



MEETING DATE: 2/4/08

ITEM NO: 3

## COUNCIL/AGENCY AGENDA REPORT

DATE: January 28, 2008

TO: MAYOR AND TOWN COUNCIL  
CHAIR AND MEMBERS OF THE REDEVELOPMENT AGENCY

FROM: GREG LARSON, TOWN MANAGER/EXECUTIVE DIRECTOR *g Larson*

SUBJECT: CONSIDER A REQUEST TO APPROVE A CONDITIONAL USE PERMIT TO ALLOW POLICE OPERATIONS AND ARCHITECTURE AND SITE APPROVAL TO CONSTRUCT AN ADDITION TO THE EXISTING BUILDING ZONED CH. APN 523-01-010 CONDITIONAL USE PERMIT U-07-158 AND ARCHITECTURE AND SITE APPLICATION S-07-214  
PROPERTY LOCATION 15900 LOS GATOS BOULEVARD. PROPERTY OWNER/APPLICANT: TOWN OF LOS GATOS

### RECOMMENDATION:

1. Accept report in the form of meeting minutes from the Planning Commission for the meeting of January 9, 2008 (Attachment 5) (**motion required**);
2. Hold the public hearing and receive public testimony;
3. Close the public hearing;
4. Make the required findings and approve the Conditional Use Permit subject to conditions (Attachment 1 and 2) (**motion required**);
5. Approve the Architecture and Site application subject to conditions (Attachment 3), (**motion required**).

### BACKGROUND:

The Town Council entered into a Letter of Intent (LOI) with Verizon for the purchase of 15900 Los Gatos Boulevard on March 20, 2007 with the intent to use the building for police services. Staff conducted a due diligence investigation to determine whether to proceed with the purchase. On June 18, 2007, the Town Council authorized the purchase of the site to use for police operations and approved the Mitigated Negative Declaration. The Council directed staff to proceed with the plan that includes remodeling the interior of the existing building along with two additions: a 1,950 square foot addition along the southeast side of the building to

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

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Reviewed by: *PSJ* Assistant Town Manager/Deputy Director ☐ Town Attorney/General Counsel ☐  
Clerk Administrator/Secretary *SC* Finance ☒ Community Development

accommodate a secured entry garage (known as a sallyport) and entry corridor with storage rooms and a 1,290 square foot addition along the northern side of the building for a combination briefing room/training room/Emergency Operations Center (EOC). The existing building with the additions would total 13,279 square feet.

Originally, it was indicated that patrol officers, parking control officers, and evidence storage would be located at the new Operations Building. Police administration, detective and records and dispatch would remain in Headquarters at Town Hall as the site is not large enough to accommodate the entire police function. Upon further consideration, the department has concluded that the detective bureau should also be located at the Operations Building in order to maintain direct interaction with the patrol officers. The parking control officers will now remain at Town Hall. This change will result in three additional personnel to be located at the new station from the total previously considered.

Normally, requests for architecture and site applications and conditional use permits (CUP) are approved by the Planning Commission. However, because this a Town project, the Council directed that the Architecture and Site approval and the CUP be forwarded to the Council for final approval.

#### DISCUSSION:

The project is zoned Restricted Highway Commercial. Public Facilities are permitted in this zone upon approval of a CUP. As discussed above, the building will house police operations including patrol operations, the detective bureau and evidence storage. Other personnel that would be located at the site include the Operations Captain, a patrol and administrative sergeant, and an evidence technician.

The facility contains two adult holding cells, a juvenile holding cell and a pre-booking room. Most detainees are taken directly to the county jail in San Jose. The detainees brought to this facility are only kept at the station for a short time before being transferred to the county jail. No long term incarceration will occur at this location. When a prisoner is brought to the station, the officer parks the patrol car in the enclosed sally port at the southeast portion of the building. The sallyport door is closed and the detainee is taken directly into the holding cell from the sallyport.

#### Conditional Use Permit

Noise is the primary impact associated with the project. A noise study conducted during the feasibility analysis determined that noise levels associated with most police activities would not exceed ordinance limits except for noise from vehicles in the public parking area (along the northern property line) at night (10 p.m. to 6 a.m.) and police activities in the secured parking area at night. To mitigate these impacts, public parking within 50 feet of the northern property needs to be restricted between 10 p.m. to 6 a.m. Signage will be placed in this area indicating no parking is permitted during this time. Additionally, posts will be placed in the landscape area

adjacent to the public parking that allow the area to be blocked off during evening hours if necessary to prevent noise impacts.

Noise from other police activities will be addressed through normal operational measures such as loading and unloading potentially unruly detainees within the proposed sallyport, limiting the use of sirens near residences, unless absolutely necessary for public safety, and loading and unloading the canine unit dogs at the staff entry area adjacent to the sallyport. These measures are included in the recommended conditions of approval.

During the Community Meetings held in April and May of 2007, questions were raised related to use of the Camellia Terrace driveway and the use of sirens in the neighborhood. The Police Chief stated that officers would be directed to use Los Gatos Boulevard to enter and leave the site, except for situations that require them to use Camellia Terrace. He also described the operational procedures used to mitigate noise impacts from sirens on the surrounding neighborhood at Town Hall and reiterated his intent to use these same procedures at the proposed location.

#### Architecture and Site Approval

Two additions are proposed to the existing building. Along the northern portion of the building a 1,290 square foot addition is proposed. This area would be used as a briefing/training room. To add visual interest, the addition has been designed with a slopping roof along Los Gatos Boulevard that extends along the northern portion of the building. The exterior material will be a cement board cladding system, which is an architectural grade material that can be cut into varying panel sizes with reveals that provide shadowing. A steel canopy is proposed over the entry area, and a small concrete seating wall, approximately three feet tall, is proposed in front of the entry area.

A 1,950 square foot addition is proposed along the southeast side of the building. This addition is an entry corridor for officers from the secure parking area and a sallyport, which is an enclosed area to securely transfer detainees from patrol vehicles to the holding cells. This portion of the building will be cement plaster painted to match the building.

