

FINAL ENVIRONMENTAL IMPACT REPORT
COMMENTS AND RESPONSES

**SISTERS OF THE HOLY NAMES
OF JESUS AND MARY
100 PROSPECT AVENUE
LOS GATOS, CALIFORNIA**

SUBDIVISION APPLICATION M-13-003
ENVIRONMENTAL IMPACT REPORT EIR-13-002

STATE CLEARINGHOUSE #2013082073

FEBRUARY 2014



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PREPARED FOR
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COMMUNITY DEVELOPMENT DEPARTMENT
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CHAPTER 8 COMMENTS RECEIVED ON THE DRAFT EIR AND RESPONSES

8.1 INTRODUCTION

Section 15132 of the CEQA guidelines states that the Final Environmental Impact Report (EIR) shall consist of: (1) the Draft EIR (DEIR) or a revision of the draft; (2) comments and recommendations received on the DEIR, either verbatim or in summary; (3) a list of the persons, organizations, and public agencies commenting on the DEIR; (4) responses to the significant environmental points raised in the review and consultation process; and (5) any other information added by the lead agency. The DEIR was published in October 2013 and the public review period was from October 22, 2013 to December 3, 2013. During this period, comments were received on the adequacy of the DEIR.

CEQA Section 15088.5 requires an EIR to be recirculated when “significant new information” is added to the EIR prior to certification. “Significant new information” requiring recirculation can include a disclosure showing that:

- A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.
- A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.

“New information” is not “significant” unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse effect (including a feasible project alternative) that the project’s proponents have declined to implement. Recirculation is not required where new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR. Based on these CEQA criteria, recirculation of the DEIR would not be required for this project because proposed changes to the project would not result in any new significant impacts, nor would there be a substantial increase in the severity of an already identified impact. The modified project design, consisting of a minor realignment of the proposed southerly cul-de-sac and location of Lot 2, would reduce the amount of grading and result in four additional trees being removed. With proposed project modifications, significance determinations made in the Draft EIR would remain the same as identified for the project in the DEIR.

The following sections of this chapter present:

Section 8.2: A summary of the proposed modifications to the proposed project.

Section 8.3: An evaluation of impact changes with proposed project modifications.

Section 8.4: A summary of text changes made to the DEIR as a result of the comments received on the DEIR and other staff-initiated text changes.

Section 8.5: A list of comment letters received from agencies, organizations, and individuals on the DEIR and copies of the actual comment letters received. In addition, the minutes to the Planning Commission hearing held on November 13, 2013 are included in this section. Comments are organized by commenter type: public agency (A) and individuals (I) and referenced by the alphanumeric code corresponding to the comment letter (indicated in the upper right hand corner of each letter). All CEQA-related comments in each comment letter are bracketed (line in the right or left margin) and then numbered to correspond to responses in Section 8.4. Comments presented during the public hearing are also bracketed and numbered.

Section 8.6: A list of responses to comments letters received, followed by individual responses to all CEQA-related written and oral comments, which were bracketed and numbered in Section 8.3. Individual comments are presented verbatim from comment letters and each comment is followed by an individual response. Changes and clarifications to the DEIR text that are made in response to comments are indicated in the response with underlines for added text and ~~strikeouts~~ for deleted text.

The Mitigation Monitoring and Reporting Program is included as **Appendix K**.

8.2 CHANGES TO THE PROPOSED PROJECT

The project applicant proposes to modify the alignment of the proposed cul-de-sac near the southern project boundary. The intersection of this cul-de-sac with Prospect Avenue would be moved approximately 150 feet to the south, and would form the fourth leg of the Prospect Avenue/Kimball Avenue intersection. Proposed Lot 2 would be moved from the south side of this cul-de-sac to the north side. As a result of this slight reconfiguration, there would be the following minor changes in the sizes of Lots 1, 2, 3, 4, 10, and 11 in Table 3-1 on page 3-7 of the DEIR (lot frontages have also changed as indicated):

Proposed Lots	Proposed Lot Sizes		Lot Frontages
	Acres	Acres	
Lot 1	0.46 <u>0.51</u>	20,072 <u>22,427</u>	116 <u>108</u>
Lot 2	0.46	20,226 <u>20,007</u>	153 <u>129</u>
Lot 3	0.46	20,000 <u>20,066</u>	100 <u>136</u>
Lot 4	0.47	<u>20,533</u>	38 <u>30</u>
Lot 10	0.51 <u>0.46</u>	22,026 <u>20,035</u>	197 <u>169</u>
Lot 11	0.49 <u>0.46</u>	21,352 <u>20,044</u>	175 <u>143</u>

The proposed realignment of the cul-de-sac and changes in lot configuration are shown in the Modified Vesting Tentative Tract Map (**Figure 8-1**), Modified Conceptual Grading and Drainage Plan (**Figure 8-2**), Modified New Roadway Profile (**Figure 8-3**), Modified C.3 Stormwater Conceptual Plan (**Figure 8-4**), and Modified Tree Preservation and Removal Plan (**Figure 8-5**). No other changes to the proposed project are proposed.

The proposed realignment of the cul-de-sac would reduce the cut and fill quantities from approximately 7,900 cubic yards (c.y.) of cut and 5,900 c.y. of fill (net export of approximately 2,000 c.y. of soils) to approximately 6,400 c.y. of cut, 4,600 c.y. of fill (net export of 1,800 c.y.). In addition to decreases in grading, project-related surface runoff from the site would be reduced even further under the modified project design. The project's flow calculations have been updated to project modifications and the updated Stormwater Management Plan is attached as **Appendix L**.¹

In addition, the proposed realignment increased the number of trees to be removed by four trees, resulting in a total of 76 (instead of 75) protected trees that could be removed (see **Appendix M**, Arbor Resources evaluation of the project modifications). With the 19 trees that could be significantly impacted and 12 dead or hazardous trees that are recommended for removal, project implementation could ultimately result in removal of up to 107 protected trees (instead of 103), which would represent 22% (instead of 21%) of the total protected trees on the site.

8.3 IMPACT CHANGES DUE TO PROJECT MODIFICATIONS

The modified project design, consisting of a minor realignment of the proposed southerly cul-de-sac and location of Lot 2, would reduce the amount of grading and result in four additional trees being removed. With proposed project modifications, significance determinations made in the Draft EIR would remain the same as identified for the project in the DEIR. A comparison of impacts under the proposed project (as presented in Figures 3-3 through 3-8 of the Draft EIR), and the modified project (as presented in Figure 8-1 through 8-5) is presented in **Table 8-1**.

8.4 DRAFT EIR TEXT CHANGES

Changes and clarifications to the DEIR text are outlined below and changes are indicated with underlines for added text and ~~strikeouts~~ for deleted text. These changes correct typographical errors and do not change any of the impact conclusions, impact significance determinations, or mitigation measures.

CHAPTER 3: PROJECT DESCRIPTION

The following clarification is added on page 3-4 of the DEIR, last paragraph under Demolition of Existing Facilities:

¹ Exhibits and the appendix for the Stormwater Management Plan are available for review at the Los Gatos Community Development Department (located at 110 East Main Street during counter hours from 8:00 a.m. to 1:00 p.m., Monday through Friday).

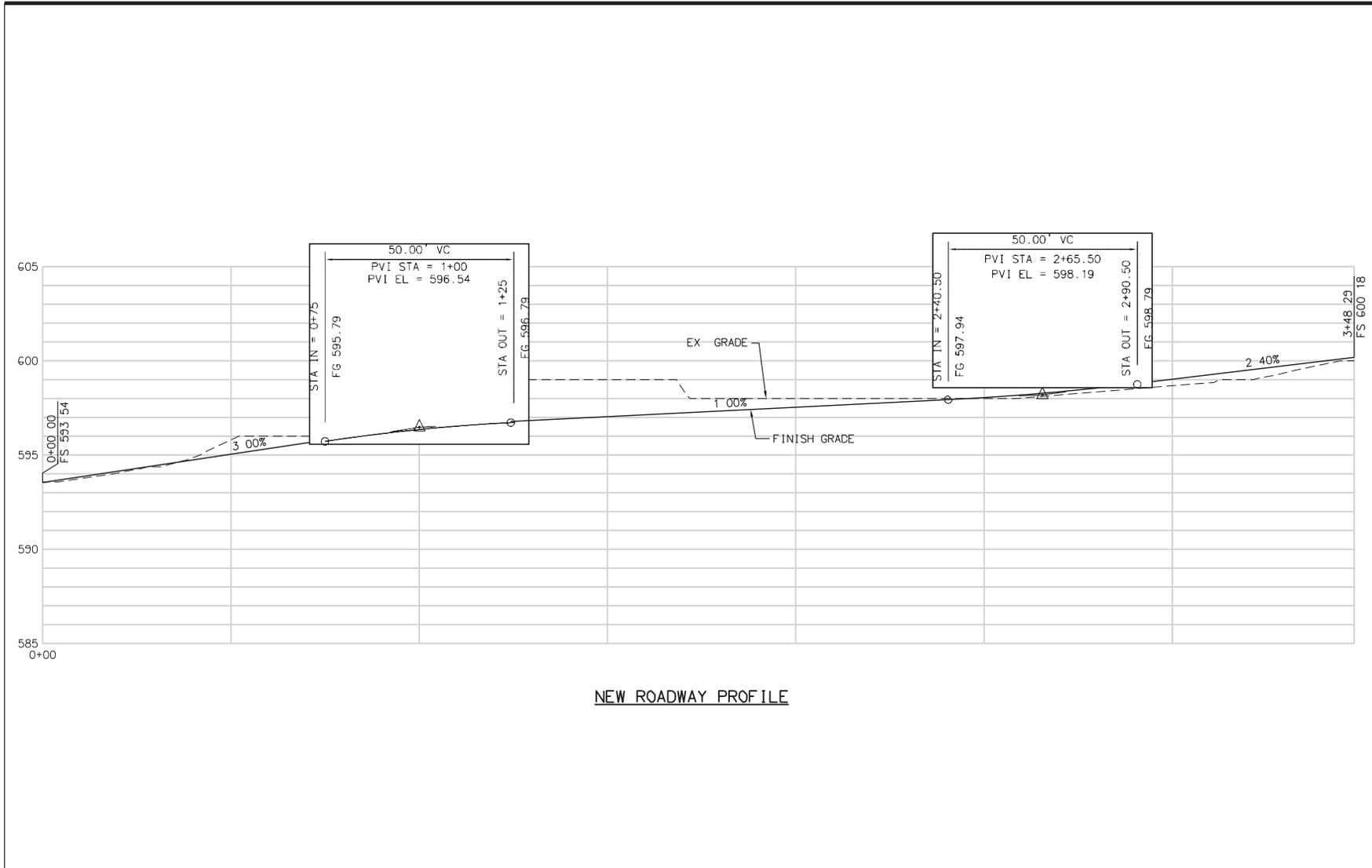
MODIFIED CONCEPTUAL GRADING AND DRAINAGE PLAN

FIGURE 8-2



MODIFIED NEW ROADWAY PROFILE

FIGURE 8-3

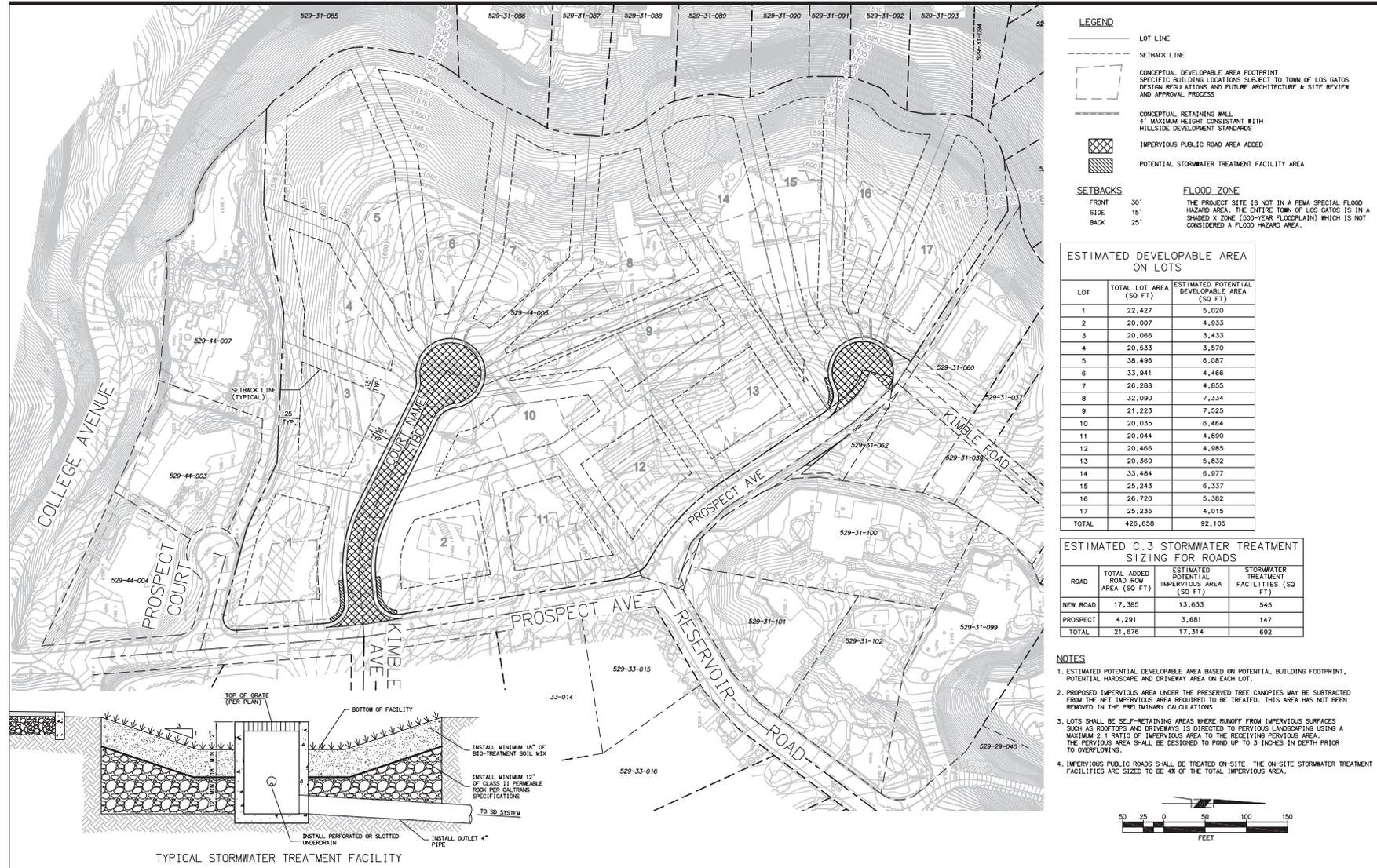


NEW ROADWAY PROFILE



MODIFIED C-3 STORMWATER CONCEPTUAL PLAN

FIGURE 8-4



MODIFIED CONCEPTUAL TREE PRESERVATION AND REMOVAL PLAN

FIGURE 8-5



**TABLE 8-1
SUMMARY COMPARISON OF DEIR PROJECT AND MODIFIED PROJECT**

Potential Impact (DEIR Project)	Mitigation Measure	Modified Project Impact Significance and Discussion
<i>Land Use</i>		
4.1-1: The project would not physically divide an established community. (Less Than Significant)	None Required	This less-than-significant impact would be the same as the DEIR project.
4.1-2: The project would not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect. (Less Than Significant)	None Required	This less-than-significant impact would be the same as the DEIR project.
<i>Aesthetics</i>		
4.2-1: The project would not substantially affect scenic vistas. (Less Than Significant)	None Required	This less-than-significant impact would be the same as the DEIR project.
4.2-2: The project would not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway. (Less Than Significant)	None Required	This less-than-significant impact would be the same as the DEIR project.
4.2-3: The project would not substantially degrade the visual character or quality of the site and its surroundings. (Less Than Significant)	None Required	The modified project’s removal of four additional trees would not alter the significance of this impact. This impact would remain less than significant.
<i>Biological Resources</i>		
4.3-1: Project development could have a substantial adverse effect, either directly or through habitat modification, to nesting special-status and other migratory birds identified as candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the CDFW or USFWS. (Less Than Significant With Mitigation)	4.3-1, Protection of Nesting Special-status and Migratory Birds	This impact would be the same as the DEIR project and the same mitigation measure would be required.
4.3-2: Project development could have a substantial adverse effect, either directly or through habitat modification, to special-status bats, identified as candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the CDFW or USFWS. (Less Than Significant With Mitigation)	4.3-2, Protection of Roosting Bats	This impact would be the same as the DEIR project and the same mitigation measure would be required.
4.3-3: Project development could have a substantial adverse effect, either directly or through habitat modification, to the special-status species San Francisco dusky-footed woodrat. (Less Than Significant With Mitigation)	4.3-3, Protection of San Francisco Dusky-footed Woodrat	This impact would be the same as the DEIR project and the same mitigation measure would be required.

TABLE 8-1 (CONTINUED)
SUMMARY COMPARISON OF DEIR PROJECT AND MODIFIED PROJECT

Potential Impact (DEIR Project)	Mitigation Measure	Modified Project Impact Significance and Discussion
4.3-4: Project development would not substantially reduce the habitat of any wildlife species, cause any wildlife populations to drop below self-sustaining levels, threaten to eliminate a plant or animal community or substantially reduce the number or restrict the range of rare or endangered plant or animal species through the loss or fragmentation of habitats. (Less Than Significant)	None Required	This less-than-significant impact would be the same as the DEIR project.
4.3-5: Project implementation would not impact oak woodland habitat, a sensitive natural community identified in the General Plan. (Less Than Significant)	None Required	This less-than-significant impact would be the same as the DEIR project.
4.3-6: Project implementation would result in the removal of or adverse impacts on as many as 103 Protected trees on the project site, but would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. (Less Than Significant)	None Required	The Town's consulting arborist, Arbor Resources, reviewed the modified project design and determined that four additional trees would require removal (see Appendix M). Potential removal of up to 107 Protected trees (including hazardous and/or dead trees) would still result in a less-than-significant impact.
4.3-7: Project development would not result in a substantial reduction of habitat for fish or wildlife species. (Less Than Significant)	None Required	This less-than-significant impact would be the same as the DEIR project.
4.3-8: Project development would not substantially interfere with the movement of any native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites. (Less Than Significant)	None Required	This less-than-significant impact would be the same as the DEIR project.
<i>Geology and Soils</i>		
4.4-1: The proposed project could result in exposure of people and structures to potential adverse effects, including risk of loss, injury, or death involving strong seismic ground shaking or seismic-related ground failure, including liquefaction. (Less Than Significant With Mitigation)	4.4-1, Design-Level Geotechnical Investigation	This impact would be the same as the DEIR project and the same mitigation measure would be required.
4.4-2: The proposed project could result in substantial erosion, which could result in loss of topsoil. (Less Than Significant With Mitigation)	4.4-2, Top Soil Salvage	This impact would be the same as the DEIR project and the same mitigation measure would be required.

TABLE 8-1 (CONTINUED)
SUMMARY COMPARISON OF DEIR PROJECT AND MODIFIED PROJECT

Potential Impact (DEIR Project)	Mitigation Measure	Modified Project Impact Significance and Discussion
4.4-3: The proposed project could cause a geologic unit to become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse. (Less Than Significant With Mitigation)	4.4-3: Mitigation Measure 4.4-1	This impact would be the same as the DEIR project and the same mitigation measure would be required.
4.4-4: The proposed project would be located on expansive soil as defined in Table 18-1-B of the Uniform Building Code and could create a risk to life and/or property. (Less Than Significant With Mitigation)	4.4-3: Mitigation Measure 4.4-1	This impact would be the same as the DEIR project and the same mitigation measure would be required.
<i>Hydrology and Water Quality</i>		
4.5-1: The proposed project would not violate water quality standards or waste discharge requirements or otherwise substantially degrade water quality. (Less Than Significant)	None Required	This less-than-significant impact would be the same as the DEIR project.
4.5-2: The proposed project would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level. (Less Than Significant)	None Required	This less-than-significant impact would be the same as the DEIR project.
4.5-3: Project implementation would not substantially alter the existing drainage pattern of the site or area by altering the course of a stream or incrementally increasing surface runoff from impervious surfaces in such a manner that could result in substantial erosion, siltation, or flooding on- or off-site. (No Impact)	None Required	The modified project would not substantially alter impervious surfaces or peak flows generated on-site. The modified project would have slightly less impervious surfaces than the DEIR project, but slightly greater peak flows. Both projects represent a reduction in existing impervious surfaces and peak flows generated on-site, and therefore, both have no impact.
4.5-4: Project implementation would not create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or introduce new sources of polluted runoff. (Less Than Significant)	None Required	The modified project would have slightly less impervious surfaces than the DEIR project, and the less-than-significant impacts on water quality and stormwater drainage systems would be the same as the DEIR project.

