

February 12, 2020

The Foster Family
The Benson Family
Linda L. Lester Family
The Fred Lester Family
1486 Gerhardt Ave., San Jose, CA 95125

February 12, 2020

Envision San Jose 2040 General Plan Task Force
GeneralPlanStaff@sanjoseca.gov

Dear Task Force Member:

In this letter we provide information on our four parcels of land – information that we believe is relevant and important to you in your role as a Task Force Member. These parcels total 126 acres, are located within the San Jose City limits, are not in the 100-year flood plain, biological studies show no wildlife corridors, and the current General Plan designation is Industrial Park.

We request that the General Plan designation and allocation of jobs for our portion of Coyote Valley remain unchanged.

Our 126 acres are situated in the southeast corner of the intersection of Bailey Avenue and Santa Teresa Boulevard. These streets separate and act as barriers between our property and the recently acquired properties intended for open space, wildlife corridors and flood control. The Union Pacific Railroad bounds our property on the east side. See Attachment “A” a map outlining our parcels.

These four contiguous parcels of land have been separately owned by multiple generations within each family group and have been held with the intention of future development.

Our properties are not in the FEMA flood plain and families living on the property have not experienced flooding. Studies by the Open Space Authority and the California Department of Fish and Wildlife do not document any wildlife corridors on this property. All utilities are located at, or on, our property line, including a storm water discharge line to the Laguna Seca flood control basin. The property has close access via Bailey Avenue to the Bailey Avenue/US-101 interchange.

San Jose currently needs industrial land as stated in City documents and will need more in the future. Our property is well located, and no parcels of this size exist within the City limits. The present owners do not receive enough farming income to cover taxes. Two farming tenants have given up their leases. Farming infrastructure no longer exists to support large scale farming, including viable sources of affordable labor.

Several groups and individuals have stated that they want to preserve the habitat of Coyote Valley. We are also in favor of protecting the valley’s habitat. The recent purchase of the Sobrato and Brandenburg properties accomplishes a significant part of that goal as well as improving flood control. We believe there is a need for responsible development that can coexist with the goals of preserving and enhancing needed wildlife corridors and improving flood control.

Below are important facts regarding critical topics and concerns that have been discussed in the media and in City Council meetings.

- 1) *Coyote Valley is a significant habitat for plants and animals that are rare, endangered, or of regional significance.*
 - a. This statement is not completely true. Open Space Authority Studies have shown no animal crossings on our properties or across Monterey Highway east of our property. This activity occurs outside of the property boundaries. The property is farmed and occupied by homes and other structures.
 - b. While other parts of the valley may be important habitat for endangered plants, because our properties have been farmed for over 100 years, there are no observed endangered plant or animal communities within our property boundary. Further, any development would be required to complete a thorough investigation for endangered plants or animals as part of their CEQA analysis process.
- 2) *Coyote Valley is a rare and significant freshwater complex.*
 - a. True as it relates to Fisher Creek and the Laguna Seca. However, our property is not located in the Fisher Creek flood plain. Any development would be required by state law to capture storm water on-site and treat it to strict clean water standards thereby adding to the valley's freshwater.
- 3) *Development will increase downstream flooding.*
 - a. Not true. Development will actually decrease downstream flooding by retaining storm water on-site and only releasing it during non-peak flow times. This is a requirement of any new development under State and Federal Law. Currently there is downstream run-off from the agricultural operations, this would cease.
- 4) *Coyote Valley has been ignored by development.*
 - a. Not true. Real estate experts reported that there was little interest in Coyote Valley when it was General Planned Campus Industrial. At that time, with an abundance of developable land to the north, campus-oriented users were not interested in going that far south. However, since the General Plan was changed to Industrial Park and since so little land is now available, we have had a great deal of interest.
 - b. We are currently in contract with a national developer who recognizes the need for a balanced, ecologically sensitive approach in Coyote Valley.
- 5) *Coyote Valley is a flood plain and historically a wetland.*
 - a. This is only true for certain portions of Coyote Valley, most of which were included in the recent acquisition completed by the City, POST, and the Open Space Authority. Our property is not located in the wetlands and is not subject to flooding from Fisher Creek.
 - b. We are located outside the FEMA 100-year flood plain and have not seen on-site flooding from Fisher Creek during our ownership, which spans more than 50 years.

- 6) *Coyote Valley is a prime area for smaller agricultural operations since it is prime agriculture land.*
- a. The support structure for farming has moved from the area to the Salinas and Central valleys. Labor minimum wage laws for property within City limits have been raised, and other developments like traffic have made profitable farming in this area more difficult.
 - b. The rent income from our farm properties is low because the cost of farming is now high. Our rent income is so low that it does not even pay for the property taxes. Farming, for various reasons including lack of farm-related infrastructure and lack of appropriate, affordable labor, may no longer be a viable financial option. We have had several farming tenants leave stating those reasons.

We hope this information is helpful as you discuss and consider your recommendations.

Sincerely,

Signed in Counterparts

Fred Lester (for the Fred Lester Family Members)

Signed in Counterparts

Tom Foster (for the Foster Family Members)

Signed in Counterparts

Pete Benson (for the Benson Family Members)

Signed in Counterparts

Linda L. Lester (For the Linda L. Lester Family Members)

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Fred Lester (for the Lester Family Members)

Tom Foster (for the Foster Family Members)

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Pete Benson (for the Benson Family Members)



Brandenberg
(open space)

IBM

Sobrato
(open space)

POST

Sobrato
(open space)

Brandenberg
(City)

Fisher Creek

SANTA TERESA BLVD

Subject Property
126 Acres

BAILEY AVE

Residential Development

MONTEREY HWY

Union Pacific Rail

US
101

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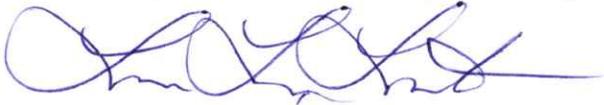
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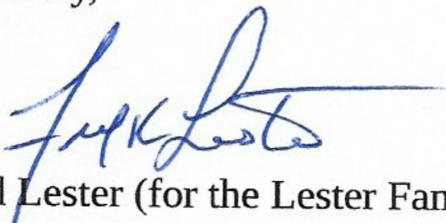
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