

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



September 19, 2024

Mana Camden Fund, LLC
Attn: Orville Power
5927 Balfour Court, Suite 208
Carlsbad, California 92008
Email: op@manainv.com

via email

FILE NUMBER: PLN24-154-SB330
SUBJECT: SB 330 Housing Development, Major Subdivision and Grading Approval
SITE LOCATION: 1515 and 1615 Half Road, Morgan Hill, CA 95037
(APN: 728-33-008, 728-33-009, 728-33-011)
DATE RECEIVED: August 21, 2024

Dear Orville,

Your application for a voluntary major subdivision and housing development under Senate Bill 330 (2019) was received on the above date and is deemed **incomplete**. For the application processing to resume, you must resolve the following issues and submit the information listed below.

This letter solely addresses whether your application is complete, not whether the proposed project is or is not consistent, in compliance, or in conformity with applicable plans, programs, policies, ordinances, standards, or requirements. The County has not assessed whether the proposed project is consistent, in compliance, or in conformity with applicable plans, programs, policies, ordinances, standards, or requirements, and nothing in this letter shall be construed as the County making any determination as to such plans, programs, policies, ordinances, standards, or requirements.

Resubmittals are made by appointment over video chat or in person with the Planning Division counter and must include all requested information. The Department does not accept resubmittals via email. Please contact me to schedule a virtual meeting at (408) 299-5740 or via email at charu.ahluwalia@pln.sccgov.org. Once the information is submitted, the Planning Division will distribute the plans, reports and/or information to the appropriate staff or agency for review. Submit revised electronic plans and a written response addressing the following items. All items must be addressed and included in the submittal. 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 specialty or office and can provide details about the requested information.

Please note that no demolition, construction, earthwork, or tree removal shall occur prior to the issuance of the appropriate permit from the County.

PLANNING

Contact Charu Ahluwalia at (408)-299-5740, charu.ahluwalia@pln.sccgov.org regarding the following:

Plans

1. The County's SB330 – Housing Crisis Act Planning Submittal Checklist requires an applicant to supply a "Site plan that identifies all the relevant information described in the County's Sample Site Plan," which includes the "location, common name, diameter and number of trees to be removed or located near improvements, measured 4.5 feet above grade." The tree disposition information is incomplete. Plan set identifies 369 trees are to be removed. The orchard trees proposed for removal have not been included in the calculation. Update the tree table and plan to show all trees greater than 5 inches or greater in diameter that are at least 4.5 feet above ground. Pursuant to the County's Guidelines for Tree Protection and Preservation for Land Use Applications, all healthy native trees 5 inches in diameter or more (at 4.5 feet above the ground) proposed for removal shall be replaced. Additionally, replacement trees should be native and like for like. Oak trees shall be replaced with oak trees, with no exceptions. Each small tree (5" to 18" in diameter) removed shall be replaced with three 15-gallon trees or two 24-inch box trees. Each medium tree (18" to 24") removed shall be replaced with four 15-gallon trees or three 24-inch box trees. Each large tree (24" or more) shall be replaced with five 15-gallon trees or four 24-inch box trees. Revise the landscape plan to demonstrate the type, size, and number of replacement trees.

Affordability

2. The developer shall provide documentation of legal commitments to ensure continued availability of units for very low or low-income households in accordance with the provisions of Government Code section 65589.5 for 30 years.

CEQA Analysis

3. Please submit a noise study, a traffic study and a lighting plan. All studies should address the potential impacts of the project related to the study subject. Given that there are buildings and structures that meet the age threshold to be considered eligible for listing on the National and/or California Register (or local listing), as well as their association with the Mariani family that contributed to the agricultural industry in the Santa Clara Valley during the mid-20th century, the existing structures should be evaluated by a qualified architectural historian for potential significance.

