



**TOWN OF LOS GATOS
PLANNING COMMISSION
REPORT**

MEETING DATE: 03/08/2017

ITEM NO: 4

DATE: MARCH 3, 2017

TO: PLANNING COMMISSION

FROM: JOEL PAULSON, COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: ARCHITECTURE AND SITE APPLICATION S-16-064. PROJECT LOCATION: 16 PENNSYLVANIA AVENUE. PROPERTY OWNER/APPLICANT: NIKAN OMIDI AND FARHAD SHAFAI.
REQUESTING APPROVAL TO EXCEED THE ALLOWABLE FLOOR AREA RATIO FOR AN ADDITION TO AN EXISTING TWO-STORY PRE-1941 SINGLE-FAMILY RESIDENCE ON PROPERTY ZONED R-1D. APN 510-42-014.

DEEMED COMPLETE: FEBRUARY 16, 2017
FINAL DATE TO TAKE ACTION: AUGUST 16, 2017

RECOMMENDATION:

Approval, subject to recommended conditions.

PROJECT DATA:

General Plan Designation: Medium Density Residential
Zoning Designation: Single-Family Residential Downtown, R-1D
Applicable Plans & Standards: General Plan
Parcel Size: 14,234 square feet

Surrounding Area:

	Existing Land Use	General Plan	Zoning
North	Single Family	Med. Density Residential	R-1D
East	Single Family	Med. Density Residential	R-1D
South	Single Family	Med. Density Residential	R-1D
West	Single Family	Med. Density Residential	R-1D

PREPARED BY: ERIN WALTERS
Associate Planner

Reviewed by: Planning Manager and Community Development Director

CEQA:

The project is Categorically Exempt pursuant to the adopted Guidelines for the Implementation of the California Environmental Quality Act, Section 15331: Historic Resource Restoration/Rehabilitation.

FINDINGS:

- As required, pursuant to the adopted Guidelines for the Implementation of the California Environmental Quality Act, this project is Categorically Exempt, Section 15331: Historic Resource Restoration/Rehabilitation.
- As required by Section 29.40.075(c) of the Town Code for granting approval to exceed the maximum allowable floor area.
- 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 14,234-square foot sloping site currently contains a 3,524-square foot two-story single-family home. The existing home has a partial basement at the rear and attic space that count as floor area. The existing home exceeds the maximum allowable floor area by 1,217 square feet when the lot size is adjusted by the average slope.

The applicant needs to replace the foundation and is also requesting approval to lower the slab of the existing unfinished portion of the basement and cellar area by two feet which will add 1,428 square feet of living space to the lower level of the existing residence. 943 square feet of the addition would qualify as countable floor area (basement) and 485 square feet of the addition would not be countable floor area because it is cellar area (Exhibit 10, Sheet A2). The proposed addition would be located within the existing footprint of the house and would not result in additional mass, bulk or height to the building.

The project is being referred to the Planning Commission because the applicant is requesting to exceed the maximum allowable floor area ratio by an additional 942.7 square feet for a total

exceedance of 2,159 square feet. The residence would also be the largest in the immediate neighborhood based on Town and County records.

PROJECT DESCRIPTION:

A. Location and Surrounding Neighborhood

The project is located at 16 Pennsylvania Avenue, on the north side of Pennsylvania Avenue between Glen Ridge Avenue and Bayview Avenue (Exhibit 1). Adjacent properties contain single-family residences.

B. Architecture and Site Application

The condition of the existing foundation requires replacement. The foundation replacement requires trenching and shoring of the structure.

The applicant is proposing an addition to the existing single-family residence. The addition would include an expansion of existing basement and cellar space on the lower level. The applicant is proposing the addition of 943 square feet of basement and 485 square feet of cellar to the lower level. The following chart summarizes the existing and proposed square footage:

	EXISTING		PROPOSED
Attic	567 s.f.	Attic	567 s.f.
Upper Floor	2,081.5 s.f.	Upper Floor	2,081.5 s.f.
Basement	875.2 s.f.	Basement	875.2 s.f.
		(N) Basement	942.7 s.f.
Total Countable Square Footage	3,524 s.f.		4,466 s.f.
Maximum Allowable Floor Area	2,307 s.f.		2,307 s.f.
Exceeds the Maximum Allowable Floor Area by	1,217 s.f.		2,159 s.f.
<i>Cellar</i>	<i>0 s.f.</i>	(N) Cellar	485 s.f.
Garage	434 s.f.	Garage	434 s.f.

The proposed addition would result in a total floor area that exceeds the maximum floor area by 2,159 square feet. Exhibit 5 provides general project data. The applicant also provided a letter of justification (Exhibit 4) for the proposed project.

C. Zoning Compliance

The proposed project complies with the height limitations, setbacks, and parking requirements. The zoning permits a single-family dwelling and allows the dwelling to exceed the maximum allowable floor area subject to specific findings.

DISCUSSION:

A. Historic Preservation Committee

The proposed project was presented to the Town's Historic Preservation Committee (HPC) on September 28, 2016. At the meeting the HPC reviewed the proposed exterior modifications to the pre-1941 building which included window and door modifications. Meeting minutes are included as Exhibit 6. The committee recommended approval of the proposal with the following modification: the new basement windows should align with the first floor windows. The applicant has modified the window locations which are reflected in the attached development plans (Exhibit 10). The existing exterior colors and materials are proposed to remain and are depicted in the attached colors and materials sheet (Exhibit 9).

B. Mass and Scale

The neighborhood is a mix of one- and two-story homes. Due to the existing topography the subject home reads as a one story home from the street and the lower level is only visible from the rear and left side elevations. The Historic Preservation Committee and staff determined that the design, mass, and scale of the proposed project are compatible with the immediate neighborhood as the proposed addition would not add any bulk, mass, or height to the existing historic home. The proposed basement and cellar expansion of the lower level would be completely within the existing footprint of the residence and would not result in any changes to the exterior of the residence or to the existing streetscape as seen in the proposed elevations (Exhibit 10, Sheets A-4, A-5, and A-6).

C. Floor Area

GROSS LOT AREA

Based on Town and County records, the surrounding residences range in size from 665 square feet to 3,298 square feet. The floor area ratios (FAR) range from 0.07 FAR to 0.29 FAR. The applicant is proposing a residence of 3,899 square feet (not including countable attic space) on a 14,234-square foot parcel (0.27 FAR). If the existing slope of the property was less than ten percent then the maximum square footage for a home would be 3,930 and the maximum square footage for a garage would be 1,055.

The following Neighborhood Analysis table reflects current conditions of the immediate neighborhood, however it does not account for reductions in gross lot square footage resulting from slopes greater than ten percent and does not include countable attic square footage.

ADDRESS	House	Garage	House & Garage	Gross Lot Area	House FAR	Stories	Exceeds Max FAR
2 Pennsylvania*	1,288	216	1,504	3,485	0.37	1	No
4 Pennsylvania*	1,315	126	1,441	2,880	0.46	1	Yes by 215 s.f.
8 Pennsylvania	3,298	451	3,749	11,368	0.29	2	No
3 Pennsylvania	3,153	1,101	4,254	14,555	0.22	1	No
28 Pennsylvania	1,781	0	1,781	8,775	0.20	2	No
10 Bayview Ct.	1,534	0	1,534	8,052	0.19	1	No
1 Bayview Ct.	1,736	0	1,736	9,984	0.17	1	No
8 Bayview Ct.	665	0	665	9,720	0.07	1	No
99 Fairview Plaza	940	0	940	8,673	0.11	1	No
4 Glenridge	1,750	200	1,950	7,500	0.23	1	No
16 Pennsylvania (N)	3,899**	434	4,333	14,234	0.27	2	No
16 Pennsylvania (E)	2,957	434	3,391	14,234	0.21	2	No

**Parcels not included the analysis due to small lot size.*

***The maximum allowable floor area ratio for a 14,234-square foot lot with less than ten percent average slope is 3,930 square feet (0.28).*

The analysis above utilizes the gross lot size of each parcel and does not take into account the reduction in net lot square footage resulting from slopes greater than ten percent. Based on the topography of the immediate neighborhood it can be assumed that all or a majority of the lots have an average slope of ten percent or greater.

When comparing the immediate neighborhood by gross lot size, the proposed addition would result in the subject house having the largest square footage in the immediate neighborhood by 601 square feet. The addition would result in the second largest floor area ratio (0.27). In the above analysis, comparing the immediate neighborhood by the gross lot square footage, the proposed project would not exceed the maximum allowable floor area or maximum allowable square footage.

NET LOT AREA

The subject parcel has an average lot slope of 27.8 percent which results in a net lot area of 6,889 square feet. A 6,889-square foot lot has a maximum floor area of 2,307 square feet (0.34 FAR). The existing home has 3,524 countable square feet (including the attic) therefore the existing home exceeds the maximum allowable floor area by 1,217 square feet.

The project proposes 4,466 countable square feet (including the attic and basement) and proposes to exceed the maximum allowable floor area by a total of 2,159 square feet and exceed the maximum allowable floor area ratio. Additionally, the project proposes a 485-square foot cellar in the lower level. Per the Town's Cellar Policy the cellar area is not countable floor area.

The following table compares the existing and proposed floor area and floor area ratio using the net lot size of the subject parcel:

ADDRESS	House	Garage	House & Garage	NET Lot Area	House FAR	Stories	Exceeds Max FAR
16 Pennsylvania (N)	4,466	434	4,900	6,889	0.65	2	Yes by 2,159 s.f.
16 Pennsylvania (E)	3,524	434	3,958	6,889	0.51	2	Yes by 1,217 s.f.

At 4,466 square feet, the residence would have the largest floor area in the immediate neighborhood. However the proposed square footage is proposed within the existing footprint and the proposed addition would not change the existing streetscape.

D. Findings

As required by Section 29.40.075(c) of the Town Code, the deciding body may allow a Floor Area Ratio in excess of the Floor Area Ratio derived by the formulas in subsections (b)(1), (2), and (3) above if it makes the following findings:

- (1) The design theme, sense of scale, exterior materials and details of the proposed project are consistent with the provisions of:
 - a. Any applicable landmark and historic preservation overlay zone; and
 - b. Any applicable specific plan; and
 - c. The adopted residential development standards; and
- (2) The lot coverage, setbacks, and FAR of the proposed project is compatible with the development on surrounding lots.

E. Tree Impacts

The Town Arborist conducted a site survey and prepared report received on February 16 2017 (Exhibit 7).

The foundation replacement would require, and the project proposes, to remove two protected Live Oak trees located in the western side yard. The 18-inch diameter oak tree and the 10-inch diameter oak tree are in moderate health but both have an area of occluded bark where the stems meet. As stated in the Arborist report "these are weak areas of attachment which are susceptible to failure as the tree increases in size." Both trees are proposed to be removed due the occluded bark and their proximity to the trenching and the shoring required for the new foundation. A tree removal permit and tree replacement is required per the Conditions of Approval (Exhibit 3). The applicant has discussed the tree removal and proposed project with the adjacent neighbor and the neighbor supports the project.

F. CEQA Determination

The project is Categorically Exempt pursuant to the adopted Guidelines for the Implementation of California Environmental Quality Act, Section 15331: Historical Resource Restoration/Rehabilitation. The addition, rehabilitation, and repair of the house is consistent with the Secretary of the Interior's Standards.

PUBLIC COMMENTS:

Staff has received three public comments supporting the project and one public comment not supporting the project (Exhibit 8).

CONCLUSION:

A. Summary

Although the applicant is proposing to exceed the maximum floor area, the project would not increase the mass, bulk, or height of the existing two-story residence. The proposed square footage would be located within the existing building's footprint and would not affect the massing of the exterior elevations. The proposed addition would not modify the streetscape and would be compatible with the immediate neighborhood in terms of setbacks, mass, height, and design.

B. Recommendation

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

1. Find that the proposed project is categorically exempt, pursuant to Section 15303 of the California Environmental Quality Act as adopted by the Town (Exhibit 2); and
2. Make the required findings as required by Section 29.40.075 of the Town Code for granting approval to exceed the maximum FAR (Exhibit 2); and
3. 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
4. Approve Architecture and Site Application S-16-064 with the conditions contained in Exhibit 3 and development plans in Exhibit 10.

