



Nhu Nguyen, Environmental Project Manager
City of San José, Department of Planning, Building and Code Enforcement
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copy to:

- The Honorable Matt Mahan, Mayor, City of San José and Members of the City Council;
- Chris Burton, Director, Dept. of Planning, Building, and Code Enforcement (PBCE)
- Jon Cicirelli, Director, Dept. of Parks, Recreation, and Neighborhood Services (PRNS)
- Jon Aitken, Director, San José Mineta International Airport (SJC)
- Jennifer Maguire, San José City Manager
- Jason Su, Exec. Dir., Guadalupe River Park Conservancy

via email, sent Sept. 14, 2023

Subject: Comments on the NOP for Conversion of 11 acres of Guadalupe Gardens from “Open Space, Parkland and Habitat” to “Combined Industrial Commercial” [GP18-012, PDC23-009, & ER23-056]

Dear Project Manager, Mayor, Councilmembers, Directors, and City Manager,

We, the District 6 Neighborhood Leaders Group (D6NLG), are writing you in response to a Notice of Preparation (NOP) for a General Plan change dated August 17, 2023. As the review process is likely to be streamlined, this might be our one opportunity to give public comment, and we wish for all involved in the review process to be aware of our concerns.

Background

The D6NLG is an association of involved community representatives of the numerous District 6 neighborhoods and associations, dedicated to equitably and sustainably preserving and enhancing the quality of life in San José. We have been following both airport issues and parkland issues for years. We are concerned by the proposed conversion of 11 acres of Guadalupe Gardens land here in District 6 from “Open Space Parkland and Habitat” to “Combined Industrial Commercial.”



Nearly 50 years ago, the Federal Aviation Administration (FAA) and the City completed an EIR for the acquisition of properties in the Inner Safety Zone and Obstruction Free Area south of

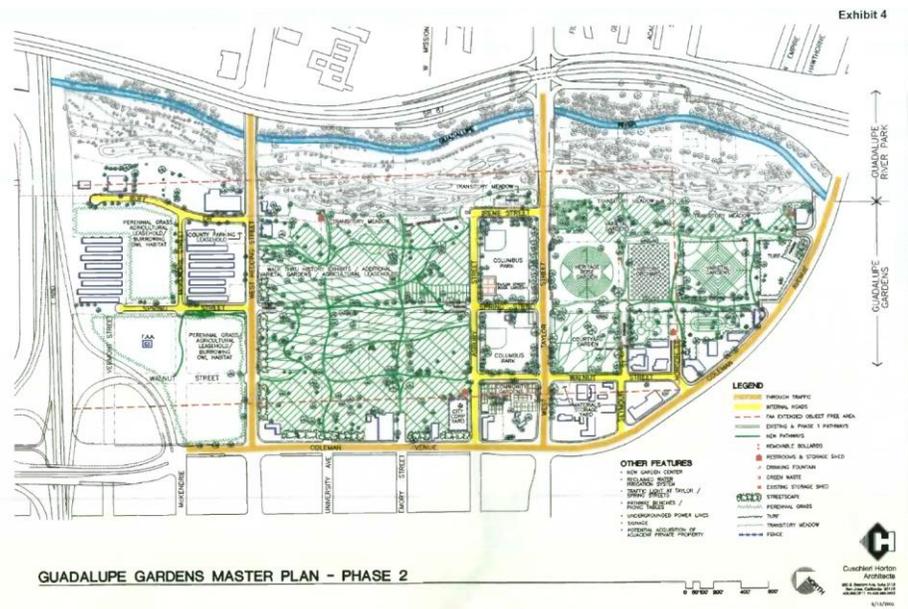


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the San Jose Mineta Airport (SJC). While the land acquisition was in progress, the San Jose City Council saw the opportunity to create an aesthetically pleasing “Grand” or “Central Park” along Coleman Avenue as a major entry way from the Airport to downtown. In conjunction with the flood control redevelopment that created a robust riparian environment along the Guadalupe River, the councilmembers envisioned a return to the “Valley of Heart’s Delight.”

In 1988 Mayor Tom McEnery wrote a memo to city council members supporting the orchard and gardens idea and recommended hiring a consultant to prepare plans. "Our city will never again hold the opportunity to create a single, large garden complex in the heart of the city," McEnery told the council.

