

PLANNING COMMISSION – January 22, 2025
REQUIRED FINDINGS AND CONSIDERATIONS FOR:

220 Belgatos Road:
Subdivision Application M-24-011

Requesting Approval for Subdivision of One Lot into Two Lots on Property Zoned R-1:10. APN: 527-25-005. Categorically Exempt Pursuant to CEQA Guidelines Section 15315: Minor Land Divisions.

Property Owner: Union School District

Applicant: Robson Homes, LLC.

Project Planner: Jocelyn Shoopman

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 and in substantial compliance with the approved plans. Any changes or modifications to the approved plans shall be approved by the Community Development Director, DRC or the Planning Commission depending on the scope of the changes.
2. EXPIRATION: The approval will expire two years from the approval date pursuant to Section 29.20.320 of the Town Code, unless the approval has been vested.
3. CONFORMANCE WITH CODE. No part of this approval shall be construed to permit a violation of any part of the Code of the Town of Los Gatos.
4. COMPLIANCE WITH LOCAL, STATE, and FEDERAL LAWS. The subject use shall be conducted in full compliance with all local, state, and federal laws.
5. TOWN INDEMNITY: Applicants are notified that Town Code Section 1.10.115 requires that any applicant who receives a permit or entitlement from the Town shall defend, indemnify, and hold harmless the Town and its officials in any action brought by a third party to overturn, set aside, or void the permit or entitlement. This requirement is a condition of approval of all such permits and entitlements whether or not expressly set forth in the approval, and may be secured to the satisfaction of the Town Attorney.

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

Engineering Division

6. General: The Owner, Applicant and/or Developer shall comply with all Town, County, State and Federal laws and regulations applicable to this land division.
7. Per Town Code Chapter 22: Every building where persons reside, congregate or are employed, which abuts a street or alley in which there is an approved public sanitary sewer, or which is within two hundred (200) feet of an approved public sanitary sewer, provided a right-of-way can be obtained, and if possible grade is present, shall be

- connected to the sewer, by the owner or agent of the premises, in the most direct manner possible, and with a separate connection for each home or building.
8. Grading: Any grading work, cut/fill, earthwork or combination thereof (completed or proposed on submitted plans) on the resultant parcels over the upcoming two-year period are combined with regards to grading permit thresholds.
 9. Stormwater Management: The subdivision shall comply with the requirements of the Town's National Pollution Discharge Elimination System Permit as implemented by Chapter 22 of the Los Gatos Municipal Code, and as demonstrated by a grading and drainage plan prepared by a registered civil engineer.
 10. Utility Providers: The requirements of the parcel's utility providers shall be satisfied prior to recordation of a parcel map.
 11. Final Map: a final map shall be recorded prior to the issuance of any grading or building permits. The Applicant/Developer/Subdivider shall provide the Engineering Division with an electronic copy (in PDF format) of the signed recorded map along with a CAD drawing of the Parcel Map after it is recorded.
 12. Title Report: The applicant shall provide a recent title report (within 90 days of parcel map submittal date). The pdf report must be complete with all recorded documents related to the parcel and/or active links to recorded documents. Please submit a letter from the County Auditor, and from the Town Auditor, each certifying that according to the records of such auditor's office there are no liens against the subdivision or any part thereof for unpaid State, County, Municipal or local taxes or special assessments not yet payable, and as to the latter the subdivider shall submit a statement by each proper officer giving the estimate of the amount of taxes and assessments which are in lien, but which are not yet payable.
 13. Required Improvements: The following improvements shall be installed by the Developer, with problem areas to be determined by the Town Engineer. 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 any grading or building permits or the Town approval and recordation of a map. These improvements shall include, but are not limited to:
 - a. ~~Belgatos Road~~ Belvue Drive (along school and project frontage) and.
 - i. ~~Installation of curb, gutter and sidewalk. Applicant shall repair/install curb, gutter, and sidewalk, as needed.~~
 - ii. ~~Remove and replace the existing pavement with a traffic appropriate engineered structural pavement section or alternative pavement rehabilitation measure as approved by the Town Engineer. Full width 2" grind and overlay pavement restoration.~~
 - b. Belgatos Road (along school and project frontage).
 - i. Applicant shall repair/install curb, gutter, and sidewalk, as needed.
 - iii.ji. Full width 2" grind and overlay pavement restoration.
 14. Sec. 24.40.020 Agreement to Install: In lieu of completion prior to approval of final map.
 - (a) If any subdivision improvement is not completed to the satisfaction of the Town Engineer before the final map is recorded or filed, the subdivider shall, prior to the

approval by the Town Council of the final map, enter as contractor into an agreement with the Town whereby, in consideration of the acceptance by the Town of some or all the dedications offered on the final map and the approval of the final map, the subdivider, as such contractor, agrees to furnish all necessary equipment and material and to complete such work within the time specified in such agreement. (b) Such agreement may provide for the improvements to be installed in units, for extensions of time under specified conditions or for the termination of the agreement upon a reversion of the subdivision or a part thereof to acreage.

15. Performance Bond or Cash Deposit Required: (a) The agreement referred to in section 24.40.020 shall be accompanied by a faithful performance bond guaranteeing the faithful performance of the agreement or contract, in a sum equal to one hundred (100) percent of the total estimated cost of the improvements (including design engineering and inspection costs), together with an additional bond securing payment to the contractor, subcontractors and to persons renting equipment to the contractor, subcontractors and to persons renting equipment or furnishing labor or materials to them for the improvements, also in a sum equal to one hundred (100) percent of the total estimated cost of the improvements. (b) In lieu of any faithful performance bond required by this section the subdivider may deposit with the Town Council a sum of money equal to the required amount of such bond as security for the faithful performance thereof. Please submit a letter from the County Auditor, and from the Town Auditor, each certifying that according to the records of such auditor's office there are no liens against the subdivision or any part thereof for unpaid State, County, Municipal or local taxes or special assessments not yet payable, and as to the latter the subdivider shall submit a statement by each proper officer giving the estimate of the amount of taxes and assessments which are in lien, but which are not yet payable.

TO THE SATISFACTION OF THE SANTA CLARA COUNTY FIRE DEPARTMENT:

16. Review of this Developmental proposal is limited to acceptability of site access, water supply and may include specific additional requirements as they pertain to fire department operations, and shall not be construed as a substitute for formal plan review to determine compliance with adopted model codes. Prior to performing any work, the applicant shall make application to, and receive from, the Building Department all applicable construction permit.
17. This review shall not be construed to be an approval of a violation of the provisions of the California Fire Code or of other laws or regulations of the jurisdiction. A permit presuming to give authority to violate or cancel the provisions of the fire code or other such laws or regulations shall not be valid. Any addition to or alteration of approved construction documents shall be approved in advance. [CFC, Ch.1, 105.3.6].

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