

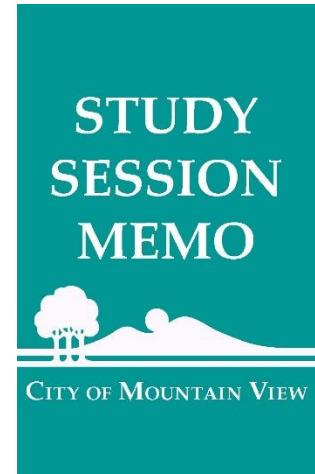
DATE: October 26, 2021

TO: Honorable Mayor and City Council

FROM: Rebecca Shapiro, Deputy Zoning
Administrator
John R. Marchant, Community Services
Director
Aarti Shrivastava, Assistant City Manager/
Community Development Director

VIA: Kimbra McCarthy, City Manager

TITLE: **City Park and Los Altos School District
Community School Sites – Master Planning
Update**



PURPOSE

The purpose of this Study Session is to provide Council with an update on the current status and next steps for the future Los Altos School District (LASD) school and City Park site master planning, including staff’s preliminary recommendation for the City Park location based on collaborative master plan work to date. The Study Session will also provide background on prior Council actions and agreements connected to the master planning and allow Council to evaluate design considerations guiding current City Park site master planning recommendations and upcoming master planning of the joint-use open space on the future LASD school site.

BACKGROUND

In January 2018, the City Council took several actions to support the acquisition of a new Los Altos School District (LASD) school site in the San Antonio Area, including creation of a Transfer of Development Rights (TDR) Program to help fund property acquisition and commitment of City Park Land Dedication funds toward at least four acres of joint-use open space (JUOS) on the future school site. Council also authorized an initial round of Gatekeeper requests for projects seeking to use the majority of the TDR square footage generated by the LASD TDR Program. A chart detailing the current allocation and status of TDR projects is attached to this Study Session memo (see Attachment 1).

The TDR Program was initially devised based on LASD interest in the Old Mill and Safeway properties at the northeast corner of San Antonio Road and California Street, which was concurrently proposed for redevelopment by Greystar. In late 2018, LASD

identified a new larger site (owned by Federal Realty Trust in San Antonio Center), which presented an opportunity for the City to purchase approximately two acres of land from LASD for a City Park adjacent to the future school and JUOS site. Through the TDR Program, JUOS and City Park negotiations detailed below, the City and LASD agreed to a collaborative master planning process to jointly identify the location of the City's two-acre park and the layout and amenity programming of the JUOS.

Prior City Council Actions

Council actions connected to this site are memorialized through three key agreements discussed below: the TDR Memorandum of Understanding (MOU), which documents the TDR Program framework to help fund the LASD purchase of the future school site as well as the City's initial commitment toward the JUOS on the school site; the Funding and Joint Use Agreement between the City and LASD setting forth the more specific terms and conditions for the JUOS on the school site; and the Property Transfer Agreement addressing the City's purchase of the two-acre City Park site from LASD.

Memorandum of Understanding – TDR Program

The LASD TDR Program allows LASD to leverage square footage LASD does not need to build a school on the future school site to provide funding to support the property acquisition. The City adopted the Program in recognition of the real estate market challenges in the area and to support the mutually beneficial opportunities the TDR Program helps create through its funding of a neighborhood-serving school and JUOS in the San Antonio neighborhood. These and other Program elements are memorialized in an MOU between the City and LASD (Attachment 2).

The idea of a TDR Program to support the LASD school site acquisition originated during the San Antonio Precise Plan (SAPP) process. School site acquisition in the San Antonio area was identified as a high-priority for the City and LASD—in part—to address key community feedback regarding:

- Support for locating a neighborhood-serving school within the SAPP.
- Support for creating new open space/recreational amenities, given noted deficits.
- Concerns about student safety on busy SAPP roadways, especially crossing El Camino Real to existing LASD school sites.

During the SAPP process, LASD representatives also highlighted the challenge of finding and purchasing a new school site to accommodate future enrollment growth, principally in Mountain View, given available funding resources and market cost/competition for land. The TDR Program was devised as an opportunity for LASD to monetize development rights (i.e., square footage) that were not needed to build a school on the originally proposed school site in the San Antonio Area, based on floor area ratio allowances under the SAPP.

