MEETING DATE: 5/02/05
ITEM NO. 15

COUNCIL AGENDA REPORT

DATE: April 28, 2005

TO: MAYOR AND TOWN COUNCIL

FROM: DEBRA J. FIGONE, TOWN MANAGER

SUBJECT: CONSIDER AN APPEAL OF A PLANNING COMMISSION DECISION DENYING AN APPLICATION TO CONSTRUCT A SINGLE FAMILY RESIDENCE ON PROPERTY ZONED HR-1. NO SIGNIFICANT ENVIRONMENTAL IMPACTS HAVE BEEN IDENTIFIED AND A MITIGATED NEGATIVE DECLARATION IS RECOMMENDED. PROPERTY LOCATION: **107 DRYSDALE DRIVE** PROPERTY OWNER/APPLICANT/APPELLANT: HOWELL & MCNEIL DEV. LLC. FILE #: S-05-16 AND ND-05-05

RECOMMENDATION:

1. Open and hold the public hearing and receive public testimony.
2. Close the public hearing.
3. Uphold the Planning Commission's decision and deny Architecture and Site Application S-05-16 (requires motion).
4. Refer to the Town Attorney for the preparation of the appropriate resolution.

If the Town Council determines that the appeal should be granted and that the Planning Commission's decision should be reversed or modified:

1. The Council needs to find one or more of the following:

   (1) Where there was error or abuse of discretion on the part of the Planning Commission; or

   (2) The new information that was submitted to the Council during the appeal process that was not readily and reasonably available for submission to the Commission; or

PREPARED BY: BUD N. LORTZ, BNL/87
DIRECTOR OF COMMUNITY DEVELOPMENT

Reviewed by: PS Assistant Town Manager DV Attorney _____Clerk_____Finance
_____Community Development Revised: 4/28/05 9:12 am

Reformatted: 5/30/02

(3) An issue or policy over which the Commission did not have discretion to modify or address, but which is vested in the Council for modification or decision.

2. If the predominant reason for modifying or reversing the decision of the Planning Commission is new information as defined in subsection (2) above, it is the Town's policy that the application be returned to the Commission for review in light of the new information unless the new information has a minimal effect on the application.

3. If the appeal is approved, (A) the Council should make the Mitigated Negative Declaration (Attachment 3),(B) adopt the Mitigation Monitoring Plan (Attachment 4), (C) make the required findings and considerations (Attachment 1) and (D) approve the application subject to the recommended conditions of approval (Attachment 2).

4. Refer to the Town Attorney for preparation of the appropriate resolution.

PROJECT SUMMARY

The applicant is requesting approval of an architectural and site application to construct a new 4,678 square foot home with 718 square foot garage on a 1.8 acre vacant property located at 107 Drysdale Dr. The two story home is proposed to be located on the southern part of the site, on a slope of less than 30%. The proposed height is no greater than 25 feet at any point on the structure and a maximum of 29 feet high from the lowest point to highest point of the structure. Proposed materials include cement plaster for the exterior, earth tone clay tile roof and stone accents. The materials board will be available for review at the meeting. A project data sheet (Exhibit F of PC report) and Development plans (Attachment 8) are attached. Please see Attachment 7 for a full analysis of the proposed project.

DISCUSSION

Staff has summarized the main issues for the Council's consideration and discussion as follows:

Floor Area. The allowed square footage is based on average slope (36%) and size of the parcel (79,460 SF). The maximum allowed house size, according to the Hillside Development Standards and Guidelines (HDS&G), is 5,900 square feet. The proposed floor area of the house is 4,678 square feet and 718 square feet for the garage. Garage square footage in excess of 400 square feet is counted towards the home square footage. Consequently, 318 square feet is counted towards the home square feet and the total house size is 4996 square feet (4678+318). The proposed project complies with the floor area regulations as set forth in the HDS&G. However, the HDS&G state that achieving the maximum floor area allowed is not guaranteed due to individual site constraints.

Setbacks. The proposed and required setbacks are as follows:

	REQUIRED	PROPOSED
FRONT	30	58
SIDE	20	60' (west side) and 104' (east side)
REAR	25	182'

Height. The proposed project complies with height requirements of the HDS&G. The maximum height for homes in the hillside area is 25 feet. In addition, the HDS&G establishes that the maximum height of a building's elevation, measured from the lowest part of the building to the highest part is 35 feet. The proposed height of the building ranges from 16 feet (east side) to 25 feet (west side). The proposed building is 29 feet from lowest to highest point.

Least Restrictive Development Area (LRDA). The applicant has prepared a least restrictive development area analysis to show the constraints of the subject property. The applicant worked with staff to locate the building in the most appropriate location according to the HDS&G, avoiding slopes over 30%, trees and shrubs. The area where the home is proposed has an average slope of 25%. Visibility from off-site locations was also considered.

The structure is located 58 feet from the front property line at the flattest portion of the site to minimize grading and tree impacts. The proposed home is designed to step with the existing topography of the land. The south side of the house is one story to minimize visibility and massing. The north side of the house steps down with the topography of the land, which reduces grading.

A total of 620 cubic yards of grading (cut and fill) is proposed. Please see the earthwork quantity table on sheet C-1 of Exhibit J of the Planning Commission Report for grading details. Of the 620 cubic yards of grading, 350 cubic yards is associated with the excavation for the house and helps reduce the mass of the house. 120 yards of grading is proposed for the preparation of the driveway and 150 cubic yards of grading is proposed for the preparation of the perimeter of the house.

View Analysis. Story poles were constructed to illustrate the proposed building as required by Town policy. The proposed structure can not be seen from any of the viewing platforms as identified by the HDS&G, but it is visible from Drysdale Drive and Shady Lane. Shady Lane is located approximately 80 feet below the building site. A view of the story poles can be seen through intermittent breaks in the shrubs and oak trees from Shady Lane. The substantial grade difference and slope exaggerates the apparent height of the story poles. A condition of approval is included requiring trees to be planted in strategic locations to screen the home from Shady Lane. From Drysdale Drive, near the south east corner of the site, one can see the top of the proposed structure.

Architectural Design. The HDS&G encourage the following the design objectives:

1. In harmony and visually blends with the natural environment,
2. Responsive to site constraints and opportunities,
3. Compatible with the surrounding neighborhood and respectful to neighbors,
4. Respectful of the rural character of the hillsides.

The Town's consulting architect reviewed and commenting on the proposed design (Exhibit G of PC report). The consulting architect stated that the home is well designed and offered suggestions for improvement of the porch area, which the applicant has incorporated into the design.

PLANNING COMMISSION

The Planning Commission considered this project on March 23, 2005 and denied the project. The Planning Commission heard public testimony and discussed concerns regarding the design and massing of the house.

Neighbor Concerns

The Commission heard public testimony from neighbors. Their concerns are as follows:

- Dr. Pham, neighbor residing at 110 Drysdale Drive is concerned that the proposed home blocks his view from his driveway and outside patio. The outside patio was constructed primarily as an area to sit and enjoy the views to the north. The subject property is located to the north. Dr. Pham requests that the applicant consider moving the house to the east of the site.

- Mr. Collihan, neighbor residing at 100 Drysdale Drive states that the house should be pushed eastward and provide a fire turn around for the future residents of 107 Drysdale Drive.

- Mr. Turner, neighbor residing on Drysdale Drive is concerned with the off site parking on Drysdale Drive. Construction activity for the proposed house is also a concern since the road is narrow and steep. Mr. Turner also recommends the house to be moved further eastward and provide a fire turn around on the proposed site.

In response to Dr. Pham's comments, the applicant states that the house is designed so that the narrowest part of the house faces Dr. Pham's house, reducing the visual impact to Dr. Phams view of the hills. The applicant has studied alternate locations for the structure. When the structure is moved to the east, the cut/fill quantities increase significantly and the new location would require a six foot retaining wall on the east side of the site. A six foot retaining wall exceeds the standards of the HDS&G and staff concluded the proposed location is superior to the alternate location.

The applicant states that the request for a fire turn around on the project site can be accommodated with minimal change to the site design and the applicant will consider this request. A fire turnaround is not required by the Fire Department because the house is located close to the street (Drysdale). A fire turn around will require additional grading (approx. 100 cubic yards) and possibly retaining walls.

Planning Commission Concerns

The Commission discussed the following concerns:

- *Moving the House to the East*: The Commission asked the applicant if they considered moving the house easterly and provide a vehicle turn around as suggested by neighbors.
- *Long Roofline*: The roof should be broken up.
- *Mass and Scale*: The Commission commented that the building looks massive, stiff and was located prominently on the site. Perhaps breaking up the two story elevation on the north side would help.
- *Stepping the House with the Topography*: The house should step down with the topography of the land. Perhaps the house should be lowered which will reduce the mass and scale.
- *Visibility*: The house is very visible from Shady Lane and Short Rd.
- *Model of the Home*: A model of the home should be provided to help the Commission visualize the design.

Planning Commission Discussion and Action

Given the above concerns, the Commission asked the applicant if they would be willing to redesign the house the address the Commission's concerns. The applicant stated that they would redesign the house, but would like the Commission to give them specific design direction. Staff suggested the following to resolve the Commission's concerns:

1. Provide a vehicle turn around.
2. Break up the roof of the house so that it is better articulated.
3. Break up left side elevation, provide more articulation.
4. Soften the features of the house through architectural features.

As a whole, the Commission was concerned about the above issues, but could not reach consensus on specific direction for design changes. The Commission was not able to articulate the specific problems with the design nor could they agree on a clear direction for the applicant.

Initially, the Commission was inclined to continue the project and ask for additional information and a design revision. Since there was no clear consensus or direction from the Commission the lack of clarity

on changes, the applicant requested that the Commission either approve the proposed project with conditions or deny the project to let the applicant appeal the project to the Town Council. The applicant expressed a concern for an efficient review and felt that appealing to the Town Council would result in a more efficient process and faster final outcome. Given the applicant's request, the Planning Commission denied the project (6 to 1 vote) with the understanding that the applicant would appeal the project to the Town Council.

APPEAL

On March 24, 2005, the applicant, Gregory Howell, appealed the Planning Commission's decision to deny the proposed project. The applicant states that the Planning Commission erred or abused its discretion because "it did not follow the direction of staff, the town architect and the new hillside ordinance. Most frustrating and disappointing of all is that they could not articulate any specific problems with the plan."

Mr. Howell has expressed concern about the lack of direction from the Commission for a redesign of the house. The applicant states that the Commission could not articulate the specific problems with the house, especially when the proposed house meets all the technical requirements of the Town Code, HDS &G and was supported by Town staff and architectural consultant. Therefore, the applicant has appealed the proposed project to the Town Council to seek resolution.

ENVIRONMENTAL ASSESSMENT:

As required by the California Environmental Quality Act (CEQA), an Initial Study and Mitigated Negative Declaration have been prepared (Exhibit C and D). The environmental review was completed by Geier and Geier Consulting on January 2005. The Initial Study identified several potential impacts of the proposed project including aesthetics, hazards and hazardous materials, biological resources, and geology/soils. To mitigate the potential impacts, mitigation measures have been identified as part of the Mitigated Negative Declaration. All recommended mitigation measures have been included in the conditions of approval.

FISCAL IMPACT:

None

Attachments:

1. Required Findings and Considerations (4 pages)
2. **Recommended Conditions of Approval (8 pages)**
3. Mitigated Negative Declaration (21 pages), received January 2005
4. Mitigation Monitoring Plan (3 pages)
5. Notice of Appeal (one page) received on March 24, 2005.
6. Verbatim Meeting Minutes from Planning Commission meeting for March 23, 2005.
7. Report to the Planning Commission dated March 17, 2005 (minus Exhibits A, B, D, E and J)
8. Development Plans (12 Pages), received on March 8, 2005

Distribution:

Howell and McNeil Development, 125 Glen Ridge Avenue, Los Gatos, CA 95030

BNL:JSG:mdc

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REQUIRED FINDINGS AND CONSIDERATIONS FOR:

107 Drysdale Drive
Architecture and Site Application S-05-16
Negative Declaration ND-05-05

Requesting approval to construct a single family residence on property zoned HR-1. No significant environmental impacts have been identified and a Negative Declaration is recommended. APN 527-04-009.
PROPERTY OWNER/APPLICANT: Howell & McNeil Dev. LLC

FINDINGS

- It has been determined that this project will not have a significant impact on the environment and a mitigated Negative Declaration has been prepared for this proposal.

CONSIDERATIONS IN REVIEW OF APPLICATIONS

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

  The deciding body shall consider all relevant matter including, but not limited to, the following:

  (1) *Considerations relating to traffic safety and traffic congestion.* The effect of the site development plan on traffic conditions on abutting streets; the layout of the site with respect to locations and dimensions of vehicular and pedestrian entrances, exits, drives, and walkways; the adequacy of off-street parking facilities to prevent traffic congestion; the location, arrangement, and dimension of truck loading and unloading facilities; the circulation pattern within the boundaries of the development, and the surfacing, lighting and handicapped accessibility of off-street parking facilities.

  A. Any project or development that will add traffic to roadways and critical intersections shall be analyzed, and a determination made on the following matters:

  1. The ability of critical roadways and major intersections to accommodate existing traffic;
  2. Increased traffic estimated for approved developments not yet occupied; and
  3. Regional traffic growth and traffic anticipated for the proposed project one (1) year after occupancy.

  B. The deciding body shall review the application for traffic roadway/intersection capacity and make one (1) of the following determinations:

1. The project will not impact any roadways and/or intersections causing the roadways and/or intersections to exceed their available capacities.
2. The project will impact a roadway(s) and/or intersection(s) causing the roadway(s) and/or intersection(s) to exceed their available capacities.

Any project receiving Town determination subsection (1)b.1. may proceed. Any project receiving Town determination subsection (1)b.2. must be modified or denied if the deciding body determines that the impact is unacceptable. In determining the acceptability of a traffic impact, the deciding body shall consider if the project's benefits to the community override the traffic impacts as determined by specific sections from the general plan and any applicable specific plan.

(2) *Considerations relating to outdoor advertising.* The number, location, color, size, height, lighting and landscaping of outdoor advertising signs and structures in relation to the creation of traffic hazards and the appearance and harmony with adjacent development. Specialized lighting and sign systems may be used to distinguish special areas or neighborhoods such as the downtown area and Los Gatos Boulevard.

(3) *Considerations relating to landscaping.* The location, height, and materials of walls, fences, hedges and screen plantings to insure harmony with adjacent development or to conceal storage areas, utility installations, parking lots or unsightly development; the planting of ground cover or other surfacing to prevent dust and erosion; and the unnecessary destruction of existing healthy trees. Emphasize the use of planter boxes with seasonal flowers to add color and atmosphere to the central business district. Trees and plants shall be approved by the Director of Parks, Forestry and Maintenance Services for the purpose of meeting special criteria, including climatic conditions, maintenance, year-round versus seasonal color change (blossom, summer foliage, autumn color), special branching effects and other considerations.

(4) *Considerations relating to site layout.* The orientation and location of buildings and open spaces in relation to the physical characteristics of the site and the character of the neighborhood; and the appearance and harmony of the buildings with adjacent development.

Buildings should strengthen the form and image of the neighborhood (e.g. downtown, Los Gatos Boulevard, etc.). Buildings should maximize preservation of solar access. In the downtown, mid-block pedestrian arcades linking Santa Cruz

Avenue with existing and new parking facilities shall be encouraged, and shall include such crime prevention elements as good sight lines and lighting systems.

(5) *Considerations relating to drainage.* The effect of the site development plan on the adequacy of storm and surface water drainage.

(6) *Considerations relating to the exterior architectural design of buildings and structures.* The effect of the height, width, shape and exterior construction and design of buildings and structures as such factors relate to the existing and future character of the neighborhood
and purposes of the zone in which they are situated, and the purposes of architecture and site approval. Consistency and compatibility shall be encouraged in scale, massing, materials, color, texture, reflectivity, openings and other details.

(7) *Considerations relating to lighting and street furniture.* Streets, walkways, and building lighting should be designed so as to strengthen and reinforce the image of the Town. Street furniture and equipment, such as lamp standards, traffic signals, fire hydrants, street signs, telephones, mail boxes, refuse receptacles, bus shelters, drinking fountains, planters, kiosks, flag poles and other elements of the street environment should be designated and selected so as to strengthen and reinforce the Town image.

(8) *Considerations relating to access for physically disabled persons.* The adequacy of the site development plan for providing accessibility and adaptability for physically disabled persons. Any improvements to a nonresidential building where the total valuation of alterations, structural repairs or additions exceeds a threshold value established by resolution of the Town Council, shall require the building to be modified to meet the accessibility requirements of title 24 of the California Administrative Code adaptability and accessibility. In addition to retail, personal services and health care services are not allowable uses on nonaccessible floors in new nonresidential buildings. Any change of use to retail, health care, or personal service on a nonaccessible floor in a nonresidential building shall require that floor to be accessible to physically disabled persons pursuant to the accessibility requirements of title 24 of the California Administrative Code and shall not qualify the building for unreasonable hardship exemption from meeting any of those requirements. This provision does not effect lawful uses in existence prior to the enactment of this chapter. All new residential developments shall comply with the Town's adaptability and accessibility requirements for physically disabled persons established by resolution.

(9) *Considerations relating to the location of a hazardous waste management facility.* A hazardous waste facility shall not be located closer than five hundred (500) feet to any residentially zoned or used property or any property then being used as a public or private school primarily educating persons under the age of eighteen (18). An application for such a facility will require an environmental impact report, which may be focused through the initial study process.

CONDITIONS OF APPROVAL FOR:

107 Drysdale Drive
Architecture and Site Application S-05-16
Negative Declaration ND-05-05

Requesting approval to construct a single family residence on property zoned HR-1. No significant environmental impacts have been identified and a Negative Declaration is recommended. APN 527-04-009.
PROPERTY OWNER/APPLICANT: Howell & McNeil Dev. LLC

TO THE SATISFACTION OF THE DIRECTOR OF COMMUNITY DEVELOPMENT:
(Planning Section)

1. APPROVAL EXPIRATION: Zoning approval will expire two years from the approval date pursuant to Section 29.20.320 of the Town Code, unless the application is vested.
2. APPROVAL: This application shall be completed in accordance with all of the conditions of approval listed below and in substantial compliance with the approved plans received March 8, 2005. Any minor changes or modifications made to the approved plans shall be approved by the Director of Community Development and other changes will be approved by the Planning Commission, depending on the scope of the change(s).
3. TREE REMOVAL PERMIT: A Tree Removal Permit shall be obtained for any trees proposed for removal prior to the issuance of a Building or Encroachment Permit.
4. *MITIGATION #1 (AESTHETICS): The project will be required to relocate one small oak tree currently located adjacent to the proposed home site. Relocation of this oak to the southeast corner of the site along the north side of Drysdale Drive (consistent with the row of oaks along the southwestern project boundary) could help reduce visibility of the proposed home from the existing residence to the south. If the relocated trees die within two years of relocation, replacement trees should be required and the number and size of replacement trees should be determined by the Director of Parks and Public Works.
5. *MITIGATION #2 (AESTHETICS): Outdoor lighting shall be minimized and directed downward so as not to affect nighttime views from adjacent residences.
6. *MITIGATION #3 (BIOLOGICAL RESOURCES): The project applicant shall be required to implement all 21 recommendations made by the Town's consulting arborist, Arbor Resources, in its November 24, 2004 report and letter dated January 24, 2005.
7. *MITIGATION #4 (BIOLOGICAL RESOURCES): The two storm drain lines, outlets, and energy dissipaters proposed on the north side of the house shall be re-aligned and directed westward, similar to the drains proposed on the southern side of the building envelope. The re-aligned storm drains would avoid discharge of new storm runoff flows in the vicinity of oak trees designated for retention on the project site.
8. *MITIGATION #5 (GEOLOGY AND SOILS): The project design shall incorporate all applicable recommendations in Redwood Geotechnical Engineering, Inc.'s (RGE) geotechnical investigation (August 31, 2004) for the proposed project (included as Attachment 2) in order to minimize the potential impacts resulting identified geotechnical constraints.

9. *MITIGATION #6 (GEOLOGY AND SOILS): Prior to issuance of the building permit(s), Geomatrix Consultants shall review the construction plans submitted with the building permit application. The construction plans shall include foundation plans and other structural plans for all structures and should reflect RGE's recommendations and any other supplemental recommendations by RGE.
10. *MITIGATION #7 (GEOLOGY AND SOILS): Prior to issuance of the building permit(s), RGE shall review the final construction plans, including foundation and structural plans, to ensure that final plans conform with all RGE (August 31, 2004). RGE shall submit a Plan Review letter to the Town.
11. *MITIGATION #8 (GEOLOGY AND SOILS): During construction, RGE shall observe and document the geotechnical engineering aspects of construction, including grading and drainage improvements. Prior to project completion, RGE shall submit an "as-built" construction observation letter to the Town.
12. *MITIGATION #9 (HAZARDS AND HAZARDOUS MATERIALS): Relocated Trees #3 (recommended in Measure #3) should be located so as maintain defensible space around the proposed home. If the relocated trees die within two years of relocation, replacement trees should be required and the number and size of replacement trees should be determined by the Director of Parks and Public Works.
13. SCREEN TREES: Screen trees shall be planted to screen the home from Shady Lane, to the satisfaction of the Director of Community Development. The number and location of trees shall be review and approved by the Director of Community Development prior to approval of building permits.

(Building Section)

14. PERMITS REQUIRED: A building permit shall be required for the construction of the new single family residence. **Separate building permits** are required for site retaining walls, water tanks, and swimming pools; separate electrical, mechanical, and plumbing permits shall be required as necessary.
15. CONDITIONS OF APPROVAL: The Conditions of Approval **must be blue-lined** in full on the **cover sheet** of the construction plans.
16. SIZE OF PLANS: Four sets of construction plans, maximum size 24" x 36."
17. STREET NAMES & HOUSE NUMBERS: Submit requests for new street names and/or house numbers from the Office of the Town clerk **prior** to the building permit application process.
18. SOILS REPORT: A soils report, prepared to the satisfaction of the Building Official, containing foundation and retaining wall design recommendations, shall be submitted with the building permit application. This report shall be prepared by a licensed civil engineer specializing in soils mechanics. ALTERNATE: Design the foundation for an allowable soils 1,000 psf design pressure. (Uniform Building Code Volume 2 - Section

1805)

19. 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, the building pad elevation, on-site retaining wall locations and elevations are prepared according to 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
20. RESIDENTIAL TOWN ACCESSIBILITY STANDARDS: The residence shall be designed with adaptability features for single family residences per Town Resolution 1994-61:
    a. Wooden 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 have a 36-inch wide door including a 5' x 5' level landing, no more than 1 inch out of plane with the immediate interior floor level with an 18-inch clearance.
    d. Door buzzer, bell or chime shall be hard wired at primary entrance.
21. TITLE 24 ENERGY COMPLIANCE: California Title 24 Energy Compliance forms CF-1R and MF-1R **must be blue-lined** on the plans.

    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 chimneys.
22. HAZARDOUS FIRE ZONE: This project requires a Class A roofing assembly.
23. SPECIAL INSPECTIONS: When a special inspection is required by UBC Section 1701, the architect or engineer of record shall prepare an inspection program that shall be submitted to the Building Official for approval prior to issuance of the building permit. The Town Special Inspection form **must be completely filled-out, signed by all requested parties and <u>be blue-lined</u>** on the construction plans. Special Inspection forms are available from the Building Division Service Counter or online at www.losgatosca.gov.
24. NONPOINT SOURCE POLLUTION STANDARDS: The Town standard Santa Clara Valley Nonpoint Source Pollution Control Program 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 San Jose Blue Print.

25. PLANS: The construction plans shall be prepared under the direct supervision of a licensed architect or engineer. (Business and Professionals Code Section 5538)

26. APPROVALS REQUIRED: The project requires the following agencies approval before issuing a building permit:

    a. Community Development: Judie Gilli at 399-5702

    b. Engineering Department: Fletcher Parsons at 395-3460

    c. Parks & Public Works Department: (408) 399-5777

    d. Santa Clara County Fire Department: (408) 378-4010

    e. West Valley Sanitation District: (408) 378-2407

    f. Local School District: (Contact the Town Building Service Counter for the appropriate school district and to obtain the school form.)

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

(Engineering Division)

27. UTILITIES. Any utilities constructed within the LRDA shall require arborist review of the alignment and special backfill provisions to minimize erosion.

28. GRADING PERMIT. A grading permit is required for site grading and drainage. 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.

29. PRECONSTRUCTION MEETING. Prior to issuance of any permit or the commencement of any site work, the general contractor shall:

    a. Along with the project applicant, attend a pre-construction meeting with the Town Engineer to discuss the project conditions of approval, working hours, site maintenance and other construction matters;

    b. Acknowledge in writing that they have read and understand the project conditions of approval, and will make certain that all project sub-contractors have read and understand them prior to commencing work and that a copy of the project conditions of approval will be posted on site at all times during construction.

30. RETAINING WALLS. A building permit, issued by the Building Department at 110 E. Main Street, may be required for site retaining walls. Walls are not reviewed or approved by the Engineering Division of Parks and Public Works during the grading permit plan review process.
31. SOILS REPORT. One copy of the soils report shall be submitted with the grading permit 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.
32. SOILS REVIEW. Prior to issuance of any permit, 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.
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 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.
34. PUBLIC IMPROVEMENTS. The following improvements shall be installed by the developer. Plans for those improvements shall be prepared by a California registered civil engineer, reviewed and approved by the Town, and guaranteed by contract, Faithful Performance Security and Labor & Materials Security before the issuance of a building permit or the recordation of a map. The improvements must be completed and accepted by the Town before a Certificate of Occupancy for any new building can be issued.
35. Drysdale Drive. Widen road to provide a 24-foot width across property frontage.
36. DESIGN CHANGES. The Applicant's registered Engineer shall notify the Town Engineer, in writing, at least 72 hours in advance of all differences between the proposed work and the design indicated on the plans. Any proposed changes shall be subject to the approval of the Town before altered work is started. Any approved changes shall be incorporated into the final "as-built" drawings.
37. TRAFFIC IMPACT MITIGATION FEE. The developer shall pay a proportional the project's share of transportation improvements needed to serve cumulative development within the Town of Los Gatos. The fee amount will be based upon the Town Council resolution in effect at the time the request of Certificate of Occupancy is made. the fee shall be paid before issuance of the Certificate of Occupancy. The traffic impact mitigation fee for this project using the current fee schedule is $5,742. the final fee shall be calculated form the final plans using the rate schedule in effect at the time of the request for a Certificate of Occupancy.
38. PLAN CHECK FEES. Plan check fees shall be deposited with the Town prior to submittal of plans to the Engineering Division of the Parks and Public Works Department.

39. INSPECTION FEES. Inspection fees shall be deposited with the Town prior to issuance of any Permit or recordation of the Final Map.

40. TREE REMOVAL. Copies of all necessary tree removal permits shall be provided prior to issuance of a grading permit.

41. 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 a special 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.

42. 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.

43. PUBLIC WORKS INSPECTIONS. The developer or his representative shall notify the Engineering Inspector at least twenty-four (24) hours before starting an 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 ow work that went on without inspection.

44. SURVEYING CONTROLS. Horizontal and vertical controls shall be set and certified by a licensed surveyor or registered civil engineer qualified to practice land surveying, for the following items:

45. Retaining wall--top of wall elevations and locations

46. Toe and top of cut and fill slopes

47. EROSION CONTROL. Interim and final erosion control plans shall be prepared and submitted to the Engineering Division of the Parks & Public Works Department. A Notice of Intent (NOI) and Storm Water Pollution Prevention Plan (SWPPP) shall be submitted to the San Francisco Bay Regional Water Quality Control Board for projects disturbing more than one acre. A maximum of two weeks is allowed between clearing of an area and stabilizing/building on an area if grading is allowed during the rainy season. Interim erosion control measures, to be carried out during construction and before installation of the final landscaping shall be included. Interim erosion control method shall include, but are not limited to: silt fences, fiber rolls (with locations and details), erosion control blankets, Town standard seeding specification, filter berms, check dams, retention basins, etc. Provide erosion control measures as needed to protect downstream water quality during winter months. The grading, drainage, erosion control plans and SWPPP shall be in compliance with applicable measures contained in the amended provisions C.3 and C.14 of Order 01-024 of the amended Santa Clara County NPDES Permit.

48. 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 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.

49. CONSTRUCTION STREET PARKING. No vehicle having a manufacturer's rated gross vehicle weight exceeding ten thousand (10,000) pounds shall be allowed on the portion of a street which abuts property in a residential zone without prior approval from the Town Engineer (§ 15.40.070).
50. SITE DRAINAGE. Rainwater leaders shall be discharged to splash blocks. No through curb drains will be allowed.
51. UNDERGROUND UTILITIES. No underground utilities shall be constructed within the dripline of a tree or shrub/bush.
52. NONPOINT SOURCE POLLUTION PREVENTION. On-site drainage systems shall include a filtration device such as a bio-swale or permeable pavement.
53. 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.
54. UTILITIES. The developer shall install all utility services, including telephone, electric power and all other communications lines underground, as required by Town Code §27.50.015(b). All new utility services shall be placed underground. Underground conduit shall be provided for cable television service.
55. RESTORATION OF PUBLIC IMPROVEMENTS. The developer shall repair or replace all existing improvements not designated for removal that are damaged or removed because of 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.
56. DRIVEWAY APPROACH. The developer shall install one Town standard residential driveway approach. The new driveway approach shall be constructed per Town Standard Details.

57. AS-BUILT PLANS. After completion of the construction of all work, the original plans shall have all changes (change orders and field changes) clearly marked. The "as-built" plans shall again be signed and "wet-stamped" by the civil engineer who prepared the plans, attesting to the changes. The original "as-built" plans shall be review and approved the Engineering Inspector. A Mylar and AutoCAD disk of the approved "as-built" plans shall be provided to the Town before the Faithful Performance Security or Occupancy Permit is released. The AutoCAD file shall include only the following information and shall conform to the layer naming convention: a) Building Outline, Layer: BLDG-OUTLINE; b) Driveway, Layer: DRIVEWAY; c) Retaining Wall, Layer: RETAINING WALL; d) Swimming Pool, Layer: SWIMMING-POOL; e) Tennis Court, Layer: TENNIS-COURT; f) Property Line, Layer: PROPERTY-LINE; g) Contours, Layer: NEWCONTOUR. All as-built digital files must be on the same coordinate basis as the Town's survey control network and shall be submitted in AutoCAD version 2000 or higher.

58. SANITARY SEWER BACKWATER VALVE. Drainage piping serving fixtures which have flood level rims less than twelve (12) inches (304.8 mm) above the elevation of the next upstream manhole and/or flushing inlet cover at the public or private sewer system serving such drainage piping shall be protected from backflow of sewage by installing an approved type backwater valve. Fixtures above such elevation shall not discharge through the backwater valve, unless first approved by the Administrative (Sec. 6.50.025). 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 section 103(e) of the Uniform Plumbing Code adopted by section 6.50.010 of the Town Code and maintain such device in a functional operating condition. Evidence of West Valley Sanitation District's decision on whether a backwater device is needed shall be provided prior to issuance of a building permit.

59. SANITARY SEWER LATERAL. Sanitary sewer laterals are televised by West Valley Sanitation District and approved by the Town of Los Gatos before they are used or reused. Install a sanitary sewer lateral clean-out at the property line.

60. 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. 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.

61. 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 ff 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.

62. COVERED TRUCKS: All trucks transporting soil materials to and from the site shall be

covered.

TO THE SATISFACTION OF THE SANTA CLARA COUNTY FIRE DEPARTMENT:

63. REQUIRED FIRE FLOW: Required fire flow for this project is 2,000 GPM at 20 psi residual pressure. As an automatic sprinkler system will be installed, the fire flow has been reduced by 75% establishing a required adjusted fire flow of 1000 gpm at 20 psi residual pressure. The adjusted fire flow is not available from area water mains and fire hydrants which are spaced at the required spacing.
64. AUTOMATIC FIRE SPRINKLER SYSTEM REQUIRED: Buildings requiring a fire flow in excess of 2,000 GPM or, in excess of two stories or 35 feet in height or, in excess of 10,000 square feet or new homes located within the hazardous fire area, shall be protected throughout by an automatic fire sprinkler system, hydraulically designed per National Fire Protection Association (NFPA) Standard #13. *see additional underground fire service comment.
65. A State of California licensed 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.
66. FIRE APPARATUS (ENGINE) ACCESS DRIVEWAY REQUIRED. Provide an access driveway with a paved all weather surface, a minimum unobstructed width of 12 feet, vertical clearance of 13 feet 6 inches, and a maximum slope of 15%. Installations shall conform to Fire Department Standard Details and Specifications sheet D-1.
67. TIMING OF REQUIRED ROADWAY INSTALLATIONS. Required driveway installations shall be constructed to a surface of 8 inches of class 2 aggregate base and compacted to 95% prior to the start of construction. Bulk combustible materials shall not be delivered tot he site until installations are complete. Note that building permit issuance may be withheld until installations are completed.
68. PREMISES IDENTIFICATION. Approved numbers or addresses shall be placed on all new buildings in such a position as to be plainly visible and legible from the street or road fronting the property. The numbers shall contrast with their background.

* Required Mitigation Measure of the Negative Declaration for this project.

NOTICE

Town of Los Gatos
Environmental Impact Review

Mitigated Negative Declaration

Lead Agency: Town of Los Gatos
Community Development Department
110 East Main Street
Los Gatos, CA 95031

Project Title and Location: 107 Drysdale Drive
Architecture and Site Application S-0516

Project Description: The project applicant is requesting Architecture and Site approval to construct a single-family residence on a 1.8-acre parcel that extends between Shady Lane and Drysdale Drive. The proposed home would be 5,396 square feet (s.f.), including a three-car garage (718 s.f.). It would be two stories high (maximum vertical height of 25 feet at any point to finished or existing grade). The footprint of the home would cover approximately 4,153 s.f., while the access driveway, patios and walkways would cover about 3,700 s.f. (7,853 s.f. total). Slopes on the site average 36%, but the proposed home would be located on slopes of 20 to 30%. The driveway and front walkway would be located on slopes of 10 to 20%.

