



Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: Albert Balagso
Jennifer A. Maguire

SUBJECT: SEE BELOW

DATE: 06-02-08

Approved

Date

6/5/08

Council District: 3
SNI: Five Wounds/
Brookwood
Terrace

SUBJECT: APPROVAL OF THE MARTIN PARK MASTER PLAN REPORT, TURNKEY AGREEMENT WITH KB HOME SOUTH BAY INC. FOR MARTIN PARK, AND ADOPTION OF APPROPRIATION ORDINANCE AND FUNDING SOURCES RESOLUTION AMENDMENTS IN THE SUBDIVISION PARK TRUST FUND

RECOMMENDATIONS

1. Approval of the Martin Park Master Plan Report.
2. Approval of a Turnkey Park Agreement with KB Home South Bay Inc. ("Developer") for Tentative Map No. PT04-091, Tract No. 9644 to:
 - a. Relieve Developer of its prior written obligation to construct the expansion of Martin Park ("Martin Park Landfill site") as a turnkey park project;
 - b. Credit Developer in the amount up to \$424,135 for costs associated with development of the Martin Park Landfill site;
 - c. Collect parkland in-lieu fees in the amount of \$1,151,715; and
 - d. Construct minor turnkey park improvements on Martin Park and Forestdale Tot Lot.
3. Adoption of the following Appropriation Ordinance and Funding Sources Resolution amendments in the Subdivision Park Trust Fund (Fund 375):

06-02-08

Subject: Approval of Martin Park Master Plan Report, Turnkey Agreement with KB Home South Bay Inc., and Adoption of Appropriation Ordinance and Funding Sources Resolution Amendments in the Subdivision Park Trust Fund

Page 2

- a. Increase the appropriation to the Parks, Recreation and Neighborhood Services Department for the Preliminary Studies - Turnkey Parks by \$4,350; and
- b. Increase the Earned Revenue estimate by \$4,350.

OUTCOME

Approval of recommendations in this memorandum will relieve Developer of its prior written obligation to construct the expansion of Martin Park and allow Developer to pay parkland in-lieu fees in the amount of \$1,151,715 to satisfy its parkland dedication obligations for the construction of a housing project located at the southeasterly corner of William Street and South 22nd Street (Autumn Terrace project). Additionally, this action will approve a Master Plan Report for the Martin Park expansion/landfill site.

EXECUTIVE SUMMARY

This memorandum seeks approval of the Martin Park Master Plan Report that outlines future development and expansion of Martin Park onto the adjacent 4.7-acre former landfill site.

It also seeks approval of a Turnkey Park Agreement with KB Home South Bay Inc. (Developer) which will allow Developer to construct minor turnkey park improvements on Martin Park and Forestdale Tot Lot and the City to collect parkland in-lieu fees in the amount of \$1,151,715, to satisfy Developer's remaining parkland dedication obligation for the Autumn Terrace Project.

Appropriation Ordinance and Funding Sources Resolution amendments in the Subdivision Park Trust Fund are also requested to recognize and appropriate revenues in the amount of \$4,350, the cost to Developer for design review and inspection of the improvements.

BACKGROUND

The City's Parkland Dedication Ordinance (PDO; San José Municipal Code, Chapter 19.38) requires developers to dedicate land, construct public park improvements, and/or pay parkland fees in lieu of dedications to help meet the demand for neighborhood and community parkland generated by the development of new residential subdivisions. Developer has received development approval for the Autumn Terrace project located at the southeasterly corner of William Street and South 22nd Street for construction of 105 single family detached residential units. Developer's parkland dedication obligation for the Autumn Terrace project is \$1,648,500.

On June 6, 2006, Developer entered into an interim agreement with the City to construct park improvements on the Martin Park Landfill site ("Interim Parkland Agreement"). At the time the

Interim Parkland Agreement was executed, Developer submitted a Letter of Credit to the City in the amount of \$1,648,500 (“LOC”) for collateral to cover the cost of the anticipated park improvements until such time that a turnkey agreement was executed. Once the turnkey agreement is approved and executed, the LOC will be returned to Developer. During the development of the Martin Park Landfill site, it was determined that the estimated costs associated with the development of the Martin Park Landfill site would be \$3 million.

On December 7, 2006, Developer submitted a letter to the City stating that the costs associated with the development and construction of the Martin Park Landfill site is estimated to be in excess of \$3 million, which would be approximately \$1,848,000 above its PDO obligations for the Autumn Terrace Project. Staff is therefore recommending acceptance of these recommendations to authorize Developer to (1) construct minor improvements on Martin Park and Forestdale Tot Lot; (2) credit fees already paid, costs incurred by Developer for environmental studies, permits, design, and vapor barrier plans/studies on the Martin Park Landfill site, and cost for minor improvements to totaling \$496,785; and (3) pay parkland in-lieu fees in the amount of \$1,151,715 to satisfy its PDO obligations, as further described below.

ANALYSIS

Developer is obligated to meet the PDO requirements for the construction of 105 single-family detached units. As stated above, this obligation totals to \$1,648,500. Developer is being credited for payments previously made, for past completed work described below, reducing Developer’s obligation by \$496,785 representing credits for 31.6 units.

	Units	Amount
Developer’s Total Obligation	105	\$1,648,500
<u>Credits:</u>		
Model Units	(2.0)	(\$31,400)
Completed Studies and Permits	(27.0)	(\$424,135)
Martin park Interface with So 22 nd Street and Forestdale Tot Lot ramp improvements	(2.6)	(\$41,250)
Total Credits	<u>(31.6)</u>	<u>(\$496,785)</u>
Developer’s Remaining Obligation	73.4 units	\$1,151,715

Credits provided to Developer are described below.

Model Units

Parkland In-Lieu fees in the amount of \$31,400 have been previously been paid on two model units that have been constructed. Payment for these model units were subtracted from Developer's Parkland Dedication Obligation.

Completed Studies and Permits

Over the past two years, Developer completed an initial site investigation of the Martin Park Landfill site, technical and vapor barrier design reports, an initial study for environmental clearance, civil design for vapor barrier and park improvements, and landscape design work for the Martin Park Landfill site improvements. Developer also coordinated the vapor barrier plan and park improvement plans for the Martin Park Landfill site with the City's Environmental Services Department and Public Works Departments and secured approval and permits for the vapor barrier plan for Martin Park Landfill site from the California Regional Water Quality Control Board, California Integrated Waste Management Board, and the State's Local Enforcement Agency overseeing developments on former landfill sites. As a result, Developer will receive equivalent unit credits against Developer's parkland dedication obligation for 27.0 single-family detached units for all studies and permits associated with the Martin Park Landfill design conducted over the past two years. The total cost of these studies, permits and design documents is \$424,135, as outlined in Exhibit C of the proposed agreement.

Construction of the vapor barrier is tentatively scheduled to commence in late summer 2008. The vapor barrier construction will be funded through the combination of a \$1.5 million General Fund allocation and a \$750,000 grant recently awarded to the project from the Integrated Waste Management Board. These funds are accounted for separately from the funding intended to be used for park development. Once the vapor barrier is completed, staff would like to proceed immediately with the bid and award of the park development. However, proceeding with the park development is contingent upon additional funding being allocated from the Park Trust Fund and/or the Council District 3 Construction and Conveyance Tax Fund in the 2009-2010 Capital Budget.

