

County of Santa Clara

Department of Planning and Development

County Government Center, East Wing, 7th Floor

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San Jose, CA 95110

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April 10, 2024

Chemeketa Park Mutal Water Company

c/o George Bruder

P.O. Box 588

Redwood Estates, CA 95044

gbruder@gmail.com

**** SENT VIA EMAIL ****

FILE NUMBER: PLN24-048

SUBJECT: Use Permit with Architecture and Site Approval, Grading Approval, and Design Review for the Chemeketa Park Water Tank – Lower Tank (Drought Relief Project).

SITE LOCATION: 18000 Ogalla War Path, Los Gatos (APN: 558-13-014).

Dear Mr. Bruder:

The application of a Use Permit with Architecture and Site Approval, Grading Approval, and Design Review (within 100 feet of a scenic road) for installation of an 88,000-gallon water tank (lower tank) on APN: 558-13-014 (18000 Ogalla War Path, Los Gatos) 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 Lara Tran at (408) 299-5759 or lara.tran@pln.sccgov.org regarding the following comments:

1. Revise the site plan to accurately show the property lines and boundaries, right-of-way (ROW), and the centerline of Old Santa Cruz Highway as shown from the Assessor’s Parcel Number (APN) Map and in the recorded deed. Sheet C2 does not clearly delineate nor identify the property boundaries, any ROWs, and/or centerline of Old Santa Cruz Highway. Please note County Roads and Airports have a similar comment in #12.
2. Clarify on the site plan if the retaining wall is within the edge of the ROW of Old Santa Cruz Highway or if it is within the property boundaries.
3. Identify on a site plan the “existing pump station” that is mentioned in the project description for the lower tank.
4. Provide an overall site plan (“birds-eye view”) that show the two sites (lower and upper tanks) on one map. Identify all roads and any key elements that staff should be aware.
5. Revise the grading quantities table on Sheet C4 to identify the cut and fill in the format below:

Grading Quantities				
	Cut (cubic yard)	Fill (cubic yard)	Max. Vertical Cut (Feet)	Max. Vertical Fill (Feet)
Wall Excavation				
Backfill				
Over Excavation				
CLSM Backfill				
Retaining Wall				
Total				

6. Make sure the grading quantities table incorporate *all* the grading working including any retaining wall, grading required for piping, and/or driveway or access road improvements. Sheet C4 show two grading quantities tables (one for the “Lower Tank Site Plan” and another for the “Lower Tank – Retaining Wall Section,” which should be combined into one grading quantities table.
7. Clarify if there will be piping connecting the lower tank and the upper tank and any connection between the two sites. The project description for PLN24-049 indicated the 88-gallon tank “will be operational and provide emergency water through an existing pump

station,” which implies there is connection between the lower and upper tanks. Additionally, C15 and the project description of PLN24-049 identify a “new 10-inch PVC pipe for water distribution.” Clarify if the new 10-inch pipe will be connected to the lower tank or residences throughout the community and whether the new piping will be along the road. Note that if new piping is installed, the grading quantities will need to include the amount of the piping work. Staff needs to have a clear understanding if there is existing and/or new piping that will be connecting the upper and lower tanks.

8. Provide an elevation and identify the materials and color of any current/proposed retaining walls associated for the water tank.
9. Provide a landscaping plan to screen the retaining walls as the majority are over 5 feet in height and is potentially visible from a County scenic road (Old Santa Cruz Highway).
10. Identify any trees proposed for removal on the parcel or is impacted by the project. Also identify any trees proposed for removal due to off-site improvements (if any). If there are trees proposed for removal, identify the type, size, and health of the tree. Provide a tree protection plan and tree replacement plan as applicable.

Early Public Outreach

11. The project is subject to the early notification and outreach policy for a use permit. Signage at the site of the project and 300 ft. mailing notification to surrounding properties are required. Attached is the signage that is required to be posted at the project site for PLN24-048. A list of signage vendors (sign companies) is also included for your reference. The applicant is required to provide a photo within the 30-day time frame confirming the on-site signage has been satisfied.

LAND DEVELOPMENT ENGINEERING (LDE)

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

12. Please provide a revised table of the estimated earthwork quantities on the cover sheet of the plans. The quantities should include any quantities of imported rock for the areas surrounding the tanks.
13. Please clearly show the limits of the disturbed area as a result of the proposed development with a darkened line.
14. 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 (DEH)

Contact Darrin Lee at (408) 918-3435 or darrin.lee@deh.sccgov.org regarding the following comments:

15. Clarify/ Identify the structure under matrix coordinates G 24, 25 and 27 located on page C3. Plan set identifies the structures as 'covered area'. Are these enclosed 'covered areas' with plumbing fixtures?
16. On revised site grading and drainage plans, locate and show any existing onsite wastewater treatment systems within 100 feet of any wells and/ or to the proposed tank locations. If none exists, on revised site grading and drainage plan, show 100-foot set back from the aforementioned.

