



CITY OF CUPERTINO

AGENDA

DESIGN REVIEW COMMITTEE

This will be a teleconference meeting without a physical location

Thursday, October 21, 2021

5:00 PM

TELECONFERENCE / PUBLIC PARTICIPATION INFORMATION TO HELP STOP THE SPREAD OF COVID-19

In accordance with Government Code 54953(e), this will be a teleconference meeting without a physical location to help stop the spread of COVID-19.

Members of the public wishing comment on an item on the agenda may do so in the following ways:

1) E-mail comments by 4:00 p.m. on Thursday, October 21 to the Committee at planning@cupertino.org. These e-mail comments will be received by the Committee members before the meeting and posted to the City's website after the meeting.

2) E-mail comments during the times for public comment during the meeting to the Committee at planning@cupertino.org. The staff liaison will read the emails into the record, and display any attachments on the screen, for up to 3 minutes (subject to the Chair's discretion to shorten time for public comments). Members of the public that wish to share a document must email planning@cupertino.org prior to speaking.

3) Teleconferencing Instructions

Members of the public may observe the teleconference meeting or provide oral public comments as follows:

Oral public comments will be accepted during the teleconference meeting. Comments may be made during "oral communications" for matters not on the agenda, and during the public comment period for each agenda item.

To address the Committee, click on the link below to register in advance and access the meeting:

Online

Please click the link below to join the webinar:

https://cityofcupertino.zoom.us/webinar/register/WN_nDaQWw2rT3aALuTBQAN0pw

Phone

Dial: (669) 900 6833 and enter Webinar ID: 963 8192 7722 (Type *9 to raise hand to speak)

Unregistered participants will be called on by the last four digits of their phone number.

Or an H.323/SIP room system:

H.323:

162.255.37.11 (US West)

162.255.36.11 (US East)

Meeting ID: 963 8192 7722

SIP: 96381927722@zoomcrc.com

After registering, you will receive a confirmation email containing information about joining the webinar.

Please read the following instructions carefully:

1. You can directly download the teleconference software or connect to the meeting in your internet browser. If you are using your browser, make sure you are using a current and up-to-date browser: Chrome 30+, Firefox 27+, Microsoft Edge 12+, Safari 7+. Certain functionality may be disabled in older browsers, including Internet Explorer.
2. You will be asked to enter an email address and a name, followed by an email with instructions on how to connect to the meeting. Your email address will not be disclosed to the public. If you wish to make an oral public comment but do not wish to provide your name, you may enter "Cupertino Resident" or similar designation.
3. When the Chair calls for the item on which you wish to speak, click on "raise hand." Speakers will be notified shortly before they are called to speak.
4. When called, please limit your remarks to the time allotted and the specific agenda topic.

ROLL CALL

APPROVAL OF MINUTES

1. Subject: Approve the January 21 Design Review Committee Minutes
Recommended Action: Approve the January 21 Design Review Committee Minutes
[1 - Draft Minutes](#)
2. Subject: Approve the May 20 Design Review Committee Minutes
Recommended Action: Approve the May 20 Design Review Committee Minutes

[1 - Draft Minutes](#)

POSTPONEMENTS

ORAL COMMUNICATIONS

This portion of the meeting is reserved for persons wishing to address the Committee on any matter within the jurisdiction of the Committee and not on the agenda. Speakers are limited to three (3) minutes. In most cases, State law will prohibit the Commission from making any decisions with respect to a matter not on the agenda.

PUBLIC HEARINGS

3. Subject: Consider an R1 Exception Permit to allow a reduced side-yard setback of 5-feet to accommodate a new garage addition to an existing single-family residence where a combined side-yard setback of 15-feet is required in the R1-7.5 Zoning District (Application No.: EXC-2021-001; Applicant: Raghu Kumar Devarakonda; Location: 10300 Imperial Avenue; APN: 357-19-052)

Recommended Action: That the Design Review Committee adopt the draft resolution (Attachment 1) to:

1. Find the project exempt from CEQA; and
2. Approve the R-1 Exception (EXC-2021-001).

[Staff Report](#)

[1 - Draft Resolution](#)

[2 - Plan Set](#)

[3 - Monta Vista Residences with Reduced First-Floor Side-Yard Setbacks](#)

4. Subject: Sign Exception to allow for a second wall sign on a commercial building where only wall sign is permitted (Mattress Firm). (Application No. EXC-2021-001; Applicant: Tracey Diehl (Expedite the Diehl); Location: 20510 Stevens Creek Boulevard; APN: 359-08-018)

Recommended Action: That the Design Review Committee adopt the draft resolution (Attachment 1) to:

1. Find the project exempt from CEQA; and
2. Approve the Sign Exception (EXC-2021-002).

[Staff Report](#)

[1 - Draft Resolution](#)

[2 - Plan Set](#)

OLD BUSINESS

NEW BUSINESS

STAFF AND COMMITTEE REPORTS

FUTURE AGENDA SETTING

ADJOURNMENT

In compliance with the Americans with Disabilities Act (ADA), anyone who is planning to attend this teleconference meeting who is visually or hearing impaired or has any disability that needs special assistance should call the City Clerk's Office at 408-777-3223, at least 48 hours in advance of the meeting to arrange for assistance. In addition, upon request, in advance, by a person with a disability, meeting agendas and writings distributed for the meeting that are public records will be made available in the appropriate alternative format.

Any writings or documents provided to a majority of the members after publication of the agenda will be made available for public inspection. Please contact the City Clerk's Office in City Hall located at 10300 Torre Avenue, Cupertino, California 95014, during normal business hours.

IMPORTANT NOTICE: Please be advised that pursuant to Cupertino Municipal Code section 2.08.100 written communications sent to the Cupertino City Council, Commissioners or City staff concerning a matter on the agenda are included as supplemental material to the agenda item. These written communications are accessible to the public through the City's website and kept in packet archives. Do not include any personal or private information in written communications to the City that you do not wish to make public, as written communications are considered public records and will be made publicly available on the City website.

Members of the public are entitled to address the members concerning any item that is described in the notice or agenda for this meeting, before or during consideration of that item. If you wish to address the members on any other item not on the agenda, you may do so during the public comment.



CITY OF CUPERTINO

Agenda Item

21-9987

Agenda Date:
10/21/2021 Agenda #: 1.

Subject: Approve the January 21 Design Review Committee Minutes

Approve the January 21 Design Review Committee Minutes

Cupertino, CA 95014
(408) 777-3308

**ACTION MINUTES OF THE REGULAR MEETING OF
THE DESIGN REVIEW COMMITTEE HELD ON January 21, 2021**

ROLL CALL

Committee Members present: R Wang, Chair
David Fung, Commissioner

Committee Members absent: none

Staff present: Lauren Ninkovich, Assistant Planner
Erick Serrano, Senior Planner

APPROVAL OF MINUTES:

1. April 16, 2020
The minutes of April 16, 2020 were approved as written

ORAL COMMUNICATION:

None

WRITTEN COMMUNICATIONS:

None

CONSENT CALENDAR:

None

PUBLIC MEETING:

2. Application No.(s): EXC-2020-006
Applicant: Manju Radhakrishnan (Radhakrishnan residence)
Location: 10330 Menhart Lane APN: 375-16-017

Fence Exception to allow a six (6) foot front yard fence in the required 20' front yard setback area

Design Review Committee decision final unless appealed.

Staff Member Ninkovich reviewed the project with the Committee. The Applicant is proposing to construct a fence along a portion of the front yard of their home. The property is roughly triangular in shape making the rear yard the smaller of the two. The applicant would like to install the fence to provide privacy and more usable yard space. They are not proposing to remove the trees in the yard. A Fence Exception is required as the applicant wants to install a six (6) foot high fence where a three (3) foot is allowed. The Public Works department has reviewed the plans. They found that due to the curve of the road, the proposed placement of the fence will not cause an issue with traffic sightlines. The applicant and homeowner, Mr. Radhakrishnan, addressed the Committee. He thanked Staff for their help. He expressed the need for his family to have some more useable outdoor space and privacy. The front window of the home faces Menhart Lane so they do not open the drapes.

The Committee members reviewed the fence setback requirements from the sidewalk and the property line and the site plans. Staff confirmed that the proposed fence will be at the proper setback allowed per the Code. The Committee members concurred that the lot has a very small rear yard so providing space in the front would increase the “livability” of the home.

Chair Wang opened the Public Comment period.

There were no speakers

Chair Wang closed the Public Comment period.

Chair Wang agreed with Committee Member Fung’s thoughts that the addition of the fence would not adversely affect the neighbors or cause a sightline hazard to motorists rounding the curve on Menhart Lane.

MOTION: Commissioner Fung moved to approve EXC-2020-006 per the draft resolution

APPROVE: Chair Wang

ABSENT: none

ABSTAIN: none

VOTE: 2-0-0

OLD BUSINESS:

None

NEW BUSINESS:

None

Respectfully submitted:

 /s/ Beth Ebben
Beth Ebben
Deputy Board Clerk



CITY OF CUPERTINO

Agenda Item

21-9993

Agenda Date:
10/21/2021 Agenda #: 2.

Subject: Approve the May 20 Design Review Committee Minutes

Approve the May 20 Design Review Committee Minutes

Cupertino, CA 95014
(408) 777-3308

**ACTION MINUTES OF THE REGULAR MEETING OF
THE DESIGN REVIEW COMMITTEE HELD ON May 20, 2021**

ROLL CALL

Committee Members present: Steven Scharf, Chair
Vikram Saxena, Commissioner

Committee Members absent: none

Staff present: Erika Poveda, Associate Planner
Piu Ghosh, Planning Manager

APPROVAL OF MINUTES:

1. January 21, 2021

The minutes of January 21, 2021 were postponed due to a lack of a quorum for approval by proxy

ORAL COMMUNICATION:

None

WRITTEN COMMUNICATIONS:

None

CONSENT CALENDAR:

None

PUBLIC MEETING:

2. Application No.(s): EXC-2020-005
Applicant: T.N. Design (Kumar residence)
Location: 10290 Imperial Avenue APN: 357-19-053

R-1 Exception Permit to allow the construction of a new 3,026 SF single-story residence with reduced side-yard setbacks of 5' on each side, where a combined side-yard setback of 15' is typically required in the R1-7.5 zoning district.

Design Review Committee decision final unless appealed.

Staff Member Poveda reviewed the project with the Committee. The project site was annexed into the City in 2004 from the County. The lot is of substandard width (10' narrower) and substandard size (774 square feet smaller) as are many of the homes in this area that have been annexed. Granting this exception will allow the property owner greater flexibility to construct their home with a balanced floor plan. The proposed residence complies with the R-1 Ordinance and is consistent in design with the other homes in the Monta Vista neighborhood.

The Committee Members asked clarifying questions regarding the overall neighborhood design, allowed slot size and proposed landscaping.

Chair Scharf opened the Public Comment period.

Muni Madhhipatla

Chair Scharf closed the Public Comment period.

Chair Scharf agreed with Committee Member Saxena's thoughts that allowing the reduced setbacks would not adversely affect the neighborhood. The City has granted these types of exceptions where appropriate in the past.

MOTION: Commissioner Saxena moved to approve EXC-2020-005 per the draft resolution

APPROVE: Chair Scharf

ABSENT: none

ABSTAIN: none

VOTE: 2-0-0

OLD BUSINESS:

None

NEW BUSINESS:

None

Respectfully submitted:

_____/s/ Beth Ebben

Beth Ebben

Deputy Board Clerk



CITY OF CUPERTINO

Agenda Item

21-9971

Agenda Date:
10/21/2021 Agenda #: 3.

Subject: Consider an R1 Exception Permit to allow a reduced side-yard setback of 5-feet to accommodate a new garage addition to an existing single-family residence where a combined side-yard setback of 15-feet is required in the R1-7.5 Zoning District (Application No.: EXC-2021-001; Applicant: Raghu Kumar Devarakonda; Location: 10300 Imperial Avenue; APN: 357-19-052)

That the Design Review Committee adopt the draft resolution (Attachment 1) to:

1. Find the project exempt from CEQA; and
2. Approve the R-1 Exception (EXC-2021-001).



**COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION**

CITY HALL
10300 TORRE AVENUE • CUPERTINO, CA 95014-3255
TELEPHONE: (408) 777-3308 • FAX: (408) 777-3333
CUPERTINO.ORG

DESIGN REVIEW COMMITTEE STAFF REPORT

Meeting: October 21, 2021

Subject:

Consider an R1 Exception Permit to allow a reduced side-yard setback of 5-feet to accommodate a new garage addition to an existing single-family residence where a combined side-yard setback of 15-feet is required in the R1-7.5 Zoning District (Application No.: EXC-2021-001; Applicant: Raghu Kumar Devarakonda; Location: 10300 Imperial Avenue; APN: 357-19-052)

Recommended Action:

That the Design Review Committee adopt the draft resolution (Attachment 1) to:

1. Find the project exempt from CEQA; and
2. Approve the R-1 Exception (EXC-2021-001).

Project Data:

General Plan Designation:	Residential (0-4.4 DU/Ac.)		
Zoning Designation:	R1-7.5		
General Plan Neighborhood:	Monta Vista		
Site Development Regulations:	Required/ Allowed	Existing	Proposed
Lot Area	7,500 sq. ft.	6,750 sq. ft.	No change
Lot Width	60'	50'	No change
Floor Area Ratio	45%	1,632 sq. ft. (24.2%)	2,350 sq. ft. (34.8%)
Lot Coverage	50%	N/A	2,999 sq. ft. (44.4%)
1st Floor Setbacks:	Required	Existing	Proposed
Front	20'	24'-10"	No change
Side	Combined 15' (min. 5')	12' Left 5'-7" Right 17'-7" Combined	5' Left 5'-7" Right 10'-7" Combined
Rear	20'	71'-10"	39'-6 1/2"

Project Consistency with:	
General Plan:	Yes
Zoning:	No, R-1 Exception requested for reduced side-yard setbacks of 10'-7" combined where 15-feet is required.
Environmental Assessment:	Categorically Exempt per Sections 15301 (Class 1) of the California Environmental Quality Act (CEQA)

Background:

Site Description

The subject single-family residential property is located on Imperial Avenue in the Monta Vista neighborhood (Figure 1). The site is surrounded by planned development light industrial, P(ML), to the north and east, with other single-family residential uses to the south and west.

The existing single-story residence with detached garage was originally built under the County of Santa Clara's jurisdiction in 1951 and was annexed into the City in 2004. The existing lot is substandard in area at 6,750 square feet where 7,500 square feet is the minimum lot area for R1-7.5 zoned properties. Furthermore, the lot is substandard in lot width at 50 feet, which is 10 feet less than the minimum lot width of 60 feet required for R1-7.5 properties.

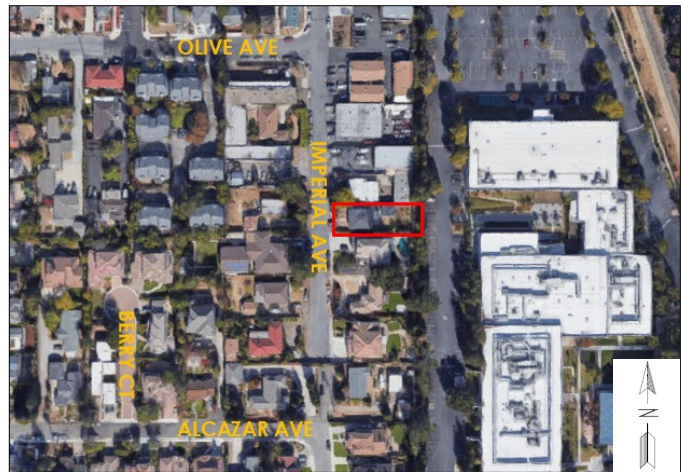


Figure 1: Project Vicinity

Applicant Request

The applicant/property owner, Raghu Kumar Devarakonda, is proposing to demolish the existing detached garage at the rear of the property, remodel the existing primary residence, and construct a 678 square-foot addition at the rear and a 442 square-foot garage addition at the front, resulting in a 2,350 square foot one-story single-family residence.

A combined side-yard setback of 15 feet is required in the R1-7.5 zoning district. However, since the applicant is proposing a reduced side-yard setback of five feet, and a combined side-yard setback of 10'-7", to accommodate a proposed attached garage, an R-1 Exception Permit is required. The City's Municipal Code (Chapter 19.12) requires Design Review Committee review for all proposed R-1 Exception applications.

Discussion:

Side-Yard Setback Exception

While the R-1 Ordinance (Chapter 19.28 of the Cupertino Municipal Code) requires a combined 15-foot first floor side-yard setback, with no side-yard setback less than five feet from the property line in most zoning districts, it allows properties located in the R1-5 zoning district (Rancho Rinconada neighborhood), where there are several hundred lots that have a lot width between 47 feet and 51 feet and lot areas ranging between 4,800 and 5,500 sq. ft., to have minimum five-foot side-yard setbacks on both sides. These reduced side-yard setbacks allow greater flexibility for these smaller and narrower lots to construct a reasonable and balanced floor plan and front elevation.

Additionally, the Parking Regulations Ordinance (Chapter 19.124 of the Cupertino Municipal Code) requires a two-car garage measuring 20' by 20' for single-family residences. Given the project's lot area and width constraints, the applicant is requesting an exception to the minimum 15-foot combined side-yard setback requirement to accommodate the two-car garage.

The project site is located in the Monta Vista neighborhood where there are numerous lots that are substandard in width. The original subdivision in this neighborhood subdivided lots into 25 feet in width. Over time, many lots were conveyed together and eventually merged into 50-foot-wide lots as allowed by the Subdivision Map Act. Furthermore, much of Monta Vista was developed while under the development regulations of Santa Clara County. Consequently, several neighboring homes have side-yard setbacks that do not conform to the City of Cupertino's development regulations.

There have been other properties in the Monta Vista neighborhood for which a reduced side-yard setback has been approved due to a substandard lot width and/or substandard lot size. While research indicates that some of these residences were built under the County of Santa Clara's jurisdiction with varying building setback and development parameters that are considered non-conforming under the City's requirements, there are nine recent first floor side-yard setback exception approvals¹ in the neighborhood to allow five-foot first floor side-yard setbacks on either side. See Attachment 3 for a map of R1-zoned Monta Vista residences with existing first floor side-yard setbacks less than 15 feet combined.

Since the exception is only proposed for the section of the home that serves to accommodate the required two-car garage, staff believes that the applicant has attempted

¹ **Note:** Prior to 2005, 5-foot first floor side-yard setbacks were allowed for all lots 60' or less in width and less than 6,000 sq. ft. in size, without the need for an exception throughout the City. This was amended by the City Council in 2005 to be limited to only the R1-5 zoning district. An exception would be required in all other zoning districts.

to minimize the exception to the least possible extent required. Therefore, in the interests of a more balanced front elevation and functional floor plan, staff recommends that this exception be granted to accommodate the garage.

Project Design

The proposed single-story residence (Figure 2) is designed to meet all aspects of the R-1 Ordinance, with the exception of the first-floor combined side-yard setback for the proposed garage only. The proposed design is generally consistent with the Single-



Figure 2: Project Design

Family Residential Design Guidelines and is compatible with other homes in the neighborhood in terms of massing and design with the architect proposing a design that features neutral-colored stucco and stone veneer.

The site is not subject to the Monta Vista Design Guidelines, which regulate architectural style and materials within a portion of the Monta Vista Specific Plan area. Furthermore, the reduced five-foot side yard setbacks are appropriate to allow for a functional floor plan, to accommodate a 20' by 20' garage that is currently required for all single-family residences, and to create a balanced, aesthetically pleasing front elevation, that is not dominated by a two-car garage door, on the substandard lot.

Site Improvements

The scope of work includes modifications to the front yard including the installation of new landscaping comprised of mulch and a variety of drought-tolerant plantings and the installation of pervious pavers for the driveway and entry walkway. The total new landscape area is approximately 340 square feet and as a condition of approval, the applicant shall submit a Prescriptive Compliance Application or a full Landscape Documentation Package prior to Building Permit issuance to be consistent with the Water Efficient Landscape Ordinance (Chapter 14.15) of the Cupertino Municipal Code. There are no proposed tree removals as part of this project.

The project shall comply with the requirements indicated on the Public Work Confirmation Form dated December 1, 2020, including but not limited to providing street improvement designs to be reviewed and approved by the Director of the Public Works Department prior to Building Permit issuance.

Environmental Assessment

This project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) per Section 15301: Existing facilities.

Public Outreach and Noticing

The following table is a brief summary of the noticing done for this project:

Notice of Public Hearing and Intent, Site Notice & Legal Ad	Agenda
<ul style="list-style-type: none">▪ Site Signage (10 days prior to the hearing)▪ 6 public meeting notices mailed to adjacent property owners (10 days prior to the hearing)	<ul style="list-style-type: none">▪ Posted on the City's official notice bulletin board (one week prior to the hearing)▪ Posted on the City of Cupertino's website (one week prior to the hearing)

No public comments have been received as of the date of production of this staff report.

Permit Streamlining Act

This project is subject to the Permit Streamlining Act (Government Code Section 65920 – 65964). The City has complied with the deadlines found in the Permit Streamlining Act.

Project Received: February 16, 2021; ***Deemed Incomplete:*** March 9, 2021

2nd Submittal Received: April 19, 2021; ***Deemed Incomplete:*** May 18, 2021

3rd Submittal Received: June 10, 2021; ***Deemed Complete:*** July 8, 2021

Deemed Incomplete: August 4, 2021 due to project revisions proposed by applicant.

4th Submittal Received: August 17, 2021; ***Deemed Complete:*** September 16, 2021

The City has up to 60 days from the date of deeming the project complete (until November 16, 2021) to make a decision on the project.

Conclusion:

Staff recommends approval of the project since the project and conditions of approval address all concerns related to the proposed project and all of the findings for approval of the proposed project, consistent with Chapter 19.28 of the Cupertino Municipal Code, may be made.

