



# MEMARIE ASSOC.,

## Design & Planning

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05/08/2023

County of Santa Clara  
Department of Planning and Development  
70 W. Hedding St. 7<sup>th</sup> Floor  
San Jose, CA 95110

**FILE NUMBER:** PLN22-130  
**SUBJECT:** Building Site Approval  
**SITE LOCATION:** Scheller Avenue, Morgan Hill, CA 95037-9343 (APN: 712-28-059)

Ms. Parya Seif,  
Please see our response to all the comments. All changes have been clouded with 'Delta 2'.

### **PLANNING OFFICE**

1. The square footage of A.D.U. carport has been revised.  
Sheet A-0 Cover Sheet  
Sheet A-1 Site Plan  
Sheet A-2 Area Calculations  
Sheet A-8 A.D.U. Floor Plan & Roof Plan
2. The square footage of A.D.U. porch /patio has been revised.  
Sheet A-0 Cover Sheet  
Sheet A-1 Site Plan  
Sheet A-2 Area Calculations  
Sheet A-8 A.D.U. Floor Plan & Roof Plan
4. Letter for the agricultural cultivation from the owner is attached.

### **ENVIRONMENTAL HEALTH**

1. a) Owner has already obtained well site /construction from Jeff Camp.
6. Owner had contacted the Department of Environmental Health (Jeff Camp) for the individual water clearance. The well completion log, well yield report, and analytical reports for water sampling are attached. Individual water clearance application form will be submitted later by the owner.

### **LAND DEVELOPMENT ENGINEERING**

14. All easements with benefactor, and recording information added on Sheet A-1.  
The preliminary title report (Prelim Title Rpt – 1) is attached.
15. Land Development Engineering Keynote #1 added on Sheet A-1.

### **FIRE MARSHAL OFFICE**

19. Fire sprinklers as deferred submittal notes added on Sheet A-0 Cover Sheet.
22. The gates have been relocated. Revised Sheet A-1 Site Plan and Fire Marshal Keynote #2 added.

23. a) Gate is a manual gate. Fire Marshal Keynote #3 added on Sheet A-1 Site Plan.

24. Fire Marshal Keynote #4 added on Sheet A-1 Site Plan.

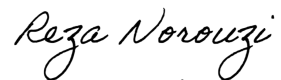
### **GEOLOGY**

25. Supplemental Geologic Report (Geo Rpt – 1) by Steven F. Connelly, C.E.G is attached.

For other responses, see Civil Engineer's response letter.

Please contact me at office (408) 559-8037 or email [reza@memarie.com](mailto:reza@memarie.com) if you have any questions.

Thank you,



Reza Norouzi  
Memarie Assoc.

# County of Santa Clara

## Department of Planning and Development

County Government Center, East Wing, 7th Floor

70 West Hedding Street

San Jose, CA 95110

Phone: (408) 299-5700

www.sccplandev.org



Aug 19, 2022

Dana Helweh  
320 Manzanita CT,  
Milpitas CA

**FILE NUMBER:** PLN22-130  
**SUBJECT:** Building Site Approval  
**SITE LOCATION:** Scheller Avenue, Morgan Hill, CA 95037-9343 (APN: 712-28-059)  
**DATE RECEIVED:** July 19, 2022

Dear Dana Helweh,

Your application for a Building Site Approval was received on the above date and is deemed **incomplete**. For the application processing to resume, you must resolve the following issues and submit the information listed below.

Resubmittals are made via the internet, to do so, follow the instructions at the following URL: <https://plandev.sccgov.org/how/apply-permit/planning-resubmittal-procedures>. Before resubmitting, please consult me as this process is dynamic and at the time you choose to resubmit the process may have changed and/or been enhanced. The resubmitted materials must include all requested information. Once the information is submitted, the Planning Office will distribute the plans, reports and/or information to the appropriate staff or agency for review.

If you have any questions about the information being requested, you should first call the person whose name is listed as the contact person for that item. He or she represents a specialty or office and can provide details about the requested information.

AS NOTED ABOVE, PRIOR TO RESUBMITTAL PLEASE E-MAIL ME TO DISCUSS THE PROCESS.

Please submit *all* electronic copies of the revised plans/resubmittal documents (PDF) with a written response letter addressing each incomplete comment.

### **PLANNING OFFICE**

Contact your Project Planner Parya Seif at (408)299-5783 or [parya.seif@pln.sccgov.org](mailto:parya.seif@pln.sccgov.org) regarding the following comments:

MEMARIE

1. Revise the square footage of the attached carport to the ADU. As per the standards in the Zoning Ordinance [section § 4.10.015 D](#), an attached garage or carport of up to 400 square feet in floor area may be incorporated in the design of a detached accessory dwelling unit.

