

STAFF REPORT

City Council

FILE NO.: PDC10-009

Submitted: May 20, 2010

PROJECT DESCRIPTION:

Conforming Planned Development Zoning from A(PD) Planned Development to A(PD) Planned Development to redefine the location where previously approved development may be constructed on a 52.68 gross acre site

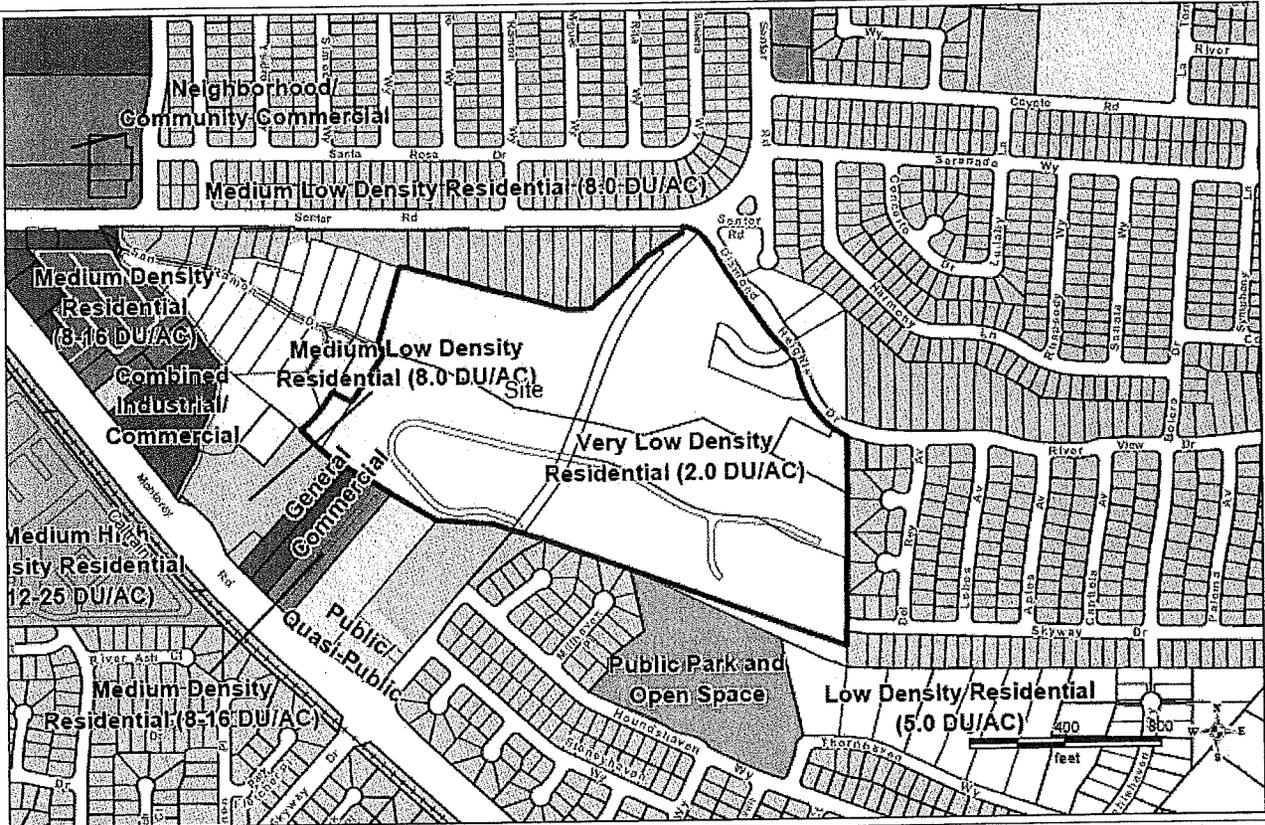
LOCATION: Easterly terminus of Skyway Drive, east of Monterey Road

Existing Zoning	A(PD) Planned Development
Proposed Zoning	A(PD) Planned Development
General Plan	Very Low Density Residential (2.0 DU/AC)
Council District	2
Historic Resource	No
Redevelopment Area	No
Specific Plan	No
CEQA	Resolution No. 65245 and addenda thereto

