

July 15, 2009

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Councilpersons Judy Chirco and Sam Liccardo  
Co-Chairs of General Plan Update  
Envision San Jose 2040  
City Hall  
200 East Santa Clara Street  
San Jose, Ca

**Re: Request for Consideration of General Plan Guidelines for  
Interface of Urban designations adjacent to Non-Urban Hillside;  
Barbaccia Parcel on Piercy Rd. (APN 678-13-012)**

Dear Co-Chairs:

Last December a GP Amendment request was heard by the Council (UGB06-001/GP06-02-02), to adjust the Urban Growth Boundary and designate the Edenvale Area parcel (see enclosed map) residential and expand the Urban Service Area to include this land.

The Council approved the UGB adjustment, but on the advice of the Planning Director withheld its vote on the residential density and USA in order to take a closer look at the interface of urban and non-urban on the edges of the City. The Director was suggesting that there should be criteria established in the General Plan.

While there are urban/non-urban hillside interface concerns elsewhere in the City each case is distinct and this is especially true of the Edenvale area where major industrial uses occur or are planned along the urban/non-urban interface. The same holds true for other urban/non-urban interfaces sites. The Almaden Valley has a different relationship surrounding hills on the west dominated by natural landscaping; along the east slope of the Santa Teresa hills there is another canal that has served as a boundary to urban residential development while the East Hills and Evergreen are more open. And, in each case there are also substantial variations in surrounding land use and service by city streets and highways.

It seems impossible, therefore, to devise a uniform urban/non-urban hillside interface policy applicable to each of these locales. It is possible, however, to set up criteria to help establish appropriate land uses and density or intensity policies taking into consideration the context of the specific sites. (Examples

of such criteria are described latter in this submittal.) The future use and development of the Barbaccia parcel should not be determined by some generalized citywide policy but rather by consideration of the immediate context of the Edenvale area, including residential development in Basking Ridge and the adjacent Aegis property, industrial designated land to the north and west, and local topographical conditions, together with the status of adjoining and nearby public facilities and services.

## **General Background**

### **A. Piercy Road Property**

While this request addresses a broader issue than the Barbaccia property, some understanding of that parcel is necessary to have the basis for establishing appropriate land use and development policies. I recognize that the Barbaccia parcel must return as an amendment for individual consideration in the annual General Plan process.

This parcel lies along the east side of the southern end of Piercy Road, where it curves and becomes Silicon Valley Blvd. at the Coyote Creek. Piercy Road was improved to city standards several years ago, through a benefit district which anticipated urbanization of the adjacent area. The parcel is divided by the old Evergreen Canal that has historically been recognized as the boundary between the 15% slope line and the flatter lands to the west. The total parcel is 6 acres – 3.2 acres below the boundary/canal and 2.8 acres above the canal (obviously only the 3.2 acres was the subject of the GP request). As discussed below this division of the land is important.

The land is adjacent on the south to residential development; in fact the adjacent Aegis property owner was successful in 2006 in having a portion of its land southeast of the canal, which was not greater than 15% slope, designated residential and included in the USA.

The Barbaccia property underwent an initial study, which was certified by the Planning Commission, that concluded all essential services were adjacent or within a couple of hundred feet of the parcel. See enclosed map showing the Barbaccia parcel surrounded by USA.

Additional specifics about this property are enclosed.

### **B. Edenvale Area**

Any review of the Barbaccia parcel must take into consideration of the distinct characteristics of the Edenvale area. As stated above, the historical boundary for the urban boundary in this part of the City has been the Evergreen Canal, now abandoned, although there are lands east of the canal that are less than 15% slope. The area is a major employment center and designated for major future expansion but also includes a range of residential uses. It is also

located along major transportation corridors including US 101 and the CalTrain and Santa Clara County light rail service areas.

