



TOWN OF LOS GATOS
PLANNING COMMISSION STAFF REPORT
Meeting Date: November 11, 2015

ITEM NO: 2
DESK ITEM

PREPARED BY: Erin M. Walters, Associate Planner
ewalters@losgatosca.gov

APPLICATION NO: Zone Change Application Z-15-001
Architecture and Site Application S-15-018

LOCATION: **485 Monterey Avenue** (southwest corner of Monterey Avenue and Andrews Street)

APPLICANT/
CONTACT PERSON: Michael Black

PROPERTY OWNER: Black Real Estate Investment LLC

APPLICATION SUMMARY: Requesting approval to rezone a property from O to R-1D, to demolish an existing office building, construct a new single-family residence, construct an accessory structure with reduced setbacks, and obtain a grading permit for property zoned O. APN 410-16-026.

EXHIBITS:

- 1-17. Previously received with October 14, 2015 Staff Report
- 18-19. Previously received with the October 14, 2015 Desk Item
- 20-23. Previously received with the November 11, 2015 Staff Report
- 24. Letters of support dated November 2, November 4 and November 7, 2015 (7 pages)
- 25. Revised Conditions of Approval

REMARKS:

Letters of Support

Seven letters of support (Exhibit 24) were received after the staff report was distributed.

Revised Conditions of Approval

There is an existing healthy 14-inch diameter redwood tree located at the southeast corner of the neighboring property (307 Andrews Street) which is located behind the subject property. The neighbor, Wendy Paige would like to make sure it is protected during construction.

The October 14, 2015 Desk Item summarized staff's response to Ms. Paige's original comments. Staff has added the following condition to address Ms. Paige's latest request:

TREE PROTECTION FOR NEIGHBORING REDWOOD TREE: Per the Town's Consulting Arborist recommendation tree protection shall include no soil disturbance within a minimum of four feet from the edge of the trunk of the 14-inch diameter redwood tree located at the southeast corner of neighboring property (307 Andrews Street). The applicant will reflect locations of the neighboring trees on the building plans per the Town's Consulting Arborist's recommendations.

Staff has attached revised conditions of approval to reflect this specific tree protection measure (Condition 8 of Exhibit 25).



Prepared by:
Erin M. Walters
Associate Planner

LRP:EW:sr



Approved by:
Laurel R. Prevetti
Town Manager/ Community Development
Director



PENINSULA BUILDERS & DEVELOPMENT

388 Santana Row, #1123, San Jose, CA 95128
(408) 219-4421 • Fax (408) 354-7415

RECEIVED

NOV 10 2015

TOWN OF LOS GATOS
PLANNING DIVISION

S-15-018

485 MONTEREY AVENUE, LOS GATOS

Neighbor Awareness Form

To: Homeowners adjacent to 485 Monterey Avenue:

I/We the neighbors of the proposed project at **485 MONTEREY AVENUE, LOS GATOS** have reviewed the proposed residential single family house as shown on the architectural design plan sheets (Site Plan & Elevations) that are dated **OCTOBER 26TH 2015**. The design plans show a 2,853 square foot two-story house and a 774 square foot detached garage.

I/We state herewith that we understand the plans described above and:

☒ Support This Project

☐ Have the following concerns with the project:

No concerns just happy to have new neighbors!

I/We live at: 484 Monterey Ave

DONNA HUEBNER

Print Name

Donna J. Huebner

Signature

November 4, 2015

Date

EXHIBIT 24



PENINSULA BUILDERS & DEVELOPMENT

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TOWN OF LOS GATOS
PLANNING DIVISION

S-15-018

485 MONTEREY AVENUE, LOS GATOS

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I/We state herewith that we understand the plans described above and:

(☒) Support This Project *100%*

(☒) Have the following concerns with the project:

*THAT THIS PROJECT WILL NOT CONTINUE DOWN THE
SAME BLOCK OF MONTEREY AVE. SO MANY OUTDATED
MEDICAL OFFICES, WHAT AN "EYESORE"!*

I/We live at: *5000 MONTEREY AVE, LOS GATOS*

LOIS PHELPS

Print Name

Signature

Thank you for this opportunity!

