



28 June 2019

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S-17-047
JUN 28 2019

TOWN OF LOS GATOS
PLANNING DIVISION

Dear Commissioners,

Before you is an appeal of the Public Work's and Planning's condition to relocate the existing driveway of a current home, where the project has incurred a technical demo resulting in a more intensive review by Public Works. The Owner prefers to keep the existing driveway as it both maintains the character of the neighborhood, and protects a large existing oak tree. The driveway is bounded by two original posts, and demarks the entrance to the property, as well as the end of the neighborhood visually, before Hernandez becomes more of a mountain road and cut-through artery due to current traffic patterns. Note that the property is also unique in that it is bounded on three sides by streets, and is a bit of a "peninsula" in shape, creating a more public half versus private half of the lot as well.

It's important to note that the Owner had no desire to tear the house down, rather enhance the character of the home while remodeling and adding to it to create a more appropriate home for a family. The Owner is a long time resident of Los Gatos, and has owned 3 homes over the past 25+ years in Los Gatos, on Chestnut Avenue. They have a love for old homes, and wish to preserve the character and charm of their neighborhood. Their diligence and patience in proceeding through an intensive Planning and HPC review process reflects this. A summary of their commitment to the process and tenacity to do what is right for their home is as follows:

Timeline + Submittals

October 2017 –Preliminary review with HPC, requesting a recommendation for a second story addition to a pre-1941 single-family residence zones R-1:12

Initial concerns were with bulk + mass, second story shed at front of house, roof lines, proportions. Comments were addressed with a re-design of the front porch, changing from a shed roof to an open gable, further enhancing the Craftsman style.

November 2017 - Planning submittal (#1), Arch + Site Application

Incorporated feedback from HPC, changed second story shed at front to gable + proportions

December 2017 – Staff Technical Review, requesting approval for a tech demo of an existing pre-1941 single-family residence and construction of a single-family residence. Comments as follows:

- Planning - Proposed project results in the demolition of pre-1941 structure (removal of more than 25% of the wall area facing the public street (Chestnut + Hernandez) and 50% of all exterior wall. Request to demolish requires approval of HPC.
- Engineering - The vehicular ingress/ingress location, currently shown at the corner of Chestnut + Hernandez Ave. intersection will not be permitted. Please relocate.
- Existing accessory Structures in the Town's right-of-way.

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April 2018 - Historical Report Completed

- The house at 16 Chestnut Ave. is listed in the Los Gatos Inventory of Historic Resources and is a Bell Ringer home. It is not eligible for Los Gatos Landmark Status or listing in the California Register of Historical Resources because no significant event or person is associated with the property and while the architecture is pleasant, the house has been enlarged and better examples of Craftsman style exist in Los Gatos.

June 2018 – HCP review, request removal from inventory, request approval for a technical demolition of a pre-1941 single-family residence (not located in historical district).

- PowerPoint document submitted:
- Historical Report Summary
- Town of LG Code of Ordinance
- Site Constraints
- Tech Demo Analyses + Diagrams
- Driveway Diagrams
- HPC Issues/Concerns
- Floor Plan Comparison
- Renderings
- Letter of Justification
- Historical Report
- Photos of Existing Residence + Adjacent Homes/Neighborhood

July 2018 – HPC recommends approval for a tech demo

September 2018 – Planning submittal (#2), Arch + Site Application

October 2018 – Staff Technical Review, requesting approval for demolition of a single-family residence, and construction of a new single-family residence. Comments and concerns as follows:

- Town Consulting Architect –The home is very well designed in an identifiable traditional style in keeping with the immediate neighborhood. No recommendations for change.
- Town Consulting Arborist - Request for additional information + clarification.

December 2018 – Planning submittal (#3), Arch + Site Application

January/February 2019 – Addendum to letter of justification + exhibits (driveway study by civil engineer) + updated arborist report + addendum

March 2019 – Planning submittal (#4), Arch + Site Application

March 2019 – Staff Technical Review

May 2019 – Approved with conditions, currently appealing driveway re-location condition only.