The proposed access driveway is proposed to be approximately 80 feet long and would extend from Drysdale Drive to the proposed home. The proposed driveway would be 12 feet wide with asphalt concrete (AC) paving.

Determination: Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures listed below have been added to the project, mitigating potential impacts to a less-than-significant level. An Environmental Impact Report will not be required.

Statement of Reasons to Support Finding:

1. **Aesthetics:** The undeveloped project site is located south of Shady Lane and north of Drysdale Drive, on a northwest-facing hillside that overlooks the Santa Clara Valley. There are four residential properties abutting the project site and portions of the project site are visible from all four homes. The two homes to the southeast and south (across Drysdale Drive) are located uphill of the site, while the home to the west is located downhill of the site. Existing topography blocks views of most of the site (and proposed home) from the home to the east.

The proposed residence would be located on the upper, southern portion of the site. Similar to adjacent homes to the west, south, and southeast, the proposed residence would be designed so that views are oriented to the northwest. Since scenic views are oriented to the northwest, the proposed residence is not expected to block scenic vistas from the existing home to the west even though rear views of the proposed residence would be available from this home. The proposed residence would be located downhill of the existing homes to the southeast and south. The proposed height (16 feet high on the uphill side and 28 feet high on the downhill side) would be low enough to avoid blocking scenic views from the home to the southeast. Scenic views to the northwest from the existing home to the south would also not be affected

by the proposed home. However, it is possible that the proposed home could partially block views of hills to the north from this existing home. As part of the Architecture and Site Review process, the Town will require provision of story poles to demonstrate the home's proposed height and determine visibility of the proposed residence from adjacent areas. In addition, the proposed home design will be evaluated for consistency with the Town's Hillside Development Standards and Guidelines. Design measures to minimize any visual impacts will be required as part of that process. Depending on the visibility of the proposed residence from existing homes to the south and southeast, the Town could consider the following recommendation:

Recommendation: The project will be required to relocate two small oak trees currently located adjacent to the proposed home site. Relocation of these two oaks to the southeast corner of the site along the north side of Drysdale Drive (consistent with the row of oaks along the southwestern project boundary) could help reduce visibility of the proposed home from the existing residence to the south. If the relocated trees die within two years of relocation, replacement trees should be required and the number and size of replacement trees should be determined by the Director of Parks and Public Works.

Outdoor lighting would be provided on the exterior of the home and could affect nighttime scenic views of homes located uphill of the site. The Zoning Ordinance (Section 29.10.09035) would prohibit the production of direct or reflected glare (such as that produced by floodlight) onto any area outside the project boundary. However, this ordinance requirement would not necessarily mitigate potential impacts on nighttime scenic views from adjacent areas, and therefore, the following measure shall be required to mitigate this potential impact to a less-than-significant level:

Mitigation: Outdoor lighting shall be minimized and directed downward so as not to affect nighttime views from adjacent residences.

Mitigation Monitoring: The Planning Division of the Community Development Department will be responsible for ensuring that appropriate lighting is reflected in final project plans.

2. Agriculture Resources: The project site is undeveloped, but the project site's sloping topography limits its agricultural potential. Therefore, the project would not adversely affect any existing agricultural resources at the site. Since the site is not in agricultural use, the project would not adversely affect any existing agricultural operations.

3. Air Quality: According to the Town, the project would generate one AM peak hour trip and one PM peak hour trip. The proposed residence would be below the Bay Area Air Quality Management District's (BAAQMD) threshold levels for potential significance for residential uses. The BAAQMD threshold level for potential significance is 375 single-family units. At or above this size, traffic generated by the project could produce air quality problems, and an air quality impact assessment would need to be prepared and submitted to the BAAQMD for review.

Proposed grading activities would generate short-term emissions of criteria pollutants, including suspended and inhalable particulate matter and equipment exhaust emissions. Although the project parcel is 1.8 acres, project construction would result in surface disturbance of less than one acre. The BAAQMD does not require quantification of construction emissions, but considers any project's construction-related impacts to be less than significant if required dust-control measures are implemented. The Town's standard construction notes that are included with all projects require the contractor to "meet or exceed the requirements of the appropriate air quality management agencies..." Therefore, standard Town requirements would require implementation of the BAAQMD's standard dust control measures (which

are required on sites of three acres or less), which would mitigate the project's construction-related air quality impacts to a less-than-significant level.

4. Biological Resources: Special Status Plant Species. The project site supports mixed oak woodland habitat with oaks located mostly on the northern half of the property and non-native grassland habitat dominating the southern half of the property. Although plans indicate that brush covered the southwestern portion of the site, a field reconnaissance indicates that this brush has been completely removed. Based on biological surveys conducted on adjacent properties, the site has the potential to support suitable habitat for three special status species (CNPS List 1B: "Plants rare, threatened or endangered in California and elsewhere"): big-scale balsamroot (*Balsamorhiza macrolepis* var. *macrolepis*), Loma Prieta hoita (*Hoita strobilina*) and western leatherwood (*Dirca occidentalis*). Although it is unknown whether these species are present on the site, it is unlikely that they currently occur within the proposed development area due to recent vegetation/brush clearing of the southern portion of the site. In addition, given the limited area affected by proposed development (structural and impervious surfaces would cover approximately 7,850 square feet or 10% of the site), the project would not significantly reduce potential habitat for any of these species.

Tree Removal. Policy O.P.3.3 of the Open Space Element of the Los Gatos General Plan emphasizes preservation of public and private landscaping along Town streets. The Los Gatos Tree Protection Ordinance states that the preferred tree replacement is two or more trees of a species and size designated by the Director of the Parks and Public Works Department. Tree replacement requirements are based on canopy size, which is defined in Table 3-1 of the Ordinance, *Tree Canopy – Replacement Standard.* Tree canopy replacement requirements range from two to six 24-inch box size trees or two 36-inch and/or 48-inch box size trees, depending on the canopy size of the tree to be removed.

The Town retained Arbor Resources (AR) to conduct a tree inventory and review of the project site to determine the project's compliance with the Town's Tree Protection Ordinance. This survey was completed in November 2004, and report findings and recommendations are included as Attachment 1 of the Initial Study. AR identifies five ordinance-size trees in the vicinity of the proposed home and area affected by proposed grading. They include three coast live oaks (#1, 2, and 4), one valley oak (#3), and one Monterey pine (#5). The proposed home design would directly affect two oaks (#3 and 4) and given their health and relatively small size, relocation of these trees is recommended. The proposed sewer line would affect three oaks located near Drysdale (identified on Sheet 1 as 8, 11, and 16 inches in size) and relocation of the sewer lateral is recommended. The two storm drain facilities proposed north of the home would drain directly into a grove of oaks, compromising the surrounding trees' longevity and stability. It is recommended that these storm drains be relocated outside of the tree canopies.

To minimize potential damage to trees that are proposed to be retained (particularly those with significant value identified above) as well as those adversely affected by proposed development, the following measure will be required to reduce potential biological impacts to a less-than-significant level:

Mitigation: The project applicant shall be required to implement all 21 recommendations made by the Town's consulting arborist, Arbor Resources, in its November 24, 2004 report. These measures are included in Attachment 1 of the Initial Study.

Mitigation: The two storm drain lines, outlets, and energy dissipators proposed on the north side of the house shall be re-aligned and directed westward, similar to the drains proposed on the southern side of the building envelope. The re-aligned storm drains would avoid discharge of new storm runoff flows in the vicinity of oak trees designated for retention on the project site.

Mitigation Monitoring: The Planning Division of the Community Development Department will be responsible for ensuring that all recommendations made by the arborist are reflected in final project plans. The Engineering Division of the Community Development Department will be responsible for ensuring that required drainage improvements are reflected in the final Grading Plan and implemented during construction. The Parks Division of the Parks and Public Works Department will be responsible for ensuring that all tree protection measures are properly implemented during construction.

5. Cultural Resources: The project site is currently undeveloped, and the potential for encountering cultural resources during project construction would be low due to the site's relatively steep topography. There is a seasonal drainage located just north of the site, adjacent to Shady Lane. Although there is typically a higher potential for encountering archaeological resources in areas adjacent to or near a river or creek, the seasonal nature of this drainage channel combined with the steep topography of the site and its vicinity would limit the potential for encountering cultural resources.

6. Geology and Soils: A review of the Town's hazards maps indicates that the project site has a low potential for fault rupture, low potential for slope stability hazard (moderate hazard adjacent to Shady Lane), moderate to low potential for seismic shaking, high shrink-swell potential, no potential for liquefaction, and high erosion hazard. Debris flow hazards were identified for the lower portion of the site adjacent to Shady Lane, but no development is proposed in this area. The Town's Fault Map does not identify any faults on the site. Given the site's sloping topography, there would be a potential for erosion hazards if soils are subject to concentrated runoff flows. Town requirements will include provision of a complete erosion control plan (including interim erosion control measures and drainage controls such as energy dissipators). Such measures would reduce potential erosion hazards to a less-than-significant level.

A detailed geologic and geotechnical investigation was prepared by Redwood Geotechnical Engineering (RGE) in August 2004 and a peer review of the RGE report was completed for the Town by Geomatrix Consultants in November 2004. Copies of these studies are on file at the Los Gatos Community Development Department. This study involved review of available data and aerial photographs, drilling six borings, lab testing, reconnaissance-level geologic mapping, and evaluation of landslide hazards. This investigation concluded that the site appears to be geologically suitable for the proposed development provided recommendations in the RGE report are implemented. In its peer review of these reports, Geomatrix concluded that these reports adequately address geologic and seismic conditions and geotechnical engineering aspects of the proposed project. The following discussion is based on information presented by RGE and Geomatrix.

The site lies within the seismically active Bay Area, but is not within any of the "Earthquake Fault Zones" established by the Alquist-Priolo Earthquake Fault Zoning Act of 1972. The closest significant fault to the property are traces of the Monte Vista-Shannon fault zone, part of the Foothills fault system, which are located about 1,000 feet southwest and 2,000 feet northeast of the project site. The San Andreas fault zone is located approximately 4.5 miles southwest of the project site.

The property is underlain by Monterey Shale bedrock and mantled by colluvium and residual soils. A wedge of artificial fill is mapped near the southern property boundary along the outside of Gum Tree Drive. Soil and bedrock encountered in the borings ranged from non-expansive to highly expansive.

No landslides are mapped on the property. However, the Seismic Hazard Zones map of the Los Gatos Quadrangle indicate that the property is located in an area of potential earthquake-induced landslides. RGE determined that the potential would be low for landsliding, liquefaction, or fault rupture to significantly affect the proposed residence and driveway. However, the property would be subject to very

strong to violent ground shaking from a future large earthquake on the nearby San Andreas fault zone or on one of the other major active faults in the region. It should be noted that most of the Bay Area as well as surrounding residences are subject to similar groundshaking hazards. RGE and Geomatrix specify criteria and standards in accordance with the Uniform Building Code (UBC) for site grading, drainage, pavement design, retaining wall design, erosion control, and foundation design. By implementing applicable UBC requirements and sound engineering practices, the Los Gatos General Plan EIR determined that proposed development would be at no higher risk of potentially significant impacts due to seismically-induced ground failure from seismic shaking than any other similarly situated area.

The following measures shall be required to reduce identified potentially significant seismic, erosion, and soil hazards to less-than-significant levels:

Mitigation: The project design shall incorporate all applicable recommendations in Redwood Geotechnical Engineering, Inc.'s (RGE) geotechnical investigation (August 31, 2004) for the proposed project (included as Attachment 2 of the Initial Study) in order to minimize the potential impacts resulting identified geotechnical constraints.

Mitigation: Prior to issuance of the building permit(s), Geomatrix Consultants shall review the construction plans submitted with the building permit application. The construction plans shall include foundation plans and other structural plans for all structures and should reflect RGE's recommendations and any other supplemental recommendations by RGE.

Mitigation: Prior to issuance of the building permit(s), RGE shall review the final construction plans, including foundation and structural plans, to ensure that final plans conform with all RGE (August 31, 2004). RGE shall submit a Plan Review letter to the Town.

Mitigation: During construction, RGE shall observe and document the geotechnical engineering aspects of construction, including grading and drainage improvements. Prior to project completion, RGE shall submit an "as-built" construction observation letter to the Town.

Mitigation Monitoring: The Building Division of the Community Development and Parks and Public Works Departments will be responsible for ensuring that the supplemental evaluation is provided and all recommendations are incorporated into the project design and properly implemented during construction.

7. Hazards and Hazardous Materials: The project site is not included on any Hazardous Wastes and Substances Sites List. No significant public health risks are anticipated since the project site is undeveloped, and there is no evidence of previous use of the site that would pose the potential for public health risks or presence of contaminants at the site.

According to the Los Gatos General Plan, the project site is located in a fire hazard area. General Plan Policy S.P.2.3 encourages design and siting of new development in fire hazard areas to minimize hazards to life and property, such as fire preventive site design, access, landscaping and building materials, and use of fire suppression techniques. In addition, the project will be required to comply with the following standards contained in the Town's Hillside Development Standards and Guidelines (January 2004) to minimize fire hazards:

1. *Building locations shall minimize exposure to wildfires.*

2. *A landscape plan shall be provided and will be reviewed by the Town's Landscape Consultant with input from the Fire Department. The landscape plan shall create defensible space around*

the home, and if there is a fire ladder on the property, it shall be eliminated in an environmentally sensitive manner.

3. *Development shall have adequate fire access.*

4. *A dependable and adequate water supply for fire protection and suppression purposes, as required by the Santa Clara County Fire Department, shall be provided for all properties.*

5. *Water for fire suppression shall be available and labeled before any framing may being.*

6. *Above ground water tanks shall not be located in required setback areas.*

Hillside Development Standards and Guidelines also provide the following recommendations or guidelines for reducing fire hazards:

1. *Development should avoid areas subject to severe fire danger. In order to achieve this, development should be set back from the crest of a hill, not be located on or adjacent to slopes greater than 30%, and not be located within densely wooded areas. If this is not possible, measures designed to assure the highest degree of fire prevention and fast effective means of evacuation and fire suppression shall be provided.*

2. *The fuel load within a defensible space should be minimized by use of selective pruning, thinning and clearing as follows: removal of flammable species and debris, removal of dead, dying or hazardous trees, mow dead grasses, removal of dead wood from trees and shrubs, and thin tree crowns (maximum of 25%).*

3. *Discontinuous fuel sources should be created and maintained within a defensible space through use of the following techniques: thin vegetation to form discontinuous groupings of trees or shrubs, limb trees up from the ground, and establish a separation between the lowest branches of a tree and any understory shrubs.*

4. *Landscaping within a defensible space should be designed with fire safety in mind. Landscaping in defensible space should be: fire resistant and drought tolerant, predominantly low-growing shrubs and groundcovers (limit shrubs to 30% coverage), limited near foundations (height and density).*

5. *Above ground tanks should not be located in areas of high visibility..."*

Project Consistency: With respect to building location, the proposed home would avoid the crest of a hill, slopes over 30%, and areas covered by oak woodland. Recent brush clearing on the southern portion of the site has reduced fuel loads in the vicinity of the proposed home, but relocated trees will need to be located appropriately so as to maintain a defensible space around the proposed home. To minimize fire hazards, the Santa Clara County Fire Department will require an automatic fire sprinkler system in the proposed home since required fire flows are not available from area water mains and hydrants. The Fire Department will also require improvement of the access driveway to fire department standards and these driveway improvements must be completed prior to the start of home construction. No above ground tanks are proposed or required for this project. The following measure shall be implemented to minimize potential fire hazards to a less-than-significant level:

Mitigation: Relocated Trees #3 and 4 (recommended in the mitigation measure under Biological Resources) should be located so as maintain defensible space around the proposed home. If the

relocated trees die within two years of relocation, replacement trees should be required and the number and size of replacement trees should be determined by the Director of Parks and Public Works.

Mitigation Monitoring: The Planning Division of the Community Development Department will be responsible for ensuring that relocated tree locations are reflected in final project plans and implemented during construction.

8. Hydrology and Water Quality: Elevations on the site range from a high of about 528 feet at the southeast end of the site (adjacent to Gum Tree Drive) to a low of about 412 feet near the northwest corner of the property (adjacent to Shady Lane). The site consists of a northwest facing-hillside south and above Shady Lane. Slopes are generally over 30% north of (below) the proposed home and less than 30% south and southeast of the proposed home. The property slopes toward the northwest with rainfall generally percolating on-site. During more intense storm events, runoff drains to the northwest as minor overland flows. The site's runoff is intercepted in the northern part of the property by a paved driveway that extends across the northern end of the project site. Collected storm flows then drain as sheet flows northeastward to the intersection of the driveway with Shady Lane. Storm runoff on Shady Lane is channeled into the Town's storm drain system via a catch basin and drainage channel located on the north side of Shady Lane, ultimately discharging into San Francisco Bay via Ross Creek.

No groundwater was encountered in the any of the soil borings at the time of drilling (May 21, 2004 and June 2, 2004) conducted on the site as part of the geotechnical investigation by Redwood Geotechnical Engineering.

The proposed drainage system would consist of area drains for impervious patio surfaces and four-inch storm drains for runoff from the roof areas. Runoff from patio and walkway surfaces would be collected by four area drains and conveyed by storm drain north of the building envelope for discharge to the open area north of the proposed building site. Similarly, surface runoff from the house roof would drain to three drain lines; one drain line would extend northward as with the patio drain line, and the two remaining drain lines would extend westward and discharge in an open area west of the house. All drain lines would discharge though energy dissipating structures or across rip-rap to prevent erosion at the discharge point. Also, drain pipe would be perforated to minimize discharge volumes. The two discharge locations on the west side of the building envelope are gently sloped and would provide for on-site percolation of structural runoff. Discharge points on the north side of the building envelope are on a steeper sloped area above five oak trees. Required relocation of these discharge points (see Mitigation Measures under Biological Resources) would help minimize impacts on these oak trees. Energy dissipators for these drain pipes would reduce the potential for erosion on this hillside location. The Town will require the preparation and implementation of an erosion control plan where appropriate measures will be specified to minimize potential erosion hazards after project construction.

The site is currently undeveloped. With project development, impervious surface area would cover approximately 7,850 square feet (0.18 acre) or 10% of the site. The resulting incremental increase in peak surface flows due to these impervious surfaces would be less than significant due to the small size of the affected area.

Flood Hazards. According to Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps for the project area, the project site is not within the 100-year floodplain. The Town of Los Gatos Safety Element Flood Hazards Map also shows the project site does not lie within a flood zone. Therefore, no significant flood hazard impacts would be anticipated. Although the project site is not subject to flooding, runoff from the project site affects flows along Short and Ross creeks. The SCVWD reports that currently there are frequent flooding problems along Short Creek. However, the proposed

project is not expected to significantly increase peak flows since the project's drainage concept is to discharge runoff as surface flows, facilitating local percolation and infiltration.

Water Quality. New, more stringent water quality regulations of the Clean Water Act have recently been triggered because the NPDES (National Pollution Discharge Elimination System) permit program has failed to protect beneficial uses of Santa Clara County's creeks and the South San Francisco Bay, as evidenced by such observations as violations of ambient water quality criteria, high concentrations of toxic substances, and fish consumption health advisories. These new regulations require that all discharges shall comply with Provision C.3, New and Redevelopment Performance Standards of Order No. 01-024 of the NPDES permit program.

The project site is located within the Ross Creek watershed. Runoff from the site would discharge to the Town's storm drains in Shady Lane, flowing into Short and Ross Creeks. North of Blossom Hill Road, Ross Creek flows mostly through San Jose, joining Guadalupe River approximately five miles downstream of the project site. Stream flows ultimately discharge into San Francisco Bay via Alviso Slough. Ross and Short creeks are Santa Clara Valley Water District (SCVWD) water management facility, although these creeks are located approximately one-half mile west of the site.

As a condition of project approval, the Town will require: (1) preparation and submittal of interim and final erosion control plans to the Engineering Division of the Parks and Public Works Department; and (2) implementation of non-point source pollution prevention measures such as directing runoff from impervious surfaces to bio-swales or landscaping areas to reduce pollutant levels in the water that will eventually discharge to Ross Creek. Best Management Practices (BMPs) outlined by the Santa Clara Valley Urban Runoff Pollution Prevention Program (SCVURPPP) for treatment control of pesticides are bioretention and infiltration. The proposed grading and drainage plan indicates that runoff from impervious surfaces such as rooftops, driveways, and patios would be directed to on-site downslope, vegetated areas that would facilitate local percolation and infiltration. The Town has determined that the project complies with current non-point source requirements as well as SWPPP and erosion control portions of the NPDES permit program.

9. Land Use and Planning: The Los Gatos General Plan designates the project site for "Hillside Residential" and this designation allows for residential uses at densities of zero to one unit per acre. The Zoning Ordinance designates the project site as "Hillside Residential," which requires one to five acres for each dwelling unit. Since the proposed single-family residence would be located on a 1.8-acre site, it would be consistent with densities allowed by the General Plan and Zoning Ordinance.

The project site is located adjacent to existing residential uses. There are residences developed on all surrounding contiguous parcels. The proposed residential use would be consistent with surrounding single-family residential uses. Therefore, the proposed project would not pose any land use compatibility problems.

10. Mineral Resources: The Los Gatos General Plan does not identify any regionally or locally-important mineral resources on the project site or in its vicinity.

11. Noise: The Town Noise Ordinance (Chapter 16) restricts construction activities to the hours of 8:00 a.m. to 8:00 p.m. on weekdays and 9:00 a.m. to 7:00 p.m. on weekends and holidays. This ordinance also limits noise generation to 85 dBA at the property line or 85 dBA at 25 feet. Project construction would result in temporary short-term noise increases due to the operation of heavy equipment. Construction noise sources range from about 82 to 90 dBA at 25 feet for most types of construction equipment, and slightly higher levels of about 94 to 97 dBA at 25 feet for certain types of earthmoving and impact equipment. If noise controls are installed on construction equipment, the noise levels could be reduced to

80 to 85 dBA at 25 feet, depending on the type of equipment. With controls, construction noise levels could be made to comply with the Town Noise Ordinance.

Residential uses are generally considered to be noise-sensitive uses or sensitive receptors. There are three existing residences located adjacent to the project site: (1) approximately 120 feet west of the proposed residence; (2) approximately 150 feet south of the proposed residence (across Drysdale Drive); and (3) over 150 feet east of the proposed residence. At 120 feet, the ordinance noise limit (85 dBA at 25 feet) would result in maximum noise levels of 71 dBA at the adjacent closest residence (to the west). Temporary disturbance (e.g., speech interference) can occur if the noise level in the interior of a building exceeds 45 to 60 dBA. To maintain such interior noise levels, exterior noise levels at the closest residences (with windows closed) should not exceed 70 to 80 dBA and this exterior noise level is used as a significance threshold or criterion. Maximum construction noise levels could periodically meet but not exceed this criterion. Therefore, enforcement of time restrictions and noise level standards contained in the Town Noise Ordinance would maintain construction noise levels at acceptable levels and speech interference effects would not be expected when heavy equipment is operated on the project site.

Long-term noise increases associated with the project would result from increased traffic along Drysdale Drive and residential activities (i.e., operation of appliances and maintenance equipment such as lawnmowers, blowers, etc.). Traffic increases associated with the project would be minor and would not significantly or measurably increase ambient noise levels in the project vicinity. Noise generated by project residential activities would be similar to noise generated by adjacent or nearby residential uses and would not conflict with the existing residential noise environment in the neighborhood.

12. Population and Housing: The proposed project would consist of one single-family residence on one parcel, and would not result in intensification of residential uses or significantly increase local or regional population. Since the project would not extend new roadways or utilities to any adjacent undeveloped lands, the project would not induce new growth. The project site is currently undeveloped and no existing housing units would be displaced by the project.

13. Public Services: Services are currently provided to other residences in the surrounding area. The addition of one residence would not significantly increase demand for public services since services are already provided to the project area. The Santa Clara County Fire Department provides fire protection services to the project area. The project would be subject to Department requirements including provision of an approved automatic fire sprinkler system and adequate access (driveway width, grade, and length). The Department will also require that driveway improvements be completed prior to the start of proposed home construction, and bulk combustible materials not be delivered to the site until these improvements are complete. Project plans indicate proposed gradients along the proposed driveway range between 7% and 9%, which would meet the Department's maximum acceptable driveway slope of 15%.

14. Recreation: The proposed addition of one residential unit would incrementally add new population to the area, and thereby increase the demand for recreational services. This incremental increase would be less than significant given the small size of the project.

15. Transportation and Traffic:. The Town's Traffic Impact Policy (Resolution 1991-174) specifies that a project with a traffic impact of 19 or less additional AM or PM peak hour trips could be approved without a comprehensive traffic report if it is determined that the benefits of the project to the Town would outweigh the impact of increased traffic. However, the project would be subject to payment of a traffic mitigation fee. The proposed single-family residence would result in a net increase of ten trips per day, with one AM peak hour trip and one PM peak hour trip. According to the Town's traffic determination, traffic generated by the proposed project would represent a minor impact and no additional traffic studies would be required.

Project construction would involve approximately 570 cubic yards of cut and 50 cubic yards of fill, or a net cut of 720 cubic yards. The export of approximately 720 cubic yards of excess fill would generate approximately 120 truck trips (60 truckloads assuming 12 cubic yards per load). Assuming trucks would be filled at a rate of approximately four trucks per hour and seven hours per day (9 a.m. to 4 p.m.), truck traffic increases of approximately four trucks per hour would occur over approximately two work days. Existing roads would be adequate to carry this temporary increase in truck traffic.

The Hillside Specific Plan (HSP) requires provision of four parking spaces while the Town's Zoning Ordinance requires provision of two parking spaces for the proposed single-family residence. The project would meet the HSP and zoning requirements by provision of a three-car garage and the driveway apron, which would accommodate at least one car.

Utilities and Service Systems: Utilities currently extend to other residences on adjacent parcels and, therefore, no major off-site utility improvements are expected to be required. Sewer, water, and gas facilities are currently located in Drysdale Drive south of the site. Water and gas lines would be extended from Drysdale Drive to the east of the proposed driveway, while the sewer line would extend west of the proposed driveway (below the proposed home). Electrical, telephone, and cable facilities are located at the eastern project boundary (near the southeast corner of the site), and underground facilities would extend across the hillside slope above the proposed home to the eastern project boundary. The Fire Department will require installation of an approved automatic fire sprinkler system in the proposed home since required fire flows are not available from area water mains and hydrants. The Department will also require that driveway improvements be completed prior to the start of proposed home construction, and bulk combustible materials not be delivered to the site until the driveway is complete.

Proposed storm drainage facilities would consist of provision of catch basins in the patio east of the home. The patio and roof areas would drain to two energy dissipators located north of the home and two footing drains (discharging across rip-rap) southwest of the home. Proposed construction of proposed utilities across site slopes would pose erosion hazards. The Town's requirement of an erosion control plan (including interim erosion control measures) would reduce potential erosion hazards to a less-than-significant level.

Copies of the Initial Study used to make the above recommendation are on file and available for public inspection during regular business hours at the Town Community Development Department, 110 East Main Street, Los Gatos, California.

_____ _____

Date Bud N. Lortz, Director of Community Development

MITIGATION MONITORING PLAN				
PROJECT: 107 Drysdale Drive Negative Declaration ND-05-05				
IMPACT	MITIGATION	MONITORING ACTION	RESPONSIBILITY	TIMING
Aesthetics	The project will be required to relocate one small oak tree currently located adjacent to the proposed home site. Relocation of this oak to the southeast corner of the site along the north side of Drysdale Drive (consistent with the row of oaks along the southwestern project boundary) could help reduce visibility of the proposed home from the existing residence to the south. If the relocated trees die within two years of relocation, replacement trees should be required and the number and size of replacement trees should be determined by the Director of Parks and Public Works.	Condition of Approval	Director of Parks and Public Works	Prior to issuance of building permits
Aesthetics	Outdoor lighting shall be minimized and directed downward so as not to affect nighttime views from adjacent residences.	Condition of Approval	Director of Community Development	Prior to issuance of building permits
Biological Resources	The project applicant shall be required to implement all 21 recommendations made by the Town's consulting arborist, Arbor Resources, in its November 24, 2004 report	Condition of Approval	Director of Parks and Public Works	During Construction
Biological Resources	The two storm drain lines, outlets, and energy dissipaters proposed on the north side of the house shall be re-aligned and directed westward, similar to the drains proposed on the southern side of the building envelope. The re-aligned storm drains would avoid discharge of new storm runoff flows in the vicinity of oak trees designated for retention on the project site.	Condition of Approval	Director of Parks and Public Works	Prior to issuance of building permits

Attachment 4

MITIGATION MONITORING PLAN				
PROJECT: 107 Drysdale Drive Negative Declaration ND-05-05				
Geology and Soils	The project design shall incorporate all applicable recommendations in Redwood Geotechnical Engineering, Inc.'s (RGE) geotechnical investigation (August 31, 2004) for the proposed project (included as Attachment 2) in order to minimize the potential impacts resulting identified geotechnical constraints.	Condition of Approval	Director of Parks and Public Works	Prior to issuance of building permits
Geology and Soils	Prior to issuance of the building permit(s), Geomatrix Consultants shall review the construction plans submitted with the building permit application. The construction plans shall include foundation plans and other structural plans for all structures and should reflect RGE's recommendations and any other supplemental recommendations by RGE.	Condition of Approval	Director of Parks and Public Works	Prior to issuance of building permits
Geology and Soils	Prior to issuance of the building permit(s), RGE shall review the final construction plans, including foundation and structural plans, to ensure that final plans conform with all RGE (August 31, 2004). RGE shall submit a Plan Review letter to the Town.	Condition of Approval	Director of Community Development	Prior to issuance of building permits
Geology and Soils	During construction, RGE shall observe and document the geotechnical engineering aspects of construction, including grading and drainage improvements. Prior to project completion, RGE shall submit an "as-built" construction observation letter to the Town.	Condition of Approval	Director of Community Development	During Construction

MITIGATION MONITORING PLAN				
PROJECT: 107 Drysdale Drive Negative Declaration ND-05-05				
Hazards and Hazardous Materials	Relocated Trees #3 (recommended in Measure #3) should be located so as maintain defensible space around the proposed home. If the relocated trees die within two years of relocation, replacement trees should be required and the number and size of replacement trees should be determined by the Director of Parks and Public Works.	Condition of Approval	Director of Community Development	During Construction

FILING FEES
$262.00 Residential
$1047.00 per Commercial, Multi-family or Tentative Map Appeal

PAID $262.00
MAR 24 2005 #1891
TOWN OF LOS GATOS
CLERK DEPARTMENT

Town of Los Gatos
Clerk Department
110 E. Main St., Los Gatos CA 95030

FILED
MAR 24 2005
TOWN OF LOS GATOS
CLERK DEPARTMENT

APPEAL OF PLANNING COMMISSION DECISION

I, the undersigned, do hereby appeal a decision of the Planning Commission as follows: (PLEASE TYPE OR PRINT NEATLY)

DATE OF PLANNING COMMISSION DECISION: March 23, 2005

PROJECT / APPLICATION NO: S-05-16

ADDRESS LOCATION: 107 Drysdale Drive, Los Gatos

Pursuant to the Town Code, the Town Council may only grant an appeal of a Planning Commission decision in most matters if the Council finds that one of three (3) reasons exist for granting the appeal by a vote of at least three (3) Councilmembers. Therefore, please specify how one of those reasons exist in the appeal:

1. The Planning Commission erred or abused its discretion because it did not follow the direction of staff, the town architect and the new hillside ordinace. Most frustration and disappointing of all is that they could not articulate any specfic problems with the plans. ; **OR**

2. There is new information that was not reasonably available at the time of the Planning Commission decision, which is _____ (please attach the new information if possible): **OR**

3. The Planning Commission did not have discretion to modify or address the following policy or issue that is vested in the Town Council: _____

IF MORE SPACE IS NEEDED, PLEASE ATTACH ADDITIONAL SHEETS.

IMPORTANT:

1. Appellant is responsible for fees for transcription of minutes.
2. Appeal must be filed within ten (10) calendar days of Planning Commission Decision accompanied by the required filing fee. Deadline is 5:00 p.m. on the 10th day following the decision. If the 10th day is a Saturday, Sunday, or Town holiday, then it may be filed on the workday immediately following the 10th day, usually a Monday.
3. The Town Clerk will set the hearing withing 56 days of the date of the Planning Commission Decision (Town Ordinance No. 1967)
4. An appeal regarding a Change of Zone application or a subdivision map only must be filed within the time limit specified in the Zoning or Subdivision Code, as applicable, which is different from other appeals.
5. Once filed, the appeal will be heard by the Town Council.
6. If the reason for granting an appeal is the receipt of new information, the application will usually be returned to the Planning Commission for reconsideration.

PRINT NAME: Gregory Howell
SIGNATURE: Gregory Howell
DATE: March 24, 2005
ADDRESS: 125 Glen Ridge Avenue, Los Gatos Ca. 95030
PHONE: 408-691-9550

***** OFFICIAL USE ONLY *****

DATE OF PUBLIC HEARING: May 2, 2005
Pending Planning Department Confirmation
CONFIRMATION LETTER SENT: Date: _____
TO APPLICANT & APPELLANT BY:
DATE TO SEND PUBLICATION: _____
DATE OF PUBLICATION: _____

Attachment 5

A P P E A R A N C E S:

Los Gatos Planning Commissioners:	Phil Micciche, Chair Michael Burke Michael Kane Tom O'Donnell Lee Quintana Joanne Talesfore Morris Trevithick
Director Of Community Development:	Bud N. Lortz
Town Attorney:	Orry Korb
Transcribed by:	Vicki L. Blandin 5500 Van Fleet Avenue Richmond CA 94804 (510) 526-6049

P R O C E E D I N G S:

CHAIR MICCICHE: That brings us to Item #6, 107 Drysdale Drive. Now before I call the applicant up, Commissioners, you have a desk item? Does anyone need any time to read the desk item, or have we done so already? Does anyone need any time?