11/04/15

Date



PENINSULA BUILDERS & DEVELOPMENT

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NOV 10 2015

TOWN OF LOS GATOS
PLANNING DIVISION

5-15-018

485 MONTEREY AVENUE, LOS GATOS

Neighbor Awareness Form

To: Homeowners adjacent to 485 Monterey Avenue:

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I/We state herewith that we understand the plans described above and:

☒ Support This Project

☐ Have the following concerns with the project:

I/We live at: 510 Monterey Ave. Los Gatos

PAT RAHN

Print Name

Pat Rahn

Signature

Nov. 4, 2015

Date



PENINSULA BUILDERS & DEVELOPMENT

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(408) 219-4421 • Fax (408) 354-7415

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NOV 10 2015

TOWN OF LOS GATOS
PLANNING DIVISION

3-15-018

485 MONTEREY AVENUE, LOS GATOS

Neighbor Awareness Form

To: Homeowners adjacent to 485 Monterey Avenue:

I/We the neighbors of the proposed project at **485 MONTEREY AVENUE, LOS GATOS** have reviewed the proposed residential single family house as shown on the architectural design plan sheets (Site Plan & Elevations) that are dated **OCTOBER 26TH 2015**. The design plans show a 2,853 square foot two-story house and a 774 square foot detached garage.

I/We state herewith that we understand the plans described above and:

☒ Support This Project

☐ Have the following concerns with the project:

I/We live at: 530 Monterey Avenue

Jim & Donna Toothman
Print Name

Donna Toothman
Signature

Nov 2, 2015
Date

P B D

388 Santana Row, #1123, San Jose, CA 95128
(408) 219-4421 • Fax (408) 354-7415

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NOV 10 2015

TOWN OF LOS GATOS
PLANNING DIVISION

S-15-018

485 MONTEREY AVENUE, LOS GATOS

Neighbor Awareness Form

To: Homeowners adjacent to 485 Monterey Avenue:

I/We the neighbors of the proposed project at **485 MONTEREY AVENUE, LOS GATOS** have reviewed the proposed residential single family house as shown on the architectural design plan sheets (Site Plan & Elevations) that are dated **OCTOBER 26TH 2015**. The design plans show a 2,853 square foot two-story house and a 774 square foot detached garage.

I/We state herewith that we understand the plans described above and:

☒ Support This Project

☐ Have the following concerns with the project:

I/We live at:

529 Monterey Ave. Los Gatos

Print Name

Signature

Date

P | B | D

PLANNING DIVISION

388 Santana Row, #1123, San Jose, CA 95128
(408) 219-4421 • Fax (408) 354-7415

RECEIVED

NOV 10 2015

TOWN OF LOS GATOS
PLANNING DIVISION

5-15-018

485 MONTEREY AVENUE, LOS GATOS

Neighbor Awareness Form

To: Homeowners adjacent to 485 Monterey Avenue:

I/We the neighbors of the proposed project at **485 MONTEREY AVENUE, LOS GATOS** have reviewed the proposed residential single family house as shown on the architectural design plan sheets (Site Plan & Elevations) that are dated **OCTOBER 26TH 2015**. The design plans show a 2,853 square foot two-story house and a 774 square foot detached garage.

I/We state herewith that we understand the plans described above and:

☒ Support This Project

☐ Have the following concerns with the project:

☒ We live at: 540 MONTEREY AVE. L.G. CA 95030

JOANILSE
Print Name

[Signature]
Signature

11-4-15
Date



PENINSULA BUILDERS & DEVELOPMENT

388 Santana Row, #1123, San Jose, CA 95128
(408) 219-4421 • Fax (408) 354-7415

RECEIVED
5-15-018
NOV 10 2015

TOWN OF LOS GATOS
PLANNING DIVISION

485 MONTEREY AVENUE, LOS GATOS

Neighbor Awareness Form

To: Homeowners adjacent to 485 Monterey Avenue:

I/We the neighbors of the proposed project at 485 MONTEREY AVENUE, LOS GATOS have reviewed the proposed residential single family house as shown on the architectural design plan sheets (Site Plan & Elevations) that are dated OCTOBER 26TH 2015. The design plans show a 2,853 square foot two-story house and a 774 square foot detached garage.

