

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****

March 1, 2024

Vietnamese Bhikkhuni Buddhist Congregation

Via Email @ txnh9@yahoo.com

FILE NUMBER: PLN22-204

SUBJECT: Grading Abatement Application for VIO20-0136

SITE LOCATION: 2054 Old Piedmont Road, San Jose, CA 95132 (APN: 092-34-015)

DATE RECEIVED: January 31, 2024

Dear Vietnamese Bhikkhuni Buddhist Congregation,

Your application for Grading Abatement to abate/legalize grading violations under VIO20-0136 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.

LAND DEVELOPMENT ENGINEERING

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

1. Provide a typical section of the base rock areas to support the grading quantities. **Area noted to have base rock is a pervious surface. Condition of area described has less than 1/4" of gravel spread inconsistently over a base consisting of natural soil. Please see sheet 3**

2. 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. The areas of impervious surface should be itemized. The concrete pavement shall be separated from the different areas of rock. **Response: Please see the impervious area table on sheet 3**
3. Please clearly show the limits of the disturbed area as a result of the abatement and legalization, and clearly show the change in the improvements in relative comparison to the approved improvements from previously permits. The plans are currently unclear as to the scope of work that is a part of this application and the previous applications and permits which were approved and issued. The pre-violation conditions and previous improvements per File 10648-15DP shall be shown as a baseline for this application. **Response: Please see the legend & hatch for the previously permitted impervious area vs proposed impervious area to be legalized on sheet 3**
4. Provide the pre-violation contours as well as the post-violation contours for the grading and spreading of the material on the hillside behind the house. There are contours shown there behind the house, but it is unclear as to which surface it is supposed to depict. The topographic contours seem to suggest that the limit of the spread material on the hillside cover an area greater than the limits shown. **Response: Please see the pre-violation & post-violation contours on sheet 3**
5. Include preliminary grades for the drainage swales and storm drainage inverts, as well as the necessary surface grades to demonstrate that the site will properly drain to the catch basins and that storm drainage runoff will properly flow to the gravel basins. The overflows for the gravel basins shall also be shown on the plans with preliminary grading. Please note that concentrated discharge flowing immediately into the County right-of-way may not be allowed. **Response: the flowline for the swale, storm drain invert, and the overflow for the detention basin were shown on sheet 3**
6. Show the location of the restorative landscape planting work within the creek/floodplain on the plan. **Response: Please see sheet 2.0**
7. Submit a revised [San Francisco Bay Watershed Questionnaire](#) as necessary to incorporate any of the required changes to the plans. Based on the results of the Questionnaire, incorporate the applicable stormwater treatment measures in the plans. **Response: Revised**
8. Provide a cross-section of the shallow gravel basins to demonstrate the grading. **Response: Please see the cross section on sheet 3**
9. The location of the fence installed near or within the creek setback and FEMA Flood Zone shall clearly be shown on the plans and called to be removed. **Response: Existing fence within the creek setback & FEMA flood zone to be removed. Please see sheet 2**
10. Clarify the plans to show what lies beneath the flood zone areas. The shading obscures everything within the flood zone. **Response: Please see sheet 2**
11. Provide a preliminary soils report with recommendations and soils data demonstrating that the existing soils have the necessary percolation rates to infiltrate the runoff from the proposed development. **Will provide prior to issuance of grading permit.**

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 Abatement 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
MaryEllen Luna, Code Enforcement Officer