



MEETING DATE: 08/01/05
ITEM NO. 9

COUNCIL AGENDA REPORT

DATE: August 1, 2005

TO: MAYOR AND TOWN COUNCIL

FROM: DEBRA J. FIGONE, TOWN MANAGER

SUBJECT: CONSIDER AN APPEAL OF THE DECISION OF THE PLANNING COMMISSION TO APPROVE A REQUEST TO CONSTRUCT A SECOND STORY ADDITION TO A SINGLE FAMILY RESIDENCE ON PROPERTY ZONED RM: 5-12. APN 529-18-014. PROPERTY LOCATION: **16942 MITCHELL AVENUE**. PROPERTY OWNER/APPELLANT: DOUG AND AILEEN BRAGA.

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 the appeal for Architecture and Site Application S-05-057 (Motion required).
4. Refer to the Town Attorney for the preparation of the appropriate resolution.

If the Town Council determines 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
 - (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.

(Continued to Page 2)

PREPARED BY:


BUD LORTZ

DIRECTOR OF COMMUNITY DEVELOPMENT

Reviewed by:  Assistant Town Manager  Attorney _____ Clerk _____ Finance _____
Community Development

Revised: 7/20/05 5:57 pm

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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 granted, the Council should: A) make the required findings and considerations in Attachment 1; B) approve the application subject to the conditions in Attachment 2 and as shown on the development plans in Attachment 7.
4. Refer to the Town Attorney for preparation of the appropriate resolution.

PROJECT SUMMARY:

The existing home on 16942 Mitchell Avenue is a 1,786 square feet single-story home with a 400 square feet detached garage and a 408 square feet attached garage. The property is located in the RM:5:12 zoning district. The applicants, Doug and Aileen Braga, submitted a Minor Residential Development application for a 1,168 square foot second-story addition. Although the Director of Community Development has the authority to take action on Minor Residential Development applications, staff concluded that the proposed addition results in the largest single family home in the neighborhood both from the perspective of floor area and mass and scale. Therefore, the Community Development Director did not exercise his approval authority and, instead, referred the project to the Planning Commission for review. The project was approved with conditions at the June 8, 2005 Planning Commission meeting but was appealed by the applicants due to their dissatisfaction with the conditions of approval.

The following table summarizes the existing and proposed square footage for the house.

Existing and Proposed Square Footage	
Lot Area	9,380
Existing Main House	1,786
Existing Attached Garage	408
Existing Detached Garage	400
New Second Story Floor Addition	1,168
Proposed Home Total	2,954

DISCUSSION:

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

1. Detached Garage

The detached garage located to the rear of the property was granted a building permit in 1961. Currently, there is a carport and a covered walkway attached to the 400 square feet structure.

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The current additions to the garage were added without building permits and are unlawful. The applicants have stated they will remove the illegal additions.

2. Neighborhood Compatibility

Mitchell Avenue is located between Los Gatos Boulevard and Fisher Middle School. The street consists of a mix of the following zones: CH Restricted Commercial Highway, C-1 Neighborhood Commercial, R-1:8 Single-Family Residential and RM-5:12 Multi-Family Residential.

Currently, the existing home is 1,786 square feet with a Floor Area Ratio (FAR) of 0.19. As proposed, the 1,168 square feet addition will result in a 2,954 square feet home with a FAR of 0.31. The subject home will have the second highest FAR in the neighborhood for a single-family home. The largest residential building in the neighborhood is a 2,960 square feet duplex located around the corner from the project on 16203 George Street. The current size of the garages, 808 square feet, is currently the largest garage area in the neighborhood, the next one being 640 square feet at 16922 Mitchell Avenue. The following is a table listing the square footage of homes and lots, FARs, number of stories and residential types in the neighborhood.

Address	Home SF	Lot SF	FAR	Stories	Residential Type
16203 George St	2,960	8,184	0.36	2	Duplex
16942 Mitchell Ave (Proposed)	2,954	9,380	0.31	2	Single-Family
16906 Mitchell Ave	2,528	7,000	0.36	2	Single-Family
16898 Mitchell Ave	2,408	7,000	0.34	2	Single-Family
16225 George St	2,200	12,150	0.18	2	Single-Family
16952 Mitchell Ave	2,192	9,387	0.23	2	Single-Family
16951 Mitchell Ave	1,981	7,992	0.25	1	Single-Family
16200 Fisher Ave	1,726	7,105	0.24	2	Single-Family
16892 Mitchell Ave	1,344	7,000	0.19	1	Single-Family
16941 Mitchell Ave	1,220	7,992	0.15	1	Single-Family
16922 Mitchell Ave	972	20,300	0.05	1	Single-Family
16886 Mitchell Ave	880	7,000	0.13	1	Single-Family

3. Architectural Design

Staff and the Town's Consulting Architect, Cannon Design Group, reviewed the proposed project's architectural design and the consulting architect submitted comments on May 9, 2005 (Attachment 9, Exhibit D). The applicant agreed to incorporate the majority of the consultant's comments and responded by letter to the suggestions not incorporated into the redesign in a letter dated May 11, 2005 (Attachment 9, Exhibit E).

Staff and the consulting architect were satisfied with the architectural design following the second review of the project. However, staff and the consulting architect remain concerned that although the use of three exterior materials for the home are acceptable, the materials consisting of board and batten, stucco, and shingles throughout the house are used inconsistently. Staff and the consultant suggest a more comprehensive and thoughtful approach for using the materials along all four sides of the home, in particular the right elevation which primarily consists of stucco siding.

During its meeting on June 8, 2005, the Planning Commission asked staff to study the view from the street of the right elevation of the proposed addition. Staff determined that views from the street to the right elevation are visually screened by the trees and the neighbor to the west.

4. Town's General Plan - Community Design Element

The Community Design Element brings together the physical elements and design features of Los Gatos thereby establishing a strong sense of place and local identity. The following are the most relevant policies to the proposed project:

CD.P.1.1 Promote and protect the physical and other distinctive qualities of residential neighborhoods.

CD.P.1.5 Avoid abrupt changes in scale and density

CD.P.1.7 New structures, remodels, landscapes and hardscapes shall be designed to harmonize and blend with the scale and rhythm of the neighborhood and natural features in the area.

CD.P.1.8 Building elements shall be in proportion with those traditionally in the neighborhood.

CD.P.1.9 Building, landscaping and hardscape materials shall be used that will reinforce the sense of unity of a neighborhood and blend with the natural setting.

5. Town's Residential Development Standards

The following are the most applicable standards from the Town's Residential Development Standards:

Site Development

The Planning Commission/Planning Director shall assess the project's overall effect and compatibility with the surrounding neighborhood. Does the size, height, style or color conflict with other structures in the neighborhood?

Building Design - Harmony/Compatibility

The proposed project must have a harmonious and compatible relationship with the surrounding neighborhood. The factors which contribute to the relationship include, but are not limited to the following:

- 1) an appropriate design theme;
- 2) an appropriate sense of scale;
- 3) a compatible roof line;
- 4) colors, exterior materials and details

Scale and Mass - Second-Story Additions and Two-Story Dwellings

To maintain a proportionate distribution of single-story and two-story housing stock in Los Gatos, property owners and designers are encouraged to strongly consider single-story designs as viable development alternatives. If a second-story design is chosen, the applicants shall be required to explain why a single-story design does not work.

PLANNING COMMISSION MEETING:

The Commission considered this application on June 8, 2005. A verbatim transcript of the June 8, 2005 Commission meeting is shown as Attachment 8.

The Commission had the following concerns:

- Size, bulk, mass, and height of the proposed addition.
- 2-story height of the living room.
- Consistency of exterior materials along all four facades.
- Views from the sitting room window on the second floor of the rear elevation..
- The neighborhood is in transition and has a mix of housing sizes.
- Illegal additions to detached garage and its deteriorated condition.

During the meeting, concerned neighbors voiced their opinions on the project. Those in support of the current design of the project all live on Mitchell Avenue. They stated that the proposed addition will be an asset to the street, compatible with the nearby homes, and will not create privacy concerns. The neighbors on Mitchell Avenue were not concerned with the mass and scale of the project.

The neighbors opposed to the current proposal are all located in the townhouses to the rear of the site. The following is a summary of their concerns from the June 8, 2005 Planning Commission meeting:

- The two-story addition will create views into the backyards and 2nd stories of the townhouses.
- There will be an increase in shadows from the 2nd story addition.
- The deteriorated garage and its illegal additions are an eyesore to the neighborhood.

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- The 2nd story addition is too large.
- The applicants should clean up the equipment stored in the backyard.

The Planning Commission determined that the size, bulk, mass, and height of the current proposal are not compatible with the neighborhood, the use of exterior materials is not consistent throughout all four elevations, and privacy concerns from the new 2nd story windows should be reviewed by the Director of Community Development. One of the concerns, the increase in shadows cast onto the townhouses, was discussed and determined to be an insignificant impact due to the orientation of the existing home which is located to the north of the townhouses.

