

County of Santa Clara

Department of Planning and Development
Planning Office

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STAFF REPORT

Zoning Administration
December 18, 2019

Public Hearing

Item #1

Staff Contact: Mark J. Connolly
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File: PLN18-11315

Design Review and Grading Approval for a new Single-Family Residence

Summary: Design Review (Tier 2 Project) and Grading Approval for a new 5,493 square-foot residence located at 10225 Cinnabar Hills Road, San Jose (Assessor Parcel No. 742-03-013). Ancillary site improvements include a new driveway with associated retaining walls, and an on-site septic system. Estimated grading quantities include 2,118 cubic yards of cut and 997 cubic yards of fill.

Owner: Anant Uttarwar

Applicant: Same

Address: 10225 Cinnabar Hills Road, San Jose

APN: 742-03-013

Supervisorial District: #3

Gen. Plan Designation: Hillsides

Zoning: HS-h1

Lot Size: 2.77 acres

Present Land Use: Vacant

HCP: Not a covered project

RECOMMENDED ACTIONS

- A. Accept a Categorical Exemption, under Section 15303 (Class3) (a) of the California Environmental Quality Act (CEQA) Guidelines, Attachment A; and,
- B. Grant the Design Review and Grading Approval application, subject to Conditions of Approval outlined in Attachment B.

ATTACHMENTS INCLUDED

Attachment A – CEQA Determination

Attachment B – Conditions of Approval

Attachment C – Proposed Plans and Landscape Plan

Attachment D – Historical Heritage Commission Staff Report (November 21, 2019)

PROJECT DESCRIPTION

The subject 2.77 acre property is currently vacant, with an average slope of approximately 20%. The proposed project consists of the construction of a new 5,493 square-foot, two-story, single-family residence, with a partially exposed basement. The subject property is located outside of the Urban Service Area of the City of San Jose, and the proposed residence would be served by Alram State Small Water System for domestic water and an on-site septic system.. The site is an approved building site, as a result of development feasibility demonstrated when the subdivision tract (Pueblo Lands of San Jose No. 3) was created. Two Ordinance-protected trees would be removed, a 30-inch diameter Oak and an 18-inch diameter Oak.

Setting/Location Information

The subject property is located at 10225 Cinnabar Hills Road, San Jose, within the -h1 New Almaden Historic Preservation Combining District (Chapter 3.50), which is a National Historic Landmark District, within unincorporated San Jose. This property is not part of Priority List 1 or Priority List 2, and is located outside of the Central Community Area. The zoning designation is HS-h1 (Hillsides with -h1 Historic Preservation Combining District). According to the County GIS “visibility layer,” the property is moderately visible from the Santa Clara valley floor. Additionally, in working with County GIS Staff to perform a “reverse view shed analysis,” Planning Staff was able to determine that the subject property is also visible from -h Central Community Area.

The majority of the surrounding neighborhood is comprised of larger lots and contemporary style single-family residences on sloping lots. Some lots are vacant, but the neighborhood is mostly developed.

REASONS FOR RECOMMENDATIONS

A. Environmental Review and Determination (CEQA)

The environmental impacts of the proposed project were analyzed, resulting in a proposed Categorical Exemption (See Attachment A). The aesthetic impacts of the proposed project have been addressed through the required Design Review process with landscaping, and other design measures (i.e. compliance with approved LRV approved colors as shown on plans). As such, the project qualified for a Class 3, Section 15303 (a) new single-family residence Exemption from CEQA.

B. Project/Proposal

1. **General Plan:** Hillsides
2. **Approved Building Site:** The site is an existing approved building site as a result of developability review and requirements from the San Vicente Rancho Parcel Map (PM 509/30).
3. **Zoning Standards:** The Zoning Ordinance specifies the required development standards for HS-h1 Zoning District, as summarized below.

Main Residence

Setbacks (HS): 30-ft from all property lines
Height: 35-feet
Stories: 3-stories

Accessory Structures

Setbacks (HS): 75- feet from the front property line or in the rear yard 30 feet from side and rear property lines

Height: 35-feet

C. Design Review. Section §3.50.030 of the County Zoning Ordinance requires Design Review approval for “[c]onstruction of any new building or structure in any -h combining zoning district... .” It is important to note that applicable development standards are different for projects solely located within a -h1 combining district, compared to project with a -d1 combining district. Design Review applications are subject to the Scope of Review (“Findings”), as listed in §5.50.040 of the County Zoning Ordinance, which states, “[t]he overall purpose of Design Review is to encourage quality design and mitigate potential adverse visual impacts of development.” In the following discussion, the Findings are in **bold**, and an explanation of how the project meets the required Finding is in plain text below.

1. Mitigation of any adverse visual impacts from proposed structures, grading, vegetation removal and landscaping;

The proposed residence is a two-story design, and according to GIS visibility layers, is located in an area of low to medium visibility, as seen from the valley floor. After conducting a “reverse viewshed analysis” utilizing GIS programs, Staff also determined that the project is also visible from the Central Community Area within the -h combining district. The proposed residence is visually compatible in its use of materials, features, and general scale/ bulk and mass, and proportion with the neighboring residences. Furthermore, as outlined in the HHC Staff Report (Attachment D), and as Conditioned, the project will conform with the required -h development standards, pursuant to the recommendations made by the HHC at its November 21, 2019 meeting. Additional mitigation of any potentially adverse impacts from the proposed residence toward the Central Community Area and valley

floor is achieved by screening from existing mature trees on site, as well as elective landscaping, including four replacement Oak trees for the two ordinance-sized oak trees proposed for removal. Additionally, the proposed grading blends with the natural contours and will not create any new impacts, as seen from the valley floor or Community Plan Area. As such, this finding can be made.

2. Compatibility with the natural environment;

The Applicant has designed the residence on a minimal pad that is created by balancing cut and fill, with additional cut proposed to create a modest yard area. The contours that surround the new residence and rear yard area have been designed with finished graded slopes at 2:1 slope to blend with the surrounding natural terrain. Additionally, the proposed driveway runs along the hillside contours, within an existing easement for a majority of the length of the driveway to minimize impacts to the hillside. Minimal trees are proposed to be removed and a replacement ratio of 2:1 native replacement trees are proposed. Thus, the proposed residence is designed to be compatible with the natural environment. As such, this finding can be made.

3. Conformance with the “*Design Review Guidelines*,” adopted by the Board of Supervisors;

The Design review Guidelines were adopted by the Board of Supervisors in February of 1999 with a primary goal to *“maintain the predominantly natural character of hillsides areas and areas along designated scenic roads in Santa Clara County.”* The proposed project is not located along a scenic road. However, applying the guidelines broadly toward neighborhood compatibility and ridgeline protection, the project is in substantial conformance with the guidelines. The project is consistent with the residential development in the immediate neighborhood outside of the Central Community Area, in terms of bulk, mass and materials. Also, the project does not propose any grading along a ridgeline, or that would leave a lasting hillside scar. The site design of the project preserves existing natural features by situating the building site and driveway by maintaining most of the natural hillside surrounding the proposed construction, thereby minimizing hillside scarring and grading. As such, this finding can be made.

4. Compatibility with the neighborhood and adjacent development;

The surrounding neighborhood is comprised of modern estate-style residences ranging in size between 3,000 square feet to 9,500 square feet. The proposed residence, measuring 5,493 square feet, is within the range of home sized and is compatible with the immediate neighborhood. Additionally, the design incorporates multiple architectural features along the facades to help break up the bulking of the structure, so it appears to be similar in size to neighboring homes. As such, the project will not be obtrusive or stand out compared to the other developed parcels in the immediate vicinity and is compatible with the immediate neighborhood.

Additionally, as noted in the November 21, 2019 HHC Staff Report (Attachment D), and as recommended by the HHC Commission, the project, as conditioned, will meet the -h1 design guidelines to ensure compatibility with the surrounding neighborhood. The HHC recommended that the Zoning Administrator approve the project with a Condition of Approval requiring that the proposed red-colored Mission clay tile roof color be changed to a non-red earthen color, similar to adjacent residences. The intent of this condition is that it helps the proposed residence be more visually compatible with the neighboring homes. Staff has added a Condition (Attachment B – Condition No. 18) to reflect the HHC’s recommendation. As such, this finding can be made.

5. Compliance with applicable zoning district regulations; and

Residential uses are allowed by right in HS Hillside zoning district. The project complies with the HS zoning regulations by complying with required setbacks (30-feet from all property lines), a maximum height of 34 feet (maximum allowable height is 35 ft.), and the proposed design is in keeping with the –h design standards as reviewed by the HHC at their November 21, 2019 meeting. In addition, though not strictly required, the exterior colors, as shown on the latest color board plans, are less than 45 in LRV. As such, this finding can be supported.

6. Conformance with the general plan, any applicable specific plan, or any other applicable guidelines.

The General Plan Growth and Development Chapter for Rural Unincorporated Areas contains specific policies under Strategy #3, to ensure environmentally safe and aesthetic hillside development. To ensure compliance with policies intended to minimize or avoid unnecessary grading and policies regarding hillside development, the applicant has situated the structure and driveway so it is constructed parallel with the existing contours. This ensures that disturbance to the natural slopes and other natural features of the land is minimized. As conditioned, the project would be in conformance with the General Plan. To address the potential visual impacts of the building location, natural colors and materials with an LRV below 45 are shown on plans, and new landscaping will be included to blend the proposed residence into the existing environment. As conditioned, the project would be in conformance with the General Plan and all required Guidelines, and this finding can be made.

- D. “Additional Findings.”** Approval of a Design Review application within the -h1 New Almaden Historic Preservation Combining District requires that three “additional findings” be made beyond the primary findings of Design Review that the Zoning Administrator must make. In the following discussion, the Additional Findings are delineated in **bold** type, and an explanation of how the project meets the required findings is in plain text below.

1. Substantial conformance with applicable provisions of the design review guidelines, adopted by the Board of Supervisors.

As noted in the Design Review Findings section of this report (Section “C” above), the project is in conformance with the County’s Design Review Guidelines. The project is consistent with the residential development in the immediate neighborhood and within the Central Community Area, in terms of bulk, mass and materials. As such, this finding can be made.

2. Conformance or consistency with any special regulations, standards, policies, or criteria specific to the particular “-h” district.

The proposed project is consistent with the regulations, standards, policies and criteria applicable within the -h District. The project was reviewed by the Historical Heritage Commission (HHC) at its November 21, 2019 hearing, whereby the HHC found the project to be consistent with the County’s -h combining district development standards. As noted in the November 21, 2019 Staff Report to the HHC (Attachment D), the HHC found that the project was in conformance with the applicable findings and guidelines, but recommended that the color of the roof material be a non-red natural color similar to the surrounding residences. As previously noted in this report, Staff has added the appropriate Conditions of Approval (Condition No. 18) to address the HHC recommendation. As such, this finding can be made.

3. Where a historically designated structure or resource is involved, the historic character of the subject structure is preserved.

The subject property is vacant. Therefore, no historically designated structures area affected by the application, and this finding is not applicable.

D. Grading Findings:

Pursuant to Section C12-433, all Grading Approvals are subject to specific findings. In the following discussion, the scope of review findings are listed in **bold**, and an explanation of how the project meets the required standard is in plain text below.

1. The amount, design, location, and the nature of any proposed grading is necessary to establish or maintain a use presently permitted by law on the property.

The project’s grading quantities are 307 cubic yards of cut and 289 cubic yards of fill. This grading would be necessary to establish the access, building pad for residence with attached garage. The proposed grading is mostly related to establishing the onsite access and a building pad for the residence in the most appropriate location for the footprint of the residence. Consequently, the amount, design, location and the nature of proposed grading is necessary and appropriate to establish the single-family residential use, which is a permissible use in the HS zoning district. As such, this finding can be made.

2. The grading will not endanger public and/or private property, endanger public health and safety, will not result in excessive deposition of debris or soil sediments on any public right-of-way, or impair any spring or existing watercourse.

The proposed grading will not endanger public or private property. No excessive grading will be conducted. building pad and improvements have been designed and situated to contour to the natural topography to the maximum extent possible. All export will be deposited at an approved site. No unnecessary fills will occur. Standard Conditions of Approval and requirements of final grading plans will ensure that grading around the building pad will not result in slope instability or erosion. No watercourses are located on the subject site. As such, this finding can be made.

3. Grading will minimize impacts to the natural landscape, scenic, biological and aquatic resources, and minimize erosion impacts.

The proposed grading has been designed to contour to the natural topography to the maximum extent possible, with the residence sited on the most suitable building area location, as foreseen in the subdivision approval for building sites. The proposed grading is for the residence and onsite improvements, such as the driveway. There are no creeks or other biological concerns such as endangered or special status species. Maximum cuts for the proposed grading will generally not exceed 2 feet in height. As such, this finding can be made.