With respect to the R-1 Exception, the following findings may be made:

1. The literal enforcement of this chapter will result in restrictions inconsistent with the spirit and intent of this chapter.

The project is consistent with the intent of the R-1 Ordinance in that it minimizes visual impacts to adjacent residential properties and that it is compatible with other homes in the neighborhood. The reduced five-foot side yard setbacks are appropriate to allow for a functional floor plan, to accommodate a 20-foot by 20-foot garage that is required for all single-family residences, and a balanced, aesthetically pleasing front elevation, that is not dominated by a two-car garage door, on a substandard lot.

2. The proposed development will not be injurious to property or improvements in the area, nor be detrimental to the public and safety, health and welfare.

The project will not be detrimental or injurious to property or improvements in the vicinity, and will not be detrimental to the public health, safety, or welfare. The project is a single-story single-family residence that is compatible with other homes in the neighborhood in terms of massing and overall design.

3. The exception to be granted is one that will require the least modification of the prescribed design regulation and the minimum variance that will accomplish the purpose.

Due to the substandard lot width of the subject property and the two-car garage requirement for single-family homes, the strict application of the prescribed side-yard setback requirement per the R-1 Ordinance would create a situation that would result in an unbalanced floor plan, unbalance front elevation, and reduced interior garage size. All other aspects of the project comply with the R-1 Ordinance in terms of height, building envelope, front and rear setbacks, and design. The intent of the R-1 Ordinance is met since the R-1 Exception would result in a house that is comparable in siting, scale, and design as others in the neighborhood.

4. The proposed exception will not result in significant visual impact as viewed from abutting properties.

The project is a single-story single-family residence that is consistent with other existing homes in the Monta Vista neighborhood. The granting of a side-yard setback exception is not anticipated to create adverse visual impacts as viewed from abutting properties as it will allow for a balanced front elevation on the substandard lot. All other aspects of the project comply with the R-1 Ordinance in terms of height, building envelope, front and rear setbacks, and design.

Next Steps

Should the project be approved, the Design Review Committee's decision on this proposal is final unless an appeal is filed within 14 calendar days of the date of the decision, on November 4, 2021. The applicant may apply for building and other permits at the end of the appeal period.

This approval expires on October 21, 2022, at which time the applicant may apply for a one-year extension.

Prepared by:

Erika Poveda, Associate Planner
Brianne Reyes, Associate Planner

Reviewed and Approved by:

Piu Ghosh, Planning Manager

ATTACHMENTS:

1 – Draft Resolution

2 – Plan Set

3 – Monta Vista Residences with Reduced First-Floor Side-Yard Setbacks

CITY OF CUPERTINO
10300 Torre Avenue
Cupertino, California 95014

RESOLUTION NO.

OF THE DESIGN REVIEW COMMITTEE OF THE CITY OF CUPERTINO
APPROVING AN R-1 EXCEPTION PERMIT TO ALLOW A REDUCED SIDE-
YARD SETBACK OF 5-FEET TO ACCOMMODATE A NEW GARAGE
ADDITION TO AN EXISTING SINGLE-FAMILY RESIDENCE WHERE A
COMBINED SIDE-YARD SETBACK OF 15-FEET IS REQUIRED IN THE R1-7.5
ZONING DISTRICT

SECTION I: PROJECT DESCRIPTION

Application No.: EXC-2021-0051
Applicant: Raghu Kumar Devarakonda
Location: 10300 Imperial Avenue; APN: 357-19-052

SECTION II: FINDINGS

WHEREAS, the Design Review Committee of the City of Cupertino received an application for an Exception from the Single-Family Residential Zoning regulations as described in Section I. of this Resolution; and

WHEREAS, the Project is Categorically Exempt from the requirements of the California Environmental Quality Act pursuant to Section 15301 Class 1 (Existing facilities); and

WHEREAS, the necessary notices have been given in accordance with the Procedural Ordinance of the City of Cupertino, and the Design Review Committee has held at least one Public Meeting on this matter; and

WHEREAS, the applicant has met the burden of proof required to support said application; and

WHEREAS, the Design Review Committee finds the following with regard to the exception for this application:

1. The literal enforcement of this chapter will result in restrictions inconsistent with the spirit and intent of this chapter.

The project is consistent with the intent of the R-1 Ordinance in that it minimizes visual impacts to adjacent residential properties and that it is compatible with other homes in the neighborhood. The reduced five-foot side yard setbacks are appropriate to allow for a functional

floor plan, to accommodate a 20-foot by 20-foot garage that is required for all single-family residences, and a balanced, aesthetically pleasing front elevation, that is not dominated by a two-car garage door, on a substandard lot.

2. The proposed development will not be injurious to property or improvements in the area, nor be detrimental to the public and safety, health and welfare.

The project will not be detrimental or injurious to property or improvements in the vicinity, and will not be detrimental to the public health, safety, or welfare. The project is a single-story single-family residence that is compatible with other homes in the neighborhood in terms of massing and overall design.

3. The exception to be granted is one that will require the least modification of the prescribed design regulation and the minimum variance that will accomplish the purpose.

Due to the substandard lot width of the subject property and the two-car garage requirement for single-family homes, the strict application of the prescribed side-yard setback requirement per the R-1 Ordinance would create a situation that would result in an unbalanced floor plan, unbalance front elevation, and reduced interior garage size. All other aspects of the project comply with the R-1 Ordinance in terms of height, building envelope, front and rear setbacks, and design. The intent of the R-1 Ordinance is met since the R-1 Exception would result in a house that is comparable in siting, scale, and design as others in the neighborhood.

4. The proposed exception will not result in significant visual impact as viewed from abutting properties.

The project is a single-story single-family residence that is consistent with other existing homes in the Monta Vista neighborhood. The granting of a side-yard setback exception is not anticipated to create adverse visual impacts as viewed from abutting properties as it will allow for a balanced front elevation on the substandard lot. All other aspects of the project comply with the R-1 Ordinance in terms of height, building envelope, front and rear setbacks, and design.

NOW, THEREFORE, BE IT RESOLVED:

That after careful consideration of the maps, facts, exhibits, testimony and other evidence submitted in this matter, subject to the conditions which are enumerated in this Resolution beginning on PAGE 3 thereof, the application for an Exception to the Single-Family Residential Ordinance regulations, Application no. EXC-2021-001 is:

1. Exempt from CEQA and
2. Hereby APPROVED, and

That the sub-conclusions upon which the findings and conditions specified in this Resolution are based and contained in the Public Meeting record concerning Application

no. EXC-2021-001 as set forth in the Minutes of Design Review Committee Meeting of October 21, 2021 and are incorporated by reference as though fully set forth herein.

SECTION III: CONDITIONS ADMINISTERED BY THE COMMUNITY DEVELOPMENT DEPT.

1. APPROVED EXHIBITS

The approval is based on the plan set titled "Devaradonda Residence, 10300 Imperial Ave., Cupertino, CA 95014," consisting of 13 sheets, labeled "A1, A2, A2.1, A3, A3.1, A3.2, A3.3, A4, A5, A6, A8, L1, and SS1," except as may be amended by the Conditions contained in this Resolution.

2. R-1 EXCEPTION

The R-1 Exception to allow a reduced side-yard setback of 5-feet shall only apply to the left (northerly) side-yard setback of the attached garage addition. Any future additions along the north side shall be set back at least 9'-5" from the north side property line in order to provide a combined side yard setback of 15 feet. Any proposed extension of the northerly 5-foot setback shall be subject to discretionary approval of the Design Review Committee in accordance with the Single-Family Residential (R-1) Ordinance.

3. ACCURACY OF THE PROJECT PLANS

The applicant/property owner is responsible to verify all pertinent property data including but not limited to property boundary locations, building setbacks, property size, building square footage, any relevant easements and/or construction records. Any misrepresentation of any property data may invalidate this approval and may require additional review.

4. ANNOTATION OF THE CONDITIONS OF APPROVAL

The conditions of approval set forth shall be incorporated into and annotated on the building plans.

5. CONSULTATION WITH OTHER DEPARTMENTS

The applicant is responsible to consult with other departments and/or agencies with regard to the proposed project for additional conditions and requirements. Any misrepresentation of any submitted data may invalidate an approval by the Community Development Department.

6. COMPLIANCE WITH PUBLIC WORKS CONFIRMATION FORM

The project shall comply with the requirements indicated on the Public Works Confirmation form dated December 1, 2020, including, but not limited to, dedications,

easements, off-site improvements, undergrounding of utilities, all necessary agreements, and utility installations/relocations as deemed necessary by the Director of Public Works and required for public health and safety. The Public Works Confirmation is a preliminary review and is not an exhaustive review of the subject development. Additional requirements may be established and implemented during the construction permitting process. The project construction plans shall address these requirements with the construction permit submittal, and all required improvements shall be completed to the satisfaction of the Director of Public Works prior to final occupancy.

7. LANDSCAPE PROJECT SUBMITTAL

Prior to issuance of building permits, the applicant shall submit a full Landscape Documentation Package, per sections 14.15.050 A, B, C, and D of the Landscape Ordinance, for projects with landscape area 500 square feet or more or elect to submit a Prescriptive Compliance Application per sections 14.15.040 A, B, and C for projects with landscape area between 500 square feet and 2,500 square feet. The Landscape Documentation Package or Prescriptive Compliance Application shall be reviewed and approved to the satisfaction of the Director of Community Development prior to issuance of building permits, and additional requirements per sections 14.15.040 D, E, F, and G or 14.15.050 E, F, G, H, and I will be required to be reviewed and approved prior to final inspections.

8. DARK SKY COMPLIANCE

Prior to issuance of Building Permits, the applicant/property owner shall submit final plans in compliance with the approved lighting plans to comply with development standards of Cupertino Municipal Code Section 19.102.040 Outdoor Lighting Requirements. In the event changes are proposed from the approved plans, said changes must be reviewed and approved by the Director of Community Development or their designee. The applicant shall provide all documentation required to determine compliance with the Municipal Code.

9. EXTERIOR BUILDING MATERIALS/TREATMENTS

The final building exterior plan shall closely resemble the details shown on the original approved plans. Final building exterior treatment plan (including but not limited to details on exterior color, materials, architectural treatments, doors, windows, lighting fixtures, and/or embellishments) shall be reviewed and approved by the Director of Community Development prior to issuance of building permits to ensure quality and consistency. Any exterior changes determined to be substantial by the Director of Community Development shall either require a modification to this permit or a new permit based on the extent of the change.

10. DEMOLITION REQUIREMENTS

All demolished building and site materials shall be recycled to the maximum extent feasible subject to the Building Official. The applicant shall provide evidence that materials were recycled prior to issuance of final demolition permits.

11. DUST CONTROL

The following construction practices shall be implemented during all phases of construction for the proposed project to prevent visible dust emissions from leaving the site:

- a) Water all exposed surfaces areas (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) at least twice daily and more often during windy periods to prevent visible dust from leaving the site; active areas adjacent to windy periods; active areas adjacent to existing land uses shall be kept damp at all times, or shall be treated with non-toxic stabilizers or dust palliatives.
- b) All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
- c) All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- d) All vehicle speeds on unpaved roads shall be limited to 15 mph.
- e) All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- f) Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
- g) All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
- h) Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.
- i) The applicant shall incorporate the City's construction best management practices into the building permit plan set.

12. GRADING AND CONSTRUCTION HOURS AND NOISE LIMITS

- a) All grading activities shall be limited to the dry season (April 15 to October 1), unless permitted otherwise by the Director of Public works.
- b) Construction hours and noise limits shall be compliant with all requirements of Chapter 10.48 of the Cupertino Municipal Code.
- c) Grading, street construction, underground utility and demolition hours for work done more than 750 feet away from residential areas shall be limited to Monday through Friday, 7 a.m. to 8 p.m. and Saturday and Sunday, 9 a.m. to 6 p.m. Grading, street construction, demolition or underground utility work within 750 feet of residential areas shall not occur on Saturdays, Sundays, holidays, and during the nighttime period as defined in Section 10.48.053(b) of the Municipal Code.
- d) Construction activities shall be limited to Monday through Friday, 7 a.m. to 8 p.m. and Saturday and Sunday, 9 a.m. to 6 p.m. Construction activities are not allowed on holidays as defined in Chapter 10.48 of the Municipal Code. Night time construction is allowed if compliant with nighttime standards of Section 10.48 of the Cupertino Municipal Code.
- e) Rules and regulations pertaining to all construction activities and limitations identified in this permit, along with the name and telephone number of an applicant appointed disturbance coordinator, shall be posted in a prominent location at the entrance to the job site.
- f) The applicant shall be responsible for educating all contractors and subcontractors of said construction restrictions.

The applicant shall comply with the above grading and construction hours and noise limit requirements unless otherwise indicated.

13. NESTING BIRDS

Nests of raptors and other birds shall be protected when in active use, as required by the federal Migratory Bird Treaty Act and the California Department of Fish and Game Code.

- a) Construction and tree removal/pruning activities shall be scheduled to avoid the nesting season to the extent feasible. If feasible, tree removal and/or pruning shall be completed before the start of the nesting season to help preclude nesting. The nesting season for most birds and raptors in the San Francisco Bay area extends from February 1 through August 31. Preconstruction surveys (described below) are not required for tree removal or construction activities outside the nesting period.
- b) If construction activities and any required tree removal occur during the nesting season (February 1 and August 31), a qualified ornithologist shall be required to

conduct surveys prior to tree removal or construction activities. Preconstruction surveys shall be conducted no more than 14 days prior to the start of tree removal, pruning or construction. Preconstruction surveys shall be repeated at 14-day intervals until construction has been initiated in the area after which surveys can be stopped. During this survey, the ornithologist shall inspect all trees and other possible nesting habitats in and immediately adjacent to the construction areas for nests.

- c) If the survey does not identify any nesting birds that would be affected by construction activities, no further mitigation is required. If an active nest containing viable eggs or young birds is found sufficiently close to work areas to be disturbed by these activities, their locations shall be documented and protective measures implemented under the direction of the qualified ornithologist until the nests no longer contain eggs or young birds.
- d) Protective measures shall include establishment of clearly delineated exclusion zones (i.e. demarcated by identifiable fencing, such as orange construction fencing or equivalent) around each nest location as determined by the qualified ornithologist, taking into account the species of birds nesting, their tolerance for disturbance and proximity to existing development. In general, exclusion zones shall be a minimum of 300 feet for raptors and 75 feet for passerines and other birds. The active nest within an exclusion zone shall be monitored on a weekly basis throughout the nesting season to identify signs of disturbance and confirm nesting status. The radius of an exclusion zone may be increased by the qualified biologist, if project activities are determined to be adversely affecting the nesting birds. Exclusion zones may be reduced by the qualified biologist only in consultation with California Department of Fish and Wildlife. The protection measures and buffers shall remain in effect until the young have left the nest and are foraging independently or the nest is no longer active.
- e) A final report on nesting birds and raptors, including survey methodology, survey date(s), map of identified active nests (if any), and protection measures (if required), shall be submitted to the Planning Manager, through the building permit review process, and be completed to the satisfaction of the Community Development Director prior to the start of grading.

14. INDEMNIFICATION

As part of the application, to the fullest extent permitted by law, the applicant shall agree to indemnify, defend with the attorneys of the City's choice, and hold harmless the City, its City Council, and its officers, employees, and agents (collectively, the "indemnified parties") from and against any liability, claim, action, cause of action, suit, damages, judgment, lien, levy, or proceeding (collectively referred to as

“proceeding”) brought by a third party against one or more of the indemnified parties or one or more of the indemnified parties and the applicant related to any Ordinance, Resolution, or action approving the project, the related entitlements, environmental review documents, finding or determinations, or any other permit or approval authorized for the project. The indemnification shall include but not be limited to damages, fees, and costs awarded against the City, if any, and cost of suit, attorneys’ fees, and other costs, liabilities, and expenses incurred in connection with such proceeding whether incurred by the Applicant, the City, or the parties initiating or bringing such proceeding.

The applicant shall agree to (without limitation) reimburse the City its actual attorneys’ fees and costs incurred in defense of the litigation. Such attorneys’ fees and costs shall include amounts paid to the City’s outside counsel and shall include City Attorney time and overhead costs and other City staff overhead costs and any costs directly related to the litigation reasonably incurred by City. The applicant shall likewise agree to indemnify, defend, and hold harmless the indemnified parties from and against any damages, attorneys’ fees, or costs awards, including attorneys’ fees awarded under Code of Civil Procedure section 1021.5, assessed or awarded against the indemnified parties. The Applicant shall cooperate with the City to enter a Reimbursement Agreement to govern any such reimbursement.

The Applicant shall agree to (without limitation) reimburse the City for all costs incurred in additional investigation or study of, or for supplementing, redrafting, revising, or amending, any document (such as an Environmental Impact Report, negative declaration, specific plan, or general plan amendment) if made necessary by proceedings challenging the project approvals and related environmental review, if the applicant desires to continue to pursue the project.

The Applicant shall agree that the City shall have no liability to the Applicant for business interruption, punitive, speculative, or consequential damages.

15. NOTICE OF FEES, DEDICATIONS, RESERVATIONS OR OTHER EXACTIONS

The Conditions of Project Approval set forth herein may include certain fees, dedication requirements, reservation requirements, and other exactions.

PASSED AND ADOPTED this 21st day of October 2021, at a regular meeting of the Design Review Committee of the City of Cupertino by the following roll call vote:

AYES: MEMBERS:
NOES: MEMBERS:
ABSTAIN: MEMBERS:
ABSENT: MEMBERS:

ATTEST:

APPROVED:

Erika Poveda
Associate Planner

Steven Scharf, Chair
Design Review Committee

GOVERNING CODES:

2019 CALIFORNIA BUILDING CODE
2019 CALIFORNIA RESIDENTIAL CODE
2019 CALIFORNIA ENERGY CODE
2019 CALIFORNIA GREEN BUILDING CODE
2019 CALIFORNIA ELECTRICAL CODE
2019 CALIFORNIA MECHANICAL CODE

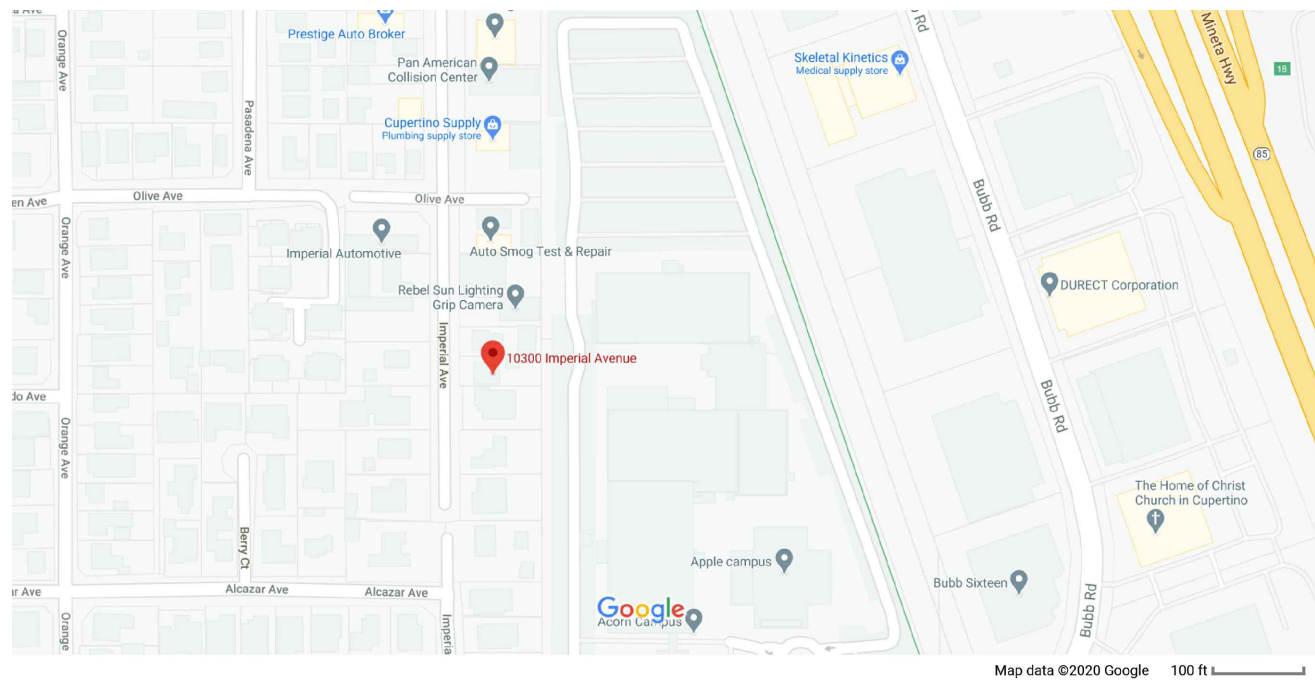
GENERAL NOTES

1. ANY DISCREPANCY DISCOVERED BETWEEN THESE PLANS AND ACTUAL FIELD CONDITIONS SHALL BE BROUGHT TO THE ATTENTION OF THE DESIGNER PRIOR TO THE START OF ANY RELATED WORK. THE CONTRACTOR SHALL VERIFY ALL EXISTING CONDITIONS AND DIMENSIONS ON SITE PRIOR TO CONSTRUCTION.
2. THE CONTRACTOR ASSUMES RESPONSIBILITY FOR THE JOB SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY. THE CONTRACTOR SHALL DEFEND, INDEMNIFY AND HOLD THE OWNER AND THE DESIGNER HARMLESS FROM ANY LIABILITY IN CONNECTION WITH THE PERFORMANCE OF WORK ON THIS PROJECT, EXCEPT FOR LIABILITY ARISING FROM SOLE NEGLIGENCE OF THE OWNER OR DESIGNER.
3. THE CONTRACTOR SHALL REVIEW ALL DETAILS & PLANS AND VERIFY ALL DIMENSIONS AND FIELD CONDITIONS AND SHALL CONFIRM THAT WORK IS BUILDABLE AS SHOWN. ANY CONFLICTS OR OMISSIONS SHALL BE REPORTED TO THE DESIGNER FOR CLARIFICATION PRIOR TO THE START OF ANY RELATED WORK.
4. NO PORTION OF THE WORK REQUIRING A SHOP DRAWING OR SAMPLE SUBMISSION SHALL BE COMMENCED UNTIL THE SUBMISSION HAS BEEN REVIEWED AND ACTED UPON BY THE DESIGNER.
5. DO NOT SCALE DRAWINGS. DIMENSIONS NOT GIVEN ARE TO BE CALCULATED IN THE FIELD FROM AVAILABLE DATA ELSEWHERE IN THESE SET OF PLANS OR MANUFACTURER'S SPECIFICATIONS.
6. THESE DRAWINGS ARE THE SOLE PROPERTY OF THE DESIGNER. ANY REPRODUCTION, COPYING, ALTERATION OR USE OF THESE DRAWINGS WITHOUT THE EXPRESSED WRITTEN CONSENT OF THE DESIGNER IS PROHIBITED.