Martin Park Interface with South 22nd Street and Forestdale Ramp

In partial fulfillment of their parkland dedication obligation, Developer has agreed to also improve approximately 0.39 acres of the existing Martin Park interface with the newly constructed South 22nd Street interface (Exhibit A2). Minor park improvements will include a split rail fence along the length of the sidewalk on South 22nd Street and construction of a walkway connection and rough grading. The City will provide mulch as a groundcover along the length of the interface with South 22nd Street. These improvements are estimated to cost approximately \$21,000.

Developer has also agreed to construct ramp improvements on the Forestdale Tot Lot at South 22nd Street (Exhibit A3). Developer will pay \$8,000, one-half the costs of these improvements. The remaining \$8,000 will be credited to Developer as outlined in the Turnkey Parkland Agreement.

Total soft costs for both the Martin Park interface with 22nd Street and the Forestdale Tot Lot ramp improvements are estimated to be \$12,250, bringing the total cost to the Developer for these improvements to \$41,250. Developer will receive equivalent unit credits against Developer's parkland dedication obligation in the amount of \$41,250, the equivalent of 2.6 single-family detached units. All park improvements will be designed and constructed in accordance with standard City specifications as shown on the attached exhibits/schematic plans.

Developer's parkland dedication obligation for the remaining 73.4 single-family detached units will be satisfied by Developer providing park fee payments totaling \$1,151,715. These fees will be deposited in a reserve in the Park Trust Fund for the future development of the Martin Park Landfill site.

This memorandum includes a recommendation to recognize revenue and increase the Preliminary Studies – Turnkey Parks appropriation by \$4,350. This funding represents costs for Department of Public Works design review and inspection services of the turnkey park improvements. This funding will be received from Developer as part of its PDO obligation.

Also included in this memorandum is a recommendation to approve the Martin Park Master Plan Report (attached) for the Martin Park expansion/landfill site. This report has been prepared to acknowledge the future development and expansion of Martin Park onto the adjacent 4.7-acre former landfill site. This report has been developed concurrently with the community outreach process and has addressed the community's desire for specific park amenities and activity areas. The report reviews the neighborhood context, existing site conditions, community outreach process, the master plan, storm water management plan and environmental clearance needed for the park project.

EVALUATION AND FOLLOW-UP

Action taken by City Council on this item will provide final authorization to oversee minor improvements to the Martin Park and Forestdale Tot Lot sites, allow credits to Developer for geotechnical/design studies associated with the Martin Park Landfill site, and accept payment of park fees to fulfill Developer's remaining PDO obligations. Department of Public Works staff will review submittals for the park improvement project and will refine the design as necessary to complete the project in accordance with City construction standards.

POLICY ALTERNATIVES

Not applicable.

PUBLIC OUTREACH/INTEREST

- Criterion 1:** Requires Council action on the use of public funds equal to \$1 million or greater. **(Required: Website Posting)**
- Criterion 2:** Adoption of a new or revised policy that may have implications for public health, safety, quality of life, or financial/economic vitality of the City. **(Required: E-mail and Website Posting)**
- Criterion 3:** Consideration of proposed changes to service delivery, programs, staffing that may have impacts to community services and have been identified by staff, Council or a Community group that requires special outreach. **(Required: E-mail, Website Posting, Community Meetings, Notice in appropriate newspapers)**

The Autumn Terrace Project was introduced to the community at four community meetings from mid-2004 through mid-2005. During this time, proposals for expansion of Martin Park onto the City-owned landfill parcel adjacent to the existing Martin Park site were reviewed and concepts were refined during the outreach process. Meetings were held on May 17 and October 24, 2004. Follow-up meetings were held in March and June 2005.

A concept plan for the Martin Park Landfill site was prepared in late 2004 and presented to the community at the October 2004 and March and June 2005 outreach meetings. Residents agreed that a soccer field would best serve the local community at this site, and asked that sidewalks along Forestdale Avenue be installed as part of the new site improvements. Residents were concerned about providing adequate parking for the new park. A revised concept plan was presented to the community in June 2005. No further comment or revisions were suggested by the community at that time. The concept design was presented to the Parks and Recreation Commission for approval at its March 1, 2006 meeting, during which the Commission recommended the concept design for City Council approval.

This memorandum will also be posted on the City's website for the June 24, 2008 City Council Agenda.

COORDINATION

This item has been coordinated with the Public Works, Planning, Building and Code Enforcement and Environmental Services Departments, the City Attorney’s Office, and the City Council District 3 Office.

COST SUMMARY/IMPLICATIONS

Project management costs for the project are estimated at \$12,250. A portion of these costs, specifically the cost of design review and inspection, estimated to be \$4,350, will be paid by Developer.

BUDGET REFERENCE

The table below identifies the fund and appropriation proposed to fund the project management costs for the turnkey park.

Fund #	Appn #	Appn. Name	Total Appn.*	Adopted 2007-08 Budget (Page)	Last Budget Action (Date, Ord. No.)
Current Funding Available					
375	6027	Preliminary Studies - Turnkey Parks	\$7,900	V-726	
Additional Funding Recommended					
375	6027	Preliminary Studies - Turnkey Parks	\$4,350	V-726	
Total Funding			\$12,250		

*Project management costs for this turnkey park total \$12,250. Of this amount, \$7,900 will be provided from the existing Preliminary Studies – Turnkey Parks allocation (appropriation totals \$300,000), and the remaining \$4,350 is recommended as part of this memorandum to be received from Developer as part of its PDO obligation.

HONORABLE MAYOR AND CITY COUNCIL

06-02-08

Subject: Approval of Martin Park Master Plan Report, Turnkey Agreement with KB Home South Bay Inc., and Adoption of Appropriation Ordinance and Funding Sources Resolution Amendments in the Subdivision Park Trust Fund

Page 8

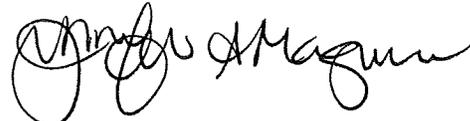
CEQA

Exemption; PP08-026.


ALBERT BALAGSO
Director, Parks, Recreation
and Neighborhood Services


JENNIFER A. MAGUIRE
Acting Budget Director

I hereby certify that there will be available for appropriation in the Subdivision Park Trust Fund in the Fiscal Year 2007-2008 moneys in excess of those heretofore appropriated therefrom, said excess being at least \$4,350.


JENNIFER A. MAGUIRE
Acting Budget Director

For questions, please contact Matt Cano, PRNS Division Manager, at 535-3580.

