

From: [Nelson Ng](#)
To: [French, Amy](#)
Cc: [French, Amy](#); [Shikada, Ed](#); [Lait, Jonathan](#); [Planning Commission](#); [Council, City](#); [Nguyen, Vinhloc](#)
Subject: Re: Castilleja At Place Memo
Date: Wednesday, September 9, 2020 4:19:00 PM
Attachments: [Castilleja At Place Packet Signed.pdf](#)

CAUTION: This email originated from outside of the organization. Be cautious of opening attachments and clicking on links.

Ms French,

Thanks for sending out the staff report on Castilleja. Can you please let me know if it is the staff expectation for the general public to review the document for the 6pm PTC meeting tonight? If so, I would like to voice my concern that sending out a 30 pages report 3.5 hours before the meeting does not provide adequate time for detail review. If it is not tonight's meeting, then please let me know the proposed process to review this document.

Thanks

Nelson

On Wednesday, September 9, 2020, 02:21:12 PM PDT, French, Amy <amy.french@cityofpaloalto.org> wrote:

Hello, thank you for posting the staff report responsive to questions posed by the Planning and Transportation Commission August 26, 2020, and for emailing it to the Commissioners.

To the BCC'd individuals who have signed up on our webpage, attached is the At Place Memo for Castilleja. This informational report has also been added to the online agenda here: <https://www.cityofpaloalto.org/civicax/filebank/blobdload.aspx?BlobID=78347>.

Public comments received through yesterday are also posted on the PTC page here: <https://www.cityofpaloalto.org/civicax/filebank/documents/78339>

The Castilleja project webpage (home page https://www.cityofpaloalto.org/gov/topics/castilleja_school/default.asp) includes verbatim excerpt minutes from the August 26, 2020 PTC meeting and the ARB 8/20/20 meeting. These have been provided to the Commission. Documents from the Applicant responding to PTC member questions are uploaded here: https://www.cityofpaloalto.org/gov/topics/castilleja_school/project_documents_.asp

PA Logo



Amy French| Chief Planning Official
250 Hamilton Avenue | Palo Alto, CA 94301
D: 650.329.2336| E: amy.french@cityofpaloalto.org

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From: French, Amy

Sent: Wednesday, September 09, 2020 2:06 PM

To: Leila H. Moncharsh <101550@msn.com>; Andie Reed (andiezreed@gmail.com) <andiezreed@gmail.com>; Rob Levitsky <roblevitsky@yahoo.com>

Cc: Nguyen, Vinhloc <Vinhloc.Nguyen@CityofPaloAlto.org>

Subject: Castilleja At Place Memo

Please note the attached packet for this evening's PTC discussion of staff's answers to the August 26 questions was just sent to the PTC members and uploaded to the PTC webpage.

PA Logo



Amy French| Chief Planning Official
250 Hamilton Avenue | Palo Alto, CA 94301
D: 650.329.2336| E: amy.french@cityofpaloalto.org

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From: Nguyen, Vinhloc

Sent: Wednesday, September 09, 2020 2:02 PM

Cc: Tanner, Rachael <Rachael.Tanner@CityofPaloAlto.org>; Lait, Jonathan <Jonathan.Lait@CityofPaloAlto.org>; French, Amy <Amy.French@CityofPaloAlto.org>

Subject: Castilleja At Place Memo

Good afternoon PTC Commissioners,

Attached is the At Place Memo for Castilleja. This information report has also been added to the online agenda here: <https://www.cityofpaloalto.org/civicax/filebank/blobdload.aspx?BlobID=78347>

From: [Jeff Levinsky](#)
To: [Planning Commission](#)
Subject: Is the Castilleja Underground Garage Floor Area?
Date: Wednesday, September 9, 2020 2:00:29 PM

CAUTION: This email originated from outside of the organization. Be cautious of opening attachments and clicking on links.

Dear PTC Commissioners:

You received a letter dated September 8, 2020 from the applicant's attorney arguing that the underground garage proposed for Castilleja should not count as floor area.

Let me state here some issues left unresolved by that letter:

A) The definition of "basement" in both general English and in our Municipal Code requires that a basement be a "portion of a building." That quote is from our Municipal Code section §18.04.030(a)(15) – the applicant's attorney letter has a typo in its citation. The proposed underground garage is not a portion of some larger building but in fact an entire separate underground structure. It is being designed by a different architect and its plans are not even part of the package submitted to you. So simply based on our code's definition, the underground garage doesn't qualify as a basement.

B) Where can basements be? The September 8, 2020 letter doesn't even attempt to untangle for you staff's interpretation of the R-1 zone rule §18.12.090(a). That law begins:

"Basements may not extend beyond the building footprint..."

Everyone can understand that such a law limits basements to be under footprints, which in turn limits their size on the property.

Staff offered at your last meeting its interpretation that §18.12.090(a) doesn't apply to Castilleja because the section of code only governs residential uses. The code itself goes on to say:

“... and basements are not allowed below any portion of a structure that extends into required setbacks, except to the extent that the main residence is permitted to extend into the rear yard setback by other provisions of this code.”

Staff is apparently thinking that the mention of “the main residence” in reference to rear yard setbacks means that the entire setback law applies only when there is a main residence. But the setback law doesn’t say that and the phrase “any portion of a structure” suggests it was actually contemplating all structures, residential or not, with a special allowance for main residences in rear yard setbacks.

Another problem with staff’s interpretation is that a conditional use in R-1 can still have a main residence. For example, a church might have a main residence where the minister lives. A boarding school might have a main residence in which some students and faculty reside and then others as well. So the “main residence” exception to the law is permissive: it allows a rear yard setback exception for all basements under main residences, whether that’s the main use on the site or not. So again, the setback rule does not itself seem to be limited to only residential uses.

Then, even if the entire setback law were deemed only applicable to residential uses or properties with a main residence, there’s no evidence that such a restriction jumps over the ‘and’ and also applies to the footprint rule. If you read it carefully, the footprint rule is quite independent from the setback rule. They just were put in the same section because both limit where basements can go.

Had the city actually intended any or all of §18.12.090(a) to apply only to residential uses, it could have easily borrowed phrases from other places in the R-1 code that distinguish between residential and non-residential uses, such as:

- §18.12.060(a), which distinguishes “Single-family residential use” and ADUs from “Other uses”
- §18.12.060(e), which says “Underground parking is prohibited for single-

family uses”

- §18.12.080(a)(1), which says “Residential garages, carports, and parking facilities”
- §18.12.150(c)(1)(A)(ii), which says “in the case of residential uses”
- §18.12.150(c)(4)(A), which says “any building designed and constructed for residential use”
- §18.12.150(c)(4)(B), which says “all or a portion of the site for permitted residential uses”

That no such phrase appears in §18.12.090(a) indicates its writers were not thinking only of residential uses. In other words, they wanted the footprint limit to apply to all basements on R-1 sites.

C) We’ve been told repeatedly that various precedents apply, but we have not seen a list of these nor any details. The sole precedent advanced to date is Kol Emeth. It is quite different from Castilleja in that a good part of its underground garage is under a building footprint and so would be exempt under the basement rule. Whether any of the rest of its garage should have been counted as floor area needs discussion. However, there’s another possibility to consider, namely that any uncounted floor area at Kol Emeth isn’t a precedent – rather, it’s merely an error!

Errors arise all the time. Here are just four examples from many known to observers of our city:

- The City mistakenly categorized the rebuilt offices at 486 Lytton as not within the Downtown Parking Assessment District , thus failing to require it to add or pay fees for five parking spaces. That saved it perhaps half-a-million dollars in in-lieu fees. Should this become a precedent that all new construction in Downtown can now benefit from?
- The City mistakenly has failed to require parking for a significant amount of floor area in the proposed building at 480 Hamilton Avenue. If this becomes enacted and then precedent, buildings all over town will see their parking requirements go down.
-

The City mistakenly failed initially to count over 2,000 sq. ft. of floor area in the plans for the proposed car dealership on the site of Ming's Restaurant in the Baylands. Even after repeated efforts by the public to have this corrected, staff refused to count the space until the Council intervened. Had the public and Council not stepped up, should staff's interpretation have become the new standard and all similar cases not counted as floor area?