TABLE 8-1 (CONTINUED)
SUMMARY COMPARISON OF DEIR PROJECT AND MODIFIED PROJECT

Potential Impact (DEIR Project)	Mitigation Measure	Modified Project Impact Significance and Discussion
<i>Transportation and Traffic</i>		
4.6-1: The project would not conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit. (Less Than Significant)	None Required	This less-than-significant impact would be the same as the DEIR project.
4.6-2: The project would not conflict with the Santa Clara County Congestion Management Program. (Less Than Significant)	None Required	This less-than-significant impact would be the same as the DEIR project.
4.6-3: The project would not substantially increase hazards due to a design feature or incompatible uses. (Less Than Significant)	None Required	This less-than-significant impact would be the same as the DEIR project.
4.6-4: The project would not result in inadequate emergency access. (Less Than Significant)	None Required	This less-than-significant impact would be the same as the DEIR project.
4.6-5: The project would not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities. (Less Than Significant)	None Required	This less-than-significant impact would be the same as the DEIR project.
<i>Noise</i>		
4.7-1: Project construction could cause a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project due to operation of heavy equipment during construction. (Less Than Significant With Mitigation)	4.7-1, Administrative and Source Controls to reduce construction equipment noise	This impact would be the same as the DEIR project and the same mitigation measure would be required.
4.7-2: Project construction could expose people to or generate excessive groundborne vibration at adjacent structures during construction. (Less Than Significant With Mitigation)	4.7-2, Vibration Limits	This impact would be the same as the DEIR project and the same mitigation measure would be required.
4.7-3: Occupation of proposed residences would not result in a substantial permanent increase in ambient noise levels in the project site vicinity or along local roadways, above levels existing without the project, including noise from existing convent-related activities already on-site. (Less Than Significant)	None Required	This less-than-significant impact would be the same as the DEIR project.

TABLE 8-1 (CONTINUED)
SUMMARY COMPARISON OF DEIR PROJECT AND MODIFIED PROJECT

Potential Impact (DEIR Project)	Mitigation Measure	Modified Project Impact Significance and Discussion
4.7-4: The project could expose people to or generate noise levels in excess of standards established in the local general plan, noise ordinance, or applicable standards of other agencies. (Less Than Significant With Mitigation)	4.7-4, Noise Attenuation Measures for homes on 4 lots	This impact would be the same as the DEIR project and the same mitigation measure would be required.
<i>Air Quality</i>		
4.8-1: Project-related criteria pollutant emissions would not conflict with or obstruct implementation of the applicable Air Quality Plan. (Less Than Significant)	None Required	This less-than-significant impact would be the same as the DEIR project.
4.8-2: Project construction could violate an air quality standard or contribute substantially to an existing or projected air quality violation. (Less Than Significant With Mitigation)	4.8-2 BAAQMD Basic Construction Mitigation Measures	This impact would be the same as the DEIR project and the same mitigation measure would be required.
4.8-3: Project operations would not violate any air quality standard or contribute substantially to an existing or projected air quality violation. (Less Than Significant)	None Required	This less-than-significant impact would be the same as the DEIR project.
4.8-4: Project implementation could expose sensitive receptors to substantial pollutant concentrations. (Less Than Significant With Mitigation)	4.8-4: Emission Reduction Measures	This impact would be the same as the DEIR project and the same mitigation measure would be required.
4.8-5: Project implementation would not create objectionable odors affecting a substantial number of people because they would be temporary and would not affect a substantial number of people. (Less Than Significant)	None Required	This less-than-significant impact would be the same as the DEIR project.
<i>Greenhouse Gases</i>		
4.9-1: The project would not generate greenhouse gas emissions, either directly or indirectly, that would not have a significant impact on the environment. (Less Than Significant)	None Required	This less-than-significant impact would be the same as the DEIR project.
4.9-2: The project would not conflict with an applicable plan, policy, or regulation of an agency adopted for the purpose of reducing greenhouse gas emissions. (Less Than Significant)	None Required	This less-than-significant impact would be the same as the DEIR project.

TABLE 8-1 (CONTINUED)
SUMMARY COMPARISON OF DEIR PROJECT AND MODIFIED PROJECT

Potential Impact (DEIR Project)	Mitigation Measure	Modified Project Impact Significance and Discussion
<i>Hazards and Hazardous Materials</i>		
4.10-1: The proposed project could result in a significant hazard to the public or the environment through the routine transport, use, and disposal of household hazardous wastes. (Less Than Significant With Mitigation)	4.10-1, Implement Buyer Education Program for Household Hazardous Waste	This impact would be the same as the DEIR project and the same mitigation measure would be required.
4.10-2: The project site is listed on the HAZNET database (indicating the presence of asbestos-containing materials) and the project implementation could create a hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials to the environment during building demolition. (Less Than Significant With Mitigation)	4.10-2, Hazardous Building Materials Surveys and Abatement	This impact would be the same as the DEIR project and the same mitigation measure would be required.
4.10-3: The project could create a hazard to the public or the environment through reasonably foreseeable upset or accident conditions involving the release of hazardous materials into the environment during soil excavation and subsequent site use. (Less Than Significant With Mitigation)	4.10-3, Corrective Action	This impact would be the same as the DEIR project and the same mitigation measure would be required.
4.10-4: P The project would not to expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands. (Less Than Significant)	None Required	This less-than-significant impact would be the same as the DEIR project.
<i>Cultural Resources</i>		
4.11-1: Project implementation would not affect any historical resource as defined in CEQA Guidelines Section 15064.5. (No Impact)	None Required	The modified project impact would be the same as the DEIR project.
4.11-2: Demolition and construction activities on the project site could cause a substantial adverse change in the significance of unknown subsurface archaeological resources including disturbance of human remains. (Less Than Significant With Mitigation)	4.11-2, Archaeological Monitor and Identification of Eligible Resources	This impact would be the same as the DEIR project and the same mitigation measure would be required.
4.11-3: Demolition and construction activities on the project site could directly or indirectly destroy a unique paleontological resource or site or unique geological feature. (Less Than Significant With Mitigation)	4.11-3, Halt Construction and Evaluate Resource	This impact would be the same as the DEIR project and the same mitigation measure would be required.

TABLE 8-1 (CONTINUED)
SUMMARY COMPARISON OF DEIR PROJECT AND MODIFIED PROJECT

Potential Impact (DEIR Project)	Mitigation Measure	Modified Project Impact Significance and Discussion
<i>Public Services and Utilities</i>		
4.12-1: Redevelopment of the project site with new single-family residential uses would require continued fire protection services for future residents, visitors, and property improvements, as has been required for existing uses on the site; new or physically altered governmental facilities would not be required to provide adequate fire and emergency medical protection services for the proposed project. (Less Than Significant)	None Required	This less-than-significant impact would be the same as the DEIR project.
4.12-2: The proposed residential use would require police protection services for future residents, visitors, and property improvements, as has been required for existing uses on the site; the project would not result in substantial adverse physical impacts associated with the provision of new or physically altered police facilities. (Less Than Significant)	None Required	This less-than-significant impact would be the same as the DEIR project.
4.12-3: The proposed residential project would generate new students, but would not contribute substantially to the cumulative increase in demand for educational services within the service area of the Los Gatos Union School District and the Los Gatos-Saratoga Union High School District and would not result in substantial adverse impacts associated with the provision of new or physically altered facilities. (Less Than Significant)	None Required	This less-than-significant impact would be the same as the DEIR project.
4.12-4: The proposed project would not incrementally increase water demand within the service area of the San Jose Water Company and would not require or result in the construction of new water facilities or expansion of existing facilities; sufficient water supplies are available to serve the project from existing entitlements and resources. (Less Than Significant)	None Required	This less-than-significant impact would be the same as the DEIR project.
4.12-5: The project site currently generates wastewater flows requiring collection and treatment by West Valley Sanitary District Facilities; construction of the proposed residential use would require continued wastewater services and District facilities have adequate capacity to serve the project's projected demand in addition to the provider's existing commitments. (Less Than Significant)	None Required	This less-than-significant impact would be the same as the DEIR project.

TABLE 8-1 (CONTINUED)
SUMMARY COMPARISON OF DEIR PROJECT AND MODIFIED PROJECT

Potential Impact (DEIR Project)	Mitigation Measure	Modified Project Impact Significance and Discussion
4.12-6: Demolition of structures on the project site would generate extensive amounts of solid waste. Development of proposed single-family residential use would result in the generation of solid wastes requiring recycling and/or disposal at local landfill sites, in compliance with federal, state, and local statutes and regulations related to solid waste. (Less Than Significant)	None Required	This less-than-significant impact would be the same as the DEIR project.
<i>Recreation</i>		
4.13-1: Development of the proposed project would not increase the use of neighborhood and regional parks or other recreational facilities such that substantial physical deterioration would occur or be accelerated. (Less Than Significant)	None Required	This less-than-significant impact would be the same as the DEIR project.
4.13-2: Development of the proposed project would not include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment. (Less Than Significant)	None Required	This less-than-significant impact would be the same as the DEIR project.
<i>Energy</i>		
4.14-1: Demolition of existing buildings and construction of the new residential uses would not encourage activities that use fuel, water, or energy in a wasteful, inefficient, or unnecessary manner. (Less Than Significant With Mitigation)	4.14-1: Mitigation Measure 4.8-2	This impact would be the same as the DEIR project and the same mitigation measure would be required.
4.14-2: Operation of residences would not encourage activities that use fuel, water, or energy in a wasteful, inefficient, or unnecessary manner. (Less Than Significant)	None Required	This less-than-significant impact would be the same as the DEIR project.
<i>Significant Unavoidable Adverse Impacts</i>		
All significant and potentially significant impacts for the DEIR project would be mitigated to a less-than-significant level with implementation of mitigation measures included in this EIR. No significant and unavoidable adverse impacts would occur as the result of the DEIR project.	None Required	Like the DEIR project, no significant and unavoidable adverse impacts would occur as the result of the modified project.
<i>Growth-Inducing Impacts</i>		
The DEIR project would result in a 38% decrease in population for the site, a less-than-significant growth-inducing impact to the Town's population.	None Required	This less-than-significant impact would be the same as the DEIR project.

TABLE 8-1 (CONTINUED)

SUMMARY COMPARISON OF DEIR PROJECT AND MODIFIED PROJECT

Potential Impact (DEIR Project)	Mitigation Measure	Modified Project Impact Significance and Discussion
<p><i>Cumulative Impacts</i></p> <p>Since existing Convent facilities would be replaced with 17 residences, there would be a reduction in population, traffic, traffic-related noise, air quality, and greenhouse gas emissions, as well as demand for services, utilities, and energy. There would either be no cumulative impact or the project's contribution would be less than cumulatively considerable (less than significant).</p>	None Required	The modified project would result in the same less-than-significant cumulative impacts (or no cumulative impact) as the DEIR project.

“The following existing facilities (and approximate corresponding areas) on the subject property are proposed to be demolished or removed: 11 structures, asphalt paving (68,600 s.f.), concrete (12,090 s.f.), stairs (930 s.f.), curb (1,080 s.f.), retaining wall (1,645 s.f.), stone wall (1,520 s.f.), wood deck and pavilion, wood fence (1,100 s.f.), and 3 storm drain inlets, sewer line (795 feet), gas line (973 feet), 1 gas meter, 1 backflow preventer, 1 fire hydrant, 1 water pump (inside structure), 1 water meter, 2 utility poles, and various on-site domestic utilities (including water, sewer, storm drain lines, and appurtenances). In addition, existing sewer lines (317 feet) and gas lines (96 feet) are proposed to be abandoned in place.”

The following text changes are made to Table 3-1 on page 3-7 of the DEIR to reflect the modified project:

Proposed Lots	Proposed Lot Sizes	
	Square Feet	Acres
Lot 1	20,072 <u>22,427</u>	0.46 <u>0.51</u>
Lot 2	20,226 <u>20,007</u>	0.46
Lot 10	22,026 <u>20,035</u>	0.51 <u>0.46</u>
Lot 11	21,352 <u>20,044</u>	0.49 <u>0.46</u>

The following clarification is added on page 3-9 of the DEIR, paragraph 2, line 6:

“If proposed development on individual lots does not conform to these requirements (i.e., not located within the building envelopes specified on the Vesting Tentative Map, as indicated on Figure 3-3), additional environmental review may ~~would~~ be required.”

The proposed realignment of the cul-de-sac would reduce the cut and fill quantities specified on page 3-9, last paragraph of the DEIR:

“According to project plans (dated June 6, 2013), the total grading quantity on-site would be approximately ~~7,900~~ 6,400 cubic yards (c.y.) of cut and ~~5,900~~ 4,600 c.y. of fill, resulting in a net export of approximately ~~2,000~~ 1,800 c.y. of soils.”

On page 3-15, paragraph 3, line 3 of the DEIR, the following text change is made to reflect proposed project modifications:

“As many as ~~75~~ 79 protected trees could be removed, another 19 could be significantly impacted, which would lead to premature decline and/or uprooting, and nine additional trees would be removed because they are hazardous. Therefore, project implementation could ultimately result in removal of up to ~~103~~ 107 protected trees (~~24~~22%) and retention of ~~389~~385 protected trees (~~79~~78%).”

CHAPTER 4: SETTING, POTENTIAL IMPACTS, AND MITIGATION MEASURES

4.1 Land Use and Planning

The following change is made on page 4.1-2, paragraph 3, line 3 for consistency with other references in the Draft EIR:

“The project site is located ~~more than~~ 500 to 600 feet from Los Gatos Creek and is not located adjacent to or within an area under SCVWD jurisdiction and within the Plan boundaries.² Therefore, the proposed project would not hinder the ability of the Plan partnering jurisdictions to establish a preserve system.”

The following typographical error is corrected on page 4.1-12:

“Hillside Specific Plan	Project Consistency Analysis
<p>3.0 Circulation</p> <p>3.3.1: Design of Hillside Roads and Driveways.</p> <p>a. Hillside roadways and driveways shall be designed and located so as to:</p> <p>4. Allow for special designs where natural features such as rocks, slopes and trees require special treatment.</p>	<p>...Proposed demolition, street and utility locations, and potential building pads would limit tree removal and disturbance so that about 8179% of the trees on-site would be preserved as part of the project...”</p>

The following change is made to the heading on DEIR page 4.1-15 to better describe the impact discussed under Impact 4.1-1:

“CONTINUITY WITH EXISTING COMMUNITY ~~COMPATIBILITY WITH EXISTING LAND~~ USES”

The following clarification is made to the discussion under Impact 4.1-1 (line 7):

“Three parcels contiguous to the southern project boundary range from 0.4 to 0.9 acre. Proposed lot sizes would fall within the range of adjacent lot sizes. Therefore, the project would continue the existing residential development pattern and project implementation would not physically divide or contrast with the established residential neighborhood densities in the project vicinity.”

4.2 Aesthetics

The following typographical error is corrected on page 4.2-8:

² HCP boundaries are indicated in Figure 2-2 of the HCP/NCCP. Available online at: http://scv-habitatplan.org/www/Portals/_default/images/default/Final%20Habitat%20Plan/Ch_02_LandUseCoveredActivities.pdf

“General Plan Policies**Project Consistency Analysis***Land Use Element*

LU-1.3: Preserve existing trees, natural vegetation, natural topography, and riparian and wildlife habitats, and promote tasteful, high quality, well designed, environmentally conscious and diverse landscaping in new developments.

...The project would retain at least ~~84~~78% of existing protected trees on-site and development would avoid steep, wooded slopes on the western and northern margins of the site...”

The following changes are made in Impact 4.2-3 on DEIR page 4.2-14, paragraph 3, to reflect the modified project and recent removal of 12 hazardous and/or dead trees located along Prospect Avenue on the project site:

“The proposed project would replace the existing site development with 17 single-family residential lots. These lots would range from 0.~~54~~6 to 0.88-acre in size, consistent with surrounding residential development. The demolition of the site’s facilities and the development of the proposed residential lots would require the removal of some trees as well as the 3-story Marian and Siena buildings and other structures. Up to ~~24~~ 22% of ordinance-protected trees on the site could be removed for demolition, road construction, and building pad clearance. Of the ~~75~~ 76 trees proposed to be removed for proposed development of roads and lots (see Figure 8-5), approximately ~~46~~ 21 trees would be removed as part of demolition and road construction, while the remaining ~~59~~ 55 trees could be removed during future home development on project lots. An additional 19 trees could be adversely affected by project implementation, and four of these trees are located adjacent to Prospect Avenue (Tree #52 on Lot 12, ~~#271 on Lot 15, and #351 and #352 on Lot 16, and #306 on Lot 17~~). There are an additional ~~nine~~ 12 trees that ~~would be~~ were removed since they were determined by arborists to be hazardous and/or dead, and ~~nine~~ six of these ~~are~~ were located near Prospect Avenue. ~~Potential loss of these trees could alter views of the project site lots from Prospect Avenue.~~ Despite the ~~change in views from potential~~ loss of up to ~~22~~ 10 additional trees along or near Prospect Avenue, overall views of the project site would change from views of an institutional facility to views of single-family homes similar to the existing adjacent neighborhood, a less-than-significant visual impact. Changes in views from the potential loss of the remaining ~~84~~ 85 trees (those on lots, those impacted, and those affected by proposed demolition) would be considered by the Town during A&S review when these lots are proposed for development...”

4.3 Biological Resources

The following clarification is made on page 4.3-8, paragraph 2, line 7:

“Native trees include coast live oak (49 trees; 16.2% of the total), blue oak (29 trees; 9.6% of the total), black oak (~~186~~ trees; 6.0% of the total), California bay (11 trees; 3.6% of the total), California buckeye (2 trees; 0.7% of the total), toyon (2 trees; 0.7% of the total) and blue elderberry (1 tree; 0.3% of the total).”

The following change is made in Table 4.3-3 on page 4.3-11, last line, to reflect the modified project:

Common name	To Be Removed	Potentially Impacted or Hazardous	Total Potentially Impacted	Percent of Each Species Impacted
Total - All Protected Trees Potentially Affected Within Development Areas	75 <u>76</u>	28 <u>31</u>	403 <u>107</u>	34.1 <u>35.4</u>%

The following clarification is made at the bottom of page 4.3-21 to reflect the modified project:

“General Plan Policies	Project Consistency
<i>Environment and Sustainability Element ENV-1.1: Preserve trees that are protected under the Town’s Tree Protection Ordinance, as well as other native heritage, heritage and specimen trees.</i>	Project implementation would result in the removal or significant impacts to as many as 403 <u>107</u> protected trees (up to 75 <u>76</u> from road and lot development, 19 trees could be adversely affected by possible future residential development, and 9 <u>12</u> are hazardous) and the preservation of as many as 389 <u>385</u> protected trees...”

The following clarifications are made on page 4.3-32, first full paragraph, to reflect the modified project:

“Of the ~~75~~ 76 trees proposed for removal, approximately ~~46~~ 17 of these trees would be removed as part of road development while the remainder could be removed as part of future lot development... There are 12 trees that the arborist recommends that they be removed immediately because they are hazardous (i.e. dead or so structurally defective that parts or its entirety could fail at any time onto existing high-value targets) and three of these are already proposed to be removed (part of the ~~75~~ 76 trees identified above); resulting in a net addition of nine trees to be removed...”

4.4 Geology, Soils, And Seismicity

The following changes are made in the table at the bottom of page 4.5-12, second paragraph, to reflect the modified project:

“Hillside Development Standards and Guidelines	Project Consistency Analysis
<i>VIII. Subdivision and Planned Development Projects C. Least Restrictive Development Area (LRDA) E. Development Standards and Guidelines 1. Site Preparation – Standards: a. Grading shall be kept to a minimum and shall be performed in a way that respects all significant natural features and visually blends with adjacent natural areas.</i>	...Conceptual grading for the site improvements and building pad elevations for the proposed structures indicate that road construction would include construction of approximately 100 to 150 linear feet of retaining walls at the edge of both cul-de-sacs on Lots 7, 16, and 17 and approximately 7,900 <u>6,400</u> cy of cut, 5,000 <u>4,600</u> cy of fill and 2,000 <u>1,800</u> cy of export...”

The following clarification is made on page 4.4-14, paragraph 4 (also on corresponding Tables 2-1 and 5-2, pages 2-9 and 5-21):

“Impact 4.4-1: The proposed project could result in exposure of people and structures to potential adverse effects, including risk of loss, injury, or death involving strong seismic ground shaking or seismic-related ground failure, including liquefaction and landslides. (Less Than Significant With Mitigation)”

The following clarifications are made on page 4.4-15, paragraph 2 of Mitigation Measure 4.4-1, Design-Level Geotechnical Investigation:

“For proposed Lots 3-8 and 14-17, which extend to the top of the moderate to steep slopes along the western property boundary, the investigation(s) shall include subsurface exploration and a slope stability analysis to evaluate the potential for static and seismic slope instability, along with any necessary construction methods to prevent slope instability.”

4.5 Hydrology and Water Quality

The following clarification is made on page 4.5-18, last paragraph, first sentence:

“The PSMP for the project also includes a description of site design measures that would result in the control of runoff flows from the site. These design measures include: 1) minimum land disturbance; 2) permeable pavement/pavers on individual lots; 3) roof downspouts drain to landscaping; 4) microdetention in landscape; and 5) preserved open space of approximately 3.08 acres.”

The following changes are made under Impact 4.5-3 on page 4.5-16, last two paragraphs to reflect the modified project:

“... under the proposed project, there would be a net reduction of ~~18,222~~ about 20,000 s.f. (approximately ~~0.42~~ 0.46 acre) of impervious surfaces as discussed in Impact 4.5-4...”

With the approximately ~~0.42~~ 0.46-acre reduction in impervious surfaces, post-construction runoff volumes would be less than under existing conditions... As a result of proposed decreases in impervious surfaces on the property, the estimated peak flows for the site would decrease to ~~8.50~~ 8.52 cfs and ~~12.43~~ 12.46 cfs for the 10-year and 100-year storm events, respectively.”

The following changes are made under Impact 4.5-4 on page 4.5-17, third full paragraph, to reflect the modified project:

“...In all, the amount of impervious surfaces would be reduced by ~~18,222~~ approximately 20,000 s.f. (~~0.42~~ 0.46 acre), resulting in a reduction of stormwater runoff from the project site...”

4.6 Transportation and Traffic

The following changes are made on page 4.6-18, paragraph 2, line 3, and bottom of this page to reflect the modified project:

“There are approximately up to ~~83~~ 76 trees that could also be removed during the demolition and road/home construction phase, and they are estimated to generate approximately 1,680 cubic yards of green waste debris, which would be off-hauled in approximately 42 “high-side” end dumps.”