The existing building will be enhanced with new paint and the grates covering the windows of the existing building will be removed and a new window system will be provided. A steel sunshade, made of the same material as the entry canopy, will be provided over the windows. The area above and below the windows will be painted a light tan and the columns between the windows will be painted a light brown. Skylights that slope to match the addition are proposed on the roof. However, if cost estimates for the building exceed the approved budget, the skylights may have to be removed from the building plan.

New landscaping is proposed along Los Gatos Boulevard, Camellia Terrace and in the parking area. Approximately, 33 new trees are proposed along with accent shrubs. To replace trees being removed, approximately 40 new trees would be required, however, 33 is the most that can

be accommodated on the site. The remainder will be planted in parks or along streets elsewhere in Los Gatos.

Because the building will serve as the EOC during emergencies, radio antennas will be needed on the roof. The types of antennas needed are relatively small in diameter, three inches or less and approximately six feet in height. They will be mounted on a metal bracket raising the total height to between 10 and 12 feet. The antennas need to be located near the radio equipment, which will be located in the EOC. The sloping roof along this portion of the building will help screen the antennas, and staff will locate them in the least obtrusive location as possible. However, as an emergency facility, the foremost concern is making sure satisfactory radio reception is achieved. Reception needs will determine the actual location on the building.

#### Planning Commission

The Planning Commission reviewed the project at their meeting of January 9, 2008. The Commission voted 6-0 to recommend approval of the CUP and Architecture and Site application. A verbatim transcript of the meeting is attached.

During the meeting, the Commission requested information regarding sustainable design features incorporated into the project. Staff noted that for budgetary reasons, the project was not being designed to the Leadership in Energy and Environmental Design (LEED) Green Building Rating System. However, the project includes a number of LEED best practices, including: use of energy efficient equipment, modifications to the building to provide natural light, xeriscape landscape principles and a bioswale in the parking area to accept and convey storm water runoff.

At the conclusion of the hearing, the Commission recommended that the Town Council direct staff to either document the potential LEED project score or submit the project for LEED certification. Typically, the decision to achieve LEED certification is done earlier in the design process. The additional cost of seeking LEED certification is approximately \$140,000 in consultant fees and \$240,000 in potential equipment upgrades. The certification process would add approximately three months to the completion of the building. Additionally, certification is not finalized until the building is operational and the anticipated energy savings are quantified. If the energy savings are not met, equipment and/or building modifications could be required to achieve certification.

Staff recommends that the Council authorize staff to document the potential LEED score as requested by the Commission. This is consistent with the direction provided by the Commission on a recent project that was designed to comply with LEED requirements.

#### Environmental Review

A Mitigated Negative Declaration for the project was adopted by the Council at the time the purchase was approved. Other than increasing the number of people assigned to the site by three, there have been no changes to the project that were not considered in the Mitigated

Negative Declaration. The traffic consultant has determined that the addition of three peak hour trips does not change the conclusions in the traffic study. The mitigation measures identified in the Mitigated Negative Declaration have been incorporated into the project and the recommended conditions of approval. As such, no additional environmental review is required.

FISCAL IMPACT:

At the June 18, 2008 meeting, the Council appropriated a total of \$7,685,468 for the project. The funds included estimated costs for site acquisition, design and construction, furniture, fixtures and equipment, contingency and minor façade improvements. The funds have been transferred to the Town's Capital Project Fund.

NEXT STEPS

Staff is working with the Staubach Group, the project managers for the project, to prequalify potential consultants. This will expedite the bid process for a contractor that can occur upon completion of the construction drawings. It is anticipated that the construction documents will be completed and permits issued by the beginning by May. At that point, the project can be bid and a contractor hired. Staff expects construction to commence in June and the project completed in spring 2009.

CONCLUSION:

The site can accommodate the patrol, detectives and evidence functions of the Department. The analysis prepared for the conditional use permit project indicates that, with implementation of the recommended conditions of approval, there will be no impact to the surrounding neighborhood. The design modifications to the existing building and the new additions enhance the appearance of the building and help identify its use as a public building. The design complies with the Commercial Design Guidelines and the Los Gatos Boulevard Plan. The Planning Commission and Staff recommend approval of the CUP and Architecture and Site applications subject to the conditions noted.

Attachments:

1. Required findings
2. Recommended conditions of approval for U-07-158
3. Recommended conditions of approval for S-07-214
4. Planning Commission Report prepared for the January 23 meeting (without attachments)
5. Transcript from the January 23 Planning Commission meeting
6. Consulting Architect comments
7. Traffic Consultant comments
8. Mitigated Negative Declaration
9. Development Plans, received February 7, 2007



## REQUIRED FINDINGS AND CONSIDERATIONS FOR

### 15900 Los Gatos Boulevard

### Architecture and Site Application S-07-214

### Conditional Use Permit U-07-158

Requesting approval for a conditional use permit to allow police operations and architecture and site approval to construct an addition to the existing building on property zoned Ch. APN: 523-01-010.

PROPERTY OWNER/APPLICANT: Town of Los Gatos

## FINDINGS

1. As required by Section 29.20.190 of the Town Code for granting a Conditional Use Permit.
  - (a) The deciding body, on the basis of the evidence submitted at the hearing, may grant a conditional use permit when specifically authorized by the provisions of this chapter if it finds that:
    - (1) The proposed uses of the property are essential or desirable to the public convenience or welfare;
    - (2) The proposed uses will not impair the integrity and character of the zone;
    - (3) The proposed uses would not be detrimental to public health, safety or general welfare; and
    - (4) The proposed uses of the property are in harmony with the various elements or objectives of the general plan and the purposes of this chapter.
    - (5) A hazardous waste facility proposal is subject to the California Health and Safety Code, Article 8.7, Section 25199--25199.14 and shall be consistent with the Santa Clara County Hazardous Waste Management Plan.
2. A Mitigated Negative Declaration has been previously approved for this project.
3. That the exterior architecture is consistent with the Town's Commercial Design Guidelines.
4. That the use for police services is consistent with the goals and policies contained in the Los Gatos Boulevard Plan.

