



JULY 20, 1991

CITY OF SAN JOSE

EVERGREEN
SPECIFIC PLAN

EVERGREEN SPECIFIC PLAN

Approved by the San Jose City Council on July 2, 1991

Prepared for The City of San Jose
by Dahlin Group, Inc.

July 2, 1991

Acknowledgments

The Evergreen Specific Plan and associated documents represent over a year's worth of effort by a wide range of individuals. Dahlin Group would like to acknowledge the following groups and individuals for their valuable assistance and contributions toward the development of San Jose's first Specific Plan.

The Evergreen Specific Plan Task Force

The Evergreen Specific Plan Task Force, chaired by Councilmember Pat Sausedo, have volunteered their time twice a month over the past year to guide the development of the specific plan. After a year of analyzing traffic impacts, environmental issues, density allocations, land use relationships and infrastructure layouts, the Task Force should be proud of their contributions and commitment they have shown to the project. The Evergreen Specific Plan Task Force members are:

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Executive Summary

Chapter 1 - Executive Summary

The Evergreen Specific Plan provides a detailed planning document which outlines the future development of 865 acres of property located in or immediately adjacent to the City of San Jose. The project is bounded by Quimby Road to the north, Ruby Avenue to the west, Evergreen Creek to the south, and non-urban hillsides to the east.

The specific plan details the following elements:

A Village Center commercial area consisting of approximately 150,000 square feet of retail and service space.

Ongoing wine-making, wine-growing, warehousing and distribution, and visitor events and tours at the Mirassou Vineyards.

Residential development consisting of 2,996 dwelling units of varying types and densities:

- 299 units of High Density Residential
- 279 units of Townhomes
- 185 units of Duplex Units
- 318 units of Carriage Homes
- 425 units of 4000 Square Foot Lots
- 474 units of 5000 Square Foot Lots
- 692 units of 6000 Square Foot Lots
- 224 units of 7000 to 8000 Square Foot Lots
- 100 units of Hillside Lots

Community amenities consisting of:

- Village Center Rotary
- Fowler Creek Park Rotary
- Construction of two elementary schools.
- Supplemental funding for a new high school to be located within the Specific Plan area.
- Construction of Fowler Creek Park.
- Provision for a new fire station.
- Dedication of additional acreage to Montgomery Hill Park.
- The preservation of Quimby and Fowler Creeks.
- Creek corridor trails, pocket parks, and internal trail systems.

- Lake elements that also serve as storm water retention facilities.

Infrastructure improvements that include:

- The completion of Quimby Road.
- The construction of Aborn Road.
- The construction of Murillo Avenue.
- The completion of Yerba Buena Avenue.
- The internal circulation pattern for the project.
- The water distribution system, sanitary sewer system, and storm water drainage system necessary to serve the project.

The provision of funding to address the necessary off-site circulation improvements necessary to provide additional capacity to the area's circulation system to include:

- Improvements to Aborn Road.
- Improvements to Quimby Road.
- Improvements to Capitol Expressway.
- Improvements to the U.S. 101/Capitol Expressway on-ramps.

A financing program to fund the provisions established within the specific plan.

COMPANION DOCUMENTS TO THE EVERGREEN SPECIFIC PLAN

- A. Revisions to the Evergreen Development Policy.
- B. The Evergreen Financing Plan.
- C. The Evergreen Planned Residential Community Planned Development Zoning.
- D. The Evergreen Specific Plan Environmental Impact Report.

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Introduction

Chapter 2 - Introduction

The Evergreen Specific Plan represents a new direction addressing land use and development within the City of San Jose by creating a unique partnership between the property owners within the project area, appointed and elected representatives of the City of San Jose, community members, area residents, and the various departments of the City of San Jose.

BACKGROUND

In November of 1989, the San Jose City Council adopted an amendment to the City's General Plan which designated 865 acres in the Evergreen area as the "Evergreen Planned Residential Community" (EPRC). With this recommendation came the requirement that a specific plan be prepared and adopted prior to the approval of any development in the area (Exhibit 1). The primary purpose of the specific plan is to create an innovative residential community containing a variety of residential densities and housing types as well as supporting uses, services, and amenities. On July 2, 1991 the City Council adopted this specific plan and also amended the Evergreen Planned Residential Community to incorporate the essential elements of this specific plan into the General Plan. The General Plan, therefore provides the City's policy for the implementation of the Evergreen Specific Plan.

ELEMENTS OF THE EVERGREEN PLANNED RESIDENTIAL COMMUNITY

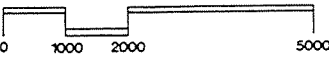
As mandated by the San Jose City Council, the Evergreen Planned Residential Community will include the development of the following related elements:

The Specific Plan

Typically, a specific plan is a medium-to-long range set of policies for land use and development in a defined project area. This document, and accompanying General Development Zoning, will serve as the bridge between the City of San Jose's *Horizon 2000 General Plan*, *Zoning Ordinance*, and individual development proposals. The Specific Plan has enabled the City of San Jose, in coordination with representatives of the Evergreen Specific Plan Task Force and property owners, to make decisions regarding land uses, circulation, public services and utilities, special design standards, and the phasing of development as part of a comprehensive plan rather than attempting these decisions on a parcel-by-parcel basis.

Planned Development Zoning District

The *General Development Plan* establishes the zoning regulations for the Specific Plan area. In San Jose, Planned Development Zoning Districts typically include a great deal of design, mitigation, and other related detail items. Some of this required detail is



VICINITY MAP
CITY OF SAN JOSE
EVERGREEN SPECIFIC PLAN

incorporated by reference from the Specific Plan, the *Evergreen Development Policy*, environmental impact report, and financial plan into the *General Development Plan*. Development of the project area may proceed in the review process by applying for Planned Development permits consistent with the zoning district.

Evergreen Development Policy

Development within the Evergreen area has been constricted by a traffic circulation system that has been unable to expand to meet additional traffic demands made by incremental development in the area. In an effort to address this capacity problem the City of San Jose adopted the "*Evergreen Development Policy*" in 1976. This limits additional growth in the area so that the area's traffic circulation system remains at an acceptable level of service. Development in Evergreen has been allowed "in an incremental, controlled process so that adequate transportation facilities exist to maintain level of service "D" throughout the study area." (*Evergreen Development Policy*, August, 1976).