I/We state herewith that we understand the plans described above and:

☒ Support This Project

☐ Have the following concerns with the project:

This will be a fabulous improvement to what's there now --

I have no concerns about the project --

I/We live at: 550 monterey ave

Print Name

Signature

Date

John & Linda Wood

Linda W. Wood

11/4

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PLANNING COMMISSION – November 11, 2015
CONDITIONS OF APPROVAL

485 Monterey Avenue

Zone Change Application Z-15-001

Architecture and Site Application S-15-018

Requesting approval to rezone a property from O to R-1D, to demolish an existing office building, construct a new single-family residence, construct an accessory structure with reduced setbacks, and to obtain a grading permit for property zoned O. APN 410-16-026.

PROPERTY OWNERS: Black Real Estate Investment LLC

APPLICANT: Michael Black

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 listed below and in substantial compliance with the plans approved and noted as received by the Town on September 17, 2015. Any changes or modifications to the approved plans shall be approved by the Community Development Director, the Development Review Committee, the Planning Commission, or Town Council, 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. The lighting plan shall be reviewed during building plan check.
4. **GENERAL:** 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.
5. **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.
6. **REPLACEMENT TREES:** Replacement trees shall be planted for trees being removed. The number and size of new trees shall be determined using the canopy replacement table in the Town's Tree Protection Ordinance. Required trees shall be planted prior to final inspection.
7. **ARBORIST REQUIREMENTS:** The developer shall implement, at their cost, all recommendations made by Deborah Ellis, MS., identified in the Arborist's reports dated as received March 31, 2015, May 19, 2015, and August 24, 2015, on file in the Community Development Department. A Compliance Memorandum shall be prepared by the applicant and submitted with the building permit application detailing how the recommendations have or will be addressed. These recommendations must be incorporated in the building permit plans, and completed prior to issuance of a building permit where applicable.
8. **TREE PROTECTION FOR NEIGHBORING REDWOOD TREE:** Per the Town's Consulting Arborist recommendation tree protection shall include no soil disturbance within a minimum of 4 feet from the edge of the trunk of the 14-inch diameter redwood tree located at the southeast corner of neighboring property (307 Andrews Street). The applicant will reflect locations of the neighboring trees on the building plans per the Town's Consulting Arborist's recommendations.

9. **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 remain through all phases of construction. Refer to tree fencing requirements and other protection measures identified in the Arborist's reports dated as received March 31, 2015, May 19, 2015, and August 24, 2015, on file in the Community Development Department. Include a tree protection plan with the construction plans.
10. **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.
11. **LANDSCAPE INSTALLATION:** Prior final occupancy front yard landscaping must be installed.
12. **ARCHITECTURAL CONSULTANT REQUIREMENTS:** The developer shall implement, at their cost, the recommendation made by Cannon Design Group, identified in the Architectural Consultant reports, dated as received April 20, 2015, June 3, 2015, and August 19, 2015 on file in the Community Development Department. A Compliance Memorandum shall be prepared by the applicant and submitted with the building permit application detailing how the recommendation has or will be addressed. This recommendation must be incorporated in the building permit plans, and completed prior to issuance of a building permit.
13. **SALVAGE OF BUILDING MATERIALS:** Prior to the issuance of a demolition permit, the developer shall provide the Community Development Director with written notice of the company that will be recycling the building materials. All wood, metal, glass, and aluminum materials generated from the demolished structure shall be deposited to a company which will recycle the materials. Receipts from the company(s) accepting these materials, noting the type and weight of materials, shall be submitted to the Town prior to the Town's demolition inspection.
14. **STORY POLES:** The story poles on the project site shall be removed within 30 days of approval of the Architecture & Site application.
15. **TOWN INDEMNITY:** Applicants are notified that Town Code Section 1.10.115 requires that any applicant who receives a permit or entitlement from the Town shall defend, indemnify, and hold harmless the Town and its officials in any action brought by a third party to overturn, set aside, or void the permit or entitlement. This requirement is a condition of approval of all such permits and entitlements whether or not expressly set forth in the approval, and may be secured to the satisfaction of the Town Attorney.
16. **COMPLIANCE MEMORANDUM:** A memorandum, in compliance with standard Town practice, shall be prepared and submitted with the building permit detailing how the conditions of approval will be addressed.

