



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Joseph Horwedel

SUBJECT: SEE BELOW

DATE: October 16, 2006

Approved

Date

10/31/06

COUNCIL DISTRICT: 2
SNI AREA: NA

SUBJECT: GP05-02-05. GENERAL PLAN AMENDMENT REQUEST TO CHANGE THE LAND USE/TRANSPORTATION DIAGRAM FROM VERY LOW DENSITY RESIDENTIAL (2 DWELLING UNITS PER ACRE) ON 4.84 ACRES TO MEDIUM DENSITY RESIDENTIAL (8-16 DWELLING UNITS PER ACRE) ON 3.48 ACRES AND PRIVATE OPEN SAPCE ON 1.36 ACRES ON A SITE LOCATED AT THE SOUTHEASTERLY PORTION OF VALLEY CHRISTIAN SCHOOL CAMPUS, 210 FEET WESTERLY OF DEL REY AVENUE (100 SKYWAY DR).

RECOMMENDATION

The Planning Commission voted 6-1-0 (Commissioner Zito, opposed) to recommend approval of staff recommendation to change the General Plan Land Use/Transportation Diagram designation from Very Low Density Residential (2 Dwelling Units Per Acre) to Public/Quasi-Public on the 4.84-acre site located at the southeasterly portion of Valley Christian School campus, 210 feet westerly of Del Rey Avenue (100 Skyway Dr).

OUTCOME

If the City Council were to approve the General Plan amendment to change the Land Use/Transportation Diagram designations from Very Low Density Residential (2 DU/AC) to Public/Quasi-Public, as recommended by the Planning Commission and the Director of Planning, the General Plan Land Use Diagram designation would conform to the current uses of the Planned Development Zoning district on the 4.84-acre site.

BACKGROUND

On October 25, 2006, the Planning Commission held a public hearing to consider the proposed General Plan Amendment to change the Land Use/Transportation Diagram designation from Very

Low Density Residential (2 DU/AC) to Medium Density Residential (8-16 DU/AC) on 3.48-acres and Private Open Space on 1.36-acres. The Director of Planning, Building and Code Enforcement recommended changing the Land Use/Transportation Diagram designation from Very Low Density Residential (2 DU/AC) to Public/Quasi-Public on the 4.84-acre site.

The applicant, Mike Nauman, referenced his letter submitted to the Commission the day prior (see attached), requesting to defer this item to the February, 2007 General Plan Hearing, stating that the attorney representing the applicant was unable to participate in the hearing or be involved in the near future due to the birth of her baby. He stated that the attorney was necessary to address legal issues concerning the joint agreements between the Valley Christian School and South Valley Christian Church. Robert Miller, a resident, of the adjacent neighborhood, spoke in opposition to the deferral, indicating that the neighborhood needed a conclusion to this project and that all the necessary steps had been taken into consideration and they were ready for a recommendation. Similarly, Claude Fletcher, representing Valley Christian Schools spoke in opposition to the deferral, stating that the legal issues between the school and the church would not affect the land use decision before the Commission. Commissioner Zito made a motion to hear the item, as agendaized, stating that the Commission could then decide whether to continue the item after hearing public testimony. Commissioner Campos stated that he would support the motion to defer the item if the applicant was not ready. Motion to hear the item carried 4-1-2 (Campos, no; Platten, Pham, absent).

Planning Commission opened the General Plan Public Hearing. Planning staff highlighted information contained in a supplemental memo distributed to the Commission the afternoon of the hearing (see attached). These comments included the following: 1) correction of an incorrect Planned Development Zoning File number reference in the staff report, 2) response to comments to the Initial Study/Mitigated Negative Declaration made by the Santa Clara Valley Water District clarifying that there are no habitat preservation areas proposed at this time and that the ones required as mitigation measures for the construction of Valley Christian School and South Valley Christian Church Planned Development were completed; and 3) the request made by the applicant to defer this item to the February 2007 General Plan hearing cycle.

The Commission then opened the floor for public testimony.

The applicant, Mike Nauman spoke in favor of deferring the item to a future Planning Commission hearing in February, 2007. He acknowledged that the church has worked to maintain good relations with the neighborhood and the school and they want to continue to do that. However, the church leadership has decided that they cannot afford to construct the proposed church, as approved in the Planned Development Zoning and, consequently, have decided to sell the property for residential development. Ray Hashimoto, consultant, expressed his concerns with the staff recommendation and submitted a letter (attached) indicating that the property would be devalued if staff recommendation is approved.

Claude Fletcher, Valley Christian School Chancellor, confirmed the disagreements between the school and the church regarding the joint use of the facilities on the site and that there were no outstanding legal issues between them. He also mentioned that Mr. Nauman's attorney has never been present in any of the meetings and her concerns do not affect any land use decision. He also expressed that they have made promises to the neighbors to control activities on the school campus to preserve the neighborhood quality of life. His concern is that the residents in the proposed new

housing would be impacted by the regular activities of the school, such as band practices on the nearby fields, noise from athletic activities, etc.

Commissioner Zito mentioned that he had visited the site and met with Claude Fletcher and asked how long the joint agreement is effective. Mr. Fletcher responded that the agreement runs with the land and it is effective in perpetuity. Mr. Fletcher also indicated that the joint agreement is a private matter between the school and the church, that this proposal has been on file for more than one year and that they needed closure.

Commissioner Kamkar asked if Mr. Fletcher knew the amount of new trips that this development was going to generate. Mr. Fletcher mentioned that he has heard it was going to be more than 700.

Robert Miller, resident on Skyway Drive, stated three issues, 1) He was representing a vast majority of residents that were not able to attend the meeting, 2) he is passionate about this neighborhood and likes living there because it is safe, diverse and people care for each other, and 3) he understands that there is a process that should be followed and he expects to live with hope that staff is going to keep things the way they are now and not fear of future development.

Edin and Olga Lopez, residents living on Skyway Drive adjacent to the school property expressed that they have enjoyed living in the area and that so far the school has been a good neighbor. They said that the school and the church promised that things were not going to change. Their major concern is future traffic increases, because people use Skyway Drive, thinking it is a through street.

Albert Guerrero and Martha Zepeda, neighborhood residents, were concerned about potential impacts from traffic, safety, and the one point of ingress and egress to the site.

Wilbert Clark, resident, supported the staff recommendation for Public/Quasi-Public.

Applicant, Mike Nauman stated that the future residential development was projected to generate 262 daily vehicle trips. He also indicated that the Negative Declaration was not protested and that he thinks that there are legal issues that need to be addressed before he can thoroughly present the applicant's position.

Ray Hashimoto, consultant, indicated that staff recommendation to designate the property Public/Quasi-Public would devalue the land. The City Attorney responded that the City's land use decisions can have the effect of lowering property values but that the staff proposal would still leave the property an economically viable use of the property.

Commissioner Kalra expressed his concern about the heavy morning traffic on Skyway Drive entering and exiting the school property.

Commissioner Zito asked staff why their recommendation was Public/Quasi-Public instead of denial. Staff responded the intent is to bring the General Plan into conformance with the approved PD Zoning and to preserve the existing and approved public/quasi-public uses.

Commissioner Kalra made a motion to approve staff recommendation.

Commissioner Zito stated he was not comfortable with the motion, that he wants to hear more discussion or alternatives to make a better recommendation.

Commissioner Campos expressed concern that the applicant had not had "due process", since their attorney could not be present. The City Attorney explained that the applicant has had the benefit of the full process, including being duly notified of the hearing, that he was present, along with his consultant and had participated fully in the hearing.

Commissioner Kalra's motion was seconded and passed 6-1-0 (Commissioner Zito, opposed) to make a recommendation to the City Council to approve staff recommendation.

ANALYSIS

The proposed General Plan amendment, if approved, would be consistent with the existing Planned Development Zoning District. Several General Plan policies, as described in the staff report, support staff's recommendation. The proposed Public/Quasi-Public designation would facilitate preserving the original joint use plan for public or quasi-public uses on the property and avoid introducing new residential development onto the property.

POLICY ALTERNATIVES

Not Applicable.

PUBLIC OUTREACH/INTEREST

- Criteria 1:** Requires Council action on the use of public funds equal to \$1 million or greater. **(Required: Website Posting)**
- Criteria 2:** Adoption of a new or revised policy that may have implications for public health, safety, quality of life, or financial/economic vitality of the City. **(Required: E-mail and Website Posting)**
- Criteria 3:** Consideration of proposed changes to service delivery, programs, staffing that may have impacts to community services and have been identified by staff, Council or a Community group that requires special outreach. **(Required: E-mail, Website Posting, Community Meetings, Notice in appropriate newspapers)**

Although this item does not meet any of the above criteria, staff followed Council Policy 6-30: Public Outreach Policy. The property owners and occupants within a 1,000-foot radius of the subject site were sent a newsletter regarding two community meetings that were held on December 20, 2005 and January 18, 2006. They also received notices by mail regarding the public hearings with the Planning Commission and City Council. On-site noticing, information on the City's website, and correspondence between staff and community members also occurred.

HONORABLE MAYOR AND CITY COUNCIL

October 27, 2006

Subject: GP05-02-05

Page # 5

State of California Tribal Consultation Guidelines:

This General Plan amendment request is subject to the State of California Tribal Consultation Guidelines and was referred to Tribal Representatives in January 2006. As of October 25, 2006, Planning staff has not received any comments on the proposed General Plan amendment from Tribal Representatives.

COORDINATION

The review of this General Plan amendment request was coordinated with the San Jose Department of Public Works, Fire Department, Department of Transportation, and the Santa Clara Valley Transit Authority.

COST SUMMARY/IMPLICATIONS

Not Applicable

BUDGET REFERENCE

Not Applicable

CEQA

Environmental clearance for the proposed General Plan amendment was completed with an Addendum to the Environmental Impact Report for the "Valley Christian School and South Valley Christian Church," File No. PDC98-051.