4. For grading associated with a new building or development site, the subject site shall be one that minimizes grading in comparison with other available development sites, taking into consideration other development constraints and regulations applicable to the project.

The proposed grading is related to the residence and onsite driveway and improvements to serve the new residence. The grading is designed to follow the natural contours to the maximum extent possible. Other alternative site locations further away from the frontage of the lot would require a longer driveway for access and thus require more grading to establish. Furthermore, the proposed site location was previously determined to be the best site location through the subdivision review and approval process. As such, this finding can be made.

5. Grading and associated improvements will conform with the natural terrain and existing topography of the site as much as possible, and should not create a significant visual scar.

The proposed grading is designed to conform with natural terrain and existing topography and will not create any significant visual scar. As such, this finding can be made.

6. Grading conforms with any applicable general plan or specific plan policies; and

The proposed grading is in conformance with specific findings and policies identified in the County General Plan. The proposed grading is designed to follow the natural terrain, to minimize grading and to reduce visual impacts from hillside development. The grading is the minimum necessary to establish the use, with no significant visual scar or impact the environment. As such, this finding can be made.

7. Grading substantially conforms with the adopted "Guidelines for Grading and Hillside Development" and other applicable guidelines adopted by the County.

The proposed grading is in conformance with the adopted "*Guidelines for Grading and Hillside Development*," in particular, the specific guidelines for siting, road design, building form and design. The proposed residence is located close to the edge of the access easement, which minimizes the need for grading for longer driveways. The driveway and retaining walls is designed in keeping with the grading guidelines, which require the proposed driveway and any retaining wall design is to be curved to follow the existing contours, while meeting the minimum emergency access standards. new building meets Guideline 11 which notes that a tiered design approach is used. As such, this finding can be made.

BACKGROUND

The property owner submitted the Grading Approval and Design Review (For Historic Heritage Commission review) applications on November 16, 2018. The initial incomplete letter was issued on December 16, 2018, and outlined numerous issues of concern, including a fire marshal request for information to confirm the sustaining weight of an access bridge for a fire truck.

On July 3, 2018 the owner resubmitted plans and documents in response to Staff's initial incomplete letter. The application was deemed complete in August 2, 2018.

At the November 21, 2019 Historical Heritage Commission Meeting (HHC), the HHC approved the design review application and recommended that the Zoning Administrator approve the project, subject to the roof color be modified to a more natural earth tone color.

A public notice was mailed to all property owners within a 300-foot radius, informing resident of the December 18, 2019 Zoning Administration hearing. Additionally, a notice was published in the Post Records on December 6, 2019.

STAFF REPORT REVIEW

Prepared by: Mark Connolly, Senior Planner

Reviewed by: Leza Mikhail, Principal Planner/Zoning Administrator

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Attachment A

STATEMENT OF EXEMPTION from the California Environmental Quality Act (CEQA)

FILE NUMBER	APN(S)	DATE
PLN18-11315	742-03-013	12/17/2019
PROJECT NAME	APPLICATION TYPE	
Single-Family Residence; 10225 Cinnabar Hills Road, San Jose, CA	Design Review Approval (h1) and Grading Approval	
OWNER	APPLICANT	
Anant Uttarwar	Anant Uttarwar	
PROJECT LOCATION		
10225 Cinnabar Hills Road, San Jose, CA		
PROJECT DESCRIPTION		
Design Review and Grading Approval for a new 5,493 square-foot residence located at 10225 Cinnabar Hills Road, San Jose (Assessor Parcel No. 742-03-013). (Tier 2 project), and ancillary site improvements including a new driveway with associated retaining walls. Estimated grading quantities include 2,118 cubic yards of cut and 997 cubic yards of fill.		
All discretionary development permits processed by the County Planning Office must be evaluated for compliance with the California Environmental Quality Act (CEQA) of 1970 (as amended). Projects which meet criteria listed under CEQA may be deemed exempt from environmental review. The project described above has been evaluated by Planning Staff under the provisions of CEQA and has been deemed to be exempt from further environmental review per the provision(s) listed below.		
CEQA (GUIDELINES) EXEMPTION SECTION		
Section 15303(a) - Class 3(a): One single-family residence in a residential zone.		
COMMENTS		
The vacant property is located in a rural area of similar sized lots and developed with single family residences of similar size in the -h1 zoning district. The h1 district is the New Almaden Historic Preservation Combining District (Chapter 3.50), which is a National Historic Landmark District, within unincorporated San Jose. There will be no impacts to a watercourse, sensitive or protected wildlife or plant species.		
PREPARED BY:		
Mark J. Connolly, Senior Planner		December 10 2019
APPROVED BY:		
Leza Mikhail, Principal Planner		Date
Signature		

ATTACHMENT B
PRELIMINARY DESIGN REVIEW AND
GRADING APPROVAL CONDITIONS OF APPROVAL

Date: December 18, 2019
Owner/Applicant: Anant Uttarwar/Prashant Kondawar
Location: 10225 Cinnabar Hills Road, San Jose (APN: 742-03-013)
File Number: PLN18-11315
CEQA: Categorically Exempt – Section 15303, Class 3(a)
Project Description: Design Review and Grading Approval for a new 5,493 square-foot residence located at 10225 Cinnabar Hills Road, San Jose (Assessor Parcel No. 742-03-013). (Tier 2 project), and ancillary site improvements including a new driveway with associated retaining walls. Estimated grading quantities include 2,118 cubic yards of cut and 997 cubic yards of fill.

For questions regarding the following conditions of approval, call the person whose name is listed below as the contact for that agency. She/he represents a specialty and can provide details about the conditions of approval.

Agency	Name	Phone	E-mail
Planning	Mark Connolly	(408) 299- 5786	Markconnolly@pln.sccgov.org
Environmental Health	Darrin Lee	(408) 299 – 5748	darrin.lee@cep.sccgov.org
Fire Marshal	Alex Goff	(408) 299 – 5763	alex.goff@sccfd.org
Land Development Engineering	Ed Duazo	(408) 299 - 5733	ed.duazo@pln.sccgov.org
Geology	Jim Baker	(408) 299 - 5774	jim.baker@pln.sccgov.org
Building Inspection		(408) 299 - 5700	

STANDARD CONDITIONS OF APPROVAL

Building Inspection

1. For detailed information about the requirements for a building permit, obtain a Building Permit Application Instruction handout from the Building Inspection Office or visit the website at www.sccbuilding.org.

Planning

2. Development must take place in substantial conformance with the Civil plans, submitted on February 12, 2019 and Architectural plans submitted on June 26, 2019 and the Conditions of Approval. Any changes to the proposed project may result in additional environmental review, pursuant to the California Environmental Quality Act, and additional Planning

review.

3. Existing zoning is HS-h1 (Hillsides – New Almaden Historic Preservation Combining District). Maintain the following minimum dwelling setbacks (Zoning Ordinance Sections 2.20.030):
Front: 30 feet Sides: 30 feet Rear: 30 feet
The maximum height of dwellings is 35 feet and shall not exceed three (3) stories.
4. Two (2) off-street parking spaces are required, one (1) of which must be covered.
5. With the exception of trim and minor details, the exterior surfaces of the house shall be painted muted colors with a light reflectivity value (LRV) of 45 or lower and shall be consistent with the color samples provided with this approval.

Grading

6. All on-site grading shall be limited to the work in this Grading Approval and as shown on the approved plans. Grading plans submitted into Plan Check shall be in substantial conformance with the plans received February 12, 2019. Any increase in grading quantities, or modification to the grading or design may require a Grading Approval and associated fees, as well as additional environmental review pursuant to the California Environmental Quality Act.
7. Building and grading permits shall be submitted to the Building Inspection Office concurrently.

Archaeological Resources

8. In the event that human skeletal remains are encountered, the applicant is required by County Ordinance No. B6-18 to immediately notify the County Coroner. Upon determination by the County Coroner that the remains are Native American, the coroner shall contact the California Native American Heritage Commission, pursuant to subdivision (c) of section 7050.5 of the Health and Safety Code and the County Coordinator of Indian affairs. No further disturbance of the site may be made except as authorized by the County Coordinator of Indian Affairs in accordance with the provisions of state law and this chapter. If artifacts are found on the site a qualified archaeologist shall be contacted along with the County Planning Office. No further disturbance of the artifacts may be made except as authorized by the County Planning Office.

Land Development Engineering

9. Property owner is responsible for the adequacy of any drainage facilities and for the continued maintenance thereof in a manner that will preclude any hazard to life, health or damage to adjoining property.

Environmental Health

10. All construction activities shall be in conformance with the Santa Clara County Noise Ordinance Section B11-154 and prohibited between the hours of 7:00 p.m. and 7:00 a.m. on

weekdays and Saturdays, or at any time on Sundays for the duration of construction.

Fire Marshal

11. General Requirements:

FIRE PROTECTION WATER

IMPORTANT: Fire protection water system shall be installed, functioning and inspected prior to approval of the foundation. System shall be maintained in good working order and accessible throughout construction. A stop work order may be placed on the project if the required hydrant systems are not installed, accessible, and/or functioning.

12. FIRE-FLOW: The minimum fire-flow shall be 500 gpm at 20 psi. The required gpm has been reduced as fire sprinklers will be installed.

NOTE: The fire-flow may be adjusted depending upon the final size of the structure shown on the building permit set of drawings.

A) At the time of plan submittal for building permit, provide written verification from the water company that this condition can be satisfied.

B) If fire protection water cannot be supplied from a recognized water purveyor, fire protection water supply shall be provided by on-site aboveground storage tank(s) and wharf hydrant.

FIRE SPRINKLER SYSTEM:

An approved residential fire sprinkler system complying with CFMO-SP6 shall be installed throughout the structure (including existing residences when square footage is added).

NOTE: The fire sprinkler system shall be installed and finalized by this office prior to occupancy. A separate permit shall be obtained from this office by a state licensed C-16 contractor prior to installation. Please allow for a minimum of 30 days for plan review of fire sprinkler plans by this office.

FIRE DEPARTMENT ACCESS

GENERAL REQUIREMENTS:

A) These are minimum Fire Marshal standards. Should these standards conflict with any other local, state or federal requirement, the most restrictive shall apply.

B) Construction of access roads and driveways shall use good engineering practice.

C) All required access roads, driveways, turnarounds, and turnouts shall be installed, and serviceable prior to approval of the foundation, and shall be maintained throughout construction. A stop work order may be placed on the project if required driving surfaces are not installed, accessible, and/or maintained at all times.

ACCESS ROADS (roads serving more than two lots) for fire department access shall comply with

the following:

- A) Width: Clear drivable width of 18 ft. plus a 3 ft. shoulder on each side.
- B) Vertical Clearance: Minimum vertical clearance of 15 ft. shall be maintained to building site (trim or remove, tree limbs, electrical wires, structures, and similar improvements).
- C) Curve Radius: Inside turn radius for curves shall be a minimum of 50 ft.
- D) Grade: Maximum grade shall not exceed 16%. Grades exceeding 15% shall be paved in compliance with County Standards.
- E) Surface: All driving surfaces shall be all-weather and capable of sustaining 75,000 pound gross vehicle weight.
- F) Dead End Roads: Turnarounds shall be provided for dead end access roads in excess of 150 ft. in length. Acceptable turnaround shall be 40 ft. by 48 ft. pad, hammerhead, or bulb of 32 ft. radius complying with County Standard SD-16. All turnarounds shall have a slope of not more than 5% in any direction.
- G) Bridges: All bridges shall be capable of sustaining 75,000 pound gross vehicle weight and meet the latest edition of the CalTrans Standard Bridge Design Specifications. Appropriate signage, including but not limited to weight or vertical clearance limitations, or any special conditions shall be provided.

DRIVEWAYS (roads serving only one lot) shall comply with the following when the distance between the centerline of the access road and any portion of the structure exceeds 150 ft. (measured along the path of travel).

- A) Width: Clear width of drivable surface of 12 ft.
- B) Vertical Clearance: Minimum vertical clearance of 13 ft. 6 in. shall be maintained between the access road and the building site (trim or remove, tree limbs, electrical wires, structures, and similar improvements).
- C) Curve Radius: Inside turn radius for curves shall be a minimum of 50 ft.
- D) Surface: All driving surfaces shall be all-weather and capable of sustaining 75,000-pound gross vehicle weight.
- E) Turnarounds: Turnaround shall be provided for driveways in excess of 150 ft. as measured along the path of travel from the centerline of the access road to the structure. Acceptable turnarounds shall be 40 ft. by 48 ft., hammerhead, or bulb of 40 ft. radius complying with County Standard SD-6. All turnarounds shall have a slope of not more than 5% in any direction.