C. Alternatives

Alternatively, if the Commission has concerns with the proposed project, it can:

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

EXHIBITS:

1. Location Map
2. Required Findings and Considerations (two pages)
3. Recommended Conditions of Approval (eight pages)
4. Project Description and Justification, received February 14, 2017 (two pages)
5. Project Data Sheet (one page)
6. September 28, 2016, Historic Preservation Committee Minutes (three pages)

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SUBJECT: 16 PENNSYLVANIA AVENUE/S-16-064

MARCH 3, 2017

7. Arborist Report, received February 16, 2017 (three pages)
8. Public Comments received by 11:00 a.m. Thursday, March 2, 2017 (four pages)
9. Color and Materials Sheet, received January 12, 2017 (one page)
10. Development Plans, received February 14, 2016 (eight pages)

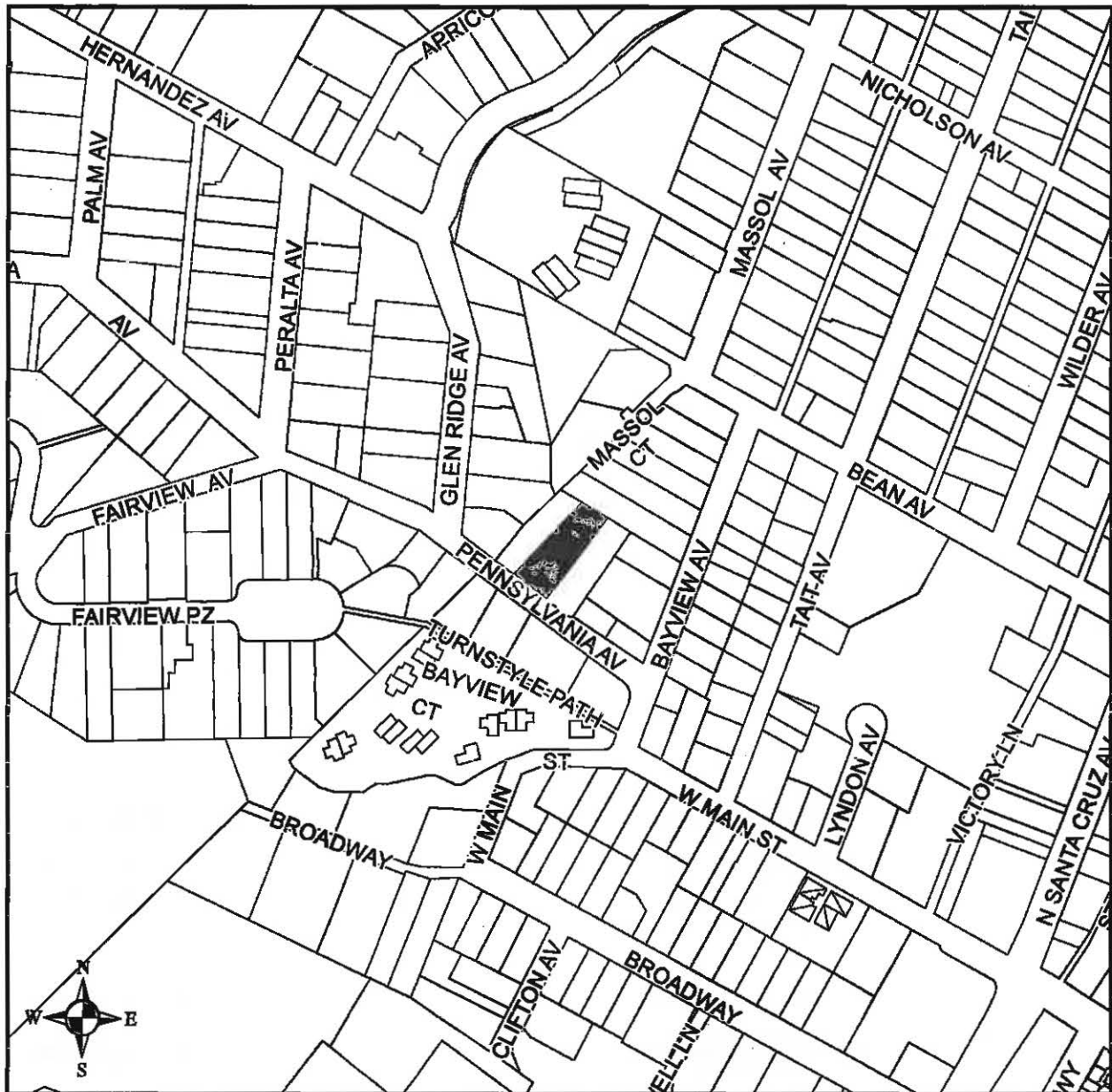
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Niki Omid and Farhad Shafai, 16 Pennsylvania Avenue, Los Gatos, CA 95030

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16 Pennsylvania Avenue



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PLANNING COMMISSION – March 8, 2017
REQUIRED FINDINGS & CONSIDERATIONS FOR:

16 Pennsylvania Avenue
Architecture and Site Application S-16-064

Requesting approval to exceed the allowable floor area ratio for an addition to an existing two-story pre-1941 single-family residence on property zoned R-1D. APN 510-42-014

PROPERTY OWNER/APPLICANT: Nikan Omid and Farhad Shafai

FINDINGS

Required finding for CEQA:

- The project is Categorically Exempt pursuant to the adopted Guidelines for the Implementation of California Environmental Quality Act, Section 15331: Historical Resource Restoration/Rehabilitation. The addition, rehabilitation, and repair of the house is consistent with the Secretary of the Interior's Standards.

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.

Required findings for exceeding the maximum Floor Area Ratio:

- As required by Section 29.40.075(c) of the Town Code, the deciding body may allow a FAR in excess of the FAR derived by the formulas in subsections (b)(1), (2), and (3) above if it makes the following findings:
 - (1) The design theme, sense of scale, exterior materials and details of the proposed project are consistent with the provisions of:
 - a. Any applicable landmark and historic preservation overlay zone; and
 - b. Any applicable specific plan; and
 - c. The adopted residential development standards; and
 - (2) The lot coverage, setbacks, and FAR of the proposed project is compatible with the development on surrounding lots.

CONSIDERATIONS

Required 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 –March 8, 2017
CONDITIONS OF APPROVAL

16 Pennsylvania Avenue
Architecture and Site Application S-16-064

Requesting approval to exceed the allowable floor area ratio for an addition to an existing two-story pre-1941 single-family residence on property zoned R-1D. APN 510-42-014
PROPERTY OWNER/APPLICANT: Nikan Omid and Farhad Shafai

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. **DEMOLITION AFFIDAVIT:** Prior to issuance of a building permit, a demolition affidavit must be submitted and signed by the property owner, project architect, project engineer and contractor.
10. **ARBORIST REQUIREMENTS:** The developer shall implement, at their cost, all recommendations identified in the Town Arborist's report dated as received February 16, 2016 for the project, on file in the Community Development Department. These recommendations must be incorporated in the building permit plans, and completed prior to issuance of a building permit where applicable.
11. **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.

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. **PERMIT REQUIRED:** A Building Permit is required for the excavation to expand the lower level and for the alterations and remodeling of the lower and upper levels. This is combination Permit which includes all required electrical, mechanical, and plumbing work as necessary.
15. **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.
16. **SIZE OF PLANS:** Submit four sets of construction plans, minimum size 24" x 36", maximum size 30" x 42".
17. **SOILS REPORT:** A Soils Report (Geotechnical Investigation), 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.
18. **CRIBBING & SHORING:** Cribbing and Shoring plans and calculations will be required for all the excavation work and which remove lateral support from any existing buildings and adjacent property. Cribbing and Shoring plans and calculations shall be prepared by a California licensed Engineer and shall conform to Cal/OSHA regulations.
19. **TITLE 24 ENERGY COMPLIANCE:** All required California Title 24 Energy Compliance Forms must be blue-lined (sticky-backed), i.e. directly printed, onto a sheet of the plans.
20. **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.
21. **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

22. **BLUE PRINT FOR A CLEAN BAY SHEET:** The Town standard Santa Clara County Valley Nonpoint Source Pollution Control Program Sheet (24"x36") 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
23. **APPROVALS REQUIRED:** The project requires the following departments and agencies approval before issuing a Building Permit:
 - a. Community Development – Planning Division: Erin Walters (408) 354-6867
 - b. Engineering/Parks & Public Works Department: Mike Weisz (408) 354-5236
 - 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 AND PUBLIC WORKS:

Engineering Division

24. **GENERAL:** 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 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 Applicant's expense.
25. **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.
26. **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/Owner 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.
27. **RESTORATION OF PUBLIC IMPROVEMENTS:** The Applicant shall repair or replace all existing improvements not designated for removal that are damaged or removed because of the Applicant'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 Applicant shall request a walk-through with the Engineering Construction Inspector before the start of construction to verify existing conditions.

28. **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.
29. **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.
30. **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.
31. **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.
32. **SOILS REVIEW:** Prior to issuance of any permits, the Applicant's engineers shall prepare and submit a design-level geotechnical/geological investigation for review and approval by the Town. The Applicant's soils engineer shall review the final grading and drainage plans to ensure that designs for foundations, retaining walls, and site drainage are in accordance with their recommendations and the peer review comments. Approval of the Applicant's soils engineer shall then be conveyed to the Town in the form of a plan review letter.
33. **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 Applicant's soils engineer shall provide observation and testing services during construction. 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.

34. **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 Applicant.
35. **WATER DESIGN:** In the event of any required improvements to the existing water service and/or meter, water plans prepared by San Jose Water Company must be reviewed and approved prior to issuance of any permit.
36. **WATER METER:** The existing water meter, currently located within the Pennsylvania Avenue right-of-way, shall be relocated within the property in question, directly behind the public right-of-way line. 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.
37. **SIDEWALK REPAIR:** The Applicant 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.
38. **CURB AND GUTTER REPAIR:** The Applicant 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.
39. **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 approval from the Town Engineer.
40. **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 building permit, the Applicant 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 Applicant/Owner 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.

41. **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.
42. **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.
43. **CONSTRUCTION MANAGEMENT PLAN:** Prior to the issuance of any permits, the Applicant shall submit a construction management plan that shall incorporate at a minimum the Project Schedule, employee parking, construction staging area, materials storage area(s), concrete washout(s) and proposed outhouse location(s).
44. **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.
45. **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.
46. **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.

47. **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.
48. **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 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 Applicant's expense.
49. **COVERED TRUCKS:** All trucks transporting materials to and from the site shall be covered.

TO THE SATISFACTION OF THE SANTA CLARA COUNTY FIRE DEPARTMENT:

50. **FIRE SPRINKLERS REQUIRED (basement only):** ARTICLE XV, Section 6.150.020, CRC Section R313.2, #2 is amended to read: 2. In all basements and in existing basements that are expanded. Exception: Existing basements that are expanded by not more than 50%. 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 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. CRC Sec. 313.2as adopted and amended by LGTC.
51. **WATER SUPPLY REQUIREMENTS:** Potable water supplies shall be protected from contamination caused by fire protection water supplies. It is the responsibility of the applicant and any contractors and subcontractors to contact the water purveyor supplying the site of such project, and to comply with the requirements of that purveyor. Such requirements shall be incorporated into the design of any water-based fire protection systems, and/or fire suppression water supply systems or storage containers that may be physically connected in any manner to an appliance capable of causing contamination of the potable water supply of the purveyor of record. Final approval of the system(s) under consideration will not be granted by this office until compliance with the requirements of the water purveyor of record are documented by that purveyor as having been met by the applicant(s).
52. **CONSTRUCTION SITE 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.
53. **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. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall be a minimum of 4 inches (101.6 mm) high with a

minimum stroke width of 0.5 inch (12.7 mm). Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure.

N:\DEV\CONDITIONS\2017\Pennsylvania16-A&S.docx

Niki Omidi

16 Pennsylvania Ave. • Los Gatos, CA 95030
Phone: 408-791-9589 • E-Mail: niki.omidi@gmail.com

Date: February 14th, 2017

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

RECEIVED
5-16-064
FEB 14 2017

TOWN OF LOS GATOS
PLANNING DIVISION

RE: Requesting Permission to Exceed Allowable F.A.R. for Interior Renovations of 16 Pennsylvania Ave. Los Gatos, CA 95030.

Our Family's Background:

My husband, Farhad Shafai, along with my 4 1/2 years-old son and 2 years-old daughter, moved to the United States from Canada January 2016 and the only location that came highly recommended for my family was the Town of Los Gatos. We love everything this town has to offer, from the small familial atmosphere of Sunday's Farmers Market to the big city facilities such as the well-equipped library. To stay as close to downtown as possible, we purchased a lovely house originally built about 1908 on 16 Pennsylvania Avenue. We especially fell in love with the period character of the home and intend on protecting and preserving the historic look of the house, but remodel the interior to better suit our family's needs.

