

CITY OF SAN JOSÉ, CALIFORNIA
Department of Planning, Building and Code Enforcement
801 North First Street, Room 400
San José, California 95110-1795

Hearing Date/Agenda Number
P.C. 10/13/04 Item #: 4.b.

File Number
PDC 02-063

Application Type
Planned Development Rezoning

Council District
2

Planning Area
Edenvale

Assessor's Parcel Number(s)
Numerous

STAFF REPORT

PROJECT DESCRIPTION

Completed by: Jeff Roche

Location: Easterly terminus of Skyway Drive, approximately 1,000 feet easterly of the intersection of Monterey Highway and Skyway Drive

Gross Acreage: 53.0

Net Acreage: 53.0

Net Density: n/a

Existing Zoning: A(PD) Planned Development

Existing Use: Private School and Church

Proposed Zoning: A(PD) Planned Development

Proposed Use: Lighted stadium for 15 evening events per year (including football games), removal of requirement for fencing around plant preservation areas, and elimination of numerical requirement for trip reduction.

GENERAL PLAN

Completed by: JR

Land Use/Transportation Diagram Designation
Very Low Density Residential (2.0 DU/AC)

Project Conformance:
 See Analysis and Recommendations

SURROUNDING LAND USES AND ZONING

Completed by: JR

North: Residential, Vacant (future residential)

R-1-2 Residence, R-1-5 Residence & A (PD) Planned Development

East: Residential, Vacant (future residential)

R-1-8 Residence & A (PD) Planned Development

South: Residential, Park, Fire Station, Mobile Home Park, Corp. Yard

Various

West: Residential

R-1-2 Residence & R-1-8 Residence

ENVIRONMENTAL STATUS

Completed by: JR

Environmental Impact Report found complete
 Negative Declaration circulated on 9/13/04

Exempt
 Environmental Review Incomplete

FILE HISTORY

Completed by: JR

Annexation Title: Monterey Park No. 90

Date: August 26, 1980

PLANNING DEPARTMENT RECOMMENDATIONS AND ACTION

Approval
 Approval with Conditions

Date: 10-7-04

Approved by: 
 Action
 Recommendation

APPLICANT'S CONSULTANT

OWNERS/ APPLICANTS

Gerry De Young
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Claude Fletcher, Chancellor
Valley Christian Schools
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San Jose, CA 95111

Mike Nauman, Secretary
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590 Shawnee Lane
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PUBLIC AGENCY COMMENTS RECEIVED

Completed by: Jeff Roche

Department of Public Works

See attached email dated, 9/23/04 and memorandum from the Department of Public Works, dated, 9/08/04.

Other Departments and Agencies

See attached memoranda from the Police Department, dated, 8/15/02 and 8/18/00, and e-mail from the Environmental Services Department, dated, 9/03/02

GENERAL CORRESPONDENCE

See attached letter from Valley Christian School, dated, 9/27/04; e-mails from Peter Grabosky, dated, 9/17/04, 9/07/04, and 8/26/02; and letter/petition from Moundhaven Court, received October 5, 2004

ANALYSIS AND RECOMMENDATIONS**BACKGROUND**

The applicants, Valley Christian Schools and South Valley Christian Church, are proposing a Planned Development Zoning from A (PD) Planned Development to A (PD) Planned Development to: (1) allow stadium lighting for 15 evening events per year; (2) remove the requirement for fencing around plant preservation areas on the campus site; and 3) eliminate the numerical requirement for trip reduction, on an approximately 53-gross acre school campus.

The school site is located at the terminus of Skyway Drive, approximately 1000 feet easterly of Monterey Road, on a prominent ridge oriented on a roughly east/west axis with steeply sloping sides. Vehicular access is from Skyway Drive. The Valley Christian School has been in operation on the site since 1999. The site is developed with classroom and administration buildings, sports and maintenance facilities and surface parking. A church building is approved on a portion of the subject site, but has not yet been constructed.

The site is surrounded by residential neighborhoods. To the north are single-family detached residences. Single-family detached residential uses are located to the east and a mixture of land uses are located to the south, including single-family detached residential, a mobile home park, a City of San Jose fire station and corporation yard and Dana Rock Park. A Planned Development Rezoning was approved by the City Council on November 21, 2000 (File No. PDC 99-05-037) for a vacant 4.3-acre site located to the north of Diamond Heights Drive to allow six single-family detached residential units.

The 53-acre project site has been the subject of several Planned Development (PD) Rezoning applications. The original PD Zoning, covering approximately 43 acres, allowed a private school for 1200 students; 217,000 square-feet of associated buildings, including a theatre; a football stadium; a 1200 seat church; and a total of 535 parking spaces. This Zoning was approved by the City Council on May 17, 1994 (File No. PDC 89-07-051). A second PD Zoning (File No. PDC 99-02-010) was approved by the City Council on April 6, 1999 to allow the addition of tennis courts, a pump house, a ten-space parking lot and reorientation of the approved football field. This Zoning covered property adjacent to the original campus but overlapped the original PD Zoning in the area of the football field, to allow its reorientation. A third 0.28-acre vacant area zoned R-1:B-6 Residence District was added to the westerly end of the site through a Lot Line Adjustment (File No. AT 99-11-123) in November of 1999.

The fourth and most recent PD Zoning (File No. PDC00-065), approved by the City Council on June 19, 2001, originally proposed vehicular access to the school site from Diamond Height Drive, deletion of a requirement for the operation of two school busses to reduce vehicular trips to the site, the addition of 200 students to the middle and high schools, the addition of new parking lots, and the requirement for implementation of a trip reduction program to reduce a.m. peak hour trips by fifteen percent. A series of Planned Development Permits and Amendments have also been approved to implement the various Planned Development Zonings.

Conformance with Prior Permits

Due to lack of compliance with a number of conditions of the approved Planned Development Permits, the site was the subject of an Order to Show Cause Hearing before the Planning Commission on March 26, 2003 (see attached staff report). The Planning Commission revoked and reissued three Permits requiring that the prior conditions be implemented in a timely manner (Permits File Nos. PD99-030, PD98-016, and PD99-022). Following is a summary of the status of the compliance issues addressed in these Permits.

1. *Street Improvements to Diamond Heights Drive.* As noted in the attached e-mail from the Public Works Department, dated 9/23/04, construction of Diamond Heights Drive, including pavement, storm drains and AC berms is substantially complete. Public Works staff will work with the applicant to complete remaining minor work items prior to final inspection. Construction of the private portion of the roadway was delayed due to somewhat difficult negotiations with the owner of the property over which the School's access easement runs.
2. *Emergency Access on Diamond Heights Drive.* Fire Department staff have inspected the emergency access to the Valley Christian Campus via Diamond Heights Drive and have indicated that it meets Fire Department requirements.
3. *Temporary Storage Containers.* With the exception of the (4) four storage containers located adjacent to the football stadium, the School has removed all unpermitted storage containers from the site. Due to the minimal visibility of the storage containers located near the football field, staff believes that they are acceptable. A Planned Development Permit Amendment (File No. PDA99-030-01) that provides for retention of these containers is set for Director's Hearing on October 20, 2004.
4. *Fencing/Gating and Pedestrian Access.* The required fencing and gates have been installed. The applicant has proposed and implemented a temporary pedestrian path from the upper campus to the tennis courts that runs just inside the fence separating the Valley Christian Campus from Diamond Heights Drive. This path allows physical education classes and tennis teams to access the tennis courts without using Diamond Heights Drive until such time as the permanent access is constructed. Staff believes that the temporary access is acceptable until single-family residences are constructed on the adjacent property (along the northeasterly side of Diamond Heights Drive) consistent with the approved Planned Development Zoning of that site. The interim trail is included in the pending Permit Amendment (PDA 99-030-01) scheduled for Director's Hearing on October 20, 2004. This Permit will include clear direction regarding the required timing for construction of the permanent trail alignment.
5. *Landscaping.* The required landscaping has been installed on all portions of the site with the exception of a small area adjacent to the soccer field where new soccer netting is to be installed. The applicant has obtained approval to install the proposed netting to prevent errant soccer balls from

entering the rear yards of adjacent residences and has delayed planting trees on this edge until the construction is complete. Staff will follow up to ensure that this landscaping is completed.

6. *Trail Implementation.* The requirement for implementation of a trail to Dana Rock Park was included in the PD Zoning and Permits for the school site at the request of neighborhood residents. An intervening vacant parcel lies between the Valley Christian property and the Park. Development of this property with a single-family house may make it impossible to complete a trail connection to the Park; consequently the applicant has proposed to implement the trail only when it is clear that it can extend all the way to Dana Rock Park. Staff has included revised language in the Development Standards for this Rezoning clarifying that the construction of the trail shall occur at such time as it is possible to achieve a connection to the Park boundary.

Three other compliance issues not addressed in the Order to Show Cause include the left turn pocket at Monterey and Skyway Drive, the Skyway Drive cul-de-sac, and pavement improvements on Skyway Drive, east of Houndshaven Way.

1. *Left turn pocket at Monterey Highway and Skyway Drive.* This improvement was identified in the Environmental Impact Report for the original Planned Development Zoning as mitigation for the project's significant traffic impact at the subject intersection. The Public Works Department has indicated that implementation of this mitigation is currently delayed because Caltrans has not issued a Permit allowing the construction. (Monterey Road is a State of California highway under Caltrans jurisdiction.) The Public Works Department does not agree with the latest Caltrans comments, has recently sent a formal response, and is seeking a swift resolution of this issue.
2. *Skyway Drive Cul-de-sac Improvements.* Improvement plans for the cul-de-sac from 1999 have been approved by the Public Works Department; however, neither the dedication nor construction has occurred. The applicant has proposed that the construction of the cul-de-sac occur in conjunction with the turn pocket improvements so they can be addressed under one construction contract. Staff believes that it would be best to complete this improvement as soon as possible and has included a condition in the Draft Development Standards specifying that it be completed prior to issuance of Building Permits for the stadium lights and prior to issuance of a Public Works Clearance for any new parking area(s).
3. *Skyway Drive, easterly of Houndshaven Way.* Improvement plans approved by the Public Works Department for this project provided for the installation of special pavement on Skyway Drive to mark the end of the public right-of-way and the beginning of the private drive. The applicant has indicated that installation of the decorative pavement was initially delayed to allow completion of a construction project at one of the City facilities on Skyway Drive. This construction project is now complete and the decorative pavement should be installed. A condition included in the Draft Development Standards requires implementation of the decorative pavement prior to Building Permits for the stadium lights or Public Works Clearance for the parking lots.
4. *Erosion along the northerly side of the site.* Concerns have been expressed by other City Departments about erosion that has occurred along the northerly side of the site. Public Works staff is working with Valley Christian and the Santa Clara Valley Water District (whose pipeline traverses the area in question) to resolve the issue.

Project Description

1) *Stadium Lighting for Evening Events*

The proposed stadium lights include four light racks elevated above the field on poles reaching a maximum height of 90 feet. Two light racks on the south side of the football field are proposed to be located on either side of the bleachers and will be elevated 80 feet above the field. The two light racks on the north side will be elevated 60 feet above the field. The northwesterly pole will be 60 feet tall and will be located at grade with the playing field. The northeasterly pole will be 90 feet tall and will be installed approximately 30 feet below the elevation of the field, adjacent to the base of an existing retaining wall. The proposed light fixtures are high wattage metal halide lamps with aluminum reflectors, light hoods and visors to direct light onto the field and reduce spill light outside of the stadium area. The project plans, which incorrectly show the light poles at a maximum height of 80 feet, will be corrected prior to the Council's second reading of the Zoning.

The purpose of the proposed lights is to allow the 3,500 seat football stadium to be used for evening football games and other evening events up to 15 times per year. Currently, football games are played in the afternoon or at an off-site location. The applicant has indicated that the lights would be used for between 5 and 7 varsity football games each year and that other anticipated evening events would include graduation, soccer games and community events. The events are proposed to end and the lights turned off no later than 10 p.m. In addition to new parking areas approved under the prior Planned Development Zoning (File No. PDC00-065), the applicant is proposing to accommodate parking for the evening events by implementing temporary parking on the vacant church site. Parking for stadium patrons is also proposed to be accommodated at park-and-ride lots with a shuttle service to ferry people between the remote parking sites and the stadium.

2) *Elimination of Plant Mitigation Fencing and Signage Requirements.* The applicant is proposing to eliminate the requirement to fence two plant preservation areas located on steep slopes on the project site as well as the requirement for signage to identify these areas.

3) *Elimination of Required Fifteen Percent Trip Reduction*

The applicant is proposing to retain the requirement for a trip reduction program, but to delete the requirement for a 15 percent reduction in a.m. peak hour trips.

PUBLIC OUTREACH

A Community Meeting was held on August 2, 2002, for the proposed Planned Development Zonings. Those in attendance expressed concern regarding spill-over light and noise from evening stadium events as well as increased traffic and associated noise and headlight glare.

The Negative Declaration and public hearing notice for this proposal were mailed to property owners and residents within a 1000-foot radius of the project site. Staff has been available to discuss the project with interested members of the public. All correspondence received on the proposed Planned Development Rezoning is attached to this report.

ENVIRONMENTAL REVIEW

An Initial Study was prepared for this project and a Negative Declaration was circulated for public review on September 13, 2004. The primary issues addressed in the Initial Study and Negative Declaration included visual/aesthetic impacts, noise, traffic and parking. Based on the Initial Study the Negative Declaration concludes that all of the potentially significant environmental effects of the project can be reduced to a non-significant level through mitigation that has been included in the project. Further discussion of potential impacts in the areas of light and glare, noise, and traffic is included in the Analysis section below.

GENERAL PLAN CONFORMANCE

The subject site has a General Plan Land Use/Transportation Diagram designation of Very Low Density Residential (2.0 DU/AC). Discretionary Alternate Use Policy Number 10 states that the determination of General Plan conformance for new public/quasi-public uses shall be made based on the basis of applicable General Plan goals and policies and a demonstrated need for the proposed facility. The school and church proposal were found to be in conformance with the General Plan at the time of the approval of the original General Plan amendment.

Staff has concluded that the proposed maximum light pole height of 90 feet conforms to General Plan Urban Design Height Policy which specifies that *"for structures other than buildings, where substantial height is intrinsic to the function of the structures and where such structures are located to avoid significant adverse effects on adjacent properties, height limits may be established in the context of project review"*. Height is clearly intrinsic to the height of the proposed light structures and a lighting analysis included in the Initial Study indicates that the proposed lighting will result in very minimal spill light at the nearest adjacent residences.

ANALYSIS

The following analysis addresses the issues associated with the three primary components of the proposed rezoning: 1) Stadium Lighting for Evening Events, 2) Elimination of Plant Mitigation Fencing and Signage Requirements, and 3) Elimination of the Fifteen Percent Trip Reduction Requirement.

Stadium Lighting and Evening Events

The primary issues associated with the proposal to light the football stadium for 15 evening events per year include visual impacts; conformance with Council Policy 4-3, *Outdoor Lighting on Private Developments*; noise; traffic and parking. Following is a brief discussion of these issues.

Light and Glare

The current prohibition on lighting of the football field was included in the original Planned Development Zoning for this site as mitigation for potentially significant aesthetic impacts as identified in the project Environmental Impact Report. The Negative Declaration prepared for the current project concludes that the lights will have no significant impact in terms of spill light on adjacent properties and no significant impact on views of the site.

The proposed stadium lighting employs the latest technology in high wattage lamps (2000-watt metal halide) thereby reducing the number of lamps needed and increasing the light beam control and efficiency. The lights are equipped with light visors and hoods to minimize light spill. Figures 6 and 7 of the Initial Study depict

spill light levels in terms of initial horizontal illuminance (light measured at 3.0 feet above the ground surface) and maximum illuminance (measure of the highest level of light by a meter aimed directly at the light source). The initial horizontal illuminance projected for the nearest planned residences to the football stadium (lots along the east side of Diamond Heights Drive) is approximately 0.26 foot-candles (fc) and for the nearest existing residences (located at the end of Riverview Drive) is less than 0.25 fc. The Initial Study indicates that both the initial horizontal illuminance and the maximum illuminance light levels at the nearest existing and planned residences are less than the 0.50 fc light level produced by a full moon. Figure 5 of the Initial Study presents a photograph illustrating the minimal light spill associated with the proposed lighting system. Based on this information, the Initial Study concludes that the stadium lighting does not result in a significant impact on nearby residences as result of light spill.

The Initial Study provides photo simulations of distant views of the stadium lights during the daytime and at dusk. The Study indicates that although the proposed lights will be visible, they are located on a large school campus that is already highly visible and well lit during the evening and that use of the proposed stadium lights fifteen times per year represents an incremental increase in the amount of development and light on the campus that will not substantially degrade views of the site or the visual character of the area.

Conformance with City Council Policy 4-3; Outdoor Lighting on Private Developments

Council Policy 4-3 (see attached) specifies that outdoor lighting for private developments should be low pressure sodium and fully shielded (so that no light is emitted from the sides of the light fixture). The Policy provides for exceptions to the low pressure sodium requirement for field sports where a photometric study is prepared, the proposal is referred to the Lick Observatory and a public hearing is held. The proposal conforms to this exception criteria in that a photometric study has been prepared and included in the Initial Study; the Zoning and Initial Study were referred to the Lick Observatory, and a number of public hearings will be held for this Planned Development Zoning and the subsequent Planned Development Permit. The Initial Study indicates that Observatory staff contacted by phone stated that "*due to the frequency and duration of the proposed evening events, the project will not interfere with observatory operations*". Staff has received no further comment from the Observatory regarding the Initial Study or Planned Development Zoning.

The Policy specifies that outdoor recreation facilities for field sports may have partially shielded light fixtures, which are defined in the Policy as light fixtures shielded so that no more than 10 percent of the light is projected at angles above a horizontal plane extending from the bottom of the fixture. The proposed lights are equipped with visors and hoods, but because the fixtures are oriented outward rather than downward, they do not achieve partial shielding as defined in the Policy. It does not appear that any stadium lights could meet this Policy requirement regarding only ten percent light spill; and, staff believes that the project, as proposed, achieves the objectives of the Policy by minimizing light spill, significantly limiting use of the lights and ensuring that they are turned off by 10:00 p.m.

Noise

The Initial Study prepared for this project includes an analysis of noise generated by the stadium events themselves as well as noise from traffic associated with the events. Noise projections for the stadium event were based on actual noise measurements at three high school football games. Taking into consideration the distance to the nearest residential lot located approximately 200 feet east of the football field and the elevation difference, the analysis concludes that an event at the stadium with 3,500 spectators would generate hourly average noise levels of 57 dBA Leq at the nearest sensitive receptor, for a period of up to 4 hours. The day-night average noise level generated by such an event would be 50 dBA Ldn. The report indicates that because ambient noise levels in the area are already above 60dBA Ldn, noise from the stadium would result in no

measurable change in the day-night average noise level and would not be considered a significant impact. The noise analysis acknowledges that the stadium noise will increase average hourly noise levels at the nearest residential lot by up to 5 dBA and that the maximum instantaneous noise level at the nearest residential lot would be 60-70 dBA. The analysis recognizes that noise from the stadium would be audible at nearby residences, but would not rise to the level of a significant impact.

