TOWN OF LOS GATOS
PLANNING COMMISSION STAFF REPORT
Meeting Date: February 26, 2014

ITEM NO: 2

PREPARED BY: Suzanne Avila, Senior Planner
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APPLICATION NO.: Subdivision Application M-13-003
Environmental Impact Report EIR-13-002

LOCATION: **100 Prospect Avenue** (west of Reservoir Road and east of College Avenue at the northerly terminus of Prospect Avenue)

APPLICANT/PROPERTY OWNERS: Sisters of the Holy Names of Jesus and Mary

CONTACT PERSON: Sister Mary Pat Le Roy

APPLICATION SUMMARY: Requesting approval of a Vesting Tentative Map for subdivision of a 10.3 acre parcel into 17 lots on property zoned R-1:20. APN 529-44-005.

DEEMED COMPLETE: February 7, 2014
FINAL DATE TO TAKE ACTION: 30 days from Planning Commission adoption of minutes from the meeting where a recommendation is forwarded to the Town Council.

RECOMMENDATION: Forward a recommendation to Town Council for approval of the Subdivision application and certification of the Final EIR.

PROJECT DATA:

General Plan Designation:	Low Density Residential
Zoning Designation:	R-1:20
Applicable Plans & Standards:	General Plan Zoning Ordinance Subdivision Ordinance Subdivision Map Act
Parcel Size:	10.3 acres
Surrounding Area:	

	Existing Land Use	General Plan	Zoning
North	Single-Family Residential	Low Density Residential	R-1:8
East	Single-Family Residential	Low Density Residential	R-1:20
South	Single-Family Residential	Low Density Residential	R-1:20
West	Single-Family Residential	Low Density Residential	R-1:8

CEQA: Environmental review was completed as required by CEQA. The applicant elected to prepare an Environmental Impact Report (EIR).

FINDINGS:

- As required by Section 66474 of the Subdivision Map Act if the Planning Commission denies the subdivision application.
- As required by Policy HOU-9.1 of the Housing Element for new housing developments of three units or more.

CONSIDERATIONS: None.

ACTION: The Town Council is the final review authority for a Vesting Tentative Map. The Planning Commission will be making a recommendation to the Town Council.

EXHIBITS:

Previously received under separate cover:

1. Draft EIR
2. Final EIR/Response to Comments

Attached to this report:

3. Location map (one page)
4. Mitigation Monitoring & Reporting Plan (11 pages)
5. Required Findings and Considerations (one page)
6. Recommended Conditions of Approval (21 pages)
7. Project description and letter of justifications (16 pages total), received August 14, 2013 and February 5, 2014.
8. Letters of support (five pages), received February 17-19, 2014
9. Development Plans (nine sheets), received February 5, 2014

BACKGROUND:

The subject 10.3 acre property is located on the west side of Prospect Avenue, east of College Avenue, at the northerly terminus of Prospect Avenue. Kimble Avenue and Reservoir Road tie into the Prospect Avenue frontage. The property was acquired by the applicant in 1945 and is developed with a convent and conference facility that opened in 1952. Existing buildings on the site total 85,367 square feet. The two largest buildings are three stories, two buildings are two-stories and two buildings are single-story. The site also includes surface parking lots, paved paths and driveways, unpaved service roads and various landscaped areas. One of the structures, the "Stone House" is on the Town's Historic Resources Inventory.

There are 1,000 Sisters of the Holy Names worldwide with 169 residing in California and 66 Sisters residing at the Prospect Convent. Additional history and detail on the property and subdivision proposal is contained in the applicant's letters (see Exhibit 7).

The convent and conference facilities operate under a Conditional Use Permit (CUP) that allows a wide range of uses including housing, care facilities, educational uses, retreats, recreational activities, masses, celebrations, common dining, and other religious and community activities. The campus can house up to 140 sisters and operates 24 hours a day, 365 days a year. Up to 65 employees travel to and from the site on a daily basis covering three work shifts. The convent is a full service retreat and conference center for the Sisters and other organizations and can accommodate up to 150 people.

The Sisters intend to sell the property following approval of the subdivision application. The sale of the property will provide funding for the health care and housing needs of aging members. The purchaser of the property will demolish the existing site improvements, install subdivision improvements, and either develop the lots or sell them to individuals for development of custom homes.

PROJECT DESCRIPTION:

A. Location and Surrounding Neighborhood

The 10.3 acre property is surrounded by properties developed with single-family homes and ancillary uses. Properties on College Avenue to the west are zoned R-1:8. Properties on Prospect Avenue and Court to the east and south are zoned R-1:20. A 1.5 acres parcel on Prospect Avenue is also owned by the Sisters. This property, the Villa Holy Names, is a separate unconnected parcel that will be retained by the Sisters, and is not part of the proposed subdivision.

B. Conditional Use Permit

The CUP for the convent and conference facilities includes the Villa Holy Names property. The CUP will need to be amended to be specific to the use of this property and to exclude the 10.3 acre parcel that is proposed to be subdivided.

C. Subdivision Application

A Subdivision application is required to split the 10.3 acre property into the proposed 17 lots. A Vesting Tentative Map is proposed which requires Town Council approval pursuant to Town Code Section 24.20.020. The Planning Commission is a recommending body for this application.

A Vesting Tentative Map includes the provision that Town ordinances, standards and policies that are in place at the time of approval will be applicable to the project,

inclusive of future development of the lots. The project would not be subject to any subsequent amendments or updates to these ordinances, standards and policies (see Section A under Analysis for additional information).
The State Subdivision Map Act includes seven findings related to subdivision of land (see Exhibit 5). If any of the findings can be made, it is grounds for denial of the Subdivision application.

D. Zoning Compliance

The proposed subdivision is compliant with minimum lot size, frontage, and lot depth requirements for the R-1:20 zone and with Subdivision Ordinance requirements, including public street standards and provision of utilities.

E. Architecture and Site Applications

Following approval of a Subdivision application, Architecture and Site (A&S) applications will be required for the demolition of the existing structures and development of each new residence. Story poles will be installed when applications for new houses are submitted, and required technical reviews including Architectural, Arborist and Geotechnical evaluation, will be completed as part of the A&S process. The property is in the Hillside Area and the Hillside Development Standards and Guidelines will be used in the review of future A&S applications.

ANALYSIS:

A. Vesting Tentative Map

The applicant is requesting approval of a Vesting Tentative Map to subdivide a 10.3 acre property into 17 lots. With the R-1:20 zoning, which requires a minimum lot size of 20,000 square feet, the maximum number of lots that could be proposed is 21. The applicant conducted a detailed site assessment and determined that 17 lots would be more appropriate based on existing site constraints including topography and trees, the existing lot sizes and pattern in the area, and the desire to provide adequate building sites that will minimize site impacts. The proposed number of lots is consistent with the allowable density and the General Plan land use designation of Low Density Residential (0 to 5 units per acre).

As part of the Vesting Tentative Map approval, Town ordinances, standards, and policies in effect at the time the subdivision application is approved would be applicable to all subsequent steps to complete the project, inclusive of the following:

- General Plan and Housing Element
- Town Municipal Code (including without limitation Zoning and Subdivision Ordinances)

- Zoning Map
- Below Market Price Ordinance, Resolutions and Guidelines
- Tree Protection Ordinance
- Traffic Impact Policy, Traffic Impact Mitigation Ordinance, and Traffic Impact Fee Resolution
- Hillside Development Standards & Guidelines
- Community Benefit Policy
- Guidelines and Standards for Land Use Near Streams
- In-Fill Development Policy
- Attic Policy
- Cellar Policy
- Environmental Review Procedures Policy
- Story Pole Policy
- Comprehensive Fee Schedule

As previously mentioned, any amendments or updates to the above items would not be applied to the project. If the vesting tentative map is not recorded within the time limits provided for in the State Subdivision Map Act, the vesting rights would be forfeited and a new approval would be required.

Pursuant to Town Code Section 24.70.040, a future permit, approval, extension, or entitlement may be made conditional or denied if any of the following are determined:

1. A failure to do so would place the residents of the subdivision or the immediate community, or both, in a condition dangerous to their health or safety, or both.
2. The condition or denial is required in order to comply with State or Federal law.

B. Neighborhood Compatibility

The property is surrounded by single-family homes. Development of the proposed 17 lots with new single-family homes would be consistent with existing development. Plans for future homes will be evaluated for neighborhood compatibility as part of the A&S process.

C. Lot Size

The lot sizes for the proposed subdivision range from 20,000 to 38,496 square feet, with an average lot size of 25,094 square feet. Lot sizes for existing parcels adjacent to the project site that are zoned R-1:20 range from 14,810 to 40,946 square feet, with an average size of 24,247 square feet. These properties are located on Prospect Avenue and Reservoir Road. Adjacent lots on College Avenue were not included as they are in an R-1:8 zone and are generally smaller since the minimum lot size for that zoning district is 8,000 square feet.

The list of these adjacent parcels is included on page 8-38 of the Response to Comments (Exhibit 2, previously received under separate cover). There is also an expanded list of lots in the vicinity of the project site that are located on Ambassador Court, College Avenue, Prospect Avenue, Prospect Court, Kimble Avenue and Reservoir Road see page 8-39 of Exhibit 2). The average lot size for the expanded area is 24,319 square feet.

D. Lot Configuration and Frontage

The lot design was based on a detailed site evaluation. The applicant selected the most appropriate building sites with the goal of minimizing site impacts, including tree removals and grading.

The Town Code requires lots on a cul-de-sac to have at least 30 feet of frontage, interior lots to have a minimum of 100 feet of frontage and corner lots to have a minimum of 115 feet of frontage. The minimum lot depth is 140 feet. The proposed lots meet all of these criteria.

Proposed lots 4 through 9 and 14 though 17 have a relatively small amount of street frontage (30 to 66 feet). These lots are on a cul-de-sac and may have as little as 30 feet of frontage. A review of lot frontages for existing properties on Prospect Avenue, Prospect Court and Reservoir Road shows that the average frontage for adjacent lots in the R-1:20 zone is 110.5 feet with a range of 39.6 to 144 feet. The average frontage for lots in the area is 104 feet, ranging from 22.9 to 196 feet. The average frontage for the proposed subdivision is 77 feet, with a range of 30 to 169 feet. Tables showing the properties surveyed are on pages 8-38 and 8-39 of the Response to Comments (Exhibit2).

E. Demolition

All of the existing facilities are proposed for demolition. An Architecture and Site application is required for the demolition of the structures, including the Marian, Siena, Cortona and Seraphine Buildings, Stone House, and Regional Office. Condition #4 specifies that the A&S application is required and that the Development Review Committee (DRC) will be the deciding body for the application. The Historic Preservation Committee will be considering the demolition of the Stone House since that structure is included in the Town's Historic Resources Inventory. Staff will report on the outcome of that meeting at the Planning Commission hearing. Findings are not otherwise required for the demolition since none of the structures are single-family residences.

F. Trees

The Town's Consulting Arborist conducted multiple site visits, reviewed the proposed plans and prepared an arborist report (Appendix B to the Draft EIR). All trees in the vicinity of proposed development were evaluated, inclusive of future home sites. A total of 75 trees will be removed for roadways and lot development. Nineteen additional trees

could be affected by future lot development and nine trees were determined to be hazardous and were recommended for removal. Additional arborist review will be done when specific home designs are reviewed through the A&S process.

G. Traffic

The applicant submitted a traffic analysis that was peer reviewed by the Town's Traffic Consultant, TJKM. The proposed 17-lot subdivision will not result in an increase in traffic over the existing use of the site as a convent and conference center. The average daily trips associated with 17 single-family homes will be substantially less than the trips generated by the existing uses on the site.

H. General Plan Conformance

Applicable goals and policies of the 2020 General Plan include, but are not limited to, the following:

- Goal LU-1: To preserve, promote, and protect the existing small-town character and quality of life within Los Gatos.
- Policy LU-1.1: Encourage developers to engage in discussions as early as possible regarding the nature and scope of the project and possible impacts and mitigation requirements.
- Policy LU-1.3: To preserve existing trees, natural vegetation, natural topography, riparian corridors and wildlife habitats, and promote high quality, well designed, environmentally sensitive, and diverse landscaping in new and existing developments.
- Goal LU-4: To provide for well-planned, careful growth that reflects the Town's existing character and infrastructure.
- Policy LU-4.2: Allow development only with adequate physical infrastructure.
- Goal LU-5. To encourage public involvement in Town planning processes.
- Goal LU-6: To preserve and enhance the existing character and sense of place in residential neighborhoods.
- Policy LU-6.5: The type, density and intensity of new land use shall be consistent with that of the immediate neighborhood.
- Policy LU-7.3: Infill projects shall contribute to the further development of the surrounding neighborhood and shall not detract from the existing quality of life.
- Policy HOU-2.4: Demonstrate that all new residential development is sufficiently served by public services and facilities, including pedestrian and vehicular circulation, water and wastewater services, police, fire, schools, and parks.
- Policy HOU-9.1: All approvals of residential developments of three or more units shall include a finding that the proposed development is consistent with the Town's Housing Element and addresses the Town's housing needs as identified in the Housing Element.

The applicant's letter includes a summary of General Plan conformance, inclusive of the above goals and policies, as well as goals and policies that are applicable to future A&S applications (see pages 13 and 14 of Exhibit 7).

F. CEQA Determination

While an Initial Study and Mitigated Negative Declaration could have been prepared for the project, the applicant elected to have an Environmental Impact Report (EIR) prepared. As part of the environmental review process a number of technical reports were prepared, including a tree inventory, archaeological, biological, historical, noise, geotechnical, storm water management and traffic analyses. Reports that were prepared by outside consultants were peer reviewed by Town Consultants, inclusive of the geotechnical, storm water management and traffic reports. A more extensive arborist report was prepared by the Town's Consulting Arborist.

The Notice of Availability for review of the Draft EIR (DEIR) was released on October 22, 2013, with the 45-day public review period ending on December 6, 2013. On November 12, 2013 the Planning Commission held a public hearing to accept comment on the DEIR. Verbal comments were received from five individuals. Written comments on the DEIR were received from two residents. Letters were also received from Santa Clara County Valley Transportation Authority (VTA) and Los Gatos Union School District stating that those agencies had no comments on the document. The Response to Comments was completed on February 10, 2014 and was distributed for the required 10-day public review. The Response to Comments and the Draft EIR are combined to form the Final EIR.

A Mitigation Monitoring and Reporting Plan (MMRP) has been prepared as required by CEQA (see Exhibit 4). The MMRP includes all mitigation measures, which department(s) is/are responsible for ensuring that the mitigation measure is properly implemented and the timing. The mitigation measures have also been incorporated into the conditions of approval (Exhibit 6).

The Planning Commission will be making a recommendation on the certification of the Final EIR and adoption of the MMRP to the Town Council.

PUBLIC COMMENTS:

Public hearing notices were sent to surrounding property owners within 300 feet of the project site. House occupants are noticed in addition to the property owner where the owner does not reside on the property. A number of letters of support have been received (see Exhibit 8).

The applicant did considerable public outreach for the proposed project, holding a number of community meetings with neighbors and meeting with interested individuals to answer questions and address concerns. Updates were sent to neighbors as the project moved through the process.

Additional details on public outreach are included in the applicant's letter dated February 5, 2013 (Exhibit 7).

CONCLUSION AND RECOMMENDATION:

A. Conclusion

The proposed subdivision is compliant with the Zoning and Subdivision Ordinances and with applicable General Plan goals and policies. The return of the property to single-family residential use will be compatible with existing residential land uses that surround the site. Staff recommends that the Planning Commission forward a recommendation to the Town Council for approval as outlined below.

B. Recommendation

Staff recommends that the Planning Commission forward a recommendation of approval to the Town Council on the following:

1. Certification of the EIR;
2. Adoption of the Mitigation Monitoring and Reporting Plan (Exhibit 4);
3. Required findings for approval of a residential project with more than three units (Exhibit 5);
4. Action on Subdivision application M-13-003 (per the recommended conditions in Exhibit 6 and the development plans, Exhibit 9).

Alternatively, the Commission may take one of the following actions:

1. Continue to a date certain with specific direction to staff and the applicant with the applicant's consent to an extension of time to act on the application; or
2. Make one or more of the findings to deny the subdivision (Exhibit 5) and forward a recommendation for denial of the Subdivision application to the Town Council. In this event, the Commission should also forward a recommendation on certification of the EIR.

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Senior Planner

Sandy L. Baily

Approved by:
Sandy L. Baily, AICP
Director of Community Development

SLB:SA:ct

cc: Sister Mary Pat Le Roy, SNJM, P. O Box 907, Los Gatos, CA 95031
Leatha Clark, Morley Bros., 405 Alberto Way, Suite 3, Los Gatos, CA 95032

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100 Prospect Avenue

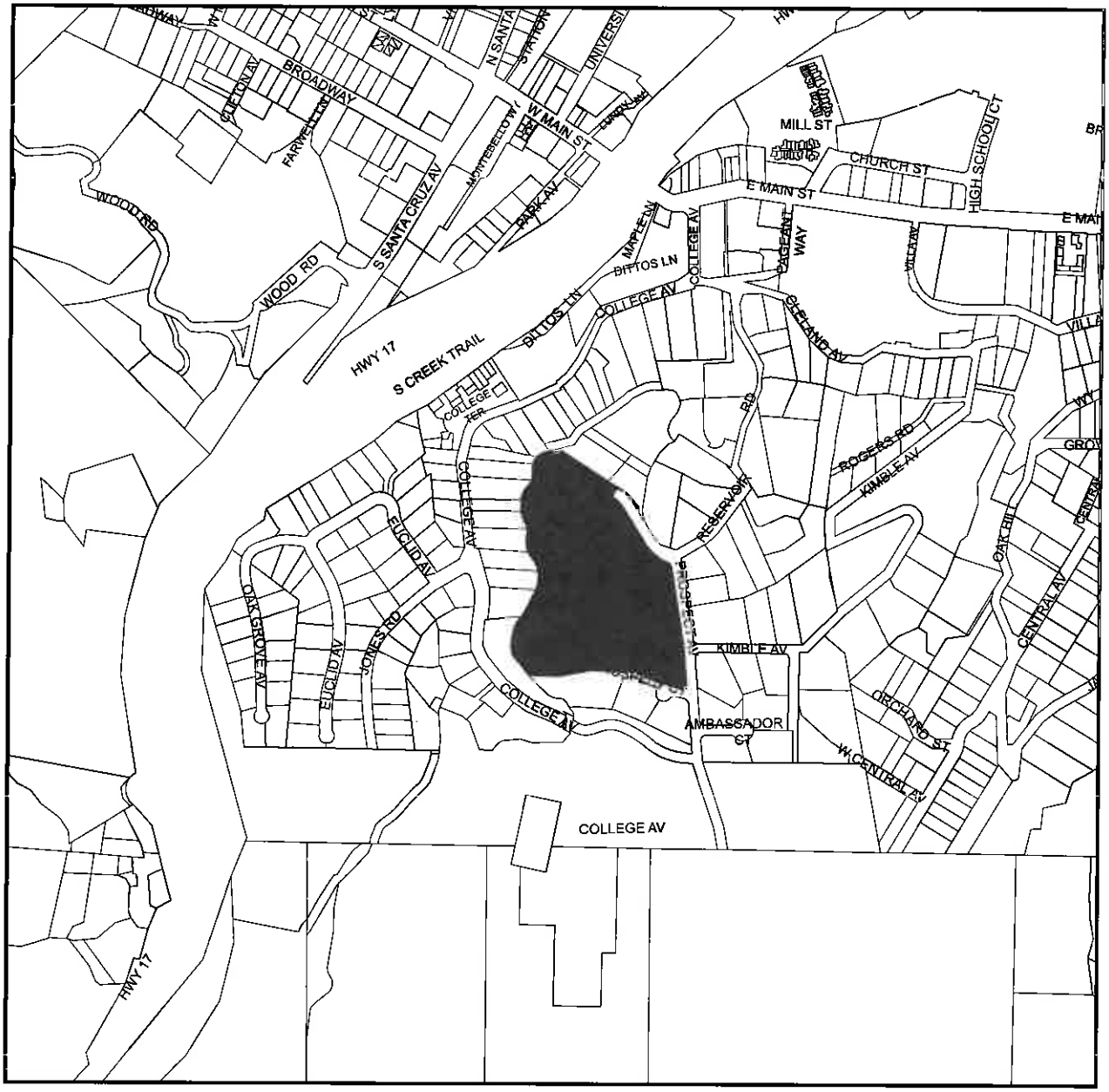

EXHIBIT 3

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Mitigation Measure	Monitoring Action	Responsibility	Timing
4.3 Biological Resources **4.3-1, Protection of Nesting Special-status and Migratory Birds:** In order to avoid impacts to special-status and migratory bird species during project implementation, the measures outlined below shall be implemented. With the incorporation of the following measures, significant impacts on these species would be avoided. a. The removal of trees and shrubs shall be minimized to the extent feasible. b. If tree removal, pruning, grubbing and demolition activities are necessary, such activities shall be conducted outside of the breeding season (i.e., September 1 through January 31) to avoid impacts to nesting birds to the extent feasible. c. If tree removal, pruning, grubbing and demolition activities are scheduled to commence during the bird breeding season (i.e., February 1 through August 31), a preconstruction nesting bird survey shall be conducted by a qualified biologist. The survey shall be performed no more than two weeks prior to the initiation of work. The preconstruction survey shall include the grading footprint and up to a 250-foot buffer, where feasible, depending on access and lines of sight. If no active nests of special-status or other migratory birds are found, work may proceed without restriction and no further measures are necessary. If ground disturbance is delayed more than two weeks from the date of the preconstruction survey, the survey shall be repeated, if determined necessary by the project biologist. d. If active nests (i.e. nests with eggs or young birds present) of special-status or migratory birds are detected, the project biologist shall designate non-disturbance buffers at a distance sufficient to minimize disturbance based on the nest location, topography, cover, species, and the type/duration of potential disturbance. No work shall occur within the non-disturbance buffers until the young have fledged, as determined by a qualified biologist. Active nests of MBTA species identified should be protected by a 50-foot radius exclusion zone. Active raptor or special-status species' nests should be protected by a buffer with a radius of 200 feet. A minimum 500-foot exclusion buffer should be established around active white-tailed kite nests. If, despite the establishment of a non-disturbance buffer it is determined that project activities are resulting in nest disturbance, work shall cease immediately and the CDFW and the USFWS Migratory Bird Permit Office shall be contacted for further guidance. e. If project activities must occur within the non-disturbance buffer, a qualified biologist shall monitor the nest(s) to document that take of the nest (i.e., nest failure) is not likely to result. If it is determined that project activities are resulting in significant nest disturbance, work shall cease immediately and the CDFW and the USFWS Migratory Bird Permit Office shall be contacted for further guidance.	Required as a condition of approval	Director of Community Development	Pre-construction survey: Prior to construction. Tree removal/ pruning: During construction.
4.3-2, Protection of Roosting Bats: In order to avoid impacts to special-status bat species during project implementation, the measures outlined below shall be implemented. With the incorporation of the following measures, significant impacts on these species would be avoided. a. Impacts to suitable roost sites shall be avoided or minimized to the greatest extent feasible. b. If feasible, tree removal, pruning, grubbing and demolition of structures shall be conducted during the non-roosting season from September 1 to October 31. Preconstruction surveys consisting of visual inspections of trees and the exterior and interior of structures by a qualified	Required as a condition of	Director of Community	

