



COUNTY OF SAN BENITO
PLANNING & BUILDING INSPECTION SERVICES

2301 Technology Parkway
Hollister, CA 95023-2513
e-mail: sbcplan@cosb.us

Phone: 831-637-5313
Fax: 831-637-5334

May 2, 2016

Hollister Land Partners
C/O Todd A. Deutscher
18 Crow Canyon Court, Ste. 190
San Ramon, CA 94583

Subject: NOTICE OF INCOMPLETE APPLICATION – TSM 15-93

Application for Major Subdivision was submitted to the County for the property identified by Assessor's Parcel Number 020290049. Pursuant to Planning and Zoning Law, California Government Code Section 65943, and the California Environmental Quality Act (CEQA), Section 15060, your application has undergone a preliminary review. During this review, the application has been found to be incomplete for further processing by the following departments/agencies.

Planning and Building Department:

The County's General Plan establishes guiding principles for County land use and community character. One principal in particular describes the following:

The County shall ensure that there is a mix of residential, commercial, employment, park, open space, school, and public land uses in order to create a sense of place by supporting condensed, pedestrian accessible, and transit-oriented development.

The application must demonstrate conformity with the above guiding principle and all sections of this letter listed below.

The County shall establish defined boundaries to separate cities and unincorporated communities from prime agricultural land and important natural resources, using such features as agriculture buffers, greenbelts, open space, and parks.

The application must incorporate defined boundaries to protect agricultural land and other natural resources.

The County shall ensure a full range of housing options are available to accommodate residents of all income levels and life situations.

The application must demonstrate conformity with the above guiding principle.

Balance housing growth with employment growth in order to provide local, affordable housing choices so people can live and work in the county.

The application must demonstrate how it helps improve the County's jobs-housing balance. The application must demonstrate how it furthers affordable housing opportunities by indicating the number and location of proposed affordable housing units

The County shall encourage the design of new development to complement its surroundings, including nearby development, nearby open landscapes, and gateways into populated areas, as well as to show coherence within itself, including with regard to architectural style, human-scale development, and street layout.

The proposed project does not propose park facilities but is directly across the roadway from the Sunnyside Estates development. That development provides access to the River Parkway as well as public parkland within the Sunnyside estates subdivision itself, therefore there is a high probability of residences crossing Southside road to access parks and trails. The application must provide detail for a pedestrian street crossing including such elements as crosswalks, lighting ADA compatible access and activation devices, and roadway signage.

Department of Public Works (DPW):

Applicant shall provide a street network plan illustrating the whole picture of the overall circulation system, how the internal streets will be connected into adjoining properties, and how they will inter-connect over the long term. Although not approved yet, there is already a proposed subdivision (Sunnyside Estates) on the on the west side of Southside Road that is also proposing to open new ingress/egress on Southside Road. This proposed subdivision shall show the proposed ingress/egress to align with the ingress/egress proposed by Sunnyside Estates.

Applicant shall be required to provide alternate street network plan considering/assuming that the offset intersection from Enterprise Road is not allowed and therefore shall only connect directly to Enterprise road.

Identify all on-site areas proposed for private and/or public recreational uses, including trails, neighborhood parks; and proposed common areas. Pursuant to San Benito County Code of Ordinances Section 23.15.008 Dedication of Parkland, the subdivider is required to dedicate land, pay a fee in lieu thereof or a combination of both, at the option of the County, for park and recreational purposes. Based on the County's standards and formula for dedication of land, the proposed 84 lot subdivision requires the dedication of 1.26 acres (84 du x 0.015 acre/du). The dedicated parkland is required to be used for local or regional community and neighborhood parks and recreational facilities in such a manner that the locations and use of such parks and recreational facilities bear a reasonable relationship to the anticipated use of the park and recreational facilities by the inhabitants of the proposed subdivision. Value credited for dedicated lands in excess of 20% slope or subject to inundation due to a 100-year storm shall be adjusted to reflect the reduced utility of the lands for park purposes. Recreational open space may be substituted for developable parkland. Open space shall be valued at 10% of the value of useable parkland. No more than 10% of total parkland may be open space. San Benito County is not obligated to accept open space in lieu of developable parkland, but may consider it as an option. San Benito County may require trails or other such features in order for the open space to qualify as parkland.

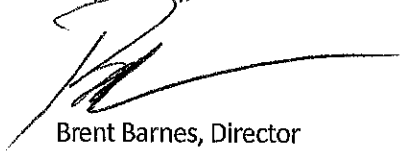
The VTM shall show the side slopes of the proposed detention pond; if the slopes are steeper than 1:5, the pond shall be fenced.

Resubmittal:

- Please submit all requested information/materials to the Department of Planning and Building.
- For questions regarding departmental comments, please contact them directly.
- Please be aware that not all County departments or requested agencies have commented, and therefore more comments may be forthcoming.

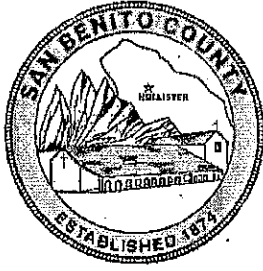
After County staff has received the information requested above, a determination of completeness/incompleteness will again be made. Should you have further questions regarding the status of your application, please contact the Planning Department at (831) 637-5313.

Respectfully,



Brent Barnes, Director
Resource Management Agency

Attachments: Departmental Comments

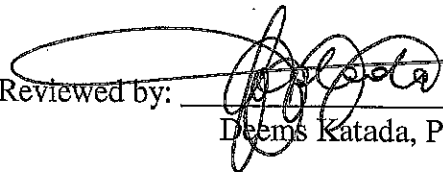


San Benito County
Public Works Department
2301 Technology Parkway, Hollister CA 95023
(831) 636-4170 Fax: (831) 636-4176

Inter- Department Memo

TO: Planning Department

FROM: Miguel Sanchez
Engineering Technician

Reviewed by: 
Deems Katada, PE

DATE: April 29, 2016

SUBJECT: Public Works Comments on Revised Tentative Map for TSM 15-93;
Fay/Hollister Land Partners (2nd Submittal).
3061 Southside Road, Hollister, CA (APN: 020-290-049)

New comments are in bold and italicized.

1. Applicant shall show subdivision name and type (major) on the cover sheet of the vesting tentative map. *[Per county code § 23.07.002]*
 - ***Satisfied.***
2. On sheet 3 of 6 of the Vesting Tentative Map (VTM) Section A-A (Southside Road) shall have a detached sidewalk with a planter. Moreover, for Section A-A (Southside road) and Section B-B 60' Street (Public) the sidewalk structure shall show 4" of concrete over 6" min. of aggregate base over 6" subgrade, with the aggregate base and the subgrade sections compacted to 95%. *[Per city of Hollister standard detail A-9-2]*
 - ***Satisfied.***
3. On sheet 3 of 6 of the VTM, Section A-A (Southside Road) shall show proposed improvements by others (Sunnyside Estates Vesting Tentative Map dated November 2014) including the Class I Bike trail and sidewalk.
 - ***Satisfied.***
4. Applicant shall show actual and/or proposed geometry of both the Hospital Road intersection.
 - ***Satisfied.***
5. The county encourages that all lots be sloped towards the common driveways and not to the back of the property wherein it may impact the neighboring parcels/lots. If topography does not allow for this design any drainage towards the back of the property line shall be handled through adequate storm drain system with adequate

easement. Hence, surface drain at the back of the property crossing through neighboring lots shall be avoided due to potential obliteration of drainages features by future residents.

- *Satisfied.*

6. Applicant shall verify that the Transportation Impact Study, prepared for for the Fay Property Subdivision by Wood Rodgers, is still valid since the site plan used for this study does not match the site plan submitted in the vesting tentative map.

- *Satisfied.*

7. Applicant shall dedicate sufficient ROW width at the southern end of Southside Road southwesterly corner of the project to accommodate 55 mph design speed on the curve.

- *Satisfied.*

8. Applicant shall do utility coordination with surrounding properties to be able to have a systematic utility system within the neighboring properties and future developments. This may require utility easements to be provided whenever necessary.

- *This comment shall be as condition of approval (COA). See proposed COA below.*

9. No part of the detention pond shall encroach into the county right-of-way.

- *Satisfied.*

10. The proposed project is within the Enterprise Drainage Basin and therefore shall be required to pay a fee towards the Enterprise Drainage Basin Benefit Area.

- *This comment shall be as condition of approval (COA). See proposed COA below.*

11. Cross-section on the VTM shall show the ultimate build-out of Southside Road considering and therefore shall incorporate and delineate turn pockets and Bike Lane(s)/Class I Trail per San Benito County Bikeway and Pedestrian Master Plan.

- *Satisfied.*

12. The names and numbers of adjacent subdivisions and the names of owners of adjacent unplatted land shall be shown on the vesting tentative map. [Per county code § 23.07.002(3)]

- *Satisfied.*

13. Applicant shall provide a street network plan illustrating the whole picture of the overall circulation system, how the internal streets will be connected into adjoining properties, and how they will inter-connect over the long term. Although not approved yet, but there is already a proposed subdivision (Sunnyside Estates) on the on the west side of Southside Road on the opposite side to this proposed subdivision that is also proposing to open new ingress/egress on Southside Road; hence, this proposed

subdivision shall show the proposed ingress/egress to line up with the ingress/egress proposed by Sunnyside Estates.

- *Applicant shall be required to provide alternate street network plan considering/assuming that the offset intersection from enterprise Road is not allowed and therefore shall only connect directly to Enterprise road.*

14. Sunnyslope County Water District and the City of Hollister shall also review the proposed subdivision since the project is proposing to tie into the Sunnyslope County Water District's water system and the city of Hollister's sewer system. This may require additional fees not limited to, map or plan checking fees and inspection fees other than what the County will be collecting.

- *Satisfied.*

15. A copy of the geotechnical report dated June 10, 2015, prepared by Geo-Logic Associates, shall be submitted by the applicant for review by county staff. [Per county code § 23.07.003(B)]

- *Satisfied.*

16. *Identify all on-site areas proposed for private and/or public recreational uses, including trails, neighborhood parks; and proposed common areas. Pursuant to San Benito County Code of Ordinances Section 23.15.008 Dedication of Parkland, the subdivider is required to dedicate land, pay a fee in lieu thereof or a combination of both, at the option of the County, for park and recreational purposes. Based on the County's standards and formula for dedication of land, the proposed 84 lot subdivision requires the dedication of 1.26 acres (84 du x 0.015 acre/du). The dedicated parkland is required to be used for local or regional community and neighborhood parks and recreational facilities in such a manner that the locations and use of such parks and recreational facilities bear a reasonable relationship to the anticipated use of the park and recreational facilities by the inhabitants of the proposed subdivision. Value credited for dedicated lands in excess of 20% slope or subject to inundation due to a 100-year storm shall be adjusted to reflect the reduced utility of the lands for park purposes.*

Recreational open space may be substituted for developable parkland. Open space shall be valued at 10% of the value of useable parkland. No more than 10% of total parkland may be open space. San Benito County is not obligated to accept open space in lieu of developable parkland, but may consider it as an option. San Benito County may require trails or other such features in order for the open space to qualify as parkland.

17. *The VTM shall show the side slopes of the proposed detention pond; if the slopes are steeper than 1:5, the pond shall be fenced.*

Below are additional concerns that the applicant should consider and may also be reflected in the Tentative Map. Public Works believes some of these items, if not all, could be adequately addressed as conditions of approval for this proposed subdivision.

Proposed conditions of approval below are still in effect with additional.

18. Prior to recordation of the Final Map, the applicant shall make the following irrevocable offers of dedication [§ 23.15.002 Dedication of Streets, Alleys and Other Public Rights-of-Way or easement]:

- Half of *110 foot right-of-way along the whole property frontage on Southside Road.
- Full *60 foot right-of-way for all streets within the subdivision with standard 50 feet radius right-of-way for the turnaround facility at each ends and standard knuckle per City of Hollister Standards. Dedication of road should consider and provide required curve radius at the corners of intersections.

Provide confirmation that the right-of-way dedications at the corners of intersections had been considered to accommodate ADA Ramp per City of Hollister Standards (which is also being adopted by the County).

**110 feet right-of-way requirement for Southside Road may change to 84 feet if Southside Rd. is reclassified in the circulation element.*

***60 feet right-of-way requirement may change to 56 feet upon the approval of the new road standards by the San Benito County Board of Supervisors.*

19. Prior to recordation of the Final Map, the applicant shall bond for or make the following roadway improvements [§ 23.17 Improvements]:

- Half of the *94 foot curb to curb paved surface on 96 foot roadbed with standard curb, gutter and detached sidewalk along the whole property frontage on Southside Road.
- Full **40 feet curb to curb paved surface on 42 foot roadbed for all streets within the subdivision with standard 40 feet radius paved surface on 41 foot radius roadbed turnaround facilities at each end, standard curb, gutter and a detached sidewalk. [§ 23.29 Road Standards; § 23.27.004(E)]

**curb to curb pavement width requirement may change upon the reclassification of Southside Rd. in the circulation element.*

***curb to curb pavement width requirement may change upon the approval of the new road standards by the San Benito County Board of Supervisors.*

20. Prior to recordation of the final map , applicant should comply with the recommendations by the traffic report by:

- Pay Traffic Impact Mitigation Fee (TIMF) for Union Rd./Airline HWY.
- Pay Traffic Impact Mitigation Fee (TIMF) for Enterprise Rd./Airline HWY.
- If the project has direct impact on deterioration of existing level of service (LOS) on any given intersection below LOS D, Immediate improvements to LOS D or better is upon the project. The applicant may enter into a reimbursement agreement with the county to receive reimbursement when funding available in the traffic impact mitigation fee account (TIMF).

