



Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: Stephen M. Haase

SUBJECT: SEE BELOW

DATE: October 20, 2004

COUNCIL DISTRICT: 2

SUBJECT: PDC02-063. PLANNED DEVELOPMENT REZONING FROM A (PD) PLANNED DEVELOPMENT TO A (PD) PLANNED DEVELOPMENT TO ALLOW THE ADDITION OF STADIUM LIGHTS FOR 15 EVENING STADIUM EVENTS PER YEAR, TO REMOVE THE REQUIREMENT FOR FENCING AROUND PLANT PRESERVATION AREAS, AND TO ELIMINATE THE NUMERICAL REQUIREMENT FOR TRIP REDUCTION, ON AN APPROXIMATELY 53-GROSS ACRE SCHOOL CAMPUS, LOCATED AT THE EASTERLY TERMINUS OF SKYWAY DRIVE, APPROXIMATELY 1,000 FEET EASTERLY OF THE INTERSECTION OF MONTEREY HIGHWAY AND SKYWAY DRIVE.

RECOMMENDATION

The Planning Commission voted 6-0-1 (Commissioner Pham, absent) to recommend that the City Council approve the subject Planned Development Rezoning with the Draft Development Standards recommended by staff with the following modifications (see attached revised Draft Development Standards):

1. Allow 15 lighted stadium events per year in the Zoning, but direct staff, through the Planned Development Permit, to limit the number of events to 12 for the first year to allow a one-year assessment of the need for additional events.
2. Revise the masonry wall required along a portion of Skyway Drive from 7 to 8 feet.
3. Eliminate the requirement for construction of the cul-de-sac prior to implementation of the stadium lights.
4. Require that the area of the future church be fenced to prevent its use for parking if it is not paved.

BACKGROUND

Planning Commission Hearing

On October 13, 2004, the Planning Commission held a public hearing to consider a Planned Development rezoning from A (PD) Planned Development to A (PD) Planned Development to allow the addition of stadium lights for 15 evening stadium events per year, to remove the

requirement for fencing around plant preservation areas, and to eliminate the numerical requirement for trip reduction, on an approximately 53-gross acre school campus.

The Director of Planning, Building and Code Enforcement recommended approval of the proposed rezoning.

Claude Fletcher, representing Valley Christian Schools (VCS) spoke in favor of the project. He questioned the need for the decorative pavement on Skyway Drive and requested that construction of the cul-de-sac not be required prior to implementation of the stadium lights.

Fencing for Moundhaven Court Residents

Gary Kawaoka, representing the neighbors on Moundhaven Court (located near the project's primary entrance on Skyway Drive) indicated that they had met with VCS regarding the school's offer to provide a wall along Skyway Drive for properties fronting on Moundhaven Court. He indicated that they would prefer an 8-foot, masonry wall (similar to the height of the wall along Monterey Highway), rather than a 7-foot masonry wall as recommended by staff. Mr. Kawaoka also expressed concern regarding circulation and volume of traffic during big events at the site. Mr. Fletcher indicated that VCS would install an 8-foot wall as requested by the Moundhaven Court residents. Staff indicated that this was acceptable and that staff would also work with VCS to install trees in the gaps in the landscaping at the project entry to better block headlights from shining into the neighboring properties on Moundhaven Court.

Project Requirements

Staff clarified that the decorative pavement at the entrance to the project was required by Public Works to clearly delineate the point at which Skyway Drive changes from a public street to a private driveway. Staff indicated that the temporary parking area on the church site was required to be paved in the Draft Development Standards, in order to create a dust-free surface, and commented that gravel would not adequately control dust which staff had noted occurring on a recent site visit.

Commissioner James concurred with staff regarding the need to pave the church site area before permitting it for parking, and also suggested that if VCS did not wish to pave the area, it should be fenced to prohibit parking from occurring at that location.

Public Works staff indicated that they were working with the State of California, Department of Transportation (Caltrans) to resolve outstanding issues associated with the required addition of a second, southbound left-turn lane at the intersection of Monterey Highway and Skyway Drive, an identified CEQA mitigation. The Commission indicated that the timely installation of these improvements was very important. However, the Commission agreed with Mr. Fletcher that installation of the cul-de-sac improvements at the westerly terminus of Skyway Drive (located at the southeasterly corner of the site) should not be required prior to implementation of the stadium lights as recommended by staff.

Number of Lighted Evening Events

Staff indicated that the proposed rezoning add 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 may experience additional noise and traffic and other inconveniences during these events. In the absence of a clearly articulated need for the proposed 15 events by VCS, staff indicated that they felt that the number should be reduced to 12 to minimize negative effects on the surrounding neighborhood

Mr. Fletcher indicated that if the number of evening events were reduced as proposed by staff, it could result in a reduction in the number of community events at the football stadium. Commissioner James indicated that he believed that as a compromise, the rezoning should allow 15 evening events at the football stadium, but that the Planned Development Permit should allow only 12 events for this first year. He stated that this would allow the number to be increased without a rezoning if it is determined more events are needed.

Increased Use of the VTA Park-and-Ride Lots

Commissioner Zito indicated that increasing use of the VTA Park-and-Ride lots for the off-site parking for school and large events would be a benefit to the neighborhood and would be more efficient. Mr. Kawaoka agreed that less traffic would be better for the neighborhood and suggested that the church site not be used for parking, but that more people be bussed to events from the VTA parking lots.

Trip Reduction Requirement and Removal of Fencing Around Sensitive Habitat Areas

The Commission asked staff why the 15 percent reduction requirement should be retained when it appears that this requirement could not be met. Staff clarified that the applicant had provided too little information to allow a clear evaluation of the 15 percent requirement at this time. Staff indicated that VCS had just implemented new trip reduction measures that were not assessed in the monitoring report included in the Initial Study, that the school had provided no information regarding how many students were participating in any of the trip reduction programs and that it was too early to conclude that program could not work. Staff indicated that they would continue to work with VCS regarding the trip reduction program and appropriate ways to measure its success. The Commission concurred that this requirement should remain.

Removal of Fencing Around Habitat Area

Several Commissioners indicated concurrence with the findings of the biologist report that removal of the requirement for fencing of the sensitive habitat areas on the campus site would not negatively impact these areas, and that there is no evidence of any disturbance of these areas in past years.

Conformance with Prior Permits

Several Commissioners indicated that they were pleased to see that the majority of past permit compliance issues had been or were in the process of being resolved.

The Planning Commission then closed the public hearing.

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.

COORDINATION

This project was coordinated with the Department of Public Works, Fire Department, Police Department, Environmental Services Department and the City Attorney.

CEQA

Negative Declaration

STEPHEN M. HAASE
Secretary, Planning Commission

Attachments

- c: Claude Fletcher, Chancellor, Valley Christian Schools, 100 Skyway Drive, San Jose, CA 95111
- Gerry DeYoung, Ruth & Going, Inc., P.O. Box 26460, Santa Clara, CA 95159-6460
- Mike Nauman, Secretary, South Valley Christian Church, 590 Shawnee Lane, San Jose, CA 95123
- 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
- Gary Kawaoka, et al, 105 Moundhaven Court, San Jose, CA 95111