

STAFF REPORT
PLANNING COMMISSION

FILE NO.: CP12-034

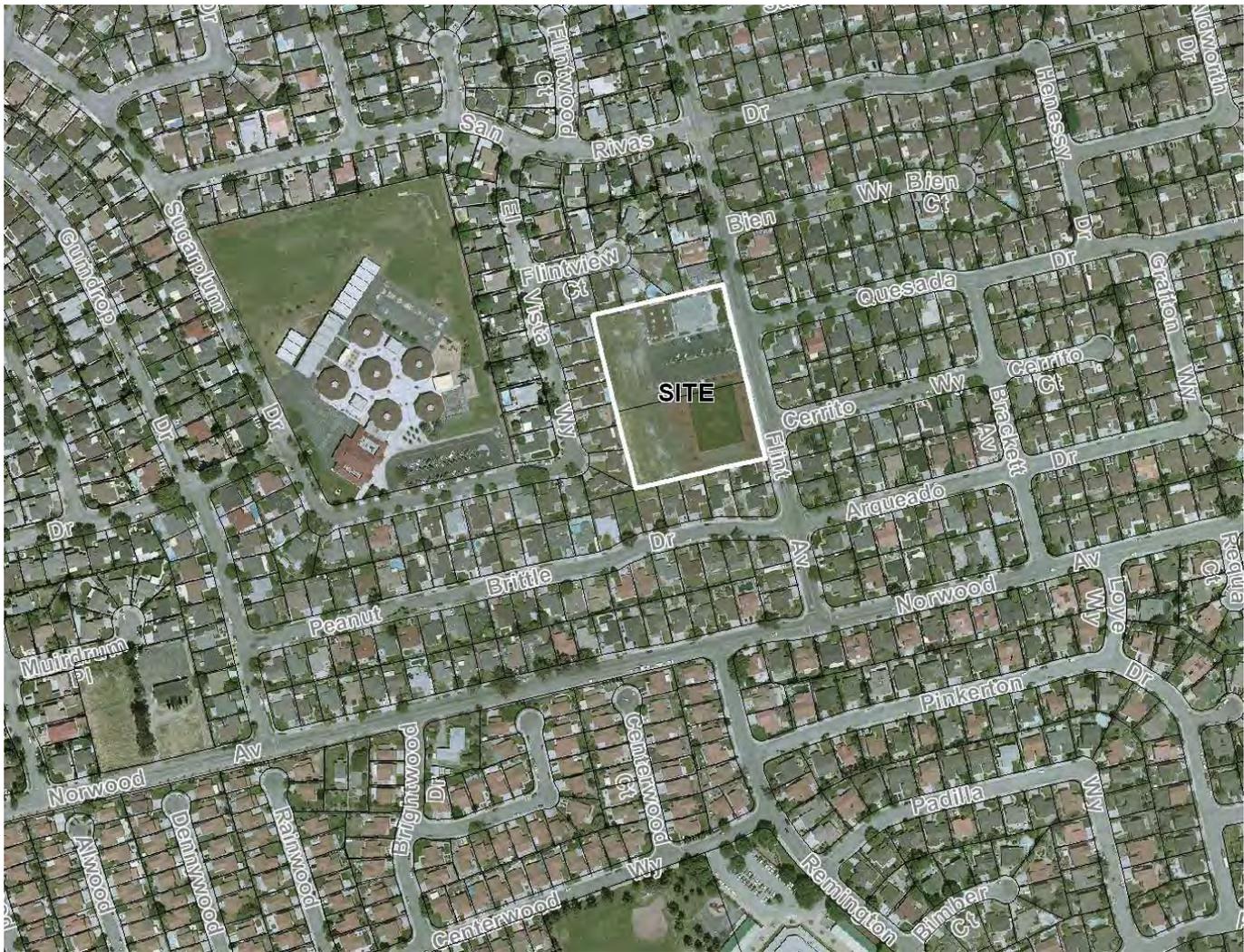
Submitted: 8/20/12

PROJECT DESCRIPTION: Conditional Use Permit to allow construction of a 3,929 square foot classroom building at an existing 3.61 acre church facility (East Valley Church).

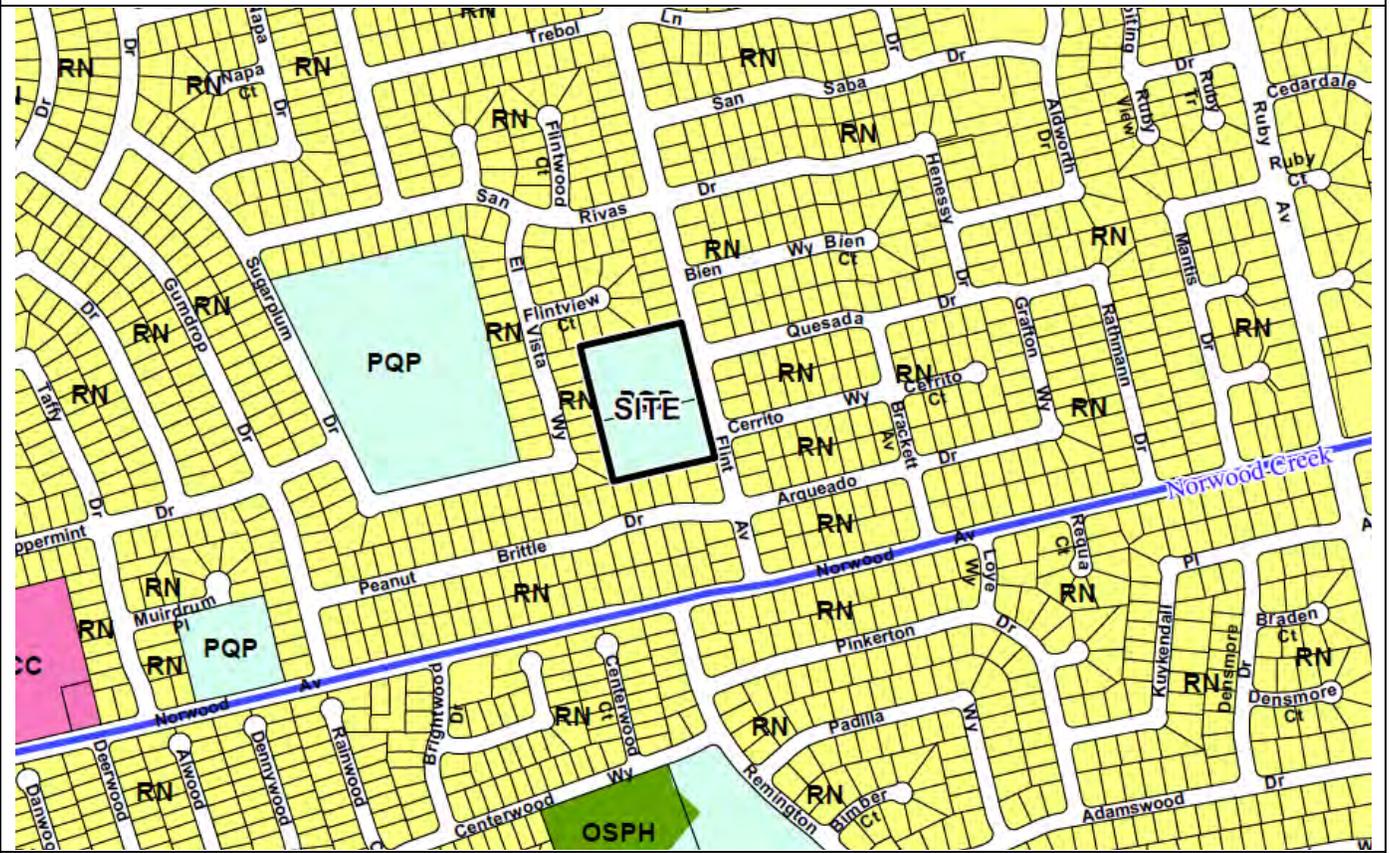
Zoning	R-1-8 Single Family Res.
General Plan	Public/Quasi-Public
Council District	8
Annexation Date	04/12/1977
Historic Resource	No
Specific Plan	n/a

LOCATION: West side of Flint Avenue, approximately 450 feet northerly of Peanut Brittle Drive (2827 Flint Avenue)

