

From: [Solar System Builders & Assoc.](#)
To: [Gutierrez, Samuel](#)
Cc: [Cain, Robert](#); [anhloans@gmail.com](#); [tungmckl@yahoo.com](#); [ssdesigneng@gmail.com](#); [Duazo, Ed](#)
Subject: Re: [EXTERNAL] Re: PLN22-124 Architecture and Site Approval 248 Kirk Av San Jose, APN 59939117
Date: Sunday, December 31, 2023 9:34:29 AM
Attachments: [image007.png](#)
[image004.png](#)

Hi Samuel,
Happy New Year. Yes we approved for the 90 days extension. Thank you for helping us.
If we can get a copy from the water district regarding violations, greatly appreciated.
We will circle back next week.
Kind regards
Angie

Solar System Builders & Associates



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Solar System, Inc.



On Fri, Dec 29, 2023 at 6:06 PM Gutierrez, Samuel <samuel.gutierrez@pln.sccgov.org> wrote:

Hello Angie,

Thank you for speaking with me over the phone this morning. As discussed we believe that the issues noted in Roberts email yesterday would not be able to be resolved in time for the hearing and we would need your confirmation for a 90-day extension to allow us time to work with you and your team to meet and discuss how to move forward. We will follow up with you on Tuesday next week to schedule a meeting.

Can you please reply to this email and confirm that our request for a 90 day extension is approved?

Best Regards,



Samuel Gutierrez

Principal Planner

Department of Planning and Development

County of Santa Clara

70 W. Hedding Street | 7th Floor | East Wing

San Jose | CA 95110

Phone: (408) 299 - 5787

samuel.gutierrez@pln.sccgov.org

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From: Solar System Builders & Assoc. <info@solarsysteminc.com>

Sent: Friday, December 29, 2023 9:21 AM

To: Cain, Robert <robert.cain@pln.sccgov.org>

Cc: Gutierrez, Samuel <samuel.gutierrez@pln.sccgov.org>; anhloans@gmail.com; tungmckl@yahoo.com; ssdesigneng@gmail.com; Duazo, Ed <Ed.Duazo@PLN.SCCGOV.ORG>

Subject: Re: [EXTERNAL] Re: PLN22-124 Architecture and Site Approval 248 Kirk Av San Jose, APN 59939117

Hi Robert;

We will follow your recommendation to have the meeting next week to discuss further of these issues. In the meantime it is possible

keep the hearing on Jan 11th 2014 as scheduled? We're available anytime next week.

Happy Holidays

Angie

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On Thu, Dec 28, 2023 at 10:20 AM Cain, Robert <robert.cain@pln.sccgov.org> wrote:

Hi Angie,

There appear to be a number of issues with the current state of the property in relation to previous approvals. I have attached the previous Conditions of Approval for your reference.

1. The previously approved and installed stormwater drainage system has been altered without permits (see Conditions 43, 44, and 47).

2. A number of trees have been removed from the site without replacement (see Condition 14-e).
3. The trash enclosure has been removed and replaced with a storage shed without permits (see Condition 19).
4. Two new structures were constructed without permits.

I do not believe it is possible to resolve all of these issues prior to the January 11 hearing.

As such, the County is requesting a one-time, 90-day extension under the Permit Streamlining Act prior to taking action on this project. Such an extension requires the agreement of both the County and the applicant. This time will allow you to include in your current application how each of these items will be addressed. My goal is to take this time to prepare a total submittal package that County Staff can recommend approval of.

I would also suggest we try and have a meeting next week if you are available to discuss any questions you might have.

Sincerely,



ROBERT A. CAIN
Senior Planner

Department of Planning and Development
County of Santa Clara

70 W. Hedding Street | 7th Floor | East Wing

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Phone: (408) 299-5706

robert.cain@pln.sccgov.org

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From: Solar System Builders & Assoc. <info@solarsysteminc.com>
Sent: Monday, December 11, 2023 1:59 PM
To: Cain, Robert <robert.cain@pln.sccgov.org>
Cc: Gutierrez, Samuel <samuel.gutierrez@pln.sccgov.org>; anhloans@gmail.com; tungmckl@yahoo.com; ssdesigneng@gmail.com
Subject: Re: [EXTERNAL] Re: PLN22-124 Architecture and Site Approval 248 Kirk Av San Jose, APN 59939117

Hi Robert;

The 2 accessories structure raised concern in the email are storage that is being used for supplies, tables & chairs etc..., our client would like to legalize it if it is required by the County.

Please assist or direct us on how to proceed with the legalization process.

Kind regards

Angie Tran

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On Mon, Dec 11, 2023 at 8:31 AM Cain, Robert <robert.cain@pln.sccgov.org> wrote:

Hi Angie,

The hearing is **January 11**, not December 11. Please provide a response as soon as possible, if you wait until your gearing to respond this may jeopardize the department's ability to approve the project.