21. As part of the submission of engineered Improvement Plans for this project, the recommendations in the following reports shall be incorporated into the design of the

improvement plans: the Review of Earthquake Faults Investigation (File No. SH-12620-GC) by Earth Systems Pacific, the Earthquake Fault Investigation by Geo-Logic Associates (Project No. 2014.0158) and the Site Specific Geotechnical Investigation done by Earth Systems Pacific mentioned in the Geo-Logic Associates report. Also Prior to recordation of the Final Map, a complete compilation of test reports along with a letter from Soils Engineer attesting compliance with requirements and recommendations shall be submitted to Public Works Department upon completion of site improvements. A note shall also be placed on the Final Map referencing the aforementioned report for future reference by potential property owners. [§ 23.31.023]

22. As part of the submission of engineered improvement plans for this project, the applicant shall comply with County Drainage Standards and provide drainage and erosion control details for the project. Included in this will be drainage calculations and construction details for the proposed retention/detention pond for impermeable surfaces created as part of this project. All drainage improvements must be installed or bonded for prior to recordation of the Final Map. [§ 23.17.003.(B)]
23. Prior to start of grading and/or construction activities, a Storm Water Pollution Prevention Plan (SWPPP) prepared by a certified QSD/QSP (Qualified SWPPP Developer/Qualified SWPPP Practitioner) shall be submitted to County Public Works Department. A QSD/QSP should be retained for the duration of the construction and should be responsible to coordinate and comply with requirements by the Regional Water Quality Control Board, to file Notice of Intent (per Construction General Permit Order No. 2009-0009-DWQ as amended by 2010-0014 DWQ), and to monitor the project as to compliance with requirements until its completion.
24. As part of submission of Improvement Plans for this project, applicant shall include utility plans and have them approved by each corresponding utility companies when applicable, which includes but not necessarily limited to sanitary sewer, water, gas, electric, telephone, and cablevision, and shall furnish copies said approved plans to Public Works Department for concurrence. Said plans shall be part of the final or approved Improvement Plan.
25. *As part of submission of engineered Improvement Plans for this project, the applicant shall do utility coordination with surrounding properties to be able to have a systematic utility system within the neighboring properties and future developments. This may require utility easements to be provided whenever necessary and these shall be shown on the improvement plans to be submitted to the county for approval.*
26. All proposed utilities within the subdivision and along peripheral streets shall be placed underground except those facilities exempted by Public Utilities Commission regulations [§23.17.003(F)]. All necessary utilities must be installed or bonded for prior to recordation of the Final Map.

27. Prior to recordation of the Final Map, the applicant must submit a list of proposed street names (for Street A, Street B, & Street C) to the county's Communications Department for road name approval. [§23.07.003]
28. Prior to the recordation of the final map, the applicant/sub-divider shall be required to dedicate land, pay a fee in lieu thereof or a combination of both, at the option of the County for park and recreational purposes. [Per county code § 23.15.008]
29. *The proposed project is within the Enterprise Drainage Basin; therefore, prior to the recordation of the final map the applicant shall be required to pay a fee towards the Enterprise Drainage Basin Benefit Area.*
30. *A homeowners association (as defined in Section 23.01.004), duly incorporated under the laws of the State of California, shall be formed for this subdivision. The covenants and restrictions for the subdivision shall provide for its formation and operation and delineate the rights and obligations of the association, its directors and its members (which must include the right of the association, through its members, to levy assessments that are a legal obligation of members and a lien on subdivided property owned by members of the association). The homeowners association shall be activated at or before the time of approval of the final or parcel map, for the purpose of street lighting, street sweeping, road maintenance, storm drainage, landscaping maintenance and other services directly related to the subdivision. An applicant may propose another option to developing a homeowners association. If so, the applicant's request shall be brought before the Board of Supervisors, reviewed and approved prior to or during approval of the final or parcel map, and any approved alternative shall be activated at or before the time of approval of the final map by the Board of Supervisors. [§23.25.007 (SBC Code)]*
31. Pursuant to §19.27.004 of the County Code, the applicant shall obtain a Public Works Encroachment Permit for any work being performed within the County Right-of-Way or any road offered for dedication to the County prior to commencement of any improvements associated with this project.
32. *Upon completion of required improvements, applicant shall provide warranty security in the amount not less than 10% of the estimated cost of construction of the improvements to guarantee the improvements against any defective work or labor done or defective materials used in the construction or installation of the improvements throughout the warranty period which shall be the period of one year following completion and acceptance of the improvements. [§ 23.17.009.4]*
33. Prior to the recordation of the Final Map or before release of alternate Bond, one set of "As Built" Improvement Plans on a suitable reproducible media (PDF file and hardcopy file) shall be prepared by the applicant's engineer and delivered to the Public Works Department. [§ 23.31.002.(K)(1)]



San Benito County
Public Works Department
2301 Technology Parkway, Hollister CA 95023
(831) 636-4170 Fax: (831) 636-4176

Inter- Department Memo

TO: Planning Department

FROM: Miguel Sanchez
Engineer I

RECEIVED

Reviewed by:

OCT 21 2015

Arman Nazemi

DATE: October 21, 2015

SAN BENITO COUNTY
PLANNING & BUILDING
BY _____

SUBJECT: Public Works Comments on Revised Tentative Map for TSM 15-93;
Fay/Hollister Land Partners.
3061 Southside Road, Hollister, CA (APN: 020-290-049)

1. Applicant shall show subdivision name and type (major) on the cover sheet of the vesting tentative map. *[Per county code § 23.07.002]*
2. On sheet 3 of 6 of the Vesting Tentative Map (VTM) Section A-A (Southside Road) shall have a detached sidewalk with a planter. Moreover, for Section A-A (Southside road) and Section B-B 60' Street (Public) the sidewalk structure shall show 4" of concrete over 6" min. of aggregate base over 6" subgrade, with the aggregate base and the subgrade sections compacted to 95%. *[Per city of Hollister standard detail A-9-2]*
3. On sheet 3 of 6 of the VTM, Section A-A (Southside Road) shall show proposed improvements by others (Sunnyside Estates Vesting Tentative Map dated November 2014) including the Class I Bike trail and sidewalk.
4. Applicant shall show actual and/or proposed geometry of both the Hospital Road intersection.
5. The county encourages that all lots be sloped towards the common driveways and not to the back of the property wherein it may impact the neighboring parcels/lots. If topography does not allow for this design any drainage towards the back of the property line shall be handled through adequate storm drain system with adequate easement. Hence, surface drain at the back of the property crossing through neighboring lots shall be avoided due to potential obliteration of drainages features by future residents.

6. Applicant shall verify that the Transportation Impact Study, prepared for for the Fay Property Subdivision by Wood Rodgers, is still valid since the site plan used for this study does not match the site plan submitted in the vesting tentative map.
7. Applicant shall dedicate sufficient ROW width at the southern end of Southside Road southwesterly corner of the project to accommodate 55 mph design speed on the curve.
8. Applicant shall do utility coordination with surrounding properties to be able to have a systematic utility system within the neighboring properties and future developments. This may require utility easements to be provided whenever necessary.
9. No part of the detention pond shall encroach into the county right-of-way.
10. The proposed project is within the Enterprise Drainage Basin and therefore shall be required to pay a fee towards the Enterprise Drainage Basin Benefit Area.
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12. The names and numbers of adjacent subdivisions and the names of owners of adjacent unplatted land shall be shown on the vesting tentative map. *[Per county code § 23.07.002(3)]*
13. Applicant shall provide a street network plan illustrating the whole picture of the overall circulation system, how the internal streets will be connected into adjoining properties, and how they will inter-connect over the long term. Although not approved yet, but there is already a proposed subdivision (Sunnyside Estates) on the on the west side of Southside Road on the opposite side to this proposed subdivision that is also proposing to open new ingress/egress on Southside Road; hence, this proposed subdivision shall show the proposed ingress/egress to line up with the ingress/egress proposed by Sunnyside Estates.
14. Sunnyslope County Water District and the City of Hollister shall also review the proposed subdivision since the project is proposing to tie into the Sunnyslope County Water District's water system and the city of Hollister's sewer system. This may require additional fees not limited to, map or plan checking fees and inspection fees other than what the County will be collecting.
15. A copy of the geotechnical report dated June 10, 2015, prepared by Geo-Logic Associates, shall be submitted by the applicant for review by county staff. *[Per county code § 23.07.003(B)]*

Below are additional concerns that the applicant should consider and may also be reflected in the Tentative Map. Public Works believes some of these items, if not all, could be adequately addressed as conditions of approval for this proposed subdivision.

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Provide confirmation that the right-of-way dedications at the corners of intersections had been considered to accommodate ADA Ramp per City of Hollister Standards (which is also being adopted by the County).

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- a. Pay Traffic Impact Mitigation Fee (TIMF) for Union Rd./Airline HWY.
- b. Pay Traffic Impact Mitigation Fee (TIMF) for Enterprise Rd./Airline HWY.
- c. If the project has direct impact on deterioration of existing level of service (LOS) on any given intersection below LOS D, Immediate improvements to LOS D or better is upon the project. The applicant may enter into a reimbursement agreement with the county to receive reimbursement when funding available in the traffic impact mitigation fee account (TIMF).

19. As part of the submission of Improvement Plan for this project, the recommendations of the geotechnical engineering report (File No. SH-12620-SB) by Earth Systems Pacific shall be incorporated into the design of the improvement plans. Prior to recordation of the Final Map, a complete compilation of test reports along with a letter from Soils Engineer attesting compliance with requirements and recommendations shall be submitted to Public Works Department upon completion of site improvements. A note shall also be placed on the Final Map referencing the aforementioned report for future reference by potential property owners. [§ 23.31.023]
20. As part of the submission of engineered improvement plans for this project, the applicant shall comply with County Drainage Standards and provide drainage and erosion control details for the project. Included in this will be drainage calculations and construction details for the proposed retention/detention pond for impermeable surfaces created as part of this project. All drainage improvements must be installed or bonded for prior to recordation of the Final Map. [§ 23.17.003.(B)]
21. Prior to start of grading and/or construction activities, a Storm Water Pollution Prevention Plan (SWPPP) prepared by a certified QSD/QSP (Qualified SWPPP Developer/Qualified SWPPP Practitioner) shall be submitted to County Public Works Department. A QSD/QSP should be retained for the duration of the construction and should be responsible to coordinate and comply with requirements by the Regional Water Quality Control Board, to file Notice of Intent (per Construction General Permit Order No. 2009-0009-DWQ as amended by 2010-0014 DWQ), and to monitor the project as to compliance with requirements until its completion.
22. As part of submission of Improvement Plan for this project, applicant shall include utility plans and have them approved by each corresponding utility companies when applicable, which includes but not necessarily limited to sanitary sewer, water, gas, electric, telephone, and cablevision, and shall furnish copies said approved plans to Public Works Department for concurrence. Said plans shall be part of the final or approved Improvement Plan.
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24. Pursuant to §19.27.004 of the County Code, the applicant shall obtain a Public Works Encroachment Permit for any work being performed within the County Right-of-Way or any road offered for dedication to the County prior to commencement of any improvements associated with this project.
25. Prior to recordation of the Final Map, the applicant must submit a list of proposed street names (for Street A, Street B, & Street C) to the county's Communications Department for road name approval. [§23.07.003]

26. Prior to the recordation of the Final Map or before release of alternate Bond, one set of "As Built" Improvement Plans on a suitable reproducible media (PDF file and hardcopy file) shall be prepared by the applicant's engineer and delivered to the Public Works Department. [§ 23.31.002.(K)(1)]
27. The applicant shall identify all on-site areas proposed for private and/or public recreational uses, including trails, neighborhood parks; and proposed common areas. Moreover, prior to the recordation of the final map, the applicant/sub-divider shall be required to dedicate land, pay a fee in lieu thereof or a combination of both, at the option of the County for park and recreational purposes. The dedicated parkland is required to be used for local or regional community and neighborhood parks and recreational facilities in such a manner that the locations and use of such parks and recreational facilities bear a reasonable relationship to the anticipated use of the park and recreational facilities by the inhabitants of the proposed subdivision. . *[Per county code § 23.15.008]*

Sunnyslope County Water District

3570 Airline Highway
Hollister, California 95023-9702

Phone (831) 637-4670
Fax (831) 637-1399

September 25, 2015

Michael Krausie
San Benito County Planning Department
2301 Technology Parkway
Hollister, CA, 95023

RE: Planning Application No. TSM 15-93 Fay/ Hollister Land Partnerships

Sunnyslope County Water District is able and willing to provide both domestic and fire water supply for this proposed development. Sunnyslope can assure that sufficient water pressure and flow can be supplied for normal residential demand and for fire flow requirements. Prior to the start of construction, the Developer must enter into a Water Service Agreement with Sunnyslope County Water District which will dictate the terms and conditions for water service.

~~In the Tentative Utilities Plan, there are an excessive number of fire hydrants for the development. Sunnyslope requires minimum fire hydrant spacing of 500 feet. A minimum separation of 10 feet is required between parallel water and sewer mains and laterals. However, these items can be further addressed during the plans review stages.~~

If you have any further questions or need more clarification, do not hesitate to contact me by phone at (831) 637-4670 or email at rob@sscwd.org. Have a great day.

Rob Hillebrecht, E.I.T.
Assistant Engineer
Sunnyslope County Water District



SAN BENITO COUNTY

HEALTH & HUMAN SERVICES AGENCY

ANJU GOEL, M.D., M.P.H.
HEALTH OFFICER

JAMES A. RYDINGSWORD
AGENCY DIRECTOR

PUBLIC HEALTH SERVICES
Healthy People in Healthy Communities

DATE: 10/9/15/14

TO: San Benito County Planning Dept.

FROM: Darryl Wong – Division of Environmental Health
D. Wong

SUBJECT: TSM 15-93; Fay-Hollister Land Partners; 3061 Southside Rd.; APN 020-290-049

The Division of Environmental Health has reviewed the above-referenced project and has the following comments:

Sewage Disposal:

This department has no comments at this time, but reserves the right to make comments if there are any changes to the proposed project. The proposed project states service will be provided by the City of Hollister.