Attachments—Location Map/Site Plans
Martin Park Master Plan

EXHIBIT A1 AUTUMN TERRACE TURNKEY PARKLAND AGREEMENT

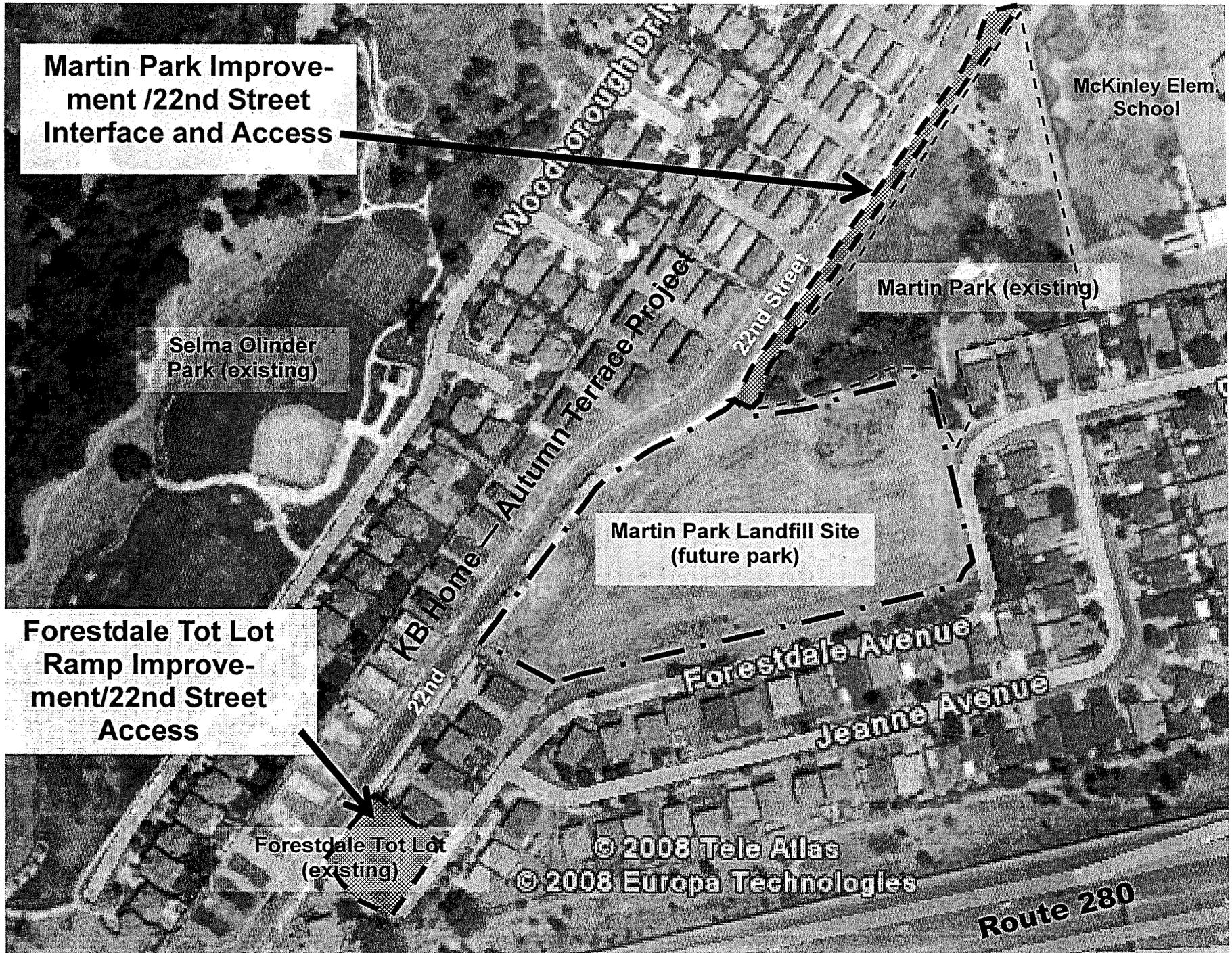
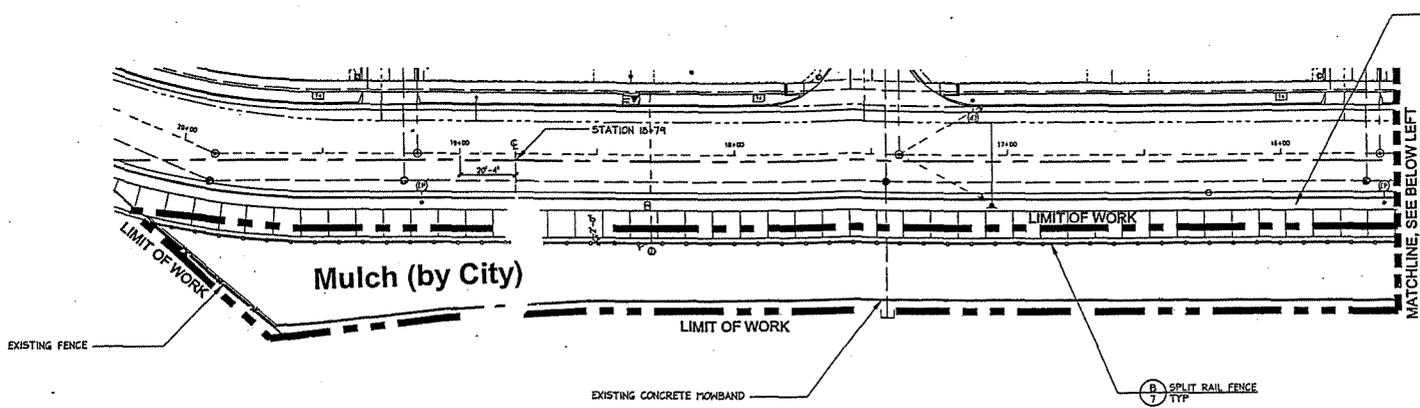
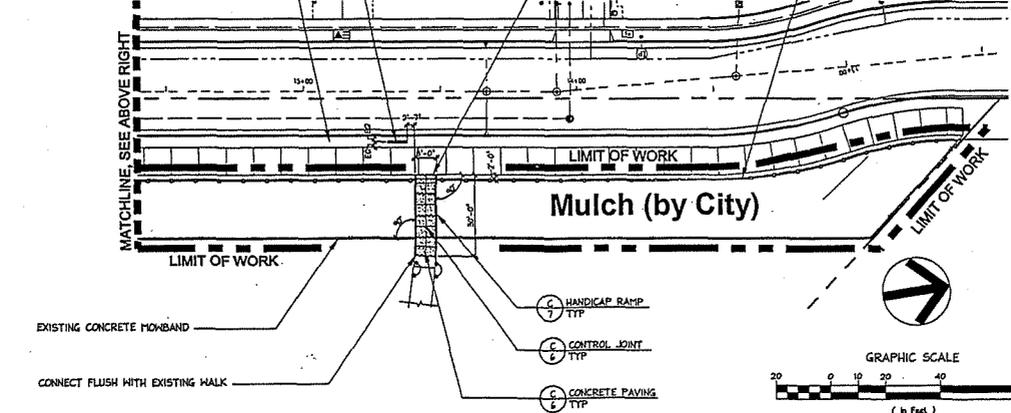


EXHIBIT A2 MARTIN PARK IMPROVEMENTS/22ND STREET INTERFACE & ACCESS



EXISTING R.O.M. PLANTING NOT A PART, SEE PLANS PREPARED BY GUZZARDO LANDSCAPE ARCHITECTURE/PARTNERSHIP

MARTIN PARK SIGN TO BE CITY OF SAN JOSE STANDARD PARK SIGN
R.O.M. PLANTING NOT A PART, SEE PLANS PREPARED BY GUZZARDO LANDSCAPE ARCHITECTURE/PARTNERSHIP (TYPICAL)



CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF SAN JOSE AND THE CALIFORNIA DEPARTMENT OF PUBLIC WORKS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF SAN JOSE AND THE CALIFORNIA DEPARTMENT OF PUBLIC WORKS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF SAN JOSE AND THE CALIFORNIA DEPARTMENT OF PUBLIC WORKS.

