



TOWN OF LOS GATOS
PLANNING COMMISSION STAFF REPORT
Meeting Date: October 14, 2015

ITEM NO: 2

PREPARED BY: Erin M. Walters, Associate Planner
ewalters@losgatosca.gov

APPLICATION NO.: Zone Change Application Z-15-001
Architecture and Site Application S-15-018

LOCATION: **485 Monterey Avenue** (southwest corner of Monterey Avenue and Andrews Street)

**APPLICANT/
CONTACT PERSON:** Michael Black

PROPERTY OWNER: Black Real Estate Investment LLC

APPLICATION SUMMARY: Requesting approval to rezone a property from O to R-1D, to demolish an existing office building, construct a new single-family residence, construct an accessory structure with reduced setbacks, and obtain a grading permit for property zoned O. APN 410-16-026.

DEEMED COMPLETE: September 8, 2015
FINAL DATE TO TAKE ACTION: Rezoning applications are legislative acts and are therefore not governed by the Permit Streamlining Act. Architecture and Site Application: March 8, 2016.

RECOMMENDATION: Recommend approval of the proposed zone change and Architecture and Site Application to the Town Council.

PROJECT DATA:

General Plan Designation:	Medium Density Residential, 5-12 dwelling units per acre
Zoning Designation:	Office, O
Applicable Plans & Standards:	General Plan Residential Design Guidelines
Parcel Size:	9,000 sq. ft.
Surrounding Area:	

	Existing Land Use	General Plan	Zoning
North	Residential	Medium Density Residential	R-1D
East	Residential	Medium Density Residential	O
South	Residential	Medium Density Residential	R-1D
West	Residential	Medium Density Residential	R-1D

CEQA: The zone change is Exempt (Statutory) according to Section 21083.3 of the State Environmental Guidelines as adopted by the Town because the project is consistent with the General Plan and an EIR was certified with respect to the General Plan.

The Architecture and Site application 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 by Section 21083.3 of the State Environmental Guidelines as adopted by the Town that the zone change is Statutorily Exempt.
- As required, pursuant to the adopted Guidelines for the Implementation of the California Environmental Quality Act, the Architecture and Site application is Categorically Exempt, Section 15303: New Construction or Conversion of Small Structures.
- That the zone change is consistent with the General Plan.
- That the project is consistent with the Residential Design Guidelines.

CONSIDERATIONS:

- As required by Section 29.20.150 of the Town Code for Architecture and Site applications.

ACTION: Forward a recommendation to the Town Council for approval of the proposed zone change and Architecture and Site application.

EXHIBITS:

1. Location Map
2. Findings and Considerations
3. Recommended Conditions of Approval (10 pages)
4. Draft Ordinance (two pages), includes Exhibit A
5. Project Data Sheet (one page)
6. Project Description and Letter of Justification (two pages), received August 28, and September 8, 2015, respectively
7. Project Zoning Map (one page)
8. Project General Plan Map (one page)
9. Architectural Consultant Reports, received April 20, 2015 (five pages), June 3, 2015 (six pages), and August 19, 2015 (six pages).
10. Applicant's Response to the Consulting Architect's Report, received August 28, 2015 (one page)

11. Materials, received August 28, 2015 (one page)
12. Consulting Arborist's Reports, received March 31, 2015 (26 pages), May 19, 2015 (four pages), and August 24, 2015 (three pages)
13. Applicant's Responses to the Consulting Arborist's Report, received July 28, 2015 (one page) and August 28, 2015 (one page each)
14. Letter of Support, received September 3, 2015 (one page)
15. Neighborhood Streetscape, received September 8, 2015 (one page)
16. Previous Submittals - Elevations, received March 5, 2015 (two pages), May 11, 2015 (two pages), and July 28, 2015 (two pages).
17. Development Plans, received September 17, 2015 (15 pages)

BACKGROUND:

The applicant is proposing to rezone a 9,000 square foot parcel from O (Office) to R-1D (Single Family Residential, Downtown). The property is bordered to the north, south, and west by properties with R-1D zoning designations (see Exhibit 7). Four properties to the east of the subject property are zoned O and consist of three single-family residences and one office building. Properties along Monterey Avenue and Andrews Street, including the subject parcel, have a General Plan Designation of Medium Density Residential (5-12 units per acre) (see Exhibit 8). The parcel contains a single-story medical office building that was built in the 1960s. The applicant proposes to demolish the office building and construct a two story single-family residence with a detached garage.

Initially the applicant applied for a Conditional Use Permit (CUP) to allow a residential use in an Office zone. In 1997, the three properties located across the street from the subject property on Monterey Avenue were approved through a CUP application process to allow residential uses. However, after recent feedback from the Planning Commission on the preference to rezone non-residential properties to make them consistent with their General Plan designation staff encouraged the applicant apply for a rezone of the property. The applicant modified their application and is requesting to rezone the property.

The applicant is also requesting approval of an Architecture and Site Application for a new two-story residence.

PROJECT DESCRIPTION:

A. Location and Surrounding Neighborhood

The project site is 485 Monterey Avenue which is located at the southwest corner of Monterey Avenue and Andrews Street (see Exhibit 1). The surrounding properties include numerous single-family residences with a couple of duplexes, and multi-family buildings. There are a couple of office buildings to the south on Monterey Avenue.

B. Project Summary

The applicant is requesting to rezone the parcel from O to R-1D. The applicant is also requesting to demolish the existing commercial building and construct a new two-story 2,853-square foot house and a 774-square foot detached garage with reduced setbacks (see Exhibit 5).

ANALYSIS:

A. Zone Change

The subject office zoned parcel at the corner of Monterey Avenue and Andrews Street is surrounded to the north, south and west by R-1D zoned parcels and residential uses. To the east of the subject parcel there are four office zoned parcels (see Exhibit 7). Three of the office zoned parcels have Conditional Use Permits for residential uses and have two-story single-family residences. The existing office use is among the surrounding residential parcels. There are office zoned parcels located to the south of the subject property with office uses. The proposed zone change would be compatible with the neighborhood. The zone change would also make the property consistent with the General Plan (as discussed below).

Single-family residences are permitted in office zones with a Conditional Use Permit. However, the allowed setbacks for the office zone are not consistent with the residential setbacks allowed in the surrounding residential zones.

Single-Family Residential Setbacks			
Zone	Front	Side	Rear
R-1D	15 feet	5 feet	20 feet
O	25 feet	10 feet	20 feet

If the zone change is approved, the existing office building will become non-conforming which is permitted by the Town Code for zone changes. Pursuant to Town Code Section 29.10.200(a), the nonconforming UBC Type 5 office building is older than 25 years, and therefore is required to conform with the rules of the new zone if the zone change is approved. The building is not occupied, and, therefore pursuant to Town Code Section 29.10.190, if the office use is discontinued for 30 consecutive days following the approval of the zone change, the use is not permitted to be resumed. Staff has included a condition of approval requiring the applicant to make the building conform to the zone within one year of approval of the zone change and will not issue any business license for an office use to ensure the use is discontinued.

The applicant is proposing to demolish the existing office building and construct a single-family home which requires Architecture and Site approval.

B. Architecture and Site Application

The applicant is proposing to construct a 2,853-square foot two-story single-family residence. The project includes a detached 774-square foot two car garage with three foot setbacks. The proposed detached garage setbacks are compatible with other detached garage setbacks in the surrounding neighborhood. The applicant has provided a letter of justification for the proposed rezone, construction of the two-story residence and other aspects of the applications (see Exhibit 6).

The applicant is proposing a two-story craftsman style home (see Exhibit 15 and 17). The proposed residence is a maximum height of 29 feet, 1.5 inches. Materials would consist of shingle siding, stone veneer, a composition roof, a wraparound front porch with a standing seam metal roof and wood porch columns with a stone base (see Exhibit 11). A color and materials board will be displayed at the meeting.

The Consulting Architect initially reviewed the proposed plans, visited the site and determined the proposed two-story Victorian Farmhouse style was not compatible in massing or scale with the two story homes in the surrounding neighborhood (Exhibit 9). The applicant worked with staff and the Consulting Architect's recommendations to propose a new design that would be compatible with the neighborhood and meet the Town's Residential Design Guidelines. Including the initial design, the Consulting Architect reviewed three different design iterations provided by the applicant (see Exhibit 16). The Consulting Architect prepared a report addressing each of the design proposals and provided recommendations (see Exhibit 9).

The applicant responded to the Consulting Architect's final recommendations in writing (see Exhibit 10). The following outlines the Consulting Architect's recommendations and the applicant's response in italics.

1. Lower Porch and First Floor Plate Height

The Town's Consulting Architect believes the porch and first floor plate height should be lowered to a uniform nine-foot elevation.

The applicant states that the most current two-story projects have a nine-foot first floor and a nine-foot second floor plate height. The proposed design of a 10-foot first floor and eight-foot second floor plate height would still have the same overall building height. The applicant reduced the finished floor level by 6-inches, lowering the overall house on the site, and within the allowable maximum height (see Exhibit 17). Details such as the broader wrapped entry porch, heavy column base, upper level bay window seat bump outs that are not stacked on the first floor bays all help reduce the overall bulk and mass and anchor the house to the site. The roof pitch has been reduced to provide a more consistent look with other "Craftsman" styled homes in the neighborhood.

Based on the context of the neighborhood which includes a mix of homes with 9 feet floor plates and 10 foot floor plates, and the applicant lowering the finished floor level both the consulting architect and staff are able to support the proposed porch and first floor plate height.

2. Roofing Material

The Town's Consulting Architect recommends matching the front porch roofing material, standing seam metal, to the other main house composition roofing.

