



**TOWN OF LOS GATOS
PLANNING COMMISSION AGENDA
SEPTEMBER 22, 2021
110 EAST MAIN STREET
LOS GATOS, CA**

*Kathryn Janoff, Chair
Kendra Burch, Vice Chair
Jeffrey Barnett, Commissioner
Melanie Hanssen, Commissioner
Jeffrey Suzuki, Commissioner
Reza Tavara, Commissioner
Emily Thomas, Commissioner*

PARTICIPATION IN THE PUBLIC PROCESS

How to participate: The Town of Los Gatos strongly encourages your active participation in the public process, which is the cornerstone of democracy. If you wish to speak to an item on the agenda, please follow the participation instructions on page 2 of this agenda. If you wish to speak to an item NOT on the agenda, you may do so during the “Verbal Communications” period, by following the participation instructions on page 2 of this agenda. The time allocated to speakers may change to better facilitate the Planning Commission meeting.

Effective Proceedings: The purpose of the Planning Commission meeting is to conduct the business of the community in an effective and efficient manner. For the benefit of the community, the Town of Los Gatos asks that you follow the Town’s meeting guidelines while attending Planning Commission meetings and treat everyone with respect and dignity. This is done by following meeting guidelines set forth in State law and in the Town Code. Disruptive conduct is not tolerated, including but not limited to: addressing the Commissioners without first being recognized; interrupting speakers, Commissioners or Town staff; continuing to speak after the allotted time has expired; failing to relinquish the podium when directed to do so; and repetitiously addressing the same subject.

Deadlines for Public Comment and Presentations are as follows:

- Persons wishing to make an audio/visual presentation on any agenda item must submit the presentation electronically, either in person or via email, to the Planning Department by 1 p.m. or the Clerk’s Office no later than 3:00 p.m. on the day of the Planning Commission meeting.
- Persons wishing to submit written comments to be included in the materials provided to the Planning Commission must provide the comments to the Planning Department as follows:
 - For inclusion in the regular packet: by 11:00 a.m. the Friday before the meeting
 - For inclusion in any Addendum: by 11:00 a.m. the day before the meeting
 - For inclusion in any Desk Item: by 11:00 a.m. on the day of the meeting

**Planning Commission meetings are broadcast Live on KCAT, Channel 15 (on Comcast) on the 2nd and 4th Wednesdays at 7:00 p.m.
Live and Archived Planning Commission meetings can be viewed by going to:
<https://www.kcat.org/government-meetings>**

IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT, IF YOU NEED SPECIAL ASSISTANCE TO PARTICIPATE IN THIS MEETING, PLEASE CONTACT THE CLERK DEPARTMENT AT (408) 354-6834. NOTIFICATION 48 HOURS BEFORE THE MEETING WILL ENABLE THE TOWN TO MAKE REASONABLE ARRANGEMENTS TO ENSURE ACCESSIBILITY TO THIS MEETING [28 CFR §35.102-35.104]

IMPORTANT NOTICE REGARDING PLANNING COMMISSION MEETING

This meeting is being conducted utilizing teleconferencing and electronic means consistent with State of California Executive Order N-29-20 dated March 17, 2020, regarding the COVID-19 pandemic. The live stream of the meeting may be viewed on television and/or online at: <https://meetings.municode.com/PublishPage/index?cid=LOSGATOS&ppid=4bc370fb-3064-458e-a11a-78e0c0e5d161&p=0>. **In accordance with Executive Order N-29-20, the public may only view the meeting on television and/or online and not in the Council Chamber.**

PARTICIPATION

If you are not interested in providing oral comments real-time during the meeting, you can view the live stream of the meeting on television (Comcast Channel 15) and/or online at <https://www.youtube.com/channel/UCFh35XRBWer1DPx-F7vvhcg>.

If you are interested in providing oral comments in real-time during the meeting, you must join the Zoom webinar at: <https://losgatosca.gov.zoom.us/j/89243487393?pwd=Ulo4WXBaY0dEcHFQTEtPT2FhcGZ6dz09>.
Passcode: 253099.

Please be sure you have the most up-to-date version of the Zoom application should you choose to provide public comment during the meeting. Note that participants cannot turn their cameras on during the entire duration of the meeting.

During the meeting:

- When the Chair announces the item for which you wish to speak, click the “raise hand” feature in Zoom. If you are participating by phone on the Zoom app, press *9 on your telephone keypad to raise your hand. If you are participating by calling in, press #2 on your telephone keypad to raise your hand.
- When called to speak, please limit your comments to three (3) minutes, or such other time as the Chair may decide, consistent with the time limit for speakers at a Council meeting.

If you are unable to participate in real-time, you may send an email to PlanningComment@losgatosca.gov with the subject line “Public Comment Item #” (insert the item number relevant to your comment) or “Verbal Communications – Non Agenda Item.” Comments will be reviewed and distributed before the meeting if received by 11:00 a.m. on the day of the meeting. All comments received will become part of the record. The Chair has the option to modify this action on items based on comments received.

REMOTE LOCATION PARTICIPANTS

The following Planning Commissioners are listed to permit them to appear electronically or telephonically at the Planning Commission meeting: CHAIR KATHRYN JANOFF, VICE CHAIR BURCH, COMMISSIONER BARNETT, COMMISSIONER HANSSEN, COMMISSIONER SUZUKI, COMMISSIONER TAVANA, AND COMMISSIONER THOMAS. All votes during the teleconferencing session will be conducted by roll call vote.

**TOWN OF LOS GATOS
PLANNING COMMISSION AGENDA
SEPTEMBER 22, 2021
7:00 PM**

MEETING CALLED TO ORDER

ROLL CALL

VERBAL COMMUNICATIONS *(Members of the public may address the Commission on any matter that is not listed on the agenda. Unless additional time is authorized by the Commission, remarks shall be limited to three minutes.)*

CONSENT ITEMS *(Items appearing on the Consent Items are considered routine Town business and may be approved by one motion. Any member of the Commission may request to have an item removed from the Consent Items for comment and action. Members of the public may provide input on any or multiple Consent Item(s) when the Chair asks for public comments on the Consent Items. If you wish to comment, please follow the Participation Instructions contained on Page 2 of this agenda. If an item is removed, the Chair has the sole discretion to determine when the item will be heard.)*

1. Draft Minutes of the September 8, 2021 Planning Commission Meeting

PUBLIC HEARINGS *(Applicants/Appellants and their representatives may be allotted up to a total of five minutes maximum for opening statements. Members of the public may be allotted up to three minutes to comment on any public hearing item. Applicants/Appellants and their representatives may be allotted up to a total of three minutes maximum for closing statements. Items requested/recommended for continuance are subject to the Commission's consent at the meeting.)*

2. Requesting Approval for Modification to an Existing Architecture and Site Application (S-19-016) to Modify the Conditions of Approval on Property Zoned R-1:8. APN 532-36-049. Architecture and Site Application S-21-025. Located at **244 Harding Avenue**. Property Owner: Marcus Thordal. Applicant: Henry Riggs. Project Planner: Jocelyn Shoopman.

OTHER BUSINESS *(Up to three minutes may be allotted to each speaker on any of the following items.)*

REPORT FROM THE DIRECTOR OF COMMUNITY DEVELOPMENT

SUBCOMMITTEE REPORTS / COMMISSION MATTERS

ADJOURNMENT *(Planning Commission policy is to adjourn no later than 11:30 p.m. unless a majority of the Planning Commission votes for an extension of time)*

Writings related to an item on the Planning Commission meeting agenda distributed to members of the Commission within 72 hours of the meeting are available for public inspection at the reference desk of the Los Gatos Town Library, located at 100 Villa Avenue; the Community Development Department and Clerk Department, both located at 110 E. Main Street; and are also available for review on the official Town of Los Gatos website. Copies of desk items distributed to members of the Commission at the meeting are available for review in the Town Council Chambers.

Note: The Town of Los Gatos has adopted the provisions of Code of Civil Procedure §1094.6; litigation challenging a decision of the Town Council must be brought within 90 days after the decision is announced unless a shorter time is required by State or Federal law.

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**TOWN OF LOS GATOS
PLANNING COMMISSION
REPORT**

MEETING DATE: 09/22/2021

ITEM NO: 1

**DRAFT
MINUTES OF THE PLANNING COMMISSION MEETING
SEPTEMBER 8, 2021**

The Planning Commission of the Town of Los Gatos conducted a Regular Meeting on Wednesday, September 8, 2021, at 7:00 p.m.

This meeting was conducted utilizing teleconferencing and electronic means consistent with State of California Executive Order N-29-20 dated March 17, 2020, regarding the COVID19 pandemic and was conducted via Zoom. All planning commissioners and staff participated from remote locations and all voting was conducted via roll call vote.

MEETING CALLED TO ORDER AT 7:00 PM

ROLL CALL

Present: Chair Kathryn Janoff, Vice Chair Kendra Burch, Commissioner Jeffrey Barnett, Commissioner Melanie Hanssen, Commissioner Jeffrey Suzuki, and Commissioner Emily Thomas, Absent: Commissioner Reza Tavana.

VERBAL COMMUNICATIONS

None.

CONSENT ITEMS (TO BE ACTED UPON BY A SINGLE MOTION)

1. Approval of Minutes – August 25, 2021

MOTION: Motion by Vice Chair Burch to approve adoption of the Consent Calendar. **Seconded** by Commissioner Suzuki.

VOTE: Motion passed 5-0-1 with Commissioner Thomas abstaining and Commissioner Tavana absent.

PUBLIC HEARINGS

2. 17200 Los Robles Way

Lot Line Adjustment Application M-20-012

APNs 532-36-075, -076, and -077

Appellants: Alison and David Steer, Terry and Bob Rinehard, Nancy and Jim Neipp, Gary and Michelle Gysin, and Gianfranco and Eileen De Feo

Applicant: Tony Jeans

Property Owners: Daran Goodsell, Trustee and Mark Von Kaenel

Project Planner: Ryan Safty

Consider an Appeal of a Development Review Committee Decision approving a Lot Line Adjustment between three adjacent lots on properties zoned R-1:20.

Ryan Safty, Associate Planner, presented the staff report.

Opened Public Comment.

Alison Steer (Appellant)

- The Subdivision Map Section 66412 is overly broad. The Subdivision Map Act is silent on when lot line adjustment procedures can be used, whereas the Town Ordinance is explicit that it cannot be used under these circumstances and therefore takes precedence. The Subdivision Map Act in fact allows jurisdictions to decide how they regulate lot line adjustment procedures and loosely provides the minimum requirements that need to be met. There is no legal access to Parcel 2 and therefore Town Code requires denial of the application.

Tony Jeans (Applicant)

- These are three legal lots recognized by the Town of Los Gatos. A Certificate of Compliance has been recorded. Their current plan is a much more appropriate use of the space than the current configuration. There is a good amount of space reasonably available for building without dramatically impacting trees. Parcel 1 retains better use of the land for the existing house, Parcel 3 would have good access for a buildable area in the center, and Parcel 2 would have an almost one-acre area with room to get separation from existing homes on the adjacent lots.

Tony Jeans (Applicant)

- They had to comply with the Town zoning rules and Subdivision Map Act. They have removed as many of the existing nonconformities in the new proposed configuration, which is substantially better than what currently exists, and he asks for the Commission's approval.

Alison Steer (Appellant)

- The Subdivision Map Act allows jurisdictions to decide how they regulate Lot Line Adjustment procedures. The Town Ordinance says they need legal access, and a turnaround and Parcel 2 does not have those today. The appellants ask that the Lot Line Adjustment be denied, and the appeal granted, and also, that the Commission maintain the existing primary access for these parcels along Los Robles Way. They respectfully disagree with the Town Attorney and asked for court cases as proof, as they believe that the Town Ordinance is valid and should be followed.

Closed Public Comment.

Commissioners discussed the matter.

MOTION: **Motion by Vice Chair Burch to Deny an Appeal of a Development Review Committee Decision for 17200 Los Robles Way. **Seconded** by Commissioner Barnett.**

VOTE: **Motion passed 5-0-1 with Commissioner Hanssen abstaining.**

3. Provide the public with an opportunity to give verbal comments on the Draft Environmental Impact Report (DEIR) for the Draft 2040 General Plan. **No action will be taken at this meeting.** Project Planner: Jennifer Armer.

Jennifer Armer, Senior Planner, presented the staff report.

Opened Public Comment.

Giulianna Pendleton, Santa Clara Valley Audubon Society

- Lighting is a serious issue for species, habitats, and humans. Recent findings are beginning to identify light pollution as a significant driver for the current insect apocalypse. Lighting is not listed as a potential biological impact to the surrounding area in the biological report of the Draft EIR. There should be a town-wide environmental review for lighting incorporated within the EIR.

Closed Public Comment.

OTHER BUSINESS

REPORT FROM THE DIRECTOR OF COMMUNITY DEVELOPMENT

Joel Paulson, Director of Community Development

- The deadline to apply to join the General Plan Committee to form the Housing Element Advisory Board for the 2023-2031 Housing Element is September 10th at 4 p.m.
- There will be a joint study session between the Planning Commission and Town Council regarding the Draft 2040 General Plan on September 20th at 4 p.m.

SUBCOMMITTEE REPORTS/COMMISSION MATTERS

None.

ADJOURNMENT

The meeting adjourned at 8:07 p.m.

This is to certify that the foregoing is a true and correct copy of the minutes of the September 8, 2021 meeting as approved by the Planning Commission.

/s/ Vicki Blandin



**TOWN OF LOS GATOS
PLANNING COMMISSION
REPORT**

MEETING DATE: 09/22/2021

ITEM NO: 2

DATE: September 17, 2021
TO: Planning Commission
FROM: Joel Paulson, Community Development Director
SUBJECT: Requesting Approval for Modification to an Existing Architecture and Site Application (S-19-016) to Modify the Conditions of Approval on Property Zoned R-1:8. APN 532-36-049. Architecture and Site Application S-21-025. Property Owner: Marcus Thordal. Applicant: Henry Riggs. Project Planner: Jocelyn Shoopman.

RECOMMENDATION:

Requesting approval for modification to an existing Architecture and Site application (S-19-016) to modify the conditions of approval on property zoned R-1:8.

FINDING:

- That the proposed modification to the Conditions of Approval is not appropriate.

ACTION:

The decision of the Planning Commission is final unless appealed within ten days.

BACKGROUND:

On November 12, 2016, the applicant submitted an Architecture and Site application (S-16-068) for a new second story addition to an existing single-family residence and a grading permit for site improvements.

On March 21, 2017, the Development Review Committee (DRC) approved the Architecture and Site application (S-16-068) with the Conditions of Approval (Exhibit 6). Subsequently, Building Permit B18-0483 was submitted on June 1, 2018; however, the Architecture and Site

PREPARED BY: Mike Weisz
Senior Civil Engineer

Reviewed by: Planning Manager, Community Development Director, Town Engineer, and Parks and Public Works Director

BACKGROUND (continued):

application (S-16-068) expired pursuant to Condition 2 in Exhibit 6 as the approval was not vested pursuant to Section 29.20.335 of the Town Code.

On March 25, 2019, the applicant submitted a new Architecture and Site application (S-19-016) for a new second story addition to an existing single-family residence and a grading permit for site improvements.

On April 30, 2019, the DRC approved the new Architecture and Site application (S-19-016) with the Conditions of Approval (Exhibit 7). Building Permit B18-0483 was issued on June 14, 2019 and Grading Permit GR18-154 was issued on July 11, 2019.

On July 19, 2021, the applicant submitted an Architecture and Site application (S-21-025) requesting approval for a modification to the existing Architecture and Site application (S-19-016) to modify Condition 44 in Exhibit 3 which requires public frontage improvements.

PROJECT DESCRIPTION:

A. Location and Surrounding Neighborhood

The subject site is located on the south side of Harding Avenue near the intersection of Vista Del Campo and Harding Avenue (Exhibit 1). The surrounding properties are one- and two-story single-family residences. Currently, the 244 Harding Avenue property frontage does not have a sidewalk, but instead the public improvements end at the edge of pavement.

B. Project Summary

The applicant proposes modification to an existing Architecture and Site application (S-19-016) to modify Condition 44 which requires public frontage improvements. No other modifications to the approved plan set are proposed.

DISCUSSION:

A. Frontage Improvements

Architecture and Site applications S-16-068 and S-19-016 were reviewed at multiple Staff Technical Review meetings and at each meeting Engineering staff provided the applicant draft conditions of approval that included the requirement to improve the project's public frontage to meet current Town Engineering Design Standards. Architecture and Site applications S-16-068 and S-19-016 both included Condition 44 which states:

DISCUSSION (continued):

FRONTAGE IMPROVEMENTS: The Applicant shall be required to improve the project's public frontage to current Town Standards. These improvements may include but not limited to curb, gutter, sidewalk, driveway approach, etc. The improvements must be completed and accepted by the Town before a Certificate of Occupancy for any new building can be issued.

Currently, the property frontage does not have a sidewalk, but instead the public improvements end at the edge of pavement. Town Standard Plan ST-201, Collector Typical Street Section, is consistent with Harding Avenue at this location with its 60-foot right-of-way width.

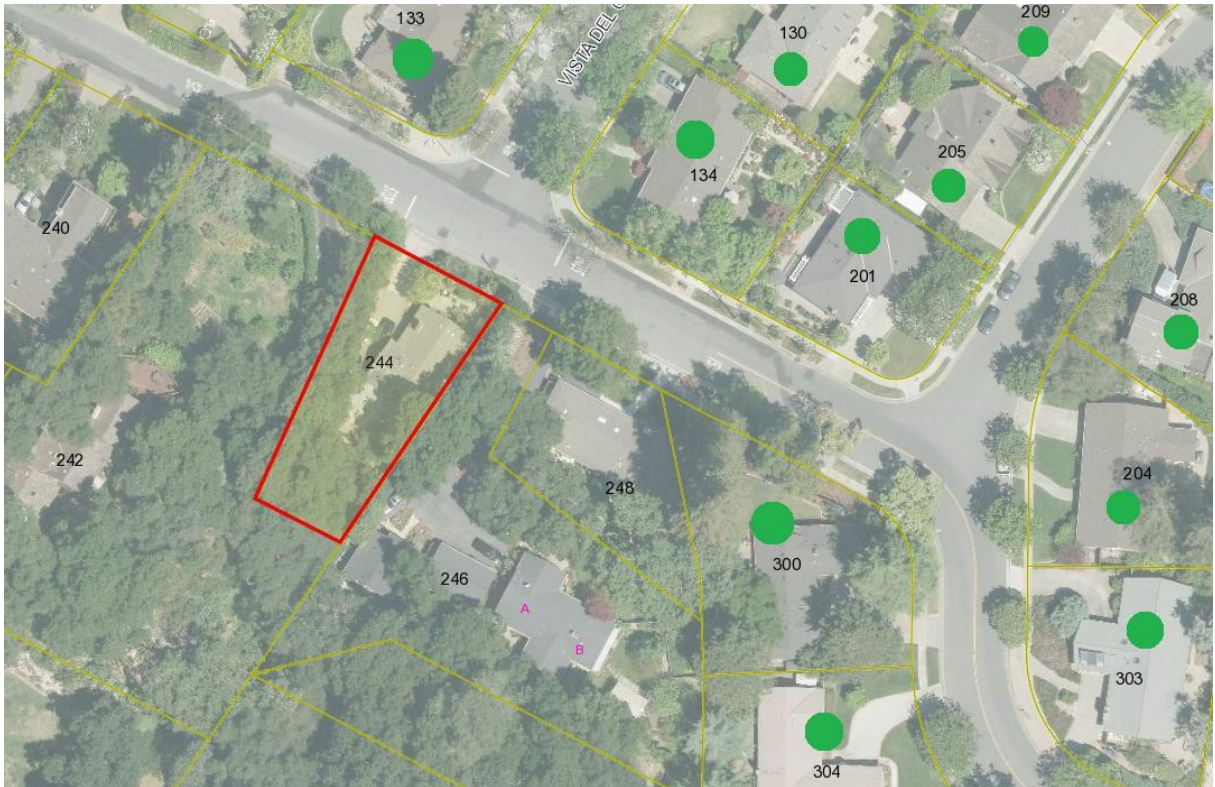
The applicant is requesting to modify Condition 44 from a detached sidewalk with a planter strip to an attached sidewalk (sidewalk only, no planter strip) that would match the adjacent properties to the east at 246 Harding Avenue and 248 Harding Avenue (Exhibit 4). The applicant has stated that a detached sidewalk with a planter strip would require excessive grading that would increase rainwater runoff and unnecessary watering (Exhibit 5). The applicant states that the construction of a sidewalk per Condition 44 would also require a five-foot retaining wall; however, Engineering staff has informed the applicant that the height of the proposed retaining wall could be reduced with a series of two stepped walls. In addition, the detached sidewalk with a planter strip would feature approximately the same impervious area as the attached sidewalk proposed by the applicant. With the two-percent cross-slope towards the street, the detached sidewalk would convey any runoff towards the planter strip located immediately adjacent to the sidewalk.