The final TDR Program framework was reviewed and approved by Council in January 2018, based on prior Council input at Study Sessions. This framework was formalized in the MOU, which sets forth broad principles of the TDR Program, obligations for the City and LASD respectively, general milestones, and commitments by the City and LASD to address more detailed agreements for the JUOS. The TDR Program MOU was executed by the City Manager in January 2019 and:

- Allowed LASD to sell and transfer up to 610,000 square feet of development rights to TDR purchasers to use in development projects located elsewhere (LASD defined a desired TDR sale price of \$130 per square foot.);
- Set a sunset date for the TDR Program at 10 years from execution of the MOU (TDR Program/MOU expires January 29, 2029);
- Established high-level procedures for LASD/City consideration of TDR Projects;
- Determined that purchase of LASD TDR square footage would be considered a community benefit, and the City would not impose any additional public benefit requirement on TDR square footage approved for use in a development project; and
- Accommodated creation of a secondary market for any TDR square footage not used by previously authorized/approved TDR Gatekeeper projects during the term of the MOU (unless such term is extended by resolution or other Council action).

The MOU also outlines the required City/LASD coordination on the design of the recreational amenities in the JUOS and various other good-faith efforts agreed to by the City and LASD to jointly implement the TDR Program, including the City's commitment to expeditiously begin review of TDR projects after submittal of an application and LASD's commitment to filing a restrictive covenant to limit development on the school site, based on the amount of TDR square footage sold. The MOU and TDR Program do not supersede the City's jurisdictional authority over development review nor precommit the City to or imply any assurance of TDR project approvals.

To date, the City and LASD are coordinating in compliance with the MOU, including this master plan work and City review of TDR projects. As of September 2021, projects approved or under review by the City account for approximately 430,000 square feet of the allowed 610,000 square feet of TDR. This includes three approved TDR projects (126,000 TDR square feet) and three additional TDR projects (up to 303,000 TDR square feet) that remain active and under review. One of the original TDR project proposals (up to 100,000 square feet of TDR) was allowed to defer Gatekeeper submittal until as late as January 2024, and one of the original TDR project applications was withdrawn. LASD is currently seeking new purchasers for TDR square footage (roughly 91,000 square feet) that was not utilized in the original round of City-authorized TDR Gatekeeper projects.

Joint-Use Open Space and Funding Agreement

In April 2019, the City and LASD executed a Funding and Joint Use Agreement (see Attachment 3) to define the more specific terms and conditions of the mutually beneficial partnership between the City and LASD for the JUOS on the future school site and associated with the City's contribution of \$23 million in Park Land Dedication Funds to help meet LASD funding needs for the school/JUOS site acquisition. According to this agreement, the City's financial support would help achieve roughly four acres of JUOS on which recreational amenities would be built by LASD and improve publicly accessible open space resources in the San Antonio neighborhood during nonschool hours.

In addition to typical JUOS Agreement language identifying maintenance/upkeep responsibilities and rights to use of the JUOS area, the Agreement also:

- Commits LASD and the City to a joint-use area master planning process wherein LASD will collaborate with the City to develop a master plan for the JUOS, recognizing that school and JUOS improvements must be reviewed and approved by applicable State agencies;
- Commits LASD to developing school facilities that include all classrooms, buildings, gymnasium(s), improvements, and facilities LASD determines are necessary to provide educational instruction but which will include a parking lot and gymnasium no matter the type of school facilities is built on/occupies the site;
- Commits LASD to providing JUOS with athletic fields, including track, soccer, and baseball fields, to be constructed and open by September 30, 2024; and

- Documents LASD’s agreement to develop a school on the site which will serve the Mountain View community through: an elementary school open to neighborhood students; a junior high school open to neighborhood students; and/or a choice or charter school, if it has a neighborhood student preference and other comparable qualities to existing LASD schools.

This Agreement was executed after LASD had shifted their attention to the Federal Realty site in San Antonio Center, where they found a more willing seller of an approximately 11.65-acre site (see Attachment 4 – Council report).

