



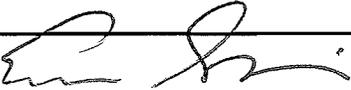
Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: James R. Helmer

**SUBJECT: EVERGREEN EAST HILLS
PROTECTED INTERSECTION**

DATE: 11-20-06

Approved 

Date 11/20/06

COUNCIL DISTRICT: 5
SNI AREA: East Valley/ 680
Communities

RECOMMENDATION

Approval of the designation of the intersection of Capitol Expressway/Capitol Avenue to the “Protected Intersection” list under the City’s Transportation Impact Policy 5-3.

OUTCOME

The intersection of Capitol Ave/Capitol Expressway is proposed to be added to the City’s list of “Protected Intersections” thereby allowing for the exemption of traffic level of service impacts and maintaining a higher quality of travel conditions for transit users, pedestrians and bicyclists. The “protected intersection” designation is necessary to support conformance of the Evergreen East Hills Vision Strategy (EEHVS) with the City’s General Plan and Transportation Policy.

BACKGROUND

In June of 2005 the City Council adopted the new Citywide Transportation Impact Policy, also referred to as the Traffic Level of Service (LOS) Policy. The changes to the policy allows for the exemption of certain street intersections from traffic LOS standards if located within Special Planning Areas.

These exempt intersections are defined as “Protected Intersections.” They consist of locations that have been built or are planned to be built to their maximum capacity, and where expansion of the intersections would have an adverse effect upon other transportation facilities. If a development project has significant traffic impacts at a Protected Intersection, the project may still be approved in a manner that is consistent with the City’s General Plan if offsetting Transportation System Improvements that enhance other modes in the community are constructed. Attached is a list of the 24 locations currently designated as Protected Intersections.

ANALYSIS

As a result of development associated with the Evergreen East Hills Vision Strategy (EEHVS) the PM- peak-hour LOS at the intersection of Capitol Avenue/Capitol Expressway would decline from an existing LOS “D” to an “E.” The City’s Transportation Impact Policy allows for exemption of the LOS “D” standard in Special Strategy Areas such as Transit Corridors, Planned Communities, Transit Station Areas, and Neighborhood Business Districts.

The intersection of Capitol Avenue/Capitol Expressway is within a Transit Corridor and is part of the future Capitol Light Rail Extension. Traffic mitigation identified in the EEHVS Final EIR would require the expansion of this intersection to maintain an LOS “D” and would be in conflict with the future vision of the Capitol light rail corridor as a City-owned, multi-modal boulevard. By protecting this intersection, future projects that have LOS impacts at this intersection would be required to construct offsetting multimodal traffic improvements in the adjacent neighborhoods.

As part of all the proposed EEVHS scenarios identified in the Final Environmental Impact Report (EIR), staff is proposing to add the intersection of Capitol Avenue/Capitol Expressway to its list of Protected Intersections. It has been determined (in the EEHVS EIR) that further expansion beyond those improvements approved for the light rail corridor would cause significant adverse impacts upon those approved facilities, nearby land uses, and local neighborhoods for the following reason. To achieve LOS “D” at this intersection would require the addition of a fourth through lane in each direction on Capitol Expressway and the acquisition of at least three single-family residential properties. As previously stated this would be in direct conflict with the approved light rail plans and vision for the Capitol Expressway Light Rail Corridor as a multi-modal facility.

The Capitol Avenue/Capitol Expressway intersection meets the criteria required for protected intersection consideration in that it is along a General Plan transit corridor. Future developments impacting this intersection could be allowed to proceed under the Policy if they provide multi-modal improvements based on the needs established by the adjacent neighborhoods. Alternatively, future projects could be reduced in scale or relocated in order to avoid its creation of an impact upon this intersection.

POLICY ALTERNATIVES

Alternative 1: Mitigate Traffic Impacts at Capitol Expressway and Capitol Avenue

Pros: Planned operation of intersection would improve from LOS E to D.

Cons: As described above and in the EEHVS Final EIR, this would require widening the intersection that degrade facilities for pedestrians and bicyclists, that conflict with the proposed Capitol Expressway LRT corridor project and would require the purchase/eminent domain of at least three single family detached houses.

Reason for not recommending: Inconsistent with City's Transportation Impact Policy

Alternative 2: Reduce Scope of Evergreen Development to Avoid Traffic Impact at Capitol Expressway and Capitol Avenue

Pros: Avoids traffic congestion exceeding LOS D.

Cons: Would eliminate all proposed EEHVS development options addressed in EIR other than "No Build."

