

Blanco, Maira

From: Dave Holbrook <dj.holbrook52@gmail.com>
Sent: Tuesday, August 4, 2020 10:49 PM
To: Blanco, Maira
Subject: Re: Winchester mixed-use project NegDec

[External Email]

Thanks for that. I'm glad to see the proposed ordinance.

Sent from my iPhone

> On Aug 4, 2020, at 8:14 PM, Blanco, Maira <Maira.Blanco@sanjoseca.gov> wrote:

>

> Dave,

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> Affordable housing is definitely a priority for the City. I reached out to our Housing Division to better address the points you raise and I was informed that on November 5th, the Housing Department is proposing a number of changes to the Inclusionary Housing Ordinance to encourage more on-site development. They shared the briefing sheet in the link below. They are targeting an October/early November City Council hearing to review the changes.

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> <https://gcc01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.sanjoseca.gov%2Fhome%2Fshowdocument%3Fid%3D49170&data=01%7C01%7CMaira.Blanco%40sanjoseca.gov%7C87886b36858d4fe855ae08d8390353b1%7C0fe33be061424f969b8d7817d5c26139%7C1&data=Q1FUisk%2FEfbO3l8TQln5MiZ0Q7doH8L60tvDJSJFnt4%3D&reserved=0>

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> Thanks for your comment.

>

> Maira

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> -----Original Message-----

> From: Dave Holbrook <dj.holbrook52@gmail.com>

> Sent: Friday, July 24, 2020 12:48 PM

> To: Blanco, Maira <Maira.Blanco@sanjoseca.gov>

> Subject: Re: Winchester mixed-use project NegDec

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> [External Email]

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> I'll tell you that from my experience as a planner (San Mateo Co.) for 33 years, that such in-lieu fees are problematic. In the case of San Jose, where do those fees go? My experience (especially with San Jose), is that the funds utilization is often put off, or ultimately put towards other types of housing that doesn't fulfill the more immediate need. And even if the funds are used for invest into purely affordable housing (including, say, the City subsidizing a developer on apartment rents), there's no guarantee when such housing projects will get the necessary financing. So again, the result in NO AFFORDABLE UNITS for those who desperate need it.

>> On Jul 24, 2020, at 12:12 PM, Blanco, Maira <Maira.Blanco@sanjoseca.gov> wrote:

>>

>> Mr. Holbrook,

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>> Thanks for your question and apologize for the delay in responding.

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>> The project does not include an affordable housing component. However, all projects proposing the creation of 20 or more dwelling units are subject to the City's Inclusionary Housing Ordinance. The project has submitted an Affordable Housing Compliance Plan and selected to pay an in-lieu fee under the Inclusionary Housing Ordinance instead of building affordable housing on-site.

>>

>> Sincerely,

>>

>> Maira

>> -----Original Message-----

>> From: Dave Holbrook <dj.holbrook52@gmail.com>

>> Sent: Wednesday, July 15, 2020 3:40 PM

>> To: Blanco, Maira <Maira.Blanco@sanjoseca.gov>

>> Subject: Winchester mixed-use project NegDec

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>> [External Email]

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>> Will any of the 27 units be set aside for affordable housing?

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Blanco, Maira

From: Colleen Haggerty <CHaggerty@valleywater.org>
Sent: Wednesday, July 29, 2020 8:50 AM
To: Blanco, Maira
Subject: City File SP19-065, T19-042- MND for 425 South Winchester

[External Email]

Hi Maira,

Valley Water has reviewed the MND for File City File SP19-065, T19-042, 425 South Winchester, and we do not have any comments on the project and no Valley Water permit is required.

If you have any questions please let me know.