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Ultimately the home incurred a technical demo after significant work and efforts to comply with the tech demo policy on a pre-1941 home, which required the more stringent historical interpretation of the policy (25% threshold versus 50% for removal). While the original portion of the home was indeed Craftsman in style, there had been significant additions and improvements over time that were neither historical nor cohesive with the original home. The home also had some inconsistent details for its designated style, and the HPC did not consider the home to be a good example of the period. Many iterations were worked on collaboratively with the HPC to attempt to navigate the demo policy as well as modify the home to be more reflective of the Craftsman designation, all while maintaining current building codes such as egress in bedrooms, etc. Discussions with the HPC concluded that the home should be removed from the register and a request for a technical demo would result. Both the HPC and the Owner determined it was better to “re-build” the home rather than search for an elusive solution that satisfied technicalities on demo.

At subsequent DRC Tech Reviews, with the architecture and design of the home no longer in question, focus turned towards comments related to re-locating the driveway per Public Works comments. The civil engineer produced many studies on how to best manage the existing driveway, the existing ADU, and the existing oak tree, as well as keep the overall architecture and footprint of the re-build true to the decisions made at HPC. The attached driveway studies show the placement of the driveway moved to comply with the PW comments, and their respective negative results.

Diagram DS1-A (Driveway 50-feet from intersection, along Chestnut Ave.)

1. The relocated, 16-foot wide, driveway is at 50-feet from intersection (Chestnut Ave. + Hernandez).
2. Driveway is approximately 11-feet from drip line of existing tree #3 (Oak).
3. Approach to garage requires two (2), sharp, 90-degree turns in a short distance that is uncomfortable for driver.
4. Due to the location of driveway and required turning radiuses, the driveway encroaches over the root ball of tree #6 (Oak).
5. Shifting driveway to the left (or Westward) would reduce and not allow for practical turning radiuses (see DS1-C).
6. Driveway entrance along Chestnut Ave. would break the continuous landscaping that provides privacy to the home (which has three (3) street facing sides).
7. Aside from the entry/front porch walkway, there is no hardscaping/break along Chestnut Ave., which provide privacy for the homeowners.
8. The existing driveway allows for an easy, comfortable approach to the attached garage, and allows for unobstructed, on-site parking.
9. The current driveway maintains existing landscaping along the front of the house (Chestnut Ave), which the homeowners want to maintain.
10. The West side yard is the only private area of the property - pushing the house and driveway further from the corner would significantly encroach on the homeowners only private space.
11. The side yard was originally +/-52-feet wide and the proposed side yard ranges from 47-53-feet.
12. The proposed residence has been rotated approximately 4-degrees to improve the turning radius and access to new attached garage. This helps reduce grading and provide better vehicular access and turning radiuses.

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13. The garage location and proposed grading has been designed for minimal cut/disturbance around existing tree #6 (Oak). Preservation of this tree is significant to the homeowner to protect their privacy.
14. The current driveway/pavement will remain during construction to protect the tree and will be replaced with pervious pavers at approximately the same grade.

Diagram DS1-B (Driveway 50-feet from intersection, along Hernandez)

1. Is not a viable option.
2. Imposes significant cut/grading.
3. The driveway entrance would be near the narrowing section of Hernandez, creating a site distance and visibility problem for ingress/egress for both homeowner and Hernandez traffic.
4. This section of Hernandez has high traffic volume in the summer and weekends, or when Highway 17 is closed for an accident. Due to current traffic patterns, this street has incurred significant traffic jams and a much higher volume of traffic.