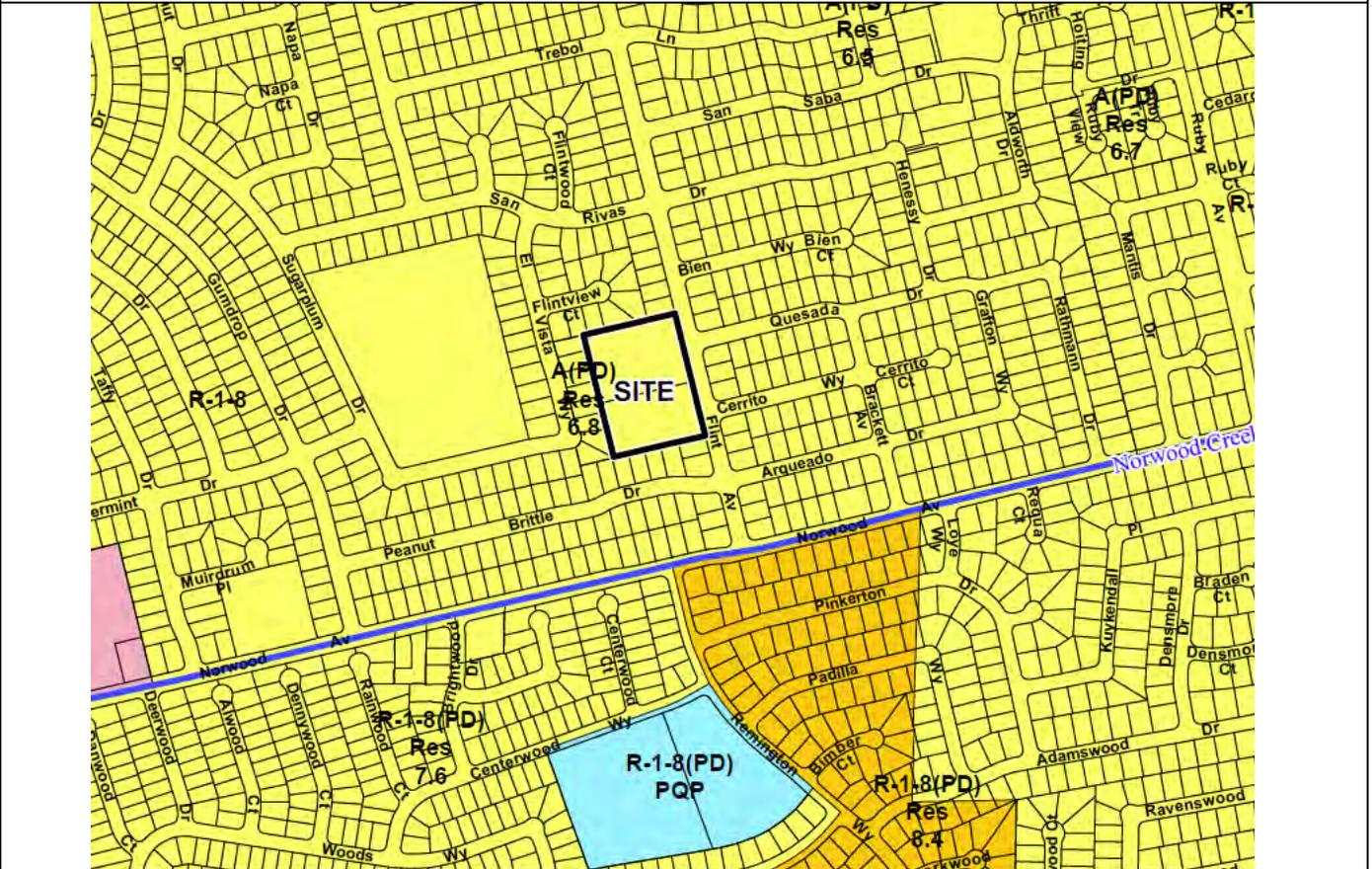
Aerial Photo



General Plan



Zoning



RECOMMENDATION

The Planning staff recommends that the Planning Commission approve the requested Conditional Use Permit for the following reasons, and include the findings and conditions as shown in the attached draft Resolution.

1. The project conforms to the General Plan Land Use/Transportation Diagram designation of Public/Quasi-Public, which supports private community gathering facilities, including those used for religious assembly activities.
2. The proposed project complies with all applicable provisions of the Zoning Ordinance.
3. The project is compatible with the surrounding neighborhood.

BACKGROUND

On August 20, 2012, Pat Boyd, on behalf of East Valley Church, applied for a Conditional Use Permit to allow construction of a one story 3,929 square foot classroom building on the northwesterly portion of the existing approximately 3.61 acre East Valley Church site. The building is proposed to be used for classroom purposes on Sundays in conjunction with church services. Adjacent to the proposed building, recreational improvements are proposed that include an arbor, some outdoor seating and an outdoor fireplace. The R-1-8 Single-family Residence Zoning District allows church or religious assembly uses with the issuance of a Conditional Use Permit (CUP).

The site is located on the west side of Flint Avenue, approximately 450 feet northerly of Peanut Brittle Drive and is developed with an existing church facility built in the 1960's when the property was located in an unincorporated area of the County. The existing church facility includes a 4,484 square foot auditorium building used for worship services and a 6,456 square foot multi-use building, which includes offices and classrooms. An existing 58 space paved parking lot is adjacent to the buildings with a 76 space overflow parking lot and lawn area on the southerly half of the site.

The site includes three wireless communications antenna installations including one installation located in the church steeple on top of the multi-use building (approved in 2004), two existing 45-foot tall monopoles located in a central landscape median in the primary parking lot (approved in 2009), and a recently approved (2011) installation located in the cupola on top of the auditorium building.



View of the site from Flint Avenue looking northwest.

A Conditional Use Permit (File No. CP97-048) was approved in December 1998 to allow a 32,700 square foot expansion of the existing church facility including construction of a 17,700 square foot, two-story classroom building in the same location as the current proposed 3,329 square foot one-story classroom building. The previously approved Conditional Use Permit was never implemented and expired in December 2001.

Single-family detached homes are adjacent to the subject property on the north, south, and west and across Flint Avenue to the east. The site appears flat, but slopes down from Flint Avenue to the back (west) of the property approximately 10 feet. An existing concrete swale picks-up runoff from the site and directs it to El Vista Way through multiple drainage easements through the adjacent single-family development.

ANALYSIS

The primary areas analyzed for the Conditional Use Permit include: 1) conformance to the Envision San José 2040 General Plan, 2) conformance to the applicable provisions of the Zoning Ordinance, 3) compatibility with surrounding neighborhood, and 4) compliance with the California Environmental Quality Act (CEQA).

Envision San José 2040 General Plan Conformance

The subject site is designated as Public/Quasi-Public on the General Plan Land Use/Transportation Diagram. In addition to being an appropriate designation for uses such as schools, libraries, museums, daycare centers, hospitals, and governmental offices, private community gathering facilities, such as churches, are also appropriate on lands designated Public/Quasi-Public.

The proposal supports General Plan Vibrant Neighborhood Goal VN-5 to provide for private community gathering facilities at locations near residential neighborhoods throughout the City to accommodate the social and cultural activities of the San José community.

Zoning Ordinance Conformance

In the R-1-8 Single-Family Residence Zoning District a church/religious assembly use or an expansion of such use may be approved with the issuance of a Conditional Use Permit.

Setbacks

The R-1-8 Zoning District requires a 20-foot rear setback and 5-foot interior side setbacks. The proposed classroom building exceeds the R-1-8 setback requirements with an approximately 42-foot rear setback (measured to the western property line) and an approximately 120-foot side setback (measured to the northern property line).

Parking

The proposed project includes the addition of 14 new parking spaces bringing the total available parking to 148 spaces (72 spaces in the paved parking lot and 76 spaces in the gravel overflow parking area). The Zoning Ordinance requires 134 parking spaces when the existing assembly areas in

the auditorium building (2,500 square feet) and multi-use building (1,500 square feet) are used concurrently. This is based on a parking requirement of 1 parking space per 30 square feet of assembly area.

To ensure that there is adequate parking available on the site, the proposed classroom building is not allowed to be used for assembly purposes simultaneously with assembly uses occurring in the auditorium. However, the proposed use of the classroom building for break-out sessions/classes during worship services would not trigger the requirement for additional parking.

Since the southern portion of the site (approximately 40-percent) remains largely unimproved, there is capacity to develop additional parking areas in the future, if needed, through a subsequent discretionary approval.

Compatibility with Surrounding Neighborhood

As described above, the project site directly abuts single-family residential properties to the north, south and west. Single-family houses are also located across the Flint Avenue to the east. With the proposed one-story, approximately 17-foot tall classroom building setback approximately 42 feet from the westerly property line and 120 feet from the northerly property line, the building should have almost no visual impacts to surrounding properties and therefore exceeds the requirements of the City's Commercial Design Guidelines.

The proposed design of the building, with stucco and stone veneer walls and sloped roof elements has a very residential character and is compatible with the architecture and scale of the existing buildings on site and the surrounding one and two-story single-family homes.

Environmental Review

The project was found to be exempt from environmental review under Section 15332, In-Fill Development Projects of the CEQA Guidelines, which exempts projects characterized as in-fill development meeting the following conditions: a) the project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations; b) the proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses; c) the project site has no value as habitat for endangered, rare or threatened species; d) approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and e) the site can be adequately served by all required utilities and public services.

