

County of Santa Clara

Department of Planning and Development
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STAFF REPORT
Zoning Administration
November 4, 2021

Continued Hearing Item #2

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File: PLN20-124

Design Review Approval (Tier 2) and Grading Approval for a New Single-Family Residence

Summary: Concurrent land use entitlement of a Design Review (Tier II) and Grading Approval for a new 10,753-square-foot single-family residence, with attached garages, and improvements of the driveway and septic system on a vacant lot. Grading consists of 1,425 cubic yards of cut and 1,937 cubic yards of fill (total 3,362 cubic yards). The project application was deemed incomplete by the Department on March 23, 2021. The incomplete determination was appealed to the Planning Commission on the grounds that the Department misinterpreted an extension request granted by the property owner and not the applicant. The Planning Commission granted the appeal on May 27, 2021. Therefore, the application was deemed complete by operation of law on March 18, 2021. Incomplete comments from multiple agencies are not addressed in the current submittal package. This project was continued from the July 1, 2021 Zoning Administration (ZA) hearing at the request of the project Applicant. No new information has been submitted as of the preparation of this report. After granting a one-time 90-day extension to the Permit Streamlining Act, the decision deadline for the project is November 7, 2021. As such, Staff is required to bring the project to the November 4, 2021 ZA hearing for a determination on the project.

Owner: Jefferey and Melissa Waters
Applicant: Cove Britton
Address: 0 Peacock Court, Cupertino
APN: 351-42-004
Supervisory District: 5

Gen. Plan Designation: Hillsides
Zoning: HS-d1
Lot Size: 5.7 acres
Present Land Use: vacant
HCP: in HCP Area

RECOMMENDED ACTIONS

- A. Accept a Statutory Exemption, under Section 15270 of the CEQA Guidelines, Attachment A; and,
- B. Deny the concurrent land use application for a Design Review (Tier II) and Grading Approval, pursuant to the findings of fact described in this staff report.

ATTACHMENTS INCLUDED

Attachment A – CEQA Determination
Attachment B – Plans and Vicinity Map
Attachment C – Tract Map No. 7707
Attachment D – Incomplete Letter issued on March 23, 2021
Attachment E – Appeal Statement and Staff Report for Planning Commission Hearing
Attachment F – May 27, 2021 Planning Commission Incomplete Determination Appeal Decision
Attachment G – Plans with Staff’s Markups
Attachment H– GIS Viewshed Analysis, Reverse Viewshed Analysis, and Site Photos
Attachment I – Geotechnical Report Prepared by Murray Engineers. Inc
Attachment J – Building Setback per Geotechnical Report
Attachment K – Building Height Calculation Handout
Attachment L – Neighborhood Development Data
Attachment M – Email from the Applicant to Request a 90-day Permit Streamline Act Extension
Attachment N – Timeline of Correspondences Between the Applicant and Staff Regarding Resubmittal After the Project was Deemed Complete

PROJECT DESCRIPTION AND BACKGROUND

Project Description

The proposed project is a concurrent land use application for a Design Review (Tier II) and Grading Approval for a new 10,753-square-foot single-family residence with attached garages on a vacant lot.¹ Associated site improvements include an attached chapel, a detached accessory dwelling unit (ADU) with an attached indoor basketball court, a pool, a septic system, driveways, and retaining walls ranging from three (3) to twelve (12) feet in height. Grading consists of 1,425 cubic yards of cut and 1,937 cubic yards of fill (total 3,362 cubic yards). Staff is unable to verify the maximum height of the two (2)-story residence, due to the absence of sections that cut perpendicularly through the highest roof ridge, as requested in the March 23, 2021 Incomplete Letter, and pursuant to Zoning Ordinance 1.30. Staff’s analysis of the project plans, utilizing County programs to measure, appears to identify that the proposed residence exceeds the maximum allowable height of 35 feet allowed by the Zoning Ordinance.

Background

On September 30, 2020, the Architects (“Applicants”), Cove Britton and Frank Kruzic, of Matson Britton Architects, submitted a concurrent land use application (Application) for Design Review and Grading Approval, that was reviewed by the Department and deemed incomplete on October 30, 2020.

¹ The floor area calculation includes areas in the “basement” level, as the submitted plans fail to identify whether the proposed basement meets the “*basement*” definition, pursuant to Zoning Ordinance 1.30, to be exempt from floor area calculation.

On February 16, 2021, the Applicants resubmitted the application in response to the October 30, 2020 incomplete letter.

On March 16, 2021, Staff contacted Melissa Waters, the Property Owner, to request a 7-day extension to the County's required 30-day completeness determination period because the original incomplete comments were not addressed. Mrs. Waters agreed to grant a 7-day extension as indicated within an email confirmation.

On March 23, 2021, the Department determined that the February 16, 2021 resubmittal was incomplete and sent an Incomplete Letter to the Applicant and Property Owner (refer to Attachment D).

On April 2, 2021, pursuant to County Zoning Ordinance Section 5.20.080(C), the applicant submitted an appeal of the incompleteness determination set forth in the Department's March 23, 2021 letter. The submitted grounds for the appeal are the Department's misinterpretation of the Permit Streamline Act and failure to obtain an extension to the 30-day review period from the "applicant" (Government Code section 65943(d)). Said grounds are described in more detail in the Applicant's Appeal Letter and Staff Report in Attachment E.

On May 27, 2021, at a regular Planning Commission Public Hearing, the Commission voted 4-2-1 to grant the appeal and determine the concurrent land use application of Design Review and Grading Approval was complete in accordance with the County Zoning Ordinance Section 5.20.080 and Government Code Section 65943. Therefore, the project was deemed complete on March 18, 2021 by operation of law. As the lead agency, the Planning Department has 30 days to make the CEQA determination, pursuant to CEQA Guidelines 15102 and Public Resource Code (PRC) 21080.2. The 30-day deadline for CEQA determination was June 11, 2021 because the time between April 2, 2021 and May 27, 2021 was "tolled" pending the appeal filed on April 2, 2021 until May 27, 2021 when the Planning Commission took action on the incompleteness appeal.

On June 10, 2021, the Planning Department applied a "Statutory Exemption" under CEQA Guidelines 15270-*Projects Which Are Disapproved*. Pursuant to CA Government Code 65950, *"a public agency shall approve or disapprove the project within sixty days from the determination that the project is exempt from CEQA."* The scheduled hearing date of July 1, 2021 was before the 60-day time frame for the County to render a decision on the application, as the 60-day deadline was August 9, 2021.

On June 23, 2021, the Applicant requested a 90-day Permit Streamline Act extension through email, which was uploaded to the Zoning Administration webpage under the July 1, 2021 Hearing as Additional Public Comment (Attachment M). Therefore, the Zoning Administration Hearing Officer granted the extension in the July 1, 2021 public hearing and continued the item to a date uncertain. Pursuant to the Permit Streamline Act, the 90-day extension would follow August 9, 2021, as the extension was intended to extend the final decision-making date. Therefore, the extended deadline for the jurisdiction to render a decision is November 7, 2021, and the scheduled hearing date of November 4, 2021 meets the timeframe.

Before the July 1, 2021 Zoning Administration Hearing, the Applicant expressed a desire to resubmit this project before the next public hearing through multiple emails. On September 15, 2021, staff arranged a resubmittal meeting with the Applicant's partner to make a resubmittal for this project on behalf of the Applicant. During the resubmittal meeting, staff requested a signed Master Application Form, following the Department's protocols, as well as a collated set of plans (not separate plan sheets). The Applicant's partner confirmed not to resubmit the project in the meeting and would request another meeting for the resubmittal. On September 21, 2021, staff delivered the Department's decision that a signed Master Application Form would not be required for this project's resubmittal, but noted that a collated set of plans was still required. The Applicant did not request another resubmittal meeting before the item was scheduled for the Zoning Administration Hearing on November 4, 2021, despite numerous attempts by Staff to encourage the Applicant to request a resubmittal meeting. A timeline of the correspondences regarding the resubmittal is included in Attachment N.

Setting/Location Information

The 5.7-acre vacant parcel is located within unincorporated Cupertino, in a community abutting Steven Creek Quarry on the north, and Picchetti Ranch Open Space on the south and east. The community comprises low-density single-family residences on properties ranging from three (3) to nine (9) acres in size. The existing homes in the immediate neighborhood were developed before 1998, prior to the Design Review (-d1) ordinance being effectuated (adopted September 1, 1998, File No. 6403-96GP).

The subject parcel features gentle slopes at the west portion of the lot and steep slopes descending towards the south and east. According to the County GIS system, the average slope of the entire lot is between 40-50%, with slopes at the west and south portions exceeding 50%. The steep downhill slopes are recognized as the State-designate Oak Woodland (FRAP). A tributary of Swiss Creek runs down the steep slope parallelly along the south property line and merges into Steven Creek Reservoir. The subject property is not located in the Santa Clara Valley Habitat Plan area.

The County's GIS system identifies that most of the parcel is located in a low visible zone. The northwest area is in a medium visible zone, where portions of the primary residence and the ADU are currently proposed. Staff conducted the reverse viewshed analysis in the GIS system, concluding the proposed building site that is potentially visible from the valley floor and the public open space near Steven Creek Reservoir (refer to Attachment H). Photos from staff's site visit confirm the proposed building site is exposed to the valley floor (Attachment H).

REASONS FOR RECOMMENDATIONS

A. Environmental Review and Determination (CEQA)

Staff is recommending denial of the concurrent land use application; therefore, the subject project qualifies for a Statutory Exemption under CEQA Guidelines 15270 (a) – “*CEQA does not apply to projects which a public agency rejects or disapproves.*” It is important to note that a 90-day extension of time was granted and the requirement to render a decision is November 7, 2021. The Applicant has not submitted new information into the record to allow Staff to determine if the resubmitted information qualifies for a categorical exemption, or requires an EIR, Negative Declaration, or Mitigated Negative Declaration.

B. Project/Proposal

1. General Plan: Hillsides

2. **Approved Building Site:** The site is an approved building site, pursuant to a subdivision recorded in May 1987, by the County (File 860-1980-S, Tract Map No. 7707, 589P43, Lot 4) (see Attached C).
3. **Zoning Standards:** The Zoning Ordinance specifies the required development standards for HS-d1 Zoning District, as summarized below, followed by Table A, noting the project's conformance with Section 3.20.040 "-d1" Combining District:

Setbacks (HS): 30-feet from all property lines (front, side, and rear)
Height: 35-feet
Stories: 3-stories

Table A: Compliance with Development Standards for -d1 Combining District

STANDARDS & REQUIREMENTS	CODE SECTION	Assessed (Y)*
Siting	§ 3.20.040 (A)(2)(b)	Y
Story Poles	§ 3.20.040 (A)(2)(c)	N**
Color & LRV	§ 3.20.040 (B)	N
Building Form & Massing	§ 3.20.040 (C)	Y
Retaining Walls	§ 3.20.040 (D)	Y
Ridgeline Development	§ 3.20.040 (E)	N/A
Design Review Guidelines	§ 3.20.040 (F)	Y

* Note: These requirements are addressed in further detail in the body of the Staff Report, under Section C (Design Review Findings)

**Note: Story poles were not erected seven (7) days prior to the scheduled Zoning Administration hearing for July 1, 2021 or November 4, 2021, as required by the Zoning Ordinance. Color samples with Light Reflective Value noted were not submitted after the Planning Commission Hearing on May 27, 2021 and the determination that the application was deemed complete by operation of law on March 18, 2021. The Applicant was notified of the story pole requirements on June 15, 2021, and reminded prior to the November 4, 2021 public hearing. Additionally, these requirements are identified on the County's website under applications for Design Review.

C. Design Review Findings

All Design Review applications are subject to the scope of review as listed in §5.50.040 of the County Zoning Ordinance. The overall purpose of design review is to encourage quality design and mitigate potential adverse visual impacts of development. Although the Applicant failed to clarify the square footage of the project square footages, Staff reviewed the square footages to the best of their ability to determine that the project requires a Zoning Administration public hearing, pursuant to §3.20.040(A)(2) and Table 5.10-1 of the County Zoning Ordinance. In the following discussion, the scope of review criteria is in **bold**, and an explanation of how the project meets the required standard is in plain text below.

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

As discussed in the Project Description section of this report, portions of the proposed residence and ADU are located in the medium visibility zone, with the rest of the portions within the low visibility zone. In addition, staff utilized additional visibility analysis tools and site visits to evaluate the potential visibility of the project, and concludes that the proposed project is potentially visible from the valley floor (Attachment H). Therefore, Zoning Ordinance Section 3.20.040(G) – ‘*Exemption for Sites Not Visible*’ does not apply to the proposed development. The applicant did not file a request for a discretionary exemption or administrative design review approval before the Planning Commission deemed the project complete on May 27, 2021. As such, the proposed development is required to meet the Design Review findings and mitigate any adverse visual impacts through siting, building massing, exterior materials, low retaining walls, and landscape screening.

The proposed development generates adverse visual impacts in the following areas, which can be avoided through alternative design.

Fill

A significant amount of grading is proposed to create a large, leveled development area with a courtyard, backyard, pool area, and firetruck turnaround at the approximately same elevation. The area proposed with fill is highlighted in yellow on Sheet C-1 in Attachment G, encompassing a substantial portion of the graded area. The maximum vertical fill of fifteen (15) feet is proposed at the eastern edge of the pool and backyard area, exposed to the valley floor, above which the new proposed residence would be perched above, thereby exacerbating visibility, bulk and mass impacts of the structure, as seen from the valley floor. The proposed fill area significantly elevates the development area, increasing the apparent height of the structure. The proposed fill does not mitigate adverse visual impacts from the proposed structures or grading.

Retaining Walls

The east portion of the development area is proposed to be created with fill to be supported by two, tiered retaining walls with a length of more than eighty (80) feet, and maximum heights of eight (8) and nine (9) feet. This totals a combined maximum height of fifteen (15) feet at its most extreme location, and as seen from the valley floor and surrounding neighborhoods. The proposed continuous, long retaining walls can be shortened and lowered by reducing the proposed fill and the total areas for the pool and backyard. No design details are submitted to demonstrate these visible walls are colored and textured to compliment the background land and vegetation, per Zoning Ordinance 3.20.040(D) and the County *Design Review Guidelines*. As such, the proposed retaining walls cannot be supported and do not meet Design Review Finding No. 1.

Building Height

As discussed in the Project Description section of this report, no section drawings cutting perpendicularly through the highest roof ridge were submitted for staff to verify the maximum building height of the structure, pursuant to the County Zoning Ordinance or Building Height handout (Attachment K). Based on the submitted grading plan and floor plans, the two-section cuts to identify the maximum building height shall be taken from an area between the submitted Section C and Section D, and an area to the east of the submitted Section J on Sheet P4 (Attachment B). Staff identifies the section cut locations on Sheet P4 as Section A1-A2 and Section B1-B2 (Attachment G), and estimates the building height on Section A1-A2 to be 35'-10", and building height on Section B1-B2 to be 35'-10 3/4". While these heights cannot be verified to be consistent with the County's Zoning Ordinance, it appears that the project does not meet the height requirements for the Zoning District. Furthermore, a Variance would be required to exceed the maximum height allowed by the Zoning Ordinance, which was not submitted as part of the concurrent land use application submittal. Therefore, the estimated maximum building height of 35'-10" exceeds the maximum allowable building height in HS Zoning District, and for the reasons mentioned above, this project cannot be supported.

Landscape Screening

According to the submitted plans and staff's site visits, the dense oak forest to the east of the proposed development is situated a minimum of 25 feet lower than the proposed building pad. A site photo taken from the edge of the proposed building pad reveals the valley floor is visible in the distance, and the top of the forest canopy is lower than the proposed residence, given an approximate fifteen (15)-foot vertical fill proposed at the location where the picture was taken. Therefore, the existing vegetation will not likely provide adequate screening to the elevated development site and excessive building structure height and massing. No additional landscape screening is proposed, however additional landscaping would not reduce the impacts of the fill, retaining walls, or perched residence to a less than significant level.

For the reasons stated above, staff cannot make the findings.

2. Compatibility with the natural environment;

The proposed development is not compatible with the natural environment in terms of grading, building forms, retaining wall design, and impact to watercourses and geo-hazard areas. A discussion of these impacts are described below.

Grading

As discussed in Design Review Finding No. 1, the proposed grading requires a significant amount of fill to create a large, leveled development area in an existing, gently sloped area. Said grading design does not incorporate the existing natural features of the land, nor take into consideration the contours of the land.

Building Forms

The proposed primary residence is characterized by continuous expansive facades and two massive roof planes, with three (3)-foot height differences. The building form does not follow the natural contours of the land with stepped design. As the roof height remains approximately the same throughout the structure, the exposed building height on the south elevation is 36'-10" (Attachment G). The fortress-like dwelling is intrusive in the immediate neighborhood and environment.

Retaining Wall Design

There are six (6) retaining walls proposed with a length of more than eighty (80) feet and a maximum height of five (5) feet or more, as highlighted in magenta in Attachment G. The maximum height of a proposed retaining wall is twelve (12) feet. Alternative grading design can potentially reduce, lower, and shorten the proposed retaining walls to decrease the impacts on the environment.

Setback to Watercourse / Geo-hazard Zones

The submitted Geotechnical Report prepared by Murray Engineers, Inc in July 2017 includes a disclaimer that the report *'should not be relied upon after a period of three years.'* The report expired before the application was originally submitted in September 2020. Nonetheless, Staff reviewed the report as a reference.

A pseudo-static analysis was conducted at the downhill portion of the western half of the property and *"yielded a critical failure surface up to approximately 30 feet deep..."* (Figure A-8, Attachment I). Despite *"a reasonable risk,"* the geotechnical report concludes a failure would unlikely *'have a significant impact on future improvements located in the uphill portion of the western half of the property, provided that they are located at least 130 feet from the centerline of the seasonal drainage ravine'* (emphasis added) (Attachment C). Staff projected the recommended setback line on the site plan in Attachment J. The site plan with the building setback overlay identifies that 50% of the proposed indoor basketball court encroaches into the recommended setback. In addition, the geotechnical report states *'the potential for future deep-seated land-sliding along the seasonal drainage ravine can be substantially mitigated by filling in the ravine to buttress the potentially unstable slope.'* The proposed mitigation measures would substantially alter the existing drainage pattern of the site and impair a watercourse, while incorporating excessive grading, all of which are inconsistent with the County General Plan policies and findings, and CEQA Guidelines. Additional discussion for conformance with General Plan findings can be found in Design Review Finding No. 6, below.

As such, the proposed development is not compatible with the natural environment, and the findings cannot be made.

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

The proposed development is not in conformance with most of the County ‘*Design Review Guidelines*’ with respect to site design, building form, retaining walls, color and material, or landscape. These areas of concern are described in more detail, below.

Site Design

As described in the above findings, and Grading Findings in Section D of this report, the proposed grading does not incorporate the existing natural features and topography, and the massive building form does not follow the land’s natural contours.

Building Form

Continuous expansive facades are proposed, without setting back the second story and the ‘third’ story from the first floor to step with the land and reduce apparent bulk. The proposed two massive roof planes are not designed to follow the land’s natural contours, nor incorporate varied roof heights.

Retaining Walls

No design details are submitted to demonstrate the proposed tall retaining walls are colored and textured to compliment the background land and vegetation.

Color and Material

Color samples with Light Reflective Value noted were not submitted when the project was deemed complete on May 27, 2021 Planning Commission Hearing. Staff is unable to verify the exterior facades would comply with light reflectance standards in the Zoning Ordinance.

Landscape

No landscape is proposed to blend the development with the surrounding landscape and soften the visual impacts. However, it is important to note that staff cannot support landscaping to mitigate the existing design due to the excessive fill and non-compliant height for the residence proposed to be perched ten (10) to fifteen (15) feet above existing grade elevations.

As such, staff cannot make the finding.

4. Compatibility with the neighborhood and adjacent development;

The immediate neighborhood of the subject property consists of single-family residences ranging in size between 3,000 to 7,400 square feet. The existing homes in the immediate neighborhood were developed before 1998, prior to the viewshed analysis and design review requirements/findings and guidelines being effectuated.

Staff conducted a site visit to evaluate the neighborhood character and its visual impacts on the valley floor, as illustrated in detail in Attachment H with photos. The

neighborhood takes access from Peacock Court, a County-maintained road, off Stevens Canyon Road. The areas adjacent to Peacock Court on both sides are located on gentle slopes. The topography was steeply descending towards the west and the east beyond the plateau area centered around Peacock Court. The area close to the east edge of the plateau is more visible from the valley floor (refer to site photos in Attachment H).

Although homes on the west side of Peacock Court are located on a higher grade, these homes are located further away from the valley floor and are screened by landscape and development on the east side, thereby creating less significant visual impacts. All existing homes on the east side are located much further away from the plateau edge than the proposed residence. Dense trees provide screening to the neighboring home to the south. A home at the end of Peacock Court is situated on a lower grade, facing the quarry, not visible from the valley floor. Therefore, all existing homes have less significant visual impacts than the proposed development. In addition, the existing development would have gone through scrutiny in terms of compliance with the Design Review Ordinance if they were proposed as new homes today.

Except for one (1) three (3)-story residence, the existing homes have low profile elevations compared to the proposed residence. All the two (2)-story and three (3)-story residences incorporate a tiered design approach with the second and the third floors setting back from the first floor (refer to site photos in Attachment H and neighborhood development data in Attachment L). Many homes are screened by dense vegetation, not fully exposed to Peacock Court. The proposed development would be intrusive in the neighborhood and adjacent development. Therefore, the findings cannot be made.

5. Compliance with applicable zoning district regulations; and

Single-family residences are allowed uses within the Hillside (HS) zoning district. As proposed, the project complies with the required setbacks of 30-feet from all property lines or road rights-of-way. Staff is unable to verify the proposed building height as discussed in Design Review Finding No. 1. The estimated building height is 35'-10", exceeding the maximum allowable building height of 35 feet, and therefore requiring a Variance application to exceed the maximum allowable height limitations.

The proposed architectural design is not in compliance with the Santa Clara Design Review standards outlined in §3.20.040 as follows, for siting, color/LRV, building form and massing, or retaining walls.

§3.20.040(A)(2)(b) – Siting

The proposed development would significantly alter the natural topography, increasing the adverse visual impacts instead of providing fundamental and sufficient mitigation measures. The current design fails to utilize existing topography and grade elevations to mitigate impacts to the valley floor.

§3.20.040(B) – Color; Light Reflectivity Value (LRV)

Color samples with Light Reflective Value noted were not submitted when the project was deemed complete on May 27, 2021 Planning Commission Hearing. Staff is unable to verify the exterior facades would comply with light reflectance standards in the Zoning Ordinance.

§3.20.040(C) – Building Form and Massing

The submitted North and South elevations identify two (2) continuous wall planes with a horizontal length of more than eighty (80) feet. The south, east, and west facades are proposed with continuous architectural components that exceed eighteen (18) horizontal feet and 24 vertical feet. On the south elevation, one expansive wall plane has a maximum wall height of 29 feet and a continuous wall length of 65 feet (Attachment G). These wall planes are considered ‘continuous’ because no portion of the wall is offset by at least five (5) horizontal feet to be deemed ‘discontinuous’ pursuant to Zoning Ordinance §3.20.040(C)(3).

§3.20.040(D) – Retaining Walls

As discussed earlier, no design details are submitted to demonstrate the proposed, excessively tall retaining walls are colored and textured to compliment the background land and vegetation.

As such, the project is not in compliance with applicable zoning district regulations, and this finding cannot be made.

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 No. 3, to *Ensure Environmentally Safe and Aesthetic Hillside Development*. **R-GD17** requires “*Design Review Zoning Districts, including Design Review Guidelines, shall apply to primary viewshed areas most immediately and directly visible from the valley floor, lands up to and including the first ridge, or those within approximately one to two miles distance from the edge of the valley floor.*” **R-GD 25(a)** recommends “*erosion control, landscaping or plantings, retaining wall design, and other design features may be imposed where necessary to ensure that completed work blends as harmoniously as possible with the natural environment and landscape.*” Design Review is required in this case since the project is located in the Design Review (-d1) zoning districts within two miles distance from the edge of the valley floor. As discussed in the above Design Review findings, the proposed project does not consider the natural topography or blend with the existing environment. The building massing is obtrusive with expansive facades and massive roof planes. Multiple long and tall retaining walls are proposed, two of which are exposed to the valley floor. As such, the project would not be in conformance with the General Plan, and this finding cannot be made.

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 proposed grading consists of 1,425 cubic yards of cut and 1,937 cubic yards of fill (total 3,362 cubic yards). The maximum vertical cut is nineteen (19) feet, proposed at the southwest corner of the basketball court, encroaching approximately twenty-one (21) feet into the recommended 130-foot building setback (Expired Geotechnical Report – Attachment I) from the creek. In addition, a significant portion of the leveled development area is proposed on excessive fill, as highlighted in yellow in Attachment G, with the maximum vertical fill of fifteen (15) feet at the eastern edge of the plateau area. Fill is generally discouraged in hillside areas since it exacerbates the existing geologic hazards and elevates the development, thereby creating adverse visual impacts.

The grading quantity, in particular the quantity for the fill, can be significantly reduced by locating the primary residence closer to the road, conforming to the natural topography, reducing the size of the courtyard and backyard, incorporating the driveway with the required fire truck turnaround, and proposing a more linear building form with stepped courtyard and foundations. The grading is excessive to create the largest possible building pads, multiple drivable accesses, and wider than necessary driveways. Therefore, the amount, design, location, and nature of the proposed grading are not considered necessary, and this finding **cannot** 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.

As discussed in the Design Review Findings No. 2, the submitted geotechnical report identifies a critical failure in the pseudo-static analysis and recommends a minimum 130-foot building setback from the centerline creek (Attachment I). The report provides additional measures to mitigate the risk *“by filling in the ravine to buttress the potentially unstable slope.”* In addition, the proposed ADU with the attached basketball court would encroach twenty-one (21) feet into the recommended building setback with an additional cut proposed to the south of the structure. Said design exacerbates the existing geological hazard, and would not be supported by County General Plan policies, adopted guidelines for hillside development, or required findings of fact. Therefore, the grading will potentially endanger the public and private property, public health and safety and may result in excessive deposition of debris or soil sediments to impair an existing watercourse, and this finding **cannot** be made.

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

The proposed grading is not designed to contour nor blend with the natural topography to the maximum extent possible. Excessive grading is proposed to create a massive leveled development area on a slope descending towards a creek with a steep bank along the south property line. The proposed ADU and attached basketball court encroach on the recommended building setback, measured from the creek, further exacerbating the geologic hazard. According to the geotechnical report, the static slope stability analysis also yielded a critical failure within the recommended building setback line. The proposed grading does not consider minimizing impacts to the natural landscape, scenic, biological and aquatic resources, nor erosion impacts. As such, the findings cannot 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 subject parcel features gentle slopes at the west portion of the lot and steep slopes of over 50% descending towards the south and east. The proposed building site location is considered to be the one that can potentially minimize grading compared to other available development sites, considering the geologic risk on the downslope area of the lot and the request to build an ADU with an accessory structure. However, the current design of the grading incorporates excessive fill, up to fifteen feet in height to accommodate the new residence and rear yard areas. As noted in the Design Review findings and Grading Findings Nos. 1, 2 and 3 above, the project has not minimized grading in comparison to other available development sites or alternative designs that significantly reduce grading on-site. As such, this finding cannot 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.

As discussed in detail in the Design Review findings, the proposed grading is not designed to conform with the natural terrain and existing topography and will likely create a visual scar. A significant portion of the graded area is proposed on a fill to create a massive, leveled development area. Said design would elevate the development area to a maximum of fifteen (15) feet, increasing the apparent building height, as seen from the valley floor and the neighborhood. Multiple retaining walls are proposed with a length of more than eighty (80) feet and a maximum height of five (5) feet or more. Two (2) of said retaining walls face the valley floor at the east edge of the development area, and another two (2) walls are exposed to Peacock Court and the neighborhood. The proposed grading and associated improvements, compounded with the massive building facades, create a significant visual scar that can be avoided through alternative design. For the reasons stated above, staff is cannot make the findings.

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

The proposed grading is not in conformance with the following policies identified in the County General Plan, with emphasis added in underlined text:

R-GD 20

Grading and terrain alteration to conduct lawful activities and use of property should conserve the natural landscape and resources, minimize erosion impacts, protect scenic resources, habitat, and water resources. Grading should not exacerbate existing natural hazards, particularly geologic hazards.

R-GD 26

Where proposed grading is associated with a potential subdivision or single building site approval in hillside areas, that which is deemed excessive, non-essential grading is strongly discouraged and shall not be generally permitted, unless exceptional circumstances warrant further consideration. Examples may include, but are not limited to excessive grading to create the largest possible building pads, envelopes, or yards; to remove hilltops and/or flatten steep ridges; to create multiple driveways serving individual parcels, or wider than necessary driveways; and similar proposals.

R-GD 27

Grading and excavation to situate a residence or other structure within a hillside to reduce visual impacts is encouraged, in accordance with due consideration of geologic issues, structural integrity, and other pertinent design features and lot characteristics.

As discussed in detail in the above Grading Findings, the proposed grading is considered to be excessive by creating wider than necessary driveways and a large building pads with multiple yards. The development area is created with a significant fill, which elevates the development area and does not conform to the natural terrain. Said grading design, compounded with multiple long retaining walls, creates adverse visual scars and is excessive in design, configuration, and location. In addition, a significant cut is proposed within the recommended building setback in a geologic hazard zone, exacerbating geologic hazard. For these reasons, this finding **cannot** 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 not in conformance with the adopted "Guidelines for Grading and Hillside Development" for road design and building form, as described in detail below, with Guidelines cited and emphasis added in underlined text.

Road Design

Guideline 8:

Roadways shall meet the minimum emergency access standards established by the County Fire Marshal and Ordinance Code. New roads in hillside areas should not be designed to maximize the flattening and widening of roads beyond these access standards if this results in extensive grading and terrain alteration. Roads should use a road design that both meets emergency access standards and avoids the need for excessive grading. (GP Policies R-GD—24, R-GD-25)

Portions of the proposed driveway are wider than the required minimal drivable surface of twelve (12) feet for a road serving only one lot. In addition, the required fire truck turnaround is separated from the portion of the driveway leading to the garages, thereby requiring additional fill.

Building Form and Design

Guideline 10:

Buildings proposed to be located in areas with steeper slopes should incorporate a linear design with and be oriented parallel to the hillside. (GP Policies R-GD—24, R-GD-32)

Guideline 11:

New buildings located on steeper slopes that are visually prominent should incorporate a tiered design approach in order to reduce building massing and visual bulk. Design methods include steps in the building foundations and varied roof heights and planes. (GP Policies R-GD—27, R-GD-32)

The building form does not incorporate a linear design or a tiered design approach to reduce the building massing and visual bulk, as illustrated in Section E-J (Sheet P 10.3-P10.5, Attachment C). Although portions of the building foundations utilize a stepped approach, massive roof planes are proposed at consistent heights.

For the reasons above, staff **cannot** make the findings.

ADDITIONAL INFORMATION

Additional Application Requirements

Special Permit Requirement

The accessory structure is proposed with four (4) plumbing fixtures, requiring Special Permit Approval. The concurrent land use application does not include a Special Permit request with additional application fees. Therefore, staff has not reviewed the project in terms of compliance with the Special Permit Findings.

Variance Requirement

As noted in the Section C of this report (Design Review Findings), the residence appears to be overheight, exceeding the maximum buildign height of 35'. As currently proposed, and as deemed complete for processing through completeness appeal, the existing design does not meet County development standards for height. A Variance application would be required. The concurrent land use application does not include a Variance request (or required Pre-Application for a Variance) with additioanl application fees. Therefore, staff has not reviewed the project in terms of complaince with Variance Findings.

Agency Issues of Concern

Concerns from Fire Marshal

The proposed residence is located beyond the maximum path of travel of 600 feet from the existing fire hydrant on Peacock Court. A new fire hydrant would likely be required closer to the residence, which could be costly and should be considered by the applicant. Additionally, the property is located within the State Responsibility Area (SRA) and will need to meet all requirements of CA Public Resource Code 4290. This could also reduce the ability to approve the project for Building Permit Issuance and may also include costly impacts for the property owner to take into consideration.

Concerns from Land Development Engineering

The submitted plan does not identify a twenty (20)-foot storm drain easement through the entire parcel to ensure the proposed development does not interfere with the easement.

Public Notices

On June 21, 2021, prior to the July 1, 2021 Zoning Administration (ZA) hearing, a public notice was mailed to all property owners within a 300-foot radius. Additionally, the project was published in the local paper. At the July 1, 2021 ZA hearing, the proeject was continued to a date uncertain, thereby requiring a new public notice when the project returns to hearing. On October 26, 2021, a new public notices was mailed to all property owners within a 300-foot radius for the November 4, 2021 ZA hearing. Additionally, notice was published in the local newspaper, San Jose Mercury News.

STAFF REPORT REVIEW

Prepared by: Xue Ling, Associate Planner



Reviewed by: Leza Mikhail, Principal Planner – Interim Planning Manager




Attachment A

Statement of Exemption from the California Environmental Quality Act (CEQA)

Attachment A

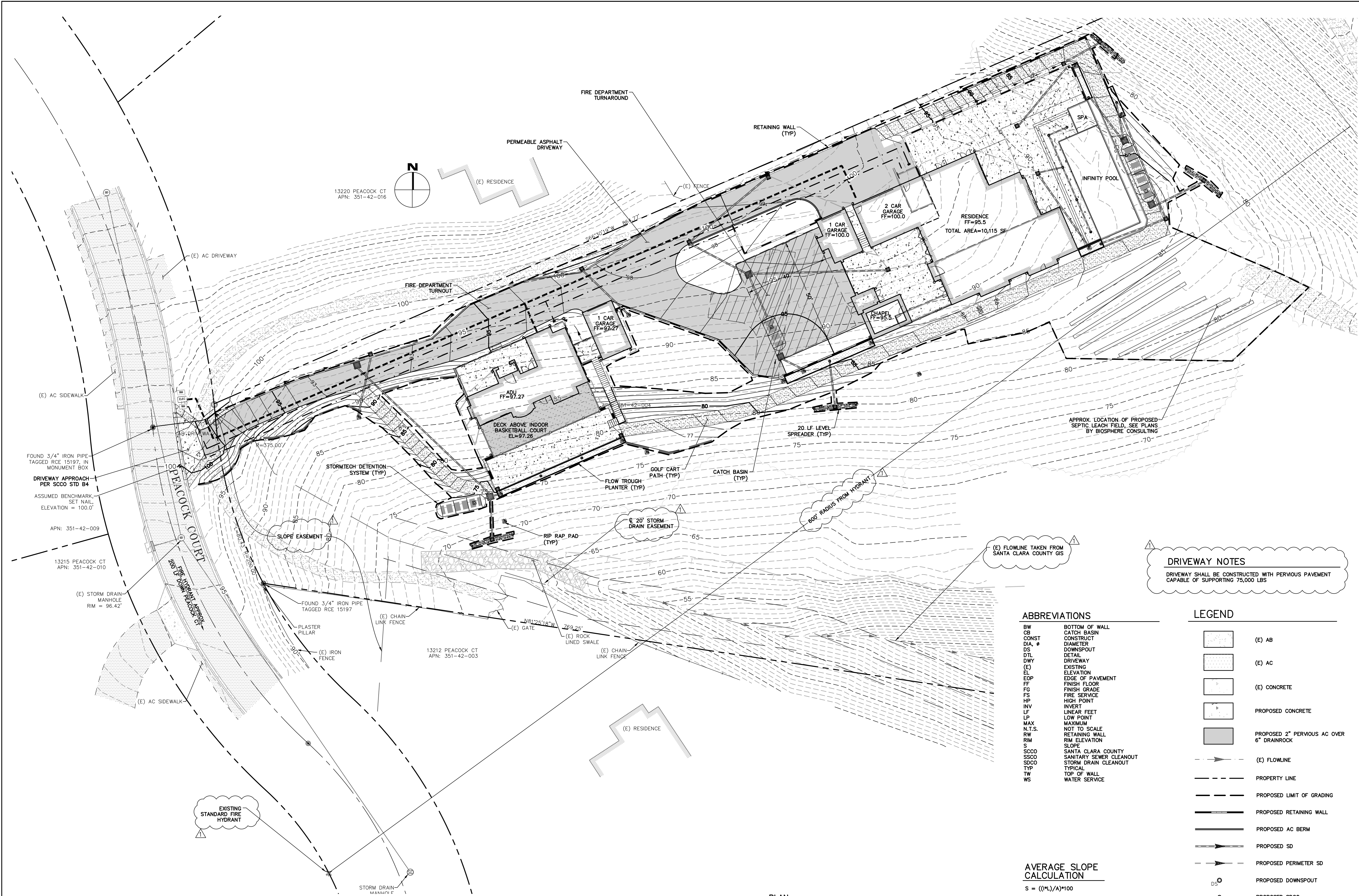
STATEMENT OF EXEMPTION

from the California Environmental Quality Act (CEQA)

FILE NUMBER PLN20-124	APN(S) 351-42-004	10/29/2021
PROJECT NAME Single-Family Residence; 0 Peacock Court, Cupertino	APPLICATION TYPE Design Review Approval (Tier 2) and Grading Approval	
OWNER Jefferey William Waters and Melissa Faye Waters	APPLICANT Cove Britton	
PROJECT LOCATION 2940 Paseo Robles, San Martin, CA, 93446		
PROJECT DESCRIPTION <p>The proposed project is a concurrent land use application for a Design Review (Tier II) and Grading Approval for a new 10,753-square-foot single-family residence with attached garages on a vacant lot. Associated site improvements include an attached chapel, a detached accessory dwelling unit (ADU) with an attached indoor basket court, a pool, a septic system, driveways, and retaining walls ranging from three (3) to twelve (12) feet in height. Grading consists of 1,425 cubic yards of cut and 1,937 cubic yards of fill (total 3,362 cubic yards).</p> <p>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.</p>		
CEQA (GUIDELINES) EXEMPTION SECTION Section 15270 (Projects which Are Disapproved).		
COMMENTS As staff recommending a denial on the concurrent land use application, the subject project qualifies for a Statutory Exemption under CEQA Guidelines 15270 (a) – “ <i>CEQA does not apply to projects which a public agency rejects or disapproves.</i> ”		
APPROVED BY: Xue Ling, Associate Planner  Signature		
06/22/2021 Date		

Attachment B

Plans and Vicinity Map



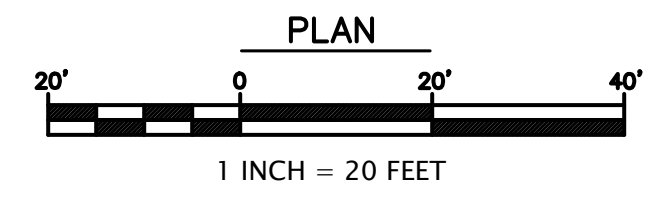
TOPOGRAPHIC SURVEY

THE TOPOGRAPHIC SURVEY AND BOUNDARY INFORMATION PROVIDED HEREON WAS COMPLETED BY HANAGAN LAND SURVEYING, INC. RI ENGINEERING INC. MAKES NO GUARANTEE AS TO THE ACCURACY OF BOTH. THE CONTRACTOR SHALL VERIFY THE BOUNDARY LOCATION AND TOPOGRAPHIC INFORMATION PRIOR TO COMMENCING WORK.

STORM DRAIN SYSTEM MAINTENANCE

THE HOME OWNER IS RESPONSIBLE FOR MAINTAINING THE STORM DRAINAGE SYSTEM AND ALL COMPONENTS. EVERY YEAR, PRIOR TO THE WET WEATHER SEASON (OCTOBER 15TH) ALL THE CATCH BASINS AND STORM DRAIN CLEANOUTS SHALL BE INSPECTED AND CLEANED OF ANY DEBRIS, SILT, TRASH AND SEDIMENT.

- STORM DRAINAGE NOTES**
1. CULVERTS SHALL BE REINFORCED CONCRETE PIPE (RCP), POLYVINYL CHLORIDE (PVC), OR HIGH DENSITY POLYETHYLENE (HDPE) AND SHALL HAVE A SMOOTH INTERIOR CONFORMING TO SANTA CLARA COUNTY DRAINAGE MANUAL.
 2. INLETS SHALL BE CHRISTY CONCRETE PRODUCTS OR APPROVED EQUAL.
 3. CONNECT ALL DOWNSPOUTS TO PERIMETER STORM DRAIN.



ABBREVIATIONS

BW	BOTTOM OF WALL
CB	CATCH BASIN
CONST	CONSTRUCT
DIA. Ø	DIAMETER
DS	DOWNSPOUT
DTL	DETAIL
DWY	DRIVEWAY
(E)	EXISTING
EL	ELEVATION
EOP	EDGE OF PAVEMENT
FF	FINISH FLOOR
FG	FINISH GRADE
FS	FIRE SERVICE
HP	HIGH POINT
INV	INVERT
LF	LINEAR FEET
LP	LOW POINT
MAX	MAXIMUM
N.T.S.	NOT TO SCALE
RW	RETAINING WALL
RM	RIM ELEVATION
S	SLOPE
SCCO	SANTA CLARA COUNTY SANITARY SEWER CLEANOUT
SDCO	STORM DRAIN CLEANOUT
TYP	TYPICAL
TW	TOP OF WALL
WS	WATER SERVICE

AVERAGE SLOPE CALCULATION

$S = ((\Delta L)/A) \times 100$

$I = 1$

$L = 15924$

$A = 69130$

$S = 23\%$

DRIVEWAY NOTES

DRIVEWAY SHALL BE CONSTRUCTED WITH PERVIOUS PAVEMENT CAPABLE OF SUPPORTING 75,000 LBS

LEGEND

	(E) AB
	(E) AC
	(E) CONCRETE
	PROPOSED CONCRETE
	PROPOSED 2" PERVIOUS AC OVER 6" DRAINROCK
	(E) FLOWLINE
	PROPERTY LINE
	PROPOSED LIMIT OF GRADING
	PROPOSED RETAINING WALL
	PROPOSED AC BERM
	PROPOSED SD
	PROPOSED PERIMETER SD
	PROPOSED DOWNSPOUT
	PROPOSED SDCO
	PROPOSED CB

REVISIONS PER COUNTY COMMENTS 12/4/2020

12/4/2020

RJ Engineering, Inc.

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831-425-3901 www.rjengineering.com

SINGLE FAMILY RESIDENCE
FOR
MELISSA WATERS
PEACOCK COURT
SANTA CLARA COUNTY, CA
APN 351-42-004

SITE PLAN

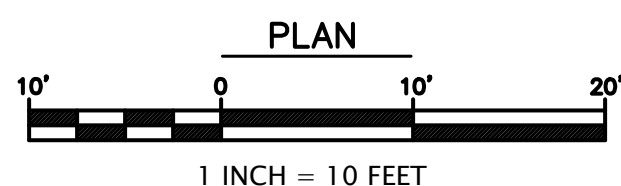
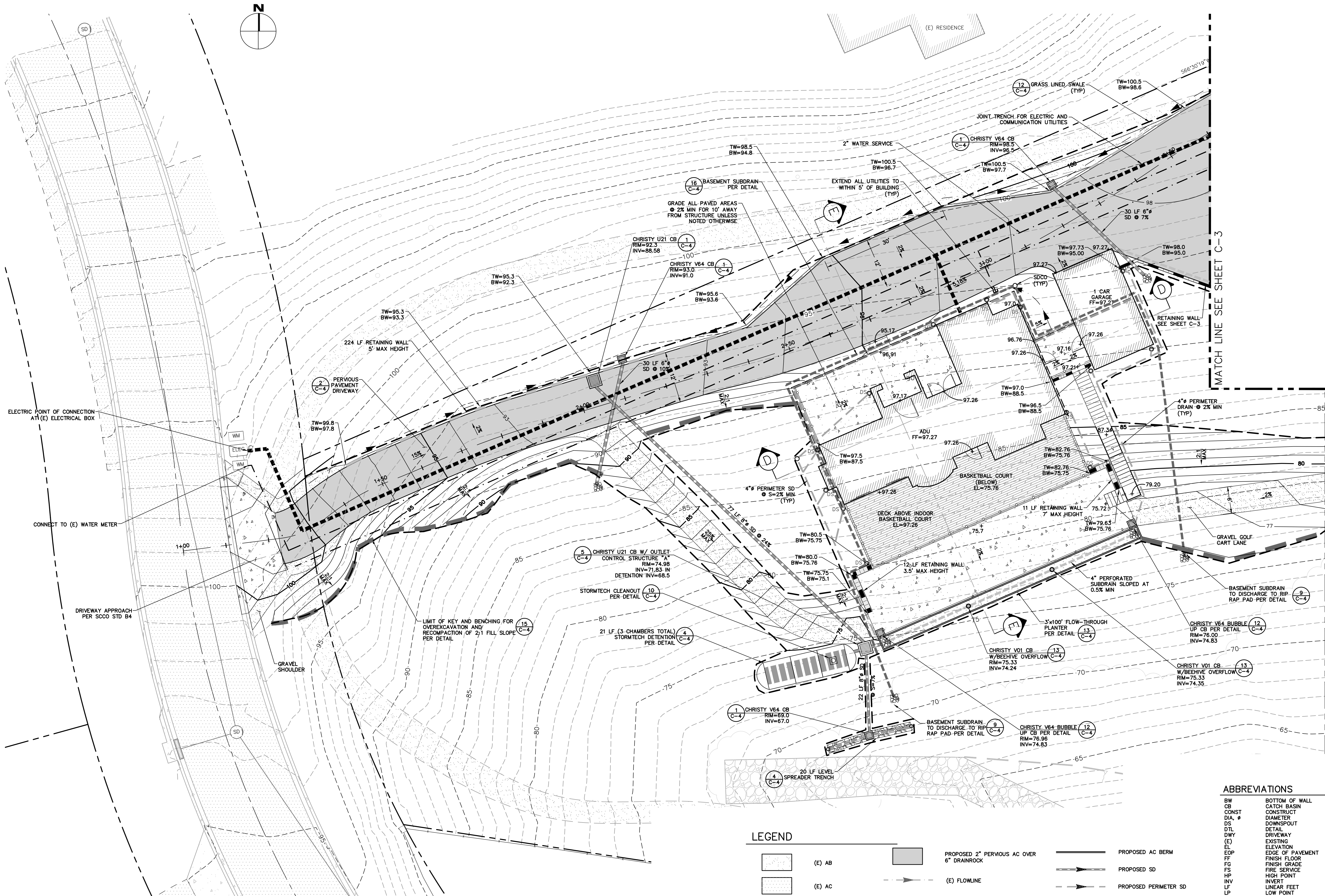
project no.
18-019-1

date
JANUARY 2020

scale
AS SHOWN

dwg name
CIVL3.DWG

PRELIMINARY GRADING AND DRAINAGE APPROVAL SUBMITTAL



LEGEND

- | | |
|-------------------|---------------------------|
| (E) AB | PROPOSED 2\"/> |
| (E) AC | (E) FLOWLINE |
| (E) CONCRETE | PROPERTY LINE |
| PROPOSED CONCRETE | PROPOSED LIMIT OF GRADING |
| | PROPOSED RETAINING WALL |
| | PROPOSED SUBDRAIN |

- | |
|-----------------------|
| PROPOSED AC BERM |
| PROPOSED SD |
| PROPOSED PERIMETER SD |
| PROPOSED DOWNSPOUT |
| PROPOSED SDCO |
| PROPOSED CB |

ABBREVIATIONS

- | | |
|--------|-------------------------|
| BW | BOTTOM OF WALL |
| CB | CATCH BASIN |
| CONST | CONSTRUCT |
| DIA | DIAMETER |
| DS | DOWNSPOUT |
| DTL | DETAIL |
| DWY | DRIVEWAY |
| (E) | EXISTING |
| EL | ELEVATION |
| EOP | EDGE OF PAVEMENT |
| FF | FINISH FLOOR |
| FG | FINISH GRADE |
| FS | FIRE SERVICE |
| HP | HIGH POINT |
| INV | INVERT |
| LF | LINEAR FEET |
| LP | LOW POINT |
| MAX | MAXIMUM |
| N.T.S. | NOT TO SCALE |
| RW | RETAINING WALL |
| RIM | RIM ELEVATION |
| S | SLOPE |
| SCCO | SANTA CLARA COUNTY |
| SSCO | SANITARY SEWER CLEANOUT |
| SDCO | STORM DRAIN CLEANOUT |
| TYP | TYPICAL |
| TW | TOP OF WALL |
| WS | WATER SERVICE |

PRELIMINARY GRADING AND DRAINAGE APPROVAL SUBMITTAL

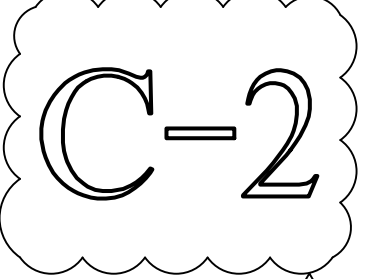
REVISIONS PER COUNTY COMMENTS 12/4/2020

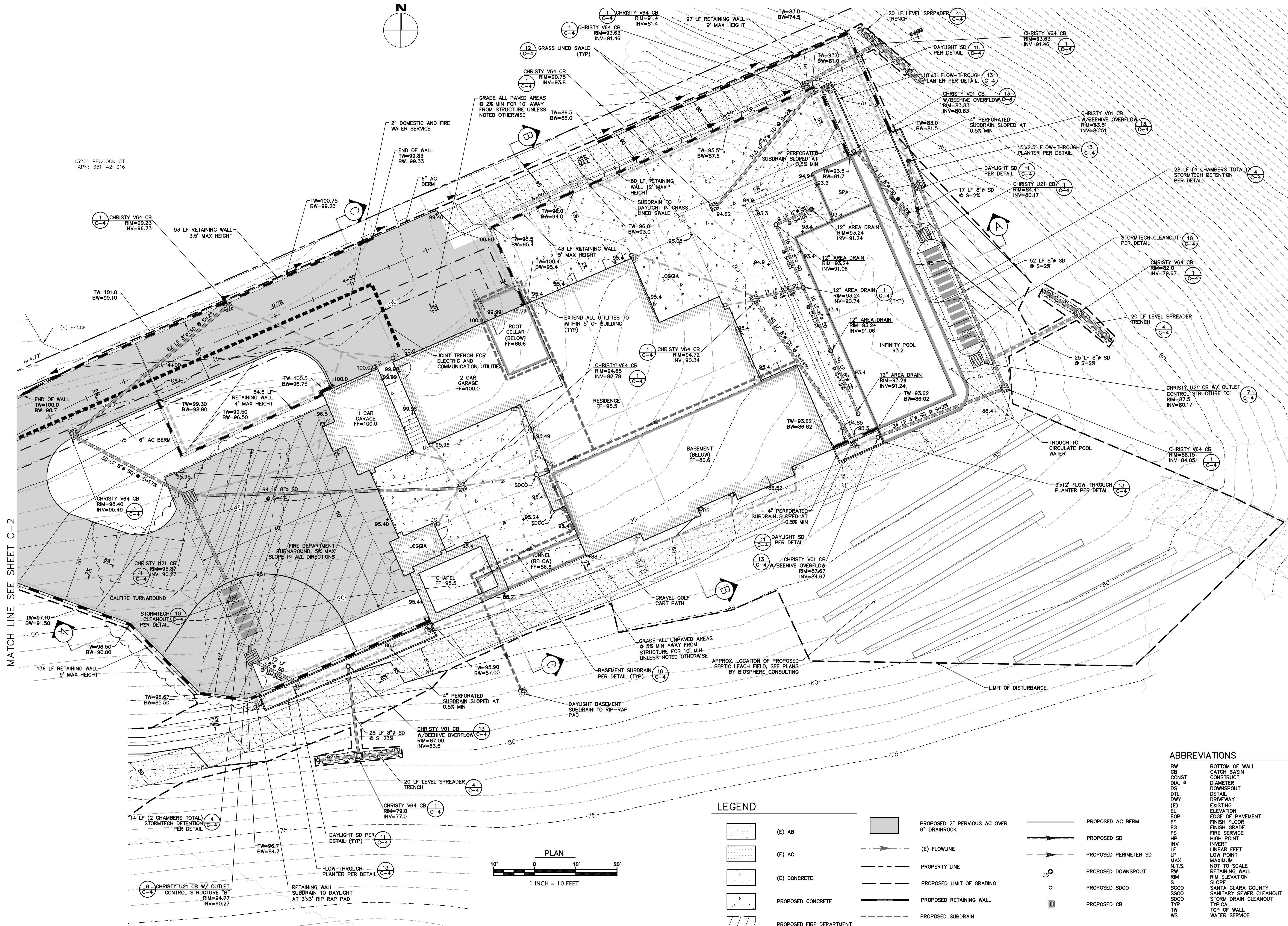


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SINGLE FAMILY RESIDENCE
FOR
MELISSA WATERS
PEACOCK COURT
SANTA CLARA COUNTY, CA
APN 351-42-004
ADU GRADING & DRAINAGE PLAN

project no.
18-019-1
date
JANUARY 2020
scale
AS SHOWN
dwg name
CIVL3.DWG





MATCH LINE SEE SHEET C-2

13220 PEACOCK CT
APN: 351-42-016

LEGEND

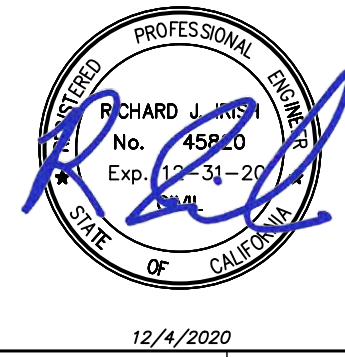
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	(E) AC		(E) FLOWLINE		PROPOSED SD
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	PROPOSED CONCRETE		PROPOSED LIMIT OF GRADING		PROPOSED DOWNSPOUT
	PROPOSED FIRE DEPARTMENT TURNAROUND		PROPOSED RETAINING WALL		PROPOSED SDCO
			PROPOSED SUBDRAIN		PROPOSED CB

ABBREVIATIONS

BW	BOTTOM OF WALL
CB	CATCH BASIN
CONST	CONSTRUCT
DIA.	DIAMETER
DS	DOWNSPOUT
DTL	DETAIL
DWY	DRIVEWAY
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SCCO	SANTA CLARA COUNTY
SSCO	SANITARY SEWER CLEANOUT
SDCO	STORM DRAIN CLEANOUT
TYP	TYPICAL
TW	TOP OF WALL
WS	WATER SERVICE

PRELIMINARY GRADING AND DRAINAGE APPROVAL SUBMITTAL

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SINGLE FAMILY RESIDENCE
FOR
MELISSA WATERS
PEACOCK COURT
SANTA CLARA COUNTY, CA
APN 351-42-004

project no.
18-019-1

date
JANUARY 2020

scale
AS SHOWN

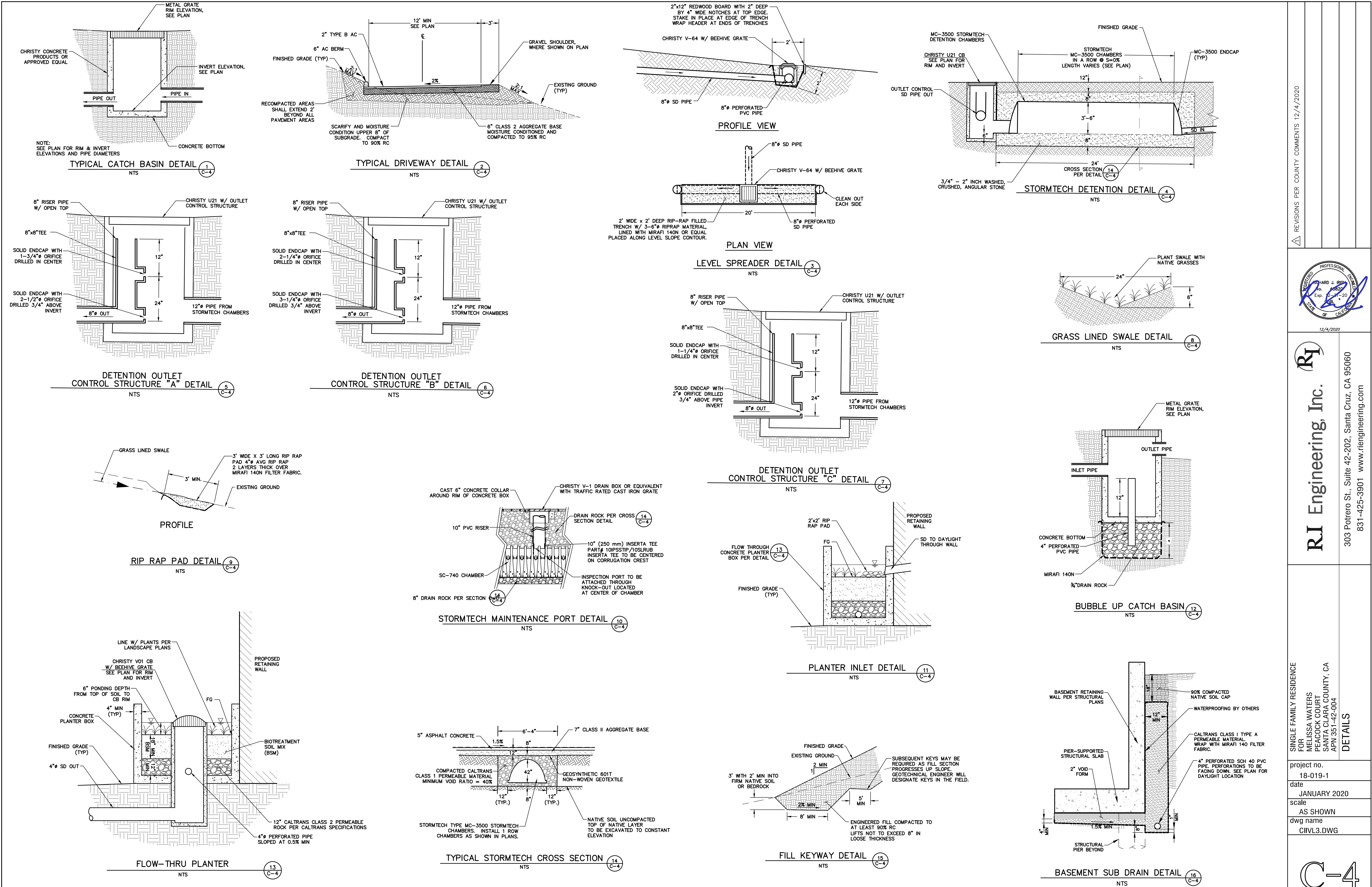
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C-3

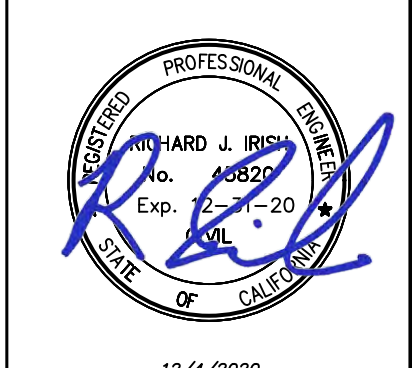
APPLICANT: MELISSA WATERS

ROAD: PEACOCK CT

COUNTY FILE NO.: PLN20-124



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SINGLE FAMILY RESIDENCE

FOR

MELISSA WATERS

PEACOCK COURT

SANTA CLARA COUNTY, CA

APN 351-42-004

DETAILS

project no.

18-019-1

date

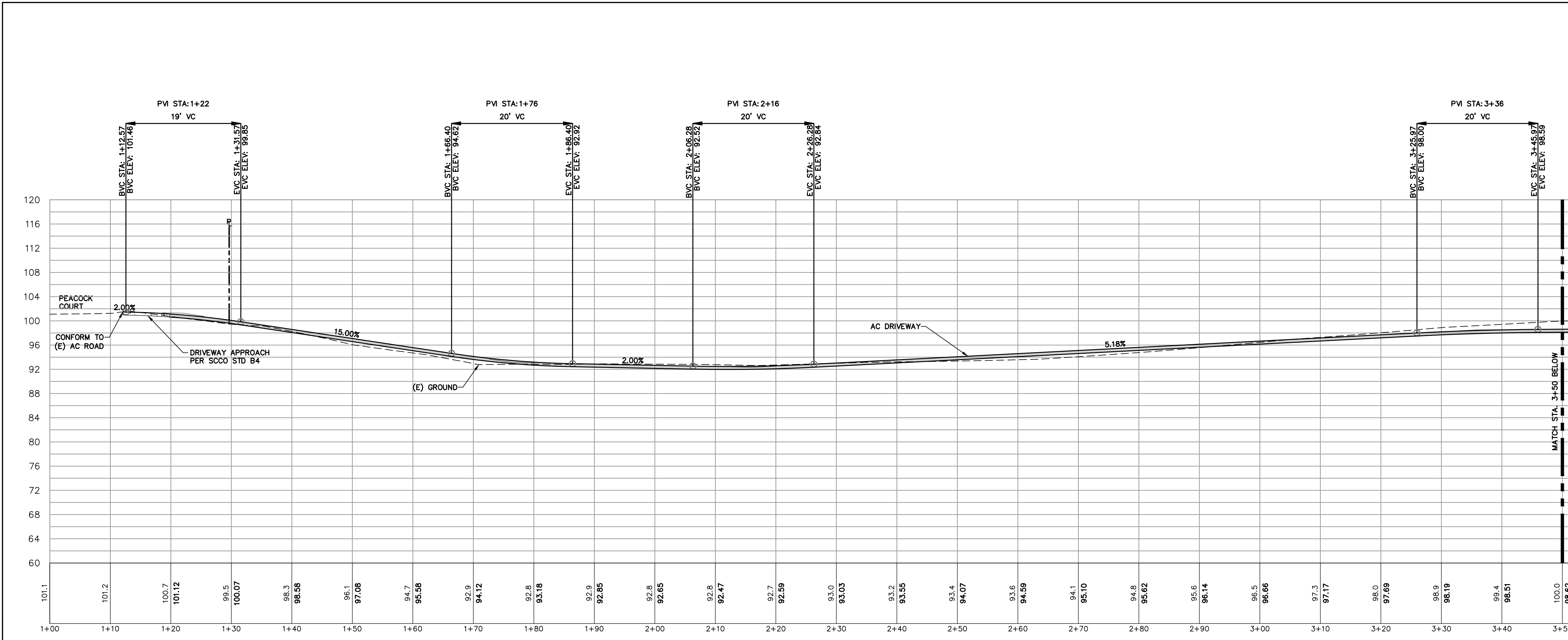
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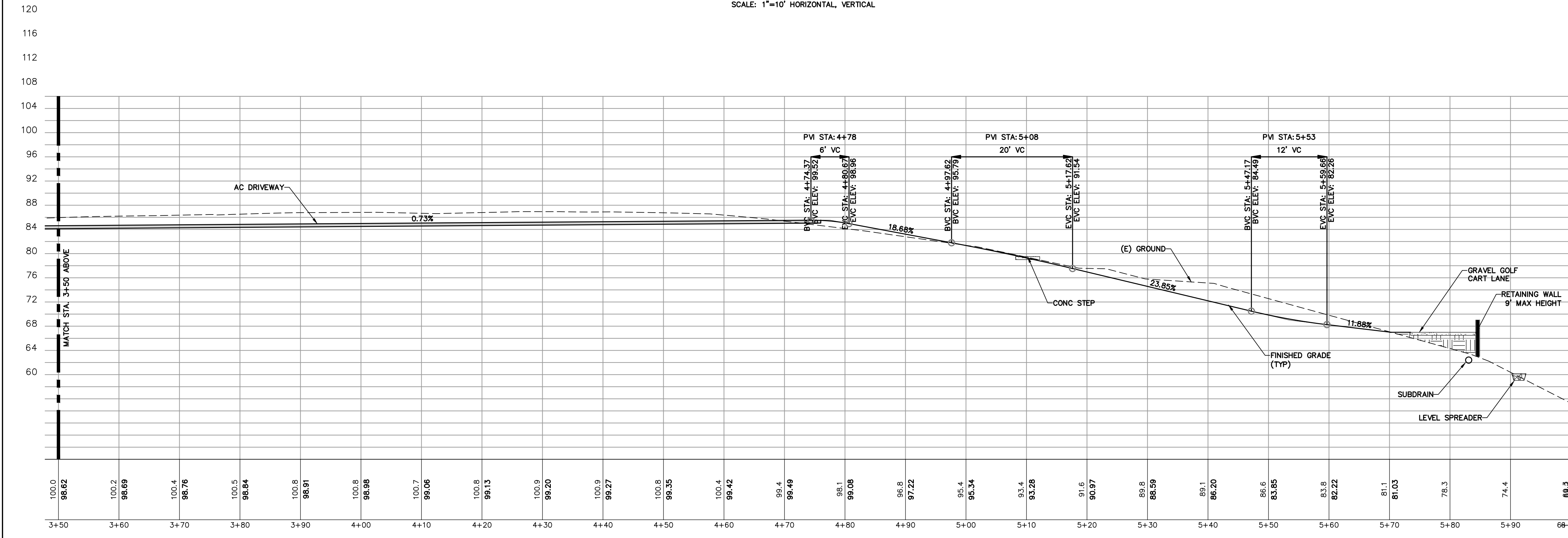
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dwg name

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DRIVEWAY C PROFILE
SCALE: 1"=10' HORIZONTAL, VERTICAL



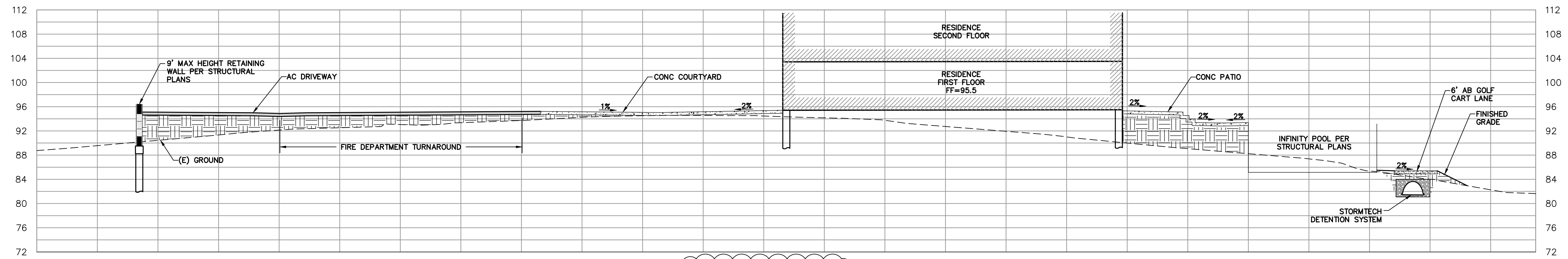
DRIVEWAY C PROFILE
SCALE: 1"=10' HORIZONTAL, VERTICAL

- ### EARTHWORK AND GRADING
1. WORK SHALL CONSIST OF ALL CLEARING, GRUBBING, STRIPPING, PREPARATION OF LAND TO BE FILLED, EXCAVATION, SPREADING, COMPACTION AND CONTROL OF FILL, AND ALL SUBSIDIARY WORK NECESSARY TO COMPLETE THE GRADING TO CONFORM TO THE LINES, GRADES, AND SLOPES, AS SHOWN ON THE APPROVED PLANS.
 2. ALL GRADING OPERATIONS SHALL CONFORM TO SECTION 19 OF THE CALTRANS STANDARD SPECIFICATIONS, AND SHALL ALSO BE DONE IN CONFORMANCE WITH THE REQUIREMENTS OF THE COUNTY OF SANTA CLARA. THE MOST STRINGENT GUIDELINE SHALL PREVAIL.
 3. REFERENCE IS MADE TO THE GEOTECHNICAL INVESTIGATIONS BY MURRAY ENGINEERS, INC., ENTITLED "GEOTECHNICAL INVESTIGATION, WATERS RESIDENCE," DATED APRIL 2020. THE CONTRACTOR SHALL MAKE A THOROUGH REVIEW OF THIS REPORT AND SHALL FOLLOW ALL RECOMMENDATIONS THEREIN. THE CONTRACTOR SHALL CONTACT MURRAY ENGINEERS, INC. FOR ANY CLARIFICATIONS NECESSARY PRIOR TO PROCEEDING WITH THE WORK.
 4. THE CONTRACTOR SHALL GRADE TO THE LINE AND ELEVATIONS SHOWN ON THE PLAN AND SHALL SECURE THE SERVICES OF A LICENSED LAND SURVEYOR OR REGISTERED CIVIL ENGINEER TO PROVIDE STAKES FOR LINE AND GRADE.
 5. THE GEOTECHNICAL ENGINEER SHOULD BE NOTIFIED AT LEAST FOUR (4) DAYS PRIOR TO ANY SITE CLEARING AND GRADING OPERATIONS.
 6. THE UPPER 18" OF NATIVE SUBGRADE IN AREAS TO RECEIVE CONCRETE SLABS AND/OR PAVEMENTS SHOULD BE OVEREXCAVATED AND EXPOSED SURFACE SHOULD BE SCARIFIED, MOISTURE CONDITIONED TO PRODUCE A MOISTURE CONTENT WITHIN 3% TO 5% ABOVE THE LABORATORY OPTIMUM VALUE, AND UNIFORMLY COMPACTED TO AT LEAST 90% RELATIVE COMPACTION BASED ON ASTM TEST D1557. THE UPPER 6" OF CONCRETE SLAB, AND PAVEMENT SUBGRADE AND BASE SHOULD BE COMPACTED TO AT LEAST 95% RELATIVE COMPACTION UNLESS OTHERWISE RECOMMENDED BY THE GEOTECHNICAL ENGINEER.
 7. ENGINEERED FILL SHOULD BE PLACED IN THIN LIFTS NOT EXCEEDING 8" IN LOOSE THICKNESS, MOISTURE CONDITIONED, AND COMPACTED TO AT LEAST 90% RELATIVE COMPACTION UNLESS OTHERWISE RECOMMENDED BY THE GEOTECHNICAL ENGINEER.
 8. MATERIAL USED FOR ENGINEERED FILL SHALL MEET THE REQUIREMENTS OF THE AFOREMENTIONED REPORTS BY MURRAY ENGINEERS, INC.
 9. IMPORTED FILL MATERIAL USED AS ENGINEERED FILL FOR THE PROJECT SHALL MEET THE FOLLOWING REQUIREMENTS:

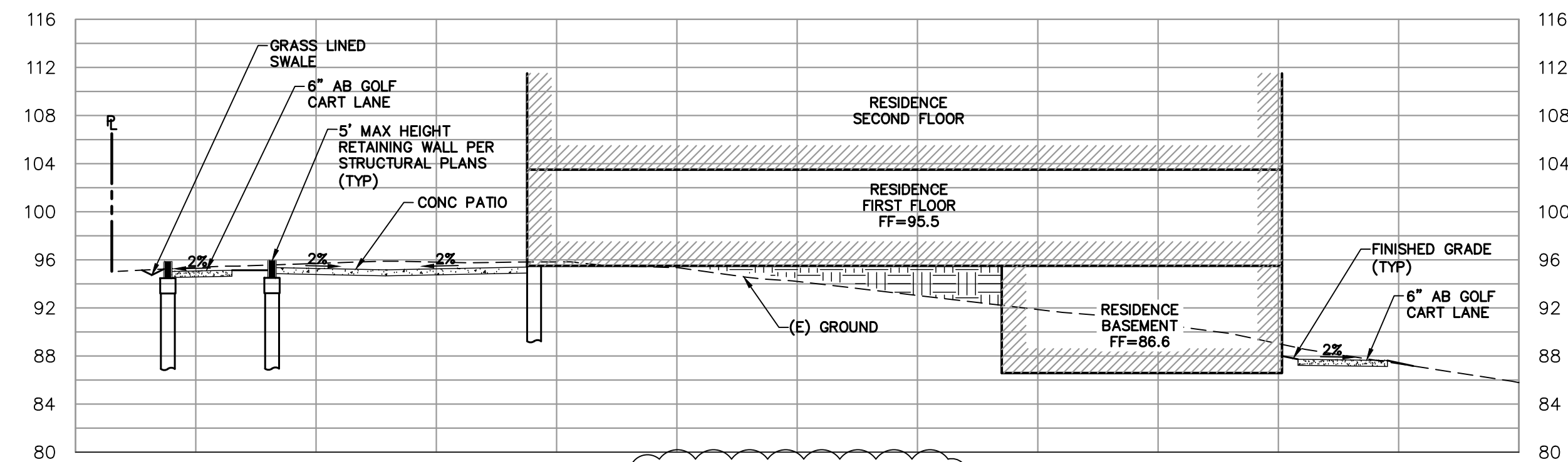
In general, fill material should not contain rocks or pieces larger than 6 inches in greatest dimension, and should contain no more than 15 percent larger than 2.5 inches. Any required imported fill should be predominantly granular material or material with a plasticity index of less than 15 percent.
 10. ALL FILL MATERIAL SHALL BE APPROVED BY THE PROJECT GEOTECHNICAL ENGINEER PRIOR TO JOBSITE DELIVERY AND PLACEMENT. NO EARTHWORK OPERATIONS SHALL BE PERFORMED WITHOUT THE DIRECT OBSERVATION AND APPROVAL OF THE GEOTECHNICAL ENGINEER.
 11. BARE GROUND WITHIN 10' OF FOUNDATIONS SHALL BE SLOPED AWAY @ 5% MINIMUM OR 2% MINIMUM FOR PAVED SURFACES.