The applicant states the current design proposes a metal roof detail at the porch areas only, drawing attention to the lower and more transparent element. The design detail is consistent with current interpretation of a more updated "Craftsman" aesthetic. The change in materials lends further character for the home, separating it as custom rather than spec in nature by the use of more robust and unique materials (see Exhibit 17).

Staff can support the combination of roof materials as the use of roof materials and mixes of roof materials are consistent with the architectural style selected.

3. Siding

The Town's Consulting Architect recommends utilizing mitered shingles at all corners to soften the appearance of the large house.

The applicant modified the design to incorporate the use of mitered shingles (see Exhibit 17).

4. Windows

The Town's Consulting Architect recommends the applicant providing a sample of the window, and examine the details to ensure that the divided panels are consistent, or equal to, the photo example provided on page 48 of the Residential Design Guidelines.

The applicant provided that the windows incorporate a simple mullion pattern at the top of the windows only, again lending a more custom look and giving the building some detail. The windows will be aluminum clad exterior/painted wood interior (see Exhibit 11).

After the applicant provided a sample both the Consulting Architect and staff found the proposed windows to meet the Residential Design Guidelines and the high quality of the building materials.

C. Neighborhood Compatibility

Based on the Town and County records, the residences in the immediate neighborhood range in size from 1,010 to 2,860 square feet. The FAR ranges from 0.11 to 0.33. The applicant is proposing a 2,853 square foot home (not including the garage square footage) on a 9,000 square foot parcel. The maximum allowed square footage for the lot size is 2,862 square feet.

The Neighborhood Analysis table below reflects the current conditions in the immediate neighborhood.

Address	House SF	Garage SF	Lot Size SF	House FAR	Stories
461 Monterey Ave. <i>Single Family</i>	2,767	480	9,000	0.31	2
477 Monterey Ave. <i>Single Family</i>	1,010	0	9,000	0.11	1
480 Monterey Ave. <i>Single Family</i>	2,860	441	9,000	0.32	2
482 Monterey Ave. <i>Single Family</i>	2,410	441	7,405	0.33	2
484 Monterey Ave. <i>Single Family</i>	2,408	441	7,405	0.33	2
500 Monterey Ave. <i>Duplex</i>	2,842	0	9,000	0.32	1
501 Monterey/ 306 Andrews St. <i>Multi-Family</i>	3,470	0	9,000	0.39	2 & 1
370 Andrews St./ 470 San Benito <i>Multi-Family</i>	5,348	0	9,000	0.59	1 & 2
500 San Benito <i>Duplex</i>	1,742	360	9,000	0.19	1
485 Monterey Ave. <i>(E) Office</i>	1,506	0	9,000	0.17	1
485 Monterey Ave. <i>(P) Single-Family</i>	2,853	774	9,000	0.32	2

**The shaded properties are duplex and multi-family residences and are a different housing type than the proposed single-family project.*

At 2,853 square feet, the residence would be the second largest single-family house based on square footage and the third largest single-family house based on FAR in the immediate neighborhood.

D. Tree Impacts

The existing site has 12 protected trees as defined by the Town Code. Per the Consulting Arborist's report dated March 31, 2015, "most of the trees are not in good condition and no tree has better than a "Fair/Good" preservation suitability. Several of the trees are causing significant pavement damage" (see Exhibit 12). Initially the applicant had proposed to incorporate three of the existing trees into the proposed site plan and

landscape plan. However, upon further review of the Consulting Arborist's report, the condition of the existing trees, the allowable building envelope on this parcel, and the site constraints the applicant has proposed to remove all trees from the site (see Exhibit 13).

The applicant will provide tree replacement pursuant to the Town Code requirements (Exhibit 3). The Consulting Arborist recommends in the report dated August 23, 2015 that not all of the replacement trees be planted on the small project site. The intent is not to overcrowd the site with trees. The Consulting Arborist recommends a licensed landscape architect be hired to select appropriate tree species and placement for the site. In-lieu fees will be required for any required replacement trees that cannot be accommodated on the site.

E. General Plan

The proposed project conforms with the existing General Plan Designation of Medium Density Residential (5-12 dwelling units per acre).

The goals and policies of the 2020 General Plan applicable to this project include but are not limited to:

- Goal LU-6 – To preserve and enhance the existing character and sense of place in residential neighborhoods.
- Policy LU-6.5 – The type, density, and intensity of new land uses shall be consistent with that of the immediate neighborhood.

F. CEQA Determination

The zone change is Statutorily Exempt according to Section 21083.3 of CEQA as adopted by the Town, which exempts projects that are consistent with the General Plan where an EIR was certified with respect to the General Plan, and there are no effects on the environment peculiar to the parcel or new information that shows impacts will be more significant than shown in the EIR.

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

PUBLIC COMMENTS:

At this time, the Town has received one public comment. The applicant has provided a letter of support from the property owner of 477 Monterey Avenue, the neighboring property to the south

(see Exhibit 14). The applicant sent a letter describing the project and a copy of the proposed plans to surrounding neighbors.

SUMMARY AND RECOMMENDATION:

A. Summary

The zone change would be beneficial to the neighborhood since development of a single-family residence on the subject property would enhance the surrounding residential neighborhood and, with the zone change, match the setbacks required on the adjacent residential properties. In addition, replacing the existing office use with a single-family residence would reduce traffic impacts, parking requirements and provide an additional housing unit.

The proposed zone change would also make the property consistent with the General Plan land use designation for the subject site and complies with the goals and policies within the General Plan as noted above.

The proposed Architecture and Site application meets all zoning requirements and complies with the Residential Design Guidelines. The proposed residence is well designed, is an appropriate size for the lot, and would be compatible with the surrounding homes in the immediate neighborhood.

Staff recommends that the applications be forwarded to the Town Council with a recommendation of approval as outlined in the recommendation sections below.

B. Rezone Recommendation

If the Commission finds merit with the proposed zone change, staff recommends the Planning Commission take the following actions:

1. Find that the proposed project is Statutorily Exempt pursuant to Section 21083.3 of the State Environmental Guidelines as adopted by the Town (Exhibit 2); and
2. Find that the proposed zone change is consistent with the General Plan (Exhibit 2), and
3. Forward the Draft Ordinance (Exhibit 4) to the Town Council with a recommendation of approval with the recommended conditions of approval in Exhibit 3.

If the Commission has concerns with the zone change application, it can forward a recommendation to deny the application to the Town Council.

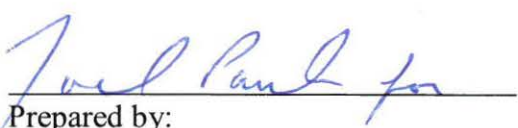
C. Architecture and Site Application Recommendation

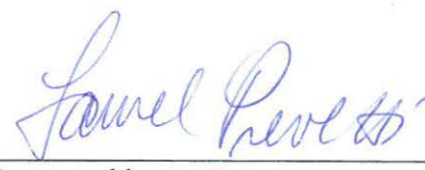
If the Planning Commission finds merit with the proposed project, it should:

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 29.10.09030(e) of the Town Code for granting approval of a demolition of a commercial building (Exhibit 2); and
3. Make the finding that the project complies with the Residential Design Guidelines (Exhibit 2); and
4. Make the required considerations as required by Section 29.20.150 of the Town Code for granting approval of an Architecture & Site application (Exhibit 2); and
5. Forward a recommendation to Town Council to approve Architecture and Site Application S-15-018 with the conditions contained in Exhibit 3 and development plans attached as Exhibit 17.

If the Commission has concerns with the proposed project, it can:

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


Prepared by:
Erin M. Walters
Associate Planner


Approved by:
Laurel R. Prevetii
Town Manager/Community Development
Director

LRP:EW:cg

cc: Michael Black, Black Real Estate Investments LLC, 15651 Glen Una Drive, Los Gatos, CA 95030
Elizabeth Wiersema, Studio Three Design, 1585 The Alameda Suite 200, San Jose CA 95126

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485 Monterey Avenue



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PLANNING COMMISSION – *October 14, 2015*
REQUIRED FINDINGS AND CONSIDERATIONS FOR:

485 Monterey Avenue
Zone Change Application Z-15-001
Architecture and Site Application S-15-018

Requesting approval to rezone a property from O to R-1D, to demolish an existing office building, construct a new single-family residence, construct an accessory structure with reduced setbacks, and to obtain a grading permit for property zoned O. APN 410-16-026.

PROPERTY OWNERS: Black Real Estate Investment LLC

APPLICANT: Michael Black

FINDINGS:

Required finding for CEQA:

- The zone change is Statutorily Exempt according to Section 21083.3 of CEQA as adopted by the Town, in that it is compatible with the existing general plan and the adopted EIR for the existing General Plan.
- The architecture and site application 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 consistency with the Town's General Plan:

- That the proposed Zone Change is consistent with the General Plan and its Elements in that the proposed zoning is consistent with the existing General Plan designation.

Required findings for demolition:

- 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 increased by one housing unit;
 2. The structure has no historic significance;
 3. The property owner does not desire to maintain the structure due to its current condition; and
 4. The economic utility of the structure is limited due to its condition.

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:

Required considerations in review of Architecture and Site applications:

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

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PLANNING COMMISSION – October 14, 2015
CONDITIONS OF APPROVAL

485 Monterey Avenue

Zone Change Application Z-15-001

Architecture and Site Application S-15-018

Requesting approval to rezone a property from O to R-1D, to demolish an existing office building, construct a new single-family residence, construct an accessory structure with reduced setbacks, and to obtain a grading permit for property zoned O. APN 410-16-026.

