

**DRAFT  
SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT  
FOR**

**REVISION OF THE  
EVERGREEN DEVELOPMENT POLICY**

**SAN JOSE, CALIFORNIA**

**CITY OF SAN JOSE FILE NO: PP-08-121  
STATE CLEARINGHOUSE NUMBER 200510200**

**AUGUST 2008**

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**Appendix A**

**Proposed Revision to the Evergreen Development Policy,  
entitled the East-Evergreen-East Hills Policy**

**DRAFT**  
**Evergreen-East Hills**  
**Development Policy**

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**City of San Jose**  
**August, 2008**

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## I. BACKGROUND

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This policy, entitled, *The Evergreen-East Hills Development Policy (EEHDP)*, is an update of the original *Evergreen Development Policy (OEDP)* adopted in 1976 as amended from time to time.

### EVERGREEN DEVELOPMENT POLICY AREA BOUNDARIES

The updated *Evergreen-East Hills Development Policy* area boundaries (the "EDP Area") match the original boundaries of the *Evergreen Development Policy*, defined as the land within San Jose's Urban Service Area Boundary, south of Story Road, east of U.S. Highway 101, and the area generally north of the intersection of U.S. Highway 101 and Hellyer Avenue, where the northern boundary of the Edenvale Development Policy Area ends (see Figure 1).

The EEHDP area overlaps with portions of the East Valley/680 Communities, K.O.N.A. and West Evergreen Strong Neighborhood Initiative (SNI) planning areas and fully incorporates the Evergreen Specific Plan area and the Silver Creek Planned Residential Community. Portions of the EEHDP Area are also designated as Redevelopment Project Areas. See map on page 7 for the location of the SNI planning areas in the EEHDP area.

### PURPOSE OF ORIGINAL EVERGREEN DEVELOPMENT POLICY

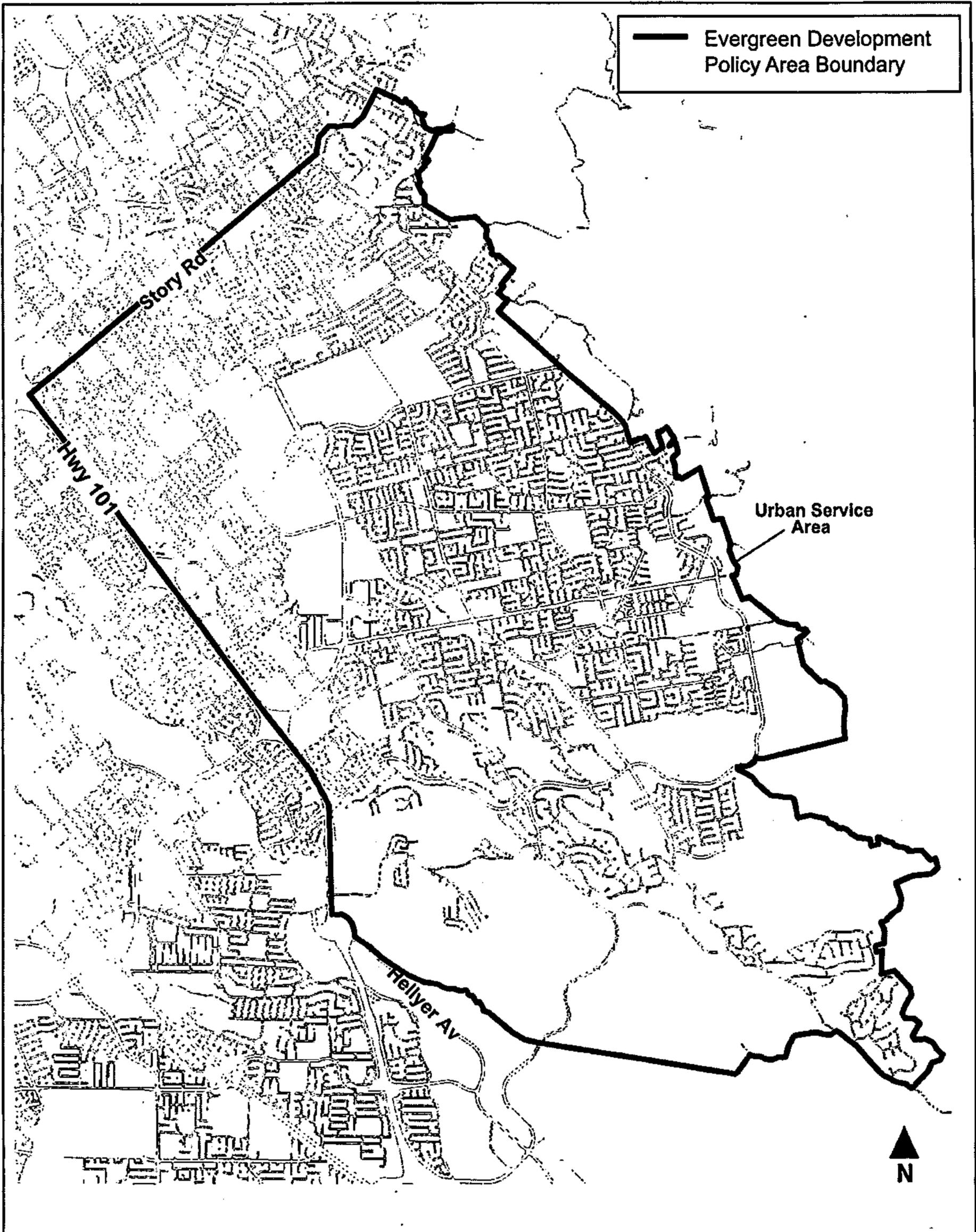
The original *Evergreen Development Policy (OEDP)* was adopted in August 1976 to address the issues of flood protection and limited traffic capacity in the EDP area, which constituted substantial constraints to development in the EDP Area. The area south of Story Road and east of Highway 101 has limited gateway streets into and out of this part of San Jose. These gateway streets are known as "screenline intersections." All vehicular trips to and from Evergreen pass through these few gateways, creating the potential for severe traffic congestion.

The 1976 EDP established the policy framework for facilitating an increment of new residential development in the EDP area as identified by the General Plan at that time. The Policy identified specific programs for correcting the transportation deficiencies and enhancing flood protection. In particular, the goal of the EDP was to limit the construction of new residential units so that traffic Level of Service "D," consistent with the City's General Plan policies, would be maintained at key boundary (screenline) intersections. Level of Service D is a measure of traffic congestion at signalized intersections, where vehicles wait through more than one signal light cycle at intersections but for short periods.

The EDP area is also naturally prone to flooding, requiring a flood control solution prior to additional construction. The Original Evergreen Development Policy adopted in 1976 created flood control policies which included allowing development to occur only if it protected from the 100-year flood and did not divert flood or overland flows or cause flooding on other properties. Original Evergreen Development Policy flood protection measures also required flood control improvements within the policy area which included improvements to Lake Cunningham, the

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construction of a tributary stream from Silver-Thompson Creek, the construction of a point of connection of the tributary stream to Lake Cunningham, and other improvements to the Quimby and Fowler Creek watersheds. The majority of flood control improvements required within the Original Evergreen Development Policy were completed prior to the Policy's update in 1991. The remaining outstanding improvements to the Quimby and Fowler Creek watersheds were included in the development of the Evergreen Specific Plan.



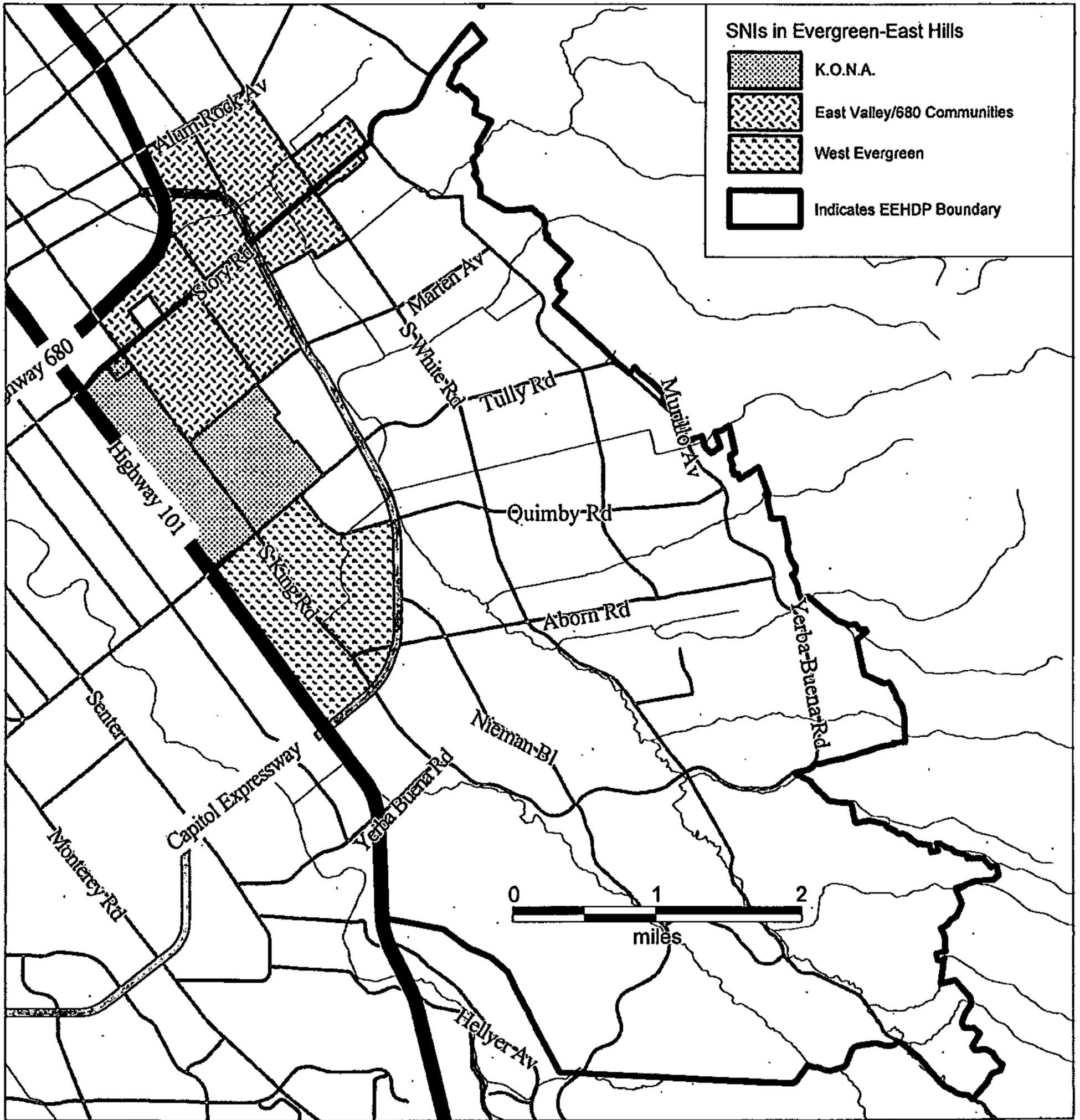
— Evergreen Development Policy Area Boundary

Urban Service Area



VICINITY MAP

# Strong Neighborhood Initiative Districts in Evergreen-East Hill Development Policy



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## SUMMARY OF PREVIOUS UPDATES AND STRATEGIC PLANNING EFFORTS

### 1991 Evergreen Specific Plan (ESP)

Under the Original Evergreen Development Policy, the screenline intersections reached their maximum traffic capacity in 1989, effectively preventing additional residential development. At that point, however, there was potential for the construction of almost 4,000 new residential units based on existing General Plan land use designations. Of the almost 4,000 potential residential units, 3,000 were within a sub-area of the OEDP, called the *Evergreen Planned Residential Community* (EPRC).

In 1990, the City Council initiated the *Evergreen Specific Plan* (ESP) for the EPRC to create a unique suburban area with a mix of lot sizes, housing types, some retail, parks, schools, and other amenities. The ESP was the catalyst to revise the OEDP, and through that effort, the City was able to identify additional traffic mitigation measures to support the construction of the 2,996 new residential units. Traffic analysis performed in conjunction with the preparation of the ESP, quantified the amount of traffic capacity required to allow full development of the remaining vacant lands in Evergreen, and identified potential street improvements which could provide the required capacity. In 1991, the City Council approved the ESP associated General Plan changes to the Evergreen Planned Residential Community and revised the Original Evergreen Development Policy to identify the transportation and flood control improvements needed for the Evergreen Specific Plan.

### 1995 OEDP Amendment

The Original Evergreen Development Policy was again revised in 1995 to provide the policy framework for the build-out of the larger Evergreen Development Policy Area consistent with the General Plan at that time with the goal of maintaining the basic traffic LOS "D" and hundred-year flood projection standards of the 1976 OEDP and 1991 OEDP Amendment. Those standards were preserved as prerequisites to project approvals. The 1995 OEDP Amendment identified the remaining watersheds and street system improvements required to allow 4,759 residential units to proceed. A Benefit Assessment District (No. 91-209SJ Aborn-Murillo) was formed to provide a cost-sharing plan to finance and construct the extensive infrastructure network enhancements necessary to facilitate the planned and potential dwelling units identified by the San José 2020 General Plan and the Evergreen Specific Plan. In 1998, the Benefit Assessment District was augmented and updated through the formation of Community Facilities District No. 4 as a result of changes to the laws governing special districts. Both the Benefit Assessment District and the Community Facilities District remain in effect today (2008) with no expiration date.

### 1998 OEDP Amendment

A minor amendment was made to the Original Evergreen Development Policy in August 1998 to refine the traffic analysis methodology in order to facilitate small-scale, non-residential development. Specifically, traffic analysis methodology was no longer based upon screenline intersections, but based upon traffic measurements at all affected intersections. This allowed

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small projects which did not have allocations to be built if the traffic associated with the small project could be mitigated through the installation of appropriate transportation improvements.

### **Evergreen Vision Strategy/Evergreen-East Hills Development Strategy**

The Evergreen-East Hills Development Policy builds upon several prior planning efforts, including the work of the Evergreen Visioning Project, the Evergreen-East Hills Vision Strategy (EEHVS) planning process, the Strong Neighborhood Initiative program and the Knight Program in Community Building Evergreen-Eastridge area charrette.

In 2003 the Evergreen-East Hills Vision Strategy, a large community outreach process (initially called the Evergreen Visioning Strategy), was underway to facilitate the development of six large opportunity sites. The six opportunity sites included:

- Arcadia, located on the south side of Quimby Road approximately 1,000 feet westerly of Capitol Expressway
- Pleasant Hills, located on the northeast corner of Tully and White Roads
- Evergreen Valley Community College, located on the North side of Yerba Buena Road approximately 350 feet easterly of San Felipe Road
- Berg, located on the southeast corner of Fowler and Yerba Buena Roads and both sides of future extension of Yerba Buena Road/Murillo Avenue between Fowler
- IDS located on the eastside of Yerba Buena Road opposite Verona Road
- Yerba Buena OPCO, located on the northeast corner of Yerba Buena Road and Old Yerba Buena Road.

The total development proposed as part of the Evergreen-East Hills Vision Strategy was up to 5,700 residential units, 500,000 square feet of commercial development, and 75,000 square feet of office development in the development policy area. As part of the outreach and taskforce process associated with EEHVS, the community identified a number of community amenities which were lacking and were priorities in the Evergreen-East Hills area. The property owners of the opportunity sites had voluntarily proposed to provide more parkland and community amenities than could be required as a part of the normal development process, as the proposed voluntary contribution by the opportunity sites was greater than the City's Parkland Dedication Ordinance required.

On May 15, 2007 the City Council decided to defer decision of the conversion of industrial properties (Berg, IDS, and Yerba Buena OPCO) to residential use and requested the development policy be updated to allow for a more limited level of development than was proposed with the Evergreen-East Hills Development Strategy Appendix H includes a listing of the community amenities identified through the Evergreen-East Hills Vision Strategy. This list serves as a resource for capital improvement projects based on community priorities. These amenities can also be considered as part of a "bonafide plan" to amend this development policy in the future. The bonafide plan requirement for potential amendments to the EEHDP is described on page 27 of this document.

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## II. PURPOSE AND GOALS OF THE UPDATED EVERGREEN DEVELOPMENT POLICY, ENTITLED THE EVERGREEN-EAST HILLS DEVELOPMENT POLICY

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The primary purpose of the updated *Evergreen Development Policy*, which shall be referred to now on as the *Evergreen-East Hills Development Policy (EEHDP)*, is to replace the original EDP (OEDP), as amended to specifically allow a limited increase in development in the Evergreen-East Hills area. The Evergreen-East Hills Development Policy becomes the new policy framework for this limited new development of residential, commercial, and office uses within the EEHDP Area. The EEHDP is intended to promote the long-term vitality of the Evergreen-East Hills Area by linking together limited new development with supporting transportation infrastructure. In exchange for enabling more development capacity, the Policy provides a mechanism to require commensurate traffic impact fees in order to construct transportation system investments.

The EEHDP is consistent with the City's 2020 General Plan, specifically supporting the General Plan goals of creating livable neighborhoods, promoting infill development at appropriate locations, and ensuring adequate services and facilities. The EEHDP also supports the City's Urban Growth Boundary/Greenline through the promotion of infill development. This update does not amend the specific traffic Level of Service standards that are in the existing Evergreen Development Policy. The primary reason for adopting an Area Development Policy is to manage the traffic congestion associated with near term development in the EEHDP Area and simultaneously promote development consistent with the General Plan goals and neighborhood visions.

All new development within the EEHDP area should be consistent with the Guiding Principles for Land Use and Transportation Planning in Evergreen (see Appendix A) and the Guiding Principle Design Guidelines (Appendix B), which were developed, as part of the Evergreen-East Hills Vision Strategy planning process. The Guiding Principles state that all new development in EEHDP area should be sustainable, of high quality, and improve the overall livability of the area. New residential development should create housing opportunities for a wide range of household types and income levels. Infrastructure and services should support the planned levels of residential and non-residential development. New development in transit corridors should incorporate transit-oriented development concepts, and all development should support vibrant land uses linked by various transportation modes and community amenities.

The Evergreen-East Hills Development Policy consists of policies that govern:

- Land Use (Chapter III)
- Transportation (Chapter IV)

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- Transportation Infrastructure Improvements (Chapter V)
- Implementation (Chapter VI)

Proposed development must be consistent with all elements of this EEHDP

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## III. LAND USE

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### GENERAL LAND USE CONCEPTS

The Evergreen-East Hills Development Policy Land Use Policies are intended to:

- Guide development to appropriate locations within the Evergreen-East Hills Development Policy Area.
- Provide appropriate flexibility for limited new development capacity.
- Maintain the current location of the Urban Growth Boundary.
- Facilitate infill development within the Urban Growth Boundary.
- Facilitate walking, bicycling, and transit use.
- Promote a diversity of housing options within neighborhoods.
- Protect, enhance, and/or restore natural features.

### AFFORDABLE HOUSING

Consistent with Key Outcome No. #5 (see Appendix A- Guiding Principles for Land Use and Transportation Planning in Evergreen), which was developed through the Evergreen-East Hills Vision Strategy process, the EEHDP Policy is intended to create housing opportunities for a wide range of household types and income levels. Although only projects pursuing more than 35 residential units have specific affordability requirements described below (see page 20), supplying affordable units as part of all residential development is encouraged within the EEHDP area.

### RETAIL STRATEGY

Consistent with Key Outcome No. #4 (see Appendix A – Guiding Principles for Land Use and Transportation Planning in Evergreen), which was developed through the Evergreen-East Hills Vision Strategy process, the EEDP is intended to foster vibrant commercial/business, mixed use, and residential areas including added opportunities for post offices, health care, entertainment and other retail uses. The Guiding Principles and Design Guidelines incorporated as Appendix D to this Policy also encourage mixed-use development. Projects pursuing more than 35 residential units in size shall adhere to specific design guidelines for mixed use development in order to foster successful retail opportunities (see page 42).

### DEVELOPMENT CAPACITY

This Policy establishes a specific amount of land use development capacity for the Evergreen-East Hills Development Policy Area. All new development entitlements for properties located within the EEHDP Area must be consistent with these provisions.

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## **Existing Development Capacity**

All properties with established development capacity in the form of existing construction onsite, entitlements, traffic allocation under the previous policy, or assigned trips in the City's Approved Trips Inventory (ATI) are able to redevelop based on that established level of traffic capacity. The level of traffic capacity that will be determined to be established will be based on the associated traffic generation (trips) under the Original Evergreen Development Policy as amended. Existing trip allocations for a property will be credited for any development or redevelopment of that property, including proposed changes in use (e.g., existing commercial trips can be credited to a new residential project that displaces the commercial use). Development in excess of the existing trip allocation will require new allocation as provided in the following provisions of this Policy. As of August 2008, unconstructed residential allocations under the previous policy total 446 dwelling units, as set forth in Appendix H of this Policy.

## **New Residential Development Unit Pool**

This Policy establishes capacity for the development of up to 500 new residential units within the Policy area. This capacity is held in a "pool" that may be allocated to any property per the allocation criteria set forth in this Policy (see pages 24-26).

- A maximum of 50% of the pool units (250 units) can be utilized for allocation to development projects of more than 35 units if the proposals meet the criteria set forth on pages 25-26.
- At a minimum, 50% may be allocated to small projects, which are 35 units or fewer in size.

Units are considered "allocated" with the approval of a rezoning, development permit or subdivision, whichever comes first. Any type of residential development, including single-family and multi-family residential projects can be allocated units out of this pool. This Policy does not allow for any additional residential development beyond this specific allocation of 500 units. Any additional residential development beyond 500 units, would necessitate an amendment to this updated Policy and likely additional subsequent environmental clearance. Guidance for future updates is contained on pages 27-28.

## **New Retail Development Square Footage Pool**

This Policy establishes capacity for the development of up to 500,000 square feet of new retail development within the Policy area held in a pool that may be allocated to any property per the criteria set forth in this Policy (see pages 22-23). New development of such uses will require allocation from this pool.

## **New Commercial Office Development Square Footage Pool**

This Policy establishes capacity for the development of up to 75,000 square feet of new office development within the Policy area held in a pool that may be allocated to any property per the criteria set forth in this Policy (see pages 22-23). Commercial offices include business

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services and medical offices. New development of such uses will require allocation from this pool.

## **Public Uses**

Public uses, including City, County, State or Federal development projects (e.g. police stations, fire stations, libraries, neighborhood parks, post offices, schools and transit facilities) are subject to the Evergreen-East Hills Development Policy.

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## IV. TRANSPORTATION POLICY AND STANDARDS

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### OVERVIEW

The City has an adopted Level of Service (LOS) standard of "D" for most signalized intersections for the majority of the community. Geographic segments of the City with adopted Area Development Policies, as well as the Downtown, have unique, generally more permissive standards that vary from the citywide standard in recognition of special circumstances or superseding City goals that make maintaining an LOS of "D" impractical.

Under the OEDP, an LOS of "D" was established as a long-term goal for the Development Area. Particular land uses were incorporated into the OEDP so that at full build-out all EDP intersections would function at this LOS standard. A key component of the General Plan was the development of a significant office/research and development job base on the sites designated Campus Industrial located just east of Murrillo Avenue, to establish a reverse commute pattern within the Policy area. Providing a job base within the Development Policy Area was projected to improve traffic conditions by decreasing the need for area residents to commute out of the Development Policy Area on heavily congested routes. Because residential development within the Development Policy Area was implemented while the Campus Industrial site remained largely undeveloped, the LOS "D" standard was not met.

### LEVEL OF SERVICE STANDARDS – EEHDP AREA PROJECTS

In place of the citywide Level of Service (LOS) Standard, the EEHD Policy, which is a revision of the Evergreen Development Policy, provides traffic capacity for a 'Development Pool' of 500 residential units, 500,000 square feet of retail, and 75,000 square feet of commercial office at undetermined locations within the Evergreen-East Hills Area (defined as the land within San Jose's Urban Service Area Boundary, south of Story Road, east of U.S. Highway 101, and the area generally north of the intersection of U.S. Highway 101 and Hellyer Avenue, where the northern boundary of the Edenvale Development Policy Area ends) and the corresponding transportation infrastructure improvements. The Evergreen-East Hills Development Policy utilizes the Existing Evergreen Development Policy's traffic impact criteria but allows some decreased vehicular traffic level of service, while maintaining an average of LOS D or better when vehicular traffic improvements unacceptably conflict with other modes of travel or biological resources.

**Impact Criteria.** A project is said to create a significant adverse impact on traffic conditions at a signalized intersection located in the Development Policy Area if for during peak hours:

1. The level of service at the intersection degrades to a worse letter grade level of service, or
2. a) For non-residential projects, the level of service at the intersection is an

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unacceptable Level of Service E or F and the addition of project traffic adds more than a one-half percent (0.5%) increase in the critical traffic volume at the intersection.

- b) For residential projects, one or more added trips to an intersection operating at an unacceptable Level of Service E or F.

Unacceptable Levels of Service are intersections functioning at Level of Service E or F under "background" conditions. Background conditions are the traffic conditions that take into account the build out of already approved trips through the Original Evergreen Development Policy, existing buildings, and projects with existing entitlements. A significant impact can be satisfactorily mitigated when measures are implemented that would restore intersection level of service to background conditions or better.

**Exemption.** However an impact will not require mitigation under the following conditions:

1. The Intersection will continue to operate at LOS D or better, and
2. The improvement(s) necessary to improve conditions to background conditions create undesirable conflicts with other modes of travel or have unacceptable impacts on Biological Resources, and
3. The development causing the impact is within the scope of the Development Pool.

The Development Pool, as its distribution is assumed in the Traffic Analysis, is anticipated to cause the level of service to degrade to a worse letter grade (but not worse than LOS D), at the following three intersections:

1. Capitol Expwy and Nieman Blvd;
2. San Felipe Rd and Yerba Buena Ave (North);
3. San Felipe Rd and Delta Rd
4. Evergreen Commons and Tully Road

At each of three intersections numbered 1-3 above, the improvement(s) necessary to restore traffic LOS to background conditions create undesirable conflicts with other modes of travel in that:

1. At the intersection of Capitol Expressway and Nieman Boulevard, the improvement required to improve conditions to background conditions include adding a second westbound right-turn lane. Double-right turn lane are considered a design which are less desirable as they increase the likelihood of pedestrian conflicts.
2. At the San Felipe Rd and Yerba Buena Ave (North) intersection, improvement required to improve conditions to background conditions include adding an exclusive southbound right-turn lane. Double right-turn lanes are considered less desirable as they increase the likelihood of pedestrian conflicts.
3. At the San Felipe Rd and Delta Road intersection, the improvement required to improve conditions to background conditions include adding a second westbound left-turn lane or by adding a second southbound left-turn lane. Adding lanes to intersections also increase the

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conflict with pedestrian movement. This is particularly important at this location, which is proximate to several schools.

At intersection numbered 4 above (Evergreen Commons and Tully Road), the improvements necessary to restore traffic LOS to background conditions create unacceptable impacts to biological resources as the improvement would require the widening of a Bridge crossing Thompson Creek which would remove riparian habitat.

At these four intersections, the improvement(s) necessary to restore traffic LOS to background conditions create undesirable conflicts with other modes of travel or creates unacceptable impacts with biological resources.

In the event development is proposed at locations substantially different than the assumed distribution, supplemental traffic analysis would be required to determine whether additional intersections would be affected and whether improvements could be made to restore traffic LOS to background conditions. In the event the improvements would create undesirable conflicts with other modes of travel, the resulting LOS degradation would also be deemed acceptable at those intersections for purposes of facilitating the Development Pool so long as the affected intersection would continue to operate at LOS D or better and, but for the vehicular traffic distribution element, the proposed development would otherwise fall within the Development Pool.

**Other Non-Pool Development.** Future development, beyond that which is included in the Development Pool, must be analyzed for conformance with the above-stated Traffic Impact Criteria. Such development shall provide mitigation for its traffic impacts, consistent with the EEHD Policy, unless the necessary improvements create undesirable conflicts with other modes of travel. In the event of undesirable conflicts with other modes of travel, the City Council would consider whether to modify the EEHD Policy to allow the development despite the degradation in LOS or restrict such development in light of the resulting LOS.

As indicated in Table 1, under this policy, three intersections within the EEHDP Area are projected to operate at LOS "E" or "F" even with the construction of all transportation improvements identified on pages 19-20. All other intersections are projected to maintain LOS "D" or better for AM and PM traffic conditions within the EEHDP Area.

Table 1. Intersection LOS Standards

<u>Intersection</u>	<u>LOS Standards</u>
- Capitol Ex/Quimby Rd	AM D PM E
- Capitol Ex/Story Rd	AM E PM E
- San Felipe Rd/Yerba	AM E

**LEVEL OF SERVICE STANDARDS – PROJECTS OUTSIDE OF THE EEHDP AREA**

If the traffic analysis for a new development project located outside of the EEHDP Area identifies that the project will generate traffic within the EEHDP Area, the impact of that traffic will be evaluated and mitigated according to the Citywide Transportation Impact Policy 5-3.

**TRANSPORTATION DEMAND MANAGEMENT (TDM) MEASURES**

All new development within the EEHDP Area is required to incorporate transportation demand management (TDM) elements into facility design, to the extent possible, to reduce the demand for single-occupancy vehicles during peak commute periods. A list of possible TDM measures is included as Appendix D to the EEHDP.

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## V. TRANSPORTATION INFRASTRUCTURE

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### OVERVIEW

A key element of the EEHDP is the construction of new transportation infrastructure projects in conjunction with the construction of new development within the EEHDP Area. These transportation improvements are divided into two categories: **Transportation Mitigation Improvements** and **Site Operational Improvements**. The Transportation Mitigation Improvements will be funded through the procurement of a Traffic Impact Fee from the new development. A Nexus Study has been prepared to establish the relationship between new development of the proposed development capacity and the Transportation Mitigation Measure Improvements which are to be funded through the Traffic Impact Fee.

The Site Operational Improvements will occur at the time of development on specific sites and will be funded by the subject developer of the particular site.

### TRANSPORTATION MITIGATION IMPROVEMENTS

The Transportation Mitigation Measure Improvements address specific traffic impacts associated with full build-out of the EEHD Policy's limited development capacity (identified on page 19) and will directly benefit traffic flow within the Policy area. The construction of the transportation mitigation improvements will be funded or caused to be funded by by using fees collected from a Traffic Impact Fee applied to all new residential, retail, and commercial office development enabled through this EEHD Policy. Additional details of the Traffic Impact Fee are discussed below in the Implementation Chapter. The specific mitigation measures are:

- 1) Capitol Expressway and Quimby Road: Add exclusive northbound and eastbound right-turn lanes to this intersection.
- 2) Nieman Boulevard and Yerba Buena Road: Add a second westbound left-turn lane to this intersection.
- 3) Tully Road and McLaughlin Avenue: Add an exclusive northbound right-turn lane to this intersection.
- 4) White Road and Aborn Road: Add a second westbound left lane to this intersection.
- 5) US 101 and Yerba Buena Road (East): Convert a westbound through lane into a shared through/right-turn lane at this intersection.
- 6) White Road and Quimby Road: Add a second northbound left turn lane to this intersection.
- 7) San Felipe Road and Yerba Buena Road (South): A second eastbound left turn lane and a second southbound left turn lane will be added to this intersection.