Properties directly across the street, to the north and to the east of the subject property, have constructed the same curb, gutter, planter strip, and detached sidewalk that is consistent with Town Engineering Design Standards. The green dots in the image on the following page indicate adjacent properties that feature the same detached sidewalk frontage improvements that are consistent with the Town Engineering Design Standards. If the properties at 246 and 248 Harding Avenue apply for a future discretionary Planning permit, current Town Engineering Design Standards would be required as a condition of approval, including improvements to curb, gutter, sidewalk, driveway approach, etc.

The applicability of Town Standard Plan ST-201 is based on an evaluation of the adjacent properties and neighborhood, existing conditions, right-of-way width, and current Town standards. The immediately adjacent properties to the north and properties to the east feature the same improvements; a 60-foot right-of-way width that is consistent with Town Standard Plan ST-201; and the location of the right-of-way line allows for the curb, gutter, planter strip, and detached sidewalk all to be located within the Town's right-of-way without the need to dedicate additional right-of-way or easements. Detached

DISCUSSION (continued):

sidewalks provide for increased pedestrian safety and comfort and allow for street trees, which bring an environmental benefit to the Town.



PUBLIC COMMENTS:

Public comments received by 11:00 a.m., Friday, September 19, 2021 are included as Exhibit 8.

CONCLUSION:

A. Summary

The applicant proposes modification to an existing Architecture and Site application (S-19-016) to modify Condition 44 requiring public frontage improvements. No other modifications to the approved plan set are proposed.

B. Recommendation

Based on the analysis above, staff recommends denial of the requested modification to Condition 44 because the detached sidewalk requirement provides additional pedestrian safety and allows for street trees to be planted.

CONCLUSION (continued):

C. Alternatives

Alternatively, the Commission can:

1. Find that the proposed modification to the Conditions of Approval is appropriate;
and
2. Approve the requested modification to Condition 44.

EXHIBITS:

1. Location Map
2. Required Findings and Considerations
3. Recommended Conditions of Approval
4. Project Description
5. Letter of Justification
6. Architecture and Site Application S-16-068 Conditions of Approval
7. Architecture and Site Application S-19-016 Conditions of Approval
8. Public comments received by 11:00 a.m., Friday, September 19, 2021
9. Development Plans

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244 Harding Avenue



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PLANNING COMMISSION – September 22, 2021
REQUIRED FINDINGS & CONSIDERATIONS FOR:

244 Harding Avenue
Architecture and Site Application S-21-025

Requesting Approval for Modification to an Existing Architecture and Site Application (S-19-016) to Modify the Conditions of Approval on Property Zoned R-1:8. APN 532-36-049. Architecture and Site Application S-21-025.

PROPERTY OWNER: Marcus Thordal
APPLICANT: Henry Riggs
PROJECT PLANNER: Jocelyn Shoopman

FINDINGS

- That the proposed modification to the Conditions of Approval is not appropriate.

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PLANNING COMMISSION – September 22, 2021
CONDITIONS OF APPROVAL

244 Harding Avenue
Architecture and Site Application S-21-025

Requesting Approval for Modification to an Existing Architecture and Site Application (S-19-016) to Modify the Conditions of Approval on Property Zoned R-1:8. APN 532-36-049. Architecture and Site Application S-21-025.

PROPERTY OWNER: Marcus Thordal
APPLICANT: Henry Riggs
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 and/or business operation shall be approved by the Community Development Director, DRC or the Planning Commission depending on the scope of the changes.
2. **EXPIRATION OF APPROVAL:** The Architecture and Site 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. **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.
4. **ARBORIST REQUIREMENTS:** The developer shall implement, at their cost, all recommendations made by Deborah Ellis, MS, identified in the Arborist reports, dated as received January 28, 2016, respectively, on file in the Community Development Department. A Compliance Memorandum shall be prepared by the applicant and submitted with the building permit application detailing how the recommendations have or will be addressed. These recommendations must be incorporated in the building permit plans and completed prior to issuance of a building permit where applicable.
5. **TREE FENCING:** Protective tree fencing shall be placed at the drip line of existing trees and shall remain through all phases of construction. Fencing shall be six-foot-high cyclone attached to two-inch diameter steel posts drive 18 inches into the ground and spaced no further than 10 feet apart. Include a tree protection fencing plan with the construction plans.
6. **TREE STAKING:** All newly planted trees shall be double staked using rubber tree ties.
7. **FRONT YARD LANDSCAPE:** Prior to issuance of a Certificate of Occupancy the front yard must be landscaped.

EXHIBIT 3

8. **OUTDOOR LIGHTING:** Exterior lighting shall be kept to a minimum, and shall be down directed fixtures that will not reflect or encroach onto adjacent properties. No flood lights shall be used unless first approved by the Planning Division. The outdoor lighting plan can be reviewed during building plan check. Any changes to the lighting plan shall be approved by the Planning Division prior to installation.
9. **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.
10. **COMPLIANCE MEMORANDUM:** A memorandum shall be prepared and submitted with the building plans detailing how the Conditions of Approval will be addressed.

Building Division

11. **PERMITS REQUIRED:** A Demolition Permit and Building Permit shall be required for the demolition of portions of the existing single-family residence and for the construction of the new single-family residence additions and alterations. These are combination Permits which include all required electrical, mechanical, and plumbing work as necessary. A separate Site Retaining Walls Permit may become necessary depending on the grading plan and the final overall heights required.
12. **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.
13. **SIZE OF PLANS:** Submit four sets of construction plans, minimum size 24" x 36", maximum size 30" x 42".
14. **DEMOLITION REQUIREMENTS:** Obtain a Building Department Demolition Application and a Bay Area Air Quality Management District Application from the Building Department Service Counter. Once the demolition form has been completed, all signatures obtained, and written verification from PG&E that all utilities have been disconnected, return the completed form to the Building Department Service Counter along with the Air District's J# Certificate, PG&E verification, and three (3) sets of site plans showing all existing structures, existing utility service lines such as water, sewer, and PG&E. No demolition work shall be done without first obtaining a permit from the Town.
15. **SOILS REPORT:** A Soils Report (Geotechnical Investigation), 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. As an alternate, the necessary foundation elements can be designed by a licensed civil engineer to the minimum requirements of Chapter 4 of the 2017 California Residential Code using the load-bearing values in CRC Table R401.4.1.

16. FOUNDATION INSPECTIONS: A pad certificate prepared by a licensed Civil Engineer or Land Surveyor shall be submitted to the project Building Inspector at the foundation inspection. This certificate shall certify compliance with the recommendations as specified in the Soils Report and that the building pad elevations and on-site retaining wall locations and elevations have been prepared according to the 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 elevations
 - b. Finish floor elevations
 - c. Foundation corner locations
17. TITLE 24 ENERGY COMPLIANCE: All required California Title 24 Energy Compliance Forms must be blue-lined (sticky-backed), i.e. directly printed, onto a sheet of the plans.
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 (WVSD) 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. FIRE ZONE: This project will require Class A Roof Assemblies.
20. SPECIAL INSPECTIONS: When a special inspection is required by CBC Section 1704, 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 and signed by all requested parties prior to permit issuance. Special Inspection forms are available from the Building Division Service Counter or online at www.losgatosca.gov/building
21. BLUEPRINT FOR A CLEAN BAY SHEET: The Town standard Santa Clara County Valley Nonpoint Source Pollution Control Program Sheet (24"x36") 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 ARC Blueprint for a fee or online at www.losgatosca.gov/building
22. APPROVALS REQUIRED: The project requires the following departments and agencies approval before issuing a Building Permit:
 - a. Community Development Department – Planning Division (408)354-6872
 - b. Engineering/Parks & Public Works Department: (408) 354-6874
 - 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 permit issuance.
 - f. Bay Area Air Quality Management District: (415) 771-6000

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

Engineering Division

23. GENERAL: All public improvements shall be made according to the latest adopted Town Standard Plans, Standard Specifications and Engineering Design Standards. All work shall conform to the applicable Town ordinances. The adjacent public right-of-way shall be kept clear of all job-related mud, silt, concrete, dirt and other construction 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 an encroachment permit is issued by the Engineering Division of the Parks and Public Works Department. The Applicant'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 issuance of correction notices, citations, or stop work orders and the Town performing the required maintenance at the Applicant's expense.
24. APPROVAL: This application shall be completed in accordance with all of the conditions of approval listed below and in substantial compliance with the latest reviewed and approved development plans. Any changes or modifications to the approved plans or conditions of approvals shall be approved by the Town Engineer.
25. ENCROACHMENT PERMIT: All work in the public right-of-way will require a Construction Encroachment Permit. All work over \$5,000 will require construction security. It is the responsibility of the Applicant to obtain any necessary encroachment permits from affected agencies and private parties, including but not limited to, Pacific Gas and Electric (PG&E), AT&T, Comcast, Santa Clara Valley Water District, California Department of Transportation (Caltrans). Copies of any approvals or permits must be submitted to the Town Engineering Division of the Parks and Public Works Department prior to releasing any permit.
26. PRIVATE IMPROVEMENTS IN THE PUBLIC RIGHT-OF-WAY (INDEMNITY AGREEMENT): The property owner shall enter into an agreement with the Town for all existing and proposed private improvements within the Town's right-of-way. The Owner shall be solely responsible for maintaining the improvements in a good and safe condition at all times and shall indemnify the Town of Los Gatos. The agreement must be completed and accepted by the Director of Parks and Public Works, and a copy of the recorded agreement shall be submitted to the Engineering Division of the Parks and Public Works Department, prior to the issuance of any permits.
27. PUBLIC WORKS INSPECTIONS: The Applicant or their 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 penalties and rejection of work that went on without inspection.
28. RESTORATION OF PUBLIC IMPROVEMENTS: The Applicant shall repair or replace all existing improvements not designated for removal that are damaged or removed because of the Applicant'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. Any new concrete shall be free of stamps, logos, names, graffiti, etc. Any concrete identified that is displaying a stamp or equal shall be removed and replaced at the Contractor's sole expense and no additional compensation shall be allowed therefore. 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. The Applicant shall request a walk-through with the Engineering Construction Inspector before the start of construction to verify existing conditions.

29. **SITE SUPERVISION:** The General Contractor shall provide qualified supervision on the job site at all times during construction.
30. **STREET CLOSURE:** Any proposed blockage or partial closure of the street requires an encroachment permit. Special provisions such as limitations on works hours, protective enclosures, or other means to facilitate public access in a safe manner may be required.
31. **PLAN CHECK FEES:** Plan check fees shall be deposited with the Town prior to plan review at the Engineering Division of the Parks and Public Works Department.
32. **INSPECTION FEES:** Inspection fees shall be deposited with the Town prior to the issuance of any permits.
33. **PLANS AND STUDIES:** All required plans and studies shall be prepared by a Registered Professional Engineer in the State of California, and submitted to the Town Engineer for review and approval. Additionally, any studies imposed by the Planning Commission or Town Council shall be funded by the Applicant.
34. **DRIVEWAY:** The driveway conform to existing pavement on Harding Avenue shall be constructed in a manner such that the existing drainage patterns will not be obstructed.
35. **DRAINAGE IMPROVEMENT:** Prior to the issuance of any grading/improvement permits, the Applicant shall: a) design provisions for surface drainage; and b) design all necessary storm drain facilities extending to a satisfactory point of disposal for the proper control and disposal of storm runoff; and c) provide a recorded copy of any required easements to the Town.
36. **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 retaining wall top of wall elevations and locations.
37. **RETAINING WALLS:** A building permit, issued by the Building Department at 110 E. Main Street, may be required for site retaining walls. Walls are not reviewed or approved by the Engineering Division of Parks and Public Works during the grading permit plan review process.
38. **SOILS REPORT:** One copy of the soils and geologic report shall be submitted with the 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.
39. **GEOLOGY AND SOILS MITIGATION MEASURE:** A geotechnical investigation shall be conducted for the project to determine the surface and sub-surface conditions at the site and to determine the potential for surface fault rupture on the site. The geotechnical study shall provide recommendations for site grading as well as the design of foundations,

retaining walls, concrete slab-on-grade construction, excavation, drainage, on-site utility trenching and pavement sections. All recommendations of the investigation shall be incorporated into project plans.

40. SOILS REVIEW: Prior to issuance of any permits, the Applicant's engineers shall prepare and submit a design-level geotechnical/geological investigation for review and approval by the Town. The Applicant's soils engineer shall review the final grading and drainage plans to ensure that designs for foundations, retaining walls, site grading, and site drainage are in accordance with their recommendations and the peer review comments. Approval of the Applicant's soils engineer shall then be conveyed to the Town either by letter or by signing the plans.
41. SOIL RECOMMENDATIONS: The project shall incorporate the geotechnical/geological recommendations contained in the Geotechnical Investigation by Murray Engineers, Inc., dated April 27, 2015, and any subsequently required report or addendum. Subsequent reports or addendum are subject to peer review by the Town's consultant and costs shall be borne by the Applicant.
42. WATER DESIGN: In the event of any required improvements to the existing water service and/or meter, water plans prepared by San Jose Water Company must be reviewed and approved prior to issuance of any permit.
43. UTILITIES: The Applicant shall install all new, relocated, or temporarily removed utility services, including telephone, electric power and all other communications lines underground, as required by Town Code Section 27.50.015(b). All new utility services shall be placed underground. Underground conduit shall be provided for cable television service. The Applicant is required to obtain approval of all proposed utility alignments from any and all utility service providers before a Certificate of Occupancy for any new building can be issued. The Town of Los Gatos does not approve or imply approval for final alignment or design of these facilities.
44. FRONTAGE IMPROVEMENTS: The Applicant shall be required to improve the project's public frontage to current Town Standards. These improvements may include but not limited to curb, gutter, sidewalk, driveway approach, etc. The improvements must be completed and accepted by the Town before a Certificate of Occupancy for any new building can be issued.
45. DRIVEWAY APPROACH: The Applicant shall install one (1) Town standard residential driveway approach. The new driveway approach shall be constructed per Town Standard Plans and must be completed and accepted by the Town before a Certificate of Occupancy for any new building can be issued. New concrete shall be free of stamps, logos, names, graffiti, etc. Any concrete identified that is displaying a stamp or equal shall be removed and replaced at the Contractor's sole expense and no additional compensation shall be allowed therefore.
46. FENCING: Any fencing proposed within two hundred (200) feet of an intersection shall comply with Town Code Section §23.10.080.
47. SIGHT TRIANGLE AND TRAFFIC VIEW AREA: Any proposed improvements, including but not limiting to trees and hedges, will need to abide by Town Code Sections 23.10.080, 26.10.065, and 29.40.030.

48. FENCES: Fences between all adjacent parcels will need to be located on the property lines/boundary lines. Any existing fences that encroach into the neighbor's property will need to be removed and replaced to the correct location of the boundary lines before a Certificate of Occupancy for any new building can be issued. Waiver of this condition will require signed and notarized letters from all affected neighbors.
49. CONSTRUCTION STREET PARKING: No vehicle having a manufacture's rated gross vehicle weight exceeding ten thousand (10,000) pounds shall be allowed to park on the portion of a street which abuts property in a residential zone without prior to approval from the Town Engineer.
50. 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.), and at other times as specified by the Director of Parks and Public Works. Prior to the issuance of a building permit, the Applicant shall work with the Town Building Department and Engineering Division Inspectors to devise a traffic control plan to ensure safe and efficient traffic flow under periods when soil is hauled on or off of the project site. This may include, but is not limited to provisions for the Applicant/Owner to place construction notification signs noting the dates and time of construction and hauling activities, or providing additional traffic control. Coordination with other significant projects in the area may also be required. Cover all trucks hauling soil, sand and other loose debris.
51. CONSTRUCTION HOURS: All subdivision improvements and site improvements construction activities, including the delivery of construction materials, labors, heavy equipment, supplies, etc., shall be limited to 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. The Town may authorize, on a case-by-case basis, alternate construction hours. The Applicant shall provide written notice twenty-four (24) hours in advance of modified construction hours. Approval of this request is at discretion of the Town.
52. 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 from the source. 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.
53. CONSTRUCTION MANAGEMENT PLAN SHEET: Prior to the issuance of any permits, the Applicant shall submit a construction management plan sheet (full-size) within the plan set that shall incorporate at a minimum the Project Schedule, site security fencing, employee parking, construction staging area, materials storage area(s), concrete washout(s) and proposed outhouse location(s). Please refer to the Town's [Construction Management Plan Guidelines](#) document for additional information.
54. WVSD (West Valley Sanitation District): A Sanitary Sewer Clean-out is required for each property at the property line.
55. 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 Building Official. 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 in the Uniform Plumbing Code adopted by the Town and maintain such device in a functional operation condition. Evidence of West Sanitation District's decision on whether a backwater device is needed shall be provided prior to the issuance of a building permit.

56. **BEST MANAGEMENT PRACTICES (BMPs):** The Applicant is responsible for ensuring that all contractors are aware of all storm water quality measures and that such measures are implemented. Best Management Practices (BMPs) shall be maintained and be placed for all areas that have been graded or disturbed and for all material, equipment and/or operations that need protection. Removal of BMPs (temporary removal during construction activities) shall be replaced at the end of each working day. Failure to comply with the construction BMP will result in the issuance of correction notices, citations, or stop work orders.
57. **EROSION CONTROL:** Interim and final erosion control plans shall be prepared and submitted to the Engineering Division of the Parks and Public Works Department. A maximum of two (2) 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 Town of Los Gatos Engineering Division of the Parks and Public Works Department and the Building Department will conduct periodic NPDES inspections of the site throughout the recognized storm season to verify compliance with the Construction General Permit and Stormwater ordinances and regulations.
58. **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 (3) 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 shall 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 (1) 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 twenty-five (25) miles per hour (MPH). All trucks hauling soil, sand, or other loose debris shall be covered.

59. CONSTRUCTION ACTIVITIES: All construction shall conform to the latest requirements of the CASQA Stormwater Best Management Practices Handbooks for Construction Activities and New Development and Redevelopment, the Town's grading and erosion control ordinance, and other generally accepted engineering practices for erosion control as required by the Town Engineer when undertaking construction activities.
60. SITE DRAINAGE: Rainwater leaders shall be discharged to splash blocks. No through curb drains will be allowed. Any storm drain inlets (public or private) directly connected to public storm system shall be stenciled/signed with appropriate "NO DUMPING - Flows to Bay" NPDES required language. On-site drainage systems for all projects shall include one of the alternatives included in section C.3.i of the Municipal Regional NPDES Permit. These include storm water reuse via cisterns or rain barrels, directing runoff from impervious surfaces to vegetated areas and use of permeable surfaces. If dry wells are to be used they shall be placed a minimum of ten (10) feet from the adjacent property line and/or right-of-way. No improvements shall obstruct or divert runoff to the detriment of an adjacent, downstream or down slope property.
61. SILT AND MUD IN PUBLIC RIGHT-OF-WAY: It is the responsibility of Contractor and homeowner 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.
62. GOOD HOUSEKEEPING: Good housekeeping practices shall be observed at all times during the course of construction. All construction shall be diligently supervised by a person or persons authorized to do so at all times during working hours. The Applicant'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 penalties and/or the Town performing the required maintenance at the Applicant's expense.
63. COVERED TRUCKS: All trucks transporting materials to and from the site shall be covered.

TO THE SATISFACTION OF THE SANTA CLARA COUNTY FIRE DEPARTMENT:

64. GENERAL: 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 permits.
65. GENERAL: 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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Project Description APN 532-36-049 (244 Harding Ave)

We request revision to the conditions for construction of a sidewalk in front of 244 Harding Ave per Standard Plan #201. Specifically, we request instead to continue the sidewalk design existing at the immediate neighbors (246 and 248 Harding Ave) which currently terminates approximately at the 244 Harding front property corner - matching the alignment, width and fitting with the topography of the sloped lots.