Footnote: ⁴³ If up to ~~403~~ 107 trees would be removed or lost, as estimated by Arbor Resources (see Section 4.3 for more discussion), the same number of haul trucks could accommodate the additional green waste debris associated with the ~~20~~ 31 additional trees.”

4.7 Noise and Vibration

The following clarification is made on page 4.7-8, paragraph 2, row 1, last line:

“General Plan Policies	Project Consistency Discussion
<p><i>Noise Element</i> NOI-1.1: <i>The Town, as part of the Environmental Review process, shall require applicants to submit an acoustical analysis of projects...</i></p>	<p>...The detailed acoustical assessment determined that the project’s construction-related and operational noise impacts would be less than significant with implementation of Mitigation Measure 4.7-1, administrative and source controls, and Mitigation Measure 4.7-4, incorporation of noise attenuation measures into the design of future residences on these <u>Lots 14-17.</u>”</p>

The following clarification is made on page 4.7-11, paragraphs 3 and 4:

“*For a project located within an airport land use plan area, or, where such a plan has not been adopted, in an area within 2 miles of a public airport or public use airport, expose people residing or working in the area to excessive noise levels.* This criterion would not apply to the proposed project since the project site is not located within an airport land use plan area or within two miles of a public airport or public use airport. Therefore, the project would not result in any long-term exposure of construction workers, project residents, or other people in the area ~~or project employees~~ to excessive airport-related noise levels.

For a project located in the vicinity of a private airstrip, expose people residing or working in the project area to excessive noise levels. This criterion would not apply to the proposed project since the project site is not located in the vicinity of a private airstrip. Therefore, the project would not result in any long-term exposure of construction workers, project residents, or other people in the area ~~or project employees~~ to excessive airport-related noise levels.”

4.10 Hazards and Hazardous Materials

The following clarification is made on page 4.7-17, paragraph 3 (also on corresponding Tables 2-1 and 5-2, pages 2-17 and 5-26):

“Impact 4.10-1: The proposed project could result in a significant hazard to the public or the environment through the routine transport, use, and disposal of household hazardous wastes. (Less than Significant With Mitigation)”

The following clarification is made on page 4.7-18, paragraph 4 (also in corresponding Tables 2-1 and 5-2, pages 2-18 and 5-26) to indicate that the fourth significance criterion on DEIR page 4.10-16 was addressed in the impact analysis:

“Impact 4.10-2: The project site is listed on the HAZNET database (indicating the presence of asbestos-containing materials) and the project implementation could create a hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials to the environment during building demolition. (Less Than Significant With Mitigation)”

The following clarification is made on page 4.7-20, paragraph 3, line 7:

“In addition, surface soil from the vicinity of the Seraphine Building, Cortona Building, ~~Greenhouse~~, Stone House, ~~Marian Building~~, Pump House, ~~Terraced Garden Area~~, and Garden/Landscape Areas contained DDT above hazardous waste classification criteria, and soils in the vicinity of these buildings as well as the Marian Building, Greenhouse, and Terraced Garden Area could possibly contain lead above hazardous waste classification criteria.”

4.12 Public Services and Utilities

The following clarifications are made on page 4.12-11, paragraph 2:

“A review of the project’s potential effects on storm water drainage facilities are addressed in Section 4.5, Hydrology and Water Quality and on park facilities ~~are~~ addressed in Section 4.13, Recreation.”

4.13 Recreation

The following clarifications are made on page 4.13-4, row 2:

General Plan Policies	Project Consistency Analysis
<i>Goal OSP-5 To create and maintain open space areas and parks that enhance and blend into existing natural habitats, residential neighborhoods, and other Town features.</i>	As discussed above, the project maintains private open space areas on the western half of the site on individual lots, retaining wooded hillsides for habitat and viewshed purposes.
<i>OSP-5.4 Maintain the Town’s high standards for landscaping and tree preservation, helping to maintain</i>	The establishment of residential lots, access roads, and driveways would require the demolition of existing

General Plan Policies

cohesiveness between existing neighborhoods and surrounding open space areas and reducing disturbances to adjacent natural habitats.

OSP-5.5 Utilize private and public landscaping to help open space and park areas along Town streets blend with the surrounding neighborhood.

Project Consistency Analysis

Convent facilities and the loss/removal of up to ~~94~~ 107 trees. The project would preserve the remaining ~~385~~ 8 trees on the site for aesthetic benefits. The retention of ~~84~~ 78% of the trees on the property would be consistent with maintaining the cohesiveness between existing neighborhoods and surrounding open space, while minimizing disturbance to natural habitats. Private landscaping for future residences, as reviewed and approved through the Town's A&S review process, would ensure that the new residential development would blend with the nearby open space and park areas in the vicinity.

CHAPTER 5: SETTING, POTENTIAL IMPACTS, AND MITIGATION MEASURES**5.5 Alternatives**

The following clarifications are made on DEIR page 5-12, paragraph 2:

- “• **Hazards and Hazardous Materials:** The proposed project could result in a significant hazard to the public or the environment through the transport, use, or disposal of household hazardous wastes, during building demolition, or during soil excavation and subsequent site use.
- **Energy:** Demolition of existing buildings and construction of the new residential uses would not encourage activities that use fuel, water, or energy in a wasteful, inefficient, or unnecessary manner.”

8.5 COMMENTS RECEIVED**8.5.1 COMMENT SUMMARY****AGENCIES THAT SUBMITTED COMMENTS ON THE DRAFT EIR**

Comment Letter ID	Name of Commenter	Organizational/ Affiliation	Page
A_SCH	Scott Morgan	State Clearinghouse and Planning Unit	8-26
A_VTA	Roy Molseed	Santa Clara Valley Transportation Authority	8-27
A_LGUSD	Diane G. Abbati	Los Gatos Unified School District	8-28

INDIVIDUALS THAT SUBMITTED COMMENTS ON THE DRAFT EIR

Comment Letter ID	Name of Commenter	Page
I_Kraus	Bill Kraus and Debbie Acosta	8-29
I_MacDonald	The MacDonald Family	8-30

ORAL COMMENTS ON THE DRAFT EIR

Comment ID	Public Hearing	Page
PC	Los Gatos Planning Commission Hearing on November 13, 2013, Item #2, 100 Prospect Avenue	8-32



Edmund G. Brown Jr.
Governor

STATE OF CALIFORNIA
Governor's Office of Planning and Research
State Clearinghouse and Planning Unit



Ken Alex
Director

A SCH

December 5, 2013

Suzanne Avila
City of Los Gatos
110 E. Main Street
Los Gatos, CA 95030

Subject: 100 Prospect Avenue
SCH#: 2013082073

Dear Suzanne Avila:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. The review period closed on December 4, 2013, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.

Sincerely,

Scott Morgan
Director, State Clearinghouse

RECEIVED

DEC 9 - 2013

TOWN OF LOS GATOS
PLANNING DIVISION

1400 TENTH STREET P.O. BOX 3044 SACRAMENTO, CALIFORNIA 95812-3044
TEL (916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov



A_VTA

October 25, 2013

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

Attention: Suzanne Avila

Subject: Sisters of the Holy Names

Dear Ms. Avila:

Santa Clara Valley Transportation Authority (VTA) staff have reviewed the Draft EIR for a 17-lot subdivision at 100 Prospect Avenue. We have no comments at this time.

Thank you for the opportunity to review this project. If you have any questions, please call me at (408) 321-5784.

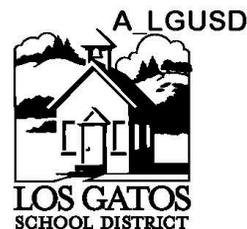
Sincerely,

A handwritten signature in black ink, appearing to read "R Molseed", is written over a faint, larger version of the signature.

Roy Molseed
Senior Environmental Planner

3331 North First Street • San Jose, CA 95134-1927 • Administration 408.321.5555 • Customer Service 408.321.2300

Los Gatos Union School District
17010 Roberts Road
Los Gatos, CA 95032
(408) 335-2000 Phone
(408) 395-6481 Fax
www.lgusd.k12.ca.us



Dr. Diana G. Abbati, Superintendent

SENT VIA EMAIL at savila@losgatosca.gov

October 29, 2013

Suzanne Avila, Senior Planner
Community Development Department
Town of Los Gatos
110 E. Main Street
Los Gatos, CA 95031

RE: Draft Environmental Impact Report for 100 Prospect Avenue

Dear Ms. Avila:

The Los Gatos Union School District is in receipt of the draft environmental impact report for:

Project Location: 100 Prospect Avenue
Property Owner: Sister of the Holy Names of Jesus and Mary
EIR Report: EIR-13-001

The District has reviewed the report and has no comment.

Sincerely,

Diana G. Abbati

Diana G. Abbati, Ed.D.
Superintendent

cc: Greg Larson, Town Manager
Martin Fregoso, Assistant Superintendent-Business Services/CBO
Board of Trustees, Los Gatos Union School District

Dec 06 2013 5:37PM

ALTA MICROTEC, INC.

408-395-5022

p. 1

I_Kraus-1

**191 Kimble Avenue
Los Gatos, CA 95030**

December 7, 2013

Los Gatos Planning Commission by fax to 408.354.7593 & 408.354.6872 +and email
Los Gatos, CA 95030

Subject: 100 Prospect Ave. Los Gatos Subdivision Application by Sisters of the Holy Names

Dear Los Gatos Planning Commission:

We appreciate the Sisters having meetings to advise of the progress of the project. However, the project, as proposed, does not meet the neighborhood standard. We request that you do not approve it and suggest that the Sisters should make changes which will help it to comply with neighborhood standards.

- 1) The project, as proposed, has lot sizes that are below that typical of the neighborhood. This is evidenced by comparison to the lots of the approved San Jose Water development on Reservoir Road (directly adjacent to the Sisters' parcel). The Sisters proposed lot size average is 25,162sf and the SJ Water project has an average of 28,791sf. SJ Water had requested more lots (ie, 5 rather than the 4 that were approved) and both you, the Los Gatos Planning Commission, and the Town Council did not approve 5 lots at 23,035sf average.

The Sisters may argue that their current lot size is near the level approved for the SJ Water ("SJW") project. BUT in fact the Sisters proposed lot size is closer to the 5 lot SJW project NOT approved than the approved 4 lot SJW project. Therefore, the Sisters average lot size should be increased. We would propose that 15 lots at an average of 28,517sf average lot size is similar to the neighborhood standard.

A developer at the 11/13/13 Planning Commission meeting indicated that the decrease from 17 to 14 or 15 lots would reduce the sales price the Sisters could realize and those dollars are planned for their healthcare. Other owners in our neighborhood might make the argument that the proceeds from the sale of their parcel would be utilized for their healthcare. But neighborhood standards should not be traded so nice people can get a greater sales price because those remaining in the neighborhood would be the ones to pay for the downgrade of the standards.

- 2) Frontage of the lots is below the neighborhood standard. This can be observed when the subdivision is compared with the neighbors in the same zoning on Prospect, Ambassador, Kimble, and Reservoir. The smaller frontage would swing the neighborhood away from a rural feel and push it to a city feel.

The Sisters may argue that the proposed lots have more frontage than the lots on College. But even though the College lots are adjacent, they are accessed from another street and the different zoning indicates the College lots are part of another neighborhood.

The decrease to a 14 or 15 lot subdivision to achieve the neighborhood standard lot size (as proposed in 1) could also be utilized to redraw the subdivision map and increase the lot road frontage.

Thank you for your consideration of our input.

Sincerely,

Debbie Acosta

Debbie Acosta

Bill Kraus

Bill Kraus

I-MacDonald-1

MacDonald Family

175 Prospect Ave
Los Gatos, Ca 95030
408-489-9208

November 6, 2013

Ms. Suzanne Avila

Town of Los Gatos
Community Development Department
110 E. Main Street
Los Gatos, CA 95030
SAvila@losgatosca.gov

Comments regarding:
SUBDIVISION APPLICATION M-13-003
ENVIRONMENTAL IMPACT REPORT EIR-13-002

Dear Ms. Avila,

We are in favor of the proposed conversion of use of 100 Prospect Ave, but have some concerns regarding the EIR recently submitted.

The proposed location of the Southern Cul-de-Sac opposite our driveway creates several impactful challenges. If the new street was created in alignment with an existing street such as Kimble Avenue it would have a lesser impact on the neighbors. *Proposed Vesting Tentative Tract Map, Figure 3.3, page 50* | 1

1) The run off from this steep downhill paved street flows directly into our yard and into our paved down sloped driveway which will flood our garage. The proposed drains on either side of the street will not catch a sufficient amount of water to prohibit a severe impact to our property. *Conceptual Grading and Drainage Plan and C.3 Stormwater Conceptual Plan; Figures 3-4, page 52 and 3-6, page 55* | 2

2) As we back out of our driveway, we will now be backing out into an intersection. | 3

3) At night we will now have car headlights illuminating the inside of our home. | 4

4) The proposed location of the storm drain, *Utility Plan (Figure 3-7, page 55)* is located directly in front of our driveway and the proposed construction would seem to make our home inaccessible for possibly an extended period. | 5

Sincerely yours,

The MacDonald Family

I-MacDonald-2

MacDonald Family

175 Prospect Ave
Los Gatos, Ca 95030
408-489-9208

November 26, 2013

Ms. Suzanne Avila

Town of Los Gatos
Community Development Department
110 E. Main Street
Los Gatos, CA 95030
SAvila@losgatosca.gov

Additional Comments Regarding:
SUBDIVISION APPLICATION M-13-003
ENVIRONMENTAL IMPACT REPORT EIR-13-002

Dear Ms. Avila,

As a follow up to our previous letter dated November 6, 2013, we would like to further comment that the DEIR does not address the immediate effect on surrounding residential properties of the realignment of ingress and egress at the project property. Our hope is that the town might encourage the inclusion, in the final environmental impact report, a discussion of that subject and the presentation of possible mitigation measures, such as the driveway layout being reconfigured.

6

Sincerely yours,

The MacDonald Family

**DRAFT
MINUTES OF THE PLANNING COMMISSION MEETING
NOVEMBER 13, 2013**

The Planning Commission of the Town of Los Gatos conducted a Regular Meeting on Wednesday, November 13, 2013, at 7:00 P.M.

MEETING CALLED TO ORDER

Chair Erikson called the meeting to order at 7:00 p.m.

ROLL CALL

Present: Chair Charles Erikson, Vice Chair Margaret Smith, Commission Member John Bourgeois, Commission Member Kendra Burch, Commission Member Tom O'Donnell, Commission Member Marico Sayoc, Commission Member Joanne Talesfore
Absent: None.

PLEDGE OF ALLEGIANCE

Commissioner Sayoc led the Pledge of Allegiance. The audience was invited to participate.

APPROVAL OF MINUTES OF OCTOBER 23, 2013

MOTION: Motion by Commissioner Talesfore to approve meeting minutes of October 23, 2013.
Seconded by Commissioner Bourgeois.

VOTE: Motion passed unanimously.

WRITTEN COMMUNICATIONS

None.

REQUESTED CONTINUANCES – ITEM #1

MOTION: Motion by Commissioner Sayoc to continue the public hearing for Item 1, 15644 Shady Lane (Lot 3), to December 11, 2013.
Seconded by Commissioner Burch.

VOTE: Motion passed unanimously.

SUBCOMMITTEE REPORTS

Historic Preservation Committee Matters

Commissioner Tom O'Donnell

- The 5/13/13 HPC meeting considered three matters:

- 15 North Santa Cruz Avenue
- Bachman Court
- 133 Glen Ridge Avenue.

VERBAL COMMUNICATIONS (AUDIENCE)

None.

CONSENT CALENDAR

None.

CONTINUED PUBLIC HEARINGS

1. **15644 Shady Lane (Lot 3)**
 Architecture and Site Application S-13-035.
 APN: 527-09-012.
 Property Owner/Applicant: Davidon Homes
 Project Planner: Suzanne Avila

Requesting approval to construct a new single-family residence within an approved Planned Development (Highlands of Los Gatos) on property zoned HR-2½:PD.

Continuance granted to December 11, 2013.

NEW PUBLIC HEARINGS

2. **100 Prospect Avenue**
 Subdivision Application M-13-003
 Environmental Impact Report EIR-13-002
 APN 529-44-005
 Property Owner/Applicant: Sisters of the Holy Names of Jesus and Mary
 Project Planner: Suzanne Avila

Accepting public comment on the Environmental Impact Report for a request to subdivide a 10.3 acre parcel into 17 lots on property zoned R-1:20. No action will be taken at this meeting.

Chair Erikson opened the public hearing.

- | | |
|---|-------------|
| <p>Jak VanNada</p> <ul style="list-style-type: none"> - Commented that he supports the project but is concerned the EIR population estimate for increased number of people is too low. | <p>PC-1</p> |
| <p>Susan Kankel</p> <ul style="list-style-type: none"> - Commented that she lives across the street, and although there are problems to be solved she is a firm supporter. | <p>PC-2</p> |
| <p>Bill Kraus</p> <ul style="list-style-type: none"> - Commented that both lot and frontage size are below the neighborhood standard and should be reconsidered. | <p>PC-3</p> |
| <p>Anthony Layzell</p> <ul style="list-style-type: none"> - Commented that he supports the project but believes a professional traffic study should be a top priority. | <p>PC-4</p> |
| <p>Sister Mary Pat Leroy, Sisters of the Holy Names of Jesus and Mary, Long Range Planning Committee Chair</p> <ul style="list-style-type: none"> - Commented that although it was not required, the Sisters requested an EIR in order to provide additional information to the public, to ensure all potential environmental impacts are studied and the project is evaluated for consistency with Town goals and policies. | <p>PC-5</p> |
| <p>Don Imwalle</p> <ul style="list-style-type: none"> - Commented that increasing lot sizes would reduce the number of houses and ultimately the revenue for the long-term healthcare for the Sisters who have given to the community for years. | <p>PC-6</p> |

Chair Erikson closed the public hearing.

NEW OTHER BUSINESS

3. Report from Director of Community Development
Planning Manager Joel Paulson
 - Development Review Committee met 11/12/13, approved modifications to the Los Gatos Motor Inn.
 - Town Council met 11/4/13, approved AHOZ program materials, discussed planned developments

4. Commission Matters
None.

ADJOURNMENT

Meeting adjourned at 7:29 p.m.

TOWN OF LOS GATOS PLANNING COMMISSION
Wednesday, November 13, 2013

Charles Erekson, Chair

APPROVED AS TO FORM AND ATTEST:

Joel Paulson
Planning Manager

8.6 RESPONSES

8.6.1 COMMENTS AND RESPONSES SUMMARY

AGENCIES THAT SUBMITTED COMMENTS ON THE DRAFT EIR

Comment Letter ID	Name of Commenter	Organizational/ Affiliation	Page
A_SCH	Scott Morgan	State Clearinghouse and Planning Unit	8-35
A_VTA	Roy Molseed	Santa Clara Valley Transportation Authority	8-35
A_LGUSD	Diane G. Abbati	Los Gatos Unified School District	8-36

CITIZENS THAT SUBMITTED COMMENTS ON THE DRAFT EIR

Comment Letter ID	Name of Commenter	Page
I_Kraus	Bill Kraus and Debbie Acosta	8-36
I_MacDonald	The MacDonald Family	8-40

ORAL COMMENTS ON THE DRAFT EIR

Comment ID	Public Hearing	Page
PC	Los Gatos Planning Commission Hearing on November 13, 2013, Item #2, 100 Prospect Avenue	8-43

8.6.2 INDIVIDUAL RESPONSES

STATE CLEARINGHOUSE AND PLANNING UNIT

Comment A_SCH:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. The review period closed on December 4, 2013, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

Response to Comment A_SCH: No response necessary.

SANTA CLARA VALLEY TRANSPORTATION AUTHORITY

Comment A_VTA:

Santa Clara Valley Transportation Authority (VTA) staff have reviewed the Draft EIR for a 17-lot subdivision at 100 Prospect Avenue. We have no comments at this time.

Response to Comment A_VTA: No response necessary.

LOS GATOS UNIFIED SCHOOL DISTRICT**Comment A_LGUSD:**

The District has reviewed the report and has no comment.

Response to Comment A_LGUSD: No response necessary.

BILL KRAUS AND DEBBIE ACOSTA**Comment I_Kraus-1:**

- 1) The project, as proposed, has lot sizes that are below that typical of the neighborhood. This is evidenced by comparison to the lots of the approved San Jose Water development on Reservoir Road (directly adjacent to the Sisters' parcel). The Sisters proposed lot size average is 25,162sf and the SJ Water project has an average of 28,791sf. SJ Water had requested more lots (ie, 5 rather than the 4 that were approved) and both you, the Los Gatos Planning Commission, and the Town Council did not approve 5 lots at 23,035sf average.

The Sisters may argue that their current lot size is near the level approved for the SJ Water ("SJW") project. BUT in fact the Sisters proposed lot size is closer to the 5 lot SJW project NOT approved than the approved 4 lot SJW project. Therefore, the Sisters average lot size should be increased. We would propose that 15 lots at an average of 28,517sf average lot size is similar to the neighborhood standard.

A developer at the 11/13/13 Planning Commission meeting indicated that the decrease from 17 to 14 or 15 lots would reduce the sales price the Sisters could realize and those dollars are planned for their healthcare. Other owners in our neighborhood might make the argument that the proceeds from the sale of their parcel would be utilized for their healthcare. But neighborhood standards should not be traded so nice people can get a greater sales price because those remaining in the neighborhood would be the ones to pay for the downgrade of the standards.

Response to Comment I_Kraus-1: Although lot size is not a CEQA issue, the commenter references only five lots adjacent to the eastern project boundary and compares this to the proposed average lot size. There are seven more lots located adjacent to the project site's eastern and southern boundaries (all within the same R-1:20 zone as the project site) in addition to 12 adjacent lots along College Avenue.

