Levitt Pavilions Exploratory Committee

Building Community Through Music

SUMMARY

Input and recommendations for consideration by the City of San Jose and Levitt Pavilions for a successful Levitt Pavilion at Saint James Park.

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Executive Summary

Levitt Pavilions – a national nonprofit organization working in partnership with the Mortimer & Mimi Levitt Foundation – collaborates with local communities to transform underused and neglected public spaces into thriving community destinations activated by free, high-quality live music performances – building community through music.

The national Levitt Pavilions organization has pledged to invest significant non-public capital to catalyze lasting, meaningful change for Saint James Park, and become a permanent partner for Saint James Park and San Jose.

In February 2014, a Levitt Pavilion San Jose Exploratory Committee (Committee) was formed to:

- Evaluate the feasibility of a Levitt Pavilion in Saint James Park
- Provide considerations for a successful Levitt Pavilion in Saint James Park, along with a local nonprofit Friends of Levitt Pavilion San Jose.

The national Levitt Pavilions organization provides best practices and approaches the exploratory process through the lens that "the community knows best". This applies to the evaluative process conducted by this Committee and subsequent activities of a Friends of Levitt Pavilion San Jose.

The Committee conducted several working sessions, met with community members, conducted a site visit to two Levitt venues during active concert seasons, and presented to the Arts, Historic Landmarks, and Parks and Recreation Commissions of the City of San Jose. Staff from the Office of Cultural Affairs, Parks Recreation Neighborhood Services Department, and Planning, Building and Code Enforcement Department, supported the Committee during this exploratory process.

Levitt Pavilions has a specific development timeline. It is important to note that this report represents the first of three stages of Phase I. No formal commitment of the City or Levitt Pavilions is required until the end of Phase II, at which time the formal Levitt Pavilion agreement is finalized. If the City decides to move forward, subsequent phases may take between 2-4 years.

Levitt Development Phases

Phase I - Exploration, Site Identification, City Commitment

Phase II - Formation of Friends of Levitt Pavilion and Formal Agreement

Phase III - Venue/Site Design and Capital Campaign

Phase IV - Construction and Venue Opening

Levitt Pavilions' perspective of "improvement without displacement" appears to be compatible with neighborhood input received during this exploratory process. Based on the Committee's evaluation of a Levitt Pavilion, it must not be detrimental to the quality of life of current and future residents. In fact, a Levitt Pavilion, with its properly engineered environment and community-centric programming, could serve to mitigate undesirable activity and stabilize live music and event programming in Saint James Park.

Based from findings in this report, it appears that a Levitt Pavilion could be a catalyst for successful change in Saint James Park. It is this Committee's recommendation that City Council be fully briefed on and endorse the concept of a Levitt Pavilion in Saint James Park for further evaluation and development. Then, the Committee can transition and expand into an advisory group to work with City staff and Levitt Pavilions on next steps. Next steps must encompass the following for a successful Levitt Pavilion in Saint James Park:

- 1. All efforts must be community-led, with the City and Levitt Pavilions as supportive partners
- 2. Community leadership must consist of, and represent, dedicated stakeholders
- 3. Further evaluation of impacts must be thorough
- 4. Studies and feasibility analyses must be thorough
- 5. A comprehensive plan to address the current problems facing Saint James Park must be formalized and executed
- 6. Additional assessment districts to exclusively fund a Levitt Pavilion in Saint James Park are unnecessary

A Levitt Pavilion in Saint James Park has the potential to serve as the catalyst for an integrated effort to successfully and collaboratively transform Saint James Park. A true community-driven effort will yield the best results, and allow a Levitt Pavilion to reflect San Jose's unique and diverse community.

Levitt Pavilions

The Mortimer & Mimi Levitt Foundation has been supporting access to the arts and building community through music since the 1970's, beginning with the first Levitt Pavilion in Westport, Connecticut. As a child, Mortimer Levitt experienced music under the stars first-hand, and was inspired to invest the wealth he created over his lifetime to spreading the power of community through music.

Levitt Pavilions, now a nationally active philanthropic organization, partners with communities throughout America to transform neglected outdoor spaces into welcoming destinations where free, live music brings people together and invigorates community life.

After three decades of success in Westport, the second Levitt Pavilion opened in 2003 at Memorial Park in Old Town Pasadena, followed by MacArthur Park in 2007 in Los Angeles' Westlake district. Levitt Pavilions, in partnership with local communities, has since successfully opened three other pavilions, including restoring the band shell in Overton Park in Memphis, Tennessee (2008) as well as building new venues in Arlington, Texas (2008) and the Lehigh Valley of Pennsylvania (2011).

Levitt Pavilions is actively developing Levitt venues in Denver (opening 2016) and Houston (opening 2017), and engaging Sioux Falls and New Orleans along with San Jose, amongst other cities.

In each Levitt city, Levitt Pavilions works with the community, local nonprofits and arts groups, and the City to successfully engage community stakeholders in the design and successful creation of a pavilion that represents the character and spirit of that specific community.

In the case of Levitt Pavilion Steelstacks, the venue was designed to convey the rich history of the site, which is adjacent to a signature steel mill. The Bethlehem Steel Plant was long-abandoned and, combined with Levitt's investment of capital and operating support, the community transformed the neglected site into the Steelstacks Cultural Campus – a vibrant community asset – with the Levitt Pavilion as its focal point.



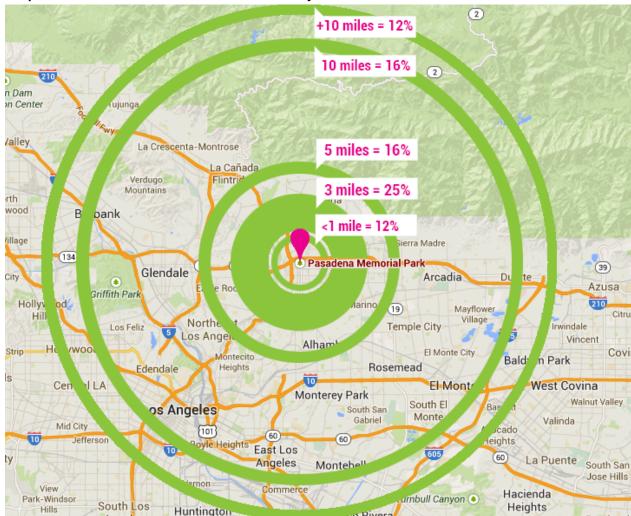
Levitt Pavilion Steelstacks, Bethlehem, Pennsylvania

In the case of Pasadena, Memorial Park is similar in size and form to Saint James Park.



Levitt Pavilion, Memorial Park, Pasadena

Levitt Pasadena draws most of its visitors from within 3 miles of the park, while the "Levitt experience" draws many from outside the San Gabriel Valley as well.



Graphic A: Levitt Pavilion Pasadena lawn survey - distance traveled

Levitt Pavilions describes itself as "a pioneer of creative placemaking." The Levitt program integrates arts and culture into accessible, reclaimed public open spaces. Levitt's partnership and programming enliven these spaces, and successfully build community in "third places" – informal gathering spots outside the realms of home and the workplace, such as sidewalk cafes, farmer's markets, or city parks. Levitt venues bring people and places alive to create new traditions and memories, and catalyze local communities and cities to develop permanent, successful working partnerships.