Project Description:

Our house is a bungalow back-split home, with about 2082 square feet of living space on the main level and 875 square feet of finished living space on the lower level. In addition to that, the lower level also contains an unfinished 1428 square foot area with 6'-6" ceiling clearance, of which 485 square feet is underground enough to be considered a cellar. We would like to dig down this unfinished area and lower the slap concrete by approximately 2 feet to match the ceiling height with the rest of the finished lower floor living space. In the current layout of the house, there is one bedroom on the main floor that serves as the master bedroom and two bedrooms plus a bathroom on the lower level. With our proposed additional basement/cellar living space, we envision adding an additional bedroom to allow us to stay on the same floor as our children while they are still young. We would also like to create a children's play area, a home theater and a powder room. Should my husband and I decide to grow our family even more, the additional lower floor bedroom will support our growing family. Should life's plans go another way, the additional bedroom will serve as a guest bedroom for when grandparents come to visit from Canada.

Our lot size is 14,234 sq. ft. and our F.A.R. before slope reduction is 3930 Sq. Ft. Our slope reduction of 51.6% decreases our F.A.R. to 2,307 sq. ft., and as City Staff have found in their initial assessment, this F.A.R. already exceeds the allowable square footage of livable space for the lot. However, we strongly believe that the intent and purpose of the F.A.R. was to prevent

EXHIBIT 4

exceedingly bulky structures from being erected on small lots that would clash with the Town's character and heritage. We intent on preserving and protecting the exterior of the home, and will only apply a few minimal window and door changes to account for the interior modifications. The Town's Historic Committee has approved all exterior changes. In digging down the existing unfinished lower floor area by two more feet to create additional living space, we will not change the height, mass, or of the house. Therefore, we believe our request to exceed the allowable F.A.R can be viewed as an exception to the F.A.R. rule and we hope you can agree with us on this.

Neighbor's Reaction:

We consider ourselves lucky to have great neighbors. We have met with a number of them and proactively showed our renovation plans to get both their feedback and address their concerns. Our adjacent neighbors; Marci and Al Risoen of 8 Pennsylvania Ave., and Heidi Foster of 28 Pennsylvania Ave., as well as neighbors a few doors down; Sheila and Mark Bony of 4 Pennsylvania Ave., and Anne Kiernan of 2 Pennsylvania Ave, have all approved our plans and are quite supportive for us to get started on this project. I have received email from Marci and Al Risoen, Anne Kiernan, and Sheila and Mark Bony attesting as such. I have also spoken with Jeffrey Franckx, the owner of 8 Bayview Court, whose home is across the street from ours and he too is in favour of our renovations without any concerns or issues. I have spoken with the daughter of Doug and Nancy Richards of 3 Pennsylvania Ave, who also own the home across the street from us, and conveyed my message and contact information for them to reach me should they have any concerns or questions. At the time of writing this letter, I have not yet heard from them. Moreover, as of this letter, I have not had any success reaching the owner of 4 Glen Ridge – Monika Fuhrken-Batista Trustee.

In conclusion, we hope that you will approve our proposal to allow our family to put down roots in a house that is sure to become a home where our kids will create memories that will last them a lifetime.

Sincerely,



Niki Omid

16 PENNSYLVANIA AVENUE - PROJECT DATA			
	EXISTING CONDITIONS	PROPOSED PROJECT	REQUIRED/ PERMITTED
Zoning district	R-1-D	same	-
Land use	SFR	SFR	-
General Plan Designation	MED. DENSITY	same	-
Lot size (sq. ft.)	14,234 ±	14,234 ±	5,000 ft. minimum
Exterior materials:			
\$ siding	HORIZ. WOOD	HORIZ. WOOD	-
\$ trim	WOOD	WOOD	-
\$ windows	WOOD-FRAME	WOOD-FRAME	-
\$ roofing	COMP. SHINGLE	COMP. SHINGLE	-
Building floor area:			
\$ first floor	875.2	1217.9	(addition 942.7)
\$ second floor	2081.5	2081.5	-
\$ cellar / ATTIC	0 / 567	485 / 567	(addition 485 cellar)
\$ garage	434	434	-
Setbacks (ft.):			
\$ front	71.5'	71.5'	15 feet minimum
\$ rear	42.5'	42.5'	20 feet minimum
\$ side (LEFT)	6'	6'	5 feet minimum
\$ side (RIGHT)	8.25'	8.25'	5 feet minimum
Maximum height (ft.)	29'-6"	29'-6"	30 feet maximum
Building coverage (%)	21.3%	21.3%	40% maximum
Floor Area Ratio (%)	WINDY HILL	WINDY HILL	62.4%
\$ house (INCL. ATTIC)	3524	4466	2307 sq. ft. maximum
\$ garage	434	SAME	652 sq. ft. maximum
Parking	2	SAME	two spaces minimum
Tree Removals	NONE	2	canopy replacement
Sewer or septic	SEWER	SEWER	

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5-16-064
JAN 12 2017

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TOWN OF LOS GATOS
110 East Main Street, Los Gatos, CA 95030 (408) 354-6874

**SUMMARY MINUTES OF REGULAR MEETING OF THE HISTORIC PRESERVATION
COMMITTEE OF THE TOWN OF LOS GATOS FOR SEPTEMBER 28, 2016 HELD IN
THE TOWN COUNCIL CHAMBERS, 110 E MAIN STREET, LOS GATOS, CALIFORNIA.**

The meeting was called to order at 4:00 P.M. by Chair Bob Cowan.

ATTENDANCE

Members Present: Bob Cowan, Kathryn Janoff, Michael Kane, Len Pacheco, Tom O'Donnell

Members Absent: None

Staff Present: Joel Paulson, Community Development Director
Sally Zarnowitz, Planning Manager
Sylvie Roussel, Administrative Assistant

VERBAL COMMUNICATIONS – NONE

1. Approval of Minutes – August 24, 2016

MOTION: *Michael Kane* moved to approve the minutes of August 24, 2016 with the correction of a grammatical error. The motion was seconded by *Len Pacheco*.

VOTE: Motion passes 5-0.

2. 94 Hernandez Avenue (Previously heard on 12/17/15, 1/26/16, 4/27/16, 8/24/16)

Requesting approval for exterior modifications to a pre-1941 single-family residence zoned R-1:8. APN 510-20-024

PROPERTY OWNER: Helen Cadiente

APPLICANT: Jamie Arafiles

PROJECT PLANNER: Sally Zarnowitz

MOTION: *Kathryn Janoff* moved to recommend approval with the following modifications: the revised plans for pages six, seven, and eight, received at the September 28, 2016 meeting, will be substituted for those submitted; the second floor windows will be centered on the first floor windows; and the dormers will have shed roofs. The motion was seconded by *Michael Kane*.

VOTE: Motion passes 4-0-1, Len Pacheco recused.

3. 10A and 10B Reservoir Road

Request for input and recommendations regarding proposed demolition of two pre-1941 secondary dwelling units and an accessory structure zoned R-1:20. APN 529-29-064.

PROPERTY OWNER: Vasiliki Kidder

APPLICANT: Adam and Susan Ward

PROJECT PLANNER: Erin Walters

MOTION: *Tom O'Donnell* moved to defer this request to the Town Attorney to determine if the structures in question are primary structures. If the structures are not defined as primary structures, the above request will not return to the Historic Preservation Committee. The motion was seconded by *Bob Cowan*

VOTE: Motion passes 5-0.

4. 16 Pennsylvania Avenue

Requesting approval for exterior modifications to a pre-1941 structure on property zoned R-1D. APN 510-42-014.

PROPERTY OWNER/APPLICANT: Nikan Omid Langroudi and Farhad Shafai

PROJECT PLANNER: Erin Walters

MOTION: *Len Pacheco* moved to recommend approval of the request with the following modification: the new basement windows should align with the first floor windows. The motion was seconded by *Kathryn Janoff*.

VOTE: Motion passes 5-0.

OTHER BUSINESS

5. Committee member request to prioritize discussion of potential modifications regarding design guidelines, historical significance determinations, and demolitions.

The committee discussed this item.

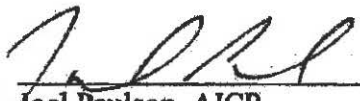
Adjournment

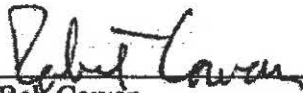
The meeting was adjourned at 5:29 p.m. The next regular meeting is scheduled for October 26, 2016 at 4:00 p.m.

Historic Preservation Committee
September 28, 2016
Page 3 of 3

Prepared by: Sylvie Roussel, Administrative Assistant

Approved by:


Joel Paulson, AICP
Community Development Director


Bob Cowan
Chair

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TOWN OF LOS GATOS
PARKS AND PUBLIC WORKS DEPARTMENT

PHONE (408) 399-5770

FAX (408) 354-6824

SERVICE CENTER
41 MILES AVENUE
LOS GATOS, CA 95030

**A Tree Review of Proposed
Request to Exceed Allowable Floor Area Ratio
Omidi/Shafai Residence
16 Pennsylvania Ave.
Los Gatos, CA 95030**

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S-16-064
FEB 16 2017

TOWN OF LOS GATOS
PLANNING DIVISION

Property Owners: Nikan Omidi and Farhad Shafai
Project Designer: Chris Spaulding Architecture
APN: 510-42-014
ASA # S-16-064

Submitted to:

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

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

February 15, 2017

EXHIBIT 7



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

SERVICE CENTER
41 MILES AVENUE
LOS GATOS, CA 95030

Introduction

I have been asked by Associate Planner Erin Walters from the Los Gatos Community Development Department to review the potential tree impacts associated with a plan to add floor space/basement at the Omid/Shafai residence located at 16 Pennsylvania Avenue, Los Gatos, CA 95030 based on plans submitted by Chris Spaulding Architecture.

Trees on Site

There are two (2) trees on site that conflict with the proposed basement. There are two (2) Live oaks (*Quercus agrifolia*) which are located along the western boundary of the property. Tree #1 has a Diameter at Breast Height of 18" and is 30' tall. Tree #2 has a Diameter at Breast Height of 10" and is approximately 25' tall. Both trees are in moderate health; however, they both have an area of occluded bark where different stems meet. These are weak areas of attachment which are susceptible to failure as tree increases in size.

Recommendations

It is my opinion that due to the occluded bark and the close proximity of the trenching and shoring of the new foundation that these two (2) Oaks are candidates for removal. Notification to the next door neighbor is required as there may be screening issues. In addition, permits are required prior to removal of the trees and all replacement requirements must be filled before completion of project. All other trees on this site should be unaffected as long as Town Code is adhered to for the duration of this project. Tree protection fencing must be place for the duration of this project as needed.

Sec.29.10.1005. – Protection of trees during construction

(a) Protective tree fencing shall specify the following:

- (1) Size and materials:** A five (5) or six (6) foot high chain link fencing, mounted on two-inch diameter galvanized iron posts, shall be driven into the ground to a depth of at least two (2) feet at no more than 10-foot spacing. For paving area that will not be demolished and when stipulated in a tree preservation plan, posts may be supported by a concrete base.
- (2) Area type to be fenced.** Type I: Enclosure with chain link fencing of either the entire drip line area or at the tree protection zone (TPZ), when specified by a certified or consulting arborist. Type II: Enclosure for street trees located in a planter strip: chain link fence around the entire planter strip to the outer branches. Type III: Protection for a tree located in a small planter cut-out only (such as downtown): orange plastic fencing shall be wrapped around the trunk from the ground to the first branch with 2-inch wooden boards bound securely on the outside. Caution shall be used to avoid damaging any bark or branches.



TOWN OF LOS GATOS
PARKS AND PUBLIC WORKS DEPARTMENT

PHONE (408) 399-5770

FAX (408) 354-6824

SERVICE CENTER
41 MILES AVENUE
LOS GATOS, CA 95030

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

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

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

(1) Prior to the commencement of construction, install the fence at the drip line, or tree protection zone (TPZ) when specified in an approved arborist report, around any tree and/or vegetation to be retained which could be affected by the construction and prohibit any storage of construction materials or other materials or vehicles inside the fence. The drip line shall not be altered in any way so as to increase the encroachment of the construction.

