

## **Introduction:**

Good evening. My name is Kirk Vartan and I am a resident of San Jose, surrounded on pretty much all sides by Santa Clara and about 500 feet from the BAREC property. I am here to share my views and those of SaveBAREC.org as many of our core organization members are in Sacramento today to voice opposition to Senate Bill 472; they'll be here next time.

Growing up in NYC with no back yard, I look back and see how important Central Park was to my childhood. Land in NYC is one of the highest priced in the world; yes, even more than the Bay Area ☺. Imagine what Manhattan would be if the 843 acres of Central Park were turned into infill housing, and the park space was pushed out to the other parts of NY State. Where would children go to play and experience nature? I don't think it is even possible to speak about NYC without thinking about Central Park.

For the next few minutes, days, weeks, months, please think about the bigger picture here...bigger than the Santa Clara City borders.

I work at Cisco Systems and manage large global projects. I continue (as I have in the past) to offer the City anything I can personally do to help make this successful.

## **Discussion:**

I gave you a few handouts before this meeting as I will not be able to cover all the information I need to cover in my allotted three minutes. To review, the goal for my presentation to you is three fold:

1. To show the council (and citizens) that BAREC will benefit Santa Clara and San Jose financially by utilizing the land as public open-space
2. To show the council (and citizens) the value in keeping BAREC zoned agriculture, allowing it to stay as open-space and serve the public in many ways (listed below)
3. To encourage and direct the City Staff and Mr. Goodfellow's team to meet with SaveBAREC.org members (both San Jose and Santa Clara citizens) to discuss fiscally responsible alternative plans (non-housing) for BAREC land use

Therefore, I have structured my time to cover some of the highlights. Presenting after me will be my wife, Marguerite, and will continue the presentation of information. We'll try to make it as seamless as possible.

The following are items worth sharing with the Council and the citizens of Santa Clara and San Jose:

1. Mayor Mahan stated on public television on October 21, 2004: "To have 17 acres reserved as open space would be magnificent." However, a recent email from you says you are now in favor of developing this land. Mayor Mahan, what has changed your mind?
2. Mayor Mahan said she walked the neighborhood for people's opinions when the issue of development first surfaced. If this is the case, how could development have been the council's decision when it is clear that the residents do not want the land turned into housing?
3. Every council member is a member of the Open Space Committee, and thus, should take every opportunity to find a way to bring open space to the community.
4. Look at the Los Gatos article (part of today's handout and now part of official meeting minutes for those not able to be here). The article states: "[Los Gatos Mayor Mike Wasserman] would want to add the possibility of keeping the [40 acres] open space, or for recreational use."

We have met with both Santa Clara and San Jose citizens, including neighborhood groups like the Cory Neighborhood, and there is overwhelming support for keeping the land zoned agriculture for open space. Even the San Jose Parks and Recreation Council is in full support of keeping the land zoned for open space as seen in the letter that you have in front of you.

We believe the following actions by the council would be reasonable and conservative:

1. Direct Santa Clara City Staff to meet with the SaveBAREC.org organization to better understand the land, community interest in the land, and investigate how opportunities for the land as open space could work
2. Suspend plans and negotiations with land developers, specifically SummerHill Homes, until:
  - a. Research and investigations around the original land negotiations/deals can be identified and validated
  - b. The original assumptions for the land use can be validated
  - c. Allegations of 'conflicts of interest' can be dismissed or proven
  - d. Community wishes and desires are understood
  - e. Open space alternatives are fully investigated
3. Look at the long term impacts (not just the Environmental Impact Reports – EIR) of how open space in this area would benefit the county, improve quality of life, increase recreation and education in the area, and minimize further impact to an already very congested area.
4. Research how parks and open space make cities grow and flourish.

**As noted in Santa Clara meeting minutes dated November 20, 2003:**

Senate Bill 2099, which is relevant to this, “requires the State to sell the property subject to approval by the City in terms of land use approval.”

Dan Potash, the State of California representative, “stated that the property will be marketed to private buyers at the point when the State has some understanding of what the City would like to see on the site.”