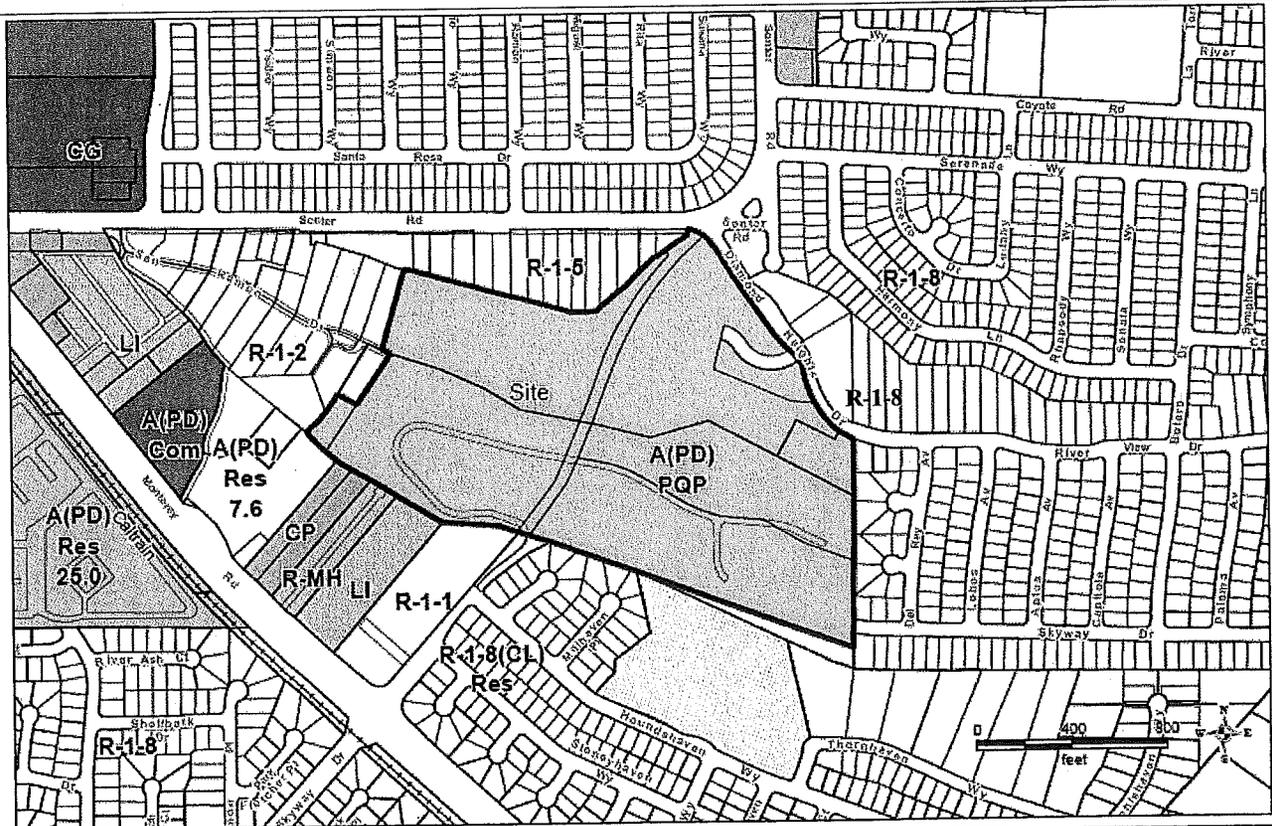
Aerial Map



GENERAL PLAN



ZONING (Existing and Proposed)



RECOMMENDATION

Planning staff recommends approval of the proposed Conforming Planned Development Rezoning for the following reasons:

1. The proposed rezoning is consistent with the San José 2020 General Plan Land Use/Transportation designation of Very Low Density Residential (2.0 DU/AC).
2. The proposed land use is compatible with existing uses on the surrounding properties.
3. The proposed rezoning would facilitate development of a music building for an existing private school while maintaining the existing allowed square footage.

BACKGROUND & DESCRIPTION

The applicant, Valley Christian Schools, is proposing a Planned Development Zoning from A(PD) Planned Development to A(PD) Planned Development to allow for an additional music building for Valley Christian School located between the football field and high school buildings on an approximately 53.00 gross acre school campus.