- ### BIOLOGICAL RESOURCES NOTES
- A) IF LAND-CLEARING ACTIVITIES CAN BE PERFORMED OUTSIDE OF THE NESTING SEASON, THAT IS, BETWEEN AUGUST 15 AND JANUARY 31, NO SURVEYS FOR GROUND-NESTING AND/OR TREE-NESTING PASSERINES ARE WARRANTED. THE SURVEY AREA SHOULD INCLUDE ALL TREES AND SCRUB WITHIN 200 FEET OF THE LIMITS OF WORK. THE PURPOSE OF PRE-CONSTRUCTION CONSTRUCTION SURVEYS IS TO DETERMINE IF OCCUPIED NESTS ARE PRESENT WITHIN THE ZONE OF INFLUENCE OF THE PROJECT.
- B) IF LAND-CLEARING ACTIVITIES ARE TO COMMENCE BETWEEN FEBRUARY 1 AND AUGUST 15, A PRE-CONSTRUCTION SURVEY FOR GROUND-NESTING AND/OR TREE-NESTING PASSERINES MUST BE CONDUCTED PRIOR TO THE INITIATION OF WORK. THE SURVEY AREA SHOULD INCLUDE ALL TREES, BUSHES, GRASSLAND AND STRUCTURES WITHIN 100 FEET OF THE LIMITS OF WORK. THE PURPOSE OF PRE-CONSTRUCTION SURVEYS IS TO DETERMINE IF OCCUPIED NESTS ARE PRESENT WITHIN THE ZONE OF INFLUENCE OF THE PROJECT.
- C) DEPENDING ON THE TIME OF YEAR AND DEPENDING ON THE RESULTS OF THE PRE-CONSTRUCTION SURVEYS, IT MIGHT BE NECESSARY THAT CONSTRUCTION ACTIVITIES COMMENCE WITHIN ONE WEEK OF THE SURVEY EARLY IN THE BREEDING SEASON TO AS LONG AS 30 DAYS LATE IN THE BREEDING SEASON, AS RECOMMENDED BY THE WILDLIFE BIOLOGIST. IF CONSTRUCTION IS NOT INITIATED WITHIN THESE WINDOWS, IT MIGHT BE NECESSARY TO REPEAT THE PRE-CONSTRUCTION SURVEYS.
- D) IF ANY OCCUPIED GROUND-NESTING AND/OR TREE-NESTING PASSERINE NESTS ARE FOUND WITHIN THE ZONE OF INFLUENCE, GRADING AND CONSTRUCTION SHALL BE PROHIBITED WITHIN AN APPROPRIATE SETBACK (IN GENERAL, 75-100 FEET, DEPENDING ON LINES OF SIGHT AND THE SPECIES IN QUESTION), AS APPROVED BY A QUALIFIED BIOLOGIST. WORK WITHIN THE SETBACK MUST BE DELAYED UNTIL AFTER THE YOUNG HAVE FLEDGED, AS DETERMINED DURING SURVEYS BY A QUALIFIED BIOLOGIST, OR UNTIL AFTER AUGUST 15.

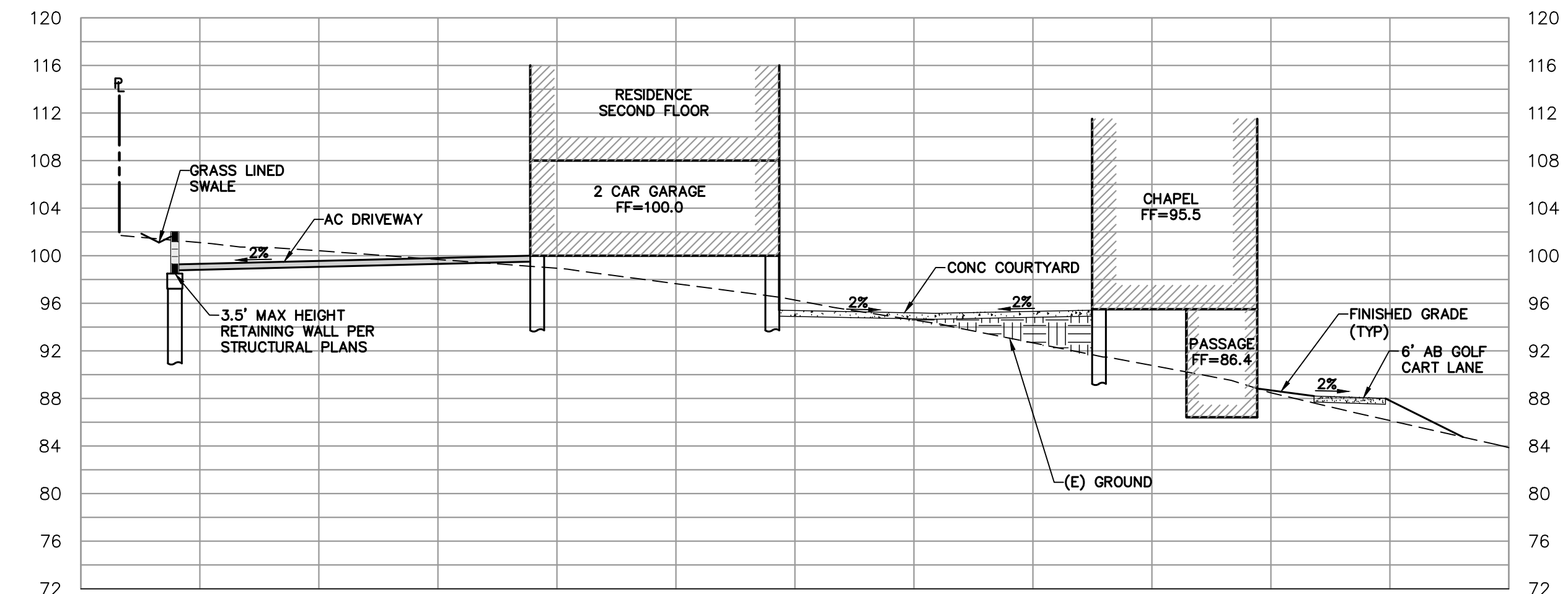
REVISIONS PER COUNTY COMMENTS 12/4/2020	
12/4/2020	
RJ Engineering, Inc.	
303 Potrero St., Suite 42-202, Santa Cruz, CA 95060 831-425-3901 www.rjengineering.com	
SINGLE FAMILY RESIDENCE FOR MELISSA WATERS PEACOCK COURT SANTA CLARA COUNTY, CA APN 351-42-004	
PROJECT NO. 18-019-1	
DATE JANUARY 2020	
SCALE AS SHOWN	
DWG NAME CIVL3.DWG	
PROFILE AND NOTES	



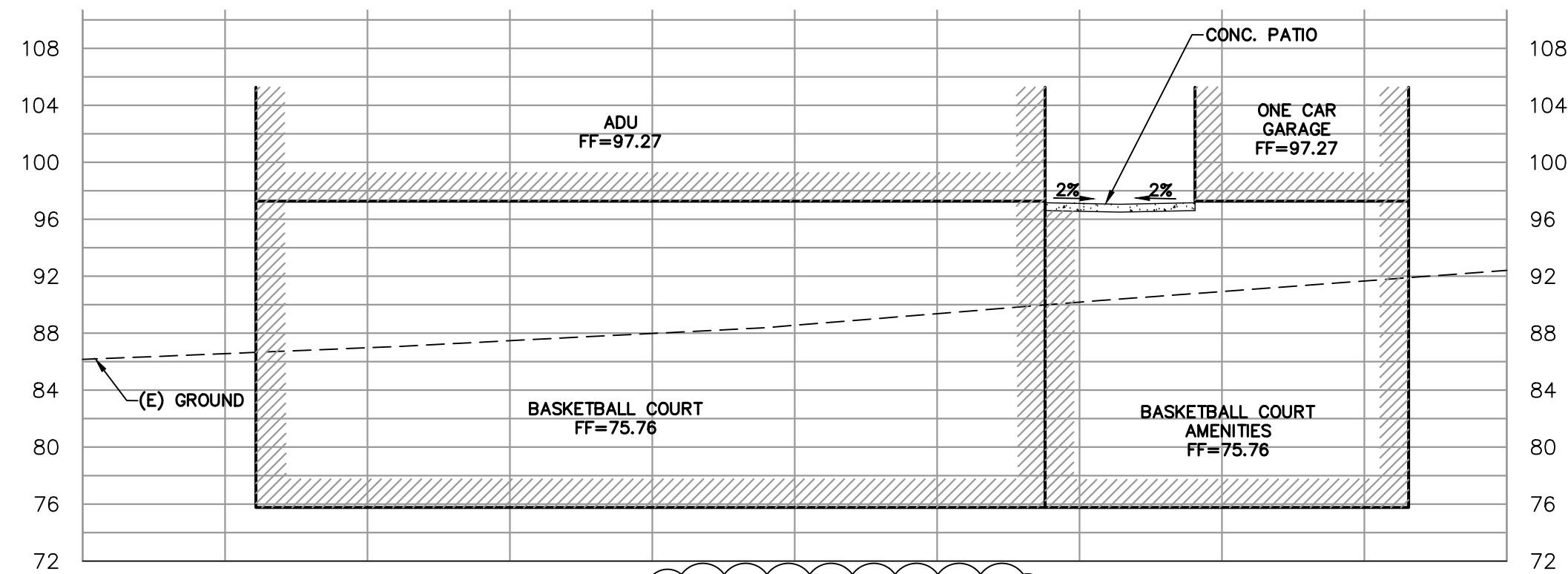
SECTION A-A
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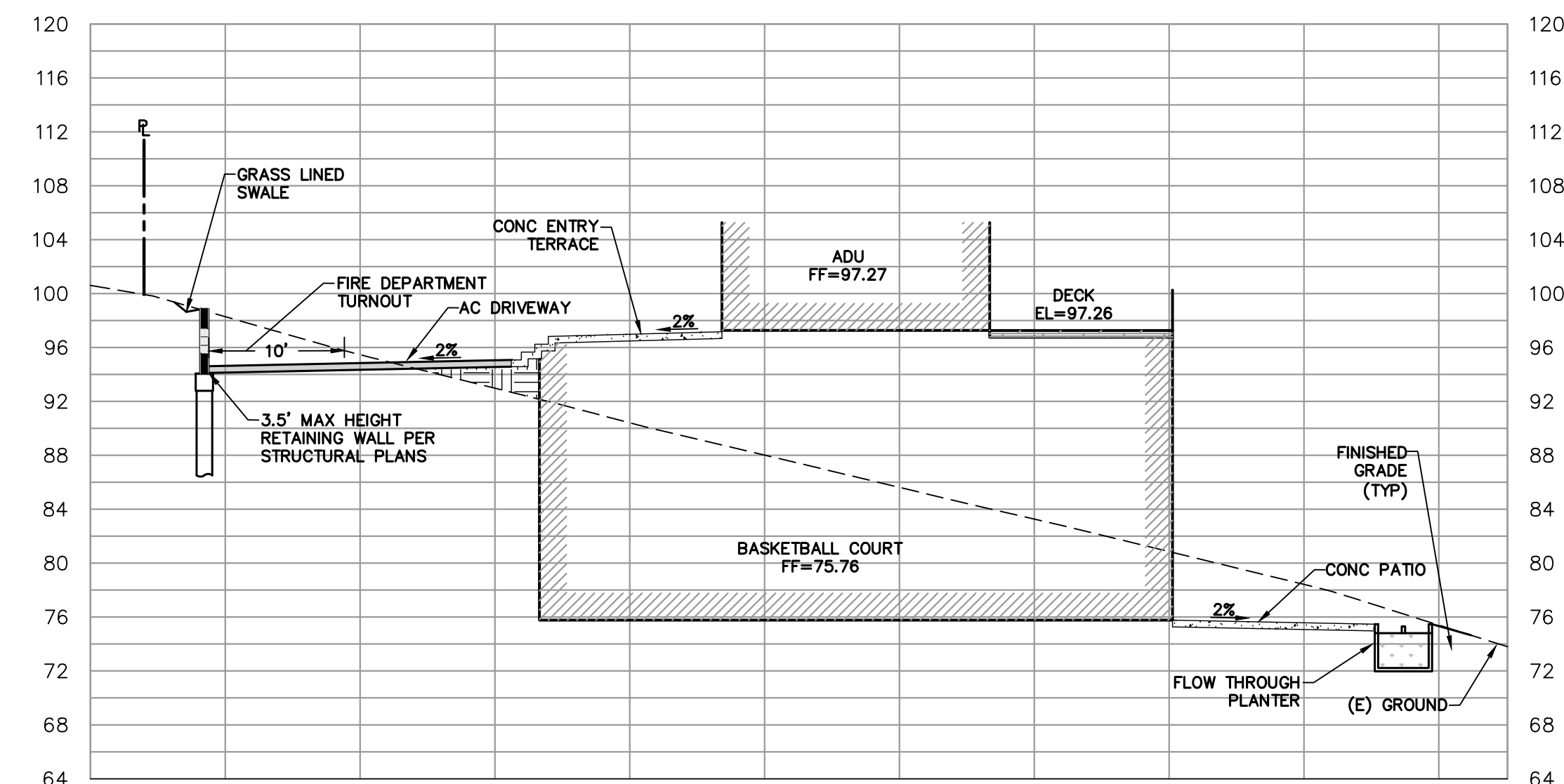
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SCALE: 1"=10' HORIZONTAL, VERTICAL



SECTION C-C
SCALE: 1"=10' HORIZONTAL, VERTICAL

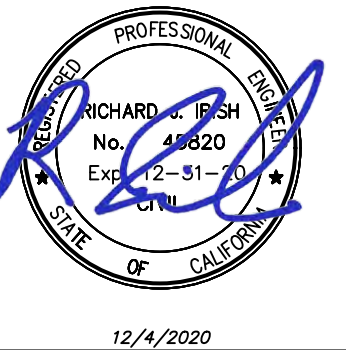


SECTION D-D
SCALE: 1"=10' HORIZONTAL, VERTICAL



SECTION E-E
SCALE: 1"=10' HORIZONTAL, VERTICAL

REVISIONS PER COUNTY COMMENTS 12/4/2020



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SINGLE FAMILY RESIDENCE
FOR
MELISSA WATERS
PEACOCK COURT
SANTA CLARA COUNTY, CA
APN 351-42-004

project no.
18-019-1
date
JANUARY 2020
scale
AS SHOWN
dwg name
CIVL3.DWG

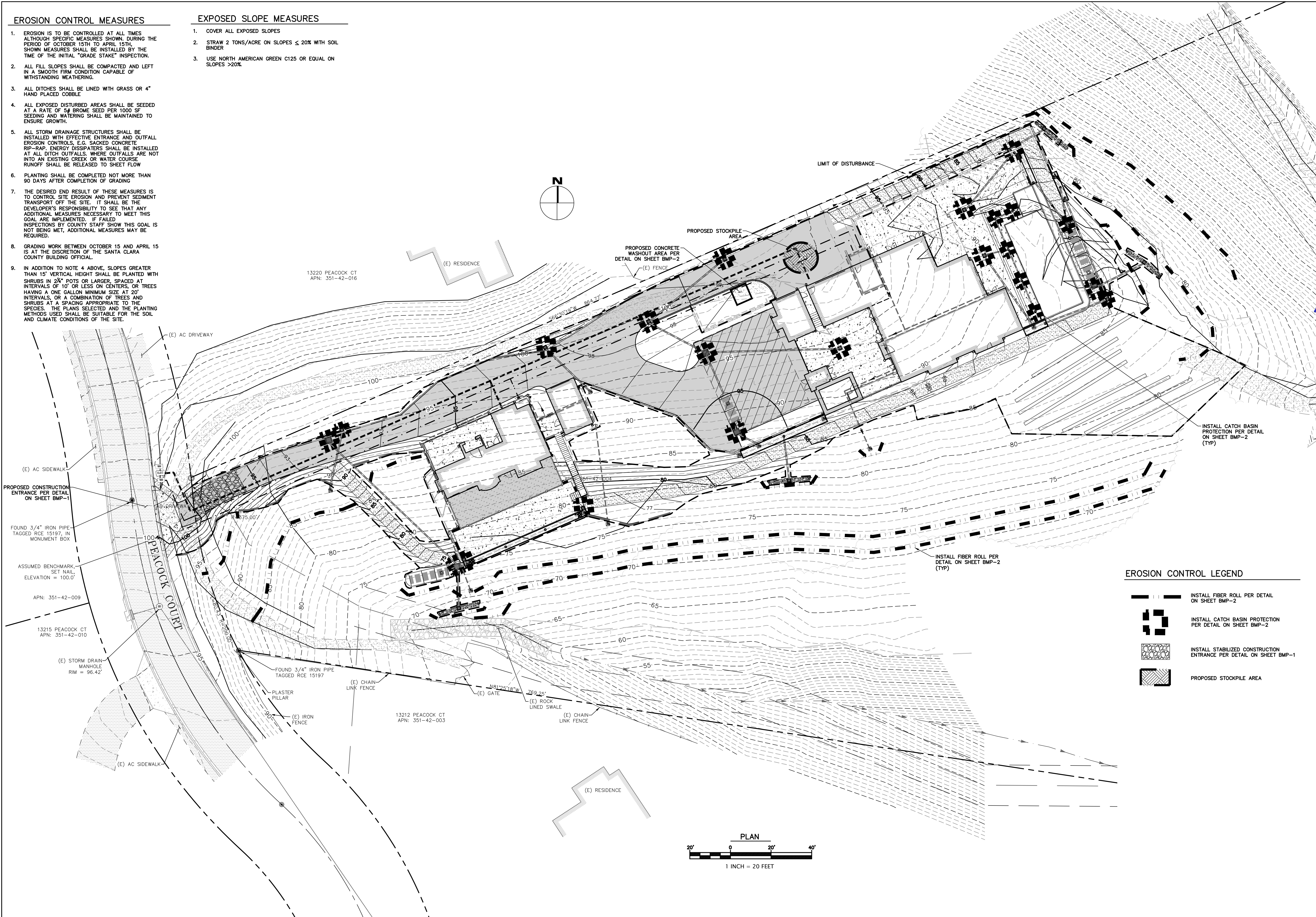
C-6

EROSION CONTROL MEASURES

- 1. EROSION IS TO BE CONTROLLED AT ALL TIMES ALTHOUGH SPECIFIC MEASURES SHOWN. DURING THE PERIOD OF OCTOBER 15TH TO APRIL 15TH, SHOWN MEASURES SHALL BE INSTALLED BY THE TIME OF THE INITIAL "GRADE STAKE" INSPECTION.
- 2. ALL FILL SLOPES SHALL BE COMPACTED AND LEFT IN A SMOOTH FIRM CONDITION CAPABLE OF WITHSTANDING WEATHERING.
- 3. ALL DITCHES SHALL BE LINED WITH GRASS OR 4" HAND PLACED COBBLE
- 4. ALL EXPOSED DISTURBED AREAS SHALL BE SEEDED AT A RATE OF 5# BROME SEED PER 1000 SF SEEDING AND WATERING SHALL BE MAINTAINED TO ENSURE GROWTH.
- 5. ALL STORM DRAINAGE STRUCTURES SHALL BE INSTALLED WITH EFFECTIVE ENTRANCE AND OUTFALL EROSION CONTROLS. E.G. SACKED CONCRETE RIP-RAP, ENERGY DISSIPATORS SHALL BE INSTALLED AT ALL DITCH OUTFALLS. WHERE OUTFALLS ARE NOT INTO AN EXISTING CREEK OR WATER COURSE RUNOFF SHALL BE RELEASED TO SHEET FLOW
- 6. PLANTING SHALL BE COMPLETED NOT MORE THAN 90 DAYS AFTER COMPLETION OF GRADING
- 7. THE DESIRED END RESULT OF THESE MEASURES IS TO CONTROL SITE EROSION AND PREVENT SEDIMENT TRANSPORT OFF THE SITE. IT SHALL BE THE DEVELOPER'S RESPONSIBILITY TO SEE THAT ANY ADDITIONAL MEASURES NECESSARY TO MEET THIS GOAL ARE IMPLEMENTED. IF FAILED INSPECTIONS BY COUNTY STAFF SHOW THIS GOAL IS NOT BEING MET, ADDITIONAL MEASURES MAY BE REQUIRED.
- 8. GRADING WORK BETWEEN OCTOBER 15 AND APRIL 15 IS AT THE DISCRETION OF THE SANTA CLARA COUNTY BUILDING OFFICIAL.
- 9. IN ADDITION TO NOTE 4 ABOVE, SLOPES GREATER THAN 15' VERTICAL HEIGHT SHALL BE PLANTED WITH SHRUBS IN 2 1/2" POTS OR LARGER, SPACED AT INTERVALS OF 10' OR LESS ON CENTERS, OR TREES HAVING A ONE GALLON MINIMUM SIZE AT 20' INTERVALS, OR A COMBINATION OF TREES AND SHRUBS AT A SPACING APPROPRIATE TO THE SPECIES. THE PLANS SELECTED AND THE PLANTING METHODS USED SHALL BE SUITABLE FOR THE SOIL AND CLIMATE CONDITIONS OF THE SITE.

EXPPOSED SLOPE MEASURES

- 1. COVER ALL EXPOSED SLOPES
- 2. STRAW 2 TONS/ACRE ON SLOPES ≤ 20% WITH SOIL BINDER
- 3. USE NORTH AMERICAN GREEN C125 OR EQUAL ON SLOPES >20%.



EROSION CONTROL LEGEND

- INSTALL FIBER ROLL PER DETAIL ON SHEET BMP-2
- INSTALL CATCH BASIN PROTECTION PER DETAIL ON SHEET BMP-2
- INSTALL STABILIZED CONSTRUCTION ENTRANCE PER DETAIL ON SHEET BMP-1
- PROPOSED STOCKPILE AREA

REVISIONS PER COUNTY COMMENTS 12/14/2020

PROFESSIONAL SEAL

RICHARD A. BISHOP
No. 49320
Exp. 12-31-2021
CIVIL
STATE OF CALIFORNIA

12/14/2020

RI Engineering, Inc.

303 Potrero St., Suite 42-202, Santa Cruz, CA 95060
831-425-3901 www.riengineering.com

SINGLE FAMILY RESIDENCE
FOR
MELISSA WATERS
PEACOCK COURT
SANTA CLARA COUNTY, CA
APN 351-42-004

STORMWATER POLLUTION
CONTROL PLAN

project no.
18-019-1

date
JANUARY 2020

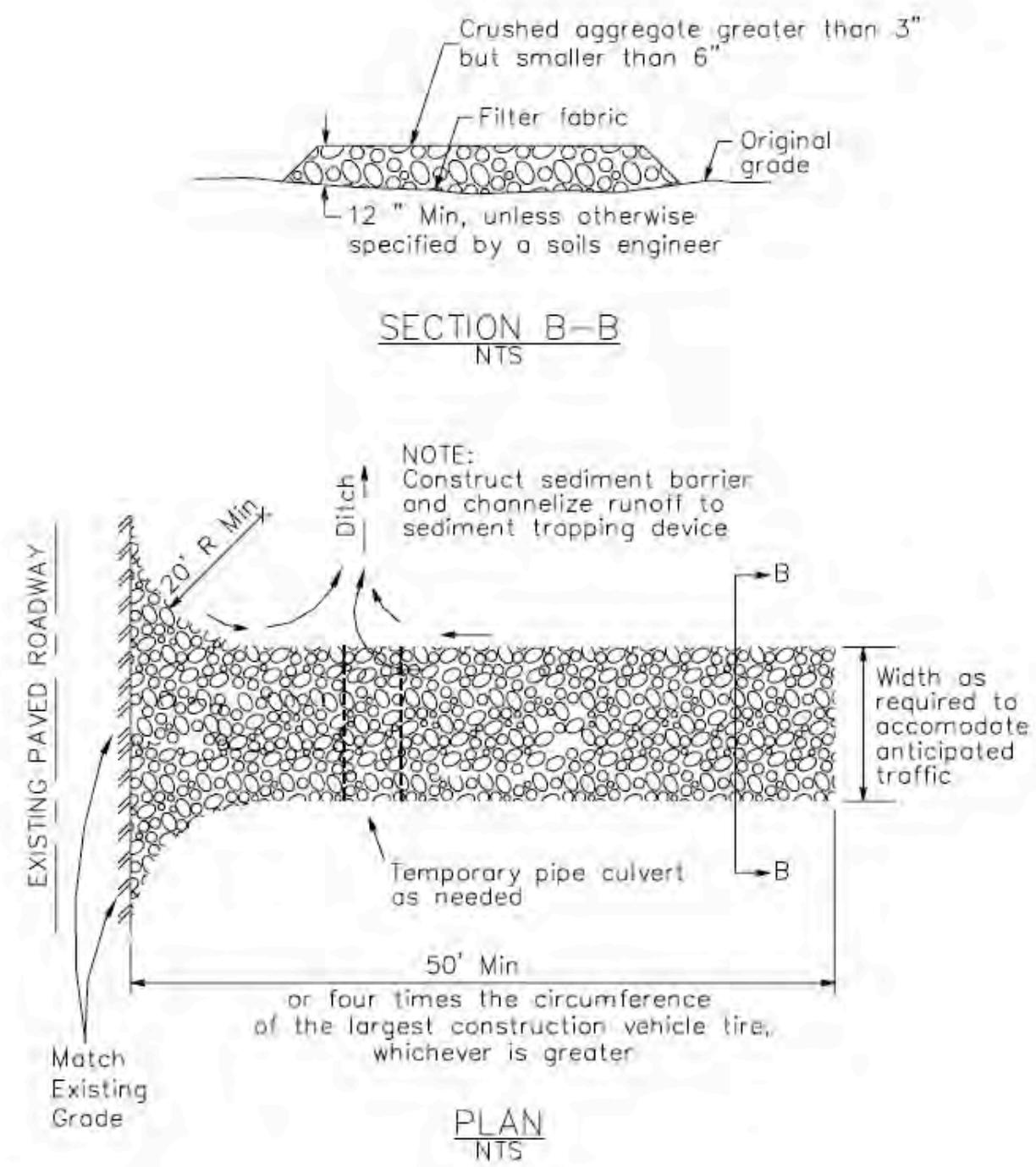
scale
AS SHOWN

dwg name
CIVIL3.DWG

C-7

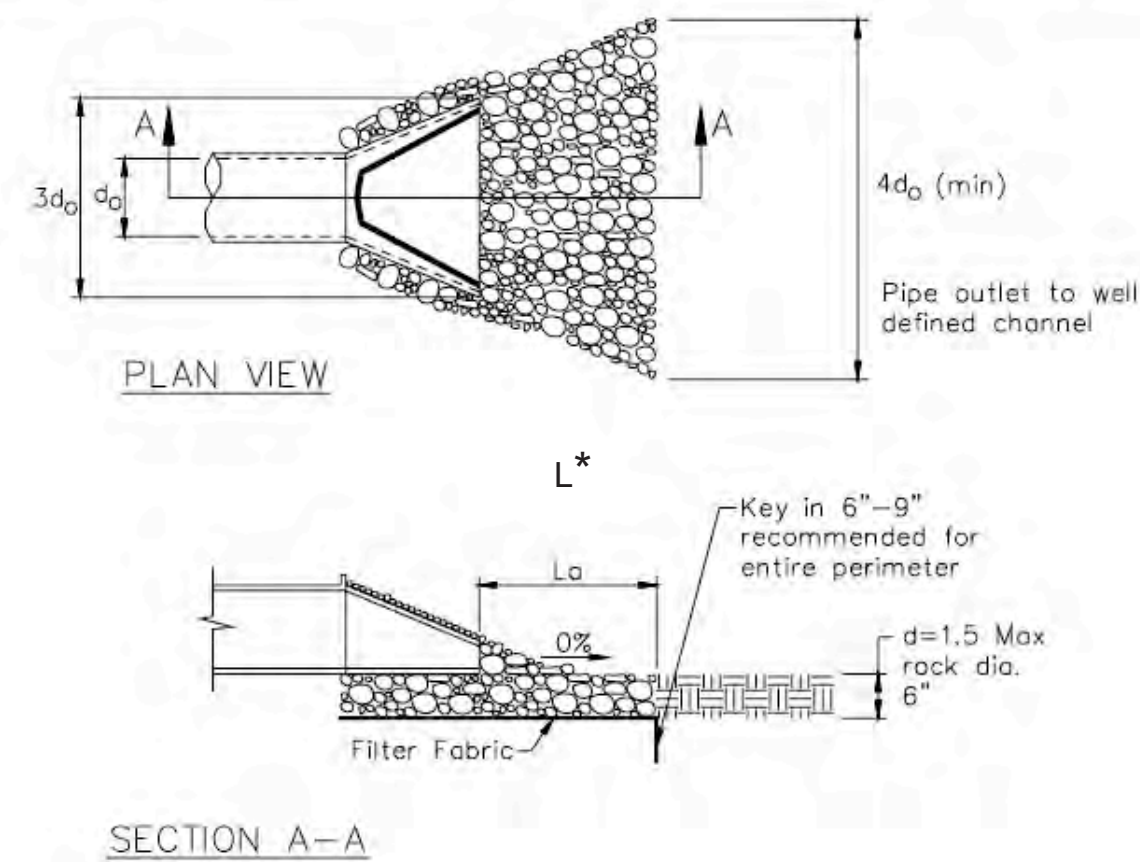
3 Stabilized Construction Entrance/Exit

CASQA Detail TC-1



4 Velocity Dissipation Devices

CASQA Detail EC-10

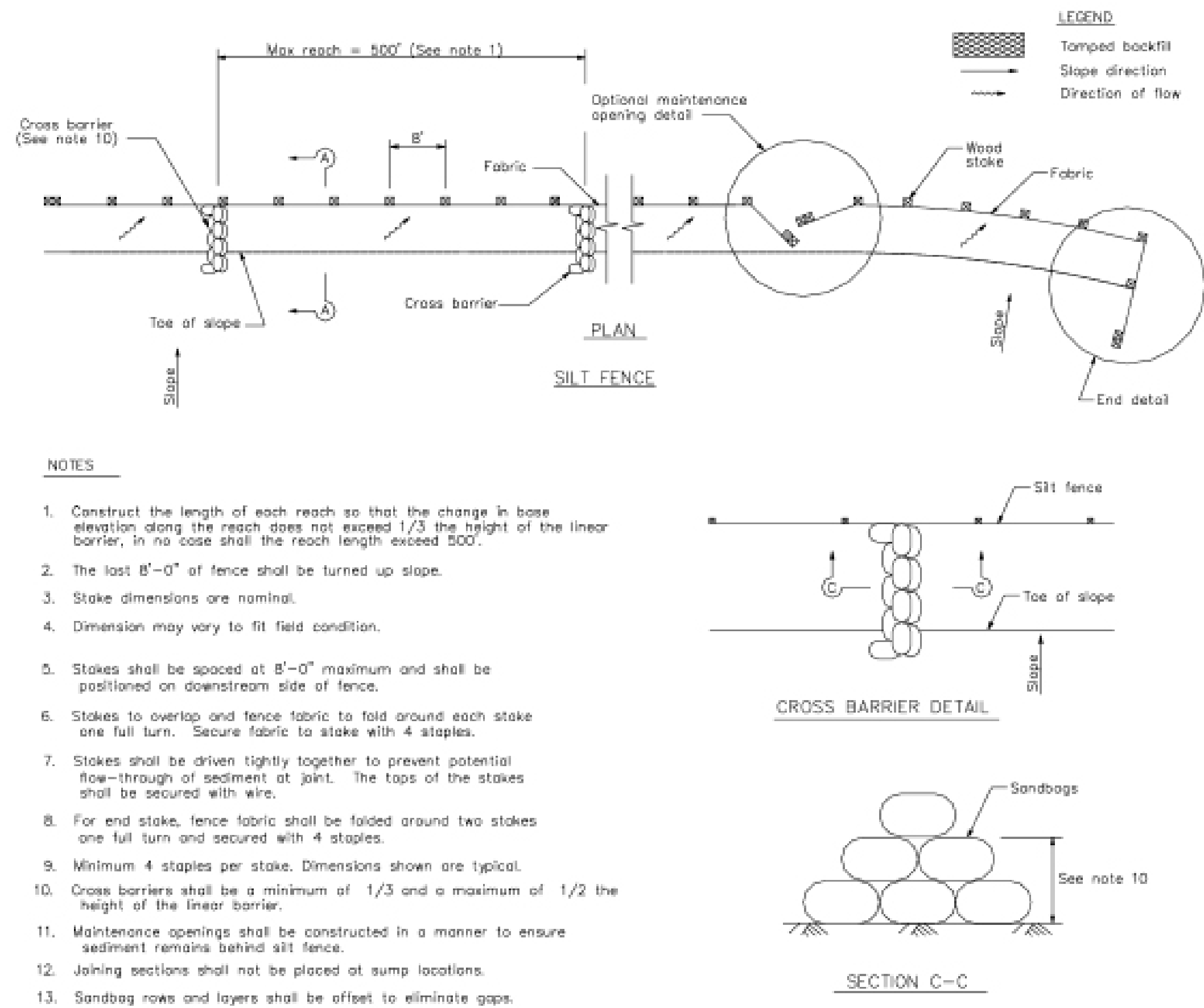


* Length per ABAG Design Standards

Source for Graphics: California Stormwater BMP Handbook, California Stormwater Quality Association, January 2003. Available from www.cabmphandbooks.com.

1 Silt Fence

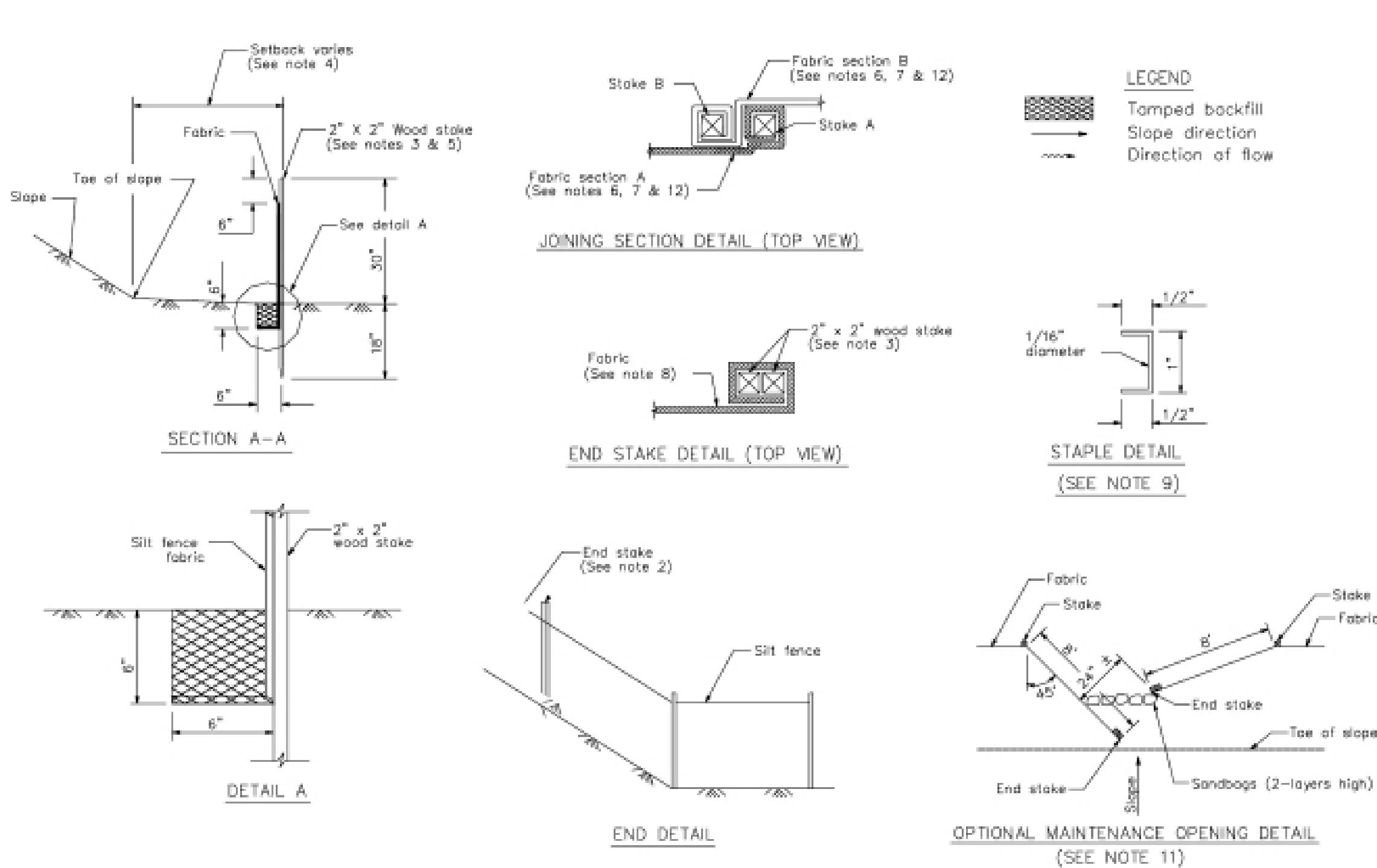
CASQA Detail SE-1



- NOTES
1. Construct the length of each reach so that the change in base elevation along the reach does not exceed 1/3 the height of the linear barrier, in no case shall the reach length exceed 500'.
 2. The last B'-0" of fence shall be turned up slope.
 3. Stake dimensions are nominal.
 4. Dimension may vary to fit field condition.
 5. Stakes shall be spaced at B'-0" maximum and shall be positioned on downstream side of fence.
 6. Stakes to overlap and fence fabric to fold around each stake one full turn. Secure fabric to stake with 4 staples.
 7. Stakes shall be driven tightly together to prevent potential flow-through of sediment at joint. The tops of the stakes shall be secured with wire.
 8. For end stake, fence fabric shall be folded around two stakes one full turn and secured with 4 staples.
 9. Minimum 4 staples per stake. Dimensions shown are typical.
 10. Cross barriers shall be a minimum of 1/3 and a maximum of 1/2 the height of the linear barrier.
 11. Maintenance openings shall be constructed in a manner to ensure sediment remains behind silt fence.
 12. Joining sections shall not be placed at sump locations.
 13. Sandbag rows and layers shall be offset to eliminate gaps.

2 Silt Fence

CASQA Detail SE-1



STANDARD BEST MANAGEMENT PRACTICE NOTES

1. **Solid and Demolition Waste Management:** Provide designated waste collection areas and containers on site away from streets, gutters, storm drains, and waterways, and arrange for regular disposal. Waste containers must be watertight and covered at all times except when waste is deposited. Refer to Erosion & Sediment Control Field Manual, 4th Edition (page C3) or latest.
2. **Hazardous Waste Management:** Provide proper handling and disposal of hazardous wastes by a licensed hazardous waste material hauler. Hazardous wastes shall be stored and properly labeled in sealed containers constructed of suitable materials. Refer to Erosion & Sediment Control Field Manual, 4th Edition (pages C-5 to C-6) or latest.
3. **Spill Prevention and Control:** Provide proper storage areas for liquid and solid materials, including chemicals and hazardous substances, away from streets, gutters, storm drains, and waterways. Spill control materials must be kept on site where readily accessible. Spills must be cleaned up immediately and contaminated soil disposed properly. Refer to Erosion & Sediment Control Field Manual, 4th Edition (pages C-7 to C-8, C-13 to C-14) or latest.
4. **Vehicle and Construction Equipment Service and Storage:** An area shall be designated for the maintenance, where on-site maintenance is required, and storage of equipment that is protected from stormwater run-on and runoff. Measures shall be provided to capture any waste oils, lubricants, or other potential pollutants and these wastes shall be properly disposed of off site. Fueling and major maintenance/repair, and washing shall be conducted off-site whenever feasible. Refer to Erosion & Sediment Control Field Manual, 4th Edition (page C9) or latest.
5. **Material Delivery, Handling and Storage:** In general, materials should not be stockpiled on site. Where temporary stockpiles are necessary and approved by the County, they shall be covered with secured plastic sheeting or tarp and located in designated areas near construction entrances and away from drainage paths and waterways. Barriers shall be provided around storage areas where materials are potentially in contact with runoff. Refer to Erosion & Sediment Control Field Manual, 4th Edition (pages C-11 to C-12) or latest.
6. **Handling and Disposal of Concrete and Cement:** When concrete trucks and equipment are washed on-site, concrete wastewater shall be contained in designated containers or in a temporary lined and watertight pit where wasted concrete can harden for later removal. If possible have concrete contractor remove concrete wash water from site. In no case shall fresh concrete be washed into the road right-of-way. Refer to Erosion & Sediment Control Field Manual, 4th Edition (pages C-15 to C-16) or latest.
7. **Pavement Construction Management:** Prevent or reduce the discharge of pollutants from paving operations, using measures to prevent run-on and runoff pollution and properly disposing of wastes. Avoid paving in the wet season and reschedule paving when rain is in the forecast. Residue from saw-cutting shall be vacuumed for proper disposal. Refer to Erosion & Sediment Control Field Manual, 4th Edition (pages C-17 to C-18) or latest.
8. **Contaminated Soil and Water Management:** Inspections to identify contaminated soils should occur prior to construction and at regular intervals during construction. Remediating contaminated soil should occur promptly after identification and be specific to the contaminant identified, which may include hazardous waste removal. Refer to Erosion & Sediment Control Field Manual, 4th Edition (pages C-19 to C-20) or latest.
9. **Sanitary/Septic Water Management:** Temporary sanitary facilities should be located away from drainage paths, waterways, and traffic areas. Only licensed sanitary and septic waste haulers should be used. Secondary containment should be provided for all sanitary facilities. Refer to Erosion & Sediment Control Field Manual, 4th Edition (page C-21) or latest.
10. **Inspection & Maintenance:** Areas of material and equipment storage sites and temporary sanitary facilities must be inspected weekly. Problem areas shall be identified and appropriate additional and/or alternative control measures implemented immediately, within 24 hours of the problem being identified.

STANDARD EROSION CONTROL NOTES

1. **Sediment Control Management:**
Tracking Prevention & Clean Up: Activities shall be organized and measures taken as needed to prevent or minimize tracking of soil onto the public street system. A gravel or proprietary device construction entrance/exit is required for all sites. Clean up of tracked material shall be provided by means of a street sweeper prior to an approaching rain event, or at least once at the end of each workday that material is tracked, or, more frequently as determined by the County Inspector. Refer to Erosion & Sediment Control Field Manual, 4th Edition (pages B-31 to B-33) or latest.
Storm Drain Inlet and Catch Basin Inlet Protection: All inlets within the vicinity of the project and within the project limits shall be protected with gravel bags placed around inlets or other inlet protection. At locations where exposed soils are present, staked fiber rolls or staked silt fences can be used. Inlet filters are not allowed due to clogging and subsequent flooding. Refer to Erosion & Sediment Control Field Manual, 4th Edition (pages B-49 to B-51) or latest.
Storm Water Runoff: No storm water runoff shall be allowed to drain in to the existing and/or proposed underground storm drain system or other above ground watercourses until appropriate erosion control measures are fully installed.
Dust Control: The contractor shall provide dust control in graded areas as required by providing wet suppression or chemical stabilization of exposed soils, providing for rapid clean up of sediments deposited on paved roads, furnishing construction road entrances and vehicle wash down areas, and limiting the amount of areas disturbed by clearing and earth moving operations by scheduling these activities in phases.
Stockpiling: Excavated soils shall not be placed in streets or on paved areas. Borrow and temporary stockpiles shall be protected with appropriate erosion control measures (tarps, straw bales, silt fences, etc.) to ensure silt does not leave the site or enter the storm drain system or neighboring watercourse.
2. **Erosion Control:** During the rainy season, all disturbed areas must include an effective combination of erosion and sediment control. It is required that temporary erosion control measures are applied to all disturbed soil areas prior to a rain event. During the non-rainy season, erosion control measures must be applied sufficient to control wind erosion at the site.
3. **Inspection & Maintenance:** Disturbed areas of the Project's site, locations where vehicles enter or exit the site, and all erosion and sediment controls that are identified as part of the Erosion Control Plans must be inspected by the Contractor before, during, and after storm events, and at least weekly during seasonal wet periods. Problem areas shall be identified and appropriate additional and/or alternative control measures implemented immediately, within 24 hours of the problem being identified.
4. **Project Completion:** Prior to project completion and signoff by the County Inspector, all disturbed areas shall be reseeded, planted, or landscaped to minimize the potential for erosion on the subject site.
5. It shall be the Owner's/Contractor's responsibility to maintain control of the entire construction operation and to keep the entire site in compliance with the erosion control plan.
6. Erosion and sediment control best management practices shall be operable year round or until vegetation is fully established on landscaped surfaces.

Project Information

SINGLE FAMILY RESIDENCE
FOR
MELISSA WATERS
PEACOCK COURT
APN: 351-42-004
PROJECT #18-019-1

APPLICANT: MELISSA WATERS
ROAD: PEACOCK COURT
COUNTY FILE NO.

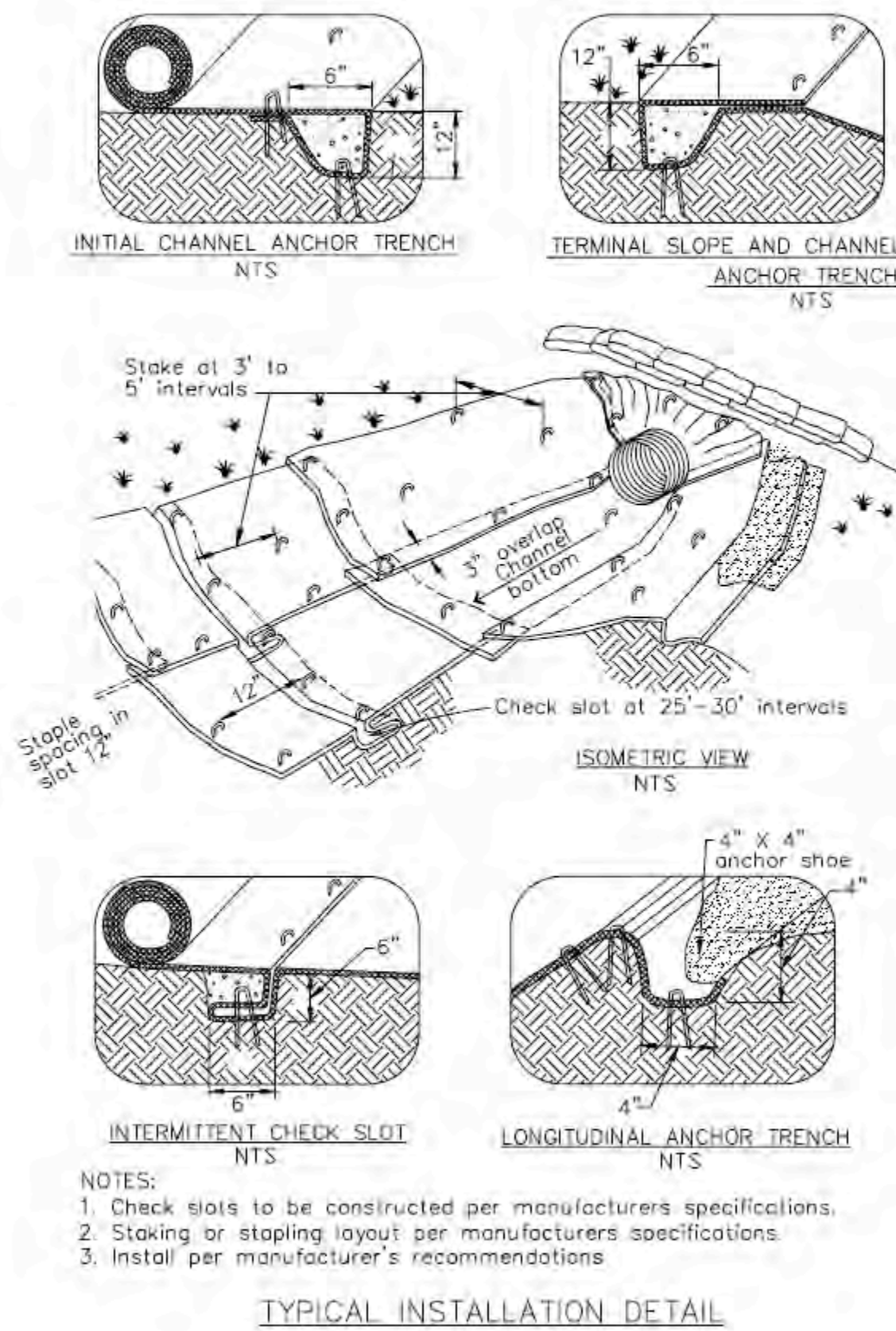


BMP-1

7

Geotextiles and Mats

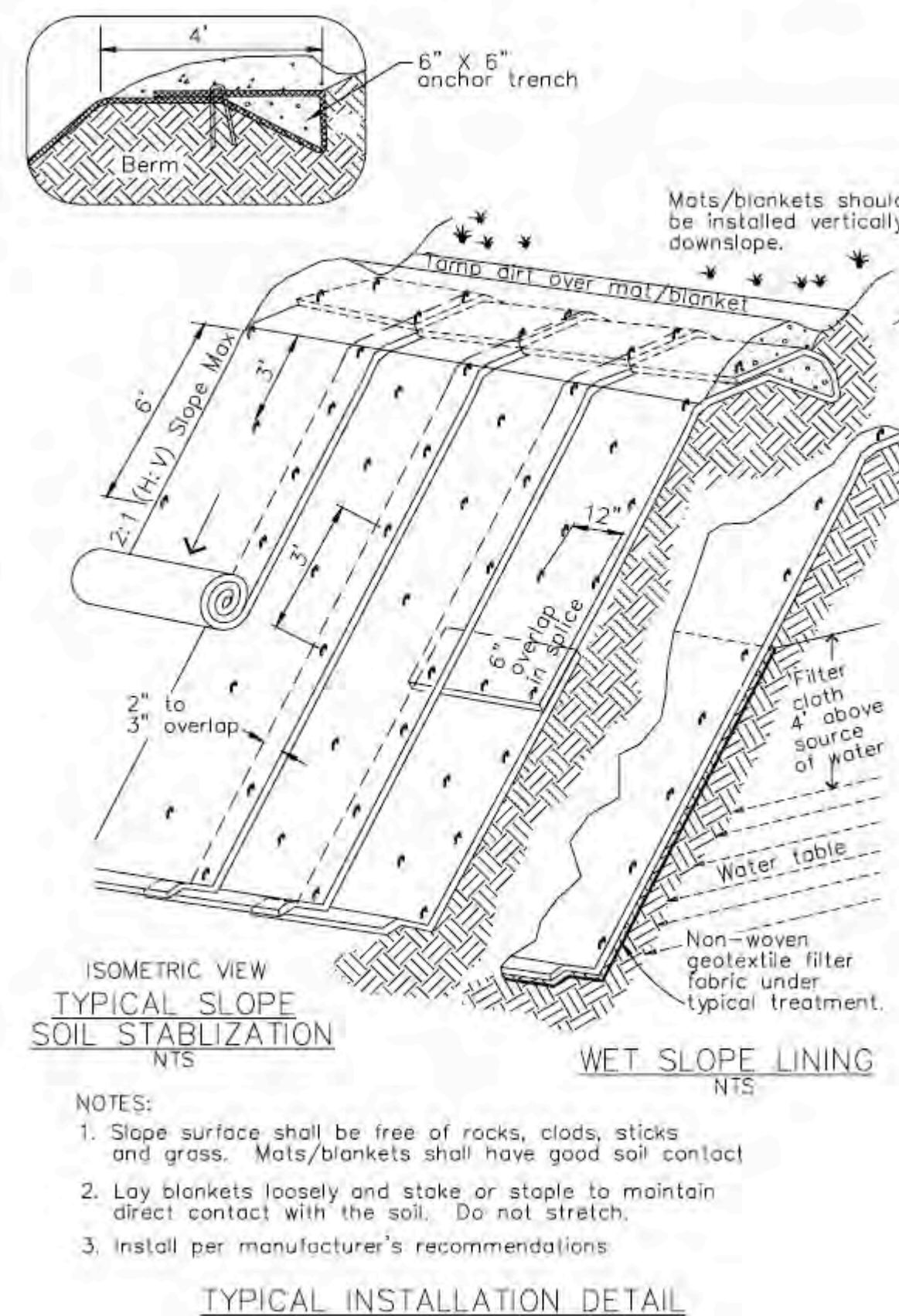
CASQA Detail EC-7



5

Geotextiles and Mats

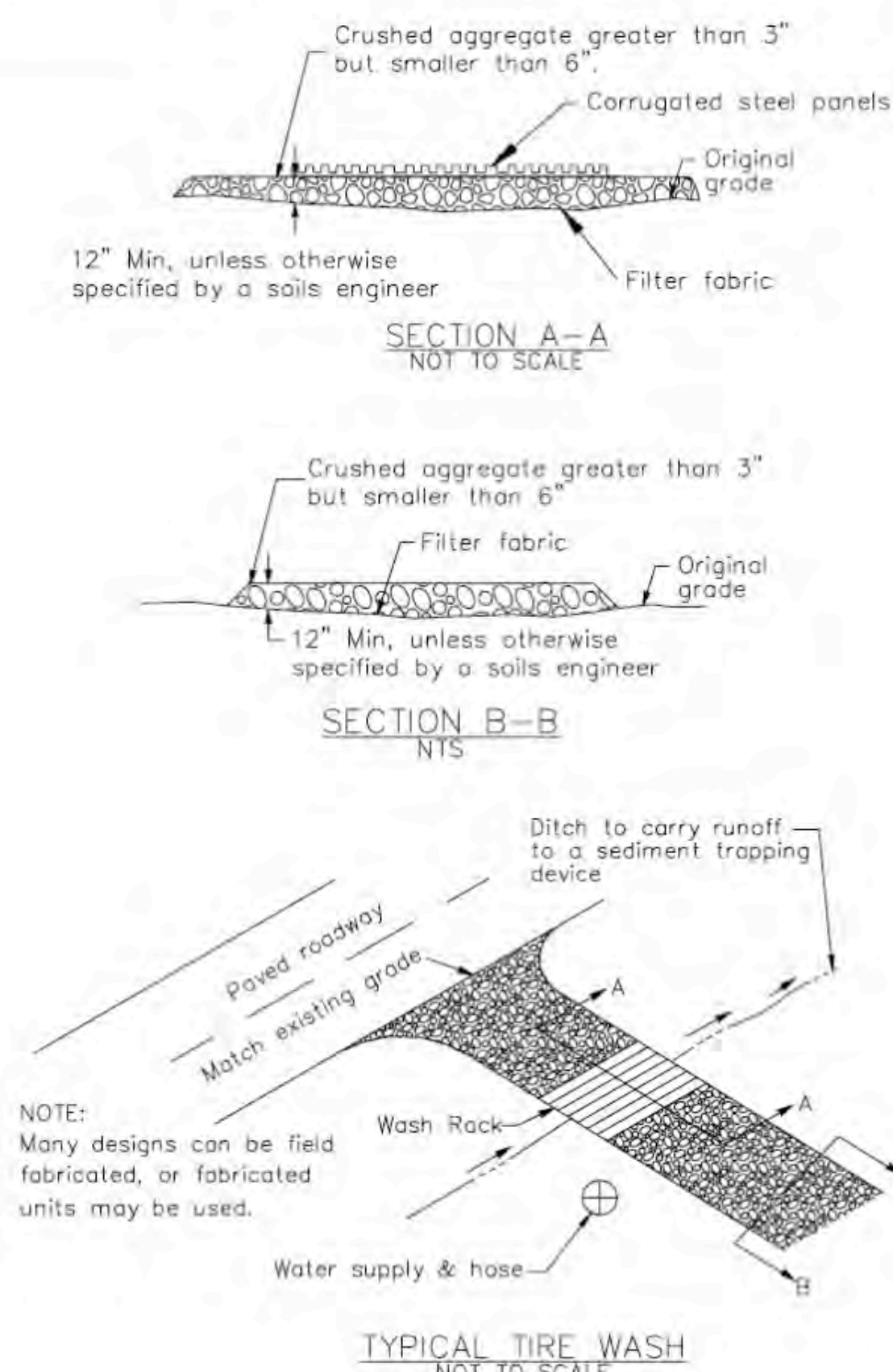
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3

Entrance/Outlet Tire Wash

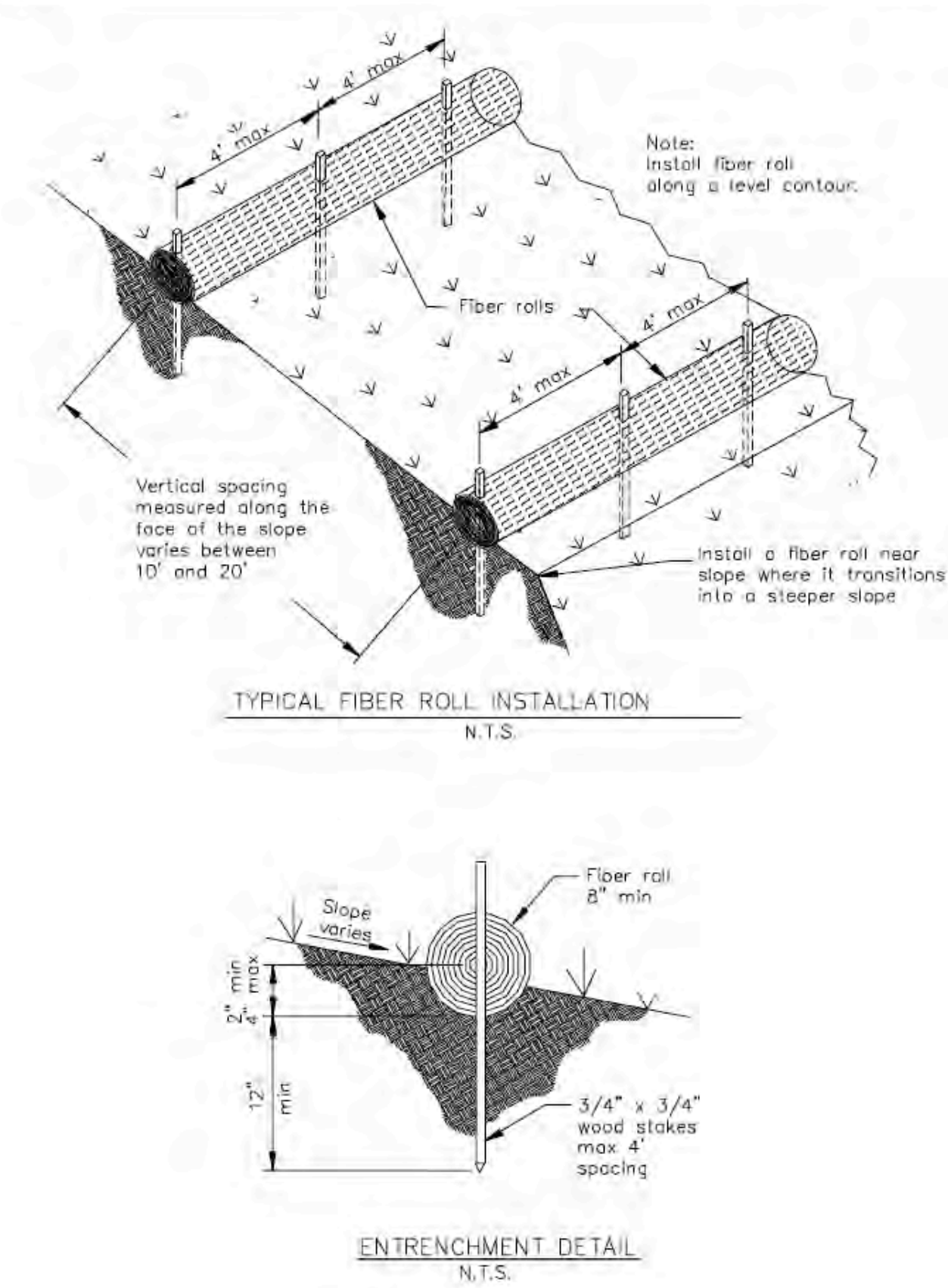
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1

Fiber Rolls

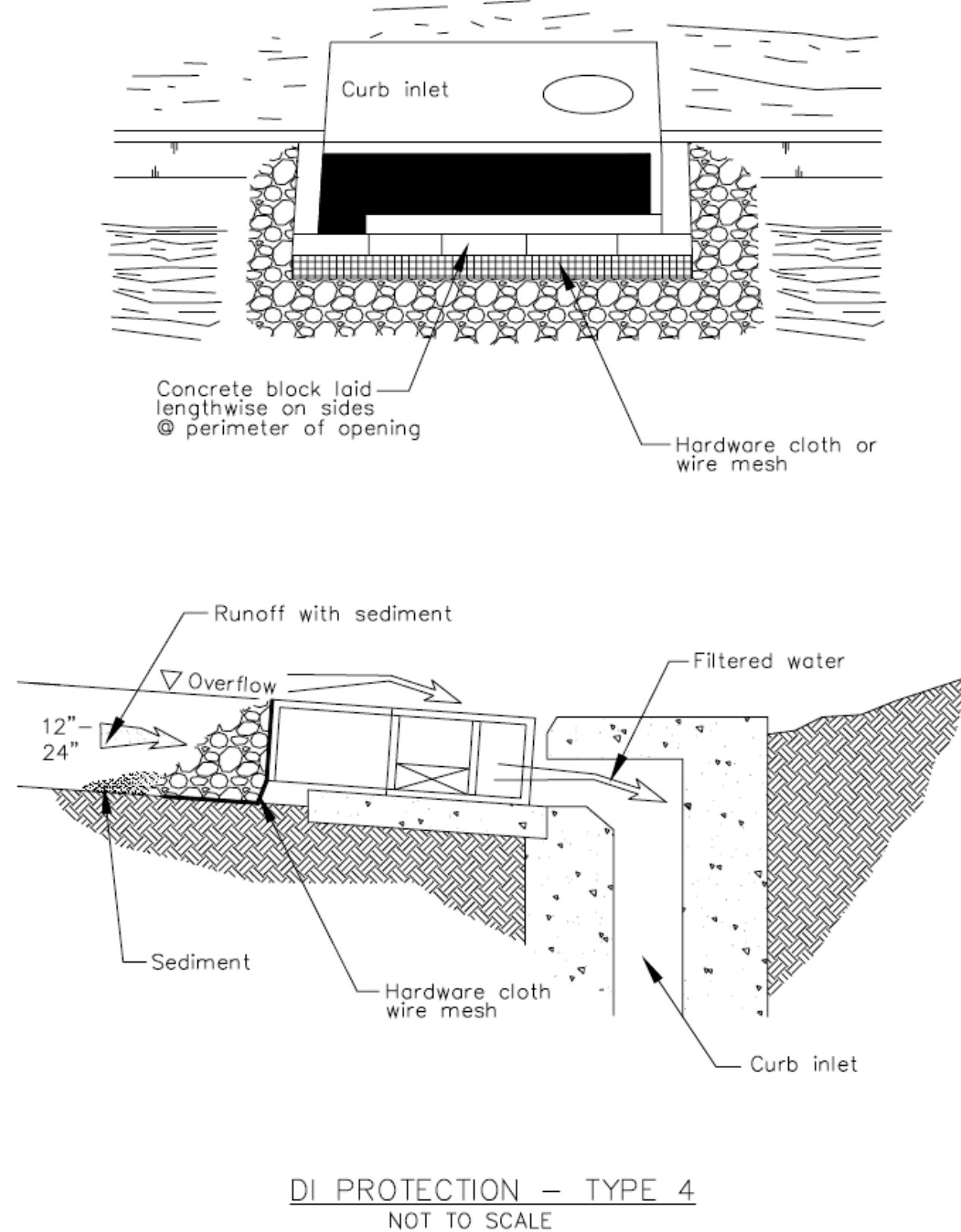
CASQA Detail SE-5



8

Storm Drain Inlet Protection

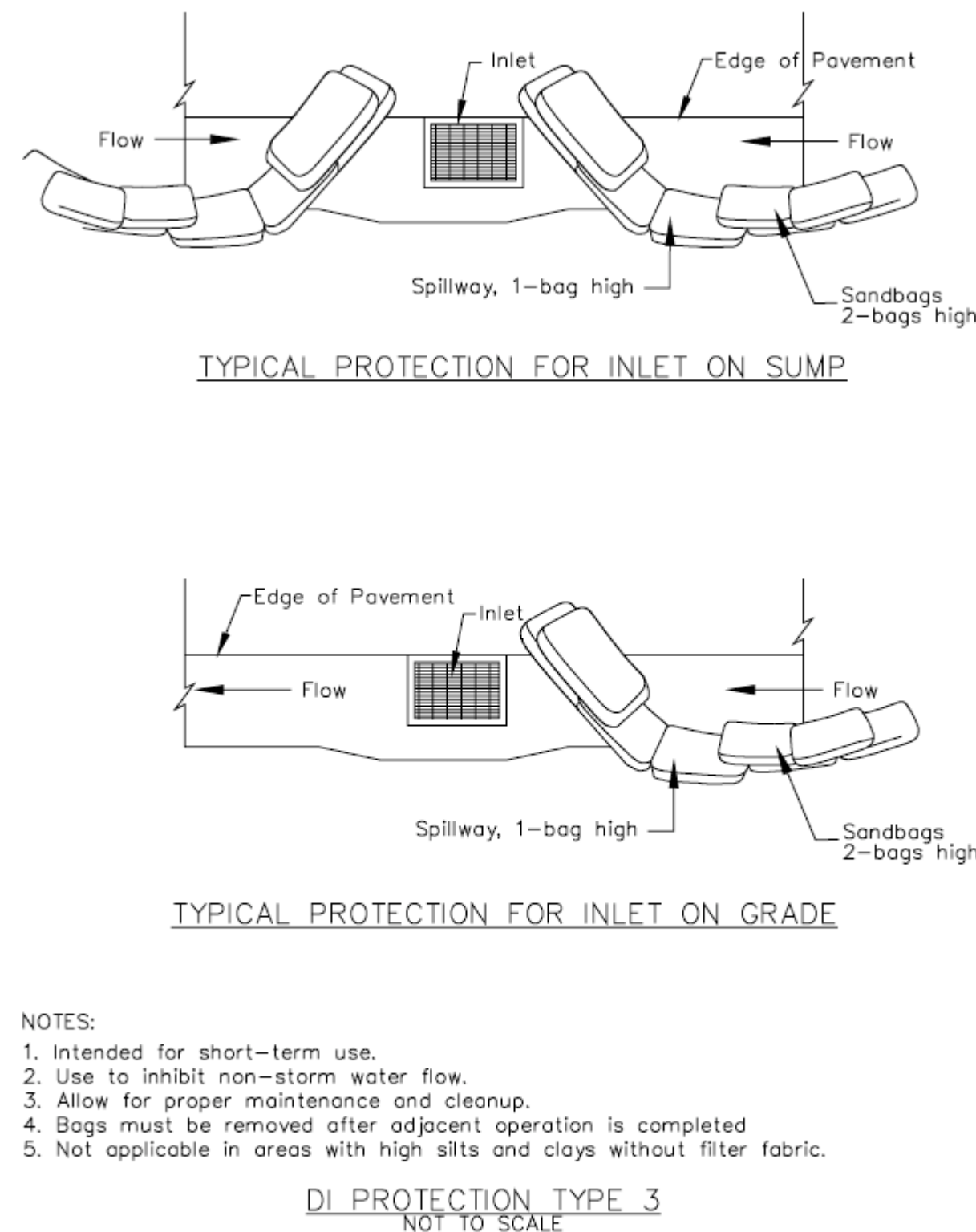
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6

Storm Drain Inlet Protection

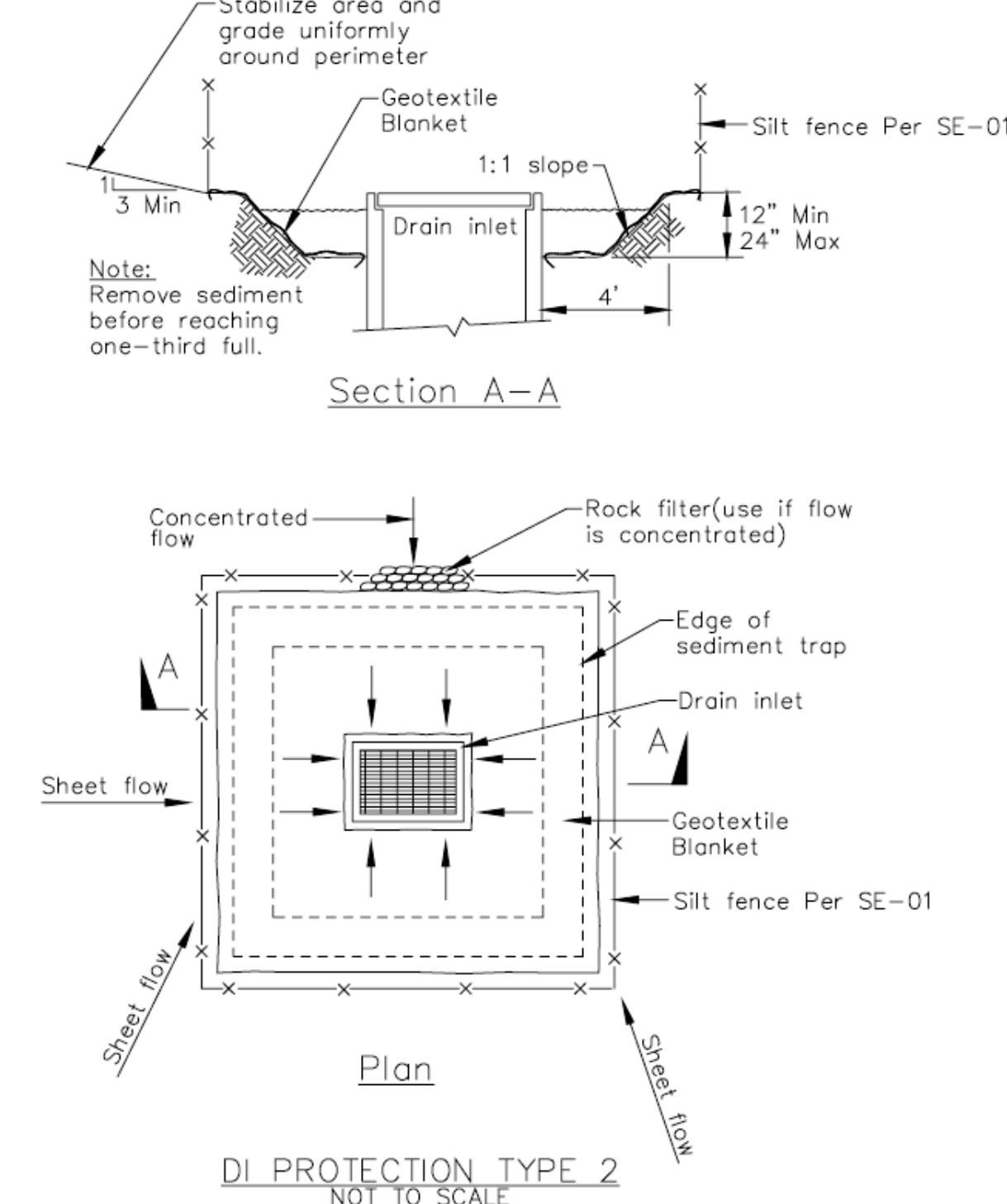
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4

Storm Drain Inlet Protection

CASQA Detail SE-10



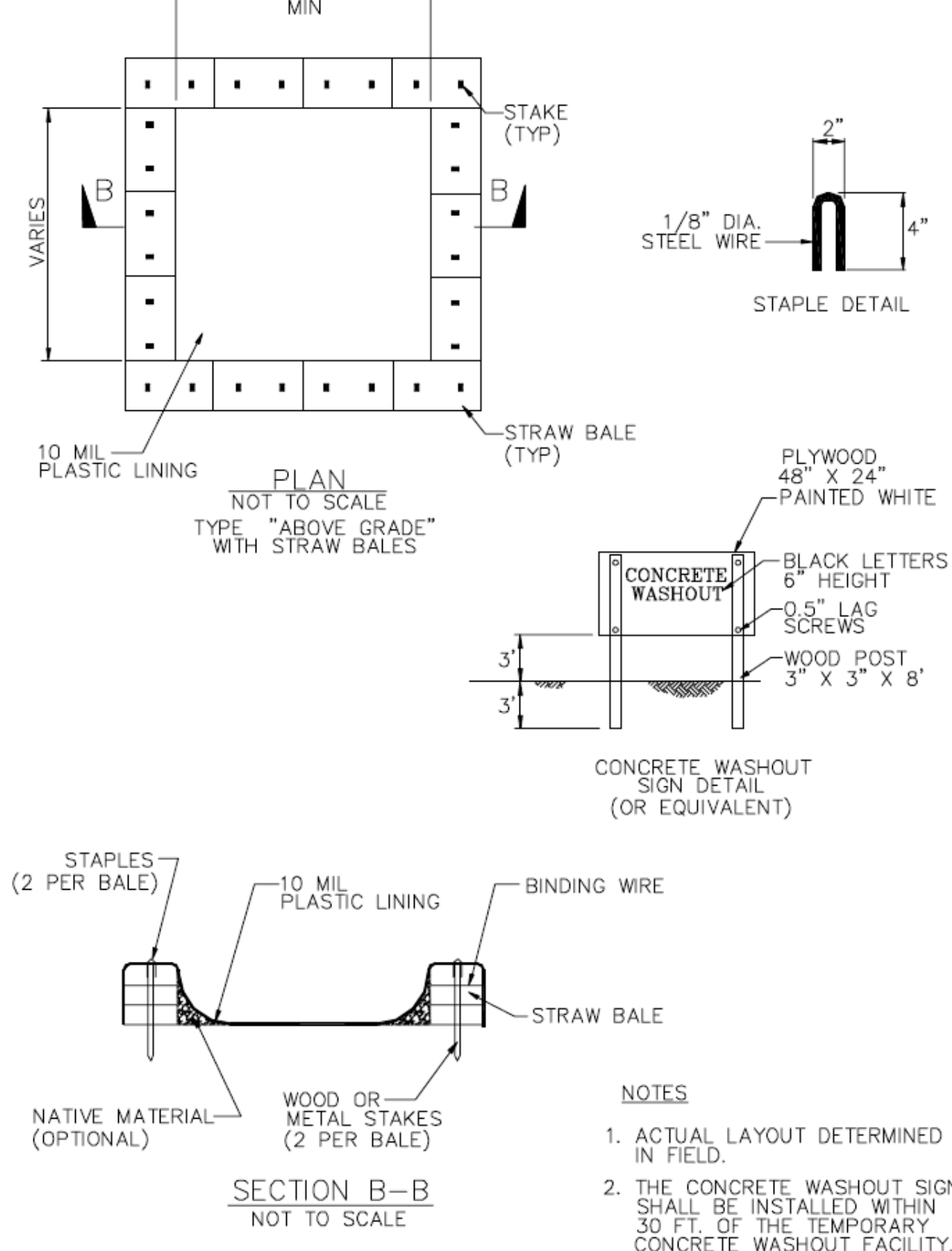
Notes

1. For use in cleared and grubbed and in graded areas.
2. Shape basin so that longest inflow area faces longest length of trap.
3. For concentrated flows, shape basin in 2:1 ratio with length oriented towards direction of flow.