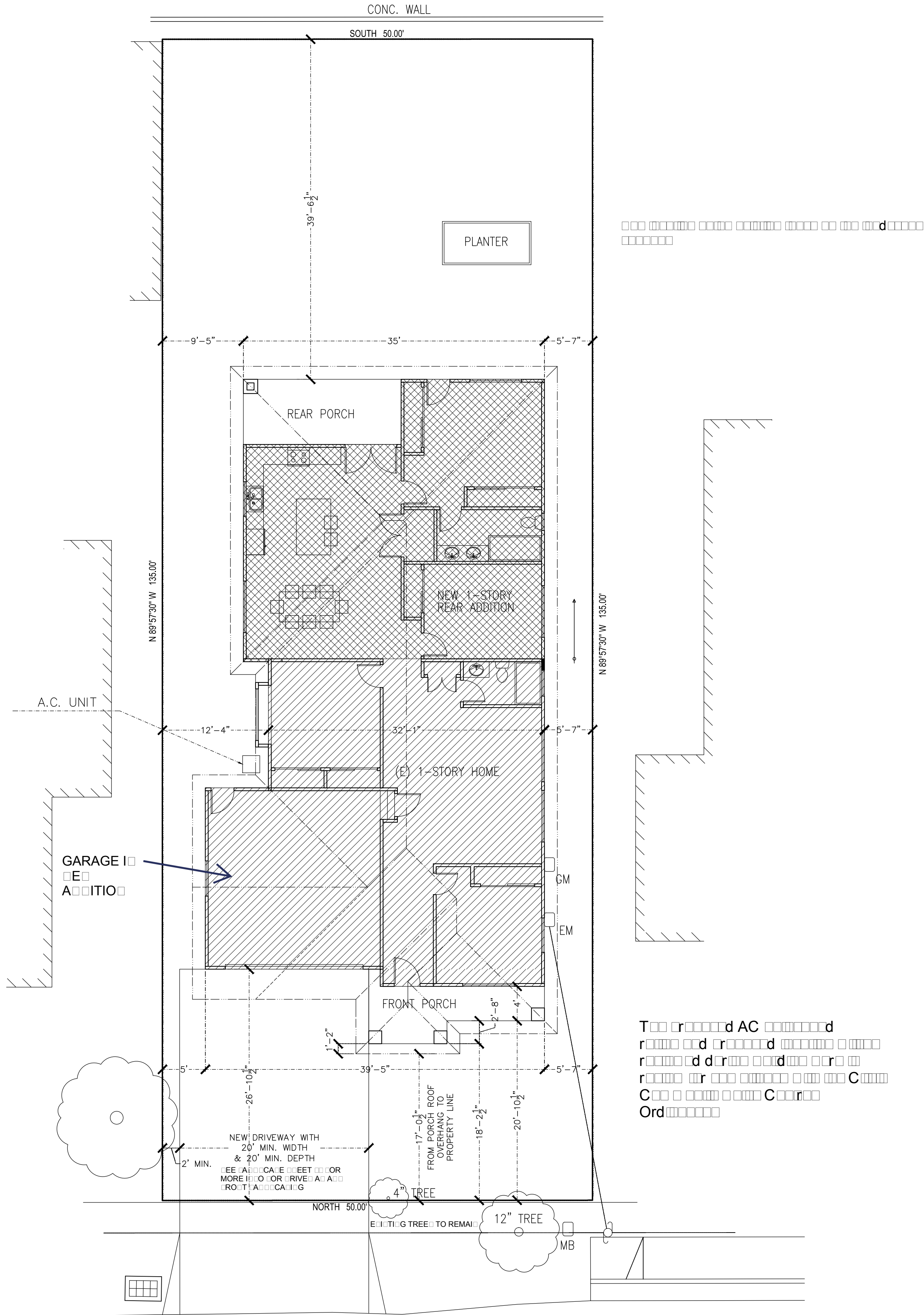
DEMOLITION, BRACING AND SHORING NOTES

1. DEMOLITION WORK CONSISTS OF FURNISHING ALL MATERIAL, SUPPLIES, EQUIPMENT, TOOLS, TRANSPORTATION, AND PERFORMING ALL LABOR AND SERVICES NECESSARY FOR, REQUIRED IN CONNECTION WITH OR PROPERLY INCIDENTAL TO PERFORMING THE DEMOLITION DRILLING, SAWCUTTING, BRACING AND SHORING, FOR STRUCTURAL MEMBERS TO PREVENT THE STRUCTURE FROM BECOMING UNSAFE DURING DEMOLITION AS SHOWN ON THE ACCOMPANY DRAWINGS.
2. THE CONTRACTOR SHALL TAKE THE FOLLOWING PROTECTIVE MEASURES FOR DEMOLITION OF THE STRUCTURE:
 - A. PROVIDE, ERECT AND MAINTAIN LIGHTS, BARRIERS, WEATHER PROTECTION AND OTHER ITEMS AS REQUIRED FOR PROTECTION OF WORKMEN ENGAGE IN DEMOLITION OPERATION AND ADJACENT RESIDENCE OCCUPANTS.
 - B. DO NOT CLOSE OR OBSTRUCT STREETS OR SIDEWALKS WITHOUT PROPER PERMITS
 - C. PROTECT PRIVATE PROPERTY ADJACENT TO OR ON JOBSITE, INCLUDING VENTS, UTILITY LINES, SIDEWALKS, MAIL BOXES.
 - D. PROTECT AND MAINTAIN TEMPORARY PROTECTION OF EXISTING STRUCTURE DESIGNATED TO REMAIN WHERE DEMOLITION AND REMOVAL WORK IS BEING DONE.
3. CONDUCT DEMOLITION TO MINIMIZE INTERFERENCE WITH ADJACENT STRUCTURE AND THE SURROUNDING AREAS TO REMAIN.
4. SPECIAL CARE SHALL BE EXERCISED TO PREVENT DAMAGE TO EXISTING UNDERGROUND UTILITIES WHICH ARE TO REMAIN DURING EXECUTION OF THIS WORK. ANY DAMAGE SHALL BE REPAIRED TO NEW CONDITION BY THE CONTRACTOR AT NO COST TO THE OWNER.
5. REMOVE DEMOLISHED MATERIAL FROM SITE. CLEAN UP ALL WORK RELATED TO DEMOTION. LEAVING THE PROPERTY AND ADJACENT AREAS IN A CLEAN CONDITION.
6. THE STABILITY AND INTEGRITY OF THE EXISTING STRUCTURE DURING CONSTRUCTION SHALL BE MAINTAINED AT LEVELS GENERALLY ACCEPTABLE WITHIN THE CONSTRUCTION INDUSTRY BY THE USE OF BRACING, SHORING AND UNDERPINNING UNTIL THE PROPOSE STRUCTURE MODIFICATIONS ARE COMPLETED. IN NO CASE SHALL THE EXISTING STRUCTURE BE ALLOWED TO BECOME UNSAFE DURING CONSTRUCTION.
7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL TEMPORARY LOADING CONDITIONS DURING CONSTRUCTION AND SHALL DESIGN AND PROVIDE TEMPORARY BRACING AND SHORING AS REQUIRED DURING CONSTRUCTION.

VICINITY MAP



Devaradonda Residence, 10300 Imperial Ave., Cupertino, CA 95014



NEW SITE PLAN

1/8" = 1'-0"

SCOPE OF WORK

1-STORY HOME ADDITION WITH NEW ATTACHED GARAGE.
EXISTING HOME HAS 1229 SF LIVING SPACE AND 403 SF DETACHED GARAGE.
NEW HOME WILL HAVE 1907 SF LIVING SPACE AND NEW 442 SF ATTACHED GARAGE.

PROJECT INFORMATION

ASSESSOR'S PARCEL NO.: 357 19 052
LAND USE: RESIDENTIAL (0-4.4 DU/ACRE)
ZONING: R1-7-1.5
ONE-STORY WOOD-FRAMED HOUSE WITH STUCCO FINISH
AND COMP. SHINGLE ROOF
OCCUPANCY GROUP: R3 & U
TYPE OF CONSTRUCTION: VB
BUILDING CODES: 2019 CBC & 2019 CRC
BUILDING HEIGHT EXISTING: 15'-1" FROM NATURAL GRADE TO TOP OF ROOF
BUILDING HEIGHT PROPOSED: 15'-4" FROM NATURAL GRADE TO TOP OF ROOF
FIRE SPRINKLER: YES
EXISTING SETBACKS:
FRONT: 24'-10.5"
REAR: 71'-10"
RIGHT SIDE: 5'-7"
LEFT SIDE: 12'-4"
PROPOSED SETBACKS:
FRONT: 24'-10.5" (17'-0.5" FOR PORCH)
REAR: 39'-6.5"
RIGHT SIDE: 5'-7"
LEFT SIDE: 5'-0"

FLOOR AREA BREAKDOWN

LOT SIZE = 6750 SF.

EXISTING ONE-STORY HOME	
1ST FLOOR LIVING SPACE	1229 SF.
DETACHED GARAGE (TO BE REMOVED)	403 SF.

NEW ONE-STORY HOME	
1ST FLOOR LIVING SPACE	1907.8 SF.
GARAGE	442.4 SF.
TOTAL HOUSE AREA: 1907.8 + 442.4 =	2350.2 SF.
FLOOR RATIO AREA: 2350.2 / 6750 =	0.348 OR 34.8 %
LOT COVERAGE: 2999.2 / 6750 = 0.444 OR 44.4 % (SEE A2 FOR LOT COVERAGE ANALYSIS)	

PROJECT CONTACTS

OWNER
RAGHU DEVARADONDA
CELL : (408) 218 - 4277
EMAIL: RDEVARAKONDA@HOTMAIL.COM
APPLICANT & DESIGNER
KET LE
793 KYLE STREET, SAN JOSE, CA 95127
CELL : (408) 209 - 8775
EMAIL: KETLE1@YAHOO.COM

SHEET INDEX

- A1- SITE PLAN & PROJECT INFO
- A2 - EXISTING SITE PLAN & LOT COVERAGE
- A2.1 - EXISTING NEIGHBORHOOD SITE PLAN
- A3 - EXISTING FLOOR PLAN
- A3.1 - EXISTING ELEVATIONS
- A3.2 - NEW NEIGHBORHOOD SITE PLAN
- A3.3 - STREETScape FRONT ELEVATION
- A4 - NEW FLOOR PLAN
- A5 - NEW ELEVATIONS
- A6 - ROOF PLAN & LOT COVERAGE
- A7 - NOT USED
- A8 - SECTIONS
- L1 - LANDSCAPE PLAN

REVISIONS	BY

KQ Design & Engineering
793 KYLE STREET
SAN JOSE, CA 95127

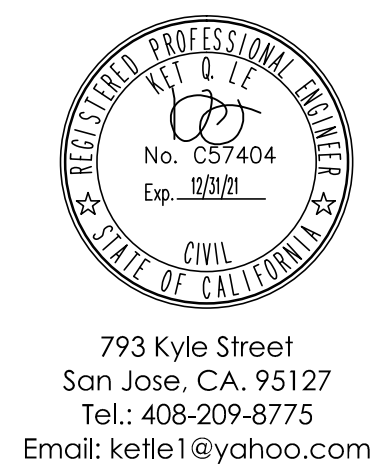
KETLE1@YAHOO.COM

793 Kyle Street
San Jose, CA, 95127
Tel: 408-209-8775
Email: kette1@yahoo.com

Residential Addition
RAGHU DEVARADONDA
10300 Imperial Ave.
Cupertino, CA 95014
NEW SITE PLAN

DRAWN
CHECKED
DATE
SCALE
JOB NO.
SHEET
A1
OF
SHEETS

REVISIONS	BY

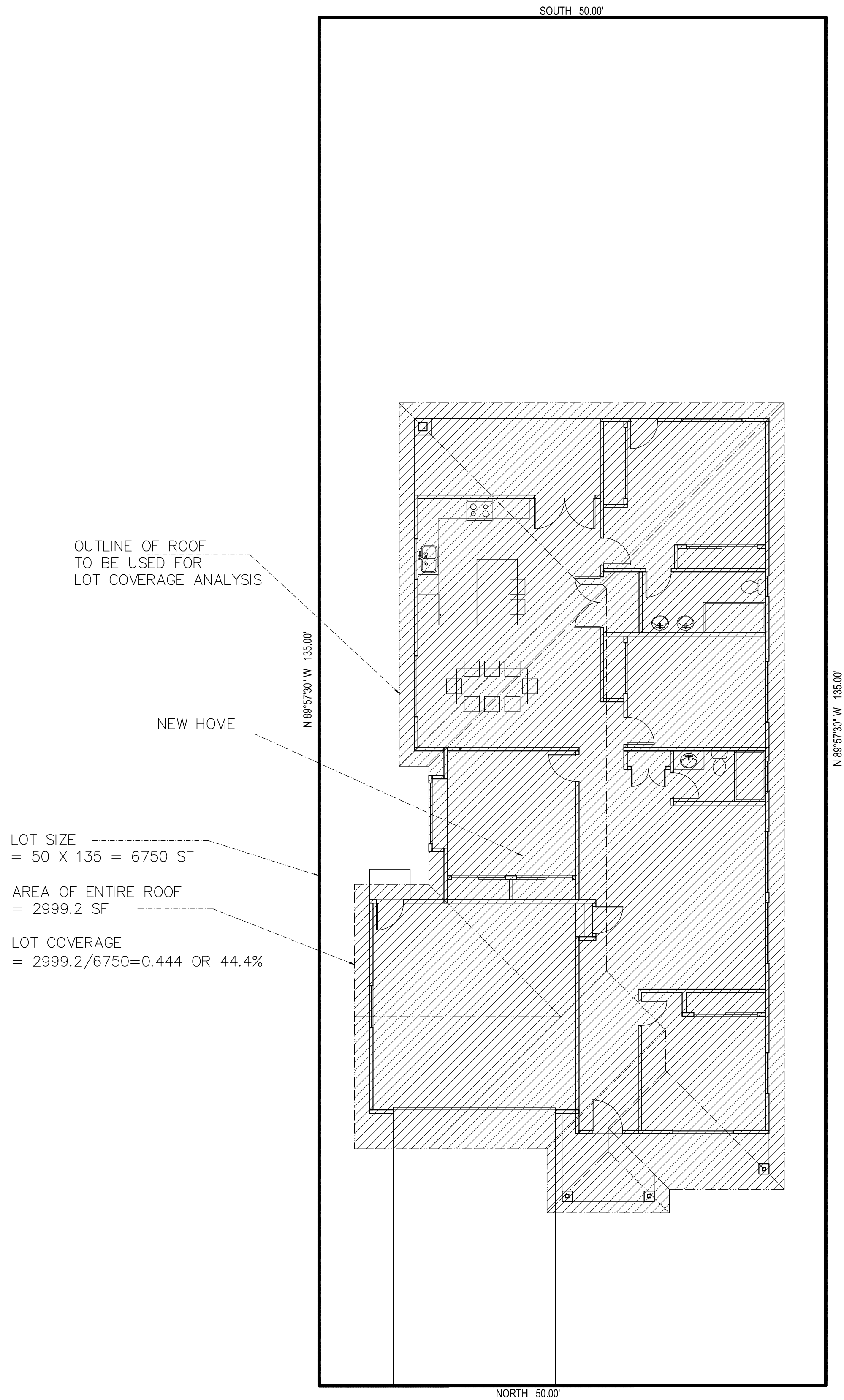


793 Kyle Street
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Email: kellee1@yahoo.com

Residential Addition
RAGHU DEVARADONDA
10300 Imperial Ave.
Cupertino, CA 95014
(E) SITE PLAN & LOT COVERAGE

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SHEET

A2
OF SHEETS



LOT SIZE
= 50 X 135 = 6750 SF
AREA OF ENTIRE ROOF
= 2999.2 SF
LOT COVERAGE
= 2999.2/6750=0.444 OR 44.4%

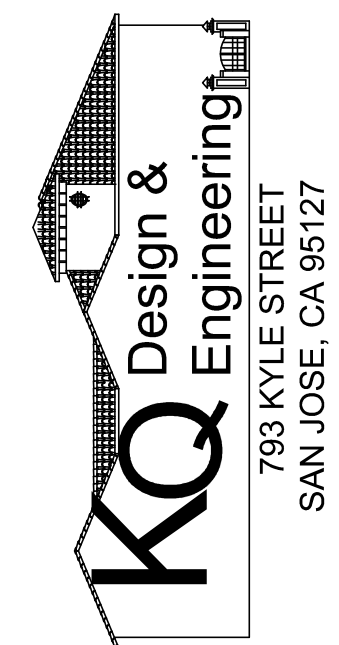
LOT COVERAGE PLAN
1/8" = 1'-0"



EXISTING SITE PLAN
1/8" = 1'-0"



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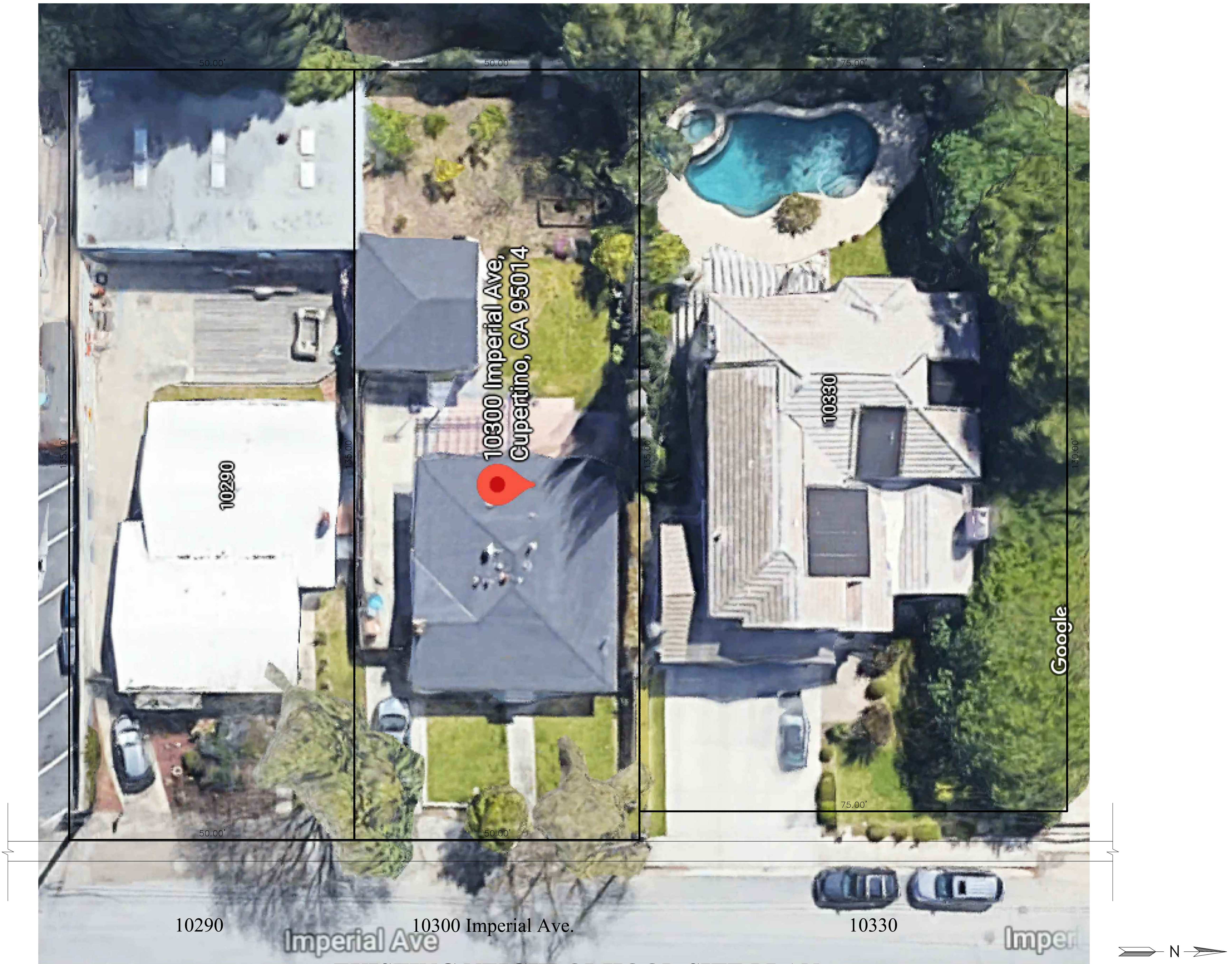


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Email: kellee1@yahoo.com

Residential Addition
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Cupertino, CA 95014
EXISTING NEIGHBORHOOD SITE PLAN