CEQA: Addendum to EIR


JOSEPH HORWEDEL, ACTING DIRECTOR
Planning, Building and Code Enforcement

For questions please contact Stan Ketchum, Principal Planner, at (408) 535-7876



Memorandum

TO: PLANNING COMMISSION

FROM: Stan Ketchum

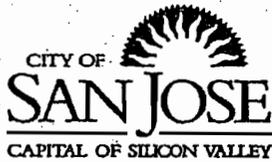
SUBJECT: SEE BELOW

DATE: October 25, 2006

SUPPLEMENTAL MEMO

SUBJECT: SUPPLEMENTAL INFORMATION RECEIVED AFTER DISTRIBUTION OF THE STAFF REPORT FOR GP05-02-05, A GENERAL PLAN AMENDMENT REQUEST TO CHANGE THE LAND USE/TRANSPORTATION DIAGRAM DESIGNATION FROM VERY LOW DENSITY RESIDENTIAL (2 DU/AC) TO MEDIUM DENSITY RESIDENTIAL (8-16 DU/AC) ON 3.48-ACRES AND PRIVATE OPEN SPACE ON A 1.36-ACRES ON PROPERTY LOCATED AT THE SOUTHEASTERLY PORTION OF VALLEY CHRISTIAN SCHOOL CAMPUS, 210 FEET WESTERLY OF DEL REY AVENUE.

1. The original staff report provided to the Planning Commission provides analysis for the General Plan amendment request, File No. GP05-02-05 and references in the Staff Recommendation section an incorrect Planned Development Zoning File No. PDC02-063. The correct reference file is PDC89-051.
2. The Santa Clara Valley Water District submitted comments to the Mitigated Negative Declaration (see attached letter). They asked if the work for the preservation areas, as described on Page 21 of the Initial Study, have been completed. The preservation areas were part of the mitigation measures implemented as a part of Planned Development Zoning File No. PDC89-051, for development of the Valley Christian School and South Valley Christian Church. No new preservation areas are required or proposed at this time.
3. HMH Engineers, on behalf of the applicant, submitted a letter on October 24, 2006 requesting deferral of this General Plan amendment to the February, 2007 General Plan hearing (see attached letter). Should the Planning Commission wish to defer the amendment, Planning Staff would recommend deferral to the November 13, 2006 hearing. Due to the last minute nature of the request, should the Commission support a deferral, the Commission



Department of Planning, Building and Code Enforcement
JOSEPH HORWEDEL, ACTING DIRECTOR

October 23, 2006

Theo Hipol
Associate Civil Engineer
Santa Clara Valley Water District
5750 Almaden Expressway
San Jose, CA 95118

RE: Response to comments to Initial Study/Mitigated Negative Declaration - File No. GP05-02-05

Dear Theo:

Thanks for your comments on the Initial Study/Mitigated Negative Declaration for File No. GP05-02-05. Planning staff received the electronic mail that you sent on October 16, 2006. Your comments regarding the above mentioned project were as follows:

Comment:

1. On page 21 of the Initial Study, it is mentioned that "Dudleya were relocated and two plant preservation areas were established." Please clarify if this area having been established has actually had its work completed, or if it still proposed to be completed.

It is not shown on your Figure 4 on page 22, but the District has fee in which the 60-inch Snell Pipeline is located, which crosses across the larger plant preservation area located on the south side of the school.

Response:

Based on our phone conversation Planning staff wants to reaffirm that the existing translocation and plant preservation areas on and adjacent to the project site (shown on Figure 4 of the Initial Study) were completed as mitigation for the existing development on the project site and the adjacent school campus (File No. PDC89-051).

Planning staff is aware that the major concern for the Santa Clara Valley Water District is the Snell Pipeline that crosses the larger plant preservation area located on the south side of the school. At the present moment, no future construction plans are proposed to occur in that area. There is no development project on file at this time, however, the applicant has made clear their intentions to build houses that will occupy the existing students' and guests' parking lot only.



October 24, 2006
Job No. 3412.00

City Planning Commission
City of San Jose
200 East Santa Clara Street
San Jose, CA 95113-1905

Re: *Item 7.a*, GP05-02-05, Portion of Valley Christian School Campus

Dear Chairman Campos and City Planning Commission members:

On behalf of our client, South Valley Christian Church, we would like to request a deferral of the subject General Plan Amendment from the October 25, 2006 Planning Commission Hearing to the Planning Commission Hearing in February of 2007. South Valley Christian Church's lead attorney (from Logan and Powell) had her baby three weeks early and is currently on maternity leave. As a result we have not been able to some of the legal questions that were concerns of our neighbors. In order to avoid requesting another deferral later this year, we request that we move decision on this General Plan Amendment to early next year.

We hope that you can accommodate our request. Please call me at 408-487-2200 is you have any questions.

Sincerely,

HMH ENGINEERS

Ray Hashimoto
Senior Planning Manager

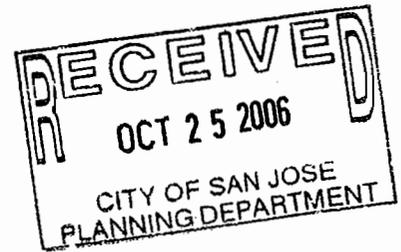
cc: Mike Nauman, South Valley Christian Church
Ben Corrales, Dept. PBCE
Councilmember Forrest Williams

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1570 Oakland Road
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Gilroy, California 95020
408.846.0707 Tel 408.846.0676 Fax



October 25, 2006
Job No. 3412.01



City of San Jose Planning Commission
200 East Santa Clara Street
San Jose, CA 95113

Re: Item 7.a GP05-02-05

Chairman Campos and Commissioners:

This letter is intended to highlight South Valley Christian Church's (SVCC) objection to the Planning Department's recommendation to change the existing Land Use Designation of the subject site from Very Low Density Residential (2 DU/AC) to Public/Quasi Public (P/QP). Although we somewhat understand the City's strategy to align the current use of the property with a General Plan land use designation, it also needs to be acknowledged that a Public/Quasi Public designation certainly devalues SVCC's property and opens the door for other uses to be placed on the property which may be less compatible than medium or low density residential use.

In order for a P/QP designated property to be developed with some other use, including residential, the City must utilize the Alternate Discretionary Use Policy. We think that adding more discretion, more interpretation and inherently less certainty in land use decisions makes the subject property less valuable. We believe that the City, by taking away the 2 DU /AC Land Use Designation SVCC currently has may be akin to a "taking" the property.

We urge the Planning Commission to be cognizant of our current situation, what we are proposing, and the impact of what staff is proposing. SVCC does not want to have the P/QP land use designation on their property.

Very truly yours,

HMH ENGINEERS

Ray Hashimoto
Senior Planning Manager

cc: Mike Nauman, South Valley Christian Church

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October 24, 2006

City Planning Commission
City of San Jose
200 East Santa Clara Street
San Jose, California 95113

RE: Item 7.a – GP 05-02-05

This letter is submitted to present Valley Christian Schools' perspective on proposed General Plan Amendment #GP 05-02-05. The GP Amendment request proposes to change the existing site from church and related use to a residential development.

Valley Christian Schools and South Valley Christian Church are separate entities that jointly submitted and received city approval of plans for a church/school development. The proposed GP Amendment would be inconsistent with the approved zoning that covers both properties.

A residential development on the subject site would be in violation of the terms of recorded and binding contracts that run with the land of both the church and the school. Those contracts require the church and school to build facilities that allow for joint uses for the benefit of both organizations. The approved plans are so thoroughly integrated that neither institution could effectively function without the use of both properties. The school has relied on the church commitment to build a church facility as approved by the city and has designed and built its school facilities in accordance with those binding contracts of joint use. The site is located on a hilltop with virtually every inch of flat space utilized to the maximum. To revise the school design for traffic flow and parking would be virtually impossible.

After reviewing the church proposal, city staff has recommended Land Use on the subject property be designated as Public/Quasi-Public. Valley Christian Schools supports that designation as appropriate for this property and urges the Planning Commission to approve the staff recommendation.

Sincerely,

A handwritten signature in black ink, appearing to read 'Claude C. Fletcher', written over a horizontal line.

Claude C. Fletcher
Chancellor



Department of Planning, Building and Code Enforcement
200 E Santa Clara Street, 3rd Floor
San Jose, CA 95113

Hearing Date/Agenda Number:
P.C. October 25, 2006 Item: *7a*

File Number:
GP05-02-05

Council District and SNI Area:
District 2

Major Thoroughfares Map Number:
115

Assessor's Parcel Number(s):
684-05-019, 020

Project Manager:
Ben Corrales

GENERAL PLAN AMENDMENT STAFF REPORT FALL 2006 HEARING

PROJECT DESCRIPTION:

General Plan amendment request to change the Land Use/Transportation Diagram designation from Very Low Density Residential (2 dwelling units per acre) on 4.84 acres to Medium Density Residential (8-16 dwelling units per acre) on a 3.48-acre portion and Private Open Space on 1.36-acre portion of a 4.84-acre site.

LOCATION: Existing parking lot site located at the southeasterly portion of Valley Christian School campus, 210 feet westerly of Del Rey Avenue.

ACREAGE: 4.84 acres

APPLICANT/OWNER:

South Valley Christian Church

GENERAL PLAN LAND USE / TRANSPORTATION DIAGRAM DESIGNATION:

Existing Designation: Very Low Density Residential (2 DU/AC)

Proposed Designation: Medium Density Residential (8-16 DU/AC) on 3.48 acres, and Private Open Space on 1.36 acres.

ZONING DISTRICT(S):

Existing Designation: A(PD) Planned Development Zoning District.

