

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



November 15, 2023

Gurdeep and Rajwant Dhadwal
2669 Westberry Drive
San Jose, CA 95132
Email: dhadwalg@yahoo.com

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

FILE NUMBER: PLN23-053
SUBJECT: Building Site Approval and Grading Approval for a two-story, 7,826 sq. ft. with a 1,920 sq. ft. attached garage, and a 1,000 sq. ft. detached ADU with a 576 sq. ft. attached garage. Grading quantities consists of 123 cubic yards of cut and 887 cubic yards of fill.
SITE LOCATION: 0 Palm Avenue (APN: 712-27-043)

Dear Mr. and Mrs. Dhadwal:

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

Resubmittals are made electronically with the Project Manager/Planner and must include all 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.

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

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

PLANNING OFFICE

Contact the Project Manager at (408) 299-5706 or robert.cain@pln.sccgov.org regarding the following comments:

1. Project appears to exceed the maximum allowed square footage of 7,500 sf in lot coverage. Please note that according to the County's Zoning Ordinance definition of Lot Coverage, you must count the footprint of all buildings and structures over 30 inches in height. Covered patios, carports, arbors, and similar structures are counted in lot coverage.

Please provide a floor plan diagrams to scale of ground level of the primary residence (including garage and any non-exempt structures) to which lot coverage regulations pertain. Place these diagrams on either the same sheet as proposed floor plans, or the next sheet in the set, and utilize easily verifiable polygons (rectangles, squares, triangles) to scale, with each polygon area calculation noted in a tabular form as shown in the following example:

Sheet A3.0A block floor plan added and table provide that shows area calculations and dimensioned block diagrams on plans.

Polygon/Area Designation	Dimensions	Area
A	18 x 28	504
B	30 x 40	1200
C	8 x 12	96
TOTAL		1800

The scale on the elevations and floor plan sheets appears to be incorrect.

Sheet A2.0, A2.1, A3.0, and A3.1, scales had been corrected.

2. Based on measurements of the plans, the agricultural area appears to be just shy of the required 60%. For example, the agricultural area appears to extend past the 6' high block wall with the neighboring property. Please verify that a minimum of 60% of the lot is shown as reserved for agricultural on the site plan as well as in the table.
Sheet A1.1A block site plan added and table of area calculations is provided.
3. Based on measurements of the plans, it appears the SFR development area is actually 97,716 sf, above the allowed 2 acre maximum. Please verify that a maximum 2 acres is designated for SFR development on the site plan as well as in the table.
Sheet A1.1A block site plan added and table of area calculations is provided.
4. Pursuant to § 1.20.030 of the County Zoning Ordinance, area measurements must be shown either to one hundredth of an acre or to one whole square foot. Linear measurements must be shown in feet and inches to one whole inch. Any fractions (or decimals beyond the one hundredth of an acre) must be rounded using standard practices outlined in § 1.20.030. Please revise all measurements accordingly.
Sheet A1.2, dimensioned on site plan is rounded to nearest inch.
5. The requested Grading Justification was not found in the Civil Set, please submit a Grading Justification as a separate document.
See Grading Justification attached.
6. The Condition of Title provided does not include a pre-1969 grant deed, and therefore does not provide evidence of lot legality. The earliest deed provided is from 1972. If this lot was created in 1972, provide the documentation that the lot was created in conformance with the California Subdivision Map Act. Otherwise, provide a pre-1969 deed which matches the legal description in the 1972 deed. If neither can be provided, apply for a Certificate of Compliance.
We will apply for a Certificate of Compliance.

7. The overall Site Plan (page A1.1) lists the ADU garage area as 576 sf. ADU garage cannot exceed 400 sf. Sheet A1.1 and A1.2, ADU have been removed from the project.
8. Please note that water tanks larger than 5,000 gallons will require separate building permits. A 30,000 gallon tank is unusual for a single-family residential development. Sheet A1.0, note 23 added.
9. Please note that a biological report from a qualified biologist examining the impacts of the proposed development on agricultural resources on or near the property, and impacts to special status species, including but not limited to migratory birds, nesting raptors, bats, and special status species which may use the property as foraging areas or as migratory corridors, such as the American badger will be requested to conduct an environmental review. Sheet A1.0, note 24 added.
10. Please note that an archaeological report examining potential impacts of the proposed development on Tribal and other cultural resources will be requested to conduct an environmental review.

Noted.

LAND DEVELOPMENT ENGINEERING

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

11. Please show the limits of the disturbed area as a result of the proposed development including the area of off-site improvements. Provide an updated square footage of the area on the plans. Sheet A1.1A block site plan added, and table calculations provided.
12. The grading plans currently show the drainage runoff sheet flowing onto the surrounding areas and it isn't clear how the runoff will be conveyed into the treatment/detention basin. Please provide a revised Drainage Plan that demonstrates the following items:
 - a. No longer required <10,000 SF hardscape the site can be adequately conveyed and drained to the proposed bioretention treatment / detention area. The overland flow from the southern end of the property appears that it will completely miss the requirement for treatment within the basin.
 - b. The drainage flowing off of the structure at the northeastern side of the development is appropriately routed to the treatment basin prior to being discharged to the right of way. The overland flow from any runoff from the north side of the structure appears to be directed to flow overland to the right of way without treatment which is not acceptable.
 - c. Verify that the installation of a 3" PVC line at 0.15% has sufficient slope for adequate scouring of the debris within the pipe.
 - d. the bioretention basin has an appropriate outlet for overflow of runoff.
 - e. The off-site impervious area is clearly drained to a treatment area for treatment requirements.
 - f. To clearly help clearly demonstrate that the runoff is appropriately drained to the treatment basin, consider clearly delineating the boundaries of the separate drainage management areas flowing to the basin.

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13. Per the previous comments, please provide details or plan improvements demonstrating that the drivable surface for the driveway and turnaround areas is either supported by an appropriate shoulder section or native material. Pavement in fill conditions should be supported by appropriate edge structures such as a shoulder or curb. The runoff from the paved areas should not be allowed to freely flow onto fill material. **See updated C3**
14. Please provide a grading calculation substantiating the quantities of fill for your project. The development appears to be constructed upon 1'-2' of fill, but the landscape area is not contributing to any grading according to the quantity table. The Cut /Fill quantities indicate 7CY of Fill for the Driveway, and 132CY for the Pool/Hardscape. Please clarify what area of construction each of these quantities is from as most of the hardscape appears to be associated with the driveway or turnaround of some sort on the plans. **See updated cut/fill C3**
15. Please clarify how the drainage runoff will flow from the northeast side of the driveway approach to the southwest side of the approach? Is there a pipe there? Please show it on detail A-A as necessary. **See revised grades sheet C3**

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 Building Site Approval and 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 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) 299-5706 or robert.cain@pln.secgov.org.

Sincerely,

Robert Salisbury for Robert Cain

Robert Cain
Senior Planner