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

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

(4) Prohibit the attachment of wires, signs or ropes to any protected tree.

(5) Design utility services and irrigation lines to be located outside of the drip line when feasible.

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

(7) The director and project arborist shall be notified of any damage that occurs to a protected tree during construction so that proper treatment may be administered.

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Niki Omid <niki.omidi@gmail.com>

16 Pennsylvania Avenue - Support of Plans

Anne Kiernan <anne_kiernan@yahoo.com>

Mon, Oct 10, 2016 at 5:09 PM

Reply-To: Anne Kiernan <anne_kiernan@yahoo.com>

To: "niki.omidi@gmail.com" <niki.omidi@gmail.com>

To Whom it may Concern:

On Saturday October 8th, Niki Omid reviewed with me and several other neighbors on Pennsylvania Avenue the plans for their home they recently purchased at 16 Pennsylvania Avenue. I am in full support of the plans she showed us, and I have no issue with any of the changes / updates / repairs they plan to make to the home. Niki gave us a very detailed review of the plans, answered any questions we had, asked for any input and obviously has put a lot of thought and detail into the update they want to make on this home to make it a wonderful space for their family.

I look forward to having Niki, her husband and two children as neighbors in their new home.

Regards,

Anne Kiernan
2 Pennsylvania Avenue
Los Gatos, CA 95030
408-375-5401

RECEIVED**5-16-064****OCT 10 2016****TOWN OF LOS GATOS
PLANNING DIVISION****EXHIBIT 8**

Marci and Alan Risoen
8 Pennsylvania Avenue
Los Gatos, CA 95030
marci@risoen.com
408-981-9436

RECEIVED
5-16-064
OCT 16 2016

TOWN OF LOS GATOS
PLANNING DIVISION

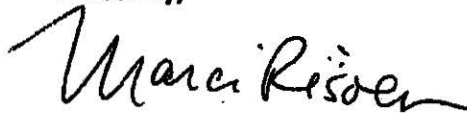
October 16, 2016

To: The Town of Los Gatos Planning Commission,

Our neighbor, Niki Omid, has shared her plans to renovate her home located at 16 Pennsylvania Avenue. We live next door at 8 Pennsylvania and are in support of her renovation plans.

Ms. Omid's plans are in keeping with the spirit of the town's guidelines and will keep the front exterior of the home unchanged. We believe her home improvements will enhance and benefit the whole neighborhood.

Sincerely,



Marci Risoen



Niki Omid niki.omidi@gmail.com

Hi Niki-here is our support letter. Thanks, Sheila

Sheila <3greenthumbs@gmail.com>
To: niki.omidi@gmail.com

Mon, Oct 17, 2016 at 12:16 PM

RECEIVED
S-16-004
OCT 17 2016

October 17th, 2016

TOWN OF LOS GATOS
PLANNING DIVISION

To Whom it May Concern:

We are homeowners and residents at 4 Pennsylvania Avenue, Los Gatos CA, two houses down from 16 Pennsylvania Avenue. We have been aware of the Omid's planned home remodel for some time, and we fully support this project.

We recently reviewed the detailed plans for the home remodel provided to us by Niki Omid and we have no objection to the plans.

Sincerely,

Mark and Sheila Bony
4 Pennsylvania Avenue
Los Gatos, CA 95030

RECEIVED

FEB 28 2017
5-16-064
TOWN OF LOS GATOS
PLANNING DIVISION

From: Michael Kennedy [mailto:michaeljohnkennedy@yahoo.com]
Sent: Monday, February 27, 2017 6:29 PM
To: Erin M. Walters
Subject: Project APN 510-42-014, Request to Exceed Existing FAR Limits - Reduce Size to Fit

Dear Ms. Walters,

I live on Bayview Avenue and recently received a notice of a neighbor's request to exceed the allowable FAR limits to build an addition. My neighbor's and I are very concerned about the possible impact to quality of life, traffic and congestion by allowing this project to exceed the Town's FAR limits. Can you please tell me whether or not the Town of Los Gatos is considering increasing FAR limits for everyone, or just the applicant? Please know that if the Town's FAR limits remain unchanged, I hereby oppose the applicant's request. The proposal is not aligned with the Town's regulations on FAR limits and would otherwise offer no significant benefit to the local community or environment. Please uphold the Town's FAR limit restrictions and kindly ask the applicant to scale back the size to fit within the approved existing limits. Thank you.

Sincerely,

Michael Kennedy
26 Bayview Avenue
Los Gatos, CA 95030



RECEIVED
5-16-064
JAN 12 2017

TOWN OF LOS GATOS
PLANNING DIVISION

FROM THE OFFICE OF
CHRIS SPAULDING
ARCHITECT
801 CAMELIA STREET, SUITE E
BERKELEY CA 94710

COLOR BOARD
16 PENNSYLVANIA AVE
LOS GATOS □ CALIFORNIA

EXHIBIT 9

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PROJECT DATA

OWNER: FARHAD SHAFAI & NIKAN OMIDI

PROJECT DESCRIPTION:

- INTERIOR REMODEL OF EXISTING HOUSE
- EXCAVATE EXISTING LOWER LEVEL WITH SUB-STANDARD CEILING HEIGHT TO MATCH REMAINDER OF LOWER LEVEL AND TURN INTO NEW LIVING AREA
- NO TREES TO BE REMOVED
- MINOR EXTERIOR GRADING WHERE NEW LIVING AREA OPENS OUT TO EXISTING DRIVEWAY
- NEW 7'-0" LONG 3.3' TALL CONCRETE SITE RETAINING WALL
- NO NEW LANDSCAPING
- NO NEW FENCING OR GATES
- NO CHANGES TO BUILDING FOOTPRINT

LOT SIZE: ± 14,234 SQ. FT.

F.A.R. BEFORE SLOPE REDUCTION: 3930 SQ. FT.

SLOPE REDUCTION: 51.6%

LOT AREA AFTER SLOPE REDUCTION: 6,889 SQ. FT.

F.A.R. AFTER SLOPE REDUCTION: 2,307 SQ. FT.

BUILDING AREA

(E) UPPER LEVEL	2081.5
(E) LOWER LEVEL	875.2
(N) LOWER LEVEL	942.7
TOTAL	3,899.4
ATTIC (AREA OVER 5' TALL)	567
CELLAR	485
GARAGE	434

TOTAL (E) AND PROPOSED LANDSCAPED AREA = 7,270 S.F.

DRAWING INDEX

ARCHITECTURAL

- SHEET A1 SITE PLAN, GRADING & DRAINAGE NOTES, PROJECT DATA, CONSTRUCTION-PHASE STORMWATER MANAGEMENT NOTES, VICINITY MAP, NOTES
- SHEET A1.1 TOPOGRAPHIC SURVEY
- SHEET A2 EXISTING AND REMODELED LOWER LEVEL PLANS
- SHEET A3 EXISTING AND REMODELED UPPER LEVEL PLANS
- SHEET A4 EXISTING AND REMODELED FRONT AND REAR ELEVATIONS
- SHEET A5 EXISTING AND REMODELED LEFT-SIDE ELEVATIONS, SECTION A-A
- SHEET A6 EXISTING AND REMODELED RIGHT-SIDE ELEVATIONS
- SHEET A7 DEMOLITION DIAGRAM AND CALC'S

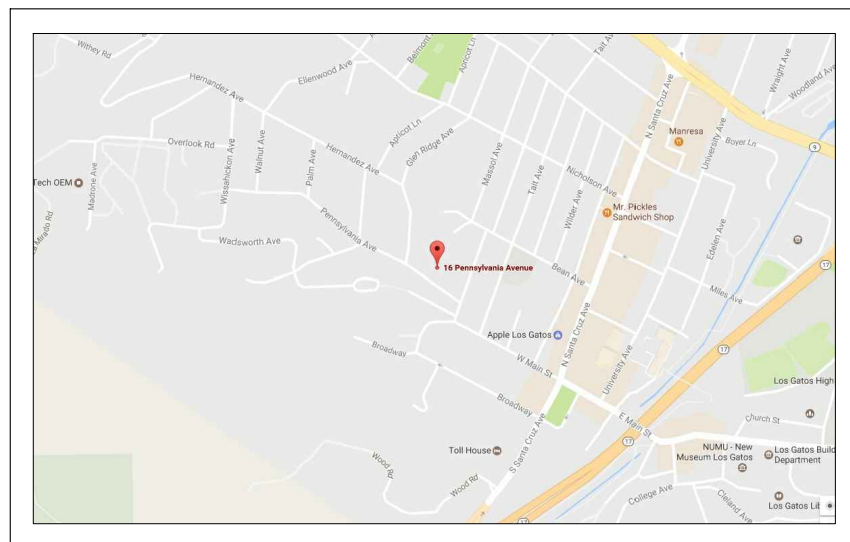
NOTE

NO STREETScape OR SHADOW STUDY PROVIDED AS THERE IS NO CHANGE TO FRONT ELEVATION OR BUILDING MASS

NOTE

NO NEW PROPOSED LANDSCAPING (EXISTING TO REMAIN)

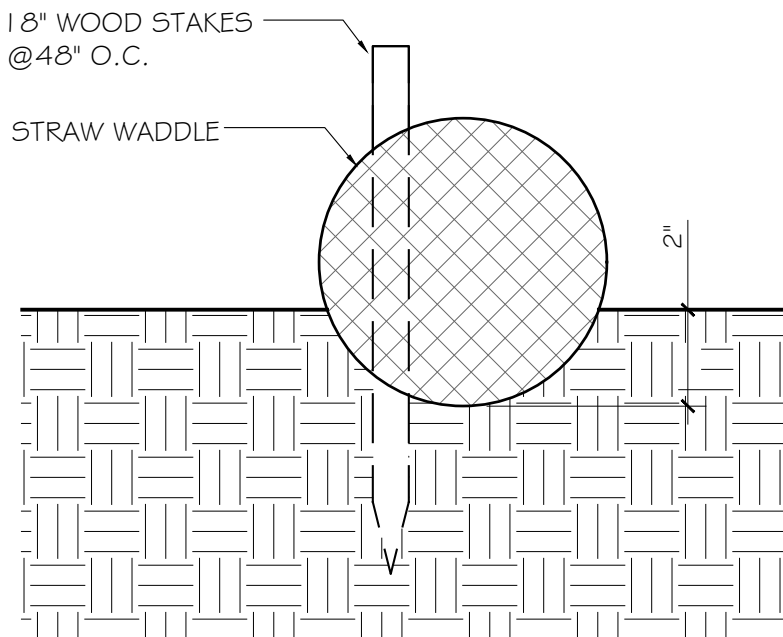
VICINITY MAP



GRADING & DRAINAGE NOTES:

- GRADING SCOPE:
 - EXCAVATE BELOW (E) BUILDING
 - REMOVE 10'-0" ± PORTION OF (E) RETAINING WALL ADJACENT TO DRIVEWAY
 - NEW 7'-0" LONG RETAINING WALL ADJACENT TO DRIVEWAY
- SLOPE FINISH GRADES 5% AWAY FROM BUILDING (PAVEMENTS 2%)
- NO CHANGES TO ROOF, DRIVEWAY OR STIE DRAINAGE
- DISCHARGE (N) BASEMENT SUBDRAIN THROUGH BUBBLER AND DISPERSE ITO LANDSCAPED AREAS