In addition to the traffic policy, the *Evergreen Development Policy* also addressed the issue of flood protection within the Evergreen area. Due to the nature of the flooding problems and the available solutions to the problems, the flood protection policies have not been the restricting factor to development within Evergreen. Development within the Evergreen Planned Residential Community is contingent upon the identification and delivery of adequate traffic capacity.

The transportation component of the Evergreen Specific Plan has examined the existing and future conditions within Evergreen and has identified the means to create sufficient traffic capacity to serve not only the Evergreen Specific Plan area but also the cumulative buildout of other vacant parcels within the original *Evergreen Development Policy* boundaries.

Environmental Impact Report

An environmental impact report (EIR) has been prepared as an accompanying document to evaluate the potential impacts likely to be created by adoption of the General Plan Amendment, Planned Development Zoning, and the revision to the *Evergreen Development Policy*. This specific plan contains an overview of the environmental conditions which affect the development of the project area.

DETAILED PROJECT DESCRIPTION

The Evergreen Specific Plan is a comprehensive planning document prepared to address the development of 865 ± acres in, and adjacent to, the City of San Jose. The specific plan will consist of two distinct sections, which include:

I. A plan for the development of the project area which will include the following land uses:

A. Residential

Approximately 700 acres (or 80%) of the project area is designated for residential dwelling units. The specific plan provides a range of densities from two dwelling units per acre to 25 dwelling units per acre. The specific plan area will accommodate up to 2,996 units.

B. Commercial

A neighborhood commercial center will be located adjacent to the existing Mirassou Winery. The commercial area will include approximately 150,000 square feet of retail and service space. Preliminary uses include a major health club facility, a multi-screen movie theater, two restaurants, and approximately 5,000 square feet of general neighborhood retail space in connection with the existing Mirassou Winery's tasting room and winery facilities.

C. Public Uses

Two ten-acre elementary school sites have been designated within the planning area. The Evergreen School District is currently constructing a new middle school within the project site, which will be open for the 1991-1992 school year. In addition, the East Side Union High School District owns a 50-acre parcel within the project area. The District Board has recently determined that demographic data of the area indicates that a new high school is warranted at this location, but would be subject to the acquisition of funding necessary to construct the facility.

Development of a 12± acre city park is proposed as part of the Specific Plan. (The City of San Jose presently owns the Fowler Creek Park site, but construction of the park facilities has not yet been funded.)

Additional parkland will be dedicated to Montgomery Hill Park, and the Specific Plan area will fund 25% of a new fire station to be located within the project area. The Specific Plan will also develop a series of pocket parks, trails, and open space throughout the project for use by the community.

- II. The Evergreen Specific Plan also identifies strategies for implementing the plan. These include the PD zoning, land swaps, a financing plan, and a comprehensive mitigation program.

In connection with the implementing strategies, the *Evergreen Development Policy* has been revised to include analysis of the traffic and circulation impacts of the development of the project area and to identify the improvements to the circulation system necessary to create sufficient traffic capacity to serve buildout of the *Evergreen Development Policy*, including the Evergreen Specific Plan area.

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Overview

Chapter 3 - Overview

THE PURPOSE OF THE SPECIFIC PLAN

Specific plans are developed to provide a greater level of specificity in planning sites of special interest or value to a community. Typically, a specific plan contains:

Text and diagrams which call out the following in detail:

1. The distribution, location, and extent of the uses of land, including open space, within the area covered by the plan.
2. The proposed distribution, location, and extent and intensity of major components of public and private transportation, sewage, water, drainage, solid waste disposal, energy, and other essential facilities proposed to be located within the area covered by the plan and needed to support the land uses described in the plan.
3. Standards and criteria by which development will proceed, and standards for the conservation, development, and utilization of natural resources, where applicable.
4. A program of implementation measures including regulations, programs, public works projects, and financing measures necessary to carry out paragraphs 1, 2, and 3.

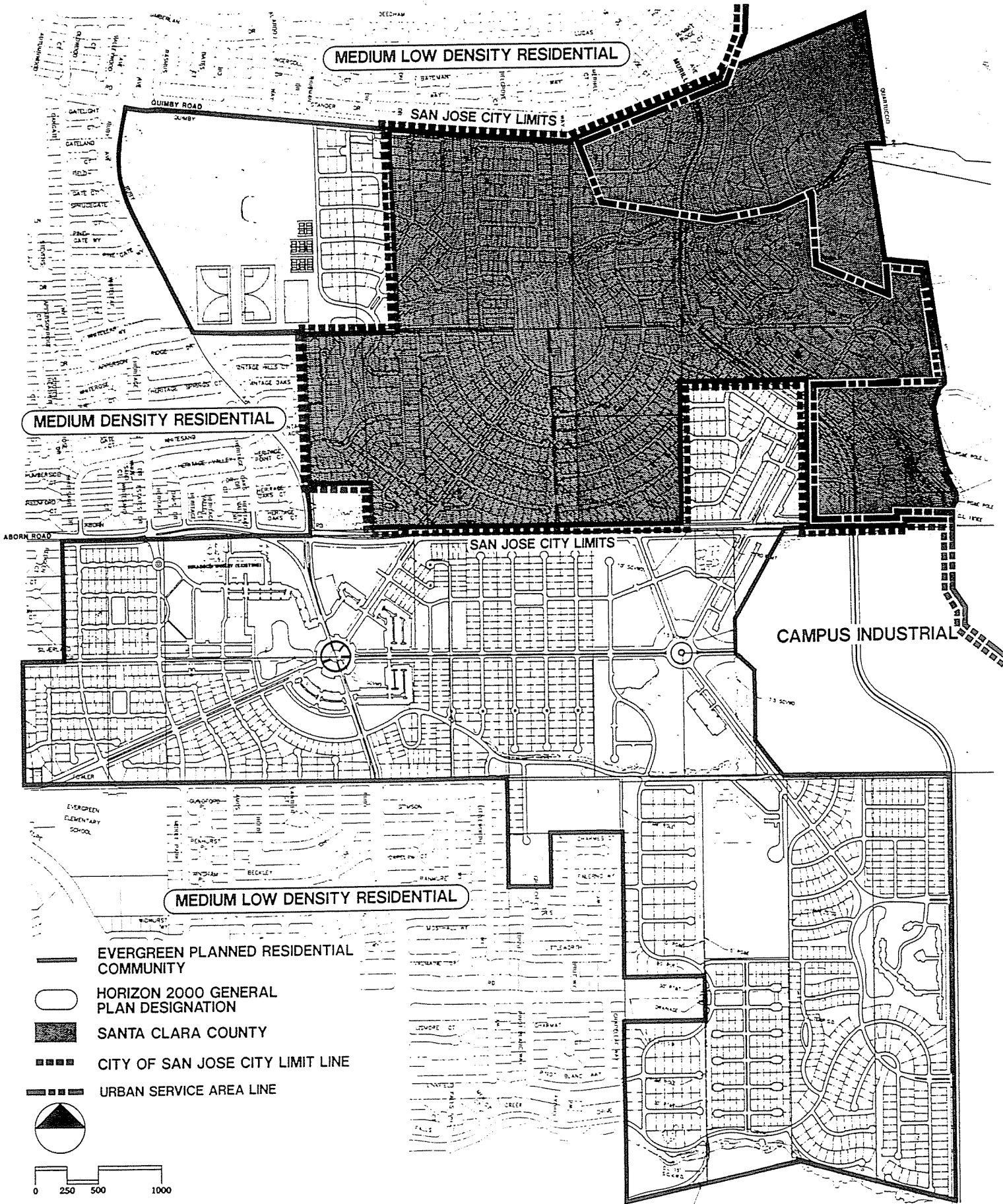
The purpose of the Evergreen Specific Plan is to provide a comprehensive program for the development of the plan area's 865 acres. This will result in a unique and appealing new community which meshes with the existing community and provides the area with a variety of new amenities while providing the infrastructure improvements necessary to implement the development.

