

Feb 23, 2020

RE: Item 4
Community and Economic Development 2/24/20

Honorable Chairman Khamis and councilmembers Foley, Diep, Peralez, and Esparza:

Today, I am writing as an individual. In this letter, I ask some questions, remind Council of past actions and intentions, provide research information about parks in urban environments, and make suggestions regarding the Urban Village amenities plan.

The urban village plans included an emphasis on public spaces which provide social cohesion and access to nature. Extensive research shows that nature—even in urban settings—has significant positive impact on health. Several studies show that urban youth who have views of trees have higher academic achievement than youth in the same building with a more urban view. Secondly, social cohesion occurs when people mix. This leads to happier folks who are more likely to connect and stay with the community. Public spaces are necessary for this social mixing. While POPOS may serve this role for a period of time, when the property is redeveloped in 40 years, the POPOS can evaporate with no obligation to keep them. Only dedicated parkland is guaranteed.

It is not clear why the staff memo recommends against pursuing “construction of commercial additional public space and amenities above and beyond the City’s Park Dedication (PDO) and Park Impact (PIO) Ordinances.” In contrast, staff does recommend “Commercial Square Footage above and beyond the urban village or general plan requirement.” The staff memo indicates that park language cannot be quantified. I think it can.

The PDO/PIO Ordinance specifies a fee or land dedication linked to the residential development. It has a dollar amount. The Quimby Act also allows fees collected to be used for park rehabilitation. Both are quantifiable and anything above that is quantifiable. Further, it is current practice for turnkey parks to be delivered with 5 years of post-construction maintenance provided by the developer. An incremental amenity could be additional years of endowed maintenance. Or alternatively, a higher level of maintenance could be endowed as with the maintenance standard employed for St. James Park. The Budget Office establishes dollar amounts for maintenance for different kinds of parks throughout the system. This is quantifiable. In addition, San Jose’s current practice allows for PIO fees to be spent on regional facilities such as trails, community serving or regional facilities. Alternatively, an amenity could be a premier feature that is not allowed under current practice to build parks that are cheap to maintain. For example, water features are extraordinarily popular and common in most big cities in the country (including California), but San Jose has only two. A developer could build one of these very popular amenities and endow it with maintenance just as public art is endowed with maintenance. All of these incremental amenities are quantifiable. City staff are urged to examine Santa Rosa’s and Sacramento’s newest Quimby Nexus studies to get a sense of the range of alternatives that jurisdictions are using.. San Jose’s PRNS has begun the work on

an updated nexus study to replace the original one. This is an opportunity to quantify these alternatives.

The changes brought to the urban villages by the new state laws will make it difficult to create the open and dynamic spaces that were originally envisioned so **San Jose must change the park size limitation to reflect these current times.** An additional alternative for an amenity could be the dedication of a smaller parcel adjacent to key intersections or gateways. Another choice could be the purchase and dedication of land adjacent to or near an urban village¹ that the city could use as the basis of a future park could serve as a supplemental amenity—this is also quantifiable. San Jose’s ordinance restricts parkland dedication to larger parcels, making it unlikely that parkland will be dedicated, since many parcels within many of the urban villages are so small. However, vibrant urban spaces can be built in spaces less than ¼ acre.² Further, larger parks can be built through the purchase of multiple smaller parcels acquired over time. For example, popular Buena Vista Park was formed by two purchases of single family homes separated by 5 years. Each portion was developed separately. It serves as the only park within walking distance to the West San Carlos Urban Village area. Del Monte Park in the Midtown Specific Plan was formed in three phases over 20 years. It is comprised of about six parcels (some with single family homes). It was funded with a combination of land dedication and park impact fees. Neither park would be possible under current regulations limiting parcel sizes. Just imagine, with a combination of developer amenity contributions, PIO fees and time, a fantastic multi-use urban park could be built incrementally. The ordinance could be written to allow off-site but nearby parkland dedication. These alternatives could be codified and quantified.

The City must think more creatively to build public open space within these urban villages and these new state laws are forcing that creativity to happen now. Decisions made now will affect those who follow us, just as decisions made 60 years ago by prior councils have created large swaths of park deficient areas in several council districts of the City. Let the City do all everything possible to avoid creating the park deficient neighborhoods of the future.

Sincerely

Jean Dresden

Cc
PRNS, Planning, OED folks
SJ Parks Advocates

¹ Location subject to city approval.

² San Jose Parks Advocates has started a project of identifying and categorizing these successful small urban park spaces in other cities.