



MEETING DATE: 01/22/08  
ITEM NO. 16

## COUNCIL AGENDA REPORT

DATE: January 15, 2008

TO: MAYOR AND TOWN COUNCIL

FROM: GREG LARSON, TOWN MANAGER *Greg Larson*

SUBJECT: CONSIDER A REQUEST FOR APPROVAL OF A PLANNED DEVELOPMENT TO RENOVATE AN EXISTING MOTEL, CONVERT A PORTION OF THE MOTEL TO OFFICE AND TO CONSTRUCT A NEW COMMERCIAL BUILDING ON PROPERTY ZONED CH. NO SIGNIFICANT ENVIRONMENTAL IMPACTS HAVE BEEN IDENTIFIED AS A RESULT OF THIS PROJECT AND A MITIGATED NEGATIVE DECLARATION IS RECOMMENDED. APN 529-23-007. PROPERTY LOCATION: **55 LOS GATOS-SARATOGA ROAD**. PROPERTY OWNER/APPLICANT: 55 PARTNERS, LLC. FILE #PD-07-01 & ND-07-02.

### RECOMMENDATION:

1. Open and hold the public hearing and receive public testimony.
2. Close the public hearing.
3. Uphold the Planning Commission's recommendation and deny Planned Development Application PD-07-0, or approve the application as follows:
  - a. Make the Mitigated Negative Declaration (Attachment 4) (**motion required**);
  - b. Adopt the Mitigation Monitoring Program (Attachment 2) (**motion required**);
  - c. Make the required findings (Attachment 1) and approve the application subject to the conditions included in the Planned Development Ordinance (Attachment 3) (**motion required**);
  - d. Direct the Clerk Administrator to read the title of the ordinance (no motion required);
  - e. Move to waive the reading of the ordinance (**motion required**);
  - f. Introduce the ordinance to effectuate Planned Development PD-07-01 (**motion required**).

*Bud N. Lortz*  
PREPARED BY: Bud N. Lortz, Director of Community Development

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Reviewed by: PSS Assistant Town Manager OK Town Attorney \_\_\_\_\_ Clerk \_\_\_\_\_ Finance  
✓ Community Development

Revised: 1/15/08 5:00 PM

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*January 22, 2008*

### BACKGROUND

The subject property is located on the northeast corner Alberto Way & Los Gatos-Saratoga Road. The site is 1.55 acres and is currently occupied by the Los Gatos Motor Inn. The motel has been in operation since the 1960's and currently has 60 rooms.

On September 12 and November 14, 2007 the Planning Commission considered the Planned Development (PD) application. On November 14, 2007 the Planning Commission voted to recommend denial of a proposed Planned Development application for renovation of the Los Gatos Motor Inn and addition of a 9,000 square foot commercial building (Commissioners O'Donnell and Micciche dissented). Attachments 5 and 9 are verbatim minutes of the two Commission meetings.

### PROJECT SUMMARY:

The applicant is proposing to maintain the existing motel use and to add a new 9,000 square foot commercial building near the corner of Los Gatos-Saratoga Road & Alberto Way. Restaurant and retail uses are proposed for the new building. A 2,300 square foot portion of the existing motel floor area will be converted to office space. Three motel rooms will be eliminated under the proposal. The lobby will be relocated to the center of the motel building and the exterior of the motel, the parking lot and landscaping will be upgraded as part of the project. A total of 77 on-site parking spaces are proposed. General project information is included on the project data sheet (see Exhibit G to Attachment 12).

### DISCUSSION:

#### Planned Development

The purpose of a PD overlay zone is to provide for alternative uses and developments more consistent with site characteristics than are allowed in other zones, to create optimum quantity and use of open space, and to encourage good design. The Town Code only requires conceptual building elevations as part of a PD application. However, over the past several years very detailed plans have been included with the PD plans in response to requests for architectural details from both the Planning Commission and Town Council. In an effort to streamline the process for applicants following approval of a PD, the Council has supported the process of the subsequent Architecture and Site (A&S) application to be reviewed by the Development Review Committee (DRC) rather than the Planning Commission since only minor architectural issues remain to be approved. The standard 300 foot public hearing notice is provided for DRC hearings so that neighbors are provided the opportunity to comment on any remaining architectural issues. The Council may comment on architecture or any other project component that needs to be refined during the A&S process. Condition #1 of the PD Ordinance stipulates that the DRC is the deciding body on the A&S application.

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The applicant is meeting all CH zoning requirements with the exception of the following:

1. Reduced front and side setbacks are requested for the new commercial building.
2. The 77 on-site parking spaces will be shared between the motel and the other uses on the site (supported by a Parking Study).
3. The proposed monument sign is taller than allowed by the Sign Ordinance.
4. Waiver of requirement to underground new utilities for a 37-foot long section between an existing and new power pole that is required by PG&E.

#### Architecture & Site

The motel will be upgraded through addition of the new lobby, replacement of railings, addition of planter boxes and landscaping and upgrading the interior of the suites. The height of the existing motel building is 21 feet. The new lobby structure will be 32 feet high.

Story poles have been installed for the new motel lobby and the new commercial building. The new building is 22 feet high with a corner tower that is 29 feet high. The exterior materials for the building will match those of the motel: cement plaster siding with wood and stone trim and asphalt shingle roofing. The proposed color scheme is shown on sheets 1 and 2 of the development plans. The building was designed to be visible from Los Gatos-Saratoga Road while retaining views of the hillside behind. The tower element was included as a character defining feature. The square footage numbers shown on the floor plans are approximate; the building cannot exceed 9,000 square feet based on the number of on-site parking spaces being provided.