- The City mistakenly undercounted the floor area for the President Hotel conversion, leading to undercharging the project by a significant amount of in-lieu fees. Again, this would be a terrible precedent.

It is likely that every major project approval has overlooked some important rule, simply due to the complexity of these situations. When we later discover these, calling them precedents would lead to terrible outcomes. Rather we should call them unfortunate errors and vow to do better.

There's another precedent though that staff failed to discuss, and that's every case where someone read the basement footprint rule, believed it applied to all R-1 uses and not just to residential ones, and then submitted plans complying with that. It's now unfair to those property owners and their neighbors to so radically reinterpret a rule that's existed for decades.

Based on the above, please rule that the underground garage does not meet our code's requirements for basements but instead ask that it be included in floor area and the plans analyzed accordingly.

Thank you,

Jeff Levinsky

From: [Leila H. Moncharsh](#)
To: [Cari Templeton](#); PTC@caritempleton.com; [Planning Commission](#); [French, Amy](#)
Subject: Re: Scheduling 9/9 Castilleja Hearing
Date: Wednesday, September 9, 2020 7:10:29 AM

Dear Chairperson Templeton and Commissioners:

This is to request a continuance of today's hearing to allow time to digest a great deal of new information and documents provided to the public around 8:00 p.m. last night. There is still no staff report available.

It is now 6:44 a.m., the day of the PTC hearing. At 6:00 a.m., I went onto my computer and discovered that Ms. French had sent two emails to me at nearly 8:00 p.m. last night, which I will forward to you. These emails linked me to several new documents that were released to the public for the first time: a lengthy transportation demand management plan (TDM), dated July 28, 2020, contained in a sales brochure format including a video; an 8-page letter from Castilleja's attorney, dated yesterday - September 8, 2020; two expert memos, dated September 4 and 8, 2020, and a plan drawing.

These documents could have been submitted to the PTC and the public far earlier than 8:00 p.m. last night. The TDM, which is a crucial item that will influence your commission's decisions on traffic conditions for a modified use permit was apparently available months ago and is just now being released for your and the public's review. The attorney for Castilleja repeatedly offered at the ARB and PTC hearings that she would be writing a letter regarding legal claims by the public, but then waited until last night to release it. Similarly, the expert reports appear to address issues raised by the public

long ago, and were just released last night.

The public, and I doubt any Commissioner, has time to review all of these documents and digest their contents between now and 6:00 p.m. this evening. That assumes that the commissioners and the public are even on computers this early in the morning. And, we still have no staff report.

Given that the public, and likely the PTC, needs adequate time to review the new documents that were apparently withheld until last night; there is no staff report released even now which will also take time to read and digest; and that two of the PTC commissioners are unavailable for this evening's hearing at 6:00 p.m. (one will arrive late due to his birthdate celebration today and the other will be absent), we request that this matter be continued to a new date, allowing sufficient time to review these new documents and to assure the presence of a full commission.

Thank you for considering our request for a continuance,

Leila H. Moncharsh, attorney for PNQL

From: [Leila H. Moncharsh](#)
To: [Cari Templeton](#); PTC@caritempleton.com; [Planning Commission](#); [French, Amy](#)
Subject: Fw: PTC 9/9 agenda packet
Date: Wednesday, September 9, 2020 7:15:06 AM
Attachments: [image001.png](#)

Please see below. This is one of 2 emails from Ms. French sent last night.

From: French, Amy <Amy.French@CityofPaloAlto.org>
Sent: Tuesday, September 8, 2020 7:49 PM
To: Leila H. Moncharsh <101550@msn.com>
Subject: RE: PTC 9/9 agenda packet

Hello, I forgot to mention we received transcriptions of the meeting minutes for the ARB and PTC meetings. I created excerpts and had them uploaded to the home page for the Castilleja project (cityofpaloalto.org/Castilleja). The words in green are links (clip below is from that homepage but does not include the links).

Excerpt 2020 public hearing minutes are/will be viewable here:

- [ARB August 20, 2020](#)
- [PTC August 26, 2020](#)
- PTC September 9, 2020
- HRB September 24, 2020

PA Logo



Amy French | Chief Planning Official
250 Hamilton Avenue | Palo Alto, CA 94301
D: 650.329.2336 | E: amy.french@cityofpaloalto.org

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From: [French, Amy](#)
To: [Leila H. Moncharsh](#)
Cc: [Tanner, Rachael](#); [Cari Templeton](#); PTC@caritempleton.com; [Planning Commission](#)
Subject: RE: Scheduling 9/9 Castilleja Hearing
Date: Tuesday, September 8, 2020 7:44:07 PM

Ms. Moncharsh,

The applicant submitted documents at close of business today, including the Applicant's attorney's letter mentioned during the rebuttal segment on August 26th. The applicant requested staff distribute the attorney letter to the Planning and Transportation Commission as well near close of business today; this was done. We have managed to upload these documents received today to the Castilleja Project webpages – you can find them as items 10-14 of the list of Applicant Submittal documents in 2020 on this page:

https://www.cityofpaloalto.org/gov/topics/castilleja_school/project_documents_.asp

Amy French | Chief Planning Official
250 Hamilton Avenue | Palo Alto, CA 94301
D: 650.329.2336 | E: amy.french@cityofpaloalto.org

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From: Leila H. Moncharsh <101550@msn.com>
Sent: Tuesday, September 08, 2020 4:37 PM
To: Cari Templeton <cari@caritempleton.com>; PTC@caritempleton.com; Planning Commission <Planning.Commission@cityofpaloalto.org>; French, Amy <Amy.French@CityofPaloAlto.org>
Subject: Fw: Scheduling 9/9 Castilleja Hearing

Dear Chairperson Templeton and Commissioners:

I am the attorney representing PNQL. Please see below my email from this morning to Ms. French and her response.

Given the holiday and short time between now and the hearing tomorrow, I am requesting assistance from the PTC to either obtain a copy of the staff report by noon tomorrow or continue

the hearing so that the public can have time to meaningfully review it. I am also requesting that the public be permitted to comment on the staff report, only.

While the public comments were closed at the last hearing, legally that does not preclude public comments on the new staff report, especially here where an EIR is involved. Based on the PTC's questions and instructions at the last hearing, I anticipate that the staff report will be lengthy and complete. The public should have the opportunity to review and comment on it.

If the public cannot obtain a copy of the report by noon tomorrow, please continue this matter to a date that allows for adequate public review.

PNQL does not anticipate that it will need more than 10 minutes for one speaker and will have sufficient people to give their time.

Thank you for attention to my request, Leila Moncharsh

From: French, Amy <Amy.French@CityofPaloAlto.org>

Sent: Tuesday, September 8, 2020 4:27 PM

To: Leila H. Moncharsh <101550@msn.com>

Subject: RE: PTC 9/9 agenda packet

The report is not finished. The report will be released tomorrow and will be made available to the public at the same time it is provided to the commissioners; we don't anticipate that there will be an additional opportunity for public comment tomorrow, though that issue is left to the Chair's discretion; and staff does expect that the item will be continued again.

From: Leila H. Moncharsh <101550@msn.com>

Sent: Tuesday, September 8, 2020 11:29 AM

To: French, Amy <Amy.French@CityofPaloAlto.org>

Subject: Re: PTC 9/9 agenda packet

Hi Amy,

I hope you enjoyed the holiday weekend, although I can imagine how some of your time may have been spent! The commissioners gave you a pretty long list of questions and instructions at the last hearing.

I left you alone over the long weekend but need to make a request at this point. The agenda says that your staff report will be available "at place" which I understand to mean you will release it to the public at the start of the hearing this week. That does not work for me because I need to prepare for that hearing and need the report as soon as possible.