MEMARIE

2. Revise the square footage of the attached porch/patio to the ADU. As per the standards in the Zoning Ordinance [section § 4.10.015 D](#) decks and porches covered or uncovered, that are attached to a detached accessory dwelling unit are limited to a cumulative 400 square feet beyond the applicable maximum dwelling size (1,200 square feet). This limitation does not apply to any portion of an uncovered deck that is less than 30 inches above finished grade.

3. Provide calculation of total development area. Ensure that the total development area on the site does not exceed a cumulative area of two acres, as per the standards in Zoning Ordinance [section § 3.95.030](#). **Provided total development area table. See sheet C1 for more information.**

*Development area per [section § 1.30.030](#):*

That portion of a property within which buildings, accessory structures, and associated improvements are proposed and delineated on site plans or subdivision maps in accordance with applicable policies of the general plan or the zoning ordinance.

Associated improvements include, but are not limited to driveways, parking areas, turnarounds, septic systems, patios, pools and recreational facilities.

6.0 acre

4. The subject property is located within the Coyote Valley overlay area and new residences on parcels over 5 acres are only permitted if they are ancillary to onsite agriculture (Z.O. Section 3.95.050). Provide calculation of the total area to be kept under agricultural cultivation, specify what crops will be produced, and what the management plan will be for ensuring that at least six acres of the parcel will remain cultivated for at least three years out of every five-year period, as per the requirement in Zoning Ordinance [section § 3.95.040](#).

**Specific crops and management plan to be determined**

PLEASE SEE  
ATTACHED  
FORM

5. The application included a petition for exemption from CEQA. However, based on a review of the information submitted into the administrative record, a Categorical Exemption cannot be supported by the Planning Department and an Environmental Assessment must be prepared. Please complete and submit the [Environmental Information Form](#) and include photos of project site. An Environmental Assessment fee of \$4,068.31 will be charged once the environmental review begins.

## **ENVIRONMENTAL HEALTH**

Contact Darrin Lee at (408)-299-5748, [darrin.lee@deh.sccgov.org](mailto:darrin.lee@deh.sccgov.org) regarding the following:

1. Completed well form indicates an onsite water well is in the process of being developed to serve the proposed development. **Revised grading plan included proposed well location.**

a) Contact the Department of Environmental Health (Jeff Camp at 408-918-3473) for well site/ construction approval.

**Owner to obtain well construction approval**

- b) Upon approval of well location (by the Department of Environmental Health), revise and submit to the Department of Environmental Health, an updated OWTS plan showing the location of the constructed well and proposed OTWS.

Note: Maintain a minimum 100-foot setback between proposed water well and OWTS.

Revised grading plan included a minimum 100-foot setback between proposed well and OWTS.

6. Contact the Department of Environmental Health (Jeff Camp at 408-918-3473) for individual water clearance. This is a separate submittal to Environmental Health subject to completion of a service application, submittal of documents to include well completion log, showing a 50-foot annular seal, well yield report for two dwellings, analytical results from water sampling for bacteriological and chemical constituent), and payment of review fees.

Owner to  
submit

7. Clarify/ show distance between proposed stormwater retention pond to proposed OWTS.

Provided distance between proposed  
retention pond to proposed OWTS. (56')

### **LAND DEVELOPMENT ENGINEERING**

Contact Darrell Wong at (408)-299-5735, [darrell.wong@pln.sccgov.org](mailto:darrell.wong@pln.sccgov.org) regarding the following:

8. Please provide a table of the estimated earthwork quantities per C12-424(g). Quantities should be separated into the different bodies of work for the project.

Provided a table of the estimate earthwork quantities. See sheet C4 for detail.

9. Please provide a table of the estimated impervious areas that are created as a part of the development. The net change in impervious areas shall be clearly stated on the plans.

Provided a table of the estimate impervious areas. See sheet C1 for detail.

10. Please show the limits of the disturbed area as a result of the proposed development. Include the disturbed areas of the septic field and any stockpile areas as well.

Provided the limits of the disturbed area. See sheet C8 for detail.

11. Show the locations of all the utility lines including the water connections and storm drainage lines.

Provided the the locations of all the utility lines including the water connections and storm drainage lines.  
See sheet C5 for detail.

12. The drainage appears to flow toward the southern end of both the main house and ADU and terminate there. Verify that no overflow is required for any of the retention areas and that the infiltration rates are sufficient to dissipate standing runoff within 72 hours of a storm event.

Confirmed there is no overflow of the retention areas. See attached drainage calculation for details.