The project site is seven feet lower than Los Gatos-Saratoga Road and the applicant has pushed the new commercial building to the front and side property lines so that it will have some visibility from the street frontages. The Code requires a 15-foot setback from both property lines. The setback reduction will not be as perceptible on the south side as there is a large landscaped area between the site and the sidewalk along Los Gatos-Saratoga Road. The landscape buffer width ranges from 25 to 30 feet. However, as discussed in the landscape buffer section, it is recommended that the setback on Alberto Way be increased to provide a more adequate landscape buffer between the sidewalk and the new building.

Staff and the Town's Consulting Architect, Larry Cannon, reviewed the plans and visited the site in addition to evaluating the project using the Town's Commercial Design Guidelines. The applicant has incorporated all the recommended architectural changes into the plans (see Exhibit H of Attachment 12). The tower element was reduced from 35 to 29 feet based on direction from the Planning Commission.

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### Monument Sign

There is an existing pole sign for the motel that is located near the corner of Los Gatos-Saratoga Road and Alberto Way. The applicant would like to install a lower freestanding sign and remove the pole sign (see page 3 of the development plans). While the proposed freestanding sign is 15 feet high (13 feet lower than the existing pole sign), it is not consistent with other similar sign approvals over the past five years. Emphasis has been placed on lower level ground signs that are less obtrusive. Ground signs higher than seven feet are discouraged by the Commercial Design Guidelines. In addition, multi-tenant signs are strongly discouraged. The applicant is proposing to include six tenant names on the monument sign. The guidelines includes a provision that the display of up to three tenants may be considered for small ground signs provided the background is consistent and the type style and logo colors are the same. Staff does not consider this to be a small ground sign and recommends that multiple tenants not be allowed on the sign. It would be appropriate to allow only the motel name on the ground sign.

The Council may want to consider allowing a sign that exceeds seven feet given the lower elevation of the site. However, staff has determined that the 15-foot high proposed sign is excessive and should be reduced to 10 feet. Condition #14 of the PD Ordinance requires this change and includes a requirement for a sign program for the property. The sign program will establish parameters for signs such as type, colors and illumination so that they remain consistent throughout the development.

### Tree & Landscaping

The Town's Consulting Arborist completed an arborist report for the proposed project in January 2007. The reconfiguration of the parking lot will result in the removal of seven trees. Replacement trees will be planted on the site to mitigate the trees being removed. Diamond planters have been added along the motel building to allow trees to be planted closer to the building. The 36-inch oak tree discussed in the arborist report (#24) was inspected further and was trimmed under the supervision of a certified arborist so that it can remain on the site. Parking lot modifications have been made to protect three mature trees (#8-10) that could be impacted by construction.

The Planning Commission directed the applicant to provide more landscaping along the street frontage, the objective being to retain consistency with the other corners of the intersection Los Gatos-Saratoga Road (Highway 9) and Alberto Way. The total number of trees to be planted on the site was increased from 26 to 30. The trees proposed to be planted along the Alberto Way frontage were upgraded from 15-gallon to 24-inch box Flowering Pears (a smaller Podocarpus species was previously proposed). Four of the trees are in locations that will help screen and soften the new building. Shrubs were also added to the corner planter. Two trees were added on the Highway 9 side of the project near the new trash enclosure and two were added in front of the east wing of the motel. Eight of the 30 new trees are 15-gallon size and the rest are 24-inch box size. Staff recommends that the 15-gallon trees be upgraded to 24-inch box size as required by the Tree Ordinance (refer to condition #4 of the PD Ordinance).

*January 22, 2008*Landscape Buffers

The Planning Commission requested that the applicant shift the new building further from the front and side setbacks. The applicant did not make any adjustments to the building location and it is still situated on the front and side property lines. The Code requires setbacks of 15 feet in both instances, although the rules of the zone may be modified through approval of the Planned Development. Staff recommends that the front setback (Alberto Way) be at least 10 feet (refer to condition #5 of the PD Ordinance). There is currently a five-foot wide planter between the property line and the sidewalk that would provide a 15-foot landscape buffer if a 10-foot setback is provided. A 15-foot wide landscape buffer is consistent with other commercial projects. The building will need to be reduced to increase the planting area along Alberto Way. If the building is not reduced the parking spaces and drive aisles will be impacted.

The landscape area between the side property line and the sidewalk on Los Gatos-Saratoga Road provides an adequate buffer and a zero setback may be viable on this side of the project. The planting area ranges from 24 to 29 feet for the length of the building. The applicant can plant additional trees within this area if Town approved species are used and an encroachment permit is issued. Providing a 10-foot setback along Alberto Way will address the Commission's concerns about having adequate landscape screening along the street and at the corner. It will also reduce the building size by approximately 1,000 square feet which addresses the Commission's concerns about bulk and mass and the intensity of the development.

Parking & Circulation

The project site is accessed from a two-way driveway on Alberto Way that will remain in its current location. A total of 77 on-site parking spaces are proposed. The following table summarizes the parking requirements based on strict application of the Zoning Ordinance, without benefit of the shared parking concept that is proposed by the applicant:

use	sq. feet	seats	rooms	parking requirement	total spaces required
retail	5,500	-	-	one space/300 sq. ft.	18
restaurant	3,500	44	-	one space/four seats	11
office	2,300	-	-	one space/250 sq. ft.	9*
motel	-	-	57	one space/room + one space per employee	57 + 5
<b>TOTAL</b>					<b>100</b>

\*assuming office is leased to separate tenant and is not used by motel staff or patrons

The applicant submitted a parking analysis from Hexagon Consultants to support the shared parking concept. An independent Parking Study was completed by the Town's Consulting Traffic Engineer, TJKM (see Exhibit I of Attachment 12). TJKM studied other small hotels and high turnover sit-down restaurants during morning, mid-day and late afternoon/early evening hours in order to

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estimate the expected parking demand on a typical day. The conclusion of the study is that 77 spaces are adequate to support the proposed uses.