Diagram DS1-C

1. The driveway creates a tight and nearly impossible turn around the existing tree #6 (Oak).
2. This location creates a difficult U-turn upon entering driveway and new garage.
3. Cars would encroach on the roots of the existing tree #6 (Oak). The arborist does not approve of this, and suggests that it would kill the tree.
4. Shifting the driveway further to the left (or Westward) would make the driveway approach an acute angle (less than 90-degrees) and require the existing tree #3 (Oak) and joint power pole to be removed.

In an effort to not have the negative affects listed above, the house was re-sited by the civil to ease the driveway conditions. We also looked at pushing the home back further along the Chestnut axis, and this resulted in a significantly reduced rear / side yard. This is the only way portion of the property that allows some form of privacy for the Owner, and was therefor not a good option. The intent to re-build the house, rather than re-design it in its entirety would be lost, and efforts and design decisions made along the course of the lengthy process to maintain the character of the home would be gone. This was not the intent of the project from the start.

Also included are additional images of the existing driveway, as well as others at the “intersection” of Hernandez and Chestnut. Please note that immediate surrounding neighbors have the same or similar driveways, addressing the intersection at angles and locations not necessarily in keeping with the PW’s “Street Design Standards”. While we understand that these are a guideline and standard, they are not a code, and respectively request to maintain our current configuration which not only protects the oak, but preserves the integrity of the neighborhood and conforms with the design guidelines about maintaining the character of the neighborhood. Also, the current driveway conforms with another PW standard as follows: Section 2 – Street Design Standards; 2.19 Location of Access Points:

- A. Access points shall be aligned wherever possible with existing access points on the opposite side of the street. If this is not possible, a separation between the nearest edges of such opposite access point shall conform to Section 2.20 and Section 2.21.

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Our driveway access point aligns with others across the street(s). Keeping the driveway where it is is also not a life safety issue. Please see the attached letters and signatures from neighbors who believe

moving the location would present more significant issues surrounding this both for themselves and the Owner. The neighborhood also wants to preserve the charm and feel as well.

In conclusion, many options for both the location and placement of the driveway, driveway access, and garage/house placement have been considered with this application. Maintaining the existing driveway as shown is the most viable option for multiple reasons:

- The existing driveway maintains an access that is currently familiar, safe, easy and practical.
- The existing driveway is consistent with the immediate neighborhood.
- The existing driveway has minimal impact on the existing tree #6 (Oak), as well as the other significant trees on the property.
- It limits extra paving and/or grading that would otherwise be required to provide adequate access and turning radiuses.
- It maintains the existing character and intent of the architectural plans to re-build a Craftsman home of equal or greater caliber than the existing home.

The homeowners have always desired to maintain the character of the neighborhood and property. Keeping the existing driveway with minor modifications helps accomplish this, both architecturally as well as maintaining the significant oak tree.

Warm Regards,

Bess Wiersema
Principal + Owner, studio3 design, inc.

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NO.	REVISION	DATE	BY	CHKD.
1	ISSUED FOR PERMITS	11/14/18
2
3
4
5
6
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10

