

County of Santa Clara

Department of Planning and Development
Planning Office

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January 15, 2021

Shyam Ellur
Gokulam LLC
680 E. Calaveras Blvd.
Milpitas, CA 95035

shyam.ellur@ihf-usa.org

BY EMAIL ONLY

FILE NUMBER: PLN20-178
SUBJECT: 2-Lot Subdivision
SITE LOCATION: 2425 Old Calaveras Road, Milpitas (APN:029-34-004)
DATE RECEIVED: December 16, 2020

Dear Mr. Ellur:

The application for a 2-lot Subdivision at 2425 Old Calaveras Road, Milpitas (APN:029-34-004) 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.

Please submit *all* electronic copy of the revised plans /resubmittal documents (PDF) with a *written response* addressing the following items.

PLANNING OFFICE

Contact Robert Salisbury at (408) 299-5785 or robert.salisbury@pln.sccgov.org regarding the following comments:

PLN20-178

1. As required per County Ordinance Section C12-20(b)(3) the signature of the registered owner must be on the tentative map. Please revise the submitted map to include the signature of someone authorized to sign for Gokulam LLC.
2. Identify the width of Old Calaveras Road on the proposed tentative map per County Ordinance Section C12-20(b)(4).
3. As required per County Ordinance Section C12-20(b)(5) the widths and grades of the existing roads must be shown on the proposed tentative map. In addition, please clearly label whether these roads are proposed or existing, and whether are not they are to remain post-reclamation.
4. Please correct the labeling noting the proposed eastern septic system location. The proposed tentative map labels the eastern septic system on Lot A as the septic system for Lot B.
5. As required per County Ordinance Code Section C12-20(b)(6) the radius of the curves on the access roads must be noted on the proposed tentative map.
6. The tentative map does not scale properly in the electronic version. The dimensions of properties lines appear to be off by more than 10%. Please verify that lot dimensions are correct and revise the map as needed.
7. Please clarify the proposed use for the proposed lots. The tentative map appears to show single family residential development on proposed lots A and B, however the Design Review Administrative Approval application also in process by the Department (County File No. PLN20-125) indicates that an agricultural use is proposed for the lots. In addition, the project description included with the Use Permit, Minor Subdivision, and Reclamation Plan Amendment pre-application that you submitted on January 10, 2020 indicated that a camp and retreat would be developed on proposed Lot A, and a reception facility and temple would be developed on proposed Lot B. Please clarify the intended uses of the proposed parcels.

Please be aware that if these lots are intended for future residential development, the average slope of the development area must be calculated, and alternate site analysis must be conducted. Please contact Planning staff to discuss these requirements.

SANTA CLARA VALLEY HABITAT PLAN (HCP)

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

8. Provide an HCP Screening Form signed by the owner (or authorized owner) as part of the resubmittal.
9. Sensitive habitat such as riparian, stream, and pond are located on the property. To determine if the proposed development is covered by HCP, please submit a Land Cover Verification with Mapping prepared by a qualified biologist to verify if proposed development impacts sensitive habitat land covers and species. HCP covered species include but are not limited to Tricolored Blackbird.

LAND DEVELOPMENT ENGINEER (LDE)

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

Tentative Map

10. The map shall contain the following information:

- A. Sufficient description to define the location and boundaries of the proposed subdivision.
- B. The locations and approximate widths of all easements for access, water system, flood control, drainage, sewage, or public utilities. The easements allowing for access and utilities over the neighboring parcel shall be clearly shown and documented. Proposed easements protecting existing storm drainage within the creek and detention ponds may be required and should be shown on the tentative map.
- C. Show the water source on Lot B and what water will be used to fill the proposed water storage.
- D. Show dimensions of all lots.
- E. In areas to be developed or improved with roads, existing and proposed contours shall be drawn to intervals as follows:

<u>Slope</u>	<u>Maximum Interval (feet)</u>
0.00%--1.00%	1
1.00%--15.00%	5
15.00%--30.00%	10
30.00% and over	20

- F. Where a parcel is traversed by a watercourse, contours describing the watercourse shall be drawn to intervals as follows:

<u>Average Slope of Channel Bottom</u>	<u>Contour Interval (feet)</u>
0.00%--1.00%	1
1.00%--15.00%	2
15.00% and over	5

- G. Provide accurate topographic information to show exact center line of watercourse, top of low and high banks, direction of flow and existing obstructions within and adjacent to the watercourse. Where a watercourse lies outside of a parcel, but the top of bank lies within 25 feet of the property line, show exact location of the top of bank relative to property line.
- H. Statement of the dedications and improvements proposed to be made or installed.

- I. Edit the site location sketch indicating the location of the proposed subdivision in relation to the surrounding area or region. It currently is distorted
- J. The approximate known soil or geologic hazard areas.

Building Site Approval and Grading

- 11. Please clearly identify all roads maintained and not maintained by the County.
- 12. Please clearly state the quantities of the grading required for the construction of the access driveway to Lot B.
- 13. Please clarify the section detail for the access driveway to Lot B. The dimension text is too small to read.
- 14. Based on the topography provided, the proposed driveway may impair drainage flows, thereby not meeting the exemption requirements of Section C12-421 of the County Grading Ordinance. Please provide a Drainage Plan that demonstrates the following items:
 - A. The site can be adequately drained
 - B. The proposed development will not cause problems to the nearby properties
 - C. The on-site drainage will be controlled in such a manner as to not increase the downstream peak flow or cause a hazard or public nuisance. If this cannot be demonstrated, provide a detention system pursuant to the Design Guidelines in Section 6.3.3 of the 2007 Santa Clara County Drainage Manual.
- 15. Show drainage system from driveways and roof drains on plan.
- 16. Multiple areas of text on the tentative map are too small to read. Please increase text size to a minimum of 1/10 of an inch.
- 17. Provide further detail on the driveway connection to Old Calaveras Road from the access to Lot B. There is currently only limited details on the plans for that entrance and driveway connection with the crossing over the creek.
- 18. Provide further details on the improvements that will allow access to the building site for Lot B. It isn't currently clear how that building site will be accessed from the driveway at the shared access. Perhaps clarify whether the grading for the access to the building site on Lot B will be constructed as a part of this development or will be graded as a part of a future Grading Permit.