Levitt Exploratory Committee

Levitt Pavilions' approach reinforces that "the community knows best". The national Levitt organization engages both City and community leaders to become Levitt champions, and follows a diligent and proven process for supporting leadership that focuses on developing a cultural asset conducive to creating a thriving destination and building community through music.

In December 2013, the San Jose City Council approved the formation of the Committee to investigate the feasibility of a Levitt Pavilion in Saint James Park, and publish an official report that defines an acceptable pavilion and sustainable Friends of Levitt organization, as well as recommendations on Saint James Park.

Levitt Development Timeline

Based on years of experience working with a variety of communities, Levitt Pavilions understands development processes can take from 3-5 years. The first phase, in which the Exploratory Committee is formed and produces a report, concludes with site selection, approval by both the City and Levitt Pavilions, and a City endorsement (short of a formal agreement) on a Levitt Pavilion in Saint James Park.

It is important to note that San Jose is the first Levitt city to publish a full written report regarding the feasibility of a Levitt Pavilion. However, San Jose is well within the 24-month Phase I timeline (from initial conversations to City endorsement). The following schedule starts at the time the Committee was formed.

Phase I: Exploration, Site Identification, City Commitment 12-24 months (began February 2014)

- Exploratory Committee visits an existing Levitt Pavilion during a concert season
- Potential sites explored and considered by the Committee
- Community stakeholders and public officials engaged for support
- Site determined in collaboration with local government and community stakeholders
- Site approved by Levitt Pavilions
- City endorsement and commitment to project secured

Phase II: Formation of Friends of Levitt Pavilion and Formal Agreement 6-12 months

- Articles of Incorporate for Friends of Levitt Pavilion filed
- Recruitment of Friends of Levitt Pavilion Board of Directors
- Friends of Levitt Pavilion business plan drafted
- Friends of Levitt Pavilion IRS Form 1023 filed and 501(c)(3) status secured
- Donor cultivation begins for capital campaign and operating support

 Agreement between Friends of Levitt Pavilion, City, Levitt Pavilions and Mortimer & Mimi Levitt Foundation signed

Phase III: Venue/Site Design and Capital Campaign 12-24 months

- Donor cultivation efforts for capital campaign and operating support continue
- Friends of Levitt Pavilion board members visit a Levitt Pavilion during a concert season
- Architect firm secured by Friends of Levitt Pavilion
- Venue design and site plan for Levitt Pavilion developed; design process led by Friends of Levitt Pavilion
- Venue design and site plan presented to and reviewed by Levitt Pavilions and City; feedback provided
- Design finalized and approved by Friends of Levitt Pavilion, Levitt Pavilions and City
- Construction and budget for Levitt Pavilion finalized
- · Capital campaign is launched; lead gifts announced

Phase IV: Construction and Venue Opening 9-12 months

- Groundbreaking event; construction begins
- Friends of Levitt Pavilion board hires Executive Director
- Friends of Levitt Pavilion day-to-day operations and planning for inaugural concert season begins
- Executive Director hires additional staff
- Marketing and outreach efforts begin, including Web site launch
- · Construction completed, including installation of lighting and sound system
- Opening celebration takes place and concerts begin

Exploratory Committee Background and Process

The Committee was formed from a group of interested community stakeholders in February 2014, when the community was formally introduced to Levitt Pavilions, and its Executive Director, Sharon Yazowski. In attendance were leaders from various City departments, parks and open-space interest groups, neighborhood/homeowner associations, community organizations, and arts, cultural and urban interest groups.

In forming the Committee, Levitt Pavilions and City leadership insisted that the Committee include a broad spectrum of perspectives to gather and publish the highest quality information for decision makers. Committee members include:

James Reber Executive Director, San Jose Parks Foundation

(Co-Chair)

Downtown resident/property owner; President, The Plaza of **Jack Wimberly** San Jose Homeowners Association; Member, Downtown

(Co-Chair) Development Committee Chair, Rotary Club of San Jose

General Manager, Sainte Claire Club; Executive Director, Shawn Atkisson

Sainte Claire Historic Preservation Foundation

The Very Rev. David Bird Dean and Rector, Trinity Episcopal Cathedral; Member,

Rotary Club of San Jose

Downtown resident; Member, San Jose Downtown Kymberli Brady

Residents Association

Parks Commissioner Rudy Flores, Jr.

Downtown resident; Residential Real Estate Appraiser Dana Grover

Julie Matsushima Downtown resident/property owner; Former Parks

Commissioner; Airport Commissioner; Member, Rotary

Club of San Jose

Matt Stevens Downtown resident/property owner; President, St. James

Place Homeowners Association

Board Member and Past President, San Jose Downtown **Geri Wong**

Association: Member. Rotary Club of San Jose

Deputy Director, San Jose Downtown Association Blage Zelalich

The Committee was supported by the following City staff in an advisory capacity:

Office of Cultural Affairs, City of San Jose **Kerry Adams-Hapner**

(City staff)

Steve Hammack (City staff)

Parks, Recreation, Neighborhood Services, City of San Jose

Parks, Recreation, Neighborhood Services, City of San Athena Trede Jose (City staff)

A commitment was made by all Committee members to operate on a consensus basis, to objectively analyze all data, and to provide the City staff, Commissions and Council quality information related to Levitt Pavilions and Saint James Park.

The Committee met in March and April 2014 to discuss and agree on its mission, discuss and review the goals of the Levitt Pavilions organization, and gain perspective of the environment of Saint James Park in relationship to the mission of Levitt Pavilions. On May 19th, an overview of the Committee, its membership, its process and its goals was presented to the City's Community Economic Development Committee.

The Committee then formulated a framework for evaluation based on the queries and input from its members. This input, both positive and negative, is viewed as equally important.

Site Visit: Levitt Pavilions Greater Los Angeles

In July, a group of Committee members visited the Levitt venues in greater Los Angeles. In both Pasadena and Los Angeles, each pavilion was part of, or a catalyst for, civic and community investments in these public spaces.

Memorial Park, the location of Levitt Pavilion Pasadena, is complimentary to Old Town Pasadena's business and residential amenities. The Levitt Pavilion in Memorial Park is integrated and integral to this community. Memorial Park is perhaps the most similar in form to Saint James Park, surrounded by mature trees in a mixed setting of historic buildings, businesses and newer residences.

In Los Angeles, Levitt catalyzed additional investments in public safety and park infrastructure, and in Pasadena it complemented years of private investment in Old Town. Both pavilions program music reflective of their individual communities, with both presenting a range of music genres. For example, Levitt Pasadena's programming includes a variety of jazz concerts on Sunday evenings, while Levitt Los Angeles' programs include multi-cultural influences which resonate with the immigrant communities of MacArthur Park's surrounding neighborhoods. It should be noted that each Levitt Pavilion is required to present a minimum of 50 free concerts annually, featuring high caliber entertainment representing a wide range of music genres and appropriate for all ages to enjoy.

The Committee met with representatives from Friends of Levitt Greater Los Angeles & Pasadena. Due to the close proximity of both Levitt venues in the greater Los Angeles area (less than 10-miles apart), both organizations realized that merging the Friends of Levitt Pasadena and Friends of Levitt MacArthur Park organizations would reduce the impacts on shared donors, complement and coordinate programming and artist bookings, and strengthen the overall effectiveness of these organizations. While the neighborhood strongly supports Levitt in MacArthur Park, its means are lesser than Pasadena. This merged organization formed in late 2012, and is the only Friends of Levitt organization responsible for two Levitt venues.