Proposed Designation: Not applicable

SURROUNDING LAND USES AND GENERAL PLAN DESIGNATION(S):

North: School/Very Low Density Residential (2 dwelling units per acre)

South: Open Space/Public Park and Open Space

East: Residential/Medium Low Density Residential (8 dwelling units per acre)

West: Open Space and Residential/Public Park and Open Space, Medium Low Density Residential (8 dwelling units per acre)

ENVIRONMENTAL REVIEW STATUS:

Mitigated Negative Declaration circulated on September 27, 2006

PLANNING STAFF RECOMMENDATION:

Public/Quasi-Public

Approved by:

Date:

Ben Corrales
Oct. 19, 2006

PLANNING COMMISSION RECOMMENDATION:

CITY COUNCIL ACTION:

CITY DEPARTMENT AND PUBLIC AGENCY COMMENTS RECEIVED:

Memoranda received for the General Plan amendment request:

- San Jose Fire Department, Bureau of Fire Prevention indicated on October 12, 2005 that comments will be provided with subsequent permit applications.
 - Santa Clara Valley Transportation Authority (VTA) provided a memorandum on October 17, 2005 indicating that they did not have comments on the proposed project.
 - The Department of Public Works (DPW) provided a memorandum on October 26, 2005 stating that the subject site is in a Geological Hazard Zone. Additional comments stated that the Right-of-Way dedication for the cul-de-sac located at the end of Skyway Drive will be required to be consistent with the approved public improvements plan 3-08378. DPW also noted that the applicant has not fulfilled Public Works conditions under previously approved Planned Development Permit (PD98-016). Additional development permits should not be approved until these conditions are satisfied.
 - The Department of Transportation (DOT) provided a memorandum on April 18, 2006 stating that this General Plan amendment is exempt from a computer model traffic impact analysis.
-

GENERAL CORRESPONDENCE:

General Correspondence received for the proposed General Plan amendment and attached to this staff report:

- Electronic mail from Peter Grabosky, 4494 Del Rey Avenue on November 20, 2005, asking for clarification on the definition of "Medium Low Density Residential" and asking what land use designation would allow the Church to build on the property, and what impact would this change have on Skyway Drive.
- Message to Neighbors of Valley Christian School received on December 20, 2005 and signed by the South Valley Christian School Chancellor, Claude Fletcher, urging the neighbors to attend the community meeting on January 18, 2006.
- Electronic mail to Councilmember Forrest Williams from local residents Bill and Herta Clark on December 21, 2005 recommending that the site be restricted to institutional use and that the existing and current improved parking facilities remain as they are.
- Electronic mail from local resident Amarali Soto on January 26, 2006, requesting to see the original plan when the school was proposed and built, as well as the new proposed plan with medium density residential development.
- Neighborhood Petition signed by approximately 125 local residents on January 20, 2006 opposing the proposed General Plan amendment.
- Anonymous letter received on January 24, 2006, in which local residents who live on Bolero Drive express their concerns that the proposed project would increase traffic, noise, litter, pollution, speeding, drug activity and gangs.
- Electronic mail from Lyman and J-Mae Taylor on January 30, 2006, requesting not to change the zoning of this property. They express their concern that there is only one way in to the area, and they question the safety in the area, such as exposure to earthquake, fire, and mudslides.
- Letter from South Valley Christian School Chancellor, Claude Fletcher, on February 17, 2006, indicating that the Board of Directors of Valley Christian School opposes the General Plan amendment because a residential development would be in violation of the existing Planned Development Zoning and Plan Development Permits. In addition, the letter states that this proposal would be in violation of the terms of recorded and binding contracts that run with the land of both the school and South Valley Christian Church. Moreover, the existing PD Zoning requires that both East Skyway Drive and Riverview Drive be terminated with a cul-de-sac at the east property line to protect the adjacent

neighborhood from traffic. The letter states that a residential development would be outside the scope of the existing environmental clearance done for the joint school/church development. Finally, conversion of the existing parking lot to residential would deprive the school of joint use facilities, shared parking and use of property for traffic circulation and stacking of vehicles.

- Electronic mail from Kristin Davidson on July 20, 2006, checking on the status of the application and asking if there had been any other traffic analysis to fulfill project requirements.
- Phone calls from residents on October 18, 2006 stating that cumulative traffic impacts in the area from pending and recently approved projects are significant.

ANALYSIS AND RECOMMENDATIONS:

RECOMMENDATION

Planning staff recommends that the Planning Commission forward a recommendation to the City Council to change the existing General Plan Land Use/Transportation Diagram designation from Very Low Density Residential (2 dwelling units per acre) to Public/Quasi-Public on a 4.84-acre site to reflect the existing and proposed uses in the approved Planned Development Zoning, File No. PDC02-063 for the subject site.

PROJECT DESCRIPTION

This staff report addresses a privately initiated General Plan amendment request (File No. GP05-02-05) to change the San Jose 2020 Land Use/Transportation Diagram designation from Very Low Density Residential (2 dwelling units per acre) to Medium Density Residential (8-16 dwelling units per acre) on 3.48 acres and Private Open Space on 1.36 acres.

The proposal to change the Land Use/Transportation Diagram designation to a higher residential density land use designation is intended to intensify the residential uses on the site. Under the existing land use designation of Very Low Density Residential (2 dwelling units per acre) the site can potentially be redeveloped with up to approximately nine units. The applicant has not submitted a Rezoning application. However, the applicant has expressed the intention, illustrated by a conceptual site plan, to develop 35 units, at a density of 10 dwelling units per acre, and a parking structure to accommodate 221 parking spaces (see Conceptual Site Plan attachment).

BACKGROUND

There are two major property owners of this larger, approximately 52.4-acre campus: South Valley Christian Schools (SVCS) and South Valley Christian Church (SVCC). The amendment site, owned by the applicant, SVCC, is located at the southeasterly portion of SVCS campus. The property is located on the top of a ridge bounded generally by Senter Road on the north and the residential neighborhoods and properties along Monterey Road on the south. The existing use of the property is a parking lot for SVCS students and guests. The terrain of this area is generally flat. Skyway Drive provides the only public street access to the site.

Site and Surrounding Uses

The subject site is located at the southeasterly portion of SVCS campus at the terminus of Skyway Drive, and it is surrounded by school uses to the north and west, and residential uses to the south and east.

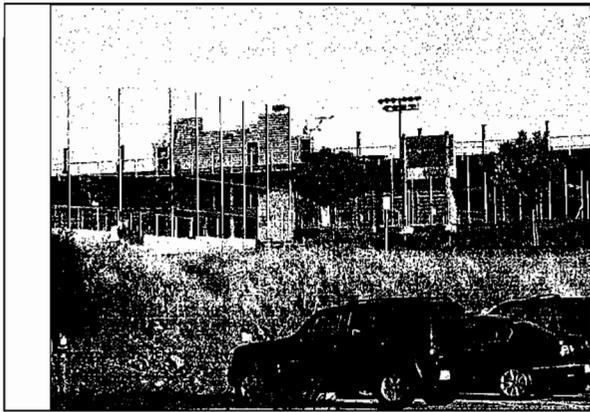
General Plan Amendment
(Source: Department of Public Works, 2001, City of San Jose)
Site and surroundings



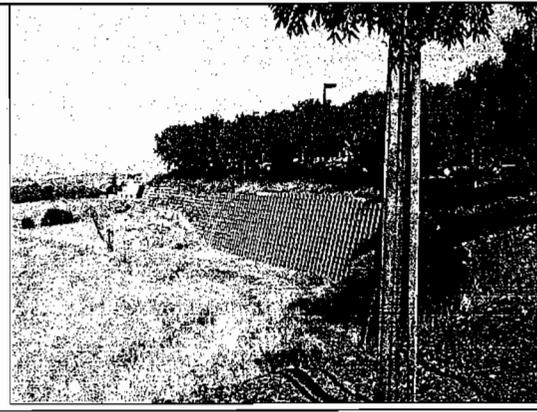
Existing terminus of Skyway Drive



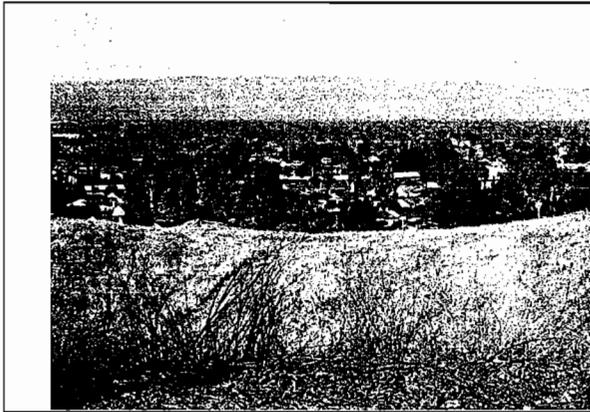
North of Subject Site



View west from site



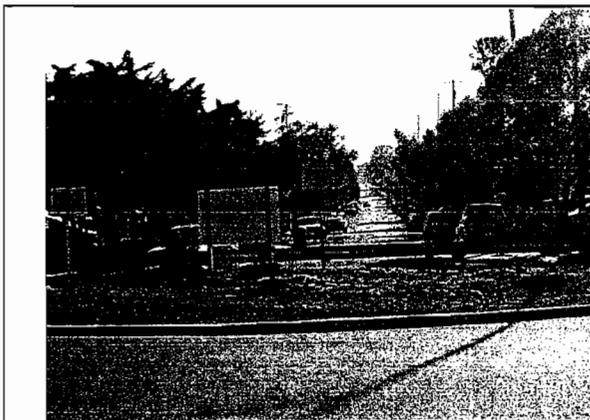
View southwest from site



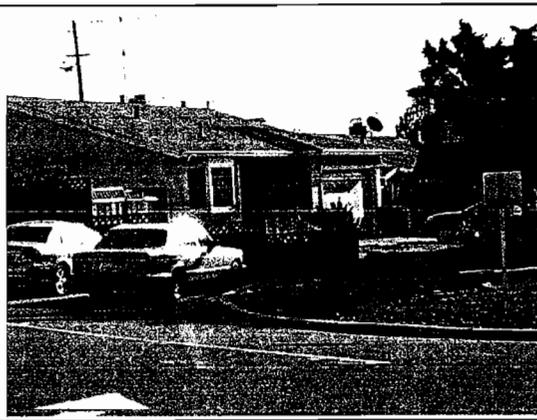
View south from site



View southeast from site



View east from site



Adjacent neighborhood to the east of site

ANALYSIS

The key issues in analyzing the proposed General Plan amendment are: 1) consistency with the *San Jose 2020 General Plan* Major Strategies, goals, and policies and 2) land use compatibility.

Consistency with the San Jose 2020 General Plan Major Strategies, Goals, and Policies

The following Major Strategies, goals, and policies of the General Plan are applicable to the applicant's proposed General Plan amendment:

Urban Conservation/Preservation Strategy

This Major Strategy underscores the importance of protecting and enhancing San Jose's neighborhoods to promote residents' pride in the quality of their living environments. *The San José 2020* General Plan recognizes the importance of sustaining viable neighborhoods because there is no practical way to replace the City's housing stock, or its other physical assets. Infill development is tempered by the consideration of protecting nearby areas from adverse impacts.

If approved, the General Plan amendment could potentially allow the conversion of the existing school parking lot to residential uses. This would result in an intensification of the site to accommodate both proposed residential development, and potentially, a parking structure to replace the loss of the large surface parking lot, which provides required parking for the school. In addition, access to the site is limited to the extension of Skyway Drive, a lengthy neighborhood residential street.