2

Concrete Waste Management

CASQA Detail WM-8



Source for Graphics: California Stormwater BMP Handbook, California Stormwater Quality Association, January 2003.
Available from www.cabmphandbooks.com.

Best Management Practices and Erosion Control Details Sheet 2

County of Santa Clara

APPLICANT: MELISSA WATERS ROAD: PEACOCK COURT

COUNTY FILE NO: XX



BMP-2

Project Information

APPLICANT: MELISSA WATERS
ROAD: PEACOCK COURT
COUNTY FILE NO.

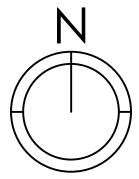
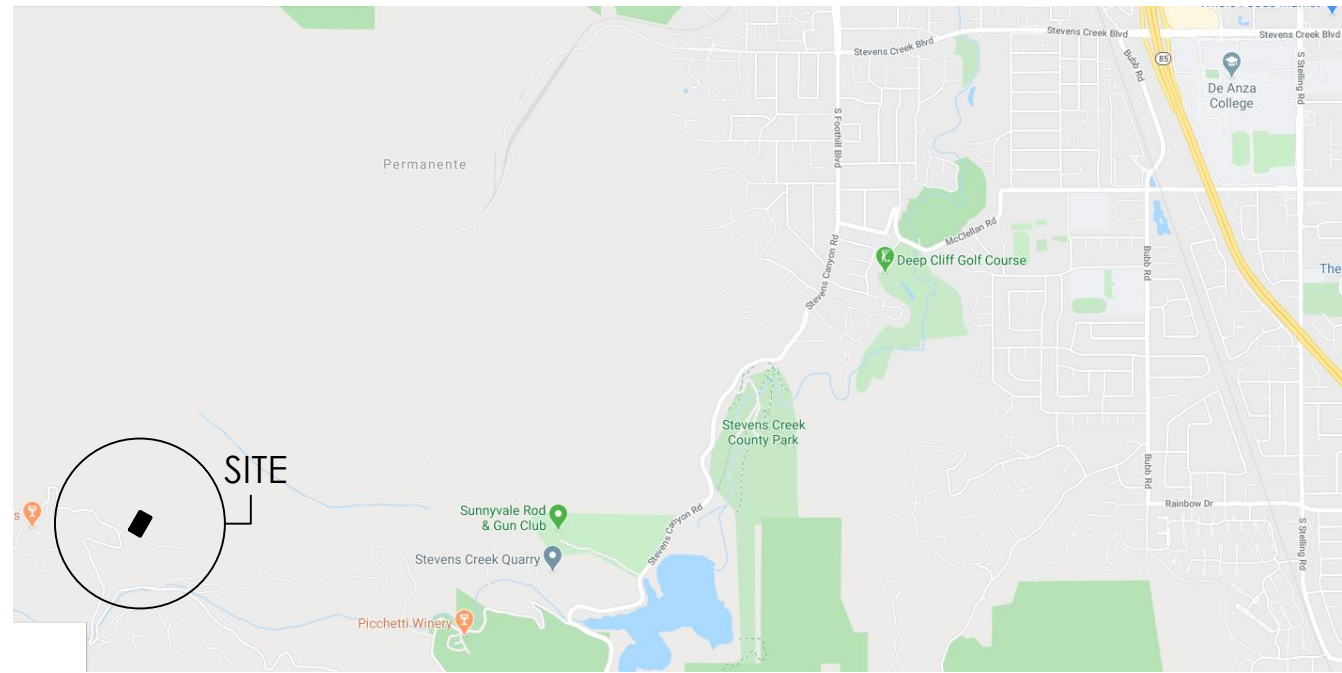
SINGLE FAMILY RESIDENCE
FOR
MELISSA WATERS
PEACOCK COURT
APN: 351-42-004
PROJECT #18-019-1

WATERS
APN# 351-42-004

ABBREVIATIONS

&	AND	H.B.	HOSE BIB
L, A	ANGLE	HDR.	HEADER
@	AT	HDWR.	HARDWARE
'	DEGREE	HORIZ.	HORIZONTAL
A.B.	ANCHOR BOLT	HT., H.	HEIGHT
(A)	ABOVE	I.D.	INSIDE DIAMETER
A.C.I.	AMERICAN CONCRETE INSTITUTE	IN.	INCH(ES)
		INSUL.	INSULATION
		INT.	INTERIOR
ADJ.	ADJACENT	JT.	JOINT
A.F.F.	ABOVE FINISH FLOOR	K.P.	KING POST
		L	LENGTH
A.I.S.C.	AMERICAN INSTITUTE OF STEEL CONSTRUCTION	LIN.	LINEAR
		MAX.	MAXIMUM
ALT.	ALTERNATE	M.B.	MACHINE BOLT
ALUM.	ALUMINUM	MEMB.	MEMBRANE
APPROX.	APPROXIMATELY	MFR.	MANUFACTURER
ARCH.	ARCHITECTURAL	MIN.	MINIMUM
A.S.T.M.	AMERICAN SOCIETY OF TESTING MATERIALS	MISC.	MISCELLANEOUS
		MTL.	METAL
(B)	BELOW	MW.	MICROWAVE
BD.	BOARD	N.	NORTH
BLDG.	BUILDING	(N)	NEW
BLKG.	BLOCKING	N.T.S.	NOT TO SCALE
BM.	BEAM	O/	OVER
B.N.	BOUNDARY NAILING	O.C.	ON CENTER
B.O.	BOTTOM OF	O.D.	OUTSIDE DIAMETER
BOT.,	BOTTOM	O.H.	OPPOSITE HAND
BOTT.		OV.	OVEN
BTWN.	BETWEEN	N.I.C.	NOT IN CONTRACT
CAB.	CABINET	PL.	PLATE
C.B.	CEILING BEAM	PLYWD.	PLYWOOD
C.J.	CEILING JOIST	PKG.	PARKING
CLG.	CEILING	P.S.F.	POUNDS PER SQUARE FOOT
CLR.	CLEAR		
COL.	COLUMN	P.S.I.	POUNDS PER SQUARE INCH
CONC.	CONCRETE	QTY.	QUANTITY
CONT.	CONTINUOUS	RAD.	RADIUS
CTR.	CENTER	R.B.	ROOF BEAM
CL	CENTERLINE	RCP.	REFLECTED CEILING PLAN
Db	BAR DIAMETER	RE:	REFERENCE
DBL.	DOUBLE	REF.	REFRIGERATOR
DEG.	DEGREE	REINF.	REINFORCED
DEMO.	DEMOLISH	REQ'D.	REQUIRED
DET., DTL.	DETAIL	RM.	ROOM
D.W.	DISHWASHER	R.O.	ROUGH OPENING
DWG.	DRAWING	R.R.	ROOF RAFTER
DWN.,	DOWN	SCHED.	SCHEDULE
DN.		SF.,	SQUARE FOOT
(E)	EXISTING	SQ. FT.	
EA.	EACH	SHTG.	SHEATHING
E.N.	EDGE NAILING	SHT.	SHEET
EL.,	ELEVATION	SIM.	SIMILAR
ELEV.		SL.	SLOPED
ELEV.	ELEVATOR	SPKL.	SPRINKLER
ENG.	ENGINEER	SQ.	SQUARE
EQ.	EQUAL	STAGG.	STAGGER
EXT.	EXTERIOR	STD.	STANDARD
E.W.	EACH WAY	STL.	STEEL
F.B.	FLOOR BEAM	STR.,	STRUCTURAL
F.F.	FINISHED FLOOR	STRUCT.	
FIN.	FINISH(ED)	T&B	TOP & BOTTOM
F.J.	FLOOR JOIST	T&G	TONGUE & GROOVE
FL.	FLUSH	THK.	THICK
FLR.	FLOOR	T.O.	TOP OF
F.N.	FIELD NAILING	T.P.	TOILET PAPER
FND.	FOUNDATION	TYP.	TYPICAL
F.O.	FACE OF	U.B.C.	UNIFORM BUILDING CODE
FP.	FIREPLACE	VERT.	VERTICAL
F.R.	FIRE RATED	W.	WIDTH
FT.	FOOT OR FEET	WD.	WOOD
FTG.	FOOTING	WH.	WATER HEATER
FZR.	FREEZER		
GA.	GAUGE		
GALV.	GALVANIZED		
G.B.	GRADE BEAM		
GLB.	GLU-LAM BEAM		
GYP. BD.,	GYPSUM WALL BOARD		
G.W.B.			

WATERS
NEW RESIDENCE & ADU
PEACOCK COURT
CUPERTINO, CA 95014
APN 351-42-004



VICINITY MAP

CODE COMPLIANCE

THIS RESIDENTIAL CONSTRUCTION COMPLIES WITH TITLE 24 AND THE FOLLOWING CODES:

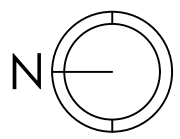
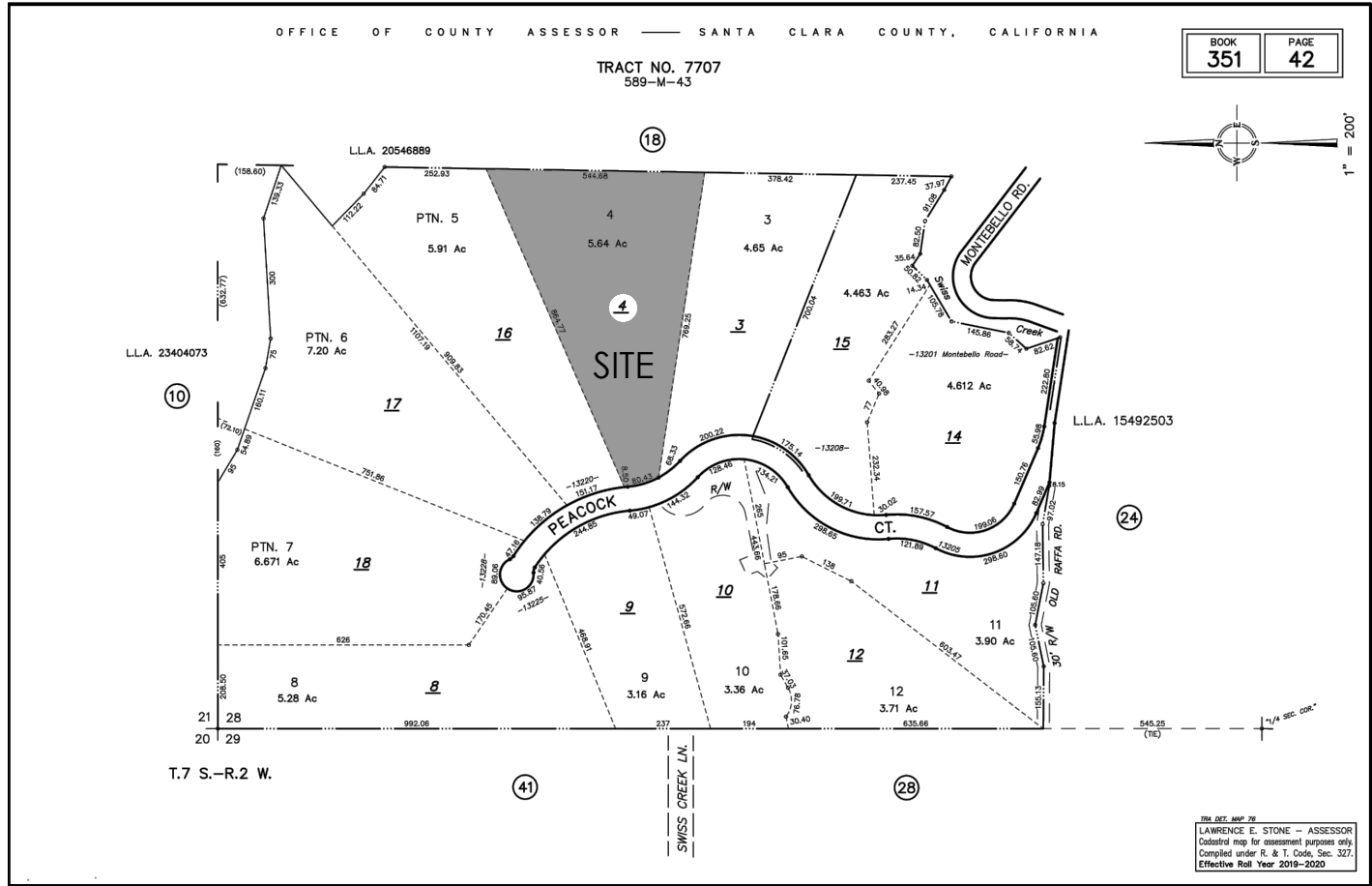
2019 CALIFORNIA RESIDENTIAL CODE (CRC),
2019 CALIFORNIA BUILDING CODE (CBC),
2019 CALIFORNIA MECHANICAL CODE (CMC),
2019 CALIFORNIA PLUMBING CODE (CPC),
2019 CALIFORNIA ELECTRICAL CODE (CEC) AND THE
2019 CALIFORNIA ENERGY CODE (CENC).

DEFERRED SUBMITTALS

FIRE SPRINKLERS WILL BE INSTALLED AS A DEFERRED SUBMITTAL.

FIRE NOTES

- THESE PLANS SHALL COMPLY WITH 2019 CALIFORNIA BUILDING CODE AND 2019 CALIFORNIA FIRE CODE AND DISTRICT AMENDMENTS.
- OCCUPANCY R-3 & U, TYPE V-B, FULLY SPRINKLED. APPROVED AUTOMATIC SYSTEM COMPLYING WITH THE EDITION OF NFPA 13D CURRENTLY ADOPTED IN CHAPTER 35 OF THE CALIFORNIA BUILDING CODE.
- THE DESIGNER/INSTALLER SHALL SUBMIT TWO (2) SETS OF PLANS, CALCULATIONS, AND CUT SHEETS FOR THE UNDERGROUND AND OVERHEAD RESIDENTIAL AUTOMATIC SPRINKLER SYSTEM TO THE CENTRAL FIRE PROTECTION DISTRICT.
- ADDRESS NUMBERS SHALL BE POSTED AND MAINTAINED AS SHOWN ON THE SITE PLAN. NUMBERS SHALL BE A MINIMUM OF 4 INCHES IN HEIGHT AND OF A COLOR CONTRASTING TO THEIR BACKGROUND.
- ROOF COVERING SHALL BE NO LESS THAN CLASS "B" RATED.
- THE JOB COPIES OF THE BUILDING PLANS AND PERMITS MUST REMAIN ON-SITE DURING INSPECTIONS.
- ONE HUNDRED (100) FOOT CLEARANCE TO BE MAINTAINED WITH NON-COMBUSTIBLE VEGETATION AROUND ALL STRUCTURES OR TO THE PROPERTY LINE, WHICHEVER IS SHORTER DISTANCE.
- THE ELECTRIC GATE SHALL BE EQUIPPED WITH THE COUNTY FIRE PROTECTION DISTRICT KEY ENTRY SYSTEM.



PARCEL MAP

CONSULTANTS

ARCHITECTS:

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728 N. BRANCFORTE
SANTA CRUZ, CA 95062
PHONE: 831-425-0544
FAX: 831-425-4795

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HANAGAN LAND SURVEYING, INC
305-C SOQUEL AVE
SANTA CRUZ, CA 95062
PHONE: 831-469-3428
FAX: 831-469-3400

WASTE WATER:

BIOSPHERE CONSULTING
1315 KING STREET
SANTA CRUZ, CA 95060
PHONE: 831-430-9116

ENGINEERING:

R.I. ENGINEERING, INC.
303 POTRERO STREET, STE. 42-202
SANTA CRUZ, CA 95060
PHONE: 831-425-3901
FAX: 831-425-1522

GEOTECHNICAL:

MURRAY ENGINEERS
935 FREMONT AVE
LOS ALTOS, CA 94024
PHONE: 650-559-9980

NOTE: PROJECT SHALL CONFORM TO GEOTECHNICAL SOILS REPORT RECOMMENDATIONS

PROJECT CALCULATIONS

SEE SHT P2.1 SITE PLAN FOR PROJECT CALCULATIONS

VEGETATION MANAGEMENT STANDARDS

PUBLIC RESOURCES CODE - PRC
DIVISION 4. FORESTS, FORESTRY AND RANGE AND FORAGE LANDS
PART 2. PROTECTION OF FOREST, RANGE AND FORAGE LANDS
CHAPTER 3. MOUNTAINOUS, FOREST, BRUSH AND GRASS-COVERED LANDS

THE OWNER SHALL MAINTAIN PROPERTY CONFORMING TO THESE GUIDELINES. FOLLOWING IS AN ABBREVIATED OUTLINE. SEE CODE FOR FULL DESCRIPTIONS:

- MAINTAIN DEFENSIBLE SPACE OF 100 FEET FROM EACH SIDE AND FROM THE FRONT AND REAR OF THE STRUCTURE.
- REMOVE THAT PORTION OF A TREE THAT EXTENDS WITHIN 10 FEET OF THE OUTLET OF A CHIMNEY OR STOVEPIPE.
- MAINTAIN A TREE, SHRUB, OR OTHER PLANT ADJACENT TO OR OVERHANGING A BUILDING FREE OF DEAD OR DYING WOOD.
- MAINTAIN THE ROOF OF A STRUCTURE FREE OF LEAVES, NEEDLES, OR OTHER VEGETATIVE MATERIALS.

PROJECT INFORMATION

OWNER: JEFF and MELISSA WATERS
PEACOCK COURT
CUPERTINO, CA 95014

A. P. N.: 351-42-004
ZONING: HS-d1
OCCUPANCY GROUP: R-3 & U (PER 2019 CRC)
CONSTRUCTION TYPE: VB (SPRINKLERED)

LOT NUMBER: 004
TRACT NUMBER: 42
SANTA CLARA COUNTY DISTRICT: 5

PROJECT DESCRIPTION:
A NEW 8,094 SF TWO-STORY RESIDENCE WITH LOWER FLOOR BASEMENT, A 846 SF 3-CAR GARAGE, COURTYARDS, DECKS AND INFINITY POOL.
A NEW 1,198 SF ADU/COTTAGE OVER A 2,550 SF BASKETBALL HALF-COURT
A 213 SF LOCKER ROOM, A 355 SF 1-CAR GARAGE WITH BREEZEWAY AND A 806 SF ROOF DECK.

FIRE PROTECTION DISTRICT: Santa Clara County Central Fire Protection District
SANITARY DISTRICT: N/A
WATER DISTRICT: N/A

SPECIAL RESOURCE/HAZARDS/CONSTRAINTS AREAS:
FEMA FLOOD ZONE: D (100%) DRAINS TO SAN FRANCISCO BAY
STATE RESPONSE AREA: SRA (100%)
WILDLAND-URBAN INTERFACE FIRE AREA: IN
CONSTRUCTION SHALL COMPLY WITH THE WUI CODE, CRC R337
COUNTY FAULT RUPTURE HAZARD ZONE: IN
COUNTY LANDSLIDE HAZARD ZONE: IN
STATE SEISMIC HAZARD ZONE (earthquake induced landslides): IN

SHEET INDEX

ARCHITECTURAL DRAWINGS

P1	TITLE SHEET	1	WASTEWATER TREATMENT SYSTEM DESIGN
P2.1	SITE PLAN & FAR		
P2.2	SITE PLAN - RESIDENCE	2	WASTEWATER TREATMENT SYSTEM DESIGN
P2.3	SITE PLAN - ADU		

MAIN RESIDENCE

P3	BASEMENT PLAN
P4	FIRST FLOOR PLAN
P5	SECOND FLOOR PLAN
P5.1	RESIDENCE FAR PLANS
P6	ROOF PLAN
P7	EXTERIOR ELEVATIONS - SOUTH & WEST
P8	EXTERIOR ELEVATIONS - NORTH & EAST
P9	EXTERIOR ELEVATIONS - COURTYARD
P10.1	BUILDING SECTIONS A & B
P10.2	BUILDING SECTIONS C & D
P10.3	BUILDING SECTIONS E & F
P10.4	BUILDING SECTIONS G & H
P10.5	BUILDING SECTIONS J

ADU: COTTAGE & BASKETBALL COURT

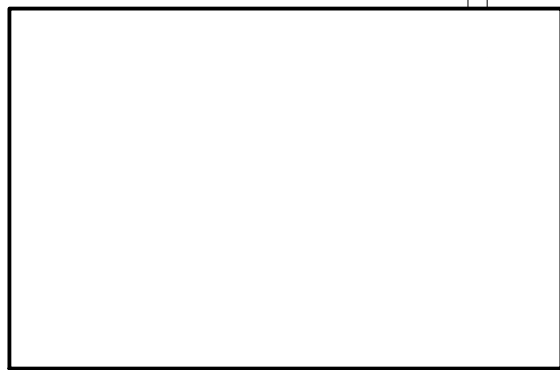
P11	LOWER FLOOR - BASKETBALL COURT
P12	UPPER FLOOR PLAN - COTTAGE
P12.1	ADU FAR PLANS
P13	ROOF PLAN
P14	EXTERIOR ELEVATIONS - NS
P15	EXTERIOR ELEVATIONS - EW
P16	BUILDING SECTIONS A, B & C

CIVIL DRAWINGS

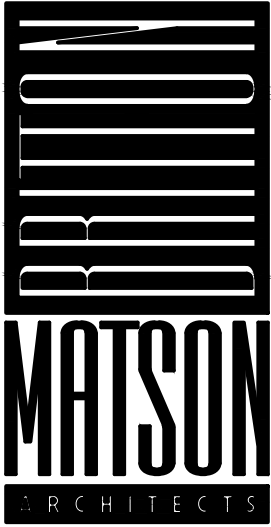
C-0	COVER SHEET
C-1	SITE PLAN
C-2	ADU GRADING & DRAINAGE PLAN
C-3	RESIDENCE GRADING & DRAINAGE PLAN
C-4	DETAILS
C-5	PROFILE AND NOTES
C-6	SECTIONS
C-7	STORMWATER POLLUTION CONTROL PLAN
BMP-1	BEST MANAGEMENT PRACTICES
BMP-2	BEST MANAGEMENT PRACTICES

SURVEY

1	SURVEY PLAN - FULL SITE
2	SURVEY PLAN - WEST PARTIAL
3	SURVEY PLAN - EAST PARTIAL
4	SURVEY PLAN - NORTHEAST PARTIAL
5	SURVEY PLAN - SOUTHEAST PARTIAL



COUNTY STAMP SPACE



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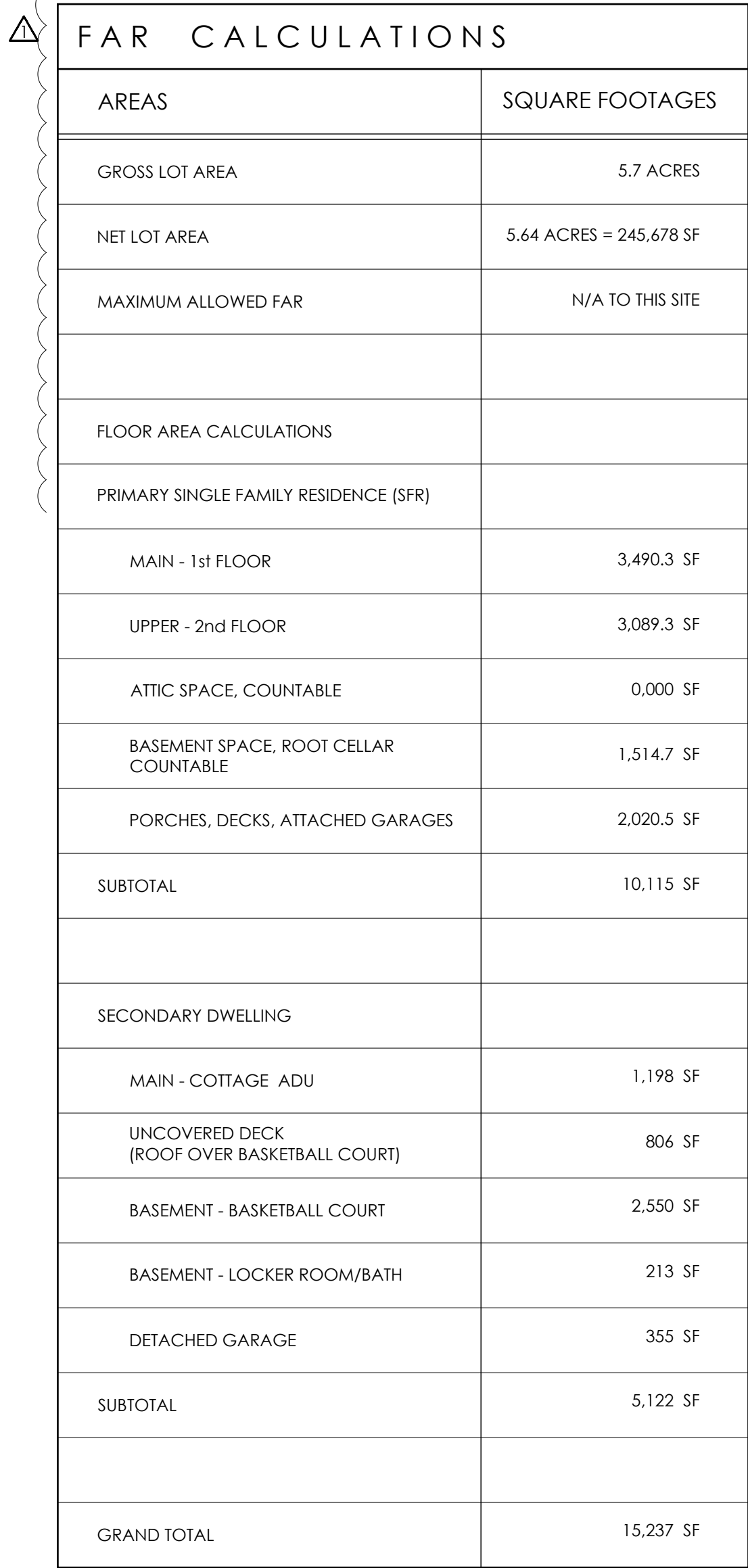
WATERS RESIDENCE AND ADU
NEW RESIDENCE AND ADU
PEACOCK COURT
CUPERTINO, CA 95051
APN: 351-42-004

TITLE SHEET



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P1



SQUARE FOOTAGES ARE DERIVED FROM TABLES AS CALCULATED ON SHEETS:
P5.1 AND P12.1

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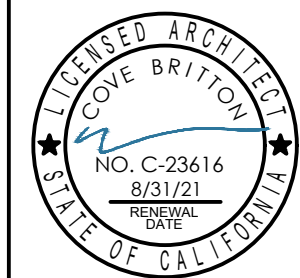
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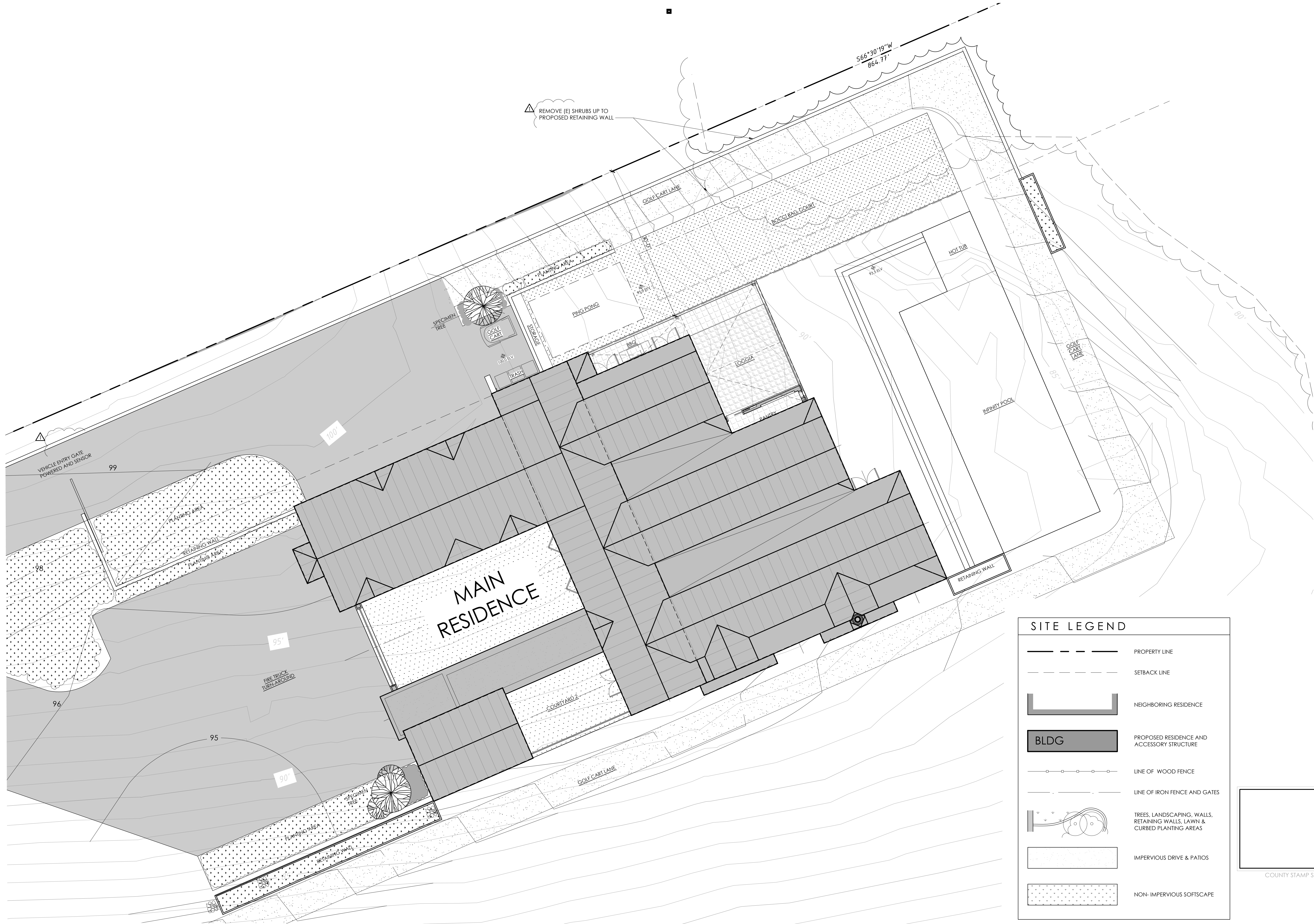
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SITE PLAN AND FAR CALCS



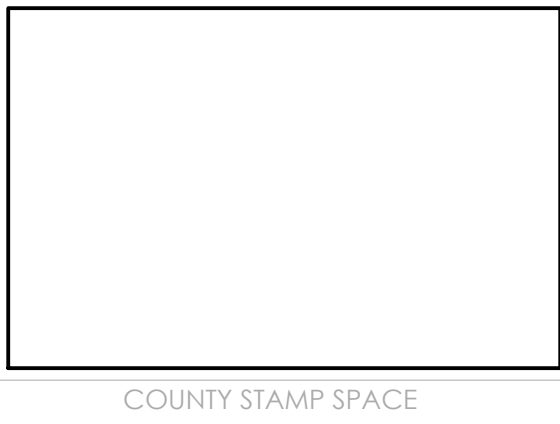
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P2.1



SITE PLAN - MAIN RESIDENCE
SCALE: 1/8" = 1'-0"

SITE LEGEND	
	PROPERTY LINE
	SETBACK LINE
	NEIGHBORING RESIDENCE
	PROPOSED RESIDENCE AND ACCESSORY STRUCTURE
	LINE OF WOOD FENCE
	LINE OF IRON FENCE AND GATES
	TREES, LANDSCAPING, WALLS, RETAINING WALLS, LAWN & CURBED PLANTING AREAS
	IMPERVIOUS DRIVE & PATIOS
	NON-IMPERVIOUS SOFTSCAPE



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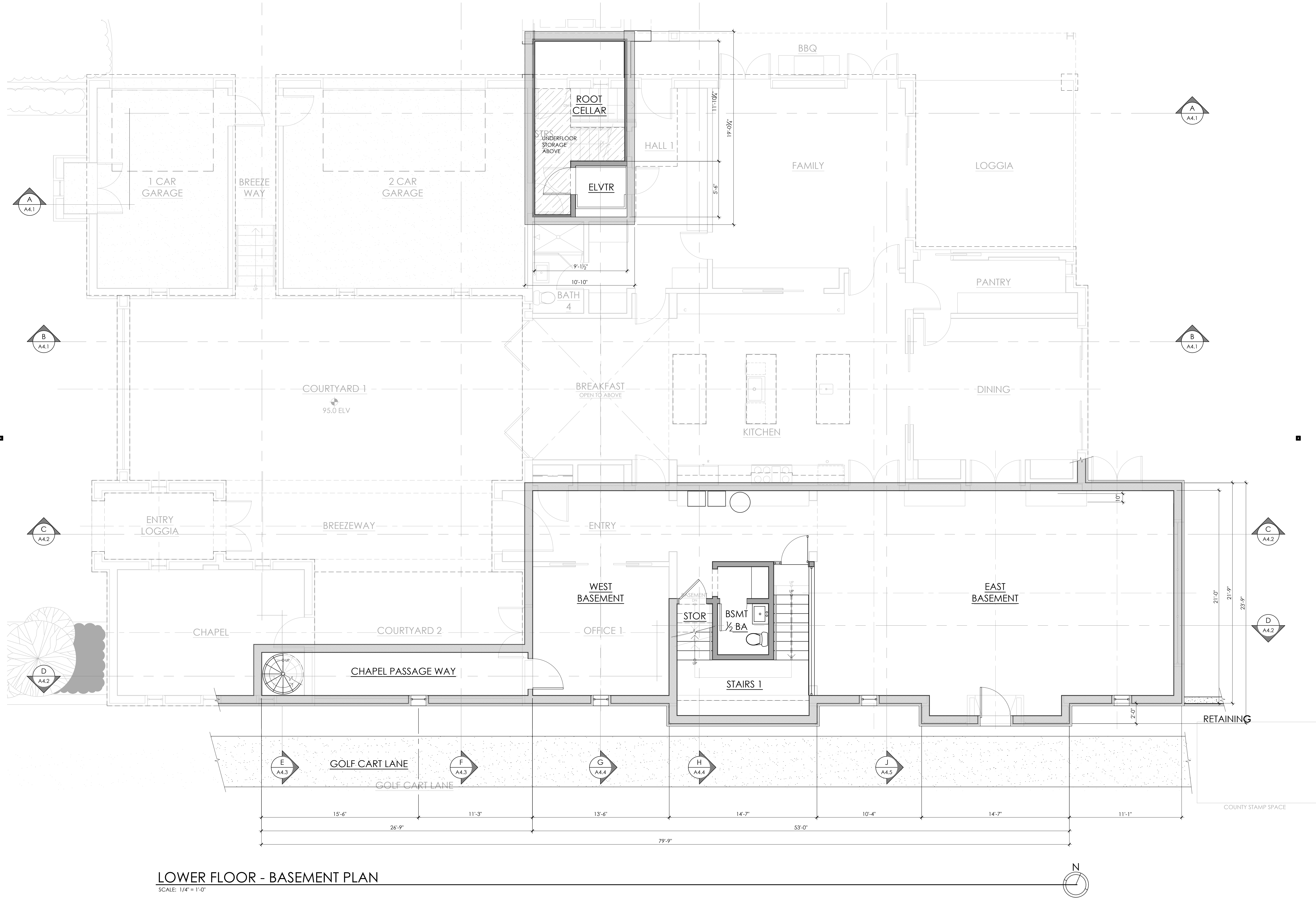
MAIN RESIDENCE
SITE PLAN

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P2.2



COUNTY STAMP SPACE



LOWER FLOOR - BASEMENT PLAN
SCALE: 1/4" = 1'-0"

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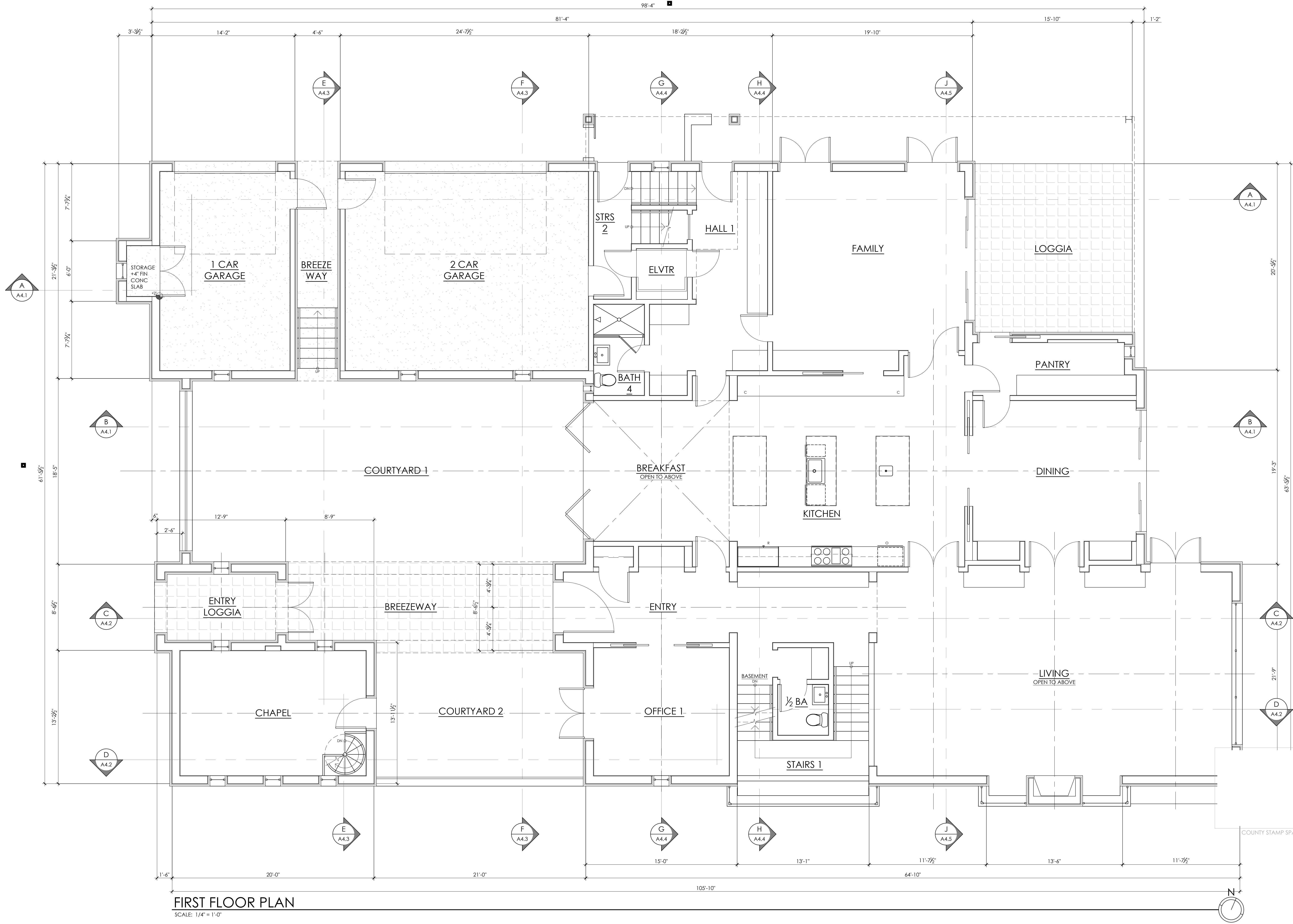
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JOB
WATERS
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P3



FIRST FLOOR PLAN

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

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JEFFREY BRITTON
NO. C-23616
8/31/21
RESIDENT
STATE OF CALIFORNIA

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P4



SECOND FLOOR PLAN

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



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RESIDENCE
SECOND FLOOR PLAN



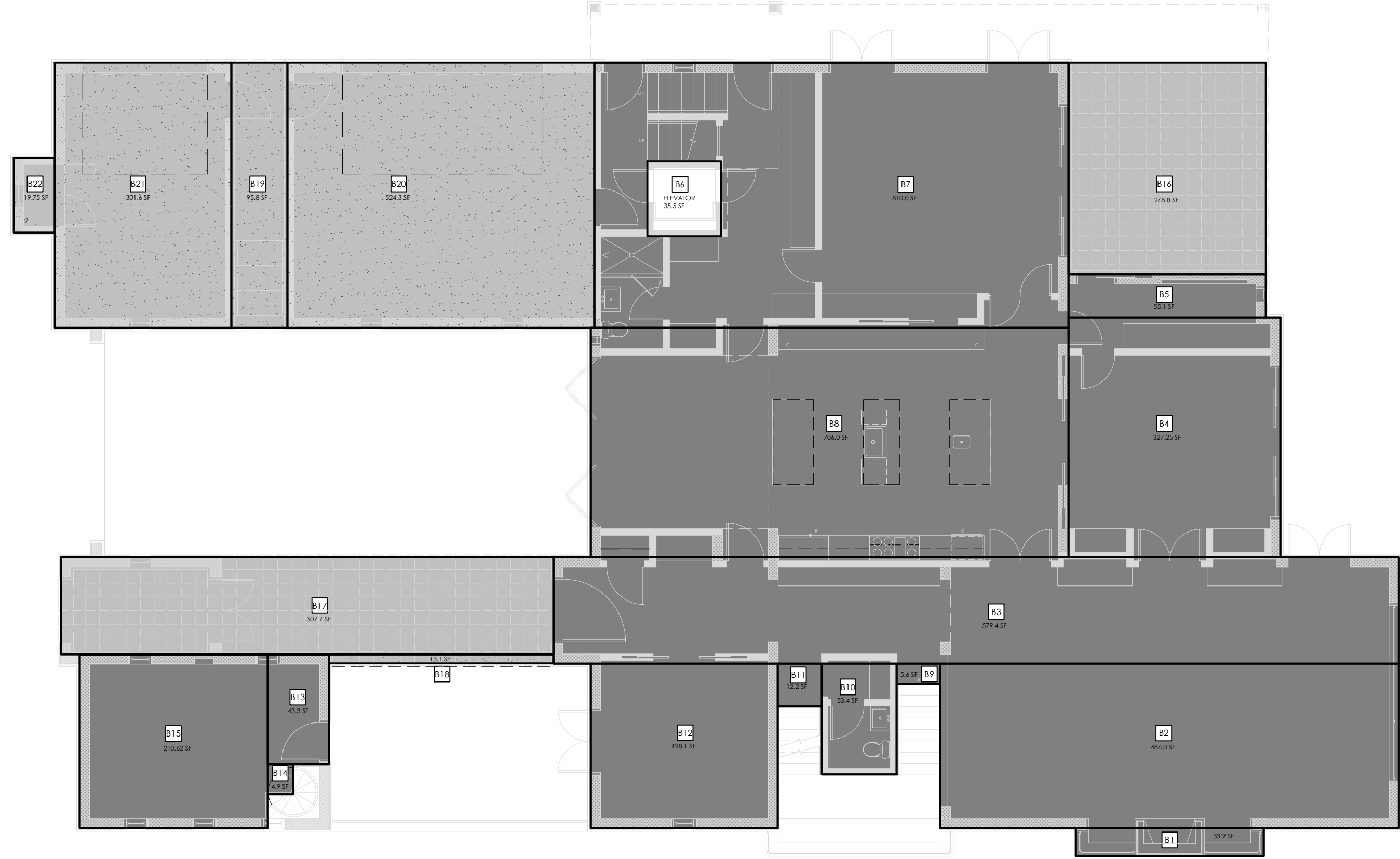
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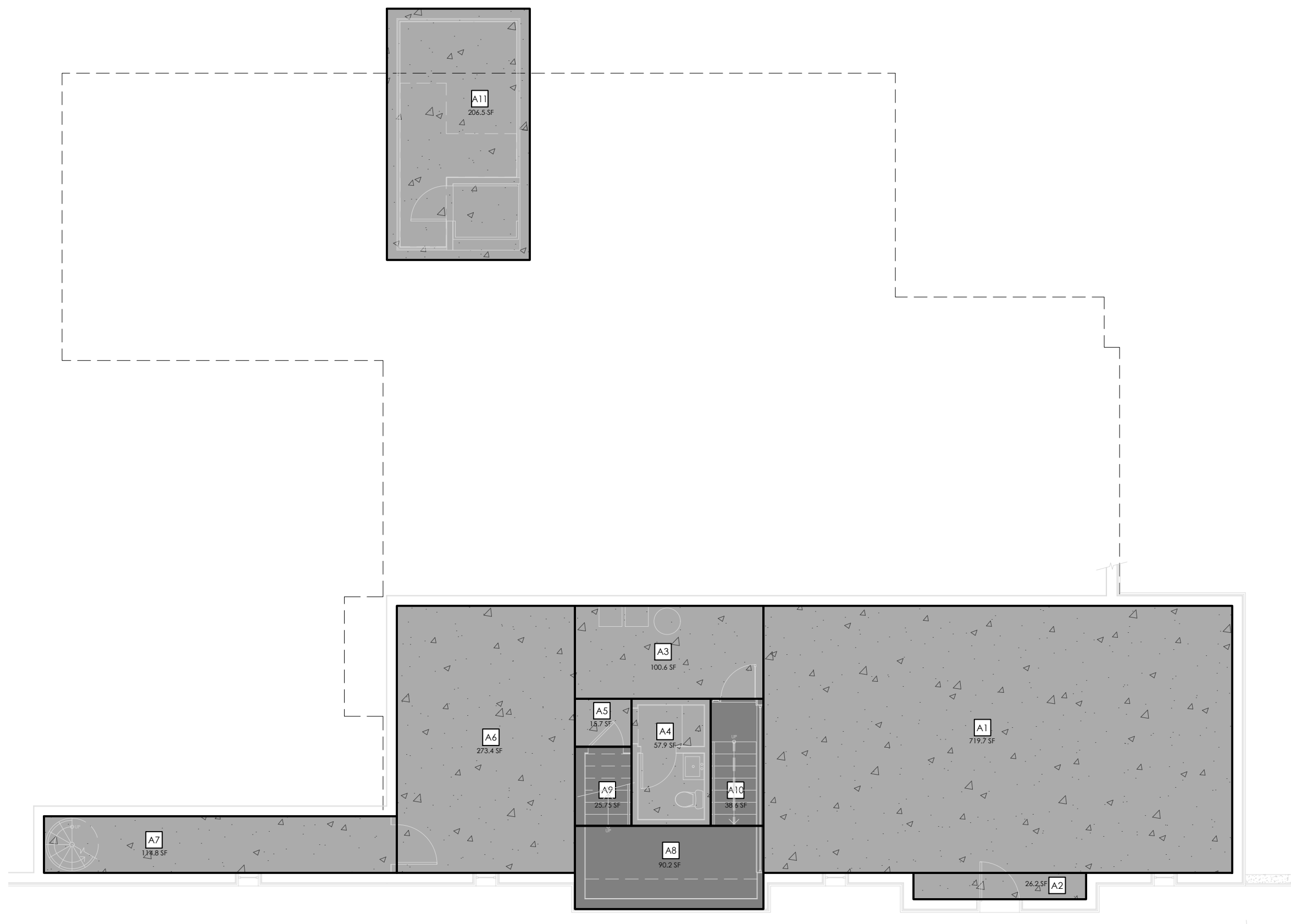
SECOND FLOOR PLAN

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



FIRST FLOOR PLAN

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



BASEMENT PLAN

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

LIVING
CONDITIONED

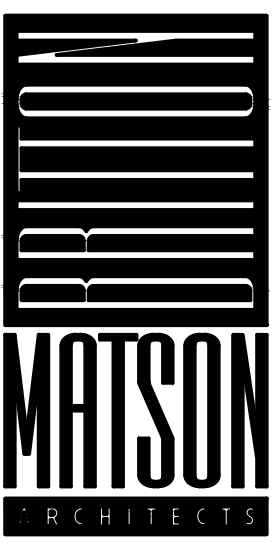
BASEMENT
NON-CONDITIONED

PORCHES & GARAGES
DECKS

SECOND FLOOR - FAR		
POLYGON AREA DESIGNATION	DIMENSIONS (IN DECIMAL FEET)	AREA (SQUARE FEET)
CONDITIONED LIVING	C1	14.79 x 24
CONDITIONED LIVING	C2	3.7 x 2.375
CONDITIONED LIVING	C3	6.08 x 9.69
CONDITIONED LIVING	C4	14.08 x 10.04
CONDITIONED LIVING	C5	14.625 x 14.0
CONDITIONED LIVING	C6	26.46 x 20.0
CONDITIONED LIVING	C7	9.6 x 3.0
CONDITIONED LIVING	C8	19.06 x 20.45
CONDITIONED LIVING	C9	19.27 x 28.125
ELEVATOR	C10	5.92 x 6.0 ALREADY COUNTED
STAIRS	C11	10.5 x 7.66 ALREADY COUNTED
CONDITIONED LIVING	C12	43 x 21.29
CONDITIONED LIVING	C13	3.37 x 6.166
CONDITIONED LIVING	C14	3.37 x 6.166
CONDITIONED LIVING	C15	3.37 x 6.166
2ND FLOOR CONDITIONED LIVING	TOTAL SF	3,885.5 SF
UNCOVERED DECK	C16	18.96 x 4.66
UNCOVERED DECK	C17	15.96 x 25.125
2ND FLOOR UNCOVERED DECK	TOTAL SF	489.5 SF

FIRST FLOOR - FAR		
POLYGON AREA DESIGNATION	DIMENSIONS (IN DECIMAL FEET)	AREA (SQUARE FEET)
CONDITIONED LIVING	B1	15.08 x 2.25
CONDITIONED LIVING	B2	36.79 x 13.21
CONDITIONED LIVING	B3	67.83 x 8.54
CONDITIONED LIVING	B4	17.0 x 19.25
CONDITIONED LIVING	B5	15.83 x 3.48
ELEVATOR	B6	5.92 x 6.0 ALREADY COUNTED
CONDITIONED LIVING	B7	38.04 x 21.29
CONDITIONED LIVING	B8	38.33 x 18.42
CONDITIONED LIVING	B9	3.5 x 1.6
CONDITIONED LIVING	B10	6.0 x 8.9
CONDITIONED LIVING	B11	3.54 x 3.44
CONDITIONED LIVING	B12	15.0 x 13.21
CONDITIONED LIVING	B13	4.91 x 8.81
CONDITIONED LIVING	B14	2.03 x 2.42
CONDITIONED LIVING	B15	15.09 x 13.96
CONDITIONED LIVING	TOTAL SF	3,490.3 SF
COVERED LOGGIA	B16	15.83 x 16.98
COVERED BREEZEWAY & LOGGIA	B17	39.5 x 7.79
COVERED BREEZEWAY & LOGGIA	B18	17.99 x 0.73
COVERED BREEZEWAY	B19	4.5 x 21.29
COVERED PATIO & BREEZEWAY	TOTAL SF	685.4 SF
GARAGE	B20	24.62 x 21.29
GARAGE	B21	14.166 x 21.29
GARAGE	B22	3.29 x 6.0
GARAGE	TOTAL SF	845.6 SF

COUNTY STAMP SPACE



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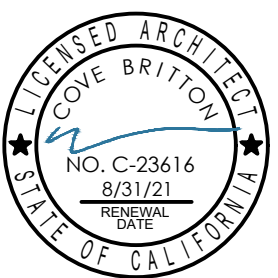
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RESIDENCE
FAR FLOOR PLAN
CALCULATIONS



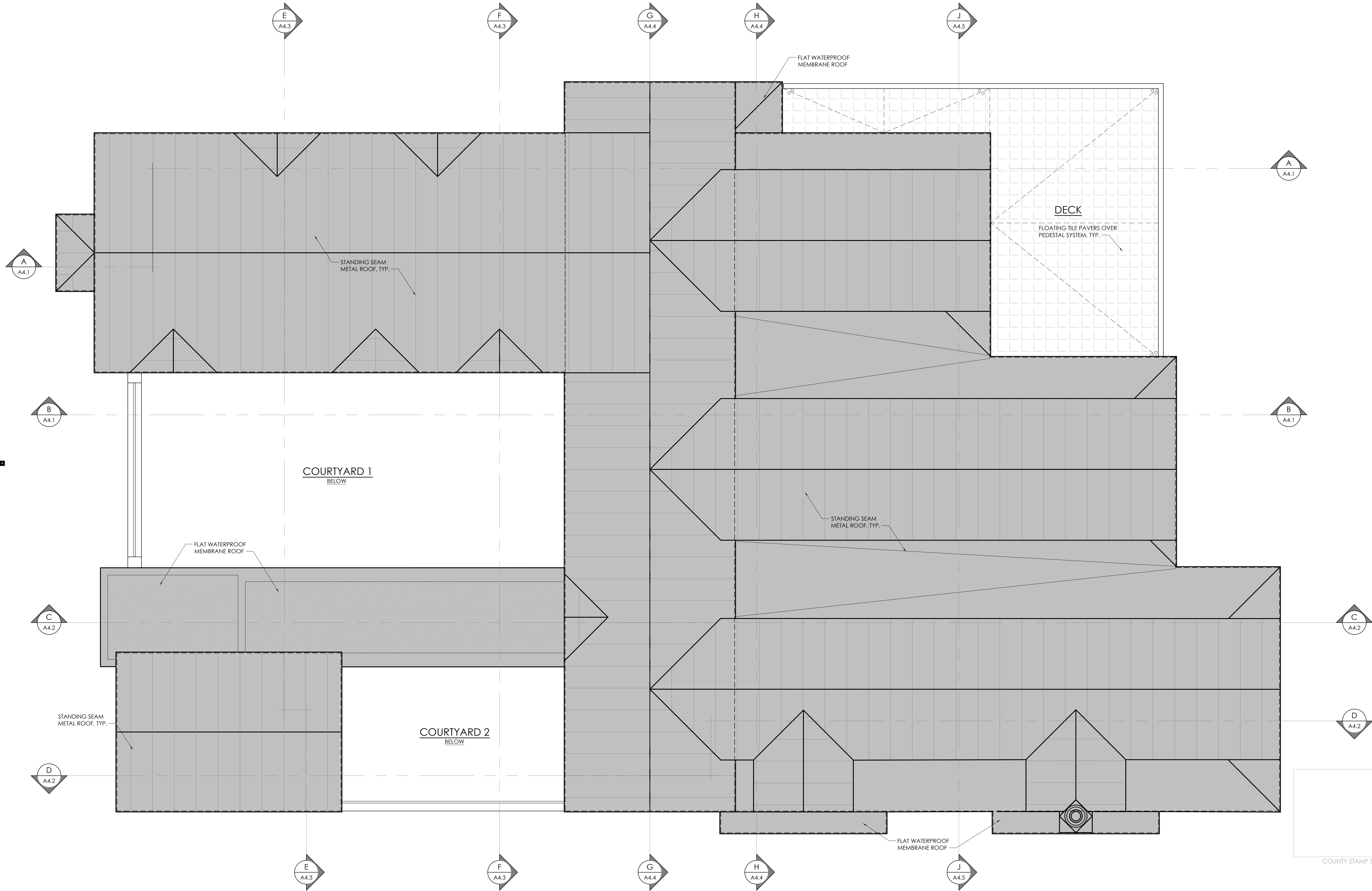
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P5.1

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ROOF PLAN

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



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8/31/21
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STATE OF CALIFORNIA

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P6



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



WEST ELEVATION

EXTERIOR MATERIALS & COLOR			
BUILDING ITEM	PRODUCT MFR	COLOR	LRV %
ROOF	ASC BUILDING PRODUCTS, METAL	MATTE BLACK	5
DOOR & WINDOW FRAMES, RAILINGS	MFR TO BE DETERMINED	COLOR	-
TRIM	MFR TO BE DETERMINED	COLOR	-
EXTERIOR WALLS	MY PERFECT COLOR	AF9F8A MANOR GREY	35.78
STONE VENEER	E-Z SET NATURAL STONE THIN VENEER	GRANITE MOSAIC VENNEN	N/A
RETAINING WALLS	E-Z SET NATURAL STONE THIN VENEER	GRANITE MOSAIC VENNEN	N/A

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APN: 351-42-004

RESIDENCE
EXTERIOR ELEVATIONS

SEAL

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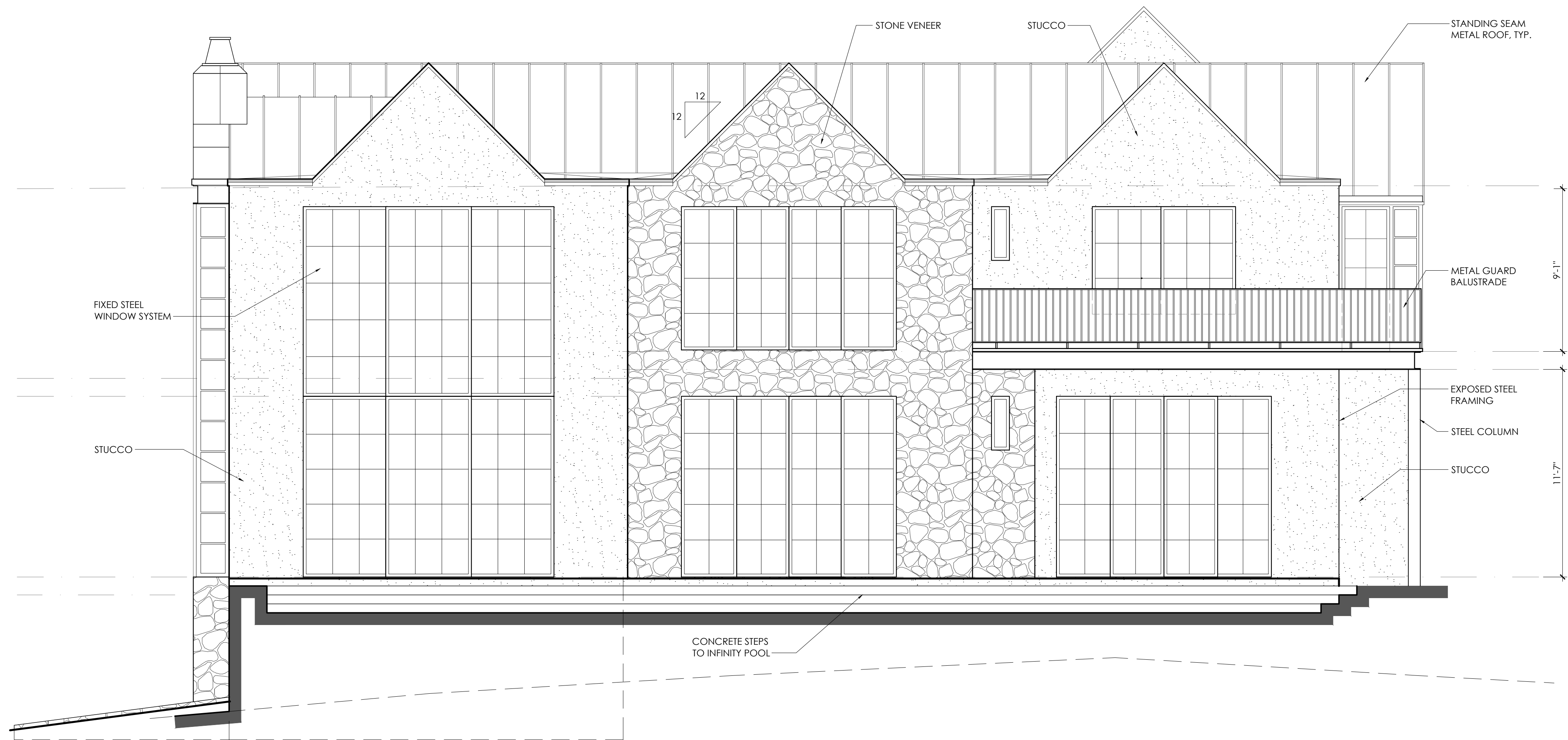
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NORTH ELEVATION
SCALE: 1/4" = 1'-0"



EAST ELEVATION
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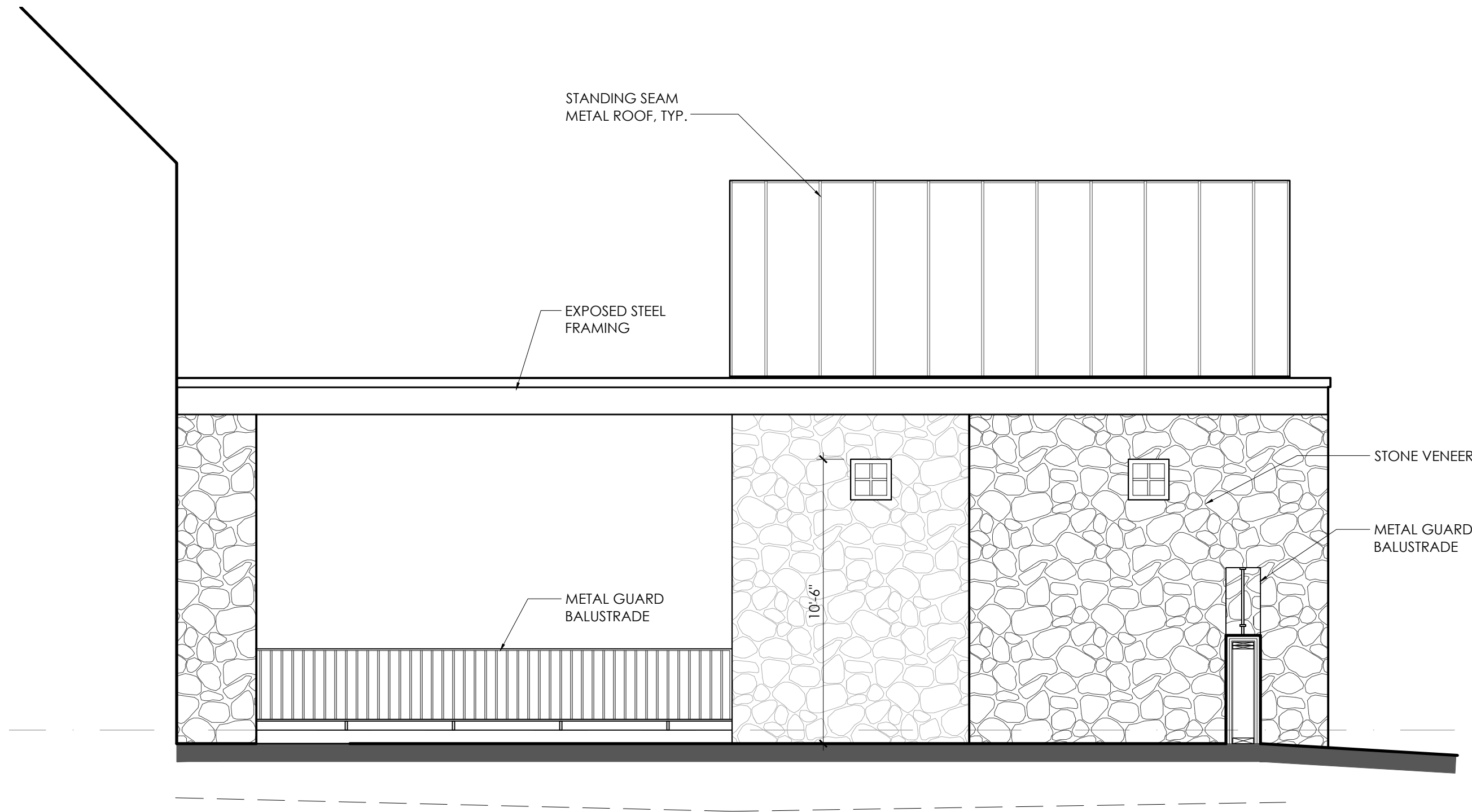
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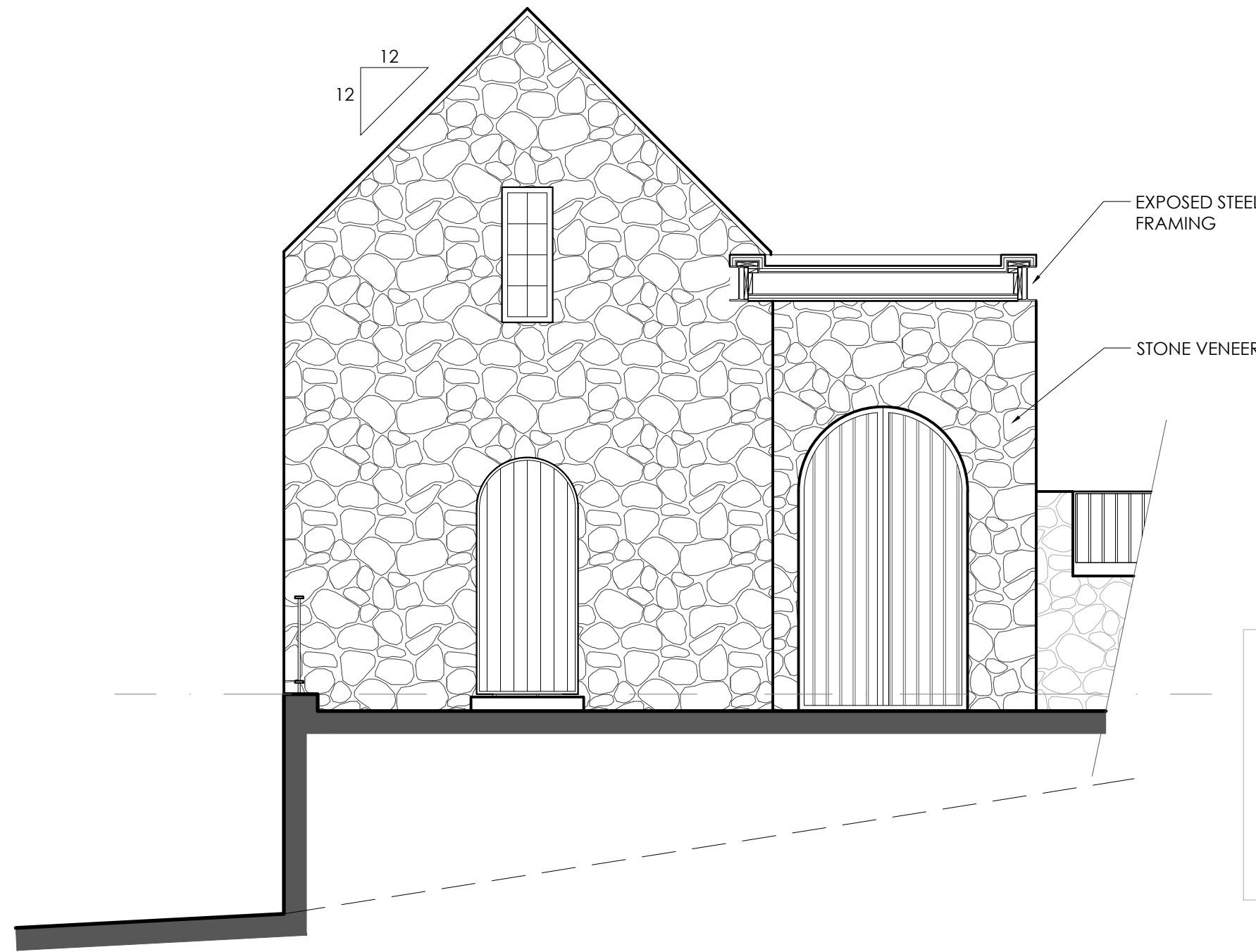
COUNTY STAMP SPACE