The school site is located at the terminus of Skyway Drive, approximately 1,000 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 currently developed with classroom and administration buildings, sports and maintenance facilities and surface parking.

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 Danna Rock Park.

ANALYSIS

The proposed rezoning consists of a minor modification to the existing Development Standards applicable only to the "New Use Areas". Currently the uses allowed in the "New Use Areas" include parking, hard courts associated with athletic activities, and recreational fields.

The proposed zoning would add language to the "New Use Areas" section stating that "Use Area 1 may contain school building(s) and related facilities subject to a PD permit." This revision does not include an increase in the student population, nor does it propose to increase the overall development capacity. Therefore, traffic and parking requirements will remain the same. Additionally, the current Zoning contains all of the necessary setbacks and height limitations to ensure the new proposed music building will be compatible with the existing campus and surroundings.

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 No. 11 states that, the Land Use/ Transportation Diagram does not specify sites for all future public or quasi-public development. For sites without the Public/Quasi-Public land use designation, the determination of conformance with the General Plan of the proposed public or quasi-public developments will be made on the basis of applicable General Plan goals and policies, and a demonstrated need for the public/quasi-public facility being proposed, not

on the basis of the land use designation applicable to the property. The proposed rezoning project would provide additional music rooms to support the programs and operation of an approved private school. This zoning also carries over all of the previous measures to protect the adjacent residential neighborhood and to preserve habitat for plant species of special concern in conformance with General Plan policy.

PUBLIC OUTREACH/INTEREST

- Criterion 1:** Requires Council action on the use of public funds equal to \$1 million or greater. **(Required: Website Posting)**
- Criterion 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)**
- Criterion 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)**

A Community Meeting was held on April 22, 2010, for the proposed Planned Development Zoning. The two community members in attendance expressed support for the project. Although this item does not meet any of the above criteria, staff followed Council Policy 6-30: Public Outreach Policy and required the applicant to post on-site public notification signage on the project site. A notice of the public hearing was distributed to the owners and tenants of all properties located within 500 feet of the project site and posted on the City website. The rezoning was also published in a local newspaper, the San Jose Post-Record. In addition, this staff report is also posted on the City's website. Staff has been available to respond to questions from the public.

Project Manager: Jodie Clark, AICP **Approved by:** Jeanne Hammett **Date:** 6/3/10

Applicant: Valley Christian School 100 Skyway Drive San Jose, CA 95111	Attachments: 1. Proposed General Development Plan 2. Addendum
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**ADDENDUM TO AN EIR
USE OF A FINAL EIR PREPARED FOR A PREVIOUS PROJECT**

Pursuant to Section 15164 of the CEQA Guidelines, the City of San Jose has prepared an Addendum to an Environmental Impact Report (EIR) because minor changes made to the project that are described below do not raise important new issues about the significant impacts on the environment.

PROJECT DESCRIPTION AND LOCATION

PDC10-009 and PD09-040. Conforming Planned Development Zoning from A(PD) Planned Development to A(PD) Planned Development to redefine the location where previously approved development may be constructed and a Planned Development Permit for a construct an approximately 50,111 square foot music building on the campus of an existing private school, on a 52.68 gross acre site, located at the easterly terminus of Skyway Drive, east of Monterey Road.

Council District 2. County Assessor's Parcel Number 684-05-007, 684-05-010, 684-05-015, 684-05-016, 684-05-018, 684-05-019, and 684-05-020

The environmental impacts of this project were addressed by a Final EIR entitled, "Valley Christian School and South Valley Christian Church," and findings were adopted by City Council Resolution No. 65245 on May 17, 1994. Specifically, the following impacts were reviewed and found to be adequately considered by the EIR:

- | | | |
|---|---|--|
| <input checked="" type="checkbox"/> Traffic and Circulation | <input checked="" type="checkbox"/> Soils and Geology | <input checked="" type="checkbox"/> Noise |
| <input checked="" type="checkbox"/> Cultural Resources | <input checked="" type="checkbox"/> Hazardous Materials | <input checked="" type="checkbox"/> Land Use |
| <input checked="" type="checkbox"/> Urban Services | <input checked="" type="checkbox"/> Biotics | <input checked="" type="checkbox"/> Air Quality |
| <input checked="" type="checkbox"/> Aesthetics | <input type="checkbox"/> Airport Considerations | <input type="checkbox"/> Microclimate |
| <input checked="" type="checkbox"/> Energy | <input type="checkbox"/> Relocation Issues | <input type="checkbox"/> Construction Period Impacts |
| <input checked="" type="checkbox"/> Transportation | <input checked="" type="checkbox"/> Utilities | <input type="checkbox"/> Facilities and Services |
| <input checked="" type="checkbox"/> Water Quality | <input type="checkbox"/> _____ | |

ANALYSIS:

A subsequent EIR will not be prepared because the project described in this addendum does not involve new significant environmental effects or a substantial increase in the severity of previously identified significant effects. No substantial changes have occurred with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified environmental effects. However, because the site is located within the City of San Jose's geologic hazard zone, a geotechnical report will be required with future development permits to identify possible impacts. No new information of substantial importance shows the project will have one or more significant effects not discussed in the previous EIR or that significant effects previously examined will be substantially more severe than shown in the previous EIR.

Jodie Clark, AICP
Project Manager

Joseph Horwedel, Director
Planning, Building and Code Enforcement

June 3, 2010

Date

~~May 10, 2010~~

Daniel Boyd

Deputy

Planned Development Rezoning VALLEY CHRISTIAN SCHOOLS

GENERAL DEVELOPMENT PLAN EXHIBIT - C

SITE DESCRIPTION

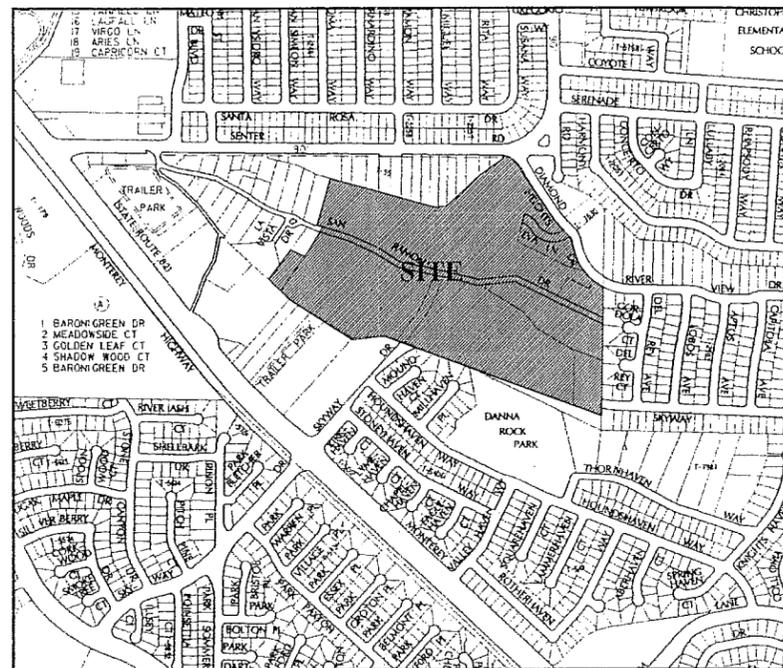
EXISTING ZONING:	A(PD) (FILE # PDC 02-063)
PROPOSED ZONING:	A(PD)
EXISTING GENERAL PLAN:	LOW DENSITY RESIDENTIAL (2.0 DU/AC)
APN:	684-5-7, 10, 15, 16, 18, 19, 20 & 21

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
<u>CHURCH</u>	
1200 SEATS	300
<u>SCHOOL</u>	
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	4/26/2010	Initial Submittal

CONSULTANTS

PLANNING:	RUTH & GOING, INC.
ENGINEERING:	RUTH & GOING, INC.