## CONSIDERATIONS IN REVIEW OF APPLICATIONS

5. As required by Section 29.20.150 of the Town Code for Architecture and Site applications:

The deciding body shall consider all relevant matter including, but not limited to, the following:

- (1) *Considerations relating to traffic safety and traffic congestion.* The effect of the site development plan on traffic conditions on abutting streets; the layout of the site with

respect to locations and dimensions of vehicular and pedestrian entrances, exits, drives, and walkways; the adequacy of off-street parking facilities to prevent traffic congestion; the location, arrangement, and dimension of truck loading and unloading facilities; the circulation pattern within the boundaries of the development, and the surfacing, lighting and handicapped accessibility of off-street parking facilities.

- A. Any project or development that will add traffic to roadways and critical intersections shall be analyzed, and a determination made on the following matters:
  - 1. The ability of critical roadways and major intersections to accommodate existing traffic;
  - 2. Increased traffic estimated for approved developments not yet occupied; and
  - 3. Regional traffic growth and traffic anticipated for the proposed project one (1) year after occupancy.
- B. The deciding body shall review the application for traffic roadway/intersection capacity and make one (1) of the following determinations:
  - 1. The project will not impact any roadways and/or intersections causing the roadways and/or intersections to exceed their available capacities.
  - 2. The project will impact a roadway(s) and/or intersection(s) causing the roadway(s) and/or intersection(s) to exceed their available capacities.

Any project receiving Town determination subsection (1)b.1. may proceed. Any project receiving Town determination subsection (1)b.2. must be modified or denied if the deciding body determines that the impact is unacceptable. In determining the acceptability of a traffic impact, the deciding body shall consider if the project's benefits to the community override the traffic impacts as determined by specific sections from the general plan and any applicable specific plan.

- (2) *Considerations relating to outdoor advertising.* The number, location, color, size, height, lighting and landscaping of outdoor advertising signs and structures in relation to the creation of traffic hazards and the appearance and harmony with adjacent development. Specialized lighting and sign systems may be used to distinguish special areas or neighborhoods such as the downtown area and Los Gatos Boulevard.
- (3) *Considerations relating to landscaping.* The location, height, and materials of walls,



fences, hedges and screen plantings to insure harmony with adjacent development or to conceal storage areas, utility installations, parking lots or unsightly development; the planting of ground cover or other surfacing to prevent dust and erosion; and the unnecessary destruction of existing healthy trees. Emphasize the use of planter boxes with seasonal flowers to add color and atmosphere to the central business district. Trees and plants shall be approved by the Director of Parks, Forestry and Maintenance Services for the purpose of meeting special criteria, including climatic conditions, maintenance, year-round versus seasonal color change (blossom, summer foliage, autumn color), special branching effects and other considerations.

- (4) *Considerations relating to site layout.* The orientation and location of buildings and open spaces in relation to the physical characteristics of the site and the character of the neighborhood; and the appearance and harmony of the buildings with adjacent development.

Buildings should strengthen the form and image of the neighborhood (e.g. downtown, Los Gatos Boulevard, etc.). Buildings should maximize preservation of solar access. In the downtown, mid-block pedestrian arcades linking Santa Cruz Avenue with existing and new parking facilities shall be encouraged, and shall include such crime prevention elements as good sight lines and lighting systems.

- (5) *Considerations relating to drainage.* The effect of the site development plan on the adequacy of storm and surface water drainage.
- (6) *Considerations relating to the exterior architectural design of buildings and structures.* The effect of the height, width, shape and exterior construction and design of buildings and structures as such factors relate to the existing and future character of the neighborhood and purposes of the zone in which they are situated, and the purposes of architecture and site approval. Consistency and compatibility shall be encouraged in scale, massing, materials, color, texture, reflectivity, openings and other details.
- (7) *Considerations relating to lighting and street furniture.* Streets, walkways, and building lighting should be designed so as to strengthen and reinforce the image of the Town. Street furniture and equipment, such as lamp standards, traffic signals, fire hydrants, street signs, telephones, mail boxes, refuse receptacles, bus shelters, drinking fountains, planters, kiosks, flag poles and other elements of the street environment should be designated and selected so as to strengthen and reinforce the Town image.
- (8) *Considerations relating to access for physically disabled persons.* The adequacy of the site development plan for providing accessibility and adaptability for physically disabled persons. Any improvements to a nonresidential building where the total valuation of alterations, structural repairs or additions exceeds a threshold value

established by resolution of the Town Council, shall require the building to be modified to meet the accessibility requirements of title 24 of the California Administrative Code adaptability and accessibility. In addition to retail, personal services and health care services are not allowable uses on nonaccessible floors in new nonresidential buildings. Any change of use to retail, health care, or personal service on a nonaccessible floor in a nonresidential building shall require that floor to be accessible to physically disabled persons pursuant to the accessibility requirements of title 24 of the California Administrative Code and shall not qualify the building for unreasonable hardship exemption from meeting any of those requirements. This provision does not effect lawful uses in existence prior to the enactment of this chapter. All new residential developments shall comply with the Town's adaptability and accessibility requirements for physically disabled persons established by resolution.

- (9) *Considerations relating to the location of a hazardous waste management facility.* A hazardous waste facility shall not be located closer than five hundred (500) feet to any residentially zoned or used property or any property then being used as a public or private school primarily educating persons under the age of eighteen (18). An application for such a facility will require an environmental impact report, which may be focused through the initial study process.

## CONDITIONS OF APPROVAL

15900 Los Gatos Boulevard  
Conditional Use Permit U-07-158

Requesting approval for a conditional use permit to allow police operations on property zoned CH. APN: 523-01-010.

