

RECOMMENDED CONDITIONS OF APPROVAL

15400 Suview Drive

Project Application PRJ-97-117

Appeal of the decision of the Development Review Committee approving the subdivision of a 10.26 acre parcel into two lots in the HR-2 ½ zone. PROPERTY OWNER/APPLICANT: Charles Hackett APPELLANT: Terrance J. Rose

TO THE SATISFACTION OF THE PLANNING DIRECTOR:
(Engineering Section)

1. GRADING PERMIT. A grading permit is required for grading and drainage work outside the limits of the dedicated public right-of-way. A separate application for a grading permit (with grading plans) shall be made to the Engineering Section of the Planning Department. The grading plans shall include final grading, drainage retaining wall location, driveway, utilities and interim erosion control. Unless specifically allowed by the Director of Parks and Public Works, the grading permit will be issued concurrently with the building permit.
2. SOILS REPORT. One copy of the soils and geologic report shall be submitted with the grading permit and public improvement applications. 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.
3. PARCEL MAP. A parcel map shall be recorded. Two copies of the parcel map shall be submitted to the Engineering Section of the Planning Department for review and approval. Submittals shall include closure calculations, title reports and appropriate fee. The map shall be recorded before any permits are issued.
4. DEDICATIONS. The following shall be dedicated on the parcel map. The dedication shall be recorded before any permits are issued.
 - a. Happy Acres Road. A 20-foot street right-of-way with a standard 42-foot radius cul-de-sac.
 - b. Public Service Easement (PSE). Ten (10) feet wide, next to the Happy Acres Road right-of-way.
 - c. Ingress-egress, storm drainage and sanitary sewer easements, as required.
5. 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. Happy Acres Road. Curb, gutter, street light, paving, retaining wall, signing, striping, storm drainage and sanitary sewers, as required.

6. INSURANCE. One million dollars (\$1,000,000) of liability insurance holding the Town harmless shall be provided in a format acceptable to the Town Attorney before recordation of the map.
7. TRAFFIC IMPACT MITIGATION FEE (RESIDENTIAL). The developer shall pay a proportional the project's share of transportation improvements 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 request of Certificate of Occupancy is made. The fee shall be paid before issuance of the Certificate of Occupancy. The traffic impact mitigation fee for this project using the current fee schedule is \$5,730. the final fee shall be calculated from the final plans using the rate schedule in effect at the time of the request for a Certificate of Occupancy.
8. FISH AND GAME REQUIREMENTS. A "1603" permit shall be obtained for the California Department of Fish and Game for proposed improvements in or near riparian areas within their jurisdiction. A copy of the permit shall be provided to the Planning Department before the parcel map is recorded.
9. 401 CERTIFICATION. A 401 Certification shall be obtained from the San Francisco Bay Region Water Quality Control District for work in "waters of the State of California." A copy of the certification shall be provided to the Planning Department before the parcel map is recorded.

TO THE SATISFACTION OF THE DIRECTOR OF PARKS AND PUBLIC WORKS:
(Public Works Section)

10. 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.
11. 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.
12. PUBLIC WORKS INSPECTIONS. The developer or his representative shall notify the Engineering Inspector at least twenty-four (24) hours before starting an 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.
13. GRADING MORATORIUM. No grading or earth-disturbing activities shall be initiated in hillside areas between October 1 and April 15 of each year. For grading operations commenced before October 1, all grading or earth-disturbing activities shall cease October 15 and will not be allowed to restart

until April 15. Grading permits will not be issued between September 15 and April 15. These limitations include, but are not limited to these items: driveways, building pads, foundation trenches and drilled piers, retaining walls, swimming pools, tennis courts, outbuildings and utility trenches. Install interim erosion control measures, shown on the approved interim erosion control plan, by October 1, if final landscaping is not in place. Maintain the interim erosion control measures throughout the October 1 to April 15 period.

14. GRADING INSPECTIONS. The soils engineer or her/his qualified representative shall continuously inspect all grading operations. The soils engineer shall submit a final grading report before occupancy/Certificate of Completion.
15. 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
 - c. Top of curb
16. EROSION CONTROL. Interim and final erosion control plans shall be prepared and submitted to the Engineering Development Section of the Planning Department. On sites over five (5) acres, 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. Grading activities shall be limited to the period of least rainfall (April 15 to October 1). A maximum of two weeks is allowed between clearing of an area and stabilizing/building on an area if grading is allowed to go on during the rainy season. In addition, straw bales and plastic sheeting shall be stored on-site for emergency control, if needed. Install filter berms, check dams, retention basins, silt fences and straw bale dikes as needed on the project site, to protect down stream water quality during winter months.
17. 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). Cable television capability shall be provided to all new lots.
18. 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.
19. DRIVEWAY APPROACH. The developer shall install one (1) Town standard

driveway approach at the end of the cul-de-sac, leading to the private street. The new driveway approach shall be constructed per Town Standard Detail.

20. AS-BUILT PLANS. After completion of the construction of all work in the public right-of-way or public easements, the original plans shall have all changes (change orders and field changes) clearly marked. The "as-built" plans shall again be signed and "wet-stamped" by the civil engineer who prepared the plans, attesting to the changes. The original "as-built" plans shall be review and approved the Engineering Construction Inspector. A Mylar of the approved "as-built" plans shall be provided to the Town before the Faithful Performance Security is released.
21. 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.

TO THE SATISFACTION OF THE FIRE DEPARTMENT:

The following conditions are required at the time of Architecture and Site approval:

22. WATER SUPPLY. Applicant shall provide a water tank of 10,000 gallons capacity and one wharf fire hydrant. Installations shall conform with Fire Department Standard Details and Specifications W-1.
23. REQUIRED FIRE FLOW. Applicant shall provide required fire flow from fire hydrants spaced at a maximum of 500 feet or provide an approved fire sprinkler system throughout all portions of the building. The fire sprinkler system shall conform to National Fire Protection Association Standard #130 1994 Edition and local ordinance requirements.
24. FIRE APPARATUS (ENGINE) ACCESS DRIVEWAY AND TURNAROUND. Applicant shall provide an access driveway with a paved all weather surface and a minimum unobstructed width of 12 feet, vertical clearance of 13 feet six inches, minimum circulating turning radius of 36 feet outside and 23 feet inside, and a maximum slope of 15 percent. Installations shall conform with Fire Department Standard Details and Specifications 0-1