GOALS, POLICIES, AND SPECIFIC PLAN RESPONSES

This Specific Plan will set forth the location, character, and intensity of land uses envisioned for the Evergreen Specific Plan area (Exhibit 2). The following goals and policies have been set forth by the City of San Jose's *Horizon 2000 General Plan* to enhance the quality for life of the people of San Jose. The Evergreen Specific Plan was conceived as a response to these goals and policies, and the following summary identifies the applicable goals and policies as well as the Specific Plan response.

1. Urban Conservation

Goal: Improve the existing quality of life and create a stable, mature community.



CITY LIMITS OF SAN JOSE

**CITY OF SAN JOSE
EVERGREEN SPECIFIC PLAN**

Policy:

1. In the development review process and in designing service and capital facility programs, the City should strive to create an environment in which the highest value is placed on people.
2. The City should encourage new development which enhances the desirable qualities of the community and existing neighborhoods.

Response:

A comprehensive analysis of the service and capital facility programs necessary to support the development of the Specific Plan area was prepared. The results of this analysis was incorporated into the project in an effort to go beyond the established standards of services set by the City. The Evergreen Specific Plan was designed in a manner that gives great prominence to community structures such as the Fowler Creek Park Community Center, the elementary schools, and its use of open space throughout the project.

2. Community Identity

Goal: Enhance the sense of community identity in San Jose.

Policy:

1. The City should encourage the development of a more compact, cohesive pattern of urbanization with definite, identifiable boundaries that more readily create a sense of community identity.
2. The City should foster the participation of residents in local government decision-making and in the social, cultural, and recreational activities of the community.

Response:

The General Plan amendment for the subject area approved by the City of San Jose in 1989 established a density which promotes a more compact urban community that, at the same time, is compatible with the existing communities which surrounded the project site. The Evergreen Specific Plan Task Force, made up of property owners, community members, and appointed and elected representatives of the City of San Jose, has been an important component of the design process and has presented its recommendations to the Planning Commission and City Council prior to adoption.

3. Neighborhood Identity

Goal: Enhance the sense of neighborhood identity in San Jose.

Policy:

1. Neighborhood groups should have input to the decision-making process in City government.

Response:

In addition to the Evergreen Specific Plan Task Force, two community meetings were held to present information gathered by the consultant team, the direction of the Task Force, and receive input from the community.

Policy:

2. City services and facilities should be equitably distributed throughout the community to the extent feasible.
3. Public and private development should be designed to improve the character of existing neighborhoods. Factors that cause instability or create urban barriers should be discouraged or removed.
4. Neighborhoods should include places for interaction among residents such as parks, community centers, schools, commercial areas, churches, and other gathering points.

Response:

The Evergreen Specific Plan has provided a variety of amenities designed to serve both the existing neighborhoods and the new project area. New amenities include two elementary schools, Fowler Creek Park, the Village Center, and open space areas. The Specific Plan, through its use of internal trail systems and landscaped boulevards, provides an "open" community which provides a means of circulation beyond the use of the automobile.

4. Balanced Community

Goal: Develop a balanced and complete community in terms of land use distribution and densities, housing types and styles, economic development and job opportunities for social and cultural expression.

Policy:

1. The City should foster development patterns which will achieve a whole and complete community in San Jose, particularly with respect to a balance between jobs and economic development on the one hand, and housing resources and a resident work force on the other.
2. Varied residential densities, housing types, and styles should be equitably and appropriately distributed throughout the community and integrated with transportation systems.
3. Encouragement should be given to achieving a social, economic, and housing mix in all neighborhoods.
4. Business and industry should be encouraged to provide job opportunities for all members of the community's work force.

Response:

The property immediately east of the project site is designated as "Campus Industrial" and will ultimately employ up to 12,000 people. In response to this future activity, the Specific Plan designated a variety of residential product types including townhomes, carriage units, and apartments to provide a mix of housing types to provide housing for these employees as well as the entire community as a whole.

In addition, the Village Center was developed in an effort to address a portion of the commercial demands that will be created by the Campus Industrial areas as well as the Evergreen residential community.

COMMUNITY DEVELOPMENT

1. Land Use

A. Residential Land Use

There are a wide variety of residential neighborhoods in San Jose, each with its own character defined by setting, housing types, densities and, in some cases, cultural heritage. The environment and livability of existing residential neighborhoods are an intangible but important community resource to be preserved. Similarly, these qualities should be fostered in future neighborhoods. To this end, the *Residential Land Use* goals and policies reflect concerns for the protection of neighborhoods from incompatible land uses, the adequacy of public facilities and services, and protection from hazards.

The *Residential Land Use* policies also reflect the City's objective to promote higher density residential development in the future than was typical in the past. This objective recognizes that remaining vacant land resources are finite and should be used as efficiently as possible, that the relative affordability of housing is enhanced by higher densities given the rising price of land, and that higher densities make the delivery of public services more cost-effective. A high standard of site planning and architectural design quality can make higher density housing attractive to both the consumer and the neighborhood where it is located.