Water:

This department has no comments at this time, but reserves the right to make comments if there are any changes to the proposed project. The proposed project states service will be provided by the Sunnyslope Water District.

Hazardous Materials:

If any hazardous materials are to be stored in any proposed facility, a Hazardous Materials Business Plan must be completed and submitted to this department.

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OCT 09 2015

SAN BENITO COUNTY
PLANNING & BUILDING
BY



SAN BENITO COUNTY

HEALTH & HUMAN SERVICES AGENCY

Ira Lubell, M.D.
HEALTH OFFICER

James A. Ridingsword, MPA
Agency DIRECTOR

PUBLIC HEALTH SERVICES

Healthy People in Healthy Communities

DATE: 4/8/16

TO: San Benito County Planning Dept.

FROM: Darryl Wong – Division of Environmental Health
D.W.

SUBJECT: TSM 15-93; Hollister Land Partners LLC-Deutscher; 3061 Southside Rd.;
APN 020-290-049

The Division of Environmental Health has reviewed the above-referenced project and has the following comments:

Sewage Disposal:

This department has no comments at this time, but reserves the right to make comments if there are any changes to the proposed project. The proposed project states service will be provided by the City of Hollister Waste Water.

Water:

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RECEIVED

APR 11 2016

SAN BENITO COUNTY
PLANNING & BUILDING
BY _____

PUBLIC HEALTH
SERVICES
439 Fourth Street
Hollister, CA 95023
831-637-5357

MEDICAL THERAPY UNIT
761 South Street
Hollister, CA 95023
831-637-1989

ENVIRONMENTAL
HEALTH SERVICES
1111 San Felipe Road, Ste 102
Hollister, CA 95023
831-636-4035

HEALTH EDUCATION
PROGRAMS
439 Fourth Street
Hollister, CA 95023
831-637-5367

EMERGENCY
MEDICAL SERVICES
439 Fourth Street
Hollister, CA 95023
831-637-6367



HOLLISTER SCHOOL DISTRICT

March 29, 2016

Mr. Byron Turner
San Benito County
Assistant Director
2301 Technology Parkway
Hollister, CA 95023

RE: Planning Application No. TSM 15-93 FAYE/BENNETT

Mr. Turner:

This letter is in response to your request for comments for the Planning Application No. TSM 15-93 FAYE/BENNETT. It appears that some, if not all of the proposed development falls within the boundaries of the Hollister School District. Therefore, the Hollister School District has the following comments and concerns:

Increased Vehicular Traffic and Pedestrian Safety

The Hollister School District's greatest concern is the safety and security of our students and staff. Currently, Ladd Lane Elementary School, located at 161 Ladd Lane and Rancho San Justo Middle School, located at 1201 Rancho Drive are the schools that would serve the students of the proposed development. Cerra Vista Elementary School, located at 2151 Cerra Vista Drive is also in close proximity to the proposed development. There are 84 residential dwelling units proposed for this development, which will increase the amount of vehicular traffic in the area. There is the need for adequate sidewalks, crosswalks, on-street parking, lighting and traffic control devices/traffic calming to promote safety for current and future students and community members.

Need for New School Site to Accommodate Growing Community

The proposed development of TMS 15-93 FAYE/BENNETT and other pending or future residential developments will create the need for a new school site(s) in this immediate area. The Hollister School District respectfully requests that the County of San Benito acknowledge the need to designate land in this immediate area and future residential developments for a new school site(s) and additional green space to serve the growing community.

If you should need any further assistance or information, please contact me at (831) 630-6375.

Best Regards,

John J. Teliha
Director of Facilities

cc: Gary L. McIntire, Superintendent



SAN BENITO COUNTY

HEALTH & HUMAN SERVICES AGENCY

ANJU GOEL, M.D., M.P.H.
HEALTH OFFICER

JAMES A. RYDINGSWORD
AGENCY DIRECTOR

PUBLIC HEALTH SERVICES
Healthy People in Healthy Communities

DATE: 10/9/15/14

TO: San Benito County Planning Dept.

FROM: Darryl Wong – Division of Environmental Health
Darryl Wong

SUBJECT: TSM 15-93; Fay-Hollister Land Partners; 3061 Southside Rd.; APN 020-290-049

The Division of Environmental Health has reviewed the above-referenced project and has the following comments:

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RECEIVED

OCT 09 2015

SAN BENITO COUNTY
PLANNING & BUILDING
BY _____



HOLLISTER SCHOOL DISTRICT

March 29, 2016

Mr. Byron Turner
San Benito County
Assistant Director
2301 Technology Parkway
Hollister, CA 95023

RE: Planning Application No. TSM 15-93 FAYE/BENNETT

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If you should need any further assistance or information, please contact me at (831) 630-6375.

Best Regards,

John J. Teliha
Director of Facilities

cc: Gary L. McIntire, Superintendent

Governing Board
Ben Flores
Elizabeth Martinez • Patricia Moore
Peter Hernandez • Elsa Rodriguez

Superintendent
Gary L. McIntire, Ed. D.

District Administrative Office
2690 Cienega Road • Hollister, CA 95023
Telephone: (831) 630-6300
Fax: (831) 634-2080

Michael Krausie

From: Byron Turner
Sent: Friday, June 26, 2015 3:08 PM
To: Michael Krausie
Subject: FW: 19821 Fay Property Project - LAFCO
Attachments: 19821 Fay Property - Preliminary Site Plan.pdf; Preliminary Site Plan Project Review 05_29_15.pdf; Proposal Questionnaire - Out of agency services.doc; Cover letter for out of agency services.doc

FYI

From: Bob Braitman [mailto:bob@braitmanconsulting.com]
Sent: Friday, June 26, 2015 10:41 AM
To: 'Todd Pace'
Cc: 'Chris Ragan'; 'Abraham Prado'; Joe Horwedel; Byron Turner
Subject: FW: 19821 Fay Property Project - LAFCO

Hi Todd,

I am responding to your earlier email which attached a site plan and information about sewer service from the City of Hollister for a potential 90 unit residential subdivision.

First, regarding an out-of-agency service agreement, the statute provides that the City must be the applicant to LAFCO. Following is a portion of G.C. Section 56133: "A city or district may provide new or extended services by contract or agreement outside its jurisdictional boundaries only if it first requests and receives written approval from the commission in the affected county." (Emphasis added) The City staff has a copy of the LAFCO and has submitted similar applications in the recent past.

Second, what is the status of the development approval? Has the applicant applied to the County for the residential project and, if so, what is the status of the County review of the application. Also, are you familiar with why an application was not submitted to the City for development approval since the City will be providing services when the project is built out?

Third, if we want to have a discussion with the landowner/developer of this proposed project who should we contact, and do you have their contact information?

By copy of this email I am asking Abraham Prado in the City Planning Department to advise us as to whether this project site is within the City Sphere of Influence.

I look forward to hearing from you and am available to discuss any questions you might have.

Bob Braitman
Executive Officer
San Benito LAFCO
805-647-7612
bob@braitmanconsulting.com

From: Todd Pace [mailto:tpace@msce.com]
Sent: Thursday, June 04, 2015 1:36 PM

6/26/2015

To: bob@braitmanconsulting.com
Cc: Chris Ragan
Subject: 19821 Fay Property Project - LAFCO

Bob,

It was good speaking with you earlier regarding the project and need an out of area service application with LAFCO for sanitary sewer service by the City of Hollister.

I have attached a copy of the preliminary map that was submitted in April for your reference and to familiarize yourself with the project.

I have also attached a copy of the sanitary sewer service study completed by the Wallace Group on behalf of the City for the Fay Property project.

If you have any questions, please feel free to contact me.

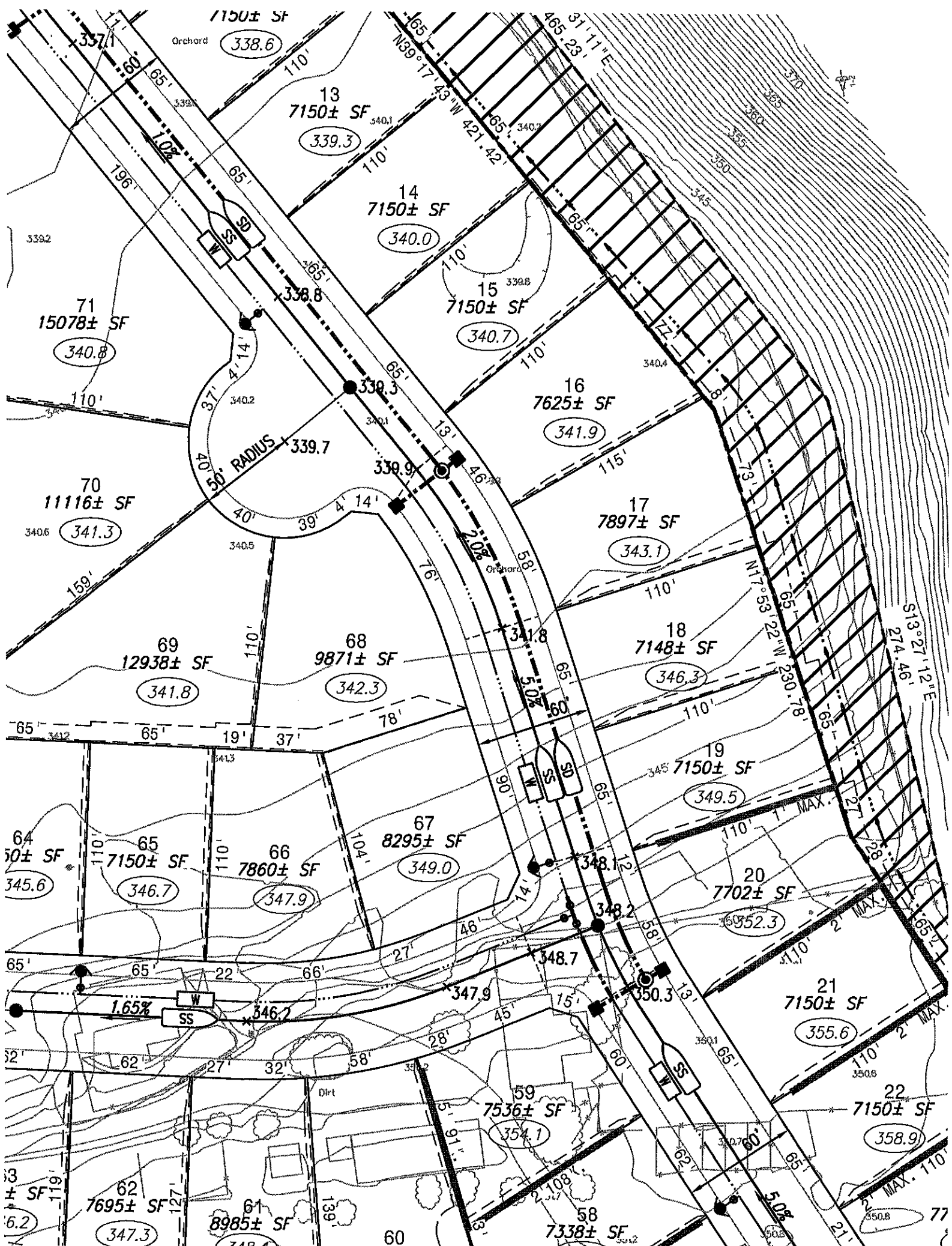
Sincerely,

Todd Pace

MacKay & Somps Civil Engineers, Inc. | 5142 Franklin Drive, Suite B |
Pleasanton, CA 94588 | P: 925.225.0690 | F: 925.225.0698 | E: tpace@msce.com



6/26/2015



May 29, 2015

Subject: Fay Property Sewer Analysis

Dear Mr. Rubcic, PE,

The City of Hollister requested Wallace Group to analyze the impacts that the proposed Fay Property development would have on the City's sewer collection system. Fay Property (APN 020-290-049-000) is a proposed 90 unit residential subdivision located outside City limits on the east side of Southside Road, south of Enterprise Road. The wastewater flow from this development is proposed to gravity flow to the sewer main on Southside Road to the City's Southside Lift Station (LS) located on Southside Road, just south of Enterprise Road.

The Subdivision's engineer, MacKay & Soms, submitted the Preliminary Site Plan, dated April 24, 2015. The following is a preliminary analysis of the City's sewer collection system and recommended upgrades to meet the anticipated sewer demands:

Sewer Demand Estimate

Sewer calculations were not provided for this development. Wallace Group used the flow demands presented in the adopted Sewer Master Plan, dated August 2010, prepared by Wallace Group to estimate the wastewater flow from the Fay Property. The following represent the flows and peaking factors identified in the Sewer Master Plan:

Flow (Q) average = 50 gpd/person
Density = 3.4 persons per household
Peaking Factor = 3.34

$Q = 50 \times 3.4 \times 3.34 \times 90 = 51,102 \text{ gpd (35 gpm) Peak Flow}$

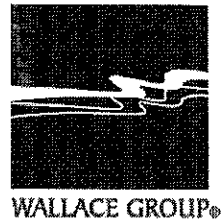
Preliminary Site Map Sewer Main Layout

The Preliminary Site Map proposes to serve the entire development with 8-inch sewer mains at a minimum of 1.00% slope and a maximum of 5.00% slope. The sewer main material is not identified on the Preliminary Site Map. The Developer should install PVC per City standards. The proposed 8-inch sewer mains are acceptable to serve the development as shown on the Preliminary Site Map.

Southside Road Sewer Main

Wallace Group does not have the elevation data (rim and invert) of the manholes on Southside Road from the connection of the Fay Development to the Southside LS. This stretch of the collection system was not included in the sewer model for the August 2010 Sewer Master Plan. The existing flow within this sewer main is estimated at 27 gpm under average day conditions and 95 gpm at peak hour dry weather conditions. ***It will be required that MacKay & Soms verify that the d/D within the City's 8-inch sewer main does not exceed 0.5 per City standards.*** If the sewer main in Southside Road, with proposed future demands exceeds 0.5 d/D, it is recommended that this sewer main be upgraded to meet future demands.