Seeing none, I will call the applicant up. This is 107 Drysdale Drive, Architecture and Site Application S-05-16, Negative Declaration DN-05-05, and the applicant is here. Would you state your name, please?

GREGORY HOWELL: My name is Gregory Howell, I live at 125 Glenridge Avenue, and my partner, Tim McNeil, who lives at 17361 Clearview Drive, both in Los Gatos, are here.

We are pleased this evening to present to you an old world Spanish style house that was created to meet or exceed all the new hillside ordinances, and as you know that's no easy task. We really just would like to open it up to questions of us of what you have in front of you. We

Attachment 6

think Staff has done a great job depicting the plans and all the comments that are in there.

CHAIR MICCICHE: That's fine. Do we have any questions, Commissioners, at this time? Seeing none, I'm going to look for the public and you'll be called back after. I have at the present time three cards on this subject. If anybody else would like to speak, would they please turn in the card on Item #6? The first speaker I have is Robert Stevens.

ROBERT STEVENS: Good evening, my name is Robert Stevens. I live at 125 Drysdale Drive, Los Gatos. I'm here to support the letter that was written by Bernie Coullahan; I think you have copies. That's really all I need to say at this time, unless you have any questions.

CHAIR MICCICHE: Commissioners. Commissioner Kane.

COMMISSIONER KANE: You're supporting the letter that we have as a desk item?

ROBERT STEVENS: Yes, from Mr. Coullahan.

COMMISSIONER KANE: Which means you are opposed to the application?

ROBERT STEVENS: Not opposed, but I'm for the modifications as suggested in that letter.

COMMISSIONER KANE: Thank you.

CHAIR MICCICHE: Any other questions? Seeing none, thank you.

GREGORY HOWELL: Thank you.

CHAIR MICCICHE: Mr. Randall Pham.

RANDALL PHAM: Thank you, ladies and gentlemen, for allowing me to present my view here.

When the developers, Mr. McNeil and Mr. Howell, came to us about six or seven months ago with this home, my understanding was that they have a one-story home, and I didn't realize until the story poles came up that the house actually blocks my view from my driveway, and I did find this out with the Staff when Judie came up to inspect the property.

The reason that I bought my property at 110 Drysdale was because of the openness and the view that I have currently. I'm a surgeon, and what I hoped for was after the end of a long day doing surgery—and I usually do eight or ten a day—that I can get some peaceful moments at my home looking out, and I did point that out to Mr. Howell when he came and visited my property. He came up with the idea that it doesn't really block my view, but it does actually from my driveway and from the steps that I just

put in at my home where it would lead up to my garden. I had a flat portion where I could sit and look out into the hills and the house would be blocking my view at that point. So I oppose the application in the sense that it does defeat the purpose of why I bought the house in the first place.

The other concern that I have is that it does change the existing traffic situation. Drysdale is a very steep hill, and I'm not sure if any of you came up there to see what it's like, but it's very hard to come down the hill and come to the curb. The driveway that the applicants put was actually almost right across from my home, and I do have a three year old and at the time when it is very hard to control him. I was worried that the changing situation with the traffic can impact on the safety of my child.

The other problem that I had was there was the plan of having the road enlarged, which was not put into this plan, but other people can elaborate more on that. Thank you.

CHAIR MICCICHE: Hang on in case there are any questions. Commissioner O'Donnell.

COMMISSIONER O'DONNELL: Doctor, I want to make sure I understand. You're saying that this house will block the view from your driveway?

RANDALL PHAM: well, the view from not only my driveway, but also the view from where I hope to sit down and enjoy the evening, which is a flat portion next to my house, right next to the garage. I did put the steps in there and made it flat so that I can look out into this openness of the hills.

COMMISSIONER O'DONNELL: Thank you.

COMMISSIONER QUINTANA: Is there any other section of your yard where you have a view of the hills?

RANDALL PHAM: If you go to my house, a step next to the garage that leads to this flat portion that I just told you about. The other places in my house, like in the garage, if you look out you can still see it, but from the main living room it's very hard to see it because of the trees at my house.

But that's not the reason why I put the steps in and created a flat portion. From the garage you can see the house, but we don't have a direct door that goes from the garage to the main living room. There's not an inside door that would lead from the garage to the main living room.

There's a porch right in front of the main living room. From there you can still see the house, but next to that main living room is where the main door is, and that's where I have the trees that are blocking the house.

So it's not from a standpoint that if I stay in the main door I can't see it, but if I use the porch or the portion that is next to the garage, I will see the house.

COMMISSIONER BURKE: I'm trying to understand where your house is relative to one of these maps.

RANDALL PHAM: May I come and show you?

COMMISSIONER BURKE: Yes, please.

RANDALL PHAM: If you look at this property here, this is the proposed residence. Now my house would be on this side.

CHAIR MICCICHE: So you're on the south?

RANDALL PHAM: I would be right over here. This is Drysdale going down this way. So I'm over here looking over the hills on this side.

CHAIR MICCICHE: So you're south of it.

RANDALL PHAM: I'm not really. I don't know where is south on that, but I'm opposite on the driveway.

BERNARD COULLAHAN: I can help I think if I can come up. I live next door.

CHAIR MICCICHE: Give your name too, please.

BERNARD COULLAHAN: Bernie Coullahan. I live next door to Dr. Pham. His house is located across from the driveway entrance. It's on the south side, and the front of his house faces out that way rather than the side or the back, so it's the front that faces; so his front door looks directly into the subject property that's being built right now.

CHAIR MICCICHE: Thank you. Any other questions? Thank you. Mr. Bernard Coullahan.

BERNARD COULLAHAN: I think the only thing I wanted to say tonight that is in addition to the note that I sent to Judie today is that if this were my house that is being built, I would want it moved back further and I'd want more driveway space.

My wife and I do a fair amount of entertaining. We have a fairly large driveway, and when we built our house 25 years ago one of the requirements that your predecessors placed on us was to have a driveway big enough to turn a fire engine around in.

So things have changed over the years, but if it were my house I would want a larger driveway so I could turn a car around and egress and go out onto Drysdale Drive

forward rather than having to back out onto the road. If you look at this house, the corner of the driveway is fairly close to the corner of Gum Tree and the sharp turn on Drysdale, and also one of the steepest parts of Drysdale is right at that corner. Any questions?

CHAIR MICCICHE: Mr. Burke.

COMMISSIONER BURKE: I'm going to ask you about your water issue, the one you raised here.

BERNARD COULLAHAN: Yes.

COMMISSIONER BURKE: Your objection, if I understand you correctly, is that this property is located in the Mutual Water Company Assessment District.

BERNARD COULLAHAN: That's correct.

COMMISSIONER BURKE: But because it's not hooking up the to the Mutual Water Company, hooking up is not paying any of the assessments, but yet will be served by the fire protection provided by this water company.

BERNARD COULLAHAN: That's correct, and my main issue for bringing that up is not to stop them from using San Jose Water.

COMMISSIONER BURKE: You wouldn't want to wish that, yeah.

BERNARD COULLAHAN: Right, I don't want to wish that on anybody. My main issue of bringing that up is I'm looking as Sandy Harris's development on the Highlands Project is developed. We're working with Sandy, and I'm personally working with him.

That is our golden opportunity to get the whole water company dissolved. If you look at the water company, today there are three major pieces to the water company. There's a main water line, there's a pumping station with a cistern, and a big tank. If we can eliminate both the cistern and the big tank, and I think we can with Sandy's help, then what we need your help on is to help convince San Jose Water Company that they need to assume responsibility of that main water line, and that's the big issue with San Jose.

COMMISSIONER BURKE: Thank you.

CHAIR MICCICHE: Thank you. Mr. Larry Turner.

LARRY TURNER: Yes, I reside on Drysdale also, further up the hill, and I have a couple of concerns. I'm not against them building, but the current layout of the building is of concern to myself.

That is that when you come up Drysdale, as was already said, it's quite steep, such that the City, about

ten years ago, elected to only allow parking on one side of Drysdale. Now that that parking is just on one side of Drysdale, what it's created is that there's only one lane to go up and down Drysdale if there's vehicles on there.

Now that being the case, where this proposed home is located is one where the house is not far off Drysdale. Vehicles in the other constructions that have taken place further up Drysdale, I've had to wait 30 to 45 minutes while stuff is being unloaded because there's no room to take it off. Right now in the planning of it there's not space to take big vehicles off, at least in my eyes, and be able to handle unloading and whatever, so they're going to be blocking Drysdale Drive in that part.

Also Drysdale, given the steepness and it's just a single lane, I would like to see a turnaround type driveway on this property so that you're going to be going out front; you're not going to be backing out, but you're going to be turning around and going out forward, because it's very steep and you turn around two blind turns to get on that road and people do travel down there fast.

So that's concerns I have there. I would like to see the house moved further back, and it appears that that can be done, because the angle of the hill would allow

same, and it looks like the boundaries of that property would allow same. That would probably also partially solve the concern with regards to view blockage and would make it a lot safer on Drysdale.

CHAIR MICCICHE: Any questions? Thank you Mr. Turner. Any other speakers please turn in a card at this time and come up to the podium. Would you state your name for the record, please?

RAY DAVIS: I thank you. Well I thought you knew. Citizen Ray, period.

CHAIR MICCICHE: Thank you.

RAY DAVIS: Okay? End of story. I looked at the plans today and I've been out at the lot, and believe me, if you're here to try to save the mountainside as a public resource, you in my estimation should have some serious concerns about this house and I'll tell you why.

When I stood on the lot, the home is positioned to be exactly where it can see the valley floor to the max. You're up there and you're looking right down on the valley floor, and believe you me, I learned a long time ago if you can see the valley floor, the valley floor can see you back. It's that simple. You don't even have to go down

there. So you have a high profile home here before you in terms of the mountainside that we're all trying to protect.

The thing that really jumps out to me is that there are no dimensions on the elevations, but from the floor plan I was able to figure out that home runs about 110' long end to end. A hundred and ten feet, 25' tall.

Now, I want to tell you, in Orinda we had a similar situation with a home where the topside of the front of the home if you will, was up at the street level and the backside was down the hill, and we didn't understand the impact of two stories on the backside down the hill. This home is built this way. You go down on Shady Lane down there, looking up, and this will be a monster. What I see is the flight deck of a carrier essentially, all on one level. The roof is 110' long all on one level, except for a bump. That will be so ugly from down below you will not believe it.

Now we let one go by in Orinda because we didn't know any better. That's the only one that ever got built of this style in Orinda, because of what I'm telling you about. You put two stories on the downhill side in a massive 110' long length, it is so ugly you'll never believe it if you allow it to be built.

CHAIR MICCICHE: Thank you. Again, any other speakers please come forth now. If not, I'll call the applicant back for rebuttal of what's been stated.

GREGORY HOWELL: Well we're at a little bit of a disadvantage. We haven't seen the letter that you're all looking at, but that being said, there were some good suggestions here.

CHAIR MICCICHE: Excuse me, would you like to take the time to read that letter?

GREGORY HOWELL: No, I think it got the gist of it.

CHAIR MICCICHE: Okay.

GREGORY HOWELL: One of the suggestions of having the cars not back out and creating a turnaround is something that's very doable; we were just talking to our architect about that, so that's something we certainly could consider should you guys deem that appropriate.

One of the things that I think should be pointed out from Dr. Pham's viewpoint, from his house you can't see our home because off all the trees, and he mentioned that. From his driveway you can. One of the fortunate things for Dr. Pham in his situations is because of the way this home is built, the narrowest section of the home faces him,

meaning that the front door and the garage, and it sits below. It's very narrow; the home is longer this way, so I don't know how we could possibly shrink it at all to make it smaller. It's a very small profile home from his driveway and I think that might be pointed out in Staff Report.

Other than that, a lot of that was more of architectural questions and our architect is here, so if you have some specific questions regarding that, he can answer them.

CHAIR MICCICHE: Commissioners? Mr. Burke?

COMMISSIONER BURKE: The point brought up about the water district, I certainly wouldn't think anybody in their right mind would want to go into Mutual Water Company if they didn't have to. But having said that, are you relying on the Mutual Company's fire hydrant for your "fire protection" as opposed to having to put in your own tank?

GREGORY HOWELL: Very good question. We originally called the water district if you will, to ask them their position on our house, and they told us that they would not service our house, that we were outside of their district, and that was Mr. Turner who told us that. So tonight is the first time I've heard that we're in their

district; before they told us that we were not. I think they assumed at that we didn't have access to San Jose Water, which we do. So we said no problem, if you don't' want us in your district, we don't really want to be there anyway and we'd prefer to have San Jose Water. There's a meter on our property already from San Jose Water, so it's moot. We have San Jose Water, we don't need their water, don't want their water, and at the time they didn't want us either.

COMMISSIONER BURKE: But are you relying on their fire hydrant for fire protection? I mean if that fire hydrant wasn't there, would the fire department have required you put a tank?

GREGORY HOWELL: That I don't know. I don't know if Fletcher can address that.

FLETCHER PARSONS: The fire department hadn't made that determination last time we met. They were going to do that at building permit. They are going to require that the building be sprinkled, and so they weren't as worried about it.

CHAIR MICCICHE: Commissioner Talesfore.

COMMISSIONER TALESFORE: Nothing at this time.

CHAIR MICCICHE: Commissioner Trevithick.

COMMISSIONER TREVITHICK: No, thank you.

CHAIR MICCICHE: Commissioner Kane. Mr. O'Donnell. Commissioner Quintana.

COMMISSIONER QUINTANA: The drawings indicate that you will be placing a waterline from the property down to Shady Lane?

GREGORY HOWELL: That's correct.

COMMISSIONER QUINTANA: But you also said that you're currently served by San Jose Water?

GREGORY HOWELL: There's a meter down below on Shady already.

COMMISSIONER QUINTANA: For this house?

GREGORY HOWELL: For this house, yes.

COMMISSIONER QUINTANA: But with no connection to it?

GREGORY HOWELL: That's correct.

COMMISSIONER QUINTANA: My other question has to do with the notes on C1, on the earth (inaudible) quantities. It says, "Pad preparation, not including foundation excavations," and "Driveway, not including baserock." Could you please explain that?

GREGORY HOWELL: I'm hoping our architect can. Chris, can you come up here, please?

CHRIS SPAULDING: Chris Spaulding, architect, 801 Camellia Street, Berkeley. Pad preparation means the cut and fill that's within the perimeter of the building. The driveway means the cut and fill to create the driveway, except for the baserock that's required for the paving itself.

COMMISSIONER QUINTANA: So you have to excavate more?

CHRIS SPAULDING: Yes, there's a little over-excavation and some baserock gets brought in, and that wasn't included here. Likewise in the pad preparation, they don't count the excavation for like the piers that are the foundations, and they don't count the concrete that fills them in as fill.

COMMISSIONER QUINTANA: Thank you.

FLETCHER PARSONS: Could I pipe in on that for a second? The numbers that they provided are apples to apples with other applications. It's standard practice to give the finish grade to the finish floor and not include the excavation to subgrade for the driveway. It's just how things are done at this stage. You don't go to the fine detail of figuring out how many piers you've got. They haven't designed the foundation yet, and so it's standard

and that's how the numbers do come to us in other applications as well.

CHAIR MICCICHE: Okay, let me come back around. Commissioner Trevithick.

COMMISSIONER TREVITHICK: One or two of the people that have been speaking tonight from the public has said that they'd like to see the house moved further back. Can you tell us what that means and what the implications might be for the design of the house and also for the way whereby the driveway might come in and how much further would you might want it? I don't see it on this site plan at all and it's rather speculative if it's practical at all.

CHRIS SPAULDING: What is speculative?

COMMISSIONER TREVITHICK: Whether there can be a relocation of this house back as some people have said.

CHRIS SPAULDING: Well, the planning staff had us look at moving it 10' further rearward and 15' further rearward, which we did, and I don't know if that's been hung up. Is that in there?

JUDIE GILLI: Those plans are on the lower right. The two bottom lower right plans are the two alternatives.

CHRIS SPAULDING: What happens when we move it further back is that to stay out of the 30% slope zone we have to twist the house, and it moves into the area where the contours start to curve around. We can do it, but it makes the grading go up substantially and it makes our retaining walls go up higher than the guidelines allow.

COMMISSIONER TREVITHICK: Yeah, sure.

CHRIS SPAULDING: So another issue that was brought up about how far the house is from the street, we did not want to put it so far back that we would be required to have a fire apparatus turnaround on the site, because of how large those are and the amount of grading that would be required to fit a 50'x50' hammerhead turnaround; it would probably double the grading. We could fit a backing area for automobiles, which doesn't require the same vast area that it takes to turn a fire truck around, so that people could come out onto Drysdale forward.

CHAIR MICCICHE: Commissioner Burke.

COMMISSIONER BURKE: Mr. Spaulding, you talked about as we move the house to the east the contour lines start to curve and that causes an increase in grading. Wouldn't it be appropriate at that point to bend the house

a little bit rather than keeping it straight, to say that the house needs to follow the contours of the land and actually bend the house?

CHRIS SPAULDING: I suppose that would be possible. My clients didn't want to go there because that would be a complete redesign. You can't just "bend it".

COMMISSIONER BURKE: Trust me, I know if you move a wall 6" it trickles everywhere.

CHAIR MICCICHE: Commissioner Talesfore.

COMMISSIONER TALESFORE: Well at this point it's pencil on paper, but when it's built it's no longer pencil on paper, so we're trying to mitigate a lot of these concerns, because it definitely appears to be a very stiff design for such a lovely sloped piece of land. I was going to ask you how you feel that your design addresses that?

CHRIS SPAULDING: I would suggest that the elevations, which are not a perspective, don't do it justice. The one side of the house, the large side, the downhill side...

COMMISSIONER TALESFORE: That's all we have to work with; you realize that?

CHRIS SPAULDING: Yeah. I've created a lot of ins and outs on there. I've hidden most of it. I mean I've

broken it up so there's only one little section that's a two-story wall, most of it is a one-story with a roofline and then the second story. The architectural consultant for the Town said it's well done with good massing of scale and details. I think it will sit there nicely, and if I move it back or "bend it," it's not really going to change. I mean all it would do is perhaps where you would view it from would move 10', but it would still be the same size.

And also, I don't know if this is required in the hillside ordinance, but all the floor area, including the area that's dug into the hillside is counted here, and the hillside ordinance allows it to be 35' from lowest point to highest point, and we're only at 28' or 29'.

And you must appreciate that your hillside ordinance is a difficult set of constraints. I can move it along the contour, but just shifting it back just would shift it back and it would still be visible, but just from a different spot on Drysdale or Shady Lane.

COMMISSIONER TALESFORE: It's quite visible from where I saw it, which was somewhere near Blossom Hill and Short Road. I mean it was quite visible to me.

CHRIS SPAULDING: I would also point out that it's orange.

COMMISSIONER TALESFORE: Exactly.

CHRIS SPAULDING: And if you look at the color board, which is hanging there, the roof is browns, the windows are dark, the stucco is a dark earth tone. It will blend.

COMMISSIONER TALESFORE: Well paint can help.

CHRIS SPAULDING: Yeah. I mean when it's built it's not going to stick out on the hillside.

COMMISSIONER TALESFORE: Okay, thank you.

CHAIR MICCICHE: Commissioner Trevithick.

COMMISSIONER TREVITHICK: No questions.

CHAIR MICCICHE: Commissioner Kane. Commissioner O'Donnell. Commissioner Quintana.

COMMISSIONER QUINTANA: No questions.

CHAIR MICCICHE: Just for the sake of clearing up what's probably insignificant, but bathroom floor, lower level. It's your sheet #2, lower floor plan.

CHRIS SPAULDING: Yeah?

CHAIR MICCICHE: Is there a commode in there?

CHRIS SPAULDING: Yes.

CHAIR MICCICHE: Where is it?

CHRIS SPAULDING: It's right where the "B" in "Bath" is. Sorry, we left it out.

CHAIR MICCICHE: No problem. I was only adding some humor to it. Go ahead. Do you have a question, Commissioner Talesfore?

COMMISSIONER TALESFORE: I have a question about the height. What is the height?

CHRIS SPAULDING: It's 25' measured straight up from any spot, existing or finished grade. But in addition to that, measured from any point on its perimeter, its lowest point anywhere on its perimeter to the highest point anywhere on the building is 28.5' or 29', and that dimension is allowed to be as much as 35'.

CHAIR MICCICHE: Commissioner Quintana, did I see your little hand raising there?

COMMISSIONER QUINTANA: I'm trying to decide whether to ask the question or if it's better for comments and discussion.

CHAIR MICCICHE: Probably better? Okay. Seeing no other questions then, I'm going to close the public hearing and open it up to comments and questions of Staff or a motion. Since you had a comment ready to go, Commissioner Quintana, I'll start with you.

COMMISSIONER QUINTANA: My comment is I think this is one of the best houses that runs along the contour

of the topography. However, I don't feel that it actually conforms to the topography and stepping down the hill. When looking at our illustrations in the Hillside Standards and Guidelines, every single illustration there shows the rooflines actually following the slope of the hill, whereas this doesn't do that completely.

Also the very long ridgeline, the Design Standards and Guidelines for roofs indicate that the roofs should be broken up into smaller components and they should slope in the direction of the natural terrain.

So those are two concerns I have. I do think the house is very visible, and while it is true that the building height doesn't exceed the 35' from lowest point to highest point, nor the house itself exceed the 25', that still doesn't have it meeting the intent to step the roof and the foundation with the topography or to break up the rooflines.

The other question that I had when I looked at this is that it is not sunk down into the hill very far. We've had applications that have been approved by this Commission that have excavated a lot more than this house is doing and it would seem that it would be appropriate for this house to consider being sunk down more and having less

mass on the second story, breaking it up. Well that's as far as I'll go.

I do think that backing out of the driveway could be a problem and that there should be at least an automobile turnaround. And I too found that this was visible both from Short Road and from Drysdale and Shady Lane, and I found it to be very imposing.

CHAIR MICCICHE: Commissioner O'Donnell.

COMMISSIONER O'DONNELL: I agree that the roofline in particular tends to not break anything up; it does tend to make it appear more massive. The whole house seems to be not designed to give the kind of feeling that our hillside ordinance suggests by illustrations and other things. It's true that when it was reviewed that comments were favorable, but I just don't understand why they were favorable when the length of that roofline, unbroken up, is as long as it is. So I guess I'm agreeing with part of what Commissioner Quintana said on those issues.

CHAIR MICCICHE: Commissioner Kane.

COMMISSIONER KANE: Just in agreement with what's been said.

CHAIR MICCICHE: Commissioner Trevithick.

COMMISSIONER TREVITHICK: I too am in agreement. I'm concerned about the fact that it looks somewhat massive, even from Shady Lane. When you look up there, particularly that rear elevation, it's not very well put together, shall we say? It looks very prominent, and I just wondered if lowering the foundations would give you a better answer on that particular contour?

COMMISSIONER TALESFORE: I would agree with what everybody said, and frankly when I saw the elevations of this house, it's hard to see it on the land because there's no context here. That being said, it looks very stiff to me. It does not look like anything that's in the Hillside Design as far as architectural character and preserving the hillside. That is a gorgeous piece of land. It would be wonderful to have taken into the design some of the comments that were made here tonight and also what's in this Hillside Design booklet.

CHAIR MICCICHE: Commissioner Burke.

COMMISSIONER BURKE: I concur.

CHAIR MICCICHE: Let me just make a comment here, and I might decide to do something. During the questioning of the applicant I didn't hear any of us ask if he could

lower it into the hillside more, and not knowing whether he can or not at this point. Did you hear it differently?

COMMISSIONER QUINTANA: No, but I think just lowing it doesn't address all of the issues that we've raised.

CHAIR MICCICHE: Oh, but one of the questions coming up here is whether he will lower it or not at the expense of grading? Is that an answer we would like to have from him?

COMMISSIONER QUINTANA: Yes, I'd make one comment that it appears that the way the house is now designed, he could not lower the whole house any further because he would exceed our requirement on the height of foundation or something to 8' lowering it in. So there would have to be a redesign and breaking up of the house into blocks.

CHAIR MICCICHE: So there's no need to get that answer is what you're saying?

COMMISSIONER QUINTANA: Well he said he didn't want to break up the design because it would require redesign.

CHAIR MICCICHE: Yes, Commissioner O'Donnell?

COMMISSIONER O'DONNELL: I think there is no point in getting just that answer, because the comments

have been broader. I mean it seems fairly clear to me that this is not well received by the Commission. I would hazard a guess that if we make a motion it's going to go down. So the real question I suppose is whether the applicant thinks there's anything that the applicant can do with this that he would prefer to consider that, or whether he simply wants to lose and appeal.

CHAIR MICCICHE: Well it appears to me that what we're probably going to ask to do is to return it for redesign at this point; it appears from the statements I'm hearing. That being the case, he can accept that or not. So I would look for a motion at this point on what the Commission desires.

COMMISSIONER QUINTANA: I would like to know the willingness of the applicant to redesign, because if he's not willing to redesign, I would ask to return it.

CHAIR MICCICHE: Then I will open the hearing for that one question. Can the applicant come up a moment, please?

CHRIS SPAULDING: I guess if we were to come back we'd want some direction on what you would want to see, because if we designed it so it's stepped up the hill more like the guidelines illustrate, then what that means is

that the house gets to be taller when viewed from below, and it means that instead of having the narrow end opposite the doctor, you'd have the broad façade right on Drysdale. So I don't know that that succeeds in making the mass any smaller; it just makes it worse for them.

CHAIR MICCICHE: Do you have a question?

COMMISSIONER QUINTANA: No.

CHRIS SPAULDING: So if you're saying redesign, what do you want us to do?

CHAIR MICCICHE: We've got your gist, thank you. I'm going to close the public hearing again.

COMMISSIONER QUINTANA: I have one more comment to throw into the mix of all the other comments that we've made, and that's the comment in our Hillside Standards that achieving the maximum floor area is not guaranteed.

CHAIR MICCICHE: It hasn't got the maximum.

COMMISSIONER QUINTANA: Yes, it has. It's almost at the maximum that's allowed for that particular site, given the slope of the property, I believe. No?

DIRECTOR LORTZ: It could be larger and I think one of the goals of the applicant was actually to stay below that threshold of 5,000 square feet, which they did do.

CHAIR MICCICHE: The amount is 5,900 square feet.

COMMISSIONER QUINTANA: Oh, you're right.

CHAIR MICCICHE: They've got 4,678 plus 318.

COMMISSIONER QUINTANA: Okay, that's true, but the comment in general is still the same, that if you can achieve what is required for the Standards and Guidelines with that floor area, then perhaps the floor area needs to be lower.

CHAIR MICCICHE: I'm going to look for a motion pretty soon. I'm going to make a couple of comments.

I do have a tendency to rely on our consultant very much and I put a lot of stock in the fact that he thought this house was well designed for this area, and since the consultant worked with us very closely on the hillside specs, I tend to look at his perspective and view a lot stronger than others. I'm just making my own comments here.

I think that they worked to put it in the least restrictive area. I think that if we believed that something could be done and still maintain being in the least restrictive development area, then maybe we ought to do the things we were doing.

I think they did stay under the maximum in this particular case. I think the setbacks are excellent in what they are. So unless we come up with some architectural directions here, what I'm hearing the applicant say is he doesn't know what to do otherwise.

So if we can make a motion with those directions, I'd like to hear it. If not, I'd be against it.

COMMISSIONER O'DONNELL: Let me just make a comment, and that is that I don't think it's unreasonable to ask for the size of home they've asked for under this circumstance. So to suggest that if you can't do what we want, and we're not really sure what we want, then you can reduce the size of the house, I find particularly unhelpful and unfair.

CHAIR MICCICHE: Agreed.

COMMISSIONER O'DONNELL: This property and this kind of house I don't think would be better served by making a 3,500 square foot house out of it.

So yes, we've raised some problems and I'm very concerned about it, because you're right, I pay a lot of attention to what our consulting architect says; he does like the house. As I sit here tonight and I look at this, I don't like what I told you I didn't like, but on the other

hand it may not be possible to solve what I don't like, and that doesn't mean therefore you shouldn't build anything, or reduce the size of the house. I don't feel that way. I don't like the way that looks; it may be that you can't do anything about it. It may be that he's right, that to do something about it is going to have a worse impact on the neighbor, in which case we would be wrong.

CHAIR MICCICHE: I agree.

COMMISSIONER O'DONNELL: Therefore I'm not fixed in saying change it or lose, but I had hoped that we could break it up a little bit, and maybe we can.

CHAIR MICCICHE: Commissioner Burke.

COMMISSIONER BURKE: I'm very sensitive about asking for a redesign because I'm sure there's been a lot of blood, sweat, tears, and arguments gone into getting it this far. But our Hillside Guidelines are fairly critical, and I'm looking at this hundred-and-plus foot fairly linear looking thing and thinking this looks imposing. Us talking about needing to maybe move it a little farther away from Drysdale to give more room for a turnaround and that affecting the contour lines in which it's drawn on, in my mind necessitates some design changes. That's where I'm coming from.

I guess what I'm troubled with is from the Commission; do we have to get it 100% right? Do we have to get it 95% optimal? I mean I think the house is a good size for this lot, don't get me wrong. It's nice to see a house coming in under 5,000 square feet in the hillside, let me say that. But I guess what I'm struggling with is how well do we as a commission think we have to nail the optimal design and placement for this house on this lot?

CHAIR MICCICHE: Commissioner Talesfore.

COMMISSIONER TALESFORE: Are you asking that of all of us? Do you want us to answer that question?

COMMISSIONER BURKE: It was somewhat of a rhetorical question, but it was something that I am struggling with, and if somebody wants to volunteer an answer.

COMMISSIONER TALESFORE: I don't know. I wasn't in on the design. Maybe if that was my lot I'd be giving directions to the architect, so I mean I wasn't there, I don't know. I did some looking at what I see here in my guidelines and I don't see that with this house.

I mean I would say try to break up some of the massing. I think that's a very good suggestion. Bud, did you want to say something?

DIRECTOR LORTZ: Well I was just going to suggest something here, because I think we're at a crossroads with this project, and what I've heard from the Planning Commission is kind of three things, and then maybe we can get a consensus on each one of them and figure out whether that would be acceptable.

One is on the vehicle turnaround, whether that should be included, recognizing it increases the grading and would require a retaining wall. Now we'd have to work on that retaining wall and probably step it. That's why we didn't require it in the first place. So that's one.

The second is the length. I've heard comments this evening that you're concerned about the length, so they can reduce the length. That changes the plan, and if the Commission's consensus is they want the length reduced, then they can choose to either reduce the length or appeal.

And then the third is perhaps the elevation. If you look at the left side elevation where we've got a two-story element that's wall-on-wall, that has to be eliminated.

So those are the three things that I've heard, and if the Commission is agreeable to those as conditions of approval, they either do them or they appeal them.

COMMISSIONER TALESFORE: I like to add to that also a softening of the structure itself. I don't know if it's the roof that bothering me because; it looks like train car.

DIRECTOR LORTZ: What's not reading for you is the fact that if you look at the wall-on-wall element in the left elevation, and then there's another section over on the right side, those protrude out, and then the remainder of the home steps well back from that and it doesn't read in the elevation. I think that's what you're seeing, is you're just seeing a flat plane. But if you look at the site plan, those push back a lot. Regardless of what you do it's well articulated and that's why we came up with the conclusions we came up with.

But I'm hearing a length problem that they tried to address as best they could in achieving a home that had the square footage that they were trying to go with, but not the max, and then balancing architectural integrity.

COMMISSIONER TALESFORE: Can I just add onto what you were saying about that roofline. I also think that the ends of this roofline on the left side elevation, Bud, that you were referring to with that long wall, if maybe those could be sloped. I mean they're like cut off.

DIRECTOR LORTZ: And provide hips?

COMMISSIONER TALESFORE: Yeah. That would give some context to the topography.

DIRECTOR LORTZ: The only thing I would offer on that is architecturally.

COMMISSIONER TALESFORE: I have no idea. I don't know, but I'm just saying that that also adds to (inaudible).

RANDY TSUDA: So the comment that could be offered as a fourth item is to soften the architecture though additional hips or other architectural treatments?

COMMISSIONER TALESFORE: Yes.

DIRECTOR LORTZ: So there would be four that I've suggested there.

CHAIR MICCICHE: Maybe if you want to open it again. Let me think about it.

DIRECTOR LORTZ: Yeah, there's four items that we've been discussing is provide additional architectural features to soften the design through hips or other elements. That the turnaround be discussed and determined whether you want that or not. And then a reduction of the length. And then the fourth one was the wall-on-wall two-story element that is shown on the left side of the left

side elevation, that that be softened and perhaps stepped back. Now that affects their master bedroom, so this is rippling throughout the home.

COMMISSIONER O'DONNELL: But let me just say one thing. On the reduction of length, my feeling wasn't so much reduction of length; it was a reduction of the appearance of length. In other words, it's the straight line long, long roof. I'm not troubled by the actual length; it's the appearance. I'm not an architect; I don't know that they could have done a better job on that. I was hopeful there would be some way to break up that line of a very, very long roof. So when you say in essence shorten it, I don't mean the house has to be shortened. I would just like the roof to look less unbroken I guess.

RANDY TSUDA: Study ways to break up that continuous roof mass.

COMMISSIONER O'DONNELL: Right, yes.

CHAIR MICCICHE: Let me make a general comment. When we've looked at houses in the hillside, it's very difficult with these types of contours to envision it all, and generally the applicants who have recognized that have either come in with a model or a 3D to alleviate that issue. In this case I think it probably would have been helpful if

a model was here, because we would have been able to see more what could have been done with it.

I'm going to look for a nod from the head, but I really believe when this thing comes back that even if it comes back the same way and he believes he can do some of the things he's being told, that he'd at least defend this position with a model or a 3D showing, and would that be an acceptable thing to do?