The project inched forward as the city expended funds on other projects. Over time, we in the District 6 community saw this as our park. The Parks, Recreation and Neighborhood Services Department (PRNS) expended our city park impact fees on this land to create the garden amenities seen



today, including the Heritage Orchard, the Historic Rose Garden, and other garden features. The Parks Department also removed the leftover concrete foundations and bits of old streetscape.

While the Airport developed their new Airport Master Plan, further planning for Guadalupe Gardens was put on hold until in 2002 the FAA approved a Guadalupe Gardens Master Plan that met their safety requirements. No one mentioned that the FAA and the Airport intended to charge us rent to use “our park.”

However, by 2009, when the Friends of the River Park and Gardens (as the Conservancy was then called) hired Ken Kay for a Visioning document, it was clear that the airport wanted income from the developable land, and so commercial buildings were included along Coleman.



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More recently, the housing crisis led to a significant population of unhoused persons, along with their tents and motor homes. It's worth noting that the developed portion of the Gardens was less impacted. Accordingly, the City developed an Interim Replacement Master Plan that, at low cost, would implement some development (e.g., a dog park) to serve and encourage regular recreational use, and serve to discourage re-encampment. Some of these plans require participation of a non-profit, and the airport charging fees for the use of the land would be a severe impediment.



Comments to the NOP

We want to see the following issues addressed in the review process:

1. ***The conversion of open space without mitigation.*** How will the Airport compensate the community for the loss of these 11 acres of open space that have been in public use since 1988?
2. ***The commercialization of Coleman Avenue vis-a-vis the aesthetics of a beautiful entrance to San José.*** How will the Airport and the PBCE ensure that the view along Coleman is compatible with a Grand Entrance to the center of San José’s downtown? How will the requirement that 30% of the larger parcels be held for open space be utilized to maintain views into the Gardens, sharing their potential? What portion of that open space is expected to be used for parking to support the structures?
3. ***The interface between the buildings and the remaining Guadalupe Gardens.*** How will the Airport and/or City select tenants that have a compatible interface with the gardens? Will noise impacts be considered? Will the parcels be fenced? Will there be visibility of the Gardens from the street and by the tenants? How will garbage be handled so that rats and odors don’t impact the Gardens? Will trees be required along the fence line for those properties outside the obstruction free zone?
4. ***What are the intended commercial uses of these rezoned parcels?*** Airport serving businesses? Long-term parking lots? Would the Airport consider remote parking for the Quakes as an “airport-serving” business? Would a privately-operated soccer field be considered “airport serving?” What are the environmental impacts of a parking lot: e.g.,



heat islands and the associated thermal updrafts? What mitigations will be offered for the heat impacts of the parking lots and structures—both onsite and on the adjacent Guadalupe Gardens?

5. **What happened to the plans to create and maintain burrowing owl habitat?** What plan is there to replace the burrowing owl habitat, as was designated in the original documents from 1974?
6. **Will the Airport and FAA will demand subsequent commercialization of additional open space?** This has already happened north of Hedding St. with the Storage Units. How will the community be assured that the conversions now in this NOP are not the first of many future commercialization conversions? Will the entire Gardens be eventually consumed, one parcel at a time?
7. **The potential for re-encampment by homeless.** What alternatives are there if the Airport and FAA do not approve proposals for non-profits to manage parts of the Gardens?
8. **Impacts to the Diridon/SJC People Mover.** Will the commercialization of these properties force a future people mover into the center of the Gardens rather than along Coleman Avenue, which is being widened as part of this project? How will the Airport and PBCE work with the SJ Dept. of Transportation to create an easement for a future people-mover before any structures are built?
9. **The potential for bird conflicts.** How will the Airport and PBCE ensure that the new structures are bird safe with low reflections? How will lighting and windows be designed so birds are not attracted to the sites, along with their increased risk to airline traffic?

Summary

We have expressed a number of concerns about this conversion of “Open Space Parklands and Habitat” to “Combined Industrial Commercial.” We recognize that the Airport owns the land. We remain committed to concept of Guadalupe Gardens, and we hope that the Airport and FAA will work with the Guadalupe River Park Conservancy and the Parks, Recreation and Neighborhood Services Department to support the effective use of non-profits to help the homeless individuals to not re-encamp in the Guadalupe Gardens.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'Dr. Lawrence Ames', is written over a light gray rectangular background. The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Dr. Lawrence Ames, Chair, D6NLG