

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



****VIA Emails Only****

December 15, 2023

Celestino Aguiar

Via Email @ mucamba82@gmail.com

FILE NUMBER: PLN23-208

SUBJECT: Building Site Approval, Grading Approval, and Tier 1 Design Review Application

SITE LOCATION: 15820 Miradero Avenue, San Jose, CA 95127-1754 (APN: 612-04-002)

DATE RECEIVED: November 15, 2023

Dear Celestino Aguiar,

Your application for Building Site Approval was received on the above date and is **incomplete**. For application processing to resume, please 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>. Resubmittals are made electronically with Reva Kakaria, the assigned project manager/planner, and must include all requested information. 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 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 particular specialty or division and can provide details about the requested information.

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

Please submit electronic copies of the revised plans/resubmittal documents (PDF) with a written response letter addressing each incomplete comment. All items must be addressed and included in the submittal.

PLANNING OFFICE

Contact Reva Kakaria at (408) 299-5792 or reva.kakaria@pln.sccgov.org regarding the following comments:

1. Please provide a completed [Grading Design Standards Form](#), which is required per the [Grading Approval checklist](#) for a complete application.
2. Please provide color samples using the [Color/Materials Board](#), which is required per the [Design Review checklist](#) for a complete application. Note that per [Zoning Ordinance Section 3.20.040](#), the light reflectivity value (LRV) of exterior surfaces shall not exceed 45.
3. A complete site plan is required for Building Site Approval and Design Review. Multiple documents labeled as site plans are provided, and these are incomplete and inconsistent with each other. Please provide a single site plan that includes all of the required items on the [Sample Site Plan](#). This includes:
 - a. All existing and proposed development, to scale. Aerial imagery indicates a wall-like structure on the property that is not shown on the site plans. This also includes the proposed driveway, which is shown on one site plan but is inconsistent with the provided grading/drainage plans, and which is not shown on the other.
 - b. Required setbacks. For this property, setbacks are 30' from the front, 30' from the rear, and 15' from the sides (per the special setback exception in Zoning Ordinance [Section 4.20.110.C](#)).
 - c. Topography using contours lines that represent five-foot intervals in elevation, including average slope computations stamped and signed by a registered civil engineer or licensed land surveyor.
 - d. All other required items listed on the Sample Site Plan.

LAND DEVELOPMENT ENGINEERING

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

4. Please provide a table of the estimated earthwork quantities per County Grading Ordinance [Section C12-424\(g\)](#). Quantities should be separated into the different bodies of work for the project.
5. 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.
6. Please comply with the Grading setbacks to property line per County Grading Ordinance [C12-558](#).
7. Show the existing water main and service and demonstrate how the water meter shown on the plans will be connected.
8. Show the connection to the electrical service. The joint trench line servicing the structure and development isn't shown to be connected to a service.

9. The proposed development impacts drainage flows by increasing the impervious area of the site, thereby not meeting the exemption requirements of [Section C12-409](#) of the County Grading & Drainage Ordinance. Please provide a revised Drainage Plan that demonstrates the following items:
 - a. The proposed development will not cause problems to the nearby properties.
 - b. 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](#). Provide preliminary calculations to demonstrate this as necessary.
 - c. The discharge of runoff from the southwestern portion of the site will not freely discharge into the County Right of Way uncontrolled with no detention or energy dissipation.
10. Please include all applicable easements affecting the parcel(s) with benefactors and recording information on the site plan. Please supply a copy of the 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.

DEPARTMENT OF ENVIRONMENTAL HEALTH

Contact Jeff Camp at 408-918-3473 or jeff.camp@deh.sccgov.org regarding the following comments:

11. Provide a will serve letter from San Jose Water verifying water service to the new development. Once obtained, upload the will serve letter to Accela for review and sign-off.
12. Obtain and provide a sewer connection permit from the County Sanitation District No. 2-3 either by calling 408-255-2137 or by emailing plans@CSD2-3.org. For sewer clearance, upload the requested document electronically through Accela's public portal to 70 W. Hedding, Permit Center for project sign-off.

OR (see line items 5-7)

13. Apply for and receive a recommended approval stamp/septic clearance from the Department of Environmental Health. This is a separate submittal to Environmental Health and subject to the completion of the "Land Use Plan Review Application" and payment of applicable fees. Follow the provided hyperlink to the online application form: [Plan Check Application Form \(sccgov.org\)](#). Note: if staff determines the project requires additional testing for OWTS feasibility, the project owner/applicant will be directed to complete an additional service application for OWTS feasibility and pay the required fees prior to the commencement of work and/or testing activities.