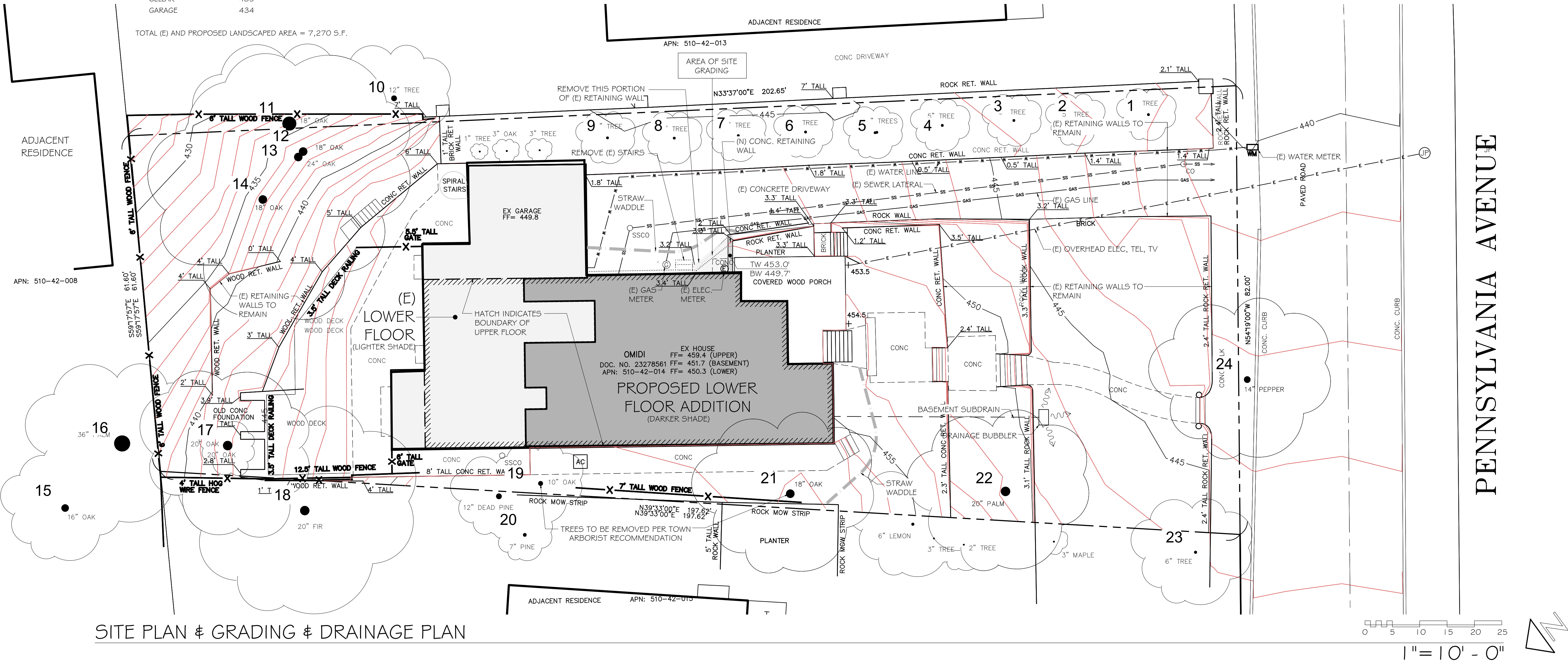
CONTRACTOR SHALL BE RESPONSIBLE THAT NO MUD OR MUDDY WATER LEAVES THE PROPERTY



1 STRAW WADDLE DTL NTS

CONSTRUCTION-PHASE STORMWATER MANAGEMENT:

CONTRACTOR TO INSTALL STRAW WADDLES ALONG DOWNHILL SIDE OF WORK AREA (AS SHOWN ON SITE PLAN AND DETAIL 1/A1)



SITE PLAN & GRADING & DRAINAGE PLAN

TREE TABLE

NO.	SPECIES	SIZE	COND.	DISPOSITION
1	CREPE MYRTLE	5"	GOOD	KEEP
2	CREPE MYRTLE	5"	GOOD	KEEP
3	CREPE MYRTLE	5"	GOOD	KEEP
4	CREPE MYRTLE	5"	GOOD	KEEP
5	CREPE MYRTLE	5"	GOOD	KEEP
6	CREPE MYRTLE	5"	GOOD	KEEP
7	CREPE MYRTLE	5"	GOOD	KEEP
8	CREPE MYRTLE	5"	GOOD	KEEP
9	CREPE MYRTLE	5"	GOOD	KEEP
10	TREE	12"	GOOD	KEEP
11	OAK	18"	GOOD	KEEP
12	OAK	18"	GOOD	KEEP

TREE TABLE

NO.	SPECIES	SIZE	COND.	DISPOSITION
13	OAK	24"	GOOD	KEEP
14	OAK	18"	GOOD	KEEP
15	OAK	16"	GOOD	KEEP
16	PALM	36"	GOOD	KEEP
17	OAK	20"	GOOD	KEEP
18	FIR	20"	GOOD	KEEP
19	OAK	10"	GOOD	SEE NOTE
20	PINE	7"	GOOD	KEEP
21	OAK	18"	GOOD	SEE NOTE
22	PALM	20"	GOOD	KEEP
23	PEPPER	6"	GOOD	KEEP
24	PEPPER	14"	GOOD	KEEP

TREE NOTE: TREES #19 & #21 TO BE REMOVED PER TOWN ARBORIST RECOMMENDATION

GRADING QUANTITIES

APPROXIMATE AMOUNTS IN CUBIC YARDS					
LOCATION	CUT	DEPTH	FILL	DEPTH	TOTAL
BASEMENT	90	2.5'	Ø	NA	90
SITE	6	4.5'	Ø	NA	6
TOTAL	96		Ø		96

LEGEND

- PROPERTY LINE
- - - CENTER LINE STREET
- - - - - EDGE, EXISTING CONCRETE
- SS-SS-SS- SEWER LINE
- GAS- GAS LINE
- E-E-E-E- OVERHEAD ELECTRIC LINE
- - - - - SUBDRAIN LINE
- - - - - FENCE
- - - - - STRAW WADDLE
- - - - - 1' CONTOUR LINE
- - - - - 5' CONTOUR LINE

DRAWINGS PREPARED BY

CHRIS SPAULDING
ARCHITECT

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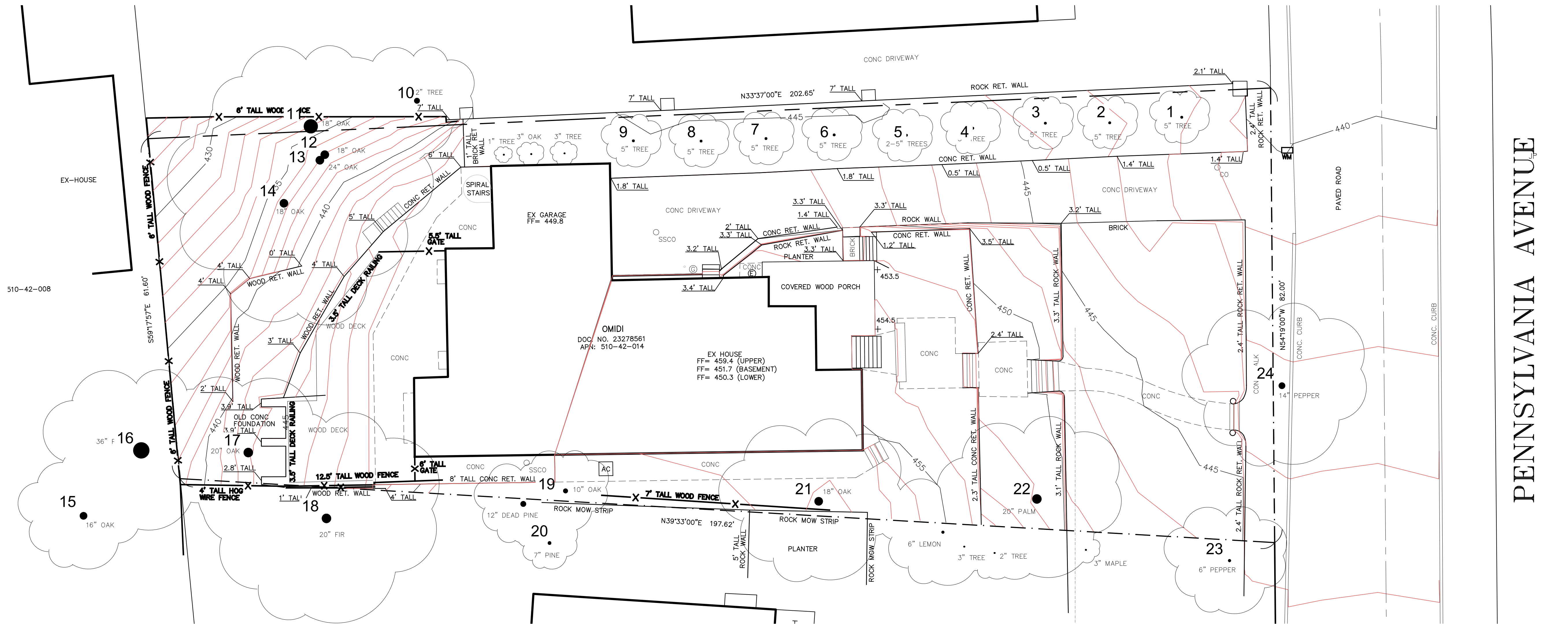
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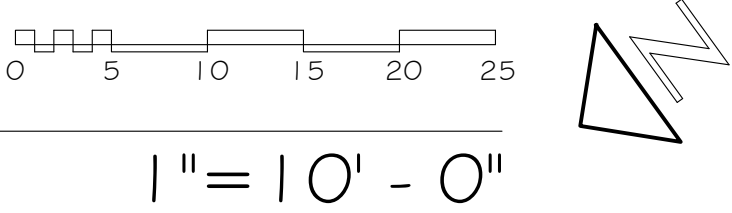
PROPOSED REMODEL
OMIDI RESIDENCE
16 PENNSYLVANIA AVENUE
LOS GATOS CALIFORNIA

