



# Memorandum

**TO:** HONORABLE MAYOR AND  
CITY COUNCIL

**FROM:** Planning Commission

**SUBJECT:** SEE BELOW

**DATE:** August 30, 2019

**COUNCIL DISTRICT: 6**

**SUBJECT: PDC19-001 & PD19-001. PLANNED DEVELOPMENT REZONING FROM THE A(PD) PLANNED DEVELOPMENT ZONING DISTRICT TO THE PQP(PD) PLANNED DEVELOPMENT ZONING DISTRICT ON AN APPROXIMATELY 17.64-GROSS ACRE SITE AND A PLANNED DEVELOPMENT PERMIT TO ALLOW FOUR 65-FOOT TALL FIELD LIGHTS ON AN APPROXIMATELY 3.19-GROSS ACRE SITE.**

## **RECOMMENDATION**

The Planning Commission voted 5-0-1 (Allen absent) to recommend that the City Council take all of the following actions:

1. Consider the addendum to the Bellarmine College Preparatory Master Plan Mitigated Negative Declaration in accordance with CEQA;
2. Approve an ordinance rezoning an approximately 17.64-gross acre site from the A(PD) Planned Development Zoning District to the PQP(PD) Planned Development Zoning district with two additions to the related General Development Plan; and
3. Adopt a resolution approving a Planned Development Permit, subject to conditions, to effectuate the Planned Development Zoning District and to allow four 65-foot tall ground mounted field lights on an approximately 3.19-gross acre portion of the subject site.

## **OUTCOME**

If the City Council approves all the actions listed above, the applicant would be able to construct four 65-foot tall ground-mounted field lights at an existing soccer/lacrosse field for usage Monday to Friday from 6:30 a.m. to 9:00 p.m. and Saturday from 9:00 a.m. to 7:00 p.m.

## **BACKGROUND**

On August 28, 2019, the Planning Commission held a Public Hearing to consider the adequacy of the addendum, the proposed Planned Development Rezoning, Development Standards, and Planned Development Permit. The Planning Commission recommended that City Council adopt the addendum and approve the project.

### *Staff Presentation*

Staff read into the record the addition of a development standard to the General Development Plan for the following:

*Changes to the analyzed lighting type (TLC-LED-1150) and amount of lighting on the athletic fields that could result in intensification of the illumination in the area shall be subject to a discretionary review to determine conformance to the City of San Jose Lighting Policy 4-3, including, but not limited to, promoting energy-efficient lighting and continuing the operation of the Lick Observatory by reducing light pollution and sky glow, as may be amended.*

Planning Commissioner Michelle Yesney requested that the item be heard during Public Hearing to discuss a concern that the General Development Plan did not include limits on the hours of use for the field lights and avoidance of intensification of lights.

### *Staff Presentation*

Staff provided an overview of the proposed project and its conformance with the Development Standards, General Plan, and City Council Lighting Policy. The project site for the field lights is within the boundaries of the Planned Development Rezoning. The project's Public/Quasi-Public General Plan Land Use Designation is intended for public land uses, including schools. The field lights would facilitate the use of the existing soccer/lacrosse athletic field located on the north side of West Hedding Street. The project conforms with the City Council Policy 4-3 for Outdoor Lighting on Private Development in that outdoor recreational facilities are exempt from providing fully shielded lights if they provide a photometric study and refer the project to the Lick Observatory. The use of the field lights would be limited to Monday to Friday from 6:30 a.m. to 9:00 p.m. and Saturday from 9:00 a.m. to 7:00 p.m.

### *Public Hearing*

Commissioner Yesney clarified that her concerns were that the Planned Development Rezoning did not include limits on the hours of operation and did not address light intensity changes that were analyzed in the associated addendum.

The applicant clarified that the field lights would not be used past 9:00 p.m. Commissioner Yesney asked if the applicant agreed with adding the hours of operation to the General Development Plan. The applicant agreed with the limitation of the hours to be included as a standard in the General Development Plan.

Commissioner Griswold had questions about the process for future changes in the lights, whether an additional environmental review would be required in any case, and whether including limits on hours of operation in the General Development Standards was necessary.

City Attorney Vera Todorov responded that the Planned Development Zoning should state the hours of operation for the lighting to ensure that any future Planned Development Permit/Amendment is consistent with the General Development Plan and the environmental clearance for the project. Therefore, any changes to the hours of usage and intensification of the lighting would require a new Planned Development Zoning for changes to the General Development Plan.

Commissioner Yesney made a motion that the Planning Commission recommend to the City Council to consider the addendum to the Bellarmine College Preparatory Master Plan Mitigated Negative Declaration, adopt the ordinance rezoning the project with the modifications to the General Development Plan to reflect the change proposed by staff regarding lighting requirements and thresholds and to include the hours of lighting (Monday to Friday from 6:30 a.m. to 9:00 p.m. and Saturday from 9:00 a.m. to 7:00 p.m.), and adopt the resolution approving a Planned Development Permit. Commissioner Oliverio second the motion. The motion passed 5-0-1 (Allen absent).

### **ANALYSIS**

Analysis of the proposed CEQA clearance, Planned Development Rezoning, Planned Development Permit, including conformance with the General Plan, Development Standards, and City Council Private Lighting Policy are contained in the attached staff report.

### **EVALUATION AND FOLLOW UP**

Should the City Council adopt the addendum, approve the Planned Development Rezoning, and Planned Development Permit, the project site would be approved to allow the construction of four 65-foot tall ground-mounted field lights at the existing soccer/lacrosse field for use Monday to Friday from 6:30 a.m. to 9:00 p.m. and Saturday from 9:00 a.m. to 7:00 p.m.

### **PUBLIC OUTREACH**

Staff followed Council Policy 6-30: Public Outreach Policy, whereby, the project is considered a standard development proposal. Following City Council Policy 6-30, the applicant posted the on-site sign to inform the neighborhood of the proposed project.

The staff report is posted on the City's website. Staff has not received comments from the public.

## **COORDINATION**

Preparation of this memorandum has been coordinated with the City Attorney's Office.

## **CEQA**

The City of San José, as the lead agency for the project, prepared an Addendum to the Bellarmine College Preparatory Master Plan Mitigated Negative Declaration. The Addendum is available for review on the project page on the City's Negative Declarations/Initial Studies website at: <http://www.sanjoseca.gov/index.aspx?NID=2165>.

The addendum found that the project would not result in any significant impacts. The addendum identified impacts resulting from the project in regard to aesthetics, energy, hazards and hazardous materials, noise, and transportation and traffic. The field lights would not result in a substantial increase in the magnitude of any environmental impact previously identified in the Bellarmine College Preparatory Master Plan Mitigated Negative Declaration and addenda thereto, nor does it result in new significant environmental impacts.

/s/

Rosalynn Hughey, Secretary  
Planning Commission

For questions, please contact Planning Official, Robert Manford, at (408) 535-7900.

Attachments: Planning Commission Staff Report  
Redlines to the General Development Plan