The analysis of traffic noise, which takes into account shuttle bus noise as well as automobiles, assumes that 603 vehicles will access the site in the hour before the game and 800 in the hour following the game. The analysis indicates that traffic will result in maximum hourly average noise levels of 63 dBA Leq at a distance of 30 feet from Skyway Drive and a day-night average of 52-54 dBA Ldn. Noise levels at the parking lot on the school site that is bordered by residences would be similar. The analysis concludes that traffic noise associated with the evening stadium events would not be significant because the noise will occur for only two hours per evening and will be limited to 15 evening per year.

Mr. Peter Grabosky, a resident of Del Rey Avenue located adjacent to the project site, submitted several letters (see attached) expressing concern regarding problems with the existing school use and the current proposal and providing comments regarding the noise analysis included in the Initial Study (see attached electronic communication). In response to Mr. Grabosky's concern that noise measurements/projections were not provided for "worst case" locations, the project noise consultant performed additional measurements adjacent to Mr. Grabosky's residence for approximately two hours during a varsity football game on the afternoon of September 25, 2004. A brief letter report summarizing the results of the measurements indicates average noise levels during the measurement period of 48 dBA Leq (see attached report prepared by Richard Rodkin, dated September 28, 2004). These levels are below the noise levels recorded in the Initial Study for the most affected receptors.

In response to noise and headlight concerns from residents of Moundhaven Court whose rear yards abut Skyway Drive, the applicant is proposing to work with the property owners to install a 7-foot masonry sound wall along the five affected properties adjacent to Skyway Drive to reduce noise levels and provide additional visual screening. Staff has included a requirement for this sound wall in the Draft Development Standards. This wall is not required as a CEQA mitigation.

Parking and Traffic

The site currently has 543 parking spaces. Sixty-eight additional spaces are proposed to be developed on the site in permanent parking lots. The school is also proposing to use the church building pad as a temporary lot to accommodate 120 additional spaces, resulting in a total of 731 parking spaces on the project site. In addition to the on-site spaces, the applicant is proposing to implement a traffic and parking management plan that includes the use of off-site parking lots with shuttle bus service to the campus, an outreach program to encourage people to use the off-site lots and on-site traffic control personnel. Valley Christian has an existing agreement with the Valley Transportation Authority (VTA) to use the Capitol park-and-ride lot at Fehren and Monterey Roads. A number of other VTA parking lots are available for use by the School as needed, totaling over 1,000 spaces.

Based on the Zoning Code parking requirement for stadiums of one space per four seats, the 3,500 seat stadium requires a total of 875 spaces. Staff has included a condition in the Draft Development Standards requiring that 875 spaces (which may include both on- and off-site spaces) be available for use by stadium patrons during each evening stadium event. This will allow the number of off-site spaces to be increased should the temporary church pad parking no longer be available due to construction of the church facility. Additional draft conditions require the applicant to submit a traffic and parking management plan prior to issuance of a Planned Development Permit and prohibit use of the stadium concurrent with use of the church

sanctuary, theater or other assembly facilities on the project site. In order to ensure that the proposed temporary parking lot does not generate unnecessary noise and dust, staff has included a draft condition specifying that the lot be paved.

A traffic analysis prepared for the proposed evening stadium events was based on traffic counts taken at an October 5, 2002 homecoming game at the stadium with an estimated attendance of 3,500 people. During the one-hour period before the varsity game, 327 vehicles entered and 276 exited the site. During the one hour period following the game, 108 vehicles entered and 692 vehicles exited the campus. An estimated 190 vehicles used the park-and-ride lots and were not included in the on-site traffic counts. The before-game traffic volumes were added to the existing Friday night traffic volumes to estimate intersection traffic volumes during a capacity event at the stadium. The analysis indicated that, with project traffic, the intersection would operate at an acceptable LOS C and that the left turn pocket from Monterey to Skyway Drive would be just adequate to accommodate the anticipated vehicle queue.

Lighted Stadium Events - Conclusion and Recommendation

The proposal for stadium lighting has been carefully crafted to ensure that the proposal does not result in significant environmental impacts on the surrounding neighborhood in terms of light and glare, noise, traffic and parking. Nevertheless, the proposal adds a new, intense, evening assembly use to a school campus already bustling with activity during daylight hours and, although significant impacts are not anticipated, adjacent residents will experience additional noise and traffic and other inconveniences during these events. For this reason, staff believes that the number of events should be minimized. Valley Christian has not clearly articulated the need for evening events beyond the proposed football games and graduation. In the absence of such information, staff has included a condition in the Draft Development Standards limiting the number of evening events to 12 per year.

Removal of the Requirement for Fencing around Plant Preservation Areas

Several sensitive plant species that are known to occur on serpentine soils and rock outcrops in the area of the project site. Special status plant and animal surveys have been conducted on the site since 1991, and the Santa Clara Dudleya and Metcalf Canyon Jewel Flower are known to occur on the site. During the development of the school campus, Dudleya were relocated and two plant preservation areas were established on the site. The plant preservation and relocation areas are shown on the attached exhibit from the Initial Study.

The existing Planned Development Zoning for the property requires that fencing and signage be placed around the plant preservation and relocation areas on the site to protect the plants. A chain link fence was installed around the Dudleya relocation area. The placement of the fencing and signage around the plant preservation areas was never completed and the applicant is now proposing removal of the requirement. The Initial Study states that annual plant monitoring by the project biologist indicates that the plant preservation areas are undisturbed and that fencing and signage are not needed. The lack of disturbance of these areas reflects the fact that they are located on relatively steep, rocky slopes that are not readily accessible. Based on this information, staff has removed the required fencing and signage from the Draft Development Standards.

Elimination of the Numerical Requirement for Trip Reduction

The original Planned Development Zoning approved for the site in 1994 included a requirement that the School operate two buses for student transportation to and from school. In the most recent Zoning approved in 2001, this requirement was changed to a broader requirement for preparation and implementation of a trip reduction plan that achieved a 15 % reduction in a.m. peak hour trips. The program was to include baseline

measurements and a monitoring program. In May of 2002, the applicant submitted a trip reduction program with baseline traffic counts and a monitoring program. The proposed trip reduction measures included designation of a transportation coordinator to oversee the program, implementation of a carpool matching program, provision of financial incentives for carpools (based on parking fees), preferential parking for carpool spaces, and off-site park-and-ride and shuttle service. The program included "added trip reduction measures" to be implemented if the base program elements did not achieve the required trip reduction. These included increased park-and-ride shuttles, bus/shuttle service to areas with concentrations of students, increased staggering of start times, increasing before school programs, and additional financial incentives for carpooling.

The Initial Study includes a report by Fehr and Peers indicating the monitoring results. Counts conducted at the campus in April 2003, November 2003, and May 2004, show a reduction in a.m. peak hour trips of 9.5 percent, 2.4 percent and 6.8 percent, respectively. The Initial Study also includes a revised trip reduction program with additional measures. The program includes an A-B student class schedule that requires half the high school students to arrive at 7:40 and the other half to arrive at 9:05. One additional shuttle has been added to pick up and deliver students to the Valley Christian Elementary School and the shuttle program is now free of charge. A mini shuttle has been added to allow staff and faculty to access their cars at variable times during the day. Valley Christian has implemented additional before-school programs, and the non-carpool parking permit has been increased in cost by \$20. A monitoring program has not yet been submitted for the revised program, which was recently implemented.

Staff believes that it is premature to eliminate the 15 percent trip reduction requirement and that monitoring information in addition to traffic counts would be useful in assessing the success of the program. It would be helpful to understand how many people are enrolled in the shuttle and car pool programs and how many actually arrive at the school in a car pool and or shuttle bus. It may also be helpful to understand what other factors may be influencing the traffic counts. Staff is recommending that the Draft Development Standards retain the 15 percent numerical trip reduction requirement and that staff continue to work with the applicant to refine the trip reduction program and monitoring measures to determine its success.

CONCLUSION

Based on the above analysis and the attached Draft Development Standards, staff concludes that the proposed Planned Development Zoning appropriately balances the goals of the Valley Christian School for expanded use of the stadium facility with measures to limit the affect of those events on the surrounding neighborhood.

RECOMMENDATION

Staff recommends approval of the proposed Planned Development Rezoning for the following reasons:

1. The project conforms to the General Plan Discretionary Alternate Use Policy for public/quasi-public uses.
2. The project meets the intent of the Urban Design Policies of the General Plan.
3. A Lighting Study prepared for the project concludes that the proposed stadium lights will not result in a significant, visual impact to the neighborhood.
4. The applicant proposes to work with residents of Moundhaven Court to provide additional sound wall along Skyway Drive to reduce noise and increase privacy for the adjacent homes.

cc: Peter Grabosky, 4494 Del Rey Avenue, San Jose, CA 95111
Allan Lukoff, 294 Skyway Drive, San Jose, CA 95111
Demetri Loukas, David J. Powers and Associates, 1885 The Alameda, San Jose, CA 95126
Rod Farsai, Interstate Decisive Contractor, 1106 South 6th Street, San Jose, CA 95115
Mario Ambra, 1194 Wisteria Lane, San Luis Obispo, CA 93401



File No: PDC02-063

District: 2

Quad No: 115

Scale: 1"=680'



Valley Christian School Rezoning (PDC02-063)
Draft Land Use Notes

These notes will be placed on the face of the Land Use Plan following the City Council's approval of the Planned Development Zoning (First Reading).

Project Description (The following narrative is for information purposes only.)

The proposed project includes a private school for elementary, junior high, and high school students. The campus incorporates educational buildings and sports facilities including but not limited to a football field and track, a baseball field, softball field, tennis courts, gymnasium, parking facilities and a small maintenance yard (for storage of materials and equipment only).

The school may accommodate a maximum of 1,200 students in grades K through 12. School staff consists of approximately 126 employees.

The project also includes the construction of a church. The proposed church would be located on the southeastern portion of the property. The church building would be two to three stories in height, and contain a sanctuary, classrooms, social hall, offices, and a kitchen. The church would also provide a day care center during the week for approximately 100 children.

A Santa Clara Valley Water District (SCVWD) pipeline presently crosses the project site from north-south. The project has been designed to locate all buildings outside of this easement.

ACTIVITIES AND EVENTS (The following narrative is for information purposes only.)

A variety of activities and events would take place at the proposed school and church. Extracurricular activities at the proposed school would include sporting events and music/theater presentations, as well as occasional meetings, open houses, and other student or faculty events. Other short-term uses such as carnivals, fairs, circuses, amusement rides may be conducted to raise funds for normal school and church activities.

The swim center at the school may be utilized by community organizations for swim meets and practices. Daily swim practices would occur between 5:30 - 8 AM and 3 - 7:30 PM on weekdays, and swim meets would occur between 7 - 10 AM on Saturdays. Swim meets would attract between 200 - 600 attendees. The swim center may also be used for recreational swimming by non-students during evening and weekend hours and during the summer if such a program is adopted.

With the stadium lighting, the applicant proposes to host a maximum of 12 evening events per year at the existing stadium, with five to seven of those events being football games. The existing stadium has a maximum capacity of approximately 3,500. Most varsity football games average approximately 1,700 spectators in attendance. The school would also host 10 -12 basketball games per year in the school's gym, which would have a capacity of 1,000 seats. In addition, music and theater presentations, which are expected to draw about 400 persons, would be conducted in the proposed auditorium. The auditorium is proposed to contain 700 seats. The school would also host several minor, sporting events, including boy's baseball, girl's softball, and soccer games. These events would have a small turnout of about 30 persons.

The church would hold three services on Sunday mornings as well as Sunday school, accommodating an estimated total of 1,500 persons. The church would have a capacity of 1,200 seats. In addition to Sunday services, the church would host several other events, including evening bible studies, sports events, dinners, and meetings. During the week, the church would provide a day care center for approximately 100 children.

PRIOR APPROVALS

ALL PLANNED DEVELOPMENT PERMITS PREVIOUSLY ISSUED FOR THE PROPERTY, WHETHER VESTED OR NOT, SHALL REMAIN IN FULL FORCE AND EFFECT, EXCEPT AS THESE PERMITS ARE AMENDED BY PERMITS APPROVED PURSUANT TO THIS ZONING. THE PREVIOUSLY ISSUED PERMITS INCLUDE THE FOLLOWING:

PD 98-03-016	PDA 98-03-016	PDA 98-016-06
PDA 98-01-016	PDA 98-04-016	PD 99-05-022
PDA 98-02-016	PDA 98-016-05	PD 99-04-030

PD 03-032
PDA 03-032-01

PD 04-042

ACCESS

The site provides one primary point of access located at the end of Skyway Drive near the intersection Houndshaven Way.

Access from Senter Road to the upper campus via Diamond Heights Drive shall be limited to emergency vehicle access only.

The project developer shall construct cul-de-sac improvements at the westerly end of Skyway Drive (at the southeasterly corner of the site) prior to issuance of Building Permits for the football stadium lights or issuance of a Public Works Clearance or Grading Permit for the new parking areas (File No. PD 02-057), whichever comes first, to the satisfaction of the Directors of Planning and Public Works.

PERMITTED USES

The permitted uses applied to this Planned Development District shall include the following:

1. Private school (K-12) with a maximum of 1200 students and associated recreational, administrative and maintenance activities.
2. Religious assembly including associated administrative, church school and child daycare uses. Daycare is limited to a maximum of 100 children. The religious assembly use shall have a maximum of 1200 seats. Parking is allowed as an interim use on the church site. Such interim parking shall be on a paved surface. If the church is not constructed within 10 years of approval of this Zoning, parking may be allowed to continue on the church site as a permanent use provided permanent parking improvements, including landscaping, lighting and storm drains, are provided pursuant to a Planned Development Permit. If such improvements are not provided, the interim parking use shall cease.

New Use Areas

Allowed uses in the new use areas include parking, hard courts associated with athletic activities, and open space use, subject to approval of a Planned Development Permit. All areas used for parking shall be paved.

Temporary Uses

The following temporary outdoor uses shall be permitted with an Administrative Permit or a Special Use Permit as specified in the Zoning Ordinance:

1. Carnivals, circuses, amusement rides, and outdoor musical and theatrical performances. These uses must comply with the following criteria:

- The proposed activity has direct access from a major or secondary thoroughfare.
- The proposed activity is at least 150 feet from any residence.
- All necessary County health permits for food service have been obtained.
- The proposed activity complies with the Occupational Safety and Health Act (OSHA).
- Provisions has been made for the following: Refuse disposal, trash receptacles on all pedestrian ways, regular cleanup and maintenance of the site, sanitary facilities including adequate restrooms and/or portable toilets, and daily or more frequent pickup of animal waste is applicable.
- Provision has been made to provide a dust-free surface on the site.
- All amusement rides, booths, tents, and equipment shall be setback at least 20 feet from all frontage street.
- Outdoor uses shall not be in operation before 9:00 AM or after 11:00 PM.
- All other necessary approvals required by law shall be obtained prior to the commencement of the event.

- Upon termination of the use, the area shall be cleaned up and returned to its normal state.
- The proposed activity shall not obstruct any parking space required by the permitted use of the site.

FOOTBALL STADIUM OPERATION

Lighting of the football field is allowed pursuant to a Planned Development Permit. Stadium lighting shall not exceed the average and maximum spill light identified on Figures 6 and 7 of the Valley Christian High School Stadium Lighting Initial Study, dated September 2004.

Use of the stadium lights shall be limited to a maximum of 12 evening events per calendar year (5 to 7 of which may be football games). The lights and sound system shall be turned off by 10:00 p.m.

The applicant shall maintain a record of each evening event and provide an annual report summarizing the events by July 1 of each year. This report shall include the nature of the event, its date, the estimated number of attendees and the time the lights and sound system were turned off.

Prior to the issuance of a Planned Development Permit, the applicant shall submit a parking and traffic management plan for the lighted stadium events to the satisfaction of the Director of Planning. This plan shall ensure that a minimum of 875 parking spaces are available to serve the stadium during any of the 12 lighted evening stadium events. This plan shall also include any measures necessary to prevent stadium patrons from parking in the adjacent residential neighborhood.

Concurrent use of the stadium with the theater, church sanctuary, or other assembly facility on the project site is prohibited.

The applicant shall work with the property owners to provide a 7-foot masonry wall along Skyway Drive to protect the rear yards of properties fronting on Moundhaven Court. The sound wall shall be installed to the satisfaction of the Director of Planning prior to the first evening stadium event.

MAINTENANCE OPERATION

Hours of operation of the maintenance area shall be limited to between 8:00 AM - 5:00 PM on weekdays and 9:00 AM - 5:00 PM on Saturdays.

TRIP REDUCTION PROGRAM

Prior to the issuance of a Planned Development Permit, the applicant shall submit a trip reduction program designed to achieve a 15 percent reduction in a.m. peak hour trips accessing the campus from Skyway Drive during the morning peak hour to the satisfaction of the Director of Planning. This program shall be monitored on an annual basis and may include car pooling, van pooling, busing or other measures to reduce the a.m. peak hour trips. The applicant shall implement the program to achieve a 15 percent reduction in a.m. peak hour trips to the satisfaction of the Directors of Planning and Public Works.

DEVELOPMENT STANDARDS

Setbacks

All building and structures shall conform to the following setback criteria:

1. Setbacks from property lines to all buildings and structures, parking areas and private driveways shall be a minimum of twenty-five feet.
2. Setbacks from parking facilities to all buildings or structures shall be a minimum of ten feet.
3. Setbacks from private driveways to all buildings and structures shall be a minimum of ten feet.
4. Setbacks from property lines to play fields shall be a twenty-five feet (except as noted on the Land Use Plan)

Distance between buildings shall conform with the provisions of the Uniform Building Code (U.B.C.).

Height

The maximum building height permitted on the subject PD Zoning District shall be consistent with the following table:

Bldg. Type	Bldg. Height from Finished Grade	Bldg. Height per City Code Definitions
Church	65 feet	54 feet
Classrooms	45 feet	59 feet
Gymnasium/Middle School	53 feet	60 feet
Bleachers	39 feet	39 feet
Admin/Performing Arts	59 feet	81 feet

The maximum height for the light poles for the football field shall be 90 feet (as measured from the base of the light pole).

Off-street Parking

All parking requirements shall conform to the regulations provided in Section 20.90 of Title 20 of the City of San Jose Municipal Code.

