

From: [Burnham, Nicolle](#)
To: [Tom, Vivian](#)
Cc: [Mendez, Zacharias](#); [Downtown West Project](#)
Subject: RE: Downtown West Parkland condition
Date: Thursday, April 8, 2021 7:59:34 AM

Adding downtown west EIR

From: Burnham, Nicolle
Sent: Thursday, April 8, 2021 7:59 AM
To: Tom, Vivian <Vivian.Tom@sanjoseca.gov>
Cc: Mendez, Zacharias <Zacharias.Mendez@sanjoseca.gov>
Subject: RE: Downtown West Parkland condition

Hi Vivian-

The parkland agreement is an exhibit of the Development Agreement so it should be approved concurrent with the DA. The one tricky issue is that there is an element of park fee related to the LTCA that is embedded within the main body of the DA. Given that fact, I wonder if this condition should reference the overall DA rather than just the PA exhibit.

Copying Zak as he is supporting PRNS on this project too.

Also, somewhere in the approval documents there is a maintenance matrix. I've lost track of where it is located, but the only version of that I saw has PRNS responsible for maintaining things like the creek channel. Can you direct us toward the final version of that matrix so we can review it?

-Nicolle

From: Tom, Vivian <Vivian.Tom@sanjoseca.gov>
Sent: Wednesday, April 7, 2021 10:27 PM
To: Burnham, Nicolle <nicolle.burnham@sanjoseca.gov>
Subject: Downtown West Parkland condition

Hi Nicole,

Public Works is finalizing our Conditions of Approval for the Downtown West project to be included in the PD Permit Resolutions. We typically include a standard language in our conditions that developer is subject to City's PDO/PIO Ordinance. Google is proposing the language below for their project. I'd like to confirm with you if this is correct and acceptable. Was there a Parkland Agreement executed?

Parks: The project Sponsor and the City entered into a Parkland Agreement, dated _____, which sets forth the requirements for the Project Sponsor to satisfy the Parkland Dedication Obligation under the City's Parkland Dedication Ordinance (Chapter 19.38 of the San Jose Municipal Code).

Thank you!

Vivian Tom

City of San Jose

Department of Public Works

Development Services Division

200 East Santa Clara Street, 3rd Floor

San Jose, CA 95113

(408) 535-6819