COUNTY FIRE MARSHAL'S OFFICE

Contact Alex Goff at (408) 341-4420 or alex.goff@sccfd.org

17. Provide a response letter addressing comments below. Clarify what sheet comments are addressed. More comments may be made when more information is supplied.
18. Clarify on plans the existing (E) water amount in gallons that provides fire suppression and what the new (N) water amount in gallons providing fire suppression will be.
19. Previous meetings had proposed adding a direct connect for fire apparatus at a tank. Is this still proposed, if so, what tank is this proposed?

ROADS AND AIRPORTS

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

20. For both Old Santa Cruz Hwy and Ogallala Warpath Rd, show and indicate the existing limits of the County right-of-way (ROW), the existing ROW centerline, roadway centerline, and edge of pavement.
21. For both Old Santa Cruz Hwy and Ogallala Warpath Rd, include road names and indicate that each road is a County Maintained Road.
22. 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.
23. Driveway accessing the property will be required to be improved to County Standard B/4, and the revised plans should indicate as such.

24. 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 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).
25. 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.
26. 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.
27. Clearly identify any retaining walls to be constructed at left side of driveway entrance. Identify proximity to ROW and edge of pavement. Attempt to move retaining wall outside of the ROW or at least maximize clearance from roadway shoulder.
28. Identify proximity of rocks and sign to edge of pavement. If remaining, a maintenance and indemnification agreement for these objects will be required.
29. Identify on plans any trees or shrubs to be trimmed or removed, or any objects or fences to be relocated, in accordance with County Ordinances B17-68 and B17-69, within the lines of a triangle which has sides 20 feet from the point of intersection of the curbline/edge of pavement and the driveway.

STATE WATER RESOURCES CONTROL BOARD

Contact Tsung-Chu “George” Chien at (510) 620-3461 or tsungchu.Chien@waterboards.ca.gov regarding the following comment:

30. As specified in section 64585 of the California Code of Regulations, vents and other openings must be constructed and designed to prevent the entry of rainwater or runoff, birds, insects, rodents, or other animals. Also, the tanks must be designed to allow authorized access for inspections, cleaning, or repair. The plans did not show any screen on the tank vent and did not include a hatch on the tank roof. Please ensure that a 24-mesh screen layer is secured to the vent at each tank and a hatch is installed on the roof.
31. A piping layout plan needs to be included. It is unclear how the Lower Tank will receive the treated water from the existing treatment plant and how the tank will connect to the distribution system. Will the filling pipe be installed at the joint trench where the new well’s discharge pipeline is/will be located? As required in section 64572 of the California Code of Regulations, please ensure that at least 4 horizontal feet and one vertical foot (raw water is below the treated water) separations are provided between the new well raw water pipeline and the treated water pipeline.

32. Our impression was that the Lower Tank would be used as the second CT tank to improve the chlorine contact time for the surface water treatment. However, no detailed design plan was provided to explain how to prevent short-circuiting and improve the contact time at the Lower Tank.
33. In June 2022, our Division emailed a checklist of the required items to be submitted for the permit amendment application. Here is the list of the items that still have not been received by our Division:
- Permit Amendment Application form
 - Technical Report
 - Environmental Intake Form or CEQA document
 - Water System Schematic/Flow Chart
 - Reservoir Data Sheet
 - Evidence of NSF 61 certificates (tanks, piping, Tideflex mixing system, and any materials/components that will result in contact with potable water).
 - A completed Water Tank Design and Construction checklist.
 - Updated Operations Plan and CT calculation sheet
34. Chemeketa Park Mutual Water Company needs to complete and submit the above documents to the Division for review and approval from the State Water Board.

Prior to a resubmittal, please schedule an appointment/meeting to discuss any 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 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 Use Permit with Architecture and Site Approval (ASA), Grading Approval, and Design Review applications were charged a minimum fee and will be charged additional fees to continue processing when the initial payment is exhausted.

If you have questions regarding the application, please contact (408) 299-5759 or lara.tran@pln.sccgov.org.

Warm regards,



Lara Tran
Senior Planner

cc:

Robert Salisbury, Principal Planner

Tom Esch, R&A

Alex Goff, FMO

Darrin Lee, DEH

Darrell Wong, LDE

George Chien, State Water Board