

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



June 27, 2024

Sivaprakasam Balasubramanian
10076 Cabachon Ct
Ellicott City, MD 21042

FILE NUMBER: PLN23-035
SUBJECT: Building Site Approval on slope 30% or Greater, Grading Approval and Design Review Tier I for a New Single-Family Residence
SITE LOCATION: 0 Miradero Avenue, San Jose, CA 95127 (APN: 612-04-048)
DATE RECEIVED: May 30, 2024

Dear Sivaprakasam Balasubramanian,

Your resubmittal for a Building Site Approval on slope 30% or Greater, Grading Approval and Design Review Tier I 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 regarding the following comments:

1. The “Scope of the Work” section and “Building Data” section on the Cover Sheet and Sheet A-1 does not provide consistent information regarding the size of the proposed house. Please Provide consistent information. Additionally, revise Scope of the Work to include all the proposed development and specify the size of the proposed house, garage, landscaping. **See updated Site plan and Cover sheet.**

Site Plan

2. The submitted site plan (A-1) does not identify all the required information for staff to review. Please provide the following items in the recommended format **on the site plan**:
 - a. **Grading Contour:** Identify the existing and proposed contour lines extended 50 feet beyond the development area. Show the proposed contours in black lines and existing contours in grey lines at the same interval. This information is provided on Sheet C-2 and Sheet 1 (boundary and topographic survey); however, they must be also shown on the site plan. **See added Grading plans to the Site plan, sheet A-updated.**
 - b. **Retaining walls:** Identify location of any proposed retaining walls to establish the required grading for the proposed development with appropriate top and bottom of wall elevations. **See updated Site plan with locations, see civil details for top and bottom wall elevations details.**
 - c. **Tree information:** Identify location of the existing trees on the site plan and mark the proposed tree to be removed. Provide information regarding the type and size of the trees. **See updated Site plan & landscape plan on sheet L-1**
 - d. Provided tree removal table identifies total of 10 trees to be removed, however the application proposes removal of one tree, please provide consistent information, and locate the tree removal table on the site plan. **See updated Site plan & landscape plan on sheet L-1**
 - e. **Tree replacement:** Identify location of (5) 15-gallon trees or (4) 24-inch box California Native trees on the site plan as replacement for each proposed tree to be removed. Provide information about the type and size of the proposed tree on the site plan (note that the proposed trees must be California native trees). **See updated Site plan & landscape plan on sheet L-1**
 - f. **Fences and Gates:** Modify the fence note on the site plan to clarify whether there are any existing fences. If there are any existing fences on the property provide information regarding the design and height. **See updated Site plan, there is one existing fence see location. Existing T-post Wire fence, 5 ft height.**

** You Can see the sample site plan at the following link:

https://stgenpln.blob.core.windows.net/document/Sample_Site_Plan.pdf

3. The information provided on Sheet A-10 regarding the proposed Floor Area (FAR) is not consistent with the information on the Cover Sheet and Sheet A-1. Please provide consistent information regarding the size of the proposed development. **Updates plans sheet A-10 & Cover sheet.**
4. Please modify the color/Materials Board form to include the LRV of the proposed material. The provided LRV for the proposed wall is not legible. The Form must be submitted as a separate document. Additionally provide this information on the elevation sheet. **See proposed elevations + added material board sheet.**

Landscape Plan

5. The submitted landscape plan (L-1) does not identify all the required information for staff to review. Please provide the following items in the recommended format:
 - a. The north arrow on the landscape plan does not point out the correct direction. Please delineate the north arrow in correct direction.
 - b. Provide information regarding the square footage of the proposed landscaping on the landscape plan.
 - c. Clarify the number of the proposed trees for each type and provide a note explaining whether they are California Native trees.
 - d. Identify type, size and location of the trees to be removed.
 - e. Identify location, type and size of the replacement trees.
 - f. Modify the landscape plan to clearly demonstrate the proposed development including the retaining walls and demonstrate how the proposed landscape mitigate any visual impacts of any proposed retaining walls. Retaining walls should have a landscaped setback or buffer to accommodate landscaping for screening purposes. Retaining walls should be landscaped by using vines, shrubbery, or planters to reduce their apparent height and to ensure that they blend with the natural surroundings per the Design Review Guidelines.

See L-1 Sheet for updated Landscape information

LAND DEVELOPMENT ENGINEERING

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

6. The proposed development impacts drainage flows, thereby not meeting the exemption requirements of Section C12-407 of the County Grading & Drainage Ordinance. Per the previous comments, provide a Drainage Plan that demonstrates the following items:
Please see sheet C2 CLOUD#C6-REV1. We provided retention area for the drainage. This site/proposed development can be adequately drained without causing issues for nearby properties, and the drainage will be managed to avoid increasing downstream peak flow or creating hazards.
 - a. the site can be adequately drained.
 - b. the proposed development will not cause problems to the nearby properties.