The PTC closed public comments at the last hearing, if memory serves me correctly. Normally, that means that the public cannot go back over the same material that they already presented to the commission. However, the public is legally permitted to comment on the staff report, which was not available at the last hearing, obviously. It is new material and is important since presumably, it contains staff's responses to the questions that the commissioners asked at the last hearing, also after the public comments were closed.

The only other alternative would be to request a continuance to give the public a chance to review your staff report and then have but yet another hearing so that they can participate. It seems to make more sense to release your report as quickly as possible, especially if you are going to release it to the commission before the hearing, anyway, and not right before it. The whole idea is to provide the public with ample

opportunity to comment, especially given that there is an EIR involved.

Thank you for your attention to my request,

Leila

From: French, Amy <Amy.French@CityofPaloAlto.org>

Sent: Sunday, August 23, 2020 9:11 PM

To: Leila H. Moncharsh <101550@msn.com>

Subject: RE: PTC 8/26 agenda packet

No worries!

Amy French | Chief Planning Official

250 Hamilton Avenue | Palo Alto, CA 94301

D: 650.329.2336 | E: amy.french@cityofpaloalto.org

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From: Leila H. Moncharsh <101550@msn.com>

Sent: Sunday, August 23, 2020 3:55 PM

To: French, Amy <Amy.French@CityofPaloAlto.org>

Subject: Re: PTC 8/26 agenda packet

Thanks. Sorry to bother you and on a weekend,

Leila

Sent from my iPhone

On Aug 23, 2020, at 3:26 PM, French, Amy <Amy.French@cityofpaloalto.org> wrote:

Hi Leila,

All of our agenda items that have reports you can just click on that item. When you click on the Castilleja report it goes to this link

<https://www.cityofpaloalto.org/civicax/filebank/documents/78102>

Amy French | Chief Planning Official

250 Hamilton Avenue | Palo Alto, CA 94301

D: 650.329.2336 | E: amy.french@cityofpaloalto.org

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From: Leila H. Moncharsh <101550@msn.com>

Sent: Friday, August 21, 2020 6:34 PM

To: French, Amy <Amy.French@CityofPaloAlto.org>

Subject: Re: PTC 8/26 agenda packet

CAUTION: This email originated from outside of the organization. Be cautious of opening attachments and clicking on links.

Hi Amy,

There is no staff report attached. Is that because you will issue your staff report later or just that it was left out of the commissioners' packet?

Thanks and have a nice weekend,

Leila

From: French, Amy <Amy.French@CityofPaloAlto.org>

Sent: Friday, August 21, 2020 5:30 PM

To: Leila H. Moncharsh <101550@msn.com>

Subject: FW: PTC 8/26 agenda packet

Attached please find the Commission packet along with public comments received recently.

Amy French | Chief Planning Official
250 Hamilton Avenue | Palo Alto, CA 94301
D: 650.329.2336 | E: amy.french@cityofpaloalto.org

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From: Nguyen, Vinhloc
Sent: Friday, August 21, 2020 1:59 PM
Cc: Tanner, Rachael <Rachael.Tanner@CityofPaloAlto.org>; Yang, Albert <Albert.Yang@CityofPaloAlto.org>; Lait, Jonathan <Jonathan.Lait@CityofPaloAlto.org>; French, Amy <Amy.French@CityofPaloAlto.org>
Subject: PTC 8/26 agenda packet

Good afternoon PTC Commissioners,

Below is a link to the PTC 8/26/2020 agenda. The full agenda packet and public comment packet is also attached in this email. I have arranged for a physical agenda packet to be delivered to your residence. Please note that it will not be same day delivery because we are unable to use the same private courier that we used in the past. I expect the packet to be delivered by Monday. Zoom links will be emailed to you on Monday as well. Please let me know if you have any questions or concerns.

<https://www.cityofpaloalto.org/civicax/filebank/blobdload.aspx?BlobID=78103>

(PTC BCC)

Kind regards,

<image001.jpg>

**Vinh Nguyen | Administrative Associate III
Planning & Development Services**

250 Hamilton Ave | Palo Alto, CA 94301

P: 650.329.2218 | **E:** Vinhloc.Nguyen@cityofpaloalto.org

From: [Janet L. Billups](#)
To: [Planning Commission](#)
Cc: [French, Amy](#); [Yang, Albert](#); [Lait, Jonathan](#); [Kathy Layendecker](#); nkauffman@castilleja.org; [Mindie S. Romanowsky](#); [Leigh F. Prince](#)
Subject: Castilleja School [16PLN-00258] [SCH#2107012052] ("Project")
Date: Tuesday, September 8, 2020 4:10:01 PM
Attachments: [PTCLtr9.8.2020.pdf](#)

CAUTION: This email originated from outside of the organization. Be cautious of opening attachments and clicking on links.

Dear Palo Alto Planning Commission,

On behalf of the Castilleja School, please find attached additional insight and details regarding the above-referenced project for your consideration. If you have additional questions or comments please do not hesitate to reach out. We welcome the opportunity to address any concerns you may have. Thank you.

Kind regards,

Janet Billups, Legal Assistant to Mindie S. Romanowsky
Jorgenson, Siegel, McClure & Flegel LLP
1100 Alma Street, Ste. 210
Menlo Park, CA 94025
Ph. 650-324-9300
jlb@jsmf.com

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DECEASE
MARVIN S. SIEGEL
(1936 - 2012)
JOHN R. COSGROVE
(1932 - 2017)

September 8, 2020

Sent via Email: Planning.Commission@CityofPaloAlto.org

City of Palo Alto Planning and Transportation Commission
Palo Alto City Hall
250 Hamilton Avenue
Palo Alto, CA 94301

Re: Castilleja School
[16PLN-00258] [SCH#2107012052] ("Project")

Dear Honorable Members of the Planning and Transportation Commission,

On behalf of Castilleja School, we are pleased to provide additional insight and details regarding the Project for your consideration. A number of thoughtful comments and questions were raised by members of the public and the Commissioners at the August 26, 2020 Planning and Transportation Commission ("PTC") hearing. First, this letter is aimed to provide clarity around the proposed subterranean program space for the Project and to explain its legality. Second, this letter will address how the California Environmental Quality Act ("CEQA") applies to the approval of the Project and the legal adequacy of the Final Environmental Impact Report ("FEIR"). Overall, this correspondence is intended to provide support for Project approval, specifically Alternative 4, which reduces and eliminates potential environmental impacts and improves compatibility with the surrounding neighborhood.

Below-Grade Programmatic Space

The discussion in this section will summarize the legality of the below grade parking facility as well as compare and contrast the parking facility with the treatment of the subterranean educational space.

Below Grade Parking Facility.

The below grade parking facility is included as a key Project component because it removes almost all cars from surface parking areas, which reduces noise and protects the residential area from parking impacts, increases open space and enhances the aesthetics and compatibility with the surrounding neighborhood. The FEIR concluded that below grade parking is one of many components which contribute to the environmentally superior project.

As a threshold principle, the Palo Alto Municipal Code ("PAMC" or "Code") Section 18.12.060 requires that "off-street parking and loading facilities shall be required for all permitted and conditional uses." Furthermore, PAMC Section 18.52.030(g) requires parking to be located on the same site as the use being supported, unless an exception is granted. To comply with the Code

requirement to provide off-street parking on site, Castilleja proposes to build a below grade accessory parking facility.

Use: The underground parking facility is an allowed use in the R-1 Zone, serving as an accessory facility to a conditional use.

A careful study of the PAMC reveals that while the Code Section 18.12.060(e) prohibits underground parking for a single-family use without a variance, an underground parking facility for a non-residential use is NOT prohibited in the R-1 Zone. To the contrary, accessory uses/facilities – including parking facilities – are “permitted when incidental to and associated with an authorized conditional use.” PAMC 18.12.080(a)(1). The school is not a single-family use, it is an authorized conditional use. PAMC 18.12.030. The proposed below grade parking for the Project falls squarely within the PAMC definition of a “parking facility” because it is an “area on a lot or within a building, or both, including one or more parking spaces¹, together with driveways, aisles, turning and maneuvering areas, clearances, and similar features², and meeting the requirements established by [Title 18 Zoning].” PAMC 18.04.030 (111). Thus, the PAMC permits Castilleja to construct an accessory parking facility supporting an authorized conditional use.

