

County of Santa Clara

Department of Planning and Development
Planning Office

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www.sccplanning.org



October 13, 2023

Micaiah Irmeler
6830 Via del Oro Ste. 250
San Jose, CA 95138

**** SENT VIA EMAIL/US MAIL ****

County Record #: PLN23-009
Subject: Use Permit with ASA for a Religious Institution
Site Location: Piercy Road, San Jose, CA 95138 (APN 678-13-012)

Dear Mr. Irmeler:

Your application for Use Permit, Architecture and Site Approval and Grading Approval for the property located at Piercy Road, San Jose, CA 95138 (APN 678-13-012) is **incomplete**. For the application processing to resume, you must resolve the following issues and submit the information listed below.

Following are the incomplete comments on the submitted application, pursuant to the Government Code Section 65943 and the County's Zoning Ordinance Section 5.20.080. If you have any questions about the information being requested below, you should first call the person whose name is listed as the contact person for that item. He or she represents a specialty or office and can provide details about the requested information.

AN APPOINTMENT IS REQUIRED FOR A RE-SUBMITTAL. PLEASE CALL OR EMAIL ME TO SCHEDULE AN APPOINTMENT.

A re-submittal meeting is required prior to responding to the following comments. All items must be addressed and included in the resubmittal.

ENVIRONMENTAL HEALTH

Contact Darrin Lee at 408-299-5748, Darrin.Lee@deh.sccgov.org regarding the following:

1. The Department of Environmental Health (DEH) received onsite wastewater treatment system (OWTS) plans which calls for the mitigation of an existing canal/gully like feature by the addition of fill. In the revised OWTS plan, fault lines were included to address DEH's previous incomplete comments. Although the fault lines were included into the revised plans, adherence to the horizontal setback distance between an unstable land mass and drain field was not included nor stated within the submitted

OWTS plan. (unstable land mass vs drain field is 100 feet minimum, per OWTS manual)

- a) Based on geological studies, clarify the minimum setback distance between the canal/ gully like feature and proposed drain field.
- b) Based on geological studies, clarify the minimum setback distance between the nearest fault line versus proposed drain field. Note: minimum horizontal setback distance between an unstable land mass and drain field is 100 feet.

CITY OF SAN JOSE

Contact: Joe Provenzano at 408-535-8466, joe.provenzano@sanjoseca.gov regarding the following:

2. Urban Service Area: The property is located outside the City's Urban Service Area and cannot be served by the City's storm sewer, sanitary sewer, or potable water infrastructure.

- a) Storm and sanitary sewer:
 - i) Remove all proposed utility connections in City right-of-way from the plans.
 - ii) Furthermore, as the site is being regraded, indicate that the existing 24" storm drain on the site will be capped at the property line and abandoned in place, per City standards.
- b) Potable water: Contact Ricardo Rubio-Benitez with City of San Jose Municipal Water Systems at (408) 535-8550 for further information.

Response from Valley Water are included as an attachment to this letter.

Any future application submittals must address all comments listed above. If you have any questions or other concerns, please call me at 408-299-5791, or contact me at valerie.negrete@pln.sccgov.org.

Sincerely,



Valerie Negrete
Senior Planner

cc: Santa Clara County Agency Representatives (via email)
Micaiah Irmeler (Applicant)

Enclosures: Memo from City of San Jose dated October 12, 2023
Memo from Valley Water dated October 12, 2023



Memorandum

TO: Valerie Negrete
County Planning

FROM: Joe Provenzano
Public Works

**SUBJECT: 2ND RESPONSE TO
DEVELOPMENT APPLICATION**

DATE: 10/12/23

PLANNING NO.: PLN23-009
DESCRIPTION: Site Development Permit for a 12,058 sf. Multipurpose Room, 8,894 sf. Church building with Office and Classrooms, Special Events year-round of up to 375 people.
LOCATION: Piercy Rd and Tenant Ave intersection
CSJ P.W. NUMBER: 3-99999

Public Works received the subject project on 10/10/23 and submits the following comments and requirements.

Information Only:

1. **Grading and Stormwater Runoff Pollution Control Measures:** Design the site to retain a 10-year storm event before surface releasing to Piercy Rd. The design should allow for a spread surface release flow and avoid concentrating flows to avoid erosion and scour.

Action Items/Revisions:

2. **Urban Service Area:** The property is located outside the City's Urban Service Area and cannot be served by the City's storm sewer, sanitary sewer, or potable water infrastructure.
 - a) Storm and sanitary sewer:
 - i) Remove all proposed utility connections in City right-of-way from the plans.
 - ii) Furthermore, as the site is being regraded, indicate that the existing 24" storm drain on the site will be capped at the property line and abandoned in place, per City standards.
 - b) Potable water: Contact Ricardo Rubio-Benitez with City of San Jose Municipal Water Systems at (408) 535-8550 for further information.

