

# Penitencia Creek Trail Reach 1 Final Master Plan

October 17, 2006



Prepared for:  
Department of Parks, Recreation and Neighborhood Services  
City of San José

Prepared by:  
Callander Associates  
Landscape Architecture, Inc.





Penitencia Creek Trail Reach 1  
**Final Master Plan**

October 17, 2006

Master Plan

Approved by the City of San José  
Parks & Recreation Commission  
September 6, 2006

Approved by the City of San José  
City Council  
October X, 2006

Environmental Clearance

State Clearinghouse # 2006-07-2117  
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Prepared for:  
Department of Parks, Recreation and Neighborhood Services  
City of San José

Under the Direction of:  
Department of Public Works  
City Facilities Architectural Services Division  
City of San José

Prepared by:  
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### Background:

In the early 1970's, Berryessa and Alum Rock were found to be two areas in the City most in need of usable parks and open space. In response, the Santa Clara County Board of Supervisors and the Santa Clara County Parks and Recreation Department decided to develop a master plan for the entirety of Upper Penitencia Creek, from Coyote Creek to Alum Rock Park. In 1975, the Board of Supervisors allocated \$3.5 million from a Trust Fund from a 1972 Charter Amendment for master planning of the trail system and acquisition of land for Penitencia Creek Park.

The Master Plan was completed in 1977 for the four-mile long park and trail along Penitencia Creek from Alum Rock Park to the creek's confluence with Coyote Creek to the west. The system was defined by seven reaches. Over the last three decades,

various reaches of the master plan have been implemented, including Reaches 3, 4, 5 and most recently, Reach 2. Due to changes in land use, property ownership, and physical characteristics that have occurred since the original master plan was developed and a more stringent regulatory environment, a determination was made to prepare environmental documentation and a new master plan to help advance the implementation of Reach 1.

### Trail Purpose:

Penitencia Creek Trail is an important component of San José's city-wide trail network, providing recreational opportunities and alternative transportation routes for City residents in the Berryessa and Alum Rock neighborhoods of northeastern San José (see Fig. 2). Penitencia Creek Trail was



Fig. 1: Regional Map

identified in the Countywide Trails Master Plan Update (adopted November 14, 1995) as an important link to the proposed regional Bay Area Ridge Trail, which when completed, will encircle San Francisco Bay and San Pablo Bay along ridge tops. The Bay Area Ridge Trail Council defines Penitencia Creek Trail as a “valley floor” alignment which provides continuity to the system until the ridge

alignment is developed.

In 2000, the City Council approved *The Greenprint; A 20 Year Strategic Plan for Park, Trail, and Community Facilities*. The Penitencia Creek Trail is one of twenty-seven systems that will contribute to a 100-mile network as defined by the *Greenprint*.

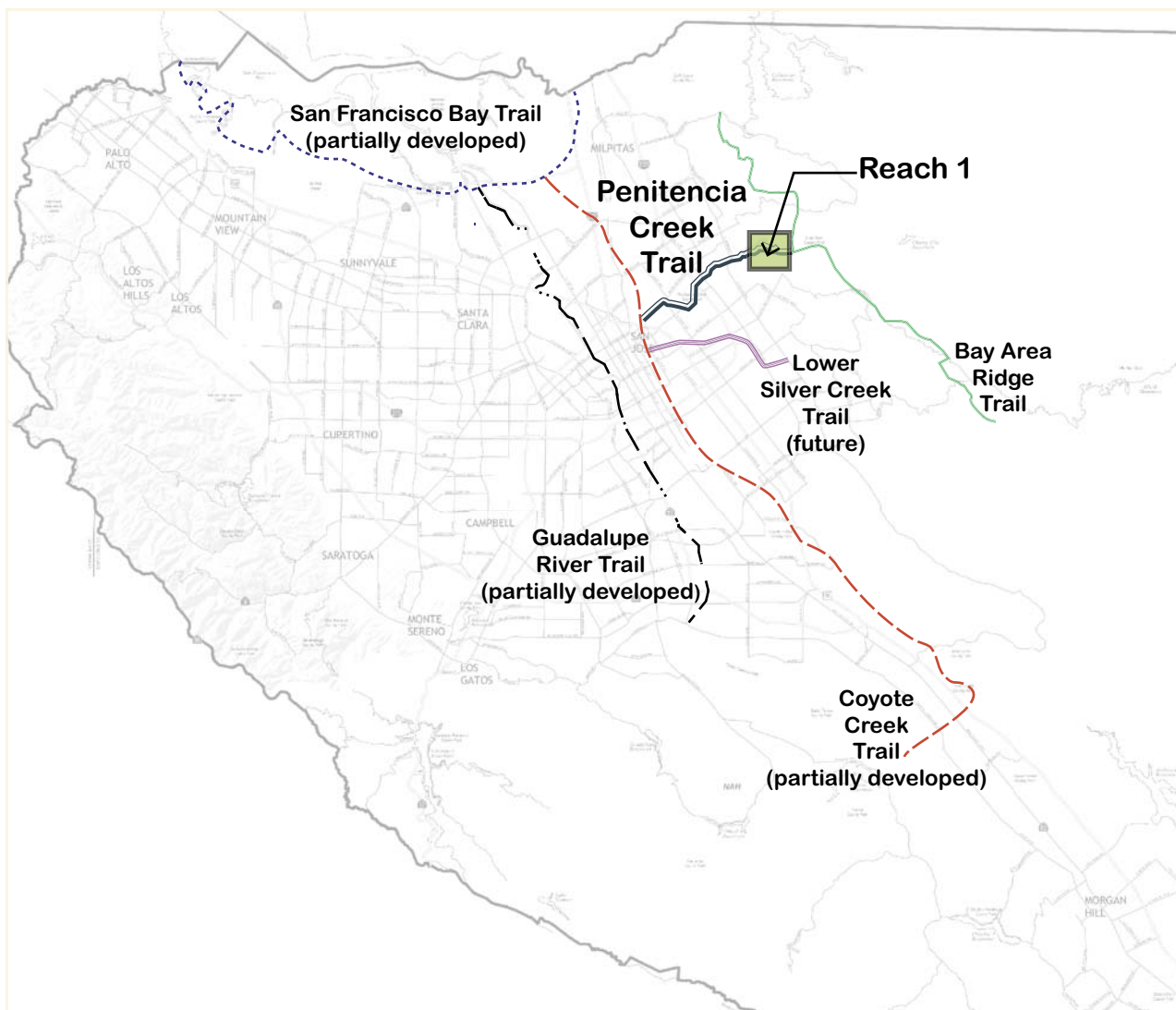


Fig. 2: Regional Trail Network Map



## Executive Summary

In 2005, recognizing the continued popularity of the Penitencia Creek Trail and demands of its residents for a recreational link between the built sections of the trail and Alum Rock Park, the City of San José Parks, Recreation and Neighborhood Services Department, with the support of City Council District 4 office and in cooperation with the Santa Clara Valley Water District (SCVWD), proposed to revisit the prior master plan for the Reach 1 segment. The City secured a grant from the Santa Clara County Open Space Authority for preparation of a master plan and acquisition of property if necessary.

Reach 1 is one of the last remaining sections along Penitencia Creek that has not been developed to some degree (see Fig. 3). This half mile segment, once completed, will help link Alum Rock Park to regional trail systems noted in the City of San José’s *Greenprint for Park and Community Facilities and Programs – A Twenty-Year Strategic Plan (2000)*, *San José General Plan (1994)* and *Santa Clara County: Countywide Trails Master Plan Update (1995)*. Once implemented, Penitencia Creek Trail Reach 1 will link to the recently completed Reach 2 segment of the Penitencia Creek Trail, schools

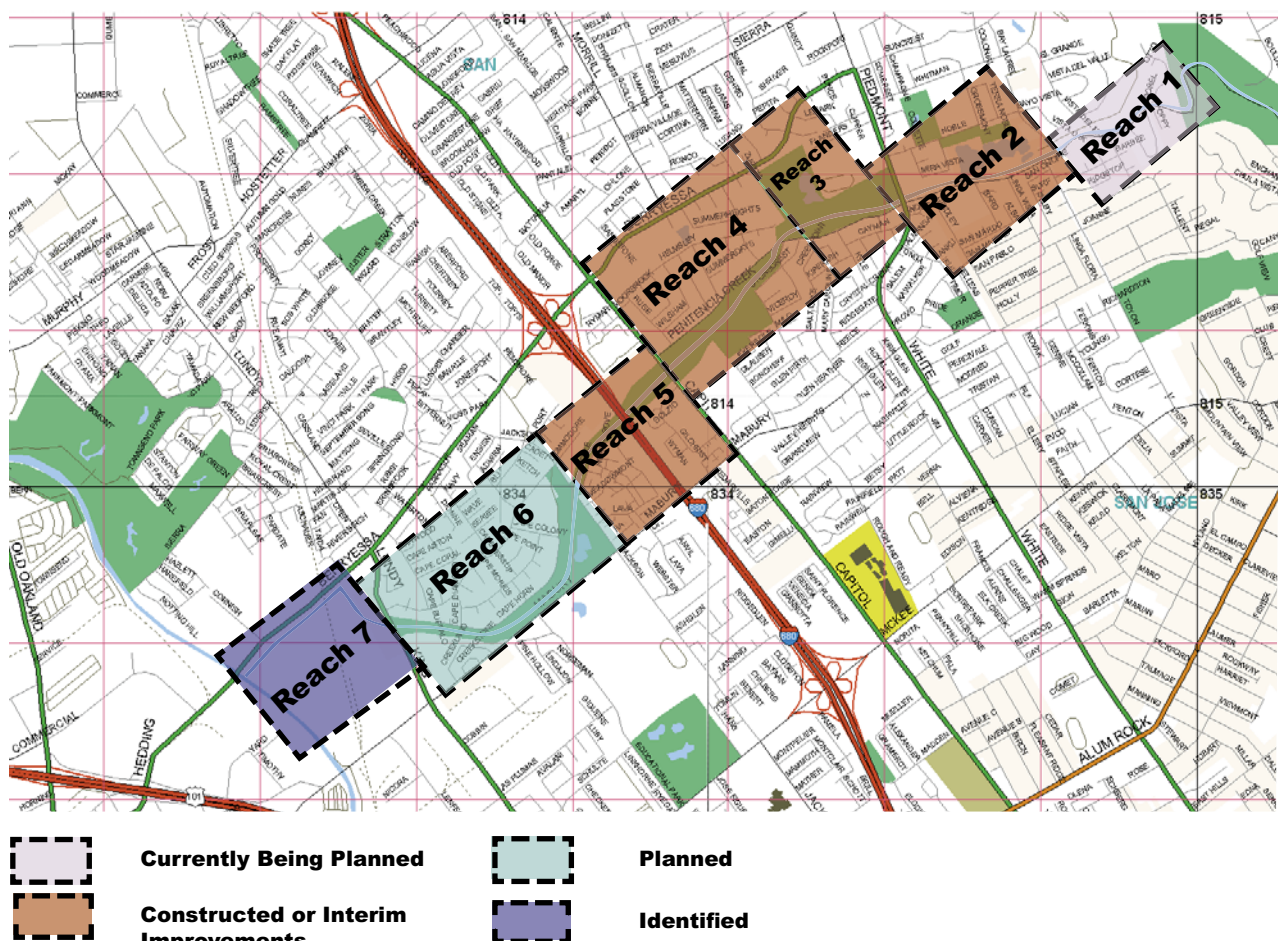


Fig. 3: Vicinity Map

## Executive Summary

(Noble, Toyon, Piedmont and Piedmont Hills), parks and community amenities (Alum Rock Park, Noble Park, Penitencia Creek County Park, Berryessa Library and Berryessa Community Center) and established transit hubs (Penitencia Creek Light Rail Station on Capitol Avenue and bus service).

The trail will be adjacent to Penitencia Creek Road and Penitencia Creek from Noble Avenue to the entrance of Alum Rock Park, providing pedestrians with a creekside trail experience.

### Master Plan Purpose:

The preparation of a trail master plan serves to document the master plan process and provides guidance for eventual trail development in a number of ways. The master plan identifies:

- a recommended trail alignment that balances environmental, aesthetic, safety and functional concerns in order to gain the widest project support possible,
- implementation and project cost requirements for trail development including required permits from state and local agencies, and
- design guidelines for trail development to maintain design continuity with other trail reaches and to document a materials palette for trail amenities.

### Planning Process:

Reach 1, a half mile corridor, contains property belonging to the City of San José, Santa Clara Valley Water District,

the San José Water Company and residential owners. Portions of the trail also fall within Santa Clara County right of way. Many of the properties immediately adjacent to the creek corridor are privately owned and occupied by single-family residences. To address the concerns of stakeholders and local residents, numerous meetings were conducted during the master planning process. A Technical Advisory Committee (TAC) was formed and comprised of City staff and representatives from local agencies. The input gathered from these TAC meetings was incorporated into the project plans prior to being presented to the community. A community meeting was held to encourage public dialogue regarding alignment preferences, recreational needs and general project concerns. The trail alignment presented in this master plan represents the efforts and participation of these different individuals, groups and agencies (see Appendix A for project meeting summaries).



Bicyclist sharing roadway at Alum Rock Park entrance

### Physical Setting:

Situated between Noble Avenue to the west and the entrance to Alum Rock Park to the east, Reach 1 contains numerous notable physical features (see Fig. 5: Site Analysis Plan and Fig. 6: Photographic Log), with the prominent features being:

- dense riparian vegetation along the creek
- open meadows north of the creek west of Dorel Drive
- close proximity between Penitencia Creek Road and the creek
- narrow and steep creek channel east of Dorel Drive
- network of existing footpaths, worn into the vegetation and generally paralleling the creek,
- two informal creek crossings, one located near Tallent Avenue and the other near Rock Canyon Circle
- numerous utility poles located along Penitencia Creek Road.

The existing width of Penitencia Creek Road is narrow, in some places only 24' wide. With Penitencia Creek immediately to the north of the roadway and residential homes to the immediate south, any proposed trail alignment along the roadway corridor will be significantly constrained between these elements. Steep slopes and environmental constraints limit trail development along the north bank of the creek.

A large portion of the riparian corridor west of Dorel Drive falls within the 100-year floodplain. The United States Army Corps of Engineers (USACE) is currently collaborating with the SCVWD to develop flood control improvements along Penitencia Creek from

Dorel Drive to the confluence with Coyote Creek. Preliminary flood control plans show a flood wall on the south bank of Penitencia Creek from Dorel Drive to Noble Avenue. This flood wall will vary in height but is not anticipated to be more than four feet tall and will serve to reduce the risk of flooding for the neighborhood to the south of the creek.

Reach 1 is bounded to the north and south by low to medium density single-family residences. Even though it is a suburban area, the neighborhood character is quiet and possesses a rural quality. Incomplete sidewalk, varying roadway width, and split-rail fencing in front of some residences all contribute to the appearance. The physical characteristics of the site divide it into three distinct sections:

- Noble Avenue to Tallent Avenue
- Tallent Avenue to Dorel Drive
- Dorel Drive to the entrance of Alum Rock Park



View of Penitencia Creek from roadway



### *Noble Avenue to Tallent Avenue*

The site is generally characterized by a wide flood plain sloping downward from north to south with two distinct large open meadow areas, totaling approximately  $\frac{3}{4}$  acre. This area contains mature trees, both riparian and upland species, which provide critical habitat for a variety of wildlife. In some locations in this section, the creek is less than 20' from the edge of pavement on Penitencia Creek Road. A fish ladder is located in the creek approximately 250' east of Noble Avenue to accommodate the passage of steelhead trout. An elevated access road for the San José Water Company runs west to east along the northern boundary of this area and is situated mostly above the 100-year flood elevation. The Noble Avenue bridge sits below the 100-year flood elevation and is slated for replacement in concert with proposed flood control improvements by the USACE in the next 10 to 15 years. The San José Water Company access road located at the toe of the residential slope occurs within a large active landslide zone.<sup>1</sup>

### *Tallent Avenue to Dorel Drive*

The creek bank on the north side is steeper and the total project area narrows. Large boulders line the edge of the roadway for approximately 200' to deter off-street parking. The creek is generally further from the roadway in this section than in the prior section. A cluster mailbox serving Alum Rock Park and residents living beyond the park is located near the intersection of Dorel Drive and Penitencia Creek Road. The roadway is widest through this section, accommodating on-

street parking in addition to two lanes of vehicular traffic.