The alternative recommendation to change the land use designation to Public/Quasi-Public allows the subject site to continue to function as an integral element of the existing school facility and potential future site for a church or other public or quasi-public use and would avoid impacts from increased neighborhood traffic.

Residential Land Use Policy No. 9.

- *When changes in residential densities are proposed, the City should consider such factors as neighborhood character and identity, compatibility of land uses and impacts on livability, impacts on services and facilities, including schools, to the extent permitted by law, accessibility to transit facilities, and impacts on traffic levels on both neighborhood streets and major thoroughfares.*

If approved, the proposed General Plan amendment could result in the location of additional residential development at the end of a long neighborhood street, adjacent to the existing established single family neighborhood. The approximately 280 existing student and guest parking stalls would be eliminated if redevelopment of the site with residential development were to occur.

Urban Design Policy No. 3.

- *Residential subdivisions should be designed to provide for internal circulation within neighborhoods, prevent through vehicular traffic from traversing neighborhoods, and encourage pedestrian and bicycle connections between neighborhoods and to adjacent commercial uses and transit facilities.*

Transportation Policy No. 9.

- *Neighborhood streets should be designed to discourage through traffic and unsafe speeds. If neighborhood streets are used for through traffic or if they are traveled at unsafe speeds, law enforcement and traffic operations techniques should be employed to mitigate these conditions.*

Although there is no specific development proposal at this time, as previously noted, vehicular activity generated by residential development of the amendment site would increase traffic traversing the existing adjacent neighborhood. Future residential development could potentially encourage pedestrian activity; however, access to transit facilities and other pedestrian

destinations is limited, and the closest bus station is located almost a mile away at the intersection of Branham Lane East and Lyric Lane.

Land Use Compatibility

The project site is surrounded by single family residential, a private school and open space uses. The existing General Plan land use designation of the site and larger adjacent school campus of Very Low Density Residential (2 DU/AC) is not representative of the existing and planned public and quasi-public uses envisioned for the site. Because schools are allowed in the residential General Plan and zoning districts, a General Plan amendment was not required when the proposed school and church uses were approved. The Public/Quasi-Public land use designation is the appropriate designation for schools and churches, as approved for this site under the existing Planned Development Zoning.

Residential development under the Medium Density Residential (8 – 16 DU/AC) designation is often viewed as compatible with single-family densities, as recommended by the General Plan's various infill-related policies. However, these policies encourage infill development in locations along major streets and where additional traffic and activity will not impact the existing residential neighborhoods. The amendment site is located at the terminus of a lengthy neighborhood street, resulting in the addition of future traffic from the new residential development to the existing neighborhood traffic. The proposed residential development on the site would be isolated from, as opposed to integrated within, the adjacent residential neighborhood.

Staff Recommendation

Planning staff recommends an alternative General Plan amendment for this site from Very Low Density Residential (2 dwelling units per acre) to Public/Quasi-Public to reflect the existing and proposed uses as reflected in the approved Planned Development Zoning (PDC02-063) for the site. The Public/Quasi-Public land use designation could allow public uses such as public schools as well as private institutional uses such as churches, private schools and private hospitals.

ENVIRONMENTAL REVIEW

A Draft Mitigated Negative Declaration was circulated on September 27, 2006 for public review and comments. The Mitigated Negative Declaration included mitigation to reduce any potential impacts to a less than significant level per the California Environmental Quality Act (CEQA). The Mitigated Negative Declaration concluded that the project would have a less than significant impact with mitigation measures in the following categories: Aesthetics, Air Quality, Biological Resources, Geology and Soils, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use Planning, Noise, Population and Housing, Public Services, Recreation, and Transportation.

PUBLIC OUTREACH

Two community meetings were held at the Boys and Girls Club, located at 4955 Edenvue Drive on December 20, 2005 and January 18, 2006. Planning staff attended both meetings.

At the community meetings, neighbors expressed their concerns with the potential effects of the proposed residential use of the property on the surrounding neighborhoods. There was a clear opposition to the project from the majority of those present.

Among the major concerns is traffic, given that Skyway Drive is the only point of access to the subject site. Community members expressed their interest in maintaining the existing zoning of the site for church use. They inquired if SVCC has thought about selling the property to the school. The applicant mentioned that the last time that the property was appraised the estimated value was 17 million dollars. Another issue that was brought up was the endangered species in the area. The community members wanted a Preservation Area to protect those species. Some other concerns were that the applicant would develop the property to its maximum capacity (16 units per acre) totaling up to 55 dwelling units.

Property owners and tenants within a 1,000 foot radius of the subject site received a notice of the public hearings to be held on the General Plan amendment request before the Planning Commission on October 25, 2006 and City Council on November 14, 2006. The Department web site contains information regarding the General Plan amendment process, zoning process, staff reports, and hearing schedules. This web site is available to any member of the public and contains the most current information regarding the status of the applications.

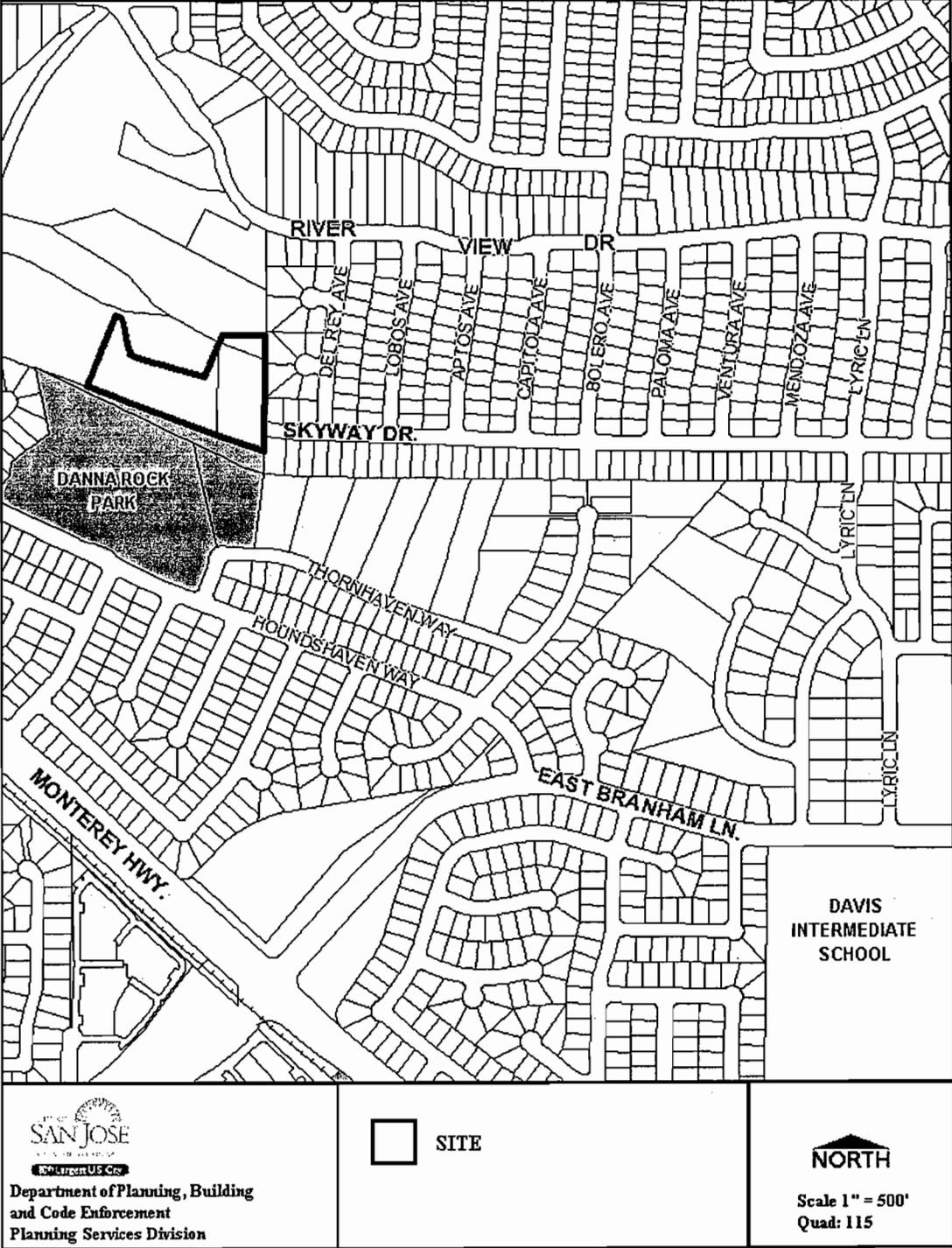
As required by the City Council Policy on Public Outreach an on-site sign describing the proposed project was placed adjacent to the public street. The sign was intended to provide information about a proposed project to the public early in the planning review process. The sign conformed to the requirements prepared by the City of San Jose. The sign will be maintained while the proposal is under consideration by the City, and then removed within 10 days of a decision on the proposed project. Proof of installation was submitted to Planning staff on November 15, 2005.

This General Plan amendment is subject to the State of California Tribal Consultation Guidelines. No comments from tribal representatives have been received by Planning staff on the subject General Plan amendment.

Attachments

- I. Mitigated Negative Declaration
- II. Correspondence from City's Departments
- III. Correspondence from General Public
- IV. Conceptual Site Plan

GP05-02-05



**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: South Valley Christian Church

PROJECT FILE NUMBER: GP05-02-05

PROJECT DESCRIPTION: Proposal to amend the General Plan Land Use/Transportation Diagram designation on a site located at the southeasterly portion of Valley Christian School campus, 210 feet westerly of Del Rey Avenue to allow for a change from Very Low Density Residential (2 dwelling units per acre) on 4.84 acres to Medium Density Residential (8-16 dwelling units to the acre) on 3.48 acre-portion and Private Open Space on 1.36 acre-portion of a 4.84-acre site.

PROJECT LOCATION & ASSESSORS PARCEL NO.: Southeasterly portion of Valley Christian School campus, 210 feet westerly of Del Rey Avenue. Assessor's Parcel No: 684-05-019, 020.