CONSTRUCTION LEGEND	
DESCRIPTION	SYMBOL
BACK OF WALK	BOM
PLANTING AREA	PA
ALIGN	—
PROPOSED SPLIT RAIL FENCE	—
EXISTING CHAIN LINK FENCE	—
EXPANSION JOINT	—

NOTES:
1. SEE SHEET 6 FOR CONSTRUCTION DETAILS.
2. SEE SHEET 7 FOR CONSTRUCTION DETAILS, NOTES AND MATERIALS LIST.



HMH
LANDSCAPE ARCHITECTURE
1270 Oakland Rd.
San Jose, CA 95128
ph. (408) 487-2200
fx. (408) 487-2222

FINAL SUBMITTAL

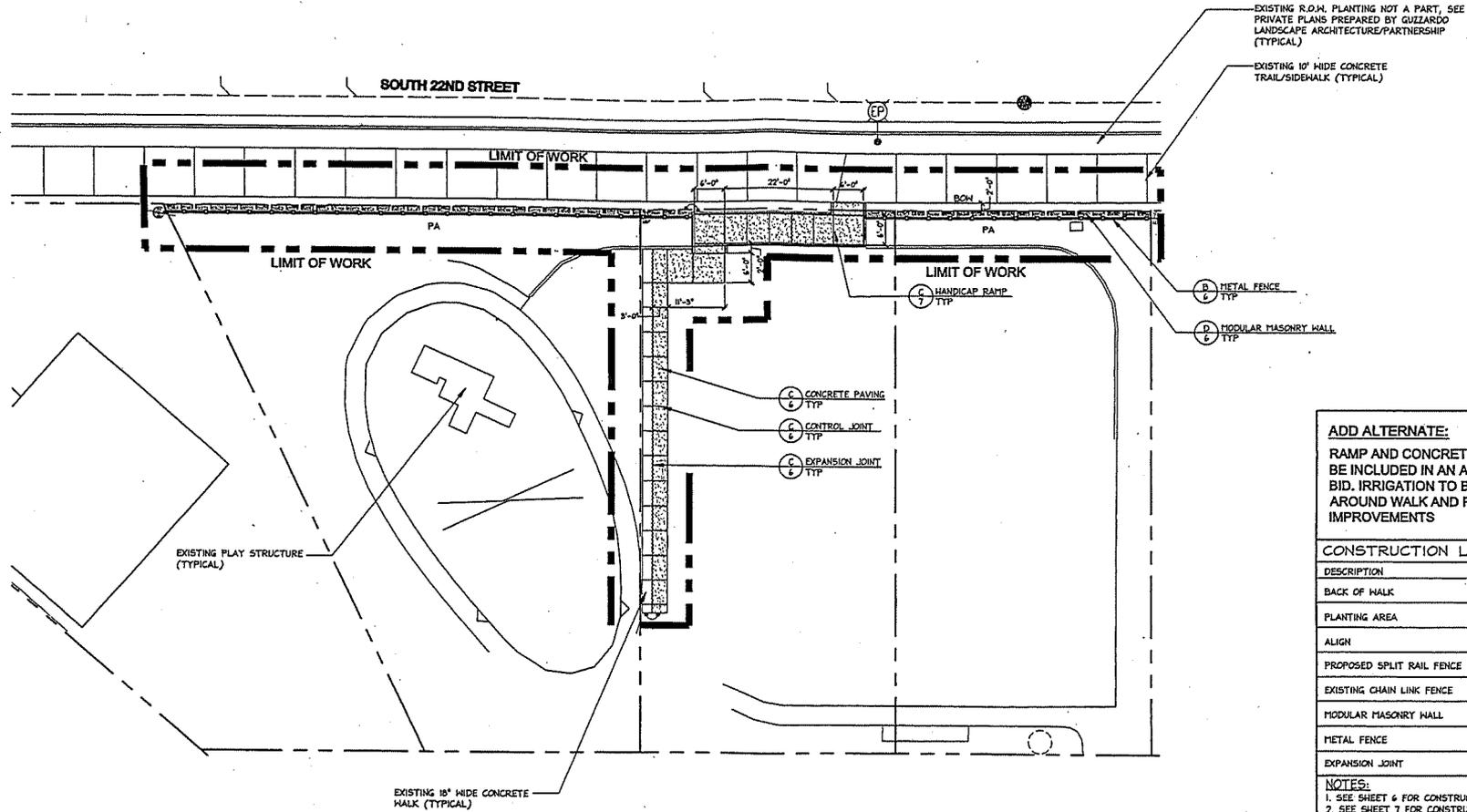
PROJECT TITLE: MARTIN PARK IMPROVEMENTS/22ND STREET SAN JOSE, CA

DATE: 5/15

JOB NO.: 2010.01

DEPARTMENT OF PUBLIC WORKS
SAN JOSE, CALIFORNIA
City Facilities Architectural Services

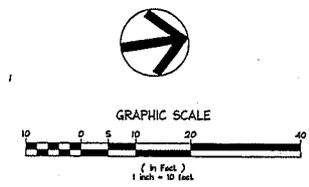
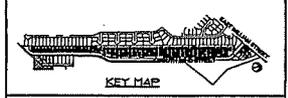
EXHIBIT A3 FORESTDALE TOT LOT RAMP IMPROVEMENTS/22ND STREET ACCESS



ADD ALTERNATE:
RAMP AND CONCRETE PAVING TO BE INCLUDED IN AN ADD ALTERNATE BID. IRRIGATION TO BE MODIFIED AROUND WALK AND RAMP IMPROVEMENTS

CONSTRUCTION LEGEND	
DESCRIPTION	SYMBOL
BACK OF WALK	BOH
PLANTING AREA	PA
ALIGN	—○—
PROPOSED SPLIT RAIL FENCE	— — —
EXISTING CHAIN LINK FENCE	—K—K—
MODULAR MASONRY WALL	—■—■—■—■—
METAL FENCE	— — — — —
EXPANSION JOINT	— — — — —

NOTES:
1. SEE SHEET 4 FOR CONSTRUCTION DETAILS.
2. SEE SHEET 7 FOR CONSTRUCTION DETAILS, NOTES AND MATERIALS LIST.



CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF SAN JOSE, CALIFORNIA. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF SAN JOSE, CALIFORNIA. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF SAN JOSE, CALIFORNIA.