Memorial Park in Old Town Pasadena showing its mature trees, monuments, and the Levitt Pavilion

Both parks were visited before and during live music performances. A Committee member and Residential Real Estate Appraiser visited and interviewed neighboring residents and businesspeople. Residents and workers view Levitt Pavilion as positive influences in their parks. They host very diverse crowds of residents, workers and visitors.

While both parks had varying safety issues, MacArthur Park's safety concerns were much greater than that of Saint James Park or Memorial Park. Memorial Park has an active senior center within the park. This senior center produces Tuesday night concerts during the Levitt season specifically geared to seniors and members of their community center.

The leasing agent at Holly Street Village apartments, adjacent to Memorial Park, indicated there is no difference in rent for units facing the park, and that they do not receive complaints from music generating from the adjacent Levitt Pavilion.

It is clear that the Levitt venues, and surrounding parks, are clean and well kept, and clear of graffiti. MacArthur Park is substantially larger than Saint James, and is bifurcated by Wilshire Boulevard. The Levitt Pavilion is in a corner of the park, and immediately adjacent to a large soccer pitch and play structure. Activities at and

behind the Levitt Pavilion keep the park lively, even after dark. An important note observed by all Committee members – sound impacts on immediately surrounding neighborhoods were negligible.

Residential and business neighbors around each park perceive Levitt venues as key amenities in their communities. Levitt pavilions give people a positive reason to come in the park – and stay.

Key takeaways from the Committee's site visit provide points that support Levitt Pavilions' value proposition for San Jose:

- Levitt pavilions are not simply venues, rather they are vehicles for building community.
- Each Friends of Levitt Pavilion programs music relevant to their specific community.
- Levitt pavilions are valued elements in broader revitalization strategies and efforts.
- They can be catalysts for investments in parks.
- They attract both residents and visitors.
- As they are properly designed and programmed, Levitt pavilions produce minimally intrusive sound impacts.
- · Levitt Pavilions' approach and model work.

Saint James Park

"The development of a new program for Saint James Park that includes effective management and event programming is an opportunity to set new standards of safety and attractiveness for the area." – Saint James Park Master Plan Update

Saint James Park has been described as "the most important public open space in San Jose". At the same time California joined the United States, in 1848, Charles Lyman surveyed the City of San Jose, reserving land specifically for Saint James Square.

Since its inception, Saint James Square and the district immediately surrounding the Park, became a place of significant community activity. In the recent decades, ongoing challenges with vagrancy and illegal behavior have historically prevented downtown residents and workers from frequenting and enjoying Saint James Park.

In recent years, and especially during Summer 2014, the City and community partners, including the San Jose Downtown Association, made a concerted effort to provide activities in Saint James Park. Funded in part by a grant from the John S. and James L. Knight Foundation, Saint James Park saw regular activities, such as yoga at lunchtime, evening games, small performances and movie screenings. Some of the larger events presented challenges, including severe sound impacts and negligent behavior that impacted surrounding properties. This summer activation program yielded an increase in park usage by downtown workers and residents alike.

With current and future development around Saint James Park, there is great interest in enlivening this public space. Over the last 20-years, the City led Master Planning efforts, but a lack of community interest and engagement, as well as funding, challenged revitalization efforts.

Master Plan Update

In 2002, an update to the original Master Plan (1985) for Saint James Park was created. The Master Plan Update takes into consideration the St. James Historic District Design Guidelines and goals of the Downtown Strategy 2000.

The Master Plan Update includes the following goals and objectives, which are relevant to the consideration of a Levitt Pavilion:

- To retain the historic character of the park and maintain the National Register designation.
- To **upgrade the visual environment** of Saint James Park in order to reflect its role as one of the most important public open spaces in downtown San Jose.
- To develop a plan that makes the park inviting for all members of the community.

• To activate the park by identifying events and activities that are compatible with the park while inviting more people, and to provide a plan and infrastructure that supports these activities while respecting the surrounding land uses.

Renewed community interest in enlivening Saint James Park parallels stated goals of the Master Plan, including:

- Adding family-friendly elements
- Adding an attraction or destination
- Increase programming

Historic District Design Guidelines

A district on the National Register of Historic Places, the St. James Square Historic District represents the single-most important collection of historic buildings and public open space in the City. Adopted by Council in 1989, the St. James Square Historic District Guidelines are an extension of the US Secretary of Interior Standards for Historic Preservation. The goals and objectives of the Design Guidelines are to:

- Ensure that all rehabilitation and development in the District and its vicinity are designed to **enhance the character of the historic resources**.
- Ensure that all rehabilitation and development activity is consistent with the goals and policies of the General Plan, particularly the Historic, Archaeological, and Cultural Resources, and Urban Design policies.
- Establish a framework to promote fair, consistent and objective decisions related to development within the area.
- Inform property owners of the criteria upon which development applications will be evaluated.

Programming

"Programmed events, including evening and weekend events, will become more popular as people find it easier to walk from their home to the park." – Saint James Park Master Plan Update

The physical design of the Master Plan Update specifically distinguishes separate areas to allow visitors to enjoy activities and non-activities simultaneously in different areas of the park. It describes a "four rooms" approach wherein visitors can read in one quadrant while a classical music concert happens in another.

The Master Plan Update analyzes existing programs with the Office of Cultural Affairs. This particular programming happened over 10 years ago. Most of those events were large festivals, with attendance upwards of 5,000 people. The Summer 2014 activation

efforts yielded a broad variety of programs, from small concerts, mid-day yoga, to large festivals. These events ranged in audience size from 10 to 3,000. Most importantly, these activities happened on a frequent and regular basis, bringing people into Saint James Park every week.

The Master Plan prescribes music genres such as classical, jazz, world, and folk, and community festivals, art shows, and the possible relocation of the Farmer's Market. It also specifies that the creation of a programmed soundscape will enable visitors to enjoy activities during and separate from a live music event. Levitt pavilions are well designed, engineered to maximize audience enjoyment while mitigating negative impacts of sound on neighbors.

From neighborhood input at Committee meetings, it appears that some live music events were more successful than others during the course of the summer activation efforts. The jazz, guitar, and small ensemble vocals were well received, while an electronic music event caused significant problems for neighbors.

Levitt understands that in their approach to programming. Levitt's signature programming is built on the foundation of providing family-friendly entertainment, which implies appropriate genres, controlled sound levels and an appeal to broad audiences.

Management and Operations

The Master Plan Update provides general considerations for successful management, programming and operations of Saint James Park. The options for further investigation cited in the Plan include:

- Appointing a full-time, on-site park [staff person] responsible for coordinating Saint James Park management and oversight of all related operations.
- Appointing a policy advisory committee to establish event policies and guidelines.
- Developing a comprehensive security and safety plan.
- Evaluating possible management options, including use of public agencies, private management, firms, and nonprofit groups.

Downtown Strategy 2000

Prior to the 2002 Master Plan Update, a Downtown Strategy 2000 Plan was created. A program environmental impact report was created for this plan. This EIR envisions a thriving, active and dense downtown, specifically describing Saint James Park as "the center of a major new Downtown residential district."