EXHIBIT 4

Mitigation Measure	Monitoring Action	Responsibility	Timing
bat biologist shall be conducted no more than 30 days prior to the start of work. The biologist will survey for evidence of previous roosting or occupation of bats within suitable habitat. Suitable bat roosting habitat includes man-made structures, snags, rotten stumps, mature trees with broken limbs, trees with exfoliating bark, bole cavities or hollows, and dense foliage. If evidence of bat roosting is not detected, work may proceed without restriction if within 30 days of the survey; if work is delayed beyond 30 days, the survey shall be repeated. However, if evidence of roosting is observed during preconstruction surveys, the bat biologist shall, if necessary, specify protective measures as discussed below. Consultation with CDFW may be required to determine appropriate protective measures.	approval	Development	Pre-construction survey: Prior to construction. Tree removal/ pruning: During construction.
c. If tree removal, pruning, grubbing and demolition of structures is scheduled to occur during the hibernation season (i.e., November 1 through March 31), a preconstruction survey shall be performed by a qualified bat biologist. Emergence surveys are not effective at determining bat presence (due to suppressed flight and forage activities) during this period. Therefore, preconstruction surveys consisting of visual inspections of trees and the exterior and interior of structures shall be conducted no more than 30 days prior to the start of work. Suitable bat roosting habitat includes man-made structures, snags, rotten stumps, mature trees with broken limbs, trees with exfoliating bark, bole cavities or hollows, and dense foliage. If evidence of bat hibernation is not detected, work may proceed without restriction if within 30 days of the survey; if work is delayed beyond 30 days, the survey shall be repeated.			
d. If evidence of bat hibernation or roosting is detected, the bat biologist shall specify protective measures shall be specified by the bat biologist. Potential protective measures that may be recommended by a qualified bat biologist include, but are not limited to establishing disturbance buffers around roosts and passive exclusion measures. The passive exclusion measures or buffer shall be determined by the type of bat observed, sensitivity of roost, type of potential disturbance, etc. Each buffer zone shall remain in place until the end of the hibernation season or until the bats leave on their own accord. The bat biologist shall confirm that bats have been excluded from the tree or building before work may commence.			
e. If tree removal, pruning, grubbing, and demolition of structures will occur during the maternity roosting period (i.e., April 1 through August 31), pre-construction emergence surveys shall be performed during this period by a qualified bat biologist. Suitable bat roost sites (e.g., large tree cavities, outbuilding perches) should be surveyed by way of evening emergence surveys and/or visual, internal and external inspections to determine presence/absence of bat maternity roosts. If no roost sites are detected, work may proceed without restriction if within 30 days of the survey; if work is delayed beyond 30 days, the survey shall be repeated.			
f. If a maternity roost of any special-status bat species is determined to be present, as evidenced by the presence of roosting individuals or significant guano accumulations detected during the roost assessment or during pre-construction surveys, demolition activities may not proceed and a qualified bat biologist shall specify protective measures (as discussed above) in conjunction with CDFW.			
g. The eviction and relocation of a verified maternity roost for any special-status bat species shall conform to the following requirements:			
i. In consultation with CDFW, a qualified bat biologist shall design, construct and monitor a			

Mitigation Measure	Monitoring Action	Responsibility	Timing
species-specific replacement roost and success criteria shall be established. ii. Baseline data shall be measured at the existing maternity roost. Baseline data that may be measured include, but are not limited to: size and configuration of roost, temperature, humidity, and solar exposure. These baseline data shall be used to inform the design of a species-specific replacement roost. iii. The replacement roost shall ideally be constructed on-site. If on-site construction is not feasible, the roost shall be constructed on nearby open space within suitable habitat. iv. Demolition of the maternity roost shall not resume until the replacement roost is constructed and sited. v. Long-term monitoring of any replacement roost shall be coordinated with CDFW. A successful replacement roost shall provide a similar range of abiotic conditions as the replaced roost. Baseline data collected from the roost to be replaced shall provide the range of abiotic conditions for long-term monitoring and criteria for success. If the success criteria are achieved corrective actions shall be outlined in the annual reports. All CDFW-approved corrective actions shall be implemented. vi. If an active roost is present, but determined not to be a maternity roost, the qualified bat biologist shall specify protective measures (as discussed above) in consultation with CDFW.			
4.3-3, Protection of San Francisco Dusky-footed Woodrat: In order to avoid impacts to San Francisco dusky-footed woodrat during project implementation,the measures outlined below shall be implemented. With the incorporation of the following measures, significant impacts on these species would be avoided: a. A qualified biologist shall perform a ground survey to locate and mark all woodrat nests in the proposed construction area, including structures. The survey shall be performed no less than 30 days prior to the initiation of ground disturbances. The Contractor shall walk the site to assist in determining which nests cannot be avoided. Nests to be avoided shall be fenced off with orange construction fencing and their locations marked on construction plans as being off limits to all activities. b. Any woodrat nest that cannot be avoided shall be manually disassembled by a qualified biologist, pending authorization from CDFW, to give any resident woodrats the opportunity to disperse to adjoining undisturbed habitat. Nest building materials shall be immediately removed off-site and disposed of to prevent woodrats from reassembling nests on-site unless otherwise directed by CDFW. c. To ensure woodrats do not rebuild nests within the construction area, a qualified biologist shall inspect the construction corridor no less than once per week. If new nests appear, they shall be disassembled and the building materials disposed of offsite. If there is a high degree of woodrat activity, more frequent monitoring shall be performed, as warranted. *d.* If a woodrat nest is discovered in structures during building demolition, construction work that will affect the nest shall be halted. A qualified biologist shall manually disassemble the nest, pending authorization from CDFW, to give resident woodrats the opportunity to disperse to adjoining undisturbed habitat. Nest materials shall be immediately removed off-site and	Required as a condition of approval	Director of Community Development	Pre-construction survey: Prior to construction. Tree removal/ pruning: During construction.

Mitigation Measure	Monitoring Action	Responsibility	Timing
disposed of to prevent woodrats from reassembling nests in buildings unless otherwise directed by CDFW. A qualified biologist shall survey the structure where the nest was discovered to confirm absence of woodrats dispersed from the dismantled nest. Halted demolition work shall continue when the qualified biologist has confirmed dispersal of woodrats from the structure to be demolished.			
4.4 Geology and Soils **4.4-1, Design-Level Geotechnical Investigation:** The Town shall require the applicant for each lot or each phase of a group of lots to submit a geotechnical report to the Town of Los Gatos for review and approval a design-level geotechnical investigation, once detailed lot and home designs are available prior to issuance of grading and building permit(s). The investigation(s) shall determine the surface and subsurface soil conditions at the site and assess the potential for ground shaking, slope stability under static and seismic conditions, expansive soil, estimate of settlement, lateral movement and related effects. The investigation(s) shall address all soils engineering constraints and specify criteria and standards in accordance with the current California Building Code (CBC) for site grading, excavation, on-site utility trenching, drainage, pavement design, retaining wall design, erosion control, seismic design, and foundation design. For proposed Lots 3-8 and 4-17, which extend to the top of the moderate to steep slopes along the western property boundary, the investigation(s) shall include subsurface exploration and a slope stability analysis to evaluate the potential for static and seismic slope instability, along with any necessary mitigation to prevent slope instability. For lots with fill materials, the design-level geotechnical investigation(s) shall assess the potential for fills to become unstable and shall include recommendations for stabilization. The applicant for each lot or group of lots shall incorporate all recommendations of the design-level geotechnical investigation(s) into the each home design and implement appropriate construction methods on each lot in order to minimize the potential impacts resulting from regional seismic activity, estimate of settlement, lateral movements, slope conditions, and subsurface soil conditions on the site. A geotechnical expert shall be present during construction activities to observe earthwork and foundation construction, and shall conduct any necessary testing to confirm compliance with the recommendations of the design-level geotechnical investigation(s).	Required as a condition of approval	Directors of Community Development and Parks and Public Works	Ensure that recommended measures from the design-level geotechnical investigation are incorporated into project plans. Monitoring: During construction.
4.4-2, Top Soil Salvage: The Town shall require the developers of individual lots to ensure that topsoil, if present, is salvaged during grading. The topsoil shall be stockpiled separately from subsoils, and the stockpiles shall be protected from erosion (e.g., by covering or watering). Once construction is completed, the stockpiled topsoil shall be reused for site restoration in open or garden areas of the lot.	Required as a condition of approval	Directors of Community Development and Parks & Public Works	Prior to issuance of grading permit. Monitoring: During construction.
4.4-3: Mitigation Measure 4.4-1, Design-Level Geotechnical Investigation.	Required as a condition of approval	Director of Community Development	Prior to issuance of building permit.

Mitigation Measure	Monitoring Action	Responsibility	Timing
4.4-4: Mitigation Measure 4.4-1, Design-Level Geotechnical Investigation.	Required as a condition of approval	Director of Parks & Public Works	Prior to issuance of building permit.
4.7 Noise			
4.7-1, Administrative and Source Controls: Prior to Grading Permit issuance, the project applicant shall demonstrate to the satisfaction of the Town of Los Gatos Public Works Department that the project complies with the following: a. Pursuant to the Town of Los Gatos Municipal Code Section 16.20.035, construction activities (including operation of haul and delivery trucks) shall occur between the hours of 8:00 a.m. and 8:00 p.m. on weekdays and 9:00 a.m. and 7:00 p.m. on weekends and holidays. Additionally, pursuant to Municipal Code Section 16.20.035(2) the Contractor shall demonstrate, to the satisfaction of the Town of Los Gatos Public Works Department, that construction noise shall not exceed 85 dBA outside of the property line. This shall be accomplished through the use of properly maintained mufflers and other state-required noise attenuation devices. b. The contractor shall prepare a detailed construction plan identifying the schedule for major noise-generating construction activities. The construction plan shall identify a procedure for coordination with adjacent residents so that construction activities can be scheduled to minimize noise disturbance. The plan shall also specify timing of notices to be mailed and posting of signs (i.e., mailing notices at least 15 days prior to commencement of construction of each phase, regarding the construction schedule of the proposed project, posting a sign, legible at a distance of 50 feet shall also be posted at the project construction site). All notices and signs shall be reviewed and approved by the Town of Los Gatos Public Works Department prior to mailing or posting and shall indicate the dates and duration of construction activities, as well as provide a contact name for the contractor's Noise Disturbance Coordinator and a telephone number where residents can contact that person about the construction process and register complaints. c. The Contractor shall provide, to the satisfaction of the Town of Los Gatos Public Works Department, a qualified "Noise Disturbance Coordinator." The Disturbance Coordinator shall be responsible for responding to any local complaints about construction noise. When a complaint is received, the Disturbance Coordinator shall notify the Town within 24-hours of the complaint and determine the cause of the noise complaint (e.g., starting too early, bad muffler, etc.) and shall implement reasonable measures to resolve the complaint, as deemed acceptable by the Public Works Department. d. During construction, stationary construction equipment (e.g., concrete crusher, compressors, generators) shall be located as far as possible from adjacent residential receptors and equipment exhaust vents shall directed away from the closest residential receptors. In particular, the concrete crusher shall be placed west of the Siena Building or at a location where maximum shielding by buildings, material stockpiles, and topography can be provided and distance from all surrounding residences is maximized. e. All internal combustion engine driven equipment shall be equipped with intake and exhaust	Required as a condition of approval	Directors of Community Development and Parks and Public Works	Prior to issuance of any Grading Permit. Ensure that these noise control measures are incorporated into project plans. Monitoring: Prior to and during construction.

Mitigation Measure	Monitoring Action	Responsibility	Timing
mufflers that are in good condition and appropriate for the equipment. f. "Quiet" air compressors, generators, and other stationary sources shall be utilized where technology exists. g. Equipment used for project construction should be hydraulically or electrical powered impact tools (e.g., jackhammers, pavement breakers, and rock drills) wherever possible to avoid noise associated with compressed air exhaust from pneumatically-powered tools. However, where use of pneumatically powered tools is unavoidable, an exhaust muffler on the compressed air exhaust should be used; this muffler can lower noise levels from the exhaust by up to about 10 dBA. External jackets on the tools themselves should be used where feasible, and this could achieve a reduction of 5 dBA. In addition, quieter procedures should be used such as drilling rather than impact equipment whenever feasible. h. At the property boundary with the adjacent residence at 88 Prospect Avenue, the contractor shall work directly with this resident (the closest residence to the site) to reduce construction-related noise impacts to the maximum extent feasible to ensure the 85-dBA ordinance limit is not exceeded. Implementation measures could include: providing noise attenuation such as solid wood fencing along the property boundary if feasible and acceptable to this resident; using smaller types of equipment during demolition of the tennis court; minimizing use of noisier types of heavy equipment (i.e. jackhammers, pavement breakers, rock drills) in proximity to this residence by immediately moving larger pieces of concrete to a location farther from this residence and other nearby residences).			
4.7-2, Vibration Limits: To prevent cosmetic damage at adjacent residences, the project contractor shall not use any equipment that generates vibration levels that exceed 0.5 in/sec PPV, the cosmetic damage threshold for transient vibration, when measured at the closest adjacent residential structures.	Required as a condition of approval	Directors of Community Development and Parks and Public Works	Prior to issuance of any Grading Permit. Ensure that these noise control measures are incorporated into project plans. Monitoring: Prior to and during construction.
4.7-4, Noise Attenuation Measures: The following noise attenuation measures shall be incorporated into future home designs on proposed Lots 14-17 in order to maintain acceptable exterior and interior noise levels at future residences: a. When designing individual home plans for proposed Lots 14-17, noise-sensitive outdoor use areas shall be located away from the SR 17 freeway or noise-sensitive outdoor spaces shall	Required as a condition of approval	Directors of Community Development and Parks and Public Works	Prior to issuance of any Grading Permit. Ensure that

Mitigation Measure	Monitoring Action	Responsibility	Timing
be buffered from freeway noise with buildings, structures, solid fencing, berms or other attenuation measures. The specific noise attenuation measure(s) shall be determined and incorporated into the proposed home design during the Architecture & Site review process, to the satisfaction of the Town that the measures meet the Town goal. b. Provide a suitable form of forced-air mechanical ventilation, as determined by the local building official, for residences located on Lots 14-17, so that windows could be kept closed at the occupant's discretion to control interior noise. The specific type of forced-air mechanical ventilation system shall be incorporated into future home designs during Architecture & Site review process, to the satisfaction of the Town that the measure meets the Town goal.			these noise control measures are incorporated into project plans. Monitoring: Prior to and during construction.
4.8 Air Quality **4.8-2, BAAQMD Basic Construction Mitigation Measures:** Prior to issuance of any Grading or Demolition Permit, the Town Engineer and the Chief Building Official shall confirm that the Grading Plan, Building Plans, and specifications stipulate that the following basic construction measures be implemented as specified in the BAAQMD Guidelines during all project construction (including individual lot development): a. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day. b. All haul trucks transporting soil, sand, or other loose material off-site shall be covered. c. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited. d. All vehicle speeds on unpaved roads shall be limited to 15 mph. e. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used. f. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to two minutes. Clear signage shall be provided for construction workers at all access points. g. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation. h. Post a publicly visible sign with the telephone number and person to contact at the Town regarding dust complaints. This person shall respond and take corrective action within 48 hours. The BAAQMD's phone number shall also be visible to ensure compliance with applicable regulations.	Required as a condition of approval	Director of Community Development	Prior to issuance of any Grading Permit. Ensure these measures are incorporated into project plans. Monitoring: During construction.
4.8-4: Emission Reduction Measures. Use of Tier 4 engines for all compressors and all diesel-fueled equipment used during the building construction phases to minimize emissions. Such equipment selection would include any combination of the following measures as the Town determines to be necessary to decrease cancer risks below the threshold of 10 excess cancer	Required as a condition of approval	Director of Community Development	Prior to issuance of any Grading Permit.

Mitigation Measure	Monitoring Action	Responsibility	Timing
cases in one million for infants: a. Diesel-powered compressors and all diesel-fueled equipment used during building construction shall meet U.S. EPA particulate matter emissions standards for Tier 4 engines or equivalent; b. Use alternative-powered equipment (e.g., LPG-powered forklifts); c. Use alternative fuels (e.g., biofuels), added exhaust devices, and/or d. Minimize the number of hours that equipment will operate including the use of idling restrictions.			Ensure these measures are incorporated into project plans. Monitoring: During construction.
4.10 Hazards and Hazardous Materials **4.10-1, Implement Buyer Education Program for Household Hazardous Waste:** The project sponsor, working with the Town of Los Gatos and County of Santa Clara Household Hazardous Waste program, shall implement a Buyer Education Program for Household Hazardous Waste, developing materials to educate buyers about the identification of household hazardous wastes, environmental hazards associated with mishandling of the wastes, appropriate disposal methods, and how to make an appointment for disposal. At a minimum, the educational materials shall include a list of example household hazardous wastes, discuss the environmental impacts of improper disposal, explain how to make an appointment for disposal, and list safer and less toxic alternatives to hazardous products commonly used. The educational materials shall be provided to the buyer at the time of purchase.	Required as a condition of approval	Directors of Community Development and Parks & Public Works	Prior to Architecture and Site approval and prior to issuance of any Grading Permit. Ensure these measures are incorporated into project plans and contract specifications.
4.10-2, Hazardous Building Materials Surveys and Abatement: Prior to demolition of each building, the project applicant shall ensure that a hazardous building materials survey is completed by a Registered Environmental Assessor or a registered engineer for the building exteriors, roof, and any interior areas that were inaccessible during the previous limited survey. Any friable asbestos-containing materials or lead-containing materials identified by the previous survey or any surveys conducted in accordance with this mitigation measure shall be abated using practices such as containment and/or removal prior to demolition, and the abatement shall be implemented in accordance with applicable laws. Specifically, asbestos abatement shall be conducted in accordance with Section 19827.5 of the California Health and Safety Code, as implemented by the BAAQMD, and 8 CCR Section 1529 and Sections 341.6 through 341.14, as implemented by Cal/OSHA. Lead-based paint abatement shall be conducted in accordance with Cal/OSHA's Lead in Construction Standard. Any PCB-containing equipment, fluorescent light tubes containing mercury vapors, and fluorescent light ballasts containing DEHP shall also be removed and legally disposed of in accordance with applicable laws including 22 CCR Section 66261.24 for PCBs, 22 CCR Section 66273.8 for fluorescent lamp tubes, and 22 CCR Division 4.5, Chapter 11 for DEHP.	Required as a condition of approval	Directors of Community Development and Parks & Public Works	Prior to Architecture and Site approval, and prior to issuance of any Grading Permit. Ensure these measures are incorporated into project plans and contract specifications.