The application was approved with the conditions from Attachment #9, Exhibit B and the following direction from the Planning Commission:

- Work with the Director of Community Development to design a project that meets the approved conditions and return to the Planning Commission as a Director's Report.
- Reduce height, bulk and mass by redesigning two-story living room addition to read as one-story and setting the second story addition back from existing first story wall planes.
- Reconfigure the 3 ½' x 5 ½' second story window to the right on the southern elevation to mitigate potential privacy issues with neighbors to the rear of the property.

The applicants were not satisfied with the following conditions of approval placed on the project by the Planning Commission and responded by filing an appeal to the Town Council:

- FLOOR AREA MAXIMUM: Maximum allowable square footage shall be 2,528 square feet.
- DESIGN: Modify exterior materials and configuration to be consistent throughout all elevations to the satisfaction of the Community Development Department and Town architectural consultant.

APPEAL:

On June 16, 2005, Aileen Braga, the property owner, appealed the Commission's approval of the proposed project. The appellant believes that the Commission erred or abused its discretion. The appellant's reasoning for appealing the Commission's decision is provided in Attachment 3.

The appellant has provided the following responses to some of the Commission's concerns and issues (Attachment 4):

- The proposed home is below all Town Code maximums including setbacks, height limits, and Floor Area Ratio (FAR).
- The proposed home will result in a net increase of only one bedroom.
- The addition is reasonable because the neighborhood has no clear architectural pattern and has a mix in scale (the Honda dealership on one end of the street and Fisher Middle School on the other).

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- The addition is situated adjacent to an approximately 7,000 square feet townhouse building.
- The existing home is setback 25 feet from the street; the proposed second story is setback 53 feet from the street.
- The addition has been redesigned using Larry Cannon, the Town architectural consultant's recommendations. The consultant's concern regarding the second floor right side elevation is not relevant because that side of the home cannot be seen from the street.
- The illegal additions to the garage are in the process of being removed.
- The two-story living room addition and its vaulted ceiling allows room for a stairway and a view down from the sitting room area.
- Regarding the placement of windows, the distance from the home to the townhouses is approximately 64'-0". Further, the mature landscaping and large tree in the backyard will help mitigate privacy issues.

CONCLUSION:

The Council should consider and discuss the following issues:

1. Determine if the proposed project is compatible with the neighborhood in terms of square footage, bulk, and mass; and
2. Determine if the proposed project is compatible with the neighborhood in terms of architectural style and exterior materials.

Should the Council be inclined to grant this appeal, the Council should:

- Make the required findings and considerations in Attachment 1; and
- Approve the application subject to the conditions in Attachment 2 and as shown on the development plans in Attachment 7.

Council may address any remaining concerns through additional conditions of approval.

ENVIRONMENTAL ASSESSMENT:

Is a project as defined under CEQA but is Categorically Exempt 15301 of the State Environmental Guidelines as adopted by the Town.

FISCAL IMPACT:

None.

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Attachments:

1. Findings and Considerations from the Staff Report for the Planning Commission meeting of June 8, 2005 (Revised - 4 pages).
2. Conditions of Approval if appeal is granted (3 pages).
3. Appeal from appellant (1 page), received June 16, 2005.
4. Additional information from the appellant (4 pages) received July 19, 2005.
5. Letter from Applicant with neighbors' signatures received at Planning Commission Meeting, June 8, 2005.
6. Desk Item from the Director of Community Development to the Planning Commission, dated June 8, 2005 for the meeting of June 8, 2005 (9 pages).
7. Development plans (9 pages) received on May 20, 2005.
8. Verbatim transcript from the Approved Minutes of the Planning Commission meeting of June 8, 2005 (16 Pages - Previously Submitted).
9. Report from the Director of Community Development to the Planning Commission, dated June 8, 2005 for the meeting of June 8, 2005 (29 Pages - Previously Submitted).
10. Letter from Lazaro Garza dated July 23, 2005.

Distribution:

Doug and Aileen Braga, 16942 Mitchell Avenue, Los Gatos, CA 95032 (report only).
Landmark Designs, 114 Royce Street, Suite A, Los Gatos, CA 95030 (report only).

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REQUIRED FINDINGS AND CONSIDERATIONS FOR:

16942 Mitchell Avenue

Architecture and Site Application S-05-057

Requesting approval to construct a second story addition on property zoned RM:5-12. APN 529-18-014

PROPERTY OWNER/APPLICANT: Doug Braga

FINDINGS

- The project is Categorically Exempt pursuant to Section 15301 of the State Environmental Guidelines as adopted by the Town.

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

16942 Mitchell Avenue

Architecture and Site Application S-05-057

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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:

16942 Mitchell Avenue

Architecture and Site Application S-05-057

Requesting approval to construct a second story addition on property zoned RM:5-12. APN 529-18-014

PROPERTY OWNER/APPLICANT: Doug Braga

**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 May 20, 2005. Any minor changes or modifications made to the approved plans shall be approved by the Director of Community Development other changes will be approved by the Planning Commission, depending on the scope of the change(s).
3. **DETACHED GARAGE:** Remove the carport and covered walkway attached to the garage prior to issuance of a building permit for the addition.

(Building Section)

4. **PERMITS REQUIRED:** A building permit shall be required for the second story addition and remodel of the single family residence. Separate permits are required for electrical, mechanical, and plumbing work as necessary.
5. **CONDITIONS OF APPROVAL:** The Conditions of Approval must be blue-lined in full on the cover sheet of the construction plans.
6. **SIZE OF PLANS:** Four sets of construction plans, maximum size 24" x 36."
7. **SOILS REPORT:** A soils report, prepared to the satisfaction of the Building Official, containing foundation and retaining wall design recommendations, may be required to 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)
8. **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:
 1. Building pad elevation
 2. Finish floor elevation
 3. Foundation corner locations
9. **TITLE 24 ENERGY COMPLIANCE:** California Title 24 Energy Compliance forms CF-1R and MF-1R must be blue-lined on the plans.
10. **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.

11. 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 be blue-lined on the construction plans. Special Inspection forms are available from the Building Division Service Counter or online at www.losgatosca.gov.
12. 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.
13. APPROVALS REQUIRED: The project requires the following agencies approval before issuing a building permit:
 - a. Community Development: Vu Nguyen at 354-6807
 - b. Engineering Department: Fletcher Parsons at 395-3460
 - c. Santa Clara County Fire Department: (408) 378-4010
 - d. West Valley Sanitation District: (408) 378-2407
 - e. 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)

14. 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.
15. 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.
16. PUBLIC WORKS INSPECTIONS. The developer or his representative shall notify the Engineering Inspector at least twenty-four (24) hours before starting any work pertaining to on-site drainage facilities, grading or paving, and all work in the Town's right-of-way. Failure to do so will result in rejection of work that went on without inspection.
17. CONSTRUCTION STREET PARKING. No vehicle having a manufacturer's rated gross vehicle weight exceeding ten thousand (10,000) pounds shall be allowed to park on the portion of a street which abuts property in a residential zone without prior approval from the Town Engineer (§ 15.40.070).
18. SITE DRAINAGE. Rainwater leaders shall be discharged to splash blocks. No through curb drains will be allowed.
19. 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.

20. **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.
21. **SANITARY SEWER LATERAL.** Sanitary sewer laterals are televised and approved by West Valley Sanitation District before they are used or reused. Install a sanitary sewer lateral clean-out at the property line.
22. **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.
23. **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.

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

PAID
JUN 16 2005

Town of Los Gatos
Clerk Department

110 E. Main St., Los Gatos CA 95030 2005

APPEAL OF PLANNING COMMISSION DECISION

CLERK DEPARTMENT

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

DATE OF PLANNING COMMISSION DECISION: June 8 2005

PROJECT / APPLICATION NO: S-05-057

ADDRESS LOCATION: 16942 Mitchell Ave, Los Gatos Ca 95032

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 our house is within (under)
floor area square footage maximum. The elevations
are under the 30 foot height limits.
_____; 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 within 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: Aileen Braga

SIGNATURE: Aileen Braga

DATE: 6-16-05

ADDRESS: 16942 Mitchell Ave.

PHONE: 408-356-5374 cell 115 better

408-761-4222

Los Gatos Ca 95032

*** OFFICIAL USE ONLY ***

DATE OF PUBLIC HEARING: Aug 1, 2005

CONFIRMATION LETTER SENT

Attachment 3

Pending Planning Department Confirmation

TO APPLICANT & APPELLANT BY:

DATE TO SEND PUBLICATION: July 14, 2005

DATE OF PUBLICATION: July 21, 2005

RECEIVED

JUL 19 2005

TOWN OF LOS GATOS
PLANNING DIVISION

July 12, 2005

Town Council
110 E Main Street
Los Gatos, CA 95031

RE: 16942 Mitchell Avenue Project

Dear Mr. Mayor and Members of the Town Council,

INTRODUCTION:

We are coming before you in hopes that you would honor our appeal. We hired an architect, engineer and had drawn our plans using the town's written regulation and standards. We came before the town planning commission as a result the town staff lack of approval ability. We were told by the staff that they did not have the authority to approve the largest house on the street. The staff said if we could find a bigger house on the street they would not have a problem approving our plans. We were told, if our neighbors were ok with the plans and if we stayed within the original written codes by the town, we should be okay.

