five minutes maximum for closing statements. Items requested/recommended for continuance are subject to the Commission's consent at the meeting.)*

3. Architecture and Site Application S-17-047. Project Location: **16 Chestnut Avenue**.
Property Owner: Kim Roper. Applicant/Appellant: Bess Wiersema, Studio 3 Design.
Project Planner: Erin Walters
Consider an appeal of a Development Review Committee decision approving a request for demolition of an existing pre-1941 single-family residence and construction of a new single-family residence on property zoned R-1:12. APN 510-40-012.

4. Conditional Use Permit Application U-19-010. Project Location: **66 E. Main Street.** Property Owner: Jane Thomas Living Trust. Applicant: Alex Anderson. Appellant: Thomas Spilsbury.
Consider an appeal of a Development Review Committee decision approving a Conditional Use Permit Application requesting approval for group classes on property zoned C-2. APN 529-29-049.

5. Subdivision Application M-19-004. Project Location: **16100 Greenridge Terrance.** Property Owner: Emerald Lake Investments, LLC. Applicant: Hanna & Brunetti. Appellant: David Weisman.
Consider an appeal of a Development Review Committee decision approving a request for subdivision of one lot into eight lots on property zoned HR-2½:PD. APN 528-12-002.

6. Consider the Draft General Plan Vision Statement and Guiding Principles.

REPORT FROM THE DIRECTOR OF COMMUNITY DEVELOPMENT

SUBCOMMITTEE REPORTS / COMMISSION MATTERS

ADJOURNMENT (*Planning Commission policy is to adjourn no later than 11:30 p.m. unless a majority of the Planning Commission votes for an extension of time*)

Writings related to an item on the Planning Commission meeting agenda distributed to members of the Commission within 72 hours of the meeting are available for public inspection at the reference desk of the Los Gatos Town Library, located at 100 Villa Avenue; the Community Development Department and Clerk Department, both located at 110 E. Main Street; and are also available for review on the official Town of Los Gatos website. Copies of desk items distributed to members of the Commission at the meeting are available for review in the Town Council Chambers.

Note: The Town of Los Gatos has adopted the provisions of Code of Civil Procedure §1094.6; litigation challenging a decision of the Town Council must be brought within 90 days after the decision is announced unless a shorter time is required by State or Federal law.



**TOWN OF LOS GATOS
PLANNING COMMISSION
REPORT**

MEETING DATE: 07/10/2019

ITEM NO: 1

DRAFT

**MINUTES OF THE PLANNING COMMISSION MEETING
JUNE 12, 2019**

The Planning Commission of the Town of Los Gatos conducted a Regular Meeting on Wednesday, June 12, 2019, at 7:00 p.m.

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

ROLL CALL

Present: Chair Matthew Hudes, Vice Chair Melanie Hanssen (arrived late), Commissioner Mary Badame, Commissioner Kendra Burch, and Commissioner Tom O'Donnell

Absent: Commissioner Kathryn Janoff, Commissioner Reza Tavana

PLEDGE OF ALLEGIANCE

Chair Hudes led the Pledge of Allegiance. The audience was invited to participate.

VERBAL COMMUNICATIONS

None.

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

Chair Hudes requested Item 1, Approval of Minutes May 22, 2010, be pulled from the Consent Calendar and amended them to include: Item 3, Town Code Amendment A-19-001 – Hillside Fences, show that Chair Hudes made a motion to not recommend the actions to the Town Council which failed for lack of a second.

PUBLIC HEARINGS

1. Approval of Minutes – May 22, 2019

MOTION: Motion by Commissioner Badame to approve the Minutes of May 22, 2019, as amended. **Seconded** by Commissioner O'Donnell.

VOTE: Motion passed 4-0.

2. 16212 Los Gatos Boulevard

Planned Development Application PD-17-002

Negative Declaration ND-19-002

APNs 523-06-010 and 523-06-011

Property Owner/Applicant: 16212 Los Gatos Blvd, LLC

Project Planner: Ryan Safty

Requesting approval of a Planned Development to re-zone two properties zoned CH to CH:PD to allow for construction of a new commercial building.

Ryan Safty, Associate Planner, presented the staff report.

Opened Public Comment.

Eugene Sakai, Studio S Squared Architecture

- He submitted ten letters of support as a Desk Item. In 2016 the Town Council denied their proposed project and advised the Applicant to explore a purely commercial option. In 2017, they presented a retail proposal that preserved and renovated the existing one-story dealership building while adding a retail building at the corner. They have made a number of revisions to the building, such as reducing the mass of the second floor at the corner to provide a reduced scale at the intersection and better views of the mountains, broken up rooflines on the parking lot side to express the stair tower between the two floors, refined the second floor roof massing, simplified the rooflines along the boulevard, and broken up the glass at the corner by adding a stone portal. Their project proposes a modestly-sized development on an extremely underutilized site.

Kathryn Parker, 16475 Ferris Avenue

- She lives near the subject site and is against the proposed building because it does not conform to many of the basic design principles regarding setbacks, views, and Los Gatos' qualities of small scale and pedestrian-friendliness. A 30-foot wall looming up from the sidewalk is not appropriate for Los Gatos Boulevard, especially as this is a corner where the guidelines say the buildings should be limited to one story.

Jeffrey Barnett, 101 Mullin Way

- He represents himself and a number of his neighbors. Their concern is that the proposed building has only a nominal five-foot setback rather than the generous setbacks on most of the other buildings on the boulevard. The project is not in compliance with the Los Gatos Boulevard Plan whose goal is to preserve the character of the Town. The proposal does not follow the Commercial Design Guidelines that stress the importance of a strong landscape setback.

Barbara Dodson, Marchmont Drive

- The Commission should reject the plan because the setback from the sidewalk is insufficient to allow creation of a green space between the sidewalk and building, and the two-story building blocks residents' views of the mountains. She is also concerned about the loss of a dedicated right-turn lane on Shannon Road and the loss of a third lane on Los Gatos Boulevard, which would create new traffic congestion.

Paul Grams

- Why is a huge 30-foot high building proposed for a residential area when it is opposed by all the neighboring residents and serves only to generate more profits for the developer? The proposed five-foot setback is outrageous when no other structure along Los Gatos Boulevard has such a short distance from the curb to the sidewalk. A subterranean garage would allow the building to be set back more.

Roy Moses, 16529 La Croix Court

- The intersection in question is very congested. He respects developers' rights to develop their property and earn a profit, but the people living around the site must also be considered. The building needs to be set back farther from the curb to make it more aesthetic and views of the mountains preserved. The other big issue is taking out the right lane. Kids walk on the edge of the road and removing the right lane would jeopardize their lives.

Scott Schork, Engineer

- The curb will be moved out 10 feet, making the setback much wider. The first floor was moved nine and a half feet forward with the curb so they would be set back six inches farther from the future curb than they were in the prior proposed development. The second story was moved back about one and a half feet, creating better views and making the development consistent with the neighborhood. Porkchop island removal and lane narrowing are Safe Routes to School requirements that improve the traffic flow and reduce the length of time children are in the crosswalk.

Closed Public Comment.

Commissioners discussed the matter.

MOTION: **Motion by Commissioner Burch** to recommend denial of Planned Development Application PD-17-002 located at 16212 Los Gatos Boulevard based on concerns regarding setbacks, hillside views, whether there is a requirement for the modifications made based on Safe Routes to School, and how traffic on Los Gatos Boulevard would be impacted by losing a lane. **Seconded by Commissioner Badame.**

Commissioners discussed the matter.

Commissioner O'Donnell requested the motion be amended to recommend denial of the application on the basis stated in the hearing.

Commissioners discussed the matter.

The Maker of the Motion declined to amend the motion.

Commissioners discussed the matter.

The Maker of the Motion amended the motion to include language that the recommended denial is based on, *but not limited to*, concerns regarding the setbacks, views, Safe Routes to School, and losing a lane on Los Gatos Boulevard.

The Seconder of the Motion accepted the language amendment to the motion.

VOTE: Motion passed 4-0.

3. 17528 Tourney Road

Architecture and Site Application S-18-051

APN 537-04-019

Applicant: Hunt Hale Architects

Appellants: Beverly and Steve Miller

Property Owner: Kevin Ebrahimi

Project Planner: Ryan Safty

Consider an appeal of a Development Review Committee decision approving a request for demolition of an existing single-family residence, removal of large protected trees, site improvements requiring a grading permit, and construction of a new single-family residence on property zoned HR-2½.

Ryan Safty, Associate Planner, presented the staff report.

Opened Public Comment.

Steve Miller (Appellant), 17651 Tourney Road

- He and his wife Beverly have lived on Tourney Road for 23 years and are located directly behind the project site. After reviewing the Applicant's plans, he enlisted the help of Tony Jeans, who will speak on his behalf.

Tony Jeans (Appellant Representative)

- He provided a review of the inconsistencies contained in the Applicant's DRC-approved plans for the Commission's information packet. The Applicant has since corrected many of the inconsistencies in the plans that are before the Commission, but some still remain. The Applicant's civil engineer has adjusted the slope, which means a smaller FAR, but what about the other square footage on this property? Due to areas not tabulated as floor area, such as the California room and the carport, the FAR is over that which is stated. The massing could be reduced by removing the attic and reducing the height of the master bedroom tower and closet. A landscape plan was provided. The Appellants would like an attempt made to save Tree 9, a Valley Oak that provides a visual buffer, and would like the three Coast Live Oaks immediately adjacent to the driveway on the left to be protected by Type 3 tree protection. They accept the Applicant's offer to install privets along the property line for screening. The proposal to install four 36-inch box trees does not work with the arborist report requirements.

Kevin Ebrahimi (Applicant), 17528 Tourney Road

- In late 2016 he met with the Appellants, and they stated their only concern was the ridge height. He then submitted his plans, which reflected the Appellants' comments. He brought the single-story portion of the ridge down to 20 feet, 10-inches, including the 2-foot pad drop, but was not agreeable to reducing the ridge height further. One of the trees slated for removal is diseased and must be removed, but the other four trees are being removed in order to lower the pad two feet. However, they are not touching the three trees that are on the Appellants' property and outside the construction area. He submitted a preliminary landscape plan, with new trees oriented to provide the most visual screening for the proposed house.

Lee Quintana, 5 Palm Avenue

- The Hillside Design Standards and Guidelines clearly state that the FAR is not guaranteed and projects need to meet the HDS&G standards and objectives. The Architectural Design section of the HDS&G deals with minimizing bulk and mass and is key to this proposal: "Buildings shall be designed to minimize mass and scale and volume, and the building shall be designed to conform to the natural topography and contours."

Shawn Medved

- He is the previous owner of the subject property and had virtually the same experience with the Appellants when he attempted to develop the site. His project was compliant, they worked diligently with the Appellants and made expensive changes to protect their view, but the Appellants kept moving the goal line. The Appellants would say everything was fine and then new things kept coming up. They ended up in the front of the Planning Commission and the Appellants appealed his project at the eleventh hour even though they had verbally said everything was fine.

William Yuan, Tourney Road

- He lives one house above (south) the Appellants. He is not opposed to neighborhood development, but the story poles for this project appear very tall and close to the road.

Kevin Ebrahimi (Applicant), 17528 Tourney Road

- He asked the Commission to let him know of any concerns they have, because he has looked at the project with staff and his architect and could not find any issues. He asks for the Commission's concerns so he can resolve them and move on and build a home.

Tony Jeans

- He spoke with the Applicant who is possibly prepared to make a few little changes by reducing some of the mass. He requested the Commission give specific direction to the Applicant to revise the plan and return to the Planning Commission or DRC. The project should not be approved today; it should come back one more time.

Closed Public Comment.

Commissioners discussed the matter.

MOTION: **Motion by Commissioner O'Donnell** to deny the appeal, subject to making changes to the plans as illustrated in the Exhibit presented by the applicant as entered into the record by the Planning Commission. **Seconded by Chair Hudes.**

Commissioners discussed the matter.

VOTE: **Motion passed unanimously.**

OTHER BUSINESS

4. Report from the Director of Community Development

Joel Paulson, Director of Community Development

- Town Council met June 4, 2019; introduced Demolition Ordinance modifications considered by the Planning Commission and sent other modifications back to the Policy Committee.
- GPAC meeting will be held June 20, 2019 to discuss potential land use alternative goals and policies in preparation of the General Plan update.

SUBCOMMITTEE REPORTS/COMMISSION MATTERS

Conceptual Development Advisory Committee

Commissioner Badame

CDAC met June 12, 2019 and considered 14926 Los Gatos Boulevard. **ADJOURNMENT**

The meeting adjourned at 10:39 p.m.

This is to certify that the foregoing is a true and correct copy of the minutes of the June 12, 2019 meeting as approved by the Planning Commission.

Vicki Blandin

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**TOWN OF LOS GATOS
PLANNING COMMISSION
REPORT**

MEETING DATE: 07/10/2019

ITEM NO: 2

DATE: July 2, 2019
TO: Planning Commission
FROM: Joel Paulson, Community Development Director
SUBJECT: Architecture and Site Application S-19-026 and Subdivision Application M-19-006. Project Location: **15860-15894 Winchester Boulevard**. Applicant: Doug Rich, Valley Oak Partners. Property Owners: South Beach Partners LLC and Cumulus Capital Holdings LLC.
Requesting approval of a time extension to demolish three existing single-family residences, remove an accessory dwelling unit, remove large protected trees, and merge four lots for the purposes of constructing a new two-story office building with below grade and at grade parking. APNs 529.11-013, -038, -039, and -040.

RECOMMENDATION:

Approval, subject to the recommended Conditions of Approval.

PROJECT DATA:

General Plan Designation: Office Professional
Zoning Designation: O, Office
Applicable Plans & Standards: Commercial Design Guidelines
Parcel Size: 1.3 acres

PREPARED BY: Jennifer Armer
Senior Planner

Reviewed by: Planning Manager and Community Development Director

PROJECT DATA (continued):

Surrounding Area:

	Existing Land Use	General Plan Land Use Designation	Zoning
North	Residential, Office, and Commercial	Office Professional	O
South	Residential	Medium Density Residential	O
East	Commercial	Service Commercial and Office Professional	LM and O
West	Office	Low Density Residential	O

CEQA:

It was determined that this project will not have a significant impact on the environment and the Town Council adopted a Mitigated Negative Declaration for the Architecture and Site and Subdivision applications on October 17, 2017.

FINDINGS:

- As required by Section 29.20.325 of the Town Code for granting a time extension request.

ACTION:

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

BACKGROUND:

On January 25, 2017, the Planning Commission considered the Architecture and Site and Subdivision applications to demolish three existing single-family residences, remove an accessory dwelling unit, remove large protected trees, and merge four lots for the purposes of constructing a new two-story office building with below grade and at grade parking. On April 26, 2017, after a continuation, the Planning Commission denied the applications. The decision of the Planning Commission was appealed by the applicant on May 8, 2017. On October 17, 2017, the Town Council granted the appeal of the Planning Commission decision and approved the Architecture and Site and Subdivision applications.

PROJECT DESCRIPTION:

A. Location and Surrounding Neighborhood

The project site is located on the northeast corner of Winchester Boulevard and Shelburne Way. Access to the project site is provided on Winchester Boulevard and Shelburne Way.

PROJECT DESCRIPTION (continued):

B. Project Summary

The applicant is requesting approval of a time extension of the approved Architecture and Site and Subdivision applications to demolish three existing single-family residences, remove an accessory dwelling unit, remove large protected trees, and merge four lots for the purposes of constructing a new two-story office building with below grade and at grade parking. The applicant is requesting a time extension because they have not been able to secure a tenant. The applicant's time extension request is included as Exhibit 4, and the development plans are included as Exhibit 5. The applicant is not proposing any changes to the approved project.

C. Zoning Compliance

An office use is a permitted use in the O zone.

DISCUSSION:

A. Time Extension

The purpose of requiring a time extension is to give the Town the ability to modify existing conditions or impose additional conditions to address new facts that have come to light. If there are new facts concerning the proposed project, conditions of approval can be added or modified in order to grant a time extension.

On April 3, 2006, Council determined that up to two time extensions are considered appropriate to allow projects to move forward. Time extensions are not intended to provide an opportunity to completely revisit an application. They are intended to provide an opportunity to evaluate if the facts that existed at the time of approval have changed or if new conditions are warranted.

Town Code Section 29.20.325 allows the deciding body to approve reasonable time extensions not exceeding one year subject to the following findings:

- (1) There would be no legal impediment to granting a new application for the same approval.
- (2) The conditions originally applied or new conditions to be applied as part of the extension approval are adopted to any new facts concerning the proposed project.

The applicant is not proposing any changes to the previously approved project. The Planning Division, Building Division, Parks and Public Works Engineering Division, and the

DISCUSSION (continued):

Santa Clara County Fire Department reviewed the time extension request. In regards to the first finding, there would not be any legal impediment to granting the extension, and the findings made for the previous approval still stand. In regards to the second finding, conditions have been modified to reflect the new expiration date, include current Public Works Department requirements and standard conditions, and the names of department contacts. No other conditions have been modified or added.

B. Environmental Review

It was determined that this project will not have a significant impact on the environment and the Town Council adopted a Mitigated Negative Declaration for the Architecture and Site and Subdivision applications on October 17, 2017.

PUBLIC COMMENTS:

Written notice was sent to property owners and tenants within 300 feet of the subject property. Exhibit 6 includes public comments received by 11:00 a.m., Friday, July 5, 2019.

CONCLUSION:

A. Recommendation

As discussed above, there are no changes to the previously approved project and staff believes the findings required to grant the time extension can be made. Therefore, staff recommends approval of the time extension request. If the Planning Commission finds merit with the proposal, it should:

- a. Make the required findings as required by Section 29.20.325 of the Town Code for granting a time extension request (Exhibit 2); and
- b. Approve the time extension applications S-19-026 and M-19-006 with the conditions contained in Exhibit 3.

B. Alternatives

Alternatively, the Commission can:

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

PAGE 5 OF 5

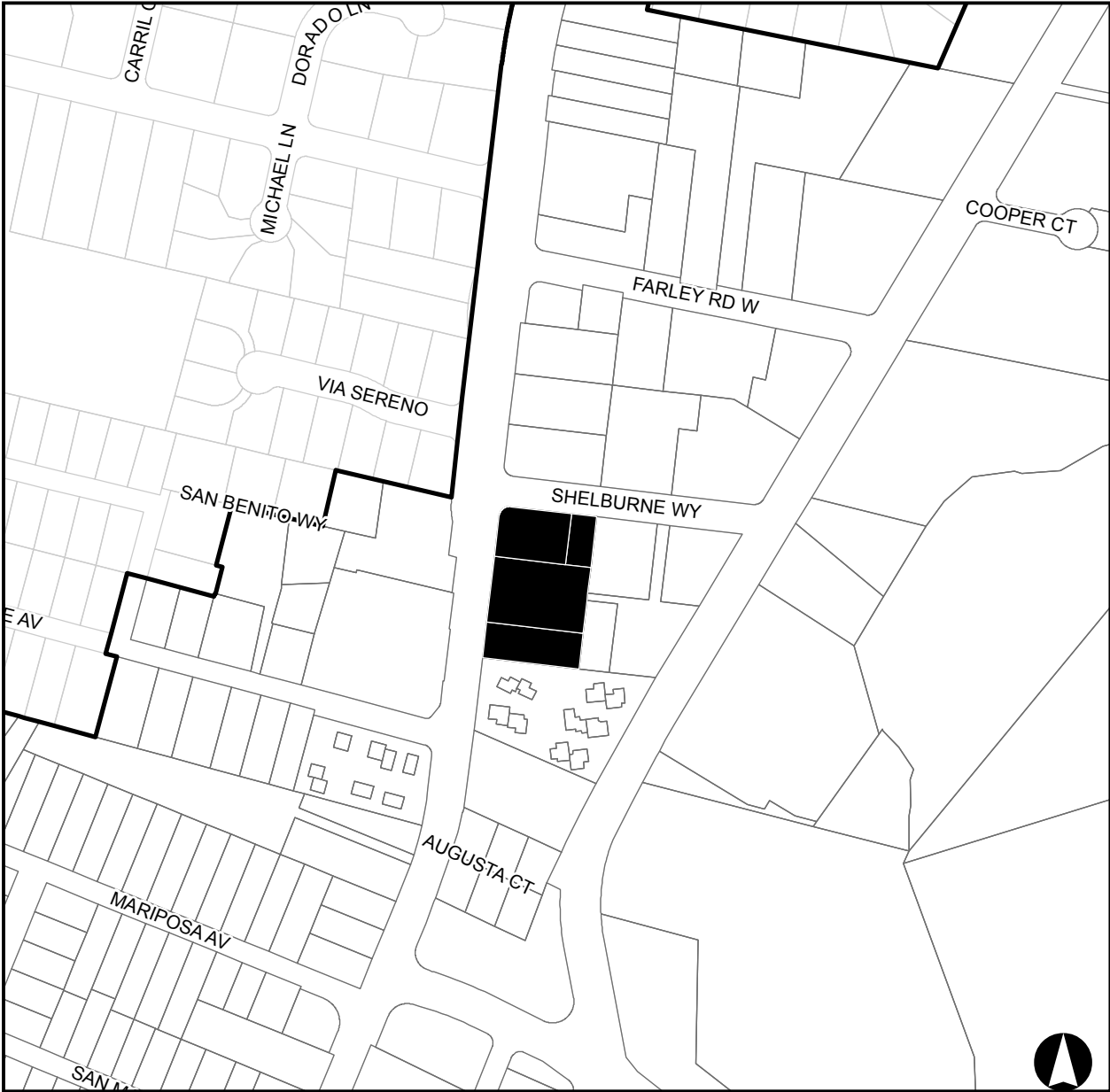
SUBJECT: 15860-15894 Winchester Boulevard/S-19-026 and M-19-006

DATE: July 2, 2019

EXHIBITS:

1. Location Map
2. Required Findings (one page)
3. Recommended Conditions of Approval (22 pages)
4. Time Extension Request, received May 9, 2019 (one page)
5. Development Plans, received May 9, 2019
6. Public Comments received by 11:00 a.m., Friday, July 5, 2019

15860-15894 Winchester Boulevard



PLANNING COMMISSION – July 10, 2019
REQUIRED FINDINGS:

15860-15894 Winchester Boulevard
Architecture and Site Application S-19-026
Subdivision Application M-19-006

Requesting approval for a time extension to demolish three existing single-family residences, remove an accessory dwelling unit, remove large protected trees, and merge four lots for the purpose of constructing a new two-story office building with below grade and at grade parking on property zoned O. APNs: 529-11-040, 529-11-039, & 529-11-038.

APPLICANT: Doug Rich, Valley Oak Partners

PROPERTY OWNER: South Beach Partners LLC and Cumulus Capital Holdings LLC

FINDINGS:

Required Finding for a Time Extension:

- As required by Section 29.20.325 of the Town Code for granting a time extension:

Town Code Section 29.20.325 allows the deciding body to approve reasonable time extensions not exceeding one year subject to the following findings:

- (1) There would be no legal impediment to granting a new application for the same approval in that the findings made for the previous approval still stand.
- (2) There are no new facts concerning the proposed project and conditions have been modified to reflect the new expiration date, include current Public Works Department requirements and standard conditions, and update the names of department contacts. No other conditions have been modified or added.

**PLANNING COMMISSION – July 10, 2019
CONDITIONS OF APPROVAL**

**15860-15894 Winchester Boulevard
Architecture and Site Application S-19-026
Subdivision Application M-19-006**

Requesting approval for a time extension to demolish three existing single-family residences, remove an accessory dwelling unit, remove large protected trees, and merge four lots for the purpose of constructing a new two-story office building with below grade and at grade parking on property zoned O. APNs: 529-11-040, 529-11-039, & 529-11-038.

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 and in substantial compliance with the plans approved and noted as received by the Town on May 9, 2019. Any changes or modifications to the approved plans shall be approved by the Community Development Director, the Development Review Committee, the Planning Commission, or Town Council, depending on the scope of the changes.
2. EXPIRATION: The approval will expire on October 17, 2020, pursuant to Section 29.20.325 of the Town Code, unless the approval has been vested.
3. OUTDOOR LIGHTING: Exterior lighting shall be kept to a minimum, and shall be down directed fixtures that will not reflect or encroach onto adjacent properties. No flood lights shall be used unless it can be demonstrated that they are needed for safety or security. The lighting plan shall be reviewed during building plan check.
4. GENERAL: 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.
5. TREE REMOVAL PERMIT: A Tree Removal Permit shall be obtained for any trees to be removed, prior to the issuance of a building or grading permit.
6. ARBORIST REQUIREMENTS: The developer shall implement, at their cost, all recommendations made by Deborah Ellis, MS, identified in the Arborist reports, dated as received February 12, 2016, June 10, 2016, and July 22, 2016, respectively, on file in the Community Development Department. 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. These recommendations must be incorporated in the building permit plans, and completed prior to issuance of a building permit where applicable.
7. TREE FENCING: Protective tree fencing shall be placed at the drip line of existing trees and shall remain through all phases of construction. Fencing shall be six foot high cyclone attached to two-inch diameter steel posts drive 18 inches into the ground and spaced no

EXHIBIT 3

- further than 10 feet apart. Include a tree protection fencing plan with the construction plans.
8. REPLACEMENT TREES: New trees shall be planted to mitigate the loss of trees being removed. The number of trees and size of replacement trees shall be determined using the canopy replacement table in the Town Code. Town Code requires a minimum 24-inch box size replacement tree. New trees shall be double staked with rubber ties and shall be planted prior to final inspection and issuance of occupancy permits.
 9. WATER EFFICIENCY LANDSCAPE ORDINANCE: The final landscape plan, including landscape and irrigation plans and calculations, shall meet the Town of Los Gatos Water Conservation Ordinance or the State Water Efficient Landscape Ordinance, whichever is more restrictive. The final landscape plan shall be reviewed by the Town's consultant prior to issuance of building permits. 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.
 10. STAIRWAY EXIT: The stairway exit to the underground garage shall be relocated from the exterior southern property line to an interior connection on the front elevation along Winchester Boulevard.
 11. BUILDING HEIGHT: The maximum height of the building shall not exceed 35 feet in height.
 12. PRIVACY: View glass shall be installed on the southern side of the building adjacent to the residential uses.
 13. TREES: Town staff shall examine the appropriateness of additional trees on the north side of the building.
 14. WALL HEIGHT: The height of the wall on the southern side of the building shall be six feet in height.
 15. NORTH ELEVATION: There shall be a reduction in the second floor of the north elevation so that the existing view of the hillside when walking or driving north to south on Winchester Boulevard is preserved as much as possible.
 16. SALVAGE OF BUILDING MATERIALS: Prior to the issuance of a demolition permit, the developer shall provide the Community Development Director with written notice of the company that will be recycling the building materials. All wood, metal, glass, and aluminum materials generated from the demolished structure shall be deposited to a company which will recycle the materials. Receipts from the company(s) accepting these materials, noting the type and weight of materials, shall be submitted to the Town prior to the Town's demolition inspection.
 17. STORY POLES: The story poles on the project site shall be removed within 30 days of approval of the Architecture & Site application.
 18. 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.
 19. AIR QUALITY MITIGATION MEASURE AIR-1*: BAAQMD-Recommend Basic Construction Mitigation Measures. 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 Mitigation Measures shall be included in the project's grading plan, building plans, and contract specifications:

- a. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day, or otherwise kept dust-free.
- b. All haul trucks designated for removal of excavated soil and demolition debris from site shall be staged off-site until materials are ready for immediate loading and removal from site.
- c. All haul trucks transporting soil, sand, debris, or other loose material off-site shall be covered.
- d. As practicable, all haul trucks and other large construction equipment shall be staged in areas away from the adjacent residential homes.
- e. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. 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 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. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 2 minutes. Clear signage shall be provided for construction workers at all access points.
- i. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator. All non-road diesel construction equipment shall at a minimum meet Tier 3 emission standards listed in the Code of Federal Regulations Title 40, Part 89, Subpart B, §89.112.
- j. Developer shall designate an on-site field supervisor to provide written notification of construction schedule to adjacent residential property owners and tenants at least one week prior to commencement of demolition and one week prior to commencement of grading with a request that all windows remain closed during demolition, site grading, excavation, and building construction activities in order to minimize exposure to NO_x and PM₁₀. The on-site field supervisor shall monitor construction emission levels within five feet of the property line of the adjacent residences for NO_x and PM₁₀ using the appropriate air quality and/or particulate monitor.
- k. 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 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.
- l. All excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed 20 mph.

- m. 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.
20. BIOLOGICAL RESOURCES MITIGATION MEASURE BIO-1*: Special-status and Migratory Bird Species. The following avoidance measures shall be required to avoid the project's potential effects on special-status and migratory bird species.
- a. If noise generation, ground disturbance, vegetation removal, or other construction activities begin during the nesting bird season (February 1 to August 31), or if construction activities are suspended for at least two weeks and recommence during the nesting bird season, then the project developer shall retain a qualified biologist to conduct a pre-construction survey for nesting birds. The survey shall be performed within suitable nesting areas on and adjacent to the site to ensure that no active nests would be disturbed during project implementation. This survey shall be conducted no more than two weeks prior to the initiation of construction activities. A report documenting survey results and plan for active bird nest avoidance (if needed) shall be completed by the qualified biologist and submitted to the Town of Los Gatos for approval prior to initiation of construction activities. If no active bird nests are detected during the survey, then construction activities can proceed as scheduled. However, if an active bird nest of a native species is detected during the survey, then a plan for active bird nest avoidance shall be prepared to determine and clearly delineate a temporary protective buffer area around each active nest, with buffer area size depending on the nesting bird species, existing site conditions, and type of proposed construction activities. The protective buffer area around an active bird nest is typically 75-250 feet, determined at the discretion of the qualified biologist and in compliance with any applicable project permits. To ensure that no inadvertent impacts to an active bird nest will occur, no construction activities shall occur within the protective buffer area(s) until the juvenile birds have fledged (left the nest), and there is no evidence of a second attempt at nesting, as determined by the qualified biologist.
21. BIOLOGICAL RESOURCES MITIGATION MEASURE BIO-2: The applicant shall comply with the Town of Los Gatos Tree Protection Ordinance and a tree removal permit shall be obtained from the Town for the removal of any on-site trees that qualify as a protected tree. No new trees planted on site shall have a trunk diameter of less than 1.5 inches. Protective construction fencing shall be in place for all retained trees prior to the commencement of any site work. Any trenching within the dripline of existing trees shall be hand dug.
22. BIOLOGICAL RESOURCES MITIGATION MEASURE BIO-3: The applicant shall comply with the recommendations in the arborist report prepared for the proposed project by Deborah Ellis on February 12, 2016, June 10, 2016, and July 22, 2016.
23. GEOLOGY AND SOILS MITIGATION MEASURE GEO-1: The applicant shall include the recommendations of the 2015 geotechnical report on all bid and construction documents to ensure that the recommended standards for development of foundations, subsurface improvements, etc. are incorporated into the project design and construction. All foundation and grading plans shall be reviewed by a licensed engineer and approved by

- the Town's engineer.
24. GREENHOUSE GAS EMISSIONS MITIGATION MEASURE GHG-1: The applicant shall include at least one reserved van-pool parking space; at least two reserved car-pool parking spaces, and at least four electric charging stations (one of which should be available to a handicapped space).
 25. GREENHOUSE GAS EMISSIONS MITIGATION MEASURE GHG-2: The applicant shall include solar energy or other alternative energy sources on project plans, providing 15 percent or more of the project's energy needs. Plans shall incorporate any combination of the following strategies to reduce heat gain for 50 percent of the non-roof impervious site landscape, which includes roads, sidewalks, courtyards, parking lots, and driveways: shaded within five years of occupancy; paving materials with a Solar Reflectance Index (SRI) of at least 29; open grid pavement system; and parking spaces underground, under deck, under roof, or under a building. Any roof used to shade or cover parking must have an SRI of at least 29 and/or have solar panels.
 26. HAZARDS AND HAZARDOUS EMISSIONS MITIGATION MEASURE HZ-1: Prior to the issuance of a demolition permit, the project applicant shall conduct sampling and testing of the existing building to determine the extent and presence of asbestos-containing building materials on the site. If measured levels exceed established thresholds, a work plan shall be developed and implemented to remove and dispose of the lead-containing materials in accordance with the established regulations.
 27. COMPLIANCE MEMORANDUM: A memorandum shall be prepared and submitted with the building plans detailing how the Conditions of Approval will be addressed.

Building Division

28. PERMITS REQUIRED: A separate Building Permit will be required for the subterranean parking garage podium structure and a separate Building Permit shall be required for the two-story office building. The trash enclosure shall also be on a separate permit. These are combination permits including electrical, mechanical, and plumbing work as necessary.
29. CONDITIONS OF APPROVAL: The Conditions of Approval must be blue-lined in full on the second 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.
30. SIZE OF PLANS: Four sets of construction plans, size 24" x 36" minimum, 30" x 42" maximum.
31. BUILDING ADDRESS: Submit requests for any building address changes or deletions to the Building Division prior to submitting for the building permit application process.
32. 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.
33. DEMOLITION REQUIREMENTS: Obtain Building Department Demolition Applications and Bay Area Air Quality Management District Applications from the Building Department

Service Counter. Once the Demolition Forms have been completed, all signatures obtained, and written verification from PG&E that all utilities have been disconnected, return the completed Forms to the Building Department Service Counter with the Air District's J# Certificate(s), PG&E verification, and three (3) sets of Site Plans showing all existing structures, existing utility service lines such as water, sewer, and PG&E. No demolition work shall be done without first obtaining a Permit from the Town.

34. SHORING: Shoring plans and calculations will be required for all excavations which exceed four (4) feet in depth or which remove lateral support from any existing building, adjacent property or the public right-of-way. Shoring plans and calculations shall be prepared by a California licensed engineer and shall conform to Cal/OSHA regulations.
35. 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 Walls
36. TITLE 24 ENERGY COMPLIANCE: All required California Title 24 Energy Compliance Forms must be blue-lined (sticky-backed) onto a sheet of the plans.
37. 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.
38. FIRE ZONE: This project will require Class A Roof Assemblies.
39. 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, signed by all requested parties, and be blue-lined on the construction plans. Special Inspection forms are available from the Building Division Service Counter or online at www.losgatosca.gov/building
40. NONPOINT SOURCE POLLUTION STANDARDS SHEET: The Town standard Santa Clara County Valley Nonpoint Source Pollution Control Program Sheet (or Clean Bay Sheet 24x36) shall be part of the plan submittal as the second or third page. The specification sheet is available at the Building Division Service Counter for a fee of \$2 or at San Jose Blue Print for a fee.
41. NPDES-C.3 DATA FORMS: Copies of the NPDES C.3 Data Forms (updated based on the final construction drawings) must be blue-lined in full onto the Plans. In the event that this

data differs significantly from any Planning approvals, the Town may require recertification of the project's storm water treatment facilities prior to release of the Building Permit.

42. GREEN BUILDING STANDARDS: This project must, at a minimum, be in compliance with the Nonresidential Mandatory Measures of the current California Green Building Standards Code (CGBSC) and all subsequent Amendments.
 - a. Bicycle Parking: Per CGBSC Section 5.106.4.1.1 provide twenty (20) permanently anchored bicycle racks (= 5% of motorized vehicle parking) for short-term bicycle parking or ten (10) two-bike capacity racks. Per CGBSC Section 5.106.4.2 provide secure bicycle lockers for twenty (20) bicycles (= 5% of motorized vehicle parking). Note: Providing showers, changing rooms, and clothes lockers in each building is a voluntary amenity to be considered.
 - b. Designated Parking: Per CGBSC Section 5.106.5.2 provide designated parking for any combination of low-emitting, fuel-efficient, and carpool/van pool vehicles as shown in Table 5.106.5.2 which equals 8% of the proposed parking or a minimum of 32 spaces.
 - c. Electric Vehicle Charging Stations: Per CGBSC Section 5.106.5.3, during construction provide electric vehicle supply equipment and electrical components as listed to facilitate the future installation of (or provide for during construction) electric vehicle charging stations. Per CGBSC Table 5.106.5.3.3, 12 electric vehicle charging stations spaces are required for this project or 3% of the total parking spaces.
43. SITE ACCESSIBILITY: At least one accessible route within the boundary of the site shall be provided from public transportation stops, accessible parking and accessible passenger loading zones and public streets or sidewalks to the accessible building entrance that they serve. The accessible route shall, to the maximum extent feasible, coincide with the route for the general public. At least one accessible route shall connect all accessible buildings, facilities, elements and spaces that are on the same site.
44. ACCESSIBLE PARKING: The parking lots, as well as the parking structure, where parking is provided for the public as clients, guests or employees, shall provide handicap accessible parking. Accessible parking spaces serving a particular building shall be located on the shortest accessible route of travel from adjacent parking to an accessible entrance. In buildings with multiple accessible entrances with adjacent parking, accessible parking spaces shall be dispersed and located closest to the accessible entrances.
45. APPROVALS REQUIRED: The project requires the following departments and agencies approval before issuing a building permit:
 - a. Community Development/Planning Division: Jocelyn Shoopman at (408) 399-5706
 - b. Engineering/Parks & Public Works Department: Mike Weisz at 395-5340
 - c. Santa Clara County Fire Department: (408) 378-4010
 - d. West Valley Sanitation District: (408) 378-2407
 - e. Bay Area Air Quality Management District: (415) 771-6000
 - f. 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.
46. ADVISORY COMMENTS:
 - a. Allowable Area calculations shall be provided for the subterranean parking garage

podium structure and the two-story office building per California Building Code Chapter 5.

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

Engineering Division

47. 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 Developer's representative in charge shall be at the job site during all working hours. Failure to maintain the public right-of-way according to this condition may result in the issuance of correction notices, citations, or stop work orders and the Town performing the required maintenance at the Developer's expense.
48. APPROVAL: This application shall be completed in accordance with all of the conditions of approval listed below and in substantial compliance with the latest reviewed and approved development plans. Any changes or modifications to the approved plans or conditions of approvals shall be approved by the Town Engineer.
49. 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 Applicant/Developer to obtain any necessary encroachment permits from affected agencies and private parties, including but not limited to, Pacific Gas and Electric (PG&E), AT&T, Comcast, Santa Clara Valley Water District, California Department of Transportation (Caltrans). Copies of any approvals or permits must be submitted to the Town Engineering Division of the Parks and Public Works Department prior to releasing any permit.
50. FOR PLANTERS: The Applicant shall apply for an encroachment permit for the proposed planters within the public sidewalk and/or public right-of-way. The Applicant shall work with Parks and Public Works Department staff to arrive at a mutually agreeable solution that addresses safety and aesthetic issues. If no solution is reached, the vegetative screening requirement shall be waived. An indemnity agreement for private improvements in the public right-of-way (indemnity agreement) will be required if planters are proposed to be located on public land. A copy of the recorded agreement shall be submitted to the Engineering Division of the Parks and Public Works Department prior to the issuance of any permit.
51. PUBLIC WORKS INSPECTIONS: The Developer or their representative shall notify the Engineering Inspector at least twenty-four (24) hours before starting any work pertaining to on-site drainage facilities, grading or paving, and all work in the Town's right-of-way. Failure to do so will result in penalties and rejection of work that went on without inspection.

52. RESTORATION OF PUBLIC IMPROVEMENTS: The Developer shall repair or replace all existing improvements not designated for removal that are damaged or removed because of the Developer'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 Developer shall request a walk-through with the Engineering Construction Inspector before the start of construction to verify existing conditions.
53. SITE SUPERVISION: The General Contractor shall provide qualified supervision on the job site at all times during construction.
54. 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.
55. PLAN CHECK FEES: Plan check fees associated with the Grading Permit shall be deposited with the Town prior to plan review at the Engineering Division of the Parks and Public Works Department.
56. INSPECTION FEES: Inspection fees shall be deposited with the Town prior to the issuance of any permits.
57. DESIGN CHANGES: Any proposed changes to the approved plans shall be subject to the approval of the Town prior to the commencement of any and all altered work. The Owner, Applicant and/or Developer's project engineer shall notify, in writing, the Town Engineer at least seventy-two (72) hours in advance of all the proposed changes. Any approved changes shall be incorporated into the final "as-built" plans.
58. PLANS AND STUDIES: All required plans and studies shall be prepared by a Registered Professional Engineer in the State of California, and submitted to the Town Engineer for review and approval. Additionally, any post-project traffic or parking counts, or other studies imposed by the Planning Commission or Town Council shall be funded by the Applicant.
59. GRADING PERMIT: A grading permit is required for all site grading and drainage work except for exemptions listed in Section 12.20.015 of The Code of the Town of Los Gatos (Grading Ordinance). After the preceding Architecture and Site Application has been approved by the respective deciding body, the grading permit application (with grading plans) shall be made to the Engineering Division of the Parks and Public Works Department located at 41 Miles Avenue. The grading plans shall include final grading, drainage, retaining wall location(s), driveway, utilities and interim erosion control. Grading plans shall list earthwork quantities and a table of existing and proposed impervious areas. Unless specifically allowed by the Director of Parks and Public Works,

the grading permit will be issued concurrently with the building permit. The grading permit is for work outside the building footprint(s). Prior to Engineering signing off and closing out on the issued grading permit, the Owner/Applicant/Developer's soils engineer shall verify, with a stamped and signed letter, that the grading activities were completed per plans and per the requirements as noted in the soils report. A separate building permit, issued by the Building Department on 110 E. Main Street, is needed for grading within the building footprint.

60. DRIVEWAY: The driveway conforms to existing pavement on both Winchester Boulevard and Shelburne Way shall be constructed in a manner such that the existing drainage patterns will not be obstructed.
61. PARKING RESTRICTIONS AT DRIVEWAYS: On-street parking shall be prohibited within 15 feet of the proposed driveways on both Winchester Boulevard and Shelburne Way to ensure adequate site distance.
62. DRAINAGE IMPROVEMENT: Prior to the issuance of any grading/improvement permits, whichever comes first, the 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.
63. TREE REMOVAL: Copies of all necessary tree removal permits shall be provided prior to the issuance of a grading permit/building permit.
64. SURVEYING CONTROLS: Horizontal and vertical controls shall be set and certified by a licensed surveyor or registered civil engineer qualified to practice land surveying, for the following items:
 - a. Retaining wall: top of wall elevations and locations.
 - b. Toe and top of cut and fill slopes.
65. PRECONSTRUCTION MEETING: Prior to issuance of any permit or the commencement of any site work, the general contractor shall:
 - a. Along with the project 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.
66. RETAINING WALLS: A building permit, issued by the Building Department at 110 E. Main Street, may be required for site retaining walls. Walls are not reviewed or approved by the Engineering Division of Parks and Public Works during the grading permit plan review process.
67. CERTIFICATE OF LOT MERGER: A Certificate of Lot Merger shall be recorded. Two (2) copies of the legal description for exterior boundary of the merged parcel and a plat map (8-½ in. X 11 in.) shall be submitted to the Engineering Division of the Parks and Public Works Department for review and approval. The submittal shall include closure calculations, title reports less than ninety (90) days old and the appropriate fee. The certificate shall be recorded before any permits may be issued.

68. DEDICATIONS: The following shall be dedicated by separate instrument. The dedication shall be recorded before any permits are issued:
 - a. Winchester Boulevard: A 7-foot width of right-of-way shall be dedicated in fee for street purposes.
 - b. Public Service Easement (PSE): A 10-foot wide easement may be required by the utility companies.
69. SOILS REPORT: One copy of the soils and geologic report shall be submitted with the application. The soils report shall include specific criteria and standards governing site grading, drainage, pavement design, retaining wall design, and erosion control. The reports shall be signed and "wet stamped" by the engineer or geologist, in conformance with Section 6735 of the California Business and Professions Code.
70. GEOLOGY AND SOILS MITIGATION MEASURE: A geotechnical investigation shall be conducted for the project to determine the surface and sub-surface conditions at the site and to determine the potential for surface fault rupture on the site. The geotechnical study shall provide recommendations for site grading as well as the design of foundations, retaining walls, concrete slab-on-grade construction, excavation, drainage, on-site utility trenching and pavement sections. All recommendations of the investigation shall be incorporated into project plans.
71. SOILS ENGINEER CONSTRUCTION OBSERVATION: During construction, all excavations and grading shall be inspected by the Applicant's soils engineer prior to placement of concrete and/or backfill so they can verify that the actual conditions are as anticipated in the design-level geotechnical report, and recommend appropriate changes in the recommendations contained in the report, if necessary. The results of the construction observation and testing shall be documented in an "as-built" letter/report prepared by the Applicant's soils engineer and submitted to the Town before final release of any occupancy permit is granted.
72. SOIL RECOMMENDATIONS: The project shall incorporate the geotechnical/geological recommendations contained in the Preliminary Geotechnical Investigation by Cornerstone Earth Group, dated September 21, 2015, and any subsequently required report or addendum. Subsequent reports or addendum are subject to peer review by the Town's consultant and costs shall be borne by the Applicant.
73. SUBDIVISION IMPROVEMENTS AGREEMENT: The Applicant shall enter into an agreement to construct public improvements in accordance with Town Code Section 24.40.020. The Applicant shall supply suitable securities for all public improvements that are part of the development in a form acceptable to the Town in the amount of 100% performance and 100% labor and materials prior to issuance of any encroachment, grading or building permit. The Applicant shall provide two (2) copies of documents verifying the cost of the public improvements to the satisfaction of the Engineering Division of the Parks and Public Works Department. A copy of the executed agreement shall be submitted to the Engineering Division of the Parks and Public Works Department prior to the issuance of any permit.
74. JOINT TRENCH PLANS: Joint trench plans shall be reviewed and approved by the Town prior to recordation of a map. The joint trench plans shall include street and/or site lighting and associated photometrics. A letter shall be provided by PG&E stating that

public street light billing will be by Rule LS2A, and that private lights shall be metered with billing to the property owner. Pole numbers, assigned by PG&E, shall be clearly delineated on the plans.

75. WATER METER: The proposed water meters shall be constructed and installed within the property in question, directly behind the public right-of-way line.
76. ELECTRICAL CABINET: The existing electrical cabinet, currently located within the Winchester Boulevard right-of-way, shall be relocated within the property in question, directly behind the public right-of-way line after the required street dedication. The 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.
77. ELECTRICAL VAULT: The existing electrical vault, currently located within the Winchester Boulevard right-of-way, shall be relocated within the property in question, directly behind the public right-of-way line after the required street dedication. The 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.
78. SANITARY SEWER CLEANOUT: The sanitary sewer cleanout proposed along the project's Winchester Boulevard frontage shall be constructed and installed within the property in question, directly behind the public right-of-way line after the required street dedication.
79. PUBLIC IMPROVEMENTS: The following improvements shall be installed by the Developer. Plans for those improvements shall be prepared by a California registered civil engineer, reviewed and approved by the Town, and guaranteed by contract, Faithful Performance Security and Labor & Materials Security before the issuance of a building permit or the recordation of a map. The improvements must be completed and accepted by the Town before a Certificate of Occupancy for any new building can be issued.
 - a. Winchester Boulevard: New curb, gutter, minimum 5-foot detached sidewalk, minimum 4-foot park strip, pavement, street lights, tie-in paving, signing striping, and 2-inch grind and overlay along the eastern half of Winchester Boulevard.
 - b. Shelburne Way: New curb, gutter, minimum 5-foot detached sidewalk, minimum 4-foot park strip, half-street pavement reconstruction along the southern half of the roadway, 2-inch grind and overlay along the northern half of the roadway, signing, and striping.
 - c. Bus stop: A new bus stop shall be provided along the project frontage on Winchester Boulevard. The developer shall coordinate with the Santa Clara Valley Transportation Authority (VTA) for the required improvements.
 - d. Bicycle lane: The project shall re-stripe Winchester Boulevard along the project frontage plus necessary conform transition for adding bicycle lanes. The roadway shall be re-surfaced prior to striping.
 - e. Pedestrian crosswalk: The project shall provide a corner bulb-out and a striped pedestrian crosswalk crossing Shelburne Way at Winchester Boulevard as directed by Town Engineer.
 - f. Street lights: A new Town standard street light shall be installed on Winchester Boulevard at the corner of Shelburne Way along the project frontage. A new Town standard street light shall be installed on Shelburne Way along the project frontage

replacing an existing PG&E street light across the project site. The developer shall coordinate with PG&E for the removal and installation.

80. FRONTAGE IMPROVEMENTS: The 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 approaches, curb ramp, signs, street lighting (upgrade and/or repaint) etc. The improvements must be completed and accepted by the Town before a Certificate of Occupancy for any new building can be issued.
81. ADA COMPLIANCE: The Applicant shall be required to meet all ADA standards, which must be completed and accepted by the Town before a Certificate of Occupancy for any new building can be issued. This may require additional construction measures as directed by the Town.
82. UNDERGROUND PARKING GARAGE DRAINAGE: Water from the underground parking garage shall not be discharged onto the public street. The Applicant shall design a floor drainage system for the garage that collects all drainage and conveys runoff to the sanitary sewer system. Connecting said drainage system to the storm drain system is not permitted.
83. PARKING LOTS: Parking lots and other impervious areas shall be designed to drain stormwater runoff to vegetated drainage swales, filter strips, and/or other Low Impact Development (LID) treatment devices that can be integrated into required landscaping areas and traffic islands prior to discharge into the storm drain system and/or public right-of-way. The amount of impervious area associated with parking lots shall be minimized by utilizing design features such as providing compact car spaces, reducing stall dimensions, incorporating efficient parking lanes, and using permeable pavement where feasible, and adhering to the Town's Parking Development Standards. The use of permeable paving for parking surfaces is encouraged to reduce runoff from the site. Such paving shall meet Santa Clara County Fire Department requirements and be structurally appropriate for the location.
84. UTILITIES: The Developer shall install all new, relocated, or temporarily removed utility services, including telephone, electric power and all other communications lines underground, as required by Town Code Section 27.50.015(b). All new utility services shall be placed underground. Underground conduit shall be provided for cable television service. The Applicant is required to obtain approval of all proposed utility alignments from any and all utility service providers before a Certificate of Occupancy for any new building can be issued. The Town of Los Gatos does not approve or imply approval for final alignment or design of these facilities.
85. TRENCHING MORATORIUM: Trenching within a newly paved street will be allowed subject to the following requirements:
 - a. The Town standard "T" trench detail shall be used.
 - b. A Town-approved colored controlled density backfill shall be used.
 - c. All necessary utility trenches and related pavement cuts shall be consolidated to minimize the impacted area of the roadway.
 - d. 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 (½) inch medium asphalt. The initial lift(s) shall be of three-quarter (¾) inch medium asphalt.

- e. The Contractor shall schedule a pre-paving meeting with the Town Engineering Construction Inspector the day the paving is to take place.
 - f. 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.
86. SIDEWALK REPAIR: The Developer shall repair and replace to existing Town standards any sidewalk damaged now or during construction of this project. All new and existing adjacent infrastructure must meet current ADA standards. Sidewalk repair shall match existing color, texture and design, and shall be constructed per Town Standard Details. New concrete shall be free of stamps, logos, names, graffiti, etc. Any concrete identified that is displaying a stamp or equal shall be removed and replaced at the Contractor's sole expense and no additional compensation shall be allowed therefore. The limits of sidewalk repair will be determined by the Engineering Construction Inspector during the construction phase of the project. The improvements must be completed and accepted by the Town before a Certificate of Occupancy for any new building can be issued.
87. CURB AND GUTTER REPAIR: The Developer shall repair and replace to existing Town standards any curb and gutter damaged now or during construction of this project. All new and existing adjacent infrastructure must meet Town standards. New curb and gutter shall be constructed per Town Standard Details. New concrete shall be free of stamps, logos, names, graffiti, etc. Any concrete identified that is displaying a stamp or equal shall be removed and replaced at the Contractor's sole expense and no additional compensation shall be allowed therefore. The limits of curb and gutter repair will be determined by the Engineering Construction Inspector during the construction phase of the project. The improvements must be completed and accepted by the Town before a Certificate of Occupancy for any new building can be issued.
88. DRIVEWAY APPROACH: The Developer shall install two (2) Town standard commercial driveway approaches. The new driveway approaches 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.
89. CURB RAMPS: The Developer shall construct one (1) curb ramp in compliance with ADA Standards which 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.

90. SIGHT TRIANGLE AND TRAFFIC VIEW AREA: Any proposed improvements, including but not limiting to trees and hedges, will need to abide by Town Code Sections 23.10.080, 26.10.065, and 29.40.030.
91. FRONTAGE IMPROVEMENTS (TRAFFIC): The Applicant shall construct improvements including and may not be limited to signage, striping, curb/gutter/sidewalk, ADA ramps, pedestrian crosswalk, and street lights as directed by the Town Engineer. Plans for the improvements must be approved by the Town prior to 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.
92. TRANSPORTATION MANAGEMENT PLAN (TDM): The developer shall prepare a Transportation Demand Management Plan for Town of Los Gatos approval prior to the issuance of a building permit. The TDM shall include the measures such as bicycle facility provisions, shower facilities, transit passes and subsidies, carpool incentive, designated car share parking, and other measures that may be required by Town Engineer. The TDM shall also include a TDM coordinator and identify the requirement for an annual TDM effectiveness report to Town of Los Gatos.
93. TRAFFIC STUDY: Any development of land use that generates greater traffic impacts than those assumed in the traffic study report may require an updated traffic study in accordance with the Town's traffic impact policy.
94. TRAFFIC IMPACT MITIGATION FEE: Prior to the issuance of any grading or building permits, the Developer shall pay the project's proportional share of transportation improvements needed to serve cumulative development within the Town of Los Gatos. The fee amount will be based upon the Town Council resolution in effect at the time the building permit is issued. The fee shall be paid before issuance of a building permit. The amount based on the current resolution is **\$273,306.00**. The final traffic impact mitigation fee for this project shall be calculated from the final plans using the current fee schedule and rate schedule in effect at the time the building permit is issued, using a comparison between the existing and proposed uses.
95. CONSTRUCTION STREET PARKING: No vehicle having a manufacture's rated gross vehicle weight exceeding ten thousand (10,000) pounds shall be allowed to park on the portion of a street which abuts property in a residential zone without prior to approval from the Town Engineer.
96. CONSTRUCTION VEHICLE PARKING: No construction vehicles, trucks, equipment and worker vehicles shall be allowed to park on the portion of any public streets without written approval from Town Engineer.
97. TRAFFIC CONTROL PLAN: A traffic control plan is required and must be submitted and approved by the Town Engineer prior to issuance of an encroachment, grading or building permit. This plan shall include, but not be limited to, the following measures:
 - a. Construction activities shall be strategically timed and coordinated to minimize traffic disruption for schools, residents, businesses, special events, and other projects in the area. The schools located on the haul route shall be contacted to help with the coordination of the trucking operation to minimize traffic disruption.

- b. Flag persons shall be placed at locations necessary to control one-way traffic flow. All flag persons shall have the capability of communicating with each other to coordinate the operation.
 - c. Prior to construction, advance notification of all affected residents and emergency services shall be made regarding one-way operation, specifying dates and hours of operation.
98. CONSTRUCTION TRAFFIC CONTROL: All construction traffic and related vehicular routes, traffic control plan, and applicable pedestrian or traffic detour plans shall be submitted for review and approval by Town Engineer prior to the issuance of an encroachment, grading or building permit.
99. ADVANCE NOTIFICATION: Advance notification of all affected residents and emergency services shall be made regarding parking restriction, lane closure or road closure, specify specification of dates and hours of operation.
100. SCHOL DROP-OFF AND PICK-UP: No construction activities affecting normal traffic flow shall be permitted during school drop-off and pick-up periods.
101. HAULING OF SOIL: Hauling of soil on- or off-site shall not occur during the morning or evening peak periods (between 7:00 a.m. and 9:00 a.m. and between 4:00 p.m. and 6:00 p.m.), and at other times as specified by the Director of Parks and Public Works. Prior to the issuance of an encroachment, grading or building permit, the Developer shall work with the Town Building Department and Engineering Division Inspectors to devise a traffic control plan to ensure safe and efficient traffic flow under periods when soil is hauled on or off of the project site. This may include, but is not limited to provisions for the Developer to place construction notification signs noting the dates and time of construction and hauling activities, or providing additional traffic control. Coordination with other significant projects in the area may also be required. Cover all trucks hauling soil, sand and other loose debris.
102. CONSTRUCTION HOURS: All subdivision improvements and site improvements 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 8:00 p.m., weekdays and 9:00 a.m. to 7:00 p.m. weekends and holidays. The Town may authorize, on a case-by-case basis, alternate construction hours. The 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.
103. 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.
104. CONSTRUCTION MANAGEMENT PLAN SHEET: Prior to the issuance of any permits, the Applicant shall submit a construction management plan sheet (full-size) within the plan set that shall incorporate at a minimum the Earth Movement Plan, Traffic Control Plan, Project Schedule, site security fencing, employee parking, construction staging area,

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

105. WVSD (West Valley Sanitation District): Sanitary sewer laterals are televised by West Valley Sanitation District and approved by the Town of Los Gatos before they are used. A Sanitary Sewer Clean-out is required for each property at the property line, or at a location specified by the Town.
106. 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.
107. STORMWATER MANAGEMENT: Construction activities including but not limited to clearing, stockpiling, grading or excavation of land, which disturbs one (1) acre or more which are part of a larger common plan of development which disturbs less than one (1) acre are required to obtain coverage under the construction general permit with the State Water Resources Control Board. The Applicant is required to provide proof of WDID# and keep a current copy of the storm water pollution prevention plan (SWPPP) on the construction site and shall be made available to the Town of Los Gatos Engineering Division of the Parks and Public Works Department and/or Building Department upon request.
108. BEST MANAGEMENT PRACTICES (BMPs): The 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.
109. STORMWATER DEVELOPMENT RUNOFF: All new development and redevelopment projects are subject to the stormwater development runoff requirements. Every Applicant shall submit a stormwater control plan and implement conditions of approval that reduce stormwater pollutant discharges through the construction, operation and maintenance of treatment measures and other appropriate source control and site design measures. Increases in runoff volume and flows shall be managed in accordance with the development runoff requirements.

110. REGULATED PROJECT: The project is classified as a Regulated Project per Provision C.3.b.ii. and is required to implement LID source control, site design, and stormwater treatment on-site in accordance with Provisions C.3.c. and C.3.d.
111. LANDSCAPING: In finalizing the landscape plan for the biotreatment area(s), it is recommended that the landscape architect ensure that the characteristics of the selected plants are similar to those of the plants listed for use in bioretention areas in Appendix D of the Santa Clara Valley Urban Runoff Pollution Prevention Program (SCVURPPP) C.3 Stormwater Handbook.
112. LANDSCAPE MAINTENANCE AGREEMENT: The Developer shall enter into a Landscape Maintenance Agreement with the Town of Los Gatos in which the Developer agrees to maintain the vegetated areas along the project's Winchester Boulevard and Shelburne Way frontages located within the public right-of-way. The agreement must be completed and accepted by the Town Attorney prior to the issuance of any encroachment, grading or building permits.
113. 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 Notice of Intent (NOI) and Storm Water Pollution Prevention Plan (SWPPP) shall be submitted to the San Francisco Bay Regional Water Quality Control Board for projects disturbing more than one (1) acre. A maximum of two (2) weeks is allowed between clearing of an area and stabilizing/building on an area if grading is allowed during the rainy season. Interim erosion control measures, to be carried out during construction and before installation of the final landscaping, shall be included. Interim erosion control method shall include, but are not limited to: silt fences, fiber rolls (with locations and details), erosion control blankets, Town standard seeding specification, filter berms, check dams, retention basins, etc. Provide erosion control measures as needed to protect downstream water quality during winter months. The grading, drainage, erosion control plans and SWPPP shall be in compliance with applicable measures contained in the amended provisions C.3 and C.14 of most current Santa Clara County National Pollutant Discharge Elimination System (NPDES) Municipal Regional Permit (MRP). Monitoring for erosion and sediment control is required and shall be performed by the Qualified SWPPP Developer (QSD) or Qualified SWPPP Practitioner (QSP) as required by the Construction General Permit. Stormwater samples are required for all discharge locations and projects may not exceed limits set forth by the Construction General Permit Numeric Action Levels and/or Numeric Effluent Levels. A Rain Event Action Plan (REAP) must be developed forty-eight (48) hours prior to any likely precipitation event, defined by a fifty (50) percent or greater probability as determined by the National Oceanic and Atmospheric Administration (NOAA), and/or whenever rain is imminent. The QSD or QSP must print and save records of the precipitation forecast for the project location area from (<http://www.srh.noaa.gov/forecast>) which must accompany monitoring reports and sampling test data. A rain gauge is required on-site. 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.

114. 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.
115. AIR QUALITY: To limit the project's construction-related dust and criteria pollutant emissions, the following the Bay Area Air Quality Management District (BAAQMD)-recommended basic construction measures shall be included in the project's grading plan, building plans, and contract specifications:
- a. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day, or otherwise kept dust-free.
 - b. All haul trucks designated for removal of excavated soil and demolition debris from site shall be staged off-site until materials are ready for immediate loading and removal from site.
 - c. All haul trucks transporting soil, sand, debris, or other loose material off-site shall be covered.
 - d. As practicable, all haul trucks and other large construction equipment shall be staged in areas away from the adjacent residential homes.
 - e. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day, or as deemed appropriate by Town Engineer. The use of dry power sweeping is prohibited. An on-site track-out control device is also recommended to minimize mud and dirt-track-out onto adjacent public roads.
 - f. All vehicle speeds on unpaved surfaces shall be limited to fifteen (15) miles per hour.
 - g. All driveways and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
 - h. Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within forty-eight (48) hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

- 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.
116. 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.
117. SITE DRAINAGE: No through curb drains will be allowed. Any storm drain inlets (public or private) directly connected to public storm system shall be stenciled/signed with appropriate "NO DUMPING - Flows to Bay" NPDES required language. No improvements shall obstruct or divert runoff to the detriment of an adjacent, downstream or down slope property.
118. STORM WATER MANAGEMENT PLAN: A storm water management shall be included with the grading permit. The plan shall delineate source control measures and BMPs together with the sizing calculations. The plan shall be certified by a professional pre-qualified by the Town. In the event that the storm water measures proposed on the Planning approval differ significantly from those certified on the Building/Grading Permit, the Town may require a modification of the Planning approval prior to release of the Building Permit. The Applicant may elect to have the Planning submittal certified to avoid this possibility.
119. STORM WATER MANAGEMENT PLAN NOTES: The following note shall be added to the storm water management plan: "The biotreatment soil mix used in all stormwater treatment landscapes shall comply with the specifications in Attachment L of the MRP. Proof of compliance shall be submitted by the Contractor to the Town of Los Gatos a minimum of thirty (30) days prior to delivery of the material to the job site using the Biotreatment Soil Mix Supplier Certification Statement."
120. STORM WATER MANAGEMENT PLAN CERTIFICATION: Certification from the biotreatment soils provider is required and shall be given to Engineering Division Inspection staff a minimum of thirty (30) days prior to delivery of the material to the job site. Additionally, deliver tags from the soil mix shall also be provided to Engineering Division Inspection staff. Sample Certification can be found here:
http://www.scvurppp-w2k.com/nd_wp.shtml?zoom_highlight=BIOTREATMENT+SOIL.
121. AGREEMENT FOR STORMWATER BEST MANAGEMENT PRACTICES INSPECTION AND MAINTENANCE OBLIGATIONS: The property owner shall enter into an agreement with the Town for maintenance of the stormwater filtration devices required to be installed on this project by the Town's Stormwater Discharge Permit and all current amendments or modifications. The agreement shall specify that certain routine maintenance shall be performed by the property owner and shall specify device maintenance reporting requirements. The agreement shall also specify routine inspection requirements, permits and payment of fees. The agreement shall be recorded, and a copy of the recorded

agreement shall be submitted to the Engineering Division of the Parks and Public Works Department, prior to the release of any occupancy permits.

122. 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.
123. OUTDOOR TRASH ENCLOSURES: Outdoor trash enclosures shall be covered and provided with area drains connected to the sanitary sewer per current NPDES requirements before a Certificate of Occupancy for any new building can be issued. Connecting said drainage system to the storm drain system is not permitted.
124. 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 Developer's representative in charge shall be at the job site during all working hours. Failure to maintain the public right-of-way according to this condition may result in penalties and/or the Town performing the required maintenance at the Developer's expense.
125. NEIGHBORHOOD CONSTRUCTION COMMUNICATION PLAN: Prior to issuance of an encroachment, grading or building permit, the Applicant shall initiate a weekly neighborhood email notification program to provide project status updates. The email notices shall also be posted on a bulletin board placed in a prominent location along the project perimeter.
126. COVERED TRUCKS: All trucks transporting materials to and from the site shall be covered.

TO THE SATISFACTION OF THE SANTA CLARA COUNTY FIRE DEPARTMENT:

127. FIRE SPRINKLERS REQUIRED: Approved automatic sprinkler systems in new buildings and existing buildings and structures shall be provided in the locations described in this Section or Section 903.2.1 through 903.2.18 whichever is the more restrictive. For the purposes of this Section, firewalls used to separate building areas shall be constructed in accordance with the California Building Code and shall be without openings or penetrations. Note: The owner(s), occupant(s), and any contractor(s) or subcontractor(s) are responsible for consulting with the water purveyor of record in order to determine if any modifications or upgrade of the existing water service is required. A State of California licensed (C-16) Fire Protection Contractor shall submit plans, calculations, a completed permit application, and appropriate fees to this department for review and approval prior to beginning their work. CFC Section 903.2 as adopted and amended by LGTC.
128. 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 that system(s) under consideration will not be granted by this office until compliance with the requirements of the water purveyor are documented by that purveyor as having been met by the applicant(s). 2010 CFC Sec. 903.3.5 and Health and Safety Code 13114.7.

129. HOSE VALVES/STANDPIPES REQUIRED: Hose valves/standpipes shall be installed as per the 2013 CFC Sec. 905, or where emergency access has been deemed minimal, shall be equipped with standpipes designed per NFPA Std. #14, and be equipped with 2-1/2" inch hose valves, located within the stair enclosure(s). Note specifically, within parking structure(s) at stairwells and on podium within courtyard. CFC Sec. 905 as adopted and amended by CUPMC.
130. FIRE ALARM REQUIREMENTS: A manual fire alarm system shall be installed in Group B occupancies where one of the following conditions exists: The Group B load is more than 100 persons above or below the lowest level of exit discharge. Alarm systems shall comply with this code and with the currently adopted edition of NFPA 72 907.2.2 Group B.
131. EMERGENCY RESPONDER RADIO COVERAGE: Emergency responder radio coverage in new buildings. All new buildings shall have approved radio coverage for emergency responders within the building based upon the existing coverage levels of the public safety communication systems of the jurisdiction at the exterior of the building. This section shall not require improvement of the existing public safety communication systems.
132. FIRE PROTECTION AND UTILITY EQUIPMENT IDENTIFICATION AND ACCESS: Fire protection equipment shall be identified in an approved manner. Rooms containing controls for air-conditioning systems, sprinkler risers and vales, or other fire detection, suppression or control elements shall be identified for the use of the fire department. Approved signs required to identify fire protection equipment and equipment location shall be constructed of durable materials, permanently installed and readily visible.
133. CONSTRUCTION FIRE SAFETY: All construction sites must comply with applicable provisions of the CFC Chapter 33 and our Standard Detail and Specification SI-7. Provide appropriate notations on subsequent plan submittals, as appropriate to the project. CFC Chapter 33.
134. 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 signs or means shall be used to identify the structure. Address numbers shall be maintained. CFC Section 505.1



RECEIVED

MAY 09 2019

TOWN OF LOS GATOS
PLANNING DIVISION

May 7, 2019

Community Development Department
Town of Los Gatos
110 E. Main Street
Los Gatos, CA 95030

Re: 15860, 15880 and 15894 Winchester Blvd
Approval Extension Request

Ms. Armer:

Valley Oak Partners is requesting an extension to the project approvals for the above referenced property. No changes are being requested from the previously approved project. We have been actively marketing the property since January 2018 to procure the targeted tenants. As stated during the original entitlement process, we are seeking professional tenants of scale rather than medical, or smaller home-office tenants. While we have been in discussions with multiple groups, none have elected to move forward.

Execution of a tenant lease is a requirement in order to obtain needed project financing for construction of the building. Construction of the building without a tenant in place is not economically feasible. Extension of the project approvals would provide us needed time to complete tenant acquisition and begin construction of the building. We remain optimistic that the location and building design are appropriate and attractive to prospective tenants. We appreciate your consideration of this extension.

Regards,

A handwritten signature in blue ink that reads 'Douglas Rich'.

Douglas Rich
Valley Oak Partners, LLC

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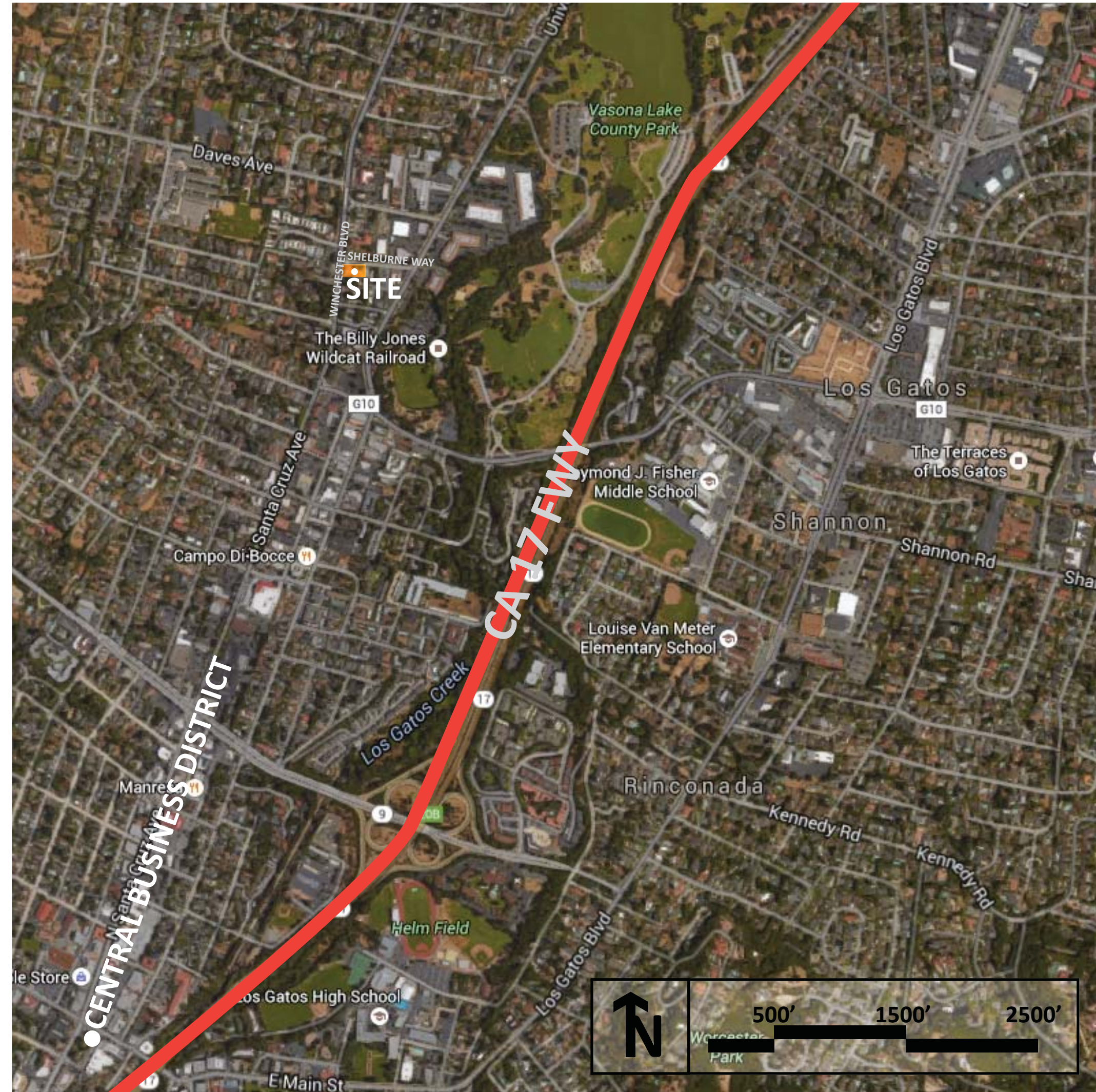
WINCHESTER BLVD. OFFICE - LOS GATOS, CA

March 14, 2017 - Submittal



EXHIBIT 5

VICINITY MAP:



PROPERTY INFORMATION:

15860, 15880, 15894
 Winchester Blvd, Los Gatos, CA
 APN: 529-11-013, -038, -039 and -040
 Proposed Land Use: Office

PROPOSED LAND USE:

Existing GP Designation: Office Professional
 Existing Land Use: Residential
 Proposed Land Use: Office
 Existing Zoning: O - Office
 Gross Acreage: 1.31 Acres

PROJECT SUMMARY:

SITE AREA: 1.31 ACRE
 GROSS OFFICE AREA: 30,070 SF
 LOT COVERAGE: 27.2% (40% MAX)
 PARKING REQUIRED: 128 (1 STALL / 235 SQ. FT.)
 PARKING PROVIDED: 128
 SUBTERRANEAN PODIUM GARAGE: TYPE IA, S-2 OCCUPANCY
 OFFICE BUILDING: TYPE IIIB, B OCCUPANCY

APPLICABLE CODES:

2013 CA Building Code
 2013 CA Electrical Code
 2013 CA Mechanical Code
 2013 CA Plumbing Code
 2013 CA Green Building Standards
 2013 CA Energy Efficiency Standards
 Town of Los Gatos Code of Ordinances

PROJECT TEAM:

APPLICANT:
 VALLEY OAK PARTNERS, LLC
 734 The Alameda
 San Jose, CA 95126
 Contact: DOUG RICH
 Phone: 408.282.0995

CIVIL ENGINEER:
 BKF Engineers
 1650 Technology Drive, Suite 650
 San Jose, CA 95110
 Contact: SCOTT SCHORK
 Phone: 408.467.9126

ARCHITECT/PLANNER:
 STUDIO T-SQ, INC.
 304 12th Street, Suite 2A
 Oakland, CA 94607
 Contact: CHEK TANG / CHRIS LEE
 Phone: 510.451.2850

LANDSCAPE ARCHITECT:
 GATES + ASSOCIATES
 2671 Crow Canyon Road
 San Ramon, CA 94583
 Contact: JANET KIYOI
 Phone: 925.736.8176 x246

STRUCTURAL ENGINEER:
 SW Structural, Inc.
 17582 San Benito Way,
 Los Gatos, CA 95030
 Contact: STEVE F. WADE
 Phone: 408.399.0623

SHEET INDEX:

G0.0	Data Sheet
SP1.0	Site Location
SP2.0	Site Context
SP3.0	General Plan Land Use
SP4.0	Shadow Study Diagram
C1.0	Civil Title Sheet
C2.0	Existing Conditions & Tree Removal Plan
C3.0	Preliminary Site Plan
C4.0	Preliminary Grading & Drainage Plan
C5.0	Preliminary Utility Plan
C6.0	Preliminary Stormwater Control Plan
L-1	Landscape Layout Plan
L-2	Tree Preservation and Removal Plan
L-3	Plant List and Plant Palette
L-4	Site Furnishings
L-5	Landscape Lighting
A1.0	Building Plan - Subterranean Level
A1.1	Building Plan - Ground Level
A1.2	Building Plan - Second Level
A1.3	Building Roof Plan
A2.0	Site Section
A3.0	Trash Enclosure Elevation & Section Elevations
A4.0	
IM1.0	Perspective - View from Winchester
IM1.1	Perspective
IM1.2	Perspective
IM2.0	Materials and Colors



STUDIO
T SQUARE

: Architecture
 : Planning
 : Urban Design

: 304 12th Street, Suite 2A
 : Oakland, California 94607
 : (510) 451 - 2850

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Winchester Blvd. Office
 Winchester Blvd. and Shelburne Way, Los Gatos, CA

Valley Oak Partners
 734 The Alameda
 San Jose, California

Sheet Title:

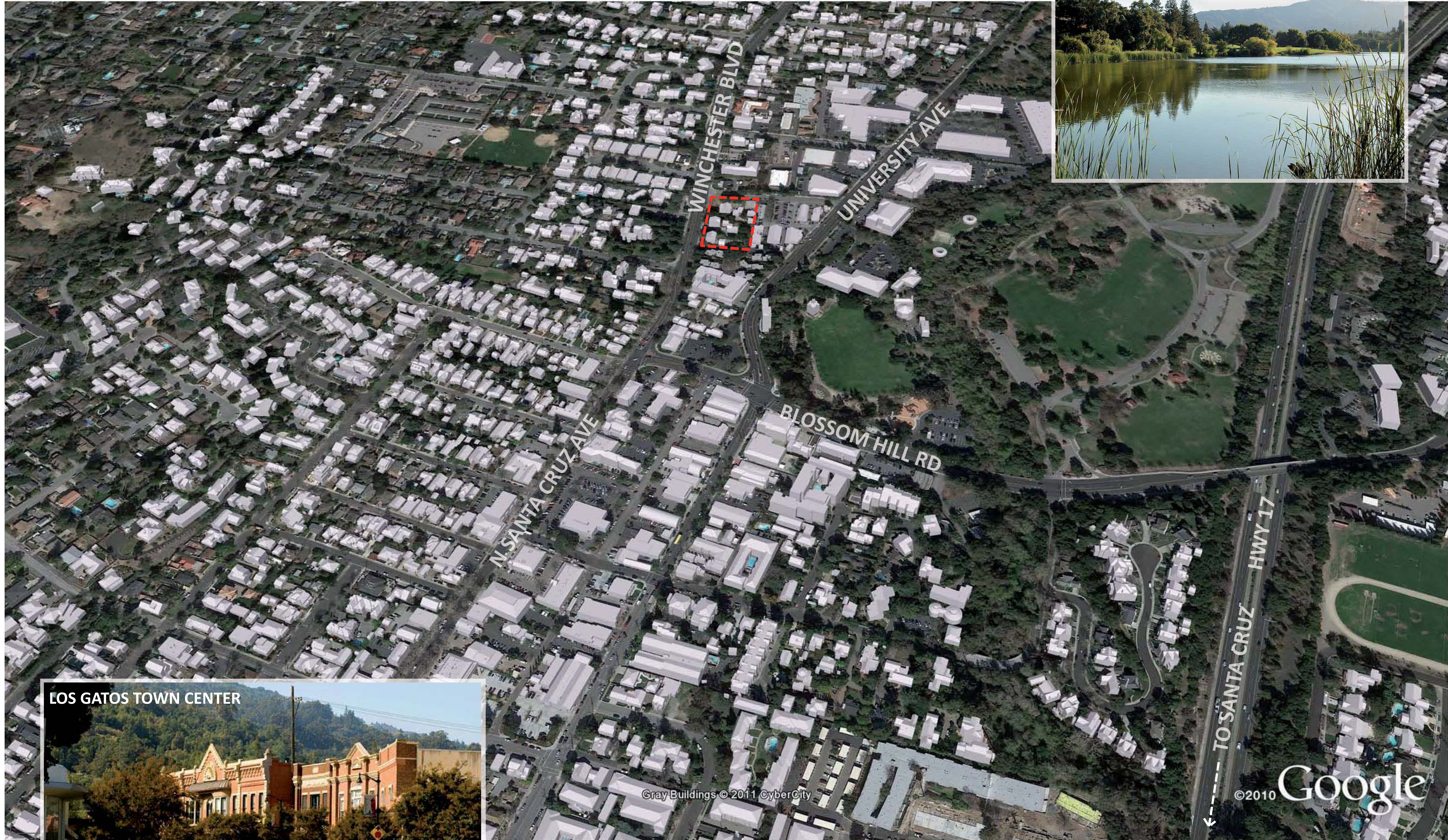
DATA SHEET

Job No. 15019
 Date: 03/14/2017
 Scale:
 Drawn By:

Sheet No:

G0.0

SANTA CLARA COUNTY



VASONA LAKE COUNTY PARK



LOS GATOS TOWN CENTER



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 Winchester Blvd. and Shelburne Way, Los Gatos, CA

Valley Oak Partners
 734 The Alameda
 San Jose, California

Sheet Title:

SITE LOCATION

Job No. 15019
 Date: 03/14/2017
 Scale:
 Drawn By:

Sheet No:

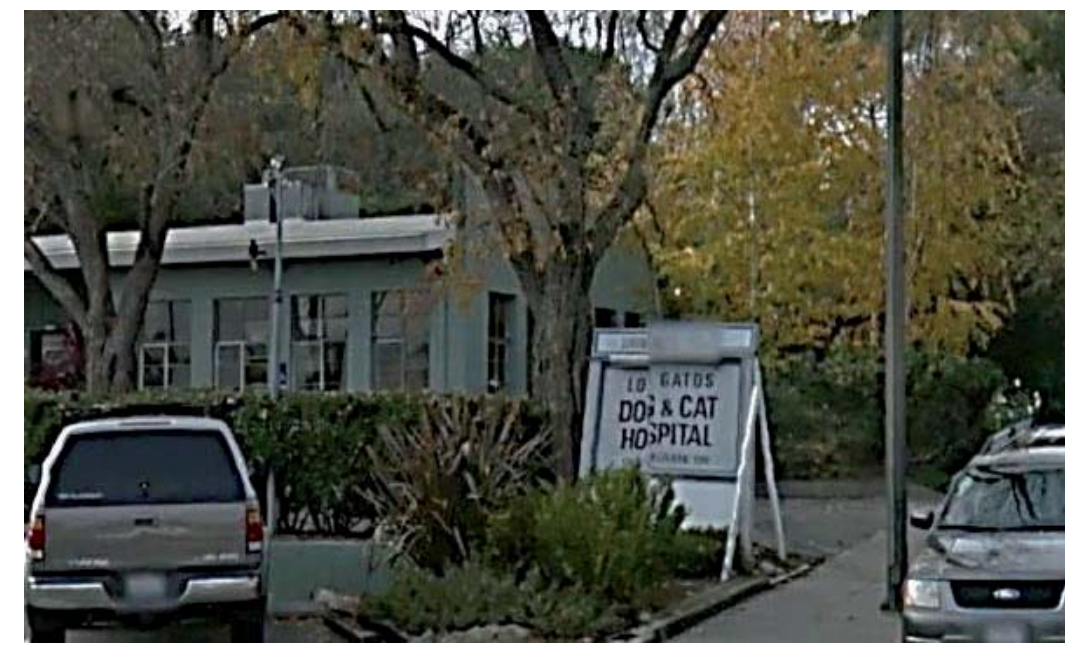
SP1.0



Tree-Lined Winchester Blvd



COMMERCIAL / SFD



DOG & CAT HOSPITAL



AUTO BODY SHOP ON SHELBURNE



Commercial on Winchester Blvd

Existing Site and Frontage

Adjacent Multi-Family Residential

Apartments on N Santa Cruz Ave



STUDIO
T SQUARE

- : Architecture
- : Planning
- : Urban Design

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Valley Oak Partners
 734 The Alameda
 San Jose, California

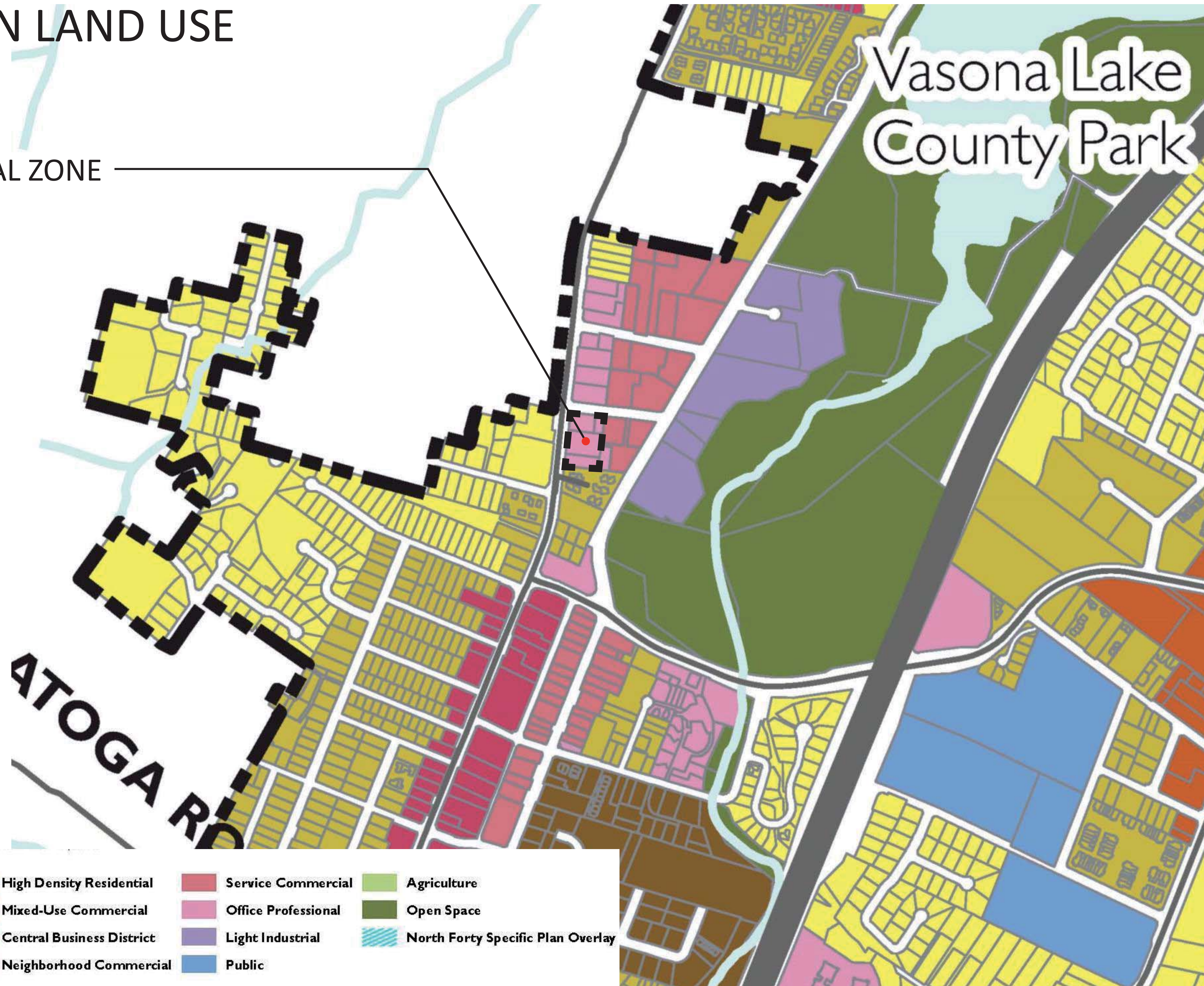
Sheet Title:
 SITE CONTEXT

Job No. 15019
 Date: 03/14/2017
 Scale:
 Drawn By:

Sheet No:
 SP2.0

GENERAL PLAN LAND USE

OFFICE PROFESSIONAL ZONE



General Plan Land Use			
	Hillside Residential		High Density Residential
	Low Density Residential		Mixed-Use Commercial
	Medium Density Residential		Central Business District
			Neighborhood Commercial
			Service Commercial
			Office Professional
			Light Industrial
			Public
			Agriculture
			Open Space
			North Forty Specific Plan Overlay



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- : Architecture
- : Planning
- : Urban Design

: 304 12th Street, Suite 2A
: Oakland, California 94607
: (510) 451 - 2850

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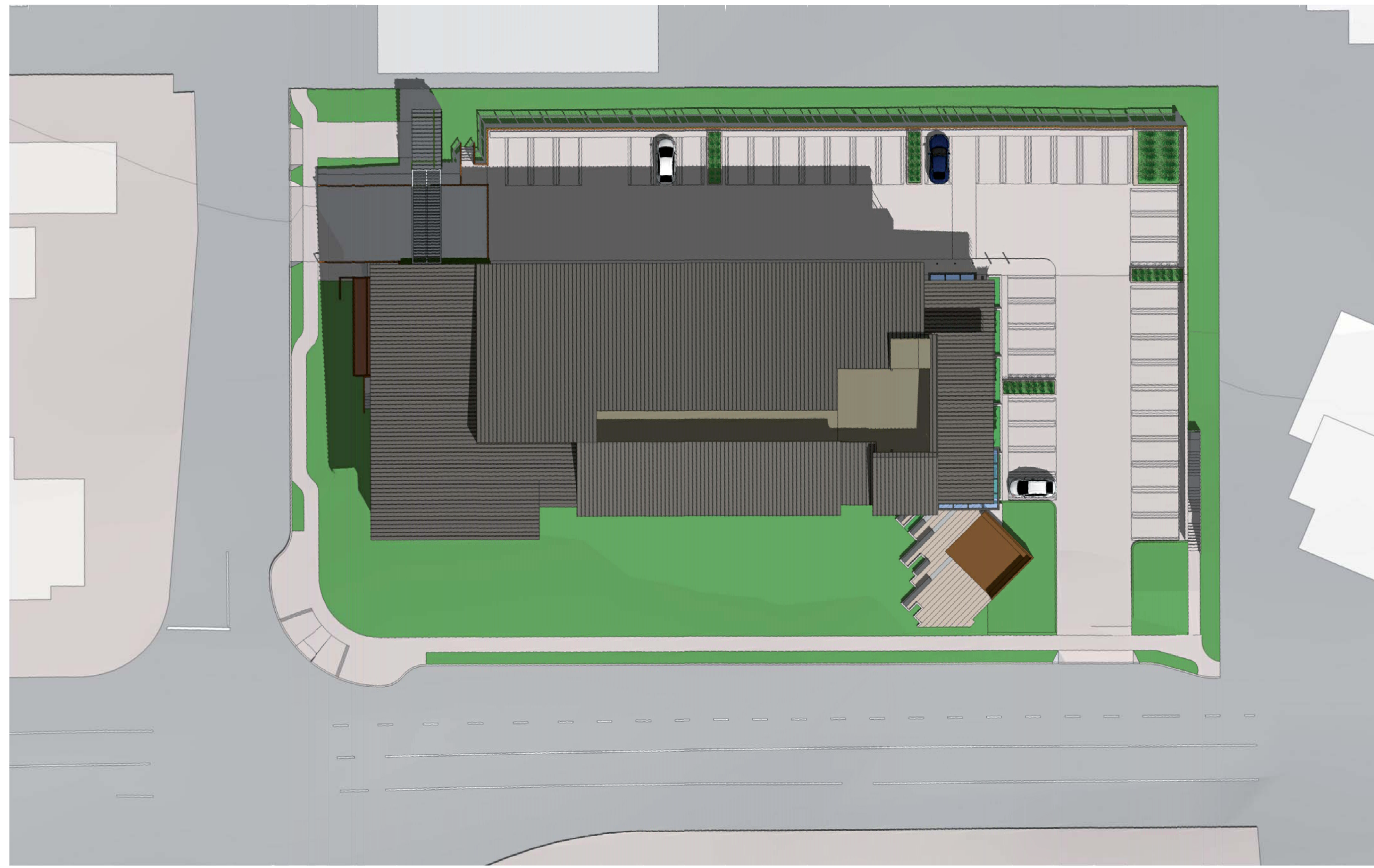
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Sheet Title:
GENERAL PLAN
LAND USE

Job No. 15019
Date: 03/14/2017
Scale:
Drawn By:

Sheet No:
SP3.0



Spring - April 15, at 3:00PM

2

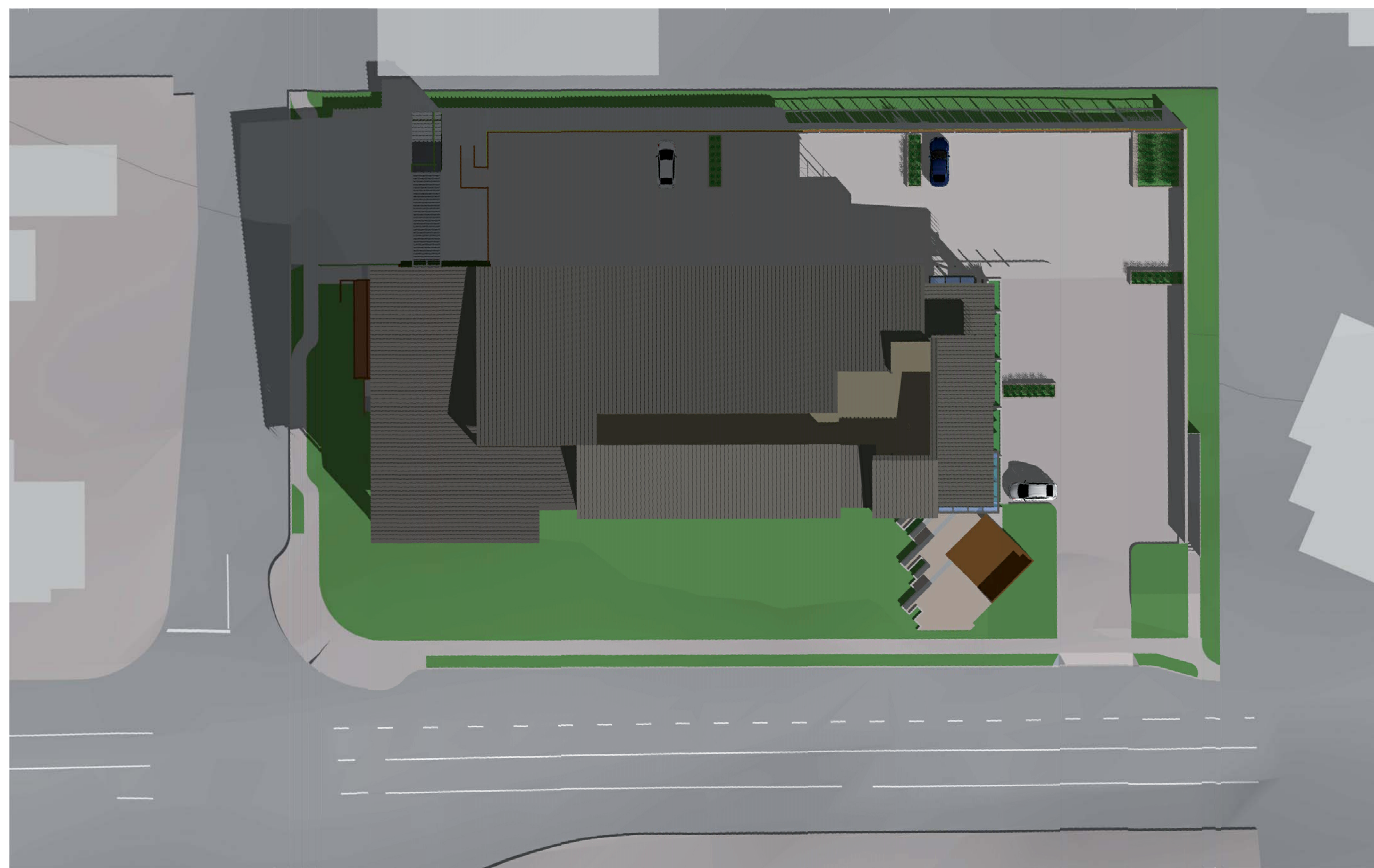
SCALE: 1/32" = 1' - 0"



Summer - July 15, at 3:00PM

1

SCALE: 1/32" = 1' - 0"



Autumn - October 15, at 3:00PM

4

SCALE: 1/32" = 1' - 0"



Winter - January 15, at 3:00PM

3

SCALE: 1/32" = 1' - 0"



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Sheet Title:

**SHADOW STUDY
DIAGRAM**

Job No. 15019
Date: 03/14/2017
Scale: 1/32" = 1'-0"
Drawn By:

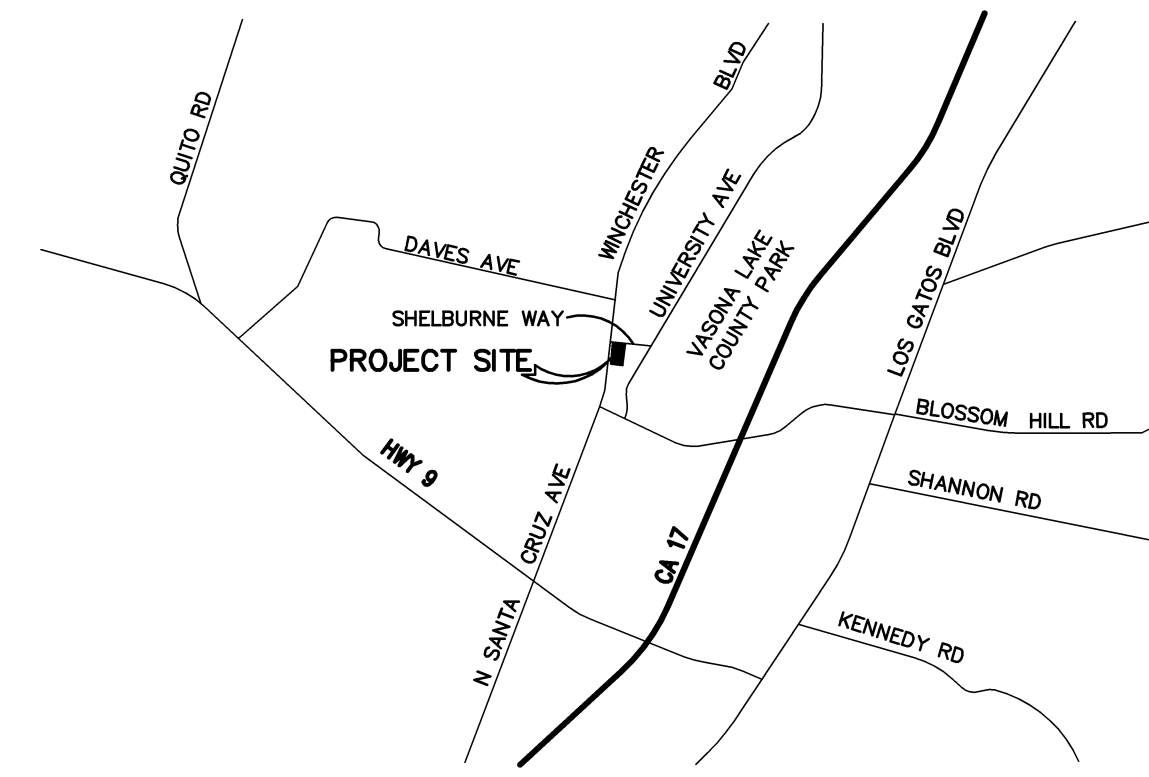
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SP4.0

ARCHITECTURE AND SITE REVIEW

WINCHESTER BLVD OFFICE

LOS GATOS, SANTA CLARA COUNTY, CALIFORNIA



VICINITY MAP
N.T.S.



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: Planning
: Urban Design

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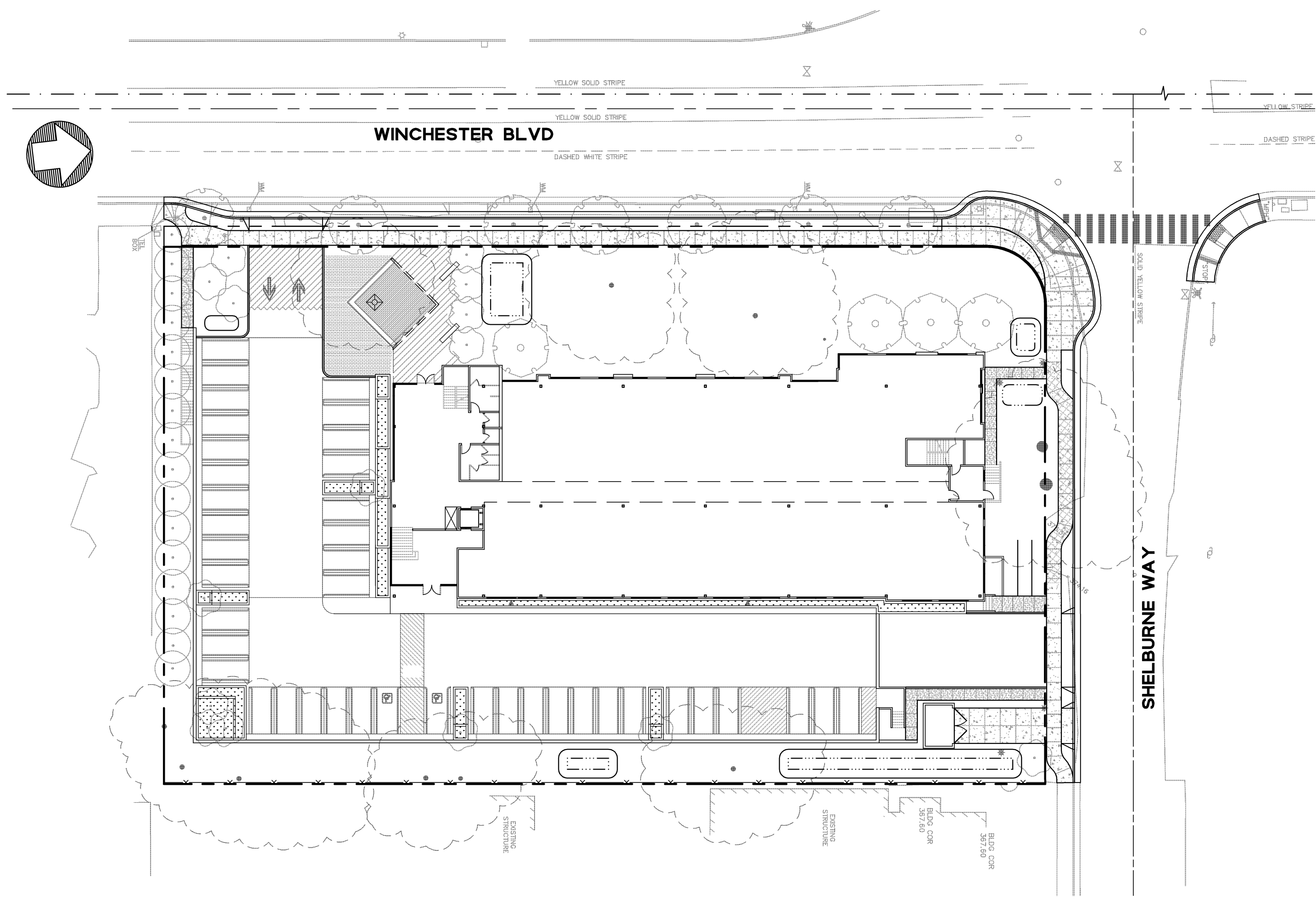
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1730 N. FIRST STREET
SUITE 600
SAN JOSE, CA 95112
408-467-9100
408-467-9199 (FAX)

LEGEND

PROPERTY LINE	---
LOT LINE	- - - -
STREET CENTERLINE	- - - - -
MONUMENT LINE	---
CONTOUR LINE	39
STORM DRAIN LINE	30" SD
SANITARY SEWER LINE	10" SS
WATER LINE	8"W
ELECTRIC LINE	E
GAS LINE	6"G (ABS)
WATER VALVE	WV
FIRE HYDRANT	CO
CLEAN OUT	CO
SIGN	○
ELECTROLIER	⊛
GAS VALVE	GV
FENCE LINE	-X-

ABBREVIATIONS

AC	ASPHALT CONCRETE
B	BASEMENT SLAB ELEVATION
BB	BUBBLER BOX
BLDG	BUILDING
BW	BACK OF WALK/BOTTOM OF WALL
CB	CATCH BASIN
CONC	CONCRETE
COR	CORNER
CY	CUBIC YARD
DI	DRAIN INLET
E	ELECTRIC
EG	EXISTING GRADE
EP	EDGE OF PAVEMENT
EVAE	EMERGENCY VEHICLE ACCESS EASEMENT
FC	FACE OF CURB
FDC	FIRE DEPARTMENT CONNECTION
FF	FINISH FLOOR ELEVATION
FH	FIRE HYDRANT
GS	GARAGE SLAB ELEVATION
INV	INVERT ELEVATION
LG	LIP OF GUTTER
LS	LANDSCAPE
PIEE	PRIVATE INGRESS/EGRESS EASEMENT
PIV	POST INDICATOR VALVE
PS	PARKING STALL
PUE	PUBLIC UTILITY EASEMENT
R	ROOM
SF	SQUARE FEET
SJWC	SAN JOSE WATER COMPANY
SD	STORM DRAIN
SDCO	STORM DRAIN CLEANOUT
SDE	PRIVATE STORM DRAIN EASEMENT
SDMH	STORM DRAIN MANHOLE
SS	SANITARY SEWER
SSCO	SANITARY SEWER CLEANOUT
SSE	PRIVATE SANITARY SEWER EASEMENT
SSMH	SANITARY SEWER MANHOLE
SW	SIDEWALK
TC	TOP OF CURB
TYP	TYPICAL
TW	TOP OF WALL
W	WATER
WM	WATER METER
WV	WATER VALVE



UTILITY NOTES

WATER SUPPLY:	SAN JOSE WATER COMPANY
STORM DRAINAGE:	TOWN OF LOS GATOS
SANITARY SEWER:	WEST VALLEY SANITATION DISTRICT
GARBAGE COLLECTION:	WEST VALLEY COLLECTION & RECYCLING
GAS:	PACIFIC GAS & ELECTRIC
ELECTRIC:	PACIFIC GAS & ELECTRIC
TELEPHONE:	AT&T/VERIZON CALIFORNIA
CABLE:	COMCAST

EARTHWORK SUMMARY		
	CUT (C.Y.)	FILL (C.Y.)
BUILDING/GARAGE	6,600	-
DRIVEWAY	20	-
LANDSCAPE	-	-
BIORETENTION	400	-
*TOTAL	7,020	-

*EARTHWORK QUANTITIES ARE SHOWN FOR PLANNING PURPOSES ONLY. CONTRACTOR SHALL PERFORM THEIR OWN EARTHWORK CALCULATION.

PROJECT DATA

- PROJECT ADDRESS: 15860, 15880, 15894 WINCHESTER BLVD., AND SHELburne WAY, LOS GATOS, CA
- ASSESSORS PARCEL NO.: 529-11-013, 038, 039 AND 040
- EXISTING LAND USE: RESIDENTIAL
- PROPOSED LAND USE: OFFICE
- EXISTING ZONING: O-OFFICE
- PROPOSED ZONING: O-OFFICE
- GROSS ACREAGE: 1.31 ACRES
- ESTIMATED AREA OF LAND DISTURBANCE: 1.31 ACRES
- EXISTING NUMBER OF BUILDINGS: 9 RESIDENTIAL/CARPORTS/SHEDS
- NUMBER OF BUILDINGS REMOVED: 9
- PROPOSED NUMBER OF HOMES: 0
- PROPOSED NUMBER OF PARKING SPACE: 128 STALLS
- FLOOD ZONE: X, FIRM PANEL 376 OF 830, MAP NUMBER 06085C0376H, DATED 05/18/2009.
- BASIS OF BEARINGS:
THE BEARING S83°18'46"E OF THE MONUMENT LINE OF THE SHELburne WAY, AS SHOWN ON THAT CERTAIN MAP FILED IN THE OFFICE OF THE RECORDER OF SANTA CLARA COUNTY, STATE OF CALIFORNIA, IN BOOK "U" OF MAPS AT PAGES 34 AND 35, WAS USED AS THE BASIS OF BEARINGS SHOWN ON THIS MAP.
- BENCHMARK LG 21: BRASS DISK IN MONUMENT WELL AT EASTERY INTERSECTION OF UNIVERSITY AVENUE AND SHELburne WAY. ELEVATION: 351.65 (TOWN OF LOS GATOS DATUM)

CIVIL SHEET INDEX

SHEET	DESCRIPTION
C1.0	CIVIL TITLE SHEET
C2.0	EXISTING CONDITIONS & TREE REMOVAL PLAN
C3.0	PRELIMINARY SITE PLAN
C4.0	PRELIMINARY GRADING & DRAINAGE PLAN
C5.0	PRELIMINARY UTILITY PLAN
C6.0	PRELIMINARY STORMWATER CONTROL PLAN

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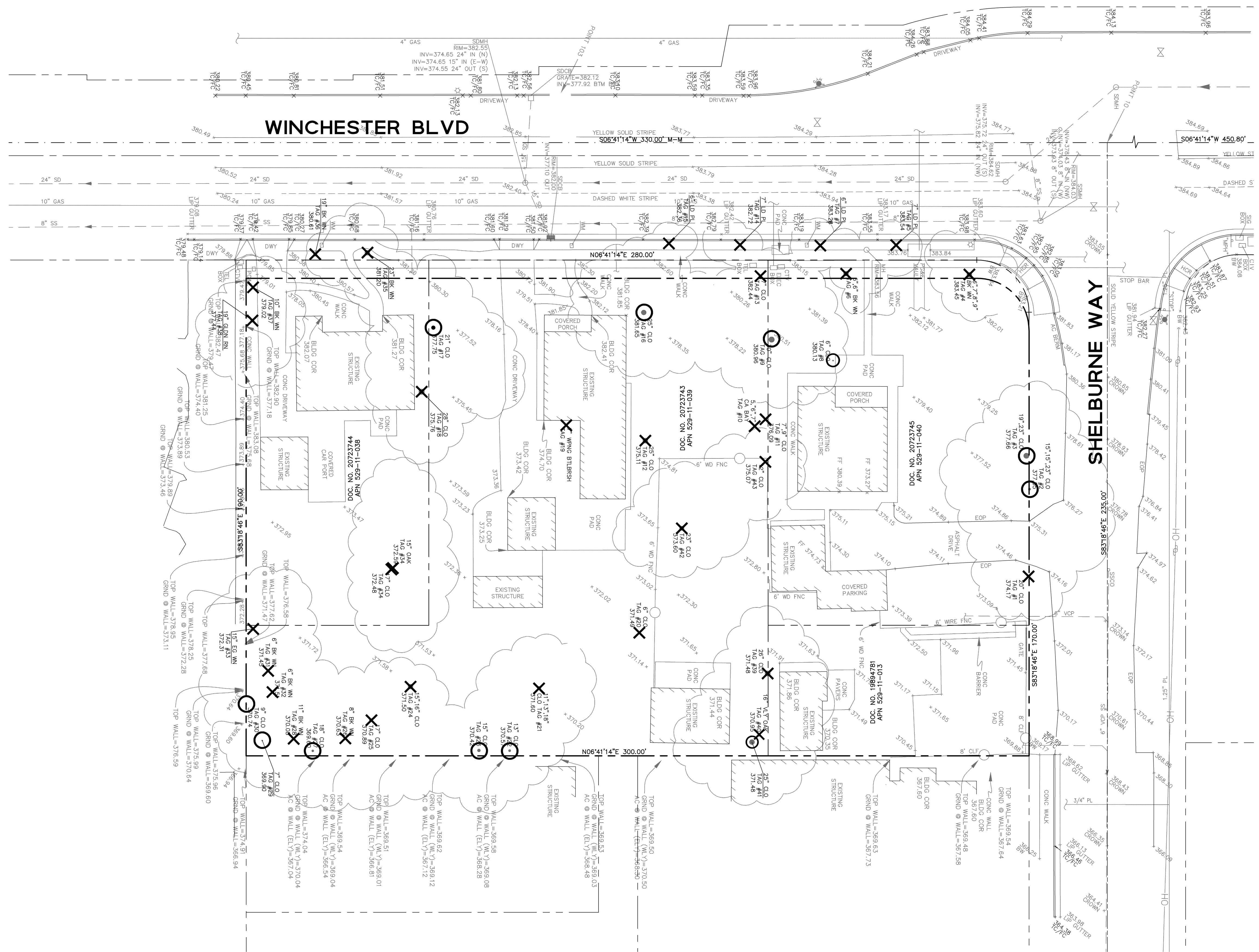
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Sheet Title:
CIVIL TITLE SHEET

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Date: 3/13/2017
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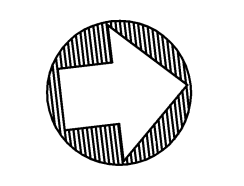
C1.0



LEGEND:

- AC ASPHALT CONCRETE
- BC BUILDING CORNER
- BW BACK OF WALK
- CB CATCH BASIN
- CMP CORRUGATED METAL PIPE
- CO CLEAN OUT
- CRN CROWN
- DW DRIVEWAY
- EC EDGE OF CONCRETE
- EM ELECTRIC METER
- EP EDGE OF PAVEMENT
- FCOR FENCE CORNER
- FD FOUND
- FF FINISHED FLOOR
- FL FLOW LINE
- FH FIRE HYDRANT
- FW FRONT OF WALK
- G GROUND
- GC GARAGE CORNER
- GF GARAGE FACE/FRONT
- GFC GROUND AT FENCE
- GM GAS METER
- HCR HANDICAP RAMP
- INV INVERT
- IP IRON PIPE
- JP JOINT POLE
- LG LIP OF GUTTER
- O/H OVERHEAD
- PC PROPERTY CORNER
- RW RETAINING WALL
- R/W RIGHT-OF-WAY
- SL STREET LIGHT
- SSCO SANITARY SEWER CLEANOUT
- SSMH SANITARY SEWER MANHOLE
- SDMH STORM DRAIN MANHOLE
- TBC TOP BACK ROLLED CURB
- TC TOP OF CURB
- TOB TOP OF BANK
- TOE TOP OF BANK
- TP TOP OF PAVEMENT
- TRC TOP OF ROLLED CURB
- TW TOP OF WALL
- U/G UNDERGROUND
- VCP VITRIFIED CLAY PIPE
- VV WATER VALVE
- WM WATER METER BOX
- CTV- CABLE TELEVISION LINE
- E- ELECTRICAL LINE
- G- GAS LINE
- SS- SANITARY SEWER LINE
- SD- STORM DRAIN LINE
- T- TELEPHONE LINE
- W- WATER LINE

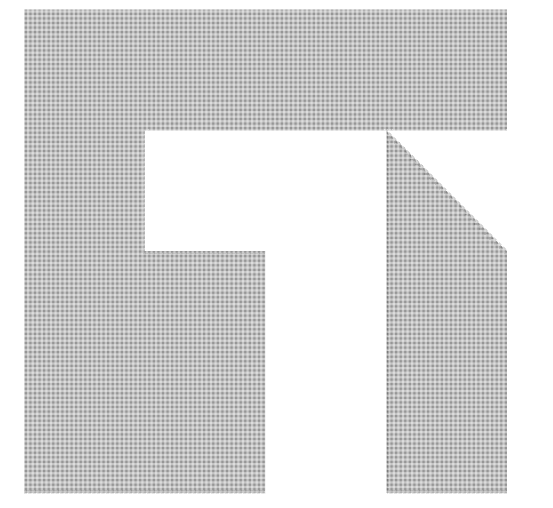
- O X TREE TO BE REMOVED
- O TREE TO REMAIN



GRAPHIC SCALE



(IN FEET)
1 inch = 20 ft.