PROPERTY OWNERS: Black Real Estate Investment LLC

APPLICANT: Michael Black

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 September 17, 2015. 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 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. 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. **REPLACEMENT TREES:** Replacement trees shall be planted for trees being removed. The number and size of new trees shall be determined using the canopy replacement table in the Town's Tree Protection Ordinance. Required trees shall be planted prior to final inspection.
7. **ARBORIST REQUIREMENTS:** The developer shall implement, at their cost, all recommendations made by Deborah Ellis, MS., identified in the Arborist's reports dated as received March 31, 2015, May 19, 2015, and August 24, 2015, 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.
8. **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. Refer to tree fencing requirements and other protection measures identified in the Arborist's reports dated as received March 31, 2015, May 19, 2015, and August 24, 2015, on file in the Community Development Department. Include a tree protection plan with the construction plans.

9. **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.
10. **LANDSCAPE INSTALLATION:** Prior final occupancy front yard landscaping must be installed.
11. **ARCHITECTURAL CONSULTANT REQUIREMENTS:** The developer shall implement, at their cost, the recommendation made by Cannon Design Group, identified in the Architectural Consultant reports, dated as received April 20, 2015, June 3, 2015, and August 19, 2015 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 recommendation has or will be addressed. This recommendation must be incorporated in the building permit plans, and completed prior to issuance of a building permit
12. **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.
13. **STORY POLES:** The story poles on the project site shall be removed within 30 days of approval of the Architecture & Site application.
14. **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.
15. **COMPLIANCE MEMORANDUM:** 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

16. **PERMITS REQUIRED:** A Demolition Permit shall be required for the demolition of the existing office building and a Building Permit shall be required for the construction of the new single-family residence and a separate Building Permit for the detached garage. Separate permits are required for electrical, mechanical, and plumbing work as necessary.
17. **CONDITIONS OF APPROVAL:** The Conditions of Approval must be blue-lined in full on the cover sheet of the construction plans. A Compliance Memorandum shall be prepared and submitted with the building permit application detailing how the Conditions of Approval will be addressed.
18. **SIZE OF PLANS:** Four sets of construction plans, minimum size 24" x 36", maximum size 30" x 42".

19. **DEMOLITION REQUIREMENTS:** 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 engineering specializing in soils mechanics.
21. **FOUNDATION INSPECTIONS:** A pad certificate prepared by a licensed civil engineer or land surveyor shall be submitted to the project building inspector at foundation inspection. This certificate shall certify compliance with the recommendations as specified in the soils report, and that the building pad elevation 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
22. **RESIDENTIAL TOWN ACCESSIBILITY STANDARDS:** The residence 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.
 - b. All passage doors shall be at least 32-inches wide on the accessible floor.
 - c. Primary entrance shall be a 36-inch wide door including a 5'x5' level landing, no more than 1/2-inch out of plane with the immediate interior floor level with an 18-inch clearance at interior strike edge.
 - d. Door buzzer, bell, or chime shall be hard wired at primary entrance.
23. **TITLE 24 ENERGY COMPLIANCE:** All required California Title 24 Energy Compliance Forms must be blue-lined, i.e. directly printed, onto a plan sheet.
24. **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.
25. **TOWN FIREPLACE STANDARDS:** New wood burning fireplaces shall be an EPA Phase II approved appliance as per Town Ordinance 1905. Tree limbs shall be cut within 10-feet of Chimney.
26. **FIRE ZONE:** The project requires a Class A Roof assembly.

27. 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
28. BLUE PRINT FOR A CLEAN BAY SHEET: The Town standard Santa Clara County Valley Nonpoint Source Pollution Control Program Sheet (24x36) 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.
29. APPROVALS REQUIRED: The project requires the following departments and agencies approval before issuing a building permit:
 - a. Community Development – Planning Division: Erin Walters at (408) 354-6867
 - b. Engineering/Parks & Public Works Department: Mike Weisz at (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.
 - f. Bay Area Air Quality Management District: (415) 771-6000

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

Engineering Division

30. GENERAL: All public improvements shall be made according to the latest adopted Town Standard Drawings and the Town Standard Specifications. All work shall conform to the applicable Town ordinances. The adjacent public right-of-way shall be kept clear of all job related dirt and 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. 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 Town performing the required maintenance at the developer's expense.
31. 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. Copies of any approvals or permits must be submitted to the Town Engineering Department prior to releasing any permit.
32. PUBLIC WORKS INSPECTIONS: The developer or his 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 rejection of work that went on without inspection.

33. **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. 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. Developer shall request a walk-through with the Engineering Construction Inspector before the start of construction to verify existing conditions.
34. **STREET/SIDEWALK CLOSURE:** Any proposed blockage or partial closure of the street and/or sidewalk requires an encroachment permit. Special provisions such as limitations on works hours, protective enclosures, or other means to facilitate public access in a safe manner may be required.
35. **INSPECTION FEES.** Inspection fees shall be deposited with the Town prior to issuance of any Permit.
36. **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.
37. **GRADING PERMIT:** Grading permit is required for all site grading and drainage work except for exemptions listed in Section 12.20.015 of the Town Grading Ordinance. The grading permit application (with grading plans) shall be made to the Engineering Division of the Parks & Public Works Department located at 41 Miles Avenue. The grading plans shall include final grading, drainage, retaining wall location, 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). A separate building permit, issued by the Building Department on E. Main Street is needed for grading within the building footprint.
38. **DRIVEWAY:** The driveway conform to existing pavement on Andrews Avenue shall be constructed such that existing drainage patterns will not be obstructed
39. **TREE REMOVAL:** Copies of all necessary tree removal permits shall be provided prior to issuance of a grading permit/building permit.
40. **PAD CERTIFICATION:** A letter from a licensed land surveyor shall be provided stating that the building foundation was constructed in accordance with the approved plans shall be provided subsequent to foundation construction and prior to construction on the structure. The pad certification shall address both vertical and horizontal foundation placement.
41. **DEDICATIONS:** The following shall be dedicated on the parcel map by separate instrument. The dedication shall be recorded before any permits are issued:
 - a. Monterey Avenue and Andrews Street: A chord of a 10-foot radius at the intersection.
42. **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.
43. **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.

44. SOILS REVIEW: Prior to issuance of any permit, 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, site grading, and site drainage are in accordance with their recommendations and the peer review comments. The applicant's soils engineer's approval shall then be conveyed to the Town either by letter or by signing the plans.
45. 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 should be documented in an "as-built" letter/report prepared by the applicants' soils engineer and submitted to the Town before final release of any occupancy permit is granted.
46. 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. Applicant is required to obtain approval of all proposed utility alignments from any and all utility service providers. The Town of Los Gatos does not approve or imply approval for final alignment or design of these facilities.
47. 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. The total asphalt thickness shall be a minimum of 3-inches or shall match the existing thickness, whichever is greater. The final lift shall be 1.5-inches of half inch medium asphalt. The initial lift(s) shall be of three quarter inch medium asphalt.
 - d. The Contractor shall schedule a pre-paving meeting with the Town Engineering Construction Inspector the day the paving is to take place.
 - e. A slurry seal topping may be required by the construction inspector depending his assessment of the quality of the trench paving. If required, the slurry seal shall extend the full width of the street and shall extend 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.
48. SIDEWALK REPAIR: The developer shall repair and replace to existing Town standards any sidewalk damaged now or during construction of this project. Sidewalk repair shall match existing color, texture and design, and shall be constructed per Town Standard Details. The limits of sidewalk repair will be determined by the Engineering Construction Inspector during the construction phase of the project.

49. CURB AND GUTTER: The developer shall repair and replace to existing Town standards any curb and gutter damaged now or during construction of this project. New curb and gutter shall be constructed per Town Standard Details. The limits of curb and gutter repair will be determined by the Engineering Construction Inspector during the construction phase of the project.
50. DRIVEWAY APPROACH: The developer shall install one (1) Town standard residential driveway approach. The new driveway approach shall be constructed per Town Standard Details.
51. CURB RAMPS: The developer shall construct one (1) curb ramp in compliance with ADA Standards.
52. THRU-CURB DRAIN: The developer shall remove the existing thru-curb drain in the right of way and replace the curb, gutter and sidewalk as necessary.
53. FENCING: Any fencing proposed within 200-feet of an intersection shall comply with Town Code Section §23.10.080.
54. SIGHT TRIANGLE AND TRAFFIC VIEW AREA: Any proposed improvements, including but not limiting to trees and hedges, will need to abide by Town Code Section 23.10.080, 26.10.065, 29.40.030.
55. 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.
56. 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.). Prior to the issuance of a building permit, the developer shall work with the Town Building and Engineering Department Engineering 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/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.
57. 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.
58. CONSTRUCTION MANAGEMENT PLAN: The Applicant shall submit a construction management plan 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.
59. 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 or reused. Sanitary Sewer Clean-out is required for each property at the property line or location specify by the Town.

60. **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 issuance of a building permit.
61. **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.
62. **SITE DESIGN MEASURES:** All projects shall incorporate 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 permeable pavement surfaces on the driveway, at a minimum.
 - e. Use landscaping to treat stormwater.
63. **DUST CONTROL:** Blowing dust shall be reduced by timing construction activities so that paving and building construction begin as soon as possible after completion of grading, and by landscaping disturbed soils as soon as possible. Further, water trucks shall be present and in use at the construction site. All portions of the site subject to blowing dust shall be watered as often as deemed necessary by the Town, or a minimum of three 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 will 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 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 25 MPH. All trucks hauling soil, sand, or other loose debris shall be covered.
64. **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 ABAG Manual of Standards for Erosion & Sediment Control Measures, 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.

