

City of Palo Alto
Office of the Mayor and City Council

September 23, 2019

Joe Simitian, President
Santa Clara County Board of Supervisors
County Government Center
70 West Hedding Street
San Jose, CA 95110

Dear Mr. Simitian and County Board of Supervisors,

The City of Palo Alto appreciates the continued diligence County staff and consultants have dedicated toward this project and the rigorous conditions of approval imposed by the Planning Commission. As hearings begin before the County Board of Supervisors for the largest project ever considered in the County's history, the City of Palo Alto – the nearest city most impacted by the proposed development, is compelled to express concerns regarding unmitigated impacts.

There is no dispute that the City of Palo Alto will be significantly burdened by the addition of nearly 3.5 million square feet of new development. Most acutely, the City will experience an increase in commuter congestion on its roadways and multi-modal networks that will extend travel times and exacerbate commuter frustrations.

Based on initial estimates prepared by the City, Stanford University at full buildout would account for a 19% ridership increase in Caltrain service at the University station. There is no mitigation proposed to address this impact and no responsibility required of Stanford University to ameliorate the effects increased ridership will have on Palo Alto and the burden this City shoulders to advance a solution for Caltrain grade separation. There are reasonable measures that can be incorporated into this development application that advance the University's interests to address traffic; facilitate improved mobility for its students, faculty and workers; offset the impacts generated by the proposal; and, contribute fair-share resources to enhance regional transportation solutions.

Moreover, the City of Palo Alto provides fire services, ambulance services, public safety dispatch, police event services, school crossing guards, and wastewater treatment to Stanford University. In addition, many of its students and families use the City's public parks, recreational programs, publicly provided social services, and libraries. The City requests these services be examined in the municipal services study with the intent of identifying specific implementation measures and timelines to mitigate impacts.

The County and Stanford University have long articulated a shared desire to fully mitigate the impacts of the proposed development. To Palo Alto full mitigation includes the following fair share contributions toward:

- Caltrain rail and bicycle grade separation (\$159M);
- Planning and implementation for transit center improvements (\$99M);
- Local roadway maintenance on City streets serving the campus (\$1.2M);
- Municipal service impacts related public safety, infrastructure, community programs and amenities (mitigation cost pending municipal services study);

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- Retention of the Planning Commission approved conditions, especially as it relates to average daily trips and reverse commute requirements; and,
- Specific project issues to be addressed in the Conditions of Approval (see attachment).

The City of Palo Alto also supports the Palo Alto Unified School District and reasonable solutions to address project related impacts.

On behalf of the Palo Alto City Council, I want to thank the Board of Supervisors for your service and for the additional efforts of Supervisor Chavez and Board President Simitian for work on the ad hoc committee. The City appreciates and recognizes the educational, economic and cultural benefits Stanford University's proximity provides to the City and region and encourages the Board to ensure future development strengthens these connections by ensuring future growth in fully mitigated.

Sincerely,



Eric Filseth
Mayor

Attachment: City of Palo Alto Requests on Stanford GUP Conditions of Approval

- c:
- Santa Clara County Board of Supervisors
 - Palo Alto City Council
 - Jacqueline Onciano, Director of Planning and Development, Santa Clara County
 - Sylvia Gallegos, Deputy Santa Clara County Executive
 - Geoff Bradley, Consulting Project Manager, Santa Clara County
 - Kavitha Kumar, Senior Planner, Santa Clara County
 - Catherine Palter, Associate Vice President at Stanford University
 - Ed Shikada, City Manager
 - Molly Stump, City Attorney
 - Margaret Monroe, Management Specialist
 - Jonathan Lait, Director

Attachment

City of Palo Alto Requested Amendments to the Stanford 2018 General Use Permit Conditions of Approval and Three-Party Protocol

Requested Amendments to the Conditions of Approval

1. (Add a Condition C.9.c) Preservation of the Foothills: Require a 4/5 vote by the Board of Supervisors in order to approve any development in the Foothills Open Space/Field Research Area for 99 years from the date of approval.

Comment: An important condition in the 2000 GUP was the protection of the Foothills by requiring a 4/5 vote of the Board of Supervisors for future development through 2025. The City of Palo Alto values this visual open space and asked that the area be protected in the future (99 years) by requiring a 4/5 vote of the Board to make any change to current regulation. Rather than put protection of the Foothills from future development requirement in the 2018 GUP conditions of approval, the County staff has put the development regulation of this area as a policy in the Stanford Community Plan. Changes in the Plan policies, including changes in land use and enforcing zoning, can be made by a 3/5 vote of the Board. The City requests that the Conditions of Approval be amended to add a condition that would ensure protection of this important visual open space for the next 99 years by continuing the 4/5 Board vote requirement.

2. (Amend Condition F.1.0) No Net New Commute Trips Model (NNNCT). Require the peak hour for measurement in the a.m. and p.m. to be three rather than 2 hours.