Following the September 12 Planning Commission meeting the Town's Consulting Traffic Engineer conducted additional parking counts for the 6-9 pm period and provided an updated report (see Exhibit T of Attachment 8). The traffic consultant determined that the parking demand at night is lower than the three time periods included in the original study. The conclusion of the Parking Study remains that the proposed parking is adequate for the intended mix of uses. The traffic consultant will be available for questions at the meeting.

### Traffic

A Traffic Impact Analysis was also completed by TJKM. The conclusions of the report are as follows:

- 36 AM peak period and 44 PM peak period trips will be generated by the project.
- The level of service at the three signalized intersections in the area of the project will continue to operate at acceptable levels during peak periods.
- The project will not have a significant impact on the Town street network.

The applicant will be required to contribute toward the installation of signal interconnects along Los Gatos-Saratoga Road from Alberto Way to Los Gatos Boulevard. Traffic flow will be improved by coordinating the signals at the two intersections. A "traffic signal interconnect" is the industry term for a communication link between two or more traffic signal controllers. It allows signals to communicate, resulting in smoother traffic flow.

The intersection of Los Gatos-Saratoga Road and Los Gatos Blvd. is nearing capacity. At certain times of day, traffic queues up at this signal all the way to Alberto Way. The project will contribute to the queue. As additional traffic is added to the intersection, the queue length will increase. A signal interconnect will allow both signals to sense the high demand and remain green until the queue is cleared. This will increase intersection efficiency and reduce the possibility of vehicles stopping in the middle of the Alberto Way intersection and blocking other phases of the signal.

### General Plan Compliance

The General Plan land use designation for the site is highway commercial. Retail and office are permitted uses in the CH zone, the compatible zoning district for the land use designation. The proposed project is consistent with the following General Plan policies and implementing strategies:

- CD.P.1.2      Promote, enhance and protect the functionality and appearance of the Town's commercial areas.

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- CDP.1.7 New structures, landscapes and hardscapes shall be designed to harmonize and blend with the scale and rhythm of the neighborhood and natural features in the area.
- CD.P.1.9 Building, landscape and hardscape materials shall be used that will reinforce the sense of unity of a neighborhood and blend with the natural setting.
- CD.P.1.14 Minimize the visual impacts of lighting.
- CD.P.1.15 Utility connections and meters shall be located as to be visually unobtrusive from the street.
- CD.P.1.16 Roof mounted equipment shall be screened and such screening shall be considered as part of the structure for height limitations.
- CD.P.4.2 Establish and maintain strong boundaries between the commercial area and adjacent residential neighborhoods.
- L.P.1.1 Development shall be of high quality design and construction, a positive addition to and compatible with the Town's ambiance. Development shall enhance the character and unique identity of existing commercial and/or residential neighborhoods.
- L.P.1.3 Encourage economic and social activity consistent with a small-scale, small town atmosphere and image.
- L.I.1.1 Architectural Standards/Design Criteria: Use adopted architectural standards and design criteria to review development proposals.
- L.P.4.2 Ensure that new development is a positive addition to the Town's environment and does not detract from the nature and character of appropriate nearby established development.
- L.P.5.2 Encourage a mix of retail, office and professional uses in commercial areas.
- L.P.5.6 Encourage development that maintains and expands resident-oriented services and/or creates employment opportunities for local residents consistent with overall land use policies of the Town.

#### Community Benefit

As required by the Town's Traffic Impact Policy, projects that generate more than five peak period trips must demonstrate some form of community benefit. The applicant's community benefit offering is inclusive of the following:

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- Retention and growth of a revenue stream to the Town
- Diversity in local tourism
- Provision of a sustainable retail connection
- Creation of a new commercial retail site
- Community sensitive design and architecture
- Upgrade of the existing motel and improvement to the appearance of the site
- \$5,000 contribution toward traffic calming for the Alberto Way neighborhood

The Council should discuss whether the community benefits that are offered are sufficient to satisfy the Town's Community Benefit Policy (see Exhibit J to Attachment 12). Based on other projects that generate a similar amount of traffic, staff believes that the proposed community benefit offering should be further augmented. One suggestion is to increase the traffic calming contribution to \$10,000.

#### New Transformer

The applicant will be installing a new transformer to allow the power to the site to be upgraded. The transformer is needed without the new commercial building being constructed as the upgrade in electrical service is needed to support the motel. A new power pole will be set on Alberto Way as required by PG&E. The overhead lines will be extended about 37 feet from the existing pole located near the northerly property line to the new pole. The extension of the overhead line requires a waiver of the Town's requirement to underground new utilities. Staff met with a PG&E representative to discuss alternate layouts. PG&E indicated that the proposed power service upgrade requires a new surface mounted (as opposed to pole mounted) transformer, and that the additional pole is required regardless of where the new transformer is located. The new pole requirement is related to the number of risers and transformers currently on the existing pole. The additional pole and 37-feet of additional overhead wire will not significantly change the character of the neighborhood. Staff supports the extension of the overhead lines given that PG&E is requiring an additional pole in order for the motel to upgrade the electrical service, and the required extension will have minimal impact on the neighborhood aesthetics. The location of the new transformer and how it will be screened will be determined during the Architecture and Site review.

#### PLANNING COMMISSION REVIEW:

The Planning Commission considered this project on September 12 and November 14, 2007. The applicant revised the plans to address some of the Commission's concerns but did not address the request to set the building back further from the street or to reduce the intensity of the development. As discussed in the landscape buffer section of this report, by increasing the setback along Alberto Way the bulk and mass and the size of the building will be reduced and an adequate landscape buffer will be provided.

Even with the height reduction, several Commissioners remained concerned about the corner tower element and indicated a preference to have it eliminated from the plan.