Table 8-2 summarizes the sizes of the existing lots located adjacent to the project site's eastern and southern boundaries and lot sizes range between 14,810 to 40,946 square feet (s.f.), with an average lot size of 24,247 s.f. The range of proposed lot sizes would be larger than range of existing adjacent lots (proposed to be from 20,000 to 38,496 s.f.). The average proposed lot size is 25,094 s.f., larger than the average of existing adjacent lots (24,247 s.f.). If existing adjacent lots located along College Avenue were also considered, the existing average lot size would be even less because these lots are smaller than lots to the east of the site) and the project's average lot size would still be larger than the existing average lot size of adjacent lots to the east and south.

Table 8-2 compares proposed lot sizes to the sizes of existing lots in the larger site vicinity that are also in the R-1:20 zone (Single Family Residential, 20,000 s.f. minimum lot size). This table demonstrates that the average lot size in the larger vicinity (24,319 s.f.) is very similar to the average size of existing adjacent lots (24,247 s.f.). As indicated in this table, existing lot sizes in the project vicinity range between 3,280 s.f. and 44,431 s.f. and the range of proposed lot sizes (20,000 to 38,496 s.f.) would be within the range of existing adjacent lots. The average proposed lot size is 25,094 s.f., larger than the average of existing adjacent lots in the larger vicinity (24,319 s.f.).

Comment I_Kraus-2:

- 2) Frontage of the lots is below the neighborhood standard. This can be observed when the subdivision is compared with the neighbors in the same zoning on Prospect, Ambassador, Kimble, and Reservoir. The smaller frontage would swing the neighborhood away from a rural feel and push it to a city feel.

The Sisters may argue that the proposed lots have more frontage than the lots on College. But even though the College lots are adjacent, they are accessed from another street and the different zoning indicates the College lots are part of another neighborhood.

The decrease to a 14 or 15 lot subdivision to achieve the neighborhood standard lot size (as proposed in 1) could also be utilized to redraw the subdivision map and increase the lot road frontage.

Response to Comment I_Kraus-2: This comment relates to appropriate lot frontage lengths, and proposed frontage lengths would comply with the Town's zoning regulations. Although not a CEQA issue, summaries of lot frontage sizes are provided in Table 8-2 for existing lots adjacent to the site and Table 8-3 for existing lots in the larger site vicinity. As indicated in these tables, average lot frontages of existing lots adjacent to the site (110.5 feet) and larger site vicinity (104 feet) are slightly longer than proposed lot frontages (77 feet). Frontages of existing adjacent lots range from 39.6 to 167.39 feet, while frontages in the larger site vicinity range from 22.92 to 181.26 feet. Proposed lot frontages range from 30 to 169 feet. The average proposed lot frontage would be 70 to 75% of the average existing lot frontages adjacent to the site and in the larger vicinity, but the proposed lot frontages are within the ranges of existing lot frontages.

TABLE 8-2

COMPARISON OF PROPOSED LOT SIZES TO EXISTING LOT SIZES ADJACENT TO PROJECT SITE

Existing Lots (APN)	Parcel Address	Lot Acreage	Lot Area (s.f.)	Lot Frontage (feet)
529-31-060	88 Prospect Ave	0.42	18,295	90
529-31-062	87 Prospect Ave	0.34	14,810	90.15
529-31-100	110 Reservoir Rd	0.86	37,666	133.95
529-31-101	100 Reservoir Rd	0.46	20,038	144.36
529-32-005	211 Prospect Ave	0.4	17,500	130.73
529-32-006	209 Prospect Ave	0.46	20,038	119.21
529-33-013	175 Prospect Ave	0.86	37,290	146
529-33-014	161 Prospect Ave	0.39	17,160	104
529-33-015	111 Reservoir Rd	0.37	16,008	110
529-44-003	104 Prospect Ct	0.52	22,651	51.13
529-44-004	220 Prospect Ave	0.66	28,565	167.39
529-44-007	108 Prospect Ct	0.94	40,946	39.6
	Average	0.56	24,247	110.54
Proposed Lots				
Lot 1	-	0.51	22,427	108
Lot 2	-	0.46	20,007	129
Lot 3	-	0.46	20,000	100
Lot 4	-	0.47	20,535	38
Lot 5	-	0.88	38,496	31
Lot 6	-	0.78	33,941	31
Lot 7	-	0.6	26,288	38
Lot 8	-	0.74	32,090	31
Lot 9	-	0.49	21,223	30
Lot 10	-	0.46	20,035	169
Lot 11	-	0.46	20,044	143
Lot 12	-	0.47	20,466	125
Lot 13	-	0.47	20,360	139
Lot 14	-	0.77	33,484	66
Lot 15	-	0.58	25,243	49
Lot 16	-	0.61	26,720	30
Lot 17	-	0.58	25,235	55
	Average	0.58	25,094	77

NOTE: APN: Assessor's Parcel Number

Source: Data compiled from RealQuest on December 9, 2013. Available online at www.realquest.com.

**TABLE 8-3
COMPARISON OF PROPOSED LOT SIZES TO EXISTING LOT SIZES IN PROJECT VICINITY**

Existing Lots (APN)	Parcel Address	Lot Acreage	Lot Area (s.f.)	Lot Frontage (feet)	Proposed Lots	Lot Acreage	Lot Area (s.f.)	Lot Frontage (feet)
529-31-037	College Ave	0.18	8,000	40	Lot 1	0.51	22,427	108
529-31-039	85 Prospect Ave	0.08	3,280	40	Lot 2	0.46	20,007	129
529-31-060	88 Prospect Ave	0.42	18,295	90	Lot 3	0.46	20,000	100
529-31-062	87 Prospect Ave	0.34	14,810	90.15	Lot 4	0.47	20,535	38
529-31-099	80 Reservoir Rd	0.83	36,174	70.58	Lot 5	0.88	38,496	31
529-31-100	110 Reservoir Rd	0.86	37,666	133.95	Lot 6	0.78	33,941	31
529-31-101	100 Reservoir Rd	0.46	20,038	144.36	Lot 7	0.6	26,288	38
529-31-102	90 Reservoir Rd	0.49	21,344	183.46	Lot 8	0.74	32,090	31
529-32-002	223 Ambassador Ct	0.48	21,000	97.88	Lot 9	0.49	21,223	30
529-32-003	219 Ambassador Ct	0.5	21,875	33.18	Lot 10	0.46	20,035	169
529-32-004	215 Ambassador Ct	0.56	24,500	66.1	Lot 11	0.46	20,044	143
529-32-005	211 Prospect Ave	0.4	17,500	130.73	Lot 12	0.47	20,466	125
529-32-006	209 Prospect Ave	0.46	20,038	119.21	Lot 13	0.47	20,360	139
529-32-007	199 Kimble Ave	0.41	17,985	130	Lot 14	0.77	33,484	66
529-32-008	197 Kimble Ave	0.42	18,480	114.37	Lot 15	0.58	25,243	49
529-32-009	193 Kimble Ave	0.46	20,038	20.02	Lot 16	0.61	26,720	30
529-32-011	191 Kimble Ave	0.67	29,000	181.26	Lot 17	0.58	25,235	55
529-32-012	175 Kimble Ave	0.92	40,000	132.89	Average	0.58	25,094	77
529-32-048	163 Kimble Ave	0.8	34,848	124.83				
529-32-049	149 Kimble Ave	0.6	26,136	108.16				
529-32-050	141 Kimble Ave	0.44	19,200	104.46				
529-33-011	200 Kimble Ave	0.59	25,700	100				
529-33-012	208 Kimble Ave	0.49	21,321	103				
529-33-013	175 Prospect Ave	0.86	37,290	146				
529-33-014	161 Prospect Ave	0.39	17,160	104				
529-33-015	111 Reservoir Rd	0.37	16,008	110				
529-33-016	99 Reservoir Rd	0.79	34,500	112.16				
529-33-017	93 Reservoir Rd	0.55	23,850	100				
529-33-040	85 Reservoir Rd	0.53	23,087	22.92				
529-33-041	83 Reservoir Rd	0.48	21,116	47.5				
529-33-049	108 Kimble Ave	1.02	44,431	196.12				
529-44-003	104 Prospect Ct	0.52	22,651	51.13				
529-44-004	220 Prospect Ave	0.66	28,565	167.39				
529-44-007	108 Prospect Ct	0.94	40,946	104				
Average		0.56	24,319	104				

NOTE: APN: Assessor's Parcel Number

Source: Data compiled from RealQuest on December 9, 2013. Available online at www.realquest.com.

THE MACDONALD FAMILY**Comment I_MacDonald-1:**

The proposed location of the Southern Cul-de-Sac opposite our driveway creates several impactful challenges. If the new street was created in alignment with an existing street such as Kimble Avenue it would have a lesser impact on the neighbors. *Proposed Vesting Tentative Tract Map, Figure 3.3, page 50*

Response to Comment I_MacDonald-1: See Section 8.2 above for a description of the modified project, which realigns the southern cul-de-sac so that it is opposite Kimble Avenue. Also see response to Comment I_MacDonald-3 below for a discussion of the driveway location that was indicated in the DEIR project.

Comment I_MacDonald-2:

1) The run off from this steep downhill paved street flows directly into our yard and into our paved down sloped driveway which will flood our garage. The proposed drains on either side of the street will not catch a sufficient amount of water to prohibit a severe impact to our property. *Conceptual Grading and Drainage Plan and C.3 Stormwater Conceptual Plan; Figures 3-4, page 52 and 3-6, page 55*

Response to Comment I_MacDonald-2: As a result of the drainage improvements proposed by the project applicant, the post-project condition would be an improvement from the existing condition, where drainage is permitted to overflow onto Prospect Avenue. The project has been designed in conformance with C.3 requirements and regulations such that runoff from the proposed cul-de-sac would be redirected through crowning of the cul-de-sac and then captured through a combination of curb openings, grates, swales and other retention and filtration systems prior to reaching Prospect Avenue. The proposed drainage system has been designed and sized to accommodate runoff generated on the project site. The proposed drainage system has been designed and sized to accommodate runoff generated on the project site and would not increase runoff onto the MacDonald property. Flow calculations were submitted to the Town of Los Gatos. The Town of Los Gatos Engineering and Public Works Department has reviewed and approved the preliminary design and calculations. The Town of Los Gatos also engaged third party drainage and C.3 experts and consultants to peer review the plans. Consultants at EOA, Inc. have reviewed the plans and confirmed that the design and sizing is appropriate for site runoff (see Appendix E of the Draft EIR). Conditions of approval will be included to require implementation of the design as approved by the Town.

Despite the DEIR project's less-than-significant drainage impacts with implementation of C.3 requirements, the modified project would relocate the cul-de-sac and the above drainage improvements to the Prospect Avenue/Kimball Avenue intersection, approximately 150 feet to the south. With proposed design change, project-related decreases in surface runoff from the site would be reduced even further. The project's flow calculations have been updated to reflect this new location and the updated Stormwater Management Plan is attached as Appendix L of this report.

Comment I_MacDonald-3:

2) As we back out of our driveway, we will now be backing out into an intersection.

Response to Comment I_MacDonald-3: Under the modified project, the proposed cul-de-sac would be stop-controlled at its intersection with Prospect Avenue and this intersection would not be located across from any residential driveway. Under the DEIR project, the location of the proposed cul-de-sac directly across from the residential driveway also would have been stop controlled and would have provided for a clear line-of-sight for drivers of vehicles accessing both the residential driveway and proposed cul-de-sac. That design would have met all Town standards and would not pose traffic safety issues. There are examples of this type of configuration in the immediate neighborhood on the Prospect Avenue today including Ambassador Court and Prospect Court and others throughout the Town of Los Gatos. Nevertheless, under the modified project, this intersection would not be located across from this residential driveway and would be designed to meet all Town standards.

The project site currently generates approximately 328 trips on an average daily basis. The proposed project would result in a reduction in the number of average daily trips and peak hour trips to the project site during the AM and PM periods. The proposed cul-de-sac would provide access to 8 single-family homes. Traffic along the proposed cul-de-sac is projected to be 76 daily vehicles. Conservatively assuming that all 76 daily trips would occur over a 12-hour period (7a.m. to 7 p.m.), the trips on the proposed cul-de-sac would equate to 1 vehicle approximately every 10 minutes. Similarly, a maximum of 8 trips would be generated by the project on the proposed cul-de-sac during the peak hours. The maximum hourly trips would equate to 1 vehicle every 8 minutes. The minimal amount of new trips that would utilize the proposed cul-de-sac would not result in a constant volume that would have conflicted with the existing residential driveway under the DEIR project or would conflict with Kimball Avenue under the modified project. Therefore, it is expected that the proposed cul-de-sac at either location would have minimal effects on access to and from the commenter's residential driveway under the DEIR project or Kimball Avenue under the modified project.

Comment I_MacDonald-4:

3) At night we will now have car headlights illuminating the inside of our home.

Response to Comment I_MacDonald-4: Under current conditions, there are two driveways along Prospect Avenue near the MacDonald residence in which cars enter and exit the site, which has included 24 hour per day, 7 day per week, 365 day per year staff shifts, service vehicles, trucks and other vehicles over the years. The turning movements from those driveways in the current condition cast light on homes across the street when exiting and during turning movements. As a result of the project, the number of average daily trips will be reduced by approximately 50%.

The proposed project would include individual driveways fronting on Prospect Avenue and two cul-de-sacs. The cul-de-sac on the south end of Prospect Avenue would serve eight residences. The height of car

headlights is approximately two feet to four feet above the ground depending on vehicle type. Under the DEIR project, the cul-de-sac was located directly across from the one-car garage facing Prospect Avenue and the two-car garage siding on Prospect Avenue. Car headlights would have been located at approximately elevation 588.6 when exiting onto Prospect Avenue. The garage roof elevation for the MacDonald residence starts at approximately elevation 587.6 and the lower finished floor elevation is at approximately elevation 578; therefore, car headlights from vehicles turning north out of the cul-de-sac would have intersected the garage roof and portions of the home roof when exiting the new cul-de-sac road. The roof elevation at the southern portion of the home is at approximately the same elevation or lower. Therefore, headlights from vehicles exiting south from the new cul-de-sac would have also shined above or on the roof of the home. In addition, the DEIR project was designed in conformance with residential design standards that do not require a new low traffic volume street to connect at an existing intersection. The new cul-de-sac was also located to front with the garage structure of the MacDonald residence in order to minimize overall interface with the home.

Under the modified project, the proposed cul-de-sac would be located opposite Kimball Avenue where the driveway to the existing parking lot is located. At this location, headlights of cars accessing the southern cul-de-sac would be similar to headlights of cars accessing the existing parking lot driveway at this same location (i.e. no change in headlight illumination patterns). As indicated above, the project would result in a decrease in the number of cars turning at this intersection.

Comment I_MacDonald-5:

4) The proposed location of the storm drain, Utility Plan (Figure 3-7, page 55) is located directly in front of our driveway and the proposed construction would seem to make our home inaccessible for possibly an extended period.

Response to Comment I_MacDonald-5: As a condition of approval of the project, the Town will require the contractor to maintain reasonable access to adjacent residences at all times. There will be sufficient space for vehicles to pass with vertical shoring of the trenches. Temporary trench plates would be placed to allow access across the trench, if needed. Thus, under the DEIR project, there would have been sufficient area to provide access to the property across the street during utility construction activities and a condition of approval will be included as part of project approval to ensure that access to adjacent residences is maintained at all times.

Under the modified project, construction work would be located at the Prospect Avenue/Kimball Avenue intersection. Since the Town will require the same condition of approval to the modified project, vehicle access through this intersection will be maintained at all times.

Comment I_MacDonald-6:

As a follow up to our previous letter dated November 6, 2013, we would like to further comment that the DEIR does not address the immediate effect on surrounding residential properties of the realignment of

ingress and egress at the project property. Our hope is that the town might encourage the inclusion, in the final environmental impact report, a discussion of that subject and the presentation of possible mitigation measures, such as the driveway layout being reconfigured.

Response to Comment I_MacDonald-6: See response to Comment I_MacDonald-3 for a comparison of how vehicle movements would change with implementation of the DEIR project and modified project.

RESPONSES TO PLANNING COMMISSION PUBLIC HEARING ORAL COMMENTS

Comment PC-1:

Jak VanNada

- Commented that he supports the project but is concerned the EIR population estimate for increased number of people is too low.

Response to Comment PC-1: The estimated household population for the project is based on the household population rate used in the General Plan. The student generation rates applied in the EIR were provided by the school district, and the school district did not comment on the student generation rates used (indicating district concurrence). The commenter is referred to the school district's comment letter on page 8.3-3.

Comment PC-2:

Susan Kankel

- Commented that she lives across the street, and although there are problems to be solved she is a firm supporter.

Response to Comment PC-2: No response necessary.

Comment PC-3:

Bill Kraus

- Commented that both lot and frontage size are below the neighborhood standard and should be reconsidered.

Response to Comment PC-3: See responses to Commenter's written comments above (Comments I_Kraus-1 and I_Kraus -2).

Comment PC-4:

Anthony Layzell

- Commented that he supports the project but believes a professional traffic study should be a top priority.

Response to Comment PC-4: As stated on page 4.6-7, paragraph 4 of the DEIR, the proposed project would result in a decrease in traffic on College Avenue and therefore, would not aggravate or worsen the existing traffic safety problems noted by the commenter.

Comment PC-5:

Sister Mary Pat Leroy, Sisters of the Holy Names of Jesus and Mary, Long Range Planning Committee Chair

- Commented that although it was not required, the Sisters requested an EIR in order to provide additional information to the public, to ensure all potential environmental impacts are studied and the project is evaluated for consistency with Town goals and policies.

Response to Comment PC-5: The EIR consultant concurs with the commenter. The CEQA review process could have been adequately fulfilled with completion of an Initial Study and Mitigated Negative Declaration. An EIR was not required and the same impact analysis and mitigation measures could have been included in an Initial Study and Mitigated Negative Declaration.

Comment PC-6:

Don Imwalle

- Commented that increasing lot sizes would reduce the number of houses and ultimately the revenue for the long-term healthcare for the Sisters who have given to the community for years.

Response to Comment PC-6: No response necessary.

Chapter 9 Comments and Responses Appendix

APPENDIX K

MITIGATION MONITORING AND REPORTING PROGRAM

MITIGATION MONITORING AND REPORTING PROGRAM

DATE: December, 2013

PROJECT: Sisters of the Holy Names of Jesus and Mary, 100 Prospect Avenue/M-13-003, EIR-13-002

Mitigation Measure	Monitoring Action	Responsibility	Timing
4.3 Biological Resources			
4.3-1, Protection of Nesting Special-status and Migratory Birds: The following measures shall be implemented:			
<ul style="list-style-type: none"> a. The removal of trees and shrubs shall be minimized to the extent feasible. b. If tree removal, pruning, grubbing and demolition activities are necessary, such activities shall be conducted outside of the breeding season (i.e., September 1 through January 31) to avoid impacts to nesting birds to the extent feasible. c. If tree removal, pruning, grubbing and demolition activities are scheduled to commence during the bird breeding season (i.e., February 1 through August 31), a preconstruction nesting bird survey shall be conducted by a qualified biologist. The survey shall be performed no more than two weeks prior to the initiation of work. The preconstruction survey shall include the grading footprint and up to a 250-foot buffer, where feasible, depending on access and lines of sight. If no active nests of special-status or other migratory birds are found, work may proceed without restriction and no further measures are necessary. If ground disturbance is delayed more than two weeks from the date of the preconstruction survey, the survey shall be repeated, if determined necessary by the project biologist. d. If active nests (i.e. nests with eggs or young birds present) of special-status or migratory birds are detected, the project biologist shall designate non-disturbance buffers at a distance sufficient to minimize disturbance based on the nest location, topography, cover, species, and the type/duration of potential disturbance. No work shall occur within the non-disturbance buffers until the young have fledged, as determined by a qualified biologist. Active nests of MBTA species identified should be protected by a 50-foot radius exclusion zone. Active raptor or special-status species' nests should be protected by a buffer with a radius of 200 feet. A minimum 500-foot exclusion buffer should be established around active white-tailed kite nests. If, despite the establishment of a non-disturbance buffer it is determined that project activities are resulting in nest disturbance, work shall cease immediately and the CDFW and the USFWS Migratory Bird Permit Office shall be contacted for further guidance. e. If project activities must occur within the non-disturbance buffer, a qualified biologist shall monitor the nest(s) to document that take of the nest (i.e., nest failure) is not likely to result. If it is determined that project activities are resulting in significant nest disturbance, work shall cease immediately and the CDFW and the USFWS Migratory Bird Permit Office shall be contacted for further guidance. 	<p>Required as a condition of approval</p>	<p>Director of Community Development</p>	<p>Pre-construction survey: Prior to construction.</p> <p>Tree removal/pruning: During construction.</p>
4.3-2, Protection of Roosting Bats: The following measures outlined below shall be implemented:			
<ul style="list-style-type: none"> a. Impacts to suitable roost sites shall be avoided or minimized to the greatest extent feasible. b. If feasible, tree removal, pruning, grubbing and demolition of structures shall be conducted during the non-roosting season from September 1 to October 31. Preconstruction surveys consisting of visual inspections of trees and the exterior and interior of structures by a qualified bat biologist shall be conducted no more than 30 days prior to the start of work. The biologist will survey for evidence of previous roosting or occupation of bats within suitable habitat. Suitable bat roosting habitat includes man-made structures, snags, rotten stumps, mature trees with broken limbs, trees with exfoliating bark, bole cavities or hollows, and dense foliage. If 	<p>Required as a condition of approval</p>	<p>Director of Community Development</p>	<p>Pre-construction survey: Prior to</p>