City Park Purchase Agreement

In November 2019, the City executed an Open Space Park Property Transfer Agreement with LASD to purchase two acres of land from LASD for \$20 million. This park area was available for purchase by the City because LASD anticipated they would only need around 9.65 acres for the future school, and a roughly 11.65-acre site was available for LASD to purchase from Federal Realty. The Agreement establishes the funding and property transfer provisions needed to complete the transaction. Importantly, the Agreement added scope to the previously identified JUOS master planning to separately identify/define the location and boundaries of the City’s park site from LASD’s school site as well as the location/layout of the approximately four-acre JUOS.

Current Status

In compliance with prior agreement timelines, LASD completed purchase of the 11.65-acre school site around December 2019. Although collaborative discussions began between City and LASD staff and consultants in February 2020 to kick off the master planning process, the master plan work was slowed by COVID-19 workloads and priorities. LASD staff has indicated they anticipate the need to request Council support to modify prior agreements to address pandemic impacts to implementing the TDR Program within its 10-year term and the JUOS construction deadline (beyond the original September 2024 deadline) based on delays to the master planning work and the

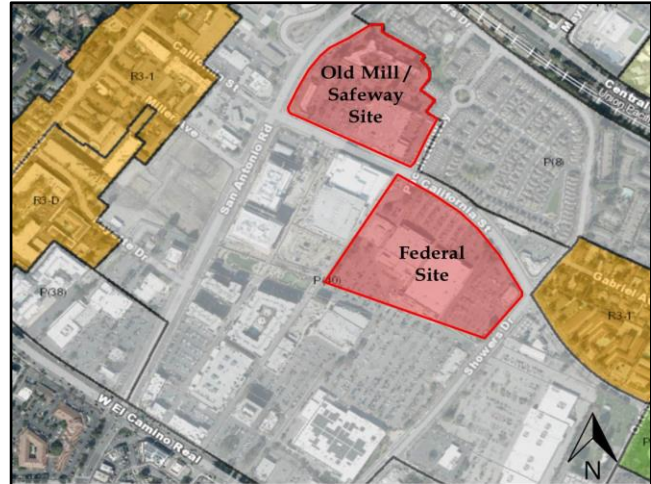


Figure 1: Original and Final School Site Locations

associated impacts to originally anticipated design, permitting, and construction timelines.

Despite pandemic delays, progress has been made in evaluating master plan constraints and opportunities for the City Park and future LASD school sites as discussed in more detail in the remainder of this Study Session memo. As master planning work continues with analysis of the JUOS location and layout, staff will continue to discuss timeline impacts with LASD staff and aim to bring more detailed information back to Council when the master plan returns for Council action.

DISCUSSION

As noted earlier, the master plan process is principally intended to accomplish two goals:

- Identify the location of the City's two-acre public park site.
- Define the location of the four-acre JUOS and layout/configuration of its amenities.

This Study Session focuses on the City Park site location in order to ascertain initial Council support for the proposed location. This includes discussion of the design considerations that have guided City and LASD staff master planning work. Staff welcomes Council input on these design considerations as they will continue to guide staff analysis and recommendations as the joint master planning continues and eventually leads to development of a preferred JUOS location and layout.

To date, the master planning efforts have followed a collaborative process between LASD and City staff, and further progression in the master planning work is an important step for facilitating the City Park property transfer and allowing more detailed design and applicable environmental review (CEQA) processes to proceed for each site. This master planning effort is unusual in that school design is typically an independent process between school districts and pertinent State permitting and review agencies. In this case, the various City-LASD partnerships and agreements for the future LASD school site have established a collaborative process through which the City and LASD will jointly create a master plan for the location/layout and design of the JUOS portion of the school site.

Final school facility design and environmental review would remain under LASD's purview, with permitting of the overall school and JUOS project required to go through applicable State agency oversight rather than City of Mountain View development review processes. Similarly, after master planning work is complete, the City will also be

able to move forward with the park design process as part of the City's Capital Improvement Program (CIP).