13. MISCELLANEOUS: Property is located within the State Response Area (served by Cal Fire).

This property is located in the Wildland/Urban Interface Fire Area. All of the following conditions shall apply:

- a) A Class "A" roof assembly is required. Detail shall be included in plans submitted for building permit.
 - b) Provide a 1/2-inch spark arrester for the chimney.
 - c) Remove significant combustible vegetation within 30 feet of the structure to minimize risk of wildfire casualty. Maintain appropriate separation of vegetative fuels in areas between 30 and 100 feet from the structure.
14. MAINTENANCE: Fire protection water systems and equipment shall be accessible and maintained in operable condition at all times and shall be replaced or repaired where defective. Fire protection water shall be made available to the fire department.
15. Fire department access roads, driveways, turnouts, and turnarounds shall be maintained free and clear and accessible at all times for fire department use. Gates shall be maintained in good working order and shall remain in compliance with Fire Marshal Standard CFMO-A3 at all times.

CONDITIONS OF APPROVAL TO BE COMPLETED PRIOR TO FINAL GRADING AND BUILDING PERMIT ISSUANCE

Planning

16. **Prior to issuance of any permits**, the applicant shall pay all reasonable costs associated with the work by the Department of Planning and Development.
17. **Prior to issuance of a building permit**, submit final color samples for the house facade, trim and roof indicating the Light Reflectivity Value (LRV) is less than or equal to 45 LRV, and roof color samples.
18. **Prior to issuance of a building permit** and per the recommendation of the Historic Heritage Commission, the roof color shall be a non-red earthen color. The final color sample shall be submitted to the Planning Office and approved by the Zoning Administrator.

Tree Protection

19. **Grading and building plans** shall clearly identify the size and species of all trees proposed for removal. For each tree Twelve (12)-inches (diameter) or greater designated for removal, replacement shall occur per the County of Santa Clara *Guidelines for Tree Protection and Preservation for Land Use Applications*. The Applicant is proposing 2:1 replacement ratios. However, the following tree replacement ratios per the County Guidelines may apply:
 - For the removal of one small tree (5- 18 inches):
(3) 15 gallon trees, or (2) 24-inch box trees.
 - For the removal of one medium tree (18 – 24 inches):
(4) 15 gallon trees or (3) 24-inch box trees.
 - For the removal of a tree larger than 24 inches
(5) 15 gallon trees or (4) 24-inch box trees.

The landscape ordinance and supporting information can be found on the following web page:

<https://www.sccgov.org/sites/dpd/PlansOrdinances/Landscape/Pages/welo-apply.aspx>

20. Per County Municipal Code Division C16-3. (e), any tree that was required to be planted or retained by the conditions of approval of any land use entitlement are protected trees, regardless the size. The project trees are subject to tree removal and replacement trees. Irrigation system is highly recommended to increase the tree's survival.
21. For all trees to be retained with a canopy in the development area or interfaces with the limits of grading for any proposed development on-site, the trees shall be protected by the placement of five (5)-foot tall rigid tree protective fencing, as shown on final grading and final building plans and must include the following:
 - a. Fencing should be placed along the outside edge of the dripline of the tree or grove of trees.
 - b. The fencing should be maintained throughout the site during the entire construction period and should be inspected periodically for damage and proper functions.
 - c. Fencing should be repaired as necessary to provide a physical barrier from construction activities.
 - d. The following sign shall be placed on all tree protection fencing and must remain until final occupancy. The sign must read: "Warning. This fencing shall not be removed without permission from the Santa Clara County Planning Office. County of Santa Clara tree protection measures may be found at: <http://www.sccplanning.gov>, or call 408-299-5770 for additional details."
 - e. Protection measures must be in place **prior to construction activity** commencing.
 - f. Evidence of tree protective fencing can be provided by taking photos and emailing to the project planner.

Landscape Permit

22. The requirements of Division B33 of the County Ordinance Code (Sustainable Landscape Ordinance) shall apply. Calculate square footage of new landscaped area and if it equals or exceeds 500 sq. feet, then a landscaping permit is required. The landscape ordinance and supporting information can be found on the following web page:

<https://www.sccgov.org/sites/dpd/PlansOrdinances/Landscape/Pages/welo-apply.aspx>

Land Development Engineering

23. Obtain a Grading Permit from Land Development Engineering (LDE) **prior to beginning any construction activities**. Issuance of the grading permit is required **prior to LDE clearance of the building permit** (building and grading permits may be applied for concurrently). The process for obtaining a grading permit and the forms that are required can be found at the following web page:

www.sccplanning.org > I Want to... > Apply for a Permit > Grading Permit

If the County Roads and Airports Department provides a condition of approval to obtain an encroachment permit, for your convenience, the grading and encroachment permits will be

processed concurrently under one set of improvement (grading) plans. Please contact LDE at (408) 299-5734 for additional information and timelines.

24. Final plans shall include a single sheet which contains the County standard notes and certificates, as shown on County Standard Cover Sheet. Plans shall be neatly and accurately drawn, at an appropriate scale that will enable ready identification and recognition of submitted information.
25. Final improvement plans shall be prepared by a licensed civil engineer for review and approval by LDE and the scope of work shall be in substantial conformance with the conditionally approved preliminary plans on file with the Planning Office. Include plan, profile, typical sections, contour grading for all street, road, driveway, structures and other improvements as appropriate for construction. The final design shall be in conformance with all currently adopted standards and ordinances. The following standards are available on-line:
 - § Standard Details Manual, September 1997, County of Santa Clara, Roads and Airports Department available at:
www.sccgov.org/sites/rda > Published Standards, Specifications, Documents and Forms
 - § March 1981 Standards and Policies Manual, Volume 1 (Land Development)
 - www.sccplanning.org > Plans & Ordinances > Land Development Standards and Policies
 - § 2007 Santa Clara County Drainage Manual
 - www.sccplanning.org > Plans & Ordinances > Grading and Drainage Ordinance
26. Survey monuments shall be shown on the improvement plan to provide sufficient information to locate the proposed improvements and the property lines. Existing monuments must be exposed, verified and noted on the grading plans. Where existing monuments are below grade, they shall be field verified by the surveyor and the grade shall be restored and a temporary stake shall be placed identifying the location of the found monument. If existing survey monuments are not found, temporary staking delineating the property line may be placed prior to construction and new monuments shall be set prior to final acceptance of the improvements. The permanent survey monuments shall be set pursuant to the State Land Surveyor's Act. The Land Surveyor / Engineer in charge of the boundary survey shall file appropriate records pursuant to Business and Professions Code Section 8762 or 8771 of the Land Surveyors Act with the County Surveyor.
27. The improvement plans shall include an Erosion and Sediment Control Plan that outlines seasonally appropriate erosion and sediment controls during the construction period). Include the County's Standard Best Management Practice Plan Sheets BMP-1 and BMP-2 with the Plan Set.
28. All applicable easements affecting the parcel(s) with benefactors and recording information shall be shown on the improvement plans.

Drainage

29. Provide a drainage analysis prepared by a licensed civil engineer in accordance with criteria

as designated in the 2007 County Drainage Manual (see Section 6.3.3 and Appendix L for design requirements). The on-site drainage will be controlled in such a manner as to not increase the downstream peak flow for the 10-year and 100-year storm event or cause a hazard or public nuisance. The mean annual precipitation is available on the on-line property profile.

Utilities

30. All new on-site utilities, mains and services shall be placed underground and extended to serve the proposed development. All extensions shall be included in the improvement plans. Off-site work should be coordinated with any other undergrounding to serve other properties in the immediate area.

Stormwater Treatment – SF Bay Watershed

31. Include one of the following site design measures in the project design: (a) direct hardscape and/or roof runoff onto vegetated areas, (b) collect roof runoff in cisterns or rain barrels for reuse, or (c) construct hardscape (driveway, walkways, patios, etc.) with permeable surfaces. Though only one site design measure is required, it is encouraged to include multiple site design measures in the project design. For additional information, please refer to the C.3 Stormwater Handbook (June 2016) available at the following website:
§ www.scvurppp.org > Resources > reports and work products > New Development and Redevelopment >C.3 Stormwater Handbook (June 2016)

Soils and Geology

32. Submit one copy of the signed and stamped of the geotechnical report for the project.
33. Submit a plan review letter by the Project Geotechnical Engineer certifying that the geotechnical recommendation in the above geotechnical report have been incorporated into the improvement plan.

Notice of Intent

34. Indicate on the improvement plans the land area that will be disturbed. If one acre or more of land area will be disturbed, file a Notice of Intent (NOI) with the State Water Resources Control Board (SWRCB) for coverage under the State General Construction Permit. The SWRCB will issue a Waste Discharge Identification number (WDID). The WDID number shall be shown on the on the final improvement plans. The SWRCB web site is at:
www.waterboards.ca.gov > Water Issues > Programs > Stormwater

Agreements:

35. Submit an Engineer's Estimate of Probable Construction Cost prepared by a registered civil engineer with the all stages of work clearly identified for all improvements and grading as proposed in this application. Pay necessary inspection and plan check fees and provide County with a Certificate of Worker's Compensation Insurance. (C12-206).

Environmental Health

36. Based on a sewage application rate of 0.52 gallons per day per square feet, sewage conditions have been determined at 2308 square feet (1154 plus 1154 square feet) for sewage drip dispersal. A 3000-gallon septic tank, 2000-gallon pump tank, and AX20 treatment system shall be required. This septic system is adequate to serve a five-bedroom house.
37. **Prior to issuance of a building permit**, contact and obtain septic system clearance from the Department of Environmental Health (DEH). The proposed septic system shall be overlaid onto the final grading and drainage plan.
38. Submit a complete set of floor plans to DEH for review prior to septic system sign-off.
39. **Prior to the issuance of a building permit**, provide a will serve letter from Alram State Small Water System confirming the water company shall provide water to the proposed single-family residence and verification of the number of service connections to Alram State Small Water System.

Geology

40. **Prior to permit issuance**, Prior to issuance of building permit, submit a Geotechnical Engineer's Plan Review Letter that confirms the plans conform with the intent of the recommendations presented in Upp Geotechnology's report (dated 9-7-2018).

CONDITIONS OF APPROVAL TO BE COMPLETED PRIOR TO OCCUPANCY OR ONE YEAR FROM THE DATE OF THE LAND DEVELOPMENT AGREEMENT, WHICHEVER COMES FIRST.

Planning

41. **Prior to final inspection**, contact Xue Ling, Assistant Planner, at least a week in advance to schedule a site visit to verify the approved exterior colors and landscaping have been installed, as approved.

Land Development Engineering

42. Existing and set permanent survey monuments shall be verified by inspectors **prior to final acceptance of the improvements** by the County. Any permanent survey monuments damaged or missing shall be reset by a licensed land surveyor or registered civil engineer authorized to practice land surveying and they shall file appropriate records pursuant to Business and Professions Code Section 8762 or 8771 of the Land Surveyors Act with the County Surveyor.
43. Construct all of the aforementioned improvements. Construction staking is required and shall be the responsibility of the developer.

Environmental Health

44. **Prior to building final**, provide proof of garbage service at the time of final occupancy sign-off. Garbage service in the unincorporated areas of Santa Clara County is mandatory.