- c. the on-site drainage will be controlled in such a manner as to not increase the downstream peak flow or cause a hazard or public nuisance. If this cannot be demonstrated, provide a detention system pursuant to the Design Guidelines in Section 6.3.3 of the 2007 Santa Clara County Drainage Manual.
7. Per the previous comments, include a driveway approach per SD4A that conforms to County standard slopes of less than 5% grade 20 feet from the edge of pavement or to the right of way, whichever is greater at the connection to the privately owned portion of Miradero Avenue. [Updated. Please see sheet C2 CLOUD#C7-REV1.](#)
8. Per the previous comments, demonstrate that the driveway plan and section to conform to County Standard Detail SD5 or as required by the County Fire Marshal's Office, whichever is greater. Provide the necessary profile view of the pavement section providing access to the structure. The driveway surface shall be appropriately supported by shoulders or other edge treatment. [Please see sheet C3 and C4 CLOUD#C8-REV1.](#)
9. Per the previous comments, submit evidence of legal access to the site from the publicly maintained portion of Miradero 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. On the plans, note the recorded document information for all easements. Legal access shall also be demonstrated for all locations proposed for improvement and utility installation including the circular turnaround area. These document references do not appear to be shown on the Topographic survey or the Grading Plans. Show the easement dedication to the Sanitation district on the neighboring property so that the improvements to the proposed connection to the existing driveway leading to County maintained Miradero Ave. comply with the easement requirements. Please note that the public utility easement listed in the deed may not allow for private utility installations. The exhibit showing a possible easement listed as Parcel Two doesn't appear to be the recorded document. Please provide this reference. [Please see attached preliminary title report which includes all easements information for ingress and egress that provides evidence of legal access to the site. The updated site plan, topo and civil plan reference this title report. Please see sheet C-1 CLOUD#C9-REV1 for the information for all easements, and sheet C-2 CLOUD#C9-REV1 for the existing sewer line easement, proposed location of the utility installation, and public road easement dedication.](#)
10. 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. The grant deed provided is not acceptable. [Please see attached Preliminary title report document and encumbrance letter.](#)
11. Provide the location of any sanitary sewer, water tank and utility installations. This shall be included in the disturbed areas for the project. The utility installation through other properties shall be located within the necessary and appropriate easements. [Updated. Please see Sheet C2 CLOUD#C11-REV1. The will-serve letter for public utilities, including PG&E, is attached. We have previously submitted the water and sewer will-serve letters.](#)
12. Show the location of the property lines for the development with respect to the improvements on the Grading Plans. The property line appears to be shaded back quite significantly making it difficult to clearly see. [Updated. The scale was reduced to show the property lines and adjusted the shade of the background.](#)
13. Provide a 20' wide storm drainage easement for the pass through concentrated drainage originating at the northern corner of the property to the southwesterly property line. [Please see sheet C2 CLOUD#C13-REV1, we have illustrated the 20' wide easement of the natural ditch.](#)

14. Please clearly identify how the development will address the concentrated run-on drainage runoff from the northern corner of the property. How will it be handled when it meets the driveway turnaround and retaining wall area? **This will be addressed with the use of swale drainage at the back of retaining wall at the northern property. We will be installing 24" diameter GI pipe culvert as shown in C2.**
15. The storm drainage line near the turnaround appears to cut through the neighboring property corner. Please demonstrate the necessary easement/access or adjust the design accordingly. **Updated. Please see sheet C3, no drainage exceeds property line.**
16. Consider minimizing the turnaround area to reduce the grading and height of the retaining walls or otherwise justify this grading to demonstrate how the quantity of grading is minimized.
Updated. The architect reduced the radius of the turnaround - making the height of retaining wall lower.

FIRE MARSHAL OFFICE

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

17. Provide a Response Letter addressing comments below. More comments may be made when more information is supplied.
18. Sheet 2 of 31 "Project Data" states Fire Sprinkler NO, this is note is to be addressed as this appears to state fire sprinklers aren't proposed.
No fire sprinklers on this permit. Will be submitted separately. See note on Cover sheet.
19. The "Will Serve Letter" states water will be supplied by the Miradero Mutual Water Company (MMWC). As this water company isn't a Public Utilities Commission, a permit will be required for the (N) standard fire hydrant. The plans are to list a standard fire hydrant as a deferred submittal. **See new Fire hydrant on Site plan.**
20. Provide properly scaled Site Plans, sheet 1 of 31 supplied scale appears to be incorrect.
See updates Scale on Site plan
21. Plans are to show fire department access meeting CFMO-A1. This includes but isn't limited to the Access Road (portion of road serving 3 or more lots) to be a minimum drivable width of 18 ft. excluding shoulders. The plans don't currently show this section of access so the width is unknown. **See Site plan for size of the road 18ft.**
22. Plans are to label a fire department turnaround meeting CFMO-SD16 as this is a dead-end road and or a driveway exceeding 150 ft. in length per CFMO-A1. **Will be noted. Driveway does not exceed 150 feet.**
23. The entry width to fire department turnarounds to be a minimum of 18 ft. drivable width.
See updated Site plan.
24. Plans are to show a standard fire hydrant located within 600 ft. of sprinklered structures. Sheet A-1 doesn't clarify this hydrant being a standard fire hydrant. **See Site plan for Fire hydrant location.**
25. Provide fire hydrant flow data for nearest standard fire hydrant. As a (N) fire hydrant is proposed, this data will help clarify if the required flow can be met. Data to be recorded within 1 year and show a minimum of 875 gpm is available at 20 psi. [CFC Table B105.1(1) and Table B105.1(2)]
 - a. Contact water purveyor for flow data. **Please see the attached letter from San Jose Water**

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Company provided flow data.

- b. Flow has been reduced from 1,750 gpm due to fire sprinklers. **Yes provided.**

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.

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.

Sincerely,

Parya Seif

Parya Seif
Associate Planner

cc:

Samuel Gutierrez, Principal Planner