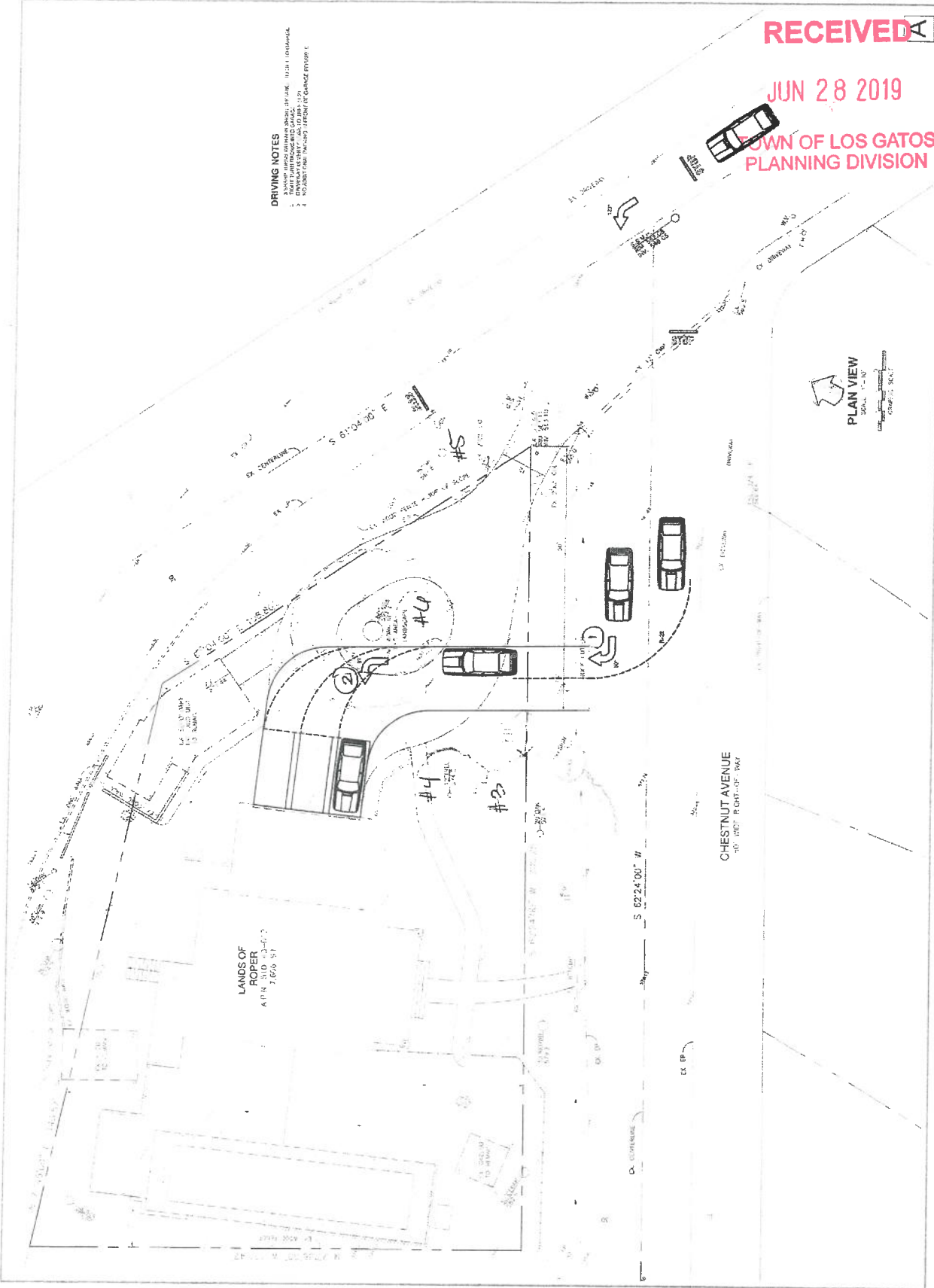
DRIVEWAY STUDY A
 LANDS OF ROPER
 PEOPLES ASSOCIATES
 STRUCTURAL ENGINEERS
 16045-121

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DRIVING NOTES
 1. DRIVEWAY APPROVED FOR PERMITS
 2. DRIVEWAY APPROVED FOR PERMITS
 3. DRIVEWAY APPROVED FOR PERMITS
 4. DRIVEWAY APPROVED FOR PERMITS