See the enclosed images for illustration:

Image 1: Shows the existing sidewalk in front of immediate neighbor lots 246 and 248.

Image 2: Shows the property line between 246 and 244 and the stub sidewalk in front of 244.

Image 3: Shows the sloped lot and public right of way front of 244

Image 4: Illustrates the revision continuing the existing sidewalk layout/design.

Image 5: Illustrates deployment of standard plan # 201; disregarding the site layout and conditions with a sloped topography.



Image 1: Existing sidewalk in front of 246 and 248 Harding Ave



Image 2: Stub sidewalk in front of 244 Harding Ave



Image 3: Sloped lot and public right of way in front of 244 Harding Ave



Image 4: Illustrates the revision, continuing the existing sidewalk layout/design.



Image 5: Illustrates deployment of standard plan # 201; disregarding the site layout and conditions with a sloped topography.

Updated plan sheets A3, A4 and C1-7 are submitted with the revision application.

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Marcus Thordal
244 Harding Ave
Los Gatos, CA 95030

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

Los Gatos July 24, 2021

Dear Madam/Sir,

I am writing this letter to request the approval of a revision to the conditions of approval for the development application for APN 532-36-049 (244 Harding Ave).

This revision is to change the sidewalk layout/design to conform with the existing sidewalk and the topographic conditions of the lot and public right of way.

This revision based on the site conditions is a moderation to Engineering Design Standards for public improvements, described in the DRC approval conditions of April 30, 2019: item 24 General, and repeated in item 44 Frontage Improvements referencing Town standards for public improvements.

The existing sidewalk from immediate neighbors (246 and 248 Harding Ave) which stubs 3 feet in front of 244 Harding Ave is 6 feet wide and fits with the topography of the sloped lots. Continuing with the same design and layout as proposed on the enclosed revised plans will conform to the characteristics of the site with minimal impact on the natural environment and aesthetically suit the surroundings.

The revised layout provides a fully functional sidewalk without swaying the sidewalk into the slope, as per original plans, which would require excessive excavation and construction of tall retaining walls, scarring the environment and appearance with no genuine benefit.

We live in the time of climate change and repeated droughts in California. Forcing a sidewalk layout/design, which was logically not intended for a slope at the right-of-way, would consequently increase rainwater runoff and require unnecessary watering of a planter strip. In contrast, simply following the existing adjacent layout will have minimal environmental impact and preserve the natural environment. This alone should be enough to reevaluate the mis-applied standard.

The fact that the lot is sloped (more than 10%) was a prime factor in FAR calculation and the same conditions should apply when determining the best fitting sidewalk layout. By continuing the existing sidewalk design, which better considers the site characteristics of a historic slope into the right-of-way, will provide a matching, continuing sidewalk without wasteful cost, and the resulting scar of an eye-level retaining wall on our gentle street.

I appreciate your time in reviewing this revision request and your consideration for a solution which complements the conditions to the benefit of all.

Sincerely

Marcus Thordal
Marcus Thordal

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DEVELOPMENT REVIEW COMMITTEE – March 21, 2017
CONDITIONS OF APPROVAL

244 Harding Avenue
Architecture and Site Application S-16-068

Requesting approval to construct a new second story addition to an existing single-family residence and a grading permit on property zoned R-1:8. APN 532-36-049.

PROPERTY OWNER: Marcus Thordal

APPLICANT: Henry Riggs

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 and/or business operation shall be approved by the Community Development Director, DRC or the Planning Commission depending on the scope of the changes.
2. **EXPIRATION OF APPROVAL:** The Architecture and Site 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. **STORY POLES:** The story poles on the project site shall be removed within 30 days of approval of the Architecture and Site application.
4. **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.
5. **ARBORIST REQUIREMENTS:** The developer shall implement, at their cost, all recommendations made by Deborah Ellis, MS, identified in the Arborist reports, dated as received January 28, 2016, respectively, on file in the Community Development Department. A Compliance Memorandum shall be prepared by the applicant and submitted with the building permit application detailing how the recommendations have or will be addressed. These recommendations must be incorporated in the building permit plans, and completed prior to issuance of a building permit where applicable.
6. **TREE FENCING:** Protective tree fencing shall be placed at the drip line of existing trees and shall remain through all phases of construction. Fencing shall be six foot high cyclone attached to two-inch diameter steel posts drive 18 inches into the ground and spaced no further than 10 feet apart. Include a tree protection fencing plan with the construction plans.
7. **TREE STAKING:** All newly planted trees shall be double-staked using rubber tree ties.
8. **FRONT YARD LANDSCAPE:** Prior to issuance of a Certificate of Occupancy the front yard must be landscaped.
9. **OUTDOOR LIGHTING:** Exterior lighting shall be kept to a minimum, and shall be down directed fixtures that will not reflect or encroach onto adjacent properties. No flood lights

shall be used unless first approved by the Planning Division. The outdoor lighting plan can be reviewed during building plan check. Any changes to the lighting plan shall be approved by the Planning Division prior to installation.

10. **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.
11. **COMPLIANCE MEMORANDUM:** A memorandum shall be prepared and submitted with the building plans detailing how the Conditions of Approval will be addressed.

Building Division

12. **PERMITS REQUIRED:** A Demolition Permit and Building Permit shall be required for the demolition of portions of the existing single-family residence and for the construction of the new single-family residence additions and alterations. These are combination Permits which include all required electrical, mechanical, and plumbing work as necessary. A separate Site Retaining Walls Permit may become necessary depending on the grading plan and the final overall heights required.
13. **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.
14. **SIZE OF PLANS:** Submit four sets of construction plans, minimum size 24" x 36", maximum size 30" x 42".
15. **DEMOLITION REQUIREMENTS:** Obtain a Building Department Demolition Application and a Bay Area Air Quality Management District Application from the Building Department Service Counter. Once the demolition form has been completed, all signatures obtained, and written verification from PG&E that all utilities have been disconnected, return the completed form to the Building Department Service Counter along with the Air District's J# Certificate, PG&E verification, and three (3) sets of site plans showing all existing structures, existing utility service lines such as water, sewer, and PG&E. No demolition work shall be done without first obtaining a permit from the Town.
16. **SOILS REPORT:** A Soils Report (Geotechnical Investigation), 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. As an alternate, the necessary foundation elements can be designed by a licensed civil engineer to the minimum requirements of Chapter 4 of the 2017 California Residential Code using the load-bearing values in CRC Table R401.4.1.
17. **FOUNDATION INSPECTIONS:** A pad certificate prepared by a licensed Civil Engineer or Land Surveyor shall be submitted to the project Building Inspector at the foundation inspection. This certificate shall certify compliance with the recommendations as specified in the Soils Report and that the building pad elevations and on-site retaining wall locations

and elevations have been prepared according to the 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 elevations
 - b. Finish floor elevations
 - c. Foundation corner locations
18. **TITLE 24 ENERGY COMPLIANCE:** All required California Title 24 Energy Compliance Forms must be blue-lined (sticky-backed), i.e. directly printed, onto a sheet of the plans.
 19. **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 (WVSD) 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.
 20. **FIRE ZONE:** This project will require Class A Roof Assemblies.
 21. **SPECIAL INSPECTIONS:** When a special inspection is required by CBC Section 1704, 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 and signed by all requested parties prior to permit issuance. Special Inspection forms are available from the Building Division Service Counter or online at www.losgatosca.gov/building
 22. **BLUE PRINT FOR A CLEAN BAY SHEET:** The Town standard Santa Clara County Valley Nonpoint Source Pollution Control Program Sheet (24"x36") 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 ARC Blue Print for a fee or online at www.losgatosca.gov/building
 23. **APPROVALS REQUIRED:** The project requires the following departments and agencies approval before issuing a Building Permit:
 - a. Community Development – Planning Division: Jocelyn Puga at (408) 354-6875
 - b. Engineering/Parks & Public Works Department: Mike Weisz at (408) 354-5236
 - 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 permit issuance.
 - f. Bay Area Air Quality Management District: (415) 771-6000

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

Engineering Division

24. **GENERAL:** All public improvements shall be made according to the latest adopted Town Standard Plans, Standard Specifications and Engineering Design Standards. All work shall conform to the applicable Town ordinances. The adjacent public right-of-way shall be kept clear of all job-related mud, silt, concrete, dirt and other construction 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 an encroachment permit is issued by the Engineering Division of the Parks and Public Works Department. The Applicant'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 issuance of correction notices, citations, or stop work orders and the Town performing the required maintenance at the Applicant's expense.
25. **APPROVAL:** This application shall be completed in accordance with all of the conditions of approval listed below and in substantial compliance with the latest reviewed and approved development plans. Any changes or modifications to the approved plans or conditions of approvals shall be approved by the Town Engineer.
 26. **ENCROACHMENT PERMIT:** All work in the public right-of-way will require a Construction Encroachment Permit. All work over \$5,000 will require construction security. It is the responsibility of the Applicant to obtain any necessary encroachment permits from affected agencies and private parties, including but not limited to, Pacific Gas and Electric (PG&E), AT&T, Comcast, Santa Clara Valley Water District, California Department of Transportation (Caltrans). Copies of any approvals or permits must be submitted to the Town Engineering Division of the Parks and Public Works Department prior to releasing any permit.
 27. **PRIVATE IMPROVEMENTS IN THE PUBLIC RIGHT-OF-WAY (INDEMNITY AGREEMENT):** The property owner shall enter into an agreement with the Town for all existing and proposed private improvements within the Town's right-of-way. The Owner shall be solely responsible for maintaining the improvements in a good and safe condition at all times and shall indemnify the Town of Los Gatos. The agreement must be completed and accepted by the Director of Parks and Public Works, and a copy of the recorded agreement shall be submitted to the Engineering Division of the Parks and Public Works Department, prior to the issuance of any permits.
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38. **RETAINING WALLS:** A building permit, issued by the Building Department at 110 E. Main Street, may be required for site retaining walls. Walls are not reviewed or approved by the Engineering Division of Parks and Public Works during the grading permit plan review process.
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40. **GEOLOGY AND SOILS MITIGATION MEASURE:** A geotechnical investigation shall be conducted for the project to determine the surface and sub-surface conditions at the site and to determine the potential for surface fault rupture on the site. The geotechnical study shall provide recommendations for site grading as well as the design of foundations, retaining walls, concrete slab-on-grade construction, excavation, drainage, on-site utility trenching and pavement sections. All recommendations of the investigation shall be incorporated into project plans.
41. **SOILS REVIEW:** Prior to issuance of any permits, the Applicant's engineers shall prepare and submit a design-level geotechnical/geological investigation for review and approval by the Town. The Applicant's soils engineer shall review the final grading and drainage plans to ensure that designs for foundations, retaining walls, site grading, and site

- drainage are in accordance with their recommendations and the peer review comments. Approval of the Applicant's soils engineer shall then be conveyed to the Town either by letter or by signing the plans.
42. **SOIL RECOMMENDATIONS:** The project shall incorporate the geotechnical/geological recommendations contained in the Geotechnical Investigation by Murray Engineers, Inc., dated April 27, 2015, and any subsequently required report or addendum. Subsequent reports or addendum are subject to peer review by the Town's consultant and costs shall be borne by the Applicant.
 43. **WATER DESIGN:** In the event of any required improvements to the existing water service and/or meter, water plans prepared by San Jose Water Company must be reviewed and approved prior to issuance of any permit.
 44. **FRONTAGE IMPROVEMENTS:** The Applicant shall be required to improve the project's public frontage to current Town Standards. These improvements may include but not limited to curb, gutter, sidewalk, driveway approach, etc. The improvements must be completed and accepted by the Town before a Certificate of Occupancy for any new building can be issued.
 45. **UTILITIES:** The Applicant shall install all new, relocated, or temporarily removed utility services, including telephone, electric power and all other communications lines underground, as required by Town Code Section 27.50.015(b). All new utility services shall be placed underground. Underground conduit shall be provided for cable television service. The Applicant is required to obtain approval of all proposed utility alignments from any and all utility service providers before a Certificate of Occupancy for any new building can be issued. The Town of Los Gatos does not approve or imply approval for final alignment or design of these facilities.
 46. **DRIVEWAY APPROACH:** The Applicant shall install one (1) Town standard residential driveway approach. The new driveway approach shall be constructed per Town Standard Plans and must be completed and accepted by the Town before a Certificate of Occupancy for any new building can be issued. New concrete shall be free of stamps, logos, names, graffiti, etc. Any concrete identified that is displaying a stamp or equal shall be removed and replaced at the Contractor's sole expense and no additional compensation shall be allowed therefore.
 47. **FENCING:** Any fencing proposed within two hundred (200) feet of an intersection shall comply with Town Code Section §23.10.080.
 48. **SIGHT TRIANGLE AND TRAFFIC VIEW AREA:** Any proposed improvements, including but not limiting to trees and hedges, will need to abide by Town Code Sections 23.10.080, 26.10.065, and 29.40.030.
 49. **FENCES:** Fences between all adjacent parcels will need to be located on the property lines/boundary lines. Any existing fences that encroach into the neighbor's property will need to be removed and replaced to the correct location of the boundary lines before a Certificate of Occupancy for any new building can be issued. Waiver of this condition will require signed and notarized letters from all affected neighbors.
 50. **CONSTRUCTION STREET PARKING:** No vehicle having a manufacture's rated gross vehicle weight exceeding ten thousand (10,000) pounds shall be allowed to park on the portion of a street which abuts property in a residential zone without prior to approval from the

Town Engineer.

51. **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.), and at other times as specified by the Director of Parks and Public Works. Prior to the issuance of a building permit, the Applicant shall work with the Town Building Department and Engineering Division Inspectors to devise a traffic control plan to ensure safe and efficient traffic flow under periods when soil is hauled on or off of the project site. This may include, but is not limited to provisions for the Applicant/Owner to place construction notification signs noting the dates and time of construction and hauling activities, or providing additional traffic control. Coordination with other significant projects in the area may also be required. Cover all trucks hauling soil, sand and other loose debris.
52. **CONSTRUCTION HOURS:** All subdivision improvements and site improvements construction activities, including the delivery of construction materials, labors, heavy equipment, supplies, etc., shall be limited to 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. The Town may authorize, on a case-by-case basis, alternate construction hours. The Applicant shall provide written notice twenty-four (24) hours in advance of modified construction hours. Approval of this request is at discretion of the Town.
53. **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 from the source. 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.
54. **CONSTRUCTION MANAGEMENT PLAN SHEET:** Prior to the issuance of any permits, the Applicant shall submit a construction management plan sheet (full-size) within the plan set that shall incorporate at a minimum the Project Schedule, site security fencing, employee parking, construction staging area, materials storage area(s), concrete washout(s) and proposed outhouse location(s). Please refer to the Town's Construction Management Plan Guidelines document for additional information.
55. **WVSD (West Valley Sanitation District):** A Sanitary Sewer Clean-out is required for each property at the property line.
56. **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 Building Official. 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 in the Uniform Plumbing Code adopted by the Town and maintain such device in a functional operation condition. Evidence of West Sanitation District's decision on

- whether a backwater device is needed shall be provided prior to the issuance of a building permit.
57. **BEST MANAGEMENT PRACTICES (BMPs):** The Applicant is responsible for ensuring that all contractors are aware of all storm water quality measures and that such measures are implemented. Best Management Practices (BMPs) shall be maintained and be placed for all areas that have been graded or disturbed and for all material, equipment and/or operations that need protection. Removal of BMPs (temporary removal during construction activities) shall be replaced at the end of each working day. Failure to comply with the construction BMP will result in the issuance of correction notices, citations, or stop work orders.
 58. **EROSION CONTROL:** Interim and final erosion control plans shall be prepared and submitted to the Engineering Division of the Parks and Public Works Department. A maximum of two (2) 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 Town of Los Gatos Engineering Division of the Parks and Public Works Department and the Building Department will conduct periodic NPDES inspections of the site throughout the recognized storm season to verify compliance with the Construction General Permit and Stormwater ordinances and regulations.
 59. **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 (3) 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 shall 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 (1) 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 twenty-five (25) miles per hour (MPH). All trucks hauling soil, sand, or other loose debris shall be covered.
 60. **CONSTRUCTION ACTIVITIES:** All construction shall conform to the latest requirements of the CASQA Stormwater Best Management Practices Handbooks for Construction Activities and New Development and Redevelopment, the Town's grading and erosion control ordinance, and other generally accepted engineering practices for erosion control as required by the Town Engineer when undertaking construction activities.

61. **SITE DRAINAGE:** Rainwater leaders shall be discharged to splash blocks. No through curb drains will be allowed. Any storm drain inlets (public or private) directly connected to public storm system shall be stenciled/signed with appropriate "NO DUMPING - Flows to Bay" NPDES required language. On-site drainage systems for all projects shall include one of the alternatives included in section C.3.i of the Municipal Regional NPDES Permit. These include storm water reuse via cisterns or rain barrels, directing runoff from impervious surfaces to vegetated areas and use of permeable surfaces. If dry wells are to be used they shall be placed a minimum of ten (10) feet from the adjacent property line and/or right-of-way. No improvements shall obstruct or divert runoff to the detriment of an adjacent, downstream or down slope property.
62. **SILT AND MUD IN PUBLIC RIGHT-OF-WAY:** It is the responsibility of Contractor and homeowner 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.
63. **GOOD HOUSEKEEPING:** Good housekeeping practices shall be observed at all times during the course of construction. All construction shall be diligently supervised by a person or persons authorized to do so at all times during working hours. The Applicant'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 penalties and/or the Town performing the required maintenance at the Applicant's expense.
64. **COVERED TRUCKS:** All trucks transporting materials to and from the site shall be covered.

TO THE SATISFACTION OF THE SANTA CLARA COUNTY FIRE DEPARTMENT:

65. **CONSTRUCTION SITE FIRE SAFETY:** All construction sites must comply with applicable provisions of the Santa Clara County Fire Department Standard Detail and Specification SI-7 and Chapter 33 of the currently adopted edition of the California Fire Code. This must be submitted to, and approved by this office prior to commencing demolition/construction activities.
66. **ADDRESS IDENTIFICATION:** New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Where required by fire code official, address numbers shall be provided in additional approved locations to facilitate emergency response. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall be a minimum of 4 inches (101.6 mm) high with a minimum stroke width of 0.5 inch (12.7mm). Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure. Address numbers shall be maintained. CFC Sec. 505.1.

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DEVELOPMENT REVIEW COMMITTEE – April 30, 2019
CONDITIONS OF APPROVAL

244 Harding Avenue
Architecture and Site Application S-19-016

Requesting approval to construct a new second story addition to an existing single-family residence and a grading permit on property zoned R-1:8. APN 532-36-049.

PROPERTY OWNER: Marcus Thordal

APPLICANT: Henry Riggs

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 and/or business operation shall be approved by the Community Development Director, DRC or the Planning Commission depending on the scope of the changes.
2. **EXPIRATION OF APPROVAL:** The Architecture and Site 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. **STORY POLES:** The story poles on the project site shall be removed within 30 days of approval of the Architecture and Site application.
4. **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.
5. **ARBORIST REQUIREMENTS:** The developer shall implement, at their cost, all recommendations made by Deborah Ellis, MS, identified in the Arborist reports, dated as received January 28, 2016, respectively, on file in the Community Development Department. A Compliance Memorandum shall be prepared by the applicant and submitted with the building permit application detailing how the recommendations have or will be addressed. These recommendations must be incorporated in the building permit plans, and completed prior to issuance of a building permit where applicable.
6. **TREE FENCING:** Protective tree fencing shall be placed at the drip line of existing trees and shall remain through all phases of construction. Fencing shall be six foot high cyclone attached to two-inch diameter steel posts drive 18 inches into the ground and spaced no further than 10 feet apart. Include a tree protection fencing plan with the construction plans.
7. **TREE STAKING:** All newly planted trees shall be double-staked using rubber tree ties.
8. **FRONT YARD LANDSCAPE:** Prior to issuance of a Certificate of Occupancy the front yard must be landscaped.
9. **OUTDOOR LIGHTING:** Exterior lighting shall be kept to a minimum, and shall be down directed fixtures that will not reflect or encroach onto adjacent properties. No flood lights

shall be used unless first approved by the Planning Division. The outdoor lighting plan can be reviewed during building plan check. Any changes to the lighting plan shall be approved by the Planning Division prior to installation.