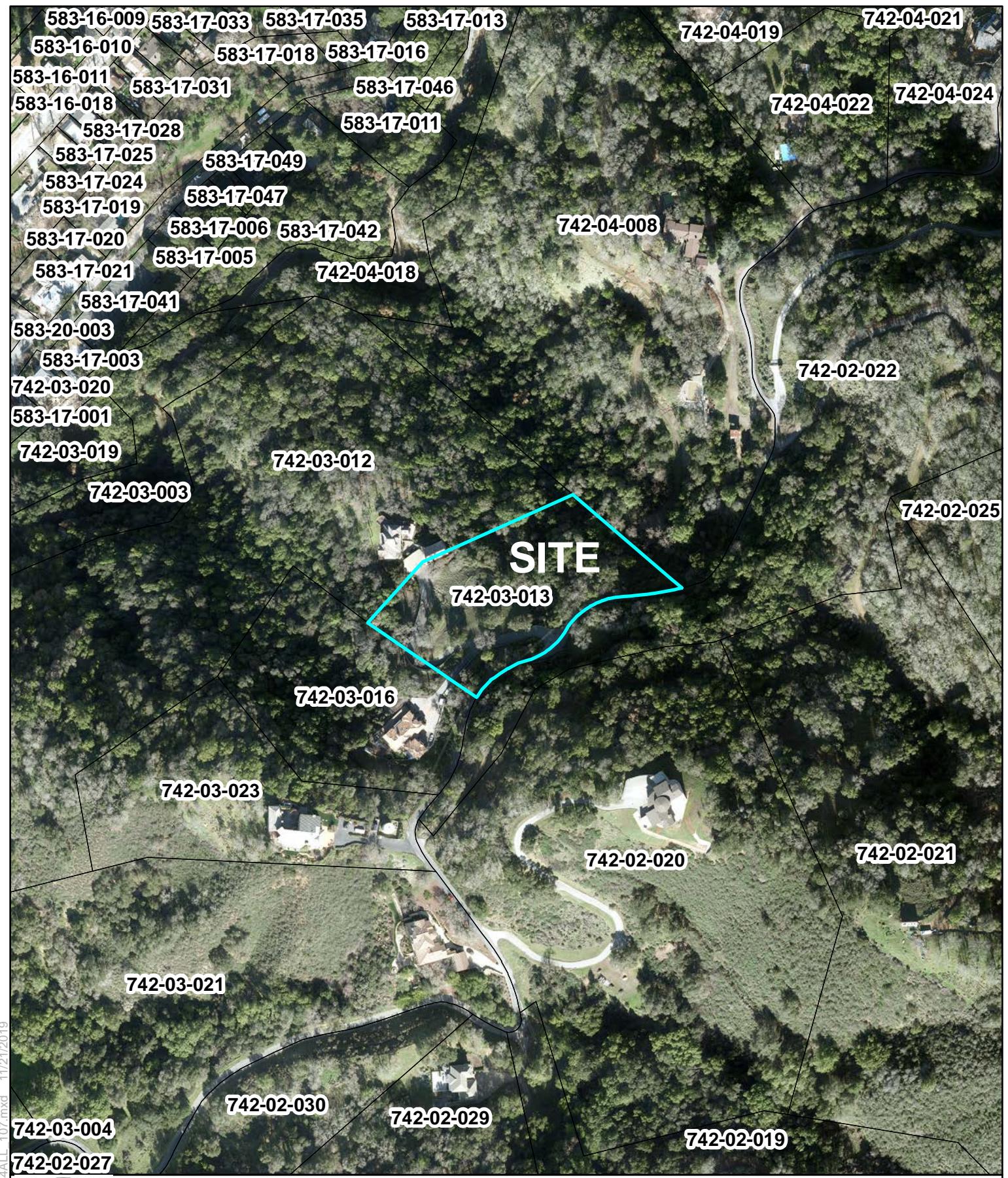
Fire Marshal

45. Fire Sprinkler System: An approved residential fire sprinkler system complying with CFMO-SP6 shall be installed throughout the structure (including existing residences when square footage is added).

Note: The fire sprinkler system shall be installed and finalized by this office prior to occupancy. A separate permit shall be obtained from this office by a state licensed C-16 contractor prior to installation. Please allow for a minimum of 30 days for plan review of fire sprinkler plans by this office.

Geology

46. **Prior to Final Inspection** of the building permit, submit a Construction Observations Letter that verifies that the work was completed in accordance with the approved plans. (A note to that effect should be stamped on the plans.)



County of Santa Clara
Department of Planning and Development

Planning Office
County Government Center, East Wing
70 West Hedding Street, 7th Floor
San Jose California 95110-1705

10225 Cinnabar Hills Rd. Neighborhood

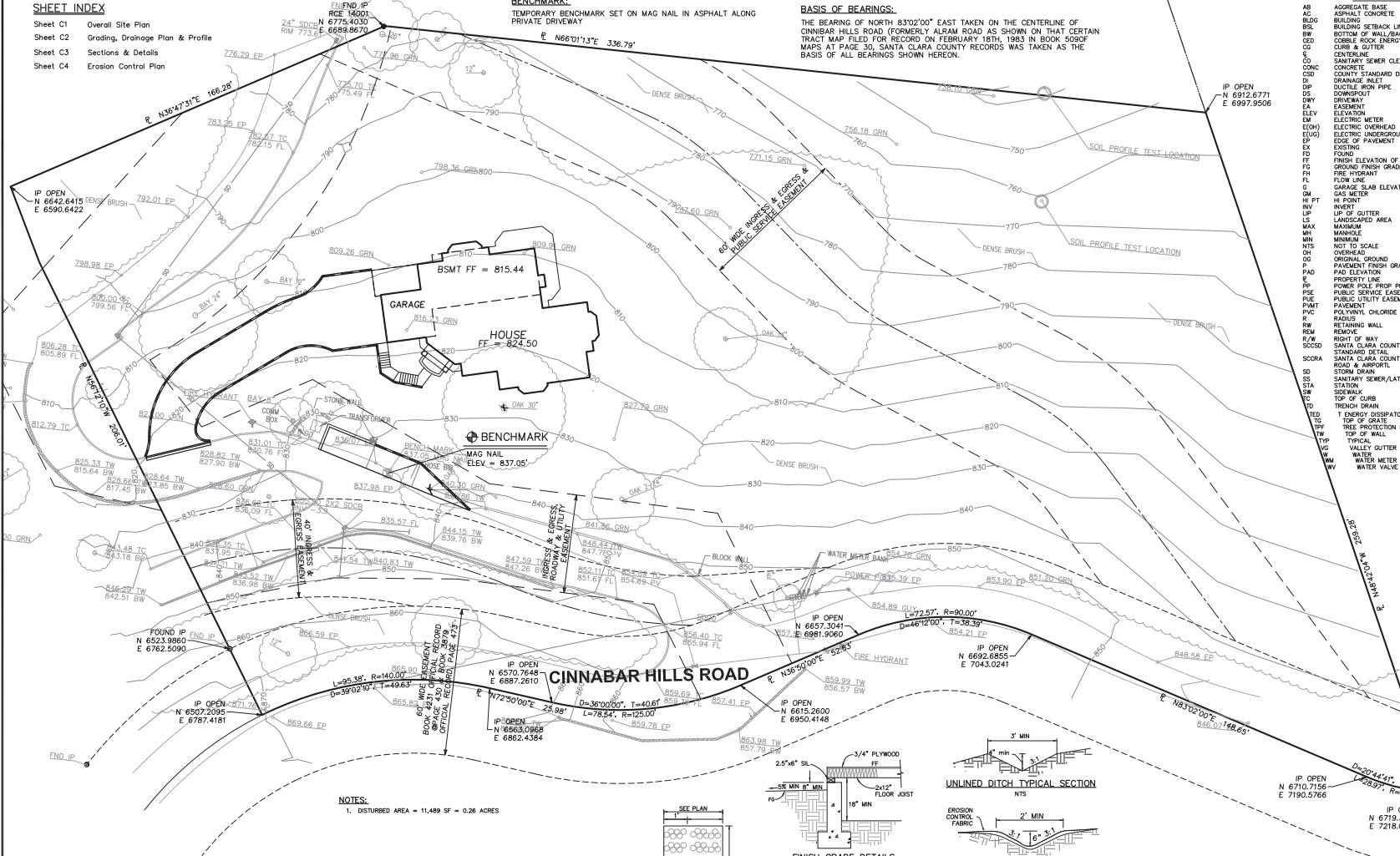
0 310 620
Feet

SHEET INDEX

- | | |
|----------|----------------------------------|
| Sheet C1 | Overall Site Plan |
| Sheet C2 | Grading, Drainage Plan & Profile |
| Sheet C3 | Sections & Details |
| Sheet C4 | Erosion Control Plan |

BENCHMARK:
TEMPORARY BENCHMARK SET ON MAG NAIL IN ASPHALT ALONG
PRIVATE DRIVEWAY

BASIS OF BEARINGS:
THE BEARING OF NORTH 83°0'0" EAST TAKEN ON THE CENTERLINE OF CINNABAR HILLS ROAD (FORMERLY ALRAM ROAD AS SHOWN ON THAT CERTAIN TRACT MAP FILED FOR RECORD ON FEBRUARY 18TH, 1983 IN BOOK 5090F MAPS AT PAGE 30, SANTA CLARA COUNTY RECORDS WAS TAKEN AS THE BASIS OF ALL BEARINGS SHOWN HEREON.



PERMANENT MONUMENTS / MONUMENT PRESERVATION:

1. IN ACCORDANCE WITH THE CALIFORNIA PROFESSIONAL LAND SURVEYORS' ACT (BUSINESS AND PROFESSIONS CODE) CHAPTER 15 SECTION 8771 AND 8725.1, CALIFORNIA PENAL CODE 605, AND CALIFORNIA GOVERNMENT CODE 27581, THE OWNER, CONTRACTOR, AND/OR ANY PERSON PERFORMING CONSTRUCTION ACTIVITIES THAT WILL OR MAY DISTURB AN EXISTING ROADWAY, STREET, MONUMENT, CORNER STAKE, OR ANY OTHER PERMANENT SURVEYOR MONUMENT AND/OR AS PART OF A CONSTRUCTION PROJECT, SHALL PREPARE A RECORD AND/OR RECORD OF SURVEY ARE FILED WITH THE COUNTY SURVEYOR OFFICE PRIOR TO DISTURBING SAID MONUMENTS. ALL DISTURBED OR DESTROYED MONUMENTS SHALL BE RESET AND FILED IN COMPLIANCE WITH SECTION 8771.

IMPROVEMENT PLAN CONSTRUCTION NOTES:

1. ALL WORK IN THE INDIVIDUAL ROAD RIGHT OF WAY REQUIRES AN ENCROACHMENT PERMIT FROM THE ROADS AND AIRPORTS DEPARTMENT. EACH INDIVIDUAL ACTIVITY REQUIRES A SEPARATE PERMIT. I.E. RETAINING WALLS, DREDGING, CONSTRUCTION, FENCE LINE CHANGES, ETC. ARE ALL INDIVIDUAL ACTIVITIES REQUIRING A REMOVAL, DRAINAGE IMPROVEMENTS, ALL UTILITY OPERATIONS (RELOCATIONS, REPAIRS, ABANDONMENTS, TEMPORARY FACILITIES, AND/OR NEW FACILITIES FOR CABLE, ELECTRIC, GAS, SEWER, WATER), ETC.
 2. ROAD MAINTENANCE, NOT RELATED TO THE INDIVIDUAL ROAD, UPON THIS PLAN, WILL NOT BE ELIGIBLE FOR COUNTY MAINTENANCE UNTIL THE ROADWAYS ARE IMPROVED (AT NO COST TO THE COUNTY) TO PUBLIC MAINTENANCE ROAD STANDARDS APPROVED BY THE BOARD OF SUPERVISORS AND IN EFFECT AT SUCH TIME THAT THE ROADWAYS ARE OWNED BY THE COUNTY.

CONSIDERED FOR ACCEPTANCE INTO THE COUNTY'S ROAD SYSTEM.

APPLICANT : UTTARWAR

ROAD NAME : CINNABAR HILLS ROAD

COUNTY FILE NO. : 11315-46-43-18DR

LEGEND & ABBREVIATIONS

LC ENGINEERING

1

**OVERALL SITE PLAN
LANDS OF UTTARWAR
, CINNABAR HILLS ROAD
AFN 742-03-013**



IMPROVEMENT	EARTHWORK QUANTITY		MAXIMUM DEPTH	
	CUT	FILL	CUT	FILL
RESIDENCE	7	175	0	4
ACCESSORY STRUCTURE	—	—	0	0
POODERSCAPE	—	—	0	0
DRIVEWAY	60	110	4	7
LANDSCAPE	240	4	3.5	0.5
TOTAL	307	289		

NOTES:
EARTHWORK QUANTITIES AS SHOWN ON THE PLAN IS FOR INFORMATION ONLY. CONTRACTOR TO CALCULATE HIS/HER OWN EARTHWORK QUANTITIES FOR BIDDING PURPOSE.