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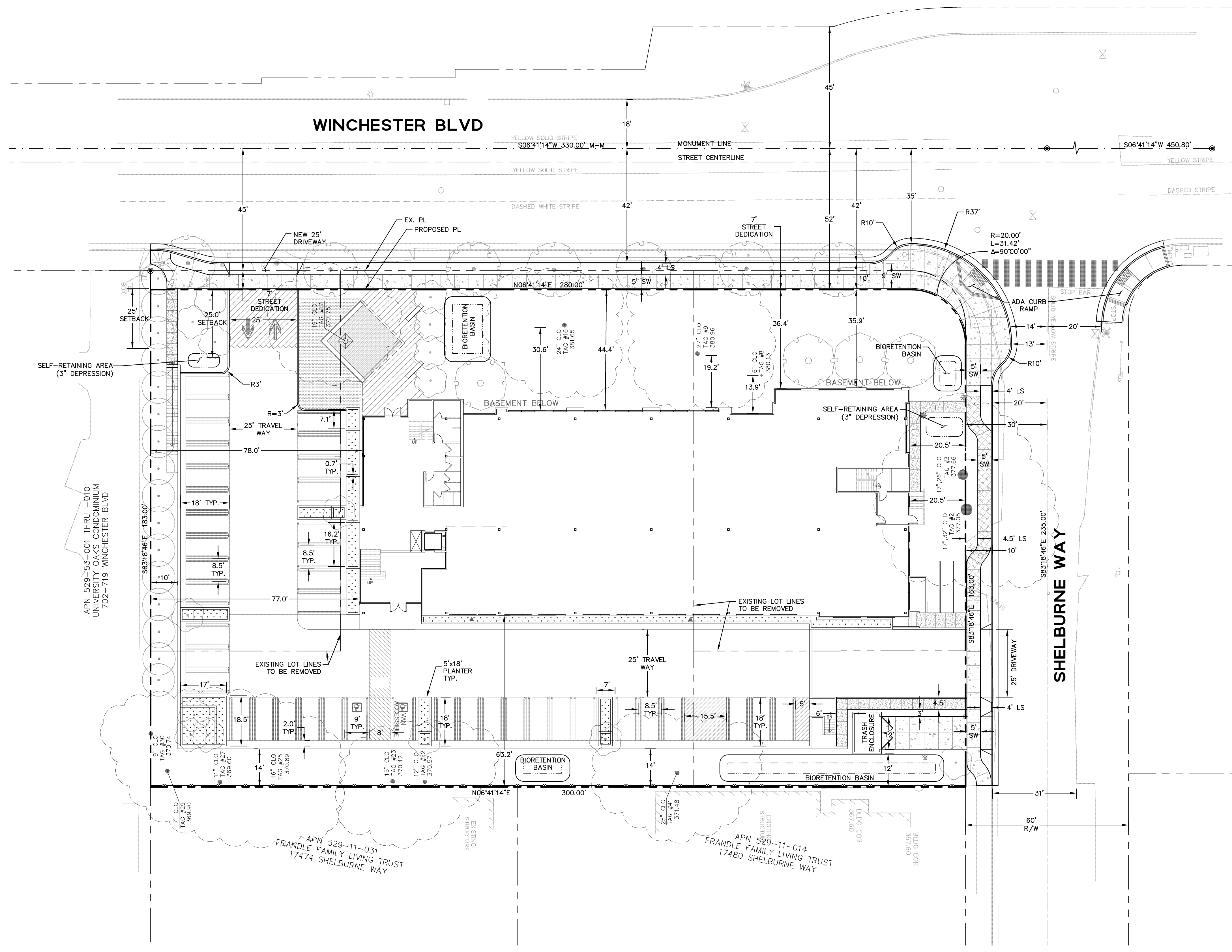
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Sheet Title:
**EXISTING
CONDITIONS & TREE
REMOVAL PLAN**

BKF Job No. 20126028
Date: 3/13/2017
Scale:
Drawn By: PK

Sheet No:

C2.0



LEGEND

	PROPOSED	EXISTING
PROJECT BOUNDARY	--- (dashed line)	--- (dashed line)
LOT LINE	--- (dashed line)	--- (dashed line)
ADJACENT LOT LINE	--- (dashed line)	--- (dashed line)
STREET CENTERLINE	--- (dashed line)	--- (dashed line)
MONUMENT LINE	--- (dashed line)	--- (dashed line)
VERTICAL CURB	=== (solid line)	--- (dashed line)
VERTICAL CURB & GUTTER	=== (solid line)	--- (dashed line)
6" WOOD FENCE W/ LATTICE (SEE LANDSCAPE PLANS)	-x- (dashed line)	---
RETAINING WALL (SEE SECTIONS FOR FENCING)	--- (dashed line)	---
CONCRETE PAVING	--- (dotted pattern)	---
STRUCTURAL SOIL	--- (cross-hatch pattern)	---



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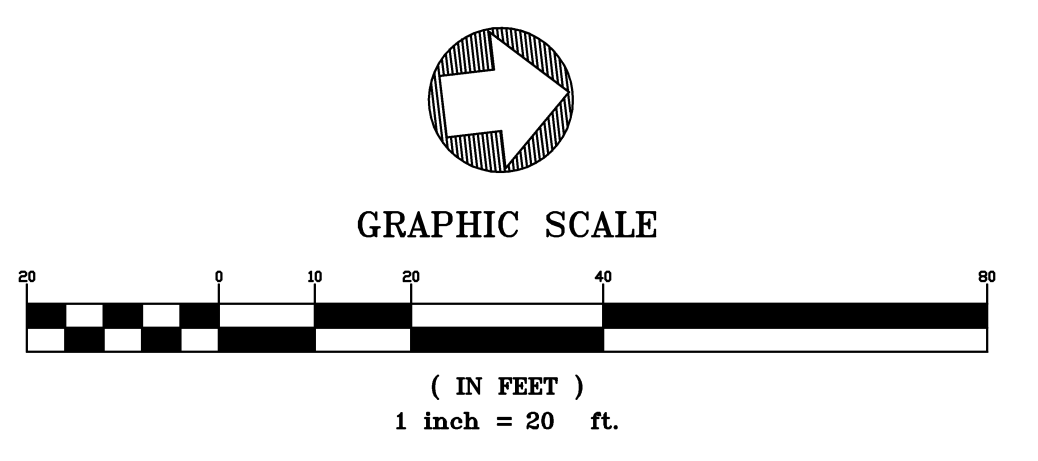
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Sheet Title:
**PRELIMINARY
 SITE PLAN**

BKF Job No. 20126028
 Date: 3/13/2017
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WINCHESTER BLVD

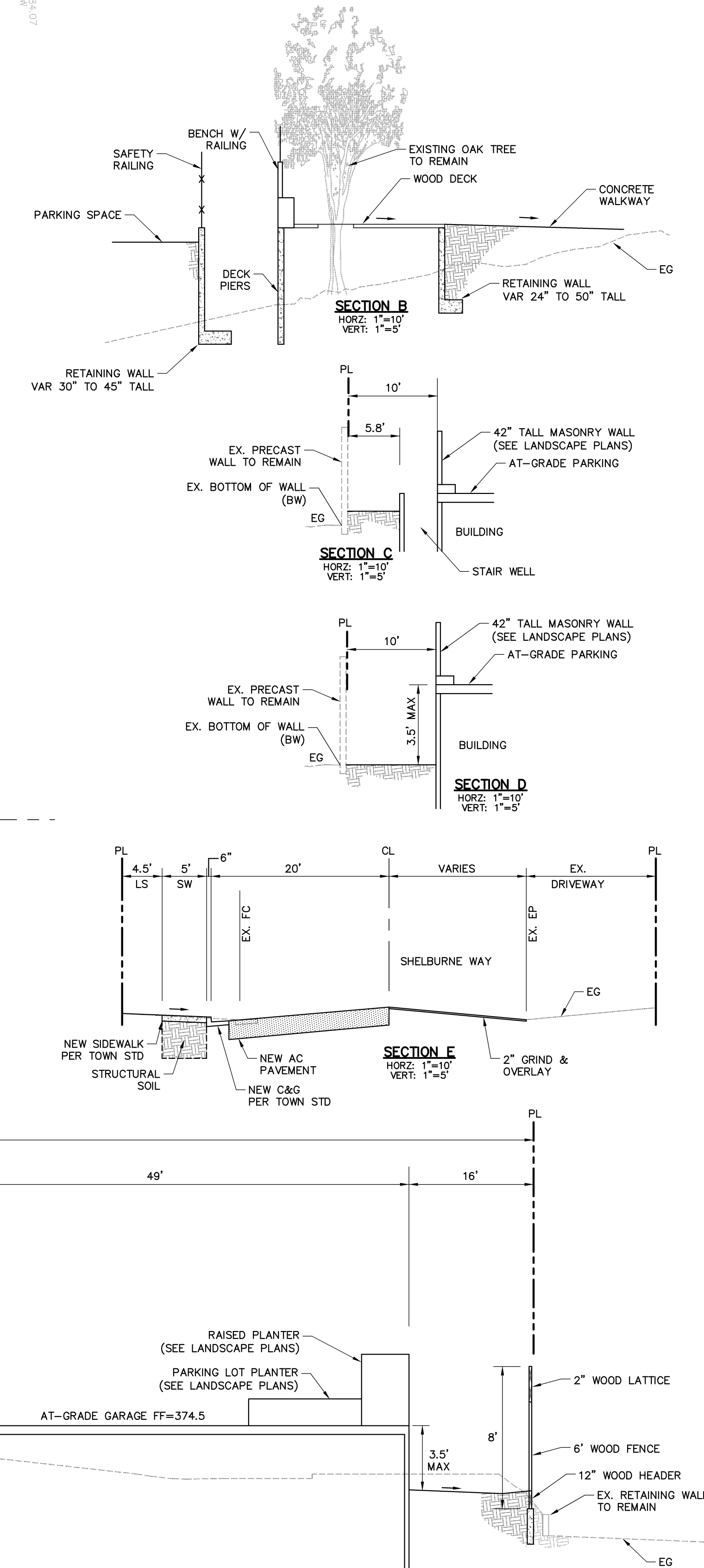
SHELburne WAY

LEGEND

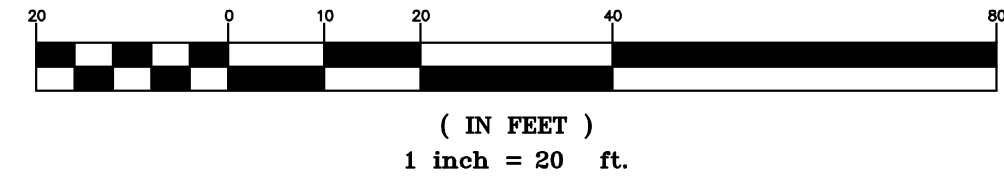
PROJECT BOUNDARY		PROPOSED		PUBLIC AC - DEEP LIFT	
LOT LINE		NEW AC PAVEMENT		NEW AC PAVEMENT	
MONUMENT LINE		2" GRIND & OVERLAY		2" GRIND & OVERLAY	
VERTICAL CURB		BIORETENTION BASIN		BIORETENTION BASIN	
VERTICAL CURB & GUTTER		STORM DRAIN CLEANOUT		STORM DRAIN CLEANOUT	
6" WOOD FENCE W/ LATTICE (SEE LANDSCAPE PLANS)		AREA DRAIN		AREA DRAIN	
RETAINING WALL (SEE SECTIONS FOR FENCING)		DRAIN INLET		DRAIN INLET	
CONCRETE PAVING		OVERFLOW DRAIN		OVERFLOW DRAIN	
STRUCTURAL SOIL		STORM DRAIN MANHOLE		STORM DRAIN MANHOLE	
		BUBBLER BOX		BUBBLER BOX	
		OVERLAND RELEASE		OVERLAND RELEASE	
		(E) TREE TO BE PROTECTED		(E) TREE TO BE PROTECTED	

NOTES

1. SEE LANDSCAPE PLANS FOR LANDSCAPE WALL HEIGHTS AND DECK DETAILS.



GRAPHIC SCALE



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: Planning
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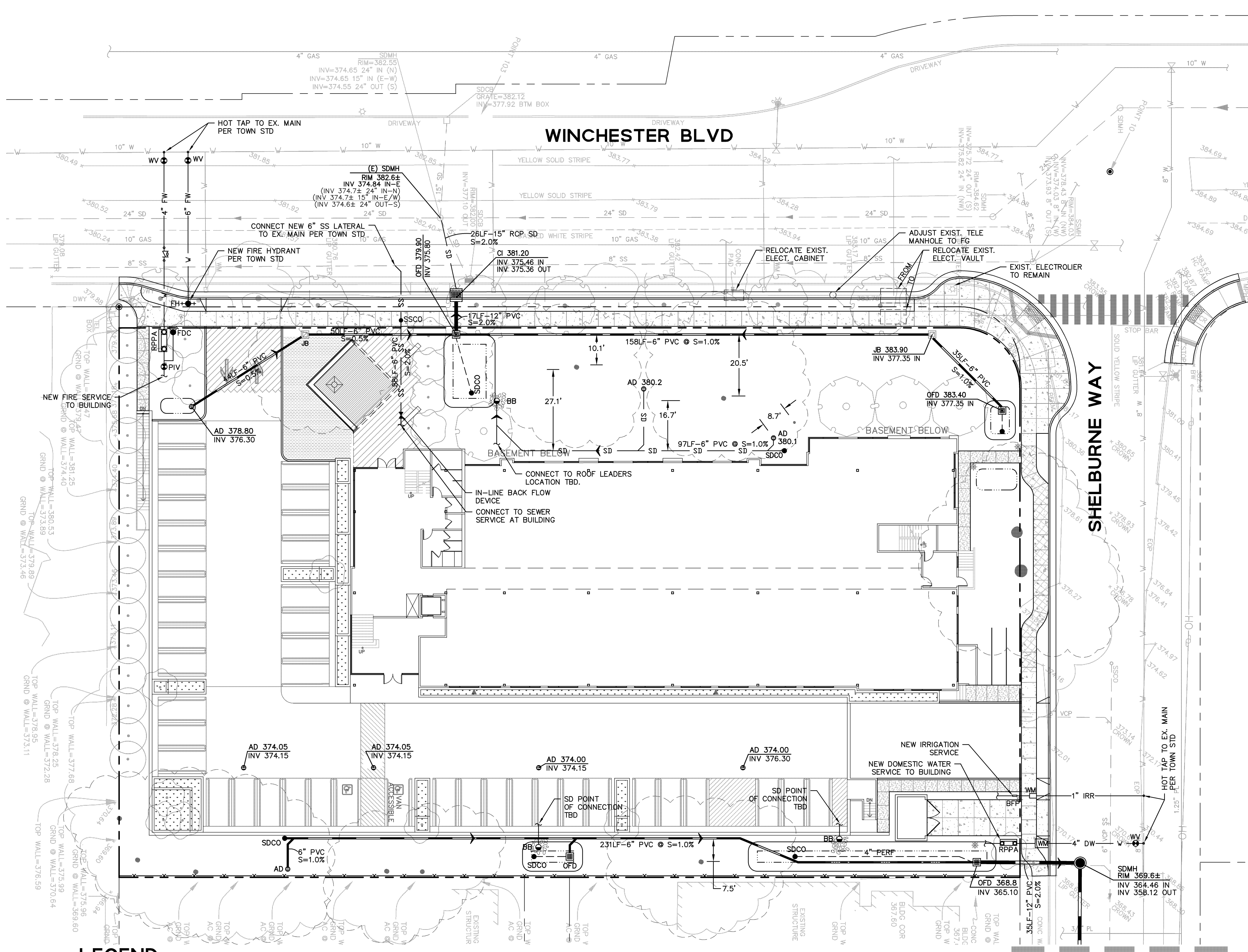
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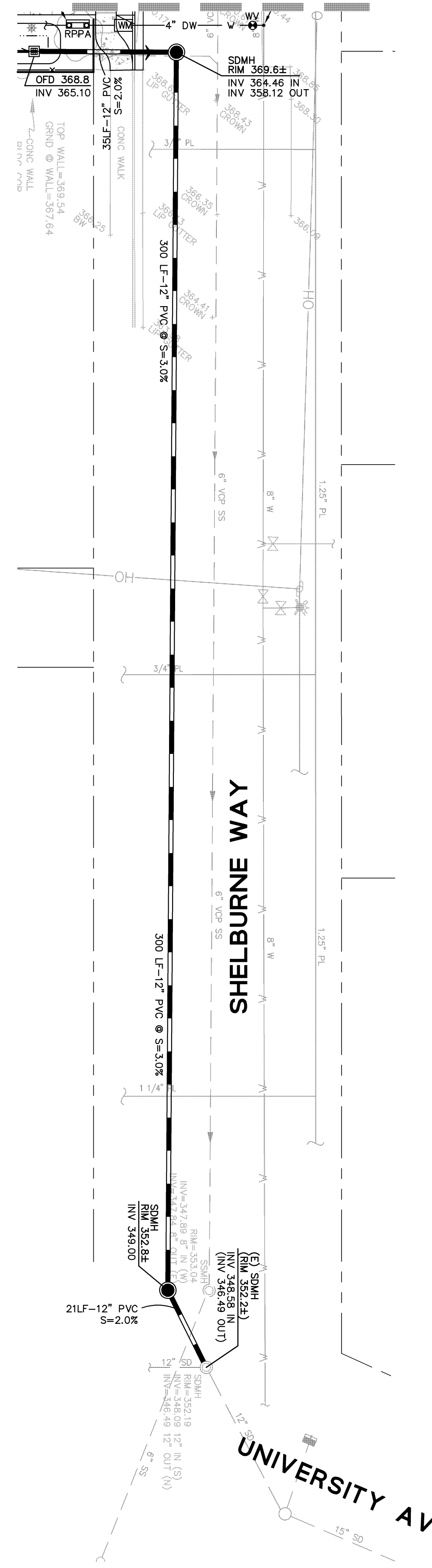
Sheet Title:
PRELIMINARY GRADING AND DRAINAGE PLAN

BKF Job No. 20126028
Date: 3/13/2017
Scale:
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MATCHLINE: SEE LEFT THIS SHEET



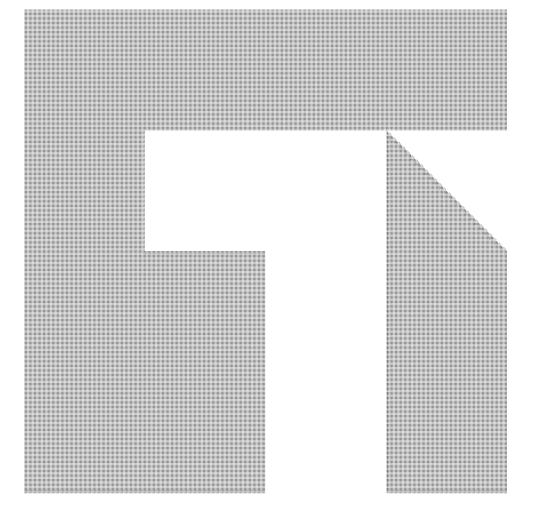
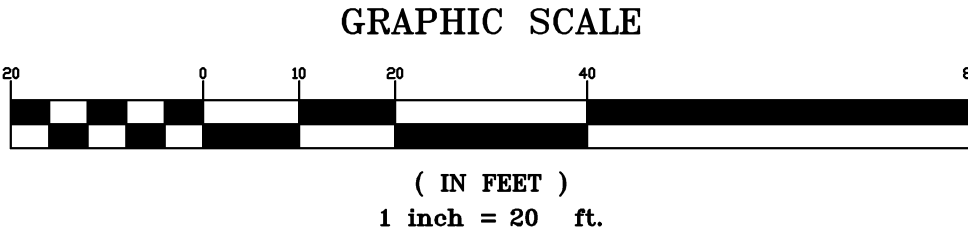
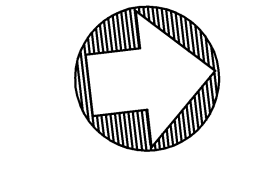
MATCHLINE: SEE RIGHT THIS SHEET

LEGEND

- | | | | |
|--|--------------------------------------|--|-------------------------------------|
| | STORM DRAIN LINE (TREATED) | | REDUCED PRESSURE PRINCIPLE ASSEMBLY |
| | STORM DRAIN LINE (UNTREATED) | | 2-WAY FIRE DEPARTMENT CONNECTION |
| | SANITARY SEWER LINE | | POST INDICATOR VALVE |
| | DOMESTIC WATER LINE | | DETECTOR CHECK VALVE BY SJWC |
| | JOINT TRENCH LINE (DESIGN BY OTHERS) | | IN-LINE BACK FLOW DEVICE |
| | FIRE WATER LINE | | |
| | STORM DRAIN MANHOLE | | |
| | DRAINAGE INLET | | |
| | JUNCTION BOX | | |
| | AREA DRAIN | | |
| | BUBBLER BOX | | |
| | STORM DRAIN CLEANOUT | | |
| | SANITARY SEWER MANHOLE | | |
| | SANITARY SEWER CLEANOUT | | |
| | WATER METER | | |
| | WATER VALVE | | |

NOTES

- TRASH ENCLOSURE SHALL BE COVERED. ANY DISCHARGE FROM TRASH ENCLOSURE SHALL BE DIRECTED TO SANITARY SEWER.



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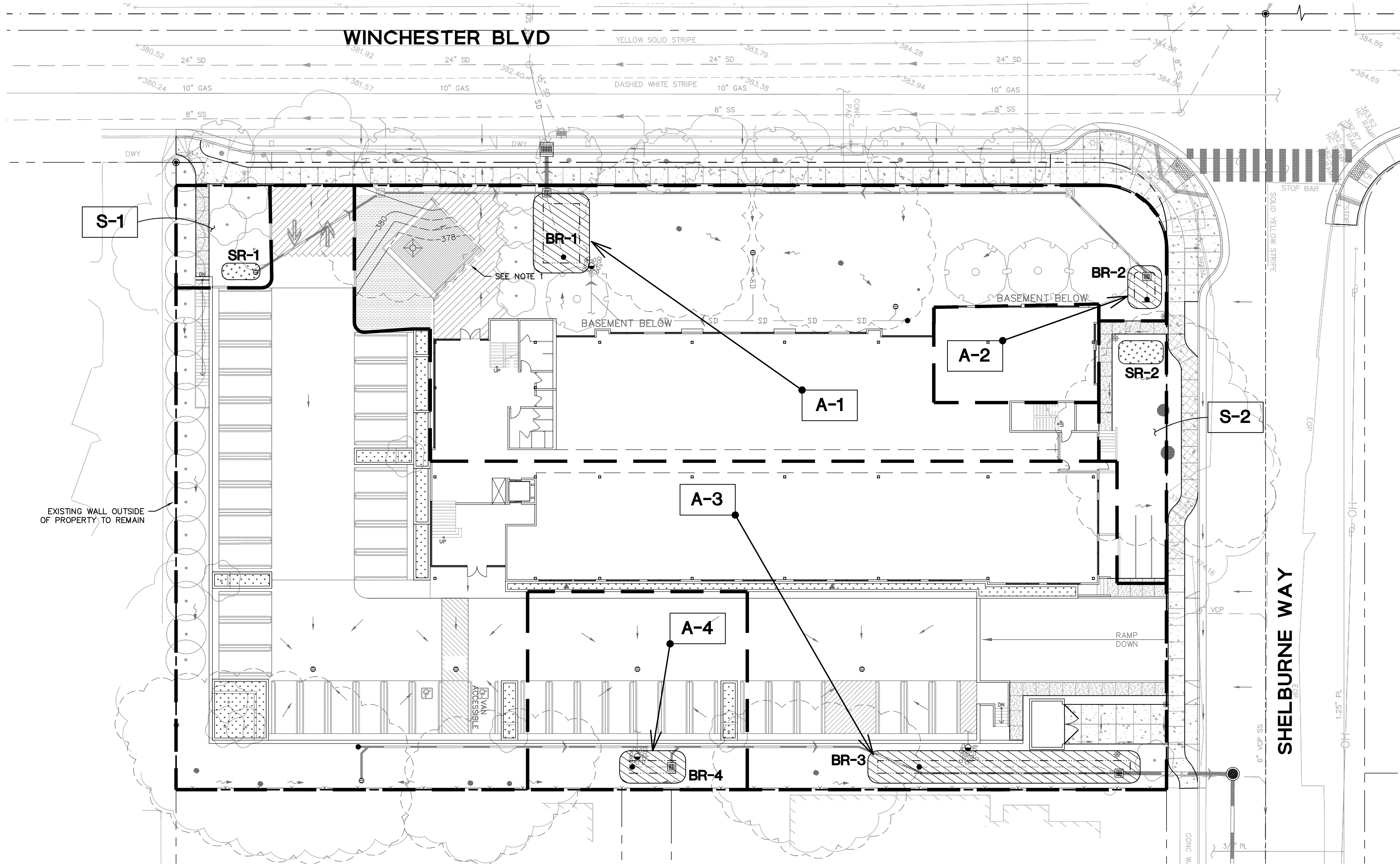
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Sheet Title:
PRELIMINARY UTILITY PLAN

BKF Job No. 20126028
Date: 3/13/2017
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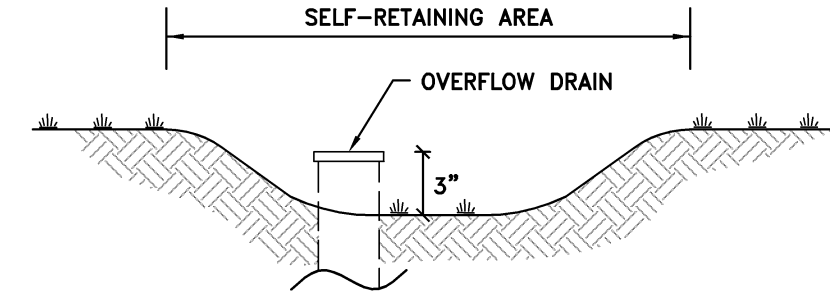
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LEGEND

- DRAINAGE AREA BOUNDARY
- RETENTION AREA DESIGNATION
- SELF-RETAINING AREA
- DIRECTION OF FLOW

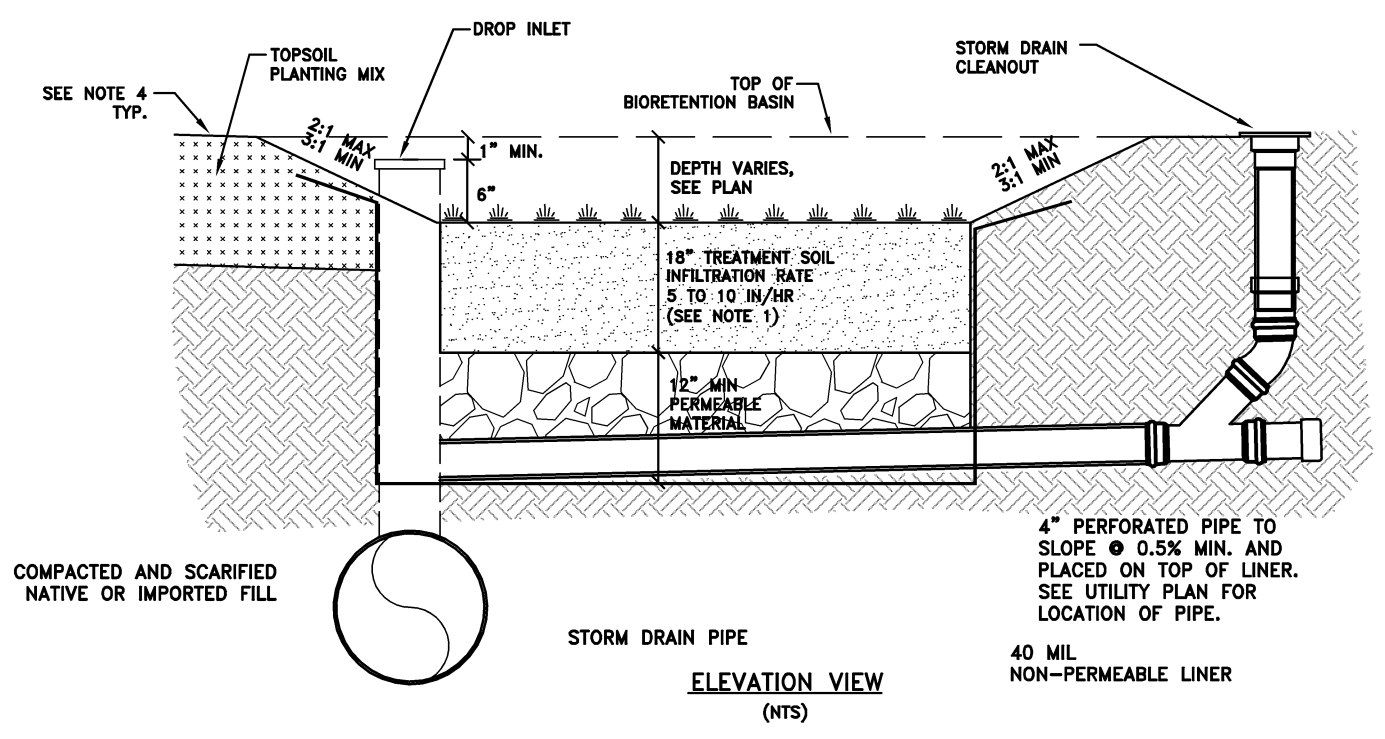


SELF-RETAINING AREA
(NTS)

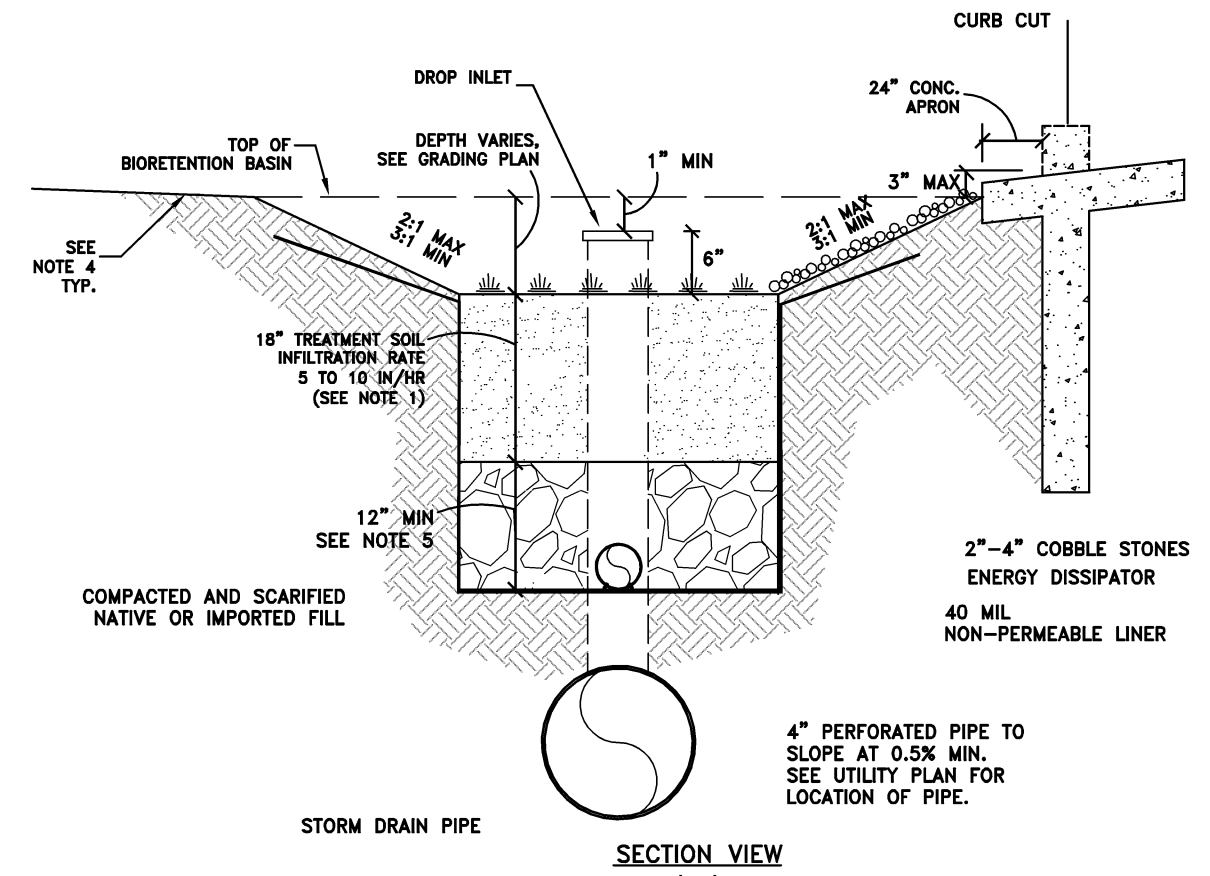
TABLE A

PERVIOUS AND IMPERVIOUS SURFACES COMPARISON TABLE			
		PROJECT PHASE NUMBER (N/A, 1, 2, 3, ETC.):	
		1	
TOTAL SITE (ACRES):	1.29	TOTAL AREA OF SITE DISTURBED (ACRES):	1.29
IMPERVIOUS SURFACES	EXISTING CONDITION OF SITE AREA DISTURBED (SQUARE FEET)	PROPOSED CONDITION OF SITE AREA DISTURBED (SQUARE FEET)	
		REPLACED	NEW
ROOF AREA(S)	7,770	7,770	8,080
PARKING	1,444	1,444	5,696
SIDEWALKS, PODIUM, PATHS, ETC.	8,076	559	0
STREETS (PUBLIC)	0	0	0
STREETS (PRIVATE)	0	0	9,210
TOTAL IMPERVIOUS SURFACES:	17,290	9,773	22,986
PERVIOUS SURFACES	LANDSCAPE AREA	38,990	23,689
	PERVIOUS PAVING	0	0
	OTHER PERVIOUS SURFACES (GREEN ROOF, ETC)	0	0
TOTAL PERVIOUS SURFACES:	38,990	23,689	0
TOTAL PROPOSED REPLACED + NEW IMPERVIOUS SURFACES:		32,759	
TOTAL PROPOSED REPLACED + NEW PERVIOUS SURFACES:		23,689	

TREATMENT CONTROL MEASURE SUMMARY											
DRAINAGE AREAS	DRAINAGE AREA SIZE (SQ. FT.)	PERVIOUS SURFACE (SQ. FT.)	TYPE OF PERVIOUS SURFACE	IMPERVIOUS SURFACE (SQ. FT.)	IMPERVIOUS SURFACE TYPE (SQ. FT.)			TREATMENT REQUIRED (SQ. FT.)	TREATMENT PROVIDED (SQ. FT.)	PROPOSED TREATMENT CONTROLS	CONFORMS TO SIZE STANDARD?
					ROOF (C=0.90)	CONC (C=0.90)	AS (C=0.70)				
A-1	17,214	10,354	LANDSCAPE (C=0.10)	6,860	6,860	0	0	274	400	BIORETENTION	YES
A-2	1,466	0	LANDSCAPE (C=0.10)	1,466	1,466	0	0	59	125	BIORETENTION	YES
A-3	29,836	10,530	LANDSCAPE (C=0.10)	19,306	7,360	11,946	0	772	800	BIORETENTION	YES
A-4	3,990	866	LANDSCAPE (C=0.10)	3,124	0	3,124	0	125	190	BIORETENTION	YES
SR-1	888	776	LANDSCAPE (C=0.10)	112	0	112	0	56	56	SELF-RETAINING	YES
SR-2	1,423	1,275	LANDSCAPE (C=0.10)	200	0	144	0	100	100	SELF-RETAINING	YES



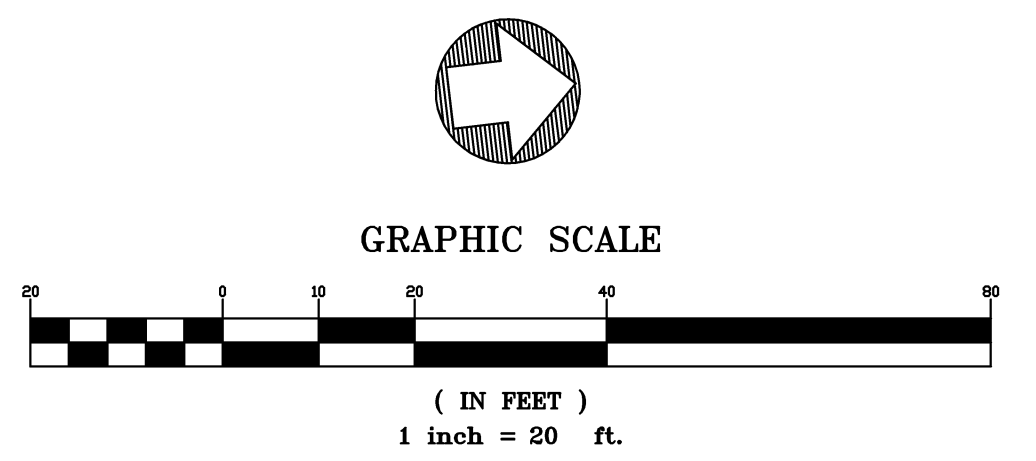
ELEVATION VIEW
(NTS)



SECTION VIEW
(NTS)

- NOTE:**
- FOR TREATMENT SOIL SPECIFICATION, SEE APPENDIX C IN SCVURPPP CS STORMWATER HANDBOOK DATED APRIL 2012.
 - BACKFILL BIORETENTION ONLY WITH PERMEABLE PLANTING MATERIAL AND DRAIN ROCK AS SPECIFIED IN THIS DETAIL. ABSOLUTELY NO NATIVE MATERIAL SHALL BE USED FOR BACKFILL. CONTRACTOR MUST COORDINATE WITH CIVIL ENGINEER PRIOR TO CONSTRUCTION.
 - CONTACT THE CITY'S URBAN RUNOFF COORDINATOR FOR INSPECTION DURING INSTALLATION OF BIOTREATMENT SOIL, OF THE TREE POD SYSTEM, AND FINAL LANDSCAPING. RESULT FROM A PERCOLATION RATE SHALL BE GREATER THAN 5.0 IN/HR AND LESS THAN 10.0 IN/HR.
 - A MINIMUM 2-FOOT LEVEL CLEARANCE (MAX 2%) SHALL BE PROVIDED BETWEEN THE TOP OF BASIN AND WALKWAYS/PUBLIC SIDEWALKS.
 - DRAIN ROCK TO BE CLASS 2 PERMEABLE MATERIAL PER CALTRANS STANDARD SPECIFICATIONS, SECTION 68-2.02F.

BIORETENTION BASIN (AT GRADE)



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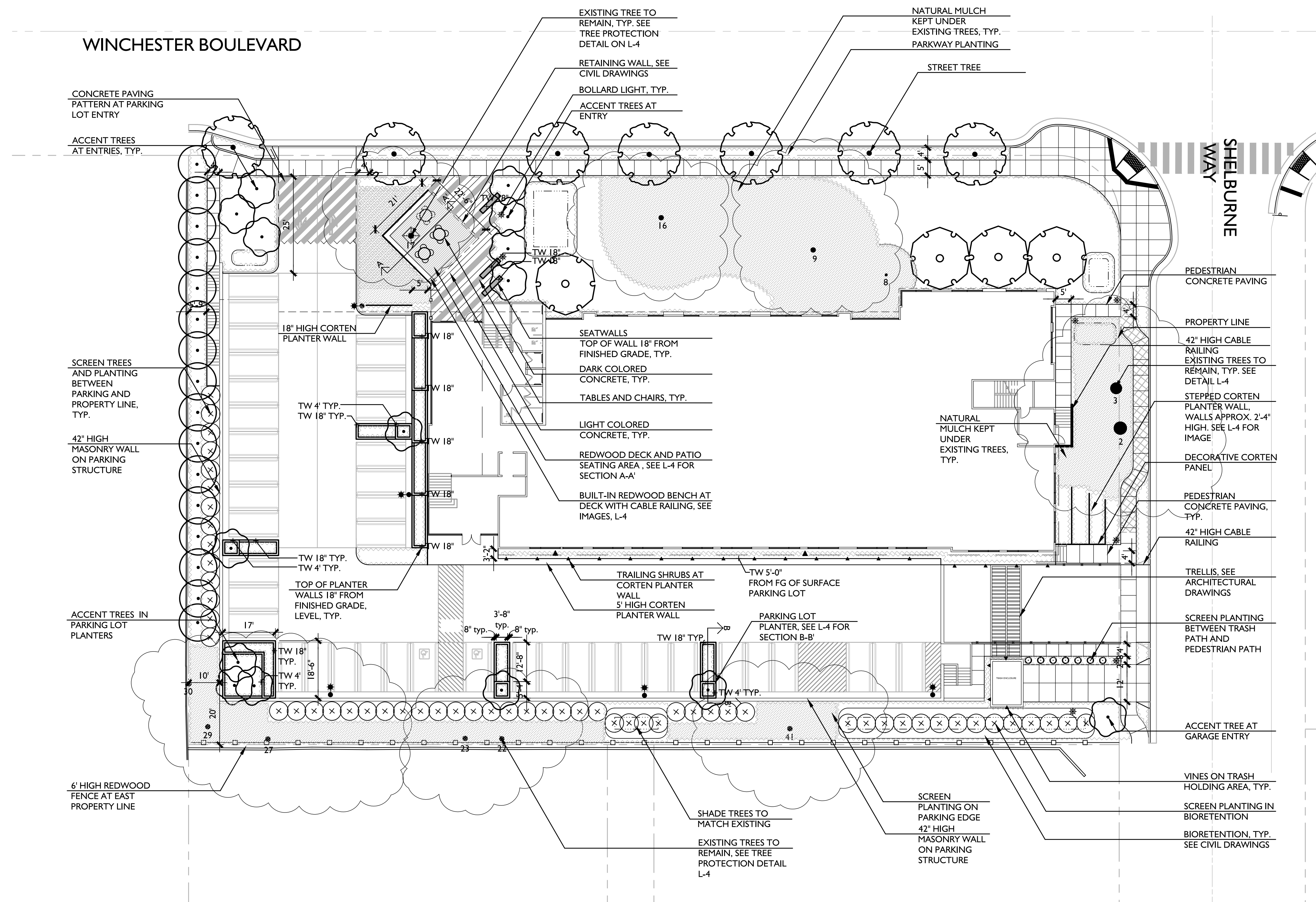
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Sheet Title:
PRELIMINARY STORMWATER CONTROL PLAN

BKF Job No. 20126028
Date: 3/13/2017
Scale:
Drawn By: PK

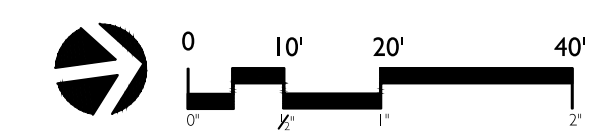
Sheet No:

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FOR ALL LANDSCAPE ELEVATIONS, BOTTOM OF WALL IS FINISHED GRADE OR FROM THE SURFACE OF THE PARKING LOT.

- *SEE L-2 FOR TREES TO PRESERVE AND REMOVE
- *SEE L-3 FOR PLANTING LIST AND LEGEND
- *SEE L-4 FOR SITE FURNISHINGS
- *SEE L-5 FOR LANDSCAPE LIGHTING



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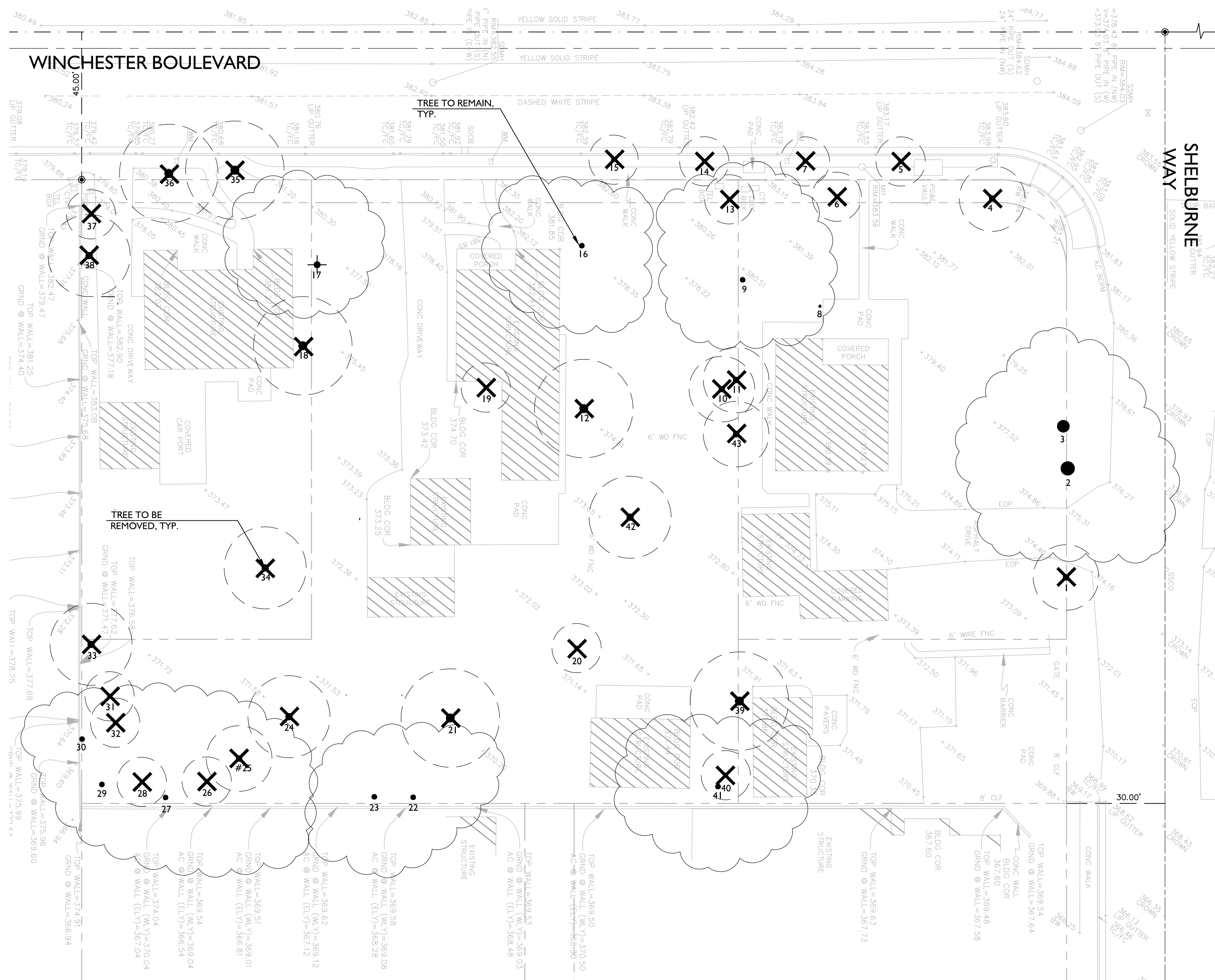
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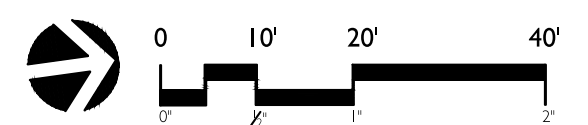
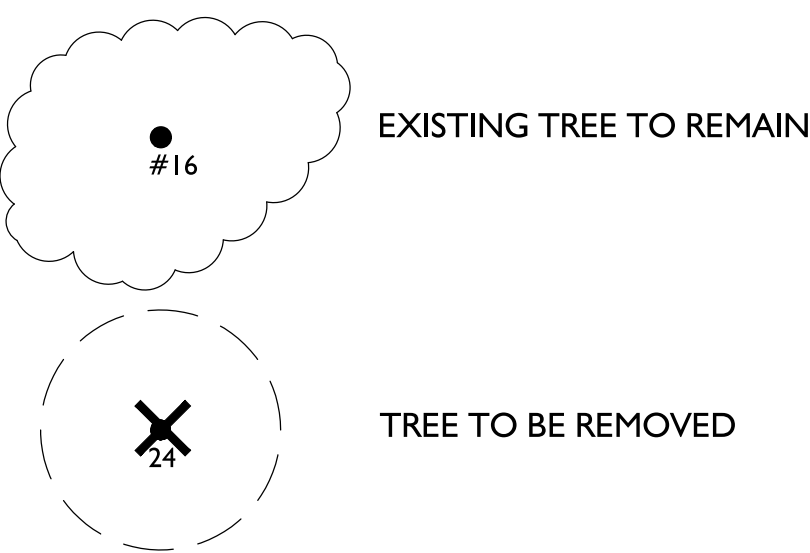
Sheet Title:
**LANDSCAPE
LAYOUT PLAN**

Job No. P4724
Date: 03/14/2017
Scale: 1"=20'
Drawn By: JK

Sheet No: **L-1**



LEGEND



TREE INVENTORY						
TREE NO.	COMMON NAME	BOTANICAL NAME	TRUNK DIAMETER	PRESERVATION SUITABILITY	ACTION	REASON FOR REMOVAL
1	Coast Live Oak	Quercus agrifolia	20	Good	Removed	Construction
2	Coast Live Oak	Quercus agrifolia	15,15,23	Fair/Good	Saved	
3	Coast Live Oak	Quercus agrifolia	19,23	Fair/Good	Saved	
4	California Black Walnut	Juglans californica				
5	London Plane Tree	Platanus x acerifolia	7	Fair/Poor	Removed	Construction
6	California Black Walnut	Juglans californica				
7	London Plane Tree	Platanus x acerifolia	6	Fair/Poor	Removed	Construction
8	Coast Live Oak	Quercus agrifolia	6	Fair	Saved	Construction
9	Coast Live Oak	Quercus agrifolia	30 (3)	Good	Saved	
10	California Bay Laurel	Umbellularia californica	5,6,7	Fair	Removed	Construction
11	Coast Live Oak	Quercus agrifolia	7,9	Fair	Removed	Construction
12	Coast Live Oak	Quercus agrifolia	25	Good	Removed	Construction
13	Coast Live Oak	Quercus agrifolia	7	Fair/Good	Removed	Construction
14	London Plane Tree	Platanus x acerifolia	7	Fair/Poor	Removed	Construction
15	London Plane Tree	Platanus x acerifolia	6	Fair/Poor	Removed	Construction
16	Coast Live Oak	Quercus agrifolia	25	Good	Saved	
17	Coast Live Oak	Quercus agrifolia	21	Good	Saved	
18	Coast Live Oak	Quercus agrifolia	28	Good	Removed	Construction
19	Weeping bottlebrush	Callistemon viminalis	7	Fair	Removed	Construction
20	Coast Live Oak	Quercus agrifolia	6	Fair/Poor	Removed	Construction
21	Coast Live Oak	Quercus agrifolia	11,13,18	Fair/Good	Removed	Construction
22	Coast Live Oak	Quercus agrifolia	13	Fair	Saved	
23	Coast Live Oak	Quercus agrifolia	15	Fair/Good	Saved	
24	Coast Live Oak	Quercus agrifolia	15,16	Fair/Good	Removed	Construction
25	Coast Live Oak	Quercus agrifolia	17	Fair/Good	Removed	Construction
26	California Black Walnut	Juglans californica				
27	Coast Live Oak	Quercus agrifolia	18	Fair	Saved	
28	California Black Walnut	Juglans californica				
29	Coast Live Oak	Quercus agrifolia	7	Fair	Saved	
30	Coast Live Oak	Quercus agrifolia				
31	California Black Walnut	Juglans californica				
32	California Black Walnut	Juglans californica				
33	English Walnut	Juglans regia				
34	Coast Live Oak	Quercus agrifolia	17	Good	Removed	Construction
35	California Black Walnut	Juglans californica	23(3.5)	Poor	Removed	Construction/Structure
36	California Black Walnut	Juglans californica	19(3.5)	Poor/Unacceptable	Removed	Construction/Structure
37	California Black Walnut	Juglans californica				
38	Golden Rain Tree	Koeleruteria paniculata	19(4)	Fair/Good	Removed	Construction
39	Coast Live Oak	Quercus agrifolia	26	Good	Removed	Construction
40	Valley Oak	Quercus lobata	16	Good	Removed	Construction
41	Coast Live Oak	Quercus agrifolia	25	Good	Saved	
42	Coast Live Oak	Quercus agrifolia	23	Good	Removed	Construction
43	Coast Live Oak	Quercus agrifolia	12	Fair/Poor	Removed	Construction

* SHADED CELLS ARE TREES THAT ARE LESS THAN PROTECTED SIZE



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Sheet Title:
TREE PRESERVATION AND REMOVAL PLAN
























Job No. P4724
Date: 03/14/2017
Scale: 1"=20'
Drawn By: JK

Sheet No: L-2

PLANT SCHEDULE

	COMMON NAME	CONT	WATER USE
ACCENT TREE	CERCIS OCCIDENTALIS	24"BOX	L
	LAGERSTROEMIA X 'MUSKOGEE'	24"BOX	L
	OLEA EUROPAEA 'WILSONII'	24"BOX	L
SCREEN TREES	CARPINUS BETULUS 'FASTIGIATA'	24"BOX	M
	JUNIPERUS SCOPULORUM 'BLUE ARROW'	24"BOX	L
	PODOCARPUS GRACILIOR	24"BOX	L
SHADE TREE	ARBUTUS X 'MARINA'	24"BOX	L
	QUERCUS AGRIFOLIA	24"BOX	L
STREET TREES	PLATANUS X ACERIFOLIA	24"BOX	M
SHRUBS	AGAVE ATTENUATA 'NOVA'	5 GAL	L
	AGAVE X 'BLUE GLOW'	5 GAL	L
	ALOE X 'BLUE ELF'	5 GAL	L
	ANIGOZANTHOS X 'BUSH GOLD'	5 GAL	L
	CAREX OSHIMENSIS 'EVERILLO'	5 GAL	M
	COLEONEMA PULCHRUM	5 GAL	M
	DIANELLA CAERULEA 'CLARITY BLUE'	5 GAL	M
	DIETES VEGETA	5 GAL	L
	EUONYMUS FORTUNEI 'KEWENSIS'	5 GAL	M
	HAKONECHLOA MACRA 'AUREOLA'	5 GAL	M
	HELICTOTRICHON SEMPERVIRENS	5 GAL	L
	LAVATERA 'MARITIMA'	5 GAL	M
	LEYMUS CONDENSATUS 'CANYON PRINCE'	5 GAL	L
	LOMANDRA LONGIFOLIA 'NYALLA'	5 GAL	L
	LOROPETALUM CHINENSE 'CAROLINA MIDNIGHT'	5 GAL	L
	LOROPETALUM CHINENSE 'SUZANNE'	5 GAL	L
	MAHONIA EURYBRACATA 'SOFT CARESS'	5 GAL	M
	MAHONIA REPENS	5 GAL	M
	NEPETA X FAASSENII 'WALKERS LOW'	5 GAL	L
	PENNISSETUM ALOPECUROIDES 'HAMELN'	5 GAL	L
PENSTEMON HETEROPHYLLUS 'MARGARITA BOP'	5 GAL	L	
BIORETENTION PLANTING	CAREX TUMULICOLA	5 GAL	L
	CHONDRPETALUM TECTORUM 'EL CAMPO'	5 GAL	L
	DESCHAMPSIA CESPITOSA	5 GAL	L
	JUNCUS PATENS	5 GAL	L
SCREEN PLANTING	DODONAEA VISCOSA	5 GAL	L
VINE/ESPALIER	GELSEMIUM SEMPERVIRENS	5 GAL	L
	LONICERA JAPONICA	5 GAL	M
NATURAL MULCH AND LEAF LITTER UNDER EXISTING OAKS			

SHRUBS, GRASSES, GROUNDCOVERS

					
<i>Agave attenuata</i> Fox Tail Agave	<i>Agave 'Blue Glow'</i> Blue Glow Agave	<i>Aloe 'Blue Elf'</i> Aloe	<i>Anigozanthos</i> Kangaroo Paw	<i>Carex o. 'Everillo'</i> Japanese Sedge	<i>Coleonema pulchrum</i> Breath of Heaven
					
<i>Dianella 'Clarity'</i> Dianella	<i>Diets vegeta</i> Fortnight Lily	<i>Euonymus fortunei</i> 'Kewensis' Wintercreeper	<i>Hakone 'Aureola'</i> Japanese Forest Grass	<i>Helictotrichon</i> <i>sempervirens</i> Cape Rush	<i>Lavatera</i> Tree Mallow
					
<i>Leymus condensatus</i> Canyon Prince Wildrye	<i>Lomandra longifolia</i> 'Nyalla' Mat Rush	<i>Loropetalum chinensis</i> Fringe Flower	<i>Mahonia repens</i> Creeping Mahonia	<i>Mahonia 'Caress'</i> Dwarf Mahonia	<i>Nepeta spp.</i> Catmint
					
<i>Pennisetum alopecuroides</i> 'Hamelin' Dwarf Fountain Grass	<i>Salvia clevelandii</i> Cleveland Sage	<i>Senecio mandraliscae</i> Blue Fingers	<i>Teucrium chamaedrys</i> Wall Germander	<i>Teucrium fruticans</i> Bush Germander	

WATER CONSERVATION STATEMENT

- THE PLANT LIST IS PRELIMINARY IN NATURE. SPECIES SHALL BE ADDED AND SUBTRACTED TO FULFILL THE DESIGN AND HORTICULTURAL REQUIREMENTS AS NECESSARY.
- THE IRRIGATION SYSTEM SHALL BE DESIGNED WITH WATER CONSERVATION IN MIND WHILE ACHIEVING THE GOAL OF EFFECTIVELY AND EFFICIENTLY PROVIDING THE LANDSCAPE WITH WATER BY MEANS OF SPRAY IRRIGATION TO THE SHRUBS/GROUND COVER AREAS AND BUBBLERS TO THE TREES.
- THE SPRAY SYSTEM SHALL BE TORO SPRAY HEADS WITH PRESSURE COMPENSATING NOZZLES IN A HEAD TO HEAD LAYOUT TO ACHIEVE AN EVEN LEVEL OF PRECIPITATION THROUGHOUT THE IRRIGATION SYSTEM.
- A STATE-OF-THE-ART IRRIGATION CONTROLLER SHALL BE SPECIFIED FOR THIS PROJECT TO CONTROL THE WATER ALLOCATED TO EACH VALVE GROUPED PER INDIVIDUAL HYDROZONE (BASED ON PLANT TYPE AND EXPOSURE).

TREES



Arbutus x marina
Strawberry Tree

Carpinus betulus 'Fastigiata'
European Hornbeam

Cercis occidentalis
Western Redbud

Lagerstroemia 'Muskogee'
Crape Myrtle

Juniperus scopulorum 'Blue Arrow'
Blue Mountain Juniper

Platanus acerifolia
London Plane Tree



Podocarpus gracilior
Fern Pine

Olea europaea wilsonii
Fruitless Olive

Quercus agrifolia
Coast Live Oak

VINES



Gelsemium sempervirens
Carolina Jasmine

Lonicera j. 'Aureoreticulata'
Honeysuckle

Dodonaea viscosa
Hopseed

SCREEN PLANTING

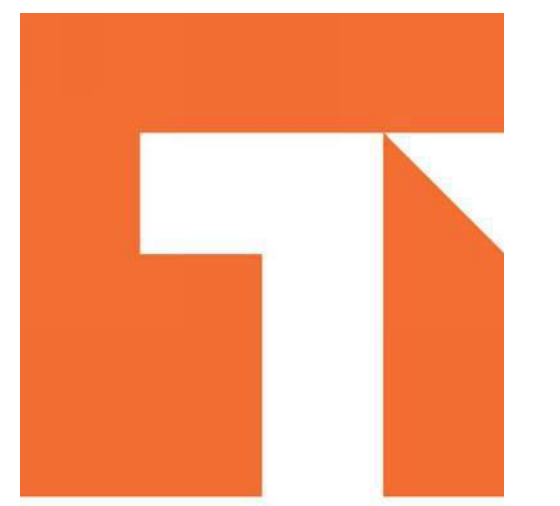


Chondropetalum techortum
Cape Rush

Carex tumulicola
Carex tumulicola

Deschampsia cespitosa
Pacific Hairgrass

Juncus patens
California Gray Rush



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Sheet Title:
PLANT LIST AND PLANT PALETTE

Job No. P4724
Date: 03/14/2017
Scale:
Drawn By: JK

Sheet No: **L-3**

SITE FURNISHINGS



Stepped Corten Planter Wall



Laser Cut Corten Planter



Tables and Chairs



Concrete Seatwall



Deck with Tree Cutouts



Built-in Benches



Cable Railing



Pedestrian Concrete Colored Paving



6' HIGH REDWOOD FENCE



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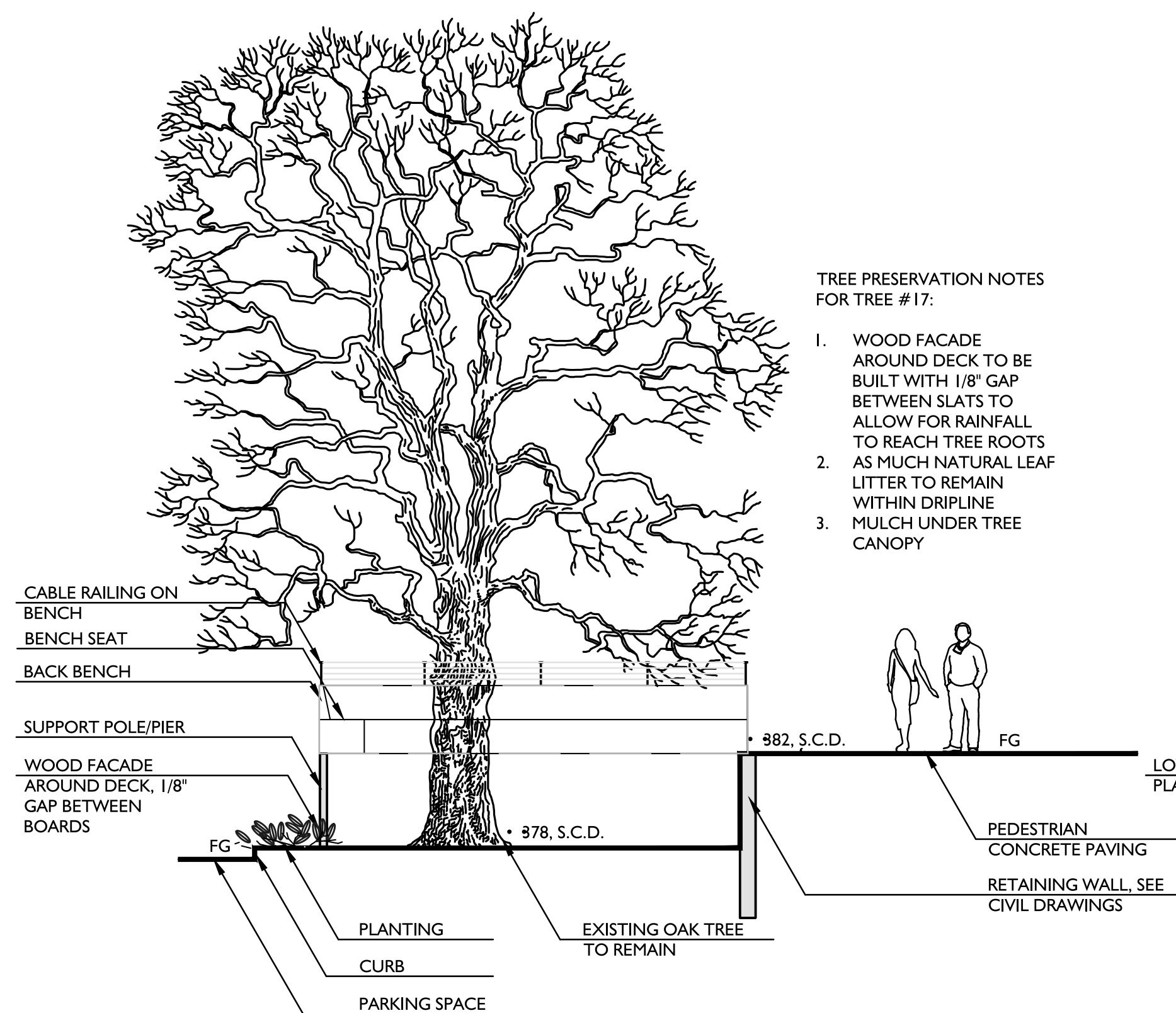
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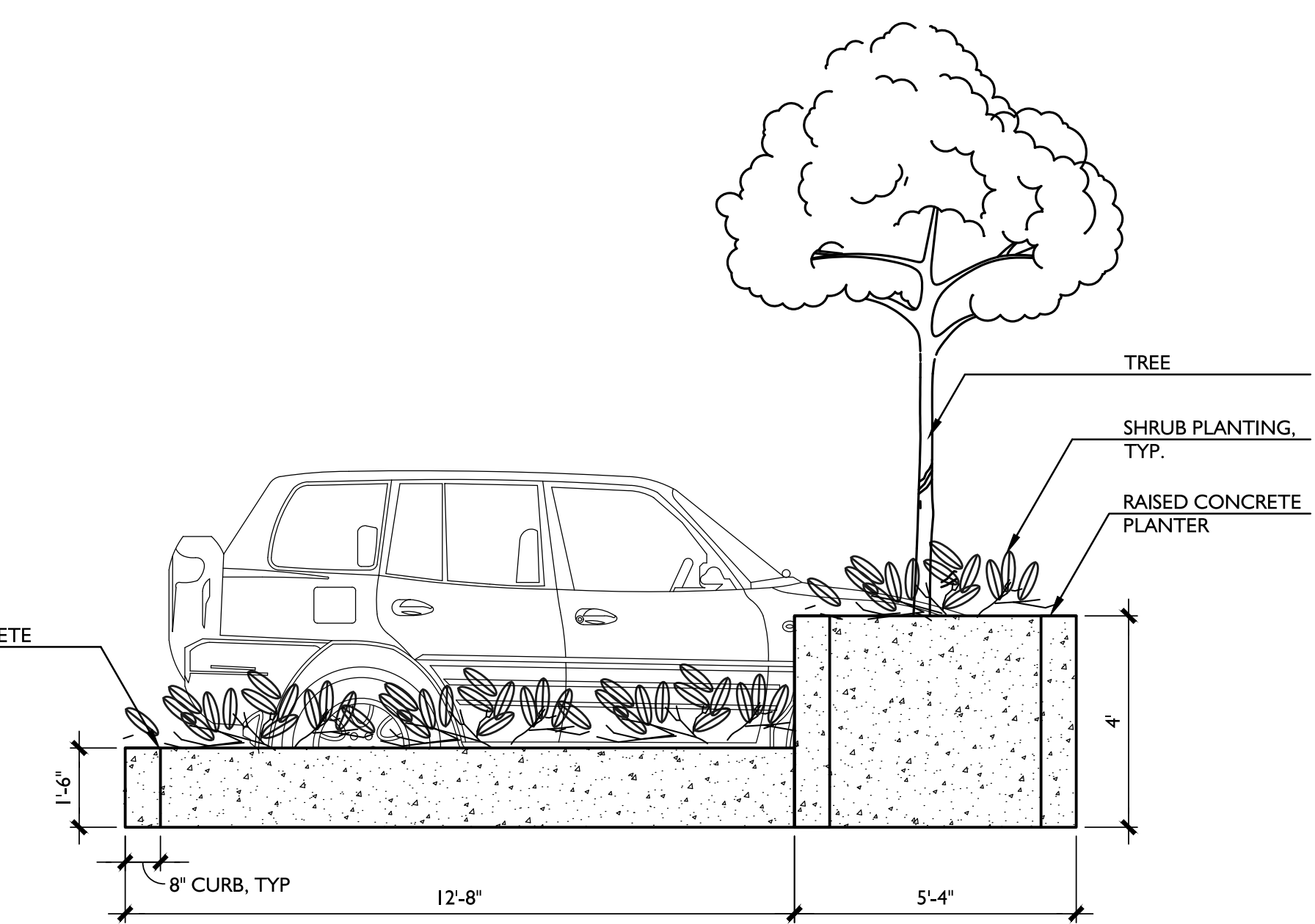


TREE PRESERVATION NOTES FOR TREE #17:

1. WOOD FACADE AROUND DECK TO BE BUILT WITH 1/8" GAP BETWEEN SLATS TO ALLOW FOR RAINFALL TO REACH TREE ROOTS
2. AS MUCH NATURAL LEAF LITTER TO REMAIN WITHIN DRIPLINE
3. MULCH UNDER TREE CANOPY

A DECK AROUND TREE

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

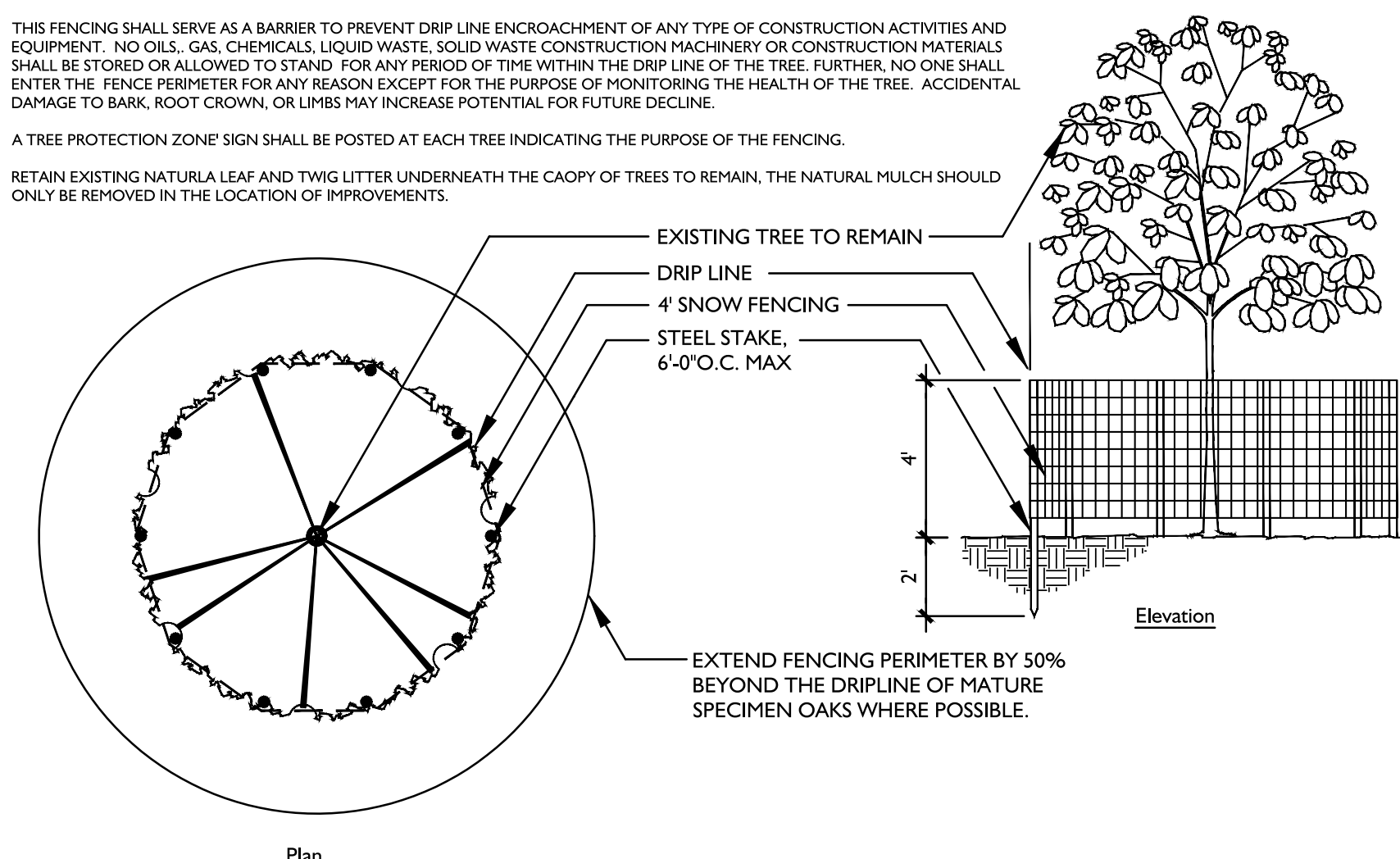


B PARKING LOT PLANTER

SCALE: 3/8" = 1'-0"

TREE PROTECTION NOTES:

1. PRIOR TO INITIATING ANY CONSTRUCTION ACTIVITY IN THE AREA, INCLUDING GRADING, TEMPORARY PROTECTIVE FENCING SHALL BE INSTALLED AT EACH SITE TREE. FENCING SHALL BE LOCATED AT OR BEYOND THE CANOPY DRIPLINE SO THAT 100% OF THE DRIPLINE WILL BE PROTECTED BY FENCING. TO REDUCE SOIL COMPACTION FROM EQUIPMENT, ERECT STORY POSTS PER ARBORIST REPORT PRIOR TO PRUNING.
2. THE CONTRACTOR IS REQUIRED TO WATER, FERTILIZE AND ATTEND TO OTHER MAINTENANCE NEEDS OF EXISTING TREES AS NEEDED PER ARBORISTS RECOMMENDATIONS TO MAINTAIN HEALTHY GROWTH THROUGHOUT THE CONSTRUCTION PERIOD. SIX FEET DIAMETER, MINIMUM, BY SIX INCH TALL EARTH BERMS SHALL BE CONSTRUCTED AT THE BASE OF EACH TREE TO FUNCTION AS TEMPORARY WATERING BASINS DURING THE CONSTRUCTION PERIOD. TREES SHALL BE WATERED ACCORDING TO WEATHER AND TREE REQUIREMENTS. APPROVED MULCH OF 1/2 INCH SIZED WOOD CHIPS SHALL BE PLACED AT A DEPTH OF 4 INCHES WHERE NO EXCAVATION IS TO OCCUR IN THE VICINITY OF THE TREES TO BE PROTECTED.
3. LOW HANGING LIMBS OF SAVED TREES SHALL BE PRUNED PRIOR TO GRADING, OR ANY EQUIPMENT MOBILIZATION ON SITE. THE PURPOSE OF THIS REQUIREMENT IS TO AVOID TEARING LIMBS BY HEAVY EQUIPMENT.
4. THIS FENCING SHALL SERVE AS A BARRIER TO PREVENT DRIP LINE ENCRoACHMENT OF ANY TYPE OF CONSTRUCTION ACTIVITIES AND EQUIPMENT. NO OILS, GAS, CHEMICALS, LIQUID WASTE, SOLID WASTE, CONSTRUCTION MACHINERY OR CONSTRUCTION MATERIALS SHALL BE STORED OR ALLOWED TO STAND FOR ANY PERIOD OF TIME WITHIN THE DRIPLINE OF THE TREE. FURTHER, NO ONE SHALL ENTER THE FENCE PERIMETER FOR ANY REASON EXCEPT FOR THE PURPOSE OF MONITORING THE HEALTH OF THE TREE. ACCIDENTAL DAMAGE TO BARK, ROOT CROWN, OR LIMBS MAY INCREASE POTENTIAL FOR FUTURE DECLINE.
5. A TREE PROTECTION ZONE SIGN SHALL BE POSTED AT EACH TREE INDICATING THE PURPOSE OF THE FENCING.
6. RETAIN EXISTING NATURAL LEAF AND TWIG LITTER UNDERNEATH THE CAOPY OF TREES TO REMAIN, THE NATURAL MULCH SHOULD ONLY BE REMOVED IN THE LOCATION OF IMPROVEMENTS.



C EXISTING TREE PROTECTIVE FENCING

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

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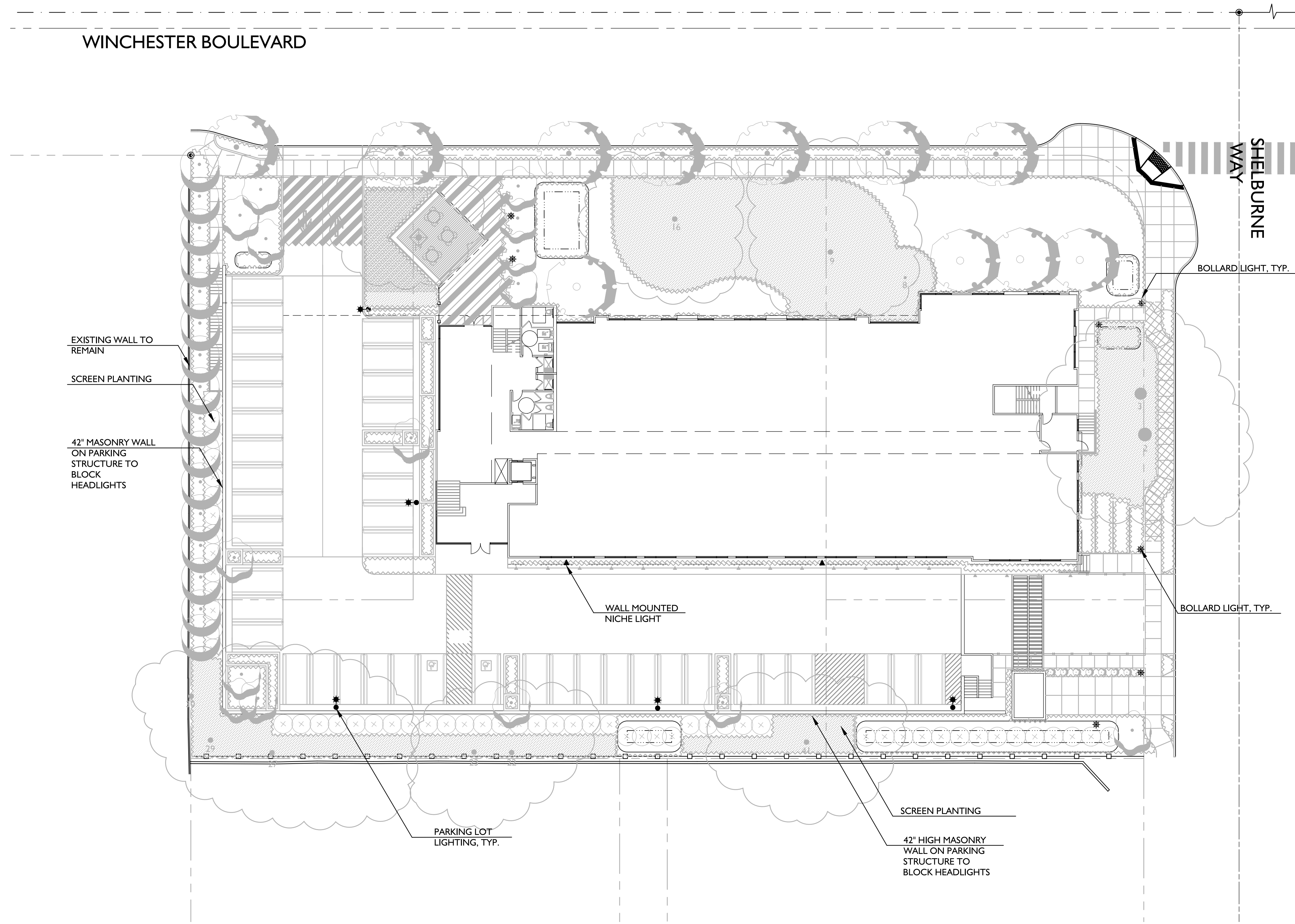
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SITE FURNISHINGS

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Sheet No: L-4



LIGHTING LEGEND

- * BOLLARD LIGHT
- PARKING LOT LIGHT
- ▲ WALL MOUNTED NICHE LIGHT

LIGHTING IMAGES



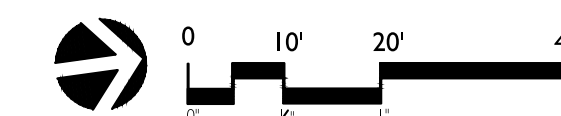
Bollard Light
MFR: Landscape Forms
Model: Multiplicity



Parking Lot Light
MFR: McGraw-Edison
Model: Galleon LED area and roadway luminaire 70 CRI, 4000K, 1A Lightsquares and spill light eliminator optics with house side shield



Wall-mounted Niche Light
MFR: Cooper
Model: Impact Elite Luminaire Lightbar



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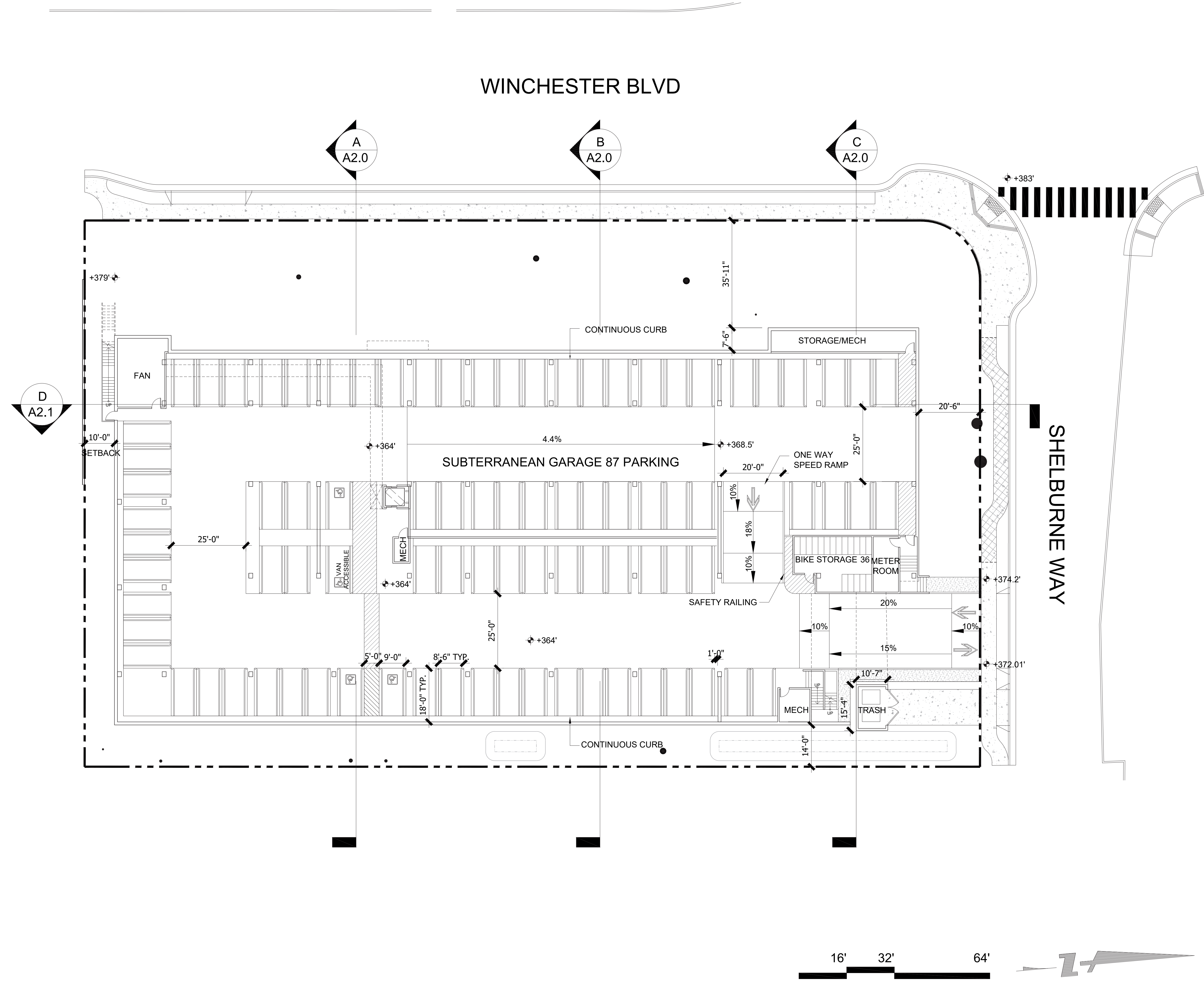
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Job No. P4724
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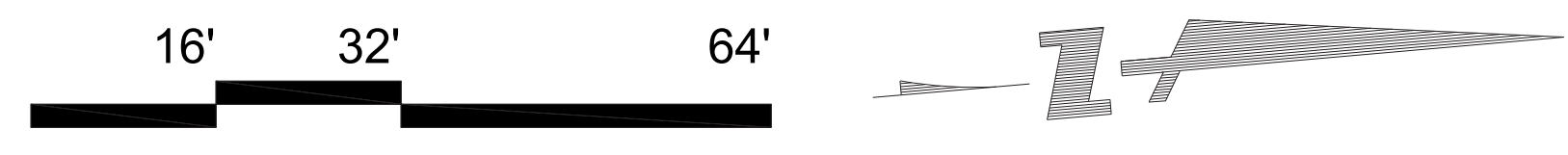
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Sheet Title:
**BUILDING PLAN
 SUBTERRANEAN
 LEVEL**

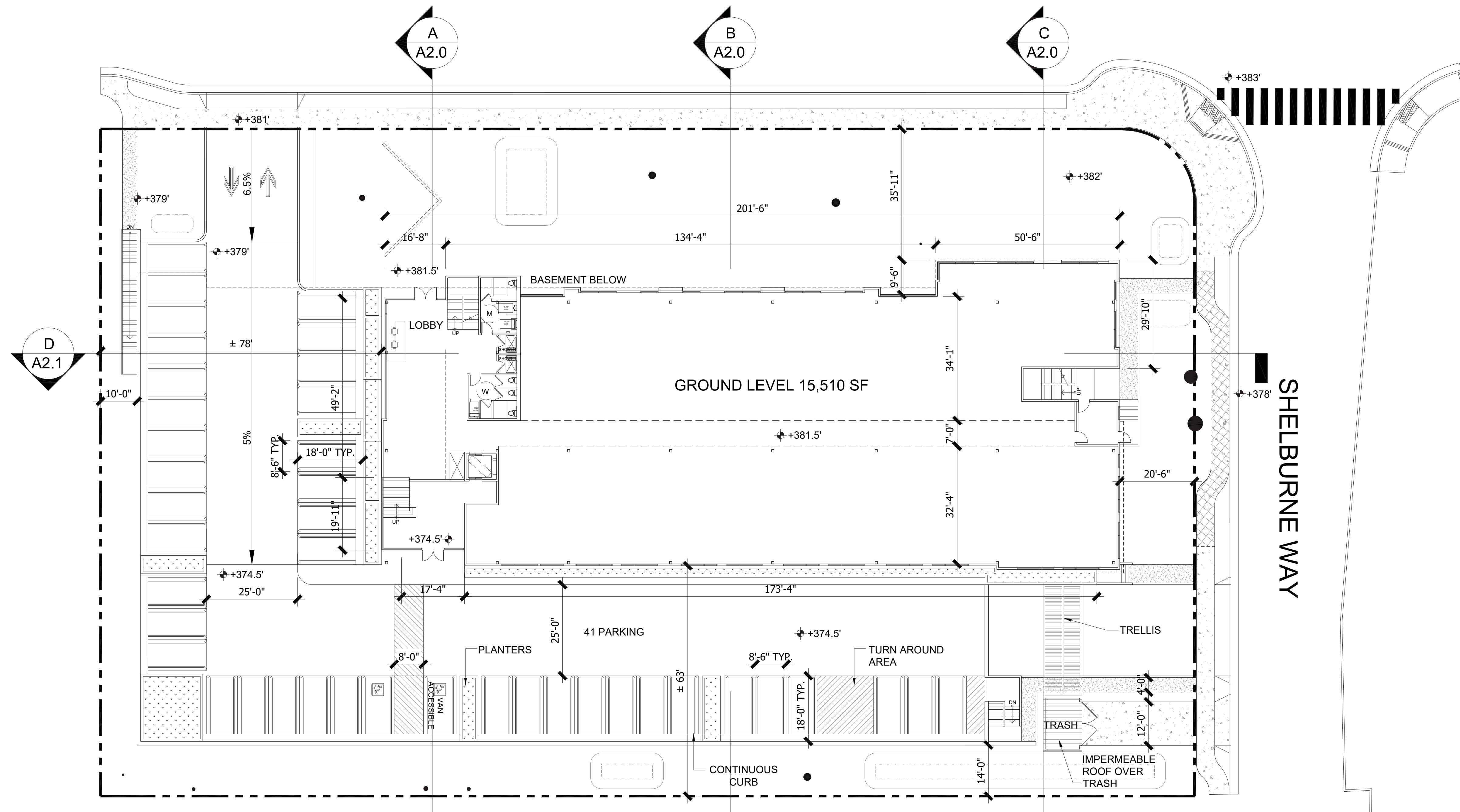
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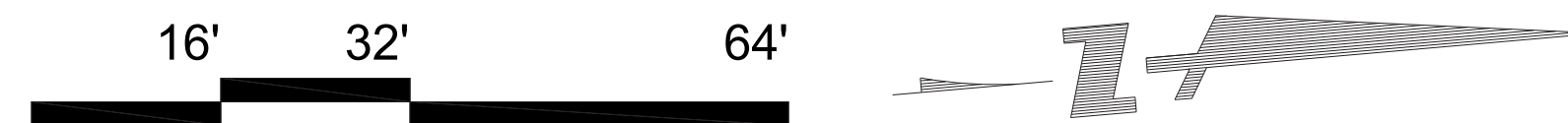
A1.0



WINCHESTER BLVD



SITE (GROSS): 1.31 ACRE
 OFFICE (GROSS): 30,070 SF
 PARKING REQ'D: 128 CARS
 PARKING PRV'D: 128 CARS
 COVERAGE: 27.2% (40% MAX)



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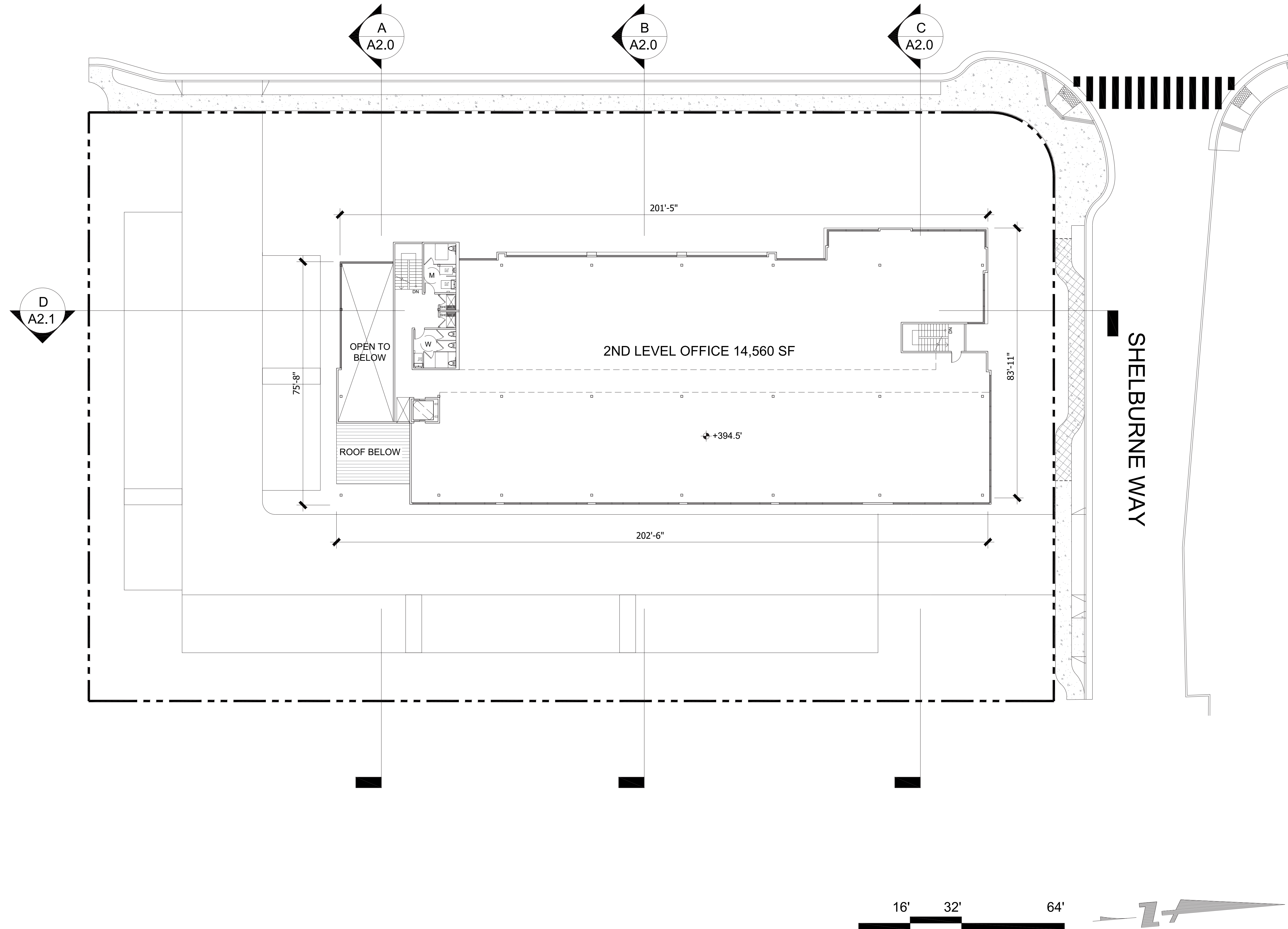
Sheet Title:
 BUILDING PLAN
 GROUND LEVEL

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: Oakland, California 94607
: (510) 451 - 2850

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Winchester Blvd. Office
Winchester Blvd. and Shelburne Way, Los Gatos, CA

Valley Oak Partners
734 The Alameda
San Jose, California

Sheet Title:

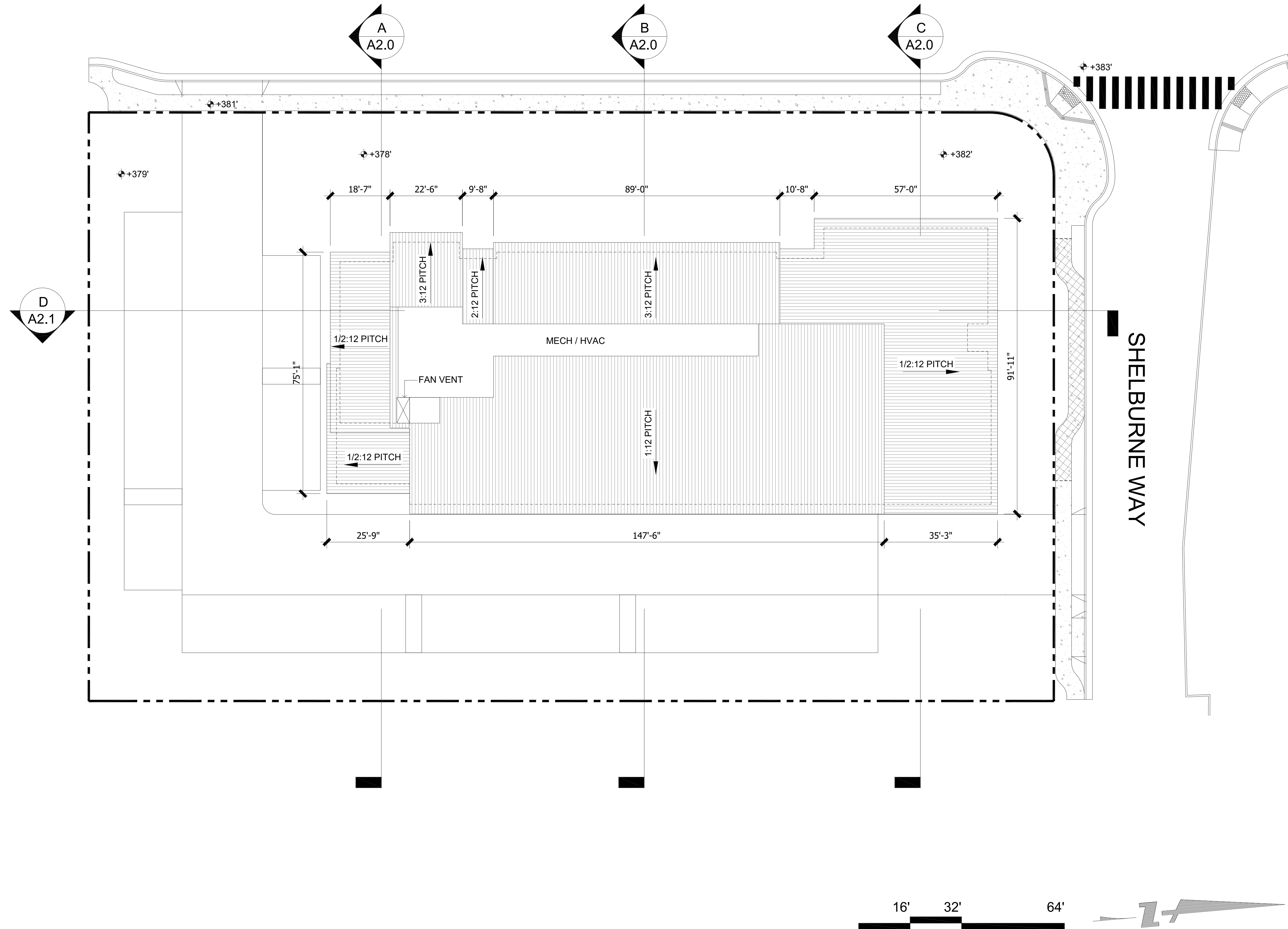
**BUILDING PLAN
SECOND LEVEL**

Job No. 15019
Date: 03/14/2017
Scale: 1/16" = 1'-0"
Drawn By:

Sheet No:

A1.2

WINCHESTER BLVD



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San Jose, California

Sheet Title:
**BUILDING
ROOF PLAN**

Job No. 15019
Date: 03/14/2017
Scale: 1/16" = 1'-0"
Drawn By:

Sheet No:

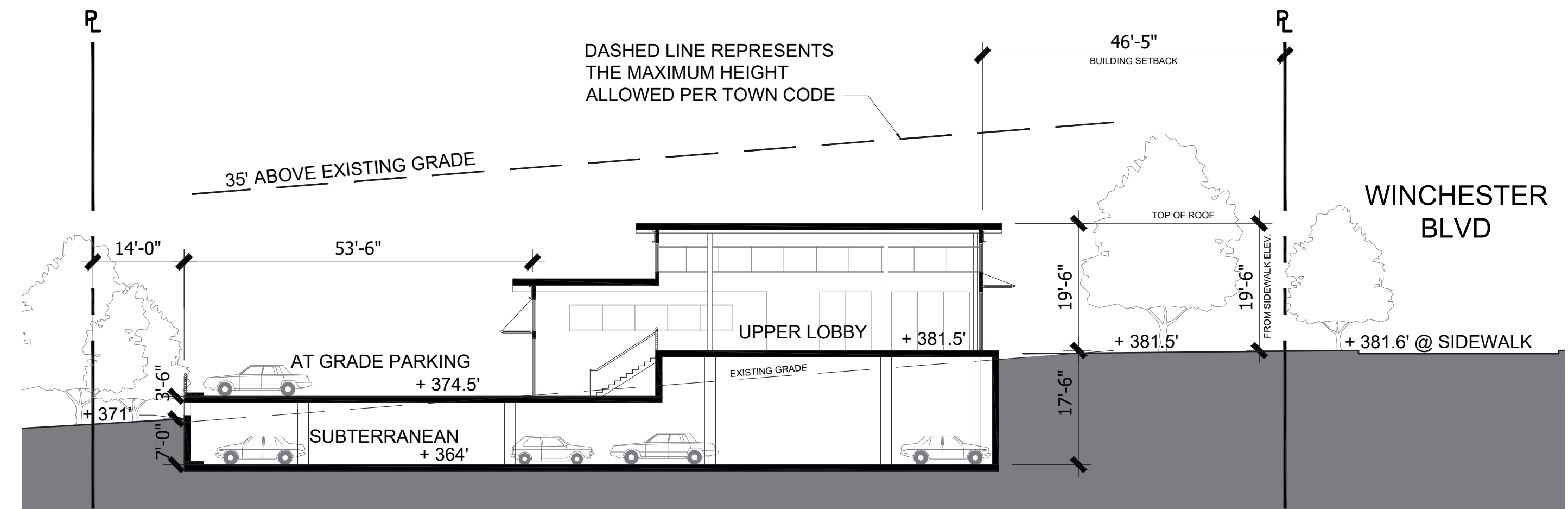
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KEY MAP

SCALE: 1/32" = 1' - 0"

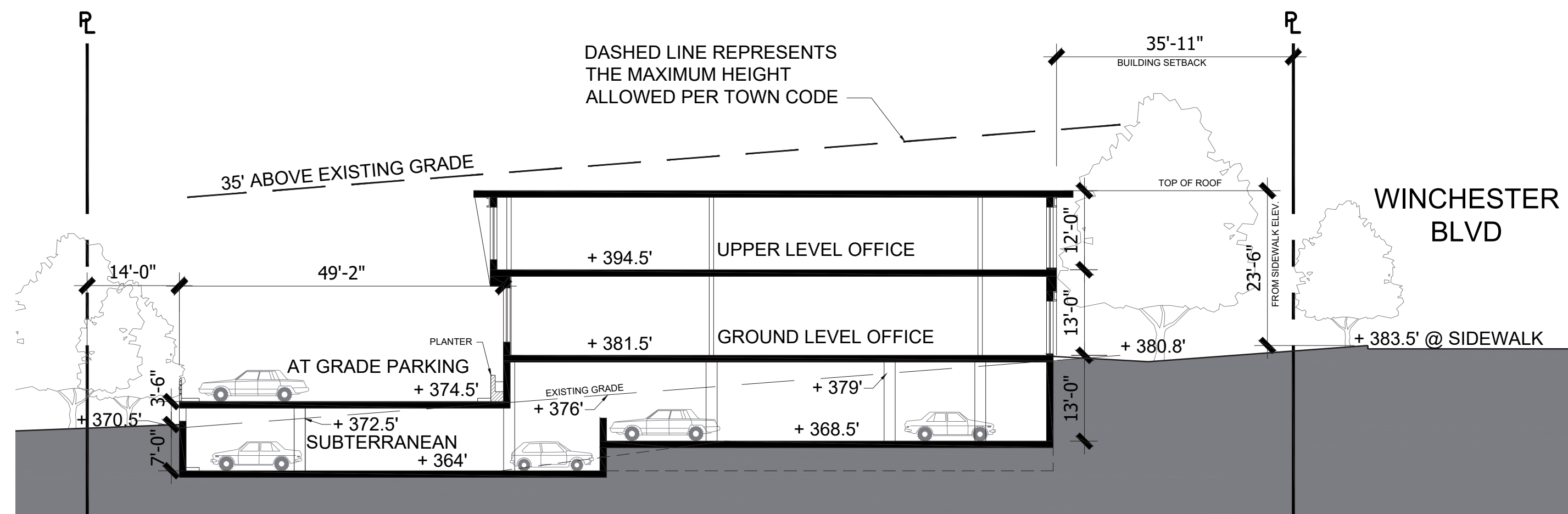
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SECTION A

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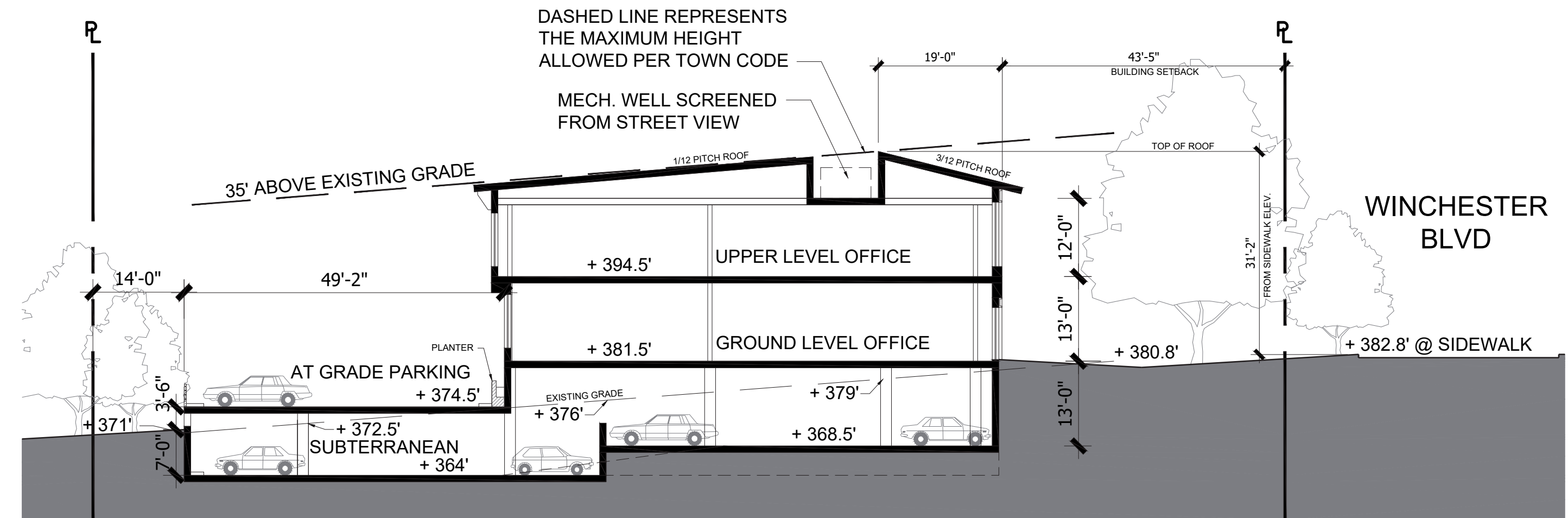
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SECTION C

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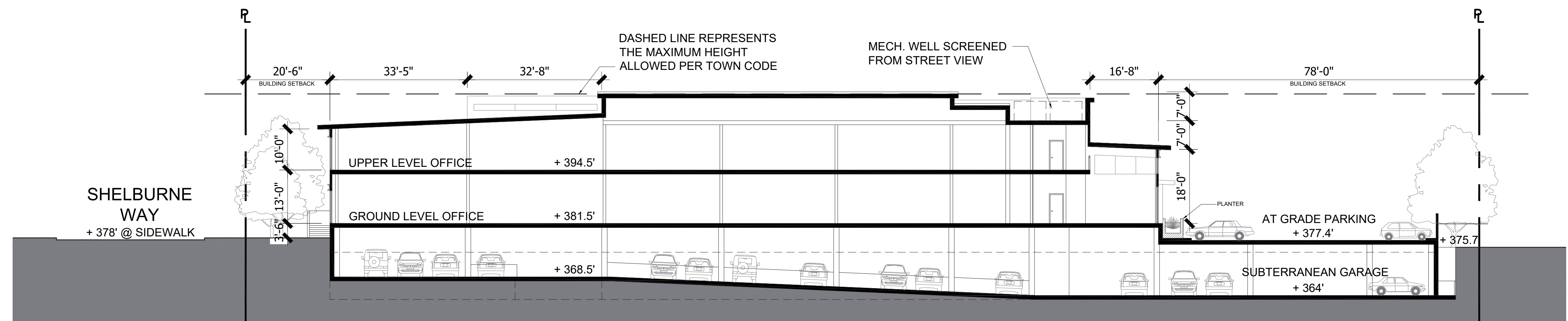
4



SECTION B

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

3



SECTION D

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

5



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734 The Alameda
San Jose, California

Sheet Title:
SITE SECTION

Job No. 15019
Date: 03/14/2017
Scale: 1/16" = 1'-0"
Drawn By:

Sheet No:

A2.0



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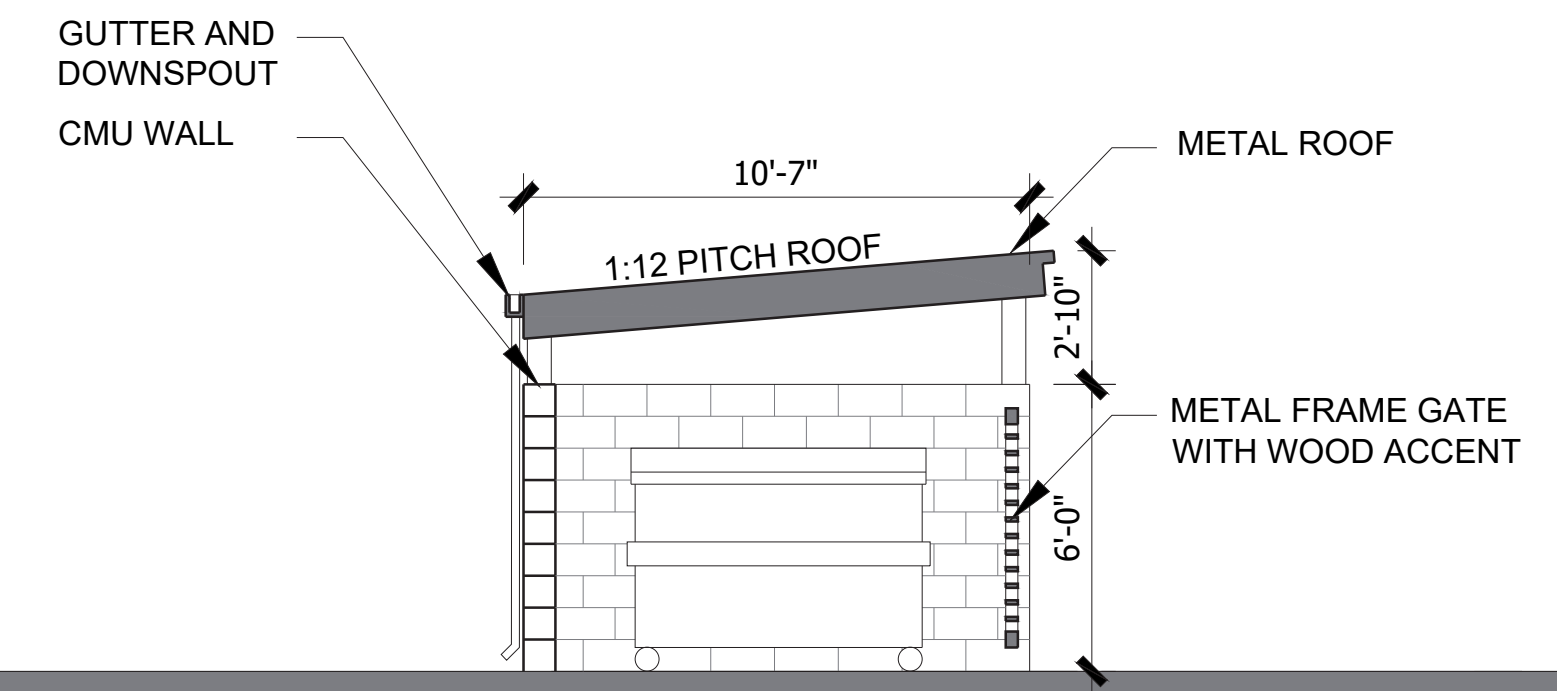
Valley Oak Partners
734 The Alameda
San Jose, California

Sheet Title:
TRASH ENCLOSURE
ELEVATION
& SECTION

Job No. 15019
Date: 03/14/2017
Scale: 1/4" = 1'-0"
Drawn By:

Sheet No:

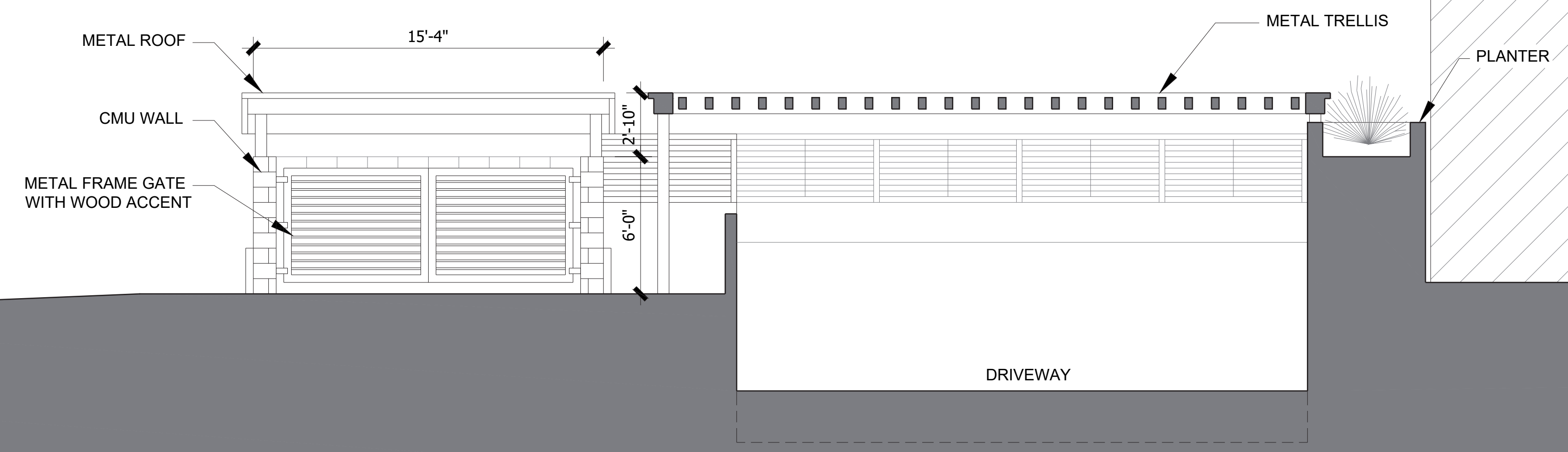
A3.0



TRASH ENCLOSURE SECTION

2

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



TRASH ENCLOSURE SECTION

1

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



WEST ELEVATION 1

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



EAST ELEVATION 2

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



SOUTH ELEVATION 4

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



NORTH ELEVATION 3

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



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Sheet Title:

ELEVATIONS

Job No. 15019
Date: 03/14/2017
Scale: 1/16" = 1'-0"
Drawn By:

Sheet No:

A4.0



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San Jose, California

Sheet Title:

**PERSPECTIVE -
VIEW FROM
WINCHESTER**

Job No. 15019
Date: 03/14/2017
Scale:
Drawn By:

Sheet No:

IM1.0



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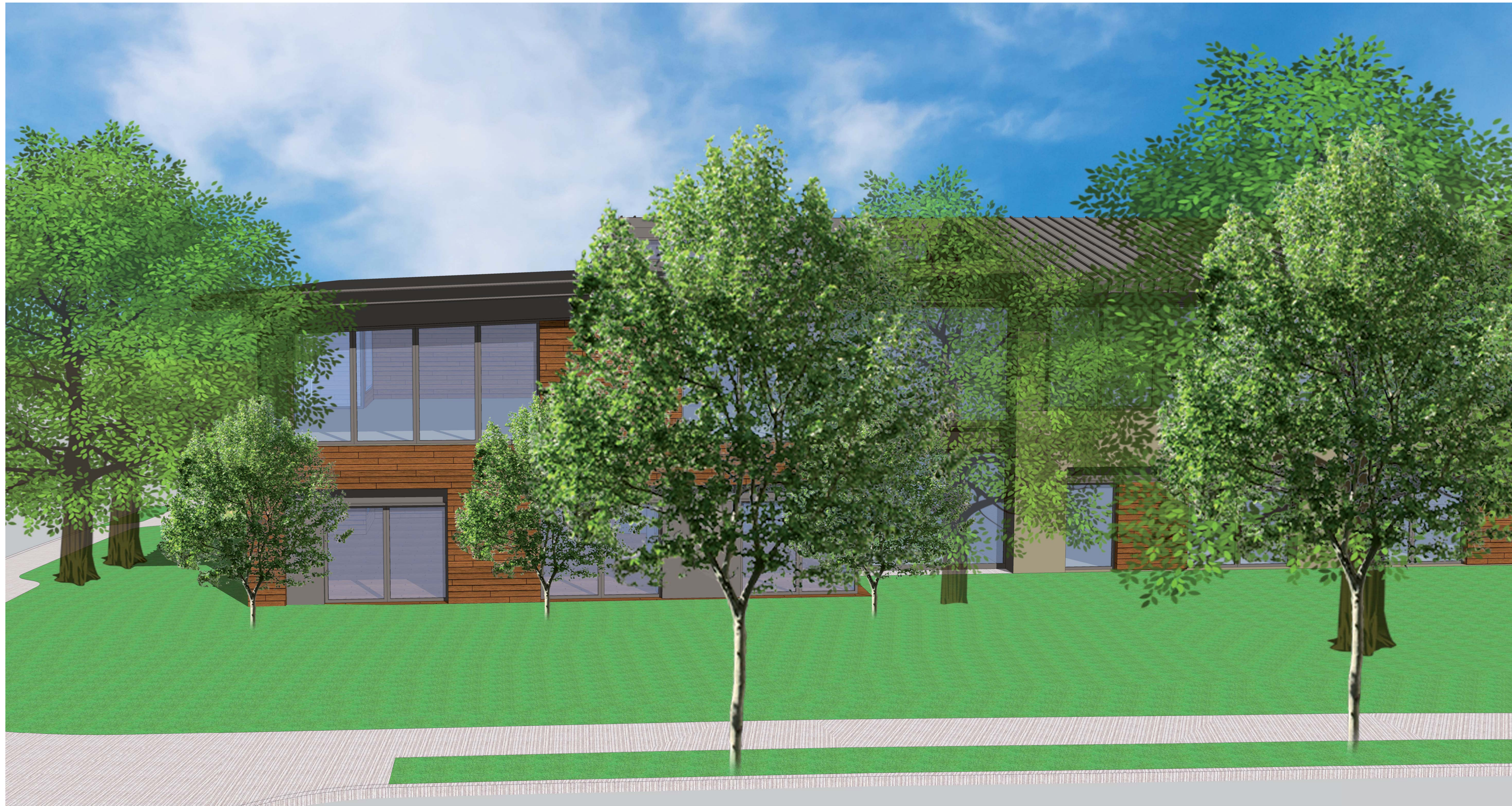
Sheet Title:

PERSPECTIVE

Job No. 15019
Date: 03/14/2017
Scale:
Drawn By:

Sheet No:

IM1.1



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Sheet Title:
PERSPECTIVE

Job No. 15019
 Date: 03/14/2017
 Scale:
 Drawn By:

Sheet No:
IM1.2



7 CANOPY
METAL



6 OFFICE ENTRY
ALUMINUM WITH CLEAR GLASS



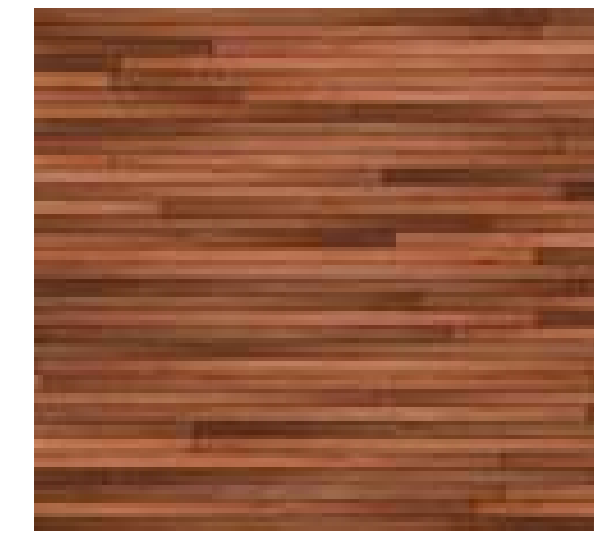
5 WINDOW
ALUMINUM ALL WEATHER



4 ROOF
STANDING SEAM METAL



3 WALL
METAL PANEL SIDING



2 WALL
WOOD-COLORED SIDING

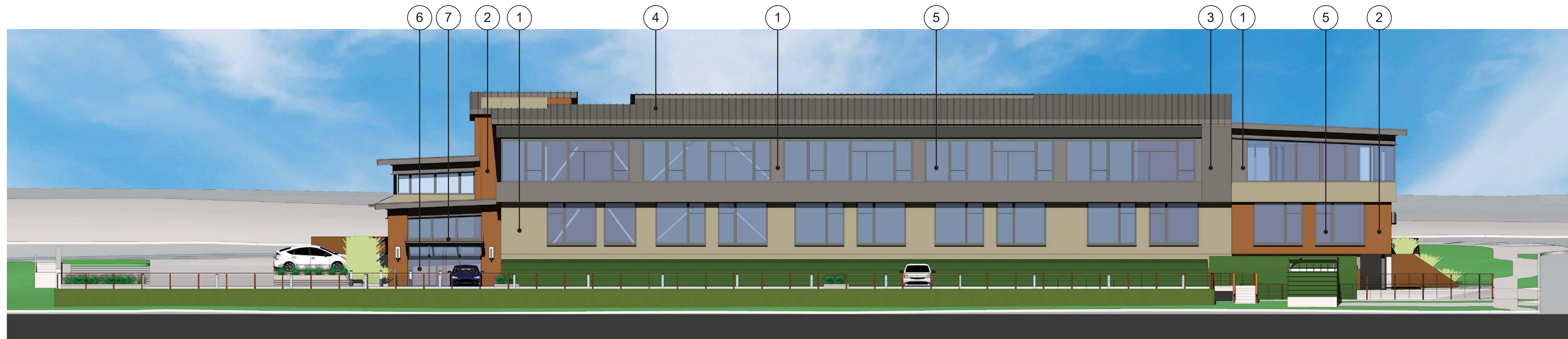


1 WALL
SMOOTH TROWELED PLASTER



WEST ELEVATION 1

SCALE: 3/32" = 1' - 0"



EAST ELEVATION 2

SCALE: 3/32" = 1' - 0"



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San Jose, California

Sheet Title:

MATERIALS
AND COLORS

Job No. 15019
Date: 03/14/2017
Scale: 3/32" = 1' - 0"
Drawn By:

Sheet No:

IM2.0

From: Joseph Gemignani <josephtheweatherman@gmail.com>
Sent: Tuesday, July 02, 2019 3:43 PM
To: Jennifer Armer <JArmer@losgatosca.gov>
Subject: Time extension for Winchester demo

Hi Jennifer,

I hope you don't grant an extension for the demo of 3 homes on Winchester. I am not a fan of the project. I don't like the Architecture. July 10th meeting. Applicant Doug Rich

Thanks,

Joseph (amateur weatherman)

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**TOWN OF LOS GATOS
PLANNING COMMISSION
REPORT**

MEETING DATE: 07/10/2019

ITEM NO: 2

ADDENDUM

DATE: July 9, 2019
TO: Planning Commission
FROM: Joel Paulson, Community Development Director
SUBJECT: Architecture and Site Application S-19-026 and Subdivision Application M-19-006. Project Location: **15860-15894 Winchester Boulevard**. Applicant: Doug Rich, Valley Oak Partners. Property Owners: South Beach Partners LLC and Cumulus Capital Holdings LLC.
Requesting approval of a time extension to demolish three existing single-family residences, remove an accessory dwelling unit, remove large protected trees, and merge four lots for the purposes of constructing a new two-story office building with below grade and at grade parking. APNs 529-11-013, -038, -039, and -040.

REMARKS:

The following is a correction to the recommendation section of the staff report that has been corrected online to read: Approval, subject to the recommended Conditions of Approval.

Exhibit 7 includes additional public comments received between 11:01 a.m., Friday, July 5, 2019 and 11:00 a.m., Tuesday, July 9, 2019.

EXHIBITS:

Previously received with July 10, 2019 Staff Report:

1. Location Map (one page)
2. Required Findings (one page)
3. Recommended Conditions of Approval (22 pages)
4. Time Extension Request, received May 9, 2019 (one page)
5. Development Plans, received May 9, 2019
6. Public Comments received by 11:00 a.m., Friday, July 5, 2019

PREPARED BY: Jennifer Armer, AICP
Senior Planner

Reviewed by: Planning Manager and Community Development Director

PAGE 2 OF 2

SUBJECT: 15860-15894 Winchester Boulevard/S-19-026 and M-19-006

DATE: July 9, 2019

Received with this Addendum Report:

7. Public comments received between 11:01 a.m., Friday, July 5, 2019 and 11:00 a.m., Tuesday, July 9, 2019

From: Georgina Van Horn <george_vh@msn.com>
Sent: Friday, July 05, 2019 8:50 PM
To: Planning <Planning@losgatosca.gov>
Subject: Meeting Wed. July 10

Dear Planning Commission,

Please remove the Architecture and Site Application S-19-026 and Subdivision Application M-19-006 from the consent calendar. Several of the neighbors would like to speak to this request.

