

April 26, 2022

San José City Council
City of San José
200 E. Santa Clara Street
San José CA 95113

Comments for Item 8.3 File 22-636 – The Future of San Pedro Square and Post Street

Dear Mayor Liccardo, Vice Mayor Jones and Councilmembers:

We are writing in appreciation and support of Councilmember Peralez’s memorandum directing city staff to fully convert the existing Al Fresco closure of San Pedro Street to a permanent closure, and to begin a weekly closure of Post Street beginning in the summer. We also support design guidelines that provide direction in maintaining consistent aesthetic and operations frameworks for local business owners.

SPUR believes that vibrant and permanent slow streets and outdoor dining initiatives are critical to the continued vitality of small businesses and the neighborhoods they serve, as well as helping make San José more livable, equitable and sustainable. We thank Councilmember Peralez for taking this first step to transition from COVID-related emergency declarations that were a lifeline for local businesses during the uncertainties of the pandemic, into more permanent solutions that acknowledge the program’s successes in the economic recovery of the city as well as in the activation of public streets and spaces.

We recognize that the path forward to permanent solutions will require time and investment from multiple city departments, as well as the active engagement of local businesses, advocacy, and community groups. The co-creation of a vision and best practices for how the Al Fresco program can grow and expand in the future to benefit all communities throughout San José will set it up for long-term success.

In light of this long-term process, there are a few things that SPUR recommends to support and build on Councilmember Peralez's memorandum:

- **Active stakeholder engagement on the best path toward permanent closures and outdoor dining solutions for private and public spaces.**

The current memorandum asks for the permanent closure of San Pedro Square, one of the most successful and popular street closures in San José, and the weekly closure of Post Street in Downtown. This is a key opportunity to engage with local businesses, community groups, and other stakeholders on existing issues with the current temporary program, and the best path forward to address concerns about building codes, fire safety, and traffic regulations.

- **Al Fresco is a citywide program and stakeholder engagement must include all council districts.**

While the focus of the original memorandum is on San Pedro and Post Streets, let us not forget that Al Fresco is a citywide program. Small businesses in all council districts took advantage of the program and continue to do so. Furthermore, this is not just about streets and sidewalks. To the delight of residents throughout San José, private parking lots across the city were also used for outdoor business operations and for a variety of activities. City departments and staff have the opportunity to build on the successes of San Pedro and Post Streets to inform next steps in the citywide program.

- **Ongoing development of best practices and reasonable design guidelines to provide clarity for local business owners, and maintain consistent aesthetic and operations throughout the city.**

The temporary nature of Al Fresco COVID-related declarations and extensions have led to the creation of impermanent structures and street activations due to uncertainties about the program's future. The evaluation of local and regional practices must lead to reasonable design guidelines that provide clear direction on consistent operations for the city.

- **Engagement of the city’s Planning, Building, and Code Enforcement Department (PBCE) in the development of best practices and design guidelines.**

[Other regional cities in the Bay Area](#) and [across the State of California](#) have leaned on their planning departments to evaluate and formulate best practices for permanent outdoor dining solutions, in conjunction and collaboration with other city departments such as public works, fire, economic development, and transportation. City staff’s early consideration response form does not currently indicate that PBCE is required to engage in today’s council actions. We recommend that the city include PBCE in inter-departmental coordination in order for this program to not only succeed in ensuring compliance with existing general plans, building codes, and federal guidelines such as the Americans with Disabilities Act (ADA), but to also provide clarity to the general public and interested parties on city planning related issues that may arise in the growth and expansion of the Al Fresco program.

We recognize that the process to a permanent Al Fresco program will not be short. However, we strongly believe that the benefits of bringing more clarity and structure to this program are urgent and will go a long way to support the local economy and strengthen neighborhood vibrancy.

We urge you to advance this first critical step in supporting outdoor dining activations and street closures in Downtown San José that will have the potential to substantially inform concrete next steps in the citywide Al Fresco program. Now is the time to move forward, and SPUR is looking forward to engaging and collaborating with the city to take the temporary Al Fresco initiative into a permanent program that can deliver the economic recovery and livable streets that so many of the city’s plans aspire to.

Sincerely,



Fred Buzo
San José Director



Erika Pinto
San José Planning Policy Manager