FINISH GRADE DETAILS AT BUILDING FOUNDATION

NTS

2.5" min SL
5% MIN 8% MAX
Rc-
4' 4' 4' 4'
18" MIN

3/4" PLYWOOD FF
2x12" FLOOR JOIST

UNLINED DITCH TYPICAL SECTION

NTS

4' min
1' min

EROSION CONTROL FABRIC
2' MIN
3' 6' 3'

LINED DITCH (EROSION CONTROL FABRIC)

NTS

PLAN VIEW

0.5' A-A
PIPE/DITCH
A-A
3'
Pipe outlet to well defined channel

SECTION A-A

3' OK
PIPE/DITCH
Filter Fabric
d=1.5 Max
in (4")
Key in 6"-3"
recommended
for entire perimeter

TYPICAL

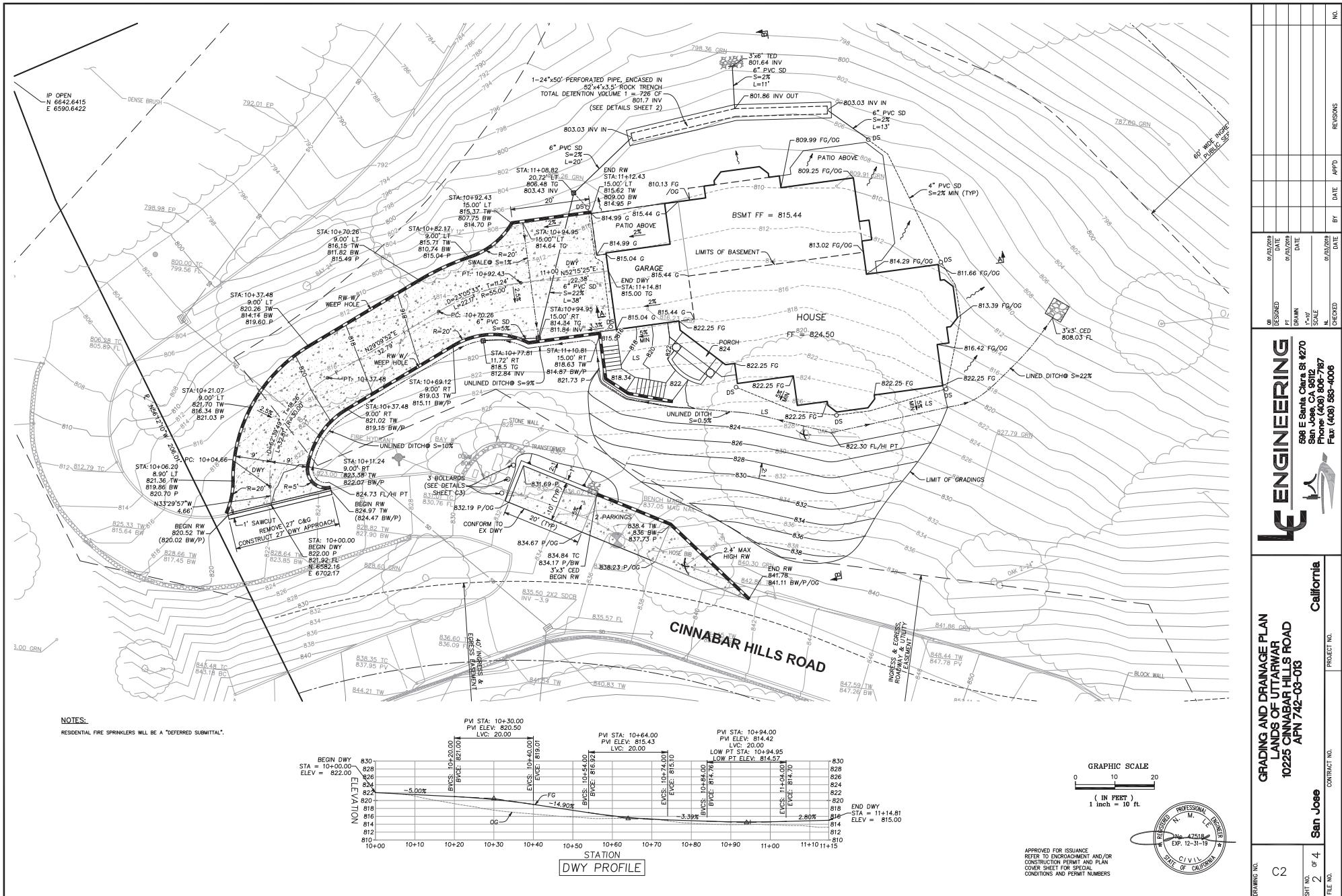
GRAPHIC SCALE
 0 20

 (IN FEET)
 1 inch = 20 ft

APPROVED FOR ISSUANCE
REFER TO ENCROACHMENT AND/C
CONSTRUCTION PERMIT AND PLAN
COVER SHEET FOR SPECIAL
CONDITIONS AND PERMIT NUMBER

10

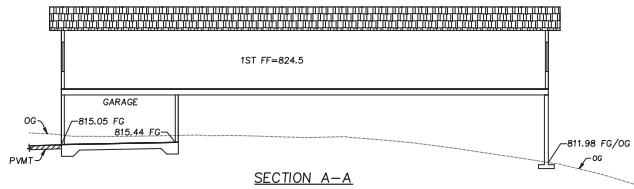
C1



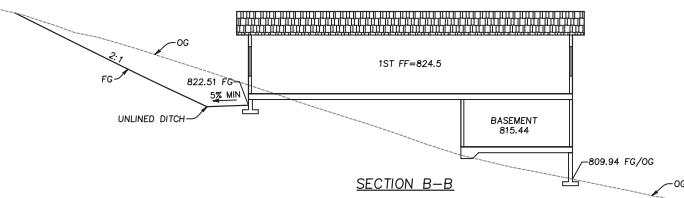
APPLICANT : UTTARWAR

ROAD NAME : CINNABAR HILLS ROAD

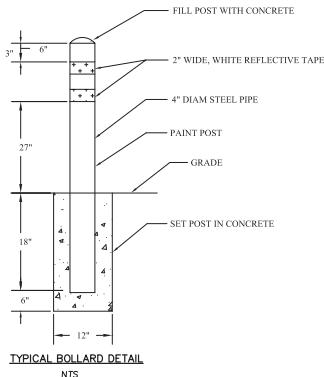
COUNTY FILE NO. : 11315-46-43-18DR



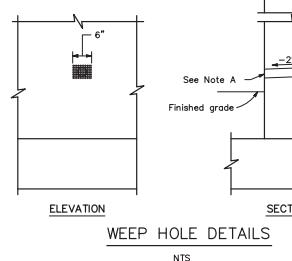
SECTION A-A



SECTION B-B



TYPICAL BOLLARD DETAIL
NTS



WEEP HOLE DETAILS

NTS

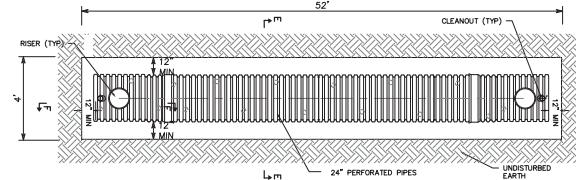
NOTES

A. 4" diameter drains @ 25' maximum center to center.
Exposed wall drains shall be located 3' above finished grade.

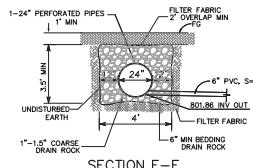
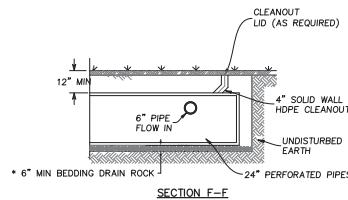
B. 6" square aluminum or galvanized steel wire 1/4" mesh hardware cloth, minimum wire diameter 0.025". Anchor firmly to backface.

C. 1 cubic foot pervious backfill material in a nonwoven filter fabric, securely tied.

D. Pervious backfill material continuous behind retaining wall.



DETENTION PLAN
DETENTION DETAILS
NTS

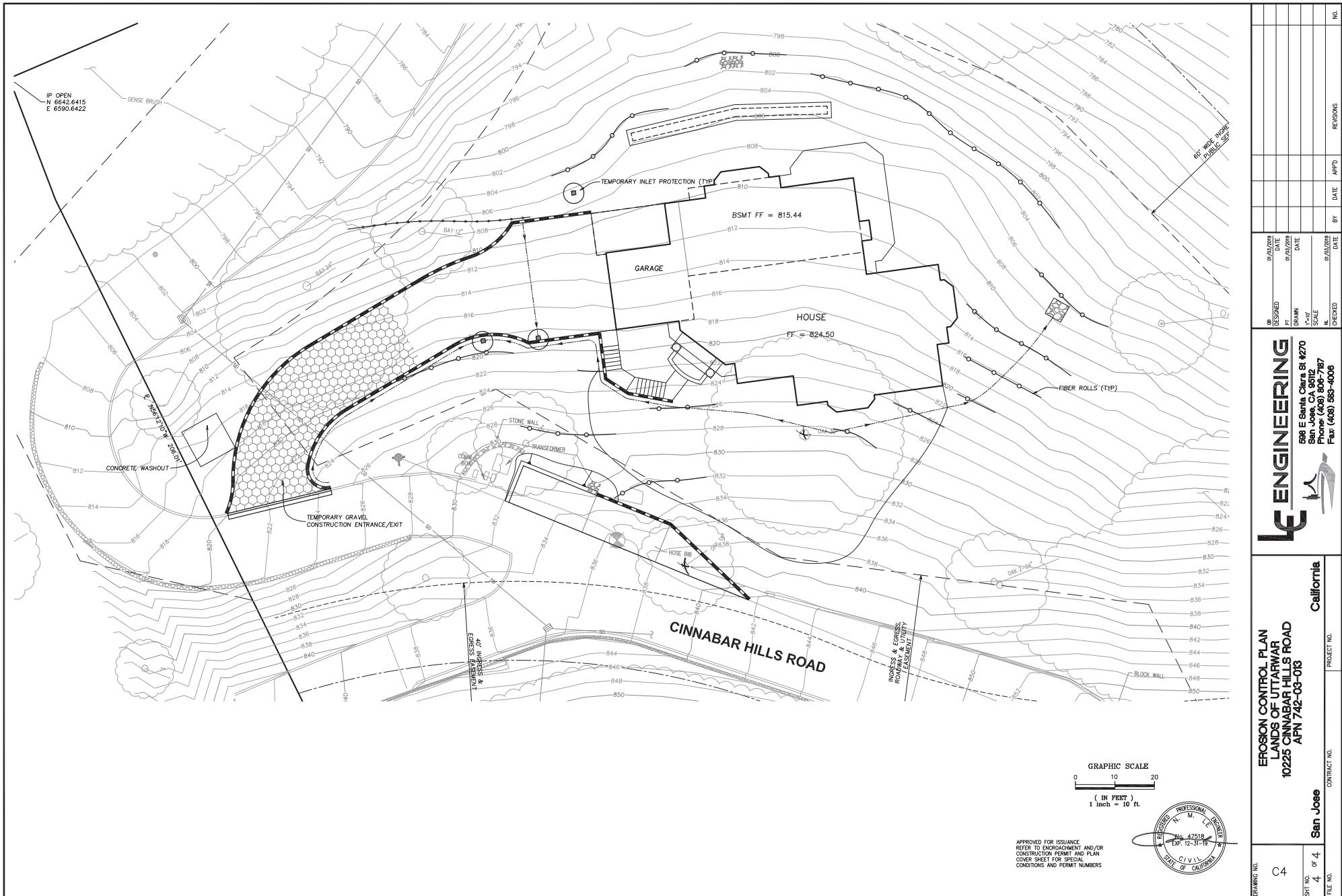


DRAWING NO.	SECTION AND DETAILS LANDS OF UTTARWAR 10225 CINNABAR HILLS ROAD APN 742-03-03	CONTRACT NO.	PROJECT NO.	California	DATE ISSUED	DATE DRAWN	DATE REVISED	DATE APPROVED	DATE CHECKED	REVISIONS
C3	San Jose	3 of 4			01/03/2019	01/14/2019	01/29/2019	01/30/2019		

GRAPHIC SCALE
(IN FEET)
1 inch = 10' ft.



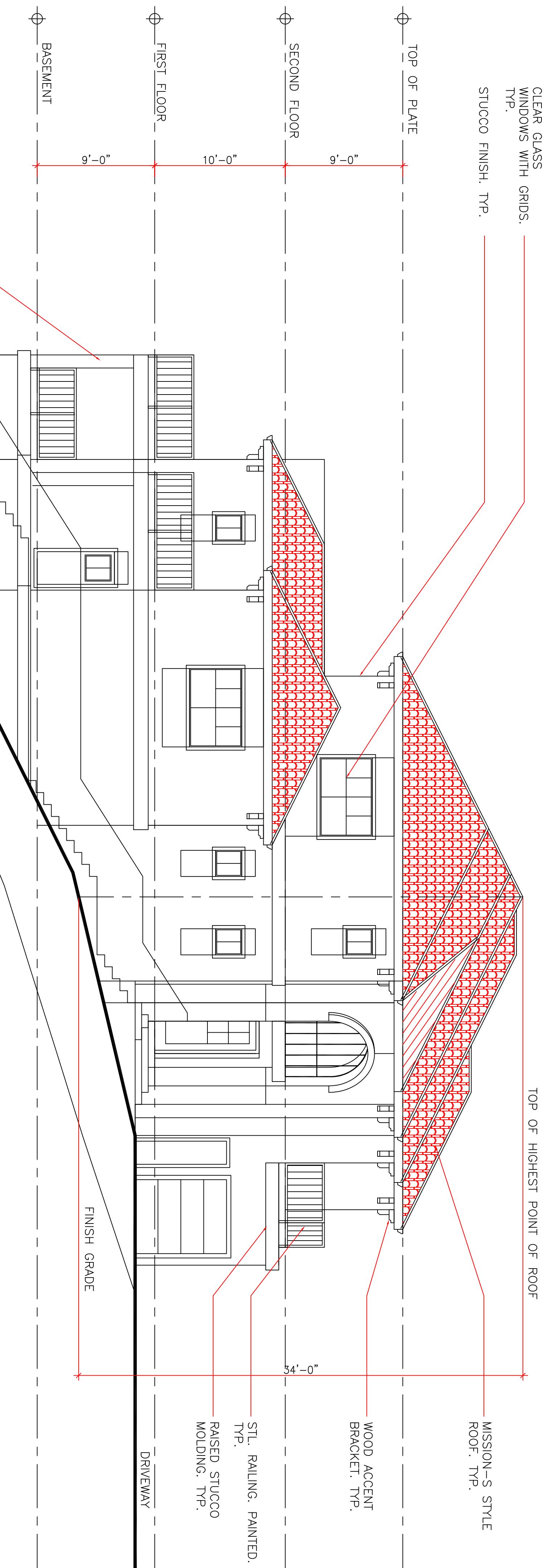
APPROVED FOR SUBMISSION
REF ID: 10000000000000000000000000000000
EXPIRES 12-31-18
CIVIL
STATE OF CALIFORNIA