Not only does the PAMC support the use of an underground parking facility, Palo Alto’s Comprehensive Plan provides further validation for the legality of parking facilities for all developments and does not limit the use of below grade parking to multi-family and commercial zones. To the contrary, *Goal T.5* encourages “attractive, convenient, efficient and innovative parking solutions for all users.” Policy T-5.1 provides that “[a]ll new development projects should manage parking demand generated by the project, without the use of on- street parking.” Policy T-5.6 “[s]trongly encourage[s] the use of below-grade or structured parking” to minimizing negative impacts on landscaping. All of these policies encouraging the use of underground parking facilities apply to all users and all development to achieve the vision of the Comprehensive Plan. Therefore, the finding can be made that the proposed underground parking facility is consistent with the City’s Comprehensive Plan.

As further discussed below, the Code and the Palo Alto Comprehensive Plan do not prescribe that parking structures be located above grade; instead they support locating parking facilities below ground.

Location: The parking facility may be located below-grade.

The proposed below grade parking facility falls within the definition of “basement,” defined as “...that portion of a building between the lowest floor and the ceiling above, which is fully below grade or partly below and partly above grade, but so located that the vertical distance from grade to the floor below is more than the vertical distance from grade to ceiling.” PAMC 18.04.030 (15). The Code does NOT prohibit locating parking in a basement when the parking for a non-residential use³. Instead, without reference to any particular zone, PAMC 18.54.020(a) establishes parking facility design standards both for above and below grade parking facilities, and thus supports to Castilleja’s ability to build a below grade parking facility in the R-1 Zone.

As noted above, Palo Alto Comprehensive Plan *Policy T-5.6* strongly encourages the use of below-grade parking, instead of surface parking for new developments of all types. The FEIR supports the conclusion that the below-grade parking facility makes the Project more attractive (enhancing the aesthetics and increasing open space) and more efficient (improving circulation and reducing transportation impacts). The City would be legally justified in approving the underground location of

¹ A “parking space” means an area on a lot or within a building used or intended for use for parking of a motor vehicle, having permanent means of access to and from a public street or alley independently of any other parking space, and located in a parking facility. PAMC 18.04.030(112).

² *Note:* The below grade tunnel exiting the garage was envisioned to support the functionality of the below grade parking facility and thus functions as a “similar feature” of the parking facility.

the proposed parking facility, as it is consistent with the Comprehensive Plan and the PAMC (both of which are supported by the FEIR).

Gross Floor Area (“GFA”): The basement parking facility is excluded from GFA.

Because the proposed parking facility falls within the definition of “basement” (as discussed above), the Code explicitly provides that basements shall not be included in the calculation of GFA where the basement area is not deemed to be habitable space. PAMC 18.12.090 (b) (1). A parking facility is by its very nature “uninhabitable” and thus it follows that the proposed below grade parking facility is excluded from GFA.

Given the complexity of the aforementioned legal support for the proposed subterranean parking facility, it is helpful to look at precedent in Palo Alto for similar (permitted) below grade-parking facilities for a non-single-family use located in the R-1 Zone. Case in point is the Kol Emeth project, located in an R-1 Zone. As a religious institution that holds services and events, in addition to offering educational programming, Kol Emeth successfully obtained approval both for a conditional use permit as well as a below grade accessory parking facility. Further, they were approved for as a variance for above-grade GFA, but their underground accessory parking facility was excluded from GFA. A departure from following this recent, relevant and strong precedent would not only be inconsistent with the PAMC and Comprehensive Plan, but would amount to disparate treatment of two similarly situated projects, without merit. It would also have the unintended consequence of creating of uncertainty for future projects.

The proposed underground parking facility is legally supported by the PAMC and the Comprehensive Plan. It serves as an accessory facility to support a primary educational use, allowed by a conditional use permit, and is excluded from GFA.

Below-Grade Educational Space.

In addition to the below grade parking facility, the Project proposes below grade educational space. This subterranean learning space is proposed to be located beneath the building footprints, as well as a small below grade area (approximate 3,700 square feet area) between the classroom and fine arts building (“Below Grade Breezeway”), where no building footprint is proposed above. Because the subterranean space for the Project supports different uses (parking vs. educational) it is helpful to understand how the Code distinguishes, yet provides legal support, for each type of use.

Fundamentally, all the below grade parking and educational space falls within the definition of a “basement” (see *definition above*). PAMC 18.04.030(15). Also, as articulated above, because Castilleja will use its property for non-residential purposes, there is no Code requirement that basement space be located below a building footprint. The difference between *how* the PAMC treats below grade parking versus below grade educational space, however, is seen (i) with regard to whether the subterranean space is habitable,, and (ii) whether GFA is counted toward overall FAR when no building footprint exists above the below grade program. While the parking facility is an uninhabitable basement and thus NOT included in the calculation of GFA, the Code places slightly different parameters on the treatment of below grade habitable space. Specifically, it provides that subterranean GFA is NOT included in the overall calculation where “...the finished level of the first floor is no more than three feet above the grade around the perimeter of the building foundation.” PAMC 18.12.090(b)(2).

Based on the foregoing, the PAMC supports the ability for Castilleja to build basement under the classroom building foundations and not count the GFA. The Code also does not prohibit the proposed location of the Below Grade Breezeway nor require that the GFA count toward FAR. However, because the Code is silent on the scenario where the habitable Below Grade Breezeway falls outside “the perimeter of the building foundation” Castilleja took a conservative approach and proactively included the Below Grade Breezeway square footage in the overall GFA calculation.

Based on commentary at the PTC hearing, it has now become evident that Castilleja’s proactive and conservative approach to include the GFA for the Below Grade Breezeway has led to some

confusion. Specifically, members of the public and PTC have requested clarity around *why* the GFA for the parking facility (with no building footprint above) does NOT count toward overall GFA and yet the Below Grade Breezeway IS included in GFA calculation. Castilleja acknowledges that the application of the Code on this question is confusing and even though the proposal is allowed by Code, Castilleja is nevertheless motivated to explain and simplify the Code's application. This objective, coupled with feedback from the ARB to create more defined campus entry portals, has led Castilleja to propose a slight variation to the entry approach at Bryant Street, to meet these goals.

At the next ARB meeting, Castilleja intends to share a campus entry variation on Bryant Street which envisions a single-story entry porch and lobby (the approximate size of the Below Grade Breezeway, or 3,700 square feet) which will take design cues from the historic Gunn Building and would be constructed above the Below Grade Breezeway. This variation would serve the dual purpose of answering the ARB's call for a more defined campus entry AND it would enable similar treatment of all the below grade habitable space. In other words, this variation would provide a consistent solution for the Project, whereby all habitable basement space would be located beneath the perimeter of a building foundation, as contemplated by PAMC 18.12.090(b)(2).

If the entry porch lobby variation is well received, Castilleja would welcome the PTC's support to include this approach in their architectural package. If not, Castilleja would be equally pleased to retain the Below Grade Breezeway condition without an at grade entry portal located above it. Ultimately, the elegant nature of these two treatments is that both are allowed by the Code and do not impact the total GFA for the project.⁴

CEQA

The below discussion will respond to comments and questions raised by the public and members of the Commission with regard to the FEIR.

Recirculation.

CEQA recognizes that a city cannot produce a perfect draft EIR ("DEIR"). A key purpose of the comment process after the DEIR is circulated is to bring issues to the attention of the city with the goal of producing a better EIR. Therefore, the FEIR evaluates and provides written responses to comments on the DEIR that raise substantial environmental issues and makes changes, as appropriate, to the DEIR. CEQA encourages agencies to make changes to the project to respond to new information revealed during the CEQA process, including the comments raised on the DEIR.

Although the CEQA process anticipates that changes will be made between the DEIR and FEIR, some commenters have asserted that these changes necessitate recirculation. The main reason commenters have asked for recirculation is as a result of the new project alternative identified in the FEIR. The new Disbursed Circulation/Reduced Garage alternative (Alternative 4) was developed to respond to community concerns regarding the proposed project and to reduce environmental impacts, which is the goal of CEQA.