65. **SITE DRAINAGE:** Rainwater leaders shall be discharged to splash blocks. 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. On-site drainage systems for all projects shall include one of the alternatives included in section C.3.i of the Municipal Regional NPDES Permit. These include storm water reuse via cisterns or rain barrels, directing runoff from impervious surfaces to vegetated areas and use of permeable surfaces. If dry wells are to be used they shall be placed 10' minimum from adjacent property line and/or right of way.
66. **SILT AND MUD IN PUBLIC RIGHT-OF-WAY:** It is the responsibility of contractor and home owner to make sure that all dirt tracked into the public right-of-way is cleaned up on a daily basis. Mud, silt, concrete and other construction debris SHALL NOT be washed into the Town's storm drains.
67. **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 storing of goods and/or materials on the sidewalk and/or the street will not be allowed unless an encroachment permit is issued by the Engineering Division. The adjacent public right-of-way shall be kept clear of all job related dirt and debris at the end of the day. 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. 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 Town performing the required maintenance at the developer's expense.
68. **COVERED TRUCKS:** All trucks transporting materials to and from the site shall be covered.

TO THE SATISFACTION OF THE SANTA CLARA COUNTY FIRE DEPARTMENT:

69. **FIRE SPRINKLERS 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 in 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 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.
70. **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).

71. 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.
72. 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.

ORDINANCE

ORDINANCE OF THE TOWN OF LOS GATOS AMENDING THE ZONING MAP FROM O TO R-1D FOR PROPERTY LOCATED AT 485 MONTEREY AVENUE (APN: 410-16-026)

THE TOWN COUNCIL OF THE TOWN OF LOS GATOS DOES ORDAIN AS FOLLOWS:

SECTION I

The Zoning Map of the Town of Los Gatos is hereby amended to change the zoning on property located at 485 Monterey Avenue (Santa Clara County Assessor Parcel Number 410-16-026) as shown on the map attached hereto as Exhibit A, from O (Office) to R-1D (Single Family Residential Downtown). The following condition must be complied with before issuance of any grading, or construction permits:

TO THE SATISFACTION OF THE DIRECTOR OF COMMUNITY DEVELOPMENT:

(Planning Division)

1. **CONFORMANCE WITH ZONE.** The existing nonconforming office building shall conform to the new zoning requirements within one year of adoption of the zone change.

EXHIBIT 4

SECTION II

This Ordinance was introduced at a regular meeting of the Town Council of the Town of Los Gatos on _____, 2015, 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 _____, 2015. This ordinance takes effect 30 days after it is adopted.

COUNCIL MEMBERS:

AYES:

NAYS:

ABSENT:

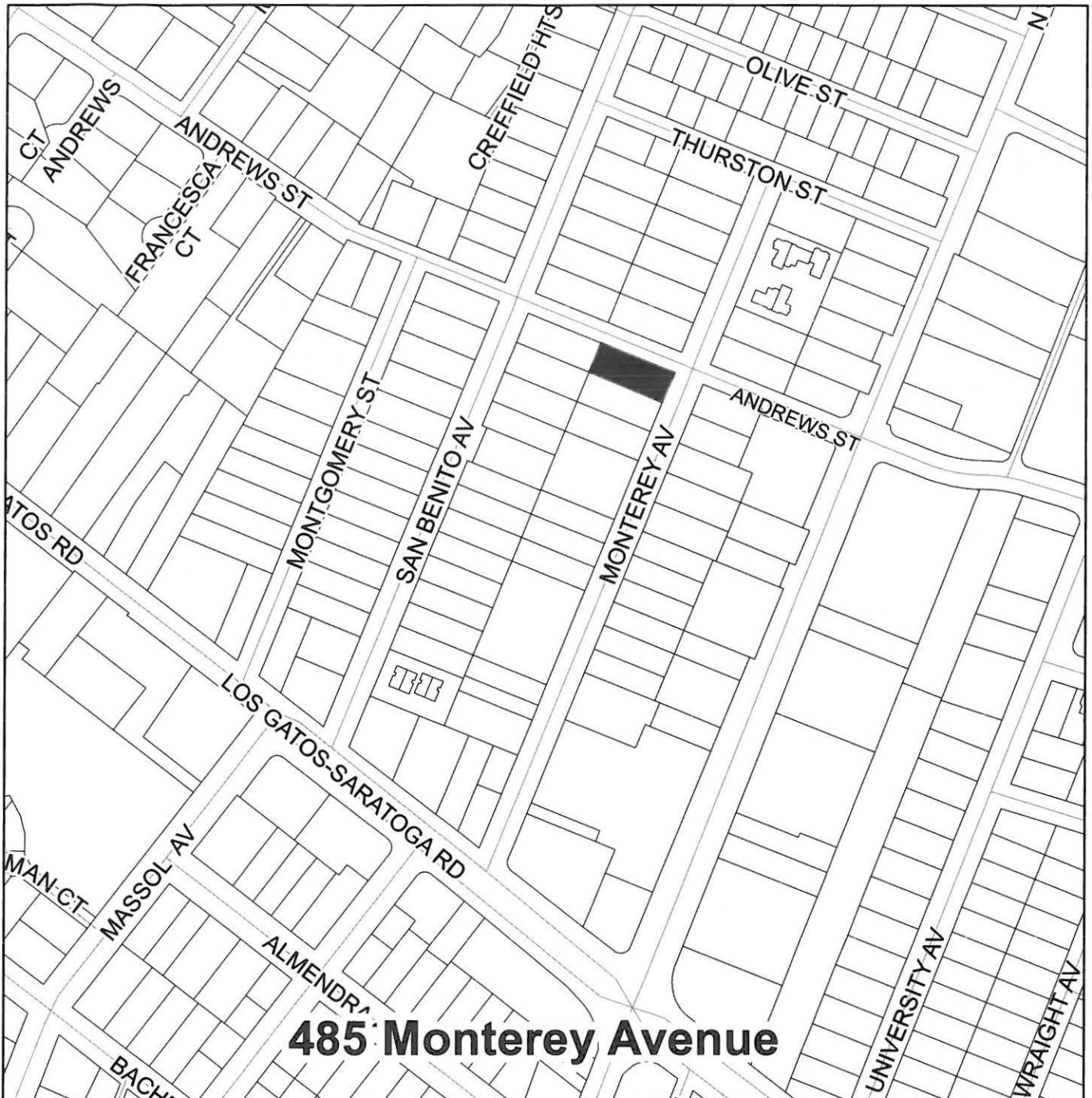
ABSTAIN:

SIGNED:

MAYOR OF THE TOWN OF LOS GATOS
LOS GATOS, CALIFORNIA

ATTEST:

CLERK ADMINISTRATOR OF THE TOWN OF LOS GATOS
LOS GATOS, CALIFORNIA



485 Monterey Avenue

TOWN OF LOS GATOS

Application No. Z-15-001

A.P.N. # 410-16-026

Change of zoning map amending the Town Zoning Ordinance.

☒ Zone Change

From: O To: R-1D

☐ Prezoning



Forwarded by Planning Commission

Date:

Approved by Town Council

Date:

Ord:

Clerk Administrator

Mayor

EXHIBIT A
of Exhibit 4

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485 Monterey Avenue - PROJECT DATA

	EXISTING CONDITIONS	PROPOSED PROJECT	REQUIRED/ PERMITTED
Zoning district	Office	R-1D	Rezone
Land use	Medical Office	Single Family	Architecture and Site Application
General Plan Designation	Medium Density Residential	Same	-
Lot size			
• square feet	9,000 s.f.	Same	5,000 sq. ft. minimum
Exterior materials:			
• siding	Painted Brick and Stucco	Cedar Shingles, Stained	-
• trim	Wood	Wood	-
• windows	Aluminum	Aluminum Clad/Wood Interior	-
• roofing	Gravel	Composition Asphalt/Metal Standing Seam Roof	-
Building floor area:			
• first floor	1,506 sq. ft.	1,709 sq. ft.	-
• second floor	0 sq. ft.	1,144 sq. ft.	-
• countable attic	0 sq. ft.	0 sq. ft.	
• total	1,506 sq. ft.	2,853 sq. ft. 0.32 FAR	2,862 sq. ft. maximum 0.32 FAR
• garage	0 sq. ft.	774 sq. ft.	776 sq. ft. maximum per 15% accessory structure coverage
Setbacks (ft.):			
• front	9 ft.	16 ft.-6 in.	15 ft. minimum
• rear	79 ft.	71 ft.-6 in. for main residence 3 ft. for accessory structure	20 ft. minimum for main residence 5 ft. min. for accessory structure 3 ft reduced setback requested
• street side	4 ft.	13 ft.- 8 in.	10 ft. minimum
• side	27 ft.	5 ft.	5 ft. minimum
Maximum height (ft.)	15 ft.	29 ft- 1-1/2 in.	30 ft. maximum
Parking	9 surface spaces	2 garage spaces	2 spaces minimum
Sewer or septic	Sewer	Sewer	-

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Peninsula Builders

GENERAL CONTRACTOR

334 Santana Row, #225, San Jose, CA 95128

(408) 219-4421 • Fax (408) 354-7415

License # 934939

485 MONTEREY AVENUE, LOS GATOS

Proposed Project

2-15-001
5-15-08
RECEIVED

AUG 28 2015

TOWN OF LOS GATOS
PLANNING DIVISION

Dear Staff,

The following is a description of the proposed project at 485 Monterey Avenue in Los Gatos. We propose to rezone the existing medical office to single family residential. Single family residential is consistent with the General Plan. The plans are to demolish the existing medical building, parking lot, hardscape and existing landscape.

Our proposed project consists of a custom two story home that includes a two-car detached garage. The updated craftsman design is consistent with the existing neighborhood as we will be using shingle siding, exterior stone veneer and a large wraparound porch. The second story setbacks and front porch are used to reduce the sizing of the home.

The landscape plans show an inviting front yard focusing on the wraparound porch. Along Andrews Street the 6 foot fence is setback to allow for a planting strip between the fence and sidewalk. We feel this landscape will increase the visibility to the street and provide an inviting portrait to the neighborhood.

Our goal is to transform the current dilapidated medical office into a beautiful new home for the surrounding neighborhood. Please feel free to call or email me with any questions. I can be reached at 408-219-4421 or michael@peninsulabuildersinc.com.