Mitigation Measure	Monitoring Action	Responsibility	Timing
4.10-3, Corrective Action: The following measures shall be required to reduce public health risks related to removal and disposal of hazardous materials to a less-than-significant level. The oversight agency review may amend these measures as applicable. a. Prior to any soil disturbance activities or building demolition at the site, the project applicant shall participate in the Voluntary Cleanup Program (VCP) administered by the Santa Clara County Department of Environmental Health for technical oversight of any remedial action to address contaminants in the soil, unless referred to an alternate agency. Oversight includes all aspects of the site investigation and remedial action, determination of the adequacy of the site investigation and remediation activities at the site, and determination of the need for confirmation soil sampling once contaminated soil is excavated. b. Prior to sale of individual lots, the applicant shall submit a "no further action" letter from the oversight agency or comparable closure document that demonstrates the site has been released as clean or a mitigation plan has been approved and implemented. c. The project applicant shall require the construction contractor(s) to implement a Soil Management Plan (SMP) prepared by the project applicant's environmental consultant and approved by the overseeing regulatory agency. The SMP shall include a plan for disposal of excess soil produced during construction activities, including on-site management of excavated soil, the disposal methods for soil, potential disposal sites, and requirements for written documentation that the disposal site will accept the excess soil. If appropriate, excess soil may be disposed of on-site, under foundations or in other locations in accordance with applicable hazardous waste classifications and disposal regulations, if approved by the regulatory oversight agency. The contractor shall be required to submit the SMP to the project applicant for acceptance prior to implementation. Prior to or during construction, excess soil from construction activities shall be sampled to determine the appropriate disposal requirements in accordance with applicable hazardous waste classification and disposal regulations. The project applicant shall also submit the SMP to the County of Santa Clara Department of Environmental Health a minimum of 30 days prior to the planned start of construction, d. The project applicant shall require the construction contractor to prepare and implement a site safety plan identifying the chemicals present, potential health and safety hazards, monitoring to be performed during site activities, soils-handling methods required to minimize the potential for exposure to harmful levels of the chemicals identified in the soil, appropriate personnel protective equipment, and emergency response procedures. e. The project applicant shall require the construction contractor(s) to have a contingency plan for sampling and analysis of potential hazardous materials and for coordination with the appropriate regulatory agencies, in the event that previously unidentified hazardous materials are encountered during construction. If any hazardous materials are identified, the contractor(s) shall be required to modify their health and safety plan to include the new data, conduct sampling to assess the chemicals present, and identify appropriate disposal methods. Evidence of potential contamination includes soil discoloration, suspicious odors, the presence of USTs, or the presence of buried building materials.	Required as a condition of approval	Directors of Community Development and Parks & Public Works	Monitoring: During construction.

Mitigation Measure	Monitoring Action	Responsibility	Timing
4.11 Cultural Resources			
4.11-2a, Archaeological Monitor: An archaeologist experienced with historic-era archaeological deposits and late 19th to early 20th century material culture and human remains shall be present during building demolition of designated areas (refer to confidential Map 1 of Holman study, which is on file at the Los Gatos Community Development Department) to monitor for any historic-period buried features, such as artifact-filled wells, privies, and pits associated with the earlier historical use of the property from the late 19th and early 20th centuries. Based on the monitor's findings during demolition, the monitor shall review specific development plans for roads and infrastructure and eventually for future homes (during Architecture and Site review) and evaluate the need for additional archaeological monitoring by a qualified historical archaeologist. In the event cultural resources are discovered during removal of existing buildings, parking lots and landscaping areas or during construction of proposed improvements, a preliminary evaluation of the find should be conducted by a qualified archaeologist with appropriate measures taken commensurate with the type of cultural resource identified and the amount of proposed impacts. A buffer zone, typically 100 feet in diameter, should be established to protect the find until it can be evaluated, and the area should be secured to prevent looting. A plan for the evaluation of the resource shall be submitted to the Community Development Director for approval. Evaluation normally takes the form of limited hand excavation and analysis of materials and information removed to determine if the resource is eligible for inclusion on the California Register of Historic Resources (CRHR). No demolition/construction activity should continue in this area until the qualified archaeologist has sufficiently documented and excavated the discovery in the field, and has authorized continued demolition/construction. **4.11-2b, Identification of Eligible Resources.** If an eligible resource (i.e., an historical resource or a unique archaeological resource) is identified, a plan for mitigation of impacts to the resource shall be submitted to the Community Development Department for approval before any additional construction-related earthmoving can occur inside the zone designated as archaeologically sensitive. Whether the proposed plan is feasible shall be determined by the Community Development Department after consideration of the viability of avoidance in light of project design and logistics. In lieu of avoidance, mitigation could include additional hand excavation to record and remove for analysis archaeological materials, combined with additional archaeological monitoring of soils inside the archaeologically sensitive zone. Section 21083.2(f) specifies that unless special or unusual circumstances warrant an exception, the field excavation phase of an approved mitigation plan shall be completed within 90 days after the applicant receives the final approval necessary to begin physical development of the project or, if a phased project, in connection with the phased portion to which the specific mitigation measures are applicable. The above listed mitigation measures can be effectively performed in a manner that complies with Section 21083.2.	Required as a condition of approval	Director of Community Development	Monitoring: During construction.
4.11-3, Halt Construction and Evaluate Resource: Prior to the commencement of construction activities, the project applicant shall provide for a qualified paleontologist to provide construction personnel with training on procedures to be followed in the event that a fossil site or fossil occurrence is encountered during construction. The training shall include instructions on	Required as a condition of approval	Director of Community Development	Monitoring: During construction.

Mitigation Measure	Monitoring Action	Responsibility	Timing
identification techniques and how to further avoid disturbing the fossils until a paleontological specialist can assess the site. An informational package shall be provided for construction personnel not present at the meeting. In the event that a paleontological resource (fossilized invertebrate, vertebrate, plan or micro-fossil) is found during construction, excavation within 50 feet of the find shall be temporarily halted or diverted until the discovery is evaluated. Upon discovery, the Community Development Director shall be notified immediately and a qualified paleontologist shall be retained to document and assess the discovery in accordance with Society of Vertebrate Paleontology's 2010 Standard Procedures for the Assessment and Mitigation of Adverse Impacts to Paleontological Resources, and determine procedures to be followed before construction is allowed to resume at the location of the find. If the Community Development Director determines that avoidance is not feasible, the paleontologist will prepare an excavation plan for mitigating the project's impact on this resource, including preparation, identification, cataloging, and curation of any salvaged specimens.			
4.14 Energy **4.14-1:** Mitigation Measure 4.8-2. BAAQMD Basic Construction Measures.	Required as a condition of approval	Director of Community Development	Monitoring: During construction.

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PLANNING COMMISSION – *February 26, 2014*
REQUIRED FINDINGS FOR:

100 Prospect Avenue
Subdivision application M-13-003
Environmental Impact Report EIR-13-002

Requesting approval to subdivide a 10.3 acre parcel into 17 lots on property zoned R-1:20. An Environmental Impact Report has been prepared. APN 529-44-005.
PROPERTY OWNER/APPLICANT: Sister of the Holy Names of Jesus and Mary

FINDINGS:

Required findings for CEQA:

- An Environmental Impact Report (EIR) was prepared for the project and is being certified for the proposed subdivision application. A Mitigation Monitoring and Reporting Program is being adopted as required by CEQA.

Required findings required by Housing Element Policy HOU-9.1:

- The proposed development is consistent with the Town's Housing Element and addresses the Town's housing needs as identified in the Housing Element.

Subdivision Map Act findings for denial:

- In order to deny the application, the deciding body must make one or more of the following findings, as required by Section 66474 of the State Subdivision Map Act:

  a. That the proposed map is not consistent with applicable general and specific plans as specified in Section 65451.
  b. That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans.
  c. That the site is not physically suitable for the type of development.
  d. That the site is not physically suitable for the proposed density of development.
  e. That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
  f. That the design of the subdivision or type of improvements is likely to cause serious public health problems.
  g. That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.

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PLANNING COMMISSION – *February 26, 2014*
CONDITIONS OF APPROVAL

100 Prospect Avenue
Subdivision application M-13-003
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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 by the Town Council on April__, 2014, and noted as received by the Town on February 5, 2014. Any changes or modifications to the approved plans shall be approved by the Community Development Director or the Planning Commission, depending on the scope of the changes.
2. EXPIRATION. The Vesting Tentative Map approval will expire two years from the approval date pursuant to Section 29.20.320 of the Town Code, unless the approval is used prior to expiration.
3. 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.
4. DEMOLITION. An Architecture and Site application is required for the demolition of the existing structures. The Development Review Committee shall be the deciding body for this application. The Architecture and Site application must be approved prior to recordation of the Final Map.
5. ARCHITECTURE AND SITE. Architecture and site applications are required for each of the new residences.
6. OUTDOOR LIGHTING. House exterior and landscape lighting shall be kept to a minimum, and shall be down directed fixtures that will not reflect or encroach onto adjacent properties. Outdoor lighting plans will be reviewed as part of Architecture and Site review.
7. TREE REMOVAL PERMIT. A Tree removal Permit shall be issued for trees to be removed for subdivision improvements, prior to issuance of a demolition permit. Replacement trees shall be planted based on the Canopy Replacement Table in the Tree Protection Ordinance prior to final inspection and acceptance of improvements.
8. TREE FENCING. Protective tree fencing shall be placed at the drip line of the existing trees in the vicinity of construction prior to issuance of a demolition permit and shall remain through all phases of construction. Fencing shall be six foot high cyclone attached to two-inch diameter steel posts drive 18 inches into the ground and spaced no further than 10 feet apart.

9. TREE PRESERVATION. All recommendations of the Town's Consulting Arborist shall be followed throughout all phases of demolition and construction. Refer to the report prepared by Arbor Resources dated July 11, 2013, and any addendums, for details. Arborist evaluations shall be completed for individual lots during Architecture and Site review.
10. BIOLOGICAL RESOURCES MITIGATION MEASURE 4.3-1, PROTECTION OF NESTING SPECIAL STATUS AND MIGRATORY BIRDS. The following measures shall be implemented:
    a. The removal of trees and shrubs shall be minimized to the extent feasible.
    b. If tree removal, pruning, grubbing and demolition activities are necessary, such activities shall be conducted outside of the breeding season (September 1 through January 31) to avoid impacts to nesting birds to the extent feasible.
    c. If tree removal, pruning, grubbing and demolition activities are scheduled to commence during the bird breeding season (February 1 through August 31), a preconstruction nesting bird survey shall be conducted by a qualified biologist. The survey shall be performed no more than two weeks prior to the initiation of work. The preconstruction survey shall include the grading footprint and up to a 250-foot buffer, where feasible, depending on access and lines of sight. If no active nests of special-status or other migratory birds are found, work may proceed without restriction and no further measures are necessary. If ground disturbance is delayed more than two weeks from the date of the preconstruction survey, the survey shall be repeated, if determined necessary by the project biologist.
    d. If active nests (nests with eggs or young birds present) of special-status or migratory birds are detected, the project biologist shall designate non-disturbance buffers at a distance sufficient to minimize disturbance based on the nest location, topography, cover, species, and the type/duration of potential disturbance. No work shall occur within the non-disturbance buffers until the young have fledged, as determined by a qualified biologist. Active nests of MBTA species identified should be protected by a 50-foot radius exclusion zone. Active raptor or special-status species' nests should be protected by a buffer with a radius of 200 feet. A minimum 500-foot exclusion buffer should be established around active white-tailed kite nests. If, despite the establishment of a non-disturbance buffer it is determined that project activities are resulting in nest disturbance, work shall cease immediately and the CDFW and the USFWS Migratory Bird Permit Office shall be contacted for further guidance.
    e. If project activities must occur within the non-disturbance buffer, a qualified biologist shall monitor the nest(s) to document that take of the nest (i.e., nest failure) is not likely to result. If it is determined that project activities are resulting in significant nest disturbance, work shall cease immediately and the CDFW and the USFWS Migratory Bird Permit Office shall be contacted for further guidance.
11. BIOLOGICAL RESOURCES MITIGATION MEASURE 4.3-2, PROTECTION OF ROOSTING BATS. The following measures shall be implemented:
    a. Impacts to suitable roost sites shall be avoided or minimized to the greatest extent feasible.

b. If feasible, tree removal, pruning, grubbing and demolition of structures shall be conducted during the non-roosting season from September 1 to October 31. Preconstruction surveys consisting of visual inspections of trees and the exterior and interior of structures by a qualified bat biologist shall be conducted no more than 30 days prior to the start of work. The biologist will survey for evidence of previous roosting or occupation of bats within suitable habitat. Suitable bat roosting habitat includes man-made structures, snags, rotten stumps, mature trees with broken limbs, trees with exfoliating bark, bole cavities or hollows, and dense foliage. If evidence of bat roosting is not detected, work may proceed without restriction if within 30 days of the survey; if work is delayed beyond 30 days, the survey shall be repeated. However, if evidence of roosting is observed during preconstruction surveys, the bat biologist shall, if necessary, specify protective measures as discussed below. Consultation with CDFW may be required to determine appropriate protective measures.

c. If tree removal, pruning, grubbing and demolition of structures is scheduled to occur during the hibernation season (i.e., November 1 through March 31), a preconstruction survey shall be performed by a qualified bat biologist. Emergence surveys are not effective at determining bat presence (due to suppressed flight and forage activities) during this period. Therefore, preconstruction surveys consisting of visual inspections of trees and the exterior and interior of structures shall be conducted no more than 30 days prior to the start of work. Suitable bat roosting habitat includes man-made structures, snags, rotten stumps, mature trees with broken limbs, trees with exfoliating bark, bole cavities or hollows, and dense foliage. If evidence of bat hibernation is not detected, work may proceed without restriction if within 30 days of the survey; if work is delayed beyond 30 days, the survey shall be repeated.

d. If evidence of bat hibernation or roosting is detected, the bat biologist shall specify protective measures. Potential protective measures that may be recommended by a qualified bat biologist include, but are not limited to establishing disturbance buffers around roosts and passive exclusion measures. The passive exclusion measures or buffer shall be determined by the type of bat observed, sensitivity of roost, type of potential disturbance, etc. Each buffer zone shall remain in place until the end of the hibernation season or until the bats leave on their own accord. The bat biologist shall confirm that bats have been excluded from the tree or building before work may commence.

e. If tree removal, pruning, grubbing, and demolition of structures will occur during the maternity roosting period (i.e., April 1 through August 31), pre-construction emergence surveys shall be performed during this period by a qualified bat biologist. Suitable bat roost sites (e.g., large tree cavities, outbuilding perches) should be surveyed by way of evening emergence surveys and/or visual, internal and external inspections to determine presence/absence of bat maternity roosts. If no roost sites are detected, work may proceed without restriction if within 30 days of the survey; if work is delayed beyond 30 days, the survey shall be repeated.

f. If a maternity roost of any special-status bat species is determined to be present, as evidenced by the presence of roosting individuals or significant guano accumulations detected during the roost assessment or during pre-construction surveys, demolition activities may not proceed and a qualified bat biologist shall specify protective measures (as discussed above) in conjunction with CDFW.

g. The eviction and relocation of a verified maternity roost for any special-status bat species shall conform to the following requirements:

i. In consultation with CDFW, a qualified bat biologist shall design, construct and monitor a species-specific replacement roost and success criteria shall be established.

ii. Baseline data shall be measured at the existing maternity roost. Baseline data that may be measured include, but are not limited to: size and configuration of roost, temperature, humidity, and solar exposure. These baseline data shall be used to inform the design of a species-specific replacement roost.

iii. The replacement roost shall ideally be constructed on-site. If on-site construction is not feasible, the roost shall be constructed on nearby open space within suitable habitat.

iv. Demolition of the maternity roost shall not resume until the replacement roost is constructed and sited.

v. Long-term monitoring of any replacement roost shall be coordinated with CDFW. A successful replacement roost shall provide a similar range of abiotic conditions as the replaced roost. Baseline data collected from the roost to be replaced shall provide the range of abiotic conditions for long-term monitoring and criteria for success. If the success criteria are achieved corrective actions shall be outlined in the annual reports. All CDFW-approved corrective actions shall be implemented.

vi. If an active roost is present, but determined not to be a maternity roost, the qualified bat biologist shall specify protective measures (as discussed above) in consultation with CDFW.

12. BIOLOGICAL RESOURCES MITIGATION MEASURE 4.3-3, PROTECTION OF SAN FRANCISCO DUSKY FOOTED WOOD RAT. The following measures shall be implemented:

a. A qualified biologist shall perform a ground survey to locate and mark all wood rat nests in the proposed construction area, including structures. The survey shall be performed no less than 30 days prior to the initiation of ground disturbances. The Contractor shall walk the site to assist in determining which nests cannot be avoided. Nests to be avoided shall be fenced off with orange construction fencing and their locations marked on construction plans as being off limits to all activities.

b. Any wood rat nest that cannot be avoided shall be manually disassembled by a qualified biologist, pending authorization from CDFW, to give any resident wood rats the opportunity to disperse to adjoining undisturbed habitat. Nest building materials shall be immediately removed off-site and disposed of to prevent wood rats from reassembling nests on-site unless otherwise directed by CDFW.

c. To ensure wood rats do not rebuild nests within the construction area, a qualified biologist shall inspect the construction corridor no less than once per week. If new nests appear, they shall be disassembled and the building materials disposed of offsite. If there is a high degree of wood rat activity, more frequent monitoring shall be performed, as warranted.

d. If a wood rat nest is discovered in structures during building demolition, construction work that will affect the nest shall be halted. A qualified biologist shall manually disassemble the nest, pending authorization from CDFW, to give resident wood rats the opportunity to disperse to adjoining undisturbed habitat. Nest materials shall be immediately removed off-site and disposed of to prevent wood rats from reassembling nests in buildings unless otherwise directed by CDFW. A qualified biologist shall survey the structure where the nest was discovered to confirm absence of wood rats dispersed from the dismantled nest. Halted demolition work shall continue when the qualified biologist has confirmed dispersal of wood rats from the structure to be demolished.

13. CULTURAL RESOURCES MITGATION MEASURE 4.11-2a, ARCHAEOLOGICAL MONITORING: An archaeologist experienced with historic-era archaeological deposits and late 19th to early 20th century material culture and human remains shall be present during building demolition of designated areas (refer to confidential Map 1 of Holman study, which is on file at the Los Gatos Community Development Department) to monitor for any historic-period buried features, such as artifact-filled wells, privies, and pits associated with the earlier historical use of the property from the late 19th and early 20th centuries.

Based on the monitor's findings during demolition, the monitor shall review specific development plans for roads and infrastructure and eventually for future homes (during Architecture and Site review) and evaluate the need for additional archaeological monitoring by a qualified historical archaeologist.

In the event cultural resources are discovered during removal of existing buildings, parking lots and landscaping areas or during construction of proposed improvements, a preliminary evaluation of the find should be conducted by a qualified archaeologist with appropriate measures taken commensurate with the type of cultural resource identified and the amount of proposed impacts. A buffer zone, typically 100 feet in diameter, should be established to protect the find until it can be evaluated, and the area should be secured to prevent looting. A plan for the evaluation of the resource shall be submitted to the Community Development Director for approval. Evaluation normally takes the form of limited hand excavation and analysis of materials and information removed to determine if the resource is eligible for inclusion on the California Register of Historic Resources (CRHR). No demolition/construction activity should continue in this area until the qualified archaeologist has sufficiently documented and excavated the discovery in the field, and has authorized continued demolition/construction.

14. CULTURAL RESOURCES MITGATION MEASURE 4.11-2b, IDENTIFICATION OF ELIGIBLE RESOURCES. If an eligible resource (i.e. an historical resource or a unique archaeological resource) is identified, a plan for mitigation of impacts to the resource shall be submitted to the Community Development Department for approval before any additional construction-related earthmoving can occur inside the zone designated as archaeologically sensitive. Whether the proposed plan is feasible shall be determined by the Community Development Department after consideration of the viability of avoidance in light of project design and logistics. In lieu of avoidance, mitigation could

include additional hand excavation to record and remove for analysis archaeological materials, combined with additional archaeological monitoring of soils inside the archaeologically sensitive zone.

Section 21083.2(f) specifies that unless special or unusual circumstances warrant an exception, the field excavation phase of an approved mitigation plan shall be completed within 90 days after the applicant receives the final approval necessary to begin physical development of the project or, if a phased project, in connection with the phased portion to which the specific mitigation measures are applicable. The above listed mitigation measures can be effectively performed in a manner that complies with Section 21083.2.

15. CULTURAL RESOURCES MITGATION MEASURE 4.11-3, HALT CONSTRUCTION AND EVALUATE RESOURCE. Prior to the commencement of construction activities, the project applicant shall provide for a qualified paleontologist to provide construction personnel with training on procedures to be followed in the event that a fossil site or fossil occurrence is encountered during construction. The training shall include instructions on identification techniques and how to further avoid disturbing the fossils until a paleontological specialist can assess the site. An informational package shall be provided for construction personnel not present at the meeting.

    In the event that a paleontological resource (fossilized invertebrate, vertebrate, plan or micro-fossil) is found during construction, excavation within 50 feet of the find shall be temporarily halted or diverted until the discovery is evaluated. Upon discovery, the Community Development Director shall be notified immediately and a qualified paleontologist shall be retained to document and assess the discovery in accordance with Society of Vertebrate Paleontology's 2010 Standard Procedures for the Assessment and Mitigation of Adverse Impacts to Paleontological Resources, and determine procedures to be followed before construction is allowed to resume at the location of the find. If the Community Development Director determines that avoidance is not feasible, the paleontologist will prepare an excavation plan for mitigating the project's impact on this resource, including preparation, identification, cataloging, and curation of any salvaged specimens.

16. HAZARDS AND HAZARDOUS MATERIALS MITIGATION MEASURE 4.10-1, IMPLEMENT BUYER EDUCATION PROGRAM FOR HOUSEHOLD HAZARDOUS WASTE. The project sponsor, working with the Town and the County of Santa Clara Household Hazardous Waste program, shall implement a Buyer Education Program for Household Hazardous Waste, developing materials to educate buyers about the identification of household hazardous wastes, environmental hazards associated with mishandling of the wastes, appropriate disposal methods, and how to make an appointment for disposal. At a minimum, the educational materials shall include a list of example household hazardous wastes, discuss the environmental impacts of improper disposal, explain how to make an appointment for disposal, and list safer and less toxic alternatives to hazardous products commonly used. The educational materials shall be provided to the home buyer at the time of purchase.