MITIGATION MONITORING AND REPORTING PROGRAM

DATE: December, 2013

PROJECT: Sisters of the Holy Names of Jesus and Mary, 100 Prospect Avenue/M-13-003, EIR-13-002

Mitigation Measure	Monitoring Action	Responsibility	Timing
<p>evidence of bat roosting is not detected, work may proceed without restriction if within 30 days of the survey; if work is delayed beyond 30 days, the survey shall be repeated. However, if evidence of roosting is observed during preconstruction surveys, the bat biologist shall, if necessary, specify protective measures as discussed below. Consultation with CDFW may be required to determine appropriate protective measures.</p>			construction.
<p>c. If tree removal, pruning, grubbing and demolition of structures is scheduled to occur during the hibernation season (i.e., November 1 through March 31), a preconstruction survey shall be performed by a qualified bat biologist. Emergence surveys are not effective at determining bat presence (due to suppressed flight and forage activities) during this period. Therefore, preconstruction surveys consisting of visual inspections of trees and the exterior and interior of structures shall be conducted no more than 30 days prior to the start of work. Suitable bat roosting habitat includes man-made structures, snags, rotten stumps, mature trees with broken limbs, trees with exfoliating bark, bole cavities or hollows, and dense foliage. If evidence of bat hibernation is not detected, work may proceed without restriction if within 30 days of the survey; if work is delayed beyond 30 days, the survey shall be repeated.</p>			Tree removal/ pruning: During construction.
<p>d. If evidence of bat hibernation or roosting is detected, the bat biologist shall specify protective measures shall be specified by the bat biologist. Potential protective measures that may be recommended by a qualified bat biologist include, but are not limited to establishing disturbance buffers around roosts and passive exclusion measures. The passive exclusion measures or buffer shall be determined by the type of bat observed, sensitivity of roost, type of potential disturbance, etc. Each buffer zone shall remain in place until the end of the hibernation season or until the bats leave on their own accord. The bat biologist shall confirm that bats have been excluded from the tree or building before work may commence.</p>			
<p>e. If tree removal, pruning, grubbing, and demolition of structures will occur during the maternity roosting period (i.e., April 1 through August 31), pre-construction emergence surveys shall be performed during this period by a qualified bat biologist. Suitable bat roost sites (e.g., large tree cavities, outbuilding perches) should be surveyed by way of evening emergence surveys and/or visual, internal and external inspections to determine presence/absence of bat maternity roosts. If no roost sites are detected, work may proceed without restriction if within 30 days of the survey; if work is delayed beyond 30 days, the survey shall be repeated.</p>			
<p>f. If a maternity roost of any special-status bat species is determined to be present, as evidenced by the presence of roosting individuals or significant guano accumulations detected during the roost assessment or during pre-construction surveys, demolition activities may not proceed and a qualified bat biologist shall specify protective measures (as discussed above) in conjunction with CDFW.</p>			
<p>g. The eviction and relocation of a verified maternity roost for any special-status bat species shall conform to the following requirements:</p> <ul style="list-style-type: none"> i. In consultation with CDFW, a qualified bat biologist shall design, construct and monitor a species-specific replacement roost and success criteria shall be established. ii. Baseline data shall be measured at the existing maternity roost. Baseline data that may be measured include, but are not limited to: size and configuration of roost, temperature, humidity, and solar exposure. These baseline data shall be used to inform the design of a 			

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Mitigation Measure	Monitoring Action	Responsibility	Timing
<p>species-specific replacement roost.</p> <p>iii. The replacement roost shall ideally be constructed on-site. If on-site construction is not feasible, the roost shall be constructed on nearby open space within suitable habitat.</p> <p>iv. Demolition of the maternity roost shall not resume until the replacement roost is constructed and sited.</p> <p>v. Long-term monitoring of any replacement roost shall be coordinated with CDFW. A successful replacement roost shall provide a similar range of abiotic conditions as the replaced roost. Baseline data collected from the roost to be replaced shall provide the range of abiotic conditions for long-term monitoring and criteria for success. If the success criteria are achieved corrective actions shall be outlined in the annual reports. All CDFW-approved corrective actions shall be implemented.</p> <p>vi. If an active roost is present, but determined not to be a maternity roost, the qualified bat biologist shall specify protective measures (as discussed above) in consultation with CDFW.</p>			
<p>4.3-3, Protection of San Francisco Dusky-footed Woodrat: The following measures shall be implemented:</p>			
<p>a. A qualified biologist shall perform a ground survey to locate and mark all woodrat nests in the proposed construction area, including structures. The survey shall be performed no less than 30 days prior to the initiation of ground disturbances. The Contractor shall walk the site to assist in determining which nests cannot be avoided. Nests to be avoided shall be fenced off with orange construction fencing and their locations marked on construction plans as being off limits to all activities.</p> <p>b. Any woodrat nest that cannot be avoided shall be manually disassembled by a qualified biologist, pending authorization from CDFW, to give any resident woodrats the opportunity to disperse to adjoining undisturbed habitat. Nest building materials shall be immediately removed off-site and disposed of to prevent woodrats from reassembling nests on-site unless otherwise directed by CDFW.</p> <p>c. To ensure woodrats do not rebuild nests within the construction area, a qualified biologist shall inspect the construction corridor no less than once per week. If new nests appear, they shall be disassembled and the building materials disposed of offsite. If there is a high degree of woodrat activity, more frequent monitoring shall be performed, as warranted.</p> <p>d. If a woodrat nest is discovered in structures during building demolition, construction work that will affect the nest shall be halted. A qualified biologist shall manually disassemble the nest, pending authorization from CDFW, to give resident woodrats the opportunity to disperse to adjoining undisturbed habitat. Nest materials shall be immediately removed off-site and disposed of to prevent woodrats from reassembling nests in buildings unless otherwise directed by CDFW. A qualified biologist shall survey the structure where the nest was discovered to confirm absence of woodrats dispersed from the dismantled nest. Halted demolition work shall continue when the qualified biologist has confirmed dispersal of woodrats from the structure to be demolished.</p>	<p>Required as a condition of approval</p>	<p>Director of Community Development</p>	<p>Pre-construction survey: Prior to construction.</p> <p>Tree removal/pruning: During construction.</p>

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Mitigation Measure	Monitoring Action	Responsibility	Timing
4.4 Geology and Soils			
<p>4.4-1, Design-Level Geotechnical Investigation: The applicant for each lot or each group of lots shall submit a geotechnical report to the Town of Los Gatos for review and approval a design-level geotechnical investigation, once detailed lot and home designs are available prior to issuance of grading and building permit(s). The investigation(s) shall determine the surface and subsurface soil conditions at the site and assess the potential for ground shaking, slope stability under static and seismic conditions, expansive soil, estimate of settlement, lateral movement and related effects. The investigation(s) shall address all soils engineering constraints and specify criteria and standards in accordance with the current California Building Code (CBC) for site grading, excavation, on-site utility trenching, drainage, pavement design, retaining wall design, erosion control, seismic design, and foundation design.</p> <p>For proposed Lots 3-8 and 4-17, which extend to the top of the moderate to steep slopes along the western property boundary, the investigation(s) shall include subsurface exploration and a slope stability analysis to evaluate the potential for static and seismic slope instability, along with any necessary mitigation to prevent slope instability. For lots with fill materials, the design-level geotechnical investigation(s) shall assess the potential for fills to become unstable and shall include recommendations for stabilization. The applicant for each lot or group of lots shall incorporate all recommendations of the design-level geotechnical investigation(s) into the each home design and implement appropriate construction methods on each lot in order to minimize the potential impacts resulting from regional seismic activity, estimate of settlement, lateral movements, slope conditions, and subsurface soil conditions on the site. A geotechnical expert shall be present during construction activities to observe earthwork and foundation construction, and shall conduct any necessary testing to confirm compliance with the recommendations of the design-level geotechnical investigation(s).</p>	Required as a condition of approval	Directors of Community Development and Parks and Public Works	<p>Ensure that recommended measures from the design-level geotechnical investigation are incorporated into project plans.</p> <p>Monitoring: During construction.</p>
<p>4.4-2, Top Soil Salvage: The developers of individual lots shall ensure that topsoil, if present, is salvaged during grading. The topsoil shall be stockpiled separately from subsoils, and the stockpiles shall be protected from erosion (e.g., by covering or watering). Once construction is completed, the stockpiled topsoil shall be reused for site restoration in open or garden areas of the lot.</p>	Required as a condition of approval	Directors of Community Development and Parks & Public Works	<p>Prior to issuance of grading permit.</p> <p>Monitoring: During construction.</p>
<p>4.4-3: Mitigation Measure 4.4-1, Design-Level Geotechnical Investigation.</p>	Required as a condition of approval	Director of Community Development	Prior to issuance of building permit.
<p>4.4-4: Mitigation Measure 4.4-1, Design-Level Geotechnical Investigation.</p>	Required as a condition of approval	Director of Parks & Public Works	Prior to issuance of building permit.

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Mitigation Measure	Monitoring Action	Responsibility	Timing		
4.7 Noise					
4.7-1, Administrative and Source Controls: Prior to Grading Permit issuance, the project applicant shall demonstrate to the satisfaction of the Town of Los Gatos Public Works Department that the project complies with the following:					
a. Pursuant to the Town of Los Gatos Municipal Code Section 16.20.035, construction activities (including operation of haul and delivery trucks) shall occur between the hours of 8:00 a.m. and 8:00 p.m. on weekdays and 9:00 a.m. and 7:00 p.m. on weekends and holidays. Additionally, pursuant to Municipal Code Section 16.20.035(2) the Contractor shall demonstrate, to the satisfaction of the Town of Los Gatos Public Works Department, that construction noise shall not exceed 85 dBA outside of the property line. This shall be accomplished through the use of properly maintained mufflers and other state-required noise attenuation devices.	Required as a condition of approval	Directors of Community Development and Parks and Public Works	Prior to issuance of any Grading Permit.		
b. The contractor shall prepare a detailed construction plan identifying the schedule for major noise-generating construction activities. The construction plan shall identify a procedure for coordination with adjacent residents so that construction activities can be scheduled to minimize noise disturbance. The plan shall also specify timing of notices to be mailed and posting of signs (i.e., mailing notices at least 15 days prior to commencement of construction of each phase, regarding the construction schedule of the proposed project, posting a sign, legible at a distance of 50 feet shall also be posted at the project construction site). All notices and signs shall be reviewed and approved by the Town of Los Gatos Public Works Department prior to mailing or posting and shall indicate the dates and duration of construction activities, as well as provide a contact name for the contractor's Noise Disturbance Coordinator and a telephone number where residents can contact that person about the construction process and register complaints.			Ensure that these noise control measures are incorporated into project plans.		
c. The Contractor shall provide, to the satisfaction of the Town of Los Gatos Public Works Department, a qualified "Noise Disturbance Coordinator." The Disturbance Coordinator shall be responsible for responding to any local complaints about construction noise. When a complaint is received, the Disturbance Coordinator shall notify the Town within 24-hours of the complaint and determine the cause of the noise complaint (e.g., starting too early, bad muffler, etc.) and shall implement reasonable measures to resolve the complaint, as deemed acceptable by the Public Works Department.			Monitoring: Prior to and during construction.		
d. During construction, stationary construction equipment (e.g., concrete crusher, compressors, generators) shall be located as far as possible from adjacent residential receptors and equipment exhaust vents shall directed away from the closest residential receptors. In particular, the concrete crusher shall be placed west of the Siena Building or at a location where maximum shielding by buildings, material stockpiles, and topography can be provided and distance from all surrounding residences is maximized.					
e. All internal combustion engine driven equipment shall be equipped with intake and exhaust mufflers that are in good condition and appropriate for the equipment.					
f. "Quiet" air compressors, generators, and other stationary sources shall be utilized where technology exists.					
g. Equipment used for project construction should be hydraulically or electrical powered impact					

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Mitigation Measure	Monitoring Action	Responsibility	Timing
<p>tools (e.g., jackhammers, pavement breakers, and rock drills) wherever possible to avoid noise associated with compressed air exhaust from pneumatically-powered tools. However, where use of pneumatically powered tools is unavoidable, an exhaust muffler on the compressed air exhaust should be used; this muffler can lower noise levels from the exhaust by up to about 10 dBA. External jackets on the tools themselves should be used where feasible, and this could achieve a reduction of 5 dBA. In addition, quieter procedures should be used such as drilling rather than impact equipment whenever feasible.</p>			
<p>h. At the property boundary with the adjacent residence at 88 Prospect Avenue, the contractor shall work directly with this resident to reduce construction-related noise impacts to the maximum extent feasible to ensure the 85-dBA ordinance limit is not exceeded. Implementation measures could include: providing noise attenuation such as solid wood fencing along the property boundary if feasible and acceptable to this resident; using smaller types of equipment during demolition of the tennis court; minimizing use of noisier types of heavy equipment (i.e. jackhammers, pavement breakers, rock drills) in proximity to this residence by immediately moving larger pieces of concrete to a location farther from this residence and other nearby residences).</p>			
<p>4.7-2, Vibration Limits: The project contractor shall not use any equipment that generates vibration levels that exceed 0.5 in/sec PPV, the cosmetic damage threshold for transient vibration, when measured at the closest adjacent residential structures.</p>			<p>Prior to issuance of any Grading Permit.</p>
	<p>Required as a condition of approval</p>	<p>Directors of Community Development and Parks and Public Works</p>	<p>Ensure that these noise control measures are incorporated into project plans.</p>
			<p>Monitoring: Prior to and during construction.</p>
<p>4.7-4, Noise Attenuation Measures: The following noise attenuation measures shall be incorporated into future home designs on proposed Lots 14-17 in order to maintain acceptable exterior and interior noise levels at future residences:</p>			<p>Prior to Architecture and Site approval.</p>
<p>a. When designing individual home plans for proposed Lots 14-17, noise-sensitive outdoor use areas shall be located away from the SR 17 freeway or noise-sensitive outdoor spaces shall be buffered from freeway noise with buildings, structures, solid fencing, berms or other attenuation measures. The specific noise attenuation measure(s) shall be determined and incorporated into the proposed home design during the Architecture & Site review process, to the satisfaction of the Town that the measures meet the Town goal.</p>	<p>Required as a condition of approval</p>	<p>Directors of Community Development and Parks and Public Works</p>	<p>Ensure that these noise control measures are incorporated</p>

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<p>b. Provide a suitable form of forced-air mechanical ventilation, as determined by the local building official, for residences located on Lots 14-17, so that windows could be kept closed at the occupant's discretion to control interior noise. The specific type of forced-air mechanical ventilation system shall be incorporated into future home designs during Architecture & Site review process, to the satisfaction of the Town that the measure meets the Town goal.</p>			<p>into project plans.</p> <p>Monitoring: Prior to and during construction.</p>
4.8 Air Quality			
<p>4.8-2, BAAQMD Basic Construction Mitigation Measures: Prior to issuance of any Grading or Demolition Permit, the Town Engineer and the Chief Building Official shall confirm that the Grading Plan, Building Plans, and specifications stipulate that the following basic construction measures be implemented as specified in the BAAQMD Guidelines during all project construction (including individual lot development):</p>			
<p>a. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.</p> <p>b. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.</p> <p>c. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.</p> <p>d. All vehicle speeds on unpaved roads shall be limited to 15 mph.</p> <p>e. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.</p> <p>f. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to two minutes. Clear signage shall be provided for construction workers at all access points.</p> <p>g. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.</p> <p>h. Post a publicly visible sign with the telephone number and person to contact at the Town regarding dust complaints. This person shall respond and take corrective action within 48 hours. The BAAQMD's phone number shall also be visible to ensure compliance with applicable regulations.</p>	<p>Required as a condition of approval</p>	<p>Directors of Community Development and Parks and Public Works</p>	<p>Prior to issuance of any Grading or Demolition Permit.</p> <p>Ensure these measures are incorporated into project plans.</p> <p>Monitoring: During construction.</p>
<p>4.8-4: Emission Reduction Measures. Use of Tier 4 engines for all compressors and all diesel-fueled equipment used during the building construction phases to minimize emissions. Such equipment selection would include any combination of the following measures as the Town determines to be necessary to decrease cancer risks below the threshold of 10 excess cancer cases in one million for infants:</p>			
<p>a. Diesel-powered compressors and all diesel-fueled equipment used during building construction shall meet U.S. EPA particulate matter emissions standards for Tier 4 engines or equivalent;</p>	<p>Required as a condition of approval</p>	<p>Director of Community Development</p>	<p>Prior to issuance of any Grading Permit.</p> <p>Ensure these measures are incorporated</p>

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<p>b. Use alternative-powered equipment (e.g., LPG-powered forklifts);</p> <p>c. Use alternative fuels (e.g., biofuels), added exhaust devices, and/or</p> <p>d. Minimize the number of hours that equipment will operate including the use of idling restrictions.</p>			<p>into project plans.</p> <p>Monitoring: During construction.</p>
<p>4.10 Hazards and Hazardous Materials</p> <p>4.10-1, Implement Buyer Education Program for Household Hazardous Waste: The project sponsor, working with the Town of Los Gatos and County of Santa Clara Household Hazardous Waste program, shall implement a Buyer Education Program for Household Hazardous Waste, developing materials to educate buyers about the identification of household hazardous wastes, environmental hazards associated with mishandling of the wastes, appropriate disposal methods, and how to make an appointment for disposal. At a minimum, the educational materials shall include a list of example household hazardous wastes, discuss the environmental impacts of improper disposal, explain how to make an appointment for disposal, and list safer and less toxic alternatives to hazardous products commonly used. The educational materials shall be provided to the buyer at the time of purchase.</p>			<p>Prior to final inspection and issuance of an occupancy permit..</p> <p>Ensure these measures are incorporated into project plans and contract specifications.</p>
<p>4.10-2, Hazardous Building Materials Surveys and Abatement: Prior to demolition, the project applicant shall ensure that a hazardous building materials survey is completed by a Registered Environmental Assessor or a registered engineer for the building exteriors, roof, and any interior areas that were inaccessible during the previous limited survey. Any friable asbestos-containing materials or lead-containing materials identified by the previous survey or any surveys conducted in accordance with this mitigation measure shall be abated using practices such as containment and/or removal prior to demolition, and the abatement shall be implemented in accordance with applicable laws. Specifically, asbestos abatement shall be conducted in accordance with Section 19827.5 of the California Health and Safety Code, as implemented by the BAAQMD, and 8 CCR Section 1529 and Sections 341.6 through 341.14, as implemented by Cal/OSHA. Lead-based paint abatement shall be conducted in accordance with Cal/OSHA's Lead in Construction Standard.</p> <p>Any PCB-containing equipment, fluorescent light tubes containing mercury vapors, and fluorescent light ballasts containing DEHP shall also be removed and legally disposed of in accordance with applicable laws including 22 CCR Section 66261.24 for PCBs, 22 CCR Section 66273.8 for fluorescent lamp tubes, and 22 CCR Division 4.5, Chapter 11 for DEHP.</p>			<p>Prior to issuance of any Demolition Permit.</p> <p>Ensure these measures are incorporated into project plans and contract specifications.</p>
<p>4.10-3, Corrective Action: The following measures shall be required. The oversight agency review may amend these measures as applicable.</p> <p>a. Prior to any soil disturbance activities or building demolition at the site, the project applicant shall participate in the Voluntary Cleanup Program (VCP) administered by the Santa Clara County Department of Environmental Health for technical oversight of any remedial action to address contaminants in the soil, unless referred to an alternate agency. Oversight includes all aspects of the site investigation and remedial action, determination of the adequacy of the site</p>			<p>a, c, d, e. Prior to issuance of any Grading or Demolition Permit.</p> <p>b. Prior to</p>

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Mitigation Measure	Monitoring Action	Responsibility	Timing
<p>investigation and remediation activities at the site, and determination of the need for confirmation soil sampling once contaminated soil is excavated.</p> <p>b. Prior to sale of individual lots, the applicant shall submit a “no further action” letter from the oversight agency or comparable closure document that demonstrates the site has been released as clean or a mitigation plan has been approved and implemented.</p> <p>c. The project applicant shall require the construction contractor(s) to implement a Soil Management Plan (SMP) prepared by the project applicant’s environmental consultant and approved by the overseeing regulatory agency. The SMP shall include a plan for disposal of excess soil produced during construction activities, including on-site management of excavated soil, the disposal methods for soil, potential disposal sites, and requirements for written documentation that the disposal site will accept the excess soil. If appropriate, excess soil may be disposed of on-site, under foundations or in other locations in accordance with applicable hazardous waste classifications and disposal regulations, if approved by the regulatory oversight agency. The contractor shall be required to submit the SMP to the project applicant for acceptance prior to implementation. Prior to or during construction, excess soil from construction activities shall be sampled to determine the appropriate disposal requirements in accordance with applicable hazardous waste classification and disposal regulations. The project applicant shall also submit the SMP to the County of Santa Clara Department of Environmental Health a minimum of 30 days prior to the planned start of construction,</p> <p>d. The project applicant shall require the construction contractor to prepare and implement a site safety plan identifying the chemicals present, potential health and safety hazards, monitoring to be performed during site activities, soils-handling methods required to minimize the potential for exposure to harmful levels of the chemicals identified in the soil, appropriate personnel protective equipment, and emergency response procedures.</p> <p>e. The project applicant shall require the construction contractor(s) to have a contingency plan for sampling and analysis of potential hazardous materials and for coordination with the appropriate regulatory agencies, in the event that previously unidentified hazardous materials are encountered during construction. If any hazardous materials are identified, the contractor(s) shall be required to modify their health and safety plan to include the new data, conduct sampling to assess the chemicals present, and identify appropriate disposal methods. Evidence of potential contamination includes soil discoloration, suspicious odors, the presence of USTs, or the presence of buried building materials.</p>			<p>issuance of any building permits on individual lots.</p> <p>Monitoring: During construction.</p>

4.11 Cultural Resources

4.11-2a, Archaeological Monitor: An archaeologist experienced with historic-era archaeological deposits and late 19th to early 20th century material culture and human remains shall be present during building demolition of designated areas (refer to confidential Map 1 of Holman study, which is on file at the Los Gatos Community Development Department) to monitor for any historic-period buried features, such as artifact-filled wells, privies, and pits associated with the earlier historical use of the property from the late 19th and early 20th centuries.