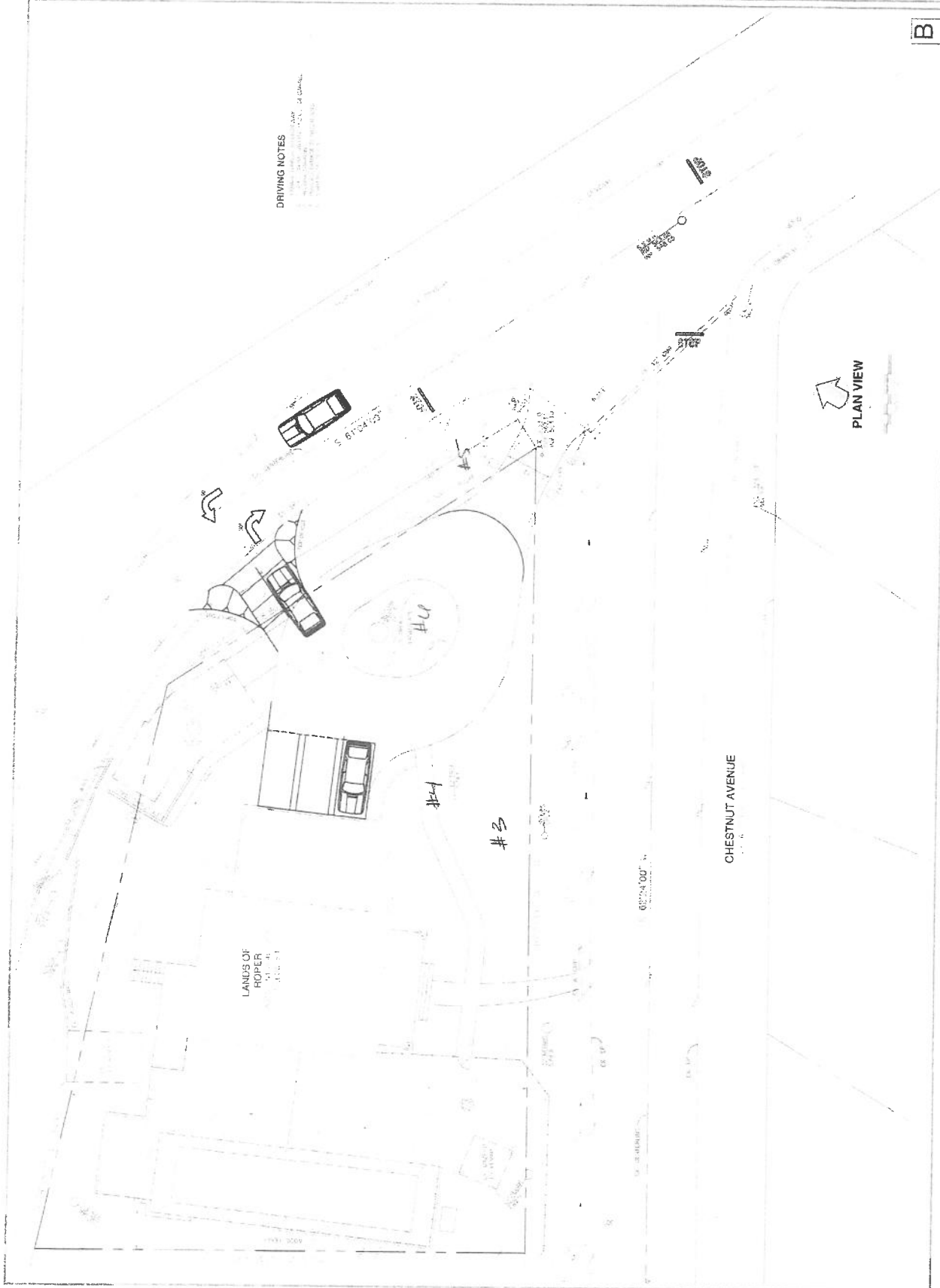
PEOPLES ASSOCIATES
STRUCTURAL ENGINEERS

DRIVEWAY STUDY B
LANUS OF PROPER

DS1
18046-TC1

B

DRIVING NOTES
DATE: 01/11/11
BY: J. ROOPER
PROJECT: LANUS OF PROPER
SHEET: DS1
18046-TC1



LANUS OF PROPER

CHESTNUT AVENUE

PLAN VIEW

2

4

5 8104 1/2"

60'-0" 00"