Thank you!
Georgina Van Horn
706 Winchester Blvd.
Los Gatos
408-395-6740

From: Andrew Spyker <awspyker@gmail.com>
Sent: Monday, July 08, 2019 8:23 AM
To: Planning <Planning@losgatosca.gov>
Cc: Amy Spyker <amyspyker@gmail.com>
Subject: 15860, 15880, and 15894 Winchester Boulevard

Planning Commission,

My name is Andrew Spyker, and our family directly neighbors the property under consideration at 708 Winchester Blvd, Los Gatos, CA 95030.

I would like to better understand the reason for time extensions on the approved architecture and site application, lot merger, and demolition of existing structures. I will be attending the meeting this Wednesday to explain my concerns.

I would like for the planning commission to deny this request unless it is clear that this extension is required to satisfy the compliance requirements. I do not believe the owner has taken sufficient actions to preserve the safety, health, and cleanliness requirements of the existing neighborhood surroundings. Also, there are clear indications with more office complexes going vacant that the need for such an office building is questionable. There has been no communication between the owner and neighbors on the status of the development.

I would not want this uncertainty to continue after what has already been twenty one months since the project approval. If there was a clear need for an office building at this location and the owner had taken more interest in the property and the neighbors, I might have a different opinion.

Thank you!

--

Andrew Spyker (awspyker@gmail.com)

From: Shauna Prout Garzee <spgarzee@hotmail.com>
Sent: Monday, July 08, 2019 9:14 AM
To: Planning <Planning@losgatosca.gov>
Subject: 15860, 15880, and 15894 Winchester Boulevard

Dear Planning Commission,

I'm Shauna Garzee a homeowner at 704 Winchester Blvd in the University Oaks Condominiums and a neighbor of the above three listed properties.

I'm requesting that the Planning Commission deny Valley Oak Partners extension on these properties as there has been no interest in almost two years to find a tenant and actually commence building. The biggest reason given by the developer for this building was the need for additional office space in Los Gatos which is clearly not the case given no progress on actually moving forward with the development.

Additionally, the developer has not maintained the property very well and it continues to be an eye sore and source of safety concern for those of us living adjacent to the abandoned buildings.

Sincerely,
Shauna Garzee

From: Ed Harris <edharris@harrishome.org>
Sent: Monday, July 08, 2019 3:02 PM
To: Planning <Planning@losgatosca.gov>
Subject: 15860,15889 and 15894 Winchester Boulevard.

Planning Commission,

This is regarding 15860,15889 and 15894 Winchester Boulevard.

As a resident of University Oaks, I feel that the construction on the Winchester office building that was approved, should not be extended. They have had more than adequate time to find a tenant and build their complex.

The property has been fenced off and neglected for the last two years. With the cyclone fence and all the weeds growing up, I would think the city would want some type of improvement, and not that eye sore you see entering or leaving downtown. After 2 years without finding a tenant, it is pretty obvious that an office building isn't needed there.

This property would serve much better for housing in the Town of Los Gatos.

Thank you,
Ed Harris



**TOWN OF LOS GATOS
PLANNING COMMISSION
REPORT**

MEETING DATE: 07/10/2019

ITEM NO: 2

DESK ITEM

DATE: July 10, 2019
TO: Planning Commission
FROM: Joel Paulson, Community Development Director
SUBJECT: Architecture and Site Application S-19-026 and Subdivision Application M-19-006. Project Location: **15860-15894 Winchester Boulevard**. Applicant: Doug Rich, Valley Oak Partners. Property Owners: South Beach Partners LLC and Cumulus Capital Holdings LLC.
Requesting approval of a time extension to demolish three existing single-family residences, remove an accessory dwelling unit, remove large protected trees, and merge four lots for the purposes of constructing a new two-story office building with below grade and at grade parking. APNs 529-11-013, -038, -039, and -040.

REMARKS:

Exhibit 8 includes additional public comments received between 11:01 a.m., Tuesday, July 9, 2019 and 11:00 a.m., Wednesday, July 10, 2019.

EXHIBITS:

Previously received with July 10, 2019 Staff Report:

1. Location Map (one page)
2. Required Findings (one page)
3. Recommended Conditions of Approval (22 pages)
4. Time Extension Request, received May 9, 2019 (one page)
5. Development Plans, received May 9, 2019
6. Public Comments received by 11:00 a.m., Friday, July 5, 2019

Previously received with July 10, 2019 Addendum Report:

7. Public comments received between 11:01 a.m., Friday, July 5, 2019 and 11:00 a.m., Tuesday, July 9, 2019

PREPARED BY: Jennifer Armer, AICP
Senior Planner

Reviewed by: Planning Manager and Community Development Director

PAGE 2 OF 2

SUBJECT: 15860-15894 Winchester Boulevard/S-19-026 and M-19-006

DATE: July 10, 2019

Received with this Desk Item Report:

8. Public comments received between 11:01 a.m., Tuesday, July 9, 2019 and 11:00 a.m., Wednesday, July 10, 2019

From: Karen Vincent <karevincent@msn.com>
Sent: Tuesday, July 09, 2019 6:47 PM
To: Planning <Planning@losgatosca.gov>
Subject: 15860, 15880, 15894 Winchester blvd

Dear planning commission,

I am one of the home owners at University Oaks condominium complex. We border the large proposed office building to be built adjacent to our property.

We have lived next to the fenced in and boarded up deserted houses for almost 2 years.

Dead bushes and trash litter the property. It is not attended to nor maintained. I fear that soon the mature trees meant to be kept will also soon be dying. The dead brush is a fire hazard.

Enough is enough. Please consider making a decision on this property that will cease this project immediately.

It is the gateway to beautiful Los Gatos. A visual that is unsightly and an embarrassment to be living next to.

Thank you,

Karen Vincent
711 University Ave
Los Gatos

EXHIBIT 8

From: MaryAnn <masullivan_2000@yahoo.com>
Sent: Tuesday, July 09, 2019 10:49 PM
To: Planning <Planning@losgatosca.gov>
Subject: Re: 15860, 15880, 15894 Winchester blvd

Dear planning commission

We are homeowners at the University Oaks complex bordering the proposed office building on Winchester.

The state of the property has become beyond unsightly, dilapidated and is now bordering on dangerous - from fire, rats, termites, squatters and the like.

It is our opinion that any extension for this owner's permit be denied as there does not seem to be any interest in the property by the owners (since they haven't cleared it and have created a dangerous environment), or by any future tenants.

We appreciate your consideration to this matter.

Regards
MaryAnn and Dave Weigand
709 University Avenue
408-206-9008

From: Karen Vincent <karevincent@msn.com>
Sent: Tuesday, July 09, 2019 6:47 PM
To: Planning <Planning@losgatosca.gov>
Subject: 15860, 15880, 15894 Winchester blvd

Dear planning commission,

I am one of the home owners at University Oaks condominium complex. We border the large proposed office building to be built adjacent to our property.

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Dead bushes and trash litter the property. It is not attended to nor maintained. I fear that soon the mature trees meant to be kept will also soon be dying. The dead brush is a fire hazard.

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It is the gateway to beautiful Los Gatos. A visual that is unsightly and an embarrassment to be living next to.

Thank you,

Karen Vincent
711 University Ave
Los Gatos

EXHIBIT 8

From: MaryAnn <masullivan_2000@yahoo.com>
Sent: Tuesday, July 09, 2019 10:49 PM
To: Planning <Planning@losgatosca.gov>
Subject: Re: 15860, 15880, 15894 Winchester blvd

Dear planning commission

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The state of the property has become beyond unsightly, dilapidated and is now bordering on dangerous - from fire, rats, termites, squatters and the like.

It is our opinion that any extension for this owner's permit be denied as there does not seem to be any interest in the property by the owners (since they haven't cleared it and have created a dangerous environment), or by any future tenants.

We appreciate your consideration to this matter.

Regards
MaryAnn and Dave Weigand
709 University Avenue
408-206-9008



**TOWN OF LOS GATOS
PLANNING COMMISSION
REPORT**

MEETING DATE: 07/10/2019

ITEM NO: 3

DATE: July 3, 2019
TO: Planning Commission
FROM: Joel Paulson, Community Development Director
SUBJECT: Architecture and Site Application S-17-047. Project Location: **16 Chestnut Avenue**. Property Owner: Kim Roper. Applicant/Appellant: Bess Wiersema, Studio 3 Design. Project Planner: Erin Walters
Consider an appeal of a Development Review Committee decision approving a request for demolition of an existing pre-1941 single-family residence and construction of a new single-family residence on property zoned R-1:12. APN 510-40-012.

Deemed complete: May 10, 2019
Final date to take action: November 10, 2019

RECOMMENDATION:

Deny the appeal and uphold the decision of the Development Review Committee (DRC) to approve the application, subject to the recommended conditions of approval.

PROJECT DATA:

General Plan Designation: Low Density Residential
Zoning Designation: R-1:12 - Single-Family Residential, 12,000-square foot lot minimum
Applicable Plans & Standards: General Plan; Residential Design Guidelines
Parcel Size: 17,606 square feet

PREPARED BY: Erin Walters
Associate Planner

Reviewed by: Planning Manager, Community Development Director, and Town Attorney

PROJECT DATA (continued):

Surrounding Area:

	Existing Land Use	General Plan	Zoning
North	City of Monte Sereno	NA	NA
South	Residential	Low Density Residential	R-1:8
East	Residential	Low Density Residential	R-1:12
West	Residential	Low Density Residential	R-1:12

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:

- As required, pursuant to the adopted Guidelines for the Implementation of the California Environmental Quality Act, this project is Categorically Exempt, Section 15303: New Construction or Conversation of Small Structures.
- As required by Section 29.10.09030(e) of the Town Code for the demolition of an existing structure.
- As required by the Residential Design Guidelines that the project complies with the Residential Design Guidelines.

CONSIDERATIONS:

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

ACTION:

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

BACKGROUND:

The subject 17,606-square foot property is located on the north side of Chestnut Avenue (Exhibit 1) and is developed with an existing pre-1941 two-story single-family residence and a detached two-story accessory dwelling unit.

BACKGROUND (continued):

On December 1, 2017, the applicant submitted an Architecture and Site application (S-17-047) for the demolition of an existing pre-1941 single-family residence and construction of a new 3,729-square foot two-story residence with 1,706 square feet of below grade square footage and a 733-square foot attached three-car garage.

On June 27, 2018, the HPC reviewed the applicant's request for demolition of the existing pre-1941 single-family residence and made a recommendation to the Community Development Director that the findings for demolition of a historic structure could be made, Exhibit 6 includes the HPC minutes.

The proposed project meets all technical requirements of the Town Code including parking, setbacks, height, floor area, and building coverage with the exception of meeting the Town's Engineering Design Standards for a driveway approach. The applicant proposes to maintain the existing driveway approach at the southwest corner of the intersection of Chestnut and Hernandez Avenues.

On May 21, 2019, the DRC approved Architecture and Site Application (S-17-047) with a condition of approval requiring the installation of a driveway approach meeting the Town's Engineering Design Standards (Exhibit 14).

On May 31, 2019, the decision of the DRC was appealed to the Planning Commission by the applicant who is requesting removal of the condition of approval requiring the installation of a driveway approach meeting the Town's Engineering Design Standards (Exhibit 16).

PROJECT DESCRIPTION:

A. Architecture and Site Application

Architecture and Site application approval is required to demolish an existing residence and construct a new residence.

B. Location and Surrounding Neighborhood

The subject site is located on the north side of Chestnut Avenue, north of the intersection of Hernandez Avenue and Chestnut Avenue (Exhibit 1). The surrounding properties are one- and two-story single-family residences, with a mix of architectural styles.

PROJECT DESCRIPTION (continued):

C. Zoning Compliance

The property is zoned R-1:12, which permits a single-family residence. The proposed residence is in compliance with parking, setback, height, floor area, and building coverage requirements.

DISCUSSION:

A. Architecture and Site

The applicant is proposing to construct a new two-story single-family residence with 3,729 square feet of living floor area, 1,706 square feet of below grade square footage, and a 733-square foot attached three car garage. The maximum height of the proposed residence is 30 feet, where a maximum of 30 feet is allowed.

The applicant's scope of work/letter of justification is attached in Exhibit 4. The project data sheet is attached in Exhibit 5 for additional information regarding the proposed project.

The site contains an existing two-story residence and a detached greenhouse structure. A detached two-story accessory dwelling unit, a detached shed, and a chicken coop are located over the subject property line and encroach into public right-of-way. The applicant proposes to remove the chicken coop and the green house structures. Two existing wood columns are located at the existing driveway approach and are also located within the public right-of-way. The applicant may choose to retain the columns in the existing location. Per Condition of Approval 37, Exhibit 3, the property owner shall enter into an agreement with the Town for all existing and proposed private improvements located within the Town's right-of-way.

B. Design and Compatibility

The Town's Consulting Architect reviewed the proposed project (Exhibit 7). The Consulting Architect had no issues or concerns and stated that the proposed house is very well designed with an identifiable traditional architectural style and is compatible with the immediate neighborhood. The Consulting Architect had no recommendations for changes.

DISCUSSION (continued):C. Neighborhood Compatibility

The immediate area is made up of one- and two-story single-family residences, including a mix of architectural styles. Based on Town and County records, the surrounding residences range in size from 966 square feet to 3,816 square feet. The floor area ratios (FAR) range from 0.004 to 0.38. The Neighborhood Analysis table below reflects the current conditions of the immediate area:

Neighborhood Analysis						
Address	Floor Area	Garage Floor Area	Gross Lot Area	FAR	Stories	Zoning
20 Chestnut	3,392	400	23,908	0.14	2	R-1:12
50 Chestnut	2,610	360	11,904	0.22	2	R-1:12
48 Chestnut	966	230	8,160	0.12	2	R-1:12
200 Hernandez	1,980	484	49,535	0.04	1	R-1:12
134 Hernandez	3,816	488	43,143	0.09	2	R-1:12
155 Hernandez	2,933	630	7,665	0.38	2	R-1:8
9 Hernandez	2,270	412	11,151	0.20	2	R-1:8
15 Chestnut	1,680	252	9,100	0.18	2	R-1:8
21 Chestnut	1,428	237	7,371	0.19	1	R-1:8
16 Chestnut (Ex)	2,573	0	17,606	0.15	2	R-1:12
16 Chestnut (P)	3,729	733	17,606	0.21	2	R-1:12

The proposed residence would not be the largest home in the immediate area in terms of square footage or floor area ratio (FAR).

D. Tree Impacts

The project site contains fourteen protected trees, one of which is considered a Large Protected Tree, a 63-1/2-inch diameter Coast Live Oak (Tree #6). The applicant is proposing to remove two existing trees, one of which is a dead 12-inch diameter Coast Live Oak (Tree #7), and another which is a multi-trunk 13-inch diameter Chinese Juniper (Tree #4a), which is located within two feet of the existing house to be demolished.

The applicant's arborist reports (Exhibit 8) the health of the large protected Live Oak (Tree #6) to be "poor, evidenced by a relatively thin canopy and slow reaction growth around large wounds. Several girdling roots are present at the base of the trunk." Both the applicant's arborist and the Town's Consulting Arborist have provided specific

DISCUSSION (continued):

recommendations for Tree #6, including setting minimum disturbance distances from the diameter of the trunk (Exhibits 9 and 10).

The applicant's arborist prepared a report for the site and recommendations for the project (Exhibit 9) and the Town's Consulting Arborist peer reviewed the report and provided recommendations (Exhibit 10). In addition, the applicant's arborist prepared a report evaluating the tree impacts to the large protected Live Oak (Tree #6), with four driveway design alternatives (Exhibit 8) and the Town's Consulting Arborist peer reviewed this report (Exhibit 10).

The three driveway alternatives reviewed in the applicant's arborist report include the following:

- Retaining the approximate original footprint of the driveway.
This design option would not meet the Town's Engineering Design Standards.
- Locating the driveway approach along the property's Chestnut Avenue frontage in a location that meets the Town's Engineering Design Standards.
This is a preferred driveway approach location per the Town's Engineering Design Standards, however, the proposed location of the garage and driveway in this alternative would not provide adequate backup and turning radius dimensions to protect Tree #6.
- Locating the driveway approach along the property's Hernandez Avenue frontage.
This design option is infeasible due to the existing topographic conditions and constraints along the Hernandez Avenue frontage.

The applicant has incorporated the Consulting Arborist's recommendations into the final development plans and has provided a compliance memorandum addressing the Town's consulting arborist's peer review recommendations (Exhibit 11).

If the project were approved, tree protection measures would be implemented prior to and during construction. Replacement trees for the removal of protected trees would also be required to be planted pursuant to Town Code.

E. Driveway Approach

The existing driveway approach is located at the southwestern corner of the intersection of Chestnut and Hernandez Avenues. The existing driveway approach location does not meet the Town's Engineering Design Standards for safety.

DISCUSSION (continued):

The Architecture and Site application was reviewed at multiple Staff Technical Review meetings and at each meeting Engineering Staff provided the applicant a deficiency letter that included the requirement to modify the location of the driveway approach to meet the Town's Engineering Design Standards.

The Town's Engineering Design Standards (Section 2.21A) states:

Corner clearances from access points for all uses fronting a non-arterial or non-collector road shall be a minimum of 50 feet.

The Chestnut Avenue frontage for the subject property is 200 feet in length, providing opportunities to locate a driveway approach along the frontage. Staff requested that the applicant consider shifting the proposed house footprint to the West on the property to locate the driveway approach on Chestnut Avenue to meet the Town's Engineering Design Standards. Shifting the footprint of the proposed residence to the West would locate the proposed driveway approach, driveway, and grading outside of the protection zone for the Live Oak (Tree #6) recommended by the Town's Consulting Arborist (Exhibit 13). Locating the driveway approach in this location might require removal a 20-inch Oak (Tree #3), rated good, and possibly a 12-inch Linden (Tree #4), rated good/moderate. The joint utility pole may also have to be relocated depending upon the final design.

The applicant chose not to modify the location of the driveway approach to meet the Town's Engineering Design Standards for the following reasons, as outlined in the scope of work/letter of justification, Exhibit 4:

- The driveway relocation meeting Town Standards would require two hard 90 degree turns to enter the proposed new three car garage entering off of Chestnut Avenue per the proposed location of the house;
- The driveway relocation would endanger the health of Live Oak Tree (Tree #6);
- Shifting the house West on the property would reduce the owners' only private area, as the property is surrounded on three sides by streets; and
- Grading required for the relocated driveway would require the garage to be lowered and further impact the tree.

The Architecture and Site application was deemed complete with the exception of the driveway approach location. Staff recommended approval of the Architecture and Site Application to the DRC with required findings and conditions of approval, including Condition of Approval 59:

DISCUSSION (continued):

DRIVEWAY APPROACH: The Owner or Applicant shall install one (1) Town standard residential driveway approach. The driveway shall meet the Town's Engineering Design Standards and be located on Chestnut Avenue at a minimum distance of 50 feet from the nearest curb return at the southwestern corner of Chestnut and Hernandez Avenues (see Section 2.21). 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.

Intersection corners are an extension of legal crosswalks as indicated in the Vehicle Code, and, as a result, pedestrians use intersection corners in order to cross streets. An intersection corner is typically reserved for pedestrian access and ADA ramps. It should not be occupied by a driveway and used for vehicle access. A vehicle driver backing out of the driveway at an intersection corner is likely to have an obstructed view of pedestrians and turning vehicles at said intersection. Placing, or, in this case, allowing a driveway to remain at an intersection corner could create conflicts and unsafe conditions to continue for both pedestrians and vehicles. In addition, a vehicle backing out of a driveway at an intersection corner would need to back up into and subsequently make a three-point turn in the middle of the intersection, with an obstructed view of intersection traffic and pedestrians. Standard engineering practice does not allow this due to safety concerns.

Additionally, the existing conditions, foliage, and geometry of the intersection create a safety concern, seeing oncoming eastbound Hernandez Avenue traffic, for vehicles exiting the driveway headfirst.

Finally, per Condition of Approval 34, all public improvements, including the driveway approach specified in Condition of Approval 59, shall be made according to the latest adopted Town Standard Plans, Standard Specifications, and Engineering Design Standards.

The Parks and Public Works Department has provided a project information sheet for the project (Exhibit 19).

F. Development Review Committee

The DRC held a public hearing for the Architecture and Site application on May 21, 2019 (Exhibit 14). Written public hearing notices were sent to surrounding property owners and occupants within 300 feet of the subject property.

DISCUSSION (continued):

Elizabeth Jendricks, a resident of the neighborhood for 30 years, spoke in favor of the project with the existing driveway approach location (Exhibit 14).

The DRC found the application was complete and in compliance with the Town Code and Residential Design Guidelines, and approved the project, subject to the recommended conditions of approval.

G. Appeal by Applicant

On May 31, 2019, the decision of the DRC was appealed to the Planning Commission by the applicant, Bess Wiersema, Studio 3 Design (Exhibit 16). The appellant is specifically appealing Condition of Approval 59, provided above.

The appellant/applicant's reasons for not complying with the Town's Engineering Design Standards for the driveway approach with staff responses in *italics* are provided below:

1. Relocating the driveway approach to meet Town Engineering Standards would negatively impact the existing Oak Tree and alter the existing grade beneath the tree, which would require the Oak tree to be removed.

Response: The subject property has 200 feet of frontage on Chestnut Avenue, which provides opportunities to locate a driveway approach along the frontage without significantly impacting the tree (Exhibit 13).

2. Relocation of the driveway approach to meet Town Engineering Standards would require the relocation of the existing utilities/joint pole and additional trees along Chestnut Avenue.

Response: Depending upon the placement of the driveway approach, the joint utility pole may have to be relocated and additional trees along Chestnut Avenue may have to be removed (Exhibit 13).

The appellant/applicant also provided the following reasons to maintain the existing driveway approach and columns with staff responses in *italics*:

1. Is original to the property and consistent with most other surroundings neighbors;

Response: The location of the existing driveway approach does not meet the Town's Engineering Design Standards. Discretionary review of a new house requires all public improvements, including the driveway approach, to comply with the latest adopted Town Standard Plans, Standard Specification, and Engineering Design Standards.

DISCUSSION (continued):

2. Maintains the original character and charm of the neighborhood;

Response: See response above.

3. No known accidents due to driveway location, location is not a hazard;

Response: The absence of known accidents does not conclude traffic safety presently or in the future. Engineering standards are proactive in improving traffic safety and minimizing potential future accidents. Many Town projects are designed and constructed for enhancing traffic safety with or without known accidents.

4. Is at a safe intersection with stops on all three sides;

Response: The existing intersection is a safe intersection with a three-way stop. It could be further improved by relocating the driveway approach away from the intersection which would reduce potential conflicts with pedestrians and intersection traffic.

5. Provides clear site visibility and distance from both exiting the driveway as well as cars entering intersection from adjacent streets and driveways;

Response: Entering the driveway from eastbound Chestnut Avenue creates limited views of vehicles turning right from Hernandez Avenue. Backing out of the driveway creates obstructed views of pedestrians and vehicles at the intersection. Exiting the driveway headfirst creates limited views of oncoming Hernandez Avenue traffic from the left and Chestnut Avenue traffic from the right.

6. Maintains existing driveway and grade not to impact Oak tree, keeping tree;

Response: The 200 feet of frontage along Chestnut Avenue and shifting of the footprint of the proposed residence to the West would provide adequate space to accommodate a driveway approach and driveway that would meet Town Standards without impacting Tree #6.

7. Easy ingress/egress to property: cars drive around tree and exit forward facing (no need to back-out of driveway);

Response: Relocating the driveway approach to Chestnut Avenue, a minimum of 50 feet from the intersection, would provide better ingress/egress and would reduce potential conflicts with pedestrians and vehicles at the intersection. It should be noted that

DISCUSSION (continued):

although ingress/egress from the existing driveway approach seems easy, the existing condition creates potential conflicts with pedestrians and intersection traffic.

8. Civil engineering studies and consulting arborist show how maintaining the existing driveway is the best solution for the property and less impactful overall;

Response: The applicant's civil engineering studies do not consider shifting the footprint of the proposed new residence to the West to accommodate a new driveway approach and a driveway that would meet Town Standards without impacting Tree #6.

9. Site restraints impose limited alteration modification to the existing residence; and

Response: The existing driveway approach does not meet the Town's standards. The application is for the construction of a new single-family home. The 200 feet of frontage along Chestnut Avenue and shifting of the footprint of the proposed residence to the West would provide adequate space to accommodate a driveway approach and driveway that would meet Town Standards without impacting Tree #6.

10. The subject property has three street frontages versus two street frontages.

Response: See response above.

On June 28, 2019, the appellant submitted a supplemental information packet providing the history of the application and additional information regarding the request for the appeal of Condition of Approval 59 (Exhibit 17).

H. Legal - Town Attorney

Town Code Section 29.20.710 states:

The Town Engineer shall:

- (1) Prescribe standards for driveway construction.

Town Code Section 23.30.065 states:

All sidewalks, driveways, curbs, and gutters shall be constructed in accordance with specifications, plans, and detailed drawings prepared by and on file with the Town Engineer.

The Town Engineer has prescribed standards for driveway construction that states: "Corner clearances from access points for all uses fronting a non-arterial or non-collector road shall be a minimum of 50 feet."

DISCUSSION (continued):

The U.S. Department of Transportation Manual states that the number and types of conflict points (i.e., the number of locations where the travel paths of two different vehicles may cross) at the intersection of a driveway and a public road influence the safety of motorists and pedestrians. The Manual states it is desirable to minimize the number of conflict points created with existing and future driveways since more conflict points increase the risk of a crash occurring. The number and type of conflict points at a driveway can be managed by limiting both the amount of access allowed at the driveway and the location of the driveway relative to other driveways and the intersection in the area.

In addition, the L.A. Department of Transportation states that basic principle of driveway location planning is to minimize possible conflicts between users of the parking facility and users of the abutting street system. The public interest requires optimum capacity of streets and highways to carry traffic with minimum potential for traffic accidents. The safety of pedestrians must be considered and driveways should be as far from the intersecting street as possible.

Finally, the American Association of State Highway and Transportation Officials Green Book specifically states that: "Driveways should not be situated within the functional boundary of at-grade intersections."

In California, under statutory immunities titled "design immunity," a public entity is generally not liable for injuries caused by a dangerous condition of public property if there is substantial evidence supporting the reasonableness of the plan or design. By following the Town's Code, the Town Engineer's prescribed standards for driveway construction, and the wealth of manuals, policies, and findings throughout the nation that require driveways to be placed away from intersections, the Town will be able to invoke "design immunity" and will not be liable if an accident were to occur at this intersection. On the other hand, if the Town deviates from the prescribed standards for driveway construction, and an accident did occur at this intersection, the Town may be held liable for allowing or creating a dangerous condition in so doing.

If the Planning Commission determines that the existing driveway location is appropriate, findings with substantial evidence shall be entered into the record.

I. 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, which includes demolition of an existing single-family residence and construction of a new single-family residence in a residential zone.

PUBLIC COMMENTS:

The owners reached out to the neighbors and provided staff with signed letters of support from many of the adjacent neighbors (Exhibit 15). The appellant/applicant circulated a Neighborhood Petition of Support for the project and appeal of Condition of Approval 59 (Exhibit 18). At the time of this report's preparation, the Town has not received any additional public comment.

CONCLUSION:

A. Conclusion

The Town's Engineering Design Standards require corner clearances from access points for all uses fronting a non-arterial or non-collector road to be a minimum of 50 feet. The current driveway approach located at the southwestern corner of the intersection of Chestnut and Hernandez Avenues does not meet the Town's Engineering Design Standards. The applicant's request to approve Architecture and Site application S-17-047 to demolish an existing pre-1941 residence and construction of a new single-family residence is required to be in compliance with the Town's Engineering Design Standards. With the construction of a new residence and the 200-foot street frontage along Chestnut Avenue, there is adequate space to accommodate the required driveway approach and provide protection for the existing large protected Live Oak (Tree #6).

B. Recommendation

Staff recommends that the Planning Commission take the following actions to deny the appeal, uphold the decision of the DRC, and approve the Architecture and Site application:

1. Find that the proposed project is categorically exempt pursuant to the adopted Guidelines for the implementation of the California Environmental Quality Act, Section 15303: New Construction or Conversion of Small Structures (Exhibit 2);
2. Make the required findings as required by Section 29.10.09030(e) of the Town Code for the demolition of a single-family residence (Exhibit 2);

CONCLUSION (continued):

3. Make the finding required by the Town's Residential Design Guidelines that the project complies with the Residential Design Guidelines (Exhibit 2);
4. Make the required considerations as required by Section 29.20.150 of the Town Code for granting approval of an Architecture and Site application (Exhibit 2); and
5. Approve Architecture and Site Application S-17-047 with the conditions contained in Exhibit 3 and development plans attached as Exhibit 20.

C. Alternatives

Alternatively, the Commission can:

1. Continue the matter to a date certain with specific direction;
2. Deny the appeal and approve the application with additional and/or modified conditions;
3. Grant the appeal and allow the existing driveway approach to remain. If this alternative is implemented, findings with substantial evidence shall be entered into the record; or
4. Deny the Architecture and Site application.

EXHIBITS:

1. Location Map
2. Required Findings and Considerations (one page)
3. Recommended Conditions of Approval (13 pages)
4. Applicant's Scope of Work and Letter of Justification, received December 19, 2019 (14 pages)
5. Project Data Sheet, received April 10, 2019 (two pages)
6. June 27, 2018 Historic Preservation Committee Meeting Minutes (five pages)
7. Consulting Architect Report, received March 12, 2018 (four pages)
8. Applicant's Arborist Report regarding Live Oak (Tree #6), received February 12, 2019 (13 pages)
9. Applicant's Arborist Report, received February 12, 2019 (25 pages)
10. Town's Consulting Arborist Peer Review, received March 7, 2019 (five pages)
11. Applicant's Arborist Response Letter, received April 10, 2019 (three pages)
12. Town's Consulting Arborist Peer Review Letter, received May 1, 2019 (one page)

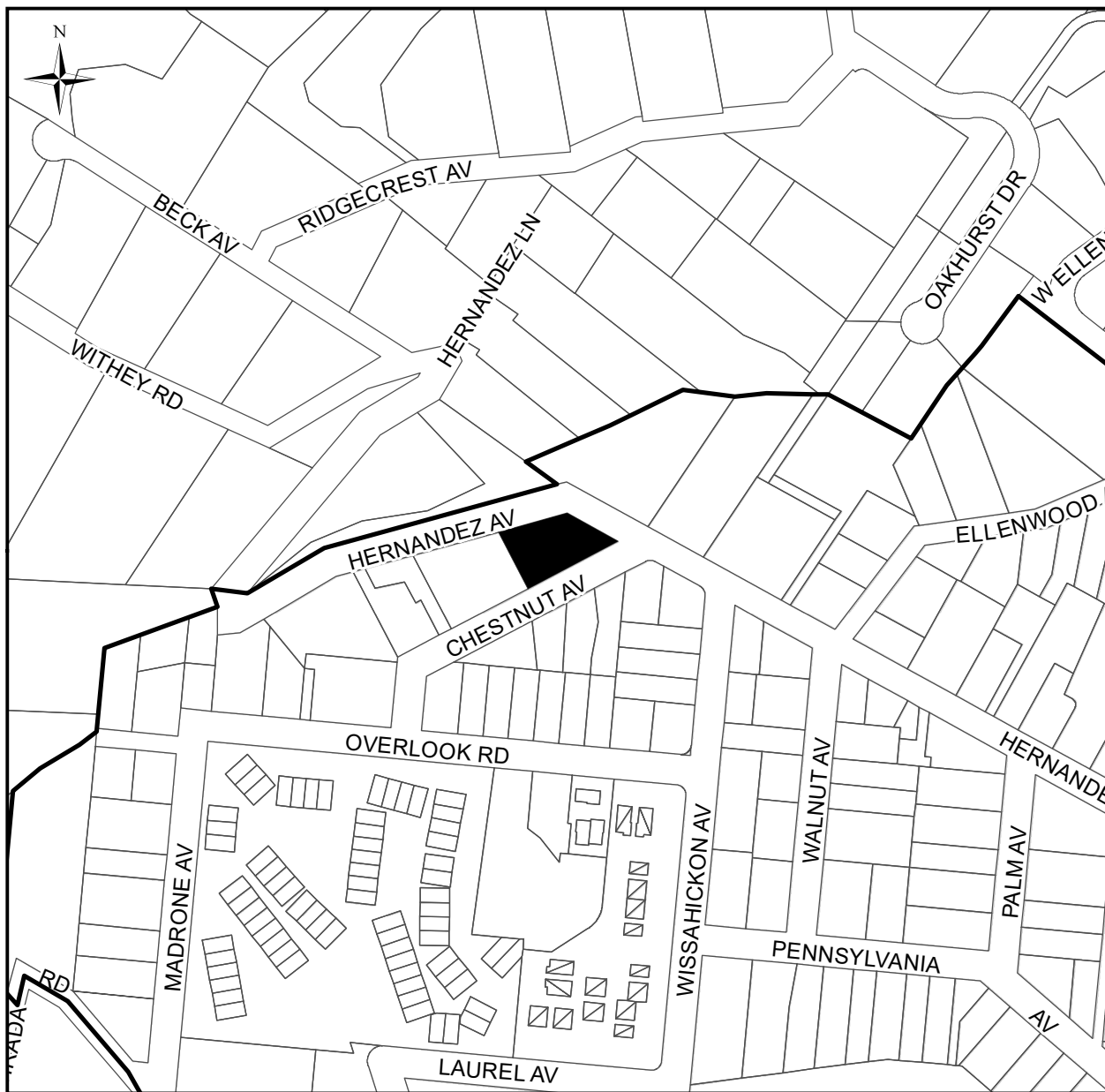
PAGE 15 OF 15

SUBJECT: 16 Chestnut Avenue/S-17-047

DATE: July 3, 2019

13. Town Prepared Site Diagram Overlay (one page)
14. May 21, 2019 Development Review Committee meeting minutes (two pages)
15. Letters of Support from Neighbors, received December 19, 2018 and June 28, 2019 (seven pages)
16. Appellant's Letter, received May 31, 2019 (two pages)
17. Applicant's Supplemental Letter and Exhibits, received June 28, 2019 (22 pages)
18. Neighborhood Petition of Support, received June 28, 2019 (seven pages)
19. Project Information Sheet provided by the Parks and Public Works Department, received July 1, 2019 (three pages)
20. Development Plans received April 10, 2019 (27 pages)

16 Chestnut Avenue



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PLANNING COMMISSION– July 10, 2019
REQUIRED FINDINGS & CONSIDERATIONS FOR:

16 Chestnut Avenue
Architecture and Site Application S-17-047

Consider an appeal of a Development Review Committee decision approving a request for demolition of an existing pre-1941 single-family residence and construction of a new single-family residence for removal of a condition requiring the installation of a town standard driveway approach on property zoned R-1:12. APN: 510-40-012.

PROPERTY OWNER: Kim Roper

APPLICANT/APPELANT: Bess Wiersema, Studio 3 Design

FINDINGS

Required findings for CEQA:

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

Required finding for the demolition of a single-family residence:

- As required by Section 29.10.09030(e) of the Town Code for the demolition of a single-family residence:
 1. The Town's housing stock will be maintained as the single-family residence will be replaced.
 2. The existing structure has lost its architectural significance through modification of the original structure.
 3. The property owner does not desire to maintain the structures as they exist; and
 4. The economic utility of the structures was considered.

Required Compliance with the Residential Design Guidelines:

- The project is in compliance with the Residential Design Guidelines for single-family homes not in hillside residential areas.

CONSIDERATIONS:

Considerations in review of Architecture & 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– July 10, 2019
CONDITIONS OF APPROVAL

16 Chestnut Avenue
Architecture and Site Application S-17-047

Consider an appeal of a Development Review Committee decision approving a request for demolition of an existing pre-1941 single-family residence and construction of a new single-family residence for removal of a condition requiring the installation of a town standard driveway approach on property zoned R-1:12. APN: 510-40-012.

PROPERTY OWNER: Kim Roper

APPLICANT/APPELANT: Bess Wiersema, Studio 3 Design

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: Exterior lighting shall be kept to a minimum, and shall be down directed fixtures that will not reflect or encroach onto adjacent properties. No flood lights shall be used unless it can be demonstrated that they are needed for safety or security.
4. TREE REMOVAL PERMIT: A Tree Removal Permit shall be obtained for any trees to be removed, prior to the issuance of a building or grading permit.
5. EXISTING TREES: All existing trees shown on the plan and trees required to remain or to be planted are specific subjects of approval of this plan, and must remain on the site.
6. TREE FENCING: Protective tree fencing and other protection measures shall be placed at the drip line of existing trees prior to issuance of demolition and building permits and shall remain through all phases of construction. Include a tree protection plan with the construction plans.
7. TREE STAKING: All newly planted trees shall be double-staked using rubber tree ties.
8. FRONT YARD LANDSCAPE: Prior to issuance of a Certificate of Occupancy the front yard must be landscaped.
9. ARBORIST REQUIREMENTS: The developer shall implement, at their cost, all recommendations made by Katherine Naegele, identified in two Arborist's reports both dated February 12, 2019 and recommendations made by Monarch Consulting Arborists, LLC, identified in the Arborist's reports dated as March 27, 2019 and May 1, 2019 on file in the Community Development Department. 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. These recommendations must be incorporated in the building permit plans, and completed prior to issuance of a building permit where applicable.

10. **WATER EFFICIENCY LANDSCAPE ORDINANCE:** The final landscape plan shall meet the Town of Los Gatos Water Conservation Ordinance or the State Water Efficient Landscape Ordinance, whichever is more restrictive. A review fee based on the current fee schedule adopted by the Town Council is required when working landscape and irrigation plans are submitted for review.
11. **STORY POLES:** The story poles on the project site shall be removed within 30 days of approval of the Architecture & Site application.
12. **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.
13. **COMPLIANCE MEMORANDUM:** A memorandum shall be prepared and submitted with the building plans detailing how the Conditions of Approval will be addressed.

Building Division

14. **PERMITS REQUIRED:** A Demolition Permit will be required for the demolition of the existing pre-1941 single family residence. A Building Permit will be required for the construction of a two-story single-family residence. Additional Building Permits may be required for any other structures modified or constructed on the property that are not part of this preliminary set of drawings. This would include retaining walls of any height that support a surcharge.
15. **APPLICABLE CODES:** The current codes, as amended and adopted by the Town of Los Gatos as of January 1, 2017, are the 2016 California Building Standards Code, California Code of Regulations Title 24, Parts 1-12.
16. **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.
17. **BUILDING & SUITE NUMBERS:** Submit requests for new building addresses to the Building Division prior to submitting for the building permit application process.
18. **SIZE OF PLANS:** Submit four sets of construction plans, minimum size 24" x 36", maximum size 30" x 42".
19. **REQUIREMENTS FOR COMPLETE DEMOLITION OF STRUCTURE:** Obtain a Building Department Demolition Application and a Bay Area Air Quality Management District Application from the Building Department Service Counter. Once the demolition form has been completed, all signatures obtained, and written verification from PG&E that all utilities have been disconnected, return the completed form to the Building Department Service Counter with the Air District's J# Certificate, PG&E verification, and three (3) sets of site

- plans showing all existing structures, existing utility service lines such as water, sewer, and PG&E. No demolition work shall be done without first obtaining a permit from the Town.
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. SHORING: Shoring plans and calculations will be required for all excavations which exceed five (5) feet in depth or which remove lateral support from any existing building, adjacent property, or the public right-of-way. Shoring plans and calculations shall be prepared by a California licensed engineer and shall conform to the Cal/OSHA regulations.
 22. 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
 23. 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.
 24. TOWN RESIDENTIAL ACCESSIBILITY STANDARDS: New residential units shall be designed with adaptability features for single-family residences per Town Resolution 1994-61:
 - a. Wood backing (2" x 8" minimum) shall be provided in all bathroom walls, at water closets, showers, and bathtubs, located 34 inches from the floor to the center of the backing, suitable for the installation of grab bars if needed in the future.
 - b. All passage doors shall be at least 32 inch doors on the accessible floor level.
 - c. The primary entrance door shall be a 36 inch wide door including a 5'x 5' level landing, no more than 1 inch out of plane with the immediate interior floor level and with an 18 inch clearance at interior strike edge.
 - d. A door buzzer, bell or chime shall be hard wired at primary entrance.
 25. 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.
 26. TOWN FIREPLACE STANDARDS: New wood burning fireplaces shall be an EPA Phase II approved appliance or gas appliance per Town Ordinance 1905. Tree limbs shall be cut within 10 feet of chimneys.

27. HAZARDOUS FIRE ZONE: All projects in the Town of Los Gatos require Class A roof assemblies.
28. WILDLAND-URBAN INTERFACE: This project is located in a Wildland-Urban Interface High Fire Area and must comply with Section R327 of the 2013 California Public Resources Code 4291 and California Government Code Section 51182.
29. PROVIDE DEFENSIBLE SPACE/FIRE BREAK LANDSCAPING PLAN: Prepared by a California licensed Landscape Architect in conformance with California Public Resources Code 4291 and California Government Code Section 51182.
30. PRIOR TO FINAL INSPECTION: Provide a letter from a California licensed Landscape Architect certifying the landscaping and vegetation clearance requirements have been completed per the California Public Resources Code 4291 and Government Code Section 51182.
31. SPECIAL INSPECTIONS: When a special inspection is required by CBC Section 1704, the Architect or Engineer of Record shall prepare an inspection program that shall be submitted to the Building Official for approval prior to issuance of the Building Permit. The Town Special Inspection form must be completely filled-out and signed by all requested parties prior to permit issuance. Special Inspection forms are available from the Building Division Service Counter or online at www.losgatosca.gov/building.
32. BLUE PRINT 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 Blue Print for a fee or online at www.losgatosca.gov/building.
33. APPROVALS REQUIRED: The project requires the following departments and agencies approval before issuing a building permit:
 - a. Community Development – Planning Division: (408) 354-6867
 - b. Engineering/Parks & Public Works Department: (408) 399-5771
 - c. Santa Clara County Fire Department: (408) 378-4010
 - d. West Valley Sanitation District: (408) 378-2407
 - e. Local School District: The Town will forward the paperwork to the appropriate school district(s) for processing. A copy of the paid receipt is required prior to permit issuance.

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

34. GENERAL: All public improvements shall be made according to the latest adopted Town Standard Plans, Standard Specifications and Engineering Design Standards. All work shall conform to the applicable Town ordinances. The adjacent public right-of-way shall be kept clear of all job-related mud, silt, concrete, dirt and other construction debris at the end of the day. Dirt and debris shall not be washed into storm drainage facilities. The storing of goods and materials on the sidewalk and/or the street will not be allowed unless an encroachment permit is issued by the Engineering Division of the Parks and Public Works Department. The Owner and/or Applicant's representative in charge shall be at the job site

during all working hours. Failure to maintain the public right-of-way according to this condition may result in the issuance of correction notices, citations, or stop work orders and the Town performing the required maintenance at the Owner, and/or Applicant's expense.

35. APPROVAL: This application shall be completed in accordance with all of the conditions of approval listed below and in substantial compliance with the latest reviewed and approved development plans. Any changes or modifications to the approved plans or conditions of approvals shall be approved by the Town Engineer.
36. ENCROACHMENT PERMIT: All work in the public right-of-way will require a Construction Encroachment Permit. All work over \$5,000 will require construction security. It is the responsibility of the Owner and/or Applicant to obtain any necessary encroachment permits from affected agencies and private parties, including but not limited to, Pacific Gas and Electric (PG&E), AT&T, Comcast, Santa Clara Valley Water District, California Department of Transportation (Caltrans). Copies of any approvals or permits must be submitted to the Town Engineering Division of the Parks and Public Works Department prior to releasing any permit.
37. PRIVATE IMPROVEMENTS IN THE PUBLIC RIGHT-OF-WAY (INDEMNITY AGREEMENT): The property owner shall enter into an agreement with the Town for all existing and proposed private improvements (existing shed, secondary dwelling unit, retaining walls, fences, mailboxes and columns; proposed decomposed granite walkway and permeable paver driveway surfacing) within the Town's right-of-way. The Owner shall be solely responsible for maintaining the improvements in a good and safe condition at all times and shall indemnify the Town of Los Gatos. The agreement must be completed and accepted by the Director of Parks and Public Works, and subsequently recorded by the Town Clerk at the Santa Clara County Office of the Clerk-Recorder, prior to the issuance of any grading or building permits. Please note that this process may take approximately six to eight (6-8) weeks.
38. GENERAL LIABILITY INSURANCE: The property owner shall provide proof of insurance to the Town on a yearly basis. In addition to general coverage, the policy must cover all elements encroaching into the Town's right-of-way.
39. PUBLIC WORKS INSPECTIONS: The Owner 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 work that went on without inspection.
40. RESTORATION OF PUBLIC IMPROVEMENTS: The Owner, Applicant or their representative shall repair or replace all existing improvements not designated for removal that are damaged or removed because of the Owner, Applicant or their representative's operations. Improvements such as, but not limited to: curbs, gutters, 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, Applicant or their representative shall request a walk-through with the Engineering Construction Inspector before the start of construction to verify existing conditions.

41. **SITE SUPERVISION:** The General Contractor shall provide qualified supervision on the job site at all times during construction.
42. **STREET 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.
43. **PLAN CHECK FEES:** Plan check fees associated with a Grading Permit shall be deposited with the Town prior to plan review at the Engineering Division of the Parks and Public Works Department.
44. **INSPECTION FEES:** Inspection fees shall be deposited with the Town prior to the issuance of any grading or building permits.
45. **PLANS AND STUDIES:** All required plans and studies shall be prepared by a Registered Professional Engineer in the State of California, and submitted to the Town Engineer for review and approval. Additionally, any studies imposed by the Planning Commission or Town Council shall be funded by the Applicant.
46. **GRADING PERMIT:** A grading permit is required for all site grading and drainage work except for exemptions listed in Section 12.20.015 of The Code of the Town of Los Gatos (Grading Ordinance). The grading permit application (with grading plans) shall be made to the Engineering Division of the Parks and Public Works Department located at 41 Miles Avenue. The grading plans shall include final grading, drainage, retaining wall location(s), driveway, utilities and interim erosion control. Grading plans shall list earthwork quantities and a table of existing and proposed impervious areas. Unless specifically allowed by the Director of Parks and Public Works, the grading permit will be issued concurrently with the building permit. The grading permit is for work outside the building footprint(s). Prior to Engineering signing off and closing out on the issued grading permit, the Owner/Applicant's soils engineer shall verify, with a stamped and signed letter, that the grading activities were completed per plans and per the requirements as noted in the soils report. A separate building permit, issued by the Building Department on E. Main Street, is needed for grading within the building footprint.
47. **DRIVEWAY:** The driveway conform to existing pavement on Chestnut Avenue shall be constructed in a manner such that the existing drainage patterns will not be obstructed.
48. **DRAINAGE IMPROVEMENT:** Prior to the issuance of any grading/improvement permits, whichever comes first, the Owner or Applicant shall: a) design provisions for surface drainage; and b) design all necessary storm drain facilities extending to a satisfactory point of disposal for the proper control and disposal of storm runoff; and c) provide a recorded copy of any required easements to the Town.
49. **TREE REMOVAL:** Copies of all necessary tree removal permits shall be provided prior to the issuance of a grading permit/building permit.

50. SURVEYING CONTROLS: Horizontal and vertical controls shall be set and certified by a licensed surveyor or registered civil engineer qualified to practice land surveying, for the following items:
 - a. Retaining wall: top of wall elevations and locations.
 - b. Toe and top of cut and fill slopes.
51. PRECONSTRUCTION MEETING: Prior to issuance of any permit or the commencement of any site work, the general contractor shall:
 - a. Along with the project 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.
52. SOIL RECOMMENDATIONS: The project shall incorporate the geotechnical/geological recommendations contained in the project's design-level geotechnical/geological investigation as prepared by the Applicant's engineer(s), and any subsequently required report or addendum. Subsequent reports or addendum are subject to peer review by the Town's consultant and costs shall be borne by the Owner and/or Applicant.
53. WATER METER: The existing water meter, currently located within the Chestnut Avenue right-of-way, shall be relocated within the property in question, directly behind the public right-of-way line. The Owner 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.
54. SANITARY SEWER CLEANOUT: The existing sanitary sewer cleanout, currently located within the Chestnut Avenue right-of-way, shall be relocated within the property in question, within one (1) foot of the property line per West Valley Sanitation District Standard Drawing 3, or at a location specified by the Town. The Owner or Applicant shall repair and replace to existing Town standards any portion of concrete flatwork within said right-of-way that is damaged during this activity prior to issuance of a certificate of occupancy.
55. PUBLIC IMPROVEMENTS: The following improvements shall be installed by the Owner and/or Applicant. Plans for those improvements shall be prepared by a California registered civil engineer, reviewed and approved by the Town, and guaranteed by contract, Faithful Performance Security and Labor & Materials Security before the issuance of any grading or building permits or the recordation of a map. The improvements must be completed and accepted by the Town before a Certificate of Occupancy for any new building can be issued.
 - a. Chestnut Avenue: Curb and gutter, tie-in paving, as well as signing, striping and storm drainage as required. The extents of the pavement replaced shall be at the direction of the Engineering Construction Inspector. Curb and gutter shall extend to end return on Hernandez Avenue. 2" overlay from the centerline to the existing location of the northwestern lip of gutter, or alternative pavement restoration measure as approved by the Town Engineer.

- b. Hernandez Avenue: 2" overlay from the centerline to the southern edge of pavement, or alternative pavement restoration measure as approved by the Town Engineer.
56. FRONTAGE IMPROVEMENTS: The Owner or Applicant shall be required to improve the project's public frontage to current Town Standards. These improvements may include but not limited to curb, gutter, driveway approach(es), signs, pavement, thermoplastic pavement markings, storm drain facilities, etc. The improvements must be completed and accepted by the Town before a Certificate of Occupancy for any new building can be issued.
 57. UTILITIES: The Owner or Applicant shall install all new, relocated, or temporarily removed utility services, including telephone, electric power and all other communications lines underground, as required by Town Code Section 27.50.015(b). All new utility services shall be placed underground. Underground conduit shall be provided for cable television service. The Owner or Applicant is required to obtain approval of all proposed utility alignments from any and all utility service providers before a Certificate of Occupancy for any new building can be issued. The Town of Los Gatos does not approve or imply approval for final alignment or design of these facilities.
 58. SIDEWALK IN-LIEU FEE: A sidewalk in-lieu fee of **\$14,400.00** shall be paid prior to issuance of a building permit. This fee is based on 900 square feet of 4.5-foot wide sidewalk at \$16/SF in accordance with Town policy and the Town's Fee Schedule. The final curb and sidewalk in-lieu fee for this project shall be calculated using the current fee schedule and rate schedule in effect at the time the fee is paid.
 59. DRIVEWAY APPROACH: The Owner or Applicant shall install one (1) Town standard residential driveway approach. The driveway shall meet the Town's Engineering Design Standards and be located on Chestnut Avenue at a minimum distance of 50 feet from the nearest curb return at the southwestern corner of Chestnut and Hernandez Avenues (see Section 2.21). 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.
 60. FENCING: Any fencing proposed within two hundred (200) feet of an intersection shall comply with Town Code Section §23.10.080.
 61. SIGHT TRIANGLE AND TRAFFIC VIEW AREA: Any proposed improvements, including but not limiting to trees and hedges, will need to abide by Town Code Sections 23.10.080, 26.10.065, and 29.40.030.
 62. FENCES: Fences between all adjacent parcels will need to be located on the property lines/boundary lines. Any existing fences that encroach into the neighbor's property will need to be removed and replaced to the correct location of the boundary lines before a Certificate of Occupancy for any new building can be issued. Waiver of this condition will require signed and notarized letters from all affected neighbors.
 63. 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.

64. CONSTRUCTION TRAFFIC CONTROL: All construction traffic and related vehicular routes, traffic control plan, and applicable pedestrian or traffic detour plans shall be submitted for review and approval by the Town Engineer prior to the issuance of an encroachment, grading or building permit.
65. HAULING OF SOIL: Hauling of soil on- or off-site shall not occur during the morning or evening peak periods (between 7:00 a.m. and 9:00 a.m. and between 4:00 p.m. and 6:00 p.m.), and at other times as specified by the Director of Parks and Public Works. Prior to the issuance of a grading or building permit, the Owner or Applicant or their representative shall work with the Town Building Department and Engineering Division Inspectors to devise a traffic control plan to ensure safe and efficient traffic flow under periods when soil is hauled on or off of the project site. This may include, but is not limited to provisions for the Owner or Applicant to place construction notification signs noting the dates and time of construction and hauling activities, or providing additional traffic control. Coordination with other significant projects in the area may also be required. Cover all trucks hauling soil, sand and other loose debris.
66. 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 8:00 p.m., weekdays and 9:00 a.m. to 7:00 p.m. weekends and holidays. The Town may authorize, on a case-by-case basis, alternate construction hours. The Owner 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.
67. 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.
68. CONSTRUCTION MANAGEMENT PLAN SHEET: Prior to the issuance of any permits, the Owner 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 Project Schedule, site security fencing, employee parking, construction staging area, materials storage area, concrete washout and proposed outhouse location. Please refer to the Town's [Construction Management Plan Guidelines](#) document for additional information.
69. WVSD (West Valley Sanitation District): A Sanitary Sewer Clean-out is required for the 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.
70. 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.

71. BEST MANAGEMENT PRACTICES (BMPs): The Owner 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.
72. 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.
73. EROSION CONTROL: Interim and final erosion control plans shall be prepared and submitted to the Engineering Division of the Parks and Public Works Department. A maximum of two (2) weeks is allowed between clearing of an area and stabilizing/building on an area if grading is allowed during the rainy season. Interim erosion control measures, to be carried out during construction and before installation of the final landscaping, shall be included. Interim erosion control method shall include, but are not limited to: silt fences, fiber rolls (with locations and details), erosion control blankets, Town standard seeding specification, filter berms, check dams, retention basins, etc. Provide erosion control measures as needed to protect downstream water quality during winter months. The Town of Los Gatos Engineering Division of the Parks and Public Works Department and the Building Department will conduct periodic NPDES inspections of the site throughout the recognized storm season to verify compliance with the Construction General Permit and Stormwater ordinances and regulations.
74. DUST CONTROL: Blowing dust shall be reduced by timing construction activities so that paving and building construction begin as soon as possible after completion of grading, and by landscaping disturbed soils as soon as possible. Further, water trucks shall be present and in use at the construction site. All portions of the site subject to blowing dust shall be watered as often as deemed necessary by the Town, or a minimum of three (3) times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas at construction sites in order to insure proper control of blowing dust for the duration of the project. Watering on public streets shall not occur. Streets shall be cleaned by street sweepers or by hand as often as deemed necessary by the Town Engineer, or at least once a day. Watering associated with on-site construction activity shall take place between the hours of 8 a.m. and 5 p.m. and shall include at least one (1) late-afternoon watering to minimize the effects of blowing dust. All public streets soiled or littered due to this

construction activity shall be cleaned and swept on a daily basis during the workweek to the satisfaction of the Town. Demolition or earthwork activities shall be halted when wind speeds (instantaneous gusts) exceed twenty-five (25) miles per hour (MPH). All trucks hauling soil, sand, or other loose debris shall be covered.

75. **DETAILING OF STORMWATER MANAGEMENT FACILITIES:** Prior to the issuance of any permits, all pertinent details of any and all proposed stormwater management facilities, including, but not limited to, ditches, swales, pipes, bubble-ups, dry wells, outfalls, infiltration trenches, detention basins and energy dissipaters, shall be provided on submitted plans, reviewed by the Engineering Division of the Parks and Public Works Department, and approved for implementation.
76. **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.
77. **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.
78. **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.
79. **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's expense.
80. **COVERED TRUCKS:** All trucks transporting materials to and from the site shall be covered.

TO THE SATISFACTION OF THE SANTA CLARA COUNTY FIRE DEPARTMENT:

81. **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.
82. **AUTOMATIC FIRE SPRINKLER SYSTEM REQUIRED.** An automatic residential fire sprinkler system shall be installed in one- and two-family dwellings as follows: In all new one- and two-family dwellings and existing one- and two-family dwellings when additions are made

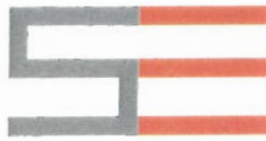
that increase the building area to more than 3,600 square feet. Exception: A one-time addition to an existing building that does not total more than 1,000 square feet of building area. NOTE: The owner(s), occupant(s) and any contractor(s) or subcontractor(s) are responsible for consulting with the water purveyor of record in order to determine if any modification or upgrade of the existing water service is required. A State of California license (C-16) Fire Protection Contractor shall submit plans, calculations, a completed permit application and appropriate fees to the Santa Clara County Fire Department for review and approval prior to beginning their work. CRC Sec. 313.2 as adopted and amended by LGTC. Per comment 3, the sprinkler system will need to be designed and installed per NFPA 13 as an alternate means of protection.

83. WATER SUPPLY REQUIREMENTS. Potable water supplies shall be protected from contamination caused by fire protection water supplies. It is the responsibility of the applicant and any contractors and subcontractors to contact the water purveyor supplying the site of such project, and to comply with the requirements of that purveyor. Such requirements shall be incorporated into the design of any water-based fire protection systems, and/or fire suppression water supply systems or storage containers that may be physically connected in any manner to an appliance capable of causing contamination of the potable water supply of the purveyor of record. Final approval of the system(s) under consideration will not be granted by the Santa Clara County Fire Department until compliance with the requirements of the water purveyor of record are documented by that purveyor as having been met by the applicant(s). 2016 CFC Sec. 903.3.5 and Health and Safety Code 13114.7.
84. CONSTRUCTION SITE FIRE SAFETY: All construction sites must comply with applicable provisions of the CFC Chapter 33 and Santa Clara County Fire Department Standard Detail and Specification S1-7. Provide notations on subsequent plan submittals, as appropriate to the project. CFC Ch. 33.
85. 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 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 (12.7mm). 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.
86. EMERGENCY GATE/ACCESS GATE REQUIREMENTS: Gate installations (if applicable) shall conform with Fire Department Standard Details and Specification G-1 and, when open shall not obstruct any portion of the required width for emergency roadways or driveways. Locks, if provided, shall be fire department approved prior to installation. Gates across the emergency access roadways shall be equipped with an approved access devices. If the gates are operated electrically, an approved Knox permit application and appropriate fees to this department for review and approval prior to beginning their work. CRC Sec. 313.2 as adopted and amended by LGTC.

87. WILDLAND-URBAN INTERFACE: This project is located within the designated Wildland-Urban Interface Fire Area. The building construction shall comply with the provisions of California Building Code (CBC) Chapter 7A. Note that vegetation clearance shall be in compliance with CBC Section 701A.3.2.4 prior to project final approval. Check with the Planning Department for related landscape plan requirements.
88. FIRE APPARATUS (ENGINE) ACCESS DRIVEWAY REQUIRED: Provide an access driveway with a paved all weather surface, a minimum unobstructed width of 12 feet, vertical clearance of 13 feet 6 inches, minimum circulating turning radius of 36 feet outside and 23 feet inside, and a maximum slope of 15%. Installations shall conform to Fire Department Standard.

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December 17, 2018

To: Erin Walters, Associate Planner
Mike Weisz, Associate Engineer

Re: The Chestnut House, 16 Chestnut Avenue

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DEC 19 2018
S-17-047
TOWN OF LOS GATOS
PLANNING DIVISION

Scope of Work + Letter of Justification

This project is for the demolition of an existing (2,573 SF) two-story, single family residence and the reconstruction of a new (3,729 SF) tow-story, single family residence. It will include a new (1,706 SF) conditioned basement and attached (773 SF) 3-car garage. The existing (822 SF) two-story, detached, ADU/Secondary Dwelling Unit is to remain, along with the existing shed. The green house and chicken coop will be removed. The owners will also be adding a pool, under a separate permit.

There appear to be two major items that need to be resolved regarding this project: the relocation of the driveway and the encroachment of the existing structures in the public right-of way.

Item 1: The vehicular ingress/egress location, currently shown at the corner of the Chestnut Avenue and Hernandez Avenue intersection, will not be permitted. Please relocate. (*remains outstanding*) per previous communication, the Town's Engineering Design Standards require a driveway to be located a minimum of 50 feet from an intersection corner, or as far from an intersection corner as possible.

When the driveway is relocated to meet the Town's Engineering Design Standards, the approach to the garage will require two, hard, 90-degree turns, versus the current 45-degrees going NE on Hernandez. There is also an existing Oak that the current driveway wraps around. Using the Town's Design Standards, the driveway would encroach and endanger the existing oak tree. Shifting the house East on the property would reduce the side yard which is the owners only private area, since the property has three street sides. Also, the grading required for the relocated driveway would require the garage to be lowered and yet again impact the existing Oak tree. We would like to discuss this further during next staff tech review meeting. Enclosed are several supporting diagrams for reference.

Item2: Staff has concerns regarding the location of the existing structures located in the public right of way, preserving the existing trees on-site, due to grading and driveway construction, building height and FAR.

The existing chicken coop and green house will be removed. The existing shed and secondary dwelling unit will remain (the secondary dwelling unit is grandfathered). We meet with the Town earlier this year and have started a draft on how this will be addressed. We will continue to work with the Town to resolve this matter, and a final approved agreement will be signed and provided to the Town. Also, the home owners are working with a civil and structural engineer to add a new retaining wall along Hernandez. The retaining wall will start at the SE corner of the secondary dwelling unit to the NW end

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ARCHITECTURE | INTERIORS



of the property. This retaining wall will help secure the existing structures and site. This is still under development. Once finalized, we will provide plans for review and approval by the town.

Sincerley,

A handwritten signature in black ink, appearing to read 'Bess Wiersema', with a long horizontal line extending to the right.

Bess Wiersema, Principal + Owner



Chestnut House 16 Chestnut Avenue

Supporting Diagrams
12-17-2018

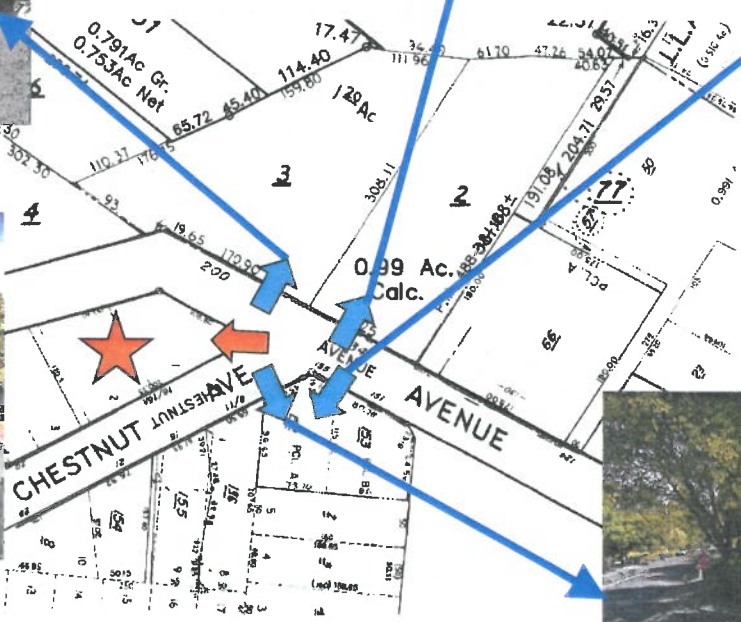
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630 University Avenue, Los Gatos, California, 95032
+ 408.292.3252 + 257.399.1125
studio-three.com

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DRIVEWAY DIAGRAM

(VIEWS FROM INTERSECTION TO NEIGHBORING DRIVEWAYS)



16 CHESTNUT AVE.

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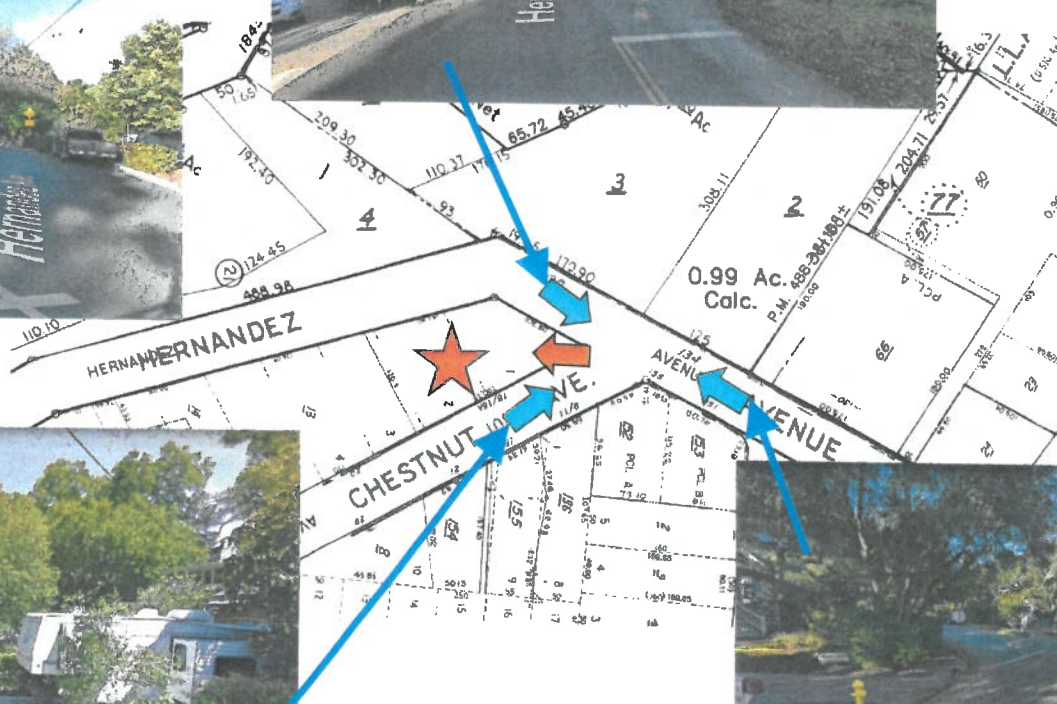
TOWN OF LOS GATOS
PLANNING DIVISION

DRIVEWAY DIAGRAM

(VIEWS TOWARDS INTERSECTION OF CHESTNUT AVE. + HERNANDEZ AVE.)



16 CHESTNUT AVE.



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PLANNING DIVISION

CURRENT DRIVEWAY ENTRANCE

(Note: Easily visible as different from public roads)



16 CHESTNUT AVE.



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TOWN OF LOS GATOS
PLANNING DIVISION

CURRENT DRIVEWAY ENTRANCE



HISTORICAL COLUMNS DEFINE DRIVEWAY VISUALLY + CREATE SEPARATION FROM PUBLIC TRAFFIC PATTERN



NOTE, DRIVEWAY ENTRANCE IS PULLED AHEAD OF STOP SIGN WHICH ALLOWS FOR VISUAL CLEARANCE



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TOWN OF LOS GATOS
PLANNING DIVISION

DRIVEWAY DIAGRAM



Proposed location of relocated driveway entrance along Chestnut Ave. (Per Town Engineering Design Standards)

Issues with Town Proposal:

- Grade change create complex driveway access
- Curb + Gutter detail at street, affecting existing street drainage
- Impacts existing landscaping
- Proposed driveway in close proximity to existing mature oak tree
- Moving driveway allows for new landscaping at corner creating potential visibility issues for traffic at corner



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PLANNING DIVISION

STREETSCAPE PHOTOS + RENDERINGS



EXISTING VIEW FROM CHESTNUT AVE.



PROPOSED VIEW FROM CHESTNUT AVE.

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TOWN OF LOS GATOS
PLANNING DIVISION

STREETSCAPE PHOTOS + RENDERINGS



EXISTING VIEW FROM CHESTNUT AVE.



PROPOSED VIEW FROM CHESTNUT AVE.

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TOWN OF LOS GATOS
PLANNING DEPARTMENT

STREETSCAPE PHOTOS + RENDERINGS



EXISTING VIEW FROM CORNER (CHESTNUT/HERNANDEZ AVE.)



PROPOSED VIEW FROM CORNER (CHESTNUT/HERNANDEZ AVE.)

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TOWN OF LOS GATOS
PLANNING DIVISION

STREETSCAPE PHOTOS + RENDERINGS



EXISTING VIEW FROM HERNANDEZ AVE.



PROPOSED VIEW FROM HERNANDEZ AVE.

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**TOWN OF LOS GATOS
PLANNING DIVISION**

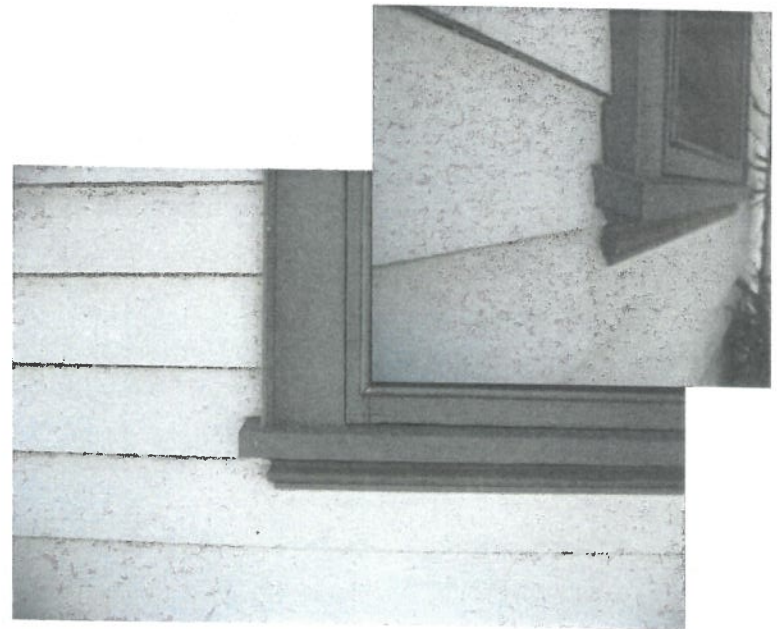
MATERIALS PALETTE



ENTRY PORCH STEPS:
PAINTED CONCRETE

ROOFING MATERIALS:
COMPOSITE ASPHALT: DARK BROWN

WINDOWS:
CLAD EXTERIOR/ WOOD INTERIOR
(KOLBE OR APPROVED EQUAL)



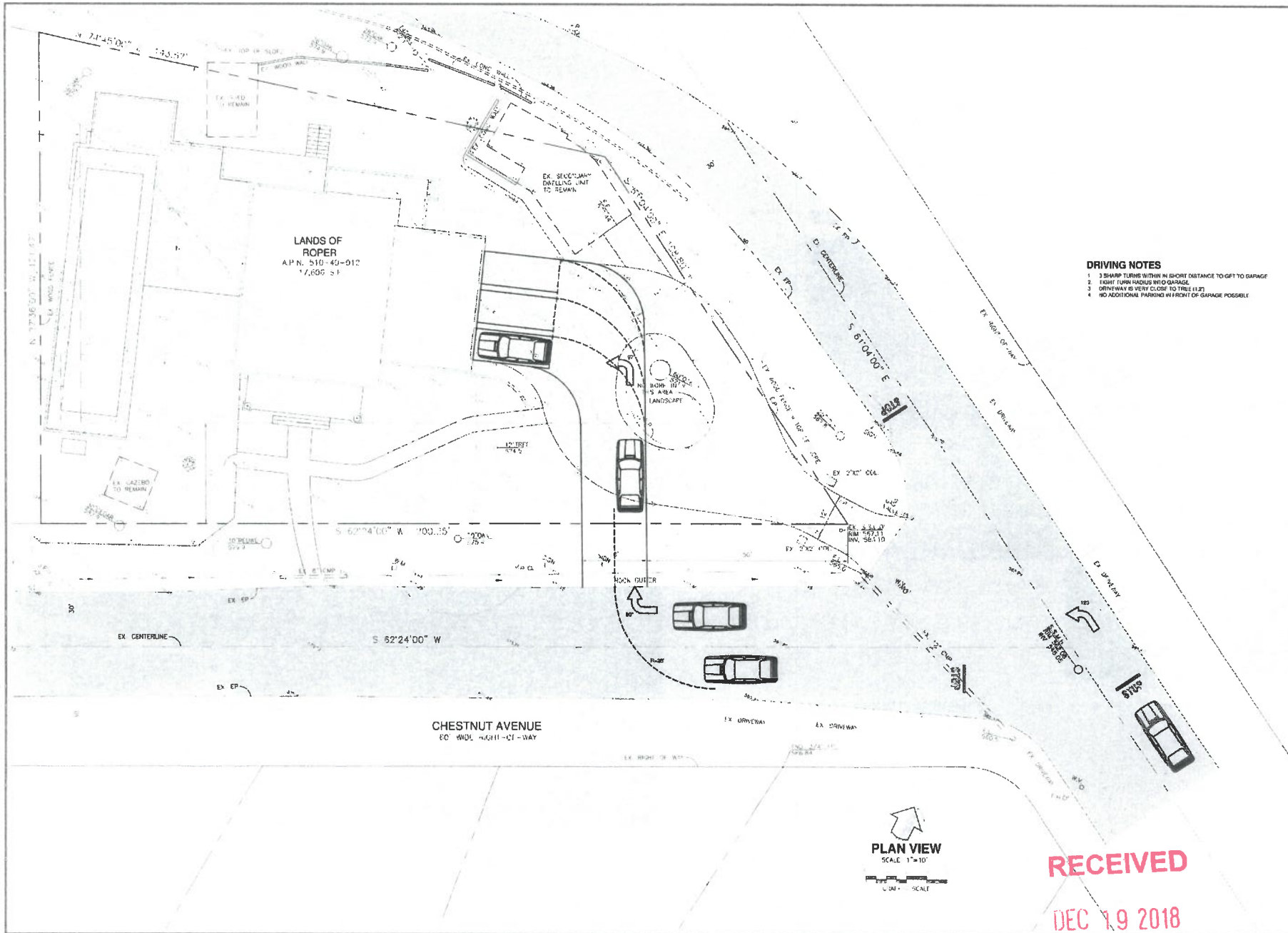
SIDING:
PAINTED HORIZONTAL WOOD SIDING,
SIZE & STYLE TO MATCH EXISTING

WINDOW TRIM:
PAINTED WOOD

RECEIVED

DEC 19 2018

**TOWN OF LOS GATOS
PLANNING DIVISION**



- DRIVING NOTES**
1. 3 SHARP TURNS WITHIN IN SHORT DISTANCE TO GP1 TO GARAGE
 2. RIGHT TURN RADIUS INTO GARAGE
 3. DRIVEWAY IS VERY CLOSE TO TREE (1.2)
 4. NO ADDITIONAL PARKING IN FRONT OF GARAGE POSSIBLE



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DEC 19 2018

PEOPLES ASSOCIATES STRUCTURAL ENGINEERS 408-953-5225 www.pea.com San Jose, California Pleasanton, California	
DRIVEWAY STUDY LANDS OF ROPER "C" CHESTNUT AVENUE	
SHEET NUMBER DS1 OF DRAWING NO. 18045-TC1	

16 CHESTNUT AVENUE - PROJECT DATA

	EXISTING CONDITIONS	PROPOSED PROJECT	REQUIRED/ PERMITTED
Zoning district	R-1:12	same	-
Land use	single family residence + ADU	same	-
General Plan Designation	low density residential	same	-
Lot size (sq. ft.)	17,606 sq. ft.	same	12,000 sq. ft. minimum
Exterior materials:			
siding	Horizontal wood/painted	Horizontal wood, painted- hardie siding	-
trim	Wood painted	same	-
windows	Wood interior/exterior	Clad exterior/wood interior	-
roofing	Comp. asphalt	same	-
Building floor area:			
first floor	1,771 s.f.	2,373 s.f.	TOWN OF LOS GATOS PLANNING DIVISION
second floor	802 s.f.	1,293 s.f.	
attic	n	63 s.f.	-
shed	232 s.f.	232 s.f.	-
ADU (D-85-64)	822 s.f.	822 s.f.	ADU Approved 4/19/88
Green house	84 s.f.	0	-
Total countable sq. ft.	3,711 s.f.	3,961 + 822 ADU = 4,783 s.f.	Max = 4387 s.f. + 1200 s.f. ADU
garage	0	733 s.f.	Max = 1,139 s.f.
below grade s.f.	876	1,706 s.f.	non-countable s.f.
Setbacks (ft.):			
front	25 ft.-6 in.	25 ft.	25 feet minimum
rear	0	0	20 feet minimum
side abutting street	49 ft./25 ft.	22 ft. /47 ft.	15 feet minimum
Side interior	52 ft.	47 ft.	10 feet minimum
Side interior	28 ft.	30 ft.	30 feet maximum

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5-17-047
APR 10 2019

Building coverage (%)	16%	22%	40% maximum
Floor Area Ratio (%)			
house	n/a	n/a	- sq. ft. maximum
garage	n/a	n/a	- sq. ft. maximum
Parking	2 surface	3 covered garage spaces	two spaces minimum
Tree Removals			canopy replacement

N:\DEVERIN WA&S\CHESTNUT16-SFRDATA-R-1-12.DOC

*Tree replacement – 16, 15-gallon trees



**TOWN OF LOS GATOS
HISTORIC PRESERVATION
COMMITTEE REPORT**

**MINUTES OF THE HISTORIC PRESERVATION COMMITTEE MEETING
JUNE 27, 2018**

The Historic Preservation Committee of the Town of Los Gatos conducted a Regular Meeting on June 27, 2018, at 4:00 p.m.

ROLL CALL

Present: Chair Nancy Derham, Vice Chair Matthew Hudes, Committee Member Robert Cowan, Committee Member Thomas O'Donnell, Committee Member Leonard Pacheco

Absent: None

MEETING CALLED TO ORDER AT 4:00 P.M.

VERBAL COMMUNICATIONS

None.

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

1. Approval of Minutes – May 23, 2018

MOTION: Motion by Committee Member Thomas O'Donnell to approve the consent items. **Seconded** by Committee Member Leonard Pacheco.

VOTE: Motion passed unanimously.

PUBLIC HEARINGS

2. 128 Tait Avenue
Minor Development in a Historic District Application HS-18-019

Requesting modified approval for additional exterior alterations to a contributing single-family residence in the Almond Grove historic district on property zoned R1-D:LHP. APN 510-18-021.

PROPERTY OWNER: Mario and Martha Quieroz

APPLICANT: Jay Plett, Architect

PROJECT PLANNER: Sally Zarnowitz

Sally Zarnowitz, Planning Manager, presented the staff report.
Open and closed the Public Comment.

Committee members discussed the matter.

MOTION: **Motion by Vice Chair Matthew Hudes to approve the request. Seconded by Committee Member Thomas O'Donnell.**

VOTE: **Motion passed unanimously.**

3. 115 University Avenue
Historic Development Application PHST-17-001

Requesting modified approval for additional exterior alterations to a contributing single-family home in the University-Edelen District on property zoned R-1D:LHP.

APN 529-03-008.

PROPERTY OWNER: Larry Vertin

APPLICANT: Kohlsaas & Associates, Inc

PROJECT PLANNER: Jocelyn Shoopman

Jocelyn Shoopman, Associate Planner, presented the staff report.

The applicant presented the proposed project.

Open and closed the Public Comment.

Committee members discussed the matter.

MOTION: **Motion by Committee Member Leonard Pacheco to approve the request with the condition that the proposed stone match the existing stone used elsewhere on the residence. Seconded by Vice Chair Matthew Hudes.**

VOTE: **Motion passed unanimously.**

4. 121 Glen Ridge Avenue
Architecture and Site Application S-16-055

Requesting recommendation for removal and replacement of in kind exterior shingle siding on an existing pre-1941 single-family house on property zoned R-1:8.

APN 510-19-006.

PROPERTY OWNER/APPLICANT: Harry Dickinson

PROJECT PLANNER: Azhar Khan

Azhar Khan, Assistant Planner, presented the staff report.

The applicant presented the proposed project.

Open and closed the Public Comment.

Committee members discussed the matter.

MOTION: **Motion by Committee Member Thomas O'Donnell to recommend approval of the request. Seconded by Committee Member Leonard Pacheco.**

VOTE: **Motion passed unanimously.**

5. 81 Fairview Plaza Unit A
Minor Development in an Historic District Application HS-18-041

Requesting approval of minor residential development in a historic district for exterior alterations on a noncontributing multi-family residence in the Fairview Plaza Historic District on property zoned R-1:8 LHP. APN 510-43-021.

PROPERTY OWNER: Kathy Giordano

APPLICANT: Flury-Bryant Design Group

PROJECT PLANNER: Azhar Khan

Azhar Khan, Assistant Planner, presented the staff report.

The owner presented the proposed project.

Open the Public Comment.

Melinda Giordano

- Expressed her opposition to the window alternations.

Closed the Public Comment.

Committee members discussed the matter.

MOTION: **Motion by Vice Chair Matthew Hudes to approve continued this matter to the July 25, 2018 Historic Preservation Committee meeting. Seconded by Committee Member Thomas O'Donnell.**

VOTE: **Motion passed unanimously.**

6. 16 Chestnut Avenue
Architecture and Site Application S-17-047

Requesting approval for a technical demolition of a pre-1941 single-family residence on property zoned R-1:12. APN 510-40-012.

PROPERTY OWNERS: Kenneth Garret and Kim Roper

APPLICANT: Bess Wiersema, Studio 3 Design

PROJECT PLANNER: Erin Walters

Erin Walters, Associate Planner, presented the staff report.

The applicant presented the proposed project.

Open and closed the Public Comment.

Committee members discussed the matter.

MOTION: **Motion by Committee Member Robert Cowan** to recommend approval of the request. **Seconded by Committee Member Leonard Pacheco.**

VOTE: **Motion passed 4-0-1, Vice Chair Matthew Hudes – abstained.**

OTHER BUSINESS

7. 14940 Blossom Hill Road
Building Permit B18-0019

Requesting approval for removal and replacement of in-kind exterior lap siding on an existing pre-1941 single-family house on property zoned HR-1 APN 527-16-008.

PROPERTY OWNER/APPLICANT: Omar Alwarid and Yarah Beddawi

PROJECT PLANNER: Sean Mullin

Sean Mullin, Associate Planner, presented the staff report.

The owner presented the proposed project.

Open and closed the Public Comment.

Committee members discussed the matter.

MOTION: **Motion by Committee Member Robert Cowan** to approve the request with the condition that the in-kind material be of uniform width. **Seconded by Vice Chair Matthew Hudes.**

VOTE: **Motion passed unanimously.**

ADJOURNMENT

The meeting adjourned at 5:50 p.m.

This is to certify that the foregoing is a true and correct copy of the minutes of the June 27, 2018 meeting as approved by the Historic Preservation Committee.

A handwritten signature in blue ink, appearing to read 'Sylvie', is written over a horizontal line.

Sylvie Roussel, Administrative Technician

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September 25, 2018

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

RECEIVED
S-17-047
SEP 25 2018

TOWN OF LOS GATOS
PLANNING DIVISION

RE: 16 Chestnut Avenue

Dear Erin:

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

Neighborhood Context

The site is located in an established neighborhood of one and two-story traditional homes which are one and two-story in height. The area has substantial landscaping high screen views of all the homes. Photographs of the site and its surrounding context are shown on the following page.





The Site from the corner



The Site from Chestnut Avenue



House to the immediate left on Chestnut Avenue



House immediately across Chestnut Avenue



House immediately across Chestnut Avenue



House immediately across Chestnut Avenue



Site from Hernandez Avenue



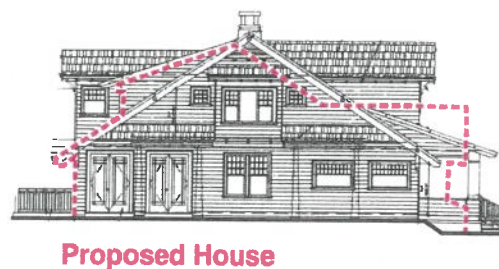
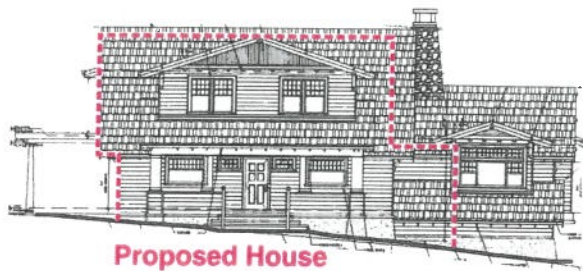
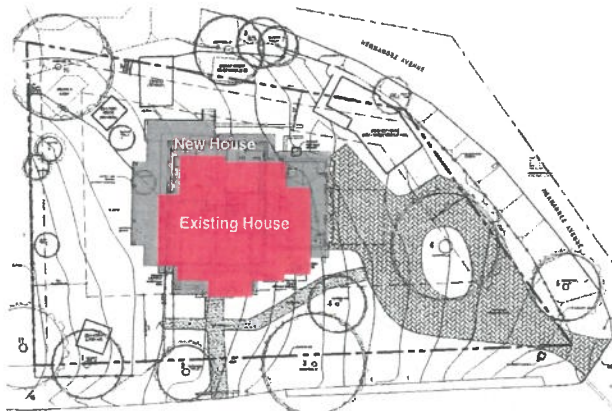
House immediately across Hernandez Avenue

Concerns and Recommendations

The home is very well designed in an identifiable traditional style in keeping with the immediate neighborhood - see streetscape diagram below.



The above-grade footprint, volume and mass of the house are similar to those of the existing house on the site - see diagrams below.



I have no recommendations for changes.

Erin, please let me know if you have questions or if I missed any important issues.

Sincerely,

CANNON DESIGN GROUP



Larry L. Cannon



2/6/2019

Ana Maria Manzo
 Designer + Job Captain
 Studio3
 638 University Ave.
 Los Gatos, CA 95032
 (408) 292-3252
 ana@studio-three.com

RECEIVED
 S-17-047
 FEB 12 2019

TOWN OF LOS GATOS
 PLANNING DIVISION

Re: Arborist Addendum for Proposed Driveway at 16 Chestnut Ave. in Los Gatos

Dear Ana,

At your request, I have visited the property referenced above to evaluate the trees present with regard to the planned single family home construction.

Summary:

As part of the ongoing construction project at this address, the existing driveway will be demolished, and a new driveway will be installed in approximately the same location.

Three driveway footprint options have been presented to me: (1) retain approximately the existing footprint; (2) reconfigure the driveway to enter on Chestnut Avenue; and (3) reconfigure the driveway to enter on Hernandez Avenue. Two materials have been proposed to me for the new driving surface: (A) pervious pavers, and (B) crushed rock.

The option least impactful to the tree would be to (1) retain approximately the existing footprint, and to use (B) crushed rock for the driving surface. Options 2 and 3 would involve large grading cuts near the trunk of tree #6, necessitating tree removal. Option (A) pervious pavers would impact the tree more than option B, but would not necessitate tree removal.

Tree #6 is in poor health and poor overall condition. If option 1B or 1A is selected, this tree would benefit from substantial site remediation to improve growing conditions.

Assignment:

I have been asked to identify trees which may reasonably be expected to be impacted by the proposed construction, and to provide recommendations for their management consistent with both tree care industry standards Town of Los Gatos regulations.

Purpose & Use of the Report:

This report is intended to satisfy Town of Los Gatos requirements for initial arboricultural reporting for this project. Any change orders or new information will be addressed in addenda.

The property owner, architect, and contractor are all responsible for knowing the information included in this arborist report and adhering to the conditions provided herein.

Observations:

The existing driveway will be demolished, and a new driveway will be installed in approximately the same location. The exact driveway footprint is the topic of ongoing discussions between the town of Los Gatos and the construction team, as the current driveway footprint is inconsistent with some town design guidelines.

The grade of the new house and garage will be approximately 24 inches below existing, necessitating a substantial sloped grading cut in this area of that depth, plus the depths needed for the new sub base. Raising the house and garage any higher than this would require a variance.

Footprint option 1: similar to existing (Figure 1)

The driveway footprint recommended by the construction team is largely the same as the existing footprint. The bare dirt area around the trunk would be expanded slightly. No grading would be needed immediately around the tree, and the existing sub base for the existing asphalt would remain in place, to be re-compacted and used for the new driveway material. A small amount of fill and additional sub base would be necessary in portions of the driveway between the tree and the street.

Footprint option 2: entry from Chestnut Ave. (Figures 2.1 and 2.2)

Reconfiguring the driveway to enter from Chestnut Avenue would require substantial grading in all areas. It would also require bringing the edge of pavement closer to tree #6, resulting in substantial root loss. Two versions of this option exist, both with the same issues.

The project engineer does not recommend this option, as it may create conflict between the driveway and underground utilities.

Footprint option 3: entry from Hernandez Ave. (Figure 3)

Reconfiguring the driveway to enter from Hernandez Avenue would require substantially more grading than entering from Chestnut Avenue. Because the existing grade change is so great, it is unclear whether it would even be possible to implement this footprint safely.

This driveway footprint would require bringing the edge of pavement closer to tree #6.

The project engineer does not recommend this option, as the existing grade change and poor visibility would make vehicle ingress and egress difficult and potentially dangerous.

Material option A: pervious pavers

In areas not undergoing grading, no new sub base would be needed to install pavers. In newly graded areas, a sub base comprising eight inches of crushed rock would be needed.

One inch of sand would be placed over the sub-base. The pavers themselves are two inches thick and pervious.

Material option B: crushed rock

Four inches of crushed rock would be sufficient from an engineering standpoint, with no sub base needed. Compaction of the native material would be necessary. Existing crushed rock sub base in areas not undergoing grading would remain in place.

Using crushed rock would be less impactful to the tree than using pervious pavers.

Tree health and critical root zone (Image 1)

Tree #6 is in poor condition. It appears over mature, with low vigor. Its critical root zone encompasses nearly the entire driveway area, and a substantial distance beyond. For a more detailed analysis of this tree's condition, please see the Tree Protection Report for this project.

Methods & Limits to Analysis:

I visited the site on 8/13/2018 and 1/24/2019. All tree observations included in this report were taken on those dates.

I met with design captain Ana Maria Manzo and engineer Velimir Sulic on 1/28/2019 to discuss this project. The figures below are photographs of the site plans we reviewed together at that meeting, the color of which has been edited for clarity.

Discussion:

Critical Root Zone (CRZ)

Tree roots grow where conditions are favorable, and their spatial arrangement is therefore unpredictable. Favorable conditions vary among species, but generally include the presence of moisture, and soft soil texture with low compaction.

Contrary to popular belief, roots of all tree species grow primarily in the top two feet of soil, with a small number of roots sometimes occurring at greater depths. Some species have taproots when young, but these almost universally disappear with age. At maturity, a tree's root system may extend out from the trunk farther than the tree is tall.

Excavation, Trenching, and Grading within CRZ's

Removal of soil near trees can impact their roots substantially. Every point at which a root is injured is a potential avenue for infection by decay-causing organisms, which can lead to tree decline.

Excavation equipment can pull on roots, damaging them for several feet past the edge of excavation. Damage can be minimized by severing roots cleanly at the edge, after excavating the top three feet of soil with less-invasive methods. After root pruning at the edge of excavation, the remaining soil on the side away from the tree may be removed using any equipment desired.

Compaction within CRZ's

Compaction within CRZ's destroys roots, both by crushing them directly and by eliminating soil pore spaces. Without pore spaces, oxygen cannot reach the roots, so transpiration (the breakdown of stored food for the tree to use) is impeded. This results in slowing or cessation of the tree's life processes, which can lead to localized dieback or whole-tree death.

The presence of existing asphalt or concrete within a tree's root zone does not prevent root growth. However, installing new pavement or driveway material of any kind within a tree's root zone can substantially disrupt roots. Permeable pavers and crushed rock create a more hospitable root environment than do traditional paving materials; however, some disruption of existing roots is unavoidable during installation.

Root Zone Remediation and Growth Regulation

The most reliable way to ensure ongoing tree health is to create a hospitable growth environment while the tree is still healthy, but after a tree begins declining, steps can be taken to improve its chances of survival.

Tree root zones which have undergone compaction in the past can be remediated to some degree by incorporating compost into the soil with an air spade. This decompacts the soil and provides nutrients to help the tree recover root mass destroyed by compaction.

Ongoing irrigation is also essential for regrowing root mass, even in drought-tolerant species or specimens which have never before required irrigation. Some species are highly sensitive to seasonal weather patterns, and this should be taken into account when establishing irrigation regimens.

Spreading wood chips within the CRZ helps hold water in the soil, and also increases biological activity in the soil.

Applying the systemic growth regulator paclobutrazol can also be useful in helping trees repair damage. This chemical causes the tree to direct few resources into leaf growth, which it then redirects into chlorophyll production and root growth. This makes the tree more efficient at making food and using water, respectively, which improves its overall health.

Fertilization

Fertilizer is not generally recommended for stressed trees, as it can reduce trees' ability to take up water. It may be appropriate to apply specific nutrients or soil amendments to mitigate deficiencies discovered through laboratory testing.

Conclusions:

The least impactful driveway installation option is 1B: retain the existing footprint insofar as practical, and use crushed rock for the new driving surface.

Option 1A is more impactful to the tree than 1B due to the need for a sub base beneath the pavers, but tree retention is still feasible.

Driveway footprint options 2 and 3 would necessitate removal of tree #6 due to grading cuts very close to the trunk.

Tree #6 appears to be in decline and is unlikely to recover under current site conditions even in the absence of construction impacts. Substantial site remediation would improve its chances of survival.

Recommendations:

1. If feasible, implement option 1B for driveway installation: retain approximately the existing footprint, and use crushed rock for the new driving surface. Option 1A is also acceptable: retain approximately the existing footprint, and use pervious pavers for the new driving surface.
 - a. Follow all care and protection measures recommended for tree #6 in the Tree Protection Report for this project.
 - b. After construction is complete, perform root zone remediation in all unpaved areas within the CRZ of tree #6, as recommended in the Tree Protection Report:
 1. Decompect the soil with an air spade,
 2. Incorporate compost into the soil with the air spade, and
 3. Spread wood chips over the top of the decompactd soil to a depth of 3-6 inches.
2. If driveway options 2 or 3 are used (entry from Chestnut Ave. or Hernandez Ave., respectively), remove tree #6 prior to making grading cuts.

Appendix: Figures and Images

Figure 1: driveway configuration option #1, retaining approximate original footprint

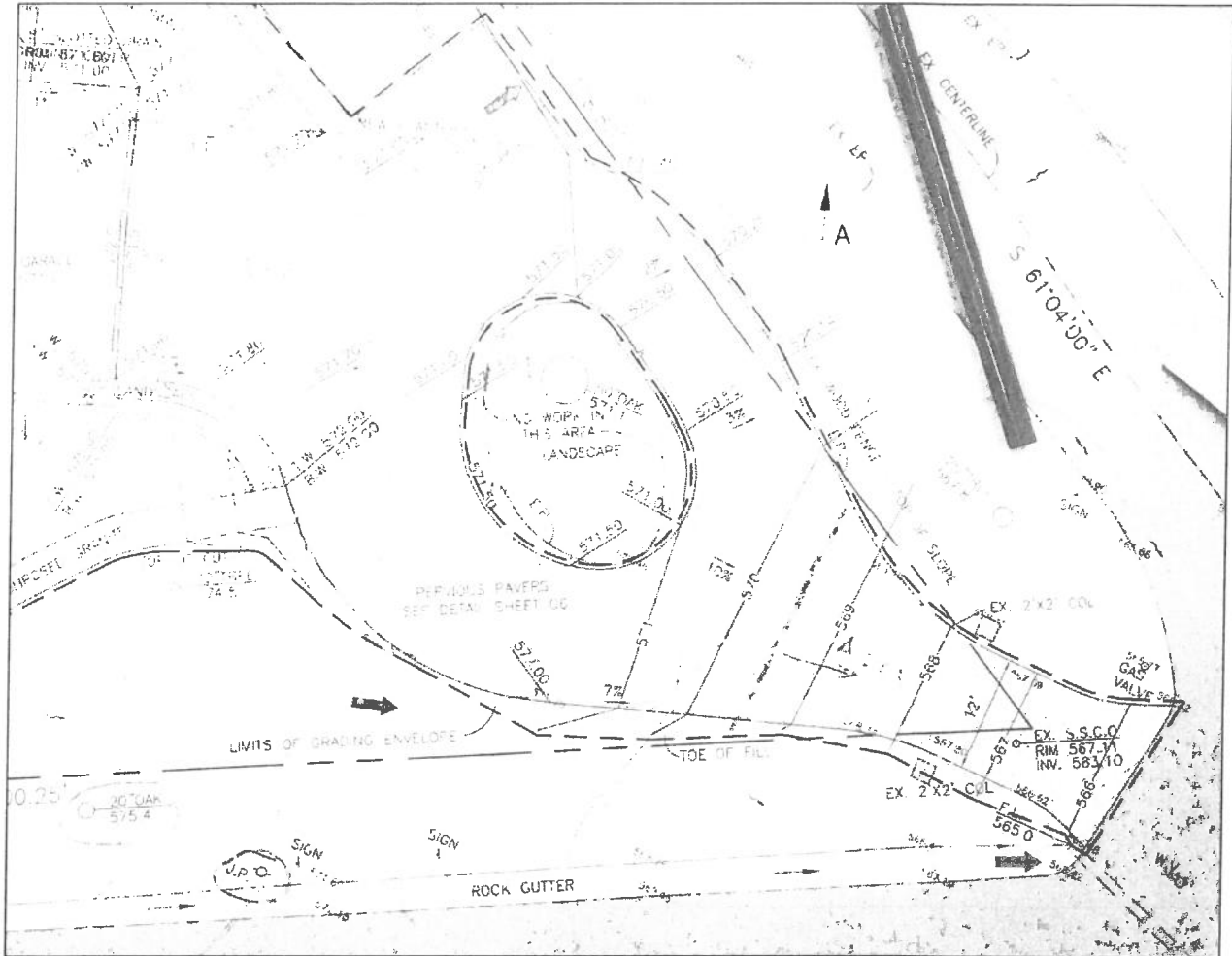


Figure 2.1: driveway configuration option 2 (first version)

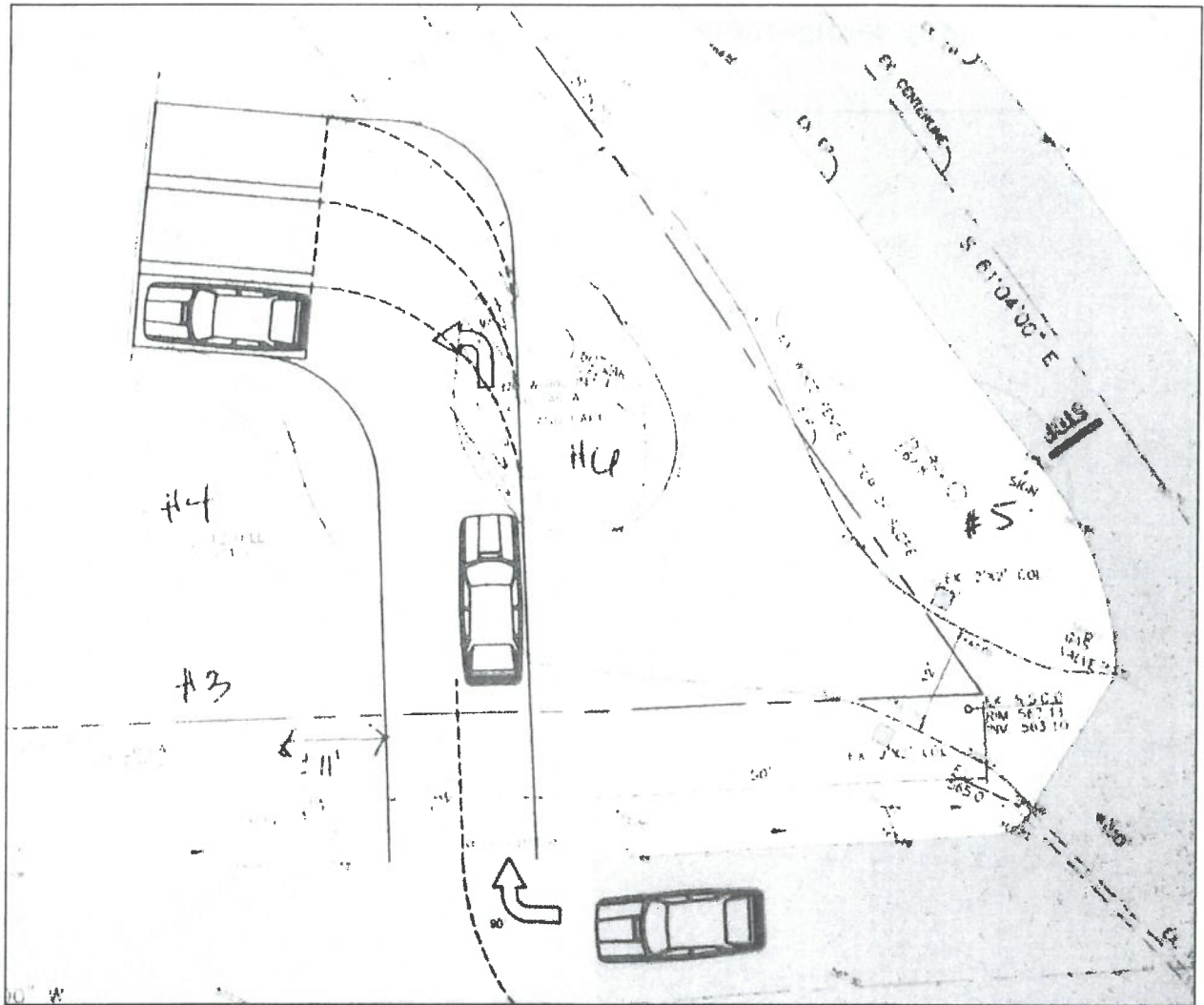


Figure 2.2: driveway configuration option 2, with entry from Chestnut Avenue (second version)

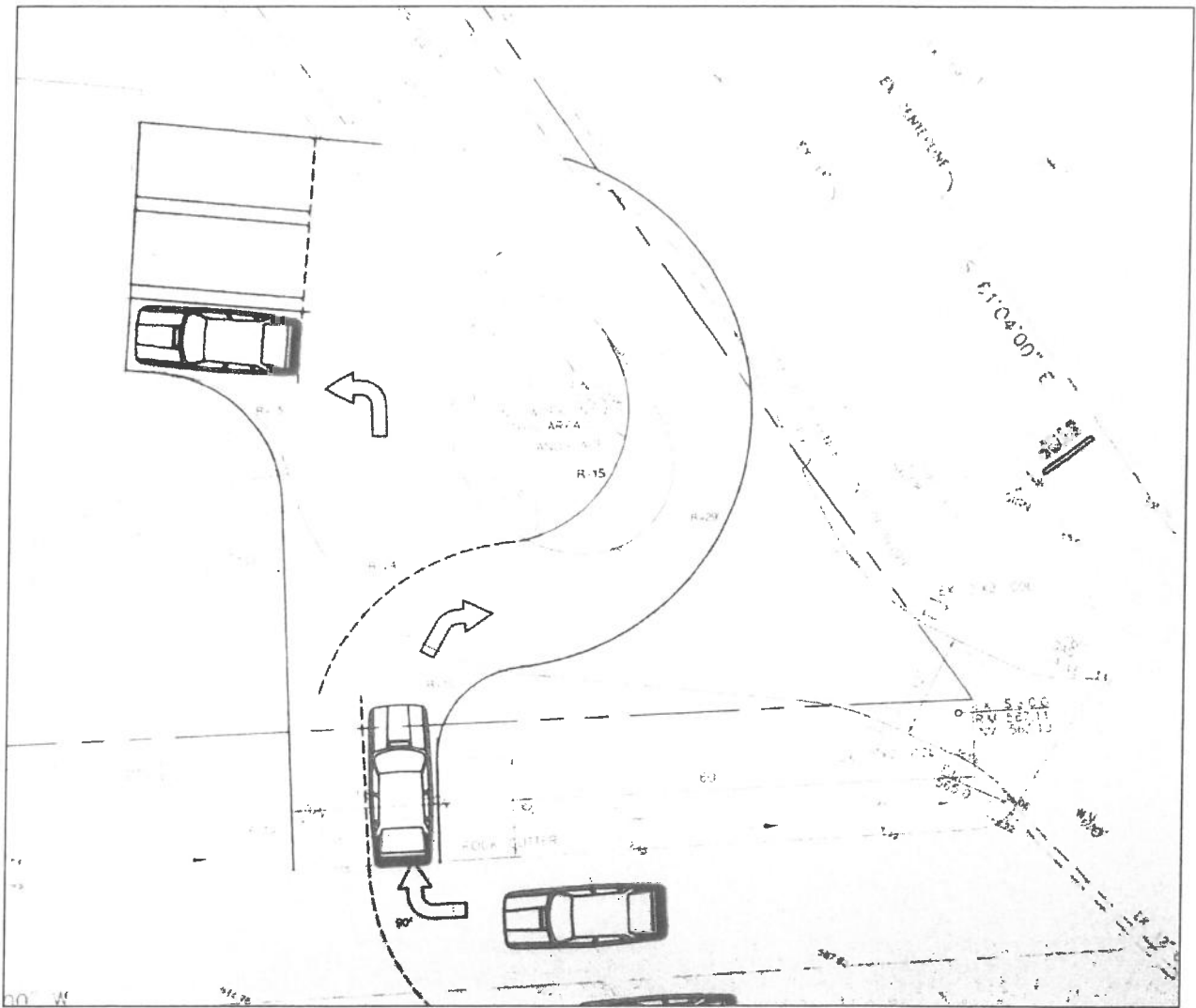


Figure 3: driveway configuration option #3, with entry from Hernandez Avenue

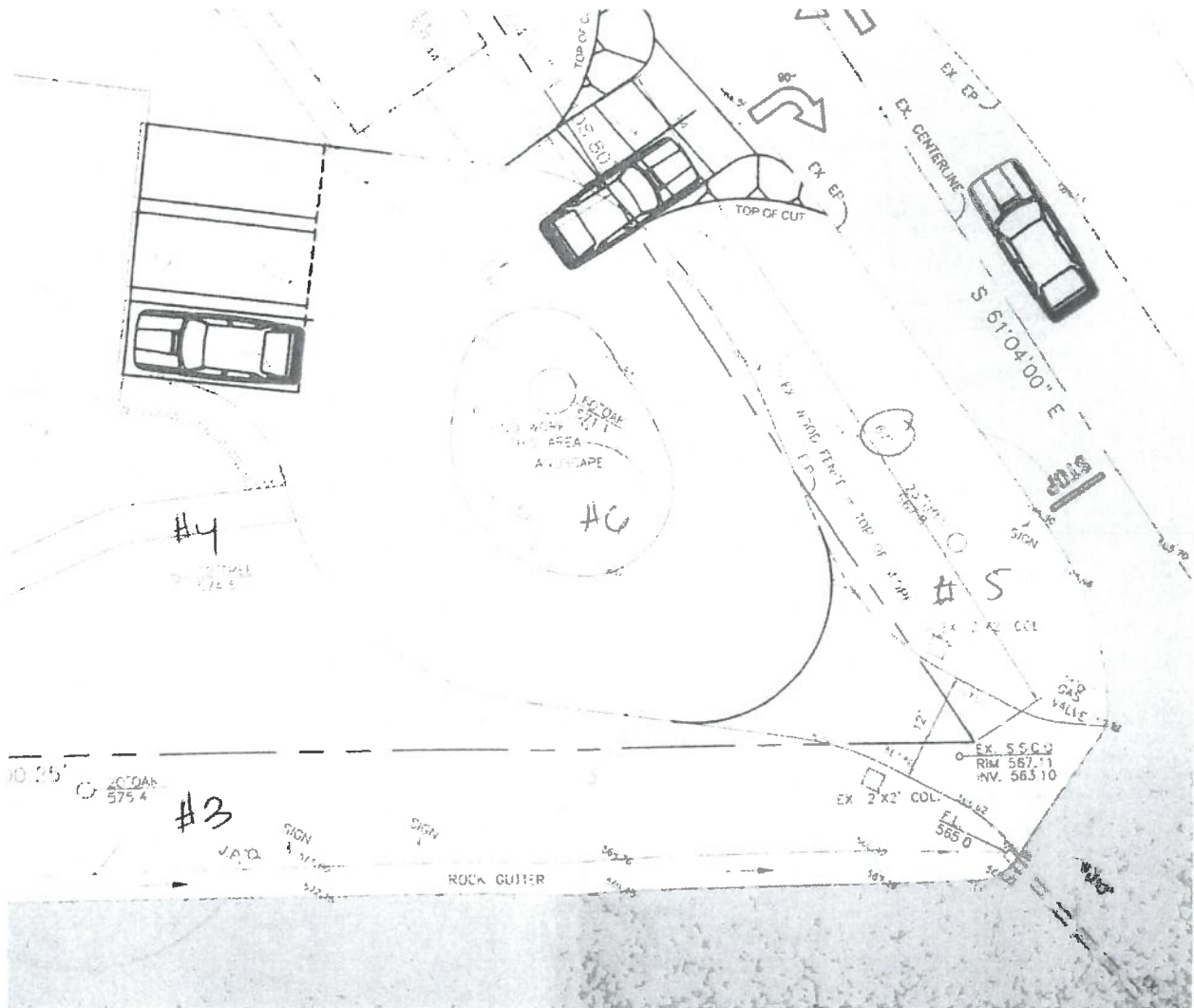


Image 1: tree #6 (from my original arborist report)



Thin canopy
for species



Decay cavity
with little
reaction growth



Girdling
roots

ASSUMPTIONS AND LIMITING CONDITIONS

1. Any legal description provided to the consultant/appraiser is assumed to be correct. Any titles and ownerships to any property are assumed to be good and marketable. No responsibility is assumed for matters legal in character. Any and all property is appraised or evaluated as though free and clear, under responsible ownership and competent management.
2. It is assumed that any property is not in violation of any applicable codes, ordinances, statutes, or other government regulations.
3. Care has been taken to obtain all information from reliable sources. All data has been verified insofar as possible; however, the consultant/appraiser can neither guarantee nor be responsible for the accuracy of information provided by others.
4. The consultant/appraiser shall not be required to give testimony or to attend court by reason of this report unless subsequent contractual arrangements are made, including payment of an additional fee for such services as described in the fee schedule and contract of engagement.
5. Loss, alteration, or reproduction of any part of this report invalidates the entire report.
6. Possession of this report or a copy thereof does not imply right of publication or use for any purpose by any other than the person to whom it is addressed, without the prior expressed written or verbal consent of the consultant/appraiser.
7. Neither all nor any part of this report, nor any copy thereof, shall be conveyed by anyone, including the client, to the public through advertising, public relations, news, sales or other media, without the prior expressed written or verbal consent of the consultant/appraiser particularly as to value conclusions, identity of the consultant/appraiser, or any reference to any professional society or initialed designation conferred upon the consultant/appraiser as stated in his qualification.
8. This report and the values expressed herein represent the opinion of the consult/appraiser, and the consult/appraiser's fee is in no way contingent upon the reporting of a specified value, a stipulated result, the occurrence of a subsequent event, nor upon any finding to be reported.
9. Sketches, diagrams, graphs, and photographs in this report, being intended as visual aids, are not necessarily to scale and should not be construed as engineering or architectural reports or surveys.
10. Unless expressed otherwise: 1) information in this report covers only those items that were examined and reflects the condition of those items at the time of inspection; and 2) the inspection is limited to visual examination of accessible items without dissection, excavation, probing, or coring. There is no warranty or guarantee, expressed or implied, that problems or deficiencies of the plants or property in question may not arise in future.

Respectfully submitted,



Katherine Naegele
Consulting Arborist
Anderson's Tree Care Specialists, Inc.
A TCIA Accredited Company
Master of Forestry, UC Berkeley
ISA Certified Arborist #WE-9658A
ISA Tree Risk Assessment Qualified
American Society of Consulting Arborists, Member
Office: 408 226-8733
Cell: 408 590-5976

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www.andersonstreecare.com



2/11/2019

Ana Maria Manzo
Designer + Job Captain
Studio3
638 University Ave.
Los Gatos, CA 95032
(408) 292-3252
ana@studio-three.com

RECEIVED

FEB 12 2019

TOWN OF LOS GATOS
PLANNING DIVISION

Re: Arborist Report for Proposed Development Project at 16 Chestnut Ave. in Los Gatos

Dear Ana,

At your request, I have visited the property referenced above to evaluate the trees present with regard to the planned single family home construction.

Summary:

The proposed project comprises demolition of the current house and construction of a new house with approximately the same footprint, plus an added garage. Fourteen trees are present in or near the project area.

Two trees are recommended for removal: Chinese juniper #4A and coast live oak #7. Tree #4A lies at the corner of the existing house and would be substantially damaged during demolition. Tree #7 is dead. Each tree's canopy is approximately 15 feet in width, so the total replacement requirement is six 15-gallon trees.

Coast live oak #6 appears likely to decline irrespective of construction activities, but retention is desired by the property owner. This tree would benefit greatly from the removal of girdling roots and application of a growth regulator in the short term, and substantial site remediation after construction.

Assignment:

I have been asked to identify trees which may reasonably be expected to be impacted by the proposed construction, and to provide recommendations for their management consistent with both tree care industry standards Town of Los Gatos regulations.

Purpose & Use of the Report:

This report is intended to satisfy Town of Los Gatos requirements for initial arboricultural reporting for this project. Any change orders or new information will be addressed in addenda.

The property owner, architect, and contractor are all responsible for knowing the information included in this arborist report and adhering to the conditions provided herein.

Background

I previously prepared an arborist report for an earlier version of this project. This report is intended to replace that earlier report.

Introduction and City Regulations:

Many factors influence how a tree will be impacted by construction activities, including the extent of the activity; tree species; and tree health. Construction plans should accommodate trees insofar as practical, with the intent of preserving as many trees as reasonably possible.

In the Town of Los Gatos, trees are protected based on DBH (diameter at breast height). For development projects, all trees are protected starting at 4 inches. This includes dead trees. Oaks¹, buckeyes, and madrones are designated as “large protected trees” at 24 inches.

Tree Replacement

When a tree is removed for development, the Town of Los Gatos requires that it be replaced with new trees based on its canopy spread. The following table is taken from the document titled “TREE PROTECTION REQUIREMENTS FOR PLANNING APPLICATIONS,” available on the Town of Los Gatos website:

¹ I believe the intent of the ordinance is to protect California native oaks, not exotic oak species

Canopy Size of Removed Tree ¹	Replacement Requirement ^{2, 4}	Single Family Residential Replacement Option ^{3, 4}
10 feet or less	Two 24-inch box trees	Two 15-gallon trees
More than 10 feet to 25 feet	Three 24-inch box trees	Three 15-gallon trees
More than 25 feet to 40 feet	Four 24-inch box trees; or Two 36-inch box trees	Four 15-gallon trees
More than 40 feet to 55 feet	Six 24-inch box trees; or Three 36-inch box trees	Not Available
Greater than 55 feet	Ten 24-inch box trees; or Five 36-inch box trees	Not Available

Notes

¹ To measure an asymmetrical canopy of a tree, the widest measurement shall be used to determine canopy size.

² Often, it is not possible to replace a single large, older tree with an equivalent tree(s). In this case, the tree may be replaced with a combination of both the Tree Canopy Replacement Standard and in-lieu payment in an amount set forth by Town Council resolution paid to the Town Tree Replacement Fund.

³ Single Family Residential Replacement Option is available for developed single family residential lots under ten thousand 10,000 square feet that are not subject to the Town's Hillside Development Standards and Guidelines. All fifteen gallon trees must be planted on-site. Any in-lieu fees for single family residential shall be based on twenty-four-inch box tree rates as adopted by Town Council.

⁴ Replacement Trees shall be approved by the Town Arborist and shall be of a species suited to the available planting location, proximity to structures, overhead clearances, soil type, compatibility with surrounding canopy and other relevant factors. Replacement with native species shall be strongly encouraged. Replacement requirements in the Hillside Development Standards and Guidelines Appendix A and section 29.10.0987 Special Provisions—Hillside.

Observations:

Fourteen trees are located in or near the work area: four coast live oaks (*Quercus agrifolia*); two deodar cedars (*Cedrus deodara*); one coast redwood (*Sequoia sempervirens*); one linden (*Tilia* sp.); one Chinese juniper (*Juniperus torulosa*); one olive (*Olea europaea*); two California bays (*Umbellularia californica*); one wild cherry (*Prunus* sp.); and one valley oak (*Quercus lobata*) (**Images 1-10**).

A new backyard fence will be installed within the tree protection zones of trees #1 and 11. I have assumed this will likely occur fairly late in the construction process, after the house is finished.

A decomposed granite path between Chestnut Ave. and the front door will be installed within the tree protection zones of trees, #2 and 6.

Water utility trenching will occur within the tree protection zone of tree #3.

Tree #4A lies approximately 2 feet from the corner of the existing house to be demolished (**Image 5**).

Tree #6 is a large and apparently quite old coast live oak. This tree's health appears poor, evidenced by a relatively thin canopy and slow reaction growth around large wounds (**Image 7**). Several girdling roots are present at the base of the trunk.

The existing driveway will be demolished, and a new driveway will be installed in approximately the same location. The exact driveway footprint is the topic of ongoing discussion with the town of Los Gatos, and will be addressed in a separate addendum. Regardless of the footprint, tree #6 will be impacted to some degree.

The house footprint also lies within a portion of the tree protection zone of tree #6; however, as the existing house is in approximately the same location, the loss of root volume for this reason will be small.

Trees #6A-9 are separated from the project area by existing features: a substantial grade change, a concrete retaining wall, and a chicken coop (**Images 8-10**).

Tree #7 is dead, though it was alive at my 2018 site visit (**Image 10**).

The new backyard patio lies slightly within the tree protection zone of tree #10. This tree's canopy is highly asymmetrical (**Image 11**) and will overhang a substantial portion of the patio and barbecue area.

No gas line work is shown on the plans provided to me. I anticipate tree impacts from such work, as tree protection zones cover the bulk of the property frontages.

Methods & Limits to Analysis:

I visited the site on 8/13/2018 and 1/24/2019. All data and photographs included in this report were taken on those dates.

All DBH's were taken using a diameter tape measure except those of trees #7-11, which were estimated visually as their trunks were difficult to access. All other observations were made visually. No aerial inspections or root crown excavations were performed.

The driveway footprint is the topic of ongoing discussion between the project team and the town. It will be addressed in a separate arborist report by me.

The project information given in this report is based on the set of construction drawings provided to me via email by Studio3. Features on the plans were not staked or otherwise marked at the time of my site visit, so I estimated all distances visually.

Locations shown on the below inventory map for trees, project features, and tree protection features are approximate.

Discussion:

Critical Root Zone (CRZ)

Tree roots grow where conditions are favorable, and their spatial arrangement is therefore unpredictable. Favorable conditions vary among species, but generally include the presence of moisture, and soft soil texture with low compaction.