10. **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.
11. **COMPLIANCE MEMORANDUM:** A memorandum shall be prepared and submitted with the building plans detailing how the Conditions of Approval will be addressed.

Building Division

12. **PERMITS REQUIRED:** A Demolition Permit and Building Permit shall be required for the demolition of portions of the existing single-family residence and for the construction of the new single-family residence additions and alterations. These are combination Permits which include all required electrical, mechanical, and plumbing work as necessary. A separate Site Retaining Walls Permit may become necessary depending on the grading plan and the final overall heights required.
13. **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.
14. **SIZE OF PLANS:** Submit four sets of construction plans, minimum size 24" x 36", maximum size 30" x 42".
15. **DEMOLITION REQUIREMENTS:** Obtain a Building Department Demolition Application and a Bay Area Air Quality Management District Application from the Building Department Service Counter. Once the demolition form has been completed, all signatures obtained, and written verification from PG&E that all utilities have been disconnected, return the completed form to the Building Department Service Counter along with the Air District's J# Certificate, PG&E verification, and three (3) sets of site plans showing all existing structures, existing utility service lines such as water, sewer, and PG&E. No demolition work shall be done without first obtaining a permit from the Town.
16. **SOILS REPORT:** A Soils Report (Geotechnical Investigation), 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. As an alternate, the necessary foundation elements can be designed by a licensed civil engineer to the minimum requirements of Chapter 4 of the 2017 California Residential Code using the load-bearing values in CRC Table R401.4.1.
17. **FOUNDATION INSPECTIONS:** A pad certificate prepared by a licensed Civil Engineer or Land Surveyor shall be submitted to the project Building Inspector at the foundation inspection. This certificate shall certify compliance with the recommendations as specified in the Soils Report and that the building pad elevations and on-site retaining wall locations

and elevations have been prepared according to the 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 elevations
 - b. Finish floor elevations
 - c. Foundation corner locations
18. **TITLE 24 ENERGY COMPLIANCE:** All required California Title 24 Energy Compliance Forms must be blue-lined (sticky-backed), i.e. directly printed, onto a sheet of the plans.
 19. **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 (WVSD) 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.
 20. **FIRE ZONE:** This project will require Class A Roof Assemblies.
 21. **SPECIAL INSPECTIONS:** When a special inspection is required by CBC Section 1704, 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 and signed by all requested parties prior to permit issuance. Special Inspection forms are available from the Building Division Service Counter or online at www.losgatosca.gov/building
 22. **BLUE PRINT FOR A CLEAN BAY SHEET:** The Town standard Santa Clara County Valley Nonpoint Source Pollution Control Program Sheet (24"x36") 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 ARC Blue Print for a fee or online at www.losgatosca.gov/building
 23. **APPROVALS REQUIRED:** The project requires the following departments and agencies approval before issuing a Building Permit:
 - a. Community Development – Planning Division: Jocelyn Puga at (408) 354-6875
 - b. Engineering/Parks & Public Works Department: Mike Weisz at (408) 354-5236
 - 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 permit issuance.
 - f. Bay Area Air Quality Management District: (415) 771-6000

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

Engineering Division

24. **GENERAL:** All public improvements shall be made according to the latest adopted Town Standard Plans, Standard Specifications and Engineering Design Standards. All work shall conform to the applicable Town ordinances. The adjacent public right-of-way shall be kept clear of all job-related mud, silt, concrete, dirt and other construction 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 an encroachment permit is issued by the Engineering Division of the Parks and Public Works Department. The Applicant'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 issuance of correction notices, citations, or stop work orders and the Town performing the required maintenance at the Applicant's expense.

25. APPROVAL: This application shall be completed in accordance with all of the conditions of approval listed below and in substantial compliance with the latest reviewed and approved development plans. Any changes or modifications to the approved plans or conditions of approvals shall be approved by the Town Engineer.
26. ENCROACHMENT PERMIT: All work in the public right-of-way will require a Construction Encroachment Permit. All work over \$5,000 will require construction security. It is the responsibility of the Applicant to obtain any necessary encroachment permits from affected agencies and private parties, including but not limited to, Pacific Gas and Electric (PG&E), AT&T, Comcast, Santa Clara Valley Water District, California Department of Transportation (Caltrans). Copies of any approvals or permits must be submitted to the Town Engineering Division of the Parks and Public Works Department prior to releasing any permit.
27. PRIVATE IMPROVEMENTS IN THE PUBLIC RIGHT-OF-WAY (INDEMNITY AGREEMENT): The property owner shall enter into an agreement with the Town for all existing and proposed private improvements within the Town's right-of-way. The Owner shall be solely responsible for maintaining the improvements in a good and safe condition at all times and shall indemnify the Town of Los Gatos. The agreement must be completed and accepted by the Director of Parks and Public Works, and a copy of the recorded agreement shall be submitted to the Engineering Division of the Parks and Public Works Department, prior to the issuance of any permits.
28. PUBLIC WORKS INSPECTIONS: The Applicant or their 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 penalties and rejection of work that went on without inspection.
29. RESTORATION OF PUBLIC IMPROVEMENTS: The Applicant shall repair or replace all existing improvements not designated for removal that are damaged or removed because of the Applicant'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. Any new concrete shall be free of stamps, logos, names, graffiti, etc. Any concrete identified that is displaying a stamp or equal shall be removed and replaced at the Contractor's sole expense and no additional compensation shall be allowed therefore. 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. The Applicant shall request a walk-through with the Engineering Construction Inspector before the start of construction to verify existing

conditions.

30. **SITE SUPERVISION:** The General Contractor shall provide qualified supervision on the job site at all times during construction.
31. **STREET CLOSURE:** Any proposed blockage or partial closure of the street requires an encroachment permit. Special provisions such as limitations on works hours, protective enclosures, or other means to facilitate public access in a safe manner may be required.
32. **PLAN CHECK FEES:** Plan check fees shall be deposited with the Town prior to plan review at the Engineering Division of the Parks and Public Works Department.
33. **INSPECTION FEES:** Inspection fees shall be deposited with the Town prior to the issuance of any permits.
34. **PLANS AND STUDIES:** All required plans and studies shall be prepared by a Registered Professional Engineer in the State of California, and submitted to the Town Engineer for review and approval. Additionally, any studies imposed by the Planning Commission or Town Council shall be funded by the Applicant.
35. **DRIVEWAY:** The driveway conform to existing pavement on Harding Avenue shall be constructed in a manner such that the existing drainage patterns will not be obstructed.
36. **DRAINAGE IMPROVEMENT:** Prior to the issuance of any grading/improvement permits, the Applicant shall: a) design provisions for surface drainage; and b) design all necessary storm drain facilities extending to a satisfactory point of disposal for the proper control and disposal of storm runoff; and c) provide a recorded copy of any required easements to the Town.
37. **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 retaining wall top of wall elevations and locations.
38. **RETAINING WALLS:** A building permit, issued by the Building Department at 110 E. Main Street, may be required for site retaining walls. Walls are not reviewed or approved by the Engineering Division of Parks and Public Works during the grading permit plan review process.
39. **SOILS REPORT:** One copy of the soils and geologic report shall be submitted with the 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.
40. **GEOLOGY AND SOILS MITIGATION MEASURE:** A geotechnical investigation shall be conducted for the project to determine the surface and sub-surface conditions at the site and to determine the potential for surface fault rupture on the site. The geotechnical study shall provide recommendations for site grading as well as the design of foundations, retaining walls, concrete slab-on-grade construction, excavation, drainage, on-site utility, trenching and pavement sections. All recommendations of the investigation shall be incorporated into project plans.
41. **SOILS REVIEW:** Prior to issuance of any permits, the Applicant's engineers shall prepare and submit a design-level geotechnical/geological investigation for review and approval by the Town. The Applicant's soils engineer shall review the final grading and drainage plans to ensure that designs for foundations, retaining walls, site grading, and site

drainage are in accordance with their recommendations and the peer review comments. Approval of the Applicant's soils engineer shall then be conveyed to the Town either by letter or by signing the plans.

42. **SOIL RECOMMENDATIONS:** The project shall incorporate the geotechnical/geological recommendations contained in the Geotechnical Investigation by Murray Engineers, Inc., dated April 27, 2015, and any subsequently required report or addendum. Subsequent reports or addendum are subject to peer review by the Town's consultant and costs shall be borne by the Applicant.
43. **WATER DESIGN:** In the event of any required improvements to the existing water service and/or meter, water plans prepared by San Jose Water Company must be reviewed and approved prior to issuance of any permit.
44. **FRONTAGE IMPROVEMENTS:** The Applicant shall be required to improve the project's public frontage to current Town Standards. These improvements may include but not limited to curb, gutter, sidewalk, driveway approach, etc. The improvements must be completed and accepted by the Town before a Certificate of Occupancy for any new building can be issued.
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47. **FENCING:** Any fencing proposed within two hundred (200) feet of an intersection shall comply with Town Code Section §23.10.080.
48. **SIGHT TRIANGLE AND TRAFFIC VIEW AREA:** Any proposed improvements, including but not limiting to trees and hedges, will need to abide by Town Code Sections 23.10.080, 26.10.065, and 29.40.030.
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50. **CONSTRUCTION STREET PARKING:** No vehicle having a manufacture's rated gross vehicle weight exceeding ten thousand (10,000) pounds shall be allowed to park on the portion of a street which abuts property in a residential zone without prior to approval from the

Town Engineer.

51. **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.), and at other times as specified by the Director of Parks and Public Works. Prior to the issuance of a building permit, the Applicant shall work with the Town Building Department and Engineering Division Inspectors to devise a traffic control plan to ensure safe and efficient traffic flow under periods when soil is hauled on or off of the project site. This may include, but is not limited to provisions for the Applicant/Owner to place construction notification signs noting the dates and time of construction and hauling activities, or providing additional traffic control. Coordination with other significant projects in the area may also be required. Cover all trucks hauling soil, sand and other loose debris.
52. **CONSTRUCTION HOURS:** All subdivision improvements and site improvements construction activities, including the delivery of construction materials, labors, heavy equipment, supplies, etc., shall be limited to 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. The Town may authorize, on a case-by-case basis, alternate construction hours. The Applicant shall provide written notice twenty-four (24) hours in advance of modified construction hours. Approval of this request is at discretion of the Town.
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54. **CONSTRUCTION MANAGEMENT PLAN SHEET:** Prior to the issuance of any permits, the Applicant shall submit a construction management plan sheet (full-size) within the plan set that shall incorporate at a minimum the Project Schedule, site security fencing, employee parking, construction staging area, materials storage area(s), concrete washout(s) and proposed outhouse location(s). Please refer to the Town's Construction Management Plan Guidelines document for additional information.
55. **WVSD (West Valley Sanitation District):** A Sanitary Sewer Clean-out is required for each property at the property line.
56. **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 Building Official. 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 in the Uniform Plumbing Code adopted by the Town and maintain such device in a functional operation condition. Evidence of West Sanitation District's decision on

whether a backwater device is needed shall be provided prior to the issuance of a building permit.

57. **BEST MANAGEMENT PRACTICES (BMPs):** The Applicant is responsible for ensuring that all contractors are aware of all storm water quality measures and that such measures are implemented. Best Management Practices (BMPs) shall be maintained and be placed for all areas that have been graded or disturbed and for all material, equipment and/or operations that need protection. Removal of BMPs (temporary removal during construction activities) shall be replaced at the end of each working day. Failure to comply with the construction BMP will result in the issuance of correction notices, citations, or stop work orders.
58. **EROSION CONTROL:** Interim and final erosion control plans shall be prepared and submitted to the Engineering Division of the Parks and Public Works Department. A maximum of two (2) 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 Town of Los Gatos Engineering Division of the Parks and Public Works Department and the Building Department will conduct periodic NPDES inspections of the site throughout the recognized storm season to verify compliance with the Construction General Permit and Stormwater ordinances and regulations.
59. **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 (3) 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 shall 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 (1) 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 twenty-five (25) miles per hour (MPH). All trucks hauling soil, sand, or other loose debris shall be covered.
60. **CONSTRUCTION ACTIVITIES:** All construction shall conform to the latest requirements of the CASQA Stormwater Best Management Practices Handbooks for Construction Activities and New Development and Redevelopment, the Town's grading and erosion control ordinance, and other generally accepted engineering practices for erosion control as required by the Town Engineer when undertaking construction activities.

61. **SITE DRAINAGE:** Rainwater leaders shall be discharged to splash blocks. No through curb drains will be allowed. Any storm drain inlets (public or private) directly connected to public storm system shall be stenciled/signed with appropriate "NO DUMPING - Flows to Bay" NPDES required language. On-site drainage systems for all projects shall include one of the alternatives included in section C.3.i of the Municipal Regional NPDES Permit. These include storm water reuse via cisterns or rain barrels, directing runoff from impervious surfaces to vegetated areas and use of permeable surfaces. If dry wells are to be used they shall be placed a minimum of ten (10) feet from the adjacent property line and/or right-of-way. No improvements shall obstruct or divert runoff to the detriment of an adjacent, downstream or down slope property.
62. **SILT AND MUD IN PUBLIC RIGHT-OF-WAY:** It is the responsibility of Contractor and homeowner 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.
63. **GOOD HOUSEKEEPING:** Good housekeeping practices shall be observed at all times during the course of construction. All construction shall be diligently supervised by a person or persons authorized to do so at all times during working hours. The Applicant'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 penalties and/or the Town performing the required maintenance at the Applicant's expense.
64. **COVERED TRUCKS:** All trucks transporting materials to and from the site shall be covered.

TO THE SATISFACTION OF THE SANTA CLARA COUNTY FIRE DEPARTMENT:

65. **CONSTRUCTION SITE FIRE SAFETY:** All construction sites must comply with applicable provisions of the Santa Clara County Fire Department Standard Detail and Specification SI-7 and Chapter 33 of the currently adopted edition of the California Fire Code. This must be submitted to, and approved by this office prior to commencing demolition/construction activities.
66. **ADDRESS IDENTIFICATION:** New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Where required by fire code official, address numbers shall be provided in additional approved locations to facilitate emergency response. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall be a minimum of 4 inches (101.6 mm) high with a minimum stroke width of 0.5 inch (12.7mm). Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure. Address numbers shall be maintained. CFC Sec. 505.1.

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From: Charlene Bernhardt
Sent: Thursday, September 16, 2021 2:39 PM
To: Jocelyn Shoopman <jshoopman@losgatosca.gov>
Subject: Regarding Modification of Application S-19-016 - 244 Harding

Hello Jocelyn,

We are writing to express our opinion regarding the sidewalk install at 244 Harding Avenue. As neighbors to this property, we are in agreement with the proposed modification Marcus and Feng want to make which is to continue the existing sidewalk and to follow suit with their neighbors at 246 and 248 Harding.

We do not see any benefit for applying the standard #201 sidewalk layout. The additional excavation and requirement of building a 5ft retaining wall will only cause unnecessary work and expense to the owners. The 5ft wall will look less appealing on our street and to their property.

Please consider their modification proposal.

Thank you for your time and consideration,
John and Charlene Bernhardt

EXHIBIT 8

From: Jeff Okubo

Sent: Thursday, September 16, 2021 12:57 PM

To: Jocelyn Shoopman <jshoopman@losgatosca.gov>

Subject: 244 Harding Sidewalk

Dear Ms. Shoopman,

The Town wants the sidewalk to be built in front of 244 Harding Ave to have a verge based on the standard plan #201. A verge in this location is unnecessary and will look out of place as it will be inconsistent with the sidewalk to which it will be connecting. It will also require the homeowners to dig out more of their sloped lot than is necessary, AND install a 5' retaining wall. We want less walls and more nature in our neighborhood, and we would hope the Town does as well.

Thank you for your consideration on this matter.

Jeff Okubo

Los Gatos, CA 95030

From: Schaeffler, Chris

Sent: Wednesday, September 15, 2021 8:29 PM

To: Jocelyn Shoopman <jshoopman@losgatosca.gov>

Subject: RE: modification of application S-19-016 - 244 Harding Ave

Dear Ms. Shoopman-

I am writing you today in support of our neighbor's (we live down the street) plan to allow the installation of a sidewalk that flows with the current sidewalk layout vs pushing the sidewalk back to meet a standard that is not consistent with our street characteristics. Makes little sense, adds more cost and will be visually unappealing to see a 5 foot retaining wall and stretch of grass that will look out of place. We drive by 244 Harding numerous times a day and would advocate the Planning Committee approve our neighbor's plan to include a sidewalk that connects to existing path and construct a 2 ft retaining wall that will be a lot less noticeable than a five foot wall that would necessary to build given the "standard" design.

Thank you for your consideration.

Chris Schaeffler

From: SCOTT CORNELIUS

Sent: Wednesday, September 15, 2021 8:27 PM

To: Jocelyn Shoopman <jshoopman@losgatosca.gov>

Subject: regarding modification of application S-19-016- 244 Harding

15 September 2021

Los Gatos Planning Commission:

Attention Jocelyn Shoopman

Dear Planning Commission,

Please take into consideration the request of my neighbors to receive a modification of the sidewalk to 244 Harding Ave. The town's proposed plan #201 with a 5' retaining wall will be out of place, and a complete eye sore to the neighborhood. The homeowner request for an exception for a smaller, more simple sidewalk should suffice and will support the aesthetics and overall curb appeal of the neighborhood. Please grant Marcus and Fang the exemption and modification to install a smaller, and less gaudy sidewalk and minimal retaining wall.

I was born and raised in Los Gatos, and own the house that I grew up in on the adjacent street Cerro Chico. I drive past 244 Harding every day. I pray that you see fit to grant this exception as we do not need a hideous retaining wall and a massive fence at the edge of their property. The proposed #201 construction is an eyesore and will negatively impact curb appeal and the vibe of the neighborhood.

Again, please take this sincere request to allow the modification of the sidewalk.

Sincerely,

Scott Cornelius, a concerned neighbor, and resident ([REDACTED]) of this neighborhood since 1972 please call if you wish to discuss further [REDACTED]

thank you.

From: susie ferrell

Sent: Wednesday, September 15, 2021 6:56 PM

To: Jocelyn Shoopman <jshoopman@losgatosca.gov>

Subject: Regarding modification of application S-19-016-244 Harding

Dear Jocelyn-

Our neighbor has remodeled their home and are proposing a beautiful lay-out for the sidewalk. It appears that the town wants to enforce a standard plan that will be nowhere near as aesthetically pleasing as the plan they have proposed. Please allow them to proceed with what they are proposing by allowing the 2 foot retaining wall, and not requiring the planter strip. With a 2 foot retaining wall, everyone is able to see the beautiful shrubbery and trees in their front yard. Thanks for your consideration.

Warm regards-

Susie Ferrell

Los Gatos

From: Nick Struthers

Sent: Wednesday, September 15, 2021 2:03 PM

To: Jocelyn Shoopman <jshoopman@losgatosca.gov>

Subject: Regarding Modification of Application S-19-016 -244 Harding

Dear Jocelyn,

Myself and my wife Julie have been Los Gatos residents and homeowners for 22 years and are friends and neighbors of Marcus and Fang.

I want to thank the council for giving us the opportunity to express our opinion in a public forum.

I understand the importance of building codes and equally understand the need to apply common sense in specific circumstances.

In this specific application, standard #201 does not make any sense as it involves making significant changes to the existing landscape at the same time creating a sidewalk that is not consistent with the immediate surroundings.

I remain optimistic that the Planning Authorities will exercise their judgement appropriately for a common sense solution.

sincerely,

Nick and Julie Struthers

From: Dan Jacobson

Sent: Tuesday, September 14, 2021 9:13 PM

To: Jocelyn Shoopman <jshoopman@losgatosca.gov>

Subject: Regarding Modification of Application 5-19-016 - 244 Harding

Ms. Shoopman,

My name is Dan Jacobson. My wife, Tabitha, and I live at [REDACTED] in Los Gatos. Our neighbors, Fang and Marcus Thordal, at 244 Harding Avenue are in the middle of a remodel which has run into an obstacle regarding the completion of the sidewalk in front of the property.