### *Dorel Drive to the entrance of Alum Rock Park*

The creek channel is much steeper and eroded, especially near Dorel Drive. This section of the creek lies within private property. The creek channel gradually departs from the roadway to the north in this section creating a greater separation from the road than anywhere else along Reach 1. A vehicular road bridge, two privately owned driveways, and a fence occur in this section north of Penitencia Creek Road. The privately owned fence is approximately 6' from the edge of pavement and is failing in some areas due to undercutting of the creek banks on which the fence rests. To the south of and immediately adjacent to Penitencia Creek Road is a very steep hillside that rises almost vertically in some areas. Speed bumps exist at two locations to deter vehicles from speeding through the tight curves to and from the park entrance. This section of Penitencia Creek Road is under the County of Santa Clara jurisdiction.

### **Adjacent Land Uses and Property Ownership:**

The land uses immediately adjacent to the creek corridor in Reach 1 are primarily classified as medium low density, urban hillside and public/quasi-public. These land uses are reflected by the presence of residential homes and public park/open space, which represents Alum Rock Park. Predominant land owners immediately adjacent to the creek are the San José Water Company, City of San José, Santa

<sup>1</sup> Preliminary Geotechnical/Geologic Study for proposed Penitencia Creek Trail Reach 1, GeoForensics, Inc, October 2005



Fig. 4: San José Land Use Diagram

Source: City of San José General Plan

Clara Valley Water District, residential owners and County of Santa Clara. Further from the Reach 1 corridor within approximately 2 miles are more medium low density housing, non-urban hillside representing the hills above San José, public park/open space at Noble Park and Penitencia Creek County Park, public/quasi-public representing local schools and some general commercial on Piedmont Road (see Fig. 4).

### **Cultural History:**

Penitencia Creek and Alum Rock Park have rich and varied histories. The Santa Clara Valley was inhabited by the Ohlone Indians for more than a millennium prior to Spanish settlement in the eighteenth century. The Ohlones lived as hunter-gatherers in small “triblets” around the area, subsisting primarily on rabbits, acorns and buckeye. An archaeological survey was performed in 1976 and small architectural deposits called midden were found within the area near the proposed Reach 1 segment. However, a similar archaeological survey was performed in January 2006 and no prehistoric archaeological deposits were found.

Spanish missionaries arrived in the Valley by 1769 and founded Mission Santa Clara de Asis in 1777. The mission’s Padres would make penitential pilgrimages with their followers to a tranquil oak grove bordering the creek, lead prayer and perform their penance along the creek, hence the name Penitencia Creek. The Spanish lived in the area until the mid-nineteenth century when the discovery of gold brought explorers from around the world to California by the thousands.

By 1850, California was granted statehood, which presented San José with the dawning of a new era. As the City grew, residents recognized the importance of Penitencia Creek and the canyon leading into the foothills as open space resources and in 1872, the area became known as Alum Rock Park, the state’s first municipal park.

From the early 1900’s until the 1960’s, the fertile Santa Clara Valley was predominately covered in fruit orchards which fueled an agricultural economy. However, during the 1960’s and 1970’s the prosperous agricultural industry in Santa Clara Valley was slowly replaced by high tech office parks and new housing. This new technology-based industry spurred growth and development within the Valley which continues to this day.

### **Biological Resources:**

Riparian habitats are widely considered as some of the most valued habitats for wildlife species in California. Reach 1’s riparian woodland is comprised of sycamore, big-leaf maple, alder, willow, buckeye, walnut, bay laurel and oak. Understory species include blackberry, currant, willow and poison oak. In addition, there is an existing grove of mature eucalyptus providing habitat for raptor species. The Penitencia Creek corridor provides an abundance of shelter, shade and water serving a varied community of species. Common species found within the riparian corridor include red-tailed hawks, turkey vultures, wild turkeys, egrets, California quail, black-tailed deer, bobcats, ground squirrels and the occasional mountain lion. Penitencia Creek is also a rich habitat for aquatic species such as frogs, turtles and fish.



There are a number of special status species that have the potential to occur within the project area. Special status species are those listed, proposed or are considered candidate species by either the Federal or the State resource agencies, as well as those identified as State species of special concern. In addition, raptor nests and migratory bird nests are also protected. There are six special status wildlife species that have the potential to occur within the project site, though only steelhead trout and California red-legged frog have been observed along Penitencia Creek. A fish ladder was constructed by the SCVWD in the 1990's to promote continued improvement of steelhead habitat along Penitencia Creek.

In addition to wildlife, there are 24 special status plant species that have the potential to occur in the project vicinity, although none have been observed.

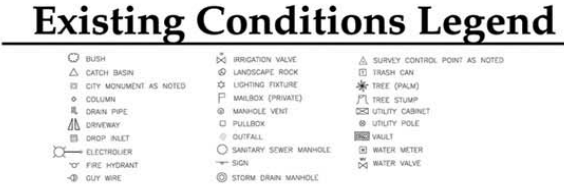
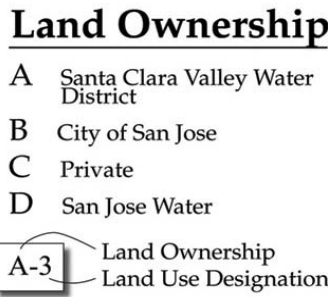
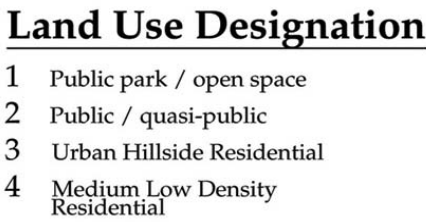
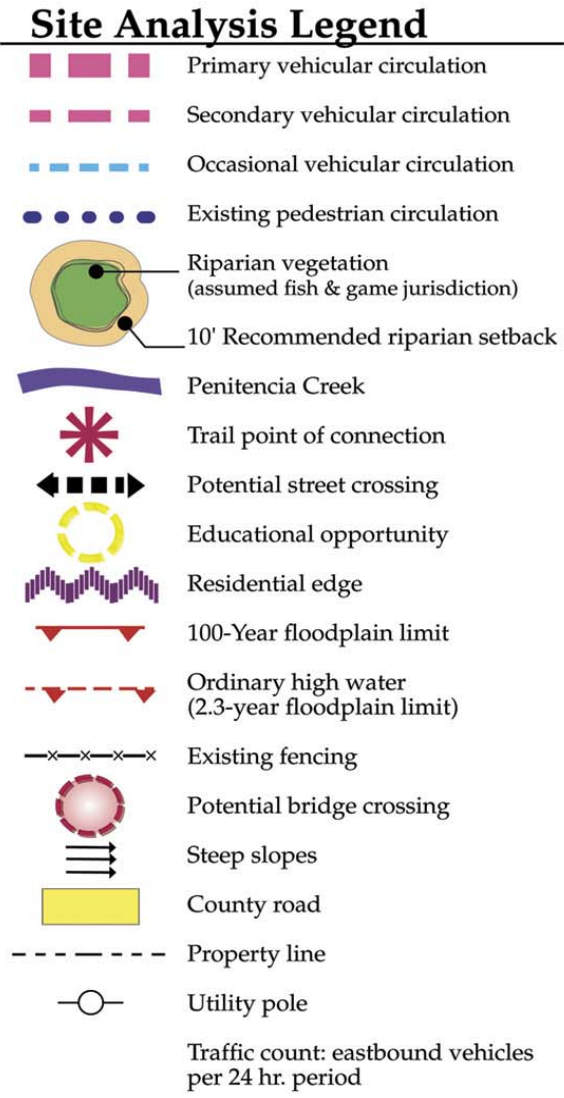


Fig. 5: Site Analysis Plan



Fig 5: Site Analysis Plan



Fig. 5: Site Analysis Plan



Fig. 6: Photographic Log



1 Terminus of Reach 2



2 Noble Avenue bridge



3 Fish ladder facility



4 Roadway shoulder near Noble Avenue



5 Sycamore near Tallent Avenue



6 Wider roadway section between Tallent Avenue and Dorel Drive

Fig. 6: Photographic Log



7

Wide shoulder between Rock Canyon Circle and Dorel Drive



8

Mailbox near Dorel Drive



9

Corner of Dorel Drive



10

Private driveway near Dorel Drive



11

Failing fence east of Dorel Drive



12

Narrow roadway east of Dorel Drive



Fig. 6: Photographic Log



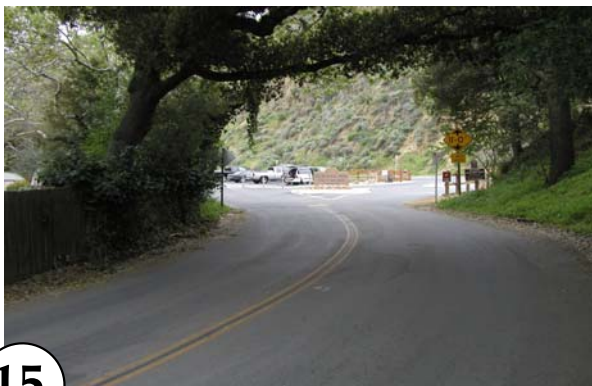
13

Private driveway near Park entrance



14

Speed bump in roadway



15

Park entry and parking lot



16

Terminus of Park trail system



## Goals and Objectives

The goals and objectives for this master plan for trail improvements were developed early in the planning process to guide decisions throughout.

### General:

- Facilitate connection between Reach 2 and Alum Rock Park.
- Accommodate growing need for additional bicycle, pedestrian and recreational facilities.
- Enhance City's network of alternative transportation routes by providing residents with expanded connections between existing trail systems and modes of public transit.
- Provide access to creek open space areas for the enjoyment and education of residents.
- Evaluate alternative trail alignments and determine a recommended alignment which best balances aesthetic, educational, and physical alignment needs with trail safety, property ownership and regulatory constraints.
- Establish guidelines and specific recommendations for trail development that address alignment, street crossings and site amenities.
- Provide trail recommendations consistent with the spirit of the policies set forth in the *Santa Clara County Trails Master Plan Update*, *San José's Greenprint for Park and Community Facilities and Programs – A Twenty-Year Strategic Plan*, *San José General Plan*, *City of San José's Riparian Corridor Policy*, *Coyote Watershed Aesthetic Guidelines* and *Santa Clara Valley Water Resources Protection Collaborative's Draft Guidelines & Standards for Land Use Near Streams*.
- Seek to address the concerns of affected stakeholders, agencies and local residents and ensure that the final Master Plan receives the widest support possible.



Penitencia Creek Road

# Goals and Objectives

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## Circulation:

- Provide links to existing trail networks and open park space.
- Encourage alternative methods of transportation.
- Minimize conflicts between pedestrians, bicyclists and motorists.
- Provide for universal access (ADA compliance).
- Provide trail visibility for security.



Runners on Penitencia Creek Road

## Land Use:

- Minimize impacts to riparian corridor.
- Utilize areas already impacted for improvements.
- Ensure that improvements are compatible with existing land uses.



Shoulder on Penitencia Creek Road near Noble Avenue

## Education:

- Facilitate awareness of sensitive riparian corridor environments.
- Promote conservation of resources.



Pedestrian Creek crossing



### Environmental Resources:

- Minimize changes to creek shading levels to protect steelhead habitat.
- Protect existing riparian resources by minimizing construction encroachment
- Align trail to minimize impacts to existing riparian vegetation.



Fish ladder

### Aesthetic:

- Provide public access to open space and view sheds.
- Conserve and maximize open space.
- Preserve rural character of open space.



Informal path near creek





## Interagency Coordination

Proposing trail improvements along Penitencia Creek involved resolution of a number of challenging physical, environmental and regulatory issues, which necessitated the involvement of several agencies and the City of San José.

### Property Ownership:

The trail passes through several different agencies' properties and jurisdictions. Joint use agreements will be required to allow for the eventual development of the trail, which include provisions for maintenance of the trail improvements.

- The collaborative development of a joint use agreement is required between the City and County for trail improvements east of Dorel Drive, because Penitencia Creek Road in this area falls under County jurisdiction.
- A joint trails agreement between the City and the SCVWD is required



Santa Clara Valley Water District easement

for the entire length of trail improvements.

### Environmental Requirements:

- The City of San José's *Riparian Corridor Policy* states that development adjacent to riparian habitats provide a minimum 100' setback from the edge of the riparian corridor or top of bank, whichever is greater. However, lower-impact uses such as trail development qualify for a setback exception and can be sited as close as 10' from the edge of the riparian corridor. Trails may enter the riparian corridor where there is no reasonable alternative which avoids or reduces the encroachment into the setback area. Additionally, Section UD-1.3.3.1 of the Santa Clara County's *Uniform Interjurisdictional Trail Design, Use, and Management Guidelines* states that "where topographic, resource management, or other constraints or management objectives make [staying out of a riparian zone] infeasible or undesirable... riparian setbacks may be adjusted."
- Special status species such as steelhead trout have been found within the site. Mitigation measures described in the environmental document will identify ways to protect these species.
- Under the California Environmental Quality Act, impacts to

environmental resources resulting from a project must be analyzed and reported, and measures to avoid or reduce impacts to insignificant levels identified and incorporated into the project.

- Numerous trees within the project area are classified as ordinance-sized trees. The removal of trees greater than 18 inches in diameter measured at 24 inches above grade requires obtaining a permit through the City prior to removing the tree. Proposed trail improvements have been sited to minimize removal of ordinance-sized trees. Removal of these types of trees has a recognized acceptable mitigation replacement of a four to one ratio (four new trees to replace every tree that is removed). Also, any ordinance-sized trees located within the riparian corridor are typically recommended to be replaced at a ratio of three to one as a square footage (three square feet of new trees to replace every square foot of tree removed).

**Agency Requirements:**

- The California Department of Fish and Game (CDFG) is responsible for conserving, protecting, and managing California's fish, wildlife, and native plant resources. To meet this responsibility, the CDFG must be notified prior to beginning any activity that will substantially modify a river, stream, or lake. If



Penitencia Creek near roadway

the CDFG determines that the activity could substantially adversely affect an existing fish and wildlife resource, a Streambed Alteration Agreement is required. In addition, a certified CEQA document is required before any work is performed within a creek channel. Any impacts to the riparian corridor will require mitigation.

- The Regional Water Quality Control Board's (RWQCB) mission is to preserve, enhance and restore the quality of California's water resources, which includes managing construction-related discharge of stormwater runoff. Adhering to the latest National Pollutant Discharge Elimination System (NPDES) requirements, project owners disturbing more than one-acre of land must obtain a General Permit for Discharges of Storm Water Associated with Construction Activity from the RWQCB prior to commencing construction activities.

## Interagency Coordination

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In addition, the San Francisco Bay Area Joint Aquatic Resource Permit Application (JARPA) process allows for a single permit application to replace many individual applications required for state, regional and national agencies.

