CEQA DOCUMENT DECLARATION

ENVIRONMENTAL FILING FEE RECEIPT

PLEASE COMPLETE THE FOLLOWING:

1. LEAD AGENCY: County of Santa Clara Planning Office

2. PROJECT TITLE: Canh Thai Temple

3. APPLICANT NAME: M.H. Engineering

4. APPLICANT ADDRESS: 2532 Klein Road, San Jose, CA 95148

5. PROJECT APPLICANT IS A: ☐ Local Public Agency ☐ School District ☐ Other Special District ☐ State Agency ☐ Private Entity

6. NOTICE TO BE POSTED FOR _____ DAYS.

7. CLASSIFICATION OF ENVIRONMENTAL DOCUMENT

a. PROJECTS THAT ARE SUBJECT TO DFG FEES

☐ 1. ENVIRONMENTAL IMPACT REPORT (PUBLIC RESOURCES CODE §21152) $ 3,069.75 $ 0.00

☐ 2. NEGATIVE DECLARATION (PUBLIC RESOURCES CODE §21100(C)) $ 2,210.00 $ 0.00

☐ 3. APPLICATION FEE WATER DIVERSION (STATE WATER RESOURCES CONTROL BOARD ONLY) $ 850.00 $ 0.00

☐ 4. PROJECTS SUBJECT TO CERTIFIED REGULATORY PROGRAMS $ 1,043.75 $ 0.00

☐ 5. COUNTY ADMINISTRATIVE FEE (REQUIRED FOR a-1 THROUGH a-4 ABOVE) $ 50.00 $ 0.00

b. PROJECTS THAT ARE EXEMPT FROM DFG FEES

☐ 1. NOTICE OF EXEMPTION ($50.00 COUNTY ADMINISTRATIVE FEE REQUIRED) $ 50.00 $ 0.00

☐ 2. A COMPLETED "CEQA FILING FEE NO EFFECT DETERMINATION FORM" FROM THE DEPARTMENT OF FISH & GAME, DOCUMENTING THE DFG'S DETERMINATION THAT THE PROJECT WILL HAVE NO EFFECT ON FISH, WILDLIFE AND HABITAT, OR AN OFFICIAL, DATED RECEIPT / PROOF OF PAYMENT SHOWING PREVIOUS PAYMENT OF THE DFG FILING FEE FOR THE "SAME PROJECT IS ATTACHED ($50.00 COUNTY ADMINISTRATIVE FEE REQUIRED)

DOCUMENT TYPE: ☐ ENVIRONMENTAL IMPACT REPORT ☐ NEGATIVE DECLARATION $ 50.00 $ 0.00

c. NOTICES THAT ARE NOT SUBJECT TO DFG FEES OR COUNTY ADMINISTRATIVE FEES

☐ NOTICE OF PREPARATION ☐ NOTICE OF INTENT NO FEE $ NO FEE

8. TOTAL RECEIVED: $ 9,346.75 $ 0.00

9. FEE (IF APPLICABLE): $ 0.00

"NOTE: "SAME PROJECT" MEANS NO CHANGES. IF THE DOCUMENT SUBMITTED IS NOT THE SAME (OTHER THAN DATES), A "NO EFFECT DETERMINATION" LETTER FROM THE DEPARTMENT OF FISH AND GAME FOR THE SUBSEQUENT FILING OR THE APPROPRIATE FEES ARE REQUIRED.

THIS FORM MUST BE COMPLETED AND ATTACHED TO THE FRONT OF ALL CEQA DOCUMENTS LISTED ABOVE (INCLUDING COPIES) SUBMITTED FOR FILING. WE WILL NEED AN ORIGINAL (WET SIGNATURE) AND THREE COPIES. (YOUR ORIGINAL WILL BE RETURNED TO YOU AT THE TIME OF FILING.)

CHECKS FOR ALL FEES SHOULD BE MADE PAYABLE TO: SANTA CLARA COUNTY CLERK-RECORDER

PLEASE NOTE: FEES ARE ANNUALLY ADJUSTED (Fish & Game Code §711.4(b); PLEASE CHECK WITH THIS OFFICE AND THE DEPARTMENT OF FISH AND GAME FOR THE LATEST FEES INFORMATION.

"... NO PROJECT SHALL BE OPERATIVE, VESTED, OR FINAL, NOR SHALL LOCAL GOVERNMENT PERMITS FOR THE PROJECT BE VALID, UNTIL THE FILING FEES REQUIRED PURSUANT TO THIS SECTION ARE PAID." Fish & Game Code §711.4(c)(3)

(Fees Effective 01-01-2015)
Notice of Intent to Adopt a Mitigated Negative Declaration

A notice, pursuant to the California Environmental Quality Act of 1970, as amended (Public Resources Code 21,000, et seq.) that the following project will not have a significant effect on the environment.