DATE: 9-12-16
SCALE: AS NOTED
DRAWN: EL/CS/DB/KD
JOB: OMIDI
SHEET

A1
OF 7 SHEETS



TOPOGRAPHIC SURVEY



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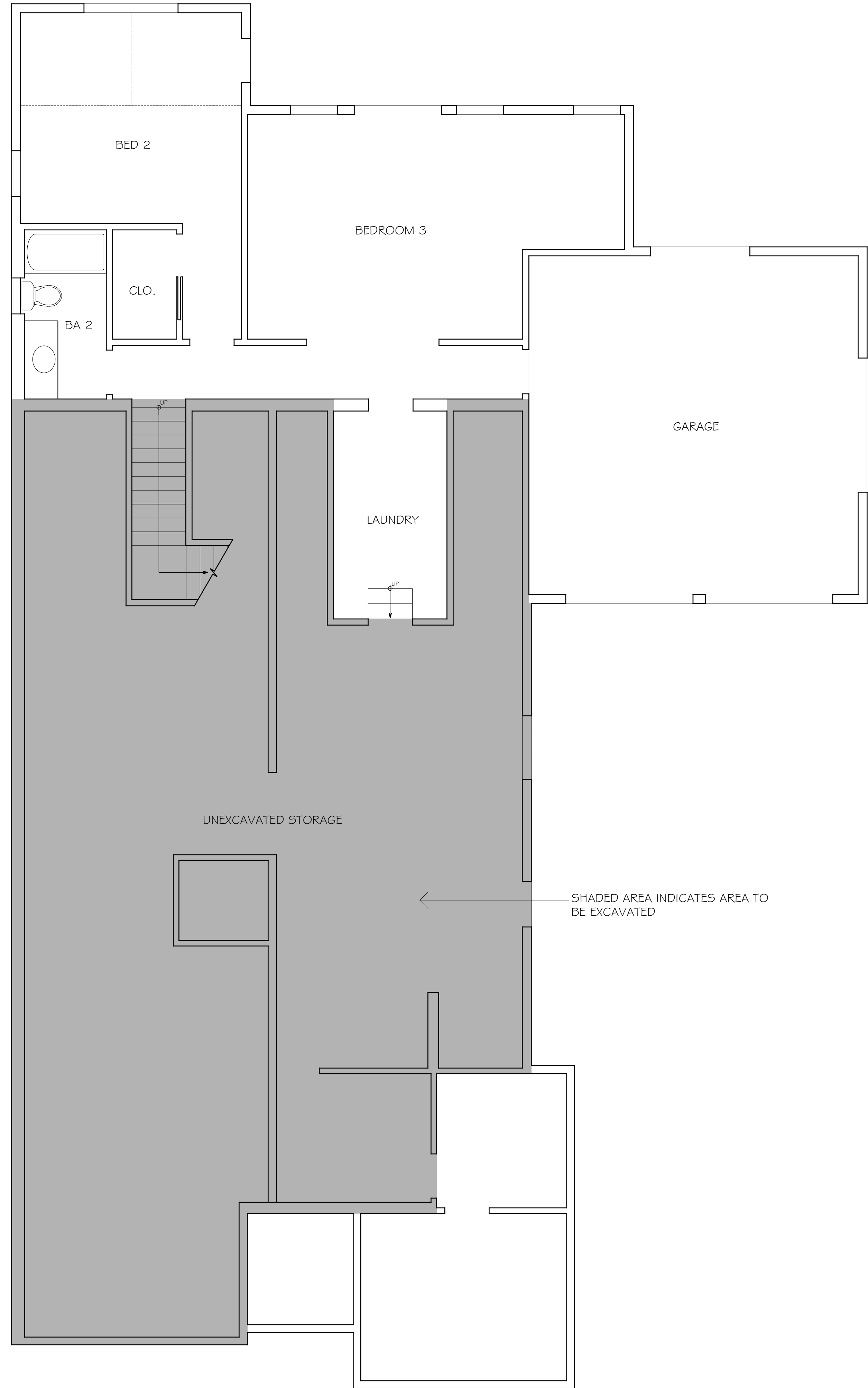
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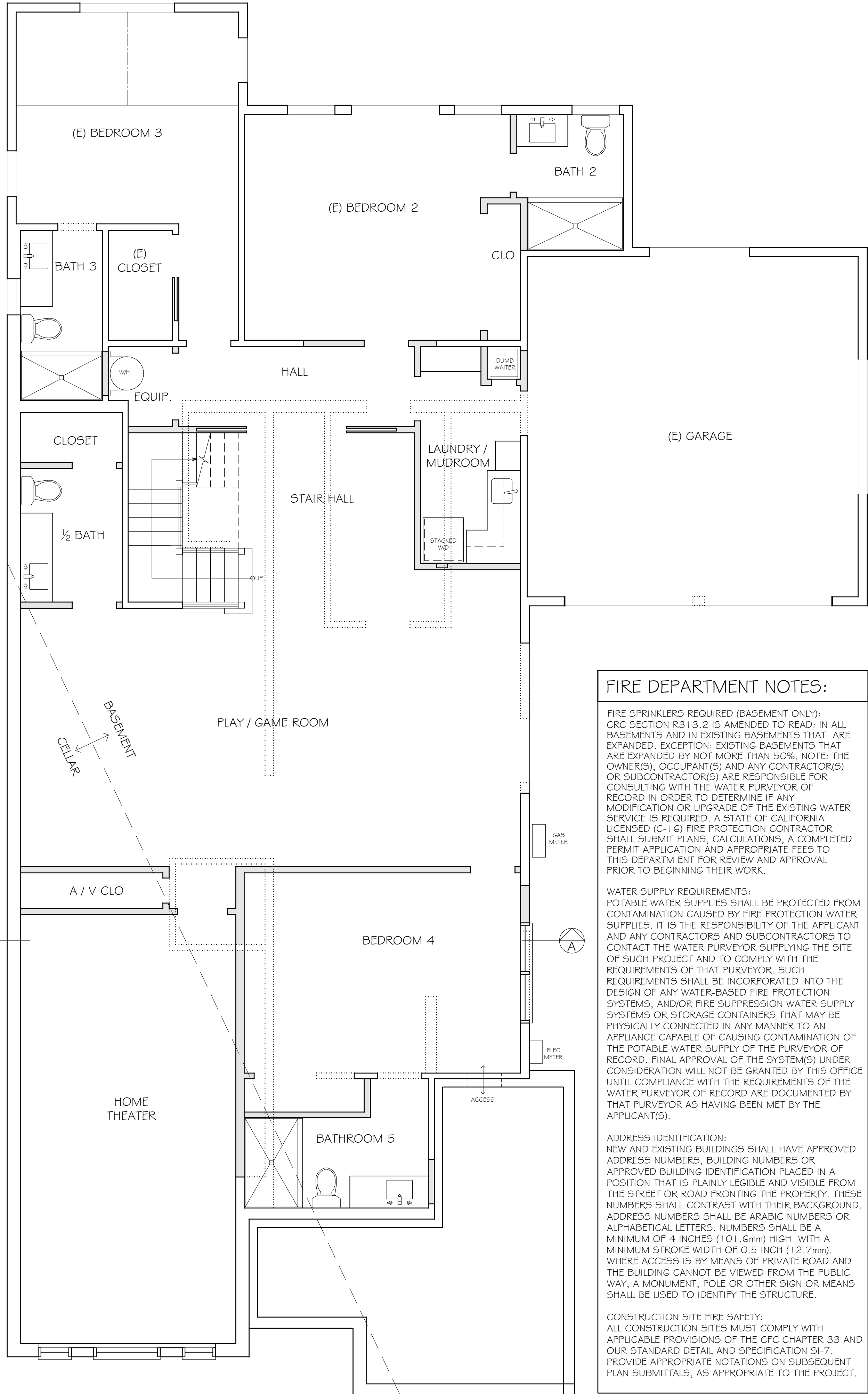
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JOB: OMIDI
SHEET

A1.1
OF 7 SHEETS



EXISTING LOWER LEVEL AND DEMOLITION PLAN

1/4"= 1'-0"



REMODELED LOWER LEVEL

1/4"= 1'-0"

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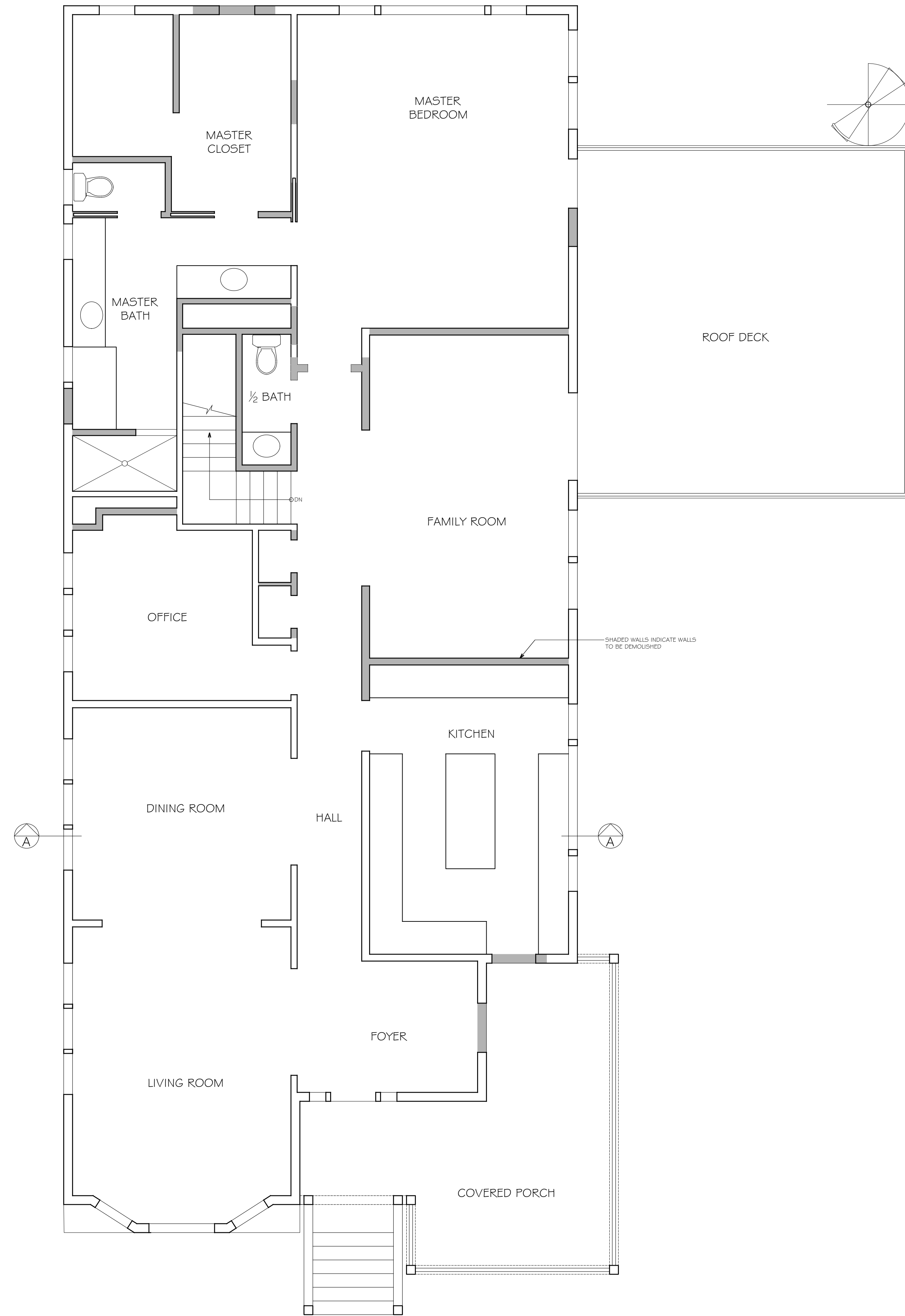
PROPOSED REMODEL

OMIDI RESIDENCE

16 PENNSYLVANIA AVENUE

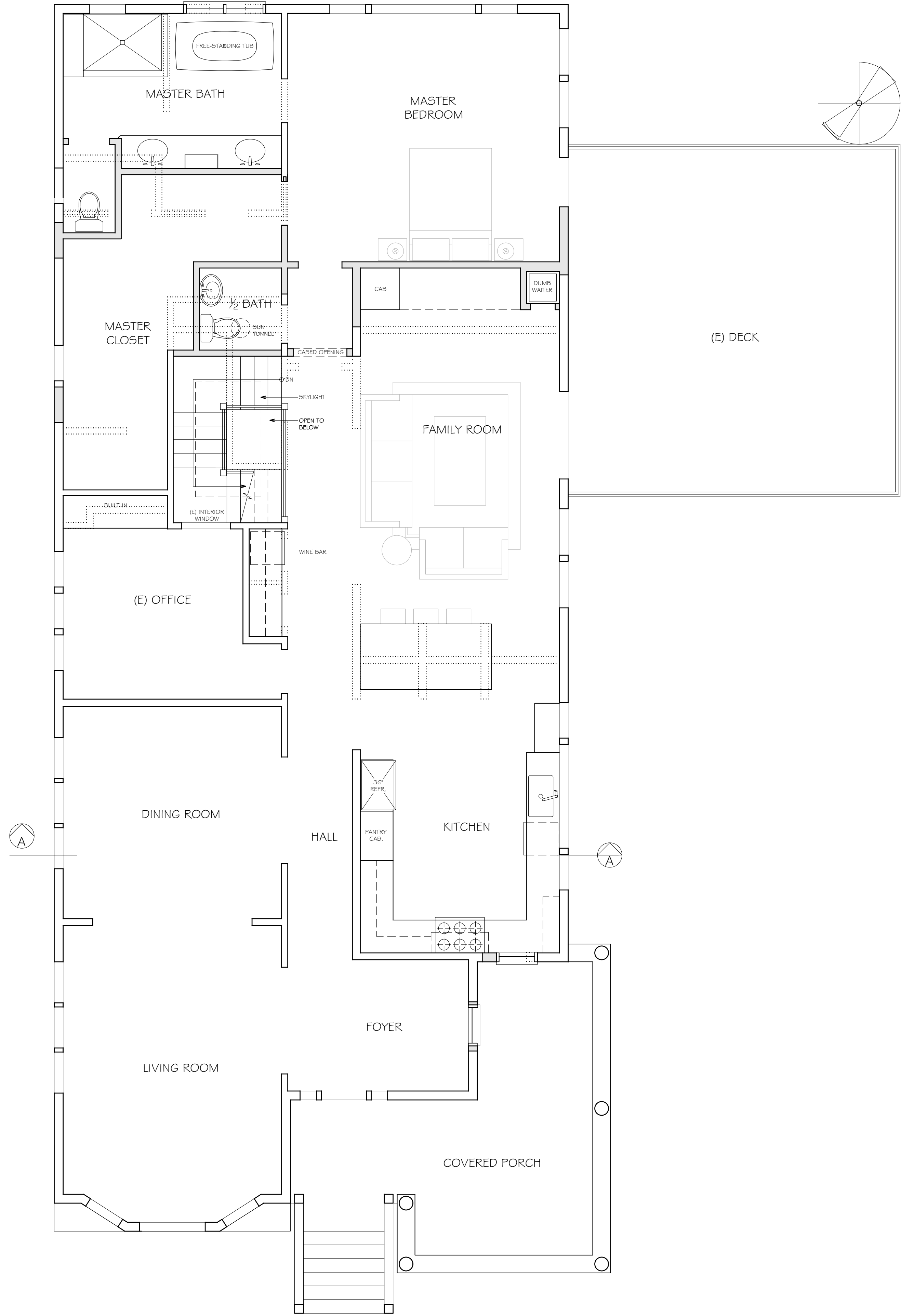
LOS GATOS ▣ CALIFORNIA

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DRAWN:	EL/CS/DB/KD
JOB:	OMIDI
SHEET	
A2	
OF 7	SHEETS