The project is located within the Evergreen-East Hills Development Policy (EEHDP) area; however, based on the proposed limitation on the use of the building only in conjunction with church services on Sundays the use will not generate any new peak hour trips (weekday commute hours), therefore the project is not subject to the EEHDP Traffic Impact Fee.

CONCLUSION

Based on the above analysis, staff concludes that the proposed addition of a new classroom building to an existing church facility is consistent with the General Plan, the requirements of the Zoning Ordinance, and is compatible with the surrounding neighborhood.

PUBLIC OUTREACH

Notices of the public hearing for this project were sent to all property owners within 500 feet of the subject property. The Planning Commission Agenda is posted on the City of San José website, which includes a copy of the staff report and staff has been available to discuss the project with members of the public. No member of the public has made any comment on or objection to the proposed project.

Project Manager: John W. Baty, AICP **Approved by:** *Sally Jahl* **Date:** *1/14/2013*

Owner/Applicant:	Attachments:
John Helveston, Senior Pastor 3324 Flint Avenue San José, CA 95148	Draft Resolution Plan Set

RESOLUTION NO. 13-0

Resolution of the Planning Commission of the City of San José granting, subject to conditions, a Conditional Use Permit to allow construction of a 3,929 square foot classroom building at an existing 3.61 acre church site (2827 Flint Ave).

FILE NO. CP12-034

BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SAN JOSÉ:

WHEREAS, pursuant to the provisions of Chapter 20.100 of Title 20 of the San José Municipal Code, on August 20, 2012, an application (File No. CP12-034) was filed for a Conditional Use Permit for the purpose of allowing construction of a 3,929 square foot classroom building on that certain real property (hereinafter referred to as "subject property"), situate in the R-1-8 Single-family Residence Zoning District, entrance to the site located on the west side of Flint Avenue, approximately 450 feet north of Peanut Brittle Drive, San José, and

WHEREAS, the subject property is all that real property described in Exhibit "A," which is attached hereto and made a part hereof by this reference as if fully set forth herein; and

WHEREAS, pursuant to and in accordance with Chapter 20.100 of Title 20 of the San José Municipal Code, this Planning Commission conducted a hearing on said application, notice of which was duly given; and

WHEREAS, at said hearing, this Planning Commission gave all persons full opportunity to be heard and to present evidence and testimony respecting said matter; and

WHEREAS, at said hearing this Planning Commission received and considered the reports and recommendation of the Director of Planning, Building and Code Enforcement; and

WHEREAS, at said hearing, this Planning Commission received in evidence a development plan for the subject property entitled, "New Childrens Building for East Valley Church, 2827 Flint Avenue, San José, CA, 95148" last revised November 1, 2012. Said plan is on file in the Department of Planning, Building and Code Enforcement and is available for inspection by anyone interested herein, and said development plan is incorporated herein by this reference, the same as if it were fully set forth herein; and

WHEREAS, said hearing was conducted in all respects as required by the San José Municipal Code and the rules of this Planning Commission;

NOW, THEREFORE:

After considering evidence presented at the Public Hearing, the Planning Commission finds that the following are the relevant facts regarding this proposed project:

1. The 3.61 acre site is located on the west side of Flint Avenue, approximately 450 feet north of Peanut Brittle Drive and is located within the R-1-8 Single-family Residence Zoning District.
2. The subject site is designated Public/Quasi-Public on the General Plan Land Use/Transportation Diagram.
3. The subject site is adjacent to single-family residential uses to north, south, and west, and to the east across Flint Avenue.
4. A Conditional Use Permit is required in the R-1-8 Residence Zoning District to allow church uses.
5. The site is developed with an existing church facility built in the 1960's when the property was located in the unincorporated County. The existing facility includes a 4,484 square foot auditorium building for worship services and a 6,456 square foot multi-use building, which includes offices and classrooms located on the northerly portion of the site.
6. The existing facility includes a 58 space paved parking lot adjacent to the existing buildings with a 76 space gravel overflow parking lot and open lawn area on the southerly half of the site.
7. The project proposes to allow construction of a 3,929 square foot, one-story classroom building for use on Sundays in conjunction with church services. The proposal also includes outdoor recreational elements adjacent to the proposed building and between the overflow parking and lawn area.
8. From the nearest residential property lines the proposed building is setback approximately 42 feet from the west property line and 120 feet from the north property line. The proposed outdoor patio area adjacent to north side of the proposed building is setback approximately 50 feet from the north and west property lines. The proposed playground area adjacent to the south side of the proposed building is approximately 42 feet from the west property line and approximately 200 feet from the south property line.
9. The proposed one-story, approximately 17-foot tall classroom building includes a low-sloped roof and stucco walls and columns.
10. The auditorium and multi-use buildings include approximately 2,500 square feet and 1,500 square feet of assembly area, respectively. When used simultaneously for assembly purposes the auditorium and multi-use buildings require 134 parking spaces.
11. No changes to the existing auditorium and multi-use buildings are proposed.
12. The proposed classroom building will be used on Sundays 8:30 a.m. to 1:00 p.m. for break-out sessions/classes during worship services which does not trigger the requirement for additional parking beyond what was previously required. The classroom building will not be used for assembly purposes simultaneously with assembly uses occurring in the auditorium.
13. The proposal includes the addition of 14 parking spaces in the main parking area for a total of 148 parking spaces.

14. As conditioned, the project developer/facility operator will be required to obtain and fully comply with all applicable City Permits prior to occupancy.
15. The project was found to be exempt from environmental review under Section 15332, In-Fill Development, of the CEQA Guidelines, which exempts existing facilities involving negligible or no expansion of use from one use to another.

This Planning Commission concludes and finds, based upon an analysis of the above facts that:

1. The interrelationship between the orientation, location and elevations of the proposed buildings and structures and other uses on-site are mutually compatible and aesthetically harmonious in that:
 - a. The architectural elements of the proposed addition are integrated into a harmonious whole with the existing buildings.
 - b. The proposed addition is comparable in terms of mass, scale, and height with the existing buildings.
2. The orientation, location and elevation of the proposed buildings and structures and other uses on the site are compatible with and are aesthetically harmonious with adjacent development or the character of the neighborhood in that:
 - a. The proposed one-story addition is comparable in terms of mass, scale, and height with existing adjacent one and two-story single-family residences.
 - b. The proposed addition does not unreasonably interfere with the light and air available to adjacent residential uses.
 - c. The outdoor use areas are setback 42 feet or more from the nearest residential property lines and a will not be used past 10:00 p.m.
3. The environmental impacts of the project, including but not limited to noise, vibration, dust, drainage, erosion, storm water runoff, and odor which, even if insignificant for purposes of the California Environmental Quality Act (CEQA), will not have an unacceptable negative affect on adjacent property or properties in that:
 - a. Under the provisions of Section 15332 of the State Guidelines for Implementation of the California Environmental Quality Act (CEQA), this project is exempt from the environmental review requirements of Title 21 of the San José Municipal Code, implementing the California Environmental Quality Act of 1970, as amended.
 - b. The proposed project will not individually or cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the California Department of Fish and Game Code.
4. Landscaping, irrigation systems, walls and fences, features to conceal outdoor activities, exterior heating, ventilating, plumbing, utility and trash facilities are sufficient to maintain or upgrade the appearance of the neighborhood.
 - a. Landscaping and irrigation will be added to the area in and around the proposed building.
5. Traffic access, pedestrian access and parking are adequate.

- a. The proposed project includes enhancements to the parking area to accommodate additional accessible parking spaces and maintains sufficient parking per the Zoning Ordinance.
 - b. Sidewalks are provided around the proposed addition and a new accessible sidewalk is provided between the proposed building and Flint Avenue.
6. The application is consistent with site's General Plan designation of Public/Quasi-Public which supports private community gathering facilities such as churches.

Finally, based upon the above-stated findings and subject to the conditions set forth below, the Planning Commission finds that:

1. The proposed use at the location requested will not:
 - a. Adversely affect the peace, health, safety, morals or welfare of persons residing or working in the surrounding area; or
 - b. Impair the utility or value of a property of other persons located within the vicinity of the site; or
 - c. Be detrimental to public health, safety or general welfare; and
2. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title, or as is otherwise required in order to integrate said use with the uses in the surrounding area; and
3. The proposed site is adequately served:
 - a. By highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate; or by other forms of transit adequate to carry the kind and quantity of individuals such use would generate; and
 - b. By other public or private service facilities as are required; and

In accordance with the findings set forth above, a Conditional Use Permit to use the subject property for said purpose specified above and subject to each and all of the conditions hereinafter set forth is hereby granted. This Planning Commission expressly declares that it would not have granted this permit except upon and subject to each and all of said conditions, each and all of which conditions shall run with the land and be binding upon the owner and all subsequent owners of the subject property, and all persons who use the subject property for the use conditionally permitted hereby.