CHAIR PAULING: Absolutely.

CHAIR MICCICHE: Okay. Having that knowledge then, let's proceed. Is that okay?

COMMISSIONER QUINTANA: I guess I just want to express a different opinion than Commissioner O'Donnell in terms of his rationale for not considering reducing the square footage. I'm not saying reduce the square footage. I'm saying meet the intent of the Standards and Guidelines. If you can't meet the intent of the Standards and Guidelines, then look at reducing the square footage and volume.

The whole intent of these guidelines is to fit the home to the particular piece of land, and even beginning in the forward it says that these Guidelines and Standards establish a framework, and then it goes on to say, "However, stricter standards may be required," and

again, fit the natural constraints, but if you can't, then you have to adjust your design. So you're supposed to be designing to the property.

The other comment that I'd like to make, and I don't know the answer to this one, this seems like a very small lot for such a steep hill, and I'm wondering if this were to be something that were to be subdivided today, would we allow a lot of this size in the hillsides under that zoning?

CHAIR MICCICHE: We'll census that. Thank you. I'd like to hear a motion for continuing this thing based on the suggestions that have been made and the suggestion that whatever is done, whether it's all of it, any of it, that we come back with a model, and I'd like to entertain a motion like that. Commissioner O'Donnell.

COMMISSIONER O'DONNELL: I will make that motion that we continue it to a date certain with the direction being that the four problems that were enunciated by Bud be what we would like to see looked at. To the extent they can come up with some good suggestions on all of them, great. Some of them, okay. And possibly none of them. But they're going to have to defend their position, because I think

what's important is we're not trying to design your home for you; we're expressing concerns.

CHAIR MICCICHE: Absolutely.

COMMISSIONER O'DONNELL: That would be my motion, so it's really to a date certain for reconsideration of those issues.

CHAIR MICCICHE: Second? Okay.

COMMISSIONER TALESFORE: (Inaudible) answer Commissioner Burke's question about are we going for 95% of the Hillside Standards or not?

CHAIR MICCICHE: Why don't we see what they come back with?

COMMISSIONER TALESFORE: Yeah, so we want to meet that.

COMMISSIONER QUINTANA: I just have one question. Is part of that motion implicit that it meets the Hillside Standards?

CHAIR MICCICHE: Well it has to meet the Hillside Standards. You don't need that in the motion. Anything that comes here has to meet the Hillside Standards.

COMMISSIONER O'DONNELL: Let me just say this. I'm not saying this *doesn't* meet the Hillside Standards.

CHAIR MICCICHE: I know that. I don't know why there is that question. Let's go on.

DIRECTOR LORTZ: Just to comment that the applicant has through Staff inquired as to as this discussion has evolved they may be more confused now then they were before, and so I'm hearing that they'd prefer either an approval with conditions or a denial, so that they can decide to choose their destiny. Is that accurate?

GREGORY HOWELL: That's correct. We designed a home with your guy's architect and it meets all the Hillside Standards. We don't know what else to do.

COMMISSIONER O'DONNELL: I move to deny the request on the basis that it doesn't satisfy the necessary conditions which are enumerated in the report, and that's it.

MALE: I second it.

CHAIR MICCICHE: Any comments at this point?

COMMISSIONER BURKE: Yeah, I'm going to say here's what I think went wrong. I don't know if this architecture translated well to elevations and site plans and things like that, and I think that you might have very easily been able to defend that this was a good design with a 3D rendering photo simulation, model, whatever, and

that's really what I was hoping was going to come back at the next meeting was you defending what you thought was optimal for this site, because I don't think that between the story poles and the plans we have it defends it. Not that we were trying to design your house, but if a denial is the way you want to go, that's fine, but I just think it was a sad way to go.

DIRECTOR LORTZ: I think the challenge for this applicant and for all applicants is time, whether it be for a homeowner or spec, and here we are in April, so we continue to end of May or beginning of June for a continuance, so they miss this season, and I think that's what this applicant is facing here is a challenge just in terms of time.

COMMISSIONER BURKE: But I'm just thinking if they choose the denial and the appeal, at best they're no better off than they were, and worst case they're a lot worse off then they were. That's my concern.

CHAIR MICCICHE: I'm going to make the same comment that I made before. I put a lot more faith in the consultant than I do in the Commission. Forgive me for saying that, but I don't have handful of architects here,

and I have a qualified pro telling me this was a good design. So I'm not in favor.

I think what Mike has said is very pertinent though. I think this should have come in with a model, and I would entertain just seeing the model as a continuance at this point, so that we fully understand what we have. If they choose not to do that, then I'm reluctant even to go with a denial at this point, and probably won't support that motion at all. Yes, Mike.

COMMISSIONER BURKE: Question. When the architect gives his recommendation, does he come down and look at the plans relative to the story poles, or does he look at it on paper and say this looks like a good design? Is he looking at it in context that way?

DIRECTOR LORTZ: First off, it's not just the consultant. The consultant works for us.

COMMISSIONER BURKE: I understand.

DIRECTOR LORTZ: So it's a collaborative, and so if we saw something on the site after the story poles went up that caused a red flag from our perspective, based on our ability to visualize plans to begin with, we would have dragged him down here and had some kind of collaboration. We didn't see it in this one, so I'd say that it's a

continuum, so all the way through the process we're evolving. Sometimes story poles go up and we do reconsider, but we didn't in this one.

CHAIR MICCICHE: Commissioner O'Donnell.

COMMISSIONER O'DONNELL: I'd just like to say one thing. Our job is to determine what we think.

CHAIR MICCICHE: That's correct.

COMMISSIONER O'DONNELL: We don't hire somebody to tell us what we think, and therefore while I have great respect for our consulting architect, if I look at something and I don't see what he sees, I don't say, "I'm wrong and he's right," because if that's the case I shouldn't be sitting here. So that's the way I feel about it.

COMMISSIONER QUINTANA: I want to second that.

CHAIR MICCICHE: I wasn't commenting on the fact that you couldn't see it that way. I was commenting on the architectural suggestions that were being made by non-architects. Any one of us can say it doesn't look right.

RAY DAVIS: (Inaudible).

CHAIR MICCICHE: You're going to be quiet or you're going to get out of here. You're going to be quiet, Mr. Davis.

So if I have to enhance that a little more, I will, but that's my point. We sit here sometimes and do actual architectural design and I object to that as a general thing.

COMMISSIONER QUINTANA: May I make a comment?

CHAIR MICCICHE: Go ahead.

COMMISSIONER QUINTANA: I don't think what we did here tonight was architectural design. We didn't tell him what to do; we told him what we thought needed improvement. We didn't tell him how; we didn't tell him specifically.

CHAIR MICCICHE: That's a difference of option. That's fine.

COMMISSIONER O'DONNELL: Can we have a motion to (inaudible)?

CHAIR MICCICHE: Yeah, I'll call the motion. All in favor? Against? One no.

DIRECTOR LORTZ: So the motion was six to one denial, and this is an appealable action. Forms are available in the Clerk's office. There's a fee for filing an appeal, and that appeal must be filed within ten days.

Date: March 17, 2005
For Agenda Of: March 23, 2005
Agenda Item: 6

REPORT TO: The Planning Commission

FROM: The Development Review Committee

LOCATION: 107 Drysdale Drive
Architecture and Site Application S-05-16
Negative Declaration ND-05-05

Requesting approval to construct a single family residence on property zoned HR-1. No significant environmental impacts have been identified and a Negative Declaration is recommended. APN 527-04-009.
PROPERTY OWNER/APPLICANT: Howell & McNeil Dev. LLC

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

ENVIRONMENTAL ASSESSMENT:
- It has been determined that this project will not have a significant impact on the environment and a mitigated Negative Declaration has been prepared for this proposal.

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

EXHIBITS:

A. Required Findings and Considerations (4 pages)
B. Recommended Conditions of Approval (8 pages)
C. Initial Study (21 pages), received January 2005
D. Mitigated Negative Declaration (21 pages), received January 2005
E. Mitigation Monitoring Plan (3 pages)
F. Project Data Sheet (1 page)
G. Letter from Town's Consulting Architect (2 pages), received on November 15, 2004
H. Letter from Town Arborist (4 pages), received on November 24, 2004
I. Letter from Town Arborist (1 pages), received on January 24, 2005
J. Development Plans (12 Pages), received on March 8, 2005

A. PROJECT DESCRIPTION

The applicant is requesting to construct a new 4,678 square foot home with 718 square foot garage on a 1.8 acre vacant property located at 107 Drysdale Dr. The two story home is proposed to be located on the southern part of the site, where the slope is less than 30%. The proposed height is no greater than 25 feet at any point on the structure and a maximum of 29 feet from the lowest point to highest point. Proposed materials include cement plaster for the exterior, clay tile roof (earth tone) and stone accents. The materials board will be available for review at the meeting. A project data sheet (Exhibit F) and Development plans (Exhibit J) are attached.

B. BACKGROUND:

The applicant requests approval to construct a new home on a 1.8 acre parcel that extends between Drysdale Drive and Shady Lane. Staff has reviewed the proposed project based on Zoning Code requirements for the Hillside Residential zone, Hillside Development Standards and Guidelines (HDS&G) and Town's General Plan. As part of the review process, an environmental study, arborist report, design review and geotechnical report have been prepared.

The Development Review Committee (DRC) has the authority to approve hillside homes less than 5,000 square feet or it may forward a project to the Planning Commission based on the issues associated with the project. The Director of Community Development is forwarding this project to the Planning Commission for the following reasons:

Approaching 5,000 square feet: The square footage of the proposed structure is 4,678 square feet with a 718 square feet for the garage. The total square footage of the structure is just under the maximum square footage that the DRC can approve.

Visibility of Home from Shady Lane: To show the mass and scale of the proposed structure, staff directed the applicant to construct story poles. Since the story poles have been constructed, staff received several inquiries about the project's location, visibility, mass and scale, particularly as viewed from Shady Lane.

Neighbor Concerns: Staff has received comments from Mr. Pham, neighbor at 110 Drysdale Drive regarding visibility of the proposed structure from his driveway. Mr. Pham has requested that the applicant consider relocating the house so that it maximizes his existing visibility of the hills beyond. Through analysis of several alternate locations, Mr. Pham is no longer opposed to the proposed location of the home. Please see the visibility section for details on this issue.

Materials: The exterior of the proposed home is cement plaster with a clay tile roof. The proposed exterior color is "earthstone" meets the HDS&G's 30 or below reflectivity requirement.

C. DISCUSSION:

Staff has summarized the main issues for the Commission's consideration and discussion as follows:

Technical Requirements

Floor Area. The allowed square footage is based on average slope (36%) and size of the parcel (79,460 SF). The maximum allowed house size, according to the HDS&G is 5,900 square feet. The proposed floor area of the house is 4678 square feet and 718 square feet for the garage. Garage square footage in excess of 400 square feet is counted towards the home square footage. Consequently, 318 square feet is counted towards the home square feet and the total house size is 4996 square feet (4678+318). The proposed project complies with the floor area requirements. The HDS&G state that the maximum allowable gross floor area is determined using a FAR adjusted for slope. However, achieving the maximum floor area allowed is not guaranteed due to individual site constraints.

Setbacks. The proposed and required setbacks are as follows:

	REQUIRED	PROPOSED
FRONT	30	58
SIDE	20	60' (west side) and 104' (east side)
REAR	25	182'

Height. The maximum height for homes in the hillside area is 25 feet. In addition, the maximum height of a building's elevation, measured from the lowest part of the building to the highest part is 35 feet. The proposed height of the building ranges from 16 feet (east side) to 25 feet (west side). The proposed building is 29 feet from lowest to highest point. The proposed project complies with height requirements.

Least Restrictive Development Area (LRDA). A least restrictive development area analysis has been prepared by the applicant to show the constraints of the project. The applicant worked with staff to locate the building in the most appropriate location according to the HDS&G, avoiding slopes over 30%, trees and shrubs. The area where the home is proposed has an average slope of 25%. Visibility from off-site was also considered.

The structure is located 58 feet from the front property line at the flattest portion of the site to minimize grading and tree impacts. The proposed home is designed to step down with the existing topography of the land. The south side of the house is one story to minimize visibility from neighboring homes and reduce the amount of grading. The north side of the house steps down with the topography of the land, which reduces grading. A total of 620 cubic yards of

grading (cut and fill) is proposed. Please see the earthwork quantity table on sheet C-1 of Exhibit J for grading details. Of the 620 cubic yards of grading, 350 cubic yards is associated with the excavation for the house pad and helps hide the mass of the house. One hundred-twenty cubic yards of grading is proposed for the preparation of the driveway and 150 cubic yards of grading is proposed for the preparation of the perimeter of the house.

View Analysis. Story poles were constructed to show the proposed building. The proposed structure can not be seen from any of the viewing platforms as identified by the HDSG, but it is visible from Drysdale Drive and Shady Lane. Shady lane is located approximately 80 feet below the building site. The substantial grade difference and slope exaggerates the apparent height of the story poles. A view of the story poles can be seen through intermittent breaks in the shrubs and oak trees from Shady Lane. A condition of approval has been included requiring trees to be planted in strategic locations to screen the home from Shady Lane. From Drysdale Drive, near the south east corner of the site, one can see the top of the proposed structure.

The neighbor, Mr, Pham, residing at 110 Drysdale Drive has voiced concerns with the structure when viewed from their driveway. The neighbor requested that the applicant consider moving the house to the east of the site. In response to their concerns, the applicant has studied alternate locations for the structure. When the structure was moved to the east, the cut/fill quantities increased significantly and the new location would require a six foot retaining wall on the east side of the site. A six foot retaining wall exceeds the standards of the HDS&G and staff concluded the proposed location is superior to the alternate location. Mr. Pham is aware of the implications of the alternate locations and is not opposed to the proposed project.

Architectural Design. The HDS&G encourage the following the design objectives:

1. In harmony and visually blends with the natural environment,
2. Responsive to site constraints and opportunities,
3. Compatible with the surrounding neighborhood and respectful to neighbors,
4. Respectful of the rural character of the hillsides.

The Town's consulting architect reviewed and commenting on the proposed design (Exhibit G). The consulting architect stated that the home is well designed and offered suggestions for improvement of the porch area.

Environmental Review

As required by the California Environmental Quality Act (CEQA), an Initial Study and Mitigated Negative Declaration have been prepared (Exhibit C and D). The environmental review was completed by Geier and Geier Consulting n January 2005. The Initial Study identified several potential impacts of the proposed project including aesthetics, hazards and hazardous materials, biological resources, and geology/soils. To mitigate the potential impacts, mitigation measures have

been identified as part of the Mitigated Negative Declaration. All recommended mitigation measures have been included in the conditions of approval.

Arborist Review

An arbor report was prepared for the proposed project on November 2004 (Exhibit H). The study identified two trees (#3 and #4) that were in conflict with the proposed development. Upon further investigation the applicant found that the location of tree #3 was improperly located on the plans. The correct location is not in conflict with the proposed structure. The Town arborist concurs with these findings (Exhibit I). The proposed structure requires that one tree be relocated. In addition, the Town arborist offers several recommendations to protect the existing trees through construction. All recommendations have been included as part of the recommended conditions of approval for the project.

Town's General Plan - Community Design Element

One of the goals in this element is to preserve the natural beauty and ecological health of the hillside. Some of the general policies that pertain to the proposed project are:

> CD.P.2.2 Consideration shall be given to siting homes for privacy, livability, protection of natural plant and wildlife habitats and migration corridors, adequate solar access and wind conditions. Siting should take advantage of scenic view but should not create significant ecological or visual impacts affecting open spaces, public spaces or other properties.
>
> CD.P.2.3 Mass Grading in New Construction: Follow natural land contour and avoid mass grading in new construction. Grading large, flat yard areas shall be avoided. Siting of the house must consider natural topography.
>
> CD.P.2.4 Reducing Visible Mass: Effective visible mass shall be reduced through such means as stepping structures up and down the hillside, a maximum of two stories shall be visible from every elevation following the natural contours, and limiting the height and mass of the wall plane.

D. CONCLUSION

Staff has reviewed the proposed project based on Zoning Code requirements for the Hillside Residential zone, Hillside Development Standards and Guidelines (HDS&G) and Town's General Plan and found that the proposed project complies with the technical requirements of the Town.

The Planning Commission should consider and discuss the following issues:

1. Site Constraints: Consider the slope, arbor, geotechnic and view analysis to determine if the structure is located in the most appropriate location.

2. Architectural Design. The Commission should discuss whether the project is:

1. In harmony and visually blends with the natural environment,
2. Responsive to site constraints and opportunities,
3. Compatible with the surrounding neighborhood and respectful to neighbors,
4. Respectful of the rural character of the hillsides.

3. Town's General Plan: The Commission should discuss whether the project is consistent with the Town's General Plan.

E. RECOMMENDATION:

If the Planning Commission is satisfied with the current proposal, it should:

1. Adopt the Mitigated Negative Declaration (Exhibit D).
2. Adopt the Mitigated Monitoring Plan (Exhibit E).
3. Make the Required Findings and Considerations (Exhibit A).
4. Approve the application subject to the recommended Conditions of Approval (Exhibit B).

If the Commission determines that changes are required to the proposed application, it should do one of the following:

1. Approve the proposed application with additional conditions; or
2. Refer the application back to staff for further work as directed; or
3. Deny the application.

If the application is denied, the Commission should make findings for the denial. The Commission's comments on key issues will be helpful to the Town Council if an appeal is filed.

Bud N. Lortz, Director of Community Development

Prepared by: Judie Gilli, Assistant Planner

BNL:JG

cc: Howell and McNeil Development, 125 Glen Ridge Avenue, Los Gatos, CA 95030

N:\DEV\REPORTS\2005\107DrysdaleDr.wpd

Initial Study

107 Drysdale Drive
Los Gatos, California

Architecture and Site Application S-05-16

Prepared for
Town of Los Gatos
Community Development Department
110 E. Main Street
Los Gatos, CA 95031

January 2005

Prepared by
Geier & Geier Consulting, Inc.
P.O. Box 5054
Berkeley, CA 94705-5054
510/644-2535

EXHIBIT C

Town of Los Gatos
Community Development Department

Environmental Checklist Form

1. Project Title: 107 Drysdale Drive
   Architecture and Site Application S-0516

2. Lead Agency Name and Address: Town of Los Gatos
   Community Development Department
   110 East Main Street
   Los Gatos, CA 95031

3. Contact Person and Phone Number: Judie Gilli, 408/399-5702

4. Project Location: 107 Drysdale Drive (Figure 1)

5. Project Sponsor/Owner's
   Name and Address: Howell & McNeil Development
   125 Glen Ridge Avenue
   Los Gatos, CA 95030

6. General Plan Designation: Hillside Residential

7. Zoning: HR-1, Hillside Residential (one to five acres for each dwelling unit)

8. Description of Project: The project applicant is requesting Architecture and Site approval to construct a single-family residence on a 1.8-acre parcel located between Shady Lane and Drysdale Drive. The proposed home would be 5,396 square feet (s.f.), including a three-car garage (718 s.f.). It would be two stories (maximum vertical height of 25 feet at any point to finished or existing grade). The footprint of the home would cover approximately 4,153 s.f. while the access driveway, patios and walkways would cover about 3,700 s.f. (7,853 s.f. total). Slopes on the site average 36%, but the proposed home would be located on slopes of 20 to 30%. The driveway and front walkway would be located on slopes of 10 to 20%.

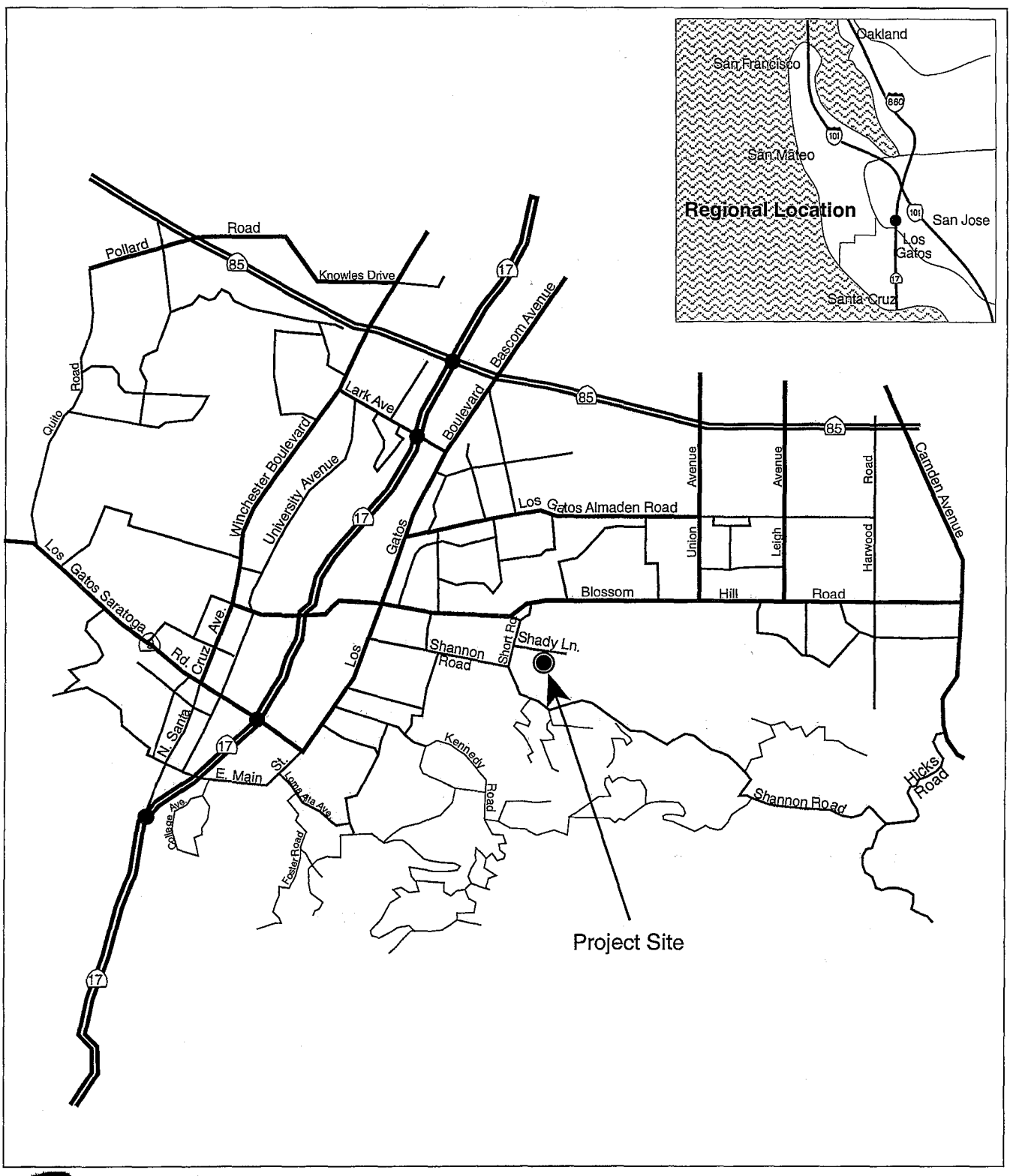
   The proposed access driveway is proposed to be approximately 80 feet long and would extend from Drysdale Drive to the proposed home. The proposed driveway would be 12 feet wide with asphalt concrete (AC) paving.

9. Surrounding Land Uses and Setting: The project site is comprised of a 1.8-acre property and is currently undeveloped. The subject parcel is located south of Shady Lane and north of Drysdale Drive and Gum Tree Drive. The project parcel has frontage on Shady Lane, Drysdale Drive, and Gum Tree Drive. There are existing residences on adjacent properties to the west, east, south (across Drysdale), southeast (across Gum Tree Drive) and north (across Shady Lane).

10. Other agencies whose approval is required (e.g., permits, financing approval, or participation agreements): None.

Project Location

Figure 1



Source: Geier & Geier Consulting, Inc. (2004)

● Project Site

107 Drysdale Drive, Los Gatos, California

No Scale N

Environmental Factors Potentially Affected:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages:

X	Aesthetics		Agriculture Resources		Air Quality
X	Biological Resources		Cultural Resources	X	Geology/Soils
X	Hazards & Hazardous Materials		Hydrology/Water Quality		Land Use/Planning
	Mineral Resources		Noise		Population/Housing
	Public Services		Recreation		Transportation/Traffic
	Utilities/Service Systems		Mandatory Findings of Significance		

Determination: (to be Completed by the Lead Agency)

On the basis of this initial evaluation:

	I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
X	I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
	I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
	I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
	I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Bud N. Lortz, Director of Community Development _____ Date

Issues (and Supporting Information Sources)	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact

Evaluation of Environmental Impacts

Issues:

I. Aesthetics - Would the project:				
a) Have a substantial adverse effect on a scenic vista?			X	
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				X
c) Substantially degrade the existing visual character or quality of the site and its surroundings?			X	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?		X		

The undeveloped project site is located south of Shady Lane and north of Drysdale Drive, on a northwest-facing hillside that overlooks the Santa Clara Valley. There are four residential properties abutting the project site and portions of the project site are visible from all four homes. The two homes to the southeast and south (across Drysdale Drive) are located uphill of the site, while the home to the west is located downhill of the site. Existing topography blocks views of most of the site (and proposed home) from the home to the east.

The proposed residence would be located on the upper, southern portion of the site. Similar to adjacent homes to the west, south, and southeast, the proposed residence would be designed so that views are oriented to the northwest. Since scenic views are oriented to the northwest, the proposed residence is not expected to block scenic vistas from the existing home to the west even though rear views of the proposed residence would be available from this home. The proposed residence would be located downhill of the existing homes to the southeast and south. The proposed height (16 feet high on the uphill side and 28 feet high on the downhill side) would be low enough to avoid blocking scenic views from the home to the southeast. Scenic views to the northwest from the existing home to the south would also not be affected by the proposed home. However, it is possible that the proposed home could partially block views of hills to the north from this existing home. As part of the Architecture and Site Review process, the Town will require provision of story poles to demonstrate the home's proposed height and determine visibility of the proposed residence from adjacent areas. In addition, the proposed home design will be evaluated for consistency with the Town's Hillside Development Standards and Guidelines. Design measures to minimize any visual impacts will be required as part of that process. Depending on the visibility of the proposed residence from existing homes to the south and southeast, the Town could consider the following recommendation:

1. *The project will be required to relocate two small oak trees currently located adjacent to the proposed home site. Relocation of these two oaks to the southeast corner of the site along the north side of Drysdale Drive (consistent with the row of oaks along the southwestern project boundary) could help reduce visibility of the proposed home from the existing residence to the south. If the relocated trees*

Issues (and Supporting Information Sources)	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact

number and size of replacement trees should be determined by the Director of Parks and Public Works.

Outdoor lighting would be provided on the exterior of the home and could affect nighttime scenic views of homes located uphill of the site. The Zoning Ordinance (Section 29.10.09035) would prohibit the production of direct or reflected glare (such as that produced by floodlight) onto any area outside the project boundary. However, this ordinance requirement would not necessarily mitigate potential impacts on nighttime scenic views from adjacent areas, and therefore, the following measure shall be required to mitigate this potential impact to a less-than-significant level:

2. *Outdoor lighting shall be minimized and directed downward so as not to affect nighttime views from adjacent residences.*

II. Agriculture Resources - Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?				X

The project site is undeveloped, but the project site's sloping topography limits its agricultural potential. Therefore, the project would not adversely affect any existing agricultural resources at the site. Since the site is not in agricultural use, the project would not adversely affect any existing agricultural operations.

III. Air Quality - Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?				X
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?			X	
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors)?			X	
d) Expose sensitive receptors to substantial pollutant concentrations?			X	
e) Create objectionable odors affecting a substantial number of people?				X

According to the Town, the project would generate one AM peak hour trip and one PM peak hour trip. The proposed residence would be below the Bay Area Air Quality Management District's (BAAQMD) threshold levels for potential significance for residential uses.[1] The BAAQMD threshold level for potential significance is 375 single-family units. At or above this size, traffic generated by the project could produce air quality problems, and an air quality impact assessment would need to be prepared and submitted to the BAAQMD for review.

Proposed grading activities would generate short-term emissions of criteria pollutants, including suspended and inhalable particulate matter and equipment exhaust emissions. Although the project parcel is 1.8 acres, project construction would result in surface disturbance of less than one acre. The BAAQMD does not require quantification of construction emissions, but considers any project's construction-related impacts to be less than significant if required dust-control measures are implemented. The Town's standard construction notes that are included with all projects require the contractor to "meet or exceed the requirements of the appropriate air quality management agencies..." Therefore, standard Town requirements would require implementation of the BAAQMD's standard dust control measures (which are required on sites of three acres or less), which would mitigate the project's construction-related air quality impacts to a less-than-significant level.

Issues (and Supporting Information Sources)	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
IV. Biological Resources - Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?			X	
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community (i.e., aquatic and wetland habitat) identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				X
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				X
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?		X		

Issues (and Supporting Information Sources)	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				X

Special Status Plant Species. The project site supports mixed oak woodland habitat with oaks located mostly on the northern half of the property and non-native grassland habitat dominating the southern half of the property. Although plans indicate that brush covered the southwestern portion of the site, a field reconnaissance indicates that this brush has been completely removed. Based on biological surveys conducted on adjacent properties, the site has the potential to support suitable habitat for three special status species (CNPS List 1B: "Plants rare, threatened or endangered in California and elsewhere"): big-scale balsamroot (*Balsamorhiza macrolepis* var. *macrolepis*), Loma Prieta hoita (*Hoita strobilina*) and western leatherwood (*Dirca occidentalis*). Although it is unknown whether these species are present on the site, it is unlikely that they currently occur within the proposed development area due to recent vegetation/brush clearing of the southern portion of the site. In addition, given the limited area affected by proposed development (structural and impervious surfaces would cover approximately 7,850 square feet or 10% of the site), the project would not significantly reduce potential habitat for any of these species.

Tree Removal. Policy O.P.3.3 of the Open Space Element of the Los Gatos General Plan emphasizes preservation of public and private landscaping along Town streets. The Los Gatos Tree Protection Ordinance states that the preferred tree replacement is two or more trees of a species and size designated by the Director of the Parks and Public Works Department. Tree replacement requirements are based on canopy size, which is defined in Table 3-1 of the Ordinance, *Tree Canopy – Replacement Standard.* Tree canopy replacement requirements range from two to six 24-inch box size trees or two 36-inch and/or 48-inch box size trees, depending on the canopy size of the tree to be removed.

The Town retained Arbor Resources (AR) to conduct a tree inventory and review of the project site to determine the project's compliance with the Town's Tree Protection Ordinance. This survey was completed in November 2004,[2] and report findings and recommendations are included as Attachment 1. AR identifies five ordinance-size trees in the vicinity of the proposed home and area affected by proposed grading. They include three coast live oaks (#1, 2, and 4), one valley oak (#3), and one Monterey pine (#5). The proposed home design would directly affect two oaks (#3 and 4) and given their health and relatively small size, relocation of these trees is recommended. The proposed sewer line would affect three oaks located near Drysdale (identified on Sheet 1 as 8, 11, and 16 inches in size) and relocation of the sewer lateral is recommended. The two storm drain facilities proposed north of the home would drain directly into a grove of oaks, compromising the surrounding trees' longevity and stability. It is recommended that these storm drains be relocated outside of the tree canopies.

To minimize potential damage to trees that are proposed to be retained (particularly those with significant value identified above) as well as those adversely affected by proposed development, the following measure will be required to reduce potential biological impacts to a less-than-significant level:

3. *The project applicant shall be required to implement all 21 recommendations made by the Town's consulting arborist, Arbor Resources, in its November 24, 2004 report. These measures are included in Attachment 1.*

Issues (and Supporting Information Sources)	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact

4. *The two storm drain lines, outlets, and energy dissipators proposed on the north side of the house shall be re-aligned and directed westward, similar to the drains proposed on the southern side of the building envelope. The re-aligned storm drains would avoid discharge of new storm runoff flows in the vicinity of oak trees designated for retention on the project site.*

V. Cultural Resources - Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in 15064.5?			X	
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5?			X	
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				X
d) Disturb any human remains, including those interred outside of formal cemeteries?				X

The project site is currently undeveloped, and the potential for encountering cultural resources during project construction would be low due to the site's relatively steep topography. There is a seasonal drainage located just north of the site, adjacent to Shady Lane. Although there is typically a higher potential for encountering archaeological resources in areas adjacent to or near a river or creek, the seasonal nature of this drainage channel combined with the steep topography of the site and its vicinity would limit the potential for encountering cultural resources.

VI. Geology and Soils - Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.			X	
ii) Strong seismic ground shaking?		X		
iii) Seismic-related ground failure, including liquefaction?			X	
iv) Landslides?			X	
b) Result in substantial soil erosion or the loss of topsoil?		X		
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			X	
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?		X		

Issues (and Supporting Information Sources)	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact

A review of the Town's hazards maps[3] indicates that the project site has a low potential for fault rupture, low potential for slope stability hazard (moderate hazard adjacent to Shady Lane), moderate to low potential for seismic shaking, high shrink-swell potential, no potential for liquefaction, and high erosion hazard. Debris flow hazards were identified for the lower portion of the site adjacent to Shady Lane, but no development is proposed in this area. The Town's Fault Map does not identify any faults on the site.[4] Given the site's sloping topography, there would be a potential for erosion hazards if soils are subject to concentrated runoff flows. Town requirements will include provision of a complete erosion control plan (including interim erosion control measures and drainage controls such as energy dissipators). Such measures would reduce potential erosion hazards to a less-than-significant level.

A detailed geologic and geotechnical investigation was prepared by Redwood Geotechnical Engineering (RGE) in August 2004[5] and a peer review of the RGE report was completed for the Town by Geomatrix Consultants in November 2004.[6] Copies of these studies are on file at the Los Gatos Community Development Department. This study involved review of available data and aerial photographs, drilling six borings, lab testing, reconnaissance-level geologic mapping, and evaluation of landslide hazards. This investigation concluded that the site appears to be geologically suitable for the proposed development provided recommendations in the RGE report are implemented. In its peer review of these reports, Geomatrix concluded that these reports adequately addressed geologic and seismic conditions and geotechnical engineering aspects of the proposed project. The following discussion is based on information presented by RGE and Geomatrix.

