



PUBLIC WORKS DEPARTMENT

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JOINT COMMISSION STAFF REPORT

Special Meeting: June 13, 2022

Subject

Consider an update to the Joint Commission on the status of the Environmental Summary Report, public outreach process, and next steps for the Lawrence-Mitty Master Plan project.

Recommended Action

Receive an update on the status of the Environmental Summary Report, public outreach process, and provide input on next steps for the Lawrence-Mitty Master Plan project.

Background

Since 2002, the City of Cupertino worked to accomplish the acquisition, annexation, and development of a neighborhood park on several acres of land along Lawrence-Mitty. The Lawrence-Mitty site consists of two parcels (APN 375-21-001 and 375-22-001) and totals approximately 7.83 acres. The Saratoga Creek channel runs through the site at the western boundary, reducing the developable area to approximately 5.92 acres. The eastern boundary of the site is adjacent to Lawrence Expressway. The development of the site as a park facility and open space is a high priority for residents on the eastern side of the City.

In anticipation of annexation, the City pre-zoned the site as Park/Recreation Zone (Pre-PR) in 2007. Development of the site as a park and trail extension was clearly articulated in the 2020 Park and Recreation System Master Plan as Master Plan Goal MP3, Equitable Access (MP3.8.viii.) Additionally, the site was included in the 1999 San Tomas Aquino/Saratoga Creek Trail Master Plan as part of "Reach 5" of the trail system. Therefore, a primary element of the improvement of this site will be development of a trail.

In July 2020, City Council passed Resolution 20-092, approving the purchase of the Lawrence-Mitty site from the Santa Clara County Roads and Airports Department for the sum of \$2.69 million. The site is in transition from being within the jurisdiction, City limits, and urban service area of the City of San Jose to the City of Cupertino. In April, the Local Agency Formation Commission of Santa Clara County (LAFCO) approved the

City's request for annexation. The administrative stage of the annexation process is in progress and expected to be completed soon.

After nearly 20 years of discussions, negotiations, and planning associated with the site, the City is ready to move into the next phase of site-specific planning and design. The City aims to develop amenities which align with the goals of the 2020 Parks and Recreation System Master Plan and address the needs of local residents. The City is in the process of working closely with our residents, professional consultants, and jurisdictional partners to provide a feasible conceptual design for the site.

At the May 17 City Council meeting, Council requested that the current project scope include full design services and construction. The City is in the process of negotiation with MIG and will work to secure an addendum to the contract prior to commencement of preliminary design by MIG.

Discussion

With up to 5.92 acres of developable land, the Lawrence-Mitty site has the potential to provide several open space and park amenities for the public. The open space adjacent to the creek offers residents opportunities to walk, ride, learn, and play, which is critical for a healthy community. The site proximity to Saratoga Creek and Lawrence Expressway offers unique challenges for access and jurisdictional permissions. The park features proposed will need to balance site constraints and the community's aspirations.

In August 2021, the City released a Request for Qualifications (RFQ) to solicit proposals from qualified professional consultants to develop the Lawrence-Mitty site. In October 2021, MIG, Inc. (MIG) was selected as the consultant for this project and a contract was executed in December 2021. The City worked with MIG to develop a process for implementation of the project: the project has been divided into five phases.

The phases include:

- 1) Existing Site Condition and Technical Analysis
- 2) Community Vision
- 3) Conceptual Design Alternatives
- 4) Draft and Final Master Plan
- 5) California Environmental Quality Act (CEQA) Clearance

To date, the project team has completed Phase 1 of the project and is currently engaged in Phase 2.

Phase 1 - Existing Site Condition and Technical Analysis

This phase encompasses all technical field studies needed to gain a better understanding of the site conditions. Studies conducted to date include:

- A Transportation Study
- An environmental site assessment

- A noise analysis
- A biological resources survey
- A tree survey and condition assessment

The contractor, MIG, worked with multiple subconsultants to develop reports for each element. Additionally, MIG has compiled key findings from these studies into a single document, which is part of this report as Attachment A.

Key considerations discussed in the Environmental Summary Report (ESR) include site-specific opportunities and constraints associated with the following elements:

- Site access
- Noise reduction
- Easements and utilities
- Soil assessment and Construction and Demolition Waste
- Stormwater management
- Biological resources
- Tree inventory and landscape habitat

The contractor provides recommendations and design considerations for each of the elements listed.

The ESR also outlines how the project aligns with the key City guiding policy documents. These guiding documents include the 2020 Parks and Recreation System Master Plan, 2016 Bicycle Transportation Plan, 2018 Pedestrian Transportation Plan, 2015 Climate Action Plan, and the 2015-2040 Community Vision Cupertino General Plan. The ESR and associated technical studies will be incorporated into the proposed designs for the park. The ESR will be available to the public via the Engage Cupertino webpage at engagecupertino.org/lawrencemitty in mid-June.

