

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



February 17, 2023

James Hartigan
16428 Peacock Lane
Los Gatos, CA 95032

teresa@hannabrunetti.com

BY EMAIL ONLY

FILE NUMBER: PLN22-128
SUBJECT: Building Site Approval, Design Review, and Grading Approval for one new primary residence, one ADU, a small-scale winery, a barn, and a wine tasting room with associated driveways and parking lot.
SITE LOCATION: 0 W. Edmundson Avenue, Morgan Hill (APN: 767-19-035)

Dear Mr. Hartigan:

The application Building Site Approval, Design Review, 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) 299-5707 or rebecca.rockom@pln.sccgov.org regarding the following comments:

1. Based on the gross floor area, defined in Zoning Ordinance (ZO) [§1.30.030](#), of proposed structures (12,362 SF), the Design Review level has been determined to be Tier 2, pursuant to Zoning Ordinance (ZO) [§ 3.20.040\(2\)](#). Please pay the additional fees assessed.
2. Pursuant to ZO [§ 4.30.070\(H\)](#) All off-street parking areas within nonresidential projects shall be provided with exterior lighting, with minimum standards listed in the ordinance. Please provide a photo metric plan and cut sheets for the proposed light fixtures with bulb specifications and fixture installation height. Include beam pattern and any proposed shrouding of fixture to minimize amount of ambient spread. Please note that the parking lighting standards require all lighting to be on a timer or photo sensor system.

Habitat Plan

1. When reviewed separately, PLN22-127 & PLN22-128 had been originally deemed Not Covered under the Habitat Conservation Plan (HCP), Area 2: Rural Development >= 2 Acres Covered, with less than 2 acres to be developed on each parcel. However, proposed projects on both parcels share access, have similar topography and land cover, and concurrent development timelines, therefore Planning staff has determined that these projects should be reviewed holistically and together the projects are Covered under HCP.

Applicant to submit a corrected Habitat Plan Screening Form. Please see additional Habitat Plan comments provided in the Policy Letter(s).

FIRE MARSHAL'S OFFICE

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

Land Use

2. Plans currently show a 50,000-gallon water tank and have a document uploaded showing an analysis for the Winery Structure. The plan submittal is to include calculations for each structure to ensure the tank is being sized properly for the structure that will require the greatest water amount.
3. Listed below are additional items that should be clarified for the tank calculation.
 - a) An exposure hazard is to be calculated if the structure is within 50 ft. of another structure or a property line.
 - b) Show how the fill line can fill the proposed water tank in a maximum of 8 hours per NFPA 22 §14.4.2. A common mitigation is to double the size of the water tank if the tank can't be filled within 8 hours.
 - c) Water tank size to include proper air-gap spacing. The calculation is to clarify how this was determined and included in the analysis.
4. Plans are to label the water tank as an NFPA 22 Water Tank.

LAND DEVELOPMENT ENGINEERING

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

5. Provide appropriate treatment for all compacted gravel surfaces to meet the E.12 requirements of the Central Coast Regional Water Quality Control Board. This may include including treatment measures for the driveway as it drains on to the neighboring

property. Collect and treat drainage runoff prior to draining into the right of way to the maximum extent practical.

6. Provide appropriate storm drainage and treatment easements/covenants to provide access and maintenance rights for drainage and treatment across/between the two properties being developed. If treatment is located on the neighboring property, access must be provided.

DEPARTMENT OF ENVIRONMENTAL HEALTH

Contact Darrin Lee at (408) 299-5748 or darrin.lee@deh.sccgov.org regarding the following comments:

7. For shared water clearance between APN 767-19-034 and APN 767-19-035, contact the Department of Environmental Health (Jeff Camp, 408-918-3473). This is a separate submittal to the Department of Environmental Health subject to the completion of a shared water clearance service application, submittal of a shared well agreement, engineering plans for the shared well system, well completion report, shared well yield report, analytical testing results from water sampling for bacteriological and chemical constituents, and payment of applicable fees. Upon obtaining shared water clearance through Env. Health, include DEH clearance letter as part of the resubmittal to Planning.
8. From the submitted OWTS plan, the winery was allotted a wastewater value of 278 gallons per day.
 - a) How was this number derived? What is the relatedness of this number versus the description of the tasting room's occupancy and frequency in use. Please quantify. (Description of tasting room occupancy and frequency is less than 25 persons for a period of 60 days.)
 - b) Is this value based upon wine making/winery activities?
 - c) Does this value include wastewater attributed to tasting room activities such as washing and rinsing of glassware and/or multiuse utensils under peak flow considerations?
 - d) Alternatively, is this value attributed to the combined peak flows contributions from all wastewater associated with the winery and tasting room activities?

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, Design Review, 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.

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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) 299-5707 or rebecca.rockom@pln.sccgov.org.

Sincerely,

A handwritten signature in cursive script that reads "Rebecca Rockom".

Rebecca Rockom
Assistant Planner