- The SCVWD manages waterways within the County for purposes of flood protection, stream and creek stewardship, underground aquifer management and district-built reservoir maintenance. Projects located within 50' of a SCVWD designated watercourse, or within 50' of SCVWD property or easement must obtain a construction permit. This permit requires project review, which includes the assessment of impacts to affected watercourses due to construction activity. In addition, a joint-trails agreement and encroachment permit must be obtained for any proposed improvements falling within SCVWD property or easements.
- With respect to water resources, the United States Army Corps of Engineers (USACE) aims to provide sustainable solutions which manage the nation's water resources and protect the welfare of the people. Under Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act, permits may need to be obtained from the USACE to perform the boardwalk and helical pier work adjacent to the creek east of Dorel Drive. A

biotic assessment of ordinary high water levels for the creek may be required to determine the precise limits of USACE jurisdiction and permit applicability.

- The County of Santa Clara requires an encroachment permit for work performed within the County's right of way along Penitencia Creek Road, east of Dorel Drive. In addition, the County will also require a joint-use agreement with the City for trail maintenance to be performed within County jurisdiction.
- Provision C.3 of the NPDES permit specifically addresses the control of the stormwater impacts associated with new development and redevelopment projects. The current requirement states that projects creating or replacing more than 10,000 square feet of impervious area are subject to two separate control measures 1) the treatment of on-site stormwater and 2) controlling the quantity of stormwater leaving a project site through the use of detention, retention and infiltration.



### Overview:

The master planning process included coordination with numerous agencies and took just over a year to complete. TAC input along with input from the community meeting was invaluable to the development of the master plan.

The following steps were taken towards the development of the Final Master Plan:

1. Project Start-Up
2. Site Reconnaissance and Analysis
3. Conceptual Design, Public Outreach and Plan Refinement
4. Cost Analysis
5. Alternatives Analysis
6. Environmental Analysis and Clearance
7. Operations and Maintenance Analysis
8. Final Master Plan

### Project Start-Up:

An initial site walk was conducted on September 19, 2005 to review project limits, potential trail alignments and potential environmental impacts of each alignment. Studies and surveys, such as a biotic assessment, cultural resources assessment, hazardous materials assessment and geotechnical analysis were conducted at the site over the following months.

### Site Reconnaissance and Analysis:

A site visit attended by City staff and project consultants was held on September 21, 2005 to review the project limits, identify possible alignments, discuss potential property acquisition and identify potential environmental impacts. From this site walk and one conducted on September 19,

2005, a site inventory and opportunities and constraints were gathered and incorporated into a site analysis plan for the entire length of Reach 1 (see Fig. 5). The site analysis plan delineates the following:

- Property ownership and land use
- Riparian corridor limit and 10' riparian buffer
- 2.3-year and 100-year flood elevations
- Topographical survey including contours and utilities
- Existing site features such as fencing, the fish ladder and driveways
- Aerial photo of the site
- Existing pedestrian, bicycle and vehicular circulation patterns
- Vehicular traffic counts
- Potential nodes or creek crossing points

The purpose of providing a comprehensive assessment of opportunities and constraints is to present the factors in which the site encourages or limits trail development. Opportunities can be defined as those site characteristics lending themselves to easy trail development, enhancement of the trail experience, maximum preservation of environmental resources and responsiveness to project goals. Constraints can be defined as those site characteristics restricting trail development such as physical barriers, poor trail experience, public safety and unresponsiveness to project goals.

### **Conceptual Design, Public Outreach, and Plan Refinement:**

The conceptual design process involved the following steps:

- TAC Meeting #1
- Community Meeting
- Alternative Alignments Analysis
- TAC Meeting #2

Each of these steps represents a design iteration where refinements were made to the preliminary master plan addressing comments from either the community or the TAC members. These refinements have resulted in the recommended trail alignment shown in this document.

After delineating the site analysis plan from the Site Reconnaissance and Analysis phase, two preliminary trail alignments were developed for the TAC meeting #1 held on October 19, 2005. The focus of this meeting was to solicit input from TAC members on the alignments:

- Alignment A – The Class 1 trail would follow the San Jose Water Company access road, cross the creek via a proposed pedestrian bridge at Rock Canyon Circle, join Penitencia Creek Road and then proceed to Alum Rock Park with a separate pedestrian trail and on-street bike route.
- Alignment B – The trail would follow Penitencia Creek Road for the entire segment and would incorporate a pedestrian trail, separated from the on-street bike route.

The TAC members' comments were noted and incorporated into a revised

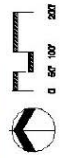
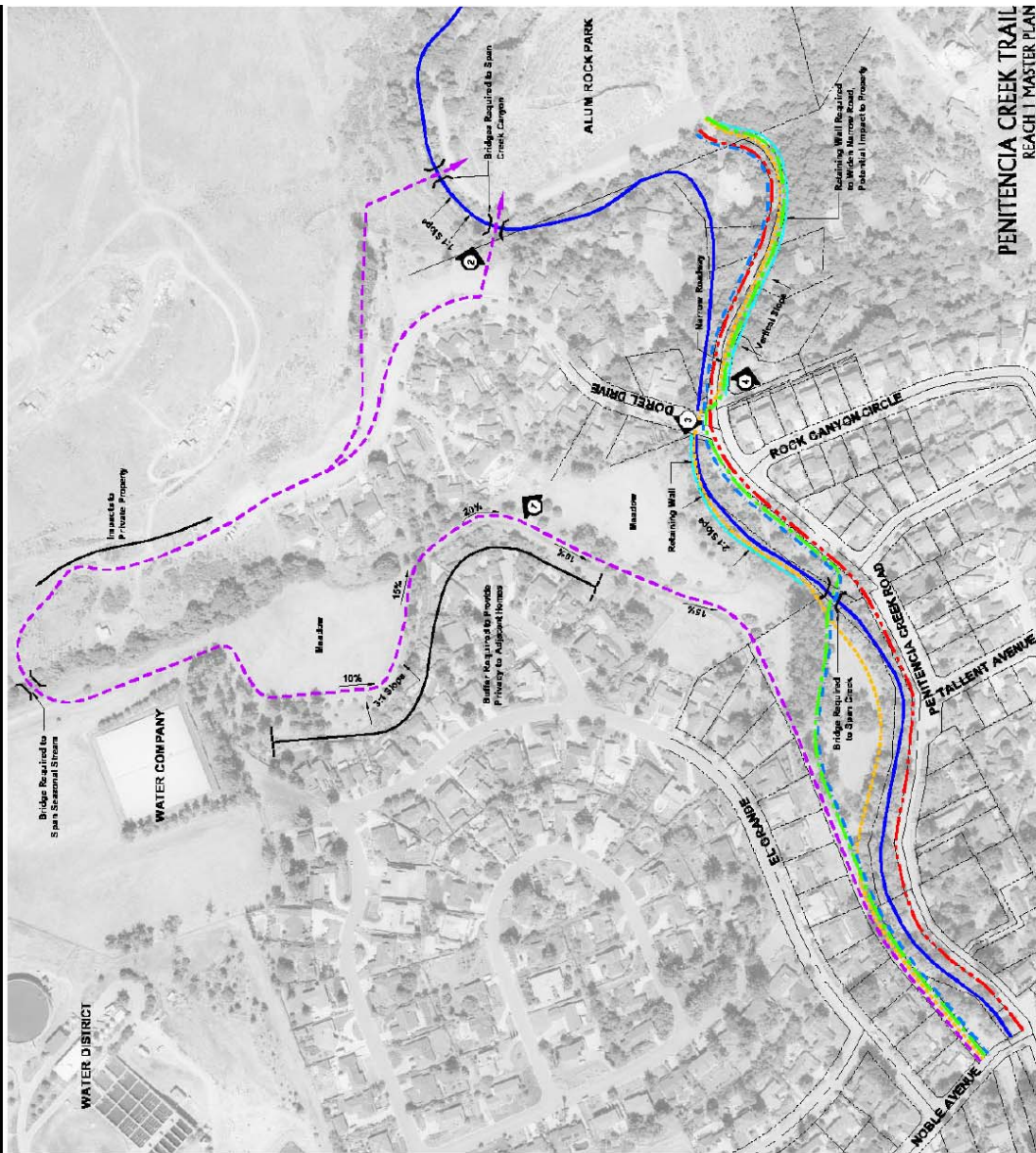
conceptual drawing.

A community meeting was held on January 11, 2006 at Berryessa Public Library. "Alignment A" and "Alignment B" were presented to the community. Residents expressed safety concerns over both alignments' close proximity to the roadway and suggested that alternative alignments be explored to keep trail users further from the roadway and in the riparian corridor for a more pleasant trail experience. The community asked that the team revisit the site and identify additional options.

A site walk was conducted on January 19, 2006 to explore alternative alignments to address the community's suggestion that other alignments should be evaluated. An evaluation of each alignment was noted and incorporated into an Alignment Alternatives plan (see Fig. 7). The Alignment Alternatives plan showed the two alignments presented to the public (Alignment A and B) and also showed the additional alignment alternatives explored during the site walk. Alignment A is designated by the blue dashed line. Alignment B is designated by the red dashed line. A third alternative which was explored would utilize the San Jose Water Company road and follow the ridgetops around an existing neighborhood and then finally cross Penitencia Creek into Alum Rock Park. This alternative is denoted by the dashed purple line. A fourth alternative alignment would follow the north edge of Penitencia Creek from Noble Avenue to Dorel Drive and then cross the existing bridge on Dorel Drive to get back on to Penitencia Creek Road. This alignment then crosses to the south



ALIGNMENT ALTERNATIVES



- 3rd Alternative
- 4th Alternative
- 5th Alternative

- Creek
- Alignment A
- Alignment B

Callander Associates  
Landscape Architecture, Inc.  
February 1, 2006



City of San Jose

Fig. 7: Alternatives Analysis

side of Penitencia Creek Road along an expanded roadway shoulder that would be created by cutting into the hillside and retaining the steep slopes with a retaining wall. The alignment would continue along the shoulder until the entrance of Alum Rock Park. This alternative is denoted by the solid yellow line. A fifth alternative alignment would follow the San Jose Water Company road, cross the creek at the proposed Rock Canyon Circle bridge and proceed along the north side of Penitencia Creek Road until Dorel Drive. At Dorel Drive, this alignment, denoted by the green dashed line, would cross to the south side of Penitencia Creek Road and follow the same alignment as that denoted by the yellow line.

A second TAC meeting was held on March 15, 2006 to solicit input on the roadway alignment, potential fencing from Dorel Drive to Alum Rock Park, joint-use agreements, mitigation requirements, mailbox relocation and crosswalk locations. TAC member comments were recorded and incorporated into the preliminary master plan.

### **Alternatives Analysis:**

After analyzing several different alignments utilizing the San José Water Company access road, the north side of Penitencia Creek, and the south side of Penitencia Creek Road east of Dorel Drive, staff determined that none of them could be deemed practical due to steep grades, the necessity for a significant bridge span to cross Penitencia Creek in the park and the need for private property acquisition.

However, the most significant reason these alternative alignments were considered impractical was due to the fact that it is unlikely the regulatory agencies would issue the required construction permits for any of them. After recognizing these constraints, it was deemed that pursuing “Alignment B” or the “Roadway Alignment” along Penitencia Creek Road would be the most prudent course of action. This alignment improves pedestrian safety, is structurally and fiscally feasible, is accessible by users of all physical abilities and would likely receive the required regulatory permits as it minimizes environmental impacts. This approach was further justified by the likely disruptions to the other alignments anticipated by future flood control improvements to be made along this reach of the trail.

### **Environmental Analysis and Clearance:**

Under CEQA guidelines, an environmental document must be prepared to evaluate project impacts and to identify measures to mitigate any potential impacts to a less than significant level. An assessment is required of project impacts on the following factors:

- Aesthetics, recreation and land use
- Air quality and noise
- Biological, mineral and cultural resources
- Geology and soils
- Hazardous materials
- Hydrology and water quality
- Population, housing, utilities and public services
- Transportation and traffic



To assist in the preparation of CEQA requirements, the following technical studies were conducted:

- Biotic
- Cultural resource
- Hazardous materials
- Geotechnical

Each of these studies involved performing a site inventory, analyzing project impacts and identifying mitigation measures to reduce impacts to a less than significant level. The proposed trail alignment along Penitencia Creek Road affects some existing riparian vegetation that will require mitigation by planting additional riparian vegetation.

The environmental studies' analyses and recommendations were incorporated into a preliminary Administrative Draft Initial Study reviewed by the City's Planning Department in May 2006. A Draft Initial Study was submitted to the State Clearinghouse for a 30 day public circulation period in July 2006, and a resolution identifying the mitigation and monitoring plan for the mitigated negative declaration on the project was adopted by the City Council. The City has prepared and circulated the environmental analysis prior to adoption of the Master Plan, consistent with CEQA.

### Operations and Maintenance:

To ensure continued trail use and enjoyment by City residents, a maintenance and management plan should be enacted prior to trail development. The following management policies are recommended:

- Develop a management and maintenance plan prior to implementation of improvements

to identify required maintenance tasks and their frequency.

- Post City contact information at established intervals along the trail for users to report maintenance or safety problems.
- Develop programs to encourage trail users to participate as volunteers in trail maintenance events.
- Provide dog waste dispensers to encourage dog owners to clean up after their pets. Post signs informing public about dog ordinances and restrictions.
- Post trail rules and hours of operation at access points along Reach 1.





Input received from the TAC as well as from the community meeting was incorporated into the master plan document. Within the framework of goals and objectives stated earlier, opportunities and constraints were identified that ultimately helped guide the Master Plan recommendations listed below.

The recommended trail alignment (see Fig.12) is the result of carefully reviewing and balancing different criteria and considerations for trail placement. The following considerations, listed in order of importance, were used to determine a final alignment:

- Utilize public lands and right of ways for trail alignment. Acquisition of private property is expensive and lengthens the trail implementation process.
- Minimize impacts to vehicular traffic by maintaining existing roadway widths.
- Minimize impacts to environmental resources and protect area resources to improve likelihood of obtaining required construction permits.
- Minimize pedestrian / vehicular conflicts along the Reach 1 segment, crossing streets only where necessary.

The Master Plan descriptions are divided into three sections along Reach 1:

- Noble Avenue to Tallent Avenue
- Tallent Avenue to Dorel Drive
- Dorel Drive to Alum Rock Park

### **Section 1 - Noble Avenue to Tallent Avenue:**

Opportunities:

- Existing road shoulder width able



Penitencia Creek near Rock Canyon Circle

to accommodate proposed trail width.

- Alignment along roadway provides high visibility for policing trail activities.
- Close proximity to creek provides trail users with a creekside view.
- Alignment of trail along the existing roadway minimizes environmental impact to riparian corridor.

Constraints:

- Connection between Reaches 1 and 2 requires crossing the Noble Avenue bridge, creating a potential conflict between trail users and vehicular traffic.
- Alignment's close proximity to road provides sidewalk-like experience of trail.
- Alignment along roadway does not allow for County standard multi-use trail width, necessitating separate bicycle facilities.
- Alignment along roadway encounters a mature riparian tree, which requires routing the

trail around this tree and further into the riparian corridor (see Fig. 10).

### Recommendations:

- Provide a 6 foot wide raised concrete paved trail, vertically separated from the roadway by City standard curb and gutter. Use permeable paving such as permeable concrete where possible.
- Provide “Pedestrian in Road” signage at Noble Avenue bridge until bridge is replaced by Santa Clara Valley Water District and U.S. Army Corps of Engineers as part of future flood control improvements.
- Provide “Narrow Path – Walk Bikes” signage at potential trail entrance at Noble Avenue.
- Provide “Bike Route” signage every 1/8 mile in both directions along Penitencia Creek Road (see Fig. 8).
- Provide “sharrow” pavement markings along Penitencia Creek Road if current regulations are modified to allow streets without on-street parking to designate bike use in this manner (see Fig. 9).
- Preserve riverine shading for the steelhead population by retaining existing mature trees along Penitencia Creek Road and routing the trail around the trees where possible.

### Section 2 - Tallent Avenue to Dorel Drive:

#### Opportunities:

- Existing road shoulder width

able to accommodate proposed trail width.