TABLE OF CONTENTS

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

REZONING DESCRIPTION / PRIOR APPROVALS

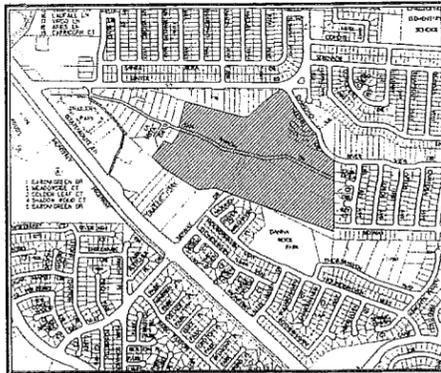
THE PURPOSE FOR THIS REZONING IS TO "AMEND" THE EXISTING ZONINGS TO ALLOW A BUILDING IN THE NEW USE AREA LOCATED BETWEEN THE HIGH SCHOOL BUILDING AND THE FOOTBALL FIELD ON THE EXISTING SCHOOL CAMPUS.

PRIOR ZONINGS: PDC 99-02-010, PDC 89-04-51 and PDC 02-063

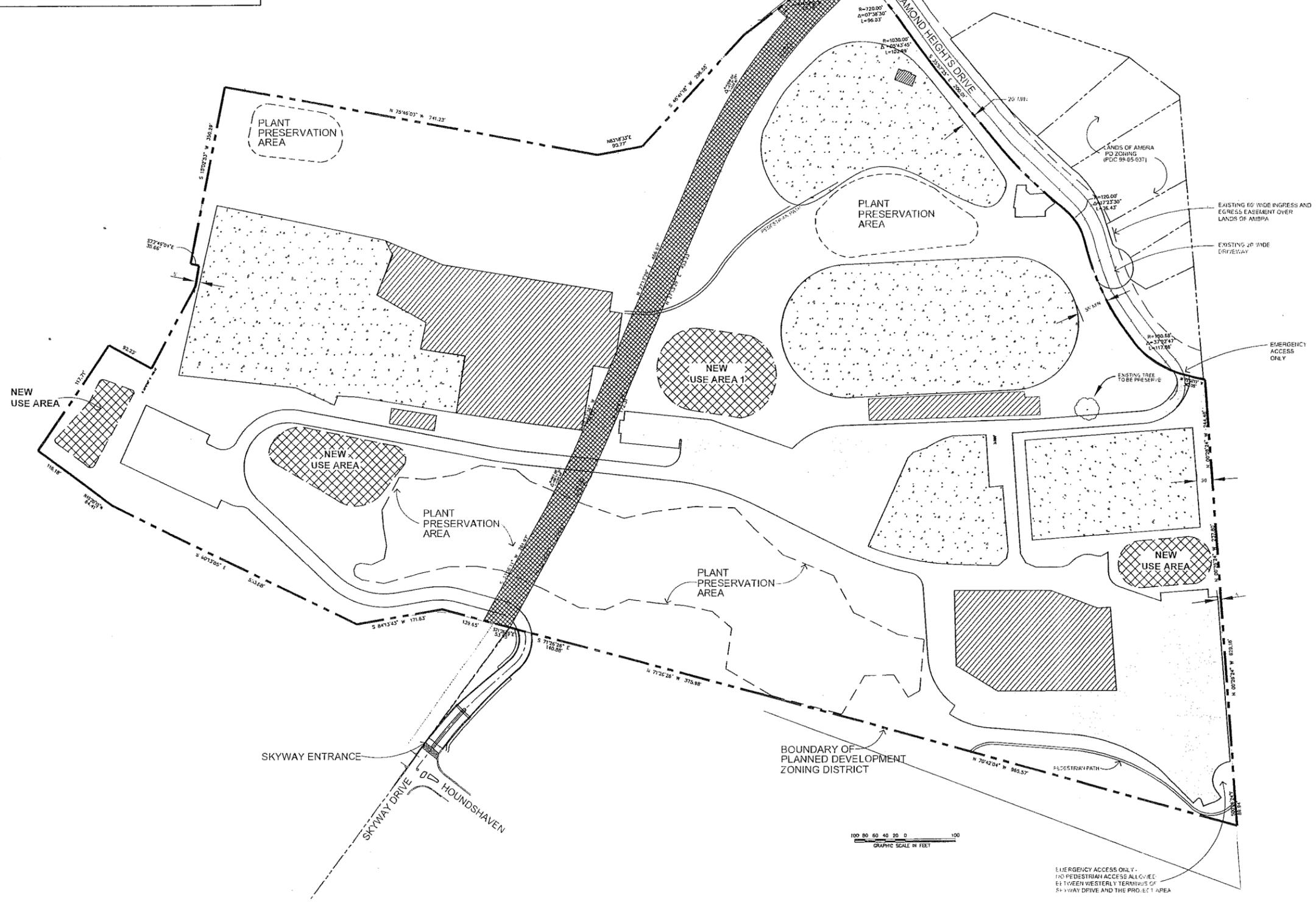
ALL PLANNED DEVELOPMENT PERMITS PREVIOUSLY ISSUED FOR THE PROPERTY, WHETHER VESTED OR NOT, SHALL REMAIN IN FULL FORCE AND EFFECT. THESE PERMITS INCLUDE THE FOLLOWING:

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# 10-XXX



LOCATION MAP



LAND USE TABLE			
SYMB.	USE	SQ. FT.	%
[Hatched]	BUILDINGS	174,450	7.60
[Stippled]	PLAY FIELDS	192,160	21.45
[Cross-hatch]	NEW USE AREAS	101,984	4.45
[Grid]	SCVWD	76,595	3.35
[Dashed]	CIRCULATION	427,096	18.60
[White]	OPEN SPACE/ LANDSCAPING	1,022,455	44.55
[Total]	TOTAL	2,294,740	100.0

PROJECT INFORMATION

PROJECT DESCRIPTION
 Valley Christian School Rezoning (PDC02-063)
 Land Use Notes as Approved by City Council

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 125 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 of 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.

Revisions	
Description	Mark Date

Designed
 Drawn
 Checked
 Copyright 2010
 Ruth and Going, Inc.
 All Rights Reserved

GENERAL DEVELOPMENT PLAN
 EXHIBIT - C

RUTH AND GOING, INC.
 Civil Engineering Land Surveying
 2215 THE ALAMEDA SANTA CLARA, CA 95050
 TEL: (408) 238-2400 FAX: (408) 236-2410

LAND USE PLAN
 VALLEY CHRISTIAN SCHOOLS

Scale: 1" = 100'
 Date: 04/22/2010
 2 of 4 Sheets
 Job No. 17494z
 Drawing EXHIBIT-C.DWG

Drawing File: O:\V\04\17494z\2010 REZONING\ EXHIBIT-C.dwg
 Apr 25, 2010 11:40am

NOTICE: This drawing is prepared in accordance with the California Professional Land Surveyor and Professional Engineer Act. It is intended to be used in conjunction with the project and is not to be used for any other purpose without the written consent of Ruth and Going, Inc.

PROJECT DESCRIPTION

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.

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 recreational fields, subject to approval of a Planned Development Permit. All areas used for parking shall be paved. If the church site is not paved for temporary or permanent parking, it shall be fenced to prevent its use for parking.

Use Area 1 may contain school building(s) and related facilities subject to a PD Permit.

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 12-15 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 15 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 an 8 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:

Table with 4 columns: Bldg. Type, Bldg. Height from Finished Grade, Bldg Height per City Code Definitions, and specific height values for Church, Classrooms, Gymnasium/Middle School, Bleachers, and Admin/Performing Arts.

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 O 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 O 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 slopes 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 O 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.

GENERAL DEVELOPMENT PLAN EXHIBIT - C RUTH AND GOING, INC. Civil Engineering Land Surveying 2216 THE ALAMEDA SANTA CLARA, CA 95050 TEL. (408) 738-2400 FAX (408) 236-2410

VALLEY CHRISTIAN SCHOOLS

Scale NONE
Date 04/22/2010
3 of 4 Sheets
Job No. 17494z
Drawing DEVSTDS-1.DWG

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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 serpentine material, with the exception of the proposed habitat recreation areas. Mitigation for these areas is provided below.

Landscape 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, coffeeberry 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 busing 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 COFG. 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 COFG, 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.

GENERAL DEVELOPMENT PLAN EXHIBIT - C

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VALLEY CHRISTIAN SCHOOLS

DEVELOPMENT STANDARDS/ MITIGATION NOTES

Scale NONE
Date 04/22/2010
4 of 4 Sheets
Job No. 17494z
Drawing DEVSTDS-3.DWG

Designed	Drawn	Checked	GDY	Mark	Date	By

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