CITY OF SAN JOSE
DEPARTMENT OF PUBLIC WORKS
SAN JOSE, CALIFORNIA
City Facilities Architectural Services

PROJECT TITLE:
CONSTRUCTION PLAN

FINAL SUBMITTAL

PROJECT TITLE:
MARTIN PARK BONFORM
SOUTH 22ND STREET
SAN JOSE, CA

4

DATE:
1/16

4445 JOB NO.: 3010.D1

DATE: 1/16

LICENSED LANDSCAPE ARCHITECT
WILLIAM J. BROWN
No. 1000
State of California

1870 Oakland Rd.
Menlo Park, CA 94025
Tel: (415) 487-2200
Fax: (415) 487-2222



MASTER PLAN REPORT
MARTIN PARK

City of San José
May 2008

-DRAFT-



Existing Martin Park



Martin Park Landfill Site

MASTER PLAN DOCUMENT

MARTIN PARK

City of San José

Master Plan

Approved by the City of San José

Parks & Recreation Commission

February 21, 2006

Approved by the City of San José

City Council

May XX, 2008

Environmental Clearance

CEQA: Mitigated Negative Declaration for

H06-017, Martin Park Landfill site

ACKNOWLEDGEMENTS

MAYOR & CITY COUNCIL

Mayor Chuck Reed
Vice Mayor David D. Cortese, District 8
Pete Constant, District 1
Forrest Williams, District 2
Sam Liccardo, District 3
Kansen Chu, District 4
Nora Campos, District 5
Pierluigi Oliverio, District 6
Madison P. Nguyen, District 7
Judy Chirco, District 9
Nancy Pyle, District 10

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Mike Flaughner
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G. M. Harding
James Kim
Julie Matsushima
Erik Karstan Smith

PARKS, RECREATION AND NEIGHBORHOOD SERVICES

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Julie Edmonds-Mares, Assistant Director
Matt Cano, Division Manager
Simeon Mercado, Parks Manager
Dave Mitchell, Parks Planning Manager
Brad Brown, Planner II

PLANNING, BUILDING AND CODE ENFORCEMENT

Michelle Stahlhut, Planner II

LANDSCAPE ARCHITECTURAL CONSULTANT

Antony Guzzardo Associates

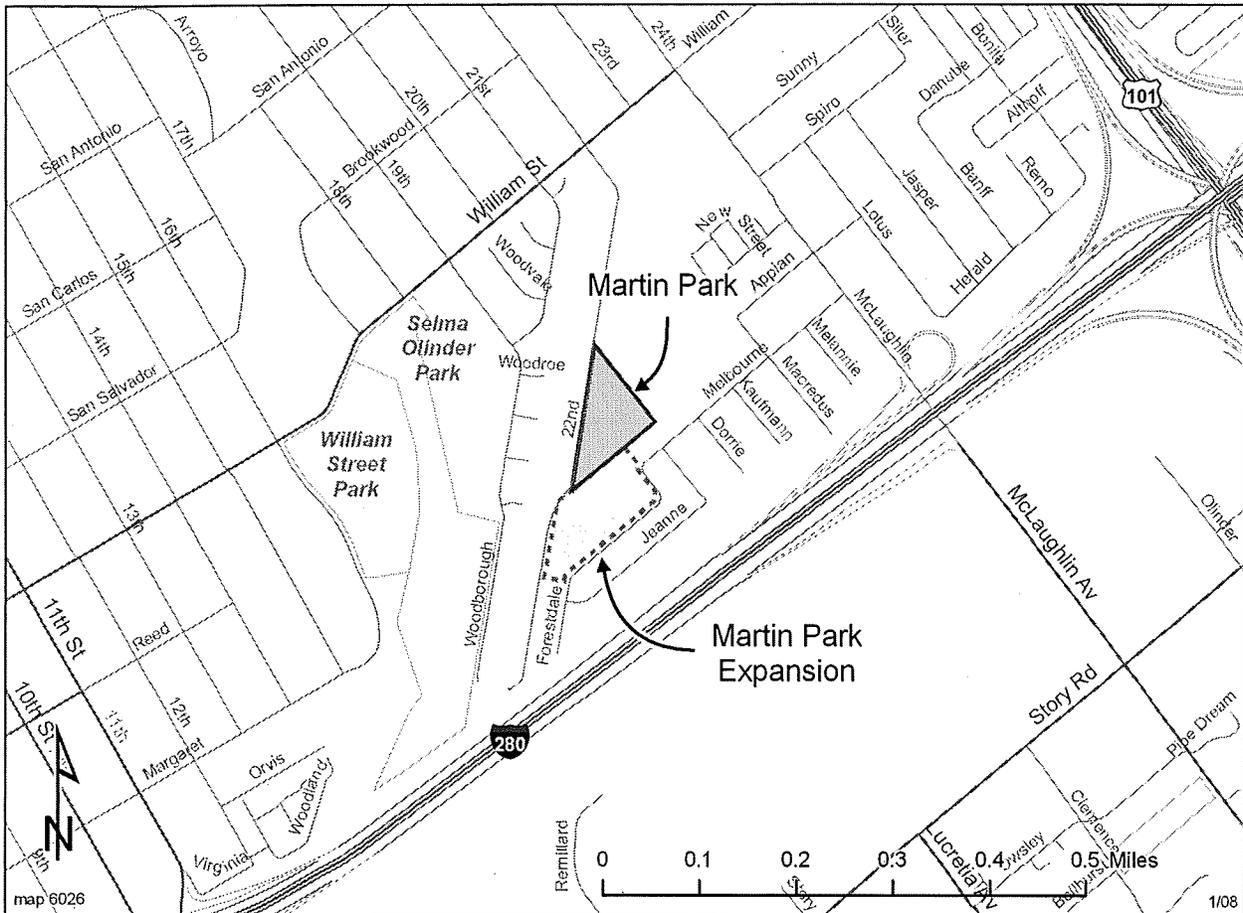
GEOTECHNICAL/LANDFILL DESIGN CONSULTANTS

BKF Engineers
Lowney Associates

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PROJECT BACKGROUND



Martin Park Proposal

The initial Master Plan for Martin Park was approved in August 1972, with construction of the park commencing in 1973/1974. At that time improvements included two new play lots for children, picnic area/furniture, walkways, open turf areas for informal play and landscaping. A cyclone fence was installed along the northwesterly border of the site to prevent access to the existing Union Pacific rail lines behind the park. In 1989, the play lot equipment was replaced with new, metal play equipment. Play lot equipment was again replaced in 2003/04 with Measure P funds.

The Martin Park Expansion site is an approximate 4.7 acre site, located in Council District 3 on the northwesterly side of Forestdale Avenue near the terminus of Melbourne Boulevard. The immediate neighborhood is bounded by William Street to the north, 24th Street/McLaughlin to the east, Route 280 to the south and the Coyote Creek/Williams Street Park to the west. The area is comprised of predominately moderate density, older single family detached homes to the east and northwest sections of the neighborhood with higher density housing units (apartments) to the southern border along the terminus of Forestdale Avenue at Route 280. Two newer residential subdivisions have been constructed near Martin Park within the last four years, including a recent subdivision at Woodborough Drive adjacent to Selma Olinder Park, and the Autumn Terrace subdivision at South 22nd and William Streets.