- Alignment along roadway provides high visibility for policing trail activities.
- Close proximity to creek provides trail users a visual connection to waterway and riparian corridor.
- Alignment of trail along the existing roadway minimizes environmental impact to riparian corridor.

### Constraints:

- Alignment’s close proximity to road provides sidewalk-like feel to trail.
- Alignment along roadway does not allow for County standard trail width.



Fig. 8: Bike Route Sign



Fig. 9: Sharrow in Roadway



- Recommended trail alignment prevents access to existing cluster mailbox.
- Existing power pole and mature trees near Penitencia Creek Road coincides with trail alignment.

### Recommendations:

- Provide a 6 foot wide raised concrete paved trail, vertically separated from the roadway by City standard curb and gutter (see Fig. 16). Use permeable paving such as permeable concrete where possible.
- Provide “Narrow Path – Walk Bikes” signage at potential trail entrance at Dorel Drive
- Provide “Bike Route” signage every 1/8 mile in both directions.
- Provide “sharrow” pavement markings if current regulations are modified to allow streets without on-street parking to designate bike use in this manner.
- Coordinate with U.S. Postal Service to relocate cluster mailbox to the south side of Penitencia Creek Road, near Poppy Lane.
- Route trail to the north of the existing power pole and around trees.

### Section 3 - Dorel Drive to Alum Rock Park:

#### Opportunities:

- Alignment along roadway provides high visibility for policing trail activities.
- Alignment of trail along the existing roadway minimizes environmental impact to riparian corridor.

#### Constraints:

- Alignment’s close proximity to

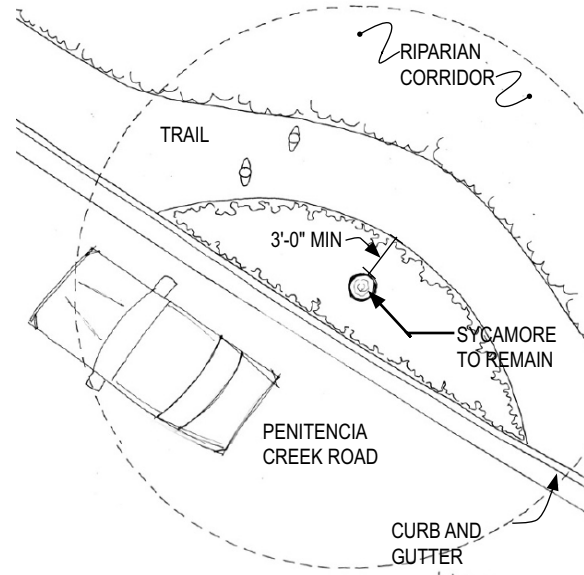


Fig. 10: Routing Trail Around Mature Tree



Penitencia Creek Road near Tallent Avenue



Cluster mailbox near Dorel Drive

road provides sidewalk-like feel to trail.

- Alignment along roadway does not allow for County standard trail width.
- Alignment crosses a vehicular road bridge and private driveways.
- Stream bank is steep and eroded from the vehicular bridge to approximately 100 feet to the east.
- Existing fire hydrant and power pole coincide with trail alignment.
- Existing privately owned fence is failing and needs replacement.

### Recommendations:

- Use a concrete deck boardwalk supported by helical pier foundation system for the 100 foot segment east of vehicular bridge to minimize construction impacts to creek (see Fig. 11 and Figure 13).
- Provide a 4 foot wide raised concrete paved trail, vertically separated from the roadway by City standard curb and gutter (see Fig. 17). Use permeable paving such as permeable concrete where possible.
- Provide "Narrow Path – Walk Bikes" signage at potential trail entrances at Dorel Drive and Alum Rock Park.
- Provide 3'-6" tall rural-character fencing between pedestrian trail and roadway from Dorel Drive to Alum Rock Park to reinforce visual separation.
- Shift the centerline of Penitencia Creek Road to the south at the

intersection with Dorel Drive to avoid trail alignment conflicts with the eroding stream bank and existing utilities (see Fig.13). Re-grade south side of Penitencia Creek Road to accommodate roadway realignment.

### Trail Description:

The master plan also serves to provide design guidelines suggesting how the completed trail will look and feel. Since this trail will be part of a regional trail system, it needs to be able to accommodate a moderate level of pedestrian traffic. The City's standard trail width is 12' with 2' shoulders yielding a total width of 16'. However, since this trail is located in especially constrained conditions, the proposed trail width of 6' is a significant, but reasonable compromise that still allows for passing wheelchairs. The narrower proposed trail width of 4' from Dorel Drive to Alum Rock Park is due to a narrow roadway and steep encroaching slopes; thus this section will have passing spaces every 200' to meet ADA requirements. This narrower width balances appropriate

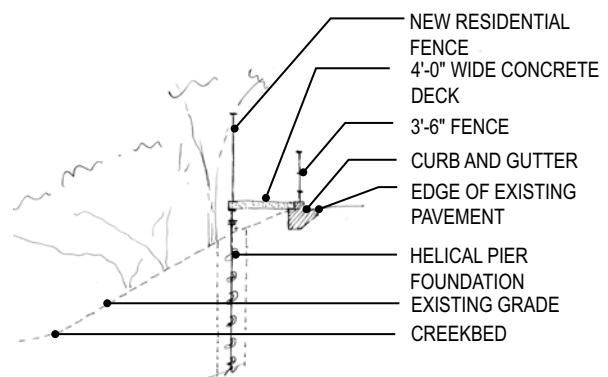


Fig. 11: Boardwalk at Top of Bank Section



## Master Plan Description

pedestrian access with minimal impacts to riparian vegetation.

The materials used to develop this trail should reflect the rural setting of this reach of the trail. The use of split-rail or other 'open' fencing from Dorel Drive to Alum Rock Park and integrally colored concrete of softer natural tones rather than standard concrete colors would help reinforce the rural character of the trail. In addition, imprinting or sandblasting iconic symbols such as leaves from native plants or wildlife paw prints into the concrete at entrance nodes to the trail may serve as an educational opportunity for trail users. This paving element may provide an opportunity for public art. The inclusion of interpretive signage at the fish ladder might also enhance the educational experience for trail users. The Reach 1 segment should also exhibit the "look and feel" of the other reaches within the Penitencia Creek Trail chain to provide trail users with a consistent and enjoyable trail experience. Lastly, the trail should be low maintenance and have minimal long-term impacts to neighbors and environmental resources.

One method to ensure a consistent 'look and feel' between the various trail reaches as well as providing an improved aesthetic experience is through the incorporation of art elements. The City has a Public Art Program which requires that 2% of the design and construction cost of a project be earmarked for public art. Due to the constraints of the site, art pieces for this reach will likely be incorporated into the main trail elements, including concrete pavement, riparian barrier, open fence, directional or regulatory signage, and interpretive sign. Details of the

art size, type and location will be refined during the final design document sphase, but these artistic embellishments will likely help to make the trail a more engaging, memorable and educational pedestrian experience.



Penitencia Creek road east of Dorel Drive





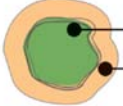










Example of open fence along Alamitos Trail



Example of concrete imprint

## Master Plan Legend

-  Roadway alignment: 6'-0" wide pedestrian path
-  Roadway alignment: 4'-0" wide pedestrian path with fence
-  Class III bike route (existing)
-  Curb and gutter
-  Riparian vegetation  
10' Recommended riparian setback
-  Penitencia Creek
-  100-Year floodplain limit
-  Ordinary high water (2.3-Year floodplain limit)
-  Existing fencing
-  Property line
-  Existing tree, to be removed
-  Section line
-  Utility pole, to remain

## Land Ownership

- A Santa Clara Valley Water District
- B City of San Jose
- C Private
- D San Jose Water Works

## Land Use Designation

- 1 Public park / open space
- 2 Public / quasi-public
- 3 Urban hillside residential
- 4 Medium low density residential