Phase 2 - Community Vision

This phase encompasses initial elements related to public outreach, including work with various City Commissions and City Council to develop a plan that reflects the community's needs and priorities. An 'Engage Cupertino' website for the project is available online at engagecupertino.org/lawrencemitty and provides the public with information about the project as well as opportunities for public input. Postcards notifying the community of the project, the online survey, calendar of events, and 'Engage Cupertino' webpage were distributed citywide in the week of April 4.

During Phase 2, opportunities for public input were provided in several formats, including:

- Providing comment on the Engage Cupertino website for the project
- Online survey (Open March 30 to May 23) (563 responses)
- Two community-based pop-up events
 - April 16 at the Big Bunny 5K (approximately 30 participants)

- May 7 at Creekside Park during youth soccer league (approximately 30 participants)
- One virtual community meeting (April 27) (approximately 15 participants)
- Lawrence-Mitty site tour (April 30) (approximately 60 participants)
- One joint commission meeting (June 13)
- One City Council meeting (July 19)

Many suggestions about design elements and concerns regarding site conditions have been expressed during the public outreach events for the project. The project team will work toward a design that reflects the common themes amongst these ideas and concerns. Attachment B provides findings collected from the various public outreach forums.

Key findings from the Community Outreach Summary Report include:

- A strong desire for wildlife, nature, and education features
- Prioritizing walking and biking pathways
- Availability of shade
- Nature play features
- Natural habitat enhancement
- Reduction of onsite noise levels
- Considerations for site safety
- Access to restrooms

Following the compilation of the initial public outreach efforts, the City and MIG's team will present to this project-specific joint commission meeting, comprised of representatives from the Parks and Recreation Commission, Bicycle Pedestrian Commission, and Planning Commission. Additional joint commission meetings will take place at key decision points in the project to solicit input from the commissions and the community.

City Council will be updated regularly with presentations on project status at key points in the design process, to facilitate City Council's input. The first presentation to the City Council, anticipated for the July 19 meeting, will include the public outreach and environmental/site condition findings listed above, and recommendations from the joint commission. That presentation will also signal the transition from Phase 2 to Phase 3 of the project.

After gathering initial community input, the project team will move into the design phases: Phases 3 - Conceptual Design Alternatives and Phase 4 - Draft and Final Master Plan. In Phase 3, three conceptual design alternatives will be developed based on feedback from the community, the ESR findings, and known site constraints. The project team will present these alternatives to the public, Commissions, and City Council for feedback and input on a preferred alternative and/or a hybrid of the presented options.

The preferred alternative will be further developed into a single conceptual design in Phase 4.

During Phases 3 and 4 there will be additional opportunities for public input via the forums employed in Phase 2: 'Engage Cupertino' website, 'pop-up' events, virtual community meetings, joint commission meetings, and City Council meetings, including final adoption of the preferred alternative.

Once a preferred design alternative is developed and adopted, the project team will move into Phase 5 - California Environmental Quality Act (CEQA) Clearance. The CEQA clearance is required prior to implementation of the improvements. This phase will include submission of CEQA-related paperwork to regulatory bodies and may include public hearings. The final outcome of Phase 5 is to obtain CEQA permissions for implementation of the preferred conceptual design. Currently, the projected timeframe for CEQA clearance is six months after final acceptance of the preferred design alternative by City Council. Once CEQA clearance is obtained, the City is free to pursue the development of advanced design and documentation work for the park.

Sustainability Impact

This project aligns with multiple objectives outlined in Chapter 6, Environmental Resources and Sustainability, of the City's General Plan, Community Vision 2015-2040. In particular, development of the Lawrence-Mitty site will emphasize elements of Goal ES-1 to ensure a sustainable future, Goal ES-5 which is to protect the City's urban and rural ecosystems, and Goal ES-7 to ensure the protection and efficient use of all water resources.

Fiscal Impact

Receiving the ESR and Public Outreach reports does not incur fiscal impact. Lawrence – Mitty Park was funded in Fiscal Year 2015. The current available balance for the project is \$5,984,897 after expenditures for the acquisition and annexation of the property, as well as design services.

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Reviewed by: Susan Michael, CIP Program Manager

Reviewed by: Joanne Magrini, Parks & Recreation Director

Approved for Submission by: Matt Morley, Public Works Director

Attachments:

A – Draft Environmental Summary Report

B – Draft Community Outreach Summary Report