The existing development in Edenvale provides a *template* for interface of urban and non-urban. Note that portions of both Hellyer Rd. (north) and Piercy Rd., in parts, are immediately adjacent to the 15% slope line. These roads are a hard edge to the non-urban hillside on the east; there is not any landscaping along the side of the roads. But more importantly, there is existing industrial development (Legacy buildings) at the northerly corner of Piercy Rd. on the west side of the road facing the non-urban area; there is planned industrial proceeding south on the west side of Piercy Rd. The same pattern repeats itself along Hellyer North, from Silver Creek Valley Blvd., passed Fontonoso Way and Embedded Way, along the east side against the hillside. Traveling north, there are the buildings housing Shocking Technology, NDS, CTS and Snapon (the latter's site with a prominent two story industrial building actually crosses part of the abandoned canal). These buildings are absorbed by the large open expanse of the adjacent hillside; and when you examine them on an aerial, there is little or no landscape buffer to the hillside. There is also a prominent two story building with equipment housing above at the SE corner of Hellyer and Silver Creek Valley Blvd., known as Commonwealth.

See enclosed aerial which demarks the canal in relation to existing development. The land to the east abruptly rises and there is no interference with visibility by these developments to the adjacent hillside from the South Valley Freeway.

*With the sole exception of the Barbaccia parcel all other similarly located land along the east urban/non-urban interface are included within the city's Urban Services Area, the majority of which are developed or currently being developed.*

### **Key Considerations for urban interface with non-urban policies**

The following criteria are among those that should be considered in the determination of appropriate General Plan land use policies for the city's yet to be developed parcels adjoining designated non-urban lands.

- Are urban services including water, sewer, schools, parks, police and fire readily available and with sufficient capacity to service proposed land uses?
- Is the site within convenient walking, biking distance or short auto commute of major existing and/or future employment concentrations?
- What would be impact streets and highways and, in particular, effects on local residential streets or rural/scenic roads?
- How accessible are major citywide and regional transportation facilities including freeways and public transit?

- Would the interface with adjoining existing or planned land uses be complementary or non-complementary?
- What is the existing pattern of adjacent development and how it interfaces with the non-urban hillside?
- Is there an established point of demarcation between urban and non-urban (in Edenvale, it is generally the Evergreen canal, although we know that has been crossed in two instances)?
- Would the natural features of adjacent non-urban hillsides be protected and views and possible trail use retained?

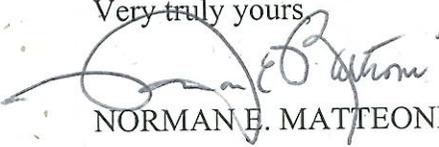
### Conclusion

The Barbaccia parcel provides an example of application of the above criteria. The property lies adjacent to a large, open hillside backdrop, as does all of Edenvale, but it has 2.8 acres across the canal that can be preserved for open space and provide park trail connections along the former canal. Urban services are readily available. With a planned residential community immediately adjacent to an industrial area housing is provided in proximity to jobs, residential uses would help balance travel demand with that of industrial uses, opportunities for frequent, cost-effective local transit services would be enhanced, and retains and protects the adjoining natural hillside retained and protected in perpetuity.

Over the past several years, using the planning and urban design services of Tom Cooke, FAICP, extensive planning and urban design studies have been conducted for the Barbaccia parcel. We would welcome the opportunity to have Mr. Cooke meet with you at an upcoming workshop to discuss these prior studies and explore in depth the appropriate uses of this strategically located site and related issues and approaches to the interface of urban and non-urban land.

Again, the Barbaccia property's specifics are offered as an example of appropriate interface of the urban/non-urban edge of the City within the UGB. The suggested criteria are based on a study of the Edenvale area, as described above.