This Conditional Use Permit shall have no force or effect and the subject property shall not be used for the hereby permitted uses unless and until all things required by the below-enumerated precedent conditions shall have been performed or caused to be performed and this Resolution has been recorded with the County Recorder.

APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:

1. **Acceptance of Permit.** Per Section 20.100.290(B), should the applicant fail to file a timely and valid appeal of this Permit within the applicable appeal period, such inaction by the applicant shall be deemed to constitute all of the following on behalf of the applicant:
 - a. Acceptance of the Permit by the applicant; and
 - b. Agreement by the applicant to be bound by, to comply with, and to do all things required of or by the applicant pursuant to all of the terms, provisions, and conditions of this permit or other approval and the provisions of Title 20 applicable to such Permit.
2. **Permit Expiration.** This Conditional Use Permit shall automatically expire four years from and after the date of adoption of the Resolution by the Planning Commission, or by the City Council on appeal, granting this Permit, if within such four-year period, the proposed use of this site has not commenced, pursuant to and in accordance with the provisions of this Conditional Use Permit. The date of adoption is the date the Resolution granting this Conditional Use Permit is approved by the Planning Commission. The Director of Planning may approve a Permit Adjustment/Amendment extending the permit in accordance with Title 20.
3. **Sewage Treatment Demand.** Chapter 15.12 of Title 15 of the San José Municipal Code requires that all land development approvals and applications for such approvals in the City of San José shall provide notice to the applicant for, or recipient of, such approval that no vested right to a Building Permit shall accrue as the result of the granting of such approval when and if the City Manager makes a determination that the cumulative sewage treatment demand of the San José-Santa Clara Water Pollution Control Plant to treat such sewage adequately and within the discharge standards imposed on the City by the State of California Regional Water Control Board for the San Francisco Bay Region. Substantive conditions designed to decrease sanitary sewage associated with any land use approval may be imposed by the approval authority.
4. **Building Permit/Certificate of Occupancy.** Procurement of a Building Permit and/or Certificate of Occupancy from the Building Official for the structures described or contemplated under this permit shall be deemed acceptance of all conditions specified in this permit and the applicant's agreement to fully comply with all of said conditions. No change in the character of occupancy or change to a different group of occupancies as described by the "Building Code" shall be made without first obtaining a Certificate of Occupancy from the Building Official, as required under San José Municipal Code Section 24.02.610, and any such change in occupancy must comply with all other applicable local and state laws.
5. **Conformance with Plans.** Construction and development shall conform to approved development plans entitled, "New Childrens Building for East Valley Church, 2827 Flint Avenue, San José, CA, 95148" last revised on November 1, 2012, on file with the Department of Planning, Building and Code Enforcement, and to the San José Building Code (San José Municipal Code, Title 24).
6. **Previous Permits.** Except for specific modifications to site as approved with this plan, this permit does not supersede any other Conditional Use Permits issued for this property.

7. **Use of Proposed Classroom Building.** The proposed classroom building shall be limited to break-out sessions/classes on Sundays in conjunction with worship services and shall not be used for daycare or preschool purposes. Simultaneous use of the classroom building for other purposes shall not be allowed unless the applicant can provide adequate parking based on 1 space per 30 square foot of assembly area and secure appropriate permits from the City.
8. **Simultaneous Use of Assembly Spaces.** The site includes sufficient parking (148 spaces) to allow simultaneous use of the assembly spaces in the auditorium and multi-use buildings (134 spaces required) or classroom and multi-use building (140 spaces required). The site does not have sufficient parking to allow simultaneous use of all three buildings for assembly purposes (224 spaces required) or simultaneous use of the classroom and auditorium buildings for assembly (174 spaces required).
9. **Outdoor Areas.** Use of outdoor activity areas shall not be allowed past 10:00 p.m. The church shall monitor outdoor activities to ensure that they are not creating a nuisance situation for the adjacent neighbors.
10. **Public Works Department Clearance.** Prior to the issuance of Building permits, the applicant will be required to have satisfied all of the following Public Works conditions. The applicant is strongly advised to apply for any necessary Public Works permits prior to applying for Building permits.
 - a. *Minor Improvement Permit:* The public improvements conditioned as part of this permit require the execution of a Minor Street Improvement Permit that guarantees the completion of the public improvements to the satisfaction of the Director of Public Works. This permit includes privately engineered plans, insurance, surety deposit, and engineering and inspection fees.
 - b. *Transportation:* This project is located in the Evergreen East Hills Development Policy area. Based on information provided by the applicant the new building is only to be utilized during the Sunday service as a children's class room. This use will not generate any new peak hour trip therefore no Traffic Impact Fee is required. We conclude that the subject project will be in conformance with the Evergreen East Hills Development Policy and a determination for a negative declaration can be made with respect to traffic impacts.
 - c. *Grading/Geology:*
 - i. A grading permit is required prior to the issuance of a Public Works Clearance. The construction operation shall control the discharge of pollutants (sediments) to the storm drain system from the site. An erosion control plan may be required with the grading application.
 - ii. A soils report must be submitted to and accepted by the City prior to the issuance of a grading permit.
 - d. *Stormwater Runoff Pollution Control Measures:* This project must comply with the City's Post-Construction Urban Runoff Management Policy (Policy 6-9) which requires implementation of site design measures, source controls, and if applicable, numerically sized Low Impact Development (LID) stormwater treatment measures to minimize stormwater pollutant discharges.

- e. *Stormwater Peak Flow Control Measures:* The project is located in a non-Hydromodification Management area and is therefore not required to comply with the City's Post-Construction Hydromodification Management Policy (Council Policy 8-14).
 - f. *Flood Zone D:* The project site is not within a designated Federal Emergency Management Agency (FEMA) 100-year floodplain. Flood zone D is an unstudied area where flood hazards are undetermined, but flooding is possible. There are no City floodplain requirements for zone D.
 - g. *Sewage Fees:* In accordance with City Ordinance all storm sewer area fees, sanitary sewer connection fees, and sewage treatment plant connection fees, less previous credits, are due and payable.
 - h. *Municipal Water:* In accordance with City Ordinance #23975, Major Water Facilities Fee is due and payable. Contact Jeff Provenzano at (408) 277-3671 for further information.
 - i. *Street Improvements:*
 - i. Remove and replace broken or uplifted curb, gutter, and sidewalk along project frontage.
 - ii. Improvement of the public street shall be to the satisfaction of the Director of Public Works.
 - j. *Electrical:* Existing electroliers along the project frontage will be evaluated at the public improvement stage and any street lighting requirements will be included on the public improvement plans.
 - k. *Street Trees:* Install street trees within public right-of-way along entire project street frontage per City standards; refer to the current "Guidelines for Planning, Design, and Construction of City Streetscape Projects". Street trees shall be installed in cut-outs at the back of curb. Obtain a DOT street tree planting permit for any proposed street tree plantings. The locations of the street trees will be determined at the street improvement stage. Street trees shown on this permit are conceptual only. Contact the City Arborist at (408) 794-1901 for the designated street tree.
11. **Future Parking Lot and Driveway Improvements.** Any future building subsequent to the development of the proposed classroom building may trigger the requirement to provide better internal circulation in the parking lot and elimination of the off-set driveway on Flint Avenue (opposite Quesada Drive).
12. **Building Clearance for Issuing Permits.** Prior to the issuance of a Building Permit, the following requirements must be met to the satisfaction of the Chief Building Official:
- a. *Construction Plans.* This permit file number, CP12-034, shall be printed on all plans submitted to the Building Division.
 - b. *Construction Plan Conformance.* A project construction plan conformance review by the Planning Division is required. Planning Division review for project conformance will begin with the initial plan check submittal to the Building Division. Prior to any building permit issuance, building permit plans shall conform to the approved Planning development permits and applicable conditions.