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## **New Traffic Signals/Modifications**

The City of San Jose determines the need for new traffic signals based on a system of "warrants," which analyze whether a traffic signal at a particular location would reduce traffic delays, reduce accidents, or help pedestrians. This EEHD Policy includes installation of traffic signals at locations based upon improvements for safety and efficiency and based on existing and projected future traffic volumes. New traffic signals or signal modifications are planned for the intersections at:

- Ruby Avenue/Norwood Avenue
- I-680 Ramps (N)/Jackson Avenue
- Ruby Avenue/Tully Road/Murillo Avenue
- Story Road/Clayton Road
- Marten Avenue/Mt. Rushmore Drive
- Marten Avenue/Flint Avenue
- Quimby Road/Scottsdale Drive
- Nieman Boulevard/Daniel Maloney Drive
- Story Road/Lancelot Lane
- Ocala Avenue/Hillmont Avenue
- Ocala Avenue/Adrian Way

## **SITE OPERATIONAL IMPROVEMENTS**

Some local transportation infrastructure improvements will need to be built as development occurs on specific properties. These improvements address local circulation needs or implement established improvement plans and are not specifically identified in this Policy. Their construction will be implemented through the application of standard development review and entitlement procedures.

There are three additional intersections in addition to the intersections listed above requiring new traffic signals or signal modification in order to provide direct access to and from a project site. These intersections are at Tully Road/Almond Drive, Quimby Road/Arcadia Property, and Capitol Expressway/Arcadia Property. Since the benefit associated with these three traffic signals is not area wide, the cost associated with traffic signal improvements to these three intersections is not included in the area wide traffic impact fee, and instead will be funded by the developer of that site.

## **IMPROVEMENTS TO ALTERNATIVE MODES OF TRAVEL**

### **Traffic Calming**

Traffic calming improvements, include, but are not limited to, roadway features or signage such as, median islands, chokers, road humps, or enhanced crosswalks. Given that traffic calming improvements, enhance pedestrian comfort safety, these types of roadway improvements are consistent with with Key Outcome # 4 of the Guiding Principles for Land Use and Transportation Planning in Evergreen as Developed through the Evergreen-East Hills Vision Strategy, which seeks to increase the overall livability of Evergreen by fostering vibrant areas,

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which are linked by various transportation modes and community amenities. When specific development projects are applied for, the City will review any opportunities for on-site traffic calming measures if deemed to meet the City Council Policy (5-6) criteria for the initiation of traffic calming projects.

### **Bus Stop Construction/Improvements**

Bus stop construction and improvements are also consistent with Key Outcome #4 of the Guiding Principles for Land Use and Transportation Planning in Evergreen as Developed through the Evergreen-East Hills Vision Strategy, as these improvements facilitate bus ridership, thus supporting additional transportation modes. Bus stop improvements include:

- ADA accessibility improvements
- Construction/replacement of bus stop pavement pads, passenger waiting pads, and shelter pads
- Addition or relocation of lighting
- Construction of connecting sidewalks to create accessible paths
- Supporting pedestrian improvements at crosswalks and intersections including, but not limited to, special pavers or pavement, bollards, pedestrian-activated in-pavement lights, countdown signals for pedestrian crossings, and narrowing of pedestrian crossing distance including reduced curve radii and/or curb bubouts

When specific development projects are applied for, the City coordinate with the Valley Transportation Authority and will review any opportunities for on-site bus stop improvements.

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## VI. IMPLEMENTATION

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### REVIEW OF NEW DEVELOPMENT PROJECTS

All new development within the EEHDP Area is subject to the City's standard procedures and policies for the review of new development within the City of San Jose. Projects must conform to the General Plan, applicable design guidelines and other policies and regulations unless specifically provided for otherwise in this Policy. Additionally, all new development within the EEHDP Area should be consistent with the site design, architectural design and other items set forth in the Vision and Expected Outcomes, and Guiding Principles incorporated as Appendix A of this Policy and the Guiding Principle Design Guidelines incorporated as Appendix B.

### ALLOCATION OF DEVELOPMENT CAPACITY

Allocation of the development capacity provided through this Policy is determined according to the criteria set forth in this section. Allocations are made at the time of initial Planning entitlement approval (the first of either Planned Development Zoning, Site Development Permit, Vesting Tentative Map, or equivalent action) and remain in place until all such entitlements expire.

In addition to meeting the allocation policies on pages 22-26 of this EEHD Policy, all new development within the EEHDP Area, including projects that make use of existing allocations, existing trip credits, or allocation of new development pool capacity must:

- Further the Major Strategies, Goals and Policies of the City of San Jose General Plan. Although development must adhere to all applicable aspects of the General Plan, development policies which are particularly relevant to the topography and environment of the Evergreen-East Hills area include hillside development and riparian corridor protection policies.
- Be consistent, if applicable, with the Guiding Principles for Land Use and Transportation Planning, which was developed through the Evergreen-East Hills Vision Strategy (Appendix A)
- Be substantially consistent, if applicable, with the Guiding Principle Design Guidelines, which was developed through the EEHVS (Appendix B)
- Conform to the City's Design Guidelines for Commercial, Industrial, and Residential uses.
- Not require modification of the Urban Service Area or Urban Growth Boundary boundaries.
- Not create significant adverse effects upon the environment, including but not limited to: projects that must not require significant grading or other alteration of the natural environment.

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## Use of Discretionary Alternate Use Policies in the General Plan

Projects which draw from the pool of development capacity created through this EEHD Policy, may utilize discretionary alternate use policies in the San Jose General Plan only if they are also consistent with other General Plan policies and goals and also adhere to the criteria of this EEHD Policy. It is expected that the Discretionary Alternate Use Policies would be employed rarely in combination with the EEHDP.

### Distribution of Traffic Allocation

The 500 residential units, 500,000 square feet of retail, and 75,000 square feet of commercial office development were distributed within the EEHDP area for analytical purposes to provide environmental clearance for the additional traffic capacity. The distribution of residential units in the EEHDP area was based on implementation of the General Plan Land Use/Transportation Diagram as well as the furtherance of Goals and Policies of the General Plan and the Guiding Principles of the Evergreen-East Hills Vision Strategy, which support infill development of vacant or underutilized properties in a manner consistent with reducing automobile usage and connecting residents to community amenities, commercial, and/or job centers. The distribution of residential units, commercial and office development for those analytical purposes is as follows:

Sub-Area	Housing Units	Office Sq. Ft.	Commercial Retail Sq. Ft.
South of Story, between Highway 101 and Capitol Expressway	100	25,000	344,000
East of Capitol, between Story and Tully Roads	72	25,000	21,000
East of Capitol, between Tully and Aborn Roads	53	25,000	35,000
East of Capitol, between Aborn and Yerba Buena Roads	200		100,000
South of Yerba Buena Road	75		
TOTALS	500	75,000	500,000

Public Works staff will determine if a proposed project appears to have any traffic impacts significantly different than the traffic impacts previously analyzed based on the distribution of traffic in the above table. If Public Works staff determines that the impacts could be different or more significant than what was previously analyzed, the applicant will be required to provide a subsequent traffic analysis.

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## **Existing Allocations**

Allocations and development rights existing at the time of adoption of this Policy remain in place and do not require any further consideration.

## **"Anti-Clustering" and Master Planning Requirement**

The allocation of development capacity through the land use approval process on sites in the EEHDP area shall occur only if the proposed development fully utilizes the proposed project site consistent with the designation on the General Plan Land Use/Transportation Diagram, General Plan text, and other applicable policies (e.g. Riparian Corridor Policy). Development should not occur on a portion of the site, with other portions of the site remaining vacant in reservation for potential future development opportunities which are not in conformance to the EEHDP. If a site is unable to be fully developed consistent with the General Plan Land Use/Transportation Diagram designation, General Plan text, and in accordance with the criteria set in this policy, then the site is ineligible to utilize allocation. If an Amendment to the Land Use/Transportation Diagram is proposed, then other applicable entitlements (rezoning, site development permit, and/or tentative map) should be concurrently processed with the Amendment to the Land Use/Transportation Diagram in order to confirm the applicant's intent to implement the proposed Amendment consistent with the EEDHDP.

The subject site may not be eligible for residential development under this policy. Conditions for consideration to an Amendment to this Development Policy are highlighted in Chapter.VII, Future Amendments to the EEHDP.

## **Properties with Existing Residential Use or Other Uses**

Properties that have existing residential or non-residential uses will be allowed to apply their traffic generation equivalency to proposed new developments provided the existing use is legally permitted and the proposed use is consistent with applicable City policies and ordinances without additional allocation under this Policy.

## **Residential Pool Allocation**

Residential development capacity for new projects will be allocated at the time of the City's approval of a planning development permit or zoning action on the specific pool site. Once allocated, units are removed from the Residential Development Unit Pool and no longer available for allocation to other properties.

If a permit expires or a zoning is replaced by a new entitlement, any unused allocation is returned to the appropriate pool and becomes available for new projects. All projects receiving allocation from the Residential Development Unit Pool are subject to the Traffic Impact Fee.

All projects receiving allocation must further the Major Strategies, Goals and Policies of the City of San Jose General Plan.

## ***Small Projects***

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Fifty percent (50%) (250 units) of the Residential Pool Capacity is reserved for small projects of less than 35 units and may not be allocated to larger projects.

Small projects, which are more than 10 residential units in size, must also meet at least one of the following criteria:

Riparian Sensitive Development-Projects must provide a minimum 100 foot setback from any high quality riparian areas that exists on the subject project site. This criterion would not be applicable to any channelized creeks or intermittent or ephemeral riparian areas. The setback is measured from the outside edge of the riparian corridor (or top of bank, which ever is greater) to the property line of any new units. The City can also require the development, with consultation of a qualified biologist, to provide riparian landscape in order to enhance or restore the riparian area within the 100 foot setback. The outside edge of the riparian corridor should be determined using guidelines set forth in the City's Riparian Corridor Policy Study. Compliance with this criterion does not include a biologist's determination of an acceptable reduced setback or an "equivalent" setback.

Green Building- Projects that utilize green building measures to further the City's Green Vision need to demonstrate how they intend to outperform the citywide green building policy requirements. To meet this criterion, a project should also incorporate a significant portion of the Green Building design actions listed in Appendix C of this document or comparable actions that become available with technological advances, so as to qualify for Leadership in Energy and Environmental Design (LEED) Silver or 75 points with the Green Point Rating System, or incorporate a comparable level of Green Building Design measures. The applicant shall provide sufficient information to the City that the proposed green building measures are determined to be feasible prior to approval of entitlements that facilitate the transfer of traffic allocation to that property. All entitlements that provide allocation to developments which utilize this criterion shall be conditioned accordingly to ensure compliance. This may require the applicant to provide the City with third party verification that particular green building standards are achieved.

Diverse Housing Types- Projects that increase the range of housing options available to EEHDP area residents must demonstrate that least 50% of the units must have units which differ from the size substantially from the size of the remainder of the units in the project. This variety of unit sizes is intended to support residents with different needs, such as singles and/or extended families within the same project site.

Community Meeting Room Space- Projects which provide a minimum of 1,000 square feet of community meeting room space on site that is privately maintained and available for use by the public. The design and location of the community room space shall be conveniently accessible for public visibility and use.

## *Large Projects*

No more than 50% (250 units) of the Residential Pool Capacity may be allocated to projects of larger than 35 units. Unlike the residential pool for small projects, there is no minimum number

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of units which are reserved for large projects. Any large project of 35 units or greater is subject to meeting one of following criteria:

**Affordable Housing** – Projects that incorporate affordable housing in excess of other City requirements if applicable. In order to meet this criterion, a project must have at least 20% of units reserved to be available for Low Income, Very Low Income and/or Extremely Low Income families in addition to fulfillment of any other City requirements. Developments may not fulfill their obligation as required by this policy by opting to pay an in-lieu fee.

**Mixed-Use Projects**– Projects that incorporate mixed-use elements (e.g. ground floor retail with office or residential above consistent with the guidelines contained in Appendix H. The mixed use development should also conform to the City's Residential Design Guidelines. The ground floor retail design shall be highly visible from the pedestrian and street level. In addition, the ground floor layout and design and amenities provided supports different uses, fostering the long term vitality of the ground floor retail area.

**Historic Preservation**– Projects that incorporate significant cultural resources, either through preservation and integration of identified historic structures. In order to meet this criterion, a project must include a resource that qualifies for a minimum listing as a structure of merit on the City of San Jose Historic Resources Inventory and the development and proposed preservation of the resource shall substantially conform to the historic preservation policies included in Appendix I.

### *Projects outside of EEHDP area*

New projects outside of the EDP Area, which may impact gateway intersections, will be subject the City's Level of Service Policy 5-3: Transportation Impact Policy.

### *Unforeseen future projects*

Any development projects beyond the scope of the EEHDP and the associated Supplemental EIR will require an amendment to the EEHDP Policy and additional environmental review. An Amendment to the EEHDP will be considered only in accordance with the criteria called for in Section VII of this policy.

### **FUNDING OF IMPROVEMENTS**

The total funding required for the Transportation Mitigation Improvement is estimated to be \$10.5 million (2008 dollars). The developers of project sites collectively are responsible in providing funding for the all required Transportation Mitigation Improvement Measures and will be subject to a Traffic Impact Fee (TIF). The Traffic Impact Fee is based upon a fair-share contribution towards the cost of providing transportation improvements that directly mitigate the traffic impacts associated with the development. The traffic impact fee shall be paid to the City prior to the issuance of building permits for new development. The TIF per residential unit is \$ 10,708 and the TIF per 1,000 square feet of commercial or office development is \$8,978.

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## VII FUTURE AMENDMENTS TO THE EEHDP

The City Council may consider future amendments to the Evergreen-East Hills Development Policy only if one of the following three circumstances is realized:

(1) A "bonafide" plan for financing transportation improvements and amenities identified in the EEHVS process is prepared and offered private party. This plan shall be considered bonafide if it is accompanied with a funding agreement that provides or identifies a realistic and certain means to fund the entire Highway 101 corridor project and all other traffic infrastructure required within the policy area and "fair share" funding of the items recommended in the amenities list identified through the Evergreen-East Hills Vision Strategy (see Appendix H); or

(2) The full occurrence of 11,600 jobs on properties zoned for campus industrial uses in the EEHDP area has been achieved (environmental clearance will still be necessary for any additional development); or

(3) An occurrence of jobs on properties zoned for campus industrial in accordance with the phasing plan below is also accompanied by a plan offered by a private party which provides or identifies a realistic and certain means to fund transportation improvement priorities and community amenities which were identified in the EEHVS amenities list. The phasing plan shall allow housing to be phased in with the occurrence of jobs, however the total housing units shall not exceed a total of 3900 residential units. The initial 500 units which are allowed within the EEHDP shall also be included in the total of 3,900 units. The phasing plan shall follow accordingly:

Phases	Jobs	Residential Units
Initial Phase	0	500
Phase II	2,000	1000
Phase III	4,000	2000
Phase IV	6,000	3000
Phase V	11,600	3,900

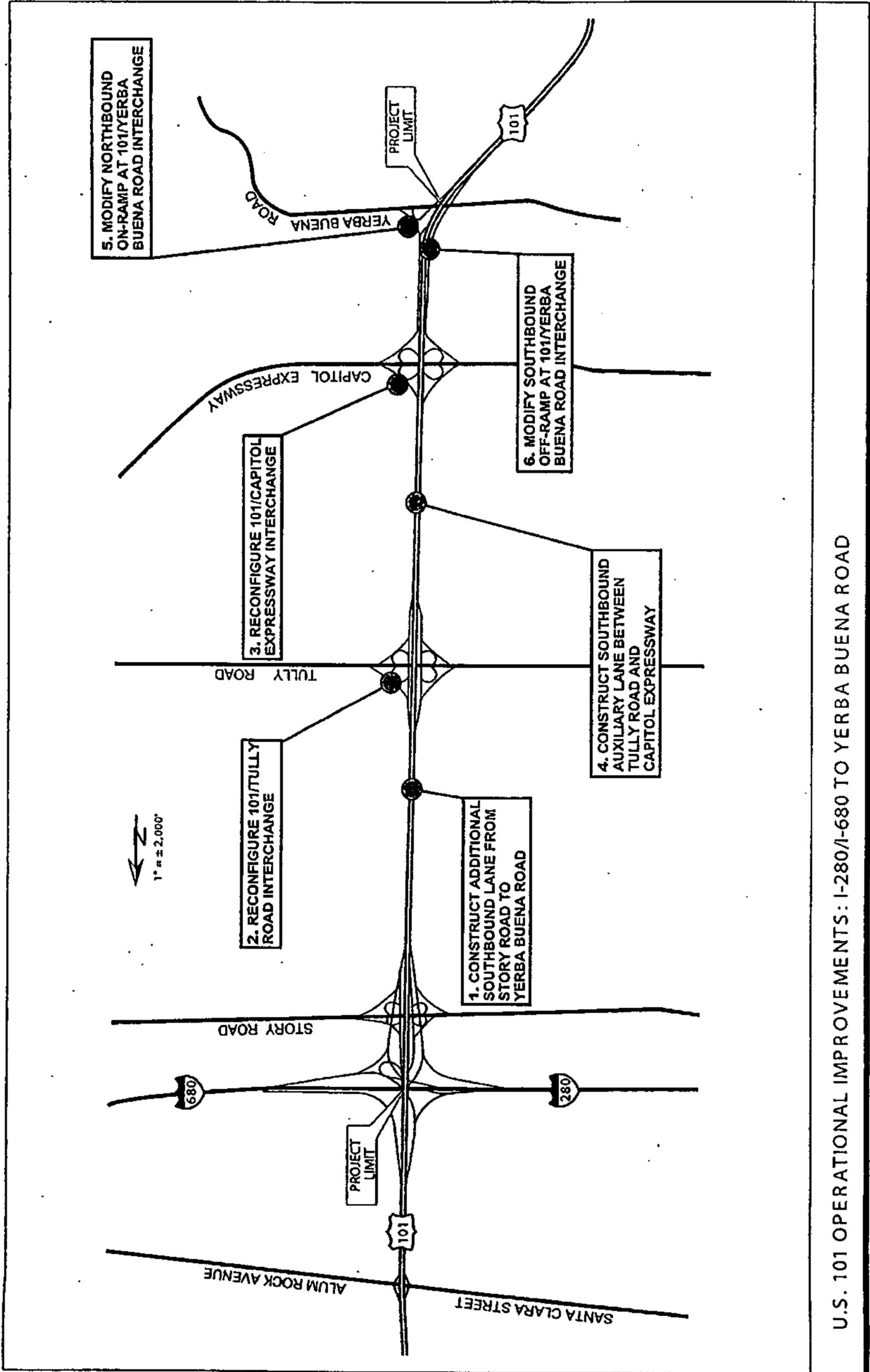
The Highway 101 corridor project referred to in circumstance #1 above includes the following improvements constructed on U.S. 101 between the 1-280/680 interchange and the Yerba Buena Road interchange (see diagram of improvements on Page 29):

- An additional lane in the southbound direction from just south of Story Road to Yerba Buena Road.
- Reconfiguration of the U.S. 101/Tully Road interchange, converting the interchange from a full cloverleaf design to a partial cloverleaf design. A partial cloverleaf design replaces one or more of the loop ramps with diagonal ramps.

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- Reconfiguration of the U.S. 101/Capitol Expressway interchange, converting the interchange from a full cloverleaf design to a partial cloverleaf design.
- An auxiliary lane in the southbound direction between the Tully Road and Capitol Expressway interchanges. An auxiliary lane typically extends between two adjacent interchanges. It is not a "thru" lane; traffic in an auxiliary lane must either merge into the adjacent thru lane or exit the freeway at the next off-ramp.
- Modification of the Northbound On-ramp at the U.S. 101/Yerba Buena Road interchange, to allow traffic from Yerba Buena Road to enter the freeway before Capitol Expressway.
- Modification of the Southbound Off-ramp at the U.S. 101/Yerba Buena Road interchange, to allow traffic from Yerba Buena Road to enter the freeway after Capitol Expressway.

All of these improvements are within the existing Caltrans right-of-way.



U.S. 101 OPERATIONAL IMPROVEMENTS: I-280/I-680 TO YERBA BUENA ROAD

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## APPENDIX A

### GUIDING PRINCIPLES FOR LAND USE AND TRANSPORTATION PLANNING IN EVERGREEN-EAST HILLS, AS DEVELOPED THROUGH THE EVERGREEN-EAST HILLS VISION STRATEGY TASK FORCE

Completed November 19, 2003

*Note: The Guiding Principles are organized into Key Outcomes/Desired Results and related objectives/strategic approaches to achieve the Key Outcomes. The Key Outcomes are numbered to facilitate discussion; no priority is implied by the numbers. The Key Outcomes are intended to work together to provide a macro-perspective, integrated, holistic, and comprehensive systems view of Evergreen's future. The community also voiced interest in the general concepts of flexibility, adaptability, and measurable objectives. For purposes of this document, "new development" includes development on vacant land as well as the redevelopment of already built properties.*

**Key Outcome #1: New development should follow the "sustainability" principles of equity, environment and economic development.**

#### *Equity*

- Promote diversity within neighborhoods.
- Welcome people of all ages, cultures, and socio-economic backgrounds.
- Involve the community in land use decision-making.

#### *Environment*

- Protect the environment through energy and water conservation, alternative energy sources (e.g., solar), "green building," and other sustainability approaches.
- Protect wildlife corridors and other habitats where appropriate and beneficial.
- Maintain the Greenline/Urban Growth Boundary in its existing location.

#### *Economic Development*

- Create economic development opportunities for businesses of all sizes and types, consistent with the City's overall economic development goals.

**Key Outcome #2: All new development should be high quality and aesthetically pleasing.**

- Ensure new development is designed with high level of architectural detail, innovative urban design, and high quality materials.
- Diversify architectural styles.
- Minimize the obstruction of views.

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- Ensure new development is compatible (in terms of design, density, massing, etc.) to adjacent properties and is well-integrated with existing neighborhoods and surroundings.
- Ensure new single-family house sizes are commensurate with the size of the lot and nearby housing developments.
- Locate (i.e., set back) buildings appropriate distances from the sidewalk to create desired neighborhood/community character, landscaping, and friendly and safe pedestrian environment.
- Coordinate and integrate land use planning between land uses (e.g., residential, civic/school/commercial, etc.) to address access, parking, pedestrian connections, and other issues.
- Maintain properties in good condition.
- Ensure new development on larger properties transitions in increasing height and density away from nearby existing lower intensity development.
- Provide adequate parking for all residents and their guests within new residential developments.
- Encourage the renovation, rehabilitation, and revitalization of commercial and residential properties.
- Create safe, well-lit places.
- Beautify the community (i.e., improve the overall aesthetics) of Evergreen through tree plantings, utility undergrounding, and other means.
- Use photo simulation and other three dimensional techniques to simulate new development and its potential impacts to neighborhoods (i.e., increases in height) and the transportation system.

### **Key Outcome #3: Infrastructure and services should support the planned levels of residential and commercial/retail/office development.**

#### *Schools*

- Ensure adequate capacity at Evergreen schools without sacrificing a quality educational environment.
- Foster neighborhood schools.
- Institute traffic calming, especially near schools.

#### *Auto Transportation*

- Receive funding commitments to construct major transportation infrastructure, including Highway 101 improvements.
- Create a traffic policy to maintain the flow of vehicular traffic on Evergreen streets without compromising livability and other modes of travel (e.g., bicycles, pedestrians, and transit).
- Attempt to minimize auto trips by locating jobs, housing, businesses, and services within close proximity to one another.
- Foster a "reverse commute".

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- Consider a grid street system for large development sites, connecting to the surrounding street network.
- Consider roundabouts instead of traffic signals.

### *Bus and Rail Transit*

- Determine funding mechanisms to construct light rail.
- Encourage transit service that is fast, convenient, frequent, reliable, comfortable, and safe (including the locations of stops/stations).
- Utilize existing public transit system to the greatest extent possible.

### *Bicycle and Pedestrian Travel*

- Create a rich network of safe, well-lit and defensible pedestrian and bicycle connections across neighborhoods, along creeks, and to key destinations (including transit stations) in Evergreen.
- Ensure adequate sidewalk widths, street trees, lighting, and other features to facilitate walking.
- Minimize walking distances to services and public transportation (goal: 5 to 10 minutes).

### *Parks, Trails, and Open Spaces*

- Establish parks, trails, community gardens, and other open spaces that provide recreation and green areas to support existing and future residents and workers.
- Preserve current open space uses to the extent possible.

### *Libraries and Other Community Facilities*

- Provide libraries, community/youth/ senior centers, and other services to support the existing and projected population.

### **Key Outcome #4: Increase the overall livability of Evergreen by fostering vibrant commercial/business, mixed use, and residential areas linked by various transportation modes and community amenities.**

- Add restaurants, post offices, health care facilities (e.g., emergency rooms), and other neighborhood/commercial services to Evergreen, east of Highway 101.
- Add entertainment uses, including performance venues, in appropriate locations.
- Maintain, expand, and create Farmer's Markets.
- Introduce mixed use development, including residential/retail or residential/office/retail in the same building.
- Create opportunities for non-profits and community-based organizations to locate in Evergreen.
- Create opportunities for people to meet and socialize in public places, businesses, recreation areas, etc.
- Promote the enjoyment of people and the aesthetics of the area.

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### **Key Outcome #5: Create housing opportunities for a wide range of household types and income levels.**

- Establish development opportunities for affordable and mixed income housing to meet the housing needs of all stages of life (single, married, family, "empty nester," and senior).
- Create opportunities for a range of different housing types (single-family, apartments, condominiums, live/work, etc.).
- Mix housing types within a single development site.
- Create opportunities for both home ownership and rental units.

### **Key Outcome #6: Apply the concepts of Transit-Oriented Development near future transit stations.**

- Maximize the synergy of the planned transit investment by adding high density residential, mixed use (i.e., residential/industrial/commercial/retail), and job-generating development that is oriented to the pedestrian and transit users.
- Balance the mix of uses, including a ground floor retail district oriented to transit stations and civic uses.
- Design the buildings so that residents, workers, shoppers, and others find transit convenient and attractive.
- Place buildings close to the street, consistent with Key Outcome #2, bullet 6 for non-transit areas.
- Orient the buildings and their entries to the street.

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## APPENDIX B

### GUIDING PRINCIPLE DESIGN GUIDELINES DEVELOPED THROUGH EEHVS

**Introduction-** These Design Guidelines were developed originally through the EEHVS task force process. The only modifications to that original work are to align the Guidelines with this EEHDP update to ensure internal consistency. In addition, some modifications have been made to reflect Council Policy actions that have occurred since 2006 when the Task Force completed its work.

#### Key Outcomes – Guiding Principles

The Evergreen-East Hills Vision Strategy Key Outcomes and Guiding Principles are the framework from which the following design guidelines were developed. Each of the Key Outcomes should be considered together to provide direction for new development in the Evergreen-East Hills area.

1. New development should follow the "sustainability" principles of equity, environment and economic development.
2. All new development should be high quality and aesthetically pleasing
3. Infrastructure and services should support the planned levels of residential and commercial/retail/office development.
4. Increase the overall livability of Evergreen by fostering vibrant commercial/business, mixed use, and residential areas linked by various transportation modes and community amenities.
5. Create housing opportunities for a wide range of household types and income levels.
6. Apply the concepts of Transit-Oriented Development near future transit stations.

Each Key Outcome has an associated set of Guiding Principles organized by topic heading. A portion of these have a possible direct impact upon site and architectural design elements that can be implemented as part of the review process of individual development proposals.

#### Design Guidelines

Design Guidelines reinforce the community vision defined by the Guiding Principles and Key Outcomes. The following list of guidelines is organized according to the Outcome and Principle that they are intended to implement. The following list of Design Guidelines is intended to be used as a tool for the review of all new development proposals within the Evergreen-East Hills Development Policy area as a supplement to other Design Guidelines and Policies in use by the City for the review of new development projects.

#### Key Outcome #1

Key Outcome #1 includes the following principle related to development projects:

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- Environment: Protect the environment through energy and water conservation, alternative energy sources (e.g., solar), "green building," and other sustainability approaches.

The following Design Measures, in conjunction with other City policies and guidelines, are intended to implement this principle:

- a. All new development should avoid significant site grading or other disturbance of natural features. Projects should make use of split pads or other measures to minimize their impact upon the environment
- b. All new single-family and multi-family residential development should incorporate Passive Solar Design Plan subdivision lots and street layout to optimize solar access for all homes
- c. New development must implement all citywide Green building Policies and/or ordinances, and should consider specific mechanisms as detailed in Appendix C.

### Key Outcome #2

Key Outcome #2 includes the following principles related to development projects:

- Ensure new development is designed with high level of architectural detail, innovative urban design, and high quality materials.
- Diversify architectural styles.
- Minimize the obstruction of views.
- Ensure new development is compatible (in terms of design, density, massing, etc.) to adjacent properties and is well-integrated with existing neighborhoods and surroundings.
- Ensure new single-family house sizes are commensurate with the size of the lot and nearby housing developments.
- Locate (i.e., set back) buildings appropriate distances from the sidewalk to create desired neighborhood/community character, landscaping, and friendly and safe pedestrian environment.
- Coordinate and integrate land use planning between land uses (e.g., residential, civic/school/commercial, etc.) to address access, parking, pedestrian connections, and other issues.
- Maintain properties in good condition.
- Ensure new development on larger properties transitions in increasing height and density away from nearby existing lower intensity development.
- Provide adequate parking for all residents and their guests within new residential developments.
- Encourage the renovation, rehabilitation, and revitalization of commercial and residential properties.
- Create safe, well-lit places.
- Beautify the community (i.e., improve the overall aesthetics) of Evergreen through tree plantings, utility undergrounding, and other means.
- Use photo simulation and other three dimensional techniques to simulate new development and its potential impacts to neighborhoods (i.e., increases in height) and the transportation system.