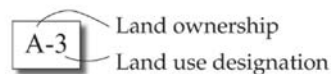


Fig. 12: Master Plan

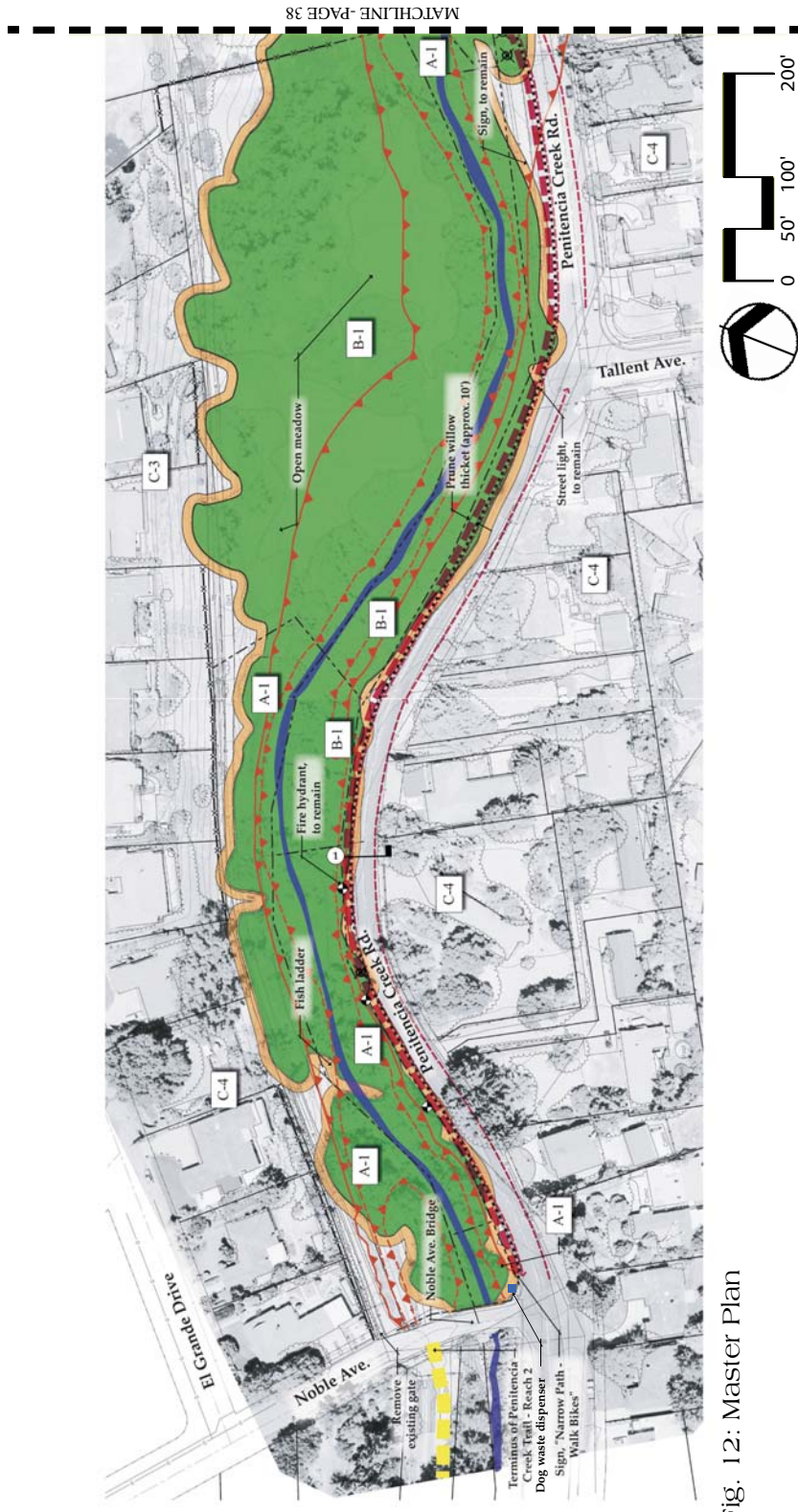


Fig. 12: Master Plan



# Master Plan Description



Fig. 12: Master Plan





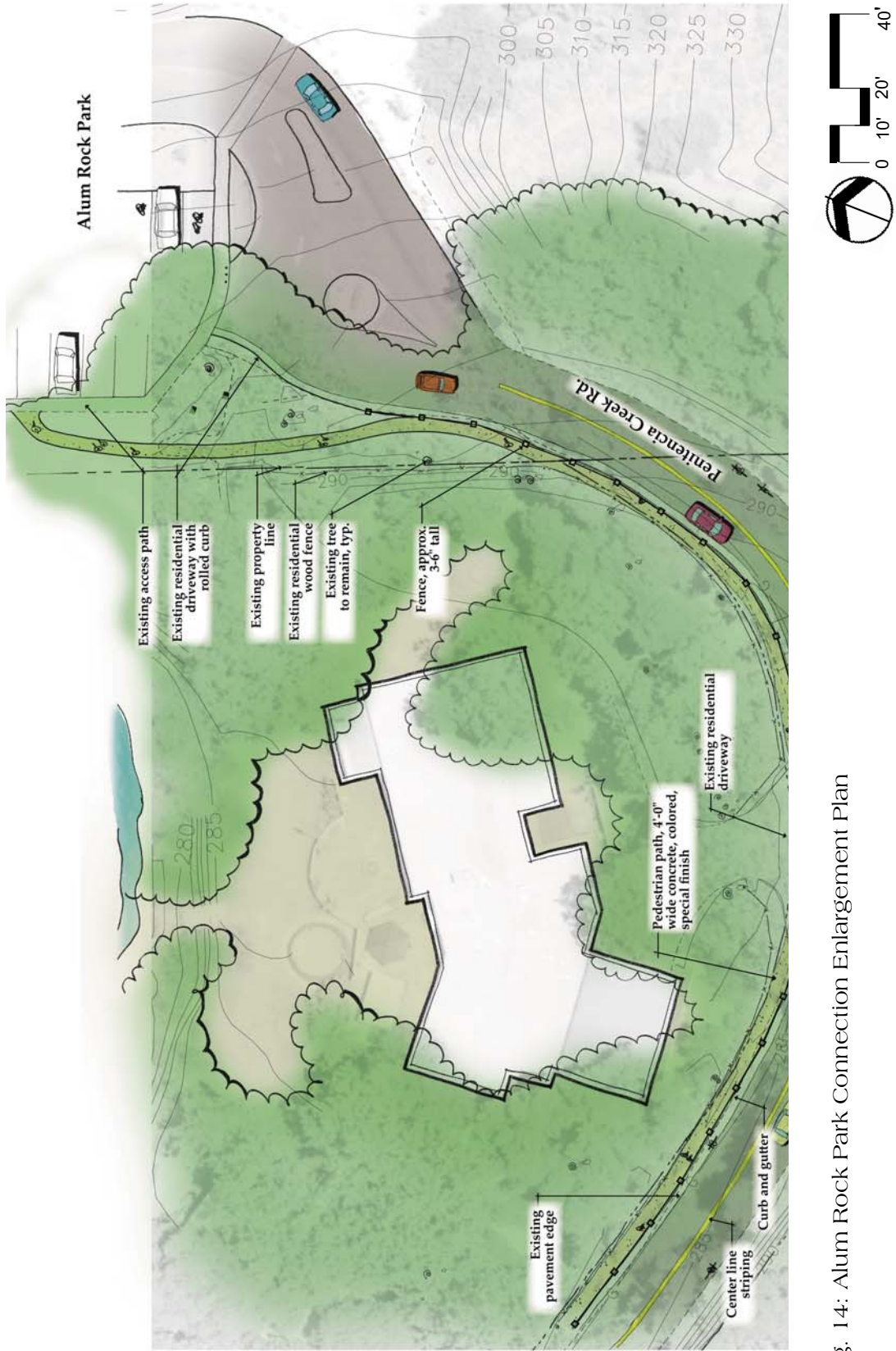


Fig. 14: Alum Rock Park Connection Enlargement Plan



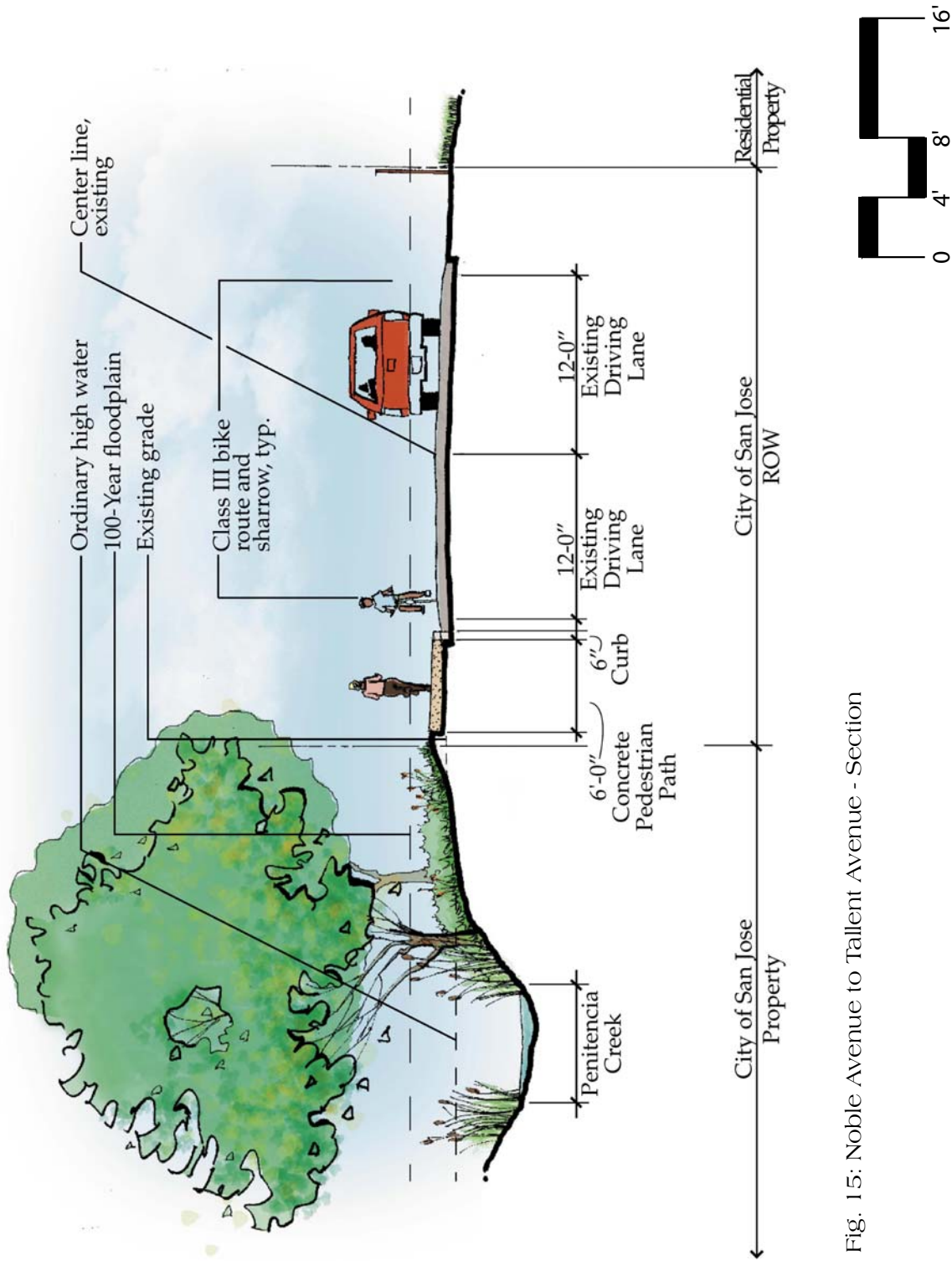


Fig. 15: Noble Avenue to Tallent Avenue - Section

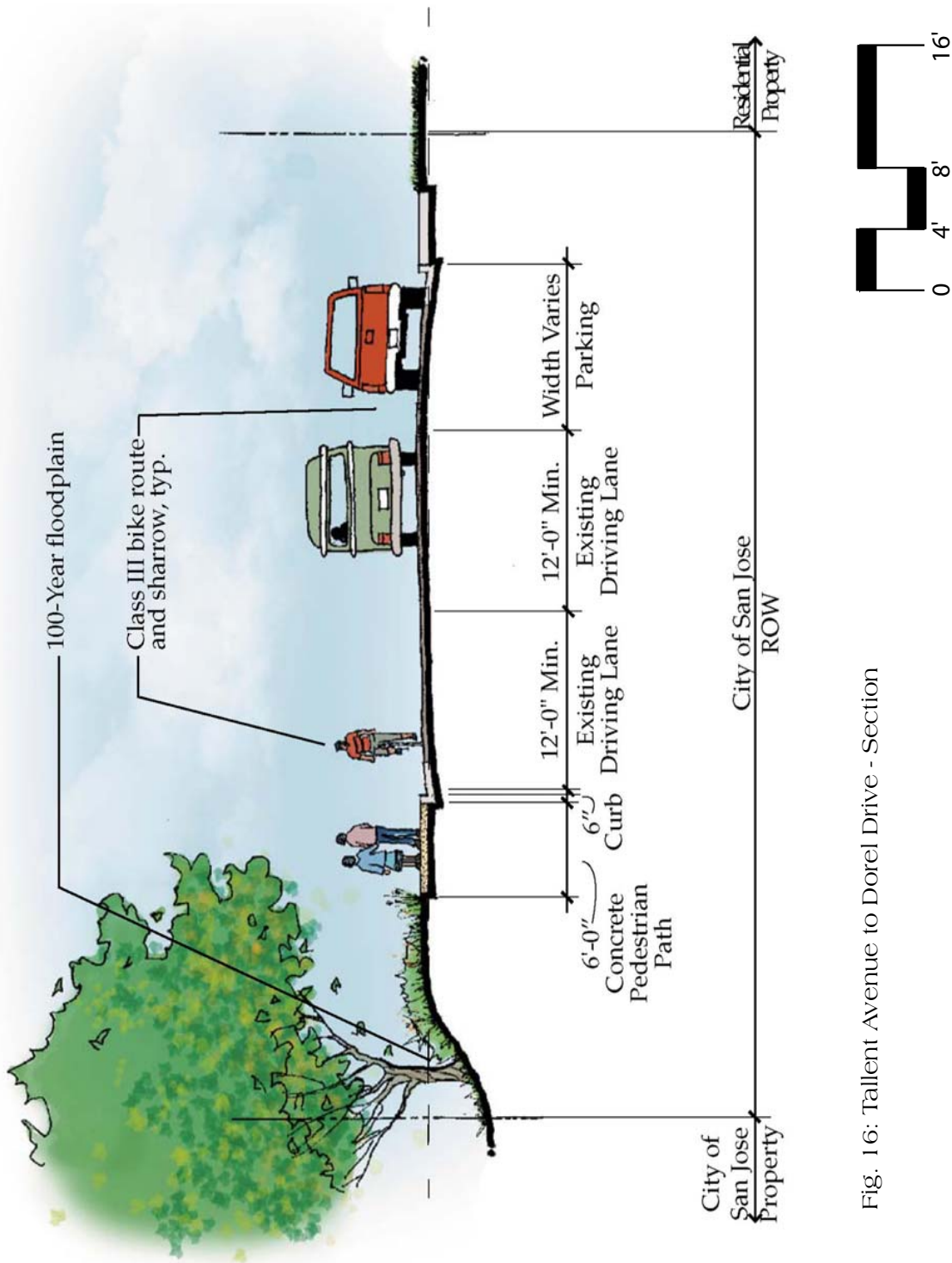


Fig. 16: Tallent Avenue to Dorel Drive - Section



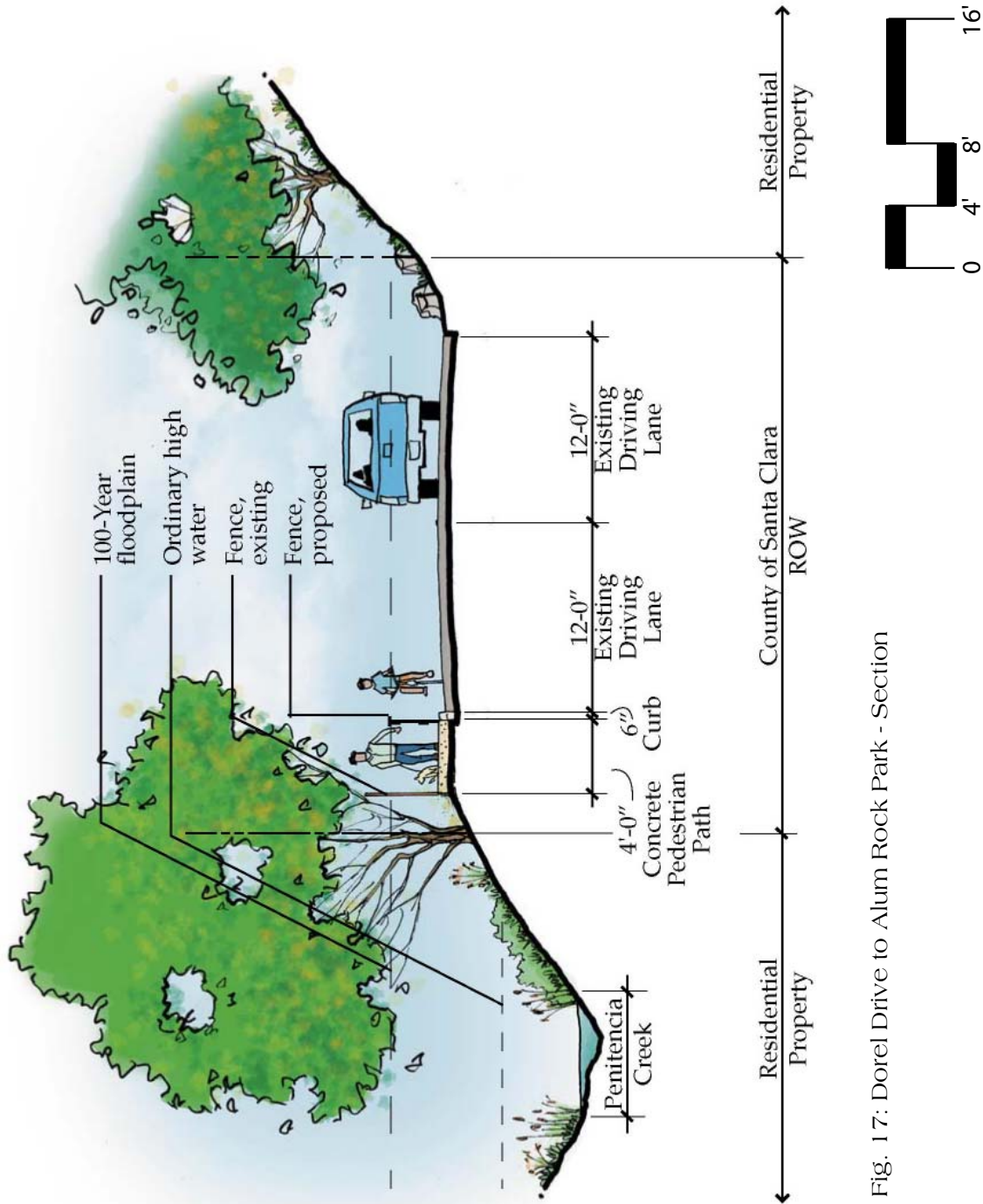


Fig. 17: Dorel Drive to Alum Rock Park - Section



# Estimate of Costs

<p><i>prepared for the</i> <b>City of San José</b></p>	<p><b>Estimate of Probable Construction Costs</b> <b>Penitencia Creek Trail Reach 1</b> <b>Master Plan</b></p>
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*prepared on: 8/28/06*

*prepared by: DR/MM*

Item #	Description	Qty	Unit	Cost	Item Total	Subtotal
<b>A</b>	<b>Project Start-up</b>					
1.	Bonding and mobilization	Allow	3%	\$20,114.70	\$20,114.70	
2.	Construction staking	Allow	1%	\$6,704.90	\$6,704.90	
3.	Tree protection and pruning	Allow	LS	\$10,000.00	\$10,000.00	
4.	Traffic control	Allow	LS	\$7,500.00	\$7,500.00	
						\$44,320.00
<b>B</b>	<b>Demolition</b>					
1.	Clearing and grubbing (average 8' wide)	22,950	SF	\$0.25	\$5,737.50	
2.	Tree removal	16	EA	\$750.00	\$12,000.00	
3.	Sign relocation (4-8)	Allow	LS	\$2,000.00	\$2,000.00	
4.	A.C. removal (outside 2')	5,500	SF	\$3.00	\$16,500.00	
5.	Concrete removal (driveways)	300	SF	\$4.00	\$1,200.00	
6.	Boulder relocation (15-20)	Allow	LS	\$2,000.00	\$2,000.00	
7.	Sawcut	100	LF	\$10.00	\$1,000.00	
8.	Fence removal	100	LF	\$10.00	\$1,000.00	
						\$41,440.00
<b>C</b>	<b>Grading and Drainage</b>					
1.	Rough grading (6" depth)	425	CY	\$15.00	\$6,375.00	
2.	Import fill	235	CY	\$15.00	\$3,525.00	
3.	Curb inlet	2	EA	\$2,500.00	\$5,000.00	
4.	Storm drain line, RCP	480	LF	\$55.00	\$26,400.00	
5.	Storm drain connection	1	EA	\$2,500.00	\$2,500.00	
6.	Storm drain outfall	Allow	LS	\$2,000.00	\$2,000.00	
7.	C.3 compliance measures	Allow	LS	\$10,000.00	\$10,000.00	
						\$55,800.00
<b>D</b>	<b>Site Construction</b>					
1.	Concrete, colored	14,600	SF	\$12.00	\$175,200.00	
2.	Curb and gutter, concrete	2,750	LF	\$40.00	\$110,000.00	
3.	Accessible ramp, concrete	3	EA	\$2,000.00	\$6,000.00	
4.	Headerboard, redwood	2,750	LF	\$4.00	\$11,000.00	
5.	Signage, trail and regulatory	4	EA	\$500.00	\$2,000.00	
6.	Interpretive signage	1	EA	\$5,000.00	\$5,000.00	
7.	Bollards, removable	1	EA	\$750.00	\$750.00	
8.	Split-rail fence	900	LF	\$25.00	\$22,500.00	
9.	Reconstruct new driveways, concrete	300	SF	\$12.00	\$3,600.00	
10.	Crosswalk striping	Allow	LS	\$1,000.00	\$1,000.00	
11.	Boardwalk and helical pier system	100	LF	\$1,000.00	\$100,000.00	
12.	Fence, 6'-0" tall	100	LF	\$70.00	\$7,000.00	
						\$444,050.00

# Estimate of Costs

<p><i>prepared for the</i> <b>City of San José</b></p>	<p><b>Estimate of Probable Construction Costs</b> <b>Penitencia Creek Trail Reach 1</b> <b>Master Plan</b></p>
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*prepared on: 8/28/06*  
*prepared by: DR/MM*

