

# County of Santa Clara

Department of Planning and Development  
Planning Office

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January 20, 2023

Tom Kais  
7673 Braid Court  
Gilroy, CA 95020

[tk\\_mks@yahoo.com](mailto:tk_mks@yahoo.com)

\*\*\*BY EMAIL ONLY\*\*\*

**FILE NUMBER:** PLN21-176 (R1)  
**SUBJECT:** Grading Approval and Design Review (Tier II) for a 5,815 s.f., two-story barn on an existing vineyard.  
**SITE LOCATION:** 1975 Hayes Lane, San Martin (APN: 779-46-007)

Dear Mr. Kais,

The application for Grading Approval and Design Review (Tier II) for a 5,815 s.f., two-story barn on an existing vineyard at 1975 Hayes Lane, San Martin (APN: 779-46-007) 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 Lara Tran at (408) 299-5759 or [lara.tran@pln.sccgov.org](mailto:lara.tran@pln.sccgov.org) regarding the following comments:

1. The arborist report (dated July 20, 2022) prepared by David Hamilton, ISA Certified Arborist, of Mighty Tree Movers, identified a total of 15 trees proposed for removal where

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seven (7) are native oak trees. Please provide a proposed landscaping and tree replanting plan for the protected tree and oak trees under the [Santa Clara County Guidelines for Tree Protection and Preservation for Land Use Applications](#).

2. Revise the number of plumbing fixtures to be a not more than two (2) or apply for a Special Permit per [Zoning Ordinance 4.20.020\(I\)\(2\)](#). As currently proposed in the floor plan, the restroom on the ground floor has a total of three (3) plumbing fixtures.

*Santa Clara Valley Habitat Plan (HCP)*

3. The property is in the Santa Clara Valley Habitat Plan (HCP) area and the Private Development Area is designated Area 1: Private Development Covered. Landcover on the 21.1-acre property is designated as Blue Oak woodland (15.1 acres), California Annual Grassland (7.5 acres), and Serpentine Bunchgrass Grassland (0.6 acres). Santa Clara Valley Habitat Plan fees and conditions are based on field verified land cover by a qualified biologist.

As the development, specifically the area of the proposed pad for the water tanks, will have an impact on Serpentine Bunchgrass Grassland, please provide surveys for the following plant species as part of the resubmittal. Staff need to confirm the extent of the impact from the proposed development to the plants.

- A. Provide surveys for the following plant species: smooth lessingia, fragrant fritillary, Metcalf canyon jewelflower, most beautiful jewelflower, and Tiburon Indian paintbrush.
  - B. Provide a map that identify the location of the identified plants species and the percentage impact of the plants from the proposed development. Please note that if the impact on the plant is less than 5% of the total occurrence, then plant monitoring from the Habitat Agency will not be required as part of the conditions of approval.
4. Note that the applicant also has the option to relocate the proposed water tanks so that it is not within the Serpentine Bunchgrass Grassland to help reduce potential impact to sensitive plans.

**FIRE MARSHAL OFFICE (FMO)**

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

5. Cover Page states fire sprinklers will be a deferred submittal. Clarify that NFPA 13 fire sprinklers will be installed as a deferred submittal, the plans currently reference residential fire sprinklers (intended for a home). These types of sprinklers are very different from one-another.
6. A NFPA 13 fire sprinkler system will require a water tank meeting NFPA 1142 sizing. Provide calculations for how water tank was sized (this would be a single water tank rather than the individual water tank used for domestic/fire sprinklers).

**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 Grading Approval and Design Review applications have 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) 299-5759 or [lara.tran@pln.sccgov.org](mailto:lara.tran@pln.sccgov.org).

Warm regards,



Lara Tran  
Senior Planner

cc:

Eric Gonzales, LDE  
Alex Goff, FMO  
Carlo Alcantar, Cal Fire

Amanda Musy-Verdell, Hanna-Brunetti

Encl: Policy Issues Letter