APPLICANT : UTTARWAR

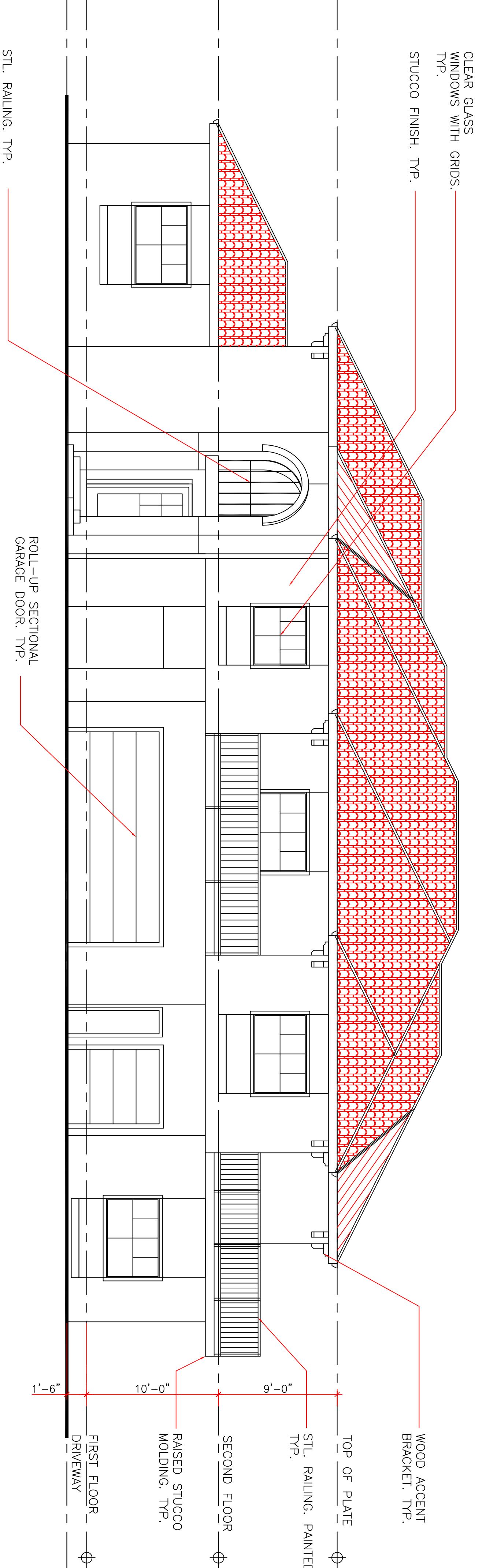
ROAD NAME : CINNABAR HILLS ROAD

COUNTY FILE NO. : 11315-46-43-18DR



LEFT-SIDE ELEVATION

SCALE : $3/16'' = 1'-0''$



FRONT ELEVATION

SCALE : $3/16'' = 1'-0''$

ELEVATIONS

AS NOTED

SHEET TITLE

REVISION A

REVISION 2

REVISION 3

REVISION 4

REVISION 5

REVISION 6

PROJECT

NEW TWO STORY RESIDENCE
CINNABAR HILL ROAD, SAN JOSE, CA. APN No. 742-0313

OWNER
MR. ANANT UTTARWAR & PRASHANT KONDAWAR

JOB NO.
122511

DATE
02/15/12

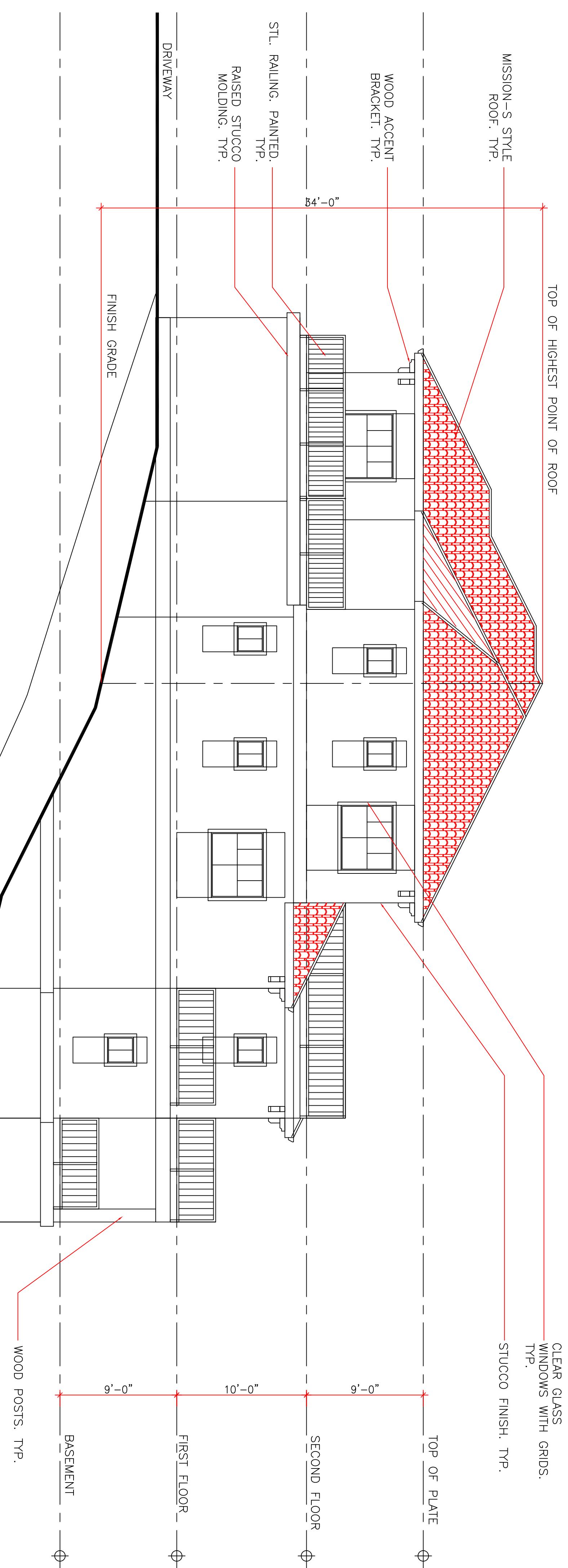
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RTC

SHEET NO.

A-3

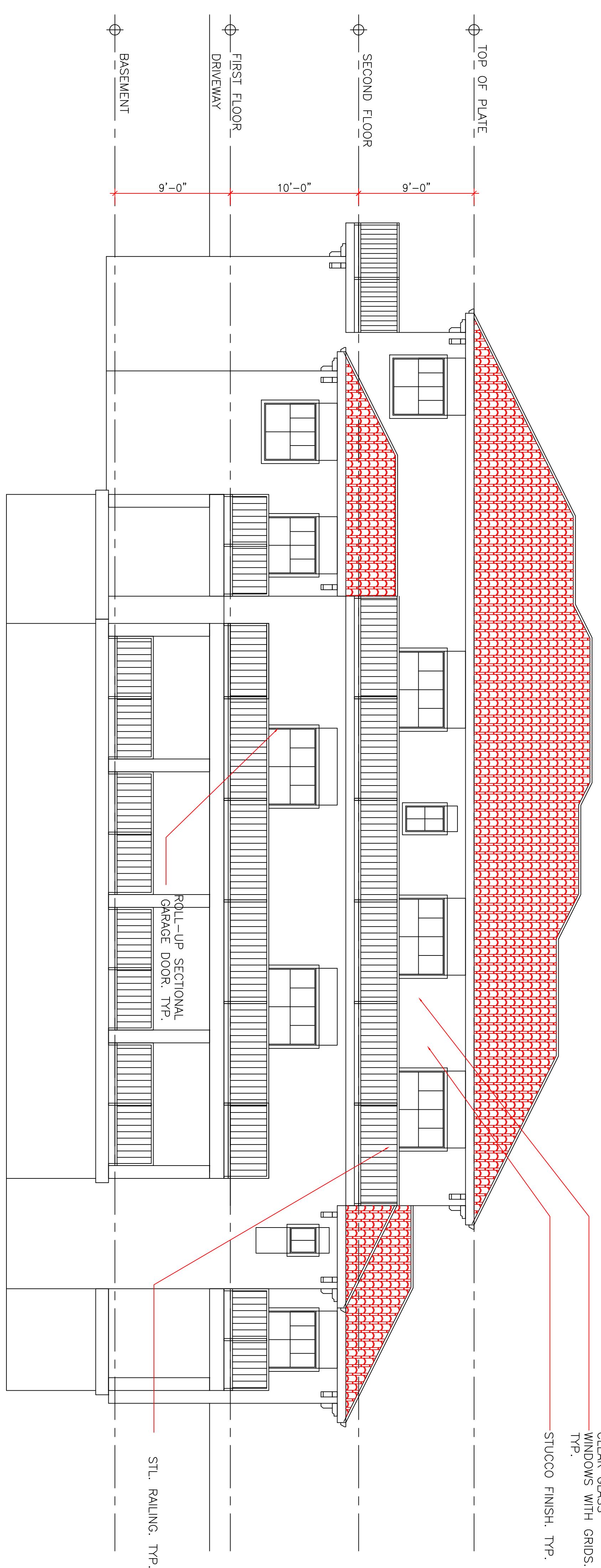
RIGHT-SIDE ELEVATION

SCALE : 3/16" = 1'-0"



REAR ELEVATION

SCALE : 3/16" = 1'-0"



ELEVATIONS

AS NOTED

SHEET TITLE

ELEVATIONS

SCALE

PROJECT

NEW TWO STORY RESIDENCE
CINNABAR HILL ROAD, SAN JOSE, CA. APN No. 742-0313

OWNER

MR. ANANT UTTARWAR & PRASHANT KONDAWAR

REVISION A

REVISION 2

REVISION 3

REVISION 4

REVISION 5

REVISION 6

JOB NO.

122511

DATE

02/15/12

DRAWN BY

RTC

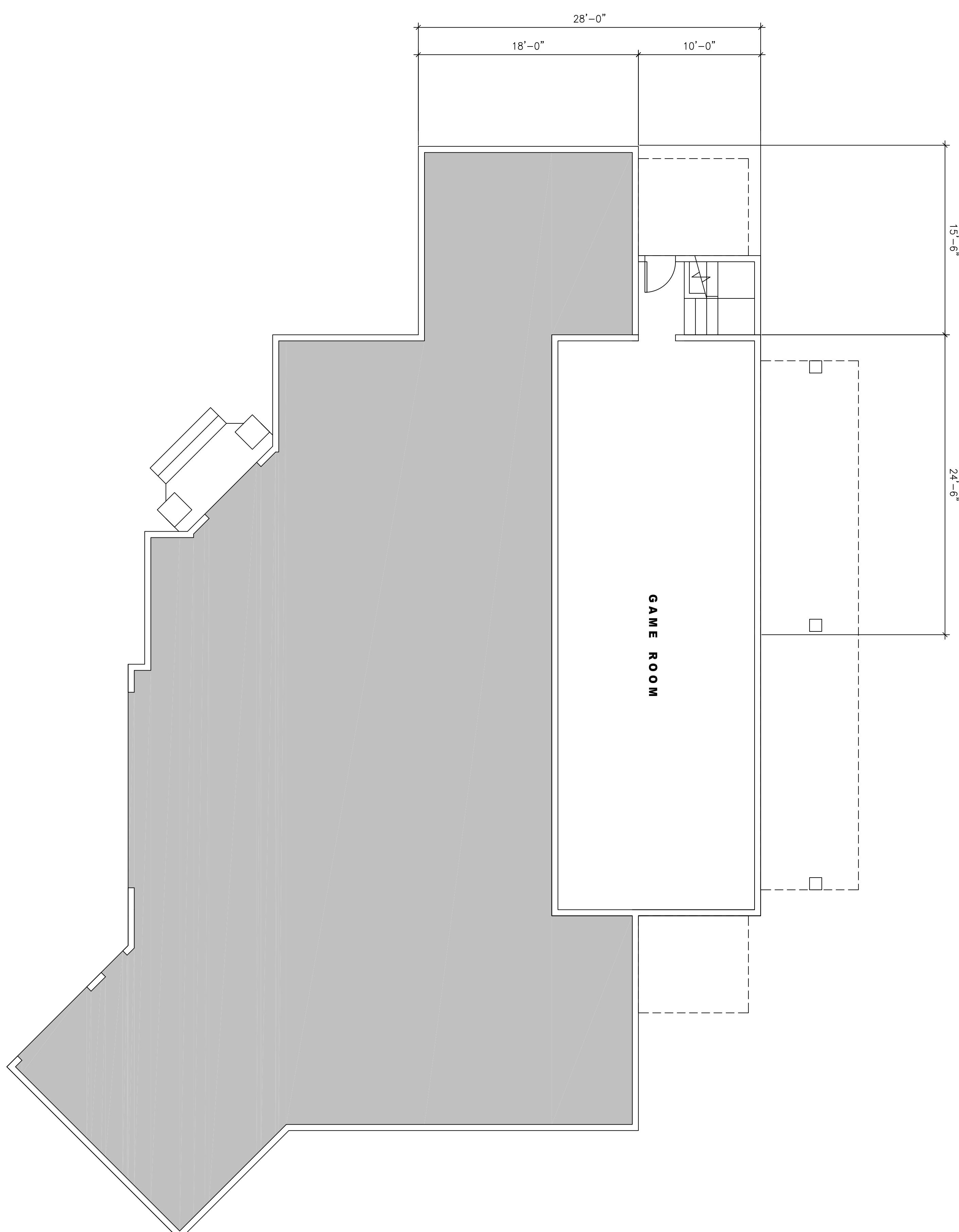
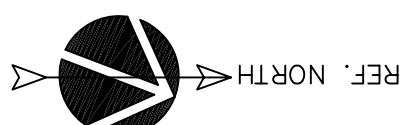
SHEET NO.