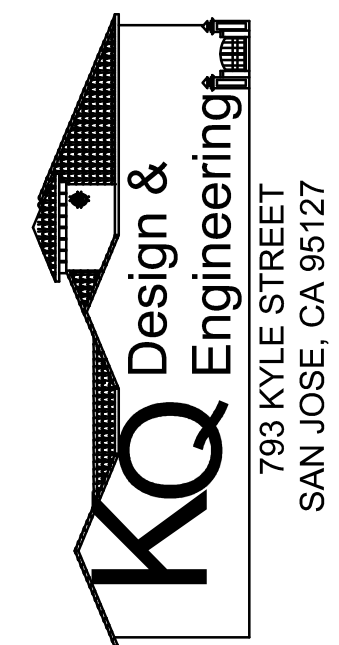
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A2.1



EXISTING NEIGHBORHOOD SITE PLAN
1/8" = 1'-0"

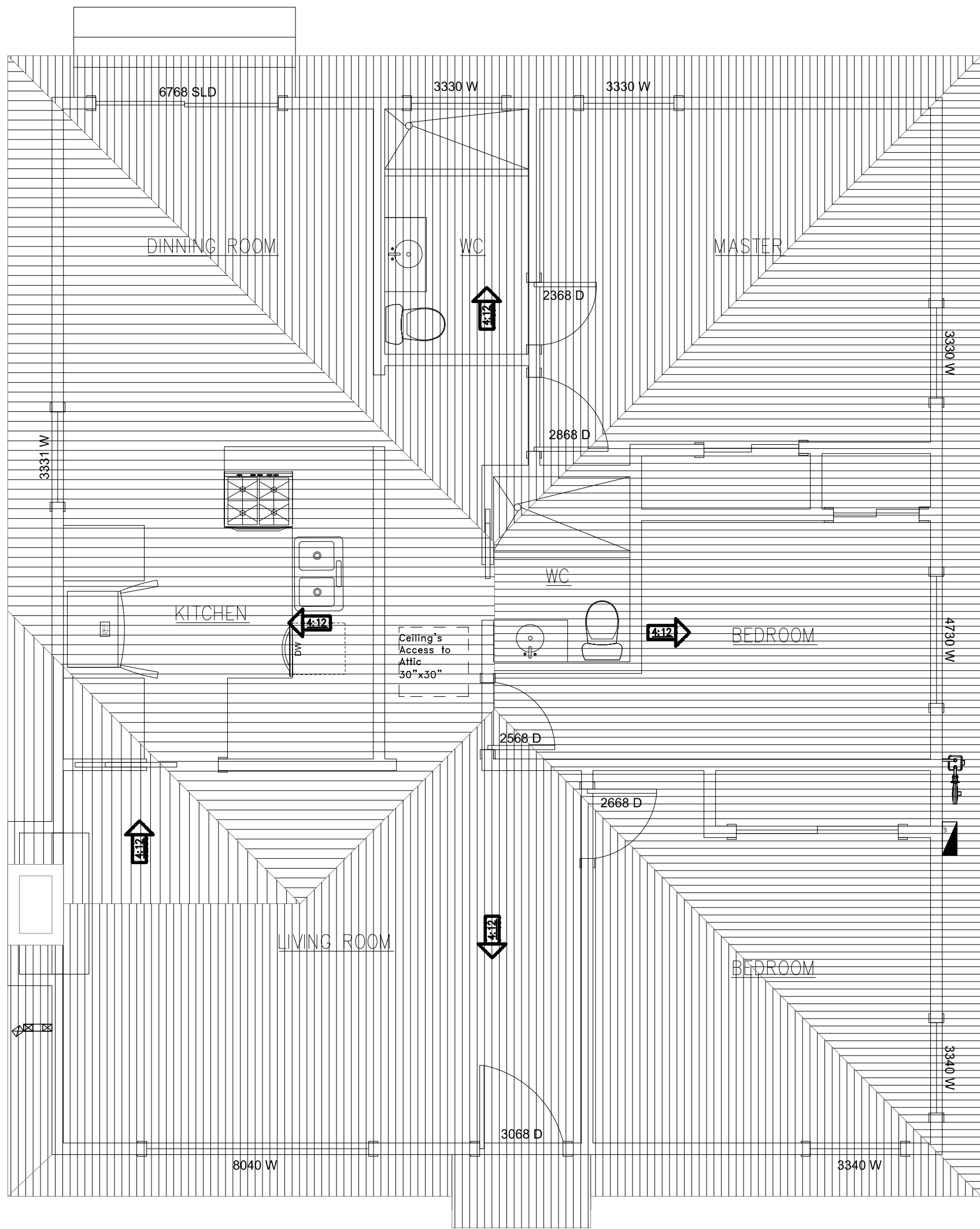
REVISIONS	BY



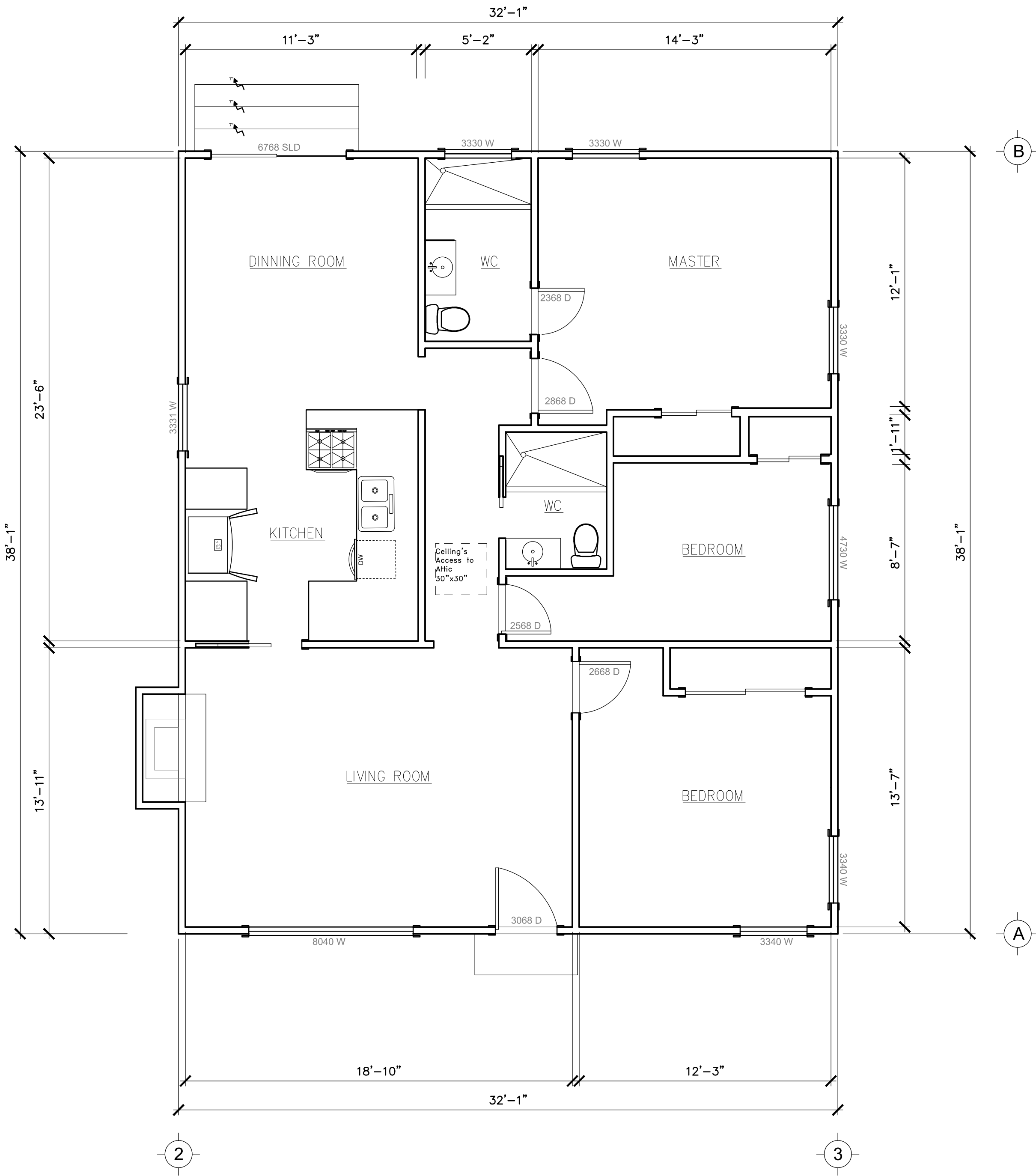
793 Kyle Street
San Jose, CA, 95127
Tel.: 408-209-8775
Email: kette1@yahoo.com

Residential Addition
RAGHU DEVARADONDA
10300 Imperial Ave.
Cupertino, CA 95014
EXISTING FLOOR/ROOF PLAN

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DATE
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SHEET
A3
OF
SHEETS



EXISTING ROOF PLAN
1/4" = 1'-0"



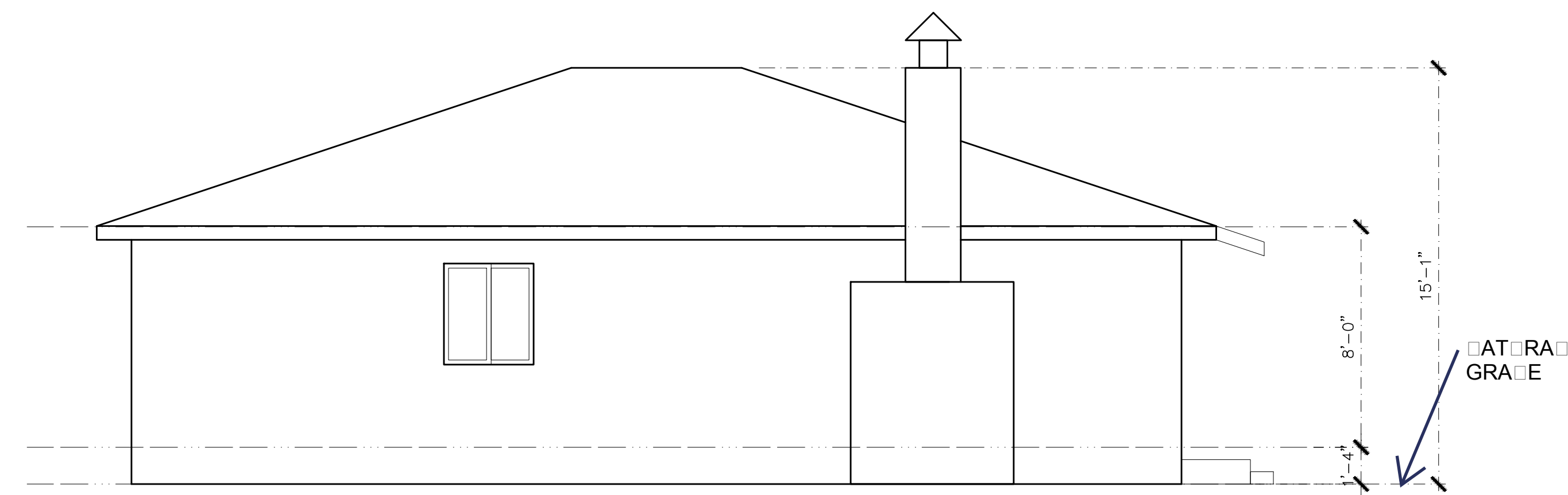
EXISTING FLOOR PLAN
1/4" = 1'-0"

REVISIONS	BY



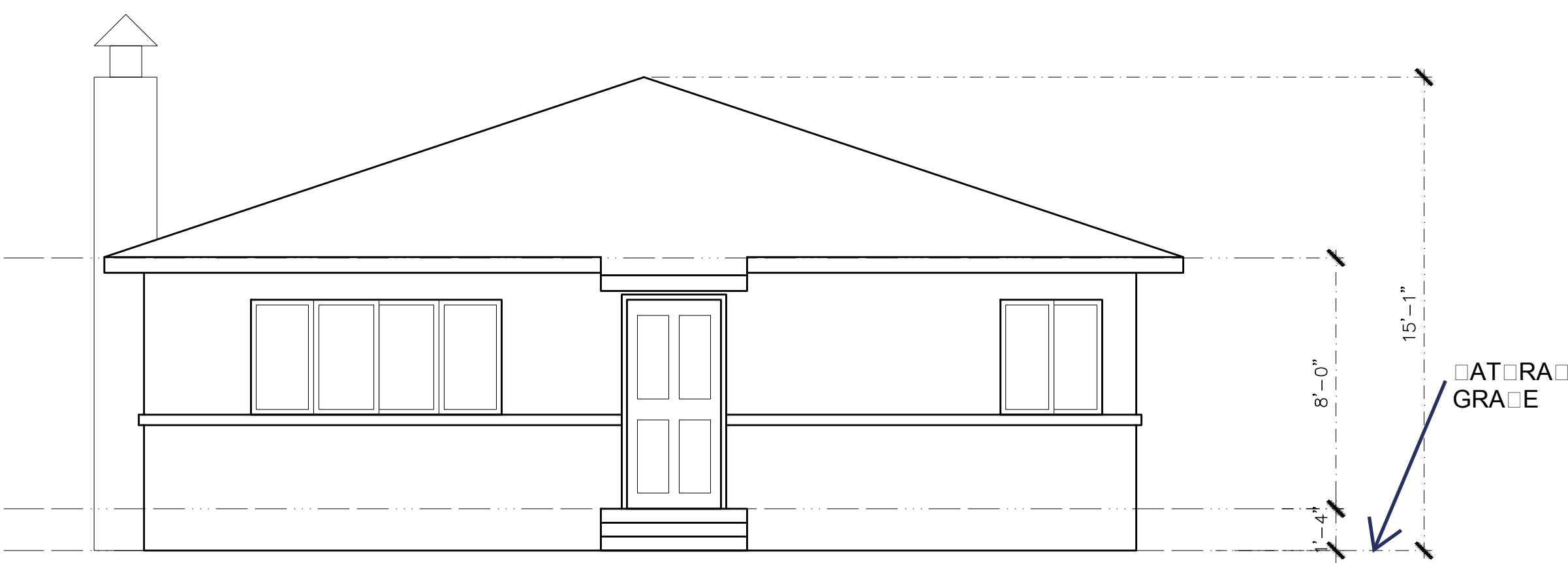
Residential Addition
RAGHU DEVARADONDA
10300 Imperial Ave.
Cupertino, CA 95014
EXISTING ELEVATIONS

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JOB NO.
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A3.1
OF
SHEETS



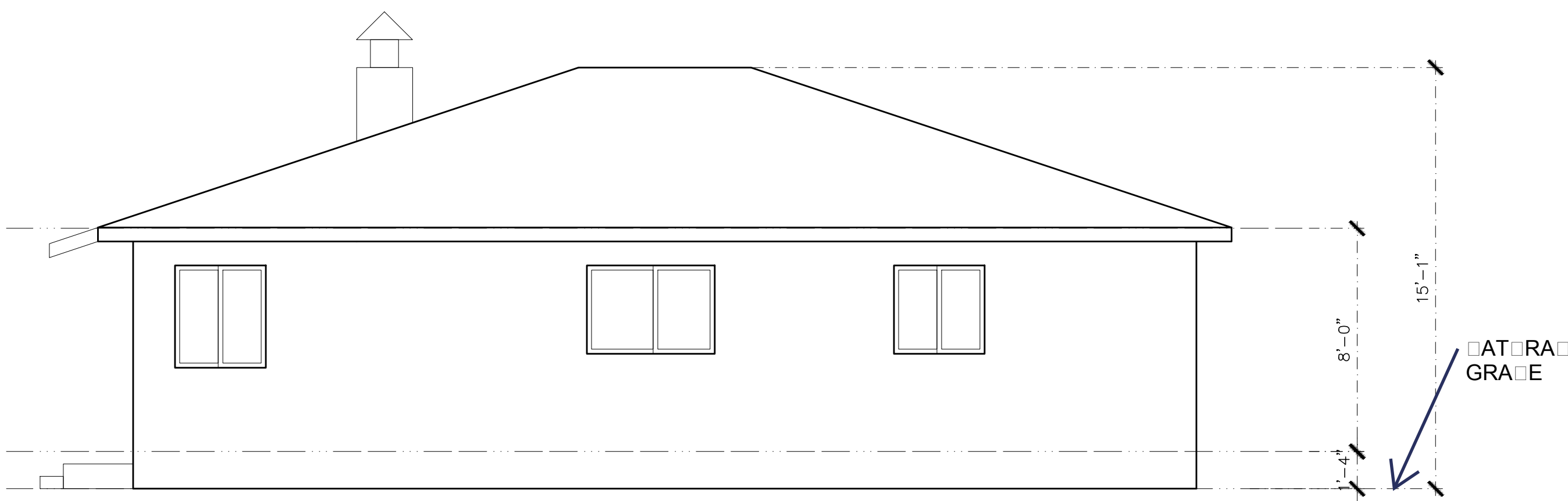
EXISTING LEFT SIDE ELEVATION (NORTH)

1/4" = 1'-0"



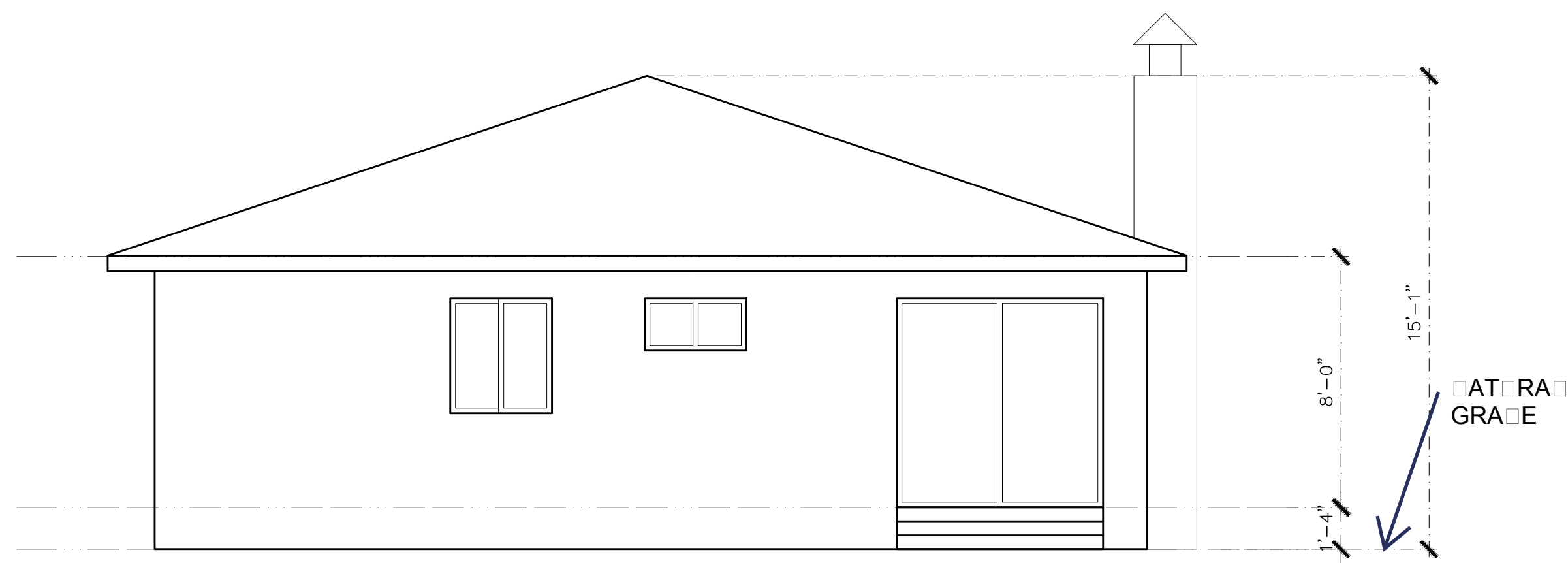
EXISTING FRONT ELEVATION (WEST)

1/4" = 1'-0"



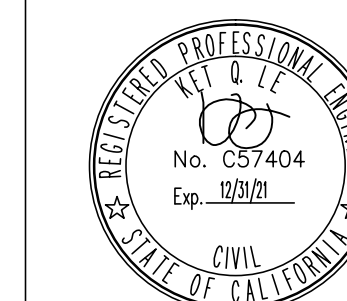
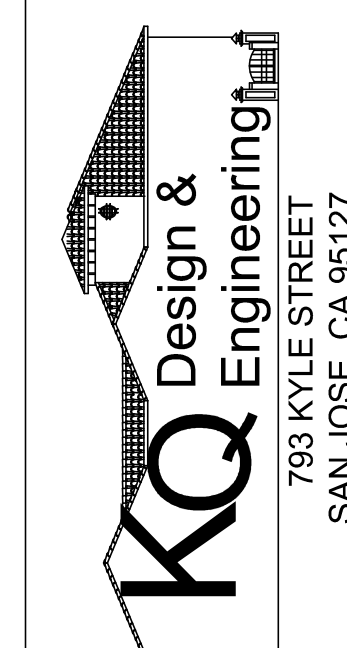
EXISTING RIGHT SIDE ELEVATION (SOUTH)

1/4" = 1'-0"



EXISTING REAR ELEVATION (EAST)

1/4" = 1'-0"



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Email: kettle1@yahoo.com

Residential Addition
RAGHU DEVARADONDA
10300 Imperial Ave.
Cupertino, CA 95014
NEW NEIGHBORHOOD SITE PLAN

DRAWN

CHECKED

DATE _____

SCALE

JOB NO

SHEET

A3.2

OF SHEETS



EXISTING NEIGHBORHOOD SITE PLAN

$$1/8'' = 1'-0''$$

REVISIONS	BY



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San Jose, CA, 95127
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Email: kelle1@yahoo.com