Project Conditions:

3. **Transportation:** This project meets the screening criteria of Small Infill Projects for Vehicle Miles Traveled under Council Policy 5-1 which results in less-than-significant impacts for transportation. No additional transportation analysis is required.
4. **Construction Agreement:** The public improvements conditioned as part of this permit require the execution of a Construction Agreement that guarantees the completion of the public improvements to the satisfaction of the Director of Public Works. This agreement includes privately engineered plans, bonds, insurance, a completion deposit, and engineering and inspection fees.
5. **Street Improvements:**
 - a) Construct 10' attached sidewalk with tree wells located at back of curb per CSJ standards on Piercy Road.
 - b) Construct 26' wide driveways per CSJ standards.
 - c) Construct or provide an in-lieu fee to the Class IV protected bike lane along the Piercy Rd project frontage (\$144 per LF). A planline can be provided upon request.
 - d) Applicant shall be responsible for adjusting existing utility boxes/vaults to grade, locating and protecting the existing communication conduits (fiber optic and copper) along the project frontage.
 - e) Dedication and improvement of the public streets to the satisfaction of the Director of Public Works.
6. **Electrical:** Existing electroliers along the project frontage will be evaluated at the public improvement stage and any street lighting requirements will be included on the public improvement plans.
7. **Street Trees:**
 - a) The locations of the street trees will be determined at the street improvement stage. Contact the City Arborist at (408) 794-1901 for the designated street tree. Install street trees within public right-of-way along entire project street frontage per City standards; refer to the current "Guidelines for Planning, Design, and Construction of City Streetscape Projects".
 - i) Street trees shall be installed in cut-outs at the back of curb spaced 35' on center along the project frontage; Street trees: *Quercus buckleyi*.
 - b) Obtain a DOT street tree planting permit for any proposed street tree plantings. Street trees shown on this permit are conceptual only.

Please contact me at joe.provenzano@sanjoseca.gov, or (408) 535-8466 if you have any questions.

Joe Provenzano

Joe Provenzano
Senior Civil Engineer
Development Services Division



APPLICATION EVALUATION AND PRELIMINARY CONDITIONS
for
SANTA CLARA COUNTY REFERRALS

For the Proposed: Southridge Church			
County File Number: PLN 23-009		Valley Water File Number:	
Owner/Applicant: Southridge Church		Site Location: Piercy Road	
APN: 678-13-012		Map No: 130	
SCVWD Contact: Benjamin Hwang	(408) 630-3066	Date: 10-12-2023	Comment Due Date: 10-12-2023
<input type="checkbox"/> Facility:	<input type="checkbox"/> Cross Facility:	<input checked="" type="checkbox"/> Watershed: Coyote Creek	

The Subject Application is Incomplete. The applicant needs to submit the following:

- See evaluation dated: _____
- Topography of the site, including the creek. Topography of the creek should delineate the existing top of both banks and the bottom of channel.
- Hydraulic Hydrologic Geotechnical - Analysis as described:
- Revised plans showing all existing and proposed well(s) on the plan per Valley Water Ordinance 90-1.
- Revised plans showing that septic system meets county regulations as follows:
- Other:

The Subject Application is Complete. The following are preliminary condition(s) of approval:

- All previous conditions or comments still apply. See evaluation dated: _____
- Valley Water requests right of way as described:
- A Valley Water permit is required for this project per Valley Water's Water Resource Protection Ordinance. Make a separate application in writing to Valley Water for an encroachment permit for any modification or use of a Valley Water facility, property or easement. Project clearance from Valley Water is required prior to _____
- Additional Comments:**
The proposed project should analyze the anticipated runoff under post-project conditions and ensure that there are no increases, both in terms of peak discharge and volume, when compared to pre-project conditions. Since Coyote Creek is prone to flooding, runoff mitigation measures should be designed beyond the minimum hydromodification requirements under Provision C3 of the Municipal Regional Stormwater NPDES Permit. Mitigation measures should have adequate capacity to contain a range of events including the 2-, 10-, 25, and 100-year event.
- Informational Items to be included in the conditions of approval:**
 - A Valley Water permit is not required.
 - This project will not modify or use a Valley Water facility or easement, however; _____ is/are located on or next to the site. Valley Water staff is interested in reviewing and providing consultation on the project because of impacts the proposed project may have on Valley Water's adjacent facility or on water resources. Please consider the comments below and send revised drawings for our review and comment.
 - The site may be subject to flooding in the event of a 1% or 100 year flood. For more information, please contact the County's flood plain administrator.
 - Valley Water records indicate the site contains 0 well(s). Any abandoned wells, or wells that are no longer in use, must be properly destroyed. Any wells in use that will be impacted by project activities must be protected. As required by Valley Water Ordinance 90-1, an application must be filed with Valley Water for a permit to construct or destroy any well or to drill any exploratory borings deeper than 45 feet. Contact Valley Water's Wells and Water Measurement Unit at (408) 630-2660, for more information.
 - Additional Comments/Recommendations:**
Sheet L-2 of the landscaping plans by Segura Associates, Inc., include Fraxinus uhdei (Evergreen ash shamel), Olea europaea (olive trees), and Pennisetum spathiolatum (Chinese fountain grass) are included as part of the proposed planting palette for the development. According to the Guidelines and Standards for Land Use Near Streams (Chapter 4, Design Guide 3), these plants are listed as invasive species and should be avoided. Valley Water recommends ensuring that all plants used for landscaping are propagated from seeds, divisions, and cuttings that are native to the local watershed.