

# 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



**September 14, 2023**

Gokulam LLC  
680 E Calaveras Blvd  
Milpitas, CA 95035  
Email: [vijay.datt@ihf-usa.org](mailto:vijay.datt@ihf-usa.org)  
\*\*\* Sent via email \*\*\*

**FILE NUMBER:** PLN23-144  
**SUBJECT:** Grading Approval and Design Review for a new single-family residence with Accessory Dwelling Unit (ADU) & Junior Accessory Dwelling Unit (JADU).  
**SITE LOCATION:** 2425 Old Calaveras Rd, Milpitas (APN: 029-34-004)  
**DATE RECEIVED:** August 17, 2023

Dear Gokulam LLC:

Your application for Grading Approval and Design Review for a single-family residence with ADU and JADU is deemed **incomplete**. For the application processing to resume, you must resolve the following issues and submit the information listed below.

Please note that the Department is only accepting electronic submittals. Please refer to procedures for planning resubmittal, available on the County website at: <https://plandev.sccgov.org/how/apply-permit/planning-resubmittal-procedures>

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. They represent a specialty or office and can provide details about the requested information.

**AN APPOINTMENT IS REQUIRED FOR THIS RESUBMITTAL. PLEASE CALL ME AT (408) 299-5718 TO SCHEDULE AN APPOINTMENT.**

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

**PLANNING**

Contact your project planner Lulu Pang at (408) 299-5718 or [lulu.pang@pln.sccgov.org](mailto:lulu.pang@pln.sccgov.org) regarding the following comments:

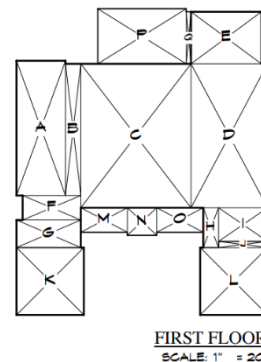
*Plans*

1. Please clarify if any tree removal is proposed. If no tree removal is proposed, add a note “no tree removal is proposed” on the cover sheet. Otherwise, provide the species/common name and trunk sizes of all existing trees to be removed in table format and include the table in the plan set.
2. Provide the proposed separation between the detached garage and the main house. Note: per County Zoning Ordinance § 4.20.020 - Accessory Buildings and Structures, “*Separation from any dwelling shall not be less than six (6) feet.*”
3. On sheet A3.01, clarify if the courtyard is less than 30 inches above the finished grade.
4. On the site plan, show the top of bank of Tularcitos Creek and the required 35 ft. creek buffer from the top of bank.
5. Provide details of all proposed retaining walls, including the length and height of each wall, and top/bottom of wall elevations.

*Floor Area Calculation*

6. As the project is in the “-d2” design review district, floor area calculation is required to be shown on the submitted site plans as defined in the Zoning Ordinance Section 1.30. Place calculation diagrams on a separate plan sheet and utilize polygons (such as rectangles, squares, triangles) to scale, with each polygon area calculation noted in the tabular form. The polygons are to match the building footprint exactly. Definition of “floor area” per County of Santa Clara Zoning Ordinance, includes “*the total area of any attached garage, and any carport, porch or similar attached structure or feature that is both: (a) covered, and (b) greater than 50% enclosed by perimeter walls.*” Please note where the vertical distance between any floor and the ceiling above exceeds 15 feet, the floor area shall be counted twice. Per Zoning Ordinance § 3.20.050 -d2 District (Milpitas Hillside), “*For lots that are 10 acres or greater, the gross floor area of dwellings shall not exceed 8,000 square feet.*”  
 Link to Zoning Ordinance: <https://stgenpln.blob.core.windows.net/document/ZonOrd.pdf>

Polygon/Area Designation	Dimensions	Area
A	10 x 10	100
B	10 x 10	100
C	10 x 10	100
TOTAL		300



*Grading*

7. The site (future Lot B) has several active permits in progress. All proposed grading shall be reflected in the *Project Earthwork Quantities Table* shown in C2.1.

*Lot Legality*

8. Please submit proof that lots A and B shown on the site plan were created legally. A copy of the parcel map that records the two-lot subdivision can satisfy this requirement.

**LAND DEVELOPMENT ENGINEERING**

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

9. 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. The grading for the entirety of future Lot B should be included in the Grading Approval. Alternatively, there must be a clear distinction for the different phases and scopes of work of the project.
10. 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 and include all of the impervious are required for this development. If impervious areas are to be created as a part of a separate application, the plans shall clearly indicate the application of which the improvements area a part of.
11. 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 construction staging areas as well.
12. Provide cross sections through the structures depicting the maximum extents of grading. Demonstrate how the development minimizes the grading necessary. The sections should be taken in both directions of both structures.
13. Show all of the existing and proposed utilities on the plans. Show the location of the septic lines for the proposed development. The domestic water and electrical services shall be shown on the plans for the residences.
14. The proposed driveway and access road appears to drain to discharge without any detention or hydromodification. Please provide a revised Drainage Plan that the driveway and access road:
  - 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.
15. The driveway drainage appears to be discharged in a concentrated fashion on slopes above the proposed fire turnaround and near station 15+85 where the drainage will flow directly back on to the pavement area. Please revise to avoid this drainage impact in these areas as well as others.