Contrary to popular belief, roots of all tree species grow primarily in the top two feet of soil, with a small number of roots sometimes occurring at greater depths. Some species have taproots when young, but these almost universally disappear with age. At maturity, a tree's root system may extend out from the trunk farther than the tree is tall.

The optimal size of the area around a tree which should be protected from disturbance depends on the tree's size, species, and health, as shown in the following table (taken from *Trees & Construction*, Matheny and Clark, 1998):

Species tolerance	Tree age	Distance from trunk (feet per inch trunk diameter)
Good	Young	0.5
	Mature	0.75
	Overmature	1
Moderate	Young	0.75
	Mature	1
	Overmature	1.25
Poor	Young	1
	Mature	1.25
	Overmature	1.5

Excavation, Trenching, and Grading within CRZ's

Excavation near trees can impact their roots substantially. Every point at which a root is injured is a potential avenue for infection by decay-causing organisms, which can lead to tree decline.

Excavation equipment can pull on roots, damaging them for several feet past the edge of excavation. Damage can be minimized by severing roots cleanly at the edge, after excavating the top three feet of soil with less-invasive methods. After root pruning at the edge of excavation, the remaining soil on the side away from the tree may be removed using any equipment desired.

Traffic within CRZ's

Driving or heavy foot traffic on bare soil around trees destroys roots, both by crushing them directly and by compacting the soil. Compaction removes pore spaces which allow oxygen to reach the roots. Without oxygen, the roots cannot transpire (break down stored food for the tree to use). This results in slowing or cessation of the tree's life processes, which can lead to localized dieback or whole-tree death.

The presence of existing asphalt or concrete within a tree's root zone effectively mitigates the effects of traffic. However, installing new pavement of any kind within a tree's root zone can substantially disrupt roots. Permeable pavers create a more hospitable root environment than do traditional paving materials; however, some disruption of existing roots is unavoidable during installation.

Materials Storage within CRZ's

Trees can be harmed by materials storage within their CRZ's in several ways. Placement of materials may result in soil disturbance or trunk wounding; heavy materials can compact the soil; and materials with high pH (such as concrete mix) can leach into the soil, disrupting soil chemistry.

Unfortunately, areas under trees are attractive for storage, as they offer shade and a soft ground surface. Tree protection fencing is therefore necessary to discourage use.

Root Zone Remediation and Growth Regulation

The most reliable way to ensure ongoing tree health during and after construction is to install appropriate tree protection prior to beginning construction. However, after a tree undergoes damage, steps can be taken to improve its chances of survival.

Tree root zones which have undergone compaction can be remediated to some degree by incorporating compost into the soil with an air spade. This decompacts the soil and provides nutrients to help the tree recover root mass destroyed by compaction.

Ongoing irrigation is also essential for regrowing root mass, even in drought-tolerant species or specimens which have never before required irrigation. Applying wood chips within the CRZ helps hold water in the soil, and also improves overall soil quality.

Applying the systemic growth regulator paclobutrazol can also be useful in helping trees repair damage. This chemical causes the tree to direct few resources into leaf growth, which it then redirects into chlorophyll production and root growth. This makes the tree more efficient at making food and using water, respectively, which improves its overall health.

Conclusions:

Trees #1 and 11 will likely undergo minor impacts from fence installation. It should be practical to exclude construction personnel and equipment as needed for the duration of house construction.

Tree #2 will likely undergo minor impacts from installation of the decomposed granite walkway. It should be practical to exclude construction personnel and equipment as needed for the duration of house construction.

Tree #3 will likely undergo minor impacts from water line installation if care is taken to preserve roots as detailed below.

Trees #4 and 5 are unlikely to undergo impacts from the project as proposed if proper tree protection measures are implemented.

Tree #4A must be removed in order for the project to proceed as proposed, as it conflicts directly with demolition of the existing corner of the house.

Tree #6 will likely undergo moderate impacts from installation of the driveway and decomposed granite walkway. This tree appears likely to decline in health irrespective of construction activities. It would benefit from removal of its girdling roots, and remediation of its root zone.

Trees #6A-9 are unlikely to undergo impacts from the project as proposed, as they are separated from the work area by existing site features.

Tree #7 should be removed irrespective of construction activities, as it is dead.

Tree #10 will likely undergo minor impacts from backyard patio installation.

Recommendations:

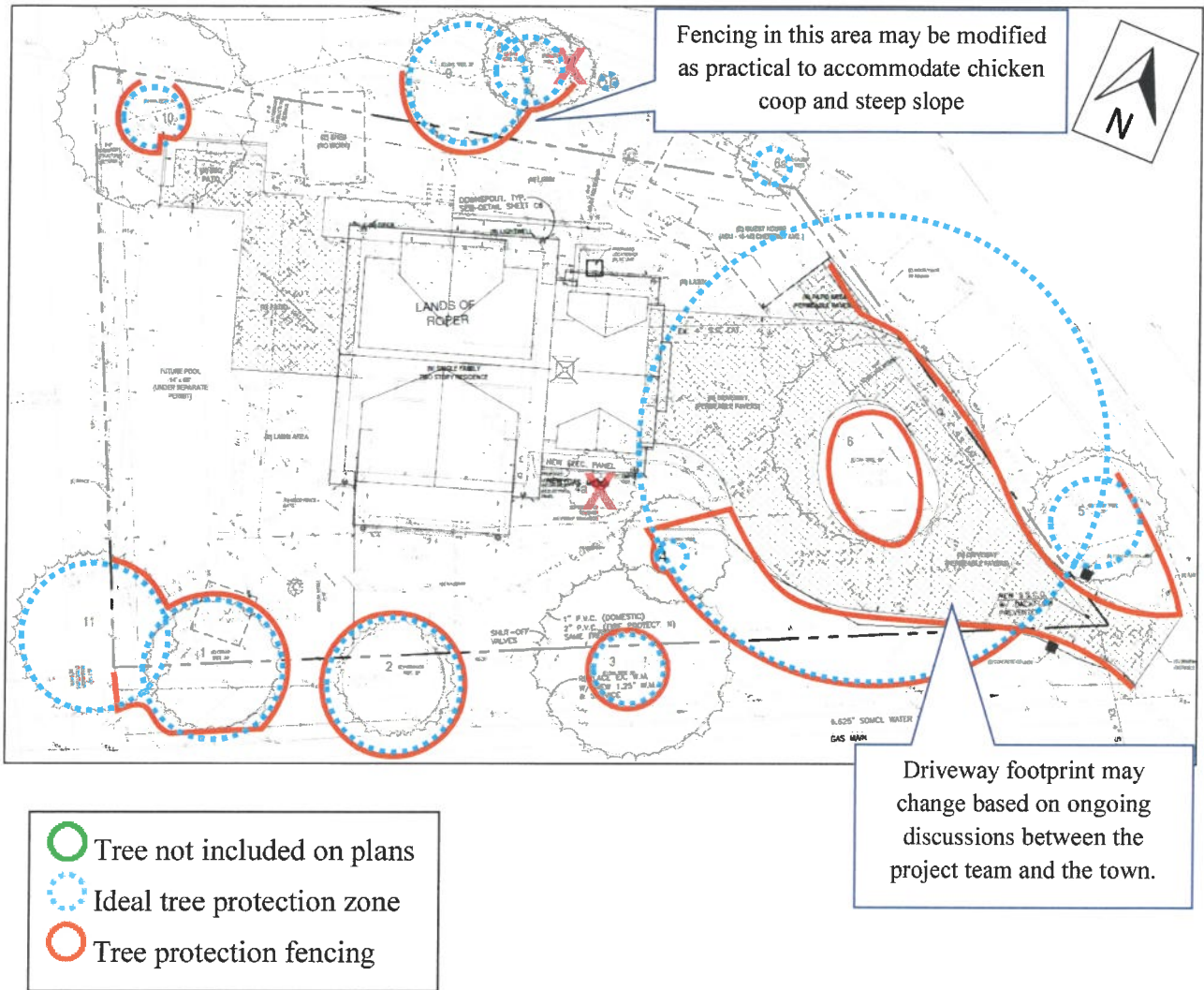
1. Remove trees #4A and 7 prior to commencing construction.
2. All tree removal and limb pruning must be performed by trained tree work personnel under the direction of an ISA-Certified Arborist.
3. Apply a growth regulator to tree #6.
4. Remove visible girdling roots from tree #6.
5. Install tree protection fencing for all other trees, conforming to the following specifications put forth in the Los Gatos Town Code, Section 29.10.1005:²
 - a. Fencing shall consist of 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 Adapted for clarity in report context, and relevance to this project. Relevant portion of Town Code available online at <https://www.losgatosca.gov/DocumentCenter/View/148/Tree-Protection-Ordinance-Handout?bidId=> (pp. 13-14)

- b. Fencing shall be installed around the tree protection zones (TPZ) specified in this report, approximately as shown on the Tree Map below.
- c. Fencing shall be erected before demolition, grading or construction permits are issued and remain in place until the work is completed. Contractor shall first obtain the approval of the project arborist on record prior to removing a tree protection fence.
- d. 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".
- e. All persons, shall comply with the following precautions:
 - i. Prior to the commencement of construction, install the fence at the dripline, or tree protection zone (TPZ) when specified in an approved arborist report, around any tree and/or vegetation to be retained which could be affected by the construction and prohibit any storage of construction materials or other materials, equipment cleaning, or parking of vehicles within the TPZ.
 - ii. Prohibit all construction activities within the TPZ, including but not limited to: excavation, grading, drainage and leveling within the dripline of the tree unless approved by the Director.
 - iii. Prohibit disposal or depositing of oil, gasoline, chemicals or other harmful materials within the TPZ of or in drainage channels, swales or areas that may lead to the TPZ of a protected tree.
 - iv. Prohibit the attachment of wires, signs or ropes to any protected tree.
 - v. Design utility services and irrigation lines to be located outside of the dripline when feasible.
 - vi. Retain the services of a certified or consulting arborist who shall serve as the Project Arborist for periodic monitoring of the project site and the health of those trees to be preserved. The Project Arborist shall be present whenever activities occur which may pose a potential threat to the health of the trees to be preserved and shall document all site visits.
 - vii. 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.
- 6. Spread wood chips within tree protection fencing to a depth of 3-6 inches.
- 7. Notify project arborist when gas line location has been determined.
- 8. Do not demolish driveway until all other construction is complete.
- 9. Driveway specifications will be addressed in a separate addendum to this report.
- 10. For new backyard fence
 - a. Do not install until the house and new hardscape are complete.
 - b. Tree protection fencing may be removed prior to fence installation if condition (a) is met.
 - c. Excavate only to place fence posts. Place panels above grade to minimize root disturbance.
- 11. If live roots over one inch in diameter are encountered at any time, in any location, halt work in this area and contact the Project Arborist immediately.
- 12. After construction is complete:
 - a. Install six 15-gallon trees to replace trees #4A and 7.
 - b. Perform root zone remediation in all unpaved areas within the CRZ of tree #6:
 - i. Decompact the soil with an air spade,
 - ii. Incorporate compost into the soil with the air spade, and

iii. Spread wood chips over the top of the decompacted soil to a depth of 3-6 inches.

Tree Map (my features in color; scale roughly estimated)³



³ Base imagery taken from plans provided to me by client via email

Tree Table

Tree #	Common Name	Species Name	DBH (in.)	Species Tolerance ⁴ (if to remain)	Apparent Maturity (if to remain)	TPZ Coefficient (ft./in. DBH) (if to remain)	TPZ Radius (ft.) (if to remain)	Canopy Spread	Protected Tree	Large Protected Tree	Appraised Value	Anticipated Impacts	Tree Protection/ Replacement Recommendations
1	Deodar cedar	Cedrus deodara	38.2	Good	Mature	0.75	28'8"	40	X	-	\$26,500.00	None	Tree protection fencing
2	Coast redwood	Sequoia sempervirens	27.3	Good	Mature	1 ⁵	27'4"	30	X	-	\$11,300.00	Traffic, storage within TPZ if not protected	Tree protection fencing
3	Coast live oak	Quercus agrifolia	19.1	Good	Mature	0.75	14'4"	35	X	-	\$9,300.00	Traffic, storage within TPZ if not protected	Tree protection fencing
4	Linden	Tilia sp.	8.4	Good-Moderate	Young	0.75	6'4"	20	X	-	\$2,290.00	Traffic, storage within TPZ if not protected	Tree protection fencing
4A	Chinese juniper	Juniperus torulosa	11.8, 5.5 (13.0 adjusted ⁶)	-	-	-	-	15	X	-	\$2,360.00	Remove for addition footprint	Replace with 3 15-gallon trees
5	Olive	Olea europaea	23.7	Good ⁷	Mature	0.75	17'9"	25	X	-	\$13,700.00	Traffic, storage within TPZ if not protected	Tree protection fencing
6	Coast live oak	Quercus agrifolia	63.5	Good	Over-mature	1.5 ⁸	95'3"	60		X	\$52,300.00	Traffic, storage within TPZ if not protected	Tree protection fencing, growth regulator, root zone remediation

⁴ Taken from Matheny & Clark, *Trees and Development*, 1998

⁵ Increased from 0.75 to 1, as tree was somewhat stressed prior to construction

⁶ Adjusted by finding the diameter of a circle with an area equal to the combined areas of both trunks

⁷ Based on my own observations and experience with this species

⁸ Increased from 1 to 1.5, as tree was substantially stressed prior to construction

Tree #	Common Name	Species Name	DBH (in.)	Species Tolerance ⁴ (if to remain)	Apparent Maturity (if to remain)	TPZ Coefficient (ft./in. DBH) (if to remain)	TPZ Radius (ft.) (if to remain)	Canopy Spread	Protected Tree	Large Protected Tree	Appraised Value	Anticipated Impacts	Tree Protection/ Replacement Recommendations
6A	California bay	Umbellularia californica	5.0	Moderate	Young	0.75	3'9"	10	X	-	\$850.00	None	None (protected by existing guest house)
6B	Wild cherry	Prunus sp.	6 (est.)	Good	Young	0.5	3'	10	X	-	\$410.00	None	None (protected by existing guest house)
7	Coast live oak	Quercus agrifolia	12 (est.)	-	-	-	-	15	X	-	\$0.00	None	Dead
8	Coast live oak	Quercus agrifolia	18 (est.)	Good	Mature	0.75	13'6"	20	X	-	\$7,600.00	None	Tree protection fencing
9	California bay	Umbellularia californica	24 (est.)	Moderate	Mature	1	24'	25	X	-	\$12,500.00	None	Tree protection fencing
10	Valley oak	Quercus lobata	12 (est.)	Moderate	Mature	1	12'	30	X	-	\$6,000.00	None	Tree protection fencing, to be moved for patio installation
11	Deodar cedar	Cedrus deodara	40 (est.)	Good	Mature	0.75	30'	60	X	-	\$26,100.00	None	Tree protection fencing

Supporting Photographs

Image 1: deodar cedar #1



Image2: coast redwood #2



Image 3: coast live oak #3



Image 4: Linden #4



Image 5: Chinese juniper #4A



Image 6: olive #5



Image 7: coast live oak #6 (partially obstructed by olive #5 in foreground)



Thin canopy
for species



Decay cavity
with little
reaction growth



Girdling
roots

Image 8: California bay #6A



Image 9: wild cherry #6B, coast live oaks #7 and 8, and California bay #9 (right to left above, left to right below; photos taken in 2018.)



Image 10: coast live oak #7 (photo taken in 2019)



Image 11: valley oak #10



Image 12: deodar cedar #11



ASSUMPTIONS AND LIMITING CONDITIONS

1. Any legal description provided to the consultant/appraiser is assumed to be correct. Any titles and ownerships to any property are assumed to be good and marketable. No responsibility is assumed for matters legal in character. Any and all property is appraised or evaluated as though free and clear, under responsible ownership and competent management.
2. It is assumed that any property is not in violation of any applicable codes, ordinances, statutes, or other government regulations.
3. Care has been taken to obtain all information from reliable sources. All data has been verified insofar as possible; however, the consultant/appraiser can neither guarantee nor be responsible for the accuracy of information provided by others.
4. The consultant/appraiser shall not be required to give testimony or to attend court by reason of this report unless subsequent contractual arrangements are made, including payment of an additional fee for such services as described in the fee schedule and contract of engagement.
5. Loss, alteration, or reproduction of any part of this report invalidates the entire report.
6. Possession of this report or a copy thereof does not imply right of publication or use for any purpose by any other than the person to whom it is addressed, without the prior expressed written or verbal consent of the consultant/appraiser.
7. Neither all nor any part of this report, nor any copy thereof, shall be conveyed by anyone, including the client, to the public through advertising, public relations, news, sales or other media, without the prior expressed written or verbal consent of the consultant/appraiser particularly as to value conclusions, identity of the consultant/appraiser, or any reference to any professional society or initialed designation conferred upon the consultant/appraiser as stated in his qualification.
8. This report and the values expressed herein represent the opinion of the consultant/appraiser, and the consultant/appraiser's fee is in no way contingent upon the reporting of a specified value, a stipulated result, the occurrence of a subsequent event, nor upon any finding to be reported.
9. Sketches, diagrams, graphs, and photographs in this report, being intended as visual aids, are not necessarily to scale and should not be construed as engineering or architectural reports or surveys.
10. Unless expressed otherwise: 1) information in this report covers only those items that were examined and reflects the condition of those items at the time of inspection; and 2) the inspection is limited to visual examination of accessible items without dissection, excavation, probing, or coring. There is no warranty or guarantee, expressed or implied, that problems or deficiencies of the plants or property in question may not arise in future.

Respectfully submitted,



Katherine Naegele
Consulting Arborist
Anderson's Tree Care Specialists, Inc.
A TCIA Accredited Company
Master of Forestry, UC Berkeley
ISA Certified Arborist #WE-9658A
ISA Tree Risk Assessment Qualified
American Society of Consulting Arborists, Member
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March 7, 2019

Erin Walters
Community Development Department
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Monarch Consulting Arborists LLC
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RECEIVED

MAR 07 2019

TOWN OF LOS GATOS
PLANNING DIVISION

Assignment, Limits, Purpose and Use

1. Provide a peer review of the Arborist Report prepared by Katherine Naegele dated February 11 and 6, 2019 which included and updated general report and one consisting of oak tree #6 driveway configurations and proposed protection.
2. The following plan set was reviewed for this assignment: Plan Set provided by Studio Three Design dated December 17, 2018: sheets A1.4 (Site Plan) and T-1 (Tree Preservation Instruction), Peoples Associates civil plans dated November 28, 2018: C2 (Demolition Plan), C4 Grading and Drainage Plan, C5 Utility Plan, and C6 Details and Sections.

The report is to help provide information regarding the provided arborist's report and plans with reference to the trees. The report is to be used by Town of Los Gatos, the Town's agents, and the property owners and owner's agents to help determine deficiencies within the documents regarding the trees.

Observations

The revised arborist's report contains the information requested in the "recommendations" section of my original report dated October 2, 2018. The judgements regarding the driveway construction around the coast live oak #6 are considered true and accurate.

The plan set contains the required T-1 sheet with no plan view for protection of the trees and only provides ordinance requirements. The cross section of the proposed paver driveway in sheet C6 indicates six to seven inches of excavation to match the original grade which consists of sub-base, sand, and the paver itself. This cross section is in conflict with the arborist's observations of the pavers being placed on the grade after the asphalt is removed.



Recommendations

Oak Tree #6

In addition to the arborist's recommendations for applying a tree growth regulator (Paclobutrazol) and remove any significant stem girdling roots I would make the following recommendations:

1. Place tree protection fence around the tree at a radius of 50 feet if the driveway is demolished early in the process. Otherwise place the fence at a radius of 15 feet to protect the trunk and scaffold branches if the driveway is to remain as recommended.
2. Treat the trunk three times per year to help prevent bark beetle attacks (*Monothrum scutellare*) with (Permethrin) or (Bifenthrin) according to the product labels.
3. Maintain the existing driveway around the tree during the construction process until the new driveway is to be installed. This will significantly reduce construction impact during the demolition and construction phases.
4. Do not excavate the existing soil grade around the tree on all four sides within a 50 foot radius (ten times the trunk diameter). Exception for one side is listed below to accommodate the underground parking.
5. Disturbance where the driveway is to be excavated must be outside six times the trunk diameter which is 30 feet. (Both the *ISA Best Management Practices: Root Management*, 2017 and *ISA Best Management Practices: Managing trees during construction, second edition*, 2016 indicate linear cuts should be beyond six times the trunk diameter distance. *Best Management Practices: Root Management* (2017) states cutting roots at three times the diameter can result in loss of stability and anything closer would result in "severe loss of stability.") If this cannot be achieved a redesign is recommended.
6. All paver installation within 50 feet should be above the existing soil surface with only minor scarification to even out the grade under the existing asphalt. If necessary Tensor Biaxial Geogrid can be incorporated as a sub-base treatment to provide a stable base on grade without significant compaction or excavation.



Plan Set

1. Create a new paver section to indicate the driveway will be placed above existing grade without sub-base excavation.
2. Place the tree protection scheme and "recommendations" from this report and those provided by the applicant on the T-1 sheet. The T-1 sheet should contain the protection plan view as described on page 9 of the report dated February 11, 2019.



Qualifications, Assumptions, and Limiting Conditions

Any legal description provided to the consultant is assumed to be correct. Any titles or ownership of properties are assumed to be good and marketable. All property is appraised or evaluated as though free and clear, under responsible ownership and competent management.

All property is presumed to be in conformance with applicable codes, ordinances, statutes, or other regulations.

Care has been taken to obtain information from reliable sources. However, the consultant cannot be responsible for the accuracy of information provided by others.

The consultant shall not be required to give testimony or attend meetings, hearings, conferences, mediations, arbitration, or trials by reason of this report unless subsequent contractual arrangements are made, including payment of an additional fee for such services.

This report and any appraisal value expressed herein represent the opinion of the consultant, and the consultant's fee is not contingent upon the reporting of a specified appraisal value, a stipulated result, or the occurrence of a subsequent event.

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

Unless otherwise expressed: a) this report covers only examined items and their condition at the time of inspection; and b) the inspection is limited to visual examination of accessible items without dissection, excavation, probing, or coring. There is no warranty or guarantee, expressed or implied, that structural problems or deficiencies of plants or property may not arise in the future.



Certification of Performance

I Richard Gessner, Certify:

That I have personally inspected the tree(s) and/or the property referred to in this report, and have stated my findings accurately. The extent of the evaluation and/or appraisal is stated in the attached report and Terms of Assignment;

That I have no current or prospective interest in the vegetation or the property that is the subject of this report, and I have no personal interest or bias with respect to the parties involved;

That the analysis, opinions and conclusions stated herein are my own;

That my analysis, opinions, and conclusions were developed and this report has been prepared according to commonly accepted Arboricultural practices;

That no one provided significant professional assistance to the consultant, except as indicated within the report.

That my compensation is not contingent upon the reporting of a predetermined conclusion that favors the cause of the client or any other party, nor upon the results of the assessment, the attainment of stipulated results, or the occurrence of any other subsequent events;

I further certify that I am a Registered Consulting Arborist® with the American Society of Consulting Arborists, and that I acknowledge, accept and adhere to the ASCA Standards of Professional Practice. I am an International Society of Arboriculture Board Certified Master Arborist®. I have been involved with the practice of Arboriculture and the care and study of trees since 1998.

Richard J. Gessner



ASCA Registered Consulting Arborist® #496
ISA Board Certified Master Arborist® WE-4341B
ISA Tree Risk Assessor Qualified



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March 29, 2019

Compliance Memorandum
Consulting Arborist Review: Memo 2, March 7, 2019

Re: 16 Chestnut Avenue
Architecture and Site Application S-17-047

RECEIVED
S-17-047
APR 10 2019

TOWN OF LOS GATOS
PLANNING DIVISION

Requesting approval for technical demolition of an existing pre-1941 single family residence and construction of a single-family residence on property zoned R-1:12. APN: 510-40-012.

PROPERTY OWNER: Kim Roper
APPLICANT: Bess Wiersema, Studio 3 Design

Observations

The revised arborist's report contains the information requested in the "recommendations" section of my original report dated October 2, 2018. The judgements regarding the driveway construction around the coast live oak #6 are considered true and accurate.

Response: Noted.

The plan set contains the required T-1 sheet with no plan view for protection of the trees and only provides ordinance requirements. The cross section of the proposed paver driveway in sheet C6 indicates six to seven inches of excavation to match the original grade which consists of subbase, sand, and the paver itself. This cross section is in conflict with the arborist's observations of the pavers being placed on the grade after the asphalt is removed.

Response: Sheet T-1 has been updated to include the plan view along with recommendations by Anderson Tree Care Specialists and Consulting Town Arborist. The cross section on sheet C6 has been revised and reflects the arborist's observations.

Recommendations

Oak Tree #6

In addition to the arborist's recommendations for applying a tree growth regulator (Paclobutrazol) and remove any significant stem girdling roots I would make the following recommendations:

1. Place tree protection fence around the tree at a radius of 50 feet if the driveway is demolished early in the process. Otherwise place the fence at a radius of 15 feet to protect the trunk and scaffold branches if the driveway is to remain as recommended.

Response: Noted. Protective fencing has been added to the site + civil plans.

STUDIOTHREEDESIGN
ARCHITECTURE INTERIORS



2. Treat the trunk three times per year to help prevent bark beetle attacks (*Monothrum scutellare*) with (Permethrin) or (Bifenthrin) according the product labels.

Response: Noted. Added to recommendations on sheet T-1.

3. Maintain the existing driveway around the tree during the construction process until the new driveway is to be installed. This will significantly reduce construction impact during the demolition and construction phases.

Response: Noted. Added to recommendations on sheet T-1.

4. Do not excavate the existing soil grade around the tree on all four sides within a 50 foot radius (ten times the trunk diameter). Exception for one side is listed below to accommodate the underground parking.

Response: Noted. Added to recommendations on sheet T-1. The parking or attached garage is not underground. It will be close to the existing grade of the driveway.

5. Disturbance where the driveway is to be excavated must be outside six times the trunk diameter which is 30 feet. (Both the *ISA Best Management Practices: Root Management, 2017* and *ISA Best Management Practices: Managing trees during construction, second edition, 2016* indicate linear cuts should be beyond six times the trunk diameter distance. *Best Management Practices: Root Management (2017)* states cutting roots at three times the diameter can result in loss of stability and anything closer would result in "severe loss of stability.") If this cannot be achieved a redesign is recommended.

Response: Noted. Added to recommendations on sheet T-1.

6. All paver installation within 50 feet should be above the existing soil surface with only minor scarification to even out the grade under the existing asphalt. If necessary Tensor Biaxial Geogrid can be incorporated as a sub-base treatment to provide a stable base on grade without significant compaction or excavation.

Response: Noted. Added to recommendations on sheet T-1. Additional noted added to verify with soils engineer prior to using Tensor Biaxial Geogrid.

Plan Set

1. Create a new paver section to indicate the driveway will be placed above existing grade without sub-base excavation.

Response: See sheet C6 for revised section.

2. Place the tree protection scheme and "recommendations" from this report and those provided by the applicant on the T-1 sheet. The T-1 sheet should contain the protection plan view as described on page 9 of the report dated February 11, 2019.



Response: Sheet T-1 has been updated to include the plan view along with recommendations Anderson Tree Care Specialists and Consulting Town Arborist.

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May 1, 2019

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MAY 01 2019

TOWN OF LOS GATOS
PLANNING DIVISION

I provided a review and recommendation in previous letters dated October 2, 2018 and March 7, 2019. The applicant has satisfactorily addressed the concerns and issues regarding the site improvements and the potential impacts to primarily coast live oak (*Quercus agrifolia*) #6. The applicant provided line by line responses to the concerns outlined in the letter dated March 29, 2019 by Studio 3 Design and new plan details. The applicant demonstrated how these issues will be resolved through design of the driveway and tree protection measure based on the recommendations of the project arborist and the Town's consulting arborist. I recommend implementing and documenting the tree protection measures outlined by the arborists during pre-construction and construction phases of the project.

Please contact me with any further concerns.

Richard J. Gessner

ASCA Registered Consulting Arborist® #496
ISA Board Certified Master Arborist® WE-4341B
ISA Tree Risk Assessor Qualified



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Town Diagram of Setback Lines, Arborist Recommendations and Engineering Design Standards, as shown on the Project's Development Plans

Recommendation #6- All paver installation within 50 feet should be above the existing soil surface with only minor scarification to even out the grade under the existing asphalt. - Create a new paver section to indicate the driveway will be placed above existing grade without sub-base excavation.

Per the Town's Consulting Arborist Report, dated March 7, 2019, Recommendation #5-Disturbance where the driveway is to be excavated must be outside six times the trunk diameter which is 30 feet. If this cannot be achieved a redesign is recommended.

Per the Town's Consulting Arborist Report, dated March 7, 2019, recommendation #4- Do not excavate the existing soil grade around the tree on all four sides within a 50 foot radius. Exception for one side to accommodate underground parking as discussed in recommendation #5.

GRADING QUANTITIES

LOCATION	CUT (In Cubic Yards)	FILL (In Cubic Yards)
HOUSE BASEMENT TO PAD 471.2	306	0
GARAGE TO PAD 471.0	87	0
LIGHT WELL	25	0
DRIVEWAY	32	29
POOL	171	0
POOL DECK	24	4
PATIO	0	47
SIDE & BACK YARD	7	11
BBQ AREA	0	19
TOTAL	652	110

542 OVERCUT TO BE HAULED AWAY.

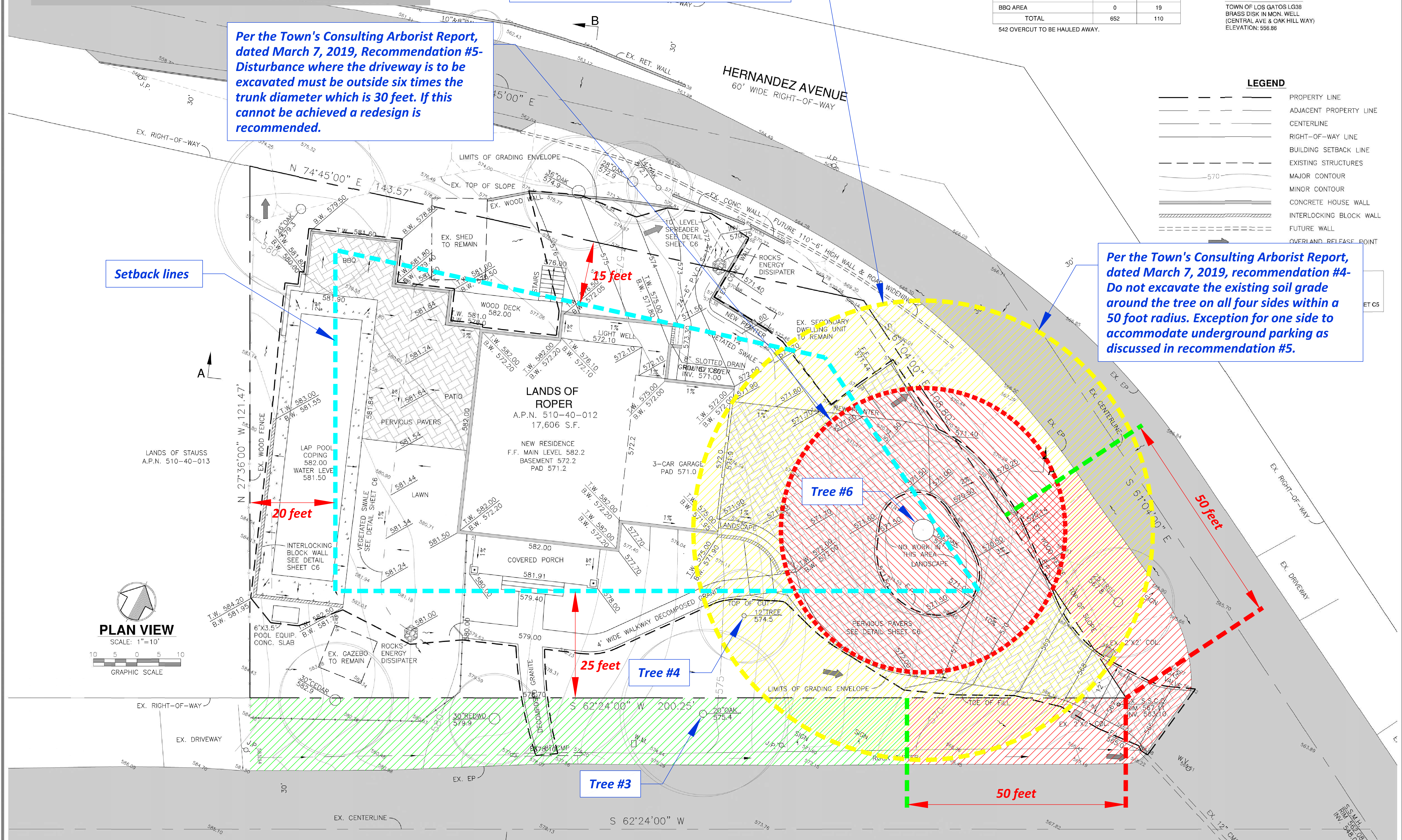
GRADING NOTE:
ALL GRADING SHALL BE IN ACCORDANCE WITH "GEOTECHNICAL REPORT" PREPARED FOR THIS SITE BY: C2EARTH, INC. DATED NOVEMBER 22, 2013.

CONSTRUCTION BENCHMARK
EXISTING GAS VALVE TOP OF RIM IN HERNANDEZ AVENUE.
ELEVATION: 565.77
TOWN OF LOS GATOS DATUM

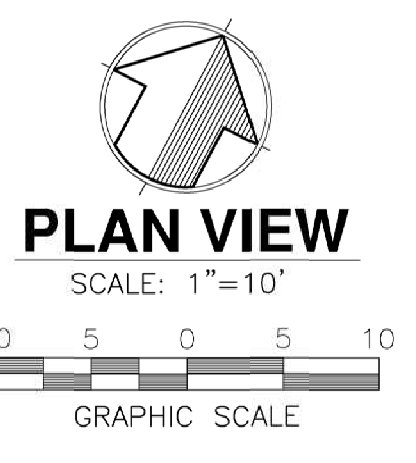
BENCHMARK
TOWN OF LOS GATOS LG38
BRASS DISK IN MON. WELL
(CENTRAL AVE & OAK HILL WAY)
ELEVATION: 556.86

LEGEND

	PROPERTY LINE
	ADJACENT PROPERTY LINE
	CENTERLINE
	RIGHT-OF-WAY LINE
	BUILDING SETBACK LINE
	EXISTING STRUCTURES
	MAJOR CONTOUR
	MINOR CONTOUR
	CONCRETE HOUSE WALL
	INTERLOCKING BLOCK WALL
	FUTURE WALL
	OVERLAND RELEASE POINT



Setback lines



DESIGNED BY:	DRAWN BY:	CHECKED BY:	SCALE:	DATE:	AS SHOWN
V.S.	R.S.C.	V.S.	AS SHOWN	11/28/18	AS SHOWN

PEOPLES ASSOCIATES
STRUCTURAL ENGINEERS
408-872-8220
www.pea.com
San Jose, California
Pleasanton, California
F.E.C. No. 29,558

GRADING & DRAINAGE PLAN
LANDS OF ROPER
16 CHESTNUT AVENUE
LOS GATOS, CALIFORNIA

SHEET NUMBER
C4
OF 8 SHEETS
DRAWING NO.
18045-C4

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

**MINUTES OF THE DEVELOPMENT REVIEW COMMITTEE MEETING
MAY 21, 2019**

The Development Review Committee of the Town of Los Gatos conducted a Regular Meeting on May 21, 2019, at 10:00 a.m.

ROLL CALL

Present: Sally Zarnowitz, CDD Planning; Roy Alba, CDD Building; Mike Weisz, PPW Engineering; Katherine Baker, SCCFD

Absent: None

MEETING CALLED TO ORDER AT 10:00 AM

PLEDGE OF ALLEGIANCE

Sally Zarnowitz led the Pledge of Allegiance.

VERBAL COMMUNICATIONS

- None

PUBLIC HEARINGS

1. 16 Chestnut Avenue
Architecture and Site Application S-17-047

Requesting approval for demolition of an existing pre-1941 single-family residence and construction of a new single-family residence on property zoned R-1:12.

APN: 510-40-012.

PROPERTY OWNER: Kim Roper

APPLICANT: Bess Wiersema, Studio 3 Design

PROJECT PLANNER: Erin Walters

Erin Walters, Associate Planner, presented the staff report.

Opened Public Comment.

Bess Wiersema

- We have questions regarding Parks & Public Works Condition of Approval No. 56 Frontage Improvements, No. 58 Sidewalk In-lieu Fees, and No. 59 Driveway Approach. Regarding the driveway approach condition because of the technical demolition, the existing driveway is

not a safety issue, is consistent with the character of the neighborhood, protects the tree, and works with the utilities.

Elizabeth Jendricks

- She has lived in the neighborhood for 30 years, and she likes the driveway where it is. She is in favor of the project and believes the project Condition of Approval should not be made too onerous.

Closed Public Comment.

Committee members discussed the matter.

MOTION: **Motion by Mike Weisz to approve. Seconded by Roy Alba.**

VOTE: **Motion passed unanimously.**

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

- None

ADJOURNMENT

The meeting adjourned at 10:20 a.m.

Prepared by:

/s/Sally Zarnowitz, Planning Manager



December 17, 2018

Re: 16 Chestnut Avenue
Letter of Support from Neighbors

The home owners have meet with their neighbors and received positive feedback from all. The following neighbors have provide written letters of support.

Robert and Sharon Herald
155 Hernandez Ave

Bob and Margo Simmons
29 Chestnut Ave

David and Rita Kelly
Chestnut Ave

Ben and Mahtab Verwer
15 Chestnut Ave

RECEIVED
S-17-047
DEC 19 2018

TOWN OF LOS GATOS
PLANNING DIVISION

STUDIO THREE EDÉS GN
ARCHITECTURE INTERIORS

155 Hernandez Avenue
Los Gatos, CA 95030

September 5, 2018

To Whom It May Concern,

We have reviewed the plans submitted for 16 Chestnut by Kenny Garrett and Kim Roper, and are excited and pleased with their ideas for their home. Their plans show respect for the property and for the neighborhood.

Having lived in our home since 1973, we do hope the pillars at the driveway will be maintained. They are distinctive architectural features, and are recognized as landmarks in our area.

Yours truly,

Mr. and Mrs. Robert E. Herald

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DEC 19 2018

TOWN OF LOS GATOS
PLANNING DIVISION



Robert Herald



Sharon Herald

September 6, 2018

We have lived in our home at 29 Chestnut since 1970. Ken and Kim have included us for input along the way with their plans for 16 Chestnut which we feel are very well done and will retain the character of the neighborhood. The 2 pillars leading into the driveway set off the property beautifully.



Bob Simmons



Margo Simmons

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DEC 19 2018

TOWN OF LOS GATOS
PLANNING DIVISION

September 3, 2018

This letter is in support of the remodel plans for 16 Chestnut Ave, Los Gatos by Kim Roper and Kenny Garrett.

We live at 9 Chestnut Ave., Los Gatos, the home directly across from the property that Kim and Kenny plan to remodel. They have included us in all stages of planning and shown us the drawings of their planned remodel. We are extremely happy with the house they intend to build and feel it matches the feel and character of the neighborhood and that it will be a welcome improvement from the existing house.

Our only concern is that the existing driveway might be moved from the current location to a location directly across from our house. This would have a negative effect on us as our master bedroom faces the street and we would be continually bothered by car lights as they drive to and from their house. We also really like the charm of their existing driveway with the two original pillars and would hate to lose that feature of in our neighborhood.

Thank you for your consideration,
Rita and David Kelly

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DEC 19 2018

TOWN OF LOS GATOS
PLANNING DIVISION

Ben and Mahtab Verwer
15 Chestnut Ave
Los Gatos, CA 95030
650-743-6848

September 12, 2018

To whom it may concern,

Kim Garrett reviewed the plans for their 16 Chestnut Ave property with us last week. We did not have any concerns regarding the proposed plans and are very excited to see them come to fruition.

We did hear that there are plans to move the driveway for the property. We moved to the Glen Ridge area almost two years ago. One of the reasons we chose this neighborhood is because of its historic charm and the city's efforts to ensure its historic nature is preserved. The existing driveway is part of the home's history and it would be unfortunate to see it and the columns moved or destructed; in particular given the existing plans for the home, which preserve so much of the structure and history.

Please do not hesitate to contact us if you have any questions.

Kind regards,



Ben and Mahtab Verwer

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DEC 19 2018

TOWN OF LOS GATOS
PLANNING DIVISION

June 24, 2019

RECEIVED
5-17-047
JUN 28 2019

TOWN OF LOS GATOS
PLANNING DIVISION

To Whom it May Concern:

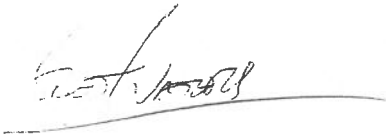
My family moved into 16 Chestnut in Los Gatos in 1967, when I was nine years old. We sold the property fifty-one years later, in 2018.

For all of that time (and probably many years prior) the driveway has been through white gate posts on the corner of Chestnut and Hernandez. I'm not aware that there has ever been an accident or other problem related to the position of the driveway.

I should also note that the position of that driveway and the white gate posts have always been a signature characteristic of the property, as neighbors and passers-by would probably agree.

Please contact me at bretwaters@gmail.com if you have any questions. Thanks very much.

Sincerely,



Bret Waters

From: "Lister, Bill" <BLister@cbtnorcal.com>
Date: June 24, 2019 at 8:55:06 AM PDT
To: Kim Roper <kroper2@mac.com>
Cc: Kenneth Garrett <kenny10@mac.com>
Subject: Re: 16 Chestnut Ave., request for letter supporting our driveway

RECEIVED
S-17-047
JUN 28 2019

**TOWN OF LOS GATOS
PLANNING DIVISION**

Dear Town of Los Gatos,

I am a Realtor in Los Gatos selling homes since the early 1990's. I have sold homes on Chestnut and many in the Glen Ridge neighborhood. The charm of Chestnut home is accompanied by it's history along with the setting. Moving the driveway up the road will not only change history but also make it a bit less safe. The street already is a thoroughfare and navigating in and out of driveways can be challenging. Along with the pedestrian & bike riders , one must be extra careful at the intersection. The current driveway location navigating entering and exiting is perfect for viewing all traffic including people walking on the road. The stop sign is a brilliant idea. It would not make any sense to move the driveway from it's current location.

Parking is also currently not an issue on the street. If you move the driveway, the parking will be less than desirable and closer to the stop sign.

Warm Regards,

Bill Lister

President's Premier Team

Top Producer on the 2013-2017 Wall Street Journal List

408-355-1551 Direct

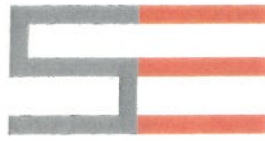
408-892-9300 Mobile

408-355-1599 Fax

BLister@cbtnorcal.com

BRE# 01179611

On the Web at: www.BillLister.com



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S-17-047
MAY 31 2019

TOWN OF LOS GATOS
PLANNING DIVISION

May 30, 2019

Appeal of The Decision of Development Review Committee - Reasons appeal should be granted.

Plans for 16 Chestnut Avenue were approved with conditions by the DRC on May 21, 2019. We are appealing the following condition(s):

*TO THE SATISFACTION OF THE DIRECTOR OF PARKS AND PUBLIC WORKS:
Engineering Division*

59. DRIVEWAY APPROACH: The Owner or Applicant shall install one (1) Town standard residential driveway approach. The driveway shall meet the Town's Engineering Design Standards and be located on Chestnut Avenue at a minimum distance of 50 feet from the nearest curb return at the southwestern corner of Chestnut and Hernandez Avenues (see Section 2.21). 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.

The existing driveway is at the corner of Chestnut Ave. and Hernandez Ave. The two existing columns flanking the driveway entrance are considered a marker in the neighborhood, along with the large Oak tree the driveway straddles. The homeowners have been a part of this neighborhood since 2003 and have chosen to stay because they enjoy the area, charm and character of the neighborhood. They previously owned two other homes on Chestnut Ave. (15 & 21) before moving to 16 Chestnut Ave.

Relocation of driveway per Town's Engineering Design Standards will negatively impact the existing Oak and alter the existing grade, which would require the existing Oak to be removed. Also, it will likely require the relocation of the existing utilities/joint pole, and removal of additional trees along Chestnut Ave.

Reasons to maintain the existing driveway entrance and columns:

- Original to the property and consistent with most other surrounding neighbors.
- Maintains the original character and charm of the neighborhood.
- No known accidents due to driveway location, location is not a hazard.
- Is at a safe intersection with stops on all three sides.
- Provides clear site visibility and distance from both exiting the driveway as well as cars entering intersection from adjacent streets and driveways
- Maintains existing driveway and grade to not impact existing Oak tree, keeping tree.
- Easy ingress/egress to property: cars drive around tree and exit forward facing (no need to back-out of driveway).
- Civil engineering studies and arborist consultation show maintaining the existing driveway is the best solution for the property and less impactful overall.
- Site restraints impose limited alteration/modification to the existing residence.

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- This corner property is unique in that it has three street facing sides vs two.
- Being a pre-1941 home requires the home use the requirements for a historic structure, limited to no more than 25% of walls facing a public street to be removed. If exceeding 25%, the project is considered a demolition. A technical demolition was incurred due to the robust design review and collaboration process with the Historical Preservation Committee (HPC), and was also recommended by them with no objections.
- No design objections from Planning and the Consulting Town Architect.

The design of the new home and garage have been done in a way to maintain the look of the existing home and enhance the craftsman features/elements. The Town's Engineering Design Standards of installing a new residential driveway approach a minimum of 50-feet from the corner of Chestnut and Hernandez Ave. will significantly impact and alter the property and neighborhood.



28 June 2019

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S-17-047
JUN 28 2019

TOWN OF LOS GATOS
PLANNING DIVISION

Dear Commissioners,

Before you is an appeal of the Public Work's and Planning's condition to relocate the existing driveway of a current home, where the project has incurred a technical demo resulting in a more intensive review by Public Works. The Owner prefers to keep the existing driveway as it both maintains the character of the neighborhood, and protects a large existing oak tree. The driveway is bounded by two original posts, and demarks the entrance to the property, as well as the end of the neighborhood visually, before Hernandez becomes more of a mountain road and cut-through artery due to current traffic patterns. Note that the property is also unique in that it is bounded on three sides by streets, and is a bit of a "peninsula" in shape, creating a more public half versus private half of the lot as well.

It's important to note that the Owner had no desire to tear the house down, rather enhance the character of the home while remodeling and adding to it to create a more appropriate home for a family. The Owner is a long time resident of Los Gatos, and has owned 3 homes over the past 25+ years in Los Gatos, on Chestnut Avenue. They have a love for old homes, and wish to preserve the character and charm of their neighborhood. Their diligence and patience in proceeding through an intensive Planning and HPC review process reflects this. A summary of their commitment to the process and tenacity to do what is right for their home is as follows:

Timeline + Submittals

October 2017 –Preliminary review with HPC, requesting a recommendation for a second story addition to a pre-1941 single-family residence zones R-1:12

Initial concerns were with bulk + mass, second story shed at front of house, roof lines, proportions. Comments were addressed with a re-design of the front porch, changing from a shed roof to an open gable, further enhancing the Craftsman style.

November 2017 - Planning submittal (#1), Arch + Site Application

Incorporated feedback from HPC, changed second story shed at front to gable + proportions

December 2017 – Staff Technical Review, requesting approval for a tech demo of an existing pre-1941 single-family residence and construction of a single-family residence. Comments as follows:

- Planning - Proposed project results in the demolition of pre-1941 structure (removal of more than 25% of the wall area facing the public street (Chestnut + Hernandez) and 50% of all exterior wall. Request to demolish requires approval of HPC.
- Engineering - The vehicular ingress/ingress location, currently shown at the corner of Chestnut + Hernandez Ave. intersection will not be permitted. Please relocate.
- Existing accessory Structures in the Town's right-of-way.

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April 2018 - Historical Report Completed

- The house at 16 Chestnut Ave. is listed in the Los Gatos Inventory of Historic Resources and is a Bell Ringer home. It is not eligible for Los Gatos Landmark Status or listing in the California Register of Historical Resources because no significant event or person is associated with the property and while the architecture is pleasant, the house has been enlarged and better examples of Craftsman style exist in Los Gatos.

June 2018 – HCP review, request removal from inventory, request approval for a technical demolition of a pre-1941 single-family residence (not located in historical district).

- PowerPoint document submitted:
- Historical Report Summary
- Town of LG Code of Ordinance
- Site Constraints
- Tech Demo Analyses + Diagrams
- Driveway Diagrams
- HPC Issues/Concerns
- Floor Plan Comparison
- Renderings
- Letter of Justification
- Historical Report
- Photos of Existing Residence + Adjacent Homes/Neighborhood

July 2018 – HPC recommends approval for a tech demo

September 2018 – Planning submittal (#2), Arch + Site Application

October 2018 – Staff Technical Review, requesting approval for demolition of a single-family residence, and construction of a new single-family residence. Comments and concerns as follows:

- Town Consulting Architect –The home is very well designed in an identifiable traditional style in keeping with the immediate neighborhood. No recommendations for change.
- Town Consulting Arborist - Request for additional information + clarification.

December 2018 – Planning submittal (#3), Arch + Site Application

January/February 2019 – Addendum to letter of justification + exhibits (driveway study by civil engineer) + updated arborist report + addendum

March 2019 – Planning submittal (#4), Arch + Site Application

March 2019 – Staff Technical Review

May 2019 – Approved with conditions, currently appealing driveway re-location condition only.



Ultimately the home incurred a technical demo after significant work and efforts to comply with the tech demo policy on a pre-1941 home, which required the more stringent historical interpretation of the policy (25% threshold versus 50% for removal). While the original portion of the home was indeed Craftsman in style, there had been significant additions and improvements over time that were neither historical nor cohesive with the original home. The home also had some inconsistent details for its designated style, and the HPC did not consider the home to be a good example of the period. Many iterations were worked on collaboratively with the HPC to attempt to navigate the demo policy as well as modify the home to be more reflective of the Craftsman designation, all while maintaining current building codes such as egress in bedrooms, etc. Discussions with the HPC concluded that the home should be removed from the register and a request for a technical demo would result. Both the HPC and the Owner determined it was better to “re-build” the home rather than search for an elusive solution that satisfied technicalities on demo.

At subsequent DRC Tech Reviews, with the architecture and design of the home no longer in question, focus turned towards comments related to re-locating the driveway per Public Works comments. The civil engineer produced many studies on how to best manage the existing driveway, the existing ADU, and the existing oak tree, as well as keep the overall architecture and footprint of the re-build true to the decisions made at HPC. The attached driveway studies show the placement of the driveway moved to comply with the PW comments, and their respective negative results.

Diagram DS1-A (Driveway 50-feet from intersection, along Chestnut Ave.)

1. The relocated, 16-foot wide, driveway is at 50-feet from intersection (Chestnut Ave. + Hernandez).
2. Driveway is approximately 11-feet from drip line of existing tree #3 (Oak).
3. Approach to garage requires two (2), sharp, 90-degree turns in a short distance that is uncomfortable for driver.
4. Due to the location of driveway and required turning radiuses, the driveway encroaches over the root ball of tree #6 (Oak).
5. Shifting driveway to the left (or Westward) would reduce and not allow for practical turning radiuses (see DS1-C).
6. Driveway entrance along Chestnut Ave. would break the continuous landscaping that provides privacy to the home (which has three (3) street facing sides).
7. Aside from the entry/front porch walkway, there is no hardscaping/break along Chestnut Ave., which provide privacy for the homeowners.
8. The existing driveway allows for an easy, comfortable approach to the attached garage, and allows for unobstructed, on-site parking.
9. The current driveway maintains existing landscaping along the front of the house (Chestnut Ave), which the homeowners want to maintain.
10. The West side yard is the only private area of the property - pushing the house and driveway further from the corner would significantly encroach on the homeowners only private space.
11. The side yard was originally +/-52-feet wide and the proposed side yard ranges from 47-53-feet.
12. The proposed residence has been rotated approximately 4-degrees to improve the turning radius and access to new attached garage. This helps reduce grading and provide better vehicular access and turning radiuses.

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13. The garage location and proposed grading has been designed for minimal cut/disturbance around existing tree #6 (Oak). Preservation of this tree is significant to the homeowner to protect their privacy.
14. The current driveway/pavement will remain during construction to protect the tree and will be replaced with pervious pavers at approximately the same grade.

Diagram DS1-B (Driveway 50-feet from intersection, along Hernandez)

1. Is not a viable option.
2. Imposes significant cut/grading.
3. The driveway entrance would be near the narrowing section of Hernandez, creating a site distance and visibility problem for ingress/egress for both homeowner and Hernandez traffic.
4. This section of Hernandez has high traffic volume in the summer and weekends, or when Highway 17 is closed for an accident. Due to current traffic patterns, this street has incurred significant traffic jams and a much higher volume of traffic.

Diagram DS1-C

1. The driveway creates a tight and nearly impossible turn around the existing tree #6 (Oak).
2. This location creates a difficult U-turn upon entering driveway and new garage.
3. Cars would encroach on the roots of the existing tree #6 (Oak). The arborist does not approve of this, and suggests that it would kill the tree.
4. Shifting the driveway further to the left (or Westward) would make the driveway approach an acute angle (less than 90-degrees) and require the existing tree #3 (Oak) and joint power pole to be removed.

In an effort to not have the negative affects listed above, the house was re-sited by the civil to ease the driveway conditions. We also looked at pushing the home back further along the Chestnut axis, and this resulted in a significantly reduced rear / side yard. This is the only way portion of the property that allows some form of privacy for the Owner, and was therefor not a good option. The intent to re-build the house, rather than re-design it in its entirety would be lost, and efforts and design decisions made along the course of the lengthy process to maintain the character of the home would be gone. This was not the intent of the project from the start.

Also included are additional images of the existing driveway, as well as others at the “intersection” of Hernandez and Chestnut. Please note that immediate surrounding neighbors have the same or similar driveways, addressing the intersection at angles and locations not necessarily in keeping with the PW’s “Street Design Standards”. While we understand that these are a guideline and standard, they are not a code, and respectively request to maintain our current configuration which not only protects the oak, but preserves the integrity of the neighborhood and conforms with the design guidelines about maintaining the character of the neighborhood. Also, the current driveway conforms with another PW standard as follows: Section 2 – Street Design Standards; 2.19 Location of Access Points:

- A. Access points shall be aligned wherever possible with existing access points on the opposite side of the street. If this is not possible, a separation between the nearest edges of such opposite access point shall conform to Section 2.20 and Section 2.21.



Our driveway access point aligns with others across the street(s). Keeping the driveway where it is is also not a life safety issue. Please see the attached letters and signatures from neighbors who believe

moving the location would present more significant issues surrounding this both for themselves and the Owner. The neighborhood also wants to preserve the charm and feel as well.

In conclusion, many options for both the location and placement of the driveway, driveway access, and garage/house placement have been considered with this application. Maintaining the existing driveway as shown is the most viable option for multiple reasons:

- The existing driveway maintains an access that is currently familiar, safe, easy and practical.
- The existing driveway is consistent with the immediate neighborhood.
- The existing driveway has minimal impact on the existing tree #6 (Oak), as well as the other significant trees on the property.
- It limits extra paving and/or grading that would otherwise be required to provide adequate access and turning radiuses.
- It maintains the existing character and intent of the architectural plans to re-build a Craftsman home of equal or greater caliber than the existing home.

The homeowners have always desired to maintain the character of the neighborhood and property. Keeping the existing driveway with minor modifications helps accomplish this, both architecturally as well as maintaining the significant oak tree.

Warm Regards,

Bess Wiersema
Principal + Owner, studio3 design, inc.



NO.	DATE	DESCRIPTION
1	11/15/18	ISSUED FOR PERMITS
2	11/15/18	ISSUED FOR PERMITS
3	11/15/18	ISSUED FOR PERMITS
4	11/15/18	ISSUED FOR PERMITS
5	11/15/18	ISSUED FOR PERMITS
6	11/15/18	ISSUED FOR PERMITS
7	11/15/18	ISSUED FOR PERMITS
8	11/15/18	ISSUED FOR PERMITS
9	11/15/18	ISSUED FOR PERMITS
10	11/15/18	ISSUED FOR PERMITS

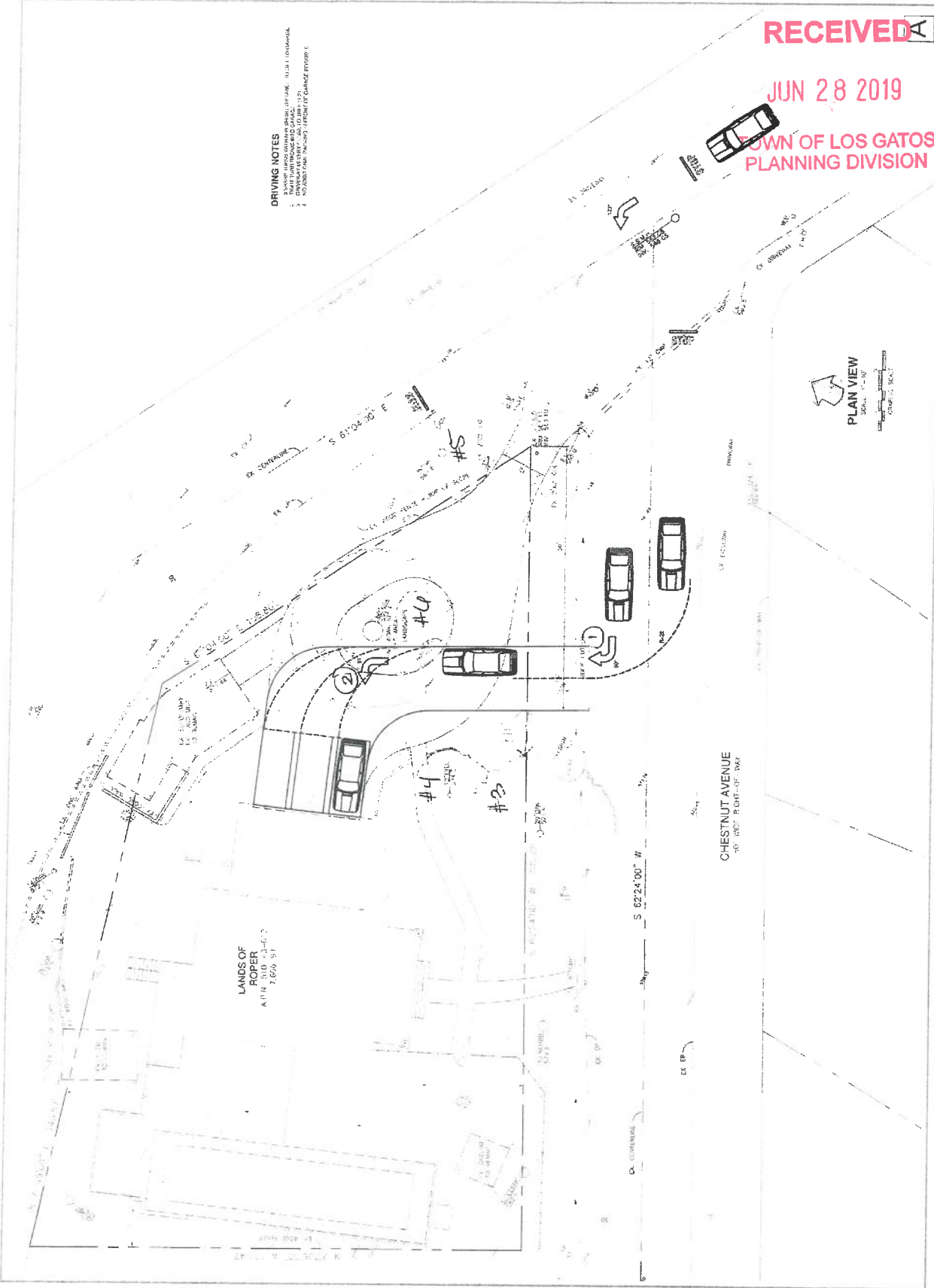
DRIVEWAY STUDY A
 LANDS OF ROPER
 PEOPLES ASSOCIATES
 STRUCTURAL ENGINEERS
 16045-121
 PS1
 OF

RECEIVED

JUN 28 2019

TOWN OF LOS GATOS
 PLANNING DIVISION

DRIVING NOTES
 1. DRIVEWAY STUDY A
 2. DRIVEWAY STUDY B
 3. DRIVEWAY STUDY C
 4. DRIVEWAY STUDY D
 5. DRIVEWAY STUDY E
 6. DRIVEWAY STUDY F
 7. DRIVEWAY STUDY G
 8. DRIVEWAY STUDY H
 9. DRIVEWAY STUDY I
 10. DRIVEWAY STUDY J





PEOPLES ASSOCIATES
STRUCTURAL ENGINEERS

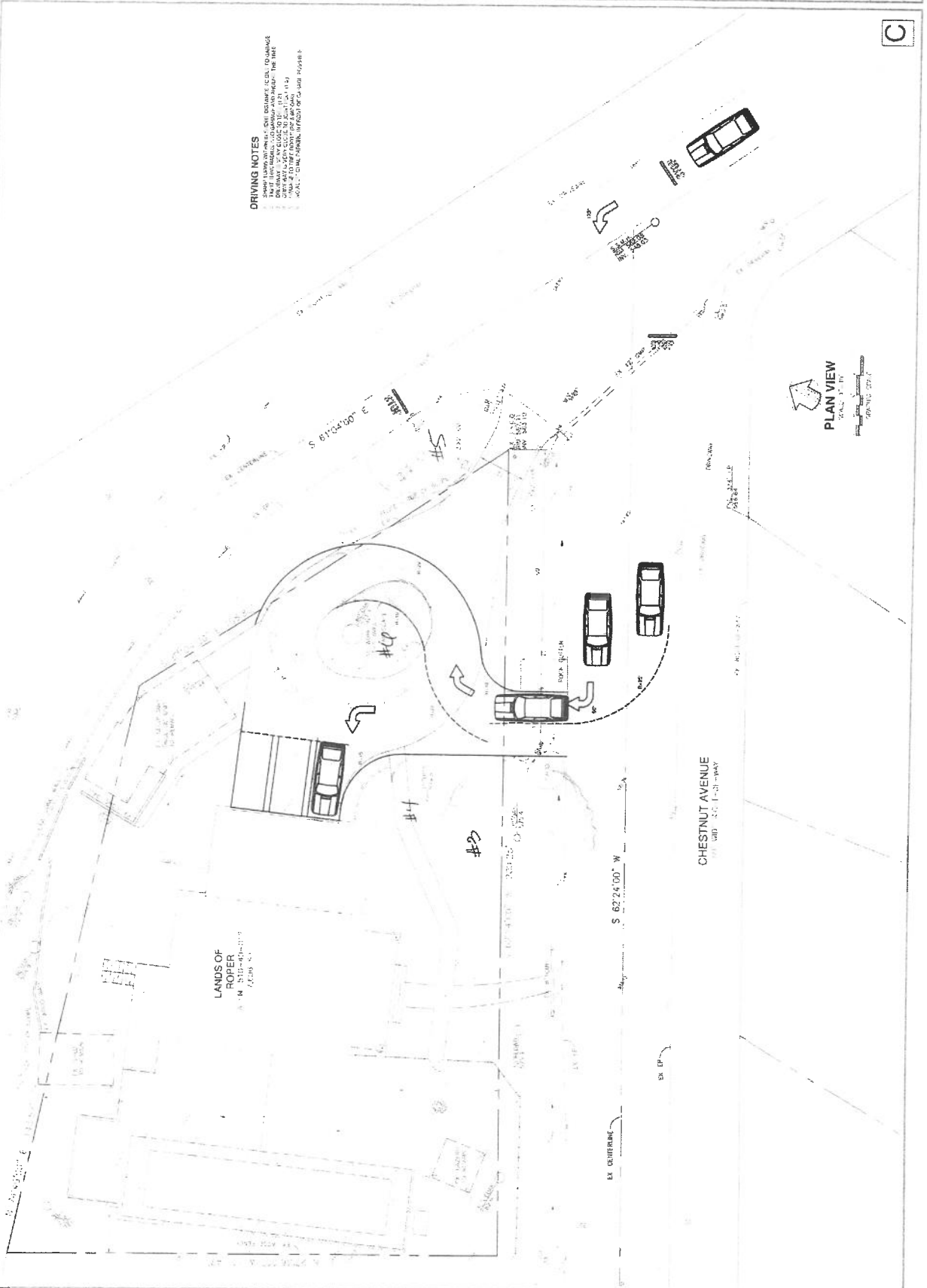
DRIVEWAY STUDY B
LANUS OF PROPER

DS1
18046-TC1

B

DRIVING NOTES
DATE: 01/11/11
DRAWN BY: J. GARDNER
CHECKED BY: J. GARDNER
PROJECT: LANUS OF PROPER
SHEET: DS1
18046-TC1





DRIVEWAY DIAGRAM (I)

(VIEWS FROM INTERSECTION TO NEIGHBORING DRIVEWAYS)



200 HERNANDEZ



134 HERNANDEZ



155 HERNANDEZ



16 CHESTNUT AVE.



155 HERNANDEZ

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 JUN 28 2019
 TOWN OF LOS GATOS
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10 CHESTNUT AVE.



200 HERNANDEZ



134 HERNANDEZ



155 HERNANDEZ



ISS HERNANDEZ

DRIVEWAY DIAGRAM (#)

(VIEWS TOWARDS INTERSECTION OF CHESTNUT AVE. + HERNANDEZ AVE.)

VIEW(A)



16 CHESTNUT AVE.



VIEW(C)



VIEW(B)

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JUN 28 2019
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PLANNING DIVISION



VIEW(A)



VIEW (B)



VIEW(C)

CURRENT DRIVEWAY ENTRANCE

(Note: Easily visible as different from public roads)



16 CHESTNUT AVE.





CURRENT DRIVEWAY ENTRANCE



HISTORICAL COLUMNS DEFINE DRIVEWAY VISUALLY + CREATE SEPARATION FROM PUBLIC TRAFFIC PATTERN



NOTE, DRIVEWAY ENTRANCE IS PULLED AHEAD OF STOP SIGN WHICH ALLOWS FOR VISUAL CLEARANCE



DRIVEWAY DIAGRAM



Proposed location of relocated driveway entrance along Chestnut Ave. (Per Town Engineering Design Standards)

Issues with Town Proposal:

- Grade change create complex driveway access
- Curb + Gutter detail at street, affecting existing street drainage
- Impacts existing landscaping
- Proposed driveway in close proximity to existing mature oak tree
- Moving driveway allows for new landscaping at corner creating potential visibility issues for traffic at corner



16 Chestnut Ave.

Architecture and Site Application S-17-047

Neighborhood Petition of Support

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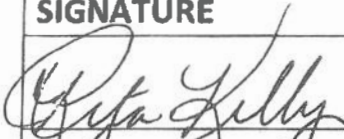
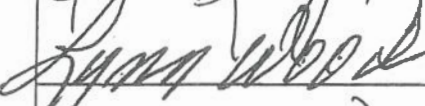

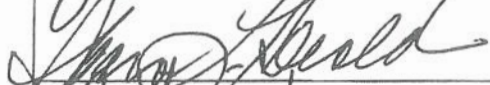
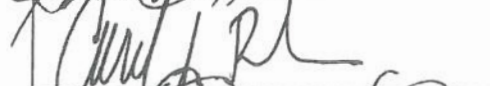




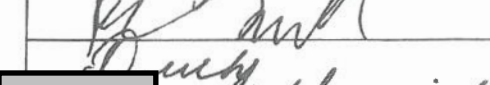
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**TOWN OF LOS GATOS
PLANNING DIVISION**

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

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SIGNATURE	PRINT NAME	ADDRESS
	Rita Kelly	9 Chestnut Ave LG
	Lynn Wood	200 Hernandez Ave
	James E. Wood	202 Hernandez St
	SHARON L. HERALD	155 HERNANDEZ AVE
	Carol S. Braham	151 Hernandez Ave. LG.
	shannonburnett	54 Hernandez Ave
	GREGORY BURNETT	54 HERNANDEZ AVE
	JANE JONES	58 ELLENWOOD AVE
	Kerry Sullivan	207 Belmont Ave
	MARIE GRUBILL	315 Pennsylvania Ave

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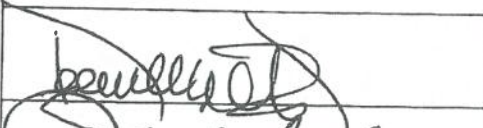
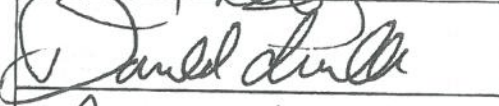
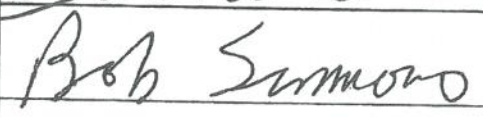



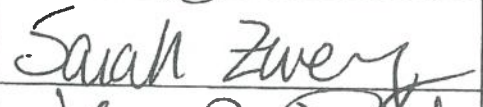
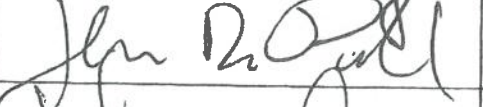


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SIGNATURE	PRINT NAME	ADDRESS
	DAVID KELLY	9 Chestnut Ave
	Don Imwalle	21 Chestnut Ave
	BOB SIMMONS	29 Chestnut Ave
	BAHAR FATERI	15 CHESTNUT AVE
	BEN VERWER	15 CHESTNUT AVE
	Chiron Blanton	600 Pennsylvania Ave #260
	Sarah Zweng	36 Glen Ridge Ave
	John Pirkel	66 Ellenwood Ave
	Leesa Gidaro	100 Creffield Heights
	Benjamin Nino	217

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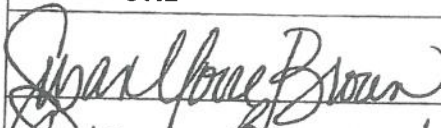

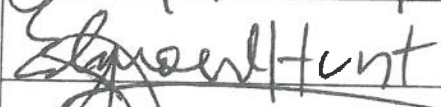


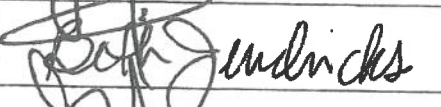


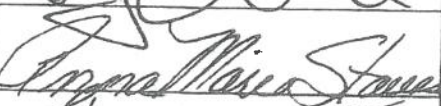
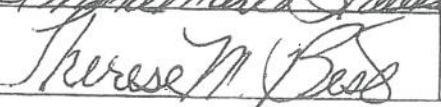
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SIGNATURE	PRINT NAME	ADDRESS
	Susan Moore Brown	51 Ellenwood Ave
	Susan Burnett	85 ELLENWOOD Ave
	Edmond Hunt	347 Massol Ave. 604
	STEPHEN LEWIS	3660a RIDGE AVE
	KIANFAK KIANIAN	16251 DEODAR LN
	Beth Jendricks	119 Hernandez Ave
	GERARD USHER	18151 OVERLOOK RD
	Mahey O'CONNELL	18151 Overlook Rd.
	ANNA MARIE SPASS	20 Chestnut
	THERESE BEST	20 Chestnut

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PLANNING DIVISION

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SIGNATURE	PRINT NAME	ADDRESS
	DAVID STONESIFER	18000 OVERLOOK RD A.G. 95030
	Jean Leeming	18420 Hernandez Ave Monte Sereno, CA 95
	Charlie Leeming	18420 Hernandez Ave Monte Sereno, CA 95033
	JON LAMBERT	61 Ellenwood Avenue Los Gatos, CA 95030
	Shelley D. Spray	20 Hernandez Ave #6.
	Anne Kiernan	2 Pennsylvania Ave Los Gatos, CA
	Lilo Campeau	59 Hernandez Ave, Los Gatos, CA 95030
	Aya Singh	48 Chestnut Ave. Los Gatos, CA 95030
	Margo Simmons	29 Chestnut Ave. Los Gatos 95030
	Cristy Godshall	134 Hernandez Ave 4/1

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SIGNATURE	PRINT NAME	ADDRESS
	DOUG EVANS	120 GRIFFITH PL LOS GATOS, CA 95032
	JOAN EVANS	120 GRIFFITH PL LOS GATOS, CA 95030
	MIKE YURUCKO	63 FAIRVIEW PL LOS GATOS CA 95030
	DEW REID	16912 SPENCER Ave. LG 95032

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SIGNATURE	PRINT NAME	ADDRESS
	NOEL WARNER	50 Chestnut Ave Los Gatos
	MARIA RAMIREZ	73 ELLIOTT ROAD LOS GATOS

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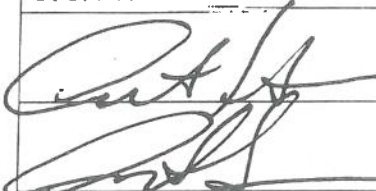

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SIGNATURE	PRINT NAME	ADDRESS
	Annette Seaborn	219 Alexander Ave
	'' ''	235 Alexander Ave

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PROJECT INFORMATION SHEET
Engineering Division
July 1, 2019

**ITEM: 16 Chestnut Avenue; APN: 510-40-012
Architecture and Site Application S-17-047**

Requesting approval for demolition of an existing pre-1941 single-family residence and construction of a single-family residence on property zoned R-1:12.

PROPERTY OWNER: Kim Roper

APPLICANT: Bess Wiersema, Studio 3 Design

Q: Why has the applicant appealed the approval granted by the Development Review Committee?

A: The applicant and the property owners have appealed the approval with the request to remove Condition of Approval 59:

DRIVEWAY APPROACH: The Owner or Applicant shall install one (1) Town standard residential driveway approach. The driveway shall meet the Town's Engineering Design Standards and be located a minimum of 50 feet from an intersection corner per Section 2.21. 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.

This Condition specifically references the Town's Engineering Standards. Section 2.21A of said document reads:

Corner clearances from access points for all uses fronting a non-arterial or non-collector road shall be a minimum of 50 feet.

With the construction of the proposed new single-family residence, the applicant and property owners desire to keep the existing driveway in its current location at the southwestern corner of the intersection of Chestnut and Hernandez Avenues with property frontage along Chestnut Avenue with the dimension of approximately 200 feet.

Q: Why should the new driveway be constructed in the location identified in Condition of Approval 59?

A: The Town's Engineering Design Standards are developed to meet standard engineering practice regarding safety. Intersection corners are an extension of legal crosswalks as indicated in the Vehicle Code, and, as a result, pedestrians use intersection corners in order to cross streets. An intersection corner is typically reserved for pedestrian access and ADA ramps. It should not be occupied by a driveway and used for vehicle access. A driver backing out of the driveway at an intersection corner is likely to have blind view of pedestrians and turning vehicles at said intersection. Placing, or, in this case, allowing a driveway to remain at an intersection corner could create conflicts and unsafe conditions



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PARKS AND PUBLIC WORKS**

for both pedestrians and vehicles. In addition, a vehicle backing out of a driveway at an intersection corner would need to back up into and subsequently make a 3- point turn in the middle of the intersection, with a blind view of intersection traffic and pedestrians. Standard engineering practice does not allow this due to safety concerns.

Additionally, the existing conditions, foliage and geometry of the intersection create a safety concern for vehicles exiting the driveway headfirst in the attempt to see oncoming eastbound Hernandez Avenue traffic.

The appellant mentions in their letter of justification that the relocation of the driveway “will negatively impact the existing Oak and alter the existing grade, which would require the existing Oak to be removed.”

It should be noted that the Town Consulting Arborist Recommendations, included on page T-1 of the project plans, states “All paver installation within 50 feet should be above the existing soil surface with only minor

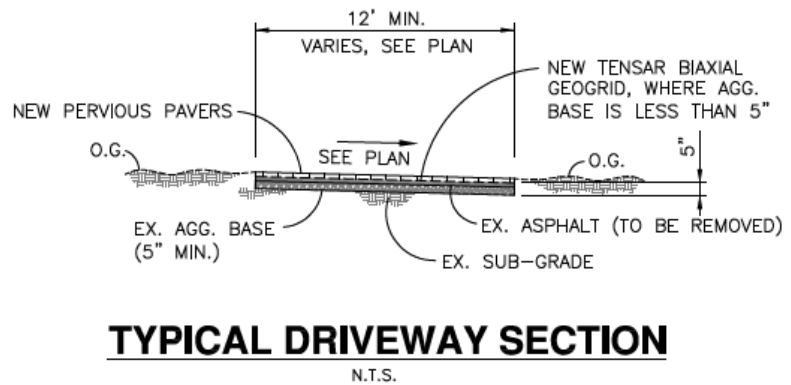


Figure 2: driveway section detail as included on sheet C6 of the project plans

scarification to even out the grade under the existing asphalt.”

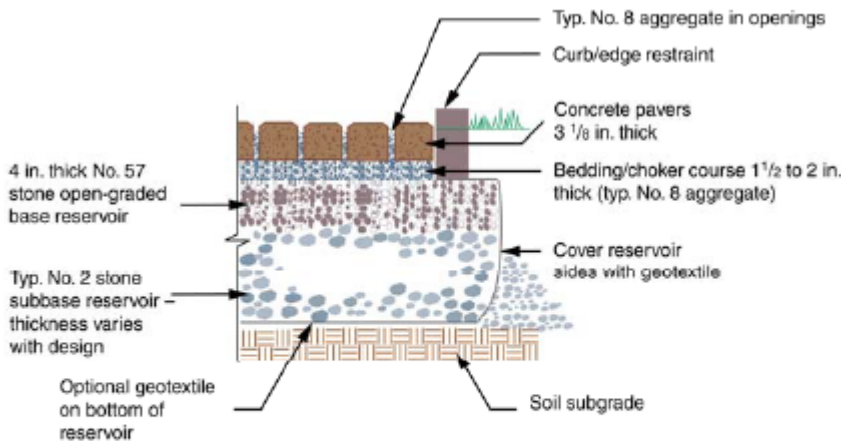


Figure 6-37. Typical Permeable Interlocking Concrete Paverment
 Note: ASTM No. 3 or 4 stone may be substituted for No. 2 stone.
 Note: ASTM No. 89 or 9 stone may be used in the paver openings.
 (Source: Interlocking Concrete Pavement Institute)

Figure 3: Typical permeable paver detail. (C.3 Stormwater Handbook, Santa Clara Valley Urban Runoff Pollution Prevention Program, 2016)

scarification to even out the grade under the existing asphalt.” The plans propose permeable pavers in the location of the existing asphalt, which require specific subbase materials in order to allow infiltration of stormwater into soils, which contrasts with the existing aggregate base as referenced in the project plans on sheet C6 (see Figure 2 above and Figure 3 at left).

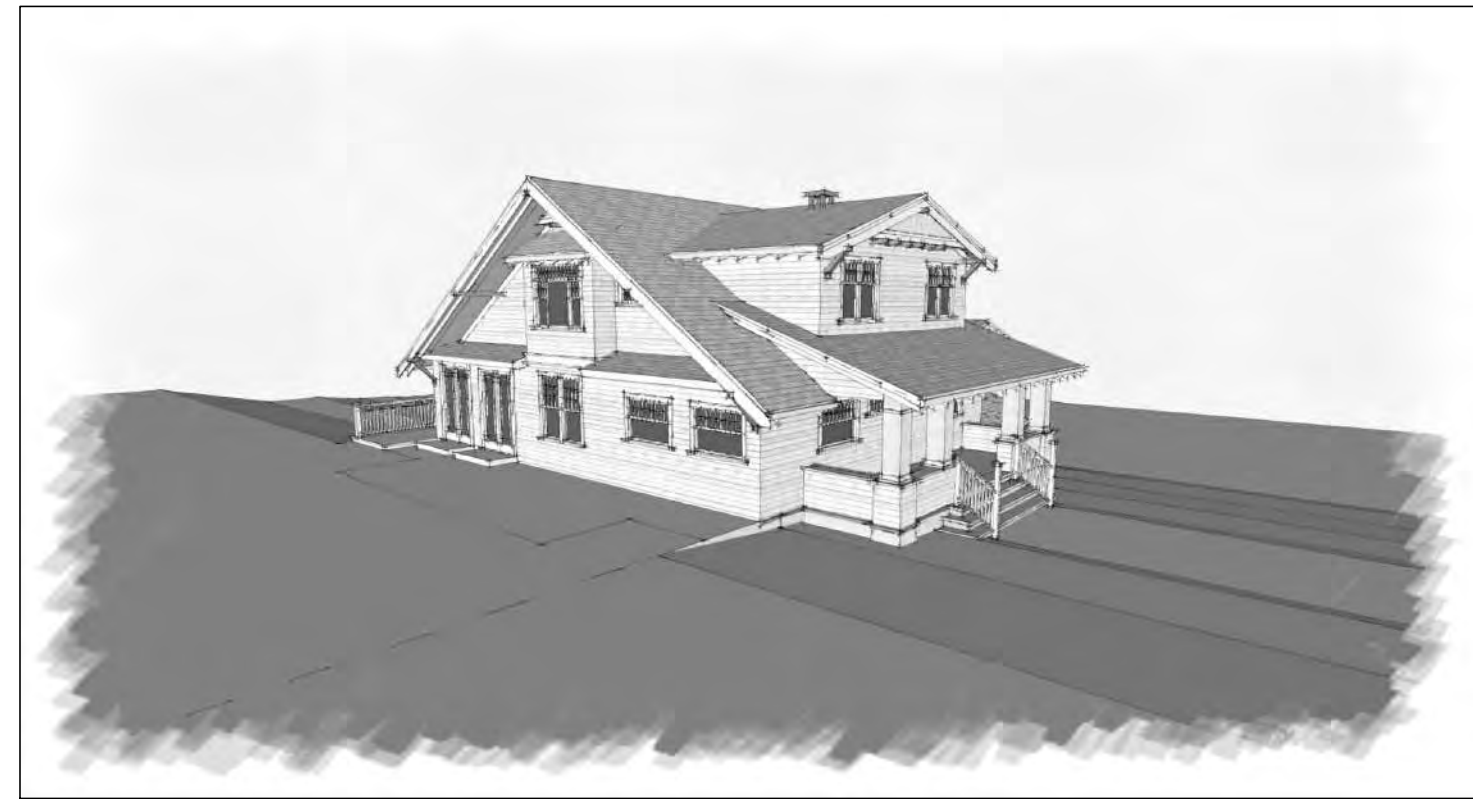
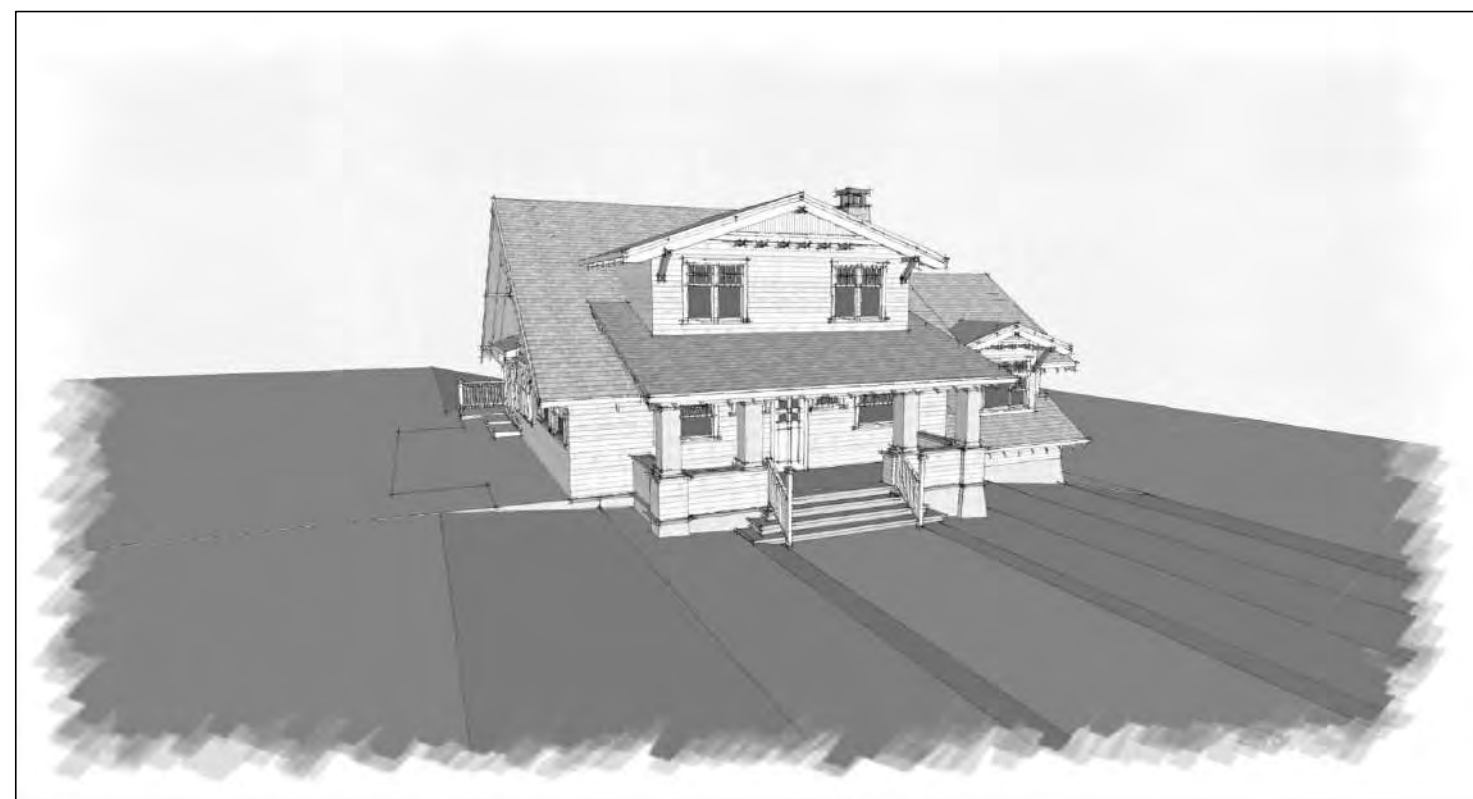
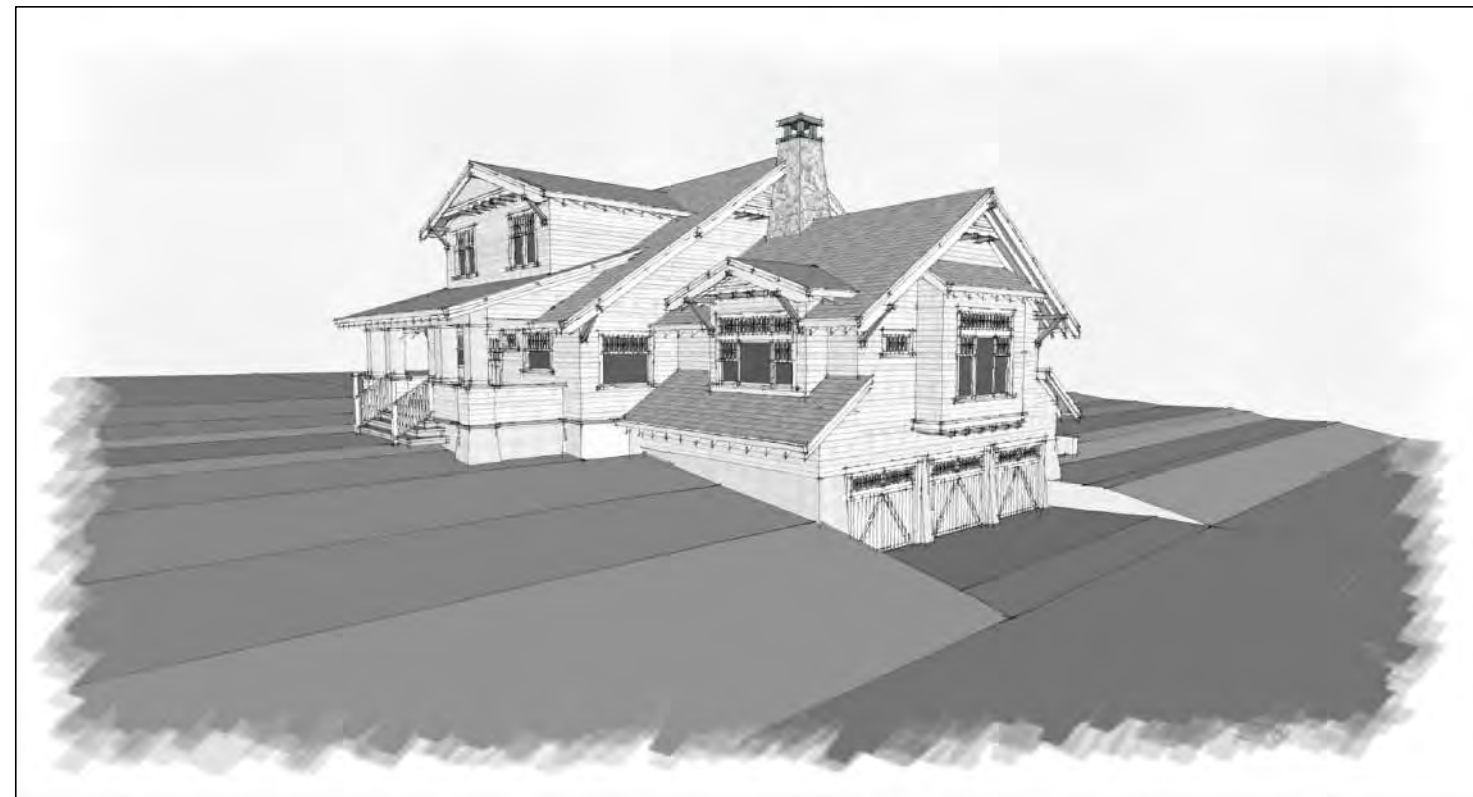


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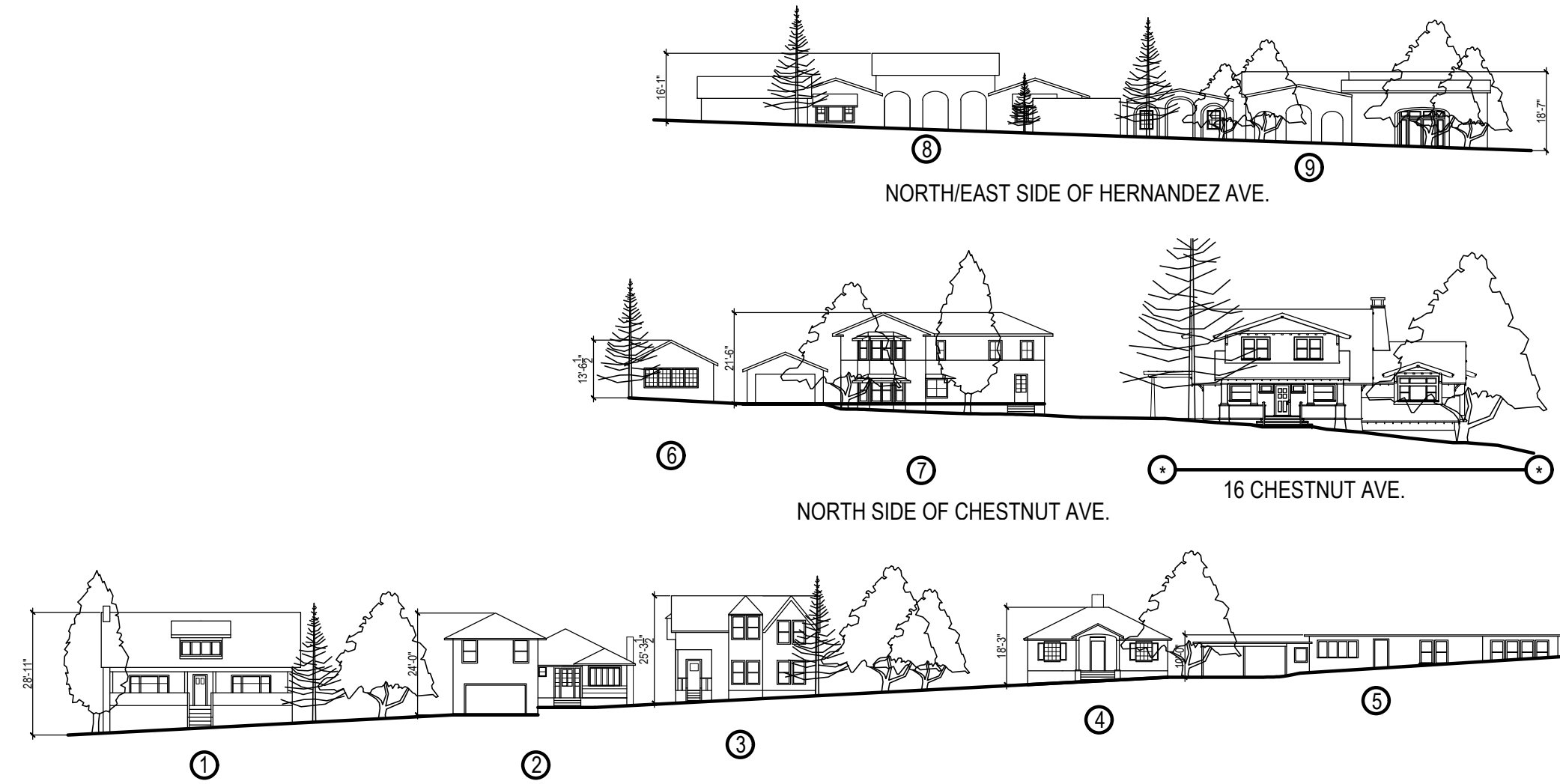
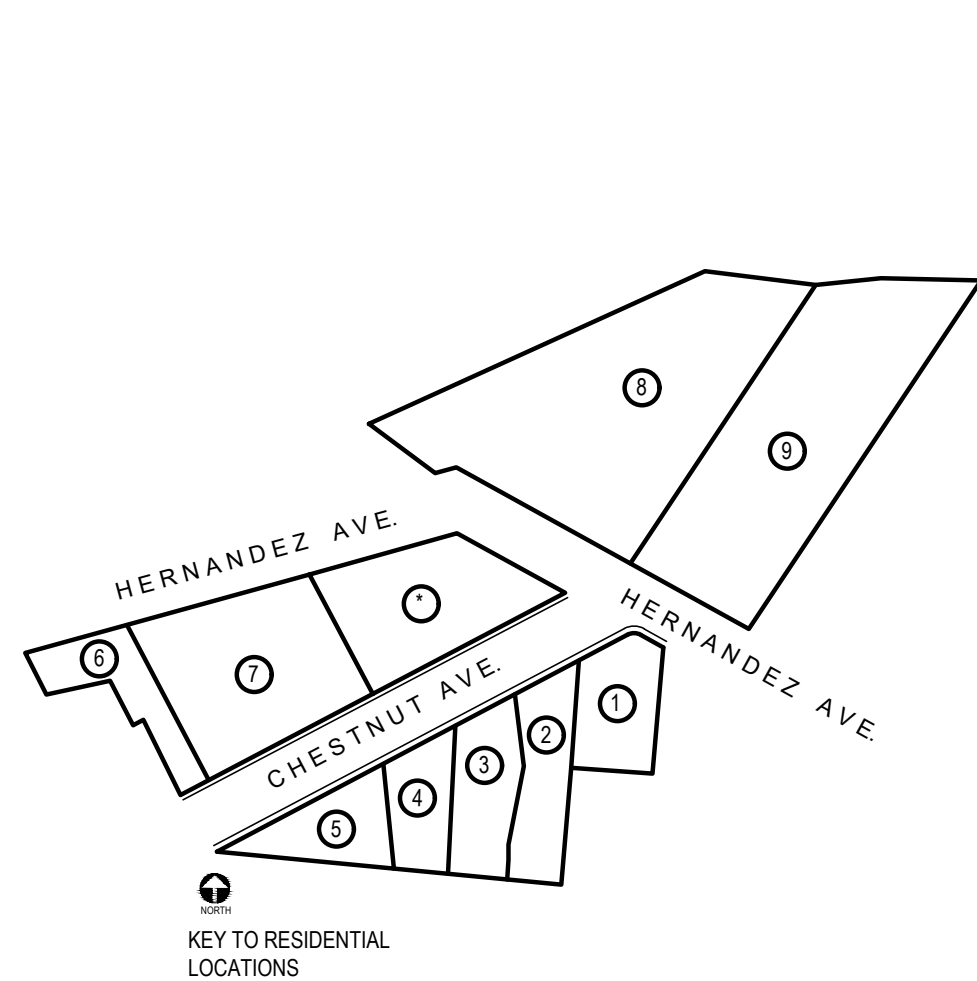
Lastly, per Condition of Approval 34, all public improvements, including the driveway approach, shall be made according to the latest adopted Town Standard Plans, Standard Specifications and Engineering Design Standards.

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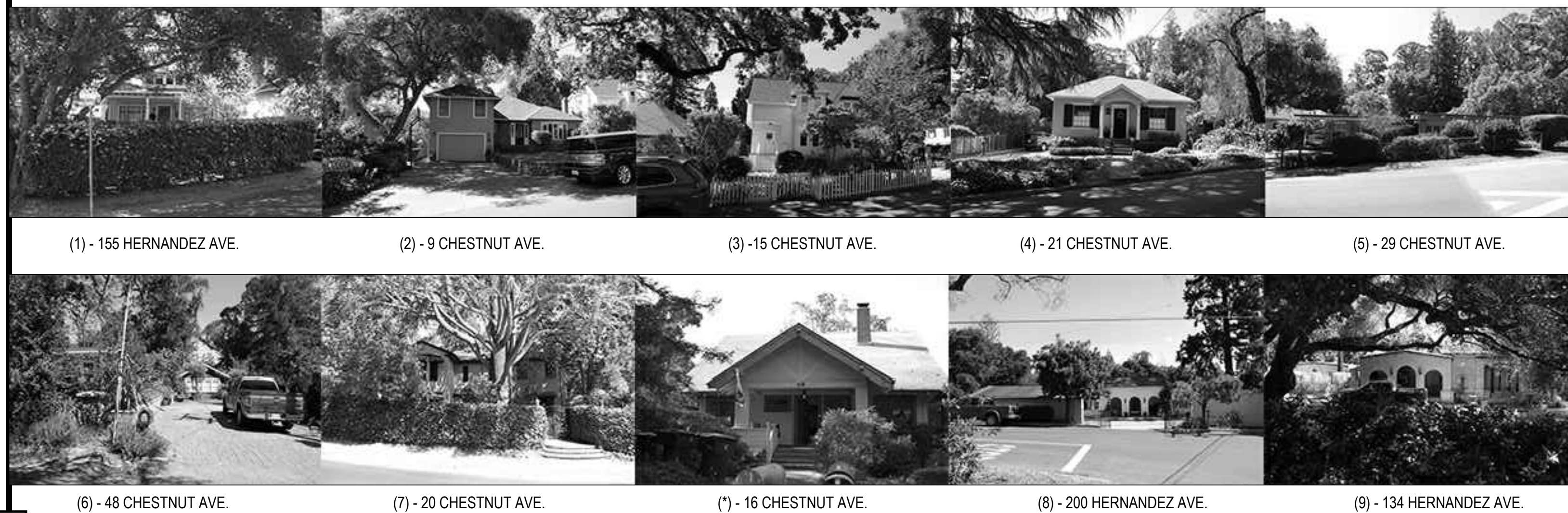
3D RENDERINGS



NEIGHBORHOOD STREETScape



STREET SCAPE



PROJECT DATA

PROJECT ADDRESS: 16 CHESTNUT AVENUE
A.P.N. : 510-40-012

LOT AREA: ±17,606 SF (per County Records)
AVERAGE SLOPE: 8.11%
YEAR BUILT: 1910
ZONING: R-1:12
OCCUPANCY: R3 (SINGLE FAMILY DWELLING) / U (UTILITY)
CONSTRUCT TYPE: V-B
HISTORIC SITE: NO
FLOOD ZONE: D
WUII: YES, WILDLAND URBAN INTERFACE

SETBACKS

	ALLOWED	EXISTING	PROPOSED
FRONT:	25'-0"	±25'-6"	±25'-0"
INTERIOR SIDE:	10'-0"	±5'	±49'-6"
STREET SIDE:	15'	±49' / 25'	±25'-6" / 31'-6"
REAR:	20'-0"	N/A	N/A

BUILDING HEIGHT

	ALLOWED	EXISTING	PROPOSED
MAIN RESIDENCE:	30'-0"	±28'-0"	VARIES, SLOPED (30' MAX.)

FLOOR AREA RATIO (F.A.R.) CALCULATION Where A = 17,606 SF / 1000 = 17.6
 Properties with ADA units are allowed an additional 10% in FAR standards, excluding garages.
 The allowable FAR formula will increase from (.35) to (.45). Allowed ADU = 1,200 SF

HOUSE = $.35 - \left(\frac{[A - 5]}{25} \right) \times .2 = .35 - (.50 \times .2) = .35 - (.10) = .250$
 = $.250 \times 17,606 \text{ SF} = 4,440 \text{ SF}$

ADU = $.45 - \left(\frac{[A - 5]}{25} \right) \times .2 = .45 - (.50 \times .2) = .45 - (.10) = .350$
 = $.350 \times 17,606 \text{ SF} = 6,162 - 4,440 = 1,722 \text{ SF}$, **Max Allowed = 1,200 SF**

GARAGE = $.10 - \left(\frac{[A - 5]}{25} \right) \times .07 = .10 - (.58 \times .07) = .10 - (.041) = .059$
 = $.059 \times 19,494 \text{ SF} = 1,158 \text{ SF}$

SQUARE FOOTAGE	ALLOWED	EXISTING	PROPOSED
HABITABLE HOUSE:			
FIRST FLOOR:		1,771 SF	2,373 SF
SECOND FLOOR:		802 SF	1,293 SF
ATTIC AREA 0/5-FEET			63 SF
TOTAL	4,440 SF	2,573 SF	3,729 SF

ADU/GUEST HOUSE			
1ST FLOOR		575 SF	575 SF
2ND FLOOR		247 SF	247 SF
TOTAL	1,200 SF	822 SF	822 SF (NO CHANGE)

ACCESSORY STRUCTURES:	ALLOWED	EXISTING	PROPOSED
GREEN HOUSE		84 SF	N/A, DEMOLISHED
SHED		232 SF	232 SF
CHICKEN COOP		130 SF	N/A, DEMOLISHED
TOTAL		446 SF	232 SF

ATTACHED GARAGE:	1,158 SF	N/A	773 SF
BASEMENT:			
BELOW GRADE: (EXEMPT FROM FAR)		876 SF	1,706 SF

BUILDING COVERAGE	ALLOWED	EXISTING	PROPOSED
(40% MAX = 0.40 X 17,606) =	7,042 SF		
HABITABLE HOUSE:		1,771 SF	2,373 SF
ATTACHED GARAGE:		N/A	773 SF
ADU/GUEST HOUSE:		575 SF	575 SF
GREEN HOUSE:		84 SF	N/A
SHED:		232 SF	232 SF
CHICK COOP:		130 SF	N/A
TOTAL	7,042 SF	2,792 SF	3,953 SF

SITE COVERAGE	ALLOWED	EXISTING	PROPOSED
(40% MAX = 0.40 X 19,494) =	7,042 SF		
HABITABLE HOUSE:		1,771 SF	2,373 SF
ATTACHED GARAGE:		N/A	773 SF
ADU/GUEST HOUSE:		575 SF	575 SF
FRONT PORCH:		139 SF	248 SF
LIGHTWELL:		N/A	232 SF
GREEN HOUSE:		84 SF	N/A
SHED:		232 SF	232 SF
CHICK COOP:		130 SF	N/A
GAZEBO:		107 SF	107 SF
DECK:		324 SF	244 SF
PATIO AREA:		337 SF	349 SF
POOL PATIO:			397 SF
BBQ PATIO:			288 SF
DRIVEWAY:		4,114 SF	PERMIABLE
WALKWAY:		765 SF	PERMIABLE
POOL (SEPARATE PERMIT):			840 SF
TOTAL	7,042 SF	8,578 SF	6,658 SF

PERVIOUS COVERAGE	N/A	4,325 SF**	
IMPERVIOUS AREA COVERAGE	5,540 SF	5,215 SF**	

CUT 652 CUBIC YARDS**
 FILL 110 CUBIC YARDS**
 ** SEE CIVIL DRAWINGS FOR ADDITIONAL INFORMATION

INDEX

- A.1.1 Cover Sheet
- C-1 Topographic Map
- A1.3 Existing Site Plan
- A1.4 Proposed Site Plan
- T-1 Tree Preservation Instruction
- A2.1 Existing Basement Plan (For Reference Only)
- A2.2 Existing First Floor Plan (For Reference Only)
- A2.3 Existing Second Floor Plan (For Reference Only)
- A2.4 Existing Roof Plan (For Reference Only)
- A2.5 Proposed Basement + Garage Plan
- A2.6 Proposed First Floor Plan
- A2.7 Proposed Second Floor Plan
- A2.8 Proposed Roof Plan
- A3.1 Existing + Proposed Exterior Elevations
- A3.2 Existing + Proposed Exterior Elevations
- A3.3 Existing + Proposed Exterior Elevations
- A3.4 Existing + Proposed Exterior Elevations
- A4.1 Proposed Building Sections
- A4.2 Proposed Building Sections

PROJECT INFO.

Owner:
 16 Chestnut Avenue
 Los Gatos, Ca 95030
 PH: (408) 348-3004

Designer:
 Studio 3 Design
 Contact: Bess Wiersema
 bess@studio-three.com
 638 University Ave.
 Los Gatos, California 95032
 ph: (408) 292-3252
 fax: (253) 399-1125

Surveyor:
 C & DC Inc.
 Contact: Velimir Sulic
 5901 Cadiz Drive
 San Jose, CA 95123
 ph: 408.966-0165

Structural (Civil) Engineer:
 Peoples Associates
 Contact: Velimir Sulic
 masonsulic@sbcglobal.net
 1996 Tarob Court
 Milpitas, California 95035
 ph: (408) 957-9220
 fax: (408) 957-9221

Arborist:
 Anderson's Tree Care Specialists
 Contact: Katherine Naegele
 katherine@andersontreecare.com
 P.O. Box 2B
 San Jose, California 95109
 ph: (408) 286-8733
 fax: (408) 281-8733

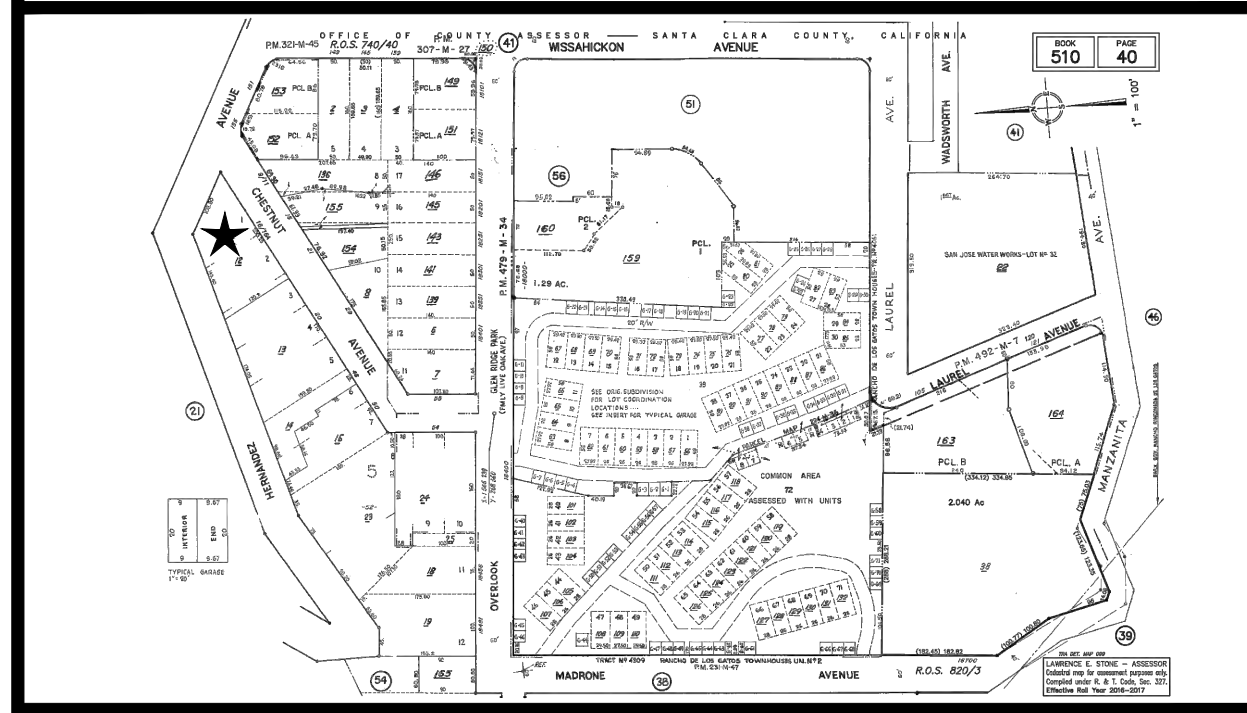
CODES USED

The following codes are currently in effect:
 2016 California Building Code
 2016 California Residential Code
 2016 California Electrical Code
 2016 California Mechanical Code
 2016 California Plumbing Code
 2016 California Energy Code
 2016 California Fire Code
 2016 California Existing Building Code
 2015 International Existing Building Code
 2016 California Green Building Standards - CALGreen

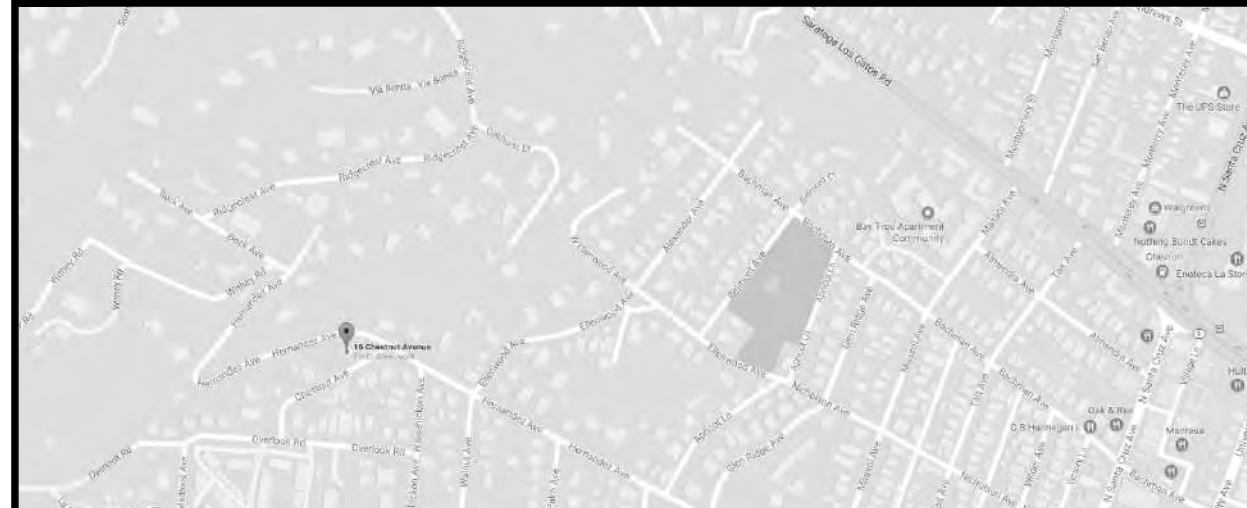
PROJECT DESCRIPTION

This project is for the demolition of an existing (2,573 SF) two-story, single family residence and the construction of a new (3,729 SF) two-story, single family residence. Includes a new (1,706 SF) conditioned basement and attached (773 SF) 3-car garage. The existing (822 SF) two-story, detached, ADU/2nd Dwelling Unit is to remain. There are three accessory structures (shed + green house + chicken coop). The green house + chicken coop will be removed and the shed will remain. Fire Sprinklers required at main house.

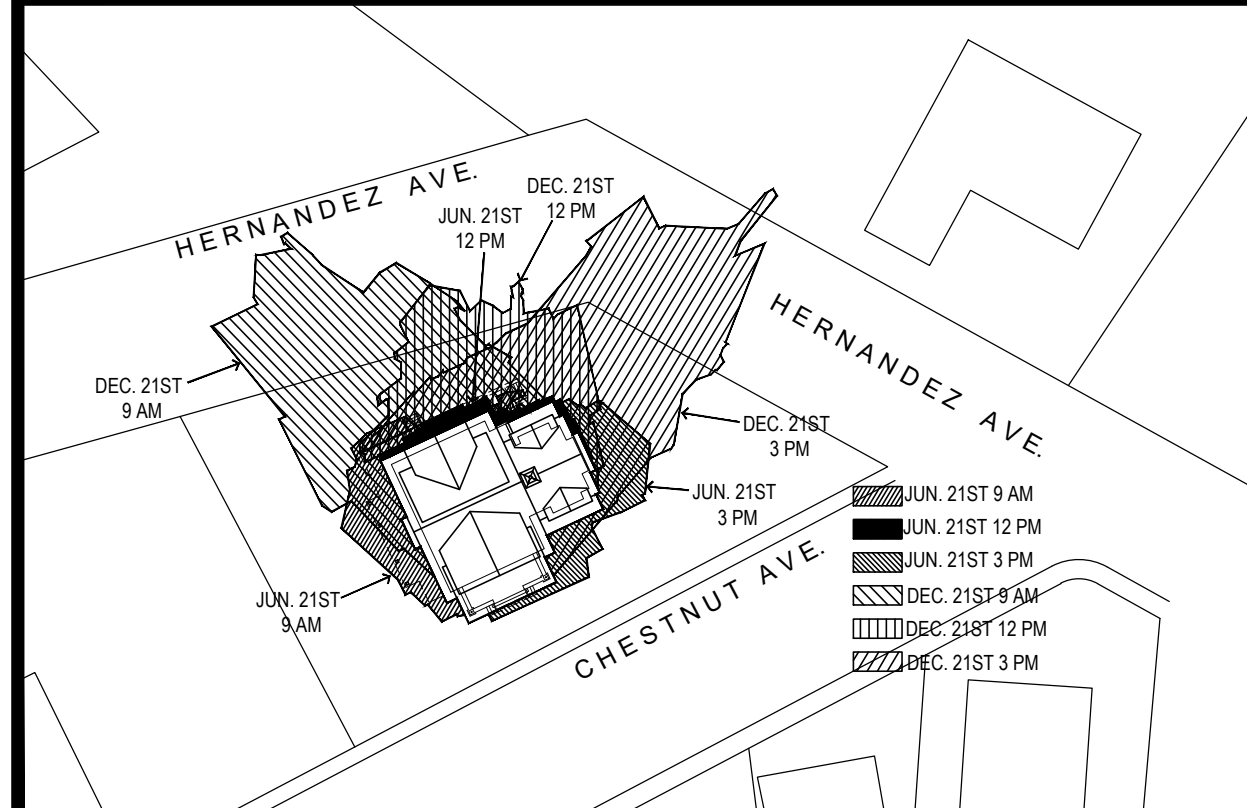
PARCEL MAP



LOCATION MAP



SHADOW STUDY



INTERIORS
 REMODELS +
 ADDITIONS
 NEW CONSTRUCTION

638 UNIVERSITY AVE.
 LOS GATOS
 CALIFORNIA
 95032

T 408.292.3252
 F 253.399.1125

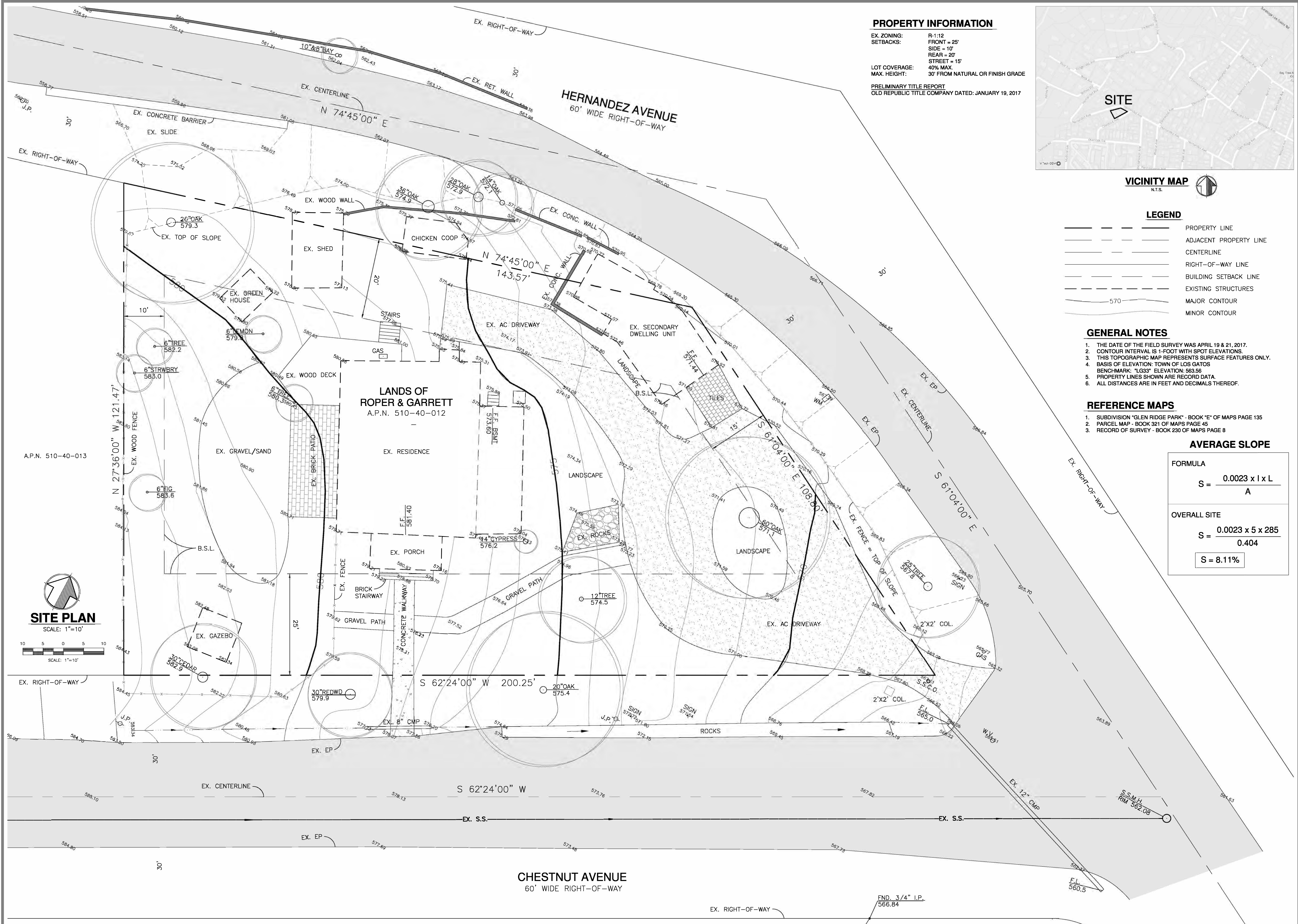
THE CHESTNUT HOUSE
 16 CHESTNUT AVENUE
 LOS GATOS
 CALIFORNIA
 95030

A.P.N. 510-40-012

- 17 APRIL 2017
- 13 OCTOBER 2017
HPC SUBMITTAL
- 30 NOVEMBER 2017
PLANNING SUBMITTAL
- 13 JUNE 2018
HPC SUBMITTAL II
- 12 SEPTEMBER 2018
PLANNING SUBMITTAL II
- 17 DECEMBER 2018
PLANNING SUBMITTAL III
- 29 MARCH 2019
PLANNING SUBMITTAL IV

SCALE: N/A
 COVER SHEET

A1.1
 EXHIBIT 20



PROPERTY INFORMATION
 EX. ZONING: R-1-12
 SETBACKS: FRONT = 25'
 SIDE = 10'
 REAR = 20'
 STREET = 15'
 LOT COVERAGE: 40% MAX.
 MAX. HEIGHT: 30' FROM NATURAL OR FINISH GRADE
 PRELIMINARY TITLE REPORT
 OLD REPUBLIC TITLE COMPANY DATED: JANUARY 19, 2017



VICINITY MAP
 N.T.S.