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The following Design Measures, in conjunction with other City policies and guidelines, are intended to implement these principles:

- a. All new development should be designed with high level of architectural detail, innovative urban design, and high quality materials.
- b. For new single-family detached homes, the same unit floor plan can be used for no more than 20% of the units on any given street block (alternatively, within new single-family residential developments, no more than 3 units per block may have the same floor plan.)
- c. For attached single-family homes, façade treatments should be varied through use of stoops, bay windows, bow windows, turrets and variation of roof treatments so that no more than two units have the same treatment on any given street. If two units have the same treatment, they should not be adjacent.
- d. For multi-family developments with multiple buildings, different heights and massing should be used to visually distinguish buildings. While buildings should have architectural continuity, unique architectural elements should also be used on each building to give it a distinct visual character.
- e. For any development with significant amounts of slope, the preservation of views for existing adjacent development or established uses should be considered in the site design. New buildings should be arranged so as to preserve those views to the extent feasible.
- f. The Floor Area Ratio (FAR) for new single-family residential units should be no more than 65%.
- g. The maximum height for new construction adjacent to existing single-family uses is 2 ½ stories and 35 feet within 70 feet of the shared property line.
- h. A minimum 25-foot aggregate 2<sup>nd</sup> story rear setback and a 20-foot minimum 1<sup>st</sup> and 2<sup>nd</sup> story rear setback should be provided for all new residential development adjacent to existing single-family or multi-family uses.
- i. Clear delineation should be incorporated into site design when residential development directly abuts a public park (i.e., low fence line, sidewalks, etc.).
- j. The size of new residential lots and new residential structures should be within 25% of the average size of the residential lots and structures on the immediately adjacent (abutting) properties.
- k. For single-family attached or detached units, provide two covered parking spaces and one off-lot (guest) parking space per unit. Units without a driveway apron of at least 23 feet in length must be provided with 1.3 guest parking spaces per unit. Guest parking spaces should be located within 150 feet of the unit it supports.
- l. Off-lot parking can be accommodated through on-street parallel parking in front of new units or through parking bays with perpendicular parking adjacent to new streets.
- m. Excess surface parking lot areas should be minimized by utilizing opportunities for dual use between residential, commercial and public uses.
- n. Within new development that incorporates public facilities (e.g. schools, libraries), a means of direct pedestrian access should be provided to those facilities from adjacent residential and commercial areas.
- o. When development takes place on a site with existing structures, those structures should be incorporated into the new development to the extent feasible.

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- p. For new single-family residential development, floor plans, which would accommodate a home occupation use, is encouraged in order to reduce vehicle commute traffic.

### Key Outcome #3

Key Outcome #3 includes the following principles related to development projects:

- Auto Transportation: Consider a grid street system for large development sites, connecting to the surrounding street network.
- Auto Transportation: Consider roundabouts instead of traffic signals.
- Bus and Rail Transit: Utilize existing public transit system to the greatest extent possible.
- Bicycle and Pedestrian Travel: Ensure adequate sidewalk widths, street trees, lighting, and other features to facilitate walking.
- Parks, Trails and Open Space: Establish parks, trails, community gardens, and other open spaces that provide recreation and green areas to support existing and future residents and workers.
- Parks, Trails and Open Space: Preserve current open space uses to the extent possible.

The following Design Measures, in conjunction with other City policies and guidelines, are intended to implement these principles:

- a. Within all new subdivisions, cul-de-sacs should only be used when alternative street configurations are not feasible.
- b. New streets should be connected to existing streets wherever street design standards, including safety considerations, make such connection possible.
- c. New subdivisions should incorporate a street grid system that provides multiple route choices for movement within the subdivision and multiple points of connection to surrounding streets to the extent feasible.
- d. New street connections should incorporate roundabouts where possible.
- e. All new development should address any adjacent transit facilities through site design and architectural elements, including location of building on site in proximity to transit facilities, provision of pedestrian walkways and location of building entrances so as to support transit use.
- f. Multi-family residential buildings in proximity to transit facilities should be provided with multiple entrances (e.g. individual unit or unit cluster stoops).
- g. Installation of new sidewalks, street trees, pedestrian oriented lighting and other features should be provided with all new development at or above City standards.
- h. New commercial development should include open space plazas (e.g. outdoor dining areas for restaurants and landscaped open areas for customers).
- i. New residential development should incorporate private open space areas programmed for active use (e.g. tot lots, half-court basketball, BBQ/picnic areas.)
- j. Open spaces within new development areas should be linked to existing open space features.

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## Key Outcome #4

Key Outcome #4 includes the following principles related to development projects:

- Retail: Introduce mixed use development, including residential/retail or residential/office/retail in the same building.
- Retail: Create opportunities for people to meet and socialize in public places, businesses, recreation areas, etc.
- Retail: Promote the enjoyment of people and the aesthetics of the area.

The following Design Measures, in conjunction with other City policies and guidelines, are intended to implement these principles:

- a. New development on the Arcadia site should include a minimum of 100,000 square feet of retail or other commercial uses.
- b. New development on the Evergreen Community College site should include a minimum of 60,000 square feet of retail or other commercial uses.
- c. At least 50% of the commercial development on the Arcadia and Evergreen Community College Opportunity Sites should be incorporated into mixed-use development as a residential/retail or residential/office/retail mix.
- d. Mixed-Use projects should be given priority for development at suitable locations. (e.g. mixed-use development is strongly encouraged for any development site where the General Plan supports mixed-use). See Appendix D for specific guidelines for mixed-use development.
- e. Outdoor plazas, including landscaping and seating areas, should be provided in close proximity to new retail development.

## Key Outcome #5

Key Outcome #5 includes the following principles related to development projects:

- Establish development opportunities for affordable and mixed income housing to meet the housing needs of all stages of life (single, married, family, "empty nester," and senior).
- Create opportunities for a range of different housing types (single-family, apartments, condominiums, live/work, etc.).
- Mix housing types within a single development site.
- Create opportunities for both home ownership and rental units.

The following Design Measures, in conjunction with other City policies and guidelines, are intended to implement these principles:

- a. Any medium or large-scale development project (e.g. greater than 10 units) should include at least two different unit types (e.g. detached, attached, rental, ownership, etc).

## Key Outcome #6

Key Outcome #6 includes the following principles related to development projects:

- Maximize the synergy of the planned transit investment by adding high density residential, mixed use (i.e., residential/industrial/commercial/retail), and job-generating development that is oriented to the pedestrian and transit users.

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- Balance the mix of uses, including a ground floor retail district oriented to transit stations and civic uses.
- Place buildings close to the street, consistent with Key Outcome #2, bullet 6 for non-transit areas.
- Orient the buildings and their entries to the street.
- Design the buildings so that residents, workers, shoppers, and others find transit convenient and attractive.

The following Design Measures, in conjunction with other City policies and guidelines, are intended to implement these principles:

- a. Incorporate physical improvements, such as sidewalk improvements, landscaping and bicycle parking that act as incentives for pedestrian and bicycle modes of travel.
- b. Provide secure and conveniently located bicycle parking and storage for employees and visitors;
- c. Provide bicycle and pedestrian connections from the site to the regional bikeway/pedestrian trail system.
- d. Construct transit amenities such as bus turnouts/bus bulbs, benches, shelters, etc.
- e. Provide direct, safe, attractive pedestrian access from project land uses to transit stops and adjacent development.
- f. Provide bicycle lanes, sidewalks and/or paths, connecting project residences to adjacent schools, parks, the nearest transit stop and nearby commercial areas.
- g. Provide secure and conveniently placed bicycle parking and storage facilities at parks and other facilities.
- h. Provide neighborhood-serving shops and services within or adjacent to residential project.
- i. Provide a satellite telecommute center within or near the development.
- j. Incorporate commercial services onsite or in close proximity (e.g. day-care, dry-cleaners, fitness centers, financial services, grocery stores and/or restaurant).
- k. For the Arcadia and Evergreen Community College sites, building entrances and attractively designed open spaces (plazas or landscaping) should be provided adjacent to or in close proximity to any existing or planned transit facilities.

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## APPENDIX C

### GREEN BUILDING DESIGN MEASURES

**Introduction-**In addition to fully implementing any citywide Green Building standards, the following green building design measures may be utilized to implement the Guiding Principles Key Outcome #1 (Sustainability) as stated in the first Environment Goal:

"Protect the environment through energy and water conservation, alternative energy sources (e.g., solar), 'green building,' and other sustainability approaches."

#### **Sustainability – Site Design; New single-family and multi-family residential development:**

- Incorporate Passive Solar Design Plan subdivision lots and street layout to optimize solar access for all homes
- #1 – Environment: Protect wildlife corridors and other habitats where appropriate and beneficial.

#### **Sustainability – Landscape and Engineering; New single-family and multi-family residential development:**

- Create a biofilter, such as a swale, to slow the flow of stormwater into storm drains and allow pollutants to settle and decompose
- Plumb all new single-family and multi-family to include separate irrigation systems for landscape areas to make use of recycled water
- Apply Compost to Promote Healthy Topsoil
- Use Salvaged or Recycled-Content Materials for Landscape Elements

#### **Sustainability – Building HVAC and Appliances; New single-family and multi-family residential development:**

- Distribute Domestic Hot Water Efficiently Insulate Hot Water Pipes from Water Heater to Kitchen
- Insulate All Hot Water Pipes, or Insulate Pipes to Kitchen and Install On-Demand Hot Water Circulation System
- Use Engineered Parallel Piping
- Install High Efficiency Toilets (Toilets that use less than 1.3 gallons per flush (gpf) are called High-Efficiency Toilets (HETs). This category of fixture includes dual-flush toilets, 1.0-gpf pressure-assist toilets, and conventional gravity fed toilets.)
- Install ENERGY STAR® Appliances
- Install Separate Garage Exhaust Fan
- Design and Install HVAC System to ACCA Recommendations
- Install Sealed Combustion (Direct Vent) Furnaces and Water Heaters
- Install ENERGY STAR® Ceiling Fans with CFLs
- Install Ventilation System for Nighttime Cooling
- Install Air Conditioning with Non-HCFC Refrigerants
- Install High Efficiency HVAC Filter
- Install Zoned, Hydronic Radiant Heating with Slab Edge Insulation
- Install Tankless Water Heaters
- Install Water Heater with Energy Factor >0.62

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- Install High Efficiency Furnace (AFUE 90 % or higher)
- Install High Efficiency Air Conditioner (SEER >13) with a Thermostatic Expansion Valve (TXV)

## **Sustainability – Building Architecture & Materials; New single-family and multi-family residential development:**

- Design and Build ENERGY STAR® High Performance Homes
- Meet ENERGY STAR®'s Indoor Air Quality Package Requirements
- Install Solar Water Heating System
- Install Photovoltaic (PV) Panels on 25% of all new home construction
- Reduce solar heat gain through exterior surfaces by using light exterior colors or paints with reflective pigments
- Incorporate a minimum 30% Flyash in Concrete in foundation
- Apply Optimal Value Engineering (Advanced Framing)
- Use Engineered Lumber
- Use FSC-Certified Wood for Framing
- Use Oriented Strand Board (OSB) for Subfloor and Sheathing
- Reduce Pollution Entering the Home from the Garage - Tightly Seal the Air Barrier between Garage and Living Area
- Use Recycled-Content Decking (Avoid Virgin Plastic)
- Install Recycled-Content Insulation
- Install Insulation That Is Low Emitting for Formaldehyde and Volatile Organic Compounds (Certified Section 01350)
- Use Low-VOC or Zero-VOC Paint
- Use Low-VOC, Water-Based Wood Finishes
- Use Low-VOC Adhesives and Caulks
- Provide Permanent Walk-Off Mats and Shoe Storage at Home Entrances
- Use Rapidly Renewable Trim Materials
- Use Recycled-Content Materials
- Reduce Formaldehyde in Interior Finishes
- Use Rapidly Renewable Flooring Materials
- Use Recycled-Content Ceramic Tiles
- Use Flooring That Is Low-Emitting (Section 01350 or Green Label Plus)

## **Sustainability – Construction Measures; New single-family and multi-family residential development:**

- Protect Ducts during Construction and Clean All Ducts before Occupancy

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## ATTACHMENT D

### DESIGN GUIDELINES FOR MIXED USE DEVELOPMENTS

#### Ground Floor Business Design Guidelines

Height- Provide an 18 foot finished height throughout ground floor area, which includes 18 feet of clearance from HVAC, sprinklers, lights, and ceiling system.

Layout-A minimum of 60 feet depth of contiguous spaces is preferable in order to support "back-of-house" space, storage, mechanical rooms, restrooms, or other support areas. All retail spaces should have access from the exterior of the building and avoid long, narrow retail spaces.

Floor Structure-Unless there is parking at sub-grade levels, the ground floor should be left unfinished, with no concrete slab, in order to accommodate utilities and leasing plan flexibility. Also depress the perimeter of the building, as required, to permit accessible entry doors.

Utilities-Provide utilities to retail spaces so that they are not visible by pedestrians and allow for flexibility of the retail space.

Mechanical: Provide capability for fire-rated vent shafts to the roof for restaurant kitchens;

Electrical: Provide in-house locations for transformers;

Meters: Locate and organize meters in one location

Servicing/Trash- Provide internal service space for delivery/loading that is enclosed, accessible from a secondary street if possible, and appropriately sized for common use. Minimize street frontage for service/loading access, and minimize view from public vantage points. Service space should be able to be closed from view, should contain odors from trash, and should allow for easy maintenance.

Lighting- An exterior lighting program addresses street level lighting for the sidewalk and/or any outdoor patio space.

Signage- Provide signage that is visible at street level, such as blade signs, window signs, and awnings.

Façade- Façade should provide maximum visibility and transparent windows for active ground floor uses. Setbacks and recesses should be minimal. The number and massing of columns along the façade should be minimized. Include visual breaks where facades are long.

Sidewalks- Provide a clear zone of 15 feet of sidewalk width to accommodate exterior patio and sidewalk dining at appropriate locations. This sidewalk width should not be covered in the form of an arcade, as it arcades and other covered setbacks diminish the viability of ground floor retail spaces.

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Parking- Locate parking garages behind fronting uses to minimize their impact on the pedestrian environment. Locate parking spaces within the building or orient all parking facilities away from public streets and pedestrian corridors.

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## APPENDIX E

### HISTORIC PRESERVATION CRITERIA

**Introduction-** Any projects that have a resource listed or eligible for listing on the Historic Resources Inventory with a significance rating of Structure of Merit or greater, shall meet all of the applicable guidelines in order to develop more than 35 units:

**Historic Preservation Criterion #1:** The resource must be at a minimum be listed or eligible to be listed as structure of merit on the City's Historic Resources Inventory. The resource shall be preserved on-site, and rehabilitated by a qualified Preservation Architect in conformance with the Secretary of the Interior Standards.

**Historic Preservation Criterion #2:** Rehabilitation of the resource by a qualified Preservation Architect to the Secretary of Interior Standards must be completed and a maintenance plan submitted prior to issuance of any occupancy permits for any new residences on the property.

**Historic Preservation Criterion #3:** The context and cultural landscape, including landscaping, accessory structures, or setting features that contribute to the significance of the resource, should be evaluated by a qualified professional and preserved on-site.

**Historic Preservation Criterion #4:** Any new development proposed adjacent to the resource should be stepped down to provide adequate separation from the resource. The massing of the proposed development must provide a compatible interface with the resource.

**Historic Preservation Criterion #5:** The most prominent elevations that convey the resource's significance should be visible from a public-right-of way, with no other structures or site plan features blocking public visibility of the resource.

**Historic Preservation Criterion #6:** The resource should be used for the purpose in which the structure was constructed or as an adaptive alternative re-use that allows for rehabilitation of the resource to the Secretary of the Interior Standards, including compatibly with the resource's context and surroundings that are being preserved to convey the resource's significance.

**Historic Preservation Criterion #7:** Maintenance of the resource, following the Secretary of Interior Standards, is required of the any future property owners of the resource. These requirements must be disclosed to future property owners prior to purchase of the property.

**Historic Preservation Criterion #8:** Any property qualifying as a Candidate City Landmark should be nominated for designation prior or consecutive to approval of development permits.

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## APPENDIX F – TRANSPORTATION DEMAND MANAGEMENT MEASURES

The following list of Transportation Demand Management (TDM) Measures identifies design actions that promote transit use and pedestrian activity. Such measures should be incorporated into all new development within the Evergreen-East Hills Development Policy area, consistent with the Key Outcomes included within the Guiding Principles:

**Key Outcome #3:** Infrastructure and services should support the planned levels of residential and commercial/retail/office development.

**Key Outcome #4:** Increase the overall livability of Evergreen-East Hills by fostering vibrant commercial/business, mixed use, and residential areas linked by various transportation modes and community amenities.

### Residential Measures:

#### Sample Residential Site Design Measures:

- Construct transit amenities such as bus turnouts/bus bulbs, benches, shelters, etc.
- Provide direct, safe, attractive pedestrian access from project land uses to transit stops and adjacent development.
- Provide bicycle lanes, sidewalks and/or paths, connecting project residences to adjacent schools, parks, the nearest transit stop and nearby commercial areas.
- Provide secure and conveniently placed bicycle parking and storage facilities at parks and other facilities.
- Provide neighborhood-serving shops and services within or adjacent to residential project.
- Provide a satellite telecommute center within or near the development.
- Incorporate commercial services onsite or in close proximity (e.g. day-care, dry-cleaners, fitness centers, financial services, grocery stores and/or restaurant).

#### Sample Residential Operational Measures:

- Provide transit information kiosks;
- Provide shuttle access to regional rail stations (e.g. Caltrain, ACE, BART);
- Provide or contract for on-site or nearby child care services;
- Offer transit use incentive programs to residents, such as distribution of passes and/or subsidized transit passes for a local transit system (e.g. providing VTA EcoPass system or equivalent broad spectrum transit passes to all residents).

### Commercial/Industrial Measures:

#### Sample Commercial/Industrial Site Design Measures:

- Incorporate physical improvements, such as sidewalk improvements, landscaping and bicycle parking that act as incentives for pedestrian and bicycle modes of travel.

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- Provide secure and conveniently located bicycle parking and storage for employees and visitors;
- Provide bicycle and pedestrian connections from the site to the regional bikeway/pedestrian trail system.
- Place assigned car pool and van pool parking spaces at the most desirable on-site locations;
- Provide showers and lockers for employees walking or bicycling to work.
- Incorporate commercial services onsite or in close proximity (e.g. day-care, dry-cleaners, fitness centers, financial services, grocery stores and/or restaurants).

### Sample Commercial/Industrial Operational Measures:

- Provide an on-site TDM coordinator;
- Provide transit information kiosks;
- Make transportation available during the day and guaranteed ride home programs for emergency use by employees who commute on alternate transportation. (This service may be provided by access to company vehicles for private errands during the workday and/or combined with contractual or pre-paid use of taxicabs, shuttles, or other privately provided transportation.);
- Provide vans for van pools;
- Implementation of a carpool/vanpool program (e.g., carpool ridematching for employees, assistance with vanpool formation, provision of vanpool vehicles, and carsharing);
- Provide shuttle access to regional rail stations (e.g. Caltrain, ACE, BART);
- Provide or contract for on-site or nearby child care services;
- Offer transit use incentive programs to employees, such as on site distribution of passes and/or subsidized transit passes for a local transit system (e.g. providing VTA EcoPass system or equivalent broad spectrum transit passes to all on-site employees);
- Implementation of parking cash out program for employees (non-driving employees receive transportation allowance equivalent to the value of subsidized parking);
- Encourage use of telecommuting and flexible work schedules;
- Require that deliveries on-site take place during non-peak travel periods.

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## APPENDIX G

### TRANSPORTATION INFRASTRUCTURE DESCRIPTIONS

#### Transportation mitigation improvements associated with the EEHDP

- 1) Capitol Expressway and Quimby Road: Add exclusive northbound and eastbound right-turn lanes to this intersection.
- 2) Nieman Boulevard and Yerba Buena Road: Add a second westbound left-turn lane to this intersection.
- 8) Tully Road and McLaughlin Avenue: Add an exclusive northbound right-turn lane to this intersection.
- 9) White Road and Aborn Road: Add a second westbound left lane to this intersection.
- 10) US 101 and Yerba Buena Road (East): Convert a westbound through lane into a shared through/right-turn lane at this intersection.
- 11) White Road and Quimby Road: Add a second northbound left turn lane to this intersection.
- 12) San Felipe Road and Yerba Buena Road (South): A second eastbound left turn lane and a second southbound left turn lane will be added to this intersection.

#### New traffic signals or signal modifications are planned for the intersections at:

- Ruby Avenue/Norwood Avenue
- I-680 Ramps (N)/Jackson Avenue
- Ruby Avenue/Tully Road/Murillo Avenue
- Story Road/Clayton Road
- Marten Avenue/Mt. Rushmore Drive
- Marten Avenue/Flint Avenue
- Quimby Road/Scottsdale Drive
- Nieman Boulevard/Daniel Maloney Drive
- Story Road/Lancelot Lane
- Ocala Avenue/Hillmont Avenue
- Ocala Avenue/Adrian Way

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## APPENDIX H – COMMUNITY AMENITIES LIST AND DESCRIPTIONS IDENTIFIED THROUGH THE EVERGREEN-EAST HILLS DEVELOPMENT STRATEGY

**Introduction-** This list of desired community amenities was created through the EEHVS process and was last updated in 2006. This list is provided for background, memorializing the community's preferences in the event opportunities come forward in the future to make any of these investments. Several of these improvements are no longer relevant because this EEHD Policy does not contemplate development on opportunity sites (Pleasant Hills Golf Course, Evergreen Valley College, Arcadia, Berg, IDS, and Yerba Buena OPCO) in the same manner that was proposed with the EEHVS. Some of the amenities that are also in the *City of San Jose's Greenprint Plan* may be partially funded,

### **A Community Youth Sports Fields**

Construct three youth baseball fields on an approximately 12-acre site. While the proposed configuration allows for alternate use of two of the baseball fields as a youth soccer field, the facility is primarily intended for the purpose of youth baseball. The project includes parking for 55 cars and a restroom / concession / storage building. (August 25, 2006)

### **BA SPORTS FIELDS AND OTHER PARK IMPROVEMENTS ON BERG SITE\***

Construct an approximately 5-acre sports facility including a senior baseball field and lighted soccer field as a combined use with a future school site. The project includes parking for 50 cars either on site as on-street parking and a restroom/concession building.

### **BB NEW NEIGHBORHOOD PARK - INDUSTRIAL SITE\***

As part of the new residential project, the developer will construct and deliver to the City a 5-acre neighborhood park, consistent with the City's Parklands Dedication Ordinance (PDO). The park is not yet designed, but neighborhood parks typically include items such as a tot lot/playground, an open turf area, and picnic tables with a BBQ area, pathways and landscaping.

### **C Lake Cunningham Regional Skate Park \*\***

Construct a skate park on a currently vacant 3-acre site in the southeast corner of the Lake Cunningham Regional Park. The skate park will include approximately 50,000 square feet of skate area with both a bowl and street elements to allow for combined use by skaters, inline skaters, and bikers. The facility will include additional parking spaces, a building to house restrooms, concessions, lockers, showers, and a pro shop. This project is partially funded for design and construction costs. However, additional funding is needed to complete construction of this amenity, which would be available through the EEHVS process.

### **D Upper Silver Creek Trail**

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Construct an approximately 0.5-mile segment of the Upper Silver Creek Trail to complete a missing gap between Yerba Buena Road and Hassler Parkway. Land is being transferred to the City in fulfillment of a PDO requirement for a separate project. EEHVS project provides funding for trail construction.

**E Fowler Creek Park Master Plan Phase II & III**

Construct an 8,000 sq ft. community center and a 25-meter by 25-yard swimming complex with changing rooms and a parking lot for 60 cars.

**F Open Space and Trail Connections (Upper Silver Creek)**

Construct trail along the foothills as part of the proposed Industrial Sites development. The trail will be connected to Fowler Creek Trail Corridor and Montgomery Hill Park.

**G Recreational Ice Skating Rink (one sheet)**

Construct an indoor ice skating rink with one ice sheet at a location within the Evergreen-East Hills area.

**H Southeast Branch Library Expansion**

Expand the planned Southeast Branch Library by 11,000 square feet. The library is currently planned and funded for 12,000 square feet under the Branch Library Bond Measure. The proposed amenity expands the library to 23,000 square feet and would provide funds for the expansion.

**I Community/Youth Center and Gym on Arcadia (40,000 square feet)**

Construct a 40,000 square foot Multi-Service Community Center with gym, and parking for 100 to 200 cars on a 3-acre site.

**J Yerba Buena / San Felipe Roads Improvements by Creek**

Construct improvements related to the Evergreen Park including landscaping, art, signage, a path connection to the pedestrian bridge, and installation of miscellaneous site furnishings.

**K Adult Sports Complex on Arcadia\***

Construct a lighted adult sports complex including two 300 foot foul lines softball fields and two 200 feet by 330 feet soccer fields on approximately 14 acres. The project also includes a group picnic area, parking for approximately 150 cars, a restroom/concession building and a maintenance building.

**L New Neighborhood Park - Pleasant Hills\***

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As part of the new residential project, the developer will construct and deliver to the City a 5-acre neighborhood park, consistent with the City's Parklands Dedication Ordinance (PDO). The park is not yet designed, but neighborhood parks typically include items such as a tot lot/playground, an open turf area, dog park area, and picnic tables with a BBQ area, pathways and landscaping.

**M Build-out Groesbeck Park**

Complete landscape improvements at the existing Groesbeck Park site. Improvements would be consistent with "orchard" scheme identified in the City's adopted Greenprint plan.

**N Sports Facilities at August Boeger Jr. High/Fernish Park**

Construct a joint use facility at August Boeger Jr. High and Fernish Park including two little league fields, a softball field, soccer fields, walkways, picnic areas, parking spaces, and a restroom/concession building. This amenity could be constructed as one facility combined with amenity "AC" below.

**O Lake Cunningham Park Improvements**

Provide additional funding to allow construction of improvements identified in the Lake Cunningham Master Plan. Improvements potentially include an emergency access road, an amphitheater, additional restrooms, park headquarters, food concession building and roadway improvements at the park entrance/exit.

**P Aquatics Center**

Construct a 25-yard by 50-meter pool, a recreational/learning pool, a water spray area, and a locker room/concession building with parking for 100 cars on approximately 2-acres.

**Q Evergreen Community Center Reuse as Library**

Convert the Evergreen Community Center into a local Library to serve the EEHVS area.

**R Neighborhood Park Improvements - Brigadoon Park**

Renovate existing park facilities.

**S Neighborhood Park Improvements - Boggini Park**

Renovate existing park facilities.

**T Neighborhood Park Improvements - Evergreen Park**

Renovate existing park facilities.

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**U Neighborhood Park Improvements - Hillview Park**

Renovate existing park facilities.

**V Neighborhood Park Improvements - Our Park**

Renovate existing park facilities.

**W Neighborhood Park Improvements - Mt. Pleasant Park**

Renovate existing park facilities.

**X Neighborhood Park Improvements - Welch Park**

Renovate existing park facilities.

**Y Additional Tennis Courts**

Construct additional Tennis Courts in the Evergreen-East Hills area. These courts will be constructed as part of the development of new park sites.

**Z Hank Lopez Community Center and Hillview Library Renovation**

Convert the old Hillview Library adjacent to the Hank Lopez Community Center into a Music/dance Facility and remodel the existing Hank Lopez Community Center without increasing square footage to either building.

**AA Ocala Softball Fields**

The Alum Rock School District may consider their existing facility on Ocala Avenue as a surplus site. This funding allows the City to preserve the four existing lighted softball fields on the Ocala School Campus for community use and construct improvements to the site, including a restroom/concession building, parking, picnic facilities and enhanced field furniture.

**AB PG&E (Wenlock Trail)**

Construct an approximately 1.5-mile segment of a landscape trail under the PG&E Power Lines from Lake Cunningham to Story Road.

**AC Mount Pleasant Multiuse Complex**

This amenity could be constructed as one facility combined with amenity "N". The programming of this facility could include: teen/senior center, daycare, computer labs, game rooms, etc. Programming of the facility would occur through a separate public process.

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## **AD Community Center on Pleasant Hills\***

Construct a 40,000 square foot Multi-Service Community Center with gym, and parking for 100 to 200 cars on a 3-acre site. Consistent with the Mount Pleasant Multiuse Complex.

## **AE New Traffic Signals & Other Major Intersections/Roadways**

The City will potentially require construction of new traffic signals, signage, or other roadway improvements through application of existing policies as part of the entitlements process for any new development in the EEHVS area. In addition to these required improvements, the City could identify other locations where such improvements are needed but not otherwise funded.

## **AF Intelligent Transportation Systems (ITS) Network**

Install equipment including cameras and additional cabling to allow coordination of the traffic signals along major corridors, such as Tully Road, Story Road, King Road, Aborn Road, and Quimby Road. Interconnecting the signals allows better synchronization and enables the City to monitor and adjust the signals from a central control station in response to any incidents or specific traffic problems.

## **AG Thompson Creek Trail**

Construct a 7-mile multi-use recreational trail. The trail will typically consist of a 12-foot paved pathway for bicycle and pedestrian use, gravel shoulders and landscaping.

## **AH Nieman Pedestrian Overcrossing**

Construct a pedestrian and bicycle overcrossing on Capitol Expressway near Nieman Boulevard. Overcrossings provide a safer pedestrian/bicycle crossing opportunity, reducing the risk of pedestrian accidents and improving connections between local neighborhoods, parks, trails, and schools.

## **AI Lake Cunningham Pedestrian Overcrossing**

Construct a pedestrian and bicycle overcrossing on White Road. The overcrossing would provide a safer pedestrian/bicycle crossing in the vicinity of Lake Cunningham Regional Park. Preliminary analysis suggests that this overcrossing may not be well utilized.

## **AJ Bike Lanes for Appropriate Corridors**

Complete preparation of a bike master plan for the Evergreen-East Hills area and designate bicycle lanes and other projects as recommended in the plan.

## **AK Transit Enhancement**

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The funding would be used to fund improvements to VTA facilities within the EEHVS area as identified by the community. Possible improvements include enhanced bus stop shelters, one-time funding for special programs and other transit facility upgrades.

## **AL Traffic Calming**

Traffic calming is a way to manage traffic so that its negative impacts on residents, pedestrians and schools are minimized. Traffic calming solutions can include, but would not be limited to, traffic circles, speed tables, bulbouts, or medians to reduce speeding, enhanced crosswalks to help pedestrian safety, and other measures. Traffic calming solutions are typically installed following a neighborhood traffic study that identifies and quantifies problems and obtains full neighborhood support for changes. Specific traffic calming solutions will be developed as they become identified and needed, and funds provided will only be used within the Evergreen-East Hills area.

## **AM Street Trees**

The City's goal is to install street trees at locations in need throughout the Evergreen-East Hills area. Street trees provide a better walking environment by creating shade and separation between pedestrians and vehicles.

## **AN Curb Ramps**

Construct wheelchair ramps at street corners where ramps are not currently present to improve accessibility.

## **AO Median Island Landscaping**

Add median landscaping on wide streets to enhance the street appearance and environment for all users.

## **AP Youth Sports Complex**

This facility is not assigned to any specific opportunity site. The facility could be programmed for uses such as, tennis, baseball and soccer, tot-lot, and/or aquatic facility (swimming pool).

\* This amenity is no longer relevant because this EEHD Policy does not contemplate development on opportunity sites (Pleasant Hills Golf Course, Evergreen Valley College, Arcadia, Berg, IDS, and Yerba Buena OPCO) in the same manner that was proposed with the EEHVS

\*\* This amenity has already been constructed.