The *Residential Land Use* goals and policies are primarily guidelines for the physical development of residential neighborhoods and proximate land uses. The Housing goals and policies, on the other hand, address the maintenance, rehabilitation, improvement, and development of housing, particularly relating to affordability.

Goal: Provide a high quality living environment in residential neighborhoods.

Policy:

1. Residential development at urban densities should be located only where services and facilities can be provided.

Response:

The development of the plan area will be served by the City of San Jose and all infrastructure necessary to serve the plan area will be funded through the Evergreen Financing Plan.

Policy:

2. Residential neighborhoods should be protected from the encroachment of incompatible activities or land uses which may have a negative impact on the residential living environment. In particular, non-residential uses which generate significant amounts of traffic should be located only where they can take primary access from an arterial street.

Response:

The future high school site is located at the intersection of Ruby Avenue and Quimby Road, which would provide adequate circulation to and from the school site. Churches are permitted as a secondary use in the single family residential areas of the project.

Policy:

3. Higher residential densities should be distributed throughout the community. Locations near commercial and financial centers, employment centers, the light rail transit stations, and along the bus transit routes are preferable for higher density housing.
4. Due to the limited supply of land available for multiple family housing, public/quasi-public uses, such as schools and churches, should be discouraged in areas designated for residential densities exceeding twelve units per acre on the Land Use/Transportation Diagram except in the Downtown Core Area.

Response:

The areas of higher residential densities have been distributed in three different locations near the Campus Industrial and Village Center areas. Public/quasi-public uses have been removed from the permitted and conditional permitted uses for the higher residential categories of the Specific Plan areas.

Policy:

5. Residential development should be allowed in areas with identified hazards to human habitation only if these hazards are adequately mitigated.

Response:

An environmental impact report has been prepared for the Evergreen Specific Plan, General Plan Amendments, Planned Development Zoning, and identifies any potential environmental hazards or impacts and outlines mitigation measures for the implementation of the project.

Policy:

11. Residential developments should be designed to include adequate open spaces in either private yards or common areas to partially provide for resident's open space and recreation needs.

Response:

The Evergreen Specific Plan provides yards, pocket parks, trail systems, and landscaped boulevards, providing a variety of open space areas for both active and passive recreational needs.

Policy:

13. In the design of lower density single family residential developments, particularly those located in the Rural Residential, Estate Residential, and Low Density Residential categories, consideration should be given to the utilization of public improvement standards which promote a rural environment, including such techniques as reduced street right-of-way widths, no sidewalks, and private street lighting.

Response:

The area of the Specific Plan designated as "Hillside" lots is encouraged to promote a rural environment through the reduction of public improvement standards while still maintaining adequate public safety.

Policy:

15. Residential development should be designed with limited access to arterial streets as follows:
 - No direct frontage access on six-lane arterials or within 350 feet of the intersection of two arterials.
 - Direct frontage roads, corner lots, open-end cul-de-sacs or other street design solutions for access are encouraged.

Response:

The circulation system of the Specific Plan meets these or exceeds these standards as listed above.

Policy:

16. Bed and breakfast inns may be located on properties designated for residential land use, regardless of density, provided that parking and other possible impacts on the surrounding neighborhood can be satisfactorily mitigated.

Response:

Bed and breakfast inns are permitted within the Village Center, and would be subject to review and approval by the City of San Jose to ensure compliance with established City policies.

B. Commercial Land Use

The commercial land use policies reflect the need to locate new commercial uses in the community which facilitate convenient shopping and easy access to professional services and which contribute to the economic base of the City. Redevelopment of existing commercial strips and areas, and the conversion of existing structures to more appropriate uses should result in the upgrading of these areas.

Goal: Provide a pattern of commercial development which best serves community needs through maximum efficiency and accessibility.

Policy:

1. Commercial land in San Jose should be distributed in a manner that maximizes community accessibility to a variety of retail commercial outlets and services and minimizes the need for automobile travel.
2. New commercial uses should be located in existing or new shopping centers or in established strip commercial areas. Isolated spot commercial developments and the creation of new strip commercial areas should be discouraged.
5. Commercial development should be discouraged from locating or expanding within established residential neighborhoods when such development will have a negative impact on the character and livability of the surrounding residential community.

Response:

The Evergreen Village Center surrounds the primary rotary hub of the circulation system providing maximum accessibility from both the existing and new neighborhoods. The Village Center is close enough to the existing neighborhoods to allow foot traffic, but buffered by Aborn and Fowler Roads to limit any through traffic into the existing neighborhoods.

3. Urban Service Area

The City first adopted a set of *Urban Development Policies* in 1970 to direct development to those areas where services and facilities could be provided. Because these policies deal with the timing and staging of development and are so closely related to other General Plan growth management policies, they were incorporated into the Plan in 1976. The *Urban Service Area* goals and policies address services provided by the City as well as those provided by other public agencies, such as flood control, public schools, and regional transportation.

The Urban Service Area policies are applicable to the entire development review process, including the annexation of territory to the City. As such, the implementation of these policies should be coordinated with the Local Agency Formation Commission (LAFCO).

Goal: Insure that San Jose's future growth will proceed in an orderly, planned manner in order to provide efficient and economical public services, to maximize the utilization of existing and proposed public facilities, and to achieve the equitable sharing of the cost of such services and facilities.

Policy:

1. The General Plan designates an Urban Service Area where services and facilities provided by the City and other public agencies are generally available, and where urban development requiring such services should be located.
2. The Urban Service Area should be expanded only when it can be demonstrated that existing facilities and services are available and adequate to serve the proposed expansion area. If existing facilities are not adequate, alternate consideration may be given to proposed facilities in the adopted Capital Improvement Program or similar programs of other public agencies. If existing and/or proposed facilities are not adequate to serve the proposed expansion area, the Urban Service Area may be expanded if it can be demonstrated that all necessary facilities will be provided by the developer(s).
6. It is City, County, and LAFCO policy that existing and future urban development should be located within cities. This policy should be implemented through the City's existing agreement with the County which requires that incorporated properties within the Urban Service Area either annex to the City, if possible, or execute a deferred annexation agreement prior to approval of development. The City should also encourage the County and LAFCO to join in cooperative efforts to seek the annexation of urbanized County pockets within the Urban Service Area.