It is not anticipated that the flows from the Fay Development will exceed the available capacity in the existing sewer main. However, the Fay Development sewer flows with the proposed Sunnyside Estates Development sewer flows may exceed the capacity of the existing sewer main and should be verified.



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LANDSCAPE
ARCHITECTURE

MECHANICAL
ENGINEERING

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PUBLIC WORKS
ADMINISTRATION

SURVEYING /
GIS SOLUTIONS

WATER RESOURCES

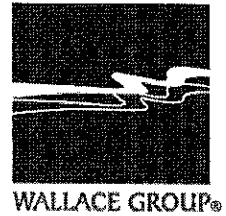


WALLACE GROUP
A California Corporation

612 CLARION CT
SAN LUIS OBISPO
CALIFORNIA 93401

T 805 544-4011
F 805 544-4294

www.wallacegroup.us



Southside Lift Station

Fay Property is proposing to gravity flow to the existing Southside LS. The Southside LS was evaluated in the Sewer Master Plan under existing conditions, but was not evaluated for any future development. Near Term Project No. 7 was identified in the Sewer Master Plan, which recommended installing a blower and odor scrubber adjacent to the wet well and installing security fencing. The City is in the process of completing this capital improvement project. In addition, the Sewer Master Plan noted that the wet well capacity was marginal under existing conditions due to an inadequately sized wet well.


The total flow to the Southside LS from existing flows plus the Fay Property Development is 130 gpm under peak hour dry weather conditions. The Southside LS has adequate pumping capacity to meet the sewer flow demands from the Fay Development.

In December 2014, Wallace Group evaluated the Southside LS with the anticipated future flows from Sunnyside Estates Development (213 residential single family units), which is on the west side of Southside Road and is also proposing to send the wastewater from this development to the Southside LS. This development proposed a lift station within the development (quantity of flow unknown) that would then be pumped to the Southside LS. It was determined that the Southside LS pumps are capable of meeting a flow of up to 252 gpm with no pump upgrades required. If flows are proposed to be higher than 252 gpm, it was recommended that the lift station pump capacity be verified to confirm that the lift station has adequate pumping capacity. Therefore, with the Fay Property Development and the Sunnyside Estates Development, it is anticipated that the flow to the Southside LS would exceed the pumping capacity and will need to be upgraded. Depending on the increased proposed flows, additional upgrades downstream of the Southside LS may be required. Once the size of the LS is determined, Wallace Group can evaluate the downstream impacts. If the flow from the lift station does not increase, downstream upgrades are not required to be completed prior to the development coming on-line.

An additional noted deficiency is the response time due to wet well size. If flows were to remain below 252 gpm, the response time at 252 gpm is only 8 minutes. At 130 gpm, the response time is only 15 minutes. This response time is inadequate for City operators to respond to an emergency. ***We recommended that a permanent on-site generator and automatic transfer switch be installed at the lift station prior to connection of Sunnyside Estates or the Fay Property Development, to ensure that under power outage conditions, the lift station will still operate.***

Sincerely,

WALLACE GROUP


Digitally signed by Karl
Wagner
DN: cn=Karl Wagner, o, ou,
email=karlw@wallacegroup.
us, c=US
Date: 2015.05.29 10:17:46
-07'00'

Karl Wagner, PE
Director of Water Resources

LETTERHEAD

Date

Bob Braitman
Executive Officer
San Benito LAFCO
2301 Technology Parkway
Hollister CA 95023

Subject: **Proposed Out of Agency Service Agreement**
(Name of public agency and affected property owner)

The City of _____ or _____ District hereby requests approval of the San Benito Local Agency Formation Commission for an out-of-agency service agreement as described by the attached materials. It is proposed to process this request under the provisions of the Cortese/Knox/Hertzberg Local Government Reorganization Act of 2000 (Government Code Section 56000 et seq.)

Enclosed with regard to this proposal are the following:

1. Resolution of application or letter approved by the City Council on _____ or Board of Directors on _____
2. Completed Application for Out-of-Agency Service Agreement (5 copies).
3. Map or sketch of the requested service area (5 copies).
4. LAFCO processing fee payable to San Benito LAFCO for \$ _____
5. (Reports, studies or other information to assist LAFCO staff.)

If you have any questions regarding this proposal, please contact (name/ phone number/email)

Sincerely

SAN BENITO LOCAL AGENCY FORMATION COMMISSION

Proposal Justification Questionnaire for Out-of Agency Service Agreement

(Attach additional sheets as necessary)

1. Name of City or District _____
2. Location/Address/size of property:
3. Assessor Parcel number:

Complete all relevant questions

4. Is the property within the agency's sphere of influence? Yes _____ No _____
5. What are the existing uses of the site? Be specific.
6. If a change in use is proposed, provide a description of the change.
7. What types of services are to be provided under contract?
8. Discuss the justification for the service agreement. Is this an emergency health and safety situation?
9. Why is annexation not possible at this time?
10. Is annexation of the territory anticipated in the future? ☐ Yes ☐ No
If yes, when? If no, why not?
11. Describe in detail how services will be extended to the property:
 - A. Describe needed improvements including distance for connections.
 - B. What are the costs of improvements and other start up costs?
 - C. How is financing to occur, both capital costs and ongoing operations?
12. What environmental review has been conducted for the project? If exempt, please provide a copy of the agency's Notice of Exemption.

13. Provide a vicinity map showing the site, city or district boundary and sphere line.
14. Provide a map showing existing and proposed infrastructure as relevant to this agreement.
15. Attach a copy of the proposed services agreement and any staff reports or supporting documentation related to this application.

16. Final Comments

- A. Provide any other comments or justifications regarding the request.
- B. Enclose all pertinent staff reports and supporting documentation.

17. Notices and Staff Reports

List up to three persons to receive copies of a notice of hearing and staff report.

Name and agency

Address

A.

B.

C.

Who should be contacted if there are questions about this application?

Name and agency

Address

Email address

Phone

Signature _____

Date _____



COUNTY OF SAN BENITO
PLANNING & BUILDING INSPECTION SERVICES

2301 Technology Parkway
Hollister, CA 95023-2513
e-mail: sboplan@cosb.us

Phone: 831-637-5313
Fax: 831-637-5334

December 23, 2015

Dear Consultant:

The San Benito County Planning Department would like to invite your firm to submit a proposal for the CEQA analysis proposed Tentative Subdivision Map project commonly known as the Fay Major Subdivision project – Southside Road.

Please submit your proposal on or before January 22, 2015.


The scope of services for the proposed project should include:

In general, the discussion for each environmental topic area should take the following approach in the Section 15183 CEQA document to be prepared in connection with the Project: (1) consider the extent of analysis that occurred in the General Plan EIR and determine whether there are site-specific or Project-specific issues that require additional analysis to ensure full disclosure and mitigation of impacts; (2) document conclusions regarding whether additional analysis is required; and (3) describe how any significant Project impacts will be adequately mitigated based on the applicable mitigation measures set forth in the General Plan EIR (supplemented to the extent necessary with additional detail to ensure mitigation measures are implemented as envisioned in the General Plan EIR) as well as the application of other uniformly applied development policies and standards.

Note: Development of the environmental work will likely include development/peer review of traffic reports, biological work, etc.

If you should have any questions please feel free to contact Michael Krausie at the number listed above.

Attached you will find a tentative subdivision map, and general project description/application, preliminary storm drain report, and biological constraints analysis, prepared for the proposal. Please consider the provided documents when developing your proposal.

Thank you,

Michael Krausie
Senior Planner

Michael Krausie

From: Todd Deutscher <tdeutscher@catdevpartners.com>
Sent: Friday, January 29, 2016 2:58 PM
To: Michael Krausie
Cc: Byron Turner; Brent Barnes; Linda McElroy
Subject: RE: Fay RFP

Importance: High

Thanks Michael.

Understood and accepted. I appreciate it. Please note that many reports listed in their proposal are already complete and may simply need peer review (other than say Traffic which seems to be an area of recent concern in the County). Please thank Brent as well for his time. I know you guys are burning it at both ends.

Thanks again and have a great weekend.

Todd

From: Michael Krausie [mailto:MKrausie@cosb.us]
Sent: Friday, January 29, 2016 2:50 PM
To: Todd Deutscher <tdeutscher@catdevpartners.com>
Cc: Byron Turner <BTurner@cosb.us>; Brent Barnes <BBarnes@cosb.us>; Linda McElroy <LMcElroy@cosb.us>
Subject: Fay RFP

Todd,

The RMA has chosen First Carbon Solutions as the successful consultant firm for the Fay major subdivision project. Staff is currently working with First Carbon Solutions to complete the contract development process in order to ensure this item is scheduled for the February 23rd Board meeting.

Please note: Any contact outside of the County's knowledge between the developer and environmental/planning consultant will result in nullification of the contract. RMA staff will need to reopen the RFP process if the no-contact requirement is violated. Please provide a response to this email indicating that you understand/accept the information stated above. Staff will not initiate contract negotiation or advance the contract to the BOS agenda until we have a written agreement.

Thank you,

Michael Krausie
Senior Planner
County of San Benito

www.cosb.us
Phone: 831-637-5313 X 286
Fax: 831-637-5334



SAN BENITO COUNTY

HEALTH & HUMAN SERVICES AGENCY

Ira Lubell, M.D.
HEALTH OFFICER

James A. Ridingsword, MPA
Agency DIRECTOR

PUBLIC HEALTH SERVICES
Healthy People in Healthy Communities

DATE: 4/8/16
TO: San Benito County Planning Dept.
FROM: Darryl Wong – Division of Environmental Health
SUBJECT: TSM 15-93; Hollister Land Partners LLC-Deutscher; 3061 Southside Rd.;
APN 020-290-049

The Division of Environmental Health has reviewed the above-referenced project and has the following comments:

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RECEIVED

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SAN BENITO COUNTY
PLANNING & BUILDING
BY _____

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831-637-5367



San Benito County
Public Works Department
2301 Technology Parkway, Hollister CA 95023
(831) 636-4170 Fax: (831) 636-4176

Inter- Department Memo

TO: Planning Department

FROM: Miguel Sanchez
Engineering Technician

DATE: April 29, 2016

Reviewed by: _____

[Signature]
Deems Katada, PE

SUBJECT: Public Works Comments on Revised Tentative Map for TSM 15-93;
Fay/Hollister Land Partners (2nd Submittal).
3061 Southside Road, Hollister, CA (APN: 020-290-049)

New comments are in bold and italicized.

1. Applicant shall show subdivision name and type (major) on the cover sheet of the vesting tentative map. *[Per county code § 23.07.002]*
 - ***Satisfied.***
2. On sheet 3 of 6 of the Vesting Tentative Map (VTM) Section A-A (Southside Road) shall have a detached sidewalk with a planter. Moreover, for Section A-A (Southside road) and Section B-B 60' Street (Public) the sidewalk structure shall show 4" of concrete over 6" min. of aggregate base over 6" subgrade, with the aggregate base and the subgrade sections compacted to 95%. *[Per city of Hollister standard detail A-9-2]*
 - ***Satisfied.***
3. On sheet 3 of 6 of the VTM, Section A-A (Southside Road) shall show proposed improvements by others (Sunnyside Estates Vesting Tentative Map dated November 2014) including the Class I Bike trail and sidewalk.
 - ***Satisfied.***
4. Applicant shall show actual and/or proposed geometry of both the Hospital Road intersection.
 - ***Satisfied.***
5. The county encourages that all lots be sloped towards the common driveways and not to the back of the property wherein it may impact the neighboring parcels/lots. If topography does not allow for this design any drainage towards the back of the property line shall be handled through adequate storm drain system with adequate

easement. Hence, surface drain at the back of the property crossing through neighboring lots shall be avoided due to potential obliteration of drainages features by future residents.

- ***Satisfied.***

6. Applicant shall verify that the Transportation Impact Study, prepared for for the Fay Property Subdivision by Wood Rodgers, is still valid since the site plan used for this study does not match the site plan submitted in the vesting tentative map.

- ***Satisfied.***

7. Applicant shall dedicate sufficient ROW width at the southern end of Southside Road southwesterly corner of the project to accommodate 55 mph design speed on the curve.

- ***Satisfied.***

8. Applicant shall do utility coordination with surrounding properties to be able to have a systematic utility system within the neighboring properties and future developments. This may require utility easements to be provided whenever necessary.

- ***This comment shall be as condition of approval (COA). See proposed COA below.***

9. No part of the detention pond shall encroach into the county right-of-way.

- ***Satisfied.***

10. The proposed project is within the Enterprise Drainage Basin and therefore shall be required to pay a fee towards the Enterprise Drainage Basin Benefit Area.

- ***This comment shall be as condition of approval (COA). See proposed COA below.***

11. Cross-section on the VTM shall show the ultimate build-out of Southside Road considering and therefore shall incorporate and delineate turn pockets and Bike Lane(s)/Class I Trail per San Benito County Bikeway and Pedestrian Master Plan.

- ***Satisfied.***

12. The names and numbers of adjacent subdivisions and the names of owners of adjacent unplatted land shall be shown on the vesting tentative map. *[Per county code § 23.07.002(3)]*

- ***Satisfied.***

13. Applicant shall provide a street network plan illustrating the whole picture of the overall circulation system, how the internal streets will be connected into adjoining properties, and how they will inter-connect over the long term. Although not approved yet, but there is already a proposed subdivision (Sunnyside Estates) on the on the west side of Southside Road on the opposite side to this proposed subdivision that is also proposing to open new ingress/egress on Southside Road; hence, this proposed

subdivision shall show the proposed ingress/egress to line up with the ingress/egress proposed by Sunnyside Estates.