Sign Program

All signs shall conform to the regulations provided in Title 23 of the City of San Jose Municipal Code.

Trash Collection Program

1 . Centralized trash enclosures will be provided to facilitate the collection by the Waste Management Company or other City approved company. The design and materials of all trash enclosures shall conform to the City's Guidelines.

2. Trash bins will be provided throughout the campus for students and faculty use. Valley Christian School maintenance personnel will be responsible for the trash collection from these bins which shall be transported to the centralized trash enclosures for pick up by the trash company.
3. The project developer(s) shall work with the City Staff to determine the total number, design and location of individual trash bins during the PD Permit process.

Park Access

The project developer shall install and maintain a pedestrian access path from the westerly terminus of Skyway Drive (at the southeasterly corner of the site) to the project's southerly property line to provide potential access to Dana Rock Park, to the satisfaction of the Directors of Planning and Public Works.

W.P.C.P. NOTES

The Land Development approval which is the subject of City File No. PDC 02-063 is subject to the operation of Part 2.75 of Chapter 15.12 of The San Jose Municipal Code. The applicant for such land development approval has acknowledged receipt of notice that the issuance of a building permit to implement such land development approval may be suspended, conditioned, or denied where the City Manager has determined that such action is necessary to remain within the aggregate operational capacity of the Sanitary sewer system available to the City of San Jose, or to meet the discharge standards of the sanitary sewer system imposed by the California Regional Water Quality Control Board.

MITIGATION NOTES

Landscaping

The landscaping plan shall include the use of native plantings to the maximum extent possible. Screening landscaping around buildings and other raised structures should be used to soften the visual transition between the proposed structures and open space on the site. Landscaping shall

incorporate the measures described in the landscape feasibility report contained in Appendix K of the final EIR Certified as part of PDC 89-04-051 (Dated 5-17-94) to assure the establishment of landscaping vegetation.

Land Use Compatibility

The proposed open space along the northwest boundary of the project site will provide a buffer area and reduce noise and visual impacts to the north.

The project shall be surrounded by a chain link fence, with screening landscaping provided around the proposed structures adjacent to residential areas. The baseball and soccer fields would contain high-fenced backstops to prevent balls from entering adjacent residential areas.

Outdoor sound systems shall only be used for the swim center, football field, and baseball field areas, and shall not be used for routine school operation. Outdoor sound systems shall be used no earlier than 9 AM on weekdays and 10 AM on weekends.

Hours of operation of maintenance area shall be limited to between 8:00 a.m. and 5:00 p.m. on weekdays, and 9:00 a.m. and 5:00 p.m. on Saturdays.

Lighting for the roads, parking areas, pedestrian paths, football field, tennis courts and swimming pool shall be directed toward the ground. Nighttime light and glare from the proposed lighting shall be reduced by the use of fixtures with shields or lamp hoods, and narrow beam lamps. Lighting for the swimming pool shall not be permitted after 9 PM. Timers for the lighting of the tennis courts shall be used to reduce the impacts of evening lighting by limiting duration to times of use only. Lighting for the football field shall be turned off by 10:00 p.m. All project lighting shall conform to the City of San Jose's outdoor lighting policy.

No lighting shall be installed for the, soccer, and baseball/softball fields, and no night-time, sports events shall occur on these fields after dark.

Geology

The project developer will comply with all mitigation, measures identified in the Geologic Hazards Clearance dated March 30, 1994 by the City of San

Jose, Director of Public Works, as well as subsequent clearances that have been approved.

The new driveway and parking and/or play areas shall be designed in accordance with the specific recommendations of design level geo-technical investigation to the satisfaction of the Director of Public Works.

Grading

All cuts and fills shall be placed in accordance with the recommendations provided in the geo-technical/ geologic investigations for the site described in Appendices A, B and 0 and/or additional studies as required by the Geologic Hazards Ordinance.

In areas to be graded, all undocumented fills shall be removed and replaced in accordance with the recommendations in the geo-technical investigations for the site described in Appendices A, B and 0 and/or additional studies as required by the Geologic Hazards

In the area of the proposed church, the existing fill in the southern area of the proposed building site and the majority of the natural hillside in the northern area of the building site shall be removed. The uncontrolled fill underlying the church shall be completely removed, exposing the natural ground surface. Structural fill shall then be placed in thin lifts and compacted to at least 95 percent relative compaction until the design elevation of the building pad is achieved.

In the proposed church parking areas, the majority of the existing fill may be left in place. To provide a uniform sub-grade condition, the upper 16 inches of the fill soil sub-grade shall be reworked by removing and stockpiling eight inches, scarifying and re-compacting eight inches in place, and replacing and compacting the upper eight inches.

In areas where fills are placed on slopes steeper than 6:1, a toe key at least 15 feet wide shall be excavated into firm bedrock. Subsequent slope keys shall be excavated into the hillside as fill is brought up. Fill slopes shall generally be designed and constructed at slopes no steeper than 2:1.

Cut slopes at the site shall be constructed at gradients of 2:1 or flatter.

Soils

Expansive clay soils located in areas of proposed building foundations shall be removed and placed as fill in the play fields only, or removed from the site. Soil mixes shall follow the recommendations of the geo-technical investigations for the site (refer to Appendices A, B and 0 and additional studies required by the Geologic Hazards Ordinance). Clay soils shall not be placed in building pad fills, behind retaining walls, in side hill fill slopes, in the outer horizontal 15 feet of fill slopes, or within the upper three feet of sub-grade elevation in pavement areas.

Drainage and Erosion

The following temporary erosion control measures shall be implemented during construction to minimize erosion of the proposed cut/fill slopes, limit sediment transport, and protect existing public storm drain system from eroded materials:

Placement of earthen diversion berms, swales, and/or straw bales at the top and/or toe of each cut or fill slope, and at intervals along the proposed slopes;

Use of sediment retention structures constructed of earthen material, straw bales, fabric fences or a combination of these, and;

Placement of straw bales or other suitable methods to protect adjacent storm drain inlets.

Potential erosion on the site shall be reduced by compacting fills and establishing ground cover on all graded surfaces.

Grading shall be completed during one dry season. Exposed surfaces shall be re-vegetated and erosion control facilities installed prior to the onset of winter storms to reduce potential erosion.

The project shall construct drainage conveyance facilities to conduct runoff from the site. Proposed drainage facilities shall reduce the potential for ongoing erosion subsequent to project completion. Local surface runoff

shall be collected and directed to the City's storm sewer system. Sub-drains shall be provided in the base keys for hillside fills.

The project shall conform to the National Pollutant Discharge Elimination System (NPDES) permit to reduce impacts on storm water quality for construction and post-construction activities. A Notice of Intent shall be filed by the applicant with the State Regional Water Quality Control Board. A Storm Water Pollution Prevention Plan (SWPPP) will be developed, implemented, and maintained in compliance with State regulations to control the discharge of storm water pollutants.

The projects shall conform to the City's Post Construction Urban Runoff Management Policy.

A subsurface drain shall be constructed at the rear of the excavation area for the church in the area of the existing fill. This subdrain shall consist of a blanket of drain rock (12" X 5') placed against the bedrock at the back of the excavation.

Cut and fill slopes in excess of 30 feet high shall be constructed with a bench at mid-height to control surface runoff and prevent excessive erosion. This bench shall be at least six feet wide and slope into the hillside. A lined gutter shall be placed on the bench to collect surface runoff.

Special erosion control measures shall be implemented in the habitat re-creation areas after completion. Runoff above the re-creation area shall be directed away from these areas. One to four geo-textile silt fences shall be constructed along the contour within each of the recreation areas to control runoff and erosion. The habitat re-creation areas shall be hydro-mulched using native grass hay, rice straw or wood fiber for erosion control.

Seismic Hazards and Slope Stability

Seismic hazards on the site shall be mitigated by the construction of structures in accordance with current California building practices for Seismic Zone 4 as described in the Uniform Building Code. Seismic Zone 4 criteria would allow structures to resist minor earthquakes without damage, moderate quakes with some non-structural damage, and major quakes without collapse.

Cut and fill slopes at the site shall be constructed at gradients no greater than 2:1.

The potential for seismically induced landsliding in the areas of the existing fills shall be mitigated by the measures proposed for stabilizing these fill areas.

Asbestos

The serpentine material excavated from cut areas that is not friable and contains less than five percent asbestos content shall be placed as close to the areas of origin as possible during construction.

Serpentine material that is friable or contains greater than (5) five percent asbestos content shall be removed from the site.

Haul roads shall be built entirely of non-serpentine material.

The entire length of haul roads shall be scraped at least twice each day with a motor grader to remove any spilled or tracked material from the road.

The haul and access roads shall be watered frequently and thoroughly to reduce dust.

A dust palliative, such as calcium chloride or magnesium chloride, shall be applied to help retain moisture along haul and access roads.

Haul vehicles carrying serpentine shall be loaded so that material does not protrude above the walls of the truck bed in order to limit spills of serpentine onto haul road surfaces.

In active excavation areas, the truck loading area and the first 200 feet or more of haul road access road adjacent to such areas shall be watered to reduce dust.

The surface of all serpentine loads shall be thoroughly watered and covered with a tightly-fitted tarp before haul trucks leave the loading areas.

All loads leaving the site shall be inspected and truck wheels and underbody shall be cleaned as needed prior to leaving the site.

Trucks shall travel at least 200 feet on an access road, where possible, before entering the main haul road to limit potential carry-out and spillage of serpentine onto the road.

Any material spilled onto access roads shall be frequently cleaned during a work shift.

Travel over exposed serpentine areas shall be restricted to that needed for excavation or fill.

Travel speeds within the project area shall be limited to 15 mph as follows:

For all vehicles operating within active serpentine excavation and fill areas,

For all trucks hauling serpentine material,

For all other vehicles on the principal haul road within the main serpentine excavation and fill areas. (Higher speeds shall be allowed for trucks outside of the project area.).

The surface of active cut and fill areas shall be thoroughly watered during the day to reduce dust when these areas are not covered or stabilized.

At the end of each work day, all exposed serpentine material in the cut and fill areas shall be stabilized as necessary.

The geologist or project engineer shall be on site each work day to inspect the excavation area and identify serpentine load in haul vehicles.

An industrial hygienist or environmental scientist shall be on site daily to continuously monitor air quality in and around the site while work is being conducted with serpentine materials. Such air monitoring shall include:

Personal BZ monitoring to comply with Cal/OSHA regulations; analysis by Phase-Contrast Microscopy - highest 10 percent of samples to be analyzed by Transmission Electron Microscopy, (TEM).

Area and fence-line (up and downwind) monitoring (TEM Analysis) to verify compliance with "No Visible" emissions standard of EPA, and California Proposition 65 warning requirements.

The project geologist or environmental scientist shall monitor water quality from any runoff from the site.

Hay bales and silt fences shall be used to control runoff on the site during grading and construction activities.

A clean fill cap (containing less than one percent asbestos) consisting of either minimum 12 inches compacted earth fill plus established vegetation, 12 inches earth fill plus three inches clean gravel, or appropriate asphalt concrete surface, shall be placed over serpentinite material, with the exception of the proposed habitat recreation areas. Mitigation for these areas is provided below.

Landscaped areas shall consist of at least 12 inches of clean fill. Some landscaped areas may have greater depths of clean fill as necessary to support specific landscaping species.

The proposed habitat re-creation for the Santa Clara Valley Dudleya and Metcalf Canyon Jewel Flower on the site shall require mitigation to eliminate potential asbestos hazards. These measures are described below: Utility trenches shall be excavated and back-filled with clean fill or sand to reduce possible future emissions during repair, renovation, or additions.

The movement of boulders shall be conducted mechanically, with limited hand work. The boulders and surrounding soil shall be misted with water prior to and during removal, during storage, and during relocation on the site. During storage, boulders not containing plants shall be covered with 10 mil UV resistant polyethylene, boulders containing plants shall be covered with jute netting. Personnel performing hand work (i.e. pick and shovel) shall use respiratory protection under the Respiratory Protection Program required by OSHA.

Dust generated by the proposed movement, storage, and replacement of topsoil shall be reduced by the use of handheld or machine-mounted

fogging/misting nozzles at the immediate site of generation (e.g. the tracks and bucket of the tracked excavator). The stored windrows of topsoil shall be covered with jute netting or polyethylene. The surfaces from which the topsoil has been stripped which are proposed for habitat re-creation shall be covered with jute netting after grading prior to replacement of topsoil.

No chemical palliatives shall be used in the habitat recreation areas and water use shall be restricted in these areas to protect the habitat soil conditions.

Vegetation and Wildlife

Approximately 7 acres of the north facing slope and 1.5 acres of the south slope shall be undisturbed.

Vegetation and wildlife habitat impacts can be partially offset by planting a diversity of native plant materials to replace shrubs and trees removed by construction. Native trees and shrubs appropriate for site re-vegetation include valley oak, coast live oak, coffeberry and peppers.

A retaining wall shall be placed around the large oak tree to preserve and to protect it. Foundation should be pier and grade beam design within 10' of trunk. The recommendations contained in Appendix L of the EIR shall be followed during and after construction to assure the preservation of the large, Oak tree on the site.

Special Status Species

Special Status Plant Preserves

Preservation and monitoring of special status plant areas on the project site shall be in conformance with the Final Mitigation Plan for Valley Christian School prepared by Jones and Stokes Associates, Inc. and dated June 9, 1998, and updated July 26, 1999. Areas designated on the project plans as "special status plant preserves" shall be maintained and protected in perpetuity by the Property Owner. Permanent signs describing the purpose of protection shall be posted around the perimeter of the preserves. Temporary fencing shall be placed around the plant preserves prior to any grading on the site.

No grading, trenching, material storage, vehicle storage or other construction activities shall occur within the drip-line of existing trees or within protected plan reserve areas established for the preservation of two Special Status species: Santa Clara Valley Dudleya and Metcalf Canyon Jewel Flower.

Visual

The visual impacts of the project shall be softened by proposed screening landscaping around the buildings, roadways, and other structures. Proposed landscaping for the project shall incorporate the measures described in the Landscaping Feasibility Report contained in Appendix K of the EIR certified as part of PDC 89-04-051 to assure establishment of landscaping vegetation. Landscaped areas shall have varying depths of clean fill as necessary to support individual landscaping species.

The project plans shall be reviewed by the City for consistency with architectural and design standards.

Transportation

The project shall be required to construct an additional left-hand turn lane on the southbound approach to the Monterey Road/Skyway intersection to the satisfaction of the Director of Public Works.

Noise

Design features shall be incorporated into the construction of the school and church to reduce the interior noise levels to 45 Ldn decibels or less.

Use of the swimming pools and tennis courts shall not be permitted after 9 PM.

Outdoor sound systems shall only be used for the swim center, football field, and baseball field areas, and shall not be used for routine school operation. Outdoor sound systems shall be used no earlier than 9 AM on weekdays and 10 AM on weekends.

Construction will 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. Construction outside of these hours may be approved through a development permit based on a site-specific construction noise mitigation plan and a finding by the Director of Planning, Building and Code Enforcement that the construction noise mitigation plan is adequate to prevent noise disturbance of affected residential uses.

All construction equipment shall have properly maintained mufflers.

Utility Services

The water system includes booster pumps housed in a pump house, and use of the swimming pool to meet the fire-flow requirements on the site. None of the roads on the site shall exceed 15 percent grades, as per San Jose Fire Department standards. In addition, an emergency access is proposed via Skyway Drive (at the southeasterly corner of the site) adjacent to the church parking lot.

Final project plans shall be reviewed by the San Jose Fire Department for compliance with fire safety standards and regulations.

The project shall comply with State fire requirements for school buildings.

Blasting

No blasting is required or approved as part of this Planned Development (PD) Rezoning. Should blasting be proposed, it will require a PD Permit or amendment and additional environmental review.

Air Quality

Implementation of the busing program for the Valley Christian School shall reduce the number of trips and air pollution emissions generated by the project. This bussing program shall provide AM pick-up and PM delivery of students from several central locations around San Jose, using two buses. Carpooling shall be encouraged for school, church, and extracurricular activities. Bicycle storage facilities shall also be provided on the site.

Dust generated on the site during construction of the project shall be controlled by measures prescribed as follows:

- * During construction the project developer shall water active construction areas at least twice daily or more as necessary to prevent visible dust emissions.
- * All trucks hauling soil, sand and other loose materials shall be covered.
- * Water shall be applied three times per day or non-toxic soil stabilizers shall be applied on all unpaved access roads, parking areas and staging areas at construction sites.
- * All paved roads, parking areas and staging areas shall be swept with water sweepers as needed daily.
- * Inactive construction areas (previously graded areas inactive for ten days) shall be hydro-seeded or non-toxic soil stabilizers shall be applied.
- * Stockpiles including but not limited to dirt, sand, etc. shall be covered, watered twice daily, or non-toxic soil binders shall be applied to exposed stockpiles.
- * Traffic speeds on unpaved roads shall be limited to 15 m.p.h.
- * Sandbags and/or other erosion control measures shall be installed as needed to prevent silt runoff to public roadways.
- * Vegetation in disturbed areas shall be replanted as soon as possible.
- * Wheel washers shall be applied to all existing trucks and/or truck tire and the tracks of all trucks and equipment shall be thoroughly washed before leaving the project site.
- * Windbreaks shall be installed and/or trees and vegetative windbreaks shall be planted as needed at the windward sides of construction areas.
- * All excavation, demolition, and grading activity shall be suspended when winds exceed 25 m.p.h.

Cultural Resources

No cultural resources are expected on the site. However, there is a small possibility that future land alteration associated with the proposed project could uncover buried archaeological materials, particularly along the southern border of the parcel where habitation sites are most likely to occur. In the event that any cultural resources are discovered during clearing or construction of the project site, the following measures shall be taken:

- * All work shall be halted within 50 feet of the find, the Director of Planning, Building and Code Enforcement shall be notified, and a qualified archaeologist shall be retained to impact the discovery materials.
- * In the event that cultural resources are discovered, the Santa Clara County Coroner shall be notified. The Coroner shall determine whether the remains are Native American. If the Coroner determines that the remains are not subject to his/her authority, the Coroner will notify the Native Heritage Commission, who will attempt to identify descendants of the deceased Native American.
- * If the Director of Planning, Building and Code Enforcement finds that the archaeological report and provisions for reburial and ongoing monitoring are anticipated, provisions for identifying descendants of a deceased Native American and for reburial would follow the protocol set forth in Appendix K of CEQA Guidelines. If the site is found to be a significant archaeological site, a mitigation program will be prepared and submitted to the Director of Planning, Building and Code Enforcement for consideration and approval, in conformance with the protocol set forth in Appendix K of CEQA Guidelines.
- * A final report will be prepared when a find is determined to be a significant archaeological site and/or when Native American remains are found at the site. The final report would include background information on the completed work, a description and list of identified resources, the disposition and curation of these resource, and any testing, other recovered information, and conclusions.