It is our understanding that the Town of Los Gatos is requiring Fang and Marcus to comply with standard #201 for sidewalk layout. This requirement mandates that the sidewalk be set back from the street in order to create a planter strip between the sidewalk and street. Although, in general, we believe it is best to comply with Town planning standards, we also believe that common sense should also apply.

The sidewalk which extends southwards towards 246 and 248 Harding Avenue would not be in line with the required sidewalk in front of 244 Harding. The setback requirement does not take into consideration the fact that the property is built on a hillside. Moving the sidewalk back would require the engineering design and construction of a tall retaining wall which would look completely out of place on our street. It would also encroach on the driveway at 244 Harding as the retaining wall would need to be continued perpendicular to the street and along the driveway also.

It is difficult to see what benefit the Town would get by enforcing standard #201 in this case.

We urge you to approve Fang and Marcus' modification request and allow them to construct the sidewalk in line with the existing sidewalk adjacent to their property.

Sincerely,

Dan & Tabitha Jacobson

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TOWN OF LOS GATOS

COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION
(408) 354-6872 Fax (408) 354-7593

CIVIC CENTER
110 E. MAIN STREET
LOS GATOS, CA 95030

May 6, 2019

Henry Riggs
47 Callie Lane
Menlo Park 94025

RE: 244 Harding Avenue
Architecture and Site Application S-19-016

Requesting approval to construct a new second story addition to an existing single-family residence and a grading permit on property zoned R-1.8. APN 532-36-049. PROPERTY OWNER/APPLICANT: Henry Riggs/Jadie Yan

At its meeting of April 30, 2019, the Town of Los Gatos Development Review Committee approved the above referenced application subject to the enclosed conditions.

PLEASE NOTE: Pursuant to Section 29.20.257 of the Town Code, this approval may be appealed to the Planning Commission within 10 days of the date the approval is granted.

All approvals will expire two years from the date of approval (April 30, 2021), unless the approval has been vested. Section 29.20.335 of the Town Code defines what constitutes vesting an approval.

If you have any questions, please contact me at (408) 354-6806 or akhan@losgatosca.gov

Sincerely,
Azhar Khan
Assistant Planner

N:\DEV\DRC\Action Letters 2019\Harding 244 Avenue Approval Letter.docx

DEVELOPMENT REVIEW COMMITTEE - April 30, 2019
CONDITIONS OF APPROVAL

244 Harding Avenue
Architecture and Site Application S-19-016

Requesting approval to construct a new second story addition to an existing single-family residence and a grading permit on property zoned R-1.8. APN 532-36-049. PROPERTY OWNER: Marcus Thordal APPLICANT: Henry Riggs

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 and/or business operation shall be approved by the Community Development Director, DRC or the Planning Commission depending on the scope of the changes.
2. EXPIRATION OF APPROVAL: The Architecture and Site application will expire two years from the date of approval unless the approval is used before expiration.
3. STORY POLES: The story poles on the project site shall be removed within 30 days of approval of the Architecture and Site application.
4. 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.
5. ARBORIST REQUIREMENTS: The developer shall implement, at their cost, all recommendations made by Deborah Ellis, MS, identified in the Arborist reports, dated as received January 28, 2016, respectively, on file in the Community Development Department.
6. TREE FENCING: Protective tree fencing shall be placed at the drip line of existing trees and shall remain through all phases of construction.
7. TREE STAKING: All newly planted trees shall be double-staked using rubber tree ties.
8. FRONT YARD LANDSCAPE: Prior to issuance of a Certificate of Occupancy the front yard must be landscaped.
9. OUTDOOR LIGHTING: Exterior lighting shall be kept to a minimum, and shall be down directed fixtures that will not reflect or encroach onto adjacent properties.

- 10. 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.
11. COMPLIANCE MEMORANDUM: A memorandum shall be prepared and submitted with the building plans detailing how the Conditions of Approval will be addressed.
12. PERMITS REQUIRED: A Demolition Permit and Building Permit shall be required for the demolition of portions of the existing single-family residence and for the construction of the new single-family residence additions and alterations.
13. CONDITIONS OF APPROVAL: The Conditions of Approval must be blue-lined in full on the cover sheet of the construction plans.
14. SIZE OF PLANS: Submit four sets of construction plans, minimum size 24" x 36", maximum size 30" x 42".
15. DEMOLITION REQUIREMENTS: Obtain a Building Department Demolition Application and a Bay Area Air Quality Management District Application from the Building Department Service Counter.
16. SOILS REPORT: A Soils Report (Geotechnical Investigation), prepared to the satisfaction of the Building Official, containing foundation and retaining wall design recommendations, shall be submitted with the Building Permit Application.
17. FOUNDATION INSPECTIONS: A pad certificate prepared by a licensed Civil Engineer or Land Surveyor shall be submitted to the project Building Inspector at the foundation inspection.

- and elevations have been prepared according to the 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 elevations
b. Finish floor elevations
c. Foundation corner locations
18. TITLE 24 ENERGY COMPLIANCE: All required California Title 24 Energy Compliance Forms must be blue-lined (sticky-backed), i.e. directly printed, onto a sheet of the plans.
19. BACKWATER VALVE: The scope of this project may require the installation of a sanitary sewer backwater valve per Town Ordinance 6.50.025.
20. FIRE ZONE: This project will require Class A Roof Assemblies.
21. SPECIAL INSPECTIONS: When a special inspection is required by CBC Section 1704, 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.
22. BLUE PRINT FOR A CLEAN BAY SHEET: The Town standard Santa Clara County Valley Nonpoint Source Pollution Control Program Sheet (24"x36") shall be part of the plan submittal as the second page.
23. APPROVALS REQUIRED: The project requires the following departments and agencies approval before issuing a Building Permit:
a. Community Development - Planning Division: Jocelyn Puga at (408) 354-6875
b. Engineering/Parks & Public Works Department: Mike Weisz at (408) 354-5236
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.
f. Bay Area Air Quality Management District: (415) 771-6000

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

Engineering Division

- 24. GENERAL: All public improvements shall be made according to the latest adopted Town Standard Plans, Standard Specifications and Engineering Design Standards. All work shall conform to the applicable Town ordinances. The adjacent public right-of-way shall be kept clear of all job-related mud, silt, concrete, dirt and other construction 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 an encroachment permit is issued by the Engineering Division of the Parks and Public Works Department.
25. APPROVAL: This application shall be completed in accordance with all of the conditions of approval listed below and in substantial compliance with the latest reviewed and approved development plans.
26. ENCROACHMENT PERMIT: All work in the public right-of-way will require a Construction Encroachment Permit.
27. PRIVATE IMPROVEMENTS IN THE PUBLIC RIGHT-OF-WAY (INDEMNITY AGREEMENT): The property owner shall enter into an agreement with the Town for all existing and proposed private improvements within the Town's right-of-way.
28. PUBLIC WORKS INSPECTIONS: The Applicant or their 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.
29. RESTORATION OF PUBLIC IMPROVEMENTS: The Applicant shall repair or replace all existing improvements not designated for removal that are damaged or removed because of the Applicant's operations.
30. SITE SUPERVISION: The General Contractor shall provide qualified supervision on the job site at all times during construction.
31. STREET CLOSURE: Any proposed blockage or partial closure of the street requires an encroachment permit.
32. PLAN CHECK FEES: Plan check fees shall be deposited with the Town prior to plan review at the Engineering Division of the Parks and Public Works Department.
33. INSPECTION FEES: Inspection fees shall be deposited with the Town prior to the issuance of any permits.
34. PLANS AND STUDIES: All required plans and studies shall be prepared by a Registered Professional Engineer in the State of California, and submitted to the Town Engineer for review and approval.
35. DRIVEWAY: The driveway conform to existing pavement on Harding Avenue shall be constructed in a manner such that the existing drainage patterns will not be obstructed.
36. DRAINAGE IMPROVEMENT: Prior to the issuance of any grading/improvement permits, the Applicant shall: a) design provisions for surface drainage; and b) design all necessary storm drain facilities extending to a satisfactory point of disposal for the proper control and disposal of storm runoff; and c) provide a recorded copy of any required easements to the Town.
37. 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 retaining wall top of wall elevations and locations.
38. RETAINING WALLS: A building permit, issued by the Building Department at 110 E. Main Street, may be required for site retaining walls.
39. SOILS REPORT: One copy of the soils and geologic report shall be submitted with the application.
40. GEOLOGY AND SOILS MITIGATION MEASURE: A geotechnical investigation shall be conducted for the project to determine the surface and sub-surface conditions at the site and to determine the potential for surface fault rupture on the site.
41. SOILS REVIEW: Prior to issuance of any permits, the Applicant's engineers shall prepare and submit a design-level geotechnical/geological investigation for review and approval by the Town.

- drainage are in accordance with their recommendations and the peer review comments. Approval of the Applicant's soils engineer shall then be conveyed to the Town either by letter or by signing the plans.
42. SOIL RECOMMENDATIONS: The project shall incorporate the geotechnical/geological recommendations contained in the Geotechnical Investigation by Murray Engineers, Inc., dated April 27, 2015, and any subsequently required report or addendum.
43. WATER DESIGN: In the event of any required improvements to the existing water service and/or meter, water plans prepared by San Jose Water Company must be reviewed and approved before prior to issuance of any permit.
44. FRONTAGE IMPROVEMENTS: The Applicant shall be required to improve the project's public frontage to current Town Standards.
45. UTILITIES: The Applicant shall install all new, relocated, or temporarily removed utility services, including telephone, electric power and all other communications lines underground, as required by Town Code Section 27.50.015(b).
46. DRIVEWAY APPROACH: The Applicant shall install one (1) Town standard residential driveway approach.
47. FENCING: Any fencing proposed within two hundred (200) feet of an intersection shall comply with Town Code Section 23.10.080.
48. SIGHT TRIANGLE AND TRAFFIC VIEW AREA: Any proposed improvements, including but not limited to trees and hedges, will need to abide by Town Code Sections 23.10.080, 26.10.065, and 29.40.030.
49. FENCES: Fences between all adjacent parcels will need to be located on the property lines/boundary lines.
50. CONSTRUCTION STREET PARKING: No vehicle having a manufacturer's rated gross weight exceeding ten thousand (10,000) pounds shall be allowed to park on the portion of a street which abuts property in a residential zone without prior to approval from the Town Engineer.

- 51. 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.), and at other times as specified by the Director of Parks and Public Works.
52. CONSTRUCTION HOURS: All subdivision improvements and site improvements construction activities, including the delivery of construction materials, labors, heavy equipment, supplies, etc., shall be limited to 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.
53. 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.
54. CONSTRUCTION MANAGEMENT PLAN SHEET: Prior to the issuance of any permits, the Applicant shall submit a construction management plan sheet (full-size) within the plan set that shall incorporate at a minimum the Project Schedule, site security fencing, employee parking, construction staging area, materials storage area(s), concrete washout(s) and proposed outdoor location(s).
55. WVSD (West Valley Sanitation District): A Sanitary Sewer Clean-out is required for each property at the property line.
56. 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.
76. SITE DRAINAGE: Rainwater leaders shall be discharged to splash blocks. No through curb drains will be allowed.
77. NO DUMPING - Flows to Bay: NPDES required language. On-site drainage systems for all projects shall include one of the alternatives included in section C.3.1 of the Municipal Regional NPDES Permit.
78. GOOD HOUSEKEEPING: Good housekeeping practices shall be observed at all times during the course of construction.
79. ADDRESS IDENTIFICATION: New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property.
80. WVSD (West Valley Sanitation District): A Sanitary Sewer Clean-out is required for each property at the property line.

- whether a backwater device is needed shall be provided prior to the issuance of a building permit.
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81. CONSTRUCTION SITE FIRE SAFETY: All construction sites must comply with applicable provisions of the Santa Clara County Fire Department Standard Detail and Specification SI-7 and Chapter 33 of the currently adopted edition of the California Fire Code.
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TO THE SATISFACTION OF THE SANTA CLARA COUNTY FIRE DEPARTMENT:
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83. WVSD (West Valley Sanitation District): A Sanitary Sewer Clean-out is required for each property at the property line.

Table with 2 columns: NUMBER, DATE, REVISION TABLE, REVISION BY, DESCRIPTION

Henry L. Riggs, AIA
47 Callie Ln
Menlo Park, CA 94025
Tel: (650) 327-1166
Fax: (650) 327-2105

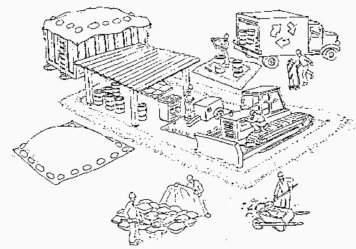
THORDAL REMODEL AND ADDITION
244 Harding Street, Los Gatos, CA
APPROVAL LETTER AND
CONDITIONS OF APPROVAL

DATE:
5/6/19

SCALE:

SHEET:
A1

Pollution Prevention — It's Part of the Plan



Make sure your crews and subs do the job right!

Runoff from streets and other paved areas is a major source of pollution in San Francisco Bay. Construction activities can directly affect the health of the Bay unless contractors and crews plan ahead to keep dirt, debris, and other construction waste away from storm drains and local creeks. Following these guidelines will ensure your compliance with local ordinance requirements.



Materials storage & spill cleanup

Non-hazardous materials management

- ✓ Sand, dirt, and similar materials must be stored at least 10 feet from catch basins, and covered with a tarp during wet weather or when rain is forecast.
- ✓ Use (but don't overuse) reclaimed water for dust control as needed.
- ✓ Sweep streets and other paved areas daily. Do not wash down streets or work areas with water!
- ✓ Recycle all asphalt, concrete, and aggregate base material from demolition activities.
- ✓ Check dumpsters regularly for leaks and to make sure they don't overflow. Repair or replace leaking dumpsters promptly.

Hazardous materials management

- ✓ Label all hazardous materials and hazardous wastes (such as pesticides, paints, thinners, solvents, fuel, oil, and antifreeze) in accordance with city, state, and federal regulations.
- ✓ Store hazardous materials and wastes in secondary containment and cover them during wet weather.
- ✓ Follow manufacturer's application instructions for hazardous materials and be careful not to use more than necessary. Do not apply chemicals outdoors when rain is forecast within 24 hours.
- ✓ Be sure to arrange for appropriate disposal of all hazardous wastes.

Spill prevention and control

- ✓ Keep a stockpile of spill cleanup materials (rags, absorbents, etc.) available at the construction site at all times.
- ✓ When spills or leaks occur, contain them immediately and be particularly careful to prevent leaks and spills from reaching the gutter, street, or storm drain. Never wash spilled material into a gutter, street, storm drain, or creek!
- ✓ Report any hazardous materials spills immediately! Dial 911 or your local emergency response number.

Vehicle and equipment maintenance & cleaning

- ✓ Inspect vehicles and equipment for leaks frequently. Use drip pans to catch leaks until repairs are made; repair leaks promptly.
- ✓ Fuel and maintain vehicles on site only in a bermed area or over a drip pan that is big enough to prevent runoff.
- ✓ If you must clean vehicles or equipment on site, clean with water only in a bermed area that will not allow rinsewater to run into gutters, streets, storm drains, or creeks.
- ✓ Do not clean vehicles or equipment on-site using soaps, solvents, degreasers, steam cleaning equipment, etc.



Dewatering operations

- ✓ Reuse water for dust control, irrigation, or another on-site purpose to the greatest extent possible.
- ✓ Be sure to call your city's storm drain inspector before discharging water to a street, gutter, or storm drain. Filtration or diversion through a basin, tank, or sediment trap may be required.
- ✓ In areas of known contamination, testing is required prior to reuse or discharge of groundwater. Consult with the city inspector to determine what testing to do and to interpret results. Contaminated groundwater must be treated or hauled off-site for proper disposal.



Saw cutting

- ✓ Always completely cover or barricade storm drain inlets when saw cutting. Use filter fabric, hay bales, sand bags, or fine gravel dams to keep slurry out of the storm drain system.
- ✓ Shovel, absorb, or vacuum saw-cut slurry and pick up all waste as soon as you are finished in one location or at the end of each work day (whichever is sooner).
- ✓ If saw cut slurry enters a catch basin, clean it up immediately.

Concrete, grout, and mortar storage & waste disposal

- ✓ Be sure to store concrete, grout, and mortar under cover and away from drainage areas. These materials must never reach a storm drain.
- ✓ Wash out concrete equipment/trucks off-site or designate an on-site area for washing where water will flow onto dirt or into a temporary pit in a dirt area. Let the water seep into the soil and dispose of hardened concrete with trash.
- ✓ Divert water from washing exposed aggregate concrete to a dirt area where it will not run into a gutter, street, or storm drain.
- ✓ If a suitable dirt area is not available, collect the wash water and remove it for appropriate disposal off site.



Earthwork & contaminated soils

- ✓ Keep excavated soil on the site where it is least likely to collect in the street. Transfer to dump trucks should take place on the site, not in the street.
- ✓ Use hay bales, silt fences, or other control measures to minimize the flow of silt off the site.



- ✓ Avoid scheduling earth moving activities during the rainy season if possible. If grading activities during wet weather are allowed in your permit, be sure to implement all control measures necessary to prevent erosion.
- ✓ Mature vegetation is the best form of erosion control. Minimize disturbance to existing vegetation whenever possible.
- ✓ If you disturb a slope during construction, prevent erosion by securing the soil with erosion control fabric, or seed with fast-growing grasses as soon as possible. Place hay bales down-slope until soil is secure.

- ✓ If you suspect contamination (from site history, discoloration, odor, texture, abandoned underground tanks or pipes, or buried debris), call your local fire department for help in determining what testing should be done.
- ✓ Manage disposal of contaminated soil according to Fire Department instructions.

Paving/asphalt work

- ✓ Do not pave during wet weather or when rain is forecast.
- ✓ Always cover storm drain inlets and man-holes when paving or applying seal coat, tack coat, slurry seal, or fog seal.
- ✓ Place drip pans or absorbent material under paving equipment when not in use.
- ✓ Protect gutters, ditches, and drainage courses with hay bales, sand bags, or earthen berms.
- ✓ Do not sweep or wash down excess sand from sand sealing into gutters, storm drains, or creeks. Collect sand and return it to the stockpile, or dispose of it as trash.
- ✓ Do not use water to wash down fresh asphalt concrete pavement.