- *Applicant shall be required to provide alternate street network plan considering/assuming that the offset intersection from enterprise Road is not allowed and therefore shall only connect directly to Enterprise road.*

14. Sunnyslope County Water District and the City of Hollister shall also review the proposed subdivision since the project is proposing to tie into the Sunnyslope County Water District's water system and the city of Hollister's sewer system. This may require additional fees not limited to, map or plan checking fees and inspection fees other than what the County will be collecting.

- *Satisfied.*

15. A copy of the geotechnical report dated June 10, 2015, prepared by Geo-Logic Associates, shall be submitted by the applicant for review by county staff. [Per county code § 23.07.003(B)]

- *Satisfied.*

16. *Identify all on-site areas proposed for private and/or public recreational uses, including trails, neighborhood parks; and proposed common areas. Pursuant to San Benito County Code of Ordinances Section 23.15.008 Dedication of Parkland, the subdivider is required to dedicate land, pay a fee in lieu thereof or a combination of both, at the option of the County, for park and recreational purposes. Based on the County's standards and formula for dedication of land, the proposed 84 lot subdivision requires the dedication of 1.26 acres (84 du x 0.015 acre/du). The dedicated parkland is required to be used for local or regional community and neighborhood parks and recreational facilities in such a manner that the locations and use of such parks and recreational facilities bear a reasonable relationship to the anticipated use of the park and recreational facilities by the inhabitants of the proposed subdivision. Value credited for dedicated lands in excess of 20% slope or subject to inundation due to a 100-year storm shall be adjusted to reflect the reduced utility of the lands for park purposes.*

Recreational open space may be substituted for developable parkland. Open space shall be valued at 10% of the value of useable parkland. No more than 10% of total parkland may be open space. San Benito County is not obligated to accept open space in lieu of developable parkland, but may consider it as an option. San Benito County may require trails or other such features in order for the open space to qualify as parkland.

17. *The VTM shall show the side slopes of the proposed detention pond; if the slopes are steeper than 1:5, the pond shall be fenced.*

Below are additional concerns that the applicant should consider and may also be reflected in the Tentative Map. Public Works believes some of these items, if not all, could be adequately addressed as conditions of approval for this proposed subdivision.

Proposed conditions of approval below are still in effect with additional.

18. Prior to recordation of the Final Map, the applicant shall make the following irrevocable offers of dedication [§ 23.15.002 Dedication of Streets, Alleys and Other Public Rights-of-Way or easement]:

- Half of *110 foot right-of-way along the whole property frontage on Southside Road.
- Full *60 foot right-of-way for all streets within the subdivision with standard 50 feet radius right-of-way for the turnaround facility at each ends and standard knuckle per City of Hollister Standards. Dedication of road should consider and provide required curve radius at the corners of intersections.

Provide confirmation that the right-of-way dedications at the corners of intersections had been considered to accommodate ADA Ramp per City of Hollister Standards (which is also being adopted by the County).

**110 feet right-of-way requirement for Southside Road may change to 84 feet if Southside Rd. is reclassified in the circulation element.*

***60 feet right-of-way requirement may change to 56 feet upon the approval of the new road standards by the San Benito County Board of Supervisors.*

19. Prior to recordation of the Final Map, the applicant shall bond for or make the following roadway improvements [§ 23.17 Improvements]:

- Half of the *94 foot curb to curb paved surface on 96 foot roadbed with standard curb, gutter and detached sidewalk along the whole property frontage on Southside Road.
- Full **40 feet curb to curb paved surface on 42 foot roadbed for all streets within the subdivision with standard 40 feet radius paved surface on 41 foot radius roadbed turnaround facilities at each end, standard curb, gutter and a detached sidewalk. [§ 23.29 Road Standards; § 23.27.004(E)]

**curb to curb pavement width requirement may change upon the reclassification of Southside Rd. in the circulation element.*

***curb to curb pavement width requirement may change upon the approval of the new road standards by the San Benito County Board of Supervisors.*

20. Prior to recordation of the final map , applicant should comply with the recommendations by the traffic report by:

- Pay Traffic Impact Mitigation Fee (TIMF) for Union Rd./Airline HWY.
- Pay Traffic Impact Mitigation Fee (TIMF) for Enterprise Rd./Airline HWY.
- If the project has direct impact on deterioration of existing level of service (LOS) on any given intersection below LOS D, Immediate improvements to LOS D or better is upon the project. The applicant may enter into a reimbursement agreement with the county to receive reimbursement when funding available in the traffic impact mitigation fee account (TIMF).

21. As part of the submission of engineered Improvement Plans for this project, the recommendations in the following reports shall be incorporated into the design of the

improvement plans: the Review of Earthquake Faults Investigation (File No. SH-12620-GC) by Earth Systems Pacific, the Earthquake Fault Investigation by Geo-Logic Associates (Project No. 2014.0158) and the Site Specific Geotechnical Investigation done by Earth Systems Pacific mentioned in the Geo-Logic Associates report. Also Prior to recordation of the Final Map, a complete compilation of test reports along with a letter from Soils Engineer attesting compliance with requirements and recommendations shall be submitted to Public Works Department upon completion of site improvements. A note shall also be placed on the Final Map referencing the aforementioned report for future reference by potential property owners.[§ 23.31.023]

22. As part of the submission of engineered improvement plans for this project, the applicant shall comply with County Drainage Standards and provide drainage and erosion control details for the project. Included in this will be drainage calculations and construction details for the proposed retention/detention pond for impermeable surfaces created as part of this project. All drainage improvements must be installed or bonded for prior to recordation of the Final Map. [§ 23.17.003.(B)]
23. Prior to start of grading and/or construction activities, a Storm Water Pollution Prevention Plan (SWPPP) prepared by a certified QSD/QSP (Qualified SWPPP Developer/Qualified SWPPP Practitioner) shall be submitted to County Public Works Department. A QSD/QSP should be retained for the duration of the construction and should be responsible to coordinate and comply with requirements by the Regional Water Quality Control Board, to file Notice of Intent (per Construction General Permit Order No. 2009-0009-DWQ as amended by 2010-0014 DWQ), and to monitor the project as to compliance with requirements until its completion.
24. As part of submission of Improvement Plans for this project, applicant shall include utility plans and have them approved by each corresponding utility companies when applicable, which includes but not necessarily limited to sanitary sewer, water, gas, electric, telephone, and cablevision, and shall furnish copies said approved plans to Public Works Department for concurrence. Said plans shall be part of the final or approved Improvement Plan.
25. *As part of submission of engineered Improvement Plans for this project, the applicant shall do utility coordination with surrounding properties to be able to have a systematic utility system within the neighboring properties and future developments. This may require utility easements to be provided whenever necessary and these shall be shown on the improvement plans to be submitted to the county for approval.*
26. All proposed utilities within the subdivision and along peripheral streets shall be placed underground except those facilities exempted by Public Utilities Commission regulations [§23.17.003(F)]. All necessary utilities must be installed or bonded for prior to recordation of the Final Map.

27. Prior to recordation of the Final Map, the applicant must submit a list of proposed street names (for Street A, Street B, & Street C) to the county's Communications Department for road name approval. [*§23.07.003*]
28. Prior to the recordation of the final map, the applicant/sub-divider shall be required to dedicate land, pay a fee in lieu thereof or a combination of both, at the option of the County for park and recreational purposes. [*Per county code § 23.15.008*]
29. ***The proposed project is within the Enterprise Drainage Basin; therefore, prior to the recordation of the final map the applicant shall be required to pay a fee towards the Enterprise Drainage Basin Benefit Area.***
30. ***A homeowners association (as defined in Section 23.01.004), duly incorporated under the laws of the State of California, shall be formed for this subdivision. The covenants and restrictions for the subdivision shall provide for its formation and operation and delineate the rights and obligations of the association, its directors and its members (which must include the right of the association, through its members, to levy assessments that are a legal obligation of members and a lien on subdivided property owned by members of the association). The homeowners association shall be activated at or before the time of approval of the final or parcel map, for the purpose of street lighting, street sweeping, road maintenance, storm drainage, landscaping maintenance and other services directly related to the subdivision. An applicant may propose another option to developing a homeowners association. If so, the applicant's request shall be brought before the Board of Supervisors, reviewed and approved prior to or during approval of the final or parcel map, and any approved alternative shall be activated at or before the time of approval of the final map by the Board of Supervisors. [§23.25.007 (SBC Code)]***
31. Pursuant to §19.27.004 of the County Code, the applicant shall obtain a Public Works Encroachment Permit for any work being performed within the County Right-of-Way or any road offered for dedication to the County prior to commencement of any improvements associated with this project.
32. ***Upon completion of required improvements, applicant shall provide warranty security in the amount not less than 10% of the estimated cost of construction of the improvements to guarantee the improvements against any defective work or labor done or defective materials used in the construction or installation of the improvements throughout the warranty period which shall be the period of one year following completion and acceptance of the improvements. [§ 23.17.009.4]***
33. Prior to the recordation of the Final Map or before release of alternate Bond, one set of "As Built" Improvement Plans on a suitable reproducible media (PDF file and hardcopy file) shall be prepared by the applicant's engineer and delivered to the Public Works Department. [*§ 23.31.002.(K)(1)*]

Sunnyslope County Water District

3570 Airline Highway
Hollister, California 95023-9702

Phone (831) 637-4670
Fax (831) 637-1399

September 25, 2015

Michael Krausie
San Benito County Planning Department
2301 Technology Parkway
Hollister, CA, 95023

RE: Planning Application No. TSM 15-93 Fay/ Hollister Land Partnerships

Sunnyslope County Water District is able and willing to provide both domestic and fire water supply for this proposed development. Sunnyslope can assure that sufficient water pressure and flow can be supplied for normal residential demand and for fire flow requirements. Prior to the start of construction, the Developer must enter into a Water Service Agreement with Sunnyslope County Water District which will dictate the terms and conditions for water service.

~~In the Tentative Utilities Plan, there are an excessive number of fire hydrants for the development. Sunnyslope requires minimum fire hydrant spacing of 500 feet. A minimum separation of 10 feet is required between parallel water and sewer mains and laterals. However, these items can be further addressed during the plans review stages.~~

If you have any further questions or need more clarification, do not hesitate to contact me by phone at (831) 637-4670 or email at rob@sscwd.org. Have a great day.

Rob Hillebrecht, E.I.T.
Assistant Engineer
Sunnyslope County Water District



San Benito County
Public Works Department
2301 Technology Parkway, Hollister CA 95023
(831) 636-4170 Fax: (831) 636-4176

Inter- Department Memo

TO: Planning Department

FROM: Miguel Sanchez
Engineer I

RECEIVED

Reviewed by:

OCT 21 2015

Arman Nazemi

DATE: October 21, 2015

SAN BENITO COUNTY
PLANNING & BUILDING
BY _____

SUBJECT: Public Works Comments on Revised Tentative Map for TSM 15-93;
Fay/Hollister Land Partners.
3061 Southside Road, Hollister, CA (APN: 020-290-049)

1. Applicant shall show subdivision name and type (major) on the cover sheet of the vesting tentative map. *[Per county code § 23.07.002]*
2. On sheet 3 of 6 of the Vesting Tentative Map (VTM) Section A-A (Southside Road) shall have a detached sidewalk with a planter. Moreover, for Section A-A (Southside road) and Section B-B 60' Street (Public) the sidewalk structure shall show 4" of concrete over 6" min. of aggregate base over 6" subgrade, with the aggregate base and the subgrade sections compacted to 95%. *[Per city of Hollister standard detail A-9-2]*
3. On sheet 3 of 6 of the VTM, Section A-A (Southside Road) shall show proposed improvements by others (Sunnyside Estates Vesting Tentative Map dated November 2014) including the Class I Bike trail and sidewalk.
4. Applicant shall show actual and/or proposed geometry of both the Hospital Road intersection.
5. The county encourages that all lots be sloped towards the common driveways and not to the back of the property wherein it may impact the neighboring parcels/lots. If topography does not allow for this design any drainage towards the back of the property line shall be handled through adequate storm drain system with adequate easement. Hence, surface drain at the back of the property crossing through neighboring lots shall be avoided due to potential obliteration of drainages features by future residents.

6. Applicant shall verify that the Transportation Impact Study, prepared for for the Fay Property Subdivision by Wood Rodgers, is still valid since the site plan used for this study does not match the site plan submitted in the vesting tentative map.
7. Applicant shall dedicate sufficient ROW width at the southern end of Southside Road southwesterly corner of the project to accommodate 55 mph design speed on the curve.
8. Applicant shall do utility coordination with surrounding properties to be able to have a systematic utility system within the neighboring properties and future developments. This may require utility easements to be provided whenever necessary.
9. No part of the detention pond shall encroach into the county right-of-way.
10. The proposed project is within the Enterprise Drainage Basin and therefore shall be required to pay a fee towards the Enterprise Drainage Basin Benefit Area.
11. Cross-section on the VTM shall show the ultimate build-out of Southside Road considering and therefore shall incorporate and delineate turn pockets and Bike Lane(s)/Class I Trail per San Benito County Bikeway and Pedestrian Master Plan.
12. The names and numbers of adjacent subdivisions and the names of owners of adjacent unplatted land shall be shown on the vesting tentative map. *[Per county code § 23.07.002(3)]*
13. Applicant shall provide a street network plan illustrating the whole picture of the overall circulation system, how the internal streets will be connected into adjoining properties, and how they will inter-connect over the long term. Although not approved yet, but there is already a proposed subdivision (Sunnyside Estates) on the on the west side of Southside Road on the opposite side to this proposed subdivision that is also proposing to open new ingress/egress on Southside Road; hence, this proposed subdivision shall show the proposed ingress/egress to line up with the ingress/egress proposed by Sunnyside Estates.
14. Sunnyslope County Water District and the City of Hollister shall also review the proposed subdivision since the project is proposing to tie into the Sunnyslope County Water District's water system and the city of Hollister's sewer system. This may require additional fees not limited to, map or plan checking fees and inspection fees other than what the County will be collecting.
15. A copy of the geotechnical report dated June 10, 2015, prepared by Geo-Logic Associates, shall be submitted by the applicant for review by county staff. *[Per county code § 23.07.003(B)]*

Below are additional concerns that the applicant should consider and may also be reflected in the Tentative Map. Public Works believes some of these items, if not all, could be adequately addressed as conditions of approval for this proposed subdivision.