Residential Addition
RAGHU DEVARADONDA
10300 Imperial Ave.
Cupertino, CA 95014
STREETSCAPE ELEVATION

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DATE
SCALE
JOB NO.
SHEET

A3.3

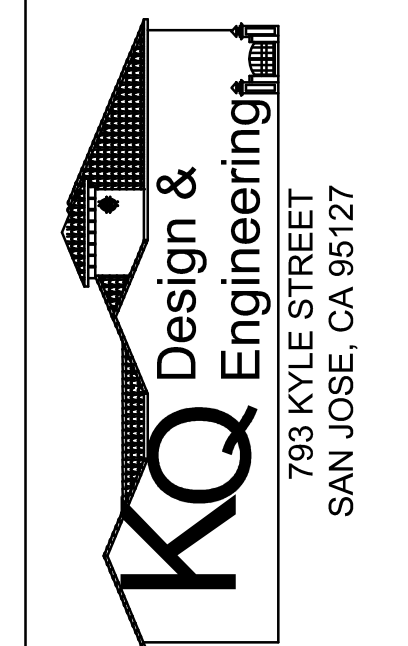
OF SHEETS



EXISTING STREET VIEW



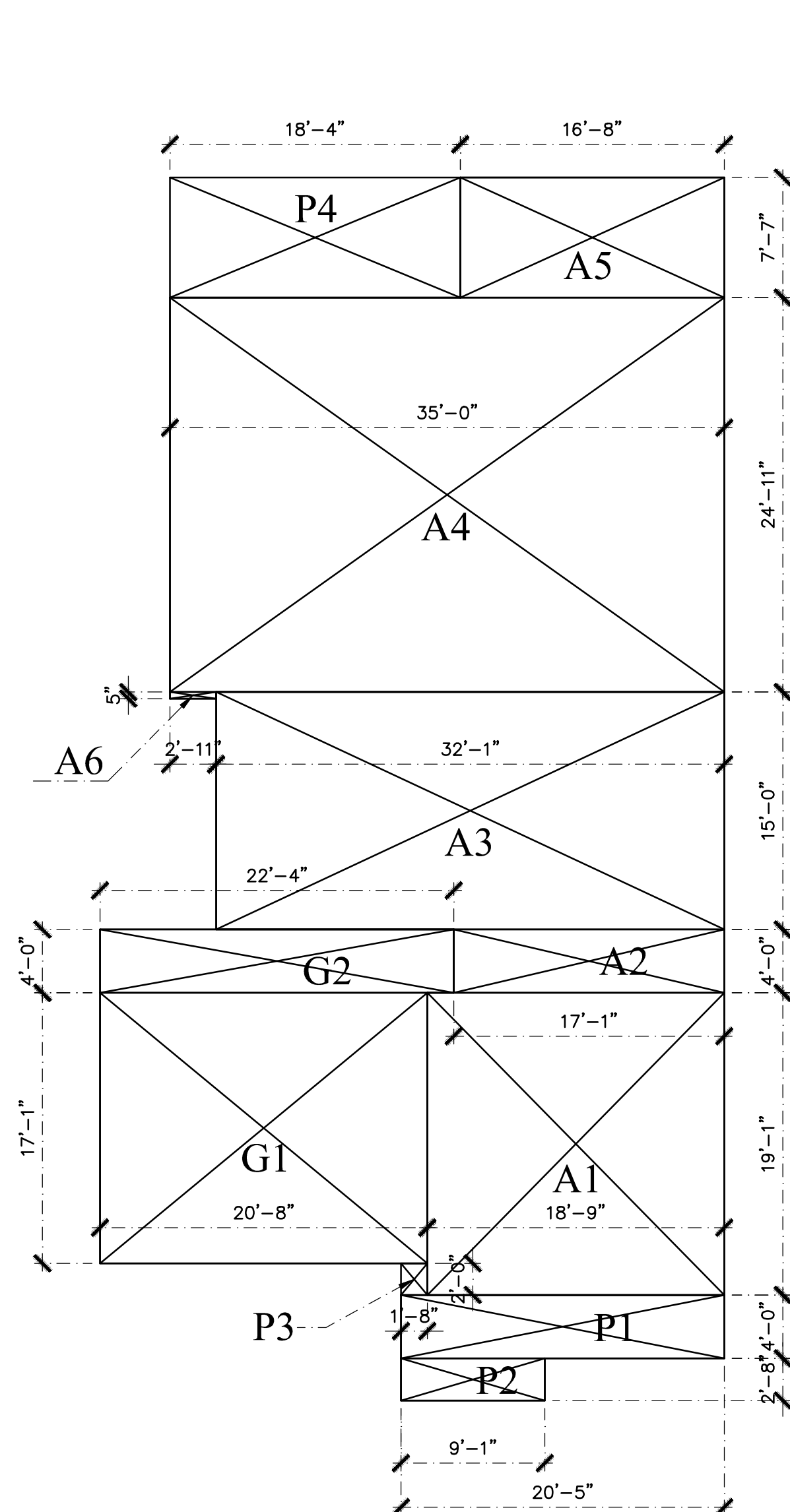
NEW STREET VIEW

[illegible]

793 Kyle Street
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Email: kettle1@yahoo.com

Residential Addition
RAGHU DEVARADONDA
10300 Imperial Ave.
Cupertino, CA 95014
NEW FLOOR PLAN

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SHEET
A4
OF
SHEETS



1ST FLOOR LIVING AREA CALCULATIONS:

A1=	(18'-09"x 19'-01")	=	357.81	SF.
A2=	(17'-01"x 04'-00")	=	68.33	SF.
A3=	(32'-01"x 15'-00")	=	481.25	SF.
A4=	(35'-00"x 24'-11")	=	872.08	SF.
A5=	(16'-08"x 07'-07")	=	126.39	SF.
A6=	(02'-11"x 00'-05")	=	1.22	SF.
TOTAL		=	1907.08	SF.

GARAGE AREA CALCULATIONS:

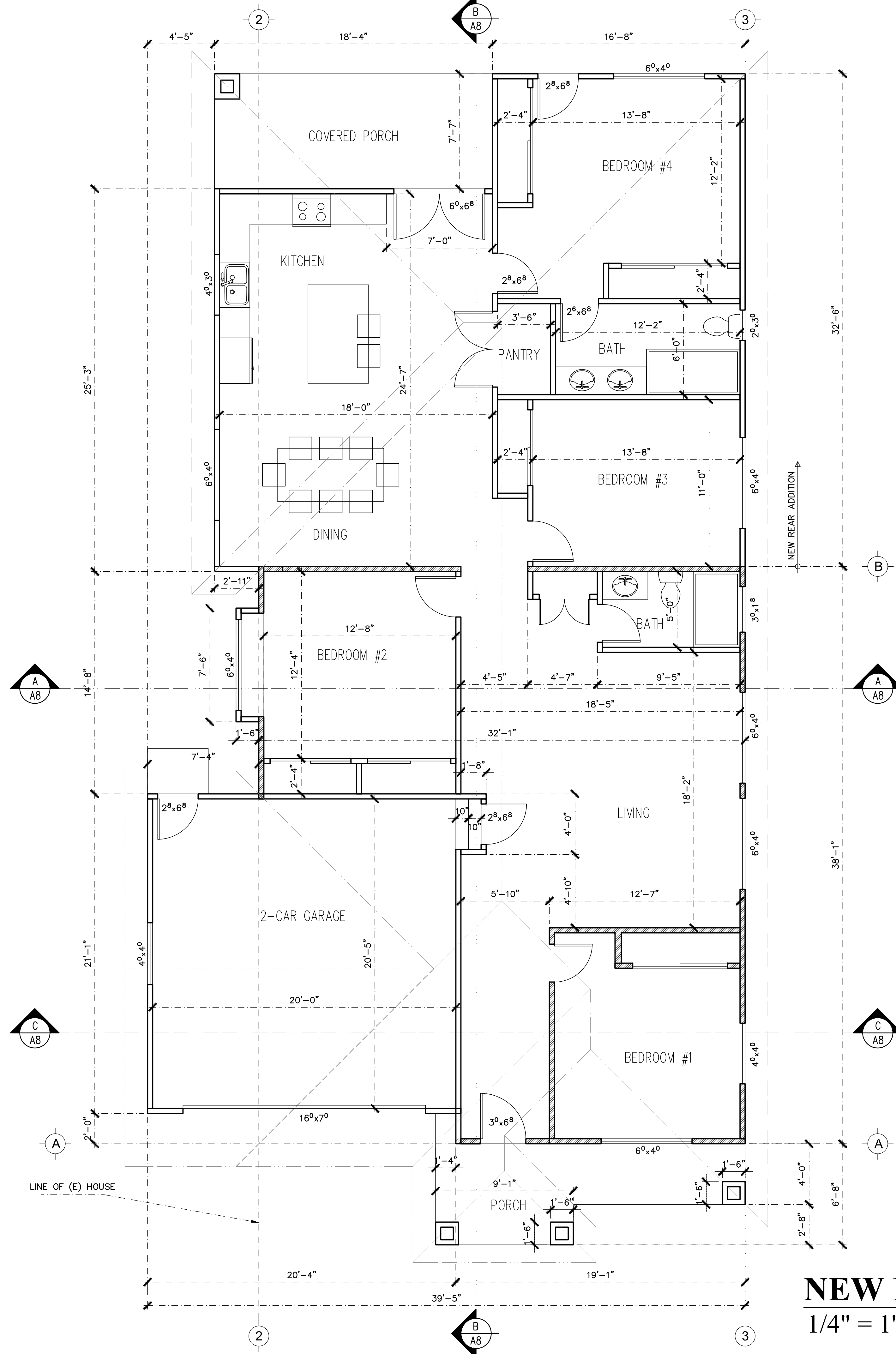
$$\begin{array}{rcl} G1= (20'-08'' \times 17'-01'') & = & 353.06 \text{ SF.} \\ G2= (22'-04'' \times 04'-00'') & = & 89.33 \text{ SF.} \\ \hline \text{TOTAL} & = & 442.39 \text{ SF.} \end{array}$$

FRONT PORCH AREA CALCULATIONS:

P1=	(20'-05"x 04'-00")	=	81.67 SF.
P2=	(09'-01"x 02'-08")	=	24.22 SF.
P3=	(01'-08"x 02'-00")	=	3.33 SF.
<hr/> TOTAL		=	109.22 SF.

REAR PORCH AREA CALCULATIONS:

$$P4 = (18' - 04'' \times 07' - 07'') = 139.02 \text{ SF.}$$



FLOOR PLAN KEYNOTES

1. Bedroom window shall be an egress window to have a minimum net clear opening of 5.7 square feet; and 5.0 sf for grade floor openings minimum net clear opening of height of 24 inches; and minimum net clear opening width of 20 inches, sill height not more than 44 inches above the floor. See detail 18/A9
2. All window shall be sliding windows unless noted otherwise on plan. Style of window shall be selected by owner.
3. Tempered safety glass required at these glazing locations per CBC 2406.3: ingress and egress doors, panels in sliding or swinging doors, doors and enclosure for hot tub, bathtub, showers, glazing in walls within 5'-0" of standing surface, glazing that is within 2'-0" of vertical edge of door and within 5'-0" of standing surface.
4. Stair treads to be 10 inches minimum. Treads less than 11 inches require nosing. Nosing to be minimum 0.75 inches and maximum 1.25 inches. Stair risers to be 7.75 inches maximum. All stairs to be uniform in dimensions within 3/8 inch.
5. Per section.
6. 18 inch x 24 inch under-floor crawl space access opening, per CRC section 408.4 if under floor plumbing cleanout is installed, it must be located within 20'-0" of the access opening.
7. A readily accessible attic access, minimum 22 inch by 30 inch, located where at least 30 inches of clear headroom occurs and at attic space exceeding 30 sq. ft. per CRC 9807.1.
8. Clear width of landing at exterior door shall not be less than door opening width per R311.3.
9. Minimum 36 inch deep landing required at all exterior doors (landing shall not be more than 7.75 inches lower than threshold for in-swinging doors. R311.3.1. See detail 2/A9
9. For the exterior entry door, maximum threshold shall be 1.5 inches maximum from the finished floor to the landing, per section R311.3.1.
10. All skylights shall be Velux skylights (ICC Evaluation Report # NER-216) or equal. Provide ICC report to inspector prior to installation.
11. Heat--n-glo directed vent gas fireplace heater to be selected by owner. Gas fireplace shall UL listed or ICC approved. Provide manif. specs to city inspector.
13. Shower and tub/shower walls shall have a smooth, hard, non-absorbent surface over cement, fiber-cement or glass mat gypsum backed in compliance with ASTM C 1178, C 1288 or C1325 installed per manufacturer recommendations to a height not less than 6 feet above the floor per R307.2.
14. Water heater shall be seismically strapped to a wall, provide with 18" high platform, combustion air to outside, pressure relief valve to outside with drain. See detail 16/A9.
15. F.A.U.: furnace in attic, see detail 2/A10. Combustion air from outside, vent to outside and provide setback thermostat.
16. Dishwasher with drain to garbage disposal.
17. Sink with garbage disposal.
18. Cook top to be selected by owner.
Vent to outside with backdraft damper.
19. Washer space, provide cold & hot water supply, waste line and if on second floor, a pan with drain to exterior.
20. Dryer space, provide vent to outside with smooth metal duct with backdraft damper.
21. Provide 1/2 inch gypboard type 'X' on the garage side wall next to all living areas. Provide 5/8 type 'X' gypboard at ceiling if gypboard does not extend to roofing through the attic space. Table R302.6
22. Toilet shall have 15 inches minimum from centerline of fixture to the adjacent wall or obstruction on each side. Minimum 30 inches is required for any similar fixtures such as a bidet. Per section 407.5 of 2016 CPC.
23. Door from garage to kitchen area shall be a 1-3/8" thick solid wood door, solid or honeycomb core steel door, or 20 minute rated fire door. Doors shall be self-latching and self-closing door per R302.5.1.
24. Elements appliances which generate a glow, spark, or flame (such as water heater and furnace) shall be located a minimum of 18 inches above garage floor per CMCA 307.1 and CPC 414.4.
25. Ducts penetrating the walls or ceilings separating the dwelling unit from the garage shall be constructed of a minimum 26 gage sheet metal steel or other approved material and shall have no openings into the garage per R302.5.2.
26. The maximum hot water temperature discharging from the bathtub, shower and whirlpool bathtub filler shall be limited to 120 degrees Fahrenheit. The water heater thermostat shall not be controlled a control for meeting this provision. CPC 414.5 and 418.0.
27. Control valves and showerheads shall be located on the sidewall of shower compartments or be otherwise arranged so that the showerhead does not discharge directly at the entrance to the compartment and the bather can adjust the valves prior to stepping into the shower spray per section 408.9 of 2013 CBC
28. A shower shall have a minimum area of 1024 sq. inches and a minimum finish dimension of 30 inches in any directions, an outward swinging 22 inch minimum clear door shall be provided.

GENERAL NOTES FOR CONTRACTOR.

NEW FLOOR PLAN

1/4" = 1'-0"

REVISIONS	BY



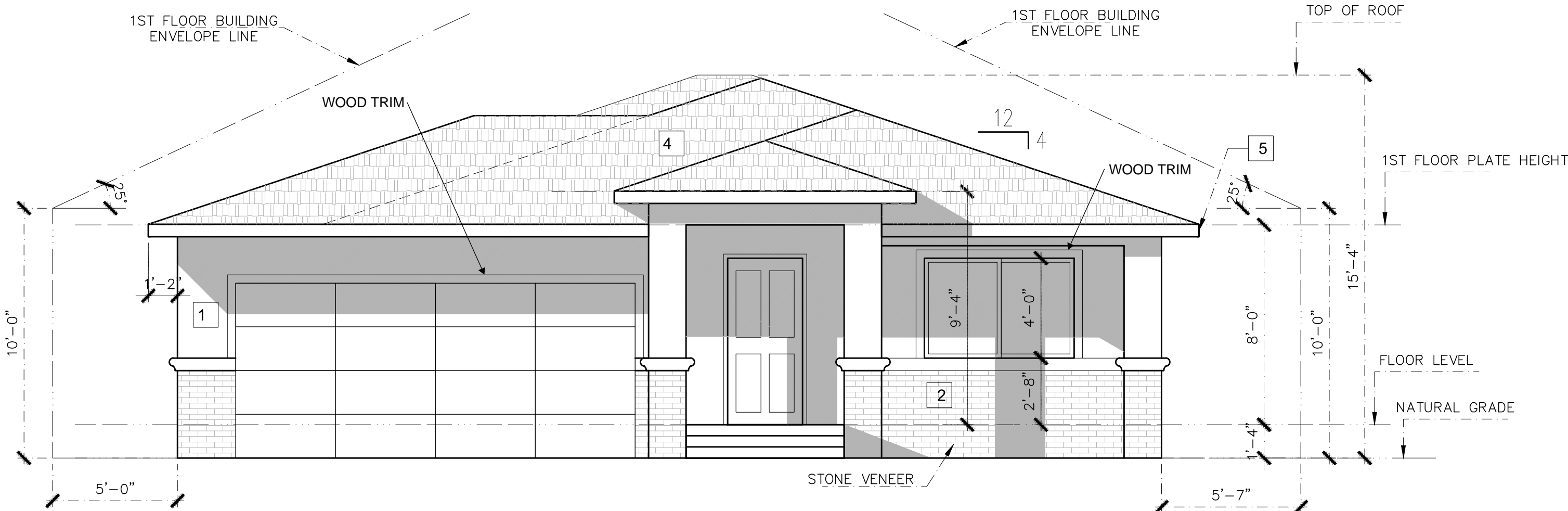
793 Kyle Street
San Jose, CA, 95127
Tel.: 408-209-8775
Email: kette1@yahoo.com

Residential Addition
RAGHU DEVARADONDA
10300 Imperial Ave.
Cupertino, CA 95014
NEW ELEVATIONS

DRAWN
CHECKED
DATE
SCALE
JOB NO.
SHEET
A5
OF
SHEETS



REAR ELEVATION (EAST)
1/4" = 1'-0"



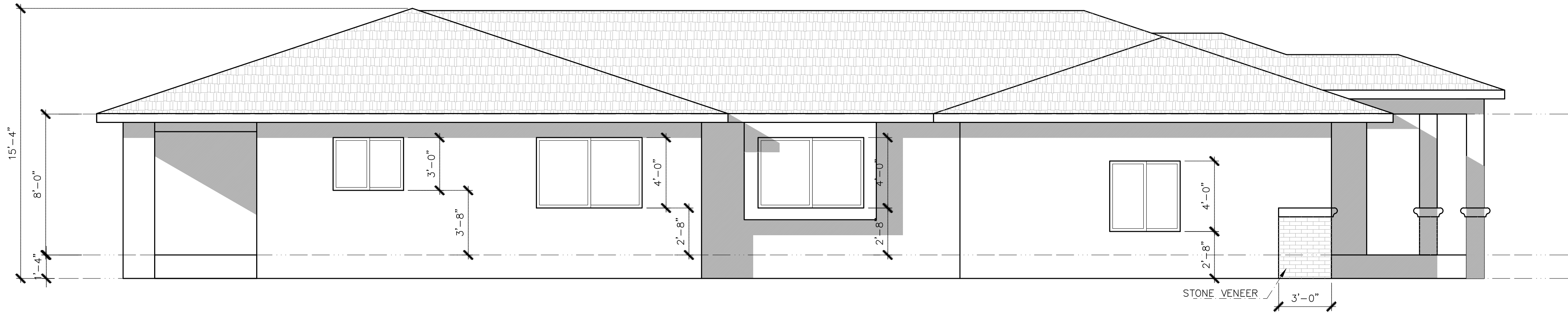
FRONT ELEVATION (WEST)
1/4" = 1'-0"

- Key note on elevation:
- 1 4 inch minimum high and 1/2" thick address number to be clearly visible and legible from the adjacent street fronting the property. Address signage shall be per the City of Cupertino Fire Dept. standards.
 - 2 Exterior wall finish: "stucco wall finish (to be selected by owner) over two layers of Grade D paper wood sheathing.
 - 3 Corrosion resistant weep screed is required below the stucco a minimum of 4" above earth or 2" above paved area.
 - 4 Roof material: comp. shingle roof (to be selected by owner) over 30# felt paper roof plywood per structural plans. Roofing to be class "A" minimum per Cupertino Municipal Code section 16.06.080 Max. weight of roof=4.0 PSF
 - 5 Provide gutters and downspouts to direct roof drainage to storm water drain at street or approved drainage facility.