City Park and LASD School Sites – Key Considerations

City staff from the Community Services, Public Works, and Community Development Departments have worked collaboratively with LASD staff and consultants to define the following priorities for the master plan. The following considerations have helped staff to evaluate options for the City Park and future school site locations:

- Implement previously executed agreement requirements: Identify the proposed LASD school and City Park sites, respectively. Next steps include further evaluation of the conceptual location(s) of the JUOS and layout of amenities defined in the Funding and Joint Use Agreement: a ball field, soccer field, and track.
- Neighborhood-oriented, public-facing and centrally located City Park location: City staff sought to identify a City Park site in an easily accessible, neighborhood-oriented, centralized location along one of the primary public street frontages of the property.
- Maximize usable area of City Park site: City staff aimed to create a relatively regular, rectangular park shape as close as possible to two acres in size and with wide enough lot dimensions to facilitate a flexible range of future park designs.
- Joint-use open space and City Park proximity/synergy: Collaborative master plan work identified a priority for the City Park and JUOS to be located adjacent to each other, separated only by access roads or parking areas (if anything).
- High-quality bicycle/pedestrian improvements and limited conflicts with City streets: A key shared master planning priority was identified for safe and comfortable bicycle and pedestrian access. At a master plan level, this means identifying site locations and circulation options that would minimize/avoid conflicts with adjacent public streets as well as preliminary commitments to implement planned sidewalk and bikeway improvements along public street frontages of the site(s). Providing vehicle access and queuing for the school site from on-site roadways is one key way in which this will be accomplished. Upcoming master planning work on the JUOS location/layout, and the eventual LASD school and City Park design work will further implement this objective.

- Maximize usable area and balancing access and student safety for LASD school/JUOS site: LASD and City staff have identified a priority for facilitating unconstrained public access to the City Park site and a secure school property during school hours. An additional LASD design consideration is ensuring access roads and parking areas will not divide the school building and JUOS areas of the property, requiring students to cross automobile-oriented spaces during school operations.
- Alignment with San Antonio Precise Plan:* As feasible, City staff has sought/will seek to ensure master plan work accounts for overall objectives—if not all of the detailed standards—of the SAPP, including open space planning, street design, bicycle/pedestrian amenities, parking locations, etc. (**Deviations are anticipated.*)
- Additional objectives: Retain flexibility for final JUOS location/layout, school building, and parking to be finalized through remaining master planning steps and subsequent detailed school design. Retain flexibility for final City Park design to be developed through a typical City-led CIP process.

City staff and the LASD team have identified a recommended location for the City Park and future school/JUOS sites. A single City Park location is proposed as this layout was the only configuration found to fully meet the above-noted criteria. Additional discussion of the recommended City Park site and a few related topics is provided in subsequent report sections, along with a more detailed explanation of next steps.

Recommended City Park Location

The draft master planning work has identified a recommended City Park site at the intersection of California Street and the Pacchetti Way entry road into San Antonio Center, which is the only location City and LASD staff found to fully meet all identified master plan design considerations.

The proposed park site is roughly centered along the California Street frontage of San Antonio Center and the SAPP area overall. It aligns with and expands on the Pacchetti Greenway concept from the SAPP, which sought to provide a green connection into San Antonio Center from California Street, connecting to the SAPP-planned Hetch Hetchy Greenway and San Antonio Center central open space amenities. Additionally, Pacchetti Way and California Street are important roadways,

where existing connections and/or planned multi-modal connections are provided to surrounding residential neighborhoods. The park site's alignment with these public streets also helps to emphasize the public nature of the future park space.

