County of Santa Clara

Department of Planning and Development
Planning Office

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April 30, 2021

Patricia Diaz
P.O. Box 3954
Los Altos, CA 94022
Email: pat94024@yahoo.com

FILE NUMBER: PLN14-10531
SUBJECT: Building Site Approval, and Variance
SITE LOCATION: Gronwall Lane, Los Altos (APN 336-10-038)
DATE RECEIVED: April 2, 2021
FINAL ACTION: By July 1, 2021

VIA EMAIL ONLYDelivered to Owner and Applicant

Dear Ms. Diaz:

This letter is written to inform you that your project **is deemed complete.** On November 10, 2015, the Zoning Administrator held a public hearing with a decision to continue the hearing to a date uncertain due to inadequate streambank slope stability analysis. The applicant was directed to provide technical hydrology and geotechnical reports to resolve the County requirements. A final action on this application is scheduled to occur by July 1, 2021.

Prior to this date, you have the following options:

1. Submit in writing a letter requesting withdrawal of your application **by June 1, 2021**. or
2. If no withdrawal is requested, staff shall schedule the Zoning Administration Hearing for **July 1, 2021** with staff recommendation of denial of the project.

It is important to note, as discussed in meetings with staff (Zoning Administration Hearing on November 10, 2015, followup review meeting with Planning and Valley Water staff on September 12, 2018, and resubmittal review mtg. on April 2, 2021) and correspondence (review letters dated July 25, 2017, and October 30, 2017, email correspondence from Planning dated September 12, 2018 and Valley Water dated October 2, 2018 and July 23, 2020 and incomplete letter dated October 11, 2019), staff continues to have concerns with the project's feasibility to meet code requirements and have adequate slope stability analysis for the project design. Staff has provided the comments multiple times as referenced above. Please see Attachment for details on unresolved issues based on the latest submittal.

In submitting this land use application, the owner/applicant included an initial application fee. Application fees are categorized as "fixed fees" and "billable fees", based on the particular application type(s). "Fixed fee" applications do not require any additional fees to continue processing. However, when funds associated with a "billable fee" application have been spent, an additional deposit will be required to continue processing the application.

If you have any additional questions regarding this application, please call me at (408) 299-5797, or contact me at Colleen.Tsuchimoto@pln.sccgov.org

Sincerely,

Colleen A Tsuchimoto

Colleen A. Tsuchimoto

Senior Planner

Enclosure: Attachment1

cc: Leza Mikhail - Planning

Ed Duazo, Land Development Engineering

Yvonne Arroyo, Usha Chatwani, Benjamin Hwang - Santa Clara Valley Water District

Applicant(s):
Ralph Saviano of Via Builders – viabuilders@gmail.com
Daniel Dyckman, of Geoforensics, Inc. – Email: dan.geoforensics@yahoo.com
Matt Weld of Waterways Consulting, Inc. – Email: mattw@watways.com
Matt Smeltzer of Geomorph – fluvialgeomorph@gmail.com
Alexander Prange of Sandis – aprange@sandis.net

ATTACHMENT 1: The following issues remain unresolved:

Planning

Contact Colleen Tsuchimoto at (408) 299- 5797 / Colleen.Tsuchimoto@pln.sccgov.org) for information regarding the following item(s).

1. The plans submitted are required to show the top bank of the creek, and setback of creek to be consistent with report recommendations 5 ft. setback. It appears that the residence has shifted and is closer than setback recommendations. With all the erosion and impact concerns, such a location is not approvable. Sandis Engineers revisted site. Updated the ToB & 5' setback. All supporting docs attached including A-2/ A-9 & C-1

2. It appears that the revised documentation did not cover the requested analysis as detailed in previous correspondence. Revised reports that comply with the following and meets all requirements of Planning, Land Development Engineering, and Santa Clara Valley Water District should be addressed.: Geoforensics re-visited the site, drilled boring hole(s) and produced the attached supplemental report on its revised slope stability report

   (a) Analysis concerning bank stability of the new residence impacting the top bank of creek and vice versa scenario – creek impacting the residence using criteria as shown in Santa Clara Valley Water District and Land Development Engineering comments below.
   (b) Cross sections of structures illustrating top of creek bank slope stability. There is conflicting information as addressed in the Valley Water comments.

Land Development Engineering

Contact Ed Duazo at (408) 299-5733 / Ed.Duazo@pln.sccgov.org regarding the following items:

Land Development Engineering comments have been addressed by Sandis Engineering in a separate response letter

3. Per Waterway Consulting's technical memorandum, "Bank Erosion Risk Assessment for Hale Creek at Gronwall Lane, the top bank of Hale Creek appears to have shifted and is now closer to the residence. Previous comments requested that this shift be shown in the plans. Civil plans are required to show the shift, with the top of bank clearly labeled. The civil plans do not appear to match the topography shown in the Waterway Consulting's technical memo, specifically the eroded area immediately downstream of the armored embankment.

4. In the civil plans, a storm drainage easement is required for Hale Creek that extends 5 feet beyond the top of bank.

5. The plans indicate that the proposed swale running south along the Gronwall Lane frontage will tie into an existing swale that directs runoff to the creek. Additional details of the existing swale are required. How does this tie into the creek and what is the upstream tributary area? Is there sufficient capacity for the swale to accept additional run-off?