Very truly yours,



NORMAN E. MATTEONI

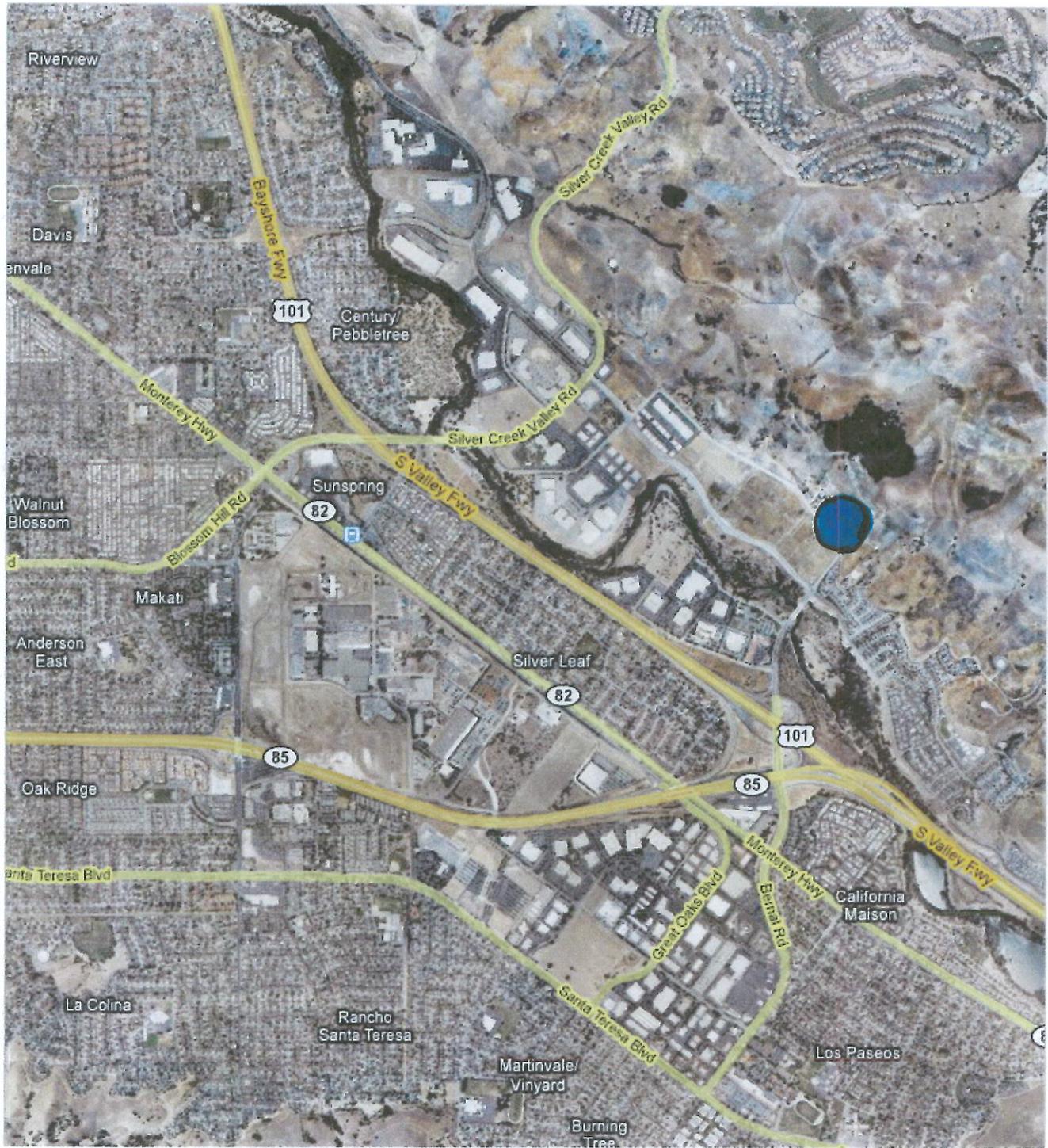
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Enclosure

cc: Councilperson Ash Kalra (District 2)