PROPERTY OWNER/APPLICANT: Town of Los Gatos

TO THE SATISFACTION OF THE DIRECTOR OF COMMUNITY DEVELOPMENT:  
(Planning Division)

1. APPROVAL: This application shall be completed in accordance with all of the conditions of approval listed below and in substantial compliance with the plans approved and noted as Exhibit G in the report to the Planning Commission. Any changes or modifications made to the approved plans shall be approved by the Director of Community Development or the Planning Commission, depending on the scope of the changes.
2. EXPIRATION OF APPROVAL: This application will expire two years from the date of approval unless the approval is used before expiration. Section 29.20.335 defines what constitutes the use of an approval granted under the Zoning Ordinance.
3. USE. The approved use is for 24-hour police operations including, but not limited, to patrol, detectives, evidence storage and temporary holding of prisoners.
4. NOISE: The following measures shall be implemented to achieve compliance with the Town of Los Gatos Noise Ordinance:
  - a. Use of sirens will be limited in the adjacent residential neighborhood, particularly at night (between 10:00 p.m. and 8 a.m.), unless necessary for public safety. (ND Mitigation Measure)
  - b. Any potentially unruly detainees will be loaded and unloaded within the proposed sally port. (ND Mitigation Measure)
  - c. The canine unit dogs will be loaded and unloaded at the staff entry area adjacent to the proposed sally port. (ND Mitigation Measure)
  - d. To reduce noise levels along the northern project boundary, parking will not be allowed within 50 feet of the northern property boundary between 10 p.m. and 6 a.m. (ND Mitigation Measure)

- e. The following measures shall be implemented to reduce noise levels along the eastern property boundary, adjacent to Camellia Terrace: (ND Mitigation Measure)
  - i. A solid gate will be constructed across the driveway on Camellia Terrace. The gate may be a motor-driven rolling type, constructed of wood to match the associated fencing.
  - ii. The Camellia Terrace driveway shall not be used for regular ingress and egress and shall only be used as necessary for public safety.

5. TRAFFIC SAFETY:

- a. At least one vehicle on-street parking space will be removed on the south side of each driveway to increase sight distance for vehicles entering and exiting the access locations on Los Gatos Boulevard and Camellia Terrace. A parking space of at least 25 feet will be removed immediately adjacent to the intersection and the curb painted red to prohibit parking. (ND Mitigation Measure)
- b. A "KEEP CLEAR" legend and stop line will be installed on Los Gatos Boulevard and Camellia Terrace at the project driveway locations to help prevent vehicles from blocking the intersection during peak traffic periods or other congested conditions. (ND Mitigation Measure)

## CONDITIONS OF APPROVAL

15900 Los Gatos Boulevard

Architectural and Site Application S-07-214

Requesting approval for architecture and site approval to construct an addition to the existing building on property zoned CH. APN: 523-01-010.

PROPERTY OWNER/APPLICANT: Town of Los Gatos

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 noted as received by the Town on December 4, 2007. 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 change(s). Substantive modifications to the plans may be approved by the Town Council when awarding the construction contract for the project.
2. EXPIRATION OF APPROVAL: The Architecture and Site application (S-07-214) will expire two years from the date of the approval pursuant to Section 29.20.335 of the Town Code, unless the approval is used prior to expiration.
3. ARCHITECTURE. The final elevations shall incorporate the recommendations of the Town's Consulting Architect. Final elevations shall be reviewed and approved by the Director of Community Development with input from the Town's Consulting Architect as needed, prior to acceptance of plans for building plan check.
4. STORY POLES. The story poles on the project site shall be removed within 30 days of approval of the Architecture & Site application.
5. OUTDOOR LIGHTING. Building exterior, parking lot and landscape lighting shall be down directed fixtures that will not reflect or encroach onto adjacent properties. The final lighting plan shall be reviewed during building plan check. Any changes to the approved lighting plan shall be approved prior to installation.
6. SIGNS. Signs shall be in compliance with the Town's Commercial Design Guidelines and shall be sympathetic to the building architecture, to the satisfaction of the Director of Community Development.
7. TREE REMOVAL PERMIT. A Tree Removal Permit shall be obtained for trees to be removed, prior to the issuance of the demolition permit.
8. REPLACEMENT TREES. Replacement trees shall be planted for trees being removed. The number and size of new trees shall be determined using the canopy replacement table in the Town's Tree Protection Ordinance. Required trees shall be planted prior to final inspection.
9. TREE STAKING. All newly planted trees shall be double-staked using rubber tree ties.
10. TREE PRESERVATION. All recommendations of the Town's Consulting Arborist shall be followed throughout all phases of construction. Refer to the report prepared by Arbor Resources dated May 4, 2007 for details. Tree protection specifications shall be printed on the construction plans.
11. TREE FENCING. Protective tree fencing shall be placed at the drip line of existing trees

prior to issuance of demolition and building permits and shall remain through all phases of construction. 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.

12. GENERAL. All existing trees shown on the plan and trees required to remain or to be planted are specific subjects of approval of this plan and must remain on the site.

*Building Division*

13. PERMITS REQUIRED: A building permit shall be required for the construction of the pool and cabana. Separate permits are required for electrical, mechanical, and plumbing work as necessary.
14. CONDITIONS OF APPROVAL: The Conditions of Approval must be blue-lined in full on the cover sheet of the construction plans. A compliance memorandum shall be prepared and submitted with the building permit application detailing how the Conditions of Approval will be addressed.
15. SIZE OF PLANS: Four sets of construction plans, maximum size 24" x 36."
16. SOILS REPORT: A soils report, prepared to the satisfaction of the Building Official, containing foundation and retaining wall design recommendations, shall be submitted with the building permit application. This report shall be prepared by a licensed civil 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).
17. 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 building pad elevation, 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
18. BACKWATER VALVE: The scope of this project may require the installation of a sanitary sewer backwater valve per Town Ordinance 6.50.025. Please provide information on the plans if a backwater valve is required and the location of the installation. The Town of Los Gatos Ordinance and West Valley Sanitation District requires backwater valves on drainage piping serving fixtures that have flood level rims less than 12-inches above the elevation of the next upstream manhole.
19. TITLE 24 – COMMERCIAL: The building shall comply with the latest California Title 24 Accessibility Standards. Necessary work shall be first investigated by the design architect, and then confirmed by Town staff.
20. 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).
21. 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.
  22. PLANS: The construction plans shall be prepared under the direct supervision of a licensed architect or engineer (Business and Professionals Code Section 5538).
  23. APPROVALS REQUIRED: The project requires the following departments and agencies approval before issuing a building permit:
    - a. Community Development - Planning Division: Suzanne Davis at 354-6875
    - b. Engineering/Parks & Public Works 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: The Town will forward the paperwork to the appropriate school district(s) for processing. A copy of the paid receipt is required prior to building permit issuance.