Recirculation is only required when significant new information is added. Significant new information is defined in 14 Cal Code Regs. ("CEQA Guidelines") Section 15088.5(a)(3) to include a new feasible alternative that would lessen the significant environmental impacts and where the project's proponents have declined to implement the alternative. Pursuant to *Laurel Heights Improvement Ass'n v. Regents of Univ. of Cal* (1994) 6 Cal.4th 112 and *South County Citizens for Smart Growth v. County of Nevada* (2013) 221 Cal.Ap.4th 316, 330, when the new information added to the FEIR consists of a new project alternative, recirculation is only required where the new alternative is

⁴ If there is no building above the Below Grade Breezeway, the GFA for the Below Grade Breezeway would count, as is shown on the current plans. If the entry portal lobby variation is the preferred design, the portal lobby would cover the Below Grade Breezeway, and the at-grade GFA of the portal lobby would count, rather than the Below Grade Breezeway, as allowed by the Code.

feasible, not considerably different from other studied alternatives and which lessens the project impacts, **but** the applicant is unwilling to adopt the new alternative.

Here, recirculation is not required because all four of the aforementioned criteria are not satisfied. Alternative 4 is feasible to implement. Alternative 4 is not considerably different, but is similar to the proposed project and the alternatives evaluated in the DEIR. The EIR (page 13-7) states that Alternative 4 “includes generally the same campus redevelopment as the proposed project and would occur under the same phased development plan except that the two residential structures on Emerson Street would be retained, the private open space proposed for this portion of the site would not be created, the parking garage would be reduced in size, a loop driveway would be constructed on Kellogg Avenue, and the Kellogg Avenue and Bryant Street loop driveways would all be used for drop-off and pick-up.” Alternative 4 would lessen the project’s significant environmental impacts, specifically the transportation impacts. On page 13-40, the EIR concludes that Alternative 4 is the environmentally superior alternative. Finally, and perhaps most importantly, Alternative 4 was “developed by the project proponent” who has agreed to implement it, if approved. This alone is enough not to require recirculation. This is a textbook example of the CEQA process working effectively as the law intended. Because all of the criteria for recirculation are not met as a result of including Alternative 4 in the FEIR, recirculation is not legally required.

Substantial Evidence.

Some commenters have asserted that the FEIR is not supported by substantial evidence. Substantial evidence is defined as enough relevant information and reasonable inferences from this information that a fair argument can be made to support a conclusion, even though other conclusions might also be reached. CEQA Guidelines Section 15384(a). Substantial evidence includes facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts, but does not include speculation or unsubstantiated opinion. Public Resources Code Section 21080(e), 21082.2(c).

The FEIR and its conclusions are supported. Specifically, with respect to transportation issues, the transportation chapter was prepared by the professional environmental consultant firm, Dudek, based upon information contained in the Traffic Impact Study prepared by the expert transportation consultants at W-Trans. The Traffic Impact Study was prepared in December 2018 and updated in 2020; it is attached to the draft EIR as Appendix E. The Traffic Impact Study provides facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts both to support the DEIR (2018) and the changes that were made in the FEIR (2020).

Those commenters who challenge the presence of substantial evidence supporting the FEIR, rely on observations from neighbors who oppose the project. In a recent case, *S. of Mkt. Cmty. Action Network v. City & Cty. of San Francisco* (2019) 33 Cal.App.5th 321, 341-42, plaintiff’s argument that the transportation study in the EIR was inadequate was based upon “approximately a dozen general comments about how bad traffic is in the project vicinity and at the intersections studied in the EIR.” On this record the court could not conclude additional study was necessary. Similarly, here, a few observations communicated by neighbors in public comment who oppose the project does not lend itself to the conclusion that the Traffic Impact Study prepared by an expert traffic consultant retained by the City is unsubstantial evidence. The FEIR and its conclusions are supported by substantial evidence and can be certified by the City as compliant with the requirements of CEQA, without additional study.

Sufficiency of Project Alternatives.

An EIR must describe a reasonable range of project alternatives, focusing on potentially feasible alternatives that eliminate or reduce significant environmental impacts and that could attain the project’s basic objectives. An EIR need not consider every conceivable alternative. CEQA Guidelines Section 15126.6(a). The EIR for the Castilleja Project considered five alternatives and considered, but rejected, another six potential alternatives. Although certain Planning and Transportation

Commissioners requested consideration of additional alternatives or additional consideration of certain alternatives, additional consideration is unwarranted and not a legal requirement.

No Garage Alternative.

The no garage alternative (Alternative 5) is discussed in the FEIR at length, starting at page 13-30. Alternative 5 eliminates the parking garage from the project and instead would utilize surface parking along Emerson, in place of the two existing residences and proposed landscaped open space area. The EIR determined that this alternative would result in an increased noise impact, increased tree removal, increased loss of community character and an increased negative aesthetic impact. Alternative 5 does not achieve the objectives that both the school and the community want, including better compatibility and harmony with the surrounding neighborhood and reduced visibility of parking. Although concern was expressed about the greenhouse gas impact of a project containing an underground garage, the EIR concludes that although Alternative 5 might result in slightly less emissions *during construction*, the project both with or without the garage would have less than significant impacts on greenhouse gas emissions. Overall, the substantial evidence in the environmental analysis supports the conclusion that the no garage alternative has increased environmental impacts and there is no practical or legal reason to further study this alternative, or approve it, as it is an environmentally inferior alternative.

No Project Alternative.

CEQA requires that a no project alternative be analyzed. The no project alternative assumes that no development would occur, and the school would continue to operate under its existing conditional use permit. A conditional use permit runs with the land, which means that the school could continue to operate without the many improvements that the Project would make, including but not limited to increased open space, as well as a reduction in energy usage and greenhouse gas production. Therefore, while the status quo seems like a simple solution, in this situation, the simple answer does not present an environmentally superior result.

Move or Split Campus.

CEQA Guidelines dictate that alternatives which fail to meet the most basic project objectives, that are infeasible or that fail to avoid significant environmental impacts are to be eliminated and not discussed in detail. CEQA Guidelines Section 15126.6. It is for these reasons, the alternatives to move or split the campus were considered in the EIR, but rejected. In rejecting these alternatives as infeasible, the EIR notes that “[a]ll of the land within the City of Palo Alto that is zoned for developed land uses is already developed.” This is a legally adequate basis on which to reject an alternative from consideration. In *Save Our Residential Env't v. City of W. Hollywood* (1992) 9 Cal. App. 4th 1745, 1754, the court found there was no need to consider an alternative site because the city was built out. The court found this conclusion to be simple and “self-explanatory.” Similarly, for Castilleja there is no reason to consider moving or splitting the campus to another location in Palo Alto because the City is built-out. Moving to another jurisdiction also has numerous pitfalls that make it infeasible, including but not limited to finding a suitable site, negotiating acceptable terms with a third party and potentially obtaining entitlements. Any such analysis would be speculative; and it is far from certain that it would result in fewer environmental impacts. An EIR need not consider an alternative whose effect cannot be reasonably ascertained and whose implementation is remote and speculative. CEQA Guidelines Section 15126.6.

One suggestion proposed a complete relocation of the campus so as to enable residential development on the project site. The EIR considered this scenario, whereby if the property were subdivided and developed with 28 new residences, there would be similar construction and noise impacts. However, the development of single-family homes would likely result in significant and unavoidable impacts due to the demolition the historic buildings. Furthermore, although not considered in the EIR, if Castilleja were to vacate the site and sell, it is possible that because the conditional use permit to operate a school at the property runs with the land, that another school would purchase the property and operate under the existing use permit. There is no legal mandate to develop housing on this site. Requiring Castilleja to move would not force a new owner/user to achieve any the improvements proposed in the Project (i.e. to make the school more compatible with

the neighborhood and reduce its greenhouse gas or energy “footprint”) nor guarantee that a use more compatible with the surrounding neighborhood would be implemented.