PROJECT BACKGROUND

The Martin Park Expansion project will consist of extending the existing Martin Park to the south onto an adjacent former landfill site. The expansion site had served for many years prior to 1948 as a clay-borrow pit for brick and clay pipe manufacturing. It then became a disposal site in 1970 and received approximately 70,000 to 80,000 cubic yards of construction debris until 1974 when the landfill was closed and capped with two to three feet of soil. The City of San Jose acquired the site in 1974, after capping activities had been completed. In 2005, as part of a residential construction project on the former rail line right-of-way (Autumn Terrace by KB Home South Bay Inc.), approximately 15,000 cubic yards of refuse was excavated and removed along the westerly site boundary where refuse had encroached over the property line.

Community Characteristics

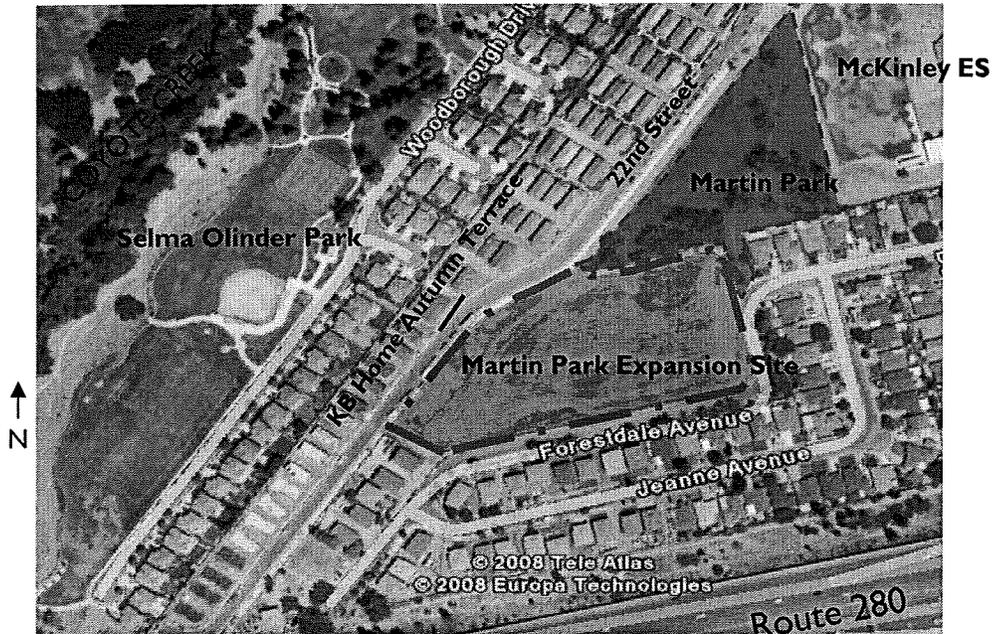
The Martin Park neighborhood is comprised of one Census Tract (5015.02) near the southeasterly corner of Council District 3. The neighborhood is part of the Brookwood Terrace Strong Neighborhood Initiative (SNI) planning area (referenced as the McKinley neighborhood in the SNI Neighborhood Improvement Plan). Demographic data from the 2000 Census indicated average household incomes for the census tract were \$44,489, significantly less than the citywide average of \$70,243. The average household size for the census tract was 4.39 persons per household, higher than the citywide average household size of 3.20 persons per household. Seventeen percent of the residents in the neighborhood lived below the poverty level. Nearly half of the residents in the neighborhood owned their homes (49.4%). The youth population (17 years and younger) made up 33.8 percent of the total neighborhood population, while five percent of the population were seniors 65 years and older. The majority ethnic/racial group in the neighborhood reported out as "Other" (48.6%), while the second largest racial group was White (34.8%). Hispanic households comprised about 74 percent of the total population in the neighborhood. Nearly one half of the housing units (46.5%) were single family units, with the remaining units a mixture of apartments (25% multi-family; 12% single family attached/townhome) and mobile homes (14%).

The Five Wounds/Brookwood Terrace Neighborhood Improvement Plan (Plan), adopted August 2002, called for a network of open space and trails connecting local neighborhoods to each other and to the larger city. As well as developing the Selma Olinder Park site, which was completed in 2004, the Plan envisioned design and development of the Union Pacific railroad right-of-way (UP ROW) as a trail, which bisected a part of the Martin Park neighborhood and runs adjacent to the Martin Park site. This trail would also connect to the Coyote Creek Trail via the Woodborough Drive terminus and cul-de-sac constructed as part of the KB Home Autumn Terrace housing project. With approval of the Autumn Terrace housing project, a new street connection was built (South 22nd Street) and a sidewalk/trail on the former UP ROW property. The street and trail improvements are directly aligned with existing Martin Park and the Martin Park expansion site.

Other neighborhood serving parks in the area near Martin Park include:

- William Street Park (14.9 acres/partially developed)
- Selma Olinder Park (13 acres/fully developed) to the west (ballfields, tennis, soccer field, play lots, picnic areas and regional trail)
- Forestdale Tot Lot (0.4 acres) to the south (play lot and picnic area)
- Bonita Park (0.9 acres) to the east (play lots, half court basketball, open turf and picnic area)
- Kelley Park, a regional-serving facility, is located approximately two miles to the south, and offers a zoo, history park, tea garden and community center/staff offices.

EXISTING CONDITIONS



EXISTING CONDITIONS AERIAL PHOTO

Use

The landfill site has remained unused and gated, and closed to the public since 1970 when the site became a refuse disposal site. Monitoring of landfill gasses and subsidence has been ongoing by the City's Environmental Services Department since that time. Weed abatement on the site has been performed periodically.

Vegetation

A detailed survey of trees on the site was conducted for the initial study for the Martin Park expansion project. A total of forty-nine (49) trees were evaluated, ranging in size from 5 inches to 41 inches in diameter. There were sixteen (16) trees which exceeded 18 inches in diameter and qualified as City of San Jose heritage trees under the City's Tree Ordinance. Most trees were in good condition; only three existing trees were rated fair and one in poor condition. Twenty-nine (29) of the trees are located on the southerly side of Forestdale Avenue, opposite the future park expansion area. Thirty-six (36) trees are planned to be removed including twenty-one (21) trees along the south side of Forestdale Avenue. Most of the trees along the current entry to Martin Park at Melbourne/Forestdale will be removed (including four trees rated in fair or poor condition). Over half the trees inventoried are eucalyptus, located mainly along Forestdale Avenue--a majority of these will be removed from the site. The main central portion of the site is either barren or covered with low herbaceous groundcover/ ruderal grasses such as foxtail, brome, ryegrass, thistle, mustard and cheeseweed.