We took our plans to the neighbors on our street. They all liked our plans and signed a letter saying they were in agreement with our changes and felt it would be an improvement for our streets' appearance. As most of you already know, our street is just one block long with no particular architectural design. At one end of the street we have Fisher Middle School. At the other end, we have Los Gatos Honda Dealership and businesses. We also looked at the fact that even though our house will be larger than other houses on our street, there are three other houses in our neighborhood with bigger footprints than ours.

Prior to meeting with the town planning commission, we met with the town design review committee where Larry L. Cannon made some suggestions. Please note all the changes we made in the letter addressed to Larry Cannon from Krista Wendt, AIA Assoc. Principal of Landmark Design. The engineering and the fire department also all said they had no recommended changes. Following these conversations and making the necessary changes as asked, we were surprised when the planning commission did not support our project.

STAFF RECOMMENDATION:

Recommendation One:

"Reduce the size, bulk and height of the addition to be more compatible with the neighborhood with a total floor area maximum of 2528 sq feet, the size of the current largest single family home in the neighborhood.

Rebuttal:

Our original design is below all written standards which were provided before we even started designing our project. The addition to the house has two stepped up elevations and is not a footprint over the entire house which reduces the appearance of "size and bulk". The town's maximum allowance for height is

30 feet. Our second story elevations are at 24 and 22 feet at their peak. Well under the recommended height limit and under the height of other houses on our street.

Further reduction would be detrimental to the project. We are being asked to reduce our square footage by 448 sq feet, more than 1/3 of our project. We are trying to go from a 3 room to a 4 room house. Our son's room is currently a pass through room on the way to the garage. We have been told this room is not a legitimate room. By making his room the laundry/utility room, we are losing one of our rooms down stairs thus the need for an additional room and bath upstairs. The need for an additional room will soon be a necessity as our parent's are nearing health/age issues that will require them to come and live with us. To reduce our house by 448 sq feet, we would be looking at a box on top of the back corner of house. This would be an architectural design disaster.

We looked at the make up of our neighborhood before we even started the plans. Los Gatos has no written definition of what constitutes "a neighborhood." Regardless of this, we made an attempt by comparing our house to the surrounding houses. We found that there is no clear architectural pattern. Our neighborhood consist of: 4 existing 2 story houses, 5 single story houses (not including ours), a Honda dealership, a business complex, a preschool, and the middle school is 200 feet away. In addition, we have a six-unit townhouse complex adjacent to our property with two stories which is approximately 7,000 square feet. Our house is set back 25 feet from the street. The second story addition will be set back 53 feet from the street. This is much further back than many other existing homes on our street. Our street has at least 2 other homes that are above our proposed height. The style in our neighborhood is eclectic in nature, with a mix of stucco and wooden exterior materials. Our addition is consistent with our current style, will fit the neighborhood, and will be an asset to our street. We designed our addition to be under the "bulk" of those found in our neighborhood and town.

Recommendation Two:

"Revise the exterior materials and configuration to be consistent throughout elevations and set two-story addition back from existing first story wall planes with guidance from the Town architectural consultant."

Rebuttal:

Larry Cannon the town architect reviewed our revised drawings after his suggestions. In general, he felt we responded adequately to his earlier concerns. He did suggest that our elevations have reverted to stucco walls. We did not "revert" but have stayed consistent with our current design which currently includes the use of wood and stucco.

We made several changes per Mr. Cannon's suggestions to give the house some exterior consistency. Those included adding wood trim in various places, adding a callout at the existing brackets on exterior elevations, changing the horizontal trim boards to 2x10's, extending the boards to other areas and adding a small shed roof with matching brackets over the existing rear sliding doors. All these were done upon his recommendations.

Larry Cannon's last area of concern was the second floor right side elevation. At a minimum, he wanted us to add rafter tails to the second floor roof overhang similar to those shown on the opposite side of the second floor mass facing the entry. It is also important to note that this side of the house can not be seen from our street. During the planning commission meeting, Commissioner Morris Trevithick asked the staff to review this point as he recognized that side of the house can not be seen from the street.

Regardless of the lack of view from the street, we will add the rafter tails to the second floor roof overhang.

As our plans stand our wall planes are already set back from the first story wall planes. Thus no adjustment is needed in this area.

Recommendation Three:

"Remove the carport and covered walkway from the detached garage."

Rebuttal: (none)

We have already begun to take this down and are in agreement with the recommendation.

TOWN PLANNING COMMISSION RECOMMENDATIONS:

Recommendation One:

"Work with the Director of Community Development to design a project that meets the approved conditions and return to the Planning Commission Director's report."

Rebuttal:

We have chosen to appeal as we do not agree with the "approved conditions". We are clearly within the written requirements set by the town. We obtained this information from the planning staff prior to commencement of our project drawings. We are under the F.A.R, height requirement, and all set backs.

Recommendation Two:

"Reduce height , bulk and mass by redesigning two-story living room addition to read as one-story and setting two story addition back from existing first story planes."

Rebuttal:

Much of this as already been addressed. The two-story living room space is 22 feet high at the ridge, 8 feet below the maximum limit. This room has a vaulted ceiling is for our stairway as and will allow us to look down from the sitting room area. Lowering this elevation would be an architecturally difficult job and would greatly harm the craftsman style. If we reduce the square footage, our house would look like we placed a box on top of it. This would not improve the looks of our neighborhood but hinder it.

Again, our house design does indeed have many set backs from the existing first story wall planes.

Recommendation Three:

Reconfigure the 3 1/2 x 5 1/2 second story window to the right on the southern elevation to mitigate potential privacy issues with rear neighbors.

Rebuttal:

We took great care when placing windows on the back wall, as we wanted to enjoy our backyard but protect privacy of our neighbors and ourselves. It is approximately 64 feet from the back of our house to the back of the townhouses. We are set back more than 46 from the back fence and the town houses are set back approximately 18 feet from the fence line. We have mature landscaping and a large tree in our backyard, so most of the privacy will be taken care of from our existing landscaping. There are currently 2 windows in the townhouses that will be affected by that window. If you were to look at our plans, the "affected" windows are located behind our detached garage by approximately 22 feet. This particular window is placed in the corner of our upstairs room. Unless standing directly in front of the window, we would not even be able to see the exposed windows in the rear which are more than 70 feet away.

CONCLUSION:

Our project is under:

- Written F.A.R.
- Written height requirements
- Has met all the set back requirements

We have been willing to work with the town from the very beginning of this project. We would appreciate your consideration of the above items, would like to speak with each of you regarding any of your questions, and to communicate about our project with you. Thank you for your time and consideration.

Sincerely,

Doug Braga Aileen Braga

**Braga Addition/Remodel
16942 Mitchell Ave**

RECEIVED

JUN 8 2005
PRESENTED AT PC MEETING
TOWN OF LOS GATOS
PLANNING DIVISION
VEN

We have reviewed the Braga's plans and looked over the elevations. We are in approval of their plans as shown.

Name	Address	Signature
<i>John N. Petrone</i>	16345 Los Gatos Blvd. #19 IN BACK OF DOUG'S	<i>John N. Petrone</i>
<i>James Kel</i>	16345 Los Gatos Blvd #21	<i>James Kel</i>
<i>J McWhite</i>	16345 Los Gatos Blvd #24	<i>J McWhite</i>
<i>Gary L Miller</i>	16345 Los Gatos Blvd #20	<i>Gary L Miller</i>

Date: June 8, 2005
For Agenda Of: June 8, 2005
Agenda Item: 2
DESK ITEM

REPORT TO: The Planning Commission

FROM: The Director of Community Development

LOCATION: 16942 Mitchell Avenue
Architecture and Site Application S-05-057

Requesting approval to construct a second story addition on property
zoned RM:5-12. APN 529-18-014

PROPERTY OWNER/APPLICANT: Doug Braga

DEEMED COMPLETE: May 11, 2005

FINAL DATE TO TAKE ACTION: November 11, 2005

EXHIBITS: A-H. Previously Submitted.
I. Revised Recommended Conditions of Approval (3 pages).
J. Neighbors' Signatures (1 page) received May 11, 2005.
K. Project Data Sheet (1 page).
L. Letter from Applicant's Mother (1 page) received June 8, 2005
M. Letter from Residents of 16203 George Street and 16951 Mitchell Avenue (1 page) received June 8, 2005

A. DISCUSSION:

Recommended Conditions of Approval

The Recommended Conditions of Approval have been revised to show the May 20, 2005 received date shown on the full-size set of drawings submitted to the Community Development Department (Exhibit B).

Neighbors' Signatures

The applicant submitted a list of signatures from five of the eight property owners on Mitchell Avenue in support of the project on May 11, 2005. The neighbors' signatures were not included in the Planning Commission packet sent on June 3, 2005 (Exhibit I).

Project Data Sheet

The project data sheet was not included in the packet sent on June 3, 2005 (Exhibit J).