The program EIR includes impact considerations and mitigation measures for development adjacent to, and within, parks and public spaces. The EIR also prescribes measures specific to areas of historic sensitivity and registered Historic Districts. It directs that "new development...within or adjacent to a significant historic resource which is subject to resource-specific preservation plans (e.g. St. James Square Historic District Deign Guidelines)...shall conform to those plans and guidelines, in addition to other applicable preservation laws and guidelines." This EIR also prescribes that new event locations in public parks and spaces conform to applicable plans and guidelines, in this case the St. James Square Historic District Design Guidelines.

Levitt Pavilion in Saint James Park

Downtown Growth

Growing interest and investments in downtown San Jose are bringing more workers, residents and visitors. Large investments, including new high-rise residences and commercial/government space under construction and the eventuality of BART downtown, are on the horizon. A healthy urban center has a multitude of amenities and attractions of various scales.

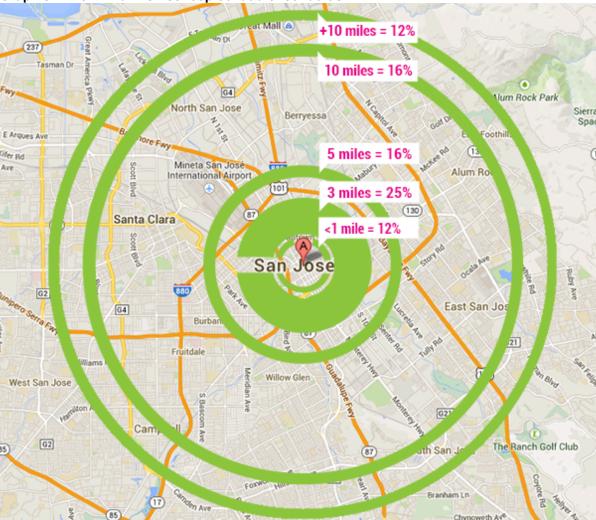
The San Pedro Market proves that creating an amenity-attraction can define a downtown district. SoFA, with its art and cultural institutions, has defined and activated that area, including a greatly improved Parque de Los Pobladores.

New developments adjacent to Saint James Park may bring over 1,500 workers and 800, or more, new residents, as well as countless visitors to the new Family Justice Center. These new developments will demand amenities such as restaurants and recreation areas. In the case of Arlington, Texas, the success of the Levitt Pavilion was instrumental in the opening of nearly a dozen new restaurants in the immediate area surrounding the Levitt Pavilion.

Levitt Pavilions brings a perspective that, in order to create a vibrant and sustainable Friends of Levitt organization, the entire community must be invested in the success of

¹ San Jose Downtown Strategy Plan EIR, Cultural Impacts

a pavilion. Applying the distance study from the Levitt Pavilion Pasadena to San Jose, over 50% of attendees would come from within 5 miles of Saint James Park.



Graphic B: Levitt Pavilion conceptual audience radius

Considering downtown's increasing popularity and relative ease-of-access, a Levitt Pavilion would likely serve as an attraction for San Jose neighborhoods including Japantown, Northside, Alum Rock, North San Jose, Willow Glen, and beyond.

Levitt's target audience is defined by its requirements for "family-friendly, high-quality music." Further, Levitt Pavilions requires that programming reflect and attract the entire community. With San Jose's multi-ethnic cultures, music programming of the Levitt Pavilion in Saint James Park would be geared to attract residents of many cultural, socio-economic and age demographics.

Management and Operations Options

Levitt Pavilions requires that each pavilion itself be, and must remain, City-owned. This ensures proper support for maintenance and upkeep of a venue created to enhance public spaces.

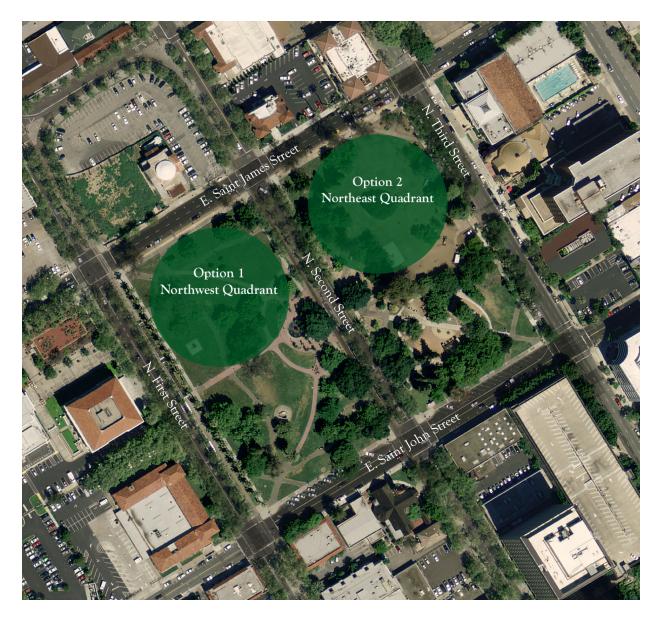
The Friends of Levitt Pavilion San Jose could fulfill the Master Plan goal of providing "a planned program of activities [that] assist the staff in their ability to take proactive maintenance measures, which in turn can result in significantly reduced negative impacts to the site and lowered maintenance costs."

At this time, it appears that a Levitt Pavilion and Friends of Levitt Pavilion San Jose could be the central focal point for revitalization strategies for Saint James Park, and realize the Master Plan Update's goal of "providing a strong programming plan to support the Park, and allow visitors to experience Saint James Park with a sense of pride, exhilaration and a desire to return again and again."

Location Options

Levitt Pavilions emphasizes and requires an open lawn setting be preserved. Average Levitt attendance ranges between 1,000-2,000 attendees, with larger concerts upwards of 5,000, and smaller performances to around 500. The City and Levitt Pavilions must agree upon and approve the actual placement and orientation of a pavilion in Saint James Park.

This Committee focused its evaluation of potential locations in the context set forth in the Master Plan Update. While there may be other alternatives, the two options contained in the Master Plan are viable, but have varying degrees of impact on the Historic District and neighborhood.



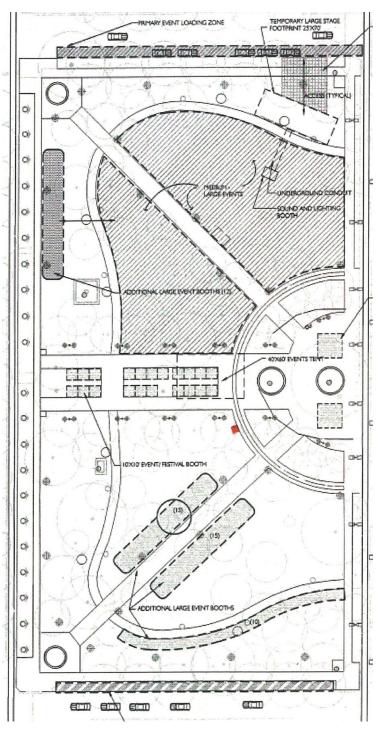
Option 1 – the northwest quadrant – is identified for larger performances; while Option 2 – the northeast quadrant – is identified for smaller performances.

Master Plan Locations

The Master Plan Update evaluated ideal areas for medium-to-large and small-to-medium events. Both of these locations keep with the Master Plan's "four rooms" concept to provide uninterrupted enjoyment for all visitors to the Saint James Park.

It should be noted that Levitt Pavilions requires new venues to comfortably accommodate up to 5,000 people on lawn chairs and lawn blankets.