Baseline of Events and Enrollment.

CEQA mandates that the legally correct baseline for impact analysis is the existing conditions (even if those conditions may be the result of illegal activity). The *Woodward Park Homeowners Assn. Inc. v. City of Fresno* (2007) 150 Cal.App.4th 683, case cited in the comment letter from the attorney representing PNQL stands for that same legal position. In *Woodward*, the court acknowledged the EIR might have been legally adequate if it carried out comparisons to both existing conditions and potential conditions under planning/zoning designations. However, because the EIR did not adequately compare the proposed project to *existing* conditions, it was inadequate. The PNQL letter also attempts to make the argument that the number of events is not a physical condition (not a change to dirt in the ground); however activities occurring at the project site are treated as a component of the existing conditions (see *Communities for a Better Environment v. South Coast Air Quality Management District* (2010) 48 Cal.4th 310 in which the project was increasing use of existing equipment).

In the other case cited in the PNQL letter, *Save Berkeley's Neighborhoods v. Regents of the University of California* (2020) 51 Cal.App.5th 226, the question before the court was whether the decision to increase enrollment required environmental review. The court concluded that increases in enrollment needed to undergo CEQA review even in the absence of physical development. That is exactly what is happening in this situation. The EIR is evaluating the proposed student increases at Castilleja. The court's conclusion also supports the argument that usage – not changes in the dirt – are part of existing conditions and undermines the very argument PNQL's attorney tries to assert.

The EIR for Castilleja appropriately considers the impact from the proposed Project compared to the existing baseline of events, not the baseline permitted by the existing planning entitlements. In the analysis contained at pages 4-25 through 4-27, the FEIR correctly considers (as the baseline condition) the special events held on campus as well as the number of attendees at each, during the 2014/2015, 2015/2016, and 2016/2017 academic years (also summarized in Appendix B and in Table 4-3). The summary found that the school held 119 special events in the 2014-2015 academic year, 101 events the following year, and 100 events the next year.

On page 4-26, the FEIR concluded “if the project substantially increases the number and/or size of special events held on site, the resulting disturbance to neighbors could result in a significant land use incompatibility.” However, in conjunction with their application, Castilleja proposed certain restrictions on special events aimed to ensure the number and size of events are reduced and that other limitations are placed on the days and times of these events to mitigate for impact. Mitigation Measure 4a⁵ encapsulates these constraints and requires the City to include the special events restrictions as Conditions of Approval for the conditional use permit amendment to ensure that the project does not result in an increase in the effect of special events related to land use compatibility between the school and the residential neighbors, as well as to ensure the impact would be reduced to less than significant:

⁵ MM 4a includes the following restrictions:

1. No school events would occur on campus on Sundays.
2. Athletic competitions would occur only on weekdays and would be complete by 8 pm.
3. There would be a maximum of 90 events with more than 50 guests each year. An illustrative example of the annual special events is provided in the Special Events Description (Appendix B) and summarized in Table 4-3. As shown, a typical year would include 45 events of 50 to 100 people (10 weekends, 21 weekdays and 14 weeknights) and 40 events of over 100 people (1 weekday, 27 weeknights, 12 weekends).
4. Parking during special events would occur on Spieker Field; all parking for events with fewer than 50 guests would occur within the Castilleja campus. Additional parking areas would be needed for larger events.

Thus, the EIR for the Castilleja is appropriately comparing the increase in enrollment and student activity at the project site against existing conditions.

VMT vs. LOS

SB 743 requires DEIRs released after July 1, 2020 to use vehicle miles travelled ("VMT") analysis rather than level of service ("LOS") or delay to determine transportation impacts. Because the DEIR for this Project was released before July 1, 2020, the DEIR was not required to analyze VMT. The transportation analysis focus on LOS in the DEIR is legally defensible. However, after July 1, 2020, LOS is no longer an environmental impact. Therefore, the FEIR analyzes and discloses VMT impacts. This too is legally defensible and because the transportation analysis for the Project does not result in new significant or more severe impacts, recirculation is not triggered.

Other Comments.

The greenhouse gas emissions analysis considers emissions from vehicle trips (FEIR, page 10-23), regardless of the number of passengers in the vehicle. The focus is not on the occupancy of the vehicles, but on the emissions produced by the total number of vehicle trips. Thus, the comments regarding single occupancy vehicle trips are a red herring because for purposes of the greenhouse gas analysis the number of occupants in a vehicle is irrelevant; the key consideration is the number of vehicle trips. Based on an expert analysis of greenhouse gas emissions, the EIR concludes that the proposed project will have a less than significant impact. It also finds in the land use section that the proposed project- with its robust TDM program- is consistent with Comprehensive Plan Policy T-1.3 to reduce greenhouse gas emissions associated with transportation. Thus, no analysis of single occupant vehicle trips is necessary as it would add nothing to the already adequate environmental analysis.

Castilleja understands the complicated nature of the Project and hopes this letter serves to clarify some of the more nuanced legal questions. We welcome the opportunity to answer further questions or address other comments and concerns. Thank you for your consideration and your service.

Sincerely,

Mindie S. Romanowsky

Mindie Romanowsky

Cc: Jonathan Lait, Director of Planning and Development Services
 Amy French, Chief Planning Official
 Albert Yang, Deputy City Attorney
 Nanci Kaufmann, Castilleja Head of School
 Kathy Layendecker, Castilleja Associate Head for Finance and Operations

From: [Rice, Danille](#)
To: [Council, City](#)
Cc: [Shikada, Ed](#); [Lait, Jonathan](#); [Kamhi, Philip](#); [Wilson, Sarah](#); [Minor, Beth](#); [PABAC](#); saferoutes@cityofpaloalto.org; XCAP@cityofpaloalto.org; [Planning Commission](#)
Subject: San Francisco to San José Project Section Draft Environmental Impact Report/Environmental Impact Statement (EIR/EIS)
Date: Tuesday, September 8, 2020 10:28:21 AM
Attachments: [HSR San Francisco to San Jose Project Section EIR Comments Palo Alto.pdf](#)
[image002.png](#)
[image004.png](#)
[image005.png](#)
[image007.png](#)
[image008.png](#)
[image001.png](#)

Good morning Mayor Fine, Council Members, and et al,
On behalf of City Manager Ed Shikada, I would like to inform you that the attached letter was sent to the Northern California Regional Office of the California High-Speed Rail Authority regarding the City's comments to the San Francisco to San José Project Section Draft Environmental Impact Report/Environmental Impact Statement (EIR/EIS).

Please do not reply to all.

Respectfully,
Danille

Danille Rice

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From: Rice, Danille <Danille.Rice@CityofPaloAlto.org>
Sent: Tuesday, September 8, 2020 10:16 AM
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Cc: [Kamhi, Philip <Philip.Kamhi@CityofPaloAlto.org>](mailto:Philip.Kamhi@CityofPaloAlto.org); [Shikada, Ed <Ed.Shikada@CityofPaloAlto.org>](mailto:Ed.Shikada@CityofPaloAlto.org); [Wilson, Sarah <Sarah.Wilson@CityofPaloAlto.org>](mailto:Sarah.Wilson@CityofPaloAlto.org); [Bhatia, Ripon <Ripon.Bhatia@CityofPaloAlto.org>](mailto:Ripon.Bhatia@CityofPaloAlto.org); [Lait, Jonathan <Jonathan.Lait@CityofPaloAlto.org>](mailto:Jonathan.Lait@CityofPaloAlto.org)
Subject: San Francisco to San José Project Section Draft Environmental Impact Report/Environmental Impact Statement (EIR/EIS)

Dear Northern California Regional Office of the California High-Speed Rail Authority,
On behalf of City Manager Ed Shikada, please find attached letter regarding the City's comments to the San Francisco to San José Project Section Draft Environmental Impact Report/Environmental Impact Statement (EIR/EIS). The California High Speed Rail will have a long-lasting and far-reaching impact on the City of Palo Alto; therefore, we appreciate the opportunity to comment on this Draft EIR/EIS as a responsible agency for the Project.