Required as a condition of approval

Director of Community Development

Monitoring:
During construction.

Based on the monitor’s findings during demolition, the monitor shall review specific development plans for roads and infrastructure and eventually for future homes (during Architecture and Site

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<p>review) and evaluate the need for additional archaeological monitoring by a qualified historical archaeologist.</p> <p>In the event cultural resources are discovered during removal of existing buildings, parking lots and landscaping areas or during construction of proposed improvements, a preliminary evaluation of the find should be conducted by a qualified archaeologist with appropriate measures taken commensurate with the type of cultural resource identified and the amount of proposed impacts. A buffer zone, typically 100 feet in diameter, should be established to protect the find until it can be evaluated, and the area should be secured to prevent looting. A plan for the evaluation of the resource shall be submitted to the Community Development Director for approval. Evaluation normally takes the form of limited hand excavation and analysis of materials and information removed to determine if the resource is eligible for inclusion on the California Register of Historic Resources (CRHR). No demolition/construction activity should continue in this area until the qualified archaeologist has sufficiently documented and excavated the discovery in the field, and has authorized continued demolition/construction.</p> <p>4.11-2b, Identification of Eligible Resources. If an eligible resource (i.e., an historical resource or a unique archaeological resource) is identified, a plan for mitigation of impacts to the resource shall be submitted to the Community Development Department for approval before any additional construction-related earthmoving can occur inside the zone designated as archaeologically sensitive. Whether the proposed plan is feasible shall be determined by the Community Development Department after consideration of the viability of avoidance in light of project design and logistics. In lieu of avoidance, mitigation could include additional hand excavation to record and remove for analysis archaeological materials, combined with additional archaeological monitoring of soils inside the archaeologically sensitive zone.</p> <p>Section 21083.2(f) specifies that unless special or unusual circumstances warrant an exception, the field excavation phase of an approved mitigation plan shall be completed within 90 days after the applicant receives the final approval necessary to begin physical development of the project or, if a phased project, in connection with the phased portion to which the specific mitigation measures are applicable. The above listed mitigation measures can be effectively performed in a manner that complies with Section 21083.2.</p>	Required as a condition of approval	Director of Community Development	<p>Prior to issuance of any Grading or Demolition Permit.</p> <p>Monitoring: During construction.</p>
<p>4.11-3, Halt Construction and Evaluate Resource: Prior to the commencement of construction activities, the project applicant shall provide for a qualified paleontologist to provide construction personnel with training on procedures to be followed in the event that a fossil site or fossil occurrence is encountered during construction. The training shall include instructions on identification techniques and how to further avoid disturbing the fossils until a paleontological specialist can assess the site. An informational package shall be provided for construction personnel not present at the meeting.</p> <p>In the event that a paleontological resource (fossilized invertebrate, vertebrate, plan or micro-fossil) is found during construction, excavation within 50 feet of the find shall be temporarily halted or diverted until the discovery is evaluated. Upon discovery, the Community Development Director shall be notified immediately and a qualified paleontologist shall be retained to document and assess the discovery in accordance with Society of Vertebrate Paleontology’s 2010 Standard Procedures for the Assessment and Mitigation of Adverse Impacts to Paleontological Resources,</p>			

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Mitigation Measure	Monitoring Action	Responsibility	Timing
and determine procedures to be followed before construction is allowed to resume at the location of the find. If the Community Development Director determines that avoidance is not feasible, the paleontologist will prepare an excavation plan for mitigating the project's impact on this resource, including preparation, identification, cataloging, and curation of any salvaged specimens.	Required as a condition of approval	Director of Community Development	Monitoring: During construction.

APPENDIX L

UPDATED PRELIMINARY STORMWATER MANAGEMENT PLAN



Sisters of the Holy Names Preliminary Stormwater Management Plan

Date: December 2013

Prepared for:

**Sisters of the Holy Names
P.O. Box 398
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Prepared by:



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The Sisters of the Holy Names Preliminary Stormwater Management Plan was prepared under the direction of:



12-5-13



Jeffery S. Crump, P.E.
RBF Consulting, Civil Engineer

SISTERS OF THE HOLY NAMES PRELIMINARY STORMWATER MANAGEMENT PLAN

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Exhibits

- Exhibit 1 – Existing Conditions Site Conditions and Drainage Areas
- Exhibit 2 – Proposed Conditions Site Conditions and Drainage Areas
- Exhibit 3 – Stormwater Conceptual Potential Treatment Areas

Appendix

Soil Data Report from NRCS Web Soil Survey

Mean Annual Precipitation for Santa Clara County (Figure A-2 of Santa Clara County Drainage Manual)

Prospect Avenue As-built Indicating Flood Limits

Town of Los Gatos C.3 Data Form

1.0 INTRODUCTION

1.1 Purpose

The purpose of this Preliminary Stormwater Management Plan (Plan) is to document the existing drainage and stormwater conditions within the proposed Sisters of the Holy Names project and to demonstrate the potential impacts and mitigation measures to be used for the proposed tentative map subdivision. The Plan addresses peak flow rates, stormwater quality, and hydromodification management. The key objectives of this Plan are to demonstrate that flow rates would not increase as a result of the proposed project and that stormwater quality requirements emphasizing use of Low Impact Development (LID) techniques in site design are met.

1.2 Setting

The project site is located on Prospect Avenue in the Town of Los Gatos (Town) and covers approximately 10.3 acres. A vicinity map is shown in Figure 1.

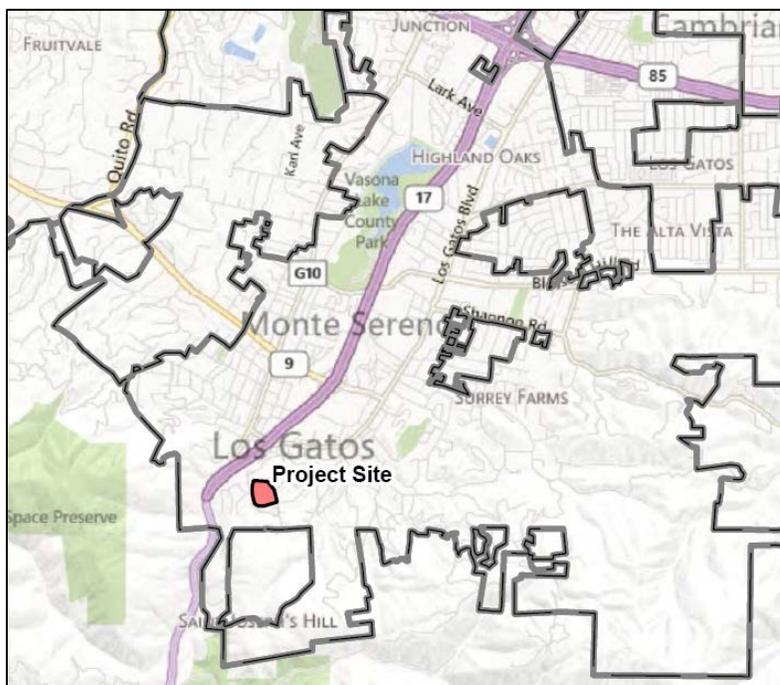


Figure 1. Vicinity Map showing Project Site

The existing site use is developed with 6 buildings that are used as residences, care facilities and administrative offices with parking areas and driveways throughout the site. There is extensive onsite landscaping and tree coverage. The proposed plan is to subdivide the main parcel into 17 lots on which single family homes may be built and demolish the existing buildings. This report discusses the potential impact

on stormwater runoff resulting from the redevelopment of the subdivided lots. Because the current phase of the proposed project includes only conceptual building sizes and locations, conservative assumptions have been made to demonstrate that the development is feasible. Building areas are defined as the largest potential building footprint.

The site is subject to applicable drainage criteria from the Town of Los Gatos and the NPDES requirements of the Santa Clara Valley Urban Runoff Pollution Prevention Program (SCVURPPP). Guidance has been taken from the Town of Los Gatos C.3 Data Form, Section 3 of the Town of Los Gatos Engineering standards, the 2007 Santa Clara County Drainage Manual, and the April 2012 SCVURPPP C.3 Stormwater Handbook

2.0 SITE CONDITIONS DRAINAGE PATTERNS

The proposed project site is located on a hilltop that drains west and south toward College Avenue and north along Reservoir Road. The project site is part of the Los Gatos Creek watershed.

2.1 Existing Site Conditions

Soils data showing the SCS hydrologic soil groups were obtained from the Natural Resource Conservation Service (NRCS). Table 1 describes the hydrologic soil groups.

Table 1: NRCS SCS Hydrologic Soil Groups

Hydrologic Soil Group	Description
A	Soils having a low runoff potential due to high infiltration rates. These soils consist primarily of deep, well-drained sands and gravel.
B	Soils having a moderately low runoff potential due to moderate infiltration rates. These soils consist primarily of moderately deep to deep, moderately well-drained to well-drained soils with moderately fine to moderately coarse textures.
C	Soils having a moderately high runoff potential due to slow infiltration rates. These soils consist primarily of soils in which a layer exists near the surface that impedes the downward movement of water, or soils with moderately fine to fine texture.
D	Soils having a high runoff potential due to very slow infiltration rates. These soils consist primarily of clays with high water tables, soils with a claypan or clay layer at or near the surface, and shallow soils over nearly impervious parent material.

The project site consists of about 75% hydrologic soil group C and 25% hydrologic soil group D. A map of the hydrologic soil group from the NRCS web soil survey is included in the Appendix. Type D soil generally covers the areas of existing and proposed development. To be conservative, it is assumed that all parts of the site that have the potential to be developed have hydrologic soil group D, while the undeveloped portions of the site, mostly on the hillside and with dense tree coverage are hydrologic soil group C.

The existing site has significant portions of tree coverage, especially on the hillsides. Existing trees will be maintained where feasible and using the recommendations of

the site arborist as guidance. Detailed descriptions of which trees may be removed as part of future home construction are included with the Tentative Map application package drawings.

2.2 Existing Site Drainage Patterns

The FEMA Flood Insurance Rate Map (FIRM) shows that the site as flood zone designation of Zone X (shaded). The Zone X (shaded) designation corresponds to the 0.2% chance or 500-year storm. As the site is not within the vicinity of any streams or creeks, this flood zone designation was most likely applied using approximate methods and is due primarily to flood risk from incident rainfall.

The Town has indicated that there is an area of flooding that occurs at the existing drain inlets on Prospect Road near the intersection of Reservoir Road. The delineated flood limits are generally within Prospect Road. An as-built drawing with the indicated flood limit is included in the Appendix.

The site is divided into 3 drainage areas. The majority of the site is collected in an onsite drainage system or flows overland toward a drain inlet on Prospect Avenue. Detailed as-builts of the onsite drainage system are not available, but it is assumed that all flows from the developed portion of the site (Drainage Area 1) flow towards the inlets on Prospect Avenue. Hillside portions of the site sheet flow to the former San Jose Water Company Flume right of way. Along this former right of way, a drain inlet collects a portion of the site runoff at the edge of the lot with APN 529-44-007. The Drainage Area that is tributary to the hillside drain inlet is designated as Drainage Area 3. The existing conditions drainage areas are shown in Exhibit 1. The drainage areas, including the impervious areas located in each drainage area are included in Table 2.

Table 2. Existing conditions drainage areas

Drainage Area	Description	Pervious Area	Impervious Area (sq ft)	Total Area (sq ft)	Percent Impervious
1	Developed Area draining to Prospect Road	153,641	126,943	280,584	45.2%
2	Hillside Area draining to former flume right of way	132,289	2,594	134,882	1.9%
3	Hillside Area draining to existing drain inlet	32,935	-	32,935	0.0%
	<i>Total</i>	<i>318,864</i>	<i>129,537</i>	<i>448,401</i>	<i>28.9%</i>

2.3 Proposed Drainage Patterns

The project proposes to demolish the existing buildings, driveways, and parking areas and subdivide the parcel in 17 lots. The lots will be designated as single family homes. Potential building areas on each lot have been defined to show a maximum building envelope on which a structure could be built. Final approval of individual buildings will be subject to review and approval by the Town of Los Gatos and will be subject to applicable design regulations. To be conservative, the conceptual building footprints included in this plan are maximum areas that may be built and will generate the maximum stormwater impacts for this study. Actual stormwater impacts may be less than estimated in this Plan.

A new road will also be constructed that intersects with Prospect Avenue. The end of Prospect Avenue will include the addition of a cul-de-sac to serve the proposed lots.

The proposed drainage areas are shown in Exhibit 2. The drainage areas, including the estimated future impervious areas located in each drainage area are included in Table 3.

Table 3. Proposed conditions drainage areas

	Drainage Area	Pervious Area	Impervious Area (sq ft)	Total Area (sq ft)	Percent Impervious	Impervious Area to Pervious Area Ratio	2:1 Impervious to Pervious Ratio Exceeded?
Existing Condition Drainage Area 1	1a	16,061	5,020	21,081	23.8%	0.31	No
	2	15,074	4,933	20,007	24.7%	0.33	No
	3a	6,632	3,433	10,065	34.1%	0.52	No
	4a	5,523	3,570	9,093	39.3%	0.65	No
	5a	4,690	6,087	10,776	56.5%	1.30	No
	6a	5,747	4,466	10,213	43.7%	0.78	No
	7a	4,729	4,855	9,584	50.7%	1.03	No
	8a	12,829	7,334	20,163	36.4%	0.57	No
	9	13,698	7,525	21,223	35.5%	0.55	No
	10	13,571	6,464	20,035	32.3%	0.48	No
	11	15,154	4,890	20,044	24.4%	0.32	No
	12	15,482	4,985	20,466	24.4%	0.32	No
	13	14,528	5,832	20,360	28.6%	0.40	No
	14a	9,083	6,977	16,060	43.4%	0.77	No
	15a	7,654	6,337	13,990	45.3%	0.83	No
	16a	7,271	5,382	12,653	42.5%	0.74	No
	17a	3,572	4,015	7,587	52.9%	1.12	No
	New Road	-	13,633	13,633	100.0%		
	Prospect Road	-	3,681	3,681	100.0%		
	Non-paved	4,263	-	4,263	0.0%		
	<i>Subtotal</i>	<i>171,296</i>	<i>109,419</i>	<i>284,978</i>	<i>38.4%</i>		
Drainage Area 2	5c	18,860	-	18,860	0.0%	0.00	No
	6b	23,728	-	23,728	0.0%	0.00	No
	7b	16,704	-	16,704	0.0%	0.00	No
	8b	11,928	-	11,928	0.0%	0.00	No
	14b	17,424	-	17,424	0.0%	0.00	No
	15b	11,253	-	11,253	0.0%	0.00	No
	16b	14,067	-	14,067	0.0%	0.00	No
	17b	17,647	-	17,647	0.0%	0.00	No
	<i>Subtotal</i>	<i>131,610</i>	<i>-</i>	<i>131,610</i>	<i>0.0%</i>		
Drainage Area 3	1b	1,346	-	1,346	0.0%	0.00	No
	3b	10,001	-	10,001	0.0%	0.00	No
	4b	11,440	-	11,440	0.0%	0.00	No
	5b	8,860	-	8,860	0.0%	0.00	No
		<i>Subtotal</i>	<i>31,647</i>	<i>-</i>	<i>31,647</i>	<i>0.0%</i>	
	Total	334,554	109,419	448,235	24.4%		

The proposed maximum impervious area is about 20,000 ft² less than the existing impervious area, which is about a 16% decrease in total impervious area.

2.3.1 Proposed Post-Construction Stormwater Controls

The project is subject to the NPDES requirements of the Bay Area Municipal Regional Permit (MRP) issued by the San Francisco Bay Regional Water Quality Control Board. Post-construction controls are required under Provision C.3 of the MRP. The C.3 Guidebook was used to determine post-construction stormwater controls for meeting the C.3 requirements.

Each lot will be self-treating to meet the C.3 requirements. Self-treating lots drain runoff from impervious surfaces such as rooftops, driveways, and other hardscape to pervious landscaped areas. The pervious areas will need to be sized to be at least 50% of the tributary impervious area and allow at least 3 inches of ponding.

By using self-retaining areas that are 3 inches deep, a total of about 12,000 ft³ (0.27 acre-feet) of retention storage may be added onsite.

Tree credits may be applied according to the guidelines as found in section 4.5 of the C.3 manual. Credits for new trees may be applied to reduce the amount of effective impervious area that needs to be included in treatment measures. Tree credits for existing trees may also be applied by subtracting the proposed impervious square footage under the existing tree canopy from the effective impervious area that needs to be treated.

The new road and the new portion of Prospect Avenue will be treated using biotreatment stormwater facilities. At this phase of the project, the facilities are sized as 4% of the tributary impervious area. The biotreatment facilities will drain to 2 new storm drain inlets on the new road near the intersection of Prospect Avenue per the Town's standards for storm pipe installation. Conceptual stormwater treatment facilities are shown in Exhibit 3.

2.3.2 Hydromodification Requirements

Although the proposed project creates or replaces more than 1 acre of impervious area, the proposed project will not increase the net impervious area onsite and therefore will not be subject to hydromodification requirements.

3.0 HYDROLOGY AND HYDRAULIC ANALYSIS

The peak 10-year and 100-year flow rates for the pre-project and post-project conditions for each of the drainage areas were calculated to determine the potential impact of the proposed project.

3.1 Methodology

The Santa Clara County Drainage Manual was used to define the methodology to be used to determine peak flow rates. Because the project is less than 200 acres, it is considered a “Small Drainage Area”. While retention storage of the first 1 inch of rainfall is significant to the overall stormwater impact, this storage was ignored for purposes of peak flow estimation. This assumption was made to consider the possibility of the retention storage already filled with runoff from a storm event prior to the occurrence of the design storm event. Ignoring the on-lot retention storage for peak flow determination conservatively estimates the maximum peak flows during the design storm events.

The Rational Method was selected to calculate peak flow rates.

The rational method is shown in Equation 1.

Equation 1:

$$Q = kCiA$$

Where: Q = peak discharge (cfs)

$$k = 1.008$$

C = runoff coefficient (dimensionless)

i = design rainfall intensity for a duration equal to the time of concentration

A = drainage area (acres)

The selection of the runoff coefficient and the design rainfall intensity are described in Section 3.1.1 and 3.1.3, respectively.

3.1.1 Runoff Coefficient (C-value)

The runoff coefficient values were taken from Table 3.1 of the Santa Clara County Drainage Manual. The values that were used for the runoff analysis are shown in Table 4.

Table 4. Runoff Coefficients for Rational Formula from Santa Clara County Drainage Manual

Land Use	Runoff Coefficient
Shrub Land, Type C Soil	0.20
Medium Density Residential, Type D Soil	0.60
Low Density Residential, Type D Soil	0.45
Paved/Impervious	0.85

The existing conditions project area in Drainage Area 1 was considered to be medium density residential with a runoff coefficient of 0.60. Existing conditions Drainage Area 1 is 45% impervious. The existing conditions hillside and forested area of Drainage Areas 2 and 3 was considered “Shrub Land” with a runoff coefficient of 0.20. Forest is not listed as an option in the Santa Clara County Drainage Manual. However, because of the steepness of the hillside areas, a value of 0.20 was determined using engineering judgment to be an appropriate value for this area.

The proposed conditions lots are considered to be low density residential with a runoff coefficient of 0.45. For the proposed conditions, the hillside and forested areas are unchanged using a runoff coefficient of 0.20. The new roadway portions were considered as impervious using a runoff coefficient of 0.85.

3.1.2 Time of Concentration

The time of concentration for existing and proposed drainage areas was calculated using the Kirpich formula, which is shown in Equation 2. Note that the minimum time of concentration is 10 minutes.

Equation 2:

$$t_c = 0.0078 \left(\frac{L^2}{S} \right)^{0.385} + 10$$

Where t_c = time of concentration (minutes)

L = maximum length of travel from headwater to outlet (feet)

S = effective slope along L (feet per foot)

For both existing and proposed conditions, all times of concentration were calculated to be between 10 and 13 minutes. A time of concentration of 10 minutes was assumed for all existing and proposed conditions watersheds as using the lowest time of concentration to generate the most conservative peak flow rates that results from the lower times of concentration.

3.1.3 10-year and 100-year Storm Event Intensities

The mean annual precipitation for the project site was determined to be 30 inches as shown on Figure A-2 of the Santa Clara County Drainage Manual, which is included in the Appendix of this report. Using the coefficients and methodology listed in the manual, the 10-minute 10-year peak intensity is 2.19 inches per hour and the 10-minute 100-year peak intensity is 3.21 inches per hour. These intensities were used for all existing and proposed conditions watersheds.

3.2 Existing Conditions Peak Flows

The existing conditions peak flow rates for the 10-year and 100-year events were calculated using the rational method (Equation 1). The 10-year and 100-year peak flow rates are given in Table 5.

Table 5. Existing conditions 10-year and 100-year peak flow rates

Drainage Area	Total Area (acres)	Runoff Coefficient	10-year peak flow rate (cfs)	100-year peak flow rate (cfs)
1	6.43	0.60	8.55	12.50
2	3.10	0.20	1.37	2.00
3	0.77	0.20	0.33	0.49
<i>Total</i>	<i>10.30</i>		10.25	14.99

Note that flow from Drainage Area 2 is not concentrated and the given flow values are estimates of the flow produced from the drainage area. Flow from Drainage Area 1 is concentrated at the existing drainage inlet on Prospect Road and flow from Drainage Area 3 concentrates at the existing hillside inlet.

