

Statement in support of following public process on the Gore Park plan

We need a plan that improves the park and street but does not ignore parking and access concerns; looks closely at public safety, maintenance and economic issues; involves broad community participation; provides for flexible closings and supports the growth of all SoFA stakeholders—not just some of them.

Effect on SoFA District

The permanent removal of one-third of South First Street's on-street parking will impact the economic health of businesses located on the 300, 400 and 500 blocks. Twenty-seven (27) after-hours spaces, including loading zones, will be removed from the approximately 75 spaces on the three blocks of S. First St. Free evening and Sunday parking is an important economic driver for the downtown arts and entertainment district that includes the California Theatre, neighborhood restaurants and bars, performing arts venues and companies offering classes and recreational activities. Lots and garages are a less convenient form of parking than free or metered on-street parking, and will affect struggling businesses. Successful business districts in the region — Los Gatos, Willow Glen, Santa Cruz, Mountain View, Campbell, Palo Alto and Santana Row — all slow down traffic and provide on-street parking. None of them eliminate on-street parking completely. Urban “pavement-to-plaza” gathering locations are typically successful in dense environments like Manhattan's theater district or San Francisco's Castro district, not in locations on the edge of a city's core.

Plaza Conversion Best Practices Not Followed

Pavement-to-plaza conversions have been tested in business districts with active commerce and heavy pedestrian activity like Times Square, Hollywood Boulevard and San Francisco's Castro District. In those areas, there are so many pedestrians that traffic needs to be controlled

for pedestrian safety. SoFA, however, has barely any daytime pedestrians. Plaza conversions elsewhere generally do not involve cutting and permanently removing asphalt, and allow the concept to be tested before full conversion.

Outreach Best Practices Not Followed

New York and Los Angeles did well publicized test closures to popularize the concepts (See Hollywood's "Streets for Feet! Pavement-to-Plaza Demo".) New York City's Department of Transportation's NYC Plaza Program holds community meetings and solicits applications to select the best location. The DOT's stated purpose is "to garner community support and participate in the design process."

This community involvement process was not followed in SoFA, where the arts community didn't involve all of the affected businesses. Businesses and private landowners were excluded from meaningful participation in the planning processes and contacted principally to lobby them to support the plan. San Jose held no community meetings at which street closure was an announced topic. Key stakeholders were bypassed in the process.

Transparency on Operator Needed

In pavement-to-plaza projects, there must be a contracted operator. Nonprofit partners must demonstrate adequate organizational capacity and develop a funding plan that outlines how the organization will fund and manage the plaza for the long term. They must provide insurance as well. There is no information publicly available that names an operator who will be accountable for the new public space

Sunshine Violated

Rather than provide transparency, city officials waited weeks to respond to information requests from affected businesses, providing documents less than 24 hours before the council meeting, only after a formal request. The details of the grant were kept secret for nearly a year, and have still not been fully vetted.

Street Closure Procedures Violated

This proposal bypassed all normal processes for street closures. There was no formal notification, traffic study, parking study, community meeting or planning commission hearing. Considering the grant was

awarded approximately one year ago, there was ample time for proper process to be followed. The council's taking up of this resolution without providing an opportunity to vet the issues is an improper governmental process that bypasses full stakeholder and community participation. **Specifically, the city should comply with Streets and Highways Code Section 8300, which provide rules for street closure; Section 8309 (vacation means the complete or partial abandonment or termination of the public right to use a street); and other code section including a resolution of intention (Sec. 8320). mailed notices (8321) and publication for two weeks in a newspaper (89322).**

Traffic Safety

The Market St. / William St. intersection would become the primary entrance to SoFA. It is an uncontrolled intersection that requires a dangerous left turn from southbound lanes. Bus routes will be affected. This requires further study and likely signalization of the Market-William intersection.

Budget Concerns

The project does not appear to be adequately budgeted to achieve its objective and risks becoming a civic embarrassment if project organizers cannot guarantee programming throughout the week — or if construction issues are discovered after asphalt removal. There are no publicly available budgets, detailed construction drawings or construction schedule. These need to be made public and allow for input. Are there written agreements with the arts groups to provide programming? These should be sunshined as well so that the public will know exactly what can be expected.

Public Safety and Maintenance Concerns

Has SJPD signed off on the public safety aspects of the plan? Will there be additional patrols when the street is closed to control the illegal activity currently occurring in the park? How much in pBid funds will be diverted from graffiti abatement and commercial zone maintenance, and is there a definitive agreement with Groundwerx? Who will pay the water bills for the new lawn?

Use of Economic Development Funds for a Project that Will Cost Jobs Rather than Create Jobs

Unless these questions can be adequately addressed and the project has a high probability of success, the general fund contribution of approximately \$98,000 should be weighed against other city priorities. There is no direct job gain from the use of these “economic development” funds—and there may be job losses. Without demonstrable economic activity, this money could be used to for city priorities.

A Permanent Closure is Unwise

The road bed should not be permanently destroyed, as funds are not available to restore it should the plaza plan take an unforeseen turn. The city ought to instead authorize improvements to the park, such as benches, removal of walls and overgrown trees and the construction of a stage to make the park more accessible and of use to the arts. Traffic can be slowed and parking can be left on days when there are no scheduled activities. A flexible street-closure system is the best solution to meet the needs of all the businesses located on the street so that businesses and arts events can co-exist.

A plan can be worked out that respects the interests of all participants, preserves jobs and creates an events space that supports the arts. We can do this and still follow public processes!