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<th>TAZ</th>
<th>APN(s)</th>
<th>Date</th>
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**Project Name**
Canh Thai Temple

**Project Type**
Religious Institution

**Owner**
Canh Thai Temple

**Applicant**
Same

**Project Location**
2532 Klein Road, San Jose, CA

**Project Description**
This application is for a Use Permit (UP) with Architecture and Site Approval (ASA) and Grading Approval for construction and operation of a new 7,000 square foot, two story, religious institution for Canh Thai Temple at 2532 Klein Road in an unincorporated area east of the City of San Jose (Figure 1). The first floor will consist of a 2,160 square foot pastor’s residence with 3 bedrooms/3 bathrooms, kitchen, dining/living room, and laundry room. An attached 1,340 square foot area will be used as a storage room, mechanical room, and public bathrooms for the religious facility. The 3,500 square foot second story will consist of a chapel with 100 fixed seats and perimeter altars. A 1,764 square foot detached garage will provide 6 covered vehicle parking spaces. While the property address is on Klein Road, vehicle access to the site will be provided by a shared private driveway from Murillo Avenue. No classrooms, school, nursery/day care, commercial kitchen, or outdoor use is proposed.

All proposed religious activities will take place inside the second floor chapel and consist of Individual Prayer, Group Prayer, and Lunar Days (15th and 30th day of each month). In addition, the following three (3) special events (5 days of events in total) are proposed annually, with 100 attendees at one time (total of 300 attendees each event day): Chinese New Year, Birth of Buddha, and Mother’s Day. All special events will take place inside the chapel and no outdoor amplified music or activities are proposed.

Primary parking is located at the front of the property with 44 parking spaces, including 2 handicap accessible spaces, and 4 additional parking spaces located at the rear of the property, adjacent to the detached 6-vehicle garage (total 54 parking spaces). Transportation service will be provided during the Chinese New Year event (3 days) by two (2) 30-seat buses for attendees from designated locations. Bus loading/unloading will be provided on-site in the parking lot.

Associated site improvements include a freestanding entry trellis (portal) with signage, trash enclosure, septic system, driveway improvements, bioretention drainage ponds, removal of 2 trees (12-inches diameter or greater). Proposed landscape plantings include native and non-native screening trees, shrubs, ground covers, grasses, bamboo, and bonsai plantings. In addition, decorative landscape sculptures and gravel walking paths are proposed. An existing water well will be abandoned and domestic and fire emergency water will be provided by San Jose Water Company.

Grading includes approximately 1,307 cubic yards cut and 642 cubic yards fill (total 1,949 cubic yards) for the building pads, parking lot, landscaping, bioretention ponds, and shared driveway improvements.

Board of Supervisors: Blanca Alvarado, Donald F. Gage, Pete McHugh, James T. Beall Jr., Liz Kniss
Acting County Executive: Pete Kutras, Jr.
Purpose of Notice

The purpose of this notice is to inform you that the County Planning Staff has recommended that a Mitigated Negative Declaration be approved for this project. County of Santa Clara Planning Staff has reviewed the Initial Study for the project, and based upon substantial evidence in the record, finds that although the proposed project could initially have a significant effect on the environment, changes or alterations have been incorporated into the project to avoid or reduce impacts to a point where clearly no significant effects will occur.

A decision on the proposed project is tentatively scheduled for the Planning Commission meeting on May 28, 2015. It should be noted that the approval of a Mitigated Negative Declaration does not constitute approval of the project under consideration. The decision to approve or deny the project will be made separately.


Public Comments regarding the correctness, completeness, or adequacy of this negative declaration are invited and must be received on or before the hearing date. Such comments should be based on specific environmental concerns. Written comments should be addressed to the County of Santa Clara Planning Office, County Government Center, 70 W. Hedding Street, San Jose, CA 95110, Tel: (408) 299-5770 Oral comments may be made at the hearing. A file containing additional information on this project may be reviewed at the Planning Office under the file number appearing at the top of this form. For additional information regarding this project and the Mitigated Negative Declaration, please contact Kim Rook at (408) 299-5790 or kim.rook@pln.sccgov.org.

The Mitigated Negative Declaration and Initial Study may be viewed at the following locations:
(1) Santa Clara County Planning Office, 70 West Hedding Street, East Wing, 7th Floor, San Jose, CA 95110
(2) Alum Rock Library, 75 White Road, San Jose, CA

Responsible Agencies sent a copy of this document
City of San Jose

Mitigation Measures included in the project to reduce potentially significant impacts to a less than significant level:

In order to mitigate any possible significant noise impacts which would result from use of diesel powered transport buses, the following mitigation measures will be incorporated into approval of the project:

1. In order to ensure potential noise generated from bus transportation during annual events does not exceed noise requirements, no diesel powered transport buses shall be permitted during annual events. Transport buses used for events shall be smaller 30-passenger type gasoline, natural gas, or electric vehicles.

A reporting or monitoring program must be adopted for measures to mitigate significant impacts at the time the Mitigated Negative Declaration is approved, in accord with the requirements of section 21081.6 of the Public Resources Code.

Prepared by:
Kim Rook, Planner III

Approved by:
Rob Eastwood, Active Planning Manager, AICP

Signature

Date

Signature

Date