LAND DEVELOPMENT ENGINEERING

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

Tentative Map

4. The County's SB330 – Housing Crisis Act Planning Submittal Checklist requires an applicant to supply a "Tentative Map," including improvements to provide access and necessary utilities to each proposed parcel. The map shall contain the following information, which is not clearly shown on the documents provided:
 - a. Signatures of record owners and subdivider.
 - b. The proposed names of all streets in the subdivision. What is the name of the street along the southwestern end of the subdivision as well as the individual roads serving the 6-pack clusters/ groups of 8 homes? These are all considered roads as they serve more than two lots and shall each have a separate name.
 - c. The locations and approximate widths of all easements for access, water system, flood control, drainage, sewage, or public utilities (electrical, communications, joint trench, etc.). There appears to be encroachment of access and utility improvements on to the Lands of the USA. Sufficient easements for the access through this property shall be provided on the tentative map and evidence of the pending authorization of such easement shall be provided.
 - d. Approximate radii of all curves. The outside curves along Streets M, N and O shall be clearly identified.
 - e. Approximate dimensions of all lots. The lengths of all the parcels shall be shown on the Tentative Map. Dimensions shall be clarified along parcels A and D along A street, and Parcels Fx, Hx, Ix, Jx, and K.
 - f. Clarify the limits of Parcel K, to which areas does it apply? It appears to be connected by small pieces for the frontage along Half Road and up to the Sanitary Sewer lift station but is not clear in the plan. Clearly describe the use of Parcel K.
 - g. Clarify on which lot the 5' wide drainage overflow easement will be located. Lot 82 or 83?
 - h. All parcels and lots that are not shown to be occupied by a residence shall be identified with a particular use, including any restrictions on the Tentative Map. Proposed uses of the property and an outline of proposed restrictions, if any.
 - i. Indicate the public areas proposed, if any. Will the park be open to the public?
 - j. Statement of the dedications and improvements proposed to be made or installed. All easements, streets, frontage dedications, and other dedications shall be clearly specified as to who would have access (public, private, property owners, etc.)
 - k. Typical cross-sections are required of all streets, courts, and alleys (not less than two sections) showing any existing road widths and surfacing, proposed road widths and maximum cuts and fills at intervals not exceeding 500 feet. They shall accurately depict topographic conditions not less than 30 feet outside the future rights-of-way. The vertical dimensions of cuts and fills on each section shall be shown.
 - l. The access between the duplexes appear to straddle and/or cross property lines, but there are no easements provided to allow for any encroachments. Please review the access ways to the duplex units and revise the tentative map accordingly.

- m. The ingress and egress and private service easements for the courts serving the 6-pack cluster and groups of 8 homes seem to terminate at the property boundaries but don't appear to sufficiently cover the access to each of the garages and the services for the residences at the end of the courts. Please confirm that no further easement is required by showing the limits of the easements overlaid with the improvement plans (grading and utility), otherwise, please revise the limits of the ingress and egress and private service easements shown on sheet 6a and any other sheets necessary.
5. The County's SB330 – Housing Crisis Act Planning Submittal Checklist requires an applicant to supply project plans with a “Cover sheet with detailed project description/scope of work, including an existing & proposed square footage calculation and grading quantities in tabular format. Please provide revised earthwork calculations and quantities for the earthwork shown on the plans as necessary per County Ordinance Code section C12-424(g).
 6. Please provide an expanded 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 along with a breakdown of the improvements between the roadways, courts, sidewalks, and home sites including the driveway and walk surfaces. The access road improvements shall be separated from the off-site frontage improvements in both the City and County right of ways. Include all of the improvements created as a part of the wastewater and water treatment area and the sanitary sewer lift station. Demonstrate that all of the impervious areas are routed for treatment and hydromodification mitigation.
 7. Please show the limits of the disturbed area as a result of the proposed development. Include the disturbed areas of the septic field and any stockpile areas as well.
 8. Please show on the grading and drainage plans the existing grades, topography and improvements 50' beyond the limit of the development to demonstrate existing drainage and run off/run on to demonstrate the project conforms to the surrounding parcels and development. This would apply to the public right of way frontages, all open space areas on the northwestern side of the development as well as to the Lands of Robeson, Patel and Marston.
 9. The County's SB330 – Housing Crisis Act Planning Submittal Checklist requires an applicant to supply plans which identify “all existing and new drainage components.” and that “drainage into the ROW shall not increase as a result of the development”. The proposed development impacts drainage flows. Please provide a revised Drainage Plan and demonstrate demonstrates the following items:
 - a. the City of Morgan Hill is willing and able to accept a connection of a 24” storm line into their system and all of the associated flow,
 - b. the City of Morgan Hill is willing and able to accept the overflow connection from the storm chambers along Mission View Drive