13. Please provide a typical driveway section detail demonstrating that it conforms to County Standard Detail SD5 or as required by the County Fire Marshal's Office, whichever is greater, with appropriate edge support for the drivable area.

Driveways are 16' min with loop turn out.

14. Please include all applicable easements affecting the parcel(s) with benefactors and recording information on the site plan. Please supply a copy of a preliminary title report, prepared within the current ownership of the property, with a statement from the owner that no subsequent encumbrances have been recorded since the preparation of the title report.

Owner to submit the title report.

15. Please be advised that the development may be subject to further SF Bay NPDES requirements if the project is not approved by June 30, 2023.

NOTED

## **ROADS AND AIRPORTS**

Contact Leo Camacho at (408)-299-5780, [leo.camacho@rda.sccgov.org](mailto:leo.camacho@rda.sccgov.org) regarding the following:

16. County maintained roadway, Scheller Ave, has a Future Width Line (FWL) for a 30-foot half street width (60-foot full street). Show on the revised plans the existing centerline, edge of pavement, and limits of the Scheller Ave. right-of-way (ROW) and the limits of the FWL. A curvilinear dedication to public right-of-way will be required and all required offsets should be based on the FWL. Gates, fences, retaining wall, fixed appurtenances, etc. shall be located outside the limits of the future County maintained road ROW.

**Revised grading plan included ex centerline, edge of pavement, ROW, and FWL. See sheet C7 for detail.**

17. It appears a joint pole conflicts with a proposed driveway. Indicate on plans if the conflicts will require mitigation such as pole relocation to achieve adequate sight distance and or access to the driveway. Coordination and cost associated with utility pole relocation will be the project's responsibility. **Relocated proposed driveway 5-ft away to ex joint pole.**

18. All driveways accessing the property for residential use will be required to be improved to County Standard B/4 approach, the revised plans should indicate as such. If commercial B/5 driveway approaches are preferred and are being proposed, indicate with a note on the plans which approaches will be B/5 or B/4.

**All proposed driveway will be County Standard B/4 approach. See sheet C7 for detail.**

## **FIRE MARSHAL OFFICE**

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

19. Fire sprinklers are to be listed as a deferred submittal.

**Added fire sprinklers as deferred submittal on sheet C1**

20. Clarify if fire hydrant is (N) new or (E) and standard or wharf hydrant.

a) Online maps appear to show a standard hydrant. Provide a "will serve" letter from water company stating the fire hydrant is available to this property.

**Added 2-5000 gal tanks on the site**

21. If a water purveyor is not available, plans are to show above ground water tanks and a wharf hydrant meeting CFMO-W1, W4 and W5. Plans are to state the size and use of water tanks.

a) Source of water such as a well is to be shown on plans.

**Added 2-5000 gal tanks on the site**

MEMARIE/LCE 22. Gates are to be installed per CFMO-A3, this includes but isn't limited to being placed a minimum of 30 ft. setback from the road.

MEMARIE/LCE 23. Gate to be shown as manual or mechanical.

a) Mechanical gates are to show Knox Key Switch shown as (N) or (E).

24. Plans to state driveway will be made of an "all weather" material capable of holding 75,000 pounds.

**Added note to sheet C1**

## **GEOLOGY**

Contact Jim Baker at (408) 299-5774 or [jim.baker@pln.sccgov.org](mailto:jim.baker@pln.sccgov.org) regarding the following:

OWNER 25. The site is located within a County Fault Rupture Hazard Zone as well as State and County Liquefaction Hazard Zones. Silicon Valley Soil Engineering's report (dated 2-8-2022) includes the logs of two 50-foot-deep borings and concludes the soils are not susceptible to

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File No. PLN22-130  
Scheller Ave

liquefaction. However, the report does not address the potential for surface fault rupture. Therefore, submit a **supplemental geologic report** that does so. Contact the County Geologist to discuss the scope of study needed.

**Prior to resubmittal, please feel free to contact me to schedule an appointment so we can meet and discuss my 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 planner.** If the requested information is not submitted within **180 days**, you will be 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 this letter. PARTIAL RESUBMITTALS WILL NOT BE PROCESSED. Fees required at the time of resubmittal will be those in effect at that time.

Please note that the Grading Approval Application has been charged a minimum fee and will be charged additional fees to continue processing when the initial payment is exhausted.

In submitting this land use application, the owner/applicant included an initial application fee. Application fees are categorized as "fixed fees" and "billable fees", based on the particular 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 me at (408)299-5783 or [parya.seif@pln.sccgov.org](mailto:parya.seif@pln.sccgov.org).

Sincerely,

*Parya Seif*

Parya Seif  
Associate Planner

**cc:**

Joanna Wilk, Senior Planner  
Samuel Gutierrez, Principal Planner