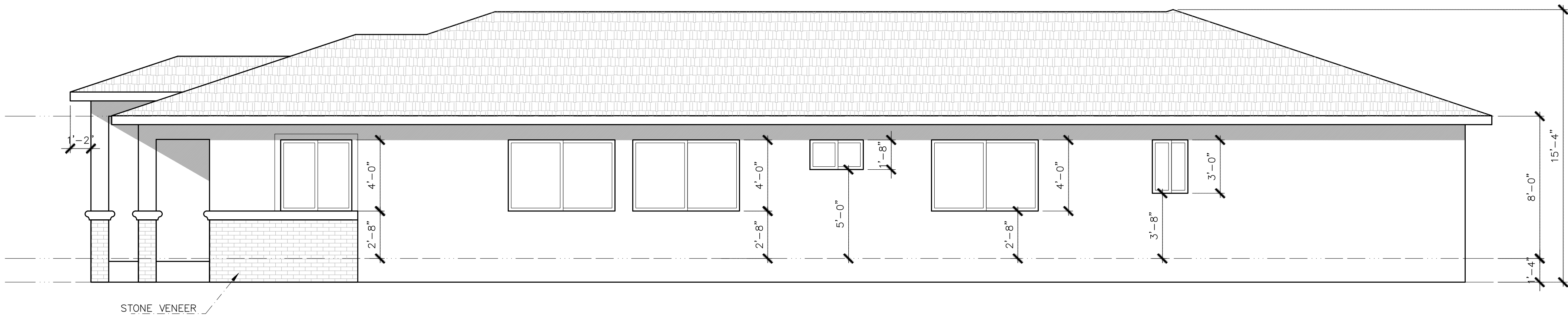


ROOFING: CERTAINTED LANDMARK COMP. SHINGLES, BURNT SIENNA COLOR
SMOOTH STUCCO WALL FINISH WITH BEHR PAINT COLOR BUCKWHEAT FLOUR

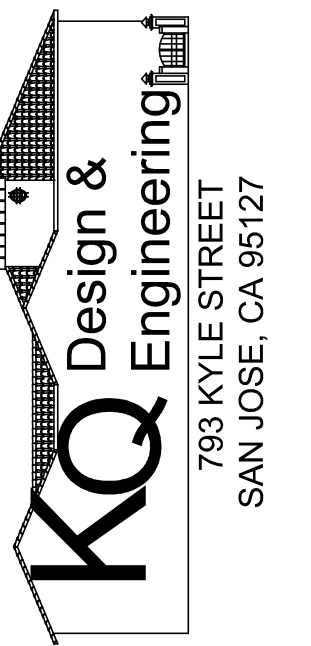
Stone Veneer:
Estate Veneer Series by Indiana Limestone
Rockford Estate Blend, see below:



LEFT SIDE ELEVATION (NORTH)
1/4" = 1'-0"



RIGHT SIDE ELEVATION (SOUTH)
1/4" = 1'-0"

[illegible]

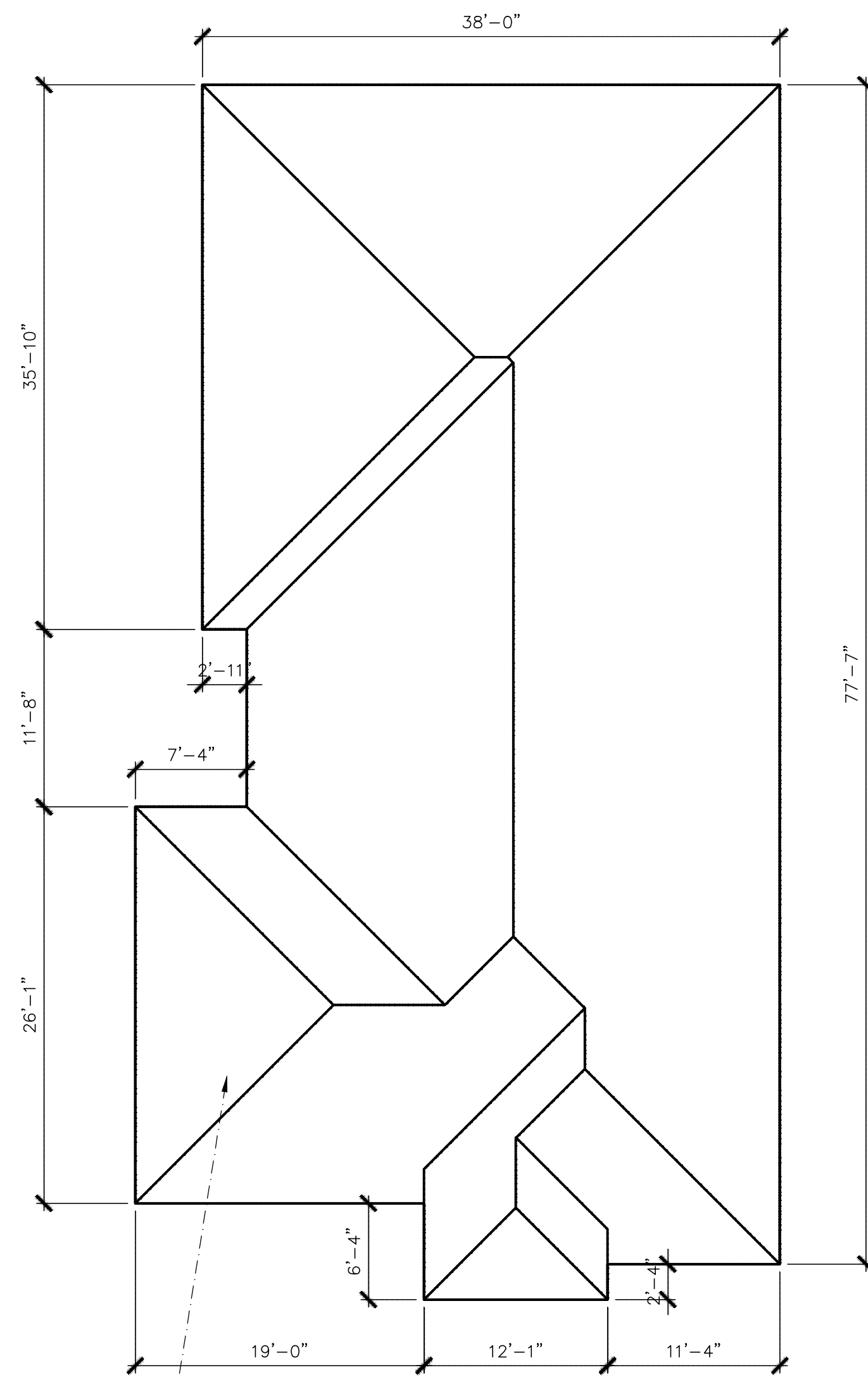
793 Kyle Street
San Jose, CA. 95127
Tel.: 408-209-8775
Email: kettle1@yahoo.com

Residential Addition
RAGHU DEVARADONA
10300 Imperial Ave.
Cupertino, CA 95014
NEW ROOF PLAN & LOT COVERAGE

DRAWN
CHECKED
DATE
SCALE
JOB NO.
SHEET

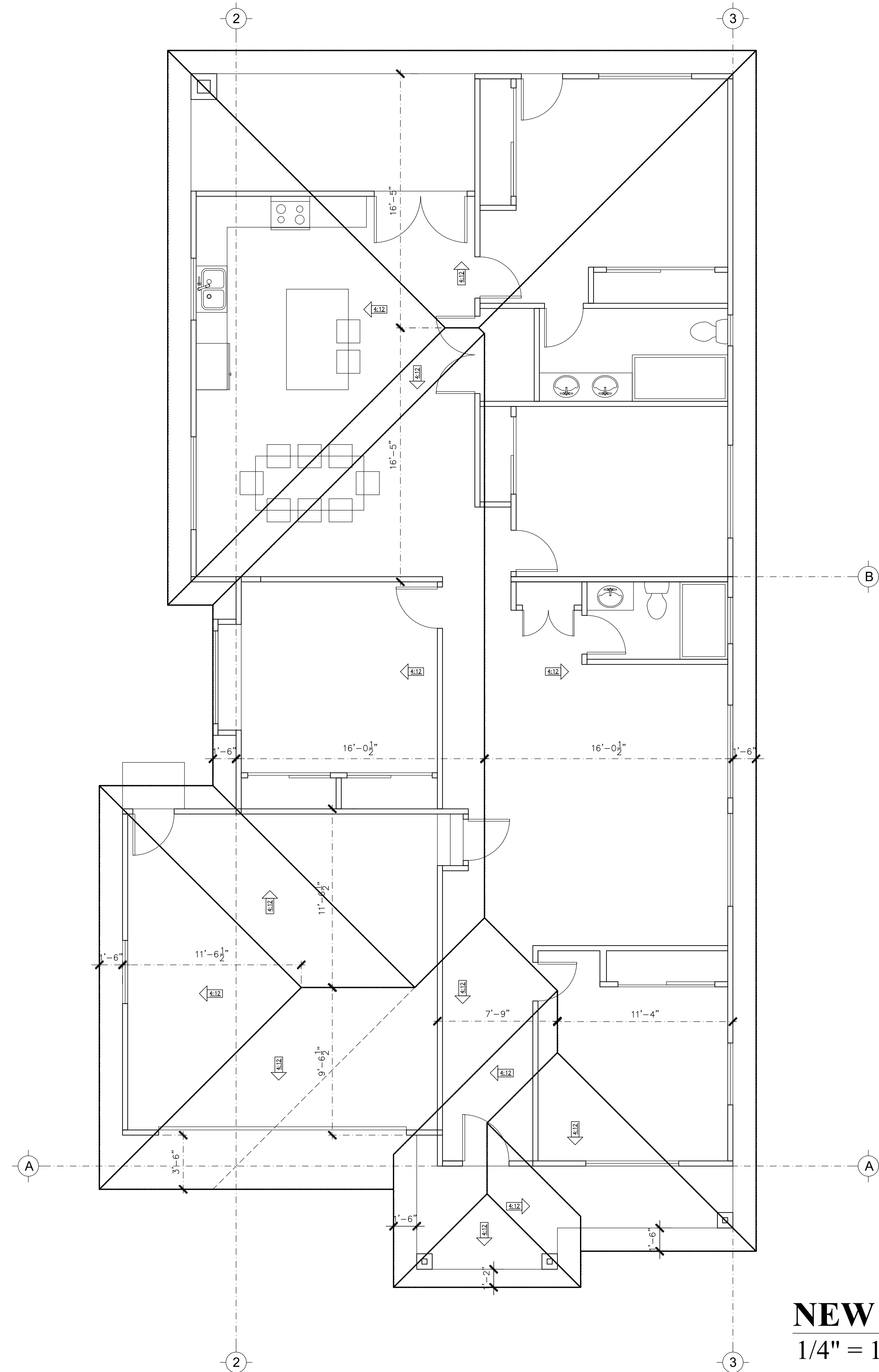
A6

OF SHEETS)



OUTLINE OF ROOF (2999.2 SF)
TO BE USED FOR
LOT COVERAGE ANALYSIS

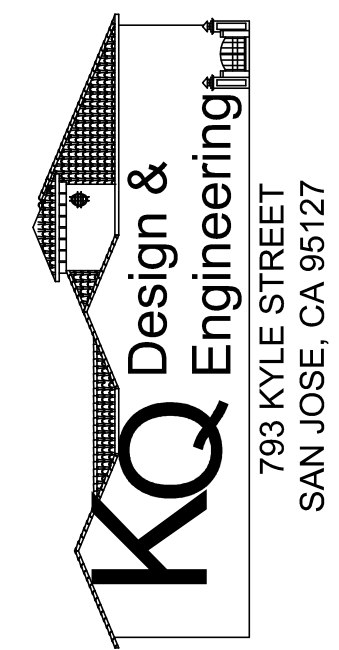
NOTE: 2999.2 SF INCLUDES
ROOF OVERHANG, FRONT PORCH
ROOF AND REAR PORCH ROOF



NEW ROOF PLAN

$$1/4'' = 1'-0''$$

REVISIONS	BY



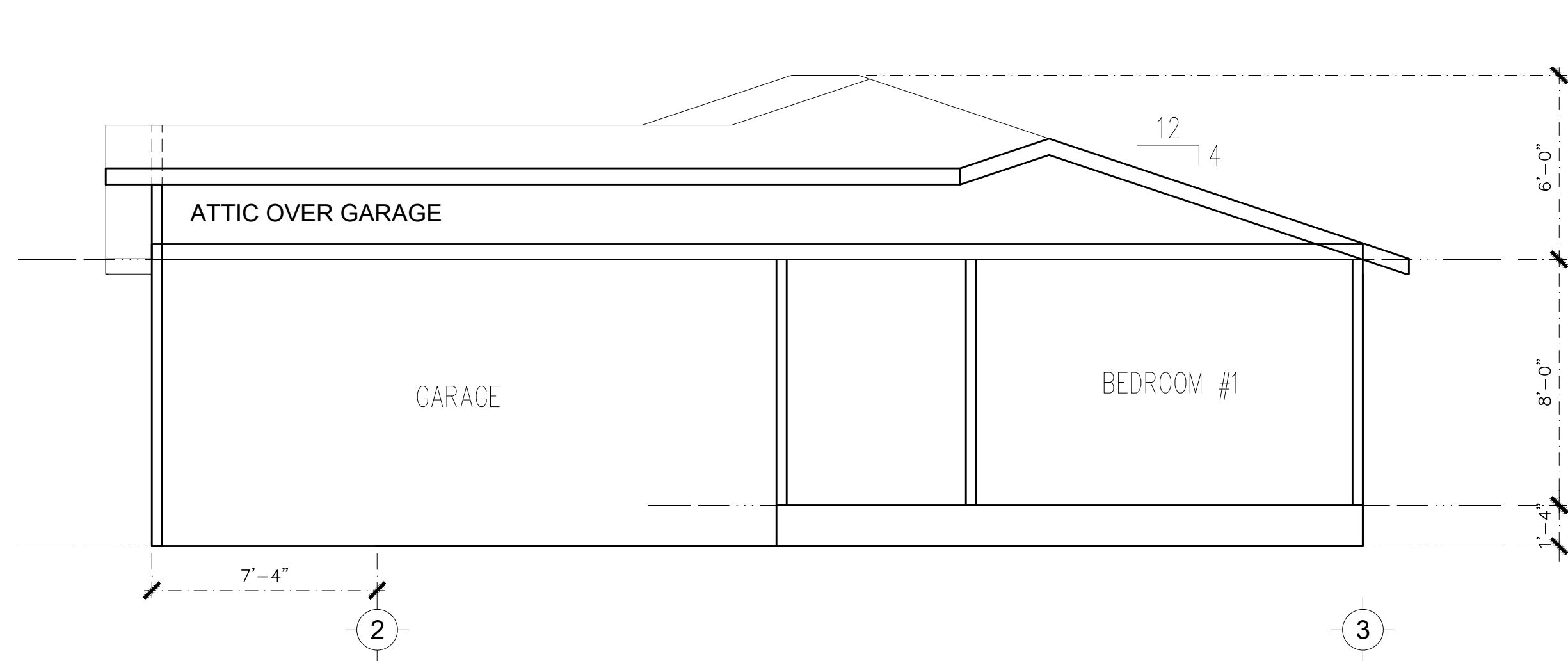
793 Kyle Street
San Jose, CA, 95127
Tel: 408-209-8775
Email: kette1@yahoo.com

Residential Addition
RAGHU DEVARADONDA
10300 Imperial Ave.
Cupertino, CA 95014
SECTIONS

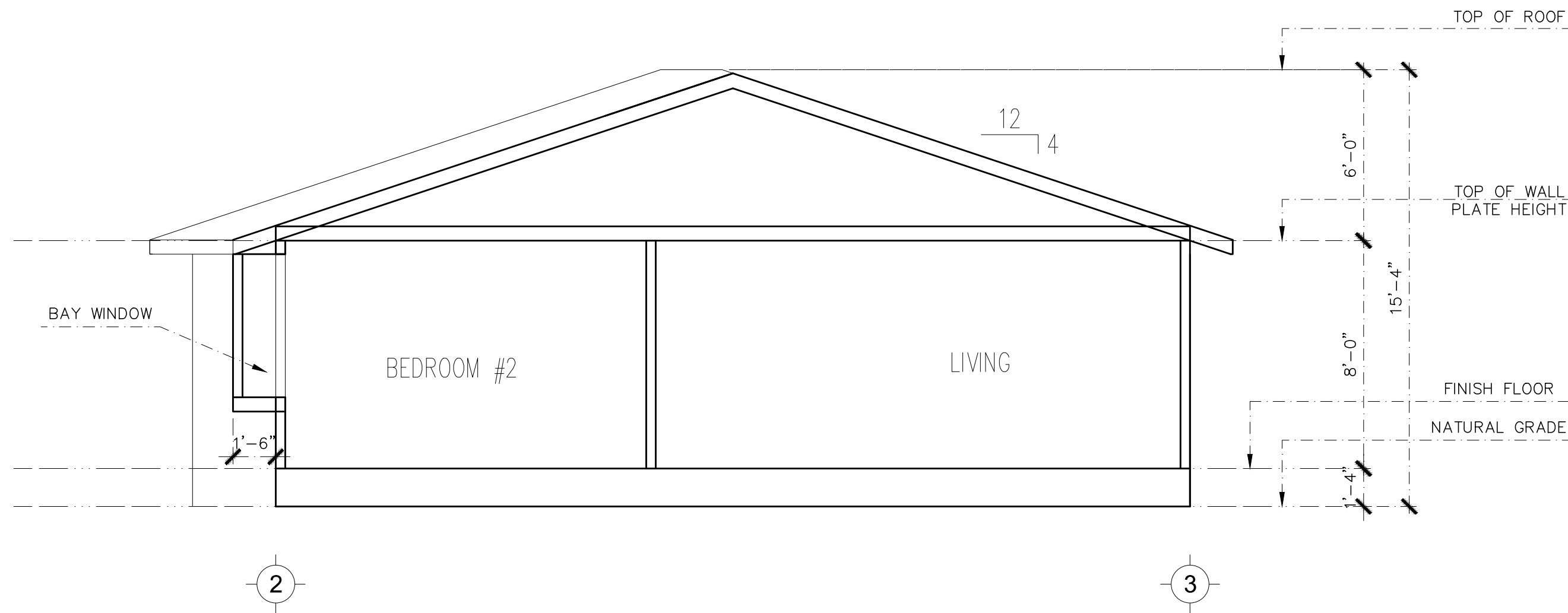
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CHECKED
DATE
SCALE
JOB NO.
SHEET

A8

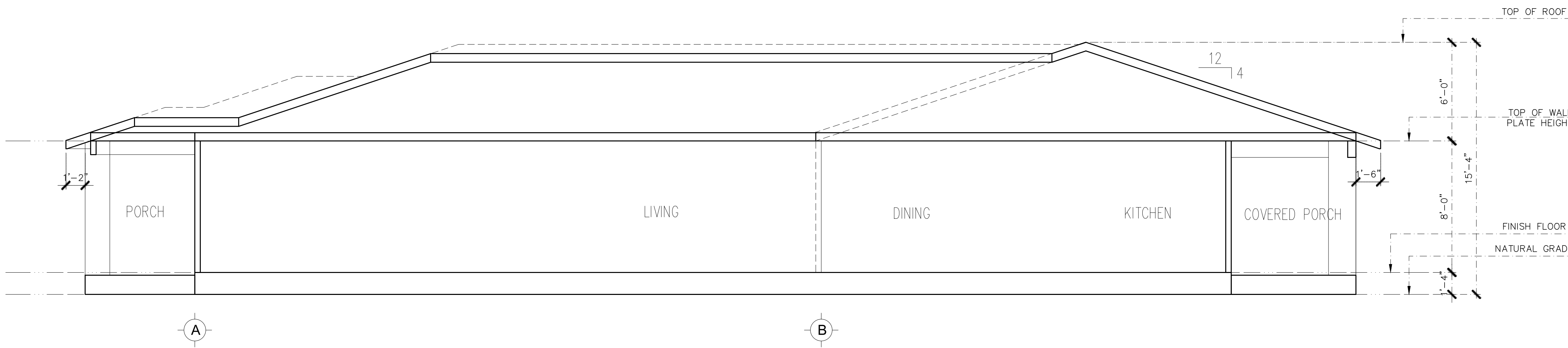
OF SHEETS



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



SECTION A-A
1/4" = 1'-0"



SECTION B-B
1/4" = 1'-0"

Plant Material shall comply with the following:

For residential areas, install climate adapted plants that require occasional, little or no summer water (average WUCOLS plant factor 0.3) for 75% of the plant area excluding edibles and areas using recycled water.

Mulch & Soil Preparation

1 Incorporate compost at a rate of at least four cubic yards per 1,000 square feet to a depth of 6" into landscape area (unless contra-indicated by a soil test.).

2 A minimum of 3" layer of mulch shall be applied on all exposed soil surfaces of planting areas except turf areas, creeping or rooting ground covers, direct seeding applications where mulch is contra-indicated.

3 no turf present on this installation.

4 Prior to planting, compacted materials shall be transformed to a friable condition.

5 For soils less than 6% organic matter in the top 6" of soil, add organic compost to planting areas equal to a rate of minimum 4 cubic yards per 1,000sf of permeable area to a minimum depth of 6" into the soil.

6. A soils report is required.

Tree Protection

The following general tree preservation measures apply to all trees to be retained: No storage of material, top soil, vehicles, or equipment shall be permitted within the tree enclosure area. The ground under and around the tree canopy area shall not be altered. Trees to retained shall be irrigated, aerated and maintained as necessary to ensure survival.

Landscape & Irrigation Maintenance

1. Maintenance may include but not limited to the following: routine inspection, auditing, pressure testing, adjustment, and repair of the irrigation system; top dressing with compost, replenishing mulch, fertilizing, pruning, replanting of failed plants, weeding, pest control.

2. Failed plants shall be replaced with the same functionally equivalent plants that may be size-adjusted as appropriate for the stage of growth of the overall installation. Failing plants shall either be replaced or be revived through appropriate adjustments to water, nutrients, pest control or other factors recommended by landscape professional.

LOT SIZE 6750
FRONT SET BACK IMPERVIOUS SURFACES
Front Setback 1236sf
Porch: Impervious Concrete 108.3sf
Driveway and Entry: Pervious pavers 860sf @ 50%= 430
Total area: 430+ 108.3 = 538.3 = 44.6%

Total Landscape area 2814.56sf
New Landscaped area: 248sf on drip irrigation in front only
Additional Mulch area front 92sf

Total new landscape area 340sf

PLANT SCHEDULE

SHRUBS	CODE	BOTANICAL NAME	COMMON NAME	SIZE	QTY	REMARKS
	LAN PU2	Lantana montevidensis 'Purple'	Trailing Lantana	1 gal	6	LW 0.3
	LAN PU3	Lantana montevidensis 'White'	White Trailing Lantana	1 gal	4	LW-0.3
	OST YE2	Osteospermum x 'Zion Copper Amethyst'	African Daisy	1 gal	8	LW-0.3

IRRIGATION

1 Irrigation Controller with rain sensing shut off device either integral or auxiliary required. Controller to be outside of building. Exact location of the controller and weather sensor to be determined by the contractor.