COURTYARD SOUTH ELEVATION
SCALE: 1/4" = 1'-0"



COURTYARD NORTH ELEVATION
SCALE: 1/4" = 1'-0"



COURTYARD EAST ELEVATION
SCALE: 1/4" = 1'-0"

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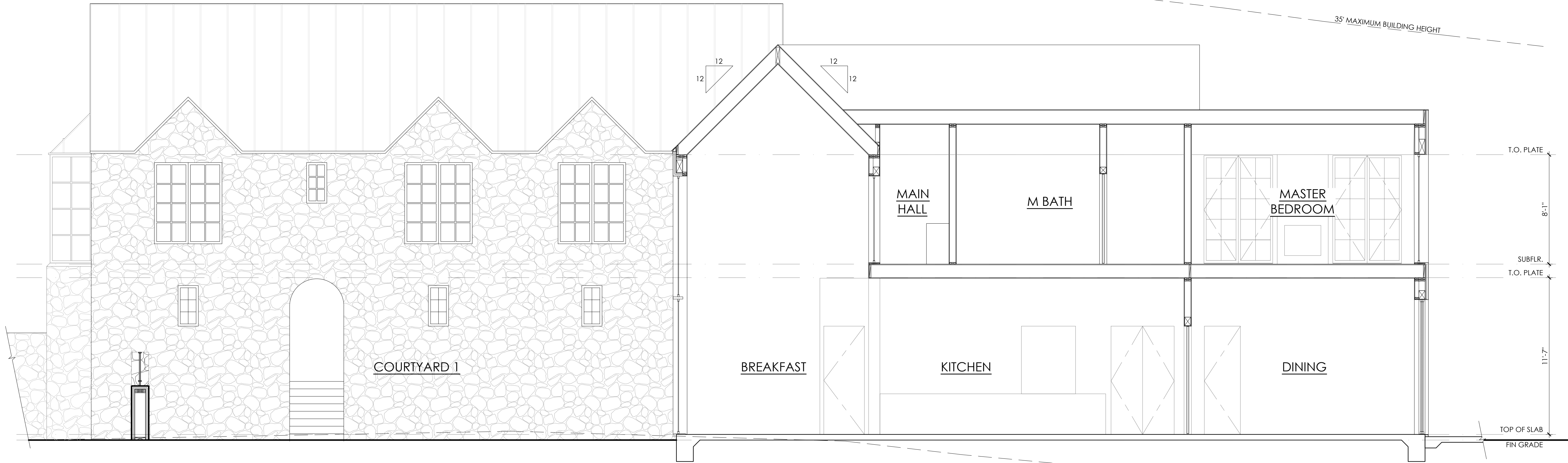
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CUPERTINO, CA 95051
APN: 351-42-004

RESIDENCE
COURTYARD
ELEVATIONS

REGISTERED ARCHITECT
STATE OF CALIFORNIA
NO. C-23616
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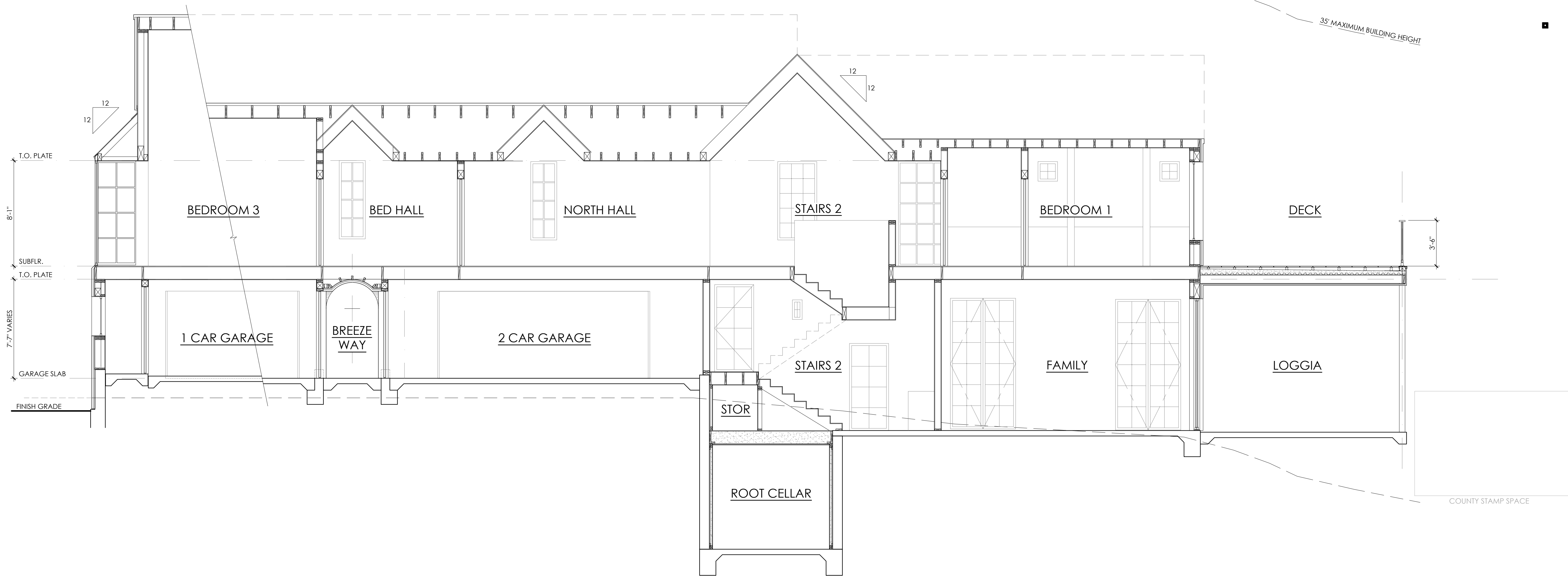
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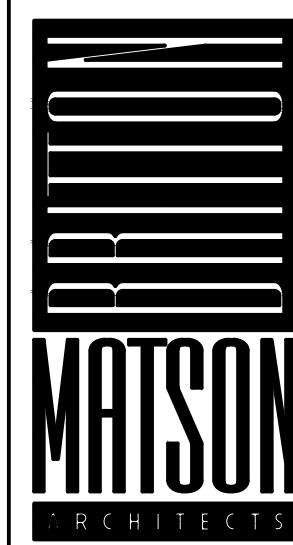
SECTION B

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



SECTION A

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



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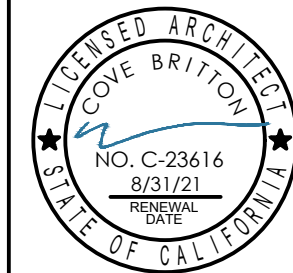
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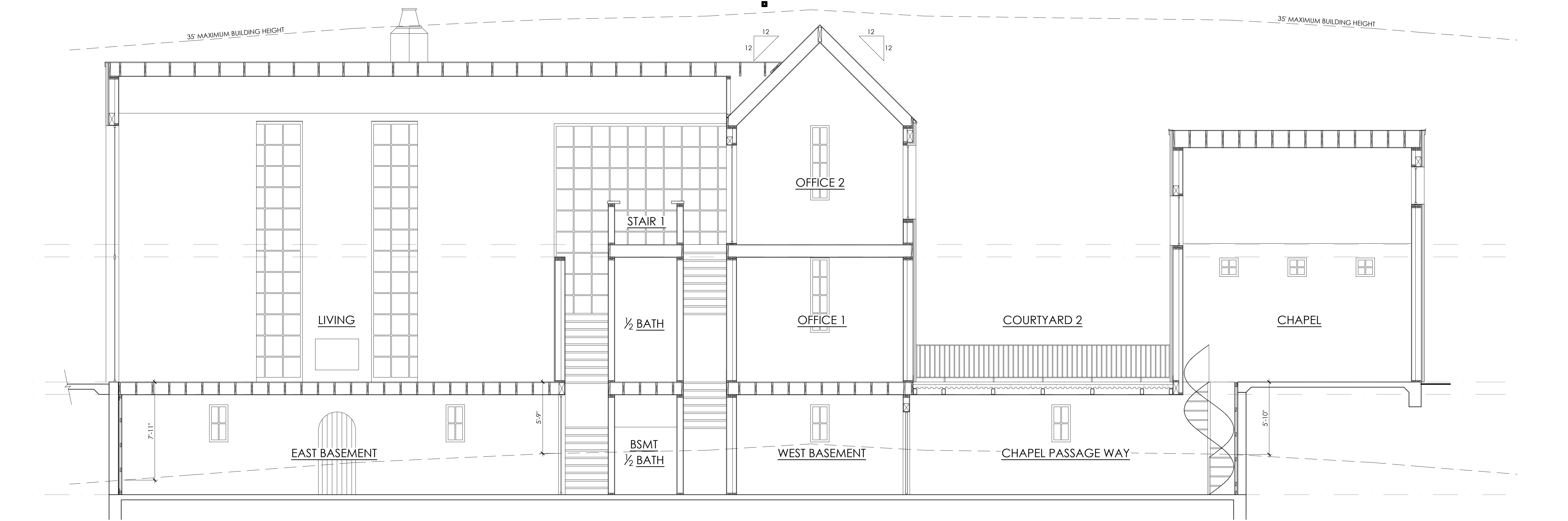
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RESIDENCE
BUILDING SECTIONS
SECTION A - SECTION B

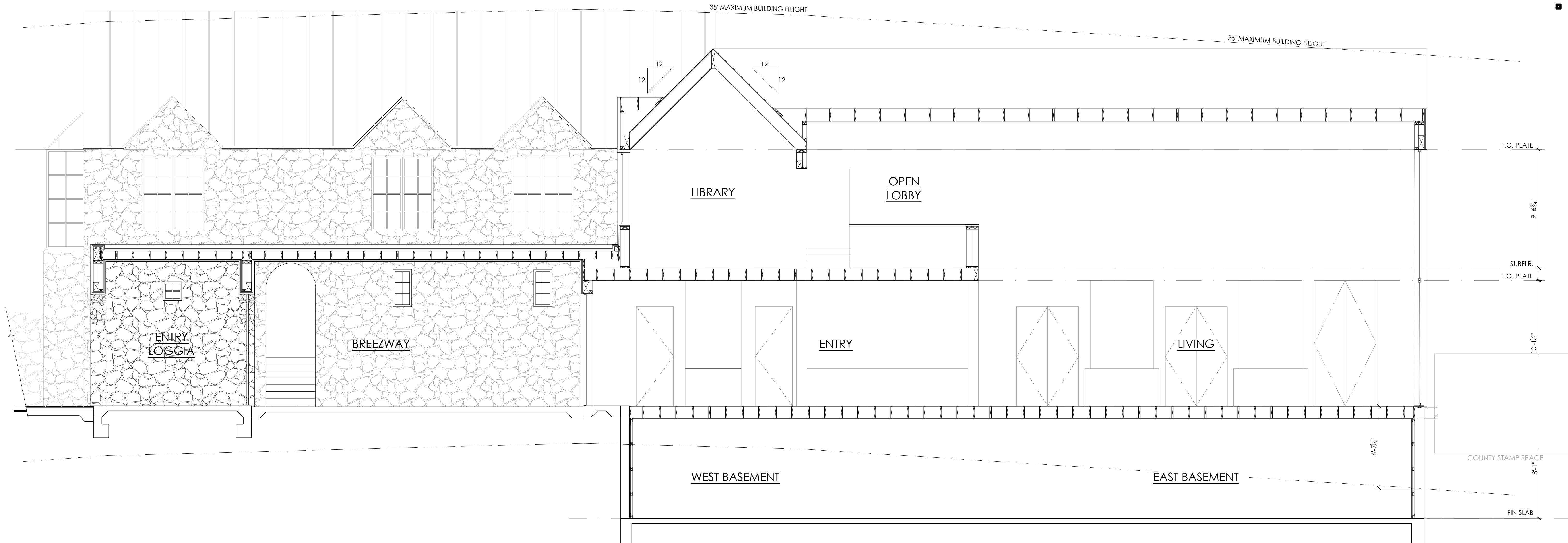


D A T E
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J O B
WATERS
S H E E T

P10.1



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



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

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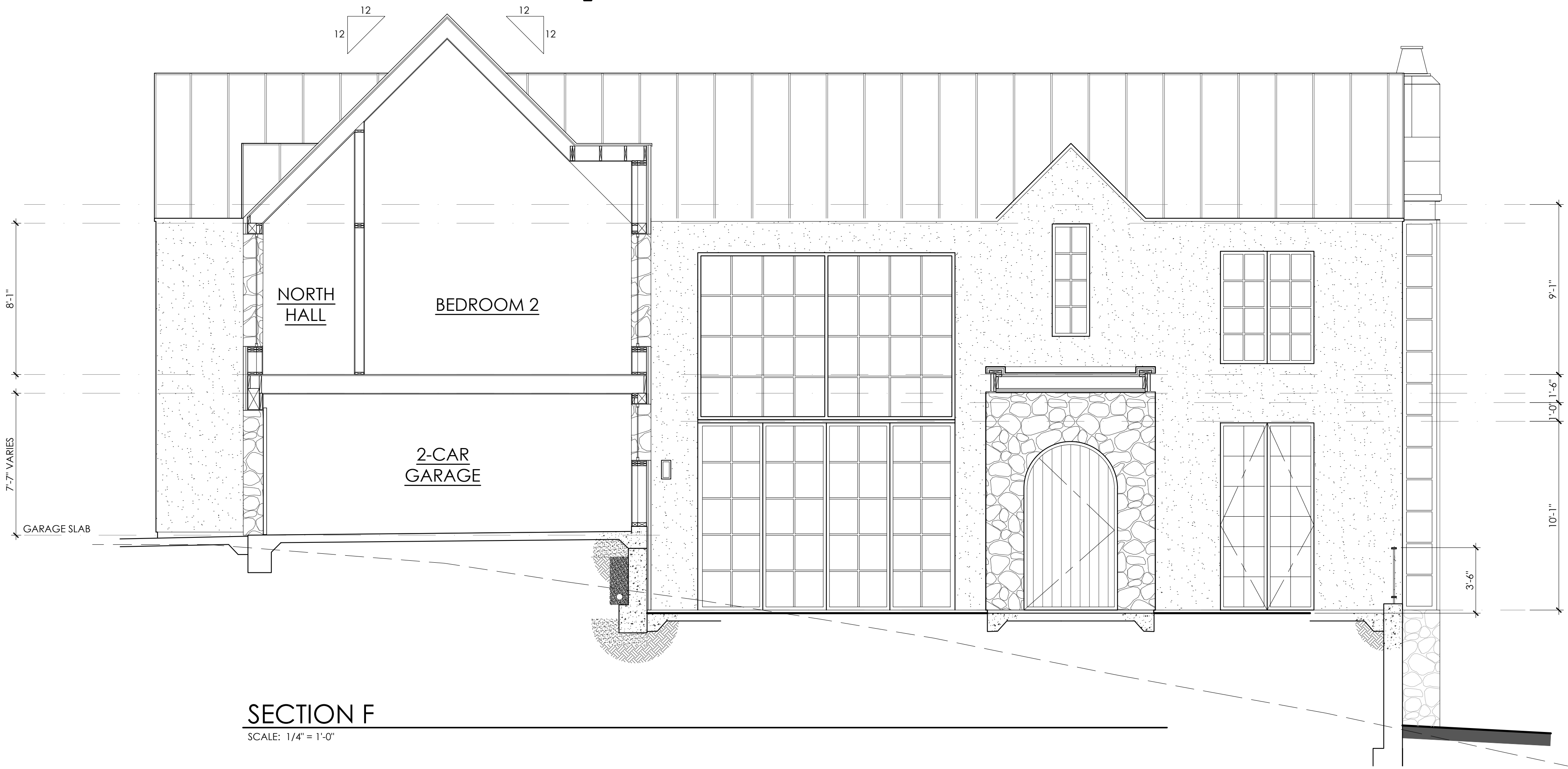
RESIDENCE
BUILDING SECTIONS
SECTION C - SECTION D

SEAL

MATSON BRITTON
ARCHITECT
NO. C-23616
8/31/21
RESIDENT
STATE OF CALIFORNIA

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P10.2



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



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



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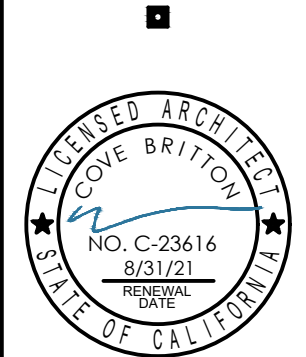
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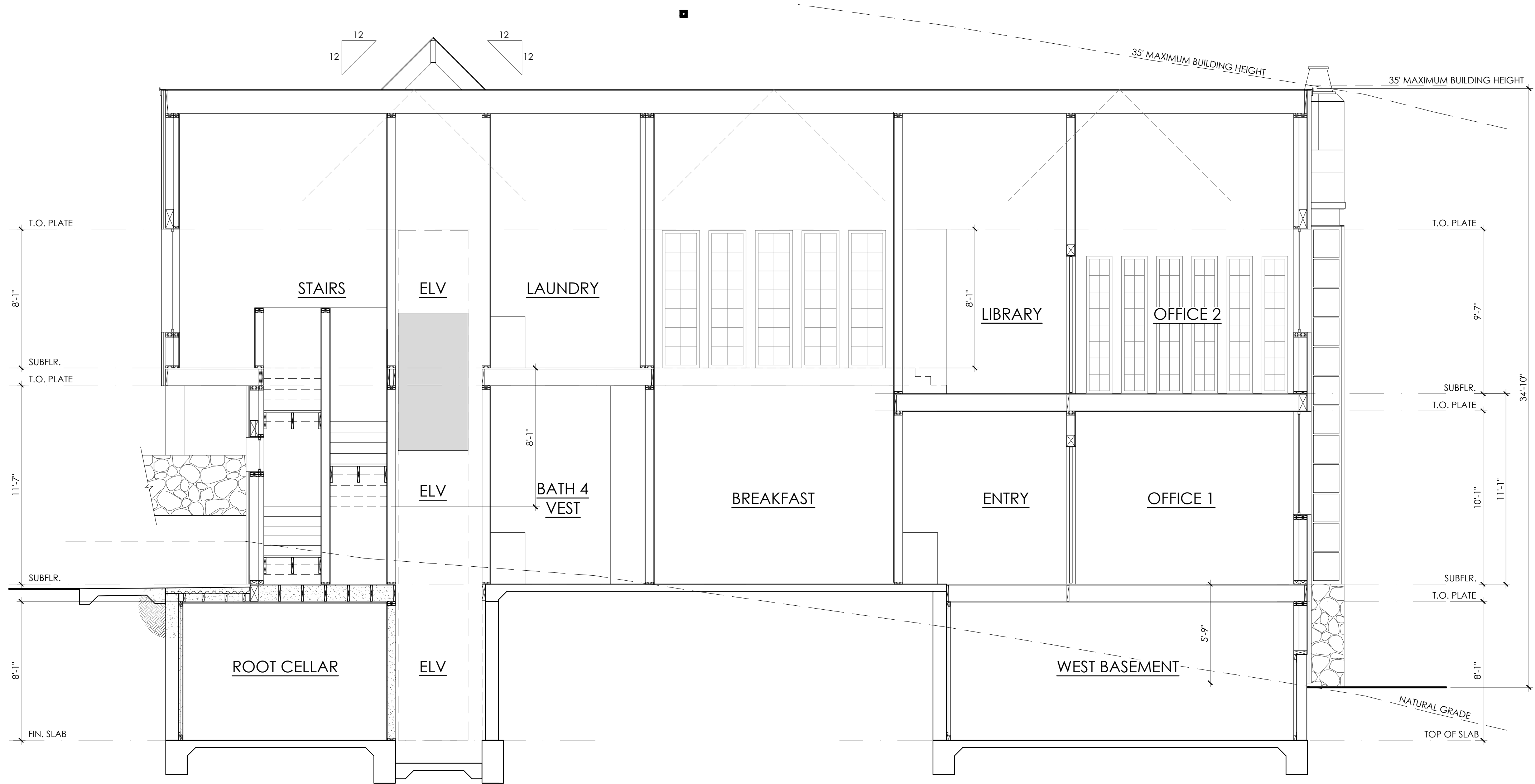
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RESIDENCE
BUILDING SECTIONS
SECTION E - SECTION F

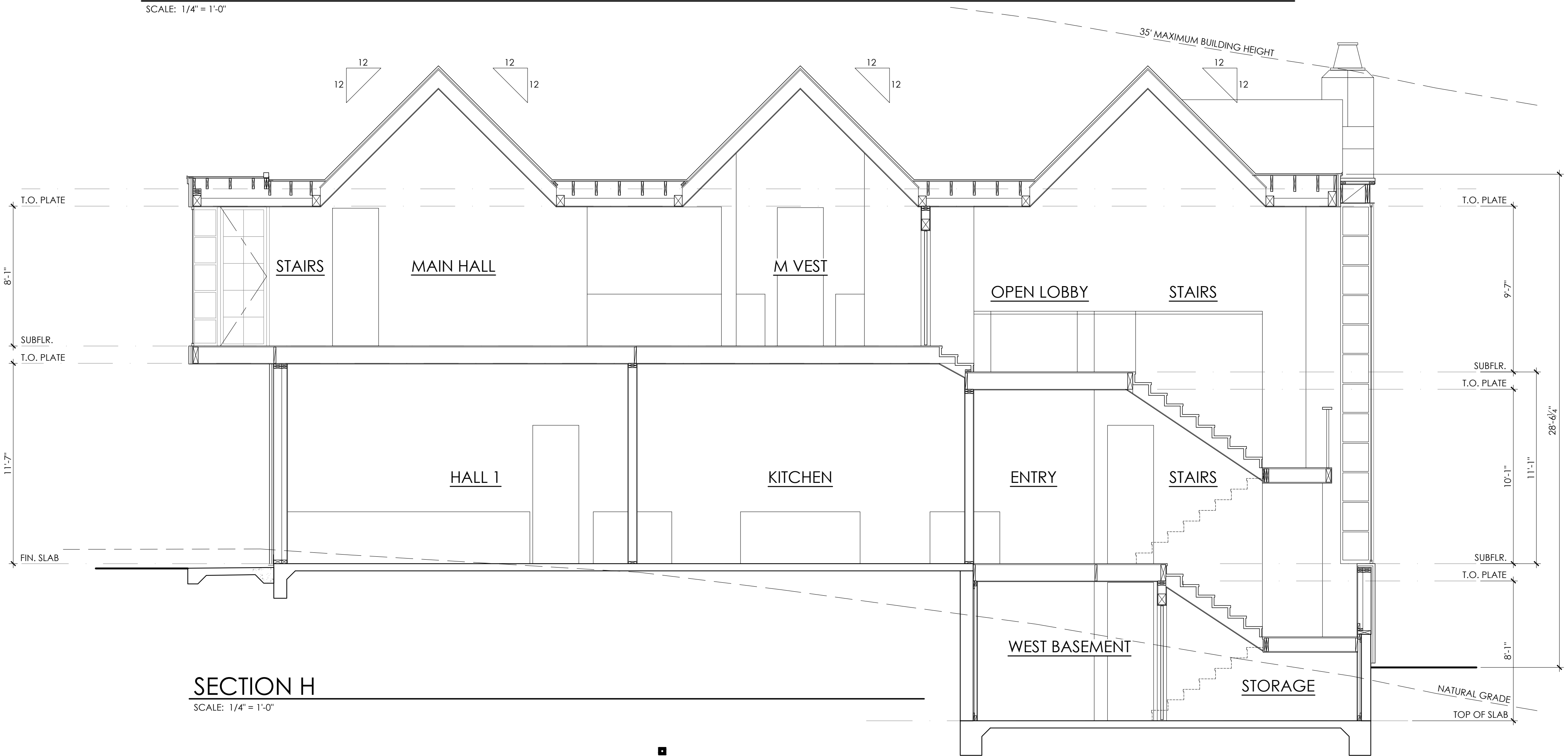


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03 / 27 / 20				
D	R	A	W	N
FK				
J	O			B
WATERS				
S	H	E	E	T

P10.3



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



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



728 N BRANCIFORTE
SANTA CRUZ
CA 95062
831-425-0544

NOTICE

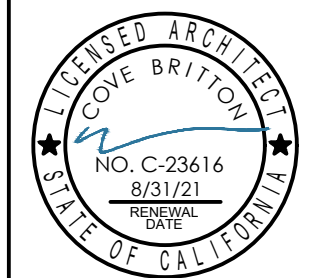
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MATSON BRITTON ARCHITECTS A CALIFORNIA CORPORATION

REVISIONS

NO.	DESCRIPTION

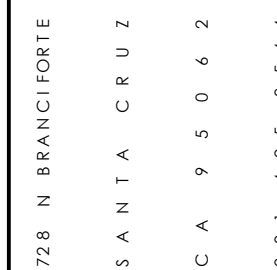
WATERS RESIDENCE
NEW RESIDENCE AND ADU
PEACOCK COURT
CUPERTINO, CA 95051
APN: 351-42-004

RESIDENCE
BUILDING SECTIONS
SECTION G - SECTION H



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P10.4



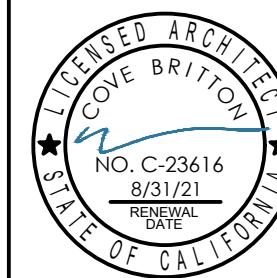
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REVISION

WATERS RESIDENCE
NEW RESIDENCE AND ADU
PEACOCK COURT
CUPERTINO, CA 95051
APN: 351-42-004

RESIDENCE
BUILDING SECTIONS
SECTION J



D	A	I
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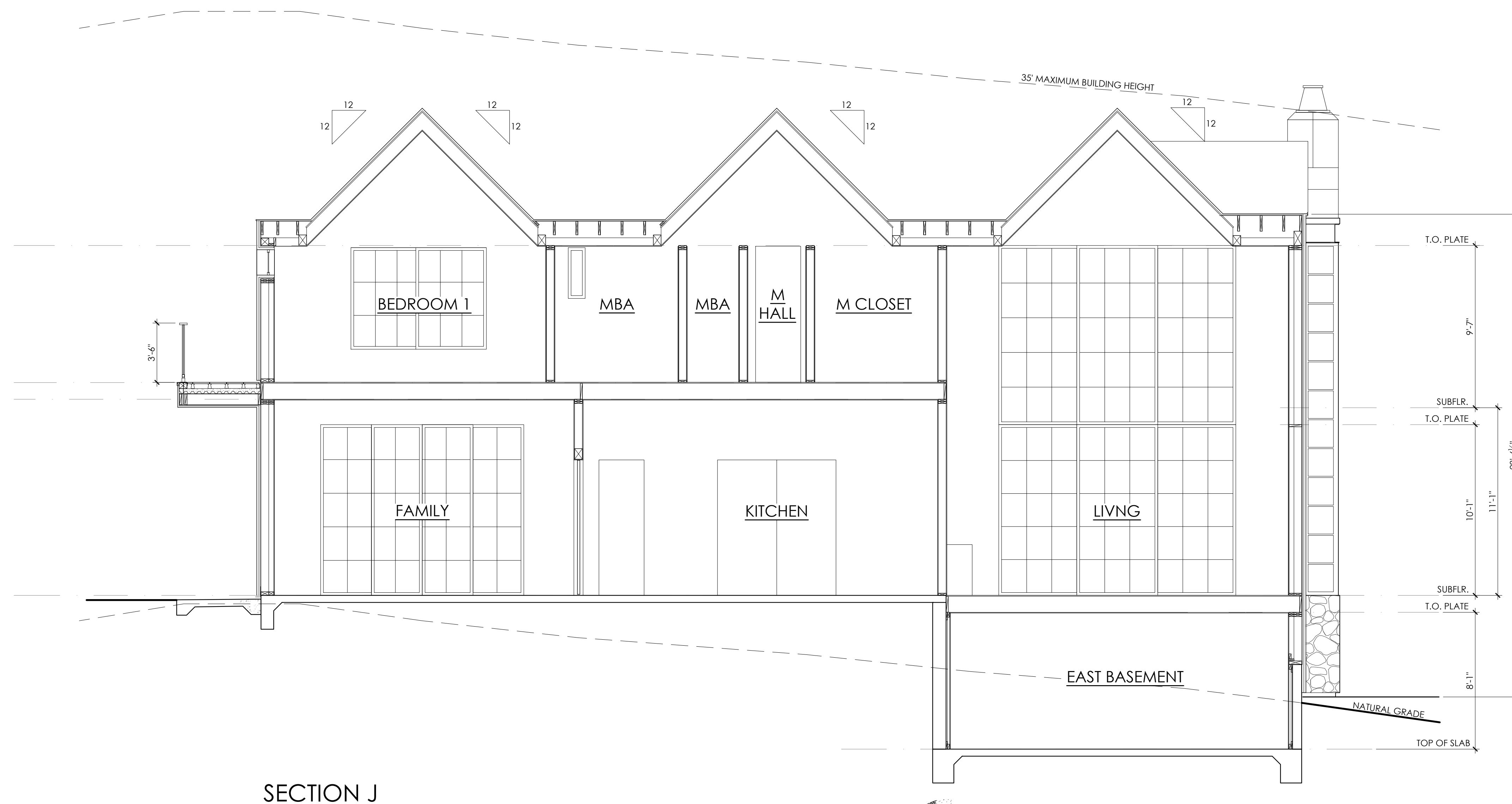
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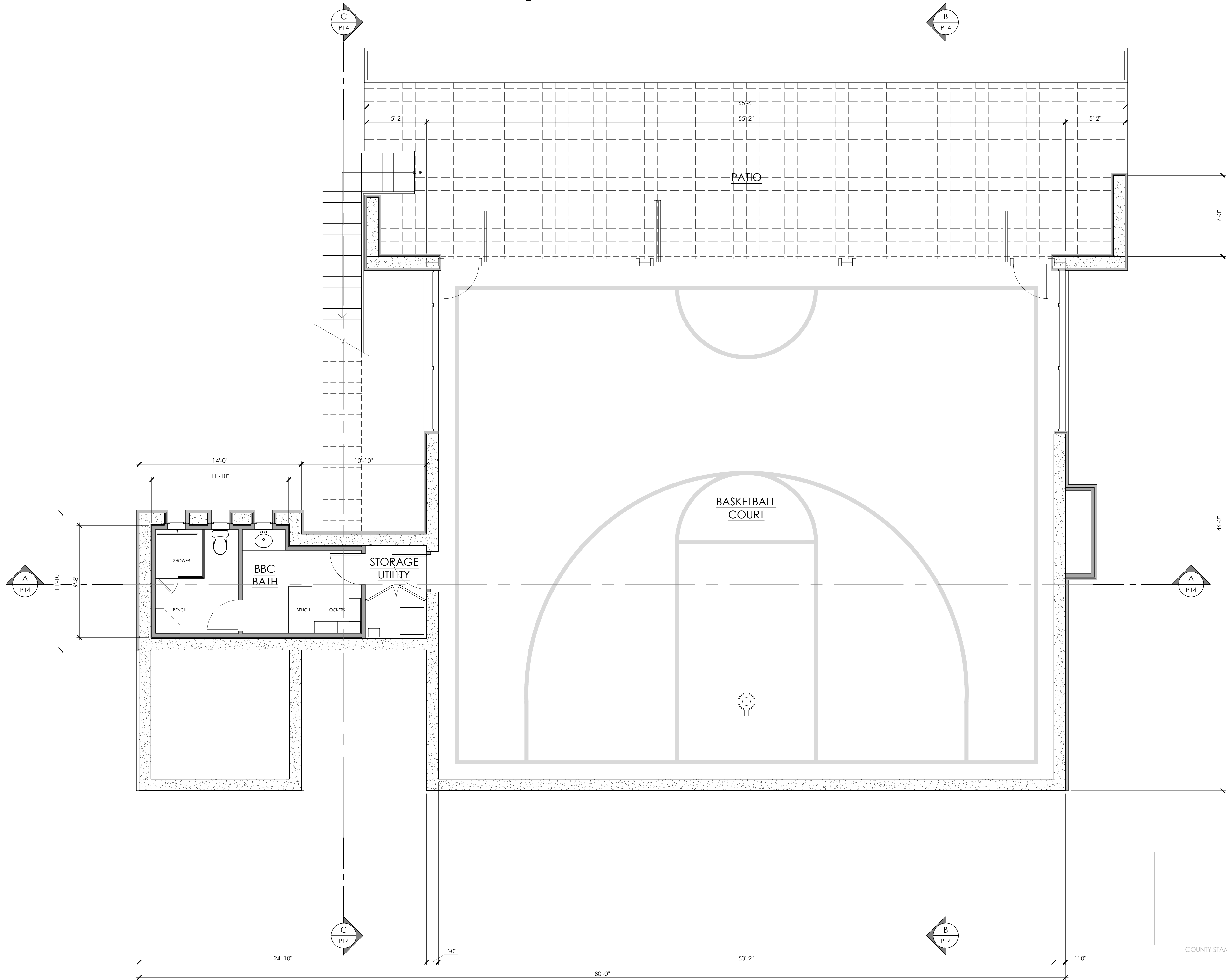
WATERS

P10.5



SECTION J

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



LOWER FLOOR - BASKETBALL COURT - RETAINING WALL PLAN

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



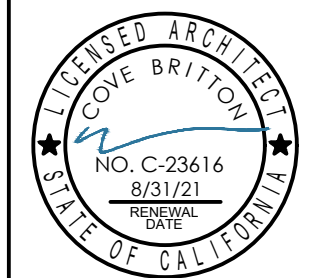
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SANTA CRUZ
CA 95062
831-425-0544

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REVISIONS

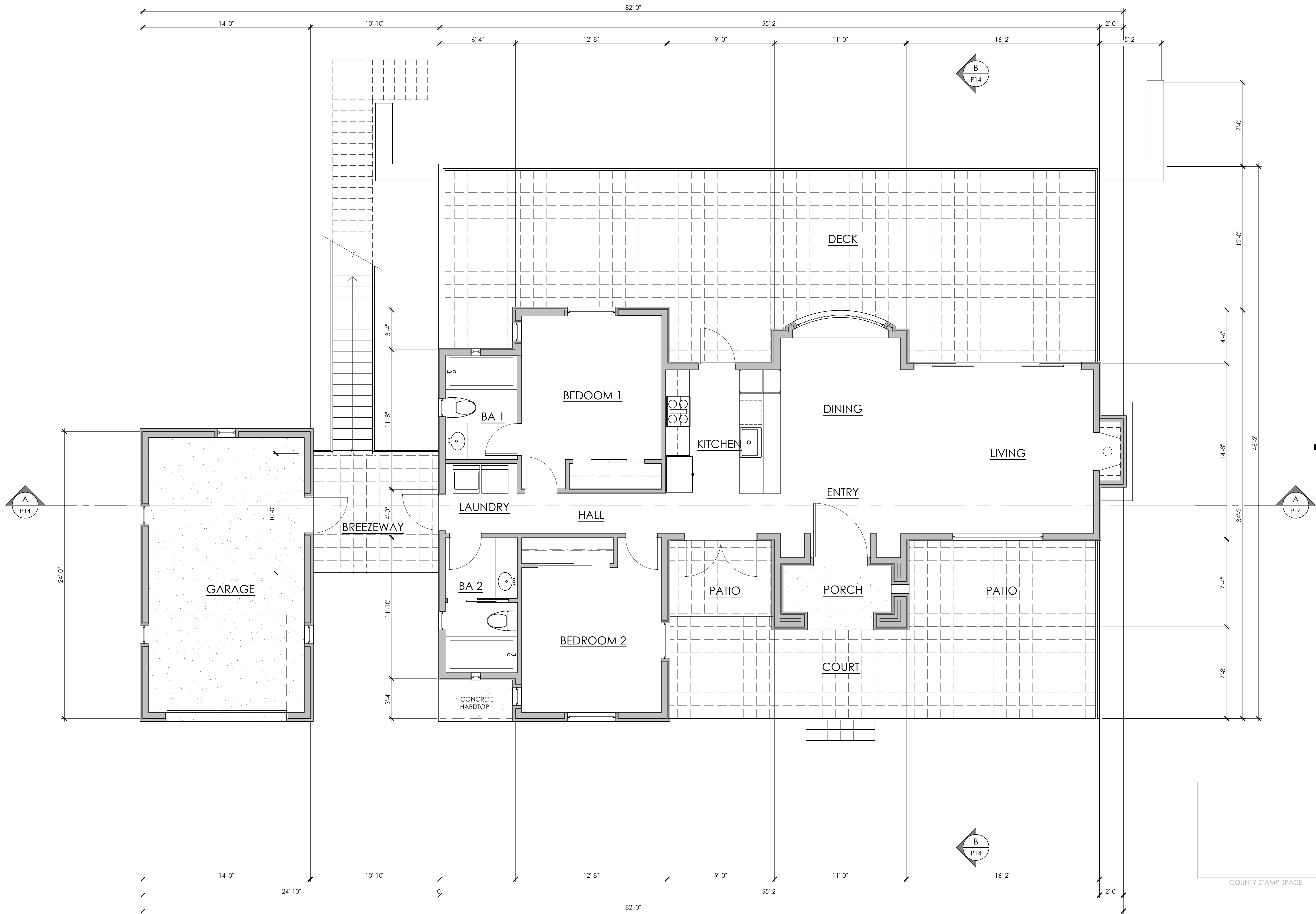
WATERS RESIDENCE
NEW RESIDENCE AND ADU
PEACOCK COURT
CUPERTINO, CA 95051
APN: 351-42-004

ADU-COTTAGE
BASKETBALL COURT
RETAINING WALL PLAN



D	A	T	E	
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WATERS				
S	H	E	E	T

P11



COTTAGE MAIN FLOOR PLAN

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

728 N BRANCI FORTE
SANTA CRUZ
CA 95062
831-425-0544

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REVISIONS

WATERS RESIDENCE
NEW RESIDENCE AND ADU
PEACOCK COURT
CUPERTINO, CA 95051
APN: 351-42-004

EXTERNE ARCHITECT
NICOLE BRITTON
NO. C-23616
8/31/21
RESIDENT
STATE OF CALIFORNIA

D	A	T	E	
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S	H	E	E	T

P12

LIVING
CONDITIONED

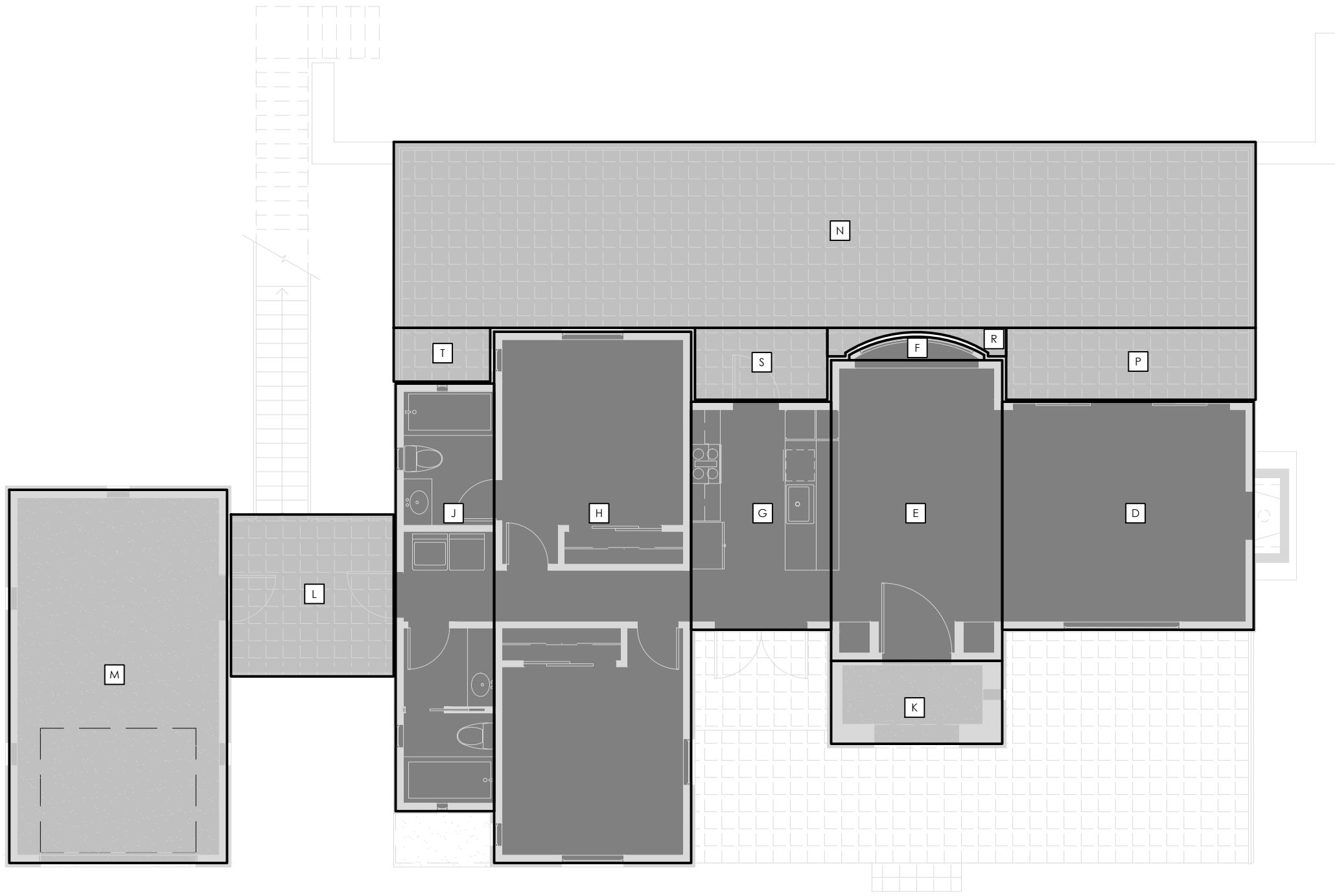
PORCHES & GARAGES
DECKS

BASEMENT &
NON-CONDITIONED

BASEMENT LESS THAN 6'
FROM FLOOR ABOVE

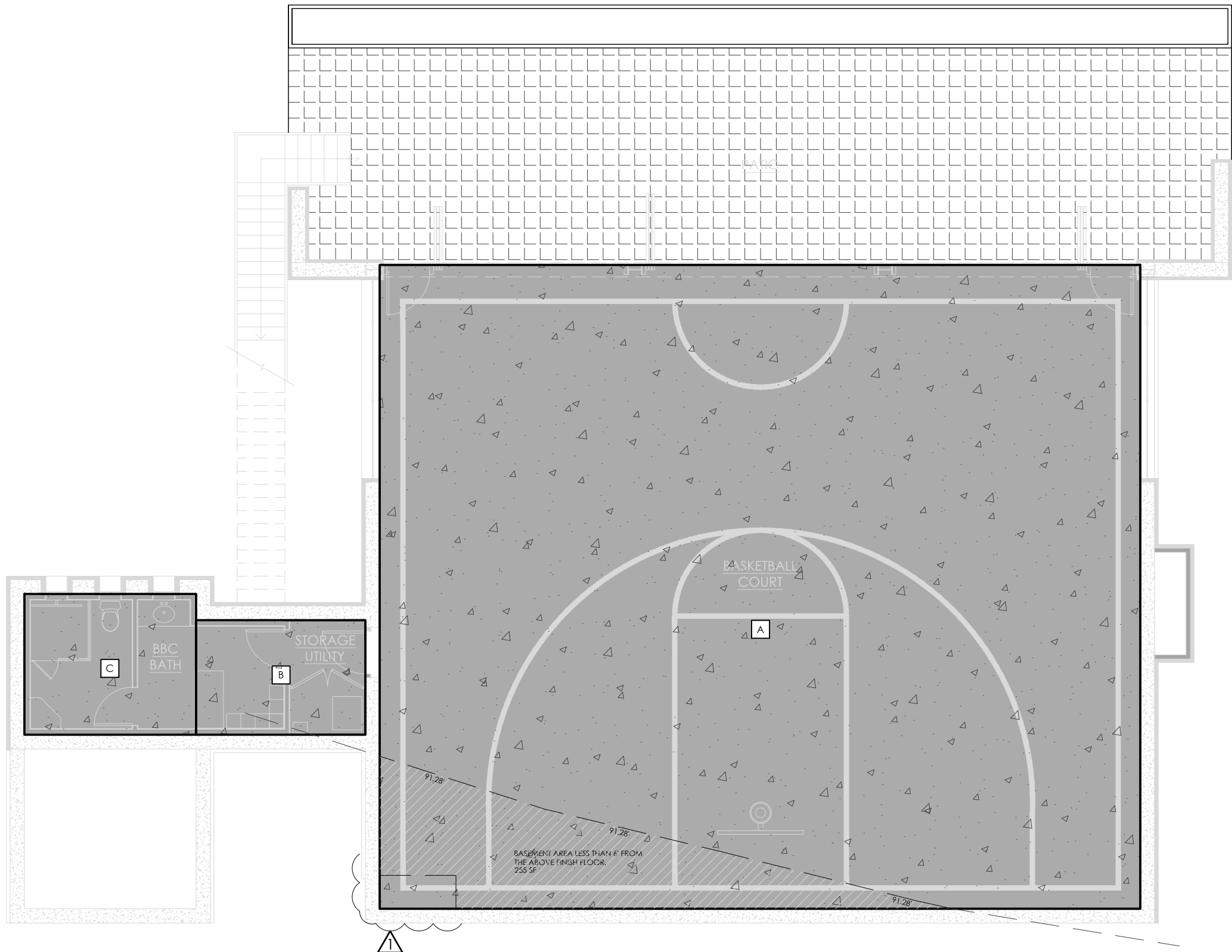
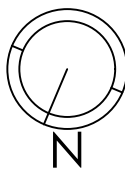
FAR AREA SCHEDULE			
POLYGON AREA DESIGNATION		DIMENSIONS	AREA
NON-COND BASKETBALL	A	53.16 x 45	2,393 SF
BASEMENT AREA LESS THAN 6' FROM THE FINISH FLOOR ABOVE $\frac{188}{2393} = 7.9\%$ (7.9 %) 188 SF			
NON-COND LOCKER	B	11.92 x 8	95 SF
NON-COND BATH ROOM	C	12.0 x 9.83	118 SF
NON-COND		TOTAL SF	2760 SF
CONDITIONED LIVING	D	16.17 x 14.67	237.1 SF
CONDITIONED LIVING	E	11.0 x 19.33	212.6 SF
CONDITIONED LIVING	F	SEMI-CURVED POLYGON (8.67 x 1.13) APPROX	9.8 SF
CONDITIONED LIVING	G	9.0 x 14.67	132.0 SF
CONDITIONED LIVING	H	12.67 x 34.17	432.7 SF
CONDITIONED LIVING	J	6.33 x 27.5	174.2 SF
CONDITIONED LIVING		TOTAL SF	1,198 SF
COVERED PORCH	K	11.0 x 5.33	58.6 SF
COVERED BREEZEWAY	L	10.46 x 10.42	108.9 SF
COVERED HARDSCAPE		TOTAL SF	167.5 SF
DETACHED GARAGE	M	14.0 x 24.0	336.0 SF
GREEN ROOF (MIN AREA)	N	55.42 x 7.36 ALLOTTED AREA	408 SF
UNCOVERED DECK	N	55.42 x 4.58 APPROX AREA	254.3 SF
UNCOVERED DECK	P	16.04 x 4.63	74.2 SF
UNCOVERED DECK	R	IRREGULAR POLYGON (11.5 x 0.94) APPROX	10.8 SF
UNCOVERED DECK	S	8.5 x 4.63	39.3 SF
UNCOVERED DECK	T	6.2 x 3.46	21.4 SF
DECK AND GREEN ROOF		*TOTAL SF 400 SF DECK 408 SF GREEN ROOF	*808 SF

* NOTE: ASSUMED AREAS. EXTENT OF GREEN ROOF AREAS TO COORDINATE THROUGH LANDSCAPE ARCHITECT'S DESIGN - FUTURE.



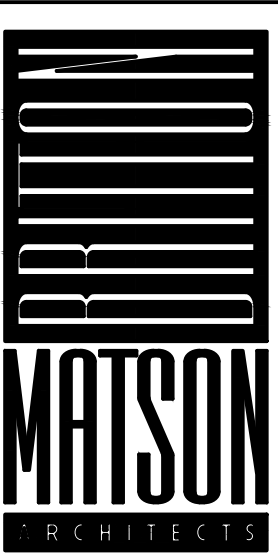
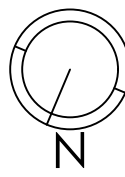
ADU-COTTAGE MAIN FLOOR PLAN

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



BASKETBALL COURT - LOWER FLOOR PLAN

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



728 N BRANCIFORTE
SANTA CRUZ
CA 95062
831-425-0544

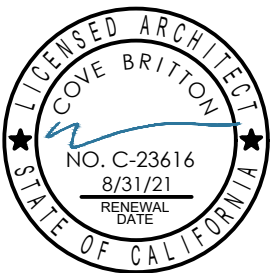
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REVISIONS

WATERS RESIDENCE
NEW RESIDENCE AND ADU
PEACOCK COURT
CUPERTINO, CA 95051
APN: 351-42-004

ADU-COTTAGE
FAR CALCULATIONS



D	A	T	E	
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J	O			B
WATERS				
S	H	E	E	T

P12.1

Attachment C

Tract Map No. 7707

OWNER'S STATEMENT

WE HEREBY STATE THAT WE ARE THE OWNERS OF OR HAVE SOME RIGHT, TITLE, OR INTEREST IN AND TO THE REAL PROPERTY INCLUDED WITHIN THE SUBDIVISION SHOWN UPON THE HEREIN MAP; THAT WE ARE THE ONLY PERSONS WHOSE CONSENT IS NECESSARY TO PASS A CLEAR TITLE TO SAID REAL PROPERTY; THAT WE HEREBY CONSENT TO THE PREPARATION AND RECORDATION OF SAID MAP AND SUBDIVISION AS SHOWN WITHIN THE DISTINCTIVE BORDER LINE.

WE HEREBY DEDICATE TO PUBLIC USE AND OFFER TO DEDICATE TO THE COUNTY OF SANTA CLARA ALL STREETS AND PORTIONS OF STREETS NOT HERETOFORE EXISTING AND DESIGNATED AS PEACOCK COURT AS SHOWN UPON THIS MAP; SAID DEDICATIONS AND OFFERS OF DEDICATION ARE FOR ANY AND ALL PUBLIC USES UNDER, UPON, AND OVER SAID STREETS AND PORTIONS THEREOF.

WE HEREBY RESERVE FOR THE OWNERS OF LOTS 10, 11 & 12, THEIR LICENSEES, VISITORS, AND TENANTS, RIGHTS OF INGRESS AND EGRESS UPON AND OVER THAT CERTAIN PORTION OF LAND DESIGNATED AS INGRESS & EGRESS EASEMENT AND P.S.E.

WE ALSO HEREBY DEDICATE TO PUBLIC USE A STRIP OF LAND DELINEATED AND DESIGNATED AS "EMERGENCY ACCESS EASEMENT" FOR EMERGENCY ACCESS PURPOSES ONLY.

WE ALSO HEREBY DEDICATE TO PUBLIC USE AND OFFER TO DEDICATE TO THE COUNTY OF SANTA CLARA STORM DRAINAGE EASEMENTS IN, UNDER, OVER, UPON AND ACROSS THOSE CERTAIN STRIPS OF LAND DELINEATED AND DESIGNATED AS "S.D.E." (STORM DRAINAGE EASEMENT).

WE ALSO HEREBY DEDICATE TO PUBLIC USE AND OFFER TO DEDICATE TO THE COUNTY OF SANTA CLARA EASEMENTS FOR ANY AND ALL PUBLIC SERVICE FACILITIES INCLUDING BUT NOT LIMITED TO POLES, WIRES AND CONDUITS FOR ELECTRICAL, TELEPHONE, TELEVISION, GAS, STORM, SANITARY AND WATER SERVICES, AND ALL APPURTENANCES THERETO UNDER, UPON OR OVER THE LAND DESIGNATED AS "P.S.E." (PUBLIC SERVICE EASEMENTS).

WE ALSO HEREBY DEDICATE TO PUBLIC USE AND OFFER TO DEDICATE TO THE COUNTY OF SANTA CLARA SLOPE EASEMENTS DESIGNATED AS "SLOPE EASEMENT" FOR THE PURPOSE OF CONSTRUCTING AND MAINTAINING CUT OR FILL SLOPES OR RETAINING WALLS.

ALL OF THE HEREIN DESCRIBED STREETS AND EASEMENTS SHALL BE KEPT FREE OF BUILDINGS, EXCEPT LAWFUL UNSUPPORTED ROOF OVERHANGS, AND OBSTRUCTIONS THAT IMPAIR THE USE OF OR ARE INCONSISTENT WITH THE PURPOSES OF THE STREET OR EASEMENT.

THE HEREIN DESCRIBED OFFERS OF DEDICATION TO THE COUNTY OF SANTA CLARA ARE TO BE ACCEPTED ONLY WHEN THE BOARD OF SUPERVISORS OR ITS SUCCESSOR AGENCY ADOPTS AND RECORDS IN THE OFFICE OF THE RECORDER OF SANTA CLARA COUNTY A RESOLUTION ACCEPTING SAID STREETS OR EASEMENTS. UNTIL SAID RESOLUTIONS ARE RECORDED, ALL STREETS AND EASEMENTS ENCOMPASSED WITH SUCH OFFERS OF DEDICATION SHALL BE MAINTAINED BY THE DEVELOPER DURING ANY REQUIRED WARRANTY PERIOD AND THEREAFTER BY THE OWNERS OR THE LOTS IN THE SUBDIVISION. THE COUNTY OF SANTA CLARA SHALL NOT BE RESPONSIBLE FOR MAINTENANCE AND SHALL INCUR NO LIABILITY WITH RESPECT TO SUCH OFFERED STREETS AND EASEMENTS OR ANY IMPROVEMENTS THEREON. ALL DEDICATED RIGHTS OF WAY AND EASEMENTS NOT ACCEPTED FOR MAINTENANCE BY THE COUNTY OR OTHER PUBLIC AGENCY SHALL BE MAINTAINED BY THE OWNERS OF THE LOTS IN THE SUBDIVISION.

AS OWNERS: SABRINA INVESTMENT COMPANY, A CALIFORNIA LIMITED PARTNERSHIP.

BY: SERENA INVESTMENT CORPORATION, A CALIFORNIA CORPORATION, GENERAL PARTNER.

BY: Eric Sung President
ERIC SUNG, PRESIDENT

AS TRUSTEE: COMMONWEALTH LAND TITLE COMPANY
A CALIFORNIA CORPORATION

BY: William E. Magley
WILLIAM E. MAGLEY
TITLE: ASSISTANT VICE PRES. TITLE: _____

ACKNOWLEDGEMENT

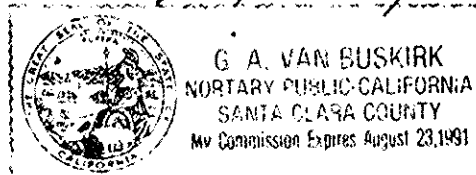
STATE OF CALIFORNIA)
S.S.
COUNTY OF SANTA CLARA)

ON MAY 16, 1988 BEFORE ME, THE UNDERSIGNED A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED ERIC SUNG AND WILLIAM E. MAGLEY KNOWN TO ME (OR PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE) TO BE THE PERSONS THAT EXECUTED THE WITHIN INSTRUMENT OR ON BEHALF OF THE CORPORATION THEREIN NAMED AND ACKNOWLEDGED TO ME THAT THE CORPORATION EXECUTED IT.

WITNESS MY HAND AND OFFICIAL SEAL

SIGNATURE: G. A. Van Buskirk

MY COMMISSION EXPIRES: August 23 / 1991



ACKNOWLEDGEMENT

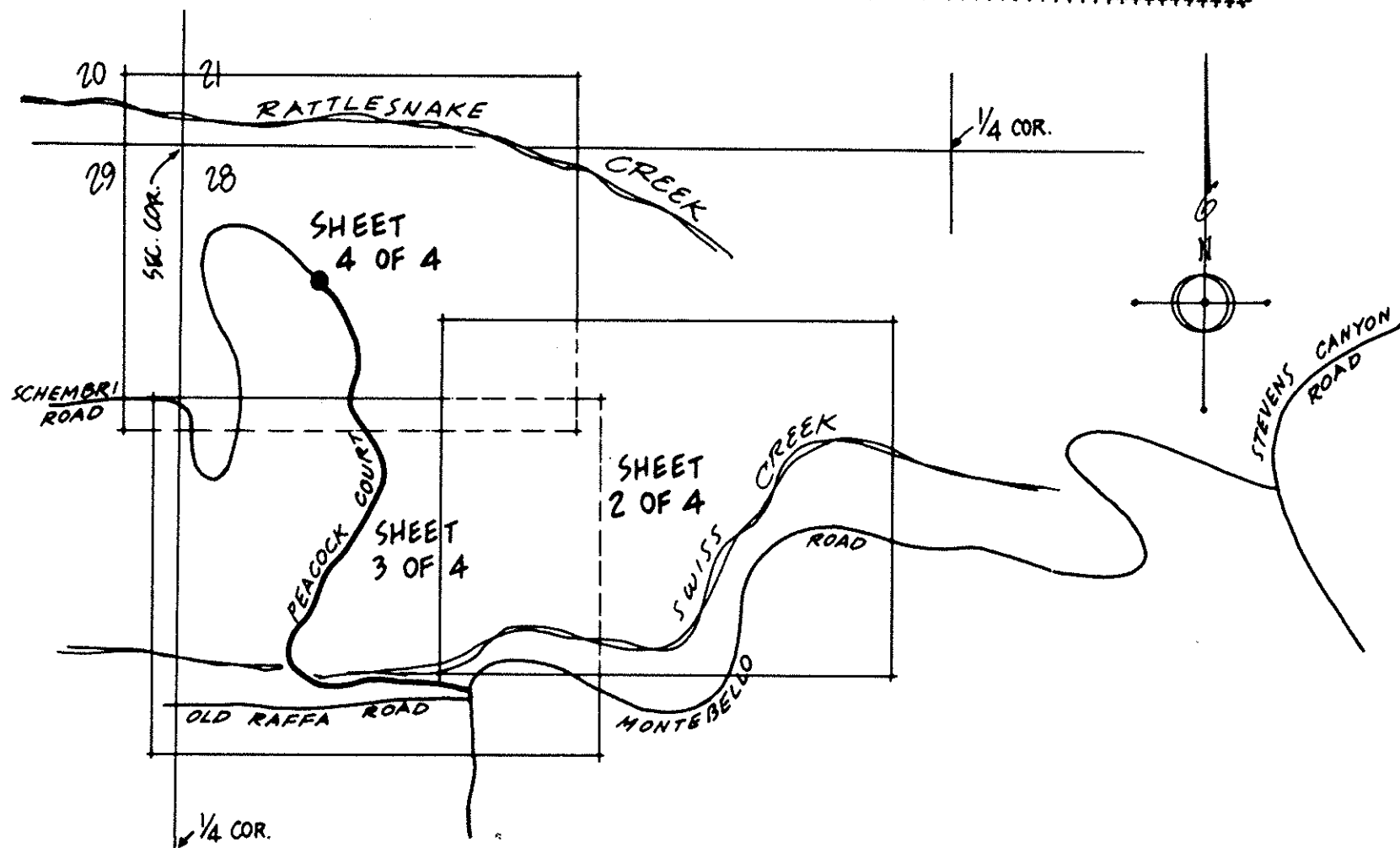
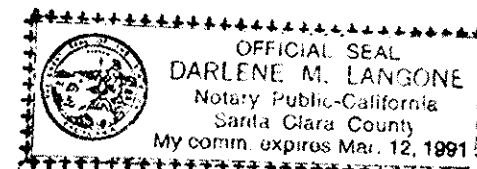
STATE OF CALIFORNIA)
S.S.
COUNTY OF SANTA CLARA)

ON MAY 16, 1988 BEFORE ME, THE UNDERSIGNED A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED WILLIAM E. MAGLEY AND ASSOC. VICE PRES. KNOWN TO ME (OR PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE) TO BE THE PERSONS THAT EXECUTED THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT THE CORPORATION EXECUTED IT.

WITNESS MY HAND AND OFFICIAL SEAL

SIGNATURE: Darlene M. Langone

MY COMMISSION EXPIRES 03/12/91

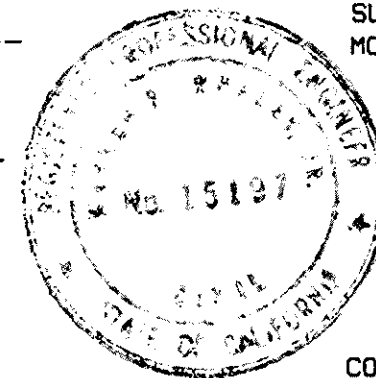


SHEET INDEX MAP
N.T.S.
N.W. 1/4 OF SECTION 28

ENGINEER'S STATEMENT

I HEREBY STATE THAT THIS FINAL MAP AND SURVEY WERE MADE BY ME OR UNDER MY DIRECTION; THAT THE SURVEY MADE DURING APRIL, 1987 IS TRUE AND COMPLETE AS SHOWN; THAT ALL THE MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITION INDICATED, OR WILL BE SET IN SUCH POSITIONS ON OR BEFORE SEPTEMBER 1, 1988, AND THAT SUCH MONUMENTS ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

SIGNED: James F. Sirt
R.C.E. NO. 15197
MY REGISTRATION EXPIRES: 3-31-89



COUNTY SURVEYOR'S STATEMENT

I HEREBY STATE THAT I HAVE EXAMINED THE WITHIN FINAL MAP OF TRACT NO. 7707; THAT THE SUBDIVISION AS SHOWN IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE TENTATIVE MAP AND ANY APPROVED ALTERATIONS THEREOF; THAT ALL PROVISIONS OF THE CALIFORNIA SUBDIVISION MAP ACT AND ANY LOCAL ORDINANCE APPLICABLE AT THE TIME OF THE APPROVAL OF THE TENTATIVE MAP HAVE BEEN COMPLIED WITH AND I AM SATISFIED THAT SAID MAP IS TECHNICALLY CORRECT.

DATE: June 15, 1988 JAMES F. SIRT, COUNTY SURVEYOR

SIGNED: James F. Sirt
MY REGISTRATION EXPIRES: 3-31-92



CLERK OF THE BOARD OF SUPERVISORS STATEMENT

I HEREBY STATE THAT THE FOLLOWING ORDER WAS ADOPTED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA AT A MEETING OF SAID BOARD HELD ON THE 14 DAY OF JUNE 1988. 1988. IT IS ORDERED THAT THE MAP OF TRACT NO. 7707 BE AND THE SAME IS HEREBY APPROVED; THAT ALL STREETS, PORTIONS OF STREETS AND EASEMENTS OFFERED FOR DEDICATION TO THE COUNTY OF SANTA CLARA ARE HEREBY NOT ACCEPTED; THAT ALL DEDICATIONS TO PUBLIC USE ARE HEREBY ACCEPTED ON BEHALF OF THE PUBLIC FOR THE PURPOSES SET FORTH IN THE OWNER'S CERTIFICATE.

DONALD M. RAINS, CLERK
BOARD OF SUPERVISORS
SIGNED: Donald M. Rains

RECORDER'S STATEMENT

FILED THIS 8 DAY OF August, 1988, AT 2:33 PM. IN BOOK 589 OF MAPS AT PAGES 43-46 AT THE REQUEST OF BAY AREA CONSULTANTS, INC.

FILE NO: 9787010 LAURIE KANE, COUNTY RECORDER

FEE: \$12.00 BY: Tag Ched DEPUTY

TRACT NO. 7707

BEING ALL OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 28 AND A PORTION OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 28, TOWNSHIP 7 SOUTH, RANGE 2 WEST, M.D.B.&M. AND LYING ENTIRELY WITHIN THE COUNTY OF SANTA CLARA, CALIF.

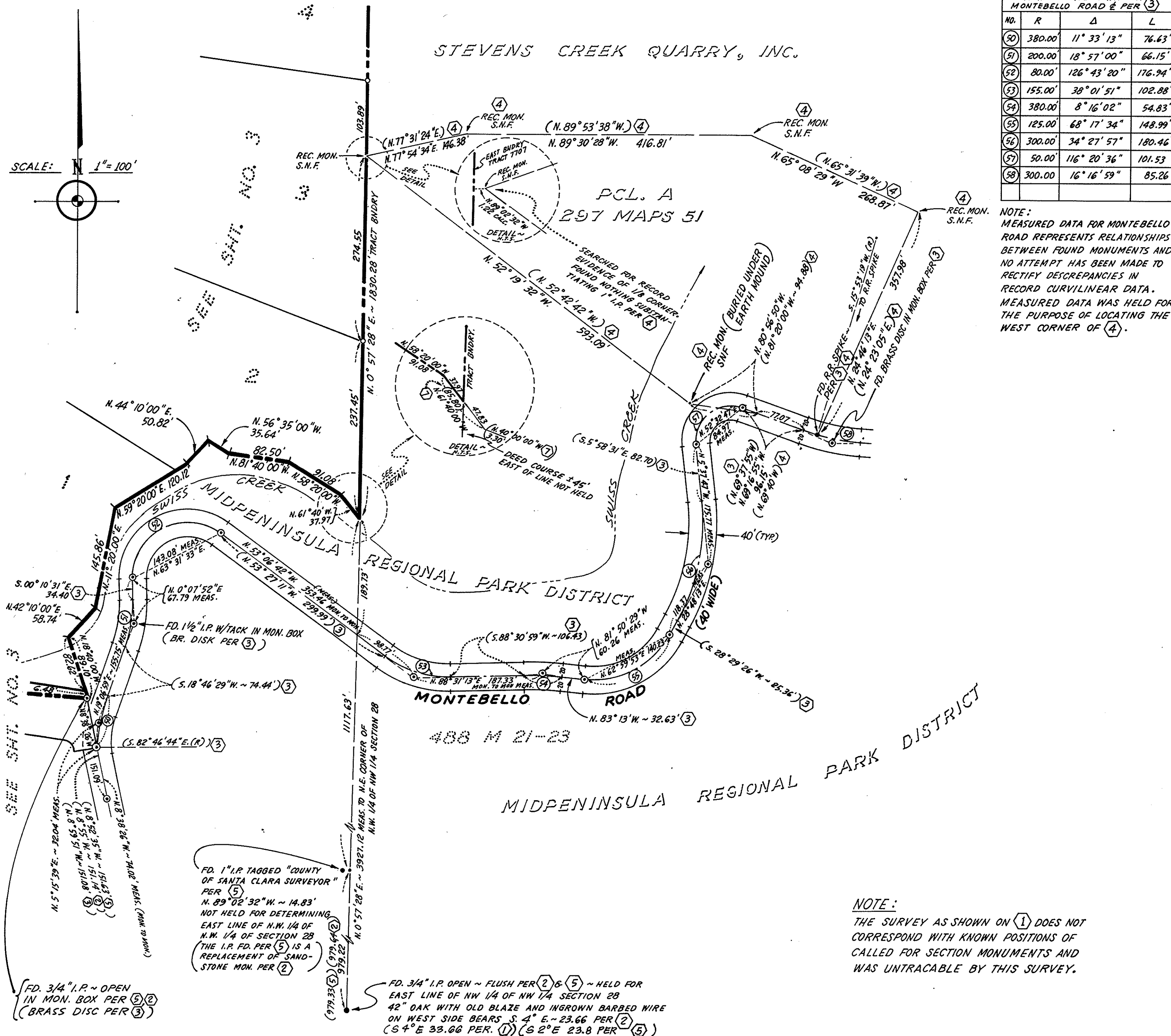
MAY - 1987

BAY AREA CONSULTANTS, INC.

1885 THE ALAMEDA ~ SUITE 100
SAN JOSE, CALIFORNIA
CIVIL ENGINEERS • LAND SURVEYORS • ENVIRONMENTAL PLANNERS

BR 589
Pg. 43
46

43



RECORD CURVE DATA FOR MONTEBELLO ROAD & PER (3)			
NO.	R	Δ	L
(20)	380.00	11° 33' 13"	76.63'
(21)	200.00	18° 57' 00"	66.15'
(22)	80.00	126° 43' 20"	176.94'
(23)	155.00	38° 01' 51"	102.88'
(24)	380.00	8° 16' 02"	54.83'
(25)	125.00	68° 17' 34"	148.99'
(26)	300.00	34° 27' 57"	180.46'
(27)	50.00	116° 20' 36"	101.53'
(28)	300.00	16° 16' 59"	85.26'

BASIS OF BEARINGS

The bearing, NORTH, of the West line of Section 28, T.7S., R.2W., M.D.B. & M. as shown on the map of the property line agreement between Picchetti, et al, and Corless, which is filed in Book B at page 16, Santa Clara County Records, was taken as the Basis of Bearings shown hereon.

LEGEND

- INDICATES DISTINCTIVE BORDER
- NEW LOT LINE
- CENTERLINE
- EMERGENCY ACCESS EASEMENT
- SLOPE EASEMENT (S.E.)
- EVIDENCE FOUND AS NOTED
- FD. BRASS DISC IN MONUMENT BOX PER (3) ~ OR AS NOTED.
- 3/4" IRON PIPE TAGGED R.C.E. 15197 TO BE SET BY 9-1-88
- 3/4" IRON PIPE TAGGED R.C.E. 15197 IN MON. BOX TO BE SET BY 9-1-88
- PROPERTY LINE ANGLE POINT ~ NOTHING SET BECAUSE OF CREEKS, SLIDES OR OTHER NEGATIVE TERRAIN FEATURES.
- CURVE DATA ~ SEE CURVE DATA TABLE
- RECORD DATA ~ SEE REFERENCE LEGEND
- S.N.F. SEARCHED FOR ~ NOT FOUND

THE FOLLOWING EASEMENTS MAY AFFECT THIS PROPERTY

AN EASEMENT FOR THE FREE FLOW OF WATER THROUGH THE CHANNEL OF SWISS CREEK.

THE RIGHT OF THE PUBLIC TO USE OLD RAFFA ROAD (30' WIDE)

TRACT NO. 7707

BEING ALL OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 28 AND A PORTION OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 28, TOWNSHIP 7 SOUTH, RANGE 2 WEST, M.D.B. & M. AND LYING ENTIRELY WITHIN THE COUNTY OF SANTA CLARA, CALIF.

SCALE: 1" = 100' MAY, 1987

BAY AREA CONSULTANTS, INC.