The site lies within the seismically active Bay Area, but is not within any of the "Earthquake Fault Zones" established by the Alquist-Priolo Earthquake Fault Zoning Act of 1972. The closest significant fault to the property are traces of the Monte Vista-Shannon fault zone, part of the Foothills fault system, which are located about 1,000 feet southwest and 2,000 feet northeast of the project site. The San Andreas fault zone is located approximately 4.5 miles southwest of the project site.

The property is underlain by Monterey Shale bedrock and mantled by colluvium and residual soils. A wedge of artificial fill is mapped near the southern property boundary along the outside of Gum Tree Drive. Soil and bedrock encountered in the borings ranged from non-expansive to highly expansive.

No landslides are mapped on the property. However, the Seismic Hazard Zones map of the Los Gatos Quadrangle indicate that the property is located in an area of potential earthquake-induced landslides. RGE determined that the potential would be low for landsliding, liquefaction, or fault rupture to significantly affect the proposed residence and driveway. However, the property would be subject to very strong to violent ground shaking from a future large earthquake on the nearby San Andreas fault zone or on one of the other major active faults in the region. It should be noted that most of the Bay Area as well as surrounding residences are subject to similar groundshaking hazards. RGE and Geomatrix specify criteria and standards in accordance with the Uniform Building Code (UBC) for site grading, drainage, pavement design, retaining wall design, erosion control, and foundation design. By implementing applicable UBC requirements and sound engineering practices, the Los Gatos General Plan EIR determined that proposed development would be at no higher risk of potentially significant impacts due to seismically-induced ground failure from seismic shaking than any other similarly situated area.

The following measures shall be required to reduce identified potentially significant seismic, erosion, and soil hazards to less-than-significant levels:

Issues (and Supporting Information Sources)	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact

5. *The project design shall incorporate all applicable recommendations in Redwood Geotechnical Engineering, Inc.'s (RGE) geotechnical investigation (August 31, 2004) for the proposed project (included as Attachment 2) in order to minimize the potential impacts resulting identified geotechnical constraints.*

6. *Prior to issuance of the building permit(s), Geomatrix Consultants shall review the construction plans submitted with the building permit application. The construction plans shall include foundation plans and other structural plans for all structures and should reflect RGE's recommendations and any other supplemental recommendations by RGE.*

7. *Prior to issuance of the building permit(s), RGE shall review the final construction plans, including foundation and structural plans, to ensure that final plans conform with all RGE (August 31, 2004). RGE shall submit a Plan Review letter to the Town.*

8. *During construction, RGE shall observe and document the geotechnical engineering aspects of construction, including grading and drainage improvements. Prior to project completion, RGE shall submit an "as-built" construction observation letter to the Town.*

VII. Hazards and Hazardous Materials - Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			X	
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			X	
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				X
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				X
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X

Issues (and Supporting Information Sources)	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?		X		

The project site is not included on any Hazardous Wastes and Substances Sites List.[7] No significant public health risks are anticipated since the project site is undeveloped, and there is no evidence of previous use of the site that would pose the potential for public health risks or presence of contaminants at the site.

According to the Los Gatos General Plan, the project site is located in a fire hazard area. General Plan Policy S.P.2.3 encourages design and siting of new development in fire hazard areas to minimize hazards to life and property, such as fire preventive site design, access, landscaping and building materials, and use of fire suppression techniques. In addition, the project will be required to comply with the following standards contained in the Town's Hillside Development Standards and Guidelines (January 2004) to minimize fire hazards:

1. *Building locations shall minimize exposure to wildfires.*
2. *A landscape plan shall be provided and will be reviewed by the Town's Landscape Consultant with input from the Fire Department. The landscape plan shall create defensible space around the home, and if there is a fire ladder on the property, it shall be eliminated in an environmentally sensitive manner.*
3. *Development shall have adequate fire access.*
4. *A dependable and adequate water supply for fire protection and suppression purposes, as required by the Santa Clara County Fire Department, shall be provided for all properties.*
5. *Water for fire suppression shall be available and labeled before any framing may being.*
6. *Above ground water tanks shall not be located in required setback areas.*

Hillside Development Standards and Guidelines also provide the following recommendations or guidelines for reducing fire hazards:

1. *Development should avoid areas subject to severe fire danger. In order to achieve this, development should be set back from the crest of a hill, not be located on or adjacent to slopes greater than 30%, and not be located within densely wooded areas. If this is not possible, measures designed to assure the highest degree of fire prevention and fast effective means of evacuation and fire suppression shall be provided.*
2. *The fuel load within a defensible space should be minimized by use of selective pruning, thinning and clearing as follows: removal of flammable species and debris, removal of dead, dying or hazardous trees, mow dead grasses, removal of dead wood from trees and shrubs, and thin tree crowns (maximum of 25%).*

Issues (and Supporting Information Sources)	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact

3. *Discontinuous fuel sources should be created and maintained within a defensible space through use of the following techniques: thin vegetation to form discontinuous groupings of trees or shrubs, limb trees up from the ground, and establish a separation between the lowest branches of a tree and any understory shrubs.*
4. *Landscaping within a defensible space should be designed with fire safety in mind. Landscaping in defensible space should be: fire resistant and drought tolerant, predominantly low-growing shrubs and groundcovers (limit shrubs to 30% coverage), limited near foundations (height and density).*
5. *Above ground tanks should not be located in areas of high visibility..."*

Project Consistency: With respect to building location, the proposed home would avoid the crest of a hill, slopes over 30%, and areas covered by oak woodland. Recent brush clearing on the southern portion of the site has reduced fuel loads in the vicinity of the proposed home, but relocated trees will need to be located appropriately so as to maintain a defensible space around the proposed home.

To minimize fire hazards, the Santa Clara County Fire Department will require an automatic fire sprinkler system in the proposed home since required fire flows are not available from area water mains and hydrants. The Fire Department will also require improvement of the access driveway to fire department standards and these driveway improvements must be completed prior to the start of home construction.

No above ground tanks are proposed or required for this project.

The following measure shall be implemented to minimize potential fire hazards to a less-than-significant level:

9. *Relocated Trees #3 and 4 (recommended in Measure #3) should be located so as maintain defensible space around the proposed home. If the relocated trees die within two years of relocation, replacement trees should be required and the number and size of replacement trees should be determined by the Director of Parks and Public Works.*

VIII. Hydrology and Water Quality - Would the project:				
a) Violate any water quality standards or waste discharge requirements? (Consideration shall be given to water bodies on the Clean Water Act Section 303(d) list, as well as the potential for conflict with applicable surface or ground water receiving water quality objectives or degradation of beneficial uses).			X	
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?				X

Issues (and Supporting Information Sources)	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?				X
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner, which would result in flooding on- or off-site?			X	
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?			X	
f) Otherwise substantially degrade water quality?			X	
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
h) Place within a 100-year flood hazard area structures, which would impede or redirect flood flows?				X
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				X
j) Inundation by seiche, tsunami, or mudflow?				X

Elevations on the site range from a high of about 528 feet at the southeast end of the site (adjacent to Gum Tree Drive) to a low of about 412 feet near the northwest corner of the property (adjacent to Shady Lane). The site consists of a northwest facing-hillside south and above Shady Lane. Slopes are generally over 30% north of (below) the proposed home and less than 30% south and southeast of the proposed home. The property slopes toward the northwest with rainfall generally percolating on-site. During more intense storm events, runoff drains to the northwest as minor overland flows. The site's runoff is intercepted in the northern part of the property by a paved driveway that extends across the northern end of the project site. Collected storm flows then drain as sheet flows northeastward to the intersection of the driveway with Shady Lane. Storm runoff on Shady Lane is channeled into the Town's storm drain system via a catch basin and drainage channel located on the north side of Shady Lane, ultimately discharging into San Francisco Bay via Ross Creek.

No groundwater was encountered in the any of the soil borings at the time of drilling (May 21, 2004 and June 2, 2004) conducted on the site as part of the geotechnical investigation by Redwood Geotechnical Engineering.

The proposed drainage system would consist of area drains for impervious patio surfaces and four-inch storm drains for runoff from the roof areas. Runoff from patio and walkway surfaces would be collected by four area drains and conveyed by storm drain north of the building envelope for discharge to the open

Issues (and Supporting Information Sources)	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact

area north of the proposed building site. Similarly, surface runoff from the house roof would drain to three drain lines; one drain line would extend northward as with the patio drain line, and the two remaining drain lines would extend westward and discharge in an open area west of the house. All drain lines would discharge though energy dissipating structures or across rip-rap to prevent erosion at the discharge point. Also, drain pipe would be perforated to minimize discharge volumes. The two discharge locations on the west side of the building envelope are gently sloped and would provide for on-site percolation of structural runoff. Discharge points on the north side of the building envelope are on a steeper sloped area above five oak trees. Required relocation of these discharge points (see Mitigation Measure #4 under Biological Resources) would help minimize impacts on these oak trees. Energy dissipators for these drain pipes would reduce the potential for erosion on this hillside location. The Town will require the preparation and implementation of an erosion control plan where appropriate measures will be specified to minimize potential erosion hazards after project construction.

The site is currently undeveloped. With project development, impervious surface area would cover approximately 7,850 square feet (0.18 acre) or 10% of the site. The resulting incremental increase in peak surface flows due to these impervious surfaces would be less than significant due to the small size of the affected area.

Flood Hazards. According to Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps for the project area, the project site is not within the 100-year floodplain. The Town of Los Gatos Safety Element Flood Hazard map also shows the project site does not lie within a flood zone. Therefore, no significant flood hazard impacts would be anticipated. Although the project site is not subject to flooding, runoff from the project site affects flows along Short and Ross creeks. The SCVWD reports that currently there are frequent flooding problems along Short Creek. However, the proposed project is not expected to significantly increase peak flows since the project's drainage concept is to discharge runoff as surface flows, facilitating local percolation and infiltration.

Water Quality. New, more stringent water quality regulations of the Clean Water Act have recently been triggered because the NPDES (National Pollution Discharge Elimination System) permit program has failed to protect beneficial uses of Santa Clara County's creeks and the South San Francisco Bay, as evidenced by such observations as violations of ambient water quality criteria, high concentrations of toxic substances, and fish consumption health advisories. These new regulations require that all discharges shall comply with Provision C.3, New and Redevelopment Performance Standards of Order No. 01-024 of the NPDES permit program.

The project site is located within the Ross Creek watershed. Runoff from the site would discharge to the Town's storm drains in Shady Lane, flowing into Short and Ross Creeks. North of Blossom Hill Road, Ross Creek flows mostly through San Jose, joining Guadalupe River approximately five miles downstream of the project site. Stream flows ultimately discharge into San Francisco Bay via Alviso Slough. Ross and Short creeks are Santa Clara Valley Water District (SCVWD) water management facility, although these creeks are located approximately one-half mile west of the site.

As a condition of project approval, the Town will require: (1) preparation and submittal of interim and final erosion control plans to the Engineering Division of the Parks and Public Works Department; and (2) implementation of non-point source pollution prevention measures such as directing runoff from impervious surfaces to bio-swales or landscaping areas to reduce pollutant levels in the water that will

Issues (and Supporting Information Sources)	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact

eventually discharge to Ross Creek. Best Management Practices (BMPs) outlined by the Santa Clara Valley Urban Runoff Pollution Prevention Program (SCVURPPP) for treatment control of pesticides are bioretention and infiltration. The proposed grading and drainage plan indicates that runoff from impervious surfaces such as rooftops, driveways, and patios would be directed to on-site downslope, vegetated areas that would facilitate local percolation and infiltration. The Town has determined that the project complies with current non-point source requirements as well as SWPPP and erosion control portions of the NPDES permit program.

IX. Land Use and Planning - Would the project:				
a) Physically divide an established community?				X
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				X
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?				X

The Los Gatos General Plan designates the project site for "Hillside Residential" and this designation allows for residential uses at densities of zero to one unit per acre. The Zoning Ordinance designates the project site as "Hillside Residential," which requires one to five acres for each dwelling unit. Since the proposed single-family residence would be located on a 1.8-acre site, it would be consistent with densities allowed by the General Plan and Zoning Ordinance.

The project site is located adjacent to existing residential uses. There are residences developed on all surrounding contiguous parcels. The proposed residential use would be consistent with surrounding single-family residential uses. Therefore, the proposed project would not pose any land use compatibility problems.

The Los Gatos General Plan does not identify any habitat conservation plans or natural community conservation plans that apply to the project site.

X. Mineral Resources - Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X

The Los Gatos General Plan does not identify any regionally or locally-important mineral resources on the project site or in its vicinity.

Issues (and Supporting Information Sources)	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
XI. Noise - Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			X	
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?				X
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X

The Town Noise Ordinance (Chapter 16) restricts construction activities to the hours of 8:00 a.m. to 8:00 p.m. on weekdays and 9:00 a.m. to 7:00 p.m. on weekends and holidays. This ordinance also limits noise generation to 85 dBA at the property line or 85 dBA at 25 feet. Project construction would result in temporary short-term noise increases due to the operation of heavy equipment. Construction noise sources range from about 82 to 90 dBA at 25 feet for most types of construction equipment, and slightly higher levels of about 94 to 97 dBA at 25 feet for certain types of earthmoving and impact equipment. If noise controls are installed on construction equipment, the noise levels could be reduced to 80 to 85 dBA at 25 feet, depending on the type of equipment. With controls, construction noise levels could be made to comply with the Town Noise Ordinance.

Residential uses are generally considered to be noise-sensitive uses or sensitive receptors. There are three existing residences located adjacent to the project site: (1) approximately 120 feet west of the proposed residence; (2) approximately 150 feet south of the proposed residence (across Drysdale Drive); and (3) over 150 feet east of the proposed residence. At 120 feet, the ordinance noise limit (85 dBA at 25 feet) would result in maximum noise levels of 71 dBA at the adjacent closest residence (to the west). Temporary disturbance (e.g., speech interference) can occur if the noise level in the interior of a building exceeds 45 to 60 dBA.[8] To maintain such interior noise levels, exterior noise levels at the closest residences (with windows closed) should not exceed 70 to 80 dBA and this exterior noise level is used as a significance threshold or criterion. Maximum construction noise levels could periodically meet but not exceed this criterion. Therefore, enforcement of time restrictions and noise level standards contained in the Town Noise Ordinance would maintain construction noise levels at acceptable levels and speech interference effects would not be expected when heavy equipment is operated on the project site.

Long-term noise increases associated with the project would result from increased traffic along Drysdale Drive and residential activities (i.e., operation of appliances and maintenance equipment such as lawnmowers, blowers, etc.). Traffic increases associated with the project would be minor and would not significantly or measurably increase ambient noise levels in the project vicinity. Noise generated by project residential activities would be similar to noise generated by adjacent or nearby residential uses and would not conflict with the existing residential noise environment in the neighborhood.

Issues (and Supporting Information Sources)	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
XII. Population and Housing - Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				X
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?			X	
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X

The proposed project would consist of one single-family residence on one parcel, and would not result in intensification of residential uses or significantly increase local or regional population. Since the project would not extend new roadways or utilities to any adjacent undeveloped lands, the project would not induce new growth. The project site is currently undeveloped and no existing housing units would be displaced by the project.

XIII. Public Services -				
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire protection?			X	
Police protection?			X	
Schools?			X	
Parks?			X	
Other public facilities?				X

Services are currently provided to other residences in the surrounding area. The addition of one residence would not significantly increase demand for public services since services are already provided to the project area. The Santa Clara County Fire Department provides fire protection services to the project area. The project would be subject to Department requirements including provision of an approved

automatic fire sprinkler system and adequate access (driveway width, grade, and length). The Department will also require that driveway improvements be completed prior to the start of proposed home construction, and bulk combustible materials not be delivered to the site until these improvements are complete.[9] Project plans indicate proposed gradients along the proposed driveway range between 7% and 9%, which would meet the Department's maximum acceptable driveway slope of 15%.

Issues (and Supporting Information Sources)	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
XIV. Recreation -				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?			X	
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?			X	

The proposed addition of one residential unit would incrementally add new population to the area, and thereby increase the demand for recreational services. This incremental increase would be less than significant given the small size of the project.

XV. Transportation/Traffic - Would the project:				
a) Cause an increase in traffic, which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?			X	
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?				X
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				X
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				X
e) Result in inadequate emergency access?				X
f) Result in inadequate parking capacity?				X
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?				X

The Town's Traffic Impact Policy (Resolution 1991-174) specifies that a project with a traffic impact of 19 or less additional AM or PM peak hour trips could be approved without a comprehensive traffic report

Issues (and Supporting Information Sources)	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact

if it is determined that the benefits of the project to the Town would outweigh the impact of increased traffic. However, the project would be subject to payment of a traffic mitigation fee. The proposed single-family residence would result in a net increase of ten trips per day, with one AM peak hour trip and one PM peak hour trip. According to the Town's traffic determination, traffic generated by the proposed project would represent a minor impact and no additional traffic studies would be required.

Project construction would involve approximately 570 cubic yards of cut and 50 cubic yards of fill, or a net cut of 720 cubic yards. The export of approximately 720 cubic yards of excess fill would generate approximately 120 truck trips (60 truckloads assuming 12 cubic yards per load). Assuming trucks would be filled at a rate of approximately four trucks per hour and seven hours per day (9 a.m. to 4 p.m.), truck traffic increases of approximately four trucks per hour would occur over approximately two work days. Existing roads would be adequate to carry this temporary increase in truck traffic.

The Hillside Specific Plan (HSP) requires provision of four parking spaces while the Town's Zoning Ordinance requires provision of two parking spaces for the proposed single-family residence. The project would meet the HSP and zoning requirements by provision of a three-car garage and the driveway apron, which would accommodate at least one car.

XVI. Utilities and Service Systems – Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				X
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X	
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?			X	
e) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the projects projected demand in addition to the providers existing commitments?			X	
f) Be served by a landfill with sufficient permitted capacity to accommodate the projects solid waste disposal needs?			X	
g) Comply with federal, state, and local statutes and regulations related to solid waste?				X

Utilities currently extend to other residences on adjacent parcels and, therefore, no major off-site utility improvements are expected to be required. Sewer, water, and gas facilities are currently located in

Drysdale Drive south of the site. Water and gas lines would be extended from Drysdale Drive to the east of the proposed driveway, while the sewer line would extend west of the proposed driveway (below the proposed home). Electrical, telephone, and cable facilities are located at the eastern project boundary (near the southeast corner of the site), and underground facilities would extend across the hillside slope above the proposed home to the eastern project boundary. The Fire Department will require installation of an approved automatic fire sprinkler system in the proposed home since required fire flows are not available from area water mains and hydrants.[10] The Department will also require that driveway improvements be completed prior to the start of proposed home construction, and bulk combustible materials not be delivered to the site until the driveway is complete.

Proposed storm drainage facilities would consist of provision of catch basins in the patio east of the home. The patio and roof areas would drain to two energy dissipators located north of the home and two footing drains (discharging across rip-rap) southwest of the home. Proposed construction of proposed utilities across site slopes would pose erosion hazards. The Town's requirement of an erosion control plan (including interim erosion control measures) would reduce potential erosion hazards to a less-than-significant level.

Issues (and Supporting Information Sources)	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
XVII. Mandatory Findings of Significance -				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?				X
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?				X
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?				X

LIST OF SUPPORTING INFORMATION SOURCES

(Indicated as endnotes under specific issues of Initial Study)

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[1] Bay Area Air Quality Management District, 1999. *BAAQMD CEQA Guidelines, Assessing the Air Quality Impacts of Projects and Plans*. December.

[2] Arbor Resources, 2004. *A Tree Inventory and Review of the Proposed New Residence at 107 Drysdale Drive, Los Gatos, California*. November 24.

[3] Nolan Associates, 1999. *Draft Erosion Potential Map, Shrink-Swell Potential of Soils, Slope Stability Hazard Map, Debris Flow Hazard Map, Liquefaction Hazard Zones Map, Seismic Shaking Hazards Map, Geologic Map, Fault Rupture Hazard Zones Map for the Town of Los Gatos General Plan Update*. January 17.

[4] Nolan Associates, 1999. *Draft Fault, Lineament & Coseismic Deformation Map for the Town of Los Gatos General Plan Update*. January 17.

[5] Redwood Geotechnical Engineering, 2004. *Geological and Geotechnical Investigation, Two Proposed New Single-Family Residences, 15820 Shady Lane, APN 527-04-008 (Lot 1) and APN 527-04-009 (Lot 2), Los Gatos, California*. August 31.

[6] Geomatrix, 2003. *Geologic and Geotechnical Peer Review, Proposed New Residence, 107 Drysdale Drive, Los Gatos, California*. Project 8449.019.0. November 29.

[7] Town of Los Gatos Development Application Supplement, Hazardous Wastes and Substances Statement for Vacant Lot on Drysdale Drive, Los Gatos, No Date.

[8] In indoor noise environments, the highest noise level that permits relaxed conversation with 100% intelligibility throughout the room is 45 dBA. Speech interference is considered to become intolerable when normal conversation is precluded at 3 feet, which occurs when background noise levels exceed 60 dBA (U.S. Environmental Protection Agency, Information on Levels of Environmental Noise Requisite to Protect Public Health and Welfare with an Adequate Margin of Safety (Condensed Version, 1974).

[9] Santa Clara County Fire Department, 2004. *Development Review Comments for Drysdale Drive*. Plan Review No. 04 2441; File Number S-05-16. September 23.

[10] Santa Clara County Fire Department, 2004. *Development Review Comments for Drysdale Drive*. Plan Review No. 04 2441; File Number S-05-16. September 23.

Attachment 1

Findings and Recommendations

By

Arbor Resources

A Tree Inventory and Review
of the Proposed New Residence at
107 Drysdale Drive
Los Gatos, California

November 24, 2004

ARBOR RESOURCES
Professional Arboricultural Consulting & Tree Care

A TREE INVENTORY AND REVIEW OF A PROPOSED NEW RESIDENCE AT 107 DRYSDALE DRIVE LOS GATOS, CALIFORNIA

PROPERTY OWNER/APPLICANT: Howell & McNeil Dev., LLC
APPLICATION #: S-05-016
APN #: 527-04-009

Submitted to:

Judie Soo Gilli
Community Development Department
Town of Los Gatos
110 East Main Street
Los Gatos, CA 95031

Prepared by:

David L. Babby, RCA
Registered Consulting Arborist #399
Certified Arborist #WE-4001A

November 24, 2004

P.O. Box 25295, San Mateo, California 94402 • Email: arborresources@earthlink.net
Phone: 650.654.3351 • Fax: 650.654.3352 • Licensed Contractor #796763

INTRODUCTION

The Town of Los Gatos Community Development Department has requested I review the tree impacts associated with constructing a new residence on a vacant lot at 107 Drysdale Drive, Los Gatos. This report presents my findings and recommendations.

Plans reviewed for this report include Sheets 1 and 1b (by Chris Spaulding Architect, dated 9/16/04) and Sheets C-2, C-3 and EC-1 (by NNR Engineering, dated 10/26/04). The trees' numbers, locations and canopy perimeters are shown on an attached copy of Sheet C-2 (Grading and Drainage Plan).

Trees #3 and 4 were not shown on plans reviewed. Their trunk locations have been plotted on the attached map and should not be construed as being surveyed.

For identification purposes, round, metallic tags containing numbers corresponding to those presented in this report were attached to the trunks of trees #1 and 3-5.

FINDINGS

There are five trees regulated by Town Ordinance that are in the vicinity of the proposed home and grading design. They include three Coast Live Oaks (#1, 2 and 4), one Valley Oak (#3) and one Monterey Pine (#5). Data compiled for each tree is presented on the attached table and includes the appraised value of each tree.[1]

Tree #3 and 4 are in conflict with the proposed design. Both appear in overall good condition and are worthy of retention. Given their relatively small size, I find they can easily be relocated to an alternative location on site.

Installing the proposed sewer lateral line will adversely impact three Oaks located near the road (identified on Sheet 1 as 8-, 11- and 16-inches in size). To eliminate the inevitable root damage, I suggest the lateral is redesigned to connect with the main line east of tree #1's canopy.

The two proposed storm drains directed north from the home and dissipating within a grove of Oaks will compromise the surrounding trees' longevity and stability. As such, I recommend both lines and associated dissipaters are redesigned to be entirely outside from the "brush line".

All other trees can be adequately protected throughout the project provided the recommendations presented in the next section are carefully followed and incorporated into project plans.

[1] The appraised tree values shown on the attached Tree Inventory Table are calculated in accordance with the *Guide for Plant Appraisal, 9th Edition*, published by the International Society of Arboriculture, 2000.

RECOMMENDATIONS

The recommendations presented below serve as guidelines to protect trees being retained and mitigate the design conflict with trees #3 and 4. Should the plans be revised, the recommendations may require modification.

1. The proposed sewer lateral should be redesigned so it connects with the main line east of tree #1's canopy; the line should be at least 25 feet from tree #1's trunk and outside from beneath the canopies of all other trees.

2. The two proposed storm drains and dissipaters mentioned in the previous section must be redesigned to be outside from beneath the canopies of trees (outside from the "brush line" shown on Sheet C-2).

3. The surveyed locations of trees #3 and 4 should be shown on all site related plans (to include landscaping).

4. Trees #3 and 4 should be relocated to an alternate location on site rather than be removed. The work must be performed by a professional tree moving company and under the supervision of an individual certified by the International Society of Arboriculture (ISA). A drip or soaker hose type system should also be designed to supply water to the trees for a two- to three-year period following relocation. Their future locations should be shown on the landscape plans and should be designed to be at least 15 feet from the canopy edge of existing trees.

5. Tree protective fencing must be installed precisely as shown on the attached map and established prior to any grading, surface scraping, construction or heavy equipment arriving on site; the location shown on Sheet C-2 is sufficient, provided some additional fencing is installed as shown along the road and northeast section (see attached map). Once established, the fencing must remain undisturbed and be maintained throughout the construction process; the dismantling of fencing must be approved by the Town before doing so. It must be comprised of five-foot high chain link mounted on two-inch diameter, galvanized steel posts, driven 18 inches into the ground and spaced no more than 10 feet apart.

6. Unless otherwise approved, all construction activities must be conducted outside the fenced areas (even after fencing is removed) and off unpaved soil beneath the canopies of trees inventoried and not inventoried for this report. These activities include, but are not limited to, the following: grading, surface scraping, trenching, stockpiling and dumping materials (including soil fill), and equipment/vehicle operation and parking.

7. The following shall be displayed on 8½- by 11-inch (minimum) signs and attached to fencing sides facing construction activities: "WARNING - TREE PROTECTIVE ZONE - this fence shall not be removed. Violators are subject to a penalty according to Town Code 29.10.1025." Prior to issuing permits, the applicant or contractor shall

submit a written statement to the Town's Building Department confirming tree protection fencing has been established as recommended in this report.

8. Before the proposed development is accepted by the Town, a final tree preservation report must be prepared by an ISA Certified Arborist and submitted to the Town. The report must identify any changes to the trees' conditions, identify measures to promote the survival of trees #3 and 4, confirm whether tree #2's root collar was properly cleared, identify whether an irrigation system is established for trees #3 and 4, and provide any other relevant findings and recommendations.

9. Temporary or permanent drainage must not be directed beneath the trees' canopies. Additionally, loose soil or other material should not be allowed to travel within the fenced areas; if this accidentally occurs, the material should be immediately removed by hand.

10. Fiber rolls proposed beneath the canopies of trees should be placed on top of existing grade and not require soil excavation.

11. Grading proposed beneath the northwest portion of tree #2's canopy must be manually performed using hand tools only.

12. The removal of any understory brush must occur only by hand. Great care must be taken to minimize the amount of soil excavated during the process.

13. Soil fill should be cleared away from tree #2's lower trunk to expose the root collar (the area where the main trunk and scaffold roots merge, often identified by a distinct swelling at the trunk's base). The work should be performed by an individual familiar with the process. Damage to the lower trunk should be avoided during the process.

14. Prior to grading, I recommend a six-inch layer of wood chips from a tree company is manually spread beneath tree #5's canopy (the material should not contact the tree's trunk).

15. Throughout development, I recommend supplemental water be supplied to tree #5 every three weeks during the months of April thru October. I suggest a rate of 300 gallons of water is applied to the root zone area beneath the tree's mid- to outer-canopy.

16. Herbicides should not be used beneath tree canopies. Where used on site, they should be labeled for safe use near trees.

17. Upon availability, the landscape design (planting and irrigation) should be reviewed for tree impacts.

18. The pruning of trees must be performed under supervision of an ISA Certified Arborist and according to ISA standards.

19. Trenches for irrigation and lighting should be designed to be at least 12 times the diameter from the trunks of retained trees. If inside this distance, the trenches should be dug in a radial direction to the trunks and be no closer than five times the diameter of the nearest trunk.

20. Plant material installed beneath the Oak canopies should be drought-tolerant and comprise no more than 25-percent of a tree's entire dripline. Irrigation supplied to these plants should be through a drip or soaker hose system placed on top of existing grade. Irrigation should not spray beneath the Oak canopies or against the trunks of all other trees.

21. Stones, mulch or other landscape features should be at least one-foot from the trunks of retained trees and not be in contact with the trunks of new trees. Installing edging material or tilling beneath canopies should be avoided.

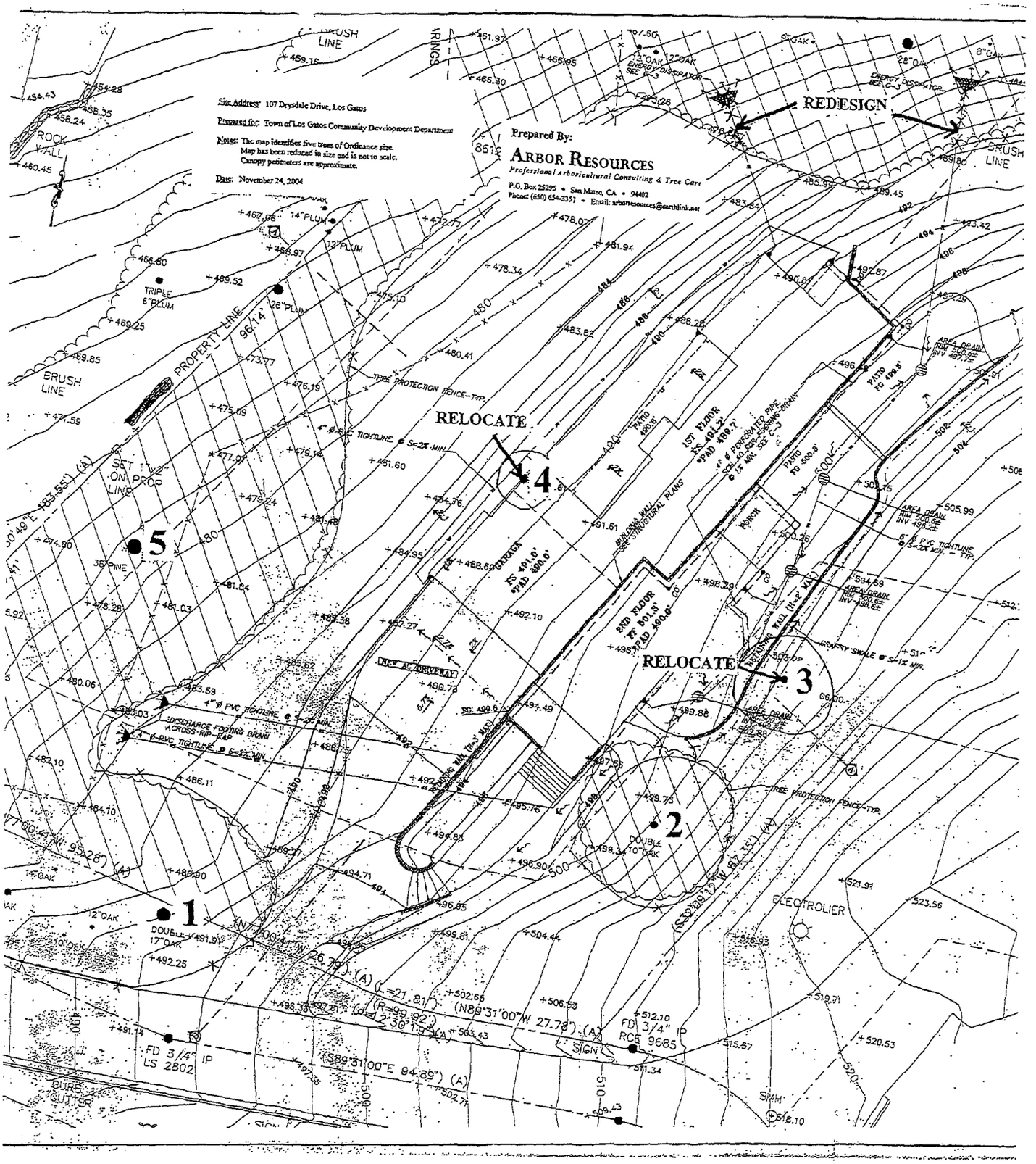
Attachments: Tree Inventory Table
Site Map (Copy of Sheet C-2)

ARBOR RESOURCES

Professional Arboricultural Consulting & Tree Care

TREE INVENTORY TABLE

TREE NO.	TREE NAME	Trunk Diameter (in.)	Height (ft.)	Canopy Spread (ft.)	Health Condition (100%=Best, 0%=Worst)	Structural Integrity (100%=Best, 0%=Worst)	Overall Condition	Suitability for Preservation	Development Impacts (1=Highest, 5=Lowest)	In Conflict with Design	Not Shown on Plans	Tree Appraisal Value
1	Coast Live Oak (*Quercus agrifolia*)	29	35	50	100%	50%	Good	High	3	-		$13,800
2	Coast Live Oak (*Quercus agrifolia*)	11, 8.5	15	25	100%	50%	Good	High	4	-		$3,120
3	Valley Oak (*Quercus lobata*)	4	15	20	100%	75%	Good	High	-	X	X	$1,060
4	Coast Live Oak (*Quercus agrifolia*)	7	10	10	100%	75%	Good	High	-	X	X	$1,640
5	Monterey Pine (*Pinus radiata*)	32.5	35	45	50%	75%	Fair to Poor	Low	3	-		$1,740


Site Address: 107 Drysdale Drive, Los Gatos
Prepared for: Town of Los Gatos Community Development Department
Notes: The map identifies five trees of Ordinance size.
Map has been reduced in size and is not to scale.
Canopy perimeters are approximate.
Date: November 24, 2004
Prepared By:
ARBOR RESOURCES
Professional Arboricultural Consulting & Tree Care
P.O. Box 25295 • San Mateo, CA • 94402
Phone: (650) 654-3357 • Email: arborresources@earthlink.net
REDESIGN
RELOCATE
RELOCATE
1
2
3
4
5
PROPERTY LINE
TREE PROTECTION FENCE-TYP.
1ST FLOOR
2ND FLOOR
GARAGE
PATIO
PORCH
BUILDING WALL SEE STRUCTURAL PLANS
RETAINING WALL
NEW AC DRIVEWAY
DISCHARGE FOOTING DRAIN ACROSS RIP-RAP
GRASSY SWALE
AREA DRAIN
ROCK WALL
BRUSH LINE
SET ON PROP LINE
SIGN
SMH
ELECTROLIER
CURB & GUTTER
FD 3/4" IP LS 2802
FD 3/4" IP RCE 9685
DOUBLE 17" OAK
DOUBLE 10" OAK
36" PINE
TRIPLE 6" PLUM
12" PLUM
14" PLUM
26" PLUM
12" OAK
8" OAK
ENERGY DISSIPATOR

Attachment 2

Geological and Geotechnical Investigation Recommendations

By

Redwood Geotechnical Engineering, Inc.

