



Memorandum

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: Sara L. Hensley

SUBJECT: SEE BELOW

DATE: 05-31-05

Approved

Date

6/07/05

Council District: 4
SNI Area: N/A

SUBJECT: APPROVAL OF THE THIRD AMENDMENT TO PARKLAND AGREEMENT WITH IRVINE COMMERCIAL PROPERTY COMPANY MOITZO RANCH HOUSING, PLANNED DEVELOPMENT ZONING NO. PDC99-04-034

RECOMMENDATION

Approval of the Third Amendment to the Parkland Agreement with the Irvine Commercial Property Company (Irvine Company), Moitozo Ranch Housing, Planned Development Zoning No. PDC99-04-034 for additional private recreation credits.

BACKGROUND

The Irvine Company received zoning approval (PDC99-04-034; Ordinance No. 25868) on May, 18, 1999, to allow construction of up to 3,000 multi-family residential units as part of the Moitozo Ranch housing development (project) located between North First Street and Zanker Road, approximately 450 feet south of Tasman Drive. The Irvine Company was required to dedicate and improve five acres of public parkland on their project site and to negotiate the acquisition of 3.3 acres of privately owned land near Alviso Park in North San José for a park as a condition of the first phase of the development to meet their remaining parkland dedication obligation for the project. Both park sites have been transferred to the City, and the five-acre public park at the Moitozo site has been improved and dedicated to the City. The Alviso area park site will be developed after the Alviso Park Master Plan is updated to include this park site.

The City's Park Impact Ordinance (PIO), San José Municipal Code 14.25, allows residential developers to receive up to 50 percent credit toward their total PIO obligations for providing

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eligible private recreation elements within their projects. The Irvine Company has constructed active private recreation elements eligible for such credits in the first three phases of the project. The Irvine Company entered into a parkland agreement with the City and received credits for its first project phase on April 5, 2000.

In addition to receiving PIO credits for dedication and development of the on-site five-acre public park and 3.3 acres purchased in the Alviso area, the Irvine Company received credits for private recreation elements constructed in the first project phase under Planned Development permits PD99-05-025, PD99-05-028 and PD99-05-029. The Irvine Company also received additional private recreation credits for the second phase (PD00-07-054, PD00-04-033 and PD00-04-34) and third phase (PD00-10-084 and PD01-050) of the project under two separate amendments to the Parkland Agreement to recognize additional private recreation elements constructed in those project phases.

City Council approval of the amended Parkland Agreements with the Irvine Company will recognize and commemorate the private recreation credits associated with Planned Development Zoning No. PDC99-04-034. An overview of the project's total PDO/PIO credit is outlined in the following table:

	<i>Dwelling Units credited</i>
MOITOZO PARK	
Moitozo 5 ac park site dedication	740
Moitozo Park improvements	285
	1025
ALVISO PARK EXPANSION	
Alviso site purchase/dedication	485
PRIVATE RECREATION CREDITS	
Phase I private recreation credits	120
Phase II private recreation credits	211
Phase III private recreation credits	328
Phase IV private recreation credits	236
Carryover private recreation credits	34
Total Private Recreation Credit	929
Low income units (voucher)	166
<i>(166 du X \$6,250 = \$1,037,500 park fees paid by RDA)</i>	
Total credit	2605
Total project dwelling units built	2762
Difference between total dwelling units & units credited	157
<i>(157 du X \$6,250 = \$981,250 park fees due)</i>	

ANALYSIS

The Irvine Company will now receive an additional unit equivalent credit of 236 multi-family units for the fourth and final phase of the project (PD03-062). This amendment will also grant private recreation credits for 0.23 acres (34 multi-family units) remaining from the first development phase not previously credited.

Upon approval of this action, the Irvine Company will have received credits equivalent to 929 multi-family units for private recreation elements associated with the project based on the amendment recommended in this memorandum. Furthermore, the Irvine Company has received credits equivalent to 485 multi-family units for the dedication of the 3.3-acre Alviso park site, 740 multi-family unit equivalent credits for the dedication of five acres of public park on the project site, and 285 multi-family unit equivalent credits for improvements to the five-acre on-site public park, for a total of 2,439 multi-family unit equivalent credits for the entire project. The developer will pay park impact fees in the amount of \$981,250 prior to issuance of building permits for phase four on the 157 remaining units not eligible to receive private recreation credits.

OUTCOMES

Approval of this parkland agreement will finalize the number of credits received for Irvine Company's last phase of the Moitozo Ranch Housing project, set their final park impact fee obligation and allow the Irvine Company to receive building permits for construction of the last phase of the project.

PUBLIC OUTREACH

The City conducted public hearings during the zoning approval process and additional public hearings for Tentative Map and Planned Development permits associated with the project.

COORDINATION

Preparation of the Third Amendment to the Parkland Agreement with the Irvine Company have been coordinated with the City Attorney's Office, the City Manager's Budget Office and the Public Works Department.