1885 THE ALAMEDA ~ SUITE 100
SAN JOSE, CALIFORNIA
CIVIL ENGINEERS • LAND SURVEYORS • ENVIRONMENTAL PLANNERS

NOTE:

THE SURVEY AS SHOWN ON (1) DOES NOT CORRESPOND WITH KNOWN POSITIONS OF CALLED FOR SECTION MONUMENTS AND WAS UNTRACABLE BY THIS SURVEY.

FILE _____ FILED DATE _____ BOOK _____ OF MAPS AT PAGE _____

SHT. 2 OF 4 SHTS.

SUNG-1

BR 589

589
44

44

44

SEE SHEET NO. 4

BASIS OF BEARINGS

THE BEARING, NORTH, OF THE WEST LINE OF SECTION 28, T.7S., R.2W., M.D.B. & M., AS SHOWN ON THE MAP OF THE PROPERTY LINE AGREEMENT BETWEEN PICCHETTI, ET AL AND CORLESS, WHICH MAP IS FILED IN BOOK B AT PAGE 16, SANTA CLARA COUNTY RECORDS, WAS TAKEN AS THE BASIS OF BEARINGS SHOWN HEREON.

LEGEND

- INDICATES DISTINCTIVE BORDER
- NEW LOT LINE
- CENTERLINE
- EMERGENCY ACCESS EASEMENT
- SLOPE EASEMENT (S.E.)
- EVIDENCE FOUND AS NOTED
- FD. BRASS DISC IN MONUMENT BOX PER ③
- 3/4" I.P. TAGGED R.C.E. 15197 TO BE SET BY 7-1-88
- 3/4" I.P. TAGGED R.C.E. 15197 IN MONUMENT BOX ~ TO BE SET BY 7-1-88.

LEGEND CONTINUED BELOW:

CURVE DATA

NO.	RADIUS	DELTA	LENGTH	NO.	RADIUS	DELTA	LENGTH
15	260.00'	10°48'49"	49.07'	38	200.00'	50°08'33"	175.03'
16	200.00'	23°02'30"	80.43'	39	200.00'	65°48'50"	229.73'
17	200.00'	42°37'00"	148.76'	40	230.00'	65°48'50"	264.20'
18	260.00'	42°37'01"	193.39'	41	260.00'	65°48'50"	298.65'
19	260.00'	31°48'12"	144.32'	42	260.00'	62°44'25"	284.71'
20	230.00'	42°37'00"	171.07'	43	260.00'	03°04'25"	13.95'
21	200.00'	19°34'30"	68.33'	44	205.00'	34°04'06"	121.89'
22	140.00'	52°34'23"	128.46'	45	235.00'	34°04'06"	139.73'
23	200.00'	57°21'27"	200.22'	46	265.00'	34°04'06"	157.57'
24	170.00'	107°30'00"	318.96'	47	120.00'	95°02'45"	199.06'
25	140.00'	107°30'00"	262.67'	48	150.00'	95°02'45"	248.83'
26	200.00'	107°30'00"	375.25'	49	180.00'	95°02'45"	298.60'
27	140.00'	54°55'37"	134.21'	50	220.00'	14°34'43"	55.98'
51	250.00'	14°34'43"	63.61'	51	250.00'	8°44'22"	35.95'
52	250.00'	8°44'22"	27.66'	52	105.00'	1°25'03"	2.60'
53	250.00'	6°20'21"	27.66'	53	390.00'	6°00'00"	40.84'
54	155.00'	13°25'00"	36.30'	54	530.00'	6°40'00"	61.67'
55	415.00'	4°00'00"	28.97'	55	20.00'	72°20'00"	25.25'
56	20.00'	72°20'00"	25.25'				

SEE RECORD CURVE DATA ON SHEET 2

REFERENCE LEGEND

RECORD MAPS

- ① BK. "B" PG. 16
- ② BK. 39 PG. 1
- ③ BK. 488 PGS. 21, 22, & 23
- ④ BK. 297, PG. 51
- ⑤ BK. 461, PGS. 44 & 45
- ⑥ BK. 422, PG. 56

DEEDS

- ⑦ K 109 O.R. 1267
- ⑧ G 043 O.R. 355

UNRECORDED SURVEYS

- ⑨ SANTA CLARA COUNTY SURVEYORS OFFICE ~ JOB IN PROGRESS IN SECTIONS 29, 28, 27, TOWNSHIP 7 S., R. 2 W., M.D.B. & M. ~ SEE COUNTY TRANSIT BOOKS 222, PGS. 47 & 63; BOOK 259, PGS. 9 & 11.

LEGEND (CONTINUED FROM ABOVE)

- INDICATES PROPERTY LINE ANGLE POINT ~ NOTHING SET BECAUSE OF CREEKS, SLIDES OR OTHER TERRAIN FEATURES.
- INDICATES CURVE DATA ~ SEE CURVE DATA TABLE
- INDICATES RECORD DATA ~ SEE REFERENCE LEGEND.
- S.N.F. SEARCHED FOR NOT FOUND

TRACT NO. 7707

BEING ALL OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 28 AND A PORTION OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 28, TOWNSHIP 7 SOUTH, RANGE 2 WEST, M.D.B. & M. AND LYING ENTIRELY WITHIN THE COUNTY OF SANTA CLARA, CALIF.

SCALE: 1" = 100'

MAY, 1987

BAY AREA CONSULTANTS, INC.

1885 THE ALAMEDA ~ SUITE 100
SAN JOSE, CALIFORNIA
CIVIL ENGINEERS • LAND SURVEYORS • ENVIRONMENTAL PLANNERS

SHT. 3 OF 4 SHTS.

SUNG - I

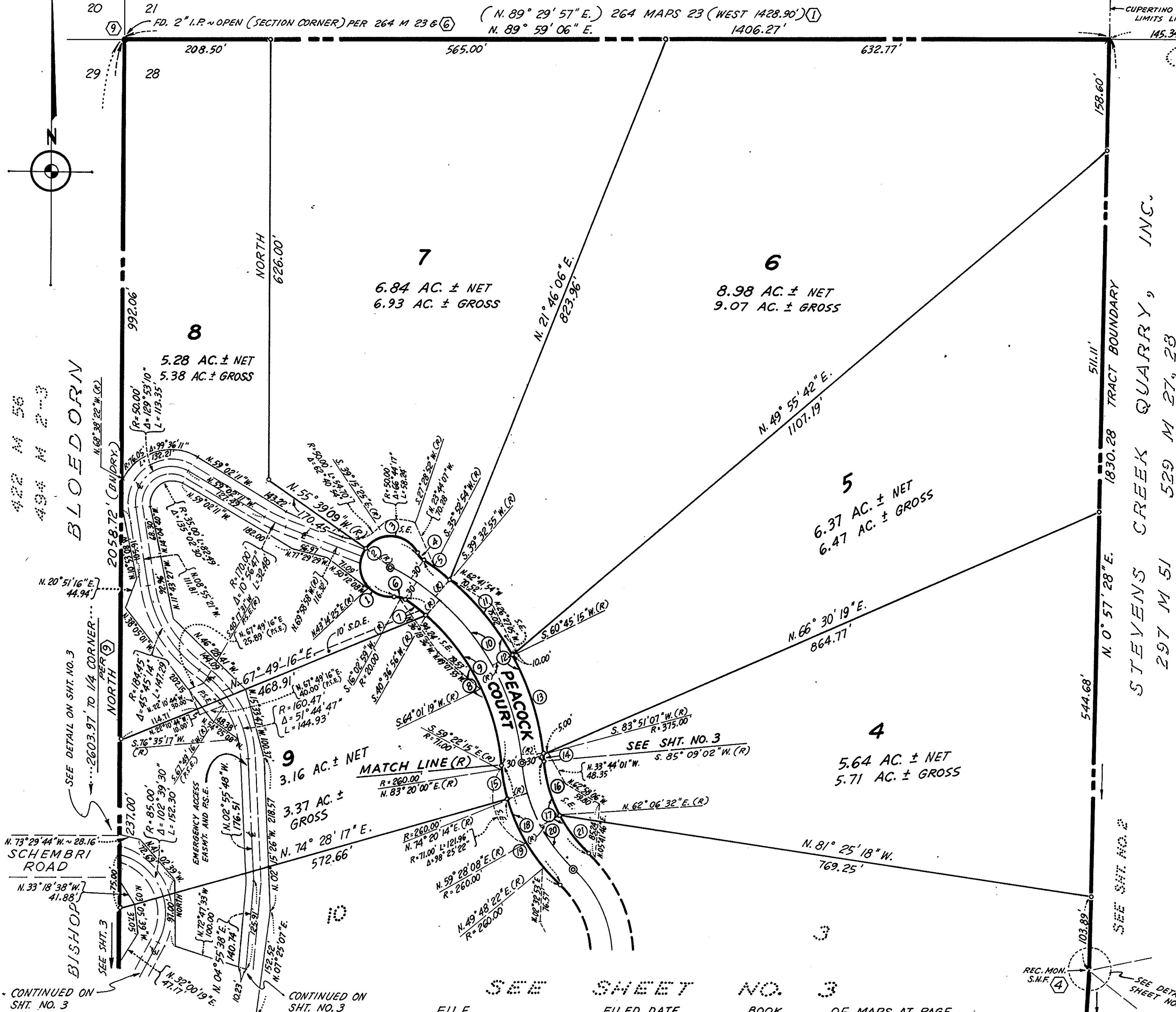
45

STEVENS CREEK QUARRY, INC.

BASIS OF BEARINGS

THE BEARING, NORTH, OF THE WEST LINE OF SECTION 28, T.7S., R.2W., M.D.B. & M., AS SHOWN ON THE MAP OF THE PROPERTY LINE AGREEMENT BETWEEN PICCHETTI, ET AL AND CORLESS, WHICH MAP IS FILED IN BOOK "B" AT PAGE 16, SANTA CLARA COUNTY RECORDS, WAS TAKEN AS THE BASIS OF BEARINGS SHOWN HEREON.

83 M 40
221 M 56
264 M 23



CURVE DATA							
NO.	RADIUS	DELTA	LENGTH	NO.	RADIUS	DELTA	LENGTH
①	42.00'	130° 46' 52"	95.87'	⑫	375.00'	52° 48' 27"	345.62'
②	42.00'	252° 16' 34"	184.93'	⑬	375.00'	23° 05' 52"	151.17'
③	42.00'	121° 29' 42"	89.06'	⑭	375.00'	01° 17' 55"	8.50'
④	20.00'	33° 29' 58"	11.69'	⑮	260.00'	10° 48' 49"	49.07'
⑤	375.00'	07° 12' 20"	47.16'	⑯	200.00'	23° 02' 30"	80.43'
⑥	20.00'	39° 40' 20"	13.85'	⑰	200.00'	42° 37' 00"	148.76'
⑦	315.00'	07° 22' 37"	40.56'	⑱	260.00'	42° 37' 01"	193.39'
⑧	315.00'	44° 32' 07"	244.85'	⑲	260.00'	31° 48' 12"	144.32'
⑨	315.00'	51° 54' 44"	285.40'	⑳	230.00'	42° 37' 00"	171.07'
⑩	345.00'	58° 30' 00"	352.25'	㉑	200.00'	19° 34' 30"	68.33'
⑪	375.00'	21° 12' 20"	138.79'	㉒	SEE SHEET NO. 3		

FOR CONTINUATION OF CURVE DATA

LEGEND

- INDICATES DISTINCTIVE BORDER
- NEW LOT LINE
- CENTERLINE
- EMERGENCY ACCESS EASEMENT
- SLOPE EASEMENT (S.E.)
- EVIDENCE FOUND AS NOTED
- FD BRASS DISC IN MONUMENT BOX PER ③
- 3/4" I.P. TAGGED R.C.E. 15197 TO BE SET BY 9-1-88
- 3/4" I.P. TAGGED R.C.E. 15197 IN MONUMENT BOX TO BE SET BY 9-1-88
- PROPERTY LINE ANGLE POINT ~ NOTHING SET BECAUSE OF CREEKS, SLIDES OR OTHER NEGATIVE TERRAIN FEATURES.
- CURVE DATA ~ SEE CURVE DATA TABLE
- RECORD DATA ~ SEE REFERENCE LEGEND.
- S.N.F. SEARCHED FOR NOT FOUND

TRACT NO. 7707

BEING ALL OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 28 AND A PORTION OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 28, TOWNSHIP 7 SOUTH, RANGE 2 WEST, M.D.B. & M. AND LYING ENTIRELY WITHIN THE COUNTY OF SANTA CLARA, CALIF.

SCALE: 1" = 100' MAY, 1987

BAY AREA CONSULTANTS, INC.

1885 THE ALAMEDA ~ SUITE 100
SAN JOSE, CALIFORNIA
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SHT. 4 OF 4 SHTS.

589
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Attachment D

Incomplete Letter Issued on March 23, 2021

County of Santa Clara

Department of Planning and Development
Planning Office

County Government Center, East Wing, 7th Floor
70 West Hedding Street
San Jose, California 95110-1705
(408) 299-5770 FAX (408) 288-9198
www.sccplanning.org



March 23, 2021

Malissa Waters and Jefferey Waters
1063 Cherry Avenue,
San Jose, CA 95125

FILE NUMBER: PLN20-124
SUBJECT: Design Review (Tier II) and Grading Approval
SITE LOCATION: Peacock Court (APN: 351-42-004)
DATE RECEIVED: February 16, 2021

Dear Malissa Waters and Jefferey Waters

Your resubmittal for application for Design Review (Tier II) and Grading Approval was received on the above date and is incomplete. In order for application processing to resume, you must resolve the following issues and submit the information listed below.

Resubmittals are made by appointment over video chat with the Planning Division counter and must include all requested information along with a completed application form (which is used to track the resubmittal). Once the information is submitted, the Planning Division will distribute the plans, reports and/or information to the appropriate staff or agency for review.

If you have any questions about the information being requested, you should first call the person whose name is listed as the contact person for that item. He or she represents a particular specialty or division and can provide details about the requested information.

An appointment is required for all future resubmittals. Please contact me at (408) 299-5737 or via email at glen.jia@pln.sccgov.org to schedule a virtual meeting.

Submit revised electronic plans and a written response addressing the following items. All items must be addressed and included in the submittal.

PLANNING OFFICE

Contact Glen Jia at (408) 299-5737 or glen.jia@pln.sccgov.org regarding the following comments:

Lot Legality

1. Please provide a recorded parcel map/tract map, or deed of record as of June 25, 1969. In lieu of a pre-1969 deed, a tract map may be used to prove lot legality. This information is required to confirm that the existing lot (including existing boundaries) was legally created.

Site & Elevation Plan

2. Please eliminate the internal accesses from the ADU to the Green Roof and the Basketball court. Pursuant to Santa Clara County Zoning Ordinance section 4.10.015(G)(2), there shall be no interior access connecting the dwelling unit portion of the structure to the non-dwelling portion of the structure. Alternatively, the green roof and the basketball court may be detached from the ADU by maintaining 6-foot building separations. However, if the indoor basketball court detached from the ADU, it shall maintain a minimum of 75-foot setback measured from Peacock Court right-of-way.
3. Please clarify the use of the proposed chapel on the site plan. This information is used to determine whether a Use Permit is required.
4. Per building height definition on Sheet15-16 of the County Zoning Ordinance, the building height is the average of the maximum heights on two sections cutting through the highest roof ridge. The Building Height Calculation handout is attached to the email for your reference. Please provide building height calculations with additional sections for the ADU and the single-family residence at the locations recommended by staff in the follow-up meeting.
5. Please indicate the area that is less than 6 feet from the grade to the finish floor level within the basements underneath the chapel and the single-family residence.

Special Permit

6. Please reduce the number of plumbing fixtures to two (2) or under or apply for a Special Permit. There is a total of four (4) plumbing fixtures proposed in the accessory structure (basketball court). Pursuant to Santa Clara County Zoning Ordinance section 3.50.090(B)(2), a residential accessory structure with more than two internal plumbing fixtures requires a Special Permit.

Design Review

7. As the subject property is located within -d1 combining zoning district, a new residence shall follow specific limitations on wall dimensions per the Santa Clara County Zoning Ordinance section 3.20.040(C). Please redesign the building form and massing to comply with the following standards:
 - a. Maximum horizontal length of a continuous wall plane shall be 80 feet.
 - b. Maximum height of a wall plane, including foundation and other continuous components, shall be 24 feet, with the following exceptions: (a) Any architectural component where façade dimension does not exceed 18 horizontal feet, or (b) multiple such components (18 horizontal feet maximum) where combined horizontal dimension does not exceed 25% of the total horizontal dimension of the façade. This limitation may be varied through the design review process for wall planes not facing the valley floor or otherwise having demonstrably low visibility.
 - c. Portions of a wall plane must be offset by at least five (5) horizontal feet to be deemed discontinuous for the purposes of this provision.

8. Please double count the areas within the single-family residence and the ADU, where the vertical distance between any floor and the ceiling above exceeds 15 feet per definition of Floor Area in the Zoning Ordinance Section 1.30. This information is to determine the level/tier of Design Review.
9. Please provide the light reflective value (LRV) of all the materials on the Color Board (see the attached recommended format). The submitted Color Board does not indicate all the materials' LRVs.

LAND DEVELOPMENT ENGINEERING

Contact Ed Duazo at (408) 299-5733 or ed.duazo@pln.sccgov.org regarding the following comments:

10. Shoulder has been added along the driveway approach; however, shoulder appears to have been removed along the outboard edge of the driveway. Provide the driveway shoulder in conformance with County Standard Detail SD5 (12-feet of pavement with a 3-foot shoulder). The shoulder may be eliminated provided the minimum drivable pavement width meets County Fire Marshal's Office requirements and the edge of pavement is structurally supported (e.g., deepened curb, retaining wall, etc.) so that the full pavement width is capable of supporting emergency vehicle loading (75,000-lbs.).
11. The plans show limits of grading within 5-feet of property line northeast of the driveway approach. Per the County Grading Ordinance (Section C12-558), the limits of grading should be set back 5-feet from property line. Revise the plans so that the proposed grading meets grading setback requirements.
12. Based on the contours provided, the driveway approach appears to be steeper than what is shown in the driveway profile. In addition, per County Standard Detail SD4, the driveway approach is not to exceed 5% 20-feet from the existing edge of pavement or to the right-of-way, whichever is greater. Revise the approach accordingly. The SD4 Detail is available in the Santa Clara County Standards and Policies Manual – Volume I (Land Development). The standards can be found in the back of the manual; the manual is available for download at:
https://www.sccgov.org/sites/dpd/DocsForms/Documents/StandardsPoliciesManual_Vol1.pdf.
13. The center line of the 20-foot storm drain easement is shown; however, the limits of the easement are shown only along the south side of the parcel. Show the limits of the easement through the entire parcel.

FIRE MARSHALL OFFICE

Contact Alex Goff at (408) 299-5763 or alex.goff@sccfd.org regarding the following comments:

14. Site Plan to show a fire hydrant within 600 ft of sprinkled structures and 400 ft of non-sprinkled. The fire hydrant measurement is to be measured by fire apparatus path of

travel to all exterior parts of the structures. This would be from the hydrant, down Peacock Ct., up the driveway and around the structures.

a) Portions of the main home are over 600 ft path of travel to the hydrant.

b) All structures that are more than 400 ft path of travel to a hydrant but less than 600 ft and greater than 500 sf will require fire sprinklers.

DEPARTMENT OF ENVIRONMENTAL HEALTH

Contact Darrin Lee at (408) 918-3435 or Darrin.lee@cep.sccgov.org regarding the following comments:

15. Submit an onsite wastewater treatment system (OWTS) design plan to the Departments of Environmental Health and to Planning and Development for review.

16. For OWTS dispersal fields proposed on slopes greater than 20 percent, a geotechnical report shall be required. The technical report shall address the following: a) the OWTS will not degrade water quality, b) create an nuisance, c) affect soil stability of d) present a threat to public health or safety.

Note: Portions of dispersal field appear to be located within areas where slopes may exceed 20 percent.

17. The proposed drainage feature located by the swimming pool does not appear to meet the required setback to the proposed OWTS. Drainage features (such as dissipators) shall be located/ installed 10 feet down slope of the dispersal field and 20 feet to the side.

18. The proposed catch basin located above the dispersal field does not appear to meet DEH horizontal setbacks.

19. Clarify the source of potable water serving the proposed dwellings.

COUNTY GEOLOGIST

Contact Jim Baker at (408) 299-5774 or jim.baker@cep.sccgov.org regarding the following comments:

20. Murray Engineers' Limited Geologic & Geotechnical Investigation, Site Development Feasibility report (dated 7-11-2017) recommends a Building Setback from Ravine into which the project plans show a Deck Above Indoor Basketball Court extending. Submit a geotechnical engineer's Plan Review Letter that resolves this apparent contradiction.

ADDITIONAL INFORMATION / ISSUES OF CONCERN

1. As the single-family residence is currently designed, staff may not be able to support the project. Pursuant to Santa Clara County General Plan R-GD24, R-GD32, Grading Ordinance, and the Hillside Development Guidelines, buildings proposed to be located in areas with steeper slopes should incorporate a linear design with and be oriented parallel to the hillside and grading & associated improvements shall conform with the natural terrain and existing topography of the site as much as possible. Staff suggests that a linear design and conformance with the natural terrain shall be incorporated in order to comply with the County regulations.

2. As the single-family residence is currently designed, staff may not be able to support the project. Pursuant to Santa Clara County Design Review Guidelines, the second and the third stories should be set back from the first-floor facade to step with the land and reduce apparent bulk. This concern may be addressed if the second and the third stories can be set back from the first-floor façade.
3. Staff is concerned with the excessive grading for the rear yard, the retaining walls, the chapel, the secondary driveway accessing the 2-car garage, and the swimming pool on the property. Pursuant to Santa Clara County Grading Ordinance, 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 retaining wall may be eliminated if the fill quantity and the swimming pool elevation can be reduced.
4. As the roof is currently designed, staff may not be able to support the project. The current building design does not incorporate varied roof heights. Pursuant to Santa Clara County Design Review Guidelines, bulk of the building should be broken up by incorporating varied roof heights rather than having just one or two massive roof planes. This concern may be addressed by incorporating varied roof heights/planes into the revised roof design. Please schedule a meeting with the project planner to discuss this concern.
5. As grading details of the proposed development are incomplete and/or not provided on the plans, the next revised set of plans may result in additional incomplete comments that are not identified within this letter. Additional incomplete comments regarding grading may be added prior to deeming this application complete for processing.

Please make sure the requested changes are made for the revised plan sets and documents that are needed for the resubmittal. **Resubmittals are only accepted by appointment with the assigned project planner.** If the requested information is not submitted within **180 days**, you will be required to pay a fee of 10% of the application fee at the time the information is submitted. All requested information must be submitted no later than **one (1) year** from the date of this letter. PARTIAL RESUBMITTALS WILL NOT BE PROCESSED. Fees required at the time of resubmittal will be those in effect at that time.

Please note that the following types of applications have been charged a minimum fee and will be charged additional fees to continue processing when the initial payment is exhausted which includes Design Administrative Exemption.

If you have questions regarding the application, please call (408) 299-5737 or email glen.jia@pln.sccgov.org.

Warm regards,

Glen Jia

PLN20-124
Peacock Court
March 23, 2021

Glen Jia
Assistant Planner

cc:
Leza Mikhail, Principal Planner

Attachment E

Appeal Statement and Staff Report for Planning Commission Hearing

March 30, 2021



County of Santa Clara
Planning Commission
County Government Center
70 West Hedding Street
San Jose, California 95110-1705

FILE NUMER: PLN20-124
SITE LOCATION: Peacock Court (APN: 351-42-004)

Dear Commissioners:

As the Applicant for PLN20-124 I hereby appeal the determination of incomplete dated March 23, 2021 per Government Code 65943 (b).

As County staff acknowledges the 30-day requirement for response was not received consistent with Government Code. It is my understanding that it is County staff contention that someone other than the applicant may grant an extension under Government Code. Respectfully, Government Code section 65943(d) specifically states the "applicant" is the entity that may grant an extension, there are no caveats.

Government Code 65943 (d)

*"Nothing in this section precludes an **applicant** and a public agency from mutually agreeing to an extension of any time limit provided by this section."*

Please find attached a copy of the Santa Clara County Planning Development Application for this project indicating that I (Cove Britton) or Frank Kruzic are the "Applicant or Appellant".

Thank you for your consideration.

Cove Britton
Architect
Matson Britton Architects



728 NORTH
BRANCIORTE
SANTA CRUZ
CA 95062
877-877-3797

County of Santa Clara
Department of Planning and Development



105897

DATE: May 27, 2021
TO: Planning Commission
FROM: Glen Jia, Assistant Planner
SUBJECT: Peacock Court Incompleteness Appeal

RECOMMENDED ACTION

Public hearing to consider an appeal of the March 23, 2021 incompleteness determination by the Department of Planning and Development relating to a concurrent land use application, consisting of a Design Review and Grading Approval, to establish a single-family residence, an accessory dwelling unit, and associated improvements. Appellant Representative: Cove Britton. Owner/Applicant: Melissa and Jeffrey Waters. Property Address/Location: Peacock Court, Cupertino (Assessor's Parcel No. 351-42-004). Zoning: HS-d1. Supervisorial District: Five. File No.: PLN20-124.

Possible action:

- a. Grant appeal and determine the concurrent land use application, consisting of a Design Review and Grading Approval, is complete in accordance with County Zoning Ordinance Code Section 5.20.080 and Government Code Section 65943.

OR

- b. Deny appeal and uphold the Department of Planning and Development's determination that the concurrent land use application, consisting of a Design Review and Grading Approval, is incomplete.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission deny the appeal and uphold the Department's incompleteness determination.

EXECUTIVE SUMMARY

This appeal is in regard to an extension of time granted by the Property Owner to the County to issue a completeness determination within 30 days of application submittal, pursuant to the Permit Streamlining Act. Pursuant to Government Code section 65943(d), an extension of time to respond to completeness is allowed if mutually agreed to by the applicant and the public agency.

PROJECT DESCRIPTION

On September 30, 2020, the Architects (“Applicants”), Cove Britton and Frank Kruzic, of Matson Britton Architects, submitted a concurrent land use application (Application), consisting of applications for Design Review and Grading Approval, that was reviewed by the Department and deemed incomplete on October 30, 2020. A complete project review timeline is provided in the Background section of this report.

On February 16, 2021, the Applicants resubmitted the Application in response to the October 30, 2020 incomplete letter, which identified information that is necessary to process said Application.

On March 16, 2021, Staff contacted Melissa Waters, the Property Owner, to request a 7-day extension to the County’s required 30-day completeness determination period, due to the fact that the original incomplete comments were not addressed. Mrs. Waters, who signed the submitted Master Application form, agreed to grant a 7-day extension as indicated within an email confirmation (refer to Attachment F).

On March 23, 2021, the Department determined that the February 16, 2021 resubmittal was incomplete and sent an Incomplete Letter to the Applicant and Property Owner (refer to Attachment B)

On April 2, 2021, pursuant to County Zoning Ordinance Section 5.20.080(C), the Applicant submitted an appeal of the incompleteness determination set forth in the Department’s March 23, 2021 letter. The submitted grounds for the appeal are described in more detail below and in the Applicant’s Appeal Letter (refer to Attachment A).

Proposed Project

The subject Application consists of a proposal to include the following: a single family residence, detached Accessory Dwelling Unit, an indoor basketball court, a chapel, and associated grading. The subject property is an 18.8-acre vacant lot in rural unincorporated

Cupertino. The property General Plan Land Use designation and Zoning designation is Hillsides.

REASONS FOR RECOMMENDATION

The Planning Commission's review of the Appeal is to determine whether the Application resubmitted on February 16, 2021 is "complete" for processing. The Planning Commission may not evaluate the merits of the Application and its consistency with the applicable findings and policies in the General Plan and Zoning Ordinance, as environmental review, staff analysis, and public noticing have not yet been completed. The issue before the Planning Commission is whether the Property Owner is authorized to issue an extension in accordance with Government Code section 65943(d).

Environmental Review (CEQA)

The Planning Commission's action on the Appeal is a procedural step related to the processing of an application for land use approval and not considered a final action on the project for purposes of the California Environmental Quality Act, Public Resources Code Section 21000 et seq. (CEQA). Once the Application is deemed complete for processing, the proposed project will be reviewed in accordance with CEQA.

County and State Regulatory Framework

County Application Review Process

The County reviews land use applications in accordance with Zoning Ordinance Section 5.20 *Common Procedures*, and as stipulated in the Permit Streamlining Act (Government Code Section 65920 et seq.). All applications submitted to the Department are initially reviewed to determine their completeness. A checklist of required items, such as a site plan, elevation plan, lot legality evidence, and grading quantities, is available at the Department's website online, specific to the different application types. Once an application is submitted, the Department evaluates whether the information provided is in accordance with the requirements published in these application checklists. The County's checklists for Design Review and Grading Approval applications are included as Attachment D.

Under provisions in State law (commonly referred to as the Permit Streamlining Act), the review of application completeness shall occur within the first 30-day of an application submittal and includes review by County, regional, and state agencies that have permitting authority over the project ("reviewing agencies"). Within the County, this includes: (1)

Planning, (2) Land Development and Engineering, (3) Department of Environmental Health, (4) Fire Marshal's Office, and (5) Roads and Airports Department. If the submitted materials is not in accordance with the published application checklists, the County determines the application to be "incomplete," and the information requested from the reviewing agencies are compiled and sent in a letter to the applicant.

Pursuant to Government Code section 65943(d), an applicant and a public agency may mutually agree to an extension to the 30-day time limit to determine application completeness. Once an application is deemed "complete" for processing, the County conducts environmental review in conformance with CEQA and schedules a public hearing to allow a final action to be taken by an approving authority on the project.

Appeal Summary

The Appellant, in their appeal statement (refer to Attachment A), focuses on whether or not the Property Owner is authorized to grant a time extension to the 30-day completeness determination period under the Permit Streamlining Act (Government Code section 65943(d)).

Response to Appeal

The appeal grounds submitted by the Appellant are summarized below, followed by Staff's response.

1. The Property Owner is not authorized to agree to a time extension to the 30-day completeness determination period.

The Appellant states that the 7-day extension to the 30-day review period granted by Melissa Waters, the Property Owner, is invalid under Government Code section 65943(d), and only the Architects ("Applicants"), Cove Britton or Frank Kruzic, may grant any time extension.

Staff Response: Melissa Waters, the Property Owner signed the County's Master Application form when it was submitted to the County, including the 'Acknowledgements and Agreements' section (refer to Attachment F) and paid the application fees (refer to Attachment G). For these reasons, Department staff contacted Mrs. Waters to request a time extension. On March 16, 2021, Mrs. Waters,

the Property Owner, granted a 7-day extension of time to the County to issue its incompleteness/completeness determination (refer to Attachment F).

Although the Property Owner is not listed as the “Applicant” on the Master Application form submitted on September 30, 2020, pursuant to Zoning Ordinance section 5.20.030 “*application[s] shall be signed by the owner of the property that is the subject of the application...*”. The Master application form submitted to the County has an ‘Acknowledgements and Agreements’ section that designates the Property Owner as the party responsible for the application and requires the owners’ signature. Furthermore, the Property Owner has not submitted any documentation or authorization to the County designating Cove Britton or Frank Kruzic to act on her behalf, in lieu of the owner’s authorization. However, they are identified as the “Applicants” on the County Master Application form.

March 23, 2021 Incomplete Letter

As described in the March 23, 2021 Incomplete Letter, the County has identified several items that were not addressed in the resubmittal materials that are necessary for the application to be deemed complete (refer to Attachment B). For one example, pursuant to County Zoning Ordinance, the calculation for “floor area” determines the hearing authority. If the residential floor area exceeds 12,500 square feet, the Planning Commission is the approval authority. If the residence is less than 12,500 square feet, the Zoning Administrator is the approval authority. If the Planning Commission upholds the appeal and determines the application is complete, staff is unable to determine the appropriate approving authority. Additionally, there are many other incomplete issues that need to be addressed.

Therefore, the Department recommends that the Planning Commission deny the Appeal, and uphold the Department’s determination that the application is incomplete. Pursuant to Section 5.20.080(B) of the County Zoning Code, the Applicant will have six months from March 23, 2021 to submit the requested materials. If the requested materials have not been submitted within six months, an additional fee is required to continue processing the application, and if the materials are not submitted within one year the application will be deemed abandoned.

BACKGROUND

Project Timeline

The application was submitted in 2020. The following lists the key milestone dates associated with the project review under the Permit Streamlining Act and Planning and Zoning laws.

- September 30, 2020 – Concurrent Land Use application submitted for a Design Review and Grading Approval Application, submitted by Applicant
- October 30, 2020 – County Incomplete Letter (Attachment E) sent
- February 16, 2021 – Re-submittal of Application by Applicant
- March 16, 2021 – a 7-day extension to 30-day review period granted by Property Owner
- March 23, 2021 – Second County Incomplete Letter sent
- April 2, 2021 – Appeal filed

STAFF REPORT REVIEW

Project Planner: Glen Jia, Assistant Planner, 408-299-5737, glen.jia@pln.sccgov.org

Reviewed by: Leza Mikhail, Principal Planner & Zoning Administrator, 408-299-5773, leza.mikhail@pln.sccgov.org

ATTACHMENTS:

- Attachment A Appeal Statement (PDF)
- Attachment B Incomplete letter dated March 23, 2021 (PDF)
- Attachment C Plan Set Submitted on February 16, 2021 (PDF)
- Attachment D Design Review Permit Checklist and Webpage (PDF)
- Attachment D2 Sample Site Plan (PDF)
- Attachment D1 Grading Approval Checklist and Webpage (PDF)
- Attachment E First Incomplete Letter dated October 30, 2020 (PDF)
- Attachment F Email Confirmation of the 7-day Extension of Time (PDF)
- Attachment G Application Fee Receipt (PDF)
- Attachment H Master Application and Acknowledgements and Agreements (PDF)

Attachment F

May 27, 2021 Planning Commission Incomplete Determination
Appeal Decision

County of Santa Clara

Department of Planning and Development
County Government Center, East Wing, 7th Floor
70 West Hedding Street
San Jose, CA 95110
Phone: (408) 299-5700
www.sccplandev.org



June 10, 2021

VIA EMAIL ONLY

Cove Britton
Matson Britton Architects
728 North Branciforte Avenue
Santa Cruz, CA 95062
Email: cove@matsonbritton.com

Re:	Owners:	Melissa and Jeffrey Waters
	Applicant:	Cove Britton
	Project Location:	Peacock Court, Cupertino, CA 95014 (APN 351-42-004)
	Project Planner:	Glen Jia, glen.jia@pln.sccgov.org , (408) 299-5770
	Project File No.:	PLN20-124

Public hearing to consider an appeal of the March 23, 2021 incompleteness determination by the Department of Planning and Development relating to a concurrent land use application, consisting of a Design Review and Grading Approval, to establish a single-family residence, an accessory dwelling unit, and associated improvements. Appellant Representative: Cove Britton. Owner/Applicant: Melissa and Jeffrey Waters. Property Address/Location: Peacock Court, Cupertino (Assessor's Parcel No. 351-42-004). Zoning: HS-d1. Supervisorial District: Five. File No.: PLN20-124.

Dear Mr. Britton:

At the regular meeting of the County of Santa Clara Planning Commission on May 27, 2021, 2021, the Commission voted 4-2-1, with Chairperson Escobar and Commissioner Schmidt voting no and Commissioner Chavez-Lopez absent, to grant the appeal and determine the concurrent land use application, consisting of Design Review and Grading Approval, is **complete** in accordance with County Zoning Ordinance Code Section 5.20.080 and Government Code Section 65943.

Please note that project planner Glen Jia is no longer with the County. Please contact Associate Planner Xue Ling, xue.ling@pln.sccgov.org, who has been assigned to this project, with any questions.

Sincerely,

DocuSigned by:

Manira Sandhir

6BD23CC8C7554B3...

Manira Sandhir

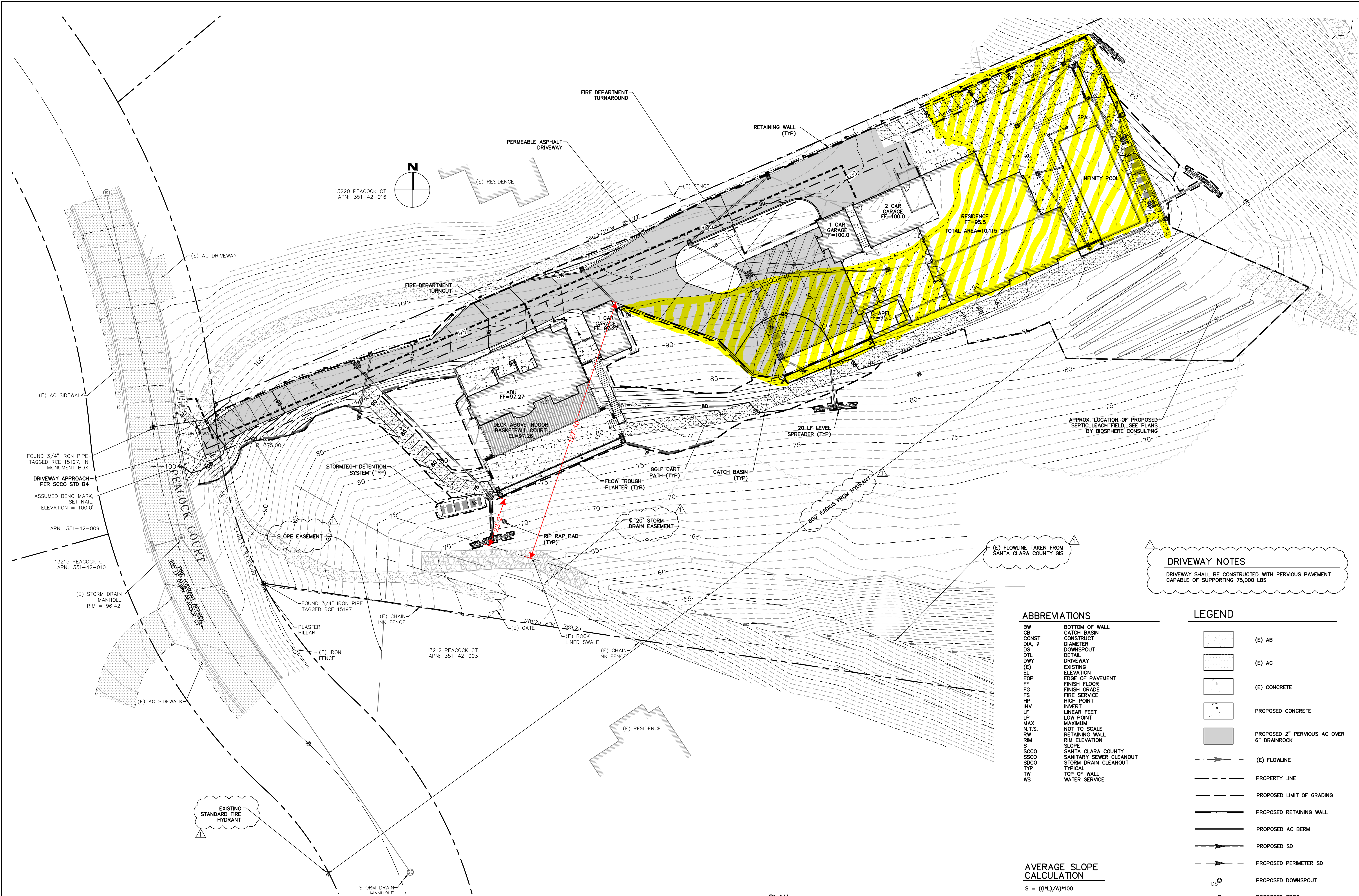
Planning Commission Secretary

MS/pd

cc: Melissa and Jeffrey Waters, *via email only*, mfwaters3@gmail.com

Attachment G

Plans with Staff's Markups



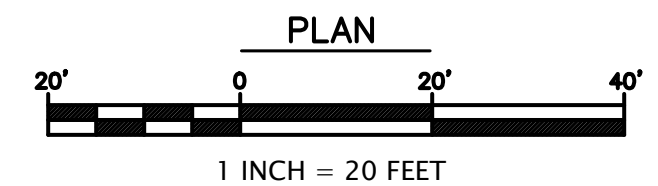
TOPOGRAPHIC SURVEY

THE TOPOGRAPHIC SURVEY AND BOUNDARY INFORMATION PROVIDED HEREON WAS COMPLETED BY HANAGAN LAND SURVEYING, INC. RI ENGINEERING INC. MAKES NO GUARANTEE AS TO THE ACCURACY OF BOTH. THE CONTRACTOR SHALL VERIFY THE BOUNDARY LOCATION AND TOPOGRAPHIC INFORMATION PRIOR TO COMMENCING WORK.

STORM DRAIN SYSTEM MAINTENANCE

THE HOME OWNER IS RESPONSIBLE FOR MAINTAINING THE STORM DRAINAGE SYSTEM AND ALL COMPONENTS. EVERY YEAR, PRIOR TO THE WET WEATHER SEASON (OCTOBER 15TH) ALL THE CATCH BASINS AND STORM DRAIN CLEANOUTS SHALL BE INSPECTED AND CLEANED OF ANY DEBRIS, SILT, TRASH AND SEDIMENT.

- STORM DRAINAGE NOTES**
1. CULVERTS SHALL BE REINFORCED CONCRETE PIPE (RCP), POLYVINYL CHLORIDE (PVC), OR HIGH DENSITY POLYETHYLENE (HDPE) AND SHALL HAVE A SMOOTH INTERIOR CONFORMING TO SANTA CLARA COUNTY DRAINAGE MANUAL.
 2. INLETS SHALL BE CHRISTY CONCRETE PRODUCTS OR APPROVED EQUAL.
 3. CONNECT ALL DOWNSPOUTS TO PERIMETER STORM DRAIN.



ABBREVIATIONS

BW	BOTTOM OF WALL
CB	CATCH BASIN
CONST	CONSTRUCT
DIA. Ø	DIAMETER
DS	DOWNSPOUT
DTL	DETAIL
DWY	DRIVEWAY
(E)	EXISTING
EL	ELEVATION
EOP	EDGE OF PAVEMENT
FF	FINISH FLOOR
FG	FINISH GRADE
FS	FIRE SERVICE
HP	HIGH POINT
INV	INVERT
LF	LINEAR FEET
LP	LOW POINT
MAX	MAXIMUM
N.T.S.	NOT TO SCALE
RW	RETAINING WALL
RM	RIM ELEVATION
S	SLOPE
SCCO	SANTA CLARA COUNTY SANITARY SEWER CLEANOUT
SDCO	STORM DRAIN CLEANOUT
TYP	TYPICAL
TW	TOP OF WALL
WS	WATER SERVICE

AVERAGE SLOPE CALCULATION

$S = \frac{((H/L)/A)*100}{1} = 1$

$L = 15924$

$A = 69130$

$S = 23\%$

DRIVEWAY NOTES

DRIVEWAY SHALL BE CONSTRUCTED WITH PERVIOUS PAVEMENT CAPABLE OF SUPPORTING 75,000 LBS

LEGEND

	(E) AB
	(E) AC
	(E) CONCRETE
	PROPOSED CONCRETE
	PROPOSED 2\"/>
	(E) FLOWLINE
	PROPERTY LINE
	PROPOSED LIMIT OF GRADING
	PROPOSED RETAINING WALL
	PROPOSED AC BERM
	PROPOSED SD
	PROPOSED PERIMETER SD
	PROPOSED DOWNSPOUT
	PROPOSED SDCO
	PROPOSED CB

REVISIONS PER COUNTY COMMENTS 12/4/2020

12/4/2020

RI Engineering, Inc.

303 Potrero St., Suite 42-202, Santa Cruz, CA 95060
831-425-3901 www.riengineering.com

SINGLE FAMILY RESIDENCE
FOR
MELISSA WATERS
PEACOCK COURT
SANTA CLARA COUNTY, CA
APN 351-42-004

SITE PLAN

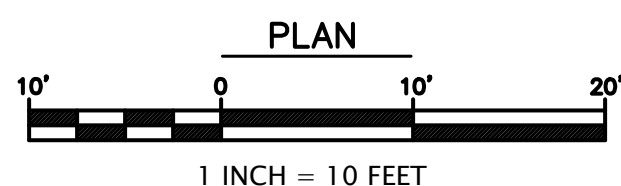
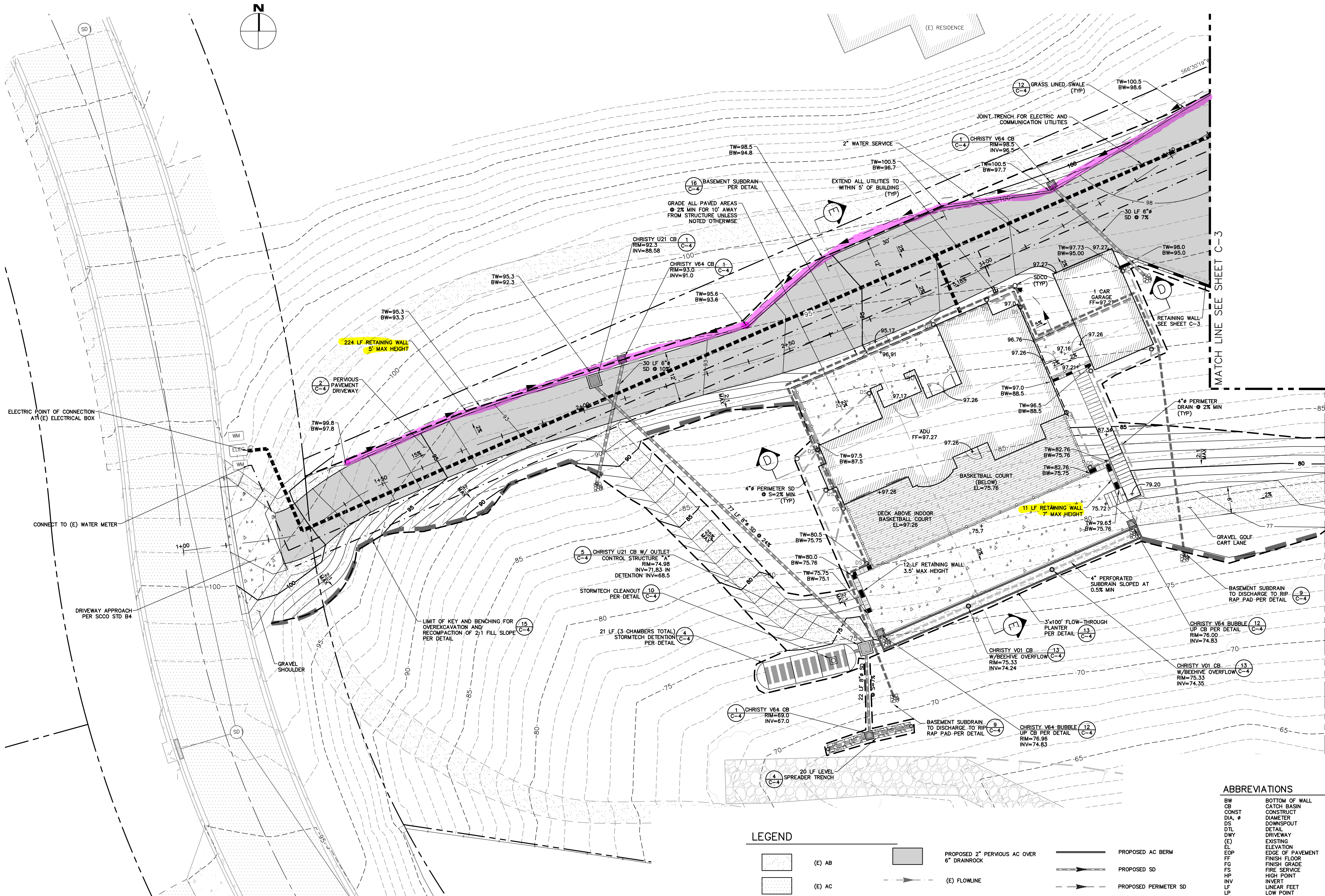
project no.
18-019-1

date
JANUARY 2020

scale
AS SHOWN

dwg name
CIVL3.DWG

C-1



LEGEND

	(E) AB		PROPOSED 2" PERVIOUS AC OVER 6" DRAINROCK		PROPOSED AC BERM
	(E) AC		(E) FLOWLINE		PROPOSED SD
	(E) CONCRETE		PROPERTY LINE		PROPOSED PERIMETER SD
	PROPOSED CONCRETE		PROPOSED LIMIT OF GRADING		PROPOSED DOWNSPOUT
			PROPOSED RETAINING WALL		PROPOSED SDCO
			PROPOSED SUBDRAIN		PROPOSED CB

ABBREVIATIONS

BW	BOTTOM OF WALL
CB	CATCH BASIN
CONST	CONSTRUCT
DIA.	DIAMETER
DS	DOWNSPOUT
DTL	DETAIL
DWY	DRIVEWAY
(E)	EXISTING
EL	ELEVATION
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SCCO	SANTA CLARA COUNTY
SSCO	SANITARY SEWER CLEANOUT
SDCO	STORM DRAIN CLEANOUT
TYP	TYPICAL
TW	TOP OF WALL
WS	WATER SERVICE

PRELIMINARY GRADING AND DRAINAGE APPROVAL SUBMITTAL

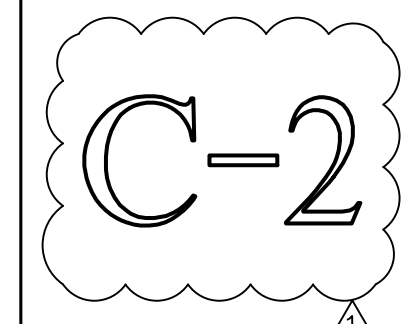
REVISIONS PER COUNTY COMMENTS 12/4/2020

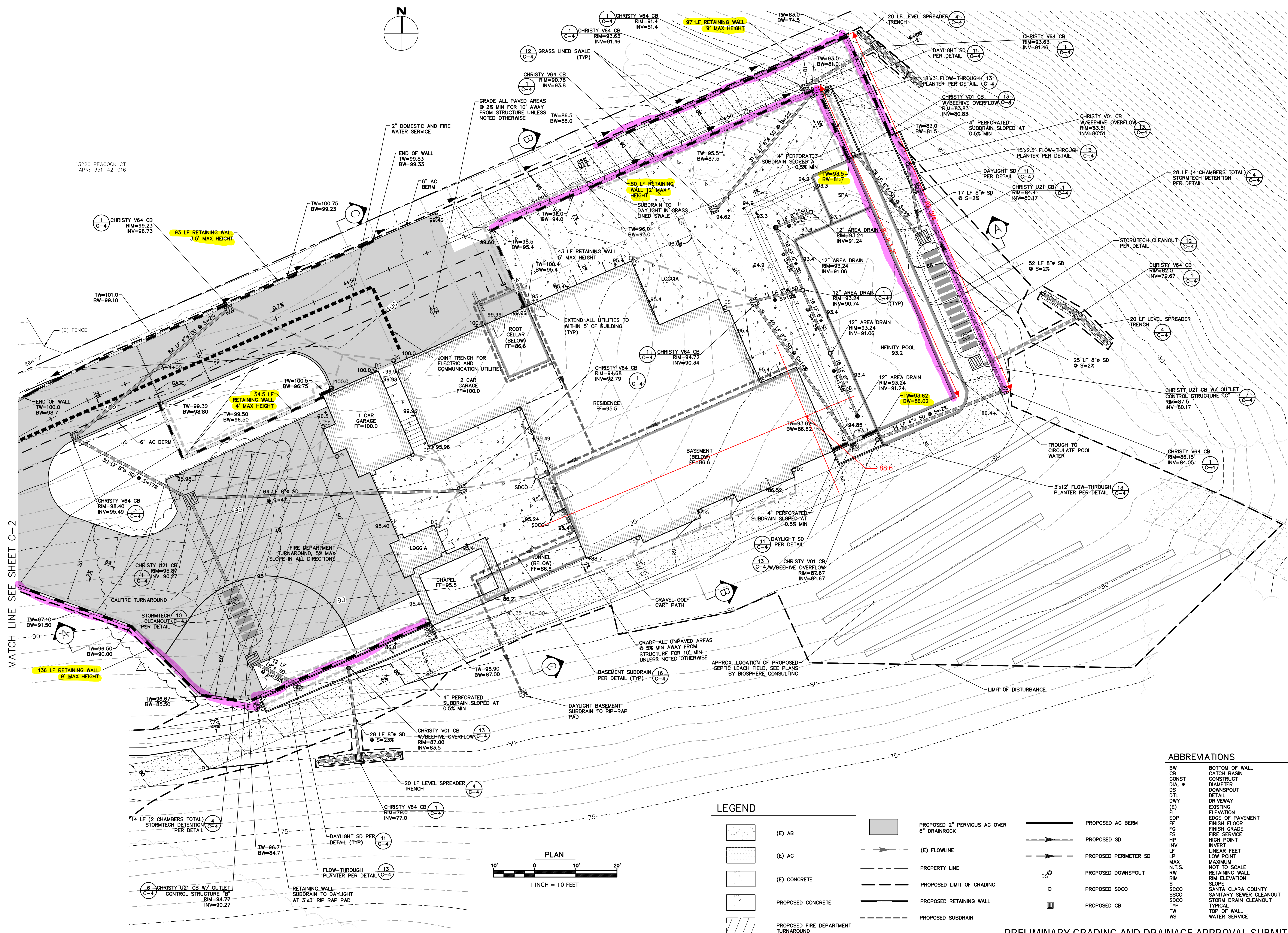


RJ Engineering, Inc.
303 Potrero St., Suite 42-202, Santa Cruz, CA 95060
831-425-3901 www.rjengineering.com

SINGLE FAMILY RESIDENCE
FOR
MELISSA WATERS
PEACOCK COURT
SANTA CLARA COUNTY, CA
APN 351-42-004
ADU GRADING & DRAINAGE PLAN

project no.
18-019-1
date
JANUARY 2020
scale
AS SHOWN
dwg name
CIVL3.DWG



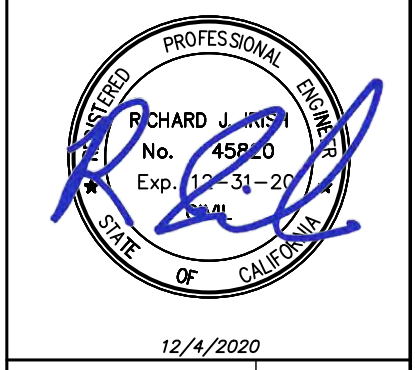


ABBREVIATIONS	
BW	BOTTOM OF WALL
CB	CATCH BASIN
CONST	CONSTRUCT
DIA. Ø	DIAMETER
DS	DOWNSPOUT
DTL	DETAIL
DWY	DRIVEWAY
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SSCO	SANITARY SEWER CLEANOUT
SDCO	STORM DRAIN CLEANOUT
TYP	TYPICAL
TW	TOP OF WALL
WS	WATER SERVICE

LEGEND

- | | | | | | |
|--|-------------------------------------|--|---|--|-----------------------|
| | (E) AB | | PROPOSED 2" PERVIOUS AC OVER 6" DRAINROCK | | PROPOSED AC BERM |
| | (E) AC | | (E) FLOWLINE | | PROPOSED SD |
| | (E) CONCRETE | | PROPERTY LINE | | PROPOSED PERIMETER SD |
| | PROPOSED CONCRETE | | PROPOSED LIMIT OF GRADING | | PROPOSED DOWNSPOUT |
| | PROPOSED FIRE DEPARTMENT TURNAROUND | | PROPOSED RETAINING WALL | | PROPOSED SDCO |
| | | | PROPOSED SUBDRAIN | | PROPOSED CB |

REVISIONS PER COUNTY COMMENTS 12/4/2020

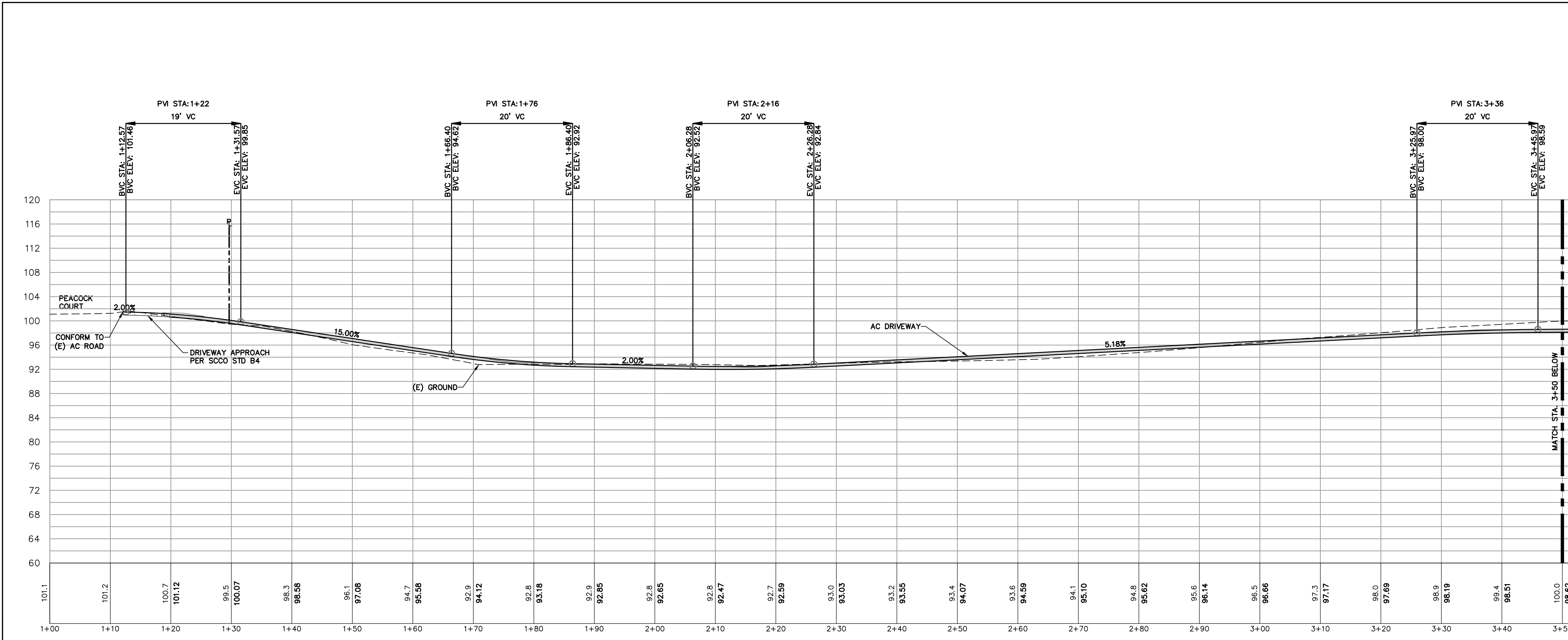


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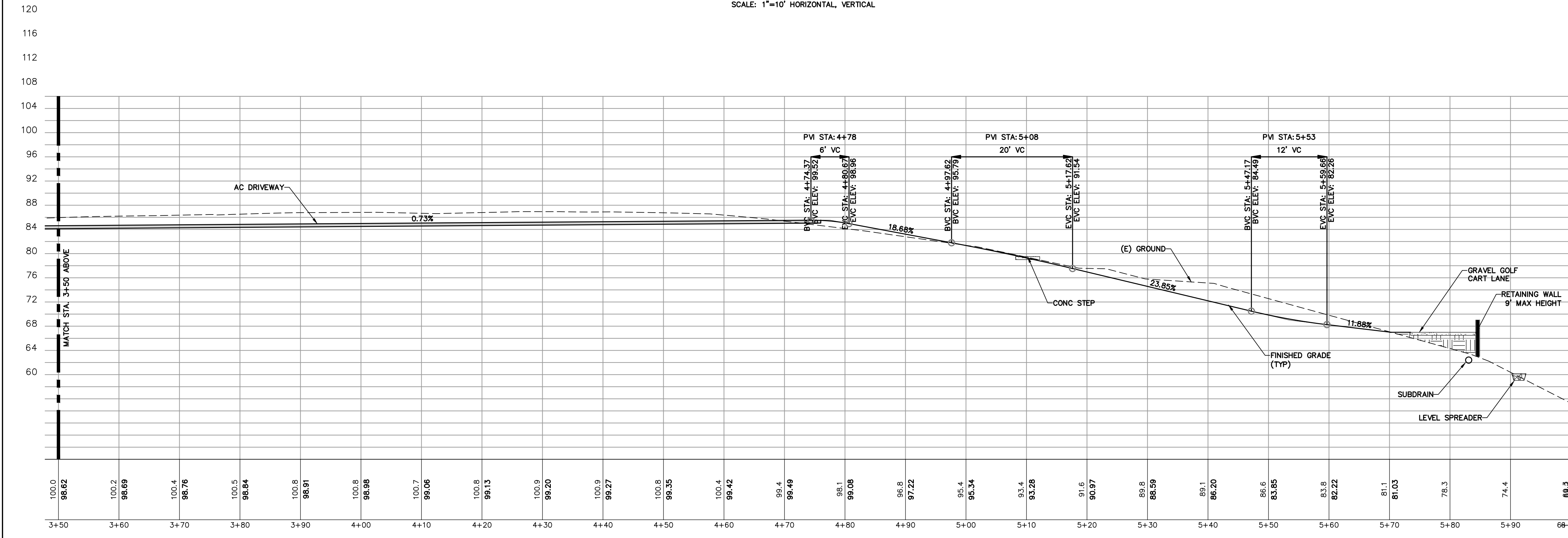
SINGLE FAMILY RESIDENCE
FOR
MELISSA WATERS
PEACOCK COURT
SANTA CLARA COUNTY, CA
APN 351-42-004
RESIDENCE GRADING & DRAINAGE PLAN

project no.
18-019-1
date
JANUARY 2020
scale
AS SHOWN
dwg name
CIVL3.DWG

C-3



DRIVEWAY C PROFILE
SCALE: 1"=10' HORIZONTAL, VERTICAL



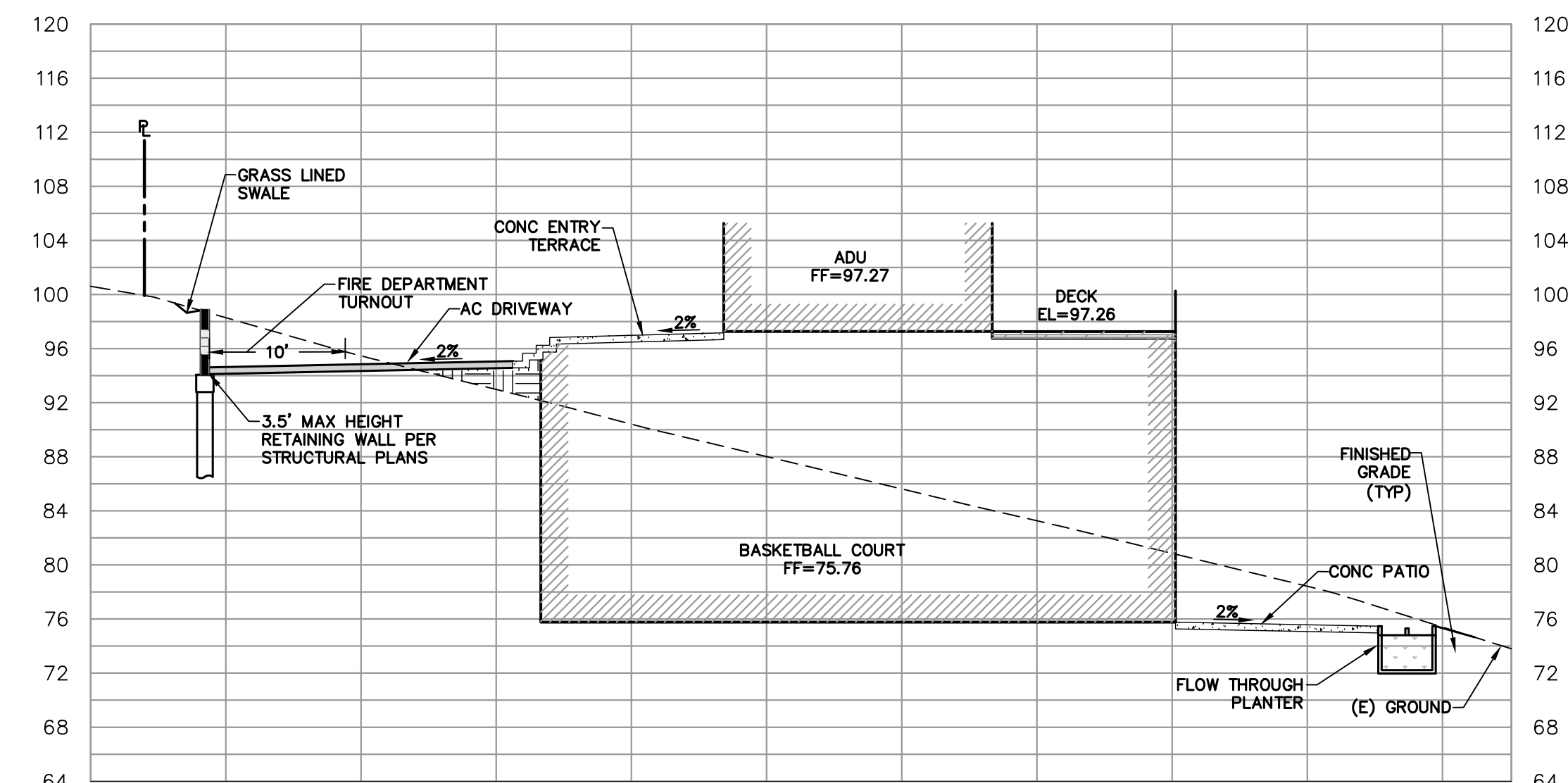
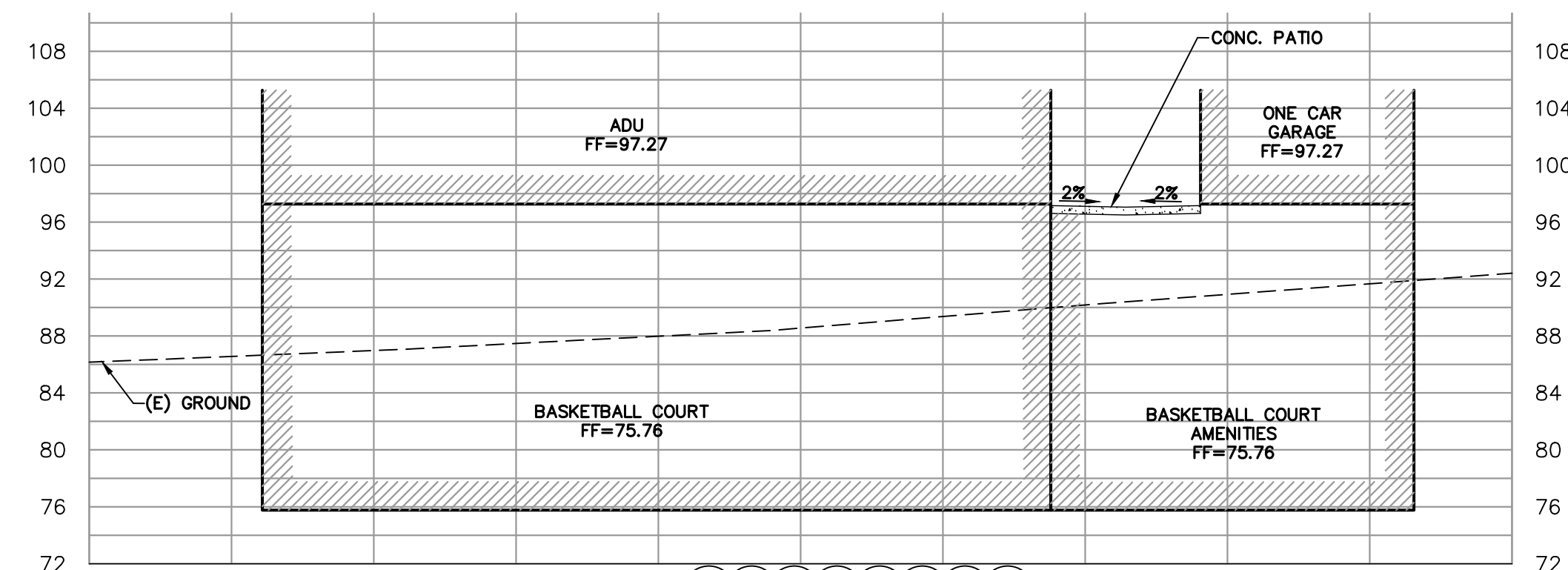
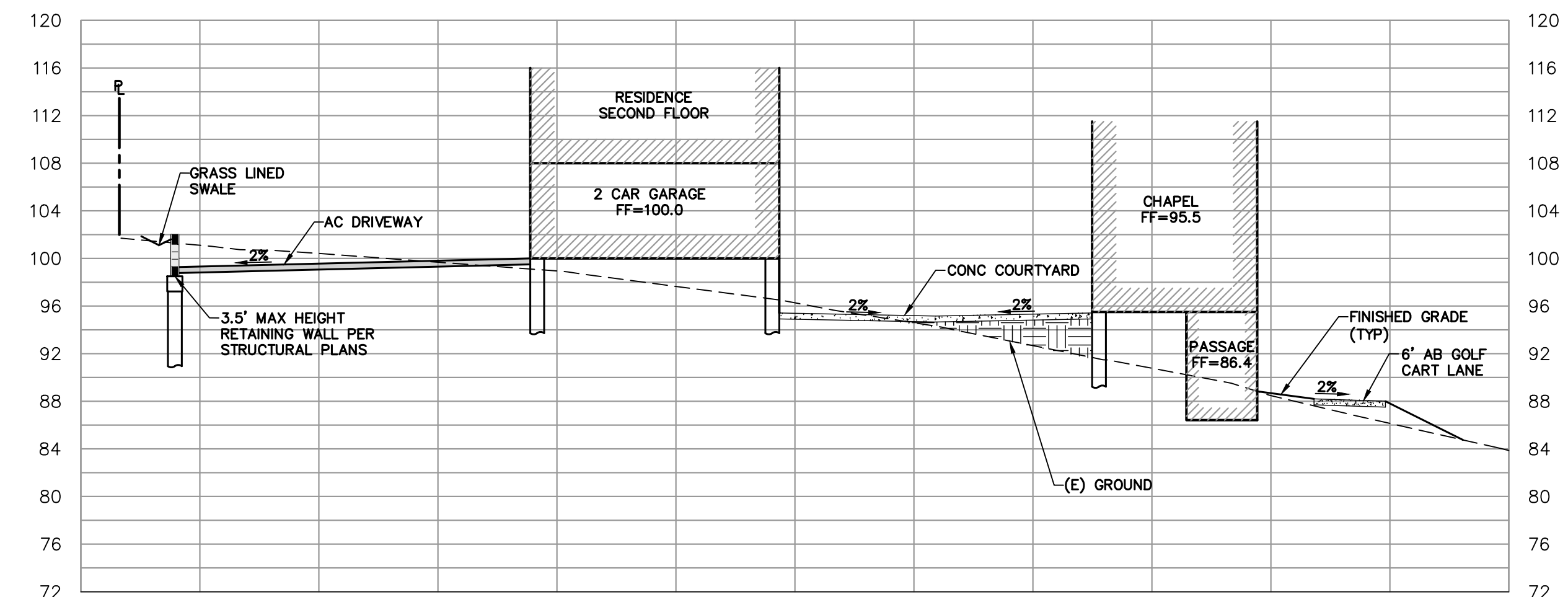
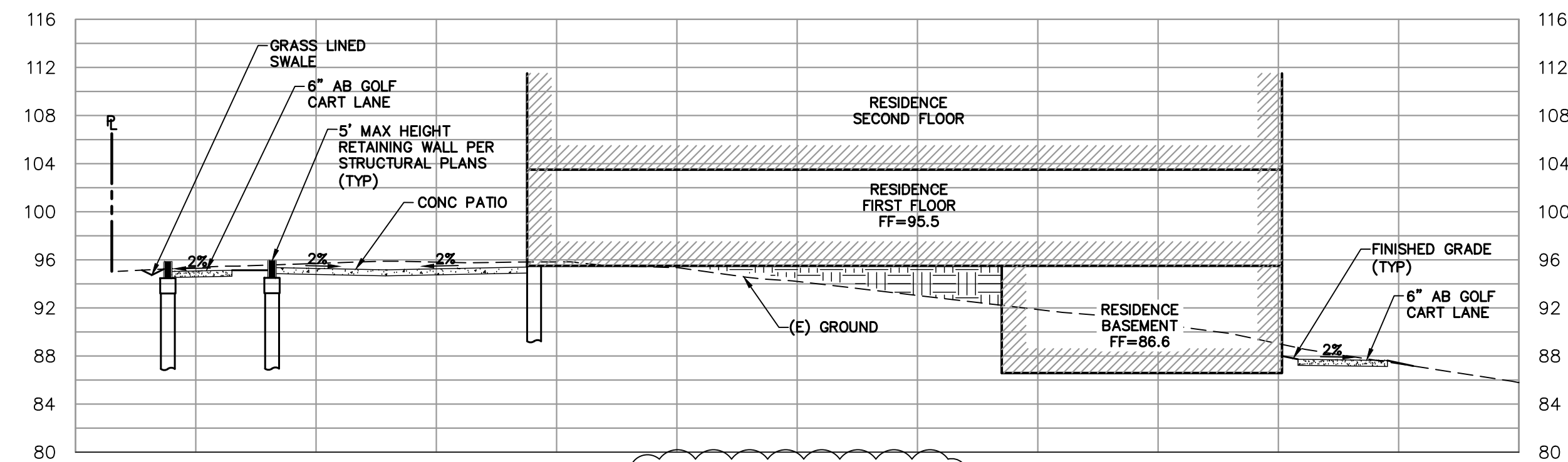
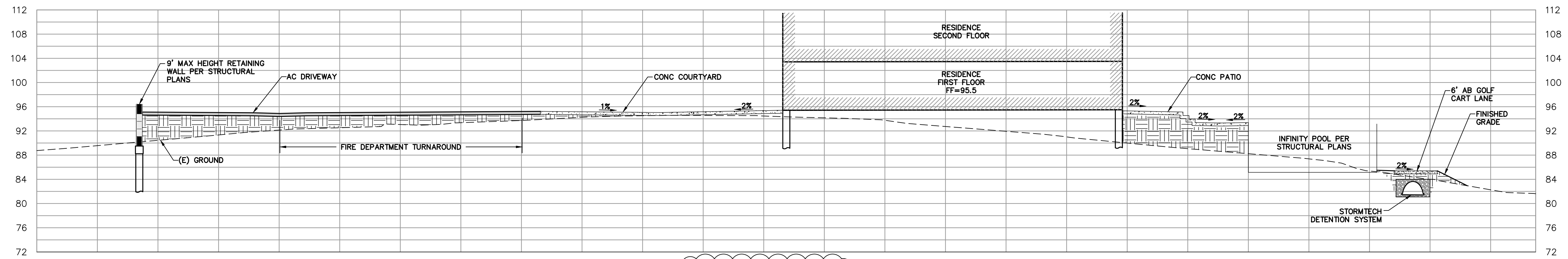
DRIVEWAY C PROFILE
SCALE: 1"=10' HORIZONTAL, VERTICAL

- ### EARTHWORK AND GRADING
1. WORK SHALL CONSIST OF ALL CLEARING, GRUBBING, STRIPPING, PREPARATION OF LAND TO BE FILLED, EXCAVATION, SPREADING, COMPACTION AND CONTROL OF FILL, AND ALL SUBSIDIARY WORK NECESSARY TO COMPLETE THE GRADING TO CONFORM TO THE LINES, GRADES, AND SLOPES, AS SHOWN ON THE APPROVED PLANS.
 2. ALL GRADING OPERATIONS SHALL CONFORM TO SECTION 19 OF THE CALTRANS STANDARD SPECIFICATIONS, AND SHALL ALSO BE DONE IN CONFORMANCE WITH THE REQUIREMENTS OF THE COUNTY OF SANTA CLARA. THE MOST STRINGENT GUIDELINE SHALL PREVAIL.
 3. REFERENCE IS MADE TO THE GEOTECHNICAL INVESTIGATIONS BY MURRAY ENGINEERS, INC., ENTITLED "GEOTECHNICAL INVESTIGATION, WATERS RESIDENCE," DATED APRIL 2020. THE CONTRACTOR SHALL MAKE A THOROUGH REVIEW OF THIS REPORT AND SHALL FOLLOW ALL RECOMMENDATIONS THEREIN. THE CONTRACTOR SHALL CONTACT MURRAY ENGINEERS, INC. FOR ANY CLARIFICATIONS NECESSARY PRIOR TO PROCEEDING WITH THE WORK.
 4. THE CONTRACTOR SHALL GRADE TO THE LINE AND ELEVATIONS SHOWN ON THE PLAN AND SHALL SECURE THE SERVICES OF A LICENSED LAND SURVEYOR OR REGISTERED CIVIL ENGINEER TO PROVIDE STAKES FOR LINE AND GRADE.
 5. THE GEOTECHNICAL ENGINEER SHOULD BE NOTIFIED AT LEAST FOUR (4) DAYS PRIOR TO ANY SITE CLEARING AND GRADING OPERATIONS.
 6. THE UPPER 18" OF NATIVE SUBGRADE IN AREAS TO RECEIVE CONCRETE SLABS AND/OR PAVEMENTS SHOULD BE OVEREXCAVATED AND EXPOSED SURFACE SHOULD BE SCARIFIED, MOISTURE CONDITIONED TO PRODUCE A MOISTURE CONTENT WITHIN 3% TO 5% ABOVE THE LABORATORY OPTIMUM VALUE, AND UNIFORMLY COMPACTED TO AT LEAST 90% RELATIVE COMPACTION BASED ON ASTM TEST D1557. THE UPPER 6" OF CONCRETE SLAB, AND PAVEMENT SUBGRADE AND BASE SHOULD BE COMPACTED TO AT LEAST 95% RELATIVE COMPACTION UNLESS OTHERWISE RECOMMENDED BY THE GEOTECHNICAL ENGINEER.
 7. ENGINEERED FILL SHOULD BE PLACED IN THIN LIFTS NOT EXCEEDING 8" IN LOOSE THICKNESS, MOISTURE CONDITIONED, AND COMPACTED TO AT LEAST 90% RELATIVE COMPACTION UNLESS OTHERWISE RECOMMENDED BY THE GEOTECHNICAL ENGINEER.
 8. MATERIAL USED FOR ENGINEERED FILL SHALL MEET THE REQUIREMENTS OF THE AFOREMENTIONED REPORTS BY MURRAY ENGINEERS, INC.
 9. IMPORTED FILL MATERIAL USED AS ENGINEERED FILL FOR THE PROJECT SHALL MEET THE FOLLOWING REQUIREMENTS:

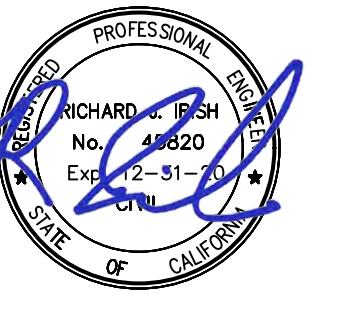
In general, fill material should not contain rocks or pieces larger than 6 inches in greatest dimension, and should contain no more than 15 percent larger than 2.5 inches. Any required imported fill should be predominantly granular material or material with a plasticity index of less than 15 percent.
 10. ALL FILL MATERIAL SHALL BE APPROVED BY THE PROJECT GEOTECHNICAL ENGINEER PRIOR TO JOBSITE DELIVERY AND PLACEMENT. NO EARTHWORK OPERATIONS SHALL BE PERFORMED WITHOUT THE DIRECT OBSERVATION AND APPROVAL OF THE GEOTECHNICAL ENGINEER.
 11. BARE GROUND WITHIN 10' OF FOUNDATIONS SHALL BE SLOPED AWAY @ 5% MINIMUM OR 2% MINIMUM FOR PAVED SURFACES.