60'-0" 00"

60'-0" 00"

30'-0" 00"

30'-0" 00"

30'-0" 00"

30'-0" 00"

30'-0" 00"

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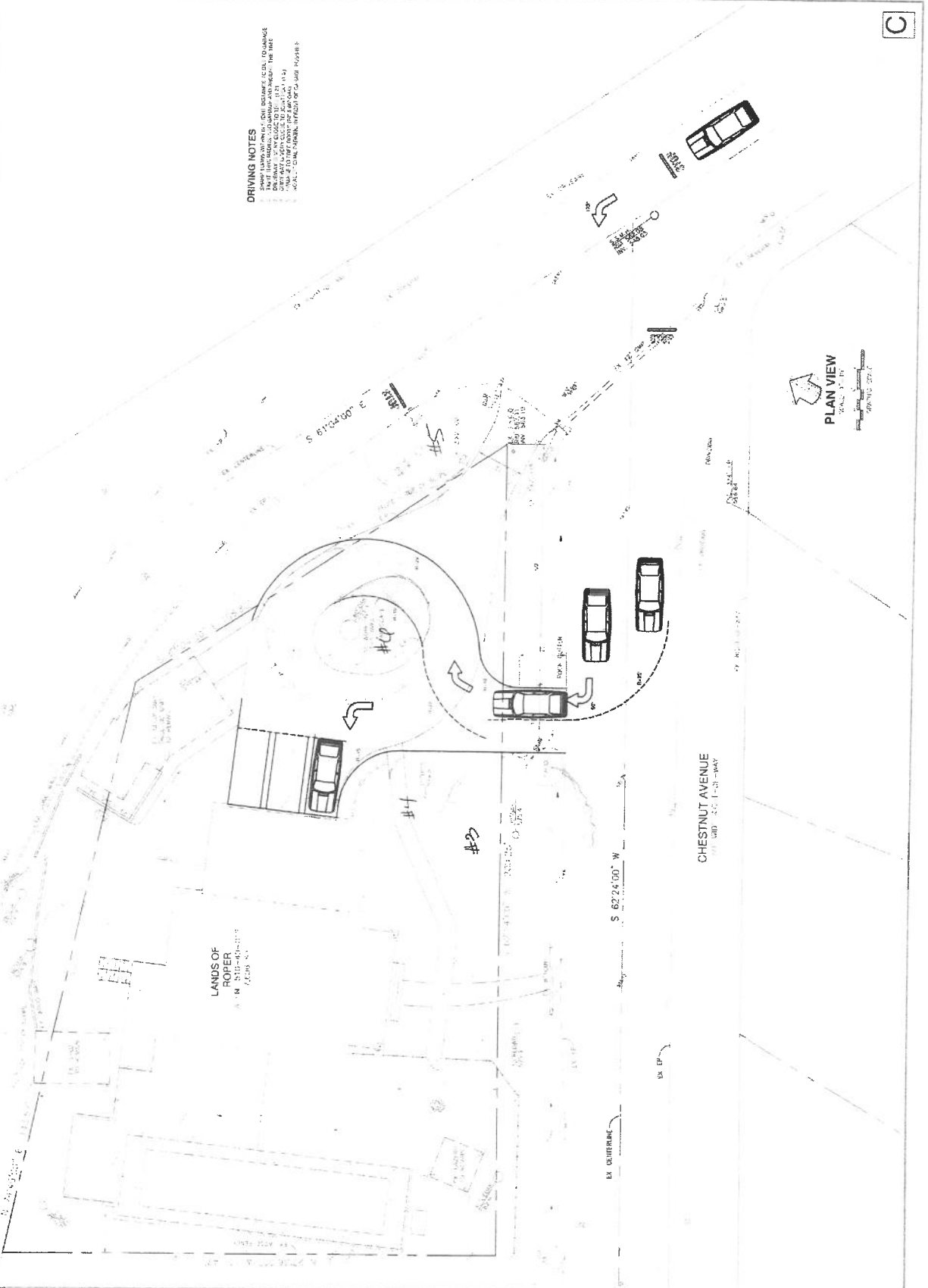
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30'-0" 00"