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Following the September 12, 2007 Commission meeting, Condition #2 was added to the PD Ordinance requiring a Master Conditional Use Permit (CUP) for the project. The Master CUP will be forwarded to the Commission for review once the applicant has more information about the tenants that may occupy the building, and must be reviewed and approved prior to plans being accepted for any tenant improvements.

ENVIRONMENTAL ASSESSMENT:

As required by the California Environmental Quality Act (CEQA), an Initial Study and Mitigated Negative Declaration have been prepared for the project (see Attachment 4). These documents were previously forwarded to the Council under separate cover. The environmental review was completed by the Town's Environmental Consultant, Geier & Geier. Two potentially significant impacts resulted in the inclusion of mitigation measures, one requiring implementation of geotechnical recommendations and one requiring implementation of all tree preservation measures. These mitigation measures have been included in the Planned Development Ordinance (Attachment 3) as conditions of approval. In addition, a Mitigation Monitoring Program has been prepared (Attachment 2) to designate the responsible department and timing of each mitigation measure.

CONCLUSION:

The Council should discuss the building size and setbacks, monument sign, whether the corner tower should be eliminated and the level of the community benefit being provided. If the Council is satisfied with the project inclusive of the conditions recommended by staff, it may be approved as submitted. If any changes are desired, conditions of approval within the PD Ordinance may be modified or added.

FISCAL IMPACT: None

Attachments:

1. Required Findings (one page)
2. Mitigation Monitoring Plan (one page)
3. Planned Development Ordinance (18 pages), Rezoning Exhibit (one page)  
*note: Conceptual Development Plans, Exhibit B to the PD Ordinance, were previously distributed under separate cover*

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*The following attachments were previously distributed under separate cover:*

4. Mitigated Negative Declaration
5. November 14, 2007 Planning Commission Minutes
6. Letter from Julie Thorne (one page), received November 14, 2007
7. November 14, 2007 Planning Commission Desk Item with Exhibits U & V
8. November 14, 2007 Planning Commission Report with Exhibits N through T
9. September 12, 2007 Planning Commission Minutes (71 pages)
10. September 12, 2007 Planning Commission Desk Item 1
11. September 12, 2007 Planning Commission Desk Item 2 with Exhibit M
12. September 12, 2007 Planning Commission Report with Exhibits A through L

Distribution:

Dick Scott, Pelio & Associates, 14573 Big Basin Way, Saratoga, CA 95070

Dennis Kobza & Associates, 2083 Old Middlefield Way, Mountain View, CA 94043

BNL:SD

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**TOWN COUNCIL – JANUARY 22, 2008**  
**REQUIRED FINDINGS FOR:**

55 Los Gatos-Saratoga Road

Planned Development Application PD-07-01

Negative Declaration ND-07-02

Requesting approval of a Planned Development to renovate an existing motel, to convert a portion of the hotel to retail and to construct new retail space on property zoned CH. No significant environmental impacts have been identified as a result of this project and a Mitigated Negative Declaration is recommended. APN 529-23-007

PROPERTY OWNER/APPLICANT: 55 Partners, LLC

***Required consistency with the Town's General Plan:***

- That the proposed Zone Change is internally consistent with the General Plan and its Elements.

***Required findings for projects within the Central Los Gatos Redevelopment Area:***

- As required by Section IV.B of the Redevelopment Plan for the Central Los Gatos Redevelopment Project that it meets the use set forth in the Town's General Plan.

***Required compliance with the Commercial Design Guidelines:***

- That the exterior architecture is consistent with the Town's Commercial Design Guidelines.

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<u>Mitigation</u>	<u>Monitoring Action</u>	<u>Responsibility</u>	<u>Timing</u>
<b><i>BIOLOGICAL RESOURCES</i></b>			
The recommendations made by Arbor Resources (January 22 & July 30, 2007) shall be implemented to eliminate or minimize the construction-related impacts on the trees to be retained. Recommendations are listed under Section 5.0, Recommendations, of the arborist's report.	Required as a condition of approval.	Directors of Parks & Public Works & Community Development	A&S review, Building plan check & during construction
<b><i>CULTURAL RESOURCES</i></b>			
In the event that archaeological traces are encountered, all construction within a 50-meter radius of the find shall be halted, the Community Development Director shall be notified, and an archaeologist shall be retained to examine the find and make appropriate recommendations.	Required as a condition of approval.	Director of Community Development	During construction
If human remains are discovered, the Santa Clara County Coroner shall be notified. The Coroner shall determine whether or not the remains are Native American. If the Coroner determines that the remains are not subject to his authority, he shall notify the Native American Heritage Commission, who will attempt to identify descendants of the deceased Native Americans.	Required as a condition of approval.	Director of Community Development	During construction

MITIGATION MONITORING PLAN

DATE: September 12, 2007

PROJECT: 55 Los Gatos –Saratoga Road,/PD-07-01, ND-07-02

<u>Mitigation</u>	<u>Monitoring Action</u>	<u>Responsibility</u>	<u>Timing</u>
<b><i>CULTURAL RESOURCES</i></b>			
If the Community Development Director finds that the archaeological find is not a significant resource, work will resume only after the submittal of a preliminary archaeological report and after provisions for reburial and ongoing monitoring are accepted. Provisions for identifying descendants of a deceased Native American and for reburial shall follow the protocol set forth in CEQA Guidelines Section 15064.5(e). If the site is found to be a significant archaeological site, a mitigation program shall be prepared and submitted to the Community Development Director for consideration and approval, in conformance with the protocol set forth in Public Resources Code Section 21083.2.	Required as a condition of approval.	Director of Community Development	During construction
A final report shall be prepared when a find is determined to be a significant archaeological site, and/or when Native American remains are found on the site. The final report shall include background information on the completed work, a description and list of identified resources, the disposition and curation of these resources, any testing, other recovered information, and conclusions.	Required as a condition of approval	Director of Community Development	During construction
<b><i>TRAFFIC</i></b>			
The applicant shall contribute to the installation of signal interconnects along Los Gatos-Saratoga Road from Alberto Way to Los Gatos Boulevard to improve traffic progression.	Required as a condition of approval	Director of Parks & Public Works	Prior to project completion