16. Prior to recordation of the Final Map, the applicant shall make the following irrevocable offers of dedication [§ 23.15.002 Dedication of Streets, Alleys and Other Public Rights-of-Way or easement]:

- Half of *110 foot right-of-way along the whole property frontage on Southside Road.
- Full *60 foot right-of-way for all streets within the subdivision with standard 50 feet radius right-of-way for the turnaround facility at each ends and standard knuckle per City of Hollister Standards. Dedication of road should consider and provide required curve radius at the corners of intersections.

Provide confirmation that the right-of-way dedications at the corners of intersections had been considered to accommodate ADA Ramp per City of Hollister Standards (which is also being adopted by the County).

**110 feet right-of-way requirement for Southside Road may change to 84 feet if Southside Rd. is reclassified in the circulation element.*

***60 feet right-of-way requirement may change to 56 feet upon the approval of the new road standards by the San Benito County Board of Supervisors.*

17. Prior to recordation of the Final Map, the applicant shall bond for or make the following roadway improvements [§ 23.17 Improvements]:

- Half of the *94 foot curb to curb paved surface on 96 foot roadbed with standard curb, gutter and detached sidewalk along the whole property frontage on Southside Road.
- Full **40 feet curb to curb paved surface on 42 foot roadbed for all streets within the subdivision with standard 40 feet radius paved surface on 41 foot radius roadbed turnaround facilities at each end, standard curb, gutter and a detached sidewalk. [§ 23.29 Road Standards; § 23.27.004(E)]

**curb to curb pavement width requirement may change upon the reclassification of Southside Rd. in the circulation element.*

***curb to curb pavement width requirement may change upon the approval of the new road standards by the San Benito County Board of Supervisors.*

18. Prior to recordation of the final map , applicant should comply with the recommendations by the traffic report by:

- a. Pay Traffic Impact Mitigation Fee (TIMF) for Union Rd./Airline HWY.
- b. Pay Traffic Impact Mitigation Fee (TIMF) for Enterprise Rd./Airline HWY.
- c. If the project has direct impact on deterioration of existing level of service (LOS) on any given intersection below LOS D, Immediate improvements to LOS D or better is upon the project. The applicant may enter into a reimbursement agreement with the county to receive reimbursement when funding available in the traffic impact mitigation fee account (TIMF).

19. As part of the submission of Improvement Plan for this project, the recommendations of the geotechnical engineering report (File No. SH-12620-SB) by Earth Systems Pacific shall be incorporated into the design of the improvement plans. Prior to recordation of the Final Map, a complete compilation of test reports along with a letter from Soils Engineer attesting compliance with requirements and recommendations shall be submitted to Public Works Department upon completion of site improvements. A note shall also be placed on the Final Map referencing the aforementioned report for future reference by potential property owners. [§ 23.31.023]
20. As part of the submission of engineered improvement plans for this project, the applicant shall comply with County Drainage Standards and provide drainage and erosion control details for the project. Included in this will be drainage calculations and construction details for the proposed retention/detention pond for impermeable surfaces created as part of this project. All drainage improvements must be installed or bonded for prior to recordation of the Final Map. [§ 23.17.003.(B)]
21. Prior to start of grading and/or construction activities, a Storm Water Pollution Prevention Plan (SWPPP) prepared by a certified QSD/QSP (Qualified SWPPP Developer/Qualified SWPPP Practitioner) shall be submitted to County Public Works Department. A QSD/QSP should be retained for the duration of the construction and should be responsible to coordinate and comply with requirements by the Regional Water Quality Control Board, to file Notice of Intent (per Construction General Permit Order No. 2009-0009-DWQ as amended by 2010-0014 DWQ), and to monitor the project as to compliance with requirements until its completion.
22. As part of submission of Improvement Plan for this project, applicant shall include utility plans and have them approved by each corresponding utility companies when applicable, which includes but not necessarily limited to sanitary sewer, water, gas, electric, telephone, and cablevision, and shall furnish copies said approved plans to Public Works Department for concurrence. Said plans shall be part of the final or approved Improvement Plan.
23. All proposed utilities within the subdivision and along peripheral streets shall be placed underground except those facilities exempted by Public Utilities Commission regulations [§23.17.003(F)]. All necessary utilities must be installed or bonded for prior to recordation of the Final Map.
24. Pursuant to §19.27.004 of the County Code, the applicant shall obtain a Public Works Encroachment Permit for any work being performed within the County Right-of-Way or any road offered for dedication to the County prior to commencement of any improvements associated with this project.
25. Prior to recordation of the Final Map, the applicant must submit a list of proposed street names (for Street A, Street B, & Street C) to the county's Communications Department for road name approval. [§23.07.003]

26. Prior to the recordation of the Final Map or before release of alternate Bond, one set of "As Built" Improvement Plans on a suitable reproducible media (PDF file and hardcopy file) shall be prepared by the applicant's engineer and delivered to the Public Works Department. [§ 23.31.002.(K)(1)]
27. The applicant shall identify all on-site areas proposed for private and/or public recreational uses, including trails, neighborhood parks; and proposed common areas. Moreover, prior to the recordation of the final map, the applicant/sub-divider shall be required to dedicate land, pay a fee in lieu thereof or a combination of both, at the option of the County for park and recreational purposes. The dedicated parkland is required to be used for local or regional community and neighborhood parks and recreational facilities in such a manner that the locations and use of such parks and recreational facilities bear a reasonable relationship to the anticipated use of the park and recreational facilities by the inhabitants of the proposed subdivision. . *[Per county code § 23.15.008]*

January 25, 2016
Fay Property / Bennett Ranch

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19821.000
JAN 27 2016

SAN BENITO COUNTY
PLANNING & BUILDING

RESPONSE TO COMMENTS LETTER San Benito County – 1st Review of VTM

This letter is intended to accompany the 2nd Vesting Tentative Map submittal for the Bennett Ranch project. The comments are intended to direct the County to the plans and prior comment letter(s) received and may not be sufficient on response alone. Please refer to plans submitted as part of this package.

Southside School

Project will comply with standard county requirements for development impact fees, of which \$3.36 per square foot of living space would be collected for residential development within the project for Southside Schools, per the current San Benito County Building Impact Fees Schedule, effective May 25, 2014.

Public Works Department

1. Subdivision name and type of vesting tentative map have been added to the cover sheet.
2. Detached 5 foot wide sidewalk has been added to the east side of the Southside Road Section and notes regarding the sidewalk structural section have been added to Sheet 3.
3. Proposed improvements on the west side of Southside Road have been added and noted as improvements to be provided by others.
4. Proposed geometry for Hospital Road intersection, within project limits has been shown on Sheet 3. Future improvements (by others) on the west side of Southside Road and north side of Hospital Road are representative of the tentative map for Sunnyside Estates, November 2014, and are for reference only. All striping shown is preliminary and subject to final approval(s).
5. Lots are labeled with a single pad grade, however finish grading conditions on these lots shall allow for sloping of the lot toward fronting streets or common parcels that will include drainage improvements that collect and transmit the runoff away from other parcels. There will be no drainage from private lots that will pass through other privately owned lots, unless that private lot is owned and maintained by the proposed home owners association (or other common entity).
6. A revised traffic analysis has been prepared by Wood Rodgers and is included as part of this submittal.
7. The proposed right of way dedication for Southside Road (south of Hospital Road) is sufficient to accommodate a roadway (widened to 42 foot half width on east side) with a 45 mph design speed (700 foot centerline radius, per CalTrans) per prior discussions with the San Benito County public works department, specifically Arman Nazemi and Joe Horwedel. This road design speed meets/exceeds current conditions and takes into consideration grading and subsequent constraints on the roadway as it travels southbound. Providing a design speed of 55 mph is not practical given existing conditions.
8. Utilities are being stubbed to the northern most property boundary of the project for connection to future developments, if and when they occur. This stub will provide future SSCWD water connection and City of Hollister sanitary sewer connection to both the properties to the east and north. Utility service (water and sewer) to the parcels south of the project (county development)

- SINCE 1953 -

5142 FRANKLIN DRIVE, SUITE B, PLEASANTON, CALIFORNIA 94588-3368 PHONE: (925) 225-0690 FAX: (925) 225-0698
OFFICES: PLEASANTON ROSEVILLE

www.msce.com

is already provided by the City of Hollister. Storm drainage on the parcels north and east of the project will be collected and detained on those properties and discharged to the proposed County storm drainage pipe in Southside Road. Storm drainage is not proposed to be stubbed to the area south of the project, as those parcels are not part of the Enterprise Basin Benefit Area.

9. Detention basin grading limits do not encroach into the proposed 42 foot half-width dedication of Southside Road, however the storm drainage outfall from the basin will be connected into a proposed storm drainage main in Southside Road.
10. The project will be contributing the required fees to the Enterprise Basin Benefit Area based on a per lot cost of \$780 (Enterprise Drainage Basin Benefit Area Resolution No 99-53) for 84 lots >> \$65,520 total for this project.
11. The Southside Road cross section as shown on the VTM at 84 feet of width is per the direction of Arman Nazemi and Joe Horwedel, provided during the County's review of the preliminary map. This width is also consistent with the Sunnyside Estates (Brigantino) Tentative Map. The county would need to provide additional information if detailed information is required to be shown on the VTM, such as striping requirements, including travel lanes, turn lanes, bike lanes, etc. The full proposed cross section of Southside Road is shown on Sheet 3 of the tentative map. Further guidance from the county will be necessary to determine temporary, as well as, long term striping within the improved section of Southside Road.
12. Owner names and APNs have been added for all adjacent parcels within 300 feet of subject property.
13. A street plan exhibit has been provided to the county in the past and will be resubmitted with the revised VTM for reference only. Preliminary roadway network and proposed intersection geometry has been shown on Sheet 3 of the tentative map and noted for reference only.
14. Project is under review by Sunnyslope County Water District and the City of Hollister. It is anticipated that there will be additional fees for plan checking and connection that are outside the jurisdiction of the County.
15. A copy of the geotechnical report is being included with this submittal.
16. through 27. All comments, with the exceptions noted below, are noted and to be complied with as those comments become conditions on the map and project.
16. Vesting Tentative Map is based on Southside Road right-of-way width of 84 feet (not 110 feet), per previous communications with Arman Nazemi and Joe Horwedel. This width is consistent with the Sunnyside Estates (Brigantino) Tentative Map.
17. VTM is based on Southside Road curb-to-curb width of 64 feet (not 94 feet), per previous communications with Arman Nazemi and Joe Horwedel. This width is consistent with the Sunnyside Estates (Brigantino) Tentative Map.

Please review the attached plan(s) and feel free to contact MacKay & Soms if there are any further questions or concerns that you might have.

Sincerely,



Todd D. Pace
MacKay & Soms

CC: Todd Deutscher, Hollister Land Partners, LLC

TRANSMITTAL

To: San Benito County
2301 Technology Parkway
Hollister, CA 95023

Date: 01-28-2016

Subject: Bennett Ranch – Tentative Map
(Formerly the Fay Property)

Attn: Michael Krausie

Ship Via: Overnight Delivery

Description of Enclosed:

- 15 Copies of Tentative Map
- 1 Copy of Response to Comment Letter
- 1 Copy of Updated Transportation Impact Study
- 1 Copy of Geotechnical Report / Seismic Study and a Peer Review Letter
- 1 Copy of Lot Line Adjustment (Legal Description Before/After and Map Math Check)

RECEIVED
JAN 27 2016

SAN BENITO COUNTY
PLANNING & BUILDING

Message:

The attached submittal is in response to comments received on the first submittal of the Vesting Tentative Subdivision Map and in the absence of a formal approval (or conditions of approval). The lot line adjustment is being submitted simultaneously and should be processed concurrently with the tentative map. The record of survey has already been submitted for the second time and is pending approval.

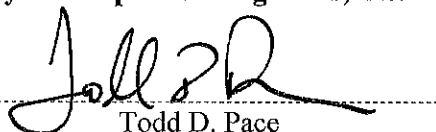
RECEIVED

JAN 28 2016

SAN BENITO COUNTY
PLANNING & BUILDING
BY _____

MacKay & Soms Civil Engineers, Inc.

By:


Todd D. Pace

cc:

Todd Deutscher, Hollister Land Partners, LLC
Chris Ragan, MacKay & Soms
Todd Pace, MacKay & Soms

- SINCE 1953 -

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DATE
STAMP
(Pages 1 & 12)

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MAR 17 2016

SAN BENITO COUNTY
PLANNING & BUILDING

INTAKE BY: Krausie

PROJECT NO. TSM15-93

File copy

County of San Benito PLANNING APPLICATION

NOTE TO APPLICANTS: This application **MUST** be accompanied by all required submittal materials and fees. A Planner will check the documents required based on application type. **A complete application will expedite processing of your application.** Incomplete applications **WILL NOT BE ACCEPTED.**
Application Check List provided on Page 15. Please Print Legibly.