- c. the proposed impervious area is adequately drained to the treatment and hydromodification mitigation, including those improvements within the public right of way.
10. The County's SB330 – Housing Crisis Act Planning Submittal Checklist requires an applicant to supply a "Site plan that identifies all the relevant information described in the County's Sample Site Plan," which includes "demonstrating how proposed improvements comply with the Fire Marshal Office (FMO) and Land Development Engineering's (LDE) access standards". Please revise the driveway turnaround to demonstrate whether it conforms to County Standard Detail SD16 or as required by the County Fire Marshal's Office at the end of the courts serving 8 homes. Indicate how the turnaround shall be covered by necessary easements on the Tentative Map.
11. The County's SB330 – Housing Crisis Act Planning Submittal Checklist requires an applicant to supply a "Site plan that identifies all the relevant information described in the County's Sample Site Plan," which includes "demonstrating how proposed improvements comply with the Fire Marshal Office (FMO) and Land Development Engineering's (LDE) access standards". Please revise the lot configuration to demonstrate how it conforms with the minimum return radius for the right of way (twenty feet) pursuant to the County Standards and Policies Manual.
12. Please submit evidence of legal access to the site from the publicly maintained road compiled and/or prepared by a Licensed Land Surveyor or Registered Civil Engineer authorized to practice land surveying per C12-326 of the Single Building Site Ordinance. In the plans, note the recorded document information for all easements. This specifically applies to the improvements which are proposed to cross the Lands of the USA.
13. Please include all applicable easements affecting the parcels with benefactors and recording information on the site plan. Please supply a copy of the preliminary title report for the parcels not covered by the report provided, 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.
14. Provide a typical cross section of the retaining wall along Mission View Drive, Half Road and the Northwestern property boundaries. The typical section shall show the location of the property line with regard to the retaining wall construction demonstrating that the wall is fully constructed on the parcels being developed or include the necessary easements.
15. Demonstrate whether the infiltration treatment measure meets the requirements of the Post construction Requirements Handbook including but not limited to setbacks from wells which may even be on neighboring properties, minimum infiltration rate, pretreatment requirements and the SCVWD guidelines for infiltration devices.

16. Submit a revised Central Coast Watershed Questionnaire. Based on the results of the Questionnaire, incorporate the applicable stormwater treatment measures in the plans.
17. The County's SB330 – Housing Crisis Act Planning Submittal Checklist requires an applicant to supply a "Clean Water Questionnaire". Please include a driveway approach per County Standards and Policies Manual SD4 or County Roads and Airports Standard Detail B/2 for single Driveways or B/8A for shared driveways. This is required for impervious area calculations for the Clean Water Questionnaire.

ROADS AND AIRPORTS

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

18. Half Road has a Future Width Line (FWL) for a 30-foot half street width (60-foot full street). Plans should reference the FWL, not an OPL (Official Plan Line). The limits of the FWL must include a 20' radius from Half Road onto Mission View Drive.
19. Indicate on plans that Half Road is a County Maintained Road and Mission View Dr. and Peet Rd. are City of Morgan Hill roads. Comments provided will be referring to County maintained Half Road. Applicant is to confer with City of Morgan Hill for relevancy of those comments to City maintained roads Mission View Dr and Peet Rd.
20. The parcels encroach into City maintained roads of Mission View Dr. and Peet Rd. Mission View Dr. and the Mission View Dr - Half Rd intersection is being rebuilt with a revised alignment by a development under City of Morgan Hill. Contact City of Morgan Hill Planning for those plans to coordinate developments on this border road and intersection (Half/Mission View Dr). Frontage requirements for Mission View Dr and Peet Rd will need to be defined and reviewed by the City of Morgan Hill.
21. Provide curb ramp and crosswalk markings at Half Rd - Mission View Dr intersection to connect to new development west of Mission View Dr (which is also building a curb ramp).
22. The following plan sheets must show existing right-of-way (ROW), centerline, FWL, edge of pavement, new curb/gutter, and City/County boundaries: Tree removal plan, Site Development Plan, Building setback plan sheets, Phasing Plan, Grading and Drainage Plan, Stormwater Control Plan.
23. Property frontage and designated entry point along Half Rd. will be required to be improved to County Standard A/3 and B/1. Indicate improvements on the revised plans to identify any conflicts that will need to be resolved (i.e. utility poles, trees, culverts, etc.).
24. All new internal roads are to be privately maintained. Indicate these roads as private roads on the plans.

25. Sufficient technically accurate information with the building site tentative plan is needed to aid Roads and Airports in setting the conditions of approval. Provide a Traffic Study (TS) that includes, at the minimum, the following elements: a. Site access analysis including emergency vehicle access (specify truck turning templates for emergency vehicles; b. Sight distance analysis (SDA) for project entrances; c. Truck turning templates for fire/emergency vehicles including at roundabouts; d. Verification project will not have parking encroach into County ROW; e) review need for acceleration lane, deceleration lanes and turn pockets for traffic entering or leaving the development to/from Half Rd; f) queuing analysis at area intersections; g) speed study of Half Rd.
26. Provide Signal Warrant Study for the Mission View Dr - Half Rd intersection. Developer is informed that additional review and discussions may be warranted with both County and City for the developer to contribute funds for future signalized intersections or signalized intersection improvements as may be identified in the traffic study.
27. Provide a Stop Warrant Study for the intersection of the access road and Half Rd.
28. Provide a Sight Distance Analysis (SDA) for the access road. 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 he/she has 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.
29. Based on the TS and SDA, indicate on plans if any conflicts will require mitigation, such as tree or shrub removal or trimming, fence removal, or additional grading.
30. Improvement plans must clearly indicate existing and proposed site conditions within the ROW (and within the FWL if applicable), 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.
31. Preliminary site development/ drainage plans shall clearly identify how the property drains and identify thru drainage channels. The topographic survey shall also identify property drainage, and uninterrupted flow of water in swales, channels and along the entrance. The drainage plan and drainage calculations shall demonstrate that any post-development runoff onto County Road ROW (not including areas to be dedicated to the County) is equal or less than pre-development runoff, that thru drainage is being accommodated, and shall not cause a hazard or public nuisance.