COUNCIL DISTRICT: 2

APPLICANT CONTACT INFORMATION:

South Valley Christian Church, Attn. Michael Nauman, 590 Shawnee Lane, San Jose, CA 95723
Phone: (408) 232-5609

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

- I. AESTHETICS** – Conformance with General Plan policies will ensure that aesthetics impacts will be reduced to a less than significant level.
- II. AGRICULTURE RESOURCES** – The project will not have a significant impact on this resource, therefore no mitigation is required.
- III. AIR QUALITY** - Conformance with General Plan policies will ensure that air quality impacts will be reduced to a less than significant level.

- IV. BIOLOGICAL RESOURCES** - Conformance with General Plan policies will ensure that biological resources impacts will be reduced to a less than significant level.
- V. CULTURAL RESOURCES** - The project will not have a significant impact on this resource, therefore no mitigation is required.
- VI. GEOLOGY AND SOILS** - Conformance with General Plan policies will ensure that geology and soils impacts will be reduced to a less than significant level.
- VII. HAZARDS AND HAZARDOUS MATERIALS** – Conformance with General Plan policies will ensure that hazards and hazardous materials impacts will be reduced to a less than significant level.
- VIII. HYDROLOGY AND WATER QUALITY** – Conformance with General Plan policies will ensure that hydrology and water quality impacts will be reduced to a less than significant level.
- IX. LAND USE AND PLANNING** – Conformance with General Plan policies will ensure that land use and planning impacts will be reduced to a less than significant level.
- X. MINERAL RESOURCES** – The project will not have a significant impact on this resource, therefore no mitigation is required.
- XI. NOISE** – Conformance with General Plan policies will ensure that noise impacts will be reduced to a less than significant level.
- XII. POPULATION AND HOUSING** – The project will not have a significant impact on this resource, therefore no mitigation is required.
- XIII. PUBLIC SERVICES** – Conformance with General Plan policies will ensure that public services impacts will be reduced to a less than significant level.
- XIV. RECREATION** – Conformance with General Plan policies will ensure that recreation impacts will be reduced to a less than significant level.
- XV. TRANSPORTATION / TRAFFIC** – Conformance with General Plan policies will ensure that transportation impacts will be reduced to a less than significant level.
- XVI. UTILITIES AND SERVICE SYSTEMS** – The project will not have a significant impact on this resource, therefore no mitigation is required.
- XVII. MANDATORY FINDINGS OF SIGNIFICANCE** – The project will not have a significant impact on this resource, therefore no mitigation is required.

PUBLIC REVIEW PERIOD

Before 5:00 p.m. on October 16, 2006, 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, 200 East Santa Clara Street, San José CA 95113-1905 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.

Joseph Horwedel, Acting Director
Planning, Building and Code Enforcement

Circulated on: September 27, 2006

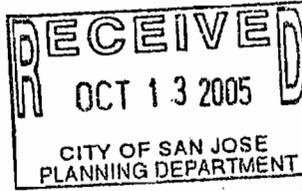


Deputy

Adopted on: _____

Deputy

MND/JAC 8/26/05



Memorandum

DATE: 10/12/05

TO: Jenny Nusbaum
FROM: Nadia Naum-Stoian

Re: Plan Review Comments

PLANNING NO: GP05-02-05
DESCRIPTION: GENERAL PLAN AMENDMENT request to change the Land Use/Transportation Diagram designation from Very Low Density Residential (2 DU/AC) to Medium Density Residential (8-16 DU/AC) on a 4.7-acre site. (South Valley Christian Church, Owner/Mike Nauman, Applicant)
LOCATION: terminous of Skyway Drive
ADDRESS: terminous of Skyway Drive (100 SKYWAY DR)
FOLDER #: 05 054830 AO

The Fire Department's review was limited to verifying compliance of the project to Article 9, Appendix III-A, and Appendix III-B of the 2001 California Fire Code with City of San Jose Amendments (SJFC). Compliance with all other applicable fire and building codes and standards relating to fire and panic safety shall be verified by the Fire Department during the Building Permit process.

The application provided does not include adequate information for our review; Fire Department staff will provide further review and comments when additional information is received as part of subsequent permit applications.

Site flow requirement may be as high as 4,500 GPM.

Nadia Naum-Stoian
Fire Protection Engineer
Bureau of Fire Prevention
Fire Department
(408) 535-7699



September 17, 2005

City of San Jose
Department of Planning and Building
200 East Santa Clara Street
San Jose, CA 95113

Attention: Jenny Nusbaum

Subject: City File No. GP05-02-05 / Skyway

Dear Ms. Nusbaum

Santa Clara Valley Transportation Authority (VTA) staff have reviewed the General Plan change medium density residential (8-16 du/ac) on 4.7 acres at the terminus of Skyway Drive. We have no comments at this time.

Thank you for the opportunity to review this project. If you have any questions, please call me at (408) 321-5784.

Sincerely,

A handwritten signature in black ink, appearing to read 'R Molseed', is written over the typed name.

Roy Molseed
Senior Environmental Planner

RM:kh

Memorandum

TO: Jenny Nusbaum
Planning and Building

FROM: Ebrahim Sohrabi
Public Works

**SUBJECT: RESPONSE TO GENERAL PLAN
AMENDMENT APPLICATION**

DATE: 10/26/05

PLANNING NO.: GP05-02-05
DESCRIPTION: GENERAL PLAN AMENDMENT request to change the Land Use/Transportation Diagram designation from Very Low Density Residential (2 DU/AC) to Medium Density Residential (8-16 DU/AC) on a 4.7-acre site. (South Valley Christian Church, Owner/Mike Nauman, Applicant)
LOCATION: terminous of Skyway Drive
P.W. NUMBER: 3-08375

Public Works received the subject project on 10/06/05 and submits the following comments:

[NO] Flood Zone
[YES] Geological Hazard Zone
[NO] State Landslide Zone
[NO] State Liquefaction Zone
[NO] Inadequate Sanitary capacity
[NO] Inadequate Storm capacity
[NO] Major Access Constraints
[NO] Near-Term Traffic Impact Analysis

Comments:

1. Right-of-way dedication for the cul-de-sac located at the end of Skyway Drive consistent with the approved public improvements plan 3-08378 will be required.
2. The Applicant has not fulfilled Public Works conditions under previously approved Planned Development Permit (PD98-016). Additional development permit should not be approved until these conditions are satisfied.

Please contact the Project Engineer, Ryan Do, at 535-6897 if you have any questions.



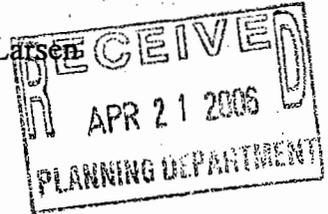
EBRAHIM SOHRABI
Senior Civil Engineer
Transportation and Development Services Division

ES
ES:rd:kg

Memorandum

TO: Laurel Prevetti
Planning, Building
and Code Enforcement

FROM: Hans F. Larsen



SUBJECT: TRAFFIC IMPACT ANALYSIS
FOR GP05-02-05

DATE: 4-18-06

Approved

Date

File Number: GP05-02-05
Location: Terminus of Skyway Dr.
Acreage: 4.7 ac.
Description: Very Low Density Res. (2 DU/AC) to Medium Density Res. (8-16 DU/AC)
(Add 55 HH)
Outside Special Subarea (Remainder of City)

We have reviewed the subject General Plan Amendment (GPA) and submit the following comments. The estimated number of new PM peak hour trips resulting from the proposed land use change is below the exemption threshold established for this area. Therefore, this GPA is exempt from a computer model (CUBE) traffic impact analysis.

If an Environmental Impact Report (EIR) is required for this GPA for other reasons, the EIR must include a traffic impact analysis report for the project and a cumulative analysis for all GPAs on file this year. Additional traffic data will be provided to the applicant's traffic engineering consultant for the preparation of the report.

Please contact Paul Ma at 975-3272 if you have any questions.

A handwritten signature in black ink, appearing to be "HFL", written over the printed name.

HANS F. LARSEN
Deputy Director
Department of Transportation

HFL:PM

cc: Jenny Nusbaum
Ben Corrales

Corrales, Ben

From: Peter S. Grabosky [psgcomm@sbcglobal.net]
Sent: Sunday, November 20, 2005 4:01 PM
To: Ben.Corrales@sanjoseca.gov
Subject: GP05-02-05

Dear Ben,

As owner of 4494 Del Rey Avenue, I have some questions regarding the planned rezoning of the 4.7 acre parcel at the terminus of Skyway Drive (Valley Christian Schools).

- What does "medium low density residential" mean? The parcel appears to be their parking lot.
- What would this allow the Church to build on the property?
- What impact would this change have on Skyway Drive? Would it allow it to be opened into the Church property?

I would like to go on record in opposition to any change that would allow any traffic to flow from Skyway or Riverview Drives into the Valley Christian Schools property.

Sincerely,

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

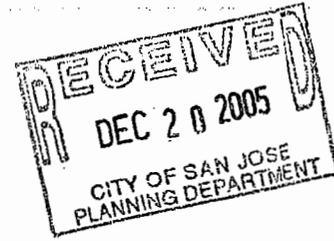


VALLEY CHRISTIAN SCHOOLS

Quest for Excellence

"Do it heartily as unto the Lord." Col. 3:23

Chancellor's Office



**URGENT MESSAGE FOR
NEIGHBORS OF VALLEY CHRISTIAN SCHOOLS**

During the planning of our school we promised our neighbors that every attempt would be made to lessen the traffic impact on surrounding neighborhoods. We have tried to live up to that pledge and that is the reason for this message.

South Valley Christian Church owns the land immediately adjacent to our school property and we originally joined them in securing City approval for their church and our school. They recently applied to the City to change their property from church use to residential use with plans to add over 70 homes on the hill.

Valley Christian Schools joins our neighbors in objecting to that proposed change because of the very negative impact it would have on families living in this area. **All traffic from this proposed new project would have to go through your neighborhoods** since the city and Valley Christian Schools will not allow it to go down the school portion of Skyway Drive to Monterey Road.

There are two meetings set up for City Planning staff to get neighborhood reaction to this project.

Councilmember Forrest Williams will be able to attend ONLY the meeting set for Wednesday, January 18th at the Boys & Girls Club, 4955 Edenvue Drive. We urge you to plan on attending that meeting on January 18th to assure a large turnout so City staff will clearly hear our neighborhood concerns.

Please call all your neighbors and urge them to attend the JANUARY 18th meeting at 7:00 p.m. We need to have a large turnout because this meeting will help determine what direction the city takes on the proposed project.