13. **Compliance with Local and State Laws.** The subject use shall be conducted in full compliance with all local and state laws. No part of this approval shall be construed to permit a violation of any part of the San José Municipal Code or state laws. The Permit shall be subject to revocation if the subject use is conducted in such a manner as to cause a nuisance.
14. **Nuisance.** This use shall be operated in a manner which does not create a public or private nuisance. Any such nuisance must be abated immediately upon notice by the City.
15. **Landscaping.** Landscaped areas shall be maintained and watered and all dead plant material is to be removed and replaced by the property owner.
16. **Bicycle Parking.** The project is required to provide bicycle parking (short-term and long-term) consistent with the requirements of the City of San José Zoning Code Chapter 20.90.
17. **Removing Graffiti.** The Provider shall promptly remove all graffiti on any structure within 48 hours. In the event the Provider fails to remove all graffiti from the structure within two business days following receipt of notification from the City, the City shall have the right to remove any graffiti and the Provider shall reimburse the City for all costs incurred for the removal within 30 days of receipt of a bill for the work done.
18. **Signs.** No signs are approved with this permit.
19. **Roof Equipment.** No roof equipment is permitted with this permit.
20. **Outdoor Storage.** No outdoor storage is permitted with this permit.
21. **Refuse/Recycling.** All trash/recycling areas shall be effectively screened from view and covered, and maintained in an orderly state to prevent water from entering into the garbage and recycling containers. No outdoor storage is allowed/permitted. Trash areas shall be maintained in a manner to discourage illegal dumping. The developer shall ensure that the trash/recycling area size, and frequency of collection, is adequate for the site operations. The City will be enhancing elements of the solid waste management program for commercial and industrial developments, which include the recycling of food waste and related materials starting July 2012.
22. **Construction Hours.** Construction shall be limited to the hours of 7:00 a.m. to 7:00 p.m. Monday through Friday for any on-site or off-site work within 500 feet of any residential unit. All construction equipment, fixed or mobile, should be in proper operating condition and fitted with standard factory silencing features. Mufflers shall be used on all heavy construction equipment.
23. **Construction/Demolition Debris Recycling.** It is required that scrap construction and demolition debris be recycled instead of disposing of it in a landfill. An infrastructure exists within San José to accommodate such recycling efforts. Integrated Waste Management staff can provide assistance on how to recycle construction and demolition debris from the project, including information on where to conveniently recycle the material. Additional information may be found at <http://www.sjrecycles.org/construction-demolition/cddd.asp> or by contacting the Commercial Solid Waste Program at (408) 535-8550.

24. **Fire Safety.** Compliance with all applicable fire and building codes and standards relating to fire and panic safety shall be verified by the Fire Department during the Building Permit process to the satisfaction of the Fire Chief. Prior to Building Clearance, all requirements for Fire Safety shall be met to the satisfaction of the Fire Chief.
25. **Revocation, Suspension, Modification.** This Conditional Use Permit may be revoked, suspended or modified by the Planning Commission, or by the City Council on appeal, at any time regardless of who is the owner of the subject property or who has the right to possession thereof or who is using the same at such time, whenever, after a noticed hearing in accordance with Part 3, Chapter 20.44, Title 20 of the San José Municipal Code it finds:
- a. A violation of any conditions of the Conditional Use Permit was not abated, corrected or rectified within the time specified on the notice of violation; or
 - b. A violation of any City ordinance or State law was not abated, corrected or rectified within the time specified on the notice of violation; or
 - c. The use as presently conducted creates a nuisance.
 - d. The applicant shall obtain and operate in conformance with the conditions of all permits required by other responsible agencies.

ADOPTED and issued this **23rd day of January 2013**, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

EDESA BIT-BADAL
Chairperson

ATTEST:

JOSEPH HORWEDEL
Director of Planning, Building & Code Enforcement
Planning Commission Secretary

NOTICE TO PARTIES

The time within which judicial review must be sought to review this decision is governed by the provisions of the California Code of Civil Procedure Section 1094.6.

NEW CHILDRENS BUILDING FOR EAST VALLEY CHURCH

2827 FLINT AVENUE, SAN JOSE, CA. 95148

i

HOMETEC
ARCHITECTURE, INC.



Project proposal is to expand the current church facilities to include a new 1 story building which will serve as a children's education center and

columns to match the existing buildings on the property. The existing parking lot is to be expanded to accommodate fire apparatus and handicap stalls and access to a new parking area.

There are no proposed changes to the existing buildings on the property at this time.

Prior Development Permits for this site are:

- CP97-048
- AD00-1337
- AD04-146
- CP05-026
- CO-087
- AD06-356
- SP09-039
- PRE11-052
- AD11-496
- AD11-888

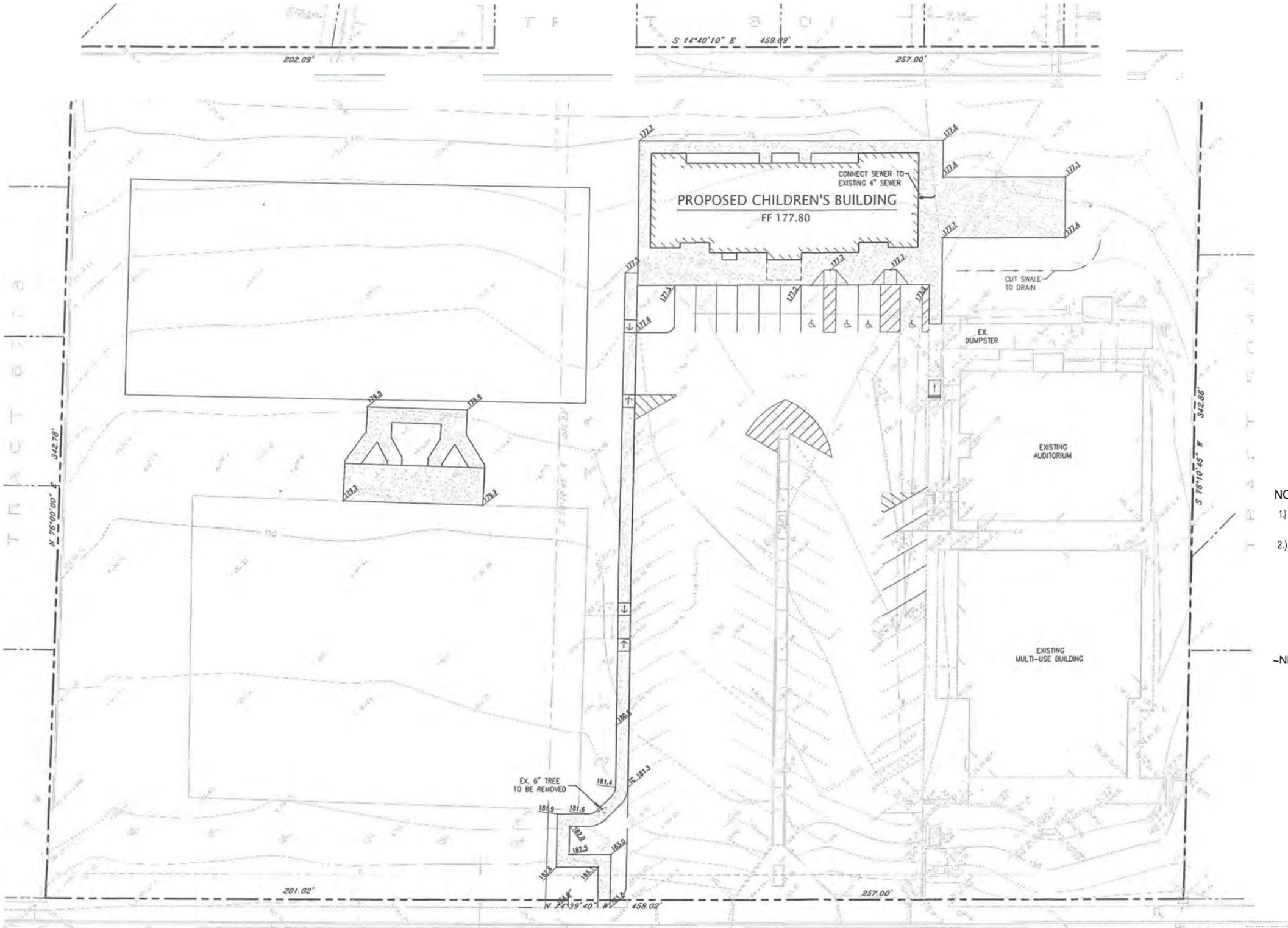
SHEETINDEX

1	TITLE PAGE
2	SITE PLAN
3	GRADING AND UTILITY PLAN
4	BUILDING ELEVATIONS
5	FLOOR PLAN
6a	LANDSCAPE PLAN - WEST
6b	LANDSCAPE PLAN - EAST
6c	IRRIGATION PLAN - WEST
6d	IRRIGATION PLAN - EAST
6e	LANDSCAPE PLANT LIST
7	CROSS GARDEN, FIRESIDE PATIO PLANS, DETAILS

2012

NEW CLASSROOM BUILDING FOR:
EAST VALLEY CHURCH
2827 FLINT AVENUE, SAN JOSE, CA. 95148

CP12-034



to 20 40 60
Scale 1" = 20 ft

REVISION

NO.	DATE	BY	IND.

NO.	DATE	BY	IND.

KIER & WRIGHT
CIVIL ENGINEERS & SURVEYORS, INC.
2850 Collier Canyon Road
Livermore, California 94551
Phone (925) 245-8786
Fax (925) 245-8796

NOTES:

- 1) PROPOSED BUILDING TO HAVE WATER PLUMBED FROM THE EXISTING AUDITORIUM
- 2) PROPOSED, REPLACED OR EXPANDED IMPERVIOUS SURFACE - 9,715 S.F. PROJECT DOES NOT REACH TREATMENT THRESHOLD OF 10,000 S.F.