7. Since the provision of sanitary sewers is an urban service, and development served by sanitary sewers is thereby urban, the expansion of sanitary sewer districts is discouraged for areas planned in non-urban uses outside the Urban Service Area.

Response:

The Urban Service Area will be expanded to include all of the Evergreen Specific Plan based on infrastructure studies which have determined that all necessary facilities will be provided by the plan area. Areas within the boundaries of the Evergreen Specific Plan that are not presently within the City limits of San Jose will require annexation prior to development.

4. Urban Design

The design of the community affects the quality of life, the character of neighborhoods, and the livability of the city. Members from all segments of the community are involved in the decision-making of the development review process which determines design. The multitude of decisions involved result in the final form and character of the city environment. The public's interest in fostering the highest quality of life is expressed through policies on urban design standards in order to incorporate aesthetic considerations in the development review process.

Goal: Require the highest standards of architectural and site design for all development projects, both public and private.

Policy:

1. The City should continue to apply strong architectural and site design controls, on all types of development for the protection and development of neighborhood character, and for the proper transition between areas with different types of land uses.
2. Zoning regulation should require, wherever appropriate, that private development include adequate landscaped open space and provisions for ongoing landscape maintenance.

Response:

The Evergreen Specific Plan has provisions which identify distinct architectural character, specific site design layouts for the entire plan area and open space amenities to strengthen the individual character of each of the distinct residential product types as well as the Village Center commercial area. An integrated financing district is planned to provide landscape maintenance to a standard above and

beyond the typical city standards along public streets as well as in the pocket parks and trail systems.

Policy:

3. Residential subdivisions should be designed to provide for internal circulation within neighborhoods and to prevent through traffic from traversing neighborhoods.
4. Residential developments which are adjacent to parks or open spaces should be encouraged to provide direct access to, and common open space contiguous to, such areas.

The Specific Plan has a variety of trail systems throughout the plan area which provide pedestrian and bicycle access to the elementary schools, Fowler Creek Park, and other open space features such as Montgomery Hill Park.

Policy:

5. The design review process should take into consideration the long term maintenance ramifications of the design of private streets and other private infrastructure improvements.

Response:

Policy noted and may be incorporated into a Lighting and Landscaping District or similar mechanism to provide long-term maintenance of the project's amenities.

6. Proposed structures adjacent to existing residential areas should be architecturally designed and sited to protect the privacy of the existing residences.

Response:

The project has established specific criteria for the areas of the project which abut existing residential neighborhoods in order to integrate with these areas.

Policy:

7. The City should require the undergrounding of distribution utility lines serving new development sites as well as proposed redevelopment sites. The City should also encourage programs for undergrounding existing overhead distribution lines. Overhead lines providing electrical power to light rail transit vehicles and high tension electrical transmission lines are exempt from this policy.

Response:

Policy noted.

Policy:

8. Design solutions should be considered in the development review process which address security, aesthetics, and public safety.

Response:

The Evergreen Specific Plan has been reviewed by the Evergreen Technical Advisory Committee, which is made up of various City departments, which addressed the issues of security, aesthetics, and safety.

Policy:

12. In order to preserve and enhance the scenic and aesthetic qualities of the natural terrain, development on slopes exceeding 7% should conform to the following guidelines:
 - Planned Development zoning is preferable for its flexible design techniques such as clustering, variable lot sizes, and varying setbacks in order to maximize residential densities.
 - Construction techniques and housing types adaptable to a variable terrain, such as cluster housing, split pads, and stepped foundations, should be utilized where appropriate. Conventional, single flat pad lots should ordinarily be discouraged.
 - Consideration should be given to the siting of homes for privacy, livability, solar, and wind conditions. Siting should take advantage of scenic views but should not create significant visual impacts affecting public places and other properties.
 - The preservation of existing trees, rock outcroppings, and other significant features should be encouraged.
 - When grading or recontouring of the terrain is proposed, it should be done in such a way as to preserve the natural character of the hills, whenever possible.
 - Because street construction on slopes often requires a disruptive amount of grading, modified street sections designed for both utility and minimum grading should be encouraged.

- Development should be discouraged on slopes exceeding 30% and on ridgelines.

Response:

The majority of the Evergreen Specific Plan lies on terrain below slopes exceeding 7%. In an effort to preserve as many existing trees as possible, the project's grading and site design has been developed so that existing terrain, existing significant trees, and significant features such as Fowler and Quimby Creeks, have been respected.

Policy:

13. At the edge of the valley floor, development should incorporate loop streets and cul-de-sacs rather than streets stubbed into lands planned for non-urban use in order to minimize development pressures on such non-urban areas.
14. New urban development should be designed to minimize impacts in areas with an established and permanent rural or semi-rural character, often typified by large-lot "ranchette" development.

Response:

In the areas of the plan which approach the non-urban hillside, cul-de-sac, and loop streets have been proposed in an effort to minimize impacts on the hillsides and to establish a semi-rural character in the hillside lot areas.

Policy:

15. In order to realize the goal of providing street trees along all residential streets, the City should:
 - Prepare and update, as necessary, a master plan for street trees which identifies approved varieties.
 - Require the planting and maintenance of street trees as a condition of development.
 - Prepare a program for management and conservation of street trees which catalogs street tree stock replacement and rejuvenation needs and identifies alternative means by which these needs can be satisfied. This program should be reviewed periodically as part of the Capital Improvement Program process.

Response:

Street trees will be provided in accordance with City of San Jose standards and maintained through a Lighting and Landscaping District.

Policy:

16. When development is proposed adjacent to existing or planned parks or park chains, that development should include public park frontage roads, wherever feasible, in order to maximize access to park lands, to provide a reasonable separation between urban land uses and park lands without the use of "back up" design, and to maximize exposure of park lands for scenic and security purposes.

Response:

All pocket parks and Fowler Creek Park include roads which maximize the visibility of the open space features as well as provide maximum access to the parks.

Policy:

17. Development adjacent to creekside areas should incorporate compatible design and landscaping.

Response:

Creek areas will be maintained in as natural a state as possible and new creek areas that will be created will be landscaped to be compatible with some level of recreational use.

Policy:

18. To the extent feasible, sound attenuation for development along City streets should be accomplished through the use of landscaping, setback, and building design rather than the use of sound attenuation walls. Where sound attenuation walls are deemed necessary, landscaping and an aesthetically pleasing design shall be used to minimize visual impact.

Response:

Policy noted and incorporated into the noise section of the environmental impact report of the Specific Plan.