ATTACHMENT 1: The following issues remain unresolved.

Santa Clara Valley Water District
Contact Benjamin Hwang at (408) 630-3066 / / bhwang@valleywater.org regarding the following items:

6. Technical Memorandum for Hydraulic Analysis and Hydraulic Model (Geomorph Design, March 4, 2021)
   Updated Geomorph Technical Memorandum attached

   (a) Under "Introduction" on Page 1 of the technical memorandum, the last sentence states that Santa Clara Valley Water District (Valley Water) is seeking mitigation for ongoing bank erosion and poorly vegetated creek bank conditions at the proposed development site." It should be clarified that Valley Water is not seeking any kind of mitigation along this reach of Hale Creek; rather, Waterways Consulting Inc. identified the potential for erosion from their hydraulic analysis and proposed current mitigation measures. Valley Water staff requested an **analysis to demonstrate that the proposed mitigation measures will not further degrade the stability of the channel banks, and be feasible to implement.**

   (b) For "Boundary Conditions" (Page 8), the technical memorandum noted that "GDG used normal depth computed water surface elevations at the upstream and downstream boundary conditions for slopes determined from survey data between 0.0010 and 0.001 ft/ft.' Flow files for all plans in the submitted hydraulic models have a slope of 0.0080 coded in as the normal depth slope for the downstream boundary condition; furthermore, the model outputs provided in the Appendices appear to correlate with this boundary condition. **All boundary conditions in the hydraulic model and model outputs** provided in the technical memorandum are required to be verified.

   (c) All geometry files in the submitted HEC-RAS model show XS 1429 crossings XS 1422 and XS 1415. Cross sections should not be intersecting or crossing each other. **The cutlines for these cross sections should be verified and the overbank downstream lengths should be verified to ensure that overbank areas are being accurately modeled.**

7. Riparian Planting and Monitoring Plan (Geomorph Design/Wood Biological Consulting, March 8, 2021
   An updated Riparian Planting and Monitoring Plan is attached along with supporting documents

   (a) In Section 1.0 – "Introduction," the report states that "This riparian planting and monitoring plan meets the requirements of the Santa Clara County Water District." It should be clarified that Valley Water did not specify any requirements and only provided comments on the planting and monitoring plans submitted by Waterways Consulting Inc.

ATTACHMENT 1: The following issues remain unresolved

(b) **The canopy of the existing trees, with the species identified**, on Sheet L-1 of the Native Riparian Planting Plan is not shown.

(c) Section 3.6.3 (Page 8) states that "Container stock and seed shall be from Bay Area sources only." **Source material used to grow the plantings should specifically be from the Hale Creek watershed, or from a watershed immediately adjacent to it.**

(d) Plans should provide additional information on the **proposed irrigation scheme** including whether the system will be below, or at grade.

8. Grading and Drainage Plan (Sandis, March 20, 2020):

SCVWD comments have been addressed by Sandis Engineering in a separate response letter

(a) Sandis Grading and Drainage Plan sheet C1 shows runoff from the parcel being directed to Summerhill Creek (to the North) and Hale Creek (to the East**). Over-bank drainage of runoff from the development should be avoided to prevent bank erosion. All runoff should be directed to an existing storm drain or outfall to the creek.**

(b) Runoff along the Westerly portion of the development is directed to a "Proposed Swale," which then drains into an "Existing Swale." **The alignment of the Existing Swale**" on Sheet C-1 should be clearly shown. Additionally, **detailed cross sections for both existing and proposed swales** is required.

9. Geotechnical Report (GeoForensics, January 17, 2020):

Updated Geoforensics report attached based on further boring samples

Valley Water staff provided the comments below in a letter to Santa Clara County (County) on July 23, 2020. Mr. Dan Dyckman of GeoForensics provided a response to Valley Water staff in an email correspondence sent on August 4, 2020, however the following comments still need to be formally addressed in the geotechnical report.

(a) The geotechnical report did not specify whether the analysis considered short-term loading conditions (immediately following the end of construction) and long-term loading conditions. **Factors of safety should provided** for both scenarios.

(b) The bank geometries considered for the slope stability analysis appear to be 1:5H:1V, 3H:1V, or flatter; this is inconsistent with field observations noted by Waterway Consulting Inc., and subsequently Geomorph Design, in their respective reports. **The slopes considered in the bank stability analysis should be verified and consistent with site conditions** described in the above mentioned reports.

ATTACHMENT 1: The following issues remain unresolved.

(c) It is stated on Page 3 of the Geoforensics report that "Strength parameters were provided in the Seismic Hazard Report for the Cupertino Quadrangle. In our slope stability analyses, we have very conservatively used a 15 degree friction angle and 500 psf cohesion value for the upper soils, while we used a conservative 20 degree angle of friction and 1000 psf cohesive value for the deeper, denser soils. Valley Water previously requested clarification of how the soil strength parameters were determined from the slope stability analysis. Mr. Dyckman stated in his August 4, 2020 response that the original soils report did not include any site-specific strength tests and indicated the upper soils had blow counts between 28 and 36. **The geotechnical report should reference any findings extrapolated from the original soils report to determine soil strength parameters; furthermore, justification beyond asserting that the assumed values are conservative, should be provided** in the report.