Sincerely,

Michael Black

EXHIBIT 6

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PENINSULA BUILDERS & DEVELOPMENT

485 MONTEREY AVENUE, LOS GATOS
Letter of Justification

RECEIVED

SEP 08 2015

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

TOWN OF LOS GATOS
PLANNING DIVISION
2-15-001
8-15-018

Dear Staff,

The property at 485 Monterey Avenue is currently a vacant medical office built in 1960. The parcel has been identified in the General Plan as Medium Density Residential. We have submitted plans for a rezone of the parcel from Office to Residential. The plans include the design of a single family house with a detached garage. We have decided to apply for the rezoning of this parcel as we agree with the General Plan and believe the best use for this property is a single family home. Our desire to build a single family home in this residential neighborhood is a great opportunity to transform this prominent corner. The current office building, parking lot and existing landscape are proposed to be demolished. Bess Wiersema, from Studio 3 Design, has designed the new proposed home to conform to the surrounding neighborhood.

The proposed craftsman style home is highlighted with shingle siding and a wraparound front porch. We have updated the design to include a metal roof detail at the front porch only, drawing attention to this lower and more transparent element. This design detail is consistent historically with a "shingle siding" and the current interpretation of a more updated craftsman style. The change in materials lends to further character of the home separating it as a custom design. We are also proposing a 10-foot first floor and 8-foot second floor plate height. Most current two-story projects have a 9-foot first floor and 9-foot second floor plate height which means we still have the same overall building height. The desire to have the 10-foot first floor plate is to allow more natural light into the house which will lend to using less electricity throughout the day. We have large front and rear porches as well as a second story setback around the entire house which creates shadows at most parts of the day. We have revised the grading plans and have lowered the house finish floor elevation by 6 inches to help with any concerns. Details such as the wraparound entry porch, wood columns with stone base, and upper level bay window bump outs all help to reduce the overall bulk and mass of the first floor height. The roof pitch has also been reduced to provide a more consistent look with other craftsman styled homes in the area.

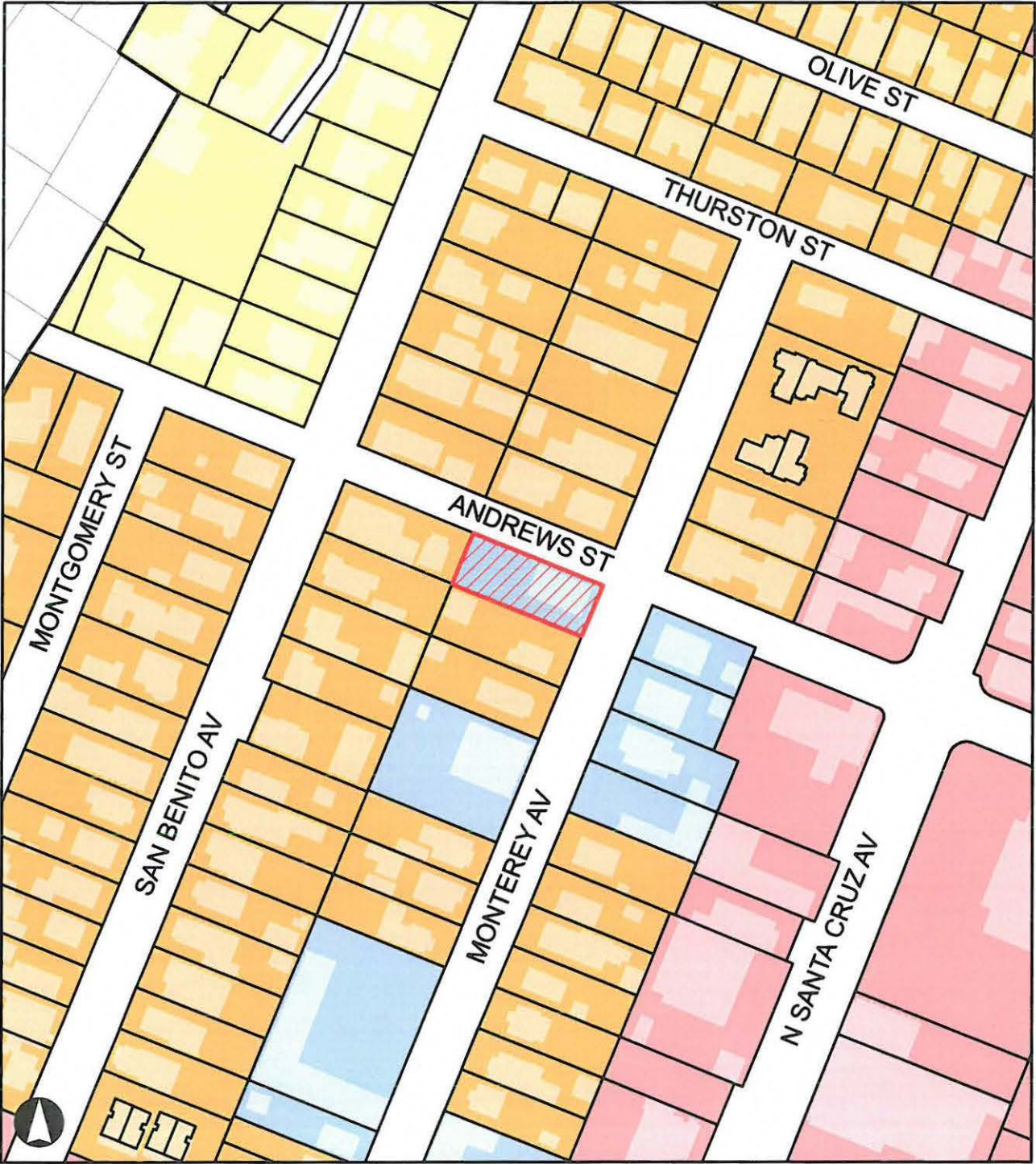
We believe the proposed home will be a great addition to the neighborhood.

Regards,

Michael & Jennifer Black

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485 MONTEREY AVENUE ZONING MAP



- | | |
|---|-------------------------------|
| Town Boundary | Subject Site |
| R-1 (Single-Family Residential) | O (Office) |
| R-1D (Single-Family Residential Downtown) | C-1 (Neighborhood Commercial) |

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485 MONTEREY AVENUE GENERAL PLAN MAP



Town Boundary
Medium Density Residential

Subject Site
Neighborhood Commercial

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ARCHITECTURE PLANNING URBAN DESIGN

RECEIVED

APR 20 2015

TOWN OF LOS GATOS
PLANNING DIVISION

April 20, 2015

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

RE: 485 Monterey Avenue

Dear Erin:

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

Neighborhood Context

The site is located in an established neighborhood of single family homes. It also includes a couple of office buildings to the south. Most homes are one-story in height or have second floors embedded within the roof form.

Photographs of the neighborhood are shown on the following page.

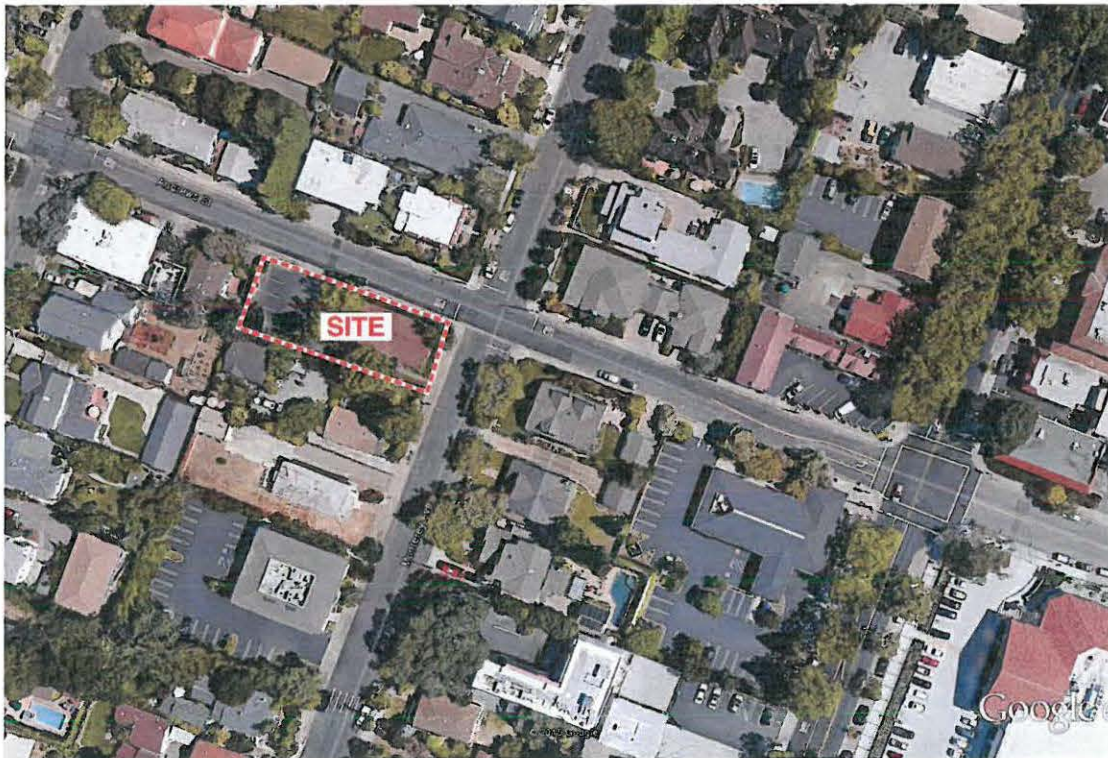


EXHIBIT 9



House to the immediate left



Existing building on the site



House to the immediate rear



House immediately across Monterey Avenue



Nearby house across Monterey Avenue



Nearby house across Monterey Avenue



Nearby two-story home to the left on Monterey Ave.