A-4

FLOOR AREA: 812SF

BASEMENT PLAN

SCALE : 3/16" = 1'-0"



A-2C

JOB NO.	122511
DATE	02/15/12
DRAWN BY	RTC
REVISION	6

FLOOR PLANS

SCALE AS NOTED

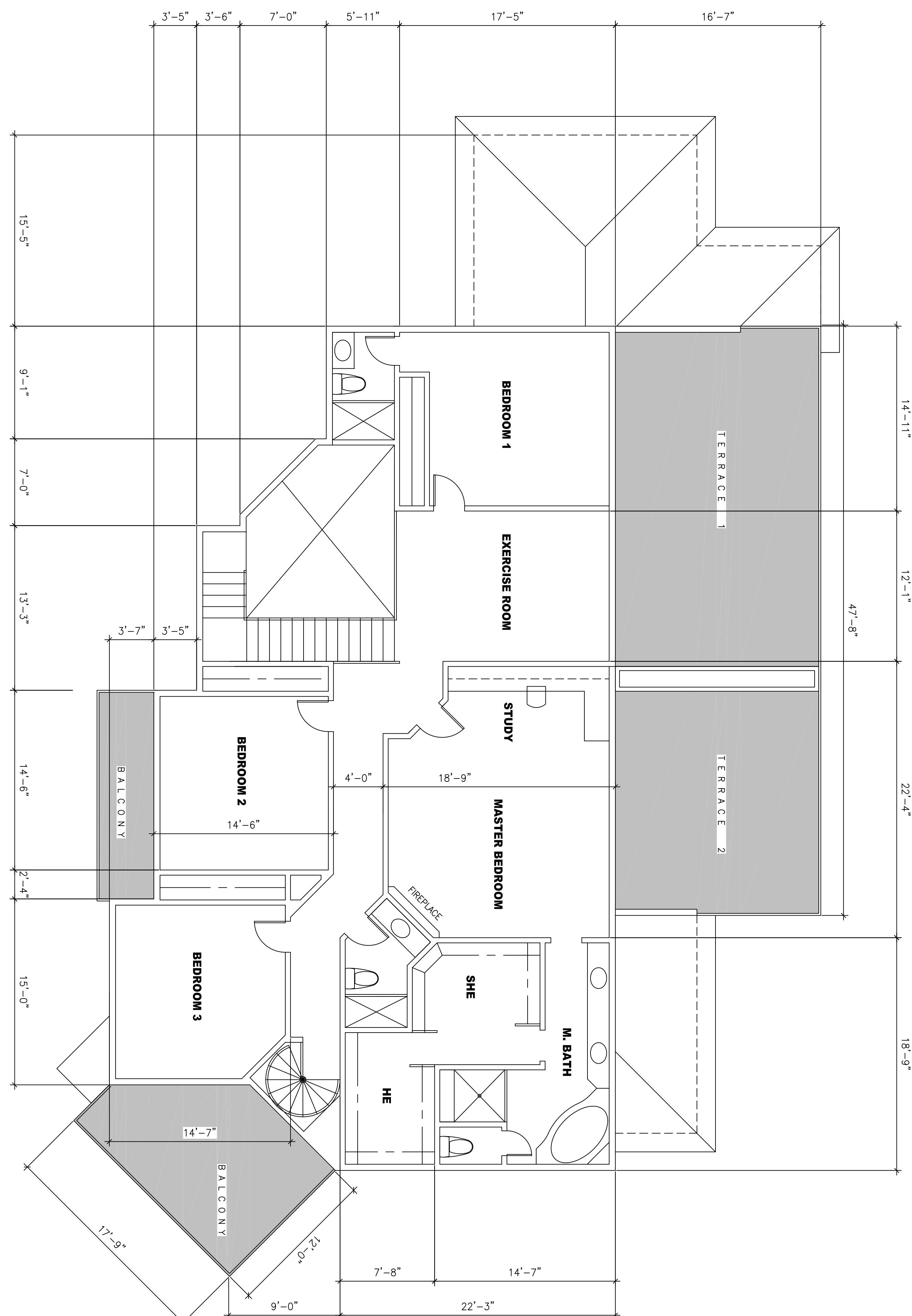
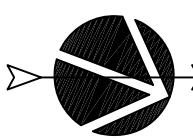
PROJECT
NEW TWO STORY RESIDENCE
CINNABAR HILL ROAD, SAN JOSE, CA. APN No. 742-0313

OWNER
MR. ANANT UTTARWAR & PRASHANT KONDAWAR

FLOOR AREA : 2,453 SF

SECOND FLOOR PLAN

SCALE : 1/4" = 1'-0"



FLOOR PLANS

AS NOTED

PROJECT

NEW TWO STORY RESIDENCE
CINNABAR HILL ROAD, SAN JOSE, CA. APN No. 742-0313

OWNER

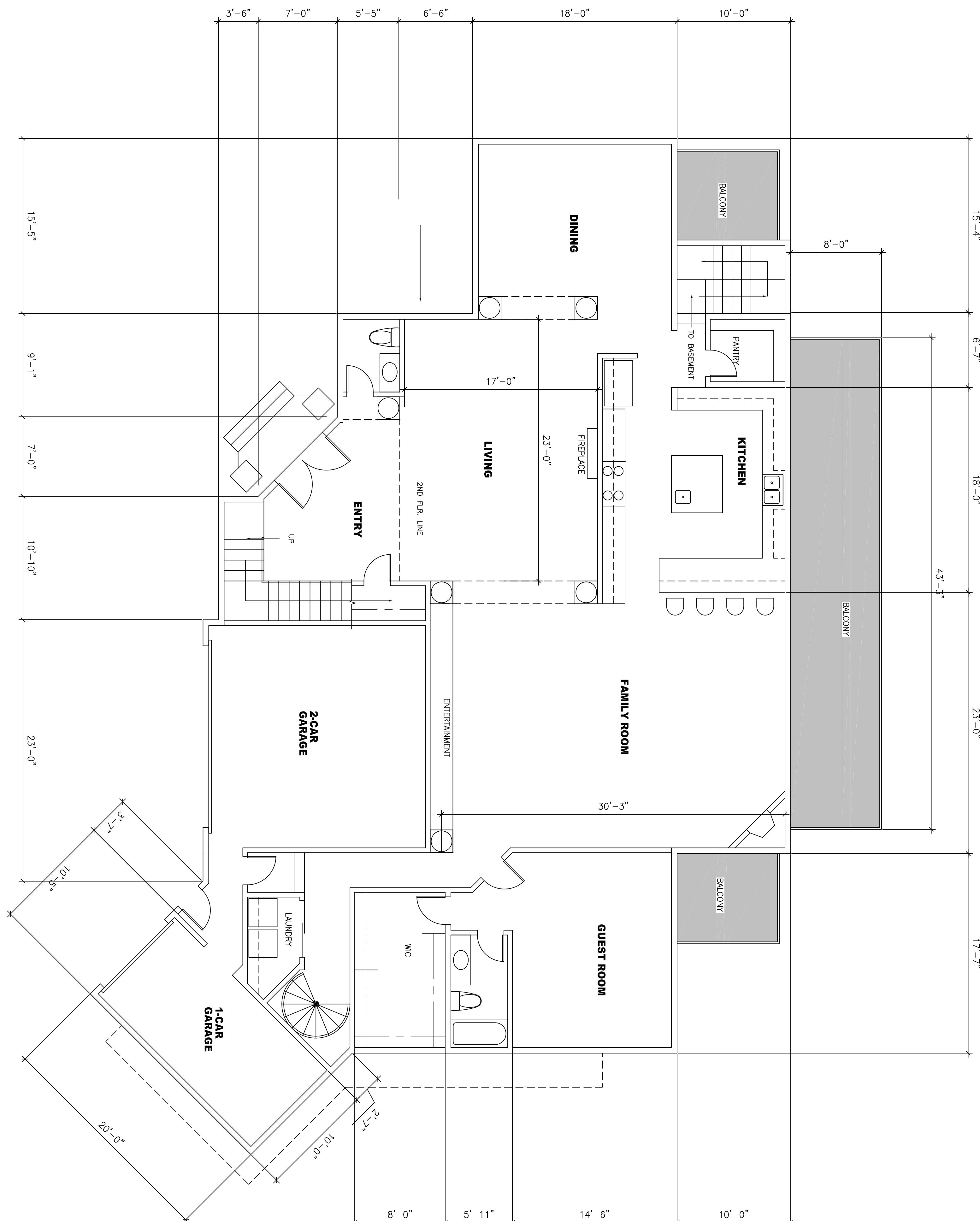
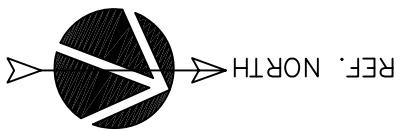
MR. ANANT UTTARWAR & PRASHANT KONDAWAR

REVISION	DATE	DRAWN BY
1	02/15/12	RTC
2		
3		
4		
5		
6		

FLOOR AREA : 2,935 SF

FIRST FLOOR PLAN

SCALE : 1/4" = 1'-0"



REVISION A

REVISION 2

REVISION 3

REVISION 4

REVISION 5

REVISION 6

SHEET TITLE

FLOOR PLANS

SCALE

AS NOTED

PROJECT

NEW TWO STORY RESIDENCE
CINNABAR HILL ROAD, SAN JOSE, CA. APN No. 742-0313

OWNER

MR. ANANT UTTARWAR & PRASHANT KONDAWAR

A-2A

SHEET NO.

JOB NO.
122511
DATE
02/15/12
DRAWN BY
RTC



98868

DATE: November 21, 2019

TO: Historical Heritage Commission

FROM: Mark Connolly, Senior Planner / Deputy Zoning Administrator

SUBJECT: Design Review for a 5,493 sq.ft. residence in -h1 New Almaden historic district

RECOMMENDED ACTION

Consider recommendations relating to Design Review for a new 5,493 square-foot residence for Assessor's Parcel No. 742-03-013, located at 10225 Cinnabar Hills Road, San Jose. (File No. PLN19-11315)

Possible action:

- a. Approve forwarding a recommendation to the Zoning Administrator to approve the Design Review application and forward a record of the comments of the Historical Heritage Commission to the Zoning Administrator.
OR
- b. Approve forwarding a recommendation to the Zoning Administrator to deny or modify the Design Review application.

REASONS FOR RECOMMENDATION

The subject property is located at 10225 Cinnabar Hills Road, San Jose, within the -h1 New Almaden Historic Preservation Combining District (Chapter 3.50), which is a National Historic Landmark District. This property is not part of Priority List 1 or Priority List 2, and is located outside of the Central Community Area. The zoning designation is HS -h1 (Hillsides with -h1 Historic Preservation Combining District).

Role of Historical Heritage Commission

The role of the Historical Heritage Commission (HHC) for this application, is to make advisory recommendations to the Zoning Administrator with regard to Design Review applications in the -h Districts.