LEGEND

---	PROPERTY LINE
---	ADJACENT PROPERTY LINE
---	CENTERLINE
---	RIGHT-OF-WAY LINE
---	BUILDING SETBACK LINE
---	EXISTING STRUCTURES
---	MAJOR CONTOUR
---	MINOR CONTOUR

- GENERAL NOTES**
1. THE DATE OF THE FIELD SURVEY WAS APRIL 19 & 21, 2017.
 2. CONTOUR INTERVAL IS 1-FOOT WITH SPOT ELEVATIONS.
 3. THIS TOPOGRAPHIC MAP REPRESENTS SURFACE FEATURES ONLY.
 4. BASIS OF ELEVATION: TOWN OF LOS GATOS
 BENCHMARK: "LG33" ELEVATION: 563.56
 5. PROPERTY LINES SHOWN ARE RECORD DATA.
 6. ALL DISTANCES ARE IN FEET AND DECIMALS THEREOF.

- REFERENCE MAPS**
1. SUBDIVISION "GLEN RIDGE PARK" - BOOK "E" OF MAPS PAGE 135
 2. PARCEL MAP - BOOK 321 OF MAPS PAGE 45
 3. RECORD OF SURVEY - BOOK 230 OF MAPS PAGE 8

AVERAGE SLOPE

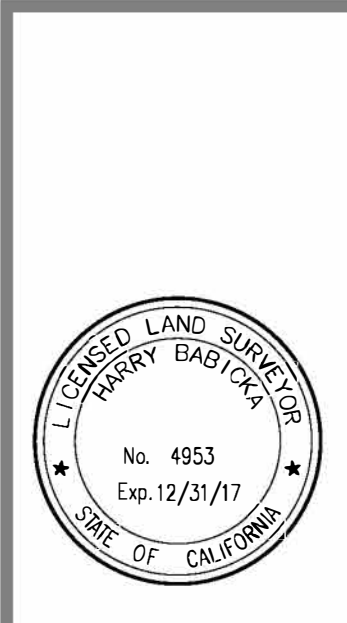
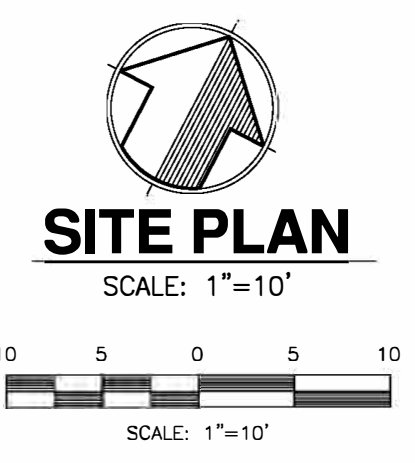
FORMULA

$$S = \frac{0.0023 \times l \times L}{A}$$

OVERALL SITE

$$S = \frac{0.0023 \times 5 \times 285}{0.404}$$

S = 8.11%



DESIGNED BY:	V.S.	DATE	REVISION	DESCRIPTION
		05/17	05/17	RELEASED TO CLIENT & ARCH.

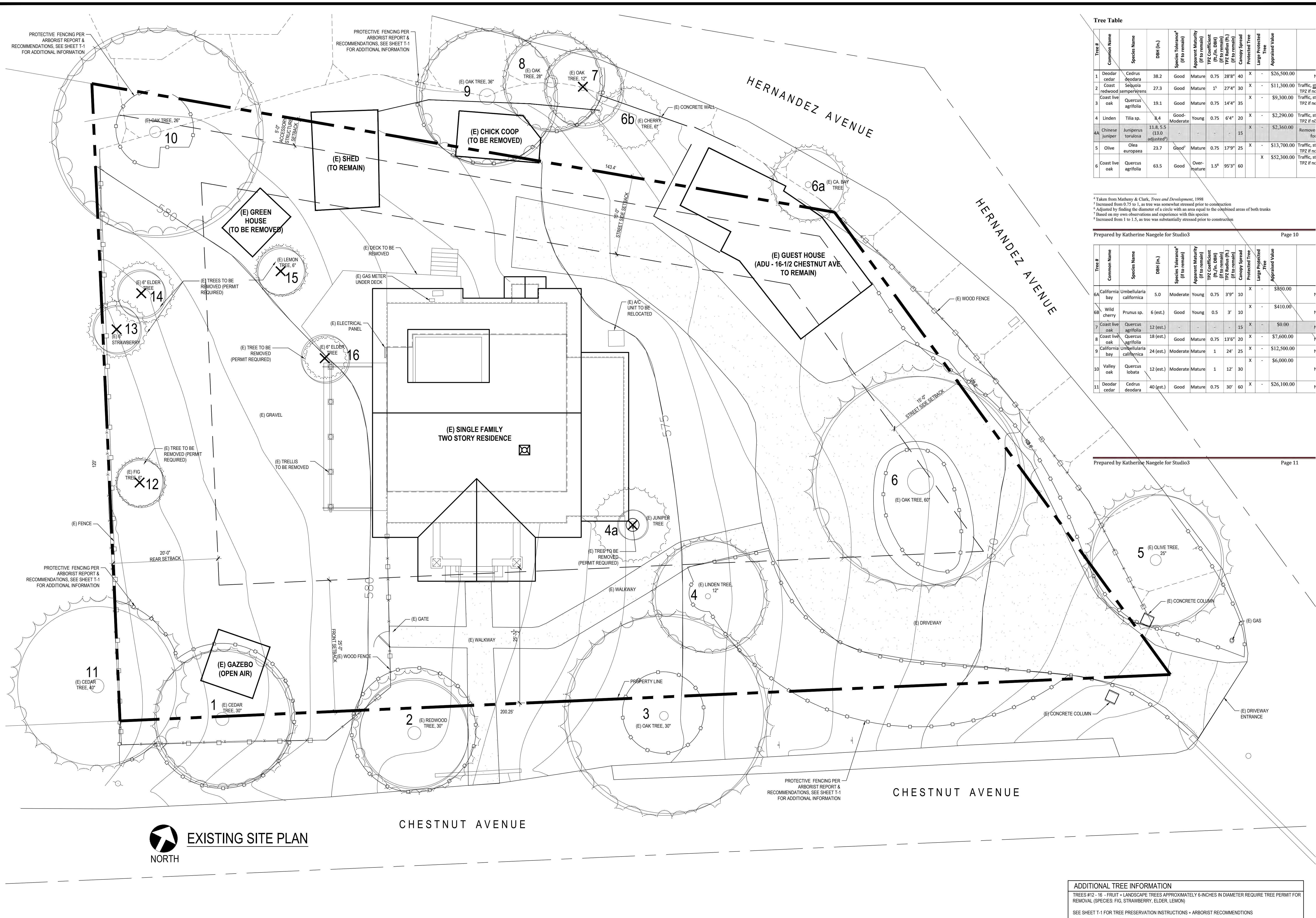
DESIGNED BY: V.S.
 DRAWN BY: R.S.C.
 CHECKED BY: V.S.
 SCALE: AS SHOWN
 DATE: 5-05-17
 L.S. NO. 4,953
C.S.D.C. Inc.
 5801 Credit Drive
 San Jose, CA 95123
 (408) 966-0165
 APPROVED BY: *Harry Babiarz*

TOPOGRAPHIC MAP
 LANDS OF ROPER & GARRETT
 16 CHESTNUT AVENUE
 LOS GATOS, CALIFORNIA

SHEET NUMBER
1
 OF 1 SHEETS
 DRAWING NO.
 17012-1



INTERIORS
REMODELS +
ADDITIONS
NEW CONSTRUCTION
638 UNIVERSITY AVE.
LOS GATOS
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Tree Table

Tree #	Common Name	Species Name	DBH (in.)	Species Tolerance* (If to remain)	Apparent Maturity (If to remain)	TPZ Coefficient (If to remain)	TPZ Radius (ft.)	Canopy Spread (If to remain)	Protected Tree	Large Protected Tree	Appraised Value
1	Deodar cedar	Cedrus deodara	38.2	Good	Mature	0.75	28'8"	40'	X	-	\$26,500.00
2	Coast redwood	Sequoia sempervirens	27.3	Good	Mature	1 ¹	27'4"	30'	X	-	\$11,300.00
3	Coast live oak	Quercus agrifolia	19.1	Good	Mature	0.75	14'4"	35'	X	-	\$9,300.00
4	Linden	Tilia sp.	8.4	Good-Moderate	Young	0.75	6'4"	20'	X	-	\$2,290.00
4A	Chinese Juniper	Juniperus torulosa (13.0 adjusted)	11.8, 5.5	-	-	-	-	15'	X	-	\$2,360.00
5	Olive	Olea europaea	23.7	Good ²	Mature	0.75	17'9"	25'	X	-	\$13,700.00
6	Coast live oak	Quercus agrifolia	63.5	Good	Over-mature	1.5 ³	95'3"	60'	X	X	\$52,300.00

* Taken from Matheny & Clark, *Trees and Development*, 1998
¹ Increased from 0.75 to 1, as tree was somewhat stressed prior to construction
² Adjusted by finding the diameter of a circle with an area equal to the combined areas of both trunks
³ Based on my own observations and experience with this species
⁴ Increased from 1 to 1.5, as tree was substantially stressed prior to construction

Prepared by Katherine Naegele for Studio3 Page 10

Tree #	Common Name	Species Name	DBH (in.)	Species Tolerance* (If to remain)	Apparent Maturity (If to remain)	TPZ Coefficient (If to remain)	TPZ Radius (ft.)	Canopy Spread (If to remain)	Protected Tree	Large Protected Tree	Appraised Value
6A	California bay	Umbellularia californica	5.0	Moderate	Young	0.75	3'9"	10'	X	-	\$850.00
6B	Wild cherry	Prunus sp.	6 (est.)	Good	Young	0.5	3'	10'	X	-	\$410.00
7	Coast live oak	Quercus agrifolia	12 (est.)	-	-	-	-	15'	X	-	\$0.00
8	Coast live oak	Quercus agrifolia	18 (est.)	Good	Mature	0.75	13'6"	20'	X	-	\$7,600.00
9	California bay	Umbellularia californica	24 (est.)	Moderate	Mature	1	24'	25'	X	-	\$12,500.00
10	Valley oak	Quercus lobata	12 (est.)	Moderate	Mature	1	12'	30'	X	-	\$6,000.00
11	Deodar cedar	Cedrus deodara	40 (est.)	Good	Mature	0.75	30'	60'	X	-	\$26,100.00

Prepared by Katherine Naegele for Studio3 Page 11

ADDITIONAL TREE INFORMATION
 TREES #12 - 16 - FRUIT + LANDSCAPE TREES APPROXIMATELY 6-INCHES IN DIAMETER REQUIRE TREE PERMIT FOR REMOVAL (SPECIES: FIG, STRAWBERRY, ELDER, LEMON)
 SEE SHEET T-1 FOR TREE PRESERVATION INSTRUCTIONS + ARBORIST RECOMMENDATIONS

THE CHESTNUT HOUSE
16 CHESTNUT AVENUE
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95030

A.P.N. 510-40-012

- 17 APRIL 2017
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- 29 MARCH 2019
PLANNING SUBMITTAL IV

SCALE: 1/8" = 1'-0"

EXISTING SITE PLAN

A1.3

ARBORIST RECOMMENDATIONS

- Remove trees #4A and 7 prior to commencing construction.
- All tree removal and limb pruning must be performed by trained tree work personnel under the direction of an ISA-Certified Arborist.
- Apply a growth regulator to tree #6.
- Remove visible girdling roots from tree #6.
- Install tree protection fencing for all other trees, conforming to the following specifications put forth in the Los Gatos Town Code, Section 29.10.1005.2
 - Fencing shall consist of 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 (1) 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.
 - Fencing shall be installed around the tree protection zones (TPZ) specified in this report, approximately as shown on the Tree Map below.
 - Fencing shall be erected before demolition, grading or construction permits are issued and remain in place until the work is completed. Contractor shall first obtain the approval of the project arborist on record prior to removing a tree protection fence.
 - 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".
 - All persons, shall comply with the following precautions:
 - Prior to the commencement of construction, install the fence at the dripline, or tree protection zone (TPZ) when specified in an approved arborist report, around any tree and/or vegetation to be retained which could be affected by the construction and prohibit any storage of construction materials or other materials, equipment cleaning, or parking of vehicles within the TPZ.
 - Prohibit all construction activities within the TPZ, including but not limited to: excavation, grading, drainage and leveling within the dripline of the tree unless approved by the Director.
 - Prohibit disposal or depositing of oil, gasoline, chemicals or other harmful materials within the TPZ of or in drainage channels, swales or areas that may lead to the TPZ of a protected tree.
 - Prohibit the attachment of wires, signs or ropes to any protected tree.
 - Design utility services and irrigation lines to be located outside of the dripline when feasible.
 - Retain the services of a certified or consulting arborist who shall serve as the Project Arborist for periodic monitoring of the project site and the health of those trees to be preserved. The Project Arborist shall be present whenever activities occur which may pose a potential threat to the health of the trees to be preserved and shall document all site visits.
 - 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.
- Spread wood chips within tree protection fencing to a depth of 3-6 inches.
- Notify project arborist when gas line location has been determined.
- Do not demolish driveway until all other construction is complete.
- Driveway specifications will be addressed in a separate addendum to this report.
- For new backyard fence
 - Do not install until the house and new hardscape are complete.
 - Tree protection fencing may be removed prior to fence installation if condition (a) is met.
 - Excavate only to place fence posts. Place panels above grade to minimize root disturbance.
- If live roots over one inch in diameter are encountered at any time, in any location, halt work in this area and contact the Project Arborist immediately.
- After construction is complete:
 - Install six 15-gallon trees to replace trees #4A and 7.
 - Perform root zone remediation in all unpaved areas within the CRZ of tree #6:
 - Decompact the soil with an air spade,
 - Incorporate compost into the soil with the air spade, and
 - Spread wood chips over the top of the decompacted soil to a depth of 3-6 inches.

ARBORIST REPORT BY ANDERSON TREE CARE SPECIALISTS, INC. DATED FEBRUARY 11, 2019

TOWN CONSULTING ARBORIST RECOMMENDATIONS

- Place tree protection fence around the tree at a radius of 50 feet if the driveway is demolished early in the process. Otherwise place the fence at a radius of 15 feet to protect the trunk and scaffold branches if the driveway is to remain as recommended.
- Treat the trunk three times per year to help prevent bark beetle attacks (*Monothrum scutellare*) with (Permethrin) or (Bifenthrin) according to the product labels.
- Maintain the existing driveway around the tree during the construction process until the new driveway is to be installed. This will significantly reduce construction impact during the demolition and construction phases.
- Do not excavate the existing soil grade around the tree on all four sides within a 50 foot radius (ten times the trunk diameter). Exception for one side is listed below to accommodate the attached garage.
- Disturbance where the driveway is to be excavated must be outside six times the trunk diameter which is 30 feet. (Both the ISA *Best Management Practices: Root Management*, 2017 and ISA *Best Management Practices: Managing trees during construction, second edition*, 2016 indicate linear cuts should be beyond six times the trunk diameter distance. *Best Management Practices: Root Management* (2017) states cutting roots at three times the diameter can result in loss of stability and anything closer would result in "severe loss of stability.") If this cannot be achieved a redesign is recommended.
- All paver installation within 50 feet should be above the existing soil surface with only minor scarification to even out the grade under the existing asphalt. If necessary Tensar Biaxial Geogrid can be incorporated as a sub-base treatment to provide a stable base on grade without significant compaction or excavation. **

**For recommendation #6, verify with soils engineer prior to installing Tensar Biaxial Geogrid.

CONSULTING ARBORIST: MONARCH CONSULTING ARBORIST LLC, ARBORIST REVIEW MEMO 2, DATED MARCH 7, 2019

TREE REPLACEMENT

LANDSCAPE PLANS TO BE SUBMITTED AND APPROVED BY TOWN PRIOR TO CONSTRUCTION.
16, 15-gallon trees (location + species TBD)

TREE PRESERVATION INSTRUCTIONS

The Los Gatos Town Code requires a tree removal permit in order to remove any tree designated as a Protected Tree under the Town Code. The Town Code also requires a permit to prune more than 25% of a Protected Tree within a 3-year period, or to remove or cut any branch or root greater than 4 inches in diameter of any Large Protected Tree or Heritage Tree (see definitions below). Property owners may be subject to significant fines and civil actions by the Town if removal or pruning requiring a permit is done without first obtaining a permit.

Protected Tree(s)

Protected Trees are defined in the Town Code as any of the following:

- All trees which have a 12 inch or greater diameter on developed residential property.
- All trees which have an 8 inch or greater diameter on developed Hillside residential property
- All trees of the following species which have an 8 inch or greater diameter located on any developed residential property:
 - Blue Oak (*Quercus douglasii*)
 - Black Oak (*Quercus kelloggii*)
 - California Buckeye (*Aesculus californica*)
 - Pacific Madrone (*Arbutus menziesii*)
- All trees which have a 4 inch or greater diameter on vacant or non-residential property.
- All trees which have a 4 inch or greater diameter when removal relates to any development review.
- Any tree that was required to be planted or retained by the terms and conditions of a development approval, building permit, tree removal permit or code enforcement action.

Large Protected Tree(s) or a Heritage Tree (s)

A *Large Protected Tree* is any tree with a diameter of 48 inches or more. In addition, all Oak, California Buckeye, and Pacific Madrone with a diameter of 24 inches or more are considered Large Protected Trees.

A *Heritage Tree* is a tree specifically designated by action of the Town Council which possesses exceptional aesthetic, biological, cultural, or historic value to the community.

Diameter of a Tree(s)

Diameter is measured at a height of 4.5 feet above the average natural grade. For multi-trunked trees, diameter is the sum of all trunk diameters measured at 4.5 feet above the average natural grade.

A permit is not required for removal or major pruning of any of the following trees:

- A fruit or nut tree less than 18 inches in diameter.
- Any of the following trees that are less than 24 inches in diameter:
 - Black Acacia (*Acacia melanoxylon*)
 - Tulip Tree (*Liriodendron tulipifera*)
 - Tree of Heaven (*Ailanthus altissima*)
 - Blue Gum Eucalyptus (*E. globulus*)
 - Red Gum Eucalyptus (*E. camaldulensis*)
 - Other Eucalyptus (*E. spp.*)--**Hillsides only**
 - Palm (except *Phoenix canariensis*)
 - Privet (*Ligustrum lucidum*)

Dangerous Tree(s)

A tree may be removed or severely pruned without a permit when there is an imminent danger to life, property, utilities or essential transportation facilities. Property owners are still required to notify the Town prior to any removal or pruning and must receive approval from the Town before taking any emergency action. Contact the Parks and Public Works Department at (408) 399-5770 Monday through Friday between the hours of 7:00 a.m. to 4:00 p.m. or the Police Department at (408) 354-8600 after hours or on weekends to report a dangerous tree and request approval for removal or pruning without a permit. Within 72 hours following removal or pruning, photos and a description of the emergency action taken must be submitted to the Department of Parks and Public Works.

Requirements for a Removal or Pruning Permit *

The following items are required to apply for a tree removal or pruning permit:

- A completed application signed by the property owner. Applications are available online at <http://www.losgatosca.gov/DocumentCenter/View/14925> or at the Parks and Public Works Department, Monday through Friday between the hours of 8:00 a.m. and 1:00 p.m.
- Photos and/or a site plan of the tree(s) proposed for removal or pruning (for pruning, proposed cuts should be indicated on photo).
- A completed tree replacement worksheet (located on the reverse side of the application).
- Inspect trees prior to removal or major pruning to confirm the absence of active bird nests, particularly during the spring/summer nesting season (February 1 through August 31).
- If required by the Town Arborist following initial inspection, a certified or consulting arborist's written report.
- If part of a development application, a copy of the associated tree report.
- If structural damage to a building, major landscape feature or utilities is the basis for the request, a report from a licensed architect or engineer may be required describing what modifications to buildings, structures, improvements or utilities would be necessary to mitigate the damages caused by the tree.
- For Large Protected Tree or Heritage Tree removal or pruning permits, notification will be sent to neighboring residents and property owners prior to issuance by the Parks and Public Works Department (more information on noticing is provided on page 4 of this FAQ).
- Payment of a permit fees, as established by Town resolution. The current fee is \$130 for one tree, plus \$65 for each additional tree included in the same application.

*Pruning or root pruning must be supervised by an ISA-certified arborist or an ASCA-Registered Arborist. See Section 29.10.1010 of the Town Code for specifications to determine if a pruning permit is required.

Tree Protection Zone

The tree protection zone (TPZ) means the area of a temporary fenced tree enclosure at or beyond the tree's dripline or as specified in a report prepared by a certified or consulting arborist. The TPZ is a restricted activity zone before and after construction where no soil disturbance is permitted unless approved and supervised by the certified or consulting arborist.

Tree Protection Fencing Requirements*

- Six-foot high chain link fencing mounted on two-inch diameter galvanized iron posts shall be driven into the ground at least two-feet deep at no more than ten-foot spacing. When stipulated, for existing paving areas that will not be demolished, posts may be supported by concrete base.
- Posted eight and one-half-inch by eleven-inch sign on each tree fence stating: "Warning - Tree Protection Zone - This fence shall not be removed and is subject to penalty according to Town Code 29.10.1025"
- Labeled photographs of the installed fencing shall be emailed to the project planner prior to issuance of permits.
- Tree protection fencing is required to remain in place throughout construction.

*Any protected tree on-site will require replacement according to its appraised value if it is damaged beyond repair as a result of construction.

Sec. 29.10.0985. - Determination and conditions of permit.

The Director shall determine whether to grant a permit. The Director may consult with other Town departments or outside agencies at his/her discretion. When a development application for any zoning approval, or subdivision of land, including lot line adjustment, is under consideration by the Planning Commission, the determination on the tree removal permit shall be made concurrently by the Planning Commission with the related matter. The Director or the deciding body shall impose, except when removal is permitted if the tree is dead or a Tree Risk Rating of Extreme or High is present, as a condition on which a protected tree removal permit is granted that two (2) or more replacement trees of a species and a size designated by the Director or designee, shall be planted in the following order of preference:

- Two (2) or more replacement trees, of a species and size designated by the Director, shall be planted on the subject private property. Table 3-1, Tree Canopy-Replacement Standard shall be used as a basis for this requirement. The person requesting the permit shall pay the cost of purchasing and planting the replacement trees.
- If a tree or trees cannot be reasonably planted on the subject property, an in-lieu payment in an amount set forth by the Town Council by resolution shall be paid to the Town Tree Replacement Fund to:
 - Add or replace trees on public property in the vicinity of the subject property; or
 - Add or replace trees or landscaping on other Town property; or
 - Support the Town's urban forestry management program.

Canopy Size of Removed Tree ¹	Replacement Requirement ^{2,4}	Single Family Residential Replacement Option ^{3,4}
10 feet or less	Two 24-inch box trees	Two 15-gallon trees
More than 10 feet to 25 feet	Three 24-inch box trees	Three 15-gallon trees
More than 25 feet to 40 feet	Four 24-inch box trees; or Two 36-inch box trees	Four 15-gallon trees
More than 40 feet to 55 feet	Six 24-inch box trees; or Three 36-inch box trees	Not Available
Greater than 55 feet	Ten 24-inch box trees; or Five 36-inch box trees	Not Available

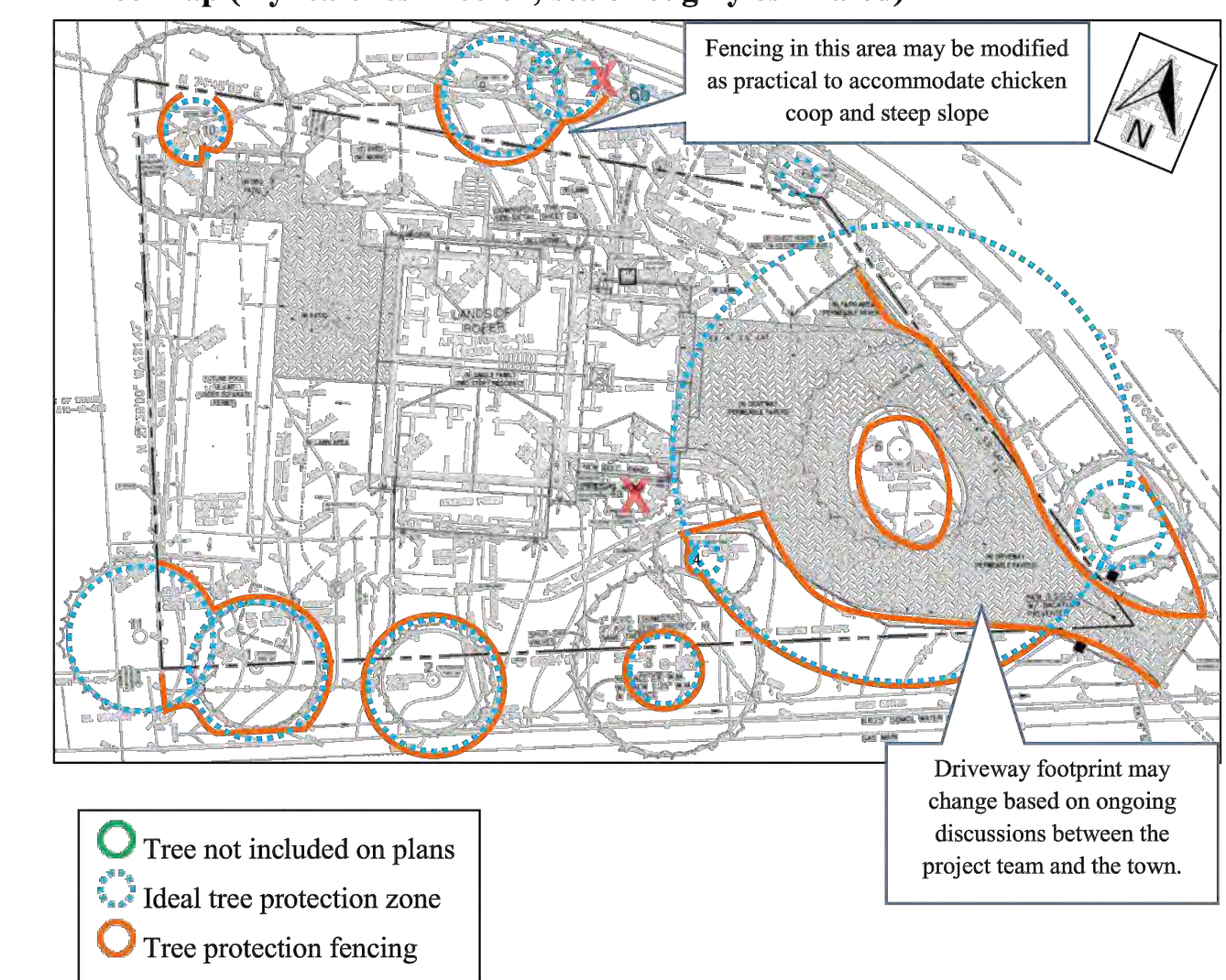
Notes

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

Replacement with native species is strongly encouraged. Most fruit and nut trees, palm trees, or "nuisance" species (see section 29.10.0970(2) of the Town Code) are generally not considered suitable replacement trees. If a tree or trees cannot be reasonably replanted on the subject property, the Town Arborist may approve a full or partial in-lieu fee payment. Where the payment of in-lieu fees are approved, permits will not be issued until all in-lieu fees are paid in full. If approved by the Town Arborist, in-lieu fees are as follows: 24 inch box tree = \$250, 36 inch box tree = \$500

- Spread wood chips over the top of the decompacted soil to a depth of 3-6 inches.

Tree Map (my features in color; scale roughly estimated)³



- Base imagery taken from plans provided to me by client via email

Prepared by Katherine Naegle for Studio3

Page 9



INTERIORS
REMODELS +
ADDITIONS
NEW CONSTRUCTION

638 UNIVERSITY AVE.
LOS GATOS
CALIFORNIA
95032

T 408.292.3252
F 253.399.1125

THE CHESTNUT HOUSE
16 CHESTNUT AVENUE
LOS GATOS
CALIFORNIA
95030

A.P.N. 510-40-012

17 APRIL 2017

13 OCTOBER 2017
HPC SUBMITTAL

30 NOVEMBER 2017
PLANNING SUBMITTAL

13 JUNE 2018
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29 MARCH 2019
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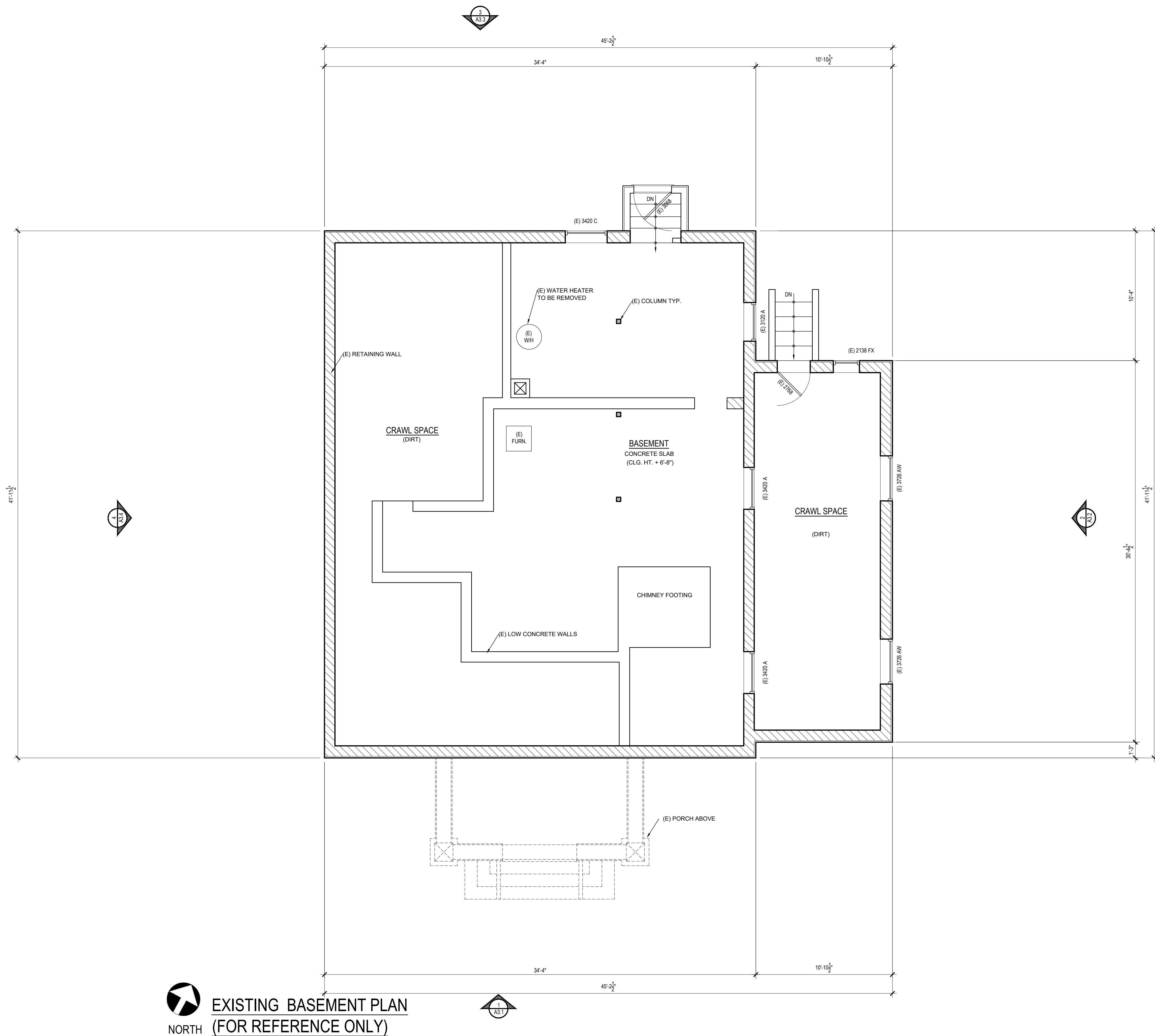
SCALE: N/A

TREE PRESERVATION
INSTRUCTIONS

T-1



INTERIORS
REMODELS +
ADDITIONS
NEW CONSTRUCTION
638 UNIVERSITY AVE.
LOS GATOS
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 **EXISTING BASEMENT PLAN**
(FOR REFERENCE ONLY)

THE CHESTNUT HOUSE
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CALIFORNIA
95030

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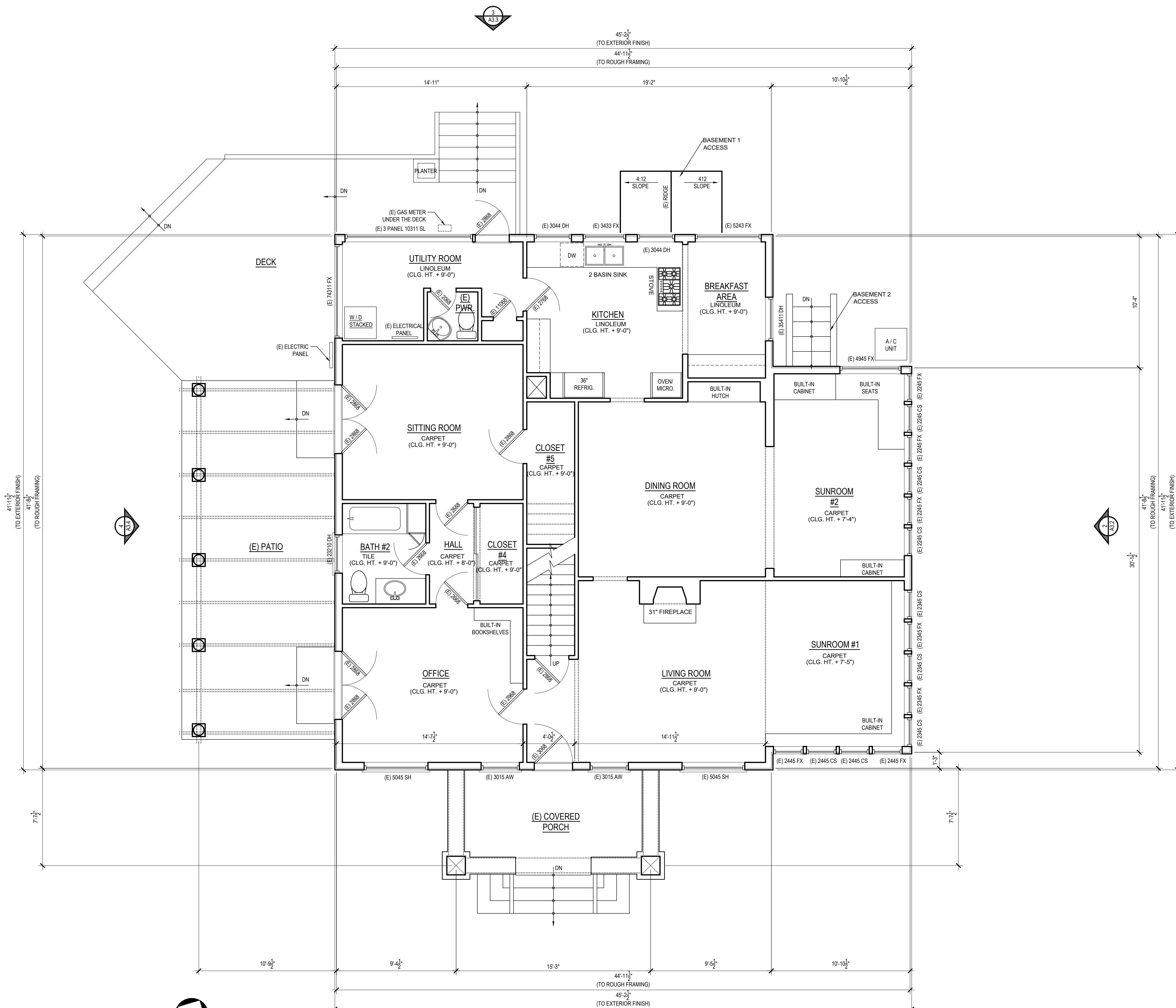
SCALE: 1/4" = 1'-0"

EXISTING BASEMENT PLAN
(FOR REFERENCE ONLY)

A2.1



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REMODELS +
ADDITIONS
NEW CONSTRUCTION
638 UNIVERSITY AVE.
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EXISTING FIRST FLOOR PLAN
(FOR REFERENCE ONLY)

THE CHESTNUT HOUSE
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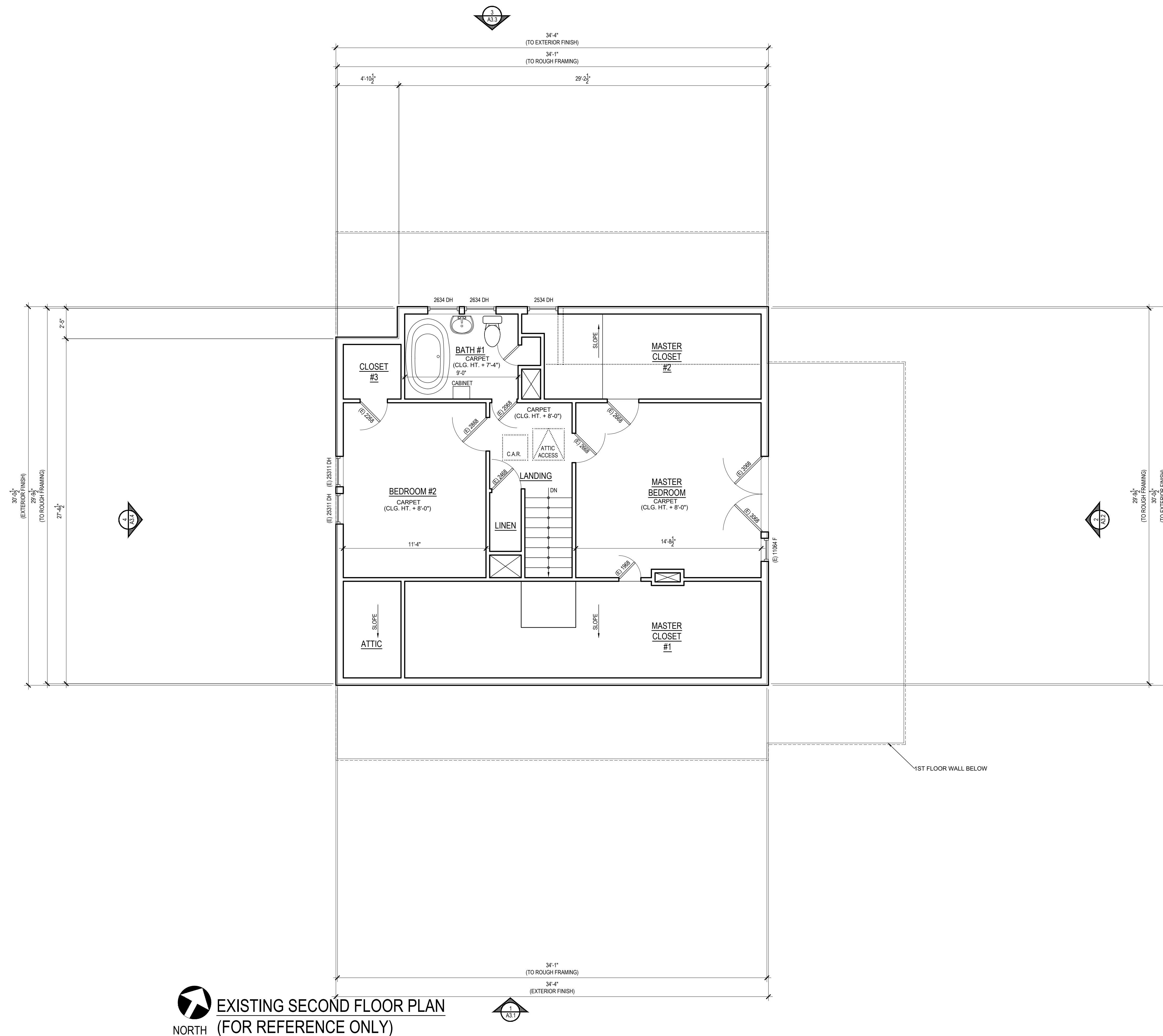
SCALE: 1/4" = 1'-0"

EXISTING FIRST
FLOOR PLAN (FOR
REFERENCE ONLY)

A2.2



INTERIORS
REMODELS +
ADDITIONS
NEW CONSTRUCTION
638 UNIVERSITY AVE.
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EXISTING SECOND FLOOR PLAN
NORTH (FOR REFERENCE ONLY)

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PLANNING SUBMITTAL IV

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

EXISTING SECOND
FLOOR PLAN (FOR
REFERENCE ONLY)

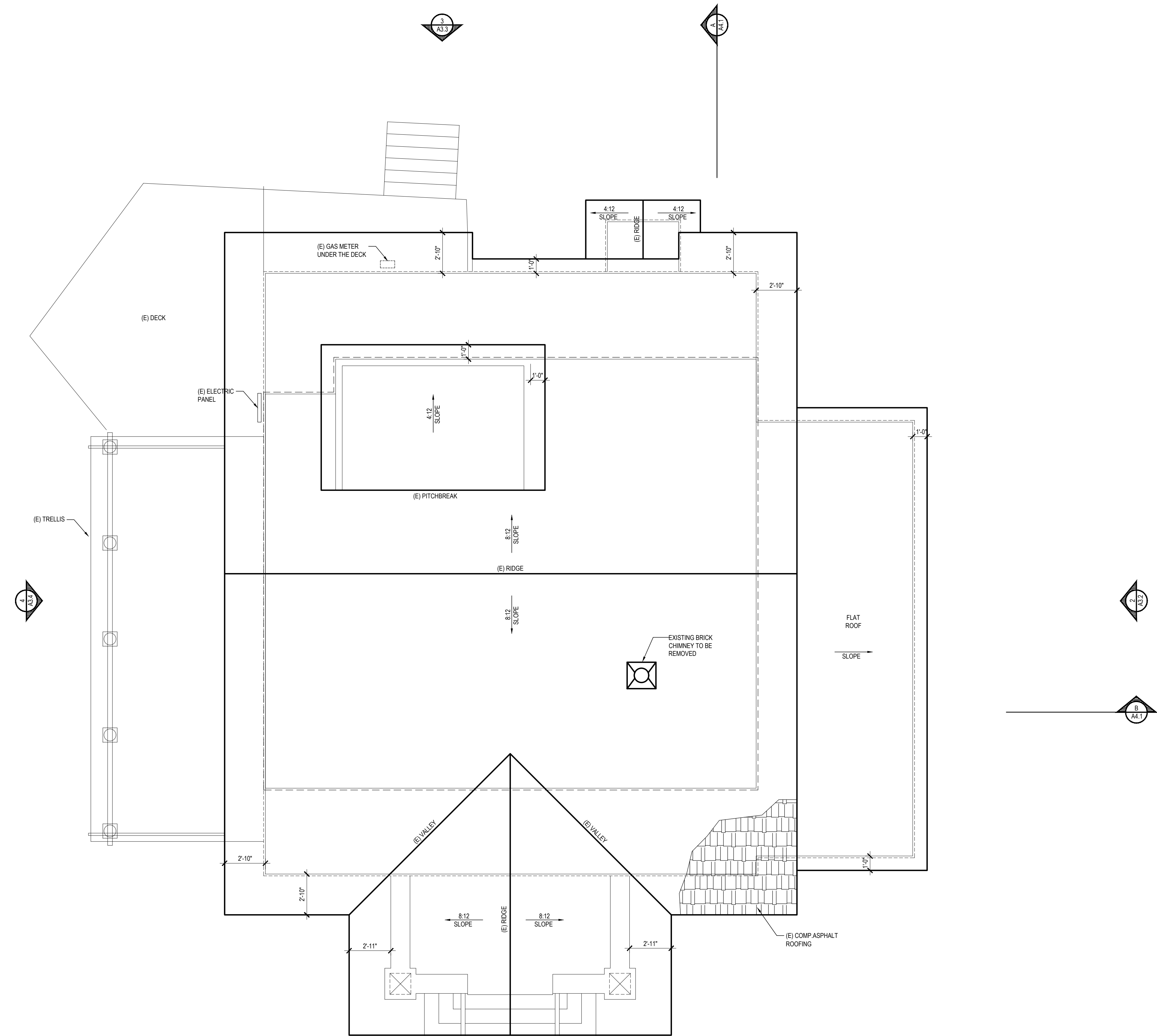
A2.3



INTERIORS
REMODELS +
ADDITIONS
NEW CONSTRUCTION

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29 MARCH 2019
PLANNING SUBMITTAL IV

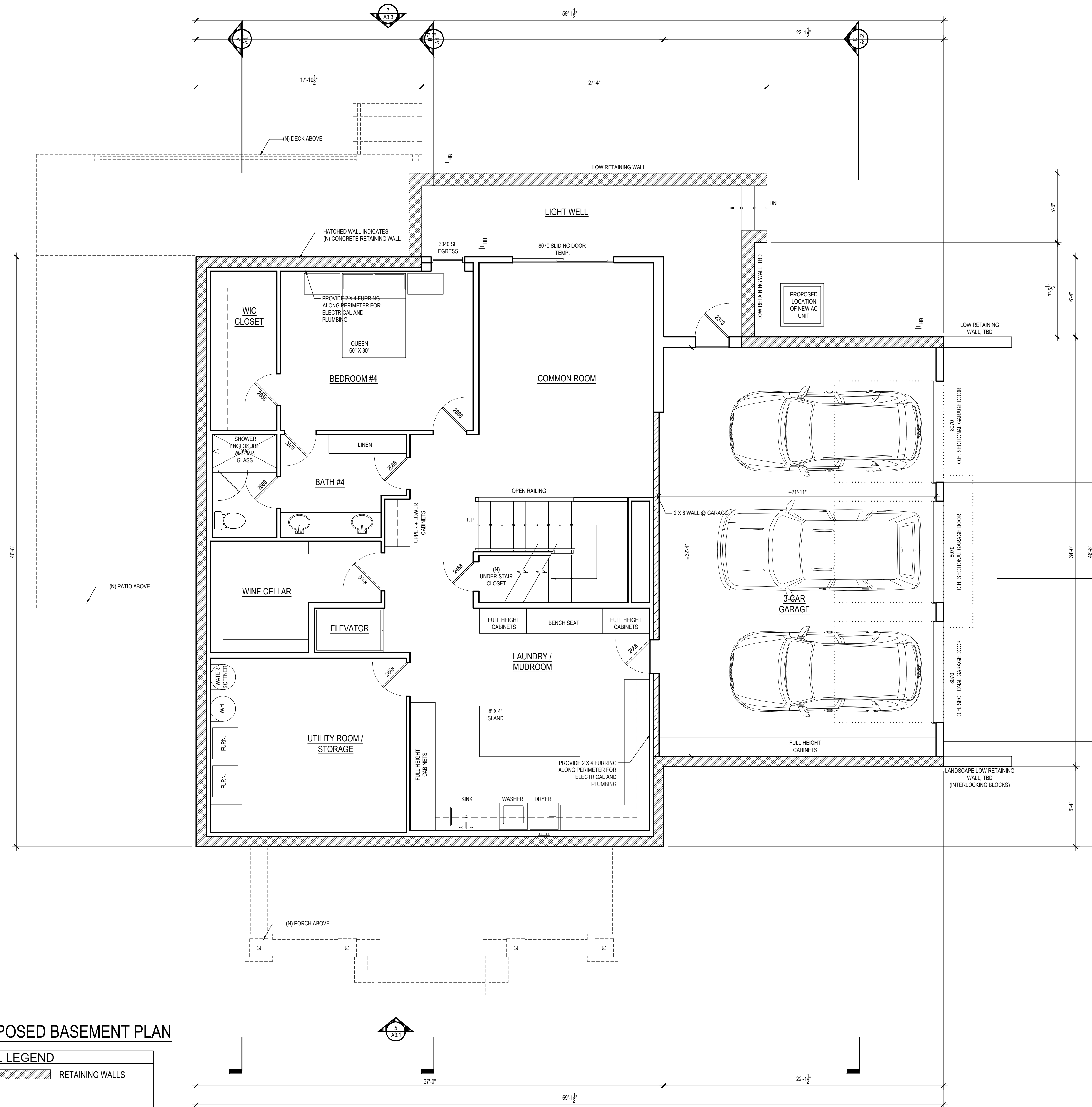
SCALE: 1/4" = 1'-0"

EXISTING ROOF PLAN
(FOR REFERENCE ONLY)

 **EXISTING ROOF PLAN**
NORTH (FOR REFERENCE ONLY)



INTERIORS
REMODELS +
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NEW CONSTRUCTION
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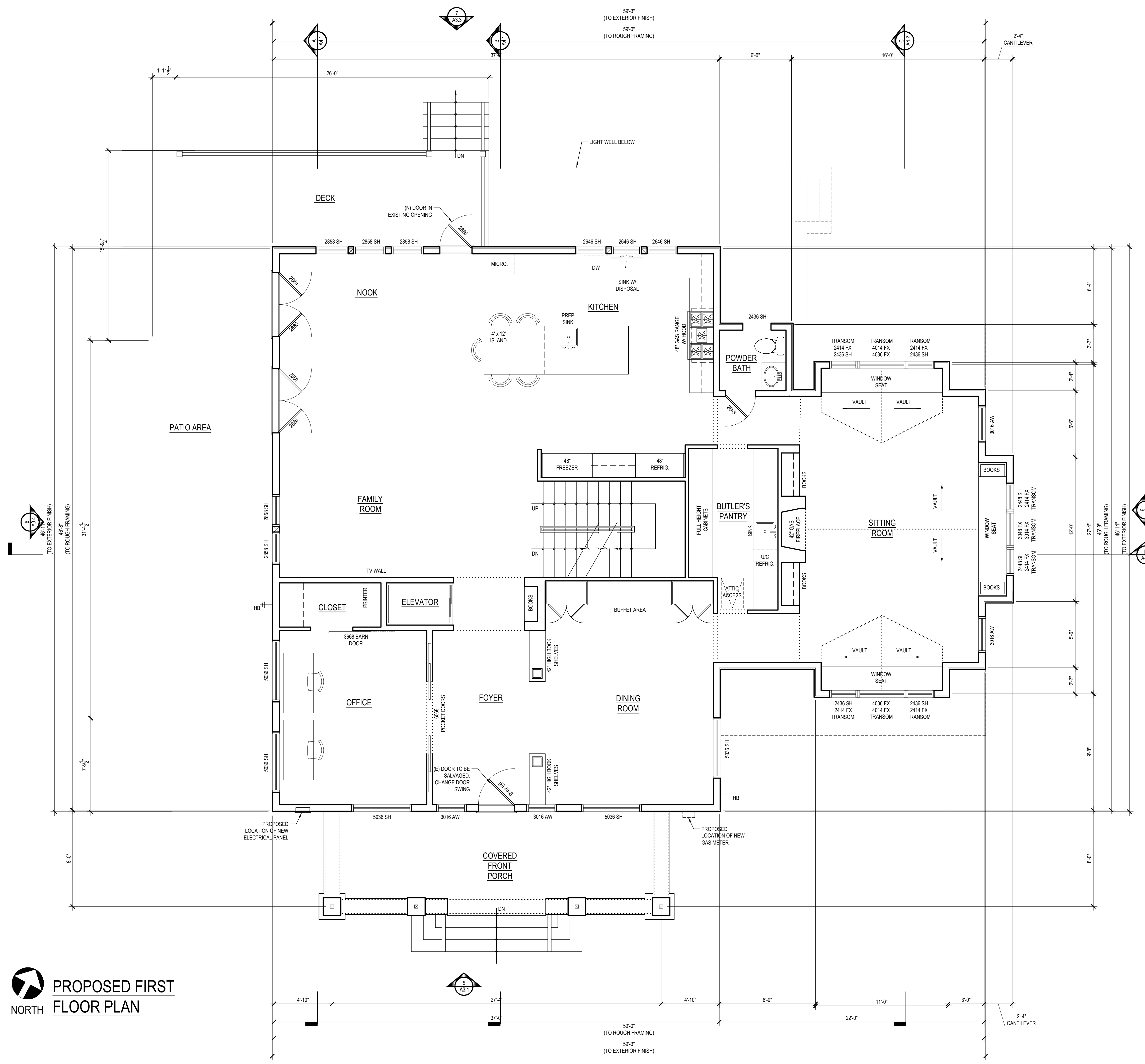
SCALE: 1/4" = 1'-0"

PROPOSED BASEMENT
PLAN

A2.5



INTERIORS
REMODELS +
ADDITIONS
NEW CONSTRUCTION
638 UNIVERSITY AVE.
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 **PROPOSED FIRST FLOOR PLAN**

THE CHESTNUT HOUSE
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PLANNING SUBMITTAL IV

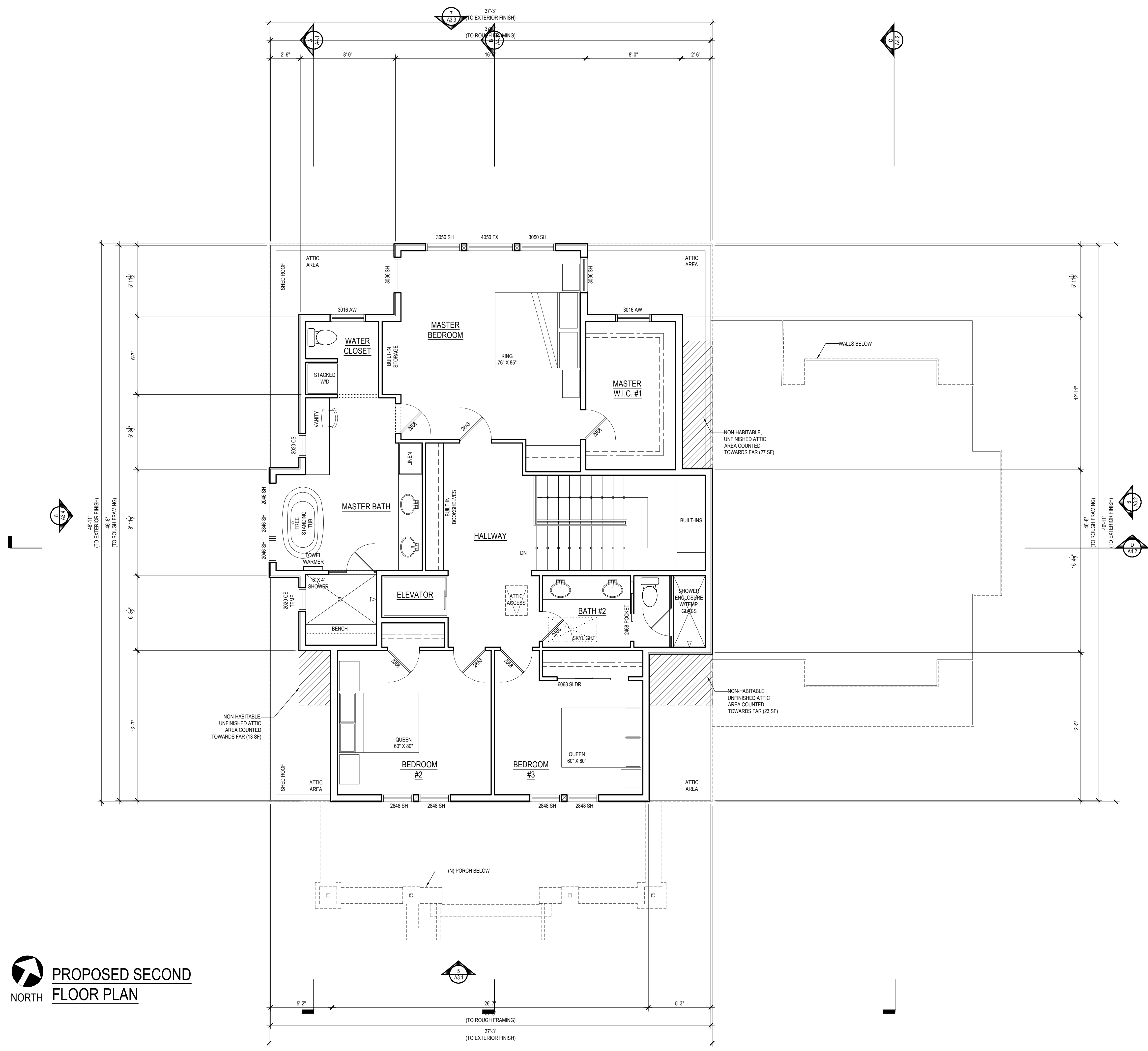
SCALE: 1/4" = 1'-0"

PROPOSED FIRST FLOOR PLAN

A2.6



INTERIORS
REMODELS +
ADDITIONS
NEW CONSTRUCTION
638 UNIVERSITY AVE.
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 **PROPOSED SECOND FLOOR PLAN**

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PLANNING SUBMITTAL IV

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

PROPOSED SECOND FLOOR PLAN

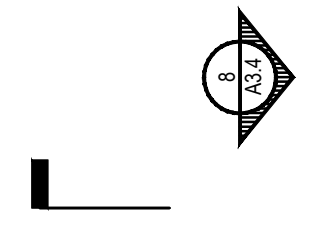
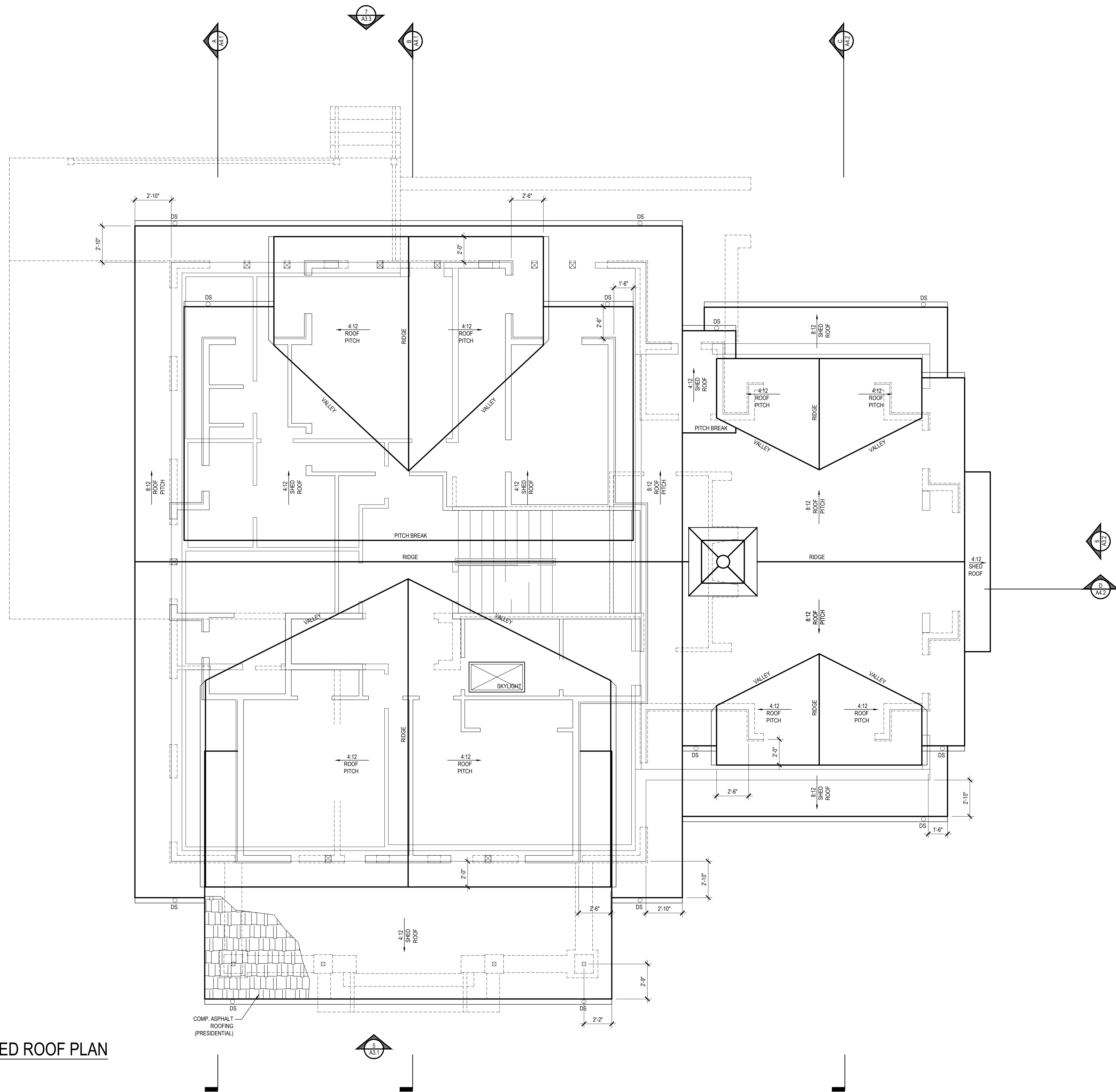
A2.7



INTERIORS
REMODELS +
ADDITIONS
NEW CONSTRUCTION

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LOS GATOS
CALIFORNIA
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 **PROPOSED ROOF PLAN**
NORTH

COMP ASPHALT
ROOFING
(PRESIDENTIAL)

THE CHESTNUT HOUSE
16 CHESTNUT AVENUE
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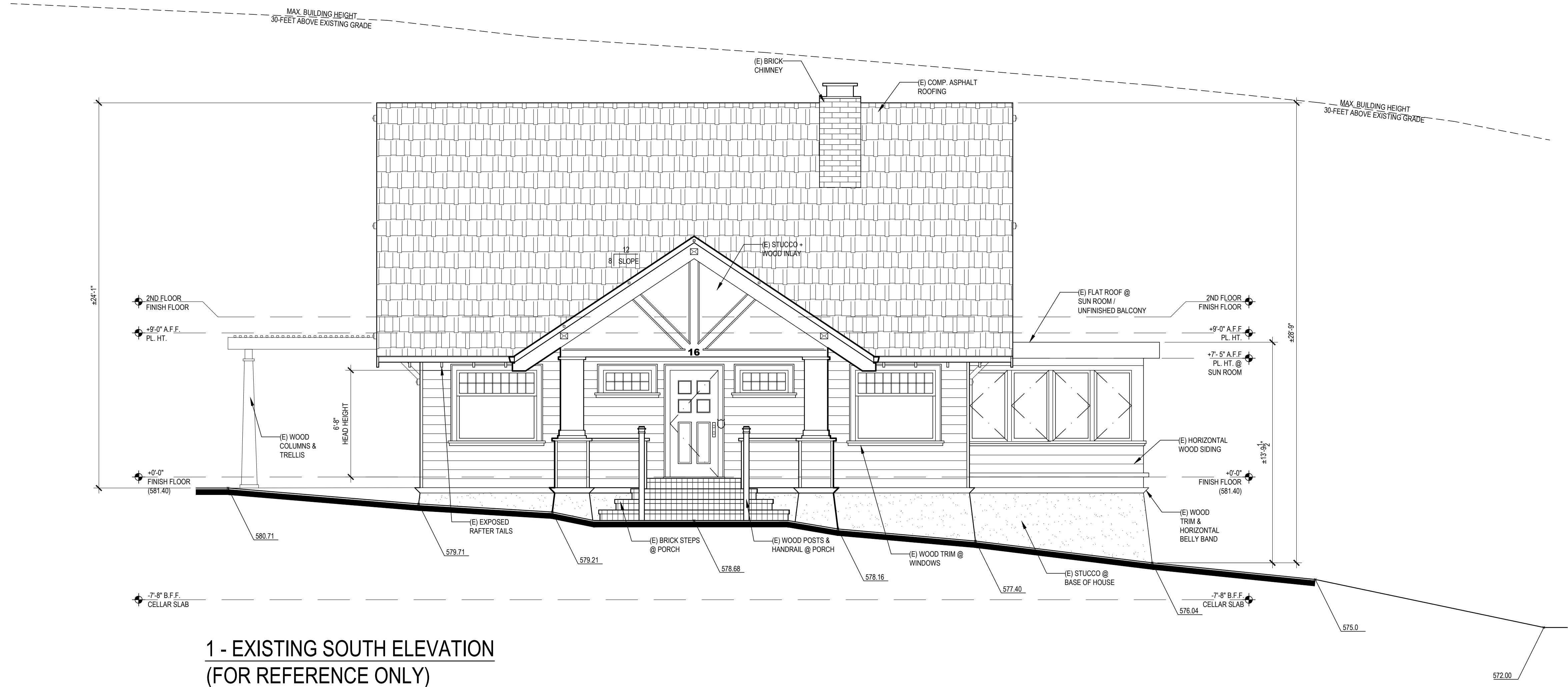
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PROPOSED ROOF PLAN

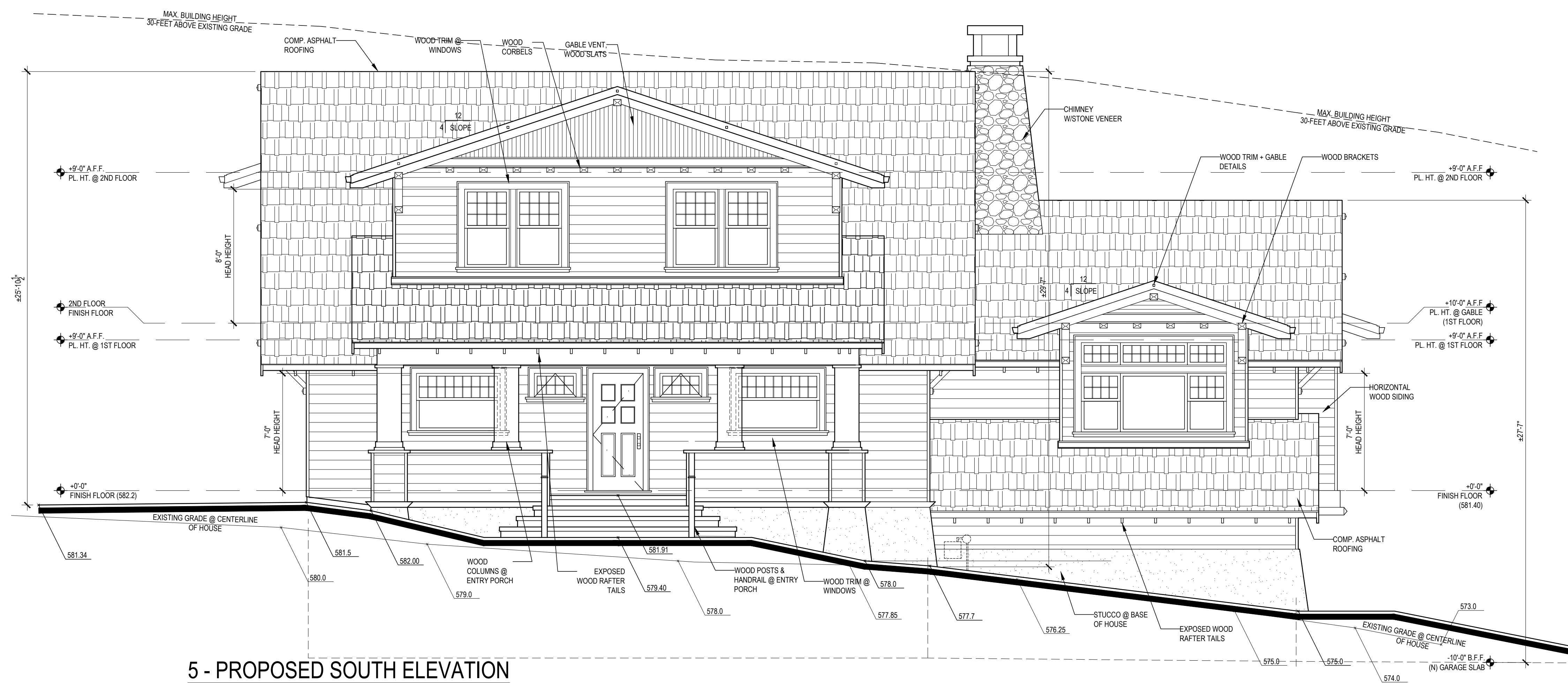
A2.8



STUDIO THREE DESIGN
 INTERIORS
 REMODELS +
 ADDITIONS
 NEW CONSTRUCTION
 638 UNIVERSITY AVE.
 LOS GATOS
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1 - EXISTING SOUTH ELEVATION
 (FOR REFERENCE ONLY)



5 - PROPOSED SOUTH ELEVATION

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 16 CHESTNUT AVENUE
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- 29 MARCH 2019
PLANNING SUBMITTAL IV

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

EXISTING + PROPOSED
 EXTERIOR ELEVATIONS

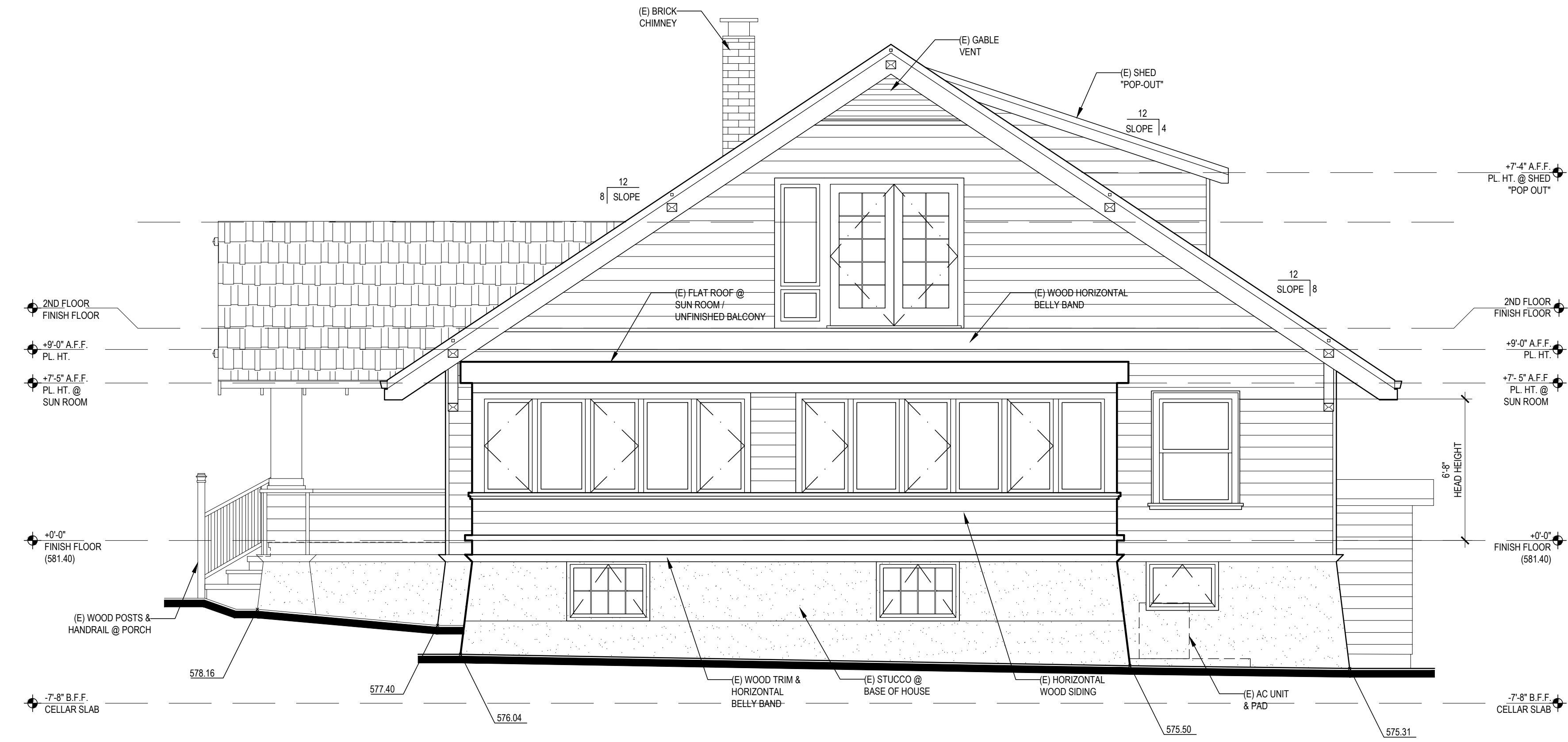
A3.1



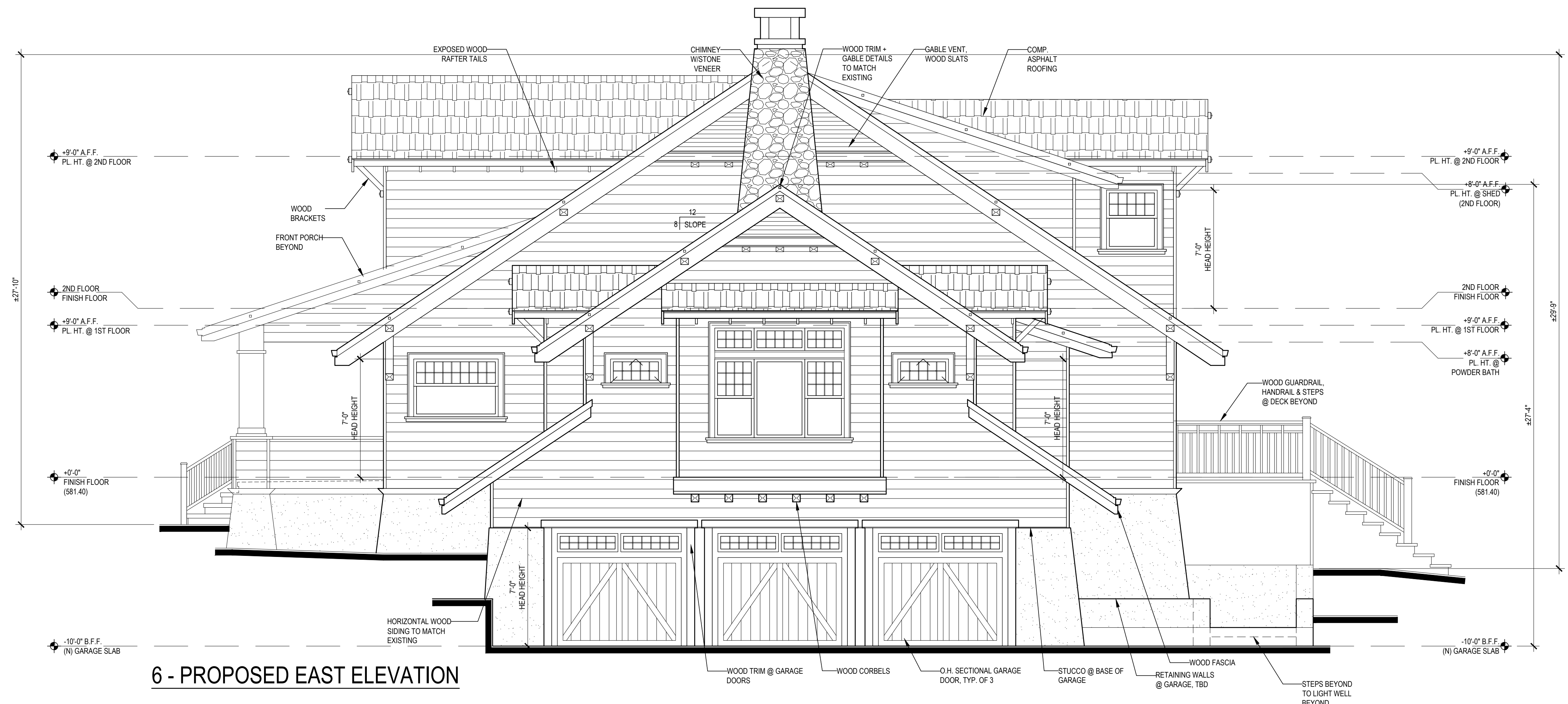
INTERIORS
REMODELS +
ADDITIONS
NEW CONSTRUCTION

638 UNIVERSITY AVE.
LOS GATOS
CALIFORNIA
95032

T 408.292.3252
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**2 - EXISTING EAST ELEVATION
(FOR REFERENCE ONLY)**



6 - PROPOSED EAST ELEVATION

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95030

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- 29 MARCH 2019
PLANNING SUBMITTAL IV

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

EXISTING + PROPOSED
EXTERIOR ELEVATIONS

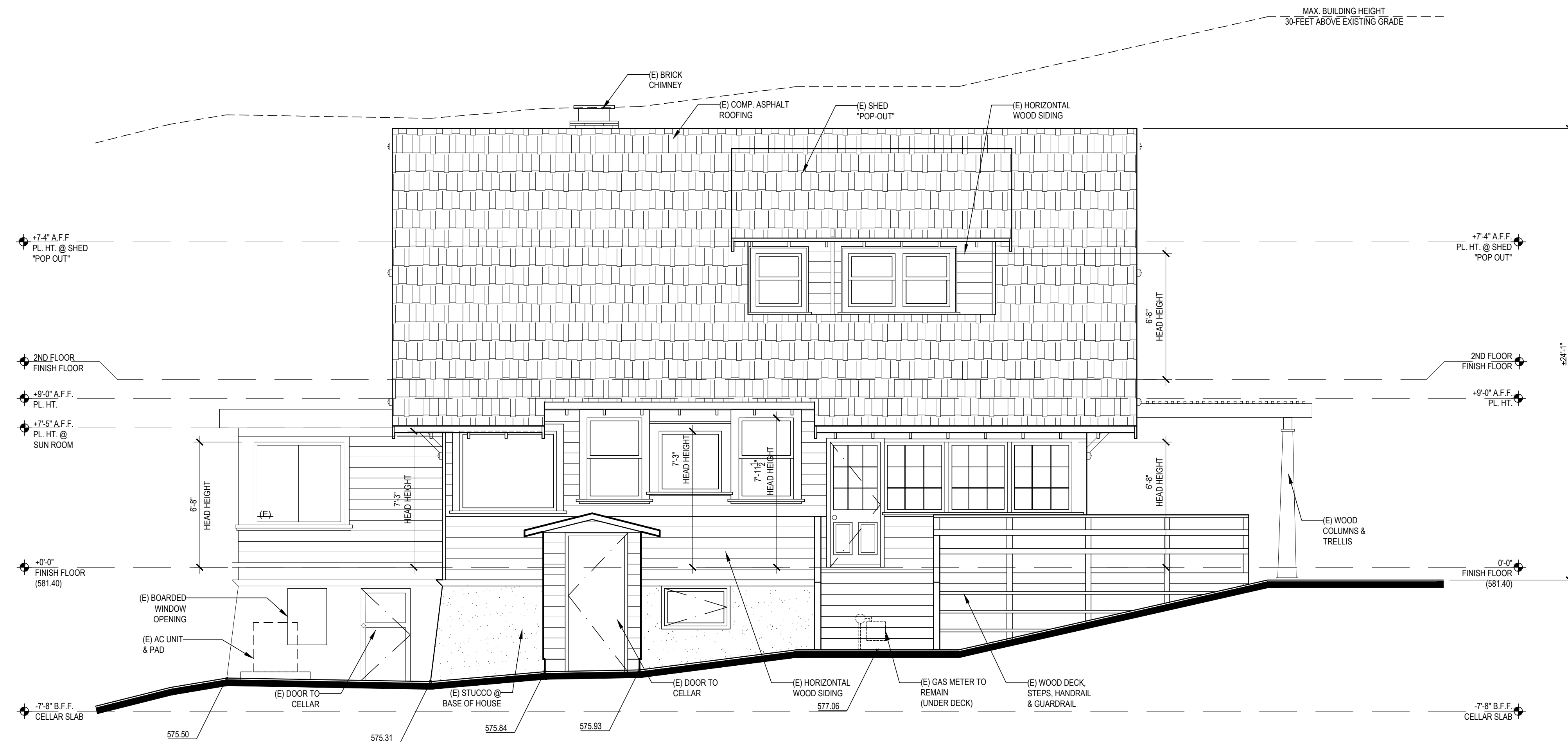
A3.2



INTERIORS
REMODELS +
ADDITIONS
NEW CONSTRUCTION

638 UNIVERSITY AVE.
LOS GATOS
CALIFORNIA
95032

T 408.292.3252
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**3 - EXISTING NORTH ELEVATION
(FOR REFERENCE ONLY)**



7 - PROPOSED NORTH ELEVATION

THE CHESTNUT HOUSE
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95030

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17 APRIL 2017

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30 NOVEMBER 2017
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13 JUNE 2018
HPC SUBMITTAL II

12 SEPTEMBER 2018
PLANNING SUBMITTAL II

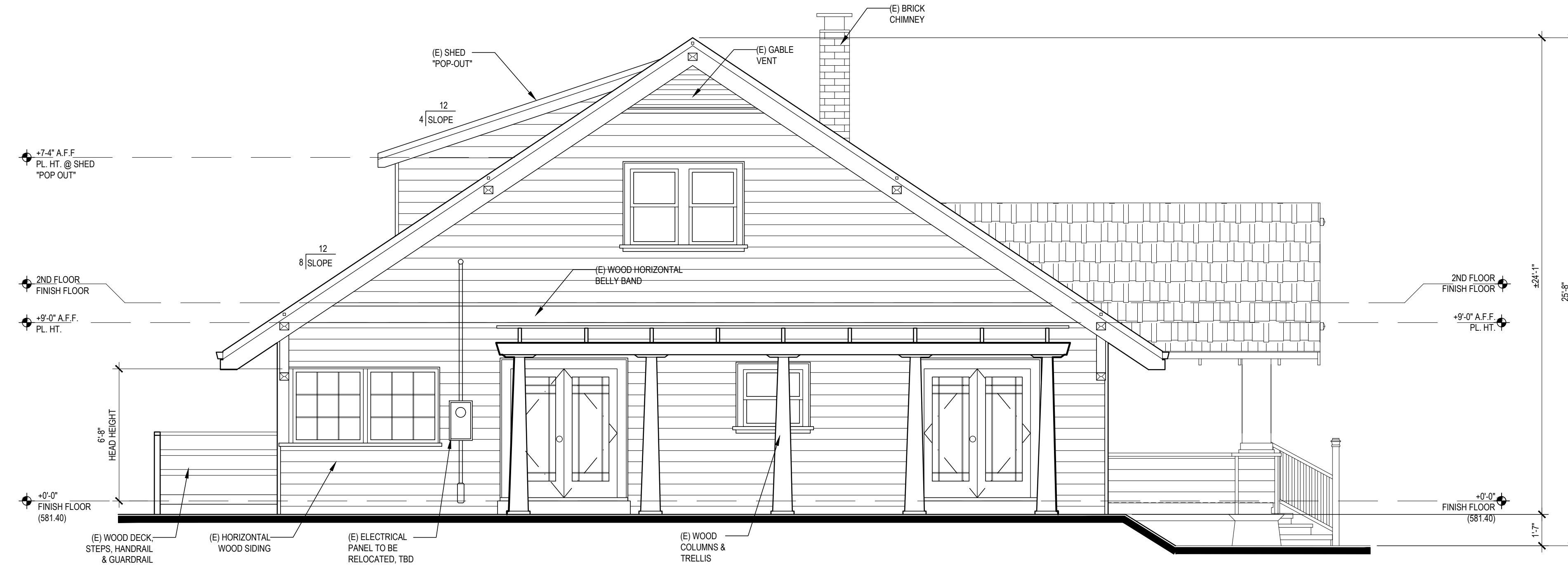
17 DECEMBER 2018
PLANNING SUBMITTAL III

29 MARCH 2019
PLANNING SUBMITTAL IV

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

EXISTING + PROPOSED
EXTERIOR ELEVATIONS

A3.3



4 - EXISTING WEST ELEVATION
(FOR REFERENCE ONLY)



8 - PROPOSED WEST ELEVATION

THE CHESTNUT HOUSE
16 CHESTNUT AVENUE
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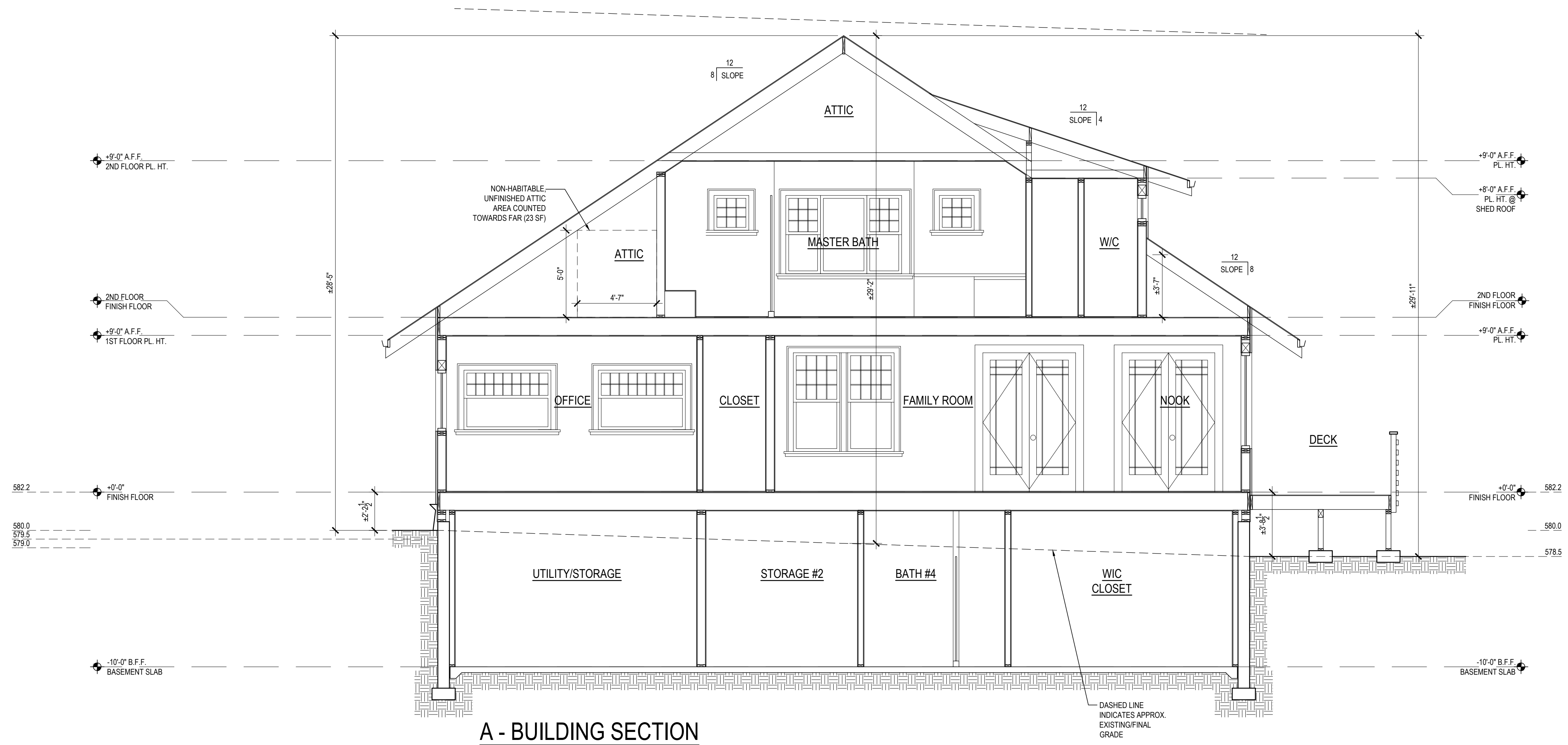
- 17 APRIL 2017
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SCALE: 1/4" = 1'-0"

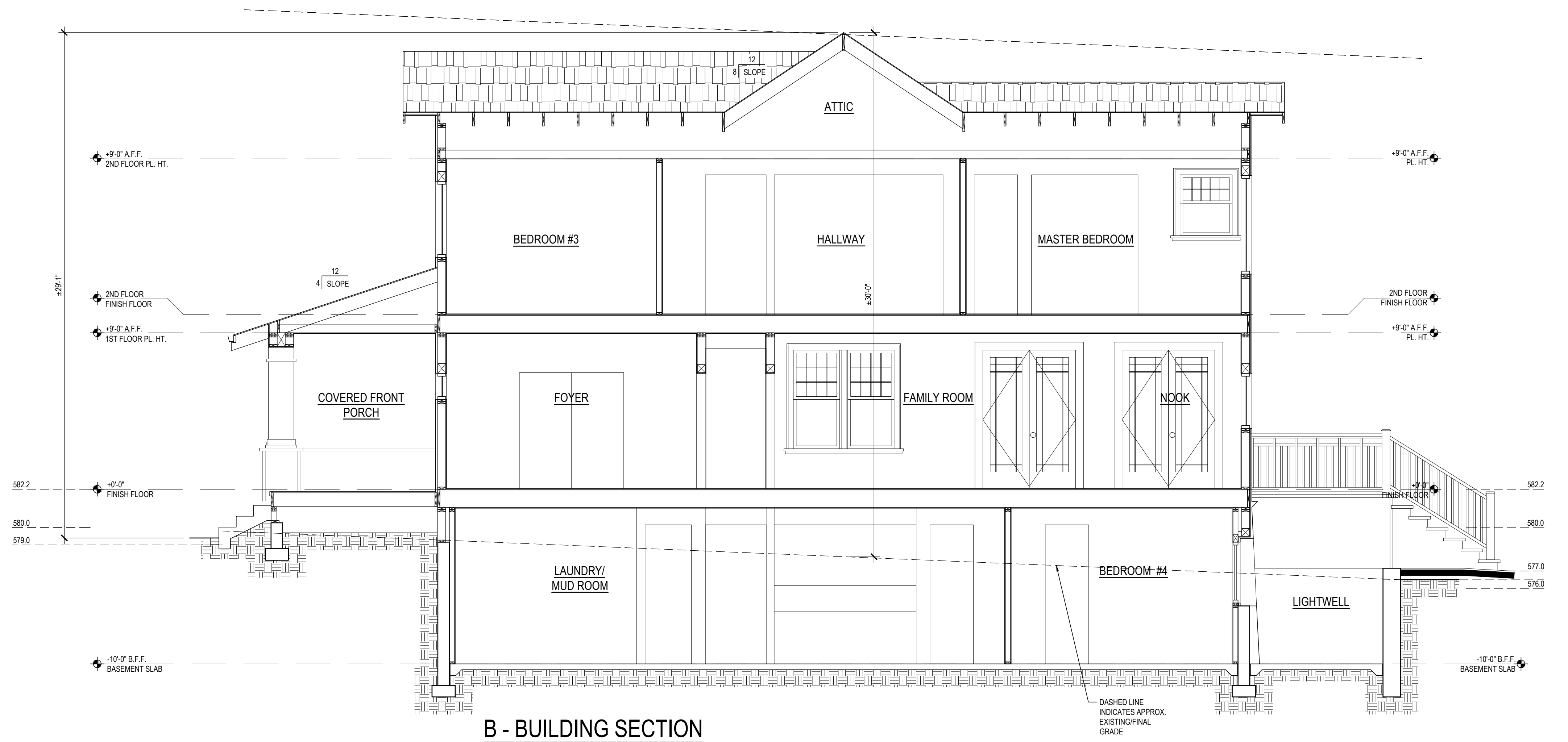
EXISTING + PROPOSED
EXTERIOR ELEVATIONS



INTERIORS
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A - BUILDING SECTION



B - BUILDING SECTION

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

PROPOSED BUILDING
SECTIONS

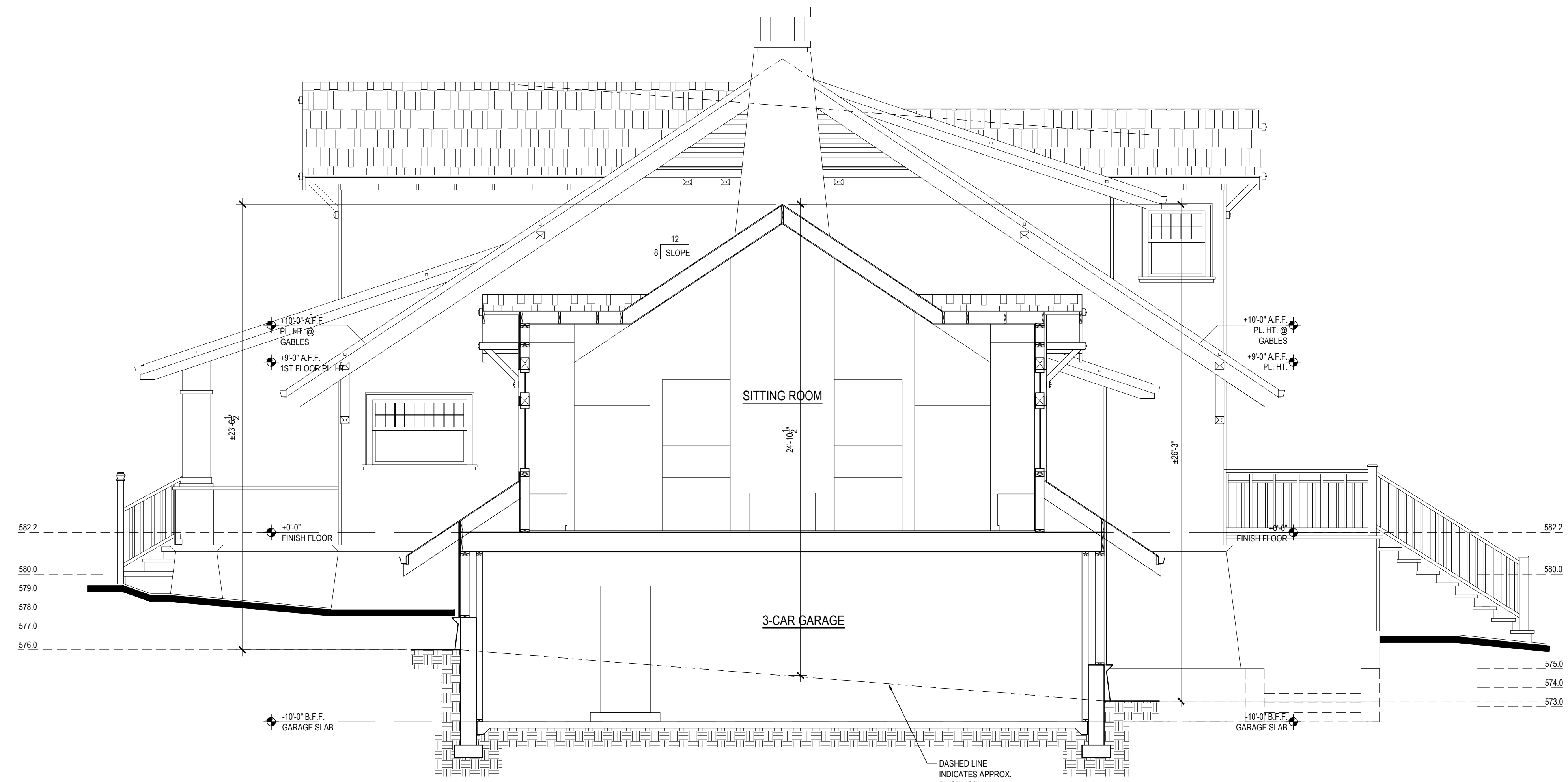
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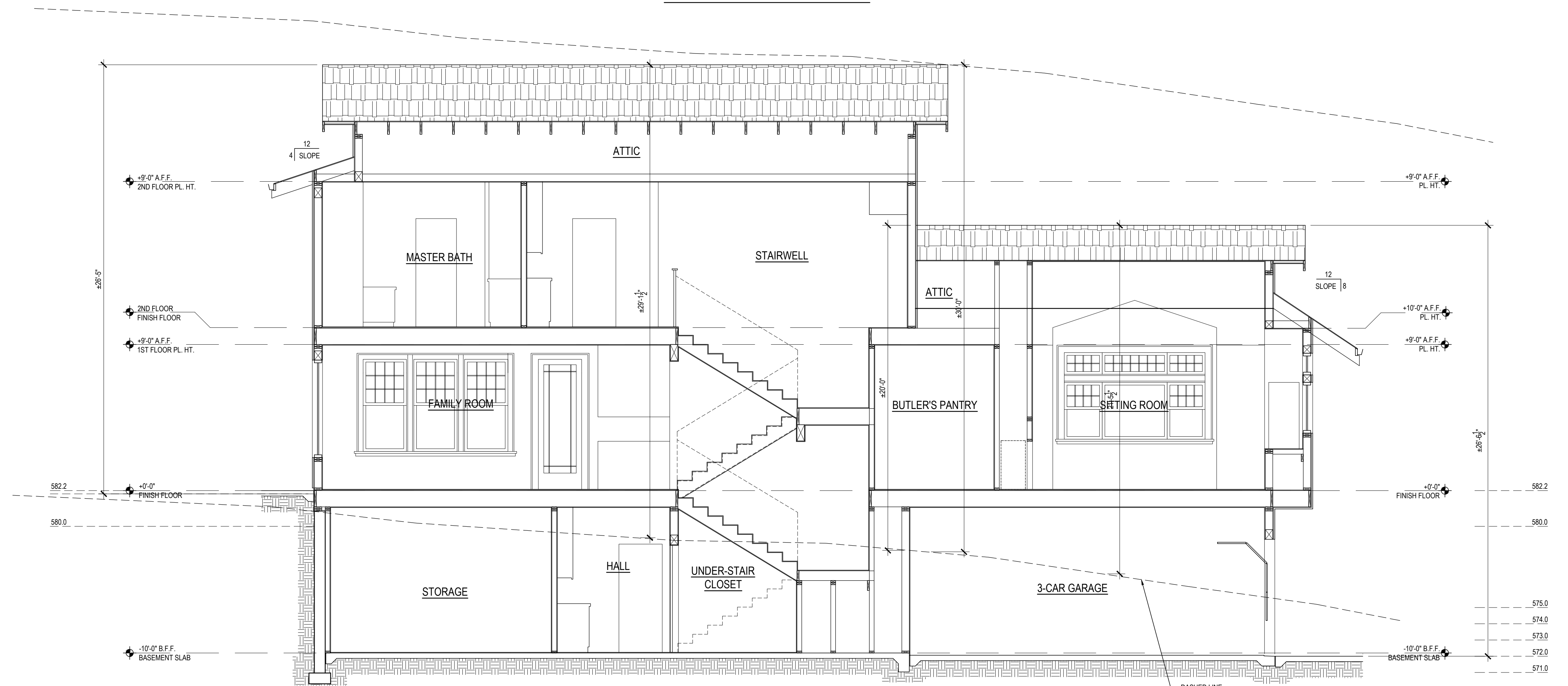
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C - BUILDING SECTION



D - BUILDING SECTION

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

PROPOSED BUILDING
SECTIONS

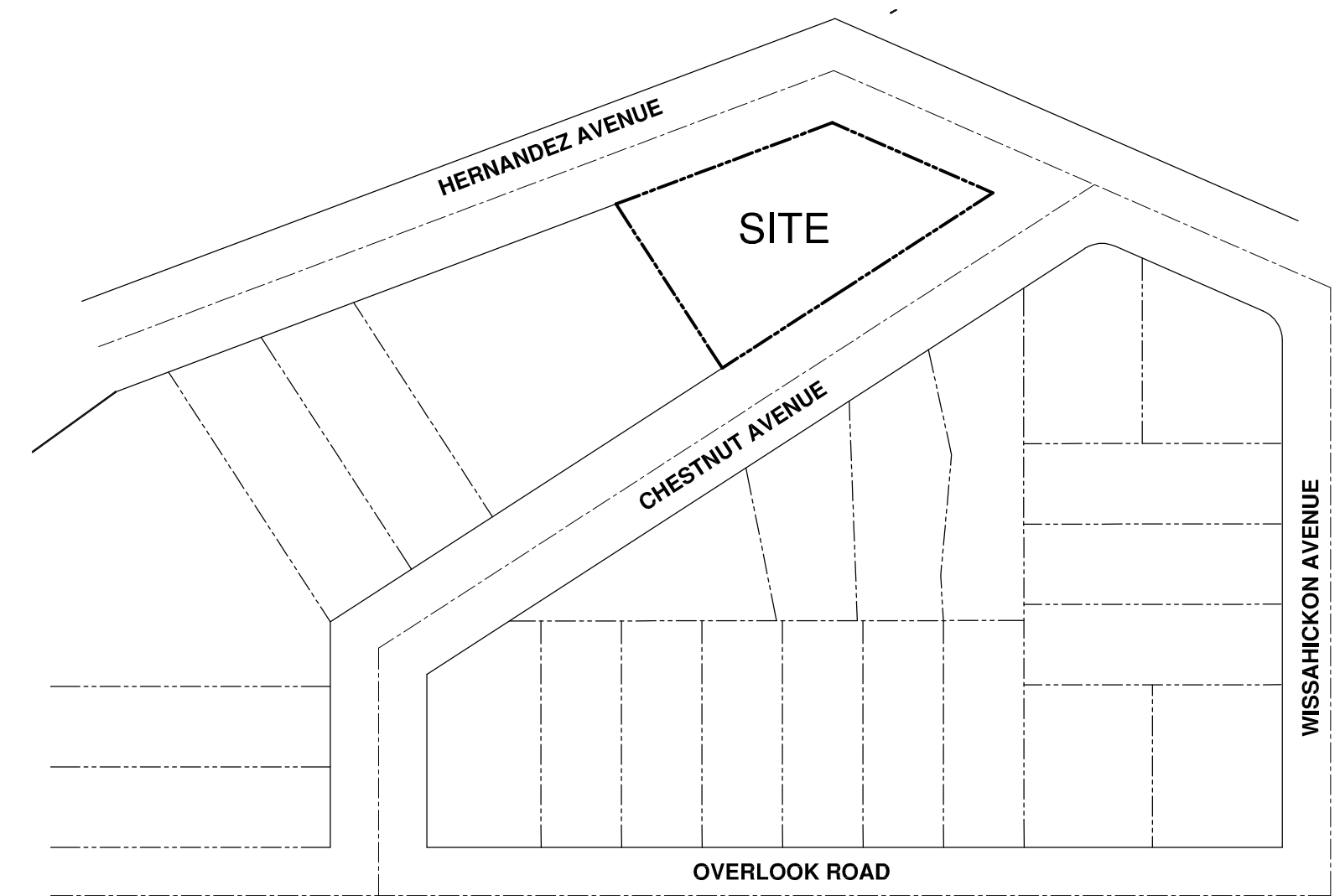
A4.2

PLANS FOR THE ARCHITECTURE AND SITE APPROVAL (ASA) NEW SINGLE FAMILY RESIDENCE

LANDS OF ROPER
16 CHESTNUT AVENUE, LOS GATOS
A.P.N. 510-40-012
TOWN OF LOS GATOS FILE NO. S-17-047



VICINITY MAP
N.T.S.



LOCATION MAP
N.T.S.

SHEET NO.	DESCRIPTION
C1	TITLE SHEET
C2	EXISTING CONDITIONS & DEMOLITION PLAN
C3	SITE PLAN
C4	GRADING & DRAINAGE PLAN
C5	UTILITY PLAN
C6	SECTIONS AND DETAILS
C7	EROSION CONTROL PLAN & TREE PROTECTION DETAILS
C8	BLUEPRINT FOR A CLEAN BAY

GENERAL NOTES

OWNERS: KIM ROPER
13 CHESTNUT AVENUE
LOS GATOS, CA 95030

DEVELOPER: KIM ROPER
(SAME AS OWNER)

ENGINEER: PEOPLES ASSOCIATES
(SEE TITLE BLOCK)

PROPERTY ADDRESS: 16 CHESTNUT AVENUE
LOS GATOS, CA 95030

EXISTING ZONING: R-1:12
PROPOSED ZONING: R-1:12

NET ACREAGE: 17,806 S.F. (0.404 Ac.)
EXISTING USE: SINGLE FAMILY RESIDENCE
PROPOSED USE: SINGLE FAMILY RESIDENCE

STORM: EXISTING NATURAL DRAINAGE PATTERNS
EXISTING CULVERTS

SANITARY: WEST VALLEY SANITATION DISTRICT
EXISTING IN CHESTNUT AVENUE AND ON-SITE

WATER: SAN JOSE WATER CO.
EXISTING IN CHESTNUT AVENUE AND ON-SITE

GAS: P.G.&E.
EXISTING IN CHESTNUT AVENUE AND ON-SITE

ELECTRIC: P.G.&E.
EXISTING IN CHESTNUT AVENUE AND ON-SITE

TELEPHONE: AT&T
EXISTING IN CHESTNUT AVENUE AND ON-SITE

CABLE TV: COMCAST
EXISTING IN CHESTNUT AVENUE AND ON-SITE

A.P.N. 510-40-012

PROPERTY INFORMATION

EX. ZONING: R-1:12
SETBACKS: FRONT = 25'
SIDE = 10'
REAR = 20'
STREET = 15'
POOL = 5'
LOT COVERAGE: 40% MAX.
MAX. HEIGHT: 30' FROM NATURAL OR FINISH GRADE

PRELIMINARY TITLE REPORT
OLD REPUBLIC TITLE COMPANY DATED: JANUARY 19, 2017

ABBREVIATIONS

A.D.	= Area Drain
AC. or A.C.	= Asphalt Concrete
B.S.L.	= Building Setback Line
B.W.	= Bottom of Wall
C.B.	= Catch Basin
C.O.	= Clean Out
CL	= Centerline
Conc.	= Concrete
Div. V.	= Diversion Valve
D.W.	= Driveway
E.P.	= Edge of Pavement
Ex. or Exist.	= Existing
F.F.	= Finish Floor
F.H.	= Fire Hydrant
F.L.	= Flow Line
Fnd.	= Found
IP.	= Iron Pipe
L.F.	= Linear Feet
L.L.	= Leach Line
Max.	= Maximum
Min.	= Minimum
Mon.	= Monument
N.T.S.	= Not To Scale
NAT.	= Natural
Pav.	= Pavement
PL or Prop.	= Property Line
P.W.L.E.	= Private Water Line Easement
R.W.	= Right-of-Way
Ret.	= Retaining
S.T.	= Septic Tank
T.L.	= Tight Line
T.W.	= Top of Wall
Typ.	= Typical
W.	= Water
W.M.	= Water Meter

PARKING NOTES:

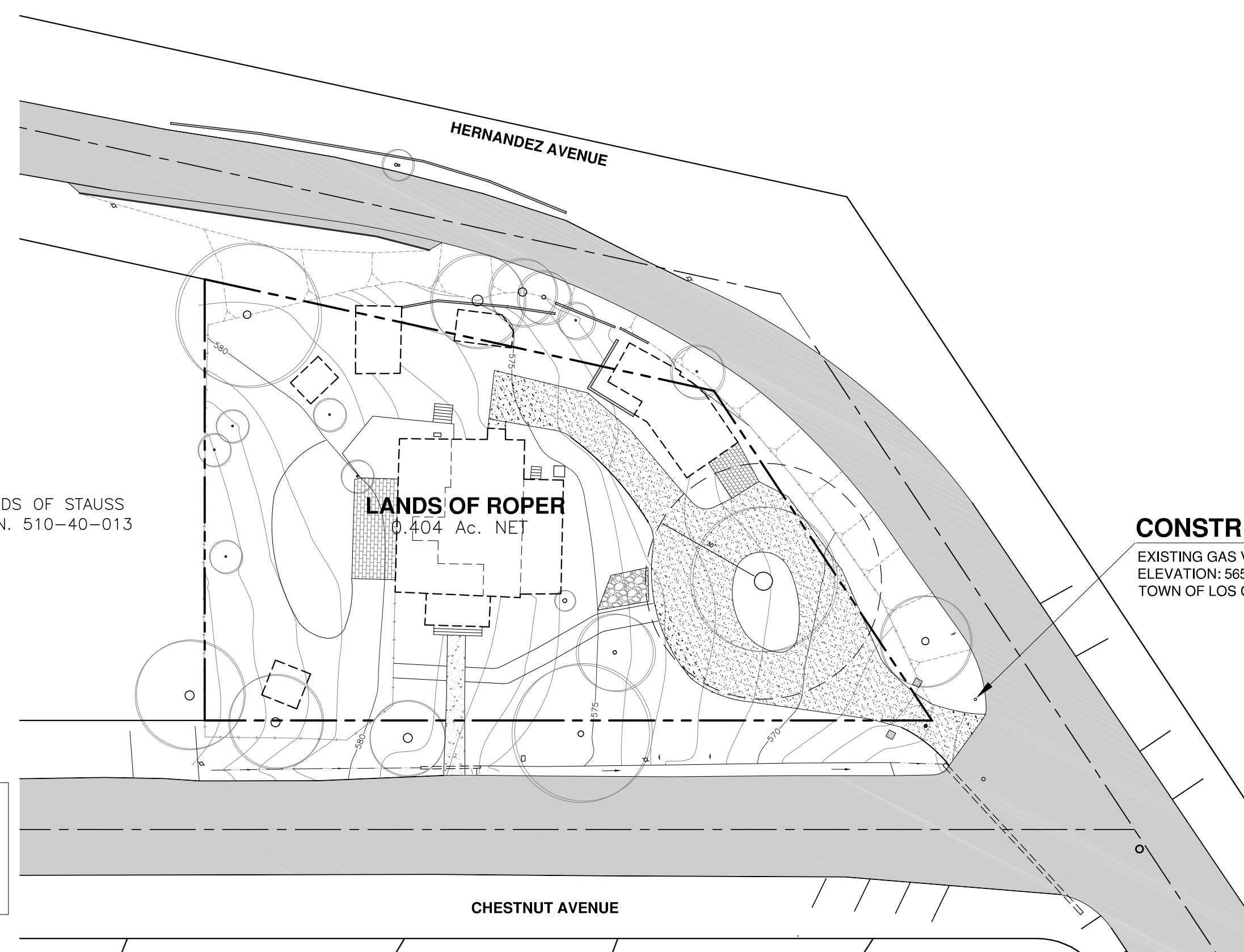
IN GARAGE 3
ON DRIVEWAY 3
in front of garage

BENCHMARK

TOWN OF LOS GATOS LG33
ELEVATION: 563.56

GRADING NOTE:

ALL GRADING SHALL BE IN ACCORDANCE WITH "GEOTECHNICAL INVESTIGATION" PREPARED FOR THIS SITE BY: TING & ASSOCIATES, INC. DATED SEPTEMBER 25, 2018.



SITE MAP
SCALE: 1"=30'

CONSTRUCTION BENCHMARK

EXISTING GAS VALVE TOP OF RIM IN HERNANDEZ AVENUE.
ELEVATION: 565.77
TOWN OF LOS GATOS DATUM

GENERAL NOTES

- THE DATE OF THE FIELD SURVEY WAS APRIL 2017 & NOVEMBER 2018.
- CONTOUR INTERVAL IS 1-FOOT WITH SPOT ELEVATIONS.
- THIS TOPOGRAPHIC MAP REPRESENTS SURFACE FEATURES ONLY.
- BASIS OF ELEVATION: TOWN OF LOS GATOS BENCHMARK: "LG33" ELEVATION: 563.56
- PROPERTY LINES SHOWN ARE RECORD DATA.
- ALL DISTANCES ARE IN FEET AND DECIMALS THEREOF.
- ALL GRADING SHALL BE IN ACCORDANCE WITH THE GEOTECHNICAL REPORT PREPARED FOR THIS PROJECT BY TING & ASSOCIATES, INC. DATED SEPTEMBER 25, 2018.
- THE DRIVEWAY SHALL BE 12' WIDE MIN. OR PER TOWN OF LOS GATOS STANDARDS.
- THE LONGITUDINAL PROFILE OF THE DRIVEWAY SHALL FOLLOW THE EXISTING TERRAIN TO MINIMIZE GRADING.
- MAINTAIN NATURAL DRAINAGE PATTERN AND EXISTING SHEET-FLOW INTO EXISTING CULVERTS.
- ALL DOWNSPOUTS SHALL HAVE A SPLASH BOX AND DIVERT WATER AWAY FROM BUILDING INTO LANDSCAPED AREA.
- ALL NEW UTILITIES SHALL BE UNDERGROUND

AVERAGE SLOPE

$$S = \frac{0.0023 \times l \times L}{A}$$

OVERALL SITE

$$S = \frac{0.0023 \times 5 \times 285}{0.404}$$

S = 8.11%

IMPERVIOUS COVERAGE

LOCATION	SQUARE FEET
PRE-CONSTRUCTION (EXISTING)	
EX. HOUSE & PORCH ROOF*	2,300
EX. GREEN HOUSE ROOF*	104
EX. CHICKEN COOP ROOF*	181
EX. AC DRIVEWAY*	3,585
EX. BRICK PATIO & STAIRS*	367
EX. TILES*	112
EX. SECONDARY DWELLING ROOF	700
EX. SHED ROOF	298
EX. GAZEBO	128
EX. CONCRETE WALKWAY	302
EX. WALLS & ROCKS	165
TOTAL	8,242

* DEMOLISH AND REMOVE

IMPERVIOUS COVERAGE

LOCATION	SQUARE FEET
POST-CONSTRUCTION (NEW)	
RESIDENCE ROOF	3,110
LIGHT WELL	180
POOL DECK	590
INTERLOCKING BLOCK WALL	55
EXISTING (TO REMAIN)	
EX. SECONDARY DWELLING ROOF	700
EX. SHED ROOF	298
EX. GAZEBO	128
EX. CONCRETE WALKWAY (PORTION)	100
EX. WALLS & ROCKS (PORTION)	54
TOTAL	5,215

3,027 S.F. LESS THAN PRE-CONSTRUCTION (EXISTING)

PERVIOUS COVERAGE

LOCATION	SQUARE FEET
POST-CONSTRUCTION	
DRIVEWAY	3,255
PATIO	790
BBQ AREA	280
TOTAL	4,325

GRADING QUANTITIES

LOCATION	CUT (In Cubic Yards)	FILL (In Cubic Yards)
HOUSE BASEMENT TO PAD 471.2	306	0
GARAGE TO PAD 471.0	87	0
LIGHT WELL	25	0
DRIVEWAY	32	29
POOL	171	0
POOL DECK	24	4
PATIO	0	47
SIDE & BACK YARD	7	11
BBQ AREA	0	19
TOTAL	652	110

542 C.Y. OVERCUT TO BE HAULED AWAY.

TITLE SHEET
LANDS OF ROPER
16 CHESTNUT AVENUE
LOS GATOS, CALIFORNIA

SHEET NUMBER
C1
OF 8 SHEETS
DRAWING NO.
18045-C1



REV.	DATE	DESCRIPTION
1	04/19	REVISED PER TOWN LETTER DATED MARCH 5, 2019
0	11/18	RELEASED TO CLIENT & TOWN

DESIGNED BY:	V.S.	DRAWN BY:	R.S.C.	CHECKED BY:	V.S.	SCALE:	AS SHOWN

PEOPLES ASSOCIATES
STRUCTURAL ENGINEERS
408-687-0220
San Jose, California
www.peas.com
Pleasanton, California
R.C.E. NO. 29,588
DATE: 11/28/18
APPROVED BY:

WARNING

- DO NOT REMOVE EXISTING AC FROM DRIVEWAY WITHIN 30' OF TREE TRUNK DURING CONSTRUCTION
- WHEN CONSTRUCTION IS COMPLETE AND FINALIZED, REMOVE EXISTING AC AND INSTALL PERVIOUS PAVERS PER TYPICAL DRIVEWAY SECTION, SEE SHEET C6

DEMOLITION NOTES:

- REMOVE AND HAUL AWAY ALL DEBRIS WITHIN DEMOLITION AND CLEARING AREA:
 - EXISTING RESIDENCE, GREEN HOUSE AND CHICKEN COOP AS SHOWN
 - ALL CONCRETE, BRICK PATIOS, TILES AND WALKWAYS AS SHOWN
 - ALL EXISTING ASPHALT DRIVEWAY AS SHOWN
 - ALL PORCHES AND PATIOS
 - TRESS AS SHOWN
 - FENCE AS SHOWN
 - ROCKS AS SHOWN
 - GRAVEL AND SAND AS SHOWN
 - REMOVE OVERHEAD LINES FOR ELEC., TEL. & CATV

DUST CONTROL NOTES:

- DUST GENERATED ON THE PROJECT SITE SHALL BE CONTROLLED BY WATERING OR APPLYING APPROVED DUST PALLIATIVE ON ALL EXPOSED AREAS AT LEAST TWICE DAILY DURING DEMOLITION, EXCAVATION AND ESPECIALLY DURING CLEARING AND GRADING OPERATIONS.
- ALL HAUL TRUCKS TRANSPORTING LOOSE MATERIAL OFF-SITE SHALL BE COVERED.
- ALL VISIBLE MUD OR DIRT TRACKED OUT ONTO ADJACENT ROADS SHALL BE REMOVED USING WET POWER VACUUM STREET SWEEPERS.