Nearby one-story home across the intersection

Concerns and Recommendations

In general, the proposed home design is well done. The front and side elevations facing the two corner streets are shown below.



Proposed Monterey Avenue Front Elevation



Proposed Thurston Street Side Elevation

1. However, both Town staff and I believe that the bulk of the house would be very much out of character with the other homes nearby. Those homes are either one-story in height, have significant second floor setbacks or have the second floor embedded within the roof form.

Recommendation: Request the applicant to provide a design that is more sympathetic to the immediate neighborhood.

The recommendations below are related to the current design, and may not be relevant to a revised design as recommended above.

2. The proposed metal roofs at the entry porch and on the rear of the house are very much out of character for this neighborhood.

Recommendation: Utilize the same roofing material as proposed for the remainder of the house. While using that material for all roof surfaces would provide the most visual unity for the house, the use of metal roofing at bay windows would be acceptable.



Recommended Front Elevation Changes

3. The porch roof is missing the traditional beam above the columns.

Recommendation: Add a wood beam at the entry porch,

4. The upper arched window at the Master Bedroom on the rear elevation is large, and is crowding the soffit of the gable roof.

Recommendation: Reduce the size of the arched window to allow more room between the window and the gable eaves.



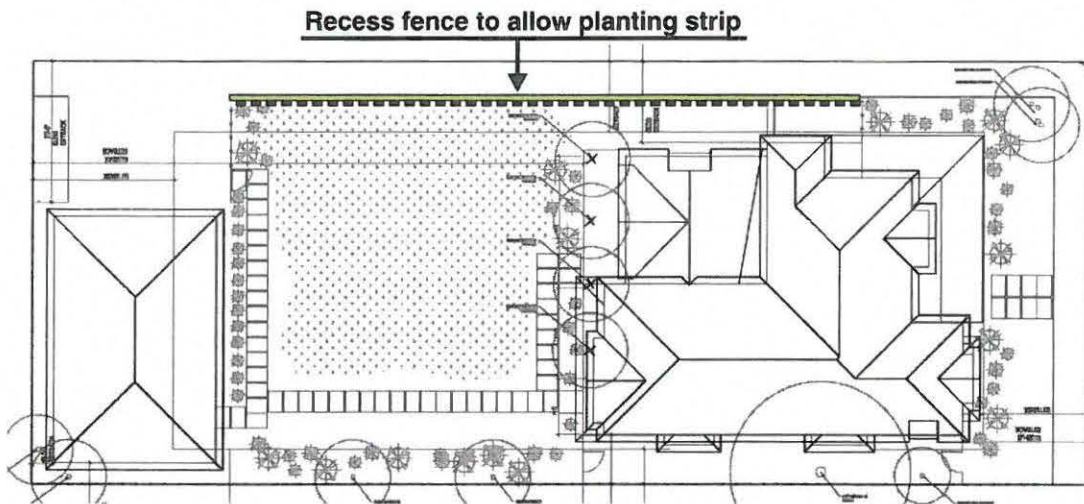
Recommended Rear Elevation Changes

5. I did not see any information regarding the height or design of the side fence along Thurston Street. It appears to be placed at the sidewalk line. Unless the fence is low and open, it would not enhance the pedestrian experience along Thurston Street.

Recommendation: Set the fence back from the sidewalk edge, and add landscaping at its base.

If it is to be a tall fence, design the fence with an open top and finished posts.

(See example photos below)



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

Sincerely,
CANNON DESIGN GROUP

Larry L. Cannon

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ARCHITECTURE PLANNING URBAN DESIGN

RECEIVED

JUN 03 2015

TOWN OF LOS GATOS
PLANNING DIVISION

June 3, 2015

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

RE: 485 Monterey Avenue

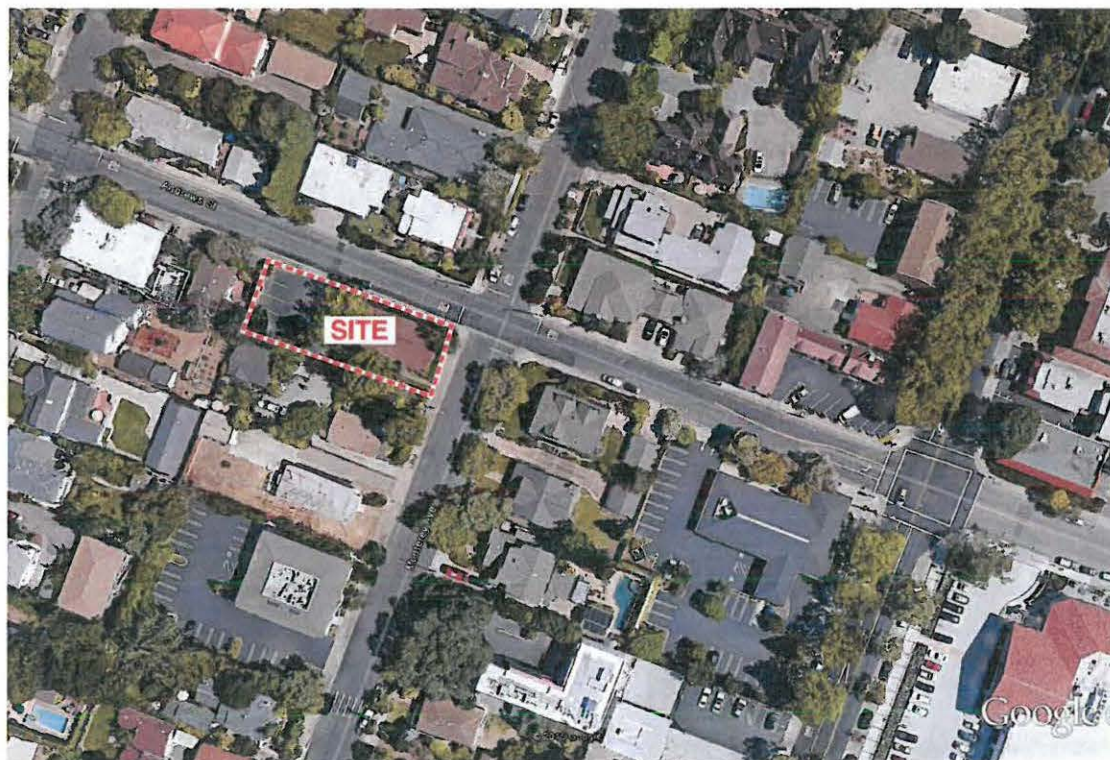
Dear Erin:

I reviewed the new design drawings, and the architect's cover letter to staff. My comments and recommendations are as follows:

Neighborhood Context

The site is located in an established neighborhood of single family homes. It also includes a couple of office buildings to the south. Most homes are one-story in height or have second floors embedded within the roof form.

Photographs of the neighborhood are shown on the following page.





House to the immediate left



Existing building on the site



House to the immediate rear



House immediately across Monterey Avenue



Nearby house across Monterey Avenue



Nearby house across Monterey Avenue



Nearby two-story home to the left on Monterey Ave.

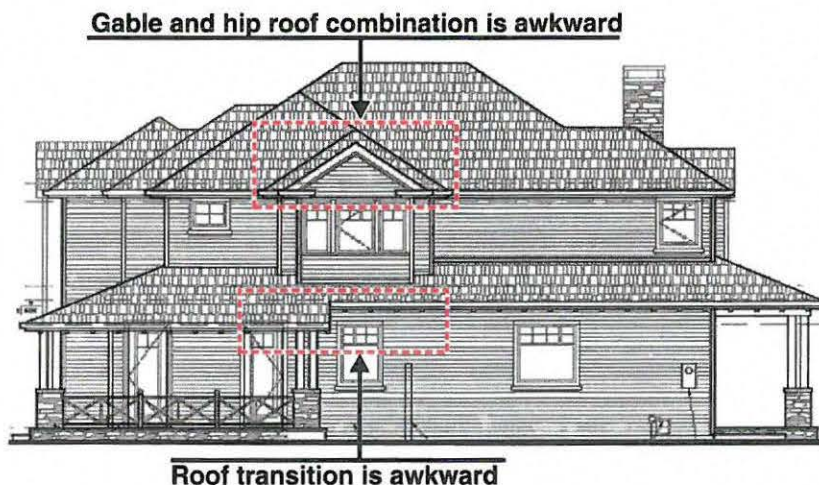
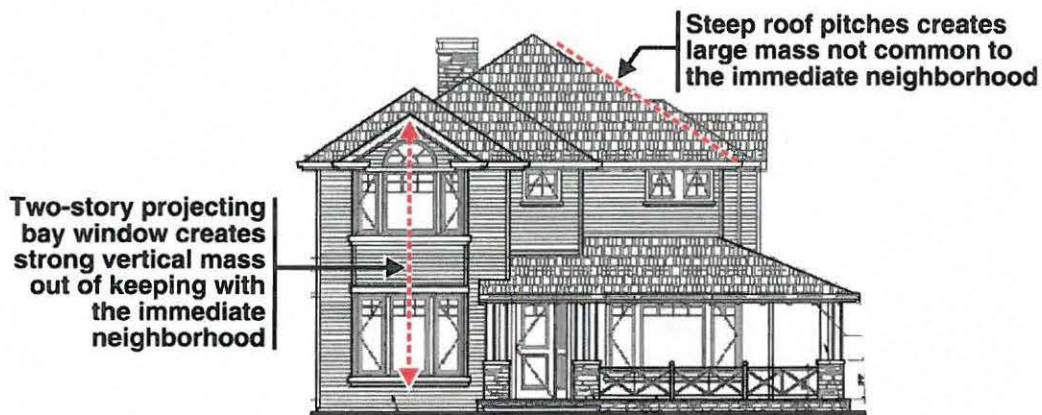