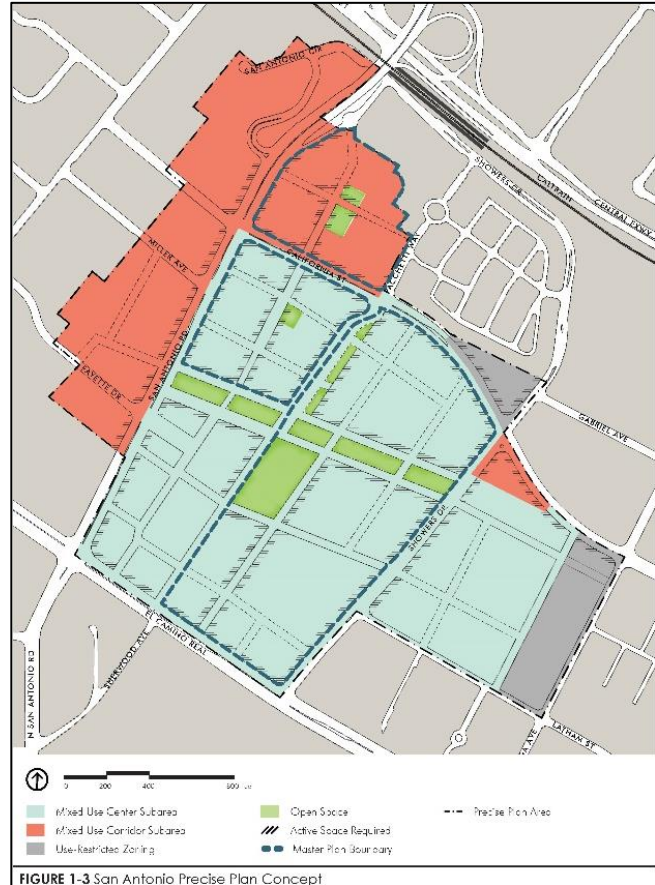


FIGURE 1-3 San Antonio Precise Plan Concept

Figure 2: SAPP Planning Concepts

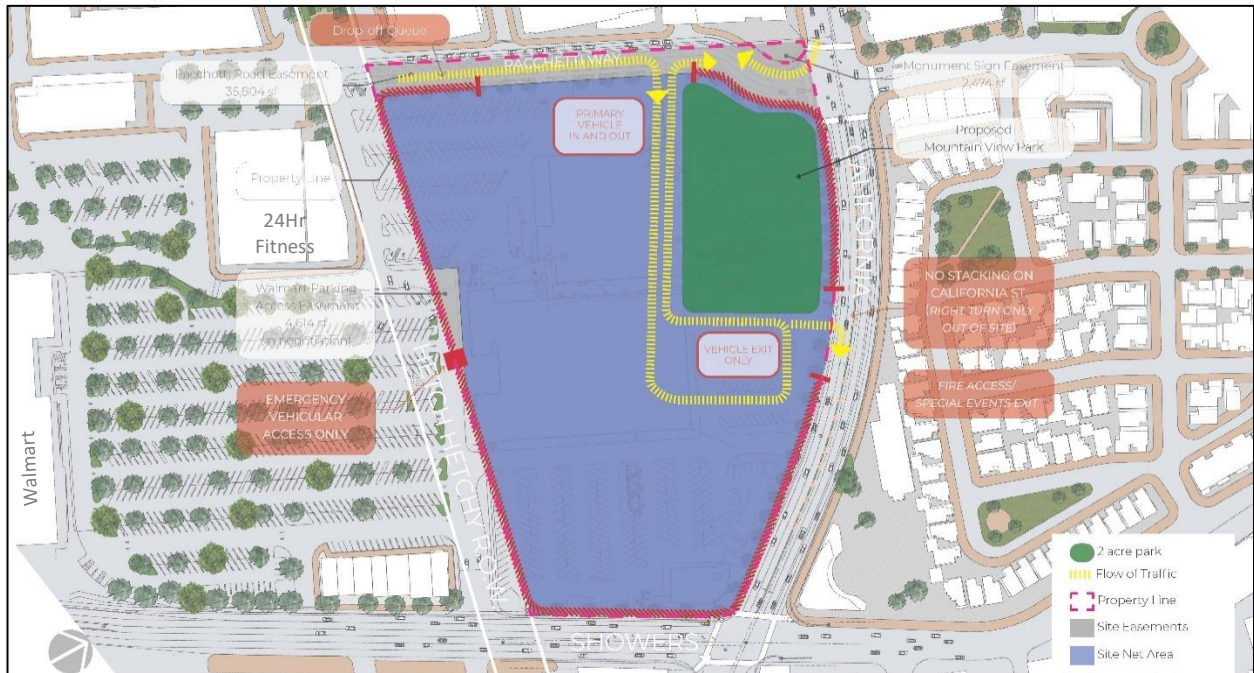


Figure 3: Recommended City Park Location and Circulation Considerations

City Park – Net Lot Area

The approximately 11.7-acre LASD property was initially envisioned to include a roughly 9.7-acre school/JUOS site and two-acre City Park site. However, several easements encumber the property and reduce the net land area available for the future school and City Park sites. These easements provide for the main Pacchetti Way entry road into San Antonio Center (from California Street), land occupied by a primary San Antonio Center monument sign, and a triangular piece of land to the north of the Hetch Hetchy right-of-way covering a portion of the existing entry drive into San Antonio Center from Showers Drive (“Walmart Parking Access Easement”).