Burrowing Owls

Prior to grading, disturbance or construction activities on the project site, pre-construction surveys for Burrowing Owls shall be conducted by a qualified ornithologist. The pre-construction survey shall be conducted per CDFG guidelines (no more than 30 days prior to the start of grading), regardless of the time of year in which grading occurs. If no Burrowing Owls are found, the no further mitigation will be warranted.

If breeding owls are located on or immediately adjacent to the site, a construction free buffer zone around the active burrow must be established as determined by the ornithologist in consultation with CDFG. No activities, including grading or other construction work or relocation of owls, shall proceed that may disturb breeding owls. If owls are resident during breeding season (February through August), avoidance of this buffer zone would be required. If owls are resident during the non-breeding season (September through January), the owls could be relocated in the following manner:

If pre-construction surveys determine that Burrowing Owls occupy the site during non-breeding season, and avoidance of occupied areas is not feasible, a qualified ornithologist, in consultation with CDFG, could relocate the owls to avoid the loss of individuals during construction. Relocation should only be conducted under the authorization of CDFG. Burrowing Owls shall not be relocated during the breeding season.

Air Quality

The following construction practices shall be implemented during all phases of construction for the proposed project:

Water all active construction areas at least twice daily or as often as needed to control dust emissions.

Cover all trucks hauling soil, sand, and other loose materials and/or ensure that all trucks hauling such materials maintain at least two feet of freeboard.

Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites.

Sweep daily or as often as needed with water sweepers all paved access roads, parking areas and staging areas at construction sites to control dust.

Sweep public streets daily, or as often as needed, with water sweepers, to keep streets free of visible soil material.

Hydro-seed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for ten days or more).

Enclose, cover, water twice daily or apply non-toxic soil binders to exposed stockpiles (dirt, sand, etc.) sufficient to prevent visible airborne dust.

Limit traffic speeds on unpaved roads to 15 mph.

Install sandbags or other erosion control measures to prevent silt runoff to public roadways.

Replant vegetation in disturbed areas as quickly as possible.

Hazards and Hazardous Materials

During construction, the following measures shall be incorporated to mitigate any possible significant hazards from asbestos.

The surface of the active cut and fill areas shall be thoroughly watered during the day to reduce dust when these areas are not covered or stabilized.

At the end of each workday, all exposed serpentine material in the cut and fill areas shall be stabilized as necessary.

Hydrology and Water Quality

The project will implement the following best management practices (BMP's) during construction to limit runoff contaminants from entering the storm water.

Provide temporary cover of all disturbed surfaces to help control erosion during construction.

Provide permanent cover as soon as practical to stabilize the disturbed surfaces after construction has been completed.

Gravel or pavement shall be placed over the church building pad site, to the satisfaction of the Director of Planning.

(Last Revised on 10/07/04 (AM))

**DRAFT
MITIGATED NEGATIVE DECLARATION**

The Director of Planning, Building and Code Enforcement has reviewed the proposed project described below to determine whether it could have a significant effect on the environment as a result of project completion. "Significant effect on the environment" means a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance.

NAME OF PROJECT: Valley Christian School Stadium Lighting

PROJECT FILE NUMBER: PDC 02-063

PROJECT DESCRIPTION: Planned Development Rezoning from A (PD) Planned Development to A (PD) Planned Development to allow the addition of lighting on an existing football field, to allow a maximum of 15 evening events per year (including football games), to remove the requirement to construct fencing around the plant preservation areas on the campus site, and to modify the requirement pertaining to the school's trip reduction program, on an approximately 53-acre school campus.

PROJECT LOCATION & ASSESSORS PARCEL NO.: Easterly terminus of Skyway Drive, approximately 1,000 feet easterly of the intersection of Monterey Highway and Skyway Drive; 684-05-004, 005, 010, 012, 014, 015, and 016.

COUNCIL DISTRICT: 2

NAME OF APPLICANT: Valley Christian Schools and South Valley Christian Church

MAILING ADDRESS AND PHONE NO. OF APPLICANT CONTACT PERSON:

Attn: Claude Fletcher, Chancellor
Valley Christian Schools
100 Skyway Drive
San Jose, CA 95111

MAILING ADDRESS AND PHONE NO. OF APPLICANT CONTACT PERSON:

Attn: Michael Nauman, Secretary
590 Shawnee Lane
San Jose, CA 95123

FINDING

The Director of Planning, Building & Code Enforcement finds the project described above will not have a significant effect on the environment in that the attached initial study identifies one or more potentially significant effects on the environment for which the project applicant, before public release of this draft Mitigated Negative Declaration, has made or agrees to make project revisions that clearly mitigate the effects to a less than significant level.

MITIGATION MEASURES INCLUDED IN THE PROJECT TO REDUCE POTENTIALLY SIGNIFICANT EFFECTS TO A LESS THAN SIGNIFICANT LEVEL

1. Light/Glare

The light racks and fixtures will be painted a non-reflective color.

A maximum of 15 evening events per year will be held on the football field. The lights will be turned off by 10:00 p.m. for all evening events.

2. Air Quality

The following construction practices shall be implemented during all phases of construction for the proposed project.

Water all active construction areas at least twice daily or as often as needed to control dust emissions.

Cover all trucks hauling soil, sand, and other loose materials and/or ensure that all trucks hauling such materials maintain at least two feet of freeboard.

Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites.

Sweep daily or as often as needed with water sweepers all paved access roads, parking areas and staging areas at construction sites to control dust.

Sweep public streets daily, or as often as needed, with water sweepers, to keep streets free of visible soil material.

Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for ten days or more).

Enclose, cover, water twice daily or apply non-toxic soil binders to exposed stockpiles (dirt, sand, etc.) sufficient to prevent visible airborne dust.

Limit traffic speeds on unpaved roads to 15 mph.

Install sandbags or other erosion control measures to prevent silt runoff to public roadways.
Replant vegetation in disturbed areas as quickly as possible.

3. Hazards and Hazardous Materials

During construction, the following measures shall be incorporated to mitigate any possible significant hazards from asbestos.

The surface of the active cut and fill areas shall be thoroughly watered during the day to reduce dust when these areas are not covered or stabilized.

At the end of each work day, all exposed serpentine material in the cut and fill areas shall be stabilized as necessary.

4. Hydrology and Water Quality

The project will implement the following best management practices (BMP's) during construction to limit runoff contaminants from entering the storm water.

Provide temporary cover of all disturbed surfaces to help control erosion during construction.

Provide permanent cover as soon as practical to stabilize the disturbed surfaces after construction has been completed.

Gravel will be placed over the church building pad site.

PUBLIC REVIEW PERIOD

Before 5:00 p.m. on October 3, 2004, any person may:

- (1) Review the Draft Mitigated Negative Declaration (MND) as an informational document only; or
- (2) Submit written comments regarding the information, analysis, and mitigation measures in the Draft MND. Before the MND is adopted, Planning staff will prepare written responses to any comments, and revise the Draft MND, if necessary, to reflect any concerns raised during the public review period. All written comments will be included as part of the Final MND; or
- (3) File a formal written protest of the determination that the project would not have a significant effect on the environment. This formal protest must be filed in the Department of Planning, Building and Code Enforcement, 801 North First Street, San Jose, Room 400 and include a \$100 filing fee. The written protest should make a "fair argument" based on substantial evidence that the project will have one or more significant effects on the environment. If a valid written protest is filed with the Director of Planning, Building & Code Enforcement within the noticed public review period, the Director may (1) adopt the Mitigated Negative Declaration and set a noticed public hearing on the protest before the Planning Commission, (2) require the project applicant to prepare an environmental impact report and refund the filing fee to the protestant, or (3) require the Draft MND to be revised and undergo additional noticed public review, and refund the filing fee to the protestant.

Stephen M. Haase, AICP
Director, Planning, Building and Code Enforcement

Circulated on: 9/13/04


Deputy

Adopted on: _____

Deputy

ENDORSED

POSTED ON SEP 10 2004 THROUGH 9/30/04
IN THE OFFICE OF THE COUNTY CLERK-RECORDER
BRENDA DAVIS, COUNTY CLERK

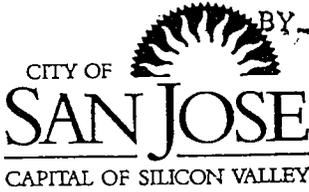
SEP 10 2004

BRENDA DAVIS, County Clerk-Recorder
Santa Clara County

BY _____ DEPUTY

LAURA RIVAS

By LAURA RIVAS Deputy



Department of Planning, Building and Code Enforcement
STEPHEN M. HAASE, AICP, DIRECTOR

**PUBLIC NOTICE
INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION
CITY OF SAN JOSÉ, CALIFORNIA**

PDC 02-063, Planned Development Rezoning from A (PD) Planned Development to A (PD) Planned Development to allow the addition of lighting on an existing football field, to allow a maximum of 15 evening events per year (including football games), to remove the requirement to construct fencing around the plant preservation areas on the campus site, and to modify the requirement pertaining to the school's trip reduction program, on an approximately 53-acre school campus located on the easterly terminus of Skyway Drive, approximately 1,000 feet easterly of the intersection of Monterey Highway and Skyway Drive (100 Skyway Drive). (Valley Christian Schools and South Valley Christian Church, Owners/Developers). Council District: 2

California State Law requires the City of San José to conduct environmental review for all pending projects that require a public hearing. Environmental review examines the nature and extent of any potentially significant adverse effects on the environment that could occur if a project is approved and implemented. The Director of Planning, Building & Code Enforcement would require the preparation of an Environmental Impact Report if the review concluded that the proposed project could have a significant unavoidable effect on the environment. The California Environmental Quality Act (CEQA) requires this notice to disclose whether any listed toxic sites are present. The project location does not contain a listed toxic site.

Based on an initial study, the Director has concluded that the project described above will not have a significant effect on the environment. We have sent this notice to all owners and occupants of property within 1,000 feet of the proposed project to inform them of the Director's intent to adopt a Mitigated Negative Declaration for the proposed project on October 3, 2004, and to provide an opportunity for public comments on the draft Mitigated Negative Declaration. The public review period for this draft Mitigated Negative Declaration begins on September 13, 2004 and ends on October 3, 2004.

A public hearing on the project described above is tentatively scheduled for October 13, 2004 at 6:00 p.m. in the City of San Jose Council Chambers, 801 N. First Street, San Jose, CA 95110. The draft Mitigated Negative Declaration, initial study, and reference documents are available for review under the above file number from 9:00 a.m. to 5:00 p.m. Monday through Friday at the City of San Jose Department of Planning, Building & Code Enforcement, City Hall, 801 N. First Street, Room 400, San Jose, CA 95110. The documents are also available at the Dr. Martin Luther King, Jr. Main Library, 150 E. San Fernando St, San José, CA 95112, and the Seventrees Branch Library, 3597 Cas Drive, San José, CA 95111 San Jose, and online at <http://www.ci.san-jose.ca.us/planning/sjplan/eir/mnd2004.htm> Adoption of a Negative Declaration does not constitute approval of the proposed project. The decision to approve or deny the project described above will be made separately as required by City Ordinance. For additional information, please call Jeff Roche at (408) 277-4576.

Stephen M. Haase, AICP
Director, Planning, Building and Code Enforcement

Circulated on: 9/13/04

Jodi Clark
Deputy

FINAL REPORT
VALLEY CHRISTIAN SCHOOLS
SKYWAY CAMPUS
TRIP REDUCTION PROGRAM

PREPARED FOR:
VALLEY CHRISTIAN SCHOOLS

PREPARED BY:
FEHR & PEERS ASSOCIATES, INC.

MAY 2002



FEHR & PEERS
TRANSPORTATION CONSULTANTS

1. INTRODUCTION

The Valley Christian Schools Skyway campus is located to the east of Monterey Highway, at the end of Skyway Drive, in San Jose, California. It is served by one two-lane driveway that is the extension of Skyway Drive. As a condition of approval, the City of San Jose is requiring a Trip Reduction Program to reduce the number of trips accessing the campus. The condition of approval reads, "The applicant shall submit to the Director of Planning a Trip Reduction Program designated to achieve a 15 percent reduction in a.m. peak hour trips. This program may include car-pooling, van-pooling, busing or other measures to reduce a.m. peak hour trips and shall include baseline measurements and a monitoring program."

BASELINE COUNTS

Counts were conducted at the driveway to the campus near the intersection of Skyway Drive and Houndshaven Way on December 19 and 20, 2001 and April 24, 2002 to determine the existing amount of traffic entering and exiting the campus. The counts were conducted from 6:45 am to 8:30 am. The count results are contained in the Appendix. These counts represent baseline conditions, or conditions prior to the implementation of the Trip Reduction Program. During the highest one-hour periods on each day, 1,207 (738 inbound/469 outbound), 1,185 (766 inbound/419 outbound), and 1,206 (780 inbound/426 outbound) vehicles were counted on December 19 and 20 and April 24, respectively. The average peak-hour volume for these three days is approximately 1,200 vehicles per hour with 760 inbound and 440 outbound.

TRIP REDUCTION GOAL

Therefore, the goal of the program is to reduce the number of vehicles entering and exiting the campus by 180 vehicles to approximately 1,020 vehicles during the AM peak hour.

TRIP REDUCTION PROGRAM

Measures included in the Trip Reduction Program are described in Section 2. The Base Program measures will be implemented first. If the trip reduction goal is not met, then additional measures will be implemented.

PROGRAM MONITORING

The program will be monitored to ensure that the goal is achieved. The Monitoring Program is described in Section 3.

2. TRIP REDUCTION PROGRAM

Valley Christian Schools currently provides some measures to reduce the number of vehicles entering and exiting the campus at peak times. The Trip Reduction Program will expand the current measures and add new measures. The measures included in the Base Program will be implemented first. If the trip reduction goal is not met, then additional measures will be implemented.

EXISTING TRIP REDUCTION ACTIVITIES

Flyers are distributed to parents and students during the school year to encourage carpools. The flyers ask for addresses of those interested in carpooling and are mailed out to families with similar zip codes. Parents that drop children off at school are also encouraged to form carpools with other parents during parent / teacher conferences.

The school staggers the start times between the high school and middle school; the high school starts at 7:30 am and the middle school starts at 8:20 am. Different starting times helps spread the number of vehicles entering and exiting the school over a longer time period. Therefore, a reduced number of vehicles travel during the one-hour peak period. The school library is open before school starts for students to use if they are dropped off early.

The on-site circulation pattern was improved to provide a maximum amount of on-site storage for vehicles picking up or dropping off students at the campus. Directional arrows and signs guide vehicles to the drop-off and pick-up areas through the parking aisles on a circuitous route. This reduces the queuing that would otherwise occur on Skyway Drive and Monterey Road.

TRIP REDUCTION MEASURES IN BASE PROGRAM

To achieve the fifteen percent reduction required by the City of San Jose, additional measures are needed. An important component is to designate a staff member as the *Transportation Coordinator* to oversee the program.

Transportation Coordinator and Carpool Matching Program

A designated transportation coordinator will oversee the program, organize the carpool-matching program, and develop program marketing materials (new student packets, flyers, etc.). Having a coordinator arrange carpools increases the percent of students/parents that will utilize the program. The coordinator would be responsible for contacting all parents and students about carpooling, matching them with other interested parties who reside nearby and have similar schedules, and following up with them to ensure that carpools are formed or that new partners are found. The coordinator will also plan Transportation Fairs and other promotional activities to maximize participation in the Trip Reduction Program.

The transportation coordinator will use the following methods to publicize and encourage parents and students to carpool with a special emphasis at the beginning of school year functions (Back-to-School-Nights, parent-teacher meetings, etc.):

- Website that provides information on transportation related activities and programs as well as a search by zip code for parents to form carpools
- Newsletters and letters to parents
- Posters around campus and at schools functions
- Auto-dialer messages

Michelle Helder has been designated as the transportation coordinator and will be implementing the Trip Reduction Program at the beginning of 2002-2003 school year.

Financial Incentives

Currently the school requires a parking fee of \$20 per year to park on campus. This fee will be increased to \$160 per year to discourage single-occupant vehicles. As a further incentive, the cost of a parking permit will be reduced to \$80 per year to those who drive one other student to school and to \$40 per year to those who drive two or more students to school.

Other incentives include gift certificates and tickets to school sponsored events such as plays or sporting events to those who participate in carpools, vanpools, and shuttles.

Preferential Carpool Parking Spaces

Valley Christian Schools will initially designate 30 parking spaces for use by students driving valid carpools. These spaces will be located in the most desirable location for student parking and will be identified via pavement legends or signage. Additional spaces will be designated until the number of spaces equals 80 percent of the student-driver carpools.

Off-Site Park-n-Ride and Shuttle Service

Valley Christian School will provide a shuttle service from park-n-ride locations that may include but are not limited to the following: Fehren Road/Monterey Road, Blossom Hill Road/State Route 85, and Capitol Expressway/State Route 87. Another possible location is the Safeway parking lot at Snell Avenue and Branham Avenue. Parents will be encouraged to drop off their students at these locations and a shuttle (school bus, van, or chartered bus) will transport them to the campus. The shuttle will pick-up students from both locations and then drop them off at the school. A total of three round trips will be made during the morning peak hour. The school will hire an individual who will be dedicated to operating the shuttle vehicle.

ADDED TRIP REDUCTION MEASURES

The effectiveness of the program will be measured via the method described in the Monitoring Program. If the Base Program elements do not result in the required trip reduction, additional measures will be added.

Increase Off-Site Park-n-Ride and Shuttles

The number of shuttle round-trips to the park-n-ride lots will be increased. Additional shuttle vehicles will be increased, if needed, to increase the frequency of service during peak student arrival times during the morning peak hour.

Bus/Shuttle Service

Based on zip code information of student residence locations, a large percentage of students live in the 95124, 95118, 95136, and 95123 zip code areas. These students can be transported to the VCS campus via bus or shuttle service. Bus or shuttle service can also be provided to more-distant locations, such as Morgan Hill and Gilroy. Bus or shuttle service will be provided to the areas with the greatest student/parent interest. These shuttles will be financed by the parents of the students using them.

Increase Staggering of Start Times

Increasing the variance in start times for the high school and junior high school would help alleviate the congestion near the school campus. For example, the high school would start at 7:15 am and the junior high would start at 8:45 am. This is in addition to the existing staggered starting times to further reduce peak-hour traffic.

Before-School Programs

The incidence of children being dropped-off before school starts can be increased by providing before-school programs and activities at the campus such as study hall, breakfast, or extracurricular activities (band practice, sports practice, etc.). This would reduce the peak-hour traffic volumes.