LEGEND

	PROPERTY LINE
	ADJACENT PROPERTY LINE
	CENTERLINE
	RIGHT-OF-WAY LINE
	BUILDING SETBACK LINE
	EXISTING STRUCTURES
	MAJOR CONTOUR
	MINOR CONTOUR
	TREE TO BE REMOVED
	DEMOLITION & CLEARING AREA
	OVERHEAD



REV.	DATE	DESCRIPTION
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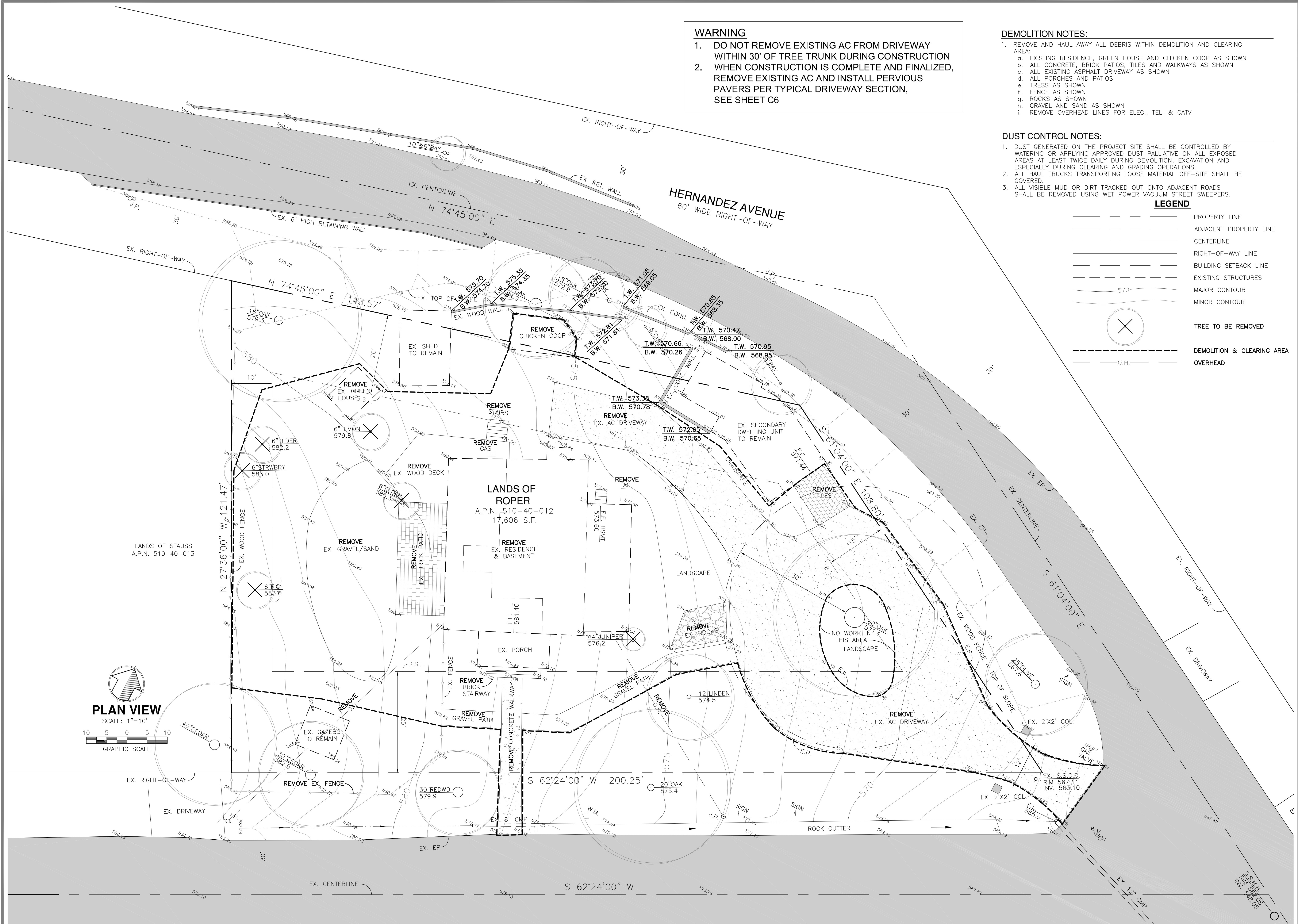
DESIGNED BY: V.S.
 DRAWN BY: R.S.C.
 CHECKED BY: V.S.
 SCALE: AS SHOWN

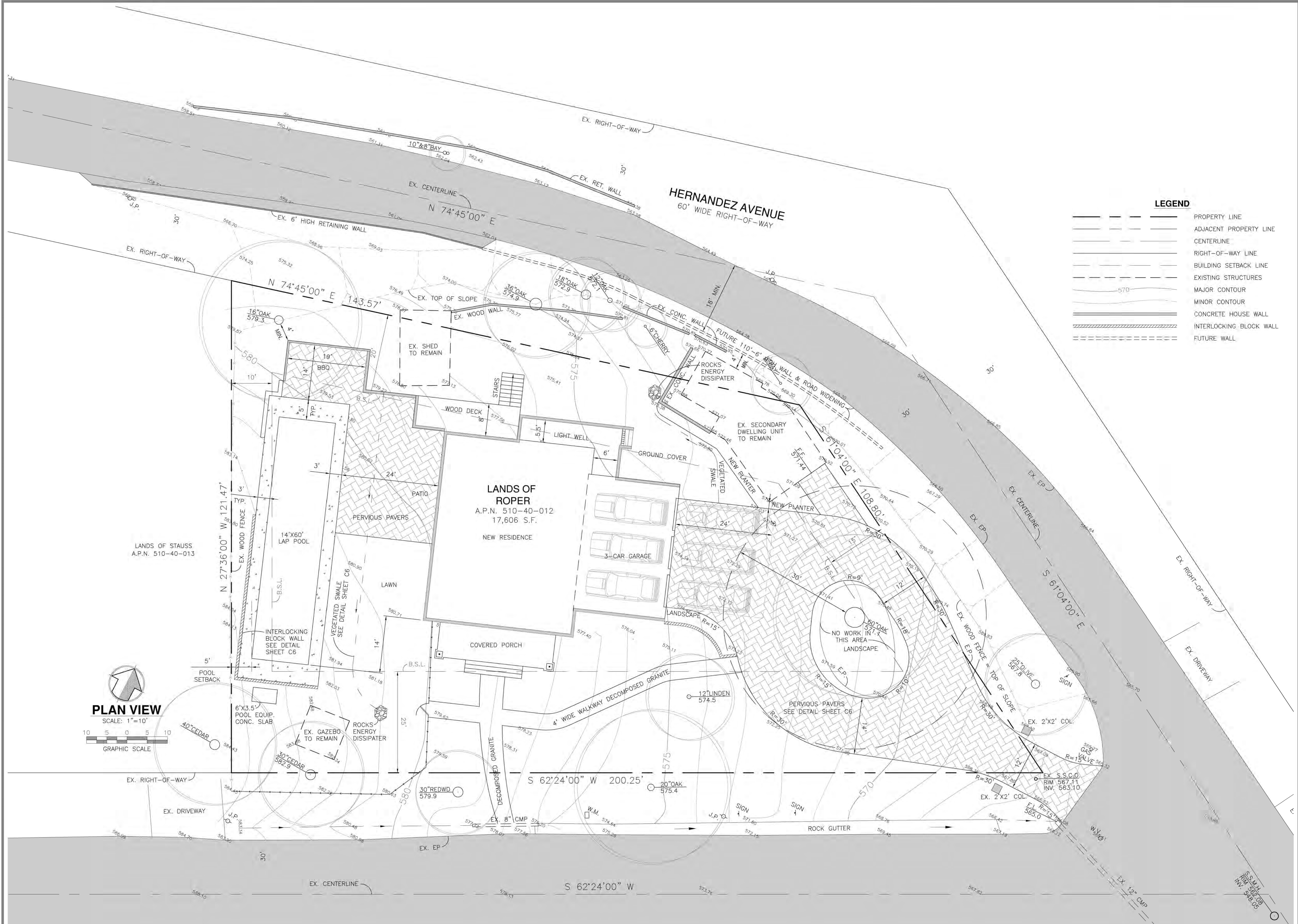
PEOPLES ASSOCIATES
STRUCTURAL ENGINEERS
 408-87-0220
 San Jose, California
 www.paee.com
 Pleasanton, California

APPROVED BY: V.S.
 I.C.E. NO. 29,588
 DATE: 11/28/18

EXISTING CONDITIONS & DEMOLITION PLAN
LANDS OF ROPER
 16 CHESTNUT AVENUE
 LOS GATOS, CALIFORNIA

SHEET NUMBER
C2
 OF 8 SHEETS
 DRAWING NO.
 18045-C2





LEGEND

- — — — — PROPERTY LINE
- — — — — ADJACENT PROPERTY LINE
- — — — — CENTERLINE
- — — — — RIGHT-OF-WAY LINE
- — — — — BUILDING SETBACK LINE
- — — — — EXISTING STRUCTURES
- — — — — MAJOR CONTOUR
- — — — — MINOR CONTOUR
- — — — — CONCRETE HOUSE WALL
- — — — — INTERLOCKING BLOCK WALL
- — — — — FUTURE WALL

REV	DATE	DESCRIPTION
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0	11-18	RELEASED TO CLIENT & TOWN

DESIGNED BY: V.S.
 DRAWN BY: R.S.C.
 CHECKED BY: V.S.
 SCALE: AS SHOWN

DATE: 11/28/18
 FILE NO. 29-558

PEOPLES ASSOCIATES
STRUCTURAL ENGINEERS
 408-977-9220
 San Jose, California
 www.paee.com
 Pleasanton, California

APPROVED BY:

SITE PLAN
LANDS OF ROPER
 16 CHESTNUT AVENUE
 LOS GATOS, CALIFORNIA

SHEET NUMBER
C3
 OF 8 SHEETS
 DRAWING NO.
 18045-C3

WARNING

- DO NOT REMOVE EXISTING AC FROM DRIVEWAY WITHIN 30' OF TREE TRUNK DURING CONSTRUCTION
- WHEN CONSTRUCTION IS COMPLETE AND FINALIZED, REMOVE EXISTING AC AND INSTALL PERVIOUS PAVERS PER TYPICAL DRIVEWAY SECTION, SEE SHEET C6

GRADING QUANTITIES

LOCATION	CUT (In Cubic Yards)	FILL (In Cubic Yards)
HOUSE BASEMENT TO PAD 471.2	306	0
GARAGE TO PAD 471.0	87	0
LIGHT WELL	25	0
DRIVEWAY	32	29
POOL	171	0
POOL DECK	24	4
PATIO	0	47
SIDE & BACK YARD	7	11
BBQ AREA	0	19
TOTAL	652	110

542 OVERCUT TO BE HAULED AWAY.

GRADING NOTE:
ALL GRADING SHALL BE IN ACCORDANCE WITH "GEOTECHNICAL REPORT" PREPARED FOR THIS SITE BY: C2EARTH, INC. DATED NOVEMBER 22, 2013.

CONSTRUCTION BENCHMARK
EXISTING GAS VALVE TOP OF RIM IN HERNANDEZ AVENUE.
ELEVATION: 565.77
TOWN OF LOS GATOS DATUM

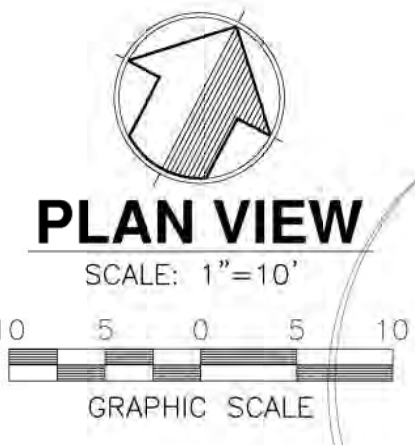
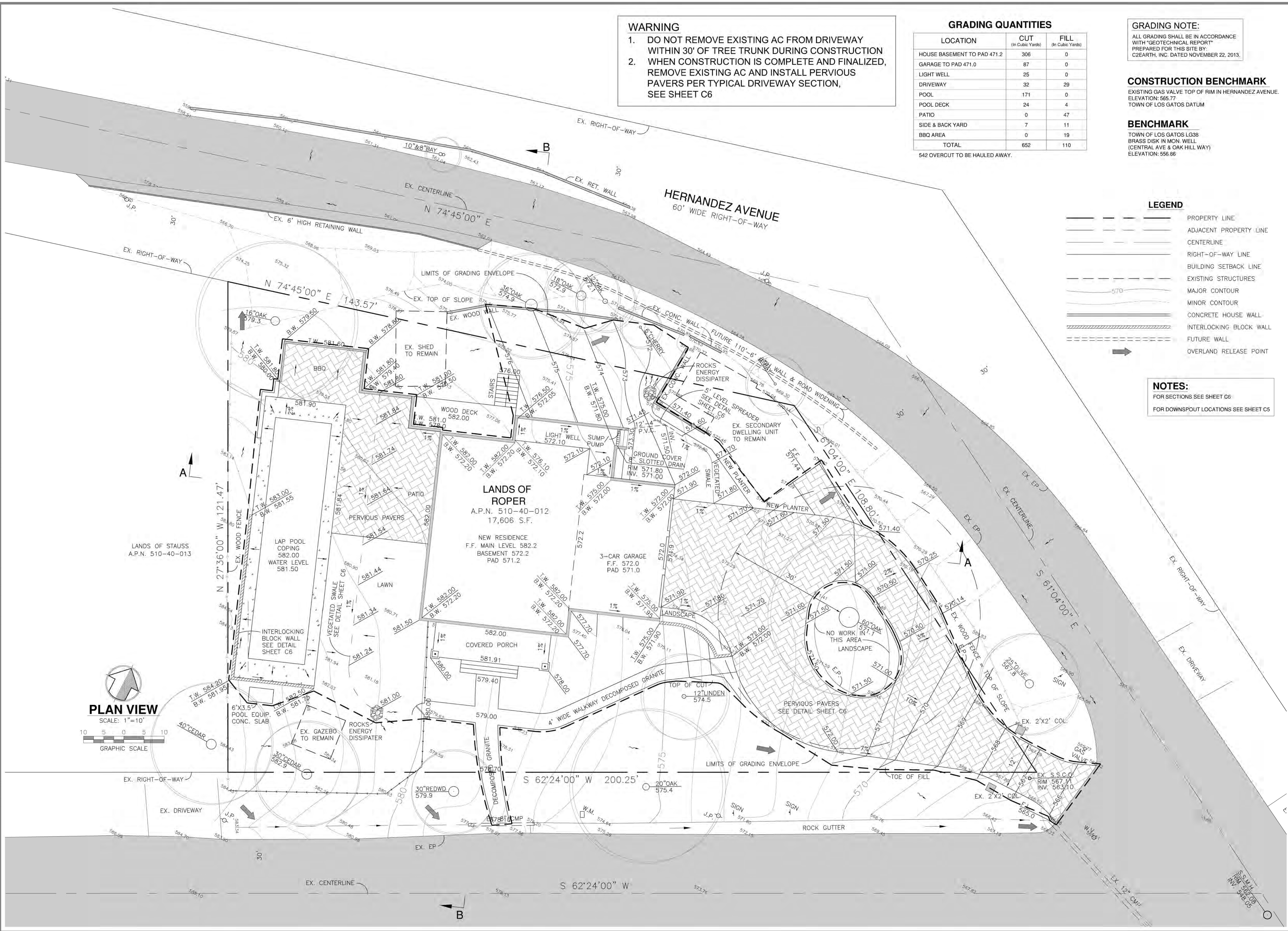
BENCHMARK
TOWN OF LOS GATOS LG38
BRASS DISK IN MON. WELL
(CENTRAL AVE & OAK HILL WAY)
ELEVATION: 556.86



LEGEND

	PROPERTY LINE
	ADJACENT PROPERTY LINE
	CENTERLINE
	RIGHT-OF-WAY LINE
	BUILDING SETBACK LINE
	EXISTING STRUCTURES
	MAJOR CONTOUR
	MINOR CONTOUR
	CONCRETE HOUSE WALL
	INTERLOCKING BLOCK WALL
	FUTURE WALL
	OVERLAND RELEASE POINT

NOTES:
FOR SECTIONS SEE SHEET C6
FOR DOWNSPOUT LOCATIONS SEE SHEET C5



REV	DATE	DESCRIPTION
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DESIGNED BY: V.S.
DRAWN BY: R.S.C.
CHECKED BY: V.S.
SCALE: AS SHOWN
DATE: 11/28/18
FILE NO.: 29-55B

PEOPLES ASSOCIATES
STRUCTURAL ENGINEERS
408-957-9220
www.paee.com
San Jose, California
Pleasanton, California

GRADING & DRAINAGE PLAN

LANDS OF ROPER
16 CHESTNUT AVENUE
LOS GATOS, CALIFORNIA

SHEET NUMBER
C4
OF 8 SHEETS
DRAWING NO.
18045-C4

BENCHMARK
 TOWN OF LOS GATOS LG38
 BRASS DISK IN MON. WELL
 (CENTRAL AVE & OAK HILL WAY)
 ELEVATION: 556.86

CONSTRUCTION BENCHMARK
 EXISTING GAS VALVE TOP OF RIM IN HERNANDEZ AVENUE.
 ELEVATION: 565.77
 TOWN OF LOS GATOS DATUM

GRADING NOTE:
 ALL GRADING SHALL BE IN ACCORDANCE
 WITH "GEOTECHNICAL REPORT"
 PREPARED FOR THIS SITE BY:
 C2EARTH, INC. DATED NOVEMBER 22, 2013.

LEGEND

- PROPERTY LINE
- ADJACENT PROPERTY LINE
- CENTERLINE
- RIGHT-OF-WAY LINE
- BUILDING SETBACK LINE
- EXISTING STRUCTURES
- MAJOR CONTOUR
- MINOR CONTOUR
- CONCRETE HOUSE WALL
- INTERLOCKING BLOCK WALL
- FUTURE WALL
- S.S. --- SANITARY SEWER
- W --- WATER LINE
- G --- GAS LINE
- C.T. --- COMMON TRENCH

NOTES

1. ALL DOWNSPOUTS SHALL HAVE A SPLASH BOX AND DIVERT WATER AWAY FROM BUILDING INTO LANDSCAPED AREA.
2. ALL NEW UTILITIES SHALL BE UNDERGROUND.

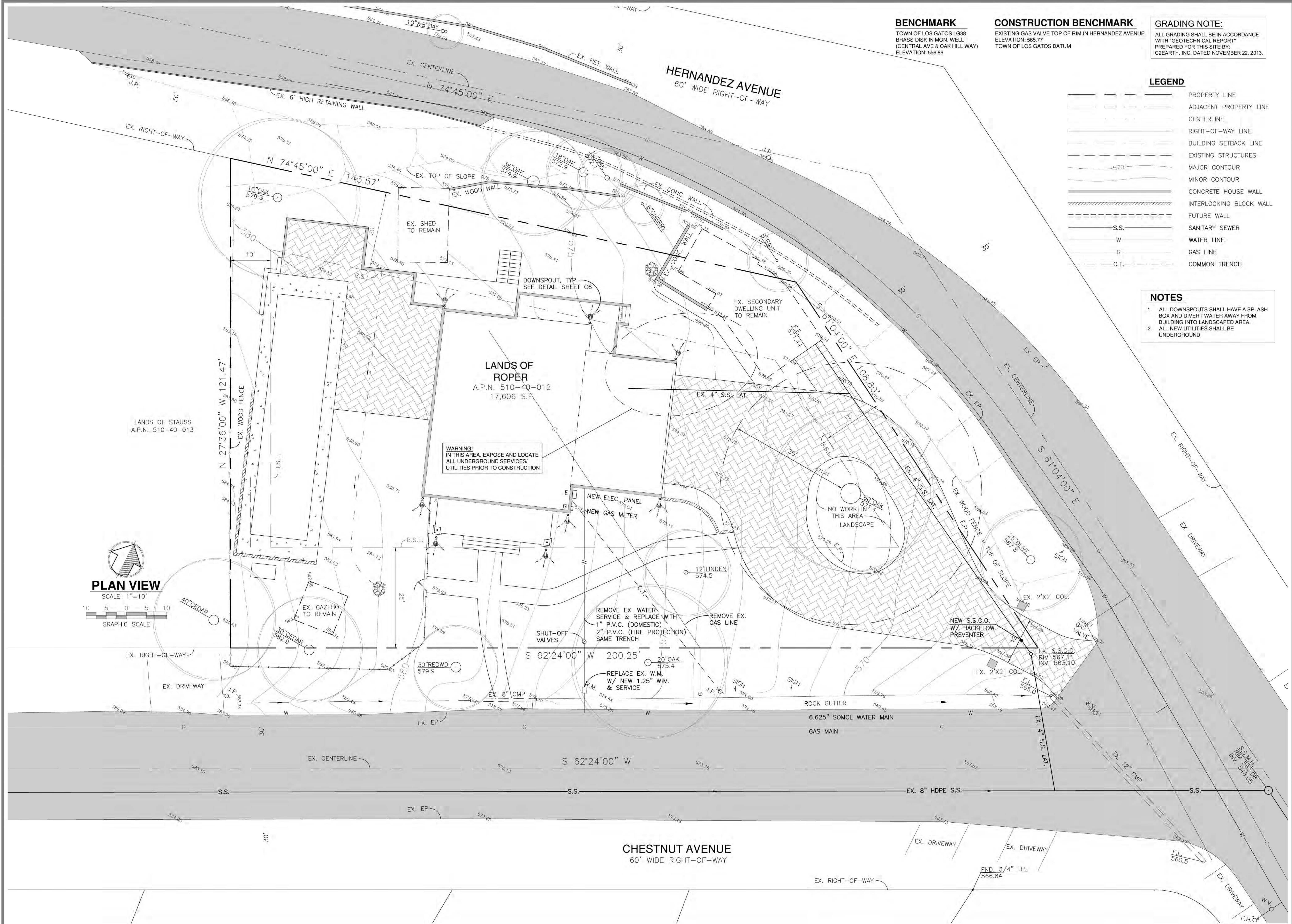


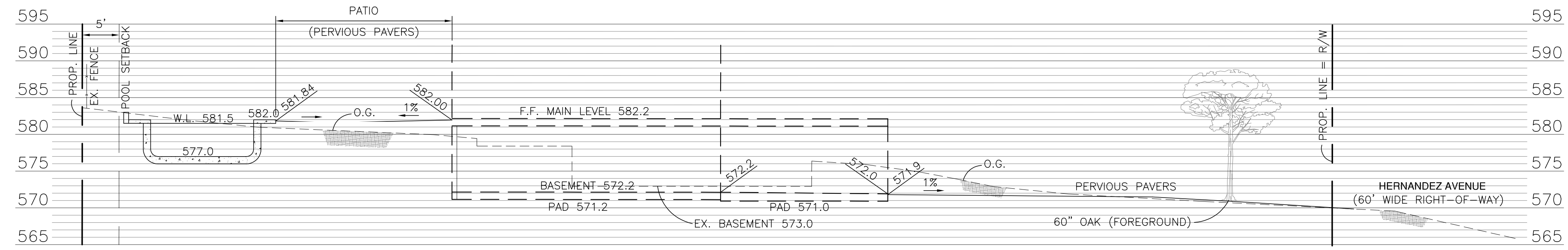
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 SCALE: AS SHOWN
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 FILE NO. 29-55B

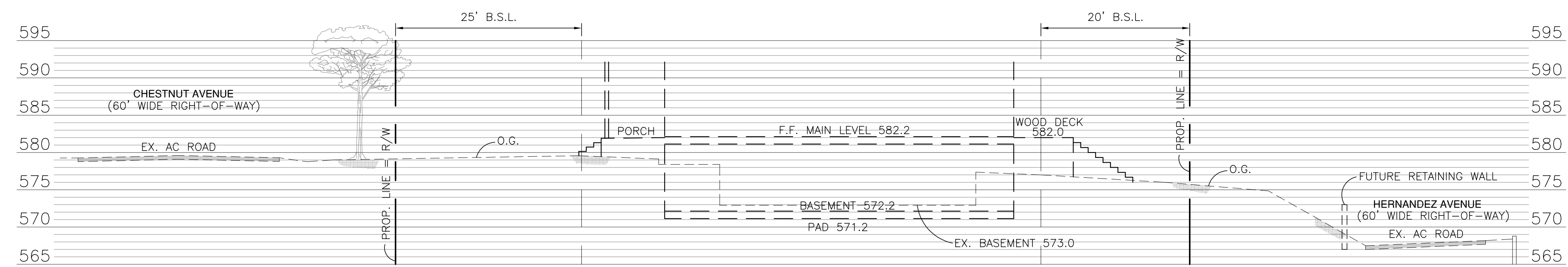
UTILITY PLAN
 LANDS OF ROPER
 16 CHESTNUT AVENUE
 LOS GATOS, CALIFORNIA

SHEET NUMBER
C5
 OF 8 SHEETS
 DRAWING NO.
 18045-C5

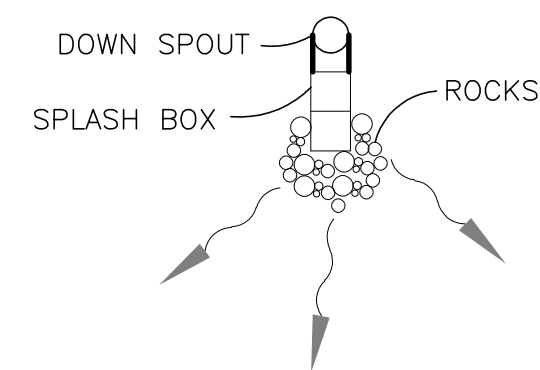




SECTION A-A
SCALE: 1"=10' HOR. & VERT.



SECTION B-B
SCALE: 1"=10' HOR. & VERT.



DOWN SPOUT
N.T.S.

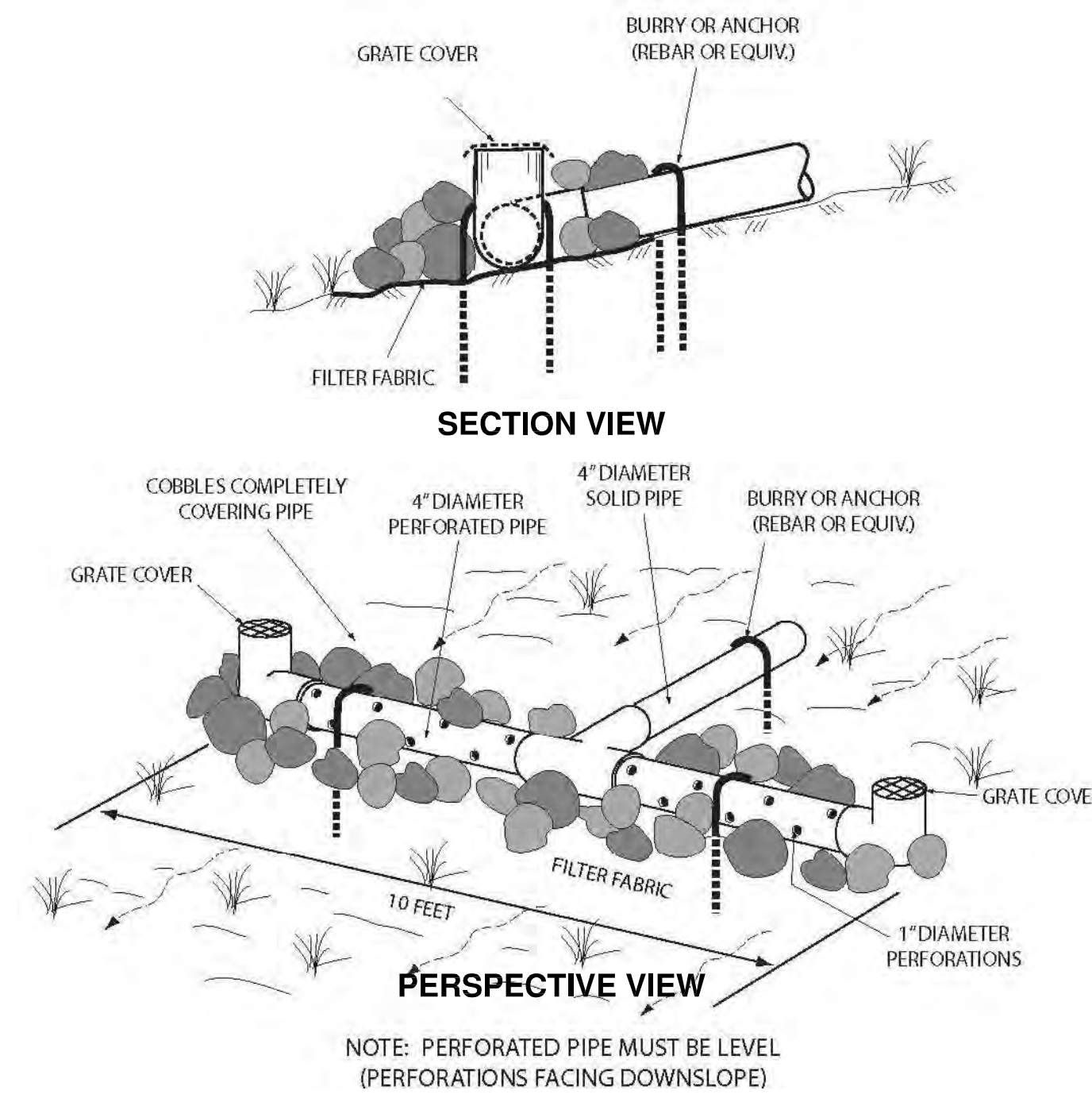


(INTO LANDSCAPE AREA)

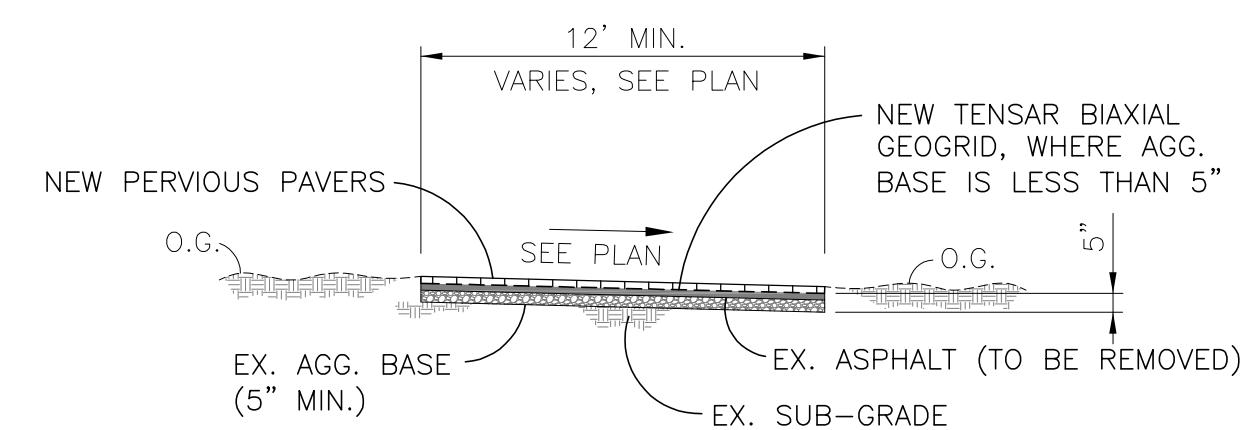


(INTO HARD SURFACE)

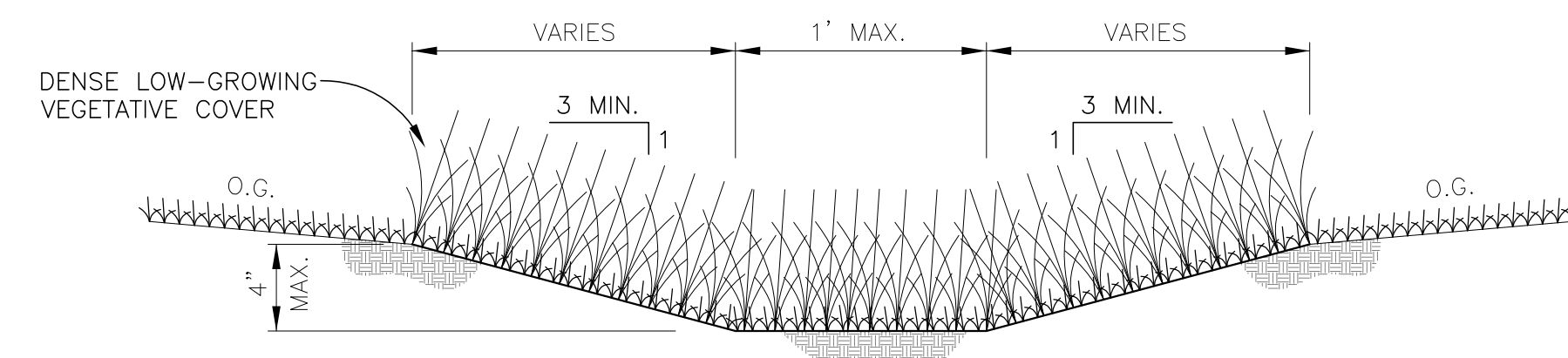
TYPICAL SPLASH BOX
N.T.S.



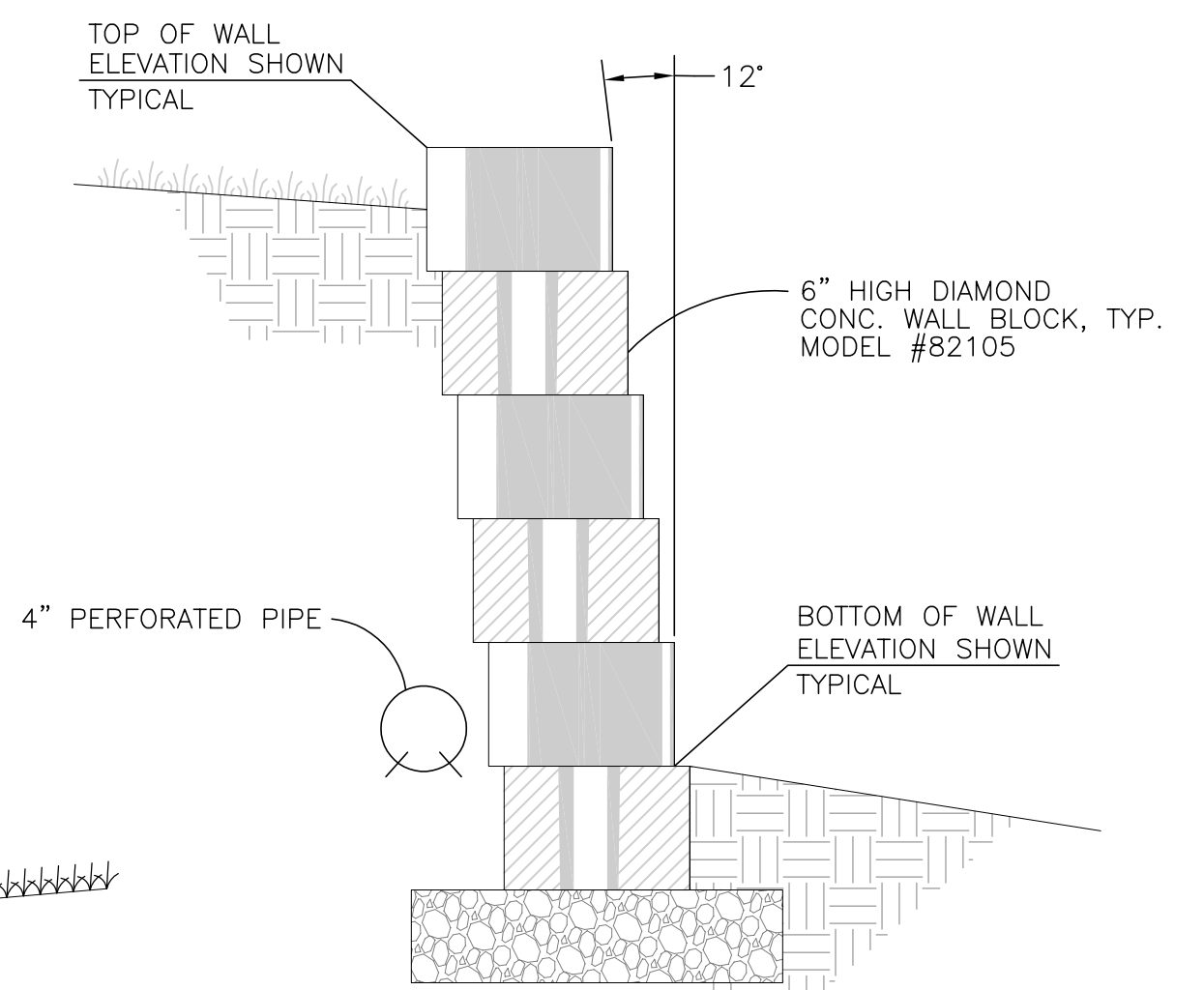
LEVEL SPREADER
N.T.S.



TYPICAL DRIVEWAY SECTION
N.T.S.



VEGETATED SWALE
N.T.S.



INTERLOCKING BLOCK WALL DETAIL
N.T.S.



DESIGNED BY:	V.S.	DATE	REVISION DESCRIPTION
DRAWN BY: <td>R.S.C. <td>04.19 <td>REVISED PER TOWN LETTER DATED MARCH 5, 2019</td> </td></td>	R.S.C. <td>04.19 <td>REVISED PER TOWN LETTER DATED MARCH 5, 2019</td> </td>	04.19 <td>REVISED PER TOWN LETTER DATED MARCH 5, 2019</td>	REVISED PER TOWN LETTER DATED MARCH 5, 2019
CHECKED BY: <td>V.S. <td>01.18 <td>RELEASED TO CLIENT & TOWN</td> </td></td>	V.S. <td>01.18 <td>RELEASED TO CLIENT & TOWN</td> </td>	01.18 <td>RELEASED TO CLIENT & TOWN</td>	RELEASED TO CLIENT & TOWN
SCALE: <td>AS SHOWN <td></td> <td></td> </td>	AS SHOWN <td></td> <td></td>		

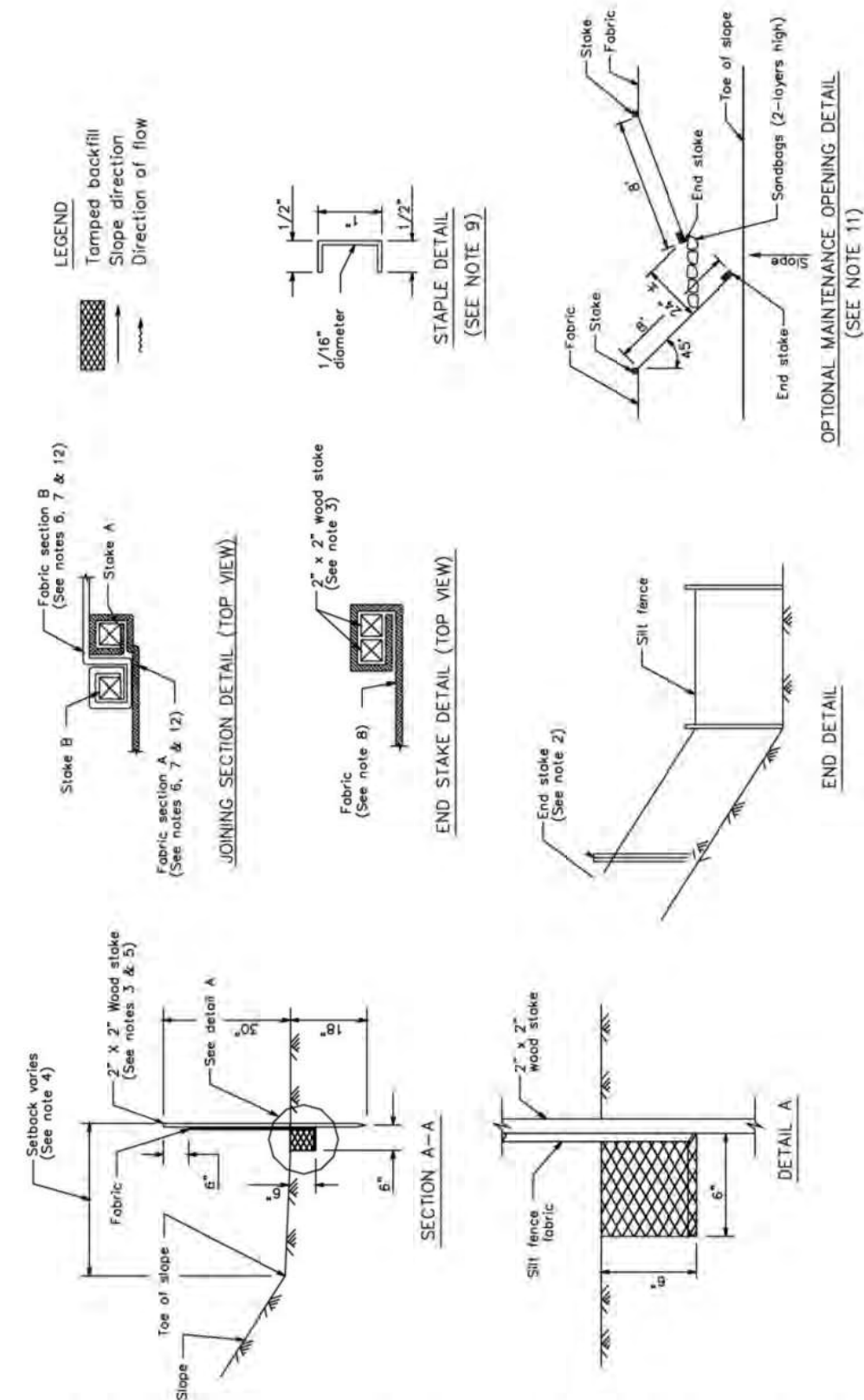
PEOPLES ASSOCIATES
STRUCTURAL ENGINEERS
408-67-0220
San Jose, California
www.peas.com
Pleasanton, California
P.C.E. NO. 29,588
DATE: 11/28/18
APPROVED BY:

DETAILS & SECTIONS
LANDS OF ROPER
16 CHESTNUT AVENUE
LOS GATOS, CALIFORNIA

SHEET NUMBER
C6
OF 8 SHEETS
DRAWING NO.
18045-C6

SE-1

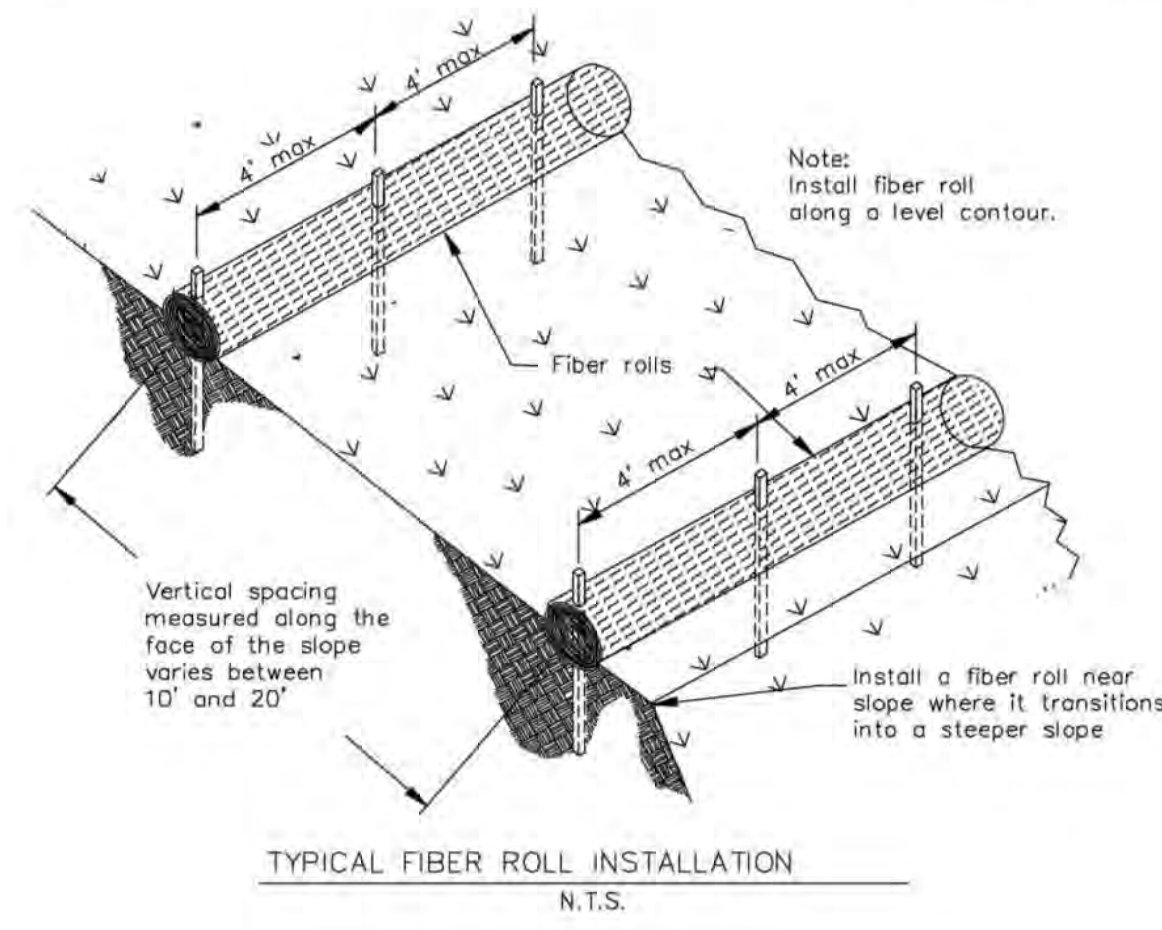
Silt Fence



CALIFORNIA STORMWATER BMP HANDBOOK
 JANUARY 2003

SE-5

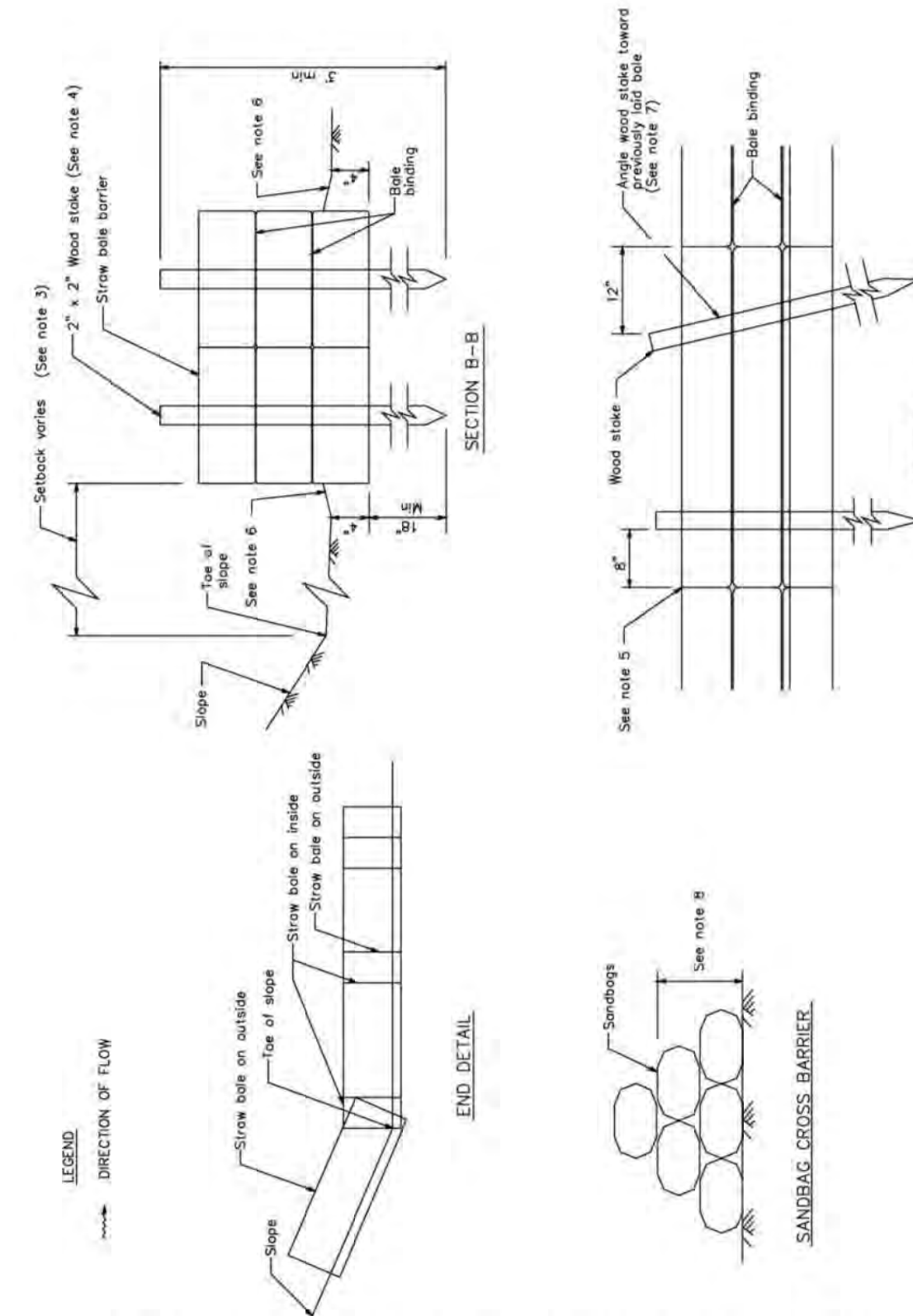
Fiber Rolls



CALIFORNIA STORMWATER BMP HANDBOOK
 JANUARY 2003

SE-9

Straw Bale Barrier



CALIFORNIA STORMWATER BMP HANDBOOK
 JANUARY 2003

EROSION CONTROL NOTES:

- EROSION CONTROL MEASURES SHALL CONFORM WITH ABAG STANDARDS OR TOWN OF LOS GATOS STANDARDS.
- EROSION CONTROL SYSTEMS SHALL BE INSTALLED AND MAINTAINED THROUGHOUT THE RAINY SEASON.
- IN THE EVENT OF RAIN, ALL GRADING WORK IS TO CEASE IMMEDIATELY AND THE SITE IS TO BE SEALED IN ACCORDANCE WITH THE APPROVED EROSION CONTROL MEASURES AND APPROVED EROSION CONTROL PLAN. THE CONTRACTOR SHALL BE RESPONSIBLE FOR CHECKING AND REPAIRING EROSION CONTROL SYSTEMS AFTER EACH STORM.
- ALL CUT AND FILL SLOPES SHALL BE PROTECTED BY SEEDING AND COVERED WITH STRAW MULCH.
- ADDITIONAL EROSION CONTROL MEASURES MAY BE REQUIRED AS DETERMINED BY THE SOILS ENGINEER IN FIELD.
- CONTRACTOR SHALL PREVENT ANY ACCUMULATION OR DEPOSIT OF DIRT, MUD, SAND, ROCKS, GRAVEL OR DEBRIS ON THE SURFACE OF ANY PAVED ROAD.

EROSION PROTECTION MEASURES:

- INSTALL SEDIMENT ROLLS (FIBER ROLLS), OR SILT FENCE, OR STRAW BALE DIKES WHERE SHOWN.
- CONSTRUCTION OPERATIONS SHALL BE CARRIED OUT IN SUCH A MANNER THAT EROSION AND WATER POLLUTION ARE MINIMIZED.
- IT IS THE RESPONSIBILITY OF THE OWNER/CONTRACTOR TO INSURE THAT NO MUD OR SILTATION LEAVES THE PROJECT SITE.

SPECIAL NOTE:

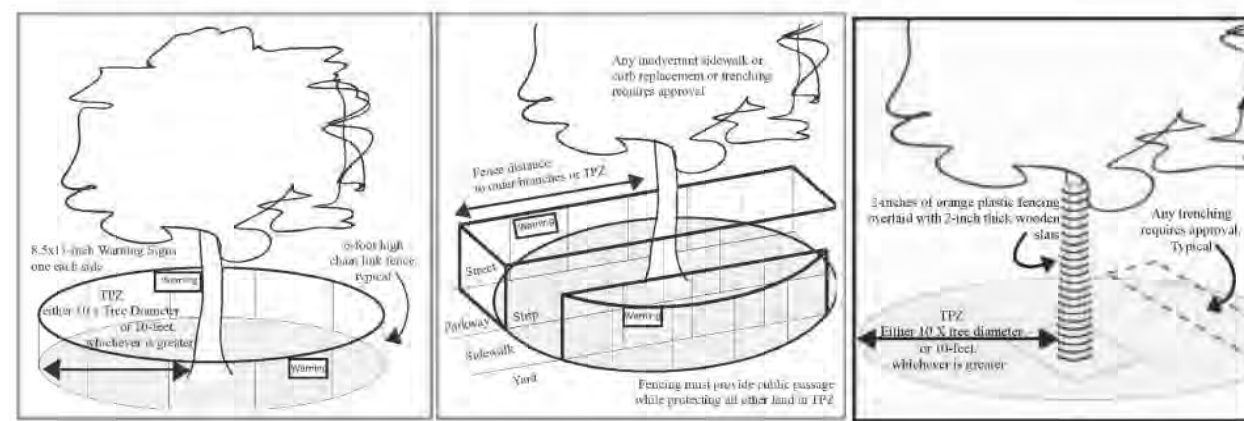
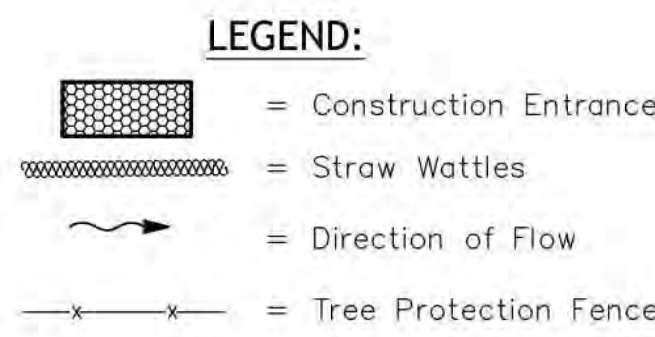
GRADING WORK BETWEEN OCTOBER 15TH AND APRIL 15TH IS AT THE DISCRETION OF THE TOWN OF LOS GATOS.

SEEDING NOTES:

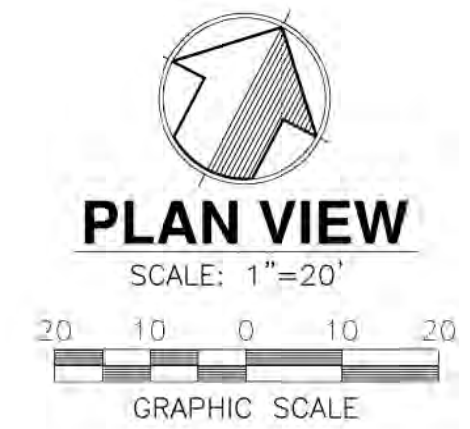
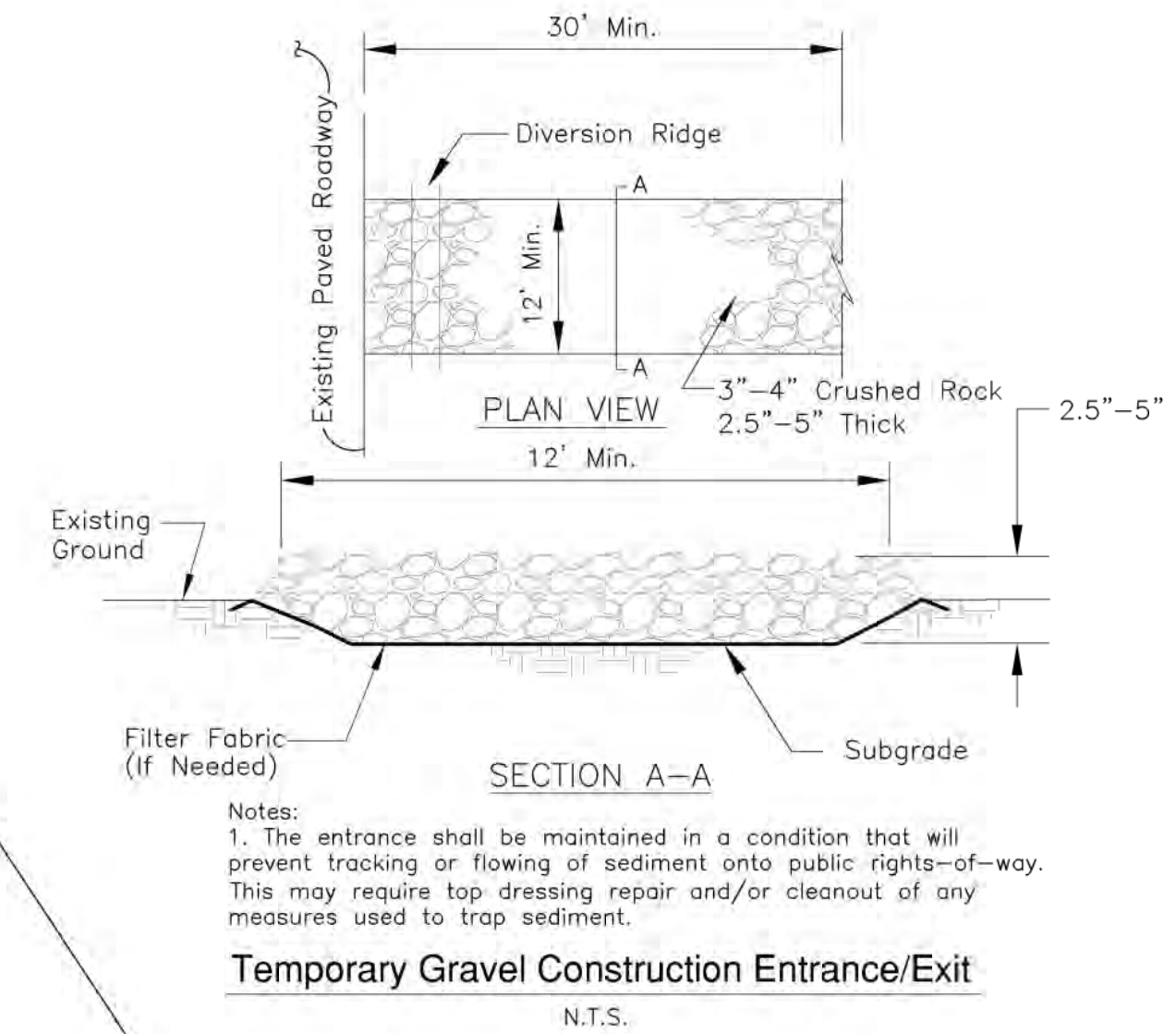
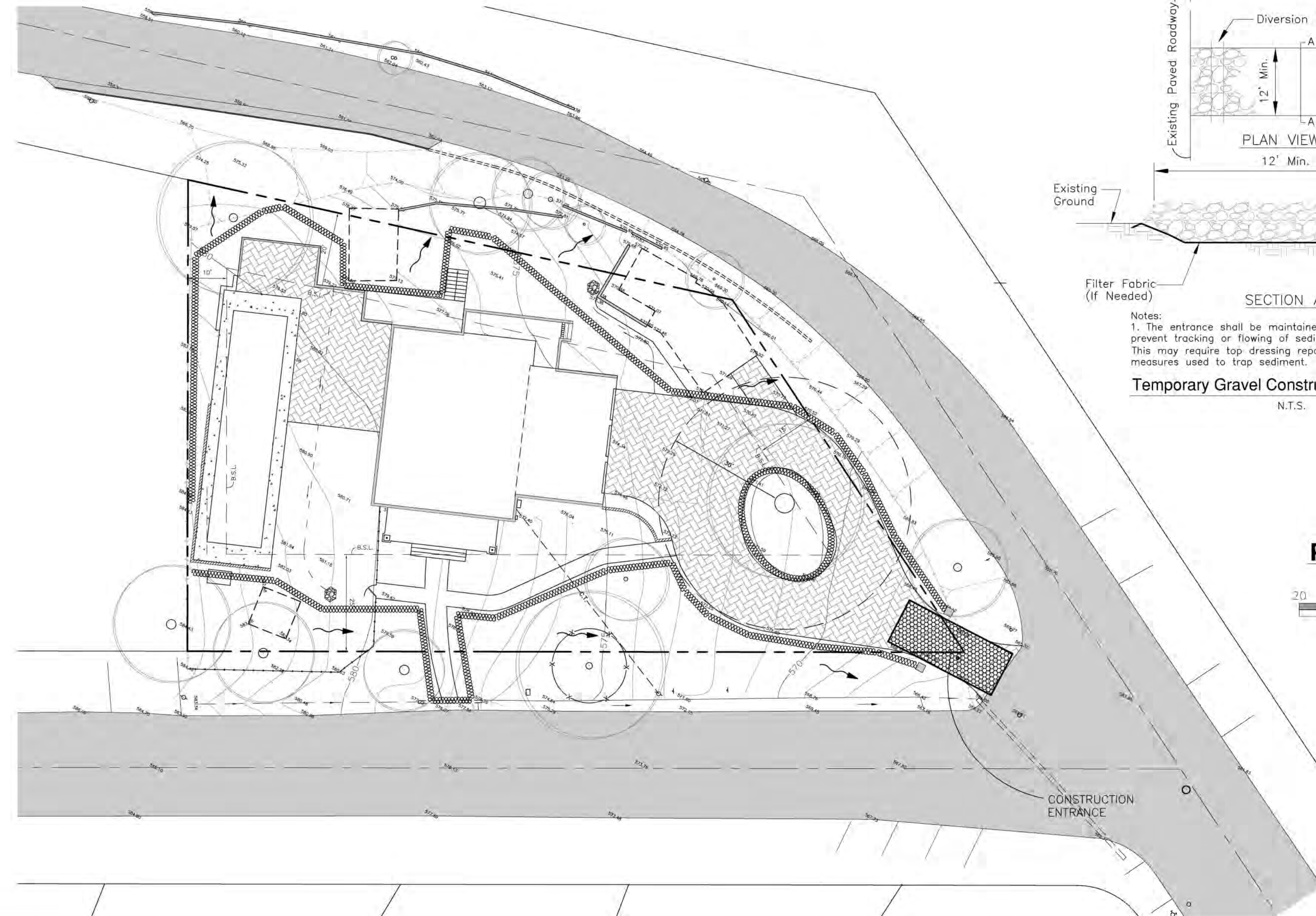
- SEED AND MULCH WILL BE APPLIED BY OCTOBER 15 TO ALL DISTURBED SLOPES STEEPER THAN 5% AND HIGHER THAN 3 FEET, AND TO ALL CUT AND FILL SLOPES WITHIN OR ADJACENT TO EXISTING ROAD AS DIRECTED BY THE TOWN INSPECTOR.
- SEED AND FERTILIZER WILL BE APPLIED HYDRAULICALLY OR BY HAND AT THE RATES SPECIFIED BELOW. ON SLOPES, STRAW WILL BE APPLIED BY BLOWER OR BY HAND AND ANCHORED IN PLACE BY PUNCHING

ITEM	POUNDS PER ACRE
"BLANDO" BROME	30
ANNUAL RYE GRASS	20
FERTILIZER (16-20-0 & 15%)	500
STRAW/MULCH	4,000

- SEEDED AREAS WILL BE REPAIRED, RESEEDED AND MULCHED IF DAMAGED



TREE PROTECTION DETAILS
 N.T.S.



DESIGNED BY: V.S.
 DRAWN BY: R.S.C.
 CHECKED BY: V.S.
 SCALE: AS SHOWN
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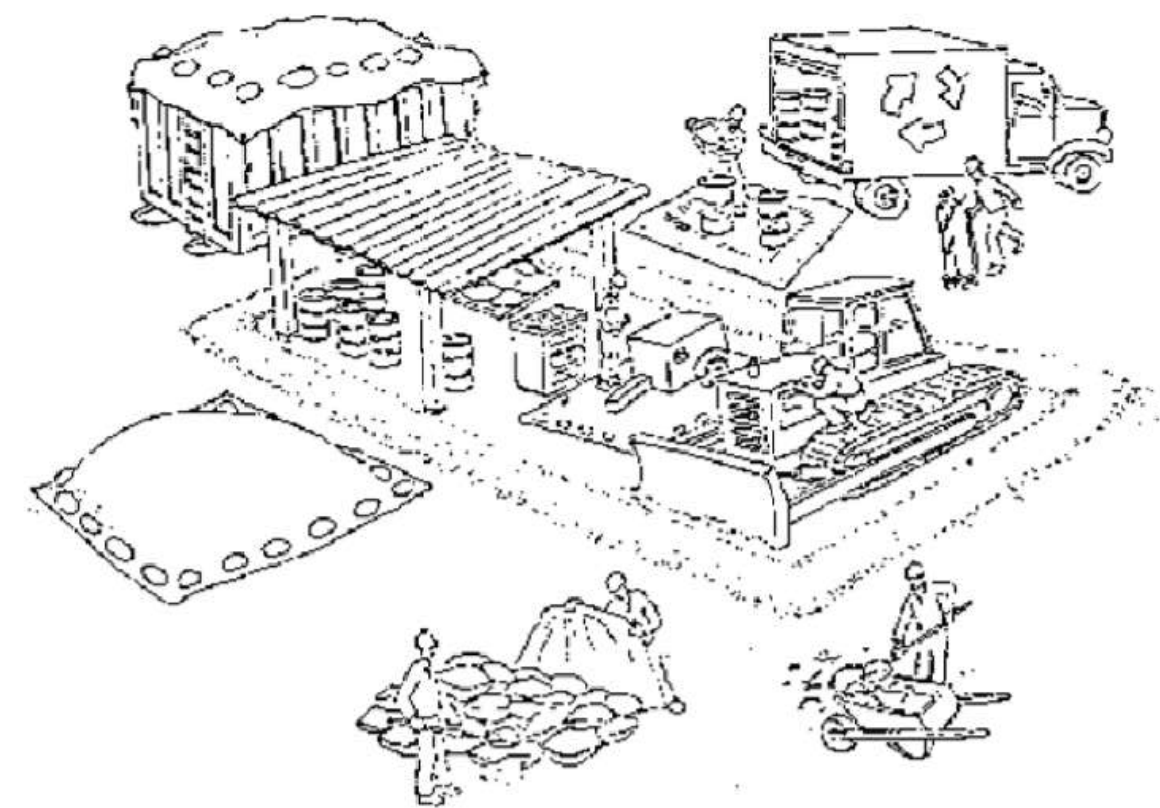
REVISED PER TOWN LETTER DATED MARCH 5, 2019
 04-19
 11-18
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PEOPLES ASSOCIATES
STRUCTURAL ENGINEERS
 408-957-9220
 www.paee.com
 San Jose, California
 Pleasanton, California

EROSION CONTROL PLAN & TREE PROTECTION DETAILS
 LANDS OF ROPER
 16 CHESTNUT AVENUE
 LOS GATOS, CALIFORNIA

SHEET NUMBER
C7
 OF 8 SHEETS
 DRAWING NO.
 18045-C7

Pollution Prevention — It's Part of the Plan



Make sure your crews and subs do the job right!

Runoff from streets and other paved areas is a major source of pollution in San Francisco Bay. Construction activities can directly affect the health of the Bay unless contractors and crews plan ahead to keep dirt, debris, and other construction waste away from storm drains and local creeks. Following these guidelines will ensure your compliance with local ordinance requirements.



Materials storage & spill cleanup

Non-hazardous materials management

- ✓ Sand, dirt, and similar materials must be stored at least 10 feet from catch basins, and covered with a tarp during wet weather or when rain is forecast.
- ✓ Use (but don't overuse) reclaimed water for dust control as needed.
- ✓ Sweep streets and other paved areas daily. Do not wash down streets or work areas with water!
- ✓ Recycle all asphalt, concrete, and aggregate base material from demolition activities.
- ✓ Check dumpsters regularly for leaks and to make sure they don't overflow. Repair or replace leaking dumpsters promptly.

Hazardous materials management

- ✓ Label all hazardous materials and hazardous wastes (such as pesticides, paints, thinners, solvents, fuel, oil, and antifreeze) in accordance with city, state, and federal regulations.
- ✓ Store hazardous materials and wastes in secondary containment and cover them during wet weather.
- ✓ Follow manufacturer's application instructions for hazardous materials and be careful not to use more than necessary. Do not apply chemicals outdoors when rain is forecast within 24 hours.
- ✓ Be sure to arrange for appropriate disposal of all hazardous wastes.

Spill prevention and control

- ✓ Keep a stockpile of spill cleanup materials (rags, absorbents, etc.) available at the construction site at all times.
- ✓ When spills or leaks occur, contain them immediately and be particularly careful to prevent leaks and spills from reaching the gutter, street, or storm drain. Never wash spilled material into a gutter, street, storm drain, or creek!
- ✓ Report any hazardous materials spills immediately! Dial 911 or your local emergency response number.

Vehicle and equipment maintenance & cleaning

- ✓ Inspect vehicles and equipment for leaks frequently. Use drip pans to catch leaks until repairs are made; repair leaks promptly.
- ✓ Fuel and maintain vehicles on site only in a bermed area or over a drip pan that is big enough to prevent runoff.
- ✓ If you must clean vehicles or equipment on site, clean with water only in a bermed area that will not allow rinsewater to run into gutters, streets, storm drains, or creeks.
- ✓ Do not clean vehicles or equipment on-site using soaps, solvents, degreasers, steam cleaning equipment, etc.



Dewatering operations

- ✓ Reuse water for dust control, irrigation, or another on-site purpose to the greatest extent possible.
- ✓ Be sure to call your city's storm drain inspector before discharging water to a street, gutter, or storm drain. Filtration or diversion through a basin, tank, or sediment trap may be required.
- ✓ In areas of known contamination, testing is required prior to reuse or discharge of groundwater. Consult with the city inspector to determine what testing to do and to interpret results. Contaminated groundwater must be treated or hauled offsite for proper disposal.



Saw cutting

- ✓ Always completely cover or barricade storm drain inlets when saw cutting. Use filter fabric, hay bales, sand bags, or fine gravel dams to keep slurry out of the storm drain system.
- ✓ Shovel, absorb, or vacuum saw-cut slurry and pick up all waste as soon as you are finished in one location or at the end of each work day (whichever is sooner!).
- ✓ If saw cut slurry enters a catch basin, clean it up immediately.

Concrete, grout, and mortar storage & waste disposal

- ✓ Be sure to store concrete, grout, and mortar under cover and away from drainage areas. These materials must never reach a storm drain.
- ✓ Wash out concrete equipment/trucks off-site or designate an on-site area for washing where water will flow onto dirt or into a temporary pit in a dirt area. Let the water seep into the soil and dispose of hardened concrete with trash.



Earthwork & contaminated soils

- ✓ Keep excavated soil on the site where it is least likely to collect in the street. Transfer to dump trucks should take place on the site, not in the street.
- ✓ Use hay bales, silt fences, or other control measures to minimize the flow of silt off the site.
- ✓ Avoid scheduling earth moving activities during the rainy season if possible. If grading activities during wet weather are allowed in your permit, be sure to implement all control measures necessary to prevent erosion.
- ✓ Mature vegetation is the best form of erosion control. Minimize disturbance to existing vegetation whenever possible.
- ✓ If you disturb a slope during construction, prevent erosion by securing the soil with erosion control fabric, or seed with fast-growing grasses as soon as possible. Place hay bales down-slope until soil is secure.
- ✓ If you suspect contamination (from site history, discoloration, odor, texture, abandoned underground tanks or pipes, or buried debris), call your local fire department for help in determining what testing should be done.
- ✓ Manage disposal of contaminated soil according to Fire Department instructions.



Paving/asphalt work

- ✓ Do not pave during wet weather or when rain is forecast.
- ✓ Always cover storm drain inlets and man-holes when paving or applying seal coat, tack coat, slurry seal, or fog seal.
- ✓ Place drip pans or absorbent material under paving equipment when not in use.
- ✓ Protect gutters, ditches, and drainage courses with hay bales, sand bags, or earthen berms.
- ✓ Do not sweep or wash down excess sand from sand sealing into gutters, storm drains, or creeks. Collect sand and return it to the stockpile, or dispose of it as trash.
- ✓ Do not use water to wash down fresh asphalt concrete pavement.



Painting

- ✓ Never rinse paint brushes or materials in a gutter or street!
- ✓ Paint out excess water-based paint before rinsing brushes, rollers, or containers in a sink. If you can't use a sink, direct wash water in a dirt area and spade it in.
- ✓ Paint out excess oil-based paint before cleaning brushes in thinner.
- ✓ Filter paint thinners and solvents for reuse whenever possible. Dispose of oil-based paint sludge and unusable thinner as hazardous waste.



REV.	DATE	DESCRIPTION
1	04-19	REVISED PER TOWN LETTER DATED MARCH 5, 2019
0	11-18	RELEASED TO CLIENT & TOWN

DESIGNED BY:	V.S.
DRAWN BY:	R.S.C.
CHECKED BY:	V.S.
SCALE:	AS SHOWN

DATE:	11/28/18
FILE NO.:	29-588

PEOPLES ASSOCIATES
STRUCTURAL ENGINEERS
408-672-0220
www.paee.com
San Jose, California
Pleasanton, California
P.E. No. 29,588

BLUEPRINT FOR CLEAN BAY
LANDS OF ROPER
16 CHESTNUT AVENUE
LOS GATOS, CALIFORNIA



**TOWN OF LOS GATOS
PLANNING COMMISSION
REPORT**

MEETING DATE: 07/10/2019

ITEM NO: 4

DATE: July 2, 2019
TO: Planning Commission
FROM: Joel Paulson, Community Development Director
SUBJECT: Conditional Use Permit Application U-19-010. Project Location: **66 E. Main Street**. Property Owner: Jane Thomas Living Trust. Applicant: Alex Anderson. Appellant: Thomas Spilsbury.
Consider an appeal of a Development Review Committee decision approving a Conditional Use Permit Application requesting approval for group classes on property zoned C-2. APN 529-29-049.

RECOMMENDATION:

Deny the appeal and uphold the decision of the Development Review Committee to approve the application, subject to the recommended conditions of approval.

PROJECT DATA:

General Plan Designation: Central Business District
Zoning Designation: C-2
Applicable Plans & Standards: None
Parcel Size: 10,600 square feet
Surrounding Area:

	Existing Land Use	General Plan	Zoning
North	Commercial	Central Business District	C-2:PD
South	Commercial	Central Business District	C-2
East	Public	Public	C-1:PD
West	Commercial	Central Business District	C-2

PREPARED BY: Jennifer Armer
Senior Planner

Reviewed by: Planning Manager and Community Development Director

CEQA:

The project is Categorical Exempt pursuant to the adopted Guidelines for the Implementation of the California Environmental Quality Act, Section 15301: Existing Facilities.

FINDINGS:

- The project is Categorical Exempt pursuant to the adopted Guidelines for the Implementation of the California Environmental Quality Act, Section 15301: Existing Facilities.
- As required by Section 29.20.190 of the Town Code for granting a Conditional Use Permit.

ACTION:

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

BACKGROUND:

The subject property is an existing commercial property at the corner of E. Main Street and Pageant Way (see Exhibit 1). The lot is approximately 10,600 square feet with two existing primary structures of approximately 5,500 square feet combined.

The applicant proposes to use the existing buildings for group classes and exercise equipment for the members of the Club at Los Gatos during the renovation of their current location at 285 E. Main Street.

The application was submitted on April 23, 2019. Revisions were submitted on May 15, 2019, to provide additional information requested by staff.

At its June 4, 2019 hearing, the Development Review Committee (DRC) approved the proposed project (Exhibit 4). The application is being reviewed by Planning Commission because the decision of the DRC has been appealed (Exhibit 6).

PROJECT DESCRIPTION:

A. Location and Surrounding Neighborhood

The subject site is located on the southwest corner of E. Main Street and Pageant Way (Exhibit 1). A hotel use is located to the west and south, other commercial uses are located to the north across E. Main Street, and Town Hall is located to the west across Pageant Way.

PROJECT DISCRIPTION (continued):

B. Project Summary

The proposed project is the reuse of two existing vacant commercial buildings for group classes and exercise equipment for an existing private sports recreation club (The Club at Los Gatos) during the renovation of their current location at 285 E. Main Street. The applicant is proposing to operate at this location during the following hours:

Monday – Friday	5:00 a.m. – 10:00 p.m.
Saturday & Sunday	6:00 a.m. – 9:00 p.m.

The applicant is proposing that the front building (approximately 1,700 sq. ft.) be used for dance, yoga, and pilates classes, and the rear building (approximately 3,700 sq. ft.) be used for exercise equipment, employees, and administrative offices (Exhibits 5 and 7).

C. Zoning Compliance

The property is zoned C-2. The proposed use, group classes and exercise equipment, requires a Conditional Use Permit (CUP) in the C-2 zone.

DISCUSSION:

A. Conditional Use Permit

The proposed project is the reuse of two existing vacant commercial buildings for group classes and exercise equipment. This use is allowed in the C-2 zone with a CUP. Per Town Council Resolution 2019-012, effective March 19, 2019 through December 31, 2019, the CUP application for group classes and exercise equipment may be reviewed at DRC.

B. Parking

The project site is located within the Town’s Downtown Parking Assessment District. The project has credits within the district for 22 parking spaces. The recommended conditions of approval limit the use to no more than six staff/instructors and no more than 48 participants/students on site at any one time in order to not exceed the available parking. Based on these limitations the use will comply with the Town’s parking requirements for the proposed use which requires the largest number of spaces, group classes, of one parking space per instructor and one parking space for every three students.

DISCUSSION (continued):

C. Noise and Light

At the DRC hearing concerns were expressed about the potential impacts of noise and light on the residential properties located in the Forbes Mill community. Although the property is not immediately adjacent to any residential properties, the use would be required to comply with all applicable Town noise and lighting standards. The applicant has described that music will be played at a reasonable volume. Lights are required to be shielded and directed to shine onsite, not directly on other property or any public right-of-way. Any complaints regarding non-compliance with these standards would be addressed through code compliance.

D. Conditional Use Permit Findings

In order to grant approval of a CUP, the deciding body must make the following findings:

1. The proposed use of the property is essential or desirable to the public convenience or welfare; and
2. The proposed use would not impair the integrity and character of the zone; and
3. The proposed use would not be detrimental to public health, safety, or general welfare; and
4. The proposed use of the property is in harmony with the various elements or objectives of the General Plan and the purposes of the Town Code.

Regarding the first finding, the proposed use is desirable to the public convenience because it provides group classes and exercise opportunities, for visitors and residents in the downtown and surrounding areas during the renovation of an existing sports recreation club. Regarding the second finding, the proposed use would not impair the integrity of the zone, in that the proposed use is a commercial use and would be located in a commercial zone. Regarding the third finding, the proposed use would not be detrimental to public health, safety, or general welfare, as the conditions placed on the permit would maintain the welfare of the community. Regarding the final finding, the proposed use is in conformance with the Town Code and General Plan as discussed within this report.

E. General Plan

The goals and policies of the 2020 General Plan applicable to this project include but are not limited to:

DISCUSSION (continued):

- Policy LU-2.1 – Minimize vehicle miles traveled for goods and services by allowing and encouraging stores that provide these goods within walking distance of neighborhoods in Los Gatos.
- Policy LU-9.2 – Maintain a variety of commercial uses, including a strong Downtown commercial area combined with Los Gatos Boulevard and strong neighborhood commercial centers to meet the shopping needs of residents and preserve the small-town atmosphere.
- Policy LU-9.6 – Encourage development that maintains and expands resident-oriented services and/or creates employment opportunities for local residents consistent with overall land use policies of the Town.

F. CEQA Determination

The project is Categorically Exempt pursuant to the adopted Guidelines for the Implementation of the California Environmental Quality Act, Section 15301: Existing Facilities.

G. Development Review Committee

The DRC held a public hearing for the proposed CUP application on June 4, 2019. Written public hearing notices were sent to the surrounding property owners and tenants within 300 feet.

Eight members of the public attended and spoke at the hearing expressing concerns about parking, noise, light, hours of operation, and compatibility with nearby uses.

The DRC discussed the project. The DRC then approved the project making the required findings (Exhibit 2) and with the recommended conditions of approval (Exhibit 3).

H. Appeal

On June 14, 2019, the June 4, 2019 decision of the DRC was appealed to the Planning Commission by Thomas Spilsbury, property owner of 61 E. Main Street (Exhibit 6). The reasons for the appeal are summarized below, along with responses in *italic* font.

1. The appellant's concern is that the use is too high intensity for the location and building structure at 66 E. Main Street because of the diverse neighborhood around Main Street and the Civic Center.

The DRC considered the proposed use and evaluated it for compliance with current Town Code and found that, as conditioned, it complied with applicable regulations, including permitted uses, parking, noise, and lighting.

PUBLIC COMMENTS:

Written notice was sent to property owners and tenants of the properties within 300 feet of the property. Written comments have been received regarding the proposed project, including two comments received prior to the DRC hearing (see Exhibit 8).

CONCLUSION:

A. Summary

The proposed use is compliant with the Zoning Code, including parking. The project proposes a commercial use to reuse two existing vacant commercial buildings within the Central Business District zone. Other commercial properties abut the subject property on all sides providing a buffer for residential properties in the greater area.

B. Recommendation

Based on the analysis above, staff recommends the Planning Commission take the following actions to deny the appeal, uphold the decision of the DRC, and approve the CUP subject to the recommended conditions of approval (Exhibit 3):

1. Find that the project is Categorical Exempt pursuant to the adopted Guidelines for the Implementation of the California Environmental Quality Act, Section 15301: Existing Facilities (Exhibit 2);
2. Make the required findings as required by Section 29.20.190 of the Town Code for granting approval of a Conditional Use Permit (Exhibit 2);
3. Approve Conditional Use Permit Application U-19-010 with the conditions contained in Exhibit 3.

C. Alternatives

Alternatively, the Commission can:

1. Continue the matter to a date certain with specific direction; or
2. Deny the appeal and approve the application with additional and/or modified conditions; or
3. Grant the appeal and remand the application to the DRC with direction for revisions; or
4. Grant the appeal and deny the Conditional Use Permit application.

PAGE 7 OF 7

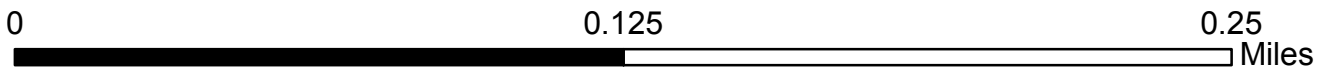
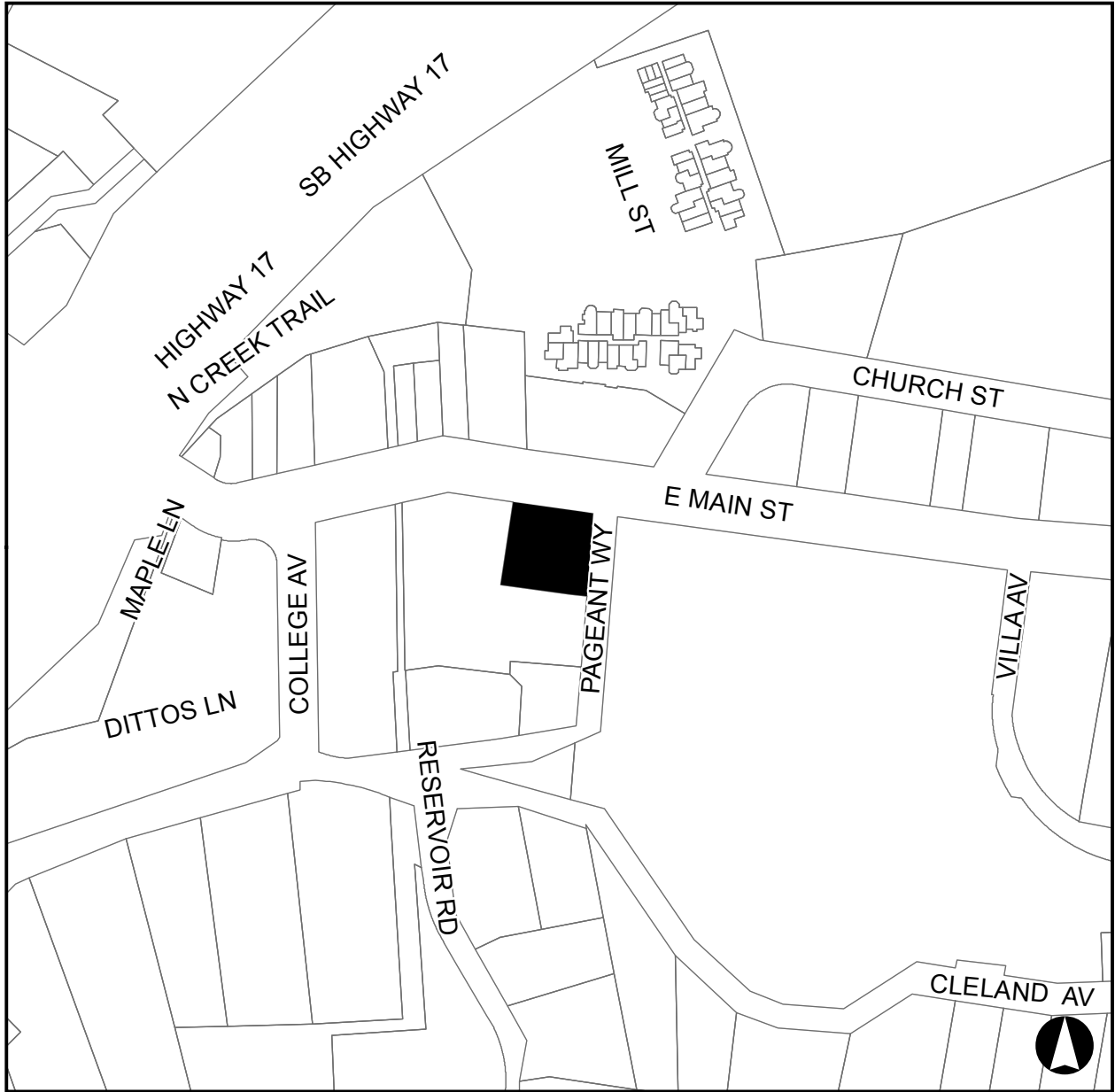
SUBJECT: 66 E. Main Street/U-19-010

DATE: July 2, 2019

EXHIBITS:

1. Location Map
2. Required Findings (one page)
3. Recommended Conditions of Approval (three pages)
4. June 4, 2019 Development Review Committee Minutes (four pages)
5. Letter of Justification/Business Description, received May 15, 2019 (one page)
6. Appeal Letter, received June 14, 2019 (2 pages)
7. Building Dimension and Use Plans (two pages)
8. Public comments received by 11:00 a.m., Friday, July 5, 2019

66 E. Main Street



PLANNING COMMISSION – July 10, 2019
REQUIRED FINDINGS FOR:

66 E Main Street
Conditional Use Permit U-19-006

Requesting approval for group classes on property zoned C-2. APN 529-29-049.
PROPERTY OWNER: Jane Thomas Living Trust
APPLICANT: Alex Anderson

FINDINGS

Required finding for CEQA:

- The project is Categorical Exempt pursuant to Section 15301 of the State Environmental Guidelines as adopted by the Town. No significant effect on the environment will occur since the project uses an existing structure with no increase in floor area.

Required findings for a Conditional Use Permit:

- As required by Section 29.20.190 of the Town Code for granting a Conditional Use Permit:

The deciding body, on the basis of the evidence submitted at the hearing, may grant a conditional use permit when specifically authorized by the provisions of the Town Code if it finds that:

1. The proposed use is desirable to the public convenience because it provides group classes and exercise opportunities, for visitors and residents in the downtown and surrounding areas during the renovation of an existing sports recreation club; and
2. The proposed use would not impair the integrity of the zone, in that the proposed use is a commercial use and would be located in a commercial zone; and
3. The proposed use would not be detrimental to public health, safety, or general welfare, as the conditions placed on the permit would maintain the welfare of the community; and
4. The proposed use is in conformance with the Town Code and General Plan.

DEVELOPMENT REVIEW COMMITTEE – June 4, 2019
CONDITIONS OF APPROVAL

66 E Main Street

Conditional Use Permit Application U-19-006

Requesting approval for group classes on property zoned C-2.
APN 529-29-049.

PROPERTY OWNER: Jane Thomas Living Trust

APPLICANT: Alex Anderson

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 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. LAPSE FOR DISCONTINUANCE: If the activity for which the Conditional Use Permit has been granted is discontinued for a period of one (1) year, the approval lapses pursuant to Section 29.20.340 of the Zoning Ordinance.
4. USE: The approved use is for group classes and exercise.
5. HOURS OF OPERATION: Maximum hours of operation are 5:00 a.m. to 10:00 p.m. (Monday through Sunday).
6. NUMBER OF STUDENTS: The maximum number of customers/students/participants is limited to 48.
7. NUMBER OF STAFF: The maximum number of staff is limited to six.
8. SIGN PERMIT: A Sign Permit from the Los Gatos Community Development Department must be obtained prior to any changes to existing signs or installation of new signs.
9. CERTIFICATE OF USE AND OCCUPANCY: A Certificate of Use and Occupancy must be obtained prior to commencement of use.
10. 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.
11. COMPLIANCE MEMEMORANDUM: A memorandum, in compliance with standard Town practice, shall be prepared and submitted with the building permit detailing how the conditions of approval will be addressed.

Building Division

12. The maximum occupant loads at each building is limited to the occupant loads listed on the approved CUP plans per CBC Section 1004.1.2, Exception. Maximum building occupancy signs to be posted at the main exit at each building per CBC 1004.3
13. Storage areas to be posted as "Employee Only" areas.
14. Prior to building occupancy and use, the project applicant/tenant shall schedule a

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

Engineering Division

15. GENERAL: All public improvements shall be made according to the latest adopted Town Standard Plans, Standard Specifications and Engineering Design Standards. All work shall conform to the applicable Town ordinances. The adjacent public right-of-way shall be kept clear of all job-related mud, silt, concrete, dirt and other construction debris at the end of the day. Dirt and debris shall not be washed into storm drainage facilities. The storing of goods and materials on the sidewalk and/or the street will not be allowed unless an encroachment permit is issued by the Engineering Division of the Parks and Public Works Department. The Owner, Applicant and/or Developer's representative in charge shall be at the job site during all working hours. Failure to maintain the public right-of-way according to this condition may result in the issuance of correction notices, citations, or stop work orders and the Town performing the required maintenance at the Owner, Applicant and/or Developer's expense.
16. 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.
17. RESTORATION OF PUBLIC IMPROVEMENTS: The Owner, Applicant and/or Developer or their representative shall repair or replace all existing improvements not designated for removal that are damaged or removed because of the Owner, Applicant and/or Developer or their representative's operations. Improvements such as, but not limited to: curbs, gutters, sidewalks, driveways, signs, pavements, raised pavement markers, thermoplastic pavement markings, etc., shall be repaired and replaced to a condition equal to or better than the original condition. Any new concrete shall be free of stamps, logos, names, graffiti, etc. Any concrete identified that is displaying a stamp or equal shall be removed and replaced at the Contractor's sole expense and no additional compensation shall be allowed therefore. Existing improvement to be repaired or replaced shall be at the direction of the Engineering Construction Inspector and shall comply with all Title 24 Disabled Access provisions. The restoration of all improvements identified by the Engineering Construction Inspector shall be completed before the issuance of a certificate of occupancy. The Owner, Applicant and/or Developer or their representative shall request a walk-through with the Engineering Construction Inspector before the start of construction to verify existing conditions.
18. DESIGN CHANGES: Any proposed changes to the approved plans shall be subject to the approval of the Town prior to the commencement of any and all altered work. The

Owner, Applicant and/or Developer's project engineer shall notify, in writing, the Town Engineer at least seventy-two (72) hours in advance of all the proposed changes. Any approved changes shall be incorporated into the final "as-built" plans.

TO THE SATISFACTION OF THE SANTA CLARA COUNTY FIRE DEPARTMENT:

19. FIRE ASSEMBLY PERMIT: A Fire Assembly Permit is required.
20. FIRE INSPECTION: Fire inspection required prior to occupancy.
21. SECOND EXIT: A second exit is required and shall be equipped with panic hardware.



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

**MINUTES OF THE DEVELOPMENT REVIEW COMMITTEE MEETING
JUNE 4, 2019**

The Development Review Committee of the Town of Los Gatos conducted a Regular Meeting on June 4, 2019, at 10:00 a.m.

ROLL CALL

Present: Jennifer Armer, CDD Planning; Roy Alba, CDD Building; Kevin Bagley, PPW Engineering; Mike Weisz, PPW Engineering; Katherine Baker, SCCFD.

MEETING CALLED TO ORDER AT 10:00 AM

PLEDGE OF ALLEGIANCE

Jennifer Armer led the Pledge of Allegiance.

VERBAL COMMUNICATIONS

- None

PUBLIC HEARINGS

1. 214 Caldwell Avenue
Architecture and Site Application S-19-010

Requesting approval for demolition of an existing single-family residence and construction of a new single-family residence on property zoned R-1:8. APN 529-20-037.
PROPERTY OWNER/APPLICANT: Omid Shakeri, Da Vinci Homes Inc.
PROJECT PLANNER: Jennifer Armer

Jennifer Armer, Senior Planner, presented the staff report.

Opened and closed Public Comment.

Committee members discussed the matter.

MOTION: **Motion by Kevin Bagley to approve. Seconded by Roy Alba.**

VOTE: **Motion passed unanimously.**

2. 66 E. Main Street
Conditional Use Permit Application U-19-006

Requesting approval for group classes on property zoned C-2. APN 529-29-049.

PROPERTY OWNER: Thomas Jane Living Trust

APPLICANT: Alex Anderson

PROJECT PLANNER: Jennifer Armer

Jennifer Armer, Senior Planner, presented the staff report.

Opened Public Comment.

Alex Anderson (Applicant)

- In response to written comments received, the applicant confirmed that classes will be onsite only, and bathroom facilities will be available onsite so no porta-potties will be needed.

Tom Spilsbury (Nearby Neighbor)

- He did not receive notice. He is opposed due to parking concerns.

Maureen Cappon-Javey (Executive Director of NUMU)

- She did not receive notice. She is concerned about parking, hours of operation, and less stringent conditions of approval in comparison to those in the CUP for NUMU.

Shari Flick (Nearby Neighbor)

- She is worried about parking.

Con-Vivier Venter (Nearby Neighbor)

- He is a current gym member and is concerned about parking, and gym activities near his home.

John Lochner (Proposed Veterans Foundation Representative)

- He is concerned about parking, especially with the new Veterans Memorial upcoming grand opening on June 15, and the noise impacting visitors to the memorial.

Mike Hogan (Nearby Neighbor)

- He is concerned about the noise and parking.

Christina Alfs (Nearby Neighbor)

- She is concerned about the noise and parking.

Marily Rimmer (Nearby Neighbor)

- She supports the athletic club, but, is concerned about how it will impact the parking and lighting at that location.

Alex Anderson (Applicant)

- He is open to listening to concerns, and available to discuss. Loud music is not going to be part of their programing, but he will work to address the noise, parking, and lighting concerns.

Closed Public Comment.

Committee members discussed the matter.

MOTION: **Motion by Roy Alba to approve. Seconded by Jennifer Armer.**

VOTE: **Motion passed unanimously.**

3. 444 N. Santa Cruz Avenue
Conditional Use Permit Application U-19-005

Requesting approval of a modification to an existing Conditional Use Permit for an existing restaurant with changes in beer and wine service (T-Bird's Restaurant) on property zoned C-1. APN 529-07-054.

PROPERTY OWNER: T S Chan Nursery Inc.

APPLICANT: Afshin Amanat

PROJECT PLANNER: Jennifer Armer

Jennifer Armer, Senior Planner, presented the staff report.

Opened and closed Public Comment.

Committee members discussed the matter.

MOTION: **Motion by Katherine Baker to approve. Seconded by Mike Weisz.**

VOTE: **Motion passed unanimously.**

4. 16100 Greenridge Terrace
Subdivision Application M-19-004

Requesting approval for a subdivision of one lot into eight lots on property zoned HR-2½:PD. APN 527-12-002.

PROPERTY OWNER: Emerald Lake Investments LLC

APPLICANT: Hanna & Brunetti

PROJECT PLANNER: Sean Mullin

Sean Mullin, Associate Planner, presented the staff report.

Opened Public Comment.

David Weissman

- The location of the proposed 102.4 – foot wide scenic easement is not consistent with the motion by Town Council, that specified along the north edge of lots 1 & 8 and along the west edge of lots 3 & 5.

Applicant

- Open Space is already proposed on lots 1, 7, & 8. The scenic easement on lots 3 & 5 would connect to the (Sahadi) property to the south.

Closed Public Comment.

Committee members discussed the matter.

MOTION: **Motion by Kevin Bagley to approve. Seconded by Roy Alba.**

VOTE: **Motion passed unanimously.**

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

- None

ADJOURNMENT

The meeting adjourned at 10:42 a.m.

Prepared by:

/s/ Jennifer Armer, Senior Planner

Letter of Description and Justification for Conditional Use Permit

Town of Los Gatos

Community Development Department

Dear Ms. Armer,

The Club at Los Gatos is seeking a Conditional Use Permit for 66 East Main St. Los Gatos.

While providing the necessary changes and updates to our current facility located at 285 East Main St. Los Gatos, we wish to maintain a nearby community presence by providing the members of our club the opportunity to continue with their current exercise programs and services.

Hours of operation at 66 East Main St. will be Monday through Friday 5:00am to 10:00pm, Saturday and Sunday 6:00am to 9:00pm.

We are seeking to occupy 66 East Main in its entirety, utilizing the front assembly room (approx. 1,700 sq. ft.) for classes like dance, yoga and Pilates while utilizing the rear exercise room (approx. 3,700 sq. ft.) for exercise equipment, employees and an administrative office. We expect maximum occupancy for the property to be 48, 6 of which will be employees. More specifically, maximum occupancy in the front assembly room will be 23 (2 employees and 21 customers), and the rear exercise room's maximum occupancy will be 25 (4 employees and 21 customers). There will be no on-site parking and there will be no proposed changes to the building or site.

Utilization of 66 East Main St. will allow for a greatly diminished construction timeframe by reducing a multi-phased remodel to a single-phase remodel thus The Club at Los Gatos inquiry for a Conditional Use Permit during this timeframe.

Best regards,

Alex Anderson
Operating Co-Owner
The Club at Los Gatos
Alex.Anderson@TheClubLG.com



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

PAID
JUN 14 2019
TOWN OF LOS GATOS

**APPEAL OF THE DECISION OF
DIRECTOR OF COMMUNITY DEVELOPMENT
OR
DEVELOPMENT REVIEW COMMITTEE**

PLEASE TYPE or PRINT NEATLY

I, the undersigned, do hereby appeal a decision of the COMMUNITY DEVELOPMENT DEPARTMENT/DIRECTOR OF COMMUNITY DEVELOPMENT OR DEVELOPMENT REVIEW COMMITTEE as follows:

DATE OF DECISION: June 4, 2019
PROJECT/APPLICATION: CUP Application U-19-006
LOCATION: 66 E. Main Street
Los Gatos, CA 95030

LIST REASONS WHY THE APPEAL SHOULD BE GRANTED: See attached
Addendum

(If more space is needed, attach additional sheets.)

- IMPORTANT:**
1. APPEAL MUST BE FILED WITHIN TEN (10) DAYS AFTER THE DATE OF MAILING OF WRITTEN NOTIFICATION OF THE DECISION.
 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 Thomas Spilburg SIGNATURE [Signature]
DATE June 13, 2019 ADDRESS 66 E. Main Street
PHONE 408.892.5212 Los Gatos, CA 95030

OFFICE USE ONLY

DATE OF PLANNING COMMISSION HEARING: _____
COMMISSION ACTION: 1. _____ DATE: _____
2. _____ DATE: _____
3. _____ DATE: _____

PLAPPEAL \$ 192.00 Residential
PLAPPEAL \$ 767.00 Commercial X
PLAPPEAL \$ 78.00 Tree Appeals

ADDENDUM:

Application to Appeal of the Decision of the Development Review Committee

File date: June 13, 2019

To: Town of Los Gatos, Community Development Department

Re: Conditional Use Permit Application U-19-006 for 66 E. Main Street

From: Thomas C. Spilsbury; Property Owner, 61 E. Main Street Los Gatos CA 95030

List reasons why the appeal should be granted:

As stated in the Los Gatos General Plan 2020, "Land use decisions encompass not only zoning, but circulation, design, open space and other factors." We respectfully request an appeal of the CDR Committee's decision to approve a conditional use permit for 66 E. Main Street on the basis of these and other factors.

Most commercial parcels in Los Gatos are located along the Santa Cruz Avenue or Los Gatos Boulevard corridors, according to the General Plan. By contrast, although zoned C-2, the 66 E. Main Street property sits within a much more diverse neighborhood at the heart of the Civic Center district.

Both the location and the building structure itself at 66 E. Main Street are inappropriate for the high-intensity use proposed. We believe this CUP would adversely affect the welfare the entire community within its radius, both commercial and non-commercial. Specifically, it contravenes the following General Code Policies:

- Policy LU-6.3 Protect existing residential areas from adjacent nonresidential uses by assuring that buffers are developed and maintained.
- Policy LU-6.5 - The type, density, and intensity of new land use shall be consistent with that of the immediate neighborhood.

DEVELOPMENT REVIEW COMMITTEE – June 4, 2019
REQUIRED FINDINGS FOR:

66 E Main Street
Conditional Use Permit U-19-006

Requesting approval for group classes on property zoned C-2. APN 529-29-049.
PROPERTY OWNER: Jane Thomas Living Trust
APPLICANT: Alex Anderson

FINDINGS

Required finding for CEQA:

- The project is Categorically Exempt pursuant to Section 15301 of the State Environmental Guidelines as adopted by the Town. No significant effect on the environment will occur since the project uses an existing structure with no increase in floor area.

Required findings for a Conditional Use Permit:

- As required by Section 29.20.190 of the Town Code for granting a Conditional Use Permit:

The deciding body, on the basis of the evidence submitted at the hearing, may grant a conditional use permit when specifically authorized by the provisions of the Town Code if it finds that:

1. The proposed use is desirable to the public convenience because it provides a unique activity for visitors and residents in the downtown and surrounding areas; and
2. The proposed use would not impair the integrity of the zone, in that the proposed use is a commercial use and would be located in a commercial zone; and
3. The proposed use would not be detrimental to public health, safety or general welfare, as the conditions placed on the permit would maintain the welfare of the community; and
4. The proposed use is in conformance with the Town Code and General Plan.

Mon June 3rd 2019

Hi Jennifer,

I'm submitting comments/questions on behalf of myself and the Forbes Mill board of directors regarding the proposal for a conditional use permit for 66 E. Main Street by The Club of Los Gatos:

- **Max occupancy of "48"** – This number appears to be derived from combining the max capacities for both inside rooms: Exercise Room (25) and Assembly Room (23). However, this facility will be open to all Club members (400+) during the remodel (see [Website](#)). There's no way to control the number of individuals potentially accessing this space from dawn until 10 pm.
- **Planned use for "group classes"** – The proposed operating hours (5am-11pm) extend well beyond the group class schedule (see attached). Soul Cycle, for example, has operating hours that reflect group classes only. The Club's proposed operating hours appear intended to keep this facility open to members for broader use. As listed on their [Website](#), these would include:
 - Cardio & weight training
 - Cross Fit
 - Personal training
 - Red light therapy
- **The permit application indicates client activities within two indoor rooms.** However, the letter of description and justification letter says "We are seeking to occupy 66 E. Main St in its entirety." If client activities will extend to the large outdoor area directly facing E. Main, what specifically will these be?
- **Noise control.** The Club hasn't conducted testing of music volume and instructor microphones to neighboring business and residential units. This also isn't possible yet as speakers haven't been installed.
- **Community outreach.** Neighboring restaurants and residents haven't been contacted to discuss this proposal.

Additional comments from Forbes Mill HOA's board of directors

Within a half-block radius, there are approximately 112 private residences and a 28-room boutique hotel. The Club's proposed operating hours are way too long for a health club in a mixed-use, but primarily residential, neighborhood. The restaurants directly across the street were restricted in their hours for the same reason - ie, they were operating in a primarily residential neighborhood.

Club patrons will be competing in the daytime for parking with hundreds of high schoolers for on-street parking, which is at a premium and requires cars to move every 30 minutes or every 90 minutes. Club patrons will soon start using the Library and Civic Center parking lots as overflow, making it next to impossible for LG residents to use those same lots for the Library, visiting NUMI, or taking care of Town business. At

night, the residents and restaurant patrons will find all the available on-street parking taken. And a business this size will also disrupt any longer-term parking that restaurant and business employees now use.

This end of Town is used for performances at the Civic Center all summer, end staging for the Christmas Parade, and becomes a 'shelter in place' parking lot on weekends when beach traffic or an accident on Highway 17 requires drivers to use LG Blvd/Main Street to get through or to the downtown. There is no traffic light or even stop sign at the intersection where Club patrons will be trying to turn their cars, walk across the street, etc. It is a safety hazard to have that kind of business with no designated parking, and adding 48 cars to this small parking area is not a sound, safe environment.

At the end of the day, an operation of this size belongs in one of the industrial parks along University where the buildings are large and cavernous, and the parking plentiful.

xxx

From: Venter Con-Vivier <con.venter@nagra.com>
Sent: Monday, June 03, 2019 10:46 PM
To: Jennifer Armer <JArmer@losgatosca.gov>
Subject: 66 East Main permit application

Hi Jennifer – further to our discussion today, some thoughts for in-case I do not make it to the meeting. For the record nobody has approached me about this permit application.

For transparency: I am a member of the gym and I plan to continue to use the gym during remodeling in the alternative facility. I do not have issue with the premises being used during re-modeling.

However this permit application needs to be considered in the light of our current way of life and existence in the area. For me personally I definitely have an expectation that my quality of life ***in the area*** not be impacted negatively by the presence of the gym. It is important to consider the changes ***in the area*** that the presence of the gym will bring. As a very regular member of this gym, there are current activities and behaviors around the current gym ***that cannot be accepted in the area***. I am the only resident that shares a Pageant entry with this premises and I insist that the following conditions be met as requirement for the permit.

1. **No extension of gym exercises and training outside of the premises.** This happens at the gym today. I do not have half-dressed people running in my street and past my house and driveway today – and I definitely expect that to continue while the gym operates on these premises.
2. **No dressing and undressing in and around parked cars in the area.** This happens in the gym parking lot today – people ***just*** slipping into or out of something.
3. **No loud noise on the street.** This happens in the gym today - individuals get carried away and play super loud music – this needs to be controlled.
4. **No portapotties for toilet facilities.** Unfortunately right now that is what happens at the gym. The mens's room's facilities are broken and they have been using a portapotty for forever – years. Toilet facilities will never be augmented with portable outside toilets.

I know the owner negates the existence of these goings on, but it is very real. Since he is denying, it should be no problem to include this as conditions for the permit. I saw people running out of the gym today before and again after talking to you. I would like to see this in writing added to the permit – regardless of anybody's opinion. If it is mindless speculation on my side, then this text in the permit will not harm anybody.

Also if the town has no jurisdiction to somehow contain the impacts of this business *in the area* then it goes unsaid that this permit cannot be granted.

Other considerations that should be addressed:

1. This premises is a showroom – with intentional high visibility from outside – people should be properly dressed, when using the facility – hairy sweaty people walking around showing their assets, should be strongly discouraged. I can just imagine how this will affect the patrons of the restaurant across the street.
2. Pets – some people bring their dogs to the gym – today there is a nice covered outside area where pets can wait – what - is there plan for this?

These are my thoughts on the issues – I will do best efforts to be there tomorrow.

Best Regards
Con Venter
30 Pageant 408-621-6908

From: Sandy Moeckel <sandymoeckel@aol.com>

Sent: Friday, June 28, 2019 3:40 PM

To: Jennifer Armer <JARmer@losgatosca.gov>

Subject: The Club

I can't believe the town is messing with The Club and it's ability to stay open during the remodeling. The empty building is the perfect site. The Club needs to hang on to members, and the members presence in downtown might do something for the pitiful business environment that exist. I and everyone I know could go on and on about how difficult the town makes it to build, do business or even be a homeowner in Los Gatos. We have lived here for 40 years and love the town, but it is becoming harder and harder to justify staying here. The uncontrolled beach traffic, the outrageous North Forty approval, even the parking tickets. For goodness sake let The Club have a year of use from an otherwise unused space.

Sandy Moeckel

From: LINDA R NANEZ <lindananez@icloud.com>
Sent: Friday, June 28, 2019 3:43 PM
To: Jennifer Armer <JARmer@losgatosca.gov>
Cc: Monica Renn <mrenn@losgatosca.gov>
Subject: The Club at LG

I am writing this to support the Annex as it will provide a temporary place for members to work out and stay healthy as The Club undertakes a long over due remodel.
Please support the many LG residents that want to keep this affordable important part of their healthy lifestyle in place. Thank you, Tony and Linda Nanez Sent from my iPhone

From: Lou Ferrigno <louferrigno31@gmail.com>
Sent: Friday, June 28, 2019 5:03 PM
To: Jennifer Armer <JARmer@losgatosca.gov>
Subject: The Annex

Please approve the use of the Annex by The Club Los Gatos. Many of the members are older and live in the area. To be able to stay in the community while the remodeling is being done would be a blessing. Many of us would be in walking distance to the Annex. It is our understanding that the noise factor is a concern of the person who complained. It is nonexistent.

Thank you,
Marlene & Lou Ferrigno

From: Eron Flory <eronflory@gmail.com>
Sent: Friday, June 28, 2019 5:12 PM
To: Jennifer Armer <JARmer@losgatosca.gov>
Subject: The Club Annex

Hello,

I am writing this letter in support of The Club and their application to temporarily operate out of 66 East Main Street. I feel that The Club is an asset to the community and the Annex is a great option for members while The Club's current location receives a much needed re-model.

Thank you,
Eron Flory
120 College Terrace, Unit K
Los Gatos, CA 95030

From: Charles Wade <cwade13@yahoo.com>

Sent: Saturday, June 29, 2019 7:36 AM

To: Monica Renn <mrenn@losgatosca.gov>

Subject: Subject: Support use of 66 E Main empty auto dealer by The Club of Los Gatos

Dear Ms. Renn

I support the temporary use of the former auto dealer space at 66 E Main by The Club of Los Gatos. This has several advantages:

1. provides useful space for the current customers of the club
2. removes the negative impact of an empty building in the city
3. provides revenue for the city for a year or so while more permanent changes are considered.

Thank you for listening.

Regards, chuck

From: Sandy O'Gorman <sandy.ogorman@gmail.com>
Sent: Saturday, June 29, 2019 11:48 AM
To: Jennifer Armer <JARmer@losgatosca.gov>
Subject: Please support the Club @ Los Gatos

Hello Jennifer,

I've been a very long time member of this club. It's a perfect club for our locals and offers an affordable approach for all ages of our community.

I have no idea WHY this approval has taken soo long and I see our town dwindling in both great restaurants, fashion stores and such and hope you can push the town to approve this improvement to a very OLD club that desperately needs an upgrade.

Thanks for your support, I will be in Mexico July 10 so cannot attend the meeting but you have my full support to make it happen!

Thank you

--

Sandy O'Gorman
123 University Avenue
Los Gatos, CA 95030
sandy.ogorman@gmail.com
+1-408-888-5956 mobile

From: Antonella Dewell <tango2oblivion@gmail.com>
Sent: Sunday, June 30, 2019 4:16 PM
To: Jennifer Armer <JARmer@losgatosca.gov>
Subject: The Club's occupancy of the Annex at 66 East Main Street

Dear Ms. Armer,

I am writing in support of the The Club's occupancy of the Annex at 66 East Main Street in Los Gatos.

Thank you for your support.

Best regards,
Antonella Dewell

From: John Moyles MOYLES <johnmoyles@comcast.net>
Sent: Monday, July 01, 2019 9:45 AM
To: Jennifer Armer <JARmer@losgatosca.gov>
Cc: Monica Renn <mrenn@losgatosca.gov>
Subject:

Hello Ms. Armer,

I'm writing to share my strong support for the club at Los Gatos occupying 66 East Main Street.

Many Los Gatos residents like my self rely on the club for our daily fitness routines.

The location has been empty for years and good business owners like TCLG should be welcomed with open arms. We have waited years for this remodel and businesses near 66 should welcome increased activity.

Thank you.

From: Roxie Comstock <roxie.comstock@yahoo.com>

Sent: Monday, July 01, 2019 9:52 AM

To: Jennifer Armer <JARmer@losgatosca.gov>; Monica Renn <mrenn@losgatosca.gov>

Subject: 66 E Main Occupancy

Happy Monday!

I am reaching out to voice my support for the Club at Los Gatos moving to 66 E Main Street. The remodel is much needed and moving locations will allow us to workout without construction interruptions. I also believe that having the gym relocate for that period of time will bring exposure to the surrounding businesses.

Thank you for your support.

Roxie Comstock

From: humanlandscapes@aol.com <humanlandscapes@aol.com>
Sent: Monday, July 01, 2019 11:12 AM
To: Jennifer Armer <JARmer@losgatosca.gov>
Cc: Monica Renn <mrenn@losgatosca.gov>
Subject: The Club Annex Proposal

Ms. Armer,

This note is in regard to a temporary use of the Annex for members of The Club--like myself. I have lived in Los Gatos since 1977, so have seen many changes, including the rebuilding of the town after the earthquake. I am also a longterm member of The Club next to Los Gatos High that really needs a remodel that the town has approved. The Annex has a storied history, but is now empty and suffers from the decay of unoccupied buildings everywhere. It is in everyone's interest--including the towns and the members of The Club to have a place to exercise during the remodel. I am asking for your help in making this happen ASAP. The delays have been difficult for everyone, and The Club members are all responsible adults who care about our special town and will be good neighbors to those near The Annex. Thank you for your consideration.

Dr. Philip Miller
19953 Wright Drive
Los Gatos, CA 95033

From: Carl Canning <canningfitness@gmail.com>

Sent: Monday, July 01, 2019 9:14 PM

To: Jennifer Armer <JArmer@losgatosca.gov>; Monica Renn <mrenn@losgatosca.gov>

Subject: Club at Los Gatos

As a long time citizen of the neighboring community I wanted to send an email to show my support for the Club at Los Gatos' temporary use of the old dealership.

I am excited about the cutting edge tools The Club will bring to the local community to improve their well being. I hope you can help them with having a home during their remodel so the members can stay fit together while they wait for the new facility to be built.

Thank you very much for your time and consideration,

- Carl Canning

From: Justin Farrar <iamfarrar@gmail.com>
Sent: Tuesday, July 02, 2019 5:02 PM
To: Jennifer Armer <JARmer@losgatosca.gov>
Cc: Monica Renn <mrenn@losgatosca.gov>
Subject: Support of The Club at Los Gatos

Hello,

As a member of the community I am in full support of the Club moving to 66 Main street to continue the great business they provide to our community.

Thank You,

Justin Farrar
(626)710-2169

July 3, 2019

RECEIVED

JUL 03 2019

Hand Delivered to:

TOWN OF LOS GATOS
PLANNING DIVISION

Town of Los Gatos Planning Commission
Los Gatos, California
Attention: Joel Paulson
Community Development Director

Re: 66 East Main Street
Hearing Scheduled for July 10, 2019

Dear Planning Commissioners:

I am the President of the Forbes Mill Homeowners Association. I have been asked by my Board of Directors to appear before you on July 10, 2019 regarding the appeal of the Conditional Use Permit granted to The Club for the use of the above referenced property as a gym.

I live at 55 Church Street directly across the street from the property. I am one of 48 homeowners of Forbes Mill Condominiums which have been at 55 and 95 Church Street for over 40 years. While we do not oppose the use of the property by The Club, we are not clear from the use permit what is and what is not permissible.

For example, from the Exhibit attached to the Permit there are two buildings on the property, and at least a 1,000 square foot area of outside space under a covering. We understand from current members of the Club that they have been told the outside space will be used for CrossFit training, Aerobic classes, and other uses that employ loud upbeat music and the use of microphones by instructors. When Alex, The Club owner, was asked about this he indicated it was not his intent to use the outside space for exercise 'except maybe if the weather is nice and we would roll out exercise equipment.'

We also see from information printed by The Club that the hours of operation are from 5 a.m. until 10 p.m. week-days and 6 a.m. to 10 p.m. on weekends. Can you imagine the people who live in the 125 residences within 300 feet

Planning Commission
July 3, 2019
Page Two of Three
Re: 66 East Main Street

of the property being awakened every morning at 5 a.m. by CrossFit or other activity coming through a loud speaker?

The CUP limits occupancy at any one time to 42 members and 6 staff. How will this condition be enforced? The permit gives no basis to monitor this limitation and The Club has over 200 members. The class schedule published by The Club indicates classes are to be ongoing, back to back.

Back to back classes mean the probability that 40 vehicles will be arriving for classes going around and around Church Street while they wait for 40 vehicles to vacate their spots. Obviously, parking is at a premium in all our neighborhoods and here on Church Street parking is time limited and has to accommodate residents, students, visitors to the museum, to restaurants and other businesses along Main Street, as well as visitors to the new Veterans Memorial. How will this situation be monitored? There is nothing in the CUP that puts any boundaries around these class times or states a way to ensure members on the premises at any one time are limited to 42.

In summary, we are looking to the Planning Commission to spell out clear conditions The Club must meet on a continuous basis if it occupies this space. We would implore the Commission to set:

- More limited conditions on hours. 5 a.m. to 10 p.m. for that level of activity is unreasonable in a residential neighborhood.
- Conditions on how to enforce the number of people on the premises. If between 200 and 400 members will be using the facilities, how will the business keep that level to 42 at a time? How will classes be spaced to lessen the impact of 42 or 48 or 96 additional cars looking to park within walking distance of the gym?

Planning Commission
July 3, 2019
Page Three of Three
Re: 66 East Main Street

- Conditions on use of the space. The use permit is unclear as to the use of the outdoor space. Cross fit is a high intensity workout which includes tire rolling, barbell dropping, and various other rigorous activities. We've been told by more than one current Club member that the outdoor space will be used for workouts. The Owner has stated this 'might' happen when the weather is good. We do not believe it is acceptable to have this kind of activity taking place from 5 a.m. until 10 p.m. out of doors first in a residential neighborhood and secondly with outdoor seating in restaurants within easy sight of the activity.

In summary, although we do not oppose a conditional use permit, it must specify enough detail to be clear and to be certain so that this business does not dramatically impact the right we have to a peaceful home, and enough detail to be certain this one business does not destroy the ambiance and livelihood of the neighboring businesses.

We would like to see a Conditional Use Permit which clearly spells out what is permissible and what is not permissible. In addition, the CUP should be granted with a provision allowing a six month or one year 'check in' review of the performance under the use permit at a scheduled Planning Commission meeting. If the conditions are not being met, the CUP should be subject to revocation by the Planning Commission.

Thank you for your consideration of the issues we have raised.

Gregory Hacker
President
Forbes Mill Homeowners Association

From: Kari Bedgood <kbedgood@gmail.com>

Sent: Wednesday, July 03, 2019 12:55 PM

To: Jennifer Armer <JARmer@losgatosca.gov>; Monica Renn <mrenn@losgatosca.gov>

Subject: In Support of The Club at Los Gatos' Occupancy

Dear Ms. Renn and Ms. Armer,

As a member of the Los Gatos community and a member of The Club at Los Gatos, I want to express my strong support for The Club at Los Gatos occupying 66 East Main Street.

The Club's use of 66 East Main Street is vital to the continuation of our community's fitness routines and allows The Club to significantly expedite their long-awaited remodel. The Club is a vital aspect of my daily life, attributing greatly to my overall wellbeing physically, mentally and spiritually. It is my second home, so I'd appreciate your attention to this very important matter.

Sincerely,
Kari Bedgood

From: James Brady <jimbradyii@gmail.com>

Sent: Wednesday, July 03, 2019 1:00 PM

To: Jennifer Armer <JARmer@losgatosca.gov>; Monica Renn <mrenn@losgatosca.gov>

Subject: The Club at Los Gatos Annex

Jennifer Armer
Monica Renn
Community Development Department
Town of Los Gatos,

Dear Ms. Renn and Ms. Armer,

As a member of the Los Gatos community and a member of The Club at Los Gatos, I want to express my strong support for The Club at Los Gatos occupying 66 East Main Street..

The Club's use of 66 East Main Street is vital to the continuation of our community's fitness routines and allows The Club to significantly expedite their long-awaited remodel.

I appreciate your attention to this very important matter .