Project Type:

- ☒ Residential ☐ Commercial
☐ Industrial ☐ Other _____

Requested Action(s): (Check all that apply)

- | | | |
|---|--|---|
| <input type="checkbox"/> APPEAL of ... | <input type="checkbox"/> Administrative Decision | <input type="checkbox"/> Planning Commission |
| <input type="checkbox"/> Affordable Housing Conversion | | <input type="checkbox"/> Agricultural Exempt (separate application form) |
| <input type="checkbox"/> Building Site Review | | <input type="checkbox"/> Certificate of Compliance |
| <input type="checkbox"/> C-District Review ... | <input type="checkbox"/> (Existing) <input type="checkbox"/> (New) | <input type="checkbox"/> Design Review |
| <input type="checkbox"/> Extension of _____ | | <input type="checkbox"/> General Plan Amendment |
| <input type="checkbox"/> Grading | | <input type="checkbox"/> Hillside Design Review |
| <input type="checkbox"/> Lot Line Adjustment | | <input type="checkbox"/> M-District Review ... <input type="checkbox"/> Existing <input type="checkbox"/> New |
| <input type="checkbox"/> Major Subdivision (5-50 lots) | | <input checked="" type="checkbox"/> Major Subdivision (51 or more lots) |
| <input type="checkbox"/> Minor Subdivision (w/ Sewer/Water) | | <input type="checkbox"/> Minor Subdivision (No Sewer/Water) |
| <input type="checkbox"/> Non-Conforming Site Review | | <input type="checkbox"/> Preliminary Map Review |
| <input type="checkbox"/> Project Clearance Review | | <input type="checkbox"/> Rural Home Enterprise |
| <input type="checkbox"/> Temporary Use Permit | | <input type="checkbox"/> Temporary Mobile Home |
| Type: _____ | | <input type="checkbox"/> Renewal Of: _____ |
| <input type="checkbox"/> Scenic Highway Review | | <input type="checkbox"/> Special Plan Review |
| <input type="checkbox"/> Specific Plan | | <input type="checkbox"/> Use Permit – Type: _____ |
| <input type="checkbox"/> Sign Permit | | <input type="checkbox"/> Use Permit – Amendment: _____ |
| <input type="checkbox"/> Variance | | <input type="checkbox"/> Zone Change |

Please Type or Print in Blue or Black Ink

APPLICANT:

Hollister Land Partners LLC

Todd A. Deutscher

(Name)

18 Crow Canyon Court, Ste. 190

(Address)

San Ramon, CA 94583

(City, State, ZIP)

(925) 324-1418 tadeutscher@gmail.com

(Phone)

(E-mail address)

PROPERTY OWNER: (If different from Applicant)

LOMPA ENTERPRISES, L.P., a California limited partnership, and DENNIS W. FAY, an unmarried individual, as their interests may appear

(Name)

P.O. Box 3174

(Address)

Sonora CA 95370

(City, State, ZIP)

(209) 770-6080

denfay@mlode.com

(Phone)

(E-mail address)

ENGINEER: (attach business card)

MacKay & Somps

Chris Ragan

(Name)

5142 Franklin Drive, Suite B

(Address)

Pleasanton, CA 94588

(City, State, ZIP)

(925) 225-0690 cragan@msce.com

(Phone)

(E-mail address)

AGENT: (if different from Engineer)

(Name)

(Address)

(City, State, ZIP)

(Phone)

(E-mail address)

NOTE: Please complete Page 13 with additional parties needing notification

Project Location:

Street Address of Project: 3061 Southside Road

Address Assigned by Planning: N/A

APN(s): 020-290-049

Lot/Tract: N/A

Other Description of Location: Parcel is on east side of Southside Road, south of Enterprise Road & 27.26 acres (APN); 25.79 acres (Boundary Survey); 25.24 acres (Proposed Lot Line Adjustment)

Neighboring Uses:

Describe use(s) on property to the:

North Coroto - Residential/Orchard Fay Access Parcel

East Fay - Grazing Land

South SB County - Pit

West Brigantino - Prop. Development

PROJECT INFORMATION

PURPOSE: This form is to provide the County of San Benito with basic information needed to review your project and potential environmental impacts. It is intended to be a supplement to the regular development permit or subdivision application and is not to replace any other application form. The assessment of environmental impacts is mandated by the California Environmental Quality Act (CEQA). Responses should not simply refer to other documents, and descriptive answers are required. San Benito County staff is available to assist in the completion of this report; however, the report must be completed by the applicant or applicant's representative. The Planning Department will **NOT** accept incomplete applications.

(Please type or print)

1. **PROJECT DESCRIPTION:** *(Describe in detail the proposed uses and all improvements to be made on and off the property):*

All improvements on-site and off-site as required to record a Final Map for 84 +/- single family lots.

2. **RELATED PERMITS OR APPROVALS:** *(Any required by municipal, regional, State or Federal agencies for this project):*

N/A

3. **LAND USE:** Existing and recent historical use of the property *(including acreage and description of agricultural crops, if any):*

Existing land use is agricultural (orchard of 14 +/- acres) with two existing dwellings on the property.
Zoned residential as per County General Plan.

4. Existing General Plan designations for project site and adjacent lands:

Project: Rural Urban

Adjacent: Rural Urban, P/Q, AP

5. Existing Zoning designations for project site and adjacent lands:

Project: R-1

Adjacent: R-1, MR, AP

6. **SITE DESCRIPTION:** (All items should be shown on site plan)

a. General topography *(hills, slopes, rock outcrops, etc.):*

Property abuts existing hillside on eastern boundary, gently sloping from East to West and South to North

b. Plant life (*brush, mature trees, species, etc.*):

Mature fruit trees on portion of property (14 +/- acres) with remainder grass pasture.

c. Structures (*including age and conditions of all structures, buildings, etc.*):

Various wood frame structures which will be removed prior to rough grading of site.

d. Fences, walls:

Wire fencing on three sides of site (North/South/East).

e. Utilities (*lines, poles, underground, other*):

Miscellaneous service utility poles/lines to buildings on the site; all main utilities appear to be on west side of Southside Road.

f. Trails and roads (*locations, dimensions, surface improvements*):

Asphalt Southside Road with gravel driveways to existing structures on property (less than 3 total).

g. Easements and rights-of-way:

An existing 30' wide private access/utility area benefiting the Owner's parcel to the east of the Project, to be expanded through lot line adjustment to 60' width. Such private access is not a part of the Project and Applicant will not acquire any rights thereto

h. Hydrologic features (*drainage courses, streams, ponds, sumps, etc.*):

None within the parcel boundary.

7. EXISTING ROAD SYSTEMS: Describe and show on a map the existing road systems on the site, and the major access routes now available for the project (*width, ingress, egress, condition and type of surface, etc.*): Describe ingress and egress points for adjacent properties if commercial or industrial development is proposed

Existing Southside Road along west boundary line of parcel; See Tentative Map Site Plan for location(s) of proposed ingress/egress from Southside Road.

8. GENERATION:

a. Indicate the average daily and peak number of automobile and truck trip ends which are estimated to be generated by the proposed project. (Trip generation rates and instructions for these calculations are attached).
Automobiles: 840 Trucks: _____

b. Has a traffic study been prepared? Yes ☒ If yes, please submit two (2) copies. No ☐
Date traffic study prepared: August 2015

9. PROPOSED ROAD IMPROVEMENTS:

Relative share of widening of Southside Road along frontage (East Side of Roadway).

All streets and sidewalks in subdivision, as required.

10. NOISE:

- a. Is the proposed project adjacent to any sources of loud noise, such as expressways, airports, truck stops, factories or others? Yes ☐ No ☒ If yes, describe:

- b. Will your project create noise that might be heard on adjacent properties? Will the project include any form of soundproofing? Yes ☐ No ☒ If yes, describe:

11. PARKING: Number of off-street parking spaces provided: *(If applicable, show breakdown by use to which space will apply).*

Garage (*enclosed*): Existing _____ Proposed 2+ (Per unit)
Covered: Existing _____ Proposed _____ Surface _____
Open: Existing _____ Proposed 2+ Surface Concrete Driveway (Per unit)

12. COMMERCIAL OR INDUSTRIAL PROJECT INFORMATION:

- a. Describe type of use(s) and major function(s) of commercial or industrial uses.

N/A

- b. Total floor area of commercial or industrial uses by type:

- c. Height and stories of commercial and industrial buildings:

- d. For commercial or industrial projects, indicate hours of operation and/or number of shifts/day: _____

- e. Number of employees: Total Employees: _____
Maximum Shift: _____
Time of Maximum Shift: _____

- f. For commercial or industrial projects, indicate number of patrons, clients, etc., anticipated:

Average Daily: _____
Peak Hour: _____

- g. Number of off-street parking spaces provided: _____

- i. Describe any night lighting which will be provided, including type of lighting to be installed:
(must comply with Dark Sky Ordinance)

- j. Describe any source, type and amount of air pollution emissions:

13. HAZARDOUS MATERIALS:

- a. In the known history of this property, has there been any use, storage, discharge or disposal of hazardous and/or toxic materials? Yes ☒ No ☐ If yes, describe below. Examples of hazardous and/or toxic materials include, but are not limited to PCB's, radioactive substances, pesticides and herbicides, fuel, oils, solvents, and other flammable liquids and gases. Also, note underground storage of any of the above. Please list the materials and describe their use, storage, and/or discharge on the property, as well as the dates of use, if known.

See Geotechnical Engineering Report prepared by Earth Systems Pacific and County of San Benito approved health plan.

- b. What hazardous materials will be used on the site? (Refer to examples in #18 above).

None

- c. Will any hazardous material be stored on the property? Yes ☐ No ☒ If yes, describe type, amount, and storage facility (above ground, underground, drum, container, etc.):

14. SITE PREPARATION:

- a. Attach copy of the proposed Grading Plan.

- b. Indicate percent of site previously graded: 0.00 % (Not quantifiable based on existing topo)

- c. Indicate area of slope:
- | | Existing
Area Percent of Site | After Grading
Area Percent of Site |
|---------------|----------------------------------|---------------------------------------|
| 0 - 10% | ~87% | ~90% |
| 10.1% - 29.9% | ~12% | ~6% |
| 30%+ | ~1% | ~4% |

- d. Area to be graded 25.24 +/- Acres (acres or square feet)

Note: Post-Development percentages are preliminary and represent the transition of existing moderate slopes to flatter pads and steeper transitions (2H:1V) between pads.

- e. Volume of cutting 65,600 cubic yards, maximum cut slope ratio 2H:1V and height _____.
- f. Volume of fill 57,800 cubic yards, maximum fill slope ratio 2H:1V and height _____.
- g. Indicate height and length of any retaining walls to be constructed.

Note: All grading quantities & takeoffs are preliminary and are subject to change through the mapping process.

Various walls along lot lines ranging from 1' (min.) height to 8' (max.) height; See Preliminary Site Plan. Any retaining walls, as noted on plan, are preliminary and subject change under final design.

- h. Indicate proposed plants for landscaping of manufactured slopes:

TBD

- i. Indicate measures to prevent post-development run-off from site:

Storm drain improvements within the Project as required by San Benito County standards and State General Permit (NPDES Permit).

- j. Describe major proposed off-site improvements required to fully implement the project, and their points of access or connection to the project site. Improvements may include, but not be limited to: construction of new streets, widening of existing streets, extension of service lines, cut and fill slopes, and construction of pathways or bridges.

Frontage improvements along Southside Road, off-site water, sewer and storm drain pipes in Southside Road extending north to Enterprise Road.

15. SOILS REPORT:

- a. What soil types exist on the project site?

Variable mixtures of silts, sands and clays containing various percentages of gravel.

See attached Geotechnical Engineering Report.

- b. Has a Soils Report been prepared by a Soils Engineer? Yes ☒ No ☐ If yes, attach two (2) copies.

See attached Geotechnical Engineering Report.

- c. Do any unstable soils, expansive soils or wetlands exist in the project area? Yes ☐ No ☒
If yes, describe:

See attached Geotechnical Engineering Report.

- d. Will cuts or fill be required on terrain sloping as gradients over 30% or within a scenic corridor? Yes ☐ No ☒
If yes, describe.

16. SEISMIC REPORT:

- a. Does any known fault trace exist within the project? Is there a record of past seismic activity on the property? Yes ☒ No ☐ If yes, describe.

See Geologist Report; Area within 50 feet of fault zone is a open space parcel for grading/drainage.

- b. If #a above is negative, what is the distance from a known active and the name of said fault?

Minimum of 50' distance from any evidence of fault zone to residential lots. Area within 50' excluded.

- c. Are there landslide areas, or indication of tendency to slide, within or adjacent to the property? Yes ☐ No ☒ If yes, provide map showing slide areas with relation to any proposed structures, roads, utility lines, etc.

17. DRAINAGE REPORT:

- a. Is the project in the floodplain of any stream? Yes ☐ No ☒
b. Describe any flood control measures proposed:

Storm drain improvements within the Project per San Benito County standards. A storm drainage report will be prepared to confirm no on-site flood control detention is required.

- c. Are there ponds, springs, reservoirs or tanks, marshes, or other indications of permanent or occasional water storage, either surface or at moderate depths? Yes ☐ No ☒ Do you intent to drain or retain such features, if any? Yes ☐ No ☐ If yes, describe:

18. UTILITIES:

- a. What will be the source of domestic water supply for the proposed property? Will other water sources be used for non-domestic purposes (landscaping, industrial, stock watering, etc.)? Yes ☐ No ☒

Sunnyslope County Water District (SSCWD) to provide water service.

- b. What will be the source of water for fire protection?

Sunnyslope County Water District (SSCWD) to provide water service; hydrants as per County Code.

- c. What will be the means of disposal of domestic sewage effluent? If other than to an existing pubic sewer main, describe means of disposal, location of septic tanks or other units, etc.

Connection to City of Hollister waste water treatment facility.

- d. Will there be electrical service to the project by a public utility? Yes ☒ No ☐ If yes, will the service be overhead or underground? What service is proposed within the project?

Underground joint trench including electric, gas, phone & cable.

- e. Will there be natural gas service to the project? Yes ☒ No ☐ If yes, what is the proposed service within the project?

Underground joint trench with residential meters and connections.

- f. What will be the means of storing and disposing of solid waste generated at the site?

Local waste removal service (County franchisee).

CERTIFICATE OF PREPARER

I hereby certify that the statements furnished on this application form and in the attached exhibits present the data and information required for an adequate evaluation of this project to the best of my ability, and the facts, statements, and information presented are true and correct to the best of my knowledge and belief. I further understand that additional information may be required to be submitted before the County of San Benito can make an adequate evaluation.