Item #	Description	Qty	Unit	Cost	Item Total	Subtotal
<b>E</b>	<b>Mitigation</b>					
1.	Planting (1 gallon), 8' O.C.	1,500	EA	\$10.00	\$15,000.00	
2.	Tree, 15 gallon	40	EA	\$150.00	\$6,000.00	
3.	Irrigation (temporary)	Allow	LS	\$13,500.00	\$13,500.00	
4.	Soil prep. and fine grading	5,000	SF	\$0.50	\$2,500.00	
5.	Landscape maintenance (3 yrs)	Allow	YR	\$8,000.00	\$24,000.00	
6.	Additional mitigation measures	Allow	LS	\$3,000.00	\$3,000.00	
7.	Mulch	5,000	SF	\$0.50	\$2,500.00	
8.	Protective fence	1,800	LF	\$25.00	\$45,000.00	
						\$111,500.00
<b>F</b>	<b>SWPPP</b>					
1.	Fiber rolls	2,750	LF	\$6.00	\$16,500.00	
2.	Catch basin filters	2	EA	\$600.00	\$1,200.00	
						\$17,700.00
<b>G</b>	<b>Total of Construction Costs</b>					\$714,810.00
<b>H</b>	<b>Contingencies</b>					
1.	Design contingency	Allow	10%	\$71,481.00	\$71,481.00	
2.	Construction contingency	Allow	10%	\$71,481.00	\$71,481.00	
3.	Level of estimate accuracy	Allow	10%	\$71,481.00	\$71,481.00	
4.	Inflation (7% for yr 1 and 5% for yrs 2 and 3)	Allow	17%	\$121,517.70	\$121,517.70	
						\$335,960.00
<b>I</b>	<b>City Administration</b>					
1.	City Design, Management, and Construction Inspection	Allow	35%	\$250,183.50	\$250,183.50	
						\$250,180.00
<b>J</b>	<b>Professional Services</b>					
1.	Topo survey	Allow	LS	\$10,000.00	\$10,000.00	
2.	Design development	Allow	2%	\$14,296.20	\$14,296.20	
3.	Construction documents	Allow	7%	\$50,036.70	\$50,036.70	
4.	Construction administration	Allow	2%	\$14,296.20	\$14,296.20	
5.	Permitting	Allow	1.5%	\$10,722.15	\$10,722.15	
6.	Geotechnical	Allow	LS	\$2,500.00	\$2,500.00	
7.	Structural	Allow	LS	\$3,000.00	\$3,000.00	
8.	Biological	Allow	LS	\$5,000.00	\$5,000.00	
9.	Archaeological	Allow	LS	\$2,000.00	\$2,000.00	
10.	Hydrological	Allow	LS	\$10,000.00	\$10,000.00	
						\$121,851.25



# Estimate of Costs

<p><i>prepared for the</i> <b>City of San José</b></p>	<p><b>Estimate of Probable Construction Costs</b> <b>Penitencia Creek Trail Reach 1</b> <b>Master Plan</b></p>
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*prepared on: 8/28/06*  
*prepared by: DR/MM*

Item #	Description	Qty	Unit	Cost	Item Total	Subtotal
<b>K</b>	<b>Subtotal of Project Costs</b>					\$1,440,501.25
<b>L</b>	<b>Public Art Funds</b>	Allow	2%	\$28,810.03	\$28,810.03	\$28,810.03
<b>M</b>	<b>Total of Project Costs</b>					\$1,469,311.28
<b>N</b>	<b>Exclusions</b>					
	1. Utility relocation and property acquisition not included					
<b>Based on drawing entitled "Master Plan" dated 8/28/06</b>						
<i>The above items, amounts, quantities, and related information are based on Callander Associates' judgment at this level of document preparation and is offered only as reference data. Callander Associates has no control over construction quantities, costs and related factors affecting costs, and advises the client that significant variation may occur between this estimate of probable construction costs and actual construction prices.</i>						



Master planning and environmental documentation for Reach 1 of Penitencia Creek Trail is just the beginning of the process toward trail implementation. The master plan offers a vision of what the trail can be, but ultimately, identifying and securing funding sources, preparing construction documents and obtaining necessary permits from regulatory agencies is what's required for trail implementation.

### **Trail Implementation:**

The first step towards trail implementation is identifying funding sources. Since the recommended trail alignment in this master plan has a greater emphasis on pedestrian access improvements, grant funding will likely also need to have an emphasis on pedestrians.

The following is a list of potential funding sources (see Appendix B for additional details):

- Habitat Conservation Fund (trails/ programs)
- Recreational Trails Programs (Construction maintenance, restoration, purchase and lease of lands, motorized equipment, educational programs to promote trail safety)
- Environmental Justice: Context Sensitive Planning (Programming and implementation of transportation improvements)
- California River Parkways (Trails along rivers and streams)
- Transportation for Livable Communities (For projects developed through an inclusive community planning effort, provide for a range

of transportation choices, and support connectivity between transportation investments and land uses)

- Bicycle Transportation Account (Improve safety and convenience for bicycle commuters)
- TDA Article 3 Funds (Pedestrian and bicycle projects)
- Land and Water Conservation Fund (Acquisition or development of outdoor recreation areas and facilities including trails)
- Transportation Funds for Clean Air (Projects to reduce air pollution from motor vehicles)
- Rivers, Trails and Conservation Assistance Program (Technical Assistance for projects that conserve rivers, preserve open space, and develop trails and greenways)
- Bay Area Ridge Trail

Once funding is secured for the construction of the project, specific project programming needs to be developed. Project programming is the process of reviewing the contents of the master plan and determining the specific qualities and amenities the trail project will contain. These programmatic items are then incorporated into construction documents for the trail. A series of construction document reviews are conducted by the City and regulatory agencies to help guide the construction of the trail and ensure all required permits are obtained. Also during this part of the process, joint-use agreements will need to be obtained between the City and the County as well as between the City and the SCVWD.

**Conclusion:**

Seeing this project through to completion is critical to getting one more link completed in the City's overall vision of a connected network of over 100 miles of trails. On a more local level, Reach 1 will serve to provide a long-awaited connection to Alum Rock Park and other neighborhood amenities, opening up an abundance of recreational and open space opportunities for neighbors.



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- *City of San José Greenprint for Parks and Community Facilities and Programs*  
City of San José  
September 2000
- *Draft Guidelines & Standards for Land Use Near Streams*  
Santa Clara Valley Water Resources Protection Collaborative  
August 2005



### Mayor

**Ron Gonzales**

### City Council Members

**Linda J. LeZotte**, District 1  
**Forrest Williams**, District 2  
**Cindy Chavez**, District 3  
**Chuck Reed**, District 4  
**Nora Campos**, District 5  
**Ken Yeager**, District 6  
**Madison Nguyen**, District 7  
**David D. Cortese**, District 8  
**Judy Chirco**, District 9  
**Nancy Pyle**, District 10

### Public Works

**Katy Allen**, Director

### Parks, Recreation and Neighborhood Services

**Albert Balagso**, Director (Acting)

### Technical Advisory Committee

**Jan Palajac**, Associate Landscape Architect, City of San José, Department of Public Works, City Facilities Architectural Services Division  
**Bill Tucker**, Senior Landscape Architect, City of San José, Department of Public Works, City Facilities Architectural Services Division  
**Yves Zsutty**, Program Manager, Citywide Trail System, City of San José, Department of Parks, Recreation and Neighborhood Services  
**Mike McClintock**, Parks Facilities Supervisor, City of San José, Department of Parks, Recreation and Neighborhood Services, Parks Division - Alum Rock Park  
**Cindy Rebhan**, Parks Manager, City of San José, Department of Parks, Recreation and Neighborhood Services, Parks Division  
**Manuel Cota**, Principal Engineer Technician, City of San José, Department of Transportation, Planning and Project Division  
**Armando Gomez**, District 4 Council Liaison, City of San José  
**Alicia Bosco**, District 4 Council Liaison, City of San José

### Technical Advisory Committee (continued)

**Michael Rhodes**, Senior Planner, City of San José, Department of Planning,  
Building Code Enforcement  
**Steve Bui**, Senior Engineer, Santa Clara Valley Water District  
**Theo Hipol**, Assistant Engineer, Santa Clara Valley Water District  
**Brian Mendenhall**, Project Manager, Santa Clara Valley Water District  
**Bill Yeung**, Associate Civil Engineer, Santa Clara County Roads and Airports  
**Bill Miller**, Officer, San José Police Department  
**Richard Ortiz**, Maintenance Supervisor, City of San José, Department of Parks,  
Recreation and Neighborhood Services  
**John Brazil**, Bicycle/Pedestrian Program Coordinator, City of San José,  
Department of Transportation  
**Sam Yung**, Associate Civil Engineer, Santa Clara Valley Water District

### Consultant Team

**Mark Slichter**, Principal-in-Charge, Callander Associates Landscape Architecture,  
Inc.  
**Marie Mai**, Project Manager, Callander Associates Landscape Architecture, Inc.  
**David Rubin**, Project Designer, Callander Associates Landscape Architecture, Inc.  
**Leianne Humble**, Environmental Consultant, Denise Duffy & Associates  
**Kathleen Lyons**, Plant Ecologist, Biotic Resources Group  
**Dan Dyckman**, Senior Geotechnical Engineer, GeoForensics, Inc.  
**Miley Paul Holman**, Archaeologist, Holman & Associates  
**Lester Ikegami**, Civil Engineer & Land Surveyor  
**Belinda Blackie**, Senior Project Engineer, Lowney Associates  
**Kevin Ahern**, Marketing, Data Marketing Inc.





Callander Associates  
Landscape Architecture, Inc.

***Via Email Only***

October 12, 2005

**Meeting Summary**

**Site Walk**

**RE: PENITENCIA CREEK TRAIL REACH 1 MASTER PLAN**

Location: Alum Rock Park, San Jose

Date of Meeting: September 21, 2005

Page 1

**Attendees:**

*City of San Jose Staff:*

- Jan Palajac, Associate Landscape Architect, jan.palajac@sanjoseca.gov
- Yves Zsuttu, Program Manager- Citywide Trail System, yves.zsuttu@sanjoseca.gov
- Mike McClintock, Parks Facility Supervisor, mike.mcclintock@sanjoseca.gov
- Cindy Rebhan, Parks Manager, cindy.rebhan@sanjoseca.gov
- Manuel Cota, Principal Engineering Technician, manuel.cota@sanjoseca.gov
- Michael Rhoades, Planner, michael.rhoades@sanjoseca.gov

*Consultants:*

- Leianne Humble, Denise Duffy & Associates, lhumble@ddaplanning.com (DDA)
- Mark Slichter, Callander Associates, mslichter@callanderassociates.com (CA)
- Marie Mai, Callander Associates, mmmai@callanderassociates.com (CA)
- Dave Rubin, Callander Associates, drubin@callanderassociates.com (CA)

The following information was discussed and/or decided upon in our meeting.

<u><i>item</i></u>	<u><i>responsible party</i></u>
--------------------	---------------------------------

10' acquisition width has been discussed with cooperative property owner but width has not been finalized.

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Environmental Planning

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A. Mark Slichter, ASLA, Principal  
Brian G. Fletcher, ASLA, Principal  
Erik Smith, ASLA, Principal  
Benjamin W. Woodside, ASLA, Principal

Meeting Summary  
 Site Walk  
 RE: PENITENCIA CREEK TRAIL REACH 1 MASTER PLAN  
 Location: Alum Rock Park, San Jose  
 Date of Meeting: September 21, 2005  
 Page 2

*item* *responsible party*

---

Regulatory agencies will likely reject any trail improvements  
 Regulatory agencies will be sensitive to any trail improvements  
 that impact existing vegetation due to their importance in  
 providing shaded riverine aquatic habitat. This may limit  
 potential trail locations to an alignment within the existing  
 paved roadway between Dorel Drive and Alum Rock Park.

8'-0" trail width in lieu of county standard 12' width may be  
 necessary to fit proposed trail in the restricted widths present in  
 this project.

**NOTE:** All input from the D.O.T. that follows is suggested and  
 the County is the actual owner agency and will be  
 contacted for specific design input.

16'-0" wide vehicular traffic lanes are stated minimums for  
 D.O.T. Given the circumstances present on Penitencia Creek  
 Road the D.O.T. may approve a 16'-0" shared lane and a 14'-0"  
 vehicular lane with curb, gutter and sidewalk on the outside  
 lane. D.O.T. will only allow this cross-section at pinch points,  
 and not along the entire trail alignment.

CA to provide D.O.T.  
 with proposed cross  
 section

D.O.T. noted traffic calming signage might be used to help slow  
 traffic

D.O.T. stated that Santa Clara County has jurisdiction of  
 Penitencia Creek Road from Dorel Drive east though the city  
 maintains the road.

CA to coordinate  
 with County

Per the Planning Department, if a curb is proposed, the  
 additional run-off must be directed to the City's stormwater  
 system.

D.O.T. stated that a road cross section with bike lanes should be  
 36'-0" wide total, with two 6'-0" bike lanes and two 12'-0" wide  
 vehicular lanes of travel.

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Meeting Summary  
 Site Walk  
**RE: PENITENCIA CREEK TRAIL REACH 1 MASTER PLAN**  
 Location: Alum Rock Park, San Jose  
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<i>item</i>	<i>responsible party</i>
D.O.T. observed that a crosswalk is needed to connect pedestrian traffic from the existing sidewalk on the south side of Penitencia Creek Road at Dorel Drive to the proposed trail on the north side.	CA
Due to site constraints present throughout any of the proposed trail alignments, a combination of Class I, II & III trails may be used.	
City expressed concerns about 2 <sup>nd</sup> bridge location being difficult to build so close to Penitencia Creek Road.	
City noted that neighbors adjacent to a potential alignment on the San Jose Water access road may be sensitive to the trail's proximity to their backyards. There has been a lot of neighborhood concern regarding another project that SCVWD is working on nearby.	
City stated that D.O.T. does not want to provide a formal crosswalk across Noble Avenue because it gives pedestrians a false sense of security.	
At public meetings, neighbors have expressed a desire to leave the Noble Avenue bridge intact without any modifications. The city believes that modifying the bridge in any way for pedestrian uses may cause conflict.	
If the trail alignment is along Penitencia Creek Road, then the city would prefer that a pedestrian bridge be installed adjacent to the Noble Avenue bridge to enable trail users to access Reach 2 of the trail.	
Consider incorporating off-street parking at Dorel Drive and Penitencia Creek Road to help alleviate the overloaded parking lot at Alum Rock Park.	CA to contact D.O.T. for off-street parking regulations

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Meeting Summary  
Site Walk  
RE: PENITENCIA CREEK TRAIL REACH 1 MASTER PLAN  
Location: Alum Rock Park, San Jose  
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<i>item</i>	<i>responsible party</i>
It would be preferable to get preliminary buy-off from all appropriate approval agencies before acquiring property near the entrance to Alum Rock Park.	CA & DDA to contact agencies
Trail will terminate west of Dorel Drive if trail alignment east of Dorel Drive is not feasible.	
All agreed that TAC meeting in mid-October is critical to keeping the project on schedule for public meeting and potential property acquisition by early January 2006.	CA & City to set-up meeting

The information above is Callander Associates' understanding of items discussed and decisions reached at the meeting. Callander Associates is proceeding with the project based on this understanding. If you have any questions, additions, or corrections to this memo, please contact this office in writing within 3 days.