Building Division

17. **PERMITS REQUIRED:** A Demolition Permit shall be required for the demolition of the existing office building and a Building Permit shall be required for the construction of the new single-family residence and a separate Building Permit for the detached garage. Separate permits are required for electrical, mechanical, and plumbing work as necessary.
18. **CONDITIONS OF APPROVAL:** The Conditions of Approval must be blue-lined in full on the cover sheet of the construction plans. A Compliance Memorandum shall be prepared

and submitted with the building permit application detailing how the Conditions of Approval will be addressed.

19. **SIZE OF PLANS:** Four sets of construction plans, minimum size 24" x 36", maximum size 30" x 42".
20. **DEMOLITION REQUIREMENTS:** Obtain a Building Department Demolition Application and a Bay Area Air Quality Management District Application from the Building Department Service Counter. Once the demolition form has been completed, all signatures obtained, and written verification from PG&E that all utilities have been disconnected, return the completed form to the Building Department Service Counter with the air District's J# Certificate, PG&E verification, and three (3) sets of site plans showing all existing structures, existing utility service lines such as water, sewer, and PG&E. No demolition work shall be done without first obtaining a permit from the Town.
21. **SOILS REPORT:** A Soils Report, prepared to the satisfaction of the Building Official, containing foundation and retaining wall design recommendations, shall be submitted with the Building Permit Application. This report shall be prepared by a licensed civil engineering specializing in soils mechanics.
22. **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 that the building pad elevation and on-site retaining wall locations and elevations have been prepared according to the 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
 - d. Retaining Walls
23. **RESIDENTIAL TOWN ACCESSIBILITY STANDARDS:** The residence shall be designed with adaptability features for single family residences per Town Resolution 1994-61:
 - a. Wood backing (2" x 8" minimum) shall be provided in all bathroom walls at water closets, showers, and bathtubs, located 34-inches from the floor to the center of the backing, suitable for the installation of grab bars.
 - b. All passage doors shall be at least 32-inches wide on the accessible floor.
 - c. Primary entrance shall be a 36-inch wide door including a 5'x5' level landing, no more than 1/2-inch out of plane with the immediate interior floor level with an 18-inch clearance at interior strike edge.
 - d. Door buzzer, bell, or chime shall be hard wired at primary entrance.
24. **TITLE 24 ENERGY COMPLIANCE:** All required California Title 24 Energy Compliance Forms must be blue-lined, i.e. directly printed, onto a plan sheet.
25. **BACKWATER VALVE:** The scope of this project may require the installation of a sanitary sewer backwater valve per Town Ordinance 6.50.025. Please provide information on the plans if a backwater valve is required and the location of the installation. The Town of Los Gatos Ordinance and West Valley Sanitation District (WVSD) requires backwater valves on drainage piping serving fixtures that have flood level rims less than 12-inches above the elevation of the next upstream manhole.