The illustration below represents the west half of the park, and specifies the northwest quadrant for medium to large events. The gray shaded area alone identifies space for audiences ranging from 1,800 seated to 4,500 standing.



Surface treatment for access, as well as utility connections for power, are provided for along East Saint James Street.

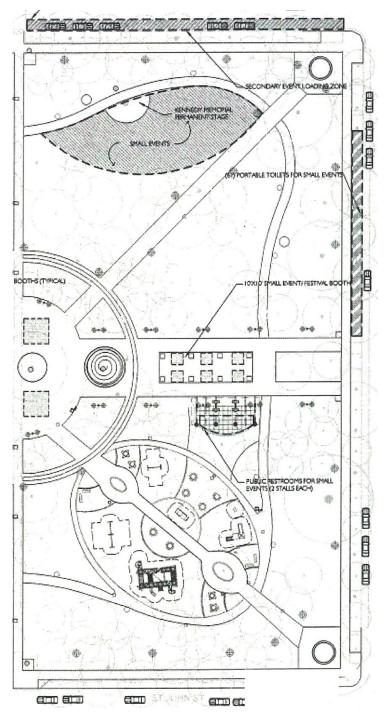
A 25-foot deep by 70-foot wide area is cited for a temporary stage (identified as a hashed rectangle in the upper right corner of this illustration). Required minimum stage depth for a Levitt Pavilion is 30-feet, but actual depth depends on the overall design.

There are a few trees in the area, which the Committee presume to be of heritage value. These are located on the north and west perimeter of the park, and outside and protected from the prescribed area for events.

The west half is bounded by VTA Light Rail on both east and west sides and presents a challenge for loading, setup and access.

If, at any point in the future,
North Second Street and the
VTA Light Rail tracks are
removed to restore Saint
James Square to its original
state, orienting a pavilion as
illustrated in the diagram could
lead to a loss of continuity and
unity of the space.

The northeast quadrant is identified for smaller events. The Master Plan Update includes the relocation and modest redesign of the Robert F. Kennedy monument, which is currently located in the southwest quadrant of Saint James Park. The illustration below provides a gray shaded area that could accommodate approximately 500 seated, and 1,200 standing.



In this scenario, a southern orientation of the stage would direct the pavilion's sound away from current and planned residential developments, as well as active churches. The shaded area represents significantly less capacity than Levitt Pavilions requires, however, the current state of the northeast quadrant would provide sufficient room for larger audiences.

The Master Plan cites the eastern quadrant as a potential location for a café, paved and covered pavilion/walkway, and interactive water feature in the central eastwest pathway conceived in this plan. This location is less desirable based on its capacity constraints.

Both locations appear to have adequate capacity to hold both average Levitt audiences of 1,000-2,000, as well as upwards of 5,000, seated comfortably in the open lawn settings.

Given the requirements of the national Levitt Pavilions organization, potential impacts on historic resources around the park, and the prescription for large events in the Master Plan, Option 1, in general, appears to be most compatible for a Levitt Pavilion.

Initial feedback from Levitt Pavilions, based on the Committee's evaluative efforts, indicates a Levitt Pavilion would be most suitable in the northwest corner of Saint James Park. This location would reduce the impact on view-sheds of historic structures, and orient the Levitt Pavilion in a manner appropriate for the potential reunification of Saint James Park.

Impact Considerations

Saint James Square Historic District

Saint James Park is central to the St. James Square Historic District's designation on the National Register of Historic Places. The US Secretary of Interior set forth Standards for the Treatment of Historic Properties. These Standards are used and extended by State and local preservation policies. Both State and Federal agencies consider the St. James Historic District Design Guidelines (Guidelines) extensions of the respective standards for historic preservation.

Previous environmental impact reports confirm that any new development of, adjacent to, or within a historic resource **must conform to the Guidelines**. All activity within the St. James Square Historic District is subject to site and architectural review and approval by the Director of Planning².

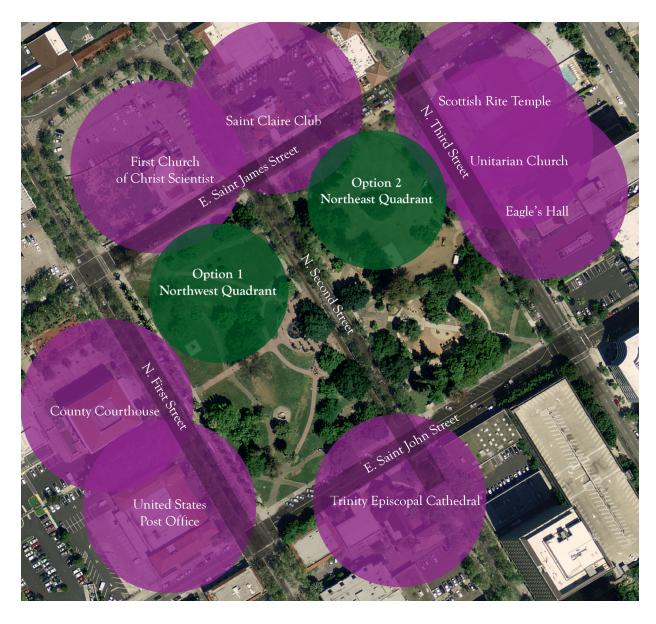
A Levitt Pavilion must conform to the Guidelines, and therefore must:

- Be designed to enhance the character of the designated resource (in this case, the St. James Square Historic District and Saint James Park)
- Conform to design guidelines for new construction

In retaining the historic nature of the park and surrounding district, the Levitt Pavilion must respect the views of contributing historic structures – and the park itself –from inside and outside the park. A Levitt Pavilion must be designed tastefully, and respect the historic nature of the district.

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² San Jose Municipal Code Section 20.44.010



Historic Impact Considerations

Option 1

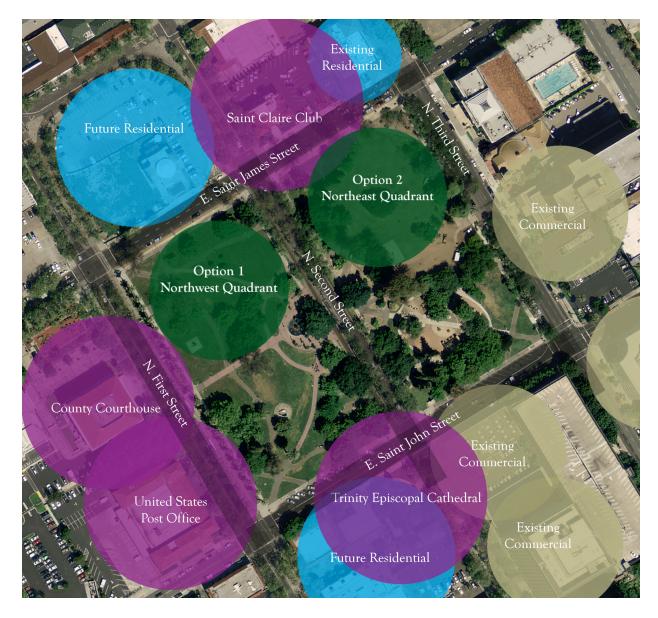
- View impacts on First Church of Christ Scientist and Sainte Claire Club (NE corner of quadrant)
- Lowest potential for view impacts on historic resources
- Least obstruction by, and impacts of, mature trees

Option 2

- View impacts to/from Sainte Claire Club, Scottish Rite Temple (NE corner of guadrant)
- Limited open lawn setting
- Obstructed views by, and conflict with, mature trees
- Likely impacts on existing residential units and private club

Programming and Sound

A well-designed Levitt Pavilion would reduce sound impacts compared to current music events, and would be engineered to enhance audience experience while controlling and mitigating negative sound impacts. Surrounding residential and commercial developments are shown below.