MITIGATION MONITORING PLAN

DATE: September 12, 2007

PROJECT: 55 Los Gatos –Saratoga Road,/PD-07-01, ND-07-02

Mitigation

Monitoring  
Action

Responsibility

Timing

***GEOLOGIC HAZARDS***

A geotechnical investigation shall be conducted for the proposed building to determine the surface and sub-surface soil conditions, as well as to determine the potential for fault rupture on the site. The geotechnical study shall provide recommendations for site grading as well as the design of foundations, retaining walls, concrete slab-on-grade construction, excavation, drainage, on-site utility trenching and pavement sections. The project shall incorporate all recommendations of the investigation into the project plans.

Required as a condition of approval

Director of Parks & Public Works

Prior to issuance of permit and during construction

***NOISE***

At the time of Architecture & Site review, a qualified acoustical consultant shall determine compliance with of the proposed commercial uses with the Town Noise Ordinance. The noise study shall specifically address project related rooftop equipment with ordinance noise limits and any late evening or nighttime parking lot activities that could be associated with the proposed restaurant use. Noise attenuation design measures shall be recommended as necessary to ensure compliance with applicable Town noise limits.

Required as a condition of approval

Director of Community Development

As part of A&S review

**ORDINANCE OF THE TOWN OF LOS GATOS  
AMENDING THE TOWN CODE EFFECTING A ZONE CHANGE  
FROM CH TO CH:PD FOR PROPERTY LOCATED AT  
55 LOS GATOS-SARATOGA ROAD**

THE TOWN COUNCIL OF THE TOWN OF LOS GATOS DOES ORDAIN AS  
FOLLOWS:

**SECTION I**

The Town Code of the Town of Los Gatos is hereby amended to change the zoning on property at 55 Los Gatos-Saratoga Road (Santa Clara County Assessor Parcel Number 529-23-007) as shown on the map attached hereto as Exhibit A, and is part of this Ordinance, from CH (Restricted Highway Commercial) to CH:PD (Restricted Highway Commercial, Planned Development).

**SECTION II**

The PD (Planned Development Overlay) zone established by this Ordinance authorizes the following construction and use of improvements:

1. Construction of a 9,000 square foot commercial building, inclusive of retail space and a maximum of two restaurant spaces.
2. Landscaping and other improvements shown and required on the Official Development Plan.
3. Uses permitted are those specified in the CH (Restricted Highway Commercial) zone by Sections 29.60.420 (Permitted Uses) and 29.20.185 (Conditional Uses) of the Zoning Ordinance, as those sections exist at the time of the adoption of this Ordinance, or as they may be amended in the future. However, no use listed in Section 29.20.185 is allowed unless specifically authorized by this Ordinance, or by a Conditional Use Permit

**SECTION III**

**COMPLIANCE WITH OTHER DEVELOPMENT STANDARDS**

All provisions of the Town Code apply, except when the Official Development Plan specifically shows otherwise.

## SECTION IV

Architecture and Site Approval is required before construction work for the new commercial building and exterior portions of the motel remodel is performed, whether or not a permit is required for the work and before any permit for construction is issued. Construction permits shall only be in a manner complying with Section 29.80.130 of the Town Code.

## SECTION V

The attached Exhibit A (Map), and Exhibit B (Official Development Plans), are part of the Official Development Plan. The following conditions must be complied with before issuance of any grading, or construction permits:

TO THE SATISFACTION OF THE DIRECTOR OF COMMUNITY DEVELOPMENT:

### *Planning Division*

1. ARCHITECTURE AND SITE APPROVAL REQUIRED. A separate Architecture and Site application and approval is required for the commercial building and exterior modifications to the motel. The Development Review Committee shall be the deciding body for the Architecture and Site application.
2. MASTER CONDITIONAL USE PERMIT. A Master Conditional Use Permit (MCUP) shall be established for the property. The MCUP shall include hours of operation for all tenant spaces, maximum seating for the restaurants using the final floor plans and available on-site parking, and shall be consistent with the Parking and Traffic Studies for the project unless a revised study is accepted by the Planning Commission. The Master CUP shall be reviewed and approved by the Planning Commission prior to acceptance of plans for any tenant improvements.
3. OFFICIAL DEVELOPMENT PLANS. The Official Development Plans provided are conceptual in nature. Final building footprints and building designs shall be determined during the Architecture and Site approval process. The colors and building materials shown on the Official Development Plan are not approved and shall be reviewed through the Architectural and Site approval process.