Building Division

17. DEMOLITION REQUIREMENTS. Obtain a Building Division Demolition Application and a Bay Area Air Quality Management Application from the Building Division 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 from to the Building Division service counter with the J# Certificate, PG&E

verification, and three (3) sets of site plans to include 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.

18. WILDLAND URBAN INTERFACE. This project is in a Wildlife Urban Interface Fire Area and must comply with Chapter 7A of the 2007 California Building Code.

19. HAZARDS AND HAZARDOUS MATERIALS MITIGATION MEASURE 4.10-2, HAZARDOUS MATERIALS SURVEYS AND ABATEMENT. Prior to demolition, the project applicant shall ensure that a hazardous building materials survey is completed by a Registered Environmental Assessor or a registered engineer for the building exteriors, roof, and any interior areas that were inaccessible during the previous limited survey. Any friable asbestos-containing materials or lead-containing materials identified by the previous survey or any surveys conducted in accordance with this mitigation measure shall be abated using practices such as containment and/or removal prior to demolition, and the abatement shall be implemented in accordance with applicable laws. Specifically, asbestos abatement shall be conducted in accordance with Section 19827.5 of the California Health and Safety Code, as implemented by the BAAQMD, and 8 CCR Section 1529 and Sections 341.6 through 341.14, as implemented by Cal/OSHA. Lead-based paint abatement shall be conducted in accordance with Cal/OSHA's Lead in Construction Standard.

    Any PCB-containing equipment, fluorescent light tubes containing mercury vapors, and fluorescent light ballasts containing DEHP shall also be removed and legally disposed of in accordance with applicable laws including 22 CCR Section 66261.24 for PCBs, 22 CCR Section 66273.8 for fluorescent lamp tubes, and 22 CCR Division 4.5, Chapter 11 for DEHP.

20. HAZARDS AND HAZARDOUS MATERIALS MITIGATION MEASURE 4.10-3, CORRECTIVE ACTION. The following measures shall be implemented. The oversight agency review may amend these measures as applicable.

    a. Prior to any soil disturbance activities or building demolition at the site, the project applicant shall participate in the Voluntary Cleanup Program (VCP) administered by the Santa Clara County Department of Environmental Health for technical oversight of any remedial action to address contaminants in the soil, unless referred to an alternate agency. Oversight includes all aspects of the site investigation and remedial action, determination of the adequacy of the site investigation and remediation activities at the site, and determination of the need for confirmation soil sampling once contaminated soil is excavated.

    b. Prior to sale of individual lots, the applicant shall submit a "no further action" letter from the oversight agency or comparable closure document that demonstrates the site has been released as clean or a mitigation plan has been approved and implemented.

    c. The project applicant shall require the construction contractor(s) to implement a Soil Management Plan (SMP) prepared by the project applicant's environmental consultant and approved by the overseeing regulatory agency. The SMP shall include a plan for disposal of excess soil produced during construction activities, including on-site management of excavated soil, the disposal methods for soil, potential disposal sites, and requirements for written documentation that the disposal site will accept the excess soil. If appropriate, excess soil may be disposed of on-site, under foundations or in other locations in accordance with applicable hazardous waste classifications and disposal regulations, if approved

by the regulatory oversight agency. The contractor shall be required to submit the SMP to the project applicant for acceptance prior to implementation. Prior to or during construction, excess soil from construction activities shall be sampled to determine the appropriate disposal requirements in accordance with applicable hazardous waste classification and disposal regulations. The project applicant shall also submit the SMP to the County of Santa Clara Department of Environmental Health a minimum of 30 days prior to the planned start of construction.

d. The project applicant shall require the construction contractor to prepare and implement a site safety plan identifying the chemicals present, potential health and safety hazards, monitoring to be performed during site activities, soils-handling methods required to minimize the potential for exposure to harmful levels of the chemicals identified in the soil, appropriate personnel protective equipment, and emergency response procedures.

e. The project applicant shall require the construction contractor(s) to have a contingency plan for sampling and analysis of potential hazardous materials and for coordination with the appropriate regulatory agencies, in the event that previously unidentified hazardous materials are encountered during construction. If any hazardous materials are identified, the contractor(s) shall be required to modify their health and safety plan to include the new data, conduct sampling to assess the chemicals present, and identify appropriate disposal methods. Evidence of potential contamination includes soil discoloration, suspicious odors, the presence of USTs, or the presence of buried building materials.

21. AIR QUALITY MITIGATION MEASURE 4.8-2, BAAQMD BASIN CONSTRUCTION MITIGATION MEASURES. Prior to issuance of any grading or demolition permits, the Town Engineer and the Chief Building Official shall confirm that the grading plan, building plans and specifications stipulate that the following basic construction measures be implemented as specified in the BAAQMD Guidelines during all project construction (including individual lot development):

a. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.

b. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.

c. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.

d. All vehicle speeds on unpaved roads shall be limited to 15 mph.

e. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.

f. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to two minutes. Clear signage shall be provided for construction workers at all access points.

g. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.

h. Post a publicly visible sign with the telephone number and person to contact at the Town regarding dust complaints. This person shall respond and take corrective action within 48 hours. The BAAQMD's phone number shall also be visible to ensure compliance with applicable regulations.

22. AIR QUALITY MITIGATION MEASURE 4.8-4, EMISSION REDUCTION MEASURES. Use of Tier 4 engines for all compressors and all diesel-fueled equipment used during the building construction phases to minimize emissions. Such equipment selection would include any combination of the following measures as the Town determines to be necessary to decrease cancer risks below the threshold of 10 excess cancer cases in one million for infants:
    a. Diesel-powered compressors and all diesel-fueled equipment used during building construction shall meet U.S. EPA particulate matter emissions standards for Tier 4 engines or equivalent;
    b. Use alternative-powered equipment (e.g., LPG-powered forklifts);
    c. Use alternative fuels (e.g., biofuels), added exhaust devices, and/or
    d. Minimize the number of hours that equipment will operate including the use of idling restrictions.

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

Engineering Division

23. NOISE MITIGATION MEASURE 4.7-1, ADMINISTRATIVE AND SOURCE CONTROLS. Prior to issuance of a grading permit, the project applicant shall demonstrate that the project complies with the following:
    a. Construction activities (including operation of haul and delivery trucks) shall occur between the hours of 8:00 a.m. and 8:00 p.m. on weekdays and 9:00 a.m. and 7:00 p.m. on weekends and holidays. Additionally, pursuant to Municipal Code Section 16.20.035(2) the Contractor shall demonstrate, to the satisfaction of the Public Works Department, that construction noise will not exceed 85 dBA outside of the property line. This shall be accomplished through the use of properly maintained mufflers and other state-required noise attenuation devices.
    b. The contractor shall prepare a detailed construction plan identifying the schedule for major noise-generating construction activities. The construction plan shall identify a procedure for coordination with adjacent residents so that construction activities can be scheduled to minimize noise disturbance. The plan shall also specify timing of notices to be mailed and posting of signs (i.e., mailing notices at least 15 days prior to commencement of construction of each phase, regarding the construction schedule of the proposed project, posting a sign, legible at a distance of 50 feet shall also be posted at the project construction site). All notices and signs shall be reviewed and approved by the Public Works Department prior to mailing or posting and shall indicate the dates and duration of construction activities, as well as provide a contact name for the contractor's Noise Disturbance Coordinator and a telephone number where residents can contact that person about the construction process and register complaints.

c. The Contractor shall provide, to the satisfaction of the Public Works Department, a qualified "Noise Disturbance Coordinator." The Disturbance Coordinator shall be responsible for responding to any local complaints about construction noise. When a complaint is received, the Disturbance Coordinator shall notify the Town within 24-hours of the complaint and determine the cause of the noise complaint (e.g., starting too early, bad muffler, etc.) and shall implement reasonable measures to resolve the complaint, as deemed acceptable by the Public Works Department.

d. During construction, stationary construction equipment (e.g., concrete crusher, compressors, generators) shall be located as far as possible from adjacent residential receptors and equipment exhaust vents shall directed away from the closest residential receptors. In particular, the concrete crusher shall be placed west of the Siena Building or at a location where maximum shielding by buildings, material stockpiles, and topography can be provided and distance from all surrounding residences is maximized.

e. All internal combustion engine driven equipment shall be equipped with intake and exhaust mufflers that are in good condition and appropriate for the equipment

f. "Quiet" air compressors, generators, and other stationary sources shall be utilized where technology exists.

g. Equipment used for project construction should be hydraulically or electrical powered impact tools (e.g., jackhammers, pavement breakers, and rock drills) wherever possible to avoid noise associated with compressed air exhaust from pneumatically-powered tools. However, where use of pneumatically powered tools is unavoidable, an exhaust muffler on the compressed air exhaust should be used; this muffler can lower noise levels from the exhaust by up to about 10 dBA. External jackets on the tools themselves should be used where feasible, and this could achieve a reduction of 5 dBA. In addition, quieter procedures should be used such as drilling rather than impact equipment whenever feasible.

h. At the property boundary with the adjacent residence at 88 Prospect Avenue, the contractor shall work directly with this resident to reduce construction-related noise impacts to the maximum extent feasible to ensure the 85-dBA ordinance limit is not exceeded. Implementation measures could include: providing noise attenuation such as solid wood fencing along the property boundary if feasible and acceptable to this resident; using smaller types of equipment during demolition of the tennis court; minimizing use of noisier types of heavy equipment (i.e. jackhammers, pavement breakers, rock drills) in proximity to this residence by immediately moving larger pieces of concrete to a location farther from this residence and other nearby residences).

24. NOISE MITIGATION MEASURE 4.7-2, VIBRATION LIMITS. The project contractor shall not use any equipment that generates vibration levels that exceed 0.5 in/sec PPV, the cosmetic damage threshold for transient vibration, when measured at the closest adjacent residential structures.

25. NOISE MITIGATION MEASURE 4.7-4, NOISE ATTENUATION MEASURES. The following noise attenuation measures shall be incorporated into future home designs on proposed Lots 14-17 in order to maintain acceptable exterior and interior noise levels at future residences:
    a. When designing individual home plans for proposed Lots 14-17, noise-sensitive outdoor use areas shall be located away from the SR 17 freeway or noise-sensitive outdoor spaces shall be buffered from freeway noise with buildings, structures, solid fencing, berms or other attenuation measures. The specific noise attenuation measure(s) shall be determined and incorporated into the proposed home design during the Architecture and Site review process.
    b. Provide a suitable form of forced-air mechanical ventilation, as determined by the local building official, for residences located on Lots 14-17, so that windows could be kept closed at the occupant's discretion to control interior noise. The specific type of forced-air mechanical ventilation system shall be incorporated into future home designs during Architecture and Site review process, to the satisfaction of the Town that the measure meets the Town goal.
26. 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.
27. APPROVAL. This application shall be completed in accordance with all the conditions of approvals listed below and in substantial compliance with the latest reviewed and approved development plans. Any changes or modifications to the approved plans or conditions of approvals shall be approved by the Town Engineer.
28. 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), SBC, 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 of any permit.
29. 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.

30. SITE SUPERVISION. The general contractor shall provide qualified supervision on the job site at all times during construction.
31. PUBLIC WORKS INSPECTIONS. The developer or representative shall notify the Engineering Inspector at least 24-hours before starting any work pertaining to on-site drainage facilities. Grading or paving, and all work in the public right-of-way. Failure to do so will result in rejection of work that went on without an inspection.
32. STREET/SIDEWALK CLOSURE. Any proposed blockage or partial closure of the 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.
33. PLAN CHECK FEES. Plan check fees shall be deposited with the Town prior to plan review at the Engineering Division of the Parks and Public Works Department.
34. INSPECTION FEES. Inspection fees shall be deposited with the Town prior to issuance of any Permit or recordation of the Final Map.
35. DESIGN CHANGES. Any proposed change(s) to the approved plans is/are subject to approval of the Town prior to start of altered work. The project engineer shall notify the Town Engineer in writing at least 72 hours in advance of proposed changes. Any approved changes shall be incorporated in the "as-built" plans.
36. 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.
37. GRADING PERMIT. A grading permit is required for site grading and drainage. 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 Division on E. Main Street is needed for grading within the building footprint.
38. CONSTRUCTION EASEMENT. Prior to the issuance of a grading permit, it shall be the sole responsibility of the owner/applicant to obtain any and all proposed or required easements and/or permissions necessary to perform the grading herein proposed. Proof of agreement/approval is required prior to issuance of any permit.
39. 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. A drainage study of the project including diversions, off-site areas that drain onto and/or through the project, and justification of any diversions.
    b. A drainage study evidencing that proposed drainage patterns will not overload existing storm drains.
    c. 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.

40. DRAINAGE IMPROVEMENT DESIGN. Prior to the recordation of a subdivision map (except maps for financing and conveyance purposes only) or prior to the issuance of any grading/improvement permits, whichever comes first, the applicant shall: (a) Design provisions for surface drainage; (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.
41. TREE REMOVAL. Copies of all necessary tree removal permits shall be provided prior to issuance of a grading permit.
42. SURVEYING CONTROLS. Horizontal and vertical controls shall be set and certified by a licensed surveyor or registered civil engineer qualified to practice land surveying, for the following items:
    a. Retaining wall--top of wall elevations and locations
    b. Toe and top of cut and fill slopes
43. PRECONSTRUCTION MEETING. Prior to issuance of any permit or the commencement of any site work, the general contractor shall:
    a. Along with the project applicant, attend a pre-construction meeting with the Town Engineer to discuss the project conditions of approval, working hours, site maintenance and other construction matters.
    b. Acknowledge in writing that they have read and understand the project conditions of approval, and will make certain that all project sub-contractors have read and understand them prior to commencing work and that a copy of the project conditions of approval will be posted on site at all times during construction.
44. RETAINING WALLS. A building permit, issued by the Building Department at 110 E. Main Street, may be required for site retaining walls. Walls are not reviewed or approved by the Engineering Division of Parks and Public Works during the grading permit plan review process.
45. FINAL MAP(S). A final(s) shall be recorded. Two copies of the final(s) map shall be submitted to the Engineering Division of the Parks & Public Works Department for review and approval. Submittal shall include closure calculations, title reports and appropriate fee. The map(s) shall be recorded before any permits for new construction are issued. Up to three Final Maps may be recorded in accordance with the proposed Phasing Plan of the Subdivision Application M-13-003.
46. WEST VALLEY SANITATION DISTRICT. All sewer connection and treatment plant capacity fees shall be paid either immediately prior to the recordation of any subdivision or tract maps with respect to the subject property or properties, or immediately prior to the issuance of a sewer connection permit, which ever event occurs first – written confirmation of payment of these fees shall be provided prior to map recordation.
47. PRIVATE UTILITIES. Prior to the recordation of a subdivision map the applicant/subdivider shall place a note on the map, in a manner that meets the approval of the Town Engineer that states: "The private utilities constructed within this map shall be owned, operated and maintained by the developer, successors or assigns."
48. DEDICATIONS. The following shall be dedicated on the final map by separate instrument. The dedications shall be recorded before any permits are issued.
    a. Public Service Easement (PSE)
    b. Ingress-egress, storm drainage and sanitary sewer easements, as required.

49. DEMOLITION. The existing building(s) in each phase shall be demolished prior to recordation of the final map(s) for the respective phase.
50. SOILS REPORT. One copy of the soils and geologic report shall be submitted with the Architecture and Site 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.
51. SOILS REVIEW. Prior to issuance of an Architecture and Site approval for each individual lot, the applicant's engineers shall prepared and submit a design0level 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.
52. GEOLOGY AND SOILS MITGATION MEASURE 4.4-1, DESIGN-LEVEL GEOTECHNICAL INVESTIGATION. The applicant for each lot or each group of lots shall submit a geotechnical report to the Town for review and approval of a design-level geotechnical investigation, as part of the Architecture and Site approval process. The investigation(s) shall determine the surface and subsurface soil conditions at the site and assess the potential for ground shaking, slope stability under static and seismic conditions, expansive soil, estimate of settlement, lateral movement and related effects. The investigation(s) shall address all soils engineering constraints and specify criteria and standards in accordance with the current California Building Code (CBC) for site grading, excavation, on-site utility trenching, drainage, pavement design, retaining wall design, erosion control, seismic design, and foundation design. For proposed Lots 3-8 and 4-17, which extend to the top of the moderate to steep slopes along the western property boundary, the investigation(s) shall include subsurface exploration and a slope stability analysis to evaluate the potential for static and seismic slope instability, along with any necessary mitigation to prevent slope instability. For lots with fill materials, the design-level geotechnical investigation(s) shall assess the potential for fills to become unstable and shall include recommendations for stabilization. The applicant for each lot or group of lots shall incorporate all recommendations of the design-level geotechnical investigation(s) into the each home design and implement appropriate construction methods on each lot in order to minimize the potential impacts resulting from regional seismic activity, estimate of settlement, lateral movements, slope conditions, and subsurface soil conditions on the site. A geotechnical expert shall be present during construction activities to observe earthwork and foundation construction, and shall conduct any necessary testing to confirm compliance with the recommendations of the design-level geotechnical investigation(s).
53. GEOLOGY AND SOILS MITGATION MEASURE 4.4-2, TOP SOIL SALVAGE. The developers of individual lots shall ensure that topsoil, if present, is salvaged during grading. The topsoil shall be stockpiled separately from subsoils, and the stockpiles shall be protected from erosion (e.g., by covering or watering). Once construction is completed, the stockpiled topsoil shall be reused for site restoration in open or garden areas of the lot.

54. 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.
55. JOINT TRENCH PLANS. Joint trench plans shall be reviewed and approved by the Town prior to recordation of a map(s). The joint trench plans shall include street and/or site lighting and associated photometrics.
56. WATER DESIGN. Water plans prepared by SJWC must be reviewed and approved prior to issuance of any permit.
57. PUBLIC IMPROVEMENTS: The following improvements shall be installed by the developer. Plans for those improvements shall be prepared by a California registered civil engineer, reviewed and approved by the Town, and guaranteed by contract, Faithful Performance Security and Labor & Materials Security before the issuance of a building permit or the recordation of a map. The improvements must be completed and accepted by the Town before a Certificate of Occupancy for any new building can be issued.
58. FRONTAGE IMPROVEMENTS. Applicant shall be required to improve the project's public frontage to current Town Standards. These improvements may include but not limited to curb, gutter, sidewalk, driveway approaches, curb ramps, traffic signal, street lighting (upgrade and/or repaint) etc.
59. 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.
60. UTILITY SETBACKS. House foundations shall be set back from utility lines a sufficient distance to allow excavation of the utility without undermining the house foundation. The Town Engineer shall determine the appropriate setback based on the depth of the utility, input from the project soils engineer, and the type of foundation.
61. UTILITY EASEMENTS. Deed restrictions shall be placed on lots containing utility easements. The deed restrictions shall specify that no trees, fences, or hardscape are allowed within the easement boundaries, and that maintenance access must be provided. The Town will prepare the deed language and the Applicant's surveyor shall prepare the legal description and plat. The Applicant shall pay any recordation costs.
62. 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 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.

63. 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.

64. FENCING. Any fencing proposed within 200-feet of an intersection shall comply with Town Code Section §23.10.080.

65. 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.

66. AS-BUILT PLANS. An AutoCAD disk of the approved "as-built" plans shall be provided to the Town prior to issuance of a Certificate of Occupancy. The AutoCAD file shall include only the following information and shall conform to the layer naming convention: (a) Building Outline, Layer: BLDG-OUTLINE; (b) Driveway, Layer: DRIVEWAY; (c) Retaining Wall, Layer: RETAINING WALL; (d) Swimming Pool, Layer: SWIMMING-POOL; (e) Tennis Court, Layer: TENNIS-COURT; (f) Property Line, Layer: PROPERTY-LINE; (g) Contours, Layer: NEWCONTOUR. All as-built digital files must be on the same coordinate basis as the Town's survey control network and shall be submitted in AutoCAD version 2000 or higher.

67. CONSTRUCTION STREET PARKING. No vehicle having a manufacture'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 to approval from the Town Engineer.

68. CONSTRUCTION TRAFFIC. All construction traffic and related vehicular routes shall be submitted for review and approval by the Town Engineer prior to issuance of permit. The applicant shall submit any applicable pedestrian or traffic detour plans for any lane or sidewalk closures. The detour plan shall comply with Part 6, Temporary Traffic Control, of the State of California Manual of Uniform Traffic Control Devices (MUTCD), 2003, and standard construction practices. Final construction plans and specifications shall be approved by the City Engineer, and released for construction, prior to the issuance of the encroachment permit.

69. TRAFFIC CONTROL PLAN. The project sponsor shall work with the Engineering Division to develop a traffic control plan for incorporation into the construction bid documents (specifications). This plan shall include, but is not limited to, the following measures:

a. Construction activities shall be strategically timed and coordinated to minimize traffic disruption for schools, residents, businesses, special events, and other projects in the area. The schools located on the haul route shall be contacted to help with the coordination of the trucking operation to minimize traffic disruption.
b. Flag persons shall be placed at locations necessary to control one-way traffic flow. All flag persons shall have the capability of communicating with each other to coordinate the operation.
c. Prior to construction, advance notification of all affected residents and emergency services shall be made regarding one-way operation, specifying dates and hours of operation.