Signature **(Please sign ONLY in BLUE INK)**

Todd A. Deutscher

Printed Name

Date Signed

ATTACHMENT 'A'

SAN BENITO COUNTY TRIP GENERATION FACTORS

The Trip End Factors shown below shall be used in design of road sections and in Traffic Analysis for Development. "Trip End" means the origin or the destination of a trip. Each trip has two (2) ends. G.S.F. means Gross Square Feet or structure floor area.

<u>DEVELOPMENT TYPE:</u>	<u>AVERAGE WEEKDAY VEHICLE TRIP ENDS (TE)*</u>
RURAL RESIDENTIAL - ESTATE	12 / DU
SINGLE FAMILY	10 / DU
CONDOMINIUM - PUD	8.6 / DU
APARTMENT - MF	6.1 / DU
MOBILE HOME PARK	5.4 / DU
RETIREMENT COMMUNITY	3.3 / DU (SENIOR)
HOTELS	11 / ROOM
MOTELS	9.6 / ROOM
GENERAL OFFICE	17.7 / 1000 GSF
MEDICAL OFFICE	75 / 1000 GSF
OFFICE PARK	20.7 / 1000 GSF
RETAIL	73.7 / 1000 GSF
SHOPPING CENTER	PER TRIP GENERATION REPORT (ITE)
SERVICE STATION	133 / PUMP OR 748/EACH
SUPER MARKET	126 / 1000 GSF
CONVENIENCE MARKET	473 / 1000 GSF
CONVENIENCE MARKET WITH GAS PUMP	730 / 1000 GSF
INDUSTRIAL	7.6 / 1000 GSF
INDUSTRIAL SERVICE	20.26 / 1000 GSF
DAY CARE - PRESCHOOL	79.0 / 1000 GSF
PUBLIC PARK - RECREATION AREA	7.8 / PKG. SPACE OR 60/ACRE

For weekend, special events, or development other than the above, contact the County Traffic Engineer.

Where two (2) units of measure are shown, the one resulting in the higher estimate of trips shall be used.

**Based on "Trip Generation" Report, Institute of Transportation Engineers.*

DEVELOPMENT ENTITLEMENT NOTIFICATION

Applicant/Owner acknowledges and understands that applications for County of San Benito development entitlements (e.g. Planning and/or Building Department permits) are most often discretionary decisions by elected and appointed officials or administrative approvals (e.g. permits for which the Planning Director has general discretion). Many issues and impacts are evaluated in the decision process. Decisions are guided by local Ordinance(s), but are also guided by federal and state laws and regulations.

Applicant/Owner also acknowledges that owning property, in a certain zoning designation, for instance, does not automatically guarantee development or development approvals.

Applicant/Owner understands initial or partial approval, or acceptance of an application submission by staff, is also not a guarantee of project approval. Neither is approval of the first phase of a multi-phase project a guarantee of approval of future phases.

Applicant/Owner further acknowledges that all application fees and costs associated with requested approvals are submitted with the knowledge that the application may be denied, or approved with mitigation measures/conditions of approval that may add to the project's cost. Further, the Applicant/Owner understands that regional/state/federal or other applicable agencies may impose additional conditions and fees/costs. It is the Applicant's/Owner's responsibility to determine what other agency requirements may apply and the costs that may be incurred as a result of submitting an application.

Applicant further acknowledges and understands that Applicant will be required to execute an Indemnification Agreement set forth as Exhibit "A" in the Applicant Materials or as may be negotiated and mutually agreed to by the parties. The Applicant/Owner shall be required as a condition of project approval to defend, indemnify, and hold San Benito County free and harmless from any and all suits, fees, claims, demands, causes of action, proceedings, costs, losses, damages, liabilities and expenses incurred by San Benito County arising, directly or indirectly from the review, processing, consideration, or approval (or other action taken by County) of Applicant's/Owner's project.

AFFIDAVIT

I hereby consent to and make application for the above referenced land use action(s) and certify that the information and exhibits submitted herewith are true and correct to the best of my knowledge. I further acknowledge that the burden to justify the approval of this request is mine alone, and that neither County staff nor other County officials are under any obligation to support or approve the requests contained herein.

Signature of Applicant:

Hollister Land Partners, LLC.

By: Todd A. Deutscher, Manager



Date

Signature of Property Owner:

LOMPA ENTERPRISES, L.P., a California limited partnership, as its interests may appear



By: Dennis Fay, Its Authorized Person

Date

Signature of Applicant:

Signature of Property Owner:

Date

Dennis Fay, an unmarried individual, as his interests may appear

Date

If there are multiple property owners, please attach a consent letter for **each** owner. For all applications, if owner(s) refuses or are unable to sign, a copy of lease, or title report (where mineral rights are involved) may be submitted. Property owner **must** sign for all other applications. For persons with Power of Attorney for property owner, please submit Power of Attorney documentation with this application.

~ PLANNING DIVISION USE ONLY ~

Date Submitted _____ Date Deemed Complete _____

Date of Environmental Determination _____

APN(s): _____ Parcel Size _____

Current Zoning & GP _____ ☐ ND ☐ MND ☐ EIR ☐ Exempt Class _____

Seismic Zone _____ Fire Hazard _____ Zone _____ Grading _____ Slope% _____

Landslide _____ Archaeological _____ Section 44 _____ Scenic Highway _____

Air District Permit Required: ☐ YES ☐ NO Land Conservation Act: ☐ YES ☐ NO

HOA Approval: ☐ YES ☐ NO Deed Restriction ☐ YES ☐ NO Conforming Parcel: ☐ YES ☐ NO

Flood Plain: ☐ YES ☐ NO Fish & Game Permit Required: ☐ YES ☐ NO

Violations: ☐ YES ☐ NO Code Enforcement/Building File No. _____

Date Violation Cleared: _____

PROJECT PLANNER _____ PROJECT NO. _____

DATE

STAMP

CONTACT LIST

Please list the name, (applicant, engineer, architect, etc.), mailing address and e-mail address for each party who **should** receive a copy of the **staff report** prior to Public Hearings. Copies may be sent electronically. Paper copies of the reports may be mailed at an additional cost to the applicant. Should you desire a paper copy of the report, please provide your project planner with a written list of names and addresses a minimum of 10 business days **prior** to your hearing date. **(Please print legibly)**

Todd A. Deutscher	18 Crow Canyon Court, Ste. 190 San Ramon, CA 94583	tdeutscher@catdevpartners.com
(Name)	(Mailing Address)	(E-mail address)
Dennis Fay	P.O. Box 3174, Sonora CA 95370	denfay@mlode.com
(Name)	(Mailing Address)	(E-mail address)
(Name)	(Mailing Address)	(E-mail address)
(Name)	(Mailing Address)	(E-mail address)
(Name)	(Mailing Address)	(E-mail address)
(Name)	(Mailing Address)	(E-mail address)
(Name)	(Mailing Address)	(E-mail address)
(Name)	(Mailing Address)	(E-mail address)
(Name)	(Mailing Address)	(E-mail address)
(Name)	(Mailing Address)	(E-mail address)

REIMBURSEMENT AND INDEMNIFICATION AGREEMENT

THIS AGREEMENT is made and entered into this _____ day of _____, by and between the COUNTY OF SAN BENITO, hereinafter "COUNTY," and _____, hereinafter "APPLICANT." For purposes of this Agreement, "PROJECT" shall refer to the APPLICANT's project of _____, a request to _____, and "COUNTY" shall be defined to include the County's officers, elected officials, employees, agents, and agencies. COUNTY and APPLICANT agree as follows:

1. Applicant shall defend, indemnify, and hold COUNTY free and harmless from any and all suits, fees, claims, demands, causes of action, proceedings (hereinafter collectively referred to as "Legal Actions"), costs, losses, damages, liabilities and expenses (including, but not limited to, an award of attorneys' fees, expert witness fees, and court costs) incurred by COUNTY arising (directly or indirectly) or resulting from the review, processing, consideration, or from the approval of APPLICANT'S Project or action taken by COUNTY thereon. In the event APPLICANT does not wish to defend any Legal Action, APPLICANT will reimburse COUNTY for any damages, costs, or fees awarded pursuant to any default judgment or other judgment taken against the County as a result of its decision not to defend any Legal Action.
2. This agreement is not subject to termination, except by mutual agreement, after approval of Applicant's project. Further, in the event the agreement is not fully executed prior to approval of Applicant's project, Applicant irrevocably agrees to hold Applicant's offer to enter into this agreement until the agreement is accepted and fully executed by the County Board of Supervisors.
3. In the event of a default of Applicant's obligations under this agreement, the COUNTY, in its sole discretion, may deem APPLICANT's default of APPLICANT'S obligations under this Agreement as abandonment of the PROJECT. COUNTY may rescind any approvals previously granted and may settle any related litigation. APPLICANT shall remain responsible for any costs, attorney's fees (county and/or plaintiffs' if awarded by the Court or as a result of settlement), and/or other expenses incurred by COUNTY related to the litigation or settlement.
4. Nothing contained in this Agreement, however, shall be construed to limit the discretion of COUNTY, in the interest of the public welfare, to settle, defend, or appeal, or to decline settlement or to terminate or forego defense or appeal of a legal action. In no event shall COUNTY be required to continue with a legal challenge, although COUNTY shall have the right to do so, in the event APPLICANT fails to pay any amounts owing to COUNTY pursuant to this Agreement. In no event shall COUNTY have any obligation or liability to APPLICANT in connection with COUNTY'S defense or prosecution of litigation related to the Project (including, but not limited to, the outcome thereof) or in the event COUNTY elects not to prosecute a case or defend litigation brought against it.
5. The obligations specified herein shall be made, and are binding on the successors in interest of the APPLICANT, whether succession is by agreement, by operation of law or by any other means. This Agreement contains the entire agreement of the parties, and any representations, inducements, promises, or agreements otherwise between the parties that are not embodied herein, or incorporated herein by reference, are invalid and lack any force or effect. Further, no terms or provisions hereof may be changed, waived, discharged, or terminated, unless the same is in a writing executed by the parties hereto. This agreement shall be construed as being mutually drafted by both parties. Both parties are represented by counsel or have waived their right to consult with counsel after being informed of their right to do so.

Execution:

COUNTY

APPLICANT

Date: ____ / ____ / ____ By: _____ Date: ____ / ____ / ____ By: _____

APPLICATION CHECK LIST

1. APPLICATION FILING FEE: \$ 10,145.37 (Make check payable to San Benito County)

NOTE: San Benito County accepts checks and cash, we cannot process credit card or debit card transactions. Application Fees are non-refundable. The owner/applicant or representative should be present at all public hearings. A denial or grant may be reversed on Appeal. No permit will be in effect until the Appeal period has expired.

2. SUBMITTAL CHECKLIST:

A Planner will verify the documents required based on application type. **A complete application will expedite processing of your application.** Please submit this checklist with the application materials:

- ☐ _____ identical packets including:
 - ☐ Application Form (**must include original signature of owner and applicant**)
 - ☐ Assessor's Parcel Map.
 - ☐ Site Plan, folded to 8-1/2 x 11 inch size and clipped to the application packet.
- ☐ Illustrative building elevations or photos may be substituted for existing buildings.
- ☐ **Landscape Plan (if applicable)** ☐ **Sign Permit** ☐ **Environmental Health Permit (food)**
- ☐ One Site Plan reduced to 8-1/2 x 11 inch size.
- ☐ Two (2) Title Reports
- ☐ One (1) list of property owners within 300 feet of the property boundaries. Include name, address, and Assessor's Parcel Numbers (available from County Assessor's Office).
- ☐ Plain **business size (#10)** envelopes with no return address, **current non-metered postage**, addressed to property owners within 300 ft. of project boundaries. **(1 or 2 sets may be required)**
- ☐ Two (2) copies of each property information document as follows:
 - ☐ Copy of the instrument which created the parcel.
 - ☐ Legible copy of the current owner's Grant Deed or Contract of Sale
 - ☐ Map and copies of deeds of all other property owned by the applicant that is contiguous to the subject real property.
 - ☐ Documentation of recorded access to the subject property unless abutting a public street
 - ☐ Legal description for the subject property typed on plain white 8 1/2 x 11 inch paper.
- ☐ Two (2) Preliminary Soil Reports or waiver from Public Works.
- ☐ Two (2) copies of geohydrology information - pump test, quantity, quality, etc.
- ☐ Two (2) copies of Septic Suitability Report on properties without sewer.
- ☐ Two (2) copies of Geologic Report if in Special Studies Zone or if landslide hazards exists.
- ☐ Grading Plan for all access, building sites and drainage, including:
 - ☐ Drainage Plan ☐ Erosion Control ☐ Re-vegetation Plan

3. PLAN REQUIREMENTS:

a. Legends and Notations:

- ☐ Project Name.
- ☐ Applicant name, address and telephone number.
- ☐ Owner name, address and telephone number.
- ☐ Engineer name, address and telephone number.

b. General Information:

- ☐ Scale.
- ☐ North arrow.
- ☐ Date map prepared.
- ☐ Vicinity map (*small scale inset showing project location*).
- ☐ Assessor's Parcel Number(s).
- ☐ Zoning & General Plan designation(s)

c. Map Information:

- ☐ Property lines and dimensions.
- ☐ Location and dimension of all existing and proposed structures and setbacks.
- ☐ Location and dimensions of all driveways, parking areas, and loading zones.
- ☐ Existing and proposed septic envelope or sewer infrastructure.
- ☐ Label all wells, include GPM and PSI.
- ☐ Existing or proposed water infrastructure.
- ☐ Existing and proposed fire suppression.
- ☐ Elevation contours.
- ☐ Location of all right-of-ways and easements.
- ☐ Adjoining property boundaries and ownership.
- ☐ Location of adjoining property improvements including setbacks.

VERIFIED BY: _____
SAN BENITO COUNTY PLANNING

DATE: _____