For the purposes of the master planning work, staff has assumed the Pacchetti Way roadway and monument sign easement areas will remain (in some form) for the foreseeable future. Conversely, the Walmart Parking Access Easement was negotiated by Federal Realty as part of the land transaction with LASD to allow the existing entry road to remain in its current configuration. The existing entry road provides access to the Walmart parking area and other interior businesses, and only a small portion extends into the LASD property. The easement would return to the LASD property unencumbered when it is no longer needed. Reconfiguring the entry road to run fully south of the LASD property would require changes to the Walmart parking field, requiring company approval, San Francisco Public Utilities Commission (SFPUC)

authorization, and City permitting. While LASD has begun discussions with Federal Realty about modifying the roadway, it is unknown when this project would occur.

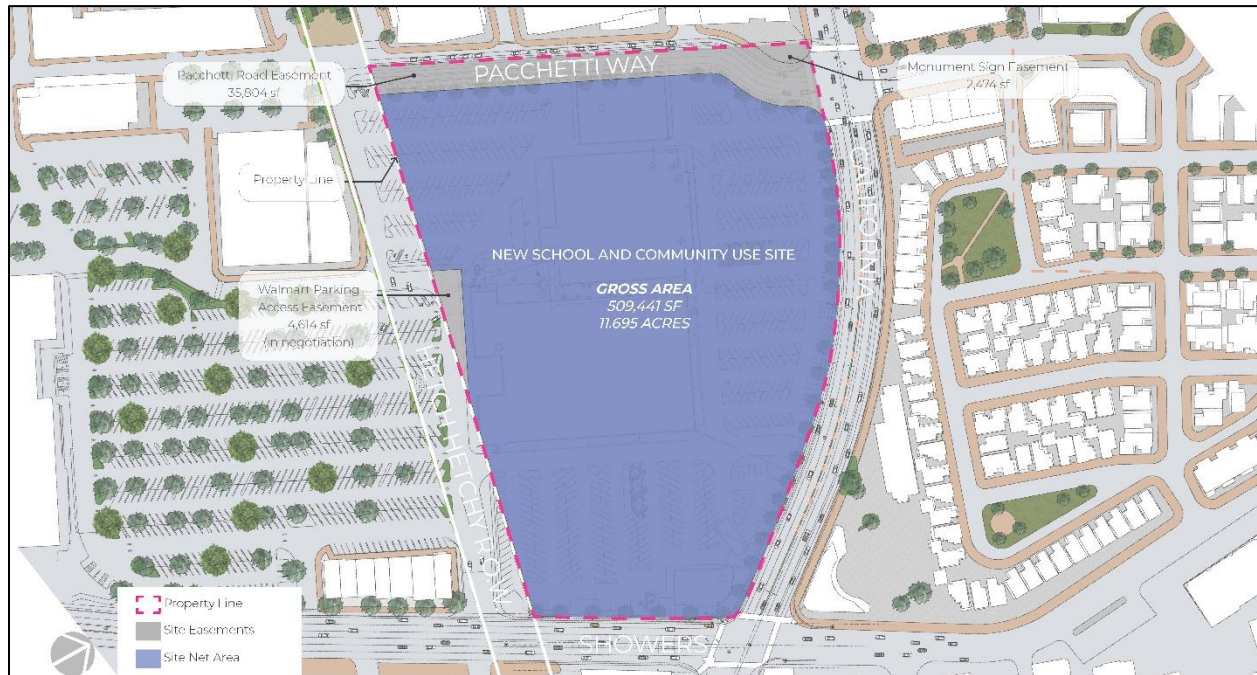


Figure 4: Existing Easement Diagram

City and LASD staff propose the City Park and school sites proportionally share in the net loss of usable land area for the Pacchetti Way and monument sign easements. Discussions are ongoing regarding how to treat the Walmart Parking Access Easement, given the ongoing coordination between LASD and Federal Realty around entry road changes and uncertainty around timing for the easement’s potential reversion to the LASD property. Final recommendations for the treatment of these easement areas will be brought back to Council as part of the final master planning action. The loss of usable area from these easements would result in an approximately 1.83- to 1.85-net acre City Park property and an 8.88- to 8.96-net acre school site, depending on the negotiations around the Walmart Parking Access Easement.