Policy:

20. As resources are available, the City should assign priority to the implementation of programs for the installation and maintenance of landscaping in median islands and back-up strips along major thoroughfares.

Response:

The Evergreen Specific Plan has incorporated median landscaping along the portion of Aborn Road and Murillo/Yerba Buena Avenue. As discussed previously, an integrated financing district will address the maintenance of these features.

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Environmental Setting

Chapter 4 - Environmental Setting

This section summarizes environmental conditions within the project site. The environmental characteristics of the site help to define the parameters for the specific plan area. An accompanying environmental impact report (EIR), prepared to meet the requirements of the *California Environmental Quality Act* (CEQA), adopted Guidelines thereto, and Title 21 of the *San Jose Municipal Code* evaluates the environmental effects of the development outlined within this specific plan. The information provided within this section and the "Site Constraints Exhibit" (Exhibit 3) is to serve as an overview of the environmental constraints within the context of this specific plan.

SITE CHARACTERISTICS

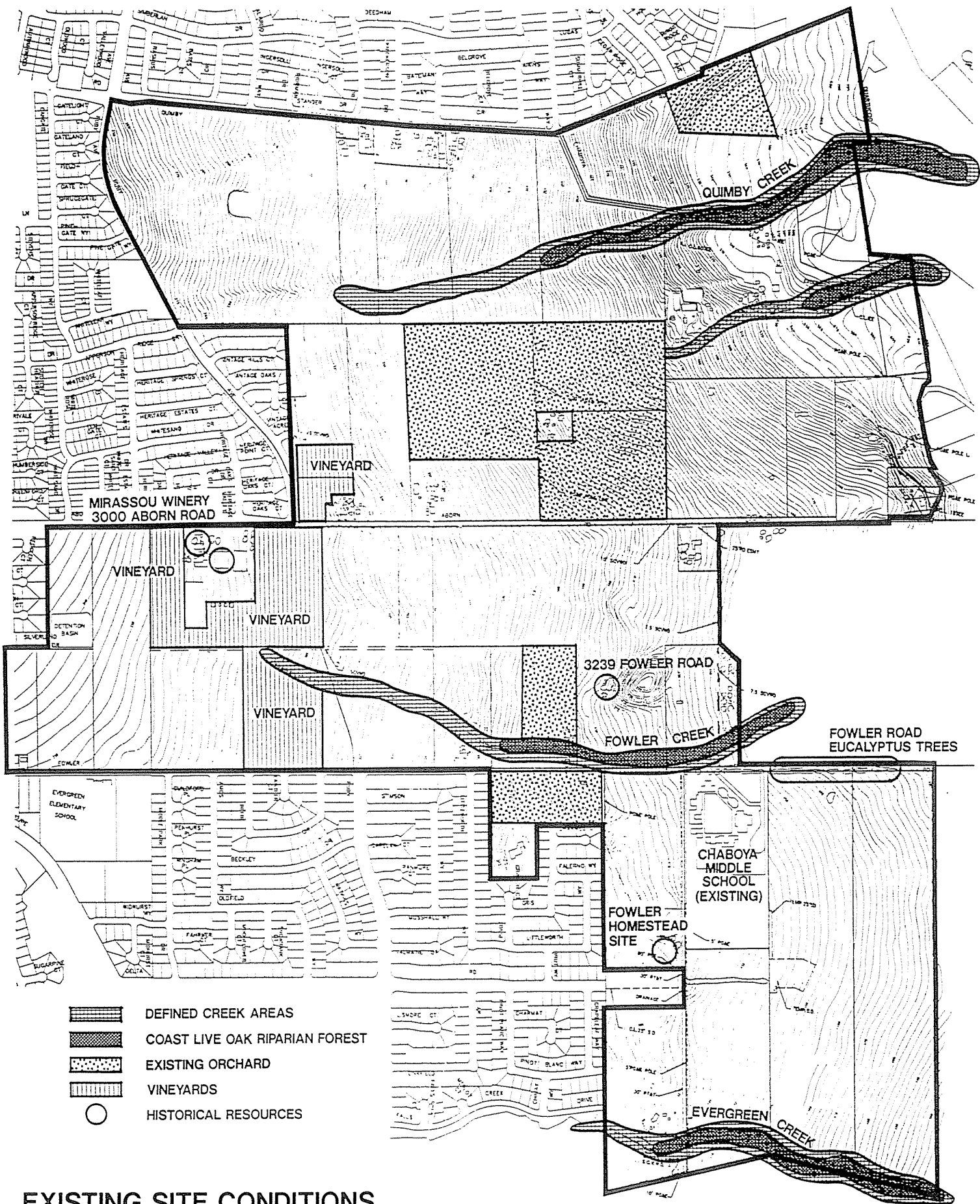
Existing Land Uses

The existing land uses within the Evergreen Specific Plan Area reflect the historic land uses of the Evergreen area since the late 1800's. The project area is characterized by agricultural uses such as hay production, stock grazing, grain cultivation, orchards, and the Mirassou Winery, all of which are traditional uses within the area.

Historic Resources

Twenty residential structures dot the project area, most of which are found along Quimby, Aborn, and Fowler Roads. Six of these structures were initially identified as potential historical structures and were evaluated by archival research, field survey, and subsurface testing. This research identified four areas which qualify as historical resources and will require environmental mitigation measures within the EIR. These structures are:

- A. The Mirassou Winery (3000 Aborn Road). Based on the long history of the Mirassou family's involvement in the winemaking business in Evergreen, and the integrity of the existing winery complex, the Mirassou Winery qualifies as a "Candidate City Landmark". The EIR recommends that the original residence (known as the "Heritage House"), the original winery buildings, and a portion of the vineyards be retained and the existing winery equipment be photographically documented prior to removal.
- B. 3239 Fowler Road. The residence on this site dates, at least, back to the 1876 ownership of James Lendrum; and may date back as far as 1866. Based on the criteria used by the historical resources consultant, this structure rates as a "Structure of Merit". The significance of the structure rests with its age and the example it provides of a modest rural farmhouse from the 1870's. Few good examples of this type of vernacular architecture from this early period



EXISTING SITE CONDITIONS

survive in the Santa Clara Valley today. The EIR recommends that project plans be evaluated to determine if the existing structure can be retained and integrated into the reconfigured Fowler Creek Park. If preservation is not possible, detailed documentation should be prepared by the Historic Landmarks Commission, and useful architectural elements from the building should be salvaged and stored for eventual reuse in the restoration of buildings of similar style and vintage. In addition, a detailed monitoring plan should be developed by a qualified historical archaeologist with the developer and approved by the City of San Jose prior to removal of the structure. All earthmoving activities within fifty meters of the house be monitored by a qualified historical archaeologist.