32. Identify bio-retention facilities for runoff due to new pavement and hardscape created in the County ROW.

ENVIRONMENTAL HEALTH

Contact Darrin Lee at (408) 299-5746 or darrin.lee@cep.sccgov.org for information regarding the following items:

33. As a public water system is proposed, submit a feasibility study that meets the State Water Resources Control Board Division of Drinking Water requirements for adequate access to water and is consistent with the State Preliminary Technical Report Guidance, and also includes a technical, managerial, and financial report.
34. Apply for and receive septic system clearance and sign-off from the Department of Environmental Health. Follow provided URL: https://files.santaclaracounty.gov/migrated/2023.07_LU_Plan_Review_Application_Fillable_Version.pdf?VersionId=FgP2uWI2wL4RSPB472g4jV6R6vsqhkCX
35. Provide to the Departments of Environmental Health and Planning Department the following:
 - a. Results from ground water mounding and nitrate loading analyses, collectively known as a cumulative impact assessment.
36. As the maximum daily flow volume of wastewater produced will exceed 10,000 gallons per day or a community system serving multiple discharges under separate ownership is proposed, the method of wastewater treatment and dispersal must be approved by either San Francisco Bay Regional Water Quality Control Board (RWQCB) or Central Coast RWQCB, as applicable. Upon receipt of written approval, please provide documentation to the Departments of Environmental Health and Planning Department.

Alternatively, submit a feasibility study that complies with state requirements for wastewater and provides adequate access to wastewater under state law.

FIRE MARSHAL'S OFFICE

Contact Alex Goff at (408) 299-5760 or alex.goff@sccfd.org for information regarding the following items. NOTE: Provide a response letter addressing comments below and clarify which sheet(s) comments are addressed on. More comments may be made when more information is provided.

37. Sheet 7 of 114 shows 2 wells and 2 water tanks. Clarify the water source for fire protection.
 - a. Plans to state what water tanks serve.
 - b. Plans to state size of water tanks.
 - c. If water tanks are proposed for fire protection, clarify how the tanks were sized.
 - d. Is this a part of an existing (E) water purveyor or a new (N) water company?

38. Update plans to show standard fire hydrants as new (N) or existing (E).
39. Provide fire hydrant flow data for hydrant located within distance requirements. Data to be recorded within 1 year and show minimum gpm is available at 20 psi [CFC Table B105.1(1) and Table B105.1(2)]. Contact water purveyor for flow data.
40. Plans do not show minimum access road (portion of access serving 3 or more parcels) drivable width of 20 ft. excluding shoulders. This includes Half Road and Peet Road. Indicate the width of the access road(s) and any locations for No Parking signs and/or red curbs on the plans.
41. Fire department access to be made of an "all weather" material capable of holding 75,000 pounds, this is to be noted on the plans. [CFC Section D102 and CFMO-A1 Section II.G]
42. Plans are to be updated to show slope of fire department access not exceeding 15%. [CFMO-A1 Section II.C]
43. Plans are to be updated to show minimum interior turning radius of 30 ft. and exterior turning radius of 50 ft. [Santa Clara County Ordinance No NS-110.136 Section D103.3].
44. Fire department turnaround meeting CFMO-SD16 needed if driveway and dead-end road is greater than 150 ft. in length. Plans should be updated to clearly label the turnaround and show the dimensions. [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 planner.** If you have questions regarding the application, please call (408) 299-5740 or email charu.ahluwalia@pln.sccgov.org.

Warm regards,

Charu Ahluwalia

Charu Ahluwalia
Senior Planner

cc: Samuel Gutierrez, Principal Planner
Michael Meehan, Principal Planner
Darrell Wong, Land Development Engineering
Tom Esch, Roads and Airports
Alex Goff, Fire Marshal's Office
Darrin Lee, Department of Environmental Health
City of Morgan Hill
Amanda Musy-Verdel, Applicant