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**APPENDIX J-TABLE OF RESIDENTIAL ALLOCATIONS FROM EXISTING ALLOCATION  
TABLE (SEE APPENDIX I) WHICH HAVE NOT YET RECEIVED ENTITLEMENTS**

APNs	Available # of units not entitled	Parcel # on Benefit Assessment Map
654-20-008	18	53
670-29-020	150	67
670-29-017	67	68
49131103	17	88
491-35-017	18	83
48801043	14	100
49114014	8	102
49137108	6	103
61236022	2	107
64724042	3	109
65202002	4	111
65203020	13	112
65209007	3	114
65209012	6	115
65229014	6	117
65233058	8	118
65409042	10	120
65410001	2	121
65434055	4	124
65468032	2	125
66002009	4	127
66023015	8	133
67013009	2	135
67013010	2	136
67032043	2	143
67314028	5	145
67606015	4	146
67616020	7	147
67624001	5	148
67636005	11	149
67637012	7	150
67642097	6	152
67820039	4	154
67821006	3	155
64710007	5	168
64916101	10	169

**Appendix B**

**Traffic Study for the Proposed Revision to the Policy**



# HEXAGON TRANSPORTATION CONSULTANTS, INC.

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## MEMORANDUM

TO: John Hesler, David J. Powers & Associates  
Reena Mathew, City of San Jose  
Manuel Pineda, City of San Jose

FROM: Brian Jackson  
Gary Black

DATE: August 27, 2008

SUBJECT: *Traffic Study for the Proposed Evergreen – East Hills Vision Strategy Project*

Hexagon Transportation Consultants, Inc. has completed a traffic study for the proposed Evergreen – East Hills Development (EEHD) Policy (Figure 1). This study is meant to update The Evergreen Visioning Project Transportation Impact Analysis (November 2005). In place of the citywide Level of Service (LOS) Standard, the EEHD Policy, which is a revision of the Evergreen Development Policy, provides traffic capacity for a 'Development Pool' of 500 residential units, 500,000 square feet of retail space, and 75,000 square feet of commercial office space at undetermined locations within the Evergreen-East Hills Area (defined as the land within San Jose's Urban Service Area Boundary, south of Story Road, east of U.S. Highway 101, and the area generally north of the intersection of U.S. Highway 101 and Hellyer Avenue, where the northern boundary of the Edenvale Development Policy Area ends) and the corresponding transportation infrastructure improvements. The Evergreen-East Hills Development Policy utilizes the existing Evergreen Development Policy's traffic impact criteria but allows some decreased vehicular traffic level of service, while maintaining an average of LOS D or better when vehicular traffic improvements unacceptably conflict with other modes of travel or biological resources.

For the purpose of this traffic study, Hexagon worked with the City of San Jose Planning Department to develop the assumed development sites as shown in Figures 2 through 4. The currently proposed project is similar to Scenario VI in the previous Evergreen Study, since it includes the approved industrial development on the Legacy and Berg sites. However, Scenario VI from the original study consisted of 3,900 residential dwelling units, 566,740 square feet of retail space, 95,000 square feet of office space, a 23,000 square foot library and a trip pool of 500 non-residential trips. Some of the developments were in pools while the rest had designated project sites. This new proposal studies a much smaller project.

The purpose of the traffic study is to identify any potentially significant project impacts and to recommend the appropriate mitigation measures, where feasible.

### **Scope of Study**

Project impacts were evaluated following the standards and methodologies adopted by the City of San Jose for the current Evergreen Development Policy and the Transportation Impact Policy. In addition, the study follows the Santa Clara Valley Transportation Authority (VTA) Congestion Management Program (CMP).

Table 1 shows the adopted intersection LOS definitions consistent with the City of San Jose Transportation Impact Policy. The vehicle density on freeway segments is correlated to levels of service as shown in Table 2. The traffic analysis evaluated peak hour levels of service for 95 signalized intersections and 12 freeway segments.

**Table 1**  
**Intersection LOS Definitions Based on Average Control Delay – TRAFFIX Method**

Level of Service	Description	Average Control Delay Per Vehicle (sec.)
A	Signal progression is extremely favorable. Most vehicles arrive during the green phase and do not stop at all. Short cycle lengths may also contribute to the very low vehicle delay.	10.0 or less
B	Operations characterized by good signal progression and/or short cycle lengths. More vehicles stop than with LOS A, causing higher levels of average vehicle delay.	10.1 to 20.0
C	Higher delays may result from fair signal progression and/or longer cycle lengths. Individual cycle failures may begin to appear at this level. The number of vehicles stopping is significant, though may still pass through the intersection without stopping.	20.1 to 35.0
D	The influence of congestion becomes more noticeable. Longer delays may result from some combination of unfavorable signal progression, long cycle lengths, or high volume-to-capacity (V/C) ratios. Many vehicles stop and individual cycle failures are noticeable.	35.1 to 55.0
E	This is considered to be the limit of acceptable delay. These high delay values generally indicate poor signal progression, long cycle lengths, and high volume-to-capacity (V/C) ratios. Individual cycle failures occur frequently.	55.1 to 80.0
F	This level of delay is considered unacceptable by most drivers. This condition often occurs with oversaturation, that is, when arrival flow rates exceed the capacity of the intersection. Poor progression and long cycle lengths may also be major contributing causes of such delay levels.	Greater than 80.0

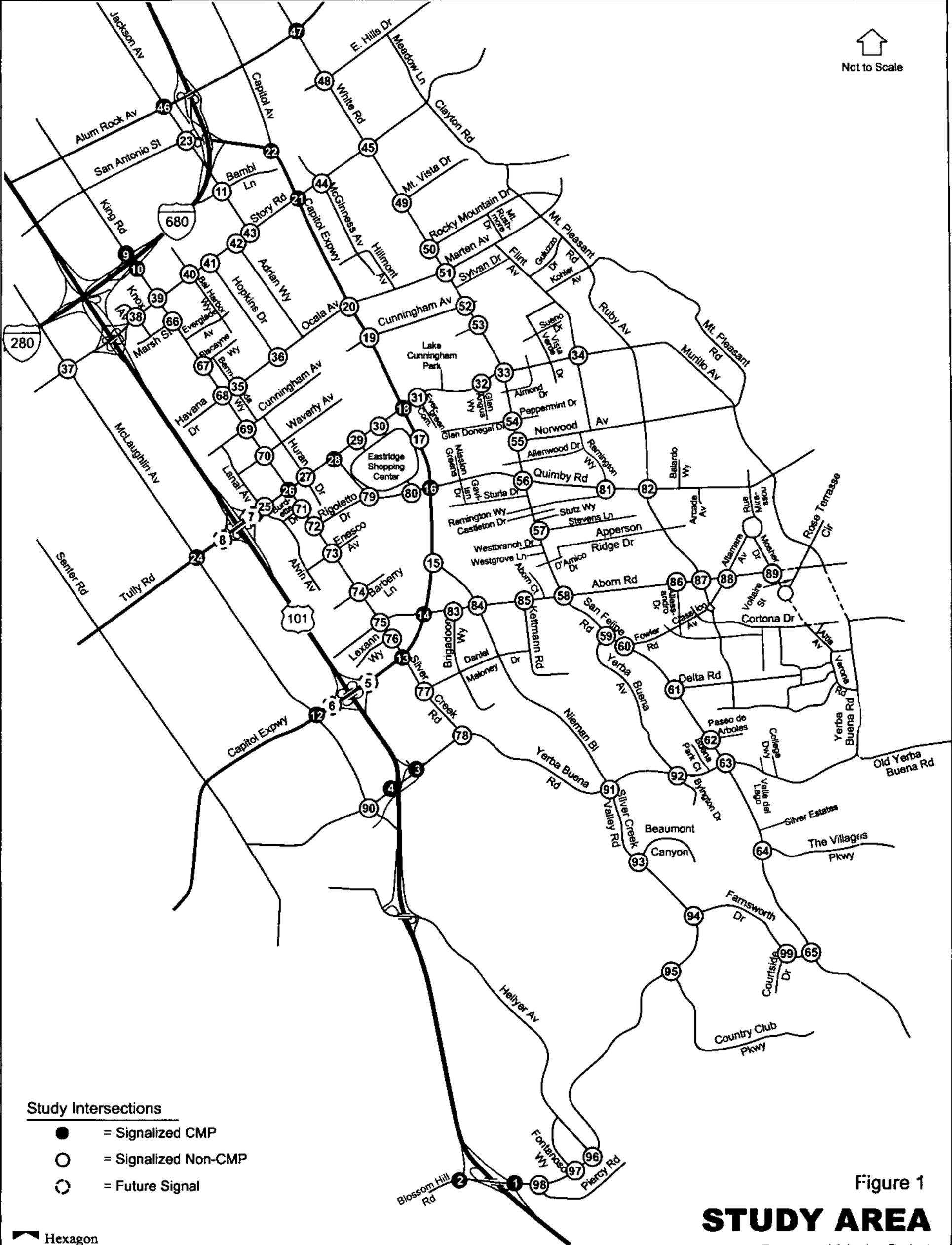
Source: Transportation Research Board, *2000 Highway Capacity Manual* (Washington, D.C., 2000) p10-16.

**Table 2**  
**Freeway LOS Definitions Based on Density**

Level of Service	Description	Density (vehicles/mile/lane)
A	Average operating speeds at the free-flow speed generally prevail. Vehicles are almost completely unimpeded in their ability to maneuver within the traffic stream.	0-11
B	Speeds at the free-flow speed are generally maintained. The ability to maneuver within the traffic stream is only slightly restricted, and the general level of physical and psychological comfort provided to drivers is still high.	>11-18
C	Speeds at or near the free-flow speed of the freeway prevail. Freedom to maneuver within the traffic stream is noticeably restricted, and lane changes require more vigilance on the part of the driver.	>18-26
D	Speeds begin to decline slightly with increased flows at this level. Freedom to maneuver within the traffic stream is more noticeably limited, and the driver experiences reduced physical and psychological comfort levels.	>26-46
E	At this level, the freeway operates at or near capacity. Operations in this level are volatile, because there are virtually no usable gaps in the traffic stream, leaving little room to maneuver within the traffic stream.	>46-58
F	Vehicular flow breakdowns occur. Large queues form behind breakdown points.	>58

Source: Santa Clara County 2004 CMP (Based on the *Highway Capacity Manual* (2000), Washington, D.C.).

↑  
Not to Scale



**Study Intersections**

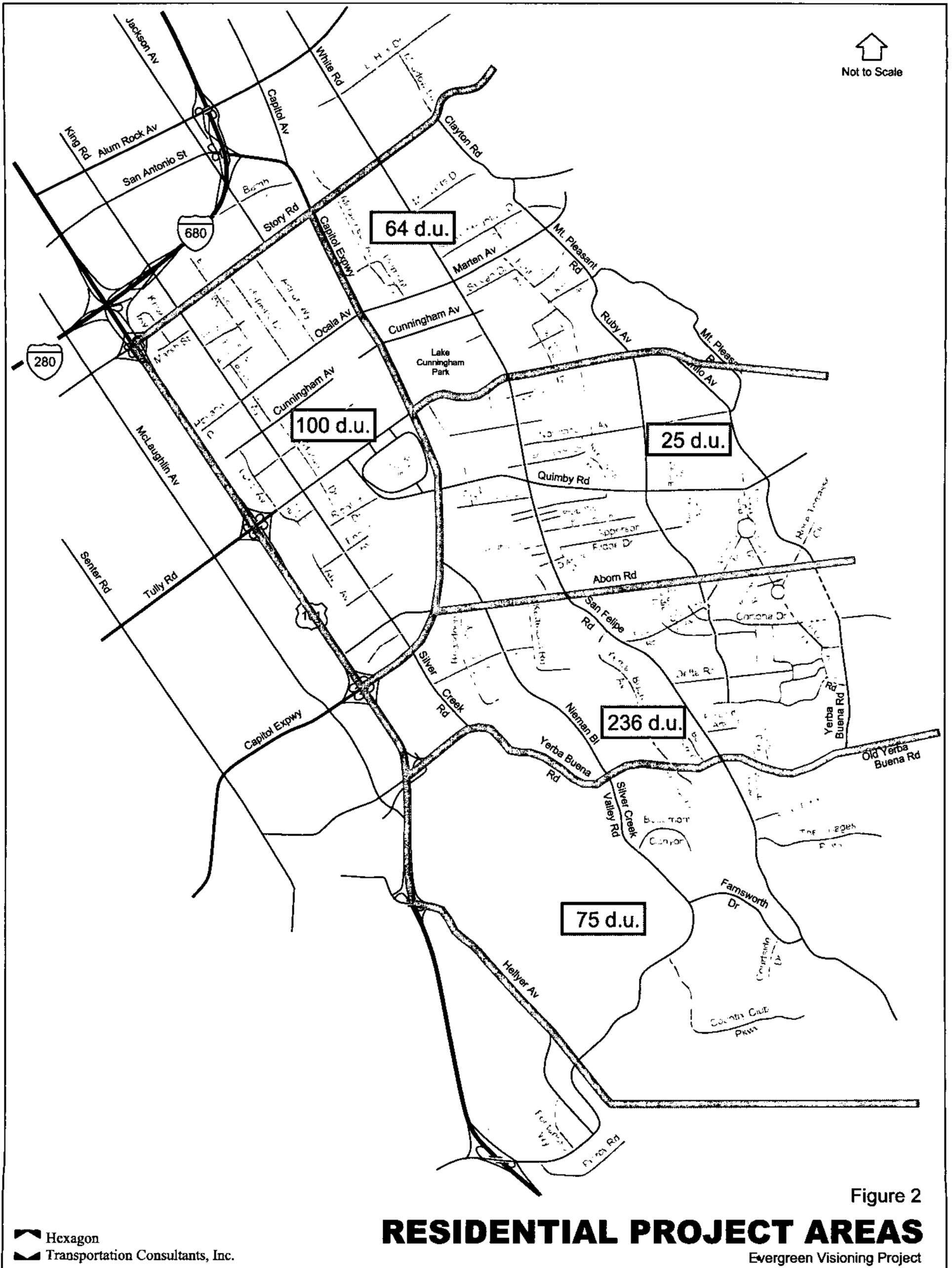
- = Signalized CMP
- = Signalized Non-CMP
- = Future Signal

Hexagon  
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Figure 1

**STUDY AREA**

Evergreen Visioning Project



↑  
Not to Scale

64 d.u.

100 d.u.

25 d.u.

236 d.u.

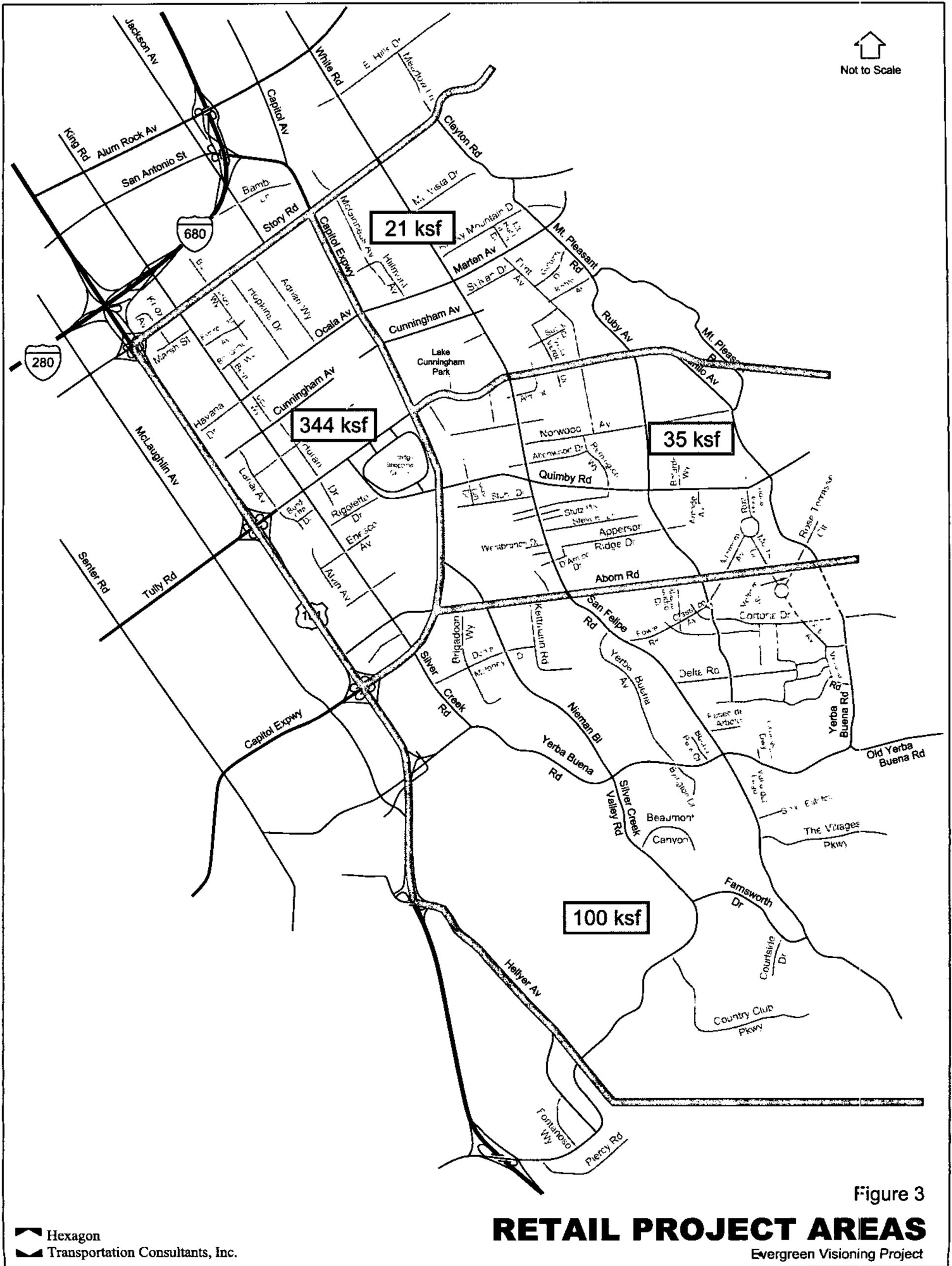
75 d.u.

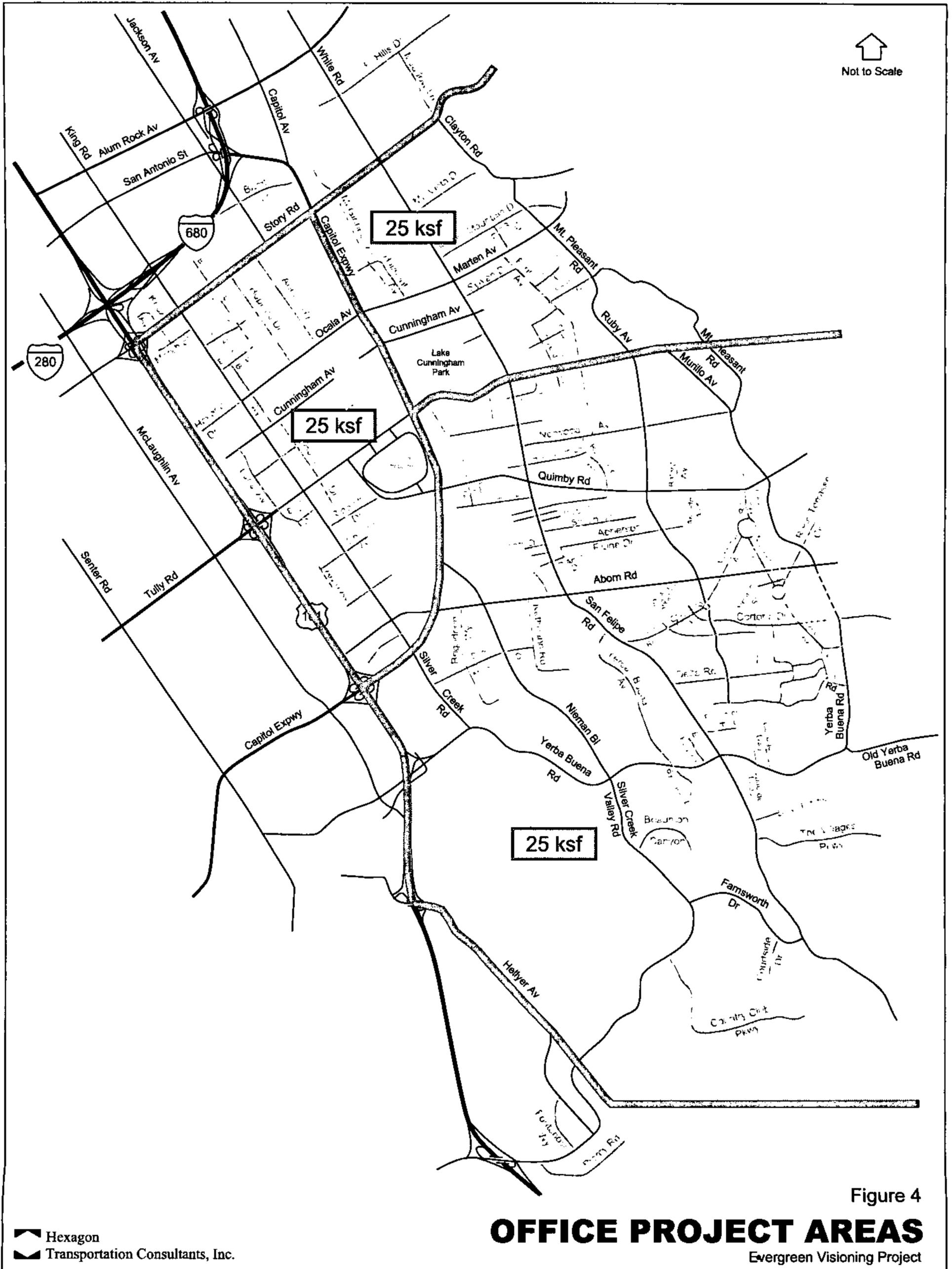
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# RESIDENTIAL PROJECT AREAS

Figure 2

Evergreen Visioning Project





↑  
Not to Scale

25 ksf

25 ksf

25 ksf

Figure 4

**OFFICE PROJECT AREAS**

Evergreen Visioning Project

**Study Intersections:**

US 101 and Blossom Hill (E)*	White Road and Mt. Vista Drive
US 101 and Blossom Hill (W)*	Nieman Blvd and Yerba Buena Road
US 101 and Yerba Buena Road (E)*	White Road and Norwood Avenue
US 101 and Yerba Buena Road (W)*	White Road and Ocala Avenue
King Road and I-680 (N)*	White Road and Quimby Road
King Road and I-680 (S)*	White Road and Rocky Mountain Drive
Jackson Avenue and Alum Rock Avenue*	Ruby Avenue and Quimby Road
White Road and Alum Rock Avenue*	San Felipe Rd and The Village Parkway
King Road and Tully Road*	San Felipe Rd and Yerba Buena Ave (N)
McLaughlin Avenue and Tully Road*	San Felipe Rd and Yerba Buena Rd (S)
Quimby Road and Tully Road*	Silver Creek Rd and Yerba Buena Rd
Jackson Avenue and I-680 NB off-ramp	White Road and Stevens Lane
Alessandro Drive and Aborn Road	White Road and Story Road
Altamara Avenue and Aborn Road	White Road and Tully Road
Kettman Road and Aborn Road	Courtside Drive and Farnsworth Drive
King Road and Aborn Road	Silver Creek Valley and Country Club Pkwy
Nieman Boulevard and Aborn Road	San Felipe Road and Farnsworth Drive
Ruby Avenue and Aborn Road	Hellyer Rd and Silver Creek Valley Rd
White Road and Aborn Road	Fontanoso Wy and Silver Creek Valley Rd
Adrian Way and Story Road	Piercy Rd and Silver Creek Valley Rd
Alvin Avenue and Tully Road	King Road and Burdette Drive
Bal Harbor Way and Story Road	King Road and Enesco Avenue
King Road and Biscayne Way	Hopkins Drive and Ocala Avenue
Byington Drive and Yerba Buena Road	Bermuda Way and Ocala Avenue
Jackson Avenue and Capitol Expwy	White Road and Glen Donegal Drive
King Road and Cunningham Avenue	Remington Way and Quimby Road
White Road and Cunningham Avenue	Quimby Road and Rigoletto Drive
Silver Creek Rd and Daniel Maloney Dr	Brigadoon Way and Aborn Road
San Felipe Road and Delta Road	King Road and Barberry Lane
White Road and East Hills Drive	Silver Creek Valley Rd and Beaumont Canyon Dr
Eastridge Blvd and Quimby Road	Evergreen Commons and Tully Road
Eastridge Lane and Tully Road	Glen Angus Way and Tully Road
Eastridge Way and Tully Road	Flint Avenue and Tully Road
Silver Creek Valley Rd and Farnsworth Dr	San Felipe Road and Paseo de Arboles
San Felipe Road and Fowler Road	McLaughlin Avenue and Capitol Expwy*
King Road and Havana Dr/Ocala	Silver Creek Rd and Capitol Expwy*
Hopkins Drive and Story Road	Capitol Expwy and Aborn Road*
Huran Drive and Tully Road	Capitol Expwy and Quimby Road*
Jackson Avenue and Story Road	Capitol Expwy and Eastridge
King Road and Marsh Street	Capitol Expwy and Tully Road*
King Road and Rigoletto Drive	Capitol Expwy and Cunningham Av
King Road and Story Road	Capitol Expwy and Ocala Avenue
King Road and Waverly Avenue	Capitol Expwy and Story Road*
Knox Avenue and Story Road	Capitol Expwy and Capitol Av*
White Road and Lake Cunningham	Capitol Expwy and Nieman Blvd
Silver Creek Road and Lexann Avenue	Mosher Drive and Aborn Road
McGinness Avenue and Story Road	
McLaughlin Avenue and Story Road	(* = CMP intersection)
McLaughlin Avenue and Yerba Buena Road	

### **Study Freeway Segments:**

US 101 between Hellyer Avenue and Yerba Buena Road  
US 101 between Yerba Buena Road and Capitol Expressway  
US 101 between Capitol Expressway and Tully Road  
US 101 between Tully Road and Story Road  
US 101 between Story Road and I-280  
US 101 between I-280 and Santa Clara Street  
I-280 between SR 87 and Tenth Street  
I-280 between Tenth Street and McLaughlin Avenue  
I-280 between McLaughlin Avenue and US 101  
I-680 between US 101 and King Road  
I-680 between King Road and Capitol Expressway  
I-680 between Capitol Expressway and Alum Rock Avenue

Traffic conditions at the study intersections were analyzed for the weekday AM and PM peak hours of traffic. The AM peak hour of traffic is generally between 7:00 and 9:00 AM, and the PM peak hour is typically between 4:00 and 6:00 PM. It is during these periods that the most congested traffic conditions occur on an average weekday. Traffic conditions were evaluated for the following scenarios:

- Scenario 1:** *Existing Conditions.* Existing intersection traffic volumes were obtained from the most recent turning-movement counts available, found in the City of San Jose TRAFFIX Database.
- Scenario 2:** *Background Conditions.* Background traffic volumes represent the existing volumes plus the projected volumes from approved and planned developments that have not yet been constructed and occupied. The City of San Jose provided an Approved Trips Inventory (ATI) for this study. The background scenario includes approved campus industrial development on the Legacy and Berg Sites.
- Scenario 3:** *Project Conditions.* Projected intersection traffic volumes with the project were estimated by adding to background traffic volumes the traffic generated by the proposed project. Project conditions for the project and development alternatives were evaluated relative to background conditions in order to determine potential intersection impacts due to the project.

### **Significant Impact Criteria**

Significance criteria are used to establish what constitutes an impact. This analysis uses the proposed new EEHD policy definition of impacts for intersections within the Evergreen Policy Area. The citywide LOS policy is used for intersections outside Evergreen. CMP standards are followed for freeway impacts.

#### **Proposed EEHD Policy Definition of Significant Intersection Impacts**

*Impact Criteria.* A project is said to create a significant adverse impact on traffic conditions at a signalized intersection located in the Development Policy Area if for during peak hours:

1. The level of service at the intersection degrades to a worse letter grade level of service, or

2. a) For non-residential projects, the level of service at the intersection is an unacceptable Level of Service E or F and the addition of project traffic adds more than a one-half percent (0.5%) increase in the critical traffic volume at the intersection.
- b) For residential projects, one or more added trips to an intersection operating at an unacceptable Level of Service E or F.

Unacceptable Levels of Service are intersections functioning at Level of Service E or F under "background" conditions. Background conditions are the traffic conditions that take into account the build out of already approved trips through the original Evergreen Development Policy, existing buildings, and projects with existing entitlements. A significant impact can be satisfactorily mitigated when measures are implemented that would restore intersection level of service to background conditions or better.

*Exemption.* However an impact will not require mitigation under the following conditions:

1. The intersection will continue to operate at LOS D or better, and
2. The improvement(s) necessary to improve conditions to background conditions create undesirable conflicts with other modes of travel or have unacceptable impacts on biological resources, and
3. The development causing the impact is within the scope of the Development Pool.

The Development Pool, as its trip generation and distribution are described below, is anticipated to cause the level of service to degrade to a worse letter grade (but not worse than LOS D), at the following five intersections:

1. Capitol Expressway and Nieman Boulevard;
2. San Felipe Road and Yerba Buena Avenue (North);
3. San Felipe Road and Delta Road
4. Evergreen Commons and Tully Road

At each of the three intersections numbered 1-3 above, the improvement(s) necessary to restore traffic LOS to background conditions would create undesirable conflicts with other modes of travel in that:

1. At the intersection of Capitol Expressway and Nieman Boulevard, the improvements required to improve conditions to background conditions include adding a second westbound right-turn lane. Double-right turn lanes are considered a design that is less desirable because the double lanes increase the likelihood of pedestrian conflicts.
2. At the San Felipe Road and Yerba Buena Avenue (North) intersection, the improvement required to improve conditions to background conditions includes adding an exclusive southbound right-turn lane. This would create two right turn lanes. Double-right turn lanes are considered a design that is less desirable because the double lanes increase the likelihood of pedestrian conflicts.
3. At the San Felipe Road and Delta Road intersection, the improvement required to improve conditions to background conditions includes adding a second westbound left-turn lane or adding a second southbound left-turn lane. Adding lanes to intersections also increases the conflicts with pedestrians by increasing crossing distances. This is particularly important at this location, which is proximate to several schools.

At intersection numbered 4 above (Evergreen Commons and Tully Road), the improvements necessary to restore traffic LOS to background conditions create unacceptable impacts to biological resources as the

improvement would require the widening of a bridge crossing Lower Silver Creek which would remove riparian habitat.

At these four intersections, the improvement(s) necessary to restore traffic LOS to background conditions would create undesirable conflicts with other modes of travel or unacceptable impacts to biological resources.

In the event development is proposed at locations substantially different than the assumed distribution, supplemental traffic analysis would be required to determine whether additional intersections would be affected and whether improvements could be made to restore traffic LOS to background conditions. In the event the improvements would create undesirable conflicts with other modes of travel, the resulting LOS degradation would also be deemed acceptable at those intersections for purposes of facilitating the Development Pool so long as the affected intersections would continue to operate at LOS D or better and, but for the vehicular traffic distribution element, the proposed development would otherwise fall within the Development Pool.

*Other Non-Pool Development.* Future development, beyond that which is included in the Development Pool, must be analyzed for conformance with the above-stated traffic impact criteria. Such development shall provide mitigation for its traffic impacts, consistent with the EEHD Policy, unless the necessary improvements create undesirable conflicts with other modes of travel. In the event of undesirable conflicts with other modes of travel, the City Council would consider whether to modify the EEHD Policy to allow the development despite the degradation in LOS or restrict such development in light of the resulting LOS.