16. Revise the plan and profile sheets C1.3 and C1.4 so that the profile view corresponds to the plan view above.
17. Provide a plan and profile for the access road between the residential structures and the driveway from the fire turnaround to the ADU/JADU structure and turnaround shown on C2.1.
18. Please revise the driveway turnaround for the ADU/JADU to conform to County Standard Detail SD16 or as required by the County Fire Marshal's Office or CalFire, whichever is greater.
19. Please include all applicable easements affecting the parcel with benefactors and recording information on the site plan, especially those that will be created as a part of the proposed parcel map. Please supply a copy of the preliminary title report, once the parcel map is recorded.
20. Please verify that the main residence meets the setback requirements of the zoning ordinance as it appears to be located adjacent to the 40' wide EVAE, PUE & PAE.
21. The access right of way / ingress egress easement limits should be curvilinear. Please revise the easements accordingly.
22. The access road section indicates that there will be a gravel parking area located along the road. The plan view isn't consistent with depicting that. Please be consistent with the plan and section view. If there is to be a parking area, please justify the need for the extra parking for the single-family residence for the length of the access road.
23. Submit a revised San Francisco Bay Watershed Questionnaire. Based on the results of the Questionnaire, incorporate the applicable stormwater treatment measures in the plans. The questionnaire shall include all of the improvements included on the parcel. The new impervious area shall include all of the paved surfaces for the road access to the parcel unless it is already installed as a part of a separate approval and permit. The other proposals for improvements on the parcel are not yet approved, so unless they are separated into different phases and clearly separated on the plans, the Questionnaire shall include all of the improvements for the parcel.
24. Demonstrate how the impervious area is minimized with the proposal of the 22'-24' wide access road. The SD2 standard access road is 18-feet of drivable surface with shoulder or adequate edge restraints. The Fire Marshal requirements may be greater, but generally don't require 24' of drivable surface. The impervious area shall be minimized for the development per the SF Bay Regional Board requirements. The minimized surface area would also minimize grading requirements.

### **FIRE MARSHAL OFFICE**

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

General Note- Project is located within the State Response Area (SRA) and the Wildland Urban Interface (WUI).

- a. Chapter 7A of the CBC to be met at Building Permit submittal.
- b. Defensible space to be maintained at all times.

c. PRC-4290 compliance will be reviewed by CAL FIRE.

Provide a Response Letter addressing comments below. More comments may be made when more information is supplied.

25. Plans are to show minimum interior turning radius of 30 ft. and exterior turning radius of 50 ft. The turning radius isn't clear making a left hand turn off Old Calaveras Rd. on sheet 4 of 26. [Santa Clara County Ordinance No NS-110.136 Section D103.3].
26. Plans are to clarify the length of proposed slope exceeding 15%. Sheet C1.3 Road Profile shows 225 ft. of grooved concrete, however the plans aren't clear what the length of access is greater than 15%. Per CFMO-A1, the maximum slope for fire department access is to be 15%. However, Fire may allow portions to exceed 15% on a case-by-case scenario. If a slope exceeding 15% is proposed, it's to be no greater than 300 ft. consecutive and have a minimum 100 ft. break not exceeding 15%. [CFMO-A1 Section II.C]
27. Plans are to clarify the slope of the fire department turnaround. The maximum slope for the turnaround is to be 5%.
28. Fire department access to be made of an "all weather" material capable of holding 75,000 pounds, this is to be noted on the plans. [CFC Section D102 and CFMO-A1 Section II.G]
29. Fire sprinklers are to be listed as a deferred submittal. [CFC Section 903.2 and Santa Clara County Ordinance No NS-110.136 Section B7-9.d]
30. Plans to show hydrant as (N) or (E) standard fire hydrant.
31. Fire hydrant to be a minimum of 55 ft. from a structure, sheet 8 of 26 (C2.1) currently shows a hydrant within this distance.
32. Clarify the slope of fire access at the standard fire hydrant. The maximum slope of access at a fire hydrant is to be 5%.
33. Well serving water tanks appears to be on neighboring parcel. Provide a Shared Water Agreement if well is on a separate land parcel.

### **ROADS AND AIRPORTS**

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

34. The submitted documents are under review by Roads and Airports. The review comments will be forwarded to you once they are prepared.

**Prior to resubmittal, please feel free to contact me to schedule an appointment so we can meet virtually 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.

Any future application submittals must address all comments listed above. If you have questions regarding the application, please contact me your project planner at (408) 299-5718 or [lulu.pang@pln.sccgov.org](mailto:lulu.pang@pln.sccgov.org).

Sincerely,



Lulu Pang  
Assistant Planner

**cc:**  
Samuel Gutierrez, Principal Planner