26. 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 Chimney.
27. FIRE ZONE: The project requires a Class A Roof assembly.
28. SPECIAL INSPECTIONS: When a special inspection is required by CBC Section 1704, 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 and signed by all requested parties prior to permit issuance. Special Inspection forms are available from the Building Division Service Counter or online at www.losgatosca.gov/building
29. BLUE PRINT FOR A CLEAN BAY SHEET: The Town standard Santa Clara County Valley Nonpoint Source Pollution Control Program Sheet (24x36) 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 ARC Blue Print for a fee or online at www.losgatosca.gov/building.
30. APPROVALS REQUIRED: The project requires the following departments and agencies approval before issuing a building permit:
 - a. Community Development – Planning Division: Erin Walters at (408) 354-6867
 - b. Engineering/Parks & Public Works Department: Mike Weisz at (408) 354-5236
 - c. Santa Clara County Fire Department: (408) 378-4010
 - d. West Valley Sanitation District: (408) 378-2407
 - e. Local School District: The Town will forward the paperwork to the appropriate school district(s) for processing. A copy of the paid receipt is required prior to permit issuance.
 - f. Bay Area Air Quality Management District: (415) 771-6000

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

Engineering Division

31. 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 an encroachment 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.
32. 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. It is the responsibility of the applicant/developer to obtain any necessary encroachment permits from affected agencies and private parties, including but not limited to, Pacific Gas and Electric (PG&E), AT&T, Comcast, Santa Clara Valley Water District, California Department of Transportation. Copies of any approvals or permits must be submitted to the Town Engineering Department prior to releasing any permit.
33. 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.

34. **RESTORATION OF PUBLIC IMPROVEMENTS:** The developer shall repair or replace all existing improvements not designated for removal that are damaged or removed because of the 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.
35. **STREET/SIDEWALK CLOSURE:** Any proposed blockage or partial closure of the street and/or sidewalk requires an encroachment permit. Special provisions such as limitations on works hours, protective enclosures, or other means to facilitate public access in a safe manner may be required.
36. **INSPECTION FEES.** Inspection fees shall be deposited with the Town prior to issuance of any Permit.
37. **PLANS AND STUDIES:** All required plans and studies shall be prepared by a Registered Professional Engineer in the State of California, and submitted to the Town Engineer for review and approval.
38. **GRADING PERMIT:** Grading permit is required for all site grading and drainage work except for exemptions listed in Section 12.20.015 of the Town Grading Ordinance. The grading permit application (with grading plans) shall be made to the Engineering Division of the Parks & Public Works Department located at 41 Miles Avenue. The grading plans shall include final grading, drainage, retaining wall location, driveway, utilities and interim erosion control. Grading plans shall list earthwork quantities and a table of existing and proposed impervious areas. Unless specifically allowed by the Director of Parks and Public Works, the grading permit will be issued concurrently with the building permit. The grading permit is for work outside the building footprint(s). A separate building permit, issued by the Building Department on E. Main Street is needed for grading within the building footprint.
39. **DRIVEWAY:** The driveway conform to existing pavement on Andrews Avenue shall be constructed such that existing drainage patterns will not be obstructed
40. **DRAINAGE STUDY:** Prior to the issuance of any grading permits, the following drainage studies shall be submitted to and approved by the Town Engineer: A drainage study of the project including diversions, off-site areas that drain onto and/or through the project, and justification of any diversions; a drainage study evidencing that proposed drainage patterns will not overload existing storm drains; and detailed drainage studies indicating how the project grading, in conjunction with the drainage conveyance systems including applicable swales, channels, street flows, catch basins, storm drains, and flood water retarding, will allow building pads to be safe from inundation from rainfall runoff which may be expected from all storms up to and including the theoretical 100-year flood.
41. **DRAINAGE IMPROVEMENT:** Prior to issuance of any grading/improvement permits, the applicant shall: a) design the necessary provisions for the proper conveyance of surface drainage, including those needed for any and all off-site areas that drain onto and/or through the project; and b) design all necessary storm drain facilities extending to a satisfactory point of disposal for the proper control and disposal of storm runoff; and c) provide recorded copy of any required easements to the Town.