70. 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 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 or require all trucks to maintain at least two feet of freeboard.
71. 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, construction trailer, and proposed outhouse locations.
72. 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.
73. SANITARY SEWER LATERAL. Sanitary sewer laterals shall be televised by West Valley Sanitation District and approved by the Town of Los Gatos before they are used or reused. A sanitary sewer clean-out shall be installed at the property line.
74. 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.

75. STORMWATER MANAGEMENT. Construction activities including but not limited to clearing, stockpiling, grading or excavation of land, which disturbs 1 acre or more which are part of a larger common plan of development which disturbs less than 1 acre are required to obtain coverage under the construction general permit with the State Water Resources Control Board. You are required to provide proof of WDID# and keep a current copy of the storm water pollution prevention plan (SWPPP) on the construction site and shall be made available to the Town of Los Gatos Engineering and/or Building Department upon request.
76. BEST MANAGEMENT PRACTICES (BMP's). Best Management Practices (BMPs) shall be placed and maintained for all areas that have been graded or disturbed and for all material, equipment and/or operations that need protection. Temporary removal of BMPs during construction activities shall be placed at the end of each working day.
77. STORMWATER DEVELOPMENT RUNOFF. All new development and redevelopment projects subject to the Stormwater development runoff requirements. Every applicant shall submit a stormwater control plan and implement conditions of approval that reduce stormwater pollutant discharges through the construction, operation and maintenance of treatment measures and other appropriate source control and site design measures. Increases in runoff volume and flows shall be managed in accordance with the development runoff requirements.
78. SITE DESIGN MEASURES. All projects must incorporate the following measures to the maximum extent practicable:
    a. Protect sensitive areas and minimize changes to the natural topography.
    b. Minimize impervious surface areas.
    c. Direct roof downspouts to vegetated areas where feasible.
    d. Use permeable pavement surfaces where feasible.
    e. Use landscaping to treat stormwater.
79. EROSION CONTROL. Interim and final erosion control plans shall be prepared and submitted to the Engineering Division of the Parks & Public Works Department. A Notice of Intent (NOI) and Storm Water Pollution Prevention Plan (SWPPP) shall be submitted to the San Francisco Bay Regional Water Quality Control Board for projects disturbing more than one acre. A maximum of two weeks is allowed between clearing of an area and stabilizing/building on an area if grading is allowed during the rainy season. Interim erosion control measures, to be carried out during construction and before installation of the final landscaping shall be included. Interim erosion control method shall include, but are not limited to: silt fences, fiber rolls (with locations and details), erosion control blankets, Town standard seeding specification, filter berms, check dams, retention basins, etc. Provide erosion control measures as needed to protect downstream water quality during winter months. The grading, drainage, erosion control plans and SWPPP shall be in compliance with applicable measures contained in the amended provisions C.3 and C.14 of Order No. R2-2005-0035 of the amended Santa Clara County NPDES Permit.
80. 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.

81. CONSTRUCTION ACTIVITES. 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.
82. 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.
83. GOOD HOUSEKEEPING. Good housekeeping practices shall be observed at all times during the course of construction. Superintendence of construction shall be diligently performed 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 a special 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 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.
84. 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.
85. NEIGHBORHOOD CONSTRUCTION COMMUNICATION PLAN. The applicant shall initiate a weekly neighborhood e-mail notification program to provide project status updates. The e-mail notices shall also be posted on a bulletin board placed in a prominent location along the project perimeter.

86. SUBDIVISION IMPROVEMENT AGREEMENT. The Applicant shall enter into an agreement to construct public improvements in accordance with Town Code Section 24.40.020. The applicant shall supply suitable securities for all public improvements that are part of the development in a form acceptable to the Town in the amount of 100% (performance) and 100% (labor and materials) prior to issuance of any permit. Applicant shall provide two (2) copies of documents verifying the cost of the public improvements to the satisfaction of the Engineering Division.
87. UTILITY COMPANY REVIEW. Letters from the electric, telephone, cable, and trash companies indicating that the proposed improvements and easements are acceptable shall be provided prior to recordation of the final map.
88. ABOVE GROUND UTILITIES. The applicant shall submit a 75-percent progress printing to the Town for review of above ground utilities including backflow prevention devices, fire department connections, gas and water meters, off-street valve boxes, hydrants, site lighting, electrical/communication/cable boxes, transformers, and mail boxes. Above ground utilities shall be reviewed and approved by Community Development prior to issuance of any permit.
89. PRIVATE EASEMENTS. Agreements detailing rights, limitations, and responsibilities of involved parties shall accompany each private easement. The easements and associated agreements shall be recorded simultaneously with the final map.
90. PUBLIC STREET LIGHTING. Public street lighting will not be required/allowed per General Plan policy and Hillside designation. On lot lighting should be incorporated and promoted.

TO THE SATISFACTION OF THE SANTA CLARA COUNTY FIRE DEPARTMENT:

91. AUTOMATIC FIRE SPRINKLER SYSTEM REQUIRED. An approved automatic fire sprinkler system is required for the new residences, hydraulically designed per National Fire Protection Association (NFPA) Standard #13D. A State of California (C-16) Fire Protection contractor shall submit plans, calculations, a completed permit application and appropriate fees to the Fire Department for approval, prior to beginning their work.
92. DRIVEWAY REQUIREMENTS. Provide paved, minimum 12-foot wide driveways with vertical clearance of 13 feet six inches and maximum slope of 15%.
93. FIRE APPARATUS (ENGINE) ACCESS ROADS REQUIRED. Provide access roadways with a paved all weather surface, a minimum unobstructed width of 20 feet, vertical clearance of 13 feet six inches, minimum circulating turning radius of 36 feet outside and 23 feet inside, and a maximum slope of 15% (refer to Fire Department Standard Details and Specifications sheet A-1).
94. PUBLIC FIR HYDRANTS REQUIRED. Provide public fire hydrants at locations to be determined jointly by the Fire Department and San Jose Water Company. Maximum hydrant spacing shall be 500 feet, with a minimum single hydrant flow of 1,500 GPM at 20 psi, residual. Fire hydrants shall be provided along required fir apparatus access roads and adjacent public streets.
95. TIMING OF INSTALLATION. Fire apparatus access roads and water supply for fire protection shall be installed and made serviceable prior to and during construction except when approved alternative methods of protection are provided. Temporary street signs shall be installed at each street intersection when construction of new roadways allows passage by vehicles.

96. POTABLE WATER SUPPLIES. Potable water supplies shall be protected from contamination caused by fire protection water supplies. The applicant shall contact the providing water purveyor and shall comply with all requirements of that purveyor. The fire sprinkler system shall be designed in compliance with water purveyor requirements; final approval of the system will not be granted by the Fire Department until written confirmation is received from the water purveyor.
97. CONSTRUCTION FIRE SAFETY. The construction site shall comply with applicable provisions of the California Fire Code, Chapter 14 and Fire Department Standard Detail and Specification SI-7.
98. PREMISE IDENTIFICATION. Approved addresses shall be placed on all new buildings so they are clearly visible and legible from the street or road fronting the property. Numbers shall be a minimum of four inches high and shall contrast with their background.

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FEB 5 2014
TOWN OF LOS GATOS
PLANNING DIVISION

Sisters of the Holy Names of Jesus and Mary

February 5, 2014

Margaret Smith, Chair
Town of Los Gatos, Planning Commission
Town of Los Gatos
110 E. Main Street
Los Gatos, CA 95030

RE: 100 Prospect Ave
Subdivision Application, M-13-003

Dear Chair Smith and Commission Members:

On behalf of The Sisters of the Holy Names of Jesus and Mary, I am writing to provide you with information about our proposed Vesting Tentative Map plan for our 10.3 acre property located at 100 Prospect Avenue.

As you may know, The Sisters of the Holy Names of Jesus and Mary (SNJM) have been working for more than two years, planning for future care and housing for our Sisters and evaluating options for our Los Gatos property. We have worked extensively with the various Town Departments, our neighbors and the Sisters to come up with a balanced plan for the site's redevelopment that supports the Sisters objectives for long term care of our aging Sisters and one that enhances and respects our existing neighborhood.

Because of the residential character of the neighborhood, we are planning to return the property to its residential roots, consistent with the surrounding neighborhood, the existing Town of Los Gatos Zoning and the Town's General Plan for our property. Surrounding us today are single family homes and we plan to return our property to a compatible residential use. We are proposing to subdivide the property into 17 lots which complies with the existing Town of Los Gatos General Plan and Zoning for the property and represents an overall de-intensification of the use and site.

CEQA Summary

As confirmed in the EIR, there are no significant unavoidable impacts as a result of the proposed project. In fact, there are very few impacts in general and all are mitigated to less than significant levels.

After reviewing the application and all of the technical studies for the project, The Town and its environmental consultant have determined that the environmental review process under CEQA could have been fulfilled by preparing an Initial Study/Mitigated Negative Declaration (IS/MND). While preparation of an IS/MND would be legally adequate, we have elected to complete a comprehensive EIR for this project in order to provide additional information, ensure that all potential environmental impacts are thoroughly studied and that the project is evaluated for consistency with the goals and policies of the Town's 2020 General Plan, the Hillside Development Standards and Guidelines, as well as other pertinent local plans.

General Plan & Zoning Conformance

Our proposal conforms to the General Plan designation for the property and neighborhood. We do not propose to change the Town of Los Gatos General Plan designation. Our plan also conforms to the Town of Los Gatos General Plan Goals and Policies as noted in the Environmental Impact Report (EIR).

The existing Town of Los Gatos Zoning for our property allows for 21 single family 20,000 square foot lots. We do not propose to change the Town of Los Gatos Zoning designation for the property. While the Zoning allows for up to 21 lots on our property, our Tentative Map includes only 17 lots, which is lower density than is allowed for the property. Lot sizes range from 20,000 square feet to 38,496 square feet which is also consistent with the Zoning. Every lot has been specifically designed to meet Town of Los Gatos Zoning Code requirements, conforming to all size, frontage and set back regulations for the R-1:20 Zone. Each lot includes a minimum front yard setback of 30 feet; side yard setback of 15 feet; and back yard setback of 25 feet. We have taken great care in designing the layout of our property so that each lot integrates well on the property and into the neighborhood.

Subdivision Map Act Compliance

We are not requesting nor do we require a Planned Development (PD) Zoning. We do not request or require any exceptions or variances and the map is a conforming subdivision under the Subdivision Map Act.

As required by the Subdivision Map Act and confirmed in the EIR, supporting technical studies and independent Town analysis, the proposed map is consistent with applicable general and specific plans; the design and improvements of the proposed subdivision are consistent with applicable general and specific plans; the site is physically suitable for the type of development proposed ; the site is physically suitable for the proposed density of development; the design of the subdivision and the proposed improvements will not cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat; the design of the subdivision or type of improvements will not cause serious public health problems; the design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision.

Neighborhood Outreach

Since we announced the property transition in November 2012, we have held six (6) community meetings with our neighbors who live on the hill (hilltop neighbors on Prospect, Kimble, and Reservoir; College Avenue, Cleland and Rogers neighbors and also our neighbors on Euclid, Oak Grove, and Jones) in order to keep them informed of our plans and the Town's process, including the environmental review process. We have also sent regular updates to our neighbors keeping them informed of the process.

In February 2013, we held community meetings prior to submitting our plans to the Town. About 60 people attended the March 2013 Conceptual Development Advisory Committee (CDAC) meeting including immediate neighbors, Los Gatos residents, Sisters and others to show their support. In May 2013 we sent out an update to nearly 200 of our neighbors following submittal of our plans to the Town and in September of last year, we held community meetings, prior to the release of the DEIR. We have met individually with neighbors and answered questions about our plans. We also sent a recent email update to those neighbors who requested that we keep them informed to let them know about the upcoming Planning Commission meeting.

We have been gratified by the feedback we received from CDAC about our conforming plan and by the support we have received from our neighbors for our early neighborhood outreach, our 17 lot plan and for our transition from the property. We plan to continue to keep our neighbors updated on our progress.

For your information and review, I have attached information about the Sisters of the Holy Names, the Convent, our Long Range Planning process; the Vesting Tentative Map; conformance with Town plans and policies; our neighborhood outreach efforts and long term plans for the property.

The proposed application is an opportunity for the Town to follow its General Plan and Zoning designations for the property. We encourage the Planning Commission to support and recommend approval of the proposed application. Should you have any questions about this letter or the Vesting Tentative Map Application, please do not hesitate to contact me directly at 408-395-5157 or mpleroy@yahoo.com.

Sincerely,

Sister Mary Pat LeRoy

Sister Mary Pat LeRoy, SNJM

Chair, Los Gatos Long Range Planning Committee
Sisters of the Holy Names of Jesus and Mary

Cc:
Town of Los Gatos Town Council
Suzanne Avila, Senior Planner
Sandy L. Baily, Community Development Director

Enclosures:
100 Prospect Ave, Project Description and Letter of Justification dated August 14, 2013
Los Gatos Weekly Times Editorial, November 26, 2012

Sisters of the Holy Names of Jesus and Mary

August 14, 2013

Mr. Todd Capurso, Acting Director
Community Development Department

Town of Los Gatos
110 E. Main Street
Los Gatos, CA 95030

RE: 100 Prospect Avenue
Project Description & Letter of Justification

Dear Mr. Capurso:

On behalf of The Sisters of the Holy Names of Jesus and Mary, I am writing to provide you and the Town of Los Gatos with information about our Vesting Tentative Map plan for our 10.3 acre property located at 100 Prospect Avenue. Because of the residential character of the neighborhood, we are planning to return the property to its residential roots, consistent with the surrounding neighborhood, the existing Town of Los Gatos Zoning and the Town's General Plan for our property. I have included information about the Sisters of the Holy Names, the Convent, our Long Range Planning process; the Vesting Tentative Map; conformance with Town plans and policies; our neighborhood outreach efforts and long term plans for the property.

The Sisters of the Holy Names of Jesus and Mary in California

The Sisters of the Holy Names of Jesus and Mary in California began in 1868 when six Sisters from the foundation house in Quebec, Canada arrived by ship and train in Oakland, CA. There we established our first Convent and school on the shores of Lake Merritt. Soon schools mushroomed in Oakland and San Francisco and by 1890 academies were opened throughout California. By 1926, Holy Names College was opened not only to the regional membership but for lay women as well. In 1931, Holy Names High School began its long history of education of girls in the city of Oakland. The Sisters ultimately moved the convent from Oakland to Fremont's Warm Springs District during WWII and then purchased its first property in Los Gatos in 1945 for a new convent, which opened in 1952. There are 1,000 Sisters of the Holy Names worldwide, 169 Sisters residing in California and 66 Sisters living at the Convent today.

The Convent of the Holy Names

Since our arrival in Los Gatos more than 65 years ago, the Sisters of the Holy Names has served and supported the residents of Los Gatos and beyond through its mission of education, social justice, contemplation and the arts. The Sisters have served members, visitors, and residents of the Town through education, retreats, and celebrations, pastoral and other activities at the Convent and in the community. We also helped found St. Mary's school in Downtown Los Gatos in 1954 and have educated thousands of

children as both teachers and administrators. For nearly 30 years, we also sponsored Casa Maria Montessori School at the Los Gatos Convent, providing education for hundreds more children. Over the years, the Sisters have hosted and served thousands of Sisters, Los Gatos families and people in need here at the Convent, in Los Gatos and in our neighboring communities.

Property Overview

Our property is located near the intersection of Prospect Avenue and Reservoir Road and is 10.3 acres. The property is currently built out with approximately 85,000 square feet of building area, eight parking lot areas, driveways, paved paths, unpaved service roads and various landscaped areas. The two largest buildings are approximately 72,000 square feet and are three stories and 35 feet in height fronting on Prospect Avenue. There are separate administrative offices and other out buildings on the campus of approximately 13,000 square feet. We also own the non-adjacent Villa Holy Names which is located on a separate 1.5 acres on Prospect Avenue, which includes several homes that serve as residences for Sisters and for retreats for our guests. The Villa Holy Names will be retained by us and is not part of the subdivision application.

Our property includes a Use Permit that allows for a wide range of uses including housing, care facilities, educational uses, retreats, recreation activities, Masses, celebrations, common dining facilities and other religious and community activities. The campus can accommodate 140 Sisters including the onsite Care Center and residential living units as well as administrative offices and common dining, recreation, education, Chapel, spiritual gathering and retreat facilities. The campus is underutilized today, with 66 Sisters living on campus. We continue to have 169 Sisters in California for whom we provide and are planning for housing and care. The Convent has been and continues to be the primary housing, retirement residence and care facility for aging Sisters from throughout California.

The Convent operates 365 days per year, 24 hours per day and seven days per week with staffing, medical service providers and physicians, food and medical supply truck deliveries. Every day we have 65 employees in three separate shifts that come to the campus to care for the Sisters. The Convent is also used as a full service retreat and meeting facility for the Sisters and other organizations and can accommodate over 150 people at any given time. Last year, we had retreats during more than 40 weeks on campus, hosting a wide range of religious and other community organizations, including daily Mass.

Long Range Planning

Given the age of our Sisters, the many changes and advancements in health and eldercare delivery in our society, and the age and condition of our buildings at the Los Gatos convent, we have spent the past two years focusing on and planning for future care and housing for our Sisters and evaluating options for our Los Gatos property. Our original hope was to remain on the property at Los Gatos and either remodel the existing buildings or partner with one or two organizations to build a full service Continuing Care Retirement Community (CCRC) and affordably priced housing for both senior Sisters and other residents of Los Gatos.

However, the economically viable options for affordable care and affordable housing would have required increased density on our property and intensified the impact on our surrounding neighborhood. All of the proposals we studied required significantly increased building square footage and residential units compared to what we have today. These options would have increased traffic and were not consistent with the character of our neighborhood. They also did not adequately meet our Sisters' care requirements or our financial needs in order to care and provide housing for our aging Sisters.

Through careful discernment, examination of every available option, and the opportunities and constraints of the property, we eventually determined that it was not feasible to achieve our goals of sustainable, affordable health care and housing for our Sisters and the broader Los Gatos community on the Los Gatos property. As a result we have chosen two retirement communities not far from our current site to provide future skilled care and assisted living for our Sisters.

Vesting Tentative Map Summary

Because of the residential character of the neighborhood, we are planning to return the property to its residential roots, consistent with the surrounding neighborhood, the existing Town of Los Gatos Zoning and the Town's General Plan for our property. Surrounding us today are single family homes and we plan to return our property to compatible residential use. We are proposing to subdivide the property into 17 lots which complies with the existing Town of Los Gatos General Plan and Zoning for the property.

General Plan Conformance

The existing Town of Los Gatos General Plan for our property and surrounding properties is Low Density Residential (0-5 dwelling units/acre). Our proposal conforms to the General Plan designation for the property and neighborhood. We do not propose to change the Town of Los Gatos General Plan designation. Our plan also conforms to the Town of Los Gatos General Plan Goals and Policies. I have attached Town of Los Gatos General Plan Map and General Plan Goals & Policies Conformance Summary for your reference.

Zoning Conformance

The existing Town of Los Gatos Zoning Designation for our property is R-1:20, which calls for 20,000 square foot lots. Our neighbors adjacent to us on the top of the hill all have R-1:20 Zoning Designations as well. Our neighbors on College Avenue bordering our property to the south have R-1:8 Zoning Designations on their properties, which call for 8,000 square foot lots. The existing Town of Los Gatos Zoning for our property allows for 21 single family 20,000 square foot lots. We do not propose to change the Town of Los Gatos Zoning designation for the property. I have attached the Town of Los Gatos Zoning Map for your reference.

While the Zoning allows for up to 21 lots on our property, our Tentative Map includes only 17 lots, which is lower density than is allowed for the property. Lot sizes range from 20,000 square feet to 39,905 square feet which is also consistent with the Zoning. Every lot has been specifically designed to meet Town of Los Gatos Zoning Code requirements, conforming to all size, frontage and set back regulations for the R-1:20 Zone. Each lot includes a minimum of 30 foot frontage; front yard setback of 30 feet; side yard setback of 15 feet; and back yard setback of 25 feet. We have taken great care in designing the layout of our property so that each lot integrates well on the property and into the neighborhood. We are not requesting nor do we require a Planned Development (PD) Zoning.

Neighborhood Compatibility

Each lot has also been created with privacy, topography, trees and other property opportunities and constraints in mind. The plans allow for future homes to be located primarily in areas where buildings already exist today; in existing parking areas; and in more open areas where steep topography can be avoided and future tree removal can be minimized. We understand that ultimate demolition of buildings,

development of the cul-de-sacs and home construction will include some site disturbance, neighborhood inconvenience and some trees to be removed, but we are planning so that those will be as limited as possible.

We have illustrated the lot boundaries, setback conformance and conceptual building footprint areas. The conceptual building footprint areas are identified for illustrative purposes at this time. The natural topography and other property features support homes which will be designed and constructed to be compatible with the surrounding neighborhood and contribute to balance of housing type and sizes available in Los Gatos. The lotting configuration replicates the organic lotting forms of the neighborhood and revives the pattern along Prospect Avenue by introducing homes that front the street. The lotting pattern on Prospect Court immediately adjacent to the property includes a similar driveway configuration with the home set back on the property. Similarly, the Reservoir Road Subdivision immediately adjacent includes longer driveways with homes further back on the lots. Homes on Prospect have been located to integrate with existing homes on the street. Placing the homes along two cul-de-sacs allows the overall street circulation pattern to be maintained as both cul-de-sacs replace existing vehicular access points. Similar to the Reservoir Road subdivision adjacent to our property, specific location of each home on individual lots, size, and design as well as tree preservation, removal and/or relocation for each lot will be subject to a future, separate and discretionary Architecture & Site application, review and approval process and design regulations.