(NEW A.C. PAVING
-NEW CONCRETE
-NEW BUILDING



MINIARY GRADING / UTILITY PLAN
OF
EAST VALLEY CHURCH
FOR
EAST VALLEY CHURCH
CALIFORNIA



CERRITO WAY
FLINT AVENUE
BIEN WAY
OUESADA DRIVE

DATE APRIL, 2011
SCALE 1" = 20'

RICHARD A. HARTMAN
A.I.A.

HOMETEC
ARCHITECTURE, INC.

NEW CLASSROOM BUILDING FOR
EAST VALLEY CHURCH
2827 FLINT AVENUE, SAN JOSE, CA. 95148

Date 8-6-12
Scale 1/8" = 1'-0"
Drawn F.AH
Job 11-024
Sheet

of Sheets



SOUTH ELEVATION

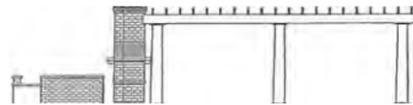
C-I-IU- N cS-) LE' - RVE'S- E- LTOyNME cCoAl- -3Ro -N-Y-'-'I-O-V--

14" DIAM. COLUMNS -

STUCCO - COLOR - J|KELLY-MOORE #228 CHAI--RO -

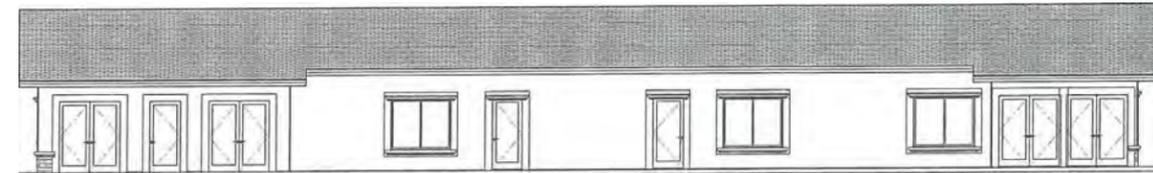


NORTH ELEVATION



F DOOR AND WINDOW LINTALS- COLOR-"KELLY-MOORE #412 CARG--y "CEI-AINTEED" - COUNTRY GRAY PERSIDENTIAL -

EAST ELEVATION

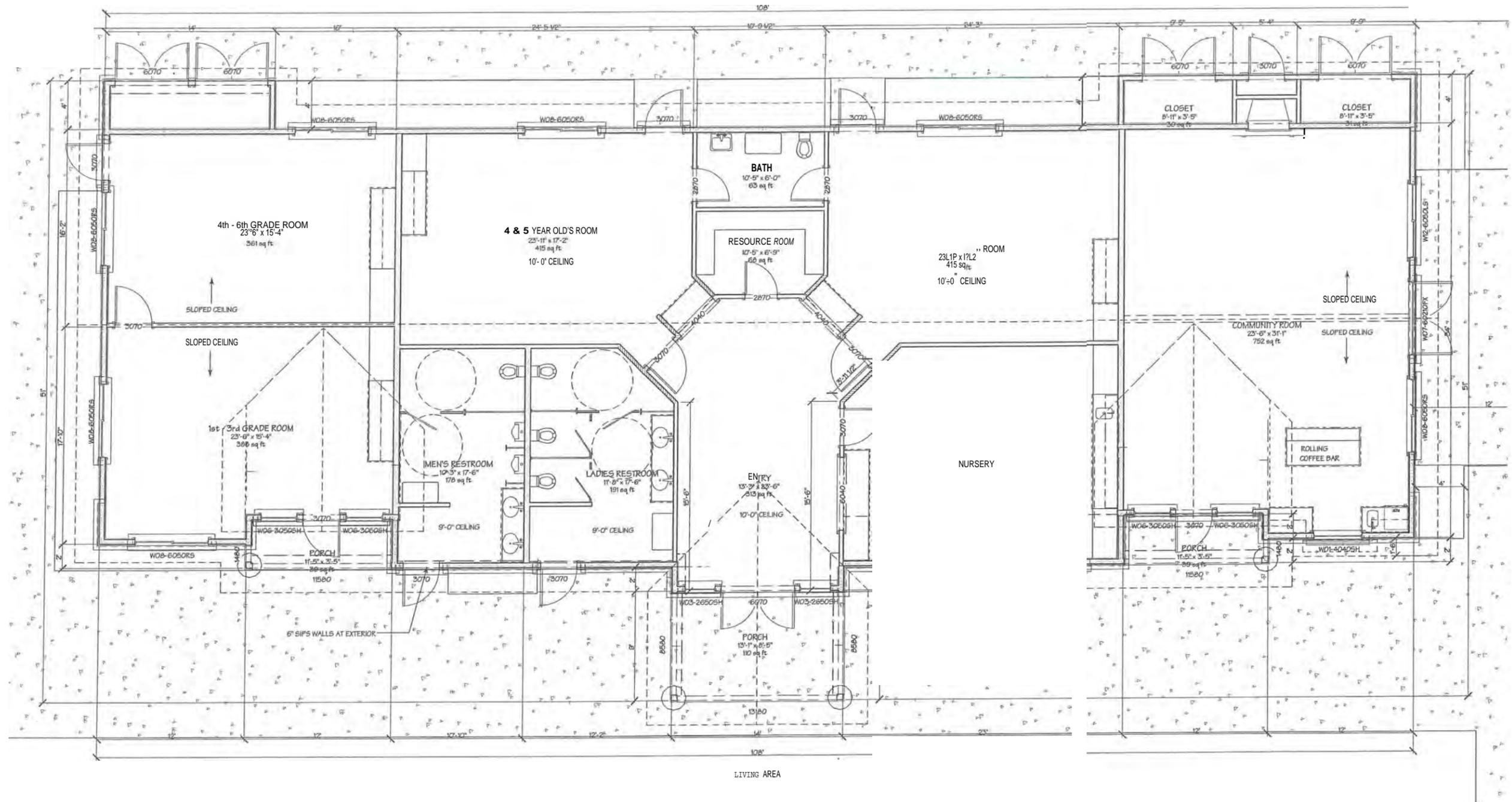


.WEST ELEVATION

T-ELLIS TEJM - COLOR -KELLY'MOO-E
#230 GIRAYSTONE -

L STONE VENEER BY"CORONADO STONE" - DESERT LEDGE





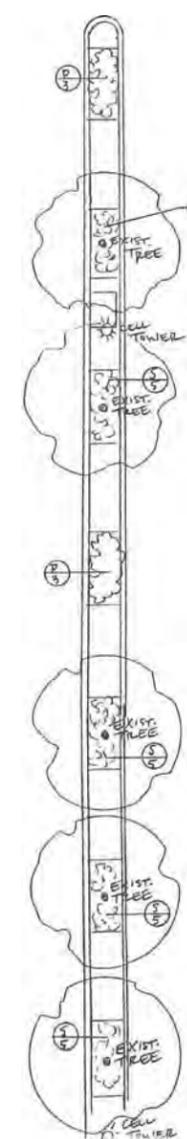
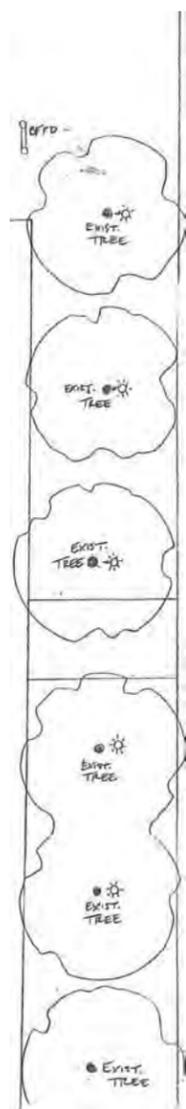
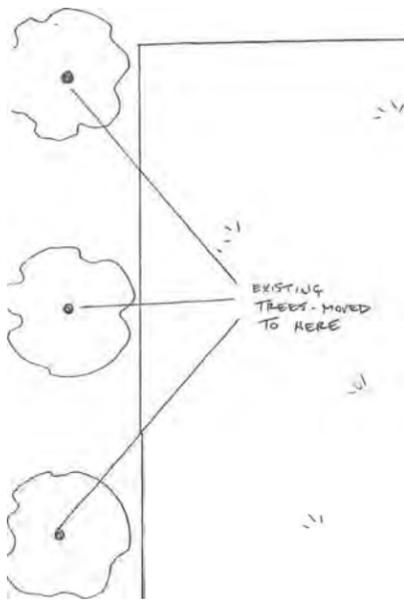
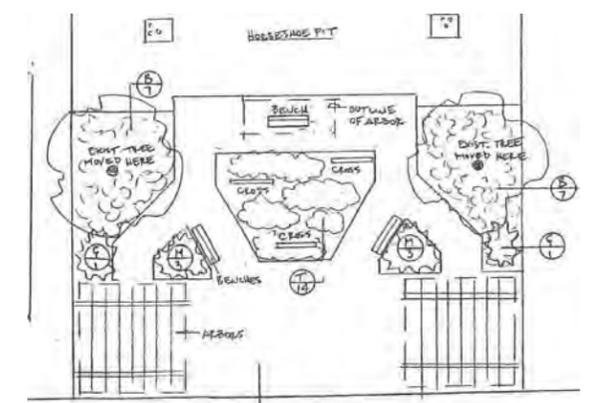
PROPOSED FLOOR PLAN