Colleen Haggerty, PE
Associate Civil Engineer
Community Projects Review Unit
Santa Clara Valley Water District
5750 Almaden Expressway, San Jose, CA 95118
(408) 630-2322 direct | (408)265-2600 main | chaggerty@valleywater.org | www.valleywater.org
* Mailing address for FedEx, UPS, Golden State, etc.
Winfield Warehouse-5905 Winfield Blvd. San Jose, CA 95123-2428

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Blanco, Maira

From: Pearse, Brent <Brent.Pearse@vta.org>
Sent: Tuesday, July 21, 2020 12:50 PM
To: Blanco, Maira
Cc: plan.review
Subject: RE: Public Review of Draft Mitigated Negative Declaration: 425 South Winchester Project (File Nos. SP19-065 & T19-042)

[External Email]

Hello Maria,
VTA has no comments on this project at this time.
Thanks,
Brent
Brent Pearse (He/Him)
Transportation Planner
Phone **408-546-7985**
Mobile **408-550-4559**

From: Blanco, Maira <Maira.Blanco@sanjoseca.gov>
Sent: Wednesday, July 15, 2020 3:06 PM
To: Blanco, Maira <Maira.Blanco@sanjoseca.gov>
Subject: Public Review of Draft Mitigated Negative Declaration: 425 South Winchester Project (File Nos. SP19-065 & T19-042)

PUBLIC NOTICE

INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION

CITY OF SAN JOSE, CALIFORNIA

Project Name: 425 South Winchester Project **File Nos.:** SP19-065 & T19-042

Description: Special Use Permit and Tentative Map to allow the demolition of an existing gas station and allow the construction of a five-story mixed-use building consisting of retail/commercial, office, and residential uses. The ground level would contain approximately 8,000 square feet of retail/commercial space; additionally, approximately 5,000 square feet office space would be provided on the second floor. The proposed project also includes two levels of underground parking and three levels of residential uses totaling 27 residential units.

Location: 425 South Winchester Boulevard, San José, California (Northeast corner of Olin Avenue and South Winchester Boulevard)

Assessor's Parcel Nos.: 303-39-044

Council District: 1

Applicant Contact Information: Mark Tersini, KT Urban Acquisitions, LLC., 21710 Stevens Creek Boulevard Suite 200, Cupertino, California, 95014, (408) 257-2100

The City has performed an environmental review of the project. The environmental review examines the nature and extent of any adverse effects on the environment that could occur if the project is approved and implemented. Based on the review, the City has prepared a Draft Mitigated Negative Declaration (MND) for this project. An MND is a statement by the City that the project will not have a significant effect on the environment because the project will include mitigation measures that will reduce identified project impacts to a less than significant level. The project site is not present on any list pursuant to Section 65962.5 of the California Government Code.

The public is welcome to review and comment on the Draft MND. The public comment period for this Draft MND begins on **July 15, 2020 and ends on August 4, 2020.**

The Draft MND, Initial Study, and reference documents are available online at: <http://www.sanjoseca.gov/negativedeclarations>. Usually documents are also available for review . Monday through Friday at the City of San José Department of Planning, Building and Code Enforcement, located at City Hall, 200 East Santa Clara Street; and at the Dr. Martin Luther King, Jr. Main Library, located at 150 East San Fernando Street.

Due to current situation under the coronavirus related Shelter-in-Place policy, these locations are closed to the public. Therefore, if requested, a hard copy will be mailed to you. Please allow time for printing and delivery.

For additional information, please contact Maira Blanco at (408) 535-7837, or by e-mail at Maira.Blanco@sanjoseca.gov

Thank you,

Maira Blanco

Planner | Planning, Building & Code Enforcement
City of San José | 200 East Santa Clara Street
Email: Maira.Blanco@sanjoseca.gov | Phone: (408)-535-7837

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July 17, 2020

Maira Blanco
City of San Jose
200 E Santa Clara St
San Jose, CA 95113

Ref: Gas and Electric Transmission and Distribution

Dear Maira Blanco,

Thank you for submitting the 425 S Winchester Project plans for our review. PG&E will review the submitted plans in relationship to any existing Gas and Electric facilities within the project area. If the proposed project is adjacent/or within PG&E owned property and/or easements, we will be working with you to ensure compatible uses and activities near our facilities.

Attached you will find information and requirements as it relates to Gas facilities (Attachment 1) and Electric facilities (Attachment 2). Please review these in detail, as it is critical to ensure your safety and to protect PG&E's facilities and its existing rights.