#### TO THE SATFISFATION OF THE DIRECTOR OF PARKS &PUBLIC WORKS

24. SITE PLAN MODIFICATIONS:
  - a. Show all easements on the plan. Construction documents must reference requirements identified in the easement agreement with Verizon (effects the LGB driveway).
  - b. Provide curb or bollards at NE corner of Sallyport.
  - c. Provide curb or bollards at NE corner of main building.
  - d. The width of the driveway aprons along Los Gatos Boulevard and Camellia Terrace shall be as approved by the Public Works Department. The aisles shall be 25-feet wide rather than 22-feet.
  - e. Connect the two bio swales to the existing inlet behind the curb at the south east corner of the property.
  - f. Provide splash blocks at rainwater leaders on the LGB side of the building, or explain why SD connections are required.
  - g. The Camellia Terrace gate appears to be in a landscape area. Show gate trough and trough drainage, and break in curb, if needed.
  - h. Provide details for the Camellia Terrace gate to detail how the gate will function with proposed the crowned driveway section. Typically rolling gates are run on a level track. Consider making the gate line a grade break to allow it to be level.
25. ABOVE GROUND UTILITIES.
  - a. 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.
  - b. Plans should reflect the actual space occupied by such devices.

- c. Above ground utilities shall be reviewed and approved by Community Development prior to issuance of any permit.
  - d. Show the transformer on the civil, utility, and landscape plans. Provide physical dimensions of proposed transformer. Show solid line corresponding to actual pad layout, and a dashed line for the PG&E required setbacks. Show required bollards. Consider a below grade transformer in the sidewalk.
26. 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. Identify the specific areas that make up the totals. Unless specifically allowed by the Director of Parks and Public Works, the grading permit will be issued concurrently with the building permit. The grading permit is for work outside the building footprint(s). A separate building permit, issued by the Building Department on E. Main Street is needed for grading within the building footprint.
27. TREE REMOVAL. Copies of all necessary tree removal permits shall be provided prior to issuance of a grading permit.
28. 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.
29. 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.
30. 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.
31. 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.
32. 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.
  33. WATER DESIGN. Water plans prepared by SJWC must be reviewed and approved prior to issuance of any permit.
  34. 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.
    - a. Los Gatos Blvd. Median improvements including any revisions to median landscaping and irrigation systems needed to accomplish the proposed break in the median.
  35. 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.
  36. 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.
  37. 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.
  38. 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.

39. **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.
40. **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.
41. **SITE ACCESS.** Use of Camellia Terrace shall be minimized. No construction on Camellia Terrace will be allowed except as expressly authorized by the Director of Parks and Public Works.
42. **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).
43. **SITE DRAINAGE.** Rainwater leaders shall be discharged to splash blocks. No through curb drains will be allowed.
44. **NPDES.** On-site drainage systems shall include a filtration device such as a bio-swale or permeable pavement.
45. **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.
46. **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.

47. 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.
48. SIDEWALK REPAIR. The developer shall repair and replace to existing Town standards any sidewalk damaged now or during construction of this project. Sidewalk repair shall match existing color, texture and design, and shall be constructed per Town Standard Details. The limits of sidewalk repair will be determined by the Engineering Construction Inspector during the construction phase of the project.
49. 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.
50. DRIVEWAY APPROACH. The developer shall install two Town standard commercial driveway approaches. The new driveway approaches shall be constructed per Town Standard Details.
51. 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.
52. 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.
53. 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.
54. 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.
55. HAULING OF SOIL. Hauling of soil on or off-site shall not occur during the morning or evening peak periods (between 7:00 a.m. and 9:00 a.m. and between 4:00 p.m. and 6:00 p.m.). Prior to the issuance of a building permit, the developer shall work with the Town Building and Engineering Department Engineering Inspectors to devise a traffic control plan to ensure safe and efficient traffic flow under periods when soil is hauled on or off the project site. This may include, but is not limited to provisions for the developer/owner to place construction notification signs noting the dates and time of construction and hauling activities, or providing additional traffic control. Cover all trucks hauling soil, sand, and other loose debris or require all trucks to maintain at least two feet of freeboard.

TO THE SATISFACTION OF THE SANTA CLARA COUNTY FIRE DEPARTMENT:

56. REQUIRED FIRE FLOW: The fire flow for this project is 3,250 gpm at 20 psi residual pressure. As an automatic fire sprinkler will be installed, the fire flow has been reduced by 75% establishing a required adjusted fire flow of 1,500 gpm at 20 psi residual pressure. The adjusted fire flow is available from area water mains and fire hydrant(s) which are spaced at the required spacing.
57. AUTOMATIC FIRE SPINKLER SYSTEM REQUIRED: Buildings requiring a fire flow in excess of 2,000 GPM or all new Buildings located within the hazardous fire area, shall be protected throughout by an approved, automatic fire sprinkler system, hydraulically designed per National Fire Protection Association (NFPA) Standard #13. A State of California licensed fire protection contractor shall submit plans, calculations, a completed permit application and appropriate fees to this department for review and approval prior to beginning their work.
58. LOCATION OF REQUIRED FIRE PROTECTION SYSTEM(S) EQUIPMENT: Proposed locations for fire sprinkler system(s) control valves (PIV/OS&Y), fire department connections (FDC), shall be coordinated with the fire department and the project planners, prior to submittal of formal designs. The above ground devices shall be readily accessible by the fire department and not obstructed by the proposed fencing.
59. EMERGENCY GATE/ACCESS REQUIREMENTS:
- a. Gate installations shall conform with Fire Department Standard Details and Specification G-1 and, when open shall not obstruct any portion of the required width

for emergency access roadways or driveways. Locks, if provided, shall be fire department approved prior to installation.

- b. Gates across the emergency access roadways shall be equipped with an approved access devices. If the gates are operated electronically, an approved Knox key switch shall be installed; if they are operated manually, then an approved Knox padlock shall be installed.

- 60. PREMISES IDENTIFICATION: Approved numbers or address shall be placed on all new and existing 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.