### ***Citywide Transportation Impact Policy Definition of Significant Intersection Impacts***

The following seventeen intersections are located outside the Evergreen area boundary and, therefore, were analyzed according to the Citywide Transportation Impact Policy:

- US 101 and Blossom Hill (E)
- US 101 and Blossom Hill (W)
- King Road and I-680 (N)
- King Road and I-680 (S)
- Jackson Avenue and Alum Rock Avenue
- White Road and Alum Rock Avenue
- McLaughlin Avenue and Tully Road
- Jackson Avenue and I-680 NB off-ramp
- Jackson Avenue and Capitol Expwy
- White Road and East Hills Drive
- McLaughlin Avenue and Story Road
- McLaughlin Avenue and Yerba Buena Road
- Hellyer Rd and Silver Creek Valley Rd
- Fontanoso Wy and Silver Creek Valley Rd
- Piercy Rd and Silver Creek Valley Rd
- McLaughlin Avenue and Capitol Expwy
- Capitol Expwy and Capitol Av

The Citywide Transportation Impact Policy states that a project is said to create a significant adverse impact on traffic conditions at a signalized intersection located within the City of San Jose if for either peak hour:

1. The level of service at the intersection degrades from an acceptable LOS D or better under background conditions to an unacceptable LOS E or F under project conditions, or

2. The level of service at the intersection is an unacceptable LOS E or F under background conditions and the addition of project trips causes both the critical-movement delay at the intersection to increase by four or more seconds and the demand-to-capacity ratio (V/C) to increase by .01 or more.

An exception to this rule applies when the addition of project traffic reduces the amount of average stopped delay for critical movements (i.e. the change in average stopped delay for critical movements is negative). In this case, the threshold of significance is an increase in the critical V/C value by .01 or more.

A significant impact by City of San Jose standards is said to be satisfactorily mitigated when measures are implemented that would restore intersection level of service to background conditions or better.

### ***CMP Definition of Significant Intersection Impacts***

The definition of a significant impact at a CMP intersection is the same as for the City of San Jose Transportation Impact Policy, except that the CMP standard for acceptable level of service at a CMP intersection is LOS E or better. A significant impact by CMP standards is said to be satisfactorily mitigated when measures are implemented that would restore intersection conditions to LOS E or better. The intersection of Capitol Expressway and Story Road is exempt from the CMP standards because it operated at LOS F in the 1991 "baseline" CMP.

### ***CMP Definition of Significant Freeway Impacts***

The CMP defines an acceptable level of service for freeway segments as LOS E or better. A project is said to create a significant adverse impact on traffic conditions on a CMP freeway segment if for either peak hour:

1. The level of service on the freeway segment degrades from an acceptable LOS E or better under existing conditions to an unacceptable LOS F under project conditions, or
2. The level of service on the freeway segment is an unacceptable LOS F under project conditions and the number of project trips added to that segment constitutes at least one percent capacity of that segment.

A significant impact by CMP standards is said to be satisfactorily mitigated when measures are implemented that would restore freeway conditions to better than background conditions.

### **Project Trip Generation**

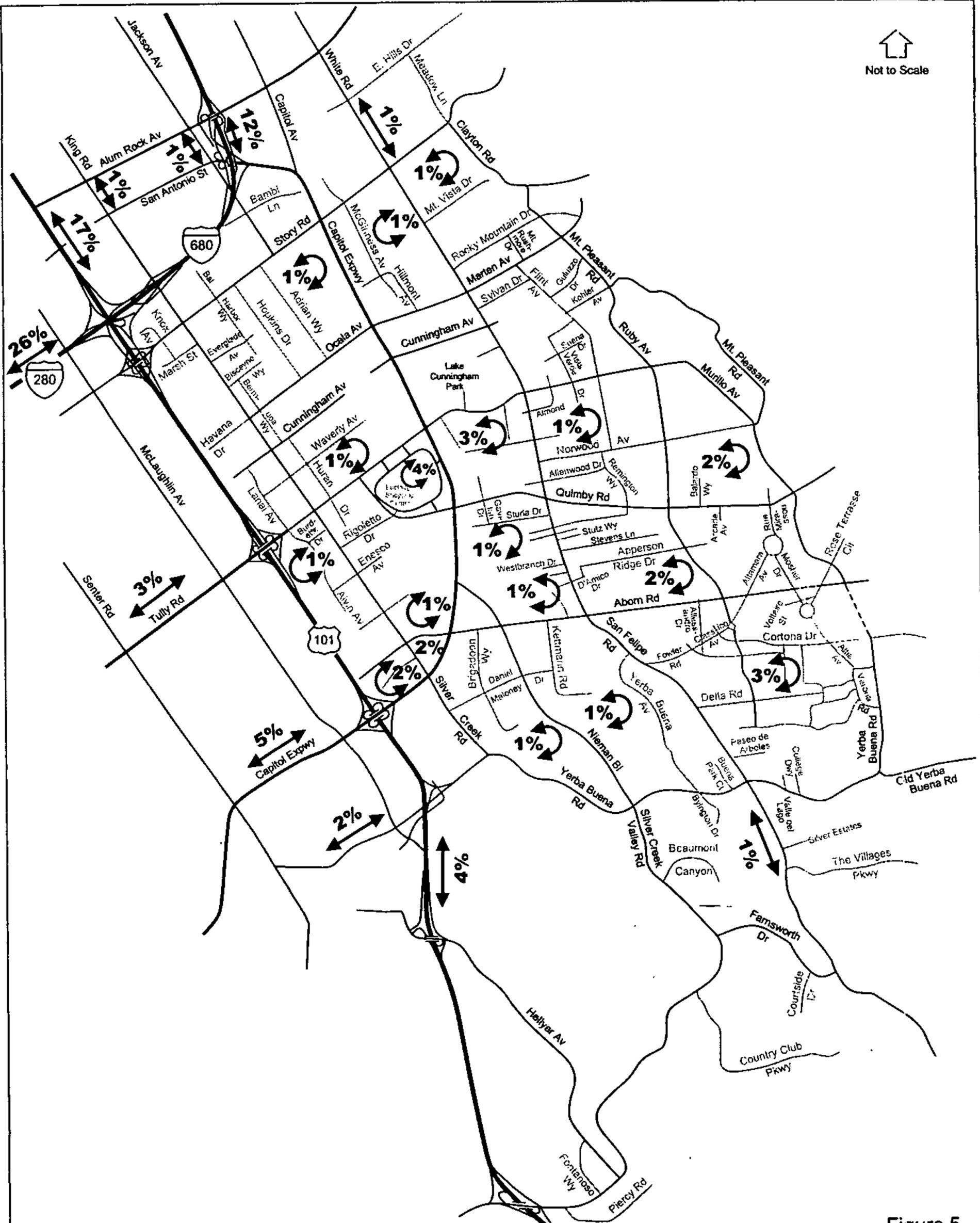
The magnitude of traffic added to the roadway system by a particular development is estimated by applying the applicable trip generation rates to the size of the development. The trip generation rates that were used were the City of San Jose recommended rates. Table 3 shows the project trip generation estimates.

**Table 3  
Project Trip Generation Estimates**

Land Use	Size units	AM Peak Hour				PM Peak Hour			
		rate	in	out	total	rate	in	out	total
Detached Residential	500 d.u.	0.99	173	322	495	0.99	322	173	495
Regional Retail	172 ksf	1.00	120	52	172	4.50	387	387	774
Neighborhood Retail	328 ksf	4.80	944	630	1,574	13.20	2,165	2,165	4,330
Office	75 ksf	2.80	189	21	210	2.80	42	168	210
<b>Total Project Trips:</b>			<b>1,426</b>	<b>1,025</b>	<b>2,451</b>		<b>2,916</b>	<b>2,893</b>	<b>5,809</b>

### Project Trip Distribution and Assignment

The trip distribution pattern for the proposed project was estimated based on existing travel patterns on the surrounding roadway system and the locations of complementary land uses. Project trips were assigned to the roadway network according to the trip distribution pattern for each corresponding land use. The trip distribution patterns were derived from the original Evergreen Visioning study. Figures 5 through 14 show the trip distribution patterns for each land use in the project. Please refer to the volume tables found in Appendix A for the project trip assignment.



Not to Scale

Figure 5  
**AM PEAK HOUR TRIP DISTRIBUTION**  
**RESIDENTIAL USES-ALL SITES**  
 Evergreen Visioning Project

↑  
Not to Scale

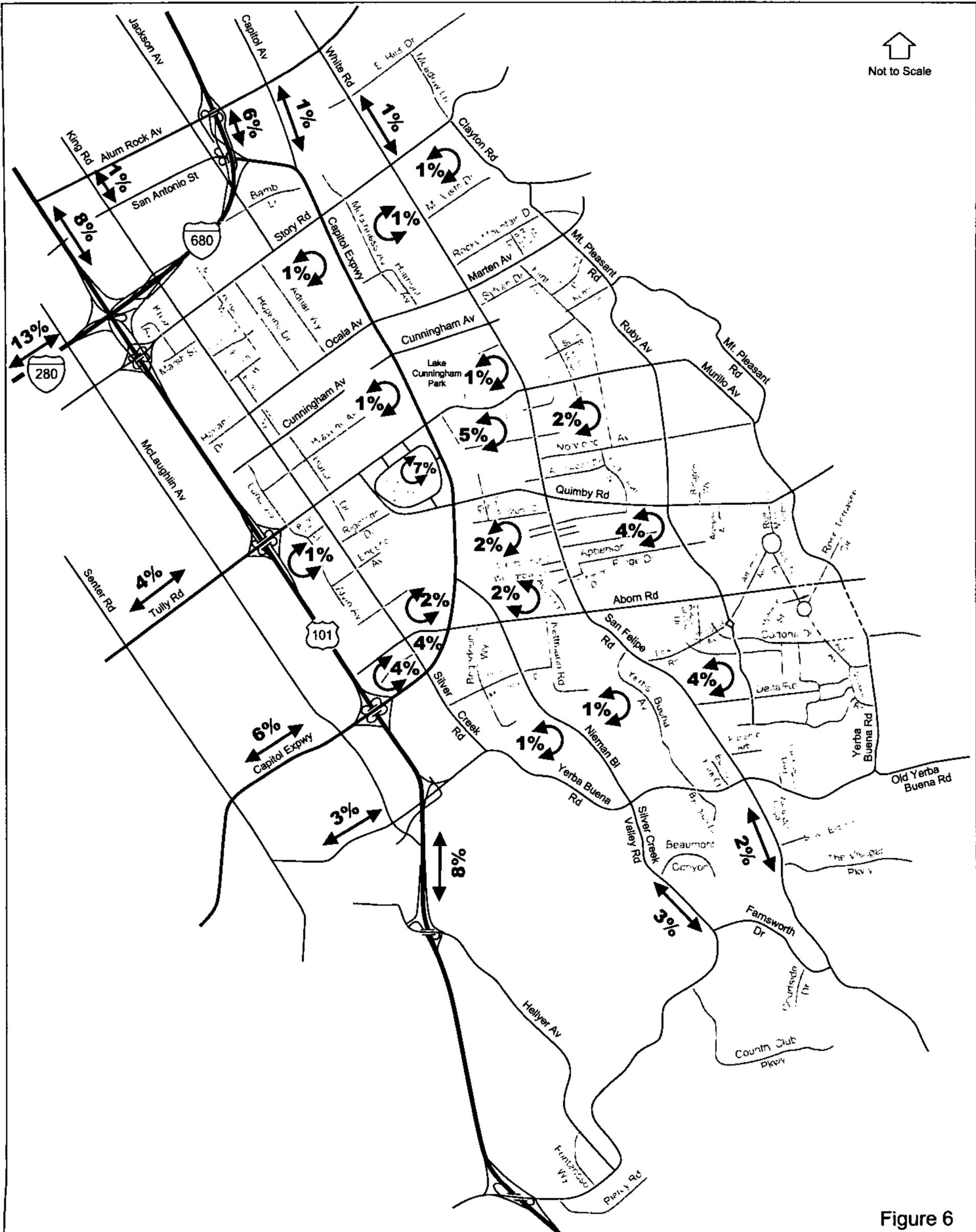
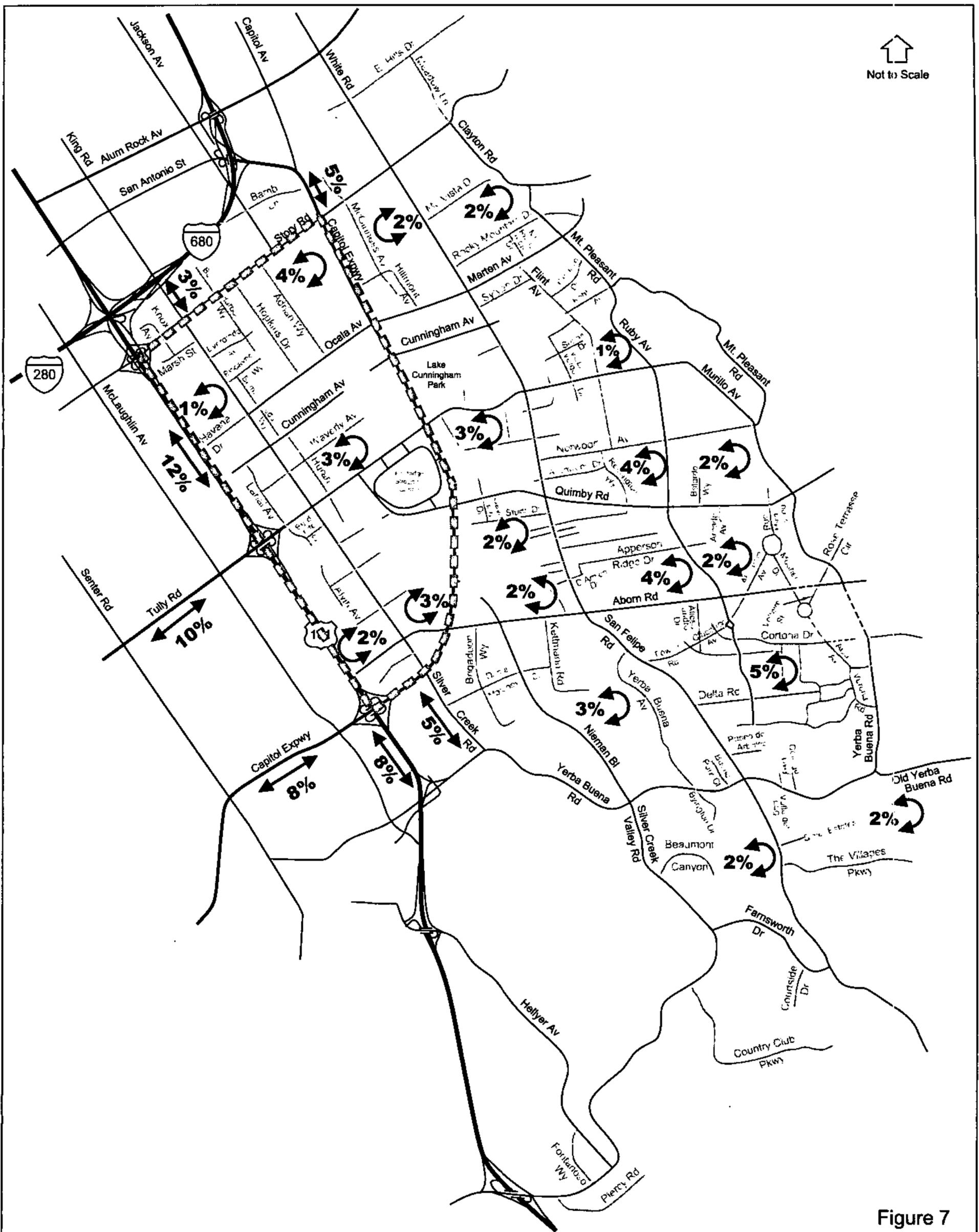
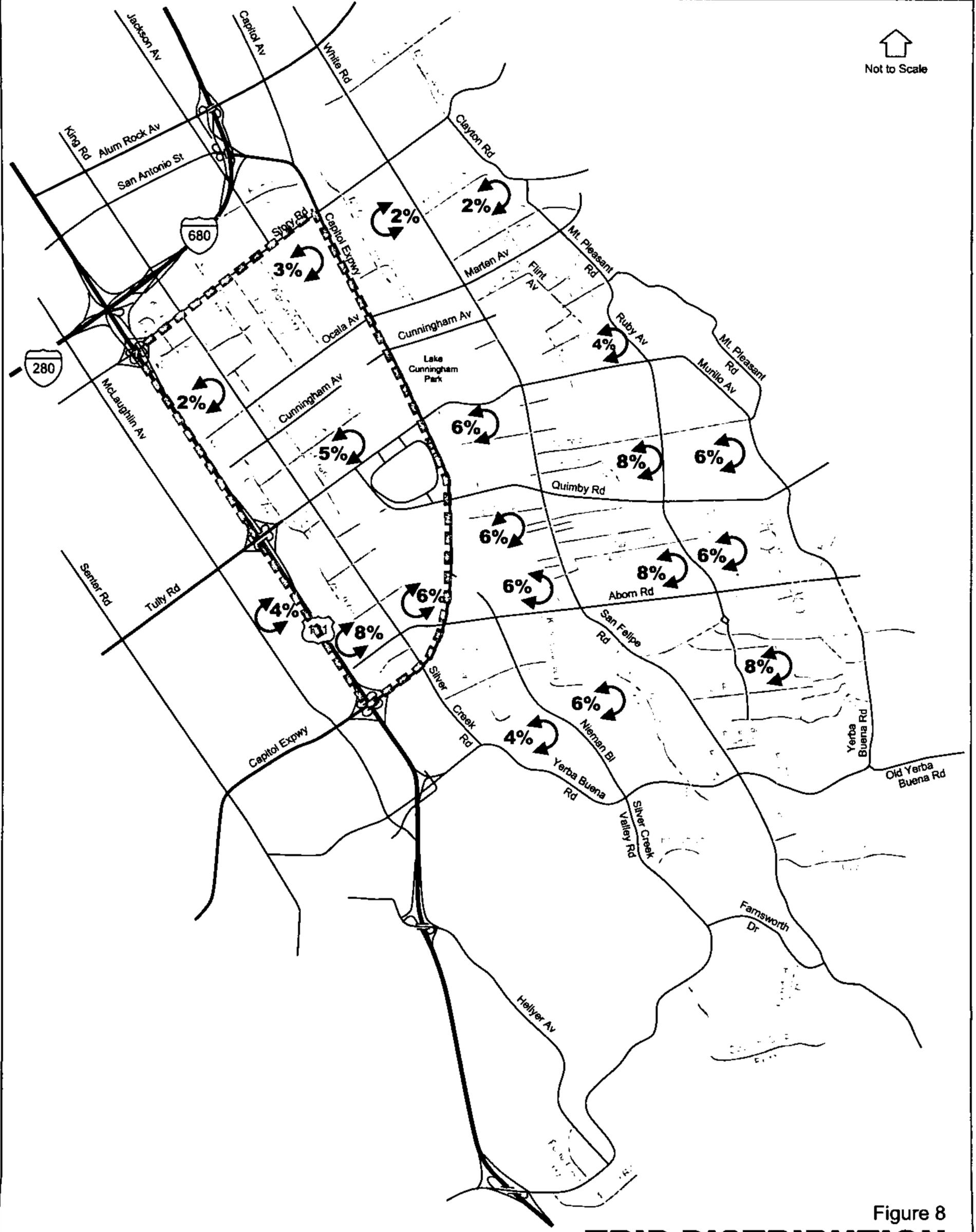


Figure 6  
**PM PEAK HOUR TRIP DISTRIBUTION  
RESIDENTIAL USES-ALL SITES**  
Evergreen Visioning Project



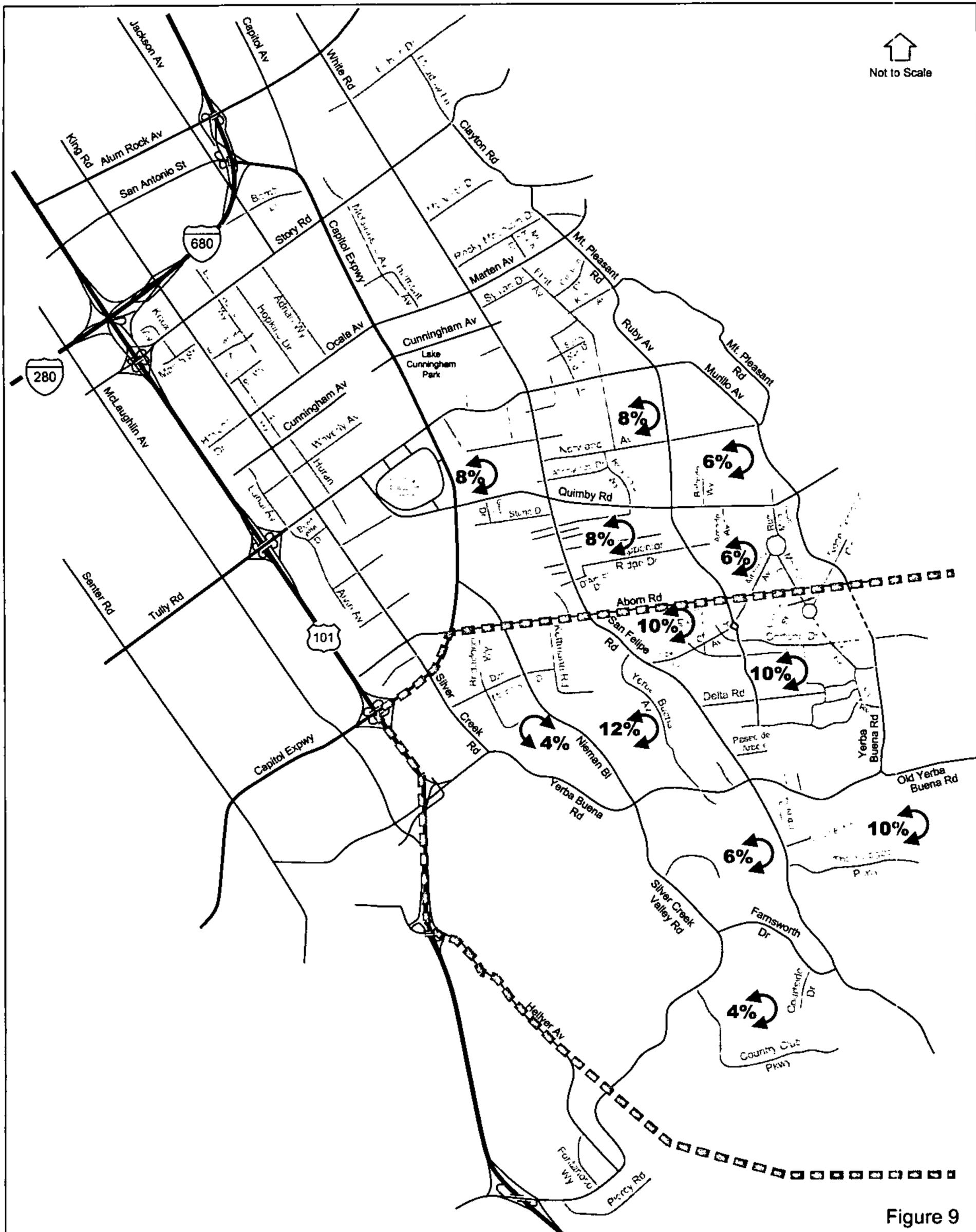
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Not to Scale

Figure 7  
**TRIP DISTRIBUTION**  
**ARCADIA REGIONAL RETAIL**  
 Evergreen Visioning Project



Hexagon  
Transportation Consultants, Inc.

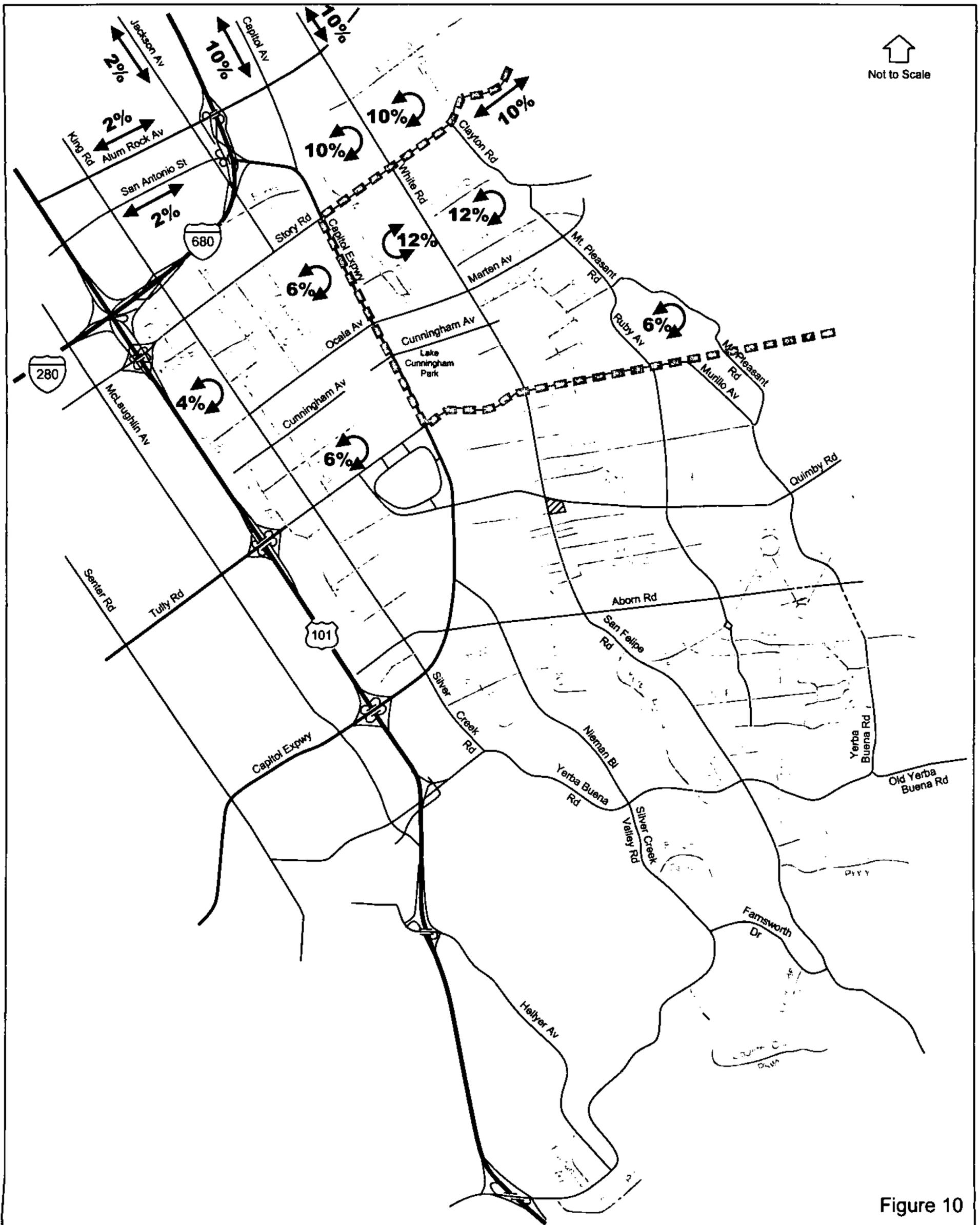
Figure 8  
**TRIP DISTRIBUTION**  
**ARCADIA NEIGHBORHOOD RETAIL**  
Evergreen Visioning Project



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Not to Scale

Hexagon  
Transportation Consultants, Inc.