Below is additional information for your review:

1. This plan review process does not replace the application process for PG&E gas or electric service your project may require. For these requests, please continue to work with PG&E Service Planning: https://www.pge.com/en_US/business/services/building-and-renovation/overview/overview.page.
2. If the project being submitted is part of a larger project, please include the entire scope of your project, and not just a portion of it. PG&E's facilities are to be incorporated within any CEQA document. PG&E needs to verify that the CEQA document will identify any required future PG&E services.
3. An engineering deposit may be required to review plans for a project depending on the size, scope, and location of the project and as it relates to any rearrangement or new installation of PG&E facilities.

Any proposed uses within the PG&E fee strip and/or easement, may include a California Public Utility Commission (CPUC) Section 851 filing. This requires the CPUC to render approval for a conveyance of rights for specific uses on PG&E's fee strip or easement. PG&E will advise if the necessity to incorporate a CPUC Section 851 filing is required.

This letter does not constitute PG&E's consent to use any portion of its easement for any purpose not previously conveyed. PG&E will provide a project specific response as required.

Sincerely,

Plan Review Team
Land Management



Attachment 1 – Gas Facilities

There could be gas transmission pipelines in this area which would be considered critical facilities for PG&E and a high priority subsurface installation under California law. Care must be taken to ensure safety and accessibility. So, please ensure that if PG&E approves work near gas transmission pipelines it is done in adherence with the below stipulations. Additionally, the following link provides additional information regarding legal requirements under California excavation laws: <https://www.usanorth811.org/images/pdfs/CA-LAW-2018.pdf>

1. **Standby Inspection:** A PG&E Gas Transmission Standby Inspector must be present during any demolition or construction activity that comes within 10 feet of the gas pipeline. This includes all grading, trenching, substructure depth verifications (potholes), asphalt or concrete demolition/removal, removal of trees, signs, light poles, etc. This inspection can be coordinated through the Underground Service Alert (USA) service at 811. A minimum notice of 48 hours is required. Ensure the USA markings and notifications are maintained throughout the duration of your work.
2. **Access:** At any time, PG&E may need to access, excavate, and perform work on the gas pipeline. Any construction equipment, materials, or spoils may need to be removed upon notice. Any temporary construction fencing installed within PG&E's easement would also need to be capable of being removed at any time upon notice. Any plans to cut temporary slopes exceeding a 1:4 grade within 10 feet of a gas transmission pipeline need to be approved by PG&E Pipeline Services in writing PRIOR to performing the work.
3. **Wheel Loads:** To prevent damage to the buried gas pipeline, there are weight limits that must be enforced whenever any equipment gets within 10 feet of traversing the pipe.

Ensure a list of the axle weights of all equipment being used is available for PG&E's Standby Inspector. To confirm the depth of cover, the pipeline may need to be potholed by hand in a few areas.

Due to the complex variability of tracked equipment, vibratory compaction equipment, and cranes, PG&E must evaluate those items on a case-by-case basis prior to use over the gas pipeline (provide a list of any proposed equipment of this type noting model numbers and specific attachments).

No equipment may be set up over the gas pipeline while operating. Ensure crane outriggers are at least 10 feet from the centerline of the gas pipeline. Transport trucks must not be parked over the gas pipeline while being loaded or unloaded.

4. **Grading:** PG&E requires a minimum of 36 inches of cover over gas pipelines (or existing grade if less) and a maximum of 7 feet of cover at all locations. The graded surface cannot exceed a cross slope of 1:4.
5. **Excavating:** Any digging within 2 feet of a gas pipeline must be dug by hand. Note that while the minimum clearance is only 12 inches, any excavation work within 24 inches of the edge of a pipeline must be done with hand tools. So to avoid having to dig a trench entirely with hand tools, the edge of the trench must be over 24 inches away. (Doing the math for a 24 inch



wide trench being dug along a 36 inch pipeline, the centerline of the trench would need to be at least 54 inches [$24/2 + 24 + 36/2 = 54$] away, or be entirely dug by hand.)

Water jetting to assist vacuum excavating must be limited to 1000 psig and directed at a 40° angle to the pipe. All pile driving must be kept a minimum of 3 feet away.

Any plans to expose and support a PG&E gas transmission pipeline across an open excavation need to be approved by PG&E Pipeline Services in writing PRIOR to performing the work.