Letter from Applicant's Mother

The letter from the Applicant's mother gives three reasons for the remodel including the improvement of the current living space, the improvement of the neighborhood due to the craftsmen design of the house, and the need for additional living space for personal reasons (Exhibit K).

Letter from Residents of 16203 George Street and 16951 Mitchell Avenue

The residents of 16203 George Street submitted a letter in support of the proposed project. The letter was also signed by the current residents of 16951 Mitchell Avenue (Exhibit L).

A handwritten signature in black ink, appearing to read 'Bud N. Lortz', written over a horizontal line.

Bud N. Lortz, Community Development Director

Prepared by: Vu-Bang Nguyen, Assistant Planner

BNL:VBN

N:\DEV\Vu_Bang\Arch & Site\16942 Mitchell Ave\Desk Item2.wpd

CONDITIONS OF APPROVAL FOR:

16942 Mitchell Avenue

Architecture and Site Application S-05-057

Requesting approval to construct a second story addition on property zoned RM:5-12. APN 529-18-014

PROPERTY OWNER/APPLICANT: Doug Braga

**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 May 20, 2005. Any minor changes or modifications made to the approved plans shall be approved by the Director of Community Development other changes will be approved by the Planning Commission, depending on the scope of the change(s).
3. **FLOOR AREA MAXIMUM:** Maximum allowable square footage shall be 2,528 square feet.
4. **DESIGN:** Modify exterior materials and configuration to be consistent throughout all elevations and set two-story addition back from existing first story wall planes to the satisfaction of the Community Development Department and Town architectural consultant.
5. **DETACHED GARAGE:** Remove the carport and covered walkway attached to the garage prior to issuance of a building permit for the addition.

(Building Section)

3. **PERMITS REQUIRED:** A building permit shall be required for the second story addition and remodel of the single family residence. Separate permits are required for electrical, mechanical, and plumbing work as necessary.
4. **CONDITIONS OF APPROVAL:** The Conditions of Approval must be blue-lined in full on the cover sheet of the construction plans.
5. **SIZE OF PLANS:** Four sets of construction plans, maximum size 24" x 36."
6. **SOILS REPORT:** A soils report, prepared to the satisfaction of the Building Official, containing foundation and retaining wall design recommendations, may be required to 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)
7. **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
8. **TITLE 24 ENERGY COMPLIANCE:** California Title 24 Energy Compliance forms CF-1R and MF-1R must be blue-lined on the plans.

9. 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.
10. 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 be blue-lined on the construction plans. Special Inspection forms are available from the Building Division Service Counter or online at www.losgatosca.gov.
11. 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.
12. APPROVALS REQUIRED: The project requires the following agencies approval before issuing a building permit:
 - a. Community Development: Vu Nguyen at 354-6807
 - b. Engineering Department: Fletcher Parsons at 395-3460
 - c. Santa Clara County Fire Department: (408) 378-4010
 - d. West Valley Sanitation District: (408) 378-2407
 - e. 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:



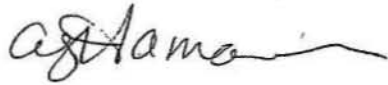

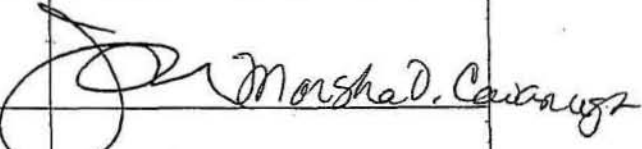
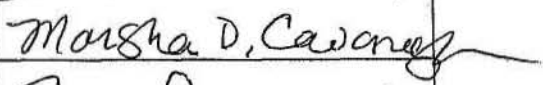
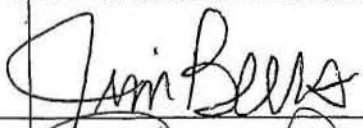
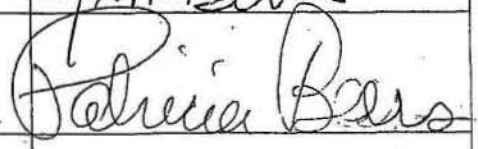
(Engineering Division)

13. 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.
14. 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.
15. PUBLIC WORKS INSPECTIONS. The developer or his representative shall notify the Engineering Inspector at least twenty-four (24) hours before starting any work pertaining to on-site drainage facilities, grading or paving, and all work in the Town's right-of-way. Failure to do so will result in rejection of work that went on without inspection.
16. CONSTRUCTION STREET PARKING. No vehicle having a manufacturer's rated gross vehicle weight exceeding ten thousand (10,000) pounds shall be allowed to park on the portion of a street which abuts property in a residential zone without prior approval from the Town Engineer (§ 15.40.070).
17. SITE DRAINAGE. Rainwater leaders shall be discharged to splash blocks. No through curb drains will be allowed.
18. 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.

19. **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.
20. **SANITARY SEWER LATERAL.** Sanitary sewer laterals are televised and approved by West Valley Sanitation District before they are used or reused. Install a sanitary sewer lateral clean-out at the property line.
21. **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.
22. **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.

**Braga Remodel
16942 Mitchell Ave**

We have reviewed the Braga's plans and looked over the elevations. We are in approval of their plans as shown.

Name	Address	Signature
ERIC YAMAMOTO	16941 Mitchell Ave Los Gatos CA 95032	
DAVE SCHAUZ	16922 Mitchell Ave LOS GATOS, CA 95032	
Arlene Hammacher	16906 Mitchell Ave Los Gatos, Ca 95032	
Mike Hammacher	16906 Mitchell Ave Los. Gatos Ca 95032	
Jim Cavanagh	16898 Mitchell Ave. Los Gatos, CA 95032	
Marsha Cavanagh	16898 Mitchell Ave Los Gatos, CA 95032	
→ JIM BEERS	16952 MITCHELL LG 95032	
→ Patty Beers	16952 Mitchell Los Gatos CA 95032	

16942 MITCHELL AVENUE - SINGLE-FAMILY RESIDENTIAL PROJECT DATA			
	EXISTING CONDITIONS	PROPOSED PROJECT	REQUIRED/ PERMITTED
Zoning district	RM-5:12	RM-5:12	RM-5:12
Land use	Medium Density Residential 12-20 du/ac	Medium Density Residential 12-20 du/ac	Medium Density Residential 12-20 du/ac
Lot size:			
• Square feet/acres	9,380 sq. ft.	9,380 sq. ft.	8,000 sq. ft. min.
Exterior materials:			
• siding	Wood and stucco	Wood and stucco	
• trim	Wood	Wood	
• windows	Vinyl	Vinyl	
• roofing	Wood shake	Composition shingles	
Building square footage:			
• first floor	1,786 sq. ft.	1,786 sq. ft.	
• second floor	none	1,168 sq. ft.	
• garage	808 sq. ft.	808 sq. ft.	
• cellar	none	none	
Setbacks (ft.):			
• front	25'-0"	25'-0"	25 feet minimum
• rear	41'6"	41'6"	20 feet minimum
• side	8'-0" and 13'-0"	8'-0" and 13'-0"	8 feet minimum
• side street			20 feet minimum
Maximum height (ft.)	14'-6"	24'-0"	30 feet maximum
Building coverage (%)	27.7%	27.7%	40% maximum
Floor Area Ratio (%)			
• house	19.0%	31.5%	31.5%
• garage	8.61%	8.61%	8.77%
Parking	2 spaces	2 spaces	2 spaces
Tree Removals		none	

June 6, 2005

Attent: VU

To: Planning Commission of Los Gatos - For public record

From Kay Thompson - mother, grandmother of Braga Family

Regarding: Prospects of Braga Remodel Mitchell Project - L.G.
16942 Mitchell Ave

Main reasons for the remodel:

①. Quality improvement of living space.

The house is over 30 years old and in need of structural, and electrical improvements to name a few.

②. Improve neighborhood environment.

The neighborhood is an eclectic architectural representation. The addition of a modest craftsman style house would enhance the block and be fitting to the "Los Gatos Charm."

③. More living space to accommodate the primary family and as care givers for me.

Within the last year, I have been diagnosed with auto-immune/mixed connective tissue/diminished pulmonary function diseases. I may need living assistance in the near future.

These 3 points were strong motivating factors for my family's decision to remodel their existing home at this time.

If you have any further questions, you may contact me at 408-354-5353 or KLTWAY@aol.com.

Kay Thompson

RECEIVED

JUN 8 2005

TOWN OF LOS GATOS
PLANNING DIVISION

RECEIVED

JUN 08 2005

TOWN OF LOS GATOS
PLANNING DIVISION

June 5, 2005

Dear Members of the Los Gatos Town Planning Commission,

I currently live at 16203 George Street and grew up at 16951 Mitchell Avenue where my parents, the Garza's still reside. This is around the corner and across from 16942 Mitchell Ave (APN 529-18-014). the residence of the Doug Braga family. We would like to let you know that we are fully in favor of the proposed addition and remodel. It will enhance the block and be a benefit all around. We support and encourage the approval of their plans.

Thank you for your consideration of our opinion.