For further information related to septic clearance and/ or the procedures to receive septic

system clearance, follow the provided hyperlink: [Application for Septic/OWTS Clearance for Building Additions and Accessory Structures - Consumer Protection Division - County of Santa Clara \(sccgov.org\)](#).

14. Submit the completed service application to DEHLandUse@deh.sccgov.org. A project number and land use specialist will be assigned to your project.
15. Upon receiving septic/grading clearance from the Department of Environmental Health, upload the approved plans to the DEV record via Accela's public portal.

COUNTY GEOLOGIST

Contact David Seymour at (408) 299-6711 or david.seymour@pln.sccgov.org regarding the following comments:

16. The property is located in a State Seismic Hazard Zone for Earthquake-Induced Landslides, which is also a County Landslide Hazard Zone. Submit a geologic report that includes an evaluation of slope stability. The report must comply with State guidelines provided in [California Geological Survey Special Publication 177A \(2008\)](#) and must be prepared, signed, and stamped by a California Certified Engineering Geologist (CEG). A geology report review fee will be invoiced after the report is submitted for review.

ROADS AND AIRPORTS

Contact Thomas Esch at 408-573-2450 or tom.esch@rda.sccgov.org regarding the following comments:

17. Show on the revised plans the existing centerline, edge of pavement, and limits of the Miradero Ave right-of-way (ROW). Indicate on plans that Miradero Avenue is a County Maintained Road.
18. Improvement plans must clearly indicate existing and proposed site conditions within the ROW, including but not limited to, above and below ground utility lines, easements, drainage facilities, trees, landscaping, and other structures and features. All utility relocations, replacements, abandonments, temporary facilities, and new facilities shall be shown.
19. All driveways accessing the property will be required to be improved to County Standard B/4.
20. Include County Standard details on the plan sets. While not required during the planning review process, driveway and frontage details with dimensions and specifics will be required during the encroachment permit process, in sufficient detail to fully demonstrate the application of the County standards that will apply to the driveway, driveway gates, frontage and drainage to be constructed (i.e., not only referencing the County details).
21. Provide a Sight Distance Analysis (SDA) for the driveway approach. The SDA shall be based on County Standard driveway approach layouts consistent with Caltrans Highway Design Manual Section 200 and prepared by a licensed civil engineer demonstrating adequate stopping sight distance in both directions is available. The SDA is to include the following:

- a. The design speed used to determine the stopping sight distance;
 - b. The basis of the design speed, i.e., the engineer's statement that they have determined the speed by driving the section of roadway or the engineer's calculation of the speed based upon the existing measured roadway geometry;
 - c. The limits of any obstruction(s) to be removed between the edge of pavement and the sight line.
22. Indicate on plans if any conflicts will require mitigation, such as tree or shrub removal or trimming, fence removal, or additional grading.
23. Demonstrate that the post-development maximum flow rate into the County Road right-of-way is equal-to or less-than the pre-development corresponding storm event flow rate per the County Drainage Manual. Provide engineered plans and drainage calculations for any detention or retention system necessary to satisfy this requirement.
24. Gates, fences, retaining walls, fixed appurtenances, etc. shall be located outside the limits of the County maintained road ROW. Gates shall be located 30 feet from edge of pavement. Indicate on plans the intent of any existing or future items in the ROW.

FIRE MARSHAL'S OFFICE

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

25. General note – the project is located within the Wildland Urban Interface (WUI).
- a. [Chapter 7A](#) of the CBC is to be met at building permit submittal.
 - b. Defensible space is to be maintained at all times.

Provide a response letter addressing the comments below. Provide the sheet number where comments were addressed. More comments may be made when more information is supplied.

26. There appear to be multiple plans uploaded into the documents portlet. The resubmittal should include a single plan upload with all plan sheets. This review was based on the upload named Grading and Drainage – Fire Hydrant.
27. 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].
28. The plans are to show hydrants as (N) or (E) and standard or wharf hydrant.
29. A fire department turnaround meeting CFMO-SD16 is needed if the driveway is greater than 150 ft in length or the access road is a dead-end road. The plans are to clearly label the turnaround and show the dimensions as this is a dead-end road [CFMO-A1 Section II.C and CFMO-SD16].

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 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 this application, please contact (408) 299-5792 or reva.kakaria@pln.sccgov.org.

Sincerely,

Reva Kakaria

Reva Kakaria
Assistant Planner

CC:

Samuel Gutierrez, Principal Planner
Darrell Wong, LDE
Jeff Camp, DEH
David Seymour, County Geologist
Thomas Esch, RAD
Alex Goff, FMO