Submitted by:

Dave Rubin  
Callander Associates

cc: All attendees

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Callander Associates  
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*Via E-mail Only*

October 21, 2005

**Meeting Summary**

**TAC Meeting #1**

**RE: PENITENCIA CREEK TRAIL REACH 1 MASTER PLAN**

Location: City Hall, San Jose

Date of Meeting: October 19, 2005

Page 1

- Attendees:**
- Santa Clara Valley Water District (SCVWD):*  
Steve Bui, Senior Engineer, [sbui@valleywater.org](mailto:sbui@valleywater.org) (SB)  
Theo Hipol, Assistant Engineer, [thipol@valleywater.org](mailto:thipol@valleywater.org) (TH)
  - Santa Clara County Roads and Airports (SCCRA):*  
Bill Yeung, Associate Civil Engineer, [bill.yeung@rda.sccgov.org](mailto:bill.yeung@rda.sccgov.org) (BY)
  - San Jose Police Department (SJPD):*  
Bill Miller, Officer, [william.miller@sanjoseca.gov](mailto:william.miller@sanjoseca.gov) (BM)
  - City of San Jose (CSJ):*  
Jan Palajac, Associate Landscape Architect, [jan.palajac@sanjoseca.gov](mailto:jan.palajac@sanjoseca.gov) (JP)  
Yves Zsutty, Program Manager- Citywide Trail System, [yves.zsutty@sanjoseca.gov](mailto:yves.zsutty@sanjoseca.gov) (YZ)  
Richard Ortiz, Maintenance Supervisor, [richard.ortiz@sanjoseca.gov](mailto:richard.ortiz@sanjoseca.gov) (RO)  
Cindy Rebhan, Parks Manager, [cindy.rebhan@sanjoseca.gov](mailto:cindy.rebhan@sanjoseca.gov) (CR)  
Armando Gomez, District 4 Council Liaison, [armando.gomez@sanjoseca.gov](mailto:armando.gomez@sanjoseca.gov) (AG)  
Mike McClintock, Parks Facility Supervisor, [mike.mcclintock@sanjoseca.gov](mailto:mike.mcclintock@sanjoseca.gov) (MM)
  - Consultants:*  
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Mark Slichter, Callander Associates, [mslichter@callanderassociates.com](mailto:mslichter@callanderassociates.com) (CA)  
Marie Mai, Callander Associates, [mmai@callanderassociates.com](mailto:mmai@callanderassociates.com) (CA)  
Dave Rubin, Callander Associates, [drubin@callanderassociates.com](mailto:drubin@callanderassociates.com) (CA)

Mark opened the meeting by reviewing the project limits. Marie followed with a review of the Site Analysis Plan and the two alternative alignments. Alignment A would be a Class I trail that follows the SCVWD levee road, crosses the creek at Rock

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Benjamin W. Woodside, ASLA, Principal

**Meeting Summary**

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RE: PENITENCIA CREEK TRAIL REACH 1 MASTER PLAN

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Canyon Circle, and follows Penitencia Creek Road to the entrance of Alum Rock Park as a split pedestrian trail and Class 3 bike route. Alignment B would follow Penitencia Creek Road from Noble Avenue to the Park as a split pedestrian trail and Class 3 bike route. The following information was discussed and/or decided upon in our meeting.

*item* \_\_\_\_\_ *responsible person and date*

**General**

Both alignments would have impacts to riparian corridor, although bridge component of Alignment A would likely result in greater impacts. Depending on the quality of the impacted vegetation, mitigation ratios of up to 10:1 may be required. Leianne to review plans with biologist and provide preliminary determination of likely mitigation requirements. DDA by 11/2

Both alignments lack the 10 foot recommended trail use setback noted in the City's Riparian Corridor Policy, although encroachment of Alignment B is due to an existing condition (ie. Penitencia Creek Road encroaches). Jan to review zero setback acceptability with Planning. JP by 11/2

Even if Alignment B is implemented, trail users may still utilize levee road and existing footpaths through the meadow area since it is such a pleasant experience.

A 3 to 4 foot high flood wall is anticipated along the south side of Penitencia Creek to address flood concerns in area. Since a typical trail lifespan is 10 to 15 years, and implementation of the flood project is likely a minimum of 10 to 15 years away, there is an opportunity to implement the trail in the interim. Adjustments to the trail alignment could be made later when more detailed flood plans are available.

The Army Corps is currently completing a geotechnical report for Penitencia Creek. SCVWD to provide copy of report to Callander when available. SB

**Alignment A west of Dorel**

Callander to consult with geotechnical subconsultant to determine landslide risk for trail segment that follows the levee road. Although the preliminary report did not find evidence of active sliding, some homeowners above slope have taken measures to reinforce their hillside. Callander to determine if adhering to a minimum trail setback is required or if maintenance and repair is acceptable to mitigate the risk. CA by 10/26

**Meeting Summary**

TAC Meeting #1

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*item* \_\_\_\_\_ *responsible person and date*

SCVWD prefers compacted base rock as the pavement material for trails within their jurisdiction due to maintenance concerns with asphalt.

Vehicular access on proposed bridge will not be provided as bridge's 90 degree alignment prevents turns. In addition, City maintenance staff do not need vehicular access on bridge.

Implementation of Alignment A is preferable since it offers a more pleasant trail experience than Alignment B.

***Alignment B west of Dorel***

In the absence of a physical barrier, a 5 foot buffer may be required to provide for separation between the roadway and a Class 1 bike path.

Due to proximity to road, Alignment B may feel more like a sidewalk condition than a trail. Providing a natural material such as crushed rock in lieu of concrete may enhance the experience.

***Alignment A and B east of Dorel***

County is concerned that travel lanes may be too narrow. Although County typically defers to City standards, Bill to check County lane standards.

BY by 11/2

Although the property owners adjacent to the park have indicated a willingness to allow City to acquire part of their frontage, riparian corridor impacts and structural improvements required to overcome the adjacent steep slope make the acquisition problematic. It is possible to provide a trail connection without the property acquisition.

***Parking Area west of Dorel***

Residents at Rock Canyon Circle may be sensitive to proposed parking and circulation changes near their homes.

Current Alum Rock Park visitors park at wide shoulder areas along Penitencia Creek Road when park entry lot is full.

Some residents may support Alignment B since the proposed trail edge will prevent on-street shoulder parking and parking in front of residents' homes will be prohibited. Others may have concerns that dislocated park users will park elsewhere in their neighborhood and may dislike the loss of their own on-street parking.

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*item* \_\_\_\_\_ *responsible person and date*

SCVWD supports this segment of Alignment B as the removal of parking may provide them with greater latitude in flood wall location.

Providing this Reach 1 trail connection may result in reduced park parking demand as more local users walk or bike to the park instead of drive.

Proposed parking area at northwest corner of Dorel Drive and Penitencia Creek Road was eliminated from preliminary master plan because:

- o The large "footprint" required by the parking area may require significant mitigation due to impacts to the riparian corridor.
- o Residents located opposite the proposed parking area may not support it as it may diminish their view of the riparian corridor.

Callander to show other trailhead parking locations along Penitencia Creek for the upcoming public meeting. CA by December

**Schedule**

SCVWD plans to hold a public meeting for the flood wall project some time in January.

It may be possible to hold the trail master plan public meeting in early December. Original schedule projected an early January meeting. CA/CSJ to coordinate

Provide SCVWD with copy of sign-in sheet for TAC meeting. CA

Comments on plans to be provided to Jan by 11/2. All

CA to provide pdf of plans and send to Jan for City distribution to those not in attendance. CA

The information above is Callander Associates' understanding of items discussed and decisions reached at the meeting. Callander Associates is proceeding with the project based on this understanding. If you have any questions, additions, or corrections to this memo, please contact this office in writing within 3 days.

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**Meeting Summary**

**TAC Meeting #1**

**RE: PENITENCIA CREEK TRAIL REACH 1 MASTER PLAN**

Location: City Hall, San Jose

Date of Meeting: October 19, 2005

Page 5

Submitted by:

Dave Rubin, Callander Associates

cc: All attendees

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**Via E-mail Only**

November 14, 2005

**Meeting Summary**

**CEQA Coordination Meeting #1**

**RE: PENITENCIA CREEK TRAIL REACH 1 MASTER PLAN**

Location: City Hall, San Jose

Date of Meeting: November 8, 2005

Page 1

Attendees: *City of San Jose (CSJ):*  
Michael Rhoades, Planner, [michael.rhoades@sanjoseca.gov](mailto:michael.rhoades@sanjoseca.gov)  
Jodie Clark, Senior Planner, [jodie.clark@sanjoseca.gov](mailto:jodie.clark@sanjoseca.gov)  
Jan Palajac, Associate Landscape Architect, [jan.palajac@sanjoseca.gov](mailto:jan.palajac@sanjoseca.gov)

*Consultants:*  
Kathy Lyons, Biotic Resources Group, [brg@cruzio.com](mailto:brg@cruzio.com) (BRG)  
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Marie Mai, Callander Associates, [mmai@callanderassociates.com](mailto:mmai@callanderassociates.com) (CA)  
Dave Rubin, Callander Associates, [drubin@callanderassociates.com](mailto:drubin@callanderassociates.com) (CA)

The following information was discussed and/or decided upon in our meeting.

<i>item</i>	<i>responsible party</i>
-------------	--------------------------

A priority for Council District 4 is providing pedestrians a safe route of travel from Dorel Drive to the Alum Rock Park entrance.

The Department of Planning concurs with BRG that trail "Alignment B" is preferable because it creates less environmental impacts to the riparian corridor than "Alignment A".

Bridge improvements for trail "Alignment A" will trigger an Environmental Impact Report (EIR) because direct impacts to vegetation and habitat are unavoidable and significant.

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Benjamin W. Woodside, ASLA, Principal

Meeting Summary  
 CEQA Coordination Meeting #1  
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*item* \_\_\_\_\_ *responsible party*

Implementing trail "Alignment A" will cost more and take more time.

Regulatory agencies may not support "Alignment A" due to the significant environmental impacts. The potential lack of support may result in denial of permits from the regulatory agencies.

"Alignment B" may help reduce existing environmental impacts to the riparian corridor when increased trail use begins by keeping a majority of the pedestrian traffic along the roadway. Complete on-site mitigation may be possible with trail "Alignment B".

Removal of large Sycamore adjacent to Penitencia Creek Road for "Alignment B" would reduce shading of creek. CA to evaluate keeping large Sycamore and routing trail behind the tree. A reduced trail width may be necessary to accommodate both tree and trail.

CA

For either alignment, mitigation could occur on-site in flat open meadow. Mitigation ratio of 3:1 or more may be necessary to offset impacts to vegetation.

BRG

An alignment on the north side of Penitencia Creek through San Jose Water property is not likely as San Jose Water may not be supportive of an alignment through their property.

In order to lessen environmental impacts, the master plan will propose that the "Alignment B" trail be installed as compacted base rock (with a concrete curb and gutter where it is adjacent to the road) for the entire alignment.

Department of Transportation (DOT) may prefer to retain existing roadway width and associated on-street parking. JP to get DOT's comments.

JP

Open area located adjacent to roadside boulders may be a potential mitigation location. BRG to evaluate.

BRG

Existing roadway alignment requires tree trimming. Determine additional tree trimming requirements for proposed trail alignment along Penitencia Creek Road.

BRG

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Meeting Summary  
CEQA Coordination Meeting #1  
RE: PENITENCIA CREEK TRAIL REACH 1 MASTER PLAN  
Location: City Hall, San Jose  
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<i>item</i>	<i>responsible party</i>
Provide images of impacted vegetation and wildlife at public meeting to enforce significance of the negative impact the bridge would have on the site.	CA
Refined trail alignment to be provided to BRG and DDA to help determine severity of environmental impact.	CA
DDA to disclose any policy conflicts in the Initial Study.	DDA
The Department of Planning reviews the Initial Study for planning issues. Policy review is typically completed by the departmental advocate (in this case, Parks, Recreation, and Neighborhood Services).	

The information above is Callander Associates' understanding of items discussed and decisions reached at the meeting. Callander Associates is proceeding with the project based on this understanding. If you have any questions, additions, or corrections to this memo, please contact this office in writing within 3 days.

Submitted by:

Dave Rubin, Callander Associates

cc: All attendees



Callander Associates  
Landscape Architecture, Inc.

***Via E-mail Only***

January 17, 2006

**Meeting Summary**

**Informational Meeting**

**RE: PENITENCIA CREEK TRAIL REACH 1 MASTER PLAN**

Location: Berryessa Branch Library, Community Room

Date of Meeting: January 11, 2006

Page 1

Attendees: *General Public:*  
(see "Sign-in Sheets" attached)

*City of San Jose (CSJ):*

Jan Palajac, Associate Landscape Architect, [jan.palajac@sanjoseca.gov](mailto:jan.palajac@sanjoseca.gov)  
Yves Zsutty, Program Manager – City-wide Trail System, [yves.zsutty@sanjoseca.gov](mailto:yves.zsutty@sanjoseca.gov)  
Armando Gomez, District 4 Council Liaison, [Armando.Gomez@sanjoseca.gov](mailto:Armando.Gomez@sanjoseca.gov)  
Matt Cano, City Manager's Office, [matt.cano@sanjoseca.gov](mailto:matt.cano@sanjoseca.gov)

*Santa Clara Valley Water District (SCVWD):*

Brian Mendenhall, Project Manager, [bmendenhall@valleywater.org](mailto:bmendenhall@valleywater.org)  
Gerry Uenaka, Public Information Representative, [guenaka@valleywater.org](mailto:guenaka@valleywater.org)

*Callander Associates (CA):*

Mark Slichter, [mslichter@callanderassociates.com](mailto:mslichter@callanderassociates.com)  
Marie Mai, [mmai@callanderassociates.com](mailto:mmai@callanderassociates.com)  
Dave Rubin, [drubin@callanderassociates.com](mailto:drubin@callanderassociates.com)

Yves opened the meeting with an overview of the project and introductions of the consultant team. Callander Associates then presented its site analysis and the preliminary master plan. Two trail options, the "Northern Alignment" and the "Southern Alignment" were reviewed. The following questions and comments were discussed in the meeting.

*item* \_\_\_\_\_ *responsible party and date*

***Trail Alignment***

- A question was raised as to whether one or both alignments shown on the preliminary master plan would be implemented. CA clarified that only one alignment will be planned and constructed for Reach 1.

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Benjamin W. Woodside, ASLA, Principal



Meeting Summary  
 Informational Meeting  
 RE: PENITENCIA CREEK TRAIL REACH 1 MASTER PLAN  
 Location: Berryessa Branch Library, Community Room  
 Date of Meeting: January 11, 2006  
 Page 2

*item* *responsible party and date*

- There was strong consensus among the public that Penitencia Creek Road is currently unsafe for pedestrians and bicyclists due to extensive vehicular traffic generated by Alum Rock Park. Therefore any alignment along the road should be considered only if the road is closed to non-residential vehicular traffic, and pedestrians are permitted to use as an entrance to Alum Rock Park. CA to evaluate alignments with greater separation from roadway
- Consider siting the trail alignment within the riparian corridor in order to achieve an experience even though it results in significantly greater environmental impacts and additional permitting. CA/CSJ
- Trail should be sited for ease of surveillance and visibility from the road. CA
- Southern Alignment does not provide a significant improvement over existing pedestrian and bicycle circulation on Penitencia Creek Road. CA to evaluate alignment further from roadway
- Consider potential for mudslides in development of trail. CA
- Consider joint use of the San Jose Water Company's access road for a potential trail alignment. CA/CSJ
- Due to speeding southbound vehicles on Noble Avenue and an extremely narrow existing bridge, consider other creek crossing locations to provide a trail connection to Reach 2. CA
- Some residents consider the Noble Avenue bridge to be historical and don't want to see it demolished or retrofitted for trail development. CA
- The Noble Avenue bridge could be demolished or reconstructed pending final Army Corps of Engineers and Water District flood control designs.
- Coordinate Noble Avenue roadway crossing improvements with the trail improvements. The crossing improvements should be implemented prior to the trail to ensure that the trail makes a safe connection to Reach 2.

**Costs**

- A question was raised as to whether trail construction funding has been allocated. The City clarified that funding is available only for the master plan process at this point. Future funding will likely come from grants based on an approved master plan.

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**Meeting Summary**  
**Informational Meeting**  
**RE: PENITENCIA CREEK TRAIL REACH 1 MASTER PLAN**  
 Location: Berryessa Branch Library, Community Room  
 Date of Meeting: January 11, 2006  
 Page 3

*item* *responsible party and date*

- Consider expensive bridge crossings only when necessary. Resident would rather see money spent on improved trails than on pedestrian bridges.