6. Boring/Trenchless Installations: PG&E Pipeline Services must review and approve all plans to bore across or parallel to (within 10 feet) a gas transmission pipeline. There are stringent criteria to pothole the gas transmission facility at regular intervals for all parallel bore installations.

For bore paths that cross gas transmission pipelines perpendicularly, the pipeline must be potholed a minimum of 2 feet in the horizontal direction of the bore path and a minimum of 12 inches in the vertical direction from the bottom of the pipe with minimum clearances measured from the edge of the pipe in both directions. Standby personnel must watch the locator trace (and every ream pass) the path of the bore as it approaches the pipeline and visually monitor the pothole (with the exposed transmission pipe) as the bore traverses the pipeline to ensure adequate clearance with the pipeline. The pothole width must account for the inaccuracy of the locating equipment.

7. Substructures: All utility crossings of a gas pipeline should be made as close to perpendicular as feasible ($90^\circ \pm 15^\circ$). All utility lines crossing the gas pipeline must have a minimum of 12 inches of separation from the gas pipeline. Parallel utilities, pole bases, water line 'kicker blocks', storm drain inlets, water meters, valves, back pressure devices or other utility substructures are not allowed in the PG&E gas pipeline easement.

If previously retired PG&E facilities are in conflict with proposed substructures, PG&E must verify they are safe prior to removal. This includes verification testing of the contents of the facilities, as well as environmental testing of the coating and internal surfaces. Timelines for PG&E completion of this verification will vary depending on the type and location of facilities in conflict.

8. Structures: No structures are to be built within the PG&E gas pipeline easement. This includes buildings, retaining walls, fences, decks, patios, carports, septic tanks, storage sheds, tanks, loading ramps, or any structure that could limit PG&E's ability to access its facilities.

9. Fencing: Permanent fencing is not allowed within PG&E easements except for perpendicular crossings which must include a 16 foot wide gate for vehicular access. Gates will be secured with PG&E corporation locks.

10. Landscaping: Landscaping must be designed to allow PG&E to access the pipeline for maintenance and not interfere with pipeline coatings or other cathodic protection systems. No trees, shrubs, brush, vines, and other vegetation may be planted within the easement area. Only those plants, ground covers, grasses, flowers, and low-growing plants that grow unsupported to a maximum of four feet (4') in height at maturity may be planted within the easement area.



11. Cathodic Protection: PG&E pipelines are protected from corrosion with an “Impressed Current” cathodic protection system. Any proposed facilities, such as metal conduit, pipes, service lines, ground rods, anodes, wires, etc. that might affect the pipeline cathodic protection system must be reviewed and approved by PG&E Corrosion Engineering.

12. Pipeline Marker Signs: PG&E needs to maintain pipeline marker signs for gas transmission pipelines in order to ensure public awareness of the presence of the pipelines. With prior written approval from PG&E Pipeline Services, an existing PG&E pipeline marker sign that is in direct conflict with proposed developments may be temporarily relocated to accommodate construction work. The pipeline marker must be moved back once construction is complete.

13. PG&E is also the provider of distribution facilities throughout many of the areas within the state of California. Therefore, any plans that impact PG&E’s facilities must be reviewed and approved by PG&E to ensure that no impact occurs which may endanger the safe operation of its facilities.

Attachment 2 – Electric Facilities

It is PG&E's policy to permit certain uses on a case by case basis within its electric transmission fee strip(s) and/or easement(s) provided such uses and manner in which they are exercised, will not interfere with PG&E's rights or endanger its facilities. Some examples/restrictions are as follows:

1. Buildings and Other Structures: No buildings or other structures including the foot print and eave of any buildings, swimming pools, wells or similar structures will be permitted within fee strip(s) and/or easement(s) areas. PG&E's transmission easement shall be designated on subdivision/parcel maps as **"RESTRICTED USE AREA – NO BUILDING."**
2. Grading: Cuts, trenches or excavations may not be made within 25 feet of our towers. Developers must submit grading plans and site development plans (including geotechnical reports if applicable), signed and dated, for PG&E's review. PG&E engineers must review grade changes in the vicinity of our towers. No fills will be allowed which would impair ground-to-conductor clearances. Towers shall not be left on mounds without adequate road access to base of tower or structure.
3. Fences: Walls, fences, and other structures must be installed at locations that do not affect the safe operation of PG&E's facilities. Heavy equipment access to our facilities must be maintained at all times. Metal fences are to be grounded to PG&E specifications. No wall, fence or other like structure is to be installed within 10 feet of tower footings and unrestricted access must be maintained from a tower structure to the nearest street. Walls, fences and other structures proposed along or within the fee strip(s) and/or easement(s) will require PG&E review; submit plans to PG&E Centralized Review Team for review and comment.
4. Landscaping: Vegetation may be allowed; subject to review of plans. On overhead electric transmission fee strip(s) and/or easement(s), trees and shrubs are limited to those varieties that do not exceed 15 feet in height at maturity. PG&E must have access to its facilities at all times, including access by heavy equipment. No planting is to occur within the footprint of the tower legs. Greenbelts are encouraged.
5. Reservoirs, Sumps, Drainage Basins, and Ponds: Prohibited within PG&E's fee strip(s) and/or easement(s) for electric transmission lines.
6. Automobile Parking: Short term parking of movable passenger vehicles and light trucks (pickups, vans, etc.) is allowed. The lighting within these parking areas will need to be reviewed by PG&E; approval will be on a case by case basis. Heavy equipment access to PG&E facilities is to be maintained at all times. Parking is to clear PG&E structures by at least 10 feet. Protection of PG&E facilities from vehicular traffic is to be provided at developer's expense AND to PG&E specifications. Blocked-up vehicles are not allowed. Carports, canopies, or awnings are not allowed.
7. Storage of Flammable, Explosive or Corrosive Materials: There shall be no storage of fuel or combustibles and no fueling of vehicles within PG&E's easement. No trash bins or incinerators are allowed.



8. Streets and Roads: Access to facilities must be maintained at all times. Street lights may be allowed in the fee strip(s) and/or easement(s) but in all cases must be reviewed by PG&E for proper clearance. Roads and utilities should cross the transmission easement as nearly at right angles as possible. Road intersections will not be allowed within the transmission easement.

9. Pipelines: Pipelines may be allowed provided crossings are held to a minimum and to be as nearly perpendicular as possible. Pipelines within 25 feet of PG&E structures require review by PG&E. Sprinklers systems may be allowed; subject to review. Leach fields and septic tanks are not allowed. Construction plans must be submitted to PG&E for review and approval prior to the commencement of any construction.

10. Signs: Signs are not allowed except in rare cases subject to individual review by PG&E.

11. Recreation Areas: Playgrounds, parks, tennis courts, basketball courts, barbecue and light trucks (pickups, vans, etc.) may be allowed; subject to review of plans. Heavy equipment access to PG&E facilities is to be maintained at all times. Parking is to clear PG&E structures by at least 10 feet. Protection of PG&E facilities from vehicular traffic is to be provided at developer's expense AND to PG&E specifications.

12. Construction Activity: Since construction activity will take place near PG&E's overhead electric lines, please be advised it is the contractor's responsibility to be aware of, and observe the minimum clearances for both workers and equipment operating near high voltage electric lines set out in the High-Voltage Electrical Safety Orders of the California Division of Industrial Safety (<https://www.dir.ca.gov/Title8/sb5g2.html>), as well as any other safety regulations. Contractors shall comply with California Public Utilities Commission General Order 95 (http://www.cpuc.ca.gov/gos/GO95/go_95_startup_page.html) and all other safety rules. No construction may occur within 25 feet of PG&E's towers. All excavation activities may only commence after 811 protocols has been followed.

Contractor shall ensure the protection of PG&E's towers and poles from vehicular damage by (installing protective barriers) Plans for protection barriers must be approved by PG&E prior to construction.

13. PG&E is also the owner of distribution facilities throughout many of the areas within the state of California. Therefore, any plans that impact PG&E's facilities must be reviewed and approved by PG&E to ensure that no impact occurs that may endanger the safe and reliable operation of its facilities.