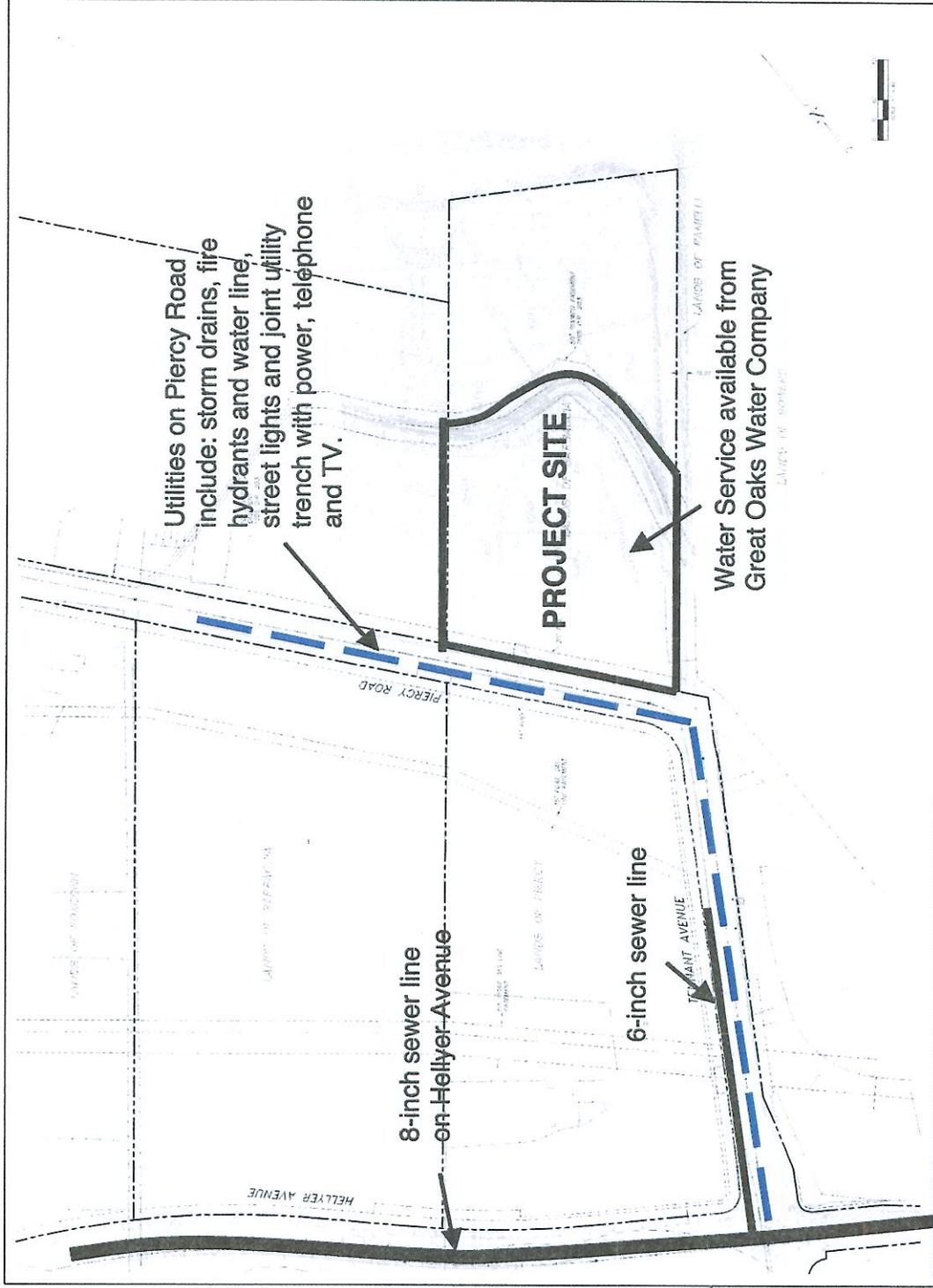
Laurel Prevetti

Jack Previte





Edenvale overview with Evergreen Canal (abandoned, but generally the demarcation of the 15% slope) as outlined in red (some portions may be filled in). To the north, the canal is adjacent to Hellyer Ave.