Geological and Geotechnical Investigation
For Two Proposed New Single-Family Residences
15820 Shady Lane
APN 527-04-008 (Lot 1) & APN 527-04-009 (Lot 2)
Los Gatos, California

August, 2004

Geological and Geotechnical Investigation

for

Two Proposed New Single-Family Residences

15820 Shady Lane

APN 527-04-008 (Lot 1) & APN 527-04-009 (Lot 2)

Los Gatos, California

for

Mr. Tim McNeil

Los Gatos, California

By

REDWOOD GEOTECHNICAL ENGINEERING, INC.

Project No. 1757SCL

August 2004

The following recommendations should be used as guidelines for preparing project plans and specifications. The engineering geologist must observe exposed cuts during site grading. Observation of grading excavations allows anticipated geologic conditions to be correlated to those actually encountered in the field during construction. If unusual or unforeseen soil or rock conditions are found during construction, additional recommendations may be required. The geotechnical engineer must observe all geotechnical aspects of the project during construction.

Site Grading

1. The soil engineer should be notified **at least four (4) working days** prior to any site clearing or grading so that the work in the field can be coordinated with the grading contractor, and arrangements for testing and observation can be made. The recommendations of this report are based on the assumption that the soil engineer will perform required testing and observation during grading and construction. It is the owner's responsibility to make the necessary arrangements for these required services.

2. Areas to be graded should be cleared of all obstructions including old foundations, loose fill, and other debris or unsuitable material. Where site clearing or

grading disturbs the subgrade or the foundation zone soils, the disturbed soil should be replaced as compacted engineered fill. Cleared areas should be stripped of organic-laden topsoil. Stripping depth is typically about 2 to 4 inches. Actual depth of stripping should be determined in the field by the soil engineer. Strippings should be wasted off-site or stockpiled for use in landscaped areas if desired.

3. Where referenced in this report, Percent Relative Compaction and Optimum Moisture Content shall be based on ASTM Test Designation D1557-91. Areas to receive engineered fill should be scarified to a depth of 6 inches, moisture conditioned, and compacted. The predominantly clayey soil should be compacted to between 87 and 93 percent relative compaction. Moisture content should be about 2 to 6 percent above the optimum moisture content. Granular materials should be compacted to at least 90 percent relative compaction. Moisture content should be about 2 to 6 percent above the optimum moisture content. Portions of the site may need to be moisture conditioned to achieve a moisture content suitable for effective compaction. These areas may then be brought to design grade with engineered fill. Engineered fill should be placed in thin lifts not exceeding 8 inches in loose thickness, moisture conditioned, and compacted to at least 90 percent relative compaction. Moisture content should be about 2 to 6 percent above the optimum moisture content. The upper 6 inches of pavement subgrades should be compacted to at least 95 percent relative compaction. The aggregate base below pavements should likewise be compacted to at least 95 percent relative compaction.

4. If grading is performed during or shortly after the rainy season, the grading contractor may encounter compaction difficulty, due to excessive moisture in the subgrade soil. If compaction cannot be achieved by adjusting the soil moisture content, it may be necessary to over excavate the subgrade soil and replace it with select import angular crushed rock to stabilize the subgrade. The depth of over

excavation is typically about 12 to 24 inches under these adverse conditions. Specialized grading procedures will require observation by the soil engineer or his representative.

5. Proposed fill materials should be evaluated by the soil engineer prior to placement. The native soil encountered in our exploratory borings appears to be well consolidated. Predominantly clayey soil should generally be avoided within engineered fills below proposed structures, pavements, and concrete slabs-on-grade. Non-expansive native soil or imported material such as base rock or other approved predominantly granular fill material is recommended for use in fills below slabs and pavements. Import materials used for engineered fill should be non-expansive, free of organic material, and contain no rocks or clods greater than 6 inches in diameter. Larger cobbles should be broken down or removed from engineered fills. We estimate shrinkage factors of about 10 to 20 percent for the on-site materials when used in engineered fills.

6. Engineered fills should be keyed and benched into well-consolidated native materials in areas where local slope gradients exceed 5:1. Subdrains are recommended in areas where keyways or benches expose potential seepage zones. Subdrains should consist of a filtered drain rock section at least 12 inches thick. The drain rock should consist of either Class 2 Permeable Material (Caltrans specification 68-1.025) or a free-draining gravel enclosed in a filter fabric, (Mirafi 140N), or approved equivalent. A 4-inch diameter perforated pipe should be placed, holes down, at the base of the subdrain and tied to a suitable outlet. Keying, benching, and subdrain installation should be observed by the soil engineer. All permanent cut and fill slopes should be inclined no steeper than 2:1.

7. Following grading, all disturbed areas should be planted as soon as possible with erosion-resistant vegetation. After the earthwork operations have been completed and the soil engineer has finished his observation of the work, no further earthwork operations shall be performed except with the approval of and under the observation of the soil engineer.

Foundations

8. Drilled pier and grade beam foundations are recommended to support the proposed new residences and garages. The piers should be tied to continuous grade beams below all shear walls and bearing walls. Isolated piers should be limited to floor loads, exterior decks, or other lightly loaded structures where slight seasonal soil movement is acceptable. Drilled piers should be at least 10 feet deep, 18 inches in diameter, and be embedded at least 8 feet into firm native materials, below all fill and unconsolidated soil. Anticipated pier depths would be on the order of 10 to 14 feet. Final pier depths should be determined in the field by the soils engineer. Piers should be spaced at least 3 diameters from center to center. Grade beams should be at least 8 inches wide. Seasonal seepage may hamper conventional drilling, particularly during and shortly after winter storms. Specialized construction procedures may be necessary to minimize caving soil conditions and to remove water from the foundation excavations prior to placing concrete. We recommend grading the new building pads and roadways, and drilling the piers during the dry summer season to minimize the potential for seasonal seepage and caving within the foundation excavations.

9. Piers constructed in accordance with the above may be designed for an allowable skin friction of 500 psf. The upper 2 feet of embedment, topsoil, and all fill materials should be neglected when computing skin friction.

10. For passive lateral resistance, an equivalent fluid pressure of 500 pcf may be assumed to act against 2 pier diameters within the undisturbed native materials. The upper 2 feet of embedment and topsoil should be neglected when computing passive lateral resistance.

11. Piers should be designed to resist lateral creep forces from the expansive clay soil. An active equivalent pressure of 100 pcf should be applied to 2 pier diameters for 4 vertical feet. For passive lateral resistance, an equivalent fluid pressure of 500 pcf may be assumed to act against two pier diameters within the undisturbed native materials. The upper 2 feet of embedment and all fill or topsoil should be neglected when computing passive lateral resistance.

12. Our investigation encountered native soils with low to high expansion potentials. If predominantly expansive clayey or silty soils are encountered at the ground surface, grade beams in these areas should be separated from the underlying expansive clay subgrade to provide a void space of at least two (2) vertical inches. Where non-expansive fills are placed in the upper portion of the pad over clayey soil, the void below the grade beam may be eliminated.

13. Piers should be vertically reinforced the full length. The vertical reinforcement should be lapped and tied each way to the upper grade beam reinforcement. Actual reinforcement requirements should be determined by the structural designer in accordance with anticipated use and applicable design standards.

14. The foundation excavations should be kept moist and be thoroughly cleaned of all slough or loose materials prior to pouring concrete. The foundation excavations must be observed by the soil engineer or his representative during drilling and prior to

placing steel or concrete. If unusual or unforeseen soil conditions are found during construction, additional recommendations may be required.

Retaining Walls and Lateral Pressures

15. Retaining walls should be designed to resist both lateral backfill pressures and any additional surcharge loads from wheel loads or equipment loads. Backfill materials should be placed as compacted engineered fill. Surcharge loads from compaction equipment should be minimized by using light-weight tamping or vibrating compaction equipment. Structurally restrained walls should be designed to resist a uniformly applied wall pressure of 25 H psf. Active soil pressures may be assumed for free standing retaining walls backfilled with granular native soil. Walls up to 10 feet high should be designed to resist an active equivalent fluid pressure of at least 50 pcf for level backfills and 75 pcf for sloping backfills no steeper than 2:1. Retaining walls should also be designed to resist one half of any surcharge loads imposed on the backfill behind the walls. These lateral pressures are based on granular backfills behind retaining walls. The highly expansive clayey and silty materials encountered at this site are not recommended for backfill.

16. The above lateral pressures assume that all retaining walls are **fully drained** to prevent hydrostatic pressure behind the walls. Drainage materials behind the wall should consist of filtered drain rock (Class 2 permeable material, Caltrans Specification 68-1.025; or an approved equivalent). Retaining wall backdrain sections should be at least 12 inches wide. The drain section should extend from the base of the walls to within 12 inches of the top of the backfill. A rigid perforated pipe should be placed (holes down) about 4 inches above the bottom of the wall and tied to a suitable drain outlet. Wall backdrains should be sealed at the surface with concrete slabs, clay, or other impermeable material to minimize infiltration of surface runoff into the

backdrains. Surface runoff should be diverted away from backdrains and collected in separate drain lines or channels.

17. A high quality waterproofing membrane should be used for retaining walls adjacent to areas where moisture would be undesirable. The membrane should be continuous and extend from the top of the wall to the outer margin of the foundation. The floors of the garage should also be waterproofed to prevent seasonal seepage.

Concrete Slabs-on-Grade

18. Concrete slabs-on-grade are anticipated for new garage and basement floors, driveways, exterior patios, and walkways. To provide uniform subgrade support for proposed new garage and basement floor slabs that coincide with cut/fill transitions or non-expansive/expansive soil transitions, the upper 8 inches of the entire subgrade below proposed slabs should be subexcavated, mixed, and compacted. We recommend that proposed slabs-on-grade be supported on at least 4 inches of non-expansive granular material bearing on uniformly compacted subgrades. Prior to construction of new slabs, the subgrade surface should be thoroughly moisture conditioned and then proof rolled to provide a smooth, firm, uniform surface for slab support. **The prepared subgrade below concrete slabs-on-grade must not be allowed to dry out prior to placing concrete.** In areas where slab sections will bear on potentially expansive soils, a 5 inch minimum slab thickness and an additional 2 inches of gravel are recommended to reduce the potential for future slab distress. All slabs should be relieved with control joints or headers to divide slabs into smaller, approximately square sections to minimize random cracks. Control joint spacing should not exceed 10 feet. Slab reinforcing should be provided in accordance with the anticipated use and loading of the slab.

19. In areas where floor wetness would be undesirable, a blanket of 4 inches of clean free-draining gravel should be placed beneath the floor slab to act as a capillary break. In order to minimize vapor transmission, a durable impermeable membrane should be placed over the gravel. The membrane should be covered with 2 inches of sand or rounded gravel to protect it during construction. The sand or gravel should be lightly moistened just prior to placing the concrete to aid in curing the concrete.

20. Exterior concrete slabs-on-grade should be founded on firm, uniformly moisture conditioned and compacted subgrades. Reinforcing should be provided in accordance with the anticipated use and loading of the slab. The reinforcement should not be tied to the building foundations. These exterior slabs can be expected to suffer some cracking and movement. However, thickened exterior edges, a well-prepared subgrade including premoistening prior to pouring concrete, adequately spaced expansion joints, and good workmanship should minimize cracking and movement.

Site Drainage

21. Thorough control of runoff and seepage is essential to the future performance of the proposed improvements. Diligent maintenance of completed drainage improvements is required for the life of the improvements. The drainage improvements should be both durable and easily accessible to promote frequent routine maintenance by each of the owners. Collected water should be discharged in a controlled fashion below the proposed improvements. It will be each owner's responsibility to maintain the site drainage systems in good working condition for the life of the improvements.

22. Seasonal seepage should be anticipated in the surficial native soil and weathered sandstone bedrock at depth. To reduce the potential for seepage or ponded water in the crawl space below the residences, we recommend sloping the surrounding grade away from the proposed new residences.

23. Surface drainage must include provisions for positive slope gradients so that surface runoff flows away from the foundations, driveways, and other improvements. We recommend elevating the building pads above the surrounding finish grades for positive drainage. Runoff from the area upslope of the proposed improvements should be intercepted with new drainage ditches or other measures so that runoff is not diverted toward the new residences or new retaining wall backdrains, and does not flow over graded slopes. Minimum positive slope gradients of two percent are recommended for all concrete and landscape surfaces in the vicinity of the site improvements. Surface drainage must be directed away from the building foundations and concrete slabs. Runoff must not be allowed to sheet flow over graded slopes. Berms or V-ditches should be constructed at the top of slopes to divert water toward suitable collection facilities. Collected water should be dispersed in a controlled fashion.

24. Full roof gutters should be placed around all eaves. Discharge from the roof gutters should be conveyed away from the downspouts by splash blocks, lined gutters, pipes or other positive drainage. Collected runoff should be discharged away from the building foundations and other improvements.

25. The migration of water or spread of extensive root systems below foundations, slabs, or pavements may cause undesirable differential movements and subsequent damage to these structures. Landscaping should be planned accordingly.

Plan Review, Construction Observation, and Testing

26. Our firm must be provided the opportunity for a general review of the final project plans and specifications prior to construction so that our geologic and geotechnical recommendations may be properly interpreted and implemented. If our firm is not accorded the opportunity of making the recommended review, we can

assume no responsibility for misinterpretation of our recommendations. We recommend that our office review the project plans prior to submittal to public agencies, to expedite project review. The recommendations presented in this report also require our observation and, where necessary, testing of the earthwork and foundation excavations. Observation of grading and foundation excavations allows anticipated soil conditions to be correlated to those actually encountered in the field during construction.

Tim McNeil
234-4787

SINGLE-FAMILY RESIDENTIAL PROJECT DATA			
	EXISTING CONDITIONS	PROPOSED PROJECT	REQUIRED/ PERMITTED
Zoning district	HR-1	same	-
Land use	vacant	single family home	-
General Plan Designation	low density residential	same	-
Lot size	79,460 ☐	same	
$ square feet		79,460 ☐	40,000 sq. ft. minimum
$ acres		1.824	.92 acres minimum
Exterior materials:	None		
$ siding		plaster	-
$ trim		stone	-
$ windows		wood	-
$ roofing		~~clay~~ tile	-
Building floor area:			
$ first floor		2880.3	
$ second floor		1797.7	6,000 sq. ft. maximum☐
$ garage		717.6	400 sq. ft. exemption
$ cellar		—	-
$ total (excluding cellar)		4995.6	6,400 sq. ft. maximum
Setbacks (ft.):			
$ front		60'+	30 feet minimum
$ rear		104.5'	25 feet minimum
$ side		60.8'	20 feet minimum
$ side street		80'+	20 feet minimum
Average slope (%)		36.1%	-
Maximum height (ft.)		25'	25 feet maximum
Building coverage (%)		5.2%	no maximum
Parking		8 off street	
garage spaces		~~717.6~~ 3	
spaces minimum in		a	☐☐*garage spaces*☐
on to garage☐☐	☐		*un*

v
ered spaces☐☐☐☐☐☐Sewer or sep

EXHIBIT F

CDG
CANNON
DESIGN
GROUP

ARCHITECTURE PLANNING URBAN DESIGN

November 15, 2004

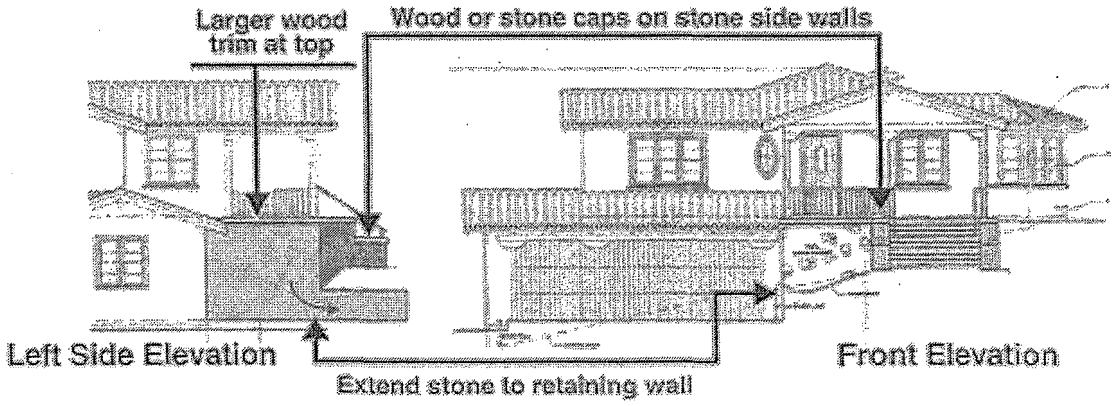
Ms. Judie Gilli
Community Development Department
Town of Los Gatos
110 E. Main Street
P.O. Box 949
Los Gatos, CA 95031

RE: 107 Drysdale Drive

Dear Judie:

I visited the site, and reviewed the design drawings that you forwarded. The design looks quite good as this architect's work usually does. My only suggestion relates to the issue that you raised which is the wall under the porch that wraps around to the garage. It would be desirable to integrate the porch and wall into the site more. There are probably a number of ways to do this. My suggestion, shown on the side and front elevation diagrams below, would be to do the following:

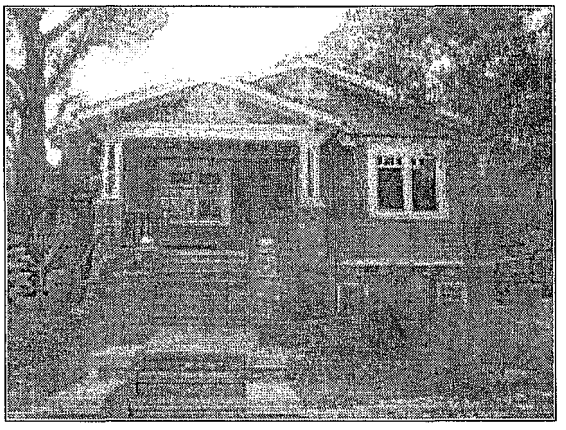
1. Strengthen the wood trim at the porch floor edge.
2. Add stone side walls to the steps to tie the stair into the porch stone base and the site.
3. Add wood caps to the side walls to match the trim at the porch edge. Alternatively, stone caps could be used.
4. Carry the stone around onto the retaining wall that edges the driveway and extends up to the walk to the porch. This may have been the intent in any case, but I couldn't tell from the drawings. This would further integrate the stone wall and porch into the site.



TEL: 415.331.3795 FAX: 415.331.3797

180 HARBOR DRIVE, SUITE 219, SAUSALITO, CA 94965

I don't have a directly comparable photo to demonstrate this approach, but the Grabill Residence in Los Gatos, shown in the photo below, is similar in terms of the stair side walls and relating the stone walls of the porch with others at the sidewalk entry. This photo shows stone for the stair risers and treads. I don't think that is necessary in this case. Wood risers and treads would probably be best.



As noted above, the rest of the design is well done with good massing, scale, and details.

Judie, please let me know if you have any questions, or if there are specific issues of concern that I did not address.

Sincerely,
CANNON DESIGN GROUP

Larry L. Cannon AIA AICP
President

ARBOR RESOURCES
Professional Arboricultural Consulting & Tree Care

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EXHIBIT H

INTRODUCTION

The Town of Los Gatos Community Development Department has requested I review the tree impacts associated with constructing a new residence on a vacant lot at 107 Drysdale Drive, Los Gatos. This report presents my findings and recommendations.

Plans reviewed for this report include Sheets 1 and 1b (by Chris Spaulding Architect, dated 9/16/04) and Sheets C-2, C-3 and EC-1 (by NNR Engineering, dated 10/26/04). The trees' numbers, locations and canopy perimeters are shown on an attached copy of Sheet C-2 (Grading and Drainage Plan).

Trees #3 and 4 were not shown on plans reviewed. Their trunk locations have been plotted on the attached map and should not be construed as being surveyed.

For identification purposes, round, metallic tags containing numbers corresponding to those presented in this report were attached to the trunks of trees #1 and 3-5.

FINDINGS

There are five trees regulated by Town Ordinance that are in the vicinity of the proposed home and grading design. They include three Coast Live Oaks (#1, 2 and 4), one Valley Oak (#3) and one Monterey Pine (#5). Data compiled for each tree is presented on the attached table and includes the appraised value of each tree.[1]

Tree #3 and 4 are in conflict with the proposed design. Both appear in overall good condition and are worthy of retention. Given their relatively small size, I find they can easily be relocated to an alternative location on site.

Installing the proposed sewer lateral line will adversely impact three Oaks located near the road (identified on Sheet 1 as 8-, 11- and 16-inches in size). To eliminate the inevitable root damage, I suggest the lateral is redesigned to connect with the main line east of tree #1's canopy.

The two proposed storm drains directed north from the home and dissipating within a grove of Oaks will compromise the surrounding trees' longevity and stability. As such, I recommend both lines and associated dissipaters are redesigned to be entirely outside from the "brush line".

All other trees can be adequately protected throughout the project provided the recommendations presented in the next section are carefully followed and incorporated into project plans.

[1] The appraised tree values shown on the attached Tree Inventory Table are calculated in accordance with the *Guide for Plant Appraisal, 9th Edition,* published by the International Society of Arboriculture, 2000.

RECOMMENDATIONS

The recommendations presented below serve as guidelines to protect trees being retained and mitigate the design conflict with trees #3 and 4. Should the plans be revised, the recommendations may require modification.

1. The proposed sewer lateral should be redesigned so it connects with the main line east of tree #1's canopy; the line should be at least 25 feet from tree #1's trunk and outside from beneath the canopies of all other trees.

2. The two proposed storm drains and dissipaters mentioned in the previous section must be redesigned to be outside from beneath the canopies of trees (outside from the "brush line" shown on Sheet C-2).

3. The surveyed locations of trees #3 and 4 should be shown on all site related plans (to include landscaping).

4. Trees #3 and 4 should be relocated to an alternate location on site rather than be removed. The work must be performed by a professional tree moving company and under the supervision of an individual certified by the International Society of Arboriculture (ISA). A drip or soaker hose type system should also be designed to supply water to the trees for a two- to three-year period following relocation. Their future locations should be shown on the landscape plans and should be designed to be at least 15 feet from the canopy edge of existing trees.

5. Tree protective fencing must be installed precisely as shown on the attached map and established prior to any grading, surface scraping, construction or heavy equipment arriving on site; the location shown on Sheet C-2 is sufficient, provided some additional fencing is installed as shown along the road and northeast section (see attached map). Once established, the fencing must remain undisturbed and be maintained throughout the construction process; the dismantling of fencing must be approved by the Town before doing so. It must be comprised of five-foot high chain link mounted on two-inch diameter, galvanized steel posts, driven 18 inches into the ground and spaced no more than 10 feet apart.

6. Unless otherwise approved, all construction activities must be conducted outside the fenced areas (even after fencing is removed) and off unpaved soil beneath the canopies of trees inventoried and not inventoried for this report. These activities include, but are not limited to, the following: grading, surface scraping, trenching, stockpiling and dumping materials (including soil fill), and equipment/vehicle operation and parking.

7. The following shall be displayed on 8½- by 11-inch (minimum) signs and attached to fencing sides facing construction activities: "WARNING - TREE PROTECTIVE ZONE - this fence shall not be removed. Violators are subject to a penalty according to Town Code 29.10.1025." Prior to issuing permits, the applicant or contractor shall

submit a written statement to the Town's Building Department confirming tree protection fencing has been established as recommended in this report.

8. Before the proposed development is accepted by the Town, a final tree preservation report must be prepared by an ISA Certified Arborist and submitted to the Town. The report must identify any changes to the trees' conditions, identify measures to promote the survival of trees #3 and 4, confirm whether tree #2's root collar was properly cleared, identify whether an irrigation system is established for trees #3 and 4, and provide any other relevant findings and recommendations.

9. Temporary or permanent drainage must not be directed beneath the trees' canopies. Additionally, loose soil or other material should not be allowed to travel within the fenced areas; if this accidentally occurs, the material should be immediately removed by hand.

10. Fiber rolls proposed beneath the canopies of trees should be placed on top of existing grade and not require soil excavation.

11. Grading proposed beneath the northwest portion of tree #2's canopy must be manually performed using hand tools only.

12. The removal of any understory brush must occur only by hand. Great care must be taken to minimize the amount of soil excavated during the process.

13. Soil fill should be cleared away from tree #2's lower trunk to expose the root collar (the area where the main trunk and scaffold roots merge, often identified by a distinct swelling at the trunk's base). The work should be performed by an individual familiar with the process. Damage to the lower trunk should be avoided during the process.

14. Prior to grading, I recommend a six-inch layer of wood chips from a tree company is manually spread beneath tree #5's canopy (the material should not contact the tree's trunk).

15. Throughout development, I recommend supplemental water be supplied to tree #5 every three weeks during the months of April thru October. I suggest a rate of 300 gallons of water is applied to the root zone area beneath the tree's mid- to outer-canopy.

16. Herbicides should not be used beneath tree canopies. Where used on site, they should be labeled for safe use near trees.

17. Upon availability, the landscape design (planting and irrigation) should be reviewed for tree impacts.

18. The pruning of trees must be performed under supervision of an ISA Certified Arborist and according to ISA standards.

19. Trenches for irrigation and lighting should be designed to be at least 12 times the diameter from the trunks of retained trees. If inside this distance, the trenches should be dug in a radial direction to the trunks and be no closer than five times the diameter of the nearest trunk.

20. Plant material installed beneath the Oak canopies should be drought-tolerant and comprise no more than 25-percent of a tree's entire dripline. Irrigation supplied to these plants should be through a drip or soaker hose system placed on top of existing grade. Irrigation should not spray beneath the Oak canopies or against the trunks of all other trees.

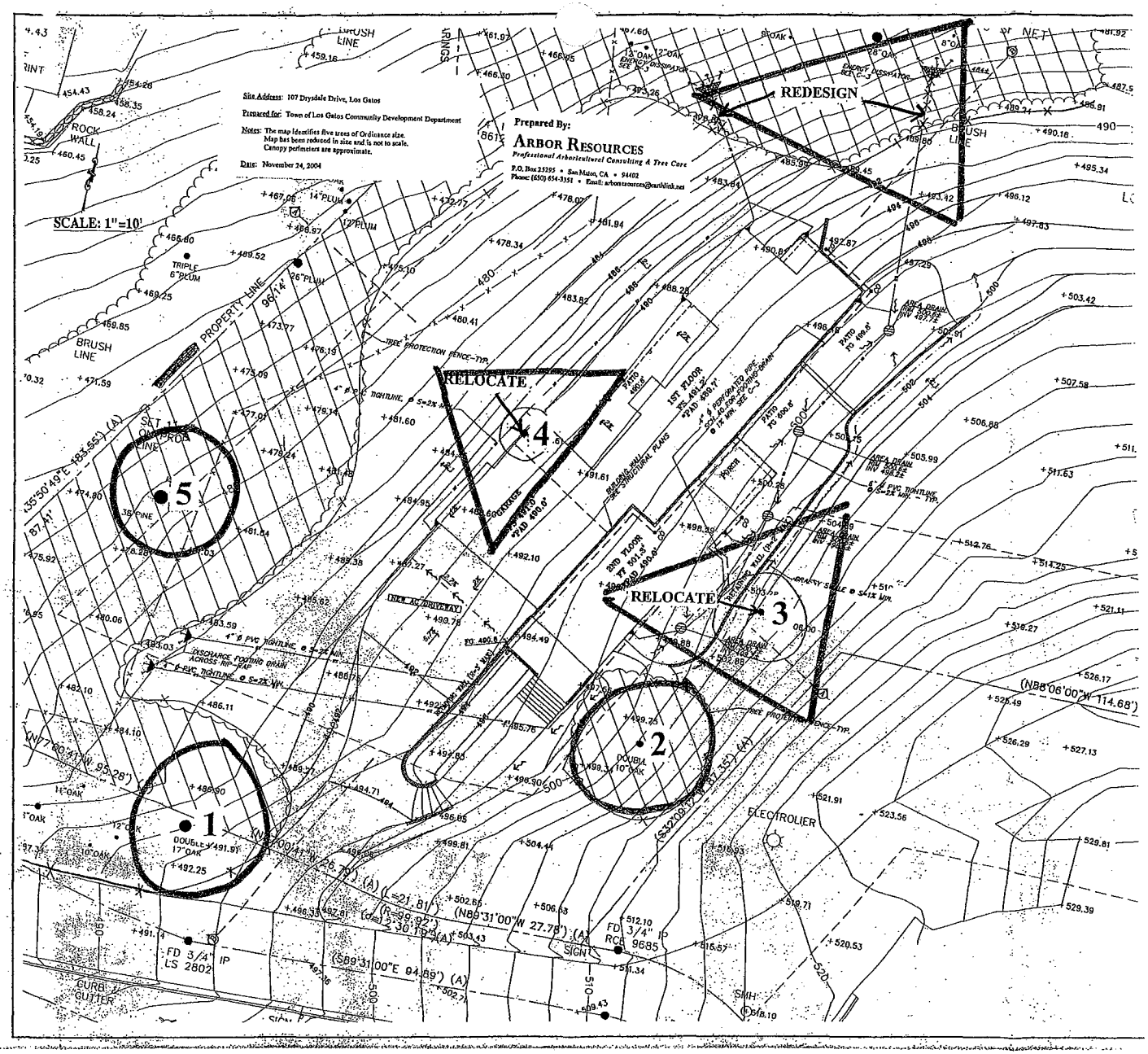
21. Stones, mulch or other landscape features should be at least one-foot from the trunks of retained trees and not be in contact with the trunks of new trees. Installing edging material or tilling beneath canopies should be avoided.

Attachments: Tree Inventory Table
Site Map (Copy of Sheet C-2)

ARBOR RESOURCES
Professional Arboricultural Consulting & Tree Care

TREE INVENTORY TABLE

TREE NO.	TREE NAME	Trunk Diameter (in.)	Height (ft.)	Canopy Spread (ft.)	Health Condition (100%=Best, 0%=Worst)	Structural Integrity (100%=Best, 0%=Worst)	Overall Condition	Suitability for Preservation	Development Impacts (1=Highest, 5=Lowest)	In Conflict with Design	Not Shown on Plans	Tree Appraisal Value
1	Coast Live Oak (*Quercus agrifolia*)	29	35	50	100%	50%	Good	High	3	-		$13,800
2	Coast Live Oak (*Quercus agrifolia*)	11, 8.5	15	25	100%	50%	Good	High	4	-		$3,120
3	Valley Oak (*Quercus lobata*)	4	15	20	100%	75%	Good	High	-	X	X	$1,060
4	Coast Live Oak (*Quercus agrifolia*)	7	10	10	100%	75%	Good	High	-	X	X	$1,640
5	Monterey Pine (*Pinus radiata*)	32.5	35	45	50%	75%	Fair to Poor	Low	3	-		$1,740


Site Address: 107 Drysdale Drive, Los Gatos
Prepared for: Town of Los Gatos Community Development Department
Notes: The map identifies five trees of Ordinance size.
Map has been reduced in size and is not to scale.
Canopy perimeters are approximate.
Date: November 24, 2004
Prepared By:
ARBOR RESOURCES
Professional Arboriculturel Consulting & Tree Care
P.O. Box 25295 • San Mateo, CA • 94402
Phone: (650) 654-3351 • Email: arborresources@earthlink.net
SCALE: 1"=10'
REDESIGN
RELOCATE
RELOCATE
1
2
3
4
5
PROPERTY LINE
BRUSH LINE
ROCK WALL
TREE PROTECTION FENCE--TYP.
1ST FLOOR
2ND FLOOR
PATIO
DRIVEWAY
SIGN
CURB & GUTTER
ELECTROLIER
SMH
FD 3/4" IP LS 2802
FD 3/4" IP RCE 9685

ARBOR RESOURCES

Professional Arboricultural Consulting & Tree Care

January 24, 2005

RECEIVED

JAN 26 2005

TOWN OF LOS GATOS
PLANNING DIVISION

Judie Soo Gilli
Community Development Department
Town of Los Gatos
110 East Main Street
Los Gatos, CA 95031

RE: TREES #3 AND 4 at the Howell & McNeil Dev., LLC Property;
107 Drysdale Drive, Los Gatos; Application #: S-05-016

Dear Judie:

I have reviewed the locations of trees #3 and 4 as shown on copies of the site related plans faxed to my office on 1/13/05 by HLD Group Landscape Architecture. I find they are more accurately depicted on the current plans than those roughly plotted on the map attached to my 11/24/04 report. Subsequently, tree #3 should be retained and protected in its current location and not relocated as suggested in my report. As for tree #4, it remains in conflict with the proposed home and should be relocated.