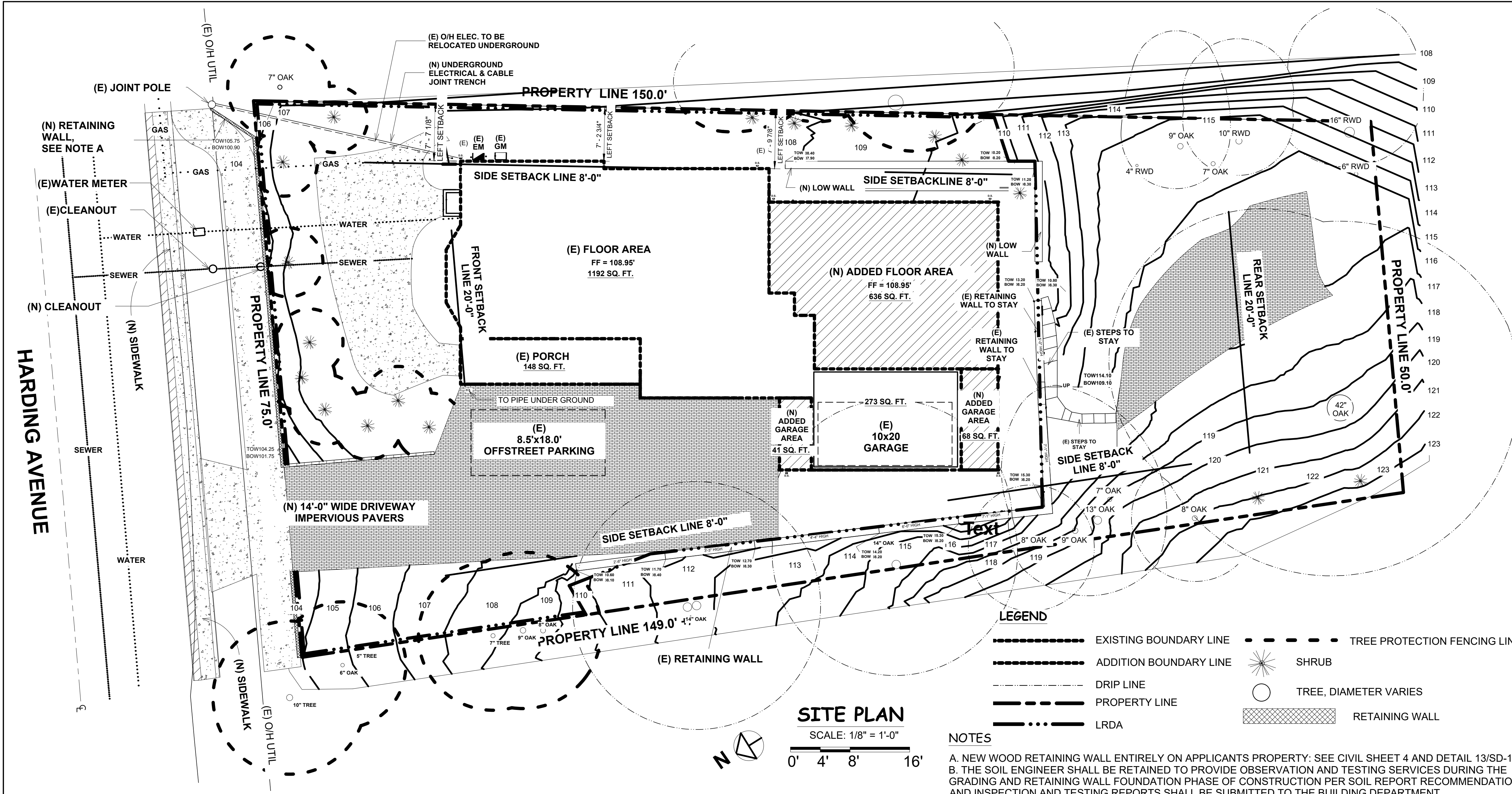


Painting

- ✓ Never rinse paint brushes or materials in a gutter or street!
- ✓ Paint out excess water-based paint before rinsing brushes, rollers, or containers in a sink. If you can't use a sink, direct wash water to a dirt area and spade it in.
- ✓ Paint out excess oil-based paint before cleaning brushes in thinner.
- ✓ Filter paint thinners and solvents for reuse whenever possible. Dispose of oil-based paint sludge and unusable thinner as hazardous waste.



Storm drain polluters may be liable for fines of up to \$10,000 per day!



IMPERVIOUS AREA & PERCENTAGE

TOTAL SITE AREA: 0.212 ACRE	TOTAL SITE AREA DISTURBED: 0.0038 ACRE (INCLUDING CLEARING, GRADING OR EXCAVATING)		
	EXISTING AREA (SQ.FT.)	PROPOSED AREA (SQ.FT.)	TOTAL POST-PROJECT AREA (SQ.FT.)
		REPLACED	NEW
IMPERVIOUS AREA			
ROOF (NOT GREEN ROOF)	1869.00	314.00	2183.00
PARKING	273.00	109.00	382.00
SIDEWALKS & STREETS		270.00	270.00
TOTAL IMPERVIOUS AREA	2142.00	314.00	2456.00
PERVIOUS AREA			
LANDSCAPING	6058.00	1978.00	8036.00
PERVIOUS PAVING	600.00		600.00
TOTAL PERVIOUS AREA	6658.00	1978.00	8636.00
PERCENT REPLACEMENT OF IMPERVIOUS AREA IN REDEVELOPMENT PROJECTS			
(REPLACED TOTAL IMPERVIOUS AREA / EXISTING TOTAL IMPERVIOUS AREA) * 100% = 15%			

- NOTES**
- AVERAGE SLOPE OF PROPERTY : 13.1%
 - AVERAGE SLOPE OF AREA OF DEVELOPMENT : 8.3%
 - SHRUBS ALONG THE FRONT OF RESIDENCE ARE PROPOSED TO REMAIN.
 - NO TREES ARE PROPOSED TO BE REMOVED OR TRIMMED.
 - SANITARY SEWER CLEAN OUT EXISTS, BUT WILL BE RELOCATED DUE TO CITY MANDATED SIDEWALK CONSTRUCTION.

SITE AREA CALCULATION

SITE	EXISTING		PROPOSED	
	AREAS (SQ.FT.)	PERCENTAGE (%)	AREA (SQ.FT.)	PERCENTAGE (%)
BUILDING COVERAGE ¹	1513	16	2182	28
PORCH	148	2	148	2
GRAVEL PAVING	600	6	600	8
CONC. PAVING	920	10	750	9
LANDSCAPING	6058	66	4080	53
TOTAL LOT	9236	100	7760 ²	100

¹ INCLUDING GARAGE
² ADJUSTED LOT AREA

DRAWING SHEET INDEX

SHEET NUMBER	SHEET NAME
A1	APPROVAL LETTER & CONDITION OF APPROVAL
A2	CLEAN BAY SHEET
A3	COVER SHEET
A4	TREE PROTECTION FENCING PLAN & PROFESSIONAL CONTACT INFO
A5	PROJECT NOTES, DOOR & WINDOWS SCHEDULE
A6	EXISTING FLOOR PLAN
A7	EXISTING BUILDING ELEVATIONS
A8	DEMOLITION PLAN
A9	PROPOSED PLAN - 1ST FLOOR
A10	PROPOSED PLAN - 2ND FLOOR
A11	EXISTING & PROPOSED ROOF PLANS
A12	BUILDING ELEVATIONS
A13	BUILDING ELEVATIONS
A14	REFLECTED CEILING PLANS
A15	OUTLET PLAN - 1ST FLOOR
A16	OUTLET PLAN - 2ND FLOOR
A17	SECTIONS
A18	DETAILS
A19	DETAILS
A20	DETAILS
A21	DETAILS
A22	INTERIOR ELEVATIONS
A23	INTERIOR ELEVATIONS
A24	INTERIOR ELEVATIONS
A25	AREA PLAN & STREET ESCAPE
A26	AREA CALCULATION PLAN
A27	DETAILS
A28	FOUNDATION VENTILATION PLAN
T1	TITLE 24 REPORT
T2	TITLE 24 REPORT
T3	TITLE 24 REPORT
T4	TITLE 24 REPORT
S-1	FOUNDATION PLAN
S-2	2ND FLOOR FRAMING PLAN
S-3	ROOF FRAMING PLAN
SD-1	STRUCTURE NOTES & SPECIFICATIONS
SD-2	STRUCTURE DETAILS
SD-3	STRUCTURE DETAILS
SD-4	STRUCTURE DETAILS & WALL SCHEDULE
SD-5	DETAILS & HOLD-DOWN ANCHOR BOLT SCHEDULE
SD-6	STRUCTURE DETAILS
SD-7	STRUCTURE DETAILS
SD-8	STRUCTURE DETAILS
SD-9	STRUCTURE DETAILS
SD-10	STRUCTURAL DETAILS
HFX1	ANCHORAGE DETAILS - HFX PANELS
HFX2	FRAMING DETAILS - HFX PANELS
HFX3	FLOOR SYSTEM DETAILS - HFX PANELS
C1	TOWN NOTES, PROJECT DATA, LEGEND & ABBREVIATIONS
C2	BLUEPRINT FOR A CLEAN BAY SHEET
C3	EROSION CONTROL PLAN
C4	GRADING AND DRAINAGE PLAN
C5	STORM DRAIN PLAN
C6	SECTIONS
C7	NOTES AND DETAILS



AVERAGE SLOPE CALCULATION

CONTOUR INTERVAL I (F.T.)	COMBINED LENGTH OF CONTOUR LINES L (F.T.)	GROSS AREA A (ACRES)	AVERAGE SLOPE
1	1,211.28	0.212	$S = 0.0023 * I * L / A$ $= 0.0023 * 1 * 1211.28 / 0.212$ $= 13.14$ $= 13.1$

NEW NET LOT CALCULATION

PERCENT OF NET SITE TO BE DEDUCTED	10% + 3*2% = 16%
EXISTING NET LOT ARE (SQ.FT.)	9238
NEW NET LOT AREA (SQ.FT.)	9238 - 9238*0.16 = 7759.92 = 7760

PROJECT SUMMARY

PROJECT APN# :	532-36-049
SCOPE OF WORK:	2- STORY ADDITION TO 1-STORY HOUSE, WINDOW REPLACEMENT, BATH & GARAGE REMODELS
CONSTRUCTION:	TYPE 5B WOOD FRAME
OCCUPANCY:	R3/U
BUILDING CODE:	2016 CBC, CRC, CPC, CMC, CEC, CalGreen & Cal Energy
EXISTING NET LOT AREA:	9,238 S.F.
AVERAGE LOT SLOPE:	13.1
REDUCED NET LOT AREA:	1,478 S.F.
NEW NET LOT AREA:	7,760 S.F.
ZONING:	R 1:8
FAR:	0.316
MAX ALLOWED FLOOR AREA:	2,452 S.F.
GAR:	0.0881
MAX ALLOWED GARAGE AREA:	684 S.F.
EXISTING FLOOR AREA:	1192 S.F.
EXISTING GARAGE AREA:	314 S.F.
NEW FLOOR AREA (1ST FLR)	636 S.F.
NEW FLOOR AREA (2ND FLR)	602 S.F.
NEW GARAGE AREA:	68 S.F.
REMODEL AREA:	205 S.F.
LINEAR FOOTAGE OF NEW RETAINING WALL:	48 FEET
TOTAL FLOOR AREA:	2430 S.F.
TOTAL GARAGE AREA:	382 S.F.
ELECTRICAL POWER:	110V, 240V, 200AMPS
FIRE SPRINKLERS:	NO

DEFERRED SUBMITTAL NOTES

- ATRIUM SKYLIGHT
- SOLAR HOT WATER HEATING

THESE DEFERRED SUBMITTALS SHALL FIRST BE SUBMITTED TO THE PROJECT ARCHITECT AND ENGINEER FOR REVIEW AND COORDINATION; FOLLOWING THE COMPLETION OF PROJECT ARCHITECT AND ENGINEER REVIEW AND COORDINATION A SUBMITTAL TO THE TOWN SHALL BE MADE (FOR TOWN REVIEW AND APPROVAL), WHICH SHALL INCLUDE A LETTER STATING THIS REVIEW AND COORDINATION HAS BEEN PERFORMED AND FOUND TO BE ACCEPTABLE (E.G. WITH REGARD TO GEOMETRY, LOAD CONDITIONS, ETC.) WITH NO EXCEPTIONS.

REVISIONS	BY
10/7/2015	J.Y.
12/18/2015	J.Y.
1/4/2016	J.Y.
5/3/2016	J.Y.
8/10/2016	J.Y.
12/21/2016	J.Y.
1/5/2017	J.Y.
2/2/2017	J.Y.
2/20/2017	J.Y.
11/16/2017	J.Y.
3/8/2018	J.Y.
10/7/2015	J.Y.
08/14/2018	H.R.
11/21/2018	H.R.
01/10/2019	H.R.

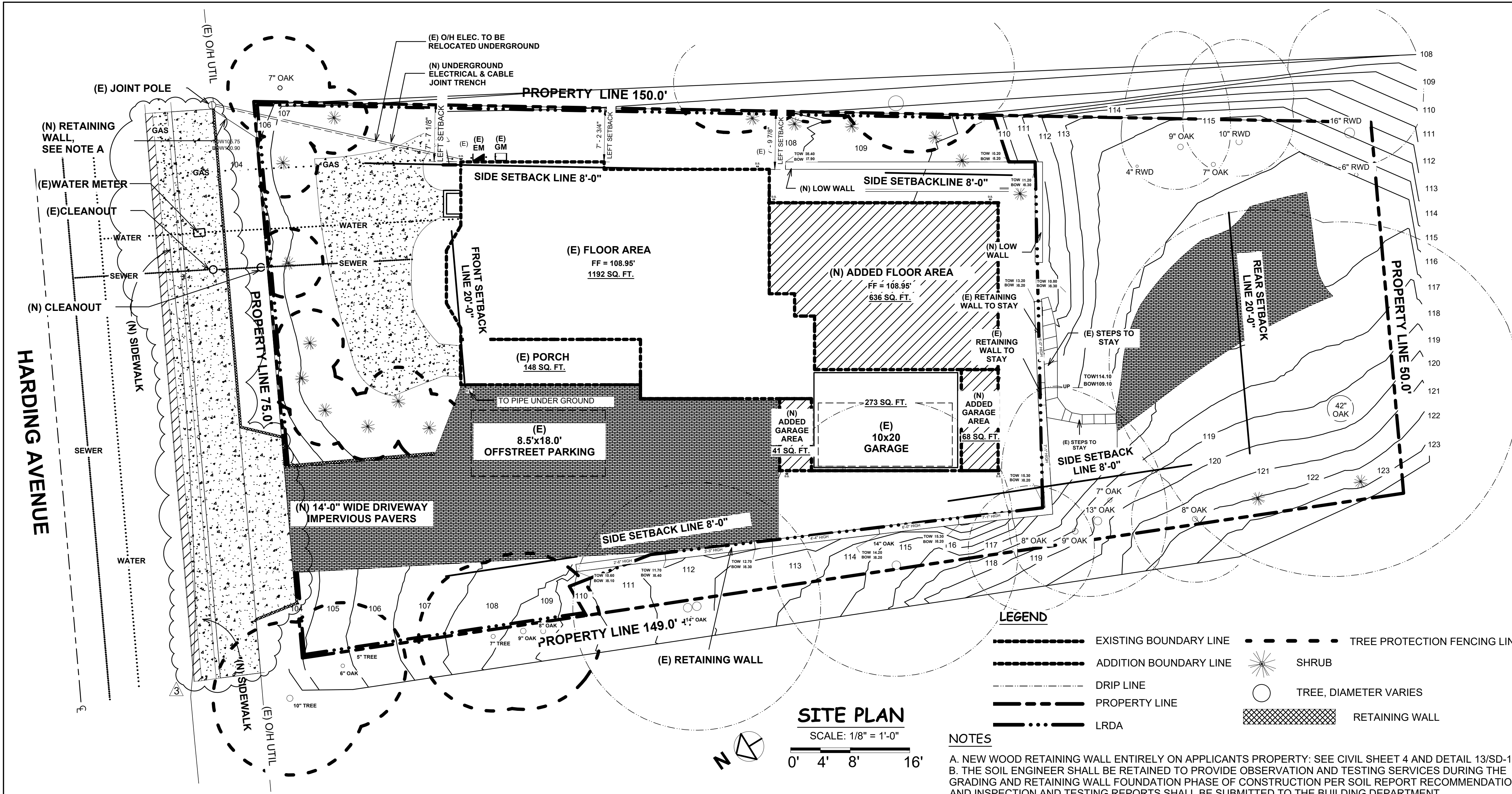
THOR DAL REMODEL & ADDITION
244 Harding Ave., Los Gatos, CA

COVER SHEET

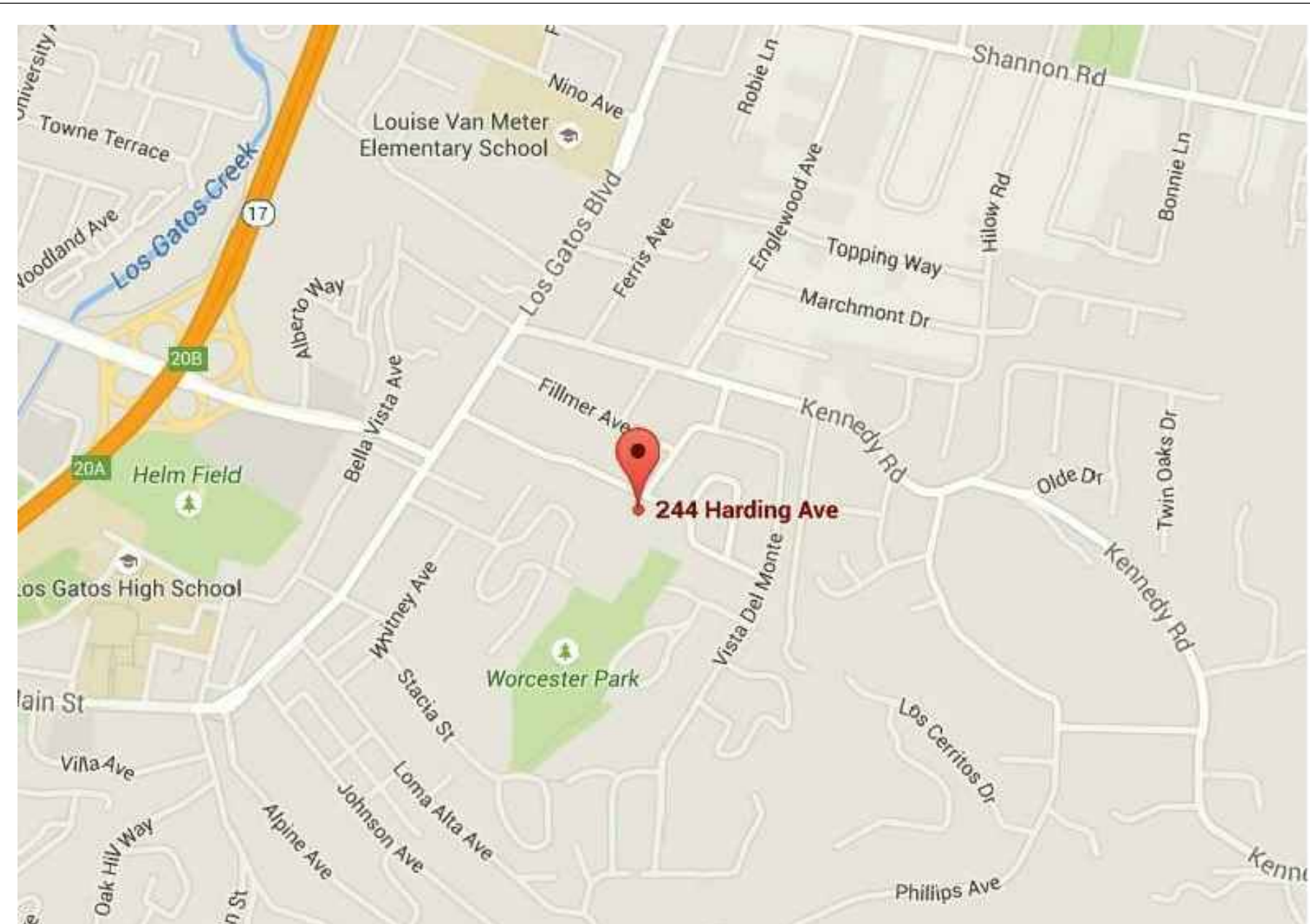
Henry L. Riggs, AIA
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Menlo Park, CA 94025
Tel. (650)327-6198
Fax. (650)327-2105

As Approved April 30 2019

DATE	01/10/2019
SCALE	As indicated
DRAWN	H.R.
JOB	
SHEET	A3
OF	46 SHEETS



HARDING AVENUE



DEFERRED SUBMITTAL NOTES

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SIDEWALKS & STREETS			270.00	270.00
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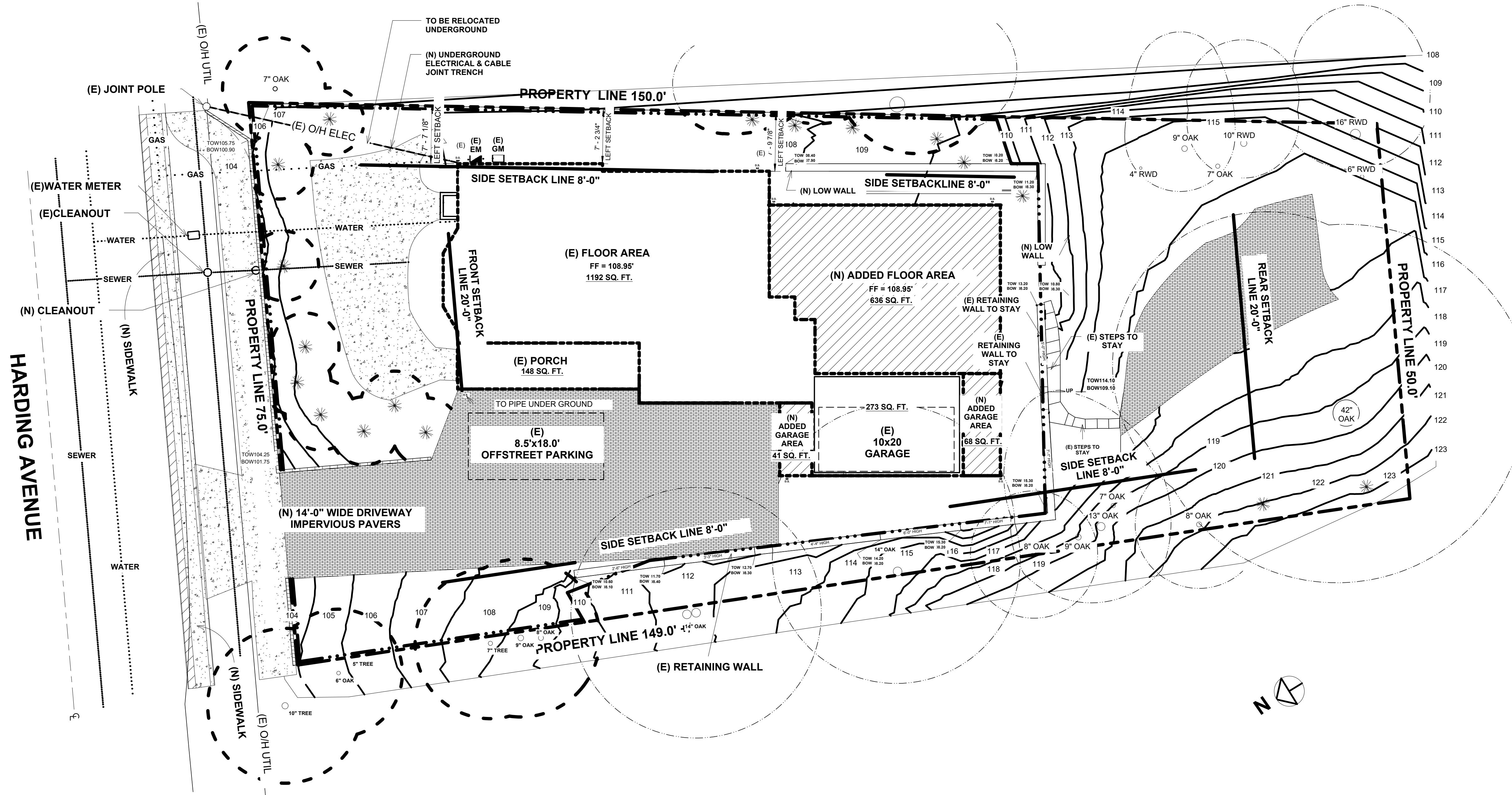
SHEET NUMBER	SHEET NAME
A1	APPROVAL LETTER & CONDITION OF APPROVAL
A2	CLEAN BAY SHEET
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A4	TREE PROTECTION FENCING PLAN & PROFESSIONAL CONTACT INFO

REVISIONS	BY
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07/06/2021	H.R.