Date: January 4, 2008  
For Agenda Of: January 9, 2008  
Agenda Item: 5

REPORT TO: The Planning Commission

FROM: Director of Community Development

LOCATION: 15900 Los Gatos Boulevard  
Conditional Use Permit U-07-158  
Architecture and Site Application S-07-214

Requesting approval for a conditional use permit to allow police operations and architecture and site approval to construct an addition to the existing building on property zoned Ch. APN: 523-01-010.

PROPERTY OWNER/APPLICANT: Town of Los Gatos

DEEMED COMPLETE: December 18, 2007

FINAL DATE TO TAKE ACTION: June 18, 2008

- FINDINGS:
1. As required by Section 29.20.190(a) of the Town Code for granting a Conditional Use Permit; or
  2. As required by Section 29.20.150 of the Town Code for Architecture and Site applications.
  3. Required compliance with the Commercial Design Guidelines.
  4. Required compliance with the Los Gatos Boulevard Plan.

ACTION: Recommendation to the Town Council.

- EXHIBITS:
- A. Required findings (4 pages)
  - B. Recommended conditions of approval for U-07-158 (2 pages)
  - C. Recommended conditions of approval for S-07-214 (9 pages)
  - D. Consulting Architect comments (4 pages)
  - E. Traffic Consultant comments (2 pages)
  - F. Previously Approved Initial Study (69 pages)
  - G. Development Plans, received February 7, 2007 (6 pages)

A. BACKGROUND:

The Town Council entered into a Letter of Intent (LOI) with Verizon for the purchase of 15900 Los Gatos Boulevard on March 20, 2007 with the intent to use the building for police services. Staff conducted a due diligence investigation to determine whether to proceed with the purchase.

The Planning Commission reviewed the proposed land purchase and associated Mitigated Negative Declaration on May 23, 2007. The Commission recommended to the Town Council that the purchase of the site is consistent with General Plan and to approve the Mitigated Negative Declaration. At their meeting of June 18, 2007, the Town Council authorized the purchase of the site to use for police operations and approved the Mitigated Negative Declaration.

As part of the due diligence investigation, staff worked with the architectural firm of Ross Drulis Cusenbery (RDC) of Sonoma, California to develop a conceptual site and floor plan for the site. RDC prepared conceptual floor plans for consideration. At the meeting on June 18<sup>th</sup>, the Council directed staff to proceed with the plan that includes remodeling the interior of the existing building along with two additions. A 1,950 square addition along the southeast side of the building will accommodate a secured entry garage (known as a sallyport) and entry corridor with storage rooms. A 1,290 square foot addition will be constructed along the northern side of the building for a combination briefing room/training room/Emergency Operations Center (EOC). The primary function of this multipurpose room is for daily briefings and also for classes and other training for officers. However, the size of the room, allows it, when necessary, to be used as an EOC. The existing building with the additions would total 13,279 square feet.

Originally, it was indicated that patrol officers, parking control officers, and evidence storage would be located at the site. Police administration, records and dispatch would remain at Town Hall as the site is not large enough to accommodate the entire police function. Upon further consideration, the department has concluded that the detective bureau should also be located at the new building in order to maintain direct interaction with the patrol officers. The parking control officers will now remain at Town Hall. This change will result in three additional personnel to be located at the new station from the total previously considered. The implications of this change are discussed in the report.

Normally, requests for architecture and site applications and conditional use permits (CUP) are approved by the Planning Commission. However, because this a Town project, the Council directed that the Architecture and Site approval and CUP be forwarded to them for final approval.

## B. DISCUSSION:

### 1. Project Description

Approval is requested for a CUP to allow police operations at the site. Architecture and Site approval is also requested to allow an addition to the northern side of approximately 1,290 square foot to be used a conference/training room and Emergency Operation Center. An addition of approximately 1,950 square feet is proposed along the southeast side of the building for an entry corridor and a vehicle sallyport.

### 2. Conditional Use Permit

The project is zoned Restricted Highway Commercial. Public Facilities are permitted in this zone upon approval of a CUP. As discussed above, the building will house police operations including patrol operations, the detective bureau and evidence storage. Police administration, records and dispatch would remain at Town Hall as the site is not large enough to accommodate the entire police function.



Monday through Thursday, patrol officers work in three shifts consisting of five to seven officers. On Friday, Saturday and Sunday, there are two shifts with six officers. The patrol officers are in the community during most of their shift and are usually at the building only at the beginning and end of their shifts.

The detective bureau consists of five detectives, a crime analysis, and two Community Service Officers-Evidence Technicians (CSO's). The Crime Analyst works Monday thru Friday. The detectives and CSO's work either Monday thru Thursday or Tuesday thru Friday. One of the CSO's was already anticipated to be located at this building. Other personnel that would be located at the site include the Operations Captain, a patrol and administrative sergeant, and an evidence technician.

The facility contains two adult holding cells, a juvenile holding cell and a pre-booking room. Most detainees are taken directly to the county jail in San Jose. The detainees brought to this facility are only kept at the station for a short time before being transferred to the county jail. No long term incarceration will occur at this location. When a prisoner is brought to the station, the officer parks the patrol car in the enclosed sally port at the southeast portion of the building. The sallyport door is closed and the detainee is taken directly into the holding cell from the sally port.

Two community meetings have been held to discuss the potential police services facility. The meetings were held on April 18, 2007 and May 16, 2007. There were approximately 20 people at the first meeting and 12 people at the second meeting. Most of the questions regarding the potential facility were related to traffic, noise and the intended use of the building.

Questions raised at the meetings were primarily related to use of the Camellia Terrace driveway and the use of sirens in the neighborhood. The Police Chief stated that officers would be directed to use Los Gatos Boulevard to enter and leave the site, except for situations that require them to use Camellia Terrace. He also described the measures used to mitigate noise impacts from siren to the surrounding neighborhood at Town Hall and reiterated his intent to use these procedures at the proposed location.