Views

Views into the site from the south and east are limited from the frontage street (Forestdale Avenue). Residential backyard fences exist along the southerly and easterly edges of Forestdale Avenue opposite the future park expansion site. Views into the site from the existing Martin Park site exist to the north part of the landfill site and along the newly constructed South 22nd Street to the north/west. Once the site is raised in elevation an additional six to nine feet toward the middle and Forestdale edge of the site, views from the park into the surrounding neighborhoods will be enhanced.

EXISTING CONDITIONS

Design staff has been concerned that neighboring residents may find some of their privacy compromised as the site is raised, allowing park users clearer views into backyards along Forestdale Avenue from the park. In addition, surveillance from the frontage street along Forestdale Avenue into the new park may be adversely affected as mounded slopes are constructed along with new park improvements on the landfill site.

Circulation

Sidewalks along streets border most of the site and will enhance the circulation and provide access to the site. The City's Department of Public Works has funded and designed a new sidewalk along the easterly and southerly side of Forestdale Avenue to serve park users and existing residences. The sidewalk improvements should be completed by Summer 2008.

Grading

The existing site is a shallow bowl, while the expansion site is mounded, creating a marked slope between the existing Martin Park site and the new expansion site. The landfill site will be graded/engineered for special fill material to accommodate a clay cap as well as additional top soil to provide for irrigation and drainage to support natural turf growth at the surface. The steepest slopes (eight to nine feet in elevation) will occur on the east side of the new park parcel at Forestdale Avenue and at the northerly interface with the existing Martin Park parcel, with gentler slopes along the southerly edge at Forestdale Avenue. The newly graded site will have a one to two foot elevation increase along South 22nd Street.

Surrounding Uses

The surrounding uses are predominately residential to three sides of the site with the existing Martin Park to the immediate north of the site. McKinley Elementary School is nearby, bordering to the east side of the existing Martin Park site and offers informal sports field/playground use when school is not in session.

COMMUNITY OUTREACH

The Autumn Terrace residential proposal was introduced to the community at four community meetings from mid-2004 through mid-2005. At that time, proposals for expansion of Martin Park onto the City-owned landfill parcel adjacent to the existing Martin Park site were reviewed and concepts refined during this outreach process. Meetings were held in May and October, 2004, and in March and June, 2005. A conceptual plan for the landfill expansion site showing a soccer field and picnic area was prepared in late 2004 and presented to the community at the October 2004 and March/June 2005 outreach meetings.

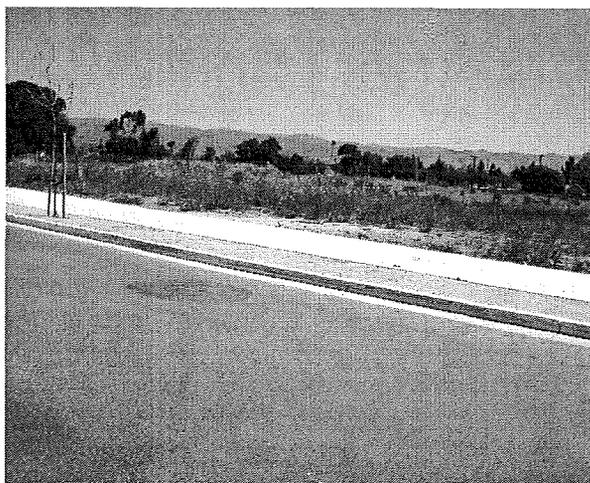
Residents agreed that a soccer field would best serve the local community at this site, and asked that sidewalks along Forestdale Avenue be installed as part of the new site improvements. Residents were concerned about providing adequate parking for the new park. It was decided that since the soccer field would not be lighted and/or programmed for league play, that parking along the park frontage streets would be adequate to serve the park use.

A proposed master plan was presented to the community in June 2005 with no further comment or revisions suggested at that time. The final park design and Master Plan were presented at a public hearing with the Parks and Recreation Commission on March 1, 2006 at which time the Commission recommended approval of the design concept.

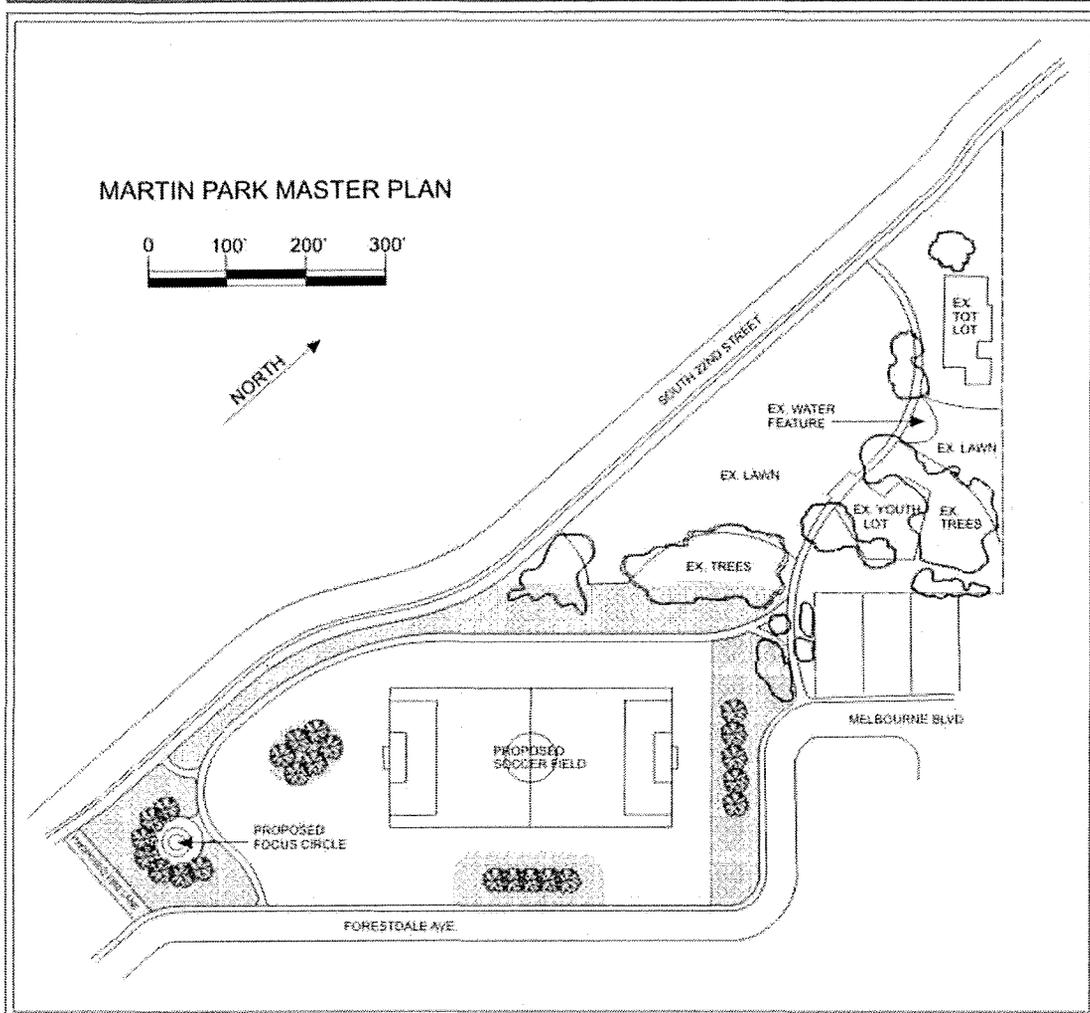
View of existing Martin Park from South 22nd Street