De-Intensification of the Property & Use

Restoring the property to its residential roots is also a de-intensification of the property and use. The Vesting Tentative Map will re-establish the residential lotting pattern in the neighborhood and restore neighborhood character with future homes fronting on Prospect Avenue. Aesthetically, the Convent, institutional and administrative buildings today are predominantly three stories, 35 feet in height and are 85,000 square feet in building area. Loading docks for commercial service trucks and parking lots front on Prospect Avenue. Our plan enables these larger buildings and uses to be replaced with single family homes consistent with and in keeping with the character our surrounding neighborhood.

The intensity of the use on the property will also be reduced with the return of the property to residential use. Today, we maintain a 24 hour per day, 7 days per week, and 365 days per year operation at the Convent with 65 staff and three shifts per day. Our operation also includes conferences, retreats, education, Masses, celebrations and a variety of other activities. The institutional operation will be ultimately replaced with single family homes consistent with the neighborhood.

Traffic will also decrease. While operating at less that 50% of capacity today, the property generates more than 300 daily trips. Our 17 lot single family home plan will reduce daily trips by 50% and result in a net reduction in traffic in both AM and PM peak hour periods due to the elimination of the 24/7/365 use. We also anticipate that the amount building square footage and impervious area on our property will also be reduced as a result of the return to residential use.

Community Benefit

The property is already developed and the transition to residential use will not result in more than five net new peak hour traffic trips. As noted above, there is a net reduction in daily, AM and PM trips as a result of the proposal. In addition, the proposal is a conforming subdivision and not a Planned Development (PD) Zoning. Therefore, the Town's Community Benefit policy is not applicable.

Neighborhood Outreach

We have been communicating with our neighbors and plan to continue our ongoing neighborhood outreach efforts. When we announced the transition last fall, we sent letters to all of our nearby neighbors and more than 7,000 friends and donors. The announcement was also well publicized in the media. In February, we hosted four neighborhood meetings in advance of submitting our Vesting Tentative Map application and prior to the Conceptual Development Advisory Committee Meeting in March, to share our journey and our plans with our neighbors first. We invited every neighbor who lives on the hill to visit with us at the Convent: hilltop neighbors on Prospect, Kimble, and Reservoir; College Avenue, Cleland and Rogers neighbors and also our neighbors on Euclid, Oak Grove, and Jones.

We provided our neighbors with an update on our long range planning process and shared our Vesting Tentative Map plans. Our Sisters have also met or spoken with many of our neighbors individually since our announcement last fall. Our neighbors have expressed compassion for our Sisters as we make this transition, an appreciation for our early outreach and inclusiveness, and support for our balanced approach to the future of the property. More than 60 people attended the March 13, 2013 Conceptual Development Advisory Committee meeting including immediate neighbors, Los Gatos residents, Sisters and others to show their support. We will continue to update our neighbors as our planning progresses.

Our Future Plans

Following approval of the Vesting Tentative Map for the property, we plan to sell the property with the buildings to a developer who would demolish buildings, construct the cul-de-sacs, and develop or sell individual home sites. Similar to the Reservoir Subdivision adjacent our property, future homes style, size, architecture, and specific location of home on each lot will be subject to a separate, future and discretionary Town of Los Gatos Architecture & Site application, review and approval process.

The sale of the Los Gatos property will provide some of the critical funds necessary for the health care and housing needs for our aging members. As a religious congregation we are responsible for our own finances and fund our own care needs. We are not funded by the Catholic Church. We will retain the Villa Holy Names so it will not be part of the Vesting Tentative Map application, and we will continue to operate the Convent as we go through the property transition process over the next couple of years.

We look forward to working collaboratively with the Town to transition the property back to its residential use. If you have any questions or would like additional information, please contact me directly at (408) 395-5157.

We very much appreciate your support during this time of transition for us.

Sincerely,

Sister Mary Pat LeRoy

Sister Mary Pat LeRoy, SNJM

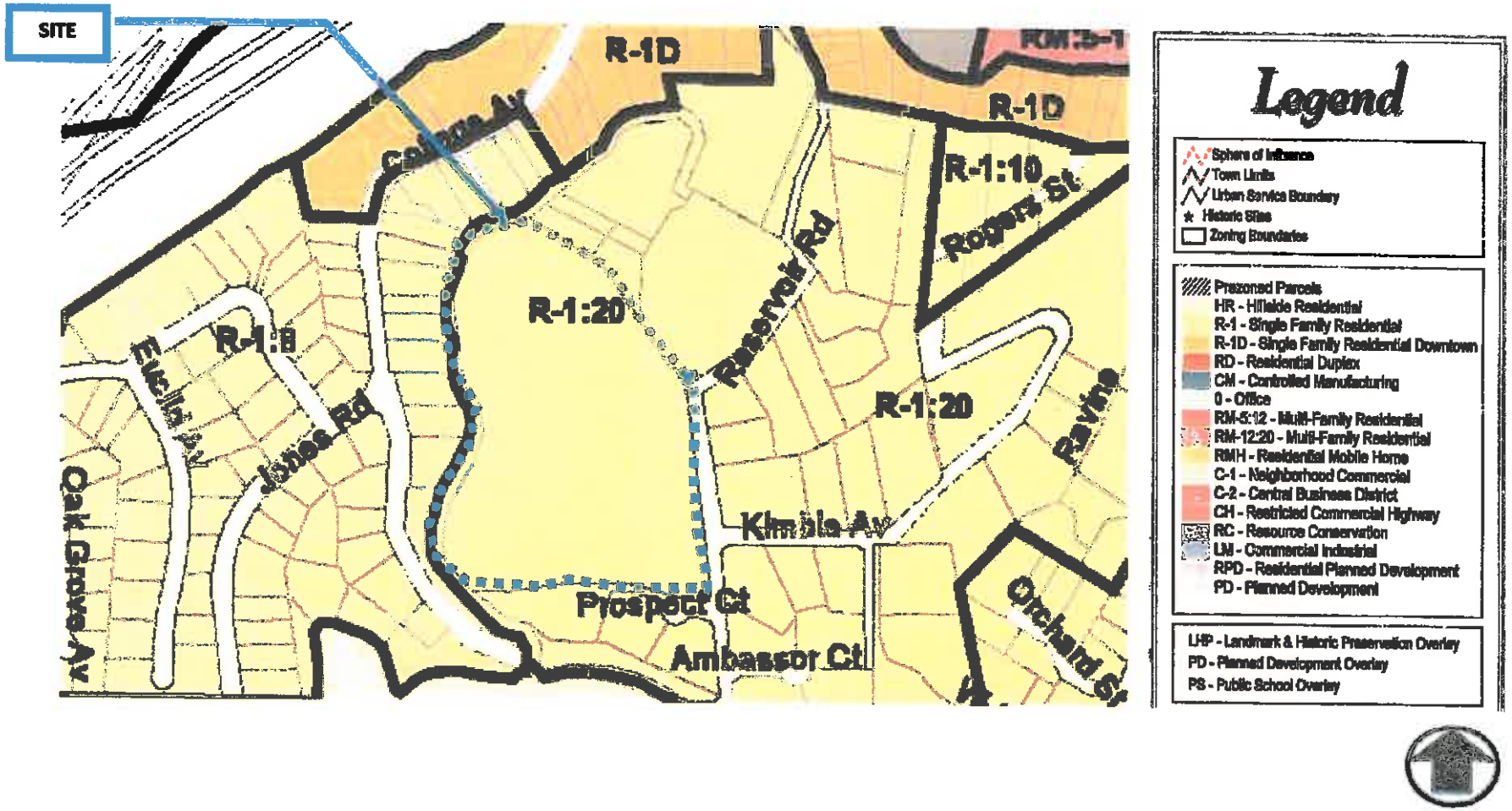
Chair, Los Gatos Long Range Planning Committee
Sisters of the Holy Names of Jesus and Mary

Attachments:

Town of Los Gatos General Plan Map
Town of Los Gatos Zoning Map
Town of Los Gatos General Plan Goals & Policies Conformance Summary

General Plan Map: 100 Prospect Ave, Los Gatos

Zoning Map: 100 Prospect Ave, Los Gatos



Sisters of the Holy Names of Jesus and Mary

Town of Los Gatos
General Plan Land Use Element Goals & Policies
Conformance Summary

Vesting Tentative Map
100 Prospect Avenue

The existing Town of Los Gatos General Plan for the property and surrounding properties is Low Density Residential (0-5 dwelling units/acre). The proposed 17 lot Vesting Tentative Map conforms to the General Plan and Zoning designations for the property and is consistent and compatible with the surrounding neighborhood. We do not propose to change the Town of Los Gatos General Plan designation or the Town of Los Gatos Zoning designation for the property. We also do not request or require a Planned Development (PD) Zoning. Included below is a summary of the Vesting Tentative Map conformance with relevant Land Use Element Goals & Policies of the Town of Los Gatos General Plan. Conformance with other applicable General Plan elements will be submitted under separate cover.

Land Use Element

Goal LU-1: The plan preserves, promotes, and protects the existing small-town character and quality of life within Los Gatos by restoring the property to its residential roots and re-establishing neighborhood lotting patters and character consistent with the Town's General Plan and Zoning.

> **Policy LU-1.1: We engaged early in discussions with the Town, technical consultants and our neighbors regarding the nature and scope of the project and possible impacts and mitigation requirements.**
>
> **Policy LU-1.3: Each lot has been created with privacy, topography, trees and other property opportunities and constraints in mind. The plans allow for future homes to be located primarily in areas where buildings already exist today; in existing parking areas; and in more open areas where steep topography can be avoided and future tree removal can be minimized. The project has been designed to preserve existing trees, natural vegetation, natural topography, wildlife habitats, and promote high quality, well-designed, environmentally sensitive, and diverse landscaping.**
>
> **Policy LU-1.4: The project has been designed below the density allowed in the R-1:20 Zoning District and in context with the neighborhood and surrounding Zoning with respect to the existing scale and character of surrounding structures. By restoring the property to its residential character, future homes will blend rather than compete with the established character of the area.**

Goal LU-4: The project is well-planned, integrated, and careful growth that reflects the Town's and neighborhoods existing character and can be accommodated by existing infrastructure.

> **Policy LU-4.2: With the de-intensification of the property and use existing fiscal infrastructure is adequate to serve the project.**
>
> **Policy LU-4.5: The project conforms to all requirements of the R-1:20 Zoning District. See LU-6.5**

Goal LU-5: This goal encourages public involvement in Town planning processes, which we have engaged since the announcement of our transition and the beginning of our public process.

LU-5.1: Since the announcement of our transition last fall, we have met with and communicated to our Sisters, surrounding neighbors, Town of Los Gatos and other residents of Los Gatos. We have held several neighborhood meetings and met with and spoken with individual neighbors prior to submitting our plans to the Town. We will continue to keep your neighbors informed throughout the process.

Goal LU-6: The plan preserves and enhances the existing character and sense of place in residential neighborhoods by returning the property to its residential roots, use and lotting pattern.

Policy LU-6.1: Subdivision and returning the property to residential use and roots will provide land use closure to the property and protect the existing neighborhood from the potential impacts of nonresidential development in the future.

Policy LU-6.5: The type, density, and intensity of the proposed land use are consistent with that of the immediate neighborhood. While the Zoning allows for up to 21 lots on our property, our Tentative Map includes only 17 lots, which is lower density than is allowed for the property. Lot sizes range from 20,000 square feet to 39,905 square feet which is also consistent with the Zoning. Every lot has been specifically designed to meet Town of Los Gatos Zoning Code requirements, conforming to all lot size, frontage and set back regulations for the R-1:20 Zone. Each lot includes a minimum of 30 foot frontage; front yard setback of 30 feet; side yard setback of 15 feet; and back yard setback of 25 feet. We have taken great care in designing the layout of our property so that each lot integrates well on the property and into the neighborhood. We are not requesting nor do we require a Planned Development (PD) Zoning.

Policy LU-6.7: The project will enable the Town to continue to maintain a variety of housing types and sizes in Town and also be compatible with the character of the surrounding neighborhood.

Policy LU-6.8: The project is designed in conformance with the surrounding Zoning for the neighborhood and will enable new construction to be compatible and blend with the existing neighborhood. See LU-6.5.

Policy LU-7.3: The project contributes the further development of the surrounding neighborhood by re-establishing the residential character of the neighborhood and lotting pattern, re-unifying the neighborhood and ensures compatibility with the existing quality of life of the neighborhood.

Policy LU-7.4: The project has been designed in conformance with the existing Zoning for the neighborhood and at a density lower than is allowed for the property. The project has also been designed in context with the neighborhood and surrounding Zoning with respect to the existing scale and character of surrounding structures, and will allow for new homes that will blend rather than compete with the established character of the area. See LU-6.5.

Editorial: Sale of sisters' property on Prospect is a win-win

Los Gatos Weekly-Times Editorial
Posted: 11/26/2012 07:39:36 PM PST
Updated: 11/26/2012 07:39:36 PM PST

It may be disappointing for longtime residents of Los Gatos to accept the fact that the Sisters of the Holy Names will be reducing their numbers in town over the next few years with the planned sale of their property on Prospect Avenue, but the truth is that the turn of events will be a win-win for all concerned.

The sisters will sell the 11.8-acre site where their current campus sits, and those in residence--younger sisters and those aging sisters in need of long-term care--will be relocated to Our Lady of Fatima Villa in Saratoga and Merrill Gardens in Campbell. The site will then be returned to its residential character to fit into the surrounding neighborhood.

The win-win of the plan is that the sale of the property will allow the sisters to raise the funds necessary to care for their aging members while also providing revenue to cover the cost of residents for the younger members of the order. At the same time, the project which calls for 21 or fewer half-acre lots will reduce traffic and intensity at the site while creating homes that will complement the area.

The project is in keeping with the town's General Plan and zoning in the neighborhood, and the sisters should be commended for taking such care to create such a smooth transition and taking the best interests of the neighbors to heart as they plan for their long-range goals. But we would expect nothing less from such a caring group that's mission focuses on ministry and service to the community.

The sisters had originally hoped to either remodel their existing facility or create a full service continuing care retirement community on their property, through a partnership with outside organizations. But after much deliberation, they determined such a plan was not feasible.

Still, the sisters had to plan for their future. They receive no outside funding, but rather are self-sufficient. So they needed a source of income to achieve their goals.

The process that has taken two years of evaluation was recently resolved when they created partnerships with Our Lady of Fatima Villa and Merrill Gardens, a brand new active living retirement center, for skilled care and assisted living for the sisters.

The Sisters of the Holy Names purchased the property on Prospect Avenue in 1945, and a new convent at the site opened in 1952. The sisters helped found St. Mary's School in downtown Los Gatos in 1954 and have served the town at the church and school and in so many others ways over the past six decades. That service will continue, and while the main campus that includes 13 buildings will be sold, "we will continue to operate the convent and Villa Holy Names retreat for the foreseeable future," said the sisters in a press release. "We plan to begin transitioning sisters to the new communities in 2013."

While we see the benefit of the planned sale and wish the sisters well in what they call their new "adventure," we can't help but feel a twinge of sadness as yet another piece of Los Gatos history is changed forever.

Suzanne Avila

From: Catherine Somers <thesomers@comcast.net>
Sent: Monday, February 17, 2014 11:18 AM
To: Suzanne Avila
Subject: We support "the Sisters of the Holy Name Transition Plan"

To Whom It May Concern -

For the record, the Somers Family at 211 Prospect Avenue, Los Gatos, fully supports the Transition Plan for the Sisters of the Holy Name. We have really appreciated their administration's thoughtfulness and consideration in proposing this transition plan to neighbors. They have been very professional and thorough. We support them 100% and will do anything they need us to do to help make this transition a smooth one. Lastly, their respect and love of the land on which they currently reside is remarkable. I hope that the Town of Los Gatos will respect their wishes and plans to keep that priceless property unscathed.

Sincerely,

Catherine Somers

EXHIBIT 8

Suzanne Avila

From: Mary Curtis <mpcmedia@aol.com>
Sent: Monday, February 17, 2014 2:46 PM
To: Suzanne Avila
Subject: Sisters of the Holy Names Convent site

To Members of the Los Gatos Planning Commission and Town Council:

The Sisters of the Holy Names have my continued support for their transition at the convent and their subdivision plans to return the property to residential use consistent with the adjacent neighborhood. Their plan is consistent with the Town of Los Gatos General Plan and Zoning Code. It also meets all Town requirements and they are not requesting any exceptions or variances.

As this project enters the approval hearings with the Town to move forward, I wish to reiterate our support for their plans.

Mary Pacifico Curtis
110 Highland Ave
Los Gatos, CA 95030

408-888-7872

Sent from my iPad

Suzanne Avila

From: Heidi Grassman <hgrassman@msn.com>
Sent: Monday, February 17, 2014 6:48 PM
To: Suzanne Avila
Subject: 2/26 Planning Commission Meeting

Hello -

My husband and I would like to register our support for the plan currently under review by the Planning Commission regarding the Sisters of the Holy Names site. Please accept this email as our vote of support at the Planning Commission meeting on February 26, 2014.

Sincerely,
Heidi and James Grassman
15930 Rose Avenue
Los Gatos, CA 95030

Suzanne Avila

From: Dr. James A. Soderberg <james.soderberg@gmail.com>
Sent: Tuesday, February 18, 2014 8:05 PM
To: Suzanne Avila
Cc: Kate Ondreyco SNJM
Subject: 100 Prospect Avenue Subdivision Application

Dear Ms. Avila:

I reside at 111 Reservoir Road, directly across the street from the property owned by the Sisters of the Holy Names. I am writing to express my support for the Tentative Map which has been submitted to the Town of Los Gatos Planning Department for the subdivision of the above mentioned property. I believe this map has been drawn with special attention given to preserving the unique residential character of the neighborhood where I live. I recommend that it be approved by the Planning Commission.

Yours sincerely,

James A. Soderberg
111 Reservoir Road
Los Gatos CA 95030

Suzanne Avila

From: africe@comcast.net
Sent: Wednesday, February 19, 2014 2:05 PM
To: Suzanne Avila
Cc: KOndreyco@snjmuson.org; Ann
Subject: Hearing for Sisters of the Holy Names property

From: Fred Rice and Ann McDonald Rice

123 Cleland Ave.

Los Gatos, CA 95030

Date: February 19, 2014

Re: Property belonging to Sisters of the Holy Names on Prospect

We understand that there is a meeting scheduled soon by the Town of Los Gatos regarding the upcoming and potential sale of the property on Prospect which presently is owned by the Sisters of the Holy Names. As an "extended neighbor" of the Sisters, we would like to comment upon the process as my husband and I have experienced it thus far. In addition we would like to voice our support of moving to the next phase as required by the Town of Los Gatos.

Acknowledging our clear preference that the Sisters would be able to hold this land under their stewardship, we are also understanding of their need to pass this on to other individuals and parties. They have included in this decision the important consideration of how the neighborhood, and town, could participate in the matters which impact and will lead up to the eventual sale. In other fields, this could be labeled as an "holistic" undertaking. In light of who the Sisters are, it can also easily be identified as labeled a "holy" undertaking.

Numerous studies have been done, meetings held not only with personnel of the Town of Los Gatos with the close neighbors as well as other of us "on the hill." We have been kept abreast of what has been happening as they consider the move. The scope of those considerations are vast, and it is wonderful to have seen the unfolding of the original plan. It is obvious that the underlying need has been financial, but they have instituted the process with this reality to mesh with consideration of the community at large with their spiritual tradition of hospitality, good will, and openness to all which is in the fiber of the Holy Names Community.

Should additional measure suggested by the Town of Los Gatos be found to be necessary, I am confident the Sisters will work to resolve them in the same manner that has already been exercised. Again, we are hopeful that the move to the next step will be permitted.