Nearby one-story home across the intersection

Issues and Concerns

The changes made to the design since my review in April are positive. However, I agree with staff that the bulk of the house would still be very much out of character with the other homes nearby. I appreciate the desire of the applicant to design the house in a style that is different from the Craftsman Style homes nearby, but the Town's Residential Design Guidelines, while recognizing the benefits of architectural diversity, asks applicants to look at both older and newer homes which have been designed with sensitivity to their surroundings. A number of elements of the new design are working against the integration of the home into this immediate neighborhood including:

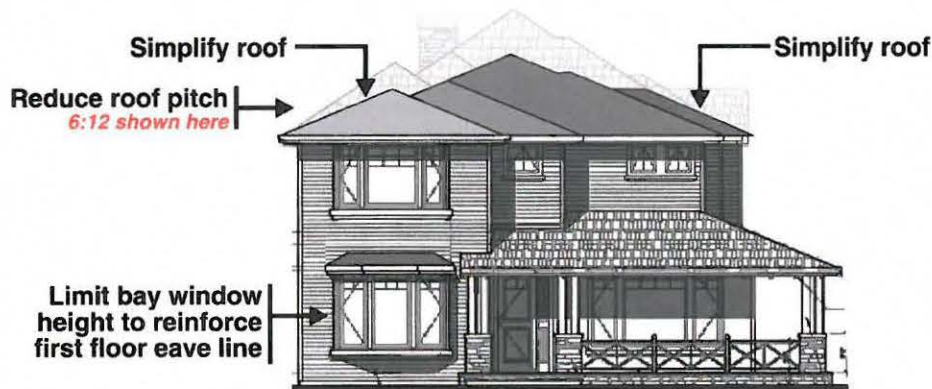
- The two-story tall bay window at the front of the house.
- The steep roof pitches which would increase the home's bulk and mass.
- Awkward roof conditions created by the gable and hip roofs combination.
- Tall first floor ceiling heights.
- Awkward roof transitions on the north side of the house.



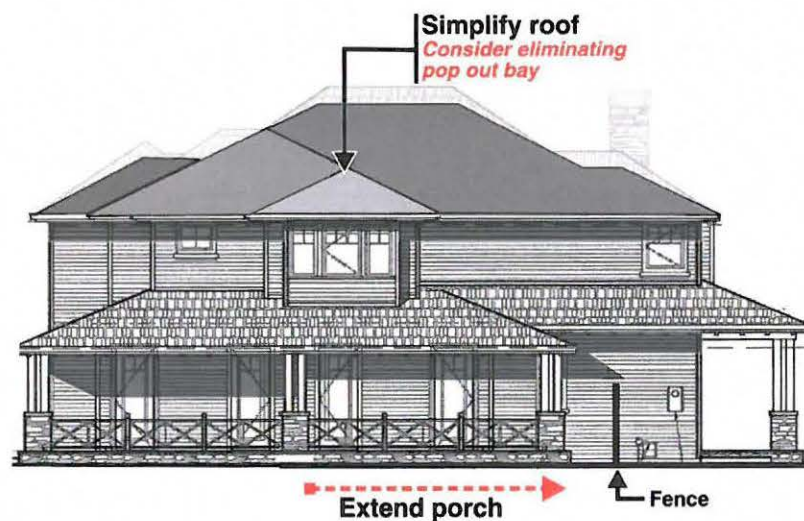
Recommendations

Staff and the Planning Commission may decide that substantial changes are required to bring the proposed design into greater harmony with the immediate neighborhood. However, I looked at what I feel are the minimum changes that would assist in bringing the design into better harmony with its surroundings without making significant changes to the interior living space of the home. My recommendations include the following.

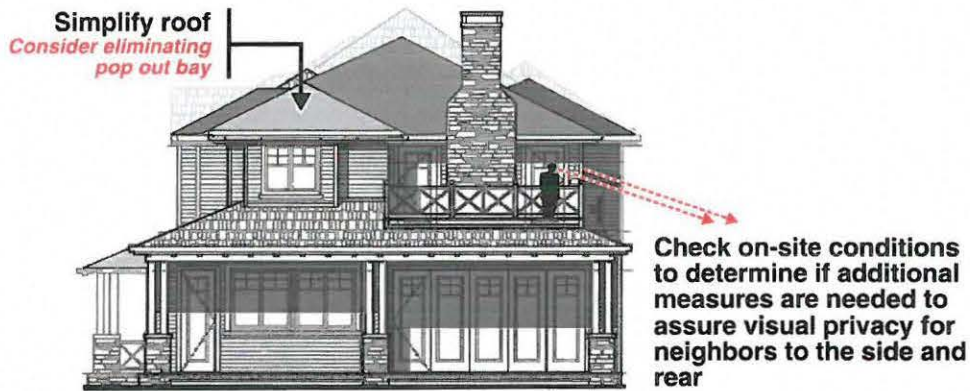
1. Limit the bay window height on the front elevation to reinforce the first floor eave line.
2. Reduce the roof pitch from 8:12 to no more than 6:12. An argument could be made to further reduce all roof pitches to that of the porch which is 5:12, but I believe that the 6:12 pitch shown on the elevation diagrams below would be acceptable.
3. Simplify the roofs at the second floor pop outs. While the simplification shown on the elevation diagrams below would, I believe, be helpful, the design would be better and more visually unified without the pop outs.



4. Extend the front porch further along the north side elevation to reinforce the first floor eave line, and give the house more presence on that street frontage.

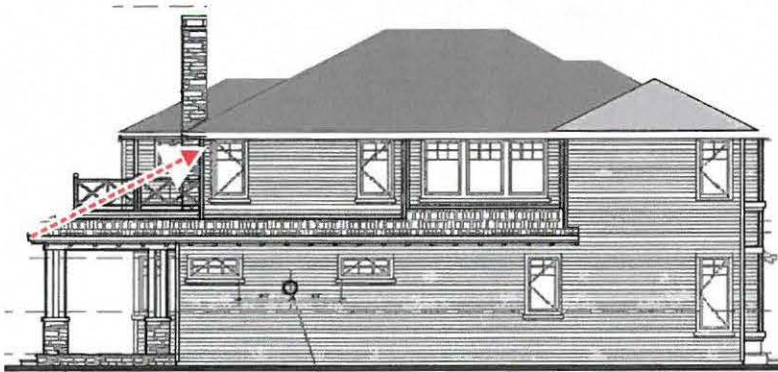


5. Check on-site conditions to better evaluate potential adverse privacy impacts on adjacent neighbors related to windows on the south facade of the house and to potential impacts of the second floor deck on neighboring homes to the south and west of this property. The applicant should provide a diagram to illustrate the location of their proposed windows relative to the windows and outdoor private spaces of the homes to the south and west.



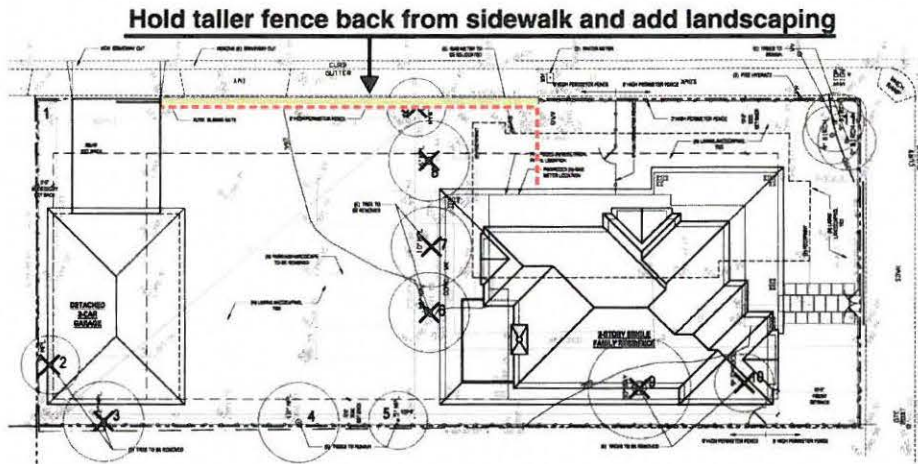
If staff feels that there is substantial potential for privacy intrusions from the south facing windows, a condition of approval could be established to require the windows on that facade to have sills located above interior eye level. Since both of the bedrooms with windows on the south facade have significant windows on the front or rear of the house, requirements for light, air and emergency window exiting could be satisfied.

The rear second floor deck issue presents more of a challenge. To eliminate it totally would result in a roof that would extend up to the eave line, blocking out all windows on the rear elevation, as shown on the diagram below.



To keep windows on this facade would require either a flat roof in the deck area or the extension of the Master Bedroom rear wall outward to approximately the line of the Master Bath. Since the deck would be mostly providing visual exposure to rear or side yards, an alternative approach could be to evaluate the existing landscaping, and add additional evergreen buffer landscaping to the side and rear of the lot, as needed.

- Set the taller fence back from the sidewalk edge, and add landscaping at its base. Also, design the fence with an open top and finished posts similar to other Los Gatos fences shown in the photos below.