Reason for not recommending: Inconsistent with overall goals of EEHVS

PUBLIC OUTREACH/INTEREST

- Criteria 1:** Requires Council action on the use of public funds equal to \$1 million or greater. **(Required: Website Posting)**
- Criteria 2:** Adoption of a new or revised policy that may have implications for public health, safety, quality of life, or financial/economic vitality of the City. **(Required: E-mail and Website Posting)**
- Criteria 3:** Consideration of proposed changes to service delivery, programs, staffing that may have impacts to community services and have been identified by staff, Council or a Community group that requires special outreach. **(Required: E-mail, Website Posting, Community Meetings, Notice in appropriate newspapers)**

The Evergreen East Hills Vision Strategy process involved extensive community outreach through open community Task Force meetings, community meetings and ultimately hearings before the Planning Commission and City Council. This project goes beyond the requirements of Council Policy 6-30: Public Outreach for Pending Land Use and Development Proposals.

Since August 2005 staff has participated in 34 meetings (not including the 16 Task Force meetings) to take comments and questions from the public and to provide information on the status and key elements of the EEHVS. The 34 meetings included: 13 SNI/NAC meetings, 6 neighborhood meetings, 3 general community meetings, 2 workshops, 2 school board meetings, 2 EIR meetings, 4 City Commission meetings, 1 City Council study session, and 2 District 8 Community Events. The number of attendees at these meetings varied from 5 at the EIR public scoping meeting to 85 at the first general community meeting.

COORDINATION

This memorandum has been coordinated with the City Attorney's Office, and the Departments of Public Works, and Planning, Building and Code Enforcement.

FISCAL/POLICY ALIGNMENT

The recommended action aligns with the Transportation and Aviations Services CSA Outcomes related to providing transportation choices and improving community livability.

COST SUMMARY/IMPLICATIONS

Not Applicable

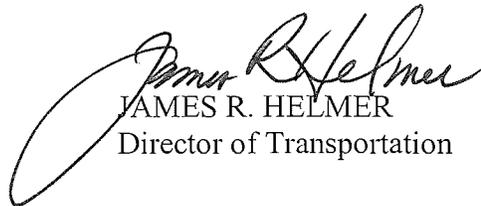
BUDGET REFERENCE

Not Applicable

CEQA

An Environmental Impact Report (EIR), entitled *Evergreen East Hills Vision Strategy*, was prepared for the proposed Evergreen East Hills Vision Strategy and provides both program level and project level environmental review appropriate to address and evaluate the environmental impacts of the project appropriate for the adoption of the proposed update to the Evergreen Development Policy, General Plan amendments, funding agreement, and subsequent Planned Development (PD) rezonings. The Draft EIR was circulated for public review and comment from February 3, 2006 to March 20, 2006.

The DEIR analyzed the project and its environmental setting, identified potentially significant environmental impacts, and proposed mitigation measures to reduce significant impacts to less than significant levels where possible. The conclusions of the Final EIR are contained in a separate report.


JAMES R. HELMER
Director of Transportation

For questions please contact Hans Larsen, Deputy Director, at 535-3835.

Attachment

Protected Intersections

This table includes the list of Protected Intersections approved by the San José City Council in accordance with the City's Transportation Impact Policy 5-3. The size and scale of these intersections is proposed to be "protected" to maintain a better "level of service" for pedestrians along transit corridors, neighborhood business districts and Downtown "gateway" streets. New development that significantly increases traffic at these intersections would not be required to widen the intersections, but instead would be allowed to provide improvements to the adjoining community consisting of enhancements to pedestrian, bike and transit facilities and/or traffic calming, and as determined in coordination with the community and pursuant to City policies.

| # | Intersection |
|----|--------------------------------|
| 1 | Alameda/ Hedding |
| 2 | Vine/Grant |
| 3 | Meridian/ San Carlos |
| 4 | Winchester/ Stevens Creek |
| 5 | First/ Taylor |
| 6 | 4 th / Hedding |
| 7 | 11 th / Taylor |
| 8 | 24 th / Santa Clara |
| 9 | Capitol/ Hostetter |
| 10 | Capitol/ McKee |
| 11 | Almaden/Grant |
| 12 | 10 th /Hedding |
| 13 | 10 th /Julian |
| 14 | 10 th /Taylor |
| 15 | 11 th /Julian |
| 16 | 11 th /St James |
| 17 | 11 th /St John |
| 18 | 11 th /Santa Clara |
| 19 | 11 th /San Antonio |
| 20 | 10 th /St James |
| 21 | 10 th / Reed |
| 22 | 7 th / Virginia |
| 23 | 4 th /Jackson |
| 24 | Almaden/Virginia |