**Additional Quotes that everyone should know:**

“In the summer of 2002 our City did a study of where to place Santa Clara's required housing for the next five years. This study showed that BAREC was not needed for this required housing.”

*Santa Clara City Mayor Patricia Mahan*

“Housing is a dead bang looser for income.”

*Terry Trumbull, Land Use Attorney, October 21, 2004 on Comcast TV's “Environmental Concerns”*

“The City [Santa Clara] loses money with housing as it is costly to maintain it.”

*Geoffrey Goodfellow, Santa Clara Planning Director at a Neighborhood Outreach Meeting on January 15, 2003*

Finally, I'd like to read a section of the California Civil Code, Section 815:

815. The Legislature finds and declares that the preservation of land in its natural, scenic, agricultural, historical, forested, or open-space condition is among the most important environmental assets of California. The Legislature further finds and declares it to be the public policy and in the public interest of this state to encourage the voluntary conveyance of conservation easements to qualified nonprofit organizations

This **All America City** could use this land to showcase how dense urban environments can embrace open space and nature to grow smartly and successfully.

Much more information can be found at: <http://www.savebarec.org>.



THURSDAY

FREE

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## Town looks to revise land plan

BY CHRISTINE LIAS  
DAILY NEWS STAFF WRITER

Times have changed in Los Gatos since 1999, and that is why the Town Council is hoping to revise language in its North 40 plan, which refers to a 40-

acre plot of some of the last undeveloped land in town.

North 40 refers to 40 acres of land surrounded by Highways 17 and 85, and Los Gatos Boulevard and Lark Avenue. The Yuki Family Trust owns

roughly 75 percent of the land. The area is mostly commercial, and includes auto dealerships on Los Gatos Boulevard, office space, and various retail stores and shopping centers.

The town prepared a North 40 Spe-

cific Plan for the land in September 1999. The council was to adopt the plan in late 1999, but continued it to adopt the General Plan in July 2000. Since then, the council has completed guidelines for hillside development,

personal service businesses — such as nail salons — and commercial design guidelines.

At the council retreat in January, the completion of the North 40 Specific

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### NORTH 40

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Plan six years after it was written was marked as a priority.

Monday night, the council discussed the old North 40 plan and the potential to begin anew and consider new perspectives on the undeveloped land, such as mixed-use retail and residential, or simple residential homes.

“We’re not going to decide this tonight,” Community Development Director Bud Lortz told the

council Monday night. “We’re looking for a starting process.”

Mayor Mike Wasserman said perhaps the four land uses listed for the North 40 area need a few more categories. Wasserman said he would want to add the possibility of keeping the land open space, or for recreational use.

The General Plan Committee would consider the North 40 Specific Plan after changes by the

council are noted. Lortz said town staff talk annually with Tom Yuki of the Yuki family, and, “the family do come to us from time to time with their thoughts.”

Council member Barbara Spector said she fears a “big box” store would come into the area, and, as Council member Joe Pirzynski said, turn the land into a “replica of Highway 17 and Hamilton Avenue,” which includes a Home Depot,

Fry’s Electronics and Staples in next-door Campbell.

“Maybe we need to back this down into baby steps,” Spector said.

In talking about land use, Council member Steve Glickman said residents know what the land is not going to be — airport or casino were two examples — so town staff could rule out what the land is not going to be used for.

Los Gatos Mayor Mike Wasserman states in this recent article dated April 21, 2005 that a 40 acre piece of land in Los Gatos (i.e., North 40) is being looked at very closely, potentially tossing out the existing plans of six years. The article goes on to say “he would want to add the possibility of keeping the land open space, or for recreational use.” Council member Barbara Spector further states, “Maybe we need to back this down into baby steps.” Yes, baby steps indeed. Maybe the City of Santa Clara can take note of what Los Gatos is thinking and slow down the process of unloading the land. There are still many unknowns about the land and once the developers start to build on the land, there is no turning back. What is the rush?