42. TREE REMOVAL: Copies of all necessary tree removal permits shall be provided prior to issuance of a grading permit/building permit.
43. PAD CERTIFICATION: A letter from a licensed land surveyor shall be provided stating that the building foundation was constructed in accordance with the approved plans shall be provided subsequent to foundation construction and prior to construction on the structure. The pad certification shall address both vertical and horizontal foundation placement.
44. DEDICATIONS: The following shall be dedicated on the parcel map by separate instrument. The dedication shall be recorded before any permits are issued:
 - a. Monterey Avenue and Andrews Street: A chord of a 10-foot radius at the intersection.
45. SOILS REPORT: One copy of the soils and geologic report shall be submitted with the application. The soils report shall include specific criteria and standards governing site grading, drainage, pavement design, retaining wall design, and erosion control. The reports shall be signed and "wet stamped" by the engineer or geologist, in conformance with Section 6735 of the California Business and Professions Code.
46. GEOLOGY AND SOILS MITIGATION MEASURE: A geotechnical investigation shall be conducted for the project to determine the surface and sub-surface conditions at the site and to determine the potential for surface fault rupture on the site. The geotechnical study shall provide recommendations for site grading as well as the design of foundations, retaining walls, concrete slab-on-grade construction, excavation, drainage, on-site utility trenching and pavement sections. All recommendations of the investigation shall be incorporated into project plans.
47. SOILS REVIEW: Prior to issuance of any permit, the applicant's engineers shall prepare and submit a design-level geotechnical/geological investigation for review and approval by the Town. The applicant's soils engineer shall review the final grading and drainage plans to ensure that designs for foundations, retaining walls, site grading, and site drainage are in accordance with their recommendations and the peer review comments. The applicant's soils engineer's approval shall then be conveyed to the Town either by letter or by signing the plans.
48. SOILS ENGINEER CONSTRUCTION OBSERVATION: During construction, all excavations and grading shall be inspected by the applicant's soils engineer prior to placement of concrete and/or backfill so they can verify that the actual conditions are as anticipated in the design-level geotechnical report, and recommend appropriate changes in the recommendations contained in the report, if necessary. The results of the construction observation and testing should be documented in an "as-built" letter/report prepared by the applicants' soils engineer and submitted to the Town before final release of any occupancy permit is granted.
49. UTILITIES: The Developer shall install all new, relocated, or temporarily removed utility services, including telephone, electric power and all other communications lines underground, as required by Town Code Section 27.50.015(b). All new utility services shall be placed underground. Underground conduit shall be provided for cable television service. Applicant is required to obtain approval of all proposed utility alignments from any and all utility service providers. The Town of Los Gatos does not approve or imply approval for final alignment or design of these facilities.
50. TRENCHING MORATORIUM: Trenching within a newly paved street will be allowed subject to the following requirements:
 - a. The Town standard "T" trench detail shall be used.
 - b. A Town approved colored controlled density backfill shall be used.

- c. The total asphalt thickness shall be a minimum of 3-inches or shall match the existing thickness, whichever is greater. The final lift shall be 1.5-inches of half inch medium asphalt. The initial lift(s) shall be of three quarter inch medium asphalt.
 - d. The Contractor shall schedule a pre-paving meeting with the Town Engineering Construction Inspector the day the paving is to take place.
 - e. A slurry seal topping may be required by the construction inspector depending on his assessment of the quality of the trench paving. If required, the slurry seal shall extend the full width of the street and shall extend 5-feet beyond the longitudinal limits of trenching. Slurry seal materials shall be approved by the Town Engineering Construction Inspector prior to placement. Black sand may be required in the slurry mix. All existing striping and pavement markings shall be replaced upon completion of slurry seal operations. All pavement restorations shall be completed and approved by the Inspector before occupancy.
- 51. SIDEWALK REPAIR: The developer shall repair and replace to existing Town standards any sidewalk damaged now or during construction of this project. Sidewalk repair shall match existing color, texture and design, and shall be constructed per Town Standard Details. The limits of sidewalk repair will be determined by the Engineering Construction Inspector during the construction phase of the project.
 - 52. CURB AND GUTTER: The developer shall repair and replace to existing Town standards any curb and gutter damaged now or during construction of this project. New curb and gutter shall be constructed per Town Standard Details. The limits of curb and gutter repair will be determined by the Engineering Construction Inspector during the construction phase of the project.
 - 53. DRIVEWAY APPROACH: The developer shall install one (1) Town standard residential driveway approach. The new driveway approach shall be constructed per Town Standard Details.
 - 54. CURB RAMPS: The developer shall construct one (1) curb ramp in compliance with ADA Standards.
 - 55. THRU-CURB DRAIN: The developer shall remove the existing thru-curb drain in the right of way and replace the curb, gutter and sidewalk as necessary.
 - 56. FENCING: Any fencing proposed within 200-feet of an intersection shall comply with Town Code Section §23.10.080.
 - 57. SIGHT TRIANGLE AND TRAFFIC VIEW AREA: Any proposed improvements, including but not limiting to trees and hedges, will need to abide by Town Code Section 23.10.080, 26.10.065, 29.40.030.
 - 58. 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.
 - 59. HAULING OF SOIL: Hauling of soil on or off-site shall not occur during the morning or evening peak periods (between 7:00 a.m. and 9:00 a.m. and between 4:00 p.m. and 6:00 p.m.). Prior to the issuance of a building permit, the developer shall work with the Town Building and Engineering Department Engineering Inspectors to devise a traffic control plan to ensure safe and efficient traffic flow under periods when soil is hauled on or off the project site. This may include, but is not limited to provisions for the developer/owner to place construction notification signs noting the dates and time of construction and hauling activities, or providing additional traffic control. Coordination with other significant