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COST IMPLICATIONS

There are no cost implications for the City related to allowable credits for private recreation amenities on the project's site. All private recreation facilities are operated and maintained by the project's property management.

Park fees collected will be considered a revenue source for the Department's Capital Improvement Program and will be utilized in accordance with the provisions of the Park Impact Ordinance.

BUDGET REFERENCE

Park fees collected will be deposited into Park Trust Fund.

CEQA

Resolution No. 67894.


for SARA L. HENSLEY
Director of Parks, Recreation
and Neighborhood Services



COUNCIL AGENDA: 06-21-05
ITEM: 2.16

Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: Sara L. Hensley

SUBJECT: SEE BELOW

DATE: 05-31-05

Approved

Date

6/07/05

Council Districts: Various
SNI: N/A

**SUBJECT: MASTER AGREEMENT WITH LSA ASSOCIATES, INC. FOR VARIOUS
PARKS AND RECREATION PROJECTS**

RECOMMENDATION

Approval of a Master Agreement with LSA Associates, Inc. for environmental planning, preparation of initial studies and environmental clearance applications for various parks and recreation projects from the date of execution through June 30, 2008, in an amount not to exceed \$500,000.

BACKGROUND

Parks, Recreation and Neighborhood Services (PRNS) staff manages the effort for compliance with the California Environmental Quality Act (CEQA) and other applicable environmental laws for park and recreation projects as part of their master plan approval process. PRNS staff seeks to streamline project delivery and ensure consistent quality by hiring one firm to provide environmental consulting services for park and recreation projects. The estimated start date of the agreement is June 2005, with completion in June 2008.

ANALYSIS

The recommended action will streamline the environmental clearance effort for park and recreation master plan projects during the Feasibility Phase of the project when scope of the project and budgets are being refined. The support of outside consultants allows staff to prepare budget estimates quickly and complete the Feasibility Phase of the project earlier, thus shortening overall delivery time. In addition, the quality of environmental consulting services

will be consistent by using one consultant for multiple recreation projects over the next three years.

Staff anticipates moving forward with the following master plans for park projects within the next six months:

- Alviso Park Expansion Master Plan
- Council District 3 Skate Park Master Plan
- Council District 3 Dog Park Master Plan
- Falls Creek Park Master Plan.

PRNS staff conducted a formal Request for Qualifications (RFQ) process in fall 2004 to pre-qualify professional consulting firms for environmental services for park and recreation projects. A total of six consultant firms submitted a Statement of Qualifications. Upon completion of the evaluation process, a pool of four qualified firms was developed. Of the pre-qualified firms, LSA Associates, Inc. was the top-ranked consultant. The consultant pool list was established in accordance with the current City and Department of Public Works policy for retaining professional services.

LSA Associates, Inc. is an environmental consulting firm with extensive experience working on a variety of projects in San José, such as the *Market/Center EIR*, *Downtown Strategy EIR* and the *Strong Neighborhoods Initiative EIR*. The firm also has experience working on park recreation projects with agencies such as the California Department of Parks and Recreation and the Santa Clara County Parks and Recreation Department. The firm has a proven track record of excellence completing recreation projects on time and on budget.

The scope of work under the master agreement includes, but will not be limited to, providing project management, impact studies, environmental planning, environmental clearances, coordination with regulatory agencies, presentation of CEQA findings at public hearings, schedules, cost estimates, mitigation plan documents, construction observation, and technical support during construction for various recreation projects.

Under this master agreement, project consultant services shall be initiated by authorized Service Orders detailing the specific scope of services, schedule, and compensation, along with the appropriate funding source(s) for the project. Consultant services will be tailored to complement City staff expertise to ensure efficient and effective project delivery. Where possible, staff will encourage local subconsultant participation with the consultants.

OUTCOMES

Approval of the master agreement with LSA Associates, Inc. will streamline project delivery and ensure consistent quality environmental consulting services during the feasibility phase of park and recreation projects.

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PUBLIC OUTREACH

PRNS staff conducted a formal Request for Qualifications (RFQ) process in fall 2004 to pre-qualify professional consulting firms for environmental services for various recreation projects. Outreach to the consultant community included advertisement on the City of San José's Bid Hotline.

In accordance with the Qualifications Based Consultant Selection Policy, staff successfully negotiated master agreement terms with the top-ranked Environmental Consulting firm, LSA Associates, Inc. The remaining interviewed consultants have been notified of their rankings and staff recommendation of approval of this master agreement with LSA Associates, Inc.

COORDINATION

This memo has been coordinated with the City Attorney's Office, the City Manager's Budget Office, the Department of Public Works and the Department of Planning, Building and Code Enforcement.

COST IMPLICATIONS

Funding in the amount of \$500,000 needed to support approval of the master agreement will be provided by each project budget for various recreation projects as service orders are written under the master agreement.

CEQA

Not a project.



SARA L. HENSLEY
Director of Parks, Recreation
and Neighborhood Services