3.3 Proposed Conditions Peak Flows

The proposed conditions peak flow rates for each lot are given in Table 6. The peak flow rates were grouped by the existing conditions watershed for comparison purposes. Note that peak flow rates decrease for the main developed area as a result of decreasing the impervious area. The total area draining to Drainage Areas 2 and 3 decreases slightly and is accompanied by slight decreases in peak flow rates.

Table 6. Proposed conditions 10-year and 100-year peak flow rates

	Drainage Area	Total Area (acres)	Runoff Coefficient	10-year peak flow rate (cfs)	100-year peak flow rate (cfs)
Existing Condition Drainage Area 1	1a	0.48	0.45	0.48	0.70
	2	0.46	0.45	0.46	0.67
	3a	0.23	0.45	0.23	0.34
	4a	0.21	0.45	0.21	0.30
	5a	0.25	0.45	0.25	0.36
	6a	0.23	0.45	0.23	0.34
	7a	0.22	0.45	0.22	0.32
	8a	0.46	0.45	0.46	0.67
	9	0.49	0.45	0.48	0.71
	10	0.46	0.45	0.46	0.67
	11	0.46	0.45	0.46	0.67
	12	0.47	0.45	0.47	0.68
	13	0.47	0.45	0.47	0.68
	14a	0.37	0.45	0.37	0.54
	15a	0.32	0.45	0.32	0.47
	16a	0.29	0.45	0.29	0.42
	17a	0.17	0.45	0.17	0.25
	New Road	0.31	0.85	0.59	0.86
	Prospect Road	0.08	0.85	0.16	0.23
	Non-paved Road Right-of-	0.10	0.45	0.10	0.14
Subtotal	6.54		6.86	10.03	
Existing Condition Drainage Area 2	5c	0.43	0.20	0.19	0.28
	6b	0.54	0.20	0.24	0.35
	7b	0.38	0.20	0.17	0.25
	8b	0.27	0.20	0.12	0.18
	14b	0.40	0.20	0.18	0.26
	15b	0.26	0.20	0.11	0.17
	16b	0.32	0.20	0.14	0.21
	17b	0.41	0.20	0.18	0.26
	Subtotal	3.02		1.34	1.95
Existing Condition Drainage Area 3	1b	0.03	0.20	0.01	0.02
	3b	0.23	0.20	0.10	0.15
	4b	0.26	0.20	0.12	0.17
	5b	0.20	0.20	0.09	0.13
	Subtotal	0.73		0.32	0.47
Total	10.29		8.52	12.46	

4.0 CONCLUSIONS

The proposed project results in a net decrease in impervious area of at least 18,000 ft². This will decrease peak flow rates for the design storms as well as total runoff volume. The self-treating areas on each of the proposed lots provides 3 inches of ponding depth for a total of up to 12,000 ft³ of retained volume.

The impact of the decrease in impervious area and the increase in retention storage will not increase flows and volumes downstream from the project area and should result in lower peak flows and volumes downstream of the project site.

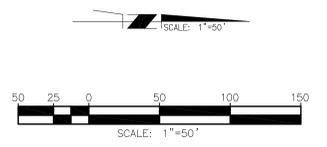
The flooding at Prospect Avenue will not increase and will likely decrease as a result of the additional pervious area and storage volume on the proposed lots. A detailed analysis of the flooding on Prospect Avenue is beyond the scope of this Plan.

The proposed project meets the NPDES C.3 requirements using self-treating areas for the lots and bioretention treatment facilities for the new roadways. The Town of Los Gatos C.3 Data Form is included in the Appendix.

Final approval for the individual buildings will be subject to the Town of Los Gatos design regulations and future architecture and site review and approval process. This Plan may serve as a basis for estimating the impact on stormwater from the building on individual lots.

Exhibits

EXHIBIT 1 -- EXISTING CONDITIONS DRAINAGE AREAS SISTERS OF THE HOLY NAMES TOWN OF LOS GATOS



IMPERVIOUS AREAS:

①	126,942.94 SF	2.91 Ac
②	2,593.72 SF	0.06 Ac
SITE TOTAL	129,536.66 SF	2.97 Ac



EXISTING DRAIN INLET

②

TOTAL AREA
134,882.45 SF
3.10 ACRES

③

TOTAL AREA
32,935.55 SF
0.76 ACRES

①

TOTAL AREA
280,584.00 SF
6.44 ACRES

EXISTING DRAIN INLET

EXISTING 8" STORM DRAIN PIPE

EXISTING STORM DRAIN OUTFALL

APPROX. AREA
BOUNDARY LINE

2 SPACES

4 SPACES

3 SPACES

3 SPACES

2 SPACES

27 SPACES

39 SPACES

PROSPECT AVE

RESERVOIR ROAD

PROSPECT AVE

KIMBLE ROAD

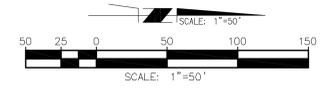
COLLEGE AVENUE

PROSPECT COURT

KIMBLE AVE

EXHIBIT 3 -- STORMWATER CONCEPTUAL POTENTIAL TREATMENT AREAS EXHIBIT (FOR CEQA PURPOSES ONLY)

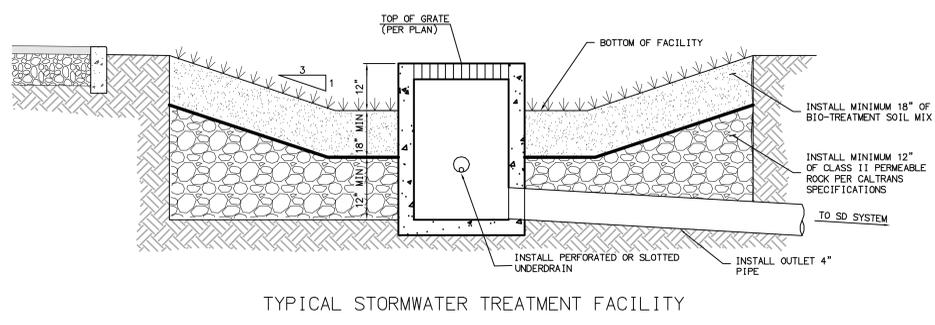
SISTERS OF THE HOLY NAMES TOWN OF LOS GATOS



ROAD	TOTAL ADDED ROAD ROW AREA (SQ FT)	ESTIMATED POTENTIAL IMPERVIOUS AREA (SQ FT)	STORMWATER TREATMENT FACILITIES (SQ FT)
NEW ROAD	17,385	13,633	545
PROSPECT	4,291	3,681	147
TOTAL	21,676	17,314	692

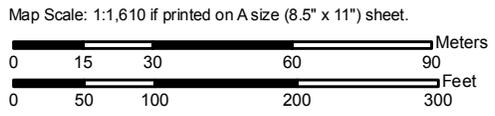
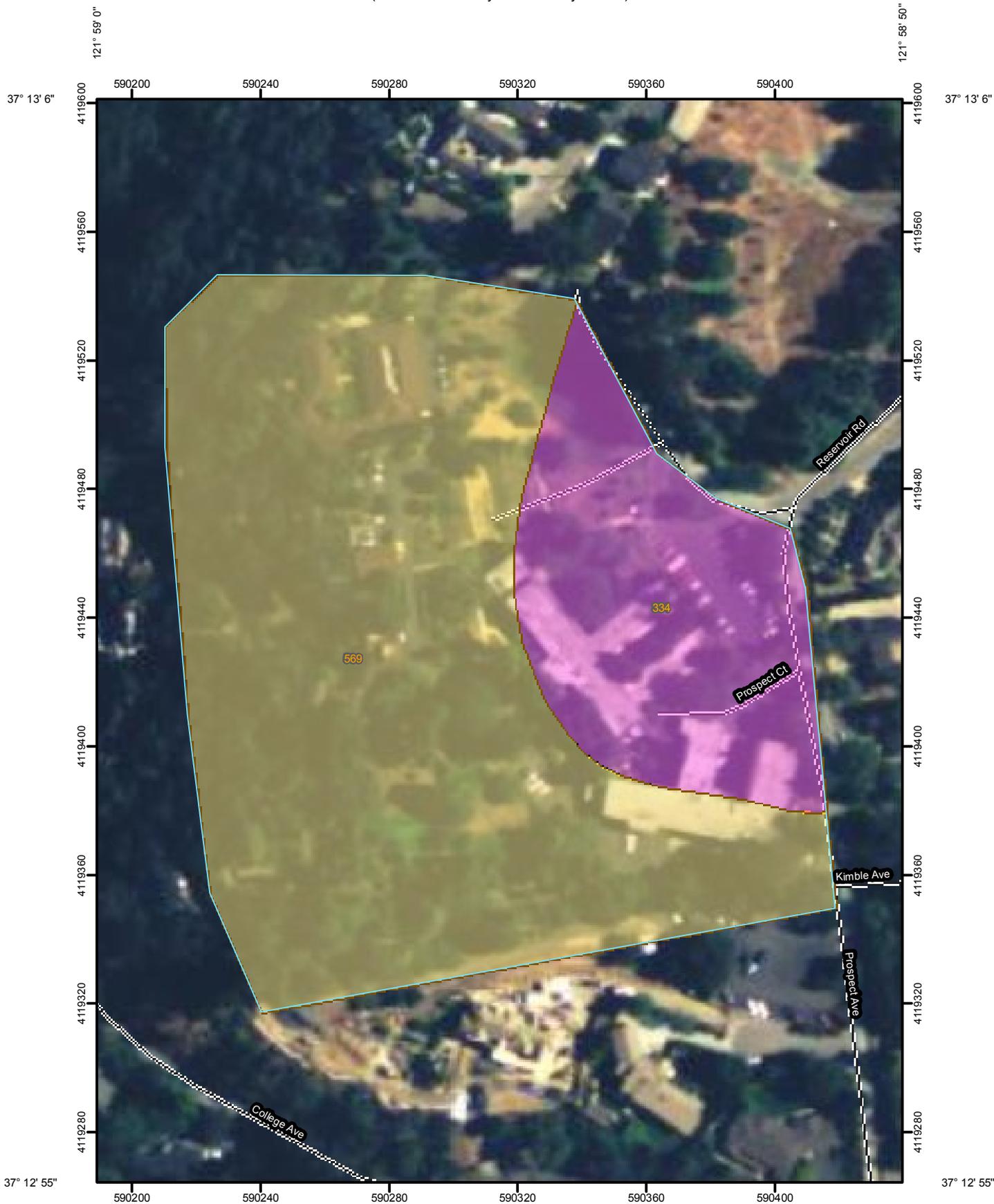
NOTE: STORMWATER TREATMENT FACILITIES ARE SIZED TO BE 4% OF IMPERVIOUS AREA

- LEGEND**
- LOT LINE
 - SETBACK LINE
 - IMPERVIOUS PUBLIC ROAD AREA ADDED
 - POTENTIAL STORMWATER TREATMENT FACILITY AREA
 - CONCEPTUAL DEVELOPABLE AREA FOOTPRINT
- SETBACKS**
- FRONT 30'
 - SIDE 15'
 - BACK 25'
- SPECIFIC BUILDING LOCATIONS SUBJECT TO TOWN OF LOS GATOS DESIGN REGULATIONS AND FUTURE ARCHITECTURE & SITE REVIEW AND APPROVAL PROCESS



Appendix

Hydrologic Soil Group—Santa Clara Area, California, Western Part
(Sisters of the Holy Names Project Site)



MAP LEGEND

Area of Interest (AOI)

 Area of Interest (AOI)

Soils

 Soil Map Units

Soil Ratings

 A
 A/D
 B
 B/D
 C
 C/D
 D
 Not rated or not available

Political Features

 Cities

Water Features

 Streams and Canals

Transportation

 Rails
 Interstate Highways
 US Routes
 Major Roads
 Local Roads

MAP INFORMATION

Map Scale: 1:1,610 if printed on A size (8.5" × 11") sheet.

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for accurate map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL: <http://websoilsurvey.nrcs.usda.gov>
Coordinate System: UTM Zone 10N NAD83

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Santa Clara Area, California, Western Part
Survey Area Data: Version 1, Jul 27, 2010

Date(s) aerial images were photographed: 6/13/2005

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Hydrologic Soil Group

Hydrologic Soil Group— Summary by Map Unit — Santa Clara Area, California, Western Part (CA641)				
Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
334	Urban Land-Montavista-Togasara complex, 9 to 15 percent slopes	D	2.3	24.7%
569	Katykat-Sanikara complex, 8 to 30 percent slopes	C	7.0	75.3%
Totals for Area of Interest			9.3	100.0%

Description

Hydrologic soil groups are based on estimates of runoff potential. Soils are assigned to one of four groups according to the rate of water infiltration when the soils are not protected by vegetation, are thoroughly wet, and receive precipitation from long-duration storms.

The soils in the United States are assigned to four groups (A, B, C, and D) and three dual classes (A/D, B/D, and C/D). The groups are defined as follows:

Group A. Soils having a high infiltration rate (low runoff potential) when thoroughly wet. These consist mainly of deep, well drained to excessively drained sands or gravelly sands. These soils have a high rate of water transmission.

Group B. Soils having a moderate infiltration rate when thoroughly wet. These consist chiefly of moderately deep or deep, moderately well drained or well drained soils that have moderately fine texture to moderately coarse texture. These soils have a moderate rate of water transmission.

Group C. Soils having a slow infiltration rate when thoroughly wet. These consist chiefly of soils having a layer that impedes the downward movement of water or soils of moderately fine texture or fine texture. These soils have a slow rate of water transmission.

Group D. Soils having a very slow infiltration rate (high runoff potential) when thoroughly wet. These consist chiefly of clays that have a high shrink-swell potential, soils that have a high water table, soils that have a claypan or clay layer at or near the surface, and soils that are shallow over nearly impervious material. These soils have a very slow rate of water transmission.

If a soil is assigned to a dual hydrologic group (A/D, B/D, or C/D), the first letter is for drained areas and the second is for undrained areas. Only the soils that in their natural condition are in group D are assigned to dual classes.

Rating Options

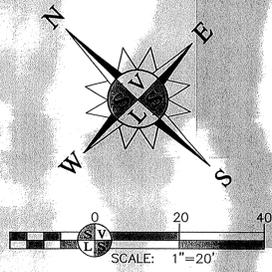
Aggregation Method: Dominant Condition

Component Percent Cutoff: None Specified

Tie-break Rule: Higher

CONTRACTOR SHALL TELEVISION EXISTING STORM DRAIN LINE. LINE SHALL BE REPLACED WITH 15" HDPE IF DIAMETER IS LESS THAN 12" OR LINE IS IN BAD STRUCTURAL CONDITION AS DETERMINED BY THE TOWN ENGINEER.

JOINT TRENCH IS NOT COVERED BY THESE PLANS AND ASSOCIATED ENCROACHMENT PERMIT.



EARTH BERM

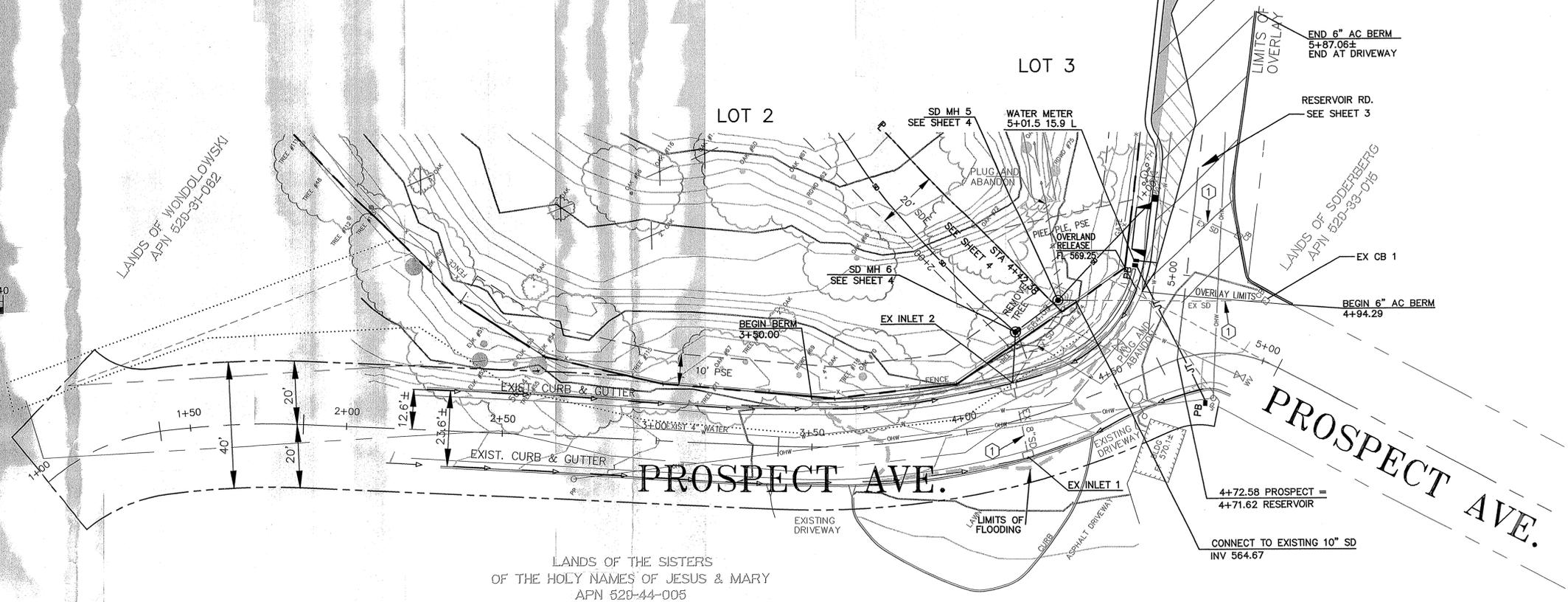
NOTE: CARE MUST BE TAKEN TO MAINTAIN THE BERM HEIGHT SINCE IT IS TO CONTAIN FLOOD WATERS IN THE EVENT OF A BLOCKED OR OVERCAPACITY STORM DRAIN. MINIMUM BERM HEIGHT = 569.75
A BERM SHALL BE CONSTRUCTED ALONG THE FRONTAGE AT THE INTERSECTION OF PROSPECT AND RESERVOIR ROAD. TREES ARE NOT TO BE REMOVED UNLESS ALREADY APPROVED.

OVERLAND RELEASE CHANNELIZATION
NO SCALE

LANDS OF WONDOLOWSKI
APN 520-31-082

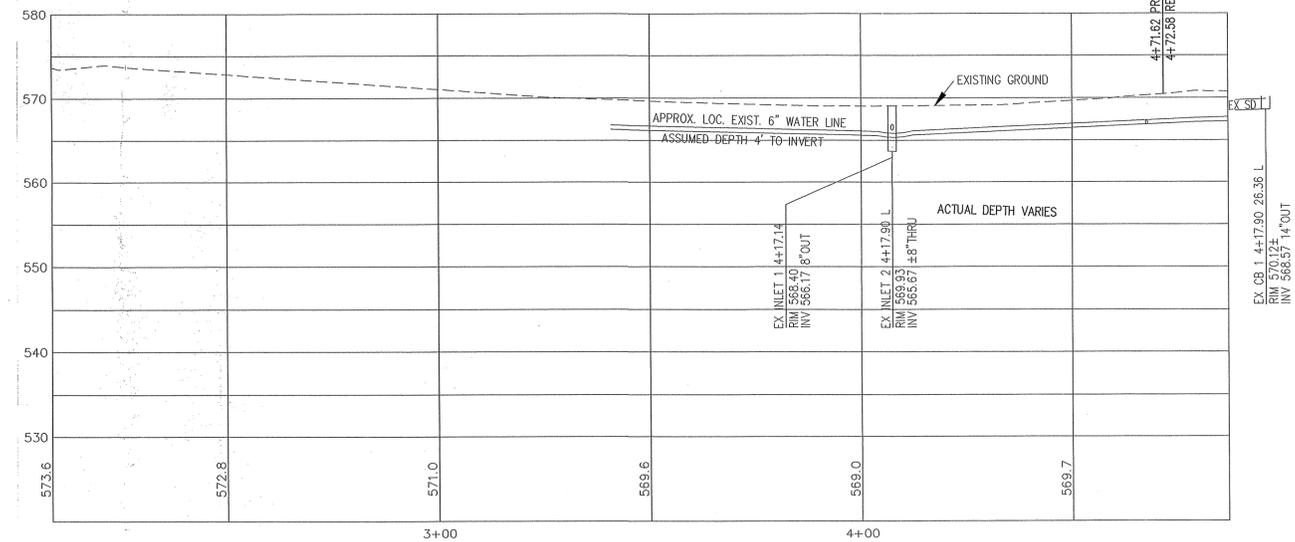
LOT 2

LOT 3



LANDS OF THE SISTERS
OF THE HOLY NAMES OF JESUS & MARY
APN 520-44-005

PROSPECT AVE.



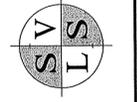
PROSPECT AVENUE

SCALE: H 1"=20', V 1"=10'

ENC-161
Town of Los Gatos
ENGINEERING DEPARTMENT
PLAN APPROVED
BY: *[Signature]* DATE: 7/27/06
THE TRANSFER OF THIS SCALE COPY IS HELD TO BE VOID OR TO BE AN INDICATION OF THE VALIDATION OF ANY DRAWING OR STATE LAW. APPROVED PLANS MUST BE ON JOB SITE AT ALL TIMES.