Respectfully Submitted,

Roger and Rebeca Robbins

Rebecca Robbins

Roger W Robbins

Lazaro and Bridget Garza

Bridget Garza
Lazaro Garza

BRAÇĂ RESIDENȚE

16942 MITCHELL AVE.
LOS GATOS, CALIFORNIA

RECEIVED
MAY 20 2005
TOWN OF LOS GATOS
PLANNING DIVISION

BRAGA
RESIDENCE

[illegible]

STREET INDEX

ARCHITECTURAL	
A-1	TITLE SHEET
A-2	PRODUCTION PLAN
A-3	SECTION STUDY
A-4	FIRST FLOOR PLAN & SECOND FLOOR PLAN
A-5	ROOF PLAN, FIRST ELEVATIONS
A-6	ROOF PLAN & SECTIONS
A-7	SITE ELEVATION
A-8	INTERIOR ELEVATIONS
A-9	ARCHITECTURAL DETAILS
A-10	GENERAL NOTES
E-1	FIRST FLOOR & SECOND FLOOR ELECTRICAL PLANS
E-2	TITLE 24 ENERGY COMPLIANCE

TITLE SHEET

WALL SYMBOLS

ENDING WALLS TO
PERMANENT WALLS

ENDING WALLS TO
BE REMOVED
HIDDEN LINES ABOVE
OR BELOW

MISCELLANEOUS

NEW SPACE DETECTOR

INTERIOR WALL ELEVATION KEY

INTERIOR WALL ELEVATION
KEY

GENERAL

PROPERTY LINES

REFERENCE SYMBOLS

SECTIONS

DETAIL NUMBER

MEET HERE

SECTION IS FOLD

PROJECT TEAM

DESIGNER:
LANDMARK DESIGNS, AN ASSOC.
114 NOTCH STREET, SUITE A
LOS ANGELES, CA 90030
408.594.6250

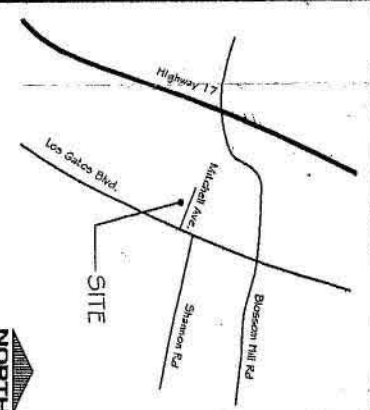
ENGINEER:
FC CONSULTING ENGINEERING, INC
82 CENTRE ROAD
SAN JOSE, CA 95128-3625
408.229.3155

ENERGY CONSULTANT:
SOLARBY, INC.
23026 VENTURA BLVD #207
WOODLAND HILLS, CA 91364
818.347.6296

SCOPE OF WORK

THIS PROJECT WILL PROVIDE A SECOND FLOOR ADDITION OVER AN EXISTING SINGLE STORY RESIDENCE. WORK WILL ALSO INCLUDE A KITCHEN, BATHROOM, AND MINOR REFINEMENTS TO FIRST FLOOR.

VICINITY MAP



DATE	05 03 09
SCALE	A5 SHOW
JOE	01304
SHEET	

REVISIONS

This drawing is for informational purposes only. It is not to be used for construction or other purposes without the written consent of the architect. The architect assumes no responsibility for the accuracy or completeness of the information provided herein.

PROJECT

ALBION LABORATORY
BRAGA
RESIDENCE
1000 WOOD AVE
LOS GATOS, CALIFORNIA

SHEET CONTAINS

SHADOW STUDY

LANDMARK DESIGNS

DESIGN • DEVELOPMENT
CONSTRUCTION MANAGEMENT • PRESERVATION

1114 ROYCE STREET, SUITE A, LOS GATOS, CA 95030
(408) 253-4340 • FAX (408) 253-3799

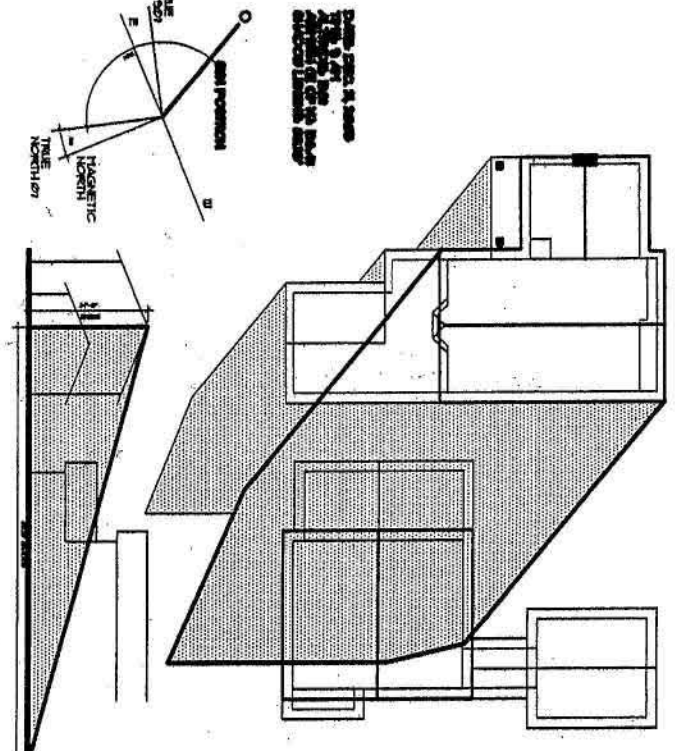
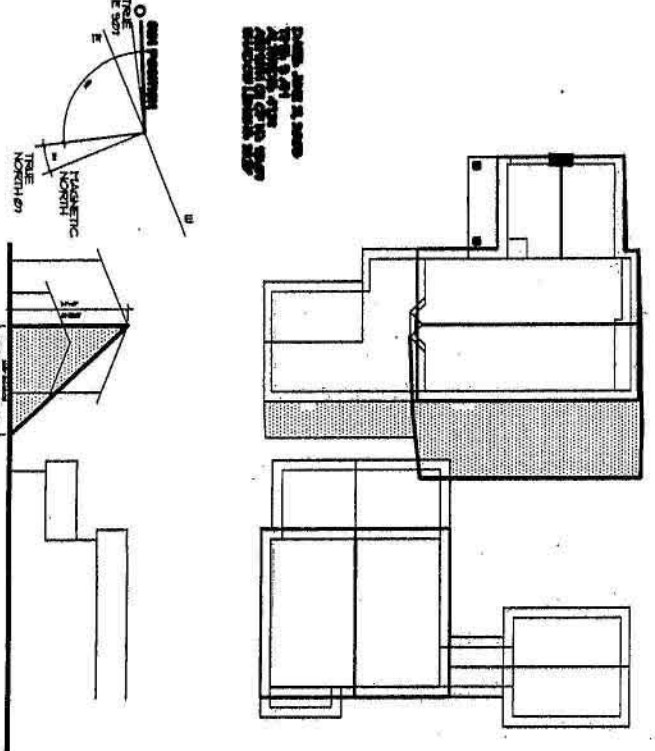
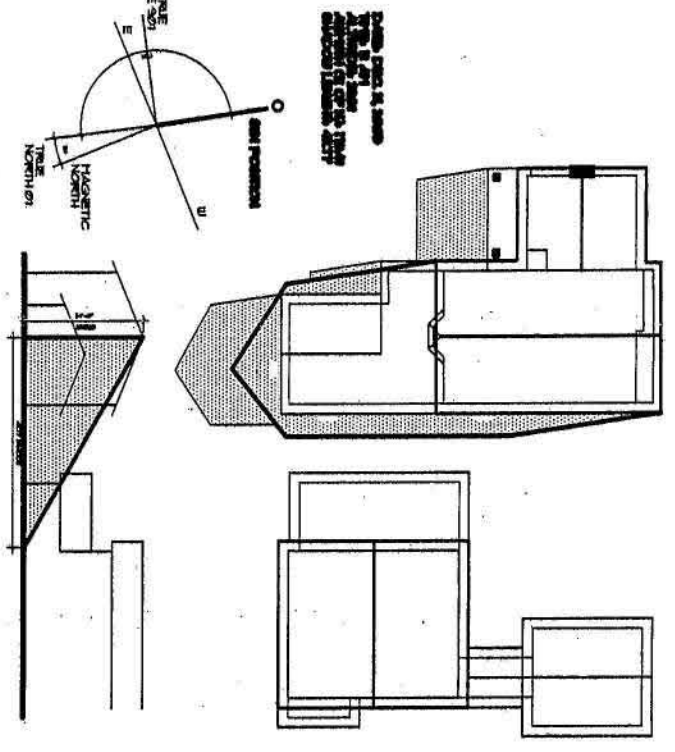
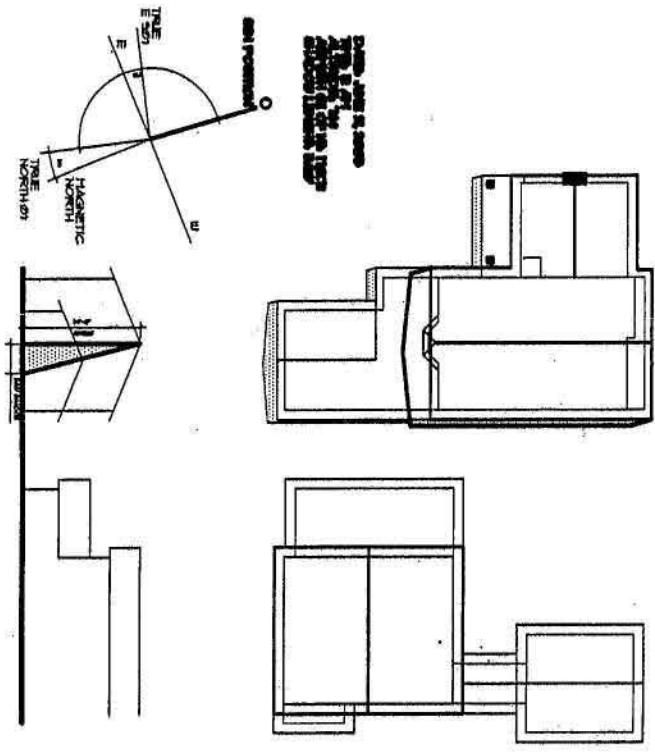
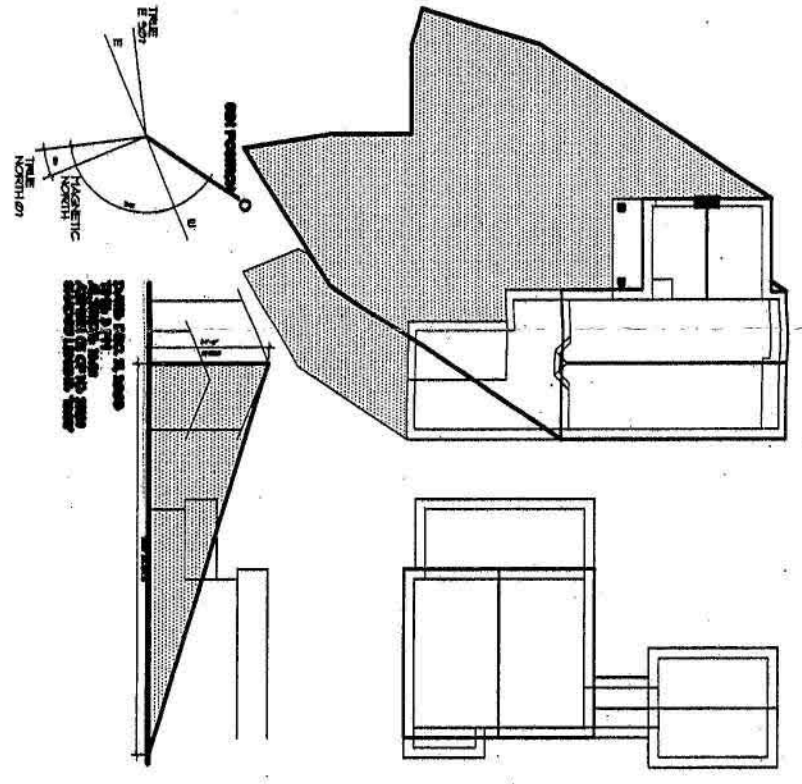
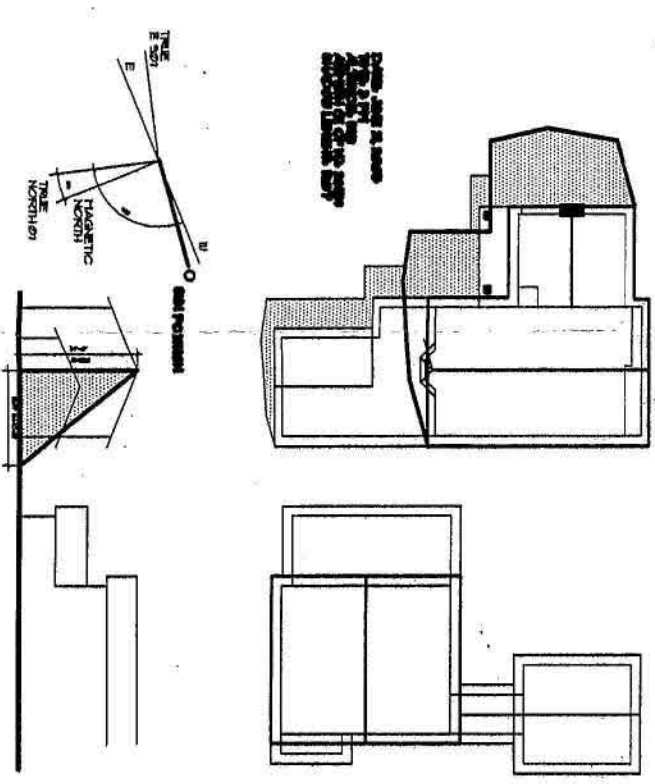
DATE 05-03-05