Highest regards,
Danille

Danille Rice

Executive Assistant to the City Manager

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CITY OF
**PALO
ALTO**

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September 8, 2020

Northern California Regional Office
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100 Paseo De San Antonio, Suite 300
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Email: san.francisco@hsr.ca.gov

RE: The San Francisco to San José Project Section Draft Environmental Impact Report/Environmental Impact Statement (EIR/EIS)

Thank you for including the City of Palo Alto in the environmental review process for the above-referenced project. The California High Speed Rail (HSR) will have a long-lasting and far-reaching impact on the City of Palo Alto; therefore, we appreciate the opportunity to comment on this Draft EIR/EIS as a responsible agency for the Project.

Executive Summary

The Draft EIR/EIS is seriously flawed in numerous respects as outlined in this letter. Fundamentally, the document fails to adequately analyze, much less mitigate, a variety of clear and significant impacts that this project will cause to the Palo Alto community. Failure of the Draft EIR/EIS to consider the cumulative impacts of this project with the Caltrain business plan through the four at-grade crossings would pose an increased safety risk of collisions between trains and people walking, biking, and driving across these crossings. When examining impacts, the Draft EIR/EIS does not analyze the reasonably foreseeable consequences and impacts of the adopted or on-going planning efforts of other users of the corridor that are tied to the HSR project. Such a disconnect ignores the impacts related to the at-grade crossings and the additional four-tracking that may be needed within the corridor. The proposed project alternatives lead to significant impacts to emergency response, noise, and circulation. Grade separation between tracks and crossings at Meadow Drive, Charleston Road, Churchill Avenue, and Palo Alto Avenue would address the impacts related to noise with the elimination of train horns and alleviate the other safety concerns posed at-grade intersection. There is no rationale for excluding grade separations as a feasible mitigation particularly given the Federal Rail Administration's conclusion that the Palo Alto at-grade crossings are amongst the most dangerous in the State. The Draft EIR/EIS falls woefully short of any reasonable standard of environmental analysis.

Project Understanding

The City of Palo Alto (City) understands that, Consistent with Tier 1 decisions, the San Francisco to San Jose Project Section (Project Section or project) would provide High Speed Rail (HSR) service from the Salesforce Transit Center (SFTC) in San Francisco to Diridon Station in San Jose along approximately 49 miles of the Caltrain corridor. Within the City of Palo Alto, the project would be located along 3.8 miles of Caltrain right-of-way through the middle of Palo Alto, where the existing Caltrain tracks bifurcate the City from east to West. The current project design proposes a blended infrastructure with Caltrain operations through the City. The current proposed project, as well as both Alternatives carried forward in the environmental analysis, propose two at-grade tracks through the City, mostly within the existing Caltrain right-of-way.



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The City understands that within Palo Alto, the project would require slight modifications (typically of less than one foot) to the tracks in several areas to straighten curves in order to support higher speeds. The project also requires the installation of two radio towers (one north of Embarcadero Road and one north of West Charleston Road), four-quadrant gates at existing at-grade crossings, and either fencing or sound walls along the entire corridor within the City. The Project will provide HSR services at a downtown San Francisco station, a Millbrae station, and the San Jose Diridon Station; no station is proposed within the City of Palo Alto under the current proposed project or either of the two alternatives.

The blended system would accommodate operating speeds of up to 110 mph for up to four HSR trains and six Caltrain trains per hour per direction in the peak period. HSR and Caltrain are the only passenger rail services that would operate in the blended system. North of the Santa Clara Caltrain Station, freight would use the same tracks as HSR and Caltrain but would operate at night with temporal separation to avoid conflicting with HSR and Caltrain operation, similar to existing conditions.

Rail Alignment, Profile, and Right-of-Way

1. As discussed further throughout this letter, the EIR/EIS shall consider an alternative or mitigation that includes grade separation of the existing at-grade crossings within the City to reduce impacts related to land use, transportation, and safety that would result from the project. Impacts under these three resources have not been fully identified and mitigated in the Draft EIR/EIS. Additionally, the Authority shall begin inter-agency conversations with the City and other relevant state, regional and local agencies with respect to fair-share funding contributions for grade separations.
2. The City understands that two options are provided for each of the two radio towers required within the City. For each of these two options a site located on private property (4131 Park Blvd and 100 Addison Avenue) and a site located within Caltrain right-of-way is shown. The installation of these towers requires a discretionary permit from the City of Palo Alto and may require easements and/or encroachment permits, depending on which option is selected. The City would not support the location of these towers on private property if an alternate location within Caltrain right-of-way is viable. If construction of either of these radio towers is necessary on private property, the California High Speed Rail Authority (Authority) shall contact and inform these property owners and coordinate for such needs with these property owners prior to filing for any permits from the City.
3. The EIR baseline operational analysis considers only six (6) trains per direction during the peak hours for Caltrain services, which requires the two tracks currently proposed. However, Caltrain's 2040 Vision Plan identifies a moderate growth scenario that calls for eight (8) Caltrain trains per direction during the peak hours and a high growth scenario that calls for twelve (12) Caltrain trains per direction during the peak hours. This conflict in corridor planning needs to be reconciled. The City understands that if eight (8) trains are proposed during the peak hours, additional passing tracks would be necessary. Based on Caltrain's adopted 2040 Vision Plan, this shall be considered a reasonably foreseeable future project and shall be analyzed under the Cumulative scenario. The location of these additional passing tracks shall be disclosed, and the impacts of these tracks must be fully evaluated.

Land Use

4. In the City's scoping comments dated March 31, 2009, the City of Palo Alto requested that the Authority utilize the City's CEQA thresholds in evaluating impacts on components within the City's jurisdiction. However, the EIR/EIS established its own thresholds for land use impacts, which do not reflect the City's thresholds or the State CEQA Guidelines. As a responsible agency, the City of Palo Alto will rely on this EIR in issuing the necessary permits for construction of the project. Therefore, for the purposes of CEQA, the environmental analysis needs to evaluate impacts under land use consistent with the thresholds recommended by the state and adopted by the City of Palo Alto. This includes an analysis of:

- whether the project would physically divide and established community; and
 - whether the project would cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.
5. In accordance with the thresholds identified above, the EIR/EIS must analyze the impacts of HSR preemptions at at-grade crossings and the construction of a noise barrier across the City. With major educational (elementary, middle, high schools, Stanford University), employment centers, and central business districts across the train corridor, the addition of HSR preemptions for at-grade intersections and a 12-14 foot noise barrier across the majority of the tracks will significantly impact connections across the City, visually and physically dividing the community. Because these impacts have not been properly identified, mitigations measures have similarly not been identified to reduce these impacts.
6. In accordance with the thresholds identified above, the EIR/EIS must identify the project's conflicts with the City's Comprehensive Plan policies and Municipal Code Regulations. Land Use Section 3.13 does not identify any inconsistencies with the City of Palo Alto's policies or regulations and concludes that the projects impacts would be less than significant without the need for mitigation.

However, Appendix 2-J clearly states that the project is inconsistent with the City of Palo Alto's Comprehensive Plan policies and regulations with respect to noise. Table 1 of Appendix 2-J acknowledges that "Although mitigation measures would be able to reduce project noise levels, they would not reduce all levels to the standards for residential, commercial, and institutional land uses due to the limitations in noise barrier cost effectiveness, implementation (HSR cannot implement quiet zones; only local jurisdictions can), and funding (in regards to grade separations)."

Land Use Section 3.13 must be revised to accurately reflect that the project would have a significant impact with respect to inconsistencies with applicable plans and policies within the City of Palo Alto. It must clearly identify the mitigation measures that would reduce that impact to the extent feasible. If mitigation does not reduce this impact to a less than significant level, the EIR/EIS must conclude, for the purposes of CEQA, that impacts would be significant and unavoidable with respect to consistency with local land use policies.