If you need additional information, please call Claude Fletcher at 513-2502.

Also, please let us know if you would like to get together and discuss this issue prior to the City meeting. We would be happy to help plan the neighborhood response to this proposed project.

Claude C. Fletcher
Chancellor

Corrales, Ben

From: Bill Clark [wclark05@earthlink.net]
Sent: Wednesday, December 21, 2005 2:07 PM
To: City SJ Dist 2 Williams, Forrest
Cc: City SJ Corrales, Ben
Subject: General Plan amendment File No. GP05-02-05

Dear Forrest,

Season's greetings to you and yours.

Observations:

Attended the local Planning Meeting of Dec 20, 2005 as it pertained to the proposed General Plan amendment file # GP05-02-05. Cutting to the quick - feel the applicant, South Valley Christian Church as represented by Mike Nauman, is possibly in a bidding war with Valley Christian Schools as it pertains to the 4.7 acre site at issue. Again, I left the meeting with a feeling that the City and this community were possibly being used within the City's amendment process as it was apparent that the process exhibited the applicant's desire to possibly exhibit an inflated value of the 4.7 acres based upon 8-16 dwelling units to the acre which Mr. Nauman introduced within the meeting as having been appraised at 17 million.

Recommendation:

Would strongly recommend that the proposed General Plan amendment request be allowed and the *site be restricted to institutional use & that the existing & current improved parking facilities remain as is* (site be changed from 2 dwelling units to the acre to institutional use only & the existing parking improvements be retained. The latter relating to the understood & original intent of the applicant - being to construct a church on the site and share the current and existing improved parking facilities with Valley Christian Schools. The above is based upon existing parking improvements and earlier church plans of record dated 1998 or later).

Justification of the above recommendation:

1. Area's traffic considerations - Monterey Highway & Skyway Dr.: 8-16 dwellings units to the acre would impact surrounding neighborhood as found in Monterey Highlands Tract 2583. Further find that the applicant's proposed alternative parking facility to be used VCS would further impact the timely Monterey Highway ingress/egress of the student population from Valley Christian School.
2. VCS Campus traffic considerations & Monterey Highway at Skyway Dr.: residential zoning of the 4.7 acres would impact the integrity of the existing traffic patterns as found on the VCS campus - a pattern which already is impacting early morning traffic found on Monterey Highway and Skyway Drive & adjacent to Fire Station #18. Allowing the development of 8-16 units on this 4.7 acres would further impact the intersection of Monterey Highway and Skyway Drive.
3. If the General Plan was amended to 8-16 units a traffic pattern north to San Jose via Skyway Drive as found in Tract 2583 would possibly impact not only the Monterey Highlands Tract community but also Melody Park Tract community and the intersection at Serenade & Senter Road. A traffic pattern south would impact Monterey Highlands & Edenvale Tracts and possibly to a greater degree the intersection of East Branham and Monterey Highway (the latter already congested at Skyway Drive & Monterey Highway in the early morning hours by VCS ingressions).

Memo:

Cc: Ben Corrales

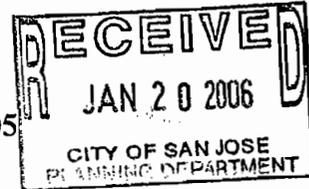
Please email a copy of the City of San Jose Traffic Department's & also the City Fire Department's recommendations to Forrest and myself prior to the January meeting. Thank you.

Bill & Herta Clark
 San Jose, District II

12/22/2005

1

NEIGHBORHOOD PETITION
General Plan Amendment File No. GP05-02-05



We, the undersigned, hereby **OPPOSE** the proposed change to the **Land Use / Transportation** Diagram from Very Low Density Residential (2 dwelling units per acre) to Medium Density Residential (8-16 dwelling units per acre) on a 4.7 acre site located on the southeast portion of Valley Christian School campus, on Skyway Drive, 210 feet westerly of Del Rey Avenue.

Printed Name	Signature	Street Address	City State
Joe Taxpayer		123 Skyway Drive	San Jose CA
01. DAVID SCHRODER	<i>[Signature]</i>	SKYWAY DRIVE	San Jose CA
02. ANTONIO MADRIZ	<i>[Signature]</i>	SKYWAY DR	San Jose CA
03. DAVID & CYNDI MROZ	<i>[Signature]</i>	263 SKYWAY DR.	San Jose CA
04. EDELYN FOLGA Lopez	<i>[Signature]</i>	252 Skyway Dr	San Jose CA
05. Lyman Taylor	<i>[Signature]</i>	264 Skyway Dr	San Jose CA
06. KHANH NGUYEN	<i>[Signature]</i>	272 Skyway Dr.	San Jose CA
07. Mary Miller	<i>[Signature]</i>	276 Skyway Dr	San Jose CA
08. Greg Pham	<i>[Signature]</i>	288 Skyway Dr.	San Jose CA
09. Mike Montello	<i>[Signature]</i>	298 Skyway Dr	San Jose CA
10. Vilham	<i>[Signature]</i>	304 Skyway dr	San Jose CA
11. Denver Dash	<i>[Signature]</i>	318 Skyway Dr	San Jose CA
12. JOE VIEIRA	<i>[Signature]</i>	324 SKYWAY DR	San Jose CA
13. MIKE PACE	<i>[Signature]</i>	334 Skyway Dr	San Jose CA
14. Dana Powell	<i>[Signature]</i>	348 Skyway Dr	San Jose CA
15. Robert Fuller	<i>[Signature]</i>	348 Skyway Dr.	San Jose CA
16. Charles Sumner	<i>[Signature]</i>	352 Skyway	San Jose CA
17. Donald	<i>[Signature]</i>	380 Skyway Dr.	San Jose CA
18. Katrine	<i>[Signature]</i>	392 Skyway Dr	San Jose CA
19. ViAnna Koenig	<i>[Signature]</i>	398 Skyway Dr.	San Jose CA
20. Maria D. Vera	<i>[Signature]</i>	428 Skyway Dr.	San Jose CA
21. Ramon Soto	<i>[Signature]</i>	428 Skyway Dr.	San Jose CA
22. Jeff Alexander	<i>[Signature]</i>	440 Skyway Dr.	San Jose CA
23. B. Hunter Turner	<i>[Signature]</i>	440 Skyway Dr	San Jose CA
24. Michael Sheas	<i>[Signature]</i>	448 Skyway Drive	San Jose CA
25. Ed Sullivan	<i>[Signature]</i>	458 Skyway Dr	San Jose CA
26. Sharon P. Sullivan	<i>[Signature]</i>	458 Skyway	San Jose CA

NEIGHBORHOOD PETITION
General Plan Amendment File No. GP05-02-05

We, the undersigned, hereby **OPPOSE** the proposed change to the **Land Use / Transportation** Diagram from Very Low Density Residential (2 dwelling units per acre) to Medium Density Residential (8-16 dwelling units per acre) on a 4.7 acre site located on the southeast portion of Valley Christian School campus, on Skyway Drive, 210 feet westerly of Del Rey Avenue.

Printed Name	Signature	Street Address	City State
Joe Taxpayer		123 Skyway Drive	San Jose CA
01. DAVID Belyeu	<i>David Belyeu</i>	4478 DEL REY AVE	San Jose CA
02. Peter Grabosky	<i>Peter Grabosky</i>	4494 Del Rey Ave	San Jose CA
03. V. Straubinger	<i>V. Straubinger</i>	4498 Del Rey Ave	San Jose CA
04. GAIL SHACKLEFORD	<i>Gail Shackelford</i>	4510 DEL REY AVE	San Jose CA
05. Jim HOLLAND	<i>Jim Holland</i>	4518 Del Rey Ave	San Jose CA
06. Ralph ASCENSO	<i>Ralph Ascenso</i>	324 Del Rey Ct	San Jose CA
07. Rosa Ascenso	<i>Rosa Ascenso</i>	324 Del Rey Ct.	San Jose CA
08. Martha Zepeda	<i>Martha Zepeda</i>	305 Del Rey Ct	San Jose CA
09. Atanacio Zepeda	<i>Atanacio Zepeda</i>	305 Del Rey Ct	San Jose CA
10. Robert Udawal	<i>Robert Udawal</i>	372 Gordola Ct	San Jose CA
11. Wm W. Disalvo	<i>Wm W. Disalvo</i>	351 Gordola CT.	San Jose CA
12. CRAIG D FAIRCHILD	<i>Craig D. Fairchild</i>	359 Gordola Ct	San Jose CA
13. Diane Wylder	<i>Diane Wylder</i>	367 Gordola CT.	San Jose CA
14. Patrick Smith	<i>Patrick Smith</i>	4555 Capitola Ave	San Jose CA
15. DEMORIS Tillman	<i>Demoris Tillman</i>	4581 Capitola Ave	San Jose CA
16. Rose Rodriguez	<i>Rose Rodriguez</i>	4610 CAPITOLA AVE	San Jose CA
17. Donb Lam	<i>Donb Lam</i>	4528 Capitola Ave	San Jose CA
18. Herb Clark	<i>Herb Clark</i>	351 River View	San Jose CA
19. Dale L. Purcell	<i>Dale L. Purcell</i>	383 River View Dr.	San Jose CA
20. David P. May	<i>David P. May</i>	399 River View Dr.	San Jose CA
21. A. HILDEBRAND	<i>A. Hildebrand</i>	405 RIVERVIEW DR.	San Jose CA
22. Kenneth Ingerson	<i>Kenneth Ingerson</i>	406 River View	San Jose CA
23. Doris Ingerson	<i>Doris Ingerson</i>	406 River View Dr.	San Jose CA
24. Francis J. ...	<i>Francis J. ...</i>	411 River View Dr. S.J.	San Jose CA
25. ...	<i>...</i>	411 RIVER VIEW DR SJ	San Jose CA

NEIGHBORHOOD PETITION

General Plan Amendment File No. GP05-02-05

We, the undersigned, hereby **OPPOSE** the proposed change to the **Land Use / Transportation** Diagram from Very Low Density Residential (2 dwelling units per acre) to Medium Density Residential (8-16 dwelling units per acre) on a 4.7 acre site located on the southeast portion of Valley Christian School campus, on Skyway Drive, 210 feet westerly of Del Rey Avenue.