- ### BIOLOGICAL RESOURCES NOTES
- A) IF LAND-CLEARING ACTIVITIES CAN BE PERFORMED OUTSIDE OF THE NESTING SEASON, THAT IS, BETWEEN AUGUST 15 AND JANUARY 31, NO SURVEYS FOR TREE-NESTING PASSERINES ARE WARRANTED. THE SURVEY AREA SHOULD INCLUDE ALL TREES AND SCRUB WITHIN 200 FEET OF THE LIMITS OF WORK. THE PURPOSE OF PRE-CONSTRUCTION CONSTRUCTION SURVEYS IS TO DETERMINE IF OCCUPIED NESTS ARE PRESENT WITHIN THE ZONE OF INFLUENCE OF THE PROJECT.
- B) IF LAND-CLEARING ACTIVITIES ARE TO COMMENCE BETWEEN FEBRUARY 1 AND AUGUST 15, A PRE-CONSTRUCTION SURVEY FOR GROUND-NESTING AND/OR TREE-NESTING PASSERINES MUST BE CONDUCTED PRIOR TO THE INITIATION OF WORK. THE SURVEY AREA SHOULD INCLUDE ALL TREES, BUSHES, GRASSLAND AND STRUCTURES WITHIN 100 FEET OF THE LIMITS OF WORK. THE PURPOSE OF PRE-CONSTRUCTION SURVEYS IS TO DETERMINE IF OCCUPIED NESTS ARE PRESENT WITHIN THE ZONE OF INFLUENCE OF THE PROJECT.
- C) DEPENDING ON THE TIME OF YEAR AND DEPENDING ON THE RESULTS OF THE PRE-CONSTRUCTION SURVEYS, IT MIGHT BE NECESSARY THAT CONSTRUCTION ACTIVITIES COMMENCE WITHIN ONE WEEK OF THE SURVEY EARLY IN THE BREEDING SEASON TO AS LONG AS 30 DAYS LATE IN THE BREEDING SEASON, AS RECOMMENDED BY THE WILDLIFE BIOLOGIST. IF CONSTRUCTION IS NOT INITIATED WITHIN THESE WINDOWS, IT MIGHT BE NECESSARY TO REPEAT THE PRE-CONSTRUCTION SURVEYS.
- D) IF ANY OCCUPIED GROUND-NESTING AND/OR TREE-NESTING PASSERINE NESTS ARE FOUND WITHIN THE ZONE OF INFLUENCE, GRADING AND CONSTRUCTION SHALL BE PROHIBITED WITHIN AN APPROPRIATE SETBACK (IN GENERAL, 75-100 FEET, DEPENDING ON LINES OF SIGHT AND THE SPECIES IN QUESTION), AS APPROVED BY A QUALIFIED BIOLOGIST. WORK WITHIN THE SETBACK MUST BE DELAYED UNTIL AFTER THE YOUNG HAVE FLEDGED, AS DETERMINED DURING SURVEYS BY A QUALIFIED BIOLOGIST, OR UNTIL AFTER AUGUST 15.

REVISIONS PER COUNTY COMMENTS 12/4/2020	
12/4/2020	
RJ Engineering, Inc.	
303 Potrero St., Suite 42-202, Santa Cruz, CA 95060 831-425-3901 www.rjengineering.com	
SINGLE FAMILY RESIDENCE FOR MELISSA WATERS PEACOCK COURT SANTA CLARA COUNTY, CA APN 351-42-004	PROFILE AND NOTES
project no. 18-019-1	
date JANUARY 2020	
scale AS SHOWN	
dwg name CIVL3.DWG	



REVISIONS PER COUNTY COMMENTS 12/4/2020



12/4/2020

RJ Engineering, Inc.
303 Potrero St., Suite 42-202, Santa Cruz, CA 95060
831-425-3901 www.rjengineering.com

SINGLE FAMILY RESIDENCE
FOR
MELISSA WATERS
PEACOCK COURT
SANTA CLARA COUNTY, CA
APN 351-42-004

project no.
18-019-1
date
JANUARY 2020
scale
AS SHOWN
dwg name
CIVL3.DWG

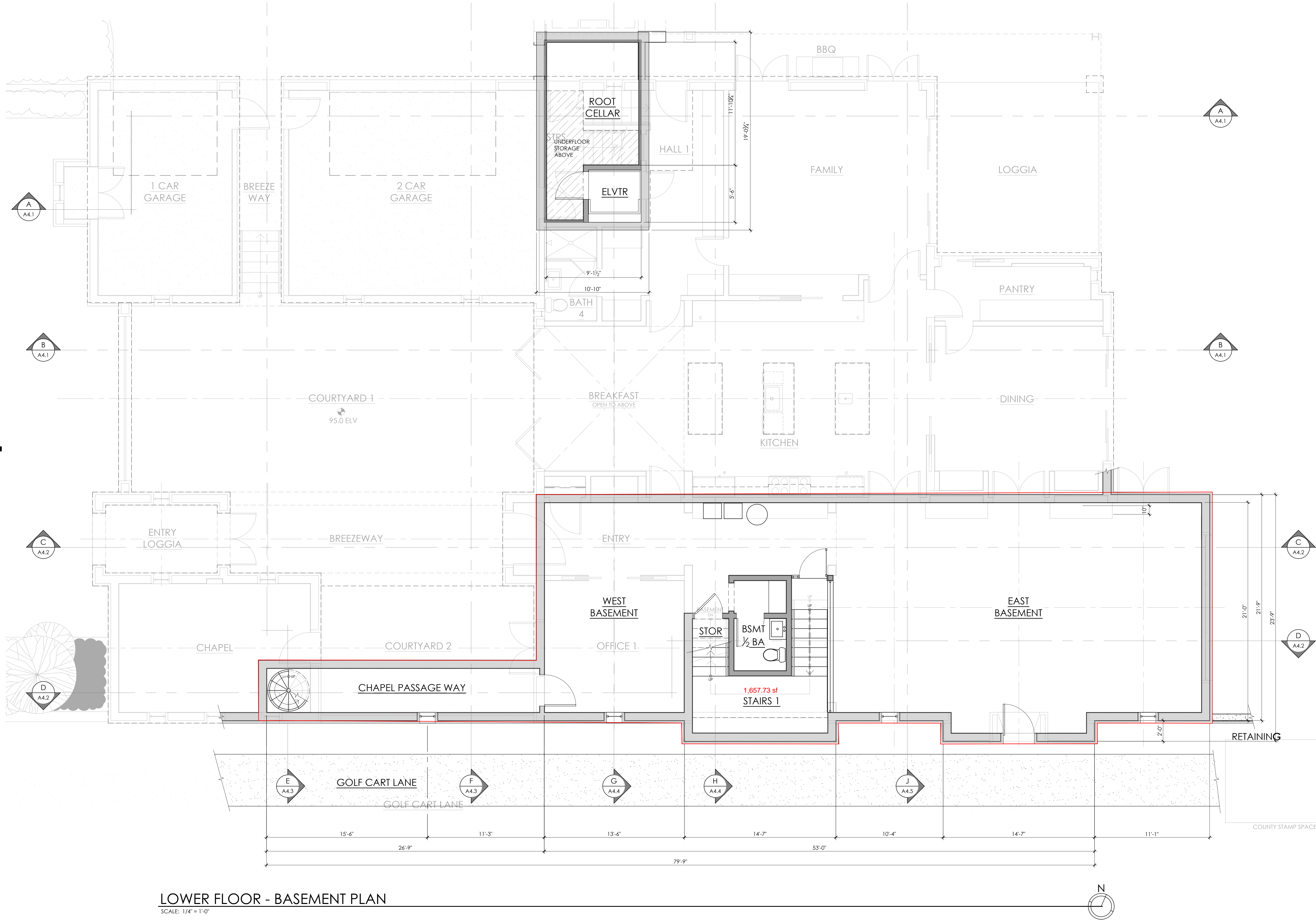
C-6

PRELIMINARY GRADING AND DRAINAGE APPROVAL SUBMITTAL

APPLICANT: MELISSA WATERS

ROAD: PEACOCK CT

COUNTY FILE NO.: PLN20-124



LOWER FLOOR - BASEMENT PLAN
SCALE: 1/4" = 1'-0"



728 N BRANCIFORTE
SANTA CRUZ
CA 95062
831-425-0544

NOTICE

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REVISIONS

NO.	DESCRIPTION

WATERS RESIDENCE
NEW RESIDENCE AND ADU
PEACOCK COURT
CUPERTINO, CA 95051
APN: 351-42-004

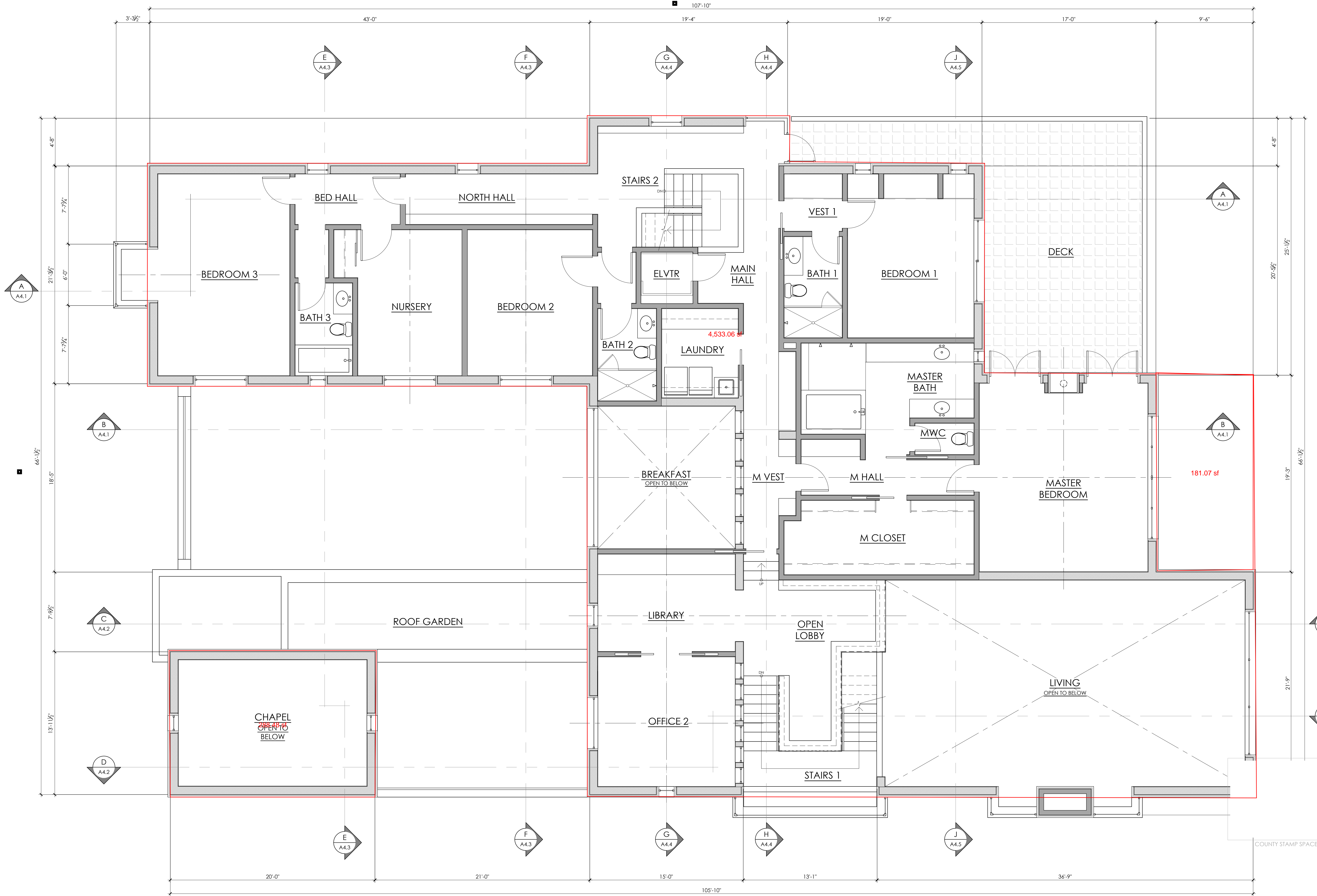
RESIDENCE
BASEMENT PLAN



BRITTON ARCHITECTS
NO. C-23616
8/31/21
RESIDENTIAL
STATE OF CALIFORNIA

D	A	T	E	
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P3



SECOND FLOOR PLAN

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

728 N BRANCIORTE
SANTA CRUZ
CA 95062
831-425-0544

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REVISIONS

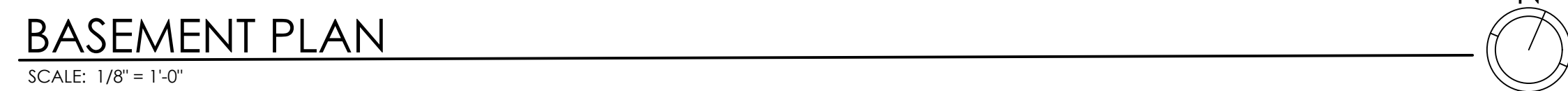
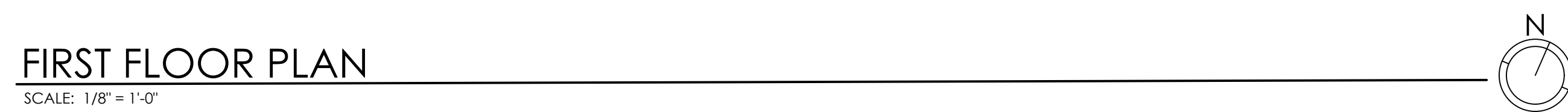
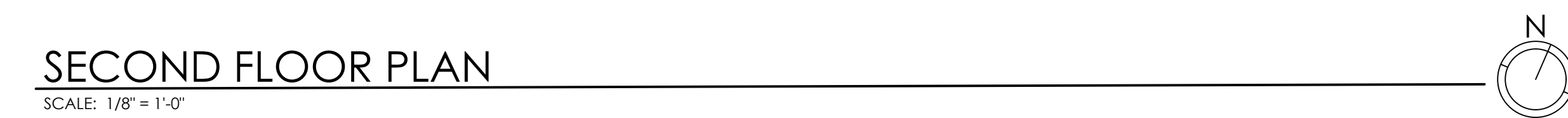
NO.	DESCRIPTION	DATE

WATERS RESIDENCE
NEW RESIDENCE AND ADU
PEACOCK COURT
CUPERTINO, CA 95051
APN: 351-42-004

RESIDENCE
SECOND FLOOR PLAN

D	A	T	E	
03	/	27	/	20
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J	O	B		
WATERS				
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P5



BASEMENT - FAR			
POLYGON AREA DESIGNATION		DIMENSIONS (IN DECIMAL FEET)	AREA (SQUARE FEET)
NON-COND BASEMENT	A1	35.54 x 20.25	719.7 SF
NON-COND BASEMENT	A2	13.08 x 2	26.2 SF
NON-COND BASEMENT	A3	14.29 x 7.04	100.6 SF
NON-COND BASEMENT	A4	6 x 9.65	57.9 SF
NON-COND BASEMENT	A5	4.29 x 3.65	15.6 SF
NON-COND BASEMENT	A6	13.5 x 20.25	273.4 SF
NON-COND BASEMENT	A7	26.75 x 4.29	114.8 SF
NON-COND BASEMENT		TOTAL SF	1,308.2 SF
NON-COND BASEMENT	A8	14.29 x 6.31	90.2 SF
CONDITIONED LIVING	A9	4.29 x 6	25.7 SF
CONDITIONED LIVING	A10	4 x 9.65	38.6 SF
CONDITIONED LIVING BASEMENT		TOTAL SF	154.5 SF
ROOT CELLAR	A11	10.83 x 19.06	206.5 SF

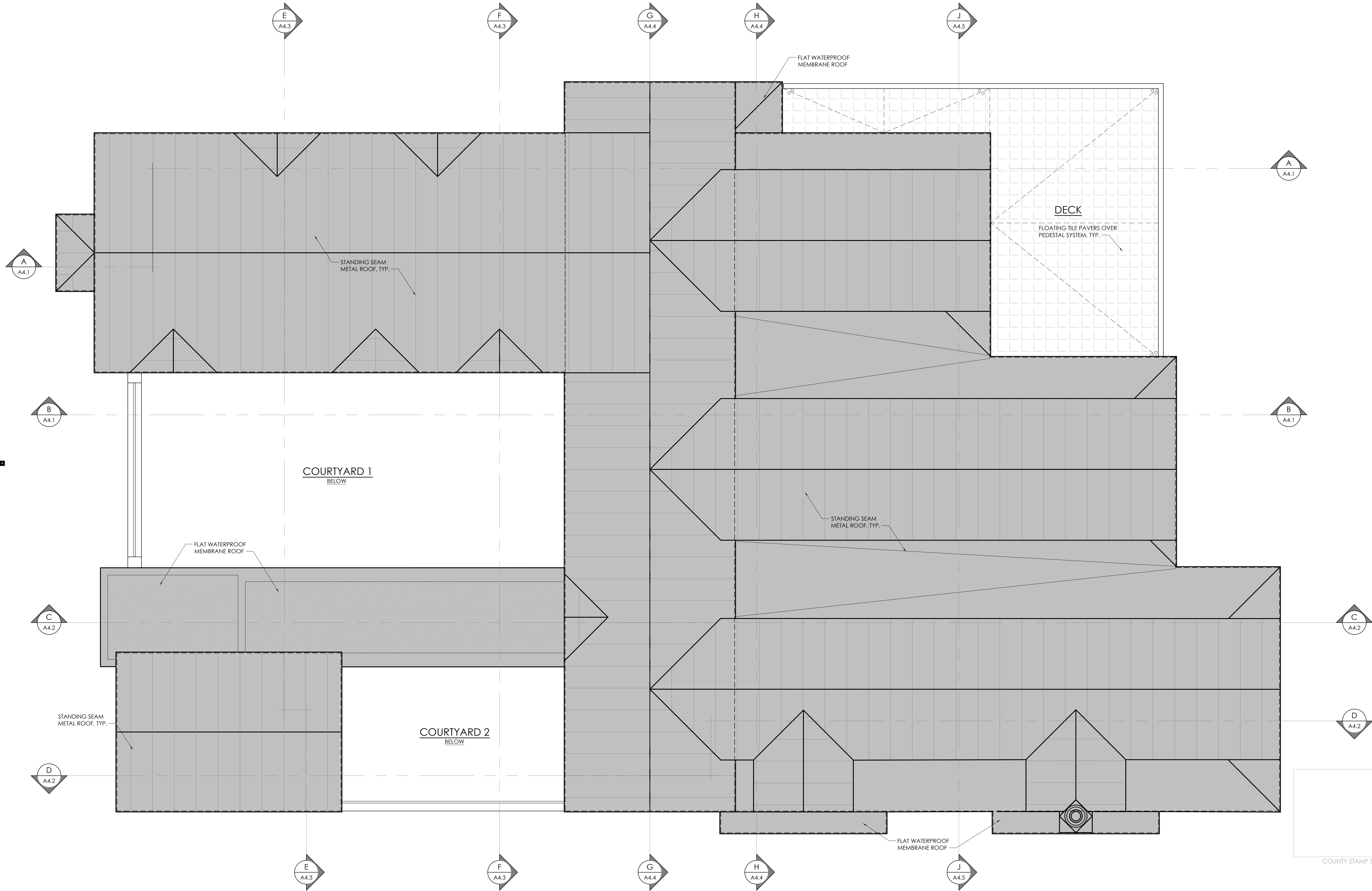
SECOND FLOOR - FAR			
POLYGON AREA DESIGNATION	(IN DIMENSIONAL FEET)	[AREA SQUARE FEET]	
CONDITIONED LIVING	C1	14.79 x 24	355.0 SF
CONDITIONED LIVING	C2	3.7 x 2.375	8.7
CONDITIONED LIVING	C3	6.08 x 9.69	58.9 SF
CONDITIONED LIVING	C4	14.08 x 10.04	141.4 SF
CONDITIONED LIVING	C5	14.625 x 14.0	204.75 SF
CONDITIONED LIVING	C6	26.46 x 20.0	529.16 SF
CONDITIONED LIVING	C7	9.6 x 3.0	28.8 SF
CONDITIONED LIVING	C8	19.06 x 20.45	389.9 SF
CONDITIONED LIVING	C9	19.27 x 28.125	541.86 SF
ELEVATOR	C10	5.92 x 6.0 ALREADY COUNTED	<35.5 SF>
STAIRS	C11	10.5 x 7.66 ALREADY COUNTED	<70.0 SF>
CONDITIONED LIVING	C12	43 x 21.29	915.5 SF
CONDITIONED LIVING	C13	3.37 x 6.166	20.8 SF
CONDITIONED LIVING (C-15)	C14	3.37 x 6.166	762.3 SF
CONDITIONED LIVING (C-15)	C15	3.37 x 6.166	33.9 SF
2ND FLOOR CONDITIONED LIVING		TOTAL SF	3,885.5 SF
UNCOVERED DECK	C16	18.96 x 4.66	88.5 SF
UNCOVERED DECK	C17	15.96 x 25.125	401.0 SF
2ND FLOOR UNCOVERED DECK		TOTAL SF	489.5 SF

+154.5 Stair	CONDITIONED LIVING	B5	15.83 x 3.48	65.51 SF	
	ELEVATOR	B6	5.92 x 6.0 ALREADY COUNTED	<35.5 SF>	
	CONDITIONED LIVING	B7	38.04 x 21.29	810.0 SF	+154.5 Stair
	CONDITIONED LIVING	B8	38.33 x 18.42	706.0 SF	
+35.5 elevator	CONDITIONED LIVING	B9	3.5 x 1.6	5.6 SF	
+200 breakfast	CONDITIONED LIVING	B10	6.0 x 8.9	53.4 SF	
+260 chapel	CONDITIONED LIVING	B11	3.54 x 3.44	12.2 SF	+35.5 elevator
	CONDITIONED LIVING	B12	15.0 x 13.21	198.1 SF	
	CONDITIONED LIVING	B13	4.91 x 8.81	43.3 SF	+96
	CONDITIONED LIVING	B14	2.03 x 2.42	4.9 SF	
	CONDITIONED LIVING	B15	15.09 x 13.96	210.6 SF	+118
	CONDITIONED LIVING		TOTAL SF	3,490.3 SF	
4535.5	COVERED LOGGIA	B16	15.83 x 16.98	268.8 SF	
	COVERED BREEZEWAY & LOGGIA	B17	39.5 x 7.79	307.7 SF	
	COVERED BREEZEWAY & LOGGIA	B18	17.99 x 0.73	13.1 SF	COUNT
	COVERED BREEZEWAY	B19	4.5 x 21.29	95.8 SF	
	COVERED PATIO & BREEZEWAY		TOTAL SF	685.4 SF	4754.9

WATERS TB - Planning.dwg

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ROOF PLAN

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



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REVISIONS

NO.	DESCRIPTION	DATE

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PEACOCK COURT
CUPERTINO, CA 95051
APN: 351-42-004

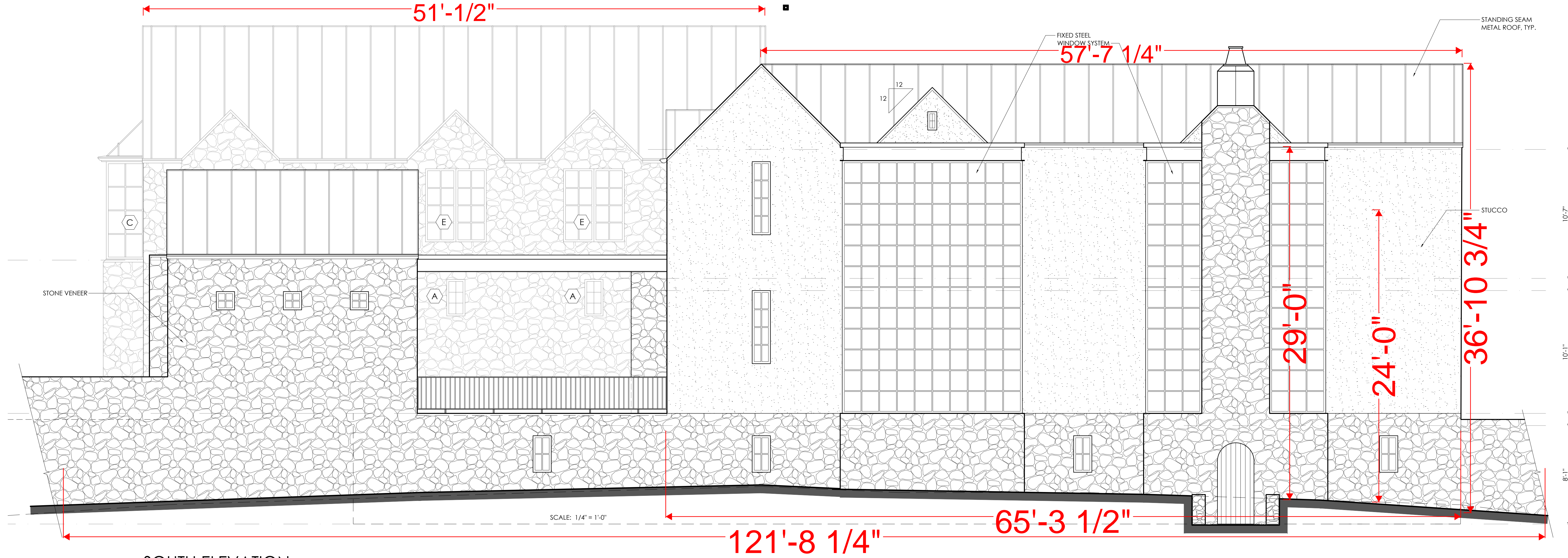
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ROOF PLAN



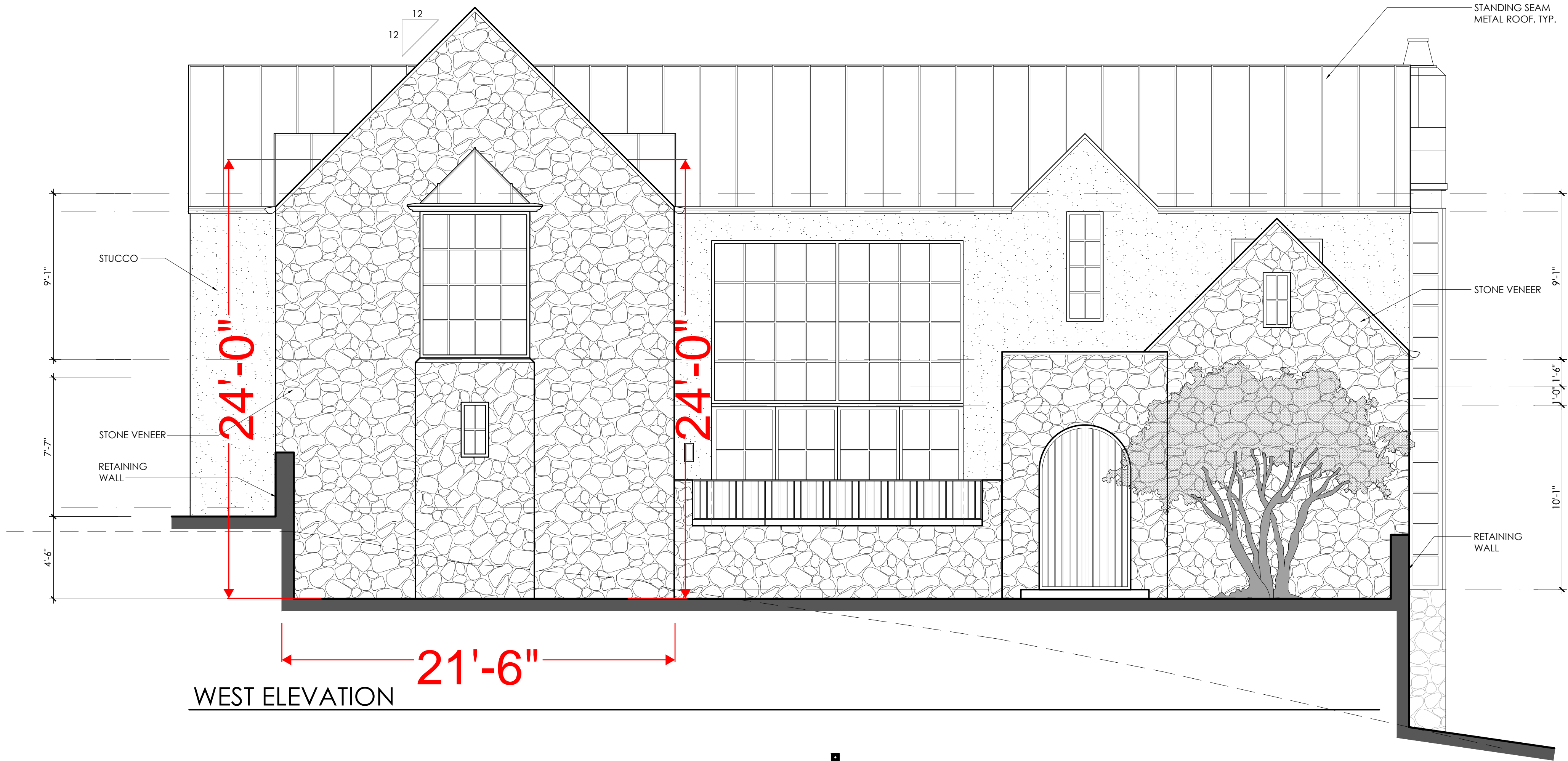
REGISTERED ARCHITECT
NO. C-23616
8/31/21
STATE OF CALIFORNIA

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J	O	B		
WATERS				
S	H	E	E	T

P6



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



WEST ELEVATION

EXTERIOR MATERIALS & COLOR			
BUILDING ITEM	PRODUCT MFR	COLOR	LRV %
ROOF	ASC BUILDING PRODUCTS, METAL	MATTE BLACK	5
DOOR & WINDOW FRAMES, RAILINGS	MFR TO BE DETERMINED	COLOR	-
TRIM	MFR TO BE DETERMINED	COLOR	-
EXTERIOR WALLS	MY PERFECT COLOR	AF9F8A MANOR GREY	35.78
STONE VENEER	E-Z SET NATURAL STONE THIN VENEER	GRANITE MOSAIC VENEER	N/A
RETAINING WALLS	E-Z SET NATURAL STONE THIN VENEER	GRANITE MOSAIC VENEER	N/A

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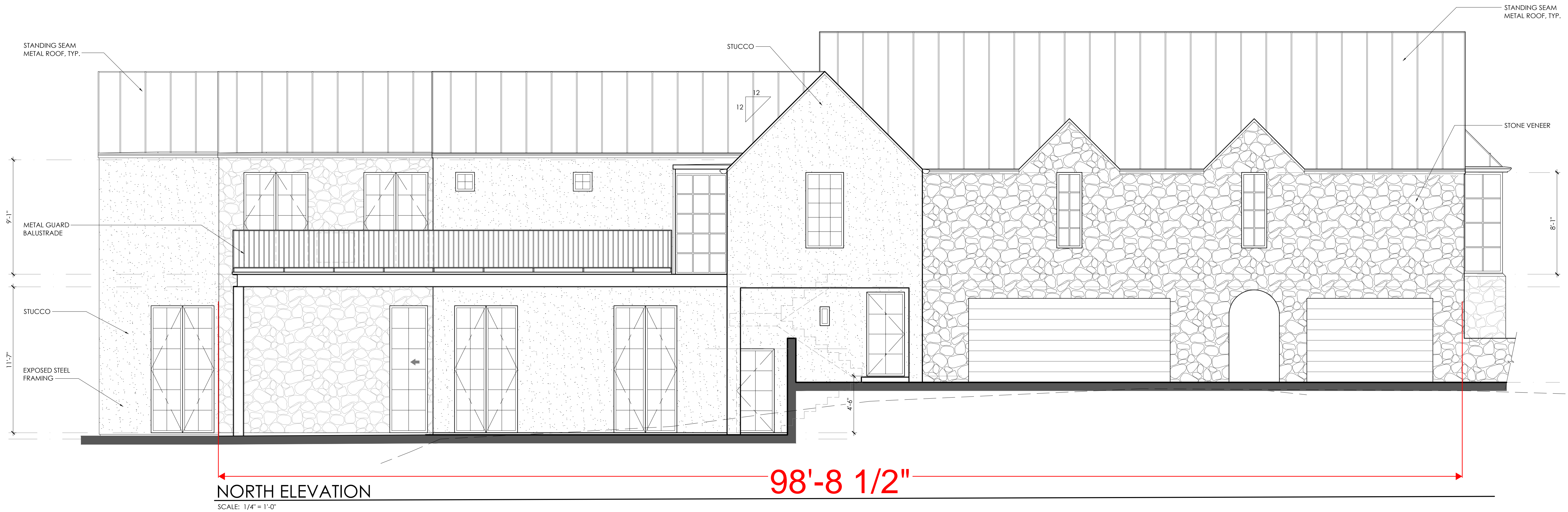
REVISIONS

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CUPERTINO, CA 95051
APN: 351-42-004

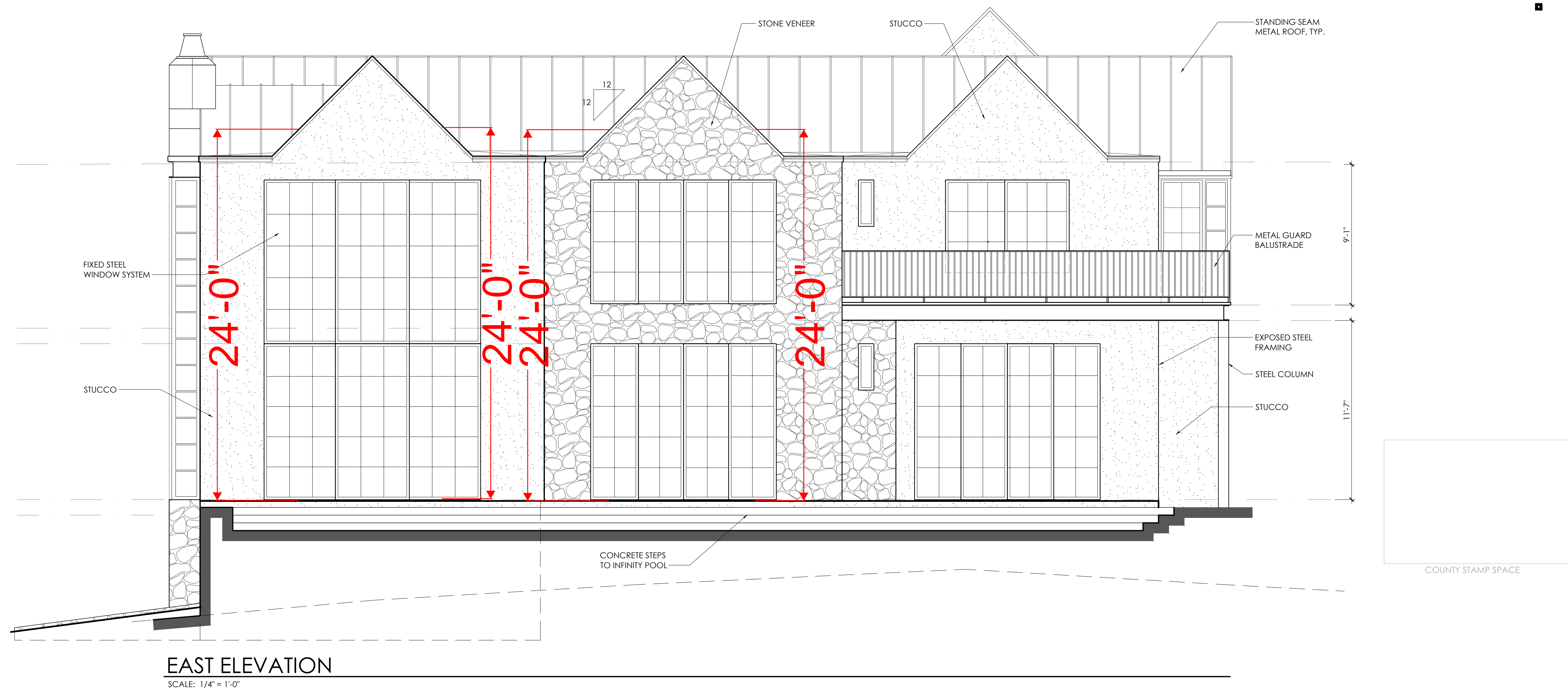
RESIDENCE
EXTERIOR ELEVATIONS

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P7



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



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

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RESIDENCE
EXTERIOR ELEVATIONS

REGISTERED ARCHITECT
MATSON BRITTON
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8/31/21
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P8

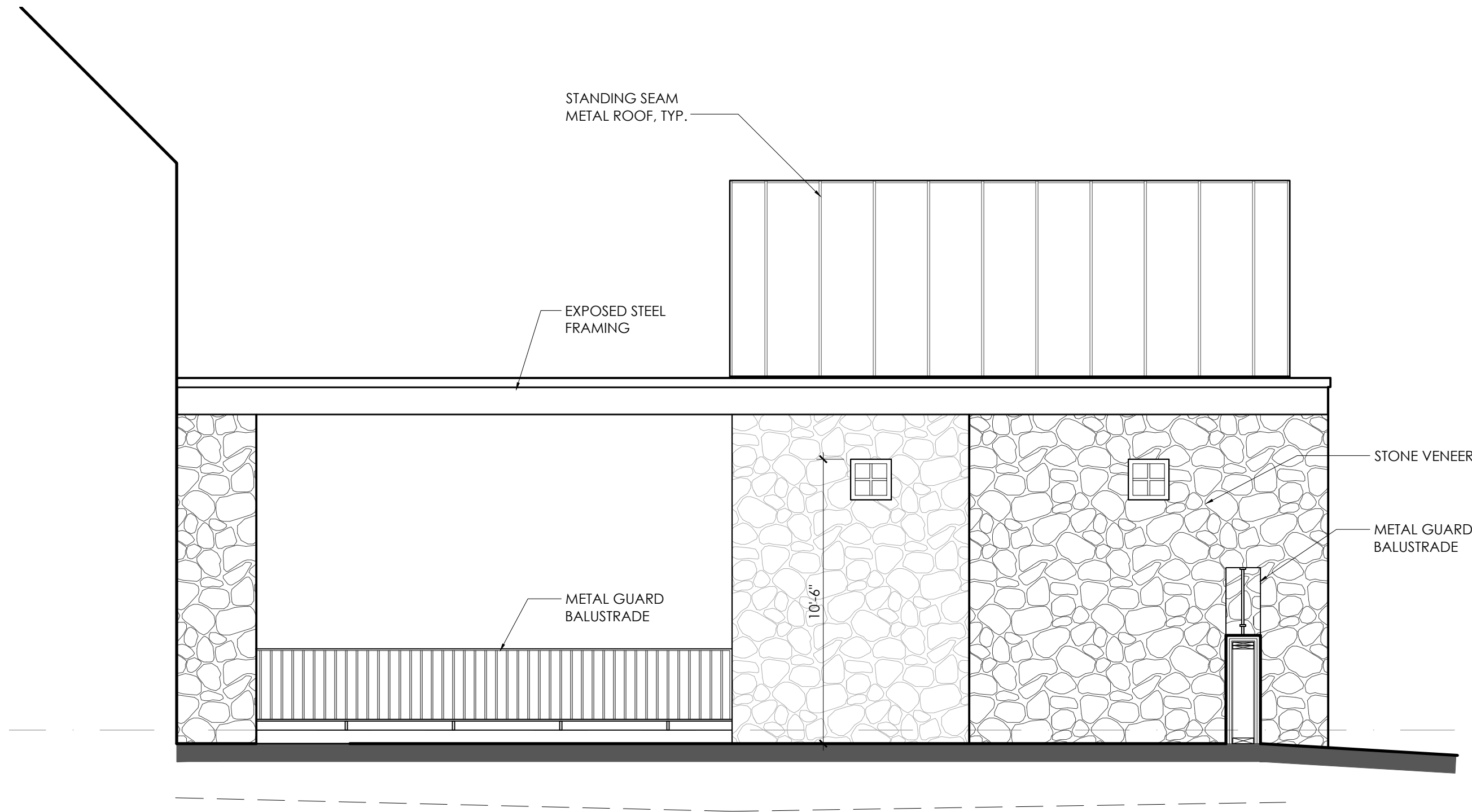
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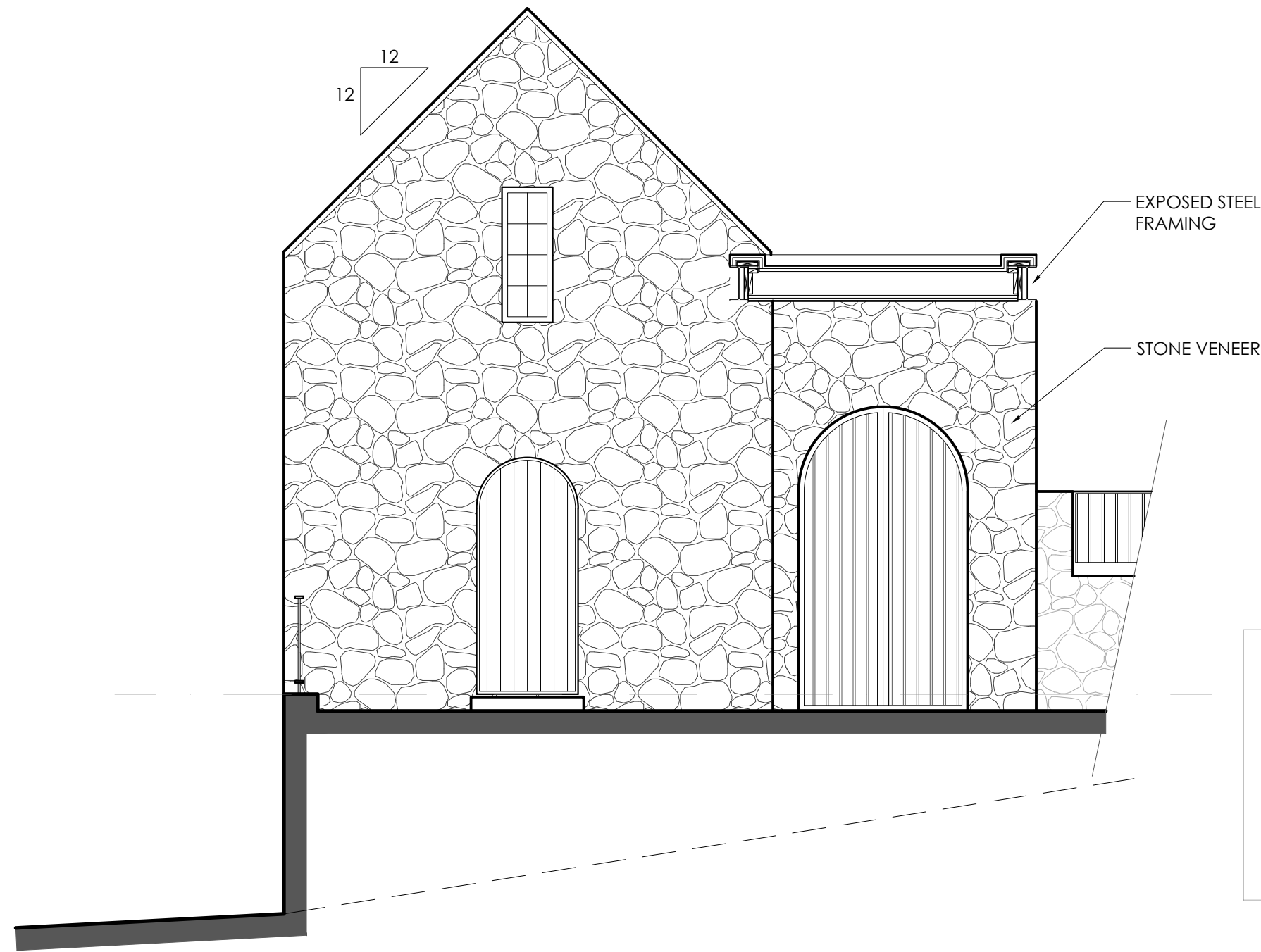
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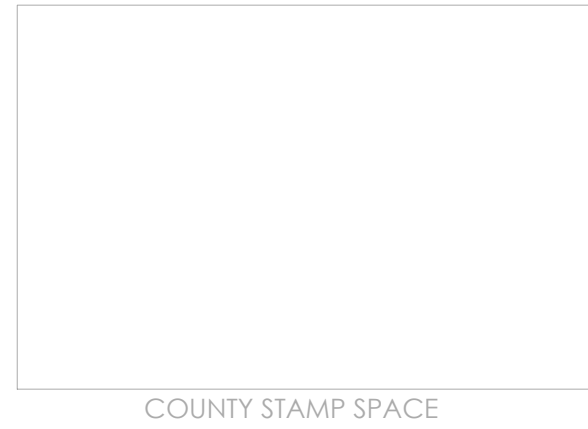
COURTYARD SOUTH ELEVATION
SCALE: 1/4" = 1'-0"



COURTYARD NORTH ELEVATION
SCALE: 1/4" = 1'-0"



COURTYARD EAST ELEVATION
SCALE: 1/4" = 1'-0"



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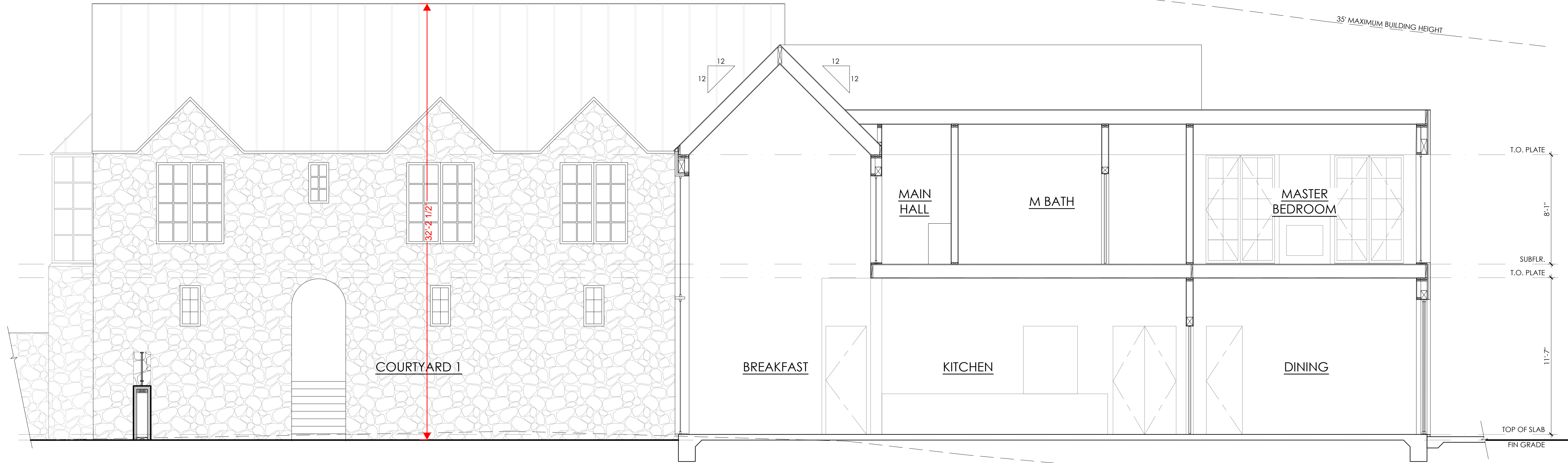
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RESIDENCE
COURTYARD
ELEVATIONS

REGISTERED ARCHITECT
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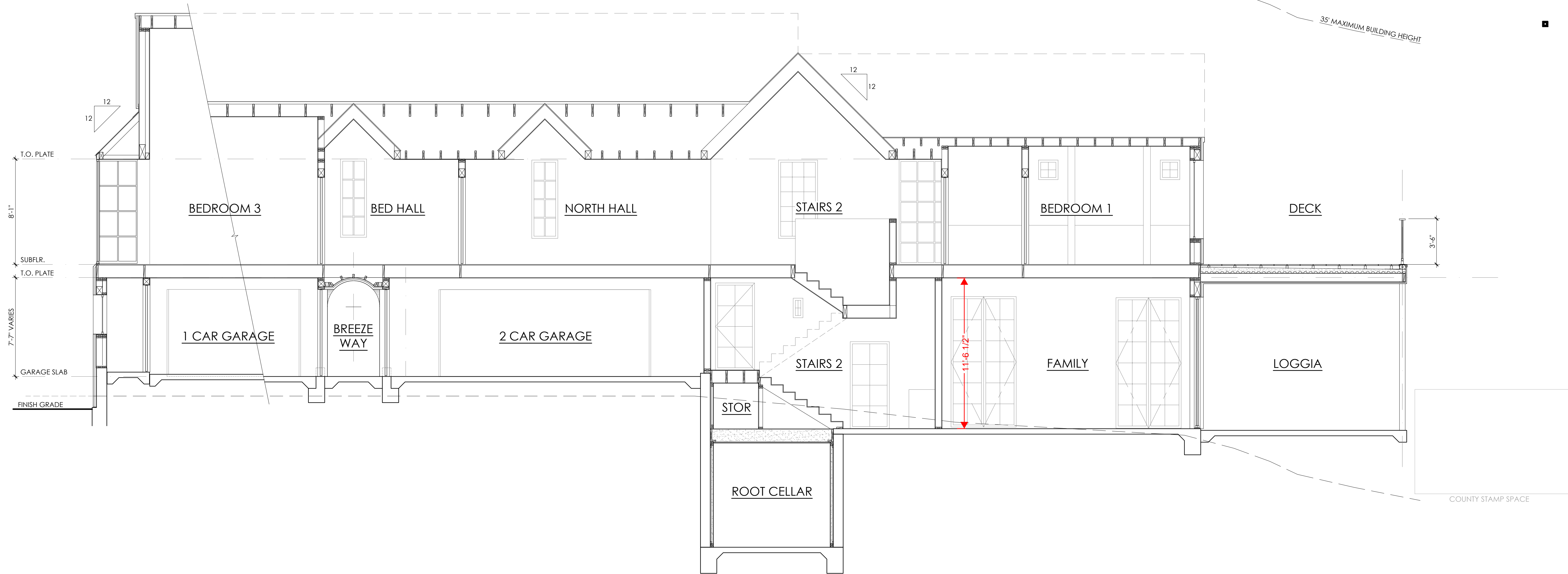
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P9



SECTION B

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



SECTION A

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



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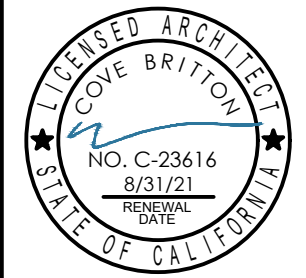
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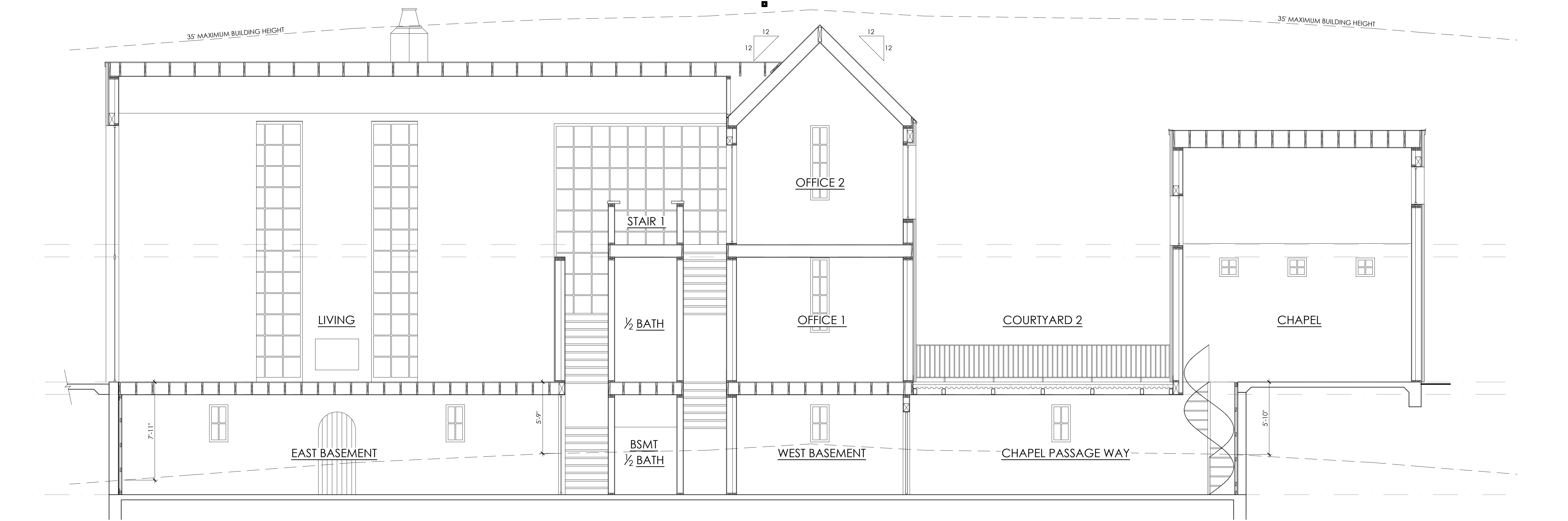
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CUPERTINO, CA 95051
APN: 351-42-004

RESIDENCE
BUILDING SECTIONS
SECTION A - SECTION B

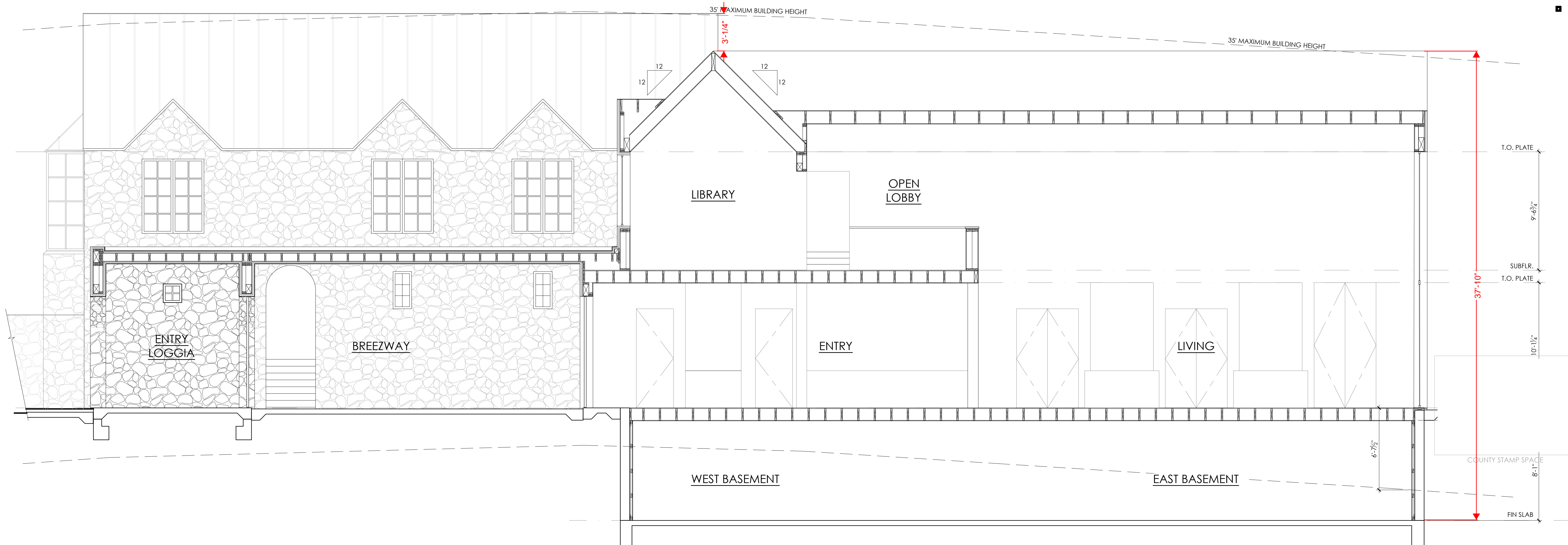


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P10.1



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



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

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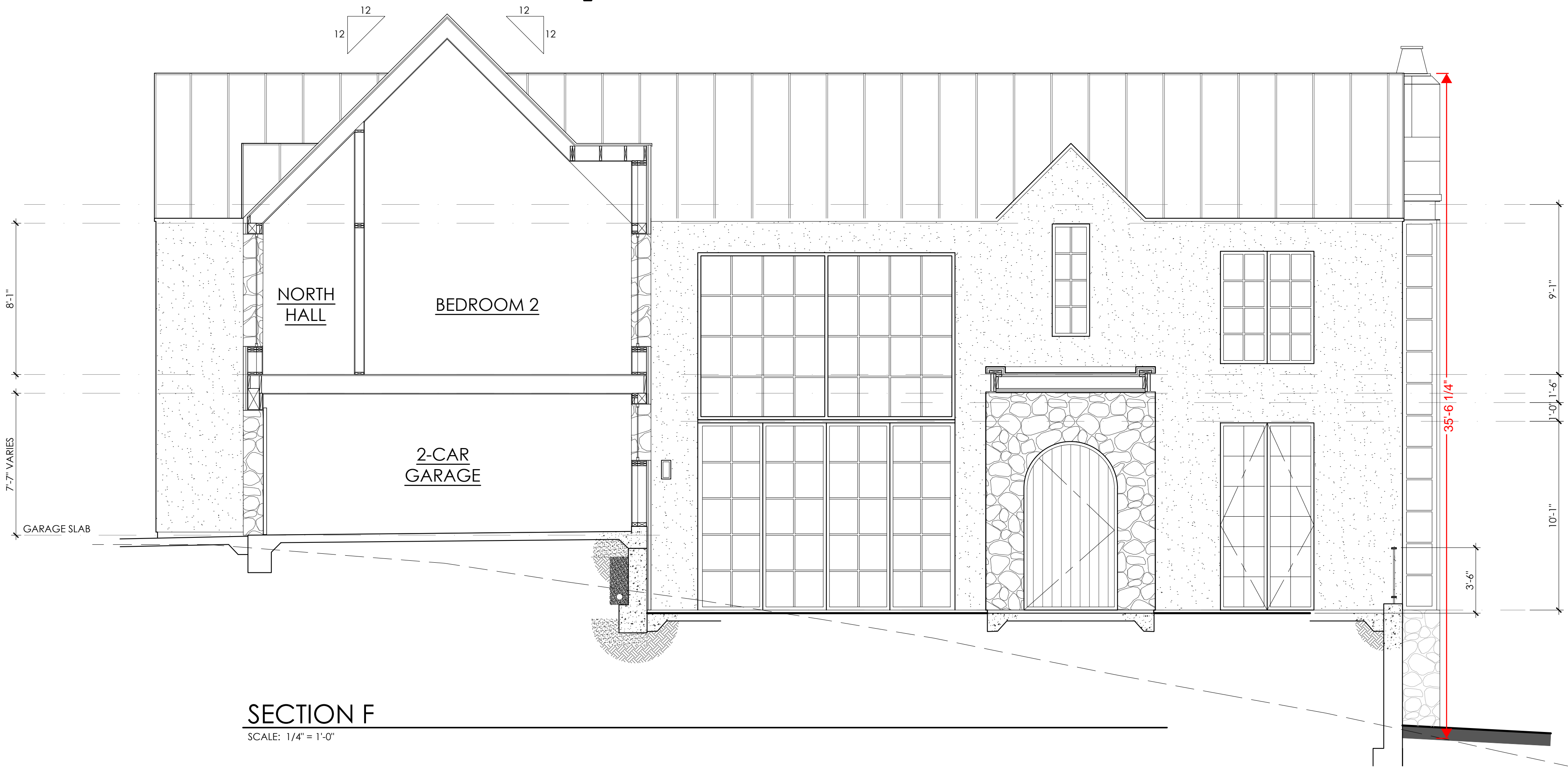
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APN: 351-42-004

RESIDENCE
BUILDING SECTIONS
SECTION C - SECTION D

REGISTERED ARCHITECT
MATSON BRITTON
NO. C-23616
8/31/21
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STATE OF CALIFORNIA

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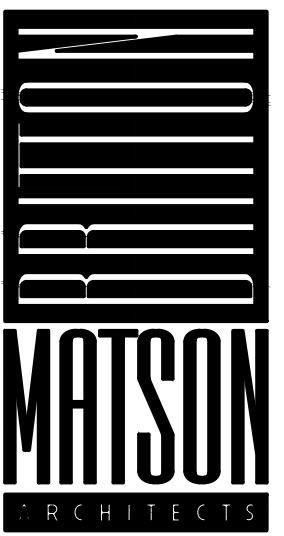


SECTION F
SCALE: 1/4" = 1'-0"



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

COUNTY STAMP SPACE



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SANTA CRUZ
CA 95062
831-425-0544

NOTICE

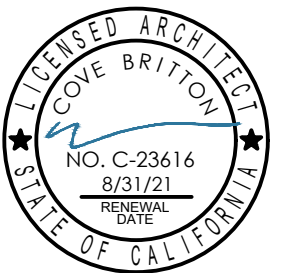
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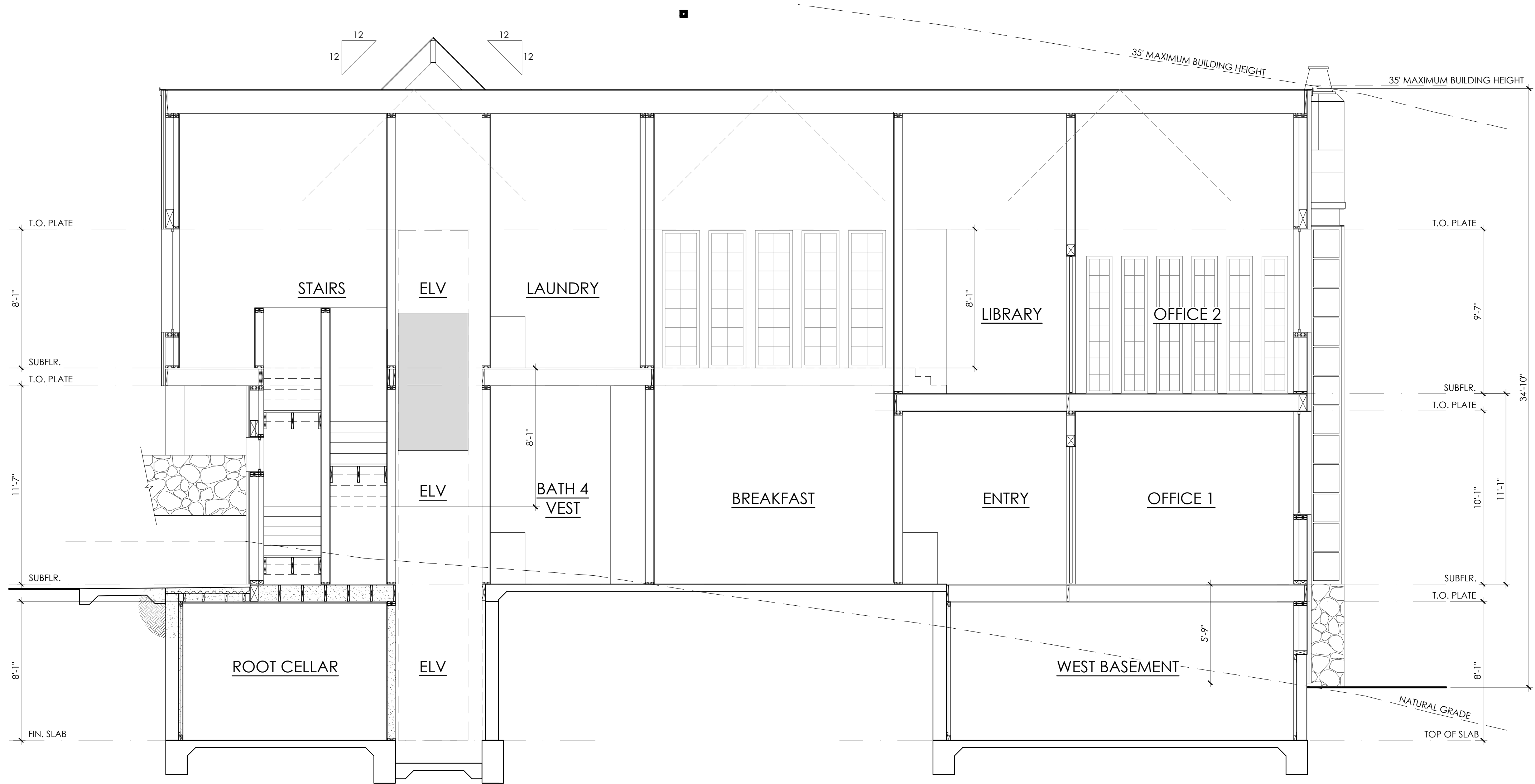
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RESIDENCE
BUILDING SECTIONS
SECTION E - SECTION F