Financial Incentives

Financial incentives will encourage parents and students to participate in the Trip Reduction Program. The financial incentives will be provided to students and their families that are most active in the Trip Reductions Program. The cost of parking permits could be raised even more to further encourage carpooling. Discounted tuition may be obtained for families that form carpools, vanpools, or use alternative modes of transportation. During the school year monthly passes may be purchased for students who ride the bus. Financial incentives can also

be provided via a lottery system at Transportation Fairs. The Transportation Coordinator will oversee dispensing of financial incentives.

3. MONITORING PROGRAM

Based on counts performed in December 2001 and April 2002, approximately 1,200 vehicles access the Valley Christian Schools Skyway campus during the morning peak hour. The City of San Jose requires a fifteen percent reduction in a.m. peak-hour trips. Thus, a total of 1,020 vehicles would be the maximum allowed after the Trip Reduction Program is implemented. The procedures to count the vehicles, to report the results, and to establish compliance are presented below.

DRIVEWAY COUNT PROCEDURE

Annual driveway traffic counts will be conducted to monitor the effectiveness and goal compliance of the Trip Reduction Program. Manual counts will be conducted to measure the number of vehicles entering and exiting the campus from 6:30 am to 9:00 am. The counts should be conducted by an independent party (traffic counting firm or transportation consultant). The collected data will be reported in 15-minute intervals. The counts will be conducted for a minimum of two "normal"¹ school days. The highest one-hour volumes measured on each day will be averaged.

REPORTING AND COMPLIANCE PROCEDURE

The "averaged" measured one-hour volume will be compared to the goal of 1,020 vehicles. If the average number of vehicles is 1,020 or less, the Transportation Coordinator would prepare a report stating the results of the counts and describing the Trip Reduction Measures that are in place. The report must be signed by an official of Valley Christian School acknowledging that its results are valid.

If the goal is not achieved, additional measures must be implemented. The report would state the results of the counts, describe the Trip Reduction Measures that are in place, and describe the measures that will be added. Again, the report must be signed by an official of Valley Christian School acknowledging that its results are valid and acknowledging that the school will implement the additional measures.

¹ A normal school day is described as a day with typical school schedules and no unusual activities. Teacher in-service days, days with reduced school schedules, and days with field trips or other unusual school activities will not be included in the surveys.

Appendix

Traffic Data Service
 250 E. Hamilton Ave. Suite C
 Campbell, Ca. 95008
 (408)374-2970 tdsbay@cs.com

File Name : 5FINAL
 Site Code : 00000005
 Start Date : 04/24/2002
 Page No : 1

Groups Printed - Unshifted

Start Time	DRIVEWAY Southbound			SKYWAY Westbound			HOUNDHAVEN Northbound			SKYWAY Eastbound			Int. Total
	Right	Thru	Left	Right	Thru	Left	Thru	Left	Right	Thru	Left		
Factor	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0		
06:30 AM	0	0	0	0	6	0	0	11	0	27	0	44	
06:45 AM	0	0	0	0	35	0	1	10	1	137	0	184	
Total	0	0	0	0	41	0	1	21	1	164	0	228	
07:00 AM	1	0	0	0	121	0	0	15	1	307	0	445	
07:15 AM	1	0	0	0	184	0	0	18	1	273	1	478	
07:30 AM	0	0	0	0	86	0	0	13	0	63	1	163	
07:45 AM	1	0	0	0	63	0	1	15	6	97	0	183	
Total	3	0	0	0	454	0	1	61	8	740	2	1269	
08:00 AM	6	2	0	0	127	0	2	12	0	137	0	286	
08:15 AM	5	1	0	0	47	0	0	15	2	57	1	128	
08:30 AM	3	0	0	0	5	0	0	11	6	6	0	31	
08:45 AM	2	0	0	0	4	0	0	9	1	9	0	25	
Total	16	3	0	0	183	0	2	47	9	209	1	470	
Grand Total	19	3	0	0	678	0	4	129	18	1113	3	1967	
Apprch %	86.4	13.6	0.0	0.0	100.0	0.0	3.0	97.0	1.6	98.1	0.3		
Total %	1.0	0.2	0.0	0.0	34.5	0.0	0.2	6.6	0.9	56.6	0.2		

Start Time	DRIVEWAY Southbound				SKYWAY Westbound				HOUNDHAVEN Northbound			SKYWAY Eastbound				Int. Total
	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Thru	Left	App. Total	Right	Thru	Left	App. Total	
Peak Hour From 06:30 AM to 08:45 AM - Peak 1 of 1																
Intersection	06:45 AM															
Volume	2	0	0	2	0	426	0	426	1	56	57	3	780	2	785	1270
Percent	100.	0.0	0.0		0.0	100.	0.0		1.8	98.2		0.4	99.4	0.3		
	0				0	0										
07:15	1	0	0	1	0	184	0	184	0	18	18	1	273	1	275	478
Volume																
Peak Factor																0.664
High Int.	07:00 AM				07:15 AM				07:15 AM			07:00 AM				
Volume	1	0	0	1	0	184	0	184	0	18	18	1	307	0	308	
Peak Factor				0.500				0.579			0.792				0.637	

Roche, Jeff

To: p.grabosky@sbcglobal.net
Subject: Response to Comments on Initial Study

September 29, 2004

Good Morning Mr. Grabosky,

As a follow-up to earlier emails on the Initial Study, I am sending you the Noise Consultant's response.

If you have any other questions, please let me know.

Sincerely,

Jeff Roche
Project Manager



Response to Noise
Concerns.doc...

M E M O

To: Demetri Loukas, David J. Powers & Associates
From: Richard B. Rodkin, PE
Date: September 28, 2004

VIA E-MAIL: dloukas@davidjpowers.com

**SUBJECT: Valley Christian High School Stadium Lighting –
Response to Noise Comment**

Noise levels were measured in front of 4494 Del Rey Avenue during a high school varsity football game at Valley Christian School High field on Saturday, September 25, 2004. The noise survey began at 1:12 PM and ended at approximately 3:20 PM. The football game began at about 1:45 PM.

Ambient noise resulting from sources other than the football game included occasional car passbys on Del Rey Avenue, regular jet aircraft overflights approaching San Jose International Airport (about one every 5 minutes), distant traffic, and the sound of railroad trains horn also in the distance. The average noise level, excluding the sound from the football stadium, is calculated to be about 50 dBA L_{eq} . This resulted primary from the jet aircraft overflights. Sound levels typically ranged from a low of about 40 dBA in the absence of any local identifiable noise source to a high of about 68 dBA during the aircraft overflights.

Sounds audible from the football game included the band, cheers, shouts, whistles, and the PA system. The sound from the PA system was muffled but audible and typically ranged from about 43 dBA to 48 dBA. The most consistent sound heard was cheering which intermittently generated levels of 45 to 55 dBA. The loudest cheers, presumably during a touchdown, reached a maximum level of 57 dBA. Maximum noise levels from the band typically ranged from 45 to 50 dBA (normally generated either by drums or a trumpet). Individual shouts were also audible with typical levels of up to about 50 dBA with the loudest individual shout measured at 57 dBA. The data were analyzed and the average noise level resulting from the football game during the measurement period was less than 48 dBA L_{eq} . A visual observation of the stadium indicated that the grandstands were at least two-thirds full. A slight incremental increase in noise could, therefore, be expected if the stadium had been full (an adjustment upwards of about 2 dBA). The audibility of the sounds from the football game depended upon the background noise levels which, as previously noted, varied from a low of 40 dBA up to a high of 68 dBA during the jet aircraft overflights. Football game sounds are most audible when they occur during lulls in ambient noise.

Maximum and average noise levels at 4494 Del Rey Avenue were lower than predicted in the environmental study for the most affected receptors. A review of the ambient noise survey data prepared for the environmental assessment, which included both the daytime and the evening period when the football stadium lighting would allow games to occur, indicates that background noise levels are not significantly different between 8:00 PM and 10:00 PM as compared to the early afternoon period during the recent survey. The recent data confirm the findings in the environmental noise assessment; that is, noise from a football game, while audible, would not cause a substantial increase in noise, would be below the noise limits established by the City of San Jose, and would result in a less-than-significant noise impact.

RBR:gfl

City of San José, California

CITY COUNCIL POLICY

TITLE OUTDOOR LIGHTING ON PRIVATE DEVELOPMENTS	PAGE 1 of 3	POLICY NUMBER 4-3
	EFFECTIVE DATE 3/1/83	REVISED DATE 6/20/00

APPROVED BY

Council Action – March 1, 1983; Revised by Council Action – June 20, 2000

BACKGROUND

The City of San Jose has pioneered the use of outdoor lighting that saves energy and preserves the night sky for astronomical research, while creating appropriate levels of lighting for nighttime activities. The City, beginning in 1980, began converting all public street lighting outside of Downtown to low-pressure sodium lights, which are energy-efficient, cost-effective and minimize interference with astronomical research at Lick Observatory (see Policy No. 4-2 (Revised 1-12-82) for the City's Street Light Conversion Policy.) The benefits the community has derived from low-pressure sodium lighting on public streets and property warrant the use of low-pressure sodium lights on private developments. To further these goals, the City Council, on March 1, 1983, approved Resolution No. 56286 adopting as City policy the requirement that low-pressure sodium illumination be used in the outdoor areas of new private developments. The regulation of outdoor lighting fixtures has resulted in energy conservation, which furthers the goals of the Sustainable City Major Strategy of the San Jose 2020 General Plan. The year 2000 revision clarifies the policy intent and its application.

PURPOSE

The purpose of this policy is to promote energy-efficient outdoor lighting on private development in the City of San Jose that provides adequate light for nighttime activities while benefiting the continued enjoyment of the night sky and continuing operation of the Lick Observatory by reducing light pollution and sky glow.

POLICY

General Statement of Policy

- The use of low-pressure (LPS) sodium lighting for outdoor, unroofed areas shall be required for all private development in the City of San Jose as a condition of approval on all Land Use Development Permits. Below are the parameters for such lighting:
- No light source shall be directed skyward.
- All light sources that produce more than **4,050 lumens** shall be **fully shielded** (full cutoff) to prevent light aimed skyward.
- All light sources that produce less than **4,050 lumens** must be at least **partially shielded**.
- Lighting fixtures that illuminate pedestrian walkways may use light sources other than LPS, but only when such fixtures are **fully shielded**.
- Seasonal decorative lighting is allowed to be unshielded only if using very low-wattage fixtures with a cumulative luminosity that does not negatively affect other properties or the night sky. The Director of Planning reserves the right to limit any lighting that adversely affects other properties or the night sky.
- All outdoor lighting fixtures, including display lighting, shall be turned off within one hour of the close of business, unless needed for safety or security, in which case the lighting shall be reduced to the minimum level necessary.

TITLE OUTDOOR LIGHTING ON PRIVATE DEVELOPMENTS	PAGE 2 of 3	POLICY NUMBER 4-3
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- Lighting fixtures and architectural detailing that use luminous tube lighting (neon, argon or krypton) should be limited to yellow, orange and red colors to minimize interference with the Observatory.
- When luminous tube lighting is used in signage, it is subject to the provisions of the Sign Ordinance.
- Properties with existing non-conforming lighting shall be required to conform to this policy as a part of any permit for reuse, expansion of use, or change in use.

Exceptions

The Director of Planning shall consider exceptions to the use of low-pressure sodium lighting for outdoor areas only during a development permit process for the property. All exceptions shall require a photometric study of the proposal, a referral to the Lick Observatory, and must be the subject of a public hearing. Any alterations or changes to the lighting plan of a development permit that involve the use of illumination fixtures other than LPS must likewise be granted by the Director and be the subject of a public hearing. Any member of the public may appeal decisions about exceptions to this policy before the Planning Commission.

The Director of Planning may grant exceptions to LPS only for uses within a nighttime environment where it is deemed appropriate. Parking lots and driveways shall not be considered for exemption from the low-pressure sodium lighting requirement regardless of nighttime environment. The City of San Jose has several different types of nighttime environments:

- ❖ Intrinsically dark environments such as county and regional parks, rural areas, areas adjacent to optical astronomical observatories, and areas with minimal or no outdoor lighting shall be lit at the minimum level necessary and shall not be

considered for exemptions from the LPS requirement.

- ❖ Suburban and rural residential areas shall remain areas of low-ambient light levels and also shall not be considered for exception from the LPS requirement.
- ❖ Urban residential areas are areas of medium-ambient light levels and shall not be considered for exception from the LPS requirement, except in limited circumstances for recreational facilities, as specified below.
- ❖ For urban areas of mixed residential and commercial use, exceptions may be granted by the Director of Planning only for the specific uses specified below.

Within the nighttime environments where higher levels of light could be considered, only specific land uses may qualify for exception from the LPS requirement. Exceptions using other outdoor light illumination fixtures including incandescent, metal halide, high-pressure sodium, fluorescent, and mercury vapor, are limited to the following circumstances:

- *Pedestrian-Oriented Nighttime Districts:* For pedestrian-oriented nighttime activity areas with vertical mixed residential and commercial use or business districts adjacent to residential areas (including areas of Neighborhood Business Districts), exceptions to the use of LPS lighting shall be considered only where other lighting is crucial to the success of pedestrian-oriented businesses. Outdoor lighting shall be **fully shielded** regardless of the lumen output and reduced to the minimum level necessary by 10:00 p.m. or within an hour of the close of business, whichever is later.
- *Outdoor recreational facilities:* For field sports such as football, baseball, softball or soccer. **partially shielded** light fixtures may be used during such recreational events. Recreational

TITLE OUTDOOR LIGHTING ON PRIVATE DEVELOPMENTS	PAGE 3 of 3	POLICY NUMBER 4-3
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uses such as tennis, volleyball, handball, and racquetball shall use fully shielded fixtures. Lighting for outdoor recreational activity must be extinguished by 11:00 p.m., or when the activity is concluded, but only if the event began before 10 p.m.

- *Outdoor automobile sales areas and outdoor material handling areas:* This exception will only be considered in areas where color rendition is critical to preserve the effectiveness of these specified activities. Non-LPS lighting must be **fully shielded** and extinguished by 10:00 p.m. or within one hour of the close of business, whichever is later.

The Downtown Core, as defined in the General Plan, is exempt from the provisions of this policy, as are any areas that the Council has exempted up until the date of this revision. To allow time for further review of associated issues, the current exemption for outdoor automobile sales areas shall continue for one year from the date the City Council approved revisions to this policy on June 20, 2000.

Definitions

Fully Shielded: For the purposes of this policy, fully shielded shall mean an outdoor light fixture shielded in such a manner that all light emitted by the fixture, either directly from the lamp or indirectly from the fixture, is projected below a horizontal plane extending from the bottom of the light fixture.

Partially Shielded: For the purposes of this policy, partially-shielded light fixtures means an outdoor light fixture shielded in such a manner that not more than 10% of the light emitted directly from the lamp or indirectly from the fixture is projected at angles above a horizontal plane extending from the bottom of the fixture.

4,050 lumens: The acceptability of a particular light fixture is decided by its lumen output. The lumen output of a lighting fixture are specified by the manufacturer. Some typical examples of fixtures that produce 4,050 lumens are 200 Watt standard incandescent, 150 Watt Tungsten-Halogen (quartz), 50 Watt High Pressure Sodium, 50 Watt Cool White Fluorescent, and 30 Watt Low Pressure Sodium.

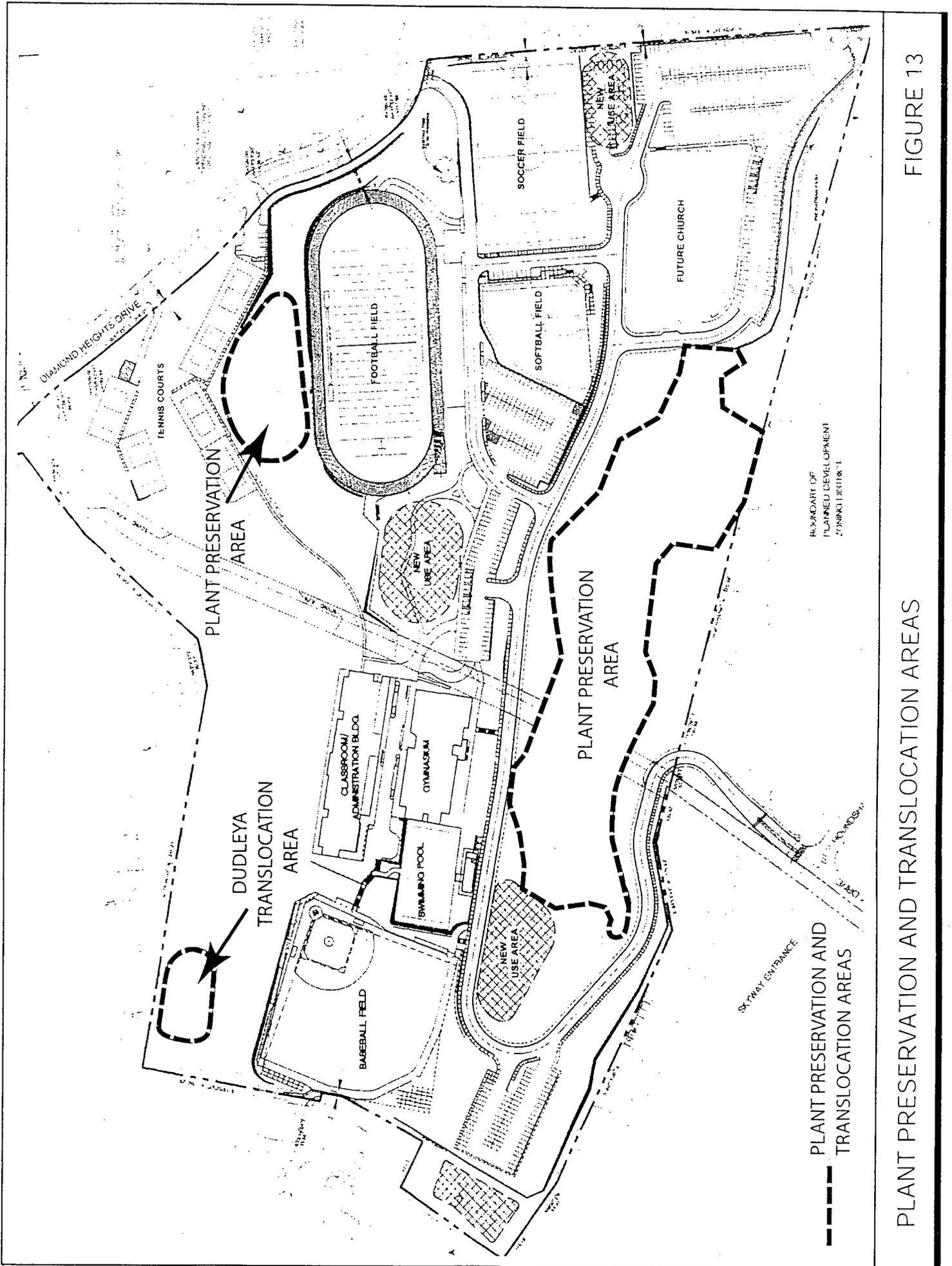


FIGURE 13

PLANT PRESERVATION AND TRANSLOCATION AREAS



File: 17832
Snell Pipeline

October 1, 2004

Mr. Jeff Roche
Planning Division
Department of Planning, Building, and
Code Enforcement
City of San Jose
801 North First Street, Room 400
San Jose, CA 95110

RECEIVED
OCT 04 2004
CITY OF SAN JOSE
PLANNING DEPARTMENT

Subject: Draft Mitigated Negative Declaration for Valley Christian Schools and South Valley
Christian Church—PDC 02-063

Dear Mr. Roche:

The Santa Clara Valley Water District (District) has reviewed the Draft Mitigated Negative Declaration for the subject project, received on September 15, 2004.

