

# County of Santa Clara

## Department of Planning and Development

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May 31, 2023

Mike Moinee  
15560 Lori Anne Lane  
San Jose, CA 95127

[ma.moinee@gmail.com](mailto:ma.moinee@gmail.com)

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

**FILE NUMBER:** PLN22-136  
**SUBJECT:** Building Site Approval, Grading Approval, Variance, and Design Review Administrative Approval - Tier 1 (DRX) for a new 2-story 2,728 SF Single Family Residence and 3-car tandem garage, and a new 1,198 SF basement ADU (4,683 SF of building floor area). Grading includes the installation of (3) tiered retaining walls along the rear of the property.  
**SITE LOCATION:** 15560 Lori Anne Lane, San Jose (APN: 612-13-018)

Dear Mr. Moinee:

The application Building Site Approval, Design Review, Variance, and Grading Approval is **incomplete**. For the application processing to resume, please resolve the following issues and submit the information listed below.

Resubmittals are to be made electronically with Rebecca Rockom as the assigned planner, and must include all the 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.

**A VIRTUAL APPOINTMENT IS REQUIRED FOR A RESUBMITTAL. PLEASE EMAIL REBECCA ROCKOM TO SCHEDULE AN APPOINTMENT.**

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

## **PLANNING OFFICE**

Contact the Rebecca Rockom at (408) 299-5707 or [rebecca.rockom@pln.sccgov.org](mailto:rebecca.rockom@pln.sccgov.org) regarding the following comments:

1. The applicant has added a Variance as an additional entitlement to the project. Please clarify the Variance request: either as a setback reduction for the full parcel, or as an encroachment of the development area into the setback. Please pay the additional fees as assessed for the project. [Variance request clarified to indicate an encroachment of the development area into the setback.](#)
2. Pursuant to the County's Guidelines for Tree Protection and Preservation, trees within -d1 district are protected and, unless an arborist report states otherwise, all healthy trees 12 inches in diameter or more at 4.5 feet above the ground shall be replaced. [Five healthy coast live oak trees over 12" in diameter removed and replaced with \(15\) 15-gal coast live oak trees per site plan to meet replacement ratio requirements.](#)
  - Replacement trees should be native, and like for like.
  - Oak trees shall be replaced with oak trees (no exceptions).
  - No tree removal shall be permitted until such grading or building permit has been issued by the County as indicated on the approved plans. The number of trees cut may not exceed the minimum number necessary to carry out the permitted action.

For the 2 oak trees over 12" proposed for removal, the replacement ratio is either (3) 15-gallon trees per tree removed, or (2) 24" box trees per tree removed. Please include the locations of the replacement trees on the site plans in the next resubmittal.

3. The riparian setbacks for development (including all grading and retaining walls) within the Habitat Conservation Plan are 35 feet from the top of bank. Site plans show that the minimum setback from top of bank to the first tiered retaining wall is 15 feet. Applicant must apply for the Habitat Conservation Plan (HCP) coverage to be eligible for an exemption under Condition 11. Please see HCP Comments in the Policy Letter for more details.

[Application for HCP coverage has been sent, along with exception under Condition 11. Applicant file number SJ-2023-1353.](#)

## **FIRE MARSHAL'S OFFICE**

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

4. Portions of fire department turnaround appear to be located outside the drivable surface. Plans are to clearly show that the entire turnaround will be located made of an "all weather" material capable of holding 75,000 pounds. [Revised to show new AC in this area](#)
5. Plans are to clearly show a minimum drivable width of 18 ft. excluding shoulders. The plans don't clearly show the width for all parts of the access, the portion of Lori Anne near Mt. Hamilton is the most unclear. There appears to be fencing and a retaining wall in the area and the plans don't clarify the drivable width. [Added addition dimensions. Lori Anne is 20' min EP to EP.](#)
6. Plans are to clarify the interior turning radius coming off of Mt. Hamilton. The minimum requirements are a 30 ft. interior radius and a 50 ft. exterior radius. [Revised to show driveway widening with new RW. Inside radius based on turning template per meeting w/ Alex](#)

NOTE- The turnaround appears to be in an area that is currently being used to park vehicles. The project would need to propose "NO PARKING" signs and potentially redlined areas per Appendix "D" of CFC. This will be reviewed at Building Permit.

[Noted](#)

## **LAND DEVELOPMENT ENGINEERING**

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

7. Please show the proposed contours for the grading of the project. The current plans only show the existing contours. The previous response to comments states that the contours are shown on the site grading plan, but none appear to be shown on the plans on either sheet C1 or sheet C4 where one might expect them to be shown. **Layer was off. Turned back on**
8. Sheet C3 dimensions Lori Anne Lane as 20' minimum in width, but the width of the access road at approximate station 0+75 and the area surrounding it appears to be less than 20' in width. Please document the existing condition appropriately and clearly identify the substandard portions of the private road. **Revised to show removal of stones and widen EP inside radius based on turning template per meeting w/ Alex**
9. The station line of Lori Anne Lane does not appear to track the center line of the access road as it intersects with Mount Hamilton Road and thereby not clearly identifying the inside turning radius of the access road as it intersects with Mount Hamilton Road. The station line should be realigned to match the path of the private access road and the inside turning radius of the pavement clearly shown on the plans. **Adjust station line to track center line of Lori Anne**
10. The profile of the access road at the revised turnaround area appears to include a greater than eight percent grade break with no vertical curve. Please revise the profile to include a vertical curve taking care to be sure that the turnaround area will continue to have a maximum 5% slope in any direction. **Added vertical curve and adjusted profile to keep turnaround at 5%.**
11. The limits of the proposed fire truck turnaround appear to be located in an area without proposed paving. Either additional paving is required to encompass the limits of the proposed turnaround or the location of the limits of the turnaround must be adjusted such that the limits fit within an area with the necessary pavement. **Revised with additional paving**
12. Please submit evidence of legal access to the site from the nearest publicly maintained road compiled and/or prepared by a Licensed Land Surveyor or Registered Civil Engineer authorized to practice land surveying per C12-326 of the Single Building Site Ordinance. Per the previous comments, note the recorded document information for all access easements on the plans. **Please see map 154M20**
13. Per the previous comments, please supply a copy of 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.  
**Please see title report with statement from owner.**

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 application has been charged a minimum fee for Design Review, Building Site Approval, Grading Approval, and Variance, and will be charged additional fees to continue processing when the initial payment is exhausted.

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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) 299-5707 or [rebecca.rockom@pln.sccgov.org](mailto:rebecca.rockom@pln.sccgov.org).

Sincerely,



Rebecca Rockom  
Assistant Planner