2. Valve Boxes: Exact location of valves to be determined by the contractor based on site conditions and underground utilities. Valves shall have Pressure Reducer and Filter appropriate for Drip. A manual Shut Off Valve shall be installed with Valve Nest.

3. Irrigation for each hydro-zone shall have a separate valve..

4. Manual Shut Off valves (such as a gate valve, ball valve, or butterfly valve) shall be installed as close as possible to the point of connection of the water supply.

5. All irrigation emission devices must meet the requirements set in the ANSI standard, ASBABE/ICC 802-2014. "Landscape Irrigation Sprinkler and Emitter Standard."

6. No sprinklers will be installed at this site.

7. For areas less than ten (10) feet in width in any direction shall be irrigated with subsurface irrigation or other means that produces no runoff. Only drip irrigation will be installed on this site.

8. Irrigation shall be designed, maintained and managed to meet or exceed an average landscape efficiency of 70%.

9. Irrigation run times shall be scheduled between 8pm and 10am. Operation outside time window is allowed for auditing and system maintenance.

10 A diagram or list of the hydro-zones shall be kept with the irrigation controller for subsequent management purposes.

11. At the time of final inspection, the permit applicant must provide the owner of the property with a certificate of completion, irrigation schedule and a schedule of landscape and irrigation maintenance.

12. An irrigation audit report shall be completed at the time of final inspection.

HYDRO-ZONES

FRONT DRIP
1) Shrubs & Tree -LW 0.3

Static Water Pressure = 70psi

Provider: San Jose Water

Meter size 3/4"

- Prescriptive Compliance Pathway- Appendix D
 - Project Information Worksheet
 - Water Efficient Landscape Worksheet
 - Landscape Design Plan

LANDSCAPE WATER-EFFICIENCY (MWEL0) APPENDIX – D CHECKLIST
(Can only be used when aggregate landscape areas are 2,500 square feet or less)

Landscape Parameter	Design Measures	Location on Plans
Compost	Incorporate compost at a rate of at least four (4) cubic yards per 1,000 sq. ft. to a depth of 6 inches into landscape area (unless contra-indicated by a soil test).	YES
Plant Water Use	Residential: Install climate adapted plants that require occasional, little or no summer water (average WUCOLS plant factor 0.3) for 75% of the plant area excluding edibles and areas using recycled water. Non-residential: Install climate adapted plants that require occasional, little or no summer water (average WUCOLS plant factor 0.3) for 100% of the plant area excluding edibles and areas using recycled water.	YES
Mulch	A minimum 3-inch layer of mulch should be applied on all exposed soil surfaces of planting areas, except in areas of turf or creeping or rooting groundcovers.	YES
Turf	Total turf area shall not exceed 25% of the landscape area. Turf is not allowed in non-residential projects.	N/A
	Turf (if utilized) is limited to slopes not exceeding 25% and is not used in parkways less than 10 feet in width.	N/A
	Turf, if utilized in parkways is irrigated by sub-surface irrigation or other technology that prevents overspray or runoff.	
	Irrigation controllers use evapotranspiration or soil moisture data and utilize a rain sensor.	YES
Irrigation System	Irrigation controller programming data will not be lost due to an interruption in the primary power source.	YES
	Areas less than 10 feet in any direction utilize sub-surface irrigation or other technology that prevents overspray or runoff.	YES
	A private landscape submeter is installed at non-residential landscape areas of 1,000 sq. ft. or more.	N/A

Signature

I agree to comply with the requirements of the prescriptive compliance option of the MWEL0 per Appendix D.

Signature of property owner or authorized representative

4/5/21
Date

Revisions Date By

Revised 052521 KAL

Revised 061021 KAL

Revised 063021 KAL



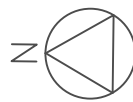
KL DESIGNS LLC
Residential Landscape Planning
www.KLDesigns.Biz
Kimberly Leichner
Award Winning Landscape Designer
(408) 910-3198
Kim@KLDesigns.Biz

KL Designs LLC

San Jose, CA 95118
kim@KLDesigns.biz

Landscape Plan

Devarakonda Residence
10300 Imperial Ave
Cupertino CA 95014



0 4' 8' 16'



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

Date: 040521

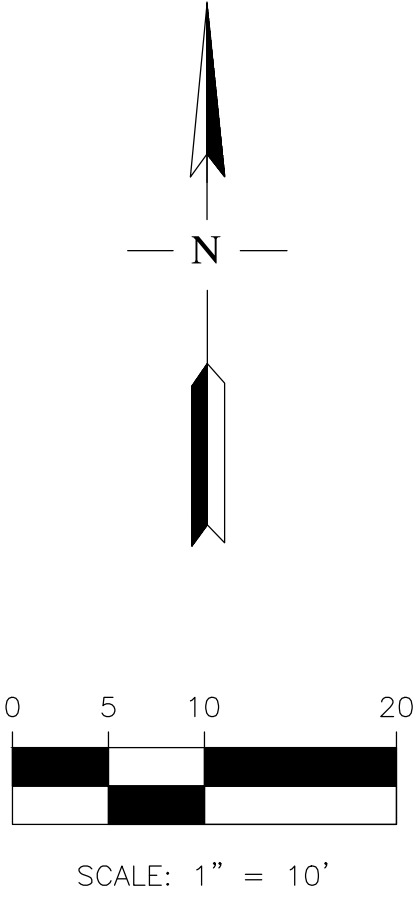
Drawn By: KAL

Job No 1596

L- 01

NOTES:

1. THIS ELECTRONIC FILE IS SOLELY FOR THE USE OF THE ARCHITECT FOR THE DEVELOPMENT OF HIS/HER ARCHITECTURAL DRAWINGS TO OBTAIN BUILDING PERMITS.
2. THE DELIVERY OF THIS MAP IN AN ELECTRONIC FILE DOES NOT CONSTITUTE THE DELIVERY OF MY PROFESSIONAL WORK PRODUCT. THE SIGNED PAPER PRINT IS PROVIDED TO THE CLIENT AS AN INSTRUMENT OF SERVICE. IN EVENT THE ELECTRONIC FILE IS ALTERED, THE SAID PAPER PRINT MUST BE REFERRED TO FOR THE ORIGINAL AND CORRECT SURVEY INFORMATION. RW ENGINEERING, INC. SHALL NOT BE RESPONSIBLE FOR ANY MODIFICATIONS MADE, BY OTHERS, TO THE ELECTRONIC FILE, OR ANY PRODUCTS DERIVED FROM THE ELECTRONIC FILE.
3. THIS MAP REPRESENTS TOPOGRAPHY OF THE SURFACE FEATURES ONLY AT THE TIME THE SURVEY WORK WAS COMPLETED.
4. UNLESS SPECIFIED ON THIS MAP, LOCATIONS OF THE UNDERGROUND AND OVERHEAD UTILITIES ARE NEITHER INTENDED NOR IMPLIED. FOR THE LOCATIONS OF UNDERGROUND UTILITIES CALL "USA" (1-800-642-2440).
5. ALL DISTANCES AND DIMENSIONS ARE IN FEET AND DECIMALS.
6. BUILDING FOOTPRINTS ARE SHOWN AT GROUND LEVEL.
7. FINISH FLOOR ELEVATION TAKEN AT DOOR THRESHOLD (EXTERIOR).
8. A TITLE REPORT FOR THE SUBJECT PROPERTY HAS NOT BEEN EXAMINED BY RW ENGINEERING, INC.. OTHER EASEMENTS OF RECORD MAY EXIST THAT ARE NOT SHOWN ON THIS MAP.



SITE BENCHMARK:

SET NAIL
ELEVATION=102.00 ASSUMED DATUM

BASIS OF BEARINGS:

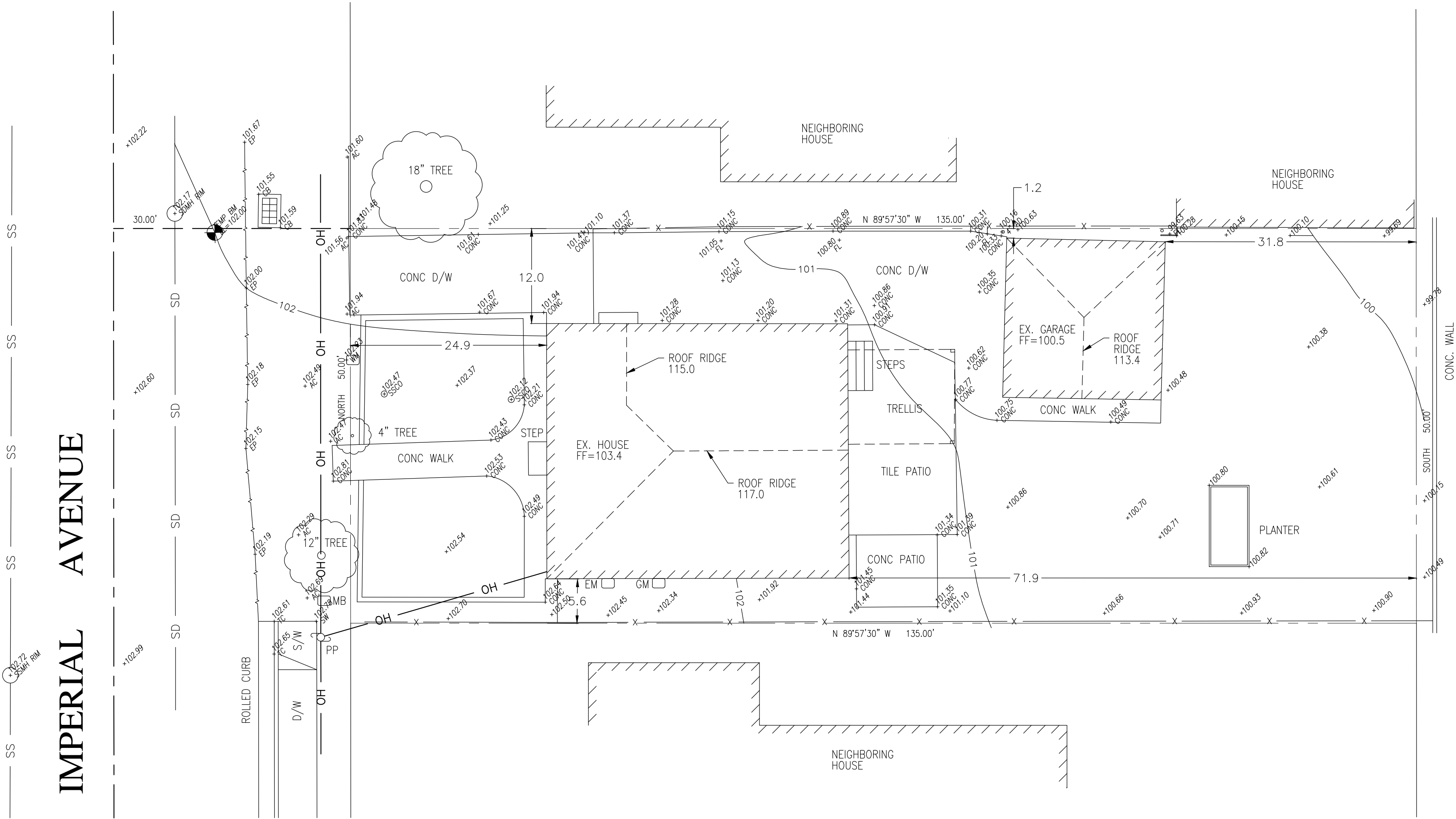
THE BEARING N89°57'30"W OF THE CENTERLINE OF OLIVE AVENUE AS SHOWN ON THE AMENDED MAP OF TRACT 7728, FILED FOR RECORD IN BOOK 557 OF MAPS AT PAGES 49 & 50, SANTA CLARA COUNTY RECORDS.

REFERENCES:

R1 RECORD OF SURVEY (130 MAPS 48)

SITE DATA:

10300 IMPERIAL AVENUE
CUPERTINO, CA
LOT 3 RECORD OF SURVEY 130-M-48
APN: 357-19-052
AREA=6,750 S.F.±



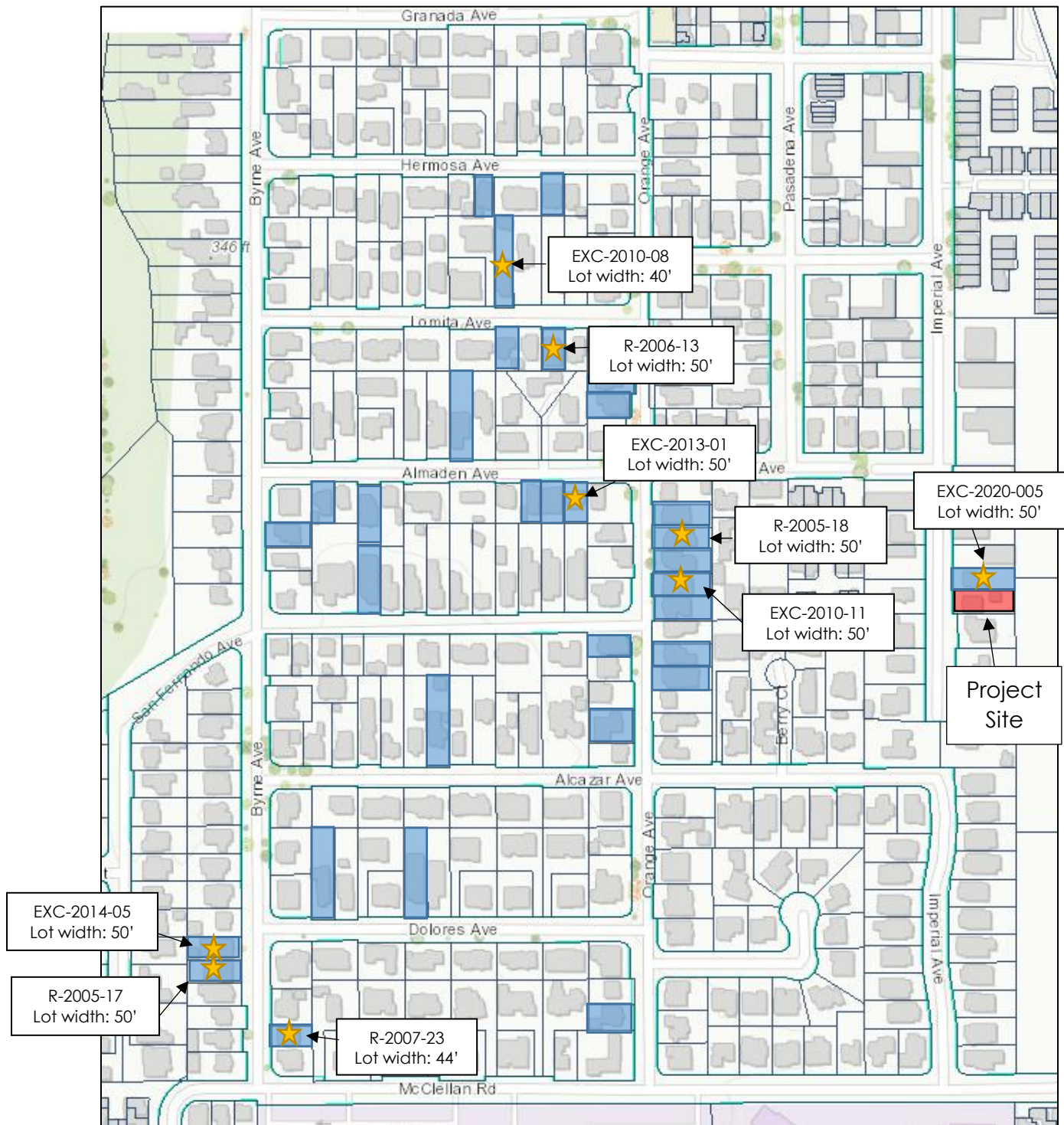
ABBREVIATION


AD	AREA DRAIN
A.E	ANCHOR EASEMENT
AC	ASPHALT CONCRETE
BRI	BRICK
C/G	CURB & GUTTER
C	CONCRETE
DI	DRAIN INLET
FF	FINISH FLOOR GRADE
FL	FLOWLINE
GM	GAS METER
LG	LIP OF GUTTER
MB	MAIL BOX
P.U.E.	PUBLIC UTILITY EASEMENT
P.S.E.	PUBLIC SERVICE EASEMENT
SDMH	STORM DRAIN MANHOLE
SSCO	SANITARY SEWER CLEANOUT
SSMH	SANITARY SEWER MANHOLE
S/W	SIDEWALK
TC	TOP OF CURB
TRC	TOP OF ROLLED CURB
W.C.E.	WIRE CLEARANCE EASEMENT
WM	WATER METER


LEGEND

---	PROPERTY LINE
---	CENTERLINE
SS	UTILITY LINE-TYPE AS NOTED
☼	STREET LIGHT
PG&E	UTILITY BOX-TYPE AS NOTED
WM/GM	WATER/GAS METER
WV	WATER VALVE
Catch Basin	CURB CATCH BASIN
Fire Hydrant	FIRE HYDRANT
MH	MANHOLE-TYPE AS NOTED
CO	SANITARY SEWER CLEANOUT
PP-OH	POWER POLE W/ OVERHEAD WIRE
⬤	BENCHMARK
200	CONTOUR LINE
MON	MONUMENT
12"	TREE-TRUNK DIAMETER IN INCHES SPECIES NOTED WHEN KNOWN
→	GUY WIRE

Attachment 3: Monta Vista Homes with Reduced First-Floor Side-Yard Setbacks



Reduced first-floor side-yard setback: 

Past City R-1 Exception approval: 
(with file number & lot width)





CITY OF CUPERTINO

Agenda Item

21-9970

Agenda Date:
10/21/2021 Agenda #: 4.

Subject: Sign Exception to allow for a second wall sign on a commercial building where only wall sign is permitted (Mattress Firm). (Application No. EXC-2021-001; Applicant: Tracey Diehl (Expedite the Diehl); Location: 20510 Stevens Creek Boulevard; APN: 359-08-018)

That the Design Review Committee adopt the draft resolution (Attachment 1) to:

1. Find the project exempt from CEQA; and
2. Approve the Sign Exception (EXC-2021-002).



**COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION**

CITY HALL
10300 TORRE AVENUE • CUPERTINO, CA 95014-3255
TELEPHONE: (408) 777-3308 • FAX: (408) 777-3333
CUPERTINO.ORG

DESIGN REVIEW COMMITTEE STAFF REPORT

Meeting: October 21, 2021

Subject

Sign Exception to allow for a second wall sign on a commercial building where only wall sign is permitted (Mattress Firm). (Application No. EXC-2021-001; Applicant: Tracey Diehl (Expedite the Diehl); Location: 20510 Stevens Creek Boulevard; APN: 359-08-018).

Recommended Action

That the Design Review Committee adopt the draft resolution (Attachment 1) to:

1. Find the project exempt from CEQA; and
2. Approve the Sign Exception (EXC-2021-002).

Discussion

Project Data:

General Plan Designation:	Commercial/Office/Residential			
Special Area:	Heart of the City Specific Plan			
Zoning Designation:	P (CG, Res) / Planned Development with General Commercial and Residential uses			
Lot Area:	139,940 sq. ft.			
Floor Area:	4,200 sq. ft.			
	Allowed	Existing	Total Proposed	Change
Wall Signs	1	1	2	2
Ground Sign	1	1	1	No change to number of signs
Project Consistency with				
General Plan:	Yes			
Zoning:	No – needs sign exception			
Environmental Assessment:	Categorically Exempt			

Project Location:

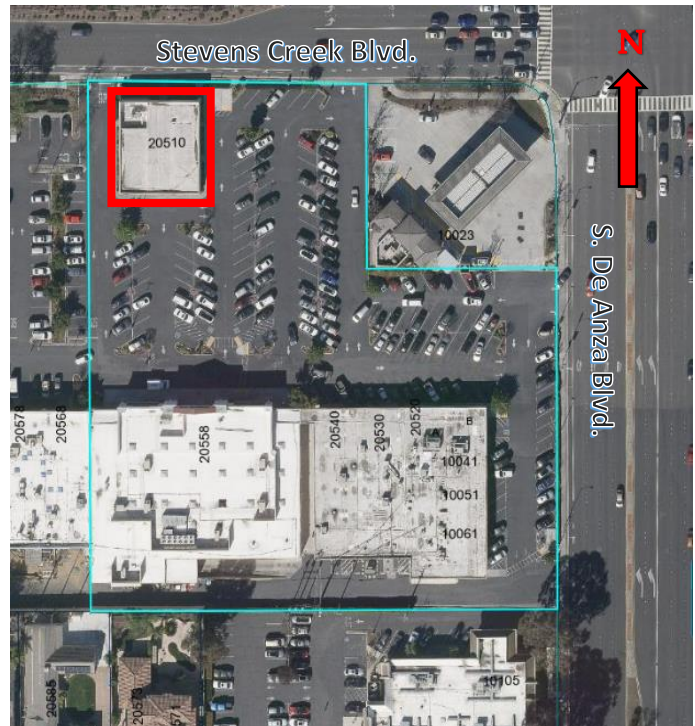
The project site is located at the corner of Stevens Creek Boulevard and De Anza Boulevard, west of the Chevron gas station. To the north are commercial banks, east of the building is the Chevron gas station, and to the west and south are various commercial uses.

Background:

The property is allowed two signs at 20510 Stevens Creek Blvd per the Municipal Code. These signs have already been approved by staff as follows: one wall sign facing Stevens Creek Boulevard, and one ground sign adjacent to South De Anza Boulevard. The applicant, Tracey Diehl, representing Mattress Firm, is requesting approval to install a second wall sign, exceeding the number of signs the Sign Ordinance allows.