- C. Fowler Homestead Site (3262 Fowler Road). This parcel was originally part of the 192 acre parcel acquired by Andrew Jackson Fowler in the early 1870's. Historic maps indicate that the location of the original A. J. Fowler homestead was located on this parcel near the dense growth of eucalyptus trees, poison oak, and other vegetation south of Fowler Road. A survey of this area revealed remnants of a frame tower, possibly for a water tank in this area. Since the possibility of post-1870 subsurface archaeological features are likely to exist on this parcel, it is recommended that a detailed monitoring plan be developed by a qualified historical archaeologist and the developer, approved by the City of San Jose prior to any construction within the area, and all earthmoving construction activities be monitored by a qualified historical archaeologist.

- D. Fowler Road Eucalyptus Trees. These trees, presently seen flanking the north and south sides of Fowler Road from Chaboya Middle School to the City's water reservoir at the end of Fowler Road, were planted by A.J. Fowler during the latter half of the 19th century. The present development plan calls for the rerouting of Fowler Road from Littleworth Way, and allows for the preservation of the eucalyptus trees. However, the extreme age of the trees, the very thing that gives them historical value, also indicates that the trees may be coming to the end of their life-span. The environmental impact report's arborist has examined these trees and indicated which of the trees are worth preserving, the safety considerations of placing residential structures in and around mature eucalyptus trees should be balanced against the historical value of the trees and their life-span.

Geology and Soils

The soils of the site are moderately expansive, have good strength characteristics, and there are no liquefiable soils present.

Seismic Effects

A total of ten trenches were excavated across previously mapped positions of the Evergreen, East Evergreen, Pappani, and Quimby faults. These trenches, as well as geophysical surveys and magnetometer surveys, found no evidence of active faults and no fault-related building setbacks will be recommended. Additional site-specific studies will be required on a parcel-by-parcel basis as identified in the EIR.

Vegetation and Wildlife

Five different vegetation types have been identified within the specific plan project area. The following categories are discussed within the EIR:

- 1) Non-native grasslands established primarily for hay production.
- 2) Orchards and vineyards.
- 3) Diablan sage scrub found generally along the steeper hillside areas of the project.
- 4) Coast live oak riparian forest found generally within Quimby, Fowler, and Evergreen Creeks.
- 5) Exotic and non-native vegetation associated with the existing residential dwellings throughout the project site.

A detailed tree survey was undertaken to evaluate all nonriparian trees 12 inches (12") and greater in diameter within the Specific Plan area. There are a total of 495 trees within this category. The most significant trees in the project area are the eighty (80) Coast Live and Valley oak trees. (This total does not reflect the many oak trees within the riparian creek corridors, which were evaluated in a different manner.) The design of the specific plan was conducted in such a manner to specifically avoid impacting significant trees as identified by the project arborist.

The riparian habitat areas which lie around Quimby, Fowler, and Evergreen Creeks constitute the greatest area of concentrated vegetation and wildlife in the project area. Wildlife traditionally uses the creeks as corridors to move to and from the hillside areas into the lower elevations. Vegetation also is concentrated in these corridors due to the relatively higher amounts of water which flow out of the hills during the winter rains. The specific plan has been developed in a manner as to minimize the disturbance in and around the three creek corridors so that the creeks and associated vegetation and wildlife will remain undisturbed. In areas where creek crossings are proposed, detailed transects have been prepared to provide a detailed survey of the creek vegetation.

No rare, endangered, threatened vegetation, or wildlife species were found within the specific plan area, although some properties within the plan area will require additional testing prior to development.

Waterways and Flooding

Areas adjacent to Quimby and Fowler Creeks are subject to flooding, as are some areas downstream of the project site along Lower Silver Creek. The proposed plan would result in a small percentage increase in peak discharge and volume of stormwater run-off and 10 acre-feet of on-site storm water retention will mitigate the project-related increase in run-off.

Development in and around the existing creeks can create the potential for conflicting recommendations in order to maintain the natural settings of the creeks versus the need to address the storm water run-off. The creeks in the Evergreen area have traditionally left the creek banks and caused flooding problems for many years. The challenge is to determine how to deal with the storm water run-off during peak flows without widening the creek banks, which would remove the existing riparian and vegetation habitat.

The specific plan proposes a system of underground stormwater pipes to carry both off-site and on-site stormwater run-off through the specific plan area to existing pipe inlets at the project's western boundaries. The year-round water features on Quimby and Fowler Creeks will be designed to accommodate the additional stormwater retention during peak flow periods, while serving as project amenities by maintaining a lake appearance throughout the year. The natural stream channels of Quimby, Fowler, and Evergreen Creeks are proposed to remain and be enhanced to carry storm run-off, and debris basins at the head of each stream will divert peak flows into the underground pipe systems to preserve the natural conditions of the existing creeks.

Archaeology

A review of existing maps and records on file at the Archaeological Regional Research Center revealed no previously recorded prehistoric archaeological sites within the project area. A field inspection of the project site was conducted and no new archaeological sites were discovered; however occasional isolated aboriginal artifacts were observed.

Given the potential for subsurface material in and around the creek corridors, further mechanical testing is recommended within one hundred feet (100') of the centerline along the natural drainage courses of Quimby, Fowler, and Evergreen Creeks. No further testing within the project area will be required.

Hazardous Materials

A reconnaissance of the specific plan area was conducted in an effort to identify the potential for hazardous materials. In addition, regulatory agency records have been reviewed and site history research has been conducted.

Although no hazardous materials were specifically observed or identified, the project area does contain four underground storage tanks. Two of these tanks are on the Mirassou Winery and are permitted and monitored. Two other tanks have reportedly not been used for several years and do not have permits. A total of nine above-ground fuel storage tanks have been observed. Slight soil staining has been noted under the tanks, but the potential for soil contamination resulting from leaking or spillage during dispensing or filling is probably small. Specific mitigation measures involving these tanks will be addressed within the environmental impact report and will involve additional on-site testing prior to development.