View of expansion site/landfill from South 22nd Street



MASTER PLAN



MARTIN PAR MASTER PLAN UPDATE 2008

The current proposal to update the master plan and expand the park onto the adjacent landfill site will allow for an additional 4.7 acres to be added to the overall park and provide for additional amenities for the neighborhood. During the neighborhood outreach process, community members supported a new soccer field for neighborhood youth and a small picnic/gathering area on the westerly side of the newly expanded site. An emergency vehicle access path/trail connection from Forestdale Avenue to South 22nd Street at the southwest corner of the new park will also be constructed. Improvements to the existing entry walkway at Melbourne/Forestdale are also proposed. A walkway through the expanded park will provide additional circulation to the site. Access from the Autumn Terrace housing tract will be from South 22nd Street. Views into the site from this side of the new park should be entirely unobstructed.

MASTER PLAN

The Master Plan for the Landfill expansion site is shown above and further described on the following pages. The Parks and Recreation Commission approved the Master Plan in March 2006.

General Goals

- Provide a focal point and a connection from the existing neighborhood to the new park site
- Provide a secure park experience that takes advantage of the unique character of the site and will provide newer amenities that the community has recommended
- Create passive and moderately active recreation experiences for all community users by providing a soccer field for informal play and a picnic area
- Develop a park that can be maintained and served by City staff and facilities in an efficient, sustainable and cost effective manner
- Address design issues resulting from the closure and adaptive use of a former landfill site

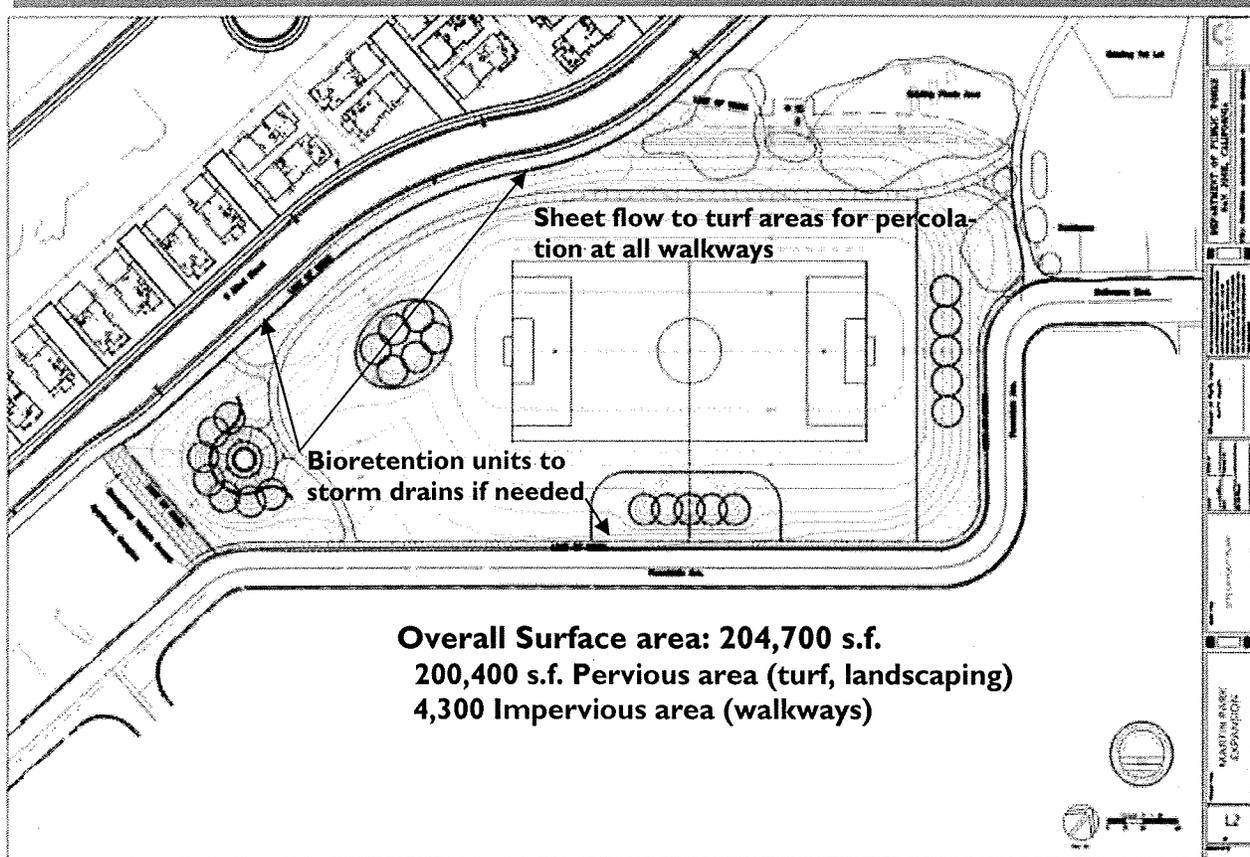
Preferred Character of Park

- Focal point of community
- Shaded gathering point for community members
- Visually blends with the community
- Passive and active areas
- Sensitive to the surrounding neighbors
- Sunny and shady areas

Preferred Park Elements

- New sidewalk along Forestdale Avenue
- Space for gathering/picnic uses
- New soccer field for local use
- Informal open space
- Seating areas
- Attractive entrance

STORM WATER MANAGEMENT



STORM WATER MANAGEMENT CONCEPT

The overall area of the site will be approximately 204,700 square feet, including 200,400 square feet of pervious area and 4,300 square feet where impervious materials for internal concrete walkways will exist. The Master Plan proposes to filter storm water/runoff in compliance with current City policy.

The Project will comply with the latest edition of the City's Storm Water Policy 6-29 created on February 3, 1998, modified on August 15, 2005. Storm water will be treated to the maximum extent practical. A Storm Water Control Plan will be produced during design stage that will show drainage areas, runoff created, sizing methodology and maintenance schedule to ensure safety and conveyance of the site.

All storm drain inlets will be stenciled to communicate the accepted message specifying that no dumping is allowed into storm inlets as they feed directly to the bay. All walkways will be impervious and also drain to landscape areas.

ENVIRONMENTAL CLEARANCE

File No. H06-017

Date: January 3, 2008 -- Mitigated Negative Declaration

A Mitigated Negative Declaration (MND) was adopted by the City in January 2008. The environmental clearance was originally part of an application for the KB Home/Autumn Terrace housing project.

Significant mitigation measures identified in the MND include measures to reduce impacts to potential raptor and burrowing owl nesting sites (if found on site); implementation of a Closure/Post-Closure Land Use Proposal for the landfill area and future monitoring requirements; a storm water prevention plan specific to landfill sites; and standard mitigating measures to reduce noise levels during construction activities.