Figure 9  
**TRIP DISTRIBUTION**  
**EVERGREEN VALLEY COLLEGE RETAIL SPACE**  
Evergreen Visioning Project



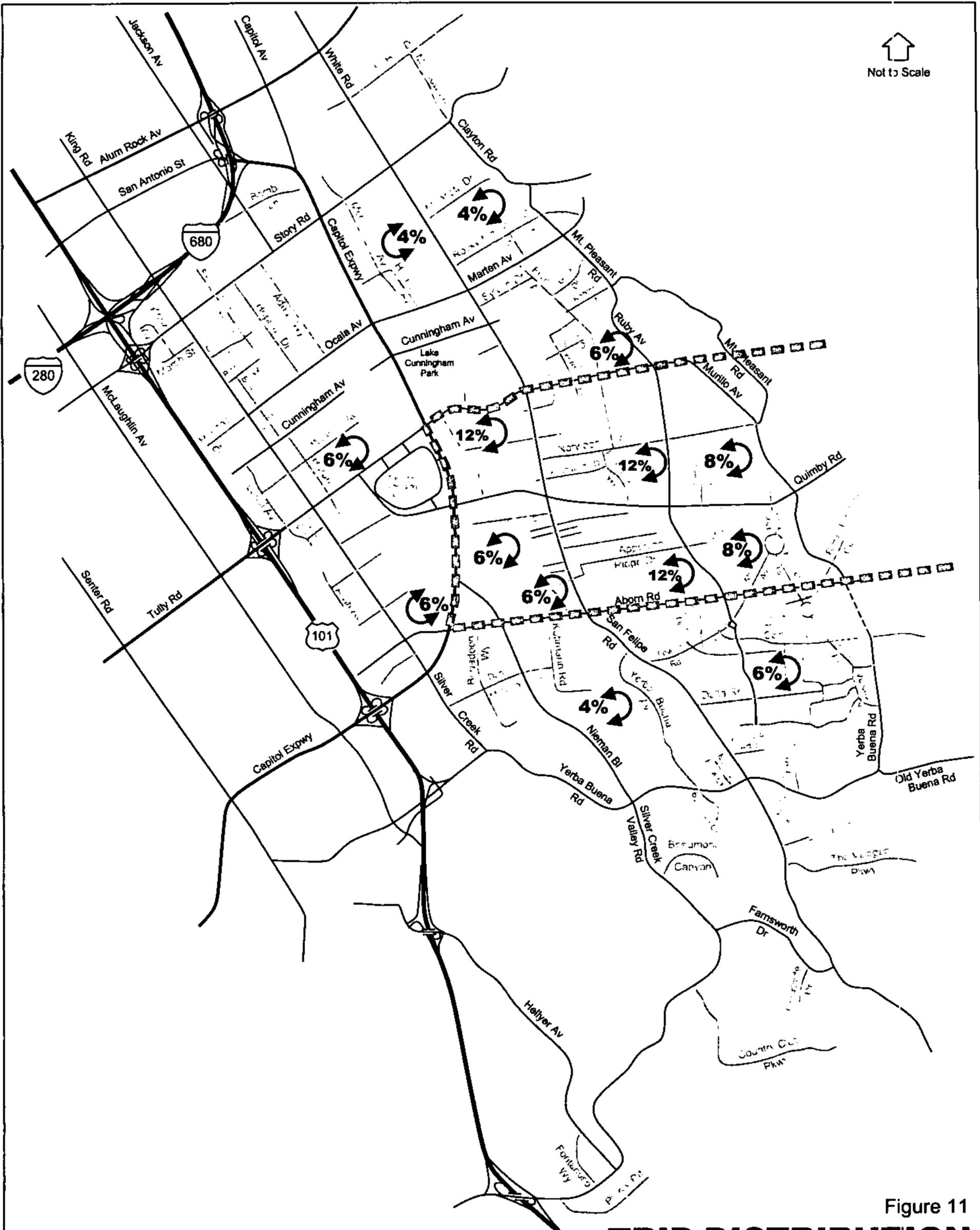
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Figure 10

# TRIP DISTRIBUTION STORY/WHITE NEIGHBORHOOD RETAIL

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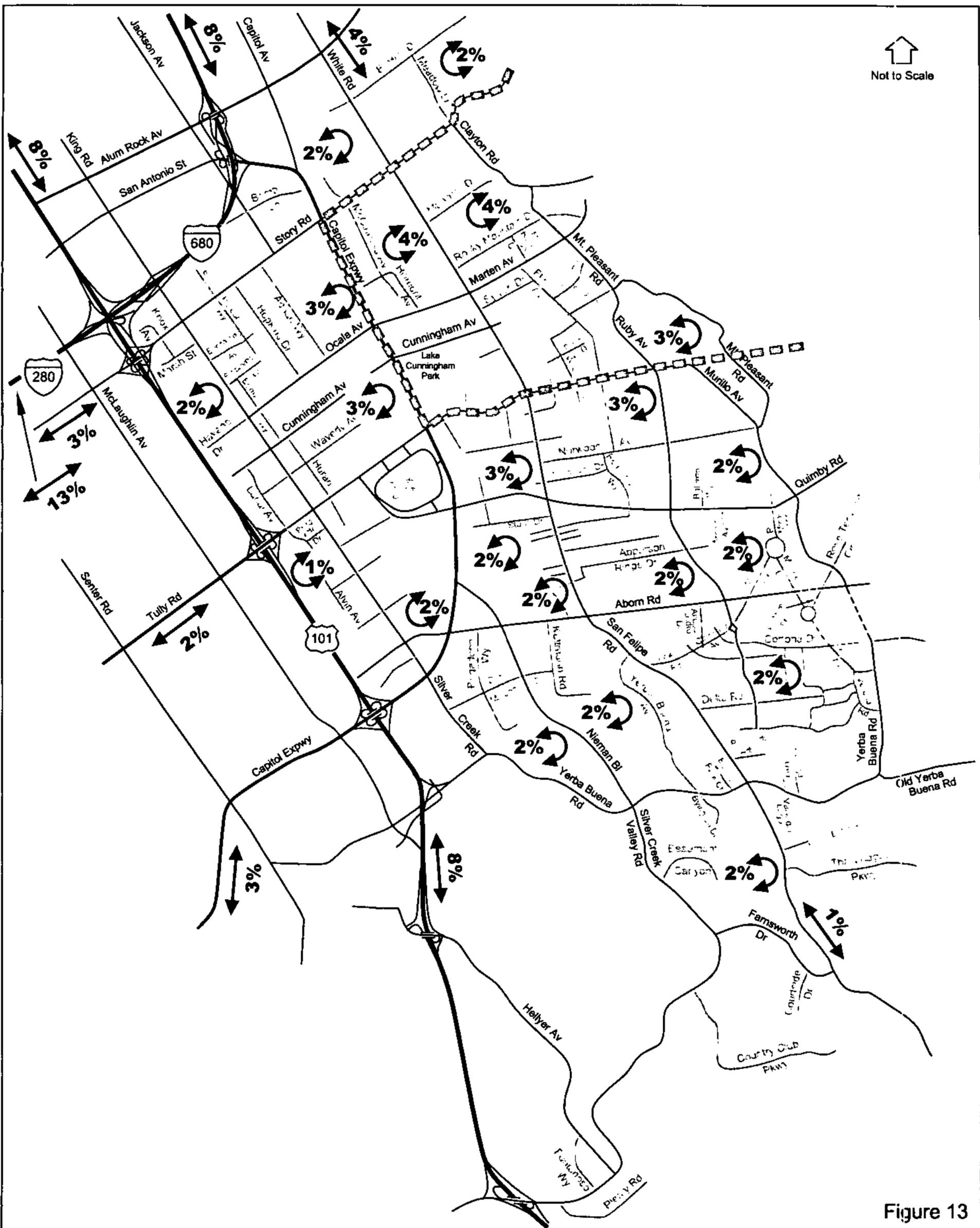
Evergreen Visioning Project



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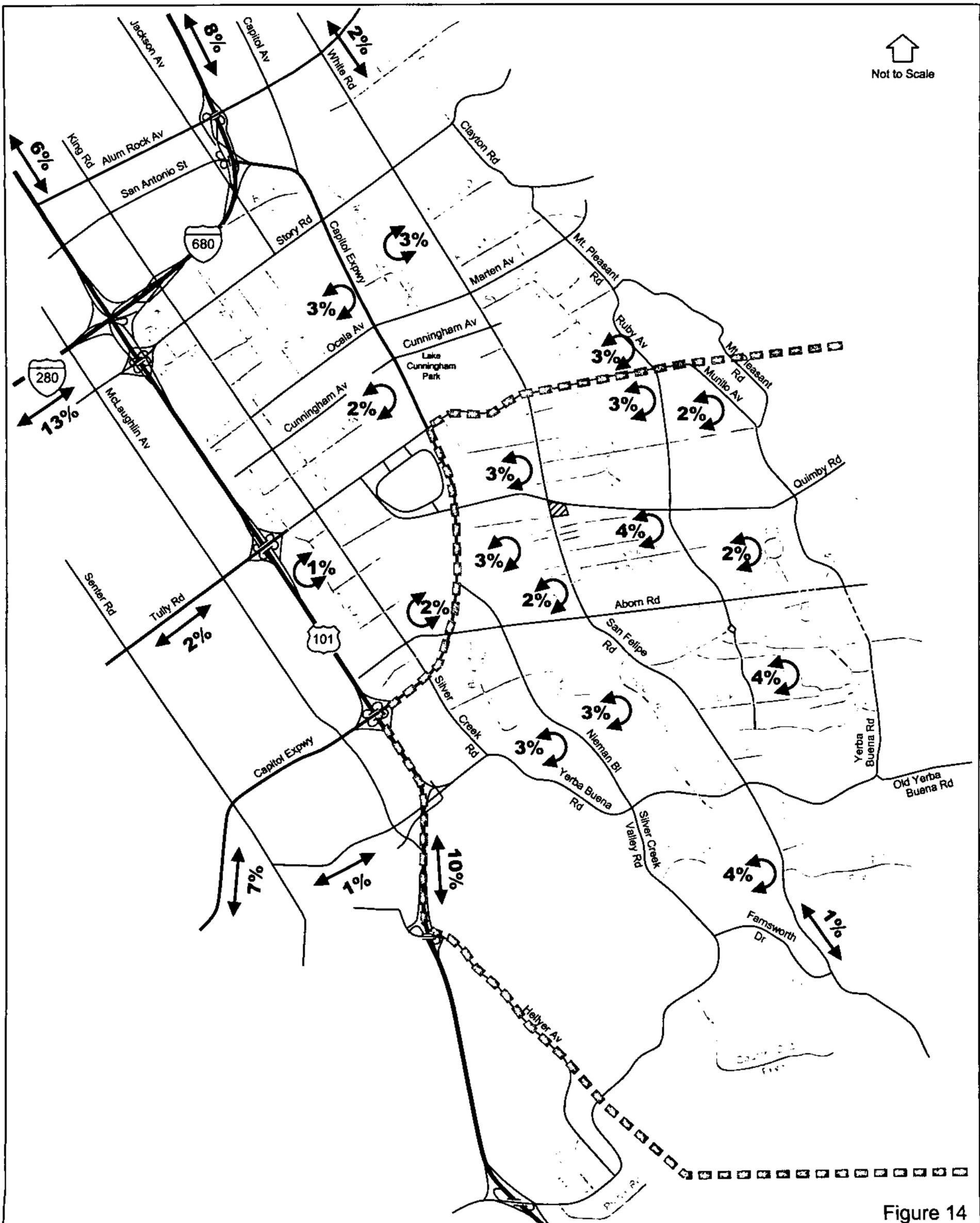
Figure 11  
**TRIP DISTRIBUTION**  
**QUIMBY/WHITE NEIGHBORHOOD RETAIL**  
 Evergreen Visioning Project





↑  
Not to Scale

Figure 13  
**TRIP DISTRIBUTION**  
**STORY/WHITE OFFICE SPACE**  
 Evergreen Visioning Project



↑  
Not to Scale

Figure 14  
**TRIP DISTRIBUTION  
 QUIMBY/WHITE OFFICE SPACE**  
 Evergreen Visioning Project

Hexagon  
 Transportation Consultants, Inc.

## Intersection Levels of Service

The results of the intersection level of service analysis are summarized in Table 4. Project impacts were evaluated following the standards and methodologies as described above. According to the proposed EEHD Policy, the project would have a significant impact on nine of the study intersections:

- US 101 and Yerba Buena Road (East) – PM peak hour
- Capitol Expressway and Quimby Road – PM peak hour
- Capitol Expressway and Story Road – AM and PM peak hours
- White Road and Quimby Road – PM peak hour
- White Road and Stevens Lane – PM peak hour
- White Road and Aborn Road – PM peak hour
- San Felipe Road and Yerba Buena Road (South) – AM and PM peak hours
- Nieman Boulevard and Aborn Road – PM peak hour
- Nieman Boulevard and Yerba Buena Road – AM peak hour

The following four Evergreen intersections would have degradations in levels of service, but are proposed to be exempt from mitigation, as described above:

- Capitol Expressway and Nieman Boulevard – PM peak hour
- Evergreen Commons and Tully Road – AM peak hour
- San Felipe Road and Yerba Buena Avenue (North) – PM peak hour
- San Felipe Road and Delta Road – AM peak hour

These intersections all are described in more detail below.

### US 101 and Yerba Buena Road (East)

**Impact:** This intersection would operate at LOS C during the PM peak hour under background conditions, and the added trips as a result of the project would cause the level of service to degrade to LOS D. Based on the Evergreen Development Policy, this constitutes a significant project impact.

**Mitigation:** The level of service impact could be mitigated either by adding a second westbound right-turn lane or by converting a westbound through lane into a shared through/right-turn lane. Adding a second westbound right-turn lane would require the acquisition and demolition of five single-family homes along the north side of Yerba Buena Road. However, converting a westbound through lane into a shared through/right-turn lane could be done within the existing ROW. The mitigation would improve the intersection level of service to LOS B. Based on the Evergreen Development Policy, these improvements would satisfactorily mitigate the significant project impact.

### Capitol Expressway and Nieman Boulevard

**Impact:** This intersection would operate at LOS C during the PM peak hour under background conditions, and the added trips as a result of the project would cause the level of service to degrade to LOS D. Under the proposed policy exemption, this project impact would be less than significant.

**Potential Improvement:** The level of service could be improved by adding a second westbound right-turn lane. The mitigation could be done within the existing ROW and would improve the

intersection level of service to LOS C. However, this improvement is considered undesirable due to pedestrian conflicts. Under the proposed policy exemption, the project impact at this intersection would be less than significant.

### Capitol Expressway and Quimby Road

**Impact:** This intersection would operate at LOS E with a V/C of 1.050 during the PM peak hour under background conditions, and the added trips as a result of the project would cause the level of service to degrade to LOS F. Based on the Evergreen Development Policy, this constitutes a significant project impact.

**Mitigation:** The level of service impact could be mitigated by adding exclusive northbound and eastbound right-turn lanes. Adding exclusive northbound and eastbound right-turn lanes could be done within the existing ROW. The mitigation would improve the intersection level of service to LOS E with a V/C of 0.894, which is better than that calculated under background conditions. Based on the Evergreen Development Policy, these improvements would satisfactorily mitigate the significant project impact.

### Capitol Expressway and Story Road

**Impact:** This intersection would operate at LOS D during both the AM and PM peak hours under background conditions, and the added trips as a result of the project would cause the level of service to degrade to LOS E during both peak hour periods. Based on the Evergreen Development Policy, this constitutes a significant project impact.

**Mitigation:** No feasible improvements exist to mitigate the significant project impact.

### Evergreen Commons and Tully Road

**Impact:** This intersection would operate at LOS A during the AM peak hour under background conditions, and the added trips as a result of the project would cause the level of service to degrade to LOS B. Under the proposed policy exemption, this impact would be less than significant.

**Potential Improvement:** The level of service could be improved by adding a second westbound left-turn lane. The improvement would require widening the Tully Road bridge over Thompson Creek, additional ROW along the north side of Tully Road, and the loss of landscaping within the shopping center to the south. The second left-turn lane would improve the intersection level of service to LOS A. However, the improvement would be undesirable because of impacts to biological resources. Under the proposed policy exemption, the project impact at this intersection would be less than significant.

**Table 4  
Intersection Level of Service Summary**

Study Number	Peak Hour	Existing		Background		Project Conditions			
		Avg. Delay	LOS	Avg. Delay	LOS	Avg. Delay	LOS	Incr. In Crit. Delay	Incr. In Crit. V/C
1 US 101 and Blossom Hill (E)*	AM	27.8	C	44.0	D	44.0	D	0.1	0.000
	PM	32.1	C	64.0	E	64.2	E	0.3	0.001
2 US 101 and Blossom Hill (W)*	AM	17.7	B	17.2	B	17.2	B	0.0	0.001
	PM	21.9	C	33.9	C	34.5	C	0.6	0.004
3 US 101 and Yerba Buena Road (E)*	AM	12.7	B	13.8	B	13.7	B	0.3	0.022
	PM	16.0	B	34.0	C	36.5	D	6.9	0.019
4 US 101 and Yerba Buena Road (W)*	AM	25.8	C	35.9	D	38.5	D	4.7	0.027
	PM	26.4	C	29.1	C	29.9	C	1.1	0.031
9 King Road and I-680 (N)*	AM	26.5	C	28.0	C	28.1	C	0.1	0.004
	PM	34.5	C	36.6	D	36.8	D	0.3	0.005
10 King Road and I-680 (S)*	AM	17.7	B	21.6	C	21.9	C	0.4	0.004
	PM	34.0	C	36.8	D	37.1	D	0.5	0.005
11 Jackson Avenue and I-680 NB off-ramp	AM	33.3	C	36.0	D	36.0	D	-0.1	0.003
	PM	32.6	C	32.5	C	32.6	C	0.0	0.004
12 McLaughlin Avenue and Capitol Expwy*	AM	46.1	D	46.9	D	47.1	D	0.3	0.006
	PM	44.9	D	48.6	D	49.7	D	2.2	0.017
13 Silver Creek Rd and Capitol Expwy*	AM	60.3	E	50.8	D	51.4	D	1.0	0.007
	PM	52.4	D	51.5	D	52.4	D	0.8	0.017
14 Capitol Expwy and Aborn Road*	AM	41.9	D	39.8	D	40.5	D	1.8	0.021
	PM	48.0	D	50.2	D	52.5	D	0.0	0.021
15 Capitol Expwy and Nieman Blvd	AM	11.5	B	40.8	D	53.8	D	10.5	0.046
	PM	23.5	C	27.0	C	40.5	D	13.9	0.212
16 Capitol Expwy and Quimby Road*	AM	42.8	D	45.8	D	48.5	D	2.6	0.035
	PM	57.9	E	77.8	E	128.8	F	80.8	0.201
17 Capitol Expwy and Eastridge	AM	6.5	A	8.5	A	8.5	A	0.1	0.017
	PM	9.1	A	12.4	B	12.3	B	0.0	0.049
18 Capitol Expwy and Tully Road*	AM	40.3	D	37.3	D	38.3	D	1.9	0.036
	PM	41.5	D	45.4	D	48.2	D	4.2	0.060
19 Capitol Expwy and Cunningham Av	AM	11.7	B	11.9	B	11.9	B	0.1	0.011
	PM	8.8	A	9.3	A	9.4	A	0.4	0.024
20 Capitol Expwy and Ocala Avenue	AM	49.7	D	53.8	D	54.9	D	1.0	0.012
	PM	47.9	D	51.9	D	54.4	D	2.1	0.034
21 Capitol Expwy and Story Road*	AM	50.0	E	53.8	D	56.0	E	2.7	0.040
	PM	59.9	E	53.8	D	58.0	E	3.7	0.027
22 Capitol Expwy and Capitol Av*	AM	24.9	C	25.3	C	25.5	C	0.2	0.007
	PM	55.6	E	53.1	D	54.7	D	2.0	0.011
23 Jackson Avenue and Capitol Expwy	AM	31.2	C	31.5	C	31.5	C	0.0	0.003
	PM	31.1	C	31.3	C	31.4	C	0.1	0.004
24 McLaughlin Avenue and Tully Road*	AM	42.6	D	43.0	D	43.3	D	0.3	0.006
	PM	57.9	E	77.8	E	128.8	F	80.8	0.201
25 Alvin Avenue and Tully Road	AM	32.7	C	33.4	C	33.2	C	-0.1	0.008
	PM	44.1	D	43.4	D	44.0	D	0.6	0.021
26 King Road and Tully Road*	AM	38.9	D	39.8	D	40.3	D	1.2	0.028
	PM	48.6	D	50.1	D	50.3	D	0.1	0.028
27 Huran Drive and Tully Road	AM	24.3	C	27.5	C	26.9	C	-0.4	0.019
	PM	22.2	C	25.8	C	25.2	C	-0.8	0.044
28 Quimby Road and Tully Road*	AM	34.4	C	34.0	C	33.3	C	-0.3	0.023
	PM	45.1	D	46.7	D	46.7	D	1.0	0.065
29 Eastridge Way and Tully Road	AM	9.6	A	11.4	B	11.2	B	-0.1	0.003
	PM	17.2	B	18.4	B	18.1	B	-0.3	0.003
30 Eastridge Lane and Tully Road	AM	4.2	A	4.5	A	4.5	A	0.1	0.004
	PM	8.8	A	9.3	A	9.3	A	-0.1	0.004
31 Evergreen Commons and Tully Road	AM	8.6	A	9.6	A	10.6	B	1.0	0.022
	PM	11.1	B	11.7	B	13.2	B	2.3	0.054
32 Glen Angus Way and Tully Road	AM	15.3	B	15.1	B	14.6	B	-0.4	0.010
	PM	10.5	B	10.8	B	10.1	B	-0.4	0.025
33 White Road and Tully Road	AM	39.7	D	43.0	D	44.8	D	3.4	0.031
	PM	38.2	D	38.5	D	39.8	D	2.6	0.062
34 Flint Avenue and Tully Road	AM	23.8	C	25.1	C	25.5	C	0.5	0.018
	PM	25.5	C	25.9	C	26.2	C	0.1	0.048
35 Bermuda Way and Ocala Avenue	AM	15.6	B	15.5	B	15.5	B	0.0	0.005
	PM	13.8	B	13.4	B	13.4	B	0.0	0.011

**Notes:**

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**Table 4 (Continued)  
Intersection Level of Service Summary**

Study Number	Peak Hour	Existing		Background		Project Conditions			
		Avg. Delay	LOS	Avg. Delay	LOS	Avg. Delay	LOS	Incr. In Crit. Delay	Incr. In Crit. V/C
36 Hopkins Drive and Ocala Avenue	AM	18.4	B	18.3	B	18.2	B	-0.1	0.004
	PM	20.7	C	20.5	C	20.4	C	-0.2	0.008
37 McLaughlin Avenue and Story Road	AM	39.6	D	40.8	D	40.8	D	0.0	0.001
	PM	46.2	D	46.9	D	47.0	D	0.2	0.003
38 Knox Avenue and Story Road	AM	29.6	C	30.5	C	30.4	C	-0.1	0.002
	PM	21.7	C	21.6	C	21.4	C	-0.1	0.002
39 King Road and Story Road	AM	43.8	D	41.4	D	41.5	D	0.1	0.004
	PM	47.3	D	46.2	D	46.5	D	0.5	0.008
40 Bal Harbor Way and Story Road	AM	28.1	C	28.0	C	28.1	C	0.0	0.002
	PM	24.4	C	23.4	C	23.9	C	1.0	0.009
41 Hopkins Drive and Story Road	AM	24.5	C	24.2	C	24.1	C	0.0	0.001
	PM	25.6	C	24.9	C	24.8	C	-0.1	0.003
42 Adrian Way and Story Road	AM	18.5	B	18.5	B	18.5	B	-0.1	0.001
	PM	24.8	C	24.9	C	24.8	C	0.0	0.004
43 Jackson Avenue and Story Road	AM	26.2	C	26.1	C	26.3	C	0.3	0.008
	PM	34.7	C	35.1	D	35.4	D	0.3	0.010
44 McGinness Avenue and Story Road	AM	23.5	C	23.6	C	23.4	C	0.0	0.010
	PM	25.0	C	26.3	C	26.2	C	0.1	0.017
45 White Road and Story Road	AM	43.7	D	45.4	D	46.1	D	1.0	0.015
	PM	46.0	D	45.7	D	47.7	D	2.6	0.037
46 Jackson Avenue and Alum Rock Avenue*	AM	31.4	C	33.9	C	33.9	C	0.1	0.002
	PM	35.7	D	37.3	D	37.3	D	0.0	0.001
47 White Road and Alum Rock Avenue*	AM	50.3	D	53.7	D	53.9	D	0.3	0.004
	PM	43.8	D	43.8	D	44.3	D	0.9	0.014
48 White Road and East Hills Drive	AM	26.8	C	26.2	C	26.2	C	0.1	0.003
	PM	22.8	C	22.7	C	22.5	C	-0.1	0.010
49 White Road and Mt. Vista Drive	AM	11.7	B	11.0	B	11.3	B	0.4	0.013
	PM	13.8	B	12.7	B	13.2	B	0.6	0.026
50 White Road and Rocky Mountain Drive	AM	4.1	A	3.6	A	3.9	A	0.4	0.011
	PM	3.1	A	3.0	A	3.2	A	0.5	0.024
51 White Road and Ocala Avenue	AM	33.0	C	29.2	C	29.3	C	0.3	0.013
	PM	30.2	C	29.5	C	29.7	C	-1.4	0.026
52 White Road and Cunningham Avenue	AM	13.2	B	12.4	B	12.4	B	0.0	0.011
	PM	14.0	B	12.2	B	11.8	B	-0.2	0.021
53 White Road and Lake Cunningham	AM	6.4	A	6.0	A	5.3	A	0.3	0.033
	PM	4.0	A	6.7	A	6.7	A	1.6	0.054
54 White Road and Glen Donegal Drive	AM	16.6	B	14.5	B	15.0	B	0.2	0.014
	PM	14.6	B	12.7	B	14.2	B	2.2	0.060
55 White Road and Norwood Avenue	AM	13.0	B	11.5	B	12.0	B	0.8	0.027
	PM	13.9	B	13.1	B	14.4	B	1.7	0.068
56 White Road and Quimby Road	AM	37.3	D	41.9	D	52.7	D	21.0	0.093
	PM	12.3	B	10.5	B	10.7	B	0.6	0.046
57 White Road and Stevens Lane	AM	11.5	B	9.9	A	11.5	B	2.8	0.112
	PM	37.5	D	42.8	D	45.9	D	5.0	0.054
58 White Road and Aborn Road	AM	18.4	B	18.4	B	19.4	B	1.8	0.070
	PM	8.4	A	8.3	A	10.8	B	3.8	0.182
59 San Felipe Rd and Yerba Buena Ave (N)	AM	19.7	B	19.7	B	19.9	B	0.4	0.063
	PM	9.7	A	10.6	B	13.2	B	8.7	0.232
60 San Felipe Road and Fowler Road	AM	19.8	B	20.0	B	20.2	C	0.4	0.063
	PM	14.2	B	14.2	B	15.2	B	1.8	0.180
61 San Felipe Road and Delta Road	AM	11.6	B	10.8	B	13.1	B	16.6	0.067
	PM	13.9	B	13.2	B	19.7	B	10.8	0.304
62 San Felipe Rd and Yerba Buena Rd (S)	AM	16.4	B	16.3	B	17.2	B	1.0	0.026
	PM	16.3	B	15.9	B	15.7	B	0.3	0.060
63 San Felipe Rd and The Village Parkway	AM	16.0	B	15.4	B	15.8	B	1.0	0.012
	PM	13.1	B	13.6	B	14.2	B	0.4	0.034
64 San Felipe Road and Farnsworth Drive	AM	9.8	A	9.5	A	9.4	A	-0.1	0.006
	PM	8.2	A	8.0	A	8.0	A	0.0	0.008
65 King Road and Marsh Street	AM	11.4	B	11.8	B	11.7	B	-0.1	0.007
	PM	10.1	B	11.1	B	11.0	B	0.0	0.010
66 King Road and Biscayne Way	AM	11.4	B	11.8	B	11.7	B	-0.1	0.007
	PM	10.1	B	11.1	B	11.0	B	0.0	0.010

**Notes:**

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**Table 4 (Continued)**  
**Intersection Level of Service Summary**

Study Number	Peak Hour	Existing		Background		Project Conditions				
		Avg. Delay	LOS	Avg. Delay	LOS	Avg. Delay	LOS	Incr. In Crit. Delay	Incr. In Crit. V/C	
68	King Road and Havana Dr/Ocala	AM	37.4	D	37.7	D	37.8	D	0.4	0.013
	PM	35.2	D	35.7	D	37.0	D	2.3	0.036	
69	King Road and Cunningham Avenue	AM	19.4	B	19.8	B	19.5	B	-0.2	0.009
	PM	13.0	B	14.5	B	14.2	B	-0.1	0.021	
70	King Road and Waverly Avenue	AM	21.2	C	21.1	C	20.9	C	0.0	0.012
	PM	17.0	B	17.1	B	16.8	B	0.1	0.026	
71	King Road and Burdette Drive	AM	12.0	B	12.4	B	12.4	B	0.0	0.002
	PM	16.0	B	15.9	B	15.7	B	-0.2	0.008	
72	King Road and Rigoletto Drive	AM	14.9	B	14.8	B	15.0	B	0.6	0.008
	PM	15.3	B	15.3	B	15.6	B	0.4	0.011	
73	King Road and Enesco Avenue	AM	12.6	B	12.3	B	12.3	B	0.0	0.004
	PM	12.5	B	12.3	B	12.4	B	0.1	0.008	
74	King Road and Barberry Lane	AM	13.8	B	13.9	B	13.9	B	0.0	0.003
	PM	6.3	A	6.3	A	6.3	A	0.0	0.008	
75	King Road and Aborn Road	AM	22.7	C	24.5	C	24.4	C	-0.1	0.003
	PM	26.7	C	28.8	C	28.8	C	0.1	0.009	
76	Silver Creek Road and Lexann Avenue	AM	14.5	B	19.0	B	19.3	B	0.4	0.004
	PM	26.8	C	29.5	C	29.7	C	0.2	0.006	
77	Silver Creek Rd and Daniel Maloney Dr	AM	25.7	C	25.3	C	25.3	C	0.0	0.005
	PM	20.2	C	20.7	C	20.8	C	0.6	0.008	
78	Silver Creek Rd and Yerba Buena Rd	AM	20.6	C	20.0	C	20.4	C	1.0	0.024
	PM	21.4	C	23.8	C	24.7	C	1.7	0.025	
79	Quimby Road and Rigoletto Drive	AM	31.3	C	33.7	C	33.8	C	0.4	0.056
	PM	34.6	C	35.8	D	36.4	D	2.2	0.128	
80	Eastridge Blvd and Quimby Road	AM	15.8	B	16.6	B	15.8	B	-0.2	0.060
	PM	23.1	C	23.7	C	20.0	C	-3.1	0.143	
81	Remington Way and Quimby Road	AM	18.5	B	19.4	B	20.0	B	1.3	0.083
	PM	14.5	B	16.4	B	18.7	B	2.1	0.156	
82	Ruby Avenue and Quimby Road	AM	31.7	C	32.4	C	32.7	C	0.1	0.019
	PM	28.5	C	31.1	C	31.8	C	1.6	0.122	
83	Brigadoon Way and Aborn Road	AM	7.8	A	6.1	A	6.7	A	0.8	0.014
	PM	10.1	B	10.0	B	10.6	B	0.5	0.039	
84	Nieman Boulevard and Aborn Road	AM	27.7	C	45.2	D	48.9	D	6.1	0.045
	PM	31.2	C	31.7	C	37.0	D	6.9	0.150	
85	Kettman Road and Aborn Road	AM	20.1	C	16.9	B	16.7	B	2.4	0.045
	PM	19.0	B	29.1	C	33.1	C	5.7	0.101	
86	Alessandro Drive and Aborn Road	AM	20.2	C	14.5	B	15.0	B	0.6	0.014
	PM	14.4	B	8.7	A	9.9	A	1.1	0.037	
87	Ruby Avenue and Aborn Road	AM	23.6	C	19.9	B	20.0	C	0.1	0.004
	PM	22.8	C	20.8	C	21.8	C	0.8	0.023	
88	Altamara Avenue and Aborn Road	AM	28.9	C	22.4	C	22.6	C	0.1	0.005
	PM	24.8	C	13.7	B	14.7	B	1.4	0.024	
89	Mosher Drive and Aborn Road	AM	13.7	B	4.0	A	4.5	A	0.1	0.001
	PM	14.6	B	3.3	A	5.5	A	1.5	0.017	
90	McLaughlin Avenue and Yerba Buena Road	AM	22.9	C	22.9	C	22.8	C	0.0	0.001
	PM	26.0	C	26.0	C	25.8	C	-0.1	0.009	
91	Nieman Blvd and Yerba Buena Road	AM	30.0	C	26.3	C	27.3	C	0.3	0.018
	PM	30.0	C	26.3	C	27.3	C	0.3	0.018	
92	Byington Drive and Yerba Buena Road	AM	13.1	B	12.0	B	12.8	B	1.5	0.032
	PM	10.1	B	20.5	C	28.6	C	12.2	0.047	
93	Silver Creek Valley Rd and Beaumont Canyon Dr	AM	15.8	B	14.5	B	15.4	B	1.4	0.014
	PM	19.7	B	18.1	B	19.2	B	-0.1	0.002	
94	Silver Creek Valley Rd and Farnsworth Dr	AM	20.0	C	21.4	C	21.6	C	0.2	0.009
	PM	25.6	C	23.7	C	24.5	C	0.7	0.027	
95	Silver Creek Valley and Country Club Pkwy	AM	17.1	B	16.6	B	16.9	B	6.6	-0.011
	PM	11.3	B	12.5	B	12.2	B	-0.4	0.010	
96	Hellyer Rd and Silver Creek Valley Rd	AM	27.5	C	45.5	D	45.5	D	0.0	0.001
	PM	30.4	C	35.7	D	36.0	D	0.5	0.011	
97	Fontanoso Wy and Silver Creek Valley Rd	AM	16.8	B	23.6	C	23.6	C	0.0	0.000
	PM	14.7	B	28.1	C	28.1	C	0.0	0.001	
98	Piercy Rd and Silver Creek Valley Rd	AM	9.3	A	7.7	A	7.7	A	0.0	0.000
	PM	17.3	B	21.0	C	21.0	C	0.0	0.001	
99	Courtside Drive and Farnsworth Drive	AM	20.0	C	20.0	C	20.0	C	5.4	0.002
	PM	14.5	B	14.5	B	13.9	B	-0.3	0.016	

**Notes:**

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### White Road and Quimby Road

**Impact:** This intersection would operate at LOS D during the PM peak hour under background conditions, and the added trips as a result of the project would cause the level of service to degrade to LOS F. Based on the Evergreen Development Policy, this constitutes a significant project impact.