4. FINAL LANDSCAPE PLAN. A final landscape plan shall be reviewed by the Town's Consulting Arborist and approved as part of the Architecture and Site process. All trees recommended for preservation by the Town's Consulting Arborist shall be saved. Minimum tree size at time of planting shall be 24-inch box.
5. SETBACKS. The minimum setbacks are those specified by the CH zoning district or as otherwise shown on the Conceptual Development Plans. The front setback (Alberto Way) shall be at least 10 feet. The building shall be reduced as necessary to meet this setback without adversely impacting the parking spaces and drive aisles.
6. BUILDING HEIGHT. The maximum height of the commercial building shall be 22 feet at the main ridge and 29 feet for the corner tower element.
7. STREET FACING WINDOWS. All windows facing Alberto Way shall be functional display windows.
8. OUTDOOR LIGHTING. All exterior building and outdoor lighting shall be shielded and directed away from neighboring properties to shine on the project site only. Lighting shall be the minimum needed for pedestrian safety and security. Photometrics and lighting specifications shall be reviewed as part of the Architecture and Site process.
9. **\*\*BIOLOGICAL RESOURCES MITIGATION MEASURE.** The recommendations made by Arbor Resources shall be implemented to eliminate or minimize the construction-related impacts on the trees to be retained. Recommendations are listed under Section 5.0 of the January 22, 2007 arborist report and in the July 30, 2007 supplemental report.
10. TREE REMOVAL PERMIT. A Tree Removal Permit shall be obtained for trees approved for removal prior to the issuance of any permits.
11. REPLACEMENT TREES. New trees shall be planted to mitigate the loss of trees being removed. The number and size shall be determined using the canopy replacement table in the Tree Protection Ordinance.
12. TREE FENCING. Protective tree fencing shall be placed at the drip line of existing trees 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. Include a tree protection fencing plan with the construction plans.

13. FINAL UTILITY LOCATIONS. The applicant shall submit plans showing the final locations and screening of all exterior utilities, including but not limited to, backflow preventers, Fire Department connections, transformers, utility boxes and utility meters. Utility devices shall be screened to the satisfaction of the Director of Community Development. The plans shall be submitted for review and approval of the prior to issuance of building permits for the office building shell.
14. SIGNS. The ground sign shall not exceed 10 feet in height and may not include more than three tenants. A sign program shall be approved for the ground and building signs. The sign program details shall be proposed by the applicant and approved by the Director of Community Development prior to issuance of any sign permits.
15. \*\*CULTURAL RESOURCES MITGATION MEASURE-1. In the event that archaeological traces are encountered, all construction within a 50-meter radius of the find shall be halted, the Community Development Director shall be notified, and an archaeologist shall be retained to examine the find and make appropriate recommendations.
16. \*\*CULTURAL RESOURCES MITGATION MEASURE-2. If human remains are discovered, the Santa Clara County Coroner shall be notified. The Coroner shall determine whether or not the remains are Native American. If the Coroner determines that the remains are not subject to his authority, he shall notify the Native American Heritage Commission, who will attempt to identify descendants of the deceased Native Americans.
17. \*\*CULTURAL RESOURCES MITGATION MEASURE-3. If the Community Development Director finds that the archaeological find is not a significant resource, work will resume only after the submittal of a preliminary archaeological report and after provisions for reburial and ongoing monitoring are accepted. Provisions for identifying descendants of a deceased Native American and for reburial shall follow the protocol set forth in CEQA Guidelines Section 15064.5(e). If the site is found to be a significant archaeological site, a mitigation program shall be prepared and submitted to the Community Development Director for consideration and approval, in conformance with the protocol set forth in Public Resources Code Section 21083.2.

18. **\*\*CULTURAL RESOURCES MITIGATION MEASURE-4.** A final report shall be prepared when a find is determined to be a significant archaeological site, and/or when Native American remains are found on the site. The final report shall include background information on the completed work, a description and list of identified resources, the disposition and curation of these resources, any testing, other recovered information, and conclusions.
19. **\*\*NOISE MITIGATION MEASURE** At the time of Architecture & Site review, a qualified acoustical consultant shall determine compliance with of the proposed commercial uses with the Town Noise Ordinance. The noise study shall specifically address project related rooftop equipment with ordinance noise limits and any late evening or nighttime parking lot activities that could be associated with the proposed restaurant use. Noise attenuation design measures shall be recommended as necessary to ensure compliance with applicable Town noise limits.
20. **COMMUNITY BENEFIT.** The applicant shall enter into an agreement with the Town for provision of the community benefits being offered with the project. The agreement shall include details on the timing and implementation of each item and shall be approved by the Town Attorney and the Director of Community Development prior to issuance of any building permits for the project.

*Building Division*

21. **PERMITS REQUIRED:** A building permit shall be required for the construction of the new commercial building. Separate permits are required for electrical, mechanical, and plumbing work as necessary.
22. **CONDITIONS OF APPROVAL:** The Conditions of Approval must be printed in full on the cover sheet of the construction plans. A compliance memorandum shall be prepared and submitted with the building permit application detailing how the Conditions of Approval will be addressed.
23. **SIZE OF PLANS.** The maximum size of construction plans (four sets) submitted for building permits shall be 24 inches by 36 inches.
24. **BUILDING NUMBERS.** Submit requests for building and/or suite numbers to the Building Division prior to submitting for the building permit application process.

25. FOUNDATION INSPECTIONS: A pad certificate prepared by a licensed civil engineer or land surveyor shall be submitted to the project building inspector at foundation inspection. This certificate shall certify compliance with the recommendations as specified in the soils report; and, the on-site retaining wall locations and elevations are prepared according to approved plans. Horizontal and vertical controls shall be set and certified by a licensed surveyor or registered civil engineer for the following items:
- a. Building pad elevation
  - b. Finish floor elevation
  - c. Foundation corner locations
26. SOILS REPORT: A soils report, prepared to the satisfaction of the Building Official, containing retaining wall and pad foundation design recommendations, shall be submitted with the building permit application. This report shall be prepared by a licensed civil engineer specializing in soils mechanics. ALTERNATE: Design the foundation for an allowable soils 1,000 psf design pressure (Uniform Building Code Volume 2-Section 1805).
27. TITLE 24 ENERGY COMPLIANCE. California Title 24 Energy Compliance forms shall be printed on the construction plans.
28. TITLE 24 – COMMERCIAL. The building shall be constructed to comply with the latest California Title 24 Accessibility Standards.
29. SPECIAL INSPECTIONS: When a special inspection is required by UBC Section 1701, the architect or engineer of record shall prepare an inspection program that shall be submitted to the Building Official for approval prior to issuance of the building permit. The Town Special Inspection form must be completely filled out, signed by all requested parties and be blue-lined on the construction plans. Special Inspection forms are available from the Building Division Service Counter or online at [www.losgatosca.gov](http://www.losgatosca.gov).
30. NONPOINT SOURCE POLLUTION STANDARDS: The Town standard Santa Clara Valley Nonpoint Source Pollution Control Program shall be part of the plan submittal as the second page. The specification sheet is available at the Building Division Service Counter for a fee of \$2 or at San Jose Blue Print.