Sincerely,



ROBERT A. CAIN
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From: Solar System Builders & Assoc. <info@solarsysteminc.com>
Sent: Monday, December 11, 2023 7:11 AM
To: Cain, Robert <robert.cain@pln.sccgov.org>
Cc: Gutierrez, Samuel <samuel.gutierrez@pln.sccgov.org>; anhloans@gmail.com; tungmckl@yahoo.com; ssdesigneng@gmail.com
Subject: Re: [EXTERNAL] Re: PLN22-124 Architecture and Site Approval 248 Kirk Av San Jose, APN 59939117

Hello Robert,

We will discuss further of these questions in our hearing. Would you please give us instructions for today's hearing held @10am. We've not received it.

Kind regards

Angie Tran

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On Thu, Dec 7, 2023 at 4:31 PM Cain, Robert <robert.cain@pln.sccgov.org> wrote:

Hi Brenda,

I wanted to raise an issue that I apologize for not raising earlier. There are two accessory structures on the property which are not shown on the plan set (in fact existing trees are shown at both locations). I believe you may be working from the previously approved plan sets. My question is, do you know if these were constructed with permits? I do not see any in our files. If not, do your clients intend to legalize or demolish these structures? One is on the Kirk Avenue side, on the western corner of the property next to the pool. It appears this was once a trash enclosure, but it is appears that in 2017 or 28018 it was increased in size (to over 400 sf) and a roof added. The second is on the opposite (east) corner of the property next to the parking, is over 600 sf in size, and was added in 2016. Please let me know if you have any information about permits or the owner's intent. I would like to people to discuss their status properly for the hearing.



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From: Solar System Builders & Assoc. <info@solarsysteminc.com>

Sent: Thursday, December 7, 2023 8:21 AM

To: Cain, Robert <robert.cain@pln.sccgov.org>

Cc: Ban, Eunice <eunice.ban@pln.sccgov.org>; Gutierrez, Samuel <samuel.gutierrez@pln.sccgov.org>; anhloans@gmail.com; tungmckl@yahoo.com; ssdesigneng@gmail.com

Subject: Re: [EXTERNAL] Re: PLN22-124 Architecture and Site Approval 248 Kirk Av San Jose, APN 59939117

Hi Robert;

My apology for the date mix up. Confirmed January 11th 2024 @ 10am.

Is our hearing going to be in person or Video conference?

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On Wed, Dec 6, 2023 at 11:24 AM Cain, Robert <robert.cain@pln.sccgov.org> wrote:

Hi Angie, confirming that it will be **Thursday, January 11** and not **Sunday, January 14**.

Sincerely,



ROBERT A. CAIN
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From: Solar System Builders & Assoc. <info@solarsysteminc.com>

Sent: Wednesday, December 6, 2023 11:21 AM

To: Cain, Robert <robert.cain@pln.sccgov.org>

Cc: Ban, Eunice <cunice.ban@pln.sccgov.org>; Gutierrez, Samuel <samuel.gutierrez@pln.sccgov.org>; anhloans@gmail.com; tungmckl@yahoo.com; ssdesigneng@gmail.com

Subject: [EXTERNAL] Re: PLN22-124 Architecture and Site Approval 248 Kirk Av San Jose, APN 59939117

Hello Robert;

My apology for the late reply, Confirming our hearing on January 14th 2024 @ 10am.

Thank you for all your help.

Angie Tran

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On Tue, Dec 5, 2023 at 2:12 PM Cain, Robert <robert.cain@pln.sccgov.org> wrote:

Hello,

Upon review, Staff is recommending that this project be exempt from CEQA. As such, we can move forward with scheduling a public hearing on the application. I would like to propose the matter be considered at the January 11, 2024 Zoning Administration Meeting, which will begin at 10 AM. Please confirm if this date works for you or not.

Sincerely,



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From: Gutierrez, Samuel <samuel.gutierrez@pln.sccgov.org>

Sent: Wednesday, November 15, 2023 2:21 PM

To: info@solarsysteminc.com

Cc: Cain, Robert <robert.cain@pln.sccgov.org>; Ban, Eunice <cunice.ban@pln.sccgov.org>

Subject: PLN22-124 Architecture and Site Approval 248 Kirk Av San Jose, APN 59939117

Hello,

I am Principal Planner Samuel Gutierrez, and I am contacting you on behalf of Senior Planner Robert Cain regarding your application for Architecture and Site Approval (PLN22-124). Your application is complete and will be processed for Environmental review. Robert Cain will contact you in the coming weeks to provide a status update.

Best Regards,



Samuel Gutierrez
Principal Planner

Department of Planning and Development

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