Sound Impact Considerations Option 1 Option 2

- Potential impacts on Trinity Cathedral and proposed residential development
- Least impactful on current residential developments
- Directed at existing commercial space, partially at Trinity Cathedral
- Unknown effect on future construction

In discussions with business-owners and residents in Pasadena, as well as Westport, Connecticut, Levitt is seen as a valuable neighborhood resource for businesspeople and residents alike.

Downtown San Jose has two viable parks for large festivals, Discovery Meadow and Plaza de Cesar Chavez. Creating a Levitt Pavilion in Saint James Park would diversify San Jose's open-space venues for live music and events, while carefully curating a positive experience in Saint James Park. Most of downtown's large festivals are feebased, with fencing to control capacity and attendance. Levitt Pavilions' premise is the opposite – it requires that high quality, live music be available to the public at no cost. Occasionally, Friends of Levitt organizations host benefit concerts where tickets are sold, therefore Saint James Park with a Levitt Pavilion has the ability to accommodate these events. These events would be the exception to the Friends of Levitt Pavilion San Jose programming model.

Sound Impact Evaluations

Committee members measured sound at a music concert in Saint James Park on Thursday, July 17. This event was modeled after previous music events, with special attention paid to mitigating sound impacts. At the time of this report, the City Parks, Recreation and Neighborhood Services Department conducted a separate sound study to evaluate sound impacts of live music events on the surrounding neighborhood. This sound study does not correlate with a potential Levitt Pavilion. Levitt pavilions are engineered and designed to control and mitigate negative sound impacts, while enhancing the experience of the audience.

The Levitt Pavilion in Pasadena is adjacent to a multi-story residential apartment complex, and surrounded by mid-rise commercial buildings. A member of the Committee spoke with the leasing office of the adjacent residential development. The leasing representative indicated there were no impacts on the units facing Memorial Park. During events, a Friends of Levitt staff-member constantly monitors sound levels at the audio control booth location to comply with Pasadena City regulations. Furthermore, the venue design had sound impacts as a key consideration for sound engineering. Committee members were pleasantly surprised at the level of sound control of the Levitt Pavilion in Pasadena, and its less-than-significant impact on the surrounding neighborhood.

The management of events by the local Friends of Levitt Pavilion San Jose for events that occur outside the Friends of Levitt programs is highly important. It is recommended that all events at a Levitt Pavilion in Saint James Park must use Friends of Levitt Pavilion sound and technical staff. This would ensure sound is controlled in a manner as to not negatively impact the neighborhood. This would also ensure the ongoing perception of a Levitt Pavilion in the community continues to be positive.

Traffic and Parking

While a Levitt Pavilion is certain to attract visitors to Saint James Park, a Levitt Pavilion is likely to attract many of its visitors from walking distance or close proximity to public transportation, including VTA Light Rail. Accessibility to public transit is viewed positively by Levitt Pavilions regarding Saint James Park as a potential location.

Given the new and proposed developments around Saint James Park, traffic congestion and parking is of significant concern. The Family Justice Center is currently under construction at the northwest corner of North First and East Saint James Streets. The Environmental Impact Report for the Family Justice Center³ indicates an increased demand for over 800 "net new" parking spaces downtown, albeit on weekdays.

The traffic and parking impacts of the proposed developments are addressed in the Downtown Strategy 2000 Environmental Impact Report⁴. This program EIR indicates that new developments throughout downtown will create a need for 5,000 new parking spaces. The General Plan 2040, however, provides plans for significantly reduced vehicle trips, and a greater reliance on walking, bicycling and transit use.

A Levitt Pavilion would be more likely to impact parking for current and future *residents* around Saint James Park, in that Levitt events would occur in the evenings and weekends. However, lunchtime concerts are quite suitable for an urban park such as Saint James Park. With potentially 400 new residential units (and possibly 800+ new residents) immediately adjacent to Saint James Park, it appears the parking impacts of a Levitt Pavilion will be less significant than new government, commercial and residential developments.

Maintenance

Building a Levitt Pavilion in Saint James Park, and programming a minimum of 50 free live music concerts annually, would result in significantly increased use of Saint James Park. If constructed, the Levitt Pavilion would be City-owned. Levitt Pavilions requires cities to maintain the facility, for practical and long-term reasons. Different Friends of Levitt organizations participate in maintenance and upkeep of their venues in a variety of ways, including building in an annual contribution to maintenance and upkeep of the facility.

Each local Friends of Levitt organization is responsible for preparation, programming and cleanup of the venue and park as related to Levitt concerts. The same would apply in San Jose, where the Friends of Levitt San Jose would assume responsibility

³Final Initial Study and Mitigated Negative Declaration, Santa Clara Family Resources Courthouse, ERM, March 2010

⁴ Downtown Strategy 2000 Environmental Impact Report, LSA Associates, November 2005

for the pavilion and park area before, during and after Levitt concerts. Consideration should be given to require that Friends of Levitt Pavilion San Jose's security and cleanup staff be required if an outside organization wishes to use the Levitt Pavilion for an event.

Funding

The Council memorandum from December 2013 instructs the Committee to study and evaluate the feasibility of a range of maintenance, operations and funding arrangements, including a Special Assessment District to support Levitt Pavilion and Saint James Park.

While funding for a capital campaign is addressed later in this report, Levitt Pavilions focuses on building a dedicated group of stakeholders to support both the construction and operations of a Levitt Pavilion. While City and/or public funding could be of great assistance, this Committee concurs that the broader community must be invested in this Levitt Pavilion and Friends of Levitt Pavilion San Jose organization.

Several special assessment districts exist in the City, including the Property Business Improvement District, or PBID, that is managed by the San Jose Downtown Association. Creating another assessment district specific to Saint James Park and a Levitt Pavilion would create an additional third layer of fees and management in addition to the PBID and proposed downtown parks maintenance district.

The City began evaluation of a downtown parks maintenance district. A Levitt Pavilion in Saint James Park should be integrated with the future parks maintenance plans, rather than creating another district solely for a Levitt Pavilion. Further evaluation of a Levitt Pavilion's integration into these planning efforts should be studied in the subsequent phase of development.

Partnerships

The Master Plan Update specifically addresses maintenance and operations of Saint James Park. It outlines specific partnership opportunities between the City and semi-public and nonprofit organizations. Specific focus on a shared maintenance plan includes:

- Daily site inspections to identify necessary maintenance and repairs.
- Daily steam cleaning and monitoring of drains, benches, site furniture and signage and graffiti control.
- A single point of contact accountable for every area of maintenance and security.

Groundwerx, the San Jose Downtown Association's PBID program partner, is an example of an effective maintenance partnership. Team members steam clean

sidewalks, record and remove graffiti, and maintain cleanliness on downtown streets. However, the PBID service area does not currently include city parks.

A Friends of Levitt Pavilion San Jose could coordinate with and/or support a City department or partner responsible for day-to-day management and maintenance of Saint James Park.