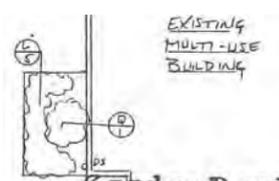
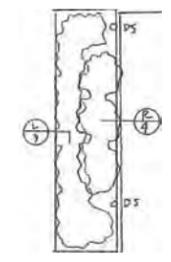
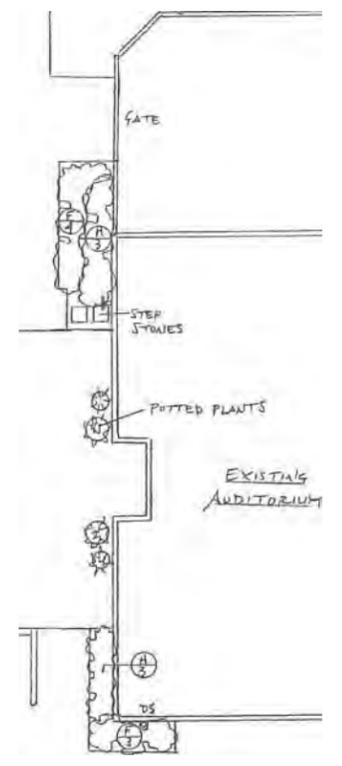
PLAYGROUND

NEW BUILDING

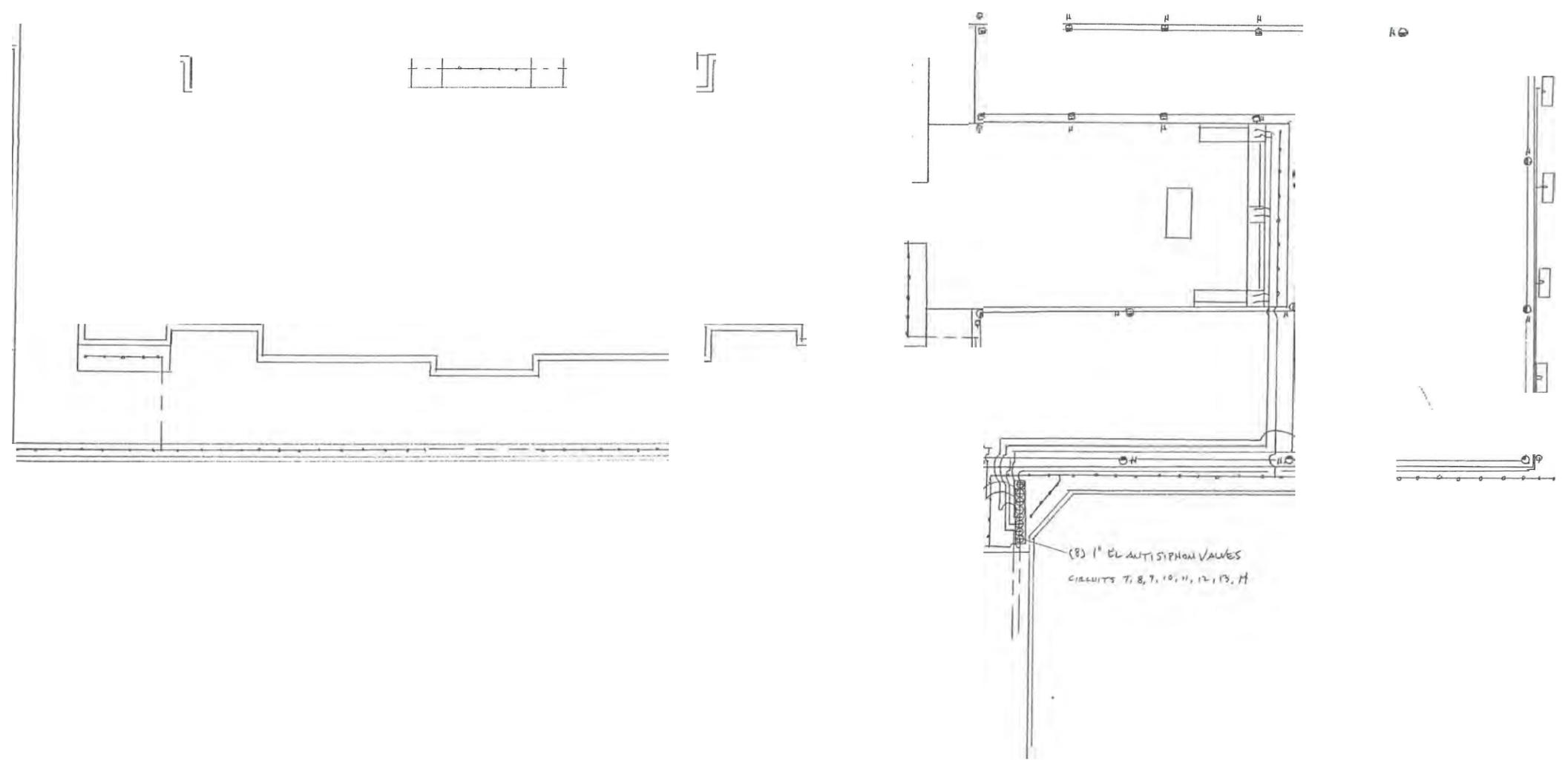
ii



PARKING



Garden Design Service
 1" = 10'
 LANDSCAPE LAYOUT-CRANE AREA
 EAST VALLEY CHURCH
 SAN JOSE LHMILLER
 5. 2012
 408 356-2022 6B



Key	Botanical and Common Name	Size	Quail
	SWAN HJ7L' FRUITLESS OLIVE	#15	
B	COPROSMA ~	#~	28
C	OLEA 'Llqql- OLLLE'- DWARF OLIVE	#5	
D		#~	
		#15	3
F		#5	24
G		#5	7
		#5	4
J		#t	2
L		#~	7
		#~	22
N		#1	4
O		#1	
P		#5	
R		#5	4
S		#POTS	25
T		#1	

Plant List

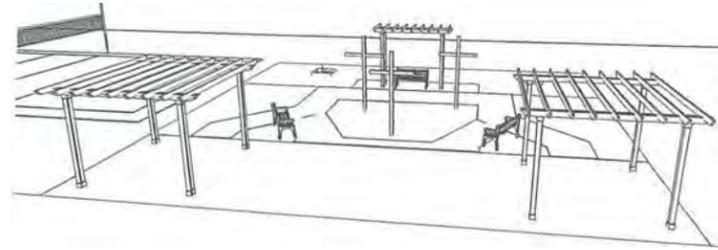
Notes:
 SOIL PREP. AND PLANTING NOTES
 ~TILL PLANTR-G AREAS INCORPOLATING IN A 3~" LAYER OF MIXED ORGANIC SOIL
 CONDY YIONER AND RWD SOIL CONDITIO~ (50/50 MEX)
 ADD GYPSUM TO HELp BRI-MU(Up THE HI-AVY CLAY SOIL- FOLLOW MANU FACT-
 SPECS, DOUBL- DIG AJL~AS ADDING F-LTRA COMPOST AS YOU pl2MINT,
 *MULCH OPEN ARF2~ WITH A 2-3" LAYF~R OF SHREDDED FIR OR MINI BARK MULCH.
 PULL MULCH AWAY FROM PLANT CROXVNS.
 ADD 'OSMOCOTE' SLOW ILELEASE FERTILIZER TO pLANT!qG BACKFILL.
 BROKE2q UP FERTILIZ-R TABS O.FL ALSO.
 *BAIT FOR SNAILS ~-qSTALLATION AND REAPPLY MONTHLY.
)USE A pLE EaMERG ENT HERBICIDE AFTER pLANTING AND REPEAT ON A
 REGULAR SCHEDULE
 AREAS TO BE ~r-Pa. DWA~ r~SC~ SRED OR SOD ~GED WTrH ZX~
 co~vosrm rm~.= eo~ m~E. USE GOPrm~
 CONCRETE ~
 *USE PLAIN FYNISH CONCILETE FOR WALKS AND PATIO AREd~ LAYtaqG CONCRETE
 IN A ~6" LAYER OVER (~8" OF COMPACTED BASE ROCFL ILEIN FORCE WITH 18"X18"
 REBAR GRID.
 USE COLD JO I2NTS FOR EXPANSION E-CE-RY 8-10'