A noise study conducted during the feasibility analysis determined that noise levels associated with most police activities would not exceed ordinance limits except for noise from vehicles in the public parking area (along the northern property line) at night (10 p.m. to 6 a.m.) or barking from police dogs at night. To mitigate these impacts, public parking within 50 feet of the northern property needs to be restricted between 10 p.m. to 6 p.m. Signage will be placed in this area indicating no parking is permitted during this time. Additionally, posts will be placed in the landscape area adjacent to the public parking that allow the area blocked off during evening hours if necessary to prevent noise impacts.

Noise from other police activities will be addressed through normal operational measures such as loading and unloading potentially unruly detainees within the proposed sally port, limiting the use of sirens near residences, unless absolutely necessary for public safety, and loading and unloading the canine unit dogs at the staff entry area adjacent to the sally port. These measures are included in the recommended conditions of approval.

### 3. Architecture and Site Approval

Two additions are proposed to the existing building. Along the northern portion of the building a 1,290 square foot addition is proposed. This area would be used as a briefing/training room. To add visual interest, the addition has been designed with a slopping roof that has a maximum height of 24 feet at the northern building edge sloping down to a height of 16 feet. The exterior material will be a cement board cladding system, which is an architectural grade material that can be cut into varying panel sizes with reveals that provide shadowing. A steel canopy is proposed over the entry area, and a small concrete seating wall, approximately three feet tall, is proposed in front of the entry area.

Several features are proposed to help unify the addition with the existing building and to enhance the appearance of the building that was built in the early 1960's. The grates covering the windows of the existing building will be removed and a new window system will be provided. A steel sunshade, made of the same material as the entry canopy, will be provided over the windows. The area above and below the windows will be painted a light tan and the columns between the windows will be painted a light brown. Skylights that slope to match the addition are proposed on the roof. However, if cost estimates for the building exceed the approved budget, the skylights may have to be removed.

A 1,950 square foot addition is proposed along the southeast side of the building. This addition is an entry corridor for officers from the secure parking area and a sally port, which is an enclosed area to securely transfer detainees from patrol vehicles to the holding cells. This portion of the building will be cement plaster painted to match the building.

Because of the unique nature of the use, roof mounted antennas are required to provide for radio monitoring and a back-up dispatch center. The types of antennas needed are relatively small in diameter, three inches or less and approximately six feet in height. They will be mounted on a metal bracket raising the total height to between 10 and 12 feet. Three antennas can be mounted on a bracket and approximately six antennas will be needed. The antennas need to be located near the radio equipment, which will be located in the EOC. The sloping roof along this portion of the building will help screen the antennas, and staff will locate them in the least obtrusive location as possible. However, as an emergency facility, the foremost concern is making sure satisfactory radio reception is achieved. Reception needs will determine the actual location on the building. A drawing of the antennas will be brought to the meeting.

New landscaping is proposed in the along Los Gatos Boulevard, Camellia Terrace and in the parking area. Approximately, 33 new trees are proposed along with accent shrubs. To replace trees being removed, approximately 40 new trees would be required, however, 33 is the most that can be accommodated on the site. The remainder will be planted in parks or along streets.

The consulting architect has reviewed the proposal and overall, supports the design. He states the metal sunshades over the windows seem to reflect the metal entry canopy well, and the forms of the new space behind the entry canopy and the skylight projections on the roof add interest (Exhibit D).

The consulting architect recommends modifying the detailing over the windows of the existing building. To add detail and provide shading for those windows, he recommends infill metal blades or mesh horizontally within the U-shape of the metal shade be added.

Staff is currently working with the architects and an estimator to determine the construction cost for the building. Should the cost exceed the available budget, modifications to the project may be required. Should substantial revisions be necessary, the Architecture and Site conditions include a provision that the modifications to the design may be approved by the Town Council when approving the construction contract for the project.

#### 4. Parking

The site plan indicates 43 parking spaces are proposed for Police Department staff (including one handicap accessible space); four parking spaces are proposed for utility vehicles and motorcycle parking, and six public parking spaces (including one handicap accessible parking space). An evaluation of the changing parking demand throughout the day shows a peak parking demand for 40 vehicles in the secured parking area and the available parking spaces in this area are sufficient to meet the needs of the police department.

The previous version of the site plan included seven public parking spaces along the northern property line. One space was removed in order to retain a large Oak tree along the northern property line. Staff is investigating if it possible to retain the parking space without compromising the ability to retain the tree. The proposed public parking spaces are considered sufficient for the use based on experience of the police facility at the Civic Center.

#### 5. Traffic

The traffic study completed for the Mitigated Negative Declaration concluded that the traffic generated by the police services building would be similar to an office building and less than a retail use, both of which are permitted uses at this location. The project's

impact on the two adjacent signalized Los Gatos Boulevard intersections at Blossom Hill Road and Chirco Drive were analyzed. Project-related traffic increases would add the equivalent of approximately 0.1 second of average delay at both intersections on weekdays and less than 0.1 percent of current traffic levels on weekends. This is considered less than significant impact. The traffic consultant submitted a letter (attached) that states locating three additional people at the site does not change the conclusion in the study that traffic associated with the police services building does not result in a significant impact (Exhibit E).

The traffic study recommends that at least one on-street parking space be removed on the south side of the driveways on Los Gatos Boulevard and Camellia Terrace to increase sight distance for vehicles entering and exiting the site. Along Los Gatos Boulevard, the Chief of Police requests that additional on street parking be removed and/or limited to maintain adequate visibility for officers leaving the site.

It was also recommended that a “KEEP CLEAR” road marking and stop line be installed on Los Gatos Boulevard and Camellia Terrace at the project driveway locations to help prevent vehicles from blocking emergency vehicles leaving the site. Additionally, the median on Los Gatos Boulevard will be modified to allow left turns out of the site. These measures will be implemented as part of the project.

## 6. Trees

The Town’s consulting arborist, Arbor Resources (AR), completed an arboricultural survey for the proposed project. The survey identified a total of 44 trees of eight various species that could be affected by the proposed project. Of these 44 trees, eight are within the public right-of-way and two are sufficiently close on properties adjoining the site as to be vulnerable to potential damage during development. The 44 trees listed in the inventory include 43 Protected Trees (trees with a trunk diameter of four inches or greater); Tree #32 is comprised of 13 small privets situated along the neighboring southern building and is in a row of other smaller privets that constitute non-Ordinance sized trees.