SCALE AS SHOWN

JOB 01904

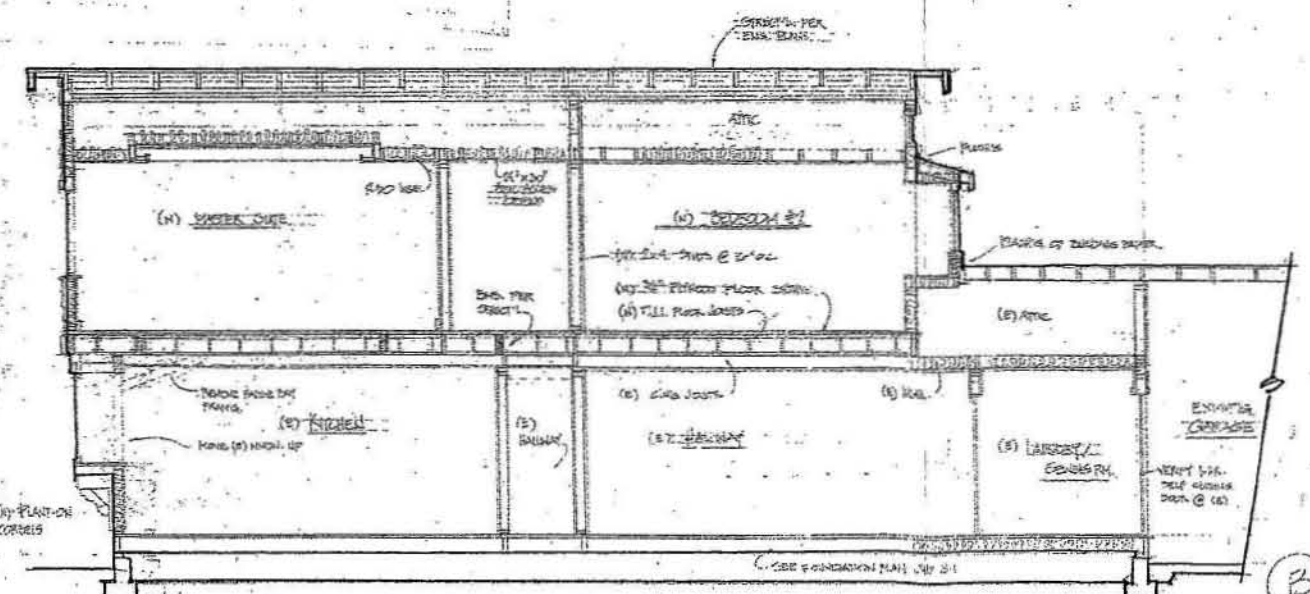
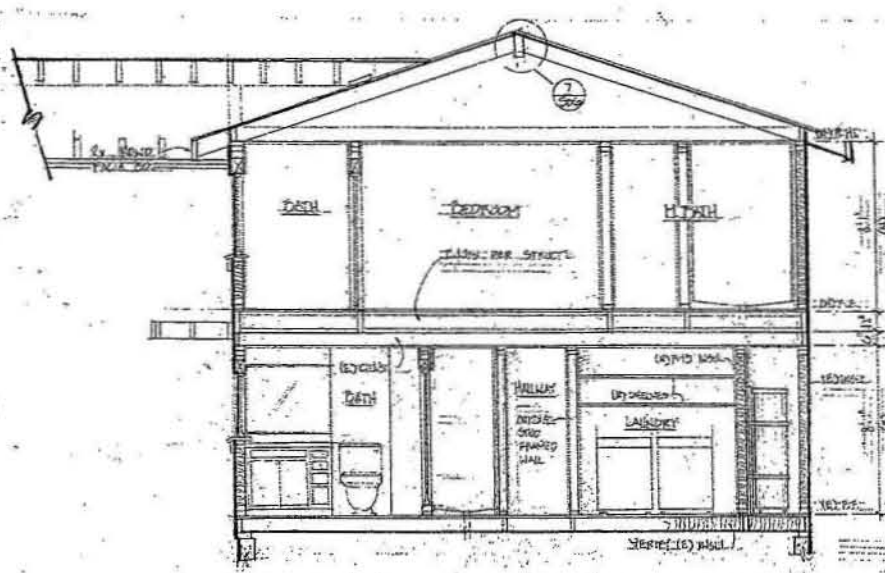
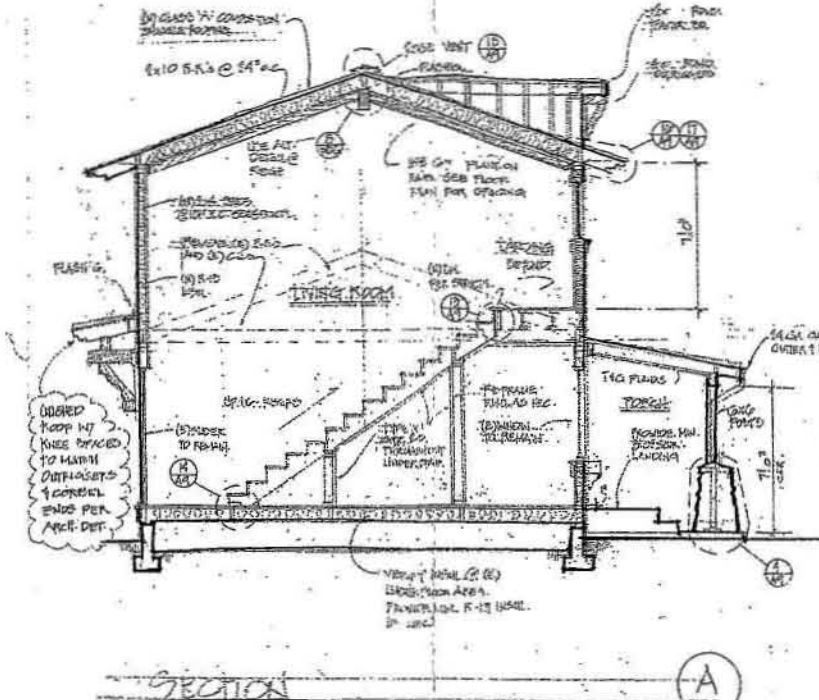
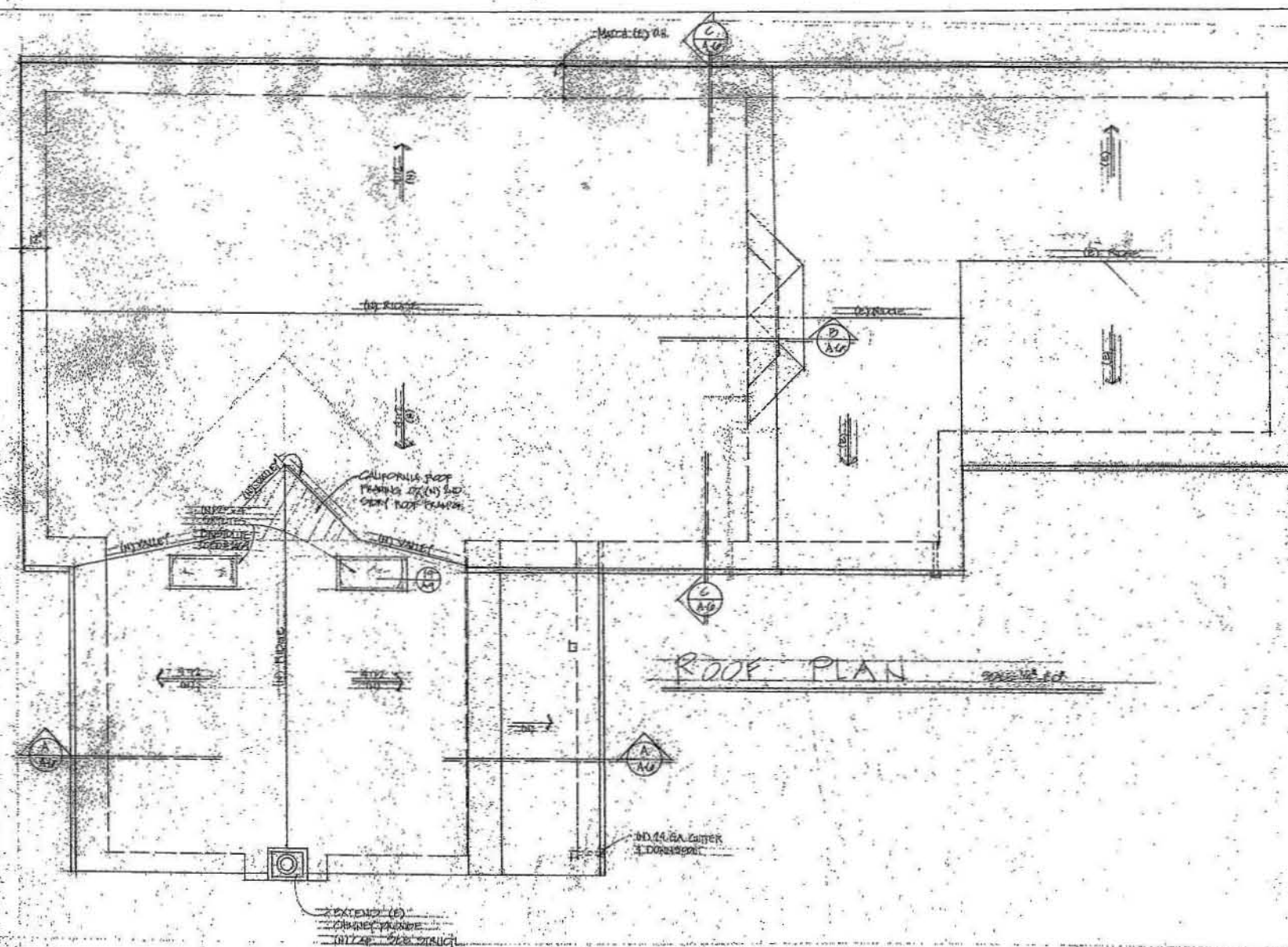
SHEET

A-3



SHADOW STUDY

SCALE 1/8" = 1'-0"



ROOF PLAN & SECTIONS

SCALE AS SHOWN

REVISIONS	DATE	BY
1	5/4/05	JP

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PROJECT
BRAGA RESIDENCE

1642 MICHELL AVE.
LOS GATOS, CALIFORNIA

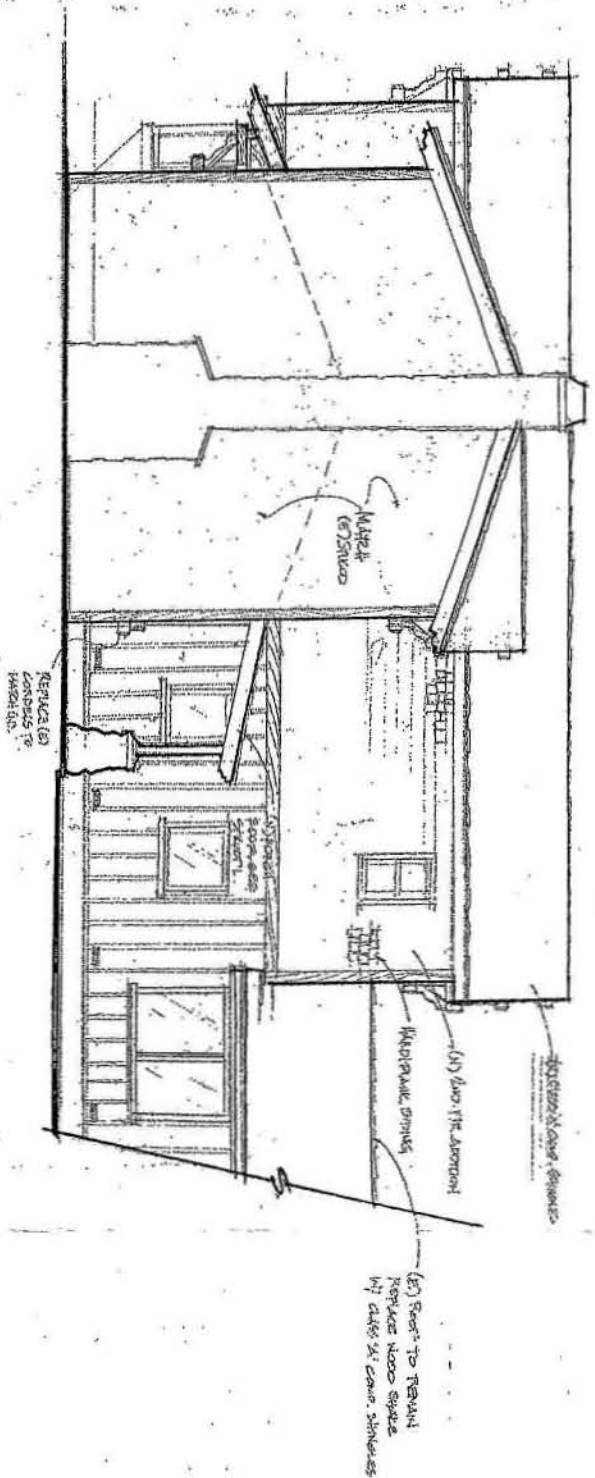
SHEET CONTENTS

ROOF PLAN & SECTIONS

LANDMARK DESIGNS
ARCHITECT & INTERIOR DESIGN
CONSTRUCTION MANAGEMENT & PRESERVATION
11400 OLYMPIAN DRIVE, SUITE 100, LOS GATOS, CA 95030
TEL: (408) 353-1111 FAX: (408) 353-1112

DATE: 1-15-05
SCALE: AS SHOWN
JOB: 01504
SHEET: A-6

SCALE AS SHOWN



SIDE ELEVATION

REVISIONS	
✓	5/19/05

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PROJECT

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BRAGA[®]

RESIDENCE

100 GARDEN, GARDENS

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REVISIONS	
N 5/1/09	BT

These drawings are preliminary and subject to change without notice. The client is responsible for obtaining all necessary permits and approvals. The designer is not responsible for construction details or materials. Construction and materials shall be as shown on the drawings and specifications. Construction and materials shall be as shown on the drawings and specifications.

