



TOWN OF LOS GATOS

COMMUNITY DEVELOPMENT DEPARTMENT
(408) 354-6872 Fax (408) 354-7593

CIVIC CENTER
110 E. MAIN STREET
LOS GATOS, CA 95031

May 24, 2023

NOTICE OF PENDING APPROVAL

The Los Gatos Community Development Department has received an application from Vicky Le, requesting approval for construction of a new second-story to an existing single-family residence on property zoned R-1D at **473 Wraight Avenue (MR-22-013, Assessor Parcel Number 529-06-027)**. It is the intent of the Town to approve this proposal ten days from the date of this letter (June 2, 2023).

The plans are available for public review in the Town Planning Department from 8:00 a.m. to 1:00 p.m. Monday through Friday. Please note that Town Hall is closed on Monday, May 29th for Memorial Day.

The plans are also available on the Town's website:

<https://www.losgatosca.gov/DocumentCenter/View/31315/Project-Plans---473-Wraight-Ave>

Any interested person may appeal this decision to the Planning Commission. Appeals, with complete Appeal Form and fee payment, must be received by this office in writing within ten days from the date of approval, or by 4:00 p.m., June 12, 2023.

If you have any questions concerning this matter, please contact Ryan Safty at (408) 354-6802 or rsafty@losgatosca.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Ryan Safty".

Ryan Safty
Associate Planner

Attached: DRAFT Conditions of Approval
cc: Neighborhood Notification List

DRAFT CONDITIONS OF APPROVAL – May 24, 2023

473 Wraight Avenue

Minor Residential Application MR-22-013

Requesting Approval for Construction of a New Second-Story to an Existing Single-Family Residence on Property Zoned R-1D.

APN 529-06-027.

PROPERTY OWNER/APPLICANT: Vicky Le

TO THE SATISFACTION OF THE DIRECTOR OF COMMUNITY DEVELOPMENT:

Planning Division

1. **APPROVAL:** This application shall be completed in accordance with all of the conditions of approval and in substantial compliance with the approved plans. Any changes or modifications to the approved plans and/or business operation shall be approved by the Community Development Director, DRC or the Planning Commission depending on the scope of the changes.
2. **EXPIRATION:** The approval will expire two years from the approval date pursuant to Section 29.20.320 of the Town Code, unless the approval has been vested.
3. **OUTDOOR LIGHTING:** Exterior lighting shall be kept to a minimum, and shall be down directed fixtures that will not reflect or encroach onto adjacent properties. No flood lights shall be used unless it can be demonstrated that they are needed for safety or security.
4. **TREE REMOVAL PERMIT:** A Tree Removal Permit shall be obtained for any trees to be removed, prior to the issuance of a building or grading permit.
5. **EXISTING TREES:** All existing trees shown on the plan and trees required to remain or to be planted are specific subjects of approval of this plan, and must remain on the site.
6. **ARBORIST REQUIREMENTS:** The developer shall implement, at their cost, all recommendations identified in the Arborist's report dated as received September 8, 2022 for the project, on file in the Community Development Department. These recommendations must be incorporated in the building permit plans, and completed prior to issuance of a building permit where applicable.
7. **TREE FENCING:** A Tree Protection Plan will be required with the Building Permit submittal. Protective tree fencing and other protection measures shall be placed at the drip line of existing trees prior to issuance of demolition and building permits and shall remain through all phases of construction. Include a tree protection plan with the construction plans.
8. **TREE STAKING:** All newly planted trees shall be double-staked using rubber tree ties.
9. **FRONT YARD LANDSCAPE:** Prior to issuance of a Certificate of Occupancy the front yard must be landscaped.
10. **STORY POLES:** The story poles on the project site shall be removed within 30 days of approval of the Minor Residential application.
11. **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.

12. **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.
13. **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.

14. **COMPLIANCE MEMORANDUM:** A memorandum shall be prepared and submitted with the building plans detailing how the Conditions of Approval will be addressed.

APN	Owner	MailAddress	MailLine2
52906010	BANDAIAI JOHN S JR TRUSTEE		LOS GATOS, CA 95032
52906026	WOODS THOMAS J & JENNIFER K		LOS GATOS, CA 95032
52906028	MUNSHI ADIL D & RENEE L TRUSTEE		LOS GATOS, CA 95032
52906033	Emarlou Hamid & Shayegan Shadi Trustee		Los Gatos Ca 95032
52906034	GORE BRIAN & HOOEY BECKY		LOS GATOS, CA 95032-5465
52906035	CEMBELLIN LARRY P TRUSTEE		ELMIRA, OR 97437
52906035	Occupant		LOS GATOS, CA 95032
52906066	CANEPA TIMOTHY L		LOS GATOS, CA 95032
52906067	CARLTON ALAN GERALD AND PAULA ANN		LOS GATOS CA 95032