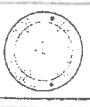
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DRIVING NOTES
 1. VEHICLES SHOWN ARE NOT TO SCALE.
 2. VEHICLES SHOWN ARE NOT TO SCALE.
 3. VEHICLES SHOWN ARE NOT TO SCALE.
 4. VEHICLES SHOWN ARE NOT TO SCALE.
 5. VEHICLES SHOWN ARE NOT TO SCALE.



C

DRIVEWAY DIAGRAM (I)

(VIEWS FROM INTERSECTION TO NEIGHBORING DRIVEWAYS)



200 HERNANDEZ



134 HERNANDEZ



155 HERNANDEZ



16 CHESTNUT AVE.



155 HERNANDEZ

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10 CHESTNUT AVE.



ZOO HERNANDEZ



134 HERNANDEZ



155 HERNANDEZ



ISS HERNANDEZ

DRIVEWAY DIAGRAM (#)

(VIEWS TOWARDS INTERSECTION OF CHESTNUT AVE. + HERNANDEZ AVE.)



VIEW(A)



16 CHESTNUT AVE.



VIEW(C)

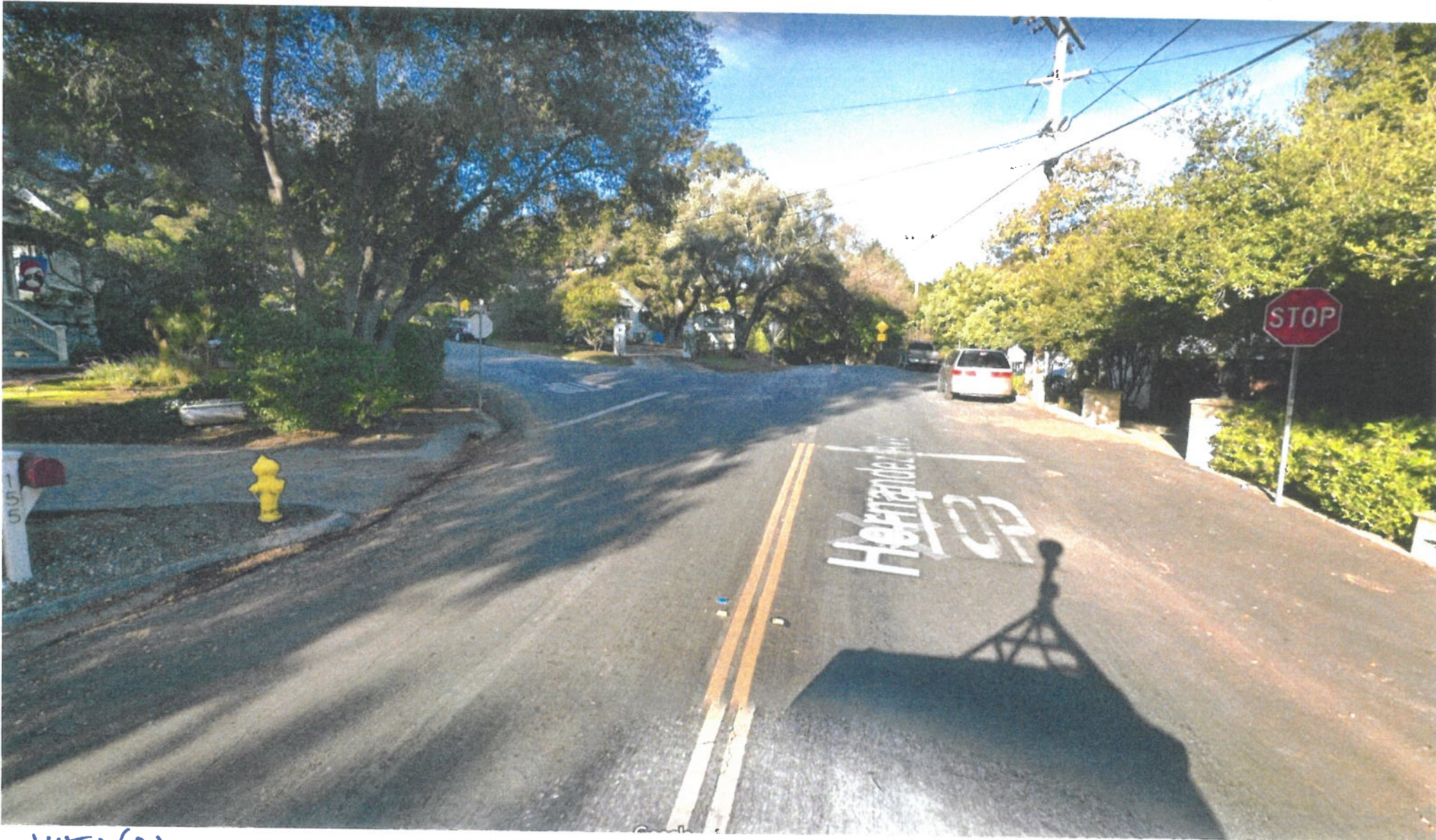


VIEW(B)

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VIEW (A)



VIEW (B)



VHFN(C)

CURRENT DRIVEWAY ENTRANCE