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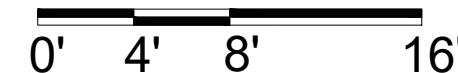
THORAL REMODEL & ADDITION
 244 Harding Ave., Los Gatos, CA
 COVER SHEET
 Proposed Sidewalk Revision

DATE	07/06/2021
SCALE	As indicated
DRAWN	H.R.
JOB	
SHEET	A3
OF	46 SHEETS



TREE PROTECTION FENCING PLAN

SCALE: 1/8" = 1'-0"



LEGEND

- EXSITING BOUNDARY LINE
- ADDITION BOUNDARY LINE
- - - DRIP LINE
- PROPERTY LINE
- LRDA
- - - TREE PROTECTION FENCING LINE
- ✱ SHRUB
- TREE, DIAMETER VARIES
- ▨ RETAINING WALL

NOTES

Protective tree fencing will be placed at the drip line of existing trees and remain through all phases of construction. Fencing is 6-foot high cyclone attached to 2-inch diameter steel posts drive 18-inch into the ground and spaced no further than 10-feet apart.

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STRUCTURE ENGINEER

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ARBORIST

DEBORAH ELLIS, MS
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ROOF CONSULTANT

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REVISIONS	BY
08/14/2018	H.R.

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THORDAL REMODEL & ADDITION
 244 Harding Ave., Los Gatos, CA
TREE PROTECTION FENCING PLAN & PROFESSIONAL CONTACT INFO
 As Approved April 30 2019

DATE 8/14/2018

SCALE As indicated

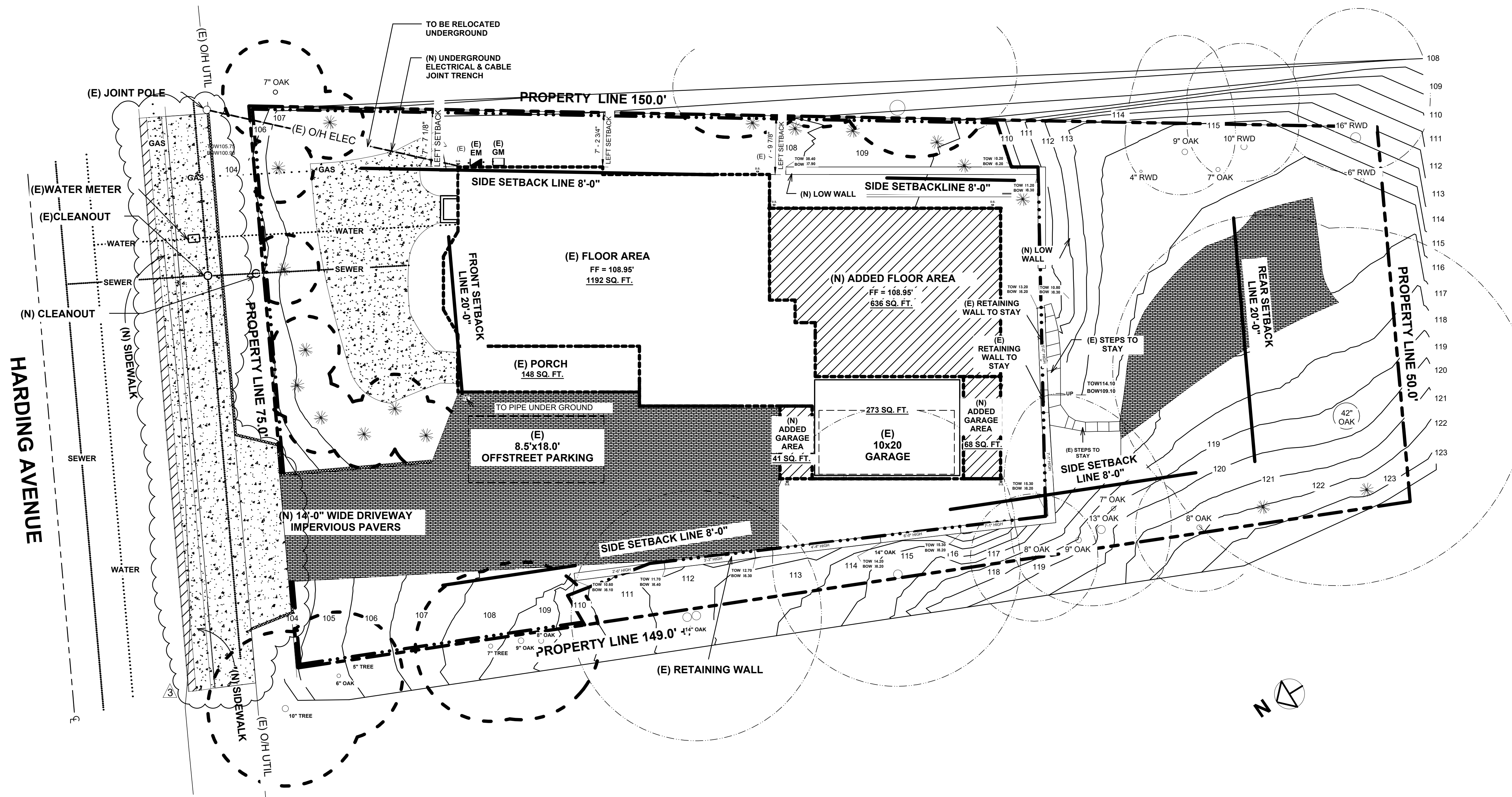
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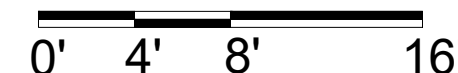
A4

OF 46 SHEETS



TREE PROTECTION FENCING PLAN

SCALE: 1/8" = 1'-0"



LEGEND

- EXSITING BOUNDARY LINE
- ADDITION BOUNDARY LINE
- - - DRIP LINE
- PROPERTY LINE
- LRDA
- - - TREE PROTECTION FENCING LINE
- SHRUB
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THORDAL REMODEL & ADDITION
 244 Harding Ave., Los Gatos, CA
 TREE PROTECTION FENCING PLAN &
 PROFESSIONAL CONTACT INFO
 Proposed Sidewalk Revision

DATE 7/6/2021

SCALE As indicated

DRAWN H.R.

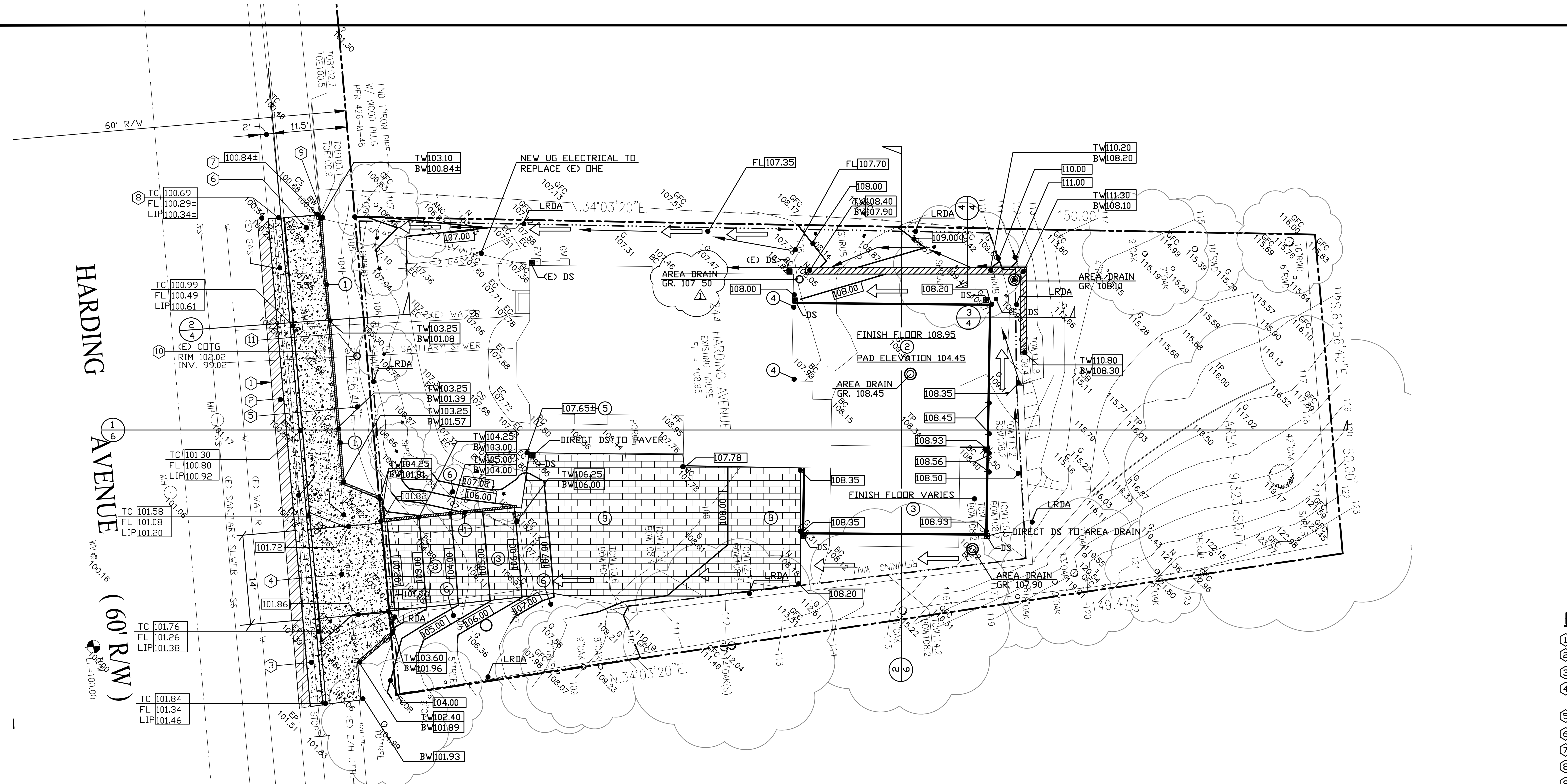
JOB

SHEET

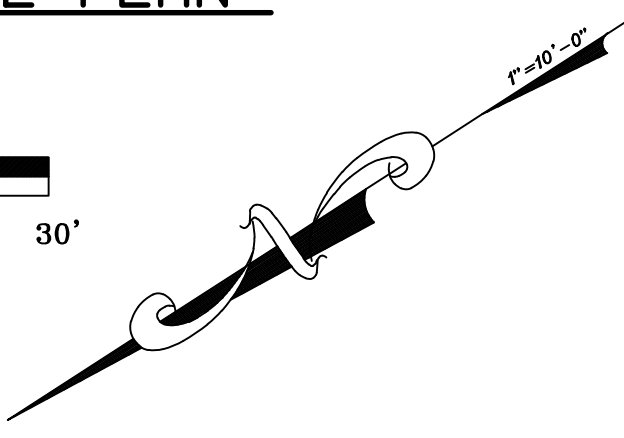
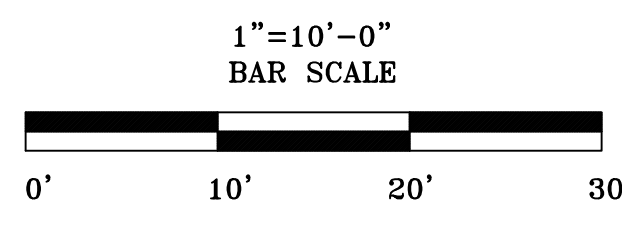
A4

OF 46 SHEETS

CONTRACTOR AGREES THAT HE SHALL ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR JOB SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THIS PROJECT, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY, THAT THIS REQUIREMENT SHALL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS; AND THAT THE CONTRACTOR SHALL DEFEND, INDEMNIFY AND HOLD THE OWNER AND THE ENGINEER HARMLESS FROM ANY AND ALL LIABILITY, REAL OR ALLEGED, IN CONNECTION WITH THE PERFORMANCE OF WORK ON THIS PROJECT, EXCEPTING LIABILITY ARISING FROM THE SOLE NEGLIGENCE OF THE OWNER OR THE ENGINEER.



GRADING AND DRAINAGE PLAN



PROPOSED	EXISTING
TC 109.40	+110.84
FL 110.00	110
TC	TC (E)
EP	EP (E)
FL	FL (E)
CNC	CONCRETE
AC	ASPHALIC CONCRETE
GRD	GROUND SURFACE
TW	TOP OF WALL
BOT	BOTTOM OF WALL
BW	BACK OF WALK
R	SURFACE VALLEY
R	SURFACE RIDGE
E	MATCH EXISTING GRADE
SD	CONCRETE
SS	IMPERVIOUS PAVERS
W	CURB
CB	STORM DRAIN
JB	SANITARY SEWER
COTG	WATER
SDMH	CATCH BASIN
SSMH	JUNCTION BOX
	CLEANOUT TO GRADE
	STORM MANHOLE
	SANITARY MANHOLE
	OVERLAND RELEASE
	REMOVE EXISTING TREE
	AREA OF DISTURBANCE

KEY NOTES FOR THE WORK ON PUBLIC R/W

- ① SAWCUT (E) AC PAVING AND REMOVE.
- ② PROVIDE AC PATCH. PROVIDE 8" DEEP LIFT ASPHALT.
- ③ PROVIDE VERTICAL CURB AND GUTTER PER TOWN STANDARD DETAIL 210.
- ④ REMOVE (E) DRIVEWAY AND PROVIDE NEW DRIVEWAY PER TOWN STANDARD DETAIL #218.
- ⑤ PROVIDE 5' CONCRETE WALK WITH MAX. 2% CROSS-SLOPE PER TOWN STANDARD DETAIL 216.
- ⑥ PROVIDE MIN. 4' CLEARANCE AROUND (E) UTILITY POLE.
- ⑦ MATCH EXISTING WALK GRADE.
- ⑧ MATCH EXISTING CURB AND GUTTER GRADE.
- ⑨ MATCH EXISTING WOOD RETAINING WALL ELEVATION.
- ⑩ RELOCATE (E) SANITARY SEWER CLEANOUT.
- ⑪ PROVIDE SANITARY SEWER CLEANOUT AT (E) SANITARY SEWER. RIM ELEVATION 101.24, INV. 99.14± VIF.

KEY NOTES

- ① PROVIDE WOOD RETAINING WALL. SEE STRUCTURAL DRAWINGS.
- ② STRUCTURAL FLOOR SYSTEM - SEE STRUCTURAL DRAWINGS.
- ③ INTERLOCKING PAVER OVER 20" CL.2 AGGREGATE BASE. SEE ARCHITECTURAL PLAN FOR DETAIL.
- ④ MATCH (E) FINISH FLOOR ELEVATION. VIF.
- ⑤ PROVIDE INTERLOCKING PAVER FLUSH WITH (E) PORCH GRADE. VIF.
- ⑥ PROVIDE MAX. 2:1 (H:V) SLOPE PER GEOTECHNICAL REPORT.

GENERAL NOTES

1. ALL GEOTECHNICAL ASPECTS OF THE CONSTRUCTION, INCLUDING THE PLACEMENT AND COMPACTION OF ENGINEERED FILL, SPREAD FOOTING FOUNDATION EXCAVATIONS, RETAINING WALL BACKDRAINS AND BACKFILL, SLAB AND DRIVEWAY SUBGRADE PREPARATION, BACKFILL OF UTILITY TRENCHES, AND INSTALLATION OF SITE DRAINAGE SHOULD BE PERFORMED IN ACCORDANCE WITH THE GEOTECHNICAL REPORT BY MURRAY ENGINEERS, INC. DATED APRIL 27, 2015. MURRAY ENGINEERS, INC. SHOULD BE PROVIDED AT LEAST 48 HOURS ADVANCE NOTIFICATION (650-559-9980) OF ANY EARTHWORK OPERATIONS AND SHOULD BE PRESENT TO OBSERVE THE EARTHWORK AND FOUNDATION INSTALLATION PHASES OF THE PROJECT.
2. THE GEOTECHNICAL ENGINEER SHALL BE RETAINED TO PROVIDE OBSERVATION AND TESTING SERVICES DURING THE GRADING AND RETAINING WALL FOUNDATION PHASE OF CONSTRUCTION PER THE GEOTECHNICAL REPORT RECOMMENDATIONS AND THAT INSPECTION AND TESTING REPORTS SHALL BE SUBMITTED TO THE BUILDING DEPARTMENT.