EXISTING UPPER LEVEL AND DEMOLITION PLAN

1/4"= 1'-0"



REMODELED UPPER LEVEL

1/4"= 1'-0"



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PROPOSED REMODEL

OMIDI RESIDENCE

16 PENNSYLVANIA AVENUE

LOS GATOS CALIFORNIA

DATE: 9-12-16

SCALE: AS NOTED

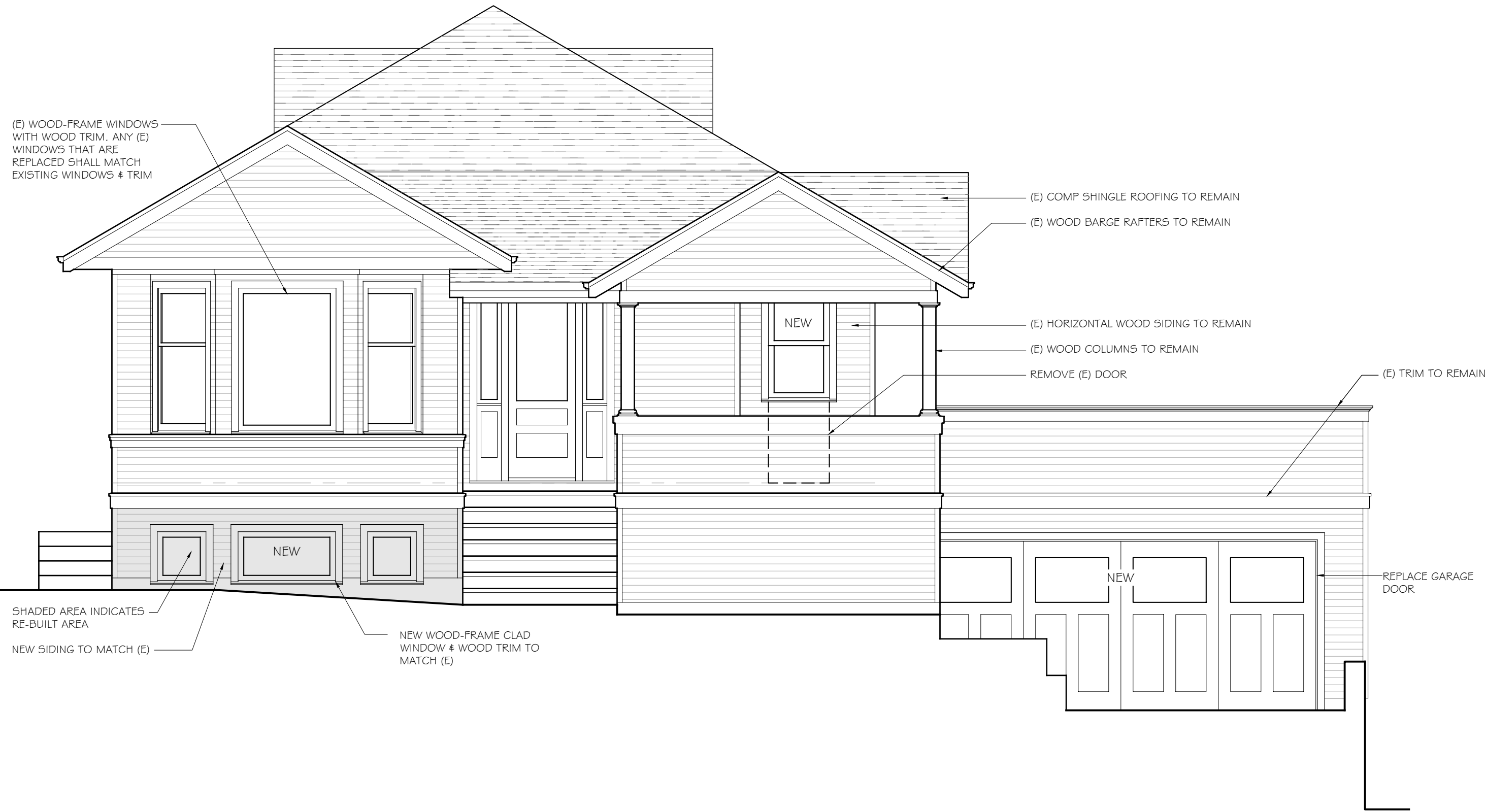
DRAWN: EL/CS/DB/KD

JOB: OMIDI

SHEET

A3

OF 7 SHEETS



REMODELED FRONT ELEVATION

1/4" = 1'-0"

NOTE: ALL COLORS ARE TO
MATCH EXISTING



EXISTING FRONT ELEVATION

1/4" = 1'-0"



REMODELED REAR ELEVATION

1/4" = 1'-0"



EXISTING REAR ELEVATION

1/4" = 1'-0"

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OMIDI RESIDENCE

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SCALE: AS NOTED

DRAWN: EL/CS/DB/KD

JOB: OMIDI

SHEET

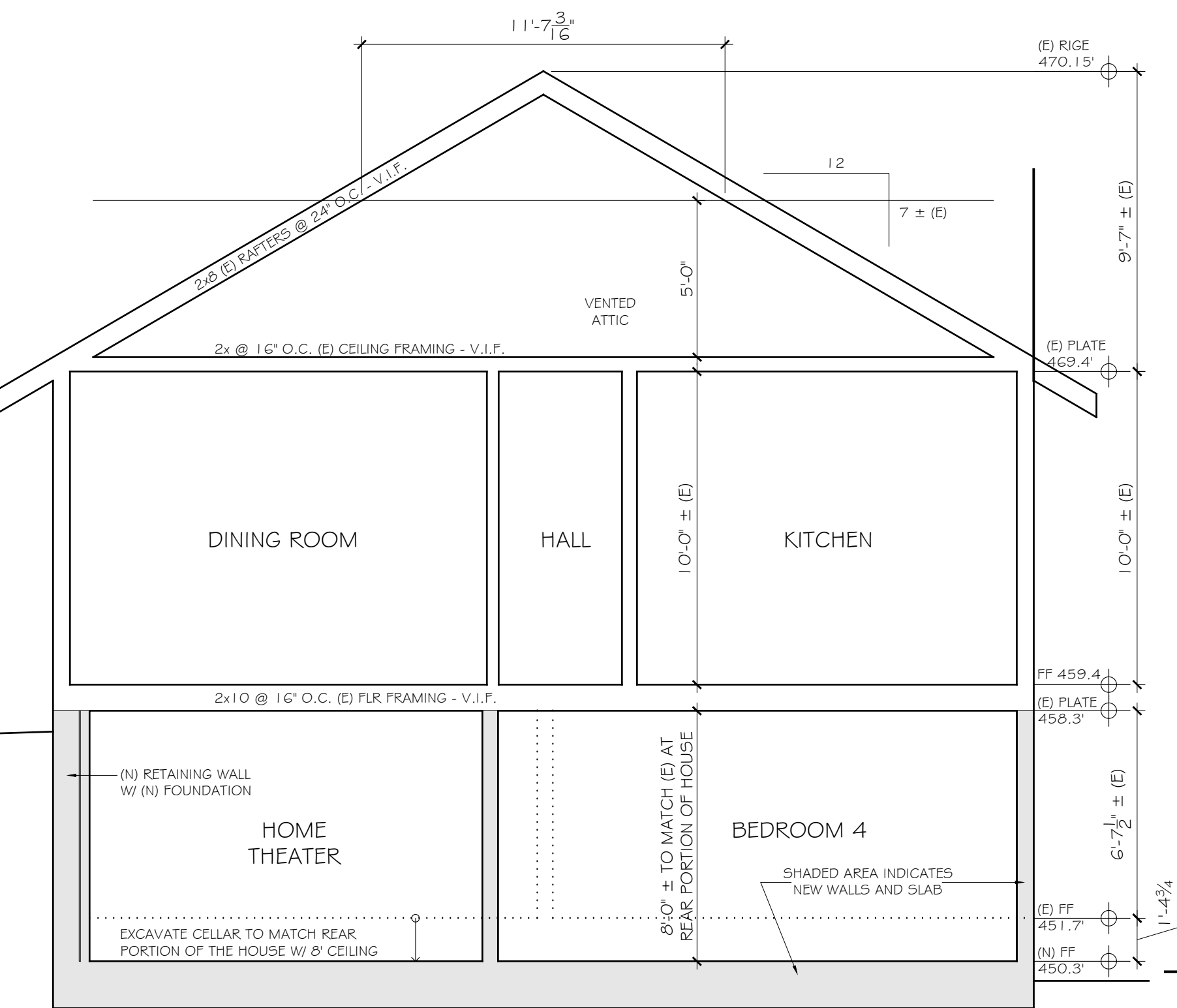
A4

OF 7 SHEETS



EXISTING LEFT-SIDE ELEVATION

1/4"= 1'-0"



SECTION A-A

1/4"= 1'-0"



REMODELED LEFT-SIDE ELEVATION

1/4"= 1'-0"

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PROPOSED REMODEL

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DRAWN:	EL/CS/DB/KD
JOB:	OMIDI
SHEET	



EXISTING RIGHT-SIDE ELEVATION

1/4"= 1'-0"



REMODELED RIGHT-SIDE ELEVATION

1/4"= 1'-0"