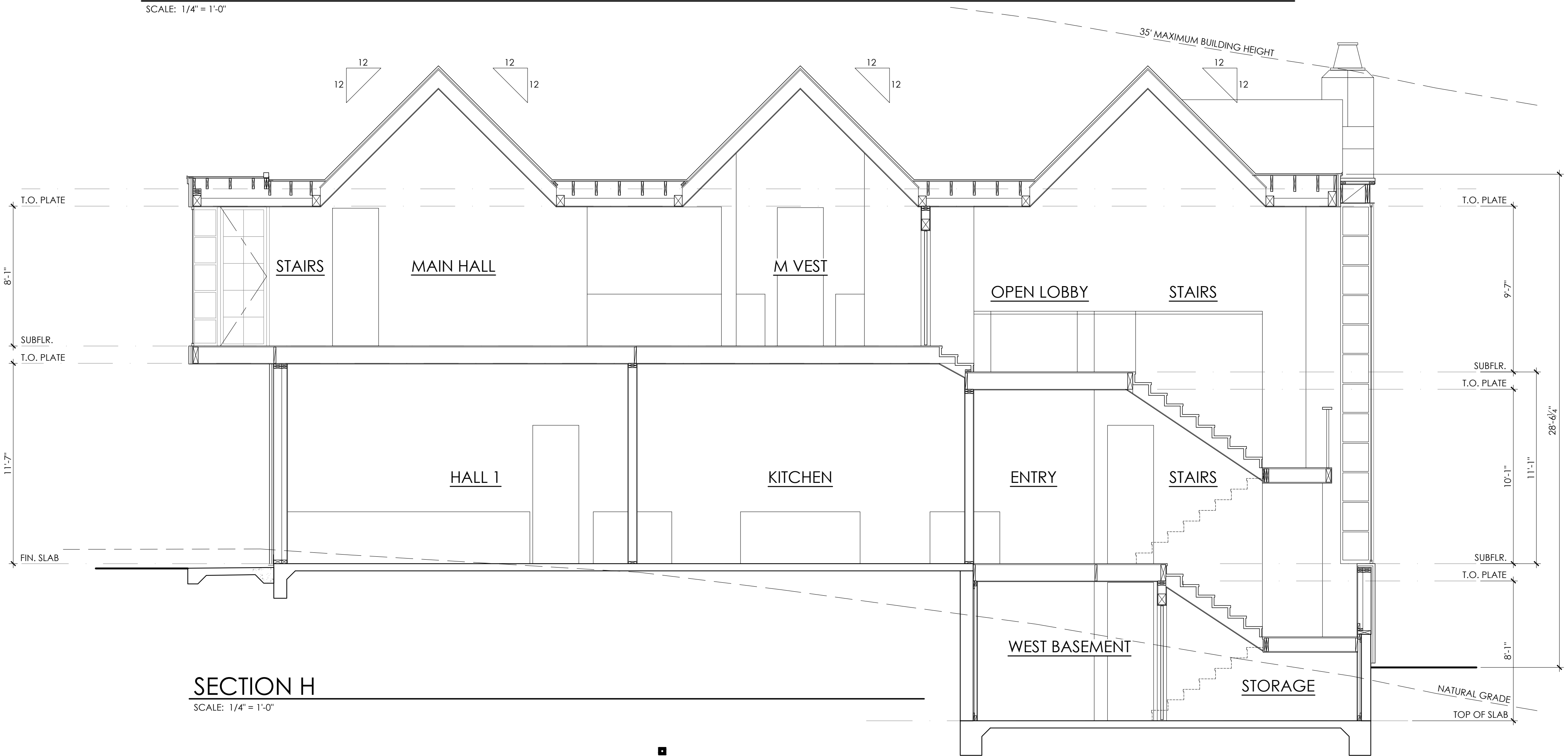


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P10.3



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



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



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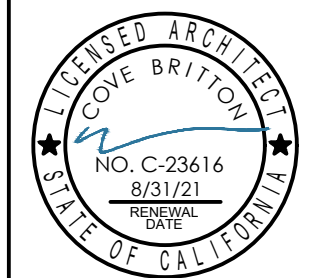
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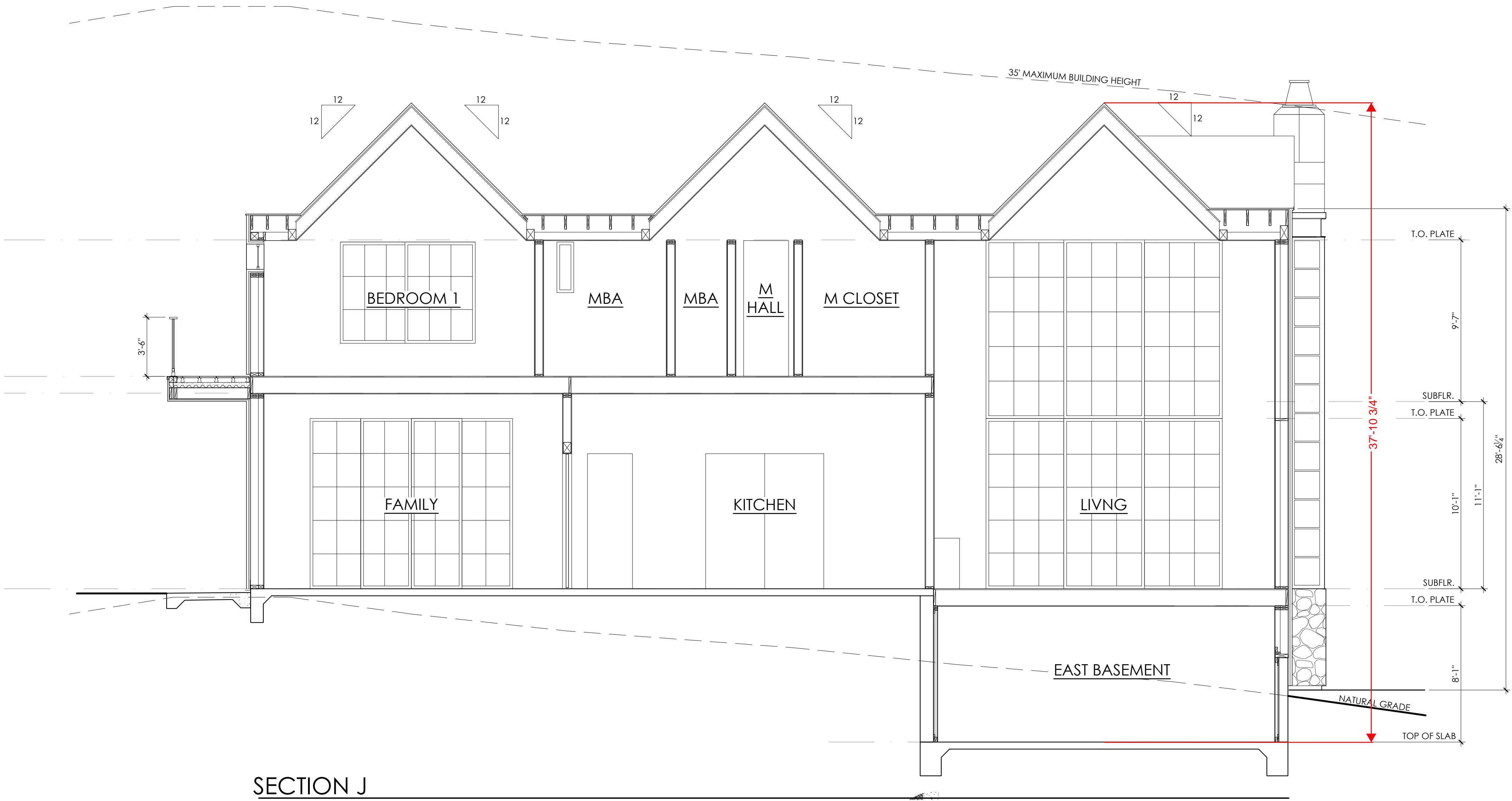
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RESIDENCE
BUILDING SECTIONS
SECTION G - SECTION H



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WATERS				
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P10.4



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

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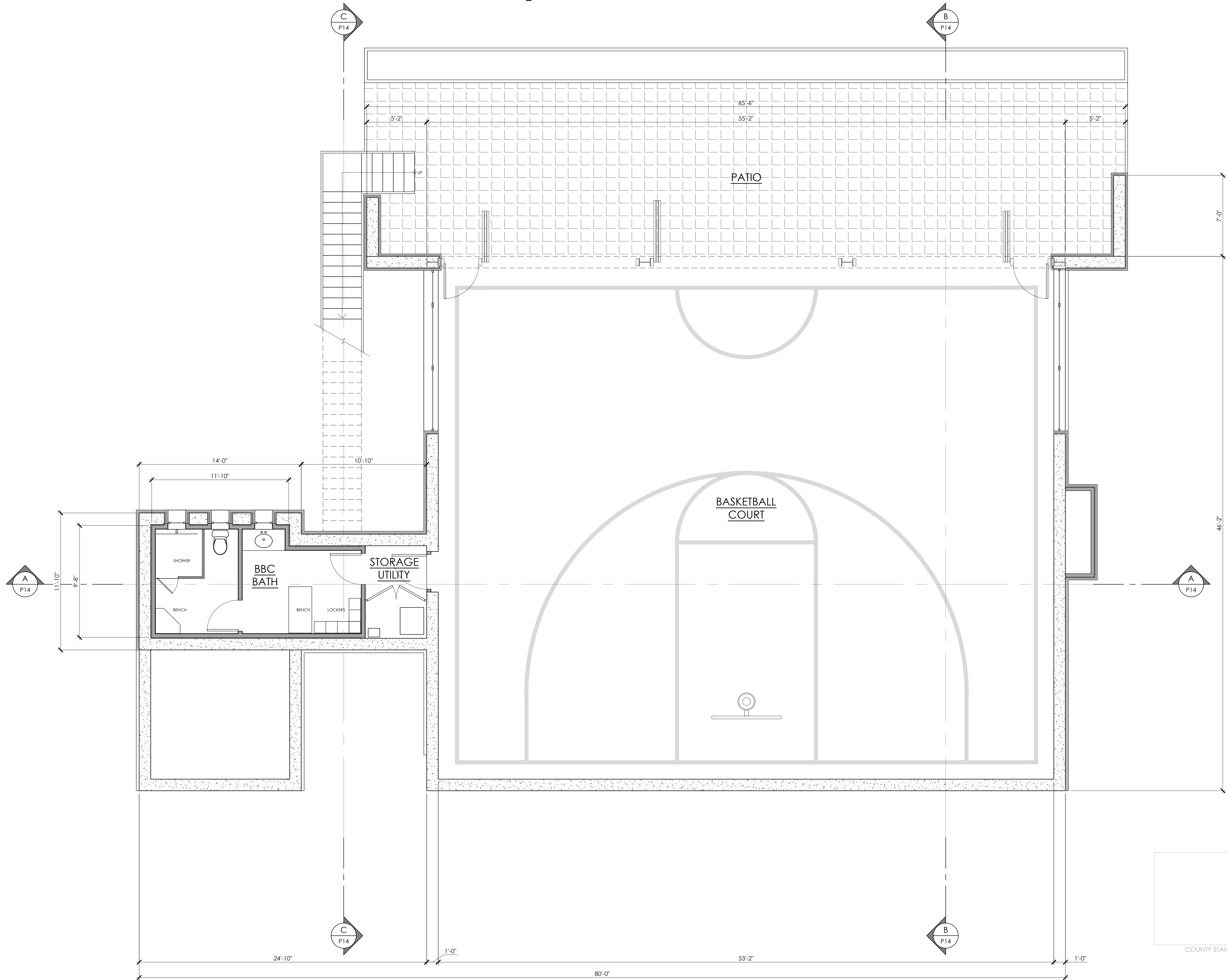
RESIDENCE
BUILDING SECTIONS
SECTION J

REGISTERED ARCHITECT
MATSON BRITTON
NO. C-23616
8/31/21
RESIDENT
STATE OF CALIFORNIA

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P10.5

COUNTY STAMP SPACE



LOWER FLOOR - BASKETBALL COURT - RETAINING WALL PLAN

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



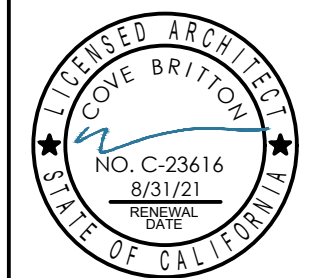
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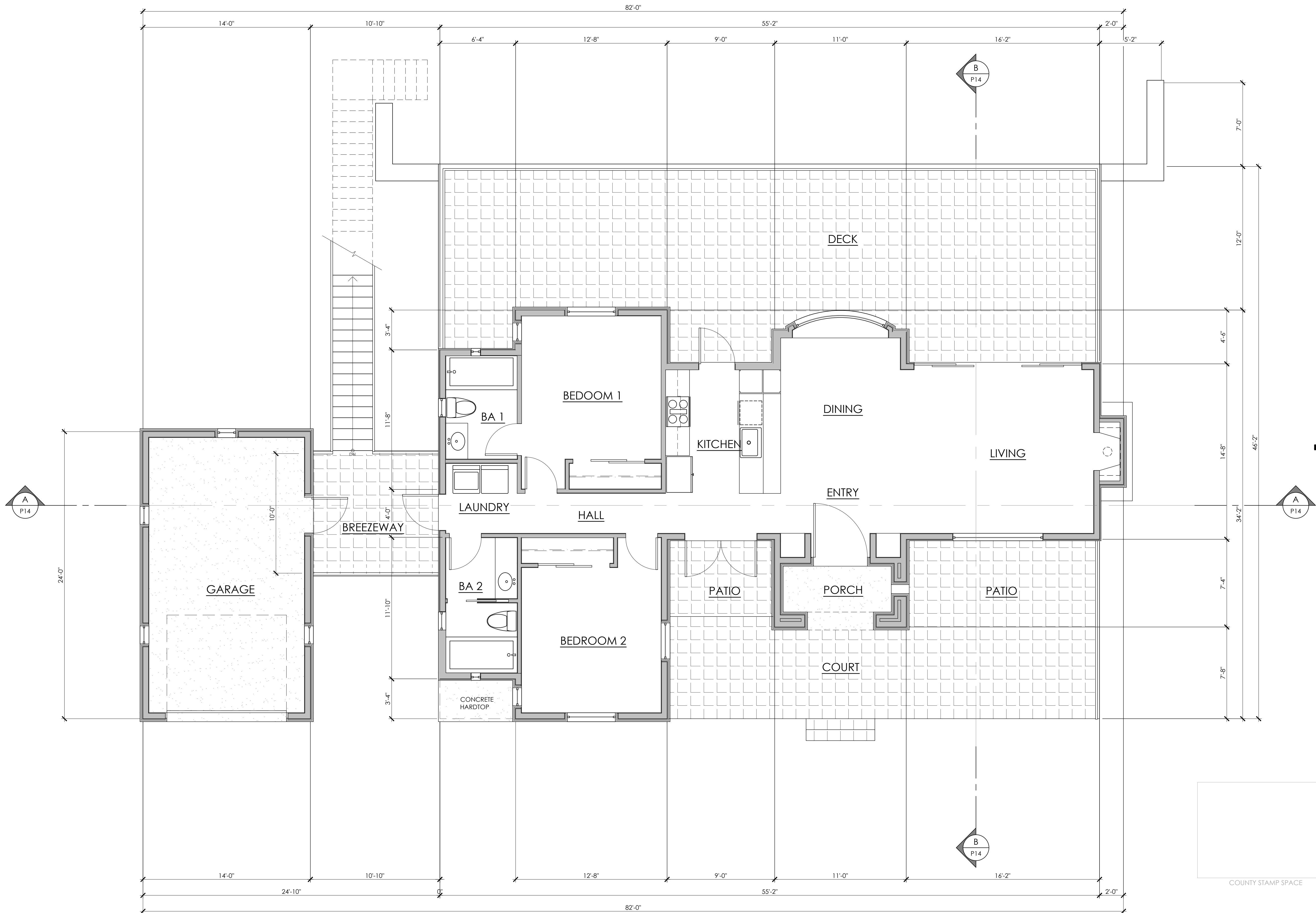
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APN: 351-42-004

ADU-COTTAGE
BASKETBALL COURT
RETAINING WALL PLAN



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WATERS				
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P11



COTTAGE MAIN FLOOR PLAN

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



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COUNTY STAMP SPACE

P12

LIVING
CONDITIONED

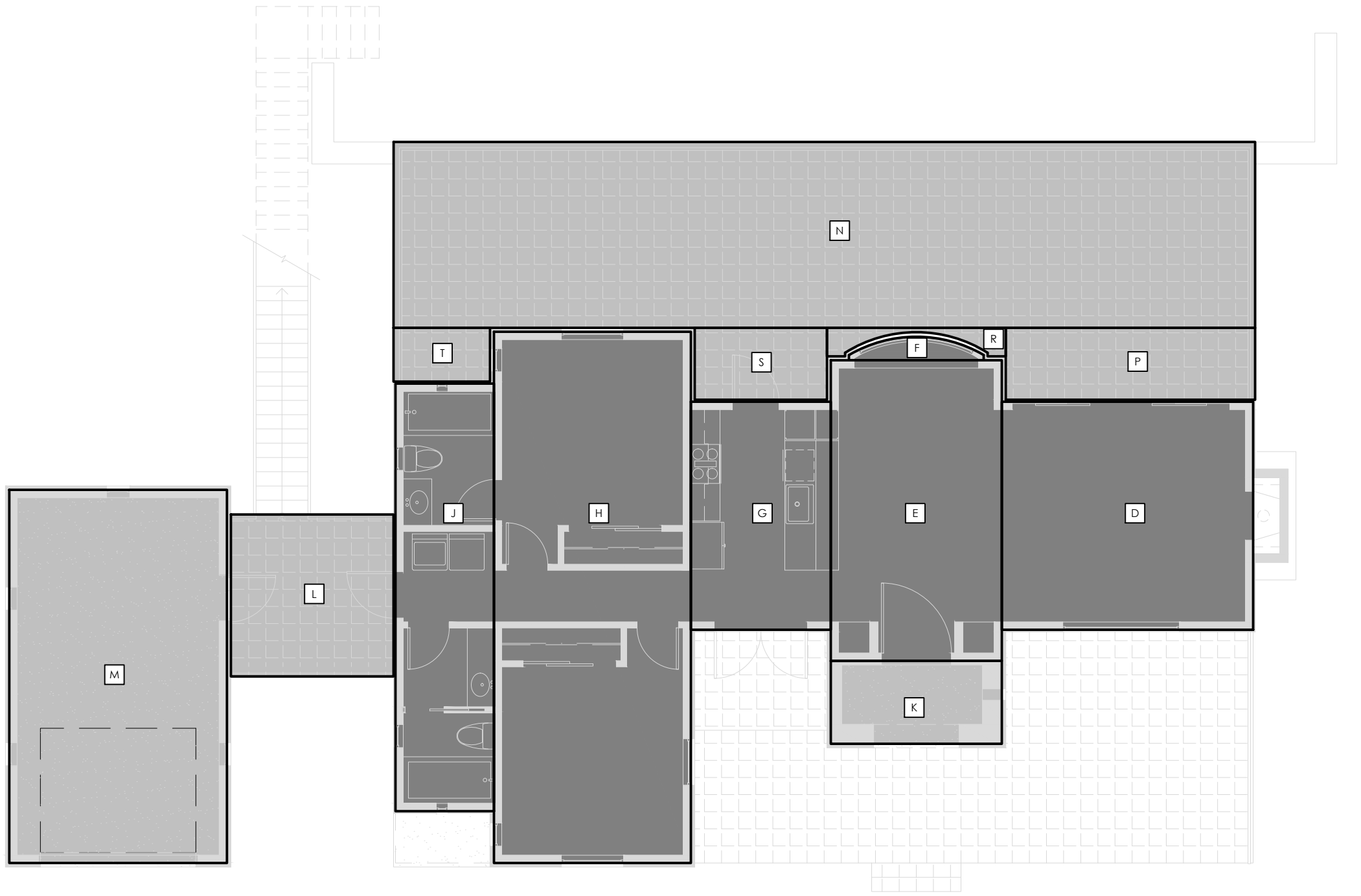
PORCHES & GARAGES
DECKS

BASEMENT &
NON-CONDITIONED

BASEMENT LESS THAN 6'
FROM FLOOR ABOVE

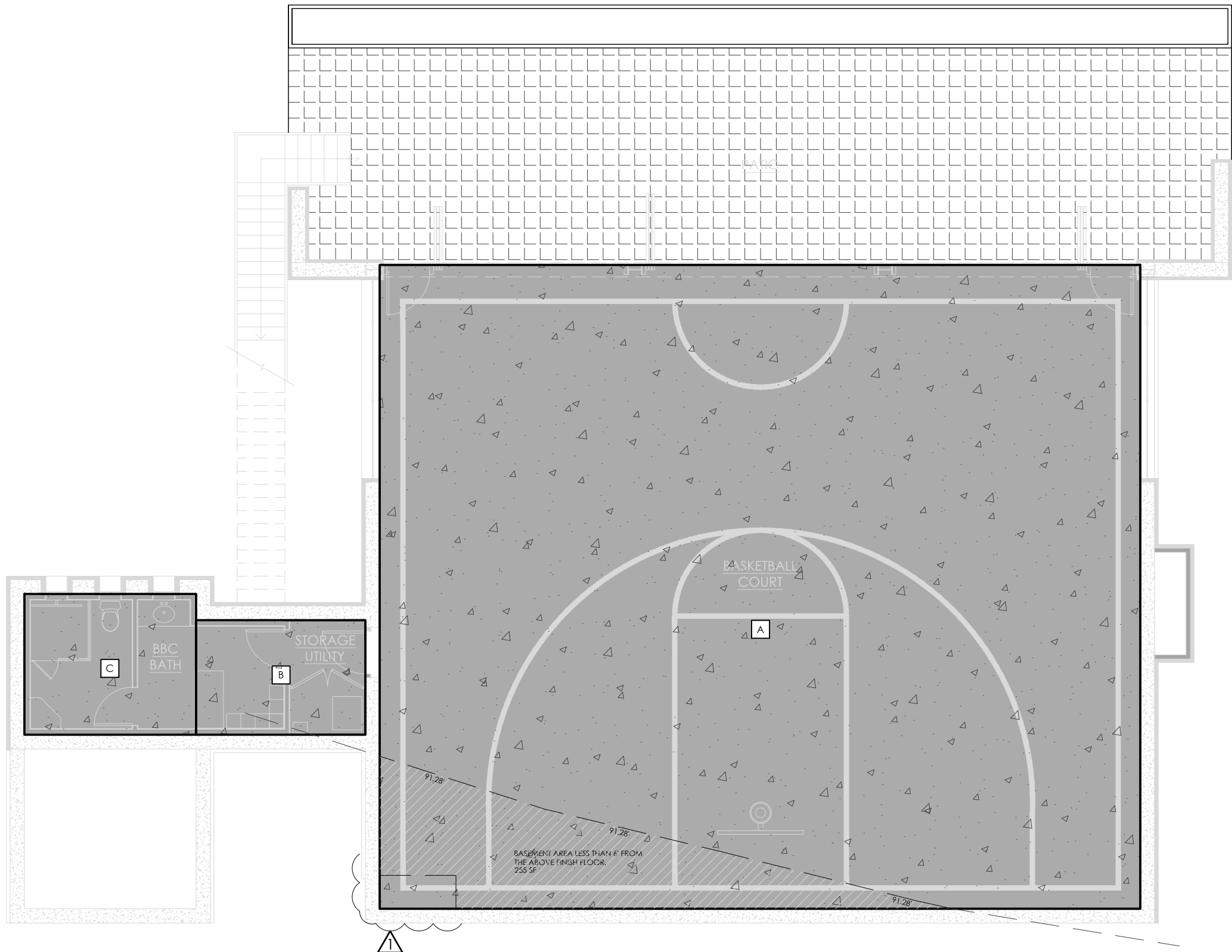
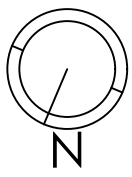
FAR AREA SCHEDULE			
POLYGON AREA DESIGNATION		DIMENSIONS	AREA
NON-COND BASKETBALL	A	53.16 x 45	2,393 SF
BASEMENT AREA LESS THAN 6' FROM THE FINISH FLOOR ABOVE $\frac{188}{2393} = 7.9\%$ (7.9 %) 188 SF			
NON-COND LOCKER	B	11.92 x 8	95 SF
NON-COND BATH ROOM	C	12.0 x 9.83	118 SF
NON-COND		TOTAL SF	2760 SF
CONDITIONED LIVING	D	16.17 x 14.67	237.1 SF
CONDITIONED LIVING	E	11.0 x 19.33	212.6 SF
CONDITIONED LIVING	F	SEMI-CURVED POLYGON (8.67 x 1.13) APPROX	9.8 SF
CONDITIONED LIVING	G	9.0 x 14.67	132.0 SF
CONDITIONED LIVING	H	12.67 x 34.17	432.7 SF
CONDITIONED LIVING	J	6.33 x 27.5	174.2 SF
CONDITIONED LIVING		TOTAL SF	1,198 SF
COVERED PORCH	K	11.0 x 5.33	58.6 SF
COVERED BREEZEWAY	L	10.46 x 10.42	108.9 SF
COVERED HARDSCAPE		TOTAL SF	167.5 SF
DETACHED GARAGE	M	14.0 x 24.0	336.0 SF
GREEN ROOF (MIN AREA)	N	55.42 x 7.36 ALLOTTED AREA	408 SF
UNCOVERED DECK	N	55.42 x 4.58 APPROX AREA	254.3 SF
UNCOVERED DECK	P	16.04 x 4.63	74.2 SF
UNCOVERED DECK	R	IRREGULAR POLYGON (11.5 x 0.94) APPROX	10.8 SF
UNCOVERED DECK	S	8.5 x 4.63	39.3 SF
UNCOVERED DECK	T	6.2 x 3.46	21.4 SF
DECK AND GREEN ROOF		*TOTAL SF 400 SF DECK 408 SF GREEN ROOF	*808 SF

* NOTE: ASSUMED AREAS. EXTENT OF GREEN ROOF AREAS TO COORDINATE THROUGH LANDSCAPE ARCHITECT'S DESIGN - FUTURE.



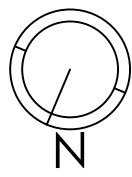
ADU-COTTAGE MAIN FLOOR PLAN

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



BASKETBALL COURT - LOWER FLOOR PLAN

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





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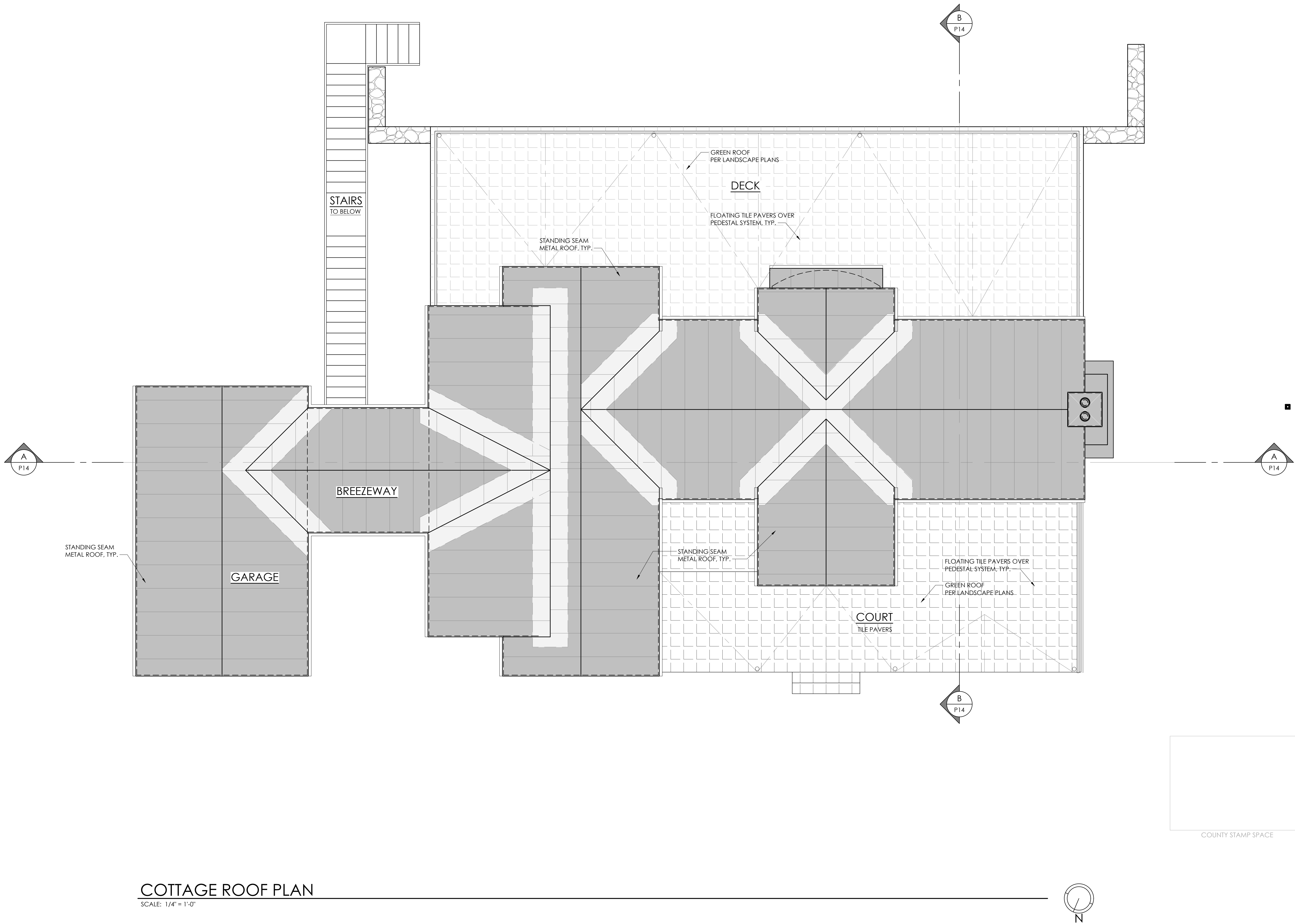
WATERS RESIDENCE
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CUPERTINO, CA 95051
APN: 351-42-004

ADU-COTTAGE
FAR CALCULATIONS



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03 / 27 / 20				
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WATERS				
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P12.1



COTTAGE ROOF PLAN
SCALE: 1/4" = 1'-0"

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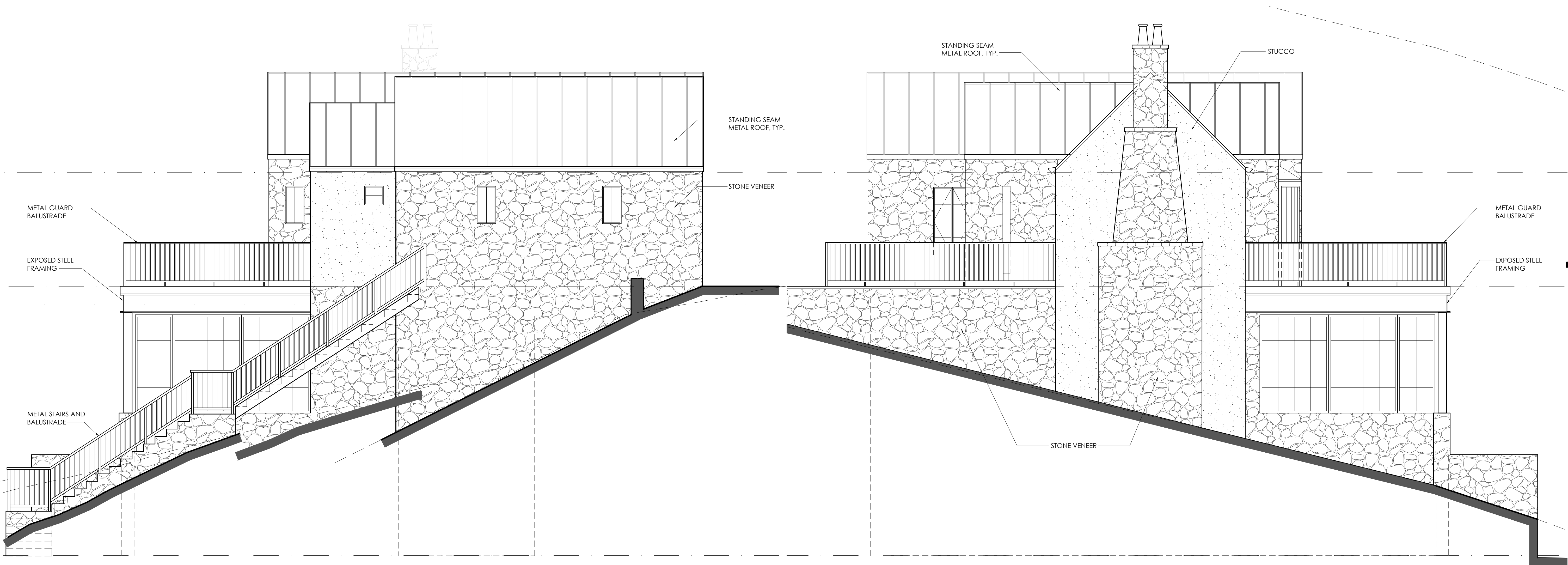
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PEACOCK COURT
CUPERTINO, CA 95051
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EXPIRES ARCHITECT
NICOLE BRITTON
NO. C-23616
8/31/21
RESIDENT
STATE OF CALIFORNIA

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WATERS				
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P13



COTTAGE - EAST ELEVATION

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

COTTAGE - WEST ELEVATION

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

COUNTY STAMP SPACE

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PEACOCK COURT

CUPERTINO, CA 95051

APN: 351-42-004

ADU-COTTAGE

EXTERIOR ELEVATIONS

SEAL OF ARCHITECT

MATSON BRITTON

NO. C-23616

8/31/20

REGISTERED

STATE OF CALIFORNIA

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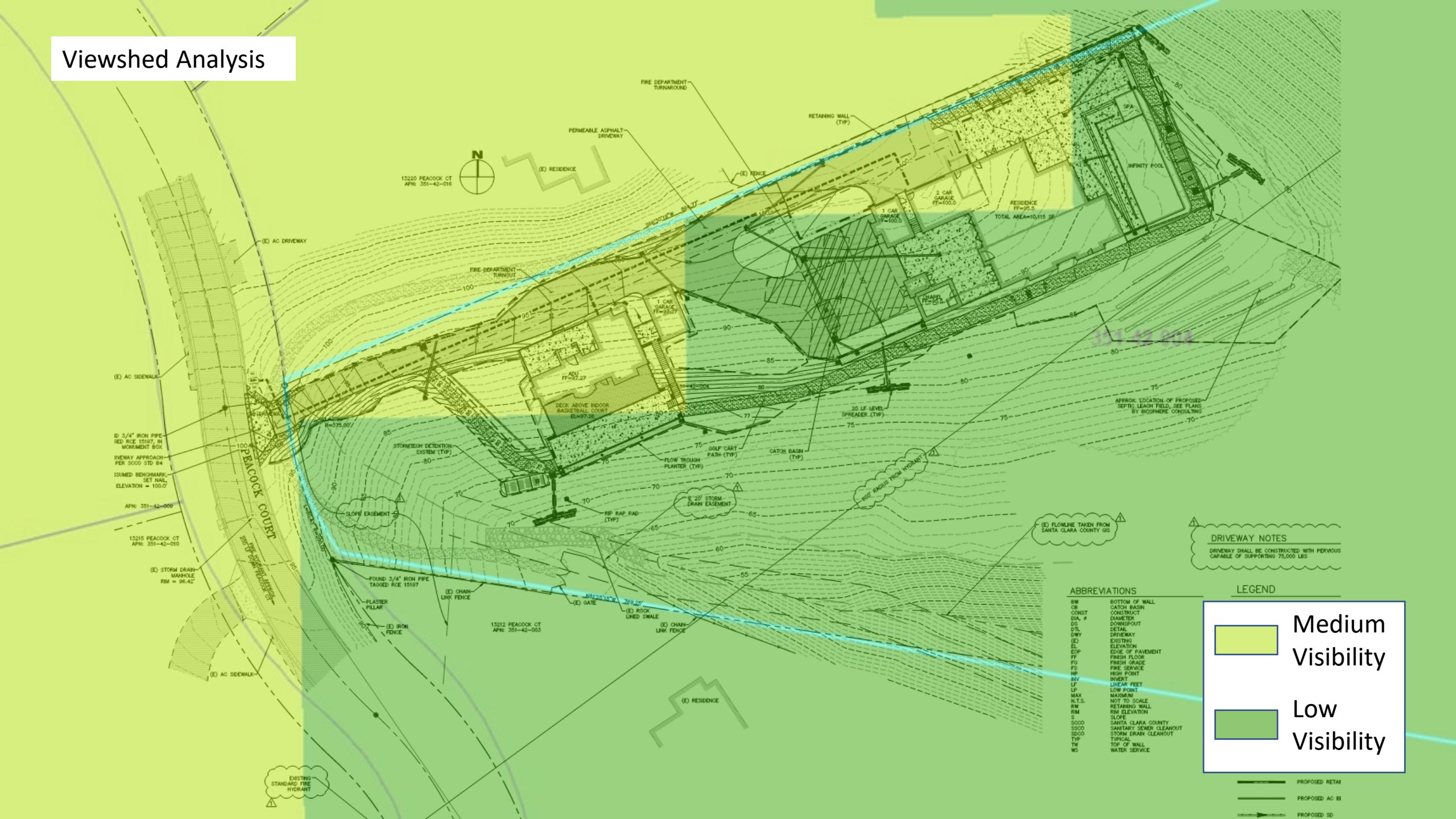
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Attachment H

GIS Viewshed Analysis, Reverse Viewshed Analysis, and Site
Photos

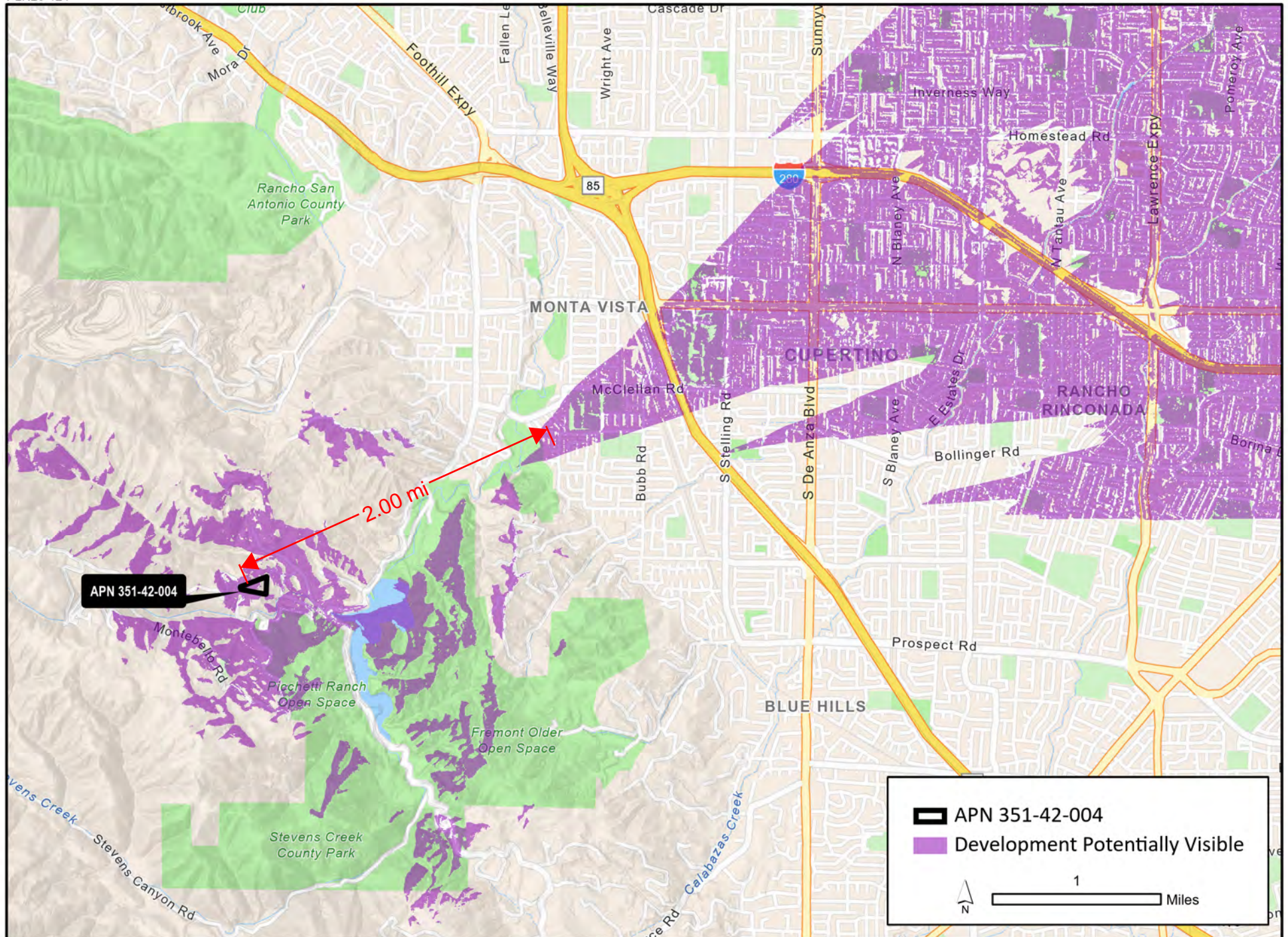
Viewshed Analysis



Potential Visibility of Proposed Development (35 ft. Tall)

Reverse Viewshed Analysis

PLN20-124





One-story Dwelling on Lot 1



Two-story Dwelling on Lot 11



Two-story Dwelling on Lot 11



Two-story Dwelling on Lot 2



Three-story Dwelling on Lot 10



The subject Site -South



The subject Site -West



The subject Site -West



The subject Site -North



The subject Site - Middle



The subject Site – Panoramas



The subject Site - East



The subject Site – East Edge of the Plateau, Facing the valley floor



Two-story Dwelling on Lot 5



Two-story Dwelling on Lot 7

Attachment I

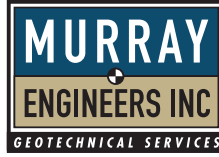
Geotechnical Report Prepared by Murray Engineers. Inc

**LIMITED GEOLOGIC &
GEOTECHNICAL INVESTIGATION
SITE DEVELOPMENT FEASIBILITY
APN 351-42-004 – PEACOCK COURT
SANTA CLARA COUNTY, CALIFORNIA**

**THIS REPORT HAS BEEN PREPARED FOR:
CHRISTINE & ALAN LOUDERMILK
C/O LAZAR HOMES
ATTN: MS. GINNA ARNOLD-LAZAR
241 SOUTH SAN ANTONIO RD, SUITE A
LOS ALTOS, CALIFORNIA 94022**

JULY 2017





July 11, 2017
Project No. 2692-1R1

Christine & Alan Loudermilk
Attn: Ms. Ginna Arnold-Lazar
241 South San Antonio Rd, Suite A
Los Altos, California 94022

**RE: LIMITED GEOLOGIC &
GEOTECHNICAL INVESTIGATION,
SITE DEVELOPMENT FEASIBILITY,
APN 351-42-004 – PEACOCK COURT,
SANTA CLARA COUNTY, CALIFORNIA**

Dear Ms. and Mr. Loudermilk:

We are pleased to present the results of our limited geologic and geotechnical investigation relating to the feasibility of developing Lot 4 on the Peacock Court in an unincorporated area of Santa Clara County, California. This report summarizes the results of our field, laboratory, and engineering work, and presents conclusions relating to the feasibility of site development and preliminary recommendations relating to future site development. A design-level geotechnical investigation should be completed once the layout and details of the development have been determined.

If you have any questions concerning our investigation, please call.

Sincerely,

MURRAY ENGINEERS, INC.

A handwritten signature in black ink, appearing to read "Mark F. Baumann", with a long horizontal stroke extending to the right.

Mark F. Baumann, C.E.G. 1787
Principal Engineering Geologist

A handwritten signature in blue ink, appearing to read "John A. Stillman", is positioned to the left of a circular professional seal. The seal is for a Registered Professional Engineer, John A. Stillman, No. GE2523, Exp. 12/31/2018, State of California.

John A. Stillman, G.E., C.E.G. 1838
Principal Geotechnical Engineer

Copies: Addressee (4)

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- Figure A-7 – Static Slope Stability Analysis
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- Figure B-5 – Boring Log B-5
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- Figure B-8 – Key to Bedrock Descriptions

APPENDIX C – SUMMARY OF LABORATORY TESTS



**LIMITED GEOLOGIC & GEOTECHNICAL INVESTIGATION
SITE DEVELOPMENT FEASIBILITY
APN 351-42-004 – PEACOCK COURT
SANTA CLARA COUNTY, CALIFORNIA**

INTRODUCTION

This report presents the results of our limited geologic and geotechnical investigation relating to the feasibility of residential development in the western half of Lot 4 (APN 351-42-004) on Peacock Court in unincorporated Santa Clara County. The location of the property is shown on the Vicinity Map, Figure A-1. The purpose of our investigation was to evaluate the subsurface conditions in the western portion of the property, evaluate geologic hazards that could potentially impact future development and potential geotechnical constraints to development, and to provide preliminary geotechnical recommendations for future residential development.

SCOPE OF SERVICES

We performed the following services in accordance with our agreement dated January 9, 2107, executed on January 14, 2014:

- ➊ Reviewed geologic and geologic hazard maps to evaluate the prevailing geologic conditions in the area
- ➋ Performed a reconnaissance and mapping in the western portion of the site to evaluate site-specific geologic hazards and geotechnical conditions.
- ➌ Explored the subsurface conditions by excavating, logging, and sampling five exploratory borings in the western portion of the site
- ➍ Performed laboratory analyses and testing on selected soil and bedrock samples for soil classification and to evaluate engineering properties of the subsurface materials
- ➎ Evaluated geologic hazards that could potentially impact future improvements
- ➏ Performed engineering analyses to develop preliminary geotechnical recommendations for future residential improvements
- ➐ Prepared this report presenting a summary of our investigation and our engineering geologic and geotechnical conclusions and preliminary recommendations



GEOLOGIC & SEISMIC CONDITIONS

Geologic Overview

The property is located along the northeast side of the Santa Cruz Mountains, a northwest-trending range within the California Coast Ranges geomorphic province. The area is characterized by gently to moderately sloping ridge lines with steep to very steep flanks. According to the U.S. Geological Survey topographic map for the area, the property is situated at an elevation of approximately 1,000 feet above mean sea level (see Figure A-1). According to the geologic map of the Cupertino and San Jose West quadrangles (Dibblee, Jr., 2007), the property is located in an area underlain by Cretaceous and Jurassic age (approximately 65 to 206 million years old) greywacke sandstone bedrock of the Franciscan Complex (fs). The sandstone is generally described as greenish gray to buff, fine- to coarse-grained, weathered, hard sandstone with interbeds of siltstone and shale (see Figure A-2, Vicinity Geologic Map).

No landslides are mapped on the site by Dibblee, Jr.; however, a relatively large landslide deposit (Qls) is mapped immediately northeast and downhill from the property (see Figure A-2). More detailed landslide mapping by Sorg and McLaughlin (1975), suggests that the site is located within the northwestern portion of a large landslide complex that extends from a ridgeline to the south of the site at an elevation of approximately 1,600 feet down into a tributary to Stevens Creek to the east of the site at an elevation of approximately 600 feet. The landslide complex is approximately 4,000 feet wide and 4,200 feet long with a general sense of movement to the northeast into the seasonal tributary. The western half of the property is located within the upper margins of the large landslide complex and a scarp is mapped immediately west of the site. A secondary scarp is located in the central portion of the property. According to Sorg and McLaughlin, the landslide identified by Dibblee, Jr. immediately northeast of the site was active in 1973. This landslide is approximately 850 feet wide and 630 feet long with movement to the northeast (see Figure A-3, Vicinity Landslide Map).

According to the State of California seismic hazard zones map of the Cupertino quadrangle (California Geologic Survey, 2002a), the property and most of the surrounding properties are located in an area identified as having a potential for earthquake-induced landsliding (see Figure A-4).

Faulting & Seismicity

Geologists and seismologists recognize the San Francisco Bay Area as one of the most active seismic regions in the United States. There are three major faults that trend in a northwest direction through the Bay Area, which have generated about 12 earthquakes per century large enough to cause significant structural damage. The faults along which these

earthquakes occur are part of the San Andreas fault system that extends for at least 700 miles along the California Coast, and includes the San Andreas, Hayward, and Calaveras faults. The San Andreas fault is located approximately 1.8 miles southwest of the site. The Hayward and Calaveras faults are located approximately 16 and 19 miles northeast of the site, respectively. In addition, a trace of the potentially active Berrocal fault is located immediately east of the site (see Figures A-2 and A-3).

Seismologic and geologic experts convened by the U. S. Geological Survey, California Geological Survey, and the Southern California Earthquake Center conclude that there is a 63 percent probability for at least one "large" earthquake of magnitude 6.7 or larger in the Bay Area before the year 2038. The northern portion of the San Andreas fault is estimated to have a 21 percent probability of producing a magnitude 6.7 or larger earthquake by the year 2038 (Working Group on California Earthquake Probabilities, 2008).

SITE EXPLORATION AND RECONNAISSANCE

Exploration Program

An initial site visit was performed by our principal engineering geologist on December 19, 2016. Site reconnaissance and mapping were performed by our principal engineering geologist, project geologist, and staff geologist on January 24, 2017 and April 21, 2017. Our subsurface investigation was performed on March 28, 2017 and included excavation, sampling, and logging of five exploratory borings with a track-mounted drill rig equipped with continuous flight augers to depths ranging from 15 to 45 feet at the locations shown on Figure A-5 Partial Site Plan & Engineering Geologic Map). The boring locations were approximately determined by measuring distance and bearing from known points on the site using tape measure and compass and should be considered accurate only to the degree implied by the mapping techniques used.

Soil and bedrock samples were collected with split-spoon samplers that were driven with a 140-pound hydraulic automatic hammer repeatedly dropped from a height of 30 inches. Samplers included 2.5- and 3-inch outside diameter (O.D.) split-spoon samplers and a 2-inch (O.D.) standard penetration test sampler. The sampler types used are indicated on the logs at the appropriate depth. The number of hammer blows required to drive the 18-inch long samplers were recorded in 6-inch increments. The associated blow count data, which is the sum of the second and third 6-inch increment, is presented on the boring logs as sampling resistance in blows per foot. The blow count data has been adjusted to standard penetration blow counts based on sampler diameter; however, the blow count data has not been adjusted for other factors such as hammer efficiency. Logs of the borings are presented in Appendix B as Figures B-1 through B-5 and a key to the logs is presented on Figure B-6, Key to Boring Logs.

Our staff geologist logged the borings in general accordance with the Unified Soil Classification System presented on Figure B-7 and the Key to Bedrock Descriptions presented on Figure B-8. The boring logs show our interpretation of the subsurface conditions at the locations and on the date indicated and it is not warranted that these conditions are representative of the subsurface conditions at other locations and times. In addition, the stratification lines shown on the logs represent approximate boundaries between the soil and bedrock materials and the transitions may be gradual. Soil and bedrock samples recovered from the borings were retained for laboratory testing and for review by our project geologist and principal engineering geologist.

Site Description

The undeveloped, 5.64-acre property is triangular in shape and is located along the east (downhill) side of Peacock Court. The property is 80 feet wide at the road, 544 feet wide at the rear, and is up to 865 feet deep. The property is bounded by developed properties to the north, south and east. The ground surface across the eastern portion of the property slopes down steeply to very steeply to the east and northeast. The ground surface across the western portion of the property slopes down gently to moderately to the south into a seasonal drainage ravine that flows through the southern-most portion of the property. Gradients vary from approximately 6:1 (horizontal to vertical) in the upper portion of the west end of the site and gradually steepen to 4:1 and 3:1 down to the top of the drainage ravine. The banks of the drainage ravine are very steep with a gradient of approximately 0.8:1 and are approximately 40 feet high (see Figure A-5 and Figure A-6, Geologic Cross-Section A-A') and, locally, have experienced shallow sloughing.

Minor grading has occurred in the uphill portion of the western half of the property. The topsoil has been scraped off exposing sandstone bedrock. A rough graded dirt road starts in this area and continues to the east along a subdued spur ridge (see Figure A-5). The dirt road curves to the north, cutting obliquely across the hillside and leads onto the adjacent property to the north.

Where Peacock Court crosses the head of the drainage ravine, it is constructed over fill. The fill slope has a gradient of up to approximately 2:1 (horizontal to vertical) and extends down onto the western-most end of the property. The approximate limits of the fill are shown on the site plan (see Figure A-5).

The western portion of the property is vegetated with seasonal grasses except along the drainage ravine, which is vegetated with dense brush. The northeastern portion of the property is covered with dense trees and associated undergrowth. Drainage across the

western half of the site is characterized as uncontrolled sheet flow to the south into the seasonal drainage ravine and drainage in the eastern half is characterized as uncontrolled sheet flow to the east and northeast.

Subsurface Conditions

Four exploratory borings were excavated in the western half of the property (see Figure A-5). Borings B-1 and B-2 were excavated in the downhill portion of this area and encountered 13.5 to 15 feet of colluvial soil underlain by old landslide debris. The landslide debris persisted to depths of 25 to 28.5 feet where it is underlain by highly fractured shale bedrock. The bedrock persisted to the bottom of Borings B-1 and B-2 at depths of 45 and 35 feet, respectively (see Figures B-1 and B-2). Borings B-3 through B-5 were located in the uphill portion of the site. Boring B-3 encountered shale bedrock at the ground surface and Boring B-4 encountered 3.5 feet of colluvial soil underlain by sandstone bedrock. The bedrock persisted to the bottom of the borings at depths of 15 and 20 feet, respectively (see Figures B-3 and B-4). Boring B-5, located in the uphill portion of the property near Peacock Court, encountered approximately 2 feet of very soft fill underlain by 6.5 feet of colluvium. Sandstone bedrock was encountered in Boring B-5 at a depth of 8.5 feet and persisted to the bottom of the boring at a depth of 20 feet (see Figure B-5). Based on the consistency of the fill, it is unlikely that this material is engineered fill associated with the construction of Peacock Court; rather it may be uncompacted fill along the fringes of the road fill.

Based on laboratory testing on a sample of the colluvial soil from Boring B-5, this material is highly expansive with a liquid limit of 41 percent and a plasticity index of 27 percent (see Figure C-1, Liquid & Plastic Limits Test Report).

Groundwater

Groundwater was encountered in Boring B-1 at a depth of 38 feet below grade at the time of drilling. Approximately 2 hours after drilling the groundwater level rose to 36 feet. No free groundwater was encountered in the other exploratory borings. We note that fluctuations in the level of groundwater can occur due to variations in rainfall, temperature, landscaping, and other factors that may not have been evident at the time our observations were made.

SLOPE STABILITY ANALYSIS

A seismic slope stability screening analysis was performed in general accordance with the guidelines outlined in the following publications:

- Guidelines for Evaluating and Mitigating Seismic Hazards in California (California Geological Survey, 2008)

- Recommended Procedures for Implementation of DMG Special Publication 117 - Guidelines for Analyzing and Mitigating Landslide Hazards in California (Blake and others, 2002)

The screening analysis included static and pseudo-static evaluations of the stability of the site along Cross-Section A-A' (see Figure A-6). The analysis was performed using the computer program Slide 6.0, utilizing the Modified Bishop method to search for the critical circular failure surface and calculate the factor of safety. The critical failure surface is defined as the surface with the lowest calculated factor of safety. In general, factors of safety less than 1.0 indicate a potentially unstable condition, while factors of safety greater than 1.0 indicate a stable condition.

Stratigraphic boundaries utilized for the analysis were derived from our subsurface investigation. Strength data used in the analyses were derived from published mean data for landslide debris and Franciscan mélange bedrock from the seismic hazard zones report for the Cupertino quadrangle (California Geological Survey, 2002b). The strength values included a phi value of 13.8 degrees and a cohesion value of 532 pounds per square foot (psf) for the colluvium and landslide debris and a phi value of 24 degrees and a cohesion value of 820 psf for the bedrock. Based on the subsurface conditions at the site and our experience with similar materials, it is our opinion that these strength values are appropriately conservative. The analysis assumed a groundwater level at a depth of 36 feet below grade. We note that the exploratory drilling was performed on March 28, 2017, following an above average winter rainy season, and we do not anticipate a significantly higher groundwater level.

The pseudo-static analyses utilized a seismic coefficient (k) of 0.34, which was determined in accordance with Special Publication 117A for a threshold displacement of 15 centimeters using a peak ground acceleration with a 2 percent chance of exceedance in 50 years of 1.095 g obtained from the U.S. Geological Survey's online seismic design value application tool (U.S. Geological Survey, 2017). In accordance with California Geological Survey Note 48, the peak ground acceleration was reduced by a third to remove the risk coefficient (California Geological Survey, 2013).

The static slope stability analysis yielded a critical failure surface up to approximately 30 feet deep extending through the old landslide debris from the base of the seasonal drainage uphill for a distance of approximately 130 feet with a calculated factor of safety of 1.26, suggesting a relatively stable condition. The results of the static slope stability analysis are presented on Figure A-7, Static Slope Stability Analysis. The pseudo-static analysis yielded a similar critical failure with a calculated factor of safety of 0.66, suggesting relatively unstable conditions

during a design-level earthquake. The results of the pseudo-static slope stability analysis are presented on Figure A-8, Pseudo-Static Slope Stability Analysis.

It should be noted that computer-aided slope stability analyses are mathematical models of slopes and subsurface materials, and they contain many assumptions. Slope stability analyses and the generated factors of safety should only be used to indicate general slope stability trends. In general, factors of safety below 1.00 indicate a potential failure. However, a slope with a factor of safety of less than 1.00 will not necessarily fail but the probability of failure will be greater than that in a slope with a higher factor of safety. Conversely, a slope with a factor of safety greater than 1.00 may fail but the probability of stability is higher than that in a slope with a lower factor of safety.

CONCLUSIONS

From a geologic and geotechnical perspective, it is our opinion that the western portion of the site is suitable for future residential development. In our opinion, the primary geologic and geotechnical constraints to future development are the highly expansive colluvial soil blanketing portions of the site, the potential for landsliding into the seasonal drainage ravine, and the potential for very strong ground shaking during a moderate to large earthquake on the San Andreas fault or one of the other nearby active faults. Based on our investigation, it appears that the uphill portion of the western half of the property is underlain by Franciscan shale and sandstone bedrock at relatively shallow depths. In our opinion, the bedrock should provide adequate support for the foundations of future improvements.

The surficial colluvial soil that blankets portions of the western half of the property is highly plastic and may be prone to expansion and contraction with changes in moisture content. Specifically, when wetted, as during the rainy season, these materials can expand; and when dried, as during the summer months, these materials can contract or shrink. Structures supported on shallow foundations bearing in expansive materials tend to undergo seasonal uplift and settlement. In our opinion, expansive soil-related distress should not have a significant impact on the structural integrity of future improvements provided that the improvements are designed and constructed in accordance with the recommendations of a design-level geotechnical investigation that contemplates the potential for expansion and contraction of the surficial soil.

Based on our investigation, we did not observe any evidence of active landsliding in the uphill portion of the western half of the property. Based on our slope stability analyses, the western half of the property appears to be relatively stable under static conditions with a factor of safety against landsliding of 1.26. However, based on our analyses, the downhill portion of this area could be potentially unstable during a large earthquake on the nearby San

Andreas fault. The pseudo-static analysis yielded a critical failure surface up to approximately 30 feet deep with a factor of safety against landsliding of 0.66. Although this low factor of safety presents a potentially unstable condition, because of the slope conditions and the relatively shallow depth to bedrock in the upper portion of this area, in our opinion, it is unlikely that a significant failure along the seasonal drainage ravine would have a significant impact on future improvements located in the uphill portion of the western half of the property, provided that they are located at least 130 feet from the centerline of the seasonal drainage ravine. In our opinion, this presents a reasonable risk. However, if future owners deem the risk unacceptable, in our opinion, the potential for future deep-seated landsliding along the seasonal drainage ravine can be substantially mitigated by filling in the ravine to buttress the potentially unstable slope.

In addition to deeper seated landsliding, given the moderate slopes and the presence of colluvial soil, the occurrence of a shallow landslide on the site cannot be excluded. A new shallow landslide could be triggered by excessive precipitation or strong ground shaking associated with an earthquake. In our opinion, a new shallow landslide should not pose a significant risk to future improvements provided that they are designed and constructed in accordance with the recommendations of a design-level geotechnical investigation that contemplates the potential for shallow landsliding.

It should be noted that although our knowledge of the causes and mechanisms of landslides has greatly increased in recent years, it is not yet possible to predict with certainty exactly when and where all landslides will occur. At some time over the span of thousands of years, most hillsides will experience landslide movement as mountains are reduced to plains. Therefore, an unknown level of risk is always present to structures located in hilly terrain. Owners of property located in these areas must be aware of and be willing to accept this risk.

Based on our review of published maps, it is our opinion that no active or potentially active faults cross the subject property. Therefore, in our opinion the potential for fault rupture to occur at the site is very low. However, as noted in the Faulting & Seismicity section above, moderate to large earthquakes are probable along several active faults in the greater Bay Area. Therefore, strong ground shaking should be expected several times during the design life of any future improvements.

PRELIMINARY RECOMMENDATIONS

Based on the subsurface exploration performed to date, we recommend that future improvements, including habitable structures, driveway, swimming pools, and leachfields be confined to the uphill portion of the western half of the property. A proposed building setback line from the drainage ravine is shown on the site plan (see Figure A-5). In our

opinion, other improvements, such as grading, retaining walls, flatwork, or landscaping may be constructed in the lower portion of the property, provided that future owners are aware of and willing to accept the risk that these improvements could be damaged or destroyed in the event of a significant landslide. As noted above, the potential for future deep-seated landsliding along the seasonal drainage ravine can be substantially mitigated by filling in the ravine to buttress the potentially unstable slope.

Based on the variable depth to bedrock, we recommend that habitable structures be supported on pier and grade beam foundations with piers gaining support in the underlying bedrock. If basements are planned, it may be possible to support the basement on a mat slab foundation provided that the entire footprint of the basement is bearing on bedrock. Specifically, mat-supported basements in the upper-most portion of the property should be acceptable; however, basements in the lower portion of the building area or day-lighting basements will likely require full or partial pier support. We recommend that site retaining walls along the downhill side of the building area that retain fill should be supported on drilled piers gaining support in bedrock. Site retaining walls that support cuts into the bedrock along the uphill side of the building site can be supported on either drilled piers or spread footings gaining support in the bedrock.

We recommend that future development be preceded by a design-level geotechnical investigation. Depending on the layout of future improvements, this investigation may include additional subsurface exploration, laboratory testing, and analyses to develop geotechnical design criteria and recommendations for the project.

LIMITATIONS

This report has been prepared for the exclusive use of Christine and Alan Loudermilk to evaluate the feasibility of developing Lot 4 on Peacock Court from a geologic and geotechnical perspective. The opinions presented in this report are based upon information obtained from borings at separated locations, site reconnaissance, review of field data made available to us, and upon local experience and engineering judgment, and have been formulated in accordance with generally accepted geotechnical engineering practices that exist in the San Francisco Bay Area at the time this report was prepared. Further, our preliminary recommendations are based on the assumption that soil and geologic conditions at or between borings do not deviate substantially from those encountered. No warranty, expressed or implied, is made or should be inferred. In addition, we are not responsible for data presented by others.

The opinions presented in this report are valid as of the present date for the property evaluated. Changes in the condition of a property can occur with the passage of time,

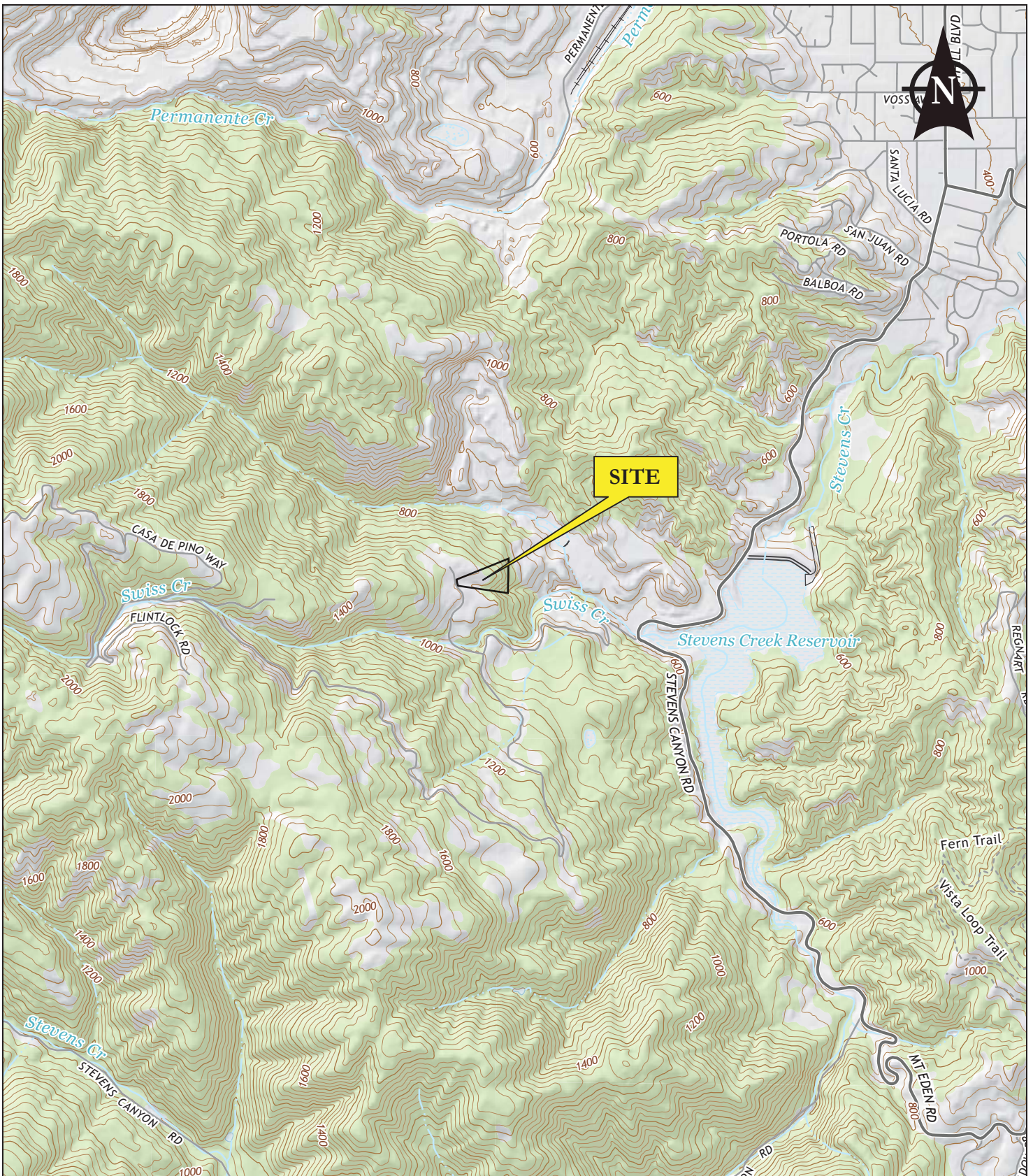
whether due to natural processes or the works of man, on this or adjacent properties. In addition, changes in applicable standards of practice can occur, whether from legislation or the broadening of knowledge. Accordingly, the opinions presented in this report may be invalidated, wholly or partially, by changes outside of our control. Therefore, this report is subject to review and should not be relied upon after a period of three years. In addition this report should not be used and is not applicable for any property other than that evaluated.