The historical use of the project area for various agricultural uses infers the use of agricultural chemicals. Most of the pesticides in use today, if uniformly applied in accordance with the manufacturer's specifications do not present the potential for hazardous waste. However, concentrated pesticides resulting from leakage or spillage in chemical storage areas can result in substantial soil contamination. In addition, soils containing residual concentrations of DDT or its derivatives greater than 1.0 parts per million are considered hazardous waste under State of California regulations. Although DDT has been banned from use since the 1970's, it was widely used for pest control in orchards, which once covered a great deal of the project site. Individual on-site soils testing for these materials will be required on a site-by-site basis prior to development.

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The Plan

Chapter 5 - The Plan

The Evergreen Specific Plan is a marriage between the practical effort to address the constricted circulation system in the Evergreen area and the aesthetics of designing a distinctive community. The challenge in the urban design process is to create a project that merges the practical and the aesthetic into a cohesive package. It is hoped that the Evergreen Specific Plan will serve as more than just new subdivisions among old, but as the foundation of a new community.

Varied Amenities

Major parks and playfields, schools, a community center, lakes, hillside and riparian open spaces, extensive streetside and focal landscaping, pocket parks, and tot lots are distributed throughout the plan area. These amenities provide neighborhood focus and differentiation while fulfilling specific area needs.

Prominent Location for Public Buildings

The northern elementary school, community center, fire station, bandstand, and village center plaza park are all given sites of key prominence.

A Traditional Community-Serving Village Center

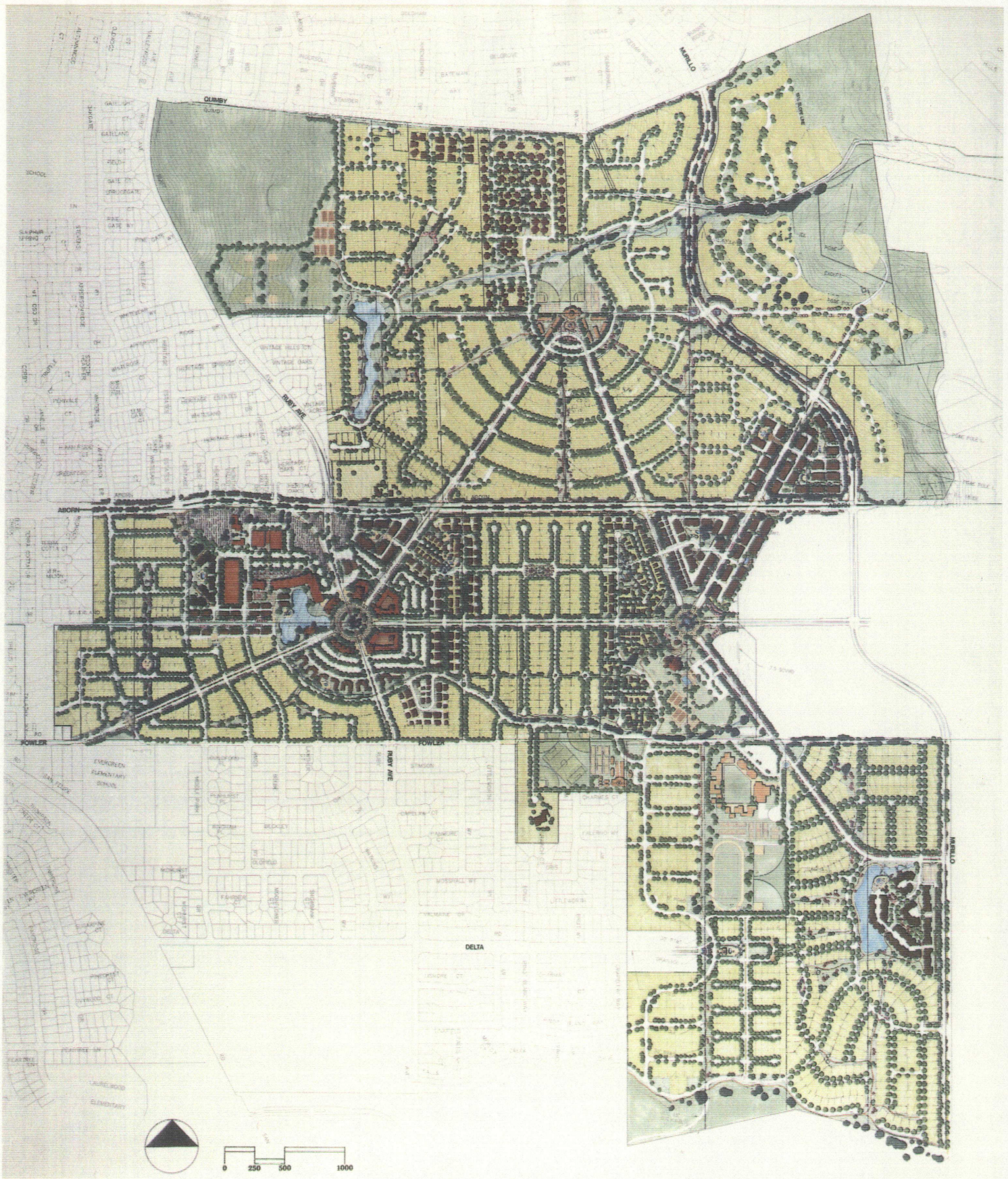
The Village Center surrounds the primary radial hub of the circulation system. It is open and visible from Aborn Road and adjacent to the existing Mirassou Winery visitors center.

A Finely Grained Mix of Residential Densities

The street patterns, amenities, and open space define more than thirty individual residential neighborhoods ranging in size from just over thirty units to approximately 180 units. These relatively small "product runs" provide a fine mix of housing types, and densities. From multi-family apartments at 12 - 25 units per acre through townhomes, carriage homes, small lot single family, to custom hillside estate lots, the Evergreen Specific Plan offers a wide range of residential opportunities.

Circulation

More than just circulation; streets, walkways, and trails can provide organization, form, vistas, and focus. The Evergreen Specific Plan protects residents from major through-traffic corridors with ample setbacks, sound walls, and landscape buffers while at the same time embracing inter-community street patterns of radial streets and focal rotary hubs. These rotaries and radials provide dramatic axial vistas to important civic structures, organize and link individual neighborhoods, and, in conjunction with trails and creek corridors, tie together major community amenities.



ILLUSTRATIVE SITE PLAN
CITY OF SAN JOSE
EVERGREEN SPECIFIC PLAN