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SCALE: AS NOTED

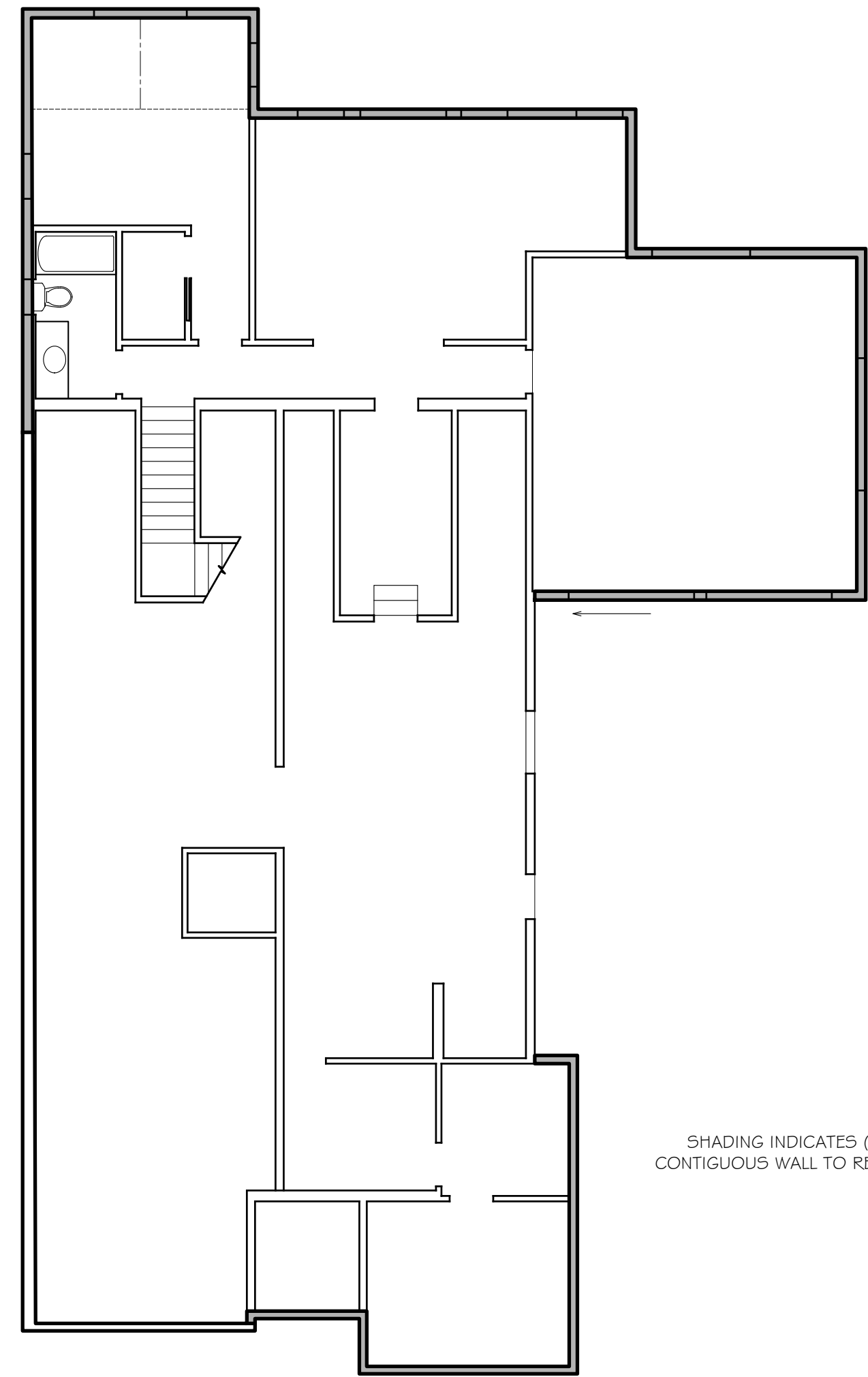
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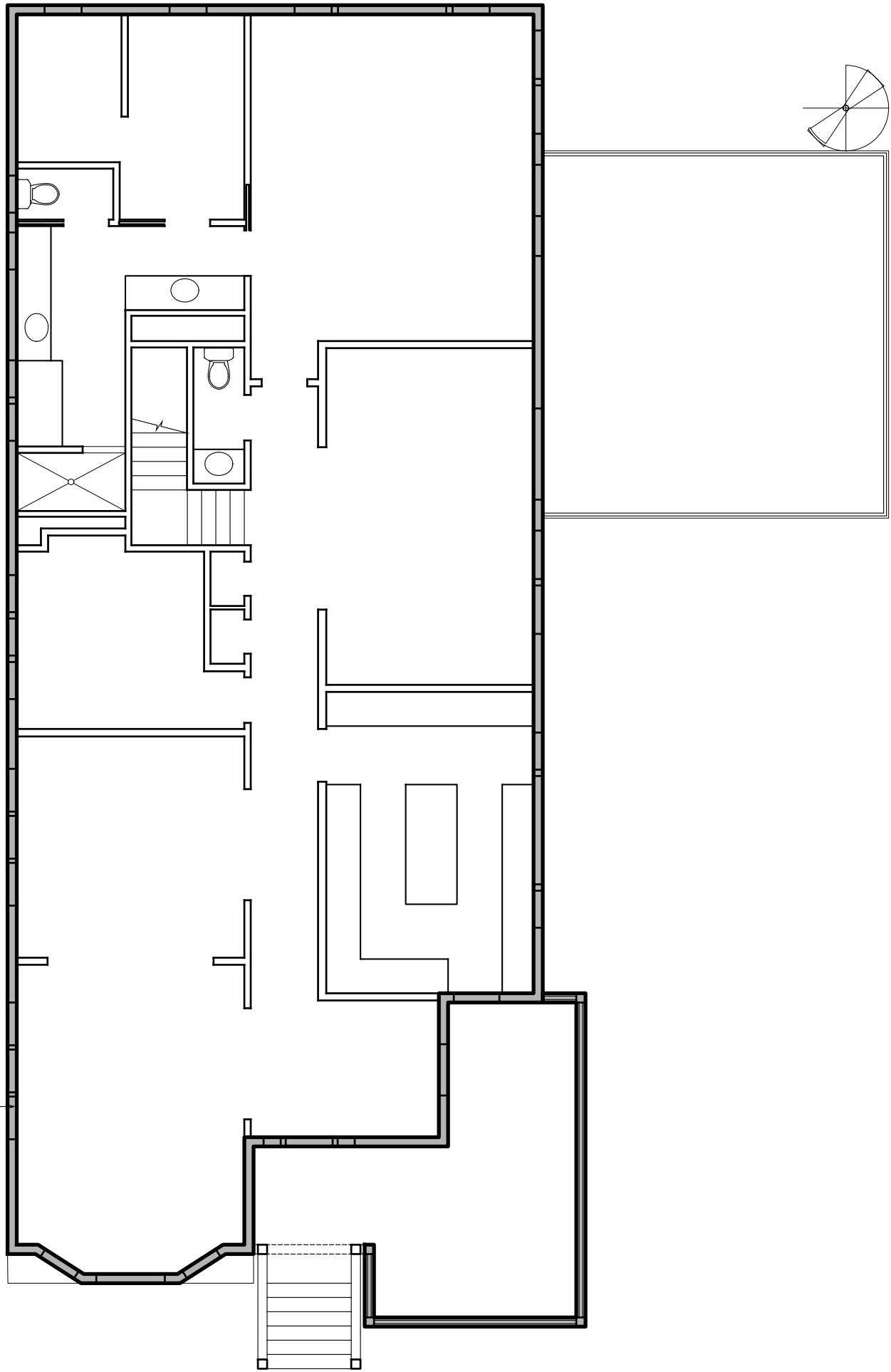
SHEET

A6

OF 7 SHEETS



EXISTING LOWER LEVEL 3/16"=1'-0"



EXISTING UPPER LEVEL 3/16"=1'-0"

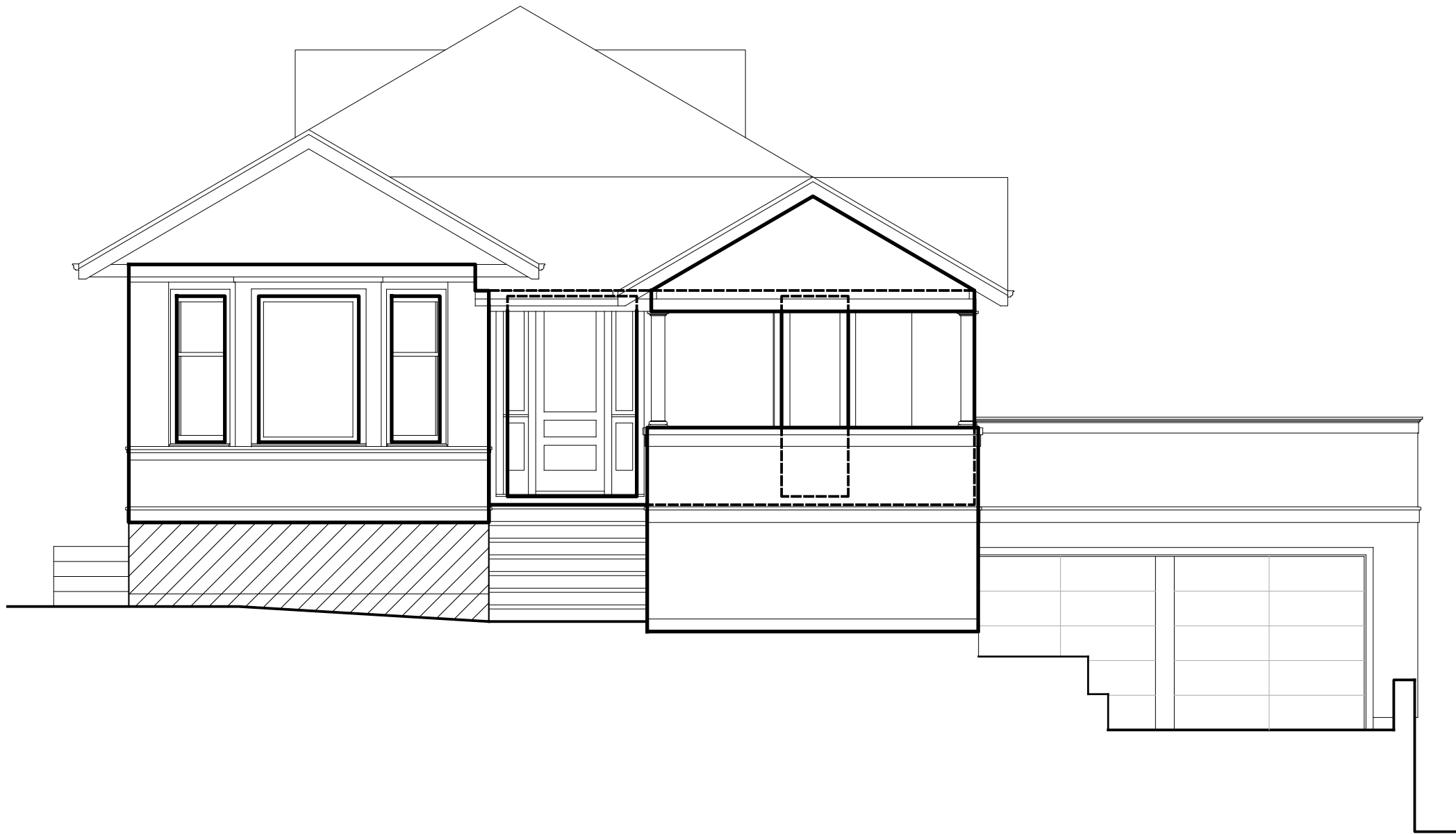
NOTE:
ALL (E) WALLS REMAIN CONTIGUOUS

INDICATES (E) WALL AREA
INDICATES WALL AREA TO BE REMOVED OR COVERED

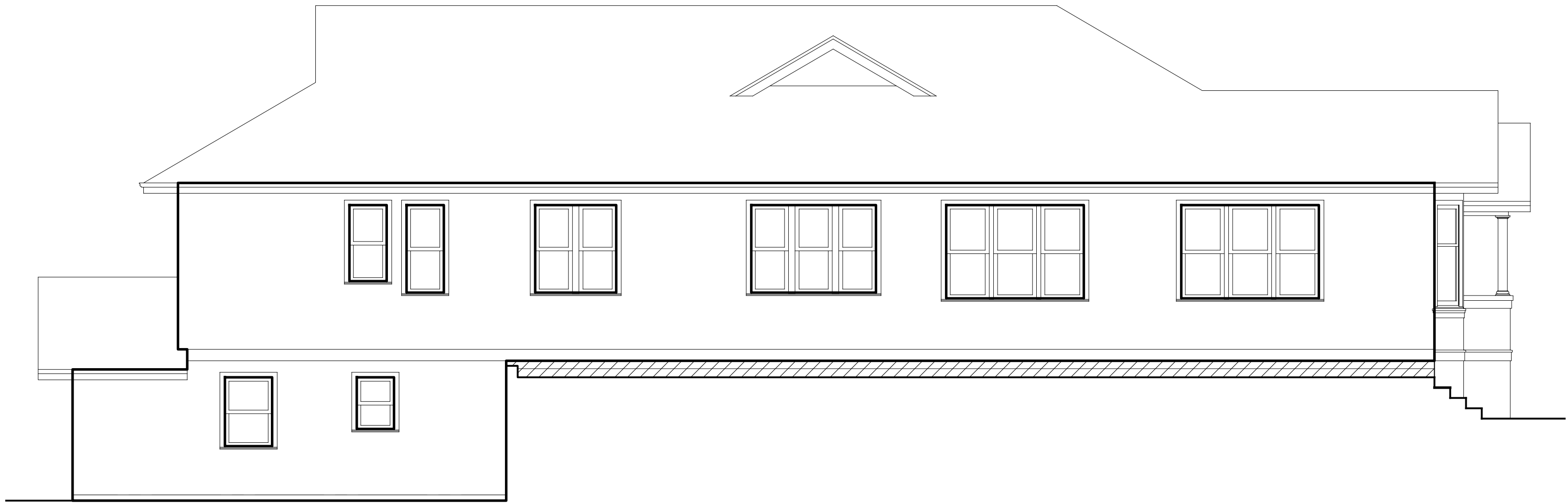
(E) FRONT-FACING WALLS AREA	AREA TO BE REMOVED	AREA TO REMAIN
316.1	51.3	264.8
(E) LEFT-FACING WALLS AREA		
821.6	51.1	770.5
(E) RIGHT-FACING WALLS AREA		
1272.9	187	1085.9
(E) REAR-FACING WALLS AREA		
577.7	0	577.7
TOTAL (E) WALL AREA	TOTAL AREA TO BE REMOVED	TOTAL AREA TO REMAIN
2988.3	289.4	2698.90 = 92.3%



EXISTING REAR ELEVATION 3/16"=1'-0"



EXISTING FRONT ELEVATION 3/16"=1'-0"



EXISTING LEFT-SIDE ELEVATION 3/16"=1'-0"



EXISTING RIGHT-SIDE ELEVATION 3/16"=1'-0"

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PROPOSED REMODEL

OMIDI RESIDENCE

16 PENNSYLVANIA AVENUE
LOS GATOS, CALIFORNIA

DATE: 9-12-16

SCALE: AS NOTED

DRAWN: EL/CS/DB/KD

JOB: OMIDI

SHEET

A7

OF 7 SHEETS