31. RESTAURANT USE: Proper size grease trap shall be required for any proposed restaurant use. The following agencies will review the grease trap requirements before issuance of the building permit:
  - a. West Valley Sanitation District: (408) 378-2407
  - b. Environmental Health Department: (408) 885-4200
  - c. Town Public Works Department: (408) 399-7530
32. PLANS: The construction plans shall be prepared under the direct supervision of a licensed architect or engineer. (Business and Professionals Code Section 5538).
33. APPROVALS REQUIRED: The project requires the following agencies approval before issuing a building permit:
  - a. Community Development: Suzanne Davis at 354-6875
  - b. Engineering Department: Fletcher Parsons at 395-3460
  - c. Santa Clara County Fire Department: (408) 378-4010
  - d. West Valley Sanitation District: (408) 378-2407
  - e. Local School District: contact the Town Building Service Counter for the appropriate school district and to obtain the school form)

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

*Engineering Division*

34. \*GEOLOGY AND SOILS MITIGATION MEASURE. A geotechnical investigation shall be conducted for the project to determine the surface and sub-surface conditions at the site and to determine the potential for surface fault rupture on the site. The geotechnical study shall provide recommendations for site grading as well as the design of foundations, retaining walls, concrete slab-on-grade construction, excavation, drainage, on-site utility trenching and pavement sections. All recommendations of the investigation shall be incorporated into project plans.
35. \*\*TRAFFIC MITIGATION MEASURE. The applicant shall contribute to the installation of signal interconnects along Los Gatos-Saratoga Road from Alberto Way to Los Gatos Boulevard to improve traffic progression.

36. 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 Department at 110 E. Main Street is needed for grading within the building footprint.
37. TREE REMOVAL. Copies of all necessary tree removal permits shall be provided prior to issuance of a grading permit.
38. 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
39. PAD CERTIFICATION. A letter from a licensed land surveyor shall be provided stating that the building foundation was constructed in accordance with the approved plans shall be provided subsequent to foundation construction and prior to construction on the structure. The pad certification shall address both vertical and horizontal foundation placement.
40. 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.

41. SOILS REPORT. One copy of the soils report shall be submitted with the grading permit 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.
42. SOILS REVIEW. Prior to issuance of any permit, 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.
43. 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 applicant's soils engineer and submitted to the Town before final release of any occupancy permit is granted.
44. PUBLIC IMPROVEMENTS. The developer shall upgrade existing signal at the intersection of Alberto Way and Los Gatos-Saratoga Road. Signal upgrades shall include replacement of existing programmable vehicle signal heads with standard signal heads, non-LED signal heads with LED's, pedestrian signal heads with pedestrian countdown signal heads, non-ADA compliant pedestrian push buttons with ADA compliant pedestrian push buttons, and the signal controller with current Town standard Econolite controller. 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.

45. DESIGN CHANGES. The Applicant's registered Engineer shall notify the Town Engineer, in writing, at least 72 hours in advance of all differences between the proposed work and the design indicated on the plans. Any proposed changes shall be subject to the approval of the Town before altered work is started. Any approved changes shall be incorporated into the final "as-built" drawings.
46. TRAFFIC IMPACT MITIGATION FEE. The developer shall pay a fee proportional to the project's share of transportation improvement needed to serve cumulative development within the Town of Los Gatos. The fee amount will be based upon the Town Council resolution in effect at the time the building permit application is made. The fee shall be paid before the building permit is issued. The traffic impact mitigation fee for this project, using the current fee schedule and the preliminary plans is \$48,000. The final fee shall be calculated from the final plans using the rate schedule in effect at the time of the building permit application, using a trip generation rate based on motel, retail and restaurant use.
47. 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.
48. PUBLIC WORKS INSPECTIONS. The developer or his representative shall notify the Engineering Inspector at least twenty-four (24) hours before starting any work pertaining to on-site drainage facilities, grading or paving, and all work in the Town's right-of-way. Failure to do so will result in rejection of work that went on without inspection.
49. 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.



50. 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 01-024 of the amended Santa Clara County NPDES Permit.
51. 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.

52. CONSTRUCTION MANAGEMENT PLAN. The Applicant shall submit a construction management plan that shall incorporate at a minimum a Traffic Control Plan, Project Schedule, site security fencing, employee parking, construction staging area, construction trailer, and proposed outhouse locations.
53. CONSTRUCTION STREET PARKING. No vehicle having a manufacturer's rated gross vehicle weight exceeding ten thousand (10,000) pounds shall be allowed to park on the portion of a street which abuts property in a residential zone without prior approval from the Town Engineer (§ 15.40.070).
54. 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.
55. STORM WATER MANAGEMENT PLAN. A storm water management plan shall be included with the grading permit application for all Group 1 and Group 2 projects as defined in the amended provisions C.3 of Order No. R2-2005-0035 of the amended Santa Clara County NPDES Permit. This project removes and replaces more than 10,000 square feet of impervious area and is a Group 2B project. The plan shall delineate source control measures and BMP's together with the sizing calculations. The plan shall be certified by a professional pre-qualified by the Town. In the event that storm water measures proposed on the Planning approval differ significantly from those certified on the Building/Grading Permit, the Town may require a modification of the Planning approval prior to release of the Building Permit. The applicant may elect to have the Planning submittal certified to avoid this possibility.
56. AGREEMENT FOR STORMWATER BEST MANAGEMENT PRACTICES INSPECTION AND MAINTENANCE OBLIGATIONS. The property owner shall enter into an agreement with the Town for maintenance of the stormwater filtration devices required to be installed on this project by Town's Stormwater Discharge Permit No. CAS029718 and modified by Order No. R2-2005-0035. The agreement will specify that certain routine maintenance shall be performed by the property owner and will specify device maintenance reporting requirements. The agreement will also specify routine inspection requirements, permits and payment of fees. The agreement shall be recorded prior to release of any occupancy permits.