Sincerely,

Fred and Ann Rice

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VESTING TENTATIVE TRACT MAP
FOR
SISTERS OF THE HOLY NAMES
A PORTION OF THE KIMBLE TRACT SUBDIVISION #2
TOWN OF LOS GATOS
COUNTY OF SANTA CLARA
STATE OF CALIFORNIA

EXISTING LAND USE
HOUSING AND CARE, CONFERENCE, RECREATION, RETREAT, EDUCATION, COMMON DINING, PARKING, ADMINISTRATIVE OFFICES AND OTHER USES

PROPOSED LAND USE
SINGLE FAMILY RESIDENTIAL CONSISTENT WITH TOWN OF LOS GATOS GENERAL PLAN AND ZONING
17 LOTS PROPOSED

EXISTING GENERAL PLAN DESIGNATION
LOW DENSITY RESIDENTIAL (0-5 DWELLING UNITS PER NET ACRE)

PROPOSED GENERAL PLAN DESIGNATION
LOW DENSITY RESIDENTIAL (0-5 DWELLING UNITS PER NET ACRE)

EXISTING ZONING
R-1: 20-SINGLE FAMILY RESIDENTIAL

PROPOSED ZONING
R-1: 20-SINGLE FAMILY RESIDENTIAL

UTILITY PROVIDERS

WATER	SAN JOSE WATER COMPANY 110 W. TAYLOR STREET SAN JOSE, CA 95110 (408) 279-7800
SANITARY SEWER	WEST VALLEY SANITATION DISTRICT 100 E. SUNNYOAKS AVE. CAMPBELL, CA 95008 (408) 378-2407
ELECTRIC & GAS	PACIFIC GAS & ELECTRIC 308 STOCKTON AVE. SAN JOSE, CA 95126 (800) 743-5000
CABLE TV & TELEPHONE	COMCAST 1900 S. 10TH STREET SAN JOSE, CA 95112 (800) 945-2288

SITE AREA

BEFORE STREET AND RIGHT OF WAY DEDICATION	448,404 SF ± (10.29 Ac)
AFTER STREET AND RIGHT OF WAY DEDICATION	426,658 SF ± (9.79 Ac)

ASSESSOR'S PARCEL NUMBER
529-44-005

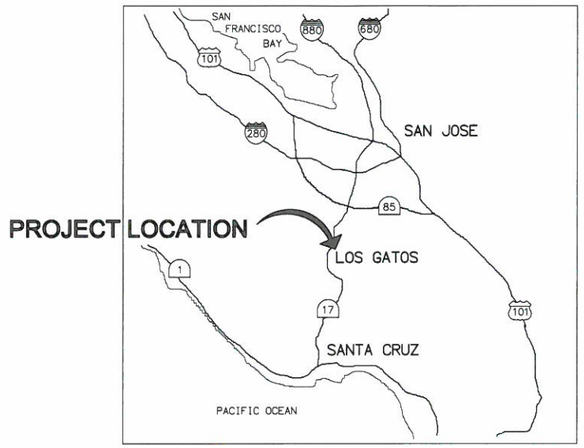
EARTHWORK QUANTITIES

CUT	6,400 CY
FILL	4,600 CY
NET	1,800 CY EXPORT

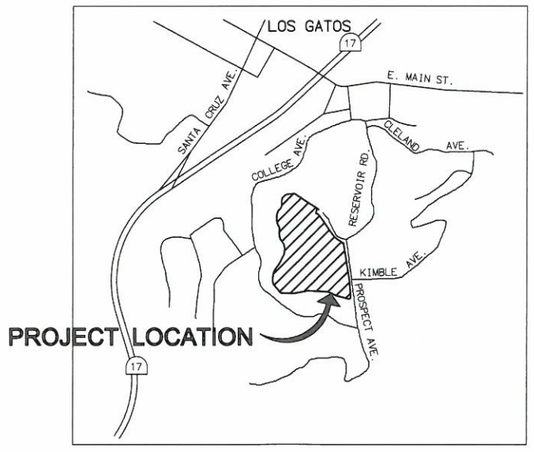
ABBREVIATIONS

Ac	ACRES
BOW	BOTTOM OF WALL
DW	DOMESTIC WATER
EL	ELEVATION
ESMT	EASEMENT
EX	EXISTING
FG	FINISH GRADE
FH	FIRE HYDRANT
G	GAS
GB	GRADE BREAK
HP	HIGH POINT
INV	INVERT
LF	LINEAR FEET
MAX	MAXIMUM
MIN	MINIMUM
MISC	MISCELLANEOUS
NO.	NUMBER
NTS	NOT TO SCALE
PUE	PUBLIC UTILITY EASEMENT
PVC	POLYVINYL CHLORIDE
PVI	POINT OF VERTICAL INTERSECTION
ROW	RIGHT OF WAY
SD	STORM DRAIN
SDMH	STORM DRAIN MANHOLE
SF	SQUARE FEET
SS	SANITARY SEWER
SSMH	SANITARY SEWER MANHOLE
STA	STATION
TBD	TO BE DETERMINED
TG	TOP OF GRATE
TOW	TOP OF WALL
VC	VERTICAL CURVE

LEGEND
- PROPERTY LINE
- RIGHT OF WAY LINE
- LOT LINE
- BUILDING SETBACK LINE
- EASEMENT LINE
- BUILDING PAD
- EXISTING RIGHT OF WAY LINE
- STREET CENTERLINE
- POTENTIAL PHASE LINE
- 12 LOT NUMBER



PROJECT LOCATION MAP



VICINITY MAP

SHEET INDEX

1	TITLE SHEET
2	DEMOLITION PLAN
3	LOT LAYOUT PLAN
4	CONCEPTUAL GRADING AND DRAINAGE PLAN
5	CONCEPTUAL PROFILE AND SECTIONS
6	CONCEPTUAL TREE PRESERVATION AND REMOVAL PLAN
7	UTILITY PLAN
8	C.3 STORMWATER CONCEPTUAL PLAN
9	CONCEPTUAL PHASING PLAN

CIVIL ENGINEER

RBF CONSULTING, A MICHAEL BAKER COMPANY
500 YGNACIO VALLEY ROAD, SUITE 300
WALNUT CREEK, CALIFORNIA 94596

PROJECT ADDRESS
SISTERS OF THE HOLY NAMES OF JESUS AND MARY
100 PROSPECT AVENUE
LOS GATOS, CALIFORNIA 95031

PROPERTY OWNER
SISTERS OF THE HOLY NAMES OF JESUS AND MARY
A CALIFORNIA NON-PROFIT CORPORATION
100 PROSPECT AVENUE
LOS GATOS, CALIFORNIA 95031

GENERAL NOTES
1. THE PROPOSED GRADING AS SHOWN IS PRELIMINARY AND IS SUBJECT TO FINAL DESIGN.
2. ALL GRADING SHALL BE DONE IN CONFORMANCE WITH THE RECOMMENDATIONS AND CONDITIONS OF THE GEOTECHNICAL REPORT PREPARED BY CORNERSTONE EARTH GROUP DATED JULY 15, 2013.
3. UTILITY LOCATIONS AND STREET GRADES ARE PRELIMINARY AND ARE SUBJECT TO FINAL ENGINEERING DESIGN AND HOUSE PLOTTING. FINAL LOT DIMENSIONS WILL REMAIN IN SUBSTANTIAL CONFORMANCE WITH THIS MAP.
4. EXISTING TOPOGRAPHY WAS PREPARED USING COMPUTER ASSISTED, PHOTOGRAMMETRIC METHODS BY HJW GEOSPATIAL, INC., IN OAKLAND CALIFORNIA. IN AREAS OF DENSE VEGETATION, ACCURACY OF CONTOURS MAY DEVIATE FROM ACCEPTED ACCURACY STANDARDS. THE GRID IS BASED ON A LOCAL, ASSUMED COORDINATE SYSTEM.
5. ALL EXISTING EASEMENTS AS SHOWN ON THESE PLANS ARE TO REMAIN UNLESS OTHERWISE NOTED. NEW EASEMENTS SHALL BE DEDICATED TO THE APPROPRIATE AGENCIES.
6. FINAL ENGINEERING DESIGN MAY REQUIRE CHANGES TO THE LOCATION OF INFRASTRUCTURE AND DRAINAGE FACILITIES.
7. ALL SIZES, AREAS, VOLUMES, LENGTHS AND DISTANCES CONTAINED HEREIN ARE ONLY APPROXIMATIONS AND ARE NOT INTENDED, NOR SHOULD THEY BE ACCEPTED AS EXACT MEASUREMENTS.

RECEIVED
FEB 5 2014
TOWN OF LOS GATOS
PLANNING DIVISION
M-13-003

REGISTERED PROFESSIONAL ENGINEER
JENNIFER A. HARMON
No. C 63909
Exp. 9-30-14
CIVIL
STATE OF CALIFORNIA

THESE PLANS WERE PREPARED UNDER MY SUPERVISION

JENNIFER A. HARMON R.C.E. #63909

JOB NO.: 132531
DATE: 01-08-14
DRAWN BY: J. MILLER
DESIGNED BY: J. HARMON

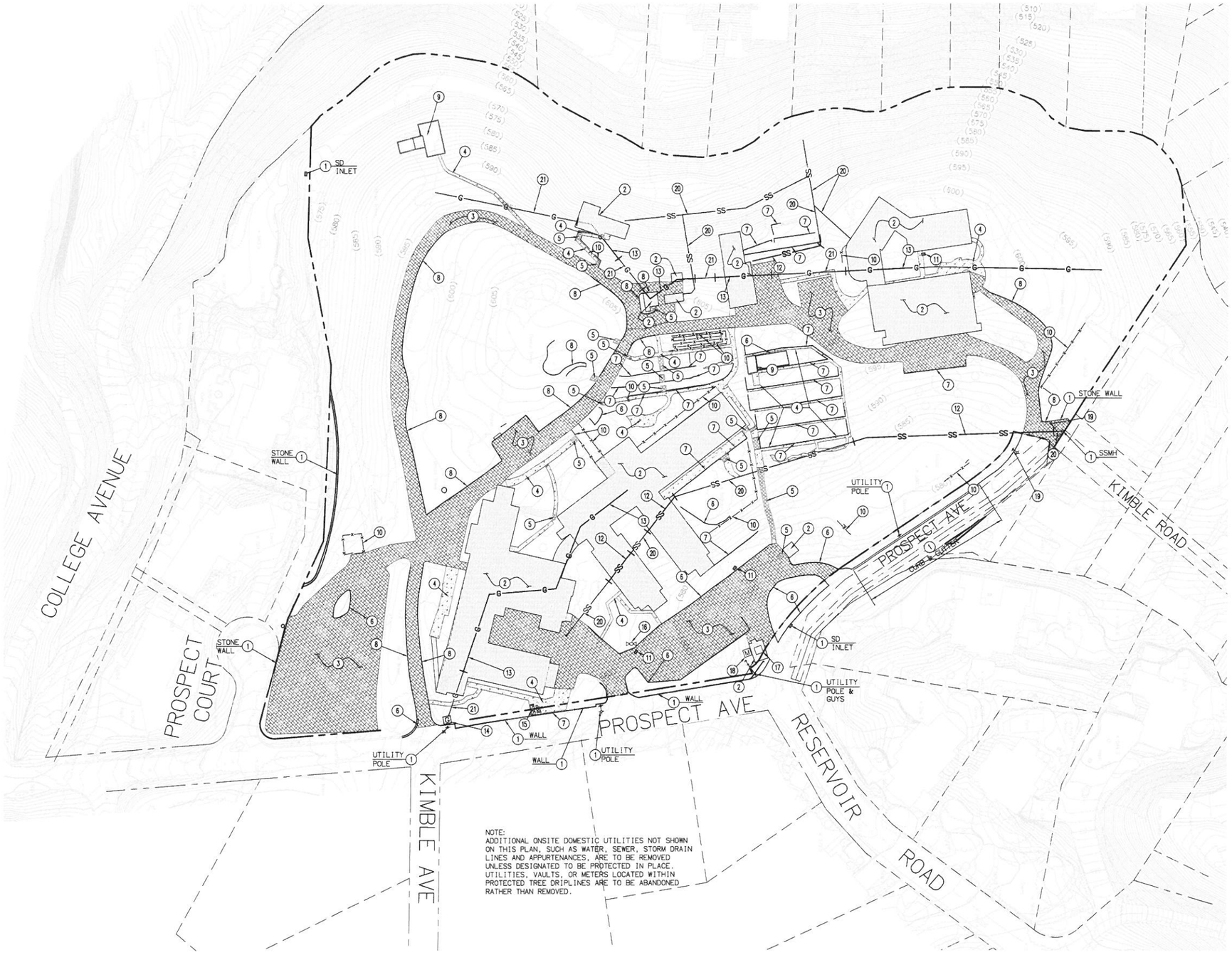
RBF CONSULTING
A Baker Company
500 YGNACIO VALLEY ROAD, SUITE 300
WALNUT CREEK, CALIFORNIA 94596-3847
925.906.1460 • FAX 925.906.1465 • www.RBF.com

TOWN OF LOS GATOS
VESTING TENTATIVE TRACT MAP
SISTERS OF THE HOLY NAMES

TITLE SHEET

SHEET 1 OF 9 SHTS.

EXHIBIT 9



NOTE:
ADDITIONAL ONSITE DOMESTIC UTILITIES NOT SHOWN ON THIS PLAN, SUCH AS WATER, SEWER, STORM DRAIN LINES AND APPURTENANCES, ARE TO BE REMOVED UNLESS DESIGNATED TO BE PROTECTED IN PLACE. UTILITIES, VAULTS, OR METERS LOCATED WITHIN PROTECTED TREE DRIPLINES ARE TO BE ABANDONED RATHER THAN REMOVED.

DEMOLITION NOTES

No.	DESCRIPTION	UNIT	QUANTITY
1	PROTECT IN PLACE	--	--
2	DEMOLISH EXISTING STRUCTURE	EA	11
3	REMOVE EXISTING ASPHALT	SF	68600
4	REMOVE EXISTING CONCRETE	SF	12090
5	REMOVE EXISTING STAIRS	SF	930
6	REMOVE EXISTING CURB	LF	1080
7	REMOVE EXISTING RETAINING WALL	LF	1645
8	REMOVE EXISTING STONE WALL	LF	1520
9	REMOVE EXISTING WOOD DECK AND PAVILION	EA	2
10	REMOVE EXISTING WOOD FENCE	LF	1100
11	REMOVE EXISTING STORM DRAIN INLET	EA	3
12	REMOVE EXISTING SEWER LINE	LF	795
13	REMOVE EXISTING GAS LINE	LF	973
14	REMOVE EXISTING GAS METER	EA	1
15	REMOVE EXISTING BACKFLOW PREVENTOR	EA	1
16	REMOVE EXISTING FIRE HYDRANT	EA	1
17	REMOVE EXISTING WATER PUMP (INSIDE STRUCTURE)	EA	1
18	REMOVE EXISTING WATER METER	EA	1
19	RELOCATE EXISTING UTILITY POLE	EA	2
20	ABANDON EXISTING SEWER LINE IN PLACE	LF	317
21	ABANDON EXISTING GAS LINE IN PLACE	LF	96

LEGEND

- EXISTING BUILDING TO BE DEMOLISHED
- EXISTING ASPHALT
- EXISTING CONCRETE
- EXISTING STAIRS
- EXISTING WOOD FENCE
- EXISTING STORM DRAIN INLET
- SS — EXISTING SEWER LINE
- G — EXISTING GAS LINE
- G — EXISTING GAS METER
- BFP — EXISTING BACKFLOW PREVENTOR
- EXISTING FIRE HYDRANT
- M — EXISTING WATER METER
- EXISTING UTILITY POLE W/LIGHT

SCALE: 1"=50'

50 25 0 50 100 150

SCALE: 1"=50'

REGISTERED PROFESSIONAL ENGINEER JENNIFER A. HARMON No. C 63909 Exp. 9-30-14 CIVIL STATE OF CALIFORNIA

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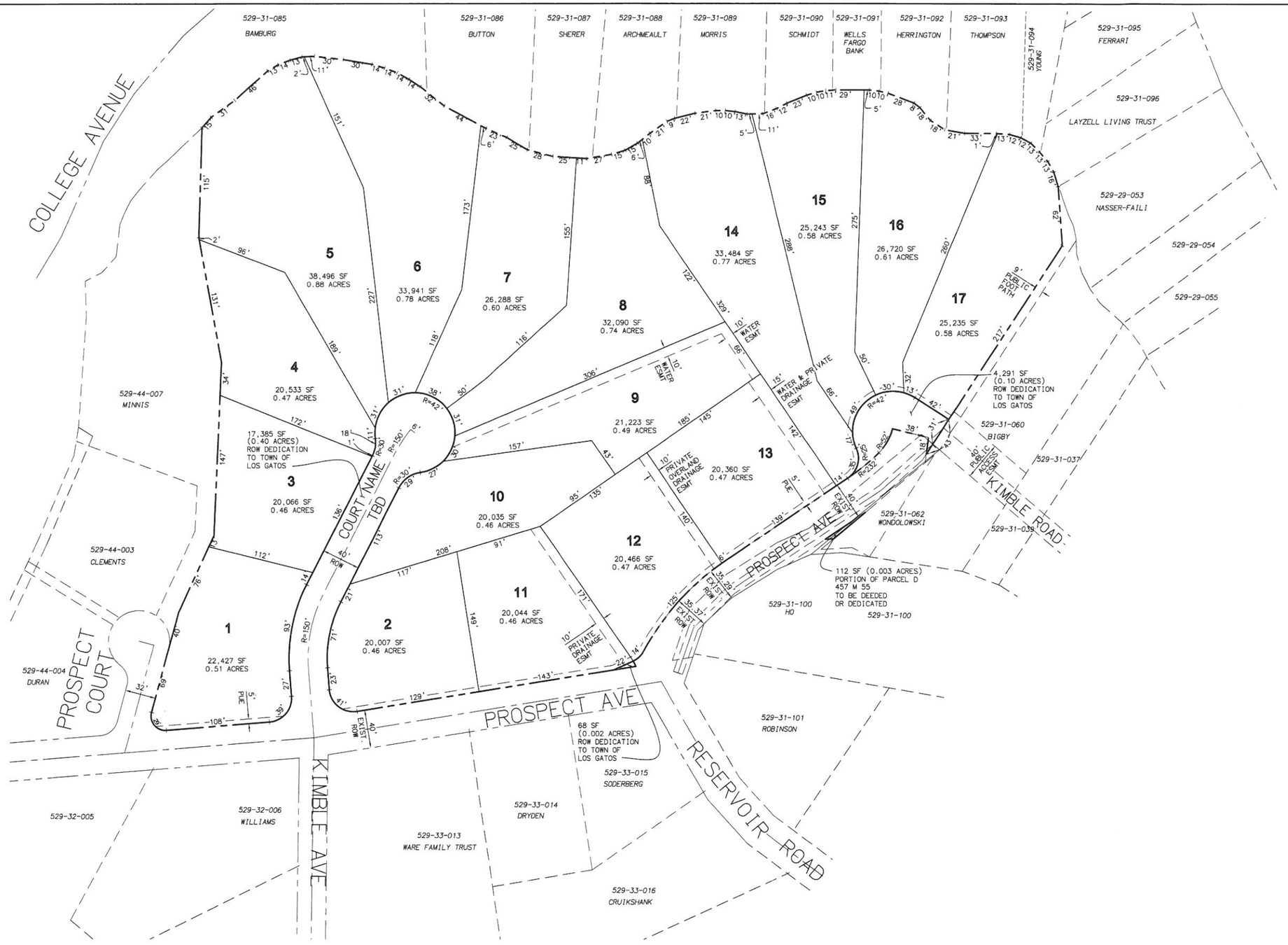
TOWN OF LOS GATOS
VESTING TENTATIVE TRACT MAP
SISTERS OF THE HOLY NAMES

DEMOLITION PLAN

SHEET 2 OF 9 SHTS.



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TOWN OF LOS GATOS
VESTING TENTATIVE TRACT MAP
SISTERS OF THE HOLY NAMES

LOT LAYOUT PLAN

SHEET 3 OF 9 SHTS.

SEE SHEET 5 FOR CUL-DE-SAC PROFILE,
ROADWAY SECTION A-A, AND
SITE CROSS SECTIONS B-B AND C-C

SETBACKS

FRONT	30'
SIDE	15'
BACK	25'

LEGEND

- PROPERTY LINE
- RIGHT OF WAY LINE
- LOT LINE
- BUILDING SETBACK LINE
- EASEMENT LINE
- CONCEPTUAL BUILDING FOOTPRINTS ONLY 2,800 - 4,800 SF SPECIFIC BUILDING LOCATIONS TO BE DETERMINED SUBJECT TO TOWN OF LOS GATOS DESIGN REGULATIONS AND FUTURE ARCHITECTURE & SITE APPLICATION, REVIEW, AND APPROVAL PROCESS
- 605 CONCEPTUAL PAD ELEVATION
- EXISTING CONTOUR
- 605 PROPOSED CONTOUR
- PROPOSED 2: 1 SLOPE
- 3.0% CONCEPTUAL DRIVEWAY WITH SLOPE
- 587.0 CONCEPTUAL FINISH GRADE ELEVATION
- 598.5 CONCEPTUAL SPOT ELEVATION
- PROPOSED CATCH BASIN
- EXISTING CATCH BASIN
- PROPOSED STORM DRAIN MANHOLE
- SD PROPOSED 12" STORM DRAIN
- SD EXISTING STORM DRAIN
- DIRECTION OF OVERLAND RELEASE
- CONCEPTUAL RETAINING WALL

NOTES:

1. FOR STORM DRAINAGE ELEVATIONS AND QUANTITIES, SEE UTILITY PLAN.
2. FOR LOTS WHERE REAR OF BUILDINGS DRAIN TOWARD ADJACENT LOTS OFF SITE, IMPERVIOUS AREA DRAINAGE WILL BE DESIGNED WITH UNDERGROUND STORAGE AND/OR PUMP TO BE DETERMINED SUBJECT TO TOWN OF LOS GATOS DESIGN REGULATION AND FUTURE ARCHITECTURE & SITE APPLICATION, REVIEW AND APPROVAL PROCESS.