Printed Name	Signature	Street Address	City State
Joe Taxpayer		123 Skyway Drive	San Jose CA
01. Bernadette Embres	<i>[Signature]</i>	4630 Aptos Blvd	San Jose CA
02. Ruth Garcia	<i>[Signature]</i>	4616 Aptos Ave.	San Jose CA
03. Terry J. Jacobelle	<i>[Signature]</i>	379 Hines Ct	San Jose CA
04. Alicia Ellison	<i>[Signature]</i>	4572 Alamos Ave	San Jose CA
05. Donald Zahel	<i>[Signature]</i>	4117 River View Dr	San Jose CA
06. Susan L. Berg	<i>[Signature]</i>	437 River View Dr	San Jose CA
07. LANE SARAY	<i>[Signature]</i>	449 RIVER VIEW DR.	San Jose CA
08. Michelle Moran	<i>[Signature]</i>	457 RIVER VIEW DR	San Jose CA
09. Cheryl	<i>[Signature]</i>	4627 Bolero Dr	San Jose CA
10. Oscar Barajas	<i>[Signature]</i>	473 River view Dr.	San Jose CA
11. NOEL VALDEZ	<i>[Signature]</i>	632 GERAUDO DR.	San Jose CA
12. Lupi C. Castro	<i>[Signature]</i>	4349 Bolero Dr	San Jose CA
13. BUU TRAN	<i>[Signature]</i>	4663 BOLERO DR	San Jose CA
14. DOUG BRAUDRICK	<i>[Signature]</i>	4660 Bolero	San Jose CA
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25.			San Jose CA

NEIGHBORHOOD PETITION
General Plan Amendment File No. GP05-02-05

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Printed Name	Signature	Street Address	City State
Joe Taxpayer		123 Skyway Drive	San Jose CA
01. JOSE AVILA	Jorge Avila	4659 BOZARD DR.	San Jose CA
02. HERTA CLARR	Herta Clark	351 Alder View	San Jose CA
03. Christine Avila		4659 Bozard Dr.	San Jose CA
04. Harry Callan	Harry Callan	120 San Ramon Dr	San Jose CA
05. Nancy Callan	Nancy Callan	114 San Ramon Dr	San Jose CA
06. Mike Dophele	Mike Dophele	4682 Ventura Ave	San Jose CA
07. Augustine Keaton Sr.	Augustine Keaton Sr.	414 Coyote Rd.	San Jose CA
08. Robert. Mary Miller	Mary Miller	276 Skyway Dr	San Jose CA
09. Greg P. Pham	Greg P. Pham	288 Skyway Dr	San Jose CA
10. Leslie Danek	Leslie Danek	316 Del Rey Ct.	San Jose CA
11. Patro Grabesky	Patro Grabesky	4494 Del Rey Ave	San Jose CA
12. AHMED MADAYAG	Ahmed Madayag	4744 MENDOZA AVE	San Jose CA
13. E. MADAYAG	E. Madayag	4744 Mendoza Ave	San Jose CA
14. Sharon, Ed SULLIVAN	Sharon Sullivan	458 Skyway dr.	San Jose CA
15. Ramel V. Casan	Ramel V. Casan	375 Rust View dr.	San Jose CA
16. Judy Pierce	JUDY PIERCE	360 NELSON CT	San Jose CA
17. Steve Pierce	Stephen J. Pierce	360 Neilson Ct.	San Jose CA
18. James Ujaniza	James Ujaniza	287 SKYWAY DR.	San Jose CA
19. Don Paul	Don Paul	348 Skyway Dr	San Jose CA
20. Robert Fuller	Robert Fuller	348 Skyway Dr.	San Jose CA
21. Edan Lopez	Edan Lopez	365-2383 252 SKYWAY	San Jose CA
22. Olga Lopez	Olga Lopez	252 SKYWAY DR	San Jose CA
23. Tina Luong	Tina	4547 Lobos AVE.	San Jose CA
24. HENRY pham	Henry Pham	4547 Lobos AVE	San Jose CA
25. Juan Mulato	Juan Mulato	308 Del Rey Court	San Jose CA

W

(5)

NEIGHBORHOOD PETITION
General Plan Amendment File No. GP05-02-05

We, the undersigned, hereby **OPPOSE** the proposed change to the Land Use / Transportation Diagram from Very Low Density Residential (2 dwelling units per acre) to Medium Density Residential (8-16 dwelling units per acre) on a 4.7 acre site located on the southeast portion of Valley Christian School campus, on Skyway Drive, 210 feet westerly of Del Rey Avenue.

Printed Name	Signature	Street Address	City State
Joe Taxpayer		123 Skyway Drive	San Jose CA
01. Robert Rohner		251 Skyway Dr	San Jose CA
02. AMELIA LYONS		4633 Capitols Ave	San Jose CA
03. MARIA FURTADO		4724 Mendoza Ave	San Jose CA
04. Grace Machuca		4692 Symphony LN	San Jose CA
05. Judy A Rogers		358 Cordoba Ct	San Jose CA
06. And Kandas		105 MOUNDHAVEN CT	San Jose CA
07. Irene Kowarth		105 MOUNDHAVEN CT	San Jose CA
08. Suzanne De Mattei		4642 Capitols Ave	San Jose CA
09. Guarali Jolo		428 Skyway Drive.	San Jose CA
10. Marion Marshallford		4570 Webster Ave	San Jose CA
11. ROBERT MILLER		276 SKYWAY DR	San Jose CA
12. DIANE M BAER		67 Shellback Ln	San Jose CA
13. CHARLES BAER		67 Shellback Ln	San Jose CA
14. Eden Lopez		252 Skyway Dr	San Jose CA
15. JICA Lopez		252 Skyway Dr	San Jose CA
16. Anthony Rivera		294 Skyway Dr	San Jose CA
17. Cindy Rivera		294 Skyway Dr	San Jose CA
18. Cailyn Rivera		294 Skyway Dr	San Jose CA
19. Jose Antonio Madrid		257 SKYWAY DR	San Jose CA
20. Linah rosa de la Torre		257 SKYWAY DR	San Jose CA
21. Albert Guerrero		4625 Capitols Ave	San Jose CA
22. Becky Sanwal		4625 Capitols Ave	San Jose CA
23.			San Jose CA
24.			San Jose CA
25.			San Jose CA

(6)

NEIGHBORHOOD PETITION
General Plan Amendment File No. GP05-02-05

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Printed Name	Signature	Street Address	City State
Joe Taxpayer		123 Skyway Drive	San Jose CA
01. Victor DE MATTEI	<i>Victor De Mattei</i>	4642 Capitola Ave	San Jose CA
02. MARIA Garcia	<i>Maria Garcia</i>	366 Senter Rd	San Jose CA
03. Ymelda Marquez	<i>Ymelda Marquez</i>	4350 Senter Rd.	San Jose CA
04. Jose Antonio Madrid	<i>José Antonio Madrid</i>	408257 SKYWAY DR	San Jose CA
05. Linda dela Torre	<i>Linda dela Torre</i>	757 SKYWAY DR	San Jose CA
06. Marvyn D To Th	<i>Marvyn D To Th</i>	4539 Lobos Av.	San Jose CA
07. Olga E. Campbell	<i>Olga E. Campbell</i>	340 Skyway Dr.	San Jose CA
08. M.H. L.W. Taylor	<i>R.W. Taylor</i>	264 Skyway Dr	San Jose CA
09. J. Mac Taylor	<i>J. Mac Taylor</i>	264 Skyway Dr.	San Jose CA
10. Stephen M. Campbell	<i>Stephen M. Campbell</i>	340 Skyway Dr	San Jose CA
11. Rebecca Bernal	<i>Rebecca Bernal</i>	4625 Capitola Av	San Jose CA
12.			San Jose CA
13.			San Jose CA
14.			San Jose CA
15.			San Jose CA
16.			San Jose CA
17.			San Jose CA
18.			San Jose CA
19.			San Jose CA
20.			San Jose CA
21.			San Jose CA
22.			San Jose CA
23.			San Jose CA
24.			San Jose CA
25.			San Jose CA

Corrales, Ben

From: Amarali.Soto@deh.sccgov.org
Sent: Monday, January 23, 2006 12:14 PM
To: Ben.Corrales@sanjoseca.gov
Subject: GP05-02-05

Hello Mr. Corrales,

I am currently looking for information regarding the case number GP05-02-05. I tried finding information in the planning department web site and could not.

I would like to be able to see the original plan designation when the school was proposed and built, and the new proposed plan for turning the site into medium density housing.

If you have any information regarding how to obtain such information I would greatly appreciate it.

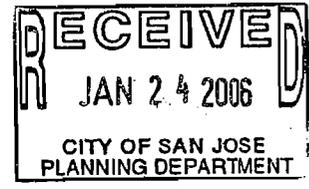
Thank you in advance,

Amarali Soto

5/18/2006

January 19, 2006

RE: Valley Christian



We are residents on Bolero Dr. and oppose of the development that Valley Christian is proposing.

At the meeting when the VC presenter came up, he said that the school had cost more than expected. Well they should have budgeted. Why should the residents, which most or none have nothing to do with this school have to pay for their luxuries...? We chose to send our children to public school due to the high costs of tuition and rather having the funds for other activities. The public school is good however, don't have the luxury of having a sports program, band, dance etc.... due to cutbacks.

When Jesus walked on earth he was humble and poor....

As said in the meeting, we will have to endure traffic, noise, litter, pollution, speeding, increase in drug activity and gangs. We personally have experienced a hit and run during the night, we have had windows on our vehicles broken. Young men fly by, up and down the hill on Bolero, rubbing engines at times. Even young kids on their skate boards and bikes at times come zooming down the hill, they go right by the stop sign at the bottom, one of these days some one is going to get killed and unfortunate for the driver, which truly wont be at fault, because you cant hear them or see them sometimes, but more than likely will be in trouble and if not will still have to live with the death for the rest of their lives.

We have graffiti that the teens have been tagging. During Halloween, there was a group of teen boys walking the streets with baseball bats and tagging fences, at one of the homes we stopped at the resident was on the phone with the cops, because they had just hit her home, and we saw them down the street not far away, frightened, I got my kids and trick or treat was done. Drugs are sold at homes, you see kids of all colors and walks of life go in for less than 5 minutes, even from Valley Christian during the spring when the boys are out running, they have been seen stopping in, noone does anything about this, many calls have been put in, but this isn't important.

We stay here because we like our home and the location of where we live as long as we stay away from the front of the home so that we aren't reminded.