57. UTILITIES. The developer shall install all utility services, including telephone, electric power and all other communications lines underground, as required by Town Code §27.50.015(b). All new utility services shall be placed underground. Underground conduit shall be provided for cable television service.
58. ABOVE GROUND UTILITIES. The applicant shall submit a 75-percent progress printing to the Town for review of the 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.
59. 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.
60. 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.
61. FENCING. Any fencing proposed within 200-feet of an intersection shall comply with Town Code Section §23.10.080.

62. OUTDOOR TRASH ENCLOSURES. Outdoor trash enclosures shall be covered and area drains connected to the sanitary sewer system shall be provided.
63. GREASE TRAPS. Meet all requirements of the Santa Clara County Health Department and West Valley Sanitation District for the interception, separation or pretreatment of effluent.
64. SANITARY SEWER LATERAL. Sanitary sewer laterals are televised by West Valley Sanitation District and approved by the Town of Los Gatos before they are used or reused. Install a sanitary sewer lateral clean-out at the property line.
65. 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.
66. 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.
67. 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.

TO THE SATISFACTION OF THE SANTA CLARA COUNTY FIRE DEPARTMENT:

68. REQUIRED FIRE FLOW. The required fire flow for the project is 2,500 gpm at 20 psi residual pressure.
69. AUTOMATIC FIRE SPRINKLER SYSTEM. An approved automatic fire sprinkler system is required for the commercial building, hydraulically designed per National Fire Protection Association (NFPA) Standard #13. A State of California (C-16) licensed fire protection contractor shall submit plans, calculations a completed permit application and appropriate fees to the Fire Department for review and approval, prior to beginning work.
70. NEW COMMERCIAL BUILDING. The new building shall comply with standard specification SI-7 for construction site fire safety.
71. FIRE APPARATUS (ENGINE) ACCESS ROADS. Provide access roadways with a paved all weather surface and a minimum unobstructed width of 20 feet, vertical clearance of 13 feet 6 inches, minimum circulating turning radius of 36 feet outside and 23 feet inside, and a maximum slope of 15%. Installations shall conform with Fire Department Standard Details and Specifications A-1.
72. PARKING ALONG ROADWAYS. The required fire access road shall not be obstructed in any manner and parking shall not be allowed along roadways less than 28 feet wide. Parking is permitted along one side of roadways 28-35 feet in width. For roadways equal to or greater than 26 feet, parking will be allowed on both sides. Roadways widths shall be measured curb to curb face with parking space based on an eight foot width.
73. FIRE LANE MARKINGS REQUIRED. Provide marking in conformance with Fire Department requirements for all roadways within the project. Installations shall conform to Local Government Standards and Fire Department Standard Details and Specifications A-6.
74. PRIVATE ON-SITE HYDRANT REQUIRED. Provide one fire hydrant installed per NFPA Standard #24 at a location to be determined jointly by the Fire Department. Minimum hydrant spacing shall be 250 feet, with a minimum acceptable flow of 2,000 GPM at 20 psi residual. Prior to design the project civil engineer shall meet with the Fire Department water supply officer to jointly spot the required hydrant location.

75. ON-SITE PRIVATE FIRE SERVICE MAINS AND/OR HYDRANTS. Installation of private fire service mains and/or hydrants shall conform to National Fire Protection Association (NFPA) Standard #24, and Fire Department Standard Details and Specification W-2. If the supply piping is “combined” (sprinkler system and hydrants) a UL listed four-way FDC shall be provided. A separate installation permit is required from the Fire Department.
76. TIMING OF REQUIRED WATER SUPPLY INSTALLATIONS. Installations of required fire services and fire hydrant(s) shall be tested and accepted by the Fire Department prior to start of framing or delivery of bulk combustible materials. Building permit issuance may be withheld until required installations are completed, tested and accepted.
77. FIRE HYDRANT LOCATION IDENTIFIER. Prior to final inspection the general contractor shall ensure that an approved fire hydrant location identifier (“blue dot”) has been placed in the roadway as directed by the Fire Department.
78. FIRE DEPARTMENT KEY BOX. The building shall be equipped with a permanently installed emergency access key lock box (knox), conforming to Fire Department Standard Detail and Specification sheet K-1. Access keys shall be provided to the Fire Department at the time of final inspection.
79. PREMISE IDENTIFICATION. Approved numbers or addresses shall be placed on all new and buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Numbers shall contrast with their background.

## SECTION VI

This Ordinance was introduced at a regular meeting of the Town Council of the Town of Los Gatos on \_\_\_\_\_, 2007, and adopted by the following vote as an ordinance of the Town of Los Gatos at a meeting of the Town Council of the Town of Los Gatos on August 20, 2007 and becomes effective 30 days after it is adopted.

COUNCIL MEMBERS:

AYES:

NAYS:

ABSENT:

ABSTAIN:

SIGNED:

MAYOR OF THE TOWN OF LOS GATOS  
LOS GATOS, CALIFORNIA

ATTEST:

CLERK ADMINISTRATOR OF THE TOWN OF LOS GATOS  
LOS GATOS, CALIFORNIA

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