To accurately protect tree #3, I recommend protective fencing (as described in my original report) encircle the tree at a radius of eight feet from the trunk in all directions.

Sincerely,

David L. Babby, RCA
Consulting Arborist

P.O. Box 25295, San Mateo, California 94402 • Email: arborresources@earthlink.net
Phone: 650.654.3351 • Fax: 650.654.3352 • Licensed Contractor #7

EXHIBIT I

THE BASIS OF ELEVATIONS FOR THIS MAP IS TOWN OF LOS GATOS BENCHMARK "LG80." STAMPED BRASS DISC IN MONUMENT WELL

EL=522.92'

BEARINGS ARE BASED UPON FOUND MONUMENTS ALONG AN INTERIOR LINE OF LANDS SURVEYED, AS SHOWN ON THIS MAP AND ON THE RECORD OF SURVEY FILED IN VOLUME 508 OF MAPS AT PAGE 44, SANTA CLARA COUNTY RECORDS

= NORTH 06°49'45" WEST

o INDICATES SURVEY MONUMENT, FOUND AS NOTED

( ) INDICATES RECORD DATA PER REFERENCE TABLE

ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.

TECHNICAL INFORMATION

- ASSESSOR'S PARCEL NUMBER: APN: 527-04-009
- ADDRESS OF PROJECT: 107 DRYSDALE DRIVE LOS GATOS, CA 95030
- OWNER'S NAME: HOWELL McNEIL DEVELOPMENT
- COUNTY USE: 69
- ZONING DISTRICT: HR

AVERAGE SLOPE: 36.1%

- INDICATES DATA FROM FIRST AMERICAN WIN DATA

(A) 508-M-44

(B) STEWART TITLE PRELIMINARY REPORT ORDER NUMBER 28387587

THE BOUNDARY AND EASEMENTS SHOWN ON THIS DRAWING ARE BASED SOLELY UPON INFORMATION CONTAINED IN THE REFERENCE DOCUMENT. NO LIABILITY IS ASSUMED BY DUNBAR & CRAIG FOR THE EXISTENCE OF ANY EASEMENTS, ENCUMBRANCES, DISCREPANCIES IN BOUNDARY OR TITLE DEFECTS NOT MENTIONED IN SAID DOCUMENT AND THEREFORE NOT SHOWN ON THIS DRAWING.

THIS TOPOGRAPHIC MAP REPRESENTS THE CONDITIONS OF THE SITE AT THE TIME THE SURVEY FIELD WORK WAS COMPLETED AND SHOWS SURFACE OBJECTS ONLY. SUBSURFACE STRUCTURES, IF ANY, INCLUDING BUT NOT LIMITED TO FOUNDATIONS, PILINGS, UNDERGROUND TANKS AND UNDERGROUND UTILITY LINES MAY NOT BE SHOWN. THIS MAP DOES NOT REFLECT A BOUNDARY SURVEY.

PROJECT DATA:

APN 527-04-009

PROJECT ADDRESS: 107 DRYSDALE DRIVE

LOT SIZE: 79,460 SF NET

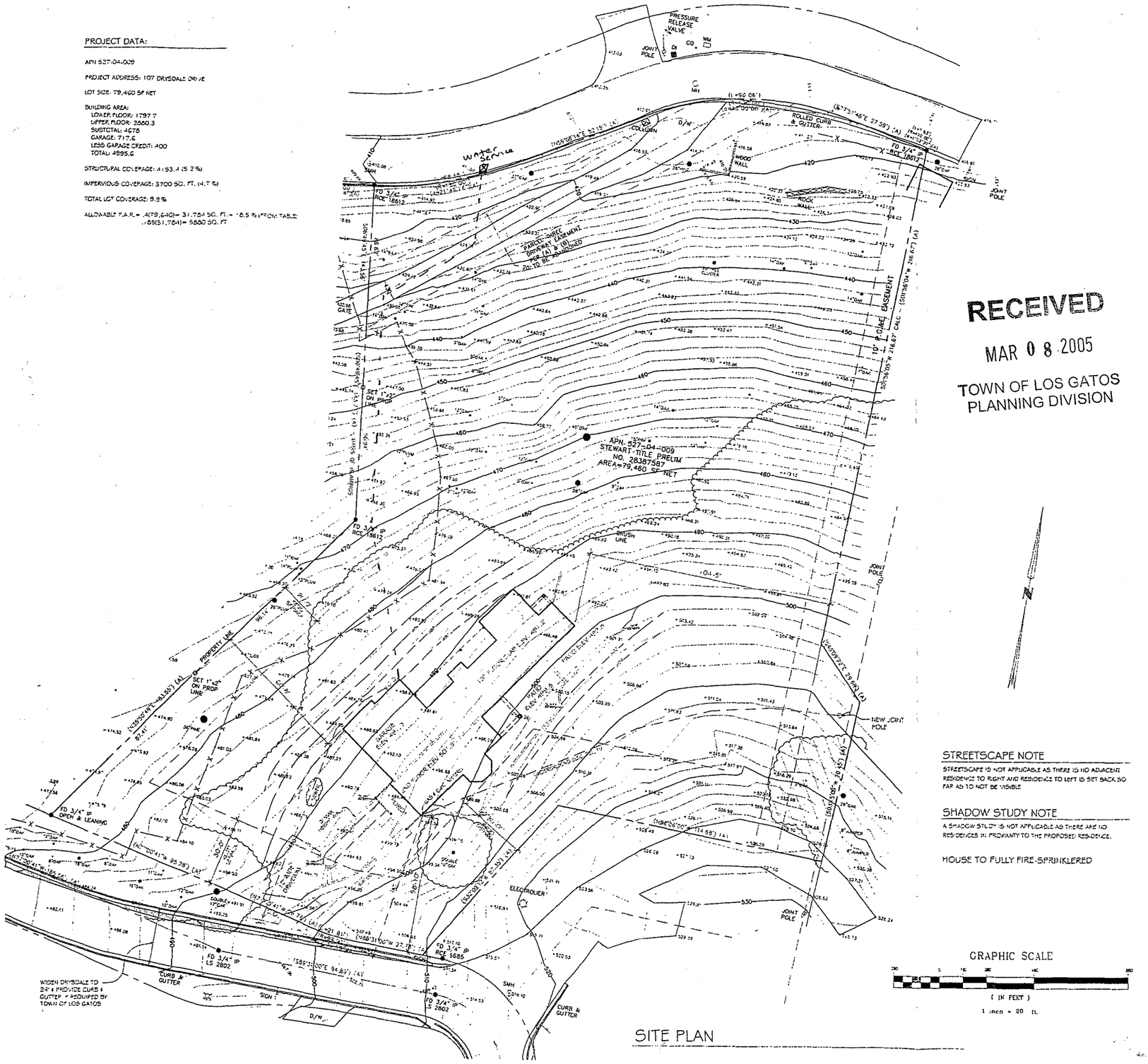
BUILDING AREA:
LOWER FLOOR: 1797.7
UPPER FLOOR: 2660.3
SUBTOTAL: 4458
GARAGE: 717.6
LESS GARAGE CREDIT: 400
TOTAL: 4995.6

STRUCTURAL COVERAGE: 4153.4 (5.2%)

IMPERVIOUS COVERAGE: 3700 SQ. FT. (4.7%)

TOTAL LOT COVERAGE: 9.9%

ALLOWABLE F.A.R. = .4(79,640)= 31,784 SQ. FT. = 10.5 % (FROM TABLE)
.10(31,784)= 5550 SQ. FT



SITE PLAN

GRAPHIC SCALE

(IN FEET)

1 inch = 20 ft.

STREETSCAPE NOTE

STREETSCAPE IS NOT APPLICABLE AS THERE IS NO ADJACENT RESIDENCE TO RIGHT AND RESIDENCE TO LEFT IS SET BACK SO FAR AS TO NOT BE VISIBLE

SHADOW STUDY NOTE

A SHADOW STUDY IS NOT APPLICABLE AS THERE ARE NO RESIDENCES IN PROXIMITY TO THE PROPOSED RESIDENCE.

HOUSE TO FULLY FIRE-SPRINKLERED

DRAWINGS PREPARED BY

CHRIS SPAULDING
:ARCHITECT:

801 CAMELIA STREET SUITE E
BERKELEY CALIFORNIA 94710
(510) 527-6997 FAX (510) 527-9956

RECEIVED

MAR 0 8 2005

TOWN OF LOS GATOS
PLANNING DIVISION

REVISIONS	BY
11-1-04	
1-19-05	

PRELIMINARY SET
DESIGN REVIEW SET
PLAN CHECK SET
PERMIT SET
CONSTRUCTION SET

A PROPOSED RESIDENCE FOR 107 DRYSDALE DRIVE

APN 527-04-009

LOS GATOS ☐ CALIFORNIA

DATE:	8-16-04
SCALE:	AS NOTED
DRAWN:	ELOS
JOB:	SHADY LANE
SHEET	

1

Attachment 8

LEGEND

- 10%-20% SLOPE
- 20%-30% SLOPE
- 30% OR GREATER SLOPE
- AREA WITHIN DRIPLINE OF TREES

ALL SLOPES ARE GREATER THAN 10%

Least Restrictive Development Area Plan

DRAWINGS PREPARED BY

CHRIS SPAULDING
▫ARCHITECT▫

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(510) 527-5997 FAX (510) 527-5999

REVISIONS	BY
11-11-04	

PRELIMINARY SET	
DESIGN REVIEW SET	✓
PLAN CHECK SET	
PERMIT SET	
CONSTRUCTION SET	

A PROPOSED RESIDENCE FOR 107 DRYSDALE DRIVE

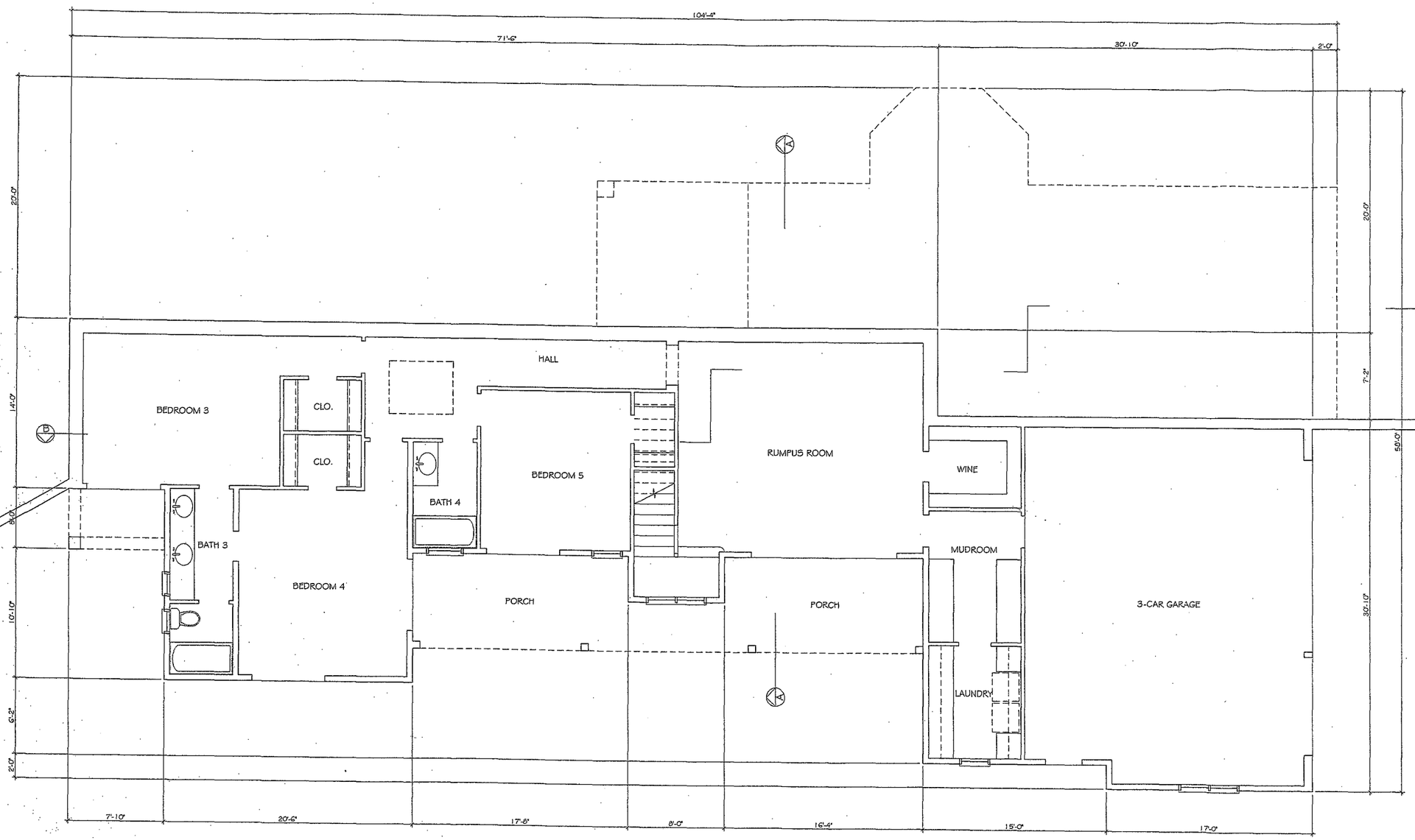
APN 527-04-009

LOS GATOS ▫ CALIFORNIA

DATE:	9-16-04
SCALE:	AS NOTED
DRAWN:	EUCS
JOB:	SHADY LANE
SHEET	

1B

OF 7 SHEETS



LOWER FLOOR PLAN

1/4"=1'-0"

DRAWINGS PREPARED BY

CHRIS SPAULDING
▫ARCHITECT▫

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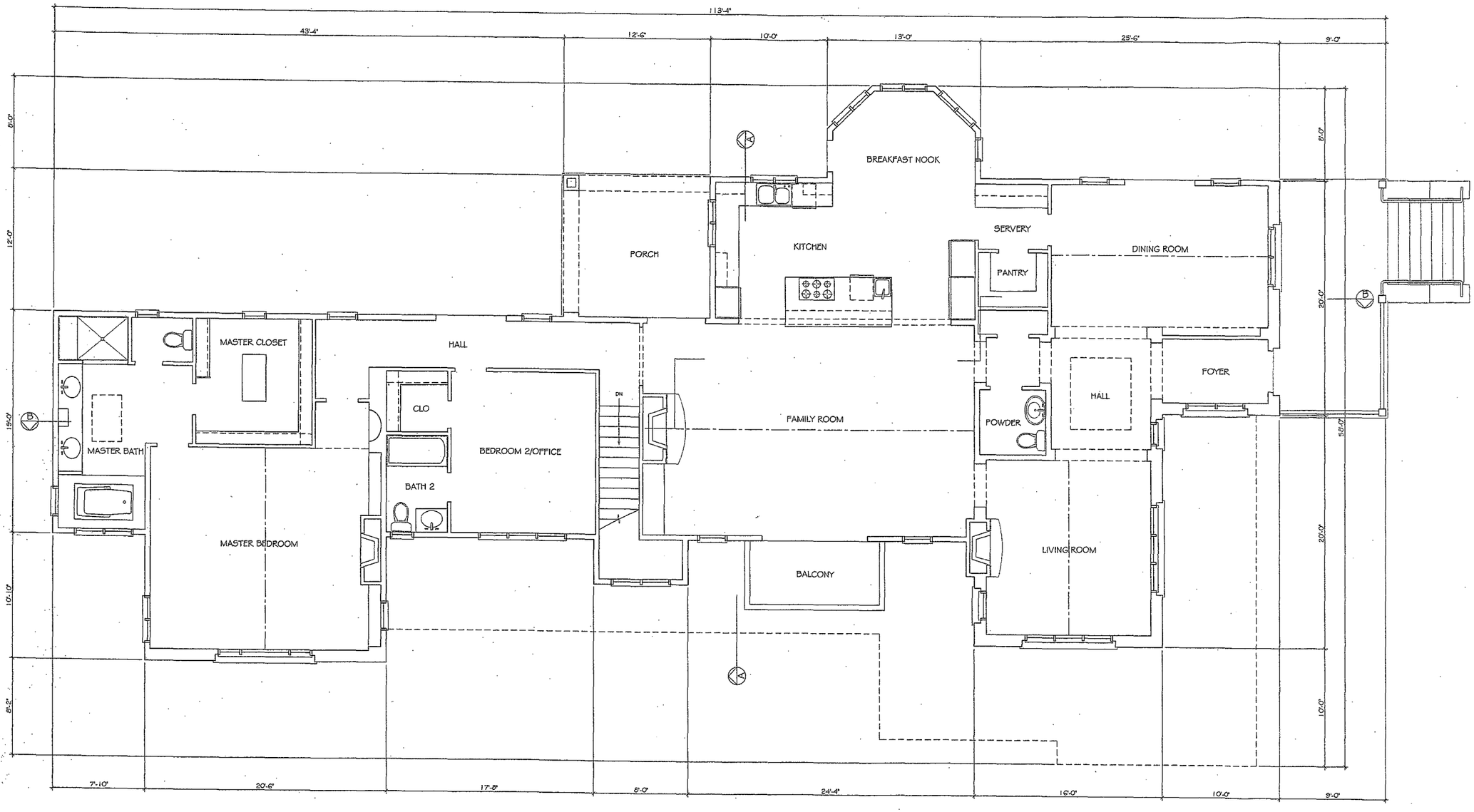
BERKELEY CALIFORNIA 94710
(510) 527-5997 FAX (510) 527-5999

REVISIONS	BY

PRELIMINARY SET	
DESIGN REVIEW SET	✓
PLAN CHECK SET	
PERMIT SET	
CONSTRUCTION SET	

A PROPOSED RESIDENCE FOR
107 DRYSDALE DRIVE
APN 527-04-009
LOS GATOS ▫ CALIFORNIA

DATE:	9-16-04
SCALE:	AS NOTED
DRAWN:	EI/CS
JOB:	SHADY LANE
SHEET	2
OF 7	SHEETS



UPPER FLOOR PLAN

1/4"=1'-0"

DRAWINGS PREPARED BY

CHRIS SPAULDING
ARCHITECT

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BERKELEY CALIFORNIA 94710
(510) 527-5997 FAX (510) 527-5999

REVISIONS	BY

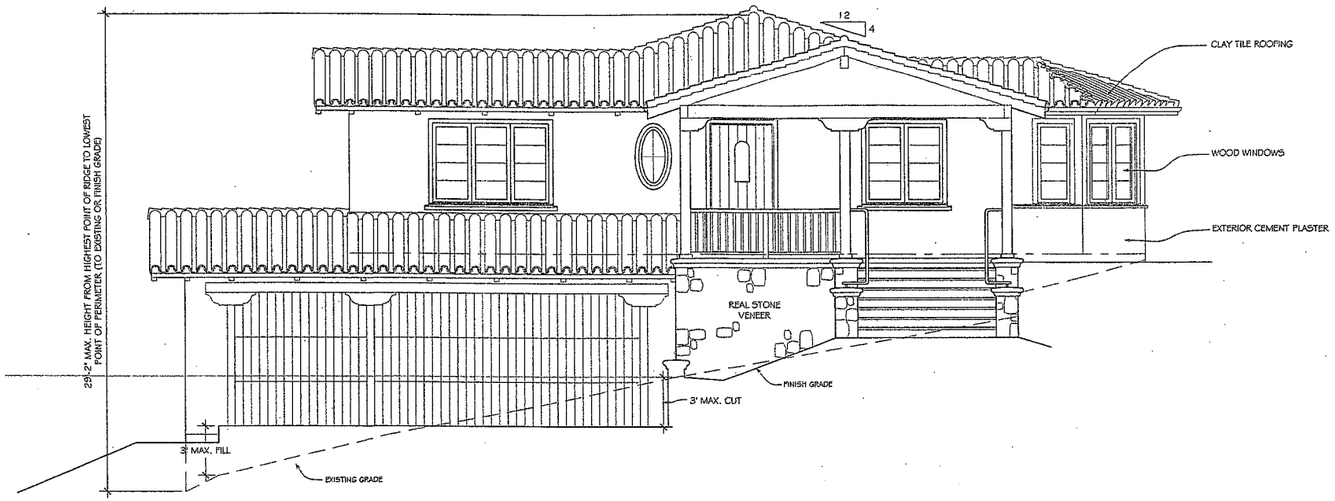
PRELIMINARY SET	
DESIGN REVIEW SET	✓
PLAN CHECK SET	
PERMIT SET	
CONSTRUCTION SET	

A PROPOSED RESIDENCE FOR
107 DRYSDALE DRIVE
APN 527-04-009
LOS GATOS ◻ CALIFORNIA

DATE:	9-16-04
SCALE:	AS NOTED
DRAWN:	EUCS
JOB:	SHADY LANE
SHEET	

3

OF 7 SHEETS



FRONT ELEVATION 1/4"= 1'-0"

LEFT-SIDE ELEVATION 1/4"= 1'-0"

DRAWINGS PREPARED BY

CHRIS SPAULDING
ARCHITECT

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BERKELEY CALIFORNIA 94710
(510) 527-5997 FAX (510) 527-5999

REVISIONS	BY
11-11-04	EL

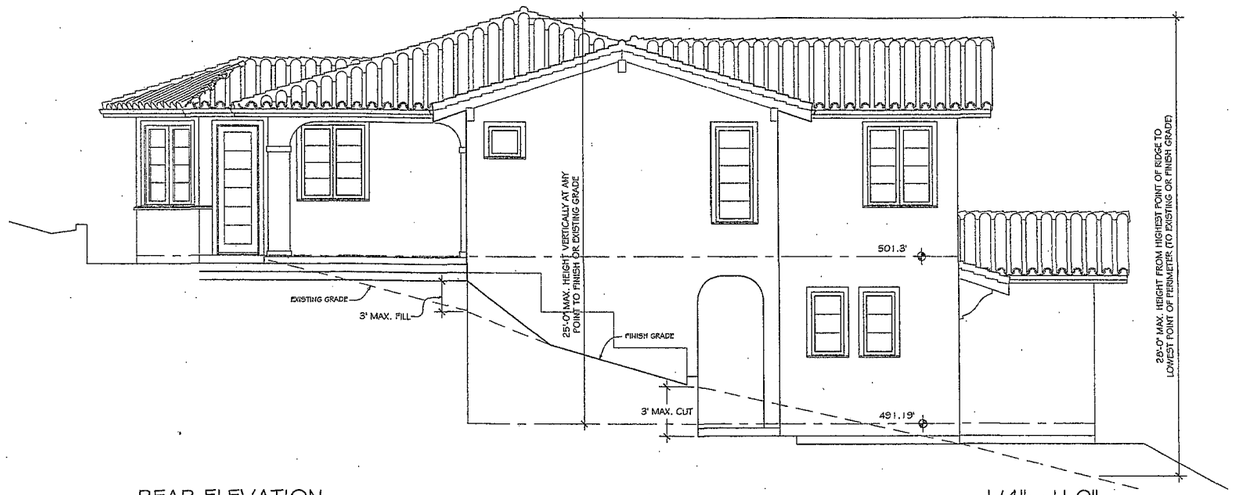
PRELIMINARY SET	
DESIGN REVIEW SET	✓
PLAN CHECK SET	
PERMIT SET	
CONSTRUCTION SET	

A PROPOSED RESIDENCE FOR 107 DRYSDALE DRIVE

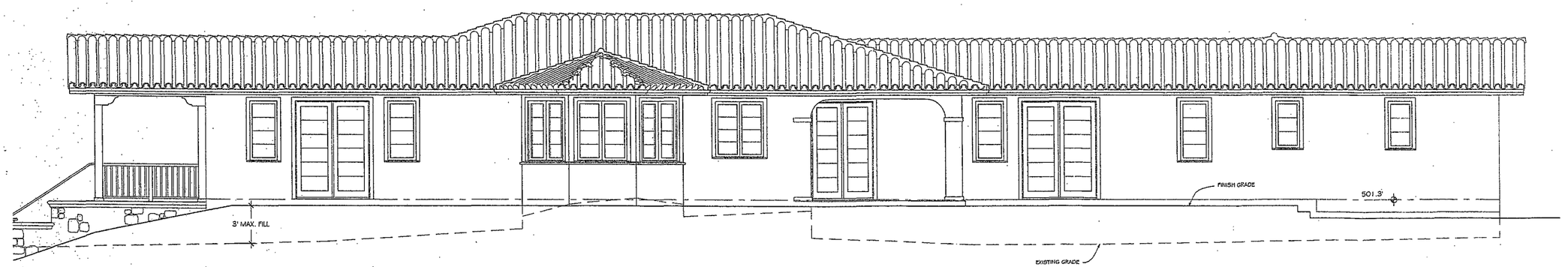
APN 527-04-009

LOS GATOS ◻ CALIFORNIA

DATE:	9-16-04
SCALE:	AS NOTED
DRAWN:	EJCS
JOB:	SHADY LANE
SHEET	4
OF 6	SHEETS



REAR ELEVATION 1/4"=1'-0"



RIGHT-SIDE ELEVATION 1/4"=1'-0"

DRAWINGS PREPARED BY

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▫ARCHITECT▫

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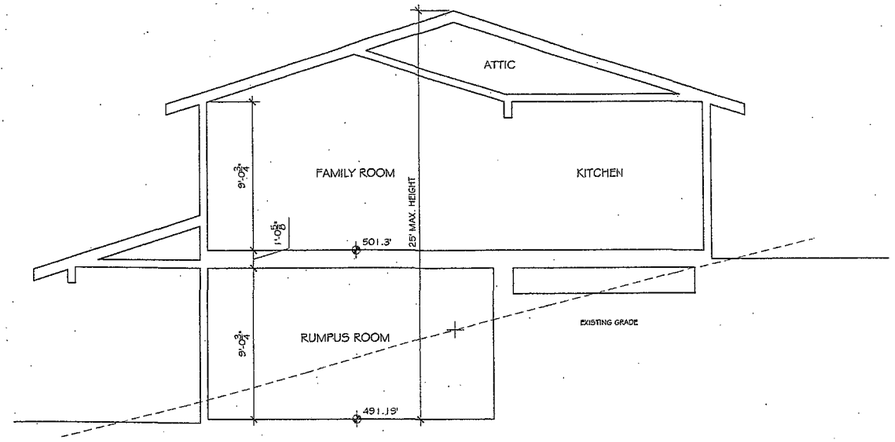
BERKELEY CALIFORNIA 94710
(510) 527-5997 FAX (510) 527-5999

REVISIONS	BY
11-11-04	EL

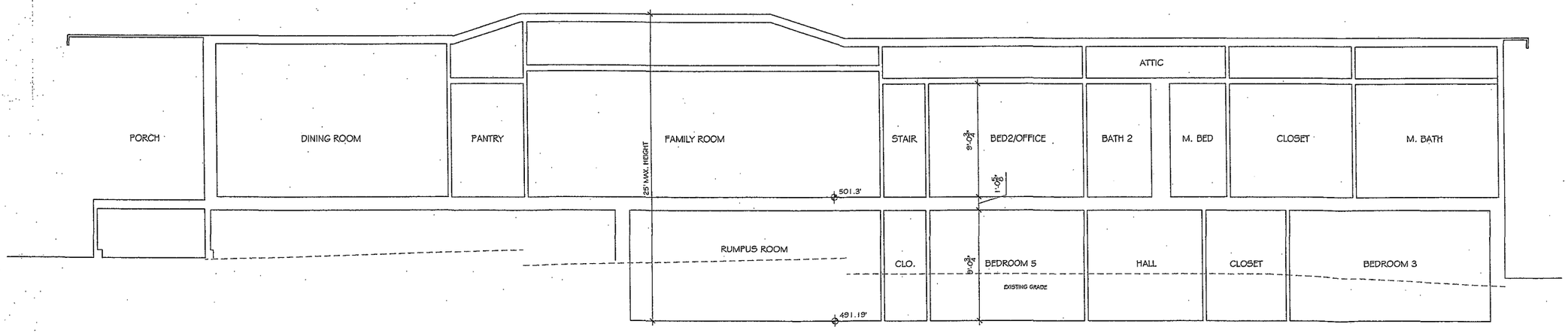
PRELIMINARY SET	
DESIGN REVIEW SET	✓
PLAN CHECK SET	
PERMIT SET	
CONSTRUCTION SET	

A PROPOSED RESIDENCE FOR
107 DRYSDALE DRIVE
APN 527-04-009
LOS GATOS ▫ CALIFORNIA

DATE:	9-16-04
SCALE:	AS NOTED
DRAWN:	EJCS
JOB:	SHADY LANE
SHEET	5
OF 6	SHEETS



SECTION A-A 1/4"=1'-0"



SECTION B-B 1/4"=1'-0"

DRAWINGS PREPARED BY

CHRIS SPAULDING
ARCHITECT

801 CAMELIA STREET SUITE E
BERKELEY CALIFORNIA 94710
(510) 527-5997 FAX (510) 527-5999

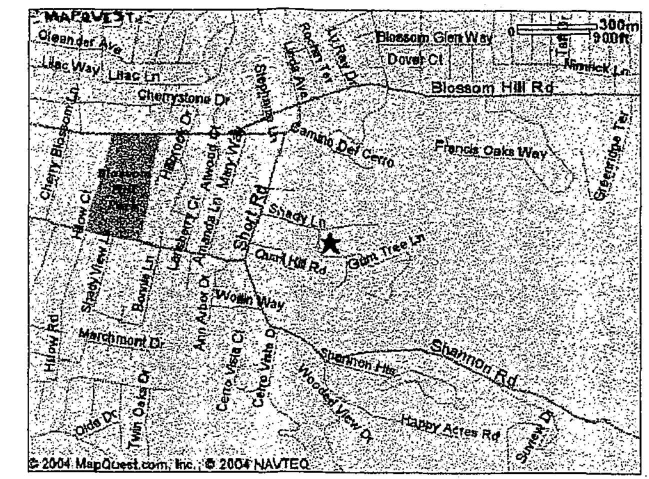
REVISIONS	BY

PRELIMINARY SET	
DESIGN REVIEW SET	✓
PLAN CHECK SET	
PERMIT SET	
CONSTRUCTION SET	

A PROPOSED RESIDENCE FOR
107 DRYSDALE DRIVE
APN 527-04-009
LOS GATOS ◻ CALIFORNIA

DATE:	9-16-04
SCALE:	AS NOTED
DRAWN:	EJCS
JOB:	SHADY LANE
SHEET	6
OF 7	SHEETS

SCALE: 1"=20'



VICINITY MAP
N.T.S.

SHEET INDEX

TITLE	SHEET NO.
COVER SHEET	C-1
GRADING & DRAINAGE PLAN	C-2
GRADING CROSS SECTION/DETAILS	C-3
EROSION CONTROL	EC-1

PROPOSED RESIDENCE
PARCEL 4 - DRYSDALE DRIVE
LOS GATOS, CA.

ABBREVIATION

AD	AREA DRAIN
CO	CLEANOUT
(E)	EXISTING
FG	FINISH GRADE
FL	FLOW LINE
HP	HIGH POINT
INV	INVERT
(N)	NEW
SS	SANITARY SEWER
SSCO	SANITARY SEWER CLEANOUT
SD	STORM DRAIN
TBM	TEMPORARY BENCH MARK
WM	WATER METER
UG	UNDER GAS
UE	UNDER ELECTRIC

*** BUILDING PAD NOTE:**
ADJUST PAD LEVEL AS REQUIRED. REFER TO STRUCTURAL PLANS FOR SLAB SECTION TO ESTABLISH PAD LEVEL.

TOPOGRAPHIC MAP WAS PREPARED BY OTHERS, NNR ENGINEERING IS NOT RESPONSIBLE FOR ITS ACCURACY.

NNR ENGINEERING
Civil Engineering Services
REGISTERED PROFESSIONAL ENGINEER NADIM N. RAFFOUL No. 56027 Exp.: 12/31/06 CIVIL STATE OF CALIFORNIA
535 Weybridge Drive
San Jose CA. 95123
(408) 348-7813
(408) 225-3967 fax

STANDARD GRADING NOTES

1. GRADING SHALL CONFORM TO THE TOWN OF LOS GATOS GRADING REQUIREMENTS, TO THE ATTACHED SPECIFICATIONS AND TO THE RECOMMENDATIONS OF THE GEOTECHNICAL REPORT BY THE SOIL ENGINEER.
2. DRIVEWAY SURFACING SHALL CONFORM TO THE PLAN AND DETAILS SHOWN HEREON AND AS REQUIRED BY THE TOWN OF LOS GATOS.
3. DRAINAGE, INCLUDING ALL ROOF AND PATIO DRAINS, SHALL BE DIRECTED AWAY FROM THE STRUCTURE TO THE DRIVEWAY OR TO A CLOSE PIPE DRAINAGE SYSTEM. IT SHALL BE THE THE OWNERS RESPONSIBILITY TO INSURE THAT THE DRAINAGE FACILITIES SHOWN HEREON ARE KEPT CLEAR OF OBSTRUCTIONS. THE CONTRACTOR SHALL PROVIDE UNDERGROUND PIPES OR RE-GRADE AREAS THAT WILL NOT DRAIN AFTER FINAL GRADING. THE GROUND ADJACENT TO THE BUILDING SHALL SLOPE AWAY WITH A MINIMUM SLOPE OF 2% FOR AT LEAST 3 FEET. MINIMUM SLOPE IN ALL OTHERS CASES SHALL BE 1%.
4. EROSION CONTROL PLANTING AND OTHER SILT RETENTION OR EROSION CONTROL MEASURES ARE REQUIRED IN GRADED AREAS. SEE PLAN FOR DETAILS. EROSION CONTROL AND SILT RETENTION FACILITIES SHALL BE IN PLACE BY NOVEMBER 1st.
5. GRADING SHALL BE PERMITTED ONLY FROM APRIL 1st TO NOVEMBER 1st.
6. THIS PLAN IS A PART OF PROJECT PLANS. SEE ARCHITECT AND LANDSCPE PLANS FOR ADDITIONAL DETAILS AND DIMMENSIONS.