CA

***Property Acquisition***

- Consider utilizing San Jose Water Company property on the north side of Penitencia Creek to make connection to Alum Rock Park. A bridge would be required in order to cross the creek.
- Consider purchasing a portion of the property on Penitencia Creek Road between Dorel Drive and Alum Rock Park to help alleviate width constraints. Some type of structure (i.e., cantilevered trail or retaining wall) would be required to pass above the eroding creek bank.
- Consider limited use of eminent domain to provide space for trail corridor.

CA/CSJ to evaluate this option

CA/CSJ

***Non-Project Comments***

- A concern was raised at the perceived inequities that exist with respect to trail quality between different neighborhoods in the City. The City clarified that trail needs are identified by watershed and not by neighborhoods.
- Several residents had comments about issues not directly related to the project. These comments are noted below.
  - Most of these attendees expressed a strong desire for the City to close Penitencia Creek Road as an entrance to Alum Rock Park and to reopen Alum Rock Avenue.
  - One resident witnessed inappropriate behavior on the Reach 2 trail segment behind her home and questioned why barbecues and benches were not located further from residential homes in more visible locations.
  - Consider planning and building larger trail segments at a regional level through a regional body instead of piecemeal at the local or city level. It was noted by the City that cities are unable to regulate trail building in other jurisdictions. A representative of the Open Space Authority commended residents on their support of trails and suggested their advocating trails at the grassroots level.

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**RE: PENITENCIA CREEK TRAIL REACH 1 MASTER PLAN**

Location: Berryessa Branch Library, Community Room

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<i>item</i>	<i>responsible party and date</i>
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- A Priorities Meeting will be held on January 21 with Councilman Chuck Reed in attendance.

**General**

- |  |  |
|--|--|
| <ul style="list-style-type: none"> <li>• A request was made to have the presentation materials posted City on the City website.</li> <li>• A question was raised regarding trail impacts on existing driveways. CA clarified that driveways will be reconstructed as required for improvements, but will remain concrete.</li> <li>• Residents would like a regional trail facility similar to the Los Gatos Creek Trail and Guadalupe River Trail.</li> <li>• Residents feel that permitting for this project should be feasible since the other referenced regional trails have been approved. It was clarified that permitting requirements change over time and have become much more stringent.</li> <li>• Residents noted that the intersections of Dorel Drive and Noble Avenue with Penitencia Creek Road are the site of numerous accidents.</li> <li>• A concern was expressed by the owner of the covered bridge that no changes be made to it. It was clarified that no impacts to the covered bridge are anticipated as part of the project.</li> </ul> | <p>CA to send CSJ presentation materials by 1/16</p> |
|--|--|

**Consensus Gathering**

- At the end of the meeting a vote was taken to gather consensus on the direction the trail alignments should take. The public was asked to provide their first preference for a trail alignment along Reach 1 based on the plans presented at the meeting. However the public expressed a strong desire to see additional alignment alternatives and the vote was tabled until after other alignment options are evaluated.

The information above is Callander Associates' understanding of items discussed and decisions reached at the meeting. Callander Associates is proceeding with the project based on this understanding. If you have any questions, additions, or corrections to this memo, please contact this office in writing within 3 days.

Submitted by:

Dave Rubin, Callander Associates

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**Via E-mail Only**

March 20, 2006

**Meeting Summary  
TAC Meeting #2**

**RE: PENITENCIA CREEK TRAIL REACH 1 MASTER PLAN**

Location: City Hall, San Jose, 6<sup>th</sup> Floor, Room T-644

Date of Meeting: March 15, 2006

Page 1

**Attendees:** *Santa Clara Valley Water District (SCVWD):*  
Steve Bui, Senior Engineer, [sbui@valleywater.org](mailto:sbui@valleywater.org) (SB)  
Brian Mendenhall, Project Manager, [bmendenhall@valleywate.org](mailto:bmendenhall@valleywate.org) (BM)

*Santa Clara County Roads and Airports (SCCRA):*  
Bill Yeung, Associate Civil Engineer, [bill.yeung@rda.sccgov.org](mailto:bill.yeung@rda.sccgov.org) (BY)

*San Jose Police Department (SYPD):*  
Bill Miller, Officer, [william.miller@sanjoseca.gov](mailto:william.miller@sanjoseca.gov) (WM)

*City of San Jose (CSJ):*  
Jan Palajac, Associate Landscape Architect, [jan.palajac@sanjoseca.gov](mailto:jan.palajac@sanjoseca.gov) (JP)  
Yves Zsutty, Program Manager- Citywide Trail System, [yves.zsutty@sanjoseca.gov](mailto:yves.zsutty@sanjoseca.gov) (YZ)  
Bill Tucker, Senior Landscape Architect, [william.tucker@sanjoseca.gov](mailto:william.tucker@sanjoseca.gov) (BT)  
Manuel Cota, Principal Engineering Technician, [mcota@sanjoseca.gov](mailto:mcota@sanjoseca.gov) (MC)  
Mike McClintock, Parks Facility Supervisor, [mike.mcclintock@sanjoseca.gov](mailto:mike.mcclintock@sanjoseca.gov) (MM)

*Callander Associates (CA):*  
Mark Slichter, Callander Associates, [mslichter@callanderassociates.com](mailto:mslichter@callanderassociates.com) (CA)  
Marie Mai, Callander Associates, [mmai@callanderassociates.com](mailto:mmai@callanderassociates.com) (CA)  
Dave Rubin, Callander Associates, [drubin@callanderassociates.com](mailto:drubin@callanderassociates.com) (CA)

Marie opened the meeting by giving a brief project update outlining what has happened since the first TAC meeting. Dave followed by reviewing the current alignment with TAC members and soliciting their feedback. The following information was discussed and/or decided upon in our meeting.

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Land Planning  
Park and Recreation Planning  
Environmental Planning

Peter E. Callander, ASLA, Principal  
A. Mark Slichter, ASLA, Principal  
Brian G. Fletcher, ASLA, Principal  
Erik Smith, ASLA, Principal  
Benjamin W. Woodside, ASLA, Principal

Meeting Summary  
 TAC Meeting #2  
 RE: PENITENCIA CREEK TRAIL REACH 1 MASTER PLAN  
 Location: City Hall, San Jose, 6<sup>th</sup> Floor, Room T-644  
 Date of Meeting: March 15, 2006  
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*item* *responsible person and date*

CA to send presentation materials in pdf format to Jan Palajac. CA by 3/15/06

**Trail Fencing**

Fence separating trail and roadway west of Dorel Drive deemed unnecessary for the following reasons: CA to remove fencing west of Dorel from master plan

- The proposed curb and gutter will help deflect errant vehicles.
- Open sight lines in this segment provide motorists with sufficient visibility to proposed trail location.
- The Department of Transportation (DOT) noted a similar condition existing on Camden Avenue that has no fencing.

Fencing will only be shown on the master plan between Dorel Drive and Alum Rock Park due to the narrower trail and roadway lane widths. CA

CA to provide curb and gutter for entire length of trail improvements in lieu of curb and gutter combination shown previously. CA

The existing fence straddling the property line between the private bridge driveway and approximately 100' to the east of the bridge is failing and leaning toward the creek. Fence replacement will likely be necessary as part of this project. CA

Replacing the fence may also include the use of a retaining wall or other measure to support a new fence so close to the creek. CA to consult the SCVWD's proposed "Guidelines and Standards for Land Use Near Streams" dated August 2005. CA

CA to also evaluate the property line at this location to determine how fencing improvements can be accommodated without the acquisition of any property frontage. CA



**Meeting Summary**

**TAC Meeting #2**

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**Maintenance**

Fencing and trail improvements from Dorel Drive to Alum Rock Park fall within County jurisdiction. City and County would need to enter into a maintenance agreement in order to obtain an encroachment permit to implement trail improvements. City crews would likely maintain the facilities. DOT to confirm whether a current maintenance agreement for Penitencia Creek Road exists and report findings to Jan Palajac. MC by 4/1/06

Trail improvements west of Dorel Drive are within City jurisdiction. PRNS and DOT to coordinate who maintains section West of Dorel Drive. YZ to research

Due to the shorter usable life of an aggregate base trail, City would prefer concrete trail surface. CA to explore use of color additives and special finishes for concrete to provide more of a rural feel instead of a standard sidewalk look. CA

**Roadway Safety**

Several TAC members believe that motorists tend to slow down on Penitencia Creek Road east of Dorel Drive due to narrower width. There have been no recent bicycle/vehicle accidents according to Alum Rock Park Facility Supervisor. SJPD to run accident report covering the last three years between Noble Avenue and Alum Rock Park entrance. WM by 4/1/06

Jim Foran, board member of the Open Space Authority (OSA) and Mike Flaughner, an active community member, have both expressed interest in a full-width trail system and supporting projects (1-way traffic signal, elevated trail). YZ has spoken with Pat Congdon, General Manager of the OSA about the proposal and has obtained the organization's support to document a roadway alignment in the master plan.

**Crosswalk Locations**

DOT is performing a traffic study this summer to determine best locations for crosswalks across Penitencia Creek Road. There is currently no schedule for implementation.

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**Meeting Summary**  
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***Pinchpoint Near Dorel Drive***

Achieving 4'-0" trail width just east of Dorel Drive requires shifting Penitencia Creek Road to the south, as well as re-striping the centerline. DOT confirmed this is acceptable.

***Mitigation Planting***

CA to coordinate with biologist to determine the specific locations within City property that will likely be designated for mitigation planting. CA

Existing footpath in meadow area north of creek may conflict with the establishment of mitigation plantings. As a result, mitigating for the footpath may be required as well. CA to coordinate with biologist

Neighborhood advocate has proposed a 12' wide trail alignment that he feels won't require environmental documentation. CA to coordinate with Yves Zsutty and Paul Amato at the Regional Water Quality Control Board in formulating a response. CA to draft response letter and provide to City for review. CA

***Noble Avenue Bridge***

Bridge re-design is being performed by U.S. Army Corps of Engineers. To date, no bridge plans are available. When plans are available, SCVWD to send plans to CSJ. CSJ and SCVWD to coordinate and ensure pedestrian friendly bridge is considered for the connection between Reach 1 and Reach 2.

Until plans are complete, trail users will continue to use the existing bridge.

Signage will be provided to alert vehicles to pedestrians.

***SCVWD Flood Control Public Outreach***

SCVWD to send CSJ the meeting notice for next week's public meeting. SB by 3/21

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*item* \_\_\_\_\_ *responsible person and date*

- Public meeting for U.S. Army Corps of Engineer/SCVWD flood control improvements from Coyote Creek to Dorel Drive will be held 3/22 at Berryessa Public Library.
- SCVWD anticipates completing environmental documents (EIR/EIS) by the end of the year. The next step is selecting an alternative by August. Since no construction funding for the flood control improvements is available yet, the consensus for the group was that the trail project should proceed.

### **Mailboxes**

- Proposed trail improvements would likely prevent access to existing mailboxes at Dorel Drive and Penitencia Creek Road. CA  
These mailboxes serve Alum Rock Park and residents living in the Park. CA to coordinate new mailbox location with Postmaster.

The information above is Callander Associates' understanding of items discussed and decisions reached at the meeting. Callander Associates is proceeding with the project based on this understanding. If you have any questions, additions, or corrections to this memo, please contact this office in writing within 3 days.

Submitted by:

Dave Rubin, Callander Associates

cc: All attendees

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TRAIL GRANT RESOURCES

Grant Source	Typical Award (max.)	Contact Info	Website	Match	Purpose
Habitat Conservation Fund (HCF)	\$1,500,000	California State Parks Office of Grants & Local Services PO Box 942896 Sacramento, CA 94296 TEL 916-653-7423 FAX 916-653-6511	<a href="http://www.parks.ca.gov/?page_id=21361">http://www.parks.ca.gov/?page_id=21361</a>	None	Trails / programs.
Recreational Trails Program (RTP)	\$1,000,000	California State Parks Office of Grants & Local Services P O Box 942896 Sacramento, CA 94296 Steve Radosevich (916) 651-8579	<a href="http://www.parks.ca.gov/default.asp?page_id=21362">http://www.parks.ca.gov/default.asp?page_id=21362</a>	20%	Construction, maintenance, restoration, purchase and lease of lands, motorized equipment, educational programs to promote trail safety.
Environmental Justice: Context Sensitive Planning	\$100,000	US Dept. of Transportation Caltrans, Division Of State & Local Project Development, Office of Local Programs PO Box 942874 Sacramento, CA 94274 PH: 916-6539-8220 Suzanne De Foor (916) 653-8697	<a href="http://www.dot.ca.gov/hq/tpp/offices/par/titleVIand%20EJ.htm">http://www.dot.ca.gov/hq/tpp/offices/par/titleVIand%20EJ.htm</a>	None	Programming and implementation of transportation improvement projects.
California River Parkways (Proposition 50)	>\$1,000,000	California River Parkways Grant Program The Resources Agency Attn: Bonds and Grants Unit 1416 Ninth Street Suite 1311 Sacramento, CA 95814 Phone: (916) 654-9923 rp50@resources.ca.gov	<a href="http://resources.ca.gov/bonds_prop50riverparkway.html">http://resources.ca.gov/bonds_prop50riverparkway.html</a>	None	Trails along rivers and streams.
Transportation for Livable Communities (TLC)	\$2,200,000	Metropolitan Transportation Commission (MTC) Evelyn Baker (510) 817-5753 <a href="mailto:ebaker@mtc.ca.gov">ebaker@mtc.ca.gov</a>	<a href="http://www.mtc.ca.gov">www.mtc.ca.gov</a>	Yes	For projects developed through an inclusive community planning effort, provide for a range of transportation choices, and support connectivity between transportation investments and land uses.
Bicycle Transportation Account (BTA)	\$500,000	Bicycle Facilities Unit 154, MS-1 Div. of Local Assistance California Dept. of Transportation PO Box 942874 Sacramento, CA 94274 David Priebe Phone: (916) 653-0036 Fax: (916) 653-1905	<a href="http://www.dot.ca.gov/hq/LocalPrograms/bta/btaweb%20page.htm">http://www.dot.ca.gov/hq/LocalPrograms/bta/btaweb%20page.htm</a>	10% Local	Improve safety and convenience for bicycle commuters. Requires approved Bicycle Transportation Plan.

TRAIL GRANT RESOURCES

TDA Article 3 Funds	\$600,000	MTC Marc Roddin (510) 817-5827	<a href="http://www.mtc.ca.gov/funding/c_laim_forms.htm">http://www.mtc.ca.gov/funding/c_laim_forms.htm</a>	None	Pedestrian and bicycle projects.
Land and Water Conservation Fund	\$50,000	California Department of Parks and Recreation Office of Grants and Local Services P.O. Box 942896 Sacramento, CA 94296 Project Officer	<a href="http://www.parks.ca.gov/default.asp?page_id=21360">http://www.parks.ca.gov/default.asp?page_id=21360</a>	50%	Acquisition or development of outdoor recreation areas and facilities including trails. Property acquired or developed under the program must be retained in perpetuity for public outdoor recreation use.
Transportation Funds for Clean Air (TFCA)	\$1,500,000	Juan Ortellado Grant Programs Manager Bay Area Air Quality Management District 939 Ellis Street, 7th Floor San Francisco, CA 94109	<a href="http://www.sfcta.org/Funding/RegionalTFCA.htm">http://www.sfcta.org/Funding/RegionalTFCA.htm</a>	None	Projects to reduce air pollution from motor vehicles.
Rivers, Trails and Conservation Assistance Program (RTCA)	Technical Assistance	Pacific West Regional Office Pacific Great Basin Support Office 111 Jackson St., Suite 700 Oakland, CA 94607 PH: 510-817-1446	<a href="http://www.ncrc.nps.gov/rtca">www.ncrc.nps.gov/rtca</a>	None	Technical Assistance for projects that conserve rivers, preserve open space, and develop trails and greenways.
Bay Area Ridge Trail			<a href="http://ridgetrail.org/about/news_detail.cfm?id=23">http://ridgetrail.org/about/news_detail.cfm?id=23</a>		