Existing Utilities in Project Vicinity



2003 GP Urban Growth/Urban Service boundary (shown in green) follows abandoned canal *except for project site*

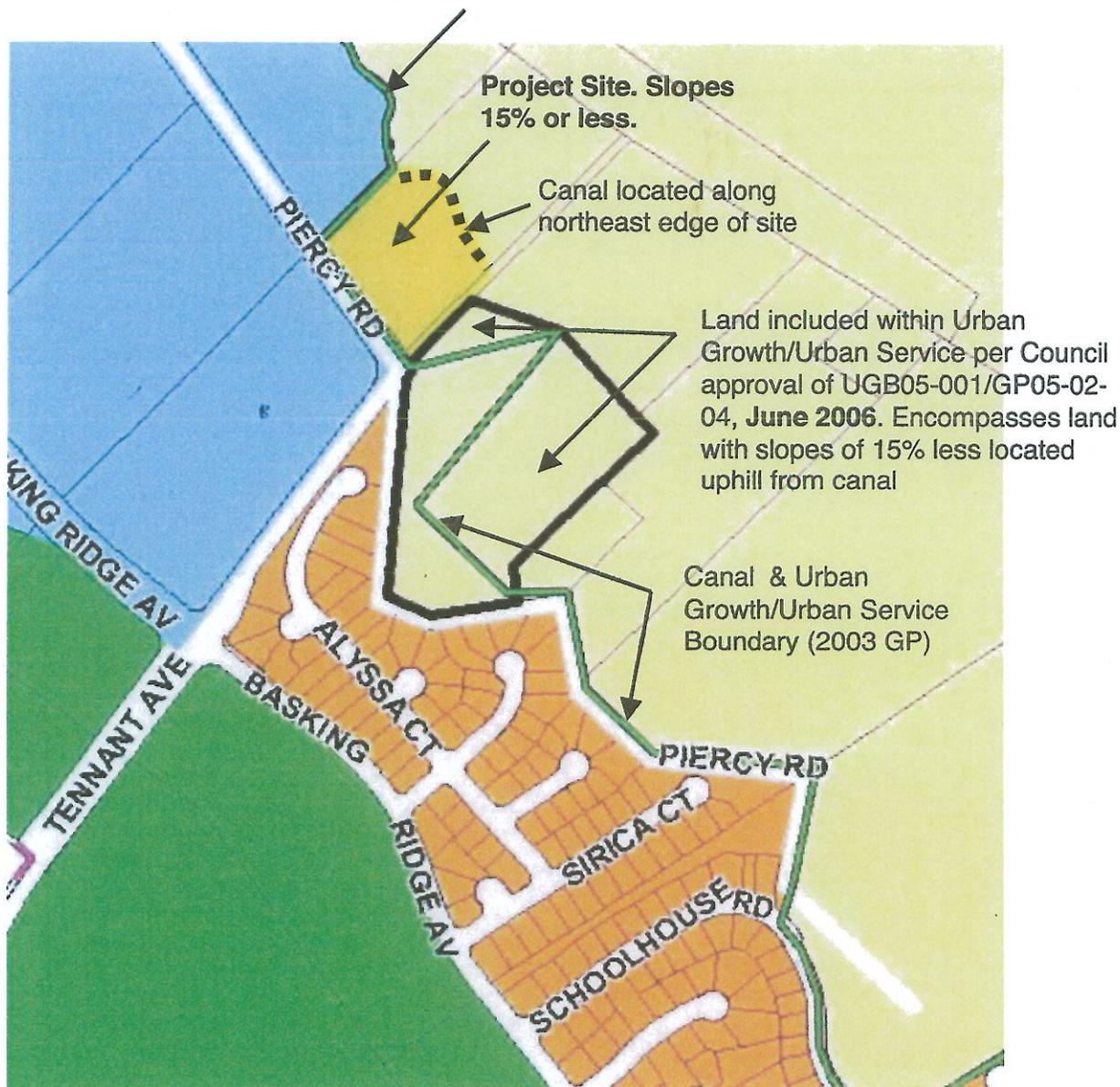


EXHIBIT 1.  
Comparison of 2003 and 2006 GP Urban Growth/Urban Service Boundaries