LASD Board Input

LASD staff presented a similar update on the master plan work to the LASD Board on October 4, 2021 to provide an opportunity for the Board to ask questions and provide any desired feedback/direction about the master plan work to date. The LASD Board indicated they appreciated all of the collaborative work on the master plan, generally

agreed with the recommended City Park location versus school site, and supported continued collaborative work to complete the master planning task.

Circulation Planning

Circulation considerations and improvements have played an important role in the collaborative master planning discussions to date. While the specific design of improvements will occur during later detailed design processes, pertinent reference information for the master planning work is provided herein as additional master planning background.

State codes require LASD to construct street improvements on at least two site frontages. Through the master plan process, City and LASD staff identified implementation of SAPP street design along the two public street frontages—California Street and Showers Drive—as a priority. In those locations, planned improvements would include wider, detached sidewalks and buffered/separated bikeways along the public street frontages. Collectively, staff sought to identify school site access locations that would limit/avoid conflicts with these public street improvements and operations and instead provide opportunities for onsite vehicle access and queuing during school pickup/drop-off hours. These objectives and other site constraints led to the Pacchetti Way driveway as the primary on-site access option, which contributed to defining potential locations for the recommended City Park site.

Also worth noting is that the expanded bicycle/pedestrian improvements noted above will likely require public access easements on the future school and City Park sites, and the associated physical improvements may result in some further reduction in the usable area of the sites along those frontages. The exact configuration and resultant reduction in usable area will be determined during later detailed design processes for the City Park and school sites.

State codes do not require LASD to construct or implement adopted street designs in the SAPP for adjacent on-site roadways—along the Hetch Hetchy right-of-way (to the south of the school site) and the Pacchetti Way entry drive into San Antonio Center (to the west of the school site). In addition, a master plan analysis determined full implementation of the SAPP's on-site street designs would substantially reduce usable site area for the proposed future school site. While deviations are likely to be proposed on these frontages, LASD and the City have established shared priorities for meeting the intent of the SAPP-planned improvements so high-quality pedestrian and bicycle access is provided along all edges of the future school site.

City and LASD staff have discussed preliminary design objectives for these internal street frontages, such as wide sidewalks with landscape buffers, enhanced bicycle improvements, etc. The bulk of the Pacchetti Way entry road is within the current LASD property, and its detailed design can be easily addressed through remaining master plan and subsequent detailed site design processes. However, LASD does not control the Hetch Hetchy right-of-way, which is owned by the SFPUC and improved pursuant to a license agreement to the benefit of Federal Realty for its current use as a roadway and parking area for this portion of San Antonio Center. LASD would need to collaborate with these entities and adjacent businesses to facilitate modifications to this roadway. Otherwise, the school/JUOS will need to be designed around the existing driveway until such time as the driveway is modified through subsequent development proposals by Federal Realty and/or the easement otherwise reverts back to LASD.

Council Question 1: Does Council support the staff-recommended City Park location?

Upcoming Master Plan Work

If Council is satisfied with the proposed City Park location, City and LASD staff will collaboratively continue master plan work with a focus on confirming key design considerations for the JUOS, refining JUOS location and layout options, and ideally identifying a recommended option for Council and the LASD Board to evaluate. The design criteria/considerations discussed in this Study Session memo will continue to help guide City staff work on the master plan. Staff welcomes Council input on any other design considerations we should use to support upcoming JUOS master planning work.

Council Question 2: Does Council have any additional considerations for staff to fold into the next steps in the master plan process?

Next Steps

City and LASD staff have worked together to identify a roadmap for ensuring Council, LASD Board, and public input is part of the master plan process, reflecting the different practices and procedures for our respective decision-making bodies as well as the agreements associated with the master planning work. Remaining steps of the master plan and subsequent processes include:

Master Plan Process

- Study Sessions/Discussion Items: City and LASD staff propose to use meetings like this Study Session and the LASD Board's October 4 discussion item to facilitate input from the elected bodies as well as the public. To that end, LASD staff

anticipates beginning discussions with their Board regarding key design considerations for the JUOS master planning. This input, plus Council input received at this Study Session, will support staff analysis of JUOS options. Based on the results of this work, City staff anticipates returning to a second Council Study Session to present final recommended JUOS location/layout considerations and/or a preliminary JUOS location/layout recommendation, which would also be presented to the LASD Board for input.