projects in the area may also be required. Cover all trucks hauling soil, sand, and other loose debris.

60. **CONSTRUCTION NOISE:** Between the hours of 8:00 a.m. to 8:00 p.m., weekdays and 9:00 a.m. to 7:00 p.m. weekends and holidays, construction, alteration or repair activities shall be allowed. No individual piece of equipment shall produce a noise level exceeding eighty-five (85) dBA at twenty-five (25) feet from the source. If the device is located within a structure on the property, the measurement shall be made at distances as close to twenty-five (25) feet from the device as possible. The noise level at any point outside of the property plane shall not exceed eighty-five (85) dBA.
61. **CONSTRUCTION MANAGEMENT PLAN:** The Applicant shall submit a construction management plan that shall incorporate at a minimum the Earth Movement Plan, Traffic Control Plan, Project Schedule, site security fencing, employee parking, construction staging area, materials storage area(s), construction trailer(s), concrete washout(s) and proposed outhouse locations.
62. **WVSD (West Valley Sanitation District):** Sanitary sewer laterals are televised by West Valley Sanitation District and approved by the Town of Los Gatos before they are used or reused. Sanitary Sewer Clean-out is required for each property at the property line or location specify by the Town.
63. **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 Building Official. 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 in the Uniform Plumbing Code adopted by the Town and maintain such device in a functional operation condition. Evidence of West Sanitation District's decision on whether a backwater device is needed shall be provided prior to issuance of a building permit.
64. **BEST MANAGEMENT PRACTICES (BMPs):** The applicant is responsible for ensuring that all contractors are aware of all storm water quality measures and that such measures are implemented. Best Management Practices (BMPs) shall be maintained and be placed for all areas that have been graded or disturbed and for all material, equipment and/or operations that need protection. Removal of BMPs (temporary removal during construction activities) shall be replaced at the end of each working day. Failure to comply with the construction BMP will result in the issuance of correction notices, citations, or stop work orders.
65. **SITE DESIGN MEASURES:** All projects shall incorporate the following measures:
 - a. Protect sensitive areas and minimize changes to the natural topography.
 - b. Minimize impervious surface areas.
 - c. Direct roof downspouts to vegetated areas.
 - d. Use permeable pavement surfaces on the driveway, at a minimum.
 - e. Use landscaping to treat stormwater.
66. **DUST CONTROL:** Blowing dust shall be reduced by timing construction activities so that paving and building construction begin as soon as possible after completion of grading, and by landscaping disturbed soils as soon as possible. Further, water trucks shall be present and in use at the construction site. All portions of the site subject to blowing dust shall be watered as often as deemed necessary by the Town, or a minimum of three times daily, or

apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas at construction sites in order to insure proper control of blowing dust for the duration of the project. Watering on public streets shall not occur. Streets will be cleaned by street sweepers or by hand as often as deemed necessary by the Town Engineer, or at least once a day. Watering associated with on-site construction activity shall take place between the hours of 8 a.m. and 5 p.m. and shall include at least one late-afternoon watering to minimize the effects of blowing dust. All public streets soiled or littered due to this construction activity shall be cleaned and swept on a daily basis during the workweek to the satisfaction of the Town. Demolition or earthwork activities shall be halted when wind speeds (instantaneous gusts) exceed 25 MPH. All trucks hauling soil, sand, or other loose debris shall be covered.

67. **CONSTRUCTION ACTIVITIES:** All construction shall conform to the latest requirements of the CASQA Stormwater Best Management Practices Handbooks for Construction Activities and New Development and Redevelopment, the ABAG Manual of Standards for Erosion & Sediment Control Measures, the Town's grading and erosion control ordinance and other generally accepted engineering practices for erosion control as required by the Town Engineer when undertaking construction activities.
68. **SITE DRAINAGE:** Rainwater leaders shall be discharged to splash blocks. No through curb drains will be allowed. Any storm drain inlets (public or private) directly connected to public storm system shall be stenciled/signed with appropriate "NO DUMPING - Flows to Bay" NPDES required language. On-site drainage systems for all projects shall include one of the alternatives included in section C.3.i of the Municipal Regional NPDES Permit. These include storm water reuse via cisterns or rain barrels, directing runoff from impervious surfaces to vegetated areas and use of permeable surfaces. If dry wells are to be used they shall be placed 10' minimum from adjacent property line and/or right of way.
69. **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.
70. **GOOD HOUSEKEEPING:** Good housekeeping practices shall be observed at all times during the course of construction. All construction shall be diligently supervised by a person or persons authorized to do so at all times during working hours. The storing of goods and/or materials on the sidewalk and/or the street will not be allowed unless an encroachment permit is issued by the Engineering Division. 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 an encroachment 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.
71. **COVERED TRUCKS:** All trucks transporting materials to and from the site shall be covered.

TO THE SATISFACTION OF THE SANTA CLARA COUNTY FIRE DEPARTMENT:

72. **FIRE SPRINKLERS REQUIRED:** An automatic residential fire sprinkler system shall be installed in one- and two-family dwellings as follows: In all new one- and two-family dwellings and in existing one- and two-family dwellings when additions are made that

increase the building area to more than 3,600 square feet. Exception: A one-time addition to an existing building that does not total more than 1,000 square feet of building area. NOTE: The owner(s), occupant(s) and any contractor(s) or subcontractor(s) are responsible for consulting with the water purveyor of record in order to determine if any modification or upgrade of the existing water service is required. A State of California licensed (C-16) Fire Protection Contractor shall submit plans, calculations, a completed permit application and appropriate fees to this department for review and approval prior to beginning their work.

73. **WATER SUPPLY REQUIREMENTS:** Potable water supplies shall be protected from contamination caused by fire protection water supplies. It is the responsibility of the applicant and any contractors and subcontractors to contact the water purveyor supplying the site of such project, and to comply with the requirements of that purveyor. Such requirements shall be incorporated into the design of any water-based fire protection systems, and/or fire suppression water supply systems or storage containers that may be physically connected in any manner to an appliance capable of causing contamination of the potable water supply of the purveyor of record. Final approval of the system(s) under consideration will not be granted by this office until compliance with the requirements of the water purveyor of record are documented by that purveyor as having been met by the applicant(s).
74. **CONSTRUCTION SITE FIRE SAFETY:** All construction sites must comply with applicable provisions of the CFC Chapter 33 and our Standard Detail and Specification SI-7. Provide appropriate notations on subsequent plan submittals, as appropriate to the project.
75. **ADDRESS IDENTIFICATION:** New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall be a minimum of 4 inches (101.6 mm) high with a minimum stroke width of 0.5 inch (12.7 mm). Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure.