

**FILE NUMBER:** PLN22-234  
**SUBJECT:** Special Permit and Design Review Application for Small Scale Permanent Agricultural Employee Housing  
**SITE LOCATION:** 2425 Old Calaveras Road, Milpitas 95035 (APN: 029-34-004)  
**DATE RECEIVED:** May11, 2023

**RESPONSES TO THE INCOMPLETE LETTER-2. OUR RESPONSES ARE IN BLUE.**

**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:

*Plan Set*

1. The site plan is incomplete as the submitted visual simulation documents proposes planting of 16 trees to mitigate the visibility of the proposed structures from the valley floor; however, the site plan only identifies 12 trees. Please revise the site plan and identify location of all 16 proposed trees on the site plan, as well as their sizes and types.

Response: The site plan has been revised, and a callout has been added to Sheet C1.1, identifying a total of 16 trees (14 proposed and 2 existing). The sizes and types of these trees are listed in the tree installation notes on Sheet C2.1

Policy Issue Note: The proposed Citrus Sinensis does not satisfy the requirement for trees mitigating the visibility of the proposed structures from the valley floor, as they are non-native trees and they do not get large enough to conceal the proposed developments. The proposed trees shall be California native trees. Please refer to the enclosed document of *Santa Clara County Native and Adapted Non-native Plants*, for a list of native plant species.

Response: Noted. The Citrus Sinensis has been replaced with native trees to improve the visibility of the proposed structures from the valley floor. The sizes and types of these new trees are listed in the tree installation notes on Sheet C2.1.

*Grading*

2. The project is incomplete as the proposed grading for this project was not previously approved under PLN22-125. Please note that all the proposed grading quantities shall be reviewed under one application. There is an approved application PLN20-125 for a portion of the development, please apply for a modification of that application to include the grading for the proposed small scale agricultural housing (also see comment No.4 from Land Development Engineering). Please note that the modification to the existing grading approval shall be granted prior to the approval of this project.

Response: Following discussions with Rob Salisbury, Planner Parya, and LDE on 11/20/2023, and the subsequent email from Parya on 11/30/2023, we have submitted an Application for Modification: PLN20-125 Mod1 - Inclusion of Grading for Small-Scale Agricultural

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Employee Housing and elimination of movable tiny mobile home that was originally approved.  
The AR Number associated with this is AR23-2658.

### **LAND DEVELOPMENT ENGINEERING**

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

3. Apply for a Grading Permit for your development. The grading associated with the agricultural worker housing is not included in the application record PLN20-125. The grading quantities associated with PLN22-234 appear to exceed the threshold limits for the Grading Ordinance. Application PLN20-125 will need to be modified accordingly to include the grading for the proposed agricultural worker housing and approved prior to the approval of PLN22-234 or the full extent of the grading for the improvements to support the agricultural worker housing shall be included in this application.

Response: Following discussions with Rob Salisbury, Planner Parya, and LDE on 11/20/2023, and the subsequent email from Parya on 11/30/2023, we have submitted an Application for Modification: PLN20-125 Mod1 - Inclusion of Grading for Small-Scale Agricultural Employee Housing and elimination of movable tiny mobile home that was originally approved. The AR Number associated with this is AR23-2658.

4. Submit a completed San Francisco Bay Watershed Questionnaire. Based on the results of the Questionnaire, incorporate the applicable stormwater treatment measures in the plans. This project is a part of a larger common plan of development and its impervious area (not single family residential) shall be combined with the impervious areas of the other portions of the project when calculating stormwater treatment requirements. The stormwater treatment measures shall be clearly shown on the plans with all necessary grading reflected.

Response: The impervious area, including fire access and turnarounds, is covered in application DEV23:1588. This questionnaire accounts for the incremental impervious area related to the proposed development.

5. Please provide justification for the re-grading of the existing asphalt road to the west of the proposed residence. The asphalt road already provides access through the existing quarry to the garage and the turnaround. The reasons are unclear as to why additional access is necessary.

Response: Regrading of the existing asphalt is necessary to align with the approved access road of the DEV23:2302, 2307, 2308, 2309 & 2310 project. This adjustment is also required to ensure proper drainage, directing water away from the proposed building.

Currently, the asphalt road sits at an elevation of 416 ft, while the proposed road is at 418 ft. The regrading aims to address this 2 ft difference.

6. The roof leaders for the proposed structures are currently shown to connect directly to the underground storm drainage. Downspouts should be disconnected prior to the collection and routing to the storm drain dispersion trench.

Response: The site plan has been revised, with the downspouts now shown as disconnected and discharging into proposed adjacent area drains

7. Show the location of the proposed electrical service.

Response: The site plan has been revised to include the proposed electrical service. Please refer to sheet C2.1

8. Verify the grading contours around the southeastern side of the development outside of the garage. The contours don't appear to properly conform with the existing grades.

Response: The grading contours on the southeastern side of the development have been revised to properly conform with existing grades. Please refer to sheet C2.1

9. Show the limits of the disturbed areas for this project to include any utility and septic field installation.

Response: All utility lines associated with this project are within the limits of disturbance. The septic system, SR0853368, has been approved. The calculation incorporates the Agricultural housing with three bedrooms, accounting for 450 gallons per day. Please refer to Sheet SS3 in for more details.

## **ROADS AND AIRPORTS**

Contact Thomas Esch at (408) 573-2450, [tom.esch@rda.sccgov.org](mailto:tom.esch@rda.sccgov.org) regarding the following:

10. Old Calaveras Road has a Future Width Line (FWL) for a 30-foot half street width (60-foot full street). Continue to show on plans the existing centerline, edge of pavement, and limits of the Old Calaveras Road right-of-way (ROW) and the limits of the FWL. A curvilinear dedication to public right-of-way will be required; indicate on plans 30' half street dedication.

Response: The plan set has been revised to display the existing centerline, edge of pavement, limits of the right-of-way (ROW), limits of the front wall line (FWL), and a 30' half street dedication. This information is available under detail 3 on Sheet C1.2

11. Sight Distance Analysis for the main entrance needs to be revised as follows: a) include setback distance from travel way to the driver, and 2) resolve conflict between notes referring to Stopping Sight Distance versus the included Decision Sight Distance chart (not referenced in the notes).

Response: The civil plan has been updated. The sight distance analysis for the main entrance has been revised to demonstrate a setback distance of 18.8' from the travel way to the driver. This

information is now included on Sheet C1.2, along with the incorporation of the Caltrans Stopping Sight Distance Standards chart.

12. As a result of the Sight Distance Analysis, indicate on plans the conflicts that will require mitigation, such as tree or shrub removal, fence removal, or additional grading. Applicant stated there were no conflicts, but the SDA clearly shows obstructions that must be addressed and identified on the plans for mitigation.

Response: The civil plan has been updated to identify conflicts requiring mitigation, such as tree or shrub removal, fence removal. Callouts and hatching have been added to Sheet C1.2 to indicate areas requiring tree and shrub trimming.

13. The previous request for the SDA for the access road is rescinded.

Response: Noted

14. Indicate on the plans the existing barb-wire fencing at the east driveway. Applicant provided pictures and statements, but plans must include: 1) all existing fencing and posts, and 2) fencing and posts within the 30-foot half street width (dedication area) that is to be removed.

Response: Based, on the discussion with the county during their recent visit (Quarry inspection) on 7/27, we have now removed the fencing and posts within the 30-foot half street width as shown in the picture below. We have also replaced the barbwire with a non-barbwire fence. All these changes have been noted and called out sheet C1.3

15. Gates, fences, retaining walls, fixed appurtenances, etc. shall be located outside the limits of the County maintained road ROW. If any items must remain in the ROW a Maintenance and Indemnification Agreement (MIA) recorded against the property will be required. Nonbreakaway fixed appurtenances must be located outside the ROW (will not be permitted to be retained under an MIA). Indicate on plans the intent of any existing or future items in the ROW.

Response: Based, on the discussion with the county, we have now removed the fence that was within the ROW and FWL at the distance of 32' from the centre of road as shown in the picture below. All these changes have been noted and called out sheet C1.2 and C1.3.

### **FIRE MARSHAL OFFICE**

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

16. All plans are to match. Examples of non-matching plans include sheet 16/17 showing the fire hydrant behind parking spaces and sheet 19 only shows a hydrant near the Livestock structure. Fire hydrants are to be located in the path of travel to all structures and not be in an area that the access can be blocked, such as behind parking spaces.

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Response: The fire hydrant in sheets 16, 17 & 19 match. The fire hydrant is now in the path of travel to all structures.

17. The water tank is also shown as different sizes on different pages. An example is sheet 1 lists a 202,290 gallon water tank and sheet 16 shows a (N)209,292 gallon tank. All sheets are to match.

Response: The water tank capacity in sheet 1 and sheet 16 now shows as (N) 209,290 gallons, and all sheets are now matching

18. Ensure that the plans have been flattened. Sheets such as sheet 1 have text boxes that could be dragged and moved when trying to conduct the plan review.

Response: Plan set has been flattened.

19. Clarify the Project Data at the lower right corner of sheet 1. This sheet states the Occupancy Group is "U", this would not be correct for Ag Housing.

Response: Occupancy Group changed to "R3"