These additional Study Session/discussion items will also provide an additional opportunity to familiarize interested stakeholders with the JUOS and City Park sites at a master plan level and educate community members about future public input milestones during more detailed design phases for the school and park sites, respectively. A final schedule has not yet been established for this step, but City and LASD staff will continue to collaborate to ensure the next phase of master plan work is presented to the City Council and LASD Board in lock step.

It is also important to note that the school design, including the JUOS location/layout, will ultimately be submitted to multiple State agencies for review and permitting. Direction from those oversight agencies may result in changes to the school/JUOS design. City and LASD staff are working to determine if there is a means to get early input from these agencies to avoid major changes to the design after Council and the LASD Board have collaboratively determined the JUOS location/layout. However, there may be a need for further iteration on the JUOS design if State agency review requires revisions to the agreed-upon layout.

- Final Council and LASD Board Actions: After the above-noted Study Session, City staff anticipates bringing the master plan materials back to Council for final action after Council, LASD Board, and community input has been addressed. This may include final direction on the following items:
 - a. Final location (dimensions and size) of the City Park.
 - b. Location/layout of JUOS and amenities.
 - c. Conceptual circulation plan.
 - d. Extension of the deadline for LASD to complete construction and open the JUOS and expiration of LASD TDR Program, pursuant to any formal LASD request.

Similar to the master plan Study Sessions, staff anticipates final City Council and LASD Board direction on the final master plan materials will also occur in lock step.

After the Master Plan Process – Additional Milestones/Processes

Completion of the master plan work is a critical step for proceeding with remaining steps of the property transaction and ultimately allowing the City to take ownership of the City Park land. The public design processes for each site would also tier off the master plan work and eventually kick-start the site development/construction phase of work. Subsequent key milestones and timelines for overall development of the LASD school/JUOS and City Park sites include:

- City Park Property Transfer Process: Several technical steps must be completed, such as property surveys, real estate transactional documents, property condemnation by LASD, etc., before the City takes title to the City Park land. Confirming the proposed park location will allow these steps to continue to proceed. Existing commercial tenants are allowed to remain operating on the property at least until the end of 2022, under current lease and LASD property acquisition agreements. The property condemnation process would follow a concurrent timeline and is necessary for the City to acquire a clean title to the City Park property.
- City Park Design Process: The future City Park site has already been identified in the City's Five-Year CIP. The CIP currently anticipates funding the park design process for this property starting in Fiscal Year 2024-25. Given that the LASD JUOS will feature athletic facilities, such as playing fields, City staff believes this park site could provide an opportunity for noncompetitive recreational amenities for the San Antonio Area. The City's future park design process will provide public meetings through which the community, the Parks and Recreation Commission, and City Council can guide the design of this open space resource.
- School/JUOS Design Process: When the Funding and Joint Use Agreement was originally executed in 2019, LASD anticipated completing the JUOS master planning and subsequent school design process in time to commit to early completion of the JUOS and availability for City use by September 30, 2024. Given pandemic delays noted earlier, LASD indicated the project timeline will also need to be extended. An updated timeline for the detailed design, permitting, and construction process for the school and JUOS will be driven in part by the timing for the master planning process. Based on current estimates, site development may not begin until 2025 at the earliest. As noted above, changes to the JUOS completion deadline and any

other agreement timelines will require formal direction from Council/LASD Board for staff to execute modifications to the affected agreements.

Staff will continue to provide updates on the process and timeline as work proceeds.

RECOMMENDATION

Staff recommends that Council provide input on the following two key questions:

Council Question 1: Does Council support the staff-recommended City Park location?

Council Question 2: Does Council have any additional considerations for staff to fold into the next steps in the master plan process?

NEXT STEPS

Based on Council input on the key questions in this Study Session memo, City staff will continue collaborating with LASD staff and consultants on JUOS master planning as discussed herein.

PUBLIC NOTICING

The Council's agenda is advertised on Channel 26, and the agenda and this Study Session memo appear on the City's website. Courtesy notices were sent to property owners and tenants within a minimum 1,000' radius around the site, expanded to reasonable block boundaries, as well as to nearby neighborhood groups.

RS-JRM-AS/2/CAM
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- Attachments:
1. TDR Project Status Summary
 2. TDR Program MOU
 3. Funding and Joint Use Agreement
 4. Council Report Dated June 18, 2018
 5. Full-Size Graphics from Memo