Safety and Security

Saint James Park suffers from a poor reputation based on the ongoing safety and security issues facing Saint James Park and the surrounding neighborhood. No official audit has been conducted to determine exactly what issues affect safety, or the perception of safety, in the park. Instead, San Jose Police Department and Park Rangers actively increased patrols in and around the park in summer 2014. These efforts have yielded a decrease in violent and illegal activities in Saint James Park, but shopping carts alone continuously outnumber residents and workers.

The single-most effective strategy to improve safety in a public space is to activate it. In concert with increased security patrols, maintenance and small and medium-sized events will improve the perception of security in Saint James Park. This Committee stresses the importance of continuing these activities to increase the appeal of Saint James Park for residents and workers.

Consideration should be given to creating a comprehensive strategy led by the San Jose Police Department and City Parks, Recreation, Neighborhood Services to monitor and address the ongoing safety issues in Saint James Park.

Each local Friends of Levitt organization plays an integral role of supporting and improving their resident parks. In the case of both Pasadena and MacArthur Park, the Friends of Levitt provide private security, volunteer docents, and litter cleanup crews to ensure the parks are kept clean and safe before, during and after Levitt concerts.

A Levitt Pavilion in Saint James Park will not in itself solve the issues of safety and security in Saint James Park, but could play an instrumental role in a long-term strategy of enlivening Saint James Park by promoting a safe, family-friendly environment.

A coordinated strategy of the City Parks, Recreation, Neighborhood Services Department and Police Department, as well as other social service departments and/or partners, must create a strategy to address the behavioral challenges leading to the perceived safety problems of Saint James Park.

A Levitt Pavilion cannot, itself, solve the broad, long-term challenges facing the park. The presence of a Levitt Pavilion can attract people to Saint James Park, but efforts must be taken in advance, and separate from Levitt Pavilion planning, to provide for a suitable and safe environment.

Friends of Levitt Organization

Role

A Friends of Levitt Pavilion San Jose would focus on building community through music through the presentation of an annual series of 50 free professional concerts, being a good neighbor, and positive contributor to enliven and transform Saint James Park. At this point, a Friends of Levitt San Jose would be the only organization whose **sole mission is to transform Saint James Park into a thriving public space.**

The national Levitt Pavilions organization requires that a minimum of 50 free, high-quality, family-friendly concerts be produced every year. This proven model would be successful in bringing residents of San Jose and surrounding cities to Saint James Park and downtown.

In the case of Levitt in Pasadena and Los Angeles, the Friends of Levitt organization provides programming for a summer concert season. In other locations, the local Friends of Levitt organization is a year-round partner. Given the favorable weather, and interest in building a long-term strategy to enliven Saint James Park, this Committee recommends a year-round presence for the Friends of Levitt Pavilion San Jose.

A Friends of Levitt San Jose could be a facilitative partner for the local arts and community organizations. It would be uniquely poised to provide a venue for a range of activities – from Levitt concerts, to "Yoga on the Stage", to small community art performances. However, the final agreement between the City and Levitt Pavilions would need to include framework for the Friends of Levitt San Jose to successfully support events outside Levitt concerts.

It is important to highlight the possible negative effects that a concert or event that falls outside the general programming of Friends of Levitt might have on a Levitt Pavilion in Saint James Park, such as uncontrolled sound. To address this possibility, the Friends of Levitt San Jose must actively engage with all organizations who wish to use the facility. An example of this arrangement could be that Friends of Levitt San Jose sound technicians are required to support events outside the Levitt concert schedule. Other groups would be responsible for producing the content, while Friends of Levitt San Jose would be on-site to mitigate sound levels and monitor the events.

The local Friends organizations provide security and cleanups related to Levitt concerts. Stewardship of pavilions, as well as the parks they call home, is important to the positive perception of Levitt venues and the local Friends of Levitt organizations.

Leadership

The Friends of Levitt Pavilion San Jose would be a community-based group. Its board and staff must guarantee the proper management of a Levitt Pavilion and its fiscal health, and make certain that the national Levitt Pavilions organization's requirements are met. Equally important, the organization must ensure harmony and support with and from the citizens and organizations of San Jose. The Friends of Levitt Pavilion San Jose will secure and maintain adequate resources needed to operate a successful, viable family entertainment program and allocate these resources according to the needs of a Levitt Pavilion San Jose.

Groups and individuals to consider include:

- Major donors and philanthropists
- · Community organizations
- Arts organizations
- Parks and open-space organizations
- Neighborhood businesses and property owners
- City of San Jose

Staffing

Levitt Pavilions recommends that, during the formative and fund raising stages of the Friends of Levitt, that the board engage supportive volunteers to engage the broader community. In some Levitt cities, a part-time Executive Director is hired to manage and coordinate fundraising activities during the capital campaign. In others, a director is provided an honorarium. Levitt Pavilions provides grants for capital campaign and organizational development.

It is crucial to point out that the community itself leads the capital campaign, and all subsequent operation phases, with the City and Levitt Pavilions as supportive partners.

For example, a Friends of Levitt San Jose could retain the services of an interim Executive Director to help the board of directors:

- Identify and cultivate donors
- Support and/or manage evaluation and design processes
- Lead community awareness and fundraising efforts
- Oversee the successful construction and opening of a Levitt Pavilion

Once the Levitt Pavilion is under construction, a permanent Executive Director would be hired. In many cases, Friends of Levitt organizations recruit and retain a leader who

understands the performing arts, fundraising to support arts access, booking of talent, and venue/facility management and technical operations. In turn, this Executive Director would hire support staff.

In the event the City, Friends of Levitt San Jose and a community organization(s) form a working partnership to manage and maintain Saint James Park, the Executive Director or appointed staff-person from Friends of Levitt could serve as the liaison.

Funding

Levitt Pavilions will provide support to accelerate the revitalization of Saint James Park with significant, ongoing investments. Its support of other Levitt venues around the country proves its successful track record. Levitt's requirement that a community be engaged means **support must be broad-based**.

The Committee conducted a revenue analysis of existing Friends of Levitt organizations in Pasadena (2003), Memphis (2008), and Arlington (2008). The information below represents established Friends of Levitt nonprofit organizations.

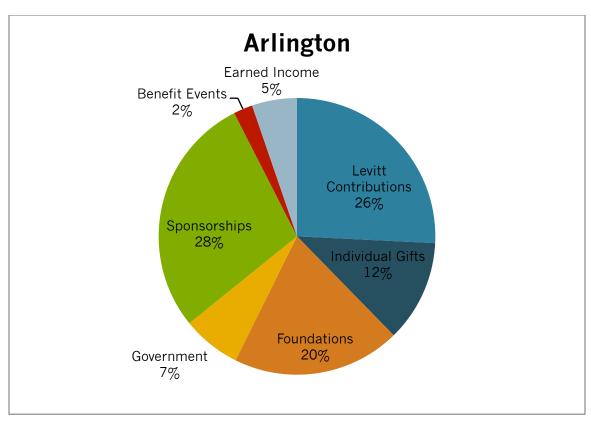
The national Levitt organization will be a dedicated partner, providing grants at the following milestones:

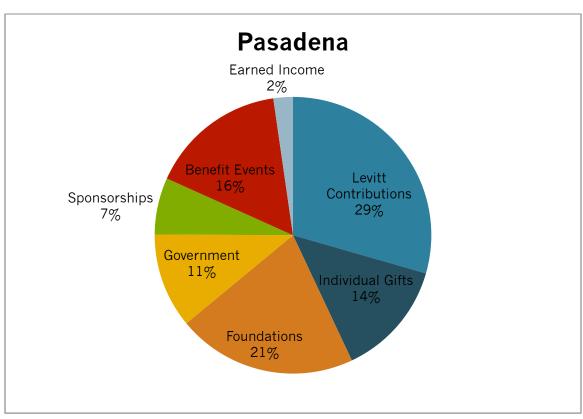
- Capital Campaign \$400,000 for campaign, plus up to \$30,000 for strategic campaign consulting for Friends of Levitt
- Year 1 \$200K core operating support + \$50K capacity building grants
- Year 2 \$200K core operating support + \$50K capacity building grants
- Year 3 \$150K core operating support + \$50K capacity building grants
- Year 4 and every year thereafter \$100K core operating support + \$50K capacity building grants

Note, Year 1 begins at the time of the first concert

The average annual budget for a Levitt Pavilion is between \$550,000-650,000 per year, this includes staff and administrative costs, talent fees and production costs for the 50 free concerts, and outreach and advertising. The average annual revenue between Pasadena, Memphis and Arlington is \$607,146. Levitt Pasadena receives the largest portion of its revenue from foundations. Levitt Arlington and Levitt Memphis receive the majority of their revenue from sponsorships.

On the following page are comparative graphs representing the revenue breakdown for Arlington, Texas (a city similar in socio-economic status as San Jose), and Pasadena (a city similar with a similar built environment to downtown San Jose). Levitt Pavilions contributions in years one and two are higher, but for comparative purposes, the charts below represent revenues in year-three of operations.

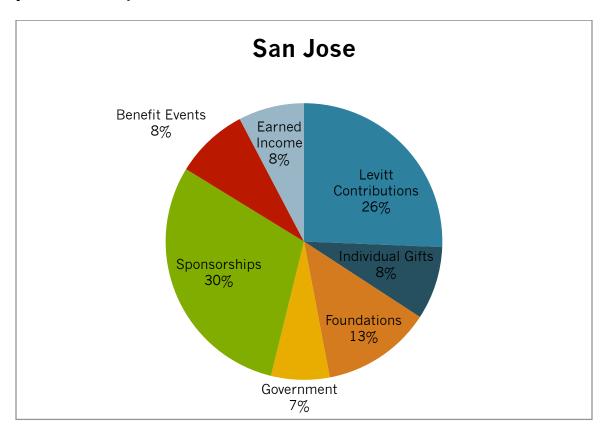




The arts organizations in Silicon Valley with operating budgets over \$500,000 have programs and facilities far-beyond the scope of a Levitt Pavilion. Therefore, further evaluation, budgeting and planning must happen in the next phase of development.

In Silicon Valley, 9% of 659 surveyed arts organizations have annual operating budgets over \$500,000⁵. A Levitt Pavilion, and Friends of Levitt San Jose, would represent a significant new organization not only in the arts and cultural sector, but also the community-building sector.

The Committee compared Arlington and Pasadena to a theoretical revenue breakdown for a Friends of Levitt San Jose. Members of the Committee met with Silicon Valley Creates to qualify the revenue breakdown. The following graphic represents a theoretical and informed revenue analysis for a Friends of Levitt Pavilion San Jose *in year-three of operations*:



The "Government" contribution considered for this report could include grants and inkind contributions from City departments, including the Office of Cultural Affairs and the Parks, Recreation, Neighborhood Services Department.

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⁵ Silicon Valley Cultural Ecosystem Research Overview: Nonprofit Arts Organizations and Current Funding Climate, 1stACT Silicon Valley, December 2008

The next phase of the Levitt development timeline provides for the creation of a full feasibility study. This study should evaluate potential revenue sources while cultivating donors. In order to successfully accomplish a feasibility study, the City and community would choose a site that meets Levitt Pavilions' requirements, the City would endorse the concept and the Friends of Levitt Pavilion San Jose board of directors would form.

Capital Campaign

While the City should play a significant role in the success of a Levitt Pavilion, a majority of funds for the construction and operation of a Levitt Pavilion should come from the private sector, representing business and philanthropy as well as individual contributions from the community.

In the case of the \$6 million Rotary PlayGarden in the Guadalupe River Park, the City contributed approximately 25%, while the Rotary Club of San Jose raised the remaining 75%. The City funds were specifically used to fund infrastructure improvements such as the traffic intersection and parking lot. At the conclusion of this project, the PlayGarden will be owned by the City and maintained in partnership with the Guadalupe River Park Conservancy. The Rotary Club of San Jose represents a well-established organization with a large and well-connected membership.

In the case of the Levitt Pavilion in Denver, Colorado, the City of Denver issued an arts bond, which in turn, was converted into an investment vehicle for several public investments including the Levitt Pavilion. The Levitt Foundation is contributing \$400,000 toward the capital campaign, and a Denver arts bond contributed \$2M to the project, leaving \$1.6M to be raised from the public.

In that no separate philanthropic activity exists specifically, and outwardly, for or in Saint James Park, donor cultivation must be focused on like-interests, and include individuals, foundations and corporations focused on performing arts, music, open spaces and community building. A robust Board of Directors will be key to a successful capital campaign, as well as ongoing sustainability of the Levitt Pavilion and Friends of Levitt San Jose organization.

Conclusion

The members of this Exploratory Committee began the exploratory process with specific questions, concerns, curiosities and hopes about a Levitt Pavilion in Saint James Park. By thorough evaluation of Levitt's process, success factors, and active Levitt venues, one thing is clear: a Levitt Pavilion's potential value for Saint James Park and the community.

A Levitt Pavilion is uniquely positioned to be central to the City's strategy to enliven Saint James Park in its community centrism. The national Levitt Pavilions organization

has demonstrated experience and expertise as a transformational presence in public parks. In Levitt Pavilions:

- The City has a willing partner to ensure positive stewardship for the single-most important historic open space in San Jose.
- The community has a partner willing to commit significant, ongoing support to transform and enliven Saint James Park.

A Levitt Pavilion has the potential to realize the long-term vision for Saint James Park. A Friends of Levitt San Jose could bring private sector, community, arts and public organizations together to model a successful, thriving urban space.

The key issues facing Saint James Park, and the considerations provided in this report must be addressed through a community-led process. This important work would happen in the next phase of the Levitt Pavilion development process, and must include:

- Strong, community leadership
- Thorough evaluation of impacts on the historic district and the surrounding residential neighborhood
- Financial feasibility studies, business planning and leadership development
- A permanent, coordinated strategy to address the social and behavioral challenges facing Saint James Park

Therefore, it is this Committee's recommendation that a final location for a potential Levitt Pavilion in Saint James Park be selected. The Committee recommends:

- The City endorse the concept of a Levitt Pavilion in Saint James Park
- The City and community determine a location for the proposed Levitt Pavilion based on this report's considerations
- Form a local Friends of Levitt Pavilion San Jose board to continue evaluative efforts, including:
 - Impact analyses
 - Programming and operations planning
 - o Operations and maintenance, including but not limited to a Levitt Pavilion

A Friends of Levitt Pavilion San Jose should be empowered to form and begin this important evaluative work. The Levitt process can take years, but it requires an engaged and empowered group representative of the community. In the perspective of Saint James Park's history, this careful work must ensure the park returns to its status as an important and thriving public square for the next 150-years.