Irrigation Notes:

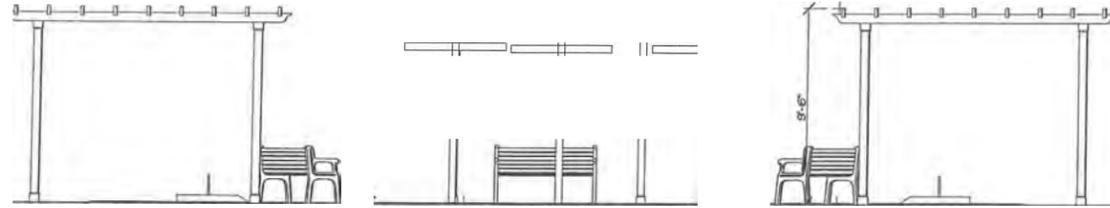
COMPONENTS-	Amas	Circu-	Gallons per Week
<O TORO 570 8' FLAKT SPRAY			120
TORO 570 8' FLAT SPRAY	2		150
:-f TORO FLOOD BUBBLERS	3		100
-.": TORO FLOOD BITBBLERS	4		140
DRIP FEF-DER TUBES TO POTS	5		25
~ TECHL[N- OR NETAFIKM DRIP	6		50
DI-P FF~D ER TUBES TO POTS	7		25
-- ~TEC~ OR NETAFIM DKW			50
2V RADIUS TORO 300	9		360
(~ 21' RADIUS TORO 300			360
() 12' RADIUSTORO 570			360
~-TECHLlqE OR NETAFIM DPd~			50
			50
			180

AVE~RAGE WATERING IN WARM MONTHS ONLY.
 USE LOW VOLUME SPRAY, WHEJLE WHERE AVAILABLE.
 HIGH POPS FOR STRI- SPRAYS.
 3/4" ELECTRIC ANTISIPHON VLAVES. I-UDE VALVES IN VALVE BOXES. RUN EL LINES TO A CONTROLLF- IN THE SHED &RF~.
 PVB TO BE 12" ABOVE TH- HIGHEST LI-F- TILEaN CH IN LINES 10-12".





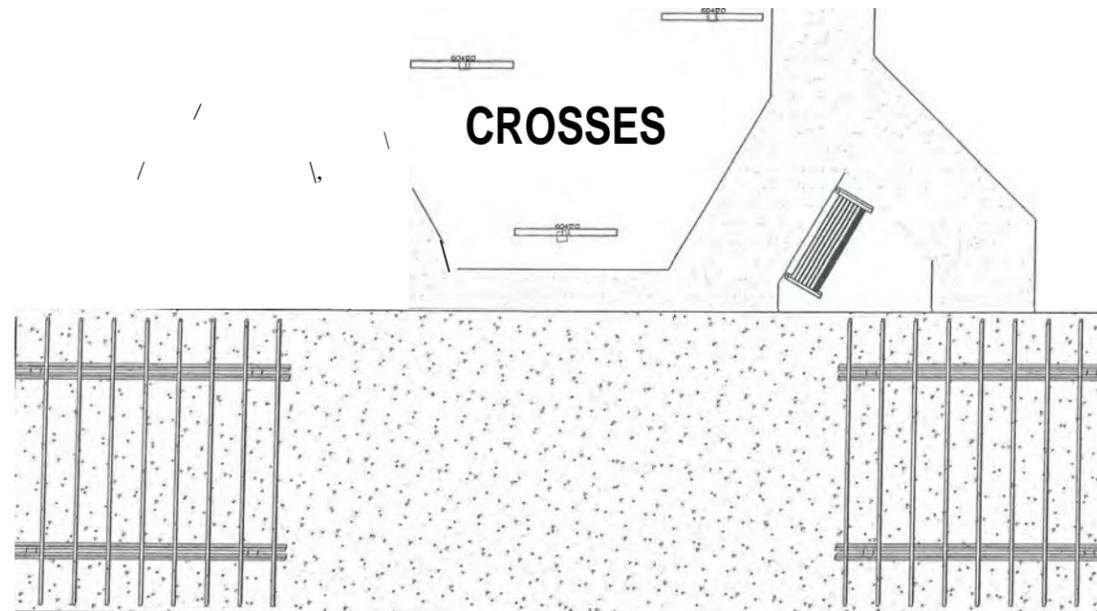
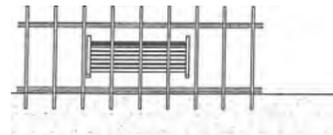
CROSS GARDEN PERSPECTIVE



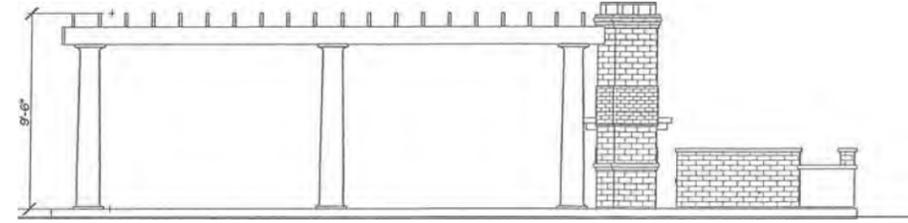
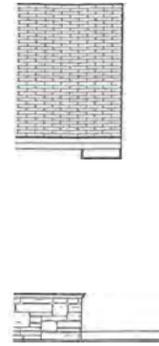
CROSS GARDEN ELEVATION



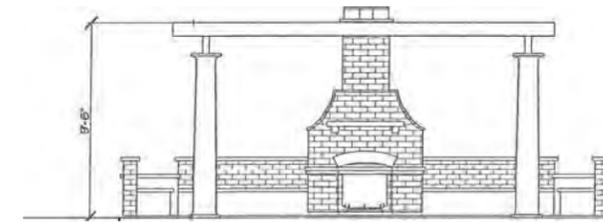
HORSESHOES



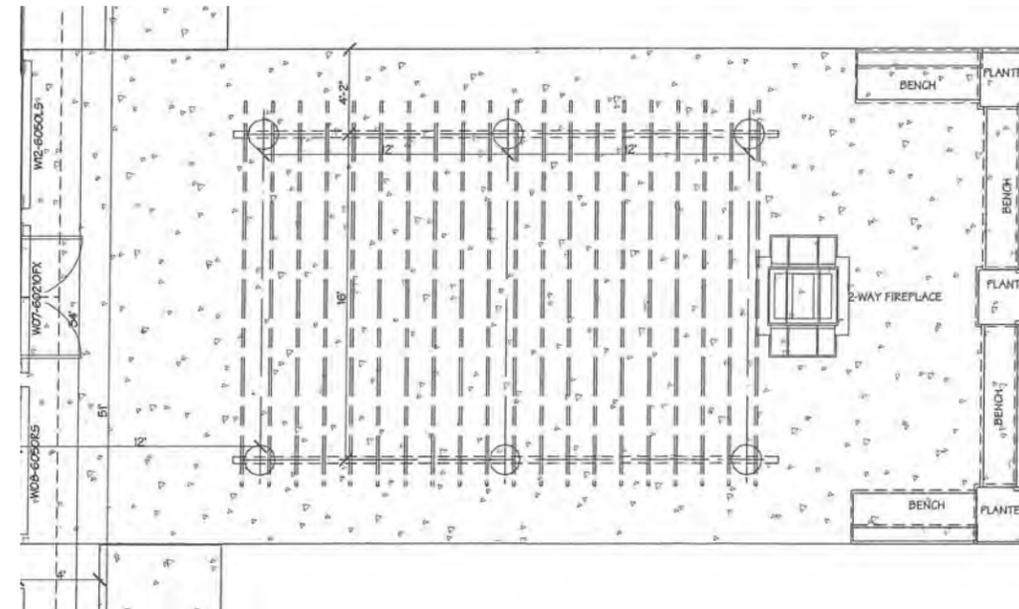
CROSS GARDEN PLAN



FIRESIDE PATIO LOOKING WEST



FIRESIDE PATIO LOOKING NORTH



FIRESIDE PATIO FLOOR PLAN

REVISIONS	BY
PLANNING 10/17/12	

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TEL. 408/964-9069 FAX 408/964-9068

EAST VALLEY CHURCH
2827 FLINT AVENUE, SAN JOSE, CA 95145

Date 8-6-12
Scale 1/8" = 1'-0"
Drawn [Signature]
Job 11-024
Sheet
7
of Sheets