Sincerely
Jim Brady

From: Debbie <dcsacks1@comcast.net>

Sent: Wednesday, July 03, 2019 1:14 PM

To: Jennifer Armer <JARmer@losgatosca.gov>; Monica Renn <mrenn@losgatosca.gov>

Subject: In Support of The Club at Los Gatos' Occupancy

Dear Ms. Renn and Ms. Armer,

As a member of the Los Gatos community and a member of The Club at Los Gatos, I want to express my strong support for The Club at Los Gatos occupying 66 East Main Street.

The Club's use of 66 East Main Street is vital to the continuation of our community's fitness routines and allows The Club to significantly expedite their long-awaited remodel.

If there are negative issues around the Club's use of a space that has been unoccupied for several years, I hope you will address them at next Wednesday's meeting. This has been a ridiculously long process and I would think that the town would be more interested in keeping businesses actually in this town than creating more and more hurdles to an economically thriving community. How can the downtown have storefronts like Soul Cycle and give The Club such a difficult time? Please help get this done.

I appreciate your attention to this very important matter.

Sincerely,

Debra Sacks

18400 Overlook Road Unit 31

Los Gatos

408-348-4998

From: Jan Wallander <wallander53@hotmail.com>
Sent: Wednesday, July 03, 2019 1:17 PM
To: Jennifer Armer <JARmer@losgatosca.gov>; Monica Renn <mrenn@losgatosca.gov>
Subject: In Support of The Club at Los Gatos' Occupancy

Jennifer Armer

Monica Renn

Community Development Department

Town of Los Gatos

Dear Ms. Renn and Ms. Armer,

As a member of the Los Gatos community and a member of The Club at Los Gatos, I want to express my strong support for The Club at Los Gatos occupying 66 East Main Street.

The Club's use of 66 East Main Street is vital to the continuation of our community's fitness routines and allows The Club to significantly expedite their long-awaited remodel.

I appreciate your attention to this very important matter.

Sincerely,

Jan Wallander
315 Johnson Ave
Los Gatos, CA 95030

From: Jane Ogle <janeogle@KOGLE.COM>
Sent: Wednesday, July 03, 2019 1:29 PM
To: Jennifer Armer <JARmer@losgatosca.gov>
Subject: Club at Los Gatos

I support the temporary use of the old Automobile showroom on S. Main St. by the club at los Gatos during its renovations.

Thank you.

Jane Ogle
223 Jackson street

From: Anna Sturge <anna@sturge.com>

Sent: Wednesday, July 03, 2019 2:07 PM

To: Jennifer Armer <JARmer@losgatosca.gov>; Monica Renn <mrenn@losgatosca.gov>

Subject: Los Gatos Health Club - I SUPPORT THE MOVE TO THE BENTLEY SHOWROOM on MAIN ST

Hello,

I've been a long time member of this club. It's a perfect club for our locals and offers an affordable approach for all ages of our community.

I fully support the temporary move of the Los Gatos gym to the Bentley showroom, just a few hundred meters down the road. Not sure why anyone would appeal this as it's already a commercial business building.

Thank you,
Anna.

From: Heather Parentice <hparentice@yahoo.com>
Sent: Wednesday, July 03, 2019 2:14 PM
To: Jennifer Armer <JARmer@losgatosca.gov>
Subject: In Support of The Club at Los Gatos' Occupancy

Jennifer Armer

Community Development Department

Town of Los Gatos

Dear Ms. Armer,

As a member of the Los Gatos community and a member of The Club at Los Gatos, I want to express my strong support for The Club at Los Gatos occupying 66 East Main Street.

The Club's use of 66 East Main Street is vital to the continuation of our community's fitness routines and allows The Club to significantly expedite their long-awaited remodel.

I appreciate your attention to this very important matter.

Sincerely,
Heather Parentice

From: Sarah Stewart <1fitsarah@gmail.com>

Sent: Wednesday, July 03, 2019 2:16 PM

To: Jennifer Armer <JARmer@losgatosca.gov>; Monica Renn <mrenn@losgatosca.gov>

Subject: In Support of The Club at Los Gatos' Occupancy

Jennifer Armer
Monica Renn
Community Development Department
Town of Los Gatos

Dear Ms. Renn and Ms. Armer,

I am an employee of The Club at Los Gatos. As an employee it is vital to my livelihood for The Club to remain open at 66 East Main during our remodel.

I understand from management that The Club has crafted their model and occupancy around the town code and is not asking for any variances. Please uphold the decision of the Design Review Committee.

Sincerely,
Sarah Stewart

From: Irving MITSUNAGA <mitsunaga@comcast.net>

Sent: Wednesday, July 03, 2019 2:21 PM

To: Jennifer Armer <JARmer@losgatosca.gov>; Monica Renn <mrenn@losgatosca.gov>

Subject: 66 East Main Street

TO:

Jennifer Armer, Senior Planner Community Development

Monica Renn, Economic Vitality Manager

Community Development Department

Planning Commission and Town of Los Gatos

We are unable to attend the July 10th Planning Commission meeting, but support The Club at Los Gatos occupying 66 East Main Street. The Club's use of 66 East Main Street is vital to the continuation of our community's fitness routines and allows The Club to significantly expedite their long-awaited remodel.

As long-time residents of downtown Los Gatos, and also long-time members of The Club, we don't see how anyone would prefer having another empty building over allowing legitimate use by a worthwhile and law-abiding business as The Club. Thank you for your attention.

Sincerely,

Irving & Evelyn Mitsunaga

130 Broadway, Los Gatos, CA 95030.

From: Rene Contant <contantrene@gmail.com>

Sent: Wednesday, July 03, 2019 3:46 PM

To: Monica Renn <mrenn@losgatosca.gov>; Jennifer Armer <JArmer@losgatosca.gov>

Subject: In Support of The Club at Los Gatos' Occupancy

Att. Jennifer Armer, Monica Renn

Community Development Department
Town of Los Gatos

Dear Ms. Renn and Ms. Armer,

As a member of the Los Gatos community and a member of The Club at Los Gatos, I want to express my strong support for The Club at Los Gatos occupying 66 East Main Street.

The Club's use of 66 East Main Street is vital to the continuation of our community's fitness routines and allows The Club to significantly expedite their long-awaited remodel.

I appreciate your attention to this very important matter.

Sincerely,

Rene Contant

-----Original Message-----

From: Rick P <rick@parfitt.info>

Sent: Wednesday, July 03, 2019 4:49 PM

To: Jennifer Armer <JARmer@losgatosca.gov>

Subject: The clubs annex

Please approve moving forward

This is temporary

The club and its members are an assist to Los Gatos

Thank you - Rick Parfitt

From: Jack Catton <jxcatto@yahoo.com>
Sent: Wednesday, July 03, 2019 10:59 PM
To: Jennifer Armer <JARmer@losgatosca.gov>
Subject: In Support of The Club at Los Gatos' Occupancy

Dear City Planners,

I have been a member of TCLG for three years since I bought a house at the top of the hill less than 1/2 a mile from the club. It is so valuable to have a club downtown! I am able to walk to my workout and not have to fight traffic which is especially difficult during summer weekends and school hours and every other club I would face those issues. TCLG is a strong community where I have made friendships with members and the staff. The club is in desperate need of a remodel and it will be a showcase for The town once complete.

Having the annex as a temporary home is so important. For one trying to workout in a construction zone is not conducive to stress relief and it's impossible to keep a construction site dust free without tons of plastic which is also undesirable and unsafe. Secondly it would likely shake up the membership and community which are adjust about all LG residents.

Please approve the annex, I feel it is very important for the town.

Sincerely,
Jack Catton
220 highland terrace
Los Gatos

From: H Habiby <halimh@rocketmail.com>

Sent: Thursday, July 04, 2019 2:18 AM

To: Jennifer Armer <JARmer@losgatosca.gov>; Monica Renn <mrenn@losgatosca.gov>

Subject: 66 E Main St

Jennifer Armer

Monica Renn

Community Development Department

Town of Los Gatos

Dear Ms. Renn and Ms. Armer,

As a member of the Los Gatos community and a member of The Club at Los Gatos, I want to express my strong support for The Club at Los Gatos occupying 66 East Main Street.

The Club's use of 66 East Main Street is vital to the continuation of our community's fitness routines and allows The Club to significantly expedite their long-awaited remodel.

I appreciate your attention to this very important matter.

Sincerely,

Halim Habiby

From: richarddcs <richarddcs@aol.com>

Sent: Thursday, July 04, 2019 7:47 AM

To: Jennifer Armer <JARmer@losgatosca.gov>; Monica Renn <mrenn@losgatosca.gov>

Subject: The Club's use of 66 East Main Street

Jennifer Armer

Monica Renn

Community Development Department

Town of Los Gatos

Dear Ms. Renn and Ms. Armer,

As a member of the Los Gatos community and a member of The Club at Los Gatos, I want to express my strong support for The Club at Los Gatos occupying 66 East Main Street.

The Club's use of 66 East Main Street is vital to the continuation of our community's fitness routines and allows The Club to significantly expedite their long-awaited remodel.

I appreciate your attention to this very important matter.

Sincerely,

Richard T. Battaglia

From: Phil Branon <phil.branon@gmail.com>

Sent: Thursday, July 04, 2019 7:51 AM

To: Jennifer Armer <JARmer@losgatosca.gov>; Monica Renn <mrenn@losgatosca.gov>

Subject: The club at Los Gatos

Jennifer Armer
Monica Renn
Community Development Department
Town of Los Gatos

Dear Ms. Renn and Ms. Armer,

As a member of the Los Gatos community and a member of The Club at Los Gatos, I want to express my strong support for The Club at Los Gatos occupying 66 East Main Street.

The Club's use of 66 East Main Street is vital to the continuation of our community's fitness routines and allows The Club to significantly expedite their long-awaited remodel.

I appreciate your attention to this very important matter.

Sincerely,

Phil Branon
121 Alpine Ave
Los Gatos, CA 95030
E: phil.branon@gmail.com
O: 408.354.4682
M: 408.666.4168

From: Joan Laird <joanglaird@gmail.com>

Sent: Thursday, July 04, 2019 10:12 AM

To: Jennifer Armer <JARmer@losgatosca.gov>; Monica Renn <mrenn@losgatosca.gov>

Subject: In Support of The Club at Los Gatos' Occupancy

I would like to let you know that I support the Club's occupancy of the Annex @ 66 East Main Street.

I've attached a signed letter to this effect.

Thank you for your consideration.

Regards,
Joan Laird

Jennifer Armer
Monica Renn
Community Development Department
Town of Los Gatos

7/04/19

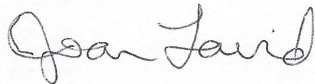
Dear Ms. Renn and Ms. Armer,

As a member of the Los Gatos community and a member of The Club at Los Gatos, I want to express my strong support for The Club at Los Gatos occupying 66 East Main Street.

The Club's use of 66 East Main Street is vital to the continuation of our community's fitness routines and allows The Club to significantly expedite their long-awaited remodel.

I appreciate your attention to this very important matter.

Sincerely,



Joan Laird
408-892-1050
16981 Cypress Way

From: suzy.seandel@gmail.com <suzy.seandel@gmail.com>

Sent: Thursday, July 04, 2019 2:56 PM

To: Jennifer Armer <JARmer@losgatosca.gov>; Monica Renn <mrenn@losgatosca.gov>

Subject: The Club at Los Gatos - Annex

Hi Jennifer and Monica,

I'm writing to show my support for the Club at Los Gatos to use the Annex. I understand the use of the Annex fits within the Town's code and the Club is not asking for any variance.

Thank you.

Suzy Seandel



**TOWN OF LOS GATOS
PLANNING COMMISSION
REPORT**

MEETING DATE: 07/10/2019

ITEM NO: 4

ADDENDUM

DATE: July 9, 2019
TO: Planning Commission
FROM: Joel Paulson, Community Development Director
SUBJECT: Conditional Use Permit Application U-19-010. Project Location: **66 E. Main Street**. Property Owner: Jane Thomas Living Trust. Applicant: Alex Anderson. Appellant: Thomas Spilsbury.
Consider an appeal of a Development Review Committee decision approving a Conditional Use Permit Application requesting approval for group classes on property zoned C-2. APN 529-29-049.

REMARKS:

Exhibit 9 includes additional public comments received between 11:01 a.m., Friday, July 5, 2019 and 11:00 a.m., Tuesday, July 9, 2019.

EXHIBITS:

Previously received with July 10, 2019 Staff Report:

1. Location Map (one page)
2. Required Findings (one page)
3. Recommended Conditions of Approval (three pages)
4. June 4, 2019 Development Review Committee Minutes (four pages)
5. Letter of Justification/Business Description, received May 15, 2019 (one page)
6. Appeal Letter, received June 14, 2019 (two pages)
7. Building Dimension and Use Plans (two pages)
8. Public comments received by 11:00 a.m., Friday, July 5, 2019

Received with this Addendum Report:

9. Public comments received between 11:01 a.m., Friday, July 5, 2019 and 11:00 a.m., Tuesday, July 9, 2019

PREPARED BY: Jennifer Armer, AICP
Senior Planner

Reviewed by: Planning Manager and Community Development Director

From: Eric MacDonald <emacдона@yahoo.com>

Sent: Friday, July 05, 2019 11:13 AM

To: Jennifer Armer <JArmer@losgatosca.gov>

Subject: Support for The Club At Los Gatos' occupancy of the Annex at 66 East Main Street

To: Jennifer Armer, Senior Planner, Community Development Department, Los Gatos

Dear Ms. Armer,

This letter is to inform you that I strongly support the The Club At Los Gatos' occupancy of the Annex at 66 East Main Street.

As a long-time resident of Los Gatos, and as a Yoga Instructor at The Club, I feel this will be good for the community and good for the Town.

Best regards,

Eric MacDonald

emacдона@yahoo.com

From: Kristeen <dockhall@aol.com>
Sent: Friday, July 05, 2019 11:31 AM
To: Jennifer Armer <JARmer@losgatosca.gov>; Monica Renn <mrenn@losgatosca.gov>
Subject: please support The Club's efforts to maintain health programs

Jennifer Armer
Monica Renn
Community Development Department
Town of Los Gatos

Dear Ms. Renn and Ms. Armer,

As a member of the Los Gatos community and a member of The Club at Los Gatos, I want to express my strong support for The Club at Los Gatos occupying 66 East Main Street.

The Club's use of 66 East Main Street is vital to the continuation of our community's fitness routines and allows The Club to significantly expedite their long-awaited remodel.

I appreciate your attention to this very important matter.

Sincerely,

Kristeen Pemberton
dockhall@aol.com

From: Tanya Baldwin <tanya_baldwin@yahoo.com>

Sent: Friday, July 05, 2019 12:44 PM

To: Jennifer Armer <JArmer@losgatosca.gov>

Subject: Support for The Club At Los Gatos' occupancy of the Annex at 66 East Main Street

To: Jennifer Armer, Senior Planner, Community Development Department, Los Gatos

Dear Ms. Armer,

This letter is to inform you that I strongly support The Club At Los Gatos' occupancy of the Annex at [66 East Main Street](#).

As a long-time resident of Los Gatos, as well as a Pilates Instructor at The Club, I feel the Annex will be good for the community and good for the Town.

Sincerely
Tanya Baldwin

From: Wanda Studzinski <wstudzinski@verizon.net>
Sent: Friday, July 05, 2019 1:43 PM
To: Monica Renn <mrenn@losgatosca.gov>; Jennifer Armer <JARmer@losgatosca.gov>
Cc: 'Alex Anderson' <alex.anderson@theclublg.com>
Subject: Wanda - The Club Los Gatos

Jennifer Armer
Monica Renn
Community Development Department
Town of Los Gatos

Dear Ms. Renn and Ms. Armer,

As a member of the Los Gatos community and a member of The Club at Los Gatos, I want to express my strong support for The Club at Los Gatos occupying 66 East Main Street.

The Club's use of 66 East Main Street is vital to the continuation of our community's fitness routines and allows The Club to significantly expedite their long-awaited remodel.

I appreciate your attention to this very important matter.

Sincerely,

Wanda Studzinski
Member of The Club Los Gatos



From: Maria Ristow <ristows@comcast.net>

Sent: Saturday, July 06, 2019 11:58 AM

To: Jennifer Armer <JARmer@losgatosca.gov>; Monica Renn <mrenn@losgatosca.gov>

Subject: The Annex 66 E. Main Street

Regarding the appeal of the DRC approval of the CUP for The Club of Los Gatos to temporarily move to The Annex.

I am a downtown resident and a member of The Club of Los Gatos. The Club needs to move to a temporary location during construction, and The Annex at 66 E. Main Street is an ideal location.

This fitness club is a long-running community asset in Los Gatos, and the outdated building is in desperate need of major renovation. Approval of the CUP and denial of the appeal is a win-win that will:

- keep The Club up and running in close proximity to the existing structure downtown
- allow The Club to get through the overdue renovation all at once instead of staging it around active use and dragging the construction (immediately next to LGHS) out for years
- make use of a commercial building that has only added to the growing list of empty spaces downtown
- serve the needs of the residents of Los Gatos that belong to, or will join, this club

This use fits the commercial area and it is TEMPORARY. For members, we will lose showers, the pool, spin classes and more during this transition, but we will retain our community and a number of classes we presently use. We are grateful we will not be exercising around construction zones. We all look forward to getting the renovation completed and moving back to the Club ASAP.

My husband and I support the CUP and oppose the appeal. Let's move forward, please.

Thank you,
Maria & Warren Ristow
85 Broadway LG

From: Debbie Coryell <dctennis@verizon.net>
Sent: Saturday, July 06, 2019 12:11 PM
To: Jennifer Armer <JARmer@losgatosca.gov>
Subject: In Support of The Club at Los Gatos' Occupancy

Jennifer Armer
Community Development Department
Town of Los Gatos

Dear Ms. Armer,

As a member of the Los Gatos community and a member of The Club at Los Gatos, I want to express my strong support for The Club at Los Gatos occupying 66 East Main Street.

The Club's use of 66 East Main Street is vital to the continuation of our community's fitness routines and allows The Club to significantly expedite their long-awaited remodel.

I appreciate your attention to this very important matter.

Sincerely,
Debbie Coryell

From: Rachelle Lopp <rachelle@lopp.com>

Sent: Saturday, July 06, 2019 12:31 PM

To: Jennifer Armer <JARmer@losgatosca.gov>; Monica Renn <mrenn@losgatosca.gov>

Subject: The Club at Los Gatos

Jennifer Armer

Monica Renn

Community Development Department

Town of Los Gatos

Dear Ms. Renn and Ms. Armer,

As a Los Gatos resident and a member of The Club at Los Gatos, I want to express my strong support for The Club at Los Gatos occupying 66 East Main Street.

Please quickly allow The Club's use of 66 East Main Street. It is only temporary, and vital to the continuation of our community's fitness routines.

I appreciate your attention to this very important matter.

Sincerely,

Rachelle Lopp

From: Anita Kropp <akropp64@yahoo.com>
Sent: Saturday, July 06, 2019 5:38 PM
To: Jennifer Armer <JArmer@losgatosca.gov>
Cc: alex.anderson@theclublg.com
Subject: The Club at Los Gatos

My wife and I are residents of Los Gatos since 1965, and our son, Will, has graduated from St. Mary's School and Los Gatos High. We have been active members of the Club @ Los Gatos, formerly Los Gatos Athletic Club owned by Ed & Shirley Burke, since the nineties.

The club facility at 285 E. Main St. is very convenient for us and conducive to our healthy lifestyle. After all these years the facility now needs up-grading/remodeling.

In order to do this, the present owners are asking to temporarily use the Annex at 66 E. Main St. while the construction takes place. As residents of Los Gatos, we are asking for your support and approval in this matter. We feel strongly this temporary move will make it easier and faster for the remodeling of the old building.

Thank you for your consideration.

Anita & Myron Kropp

From: B Bates <bbbatesesq@gmail.com>
Sent: Sunday, July 07, 2019 9:21 PM
To: Jennifer Armer <JArmer@losgatosca.gov>; Monica Renn <mrenn@losgatosca.gov>
Cc: alex.anderson@theclublg.com
Subject: The Club Temporary Location

Dear Ms. Armer and Ms. Renn,

The purpose of this email is to encourage you to move forward with The Annex.

It is absolutely unreasonable for the neighbors of the vacant dealership property, to expect the location to remain vacant. When the apartment residents moved into their units, they were perfectly aware that they were moving into a vibrant downtown area (which is why they chose that location). If they had wanted a location with minimal cars and noise, they should have selected a more distant location from downtown Los Gatos. All thriving businesses, whether a hair salon, a medical office, or a restaurant, have cars coming and going during operational hours.

Not only is the neighbors' efforts a disservice to The Club, but also the owner of the vacant property, who needs to keep the location profitable. As a member of The Club, the usage of this fitness club is not very high (everyone is waiting for the fitness club to be remodeled), and it's a rather quiet clientele which attends. The neighbors should consider themselves extremely lucky that the location is not used for a sports bar or brew house. Then they would have a real parking and noise problem.

In summary, apartment renters should not be calling the shots on types of nearby businesses, when they have voluntarily chosen to move into a downtown city environment. I would feel differently if the property had been repurposed for a usage that attracted vice or unsavory people to the area, but a fitness club hardly falls into that category.

Unfortunately I won't be able to attend the July 10 meeting as I will be working out of the area, therefore please accept my correspondence instead.

Best Regards,

Bonnie Bates

From: Carol Musser <ccmusser@aol.com>

Sent: Monday, July 08, 2019 11:35 AM

To: Jennifer Armer <JARmer@losgatosca.gov>; Monica Renn <mrenn@losgatosca.gov>

Cc: Laurel Prevetti <LPrevetti@losgatosca.gov>

Subject: The Club occupancy of the Annex at 66 East Main Street

Dear Jennifer and Monica,

Please share my support of the Club's occupancy and temporary use of the annex at 66 East Main St. with the Los Gatos Planning Commission members. It is unfair to deny the Club the use of this facility based on the arguments of the opponents. They claim such conditions as parking, noise, traffic, music and inappropriate use near the Veteran's Memorial. This is all unfounded and lacks validity. The Club athletic facility has been in existence in close proximity for about 40 years with far more members than the current membership and the numbers that will temporarily use the annex.

The same and more parking is now available and many people walk to the Club. Noise and music are not external issues. The Town now allows Music in the Park, festivals, special events, senior activities, and public use in the Civic Center with noise levels, parking, and numbers of participants that far exceed the numbers of members using the annex.

I am a committee member of the Veteran's Memorial and Support Foundation and they are expressing their opposition to the Club's use. I do not agree with them and am disappointed in their stance. The Foundation went to the community to ask their support to build the Memorial with many negative conditions they faced. The community and Town supported them and gave them a chance. It is wrong and unfair for the Foundation to now take the unwarranted position to deny the Club. The Foundation should welcome this use and appreciate the additional exposure and potential donors they need to support the memorial.

The Club athletic facility has been a successful long time community serving business and have earned and deserve the support to succeed. They have gone through hoops to comply and make the necessary required changes. Give them their fair chance with your support.

Thank you.

Kindly

Carol Musser

Long time resident and supportive community volunteer

From: Raegan Kail <rookail@gmail.com>

Sent: Monday, July 08, 2019 3:53 PM

To: Jennifer Armer <JARmer@losgatosca.gov>; Monica Renn <mrenn@losgatosca.gov>

Subject: The Club at Los Gatos

Dear Ms. Renn and Ms. Armer,

I have been a member of The Club at Los Gatos for six years and I want to express my strong support for The Club at Los Gatos occupying 66 East Main Street.

After a YEARS long approval process for a much needed remodel, the Club's temporary use of 66 East Main Street will allow devoted members of the club to maintain their memberships and continue to patronize a Los Gatos business without further delay.

It is my hope, and the hope of many of the Club's members, that the Planning Commission will approve of the occupancy of the temporary facility so the Club can expedite the long awaited remodel.

Sincerely,
Raegan Kail

From: Raymond Kaleda <nuance41@comcast.net>
Sent: Monday, July 08, 2019 4:44 PM
To: Jennifer Armer <JArmer@losgatosca.gov>
Subject: Wednesday's Town Meeting

As a 40 year plus resident of Los Gatos and a long time member of the "The Club" please support the use of the old car dealership as a place where we can a work out and stay healthy until our club is rebuilt. We have been members of the club from the time Ed Burke owned it(hammer thrower Olympian). He still comes to the club. Our membership is small, mostly Los Gatos residents. I know we will have much less impact then a running car dealership.

Thanks

RAy Kaleda

408.354.8687

From: Sbterrill <sbterrill@aol.com>

Sent: Monday, July 08, 2019 5:01 PM

To: Monica Renn <mrenn@losgatosca.gov>; Jennifer Armer <JARmer@losgatosca.gov>

Cc: lszterrill@gmail.com

Subject: In Support of The Club at Los Gatos' Occupancy of 66 East Main Street

Jennifer Armer
Monica Renn
Community Development Department
Town of Los Gatos

Dear Ms. Renn and Ms. Armer,

As Los Gatos residents and members of the club since 1997 (when it was the Los Gatos Athletic Club) we want to express our strong support for The Club at Los Gatos temporarily occupying 66 East Main Street while the club undergoes its remodel. It is difficult for us to understand why using this space, which is just down the street from the Club at Los Gatos, for exercise might represent an issue.

We appreciate your allowing us to express our support.

Sincerely,

Scott and Linda Terrill

From: swan41@comcast.net <swan41@comcast.net>

Sent: Monday, July 08, 2019 10:14 PM

To: Jennifer Armer <JARmer@losgatosca.gov>; Monica Renn <mrenn@losgatosca.gov>

Cc: alex.anderson@theclublg.com

Subject: The Club at Los Gatos permit to use old car dealership on a temporary basis

Hello,

I'm a long term member of the Club and its predecessors (from the Ed and Shirley Burke ownership even). When the Club announced that they had obtained temporary space at the old dealership we thought this was a good workaround for the major overhaul of the current facility. It's not perfect, but it 's better than any other option of us to continue our exercise needs.

The current use of the Club doesn't generate any noticeable noise outside the Club — not that we've noticed from our 5x a week transit of the parking lot over the years. The Club continues to be in general the place for serious, straightforward workouts.

We'd really appreciate the Club's ability to move forward with its improvements without further delays.

Thank you for your attention to this email.

With best regards,

Laurel Kaleda

Los Gatos, CA

From: Paula Lacey <placey63@gmail.com>

Sent: Tuesday, July 09, 2019 8:34 AM

To: Monica Renn <mrenn@losgatosca.gov>; Jennifer Armer <JArmer@losgatosca.gov>

Subject: The Club of Los Gatos

Planning Commissioners:

We have been members of the The Club at Los Gatos (The Club) for 10 years and ask you to affirm the Development Review Committee's approval of the Conditional Use Permit application for 66 East Main Street.

The Club's use of 66 East Main Street is vital to the continuation of our community's fitness routines and allows The Club to significantly expedite their long-awaited remodel.

We appreciate your consideration of this very important matter.

Sincerely,

Paula and Patrick Lacey

From: Lee Quintana <leeandpaul@earthlink.net>
Sent: Tuesday, July 09, 2019 9:43 AM
To: Jennifer Armer <JARmer@losgatosca.gov>
Subject: Planning Commission Agenda Item #4 July 10, 2019

To the Planning Commission
From Lee Quintana
Comments on Agenda Item #4 of the July 10, 2019 Planning Commission
Subject Request for a CUP at 66 E. Main St.

I am neither a member of The Club, nor do I live or work within 300 feet of its proposed temporary location during the period that The Club at 285 E Main is being renovated.

Based on the Staff report its attachments I have the following comments:

The request for the temporary use of 66 E.Main for group classes benefits the town by filling a currently vacant store front. It also benefit the members of The Club by provided continuing services during the renovation of The Club's current facilities.

However, I find the concerns raised by community members and nearby residents are also valid, and support their request for more specific Conditions of Approval to address those concerns.

Please consider adding the following Conditions of Approval:

- Requiring valet parking on site during high use periods.
- Require regular monitoring of the maximum capacity and a mechanism for enforcement should the numbers exceed the maximum allowed
- Add a condition that clarifies the allowed use of the outdoor area and add it to the plans, i.e provide a site plan which the entire site, not just the indoor spaces.
- Expand the condition for compliance with the Town's noise regulations.
- Require classes are not scheduled back to back, i.e. require some time between classes (I believe this was required in the CUP for Soul Cycle)
- Any additional conditions that will further address concerns raised regarding nose, maximum capacity, parking

The Findings and the Project Summary both state the CUP is being requested for the *temporary use* of 66 E Main during the renovation of an existing sports recreation club. Please consider the following modifications to Conditions 1-3 to reflect the temporary nature of the requested use.

1. **APPROVAL:**This application is for a temporary use. 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 shall be approved by the Community Development Director, DRC or the Planning Commission depending on the scope of the changes.

1. 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. Once vested the CUP will be valid for the time necessary to complete the approved construction/remodeling of The Club at 258 E. Main Street. Once the construction is completed the CUP will expire.
1. ~~LAPSE FOR DISCONTINUANCE: If the activity for which the Conditional Use Permit has been granted is discontinued for a period of one (1) year, the approval lapses pursuant to Section 29.20.340 of the Zoning Ordinance.~~

Thank you for your consideration.
Lee Quintana

From: Coral Rose <coral.rose@theclublg.com>
Sent: Tuesday, July 09, 2019 9:46 AM
To: Jennifer Armer <JARmer@losgatosca.gov>; Monica Renn <mrenn@losgatosca.gov>
Subject: The Club at Los Gatos

Jennifer Armer
Monica Renn
Community Development Department
Town of Los Gatos

Dear Ms. Renn and Ms. Armer,
This email is to show my support for our temporary usage of 66 E Main St while we complete our remodel. As the General Manager, it is essential to not only my livelihood but also to all of my staff that The Club remain open during the remodel.
I understand that The Club has crafted our model and occupancy around the town code and we are not asking for any variances. Please uphold the decision of the Design Review Committee.

Sincerely,
Coral Lloyd

--

Coral Lloyd
General Manager
(408) 354-5808
theclublg.com

<https://www.theclublg.com/emaildisclaimer>

From: betscw@gmail.com <betscw@gmail.com>

Sent: Tuesday, July 09, 2019 10:54 AM

To: Jennifer Armer <JARmer@losgatosca.gov>; mrenn@losgatos.gov

Subject: In Support of The Club at Los Gatos' Occupancy

Please grant the use permit for the club at Los Gatos. The club has always been a good citizen, Besides the health benefits, belonging here keeps me off Los Gatos Boulevard going towards JCC or court side in the morning.

Club members are very responsible people and will respect and try to manage parking issues. This is a temporary situation which will restore activity in a landmark empty building unused the past years. I believe that the granting of the petition is for the greater good of many residents and will be a win-win fo all.

Thank you,

Betsy white

16350 Hilow Rd.

From: Sascha Lale <sascha@chelseacourtdesigns.com>
Sent: Tuesday, July 09, 2019 10:57 AM
To: Jennifer Armer <JARmer@losgatosca.gov>
Subject: The Club at Los Gatos
Importance: High

Hello Jennifer,

I'm writing in support of Alex Anderson's efforts to uplift The Club at Los Gatos and bring this wonderful new health club to life! We've worked alongside Alex for many years of careful research and design development to help bring his vision to life and are so proud of all he has achieved so far and how graciously he's handled each hurdle along his way.

I myself was a member at the club before Alex purchased the location with a dream to elevate it to something truly special for the town of Los Gatos. A center to meet, encourage health and social interaction that is so important these days, especially in a town where locals are so bright, creative, and hardworking, this facility is much needed by so many here. It's location in the heart of downtown is a reflection of how these type services are becoming so critical in urban town planning as they nurture community and interaction in the most healthy way, such a great example to even the High School located next door.

Their plans to relocate the club temporarily to the old dealership just a few doors away downtown gives them the most important opportunity now to retain their loyal members, and at last launch this exciting project we will all benefit from for many years to come. With all the recent huge successes of downtown Spin Studios, Bar Studios, Yoga studios, residents are finding more easy opportunities to look after their wellness at any time of day now to work with our modern and flexible work schedules, this especially is why I'm thrilled The Club at Los Gatos will be an available option for me personally as I work in Los Gatos.

I hope the town of Los Gatos too can be a real advocate for such a great venture here in the heart of our town and grant them the ability to relocate short term while they create something amazing for all of our long term use!

Warm regards, Sascha Lale

SASCHA LALE | SENIOR DESIGNER
CHELSEA COURT DESIGNS

T (408) 399 7720 | F (408) 399 7723
SAN FRANCISCO BY APPOINTMENT (415) 431 4965
100 LOS GATOS-SARATOGA RD, STE D | LOS GATOS | CA 95032
[INSTAGRAM](#) | [HOUZZ](#) | [PINTEREST](#) | [FACEBOOK](#)



**TOWN OF LOS GATOS
PLANNING COMMISSION
REPORT**

MEETING DATE: 07/10/2019

ITEM NO: 4

DESK ITEM

DATE: July 10, 2019
TO: Planning Commission
FROM: Joel Paulson, Community Development Director
SUBJECT: Conditional Use Permit Application U-19-010. Project Location: **66 E. Main Street**. Property Owner: Jane Thomas Living Trust. Applicant: Alex Anderson. Appellant: Thomas Spilsbury.
Consider an appeal of a Development Review Committee decision approving a Conditional Use Permit Application requesting approval for group classes on property zoned C-2. APN 529-29-049.

REMARKS:

Exhibit 10 is correspondence from the applicant responding to public comments.

Exhibit 11 is correspondence from the appellant.

Exhibit 12 includes additional public comments received between 11:01 a.m., Tuesday, July 9, 2019 and 11:00 a.m., Wednesday, July 10, 2019.

EXHIBITS:

Previously received with July 10, 2019 Staff Report:

1. Location Map
2. Required Findings (one page)
3. Recommended Conditions of Approval (three pages)
4. June 4, 2019 Development Review Committee Minutes (four pages)
5. Letter of Justification/Business Description, received May 15, 2019 (one page)
6. Appeal Letter, received June 14, 2019 (2 pages)
7. Building Dimension and Use Plans (two pages)
8. Public comments received by 11:00 a.m., Friday, July 5, 2019

PREPARED BY: Jennifer Armer, AICP
Senior Planner

Reviewed by: Planning Manager and Community Development Director

PAGE 2 OF 2

SUBJECT: 15860-15894 Winchester Boulevard/S-19-026 and M-19-006

DATE: July 10, 2019

Previously received with July 10, 2019 Addendum Report:

9. Public comments received between 11:01 a.m., Friday, July 5, 2019 and 11:00 a.m., Tuesday, July 9, 2019

Received with this Desk Item Report:

10. Correspondence from the applicant, received July 9, 2019
11. Correspondence from the appellant, received July 10, 2019
12. Public comments received between 11:01 a.m., Tuesday, July 9, 2019 and 11:00 a.m., Wednesday, July 10, 2019

Jennifer Armer

From: Alex Anderson <alex.anderson@theclublg.com>
Sent: Tuesday, July 09, 2019 11:01 AM
To: Jennifer Armer
Cc: Monica Renn
Subject: The Club at Los Gatos CUP

Jennifer T.C. Armer, AICP
Senior Planner
Town of Los Gatos

Dear Ms. Armer,

Thank you again for your communication throughout this process. Following my get together at The Club at Los Gatos with local business owners and residents, visiting downtown businesses to speak with management and owners, and having the opportunity to hear comments from the community, I have grown to understand what issues are of concern to the appellant and his supporters. I remain confident in our ability and promise to be a good neighbor.

The nature of The Club's business model focuses on both small-group fitness classes and individual fitness programs. We simply do not see the large number of participants that other class-only models in our industry experience. I have heard concerns regarding the impact and ability to cycle available parking spaces, but the flow of member check-ins is not heavily impacted by the small-group class schedule. The Club at Los Gatos has crafted our model to be as accommodating to our current members as possible while clearly and comfortably staying within the code and regulations of occupancy at 66 E. Main St. The Club at Los Gatos appreciates the set and setting we will find ourselves in at 66 E. Main St. and we will comply with ALL code and Conditional Use Permit definitions. In addition we are leaving our current parking lot open at 285 East Main St., and will be incentivizing members to park and walk to 66 through our Perkiwille member rewards.

I also want to clarify that the outdoor space under the canopy is and has always been of interest to The Club for use. Due to its slope and incline what we are able to do outside is limited, but allowing members to bring out equipment such as a stationary bike or mats to stretch would be a great usage of the shaded area and fresh air. We will not have amplified sound outside. I have worked very closely with Melissa Thomas for example, owner of the Garden Inn, to ensure she is understanding, trusting and comfortable with our intended use with the outdoor space.

I ask that the occupancy limitations defined throughout the Conditional Use Permit process remain the guiding factor, allowing The Club the flexibility needed to best service our members while remaining committed to being the best neighbor possible to residents and businesses alike.

All my best,

Alex Anderson
Operating Co-Owner
The Club at Los Gatos
theclublg.com

<https://www.theclublg.com/emaildisclaimer>

EXHIBIT 10

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Co-signatories on the Appeal of the Conditional Use Permit at 66 E. Main Street

RECEIVED

July 10, 2019

JUL 10 2019

Town of Los Gatos Planning Commission:

TOWN OF LOS GATOS
PLANNING DIVISION

On June 4th, the Town of Los Gatos Development Review Committee (DRC) approved Conditional Use Permit (CUP) Application U-19-006 at 66 E. Main Street from The Club of Los Gatos.

We believe the new land-use conditions, as they currently exist under this CUP, would adversely affect the entire community within its radius, both commercial and non-commercial, specifically by violating the following Los Gatos General Plan 2020 policies:

- Policy LU-6.3 - Protect existing residential areas from adjacent nonresidential uses by assuring that buffers are developed and maintained.
- Policy LU-6.5 - The type, density, and intensity of new land use shall be consistent with that of the immediate neighborhood.

As stated in the General Plan, "Land use decisions encompass not only zoning, but circulation, design, open space and other factors." We respectfully request an appeal of this CUP – in its current form – on the basis of these and many other factors we believe exist at this location extending well beyond Zoning Code.

SIGNED:

Thomas C. Spilsbury, Property Owner, Forbes Mill Office Building, 61 E. Main Street, Los Gatos CA 95030

Shari Flick, Property Owner, Soda Works Plaza, 26-34 E. Main Street & 11&21 College Ave, Los Gatos CA 95030

Peter Hofmann, Property Owner, Beckwith Block, 27-37 E. Main Street, Los Gatos CA 95030

Mary Turoff and Randall Parton, Property Owners, Turoff Dentistry, 11 E. Main Street, Los Gatos CA 95030

Rita Minnis, Property Owner, 50, 80 & 111 E. Main Street, Los Gatos CA 95030

Steve Angelo, Business Owner, Purple Onion Café, 26 E. Main Street, Los Gatos CA 95030

Nick Difu, Business Owner, Nick's Next Door, 11 College Ave, Los Gatos CA 95030

Fan van Brunt, Business Owner, Main Street Annex Salon, 28 E. Main Street, Los Gatos CA 95030

Bill Reynolds, Business Owner, Billy's Boston Chowder House, 29 E. Main Street, Los Gatos CA 95030

TJ Tulachan, Owner, Namaste Indian Cuisine, 35 E. Main Street, Los Gatos CA 95030

Rita Melamed, Manager, American Cancer Society Discovery Shop, 39 E. Main Street, Los Gatos CA 95030

Christopher Kankel, Business Owner, 61 E. Main Street, Los Gatos CA 95030

Terry Martin, Owner, Terry J Martin Associates, 61 E. Main Street, Los Gatos CA 95030

Julie Thomas, Owner Representative, Casa Antigua Office, 101 Church Street, Los Gatos CA 95030

Gary Edwards, Owner, Millbrook Stone, 32 E. Main Street, Los Gatos CA 95030

Major General Kent Hillhouse, President, Veteran's Memorial & Support Foundation, 110 E. Main Street, Los Gatos CA 95030

Maureen Cappon-Javey, Exec Director, New Museum of Los Gatos (NUMU), 106 E. Main Street, Los Gatos CA 95030

Georgina Van Horn, President, Friends of Los Gatos Library, 110 E. Main Street, Los Gatos CA 95030

Greg Hacker, President, Forbes Mill HOA, 55 & 95 Church Street, Los Gatos CA 95030

Erika Venter, Homeowners, 30 Pageant Way, Los Gatos CA 95030

July 10, 2019
Delivered by Hand
To the Planning Commissioners
Town of Los Gatos

Re: Appeal Of 66 East Main Conditional Use Permit

Commissioners:

My name is Tom Spilsbury, the Appellant, in the above matter before you tonight. I have been a resident of Los Gatos since 1962 and have owned my business here in Los Gatos since 1976.

For close to 43 years, I have been involved as real estate owner and broker and have assisted in several developments in Town (including the Soda Works Building). I am currently an Arts And Culture Commissioner for the Town, a volunteer for several Town projects, and always a supporter and booster for our businesses, our quality schools, and our beautiful Town.

I decided to appeal the Conditional Use Permit for two reasons: one, it is not an appropriate business use for our neighborhood. Secondly, I do not believe the decision by the DRC was well thought out, well researched, and based on inaccurate facts.

I was frankly stunned at the DRC decision for this project. I and six others testified to the damage that would be caused to our part of this community by allowing The Club to operate a gym at the 66 East Main Street. I was shocked to have the members of the DRC approve the CUP application as submitted; have their decision already typed up and ready to go before the meeting even ended and to base that decision on facts that were either incomplete or incorrect.

A number of us testified before the DRC, allowing a gym to operate from 5 a.m. to 10 p.m. on that location, 7 days a week, totally turns a blind eye to a business with such hours, with such intensity of use, is absolutely contrary to everything we have been led to believe that is in the Land Use Policies of Los Gatos. I have sat in this Chamber at both Planning Commission and Town Council meetings many times and watched applications be denied because of the negative impact it would have “on a neighborhood, 360 degrees”. I have been taught from the Planning Commission and the Town Council that protecting a neighborhood 360 degrees meant that buildings and businesses must be compatible with surrounding uses.

The initial staff report used by the DRC states that the subject business would be appropriate because it is situated in a zone that is commercial to the East, commercial to the West, commercial to the South, and commercial to the North, and that is a quote from the DRC report.

This description is not only misleading, it is inaccurate. This property sits at the center of a very mixed-use neighborhood. The report should have stated that there are well over 120 private residences within 300 feet to the North, East and to the South of this property. There are 7 offices buildings with 40 tenants; there are 19 retail store fronts with 16 different users; there is Los Gatos Museum, Friends of the Library Book Store, the stately newly installed Veteran’s Memorial, LG-Rec. Department and the Masonic Hall. Town Government offices are also within these 300 feet including the Los Gatos Police Department and all the departments in the Civic Center, and the Library. Los Gatos High School which has 4,400 students (2,200 of them driving to school) is literally within a 30 second drive or 90 second walk of the subject property.

Nowhere does staff point out the predominance of privately-owned residences so close to this property (across the street). Conversations on residential patios can be overheard on the nearby sidewalks. Nowhere does staff point out the restaurants with outside seating whose patrons (who are lucky enough to find parking or able to walk to the restaurant) would be 'treated' to watching and hearing workouts, music playing, and the grunts and yells that take place during high intensity workouts if this gym is allowed in this location.

Nowhere does staff point out the already high intensity use of our limited timed parking spaces which currently serve the mixed-use nature of the neighborhood. Trail Users, School kids who drive competing with office users and their clients, restaurant workers competing with employees of all businesses, students leaving school or employees leaving their businesses every 90 minutes to move their cars to avoid a ticket. Residents having to move their cars before 7 a.m. so they can avoid a ticket. Why should all these established residents, businesses, and patrons be penalized by the addition of a high use business that does not even bring retail sales dollars or shoppers to the community?

This use does not fit the character or conform to the integrity of our neighborhood. The Club has rented a 10,000 square foot property consisting of two buildings and a large outside covered space. This covered space is a parking area that can hold up to 20 cars. Why is it not being used as such a parking lot to help elevate the already bad parking situation? There will be on going back to back classes utilizing the entire property. That means 54 members. These Members will be looking for space to park, moving their cars every 90 minutes. If its 54 people and there will be 10 classes a day (per the Club owner) that is plus or minus 540 people all day, every day, coming, going, circling from 5 a.m. to 10 p.m. every single day of the week. How can that be a proper use for a neighborhood of private residents. We live with a

school schedule that requires 'us' the neighbors, to basically shelter in place 3 times a day, start of school, lunch break and when school lets out. How can we now ask dozens of parents to begin their constant circling to pick up students after sports with the access on Church Street to the Lower Field of the High School because there simply will not be even one spot open on Church Street or High School Street near the Lower Sports fields . Gym members will commandeer any open parking space 17 hours a day. What about the overflow of Church goes on Saturdays and Sundays or special holiday services who are accustomed to using the on-street parking on Church Street and High School Court? With gym classes from 5 a.m. to 10 p.m. and dozens of gym members using those parking spaces, there won't be any room for any of the existing neighbors.

This simple calculation makes my point. The gym owner states he has 400 gym members and he will have 48 which he applied for or 54 which was granted by the DRC (why 4 more than he requested?) on the premises at a time. The CUP does not even outline any conditions that will monitor that number of people. What sense does it make to allow him even more people than he requested and then not even impose a condition that will monitor that number. Are the people who come early and stretch included in the 54, or how about those that stay after class to warm down?

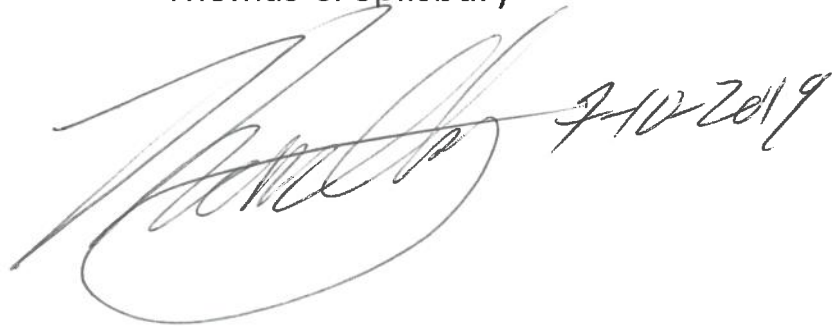
In summary, and you will hear this from others testifying on this matter, our neighborhood deserves more than a pre-written approval read aloud by the DRC, prepared and typed before the DRC hearing, that totally ignored the public testimony at that hearing. The DRC is not schooled or trained to deal with a complex land use decision like the one before you. After the DRC hearing, I actually wondered if any of the DRC members even walked outside their offices to review the location and surrounding uses, which after all are in 'our' neighborhood. No, this building does not sit in an exclusive commercial area. The DRC either missed or ignored the 120 plus private residences

across from and next to 66 East Main let alone all the other contributing factors I and others have raised.

My request is that you follow established precedent in taking into consideration “the neighborhood, 360 degrees”, and make a determination that this appeal should be granted. The conditional use permit should be denied based on its incompatibility with the neighborhood.

Thank you for your time.

Thomas C. Spilsbury

A handwritten signature in black ink, appearing to read 'Tom Spilsbury', is written over the printed name. To the right of the signature, the date '7-10-2019' is written in the same ink.

Retail Tenant
Friends of Library Book Store
Georgina Van Horn ETD.

July 4, 2019

Attn: Town of Los Gatos Planning Commission

I, Georgina Van Horn, support the appeal of the decision of the Town of Los Gatos Development Review Committee to approve the Conditional Use Permit Application U-19-006 at 66 E. Main Street from The Club of Los Gatos. I respectfully request the Planning Commission reevaluate this DRC decision.

My reasons include the following:

1. No on site parking: I am a volunteer at the Friends bookstore next to NUMU and on the Board of the Friends of the Los Gatos library. The parking lot in front of the library should be available to library patrons
- 2.
- 3.
4. The congestion caused by cars/individuals going in & out all day & night at a busy area of town.

Please consider this letter as my written authority of objection to this project.

Signed: Georgina Van Horn

Name (print): Georgina Van Horn

Address (print): 706 Winchester Blvd. Los Gatos 95030

Email (print): george_vh@msn.com

Property Owner

July 9, 2019

Attn: Town of Los Gatos Planning Commission


I am Shari Flick, owner of the Soda Works Plaza property, which includes 5 businesses, 4 apartments, and a private parking lot. I support the appeal of the decision of the Town of Los Gatos Development Review Committee to approve the Conditional Use Permit Application U-19-006 at 66 E. Main Street from The Club at Los Gatos. I respectfully request the Planning Commission reevaluate this DRC decision.

My reason for supporting the appeal is the lack of parking in the area. Adding to the problem, is the nature of the business. People tend to exercise after school drop-off in the morning and after getting off work in the evening. These are the same times most people hit the LG Creek Trail or Jones Trail and park in the same area.

One idea is to require the Club at Los Gatos to reserve half of their parking lot at 285 E. Main Street for their clients during the remodel and have them walk from there.

In addition, this Use Permit could be restricted to the Club at Los Gatos, not to be available for the future use of the property.

Please consider this letter as my written authority of objection to this project.



Shari Flick

26-34 E. Main Street and 11 & 21 College Avenue, Los Gatos

ShariFlick@icloud.com

purpleonioncafe

July 9, 2019

Attention: Town of Los Gatos Planning Commission

I, Steve Angelo, owner and operator of Purple Onion Café, 26 East Main Street, and local resident support the appeal of the decision of the Town of Los Gatos Development Review Committee to approve the Conditional Use Permit Application U-19-006 at 66 east Main Street from The Club if Los Gatos. I respectfully request the Planning Commission reevaluate the DRC decision.

My biggest concern is parking, my business uses the private lot directly behind 66 East Main that I guarantee the club patrons will use. I do not think most people going to work out will car pool so potentially that will put 40 to 50 cars in the neighborhood all day every day. Where do they park, in the city/police parking? on the street? Library lot? My guess is all the above.

Please consider this letter as my written authority of objection to this project.

Steve Angelo

141 Johnson Ave. Los Gatos

steve@purpleonionlg.com

408 313.2207

26 East Main Street / Los Gatos Ca / 95030

Retain Tenant

July 4, 2019

Attn: Town of Los Gatos Planning Commission

I, GARY EDWARDS e BARRY TRIPP
_____, support the appeal of the decision of the Town of Los Gatos Development Review Committee to approve the Conditional Use Permit Application U-19-006 at 66 E. Main Street from The Club of Los Gatos. I respectfully request the Planning Commission reevaluate this DRC decision.

My reasons include the following:

1. NO PARKING
- 2.
- 3.
- 4.

Please consider this letter as my written authority of objection to this project.

Signed: Gedwards B. Trip

Name (print): GARY EDWARDS BARRY TRIPP

Address (print): 32 EAST MAIN ST LOS GATOS CA 95030

Email (print): INFO e MAIN@BLACKSTONE.COM

From: Mary Turoff <mmturoff@yahoo.com>
Sent: Tuesday, July 9, 2019 4:04 PM
To: tslugcommercial@gmail.com
Cc: Randy Partin; Cesar Escudero; Dr. Michelle Torres
Subject: Gym site proposal

To the City of Los Gatos,

We have owned the building at 11 E Main St. since 1986 and have paid numerous parking assessment taxes over the years with nothing to show in an improvement to the scarce parking in Los Gatos.

We strongly oppose the use of the buildings, which were a high end car dealership, to be occupied by a gym. The impact this will have on the other businesses on the street will be catastrophic! The gym presently has its own onsite parking. They should only be allowed to occupy another location that also has onsite parking for the many members that use their facility from early am to late pm.

Our building is occupied by small business owners that will be greatly affected if their much smaller clientele have an even more difficult time finding a place to park.

If the City of LG is so set on accommodating this tenant, then I feel that you should designate spaces in your parking lot, which is across the street, for the Gym members.

In addition our many parking assessments should go to a multi tier parking structure that was promised decades ago.

With concern,

Randall C Partin DDS
Mary M Turoff DDS

Mary M Turoff DDS
Assistant Professor Preventive and Restorative Department
Immediate Past President, Alumni Association
UOP Arthur A Dugoni School of Dentistry
mmturoff@yahoo.com
831-818-4106

July 9, 2019

To the Town of Los Gatos Planning Commission:

For transparency, I am a member of the gym and I plan to continue to use the gym during remodeling in the alternative facility.

I do not have issue with the premises being used during re-modeling. However, this permit application needs to be considered in the light of our current way of life and existence in the area. For me personally I definitely have an expectation that my quality of life ***in the area*** not be impacted negatively by the presence of the gym.

It is important to consider the changes ***in the area*** that the presence of the gym will bring. As a very regular member of this gym, there are current activities and behaviors around the current gym ***that cannot be accepted in the area***.

I am the only resident that shares a Pageant entry with this premises and I insist that the following conditions be met as requirement for the permit:

1. **No extension of gym exercises and training outside of the premises.** This happens at the gym today. I do not have half-dressed people running in my street and past my house and driveway today – and I definitely expect that to continue while the gym operates on these premises.
2. **No dressing and undressing in and around parked cars in the area.** This happens in the gym parking lot today – people ***just*** slipping into or out of something.
3. **No loud noise on the street.** This happens in the gym today - individuals get carried away and play super loud music – this needs to be controlled.
4. **No portapotties for toilet facilities.** Unfortunately right now that is what happens at the gym. The mens's room's facilities are broken and they have been using a portapotty for forever – years. Toilet facilities will never be augmented with portable outside toilets.

I know the owner negates the existence of these goings on, but it is very real. Since he is denying, it should be no problem to include these as conditions for the permit. I would like to see this in writing added to the permit – regardless of anybody's opinion. If it is mindless speculation on my side, then this text in the permit will not harm anybody.

Also if the town has no jurisdiction to somehow contain the impacts of this business *in the area* then it goes unsaid that this permit cannot be granted.

Other considerations that should be addressed:

1. This premises is a showroom – with intentional high visibility from outside – people should be properly dressed, when using the facility – hairy sweaty people walking around showing their assets, should be strongly discouraged. I can just imagine how this will affect the patrons of the restaurant across the street.
2. Pets – some people bring their dogs to the gym – today there is a nice covered outside area where pets can wait – what is there plan for this?

These are my thoughts on the issues.

Best Regards,
Con Venter

RECEIVED

July 3, 2019

JUL 03 2019

Hand Delivered to:

TOWN OF LOS GATOS
PLANNING DIVISION

Town of Los Gatos Planning Commission
Los Gatos, California
Attention: Joel Paulson
Community Development Director

Re: 66 East Main Street
Hearing Scheduled for July 10, 2019

Dear Planning Commissioners:

I am the President of the Forbes Mill Homeowners Association. I have been asked by my Board of Directors to appear before you on July 10, 2019 regarding the appeal of the Conditional Use Permit granted to The Club for the use of the above referenced property as a gym.

I live at 55 Church Street directly across the street from the property. I am one of 48 homeowners of Forbes Mill Condominiums which have been at 55 and 95 Church Street for over 40 years. While we do not oppose the use of the property by The Club, we are not clear from the use permit what is and what is not permissible.

For example, from the Exhibit attached to the Permit there are two buildings on the property, and at least a 1,000 square foot area of outside space under a covering. We understand from current members of the Club that they have been told the outside space will be used for CrossFit training, Aerobic classes, and other uses that employ loud upbeat music and the use of microphones by instructors. When Alex, The Club owner, was asked about this he indicated it was not his intent to use the outside space for exercise 'except maybe if the weather is nice and we would roll out exercise equipment.'

We also see from information printed by The Club that the hours of operation are from 5 a.m. until 10 p.m. week-days and 6 a.m. to 10 p.m. on week-ends. Can you imagine the people who live in the 125 residences within 300 feet

Planning Commission
July 3, 2019
Page Two of Three
Re: 66 East Main Street

of the property being awakened every morning at 5 a.m. by CrossFit or other activity coming through a loud speaker?

The CUP limits occupancy at any one time to 42 members and 6 staff. How will this condition be enforced? The permit gives no basis to monitor this limitation and The Club has over 200 members. The class schedule published by The Club indicates classes are to be ongoing, back to back.

Back to back classes mean the probability that 40 vehicles will be arriving for classes going around and around Church Street while they wait for 40 vehicles to vacate their spots. Obviously, parking is at a premium in all our neighborhoods and here on Church Street parking is time limited and has to accommodate residents, students, visitors to the museum, to restaurants and other businesses along Main Street, as well as visitors to the new Veterans Memorial. How will this situation be monitored? There is nothing in the CUP that puts any boundaries around these class times or states a way to ensure members on the premises at any one time are limited to 42.

In summary, we are looking to the Planning Commission to spell out clear conditions The Club must meet on a continuous basis if it occupies this space. We would implore the Commission to set:

- More limited conditions on hours. 5 a.m. to 10 p.m. for that level of activity is unreasonable in a residential neighborhood.
- Conditions on how to enforce the number of people on the premises. If between 200 and 400 members will be using the facilities, how will the business keep that level to 42 at a time? How will classes be spaced to lessen the impact of 42 or 48 or 96 additional cars looking to park within walking distance of the gym?

Planning Commission
July 3, 2019
Page Three of Three
Re: 66 East Main Street

- Conditions on use of the space. The use permit is unclear as to the use of the outdoor space. Cross fit is a high intensity workout which includes tire rolling, barbell dropping, and various other rigorous activities. We've been told by more than one current Club member that the outdoor space will be used for workouts. The Owner has stated this 'might' happen when the weather is good. We do not believe it is acceptable to have this kind of activity taking place from 5 a.m. until 10 p.m. out of doors first in a residential neighborhood and secondly with outdoor seating in restaurants within easy sight of the activity.

In summary, although we do not oppose a conditional use permit, it must specify enough detail to be clear and to be certain so that this business does not dramatically impact the right we have to a peaceful home, and enough detail to be certain this one business does not destroy the ambiance and livelihood of the neighboring businesses.

We would like to see a Conditional Use Permit which clearly spells out what is permissible and what is not permissible. In addition, the CUP should be granted with a provision allowing a six month or one year 'check in' review of the performance under the use permit at a scheduled Planning Commission meeting. If the conditions are not being met, the CUP should be subject to revocation by the Planning Commission.

Thank you for your consideration of the issues we have raised.

Gregory Hacker
President
Forbes Mill Homeowners Association

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From: Joan Uram <jpuram@gmail.com>
Sent: Tuesday, July 09, 2019 11:04 AM
To: Jennifer Armer <JArmer@losgatosca.gov>; Monica Renn <mrenn@losgatosca.gov>
Cc: Joan Uram <jpuram@gmail.com>
Subject: support for The Club at Los Gatos Annex

Jennifer Armer

Monica Renn

Community Development Department

Town of Los Gatos

Dear Ms. Renn and Ms. Armer,

I am an employee of The Club at Los Gatos. As an employee it is vital to my livelihood for The Club to remain open at 66 East Main during our remodel.

I understand from management that The Club has crafted their model and occupancy around the town code and is not asking for any variances. Please uphold the decision of the Design Review Committee.

Sincerely,

Joan Uram

From: Miloni Patel <Miloni@chelseacourtdesigns.com>

Sent: Tuesday, July 09, 2019 11:10 AM

To: Monica Renn <mrenn@losgatosca.gov>; Jennifer Armer <JArmer@losgatosca.gov>

Subject: The Club at Los Gatos Support Letter

Hello Monica and Jennifer,

It is with much enthusiasm that I am writing to you to support The Club of Los Gatos.

We have been working with the team for more than 4 years and have been truly excited to hear about their visions and ideas for the new Club. I would like to see their vision implemented to create a space beneficial to everyone at Los Gatos.

I would sincerely love to see The Club at Los Gatos relocated to the old car dealership on Main Street, Los Gatos to continue helping their active members while the original location will be under construction.

I am positive that The Club at Los Gatos will be a valuable contributor to the Town of Los Gatos.

Sincerely,

Miloni Patel

MILONI PATEL | INTERIOR DESIGNER

CHELSEA COURT DESIGNS

T (408) 399 7720 | F (408) 399 7723

SAN FRANCISCO BY APPOINTMENT (415) 431 4965

100 LOS GATOS-SARATOGA RD, STE D | LOS GATOS | CA 95032

[CHELSEA COURT DESIGNS](#) | [INSTAGRAM](#) | [HOZZ](#) | [PINTEREST](#) | [FACEBOOK](#)

From: John Scaramuzzo <john.scaramuzzo@gmail.com>
Sent: Tuesday, July 09, 2019 11:38 AM
To: Jennifer Armer <JARmer@losgatosca.gov>; Monica Renn <mrenn@losgatosca.gov>
Subject: The Club at Los Gatos 66 East Main Street

Jennifer Armer
Monica Renn
Community Development Department
Town of Los Gatos

Dear Ms. Renn and Ms. Armer,

As a member of the Los Gatos community and a member of The Club at Los Gatos, I want to express my strong support for The Club at Los Gatos occupying 66 East Main Street.

The Club's use of 66 East Main Street is vital to the continuation of our community's fitness routines and allows The Club to significantly expedite their long-awaited remodel. I think there are two key benefits:

- 1.) The first is viability of a local business. The Club at Los Gatos must renovate to maintain a marketable business. It also has to survive the renovation and having a local space for customers is critical for customer retention.
- 2.) Renovating the facility is a positive for residents. Firstly, the building is run down and is not an attractive store front. Secondly, in its current state, it is not attractive to most residents. Helping the Club expedite its renovation will improve LG's value as a town.

I appreciate your attention to this very important matter.

Sincerely,

John Scaramuzzo

From: Brandie Unger <znd2005@gmail.com>
Sent: Tuesday, July 09, 2019 11:41 AM
To: Jennifer Armer <JARmer@losgatosca.gov>; Monica Renn <mrenn@losgatosca.gov>
Subject:

Jennifer Armer
Monica Renn
Community Development Department
Town of Los Gatos

Dear Ms. Renn and Ms. Armer,

I am an employee of The Club at Los Gatos. As an employee it is vital to my livelihood for The Club to remain open at 66 East Main during our remodel.

I understand from management that The Club has crafted their model and occupancy around the town code and is not asking for any variances. Please uphold the decision of the Design Review Committee.

Sincerely,
Brandie L. Unger

From: Mike Crosby <Mike@crosbyplc.com>
Sent: Tuesday, July 09, 2019 11:41 AM
To: Jennifer Armer <JARmer@losgatosca.gov>
Cc: Monica Renn <mrenn@losgatosca.gov>
Subject: RE: The Club at Los Gatos

Dear Ms. Armer and Ms. Renn,

My name is Michael Crosby, and I am a member of the The Club at Los Gatos. It is imperative that The Club at Los Gatos be permitted to occupy the premises at 66 East Main Street, Los Gatos, California, pending the remodel and renovation of its primary facility next to Los Gatos High School. The continuation of The Club at Los Gatos' presence in the community is necessary not only to promote the health and welfare of the community, but to prevent The Club at Los Gatos from suffering undue financial hardship during the remodel and renovation of the primary facility next to Los Gatos High School. Thank you for your time on this matter.

Michael C. Crosby, Esq.
Crosby & Crosby, A Professional Law Corporation
1570 The Alameda, Suite 200
San Jose, CA 95126
Tel: (408) 370-7500
Fax: (408) 984-5063
Email: mike@crosbyplc.com
<http://www.crosbyplc.com>

From: Curtis Conaway <curtisconaway@gmail.com>

Sent: Tuesday, July 09, 2019 11:46 AM

To: Jennifer Armer <JARmer@losgatosca.gov>; Monica Renn <mrenn@losgatosca.gov>

Subject: Annex at 66 East Main Street

Jennifer Armer
Monica Renn
Community Development Department
Town of Los Gatos

Dear Ms. Renn and Ms. Armer,

As a member of the Los Gatos community and a member of The Club at Los Gatos, I want to express my strong support for The Club at Los Gatos occupying 66 East Main Street.

The Club's use of 66 East Main Street is vital to the continuation of our community's fitness routines and allows The Club to significantly expedite their long-awaited remodel.

I appreciate your attention to this very important matter.

Sincerely,
Curtis Conaway

From: Lisa <lnilg@yahoo.com>

Sent: Tuesday, July 09, 2019 11:55 AM

To: Jennifer Armer <JArmer@losgatosca.gov>; Monica Renn <mrenn@losgatosca.gov>

Subject: The Club at Los Gatos

Dear Ms. Renn and Ms. Armer,

As a member of the Los Gatos community and a member of The Club at Los Gatos, I want to express my strong support for The Club at Los Gatos occupying 66 East Main Street.

The Club's use of 66 East Main Street is vital to the continuation of our community's fitness routines and allows The Club to significantly expedite their long-awaited remodel.

I appreciate your attention to this very important matter.

Sincerely,

Lisa Nunan

From: Camelia <camelia_03@yahoo.com>
Sent: Tuesday, July 09, 2019 11:56 AM
To: Jennifer Armer <JARmer@losgatosca.gov>; Monica Renn <mrenn@losgatosca.gov>
Subject: The Club at Los Gatos

Jennifer Armer
Monica Renn
Community Development Department
Town of Los Gatos

Dear Ms. Renn and Ms. Armer,

As a member of the Los Gatos community and a member of The Club at Los Gatos, I want to express my strong support for The Club at Los Gatos occupying 66 East Main Street.

The Club's use of 66 East Main Street is vital to the continuation of our community's fitness routines and allows The Club to significantly expedite their long-awaited remodel.

I appreciate your attention to this very important matter.

Sincerely,

Camelia Mahmoudi, J.D., LL.M Taxation
Certified Specialist • Probate • Estate Planning & Trust Law
Attorney at Law
2021 The Alameda, Suite 200
San Jose, CA 95126
Ph: (408) 658-8580
Fax: (408) 659-8655
camelia@camelialaw.com
<http://www.camelialaw.com>

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From: Virgil Quisol <virgil@cleanlinesdesign.com>
Sent: Tuesday, July 09, 2019 12:11 PM
To: Jennifer Armer <JARmer@losgatosca.gov>
Subject: Support for The Club At Los Gatos

Jennifer Armer
Community Development Department
Town of Los Gatos

Dear Ms. Armer,

As a resident of the Los Gatos community and a member of The Club at Los Gatos, I want to express my strong support for The Club at Los Gatos occupying 66 East Main Street. I've been with the Club for 5 years. In the last 2.5 years, I've gone through 2 Hip Replacement Surgery s. I owe my recovery to the CLG. Pre-Surgery and Post Surgery rehab and conditioning.

The Club is convenient, affordable and never crowded, not like some others in the area. I don't want to look for another Club to continue my workout. Simply cause of the cost and inconveniences. I've been in this town since 1980 and support our local businesses. That includes CLG.

It's vital to our community's fitness routines and allows CLG to significantly expedite their awaited remodel.

I appreciate your time and support to this very important matter.

--

Thank you

Cheers,
Virgil Quisol

CL: 408-568-2083

From: THERESA BIAGI <flyinghigh617@gmail.com>

Sent: Tuesday, July 09, 2019 12:40 PM

To: Jennifer Armer <JArmer@losgatosca.gov>; Monica Renn <mrenn@losgatosca.gov>

Subject: In Support of The Club at Los Gatos' Occupancy

Jennifer Armer

Monica Renn

Community Development Department

Town of Los Gatos

Dear Ms. Renn and Ms. Armer,

As a member of the Los Gatos community and a member of The Club at Los Gatos, I want to express my strong support for The Club at Los Gatos occupying 66 East Main Street.

The Club's use of 66 East Main Street is vital to the continuation of our community's fitness routines and allows The Club to significantly expedite their long-awaited remodel.

I appreciate your attention to this very important matter.

Sincerely,

Theresa Biagi RN Member

Glenridge Avenue

Los Gatos, CA

From: John Klatt <john.klatt@ymail.com>
Sent: Tuesday, July 09, 2019 12:52 PM
To: Jennifer Armer <JArmer@losgatosca.gov>; Monica Renn <mrenn@losgatosca.gov>
Cc: John Klatt <john.klatt@ymail.com>
Subject: Support The Club Use of 66 E. Main

Jennifer Armer
Monica Renn
Community Development Department
Town of Los Gatos

Dear Ms. Renn and Ms. Armer,

As a member of the Los Gatos community and a member of The Club at Los Gatos, I want to express my strong support for The Club at Los Gatos occupying 66 East Main Street.

The Club's use of 66 East Main Street is vital to the continuation of our community's fitness routines and allows The Club to significantly expedite their long-awaited remodel.

I appreciate your attention to this very important matter.

Sincerely,

John Klatt
17935 Andrews St
Monte Sereno CA

From: Sheila Dubin <caldubins@sbcglobal.net>
Sent: Tuesday, July 09, 2019 12:57 PM
To: Jennifer Armer <JArmer@losgatosca.gov>
Subject: Support for The Club at Los Gatos

Dear Ms Armer

I have lived in Los Gatos since 1978 and have been a member of The Club at Los Gatos since its beginning when it was opened by Ed Burke. It's important that it can continue to provide athletic services to members of our community. It needs to be updated and the temporary move to 66 Main St will make that happen. Please support this Thank you Sheila Dubin

From: Darlene Nelson <darstitch21@gmail.com>
Sent: Tuesday, July 09, 2019 1:08 PM
To: Jennifer Armer <JARmer@losgatosca.gov>
Subject: The club at LOS Gatos

Jennifer Armer
Monica Renn
Community Development Department
Town of Los Gatos

Dear Ms. Renn and Ms. Armer,

As a member of the Los Gatos community and a member of The Club at Los Gatos, I want to express my strong support for The Club at Los Gatos occupying 66 East Main Street.

The Club's use of 66 East Main Street is vital to the continuation of our community's fitness routines and allows The Club to significantly expedite their long-awaited remodel.

I appreciate your attention to this very important matter.

Sincerely,

Darlene Nelson

From: Caron Rakich <crakich@sbcglobal.net>
Sent: Tuesday, July 09, 2019 1:32 PM
To: Jennifer Armer <JArmer@losgatosca.gov>; Monica Renn <mrenn@losgatosca.gov>
Subject: Annex use

Jennifer Armer
Monica Renn
Community Development Department
Town of Los Gatos

Dear Ms. Renn and Ms. Armer,

As a member of the Los Gatos community and a member of The Club at Los Gatos, I want to express my strong support for The Club at Los Gatos occupying 66 East Main Street.

The Club's use of 66 East Main Street is vital to the continuation of our community's fitness routines and allows The Club to significantly expedite their long-awaited remodel.

I appreciate your attention to this very important matter.

Thank You Sincerely,
Caron Rakich
(408) 705-0078

From: Ken Tucker <kc@kili.com>

Sent: Tuesday, July 09, 2019 1:43 PM

To: Jennifer Armer <JArmer@losgatosca.gov>; Monica Renn <mrenn@losgatosca.gov>

Subject: July 10 Meeting of Planning Commission, Club at Los Gatos Annex, Parking Issue?

I have lived in Los Gatos for 25 years, and have been a member of this Club all that time. I certainly look forward to the remodel, but am concerned whether parking issues for the new Annex have been properly considered.

The Club has 30 main parking spots, which typically fill in the morning, until after noon. There are 18 additional spots behind the Club, adjacent to High School Parking. These will still be available, but are more than a quarter mile from the proposed Annex location. There are also about five public parking spots in front of the Club.

I frequently drive down East Main Street, and parking spots are available, but never that many.

I have no solution to offer, only a concern. My concern may possibly be unfounded. Only time will tell.

At 74, walking more than a short distance is always a bit of a problem for me.

Club Management has asked its members to write to the Planning Commission with input.

This is mine.

Thank you for your time.

Sincerely,
Kenneth Tucker
16795 Paseo Carmelo
Los Gatos, Ca 95030

--

Ken

kc@kili.com

[:]

There's nothing remarkable about it. All one has to do is hit the right key at the right time and the instrument plays itself. - Johann Sebastian Bach

From: Rochelle Stone <rstone@starker.com>
Date: July 9, 2019 at 1:46:22 PM PDT
To: <mrenn@losgatosca.gov>
Subject: The Club and 66 East Main

Monica Renn

Community Development Department

Town of Los Gatos

Dear Ms. Renn,

As a member of the Los Gatos community for many years and a business owner in Los Gatos for over 30 years I want to express my strong support for The Club at Los Gatos occupying 66 East Main Street.

The Club's use of 66 East Main Street is vital to the continuation of our community's fitness routines and allows The Club to significantly expedite their long-awaited remodel.

I encourage the town to cooperate in The Clubs commitment to re dedicating their footprint in and services to the community.

Thank you for your attention,

Cordially,



Rochelle Stone

Rochelle Stone, CES®
President/CEO
Starker Services, Inc.
20 S. Santa Cruz Avenue #304
Los Gatos, CA 95030
800.332.1031 phone
408.356.0808 fax

Web: www.starker.com
Email: rstone@starker.com

From: Deborah Ross <4debbieross@gmail.com>

Sent: Tuesday, July 09, 2019 1:53 PM

To: Jennifer Armer <JArmer@losgatosca.gov>; Monica Renn <mrenn@losgatosca.gov>

Subject: The Club's occupancy of the Annex at 66 East Main Street

Hello Jennifer and Monica,

Just want to express my support for this while remodeling is being completed.

We live on Villa Avenue. Because we walk to the club, it's helpful that this location is also walking distance.

Thank you,
Deborah Ross

From: Rochelle Stone <rstone@starker.com>
Date: July 9, 2019 at 2:06:58 PM PDT
To: "Knight, Don" <Don.Knight@cbnorcal.com>
Cc: "mrenn@losgatosca.gov" <mrenn@losgatosca.gov>, Stuart Ferguson <stuart@stuartferguson.biz>
Subject: Re: The Club at Los Gatos

Monica Renn
Community Development Department
Town of Los Gatos
Dear Ms. Renn,

As a member of the Los Gatos community since 1994. I want to express my strong support for The Club at Los Gatos occupying 66 East Main Street. The Club's use of 66 East Main Street is very important to the continuation of our community's fitness routines and allows The Club to significantly expedite their long-awaited remodel.

I hope the town cooperates with the Club!! Thank you for taking the time to read my email.

Cordially,
<image001.png>



Rochelle Stone, CES®
Senior Exchange Counselor
Starker Services, Inc.
20 S. Santa Cruz Avenue #304
Los Gatos, CA 95030
800.332.1031 phone
408.356.0808 fax

Web: www.starker.com
Email: rstone@starker.com

From: Catherine Kirsch <catjust444@gmail.com>

Sent: Tuesday, July 09, 2019 2:14 PM

To: alexanderson@theclublg.com; Coral Rose <coral.rose@theclublg.com>; Jennifer Armer <JArmer@losgatosca.gov>; Monica Renn <mrenn@losgatosca.gov>; Catherine Kirsch <catjust444@gmail.com>; Coral Lloyd <coralcflg@gmail.com>

Subject: RE : The Club At Los Gatos & The Annex : 66 East Main Street

Dear Jennifer Armer & Monica Renn,

The Club At Los Gatos is requesting the use of ; The Annex @ 66 East Main Street
As a staff member for the group exercise program I believe that The Annex will be fantastic
year length temporary gym facility that will benefit the clubs' members and the community. The
use of The Annex is planned to fit with the town's code; the plan does not ask for any variance. I
sincerely hope that the town planning commission : the community development department /
the economic vitality management - will approve of the proposed plan - for : The Annex.

Thanks So Much -

Sincerely,
Catherine Kirsch
(Employee : The Group Exercise Program
pilates core class) (catjust444@gmail.com)

From: Robin Strothers <rstrothers@comcast.net>

Sent: Tuesday, July 09, 2019 2:52 PM

To: Jennifer Armer <JARmer@losgatosca.gov>; Monica Renn <mrenn@losgatosca.gov>

Subject: In Support of The Club at Los Gatos' Occupancy

As a long time resident, 73 years, and also watching The Club of Los Gatos get permission to remodel, I do hope that this last stall in the plans will right it self. I feel that the club will enhance our town and bring in lots of shoppers.

Thank you,

Robin Strothers

From: Sheila Dubin <caldubins@sbcglobal.net>
Date: July 9, 2019 at 2:57:58 PM PDT
To: mrenn@losgatosca.gov
Subject: **Support for The Club at Los Gatos**

Dear Ms Renn,

I am writing to ask you to support the temporary move of The Club at Los Gatos to 66 Main St to allow for their renovations. The club has provided an invaluable space for the community to exercise, swim and gather. It needs renovation in order to continue that service for all its current and future members. I don't believe the temporary move will have a negative impact on the community.

Thank you

Sheila Dubin

Los Gatos resident since 1978

From: Cheryl McKenzie <cleemckenzie@gmail.com>

Sent: Tuesday, July 09, 2019 2:59 PM

To: Jennifer Armer <JARmer@losgatosca.gov>; Monica Renn <mrenn@losgatosca.gov>

Subject: The Club at Los Gatos

Jennifer Armer
Monica Renn
Community Development Department
Town of Los Gatos

Dear Ms. Renn and Ms. Armer,

As a member of the Los Gatos community and a member of The Club at Los Gatos, I want to express my strong support for The Club at Los Gatos occupying 66 East Main Street.

The Club's use of 66 East Main Street is vital to the continuation of our community's fitness routines and allows The Club to significantly expedite their long-awaited remodel.

I appreciate your attention to this very important matter.

Sincerely,

Cheryl McKenzie

From: Hannah <jelwat@comcast.net>
Sent: Tuesday, July 09, 2019 4:37 PM
To: Jennifer Armer <JArmer@losgatosca.gov>
Subject: In Support of The Club at Los Gatos' Occupancy

PLEASE, allow our club a transitional facility. We are local members Hannah Watkins Sent from my iPhone

From: kamysh@kamysh.org <kamysh@kamysh.org>
Sent: Tuesday, July 09, 2019 5:50 PM
To: Jennifer Armer <JARmer@losgatosca.gov>
Subject: In Support of The Club at Los Gatos' Occupancy

Jennifer Armer

Community Development Department
Town of Los Gatos

Dear Ms. Armer,

As a member of the Los Gatos community and a member of The Club at Los Gatos, I want to express my strong support for The Club at Los Gatos occupying 66 East Main Street.

The Club's use of 66 East Main Street is vital to the continuation of our community's fitness routines and allows The Club to significantly expedite their long-awaited remodel.

I appreciate your attention to this very important matter.

Sincerely,

Valentyn Kamyshenko, Ph.D.

From: John Kemp <jrkemp@comcast.net>
Sent: Tuesday, July 09, 2019 5:58 PM
To: Jennifer Armer <JArmer@losgatosca.gov>; Monica Renn <mrenn@losgatosca.gov>
Subject: The Club Annex at 66 Main St.

Jennifer Armer

Monica Renn

Community Development Department

Town of Los Gatos

Dear Ms. Renn and Ms. Armer,

As a member of the Los Gatos community and a member of The Club at Los Gatos, I want to express my strong support for The Club at Los Gatos occupying 66 East Main Street.

The Club's use of 66 East Main Street is vital to the continuation of our community's fitness routines and allows The Club to significantly expedite their long-awaited remodel.

I appreciate your attention to this very important matter.

Sincerely,

John Kemp

From: Jamie Palasky <jpalasky@verizon.net>
Sent: Tuesday, July 09, 2019 6:33 PM
To: Jennifer Armer <JARmer@losgatosca.gov>; Monica Renn <mrenn@losgatosca.gov>
Subject: In Support of The Club at Los Gatos' Occupancy

Jennifer Armer
Monica Renn
Community Development Department
Town of Los Gatos

Dear Ms. Renn and Ms. Armer,

As a member of the Los Gatos community and a member of The Club at Los Gatos, I want to express my strong support for The Club at Los Gatos occupying 66 East Main Street.

The Club's use of 66 East Main Street is vital to the continuation of our community's fitness routines and allows The Club to significantly expedite their long-awaited remodel.

I appreciate your attention to this very important matter.

Sincerely,

Jamie and Steve Palasky

From: Martha Geiszler <mgeiszler3@gmail.com>

Sent: Tuesday, July 09, 2019 8:28 PM

To: Monica Renn <mrenn@losgatosca.gov>; Jennifer Armer <JArmer@losgatosca.gov>

Subject: The Club at Los Gatos

Jennifer Armer
Monica Renn
Community Development Department
Town of Los Gatos

Dear Ms. Renn and Ms. Armer,

I have been a member of The Club at Los Gatos for over 10 years, through 3 different owners, and have lived in Los Gatos for almost 40 years. I want to express my strong support for The Club at Los Gatos occupying 66 East Main Street. The club is in dire need of a remodel. I have been a member of every health club in Los Gatos over the past 35 years and although this club is in the worst condition, I it has been the only gym where the teachers learned our names, and I have made made many true and wonderful friends. We encourage each other every day we are there. It has a wonderful camaraderie of members unlike any of the other gyms in town.

We members really need a place to continue working out and supporting each other while the building is remodeled. Most of the members of the club are over 50 and all are Los Gatos residents.

The Club's use of 66 East Main Street is vital to the continuation of our community's fitness routines and allows The Club to significantly expedite their long-awaited remodel. We are a small group. Please allow us to continue working out together. This gym isn't Courtside with hundreds of members coming and going daily so the impact to the neighborhood should be nil.

I appreciate your attention to this very important matter.

Thank you,
Martha Geiszler
mgeiszler3@gmail.com
408.234.2176

From: Astrid Stenfath <astenfath@yahoo.com>
Sent: Tuesday, July 09, 2019 9:01 PM
To: Jennifer Armer <JARmer@losgatosca.gov>
Cc: Monica Renn <mrenn@losgatosca.gov>
Subject: Strong support for The Club at Los Gatos

Jennifer Armer
Monica Renn
Community Development Department
Town of Los Gatos

Dear Ms. Renn and Ms. Armer,

As a member of the Los Gatos community and a member of The Club at Los Gatos, I want to express my strong support for The Club at Los Gatos occupying 66 East Main Street.

The Club's use of 66 East Main Street is vital to the continuation of our community's fitness routines and allows The Club to significantly expedite their long-awaited remodel.

I appreciate your attention to this very important matter.

Sincerely,

Astrid Stenfath
Member of The Club at Los Gatos

From: Denise Leffers <DALeffers@aol.com>
Sent: Tuesday, July 09, 2019 9:12 PM
To: Jennifer Armer <JArmer@losgatosca.gov>
Cc: alex.anderson@theclublg.com
Subject: The Club Annex Location

Dear Ms. Armer:

As a 22 year resident of Los Gatos and business owner (office location 101 Church St., Ste. 23) I am writing you to encourage the Planning Commission to approve the conditional use permit for The Club at the proposed annex on Main St. In addition to being a resident and business owner in Los Gatos I am also a long term member of The Club and rely on it for my daily fitness routine.

I strongly encourage rapid approval of this permit. I wish I could be present in person to voice my support but am a repeat volunteer at Jazz in the Plazz tomorrow night, hence this email.

Thank you for considering this project and your assistance in assuring the health of our community!

Sincerely yours,

Denise A. Leffers, MFT
101 Church St., Ste 23
Los Gatos, CA 95030
408-358-8844

From: bfinfrock1@aol.com <bfinfrock1@aol.com>
Sent: Tuesday, July 09, 2019 9:16 PM
To: Monica Renn <mrenn@losgatosca.gov>
Cc: Jennifer Armer <JArmer@losgatosca.gov>
Subject: In support of The Club at Los Gatos

Jennifer Armer
Monica Renn
Community Development Department
Town of Los Gatos

Dear Ms. Renn and Ms. Armer,

As life long members of the Los Gatos community and members of The Club at Los Gatos, we want to express our strong support for The Club at Los Gatos occupying 66 East Main Street.

The Club's use of 66 East Main Street is vital to the continuation of our community's fitness routines and allows The Club to significantly expedite their long-awaited remodel.

We appreciate your attention to this very important matter.

Sincerely,

Andrew and Elizabeth Finfrock

From: Linda Wagner <wagnerlinda@hotmail.com>

Sent: Tuesday, July 09, 2019 9:33 PM

To: Jennifer Armer <JArmer@losgatosca.gov>; Monica Renn <mrenn@losgatosca.gov>

Subject: the Club

Jennifer Armer
Monica Renn
Community Development Department
Town of Los Gatos

Dear Ms. Renn and Ms. Armer,

I am an employee of The Club at Los Gatos. As an employee it is vital to my livelihood for The Club to remain open at 66 East Main during our remodel.

I understand from management that The Club has crafted their model and occupancy around the town code and is not asking for any variances. Please uphold the decision of the Design Review Committee.

Sincerely,
Linda Wagner
Yoga teacher

From: seremwilliams@yahoo.com <seremwilliams@yahoo.com>
Sent: Tuesday, July 09, 2019 10:21 PM
To: Jennifer Armer <JARmer@losgatosca.gov>
Subject: Support for 66

To Whom it May Concern,

The intent of this email is to demonstrate our support for The Club occupying the space at 66 East Main St, Los Gatos.

Mike and I own the Southern Kitchen and have had the opportunity to speak with Alex Anderson. We feel confident that the club will be a respectful neighbor, and will operate in a safe, healthy and professional manner; bringing business to an area of Los Gatos that has been left vacant for far too long. This much-appreciated occupancy will attract patrons and benefit the existing businesses located nearby. In conclusion, the occupancy would be a beneficial and enriching addition to our restaurant and all nearby businesses located on East Main Street.

Thank you kindly,

Mike and Serena Williams
Southern Kitchen LG LLC
southernkitchenlg.com
408 354-7515

From: Christian Nall <ctnall3@yahoo.com>
Sent: Wednesday, July 10, 2019 6:45 AM
To: Jennifer Armer <JARmer@losgatosca.gov>
Subject: In Support of The Club at Los Gatos' Occupancy

Jennifer Armer
Monica Renn
Community Development Department
Town of Los Gatos

Dear Ms. Renn and Ms. Armer,

As a member of the Los Gatos community and a member of The Club at Los Gatos, I want to express my strong support for The Club at Los Gatos occupying 66 East Main Street.

The Club's use of 66 East Main Street is vital to the continuation of our community's fitness routines and allows The Club to significantly expedite their long-awaited remodel.

I appreciate your attention to this very important matter.

Sincerely,

Christian T Nall

From: Cheryl Striepe <cheryl.striepe@me.com>

Sent: Wednesday, July 10, 2019 7:42 AM

To: Jennifer Armer <JARmer@losgatosca.gov>; Monica Renn <mrenn@losgatosca.gov>

Subject: The Club at Los Gatos

To: Jennifer Armer and Monica Renn

Community Development Department

Town of Los Gatos

Dear Ms. Renn and Ms. Armer,

As a member of the Los Gatos community and a member of The Club at Los Gatos, I want to express my strong support for The Club at Los Gatos occupying 66 East Main Street.

The Club's use of 66 East Main Street is vital to the continuation of our community's fitness routines and allows The Club to significantly expedite their long-awaited remodel.

I appreciate your attention to this very important matter.

Sincerely,

Cheryl Striepe (Club member)

From: Susan Carter <susanhcarter@ymail.com>
Sent: Wednesday, July 10, 2019 7:51 AM
To: Jennifer Armer <JARmer@losgatosca.gov>; Monica Renn <mrenn@losgatosca.gov>
Subject: The Club at Los Gatos

Jennifer Armer
Monica Renn
Community Development Department
Town of Los Gatos

Dear Ms. Renn and Ms. Armer,

As a member of the Los Gatos community and a member of The Club at Los Gatos, I want to express my strong support for The Club at Los Gatos occupying 66 East Main Street.

The Club's use of 66 East Main Street is vital to the continuation of our community's fitness routines and allows The Club to significantly expedite their long-awaited remodel.

I appreciate your attention to this very important matter.

Sincerely,

Susan Carter
16349 Aztec Ridge Drive
Los Gatos, CA. 95030
408-691-6955

From: Anne Evans <anne_evans@verizon.net>
Sent: Wednesday, July 10, 2019 8:53 AM
To: Jennifer Armer <JARmer@losgatosca.gov>; Monica Renn <mrenn@losgatosca.gov>
Subject: the Club at Los Gatos

Jennifer Armer

Monica Renn

Community Development Department Town of Los Gatos

Dear Ms. Renn and Ms. Armer,

My husband, Al Feuerbach and I joined the Club at Los Gatos when we returned to the Los Gatos area in 1992. My husband, a 3-time Olympian is a friend of Ed Burke, a fellow Olympian thrower who opened the Club (Los Gatos Athletic Club) in the 80s. So joining the Club was natural. Al has always considered the Club a stellar place to lift and train, as do many retired Olympians in the area.

My routine has always included fitness using the Club too. I want to express my strong support for The Club at Los Gatos occupying 66 East Main Street.

The Club's use of 66 East Main Street is vital to the continuation of our community's fitness routines and allows The Club to significantly expedite their long-awaited remodel.

We have waited for a long time for this remodel and hope that it can begin soon.

Thank you,

Anne Evans and Al Feuerbach

From: patricia mccaffrey <pmccaffrey@mac.com>
Sent: Wednesday, July 10, 2019 9:14 AM
To: Jennifer Armer <JARmer@losgatosca.gov>
Subject: In Support of The Club at Los Gatos' Occupancy

Jennifer Armer
Monica Renn
Community Development Department
Town of Los Gatos

Dear Ms. Renn and Ms. Armer,

As a member of the Los Gatos community and a member of The Club at Los Gatos, I want to express my strong support for The Club at Los Gatos occupying 66 East Main Street.

The Club's use of 66 East Main Street is vital to the continuation of our community's fitness routines and allows The Club to significantly expedite their long-awaited remodel.

I appreciate your attention to this very important matter.

Sincerely,
Patti McCaffrey

From: mike d. kail <mdkail@gmail.com>

Sent: Wednesday, July 10, 2019 9:55 AM

To: Jennifer Armer <JARmer@losgatosca.gov>; Monica Renn <mrenn@losgatosca.gov>

Subject: The Club at Los Gatos

Dear Ms. Renn and Ms. Armer,

We've been members at The Club at Los Gatos for ~6 years and I'd like to present my support for The Club at Los Gatos occupying 66 East Main Street.

The approval process for the greatly needed remodel has taken far too long, and the Club's desire to use the space at 66 East Main Street will allow members to continue to use a Los Gatos business without being inconvenienced or experiencing further delays.

It's my sincere hope that the Planning Commission will approve of the occupancy of the temporary facility so the Club can expedite the long awaited remodel.

Best,

-mike d. kail

From: Albina Kamyshenko <albina@kamysh.org>
Sent: Wednesday, July 10, 2019 10:08 AM
To: Jennifer Armer <JARmer@losgatosca.gov>; Monica Renn <mrenn@losgatosca.gov>
Subject: In Support of The Club at Los Gatos' Occupancy

Jennifer Armer
Monica Renn
Community Development Department
Town of Los Gatos

Dear Ms. Renn and Ms. Armer,

As a member of the Los Gatos community and a member of The Club at Los Gatos, I want to express my strong support for The Club at Los Gatos occupying 66 East Main Street.

The Club's use of 66 East Main Street is vital to the continuation of our community's fitness routines and allows The Club to significantly expedite their long-awaited remodel.

I appreciate your attention to this very important matter.

Sincerely,

Albina Kamyshenko

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**TOWN OF LOS GATOS
PLANNING COMMISSION
REPORT**

MEETING DATE: 07/10/2019

ITEM NO: 5

DATE: July 1, 2019
TO: Planning Commission
FROM: Joel Paulson, Community Development Director
SUBJECT: Subdivision Application M-19-004. Project Location: **16100 Greenridge Terrance**. Appellant: David Weisman. Property Owner: Emerald Lake Investments, LLC. Applicant: Hanna & Brunetti. Project Planner: Sean Mullin
Consider an appeal of a Development Review Committee decision approving a request for subdivision of one lot into eight lots on property zoned HR-2½:PD. APN 528-12-002.

RECOMMENDATION:

Deny the appeal and uphold the decision of the Development Review Committee (DRC) to approve the Subdivision Application, subject to the recommended conditions of approval.

PROJECT DATA:

General Plan Designation: Hillside Residential
Zoning Designation: Hillside Residential: Planned Development, HR-2½:PD
Applicable Plans & Standards: General Plan; Hillside Development Standards and Guidelines; Hillside Specific Plan
Parcel Size: 36 acres

Surrounding Area:	Existing Land Use	General Plan	Zoning
North	Single-Family Residential	Hillside Residential	HR-1
East	Single-Family Residential	Agriculture	RC
South	Single-Family Residential	Hillside Residential	HR-2½:PD
West	Single-Family Residential	Hillside Residential	HR-2½:PD

PREPARED BY: Sean Mullin, AICP
Associate Planner

Reviewed by: Planning Manager and Community Development Director

PAGE 2 OF 6

SUBJECT: 16100 Greenridge Terrace/M-19-004

DATE: July 1, 2019

CEQA:

A Final Environmental Impact Report (EIR) and Mitigation Monitoring and Reporting Program were adopted by the Town Council (Ordinance 2281) for the proposed development and no significant unmitigated impacts are associated with the application (Exhibit 4).

FINDINGS:

- As required by Section 66474 of the State Subdivision Map Act.

STANDARDS FOR REVIEW:

- As required by Planned Development Ordinance 2281, that the tentative map complies with the performance standards contained in Ordinance 2281 and is in substantial conformance with the Official Development Plans contained therein as described in the application materials (Exhibit 4).

ACTION:

The decision of the Planning Commission is final unless appealed within ten (10) days.

BACKGROUND:

The subject 36-acre property is currently vacant with an existing graded road and a San Jose Water Company storage tank located on the southern portion of the property. The subject site takes access from Santella Drive and Greenridge Terrace (Exhibit 1).

On March 13, 2019, the Planning Commission considered a Planned Development (PD) Application and forwarded a recommendation for approval to the Town Council. The Town Council considered the Application on April 2, 2019, and introduced an Ordinance approving the project. On April 16, 2019, the Town Council adopted Ordinance 2281 approving the Planned Development Overlay and allowing for the subdivision of the subject property into eight lots (Exhibit 4).

A Subdivision Application (M-19-004) for the subject property was received on April 15, 2019 and deemed complete on May 22, 2019. The Development Review Committee (DRC) approved the Application on June 4, 2019. The Application is being reviewed by the Planning Commission because the decision of the DRC has been appealed (Exhibit 5).

PROJECT DESCRIPTION:

A. Subdivision

In accordance with Ordinance 2281, the applicant applied to subdivide the subject property into eight lots. Following approval of the Tentative Map, a Final Map must be submitted and approved by the Town Council, and then be recorded to effectuate the subdivision of the property.

DISCUSSION:

A. Town Council

Video of the Town Council consideration of the project at the April 2, 2019 meeting is available at <https://www.losgatosca.gov/13/Agendas-Minutes>. The following discussion includes time-stamp references to specific points of discussion.

While questioning the applicant, a Councilmember suggested dedicating an open space strip of some amount connecting the open space area on the north end of the property to the property to the south to prevent installation of fencing and ensure wildlife movement across the property (0:50:30). The Councilmember also mentioned that the same thing could be done across the north edge of lots 1 and 8. During discussion, the Councilmember also asked about how a motion could be constructed to include language describing where scenic easements could be added (1:02:00).

A motion for approval was made by the Vice Mayor with the addition of a performance standard requiring dedication of scenic easements on those lots that the Councilmember had been discussing (1:05:00). The Council voted unanimously to introduce the Ordinance and approve the project.

On April 16, 2019, the Town Council adopted the draft Ordinance approving the Planned Development Overlay and allowing for the subdivision of the subject property with the addition of the following performance standard. This performance standard was drafted to accomplish the goal of connecting the open space area on the north end of the property (on lots 1, 5, and 8) to the property to the south, creating a contiguous protected area through the property:

To the satisfaction of the Director of Community Development:

28. SCENIC EASEMENTS: Scenic easements shall be dedicated on the parcel map by separate instrument across portions of lots 1, 2, 3, and 5 connecting the area to be dedicated as open space on the north portions of lots 1 and 5 to the south property

DISCUSSION (continued):

lines of lots 2 and 3. Easement language shall indicate that such land shall not be encroached into with fences, structures, landscaping, or improvements of any kind, and no work shall be performed within the Scenic Easement, including clearing, other than for wildland fire fuel management or weed abatement. Any and all maintenance within the scenic easements shall be the sole responsibility of the property owner.

On April 15, 2019, the Subdivision Application was submitted. The Tentative Map included a 100-foot wide easement corridor connecting the open space on the north end of the property to the property to the south. Because a scenic easement along the west property line of lot 1 would crowd the conceptual building pad, the scenic easements were located on the east edge of lots 2, 3, and 5. Additionally, the scenic easement corridor was turned southeast into the southern portion of lot 2 to avoid a portion of a fenced property owned by the San Jose Water Company and a dirt road leading to a gate and structures on the property to south. The revised location accomplishes the goal of connecting the open space area on the north end of the property on lots 1, 5, and 8 to the property to the south, creating a contiguous protected area through the property. Additional scenic easements were not pursued along the north property lines of lots 1 and 8 as they would not create a connection through the property from the open space area on the north end of the property to the property to the south.

B. Appeal

On June 10, 2019, the June 4, 2019 decision of the DRC was appealed to the Planning Commission by David Weissman (Exhibit 5). The reasons for the appeal are summarized below, along with staff's responses in *italic* font.

1. The appellant indicates that the scenic easement corridor shown on the Tentative Map does not conform to the motion made by the Vice Mayor (Exhibit 5).

During questions of the applicant and Council discussion, a Councilmember explored various placements of scenic easements to accomplish the goal of connecting the open space area on the north end of the property to the property to the south, creating a contiguous protected area through the property. At one point, the Councilmember mentioned a scenic easements along the west edge of lots 3 and 5 (1:02:00). The Vice Mayor's motion included a performance standard that scenic easements be added to "those lots where Mr. Rennie has been talking about a scenic easement" (1:05:00). Because a scenic easement along the west property line of lot 1 would crowd the conceptual building pad, the scenic easement corridor was located on the east edge of lots 3 and 5, turning southeast into a portion of lot 2. This easement corridor addressed

DISCUSSION (continued):

the performance standard to connect the open space area on the north end of the property to the property to the south, creating a contiguous protected area through the property.

2. The proposed scenic easement corridor, with its width of 102.4 feet, is capricious and too small. It also completely misses the proposed trails system of lots 1 and 2, which makes no sense whatsoever (Exhibit 5).

The placement of the scenic easement corridor included on the Tentative Map addressed the performance standard to connect the open space area on the north end of the property on lots 1, 5, and 8 to the property to the south, creating a contiguous protected area through the property. A scenic easement was not placed on lot 1 because it was perceived to crowd the building pad on the lot. Separate four-to ten-foot wide trail easements, independent of the scenic easements and open space, would provide north-to-south pedestrian access through the property and traverses through portions of all but one of the properties. Additionally, this trail crosses through portions of the scenic easement corridor and open space.

Regarding the width of the proposed scenic easements, the proposed 102.4-foot width would provide a substantial corridor through the property connecting the open space area on the north end of the property to the property to the south.

PUBLIC COMMENTS:

Written notice of the Planning Commission hearing was sent to property owners and tenants within 500 feet of the subject property. No public comments have been received as of the writing of this report.

CONCLUSION:

A. Conclusion

During the April 2, 2019 Town Council meeting, a number of locations for scenic easements were discussed. While the Town Council motion for approval was not prescriptive in defining the exact location of each easement, it did include a requirement for scenic easements to create a connection through the property. Staff implemented the goal of including a scenic easement performance standard to connect the open space area on the north end of the property on lots 1, 5, and 8, to the property to the south, creating a contiguous protected area through the property. The placement of the scenic easements across portions of lots 2, 3, and 5 accomplishes the goal of the performance standard.

CONCLUSION (continued):

B. Recommendation

Staff recommends that the Planning Commission take the following actions to deny the appeal, uphold the decision of the DRC, and approve the Subdivision Application:

1. Find that a Final Environmental Impact Report (EIR) and Mitigation Monitoring and Reporting Program were adopted by the Town Council (Ordinance 2281) for the proposed development and no significant unmitigated impacts are associated with the application (Exhibit 2);
2. Find that the proposed project complies with Section 66474 of the State Subdivision Map Act and make affirmative findings to approve the application (Exhibit 2);
3. Find that the project is in substantial conformance with the performance standards and development plans contained within Ordinance 2281 (Exhibit 2); and
4. Approve Subdivision Map Application M-19-004 with the conditions contained in Exhibit 3 and the map attached as Exhibit 6.

C. Alternatives

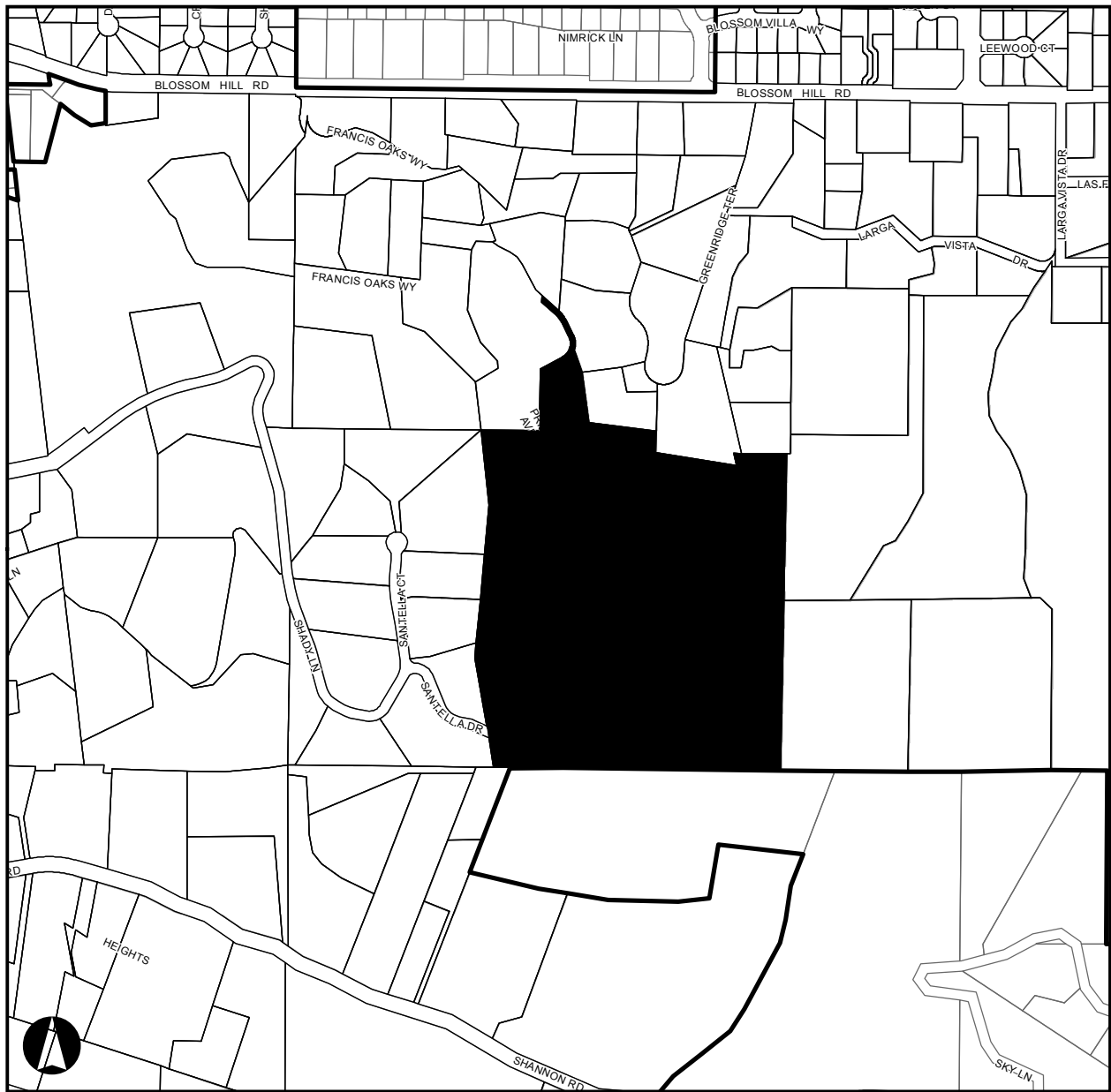
Alternatively, the Commission can:

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

EXHIBITS:

1. Location Map
2. Required Findings and Considerations
3. Recommended Conditions of Approval
4. Ordinance 2281
5. Appeal of Development Review Committee decision, received June 10, 2019
6. Tentative Map

16100 Greenridge Terrace



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PLANNING COMMISSION – July 10, 2019
REQUIRED FINDINGS AND CONSIDERATIONS:

16100 Greenridge Terrace
Subdivision Application M-19-004

Requesting approval for a subdivision of one lot into eight lots on property zoned HR-2½:PD. APN 527-12-002
PROPERTY OWNER: Emerald Lake Investments LLC
APPLICANT: Hanna & Brunetti

FINDINGS:

CEQA:

- A Final Environmental Impact Report (EIR) and Mitigation Monitoring and Reporting Program were adopted by the Town Council (Ordinance 2281) for the proposed development and no significant unmitigated impacts are associated with the application.

Required findings to deny a Subdivision application:

- As required by Section 66474 of the State Subdivision Map Act the map shall be denied if any of the following findings are made: **None of the findings could be made to deny the application.**

Instead, the Planning Commission makes the following affirmative findings:

- a. That the proposed map is consistent with all elements of the General Plan.
- b. That the design and improvement of the proposed subdivision is consistent with all elements of the General Plan.
- c. That the site is physically suitable for the type of development.
- d. That the site is physically suitable for the proposed density of development
- e. That the design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage nor substantially and avoidably injure fish or wildlife or their habitat
- f. That the design of the subdivision and type of improvements is not likely to cause serious public health problems.
- g. That the design of the subdivision and the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.

Required consistency with performance standards of the Planned Development:

- The project is in substantial conformance with the performance standards and Official Development Plans contained within Ordinance 2281.

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PLANNING COMMISSION – July 10, 2019
CONDITIONS OF APPROVAL FOR:

16100 Greenridge Terrace
Subdivision Application M-19-004

Requesting approval for a subdivision of one lot into eight lots on property zoned HR-2½:PD. APN 527-12-002

PROPERTY OWNER: Emerald Lake Investments LLC

APPLICANT: Hanna & Brunetti

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 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. COMPLIANCE WITH PLANNED DEVELOPMENT ORDINANCE 2281: The project shall be completed in accordance with all of the applicable performance standards contained within Planned Development Ordinance 2281.
4. BELOW MARKET PRICE (BMP) IN-LIEU FEE. A Below Market Price (BMP) in-lieu fee shall be paid by the property owner/developer pursuant to Town Code Section 29.10.3025 and any applicable Town Resolutions. The fee amount shall be based upon the Town Council fee resolution in effect at the time a final or vesting tentative map is approved.
5. PROJECT CC&R's. CC&R's shall be provided with the Final Map application and shall address the following:
 - a. Maintenance of private roadway
 - b. Maintenance of landscaping adjacent to the private road
 - c. Maintenance of storm drain system
 - d. Maintenance of public open space
 - e. Maintenance of scenic easements
 - f. Maintenance of public trail
 - g. Landscape guidelines (shall be compliant with the Hillside Development Standards and Guidelines, EIR, and safe fire protocol).
6. FINAL CC&R's. Final CC&R's shall be approved by the Town Attorney and recorded prior to the recording of the Final Map. The CC&R's shall include provisions for traffic circulation, vehicle parking enforcement procedures, landscaping, exterior lighting, and fencing restrictions.
7. 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.

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

Engineering Division

8. PRIOR APPROVALS: All conditions per prior approvals shall be deemed in full force and affect for this approval.
9. FINAL MAP: A final map shall be recorded. Two (2) copies of the final map shall be submitted to the Engineering Division of the Parks and Public Works Department for review and approval. Submittal shall include closure calculations, title reports and the appropriate fee. The map shall be recorded prior to the issuance of any grading or building permits. The Applicant/Subdivider shall provide the Engineering Division with an electronic copy (in PDF format) and two hardcopies of the signed recorded map along with a CAD drawing of the Parcel Map after it is recorded.
10. PRIVATE UTILITIES–STREET: Prior to the recordation of a subdivision map the Applicant/Developer/Subdivider shall place a note on the final map, in a manner that meets the approval of the Town Engineer that states: "The private streets, utilities constructed within this map shall be owned, operated and maintained by the Developer, successors or assigns."
11. PRIVATE EASEMENTS: Agreements detailing rights, limitations and responsibilities of involved parties shall accompany any proposed private easement. Access driveway shall be within the recorded access easement. A new private access easement shall be recorded, and a copy of the recorded agreement shall be submitted to the Engineering Division of the Parks and Public Works Department, prior to issuance of building permit or realigned access driveway shall be completed prior to the issuance of building permit.
12. DEDICATIONS: The following shall be dedicated on the final by separate instrument. The dedication shall be recorded before any grading or building permits are issued:
 - a. Scenic Easement: Scenic Easements lying in, on, over, under and along those portions of the land so designated shall be kept open and free of buildings and structures of any kind except for lawful driveways, trails, utilities and associated infrastructure. No activity or use shall be conducted in said Scenic Easement which is not compatible with maintaining and preserving the natural or scenic character of the land. The Scenic Easements shall be maintained by the owner of each respective lot.
 - b. Open Space Easement: Open Space Easements lying in, on, over, under and along those portions of the land so designated shall be kept open and free of buildings and structures of any kind except for lawful trails, utilities and associated infrastructure. No activity or use shall be conducted in said Open Space Easement which is not compatible with maintaining and preserving the natural or scenic character of the land. The Open Space Easements shall be maintained by the Homeowner's Associations.
13. QUITCLAIM OF EASEMENTS: The Owner, Applicant and/or Developer has/have indicated that right-of-way for ingress/egress and utilities public service easements and slope easements are to be vacated. This abandonment shall be recorded, and a copy of the recorded quitclaim shall be submitted to the Engineering Division of the Parks and Public Works Department, prior to issuance of building permit.

TO THE SATISFACTION OF THE SANTA CLARA COUNTY FIRE DEPARTMENT:

14. FIRE DEPT. APPARATUS ACCESS ROADWAYS: (As noted on Sheets 3, 4 and 5) In all cases, the minimum requirements are found in the currently adopted edition of the California Fire Code Sec. 503, as amplified in the SCCFD SD&S A-1. All such roadways shall be a minimum 20 feet in width, a minimum vertical clearance of 13' 6", maximum grade of 15%, with a minimum circulating outside radius of 42'. All such roadways shall be capable of supporting a maximum imposed load of 75,000 pounds and where a bridge or an elevated surface is part of a fire apparatus access road, the bridge shall be constructed and maintained in accordance with AASHTO HB-17. Please note that further review of the proposed driveways, to include slope and width, will be completed at time of development.
15. WILDLAND-URBAN INTERFACE: This project is located within the designated Wildland-Urban Interface Fire Area. The building construction shall comply with the provisions of Section R327 of the California Residential Code or the California Building Code (CBC) Chapter 7A., as applicable. Please note that vegetation clearance shall be in compliance with CBC Section 701A.3.2.4 prior to project development final approval. Check with the Planning Department for related landscape plan requirements upon parcel development.
16. FIRE HYDRANTS AVAILABLE: (As noted on Sheet 5) The number of fire hydrants available to a complex or subdivision shall not be less than that determined by spacing requirements listed in CFC Table C105.1 when applied to fire apparatus access roads and perimeter public streets from which fire operations could be conducted. Existing fire hydrants on public streets are allowed to be considered as available. The average spacing between fire hydrants shall not exceed that listed in Table C105. Hydrants shall be a maximum of 500 feet from each other, as measured along the curb line. Fire protection water supplies shall be subject to approval by this office and shall comply with locally adopted Standards and CFC Sec. 507. Please note that proposed hydrant spacing along the roadway appears to be compliant, however further information regarding hydrants on Largo Vista Drive which appears to be the initial access for Lot 1 will need to be provided at time of development.
17. FIRE HYDRANT SYSTEMS REQUIRED: Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 400 feet from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the fire code official. Exception: For Group R-3 and Group U occupancies, equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3. Please note that the maximum distance of 600 feet may be exceeded for lots 1 and 2, and will be reviewed upon final roadway review and parcel development. [CFC, Section 507.5.1]
18. TURNING RADIUS (CUL-DE-SACS): (As noted on Sheet 4) The minimum outside turning radius is 36 feet. Use of cul-de-sacs is not acceptable where it is determined by the Fire Department that Ladder Truck access is required, unless greater turning radius is provided. Cul-De-Sac Diameters shall be no less than 72 feet. CFC Sec. 503. The proposed cul-de-sacs appear to be compliant and will be further reviewed at time of development.
19. EMERGENCY ACCESS/DRIVEWAYS: The minimum clear width of fire department access roads shall be 20 feet. Modifications to the design or width of a fire access road, or additional access road(s) may be required when the fire code official determines that

access to the site or a portion thereof may become compromised due to emergency operations or nearby natural or manmade hazards (flood prone areas, railway crossings, bridge failures, hazardous material-related incidents, etc.). The vertical clearance shall be in accordance with the Fire Code, 13 feet, 6 inches. Please note that access driveway review will be completed upon parcel development.

20. GENERAL: Please note that all new structures will be required to install fire sprinklers. Specific requirements will be provided upon submittal of proposed construction plans CRC 313.2 as adopted and amended by LGTC. 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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ORDINANCE

**ORDINANCE OF THE TOWN OF LOS GATOS
AMENDING THE TOWN CODE EFFECTING A ZONE CHANGE
FROM HR-2½ TO HR-2½:PD
FOR PROPERTY LOCATED AT
16100 GREENRIDGE TERRACE (APN: 527-12-002)**

THE TOWN COUNCIL OF THE TOWN OF LOS GATOS DOES ORDAIN AS FOLLOWS:

SECTION I

The Town Code of the Town of Los Gatos is hereby amended to change the zoning on property located at 16100 Greenridge Terrace (Santa Clara County Assessor Parcel Number 527-12-002) as shown on the map attached hereto as Exhibit A, and is part of this Ordinance, from HR-2½ (Hillside Residential, two and half to 10 acres for each dwelling unit) to HR-2½:PD (Hillside Residential, two and half to 10 acres for each dwelling unit, Planned Development).

SECTION II

With respect to compliance with the California Environmental Quality Act ("CEQA"), the Town Council finds as follows:

A. An Environmental Impact Report (EIR) was completed for the proposed development and no significant unmitigated impacts are associated with the application. The Findings of Fact are made and the Final Environmental Impact Report (EIR) and Mitigation Monitoring and Reporting Program are adopted.

SECTION III

The PD (Planned Development Overlay) zone established by this Ordinance authorizes the following construction and use of improvements:

1. Subdivision of one lot into eight lots.
2. Construction of eight market rate single-family detached residences.
3. Landscaping, private streets, trails, parking and other improvements shown and required on the Official Development Plans.
4. Dedication of trail easements to the Town of Los Gatos as shown on the Official Development Plans.
5. Uses permitted are those specified in the HR-2½ (Hillside Residential, two and half to 10 acres for each dwelling unit) zone by Sections 29.40.235 (Permitted Uses), as it exists at the time of the adoption of this Ordinance, or as they may be amended in the future.

SECTION IV

COMPLIANCE WITH OTHER DEVELOPMENT STANDARDS:

All provisions of the Town Code apply, except when the Official Development Plan specifically shows otherwise.

SECTION V

A Tentative Subdivision Map and Architecture and Site Approvals are required before construction of subdivision improvements or new residences, whether or not a permit is required for the work and before any permit for construction is issued. Construction permits shall only be in a manner complying with Section 29.80.130 (PD Ordinance) of the Town Code.

SECTION VI

The attached Exhibit A (Map), and Exhibit B (Official Development Plans), are part of the Official Development Plan. The following performance standards must be complied with before issuance of any grading, or construction permits (mitigation measures are so noted and are flagged with an asterisk):

TO THE SATISFACTION OF THE DIRECTOR OF COMMUNITY DEVELOPMENT:

Planning Division

1. OFFICIAL DEVELOPMENT PLANS. The Official Development Plans provided are conceptual in nature. Final building footprints and building designs shall be determined during the Architecture and Site approval process. Colors and building materials shown on the Official Development Plans are not approved and shall be reviewed during the Architecture and Site application approval process.
2. 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.
3. SUBDIVISION REQUIRED. A Tentative Map application shall be approved for the project prior to the issuance of building permits. The Development Review Committee may be the deciding body of the Tentative Map.
4. ARCHITECTURE AND SITE APPROVAL REQUIRED. A separate Architecture and Site (A&S) application and approval is required for each of the new residences. The Architecture

and Site applications shall be reviewed by the Development Review Committee. Architectural details, including fencing and a project entry sign, shall be refined as part of this process with input from the Town's Consulting Architect.

5. FINAL LANDSCAPE PLAN. A final landscape plan shall be reviewed by the Town's Consulting Landscape Architect and approved as part of the Architecture and Site process. Minimum tree size at time of planting shall be 24-inch box.
6. WATER CONSERVATION ORDINANCE REQUIREMENT. The proposed landscaping shall meet the Town of Los Gatos Water Conservation Ordinance or the State Water Efficient Landscape Ordinance, whichever is more restrictive. A review fee based on the current fee schedule adopted by the Town Council is required when working landscape and irrigation plans are submitted for review prior to the issuance of a building permit.
7. SETBACKS. The minimum setbacks are those specified by the HR-2½ zoning district or as otherwise shown on the Conceptual Development Plans.
8. FENCING. Fencing shall comply with the Town Code and Hillside Development Standards and Guidelines in place at the time of approval. Fence locations, design, and materials shall be reviewed and approved during the Architecture and Site review(s). The CC&R's for the project shall include a restriction prohibiting the home owners from replacing the fence type approved during the Architecture and Site review(s) without prior approval from the Town. The CC&R's shall prohibit fencing within the open space easement.
9. BUILDING HEIGHT. The maximum height of the new residences shall be the maximum height listed in the Hillside Development Standards and Guidelines. The maximum height of the new residences on lots 3, 4, 5, and 8 shall be limited to 18 feet due to visibility concerns.
10. BUILDING FLOOR AREA. The maximum floor area of the new residences shall be the maximum floor area listed in the Hillside Development Standards and Guidelines.
11. GRADING: Depths of cut and fill for the roadway and site improvements shall not exceed the maximums shown in the Official Development Plans (Exhibit B).
12. OUTDOOR LIGHTING. All exterior building and outdoor lighting shall be shielded and directed away from neighboring properties, to shine on the project site only. Lighting shall be the minimum needed for pedestrian safety and security. Lighting specifications shall be reviewed as part of the Architecture and Site process.
13. EXTERIOR COLORS: The exterior colors of all structures shall comply with the Hillside Development Standards and Guidelines.
14. DEED RESTRICTION: Prior to the issuance of a building permit, a deed restriction shall be recorded by the applicant with the Santa Clara County Recorder's Office that requires

all exterior materials be maintained in conformance with the Town’s Hillside Development Standards and Guidelines.