Comment: In the conditions the definition of the a.m. and p.m. peak hour was kept at 2 hours. The purpose of this request is to have the model better reflect the current elongation of the peak hours that will be further supported with the addition of reverse commute trips and Average Daily Trips to the model requirements. Palo Alto is supportive of the requirements in the Conditions of Approval that make Stanford University accountable for managing Reverse Commute and Average Daily Trips generated within and from the Academic Growth Boundary.

3. (Add a condition) Housing. Housing requirements shall be met only by the construction of new units. The conversion of existing housing on or off campus to provide required housing for the use permit shall not be allowed.

Comment: The conditions do not address Stanford's purchase of existing housing on- or off-campus and converting it to meet Stanford's required needs. The intention of the Use Permit is to provide new housing, not reduce the existing housing stock generally available.

4. (Add a Condition) Temporary Housing on Campus. Stanford shall provide, within the Academic Growth Boundary, a location for temporary housing during development for construction and other workers associated with development on campus.

Comment: Currently Palo Alto streets are impacted by RVs and vans used by construction and other temporary workers on campus. These workers move on after the project is completed, only to be

replaced by others as construction continues. Stanford has the land/space to provide for these workers. It should be noted that currently the University allows people attending major sports events in trailers, campers and RVs to park overnight on the campus, often for a number of consecutive days.

5. (Add Condition I.3.c) Park Improvements: College Terrace Neighborhood library upgrade, \$100,000 for planned improvements to the library.

Comment: In their application Stanford offered \$300,000 for improvements to adjacent city neighborhood park improvements heavily used by Stanford affiliates. This was not a mitigation, but an Improvement offer that is part of the project description. The City requests that an additional \$100,000 be added to address library improvements to the City Branch library located in this neighborhood. Based on its location closest to the existing and large addition of Graduate Student housing and the number of current library cardholders this public library is now heavily used and will be in the future by Stanford affiliates.

6. (Amend F.9.b) Bol Park Pathway. Palo Alto: Hanover Street/Bol Park (\$250,000) and \$250,000 for safety improvements.

Comment: In their application Stanford offered the Palo Alto \$250,000 for recreational pathway improvements. This offer of 'improvements' could not be included in the EIR as a mitigation but should be included in the conditions of approval as a component of the project description. With the resulting use of the this pathway between campus and the Stanford Research Park and other destinations in the southern part of the City resulting from the county suggested additional housing within the Academic Growth Boundary, the Palo Alto would ask to add \$250,000 to this condition for safety improvements to this heavily used pathway.

7. Add Condition to Amend Mitigation Improvements to the Bowdoin Street/Stanford Avenue Intersection. Bowdoin Street/Stanford Avenue Intersection: Stanford shall pay its fair share to signalize this intersection and for any necessary intersection modifications with the project to be completed within 3 years of approval.

Comment: This intersection is one of Stanford's entrances used for the cordon count and also a location heavily used by pedestrians and bicyclists going to the two elementary schools on each side of the intersection. In addition, bicyclists from Stanford Campus use this intersection to travel to points south including the VA Hospital, the Research Park and Gunn High School. The current mitigation is only that Stanford pay their fair share of a signal.

8. (Amend K.1) Visual Resources: Planning for the El Camino Real Frontage. Require that Palo Alto be represented in the planning for the future use of the DAPER area and shall allow no further development in the DAPER District until after the County has adopted a land use plan for the area along with implementing zoning.

Comment: The DAPER Development District adjoins Palo Alto along El Camino Real. This frontage is currently occupied by playing fields that provide an open and spectacular view of the Stanford Campus (middle view) and foothills and Coastal Range (long view). Since the Planning Commission approved conditions of approval add 554-666 beds/DU to this district along with the 200,000 SF of academic/academic support space requested by Stanford to this District, the City would ask for

amendment of the condition of approval to provide for Palo Alto's participation in developing a plan that would preserve the views across the DAPER Development District.

Continuation and Amendment of the Triparty Protocol.

Palo Alto expects that at the conclusion of the County's action on the Stanford 2018 General Use Permit amendment, the existing 2000 General Use Permit Protocol will be amended to reflect the many changes included in implementing the 2018 GUP project and its supporting documents, including the stronger role of the County Planning Director in implementation. Palo Alto feels strongly that the three parties need to work together to share information and develop processes into the future that work for all.

Comment: The 1985 Land Use Policy Agreement, which underlies the County's General Use Permits for Stanford requires that: "Staffs of the three parties (Santa Clara County, Palo Alto and Stanford University) will maintain an informational document known as a protocol..." The Protocol outlines the administrative review procedures to insure all three parties are aware of and can comment on any changes to the adopted documents relating to Stanford University lands including Director's Decisions, the Stanford Community Plan, County Ordinance Code and Zoning Ordinance, and the General Use Permit for the duration of the General Use Permit approval. It is expected by Palo Alto that this open conversation and review at that administrative/staff level will facilitate for all parties the best implementation of this major project over the duration of the 2018 Use Permit.