GENERAL NOTES:

1. EXCAVATION CUTS EXCEEDING 5 FEET TYPICALLY REQUIRE A DOSH PERMIT. ALL EXCAVATIONS MUST CONFORM TO APPLICABLE OSHA AND CAL-OSHA REQUIREMENTS. CONTACT CALIFORNIA DEPARTMENT OF OCCUPATIONAL SAFETY AND HEALTH (DOSH) FOR INFORMATION ABOUT REQUIRED PERMITS. DOSH-SAN JOSE OFFICE: (408) 452-7288.
2. PRIOR TO REQUESTING A FOUNDATION INSPECTION BY THE TOWN, THE GEOTECHNICAL ENGINEER OR CIVIL ENGINEER WHO PREPARED THE SOIL INVESTIGATION SHALL PROVIDE A FIELD REPORT (IN WRITING) WHICH SHALL STATE THE FOLLOWING:
   a. THE BUILDING PAD WAS PREPARED AND COMPACTED IN ACCORDANCE WITH THE SOIL REPORT AND SPECIFICATIONS.
   b. THE FOUNDATION AND/OR PIER EXCAVATION, DEPTH AND BACKFILL MATERIALS, AND DRAINAGE (IF APPLICABLE) SUBSTANTIALLY CONFORM TO THE SOIL REPORT AND APPROVED PLANS.
3. PRIOR TO FINAL INSPECTION FOR ANY BUILDING OR STRUCTURE, THE GEOTECHNICAL ENGINEER OR CIVIL ENGINEER WHO PREPARED THE SOIL INVESTIGATION SHALL ISSUE A FINAL REPORT STATING THE COMPLETED PAD, FOUNDATION, FINISH GRADING, AND ASSOCIATED SITE WORK SUBSTANTIALLY CONFORM TO THE APPROVED PLANS, SPECIFICATIONS, AND INVESTIGATION.

NOTE:
THE QUANTITIES ARE SHOWN FOR THE PURPOSE OF GRADING PERMIT APPROVAL FROM THE TOWN OF LOS GATOS AND ARE NOT TO BE USED FOR PAYMENT TO THE CONTRACTOR . CONTRACTOR SHALL ESTABLISH HIS OWN QUANTITIES.

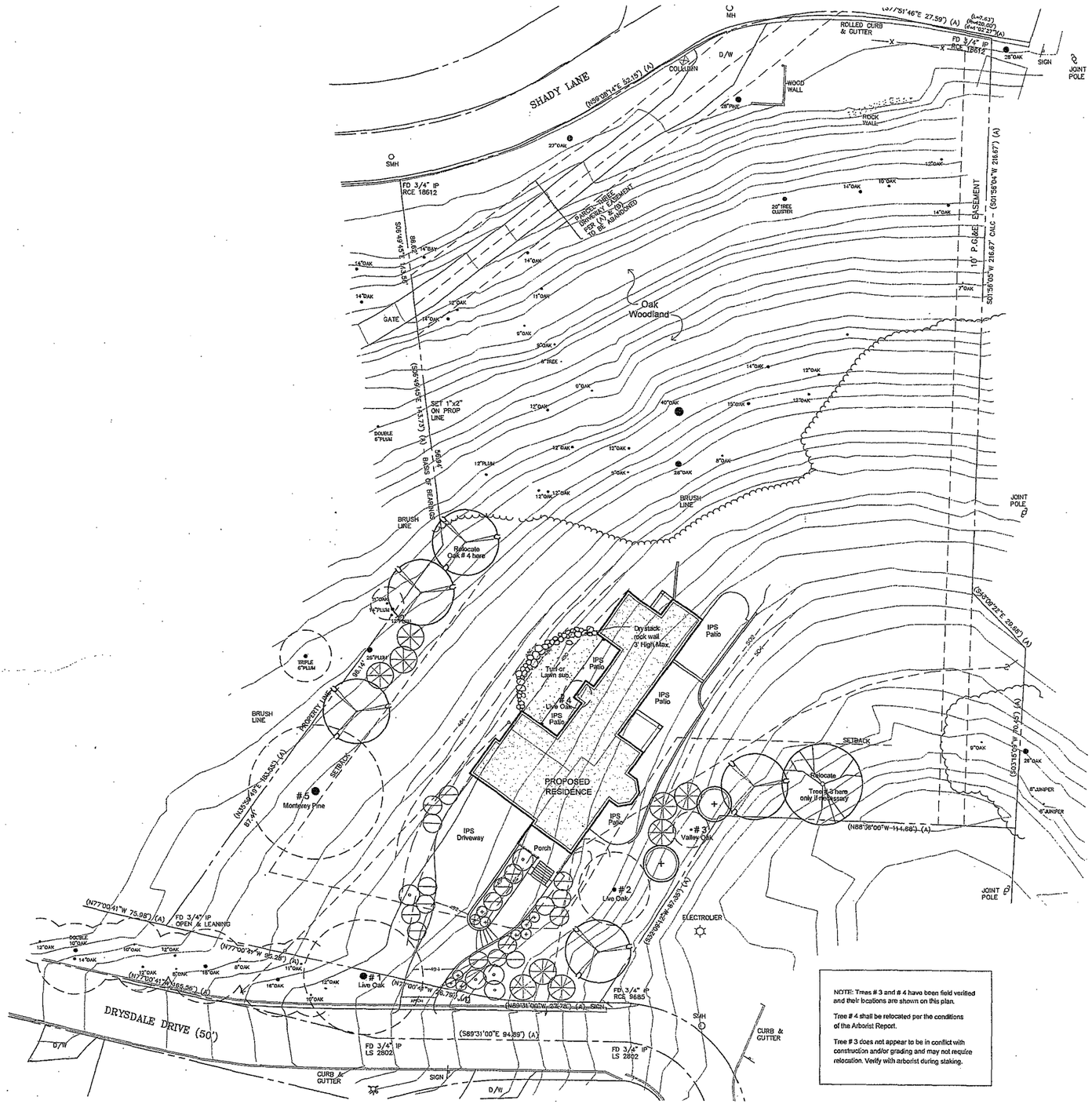
EARTHWORK QUANTITY

LOCATION	CUT (CY)	FILL (CY)
PAD PREPARATION (NOT INCLUDING FOUNDATIONS EXCAVATIONS)	340	10
DRIVEWAY (NOT INCLUDING BASEROCK)	100	20
OUTSIDE BUILDING PERIMETER	130	20
TOTAL	570	50

LEGEND

DESCRIPTION	
PROPERTY LINE	
CENTERLINE	
SANITARY SEWER	
STORM DRAIN LINE	
SANITARY SEWER CLEANOUT	
(E) JOINT POLE	
(E) OVERHEAD WIRES	
(N) GAS LINE	
(N) POWER/TEL/CATVE LINE	
(N) WATER LINE	
TREE TO BE REMOVED	
PROPOSED SUBDRAIN	
ROOF DOWNSPOUT	
DRAINAGE FLOW	

Reg. No.	
Revisions	
Sheet Title	COVER SHEET
Drawn By:	N.R.
Scale:	As Shown
Date:	1/17/05
Sheet No.	C-1 of 4 Sheet
Job No.	04-1020



NOTE: Trees # 3 and # 4 have been field verified and their locations are shown on this plan.

Tree # 4 shall be relocated per the conditions of the Arborist Report.

Tree # 3 does not appear to be in conflict with construction and/or grading and may not require relocation. Verify with arborist during staking.

PRELIMINARY PLANT LEGEND

Native Evergreen Screen Tree - 15 gal
Quercus agrifolia - Coast Live Oak

Native Flowering Evergreen Screen Shrubs - 5 gal
Arctostaphylos glauca
Ceanothus 'Ray Hartman'
Fremontodendron californicum

Native Evergreen Screen Shrubs - 5 gal
Heteromeles arbutifolia
Myrica californica
Prunus illicifolia

Native Evergreen Shrubs - 1 gal
Arctostaphylos 'Howard McMinn'
Ceanothus 'Julia Phelps'
Rhamnus californica

Native Spreading Groundcover - 1 gal
Salvia 'Bees Bliss'
Ceanothus 'Yankee Point'
Arctostaphylos 'Emerald Carpet'

Native Accent Groundcover and Perennials - 1gal
Penstemon 'Margarita BOP'
Epilobium 'Select Mattole'
Verbena lilacina 'De La Mina'
Galvezia speciosa

Turf or Native Lawn Substitute
100% Double Dwarf Fescue
Achillea millefolium
Carex pansa or C. tumulicola
Festuca rubra

EXISTING TREE LEGEND

Tree #	Botanic Name	Common Name	Status
1	Quercus agrifolia	Coast Live Oak	Remain
2	Quercus agrifolia	Coast Live Oak	Remain
3	Quercus lobata	Valley Oak	Relocate if nec.
4	Quercus agrifolia	Coast Live Oak	Relocate
5	Pinus radiata	Monterey Pine	Remain

H•L•D Group
Landscape Architecture
555 N. Santa Cruz Avenue, Los Gatos, CA 95030
(408) 354-9509, Fax # (408) 354-9030

DWG: Drysdale17Jan05
Bonus: SAVEDLAYERSTATE

REVISIONS: DATE:

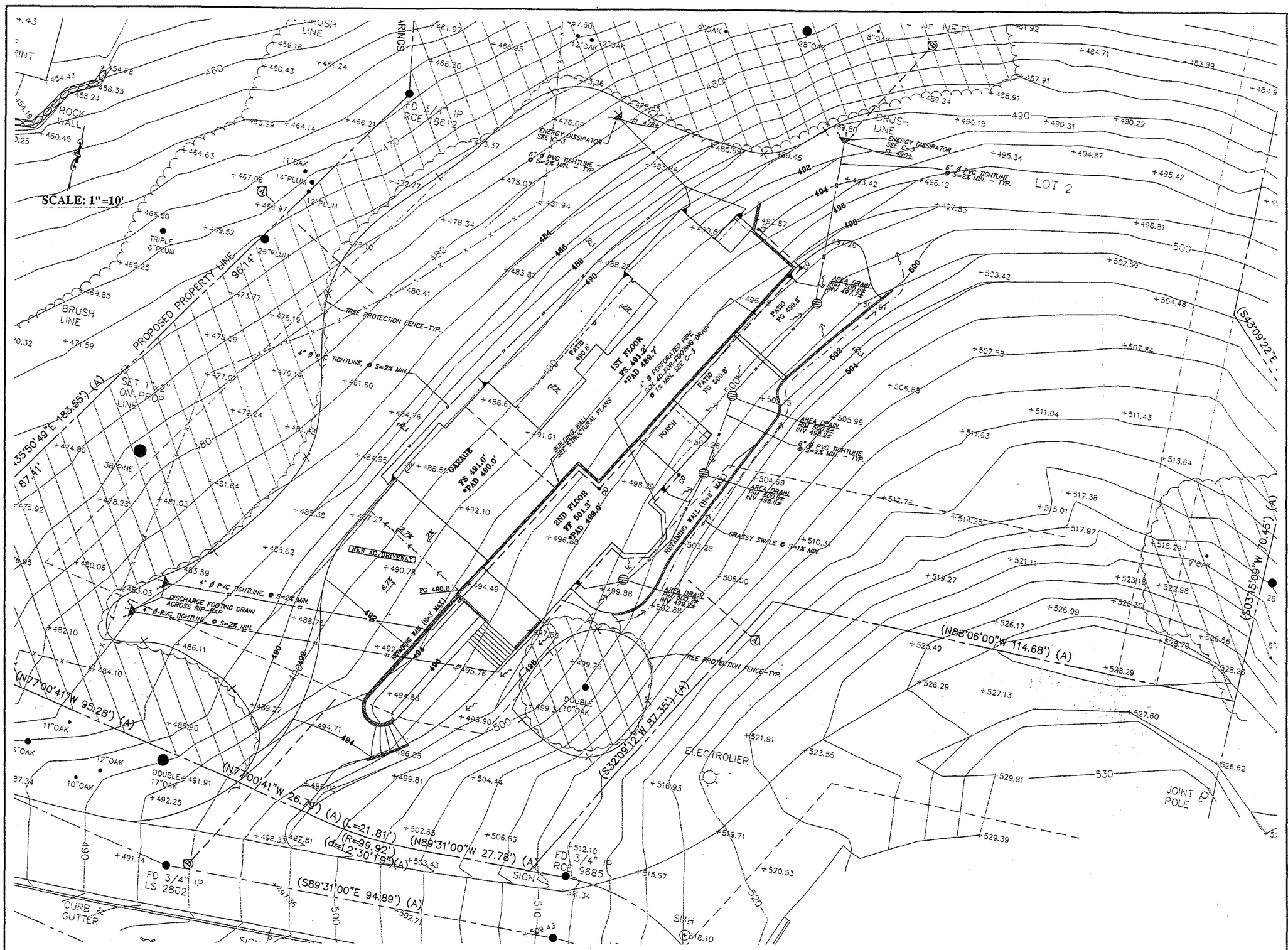
Proposed Residence at: 107 Drysdale Drive Los Gatos, California

Drawn by: sm
Checked by: th
Date: January 2005

Scale: 1"=20'-0"
Project #: .

SHEET TITLE: Preliminary Landscape Plan

SHEET NO: L-1



PROPOSED RESIDENCE
PARCEL 4 - DRYSDALE DRIVE
LOS GATOS, CA.

NNR ENGINEERING
Civil Engineering Services

535 Weybridge Drive
San Jose CA. 95123
(408) 348-7813
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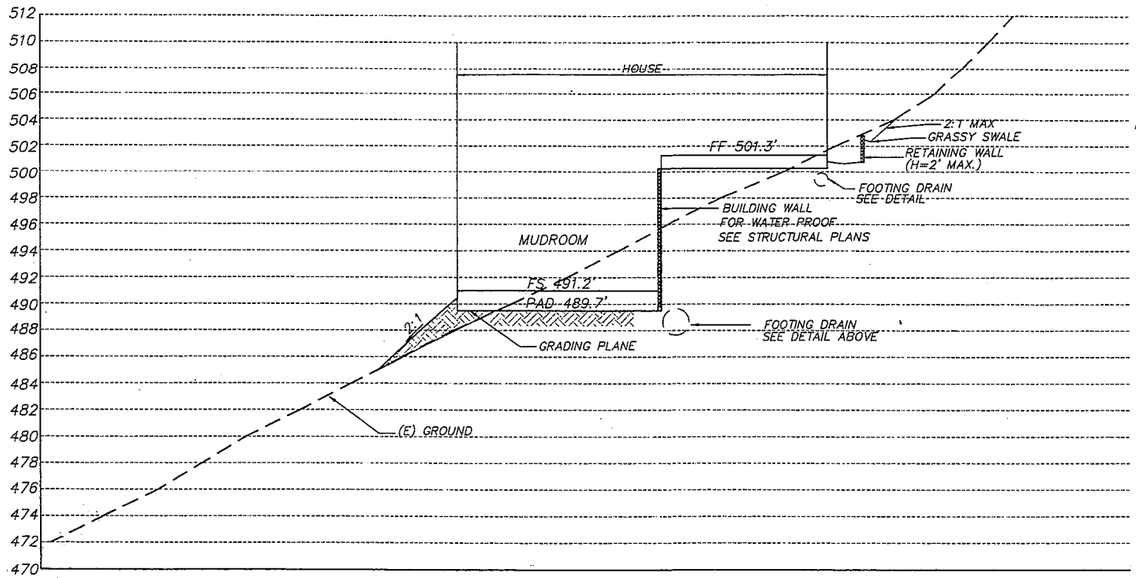
Reg. No.
Revisions

Sheet Title
GRADING AND DRAINAGE PLAN

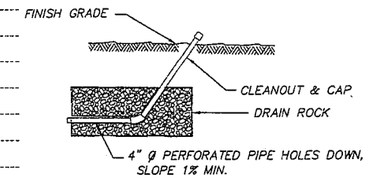
Drawn By:	N.R.
Scale:	As Shown
Date:	1/17/05
Sheet No.	C-2
of	4 Sheet
Job No.	04-1020



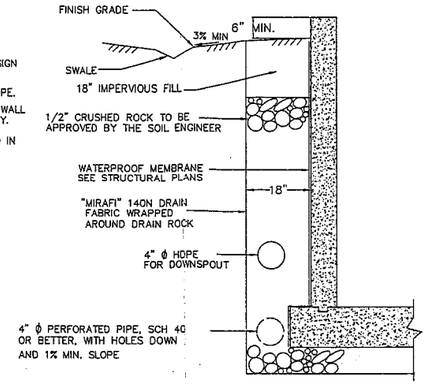
SECTION A–A
SCALE: H 1"=10'

GENERAL NOTES:

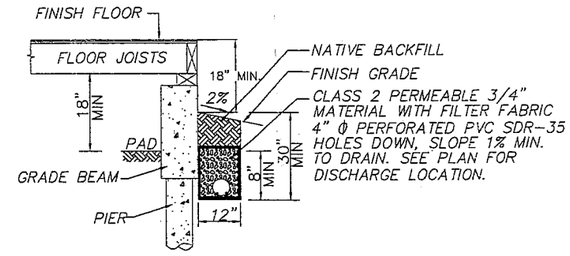
1. SEE STRUCTURAL PLANS FOR RETAINING WALL DESIGN
2. PONDING ABOVE WALL SHOULD NOT OCCUR.
3. SURFACE WATER MAY NOT FLOW TO THE DRAIN PIPE.
4. NNR ENGINEERING, IS NOT RESPONSIBLE FOR THE WALL DESIGN ; DETAIL SHOWN AS ACCOMMODATION ONLY.
5. WALLS AND DRAIN PIPE SHOULD BE CONSTRUCTED IN ACCORDANCE WITH THE GEOTECHNICAL REPORT.



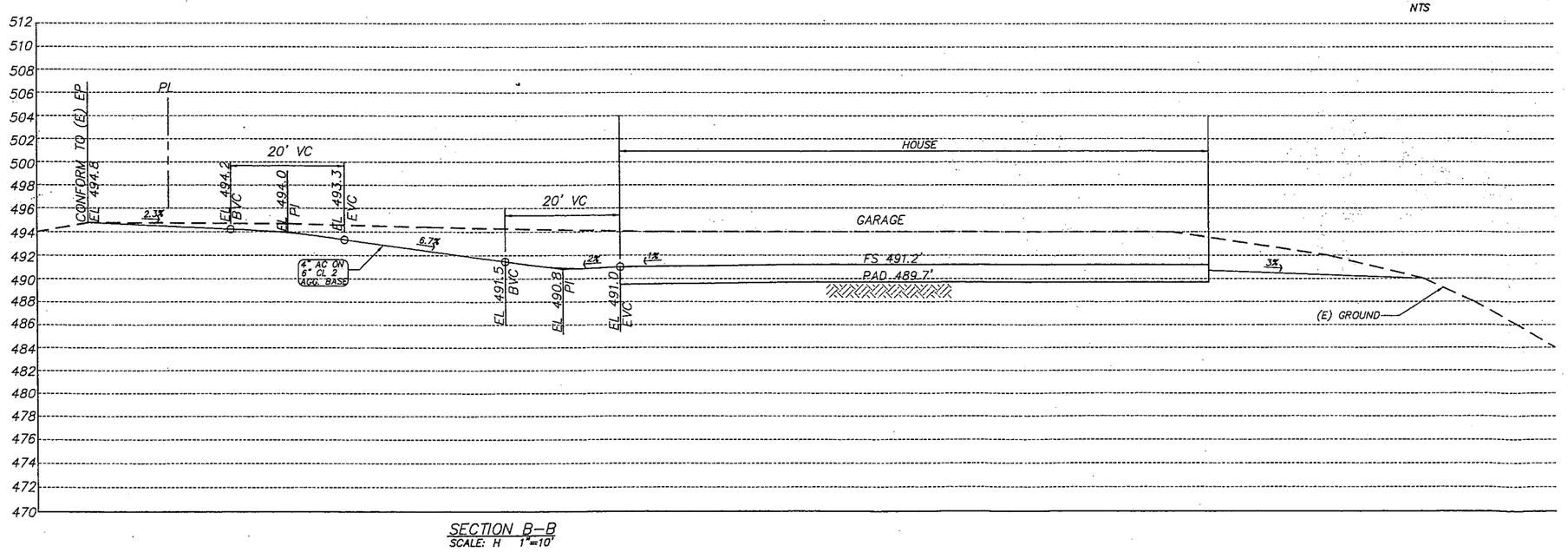
CLEANOUT DETAILS
N.T.S.



DRAINAGE @ BASEMENT WALL
N.T.S.



FOOTING DRAIN SYSTEM
NTS



SECTION B–B
SCALE: H 1"=10'

PROPOSED RESIDENCE
PARCEL 4 - DRYSDALE DRIVE
LOS GATOS, CA.

NNR ENGINEERING
Civil Engineering Services

REGISTERED PROFESSIONAL ENGINEER — NIRAN N. RAZPURI — No. 56027 — Exp. 12/31/06 — CIVIL — STATE OF CALIFORNIA

535 Weybridge Drive
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GRADING CROSS SECTIONS/ AND DETAIL

Drawn By:	N.R.
Scale:	As Shown
Date:	1/17/05
Sheet No.	C-3
of	4 Sheet
Job No.	04-1020

SEQUENCE OF CONSTRUCTION

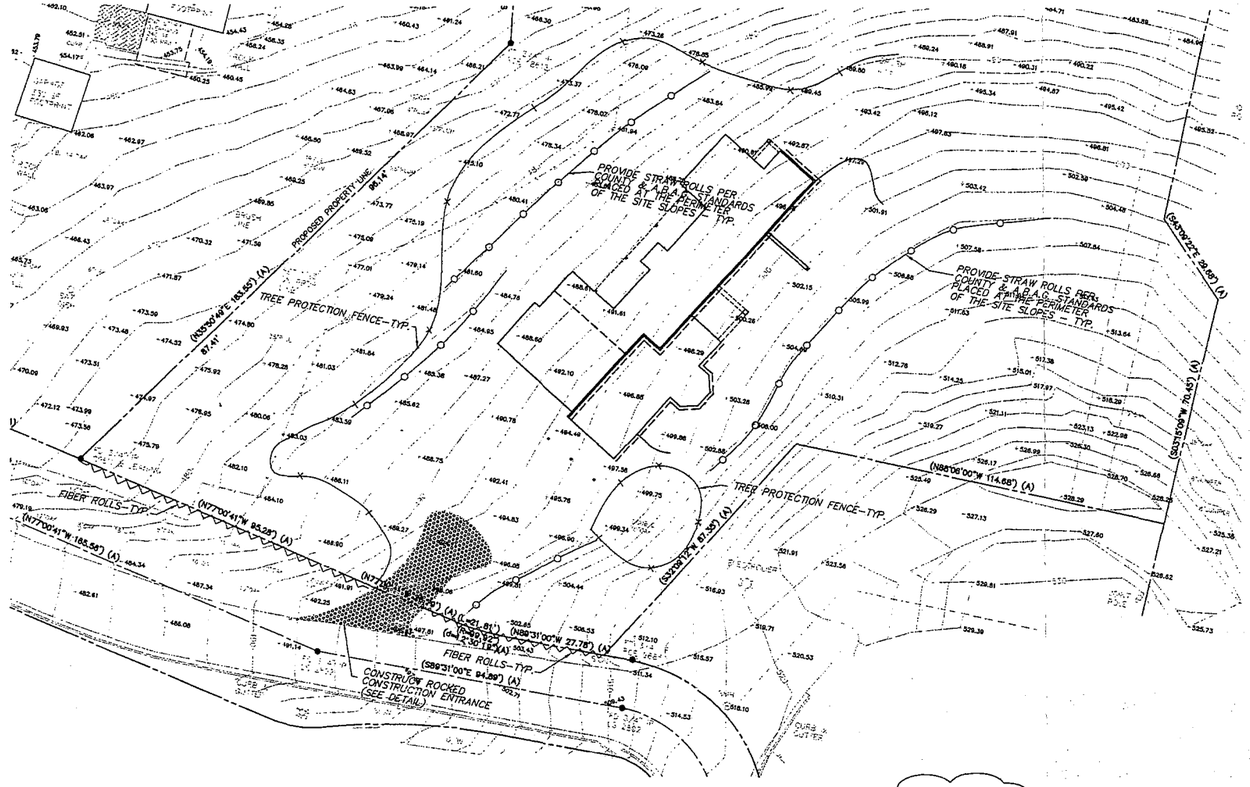
1. INSTALL STABILIZED CONSTRUCTION ENTRANCES.
2. CONSTRUCT FIBER ROLLS ON THE SITE.
3. CLEAR AND GRUB THE SITE.
4. BEGIN GRADING THE SITE.
5. INSTALL CHECK DAMS, SEDIMENT TRAPS AND BASINS, TEMPORARY SWALES.
6. INSTALL JUTE NETTING OVER SEEDED AND MULCHED SLOPES.
7. COMPLETE GRADING AND INSTALL PERMANENT SEEDING AND PLANTING.
8. REMOVE ALL TEMPORARY EROSION AND SEDIMENT CONTROL DEVICES (ONLY IF SITE IS STABILIZED).

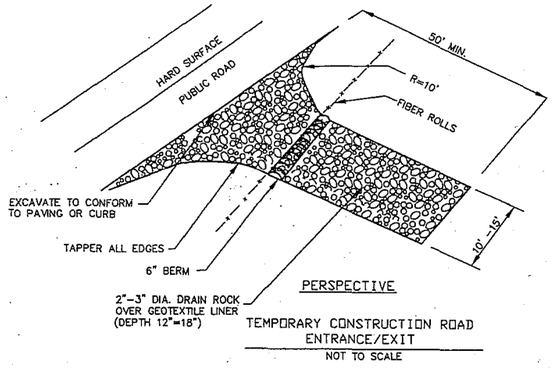
EROSION CONTROL BMP

THE FOLLOWING MEASURES ARE TO BE IMPLEMENTED IMMEDIATELY AFTER GRADING IS COMPLETED.

1. PLACE 8 INCHES OF 2-3 INCH DRAIN ROCK ON GRADED ROAD OR DRIVEWAY AT CONNECTION TO PAVED AREAS. ANY SOIL TRACKED ONTO PAVED AREAS SHALL BE CLEANED UP IMMEDIATELY BY CONTRACTOR.
2. ALL DISTURBED UN-IMPROVED AREAS SHALL RECEIVE EROSION CONTROL PLANTING UTILIZING HYDROMULCH.
3. INSTALL FIBER ROLLS IF AND WHERE NOTED ON PLAN.
4. CONTRACTOR SHALL VISIT THE SITE DAILY IN THE RAINY SEASON. ANY EROSION SCARS THAT DEVELOP SHALL BE REPAIRED IMMEDIATELY. REPAIRS TO DRIVEWAY AREAS SHALL CONSIST OF PLACING DRAIN ROCK.
5. STORE EXTRA DRAIN ROCK AND EROSION CONTROL MEASURES ON SITE.

SCALE: 1"=20'

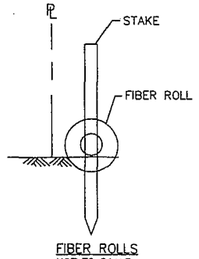




PERSPECTIVE

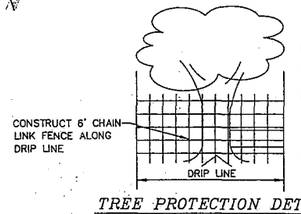
TEMPORARY CONSTRUCTION ROAD ENTRANCE/EXIT

NOT TO SCALE



FIBER ROLLS

NOT TO SCALE



TREE PROTECTION DETAIL

N.T.S.

NOTES:

1. ROLLED CHAIN LINK FENCE ON DRIVEN POST.
2. NO STORAGE OF EQUIPMENT, VEHICLES, OR DEBRIS SHALL BE ALLOWED WITHIN THE DRIP LINES OF THE FENCED TREES.
3. THE CONSTRUCTION CREW SHALL PAY SPECIAL ATTENTION TO THE CARE OF THE EXISTING TREES.
4. TOWN STAFF SHALL INSPECT THE CHAIN-LINK FENCING AND THE TREES TO BE FENCED PRIOR TO COMMENCEMENT OF DEMOLITION OR GRADING.
5. PLACE WOOD CHIP AROUND TREES AND ALONG DRIP LINES.

EROSION AND SEDIMENT CONTROL MEASURES

1. THE FACILITIES SHOWN ON THIS PLAN ARE DESIGNED TO CONTROL EROSION AND SEDIMENT DURING THE RAINY SEASON, OCTOBER 15 TO APRIL 15. FACILITIES ARE TO BE OPERABLE PRIOR TO OCTOBER 1 OF ANY YEAR. GRADING OPERATIONS DURING THE RAINY SEASON WHICH LEAVE DENUDED SLOPES SHALL BE PROTECTED WITH EROSION CONTROL MEASURES IMMEDIATELY FOLLOWING GRADING ON THE SLOPES.
2. THIS PLAN COVERS ONLY THE FIRST WINTER FOLLOWING GRADING WITH ASSUMED SITE CONDITIONS AS SHOWN ON THE EROSION CONTROL PLAN. PRIOR TO SEPTEMBER 15, THE COMPLETION OF SITE IMPROVEMENT SHALL BE EVALUATED AND REVISIONS MADE TO THIS PLAN AS NECESSARY WITH THE APPROVAL OF THE CITY ENGINEER. PLANS ARE TO BE RESUBMITTED FOR CITY APPROVAL PRIOR TO SEPTEMBER 1 OF EACH SUBSEQUENT YEAR UNTIL SITE IMPROVEMENTS ARE ACCEPTED BY THE CITY.
3. CONSTRUCTION ENTRANCES SHALL BE INSTALLED PRIOR TO COMMENCEMENT OF GRADING. ALL CONSTRUCTION TRAFFIC ENTERING ONTO THE PAVED ROADS MUST CROSS THE STABILIZED CONSTRUCTION ENTRANCE WAYS. (ALSO INCLUDE THIS NOTE ON GRADING PLANS.)
4. CONTRACTOR SHALL MAINTAIN STABILIZED ENTRANCE AT EACH VECHILE ACCESS POINT TO EXISTING PAVED STREETS. ANY MUD OR DEBRIS TRACKED ONTO PUBLIC STREETS SHALL BE REMOVED DAILY AND AS REQUIRED BY THE TOWN.
5. IF HYDROSEEDING IS NOT USED OR IS NOT EFFECTIVE BY 10/10, THEN OTHER IMMEDIATE METHODS SHALL BE IMPLEMENTED, SUCH AS EROSION CONTROL BLANKETS, OR A THREE-STEP APPLICATION OF 1) SEED, MULCH, FERTILIZER 2) BLOWN STRAW 3) TACKIFIER AND MULCH.
6. INLET PROTECTION SHALL BE INSTALLED AT OPEN INLETS TO PREVENT SEDIMENT FROM ENTERING THE STORM DRAIN SYSTEM. INLETS NOT USED IN CONJUNCTION WITH EROSION CONTROL ARE TO BE BLOCKED TO PREVENT ENTRY OF SEDIMENT.
7. LOTS WITH HOUSES UNDER CONSTRUCTION WILL NOT BE HYDROSEEDED. EROSION PROTECTION FOR EACH LOT WITH A HOUSE UNDER CONSTRUCTION SHALL CONFORM TO THE TYPICAL LOT EROSION CONTROL DETAIL SHOWN ON THIS SHEET.
8. THIS EROSION AND SEDIMENT CONTROL PLAN MAY NOT COVER ALL THE SITUATIONS THAT MAY ARISE DURING CONSTRUCTION DUE TO UNANTICIPATED FIELD CONDITIONS. VARIATIONS AND ADDITIONS MAY BE MADE TO THIS PLAN IN THE FIELD. NOTIFY THE CITY REPRESENTATIVE OF ANY FIELD CHANGES.

MAINTENANCE NOTES

1. MAINTENANCE IS TO BE PERFORMED AS FOLLOWS:
   A. REPAIR DAMAGES CAUSED BY SOIL EROSION OR CONSTRUCTION AT THE END OF EACH WORKING DAY.
   B. SWALES SHALL BE INSPECTED PERIODICALLY AND MAINTAINED AS NEEDED.
   C. SEDIMENT TRAPS, BERMS, AND SWALES ARE TO BE INSPECTED AFTER EACH STORM AND REPAIRS MADE AS NEEDED.
   D. SEDIMENT SHALL BE REMOVED AND SEDIMENT TRAP RESTORED TO ITS ORIGINAL DIMENSIONS WHEN SEDIMENT HAS ACCUMULATED TO A DEPTH OF 1 FOOT.
   E. SEDIMENT REMOVED FROM TRAP SHALL BE DEPOSITED IN A SUITABLE AREA AND IN SUCH A MANNER THAT IT WILL NOT ERODE.
   F. RILLS AND GULLIES MUST BE REPAIRED.
2. SAND BAG INLET PROTECTION SHALL BE CLEANED OUT WHENEVER SEDIMENT DEPTH IS ONE HALF THE HEIGHT OF ONE SAND BAG.

PROPOSED RESIDENCE

PARCEL 4 - DRYSDALE DRIVE

LOS GATOS, CA.

NNR ENGINEERING
Civil Engineering
Services

REGISTERED PROFESSIONAL ENGINEER
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Reg. No.	
Revisions	
Sheet Title	EROSION CONTROL PLAN
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of	4 Sheet
Job No.	04-1020