PROJECT
 A RESIDENCE, 1 SECTION TO THE
 BRAGA
 RESIDENCE
 1534 MITCHELL AVE.
 LOS GATOS, CALIFORNIA

SHEET CONTENTS

STREETSCAPE PLAN

LANDMARK DESIGNS
 DESIGN • DEVELOPMENT
 CONSTRUCTION MANAGEMENT • PRESERVATION
 1110 VICTORIA DRIVE, SUITE 100, LOS GATOS, CA 95030
 (408) 281-1111 • FAX (408) 281-1112

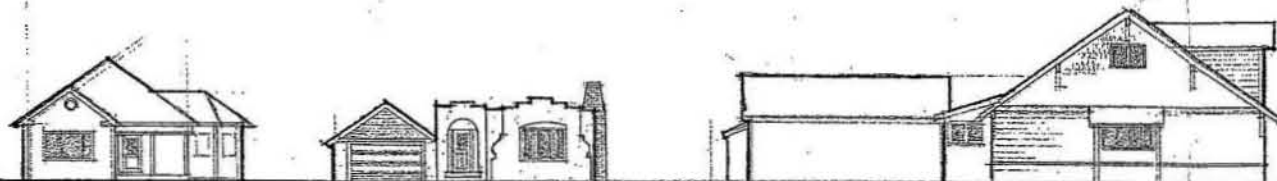
DATE 01-15-05
 SCALE AS SHOWN
 JOB 01804

SHEET
 SC-1



10298 10300 10302 10304 10306

MITCHELL AVE. STREETSCAPE



10305 10307 10309 GEORGE ST.

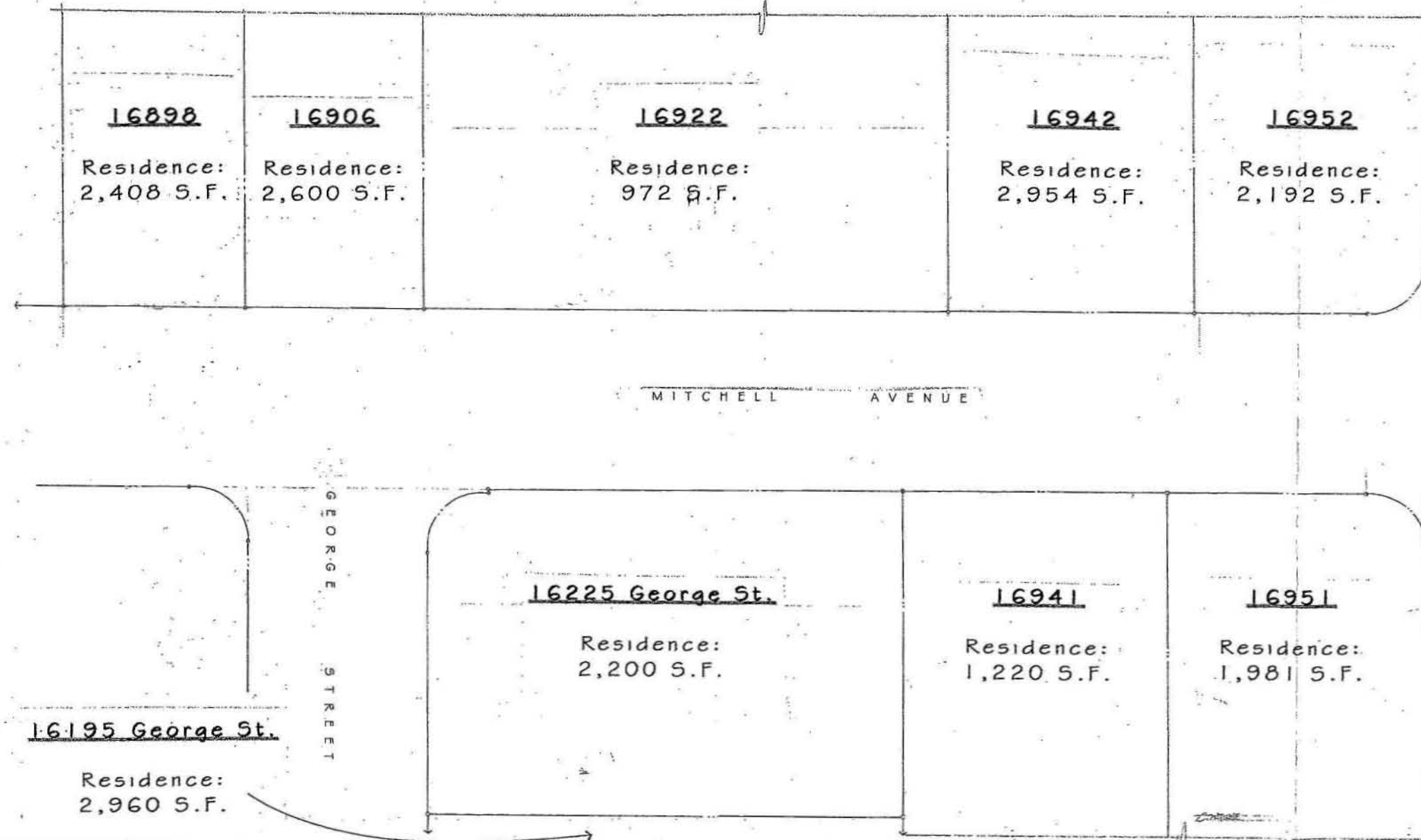
STREETSCAPE PLAN

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

A REMODEL & ADDITION TO THE
BRAGA RESIDENCE

16942 MITCHELL AVE.
 LOS GATOS, CALIFORNIA

STREETSCAPE LOT & TRACT MAP



REVISIONS

These drawings are prepared by the Architect and are not to be used for any other purpose without the written consent of the Architect. The Architect is not responsible for the accuracy of the information provided by the client or for the results of the construction of the project.

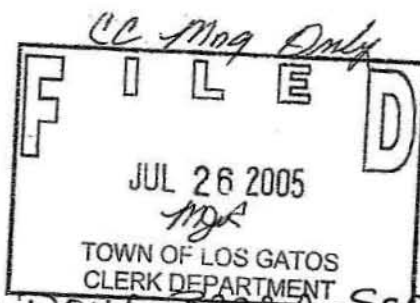
PROJECT
 A REMODEL & ADDITION TO THE
 BRAGA RESIDENCE
 16942 MITCHELL AVE.
 LOS GATOS, CALIFORNIA

SHEET CONTENTS
 STREETSCAPE
 LOT & TRACT MAP

LANDMARK DESIGNS
 DESIGN • DEVELOPMENT
 CONSTRUCTION MANAGEMENT • PERMITTING
 11000 S. FISH LAKE AVENUE, SUITE 100, LOS GATOS, CA 95032
 (408) 354-1100

DATE 01-15-02
 SCALE AS SHOWN
 JOB 01504
 SHEET

SC-2



Re: DOUG BRAGA - SECOND STORY ADDITION - Aug. 1st 7pm.
FROM: BRIDGET + LAZARO GARZA.
TO: TOWN CLERK DEPT.

July 23, 2005

DEAR SIRS, LADIES:

BECAUSE WE WILL NOT BE ABLE TO
ATTEND, WE WRITE THIS.

- OUR HOME IS 16951 MITCHELL AVE.
- OUR TOWNHOUSE 16203 + 16205 GEORGE ST.
- WE WISH TO SAY THAT DOUG + EILEEN BRAGA ARE THE BEST NEIGHBORS.
- THEIR ADDITION WOULD ENHANCE OUR STREET.
- WE WANT TO STRONGLY RECOMMEND THAT YOU APPROVE THEIR REQUEST TO CONSTRUCT A SECOND STORY ADDITION
- PLEASE GIVE LOS GATOS, OUR STREET AND THE BRAGAS A CHANCE TO IMPROVE.

I thank you.

Bridget + Lázaro Garza

RECEIVED

JUL 26 2005

TOWN OF LOS GATOS
PLANNING DIVISION

