

County of Santa Clara

Department of Planning and Development

County Government Center, East Wing, 7th Floor

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April 26, 2023

Tom Kais
7673 Braid Court
Gilroy, CA 95020

tk_mks@yahoo.com

BY EMAIL ONLY

FILE NUMBER: PLN21-176 (R2)
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 regarding the following comments:

1. Revise the landscaping plan on Sheet L1 so that the fire turnaround dimensions and the driveway dimensions are consistent to the civil plan on Sheet 3. As currently shown, the fire turnaround on the landscaping plan is only 24 feet in width whereas the dimension of the fire turnaround on the civil plan shows a width of 40 feet. Please make the proposed plans consistent across all sheets.
2. Identify/clarify the number of oak trees proposed for replacement on the landscaping plan. As proposed, there are two (2) landscaping sheets (both L1) that identify differing quantities of oak trees for replacement. Also, identify the area(s) of the 140 (15 gallon) olive trees that were planted in 2022 by the owner on the landscaping plan.
3. Revise the “Color/Materials Board” to include the Light Reflective Value (LRV) for the proposed retaining wall at various portions of the driveway. Please note color for the retaining walls need to be below 45 LRV as the structure is in a visible area of the property.
4. Revise the civil plans to identify the structure and grading that is proposed for abatement and/or legalization as there is a current violation (VIO19-00565) on the property. Aerial image show there is an existing structure and a recreational vehicle on the property. Please note that a land-use entitlement or any permits cannot be issued until existing violations are abated and/or the applicant enters into a compliance agreement in accordance with County Ordinance [C1-71](#).

Santa Clara Valley Habitat Plan (HCP)

5. 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.
 - A. Revise the land cover verification map (site plan) as the resubmittal show grading work and proposed retaining walls along the driveway. The land cover verification needs to identify all the habitat plan land covers present within the proposed development area and HCP setbacks (50 ft. radius surrounding permanent development (building pad of home, driveway and other permanent improvements), and 10 ft. radius surrounding temporary development (i.e. septic system, construction stakes etc.).
 - B. Provide surveys for the following plant species: smooth lessingia, fragrant fritillary, Metcalf canyon jewelflower, most beautiful jewelflower, and Tiburon Indian paintbrush.
 - C. Provide a map that identify the location of the identified plants species and the percentage impact of the plants from the proposed development. Figure 3 from the plant survey dated December 7, 2021, by Live Oak Associates identify “Pop 3” and “Pop 5” could have potential impact to smooth lessingia due to proximity to the driveway improvement and retaining walls. The report/survey also noted there are an

approximate 2,000 smooth lessignia on the site. However, staff is not clear on the amount of smooth lessignia in “Pop 3” and “Pop 5” that may be impacted. Please provide the percentage of impact of the plants from the proposed development. 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.

DEPARTMENT OF ENVIRONMENTAL HEALTH (DEH)

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

6. Latest grading site plan show the proposed septic and pump tanks situated within the proposed fire truck turnaround. Relocate either the turn-around or location of septic and pump tanks outside of the fire truck turnaround. Provide plans to the Department of Environmental Health (Peter Estes) for 'clearance'. This is a separate submittal to Environmental Health subject to completion of a service application and payment of applicable fees.

Note: Plans provided to DPD differ as one shows location of tanks whereas, the original did not provide location.

FIRE MARSHAL OFFICE (FMO)

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

7. Clarification has been made that this site is served by a water purveyor and not an on-site well. The comments below are based on this information.
8. A standard fire hydrant is to be shown within 600 ft. exterior path of travel to all portions of the structure. The plans currently show a new wharf fire hydrant, this type of hydrant is intended for when a property doesn't have access to a water purveyor.
 - A. The distance has been extended from 400 ft. exterior path of travel as sprinklers are proposed in the Barn [CFC Section 507.5.1].
9. Plans are to remove note stating NFPA 1142 tanks will be a deferred submittal as this would no longer be required. The previous tank comment was based on the site not having a water purveyor available.
10. Provide a copy of the nearest fire hydrant flow data recorded within 1 year. This is to see if the existing hydrant would meet the current required flow, it is presumed a new hydrant wouldn't meet the flow if the existing hydrant also doesn't meet the flow.
 - A. Minimum fire flow to be 1,000 gpm at 20 psi. (after sprinkler reduction) per Appendix B of California Fire Code (CFC).
 - B. Provide analysis that the new hydrant would also meet the required flow.

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 Grading Approval application was 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.

Warm regards,

A handwritten signature in blue ink, appearing to read 'Lara Tran', with a horizontal line extending to the right.

Lara Tran
Senior Planner

cc:

Alex Goff, FMO
Darrin Lee, DEH