Well I am sure you will be dined and wined and Valley Christian will be allowed to bring in more misery to us and make billions for their greedy pockets. So maybe you could fix the streets and put speed bumps in up on the hill on Bolero, Lyric and Skyway, which I myself hate, but would make it safer and god for bid have police drive by several times during the evening and night, especially on these streets. Maybe the drug house would finally be gone with. That would be thoughtful.

Well at the meeting you wanted a list of the reasons why, hopefully you have read this and not filed it in the trash can and you have understood the reasons why we don't need more misery brought into the area. The place where you live should be your sanctuary where you can go and relax from the other stresses of daily life so that there maybe harmony.

Corrales, Ben

From: Lyman & J-Mae Taylor [l-taylor@juno.com]
Sent: Monday, January 30, 2006 1:16 PM
To: Ben.Corrales@sanjoseca.gov
Cc: l-taylor@juno.com
Subject: Skyway hillside

Dear Mr. Corrales and your staff,

Re: GP05-02-05 Skyway hill

Please don't change the zoning on this hill from 2 units per acre to -- up to 16 units per acre. You have this hill zoned for 2 units per acre for a reason.

As you know there is only ONE WAY IN --- picture 70 families (as planned) with 2 cars each - 140 cars per day going down quite narrow Skyway Dr. to get out with all the now present parked and moving cars. Incidentally there are ONLY single family houses in that area until you get down the hill on E. Branham lane.

What about safety?

Earthquake - 70 families and all their stuff in condos or apartment getting evacuated through ONE exit, plus all the people now living on Skyway.

Fire - Getting all those people (16 families per acre), plus multiple fire trucks in and out ONE exit.

Mud slides on that hillside? 70 condos or apartments -- How many will slide down the hill?

The above doesn't sound very safe (or sane) to many of us.

Are you able to tell the Developer you will keep the 2 units per acre as it now is? Please do!

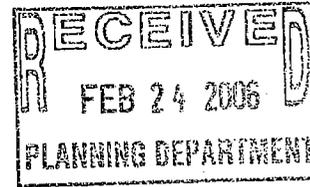
Sincerely,

J.Mae Taylor

P. S. Re: Asbestos (Serpentine). Several years ago there was a question about building there because of this in the soil/rock Has that been resolved? I presume the big parking lot was allowed to cover that.

February 17, 2006

Mr. Joseph Horwedel
Planning Director
City of San Jose
200 E. Santa Clara Street
San Jose, California



Re: GP 05-02-05

Dear Mr. Horwedel:

The Board of Directors of Valley Christian School (the school) has considered South Valley Christian Church's (SVCC) application to change the General Plan designation on the SVCC property to facilitate a residential development. Such a development would cause great harm to the school and we oppose SVCC's application for the following reasons:

1. A residential development would be in violation of the Planned Development Zoning and PD Permits that were issued by the city and cover both the school and SVCC properties. The school will not agree to the proposed changes.

2. A residential development would be in violation of the terms of recorded and binding contracts that run with the land of both the school and SVCC. Those contracts require SVCC and the school to build facilities that allow for joint uses for the benefit of both organizations. The approved plans are so thoroughly integrated that neither institution could effectively function without the use of both properties. The school has relied on SVCC's commitment to build a church facility as approved by the city and has designed and built its school facilities in accordance with those binding contracts of joint use.

3. The existing Planned Development Zoning requires that both East Skyway Drive and Riverview Drive be terminated with a cul de sac at the East property line of the Skyway site to protect the adjacent neighborhood from traffic. Increases in neighborhood traffic from the proposed residential project would be a direct violation of that neighborhood safeguard established during the zoning approval process. The neighbors have expressed their strong disapproval of the residential proposal and view it as a potential breach of commitments made to them by both the city and SVCC.

4. A residential development would be outside the scope of the environmental clearance done for the existing joint school/church Planned Development Zoning. For example, peak hour traffic impacts and parking problems would be substantially intensified.

5. Conversion of the SVCC site to a housing project would deprive the school of the following benefits:

- Joint use of SVCC facilities, including chapel and classrooms
- Shared parking
- Use of SVCC property for traffic circulation and stacking of vehicles

We respectfully request that the City consider permanently designating the entire Skyway property owned by the school and SVCC for church/school use only. Existing city approvals and binding contracts between the school and SVCC suggest this would be an appropriate action to permanently resolve this issue.

For all the above reasons, Valley Christian Schools requests that the South Valley Christian Church application for a General Plan Amendment be denied.

Sincerely,

A handwritten signature in cursive script, appearing to read "Claude Fletcher". The signature is written in black ink and is positioned above the printed name and title.

Claude Fletcher
Chancellor

Corrales, Ben

From: Kristin Davidson [kristin@hulberg.com]
Sent: Thursday, July 20, 2006 10:05 AM
To: ben.corrales@sanjoseca.gov
Subject: GPAmendment File #GP05-02-05

Good morning Ben,

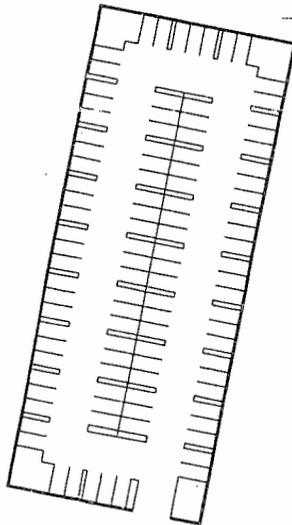
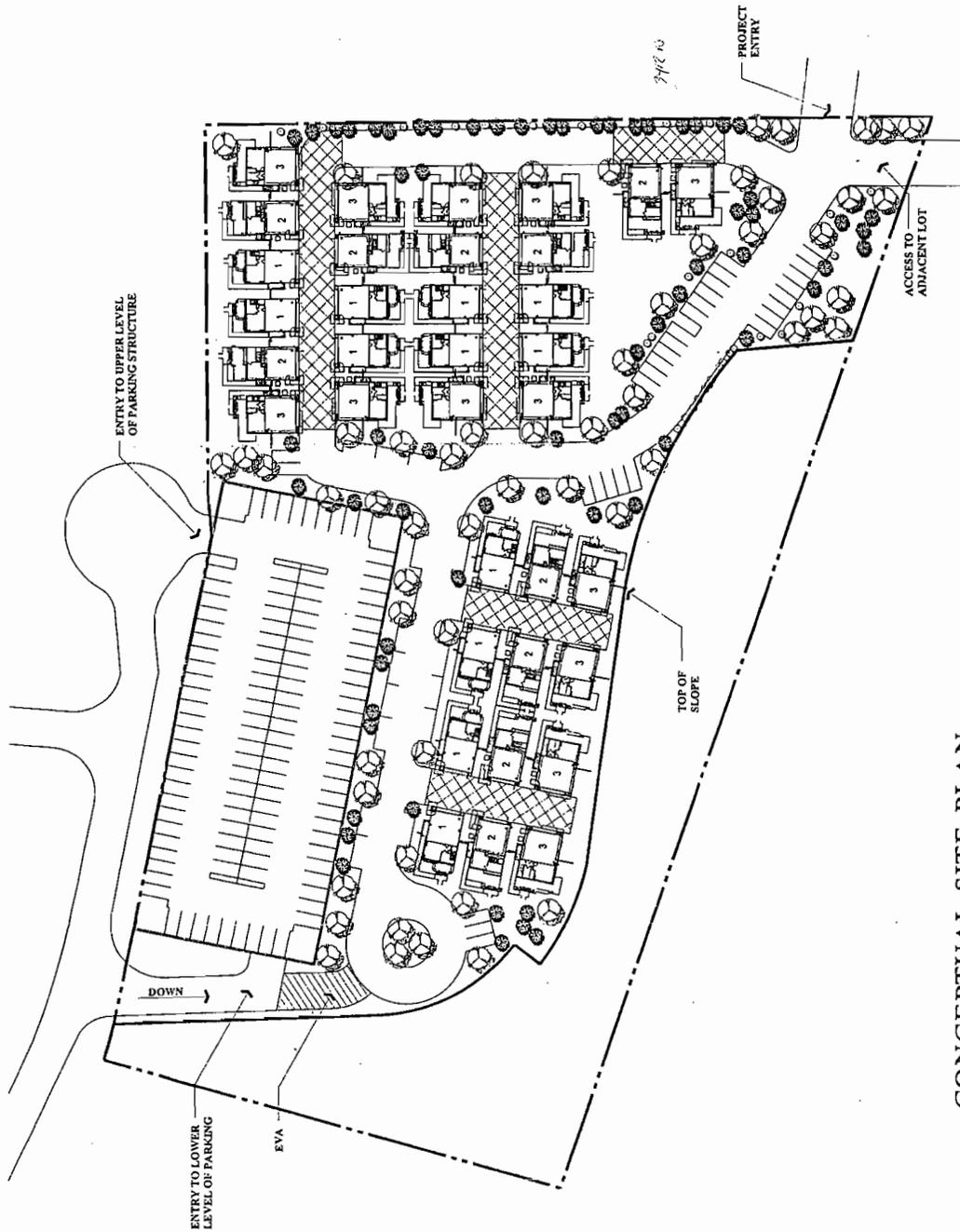
I've spoken to you several times on the phone regarding the above application. I was just checking in to see what the status is on this application.

In addition, I was wondering if additional traffic studies are being required as part of this application. Increasing the traffic and opening up Skyway Drive seems to be an issue for the area residents. Do you have any info relating to this. If it is easier to give me a call then please do so.

Thanks so much for the info.
Kristin

Kristin Davidson
Associate Appraiser
Hulberg & Associates, Inc.
3160 Crow Canyon Place, Ste 245
San Ramon, CA 94583

wk: 925-327-1660 ext 205
fax: 925-327-1696

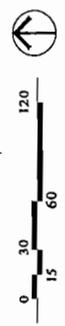


LOWER LEVEL PARKING

SITE SUMMARY

TOTAL UNITS	35
RESIDENT PARKING	70 (2 PER UNIT)
GUEST PARKING	46 (1.3 PER UNIT)
TOTAL PARKING	116 (3.3 PER UNIT)
PARKING STRUCTURE	221
1ST LEVEL	104
2ND LEVEL	117

CONCEPTUAL SITE PLAN



VALLEY CHRISTIAN SITE

San Jose, California