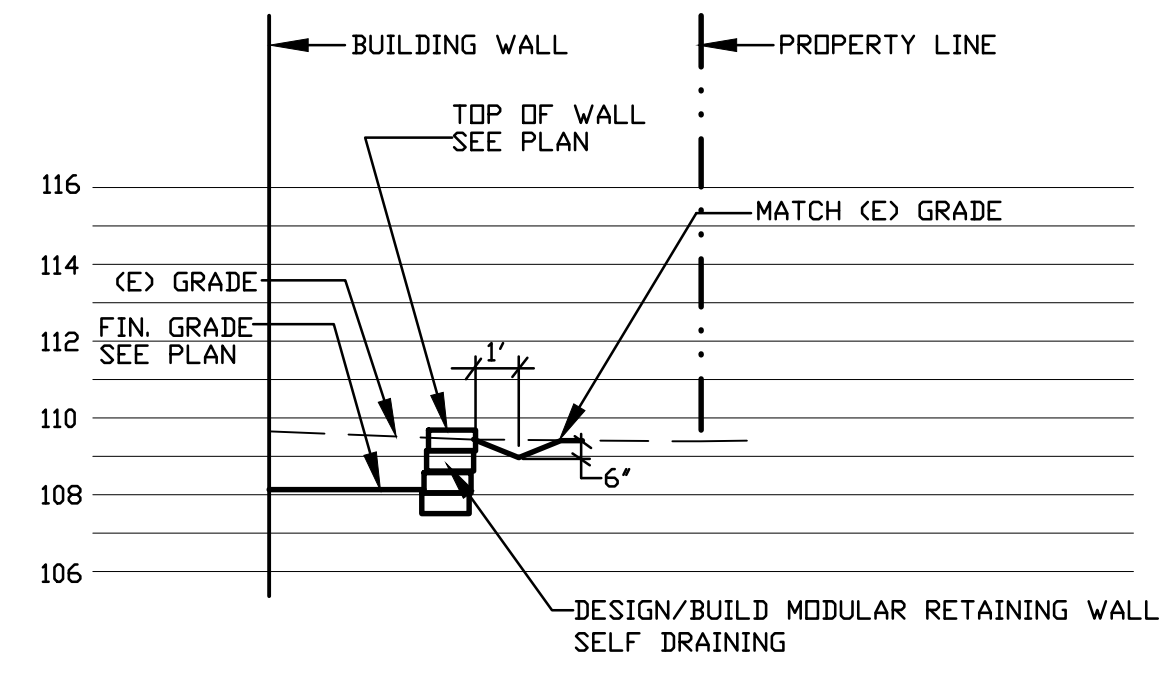
AVERAGE SLOPE

THE AVERAGE SLOPE FOR THE LOT IS 13.1%.

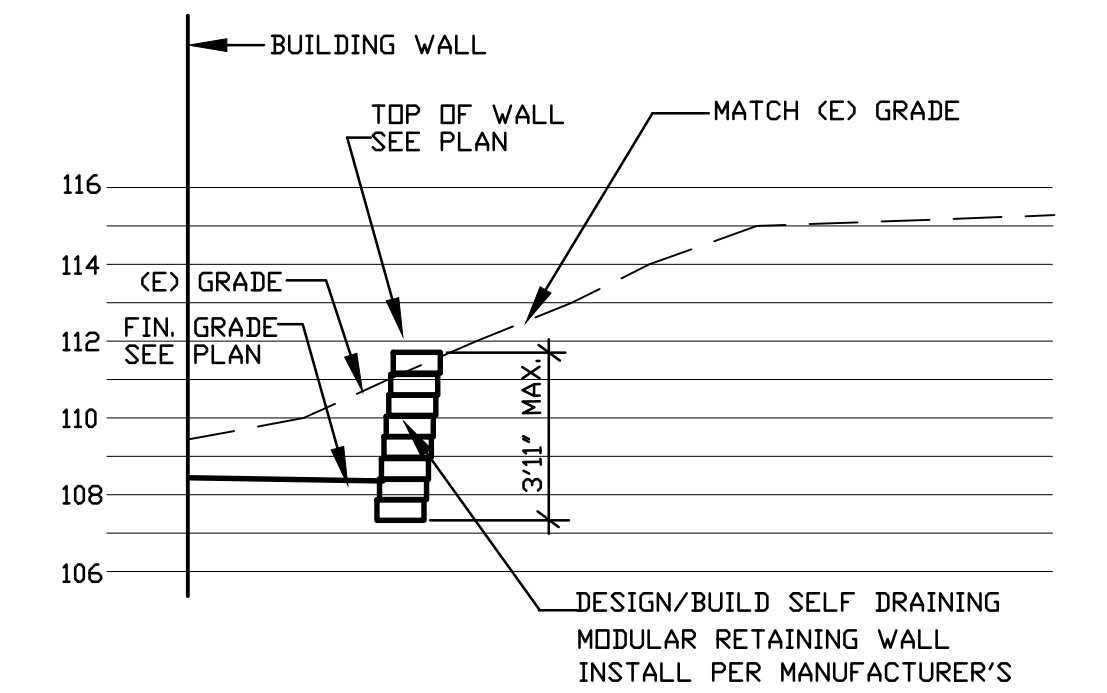
ESTIMATED EARTHWORK QUANTITIES :*

* QUANTITIES SHOWN ARE FOR THE TOWN OF LOS GATOS PURPOSES ONLY AND ARE NOT TO BE USED FOR BIDDING. CONTRACTOR TO VERIFY EARTHWORK QUANTITIES FOR BIDDING PURPOSES.

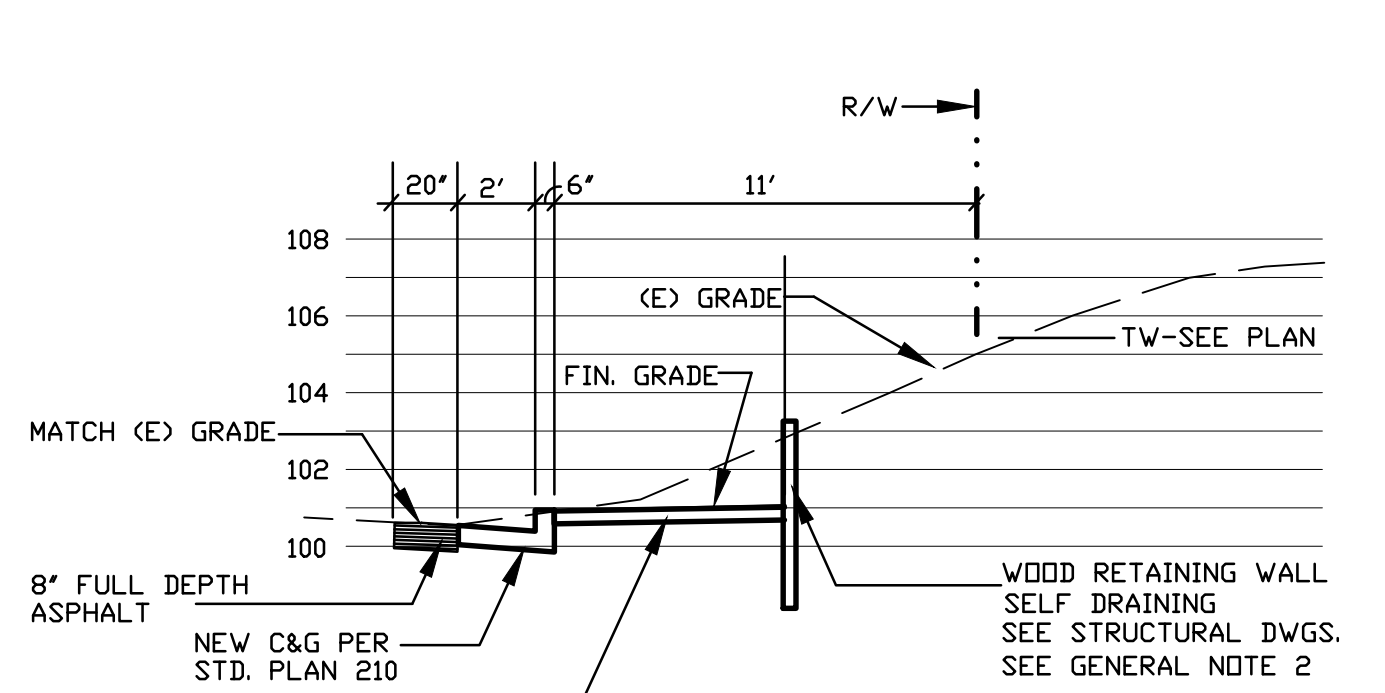
	CUT (CY)	FILL (CY)
BUILDING	98	-
GARAGE	61	-
ON-SITE OUTSIDE OF STRUCTURE	112	4
STREET R/W	37	-



SECTION 4
SCALE: NONE



SECTION 3
SCALE: NONE



SECTION 2
SCALE: NONE



DATE:	MARCH 14, 2019
SCALE:	AS SHOWN
DESIGN:	SN
DRAWN:	SN
CHECK:	SN
ENGR:	SN
PROJECT NO.:	1539

**THORDAL REMODEL & ADDITION
GRADING AND DRAINAGE PLAN**

GRADING AND DRAINAGE PLANS
GRADING PERMIT APPLICATION NO. GR18-154
TOWN OF LOS GATOS

STEVEN NAKASHIMA
CONSULTING CIVIL ENGINEER
1420 HOLLY AVENUE
LOS GATOS, CA 94024
PHONE (650) 884-9229
FAX (650) 884-9229
SN@NAKASHIMA.COM

REVISIONS	BY	DATE
STORM DRAIN FIELD REVISIONS	SHN	10/09/19

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**TOWN OF LOS GATOS
PLANNING COMMISSION
REPORT**

MEETING DATE: 09/22/2021

ITEM NO: 2

ADDENDUM

DATE: September 21, 2021
TO: Planning Commission
FROM: Joel Paulson, Community Development Director
SUBJECT: Requesting Approval for Modification to an Existing Architecture and Site Application (S-19-016) to Modify the Conditions of Approval on Property Zoned R-1:8. APN 532-36-049. Architecture and Site Application S-21-025. Property Owner: Marcus Thordal. Applicant: Henry Riggs. Project Planner: Jocelyn Shoopman.

REMARKS:

Exhibit 10 includes additional information from the applicant and Exhibit 11 includes additional public comments received between 11:01 a.m., Friday, September 17, 2021, and 11:00 a.m., Tuesday, September 21, 2021.

EXHIBITS:

Previously received with the September 22, 2021 Staff Report:

1. Location Map
2. Required Findings and Considerations
3. Recommended Conditions of Approval
4. Project Description
5. Letter of Justification
6. Architecture and Site Application S-16-068 Conditions of Approval
7. Architecture and Site Application S-19-016 Conditions of Approval
8. Public comments received by 11:00 a.m., Friday, September 19, 2021
9. Development Plans

Received with this Addendum Report:

10. Applicant's Additional Information, received, September 16, 2021
11. Public comments received between 11:01 a.m., Friday, September 17, 2021 and 11:00 a.m., Tuesday, September 21, 2021

PREPARED BY: JOCELYN SHOOPMAN
Associate Planner


Reviewed by: Planning Manager and Community Development Director

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Objectives First







244 Harding Avenue



2 feet

6 feet

Continue existing sidewalk



5 feet

5 feet

4 feet

PGE

WATER

SEWAGE

Gas

Standard plan #201

Summary

- Minimal impact on the environment
- Naturally blend into the existing environment
- Low unnoticeable retaining wall
- Wider usable sidewalk
- No watering necessary
- Minimal impact on existing utility lines
- No impact on driveway
- Considered logical design by all neighbors

- High impact on environment
- Does not blend into existing environment
- Tall noticeable retaining wall
- Slimmer usable and swayed sidewalk
- watering necessary to maintain aesthetics
- Excessive burden to homeowner
- Complete reinstall of gas line, water main, and sewage
- Driveway requires retaining walls on each side of driveway



Backup Slides: Arial View from Google Maps



Backup Slides: Continue walking down the street



Backup Slides: Continue walking down the street



Backup Slides: Continue walking down the street



Backup Slides: Continue walking down the street



Backup Slides: Continue walking down the street



Backup Slides: Continue walking down the street



Backup Slides: Continue walking down the street



Backup Slides: Continue walking down the street



Backup Slides: Continue walking down the street



From: Erika Varga McEnroe
Sent: Tuesday, September 21, 2021 10:23 AM
To: Jocelyn Shoopman <jshoopman@losgatosca.gov>
Subject: Regarding Modification of Application S-19-016 - 244 Harding

Dear Ms. Shoopman,

I live at [REDACTED], very close to 244 Harding Avenue. As a pedestrian who frequently walks in front of that house, it is my opinion that there is no benefit to having the sidewalk sway or turn in any way. It would actually be much less convenient for pedestrians if the sidewalk swayed or turned. It would be more convenient for the sidewalk to line up directly with the sidewalk on the property next door (246B Harding). It should be noted that there is no sidewalk on the other side of the property for at least 7+ houses. Therefore, once this sidewalk is in, a pedestrian will need to make a choice about when to jump on or off the sidewalk/street here at 244 Harding. Based upon the substantial width of the street and the set-back of this particular property, the value of any sidewalk in front of 244 Harding is questionable because it is simply not the most direct path to the street or sidewalk beyond this property. One will almost need to go out of their way to utilize the sidewalk in the first place, but even more so if the sidewalk swayed further away from the street. I would bet that most people would choose to skip the sidewalk all together and take the more direct path from the sidewalk at 246B Harding to the street (or from the street to the sidewalk on 246B) if the sidewalk turns away from the street in any way. The extra cost of adding the turn aside, as a pedestrian, I would simply prefer the direct straight route. Please see my picture below.



Thank you,
Erika Varga McEnroe

EXHIBIT 11

From: Derek Idemoto (didemoto)
Sent: Sunday, September 19, 2021 1:15 PM
To: Jocelyn Shoopman <jshoopman@losgatosca.gov>
Cc: [REDACTED]
Subject: 244 Harding Sidewalk Issue

Hi Jocelyn,

I would like to express my perspectives regarding the type of sidewalk for 244 Harding Avenue. I live at [REDACTED] essentially right across the street from this residence. I strongly urge you to not enforce standard plan #201 and instead create a simple, less construction heavy sidewalk to fit the existing conditions and the style and format of the sidewalks on opposite sides of the residence.

As you may know, 244 Harding sits right in front of one of the busiest intersections in our neighborhood. To me, it is all about the safety of our children and senior citizens that walk on Harding and the adjacent streets at all times of the day. Making frankly unnecessary and over-constructed modifications will no doubt cause an extension of unsafe walking conditions and will result in a much longer construction process that will interfere with keeping that high traffic and chokepoint intersection safe. A sidewalk with minimal modifications will result in a much safer environment during what will already be a disruptive construction process in the first place.

Thank you for your understanding.

Derek Idemoto
[REDACTED]

From: greg martin

Sent: Sunday, September 19, 2021 11:18 AM

To: Jocelyn Shoopman <jshoopman@losgatosca.gov>

Subject: Regarding Modification of Application S-19-016-244 Harding

We are neighbors of Fang and Marcus.

We are requesting that you grant their request for modification of sidewalk layout to fit existing conditions. The site does not need excessive excavation for construction of a 5 ft. Retaining wall.

Their request for a modification of the standard #201 sidewalk is very reasonable and safe.

Please grant them their request.

Sincerely,

Gregory and Nancy Martin


From: Christina Ljungblom

Sent: Sunday, September 19, 2021 10:40 AM

To: Jocelyn Shoopman <jshoopman@losgatosca.gov>

Subject: Regarding Modification of Application S-19-016-244 Harding

Hi,

In addition to my previous mail. Fang and Marcus proposal with the sidewalk to fit existing conditions will look so much better since it would just be a continuation and same look as the fence their neighbor in 236 has.

Regards,

Christina Ljungblom/Gary Geaves


From: Lynn von Kaenel
Sent: Sunday, September 19, 2021 5:33 AM
To: Jocelyn Shoopman <jshoopman@losgatosca.gov>
Cc: [REDACTED]
Subject: Regarding Modification of Application S-19-016 -244 Harding

Memo to: the Los Gatos Town Government:

We do not agree with the proposed layout of the sidewalk for our neighbors at 244 Harding.

The Town wishes to apply the standard (#201) for sidewalk layout. Their plan does not take into consideration that the lot is on a hill slope. Also, it does not follow the layout of existing sidewalks at 246 and 248. Instead the town wants to sway the sidewalk into the slope to create room for a planter strip between sidewalk and the street.

This requires excessive excavation and construction of 5' tall retaining walls, scarring the environment and appearance with no genuine benefit. The proposed 5 foot wall is an eyesore and would be detrimental to the curb appeal of both the street and new home, impacting its home value.

We strongly recommend that the sidewalk plan fit and continue the existing sidewalk, as it would be both functionally consistent with the current sidewalk and vastly more aesthetically pleasing to the Town's proposed standard plan #201.

Sincerely,

Lynn and Will von Kaenel
[REDACTED]



The Town - standard plan #201



Sidewalk plan to fit and continue existing sidewalk.

From: Judy Crow

Sent: Saturday, September 18, 2021 6:26 PM

To: Jocelyn Shoopman <jshoopman@losgatosca.gov>

Subject: Modification of Application S-19-016 244 Harding Ave

I Have lived in this town for over 51 years. Harding is a street with a variety of houses. Some have sidewalks, others none. Some have the curb strip others not.

The house we are talking about (244) is next to a house with neither. Looking at the pictures it would look out of place with the strip on the street. A simple sidewalk would be what needs to be done. The three houses past 244 heading to the Blvd, has no sidewalks. Why would you ever consider a sidewalk with a strip next to houses with nothing.

I cannot believe you came out and observed the situation. If you did, someone was not paying attention.

Thank you,

Judy Crow-/ [REDACTED]

Los Gatos.

Sent From My I Phone

From: Christina Ljungblom

Sent: Saturday, September 18, 2021 4:33 PM

To: Jocelyn Shoopman <jshoopman@losgatosca.gov>

Subject: Regarding Modification of Application S-19-016-244 Harding

Hi.

We are Christina Ljungblom/Gary Geaves and live in [REDACTED]. We are fully supportive of our neighbors Fang and Marcus proposal for the sidewalk to fit existing conditions. Specially since few properties on this stretch of Harding Avenue have high fences like suggested in the standard plan #201. It seem very unnecessary for them to have to comply to that with excessive excavation and retaining wall.

Regards

Christina Ljungblom/Gary Geaves

From: Greg Henry
Sent: Saturday, September 18, 2021 1:03 PM
To: Jocelyn Shoopman <jshoopman@losgatosca.gov>
Subject: Fwd: Regarding Modification of Application S-19-016 Harding

Dear Ms. Shoopman,

I live about 2 blocks from the property noted above. I understand there needs to be rules and guidelines within the city to ensure some level of consistency and normalcy. That said, there will be instances where those rules and guidelines could not have contemplated everything.

We live in a world, especially these days, which requires some sensitivity and deviation to the norm. I would say that is the case on the modification requested below. In my opinion, the town standard plan looks far worse than the modification request and almost looks unusual for this specific stretch of sidewalk. We are also trying to conserve water, so why would we continue to add grassy areas that will require more water, more chemicals to keep it looking nice. This does not make sense.

If someone asked me which one looks more aesthetically pleasing to the eye, I would have said the deviation version.

In the end, I don't have a 'dog in this hunt' per se as I don't live at the property, nor have to look at it daily. That said, I do feel that we need to be as considerate and thoughtful to people, our town and the environment, which is why I am writing to you to approve the deviation.

Greg Henry


From: Pat Heller

Sent: Friday, September 17, 2021 4:27 PM

To: Jocelyn Shoopman <jshoopman@losgatosca.gov>

Subject: Regarding Modification of Application S-19-016-244 Harding

EXTERNAL SENDER

Dear Ms. Shoopman,

The Thordal family are my neighbors. I am writing on behalf of their application for a modification of the sidewalk layout to fit their existing conditions. Their application is a plan that makes the most sense at this time.

With the growing necessity for conservation of our resources (i.e., water: the standard plan requires additional landscaping) and the importance in accommodating young families living in our community, I believe that it is relevant and important for the planning commission to review the standard plans that have been enforced in the past.

I support the Thordal's plan and hope that the committee will allow them to proceed in finishing their home as they have requested.

Thank you for your consideration,

Pat Heller



Sent from my iPad

From: Mark Townsend
Sent: Friday, September 17, 2021 2:40 PM
To: Jocelyn Shoopman <jshoopman@losgatosca.gov>
Subject: Regarding Modification of Application S-19-016-244 Harding

Hi Jocelyn,

I am a resident on Harding Ave. and am just down the street from the home at 244 Harding Ave. I've been made aware of the request to appeal the standard sidewalk layout in which they would instead marry up with the look/feel of the existing sidewalk from the neighbors house.

I am completely in support of this appeal as it will maintain the consistent approach from the neighbor's house.

In addition, with the drought conditions we continue to have in the area, many of the landscaping portions throughout the neighborhood next to the sidewalks have become either eyesores due to dead grass or are resulting in irresponsible watering to keep the green look.

In short, I hope you will consider the appeal at 244 Harding Ave. and allow them to move forward with their request.

Thanks,
Mark Townsend



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