Section 3.50.040 of the Zoning Ordinance requires applications for Design Review to be referred to the HHC prior to the public hearing on the application. A historic justification

letter has been attached to this staff report as Attachment B, and the project plans have been included as Attachment A.

Project Location and Description:

The existing property is currently vacant, and measures approximately 2.77 acres, with an average slope of approximately 19%. The proposed project consists of the construction of a new 5,493 square-foot, three-story, single-family residence. The property would be served by an on-site well and septic system and by Alram State Small Water System for domestic water. The parcel is not within the Urban Service Area of San Jose. The site is an approved building site, as a result of development feasibility demonstrated when the subdivision tract (Pueblo Lands of San Jose No. 3) was created.

Conformance to -h Combining District Form, Materials and Color Standards

Section 3.50.090(E) of the Zoning Ordinance lists form, materials, and color standards for development of structures within the -h District. Structures are required to be designed for general compatibility with the historic character of the district. Additionally, building form and materials are advised and encouraged for non-listed properties, but complete conformance is not required for. The owner statement of justification (Attachment B) which explains how the proposed addition is generally compatible with the form, materials, and color standards.

Staff finds the proposed development meets the requirements for compatibility with the historic character of the -h1 New Almaden Historic Preservation Combining District. The proposed residence would not be visible from the Central Community Area, because there is a minor ridgeline that separates the site from the Central District. Staff reviewed the application with consideration of Section 3.50.090(E)(1-9), and determined that the proposed residence is visually compatible in its use of materials, features, and general scale and proportion with the neighboring residences, and meets the compatibility requirements for the following reasons:

Exterior materials: Zoning Ordinance design standards recommends board and batten, shiplap or wood siding, adobe (with plaster coat), or brick for exterior building materials. The new house proposes an exterior finish in earth toned stucco and accent materials. The exterior finish resembles plaster-coated adobe with iron railings along the decks. Staff finds the proposed materials conform with the design standards.

Roofing materials: New Almaden design standards recommend wood shingle or shakes (fire retardant) for roofing materials. The proposed roofing material is Mission barrel clay tile, which does not conform to the guidelines, however the proposed residence will not be visible from Almaden Road, Bertram Road, or any part of the Central Community area and is not required to strictly conform to the guidelines.

Roof form: the County Zoning Ordinance design standards recommend the use of

gable or sloping shed roof form. The proposed primary residence has a combination of hipped and gable roof, with a forward projecting gable roofed entryway. The tallest and most visible portions of the roof are hipped, and staff finds the proposed design of the primary residence is compatible with the design standards.

Foundation: New foundations may be of concrete construction providing one of the following is a part of the construction:

- a. Added pigment in the concrete for resemblance to a soft red brick or earthen tan adobe.
- b. A colored or painted plaster coating.
- c. A board sheeting exterior veneer applied over the concrete.

The new foundation is a concrete perimeter foundation that is proposed to be painted the same color as the residence.

Garage: Garages may be attached or detached and constructed of materials listed in the these guidelines. An attached two-car garage is proposed, as well as another attached one-car garage (Attachment A). The design is the same as the main residence in terms of shapes, materials and colors. Staff finds that the proposed garage color and design conform to the required standards for garages and is consistent with the rest of the proposed residence.

Fencing: No new fencing is proposed.

Painting and decorating: New construction paint colors should be compatible with those that were used in the mid-to-late 1800's. In general, natural color ranges are acceptable. The new house proposes an exterior finish in earth toned stucco and accent materials. The exterior finish resembles plaster-coated adobe with iron railings along the decks. Staff finds the proposed materials conform with the design standards.

Window form: The Zoning Ordinance standards in Chapter 3.50(E)(9) recommends multi-light rectangular window forms. The windows in the proposed residences are mostly divided light rectangular and some are proposed to be arched divided light windows to create multi-light areas in the residence. Although the design also includes arched windows, Staff finds the proposed windows conform with the recommended design standards, because the proposed windows maintain a multi-light rectangular window form, while adding arches along the top to add interest to the elevation. The surrounding neighborhood residences also include some arched windows.

Additional Findings for Design Review

Approval of a Design Review application within the -h1 New Almaden Historic Preservation Combining District requires that two “additional findings” be made. In the following

discussion, the Additional Findings are delineated in bold type, and an explanation of how the project meets the required findings is in plain text below.

1. Substantial conformance with applicable provisions of the design review guidelines, adopted by the Board of Supervisors.

The Design review Guidelines were adopted by the Board of Supervisors in February of 1999 with a primary goal to “maintain the predominantly natural character of hillsides areas. Applying the guidelines with neighborhood compatibility and ridgeline protection, the project is in substantial conformance with the guidelines. Computer-aided G.I.S. visibility analysis was performed for the project, which indicated that the parcel is somewhat visible from the valley floor but is not visible from the Central District area of New Almaden. This area contains the most sensitive properties (Priority List 1 and Priority List 2 properties). and the Central Community Area. The project is consistent with the residential development in the immediate neighborhood in terms of bulk, mass and materials. The project does not propose any grading along a ridgeline.

2. Conformance or consistency with any special regulations, standards, policies, or criteria specific to the particular “-h” district.

For the reasons stated above, Staff is able to make the required “Additional Findings” for Design Review approval pursuant to the regulations, standards, policies and criteria applicable within the -h District, as stated within this report. As such, Staff recommends that the HHC recommend approval to the Zoning Administration Hearing Officer.

ADDITIONAL INFORMATION

Secretary of Interior's Standards (SIS):

In addition to the requirements of the County Zoning Ordinance, Staff also reviewed the project with consideration of the Interior Standards for Rehabilitation. The proposed project conforms to Secretary of the Interior's Standards for Rehabilitation # 3 and # 9 (Attachment C), which permits rehabilitation work and new construction adjacent to historic resources.

Standard # 3 recommends:

Each property will be recognized as a physical record of its time, place and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.

Standard # 9 recommends:

New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

The proposed residence, while located in a historic district, will not impact the significance and character of the district, because the residence is generally compatible with the neighborhood design standards as specified in -h1 Zoning Ordinance Section 3.50.090 (E). The proposed residence will not be visible from the core areas of the district, as demonstrated by the visibility analysis.

California Environmental Quality Act (CEQA)

The Applicant applied for a Categorical Exemption from CEQA pursuant to Section 15303 Class 3 (a) Construction of a new single- family residence.

Staff has evaluated the potentially for one of the following cases to occur:

- The project would cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5 of the CEQA Guidelines, or the County's Historic Preservation Ordinance (Division C17 of County Ordinance Code) – including relocation, alterations or demolition of historic resources.
- If the Project impacted a listed or eligible to be listed building according to the California Register of Historic resources.
- If the Project Substantially damage scenic resources, including, but not limited to, trees, rocks, outcroppings, and historic buildings, along a designated scenic highway.

The project would not create significant impacts to these resource areas, or any other environmental resource areas and Staff finds the Categorical Exemption can be supported.

BACKGROUND

The Planning Design Review application was submitted on June 19, 2018. The application was initially deemed incomplete on July 18, 2018. After submitting all necessary information, the application was deemed complete on September 6, 2019. The property owner granted a one-time, 90-day extension to the Permit Streamlining Act deadline, extending the decision deadline for the County to February 2, 2020.

Conditions of approval will be provided at the Zoning Administration hearing as there are no HHC related Conditions of Approval proposed.

CONSEQUENCES OF NEGATIVE ACTION

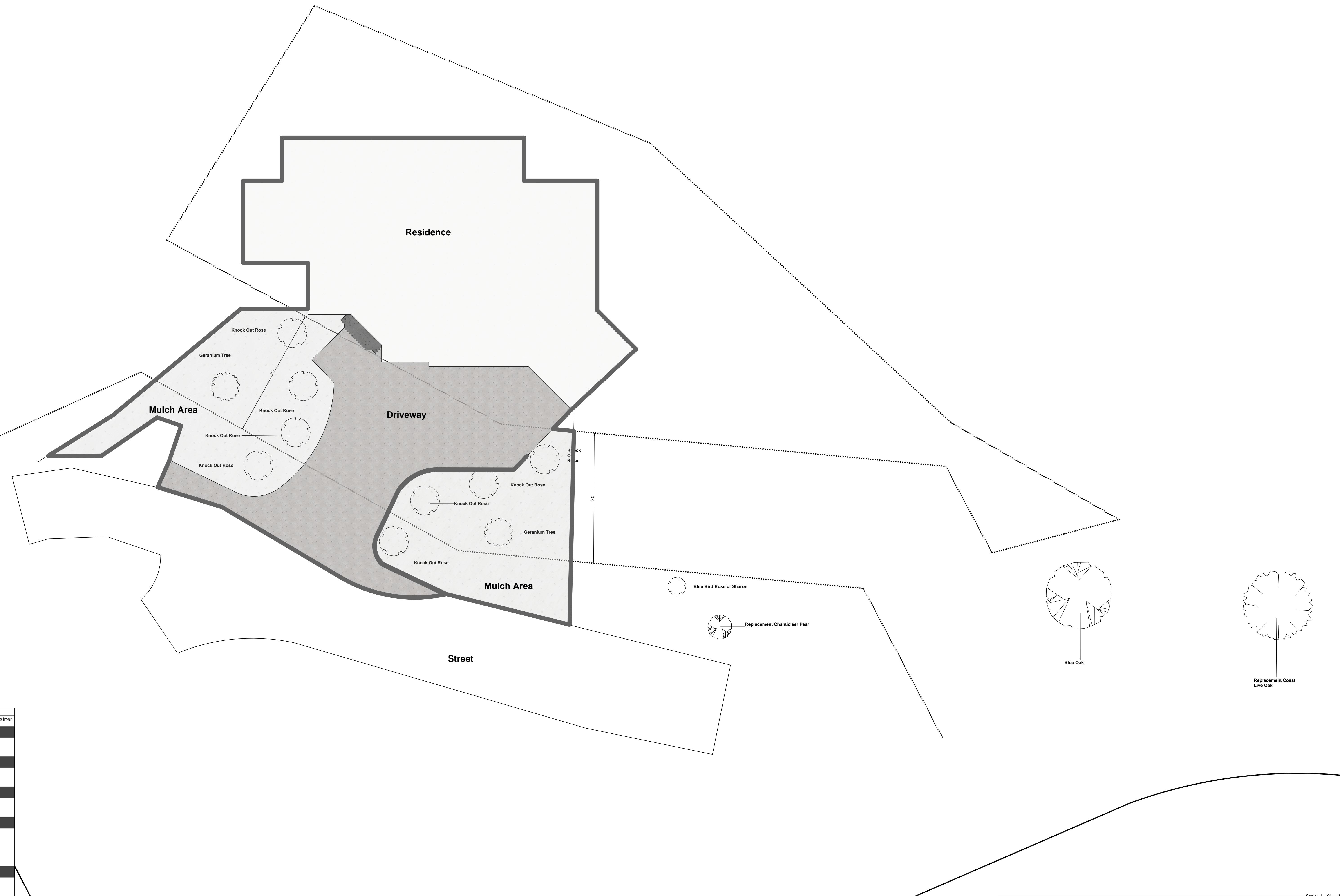
The Historical Heritage Commission will recommend to the Zoning Administrator denial of the Design Review application (File PLN18-11315).

STEPS FOLLOWING APPROVAL

Forward comments of the Historical Heritage Commission to the Planning Office for consideration by the Zoning Administrator.

ATTACHMENTS:

- Attachment A - Architectural Plans (PDF)
- Attachment B - Historic District Justification Letter (DOC)
- Attachment C - Secretary of the Interior standards (PDF)
- 1 (JPG)
- 2 (JPG)
- 5 (JPG)
- CINNABAR HILLS ROAD HHC PPT 11315 (PDF)
- Kondawar Color Palette (PDF)
- Kondawar Home Photos (PDF)



Owner: Anant Uttarwar
Address: 10225 Cinnabar Hills
City: San Jose State: CA Zip:

Front Landscape Design

This is an instrument of service rendered to the client for design development only.
Not for Construction
Copyright 2019
All rights reserved

PROJECT NO.
DESIGNED BY :Kevin Smith
DATE 8/2/19
Scale :1/10"=1'

A.02

DEFENSIBLE SPACE:
Providing a 30-100 ft. zone around all structures where flammable vegetation is reduced keeps direct flames and heat away from the side of the building. This means modifying the fuel to reduce the wildfire threat and provide an opportunity for firefighters to effectively defend a structure from an oncoming wildfire.
Providing defensible space does not mean scraping away all vegetation from the landscape. Landscaping can be designed to create an attractive well-vegetated property that also provides effective defensible space.
Removal of dead vegetation, reduction of "ladder fuels" by thinning brush and limbing-up trees, and replacement of highly flammable plants, such as Eucalyptus or Scotch Broom with fire-resistant plants are all part of a good vegetation planning and management program. This applies even to existing structures. Requirements are listed in Chapter 49 of the County Fire Code.