Sign Exception:

Cupertino Municipal Code Section 19.104.140: Permanent Walls Signs allows for one sign per business with exterior frontage, and (1) an additional wall sign for when there is no ground sign, (2) sign is directed to the interior of the project and not visible from any public right-of-way, and (3) the building is occupied by a single tenant pad with more than 5,000 sq. ft. In this case, since the project contains a ground sign adjacent to South De Anza Boulevard, the proposed second wall sign would be visible from South De Anza Boulevard, and the building measures approximately 4,200 sq. ft. (less than 5,000 sq. ft.) a sign exception is required for the proposed sign.



The two wall signs proposed are identical in size, illumination and appearance.



Figure 1: Sign A Facing Stevens Creek Blvd.



Figure 2: Sign B Facing Interior of Property

Each sign is consistent with the provisions of the City's Sign Ordinance as follows:

	Sign A		Sign B	
	Allowed	Proposed	Allowed	Proposed
Allowable Sign Area (1 sq. ft. per linear store frontage)	64.9 sq. ft.	41.2 sq. ft.	75.2 sq. ft.	41.2 sq. ft.
Maximum Store Frontage (70% of store frontage)	45.4 ft.	20.6 ft.	52.6 ft.	20.6 ft.
Illumination Intensity (foot-lamberts)	250	< 250	250	<250

Staff supports the sign exception requested for the additional wall sign. The intent of the sign ordinance is to identify and enhance business while maintaining the aesthetic appearance of the City. The additional sign on the east side of the building will allow for effective and visible signage for the business. While the Chevron gas station would

partially obscure the view of the sign from De Anza Boulevard, the sign will nevertheless remain partially visible. Additionally, the facing the interior provides additional wayfinding for visitors of the shopping center will may be entering from the eastern and southern portions of the property.

Environmental Assessment

This project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) per Section 15301 Existing Facilities (Class 1) consisting of new copy on existing on and off-premise signs.

Public Outreach and Noticing

The following table is a brief summary of the noticing done for this project:

Notice of Public Hearing and Intent, Site Notice & Legal Ad	Agenda
<ul style="list-style-type: none"> ▪ Site Signage (<i>10 days prior to the hearing</i>) ▪ 8 public hearing notices mailed to adjacent property owners (<i>10 days prior to the hearing</i>) 	<ul style="list-style-type: none"> ▪ Posted on the City's official notice bulletin board (<i>one week prior to the hearing</i>) ▪ Posted on the City of Cupertino's website (<i>one week prior to the hearing</i>)

No public comments have been received as of the date of production of this staff report.

Permit Streamlining Act

This project is subject to the Permit Streamlining Act (Government Code Section 65920 – 65964). The City has complied with the deadlines found in the Permit Streamlining Act.

Project Received: May 7, 2021; ***Deemed Incomplete:*** June 3, 2021

2nd Submittal Received: July 12, 2021; ***Deemed Incomplete:*** August 9, 2021

3rd Submittal Received: August 11, 2021; ***Deemed Complete:*** September 3, 2021

The City has up to 60 days from the date of deeming the project complete (until November 3, 2021) to make a decision on the project.

Conclusion

Staff recommends approval of the Sign Exception since the overall design package addresses the intent of the Sign Ordinance to identify and enhance the business while maintain the aesthetic standards of the City. The requested Sign Exception will maintain the City's design standards and support the business in its endeavor to meet corporate branding requirements. Staff recommends approval of the project since the project and conditions of approval address all concerns related to the proposed development and all

the findings for approval of the proposed project, consistent with Chapter 19.104.290 of the Cupertino Municipal Code, may be made.

Next Steps

Should the project be approved, the Design Review Committee's decision on this proposal is final unless an appeal is filed within 14 calendar days of the date of the decision, on November 4, 2021. The applicant may apply for building and other permits at the end of the appeal period.

If the project were approved, the approval would expire on October 21, 2021, at which time the applicant may apply for a one-year extension.

Prepared by: Erick Serrano, Senior Planner

Reviewed and Approved by: Piu Ghosh, Planning Manager

ATTACHMENTS:

1 – Draft Resolution

2 – Plan Set

CITY OF CUPERTINO
10300 Torre Avenue
Cupertino, California 95014

DRAFT RESOLUTION

OF THE DESIGN REVIEW COMMITTEE OF THE CITY OF CUPERTINO
APPROVING A SIGN EXCEPTION TO ALLOW FOR A SECOND WALL SIGN ON A
COMMERCIAL BUILDING WHERE ONLY ONE WALL SIGN IS PERMITTED
(MATTRESS FIRM) LOCATED AT 20510 STEVENS CREEK BOULEVARD

SECTION I: PROJECT DESCRIPTION

Application No.: EXC-2021-002
Applicant: Tracey Diehl (Expedite the Diehl)
Location: 20510 Stevens Creek Boulevard (APN 359-08-018)

SECTION II: FINDINGS FOR SIGN EXCEPTION:

WHEREAS, the Design Review Committee of the City of Cupertino received an application for a Sign Exception as described in Section I. of this Resolution; and

WHEREAS, the necessary public notices have been given as required by the Procedural Ordinance of the City of Cupertino, and the Design Review Committee has held at least one public meeting in regard to the application; and

WHEREAS, the project is determined to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 Existing Facilities; and

WHEREAS, the applicant has met the burden of proof required to support said application; and

WHEREAS, the Design Review Committee finds as follows with regard to this application:

1. The literal enforcement of the provisions of this title will result in restrictions inconsistent with the spirit and intent of this title.
The project is consistent with the intent of the Sign Ordinance in that it provides architectural and aesthetic harmony with the building/canopy design and provides good visibility for the public and the needs of the business while minimizing distraction to the

pedestrian, bicyclist, and motorist. The size location, size, and illumination are consistent with the City's Sign Ordinance.

2. That the granting of the exception will not result in a condition which is materially detrimental to the public health, safety, or welfare.

The proposed signs will not be detrimental or injurious to property or improvements in the vicinity, and will not be detrimental to the public health, safety, or welfare. Besides the number of signs, all other aspects of the City's Sign Ordinance are met. The illumination intensity, appearance, and location of the proposed signs would not create distractions for pedestrians, bicyclists and vehicles nor would it negatively impact the City's aesthetic appearance.

3. That the exception granted is one that will require the least modification of the prescribed regulations and the minimum variance that will accomplish the purpose.

The exception granted is one that will require the least modification of the regulations because the project will only propose one additional sign. Other aspects of the Sign Ordinance (size, location, and lighting) remain consistent with the regulations.

NOW, THEREFORE, BE IT RESOLVED:

That after careful consideration of maps, facts, exhibits, testimony and other evidence submitted in this matter, subject to the conditions which are enumerated in this Resolution beginning on Page 3 thereof,

The application for a Sign Exception, Application no. EXC-2021-002, is hereby approved and that the subconclusions upon which the findings and conditions specified in this Resolution are based and contained in the Public Meeting record concerning Application no. EXC-2021-002 as set forth in the Minutes of Design Review Committee Meeting of October 21, 2021, and are incorporated by reference as though fully set forth herein.

SECTION III: CONDITIONS ADMINISTERED BY THE COMMUNITY DEVELOPMENT DEPT.

1. APPROVED EXHIBITS

Approval is based on the plan set dated October 20, 2020 entitled, "Mattress Firm 20510 Stevens Creek Blvd. Cupertino CA 95014" drawn by Apex Sign Group consisting of four (4) sheets labeled 1-4; except as may be amended by conditions in this resolution.

2. ACCURACY OF PROJECT PLANS

The applicant/property owner is responsible to verify all pertinent property data including but not limited to property boundary locations, building setbacks, property size, building square footage, any relevant easements and/or construction records. Any misrepresentation of any property data may invalidate this approval and may require additional review.

3. ANNOTATION OF THE CONDITIONS OF APPROVAL

The conditions of approval set forth shall be incorporated into and annotated on the first page of the building plans.

4. EXCEPTION APPROVAL

A Sign Exception is hereby granted to allow for two alls signs where only one wall sign is permitted.

5. ILLUMINATION INTENSITY

The intensity of all signs shall not exceed 250 foot-lamberts. A note acknowledging this condition of approval shall be incorporated in the building permit plans.

6. LIGHTING INTENSITY VERIFICATION

Prior to final inspections of sign permits, a licensed lighting engineer shall confirm that the lighting intensity is in compliance with the conditions of approval in this resolution.

7. SIGN EXCEPTION REVIEW/ADDITIONAL RESTRICTIONS

If complaints are received related to the intensity of the LED signage under this Sign Exception, and the complaints are not addressed immediately by the property management, then the Design Review Committee or Planning Commission shall conduct a public hearing on the Sign Exception at which time, the approval for LED signage may be modified or revoked.

The City reserves the right to require additional measures to reduce lighting intensity if deemed necessary.

8. SIGN PERMITS REQUIRED

The applicant shall consult with the City's Building Division to obtain the necessary sign permits for this project.

9. TEMPORARY SIGNS

Temporary signs shall comply with the Temporary Sign regulations of the City's Sign Ordinance (Chapter 19.104 of the Municipal Code). A temporary sign permit is

required for all banners, a-frame or other freestanding signs (except those required by the State of California), and promotional devices.

10. CONSULTATION WITH OTHER DEPARTMENTS

The applicant is responsible to consult with other departments and/or agencies with regard to the proposed project for additional conditions and requirements. Any misrepresentation of any submitted data may invalidate an approval by the Community Development Department.

11. INDEMNIFICATION

The applicant agrees that, to the fullest extent permitted by law, the applicant shall indemnify, defend with the attorneys of the City's choice, and hold harmless the City, its City Council, and its officers, employees, and agents (collectively, the "indemnified parties") from and against any liability, claim, action, cause of action, suit, damages, judgment, lien, levy, or proceeding brought by a third party against one or more of the indemnified parties or one or more of the indemnified parties and the applicant related to any Ordinance, Resolution, or action approving the project, the related entitlements, environmental review documents, finding or determinations, or any other permit or approval authorized for the project, including (without limitation) reimbursing the City its actual attorneys' fees and costs incurred in defense of the litigation. The applicant shall pay such attorneys' fees and costs within 30 (thirty) days following receipt of invoices from City. Such attorneys' fees and costs shall include amounts paid to the City's outside counsel and shall include City Attorney time and overhead costs and other City staff overhead costs and any costs directly related to the litigation reasonably incurred by City. The applicant shall likewise indemnify, defend, and hold harmless the indemnified parties from and against any damages, attorneys' fees, or costs awards, including attorneys' fees awarded under Code of Civil Procedure section 1021.5, assessed or awarded against the indemnified parties.

The Applicant further agrees to defend, indemnify and hold harmless the indemnified parties for all cost incurred in additional investigation or study of, or for supplementing, redrafting, revising, or amending any document (such as an Environmental Impact Report, negative declaration, specific plan, or general plan amendment) if made necessary by proceedings challenging the project approvals and related environmental review if the applicant desires to continue to pursue the project.

12. NOTICE OF FEES, DEDICATIONS, RESERVATIONS, OR OTHER EXACTIONS

The Conditions of Project Approval set forth herein may include certain fees, dedication requirements, reservation requirements, and other exactions. Pursuant to Government Code Section 66020(d) (1), these Conditions constitute written notice of

a statement of the amount of such fees, and a description of the dedications, reservations, and other exactions. You are hereby further notified that the 90-day approval period in which you may protest these fees, dedications, reservations, and other exactions, pursuant to Government Code Section 66020(a), has begun. If you fail to file a protest within this 90-day period complying with all of the requirements of Section 66020, you will be legally barred from later challenging such exactions.

PASSED AND ADOPTED this 21st day of October 2021, Regular Meeting of the Design Review Committee of the City of Cupertino, State of California, by the following vote:

AYES: COMMISSIONERS:
NOES: COMMISSIONERS:
ABSTAIN: COMMISSIONERS:
ABSENT: COMMISSIONERS:

ATTEST:

APPROVED:

Erick Serrano
Senior Planner

R Wang,
Chair, Design Review Committee

SIGN A	24" Mattress Firm linear
Type:	Individual Channel letters/ Remote Wired
Illumination:	Internally Illuminated LED
Square Footage:	24" x 247.25" = 41.20 sq ft

SIGN B	24" Mattress Firm linear
Type:	Individual Channel letters/ Remote Wired
Illumination:	Internally Illuminated LED
Square Footage:	24" x 247.25" = 41.20 sq ft

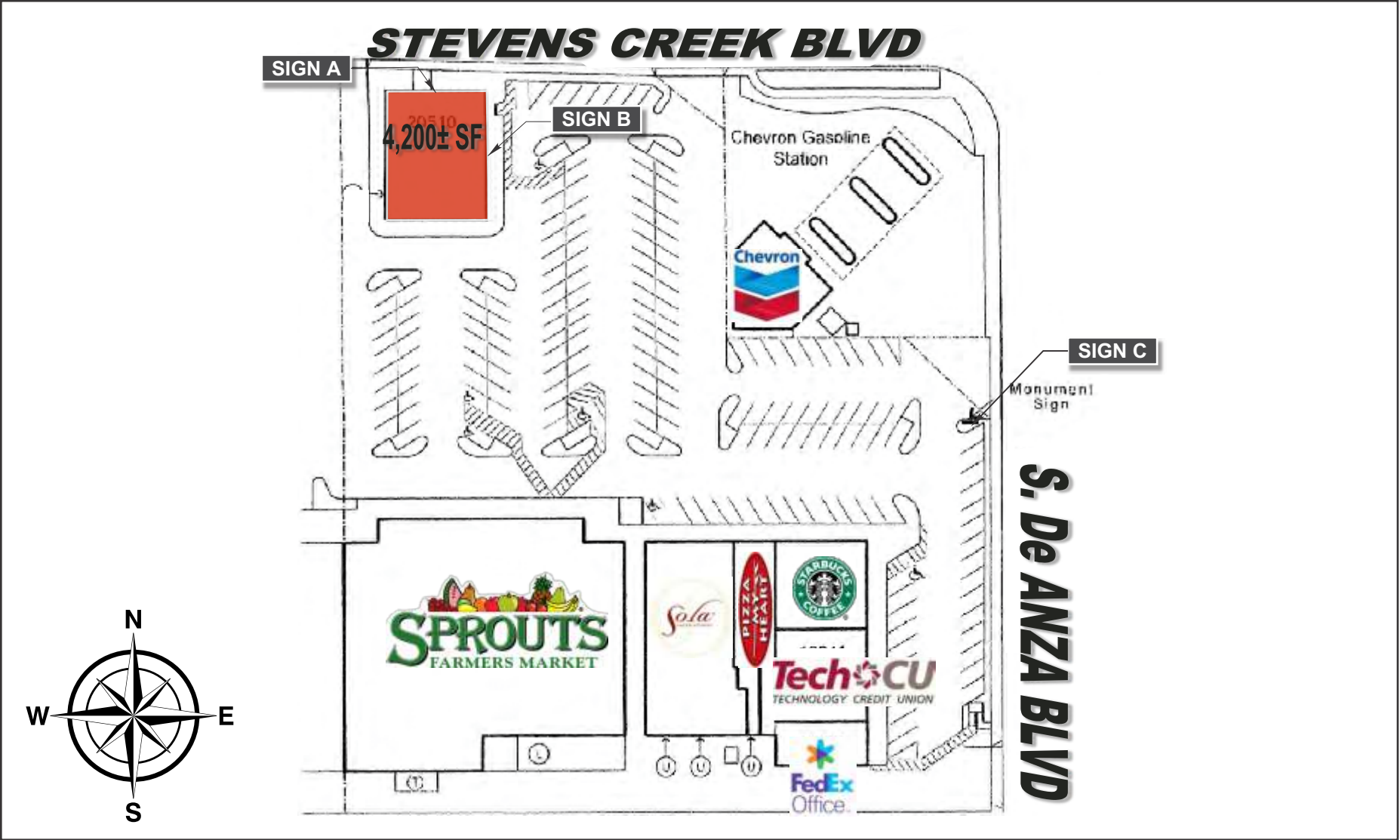
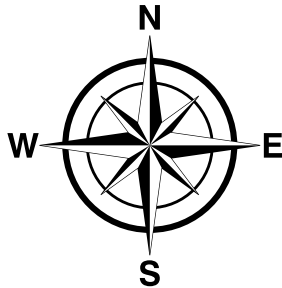
SIGN C	Mattress Firm - RTA Vinyl
Type:	Ready-to-Appl Vinyl Graphics on existing Tenant Panel
Square Footage:	1.78

BLD-2021-0418 was approved with Sign A.

sign exception request is for the Sign B which is facing the Chevron/S. De Anza Blvd

LOT AREA 139,940 SQ FT
BUILDING AREA 4200 SQ FT

The building is setback 30' from Stevens Creek Blvd to the north ,
141' from the east property line,
24' from the west property line,
and 340 ft from the south property line



SIGN A	24" Mattress Firm linear
Type:	Individual Channel letters/ Remote Wired
Illumination:	Internally Illuminated LED
Square Footage:	24" x 247.25" = 41.20 sq ft

The illumination intensity of signs located within commercial areas is not to exceed approximately 250 foot-lambers, see Cupertino Municipal Code (CMC) Section 19.104.230 (A)



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Existing



Front Elevation (North)
Scale: 1/8" = 1'-0"

NOTE: DRAWING IS FOR REPRESENTATIONAL PURPOSES ONLY. EXACT DIMENSIONS (FIELD SURVEY) REQUIRED PRIOR TO FABRICATION	Allowable Square Footage this Elevation:	87.48
	Formula: 200.00 SqFt Aggregate for entire site	
	Actual Square Footage this Elevation:	57.52

SIGN A	24" Mattress Firm linear
Type:	Individual Channel letters/ Remote Wired
Illumination:	Internally Illuminated LED
Square Footage:	24" x 247.25" = 41.20 sq ft

SIGN B	24" Mattress Firm linear
Type:	Individual Channel letters/ Remote Wired
Illumination:	Internally Illuminated LED
Square Footage:	24" x 247.25" = 41.20 sq ft



The illumination intensity of signs located within commercial areas is not to exceed approximately 250 foot-lambers, see Cupertino Municipal Code (CMC) Section 19.104.230 (A)

Sign Layout Detail
Scale: 3/8" = 1'-0"

Electrical Detail:

White LEDs
(X) 60w Power Supplies @ 0.85 amps each
Total Amps: X.XX
(1) 20 amp 120V Circuit Req.



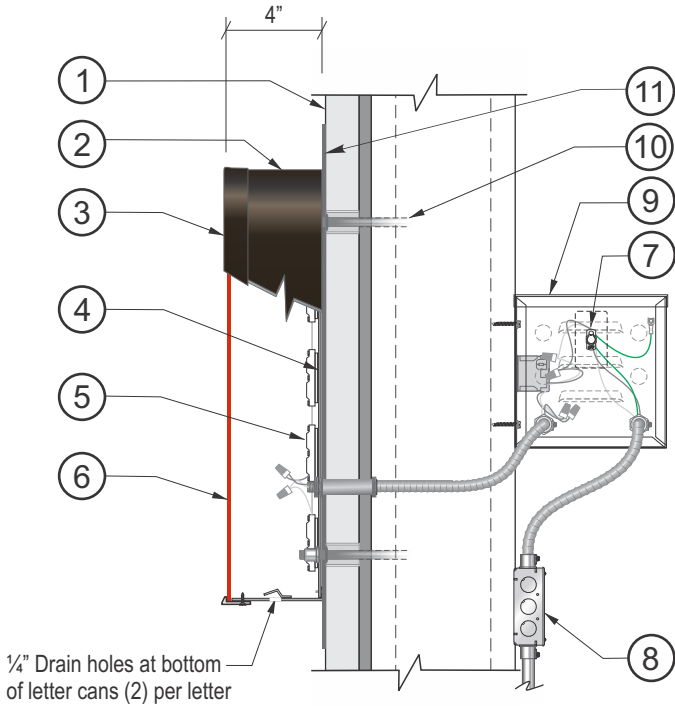
General Notes:

This sign is to be installed in accordance with the requirements of Article 600 of the National Electrical Code.

- Grounded and bonded per NEC 600.7/NEC 250
- Existing branch circuit in compliance with NEC 600.5, not to exceed 20 amps
- Sign is to be UL listed per NEC 600.3
- UL disconnect switch per NEC 600.6- required per sign component before leaving manufacturer. For multiple signs, a disconnect is permitted but not required for each section
- The location of the disconnect switch after installation shall comply with article 600.6 (A) (1) per NEC

Specifications: Channel Letters on backer panel

1. Existing Facade: To be determined
2. 0.040" Aluminum letter returns painted to match Dark Brown
3. 1"Jewelrite trimcap (Dark Brown) bonded to face, #8 pan head screws to returns
4. .125" ACM backs (pre-finished white) fastened to returns. Seal w/ VOC compliant 360 white latex caulk to prevent moisture penetration.
5. GE Tetra Powermax LEDs (Red)
6. 3/16" Red acrylic faces
7. Disconnect switch UL Outdoor rated toggle type w/ neoprene boot per NEC 600-6
8. Primary electrical feed in UL conduit / customer supplied UL junction box
9. Power Supplies within UL enclosure (removable lid), 1/4" x 1" min screws
10. Mounting Hardware to suit
11. 0.080 Aluminum backer panel painted Black



Section @ LED Channel Letter
Front-Lit (Remote)
Scale: N.T.S.

SIGN B	24" Mattress Firm linear
Type:	Individual Channel letters/ Remote Wired
Illumination:	Internally Illuminated LED
Square Footage:	24" x 247.25" = 41.20 sq ft



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Existing



Side Elevation (East)

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

NOTE: DRAWING IS FOR REPRESENTATIONAL PURPOSES ONLY. EXACT DIMENSIONS (FIELD SURVEY) REQUIRED PRIOR TO FABRICATION	Allowable Square Footage this Elevation:	87.48
	Formula: 200.00 SqFt Aggregate for entire site	
	Actual Square Footage this Elevation:	57.52