Of the 44 trees on the site, the proposed parking lot configuration would subject the following ten trees to removal: #21- 28, 30 and 31. Except for #30, all are Raywood ash that have either died or can be expected to die in the near future. Tree #30 is a camphor tree that contains significant branch dieback throughout its canopy. Based on this information, the report concludes that the loss of these ten trees would be insignificant and the project would comply with the Town’s Ordinance.

The proposed building design would require the removal of Tree #1; a 10.5-inch diameter southern magnolia. Due to damage to the bark, the report advises against the relocation of this tree. Rather, replacement trees should be planted to mitigate its loss. Replacement trees to mitigate the loss of trees removed, shall, pursuant to Section 29.10.0985 of the Town Code, be determined by the Parks and Public Works Department.

Trees #17 and 29 would sustain root damage with implementation of the driveway and parking lot reconfiguration. Provided the work is performed according to recommendations in the report, the potential impacts would be reduced to less than significant. All of the 26 recommendations made by Arbor Resources (May 4, 2007) will be implemented to eliminate or minimize the construction-related impacts on the trees to be retained.

7. Conformance with the General Plan

The following goals and policies are relevant to the proposed project:

	Section or Policy	Staff Comment
1.	L.P. 3.3: Protect existing residential areas from adjacent nonresidential uses by assuring that buffers are developed and maintained. Buffers shall be required as conditions of approval and may consist of landscaping, sound barriers, building setbacks and open space.	The proposed design locates noise intensive uses away from the residential neighborhood. Police vehicles will refrain from using their sirens in the parking area and will use Los Gatos Boulevard to enter and exit the site except for emergencies. A landscape and sound buffer is provided to mitigate noise impacts.
2.	S.P. 4.1: Pursue community policing and other crime prevention measures for increased public safety.	The site will enhance public safety by providing facilities with adequate space to meet code and deliver services. The building is centrally located on a major street, an important consideration for public safety operations.
3.	N.G. 1.2: Ensure that noise from new development and new land uses does not adequately affect existing land uses.	See staff comment #1.
4.	N.P. 1.3: Ensure that all services performed by the Town do not cause undue noise problems.	Design of the site and parking area along with the mitigation measures contained in the report will ensure that operations performed at the site do not cause undue noise impacts to the neighborhood.

8. Conformance with Los Gatos Boulevard Plan

The project site is located within the area Los Gatos Boulevard Plan area. The Plan provides land use goals and guidelines for the corridor. While the Plan does not include specific

direction for land use at the project site, the project supports the Plan's identified land use goals, which are as follows:

- 1) To promote commercial activity that complements the whole Town.
- 2) To provide a dependable source of income, employment, goods, and services.
- 3) To encourage a mixture of uses along Los Gatos Boulevard that are compatible with surrounding uses.
- 4) To provide a transition from higher density uses at the north side of Los Gatos Boulevard to existing residential uses at the south end of Los Gatos Boulevard.

The proposed police substation would be consistent with existing commercial uses adjoining the site to the south and west. The project attempts to minimize adverse impacts on the adjacent residential uses to the north through a design that retains the existing configuration of access and parking for the proposed use.

#### 9. Conformance with Commercial Design Guidelines

The Commercial Design Guidelines include general design principles that apply Town wide and specific concepts for Los Gatos Boulevard. The basic design principles for this area include maintaining a strong landscaped setback from Los Gatos Boulevard; maintain views to the hills; the design should reflect Los Gatos' unique qualities of small scale, pedestrian friendliness, and attention to architectural detail; and provide substantial landscaping of parking areas and project entries.

The existing building was constructed in the early 1960's and is a simple rectangular building with a flat roof. An approximately 15-foot landscape buffer is provided between the building and the sidewalk. The proposed design is intended to upgrade the design of the existing building and add visual interest and will comply with the Design Guidelines. The addition along Los Gatos Boulevard has been designed with a sloped roof parapet to add visual interest, and a canopy is proposed at the entry area. The front of the existing building will be upgraded by removing the grates and providing a new window system. A steel sunshade made of the same material as the canopy is proposed over the windows. Skylights that slope to match the addition are proposed on the roof. The existing landscape buffer will be maintained and enhanced with new landscaping and trees.

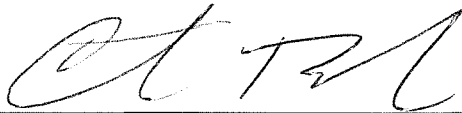
#### C. ENVIRONMENTAL REVIEW:

A Mitigated Negative Declaration was for the project was adopted by the Council at the time the purchase was approved. Other than increasing the number of people assigned to the site by three, there have been no changes to the project that were not considered in the Mitigated Negative Declaration. The traffic consultant has determined that the addition of three peak hour trips does not change the conclusions in the traffic study. The mitigation measures identified in the Mitigated Negative Declaration have been incorporated into the project and the recommended conditions of approval. As such, no additional environmental review is required.

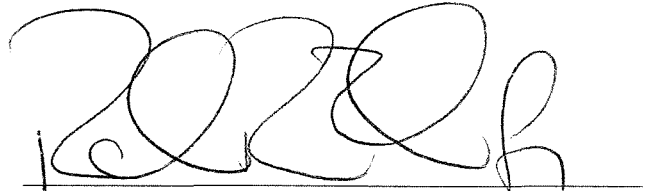
D. RECOMMENDATION:

The decision of the Planning Commission should be in the form of a recommendation to the Town Council. If the Planning Commission finds merit in recommending approval of the CUP and Architecture and Site application, it should recommend that Council:

- 1) Make the required findings as required by Section 29.20.190 of the Town Code for the granting of a Conditional Use Permit; and
- 2) Make the required considerations required for Architecture and Site applications.
- 3) Approve the CUP and Architecture and Site application subject to the attached conditions (Exhibits B and C) and development plans (Exhibit F).



Prepared by:  
Curtis Banks, AICP  
Project Planner



Approved by:  
Bud N. Lortz, Director of Community  
Development