The Draft Mitigated Negative Declaration, prepared for the installation of lighting on an existing football field, removal of the requirement to construct fencing around the plant preservation areas, and modifying the requirements pertaining to the trip reduction program, is acceptable to the District.

Please note that issues regarding the drainage and erosion along the District's access road resulting from storm runoff from the tennis courts still need to be discussed and resolved.

In accordance with District Ordinance 83-2, any plans for construction over or adjacent to the District's facilities should be sent to us for review and issuance of a permit

Please reference File No. 17832 on further correspondence regarding the project.

Should you have any questions, please give me a call at (408) 265-2607, extension 2494, or email me at THipol@valleywater.org.

Sincerely,

Theodore Hipol
Assistant Engineer
Community Projects Review Unit

cc: Mr. Keith Gaxiola, City of San Jose
S. Tippets, S. Yung, T. Hipol, C. Fredrickson, S. Katric, D. Duran, M. Klemencic, File (2)

ag:lm
1001c-pl.doc

Roche, Jeff

From: Liw, Michael
Sent: Thursday, September 23, 2004 11:35 AM
To: Hamilton, Carol; Roche, Jeff
Cc: Gaxiola, Keith; Sohrabi, Ebrahim; Aguilar, Mirabel; Freitas, Harry
Subject: Valley Christian School - Public Works Items

Carol:

As requested, attached is a list of the Public Works items that needed resolution and the progress to date.

1. Diamond Heights Drive: I'm pleased to say that Diamond Heights Drive was constructed per plan by the Valley Christian Schools. The asphalt is in up to the top of Diamond Heights, storm drain pipe has been installed, and AC berms are in place. This road is substantially complete. There may be minor inspection punch list items that remain.
2. Skyway Drive cul-de-sac: As shown on the approved improvement plans from 1999, the project is to construct a cul-de-sac at the terminus of Skyway Drive on the southeast corner of the property. I can provide you a copy of the plan sheet which shows the construction of this cul-de-sac. Also, the ROW for this cul-de-sac was never dedicated to the City. From the information I have, there is no connection between the construction of this cul-de-sac and the required traffic mitigation at Monterey/Skyway Drive.
3. Monterey/Skyway Signal Modification: The plan to construct the signal modification was never approved by Caltrans. In other words, a Caltrans permit was not issued. PW Staff is working with Ruth and Going in attempt to convince Caltrans to issue the permit. Some issues include: lane widths/lengths (plans have been revised per Caltrans comments) and Caltrans format (showing the plans in metric - City does agree with Caltrans comments and has sent a formal letter to Caltrans recently).
4. Skyway Drive east of Houndshaven: This is the entrance to the school and a portion of Skyway Drive (east of Houndshaven Way) was vacated as public ROW in 2001. My inspector is verifying whether the school installed the special pavement treatment on their property to signify the end of the public ROW as it becomes private property.

Please let me know if you have any questions.

Michael Liw, P.E.
Senior Engineer
Department of Public Works
Transportation & Development Services Division
City Hall - Room 308
x8627, x3879 (fax)



RECEIVED
SEP 08 2004
CITY OF SAN JOSE
PLANNING DEPARTMENT

Memorandum

TO: Jeff Roche
Planning and Building

FROM: Ebrahim Sohrabi
Public Works

SUBJECT: FINAL RESPONSE TO
DEVELOPMENT APPLICATION

DATE: 09/08/04

PLANNING NO.: PDC02-063
DESCRIPTION: Planned Development Rezoning from A(PD) Planned Development District to A(PD) Planned Development District to allow lighting of the existing football field on a 52 gross acre site
LOCATION: easterly terminus of Skyway Drive, East of Monterey Road
P.W. NUMBER: 3-08375

Public Works received the subject project on 09/01/04 and submits the following comments and requirements.

Transportation: A traffic impact analysis has been performed for this project. Based on the findings in the study, we conclude that the subject project will be in conformance with the City of San Jose Transportation Level of Service Policy (Council Policy 5-3) and a determination for a negative declaration can be made with respect to traffic impacts.

Please contact the Project Engineer, Ryan Do, at (408) 277-5161 if you have any questions.

Ebrahim Sohrabi
Senior Civil Engineer
Transportation and Development Services Division

ES:rd:kg
6000_24415237011.DOC

CITY OF SAN JOSE — MEMORANDUM

TO: JEFF ROCHE
DEPARTMENT OF PLANNING AND BUILDING
SUBJECT: PLANNING DEPT. FILE NO. PDC02-063
(REF: PDC00-065)

FROM: Luis DaSilva, FPE
Fire Department
DATE: August 15, 2002

APPROVED

DATE

LOCATION: Easterly terminus of Skyway Dr., east of Monterey Rd. (Diamond Heights Dr.)

ADDRESS: 4429 Diamond Heights Dr.

DESCRIPTION: PD Rezoning from A(PCC02-062) Planned Development District to A(PD) Planned Development to allow lighting of the football field

- Comply with comments from the Building/Fire Departments at the plan review stage.
- The Fire Department has no comments to this project.
- We reserve the right to make comments at a future date.

If you have any questions regarding these items, please contact me at (408) 277-8756.

BY: Luis DaSilva, FPE
Bureau of Fire Prevention

site memo

CITY OF SAN JOSE — MEMORANDUM

TO: BILL SCOTT
DEPARTMENT OF PLANNING AND BUILDING
SUBJECT: PLANNING DEPT. FILE NO. PDC00-08-065

FROM: Patrick Chew, FPE
Fire Department
DATE: August 18, 2000

APPROVED

DATE

LOCATION: Easterly terminus of skyway Dr., east of Monterey Rd.

ADDRESS: Skyway Dr.

DESCRIPTION: PD Rezoning from the a(PD) Planned Development to the A(PD) Planned Development District

- These comments are based on the following information:
- Site fire flow requirement: 4,500 G.P.M.
- Average hydrant(s) spacing: 250 feet - Subject to Fire Department approval
- Comply with comments from the Building/Fire Departments at the plan review stage.
- **THE FOLLOWING CORRECTIONS SHALL APPLY TO THE SUBJECT APPLICATION:**
 1. All Fire Department access roads shall not exceed the maximum gradient of 15 percent in accordance with the adopted City Ordinance. Road configuration shall be review by the Fire Department for approval.
 2. All interior ingress and egress median dividers shall be recessed a minimum of 20 feet for emergency vehicle accessibility per the adopted Fire Code.
 3. All access roads used for emergency vehicle(s) only shall be constructed without the use of gate(s) and/or ballards.
 4. All fire lanes shall be marked and labeled in accordance with the adopted Fire Code due to site improvements only with no square footage added.
 5. In accordance with the Building and Fire Codes, all structures over 120 square feet shall obtain a building permit before construction.
 6. In determining the occupancy and occupant load at the above location, all portions of the building shall be presumed to be occupied at the same time be in accordance with the provisions of the adopted Building and Fire Codes.
- **THE FOLLOWING CORRECTIONS SHALL APPLY TO THE SUBJECT APPLICATION:**
(Continued)
 7. Provide detailed architectural plan(s) to include but not limited to specific use, construction type, and location of property with respect to property line(s) as per the provision of the Building and Fire Codes.

PLANNING DEPT. FILE NO. PDC00-08-065

8. All buildings exceeding 6,200 square feet shall be provided with an approved automatic fire extinguishing system(s) as per the adopted San Jose Municipal Code. All alternate means of protection shall be reviewed by the Fire Department. **OR**

All buildings three or more stories in height shall be sprinklered in accordance with the adopted San Jose Municipal Code. All alternate means of protection shall be reviewed by the Fire Department.
 9. All Fire Department access roads, water mains, and fire hydrants shall be installed and operational during construction in accordance with Article 87 of the Fire Code and all other applicable standards.
 10. Due to the complexity of this project, it is recommended that a meeting be arranged with the applicant(s) and the Fire Department and the municipal water authority.
 11. This zoning is only for the approval to allow the construction and access from Senter Road to Diamond Height. Further comments regarding construction of the buildings and/or other accessory use structure(s) shall be reviewed and commented on during the Planned Development conditions.
- When submitting construction plans to the Building Department, **they shall include Planning's Development Permit File Number** printed on the construction plans.
 - Provide two sets of reduced plans to the Fire Department once the above application has been approved by the Planning Department.
 - **THE FOLLOWING GENERAL REQUIREMENTS ARE APPLICABLE TO THE SUBJECT APPLICATION:**
 - Facilities for emergency vehicle access:
 - A. Roads and/or driveways shall have a minimum clear width of 20 feet. Uniform Fire Code, Section 902.2.2.
 - B. Minimum turning radius shall be 30 feet inside and 50 feet outside.
 - C. A bulb or hammerhead turn-around shall be provided at the end of all dead-end driveways over 150 feet in length.
 - D. Minimum Vertical clearance shall be 14 feet.
 - E. Fire lanes shall be suitably marked with standard signs, painted curbs, and/or other markers as approved or authorized for use by the Chief. Fire lane markings shall be indicated on plans submitted through the building permit process for review and approval by the Fire Department.
 - F. Streets/roadways shall be maintained with a maximum gradient of 15 percent.
 - Each locked gate on site shall have an approved device with unlocking capability. Contact the fire Department's Bureau of Fire Prevention for approved devices.

PLANNING DEPT. FILE NO. PDC00-08-065

- Public (off-site) and private (on-site) fire hydrants shall be provided. All hydrants must meet the specifications for the City of San Jose's Fire Department. For hydrant locations please contact the San Jose Fire Department's Fire Protection Engineering Division at (408) 277-5357.
- All existing and new fire hydrants shall be at least 10 feet from all driveways.
- A lighted directory showing addresses of all buildings shall be provided at the main entrance to the site.
- A street number shall be displayed on the primary building on each parcel.
- Street numbers shall be visible day and night from the nearest street, either by means of illumination or by the use of reflective materials.
- We reserve the right to make comments at a future date.

If you have any questions regarding these items, please contact me at (408) 277-5357.

BY: PATRICK CHEW, FPE
Bureau of Fire Prevention

site memo

Roche, Jeff

From: Blair, Geoffrey

Sent: Tuesday, September 03, 2002 3:08 PM

To: Roche, Jeff

Subject: RE: Memos for File No PDC 02-063 Valley Christian Lighting

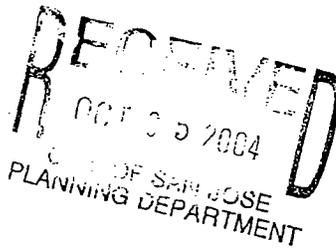
September 3, 2002

Jeff,

The Environmental Services Dept. (ESD) does not have any comments for this development.

Geoff Blair
945-5332

October 1, 2004



02
J
JWC

Stephen M. Haase, AICP
Director Planning Building and Code Reinforcement
801 N. First Street Rm 400
San Jose, CA 95110

Reference: PDC 02-063 Planned Development Rezoning to allow additional lighting on football field .

Dear Mr. Haase:

Thank you for your letter informing me and the neighbors who live on Moundhaven Ct of the proposed improvements at the Valley Christian High School.

We do not object to having lights on the football field. It would be great as many of us enjoyed seeing night football games during our high school days. Attending night football games is a great experience for teenage kids and their families. However, we have a number of concerns.

First of all, these concerns were previously expressed to members from your planning department and to the members of the Valley Christian staff sometime ago in a previous meeting at the school about a year to 1 ½ years ago. In the early planning phases for this environmental document, many of the neighbors surrounding the school met at the school and indicated their concerns on the proposed lighting. Both the City planning staff and the Valley Christian staff indicated that the environmental assessment for the proposed lighting improvements for the football field would address the neighborhood concerns.

The major concerns and significant impacts of the neighborhood are:

- the loss of privacy and impact to our way of life especially for those of us on Moundhaven Ct
- the amount of increased noise as it takes over hour or longer for cars to leave the school late at night
- the amount of increased traffic behind our homes
- increased traffic problems on Skyway Drive which is a bottleneck for any increased traffic at anytime
- the increase amount of noise behind our homes in the evening significantly impacting our way of life
- the glare of vehicle cars leaving the school late at night glaring inside of our homes as cars leave the school along the existing access road to the school
- parking problems within in the community streets due to lack of parking on the school site
- the increased amount of dust created due to this additional activity which has never been the same prior to the school being built
- loss of privacy as cars can see in one of our homes in the evening. The trees that were planted to mitigate for this issue has not worked.

When Valley Christian was built, the planning department staff and Valley Christian staff indicated that a secondary access would be provided on the east side of the school. We have never heard from anyone since this commitment was made. Now, there is a proposal to add more traffic on Skyway.

During the planning meetings, Chancellor Fletcher and Superintendent Clifford Daugherty acknowledged the impacts above and indicated that a wall high enough or some other measure would be needed to mitigate for the sight and sound impacts to those of us on Moundhaven Ct.

The noise ordinance indicates that the maximum noise level shall not exceed 45 dBA between 10:00 p.m. and 7:00 a.m. This level has not been adhered to during many evening functions by the school. We have not complained in the past because these are occasional activities. Adding 15 additional events including football games is not acceptable unless our concerns are addressed.

Lastly, we would like to thank Valley Christian for their past commitments in addressing our neighborhood issues. In particular, Chancellor Fletcher has on many occasions directed traffic at the entrance to the school and kept parking restricted from the neighborhood streets.

We look forward to working with Valley Christian in addressing our neighborhood issues prior to installing the proposed lights.

Sincerely,

Amy Kawiecki 105 Moundhaven Ct San Jose Cal 95111
Amy Kawiecki

Anselmo Carmona 101 MOUNDHAVEN CT SAN JOSE CA 95111

Barbara Lawrence 109 Moundhaven Ct. San Jose Ca. 95111

Adhish 109 MOUNDHAVEN CT. SAN JOSE, CA 95111

Mary Lou Lopez 121 Mound haven Ct, San Jose, CA 95111

Paul Kelly 121 Moundhaven Ct. San Jose, CA 95111

Loa Bao 120 Moundhaven Ct San Jose ca. 95111

Cherie King 112 MOUNDHAVEN CT. 95111

MADE DIVITA 117 MOUNDHAVEN CT 95111



Office of the Chancellor

Valley Christian Schools, 100 Skyway Drive, Suite 120, San Jose, CA 95111-3636, Telephone: 408.513.2500

September 27, 2004

Jeff Roche
City of San Jose
Department of Planning
801 North First St., Room 400
San Jose, California 95110



Dear Jeff:

This letter is submitted to update you on the outstanding compliance issues at Valley Christian Schools' Skyway campus. The following item that was deemed to be in non-compliance in March of 2003 remains to be completed:

- Replacement of landscaping near the location of the recently approved net at the east end of the soccer field. Heavy equipment will be crossing this area to install the netting and we will replace the landscaping after construction is completed. The PD Permit for the netting project was just approved by the Director of Planning last week.

The items listed below were not part of the previous non-compliance notice but are adjacent to the Skyway campus and have not been completed. However, VCS remains committed to completing these items:

- Left turn lane at Monterey/Skyway is in the approval process with Caltrans and the City of San Jose. We anticipate completing this project next summer assuming all required approvals are received by the school from the two controlling agencies.
- Cul de sac planned for upper Skyway Drive is part of the Monterey Road Improvement plans and will be constructed as part of that project.
- Pork chops at the intersection of Skyway Drive and Houndshaven Way will be installed if and when the City of San Jose determines they are necessary.
- Decorative paving at the entry driveway to Valley Christian Schools will be installed as part of the Monterey Road improvements.

Please let me know if you have any concerns or questions related to these issues. Thanks.

Sincerely,

A handwritten signature in black ink, appearing to read 'Claude C. Fletcher'.

Claude C. Fletcher
Chancellor

Roche, Jeff

From: Peter Grabosky [p.grabosky@sbcglobal.net]
Sent: Friday, September 17, 2004 9:52 AM
To: 'Roche, Jeff'
Subject: RE: PDC 02-063 Planned Development Rezoning for Valley Christian School/South Valley Christian Church

Jeff,

I received the links OK this morning and have downloaded the documents.

My concern here is with the noise generated by games at the facility. I have repeatedly contacted the Chancellor Mr. Claude Fletcher complaining of the noise generated by games at Valley Christian Schools. I specifically suggested that he come to my home and make noise measurements from here. The location used by the consultant is much lower down the hill and is shielded by local terrain. He has not taken me up on my offer.

My location here has a direct shot from the top of the hill, across Gordola Court to my property. The noise level varies DRAMATICALLY depending on where it is measured. I can walk across the street into Gordola Court and it is barely noticeable. My home is located at the end of an acoustical "horn" from the athletic fields. I am sure if noise measurements were made here that they would be well above the allowable standard. It seems that the measurements were made at an opportunistic location at the end of Riverview Drive that minimizes the readings.

With this in mind, I believe that further measurements during a game are warranted before the City can state that there is a "less than significant impact".

The noise here is quite loud. I cannot work or use the phone in my garage or front yard and must close all of the windows in the house (which I have replaced with double-pane) to maintain any peace. Between the constant banging of drums during daily and nightly band practice and the games that already occur I have reached my tolerance level.

I question the legality of requiring a \$100 "filing fee" for any challenges to this report. This is against the spirit of the zoning and environmental impact process that should allow the public to provide input with no financial hardship.

I look forward to your views on these issues. I plan on making contact with Mr. Fletcher and asking what he can do to mitigate my specific complaints here. I will have no choice but to fight and delay this process if he cannot solve my complaints and concerns.

Sincerely,

Peter S. Grabosky
Owner, 4494 Del Rey Avenue

Roche, Jeff

From: Peter Grabosky [p.grabosky@sbcglobal.net]
Sent: Tuesday, September 07, 2004 11:40 AM
To: jeff.roche@sanjoseca.gov
Subject: Valley Christian Schools

Dear Jeff,

I am in receipt of three Public Hearing Notices regarding planned changes at the Valley Christian Schools facility located near my property.