NO.	REVISION	DATE

SILICON VALLEY LAND SURVEYING, INC.
LAND AND ENGINEERING SURVEYS
1083 NORTH FIFTH ST., SAN JOSE, CA 95128
Tel. (408) 971 8572 FAX (408) 971 8501



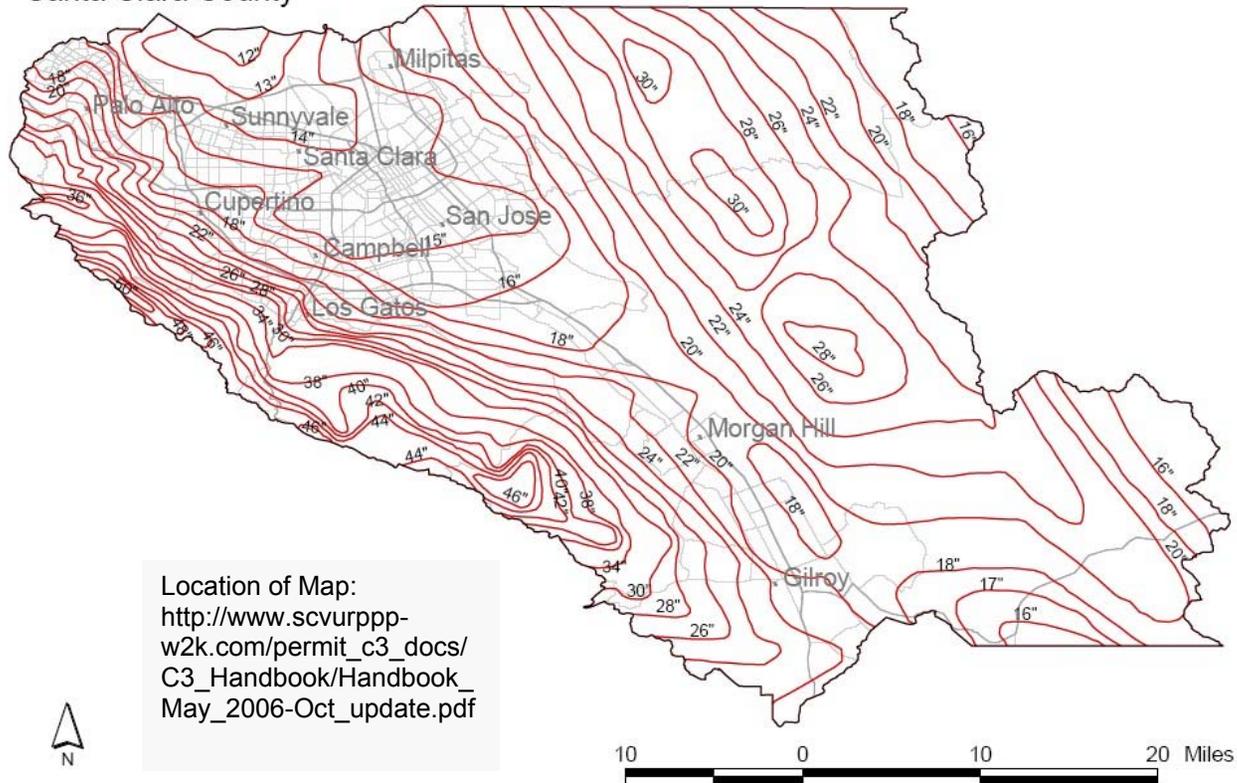
SIENNA OAKS
APN 529-31-041
LOS GATOS CALIFORNIA

PLAN AND PROFILE
PROSPECT AVENUE

DATE: 7/27/06
SCALE: 1"=20'
DRAWN BY: JM
DESIGN BY: KP
CHECKED BY:
SHEET
2
OF 6 SHEETS
PROJ NO. 05-0770
DWG NO. 5077pp02



Figure A-2
Mean Annual Precipitation Map
Santa Clara County



SOURCE: Santa Clara Valley Water District, Mean Annual Precipitation Map, San Francisco & Monterey Bay Region, 1998

Figure A-2: Mean Annual Precipitation, Santa Clara County



STAFF ONLY
 Building Permit
 Date: _____
 Permit #: _____

TOWN OF LOS GATOS

NPDES PERMIT - C.3. DATA FORM

C.3 Regulated Projects are defined as any project that creates and/or replaces 10,000 sq. ft. or more of impervious surface (collectively over the entire project site)

All projects creating, adding, or replacing 10,000 square feet or more of impervious surface on the project site must fill out this worksheet and **must reserve a minimum of 4% of developable surface area** for the placement of storm water treatment facilities, unless an alternative storm water treatment plan is approved by the Town Engineer. Submit this form to the Engineering Division of the Parks and Public Works Department. An update to this form will be required prior to Building Permit issuance.

What is an Impervious Surface?

An impervious surface is a surface covering or pavement that prevents the land's natural ability to absorb and infiltrate rainfall/stormwater. Impervious surfaces include, but are not limited to rooftops, walkways, paved patios, driveways, parking lots, storage areas, concrete and asphalt, and any other continuous watertight pavement or covering. **Pervious pavement, underlain with pervious soil or pervious storage material (e.g., drain rock), that infiltrates rainfall at a rate equal to or greater than surrounding unpaved areas** OR that stores and infiltrates the water quality design volume specified in Provision C.3.d of the Municipal Regional Stormwater Permit (MRP), **is not considered an impervious surface.**

**Note: For restaurants, uncover parking lots, auto service facilities and retail gasoline outlets that receive final discretionary approval on or after December 1, 2011, the threshold will be reduced to 5,000 sq. ft.*

1. General Information:

Date: 12/5/13

APN # 529-44-005

Project Location: 200 Prospect Avenue
(address)

Applicant Name: Sisters of the Holy Names Applicant's Ph #: _____

Engineer: Jen Harmon, RBF Consulting Engineer's Ph #: 925-906-1400

Project Phase(s): 1 of 1

Project Description: Redevelopment of convent complex into single family lots.

Project Type (check all that apply):

- Residential
- Commercial
- Industrial
- Auto Service
- Uncovered parking
- Public
- Restaurant
- Mixed Use
- Retail Gas Outlet
- Other _____

If Residential, does the project consist of a single-family home that is not part of a larger common plan of development? Yes No

If yes, stop here and submit sheet 1 only.

(Note: Beginning December 1, 2012, additional requirements will apply to single family home projects that are not part of a larger plan of development.)

Project Watershed/Receiving Water: Los Gatos Creek

2. Project Information:

- a. Total site area 10.80 acres
- b. Estimated area of land disturbance during construction (includes clearing grading or excavation) 6.45 acres
- c. Existing impervious surface area (includes land covered by buildings, sheds, patios/covers, parking lots, streets, sidewalks, paved walkways and driveways, etc) 129,537 sq. ft.
- d. Existing impervious surface area replaced as part of project 109,419 sq. ft.
- e. New impervious surface area created/added as part of project 0 sq. ft.
- f. Total new and replaced impervious surface area (d + e) 109,419 sq. ft.
- g. Total post-project impervious surface area (c + e) 109,419 sq. ft.
- h. Percent increase/replacement of impervious surface area ($f \div c \times 100$) 84.5 %
(For redevelopment projects only)

3. Construction General Permit Applicability:

Is #2.b. equal to 1 acre or more?

- Yes, applicant must obtain coverage under the State Construction General Permit (i.e., file a Notice of Intent and prepare a Stormwater Pollution Prevention Plan) (see www.swrcb.ca.gov/water_issues/programs/stormwater/construction.shtml for details).
- No, applicant does not need coverage under the State Construction General Permit.

4. Hydromodification Management (HM) Applicability:

- a. Does project create and/or replace one acre or more of impervious surface AND create an increase in total impervious surface from the pre-project condition (i.e., is 2.g. > 2.c.)?
 - Yes (continue)
 - No – exempt from HM, go to page 3
- b. Is the project located in an area of HM applicability (green or pink area) on the HM Applicability Map? (www.scvurppp-w2k.com/hmp_maps.htm)
 - Yes, project must implement HM requirements
 - No, project is exempt from HM requirements

5. Treatment System Sizing for Projects with Treatment Requirements

Indicate the hydraulic sizing criteria used and provide the calculated design flow or volume:

Treatment System Component	Hydraulic Sizing Criteria Used ³	Design Flow or Volume (cfs or cu.ft.)
Biotreatment Stormwater facility	simplified method*	4% of imp. area

³Key: 1: Volume – CASQA BMP Handbook Method
2: Flow – CASQA BMP Handbook Method

* the simplified method assumes a surface area equal to 4% of the contributing impervious area, and is appropriate to this stage of project planning

Specific Stormwater Control Measures:

(Check all that apply)

Source Controls

- Alternative building materials
- Wash area/racks, drain to sanitary sewer²
- Covered dumpster area, drain to sanitary sewer²
- Sanitary sewer connection or accessible cleanout for swimming pool/spa/fountain¹
- Beneficial landscaping (minimizes irrigation, runoff, pesticides and fertilizers; promotes treatment)
- Outdoor material storage protection
- Covers, drains for loading docks, maintenance bays, fueling areas
- Maintenance (pavement sweeping, catch basin cleaning, good housekeeping)
- Storm drain labeling
- Other _____

Flow Duration Controls for Hydromodification Management (HM)

- Detention Basin
- Underground Tank or Vault
- Bioretention with outlet control
- Other _____

Site Design Measures

- Minimum land disturbance
- Minimized impervious surfaces
- Minimum-impact street design
- Minimum-impact parking lot design
- Cluster structures/pavement
- Permeable pavement
- Alternative driveway design
- Roof downspouts drain to landscaping
- Microdetention in landscape
- Rainwater harvesting and reuse (e.g., rain barrel, cistern connected to roof drains)
- Preserved open space: 3.08 ac. or sq. ft. (circle one)
- Protected riparian and wetland areas, riparian buffers (Setback from top of bank: _____ft.)
- Other _____

Treatment Systems²

LID Treatment

- Infiltrating vegetated swale
- Vegetated filter strip
- Bioretention area
- Flow-through planter
- Green roof
- Infiltration trench/basin
- Underground detention and infiltration system (e.g. pervious pavement drain rock, large diameter conduit)
- Retention/irrigation
- Other _____

Other Treatment Methods

- Flow-through vegetated swale (no infiltration)
- Dry detention basin
- Wet pond
- Media filter (sand, compost, or manufactured media)
- Hydrodynamic separator³
- Water quality inlet filter³
- Other _____

¹ Subject to sanitary sewer authority requirements.

² Stormwater treatment is currently required for all projects that create and/or replace 10,000 square feet or more of impervious surface (#2.f. > 10,000 sf). Low Impact Development (LID) treatment methods are strongly encouraged, and will be required for projects that receive final discretionary

³ Only allowed as part of a multi-step treatment process.

6. Third Party Certification

Per the Permit, a qualified consultant is required to review and certify the Stormwater Management Plan and/or Hydromodification Flow Control Facilities. The Town will facilitate this process and will require a deposit for this review.

7. Operation & Maintenance Information

- A. Property Owner's Name Sisters of the Holy Names
- B. Responsible Party for Stormwater Treatment/Hydromodification Control O&M:
 - a. Name: Sisters of the Holy Names
 - b. Address: P.O. Box 398 Maryhurst, OR 97036
 - c. Phone/E-mail: _____

This section to be completed by Municipal staff.

<p>O&M Responsibility Mechanism Indicate how responsibility for O&M is assured. Check all that apply:</p> <p><input type="checkbox"/> O&M Agreement</p> <p><input type="checkbox"/> Other mechanism that assigns responsibility (describe below): _____</p>
--



Infiltration/Harvesting and Use Feasibility Screening Worksheet

Apply these screening criteria for **C.3 Regulated Projects*** required to implement Provision C.3 stormwater treatment requirements. See the Glossary (Attachment 1) for definitions of terms marked with an asterisk (*). Contact municipal staff to determine whether the project meets **Special Project*** criteria. If the project meets Special Project criteria, it may receive LID treatment reduction credits.

1. Applicant Info

Site Address: 200 Prospect Avenue, Los Gatos, CA APN: 529-44-005
 Applicant Name: Sisters of the Holy Names Phone No.: _____
 Mailing Address: P.O. Box 398 Maryhurst OR 97036

2. Feasibility Screening for Infiltration

Do site soils either (a) have a **saturated hydraulic conductivity*** (Ksat) that will NOT allow infiltration of 80% of the annual runoff (that is, the Ksat is LESS than 1.6 inches/hour), or, if the Ksat rate is not available, (b) consist of Type C or D soils?¹

- Yes (continue) No – complete the Infiltration Feasibility Worksheet. If infiltration of the C.3.d amount of runoff is found to be feasible, there is no need to complete the rest of this screening worksheet.

3. Recycled Water Use

Check the box if the project is installing and using a recycled water plumbing system for non-potable water use.

- The project is installing a recycled water plumbing system, and installation of a second non-potable water system for harvested rainwater is impractical, and considered infeasible due to cost considerations. Skip to Section 6.

4. Calculate the Potential Rainwater Capture Area* for Screening of Harvesting and Use

Complete this section for the entire project area. If rainwater harvesting and use is infeasible for the entire site, and the project includes one or more buildings that each have an individual roof area of 10,000 sq. ft. or more, then complete Sections 4 and 5 of this form for each of these buildings.

- 4.1 Table 1 for (check one): The whole project Area of 1 building roof (10,000 sq.ft. min.)

Table 1: Calculation of the Potential Rainwater Capture Area*				
<i>The Potential Rainwater Capture Area may consist of either the entire project area or one building with a roof area of 10,000 sq. ft. or more.</i>				
	1	2		4
	Pre-Project Impervious surface ² (sq.ft.), if applicable	Proposed Impervious Surface ² (IS), in sq. ft.		Post-project landscaping (sq.ft.), if applicable
		Replaced ³ IS	Created ⁴ IS	
a. Enter the totals for the area to be evaluated:	129,587			
b. Sum of replaced and created impervious surface:	N/A	109,419		N/A
c. Area of existing impervious surface that will NOT be replaced by the project.	∅	N/A		N/A

¹ Base this response on the site-specific soil report, if available. If this is not available, consult soil hydraulic conductivity maps in Attachment 3.
² Enter the total of all impervious surfaces, including the building footprint, driveway(s), patio(s), impervious deck(s), unroofed porch(es), uncovered parking lot (including top deck of parking structure), impervious trails, miscellaneous paving or structures, and off-lot impervious surface (new, contiguous impervious surface created from road projects, including sidewalks and/or bike lanes built as part of new street). Impervious surfaces do NOT include vegetated roofs or pervious pavement that stores and infiltrates rainfall at a rate equal to immediately surrounding, unpaved landscaped areas, or that stores and infiltrates the **C.3.d amount of runoff***.
³ "Replaced" means that the project will install impervious surface where existing impervious surface is removed.
⁴ "Created" means the project will install new impervious surface where there is currently no impervious surface.
 * For definitions, see Glossary (Attachment 1).

4.2 Answer this question ONLY if you are completing this section for the entire project area. If existing impervious surface will be replaced by the project, does the area to be replaced equal 50% or more of the existing area of impervious surface? (Refer to Table 1, Row "a". Is the area in Column 2 > 50% of Column 1?)

- Yes, C.3. stormwater treatment requirements apply to areas of impervious surface that will remain in place as well as the area created and/or replaced. This is known as the 50% rule.
- No, C.3. requirements apply only to the impervious area created and/or replaced.

4.3 Enter the square footage of the **Potential Rainwater Capture Area***. If you are evaluating only the roof area of a building, or you answered "no" to Question 4.2, this amount is from Row "b" in Table 1. If you answered "yes" to Question 4.2, this amount is the sum of Rows "b" and "c" in Table 1.:

109,419 square feet.

4.4 Convert the measurement of the **Potential Rainwater Capture Area*** from square feet to acres (divide the amount in Item 4.3 by 43,560):

2.51 acres.

5. Feasibility Screening for Rainwater Harvesting and Use

5.1 Use of harvested rainwater for landscape irrigation:

Is the onsite landscaping LESS than 2.5 times the size of the **Potential Rainwater Capture Area*** (Item 4.3)? (Note that the landscape area(s) would have to be contiguous and within the same Drainage Management Area to use harvested rainwater for irrigation via gravity flow.)

- Yes (continue)
- No – Direct runoff from impervious areas to **self-retaining areas*** OR refer to Table 11 and the curves in Appendix F of the LID Feasibility Report to evaluate feasibility of harvesting and using the C.3.d amount of runoff for irrigation.

5.2 Use of harvested rainwater for toilet flushing or non-potable industrial use:

a. Residential Projects: Proposed number of dwelling units: _____
Calculate the dwelling units per impervious acre by dividing the number of dwelling units by the acres of the **Potential Rainwater Capture Area*** in Item 4.4. Enter the result here:

_____)

Is the number of dwelling units per impervious acre LESS than 100 (assuming 2.7 occupants/unit)?

- Yes (continue)
- No – complete the Harvest/Use Feasibility Worksheet.

b. Commercial/Industrial Projects: Proposed interior floor area: _____ (sq. ft.)

Calculate the proposed interior floor area (sq.ft.) per acre of impervious surface by *dividing the interior floor area (sq.ft.) by the acres of the **Potential Rainwater Capture Area*** in Item 4.4. Enter the result here:*

Is the square footage of the interior floor space per impervious acre LESS than 70,000 sq. ft.?

- Yes (continue)
- No – complete the Harvest/Use Feasibility Worksheet

c. School Projects: Proposed interior floor area: _____ (sq. ft.)

Calculate the proposed interior floor area per acre of impervious surface by *dividing the interior floor area (sq.ft.) by the acres of the **Potential Rainwater Capture Area*** in Item 4.4. Enter the result here:*

Is the square footage of the interior floor space per impervious acre LESS than 21,000 sq. ft.?

- Yes (continue)
- No – complete the Harvest/Use Feasibility Worksheet

* For definitions, see Glossary (Attachment 1).

d. Mixed Commercial and Residential Use Projects

- Evaluate the residential toilet flushing demand based on the dwelling units per impervious acre for the residential portion of the project, following the instructions in Item 5.2.a, except you will use a prorated acreage of impervious surface, based on the percentage of the project dedicated to residential use.
- Evaluate the commercial toilet flushing demand per impervious acre for the commercial portion of the project, following the instructions in Item 5.2.a, except you will use a prorated acreage of impervious surface, based on the percentage of the project dedicated to commercial use.

e. Industrial Projects: Estimated non-potable water demand (gal/day): _____

Is the non-potable demand LESS than 2,400 gal/day per acre of the Potential Rainwater Capture Area?

- Yes (continue) No – refer to the curves in Appendix F of the LID Feasibility Report to evaluate feasibility of harvesting and using the C.3.d amount of runoff for industrial use.

6. Use of Biotreatment

If only the “Yes” boxes were checked for all questions in Sections 2 and 5, or the project will have a recycled water system for non-potable use (Section 3), then the applicant may use appropriately designed bioretention facilities for compliance with C.3 treatment requirements. The applicant is encouraged to maximize infiltration of stormwater if site conditions allow.

7. Results of Screening Analysis

Based on this screening analysis, the following steps will be taken for the project (check all that apply):

- Implement biotreatment measures (such as an appropriately designed bioretention area).
- Conduct further analysis of infiltration feasibility by completing the Infiltration Feasibility Worksheet.
- Conduct further analysis of rainwater harvesting and use (check one):
 - Complete the Rainwater Harvesting and Use Feasibility Worksheet for:
 - The entire project
 - Individual building(s), if applicable, describe: _____
 - Evaluate the feasibility of harvesting and using the C.3.d amount of runoff for irrigation, based on Table 11 and the curves in Appendix F of the LID Feasibility Report
 - Evaluate the feasibility of harvesting and using the C.3.d amount of runoff for non-potable industrial use, based on the curves in Appendix F of the LID Feasibility Report.

APPENDIX M

ARBORIST'S ADDENDUM



ARBOR RESOURCES

professional consulting arborists and tree care

January 10, 2014

via: email

Suzanne Avila
Community Development Department
Town of Los Gatos
110 East Main Street
Los Gatos, CA 95031

RE: ADDENDUM NO. 1 - Cauldesac Realignment
Sisters of the Holy Names, 100 Prospect Avenue, Los Gatos
Subdivision Application M-13-003

Dear Ms. Avila:

This letter serves as an addendum to my report dated 7/1/13, and provides the potential tree disposition associated with reconfiguring the proposed cauldesac alignment with Kimble Avenue, as shown in the most recent plan set dated 1/8/14.

Based on my review, **seven trees** previously planned for retention would be **removed**, and **three trees** directly impacted by the previous design could potentially be **retained**; they are as follows, and #9 is assigned a low suitability and all others a moderate suit:

- Removals: #2, 3, 4, 17, 18, 19 and 27.
- Trees Potentially Retained: #6, 7 and 9 (all on lot 2).

Of the removals, each is assigned a moderate suitability for preservation. Additionally, **trees #2, 4, 17 and 18** are also identified as removals due to being in direct conflict with the footprint of the **stormwater treatment areas** proposed along the entry near Prospect Avenue (per Sheet 6).

The new design also exposes **trees #20, 21 and 192** to root loss, but at tolerable levels. **Tree #20's** canopy is also potentially exposed to varying impacts due to its asymmetrical growth and close proximity to the new street (would need to be field-verified).



ARBOR RESOURCES

professional consulting arborists and tree care

January 10, 2014
100 Prospect Avenue
page 2 of 2

I also note that **tree #234** (27" coast live oak), which is situated at the end of the bulb, could potentially be retained with the current grading design, provided the utilities proposed beyond the curb and into lot 7 could be bored or realigned to avoid severe root loss (see 5.1.6 of my 7/11/13 report for mitigation measures).

Sincerely,

David L. Babby
Registered Consulting Arborist[®] #399
Board-Certified Master Arborist[®] #WE-4001B

