

County of Santa Clara

Department of Planning and Development
Planning Office

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



June 14, 2021

Ayhan Menekshe
3085 Paseo Vista Avenue
San Martin, CA 95046

**** Delivered Via e-mail ****

FILE NUMBER: PLN20-105 (R1)

SUBJECT: Design Review and Grading Approval/Abatement to legalize 4,408 cubic yards of cut and 1,019 of fill and construct a new 9,020 sq. ft. accessory structure on a 10 gross-acre site.

SITE LOCATION: 3085 Paseo Vista Avenue, San Martin, (APN: 825-29-039)

Dear Mr. Menekshe:

The application for Design Review and Grading Approval/Abatement is **incomplete**. For the application processing to resume, please resolve the following issues and submit the information listed below.

Resubmittals are made electronically with the project manager/planner and must include all requested information along with a completed application form (which is used to track the resubmittal). Once the information is resubmitted, the Planning Office will distribute the plans, reports and/or information to the appropriate staff or agency for review.

If there are any questions about the information requested, please contact the specific staff for that item.

AN VIRTUAL APPOINTMENT IS REQUIRED FOR A RESUBMITTAL. PLEASE EMAIL TO SCHEDULE AN APPOINTMENT.

PLANNING OFFICE

Contact Lara Tran at (408) 299-5759 or lara.tran@pln.sccgov.org regarding the following comments:

1. Identify on the Site Plan (Sheet 2) proposed removal of existing debris within the storm drain easement through restoration. Aerial image (including pictures of the grading violation report conducted on November 19, 2020) shows concrete debris within the storm drain easement. LDE has a similar comment in number 5.
2. Revise the color board for the proposed barn to reduce the LRV of the paint trim colors to an earth-tone shade that is below 45 LRV. The proposed paint trim for the barn is at 75 LRV which is higher than the recommended exterior paint color within the [Design Review Guidelines](#).

3. Provide a rendering of the proposed barn in comparison to the existing single-family residence. Will the proposed barn be visible from the valley floor (since it is located on a higher slope than the existing house)? If the proposed barn is taller than the existing residence as seen from the valley floor, a landscaping plan may be required to mitigate any visual impacts to the valley floor.

Santa Clara County Habitat Plan

4. Clarify how the proposed legalization of Area 1 and Area 2 would result in temporary disturbance for Habitat Plan? If the applicant is proposing legalizing Area 1 and Area 2, that would be considered permanent disturbance under Habitat Plan, and therefore, Exhibit 1 would need to be revised.

LAND DEVELOPMENT ENGINEERING

Contact Darrell Wong at (408) 299-5735 or darrell.wong@pln.sccgov.org regarding the following comments:

5. The detention pond appears to be in an area of unpermitted grading that was terraced. Consider relocating the pond to an area that would better meet the grading findings considering the original ground of the development prior to the unpermitted grading being performed.
6. Please abate all work within the slope easement at the east of the property.
7. Please provide a proposal to either permit or abate the work with the storm drain easement through restoration. Concrete debris should be required to be removed within the storm drain easement and the disturbed areas as a result of the debris removal restored as appropriate.

ADDITIONAL INFORMATION / ISSUES OF CONCERN

The information below is not required to be submitted in order to deem the application complete for processing, but is instead intended to identify future requirements or issues of concern.

8. As proposed, the legalization of the unpermitted terracing (Area 1) and Area 2 may not be supported by Planning Staff. Proposed planting of fruit trees and orchards are allowed, however, keeping the unpermitted terracing is not necessary for successful planting of fruit trees and orchards. Additionally, the legalization of the unpermitted grading for Area 1 and Area 2 is not consistent to the overall Grading Findings of [C12-433](#), General Plan R-GD22 (minimum necessary to establish use), and Guidelines for [Grading and Hillside Development](#). Staff recommends restoring the terrace (Area 1) and Area 2 back to original condition and removal of the concrete debris in the storm drain easement and restore the area as appropriate.
9. As the property is located within a combined Design Review district (-d1), a landscaping plan may be required to mitigate any visual impacts from the proposed barn to the valley floor.

Prior to a resubmittal, please schedule an appointment to discuss any comments regarding the project.

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

Note that the application has been charged a minimum fee and will be charged additional fees based on staff time to continue processing when the initial payment is exhausted.

If you have any additional questions regarding this application, please call me at (408) 299-5759 or lara.tran@pln.sccgov.org to discuss or schedule an appointment.

Warm regards,



Lara Tran
Associate Planner

cc: Darrell Wong, LDE
Amanda Mussy Verdel- Hannah and Brunetti
Scott Zazuetta, DZ Designs Associates (delivered via e-mail)