I have several concerns:

1. This facility has been a considerable source of unwanted noise here at my home. Can you describe the design and function of the proposed 46 foot high fence on PDA 03-032-01? That fence seems unusually high and will block some views and be unsightly here.
2. The activity at Valley Christian Schools is much greater than originally stated—they have already been allowed to increase the number of students and increase usable space. What impact will the increase in the size of the school theatre on PDA 04-042 have on local traffic and noise?
3. I currently hear very loud crowd noises whenever an event is held at the school and have not been able to get any relief. What impact will the proposed changes to the ball field on PDA 98-016-06 have on local residents as far as noise and activity goes?
4. I have noticed the addition of lighting visible here at my home. In fact it does a nice job of illuminating a large dumpster loaded with construction debris. Is there a current expansion project under way?

I have gone on record in the past stating that Valley Christian Schools has been on a campaign of "creeping growth" that is pushing the tolerance of the local community. I know that they wish to light the field so they can host night games for area schools and hire out the field for others. I wish to make it clear that I am absolutely against any further growth and in fact seek to reduce the noise and impact of their operation. I view Valley Christian Schools as a business and not a public school. The rules that apply to any commercial venture should apply. I have owned this home for 25 years and believe that the local neighbors deserve more consideration. Forcing us to go downtown to view documents and attend meetings at difficult to get to places at times during the work day is not reasonable. Would it be possible to have meetings locally or allow more time to interact? Could documents be placed on the City's web site for review?

Please call me at your earliest convenience so we may discuss the proposals at 408 227 8172. Thank you for your time reading this and I trust there is a reasonable solution to these issues.

Sincerely,

Peter S. Grabosky
Owner, 4494 Del Rey Avenue
San Jose, CA 95111
408 227 8172

9/14/2004

Hamilton, Carol

From: Peter Grabosky [p.grabosky@att.net]
Sent: Monday, August 26, 2002 7:54 AM
To: carol.hamilton@ci.sj.ca.us
Subject: Valley Christian School Lighting Project

August 26, 2002

Carol Hamilton
Senior Planner
Department of Planning, Building and Code Enforcement
San Jose, California

Dear Carol,

Thank you for taking time from your schedule and attending the local resident meeting at Valley Christian Schools on August 2, 2002. I have very strong feelings in regard to this and would like to voice them to you.

My name is Peter Grabosky and I own the property located at 4494 Del Rey Avenue. My home is located directly across from Gordola Court. I would like to voice my concern regarding Valley Christian School's operation and planned addition of night lighting. I have owned this home for over 20 years and have enjoyed a quiet neighborhood up until the arrival of the Valley Christian Schools facility.

I believe that the School is guilty of a planned "creep" method of expansion. First, additional students; second, adding grandstands and additional outbuildings and now, the wish to add night lighting.

During last year's football season, I had to contend with a severe noise problem. During games, the band and crowd became a great source of stress for me. I was unable to spend any time in my garage or front yard due to the noise. I was unable to work in my garage due to the noise, which was so loud that I could not use the telephone. I also had to close my windows and doors to keep the racket out of the inside of my home.

I believe that the intent of the lighting is to allow night football and other sports activities. In view of the noise problems I have experienced, this is not acceptable to me. In addition, it is my belief is that the school will begin offering the facilities to other schools and teams that are not opponents of the schools teams as they now do during the day on a fee basis (see their web site). This would be a way to generate additional revenue for Valley Christian Schools.

The lighting itself is also a deep concern of mine. The front of my home faces the school and bright field lighting shining through my living room and kitchen windows would induce much stress. Even though the representative from the lighting company made a compelling presentation as to the effectiveness of the Qualite system, I have serious

doubts since I live *below* the facility. I also believe it would significantly affect the peace and balance of the neighborhood. Since the school is on a hill, many residents will be affected. Mr. Fletcher and Mr. Machado made points regarding the value of team sports during the high school years. They also noted that other schools are not able to have night games and if the proposal was granted, Valley Christian Schools would have one of the very few facilities. Why do you suppose that the other schools do not have night activities? I suspect for the same reasons-too close to residential neighborhoods.

These issues also have the potential of having an impact of the values of our homes. I, for one would not purchase a home directly across the street from a football field or school.

I have the following questions that must be answered before I would consider support of the proposal:

1. What is the measured sound pressure level at my home that would be guaranteed to remain below? (This is an industry standard method of measuring noise using test equipment). Does/will the City of San Jose have a noise standard?
2. Will I be able to see the proposed lighting from my home?
3. Would there be any activities ever held that would not involve Valley Christian Schools own teams? This means other schools or entities that use the facility. (I understand that Mr. Fletcher stated not, but it would have to be in writing in the approval)
4. Will Valley Christian Schools ever "hire out" the facilities to another entity for any economic compensation?

I am presenting this from a personal point of view. I feel that many others in the area would be exposed to the same (or worse) noise and light issues. Valley Christian Schools is a private, not public *for profit business*. It must abide by the laws and rules that any other business would be subject to that is located near a residential area I was shocked to see what the residents on the southwest side of the hill are being subjected to by the extreme traffic problem.

If you have a chance, would you please forward information as to the URL of the San Jose website where I can view any documents related to this (and other) Valley Christian Schools proposals? If you have any questions or comments, please do not hesitate to call or write me.

Respectfully submitted,

Peter S. Grabosky
4494 Del Rey Avenue
San Jose, CA 95111
(408) 227-8172 (office)



Memorandum

TO: PLANNING COMMISSION

FROM: Stephen M. Haase

SUBJECT: SEE BELOW

DATE: March 19, 2003

COUNCIL DISTRICT: 2

SUBJECT: ORDER TO SHOW CAUSE FOR PLANNED DEVELOPMENT PERMIT FILE NO. PD 98-016, PDA 98-016-01, PDA 98-016-02, PDA 98-016-03, PDA 98-016-04, PD 99-022 & PD 99-030 LOCATED AT THE EASTERLY OF SKYWAY DRIVE, EASTERLY OF MONTEREY HIGHWAY.

BACKGROUND

Land Use Approvals

In May of 1994, the City Council approved Planned Development Rezoning File No. PDC 89-051 to allow the construction of school facilities for 900 middle and high school students, a 1200 seat church facility (which would also accommodate a 300 student elementary school) and associated site improvements and facilities. The site, or portions thereof, was rezoned in 1999 and again in 2001 to allow additions and modifications to the site. Planned Development Permits and Permit Amendments pursuant to these Zonings approved the details of architecture, site design, landscaping and other mitigations and improvements necessary to implement the project. Following is a brief summary of the Zoning and Permits approved for the site:

- PDC89-051. Approved May 17, 1994, this is the original Planned Development Zoning as described above.
- PD98-016. Approved on July 10, 1998, this Permit served as a master permit implementing the above Zoning, including the church, middle and high school for up to 1200 students and associated facilities.
- PDC99-010. Approved on April 6, 1999, this Planned Development Zoning rezoned approximately 3.4 acres of the existing site and added 6.2 acres to the northeasterly boundary of the site to allow for the construction of a pump house, six tennis courts (with vehicular access from Diamond Heights Drive) and reorientation of the previously approved football stadium slightly to the north. This PD Zoning incorporated the previously approved Planned Development Permit (File No. PD 98-016).
- PDA98-016-01. Approved on May 19, 1999, this Permit Amendment provided details of the softball field, sport courts and reoriented the approved soccer field.

- PD99-022. Approved on June 11, 1999, this Planned Development Permit allowed the construction of a pump house (with access from Diamond Heights Drive) needed to provide adequate fire flow to the site.
- PDA98-016-02. Approved on July 27, 1999, this Permit Amendment reconfigured the building footprint of the church and provided architecture for the church.
- PDA98-16-03. Approved on September 24, 1999, this Permit Amendment provided architecture for the football stadium.
- PD99-030. Approved on October 14, 1999, this Planned Development Permit provided the details for construction of the tennis courts and for the reoriented football field.
- PDA98-16-04. Approved on June 23, 2000, the Permit Amendment allowed the addition of baseball bleachers and other modifications to the approved baseball field.
- PDC00-065. Approved on June 19, 2001, this Planned Development Rezoning originally proposed vehicular access to the school site from Diamond Heights Drive, deletion of a requirement in the original PD Zoning for the operation of two school busses to reduce vehicular trips to the site, the addition of 200 students to the middle and high schools and the addition of new parking lots. As approved by the City Council, the Zoning allowed only the new parking lots and required implementation of a trip reduction program. The requested increase in students and the access via Diamond Heights Drive were not approved.

Following the approval of each of the above Permits, the applicant signed a notarized acceptance form agreeing to comply with all of the conditions of the permit. As construction of the Valley Christian School proceeded and the school began operation, planning and public works staff identified specific permit requirements that had not been implemented. In December of 2001, staff transmitted a list of these outstanding improvements to the School via email (see attached). Subsequent discussions regarding the permit requirements did not resolve the compliance issues; consequently, on December 19, 2002, the Director of Planning issued a Notice of Noncompliance to Valley Christian School providing a deadline of January 16, 2003 for bringing the site into conformance with the approved permits. On February 28, 2003, the Director issued a second Notice of Noncompliance (see attached) to both Valley Christian School and an additional property owner, South Valley Christian Church, providing a deadline of March 10, 2003 for complying with the prior permits.

The South Valley Christian Church has not constructed the church facility approved for the site; however, the church is an applicant whose property is addressed in the permits and, consequently, shares the responsibility for compliance. The site was not brought into compliance by the specified date, and on March 10, 2003, the Director issued an Order to Show Cause (see attached) setting a public hearing to allow the Commission to consider the outstanding compliance issues. Title 20 of the San Jose Municipal Code sets forth the Notice of Noncompliance/Order to Show Cause procedure and gives the Commission the authority to revoke, revise or suspend a Permit through the Order to Show Cause process where the Notice of Noncompliance has not resulted in timely compliance.

Pending Land Use Approvals

Following are the pending land use applications for the subject site:

- PD02-057. This application proposes to implement the additional parking lots approved through PDC 00-065. The PD Zoning required that the School implement a Trip Reduction Program and achieve a 15% reduction in peak hour vehicle trips prior to issuance of a PD Permit. The School has implemented the required trip reduction program but has not yet provided a monitoring report verifying a 15% reduction in peak hour vehicle trips.
- PDC02-063. This rezoning application proposes the addition of stadium lights to the football field. The approved PD Zoning currently on the site specifically disallows such lights. This zoning application is anticipated be heard by the Planning Commission and City Council later this Spring, following resolution of the outstanding compliance issues.

Correspondence

Correspondence received regarding this compliance issue includes a memorandum from Chuck Reed dated January 10, 2003 addressing compliance issues related to Diamond Heights Drive; a letter dated January 16, 2003 from Claude Fletcher, Chancellor of Valley Christian Schools, responding to each of the issues raised in the original Notice of Noncompliance; a letter dated March 10, 2003 from Kirsten M. Powell, representing South Valley Christian Church and a letter dated March 6 from Kent Mitchell, representing Mario Ambra (see attached).

ANALYSIS

Following is a brief analysis of the outstanding permit requirements and recommendations for bringing the site into conformance with the relevant permits.

1. Improvements to Diamond Heights Drive.

Diamond Heights Drive extends in a southerly direction from Senter Road along the easterly boundary of the project site until it connects to a driveway on the school site. The roadway exists as a public street to a point just southerly of the existing entrance to the tennis court parking lot (see attached assessor parcel map and aerial photograph). Beyond this point, the road extends as a private drive on the Ambra property (with an access easement benefiting the Valley Christian property) to the point where it enters the Valley Christian site.

Permit Requirements

The 1999 rezoning to expand the site for the tennis courts and pump house (File No. PDC99-010) included General Development Plan conditions that specified the requirement for emergency access from Senter Road to the Valley Christian School Campus via Diamond Heights Drive, and that improvements to Diamond Heights Drive (including curb, gutter, pavement and drainage improvements) are required to the satisfaction of the Director of Public Works. The PD Permit approved pursuant to this Zoning (File No. PD 99-030) included the same General Development Plan Conditions and a specific permit condition regarding the improvements. This condition required the installation of

temporary pavement on Diamond Heights Drive to the tennis court parking lot and further specified that if Diamond Height Drive were not vacated within two years of approval of the permit, the applicant would need to improve a 30-foot half street along the Diamond Heights frontage to the satisfaction of the Director of Public Works.

Compliance Status

Over two years have elapsed since the Permit was approved. Diamond Heights Drive has not been improved and the public street has not been vacated. The roadway is now in such poor condition that the City's Environmental Services Department inspection staff recently contacted the Department of Public Works with concern that storm water running off the hill and across the badly-eroded street surface was resulting in impacts on storm water quality (see attached photograph). In response, the Department of Public Works has cashed a bond posted by the applicant to ensure the construction of a portion of the public street improvements (between Senter Road and the pump house driveway) and has requested that the Department of Transportation proceed to construct the improvements (see attached memorandum from Department of Public Works Director Katy Allen to Department of Transportation Director Jim Helmer, dated March 12, 2003). This will resolve the issue for the public street segment between Senter Road and the pump house driveway; however, the condition of the public street between the pump house driveway and the tennis court driveway remains a concern, as does the private segment of the roadway extending uphill beyond the tennis courts. The Fire Department has indicated that the street is in such poor condition that they would not attempt to use it for emergency access to the Valley Christian School site. The approved Zoning and Permit do not specifically require improvement or maintenance of the private portion of Diamond Heights Drive; however, without adequate maintenance of the roadway, the applicant is not in conformance with the Zoning and Permit requirement to provide emergency access between the site and Senter Road via Diamond Heights Drive.

Recommended Action

Staff recommends that the Planning Commission revoke and reissue Planned Development Permit File No. PD99-030 with the following new conditions:

Schedule for Public Street Improvements to Diamond Heights Drive. Within 90 days of approval of this revised Permit, the applicant shall complete the permanent improvements required in Condition No. 14(a) for the segment of Diamond Heights Drive between the pump house driveway and the southerly terminus of the public street to the satisfaction of the Director of Public Works.

Emergency Access on Diamond Heights Drive. Within 90 days of approval of this revised Permit, the applicant shall improve and maintain the private portion of Diamond Heights Drive in a condition that will allow its use by emergency access vehicles to the satisfaction of the Director of Planning and the Fire Chief.

2. Temporary Storage Containers

A number of storage containers have been placed on the subject site without benefit of permit approval. Some of the containers are located in areas where the approved permits

and the tennis courts. The neighboring property owner has installed an unpermitted gate-across the private portion of Diamond Heights Drive to prevent vehicles from gaining access to the campus via this access. Code Enforcement staff is dealing with this compliance issue.

Recommended Action

Staff recommends that the Planning Commission revoke and reissue Planned Development Permit File No. PD 99-030 and include the following new condition in the reissued Permit:

Fence, Gate and Pedestrian Pathway Compliance Schedule. Within 90 days of approval of the reissued Permit, the applicant shall implement fencing with gates, an "emergency access only" gate and a pedestrian pathway between the main campus and the tennis courts in conformance with the requirements of this Permit to the satisfaction of the Director of Planning.

4. **Landscaping**

Planned Development Permit File Nos. PD98-016 (as amended), PD99-022 and PD99-030 include landscape plans that provide for extensive site landscaping. This landscaping was identified in the Environmental Impact Report and subsequent environmental analysis as mitigation for the potentially significant visual impacts associated with the site grading and construction of retaining walls. Landscaping shown on the approved plans has not been installed in many areas of the project site.

Recommended Action

Staff recommends that the Commission revoke and reissue Planned Development Permits File Nos. PD 98-016 (as amended), PD 99-022 and PD99-030 and include the following new condition in the reissued Permits:

Schedule for Installation of Landscaping. Within 90 days of approval of this reissued Permit, the applicant shall install all landscaping and irrigation in conformance with the approved plans to the satisfaction of the Director of Planning.

5. **Trail**

During the original rezoning process, neighbors of the project site requested that an informal trail linking the existing residential neighborhood located to the south of the subject site from the end of Skyway Drive to Dana Rock Park be maintained as a permanent trail. Although a narrow strip of an intervening residential parcel prevented a direct link to the Park, the applicant showed the trail through the project site on the project plans for PD98-016 and subsequent Permit Amendments. The permit included a condition (Condition No. 29) requiring the applicant to implement and maintain a pedestrian path from the westerly terminus of Skyview Drive to the southerly property line in conformance with the project plans. Although a visible path exists along the hillside, it is very narrow and has not been improved or maintained. Improvement and maintenance of this trail is in keeping with commitments made to the neighborhood during the approval process for this project. If in the future, development of the adjacent property permanently eliminates the

possibility of a link to the Park, it may be appropriate to eliminate the requirement for maintenance of the trail.

Recommended Action

Staff recommends that the Commission revoke and reissue Planned Development Permit File No. PD98-016 (as amended) and include the following condition in the reissued Permit:

Schedule for Trail Implementation. Within 90 days of approval of this reissued Permit, the applicant shall make improvements to widen and smooth the surface of the existing trail to ensure that it remains accessible to neighborhood residents to the satisfaction of the Director of Planning.

Conclusion

A number of the outstanding compliance issues for this project have been brought to the applicant's attention repeatedly over a period of months. These efforts have not resulted in compliance. The relevant Zonings and Permits for this site were reviewed and approved by the Planning Commission, the City Council and the Director of Planning based on the combination of the site plan and improvements proposed by the applicant and the conditions prepared by staff. The applicant has had ample opportunity through the land use approval process to file an appeal of the requirements of the approved Permits, or to refuse to accept them, and has had ample time since these compliance issues were first raised to seek to file applications to amend the requirements. At this time, staff believes that the applicant should bring the site into compliance with the approved PD Zonings and associated Permits in conformance with the schedule outlined in the proposed new permit conditions.

RECOMMENDATION

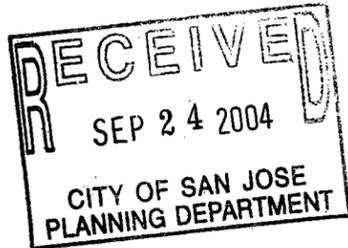
Staff recommends that the Planning Commission revoke and reissue the following Planned Development Permits File Nos. PD98-016 (as amended), PD99-022 and PD99-030 with the additional conditions identified above and included in the attached Draft Permits.