SCALE: 1"=50'

50 25 0 50 100 150

SCALE: 1"=50'

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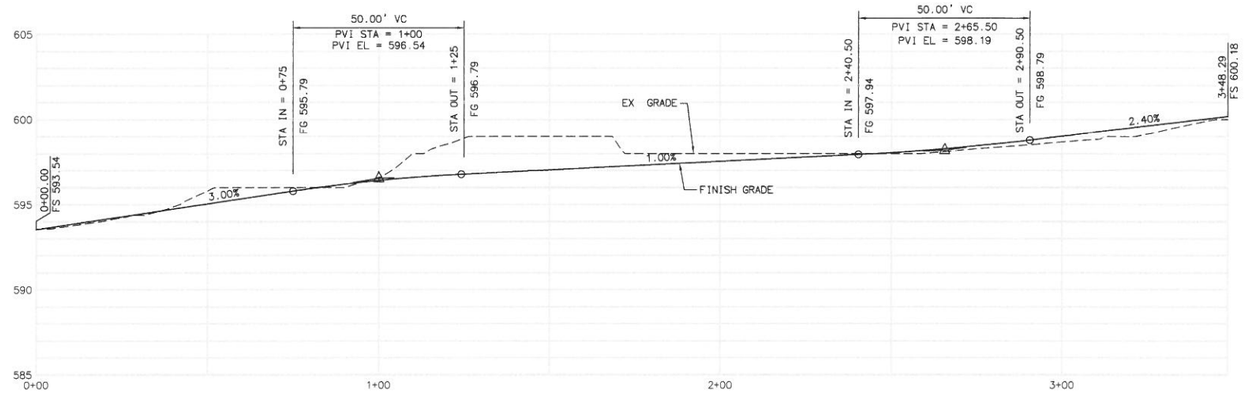
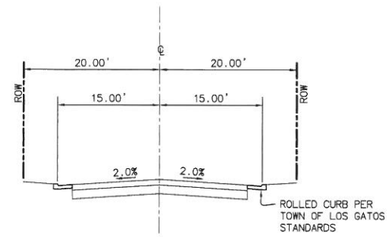
TOWN OF LOS GATOS
VESTING TENTATIVE TRACT MAP
SISTERS OF THE HOLY NAMES

CONCEPTUAL GRADING AND DRAINAGE PLAN



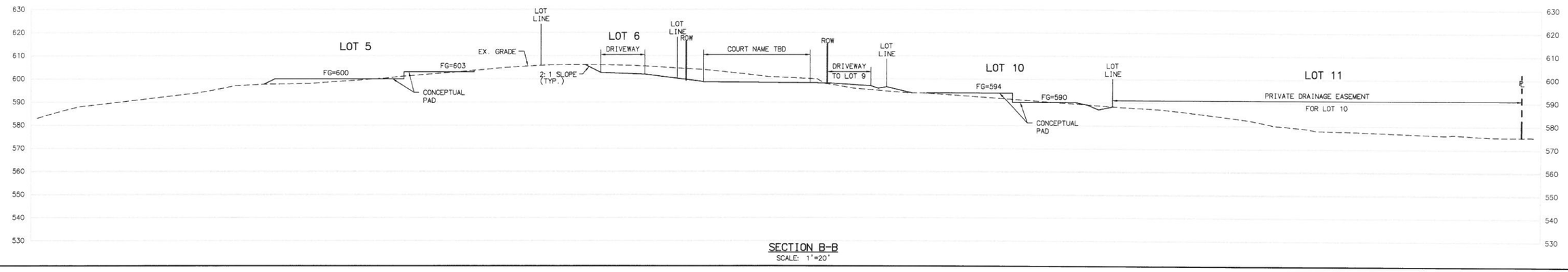
NEW ROADWAY PROFILE

SCALE: HORIZ. 1" = 20'
VERT. 1" = 4'

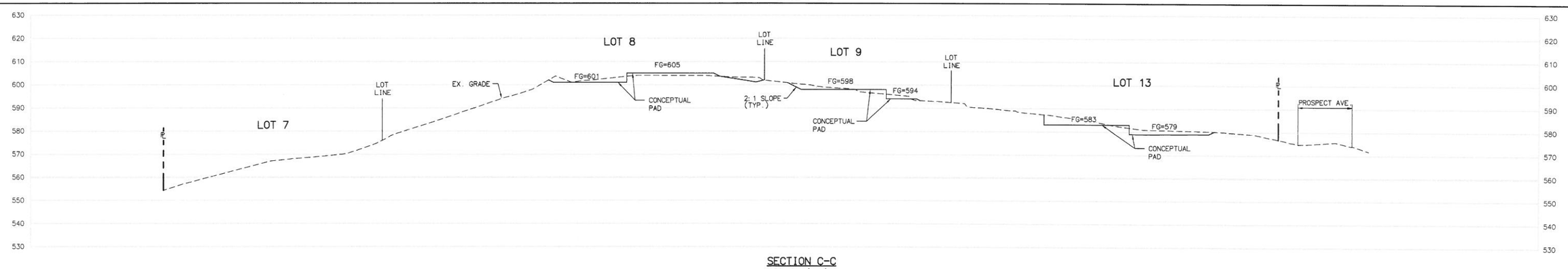


SECTION A-A

TYPICAL NEW ROADWAY SECTION
NO SCALE



SECTION B-B
SCALE: 1"=20'



SECTION C-C
SCALE: 1"=20'

NOTE:
CONCEPTUAL PADS ONLY. SPECIFIC BUILDING LOCATIONS TO BE DETERMINED SUBJECT TO TOWN OF LOS GATOS DESIGN REGULATIONS AND FUTURE ARCHITECTURE & SITE APPLICATION, REVIEW, AND APPROVAL PROCESS.

REGISTERED PROFESSIONAL ENGINEER
JENNIFER A. HARMON
No. C 63909
Exp. 9-30-14
CIVIL
STATE OF CALIFORNIA

THESE PLANS WERE PREPARED UNDER MY SUPERVISION

JENNIFER A. HARMON R.C.E. #63909

JOB NO.:	132531
DATE:	01-08-14
DRAWN BY:	J. MILLER
DESIGNED BY:	J. HARMON

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TOWN OF LOS GATOS
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SISTERS OF THE HOLY NAMES

CONCEPTUAL PROFILE AND SECTIONS

SHEET 5 OF 9 SHTS.

LEGEND

- LOT LINE
- SETBACK LINE
- CONCEPTUAL BUILDING FOOTPRINTS ONLY 2,800 - 4,800 SF SPECIFIC BUILDING LOCATIONS TO BE DETERMINED SUBJECT TO TOWN OF LOS GATOS DESIGN REGULATIONS AND FUTURE ARCHITECTURE & SITE APPLICATION, REVIEW, AND APPROVAL PROCESS
- PROPERTY LINE
- RIGHT OF WAY LINE
- EXISTING RIGHT OF WAY LINE
- STREET CENTERLINE
- EXISTING TREE (WITH CORRESPONDING NUMBER) TO POTENTIALLY REMAIN
- EXISTING TREE (WITH CORRESPONDING NUMBER) TO POTENTIALLY BE REMOVED
- INVENTORIED TREES REMOVED BECAUSE THEY WERE DETERMINED DEAD AND/OR HAZARDOUS BY TOWN ARBORIST (TREES 8, 73, 75, 189, 320, 323, 324, 325, 326, 327, 401 AND 402).

TOTAL TREES:	492
TOTAL TREES PRESERVED:	389
TOTAL POTENTIAL TREE REMOVAL:	
DEMOLITION:	4
WITHIN STREETS:	13
WITHIN CONCEPTUAL BUILDING FOOTPRINTS:	55
DEAD AND/OR HAZARDOUS:	12
POTENTIALLY IMPACTED:	19

NOTE:

TREES ON INDIVIDUAL LOTS SHOWN FOR POTENTIAL REMOVAL ARE CONCEPTUAL ONLY. SPECIFIC TREES TO BE PRESERVED, REMOVED, OR TRANSPLANTED TO BE DETERMINED FOR EACH LOT WITH FUTURE ARCHITECTURAL & SITE APPLICATION, REVIEW, AND APPROVAL PROCESS.

SCALE: 1"=50'

50 25 0 50 100 150

SCALE: 1"=50'

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TOWN OF LOS GATOS
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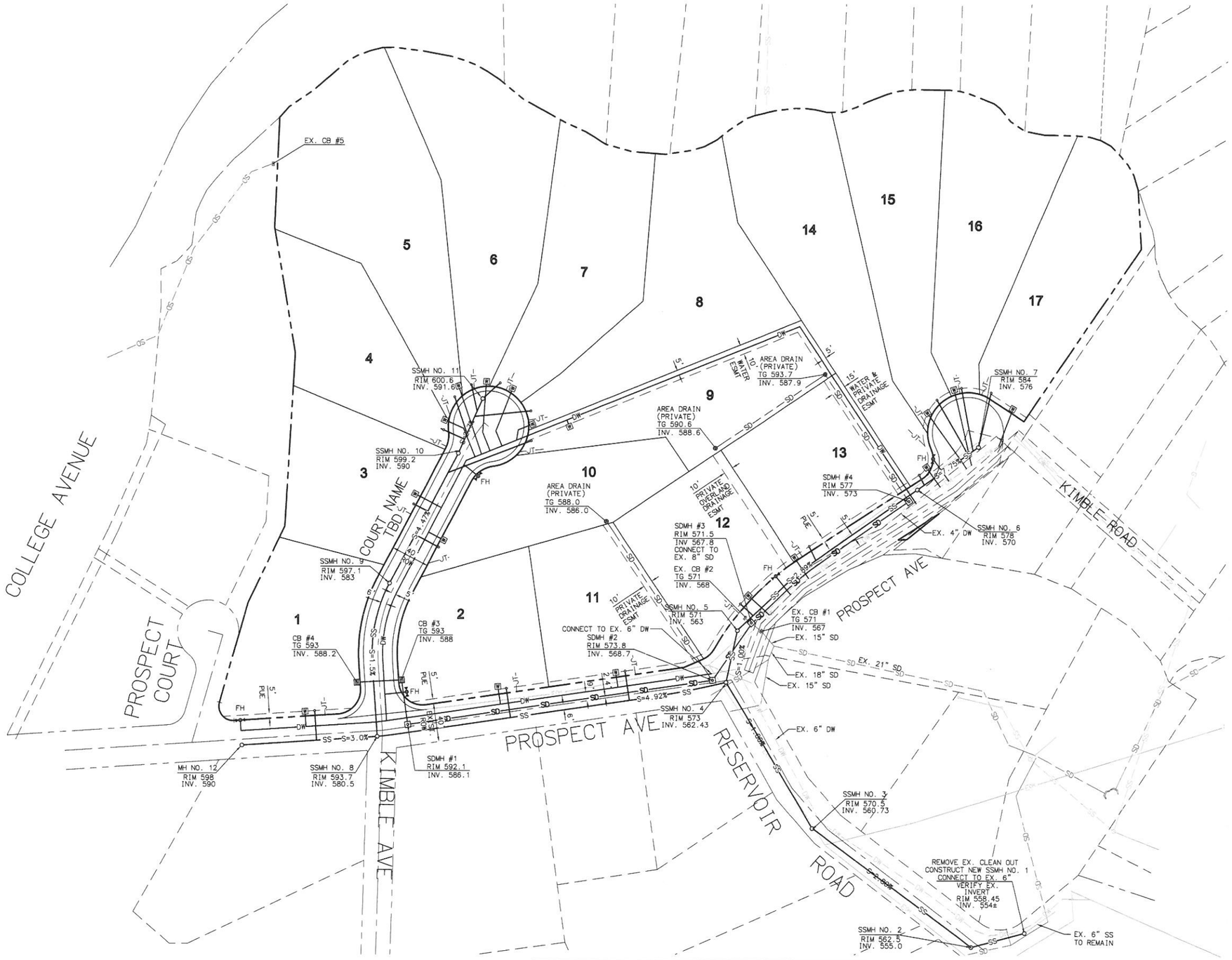
CONCEPTUAL TREE PRESERVATION AND REMOVAL PLAN

SHEET 6 OF 9 SHTS.



QUANTITIES	
8" PVC SEWER	1694 LF
8" PVC DOMESTIC WATER	1490 LF
12" STORM DRAIN	690 LF
PRIVATE STORM DRAIN	497 LF
FIRE HYDRANTS	5
SS MANHOLE	12
SD CATCH BASIN	2
AREA DRAIN	3
SD MANHOLE	4

LEGEND

- SS — PROPOSED 8" SANITARY SEWER
- DW — PROPOSED 8" DOMESTIC WATER
- SSMH NO. # — PROPOSED SS MANHOLE AND NUMBER
- FH — PROPOSED FIRE HYDRANT
- S=2.8% — SEWER SLOPE
- DW — EXISTING DOMESTIC WATER
- SS — EXISTING SANITARY SEWER
- SD — EXISTING STORM DRAIN
- EXISTING MANHOLE
- CB # — PROPOSED CATCH BASIN AND NUMBER
- SDMH NO. # — PROPOSED STORM DRAIN MANHOLE AND NUMBER
- SD — PROPOSED 12" STORM DRAIN
- SD — PROPOSED PRIVATE STORM DRAIN
- PROPOSED PRIVATE AREA DRAIN
- PROPOSED SEWER LATERAL AND CLEANOUT
- PROPOSED DOMESTIC WATER LATERAL AND METER
- JT — PROPOSED JOINT TRENCH SERVICE

SCALE: 1"=50'

50 25 0 50 100 150

SCALE: 1"=50'

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TOWN OF LOS GATOS
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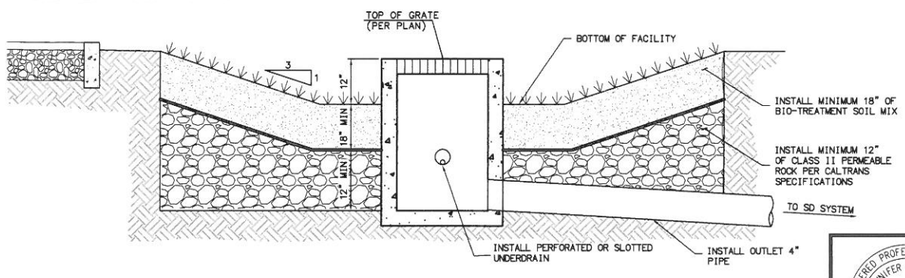
UTILITY PLAN

SHEET 7 OF 9 SHTS.



TYPICAL STORMWATER TREATMENT FACILITY

LEGEND

- LOT LINE
- SETBACK LINE
- CONCEPTUAL DEVELOPABLE AREA FOOTPRINT SPECIFIC BUILDING LOCATIONS SUBJECT TO TOWN OF LOS GATOS DESIGN REGULATIONS AND FUTURE ARCHITECTURE & SITE REVIEW AND APPROVAL PROCESS
- CONCEPTUAL RETAINING WALL 4' MAXIMUM HEIGHT CONSISTANT WITH HILLSIDE DEVELOPMENT STANDARDS
- IMPERVIOUS PUBLIC ROAD AREA ADDED
- POTENTIAL STORMWATER TREATMENT FACILITY AREA

SETBACKS

FRONT	30'
SIDE	15'
BACK	25'

FLOOD ZONE

THE PROJECT SITE IS NOT IN A FEMA SPECIAL FLOOD HAZARD AREA. THE ENTIRE TOWN OF LOS GATOS IS IN A SHADED X ZONE (500-YEAR FLOODPLAIN) WHICH IS NOT CONSIDERED A FLOOD HAZARD AREA.

ESTIMATED DEVELOPABLE AREA ON LOTS

LOT	TOTAL LOT AREA (SQ FT)	ESTIMATED POTENTIAL DEVELOPABLE AREA (SQ FT)
1	22,427	5,020
2	20,007	4,933
3	20,066	3,433
4	20,533	3,570
5	38,496	6,087
6	33,941	4,466
7	26,288	4,855
8	32,090	7,334
9	21,223	7,525
10	20,035	6,464
11	20,044	4,890
12	20,466	4,985
13	20,360	5,832
14	33,484	6,977
15	25,243	6,337
16	26,720	5,382
17	25,235	4,015
TOTAL	426,658	92,105

ESTIMATED C.3 STORMWATER TREATMENT SIZING FOR ROADS

ROAD	TOTAL ADDED ROAD ROW AREA (SQ FT)	ESTIMATED POTENTIAL IMPERVIOUS AREA (SQ FT)	STORMWATER TREATMENT FACILITIES (SQ FT)
NEW ROAD	17,385	13,633	545
PROSPECT	4,291	3,681	147
TOTAL	21,676	17,314	692

NOTES

1. ESTIMATED POTENTIAL DEVELOPABLE AREA BASED ON POTENTIAL BUILDING FOOTPRINT, POTENTIAL HARDSCAPE AND DRIVEWAY AREA ON EACH LOT.
2. PROPOSED IMPERVIOUS AREA UNDER THE PRESERVED TREE CANOPIES MAY BE SUBTRACTED FROM THE NET IMPERVIOUS AREA REQUIRED TO BE TREATED. THIS AREA HAS NOT BEEN REMOVED IN THE PRELIMINARY CALCULATIONS.
3. LOTS SHALL BE SELF-RETAINING AREAS WHERE RUNOFF FROM IMPERVIOUS SURFACES SUCH AS ROOFTOPS AND DRIVEWAYS IS DIRECTED TO PERVIOUS LANDSCAPING USING A MAXIMUM 2: 1 RATIO OF IMPERVIOUS AREA TO THE RECEIVING PERVIOUS AREA. THE PERVIOUS AREA SHALL BE DESIGNED TO POND UP TO 3 INCHES IN DEPTH PRIOR TO OVERFLOWING.
4. IMPERVIOUS PUBLIC ROADS SHALL BE TREATED ON-SITE. THE ON-SITE STORMWATER TREATMENT FACILITIES ARE SIZED TO BE 4% OF THE TOTAL IMPERVIOUS AREA.

SCALE: 1"=50'

50 25 0 50 100 150

SCALE: 1"=50'

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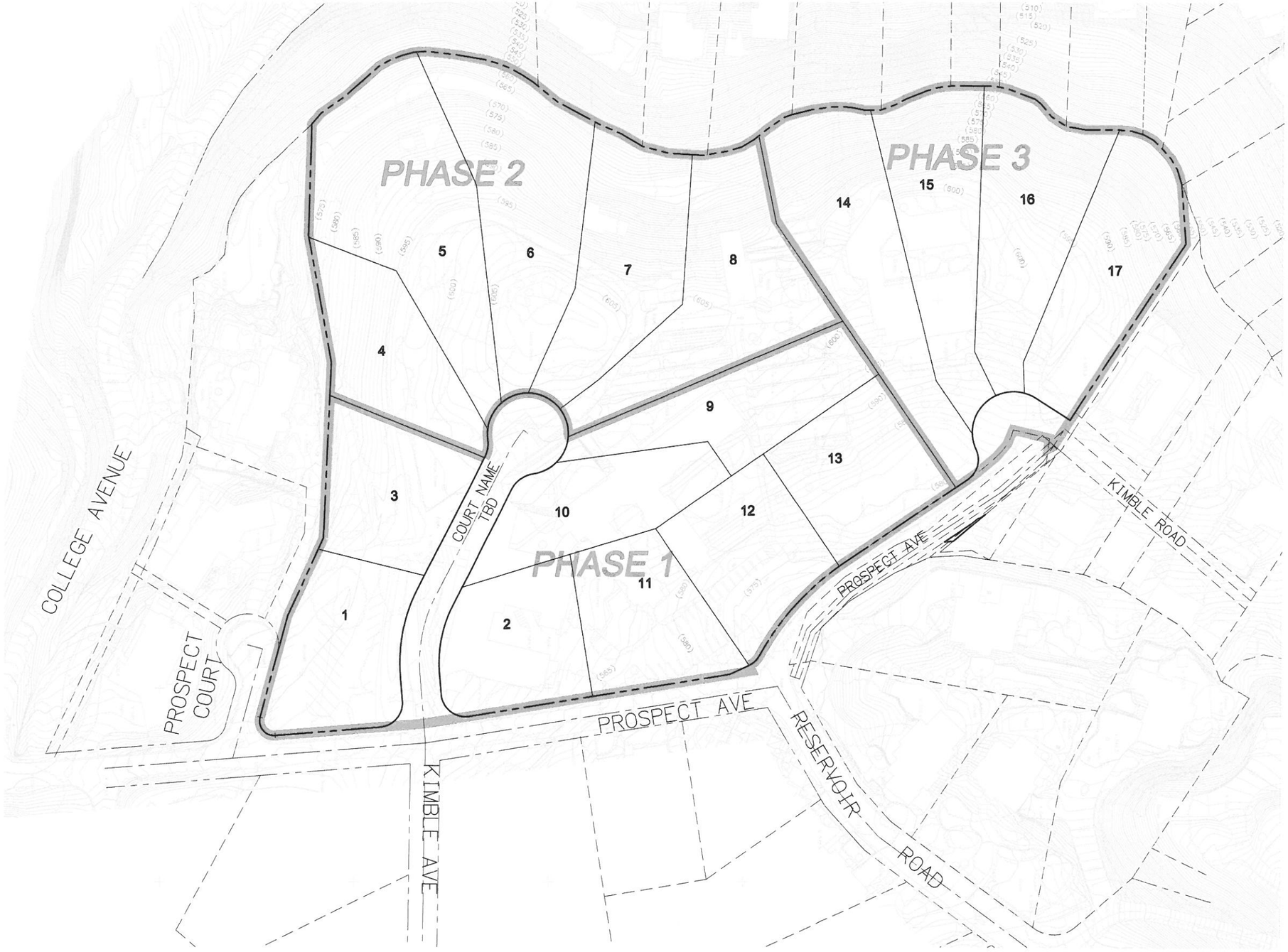
C.3 STORMWATER CONCEPTUAL PLAN



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CONCEPTUAL PHASING PLAN

SHEET 9 OF 9 SHTS.