REFERENCES

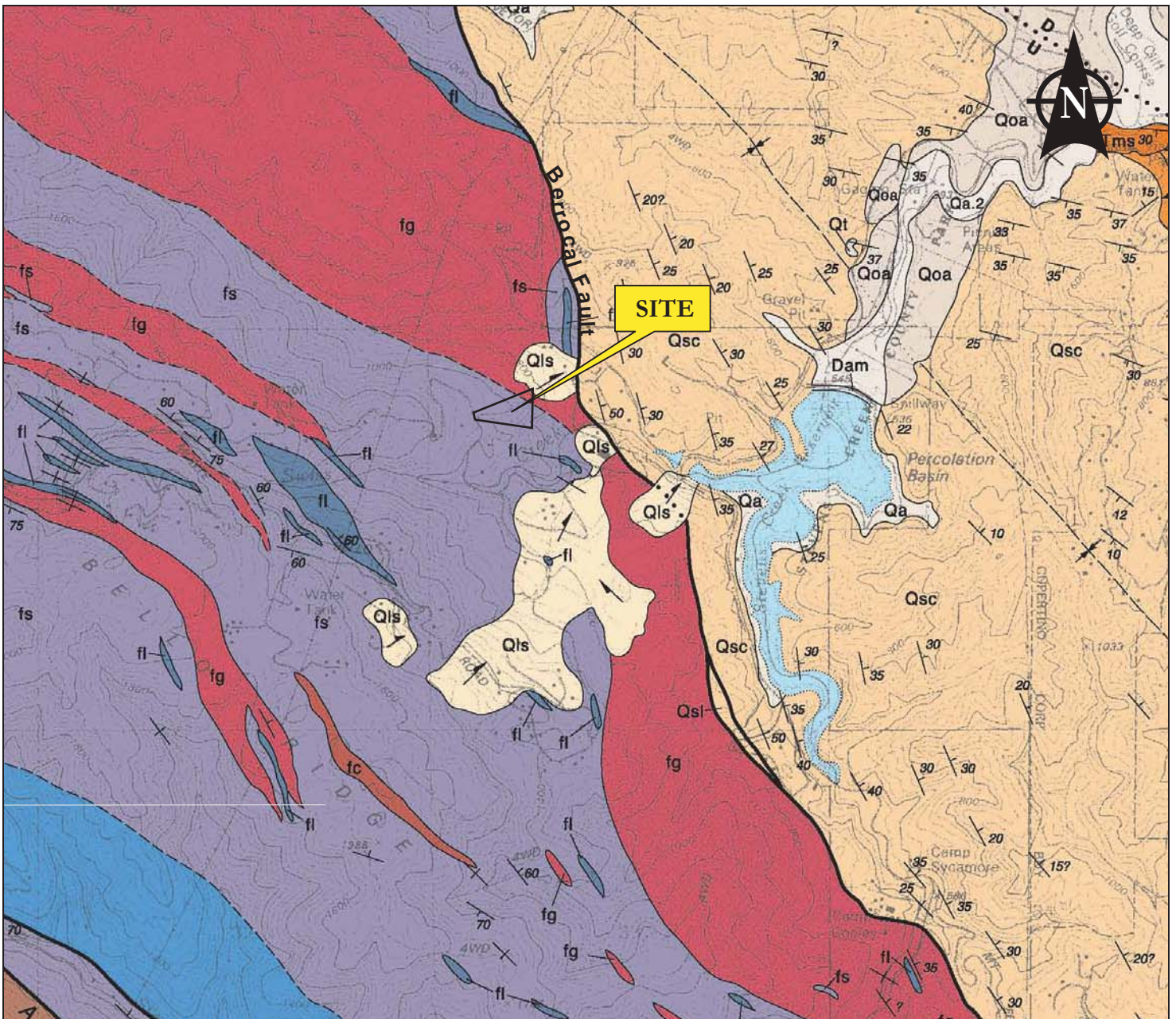
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







Base: USGS Topographic Map, Cupertino Quadrangle, 7.5-Minute Series, 2015 Scale: 1 inch = 2,000 feet

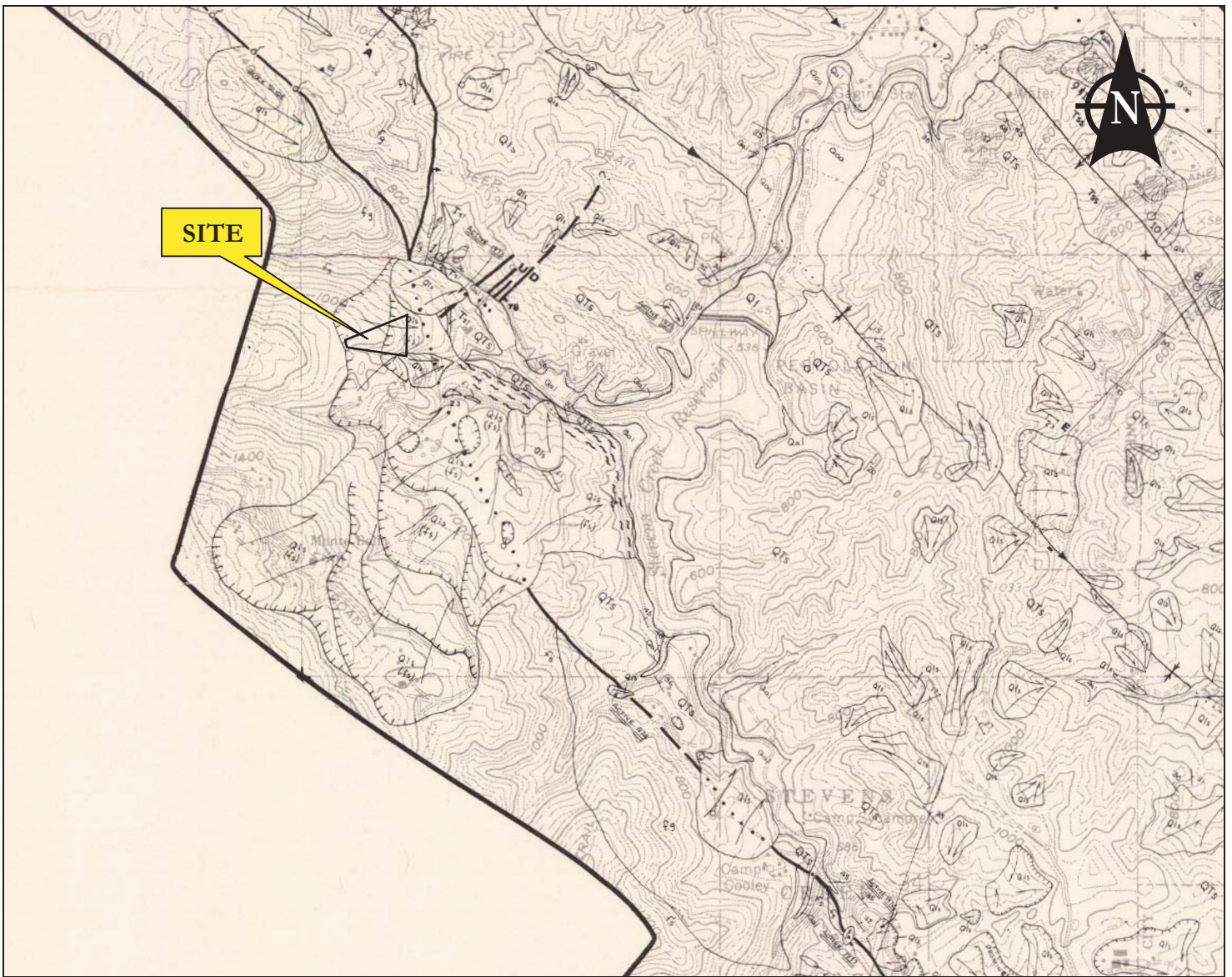
MURRAY  ENGINEERS INC <small>GEOTECHNICAL SERVICES</small>	<p align="center">SITE DEVELOPMENT FEASIBILITY APN 351-42-004, PEACOCK COURT SANTA CLARA COUNTY, CALIFORNIA</p>	<p align="center">VICINITY MAP</p>
	<p align="center">PROJECT NO. 2692-1R1</p>	<p align="center">JULY 2017</p>
		<p align="center">FIGURE A-1</p>



Legend & Selected Map Symbols

	Landslide Debris		Geologic contact, dashed where approximate
	Franciscan Graywacke Sandstone		Fault, dashed where approximately located, dotted where concealed, queried where uncertain
	Franciscan Greenstone		Strike and dip of bedding

Base: Geologic Map of the Cupertino and San Jose West Quadrangles, Santa Clara and Santa Cruz County, California, by Thomas W. Dibblee, Jr., 2007, used with permission Scale: 1 inch = 2,000 feet



Legend

Qls

Landslide Deposit

fs

Franciscan Sandstone

fg

Franciscan Greenstone



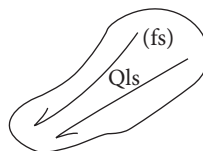
Closed natural depression



Gouge or shear zone

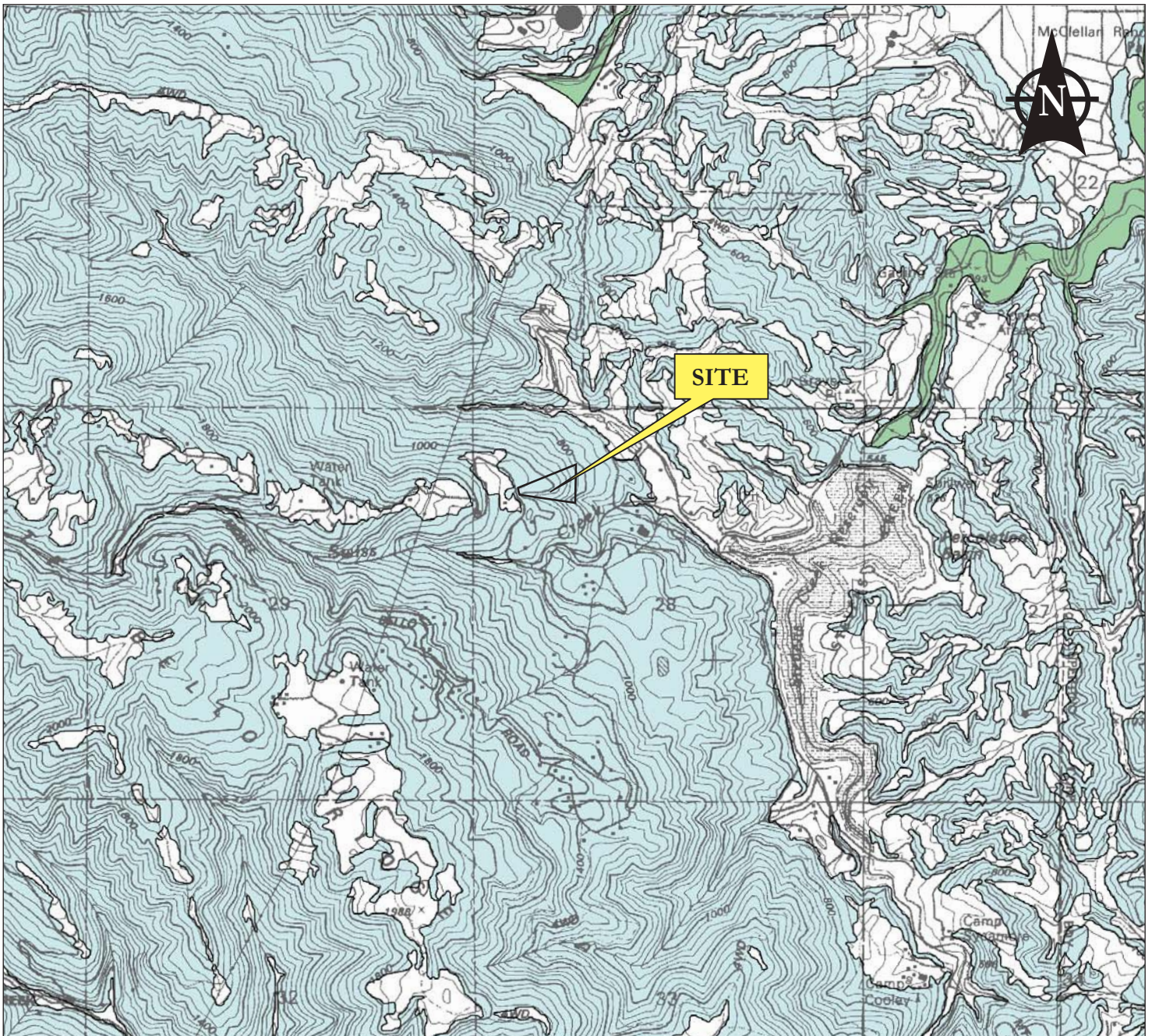


Fault, showing dip or direction of dip
Dashed where approximately located; dotted where concealed.



Landslide deposits, boundaries of landslide deposit known. Arrows indicated general direction of movement. Symbols in parentheses indicated map unit involved in landsliding. Hachures indicate presence of scarp at head of landslide deposit

Base: Geologic Map of Sargent-Berrocal Fault Zone Between Los Gatos & Los Altos Hills, Santa Clara County, California by D.H. Sorg & R.J. McLaughlin, 1975 Approximate Scale: 1 inch = 2,000 feet



Legend



Areas where historic occurrence of liquefaction, or local, geological, geotechnical and groundwater conditions indicate a potential for earthquake-induced liquefaction.



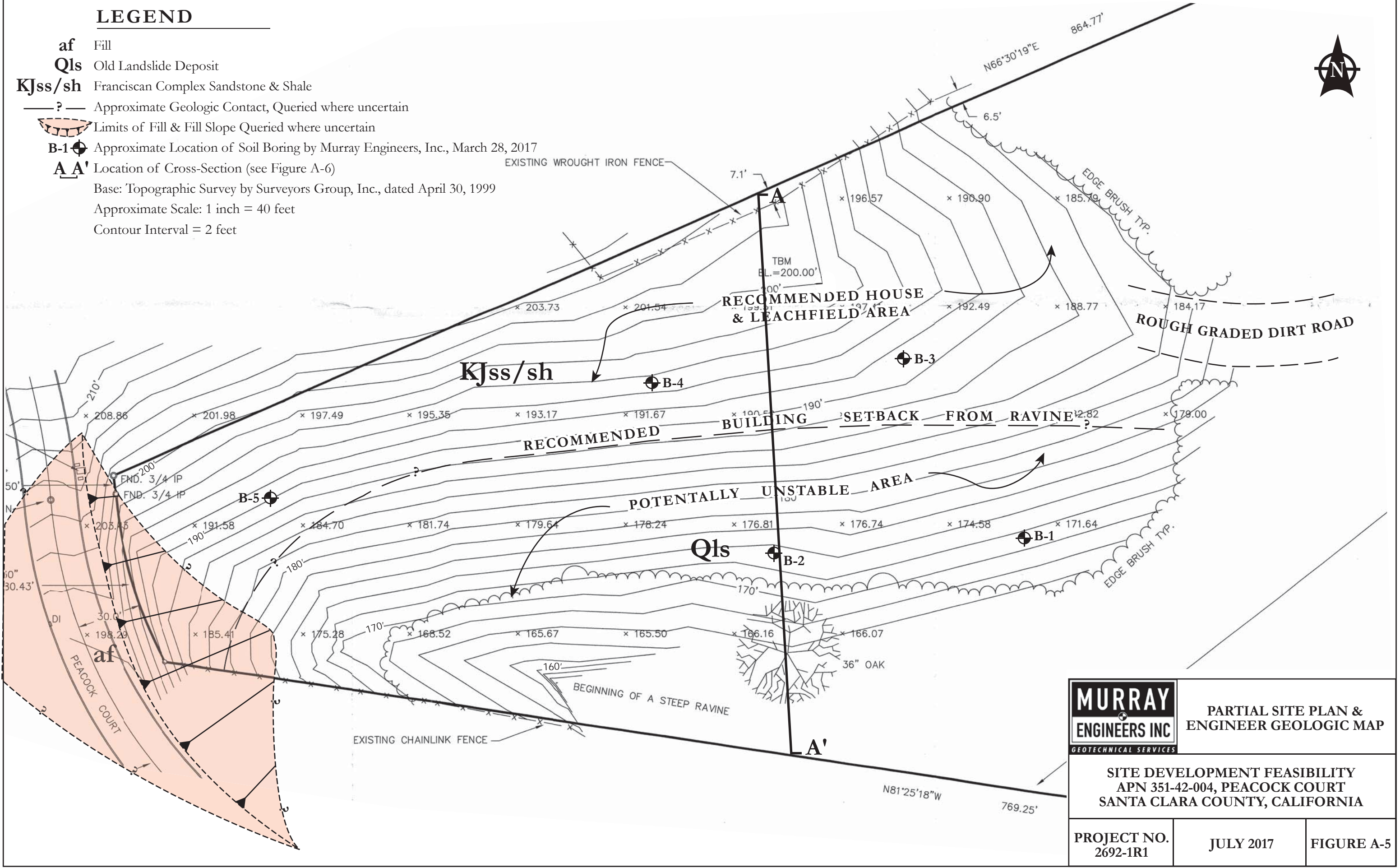
Areas where previous occurrence of landslide movement, or local topographic, geological, geotechnical and subsurface water conditions indicate a potential for earthquake-induced landslide.

Base: State of California Seismic Hazard Zone Map, Cupertino Quadrangle, C.G.S., 2002

Approximate Scale: 1 inch = 2,000 feet

LEGEND

- af Fill
- Qls Old Landslide Deposit
- KJss/sh Franciscan Complex Sandstone & Shale
- ? — Approximate Geologic Contact, Queried where uncertain
- Limits of Fill & Fill Slope Queried where uncertain
- B-1 Approximate Location of Soil Boring by Murray Engineers, Inc., March 28, 2017
- A-A' Location of Cross-Section (see Figure A-6)
- Base: Topographic Survey by Surveyors Group, Inc., dated April 30, 1999
- Approximate Scale: 1 inch = 40 feet
- Contour Interval = 2 feet



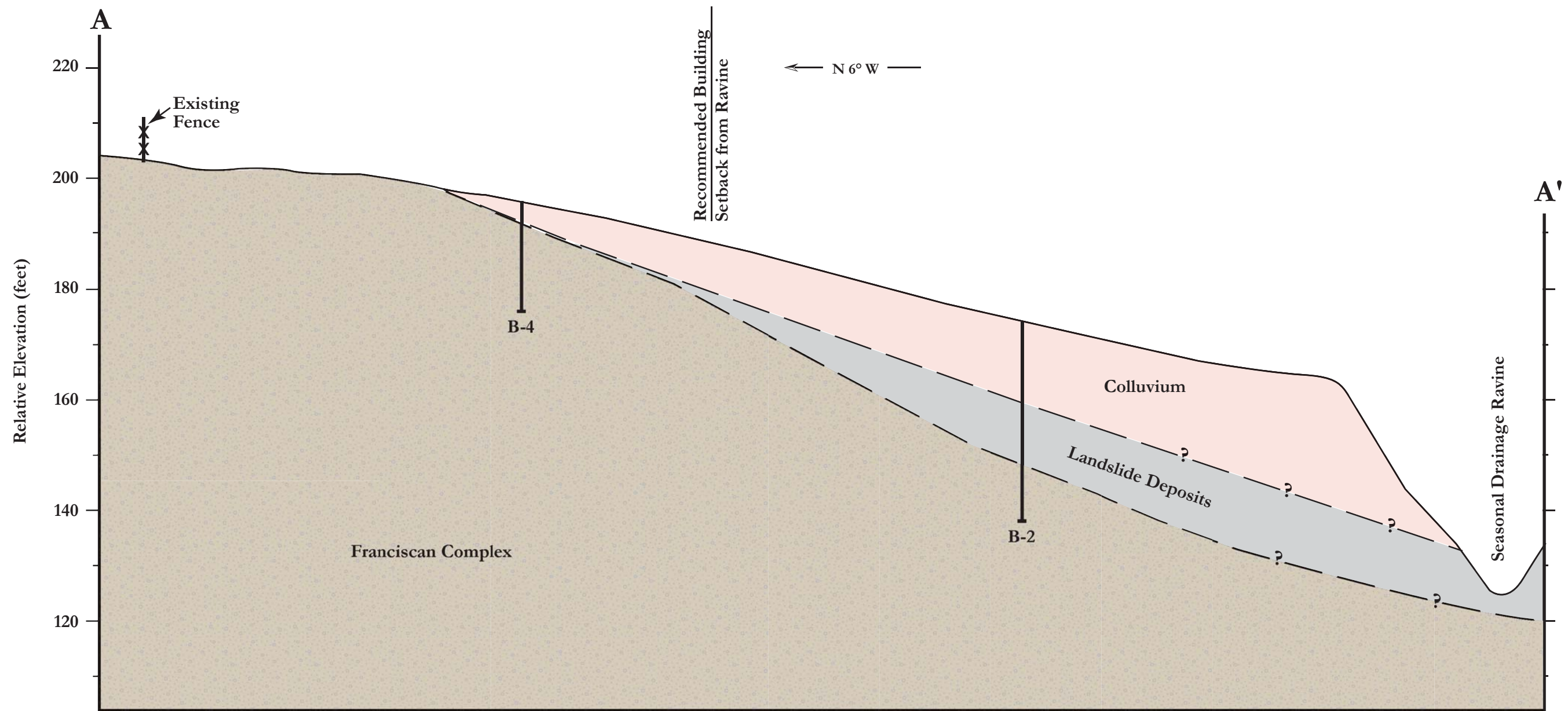
PARTIAL SITE PLAN &
ENGINEER GEOLOGIC MAP

SITE DEVELOPMENT FEASIBILITY
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FIGURE A-5



LEGEND

- B-1** Approximate Location of Soil Boring by Murray Engineers, Inc., drilled March 28, 2017
 Base: Laser Range Finder and Zip Level Survey by Murray Engineers, Inc., April 21, 2017
 Approximate Scale: 1 inch = 20 feet (horizontal = vertical)



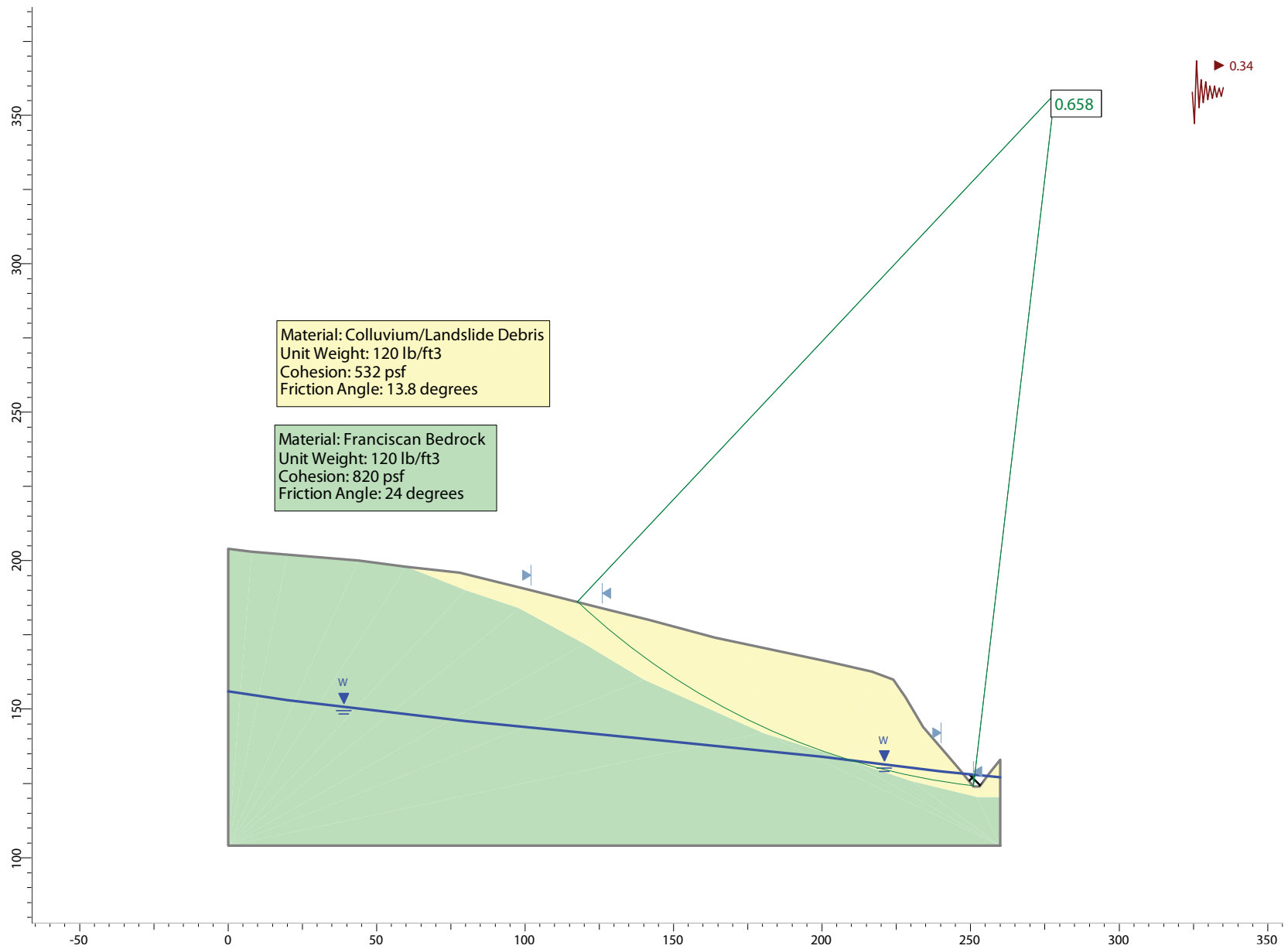
GEOLOGIC CROSS-SECTION A-A'

SITE DEVELOPMENT FEASIBILITY
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FIGURE A-6



Date(s) Drilled	March 28, 2017	Logged By	AK	Checked By	KP/MB
Drilling Method	Continuous Flight Auger	Drill Bit Size/Type	4 inch drill bit	Total Depth of Borehole	45 feet bgs
Drill Rig Type	Track-Mounted CME 55	Drilling Contractor	Britton	Approximate Surface Elevation	171 feet (relative)
Groundwater Level and Date Measured	38 feet ATD, 36 feet after 2 hours	Sampling Method(s)	3" OD, 2.5" OD, & 2" OD SPT Split Spoon Samplers	Hammer Data	140 lb, 30 in drop, hydraulic
Borehole Backfill	Cuttings	Location Eastern most downhill boring			

Elevation, feet	Depth, feet	Sample Type	Sampling Resistance, blows/foot	Relative Consistency	USCS Symbol	MATERIAL DESCRIPTION	Water Content, %
170	0			Stiff to Very Stiff	ML	CLAYEY SILT with GRAVEL, yellowish brown, homogeneous, low plasticity fines, trace to minor shale, chert and sandstone fragments, moist to slightly moist (Colluvium)	
	5	11					12
165							
	10	12					9
160							
	15	14		Stiff	ML	CLAYEY SILT, yellowish brown, homogeneous, low plasticity fines, fine- to coarse-grained sand, trace to minor subrounded to subangular sandstone and shale fragments, slightly wet (Old Landslide Debris)	10
155		16					8
	20	19					8
150		10		Medium Dense	SC	CLAYEY SAND, olive brown, homogeneous, low plasticity fines, fine- to coarse-grained sand, moist (Old Landslide Debris)	8
	25	20		Medium Dense	SW	GRAVELLY SAND, yellowish brown, heterogeneous, low plasticity fines, angular to subangular sandstone and shale fragments, slightly moist (Old Landslide Debris)	2
145		11					3
	30	41		Soft*	BR	SHALE, dark gray to very dark gray, moderately weathered, variably weathered, highly fractured, slightly moist to moist (Franciscan Complex)	5
140		30					10
	35	47					7
135						(after 2 hours) ▾	
	40	32				(ATD) ▾	10
130							
	45	20			BR	*designates hardness of bedrock (see Figure B-8)	6
125						Bottom of Boring at 45 feet bgs	



**SITE DEVELOPMENT FEASIBILITY
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SANTA CLARA COUNTY, CALIFORNIA**

**LOG OF
BORING B-1**

PROJECT NO. 2692-1R1

JULY 2017

FIGURE B-1

Date(s) Drilled	March 28, 2017	Logged By	AK	Checked By	KP/MB
Drilling Method	Continuous Flight Auger	Drill Bit Size/Type	4 inch drill bit	Total Depth of Borehole	35 feet bgs
Drill Rig Type	Track-Mounted CME 55	Drilling Contractor	Britton	Approximate Surface Elevation	173 feet (relative)
Groundwater Level and Date Measured	Not Encountered ATD	Sampling Method(s)	3" OD, 2.5" OD, & 2" OD SPT Split Spoon Samplers	Hammer Data	140 lb, 30 in drop, hydraulic
Borehole Backfill	Cuttings	Location South-central boring along the brushline			

Elevation, feet	Depth, feet	Sample Type	Sampling Resistance, blows/foot	Relative Consistency	USCS Symbol	MATERIAL DESCRIPTION	Water Content, %
172	0			Stiff to Very Stiff	ML	CLAYEY SILT with GRAVEL, yellowish brown to olive brown, low plasticity fines, fine- to medium-grained sand, subrounded to subangular sandstone and shale fragments, slightly moist (Colluvium)	
	5		8				7
167							
	10		9				7
162							
	15		11				8
157			12	Stiff to Hard	ML	CLAYEY SILT, yellowish brown, homogeneous, low plasticity fines, fine- to coarse-grained sand, trace to minor subrounded to subangular sandstone and shale fragments, moist (Old Landslide Debris)	7
	20		26				10
152			20				10
	25		34				7
147			29	Soft*	BR	SHALE, dark gray to very dark gray, moderately weathered, variably weathered, highly fractured, slightly moist (Franciscan Complex)	7
	30		30				8
142							
	35		36			*designates hardness of bedrock (see Figure B-8)	5
137						Bottom of Boring at 35 feet bgs	
	40						
132							
	45						
127							



**SITE DEVELOPMENT FEASIBILITY
APN 351-42-004, PEACOCK COURT
SANTA CLARA COUNTY, CALIFORNIA**

**LOG OF
BORING B-2**

PROJECT NO. 2692-1R1

JULY 2017

FIGURE B-2

Date(s) Drilled	March 28, 2017	Logged By	AK	Checked By	KP/MB
Drilling Method	Continuous Flight Auger	Drill Bit Size/Type	4 inch drill bit	Total Depth of Borehole	15 feet bgs
Drill Rig Type	Track-Mounted CME 55	Drilling Contractor	Britton	Approximate Surface Elevation	191 feet (relative)
Groundwater Level and Date Measured	Not Encountered ATD	Sampling Method(s)	3" OD, 2.5" OD, & 2" OD SPT Split Spoon Samplers	Hammer Data	140 lb, 30 in drop, hydraulic
Borehole Backfill	Cuttings	Location Eastern most uphill boring			

Elevation, feet	Depth, feet	Sample Type	Sampling Resistance, blows/foot	Relative Consistency	USCS Symbol	MATERIAL DESCRIPTION	Water Content, %
190	0		5	Soft*	BR	SHALE, dark gray to very dark gray, moderately weathered, variably weathered, highly fractured, slightly moist to moist (Franciscan Complex)	4
	17						12
	15						13
185	5						
	22						7
180	10						
	21				BR	*designates hardness of bedrock (see Figure B-8)	3
175	15					Bottom of Boring at 15 feet bgs	
	20						
170							
	25						
165							
	30						
160							
	35						
155							
	40						
150							
	45						
145							



**SITE DEVELOPMENT FEASIBILITY
APN 351-42-004, PEACOCK COURT
SANTA CLARA COUNTY, CALIFORNIA**

**LOG OF
BORING B-3**

PROJECT NO. 2692-1R1

JULY 2017

FIGURE B-3

Date(s) Drilled March 28, 2017	Logged By AK	Checked By KP/MB
Drilling Method Continuous Flight Auger	Drill Bit Size/Type 4 inch drill bit	Total Depth of Borehole 20 feet bgs
Drill Rig Type Track-Mounted CME 55	Drilling Contractor Britton	Approximate Surface Elevation 197 feet (relative)
Groundwater Level and Date Measured Not Encountered ATD	Sampling Method(s) 3" OD, 2.5" OD, & 2" OD SPT Split Spoon Samplers	Hammer Data 140 lb, 30 in drop, hydraulic
Borehole Backfill Cuttings	Location Central boring along ridge	

Elevation, feet	Depth, feet	Sample Type	Sampling Resistance, blows/foot	Relative Consistency	USCS Symbol	MATERIAL DESCRIPTION	Water Content, %
196	0		5	Medium Stiff	ML	CLAYEY SILT with GRAVEL, yellowish brown, homogeneous, low plasticity fines, subangular to subrounded gravel, trace to minor shale, chert and sandstone fragments, moist to slightly moist (Colluvium)	11
	5		5				11
191	5		11	Soft*	BR	SILTY SANDSTONE, yellowish brown to olive brown, moderately to very severely weathered, slightly moist (Franciscan Complex)	15
	10		29				15
186	15		19				10
181	20		22		BR	*designates hardness of bedrock (see Figure B-8)	8
176						Bottom of Boring at 20 feet bgs	
	25						
171							
	30						
166							
	35						
161							
	40						
156							
	45						
151							



**SITE DEVELOPMENT FEASIBILITY
APN 351-42-004, PEACOCK COURT
SANTA CLARA COUNTY, CALIFORNIA**

**LOG OF
BORING B-4**

PROJECT NO. 2692-1R1

JULY 2017

FIGURE B-4

Date(s) Drilled March 28, 2017	Logged By AK	Checked By KP/MB
Drilling Method Continuous Flight Auger	Drill Bit Size/Type 4 inch drill bit	Total Depth of Borehole 20 feet bgs
Drill Rig Type Track-Mounted CME 55	Drilling Contractor Britton	Approximate Surface Elevation 190 feet (relative)
Groundwater Level and Date Measured Not Encountered ATD	Sampling 3" OD, 2.5" OD, & 2" OD SPT Method(s) Split Spoon Samplers	Hammer Data 140 lb, 30 in drop, hydraulic
Borehole Backfill Cuttings	Location Northwest corner of lot	

Elevation, feet	Depth, feet	Sample Type	Sampling Resistance, blows/foot	Relative Consistency	USCS Symbol	MATERIAL DESCRIPTION	Water Content, %
189	0		1	Very Soft	ML	FILL: CLAYEY SILT, yellowish brown, homogeneous, low to medium plasticity, trace fine- to medium-grained sand, scarce rootlets, very moist	16
	9		9	Stiff	CL	LEAN CLAY, olive brown, homogeneous, high plasticity fines, scarce fine-grained sand, moist (Colluvium)	19
	15		15			PI=27%; LL=41% (sample from 2 to 3.5 feet)	11
184	5						
	10		47	Soft*	BR	SANDSTONE, yellowish brown to olive brown, moderately to very severely weathered, slightly moist (Franciscan Complex)	5
179	15		24				6
174	20		28			*designates hardness of bedrock (see Figure B-8)	9
169						Bottom of Boring at 20 feet bgs	
	25						
164							
	30						
159							
	35						
154							
	40						
149							
	45						
144							



**SITE DEVELOPMENT FEASIBILITY
APN 351-42-004, PEACOCK COURT
SANTA CLARA COUNTY, CALIFORNIA**

**LOG OF
BORING B-5**

PROJECT NO. 2692-1R1

JULY 2017

FIGURE B-5

C:\Users\kodesa\Desktop\Project\2692-1.bgs [123 Murray 37, WC, PP, TV, tpj]

Elevation, feet	Depth, feet	Sample Type	Sampling Resistance, blows/foot	Relative Consistency	USCS Symbol	MATERIAL DESCRIPTION	Water Content, %
1	2	3	4	5	6	7	8

COLUMN DESCRIPTIONS

1 **Elevation, feet:** Elevation (MSL, feet)

2 **Depth, feet:** Depth in feet below the ground surface.

3 **Sample Type:** Type of soil sample collected at the depth interval shown.

4 **Sampling Resistance, blows/foot:** Number of blows required to advance the sampler 12 inches or the distance shown. Blow counts for the 3.0-inch O.D. and 2.5-inch O.D. samplers have been corrected for sampler size to SPT values using conversion factors of 0.65 and 0.77, respectively.

5 **Relative Consistency:** Relative consistency of the subsurface material.

6 **USCS Symbol:** USCS symbol of the subsurface material.

7 **MATERIAL DESCRIPTION:** Description of material encountered. May include consistency, moisture, color, and other descriptive text.

8 **Water Content, %:** Water content of the soil sample, expressed as percentage of dry weight of sample.

9 **Torvane Shear Strength (TSF):** Approximate shear strength in tons per square foot.

10 **Pocket Pen Comp. Strength, TSF:** Approximate unconfined compressive strength in tons per square foot.

FIELD AND LABORATORY TEST ABBREVIATIONS

CHEM: Chemical tests to assess corrosivity

COMP: Compaction test

CONS: One-dimensional consolidation test

LL: Liquid Limit, percent

PI: Plasticity Index, percent

SA: Sieve analysis (percent passing No. 200 Sieve)

UC: Unconfined compressive strength test, Qu, in ksf

WA: Wash sieve (percent passing No. 200 Sieve)

TYPICAL MATERIAL GRAPHIC SYMBOLS

Sandstone

Well graded GRAVEL (GW)

Poorly graded GRAVEL (GP)

Well graded GRAVEL with Silt (GW-GM)

Well graded GRAVEL with Clay (GW-GC)

Poorly graded GRAVEL with Silt (GP-GM)

Poorly graded GRAVEL with Clay (GP-GC)

Silty GRAVEL (GM)

Clayey GRAVEL (GC)

Well graded SAND (SW)

Poorly graded SAND (SP)

Well graded SAND with Silt (SM-SW)

Well graded SAND with Clay (SW-SC)

Poorly graded SAND with Silt (SP-SM)

Poorly graded SAND with Clay (SP-SC)

Silty SAND (SM)

Clayey SAND (SC)

SILT, SILT w/SAND, SANDY SILT (ML)

Lean CLAY, CLAY w/SAND, SANDY CLAY (CL)

SILT, SILT w/SAND, SANDY SILT (MH)

Fat CLAY, CLAY w/SAND, SANDY CLAY (CH)

SILT, SILT with SAND, SANDY SILT (ML-MH)

Lean-Fat CLAY, CLAY w/SAND, SANDY CLAY (CL-CH)

SILTY CLAY (CL-ML)

Lean CLAY/PEAT (CL-OL)

Fat CLAY/SILT (CH-MH)

Fat CLAY/PEAT (CH-OH)

Silty SAND to Sandy SILT (SM-ML)

Silty SAND to Sandy SILT (SM-MH)

Clayey SAND to Sandy CLAY (SC-CL)

Clayey SAND to Sandy CLAY (SC-CH)

SILT to CLAY (CL/ML)

Silty to Clayey SAND (SM-SC)

TYPICAL SAMPLER GRAPHIC SYMBOLS

2 inch-OD Unlined Split Spoon (SPT)

2.5 inch-OD Unlined Split Spoon

3 inch-OD Unlined Split Spoon

Shelby Tube (thin-walled, fixed head)

Grab Sample

Bulk Sample

Pitcher Sample

Other Sampler

OTHER GRAPHIC SYMBOLS

Water level (at time of drilling, ATD)

Water level (after waiting a given time)

Minor change in material properties within a stratum

Inferred or gradational contact between strata

Queried contact between strata

GENERAL NOTES

1. Soil classifications are based on the Unified Soil Classification System. Descriptions and stratum lines are interpretive, and actual lithologic changes may be gradual. Field descriptions may have been modified to reflect results of lab tests.

2. Descriptions on these logs apply only at the specific boring locations and at the time the borings were advanced. They are not warranted to be representative of subsurface conditions at other locations or times.

	SITE DEVELOPMENT FEASIBILITY APN 351-42-004, PEACOCK COURT SANTA CLARA COUNTY, CALIFORNIA		KEY TO BORING LOGS
	PROJECT NO. 2692-1R1	JULY 2017	FIGURE B-6

PRIMARY DIVISIONS			SOIL TYPE	SECONDARY DIVISIONS
COARSE GRAINED SOILS <i>(<50% Fines)</i>	GRAVEL	CLEAN GRAVEL <i>(<5% Fines)</i>	GW	Well graded gravel, gravel-sand mixtures, little or no fines.
			GP	Poorly graded gravel or gravel-sand mixtures, little or no fines.
		GRAVEL <i>with</i> FINES	GM	Silty gravels, gravel-sand-silt mixtures, non-plastic fines.
			GC	Clayey gravels, gravel-sand-clay mixtures, plastic fines.
	SAND	CLEAN SAND <i>(<5% Fines)</i>	SW	Well graded sands, gravelly sands, little or no fines.
			SP	Poorly graded sands or gravelly sands, little or no fines.
		SAND <i>with</i> FINES	SM	Silty sands, sand-silt mixtures, non-plastic fines.
			SC	Clayey sands, sand-clay mixtures, plastic fines.
FINE GRAINED SOILS <i>(>50% Fines)</i>	SILT AND CLAY <i>Liquid limit <50%</i>		ML	Inorganic silts and very fine sands, with slight plasticity.
			CL	Inorganic clays of low to medium plasticity, lean clays.
			OL	Organic silts and organic clays of low plasticity.
	SILT AND CLAY <i>Liquid limit >50%</i>		MH	Inorganic silt, micaceous or diatomaceous fine sandy or silty soil.
			CH	Inorganic clays of high plasticity, fat clays.
			OH	Organic clays of medium to high plasticity, organic silts.
			HIGHLY ORGANIC SOILS	

RELATIVE DENSITY	
SAND & GRAVEL	BLOWS/FOOT*
VERY LOOSE	0 to 4
LOOSE	4 to 10
MEDIUM DENSE	10 to 30
DENSE	30 to 50
VERY DENSE	OVER 50

CONSISTENCY		
SILT & CLAY	STRENGTH [^]	BLOWS/FOOT*
VERY SOFT	0 to 0.25	0 to 2
SOFT	0.25 to 0.5	2 to 4
MEDIUM STIFF	0.5 to 1	4 to 8
STIFF	1 to 2	8 to 16
VERY STIFF	2 to 4	16 to 32
HARD	OVER 4	OVER 32

GRAIN SIZES							
BOULDERS	COBBLES	GRAVEL		SAND			SILT & CLAY
		COARSE	FINE	COARSE	MEDIUM	FINE	
12"	3"	3/4"	4	10	40	200	
SIEVE OPENINGS				U.S. STANDARD SERIES SIEVE			

Classification is based on the Unified Soil Classification System; fines refer to soil passing a No. 200 sieve.

*Standard penetration test (SPT) resistance using a 140-pound hammer falling 30 inches on a 2-inch outside diameter split spoon sampler; blow counts for the 3.0-inch O.D. and 2.5-inch O.D. samplers have been corrected for sampler size to SPT values using conversion factors of 0.65 and 0.77, respectively.

[^] Shear strength in tons/sq. ft. as estimated by SPT resistance, field and laboratory tests, and/or visual observation.

WEATHERING

Fresh

Rock fresh, crystals bright, few joints may show slight staining. Rock rings under hammer if crystalline.

Very Slight

Rock generally fresh, joints stained, some joints may show thin clay coatings, crystals in broken face show bright. Rock rings under hammer if crystalline.

Slight

Rock generally fresh, joints stained, and discoloration extends into rock up to 1 inch. Joints may contain clay. In granitoid rocks some occasional feldspar crystals are dull and discolored. Crystalline rocks ring under hammer.

Moderate

Significant portions of rock show discoloration and weathering effects. In granitoid rocks, most feldspars are dull and discolored; some are clayey. Rock has dull sound under hammer and shows significant loss of strength as compared with fresh rock.

Moderately Severe

All rock excepts quartz discolored or stained. In granitoid rocks, all feldspars dull and discolored and majority show kaolinization. Rock shows severe loss of strength and can be excavated with geologist's pick. Rock goes "clunk" when struck.

Severe

All rock except quartz discolored or stained. Rock "fabric" clear and evident, but reduced in strength to strong soil. In granitoid rocks, all feldspars kaolinized to some extent. Some fragments of strong rock usually left.

Very Severe

All rock except quartz discolored and stained. Rock "fabric" discernible, but mass effectively reduced to "soil" with only fragments of strong rock remaining.

Complete

Rock reduced to "soil". Rock fabric not discernible or discernible only in small scattered locations. Quartz may be present as dikes or stringers.

HARDNESS

Very Hard

Cannot be scratched with knife or sharp pick. Hand specimens requires several hard blows of geologist's hammer.

Hard

Can be scratched with knife or pick only with difficulty. Hard blow of hammer required to detach hand specimen.

Moderately Hard

Can be scratched with knife or pick. Gouges or grooves to 1/4 inch deep can be excavated by hard blow of point of a geologist's pick. Hard specimen can be detached by moderate blow.

Medium

Can be grooved or gouged 1/16 inch deep by firm pressure on knife or pick point. Can be excavated in small chips to pieces about 1 inch maximum size by hard blows of the point of geologist's pick.

Soft

Can be gouged or grooved readily with knife or pick point. Can be excavated in chips to pieces several inches in size by moderate blows of a pick point. Small thin pieces can be broken by finger pressure.

Very Soft

Can be carved with knife. Can be excavated readily with point of pick. Pieces 1 inch or more in thickness can be broken with finger pressure. Can be scratched readily by fingernail.

JOINT BEDDING & FOLIATION SPACING

Spacing	Joints	Bedding & Foliation
Less than 2 in.	Very Close	Very Thin
2 in to 1 ft.	Close	Thin
1 ft. to 3 ft.	Moderately Close	Medium
3 ft. to 10 ft.	Wide	Thick
More than 10 ft.	Very Wide	Very Thick

ROCK QUALITY DESIGNATOR (RQD)

RQD, as a percentage	Descriptor
Exceeding 90	Excellent
90 to 75	Good
75 to 50	Fair
50 to 25	Poor
Less than 25	Very Poor

APPENDIX C

LABORATORY TESTS

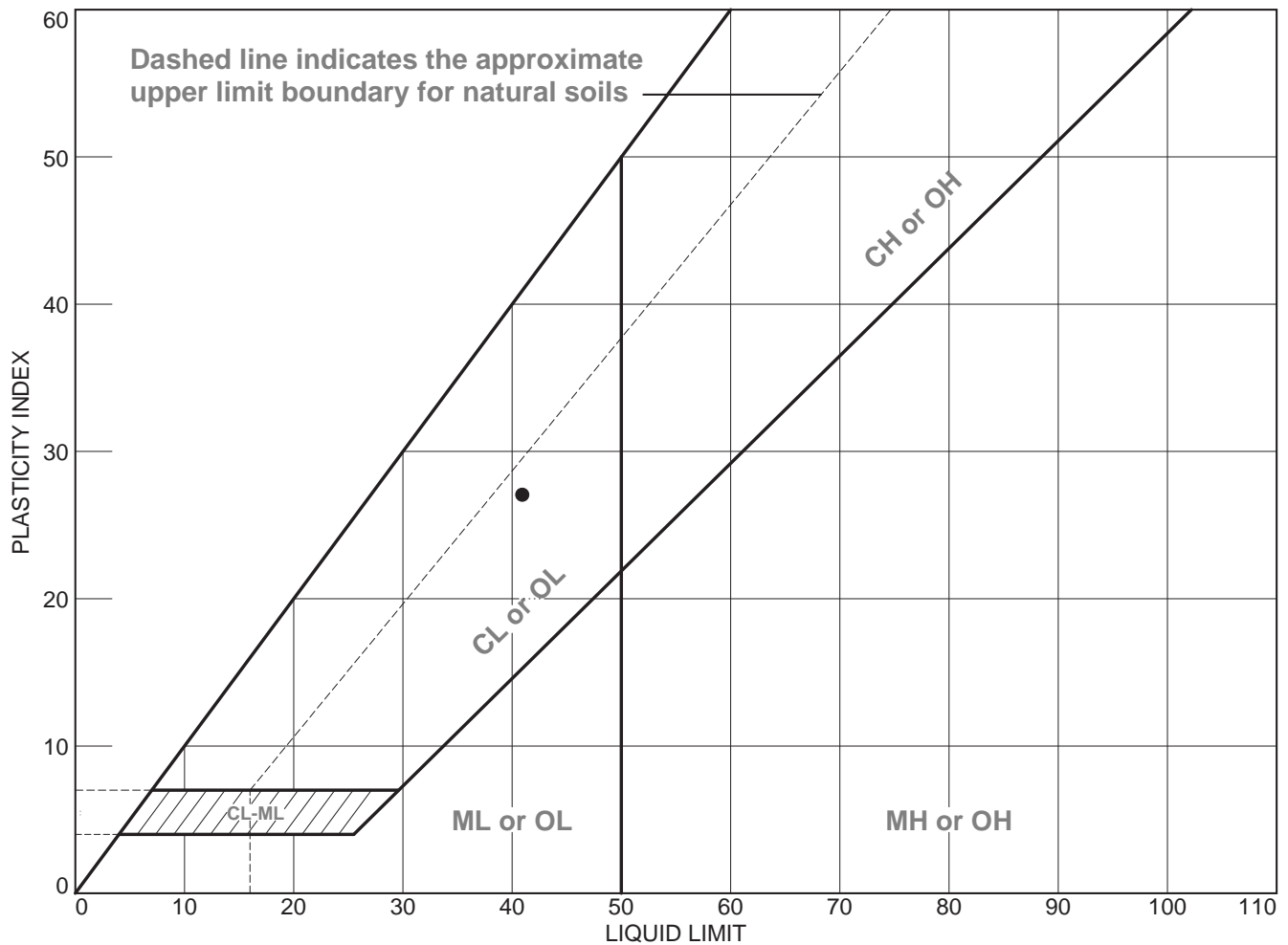
Samples from the subsurface exploration were selected for tests to establish the physical and engineering properties of the soils. The tests performed are briefly described below.

The natural moisture content was determined on most samples recovered from the borings. The samples were initially trimmed to obtain volume and wet weight measurements and subsequently dried in accordance with ASTM D2216. After drying, the weight of each sample was obtained to determine the moisture content and dry density representative of field conditions and time the samples were collected. The results are presented on the boring logs, at the appropriate sample depths.

The Atterberg Limits were evaluated on one sample in accordance with ASTM D 4318. The Atterberg limits are the moisture content within which the soil is workable or plastic. The results are presented in Figure C-1 and on the boring logs at the appropriate sample depth.



LIQUID AND PLASTIC LIMITS TEST REPORT

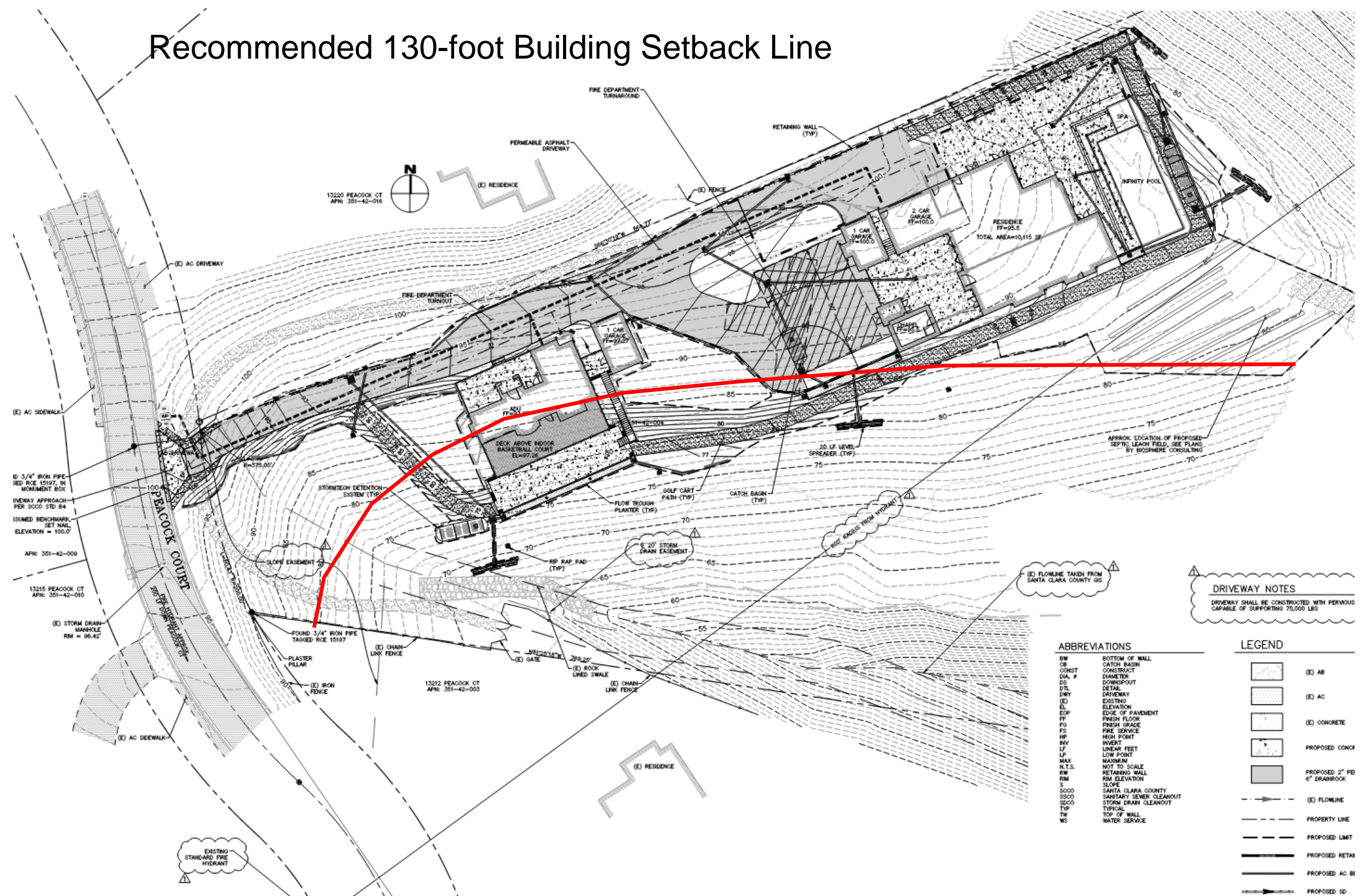


SOIL DATA								
SYMBOL	SOURCE	SAMPLE NO.	DEPTH	NATURAL WATER CONTENT (%)	PLASTIC LIMIT (%)	LIQUID LIMIT (%)	PLASTICITY INDEX (%)	USCS
●	Boring 5	1	2-3.5	19.0	14	41	27	CL

Attachment J

Building Setback per Geotechnical Report

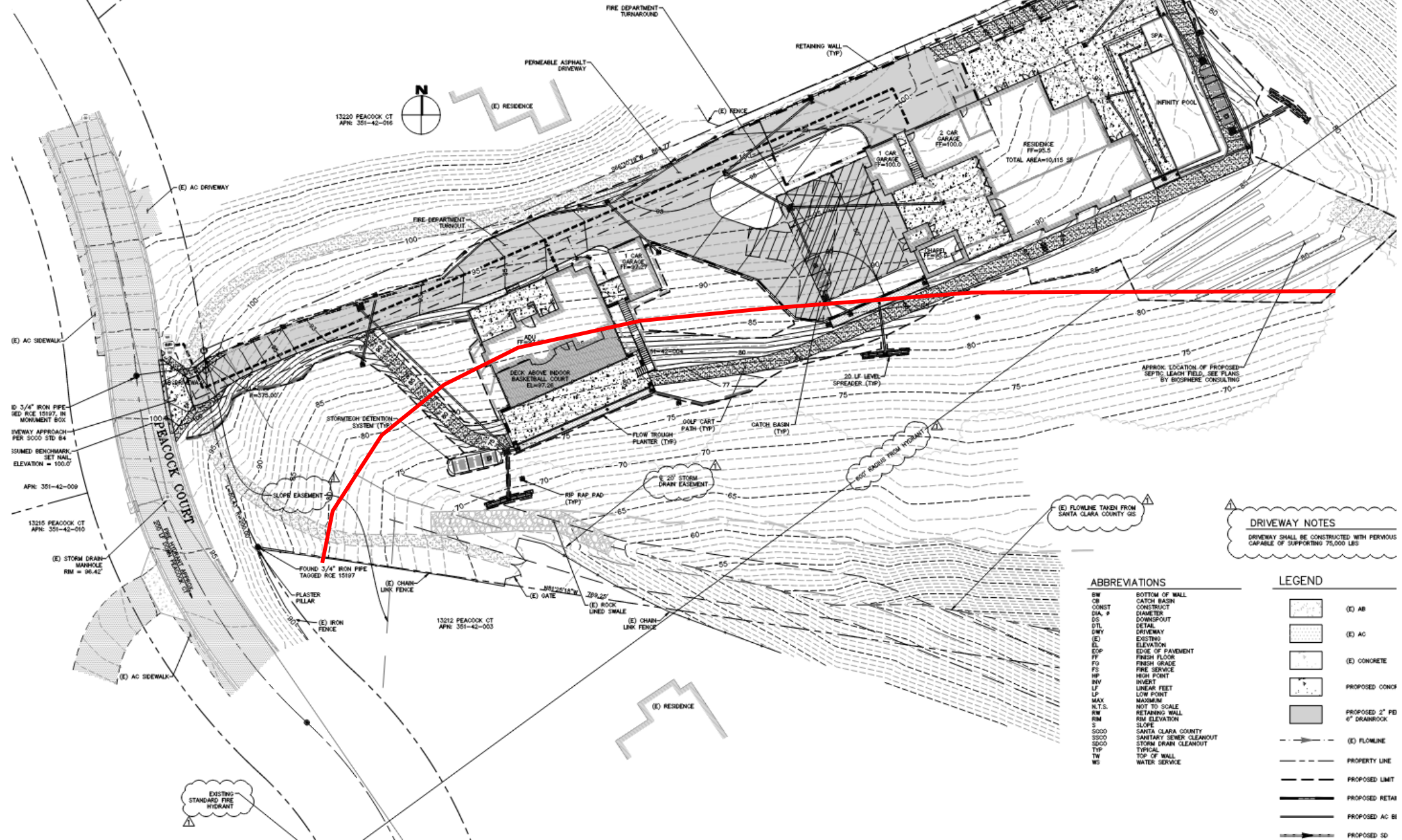
Recommended 130-foot Building Setback Line



Attachment J

Building Setback per Geotechnical Report

Recommended 130-foot Building Setback Line

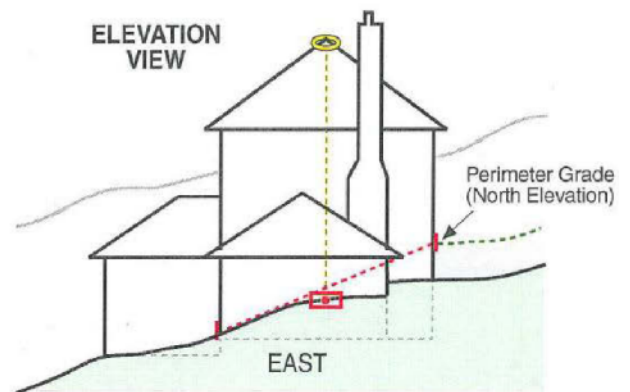
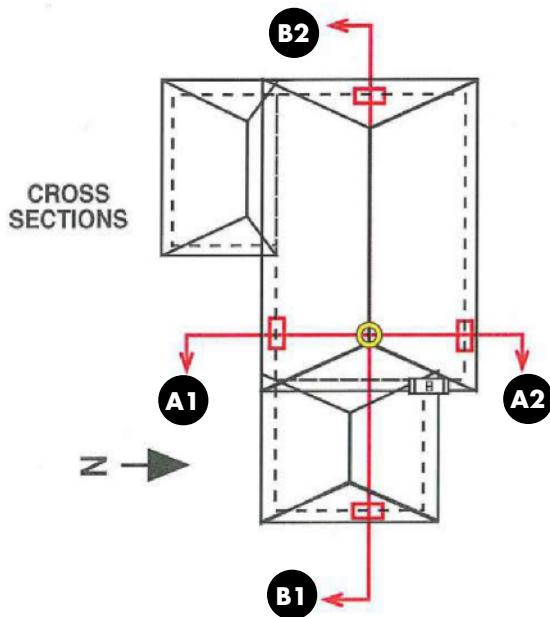
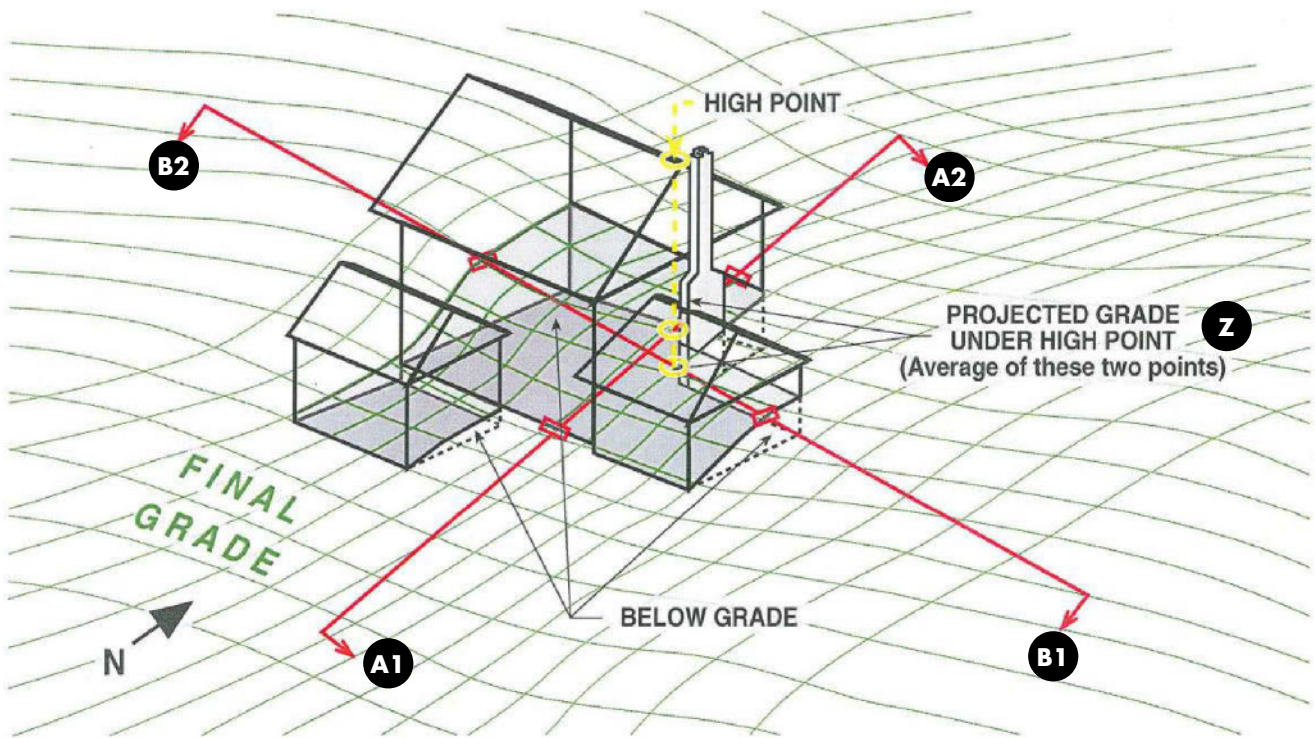


Attachment K

Building Height Calculation Handout

HEIGHT MEASUREMENT

Irregular Topography



X = Average Final Grade of A1 and A2

Y = Average Final Grade of B1 and B2

Z = Average Projected Grade Under High Point of Structure
(Grade Below Maximum Point of Structure = Average of X and Y)

$$X = \frac{A1 + A2}{2} \quad Y = \frac{B1 + B2}{2}$$

$$Z = \frac{X + Y}{2}$$

Attachment L

Neighborhood Development Data

Neighborhood Development Data (Tract Map No. 7707)

Lot	Year	Total Floor Area	Story	1st Floor Area	2nd Floor Area	3rd Floor Area
1	1950	2918	1	2918		
2	1990	4954	2	3047	1907	
3	1992	5038	1	5038		
4		Vacant				
5	1998	4821	2	3443	1378	
6		Vacant				
7	1995	4408	2	3664	744	
8	1992	5130	2	4476	654	
9	NA	Vacant				
10	1991	7413	3	3668	2488	1257
11	1997	3744	2	3245	499	
12		Vacant				

Note: data is verified with approved building permit plans on the County records

Attachment M

Email from the Applicant to Request a 90-day Permit
Streamline Act Extension

From: [Ling, Xue](#)
To: [Cove Britton](#)
Cc: [Mikhail, Leza](#)
Subject: RE: [EXTERNAL] Re: ZA Webpage
Date: Wednesday, June 23, 2021 5:16:00 PM
Attachments: [image002.png](#)

Hi Mr. Britton,

I have discussed your request with Leza. We are going to post the email below as requested as Additional Public Comments.

Sincerely,

Xue Ling
Associate Planner
Department of Planning and Development
Direct: 408-299-5784
70 W. Hedding Street, 7th Floor, East Wing
San Jose, CA 95110

Please visit our [website](#).

Click [here](#) to look up unincorporated property zoning information.

Questions on the status of your permit? Please e-mail: E-Permits@pln.sccgov.org

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From: Cove Britton <cove@matsonbritton.com>
Sent: Wednesday, June 23, 2021 4:05 PM
To: Ling, Xue <xue.ling@pln.sccgov.org>
Subject: Re: [EXTERNAL] Re: ZA Webpage

Dear Ms. Ling-

My apologies for the confusion.

Please include my prior (see below) email regarding the request for extension in the public comment.



Cove Britton <cove@matsonbritton.com>

10:38 AM (5 hours ago)

to jacqueline.onciano, Xue



[REDACTED]

[REDACTED]

Dear Ms. Onciano:

As the applicant for PLN20-124 (351-42-004) I am requesting an extension of 90 days under Government Code 65957.

Respectfully Ms. Leza Mikhail and I have had numerous interchanges where I consider her to be problematic in a professional sense. I can forward several emails that I believe substantiate that opinion.

Your County Counsel (Chris Cheleden) is familiar with my office and I can also refer you to current and past Planning Directors and Building Officials that can attest that I and my office are reputable.

Ms. Mikhail continues to not acknowledge errors made in the processing of this permit application have been made. Mistakes happen....we all make them but not acknowledging them is very disturbing.

However I would like to move on from that and have a reasonable discussion regarding this project with someone other than Ms. Mikhail (I suspect she would agree).

I want to point out some things that Ms. Mikhail made clear that no respectful dialog would be had between us regarding (and did not schedule a meeting to discuss despite my request). This house is not controversial. It is approximately 2 miles from the valley floor. I.e. virtually not discernible and it is not on a ridge line. The elevation facing the valley floor is well below the height limit. The downhill side of the house (the tallest portion of the house) does not face the valley and trees are proposed to soften that elevation. What is to me most perplexing/concerning, is the claim that the house does not step down the hill.....when the only reason that claim (inaccurate as it is) is because the uphill portion of the home is also well below the height limit. I.e. If we raised the uphill height of the house it would demonstrate that the house was stepping down the slope. But why do that? To me it was an ill informed comment but I was not afforded the opportunity to have a reasonable discussion regarding those types of matters.

To say that I am frustrated by the lack of respectful dialog is an understatement. But I would like to move on from that and request that opportunity with someone other than Ms. Mikhail (as in my experience no respectful *dialog* will occur).

I should note that the project is just about ready to resubmit addressing the incompleteness comments. As I noted to the Planning Commission our intent is to present them with a complete package. Frankly I think if Ms. Mikhail had politely acknowledged the error of contacting Melissa Waters (to gain an extension to the 30 day requirement) I would have granted it.

Thank you for your consideration.

Cove Britton

Matson Britton Architects

O. (831) 425-0544

On Wed, Jun 23, 2021 at 3:50 PM Ling, Xue <xue.ling@pln.sccgov.org> wrote:

Hello Mr. Britton,

The email is uploaded under Additional Public Comment (highlight in yellow). You can also access the staff report by clicking the hyperlink in blue font (Item #4-PLN20-124).

- [Item #4 - PLN20-124](#) - Concurrent land use entitlement of a Design Review (Tier II) and Grading Approval for a 10,753-square-foot new single-family residence, with attached garages, and improvements of the driveway and septic system on a vacant lot. Grading consists of 1,425 cubic yards of cut and 1,937 cubic yards of fill (total 3,362 cubic yards). The project was deemed complete on May 27, 2021. The project required a Planning Commission Hearing due to misinterpretation of the Permit Streamline Act and failure to obtain an extension to the 30-day review period from the applicant. Incomplete comments from multiple agencies are not addressed in the current submittal package.

- [Additional Public Comment](#)

Best,
Xue

From: Cove Britton <cove@matsonbritton.com>

Sent: Wednesday, June 23, 2021 3:47 PM

To: Ling, Xue <xue.ling@pln.sccgov.org>

Subject: [EXTERNAL] Re: ZA Webpage

Thank you.

Would you also please include the first email request for an extension.

On Wed, Jun 23, 2021 at 3:41 PM Ling, Xue <xue.ling@pln.sccgov.org> wrote:

Hello Mr. Britton,

Please see the Zoning Administration webpage via the link below:
<https://www.sccgov.org/sites/dpd/Commissions/ZA/Pages/ZA.aspx>

Sincerely,



Xue Ling

Associate Planner
Department of Planning and Development
Direct: 408-299-5784
70 W. Hedding Street, 7th Floor, East Wing
San Jose, CA 95110

Please visit our [website](#).

Click [here](#) to look up unincorporated property zoning information.

Questions on the status of your permit? Please e-mail: E-Permits@pln.sccgov.org

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--

Cove Britton
Matson Britton Architects

O. (831) 425-0544

--

Cove Britton
Matson Britton Architects

O. (831) 425-0544

Attachment N

Timeline of Correspondences Between the Applicant and Staff
Regarding Resubmittal After the Project was Deemed Complete



Timeline of Correspondences Regarding Resubmittal

- **On September 9, 2021**, the Applicant's partner, Frank Kruzic, requested a resubmittal meeting for the project.
- **On September 9, 2021**, staff confirmed the resubmittal meeting would be scheduled on September 15, 2021.
- **On September 15, 2021**, the Applicant's partner, Frank Kruzic, the County interim Planning Manager, Leza Mikhail, and the project planner, Xue Ling, attended the resubmittal meeting. During the resubmittal meeting, staff requested a signed Master Application Form, following the Department's protocols, as well as a collated set of plans (as opposed to separate plan sheets, as required for all Applicants in the County submitting plans). Mr. Kruzic confirmed that he would not resubmit the project in the meeting and planned to request another meeting for the resubmittal.
- **On September 15, 2021**, the Applicant, Cove Britton, questioned the request for a signed Master Application Form for a project's resubmittal.
- **On September 16, 2021**, the Planning and Development Department Director reminded the Applicant that if he chose not to proceed as staff instructed, he would further delay the project's processing.
- **On September 17, 2021**, the Applicant requested to resubmit directly to the Zoning Administrator.
- **On September 17, 2021**, the Director informed the Applicant to work with the project planner on a resubmittal, and as noted on the County website for resubmittals at the County.
- **On September 21, 2021**, the staff informed the Applicant a Master Application would not be required for this project after an internal discussion meeting with the Director, County Counsel, and the Interim Planning Manager.
- **On September 21, 2021**, the Applicant claimed that he was not given an opportunity to resubmit the project.
- **On September 21, 2021**, the Director provided applicable Zoning Ordinance code sections regarding project resubmittals at the County, and a project timeline since the project was deemed complete by operation of law. In addition, the Director informed the Applicant that the staff would move the application forward prior to November 7, 2021 (PSA deadline for the County to render a decision on the submitted project that was deemed complete by operation of law by the Planning Commission on appeal of an incomplete determination).

- **On September 21, 2021**, the Applicant claimed that staff did not attempt to assist the Applicant on resubmittal and requested the end date of the 90-day extension.
- **On September 24, 2021**, the Director provided a detailed timeline since the project was deemed complete (by operation of law), and confirmed the end date of the 90-day extension was November 7, 2021.
- **On October 11, 2021**, the Applicant claimed there was no mutual agreement on a 90-day extension and requested a 7-day notice prior to the hearing. Also, the Applicant requested a resubmittal meeting and an interpretation of Government Code 65956 and 65941.5.
- **On October 13, 2021**, the staff provided multiple timeslots to the Applicant to schedule a resubmittal meeting. In addition, staff provided the County Story Pole Guideline as a story pole was required for the project.
- **On October 14, 2021**, the Applicant did not address the resubmittal meeting schedule in his email. They provided a detailed write-up to address the concerns in the staff report published for July 1, 2021 Zoning Administration Hearing and requested to discuss these items with staff prior to the Zoning Administration Hearing. The Applicant also posed a question on whether a resubmittal would change the "complete" status of the project.
- **On October 14, 2021**, staff reinstated the procedure for resubmitting a project and provided the available timeslots again.
- **On October 18, 2021**, the Director provided interpretation of Government Code 65956 and 65941.5 and informed the Applicant that the project was scheduled for November 4, 2021 Zoning Administration Hearing.
- **On October 19, 2021**, the Applicant challenged the County's consistency with Permit Streamline Act and claimed the County denied his request to submit additional information.
- **On October 21, 2021**, the Director restated that staff had offered multiple opportunities to the Applicant and his partner to resubmit the project to no avail, and reconfirmed the project was scheduled for November 4, 2021 Zoning Administration Hearing.