STEPHEN M. HAASE, AICP, DIRECTOR
Planning, Building and Code Enforcement

- c: Valley Christian School, ATTN: Claude Fletcher, Chancellor, P.O. Box 18820, SJ 95158
South Valley Christian Church, 590 Shawnee Lane, SJ, CA 95123
Gerry DeYoung, Ruth & Going, P.O. Box 26460, San Jose, CA 95159-6460



Planned Development Rezoning VALLEY CHRISTIAN SCHOOLS & SOUTH VALLEY CHRISTIAN CHURCH



GENERAL DEVELOPMENT PLAN EXHIBIT - C

SITE DESCRIPTION

EXISTING ZONING:	A(PD) (FILE # PDC 00-08-065)
PROPOSED ZONING:	A(PD)
EXISTING GENERAL PLAN:	LOW DENSITY RESIDENTIAL (2.0 DU/AC)
APN:	684-5-7, 10, 15, 16, 18, 19, 20 & 21

STATEMENTS & TABLES

GROSS & NET ACRES:	52.68 ACRES	100.00%
BUILDING COVERAGE:	174,450 SQ. FT.	7.60%
FIELDS AND PLAY AREAS:	192,160 SQ. FT.	21.45%
NEW USE AREAS:	101,984 SQ. FT.	4.45%
S.C.V.W.D. AREAS:	76,595 SQ. FT.	3.35%
PAVED AREAS:	427,096 SQ. FT.	18.60%
OPEN SPACE/LANDSCAPED AREAS:	1,022,455 SQ. FT.	44.55%

PARKING

TOTAL PARKING SPACES REQUIRED:	512
CHURCH	
1200 SEATS	300
SCHOOL	
126 EMPLOYEES	126
600 HIGH SCHOOL STUDENTS	86
TOTAL PARKING SPACES PROVIDED:	535



LOCATION MAP
N.T.S.

PLAN SET REVISIONS

No.	Date	Description
1	7/26/2002	Initial Submittal
2	9/24/2004	Final Submittal
3		
4		
5		

CONSULTANTS

PLANNING:	RUTH & GOING, INC.
ENGINEERING:	RUTH & GOING, INC.
SCHOOL ARCHITECT:	THE HAGMAN GROUP
CHURCH ARCHITECT:	DELGATTY ARCHITECTS
LANDSCAPE ARCHITECT:	RUTH & GOING, INC.

TABLE OF CONTENTS

SHEET	DESCRIPTION
1	COVER SHEET
2	LAND USE PLAN
3	DEVELOPMENT STANDARDS / MITIGATION NOTES
4	MITIGATION NOTES (Cont.)
5	SITE PLAN

REZONING DESCRIPTION / PRIOR APPROVALS

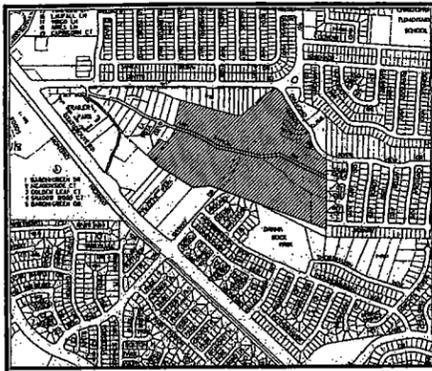
THE PURPOSE FOR THIS REZONING IS TO "AMEND" THE EXISTING ZONINGS TO ADD LIGHTING OF THE FOOTBALL FIELD AND TO ADD NEW USE AREAS TO THE EXISTING SCHOOL CAMPUS.

PRIOR ZONINGS: PDC 99-02-010 and PDC 89-04-51

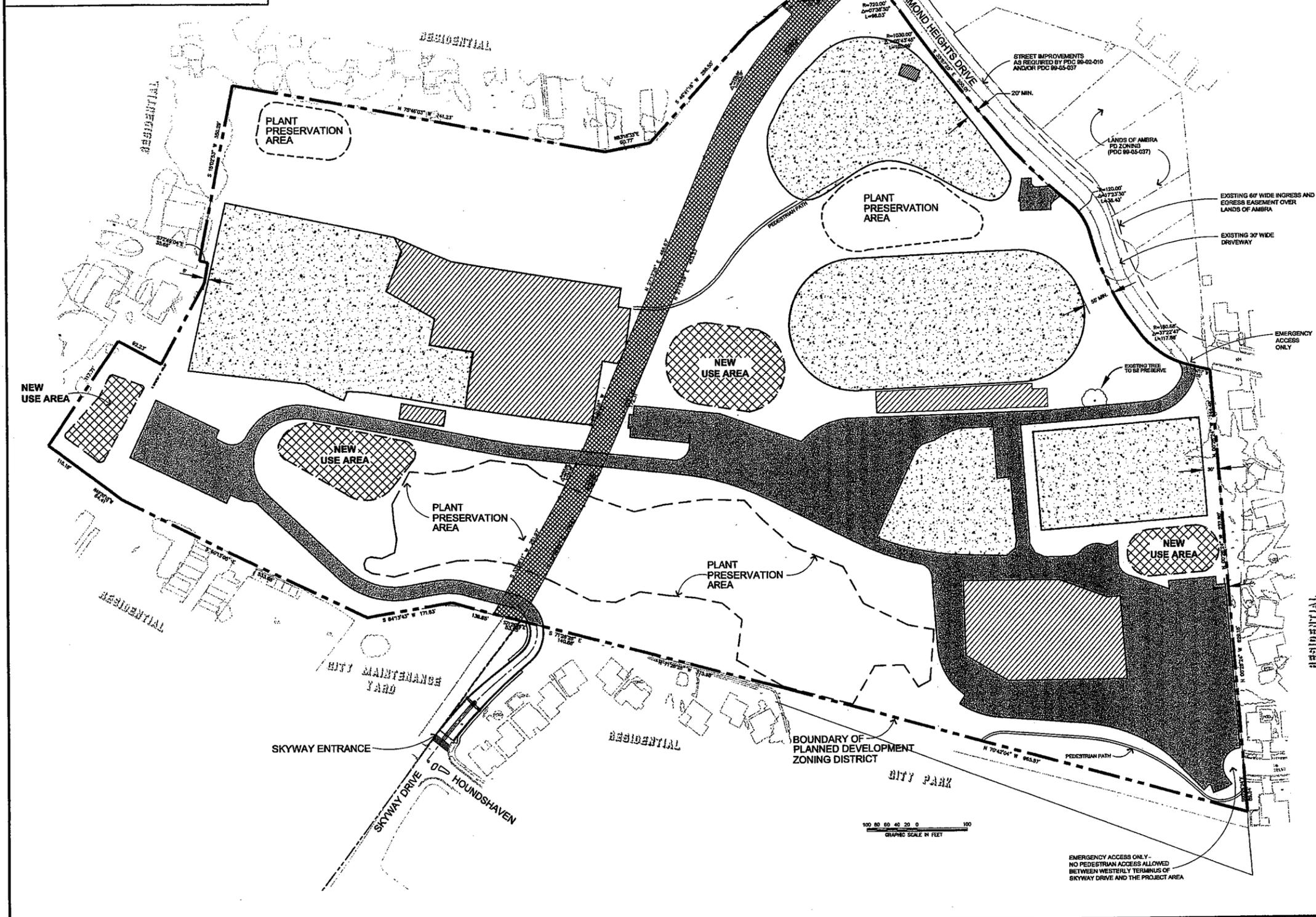
ALL PLANNED DEVELOPMENT PERMITS PREVIOUSLY ISSUED FOR THE PROPERTY, WHETHER VESTED OR NOT, SHALL REMAIN IN FULL FORCE AND EFFECT. THESE PERMITS INCLUDE THE FOLLOWING:

PD 98-03-016	PDA 98-03-016	PD 99-05-030
PDA 98-01-016	PDA 98-04-016	
PDA 98-02-016	PD 99-04-022	

FILE NUMBER: PDC# 02-063



LOCATION MAP



EMERGENCY ACCESS ONLY - NO PEDESTRIAN ACCESS ALLOWED BETWEEN WESTERLY TERMINUS OF SKYWAY DRIVE AND THE PROJECT AREA

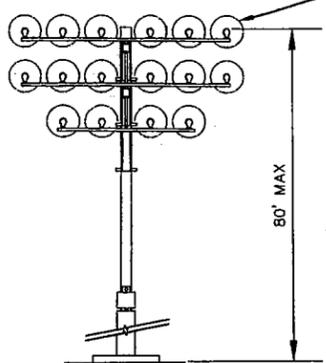
LAND USE TABLE				City Staff Comments	Revised	Date	By
SYMB.	USE	SQ. FT.	%				
[Pattern]	BUILDINGS	174,450	7.60	0/0/02	9/24/04		
[Pattern]	PLAY FIELDS	192,160	21.45				
[Pattern]	NEW USE AREAS	101,984	4.45				
[Pattern]	SCVWD	76,595	3.35				
[Pattern]	CIRCULATION	427,096	18.60				
[Pattern]	OPEN SPACE/ LANDSCAPING	1,022,455	44.55				
[Pattern]	TOTAL	2,294,740	100.0				

PROJECT INFORMATION	
PROJECT DESCRIPTION	<p>The proposed project includes a private school for elementary, junior high, and high school students. The campus incorporates educational buildings and sports facilities including but not limited to a football field and track, baseball field, softball field, tennis courts, gymnasium, parking facilities and a small maintenance area (for storage of materials and equipment only).</p> <p>There are also areas designated as a "new use area". Allowable uses within these areas shall be limited to parking facilities, hardcourts associated with athletic activities or open space use. The final design of these areas (including the determination of the specific use) shall be subject to review and approval by the Directors of Planning and Public Works at the PD Permit Stage.</p> <p>The school would accommodate approximately 1,200 students in grades K through 12. School staff would consist of approximately 126 employees. Regular school hours would be conducted between approximately 8 AM and 3 PM, Monday through Friday.</p> <p>The project also includes the construction of a church. The proposed church would be located on the southeastern portion of the property. The church building would be two to three stories in height, and contain a sanctuary, classrooms, social hall, offices, and a kitchen. The church would also provide a day care center during the week for approximately 100 children.</p> <p>A Santa Clara Valley Water District (SCVWD) pipeline presently crosses the project site from north-south. The project has been designed to locate all buildings outside of this easement.</p>
ACTIVITIES AND EVENTS	<p>A variety of activities and events would take place at the proposed school and church. Extracurricular activities at the proposed school would include sporting events and musical/theater presentations, as well as occasional meetings, open houses, and other student or faculty events. Other short term uses such as carnivals, fairs, circuses, amusement rides may be conducted to raise funds for normal school and church activities.</p> <p>The swim center at the school may be utilized by community organizations for swim meets and practices. Daily swim practices would occur between 5:30 - 8 AM and 3 - 7:30 PM on weekdays, and swim meets would occur between 7 - 10 AM on Saturdays. Swim meets would attract between 200 - 600 attendees. The swim center may also be used for recreational swimming by non-students during evening and weekend hours, and during the summer if such a program is adopted.</p> <p>Approximately five football games would take place at the school per year, drawing up to 2,000 - 3,000 persons per game. The school would also host 10 - 12 baseball games per year in the school's gym, which would have a capacity of 1,000 seats. In addition, music and theater presentations, which are expected to draw about 400 persons, would be conducted in the proposed auditorium. The auditorium is proposed to contain 700 seats. The school would also host several minor sporting events, including boys' baseball, girls' softball, and soccer games. These events would have a small turnout of about 30 persons.</p> <p>The church would hold three services on Sunday mornings as well as Sunday school, accommodating an estimated total of 1,500 persons. The church would host several other events, including evening bible studies, sports events, dinners, and meetings. During the week, the church would provide a day care center for approximately 100 children.</p> <p>Hours of operation of the maintenance area shall be limited to between 8:00 AM - 5:00 PM on weekdays and 9:00 AM - 5:00 PM on Saturdays.</p>
MINIMUM SETBACK REQUIREMENTS	<p>BUILDINGS: 25 FEET PARKING LOTS: 5 FEET PLAYFIELDS: 25 FEET EXCEPT AS NOTED ON PLAN</p>
MINIMUM PARKING PROVIDED:	635 SPACES
REZONING DESCRIPTION / PRIOR APPROVALS	<p>THE PURPOSE OF THIS REZONING IS TO "AMEND" THE EXISTING ZONINGS TO PROVIDE FOR LIGHTING OF THE FOOTBALL FIELD.</p> <p>PRIOR ZONINGS: PDC89-02-010 and PDC89-04-051</p> <p>ALL PLANNED DEVELOPMENT PERMITS PREVIOUSLY ISSUED FOR THE PROPERTY, WHETHER VESTED OR NOT, SHALL REMAIN IN FULL FORCE AND EFFECT. THESE PERMITS INCLUDE THE FOLLOWING:</p>
	<p>PD 98-03-016 PDA 98-03-016 PD 99-05-030 PDA 98-01-016 PDA 98-04-016 PDA 98-02-016 PD 99-04-022</p>

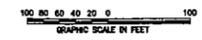
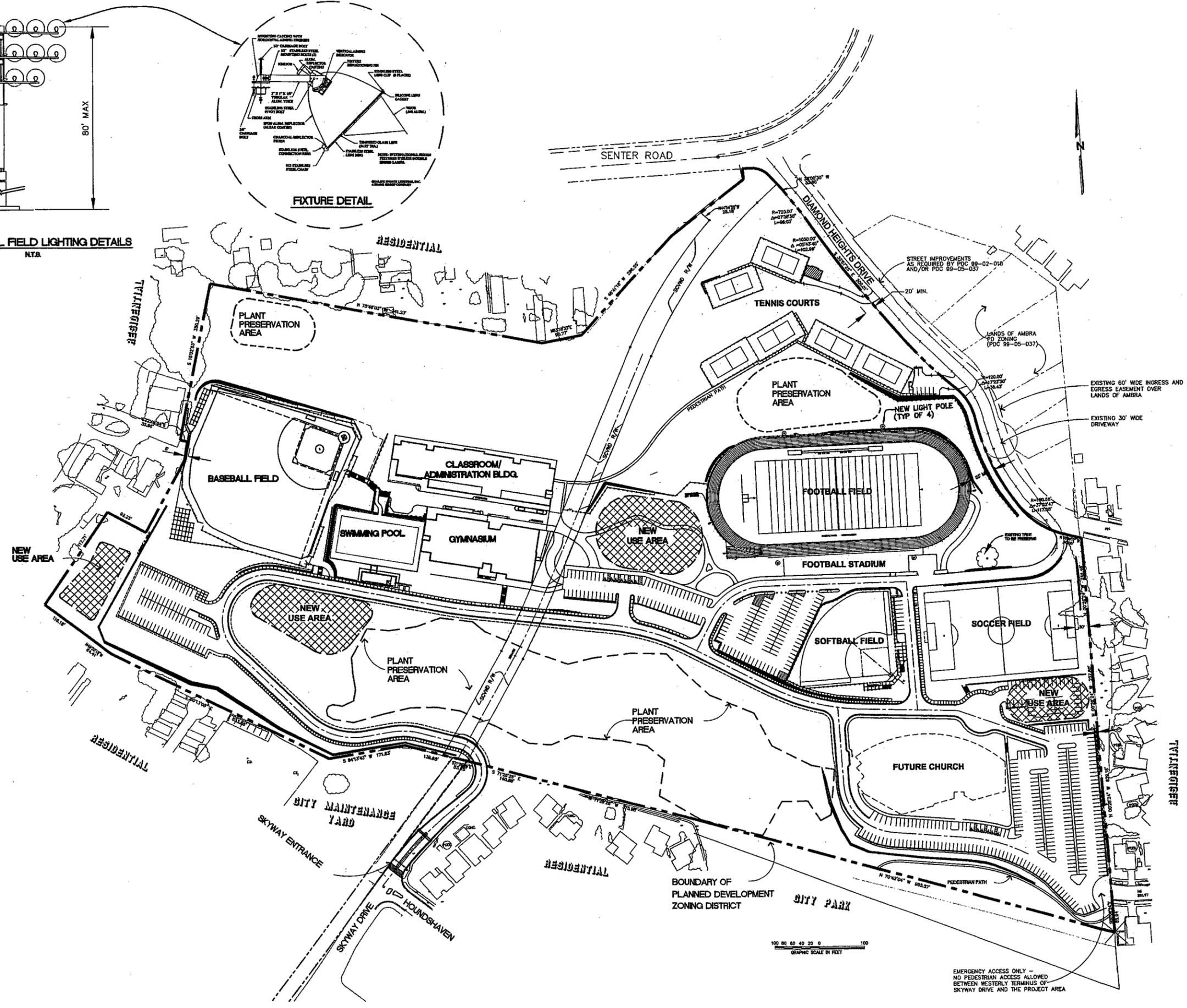
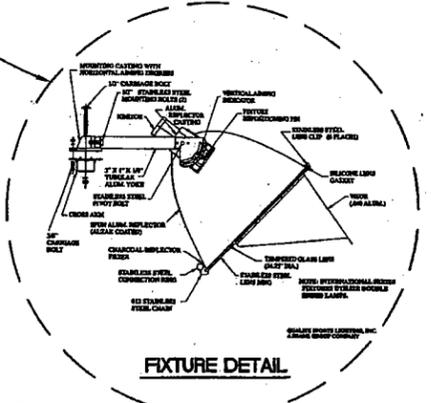
GENERAL DEVELOPMENT PLAN EXHIBIT - C	
LAND USE PLAN	<p>RUTH AND GOING, INC. Civil Engineering Land Surveying 2216 THE ALJAMBA SANTA CLARA, CA. 95050 TEL. (408) 238-2400 FAX. (408)238-2410</p> <p>R+G</p>
VALLEY CHRISTIAN SCHOOLS / VALLEY CHRISTIAN CHURCH	

Scale: 1" = 100'
Date: 0/00/2002
2 of 5 Sheets
Job No. 17494z
Drawing EXHIBIT-C.DWG

NOTICE: Construction activities shall be in accordance with approved construction permits. The contractor shall be responsible for obtaining all necessary permits and approvals. The contractor shall be responsible for obtaining all necessary permits and approvals. The contractor shall be responsible for obtaining all necessary permits and approvals.



FOOTBALL FIELD LIGHTING DETAILS
N.T.S.



EMERGENCY ACCESS ONLY -
NO PEDESTRIAN ACCESS ALLOWED
BETWEEN WESTERLY TERMINUS OF
SKYWAY DRIVE AND THE PROJECT AREA

GENERAL DEVELOPMENT PLAN EXHIBIT - C		Designed _____ Drawn _____ Checked _____	Mark _____ Date _____ Revisions _____
		Copyright 2000 Ruth and Going, Inc. All Rights Reserved	
SITE PLAN	VALLEY CHRISTIAN SCHOOLS / VALLEY CHRISTIAN CHURCH		
Scale : 1" = 100' Date : 0/0/2002		5 of 5 Sheets	
Job No. 17494z Drawing SITE.DWG		R+G RUTH AND GOING, INC. Civil Engineering Land Surveying 2218 THE ALAMEDA SANTA ALBA, CA. 95050 TEL. (408) 238-2400 FAX (408)238-2410	

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