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

Sincerely,

CANNON DESIGN GROUP



Larry L. Cannon



ARCHITECTURE PLANNING URBAN DESIGN

RECEIVED

AUG 19 2015

**TOWN OF LOS GATOS
PLANNING DIVISION**

August 18, 2015

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

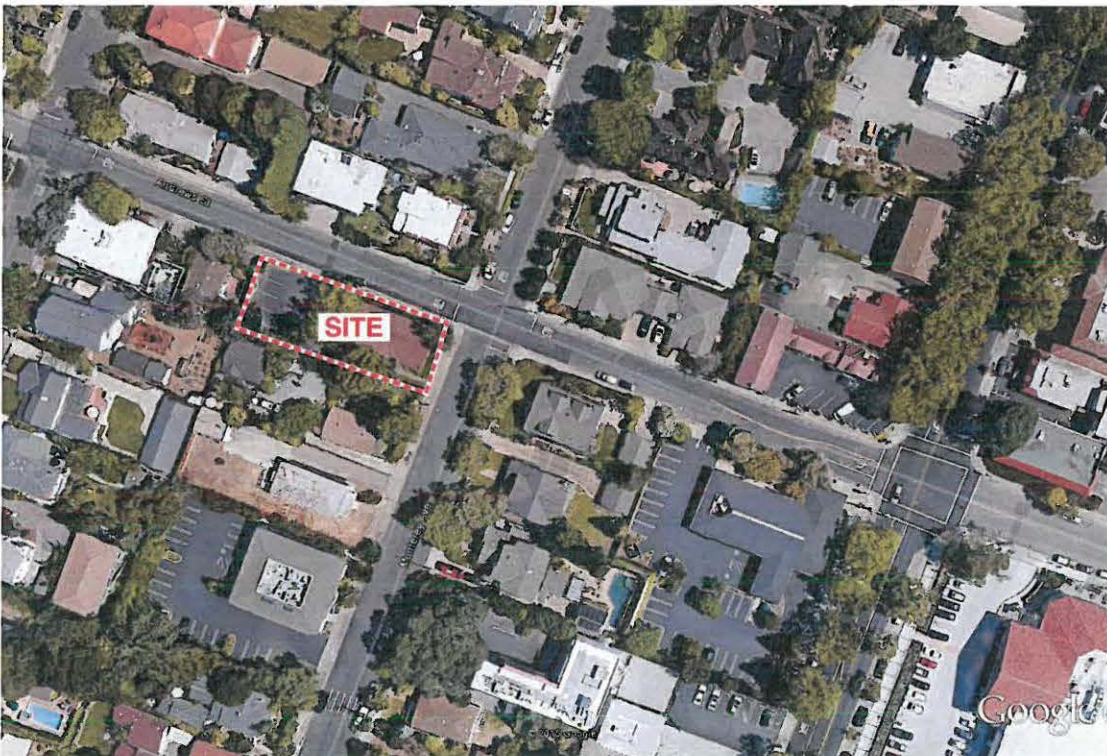
RE: 485 Monterey Avenue

Dear Erin:

I have previously reviewed this project twice, and provided comments to staff. I reviewed the new design drawings and the applicant's cover letter to staff. My comments and recommendations are as follows:

Neighborhood Context

The site is located in an established neighborhood of single family homes. It also includes a couple of office buildings to the south. Most homes are one-story in height or have second floors embedded within the roof form. Photographs of the neighborhood are shown on the following page.





House to the immediate left



Existing building on the site



House to the immediate rear



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Nearby one-story home across the intersection

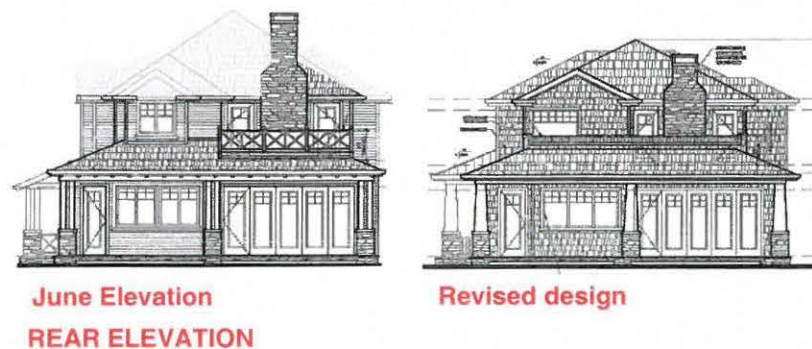
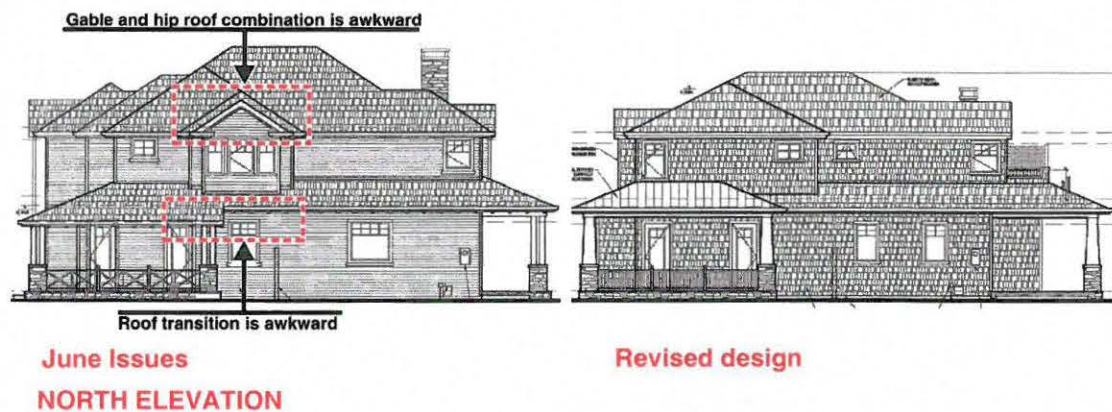
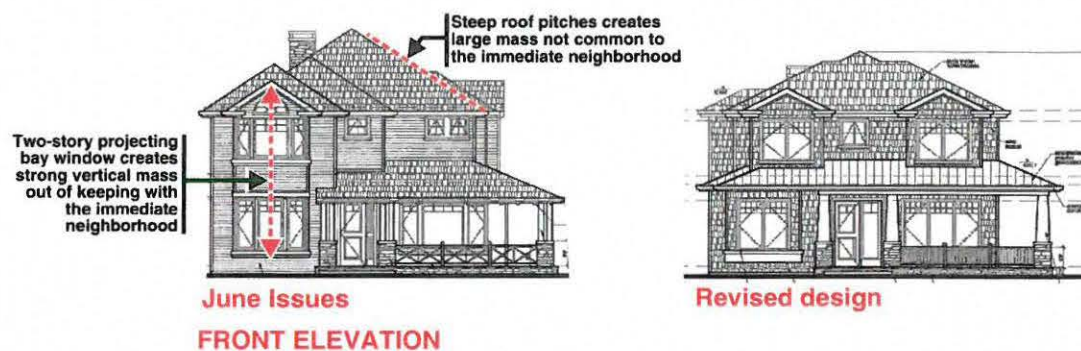
June Review Issues and Concerns

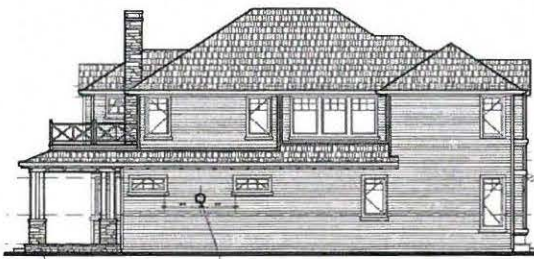
The changes made to the design since my reviews in April and June are helpful in improving the home's fit within this neighborhood. The issues identified in my June letter and the applicant's design responses are summarized below.

Issues Identified

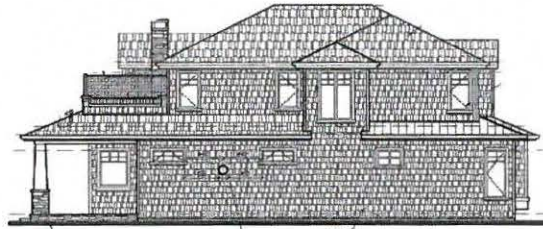
- The two-story tall bay window at the front of the house.
- The steep roof pitches which would increase the home's bulk and mass.
- Awkward roof conditions created by the gable and hip roofs combination.
- Tall first floor ceiling heights.
- Awkward roof transitions on the north side of the house.

The changes that have been made in the design have reduced the overall height and bulk of the structure, and have simplified many of the awkward roof relationships of the earlier design. The elevations reviewed for the June letter are shown below along with the current revised elevations.





June Elevation
SOUTH ELEVATION



Revised design

Remaining Concerns and Recommendations

1. The applicant resolved the awkward porch and first floor eave height transition by raising the earlier 8-foot porch plate height to match the 10-foot first floor plate height. This would, in my judgment, be out of scale with the immediate neighborhood.

Recommendation: Lower the porch and first floor plate height to a uniform 9-foot elevation.

2. The roofing material for the front porch has been changed to metal. This does not seem to be in keeping with the other homes in the immediate neighborhood, and has been discouraged in the past for homes where it would be the exception to the predominant roof materials nearby.

Recommendation: Match the porch roofing material to the other main house composition roofing.

3. The drawings which I reviewed called for wood shingle siding, which would be appropriate for a house of this size so long as real wood shingles are used rather than manufactured composite shingles. There have been many high quality homes with wood shingles constructed in Los Gatos over the past few years. Most have applied traditional high quality details. I noted that the elevations show corner boards, rather than mitered shingles.

Recommendation: Utilize mitered shingles at all corners to soften the appearance of this large house. See one Los Gatos example on the photo below.



Mitered shingle corners

4. The casement windows show divided panes at the top of each window. I believe that you told me that the applicant is proposing metal windows.

Recommendation: Request the applicant to supply a sample window, and examine the details to ensure that the divided panes are consistent with, or equal to, the photo example provided on page 48 of the Residential Design Guidelines.

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

Sincerely,

CANNON DESIGN GROUP

A handwritten signature in black ink, appearing to read "Larry L. Cannon", with a stylized, cursive script.

Larry L. Cannon

