



MEMORANDUM

TO: Mayor & City Council

FROM: Councilmember Dave Cortese

SUBJECT: GP05-08-02 & PDC05-035

DATE: June 20, 2006

APPROVED:

DATE:

6/20/06

RECOMMENDATION

Approve the staff report with the following modifications:

- 1) Setback west of Misery Creek should be a range of 50 to 75 feet and setback east of Misery Creek should be a minimum of 100 feet.
- 2) Setback from Thompson Creek should be 100 feet to any structure. Setback should be measured from the outside dripline of the riparian corridor vegetation (dripline of trees) or the top of bank, whichever is greater. City staff shall work with the Santa Clara Valley Water District to identify dripline and top of bank.
- 3) 10,000 square foot average lot size with minimum lot size of 8,300 square feet per unit.
- 4) Minimum 20 foot side to side building separation between each unit throughout the entire project.
- 5) Developer shall work with staff to minimize impacts to eucalyptus trees along San Felipe Road, saving at a minimum two of the three trees currently in the proposed right-of-way with the goal of preserving all three trees.
- 6) Developer shall work with staff to vary grade elevations of lots to minimize uniformity of new subdivision and preserve views and privacy of existing subdivisions and to ensure that architecture is compatible with surrounding neighborhoods.
- 7) Zoning for proposed 22-unit development should be restricted so that only up to three the lots on the west side of Misery Creek can be moved to the east side of Misery Creek. Movement of the aforementioned three lots is conditioned upon applicant's new general plan and rezoning proposal of the large estate lot (anterior portion of parcel - lot 22).
- 8) In the event of future General Plan and zoning changes to the anterior portion of the parcel, it shall also have minimum 20 foot side to side setback between each unit and a minimum lot size of 11,000 square feet. Staff should require 12,500 square foot average lot size as a planning principle on the anterior portion of parcel in the event of land use changes. In the event that more traffic allocations become available to this property under future council actions modifying the Evergreen Area Development Policy, staff should actively discourage the approval or distribution of any more than

18 additional traffic additional allocations on the remainder of the property, to be adjusted plus or minus to achieve the average lot sizes prescribed in this action, subject to all other planning requirements including CEQA.

BACKGROUND

The applicant is proposing a Planned Development Rezoning from A-Agriculture to A(PD) Planned Development to allow up to 22 single family detached residences on an approximately 18 acre site in southeast Evergreen, utilizing 22 traffic allocations allotted to the subject site via the Evergreen Area Development Policy. The subject site is along San Felipe Road between two existing subdivisions, Meadowlands and California Oak Creek.

Developments along San Felipe Road have been designed with rural preservation in mind, given San Felipe Road's designation as a "Rural Scenic Corridor" by the City of San Jose's General Plan. Furthermore, the Mayor and City Council approved in June 2005 a "Vision and Expected Outcomes" document which incorporates by reference a set of Guiding Principles for Land Use and Transportation Planning in Evergreen, all of which should be applied to any project seeking the City Council's approval. The Guiding Principles set forth specific criteria for new development to be measured against, including:

- 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.
- Ensure new development on larger properties transitions in increasing height and density away from nearby existing lower intensity development.

I urge my colleagues to approve staff's recommendation with the eight enumerated modifications so the project can satisfy the above Principles while also achieving the following:

- 1) Enable this infill development project to transition well into the existing neighborhoods from the perspectives of lot size, building size, building to building separation, etc.
- 2) Allow for the provision of high-quality homes to help meet the housing demand in our City.
- 3) Reflect the high proportion and quality of the riparian habitat on-site and account for it appropriately.
- 4) Recognize the unique features of the area such as the Eucalyptus Trees along San Felipe Road and notwithstanding city policy, call for their maximum preservation.