PLANNING COMMISSION – *November 12, 2026*
DRAFT CONDITIONS OF APPROVAL:

100 Jamie Court
Minor Residential Application MR-26-007

Consider an Appeal of a Community Development Director Decision to Approve Construction of a New Second-Story Addition to an Existing Single-Family Residence on Property Zoned R-1:8. APN 527-32-038. Categorically Exempt Pursuant to the California Environmental Quality Act, Section 15301: Existing Facilities.

Property Owners: Jaimin K Desai
Applicant: Duong Le
Appellant: Antonio J. and Georgia M. Ricco
Appellant: Mohammed Nazemi
Project Planner: Suray Nathan

TO THE SATISFACTION OF THE DIRECTOR OF COMMUNITY DEVELOPMENT:

Planning Division

1. APPROVAL: This application shall be completed in accordance with all of the conditions of approval and in substantial compliance with the approved plans. Any changes or modifications to the approved plans and/or business operation shall be approved by the Community Development Director, Development Review Committee, or the Planning Commission depending on the scope of the changes.
2. EXPIRATION: The approval will expire two years from the approval date pursuant to Section 29.20.320 of the Town Code, unless the approval has been vested.
3. OUTDOOR LIGHTING: Exterior lighting shall be kept to a minimum and shall be down-directed fixtures that will not reflect or encroach onto adjacent properties. No floodlights shall be used unless it can be demonstrated that they are needed for safety or security.
4. FROSTED GLASS WINDOW: Prior to final building inspection, the second-floor south-facing bathroom window and the two second-floor west-facing clerestory windows shall be installed with obscured or frosted glass. This glazing shall be permanently maintained to ensure privacy for adjacent properties.
5. PRIVACY SCREENING VEGETATION: Privacy screening vegetation along the 80-foot rear property line shall be perpetually maintained at a minimum height of twelve (12) feet. Any dead, dying, or diseased vegetation shall be replaced in kind within thirty (30) days to ensure continuous compliance.
6. TREE REMOVAL PERMIT: A Tree Removal Permit shall be obtained for any trees to be removed, prior to the issuance of a building or grading permit.
7. EXISTING TREES: All existing trees shown on the plan and trees required to remain or to be planted are specific subjects of approval of this plan, and must remain on the site.
8. TREE FENCING: Protective tree fencing, and other protection measures shall be placed at the drip line of existing trees prior to issuance of demolition and building permits and shall

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remain through all phases of construction. Include a tree protection plan with the construction plans.

9. TREE STAKING: All newly planted trees shall be double-staked using rubber tree ties.
10. FRONT YARD LANDSCAPE: Prior to issuance of a Certificate of Occupancy the front yard must be landscaped.
11. WATER EFFICIENCY LANDSCAPE ORDINANCE: The final landscape plan shall meet the Town of Los Gatos Water Conservation Ordinance or the State Water Efficient Landscape Ordinance, whichever is more restrictive. A review fee based on the current fee schedule adopted by the Town Council is required when working landscape and irrigation plans are submitted for review.
12. TOWN INDEMNITY: Applicants are notified that Town Code Section 1.10.115 requires that any applicant who receives a permit or entitlement ("the Project") from the Town shall defend (with counsel approved by Town), indemnify, and hold harmless the Town, its agents, officers, and employees from and against any claim, action, or proceeding (including without limitation any appeal or petition for review thereof) against the Town or its agents, officers or employees related to an approval of the Project, including without limitation any related application, permit, certification, condition, environmental determination, other approval, compliance or failure to comply with applicable laws and regulations, and/or processing methods ("Challenge"). Town may (but is not obligated to) defend such Challenge as Town, in its sole discretion, determines appropriate, all at applicant's sole cost and expense.

    Applicant shall bear any and all losses, damages, injuries, liabilities, costs and expenses (including, without limitation, staff time and in-house attorney's fees on a fully-loaded basis, attorney's fees for outside legal counsel, expert witness fees, court costs, and other litigation expenses) arising out of or related to any Challenge ("Costs"), whether incurred by Applicant, Town, or awarded to any third party, and shall pay to the Town upon demand any Costs incurred by the Town. No modification of the Project, any application, permit certification, condition, environmental determination, other approval, change in applicable laws and regulations, or change in such Challenge as Town, in its sole discretion, determines appropriate, all the applicant's sole cost and expense. No modification of the Project, any application, permit certification, condition, environmental determination, other approval, change in applicable laws and regulations, or change in processing methods shall alter the applicant's indemnity obligation.
13. DEMOLITION AFFIDAVIT: Prior to issuance of a building permit, a Demolition Affidavit must be submitted and signed by the property owner, project architect, project engineer and contractor.
14. STORY POLES/PROJECT IDENTIFICATION SIGNAGE: Story poles and/or project identification signage on the project site shall be removed within 30 days of approval of the Architecture and Site application.
15. COMPLIANCE MEMORANDUM: A memorandum shall be prepared and submitted with the building plans detailing how the Conditions of Approval will be addressed.

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