



September 17, 2018

Mayor Sam Liccardo and Councilmembers
City of San Jose
200 East Santa Clara Street
San Jose, CA 95113

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RE: Council Meeting Agenda Item 4.3, September 18, 2018, File No. 18-1217

Dear Mayor Liccardo and Councilmembers,

On behalf of the Guadalupe River Park Conservancy's (GRPC) Board of Directors, Advisory Board, and many fervent supporters, I must express our grave concern regarding Item 4.3 of Tuesday's City Council Meeting Agenda. The item is the "Purchase and Sale Agreement for Coleman Avenue Property".

The Memorandum, dated September 7, 2018, accompanying the agenda item includes the following statement: "Potential Parking Lease on Airport Property East of Coleman Avenue: The City will facilitate Earthquakes efforts to enter into a lease Agreement on Guadalupe River Park master planned land owned by the Airport for parking on up to four acres of land in support of Avaya Stadium operations." We have many concerns regarding this statement, which should come as no surprise to the Council and City staff.

GRPC supported the 2016 proposal for an Earthquake's Soccer Academy and public soccer fields within the Guadalupe Gardens. In fact, we were partners with the City and the Earthquakes in a Memorandum of Understanding (MOU) for the project. As we stated throughout the negotiations and discussions regarding the soccer project, we do not support proposals for parking within the Gardens without an associated park or recreational use. We continue in that belief.

This is especially true since there has been no resolution to the airport's recent claims that the payment of Fair Market Value (FMV) is required for any development, including park-related development, within the Gardens. These lands have been designated for parklands for decades and have a City of San Jose Land Use Designation of *Open Space, Parkland and Habitat*. The current Master Plan carries no expectation for the payment of Fair Market Value lease rates to the airport; nor does it allow for the commercial development airport staff has stated they would like to build on Coleman Avenue. It should be noted that the approved Master Plan was prepared in a process that included vast community input and support, and FAA approval.



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The Rotary Play Garden, Heritage Rose Garden, Heritage Orchard and other park amenities have all been constructed in reliance on the Master Plan and not until recently has there been attempts to scrape land out of the park for commercial development and for revenue for the Airport. No park amenity has been asked to pay fair market value rent and if they had to do so that would destroy the park.

One of our concerns is that, as with any other development proposal, changing land use for a part of the Gardens from a park to a parking lot requires both General and Master Plan Amendments. These plan amendments are required regardless of whether the proposed parking is temporary or permanent. This proposal seems to ignore that critical step. Moreover, the assertion that parking is a temporary use seems unrealistic. Avaya Stadium is not an interim use and if parking is not constructed (because it was not adequately planned for during construction) or shared parking is indeed determined to be impossible, it will always need parking. Therefore, the construction of parking within the Guadalupe Gardens would result in irrevocable loss of very valuable parkland in San Jose.

We would also like to address the matter of transparency. In my letter to you on May 1, 2017, we asked that we be included as a participant to any discussions related to overflow parking in the park, payment of FMV to the airport for park development and any attempts to carve parkland out of the planned park to be used as commercial development. My request was consistent with the promise we were given two years ago that we would be a full participant in any discussions regarding the park. However, the first we heard of this proposal to turn part of the Gardens into a parking lot is when the agenda was published.

We respectfully request the Council table the matter of taking four acres out of the park to turn into a parking lot until the GRPC and the park community have a chance to fully participate in vetting this issue. We have no objection to the balance of the September 7, 2018 memorandum.

If you have questions or concerns regarding the matters raised in this letter, please do not hesitate to contact me.

Sincerely,

/s/ Jeffrey S. Lawson

Jeffrey S. Lawson
President
Guadalupe River Park Conservancy



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