**Mitigation:** The level of service impact could be mitigated by adding a second northbound left-turn lane. The mitigation could be done within the existing ROW and would improve the intersection level of service to LOS D. Based on the Evergreen Development Policy, this improvement would satisfactorily mitigate the significant project impact.

### White Road and Stevens Lane

**Impact:** This intersection would operate at LOS A during the PM peak hour under background conditions, and the added trips as a result of the project would cause the level of service to degrade to LOS B. Based on the Evergreen Development Policy, this constitutes a significant project impact.

**Mitigation:** The level of service impact could be mitigated by adding a second westbound left-turn lane. Adding a second westbound left-turn lane would require the acquisition and demolition of four single-family homes along the north side of Stevens Lane. The mitigation would improve the intersection level of service to LOS A. However, roadway widening that requires the acquisition and demolition of houses is considered infeasible. Therefore, this impact would remain unmitigated.

### White Road and Aborn Road

**Impact:** This intersection would operate at LOS D during the PM peak hour under background conditions, and the added trips as a result of the project would cause the level of service to degrade to LOS E. Based on the Evergreen Development Policy, this constitutes a significant project impact.

**Mitigation:** The level of service impact could be mitigated by adding a second westbound left-turn lane. The mitigation could be done within the existing ROW and would improve the intersection level of service to LOS D. Based on the Evergreen Development Policy, this improvement would satisfactorily mitigate the significant project impact.

### San Felipe Road and Yerba Buena Avenue (North)

**Impact:** This intersection would operate at LOS A during the PM peak hour under background conditions, and the added trips as a result of the project would cause the level of service to degrade to LOS B. Under the proposed policy exemption, this impact would be less than significant.

**Potential Improvement:** The level of service could be improved by adding an exclusive southbound right-turn lane. The improvement could be done within the existing ROW and would improve the intersection level of service to LOS A. However, this improvement is considered undesirable due to pedestrian conflicts. Under the proposed policy exemption, the project impact at this intersection would be less than significant.

### San Felipe Road and Delta Road

**Impact:** This intersection would operate at LOS B during the AM peak hour under background conditions, and the added trips as a result of the project would cause the level of service to degrade to LOS C. Under the proposed policy exemption, this impact would be less than significant.

**Mitigation:** The level of service could be improved either by adding a second westbound left-turn lane or by adding a second southbound left-turn lane. Both improvements could be done within the existing ROW and both would improve the intersection level of service to LOS B. However, this improvement is considered undesirable due to pedestrian conflicts. Under the proposed policy exemption, the project impact at this intersection would be less than significant.

### San Felipe Road and Yerba Buena Road (South)

**Impact:** This intersection would operate at LOS E with a V/C of 1.136 during the AM peak hour under background conditions, and the added trips as a result of the project would cause the level of service to degrade to LOS F. Based on the Evergreen Development Policy, this constitutes a significant project impact.

**Mitigation:** The level of service impact could be mitigated by adding a second eastbound left-turn lane and a second southbound left-turn lane. The mitigation could be done within the existing ROW and would improve the intersection level of service to LOS E with a V/C of 1.076, which is better than that calculated under background conditions. Based on the Evergreen Development Policy, these improvements would satisfactorily mitigate the significant project impact.

### Nieman Boulevard and Aborn Road

**Impact:** This intersection would operate at LOS C during the PM peak hour under background conditions, and the added trips as a result of the project would cause the level of service to degrade to LOS D. Based on the Evergreen Development Policy, this constitutes a significant project impact.

**Mitigation:** The level of service impact could be mitigated by converting a southbound through lane into a second southbound left-turn lane. The mitigation could be done within the existing ROW and would improve the intersection level of service to LOS C. Based on the Evergreen Development Policy, this improvement would satisfactorily mitigate the significant project impact.

### Nieman Boulevard and Yerba Buena Road

**Impact:** This intersection would operate at LOS D during the AM peak hour under background conditions, and the added trips as a result of the project would cause the level of service to degrade to LOS E. Based on the Evergreen Development Policy, this constitutes a significant project impact.

**Mitigation:** The level of service impact could be mitigated by adding a second westbound left-turn lane. The mitigation could be done within the existing ROW and would improve the intersection level of service to LOS D. Based on the Evergreen Development Policy, this improvement would satisfactorily mitigate the significant project impact.

In addition, one study intersection located outside the Evergreen area boundary (McLaughlin Avenue and Tully Road) would be significantly impacted based on the Transportation Impact Policy.

### McLaughlin Avenue and Tully Road

**Impact:** This intersection would operate at LOS E during the PM peak hour under background conditions, and the added trips as a result of the project would cause the delay to increase by 8.6 seconds and the v/c ratio to increase by 3.1 percent (0.031). Based on the Transportation Impact Policy, this constitutes a significant project impact.

**Mitigation:** The level of service impact could be mitigated by adding an exclusive northbound right-turn lane. This improvement would require ROW acquisition or a narrowing of the sidewalk in front of the corner parcel (from 10 to 5 feet) and eliminating the planting strip in front of the adjacent parcel. The mitigation would improve the intersection level of service to LOS D. Based on the Transportation Impact Policy, these improvements would satisfactorily mitigate the significant project impact.

### Mitigation Measures for Intersection Impacts

The significant impacts created by the EEHD policy can be mitigated at eight of the ten impacted intersections. In addition, four intersections are proposed for exemption under the policy. The intersection of White Road and Stevens Lane does not have any feasible mitigation because of right of way constraints. The intersection of Capitol Expressway & Story Road does not have any feasible mitigation, short of building a grade separated interchange. However, since Capitol Expressway & Story Road is a CMP intersection, its projected LOS E is acceptable under CMP standards. Therefore, a CMP deficiency plan would not be required. Table 5 lists the significantly impacted intersections and associated mitigation measures.

### Freeway Level of Service Analysis

In addition to the analysis of study intersections, the effect of project traffic on nearby freeways was evaluated. The results of the CMP freeway level of service analysis are summarized in Table 6. Traffic volumes on the study freeway segments under project conditions were estimated by adding project trips to the existing volumes obtained from the 2006 CMP Annual Monitoring Report. The results show that the project would cause significant increases in traffic volumes (more than one percent of freeway capacity) on the following nine directional freeway segments:

- US 101, northbound between Yerba Buena Road and Capitol Expressway – AM peak hour
- US 101, northbound between Capitol Expressway and Tully Road – AM peak hour
- US 101, southbound between Capitol Expressway and Tully Road – PM peak hour
- US 101, southbound between Tully Road and Story Road – PM peak hour
- US 101, southbound between Story Road and I-280 – PM peak hour
- I-280, eastbound between SR 87 and Tenth Street – PM peak hour
- I-280, westbound between SR 87 and Tenth Street – AM peak hour
- I-280, westbound between Tenth Street and McLaughlin Avenue – AM peak hour
- I-280, westbound between McLaughlin Avenue and US 101 – AM peak hour

**Table 5  
Summary of Significant Intersection Impacts and Proposed Mitigation Measures**

Study Number	Intersection	Background		Project		Project		Project		Mitigation Measures
		Avg.		Avg.		Avg.		Avg.		
		Hour	Delay	Hour	Delay	Hour	Delay	Hour	Delay	
3	US 101 and Yerba Buena Road (E)*	AM	13.8	B	13.7	B	14.2	B	Convert a WB Thru lane into a shared Thru/RT lane.	
		PM	34.0	C	36.5	D	15.1	B		
15	Capitol Expwy and Nieman Blvd	AM	40.8	D	53.8	D			Exempt	
		PM	27.0	C	40.5	D				
16	Capitol Expwy and Quimby Road*	AM	45.8	D	48.5	D	42.7	D	Add exclusive NB and EB RT lanes.	
		PM	77.8	E	129.8	F	69.3	E		
21	Capitol Expwy and Story Road*	AM	53.8	D	55.6	E	55.6	E	No feasible mitigation measures.	
		PM	53.6	D	56.0	E	56.0	E		
24	McLaughlin Avenue and Tully Road* /a/	AM	43.0	D	43.3	D	39.7	D	Add exclusive NB RT lane. Need to acquire ROW or narrow sidewalk in front of corner parcel (from 10 to 5 ft) and eliminate the plant strip in front of the adjacent parcel.	
		PM	61.0	E	65.5	E	52.3	D		
31	Evergreen Commons and Tully Road	AM	9.6	A	10.6	B			Exempt	
		PM	11.7	B	13.2	B				
56	White Road and Quimby Road	AM	41.9	D	52.7	D	38.1	D	Add a 2nd NB LT lane.	
		PM	45.7	D	84.5	F	52.2	D		
57	White Road and Stevens Lane	AM	10.5	B	10.7	B			No feasible mitigation measures.	
		PM	9.9	A	11.5	B				
58	White Road and Aborn Road	AM	42.8	D	45.9	D	42.7	D	Add a 2nd WB LT lane.	
		PM	44.4	D	55.5	E	53.4	D		
59	San Felipe Rd and Yerba Buena Ave (N)	AM	18.4	B	19.4	B			Exempt	
		PM	8.3	A	10.8	B				
61	San Felipe Road and Delta Road	AM	20.0	B	20.2	C			Exempt	
		PM	14.2	B	15.2	B				
63	San Felipe Rd and Yerba Buena Rd (S)	AM	78.3	E	86.5	F	62.5	E	Add a 2nd EB LT lane and a 2nd SB LT lane.	
		PM	105.5	F	129.6	F	71.4	E		
84	Nieman Boulevard and Aborn Road	AM	45.2	D	48.9	D	36.0	D	Convert a SB thru lane to a 2nd SB LT lane.	
		PM	31.7	C	37.0	D	29.7	C		
91	Nieman Blvd and Yerba Buena Road	AM	51.4	D	56.8	E	54.4	D	Add a 2nd WB LT lane.	
		PM	26.3	C	27.3	C	25.9	C		

\* Denotes CMP Intersection  
 Boxed rows indicate impacts under Evergreen Development Policy.  
 /a/ This intersection is located outside the Evergreen area boundary and, therefore, was evaluated according to the City of San Jose Transportation Impact Policy.

**Table 6  
Freeway Segment Level of Service Summary**

Freeway Segment	Direction	Peak Hour	Ave. Speed/Al	# of Lanes	Existing Plus Project Trips				Project Trips				Impact?								
					Mixed-Flow		HOV Lane		Mixed-Flow		HOV Lane										
					Volume/Al	Density	LOS	Ave. Speed/Al	# of Lanes	Capacity (vph)	Volume/Al	Density		LOS	Total Volume	Capacity	%				
US 101	Heliyer Ave to Yerba Buena Rd	NB	AM	27	3	6,900	5,607	69.2	F	38	1	1,800	2,054	54.0	E	21	17	0.3%	4	0.2%	NO
US 101	Heliyer Ave to Yerba Buena Rd	NB	PM	84	3	6,900	6,184	32.2	D	67	1	1,800	549	8.2	A	53	44	0.6%	9	0.5%	NO
US 101	Yerba Buena Rd to Capitol Expwy	NB	AM	24	3	6,900	5,508	76.5	F	64	1	1,800	2,133	33.3	D	131	108	1.6%	23	1.3%	YES
US 101	Capitol Expwy to Tully Rd	NB	PM	66	3	6,900	4,018	20.3	C	67	1	1,800	752	11.2	B	70	58	0.8%	12	0.7%	NO
US 101	Capitol Expwy to Tully Rd	NB	AM	19	3	6,900	4,886	85.7	F	40	1	1,800	2,101	52.5	E	117	96	1.4%	21	1.2%	YES
US 101	Tully Rd to Story Rd	NB	PM	66	3	6,900	4,777	24.1	C	67	1	1,800	476	7.1	A	33	27	0.4%	6	0.3%	NO
US 101	Tully Rd to Story Rd	NB	AM	41	3	6,900	6,380	51.9	E	62	1	1,800	2,194	35.4	D	134	110	1.6%	24	1.3%	NO
US 101	Story Rd to I-280	NB	PM	66	3	6,900	4,808	24.3	C	67	1	1,800	552	8.2	A	70	58	0.8%	12	0.7%	NO
US 101	Story Rd to I-280	NB	AM	66	3	6,900	4,869	24.6	C	66	1	1,800	1,876	28.4	D	145	119	1.7%	26	1.4%	NO
US 101	I-280 to Santa Clara St	NB	PM	67	3	6,900	2,876	14.3	B	67	1	1,800	484	7.2	A	80	66	1.0%	14	0.8%	NO
US 101	I-280 to Santa Clara St	NB	AM	18	3	6,900	4,746	87.9	F	13	1	1,800	1,380	106.2	F	56	46	0.7%	10	0.6%	NO
US 101	Santa Clara St to I-280	SB	PM	66	3	6,900	3,987	20.1	C	67	1	1,800	876	13.1	B	33	27	0.4%	6	0.3%	NO
US 101	Santa Clara St to I-280	SB	AM	67	3	6,900	3,451	17.2	B	67	1	1,800	407	6.1	A	38	31	0.5%	7	0.4%	NO
US 101	I-280 to Story Rd	SB	PM	16	3	6,900	4,495	93.6	F	32	1	1,800	1,957	61.2	F	42	35	0.5%	7	0.4%	NO
US 101	I-280 to Story Rd	SB	AM	67	3	6,900	2,488	12.4	B	67	1	1,800	487	7.3	A	95	78	1.1%	17	0.9%	NO
US 101	Story Rd to Tully Rd	SB	PM	20	3	6,900	5,007	83.5	F	57	1	1,800	2,239	39.3	D	106	87	1.3%	19	1.0%	YES
US 101	Story Rd to Tully Rd	SB	AM	66	3	6,900	5,022	25.4	C	67	1	1,800	485	7.2	A	87	72	1.0%	15	0.9%	NO
US 101	Tully Rd to Capitol Expwy	SB	PM	15	3	6,900	4,486	99.7	F	54	1	1,800	2,227	41.2	D	93	76	1.1%	17	0.9%	YES
US 101	Tully Rd to Capitol Expwy	SB	AM	66	3	6,900	4,803	24.3	C	67	1	1,800	951	14.2	B	64	53	0.8%	11	0.6%	NO
US 101	Capitol Expwy to Yerba Buena Rd	SB	PM	35	3	6,900	6,139	58.5	F	66	1	1,800	1,790	27.1	D	59	49	0.7%	10	0.6%	YES
US 101	Capitol Expwy to Yerba Buena Rd	SB	AM	66	3	6,900	4,018	20.3	C	67	1	1,800	813	12.1	B	71	58	0.8%	13	0.7%	NO
US 101	Yerba Buena Rd to Heliyer Ave	SB	PM	66	3	6,900	4,628	23.4	C	67	1	1,800	1,227	18.3	C	95	78	1.1%	17	0.9%	NO
US 101	Yerba Buena Rd to Heliyer Ave	SB	AM	66	3	6,900	4,374	22.1	C	67	1	1,800	1,013	15.1	B	17	14	0.2%	3	0.2%	NO
I-280	SR 87 to 10th St	EB	PM	66	3	6,900	5,388	27.2	D	67	1	1,800	1,148	17.1	B	46	38	0.5%	8	0.5%	NO
I-280	10th St to McLaughlin Ave	EB	AM	66	4	9,200	5,609	21.2	C	-	-	-	-	-	-	69	69	0.8%	0	-	NO
I-280	10th St to McLaughlin Ave	EB	PM	25	4	9,200	7,389	73.9	F	-	-	-	-	-	-	89	89	1.0%	0	-	YES
I-280	McLaughlin Ave to US 101	EB	AM	65	4	9,200	8,129	31.3	D	-	-	-	-	-	-	69	69	0.8%	0	-	NO
I-280	McLaughlin Ave to US 101	EB	PM	54	4	9,200	8,949	41.4	D	-	-	-	-	-	-	89	89	1.0%	0	-	NO
I-280	US 101 to McLaughlin Ave	WB	AM	66	4	9,200	6,929	26.2	D	-	-	-	-	-	-	69	69	0.8%	0	-	NO
I-280	US 101 to McLaughlin Ave	WB	PM	66	4	9,200	7,479	28.3	D	-	-	-	-	-	-	89	89	1.0%	0	-	NO
I-280	McLaughlin Ave to 10th St	WB	AM	6	4	9,200	3,401	141.7	F	-	-	-	-	-	-	91	91	1.0%	0	-	YES
I-280	McLaughlin Ave to 10th St	WB	PM	65	4	9,200	8,131	31.3	D	-	-	-	-	-	-	71	71	0.8%	0	-	NO
I-280	10th St to SR 87	WB	AM	12	4	9,200	5,325	110.9	F	-	-	-	-	-	-	95	95	1.0%	0	-	YES
I-280	10th St to SR 87	WB	PM	65	4	9,200	7,878	30.3	D	-	-	-	-	-	-	78	78	0.8%	0	-	NO
I-680	US 101 to King Rd	NB	AM	25	4	9,200	7,395	74.0	F	-	-	-	-	-	-	95	95	1.0%	0	-	YES
I-680	King Rd to Capitol Expwy	NB	PM	66	4	9,200	7,208	27.3	D	-	-	-	-	-	-	78	78	0.8%	0	-	NO
I-680	Capitol Expwy to Alum Rock Ave	NB	AM	66	4	9,200	5,581	21.1	C	-	-	-	-	-	-	41	41	0.4%	0	-	NO
I-680	Capitol Expwy to Alum Rock Ave	NB	PM	66	4	9,200	6,905	26.2	D	-	-	-	-	-	-	45	45	0.5%	0	-	NO
I-680	Alum Rock Ave to Capitol Expwy	SB	AM	39	4.2	9,660	8,307	50.7	E	-	-	-	-	-	-	37	37	0.4%	0	-	NO
I-680	Alum Rock Ave to Capitol Expwy	SB	PM	63	4.2	9,660	8,605	32.5	D	-	-	-	-	-	-	35	35	0.4%	0	-	NO
I-680	Capitol Expwy to King Rd	SB	AM	19	4	9,200	6,408	84.3	F	-	-	-	-	-	-	28	28	0.3%	0	-	NO
I-680	Capitol Expwy to King Rd	SB	PM	66	4	9,200	6,365	24.1	C	-	-	-	-	-	-	25	25	0.3%	0	-	NO
I-680	King Rd to US 101	SB	AM	13	4	9,200	5,445	104.7	F	-	-	-	-	-	-	35	35	0.4%	0	-	NO
I-680	King Rd to US 101	SB	PM	64	4	9,200	8,474	33.1	D	-	-	-	-	-	-	24	24	0.3%	0	-	NO
I-680	King Rd to US 101	SB	AM	11	4.4	10,120	5,455	112.7	F	-	-	-	-	-	-	35	35	0.3%	0	-	NO
I-680	King Rd to US 101	SB	PM	66	4.4	10,120	6,414	22.1	C	-	-	-	-	-	-	24	24	0.2%	0	-	NO
I-680	King Rd to US 101	SB	AM	8	4	9,200	4,143	129.5	F	-	-	-	-	-	-	43	43	0.5%	0	-	NO
I-680	King Rd to US 101	SB	PM	66	4	9,200	5,578	21.1	C	-	-	-	-	-	-	38	38	0.4%	0	-	NO

/a/ Source: Santa Clara Valley Transportation Authority Congestion Management Program Monitoring Study, 2006.

### **Mitigation Measures for Freeway Impacts**

In conjunction with the City of San Jose and Caltrans, the VTA has completed a corridor study of US 101 between I-280/I-680 and Yerba Buena Road. The study identified all feasible improvements to remedy existing and projected operational problems in the corridor. The proposed freeway improvements would improve traffic operations on southbound US 101 between Tully Road and Story Road. With the improvements, this segment would continue to operate at an unacceptable level of service (LOS F); however, traffic conditions would be better than under existing conditions.

Improvements to US 101 beyond the corridor plan freeway improvements are not feasible because they would require the acquisition of extensive additional right-of-way, which would cause unacceptable impacts on the adjacent land uses. Likewise, improvements to mitigate significant project impacts on I-280 also are infeasible due to right-of-way constraints and the land use impacts associated with acquiring additional right-of-way.

### **Conclusions**

The proposed EEHD Policy would have a significant impact on nine Evergreen intersections. Four Evergreen intersections are proposed for exemption because improvements would be in conflict with other policies, and they are projected to operate at LOS D or better. One additional study intersection located outside the Evergreen area boundary (McLaughlin Avenue and Tully Road) would be significantly impacted based on the Transportation Impact Policy. The project would have a significant impact that could not be mitigated at the intersections of Capitol Expressway & Story Road and White Road & Stevens Lane. Significant impacts at the eight other impacted intersections could be mitigated successfully.

Nine directional freeway segments would be significantly impacted by the EEHVS project. Operational improvements to US 101 between I-280/I-680 and Yerba Buena Road have been planned, although not fully funded, and would improve traffic operations on southbound US 101 between Tully Road and Story Road. Additional freeway improvements are not feasible, so the project impacts would not be mitigated.

**Appendix C**

**Responses to the SEIR Notice of Preparation (NOP)**



STATE OF CALIFORNIA  
GOVERNOR'S OFFICE of PLANNING AND RESEARCH  
STATE CLEARINGHOUSE AND PLANNING UNIT

ARNOLD SCHWARZENEGGER  
GOVERNOR

CYNTHIA BRYANT  
DIRECTOR

Notice of Preparation

July 24, 2008

RECEIVED

JUL 28 2008

CITY OF SAN JOSE  
DEVELOPMENT SERVICES

To: Reviewing Agencies  
Re: Evergreen East Hills Development Policy  
SCH# 2005102007

Attached for your review and comment is the Notice of Preparation (NOP) for the Evergreen East Hills Development Policy draft Environmental Impact Report (EIR).

Responsible agencies must transmit their comments on the scope and content of the NOP, focusing on specific information related to their own statutory responsibility, within 30 days of receipt of the NOP from the Lead Agency. This is a courtesy notice provided by the State Clearinghouse with a reminder for you to comment in a timely manner. We encourage other agencies to also respond to this notice and express their concerns early in the environmental review process.

Please direct your comments to:

Dipa Chundur  
City of San Jose  
200 E. Santa Clara Street  
San Jose, CA 95113-1905

with a copy to the State Clearinghouse in the Office of Planning and Research. Please refer to the SCH number noted above in all correspondence concerning this project.

If you have any questions about the environmental document review process, please call the State Clearinghouse at (916) 445-0613.

Sincerely,

Scott Morgan  
Project Analyst, State Clearinghouse

Attachments  
cc: Lead Agency

**Document Details Report  
State Clearinghouse Data Base**

**SCH#** 2005102007  
**Project Title** Evergreen East Hills Development Policy  
**Lead Agency** San Jose, City of

**Type** NOP Notice of Preparation

**Description** The existing Evergreen Development Policy (the "Policy") sets forth transportation and flood control criteria that must be satisfied prior to development occurring within the Evergreen area of the City of San Jose. The project proposes a revision to the Policy to provide for traffic allocation for the future development of the following uses:

- 500 detached residential dwelling units
- 500,000 square feet of commercial retail space
- 75,000 square feet of office space

The locations of this development within the Evergreen area have not been determined. However, for analytical purposes the above-mentioned development capacities have been distributed. The distribution is based on a review of infill parcels throughout the Evergreen area that are undeveloped, underutilized, or potential candidates for redevelopment.

The revised Policy would limit the number of dwelling units to a maximum of 35 on any one site unless the development incorporates affordable housing, historic preservation, or mixed-use components. For purposes of the update, the revised Policy is proposed to be called the Evergreen - East Hills Development Policy.

**Lead Agency Contact**

**Name** Dipa Chundur  
**Agency** City of San Jose  
**Phone** (408) 535-7800 **Fax**  
**email**  
**Address** 200 E. Santa Clara Street  
**City** San Jose **State** CA **Zip** 95113-1905

**Project Location**

**County** Santa Clara  
**City** San Jose  
**Region**  
**Cross Streets** South of Story Road, east of Hwy. 101  
**Lat / Long**  
**Parcel No.** several  
**Township** **Range** **Section** **Base**

**Proximity to:**

**Highways** 101, 280 & 680  
**Airports** Reid-Hillview  
**Railways**  
**Waterways** Multiple including but not limited to Coyote, Thompson, Yerba Buena, Evergreen, Flint, Upper & ...  
**Schools** Multiple Schools w/in East Side Union, Evergreen Elem.,  
**Land Use** Multiple Designations

**Project Issues** Air Quality; Noise; Traffic/Circulation; Growth Inducing

**Reviewing Agencies** Resources Agency; Department of Conservation; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; Department of Fish and Game, Region 3; Native American Heritage Commission; Caltrans, Division of Aeronautics; California Highway Patrol; Department of Housing and Community Development; Caltrans, District 4; Department of Toxic Substances Control; Regional Water Quality Control Board, Region 2

Note: Blanks in data fields result from insufficient information provided by lead agency.

**Document Details Report  
State Clearinghouse Data Base**

---

*Date Received* 07/24/2008

*Start of Review* 07/24/2008

*End of Review* 08/22/2008

Note: Blanks in data fields result from insufficient information provided by lead agency.

Resources Agency	County	SUM#	Regional Water Quality Control Board (RWQCB)
<input type="checkbox"/> Fish & Game Region 2 Jeff Drongesen	<input type="checkbox"/> Public Utilities Commission Ken Lewis	<input type="checkbox"/> Caltrans, District 8 Dan Kopulsky	<input type="checkbox"/> RWQCB 1 Cathleen Hudson North Coast Region (1)
<input checked="" type="checkbox"/> Fish & Game Region 3 Robert Floerke	<input type="checkbox"/> Santa Monica Bay Restoration Guangyu Wang	<input type="checkbox"/> Caltrans, District 9 Gayle Rosander	<input checked="" type="checkbox"/> RWQCB 2 Environmental Document Coordinator San Francisco Bay Region (2)
<input type="checkbox"/> Fish & Game Region 4 Julie Vance	<input type="checkbox"/> State Lands Commission Jean Sarino	<input type="checkbox"/> Caltrans, District 10 Tom Dumas	<input type="checkbox"/> RWQCB 3 Central Coast Region (3)
<input type="checkbox"/> Fish & Game Region 5 Don Chadwick Habitat Conservation Program	<input type="checkbox"/> Tahoe Regional Planning Agency (TRPA) Cherry Jacques	<input type="checkbox"/> Caltrans, District 11 Jacob Armstrong	<input type="checkbox"/> RWQCB 4 Teresa Rodgers Los Angeles Region (4)
<input type="checkbox"/> Fish & Game Region 6 Gabrina Gatchel Habitat Conservation Program	<u>Business, Trans &amp; Housing</u>	<input type="checkbox"/> Caltrans, District 12 Bob Joseph	<input type="checkbox"/> RWQCB 5S Central Valley Region (5)
<input type="checkbox"/> Fish & Game Region 6 IM Gabrina Getchel Inyo/Mono, Habitat Conservation Program	<input checked="" type="checkbox"/> Caltrans - Division of Aeronautics Sandy Hesnard	<u>Cal EPA</u>	<input type="checkbox"/> RWQCB 5R Central Valley Region (5) Fresno Branch Office
<input type="checkbox"/> Dept. of Fish & Game M George Isaac Marine Region	<input type="checkbox"/> Caltrans - Planning Terri Pencovic	<input type="checkbox"/> Air Resources Board	<input type="checkbox"/> RWQCB 6 Lahontan Region (6)
<u>Other Departments</u>	<input checked="" type="checkbox"/> California Highway Patrol Shirley Kelly Office of Special Projects	<input type="checkbox"/> Airport Projects Jim Lerner	<input type="checkbox"/> RWQCB 6V Lahontan Region (6) Victorville Branch Office
<input type="checkbox"/> Food & Agriculture Steve Shaffer Dept. of Food and Agriculture	<input type="checkbox"/> Housing & Community Development Lisa Nichols Housing Policy Division	<input type="checkbox"/> Transportation Projects Ravi Ramalingam	<input type="checkbox"/> RWQCB 7 Colorado River Basin Region (7)
<input type="checkbox"/> Dept. of General Services Public School Construction	<input type="checkbox"/> Caltrans, District 1 Rex Jackman	<input type="checkbox"/> Industrial Projects Mike Tollstrup	<input type="checkbox"/> RWQCB 8 Santa Ana Region (8)
<input type="checkbox"/> Dept. of General Services Environmental Services Section	<input type="checkbox"/> Caltrans, District 2 Marcelino Gonzalez	<input type="checkbox"/> California Integrated Waste Management Board Sue O'Leary	<input type="checkbox"/> RWQCB 9 San Diego Region (9)
<input type="checkbox"/> Dept. of Health Services Veronica Malloy Dept. of Health/Drinking Water	<input type="checkbox"/> Caltrans, District 3 Jeff Pulverman	<input type="checkbox"/> State Water Resources Control Board Regional Programs Unit Division of Financial Assistance	<input type="checkbox"/> Other
<u>Independent Commissions, Boards</u>	<input checked="" type="checkbox"/> Caltrans, District 4 Tim Sable	<input type="checkbox"/> State Water Resources Control Board Student Intern, 401 Water Quality Certification Unit Division of Water Quality	
<input type="checkbox"/> Delta Protection Commission Debbie Eddy	<input type="checkbox"/> Caltrans, District 5 David Murray	<input type="checkbox"/> State Water Resources Control Board Steven Herrera Division of Water Rights	
<input type="checkbox"/> Office of Emergency Services Dennis Castillo	<input type="checkbox"/> Caltrans, District 6 Moses Sittes	<input checked="" type="checkbox"/> Dept. of Toxic Substances Control CEQA Tracking Center	
<input type="checkbox"/> Governor's Office of Planning & Research State Clearinghouse	<input type="checkbox"/> Caltrans, District 7 Vin Kumar	<input type="checkbox"/> Department of Pesticide Regulation	
<input checked="" type="checkbox"/> Native American Heritage Comm. Debbie Treadway			
<u>Fish and Game</u>			
<input type="checkbox"/> Dept. of Fish & Game Scott Flint Environmental Services Division			
<input type="checkbox"/> Fish & Game Region 1 Donald Koch			
<input type="checkbox"/> Fish & Game Region 1E Laurie Harnsberger			

**County of Santa Clara**

Roads and Airports Department

101 Skyport Drive  
San Jose, California 95110-1302  
(408) 573-2400

RECEIVED

AUG 14 2008

CITY OF SAN JOSE  
DEVELOPMENT SERVICES



August 12, 2008

Mr. Dipa Chundur  
City of San Jose  
Planning, Building & Code Enforcement  
Planning Services Division  
200 East Santa Clara Street  
San Jose, CA 95113-1905

Subject: Notice of Preparation of a Draft Supplemental Environmental Impact Report for the revision of the Evergreen Development Policy  
City File No. : PP08-121

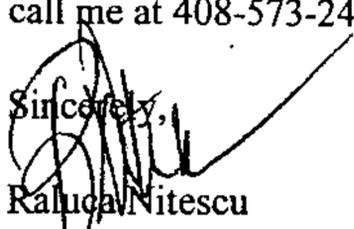
Dear Mr. Chundur,

Your July 22, 2008 Notice of Preparation for the subject project along with the attachments have been reviewed.