15. BELOW MARKET PRICE (BMP) IN-LIEU FEE. A Below Market Price (BMP) in-lieu fee shall be paid by the property owner/developer pursuant to Town Code Section 29.10.3025 and any applicable Town Resolutions. The fee amount shall be based upon the Town Council fee resolution in effect at the time a final or vesting tentative map is approved.
16. PROJECT CC&R’s. CC&R’s shall be provided with the Tentative Map application and shall address the following:
 - a. Maintenance of private roadway
 - b. Maintenance of landscaping adjacent to the private road
 - c. Maintenance of storm drain system
 - d. Maintenance of public open space
 - e. Maintenance of public trail
 - f. Landscape guidelines (shall be compliant with the Hillside Development Standards and Guidelines, EIR, and safe fire protocol).
17. FINAL CC&R’s. Final CC&R’s shall be approved by the Town Attorney prior to the recording of the Final Map. The CC&R’s shall include provisions for traffic circulation, vehicle parking enforcement procedures, and landscaping, exterior lighting and fencing restrictions. The approved CC&R’s shall become conditions of this Ordinance.
18. TREE PRESERVATION: All recommendations of the Town’s Consulting Arborist shall be followed. Refer to the report and addendum report prepared by Richard Gessner, dated June 30, 2017 and June 20, 2018 for additional details. The Arborist Consultant shall reevaluate the plans for the new residences during Architecture and Site review.
19. TREE REMOVAL. Tree removal shall be limited to the scope of this PD and future approvals as follows:

Planned Development	No tree removal.
Subdivision	Tree removal limited to that required for site improvements related to installation of the roadway and shared driveway; installation of utilities; and construction of retaining walls for the roadway and shared driveway.
Architecture and Site	Tree removal required for construction of each single-family home and improvements.

20. DEED RESTRICTION: Prior to the issuance of building permits for each single-family residential development, a deed restriction shall be recorded by the applicant with the

Santa Clara County Recorder's Office that identifies the on-site trees that were used to provide screening in the visibility analyses conducted under each Architecture and Site application and requires replacement screening in conformance with the Town's Hillside Development Standards and Guidelines and/or the Tree Protection Ordinance if the trees die or are removed.

21. MAINTENANCE AGREEMENT. Prior to the issuance of building permits for each single-family residential development, a five-year maintenance agreement shall be submitted for the preservation of the on-site trees that were used to provide screening in the visibility analyses conducted under each Architecture and Site application.
22. TREE REMOVAL PERMIT. A Tree Removal Permit shall be obtained for trees approved for removal prior to the issuance of demolition or grading permits.
23. REPLACEMENT TREES. New trees shall be planted to mitigate the loss of trees being removed. The number of trees shall be determined using the canopy replacement table in the Tree Protection Ordinance. New trees shall be double staked and shall be planted prior to final inspection and issuance of occupancy permits.
24. TREE FENCING. Protective tree fencing shall be placed at the drip line of existing trees and shall remain through all phases of construction. Refer to the report and addendum report prepared by Richard Gessner, dated June 30, 2017 and June 20, 2018 for requirements. Fencing shall be six-foot high cyclone attached to two-inch diameter steel posts drive 18 inches into the ground and spaced no further than 10 feet apart. Include a tree protection fencing plan with the construction plans.
25. FINAL UTILITY LOCATIONS. The applicant shall submit plans showing the final locations and screening of all exterior utilities, including but not limited to, backflow preventers, Fire Department connections, transformers, utility boxes and utility meters. Utility devices shall be screened to the satisfaction of the Director of Community Development. The plans shall be submitted for review and approval prior to issuance of building permits for new construction.
26. PLAN INCONSISTENCY. Any inconsistencies between sheets shall be limited to whichever is more restrictive.
27. GENERAL PROVISIONS. This Planned Development shall comply with provisions in Town Code Sections 29.40.015 through 29.40.070, and Article V, unless more restrictive provisions are required in other performance standards for the subject Planned Development.
28. SCENIC EASEMENTS: Scenic easements shall be dedicated on the parcel map by separate instrument across portions of lots 1, 2, 3, and 5 connecting the area to be dedicated as open space on the north portions of lots 1 and 5 to the south property

lines of lots 2 and 3. Easement language shall indicate that such land shall not be encroached into with fences, structures, landscaping, or improvements of any kind, and no work shall be performed within the Scenic Easement, including clearing, other than for wildland fire fuel management or weed abatement. Any and all maintenance within the scenic easements shall be the sole responsibility of the property owner.

29. *AIR QUALITY MITIGATION MEASURE AQ-1: The project contractor for subdivision improvements and residential lot development shall implement basic dust control measures at all on-site and off-site locations where grading or excavation takes place. The project contractor shall implement additional dust control measures at all on-site and off-site locations where grading or excavation takes place within 200 feet of residential properties.
- Basic dust control measures:
- 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;
 - b. All haul trucks transporting soil, sand, or other loose material off-site shall be covered;
 - c. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited;
 - d. All vehicle speeds on unpaved roads shall be limited to 15 mph;
 - e. All roadways, 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; and
 - f. 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 48 hours. The air district's phone number shall also be visible to ensure compliance with applicable regulations.
 - g. All excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed 20 mph;
 - h. 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; and
 - i. Unpaved roads shall be treated with a three to six-inch compacted layer of wood chips, mulch, or gravel.
30. *BIOLOGICAL RESOURCES MITIGATION MEASURE BIO-1: Focused plant surveys were conducted in spring 2018; if project development occurs more than five years after

spring 2018, the surveys shall be repeated per below. To protect potentially occurring special-status plants, the presence/absence of fragrant fritillary, Hall's bush-mallow, Loma Prieta hoita, western leatherwood, and woodland woollythreads shall be determined within the development footprint and fire defensible space. A qualified biologist shall conduct focused botanical surveys for these five-target species in accordance with current California Department of Fish and Wildlife and California Native Plant Society rare plant survey protocols. Surveys shall occur during overlapping blooming periods for the target species (likely March and June). If the surveys conclude that the species are not present, no further mitigation is required. If any special-status plant species is present within the development footprint and fire defensible space, to compensate for loss or reduction of a special-status plant population, the project proponent shall retain a qualified biologist or native plant specialist to collect seed from all plant individuals and/or salvage plants within the development footprint at the optimal time prior to initiation of ground disturbance activities. The project proponent and the Town of Los Gatos shall oversee selection of an appropriate mitigation area, preferably on the project site, or in the immediate vicinity, that would not be disturbed in the future. After selection of the mitigation area and approval by the Town, a qualified biologist shall develop a Special-Status Plant Management Plan detailing optimal methods for seed collection/plant salvage from the impact area, preparation of the mitigation area, and seed/plant installation at the mitigation area. The plan shall also include maintenance measures to manage the rare plant occurrence for long-term protection and persistence at the mitigation area. Collected seeds/plants shall be installed at the mitigation area at the optimal time. Topsoil from the on-site occurrence location shall also be salvaged (if practical) for use in the mitigation area.

The Special-Status Plant Management Plan shall require at a minimum three years of annual monitoring by a qualified biologist during the plant's peak blooming period to ensure that mitigation was successful and that long-term maintenance procedures specified in the plan are creating conditions that support survival of the transplanted population. The initial focused surveys will identify how many plant individuals occur in the development footprint; this amount or more must occur in the mitigation area during each of the three years following installation. If this success criteria is not achieved, the project proponent shall coordinate with the Town to implement remedial mitigation through revision of the Special-Status Plant Management Plan, and then collection of additional seed from a local population and repeated installation in the mitigation area, followed by another three years of annual monitoring. This process

shall be extended as needed until all success criteria contained in the Special-Status Plant Management Plan are achieved.

31. *BIOLOGICAL RESOURCES MITIGATION MEASURE BIO-2: Prior to the start of construction activities for the subdivision improvements and development of residential lots, a qualified biologist shall conduct pre-construction surveys of the grassland habitat on the site to identify any potential American badger burrows/dens. These surveys shall be conducted no more than 15 days prior to the start of construction. In the event that construction activities are suspended for 15 consecutive days or longer, including the time period between the subdivision improvements and development activities at each respective residential lot, these surveys shall be recompleted. If a potential American badger burrow/den is found during the surveys, coordination with the California Department of Fish and Wildlife shall be undertaken in order to develop a suitable strategy to avoid impacts to American badger. With California Department of Fish and Wildlife approval, impacts to active American badger dens shall be avoided by establishing exclusion zones around all active badger dens, within which construction related activities shall be prohibited until denning activities are complete or the den is abandoned. A qualified biologist shall monitor each den once per week in order to track the status of the den and to determine when a den area has been cleared for construction.
32. *BIOLOGICAL RESOURCES MITIGATION MEASURE BIO-3: A qualified biologist shall conduct pre-construction surveys for woodrat middens within the development footprints. These surveys shall be conducted no more than 15 days prior to the start of construction for the infrastructure improvements and development of the residential lots. In the event that construction activities are suspended for 15 consecutive days or longer, including the time period between the subdivision improvements and development activities at each respective residential lot, these surveys shall be recompleted. All woodrat middens shall be flagged for avoidance of direct construction impacts where feasible. To avoid midden/nest disturbance, if active middens/nests are found, a 50-foot buffer will be established in which project activities will not occur. This buffer should be clearly marked. For all woodrat middens/nests that cannot be avoided by project activities, live trapping should be conducted by a qualified biologist to determine if the midden/nest is in use. Trapping should occur prior to April and after mid-July to avoid impacts to woodrats rearing young or to young woodrats. If a midden/nest is found to be unoccupied (none captured after two nights of trapping), then it can be removed as described below. If woodrats are trapped, they may be kept in captivity by a qualified biologist until their middens/nests are immediately relocated.

Each midden/nest should be dismantled by hand as described below, and the relocated midden/nest should be placed in suitable habitat a minimum of 50 feet from the construction area, no closer than 20 feet from existing woodrat middens/nests and other relocated woodrat middens/nests, and be reassembled under shrub or tree canopy that will receive some sunlight. The midden/nest should be rebuilt surrounding a log-based structure, an inverted wooden planter, or similar structure having at least one entrance and exit hole. Any cached food and nest material found during nest dismantling should be placed within the relocated midden/nest during rebuilding. The occupied trap should then be opened, placed tightly against the entrance to the artificial shelter, and the woodrat be allowed to enter the midden/nest on its own accord. After the individual enters, the entrance should promptly be covered with a loose plug of small sticks to encourage the individual to stay for the short-term. Where impacts cannot be avoided, woodrat middens shall be dismantled no more than three days prior to construction activities starting at each midden location. All vegetation and duff materials shall be removed from three feet around the midden prior to dismantling so that the occupants do not attempt to rebuild. Middens are to be slowly dismantled by hand in order to allow any occupants to disperse.

33. *BIOLOGICAL RESOURCES MITIGATION MEASURE BIO-4: Approximately 15 days prior to tree removal or other construction activities, the applicant shall retain a qualified biologist to conduct a habitat assessment for bats and potential roosting sites in trees to be removed, in trees within 50 feet of the development footprint, and surrounding the water tank structures situated within 50 feet of disturbance activities by the project. In the event that construction activities are suspended for 15 consecutive days or longer, including the time period between the subdivision improvements and development activities at each respective residential lot, these surveys shall be recompleted. These surveys shall include a visual inspection of potential roosting features (bats need not be present) and a search for presence of guano within the project site, construction access routes, and 50 feet around these areas. Cavities, crevices, exfoliating bark, and bark fissures that could provide suitable potential nest or roost habitat for bats shall be surveyed. Assumptions can be made on what species is present due to observed visual characteristics along with habitat use, or the bats can be identified to the species level with the use of a bat echolocation detector such as an "Anabat" unit. Potential roosting features found during the survey shall be flagged or marked. Locations off the site to which access is not available may be surveyed from within the site or from public areas. If no roosting sites or bats are found, a letter report confirming absence shall be submitted by the biologist to the Town of Los Gatos and no

further mitigation is required. If bats or roosting sites are found, a letter report and supplemental documents shall be provided by the biologist to the Town of Los Gatos prior to disturbance activities or grading permit issuance and the following monitoring, exclusion, and habitat replacement measures shall be implemented:

- a. If bats are found roosting outside of the nursery season (May 1 through October 1), they shall be evicted as described under (b) below. If bats are found roosting during the nursery season, they shall be monitored to determine if the roost site is a maternal roost. This could occur by either visual inspection of the roost bat pups, if possible, or by monitoring the roost after the adults leave for the night to listen for bat pups. If the roost is determined to not be a maternal roost, then the bats shall be evicted as described under (b) below. Because bat pups cannot leave the roost until they are mature enough, eviction of a maternal roost cannot occur during the nursery season. Therefore, if a maternal roost is present, a 50-foot buffer zone (or different size if determined in consultation with the California Department of Fish and Wildlife) shall be established around the roosting site within which no construction activities including tree removal or structure disturbance shall occur until after the nursery season.
 - b. If a non-breeding bat hibernaculum is found in a tree or snag scheduled for removal or on any structures within 50 feet of project disturbance activities, the individuals shall be safely evicted, under the direction of a qualified bat biologist. If pre-construction surveys determine that there are bats present in any trees or structures to be removed, exclusion structures (e.g. one-way doors or similar methods) shall be installed by a qualified biologist. The exclusion structures shall not be placed until the time of year in which young are able to fly, outside of the nursery season. Information on placement of exclusion structures shall be provided to the CDFW prior to construction. If needed, other removal methods could include: carefully opening the roosting area in a tree or snag by hand to expose the cavity and opening doors/windows on structures, or creating openings in walls to allow light into the structures. Removal of any trees or snags and disturbance within 50 feet of any structures shall be conducted no earlier than the following day (i.e., at least one night shall be provided between initial roost eviction disturbance and tree removal/disturbance activities). This action will allow bats to leave during dark hours, which increases their chance of finding new roosts with a minimum of potential predation.
34. *BIOLOGICAL RESOURCES MITIGATION MEASURE BIO-5: Construction activities that include any tree removal, pruning, grading, grubbing, or demolition shall be conducted

outside of the bird nesting season (January 15 through September 15) to the greatest extent feasible. If this type of construction occurs during the bird nesting season, then a qualified biologist shall conduct pre-construction surveys for nesting birds to ensure that no nests would be disturbed during project activities. If project-related work is scheduled during the nesting season (February 15 to August 30 for small bird species such as passerines; January 15 to September 15 for owls; and February 15 to September 15 for other raptors), or if construction activities are suspended for at least 15 days and recommence during the nesting season, including the time period between the subdivision improvements and development activities at each respective residential lot, a qualified biologist shall conduct nesting bird surveys. Two surveys for active nests of such birds shall occur within 15 days prior to the start of construction, with the second survey conducted within 48 hours prior to the start of construction. Appropriate minimum survey radii surrounding each work area are typically 250 feet for passerines, 500 feet for smaller raptors, and 1,000 feet for larger raptors. Surveys shall be conducted at the appropriate times of day to observe nesting activities. Locations off the site to which access is not available may be surveyed from within the site or from public areas. A report documenting survey results and plan for active bird nest avoidance (if needed) shall be completed by the qualified biologist prior to initiation of construction activities. If the qualified biologist documents active nests within the project site or in nearby surrounding areas, an appropriate buffer between each nest and active construction shall be established. The buffer shall be clearly marked and maintained until the young have fledged and are foraging independently. Prior to construction, the qualified biologist shall conduct baseline monitoring of each nest to characterize "normal" bird behavior and establish a buffer distance, which allows the birds to exhibit normal behavior. The qualified biologist shall monitor the nesting birds daily during construction activities and increase the buffer if birds show signs of unusual or distressed behavior (e.g. defensive flights and vocalizations, standing up from a brooding position, and/or flying away from the nest). If buffer establishment is not possible, the qualified biologist or construction foreman shall have the authority to cease all construction work in the area until the young have fledged and the nest is no longer active.

35. *BIOLOGICAL RESOURCES MITIGATION MEASURE BIO-6: Prior to issuance of a building permit or a grading permit for infrastructure improvement and each residential lot, developers shall retain a certified arborist to develop a site-specific tree protection plan for retained trees, and supervise the implementation of all proposed tree preservation and protection measures during construction activities, including those measures

specified in the 2017 project arborist report and 2018 project arborist report addendum. Also, in accordance with the Town's Tree Protection Ordinance, the project proponent shall obtain a tree removal permit for proposed tree removals on each development lot prior to tree removals, and shall install replacement trees in accordance with all mitigation, maintenance, and monitoring requirements specified in the tree removal permit(s) or otherwise required by the Town for project approvals.

36. *GEOLOGIC HAZARDS MITIGATION MEASURE GEO-1: Prior to the approval of development applications for the project site, design-level studies for the roadways and infrastructure, and each of the proposed residential lots shall be prepared and shall address site specific geotechnical issues and provide lot-specific foundation and drainage recommendations. These design-level studies shall include an evaluation of expansive soil for each lot as well as an evaluation of local and global slope stability of each building area, concept, and access way. The design-level study for Lot 1 shall include an assessment of the potential hazards associated with alluvial infilling or debris flows along with geotechnical provisions for collecting and dispersing concentrated runoff flowing down the axis of the drainage towards the home site.
37. *GEOLOGIC HAZARDS MITIGATION MEASURE GEO-2: Prior to the approval of development applications for the individual lots, applicants shall be responsible for demonstrating to the satisfaction and approval of the Town Engineer that proposed design plans are in conformance with all current California Building Code standards and that all design measures and site preparation recommendations as suggested in the lot-specific geotechnical studies identified in mitigation measure GEO-1 have been incorporated into the project's final design.

Building Division

38. PERMITS REQUIRED: A separate Building Permit shall be required for each new single-family residence and each detached structure including retaining walls.

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

Engineering Division

39. GENERAL: All public improvements shall be made according to the latest adopted Town Standard Plans, Standard Specifications and Engineering Design Standards. All work shall conform to the applicable Town ordinances. The adjacent public right-of-way shall be kept clear of all job-related mud, silt, concrete, dirt and other construction debris at the end of the day. Dirt and debris shall not be washed into storm drainage facilities.

The storing of goods and materials on the sidewalk and/or the street will not be allowed unless an encroachment permit is issued by the Engineering Division of the Parks and Public Works Department. The Owner, Applicant and/or Developer's representative in charge shall be at the job site during all working hours. Failure to maintain the public right-of-way according to this condition may result in the issuance of correction notices, citations, or stop work orders and the Town performing the required maintenance at the Owner, Applicant and/or Developer's expense.

40. APPROVAL: This application shall be completed in accordance with all of the conditions of approval listed below and in substantial compliance with the latest reviewed and approved development plans. Any changes or modifications to the approved plans or conditions of approvals shall be approved by the Town Engineer.
41. ENCROACHMENT PERMIT: All work in the public right-of-way will require a Construction Encroachment Permit. All work over \$5,000 will require construction security. It is the responsibility of the Owner/Applicant/Developer to obtain any necessary encroachment permits from affected agencies and private parties, including but not limited to, Pacific Gas and Electric (PG&E), AT&T, Comcast, Santa Clara Valley Water District, California Department of Transportation (Caltrans). Copies of any approvals or permits must be submitted to the Town Engineering Division of the Parks and Public Works Department prior to releasing any grading or building permits.
42. PRIVATE IMPROVEMENTS IN THE PUBLIC RIGHT-OF-WAY (INDEMNITY AGREEMENT): The property owner shall enter into an agreement with the Town for all existing and proposed private improvements within the Town's right-of-way. The Owner shall be solely responsible for maintaining the improvements in a good and safe condition at all times and shall indemnify the Town of Los Gatos. The agreement must be completed and accepted by the Director of Parks and Public Works prior to the issuance of any grading or building permits.
43. PUBLIC WORKS INSPECTIONS: The Owner, Applicant and/or Developer or their representative shall notify the Engineering Inspector at least twenty-four (24) hours before starting any work pertaining to on-site drainage facilities, grading or paving, and all work in the Town's right-of-way. Failure to do so will result in penalties and rejection of work that went on without inspection.
44. RESTORATION OF PUBLIC IMPROVEMENTS: The Owner, Applicant and/or Developer or their representative shall repair or replace all existing improvements not designated for removal that are damaged or removed because of the Owner, Applicant and/or Developer or their representative's operations. Improvements such as, but not limited to: curbs, gutters, sidewalks, driveways, signs, pavements, raised pavement markers,

thermoplastic pavement markings, etc., shall be repaired and replaced to a condition equal to or better than the original condition. Any new concrete shall be free of stamps, logos, names, graffiti, etc. Any concrete identified that is displaying a stamp or equal shall be removed and replaced at the Contractor's sole expense and no additional compensation shall be allowed therefore. Existing improvement to be repaired or replaced shall be at the direction of the Engineering Construction Inspector, and shall comply with all Title 24 Disabled Access provisions. The restoration of all improvements identified by the Engineering Construction Inspector shall be completed before the issuance of a certificate of occupancy. The Owner, Applicant and/or Developer or their representative shall request a walk-through with the Engineering Construction Inspector before the start of construction to verify existing conditions.

45. SITE SUPERVISION: The General Contractor shall provide qualified supervision on the job site at all times during construction.
46. 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.
47. PLAN CHECK FEES: Plan check fees associated with the Grading Permit shall be deposited with the Engineering Division of the Parks and Public Works Department prior to the commencement of plan check review.
48. INSPECTION FEES: Inspection fees shall be deposited with the Town prior to the issuance of any permits or recordation of the Final Map.
49. DESIGN CHANGES: Any proposed changes to the approved plans shall be subject to the approval of the Town prior to the commencement of any and all altered work. The Owner, Applicant and/or Developer's project engineer shall notify, in writing, the Town Engineer at least seventy-two (72) hours in advance of all the proposed changes. Any approved changes shall be incorporated into the final "as-built" plans.
50. PLANS AND STUDIES: All required plans and studies shall be prepared by a Registered Professional Engineer in the State of California, and submitted to the Town Engineer for review and approval. Additionally, any post-project traffic or parking counts, or other studies imposed by the Planning Commission or Town Council shall be funded by the Owner, Applicant and/or Developer.
51. GRADING PERMIT: A grading permit is required for all site grading and drainage work except for exemptions listed in Section 12.20.015 of The Code of the Town of Los Gatos (Grading Ordinance). After the preceding Architecture and Site Application has been approved by the respective deciding body, the grading permit application (with grading

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

52. **ILLEGAL GRADING:** Per the Town's Comprehensive Fee Schedule, applications for work unlawfully completed shall be charged double the current fee. As a result, the required grading permit fees associated with an application for grading proposed will be charged accordingly.
53. **GRADING ACTIVITY RESTRICTIONS:** Upon receipt of a grading permit, any and all grading activities and operations shall not commence until after/occur during the rainy season, as defined by Town Code of the Town of Los Gatos, Sec. 12.10.020, (October 15-April 15), has ended.
54. **COMPLIANCE WITH HILLSIDE DEVELOPMENT STANDARDS AND GUIDELINES:** All grading activities and operations shall be in compliance with Section III of the Town's Hillside Development Standards and Guidelines. All development shall be in compliance with Section II of the Town's Hillside Development Standards and Guidelines.
55. **CONSTRUCTION EASEMENT:** Prior to the issuance of a grading permit, it shall be the sole responsibility of the Owner, Applicant and/or Developer to obtain any and all proposed or required easements and/or permissions necessary to perform the grading herein proposed. Proof of agreement/approval is required prior to the issuance of any Permit.
56. **DRAINAGE STUDY:** Prior to the issuance of any grading permits, a drainage study of the project including diversions, off-site areas that drain onto and/or through the project, and justification of any diversions; a drainage study evidencing that the proposed drainage patterns will not overload the existing storm drain facilities; and detailed drainage studies indicating how the project grading, in conjunction with the drainage conveyance systems (including applicable swales, channels, street flows, catch basins,

storm drains, and flood water retarding) will allow building pads to be safe from inundation from rainfall runoff which may be expected from all storms up to and including the theoretical 100-year flood.

57. DRAINAGE IMPROVEMENT: Prior to the recordation of a subdivision map (except maps for financing and conveyance purposes only) or prior to the issuance of any grading/improvement permits, whichever comes first, the Owner, Applicant and/or Developer 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.
58. TREE REMOVAL: Copies of all necessary tree removal permits shall be provided prior to the issuance of a grading permit/building permit.
59. SURVEYING CONTROLS: Horizontal and vertical controls shall be set and certified by a licensed surveyor or registered civil engineer qualified to practice land surveying, for the following items:
 - a. Retaining wall: top of wall elevations and locations.
 - b. Toe and top of cut and fill slopes.
60. RETAINING WALLS: A building permit, issued by the Building Department at 110 E. Main Street, may be required for site retaining walls. Walls are not reviewed or approved by the Engineering Division of Parks and Public Works during the grading permit plan review process.
61. GENERAL: The Owner, Applicant and/or Developer shall comply with all Town, County, State and Federal laws and regulations applicable to this land division. No other proposed development is included in this particular application of the Certificate of Compliance. Issuance of a Certificate of Compliance will acknowledge the Town's acceptance of the parcel as legally created in accordance with the Subdivision Map Act. Any subsequent development will be required to demonstrate compliance with the Town Development Standards and Codes.
62. CERTIFICATE OF COMPLIANCE: A Certificate of compliance shall be recorded. Two (2) copies of the legal description for each lot configuration, a plat map (8-½ in. X 11 in.) shall be submitted to the Engineering Division of the Parks and Public Works Department for review and approval. The submittal shall include closure calculations, title reports less than ninety (90) days old and the appropriate fee. The certificate shall be recorded prior to the issuance of any permits.
63. FINAL / PARCEL MAP: A final/parcel map shall be recorded. Two (2) copies of the final/parcel map shall be submitted to the Engineering Division of the Parks and Public

Works Department for review and approval. Submittal shall include closure calculations, title reports and the appropriate fee. The map shall be recorded prior to the issuance of any grading or building permits. The Applicant/Subdivider shall provide the Engineering Division with an electronic copy (in PDF format) and two hardcopies of the signed recorded map along with a CAD drawing of the Parcel Map after it is recorded.

64. WEST VALLEY SANITATION DISTRICT: All sewer connection and treatment plant capacity fees shall be paid either immediately prior to the recordation of any subdivision or tract maps with respect to the subject property or properties or immediately prior to the issuance of a sewer connection permit, whichever event occurs first. Written confirmation of payment of these fees shall be provided prior to map recordation.
65. PRIVATE UTILITIES–STREET: Prior to the recordation of a subdivision map the Applicant/Developer/Subdivider shall place a note on the map, in a manner that meets the approval of the Town Engineer that states: "The private streets, utilities constructed within this map shall be owned, operated and maintained by the Developer, successors or assigns."
66. DESIGN-LEVEL REPORTS: One copy of a geotechnical and geologic report shall be submitted with the application of each approved lot. The soils report shall include specific criteria and standards governing site grading, drainage, pavement design, retaining wall design, and erosion control. The reports shall be signed and "wet stamped" by the engineer or geologist, in conformance with Section 6735 of the California Business and Professions Code.
67. SOILS ENGINEER CONSTRUCTION OBSERVATION: During construction, all excavations and grading shall be inspected by the Owner, Applicant and/or Developer's soils engineer prior to placement of concrete and/or backfill so they can verify that the actual conditions are as anticipated in the design-level geotechnical report, and recommend appropriate changes in the recommendations contained in the report, if necessary. The results of the construction observation and testing shall be documented in an "as-built" letter/report prepared by the Applicant's soils engineer and submitted to the Town before final release of any occupancy permit is granted.
68. SOIL RECOMMENDATIONS: The project shall incorporate the geotechnical/geological recommendations contained in the Geologic and Geotechnical Feasibility Study by UPP Geotechnology, dated October 4, 2016, and any subsequently required report or addendum. Subsequent reports or addendum are subject to peer review by the Town's consultant and costs shall be borne by the Owner, Applicant and/or Developer.
69. UTILITIES: The Owner, Applicant and/or Developer shall install all new, relocated, or

temporarily removed utility services, including telephone, electric power and all other communications lines underground, as required by Town Code Section 27.50.015(b). All new utility services shall be placed underground. Underground conduit shall be provided for cable television service. The Owner, Applicant and/or Developer is required to obtain approval of all proposed utility alignments from any and all utility service providers before a Certificate of Occupancy for any new building can be issued. The Town of Los Gatos does not approve or imply approval for final alignment or design of these facilities.

70. UTILITY SETBACKS: House foundations shall be set back from utility lines a sufficient distance to allow excavation of the utility without undermining the house foundation. The Town Engineer shall determine the appropriate setback based on the depth of the utility, input from the project soils engineer, and the type of foundation.
71. UTILITY EASEMENTS: Deed restrictions shall be placed on lots containing utility easements. The deed restrictions shall specify that no trees, fences, structures or hardscape are allowed within the easement boundaries, and that maintenance access must be provided. The Town will prepare the deed language and the Owner, Applicant and/or Developer's surveyor shall prepare the legal description and plat. The Owner, Applicant and/or Developer shall pay any recordation costs. The documents shall be recorded before any grading or permits are issued.
72. PRIVATE EASEMENTS: Agreements detailing rights, limitations and responsibilities of involved parties shall accompany any proposed private easement. Access driveway shall be within the recorded access easement. A new private access easement shall be recorded, and a copy of the recorded agreement shall be submitted to the Engineering Division of the Parks and Public Works Department, prior to issuance of building permit or realigned access driveway shall be completed prior to the issuance of building permit.
73. QUITCLAIM OF EASEMENTS: The Owner, Applicant and/or Developer has/have indicated that 4 easement(s) will be abandoned. This abandonment shall be recorded, and a copy of the recorded quitclaim shall be submitted to the Engineering Division of the Parks and Public Works Department, prior to issuance of building permit.
74. SIDEWALK REPAIR: The Owner, Applicant and/or Developer shall repair and replace to existing Town standards any sidewalk damaged now or during construction of this project. All new and existing adjacent infrastructure must meet current ADA standards. Sidewalk repair shall match existing color, texture and design, and shall be constructed per Town Standard Details. New concrete shall be free of stamps, logos, names, graffiti, etc. Any concrete identified that is displaying a stamp or equal shall be removed and

replaced at the Contractor's sole expense and no additional compensation shall be allowed therefore. The limits of sidewalk repair will be determined by the Engineering Construction Inspector during the construction phase of the project. The improvements must be completed and accepted by the Town before a Certificate of Occupancy for any new building can be issued.

75. CURB AND GUTTER REPAIR: The Owner, Applicant and/or Developer shall repair and replace to existing Town standards any curb and gutter damaged now or during construction of this project. All new and existing adjacent infrastructure must meet Town standards. New curb and gutter shall be constructed per Town Standard Details. New concrete shall be free of stamps, logos, names, graffiti, etc. Any concrete identified that is displaying a stamp or equal shall be removed and replaced at the Contractor's sole expense and no additional compensation shall be allowed therefore. The limits of curb and gutter repair will be determined by the Engineering Construction Inspector during the construction phase of the project. The improvements must be completed and accepted by the Town before a Certificate of Occupancy for any new building can be issued.
76. FENCING: Any fencing proposed within two hundred (200) feet of an intersection shall comply with Town Code Section §23.10.080.
77. SIGHT TRIANGLE AND TRAFFIC VIEW AREA: Any proposed improvements, including but not limiting to trees and hedges, will need to abide by Town Code Sections 23.10.080, 26.10.065, and 29.40.030.
78. FENCES: Fences between all adjacent parcels will need to be located on the property lines/boundary lines. Any existing fences that encroach into the neighbor's property will need to be removed and replaced to the correct location of the boundary lines before a Certificate of Occupancy for any new building can be issued. Waiver of this condition will require signed and notarized letters from all affected neighbors.
79. TRAFFIC IMPACT MITIGATION FEE: Prior to the issuance of a/any building/grading permit(s), the Owner/Applicant/Developer shall pay the project's proportional share of transportation improvements needed to serve cumulative development within the Town of Los Gatos. The fee amount will be based upon the Town Council resolution in effect at the time the building permit is issued. The fee shall be paid before issuance of a/any building permit(s). The final traffic impact mitigation fee for this project shall be calculated from the final plans using the current fee schedule and rate schedule in effect at the time the building permit is issued, using a comparison between the existing and proposed uses.
80. PRECONSTRUCTION PAVEMENT SURVEY: Prior to issuance of a Grading Permit, the

project applicant shall complete a pavement condition survey documenting the extent of existing pavement defects using a 35-mm, smartphone video (in Landscape orientation only) or digital video camera. The survey shall extend Santella Drive, Santella Court, Shady Lane, and Greenridge Terrace.

81. **POSTCONSTRUCTION PAVEMENT SURVEY:** The project applicant shall complete a pavement condition survey and pavement deflection analysis to determine whether road damage occurred as a result of project construction and whether there were changes in pavement strength. Rehabilitation improvements required to restore the pavement to pre-construction condition and strength shall be determined using State of California procedures for deflection analysis. The results shall be documented in a report and submitted to the Town for review and approval before a Certificate of Occupancy for any new building can be issued. The Applicant shall be responsible for completing any required road repairs prior to release of the faithful performance bond.
82. **CONSTRUCTION VEHICLE PARKING:** No construction vehicles, trucks, equipment and worker vehicles shall be allowed to park on the portion of any public (Town) streets without written approval from the Town Engineer.
83. **TRAFFIC CONTROL PLAN:** A traffic control plan is required and must be submitted and approved by the Town Engineer prior to the issuance of an encroachment, grading or building permit. This plan shall include, but not be limited to, the following measures:
 - a. Construction activities shall be strategically timed and coordinated to minimize traffic disruption for schools, residents, businesses, special events, and other projects in the area. The schools located on the haul route shall be contacted to help with the coordination of the trucking operation to minimize traffic disruption.
 - b. Flag persons shall be placed at locations necessary to control one-way traffic flow. All flag persons shall have the capability of communicating with each other to coordinate the operation.
 - c. Prior to construction, advance notification of all affected residents and emergency services shall be made regarding one-way operation, specifying dates and hours of operation.
 - d. **CONSTRUCTION TRAFFIC CONTROL:** All construction traffic and related vehicular routes, traffic control plan, and applicable pedestrian or traffic detour plans shall be submitted for review and approval by the Town Engineer prior to the issuance of an encroachment, grading or building permit.

- e. 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.
84. HAULING OF SOIL: Hauling of soil on- or off-site shall not occur during the morning or evening peak periods (between 7:00 a.m. and 9:00 a.m. and between 4:00 p.m. and 6:00 p.m.), and at other times as specified by the Director of Parks and Public Works. Prior to the issuance of an encroachment, grading or building permit, the Developer or their representative shall work with the Town Building Department and Engineering Division Inspectors to devise a traffic control plan to ensure safe and efficient traffic flow under periods when soil is hauled on or off the project site. This may include, but is not limited to provisions for the Developer to place construction notification signs noting the dates and time of construction and hauling activities, or providing additional traffic control. Coordination with other significant projects in the area may also be required. Cover all trucks hauling soil, sand and other loose debris.
85. CONSTRUCTION HOURS: All subdivision improvements and site improvements 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 8:00 p.m., weekdays and 9:00 a.m. to 7:00 p.m. weekends and holidays. The Town may authorize, on a case-by-case basis, alternate construction hours. The Owner, Applicant and/or Developer shall provide written notice twenty-four (24) hours in advance of modified construction hours. Approval of this request is at discretion of the Town.
86. 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.
87. CONSTRUCTION MANAGEMENT PLAN SHEET: Prior to the issuance of any encroachment, grading or building permits, the Developer's design consultant shall submit a construction management plan sheet (full-size) within the plan set that shall incorporate at a minimum the Earth Movement Plan, Traffic Control Plan, Project Schedule, site security fencing, employee parking, construction staging area, materials storage area(s), construction trailer(s), concrete washout(s) and proposed outhouse locations. Please refer to the Town's [Construction Management Plan Guidelines](#) document for additional information.

88. SHARED PRIVATE STREET: The private street accessing the Project Site shall be kept open and in a safe, drive-able condition throughout construction. If temporary closure is needed, then formal written notice shall be provided at least one week in advance of closure.
89. EMERGENCY VEHICLE ACCESS: The Emergency Vehicle Access Easement that traverses the Project Site shall be kept open and in a safe, drive-able condition throughout construction. If temporary closure is needed, then formal written notice shall be provided at least one week in advance of closure.
90. EMERGENCY VEHICLE ACCESS EASEMENT: Prior to the issuance of any permits, the Owner, Applicant and/or Developer shall coordinate with the Santa Clara County Fire Department to ensure that any proposed modifications to the Emergency Vehicle Access Easement that traverses the Project Site are curvilinear, allows for the Department's equipment to travel across said easement, and meets all Department specifications. Plans shall be submitted to the Santa Clara County Fire Department for approval prior to construction.
91. WVSD (West Valley Sanitation District): Sanitary sewer laterals are televised by West Valley Sanitation District and approved by the Town of Los Gatos before they are used. 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.
92. 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.
93. STORMWATER MANAGEMENT: Construction activities including but not limited to clearing, stockpiling, grading or excavation of land, which disturbs one (1) acre or more which are part of a larger common plan of development which disturbs less than one (1) acre are required to obtain coverage under the construction general permit with the

State Water Resources Control Board. The Owner, Applicant and/or Developer is required to provide proof of WDID# and keep a current copy of the storm water pollution prevention plan (SWPPP) on the construction site and shall be made available to the Town of Los Gatos Engineering Division of the Parks and Public Works Department and/or Building Department upon request.

94. BEST MANAGEMENT PRACTICES (BMPs): The Owner, Applicant and/or Developer is responsible for ensuring that all contractors are aware of all storm water quality measures and that such measures are implemented. Best Management Practices (BMPs) shall be maintained and be placed for all areas that have been graded or disturbed and for all material, equipment and/or operations that need protection. Removal of BMPs (temporary removal during construction activities) shall be replaced at the end of each working day. Failure to comply with the construction BMP will result in the issuance of correction notices, citations, or stop work orders.
95. 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.
96. STORMWATER DEVELOPMENT RUNOFF: All new development and redevelopment projects are subject to the stormwater development runoff requirements. Every Owner, Applicant and/or Developer or their design consultant shall submit a stormwater control plan and implement conditions of approval that reduce stormwater pollutant discharges through the construction, operation and maintenance of treatment measures and other appropriate source control and site design measures. Increases in runoff volume and flows shall be managed in accordance with the development runoff requirements.
97. BIORETENTION SYSTEM: The bioretention system shall be designed to have a surface area no smaller than what is required to accommodate a 5 inches/hour stormwater runoff surface loading rate, infiltrate runoff through bioretention soil media at a minimum of 5 inches per hour, and maximize infiltration to the native soil during the life of the project. The soil media for bioretention system shall be designed to sustain healthy, vigorous plant growth and maximize stormwater runoff retention and pollutant removal. Bioretention soil media that meets the minimum specifications set forth in Attachment L of Order No. R2-2009-0074, dated November 28, 2011, shall be used.

98. INFILTRATION TRENCHES: The following requirements apply to the proposed infiltration trenches:
- a. Prior to completion of the Final Stormwater Control Plan, a geotechnical engineer shall review the design of the infiltration trenches and retaining walls along the portion of the road within the property boundary and determine whether additional structural supports are needed to ensure stability of the road and the adjacent hillside during the wet season.
 - b. The assumed infiltration rate of 1.33 in/hour shall be verified with actual site-specific soils data prior to the Final Stormwater Control Plan for the road and development on each lot, and if the infiltration rate is lower than 0.67 in/hour, a hydrologic analysis shall be conducted to ensure that the proposed trench sizes are adequate.
 - c. If the lots are to be developed individually, each lot shall provide infiltration trenches consistent with the final stormwater control plan for the project, sized based on the actual amount of impervious surface to be created on the lot.
 - d. The road and infiltration trenches shall be protected from sediment generated during construction of homes on the lots. The proposed source control measures shall be indicated on the project plans.
 - e. Maintenance of stormwater treatment and the infiltration trenches shall be the responsibility of the property owner and/or future property owners. A maintenance agreement shall be prepared establishing the property owner or owners' responsibility.
99. UNLAWFUL DISCHARGES: It is unlawful to discharge any wastewater, or cause hazardous domestic waste materials to be deposited in such a manner or location as to constitute a threatened discharge, into storm drains, gutters, creeks or the San Francisco Bay. Unlawful discharges to storm drains include, but are not limited to: discharges from toilets, sinks, industrial processes, cooling systems, boilers, fabric cleaning, equipment cleaning or vehicle cleaning.
100. LANDSCAPING: In finalizing the landscape plan for the biotreatment area(s), it is recommended that the landscape architect ensure that the characteristics of the selected plants are similar to those of the plants listed for use in bioretention areas in Appendix D of the Santa Clara Valley Urban Runoff Pollution Prevention Program (SCVURPPP) C.3 Stormwater Handbook.
101. EROSION CONTROL: Interim and final erosion control plans shall be prepared and submitted to the Engineering Division of the Parks and Public Works Department. A maximum of two (2) weeks is allowed between clearing of an area and

stabilizing/building on an area if grading is allowed during the rainy season. Interim erosion control measures, to be carried out during construction and before installation of the final landscaping, shall be included. Interim erosion control method shall include, but are not limited to: silt fences, fiber rolls (with locations and details), erosion control blankets, Town standard seeding specification, filter berms, check dams, retention basins, etc. Provide erosion control measures as needed to protect downstream water quality during winter months. The Town of Los Gatos Engineering Division of the Parks and Public Works Department and the Building Department will conduct periodic NPDES inspections of the site throughout the recognized storm season to verify compliance with the Construction General Permit and Stormwater ordinances and regulations.

102. DUST CONTROL: Blowing dust shall be reduced by timing construction activities so that paving and building construction begin as soon as possible after completion of grading, and by landscaping disturbed soils as soon as possible. Further, water trucks shall be present and in use at the construction site. All portions of the site subject to blowing dust shall be watered as often as deemed necessary by the Town, or a minimum of three (3) times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas at construction sites in order to insure proper control of blowing dust for the duration of the project. Watering on public streets shall not occur. Streets shall be cleaned by street sweepers or by hand as often as deemed necessary by the Town Engineer, or at least once a day. Watering associated with on-site construction activity shall take place between the hours of 8 a.m. and 5 p.m. and shall include at least one (1) late-afternoon watering to minimize the effects of blowing dust. All public streets soiled or littered due to this construction activity shall be cleaned and swept on a daily basis during the workweek to the satisfaction of the Town. Demolition or earthwork activities shall be halted when wind speeds (instantaneous gusts) exceed twenty-five (25) miles per hour (MPH). All trucks hauling soil, sand, or other loose debris shall be covered.
103. AIR QUALITY: To limit the project's construction-related dust and criteria pollutant emissions, the following the Bay Area Air Quality Management District (BAAQMD)-recommended basic construction measures shall be included in the project's grading plan, building plans, and contract specifications:
 - a. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day, or otherwise kept dust-free.

- b. All haul trucks designated for removal of excavated soil and demolition debris from site shall be staged off-site until materials are ready for immediate loading and removal from site.
 - c. All haul trucks transporting soil, sand, debris, or other loose material off-site shall be covered.
 - d. As practicable, all haul trucks and other large construction equipment shall be staged in areas away from the adjacent residential homes.
 - e. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day, or as deemed appropriate by Town Engineer. The use of dry power sweeping is prohibited. An on-site track-out control device is also recommended to minimize mud and dirt-track-out onto adjacent public roads.
 - f. All vehicle speeds on unpaved surfaces shall be limited to 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 the telephone number and person to contact at the lead agency regarding dust complaints. This 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.
 - 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.
104. **DETAILING OF STORMWATER MANAGEMENT FACILITIES:** Prior to the issuance of any permits, all pertinent details of any and all proposed stormwater management facilities, including, but not limited to, ditches, swales, pipes, bubble-ups, dry wells, outfalls, infiltration trenches, detention basins and energy dissipaters, shall be provided on submitted plans, reviewed by the Engineering Division of the Parks and Public Works Department, and approved for implementation.
105. **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.

106. STORM WATER MANAGEMENT PLAN: A storm water management shall be included with the grading permit application for all Group 1 and Group 2 projects as defined in the amended provisions C.3 of the Municipal Regional Stormwater NPDES Permit, Order R2-2015-0049, NPDES Permit No. CAS612008. The plan shall delineate source control measures and BMPs together with the sizing calculations. The plan shall be certified by a professional pre-qualified by the Town. In the event that the storm water measures proposed on the Planning approval differ significantly from those certified on the Building/Grading Permit, the Town may require a modification of the Planning approval prior to release of the Building Permit. The Owner, Applicant and/or Developer may elect to have the Planning submittal certified to avoid this possibility.
107. STORM WATER MANAGEMENT PLAN NOTES: The following note shall be added to the storm water management plan: "The biotreatment soil mix used in all stormwater treatment landscapes shall comply with the specifications in Attachment L of the MRP. Proof of compliance shall be submitted by the Contractor to the Town of Los Gatos a minimum of thirty (30) days prior to delivery of the material to the job site using the Biotreatment Soil Mix Supplier Certification Statement."
108. STORM WATER MANAGEMENT PLAN CERTIFICATION: Certification from the biotreatment soils provider is required and shall be given to Engineering Division Inspection staff a minimum of thirty (30) days prior to delivery of the material to the job site. Additionally deliver tags from the soil mix shall also be provided to Engineering Division Inspection staff. Sample Certification can be found here:
http://www.scvurppp-w2k.com/nd_wp.shtml?zoom_highlight=BIOTREATMENT+SOIL.
109. AGREEMENT FOR STORMWATER BEST MANAGEMENT PRACTICES INSPECTION AND MAINTENANCE OBLIGATIONS: The property owner/homeowner's association shall enter into an agreement with the Town for maintenance of the stormwater filtration devices required to be installed on this project by the Town's Stormwater Discharge Permit and all current amendments or modifications. The agreement shall specify that certain routine maintenance shall be performed by the property owner/homeowner's association and shall specify device maintenance reporting requirements. The agreement shall also specify routine inspection requirements, permits and payment of fees. The agreement shall be recorded, and a copy of the recorded agreement shall be submitted to the Engineering Division of the Parks and Public Works Department, prior to the release of any occupancy permits.
110. MAINTENANCE OF PRIVATE STREETS: It is the responsibility of the property owner(s)/homeowners association to implement a plan for street sweeping of paved private roads and cleaning of all storm drain inlets.

111. 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.
112. GOOD HOUSEKEEPING: Good housekeeping practices shall be observed at all times during the course of construction. All construction shall be diligently supervised by a person or persons authorized to do so at all times during working hours. The Owner, Applicant and/or Developer's representative in charge shall be at the job site during all working hours. Failure to maintain the public right-of-way according to this condition may result in penalties and/or the Town performing the required maintenance at the Developer's expense.
113. PERMIT ISSUANCE: Permits for each phase; reclamation, landscape, and grading, shall be issued simultaneously.
114. COVERED TRUCKS: All trucks transporting materials to and from the site shall be covered.
115. FUTURE STUDIES: Any post-project traffic or parking counts, or other studies imposed by Planning Commission or Town Council shall be funded by the Applicant.
116. UTILITY COMPANY REVIEW: Letters from the electric, telephone, cable, and trash companies indicating that the proposed improvements and easements are acceptable shall be provided prior to the recordation of the final / parcel map.
117. ABOVE GROUND UTILITIES: The Owner, Applicant and/or Developer shall submit a seventy-five (75) percent progress printing to the Town for review of above ground utilities including backflow prevention devices, fire department connections, gas and water meters, off-street valve boxes, hydrants, site lighting, electrical/communication/cable boxes, transformers, and mail boxes. Above ground utilities shall be reviewed and approved by the Community Development Department prior to issuance of any permit.
118. PRIVATE EASEMENTS: Agreements detailing rights, limitations, and responsibilities of involved parties shall accompany each private easement. The easements and associated agreements shall be recorded simultaneously with the final / parcel map. A copy of the recorded agreement(s) shall be submitted to the Engineering Division of the Parks and Public Works Department prior to the issuance of any permit.
119. PUBLIC STREET LIGHTING: Public street lighting will not be required/allowed per General Plan update and Hillside designation. On-lot lighting shall be incorporated and promoted.
120. PERCOLATION TESTING: Onsite percolation testing should be performed during the

design phase to validate the fractured bedrock infiltration rates and support the infiltration trench design.

121. STORMWATER FACILITY SIZING: The treatment and hydromodification management facility sizing should be confirmed during the design phase, including rerunning the BAHM model with appropriate parameters.

TO THE SATISFACTION OF THE SANTA CLARA COUNTY FIRE DEPARTMENT:

122. FIRE APPARATUS (ENGINE) ACCESS ROAD REQUIRED: In all cases, the minimum requirements are found in the currently adopted edition of the California Fire Code Sec. 503, as amplified in the SCCFD SD&S A-1. All such roadways shall be a minimum of 20 feet in width, a minimum vertical clearance of 13'6", maximum grade of 15%, with a minimum circulating outside radius of 42'. All such roadways shall be capable of supporting a maximum imposed load of 75,000 pounds and where a bridge or an elevated surface is part of a fire apparatus access road, the bridge shall be constructed and maintained in accordance with AASHTO HB-17.
123. WILDLAND-URBAN INTERFACE: This project is located within the designated Wildland-Urban Interface Fire Area. The building construction shall comply with the provisions of Section R327 of the California Residential Code or the California Building Code (CBC) Chapter 7A., as applicable. Note that vegetation clearance shall be in compliance with CBC Section 701A.3.2.4 prior to project final approval. Check with the Planning Department for related landscape plan requirements.
124. FIRE HYDRANT(S) AVAILABLE: The number of fire hydrants available to a complex or subdivision shall not be less than that determined by spacing requirements listed in CFC Table C105.1 when applied to fire apparatus access roads and perimeter public streets from which fire operations could be conducted. Existing fire hydrants on public streets are allowed to be considered as available. The average spacing between fire hydrants shall not exceed that listed in Table C105. Hydrants shall be a maximum of 500 feet from each other, as measured along the curb line. Fire protection water supplies shall be subject to approval by the Santa Clara County Fire Department and shall comply with locally adopted Standards and CFC Sec. 507.
125. TURNING RADIUS (CUL-DE-SACS): The minimum outside turning radius is 36 feet. Use of cul-de-sacs is not acceptable where it is determined by the Fire Department that Ladder Truck access is required, unless greater turning radius is provided. Cul-de-sacs diameters shall be no less than 72 feet. CFC Sec. 503.
126. EMERGENCY ACCESS/DRIVEWAYS: The minimum clear width of fire department access

roads shall be 20 feet. Modifications to the design or width of a fire access road, or additional access road(s) may be required when the Fire Code official determines that access to the site or a portion thereof may become compromised due to emergency operations or nearby natural or manmade hazards (flood prone areas, railway crossings, bridge failures, hazardous material-related incidents, etc.). The vertical clearance shall be in accordance with the Fire Code, 13 feet, 6 inches.

127. FIRE DEPARTMENT (ENGINE) DRIVEWAY TURNAROUND REQUIRED: Provide an approved fire department engine driveway turnaround with a minimum radius of 36 feet outside and 23 feet inside. Maximum grade in any direction shall be a maximum of 5 percent. Installations shall conform with Fire Department Standard Details and Specifications D-1. CFC Sec. 503.
128. CONSTRUCTION FIRE SAFETY: All construction sites must comply with applicable provisions of the CFC Chapter 33 and our Standard Detail and Specification SI-7. Provide appropriate notations on subsequent plan submittals, as appropriate to the project. CFC Chp. 33.

SECTION VII

This Ordinance was introduced at a regular meeting of the Town Council of the Town of Los Gatos on the 2nd day of April 2019, and adopted by the following vote as an Ordinance of the Town of Los Gatos at a meeting of the Town Council of the Town of Los Gatos on the 16th day of April 2019, and becomes effective 30 days after it is adopted. In lieu of publication of the full text of the Ordinance within fifteen (15) days after its passage, a summary of the Ordinance may be published at least five (5) days prior to and fifteen (15) days after adoption by the Town Council and a certified copy shall be posted in the office of the Town Clerk, pursuant to GC 36933(c)(1).

COUNCIL MEMBERS:

AYES:

NAYS:

ABSENT:

ABSTAIN:

SIGNED:

MAYOR OF THE TOWN OF LOS GATOS
LOS GATOS, CALIFORNIA

DATE: _____

ATTEST:

CLERK ADMINISTRATOR OF THE TOWN OF LOS GATOS
LOS GATOS, CALIFORNIA

DATE: _____

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

RECEIVED

JUN 10 2019

TOWN OF LOS GATOS
PLANNING DIVISION

**APPEAL OF THE DECISION OF
DIRECTOR OF COMMUNITY DEVELOPMENT
OR
DEVELOPMENT REVIEW COMMITTEE**

PLEASE TYPE or PRINT NEATLY

I, the undersigned, do hereby appeal a decision of the COMMUNITY DEVELOPMENT DEPARTMENT/DIRECTOR OF COMMUNITY DEVELOPMENT OR DEVELOPMENT REVIEW COMMITTEE as follows:

DATE OF DECISION: 6/4/19
 PROJECT/APPLICATION: 16100 Greenridge Terrace M-19-004
 LOCATION: 16100 Greenridge Terrace

LIST REASONS WHY THE APPEAL SHOULD BE GRANTED:

SEE Attached

(If more space is needed, attach additional sheets.)

IMPORTANT:

1. APPEAL MUST BE FILED WITHIN TEN (10) DAYS AFTER THE DATE OF MAILING OF WRITTEN NOTIFICATION OF THE DECISION.
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 DAVID WEISSMAN SIGNATURE David Weissman
 DATE _____ ADDRESS 15430 Francis Oaks Way
 PHONE (408) 358-3556 Los Gatos 95032

OFFICE USE ONLY

DATE OF PLANNING COMMISSION HEARING: _____

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

PLAPPEAL \$ 192.00 Residential
 PLAPPEAL \$ 767.00 Commercial
 PLAPPEAL \$ 78.00 Tree Appeals

RECEIVED

JUN 10 2019

TOWN OF LOS GATOS
PLANNING DIVISION

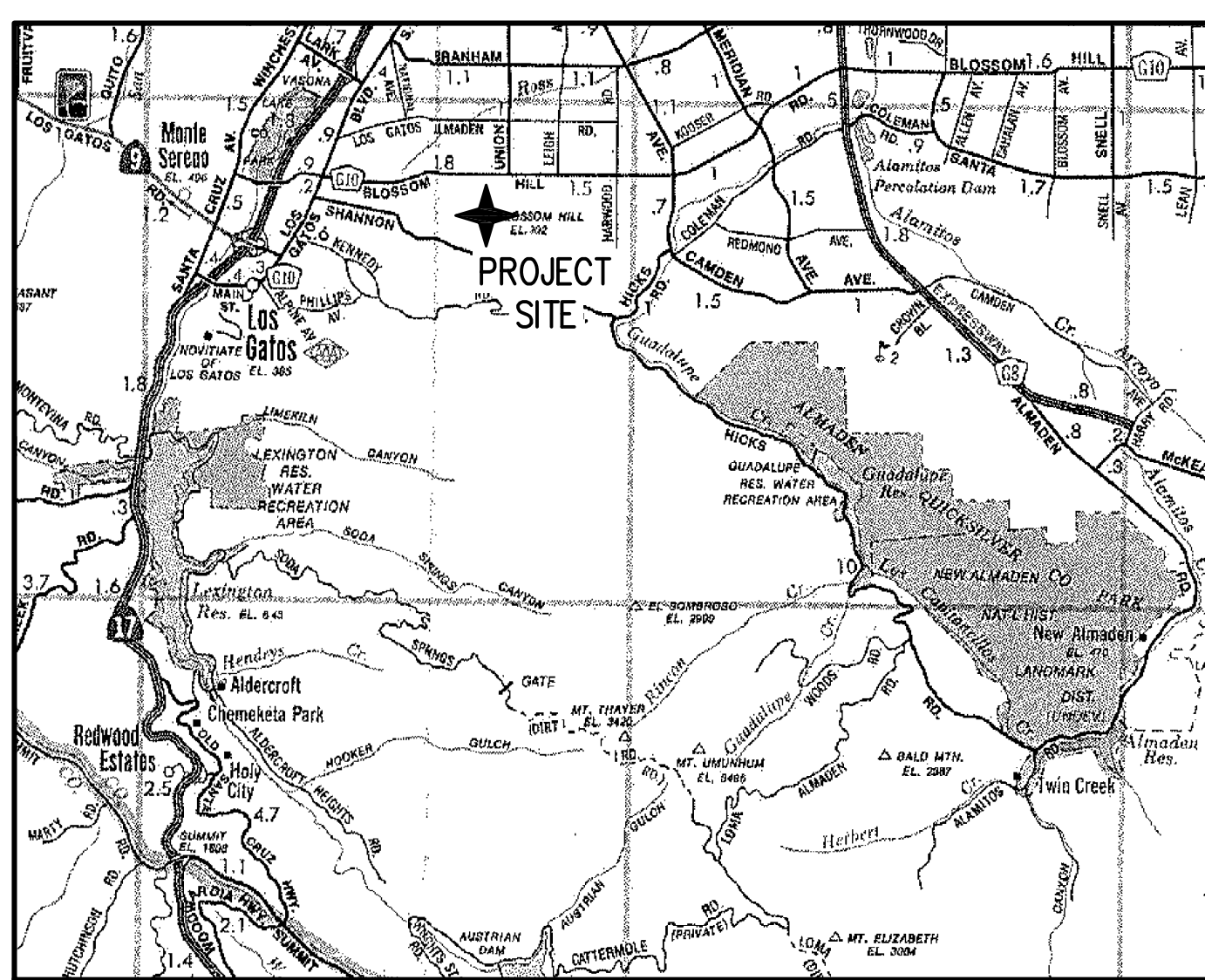
My appeal should be granted because:

The proposed scenic easement does not conform with the motion made by Ms. Jensen on 4/2/2019. Specifically, she makes reference to the prior discussion of Mr. Rennie wherein he discussed that the Council could require that "Lots 1 and 8 require a scenic easement along the north edge, that's completely along the north edge of Lots 1 and 8, and completely along the west edge of Lots 5 and 3. I could say something like that?" Staff agreed that such could be required.

Nowhere does the proposed scenic easement touch any part of Lot 8 nor the north edge of Lot 1. Additionally, the scenic easement comes nowhere near the west edge of Lots 3 and 5.

Additionally, the proposed scenic easement, with its width of 102.4 feet, is capricious and too small. It also completely misses the proposed trail system on Lots 1 and 2, which makes no sense whatsoever.

THE USE OF THESE PLANS AND SPECIFICATIONS SHALL BE RESTRICTED TO THE ORIGINAL SITE FOR WHICH THEY WERE PREPARED AND PUBLICATION THEREOF IS EXPRESSLY LIMITED TO SUCH USE. REPRODUCTION OR PUBLICATION BY ANY METHOD, IN WHOLE OR PART, IS PROHIBITED. THE PLANS AND SPECIFICATIONS REMAINS IN THE ENGINEER WITHOUT PREJUDICE. VISUAL CONTACT WITH THESE PLANS AND SPECIFICATIONS SHALL CONSTITUTE PRIMA FACIE EVIDENCE OF THE ACCEPTANCE OF THESE RESTRICTIONS.

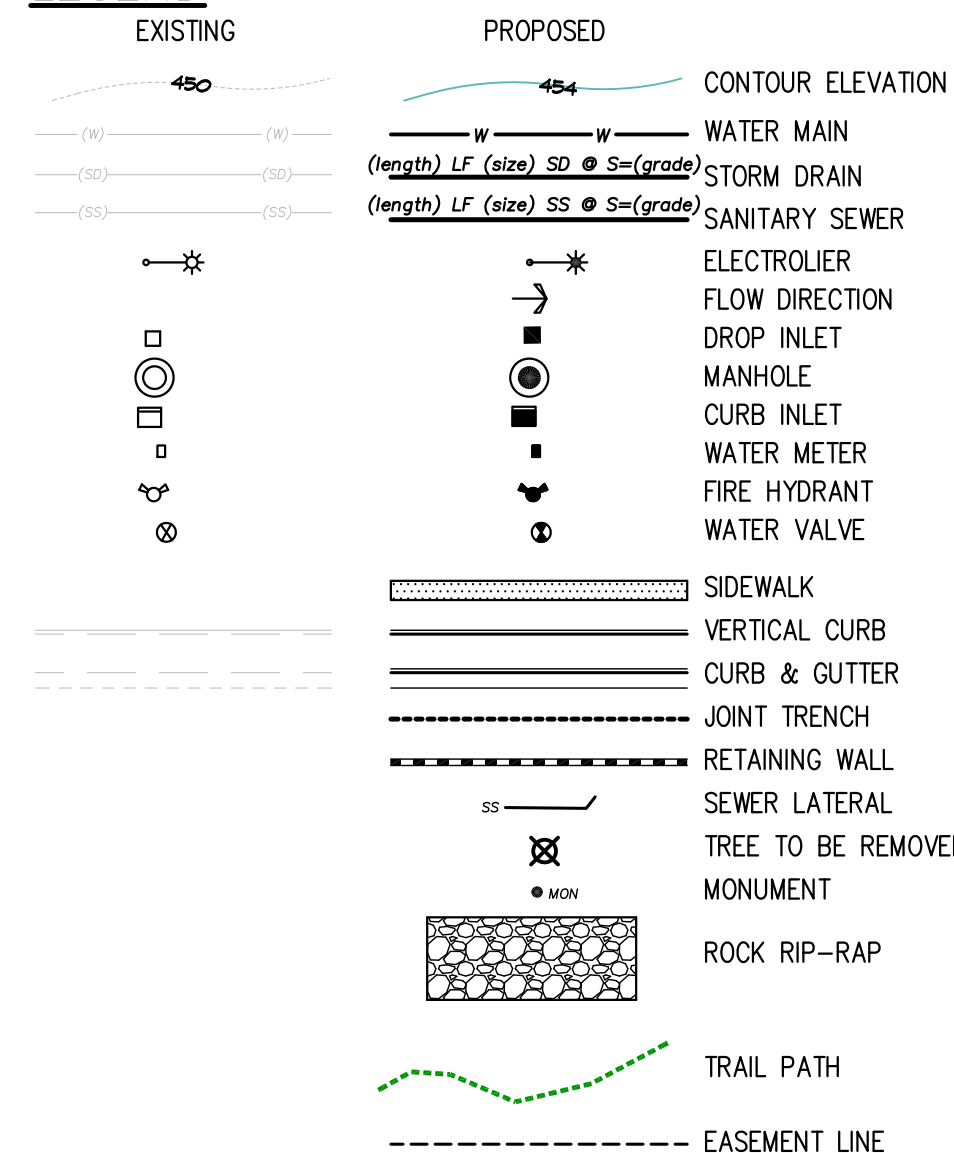


VICINITY MAP
NO SCALE

ABBREVIATIONS

AC ASPHALT CONCRETE	ER END OF RETURN	P.S.D.E. PRIVATE STORM DRAIN EASEMENT
AB AGGREGATE BASE	ESMT EASEMENT	P.S.S.E. PRIVATE SANITARY SEWER EASEMENT
AD AREA DRAIN	(E) EXISTING	P.U.E. PUBLIC UTILITY EASEMENT
AGG AGGREGATE	EX. EXISTING	PVI POINT OF VERTICAL INTERSECTION
BC BEGINNING OF CURVE	FF FINISH FLOOR	PVC POLYVINYL CHLORIDE PIPE
BLDG BUILDING	FG FINISH GRADE	R RADIUS
BOC BACK OF CURB	FH FIRE HYDRANT	RCP REINFORCED CONCRETE PIPE
BO BLOW OFF	FL FLOWLINE	R/W RIGHT OF WAY
BOT BOTTOM	FOC FACE OF CURB	RWL RAINWATER LEADER
BOW BACK OF WALK	GL GAS LINE	S SLOPE
BW BOTTOM OF WALL	GM GAS METER	SD STORM DRAIN PIPE
BWF BARBWIRE FENCE	GB GRADE BREAK	SS SANITARY SEWER PIPE
CATV CABLE TELEVISION	CUY GUY WIRE FOR POLE	STM STORM DRAIN MANHOLE
CB CATCH BASIN	CV GATE VALVE	SS MH SANITARY SEWER MANHOLE
C&G CURB & GUTTER	HDPE HIGH DENSITY POLYETHYLENE	SP SERVICE POLE
CI CURB INLET	HMA HOT MIX ASPHALT	STD STANDARD
CL CENTERLINE	HP HIGH POINT	SQ SQUARE
CMF CORRUGATED METAL PIPE	INV INVERT OF PIPE	SW SIDEWALK
CMU CONCRETE MASONRY UNIT	IP IRON PIPE	T TELEPHONE LINE
CO CLEAN OUT	JP JOINT POLE	TBM TEMPORARY BENCHMARK
CONC CONCRETE	JT JOINT TRENCH	TC TOP OF CURB
CONST CONSTRUCTION	LF LINEAR FEET	TCM TREATMENT CONTROL MEASURES
DDCV DOUBLE DETECTOR CHECK	LP LOW POINT	TFC TOP FACE OF CURB
DI DROP INLET	MAX MAXIMUM	TG TOP OF GRATE
DIP DUCTILE IRON PIPE	MIN MINIMUM	TOB TOP OF BANK
DMA DRAINAGE MANAGEMENT AREA	N.I.C. NOT IN CONTRACT	TOE TOP OF BANK
DWY DRIVEWAY	(N) NEW	TW TOP OF WALL
E ELECTRIC LINE	OHU OVERHEAD UTILITY	TYP TYPICAL
EC END OF CURVE	PB PULL BOX	W WATER LINE
EG EXISTING GRADE	PCC PORTLAND CONCRETE CEMENT	WM WATER METER
ELEV ELEVATION	PL PROPERTY LINE	WV WATER VALVE
EP EDGE OF PAVEMENT	PRC POINT REVERSE CURVE	
	P.S.E. PUBLIC SERVICE EASEMENT	

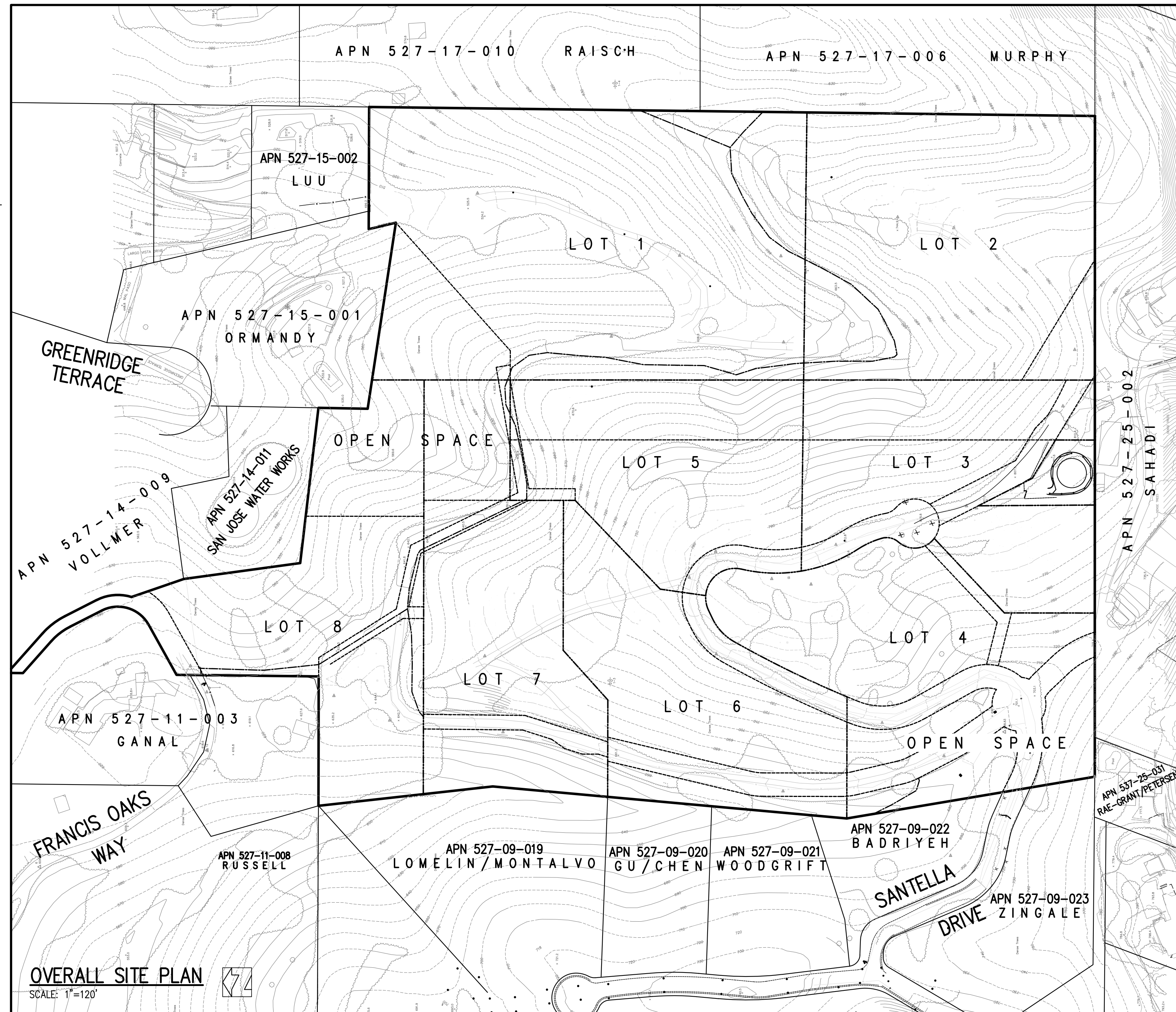
LEGEND



EXISTING UNDERGROUND UTILITIES ARE SHOWN IN THEIR APPROXIMATE LOCATIONS BASED ON RECORD INFORMATION AVAILABLE TO THE ENGINEER AT THE TIME OF PREPARATION OF THESE PLANS. LOCATION MAY NOT HAVE BEEN VERIFIED IN THE FIELD AND NO GUARANTEE IS MADE AS TO THE ACCURACY OR COMPLETENESS OF THE INFORMATION SHOWN. THE CONTRACTOR SHALL NOTIFY UTILITY COMPANIES AT LEAST 2 WORKING DAYS IN ADVANCE OF CONSTRUCTION TO FIELD LOCATE UTILITIES. CALL UNDERGROUND SERVICE ALERT (U.S.A.), AT 1-800-642-2444. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO DETERMINE THE EXISTENCE AND LOCATION OF UTILITIES SHOWN ON THESE PLANS, INDICATED IN THE FIELD BY LOCATING SERVICES, OR EVIDENCE BY FACILITIES VISIBLE AT OR ADJACENT TO THE JOB SITE. ANY ADDITIONAL COST INCURRED AS A RESULT OF THE CONTRACTOR'S FAILURE TO VERIFY LOCATIONS OF EXISTING UTILITIES PRIOR TO BEGINNING CONSTRUCTION SHALL BE BORNE BY THE CONTRACTOR AND IS DEEMED INCLUDED AND MERGED IN THE CONTRACT UNIT PRICE.

Tentative Map

for
The Vistas
apn 527-12-002
in the
Town of Los Gatos, Santa Clara County



CONTRACTOR TO VERIFY:

CONTRACTOR TO VERIFY PRIOR TO CONSTRUCTION OF BUILDING PAD, STRUCTURAL SECTION OF FOUNDATION TO DETERMINE BUILDING PAD ELEVATION.
A 12 INCH SECTION WAS USED ON PLANS FOR CONCEPTUAL PURPOSES ONLY.
SEE SOILS REPORT TO DETERMINE STRUCTURAL SECTION FOR BUILDING.

NOTE:

WHERE THE FIRM OF HANNA & BRUNETTI DOES NOT PROVIDE CONSTRUCTION STAKES, SAID FIRM WILL ASSUME NO RESPONSIBILITY WHATSOEVER FOR IMPROVEMENTS CONSTRUCTED THEREFROM.

NOTE TO CONTRACTOR

CONTRACTOR AGREES THAT HE SHALL ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR JOB SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THIS PROJECT, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY; THAT THIS REQUIREMENT SHALL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS; AND THAT THE CONTRACTOR SHALL DEFEND, INDEMNIFY AND HOLD THE OWNER AND THE ENGINEER HARMLESS FROM ANY AND ALL LIABILITY, REAL OR ALLEGED, IN CONNECTION WITH THE PERFORMANCE OF WORK ON THIS PROJECT, EXCEPTING FOR LIABILITY ARISING FROM THE SOLE NEGLIGENCE OF THE OWNER OR ENGINEER.

EARTHWORK QUANTITIES

SANTELLA COURT (PRIVATE ROAD)	CUT ±3,628 CY / FILL ±1,195 CY
PRIVATE DRIVEWAY (LOTS 7 & 8)	CUT ±642 CY / FILL ±51 CY
TRAIL	CUT ±56 CY / FILL ±38 CY
BIORETENTION AREAS	CUT ±1,504 CY / FILL ±270 CY

TOTAL DISTURBED AREA

357,924 SF / 8.22 ACRES

IMPERVIOUS AREAS

PROPOSED PRIVATE ROADS
PRIVATE ROAD AND DRIVEWAY
46,208 SF / 1.061 ACRES = 2.9%
FUTURE LOTS
HOUSE DRIVEWAYS
43,187 SF / 0.991 ACRES = 2.7%

PERVIOUS AREAS

1,568,378 SF/36.01 ACRES
HOUSE FOOTPRINTS
31,318 SF / 0.719 ACRES = 1.9%
HOUSE HARDSCAPE
18,307 SF / 0.420 ACRES = 1.2%

OWNER

JIM STEPANIAN
EMERALD LAKE INVESTMENTS
11945 LAMBERT
TUSTIN, CA 92782

CIVIL ENGINEER

HANNA - BRUNETTI
7651 EIGLEBERRY STREET
GILROY, CA 95020
OFFICE: 408 842-2173
FAX: 408 842-3662
EMAIL: ENGINEERING@HANNABRUNETTI.COM

date: _____ 18
Hanna - Brunetti
Amanda Joy Musy-Verdel
R.C.E. # 69,278
expires: 6/30/20



BASIS OF BEARINGS

THE BEARINGS AND DISTANCES ARE BASED ON THE MAP RECORDED AS "REVISION TO ACREAGE" TRACT NO. 4432-A; PUERTA DEL MONTE - UNIT NO. ONE"; IN BOOK 311 OF MAPS, PAGES 45 AND 46 ON NOVEMBER 9th, 1972. COUNTY OF SANTA CLARA.

BENCHMARK

BENCHMARK ID: LG28
BENCHMARK ELEVATION: 617.51 FEET
ORGANIZATION: TOWN OF LOS GATOS

DESCRIPTION:
SET BRASS DISK IN MONUMENT WELL STAMPED "LG28"; AT 0.4 MILES SOUTH OF BLOSSOM HILL ROAD ON FRANCIS OAKS WAY.

NOTE:
THIS MAP WAS PREPARED USING COMPUTER ASSISTED, PHOTOGRAMMETRIC METHODS BY H2W GEOSPATIAL, INC., IN OAKLAND, CALIFORNIA. IN AREAS OF DENSE VEGETATION, ACCURACY OF CONTOURS MAY DEVIATE FROM ACCEPTED ACCURACY STANDARDS. THE GRID IS BASED ON THE CALIFORNIA COORDINATE SYSTEM, ZONE III, NAD 1983. ELEVATIONS ARE BASED ON NGVD 1929. CONTROL SURVEY PERFORMED BY SILICON VALLEY LAND SURVEYING, INC., SAN JOSE, CA.

FLOODZONE STATEMENT

COMMUNITY PANEL NUMBER: 06085C0381H
MAP REVISED: MAY 18, 2009
PROJECT IS LOCATED IN ZONE X

ZONE X
AREAS OF 0.2% ANNUAL CHANCE FLOOD; AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD.

PROJECT SUMMARY

ASSESSOR'S PARCEL NUMBER	527-12-002
PROJECT AREA	1,568,378 SF/36.01 ACRES
CURRENT ZONING	HR 2 1/2 PD
CURRENT LAND USE	VACANT
PROPOSED LAND USE	SINGLE FAMILY RESIDENTIAL
WATER SUPPLY	SAN JOSE WATER COMPANY
SANITARY DISTRICT	WEST VALLEY SANITATION DISTRICT
DRAINAGE	TOWN OF LOS GATOS
STREET IMPROVEMENTS	TOWN OF LOS GATOS
GAS AND ELECTRIC	P.G.&E.
CABLE TV	COMCAST
FIRE PROTECTION DISTRICT	SANTA CLARA COUNTY CENTRAL FIRE PROTECTION DISTRICT

LOT SUMMARY

LOT NUMBER	BUILDABLE LOT & LANDSCAPE AREA	INGRESS/EGRESS & UTILITY EASEMENT	OPEN SPACE EASEMENT	NET LOT AREA
1	7.77 ACRES	0 ACRES	0.84 ACRES	6.93 ACRES
2	5.16 ACRES	0 ACRES	0 ACRES	5.16 ACRES
3	3.55 ACRES	0.49 ACRES	0 ACRES	3.06 ACRES
4	4.51 ACRES	0.91 ACRES	1.10 ACRES	2.50 ACRES
5	3.36 ACRES	0.33 ACRES	0.33 ACRES	3.03 ACRES
6	3.38 ACRES	0.63 ACRES	0.63 ACRES	2.75 ACRES
7	3.77 ACRES	0.20 ACRES	0.69 ACRES	2.88 ACRES
8	4.22 ACRES	0.26 ACRES	0.91 ACRES	3.05 ACRES
PARCEL A (TANK SITE)	0.29 ACRES	0 ACRES	0 ACRES	0.29 ACRES

SHEET INDEX

- COVER SHEET
- EXISTING BOUNDARY AND EASEMENTS PLAN
- PRELIMINARY SITE PLAN
- PRELIMINARY GRADING & DRAINAGE PLAN
- PRELIMINARY UTILITY PLAN AND DETAILS
- DETAILS

Cover Sheet
The Vistas - apn 527-12-002
SANTA CLARA COUNTY CALIFORNIA
TOWN OF LOS GATOS
MAY 2019

DATE: MAY 22/09
HORIZ. SCALE: NONE
VERT. SCALE: NONE
DESIGNED BY: AM
CHECKED BY: TM
DRAWN BY:

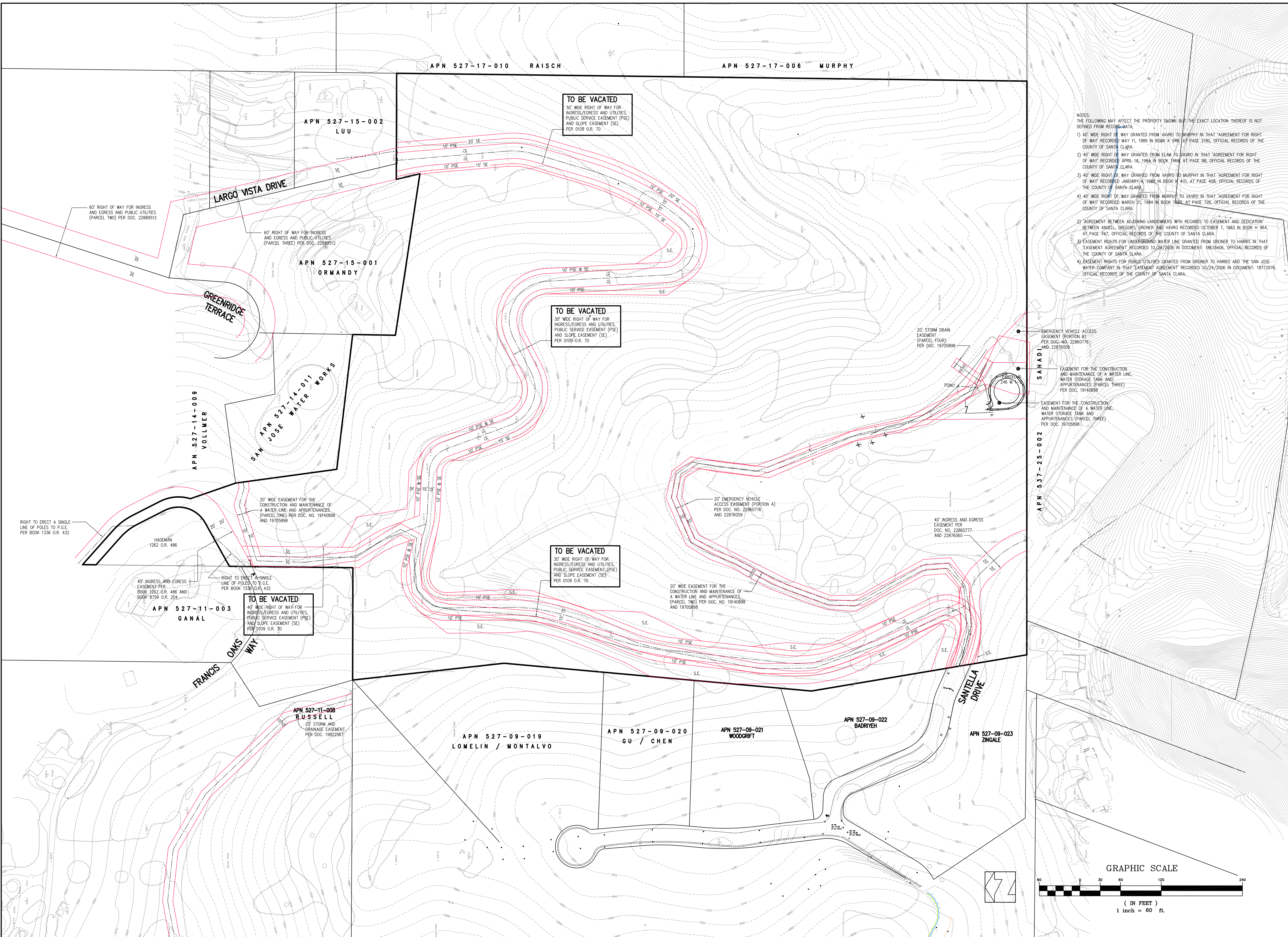
HANNA-BRUNETTI
EST. 1988
CIVIL ENGINEERS - LAND SURVEYORS
CONSTRUCTION MANAGERS

REVISIONS:	DESCRIPTION	DATE

BY: _____

SHEET **1** OF 6
JOB NO. **16049**

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NOTES:
 THE FOLLOWING MAY AFFECT THE PROPERTY SHOWN BUT THE EXACT LOCATION THEREOF IS NOT DERIVED FROM RECORD DATA.

- 1) 40' WIDE RIGHT OF WAY GRANTED FROM VAVRO TO MURPHY IN THAT AGREEMENT FOR RIGHT OF WAY RECORDED MAY 11, 1989 IN BOOK K 940, AT PAGE 2180, OFFICIAL RECORDS OF THE COUNTY OF SANTA CLARA.
- 2) 40' WIDE RIGHT OF WAY GRANTED FROM ELAM TO VAVRO IN THAT AGREEMENT FOR RIGHT OF WAY RECORDED APRIL 18, 1984 IN BOOK 1488, AT PAGE 98, OFFICIAL RECORDS OF THE COUNTY OF SANTA CLARA.
- 3) 40' WIDE RIGHT OF WAY GRANTED FROM VAVRO TO MURPHY IN THAT AGREEMENT FOR RIGHT OF WAY RECORDED JANUARY 4, 1988 IN BOOK H 410, AT PAGE 408, OFFICIAL RECORDS OF THE COUNTY OF SANTA CLARA.
- 4) 40' WIDE RIGHT OF WAY GRANTED FROM MURPHY TO VAVRO IN THAT AGREEMENT FOR RIGHT OF WAY RECORDED MARCH 21, 1984 IN BOOK 1488, AT PAGE 226, OFFICIAL RECORDS OF THE COUNTY OF SANTA CLARA.

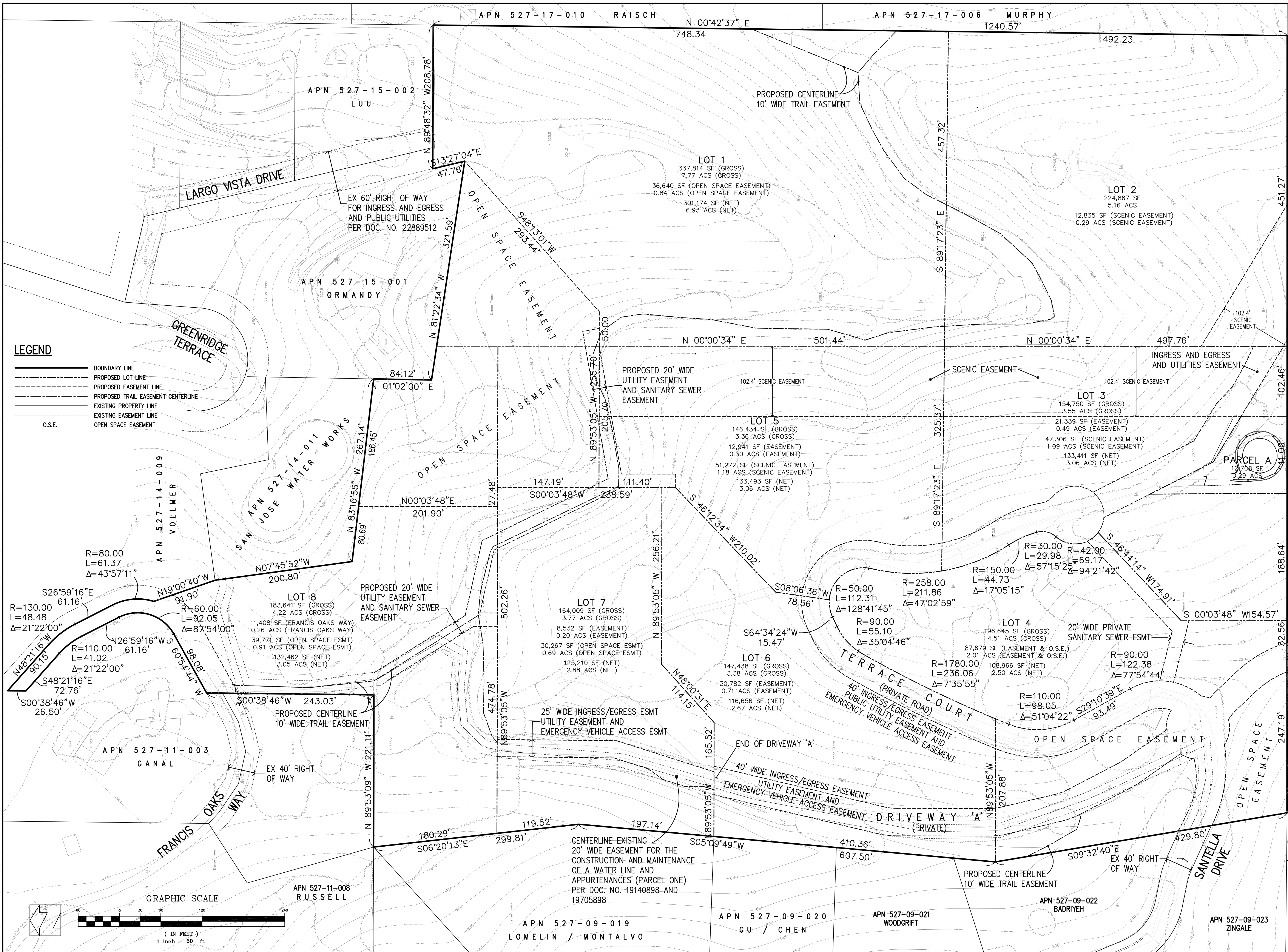
2) AGREEMENT BETWEEN ADJOINING LANDOWNERS WITH REGARDS TO EASEMENT AND DEDICATION BETWEEN ANGELL, GREGORY, GRENER AND VAVRO RECORDED OCTOBER 7, 1983 IN BOOK H 964, AT PAGE 747, OFFICIAL RECORDS OF THE COUNTY OF SANTA CLARA.

3) EASEMENT RIGHTS FOR UNDERGROUND WATER LINE GRANTED FROM GRENER TO HARRIS IN THAT EASEMENT AGREEMENT RECORDED 10/24/2006 IN DOCUMENT: 18635406, OFFICIAL RECORDS OF THE COUNTY OF SANTA CLARA.

4) EASEMENT RIGHTS FOR PUBLIC UTILITIES GRANTED FROM GRENER TO HARRIS AND THE SAN JOSE WATER COMPANY IN THAT EASEMENT AGREEMENT RECORDED 10/24/2006 IN DOCUMENT: 18772976, OFFICIAL RECORDS OF THE COUNTY OF SANTA CLARA.

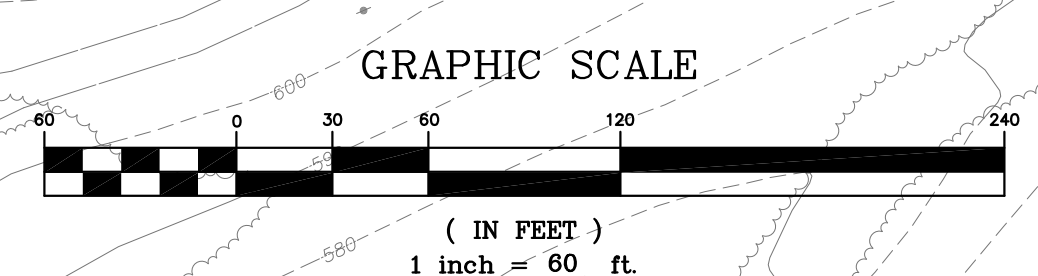
Existing Boundary and Easements Plan The Vistas - apn 527-12-002	
SANTA CLARA COUNTY CALIFORNIA	
TOWN OF LOS GATOS MAY 2018	
REVISIONS: DATE DESCRIPTION	BY:
DATE SHEET 2 OF 6	JOB NO. 16049
DATE: MAY 22/18 HORIZ. SCALE: NONE VERT. SCALE: NONE DESIGNED BY: AM CHECKED BY: TM DRAWN BY: TM	HANNA-BRUNETTI E.S.T. 1988 CIVIL ENGINEERS • LAND SURVEYORS CONSTRUCTION MANAGERS

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LEGEND

	BOUNDARY LINE
	PROPOSED LOT LINE
	PROPOSED EASEMENT LINE
	PROPOSED TRAIL EASEMENT CENTERLINE
	EXISTING PROPERTY LINE
	EXISTING EASEMENT LINE
	O.S.E.
	OPEN SPACE EASEMENT

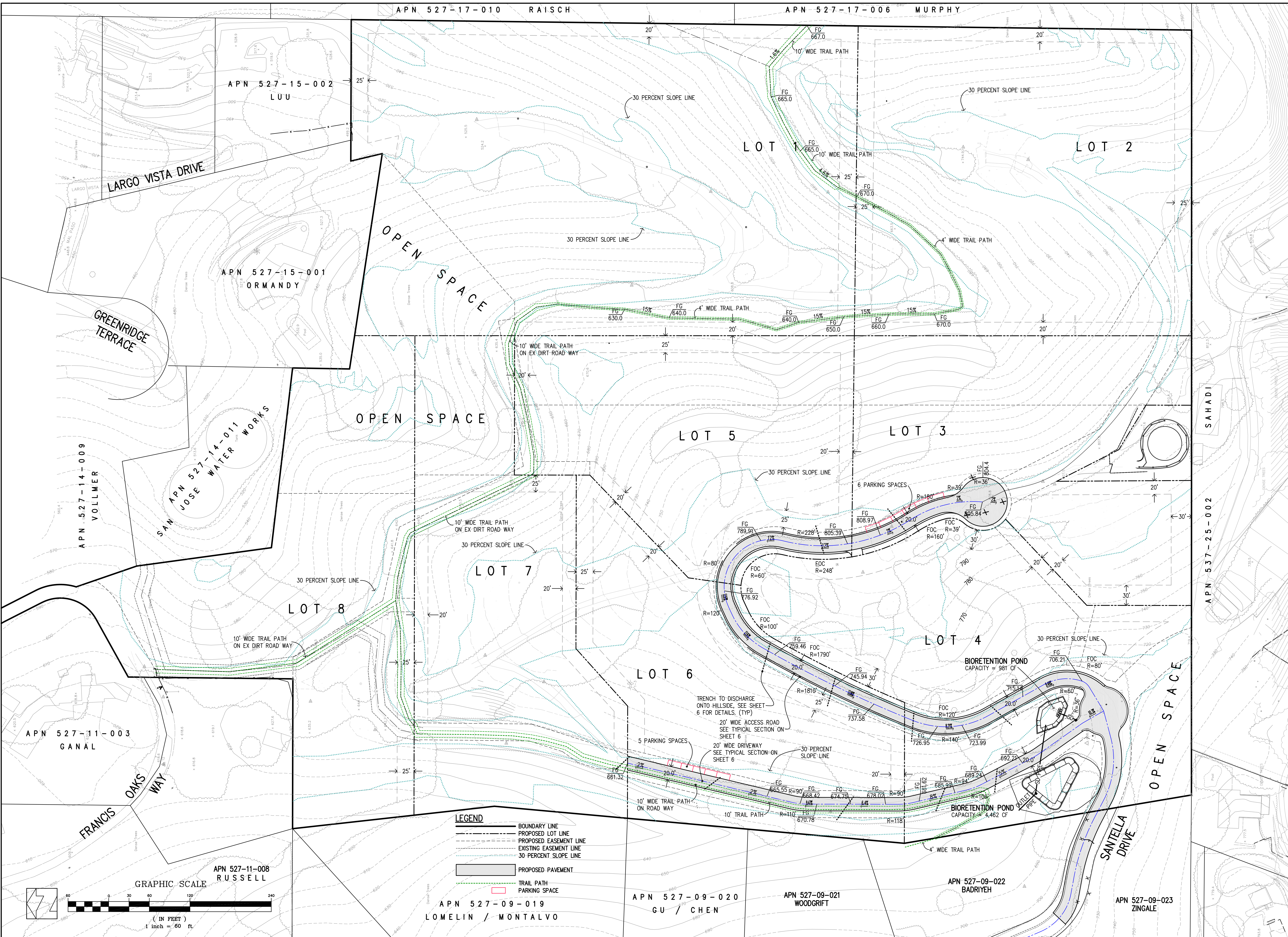


Tentative Map
The Vistas - apn 527-12-002

SANTA CLARA COUNTY
TOWN OF LOS GATOS
MAY 2019

REFERENCES	DATE: MAY 2019
HORIZONTAL SCALE: NONE	VERTICAL SCALE: NONE
DESIGNED BY: AM	CHECKED BY: TM
HANNA-BRUNETTI CIVIL ENGINEERS - LAND SURVEYORS CONSTRUCTION MANAGERS	
REVISIONS:	BY:
DESCRIPTION	
DATE	
SHEET	3
JOB NO.	16049

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Preliminary Grading & Drainage Plan
The Vistas - apn 527-12-002
 TOWN OF LOS GATOS SANTA CLARA COUNTY CALIFORNIA
 MAY 2019

DATE:	DATE:
MAY 2019	MAY 2019
HORIZ. SCALE: NONE	HORIZ. SCALE: NONE
VERT. SCALE: NONE	VERT. SCALE: NONE
DESIGNED BY: AM	DESIGNED BY: AM
CHECKED BY: TM	CHECKED BY: TM
DRAWN BY: TM	DRAWN BY: TM

HANNA-BRUNETTI
 CIVIL ENGINEERS • LAND SURVEYORS
 CONSTRUCTION MANAGERS

REVISIONS:	DESCRIPTION	BY:

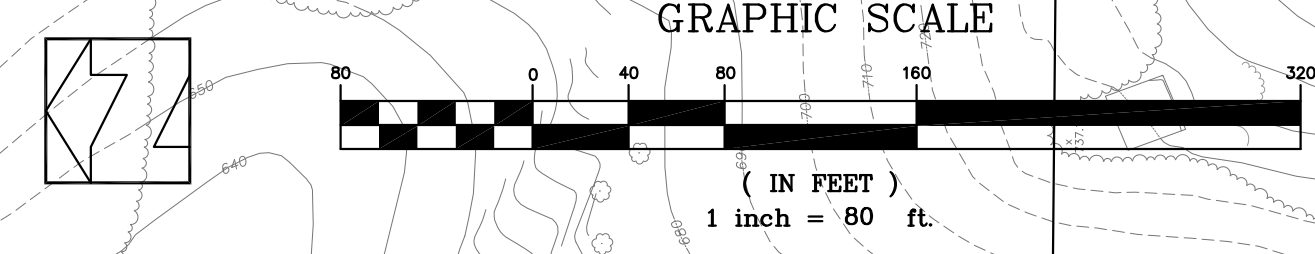
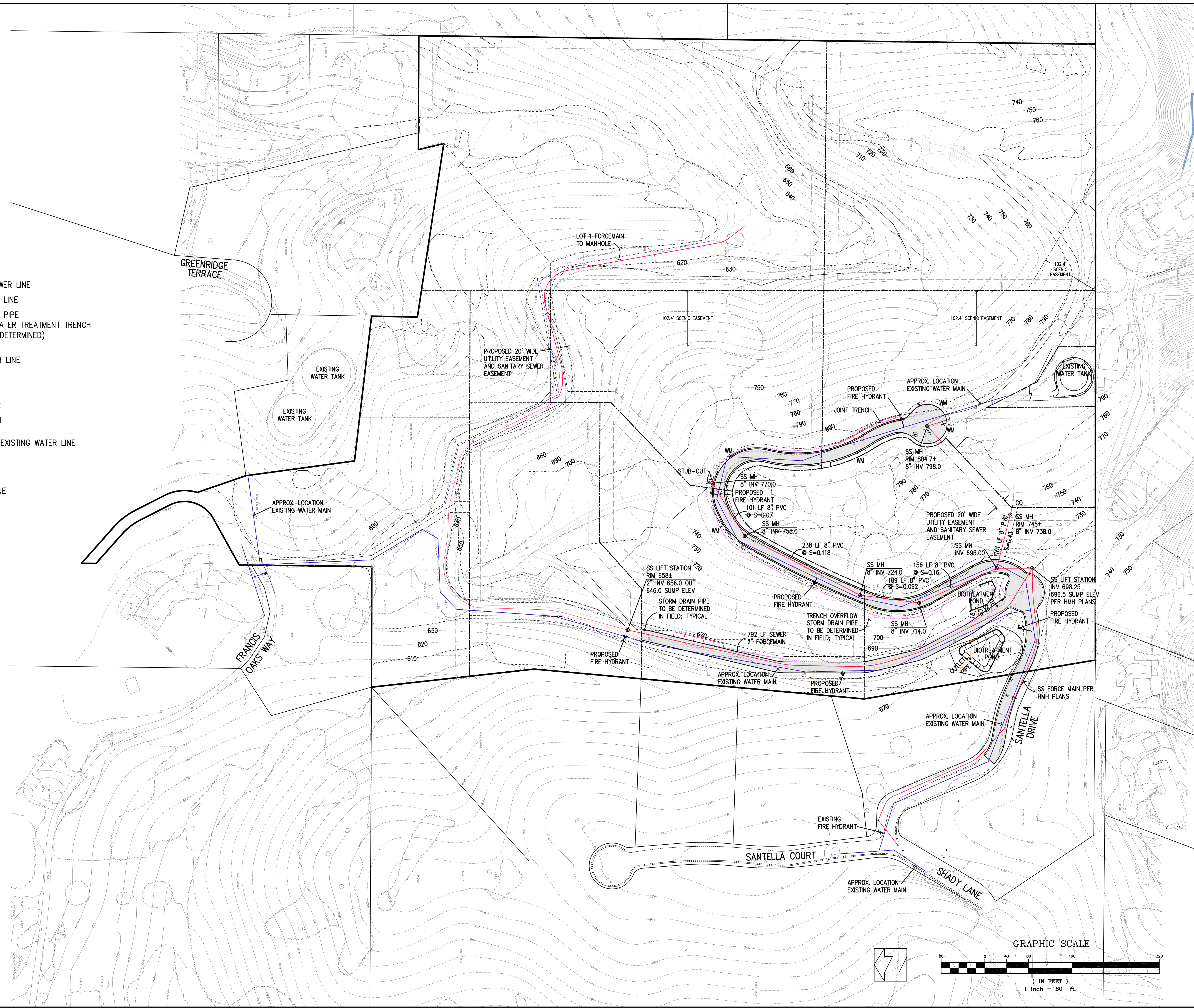
DATE	SHEET
	4
	OF 6

JOB NO. **16049**

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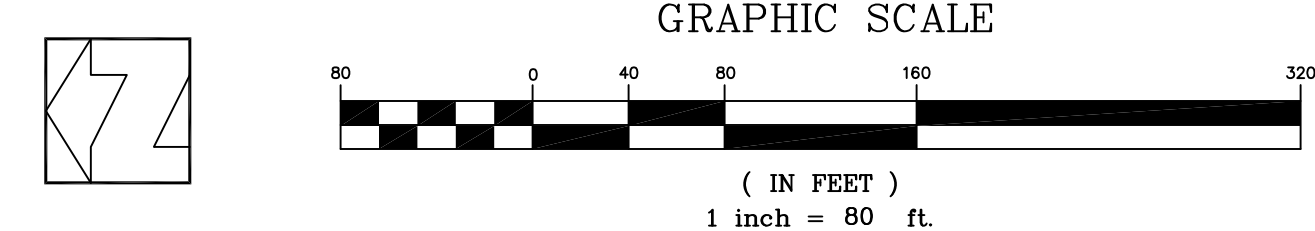
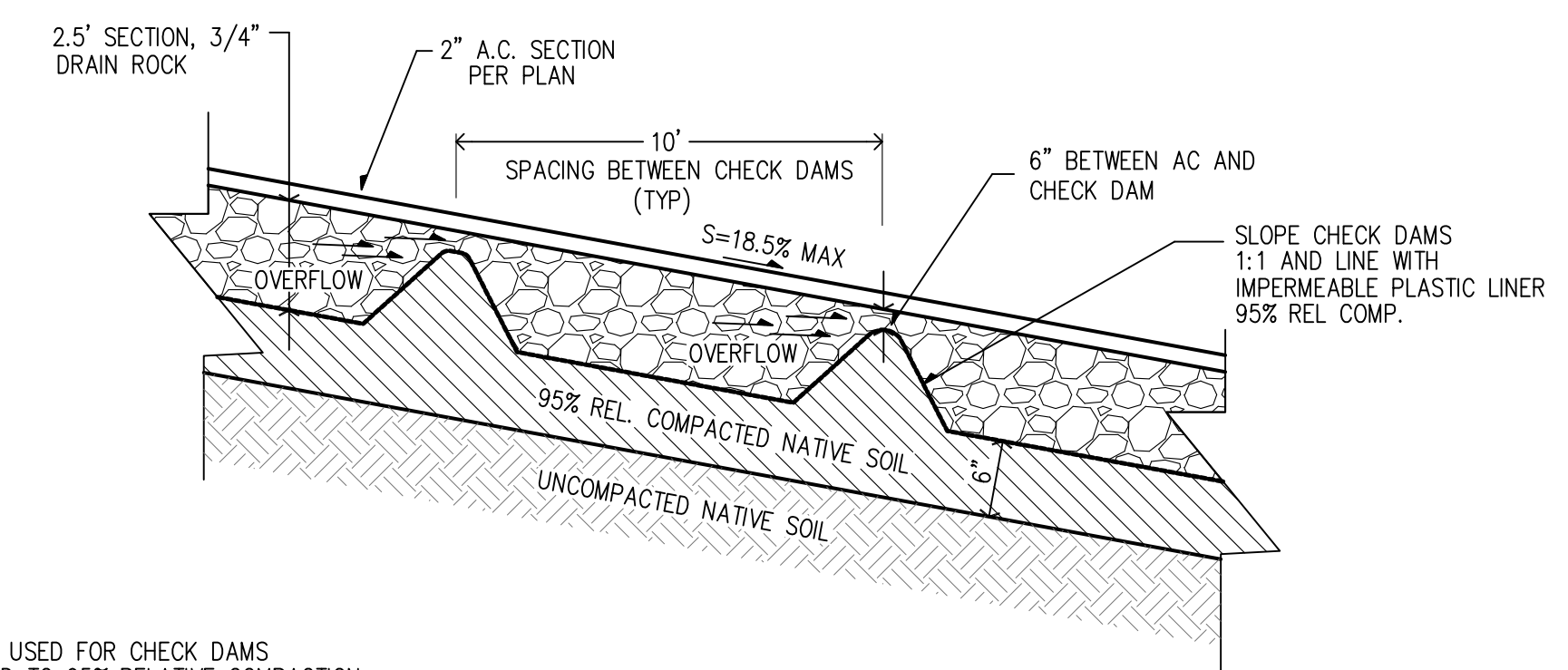
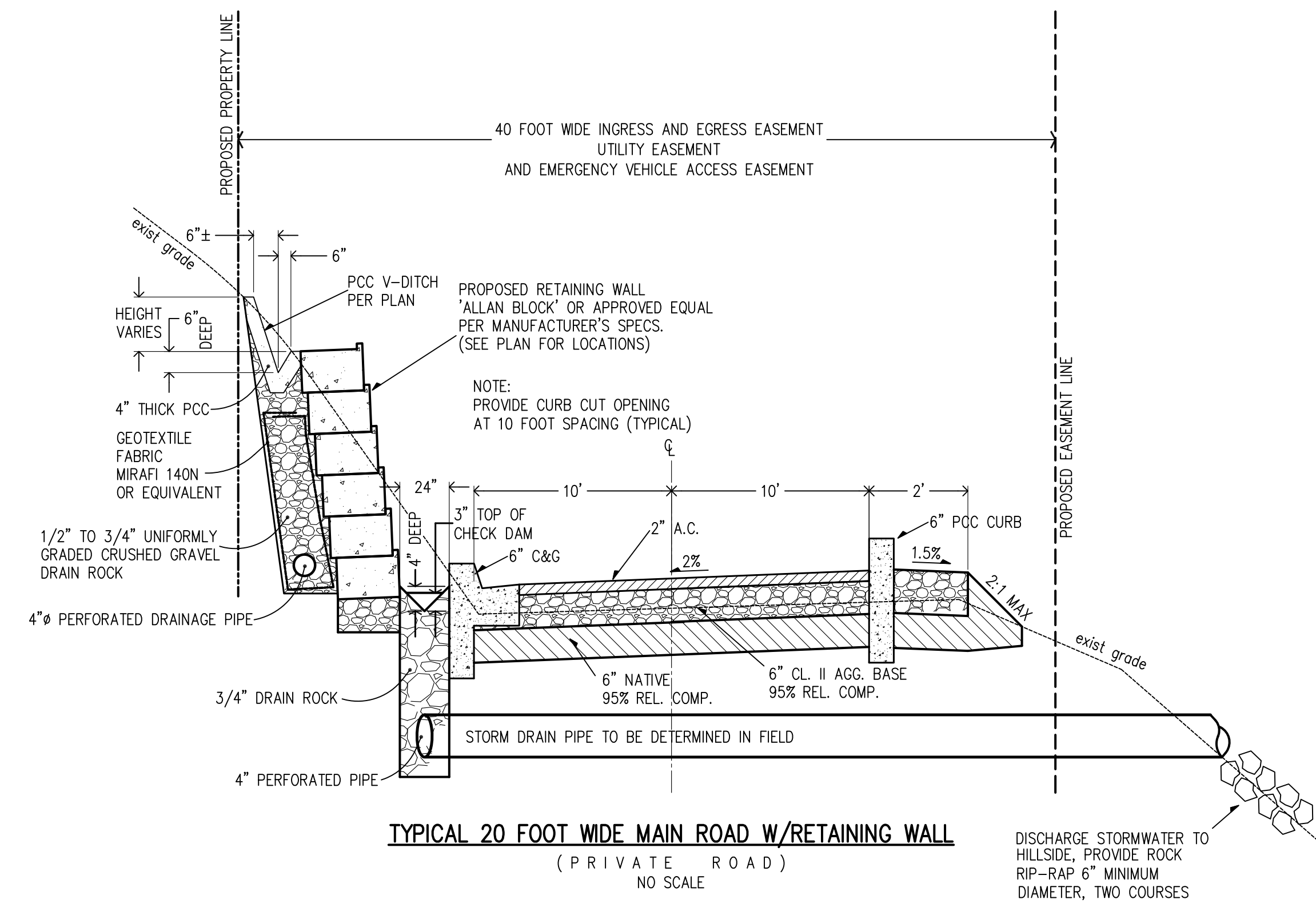
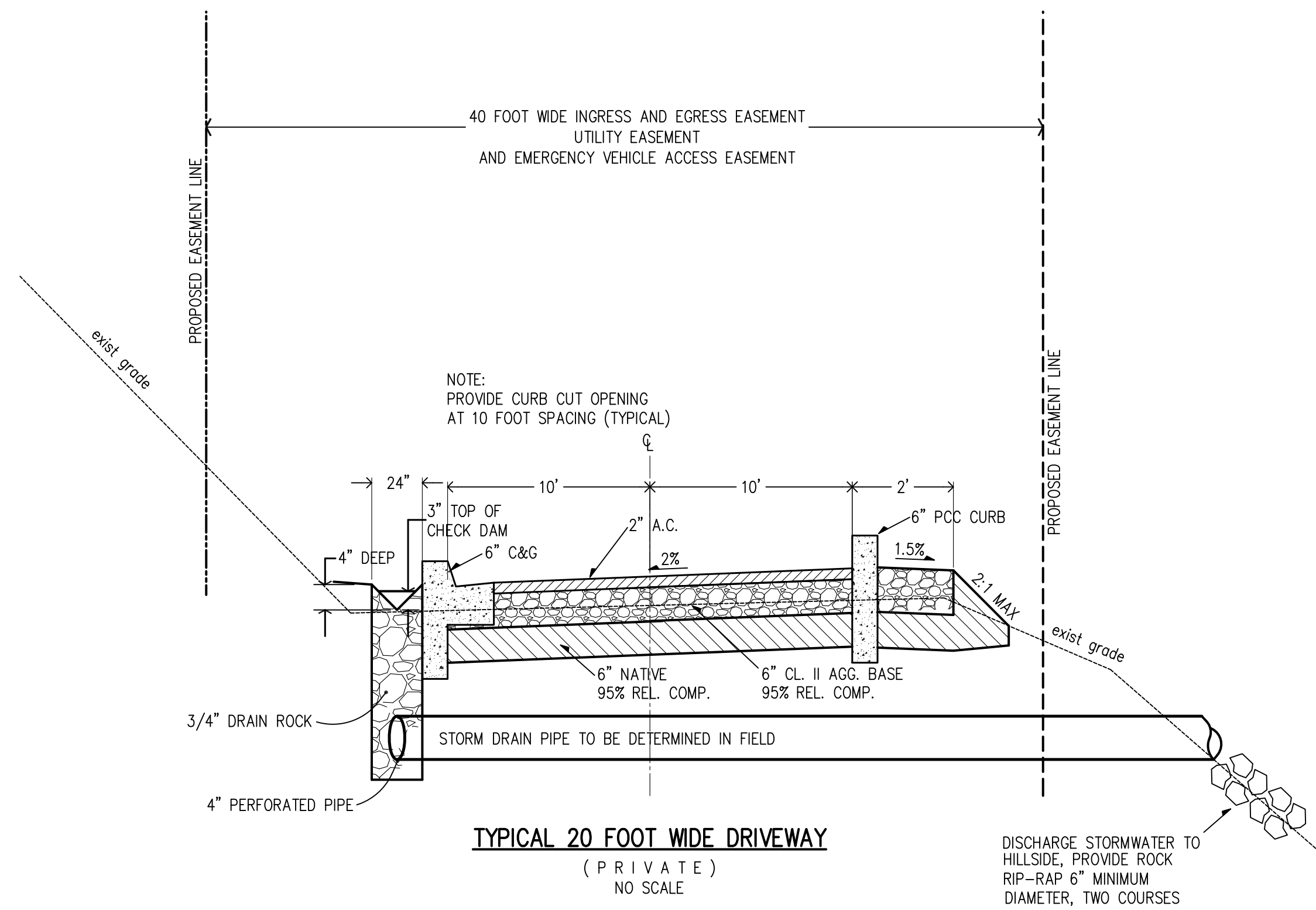
LEGEND

- PROPOSED SANITARY SEWER LINE
- PROPOSED STORM DRAIN LINE
- PROPOSED STORM DRAIN PIPE FOR ROADSIDE STORM WATER TREATMENT TRENCH (LOCATION TO BE FIELD DETERMINED)
- PROPOSED JOINT TRENCH LINE
- PROPOSED WATER LINE
- PROPOSED MANHOLE
- WM PROPOSED WATER METER
- ◀ FH PROPOSED FIRE HYDRANT
- APPROXIMATE LOCATION EXISTING WATER LINE
- BOUNDARY LINE
- - - PROPOSED LOT LINE
- - - PROPOSED EASEMENT LINE



Preliminary Utility Plan	
The Vistas - apr 527-12-002	
TOWN OF LOS GATOS SANTA CLARA COUNTY CALIFORNIA	
REFERENCES	DATE: MAY 2019
HORIZONTAL SCALE: 1"=80'	VERTICAL SCALE: 1"=10'
DESIGNED BY: AM	CHECKED BY: T.M.
DRAWN BY: T.M.	
HANNA-BRUNETTI CIVIL ENGINEERS • LAND SURVEYORS CONSTRUCTION MANAGERS	
REVISIONS:	BY:
DESCRIPTION	
DATE	
SHEET	5
	OF 6
JOB NO.	16049

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Details

The Vistas - aprn 527-12-002

TOWN OF LOS GATOS MAY 2019

SANTA CLARA COUNTY CALIFORNIA

DATE	REVISIONS:	DESCRIPTION	BY:
MAY 22/19			

DATE: MAY 22/19
HORIZ. SCALE: 1"=80'
VERT. SCALE: NONE
DESIGNED BY: AM
CHECKED BY: T.M.
DRAWN BY: T.M.

HANNA-BRUNETTI
EST. 1988
CIVIL ENGINEERS • LAND SURVEYORS
CONSTRUCTION MANAGERS

DATE	REVISIONS:	DESCRIPTION	BY:

SHEET **6** OF 6

JOB NO. 16049



**TOWN OF LOS GATOS
PLANNING COMMISSION
REPORT**

MEETING DATE: 07/10/2019

ITEM NO: 5

DESK ITEM

DATE: July 10, 2019
TO: Planning Commission
FROM: Joel Paulson, Community Development Director
SUBJECT: Subdivision Application M-19-004. Project Location: **16100 Greenridge Terrace**. Appellant: David Weissman. Property Owner: Emerald Lake Investments, LLC. Applicant: Hanna & Brunetti. Project Planner: Sean Mullin
Consider an appeal of a Development Review Committee decision approving a request for subdivision of one lot into eight lots on property zoned HR-2½:PD. APN 528-12-002.

REMARKS

Following discussions with the applicant, the appellant has withdrawn their appeal, and no further action is required for this item.

PREPARED BY: SEAN MULLIN, AICP
Associate Planner

Reviewed by: Planning Manager and Community Development Director



**TOWN OF LOS GATOS
PLANNING COMMISSION
REPORT**

MEETING DATE: 7/10/2019

ITEM NO: 6

DATE: June 24, 2019
TO: Planning Commission
FROM: Joel Paulson, Community Development Director
SUBJECT: Consider the Draft General Plan Vision Statement and Guiding Principles

RECOMMENDATION:

Forward a recommendation to the Town Council for approval of the draft General Plan Vision Statement and Guiding Principles.

CEQA:

These actions have no effect on the environment and are not subject to the California Environmental Quality Act. A final decision on the wording of the Vision Statement and Guiding Principles will be considered along with the approval of the 2040 General Plan. An Environmental Impact Report will be prepared as part of the General Plan update process.

BACKGROUND:

The Los Gatos General Plan update process has so far included the following:

- All-hands kick-off meeting (August 23, 2018)
- Launch of the General Plan update website, losgatos2040.com (early September 2018)
- EngagementHQ (Topics and surveys opened October 1, 2018)
- Newsletter #1 General Plan Overview (October 1, 2018)
- Community Workshop #1: Assets, Issues, Opportunities, and Vision (October 17, 2018)
- GPAC Meeting #1 (October 30, 2018)
- GPAC Meeting #2 (December 11, 2018)
- Background Report (March 15, 2019)
- Newsletter #2: Background Report Summary (March 20, 2019)

PREPARED BY: Jennifer Armer
Senior Planner

Reviewed by: Planning Manager and Community Development Director

BACKGROUND (continued):

- Spring into Green Booth (April 14, 2019)
- GPAC Meeting #3 (April 23, 2019)
- GPAC Meeting #4 (April 30, 2019)
- GPAC Meeting #5 (May 23, 2019)
- GPAC Meeting #6 (June 20, 2019)

On April 23, 2019, the General Plan Update Advisory Committee (GPAC) held its third meeting to review the existing General Plan Vision and discuss potential modifications. At the GPAC meeting the GPAC members discussed the Vision chapter of the existing General Plan.

On April 30, 2019, the GPAC reviewed the draft Vision Statement developed at the previous meeting, along with draft Vision Statements provided by individual Committee members and Mintier Harnish Planning Consultants. The discussion resulted in a draft Vision Statement.

On May 23, 2019, the GPAC made a few small modifications to the draft Vision Statement, developed draft Guiding Principles, and voted to recommended approval to the Planning Commission and Town Council.

DISCUSSION:

The following are the draft Vision Statement and Guiding Principles developed and recommended by the GPAC on May 23, 2019.

A. Vision Statement

The Town of Los Gatos is a safe, welcoming, and family-oriented community nestled in the beautiful foothills of the Santa Cruz Mountains. The Town is a sustainable community that takes pride in its small-town character and provides a range of housing opportunities, historic neighborhoods, local culture and arts, excellent schools, and a lively and accessible downtown. Los Gatos offers a choice of mobility options, superior public facilities and services, and an open and responsive local government that is fiscally sound. Los Gatos has a dynamic and thriving economy that includes a mix of businesses throughout Town that serves all residents, workers, and visitors.

B. Guiding Principles

Transportation — Provide a well-connected transportation system that enables safe access for all transportation modes, including pedestrians, bicyclists, motorists, and transit riders of all ages and abilities.

DISCUSSION (continued):

Sustainability — Manage, conserve, and preserve Los Gatos' natural environment for present and future generations. Identify and provide opportunities to enhance the Town's sustainability policies and practices.

Protect Natural Resources – Protect the natural resources and scenic assets that define Los Gatos, including open space preserves, recreational trails, surrounding hillsides, and natural waterways.

Fiscal Stability / Responsibility — Provide high quality municipal services to the Los Gatos community while sustaining the Town's long term fiscal health.

Government Transparency – Conduct governmental processes in an open manner and encourage public involvement in Town governance.

Community Vitality — Invigorate downtown Los Gatos as a special place for community gathering, commerce, and other activities for residents and visitors. Foster the economic vitality of all Los Gatos business locations. Preserve the Town's historic resources as an on-going asset to the community.

Diverse Neighborhoods — Foster appropriate investments to maintain and enhance diverse neighborhoods, housing opportunities, and infrastructure to meet the needs of all current and future residents.

Inclusivity — Promote ethnic, cultural, and socio-economic diversity and equity to enhance the quality of life in Los Gatos.

Promote Public Safety – Maintain and enhance Los Gatos as a safe community through preparation and planning, education, and community design that is responsive to the full range of potential natural and man-made hazards and safety issues.

PUBLIC COMMENTS:

No written public comments have been received.

CONCLUSION:

A. Recommendation

Based on the recommendation of the GPAC, staff recommends that the Planning Commission review the draft General Plan Vision Statement and Guiding Principles included in the staff report and forward a recommendation to the Town Council for approval.

B. Alternatives

Alternatively, the Commission can:

1. Forward a recommendation to the Town Council for approval of the General Plan Vision Statement and Guiding Principles with modifications; or
2. Forward a recommendation to the Town Council for denial of the General Plan Vision Statement and Guiding Principles; or
3. Continue the matter to a date certain with specific direction.

EXHIBITS:

This report contains no exhibits.