FIRE MARSHAL OFFICE (FMO)

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

Fire Marshal Review- Land Use

19. Job Description and Site Plans are to clarify what the proposed scope of work is.
 - A. This includes permitting or demo of existing structures (identify if structures are permitted). The plans currently show existing vehicle storage and livestock structures.
 - B. Identify if proposed building sites will be residential or non-residential use.
20. Provide a scaled Site Plan.
21. Lot B appears to use access from Lot A. Any easements are to be clearly shown on plans.
22. Plans to show fire department access to structures meeting PRC 4290 and CFMO-A1, including:
 - A. Show maximum slope of 16%.
 - B. Interior turning radius of 50 ft.
 - C. Access roads and driveways made of an "all weather" material capable of holding 75,000 pounds (current plan incorrectly labels a 65,000 pound limit).
 - D. Minimum drivable width of 20 ft for non-residential and 12 ft for residential.
 - E. Fire department turnouts spaced a maximum of 400 ft for residential driveways.
 - F. Fire department turnarounds located per PRC 4290 and CFMO-SD16.
23. Fire hydrants and water supply are to be per CFMO-W1 for residential properties or CFMO-W2 for non-residential.

DEPARTMENT OF ENVIRONMENTAL HEALTH (DEH)

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

24. Provide to the Departments of Environmental Health and Planning and Development a site plan that includes the location and results of the previously conducted soil profiles and percolation tests for each of the proposed lots.
25. For each proposed lot, contact Nicole Jorgensen at (408) 918-3492 to obtain water clearance for the proposed wells. This is a separate submittal to Environmental Health and subject to separate fees. Click on hyperlink for [Drinking Water Clearance](#).

ROADS AND AIRPORTS (RDA)

Contact Leo Camacho at (408) 573-2464 or leo.camacho@rda.sccgov.org regarding the following comments:

26. Old Calaveras Road is a County maintained road, revised plans should label roadway as such and clearly identify City vs County limits.
27. There is a Future Width Line (FWL) for Old Calaveras Road along this property's frontage requiring a half-street right-of-way (ROW) width of 30 feet, 60 feet full street. Current half-street ROW appears to be 20 feet. A ROW dedication for a full 30 feet from the existing road centerline will be required. Show the edge of pavement, centerline, label the existing ROW, FWL, and indicate area to be dedicated.
28. Revise plans to show all existing structures, fixtures, fences, gates, etc. currently in the ROW and in the FWL.
29. Revise plans to clearly identify all existing driveways to remain and any new proposed driveways or access roads.

CITY OF CUPERTINO

Contact Michael Fossati at (408) 586-3274 or michael.fossati@ci.milpitas.ca.gov regarding the following comments:

30. Milpitas Municipal Code Section XI-10-45.03-2 states: *If the parcel has an average slope of ten (10) percent or less, the average land area per dwelling unit shall be no less than ten (10) acres. If the parcel has an average slope of fifty (50) percent or more, the minimum average land area per dwelling unit shall be no less than eighty (80) acres.* Please provide the average slopes of the two new parcels.

ADDITIONAL INFORMATION/ISSUES OF CONCERN

31. As mentioned during the pre-application meeting and in the pre-application letter dated June 4, 2020, the project site is currently subject to an approved Reclamation Plan and has not been fully reclaimed as required by the Surface Mining and Reclamation Act. The current stated end use of the property in the approved Reclamation Plan is open space.

Any proposed permanent improvements such as subdivision improvements, or the improvements shown and proposed in the Design Review Administrative Approval application also in process by the Department (County File No. PLN20-125), require an amendment to the Reclamation Plan to change the designated end use. In addition, the required Reclamation Plan Amendment must also show any permanent improvements and specify that those improvements are to remain post-reclamation.

32. The subject property is in the Santa Clara Valley Habitat Plan Area and the Private Development Area is designed Area 2: Rural Development Greater Than 2 Acres Covered. According to the HCP Geobrowser mapping, land cover on the 79-acre property include Grain, Row-crop, Hay and Pasture, Disked/Short-term Fallowed, Willow Riparian Forest and Scrub, California Annual Grassland, Barren, and Pond. Most of the property is comprised of Barren Land Cover (59 acres) and Grain, Row-crop, Hay and Pasture, Disked/Short-term Fallowed Land Cover that comprises 17 acre and is located primarily north of the property.

An existing creek (South Branch Tularcitos Creek) is located southwest on the property Old Calaveras Road.

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

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 the Subdivision application has been charged a minimum fee and will be charged additional fees to continue processing when the initial payment is exhausted.

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

If you have questions regarding the application, please contact (408) 299-5785 or robert.salisbury@pln.sccgov.org.

Sincerely,

DocuSigned by:

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Robert Salisbury
Senior Planner

cc:

Lara Tran, PLN
Darrell Wong, LDE
Alex Goff, FMO
Darrin Lee, DEH
Michael Fossati, City of Milpitas