Please provide the draft Traffic Impact Report for our review and comments.

Thank you for the opportunity to review and comment on this project. If you have any questions, please call me at 408-573-2464.

Sincerely,

  
Raluca Nitescu  
Project Engineer

cc: MA, WRL, File

## Chundur, Dipa

---

**From:** shppngshrry@comcast.net  
**Sent:** Wednesday, August 06, 2008 4:28 PM  
**To:** dipa.chundur@sanjoseca.gov  
**Cc:** Dave.Cortese@sanjoseca.gov; zitojf@appliedbiosystems.com;  
michael\_j\_alvarado@earthlink.net; bgoldmace@aol.com  
**Subject:** SEIR for Evergreen Area (File No: PP08-121)

To whom it may concern,

I would like to make the following comments regarding the above mention SEIR:

- 1) As a member of the original Evergreen Visioning Project Task Force, I regularly heard the Mount Pleasant and Evergreen communities voice their concerns about the proposed development and how horrible the commute traffic was (and still is) in our neighborhoods. Another re-occurring theme was the overcrowding at our high schools.
- 2) I recognize that this SEIR is addressing the 35 unit limit (again). So again let me state that I believe there should be NO exceptions to this limit. The 35 unit limit, alone, will make the above mentioned congestion (traffic / schools) worse. I strongly suggest that there be NO exceptions made for development that addresses "affordable housing, historic preservation," nor "mixed use."
- 3) I was surprised to see that 344,000 sq feet of commercial development is being considered for the Arcadia Property. Last I recall, the developer's revised proposal dated Dec '06, had increased that space from 100k to 300k - - now 344k is being considered? That neighborhood needs a school, an area for youth, not more commercial.
- 4) I would be in support of mixed use redevelopment in the (currently plight-ed) vicinity of Quimby & White Roads.

Thank you for giving me the opportunity to express my concerns.

Sincerely,

Sherry Gilmore

**Chundur, Dipa**

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**From:** Gordon Lund [gflund@msn.com]  
**Sent:** Tuesday, July 29, 2008 12:42 PM  
**To:** dipa.chundur@sanjoseca.gov  
**Subject:** Response to draft SEIR for revision of EDP

I have two comments to the Draft Supplemental Environmental Impact Report for Revision of the Evergreen Development Policy:

1. Page 9, second paragraph, third line: The acronym CEQA should be spelled out when first used. I didn't see its defined use elsewhere in the document.
2. Page 9, Traffic, line three: I feel the analysis of traffic should be done for both week day and weekend peak-hour time periods.  
I know this was an issue with the original EIR for weekend traffic impacts and was not really addressed. But weekend traffic is horrendous during the day as people shop and run errands and the addition of Commercial Retail and Office space as well as Residential will increase that weekend traffic even more. I think current and projected weekend, peak times, traffic analyses should also be done and should influence the traffic mitigation efforts.

Gordon Lund  
Member EEHVS Taskforce

August 6, 2008

I am an Evergreen resident, living near the Capitol Expressway and Aborn Road intersection. Following are some observations and comments related to the recent "Notice of Preparation of a Draft Supplemental Environmental Impact Report for Revision of the Evergreen Development Policy" (City of San Jose file no. PP08-121), hereafter referred to as the "Notice".

I believe that build-out according to the current proposal would be untenable, resulting in an aggravation of an already gridlocked traffic situation in the area bounded generally by Tully Road, Highway 101, and Yerba Buena Road.

In the Notice synopsis, 236 of the 500 residential units would assume to be located within the area bounded by Aborn Road, Capitol Expressway, Hwy 101 and Yerba Buena Road. 75 units would be located in the area east of Hwy 101 and south of Yerba Buena Road. In other words, 311 residential units will be serviced generally by the single freeway exit at Capitol Expressway.

Three of the five "opportunity" commercial development sites referred to in the Notice also are located within the Aborn/Capitol/101/Yerba Buena territory. A fourth, the Arcadia property at Capitol Expressway and Quimby Road and serviced by the Tully Road exit on Highway 101, accounts for an assumed 344,000 sq. ft. of the 500,000 sq. ft. proposed.

Traffic in the areas of Aborn Road, Capitol Expressway, and the Highway 101 exits at Tully Road and Capitol Expressway is already overwhelming, and I cite four examples (I need not discuss the obvious chronic extreme situation on Tully Road):

1. At many times, attempting to make a left turn from Brigadoon Road onto Aborn Road is hampered by traffic on Aborn Road which is backed up through the Brigadoon/Aborn intersection while waiting to turn left onto westbound Capitol Expressway;
2. An alternative to exiting the Brigadoon neighborhood via Aborn Road is to go the back way, turning right onto Silver Creek Road and then getting onto Capitol Expressway. The obvious problem with this is the issue of Silver Creek High School being in session most of the year. A compounding factor is the tremendous amount of traffic on Silver Creek coming from Yerba Buena, wanting to turn left onto Capitol Expressway and backing up to Silver Creek High School;
3. The two left turn lanes on eastbound Capitol Expressway at Silver Creek/King Road much of the time cannot handle all the cars that want to turn left onto King Road, and the overflow traffic goes to the left turn lane at the next intersection, Aborn Road. The cars in line to turn left here back up at times nearly all the way to the Silver Creek intersection;
4. The northbound on-ramps to Highway 101 at Tully Road and Capitol Expressway are severely congested during the morning commute hours, and the southbound exits at the same locations back up onto the freeway proper during evening commute hours. This congestion is evident even at 8 pm or later.

In light of the extremely congested traffic situation in the above-described areas, build-out according to the proposals would be unjustified unless significant and effective mitigation measures are undertaken to the Highway 101 on- and off-ramps and to the nearby arterial roads prior to such build-out.

Sincerely,

Jeffrey Frisbie

3230 Maple Leaf Court, San Jose, CA 95121  
Mobile: 408.205.0431

**Chundur, Dipa**

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**From:** Dora Lopez [doritacal@yahoo.com]  
**Sent:** Wednesday, August 20, 2008 10:59 PM  
**To:** dipa.chundur@sanjoseca.gov  
**Subject:** SEIR Environmental Impact Report-My views as a Community Leader

Atten: Dipa Chundur

Five years ago I was invited to participate and voice my opinion regarding this project, with that said I sincerely appreciate the opportunity again provide advice on this development plan.

Since the beginning talks, it has become evident that a formal specific plan process is NOT the appropriate strategy to complete this effort. The Arcadia Property is a 81 Acre site that is located just south of Eastridge Mall. The EIR is required to include a description of the existing physical environmental conditions and constructions impacting the land, transportation, traffic noise, and air quality, etc.

Traffic is a major concern currently and the construction of higher density housing will lead to an unacceptable level of traffic congestion and delay for all of Meadowfair streets and its surrounding Evergreen residence. In turn, this traffic will impact schools in sessions.

This is my advice on this prospect project. Please consider my opinions.

Sincerely,

Maria Lopez  
408-274-1033

8/21/2008

RECEIVED

AUG 18 2008

CITY OF SAN JOSE  
DEVELOPMENT SERVICES

August 14, 2008

City of San Jose  
Planning, Building, & Code enforcement  
Planning Services Division  
200 East Santa Clara Street  
San Jose, California 95113-1905

City of San Jose File No: PP08-121

Attention Dipa Chundur,

I was asked for my views regarding the scope and content of the environmental information to be addressed in the SEIR. The following are my views of what should be in the report.

The definition of what the report consider "environment".

The definition of environment needs to cover all areas of life, from traffic to being able to safely take a walk in the neighborhood. The "quality of life" needs to be addressed for the families that are now living in the Evergreen/East Hills area and as well as for those who will be moving into the area.

This report needs to define the scope. Will it be broad or narrow?

The definition of content should be addressed.

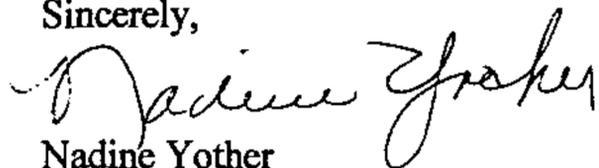
Should this report be quantitative or have main information that is discovered by research.

After the report addresses the various definitions, it needs to address at the very least the following elements that will impact the environment as defined in the report.

1. **TRAFFIC** – My understanding is the first report only addressed traffic and the effects on noise, air quality and congestion. Should some alternatives such as increase in public transportation, bike lanes, commuter lanes, etc. be recommended?
2. **PUBLIC SAFETY** – The report should include the impact on police, fire and medical emergencies? What are the recommendations for increases in these areas? Five hundred new homes and the five "opportunity sites" (in a foot note) will impact many areas of public safety.
3. **SCHOOL SYSTEMS** – The report needs to address the impact on the school system. Our schools in this area are below standard now. With the increase of students, what recommendations will the report have for additional schools?
4. **PARKS, RECREATION, COMMUNITY CENTERS** – With the additional homes, what impact will be on parks, recreation, and community centers. With gangs, drugs and various related crimes on the rise in some of the areas of the Evergreen/ East Hills, the report should recommend more community centers, recreation and programs for after school young people.

As I wrote in the beginning, this report should address the "quality of life" for our citizens in the Evergreen/ East Hills area.

Sincerely,

A handwritten signature in cursive script that reads "Nadine Yother".

Nadine Yother  
3496 Cuesta Dr.  
San Jose, CA 95148  
408-238-0143  
[n\\_yother@yahoo.com](mailto:n_yother@yahoo.com)

RECEIVED

AUG 25 2008

DATE August 20, 2008  
FROM West Evergreen Strong Neighborhoods Initiative NAC  
TO City of San Jose Planning, Attn: Dipa Chundur  
SUBJECT Draft Supplemental Environmental Impact Report (SEIR) for the Revision  
of the Evergreen Development Policy

CITY OF SAN JOSE  
DEVELOPMENT SERVICES

1: The Arcadia property is located within the West Evergreen Strong Neighborhoods Initiative redevelopment area, and as such requires special consideration with respect to its developments. The City of San Jose, through its Redevelopment Agency, has determined and designated the area to be blighted, and thereby in accordance with redevelopment laws, has taken on special powers, mainly the ability to expand and fast-track the powers of eminent domain, in order to redevelop the area. In exchange, redevelopment laws require that any tax increments be re-invested in the area being developed in addition to the basic fact that any developments and redevelopments within a redevelopment area critically does not contribute to additional blight but actually improve the area.

2. We, residents of the West Evergreen Strong Neighborhoods Initiative redevelopment area would like to remind you of these facts and ask the following be included in the SEIR - that the SEIR specifically address the issues relating to the building of a new community center on the property. Per development laws, any developments and/or redevelopment within a redevelopment area must trigger the process of improving the area. As part of the process that designated the area blighted, the Strong Neighborhoods Initiative process also found the remedy to such blight is the building of a new community center as the number one priority.

It is therefore incumbent that this SEIR follow the laws and include issues relating to the eventual improvements to the area that is triggered by the development of the Arcadia property with the building of a new community center.

Carlos DaSilva, Maria Lopez, Khanh Nguyen  
West Evergreen Strong Neighborhoods Initiative representatives to  
Evergreen East Hills Visioning Taskforce

**NOTICE OF PREPARATION  
OF A  
DRAFT SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT  
FOR**

**REVISION OF THE  
EVERGREEN DEVELOPMENT POLICY**

**SAN JOSE, CALIFORNIA**

**CITY OF SAN JOSE FILE NO: PP08-121**

As the Lead Agency, the City of San Jose will prepare a Supplemental Environmental Impact Report (SEIR) for the above-referenced project and would like your views regarding the scope and content of the environmental information to be addressed in the SEIR. This SEIR may be used by your agency when considering approvals for this project.

The project description, location, and probable environmental effects are attached.

According to State law, the deadline for your response is 30 days after receipt of this notice; however, we would appreciate an earlier response, if possible. Please identify a contact person and send your response to:

City of San Jose  
Attn: Dipa Chundur  
Planning, Building, & Code Enforcement  
Planning Services Division  
200 East Santa Clara Street  
San Jose, California 95113-1905  
Phone (408) 535-7688  
Fax (408) 292-6055  
E-Mail: [dipa.chundur@sanjoseca.gov](mailto:dipa.chundur@sanjoseca.gov)

Joseph Horwedel  
Director of Planning, Building, & Code Enforcement

\_\_\_\_\_  
Deputy

Date: \_\_\_\_\_

**NOTICE OF PREPARATION  
of a Supplemental Environmental Impact Report  
for the**

**REVISION OF THE EVERGREEN DEVELOPMENT POLICY  
SAN JOSE, CA**

**July 2008**

**A. INTRODUCTION**

The purpose of an Environmental Impact Report (EIR) is to inform decision makers and the general public of the environmental effects of a proposed project. The EIR process is intended to enable public agencies to evaluate a proposed project, establish methods for reducing adverse environmental impacts, and consider alternatives to a project prior to the approval of a project.

A Supplemental Environmental Impact Report (SEIR) is prepared when an EIR has previously been certified and changes are proposed to a project that will result in 1) new significant effects, and/or 2) a substantial increase in the severity of previously identified significant effects. In this case, the EIR being supplemented is the Evergreen • East Hills Vision Strategy Project EIR, which was certified by the San Jose Planning Commission on November 10, 2006.<sup>1</sup> Section D, below, provides background on the Evergreen • East Hills Vision Strategy Project.

**B. PROJECT LOCATION**

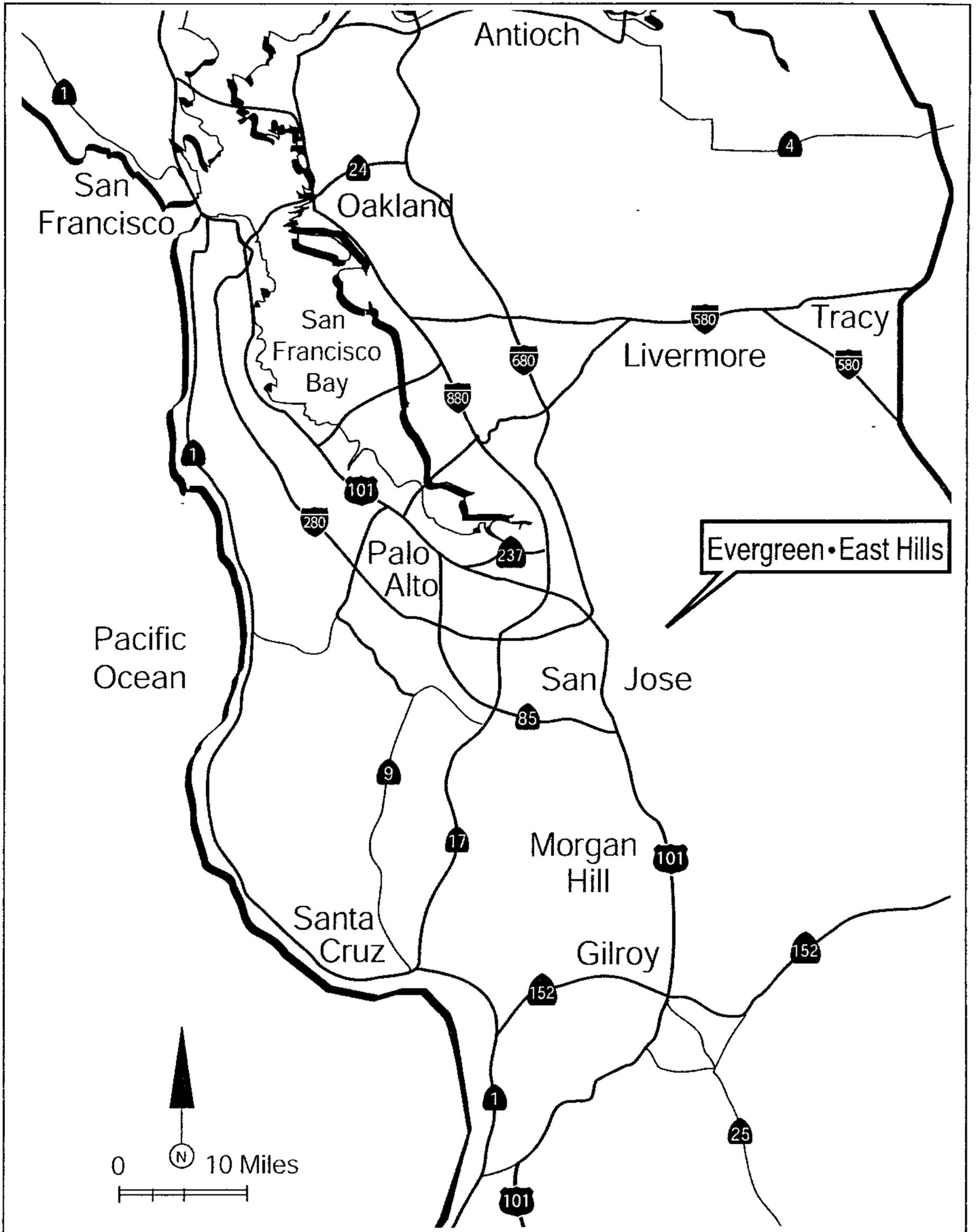
The proposed project is located within the City of San Jose in an area historically known as Evergreen. Per the existing Evergreen Development Policy, this area generally refers to the portion of the City of San Jose that lies east of U.S. 101 and south of Story Road, excluding properties south of the intersection of U.S. 101 and Hellyer Avenue. Properties within San Jose, but outside of the Urban Service Area boundary, are excluded. See Figures 1, 2 and 3 on the following pages.

**C. DESCRIPTION OF PROJECT**

The existing Evergreen Development Policy (the "Policy") sets forth transportation and flood control criteria that must be satisfied prior to development occurring within the Evergreen area of the City of San Jose. The project proposes a revision to the Policy to provide for traffic allocation for the future development of the following uses:

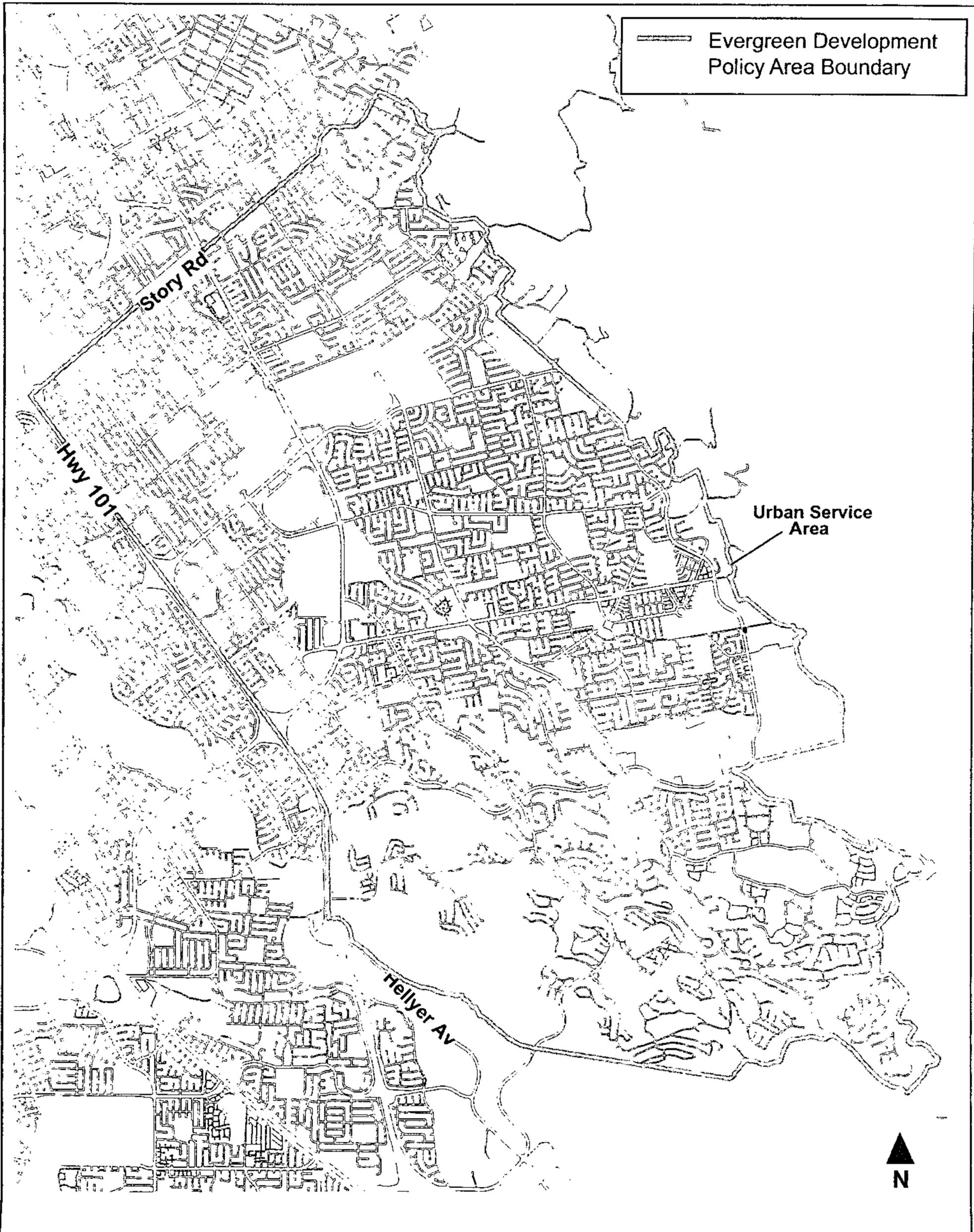
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<sup>1</sup>The certification of the EIR by the San Jose Planning Commission was appealed to the San Jose City Council. On December 12, 2006, the City Council upheld the Planning Commission's certification of the EIR.



REGIONAL MAP

FIGURE 1



— Evergreen Development Policy Area Boundary

Urban Service Area



VICINITY MAP

FIGURE 2

- 500 detached residential dwelling units
- 500,000 square feet of commercial retail space
- 75,000 square feet of office space

The locations of this development within the Evergreen area have not been determined. However, for analytical purposes the above-mentioned development capacities have been distributed as shown in Table 1. The distribution is based on a review of infill parcels throughout the Evergreen area that are undeveloped, underutilized, or potential candidates for redevelopment.

The revised Policy would limit the number of dwelling units to a maximum of 35 on any one site unless the development incorporates affordable housing, historic preservation, or mixed-use components.

For purposes of the update, the revised Policy is proposed to be called the Evergreen • East Hills Development Policy.

#### **D. BACKGROUND AND PURPOSE OF THE PROJECT**

In 1976, the San Jose City Council adopted the original Policy in response to analyses that concluded that transportation and flood protection deficiencies presented substantial constraints to development in Evergreen. The Policy identified specific programs and policies for correcting these deficiencies. Subsequent to 1976, the Policy has undergone several revisions whereby specific levels of development were authorized based on the capacity provided by a corresponding package of transportation improvements.

The Policy was last revised in 1995. The 1995 Policy, which is still in effect, and a subsequent 1998 ordinance<sup>2</sup>, specified that all future projects in the Evergreen area would be required to prepare a traffic analysis and that traffic impacts requiring mitigation would be defined as follows:

1. An increase in traffic that causes a LOS designation to change; or
2. Residential Projects: The addition of any traffic in an intersection operating at LOS "E" or "F".

Non-Residential Projects: The addition of more than a one-half percent (1/2%) increase in critical traffic movement in an intersection operating at LOS "E" or "F".

In 2003, the City determined to undertake a more comprehensive look at the Evergreen • East Hills area, so as to develop a community-based vision regarding future development and the future character of the area. This led to the creation of the Evergreen Visioning Project Task Force. In 2005, the City Council

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<sup>2</sup>Ordinance 25658, adopted on August 18, 1998.

**TABLE 1****ANALYTICAL ASSUMPTIONS FOR DEVELOPMENT THAT WOULD RECEIVE TRAFFIC ALLOCATION UNDER THE PROPOSED REVISION TO THE POLICY**

<b>Residential</b>	
Area bounded by Capitol Expressway, Story Road, & U.S. 101	100 dwelling units
Area bounded by Capitol Expressway, Story Road, Tully Road, & East Foothills	64 dwelling units
Area bounded by Capitol Expressway, Tully Road, Aborn Road, & East Foothills	25 dwelling units
Area bounded by Capitol Expressway, U.S. 101, Aborn Road, Yerba Buena Road & East Foothills	236 dwelling units
Area bounded by U.S. 101, Yerba Buena Road, Hellyer Avenue, & East Foothills	75 dwelling units
Total	500 dwelling units
<b>Commercial Retail</b>	
Arcadia Property (81-acre site located just south of the Eastridge Shopping Mall, on the west side of Capitol Expressway)	344,000 square feet
Evergreen Valley College Property (27-acre site located near the northeast quadrant of the intersection of Yerba Buena Road & San Felipe Road	100,000 square feet
Vicinity of Quimby Road at White Road	35,000 square feet
Along Story Road	21,000 square feet
Total:	500,000 square feet
<b>Office</b>	
Arcadia Property (81-acre site located just south of the Eastridge Shopping Mall, on the west side of Capitol Expressway)	25,000 square feet
Vicinity of Quimby Road at White Road	25,000 square feet
Along Story Road	25,000 square feet
Total:	75,000 square feet

expanded the task force and the process was renamed the Evergreen • East Hills Vision Strategy (EEHVS). The EEHVS process, which included the preparation of an EIR, analyzed six development scenarios for the Evergreen • East Hills area, as well as a package of transportation and community improvement projects. Among the major items considered were the following:

- General Plan Amendments and Rezonings to allow for the construction of up to 5,700 single- and multi-family dwelling units.
- General Plan Amendments and Rezonings to allow for the construction of up to 500,000 square feet of commercial uses and up to 75,000 square feet of office uses.
- General Plan Amendments and Rezonings to allow for residential land uses to be constructed on lands currently approved for 4.6 million square feet of campus industrial uses.
- Approval of traffic allocation for a “pool” of up to 700 residential dwelling units that could be constructed at various undetermined locations throughout Evergreen • East Hills.
- Approval of a “pool” of 500 peak-hour traffic trips that could be used for miscellaneous non-residential development that could be constructed at various undetermined locations throughout Evergreen • East Hills.
- Creation of a community facilities district and/or other financing mechanisms to fund a comprehensive program of highway improvement projects and community amenity improvement projects.
- Comprehensive revisions to the Policy to set forth the requirements for the phasing and implementation of future development and corresponding traffic and community amenity improvement projects.

The EEHVS process included numerous task force meetings and workshops, as well as community meetings, San Jose Planning Commission meetings, and San Jose City Council meetings during the 2005-07 time period.

At its meetings on June 26, 2007 and October 16, 2007, the City Council took the following actions related to the Evergreen East Hills Development Policy Update (the relevant City Council synopses can be found at: <http://www.sanjoseca.gov/clerk/Agenda/062607/062607s.pdf> and at: <http://www.sanjoseca.gov/clerk/Agenda/101607/101607s.pdf>):

- Staff shall include parameters in the Policy Update which call out when additional development beyond 500 residential units, 500,000 square feet of commercial, and 75,000 square feet of office can be considered. Such parameters include, when 11,600 jobs on the lands designated for campus industrial uses have begun to be achieved, through a 2:1 jobs/housing ratio, according to staff's proposed schedule, and there is a voluntary and legally binding agreement offering the completion of significant transportation improvements and amenities for that phase. A maximum of 3,900 residential dwelling units could be "phased in relation to job creation," consistent with Scenario VI of the EEHVS EIR.

## E. ENVIRONMENTAL IMPACTS TO BE ANALYZED IN THE SEIR

The City is preparing a Supplement to the EEHVS EIR for the purpose of analyzing and disclosing the environmental impacts of the proposed revision to the Policy to provide traffic allocation for 1) the pool of 500 detached residential dwelling units, 2) the 500,000 square feet of commercial retail space, and 3) the 75,000 square feet of office space.

Since the proposed revision to the Policy will be limited to the subject of traffic capacity, the analysis of impacts in the SEIR will be limited to traffic, as well as traffic-related noise and air quality. In terms of CEQA, this means that the SEIR will only provide CEQA clearance for traffic. Subsequent analysis under CEQA will be required for all non-traffic topics at such time as the City receives a specific development proposal. The City may, however, determine that no further CEQA analysis is necessary *if*:

- The proposed development complies with the revised Policy, and
- The proposed development is located on one of the five “opportunity” sites<sup>3</sup> addressed in the EEHVS EIR, and
- The proposed uses have environmental effects that are determined by the City to be consistent with those already disclosed in the EEHVS EIR.

### Traffic

The SEIR will include a comprehensive traffic analysis that will conform to the Transportation Impact Assessment (TIA) requirements of the City of San Jose and the Santa Clara County Congestion Management Agency (CMA). The analysis will quantify A.M. and P.M. peak-hour traffic operations at intersections and on freeways in the project area. Mitigation measures will be described for impacts that are determined to be significant.

The traffic impact criteria that are contained in the existing Policy, which are listed above, are different from the Citywide standard criteria used by the City and the CMA in a TIA. Therefore, the traffic analysis in the SEIR will disclose the impacts of the project using the criteria of the existing Policy and the Citywide Standard Criteria. Mitigation measures will be described for impacts that are determined to be significant.

In this manner, the reader will be able to compare the traffic effects of the project under both the existing Policy criteria and the standard TIA criteria.

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<sup>3</sup>The five “opportunity sites” addressed in the EEHVS EIR are as follows: 1) the 81-acre Arcadia Property, 2) the 114-acre Pleasant Hills Golf Course Property, 3) the 200-acre Berg/IDS Property, 4) the 120-acre Legacy Partners Property, and 5) the 27-acre Evergreen Valley College Property.

### Traffic-Related Air Quality

The certified EEHVS EIR concluded that the air quality impacts of the various EEHVS development scenarios would be significant. The SEIR will evaluate the level of development associated with the proposed revision to the Policy to determine if air quality impacts would still be significant.

### Traffic-Related Noise

The certified EEHVS EIR concluded that the various EEHVS development scenarios would generate traffic in sufficient volume to the point where the increases in noise along a number of roadway segments would be significant. The SEIR will evaluate the level of development associated with the proposed revision to the Policy to determine if increases in traffic-related noise would still be significant.

### Alternatives

As described above, the thresholds of significance for traffic impacts under the existing Policy are very stringent. The intent of the thresholds was to preclude additional development in the Evergreen • East Hills area unless such development included substantial roadway improvements as mitigation. In practical terms, virtually any level of development will result in a significant traffic impact under the existing Policy.

The purpose of evaluating alternatives in an EIR is to assess whether there are other ways to achieve the project objective(s), while at the same time avoiding the identified significant impacts of the project. In this case, however, since virtually any development in the Evergreen • East Hills area would result in significant traffic impacts, there is no practical build alternative that would meet this criterion. Therefore, other than the No Project Alternative, the SEIR will not evaluate any alternatives to the proposed revision to the Policy.

### Other Required Sections

The SEIR will also include other information typically required for an EIR. These other sections include the following: 1) Growth Inducing Impacts; 2) Significant, Unavoidable Impacts; 3) Significant Irreversible Environmental Changes; 4) References; and 5) EIR Authors.