(Note: Easily visible as different from public roads)



16 CHESTNUT AVE.



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JUN 28 2019

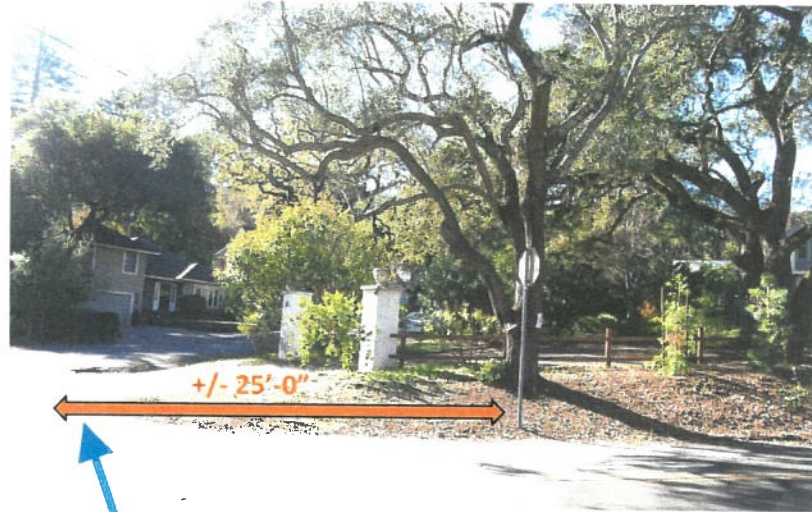
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CURRENT DRIVEWAY ENTRANCE



HISTORICAL COLUMNS DEFINE DRIVEWAY VISUALLY + CREATE SEPARATION FROM PUBLIC TRAFFIC PATTERN



NOTE, DRIVEWAY ENTRANCE IS PULLED AHEAD OF STOP SIGN WHICH ALLOWS FOR VISUAL CLEARANCE



DRIVEWAY DIAGRAM



Proposed location of relocated driveway entrance along Chestnut Ave. (Per Town Engineering Design Standards)

Issues with Town Proposal:

- Grade change create complex driveway access
- Curb + Gutter detail at street, affecting existing street drainage
- Impacts existing landscaping
- Proposed driveway in close proximity to existing mature oak tree
- Moving driveway allows for new landscaping at corner creating potential visibility issues for traffic at corner