Noise

7. Impact NV#1 in Section 3.4 of the EIR/EIS identifies temporary exposure of sensitive receptors to construction noise as a significant and unavoidable impact. The proposed mitigation (NV-MM#1) encourages, but does not require, daytime construction. It appears to allow the construction contractor to determine the appropriate measures to limit noise but does not set a performance measure that the contractor is required to meet. It only requires reporting after the fact (annually) to the Authority, identifying measures that were implemented. NV-MM#1 should be revised to require daytime construction if other measures cannot effectively reduce impacts to a less than significant level in accordance with the established thresholds for nighttime noise.
8. Table 3.4-25 of the Draft EIR/EIS explains that under Impact NV#8, temporary exposure of sensitive receptors and buildings to construction vibrations, the project "would cause annoyance at nighttime to sensitive receptors within 140 feet for infrequent events and within 300 feet for repetitive equipment such as pile driving, vibratory compaction, and ongoing demolition work with jackhammers or hoe-rams." However, NV-MM#2 only appears to address potential impacts to buildings and does not address impacts to sensitive receptors that may be impacted by vibrations at nighttime. Although NV-IAMF#1 (impact, avoidance and minimization feature) is identified to reduce impacts to sensitive receptors, this measure primarily reduces noise rather than vibration. The measure does not identify performance criteria that must be met to reduce impacts on sensitive receptors to a less than significant level.

Within the City there are hundreds of sensitive receptors along this corridor, many of which are residences that would be severely impacted due to nighttime vibrations during construction. The Draft EIR/EIS must identify mitigation with clear performance criteria to reduce impacts to these sensitive receptors to a less than significant level. Mitigation shall include prohibition of nighttime construction that causes vibration if other measures cannot effectively reduce impacts to a less than significant level. Pile driving at nighttime shall be prohibited.

9. The analysis of both noise and vibrations needs to clearly quantify the expected level of noise and vibration that sensitive receptors would experience before and after the implementation of mitigation. The analysis currently only provides information on the number of receptors that would be impacted before and after mitigation; not on the level of impact that those receptors would experience.
10. The proposed construction hours for track modifications are outside of the City's allowed construction hours, as established in Chapter 9.10 of the City's Municipal Code. Construction outside of the allowed construction hours requires a permit from the City. The City would not issue this permit for construction activities near residential areas if measures cannot be implemented to reduce impacts on receptors to a less than significant level.
11. Under Impact NV# 2, the Draft EIR/EIS concludes that implementation of the project alternatives would not change current practices regarding the sounding of train horns and crossing bells, but would change the amount of train horns and crossing bells sounding due to the additional trains. Additional trains will cause noise levels above existing ambient levels and in exceedance of FRA criteria, causing severe noise impacts at sensitive receptors.

The City understands that the project has analyzed two scenarios with respect to mitigation for noise associated with train horns. The first scenario assumes that quiet zones have not been established within the peninsula and identifies the location where sound walls would therefore be constructed along the corridor to reduce noise levels associated. The City understands that sound walls would be constructed along the majority of the corridor within the City of Palo Alto if quiet zones are not established at the City's existing at-grade crossings. Under the second scenario, if the City were to establish quiet zones for the City of Palo Alto through the requisite process, this would eliminate the requirement for all trains to routinely sound their warning horns when approaching at-grade crossings. Under this scenario, the EIR/EIS shows that sound walls would therefore only be necessary in three locations within the City of Palo Alto.

The City recommends that the Authority shall consider grade separation for at-grade crossings due to safety and other reasons stated in this letter, which is feasible mitigation that would also mitigate the need for train horns and therefore construction of noise barriers across the City. However, for the interim measures until grade crossings are built the City of Palo Alto recommends the Authority to establish a Quiet Zone within the City of Palo Alto. In addition, since this process is only necessary to address impacts of the proposed project (as an alternative to noise barriers) the City of Palo Alto shall not bear the financial burden of the process to establish a Quiet Zone. The mitigation measures must require that the Authority bear any costs and to support the process of establishing a Quiet Zone for any jurisdiction that elects to pursue this alternative as well as any liabilities associated with this.

Transportation

12. The City has established a Local transportation Impact Analysis Policy (See Attachment A). The City requests that the Authority comply with this policy, in addition to CEQA and NEPA guidelines, in order to assess the project's local impacts within the City's jurisdiction. The analysis of intersection delays

that was included in the Draft EIR/EIS under Impact TR#5 shall utilize the City's significance criteria when determining whether localized impacts would occur outside of CEQA.

13. Section 3.2 of the Draft EIR/EIS analyzes impacts on bicycle and pedestrian access and Section 3.11 of the Draft EIR/EIS studies hazards associated with the project. However, the Draft EIR/EIS does not adequately analyze the potential hazards associated with the increase in the number of trains and increase in train speeds on school age pedestrians and bicyclists.

In Palo Alto, approximately 58 percent of students from elementary school to high school ages walked or biked to school in 2019. Therefore, a significant number of school age children cross the train tracks at existing at-grade crossings in order to attend nearby K-12 schools (e.g. Hoover Elementary, Palo Alto High, Castilleja, etc.). The proposed four-channel crossing gate mechanism is not adequate to protect these children; this shall be identified as a significant impact with respect to safety and shall be evaluated further. Providing a grade-separated crossing would reduce impacts on pedestrians and bicyclists, including school age children.

14. With the addition of new trains, the proposed gate down time during peak hours will increase by almost 67% (with the addition of 4 HSR). These additional trains throughout the day reduce the time available for pedestrians and bicyclists to cross through the at-grade locations in Palo Alto (Churchill, Meadow, Charleston and Palo Alto) crossings. The impact of the proposed project on these crossing connections for pedestrians and bicyclists must be analyzed and mitigated.
15. Impacts TR # 1 through TR #5 identify impacts and delays on intersection operations. As explained on page 3.2.63, the project results in a 334 second increase in delays at Churchill and 187 second increase in delays at West Meadow Drive. This will severely affect signal operations and controls and thus traffic flow in the area. Although under SB 743 vehicle delays are no longer considered a significant impact under CEQA, the delay at these intersections will impact other modes of transportation such as bicyclists, pedestrians, and bus transit. Such impacts to other modes of transportation still require analysis and appropriate mitigation in accordance with CEQA. These impacts have not been properly identified and TR-MM#1 does not adequately address these impacts.
16. Vehicle delays would also result in extensive queueing spilling on to through lanes and may cause the need for additional storage for turning movements. Extensive queueing will create safety hazards near at grade crossings. The intersection geometry at all four at-grade crossings within the City must be studied in order to properly identify potential hazards and these impacts shall be mitigated.
17. With major educational (elementary, middle, high schools, Stanford University), employment centers, and central business districts across the train corridor, the addition of HSR preemptions for at-grade intersections will significantly impact all modes of transit throughout the day, causing impacts on the transportation system. These impacts have not been properly identified; therefore, mitigations measures have similarly not been identified to reduce these impacts.
18. The project proposes a change in the speed of trains from 79 mph to 110 mph. This change will reduce the reaction time for pedestrian, bicycle, and vehicular activities. In addition, this will impact advanced preemption timings for nearby signals. The existing signals in the vicinity, until grade separated, will need to have advanced preemption to ensure that there is adequate queue clearance, pedestrian times, track clearance and signal operation coordination. These impacts are identified generally but are not quantified and clearly explained to address such impacts. The project shall describe how these improvements will be funded and constructed. The City does not support higher speeds of trains running through urbanized area and therefore requests to use Caltrain planned speed limits or speeds that match existing speed of Caltrain service unless grade separation is proposed at crossings.

19. The analysis shall evaluate service options that include HSR operating at the same speed as Caltrain from San Jose to San Francisco and must identify the safety benefits that could be derived by running slower speed trains in an urban environment.
20. Due to additional delay at the intersections near the at-grade crossings, the traffic may be diverted to other parallel residential streets, thus impacting the character of neighborhood and livability of Palo Alto residents. These impacts must be identified and mitigated and shall be studied in accordance to City of Palo Alto Traffic Impact policy on Traffic Infusion and Residential Environment (TIRE) (Attachment B in Exhibit A).
21. Under Impact TR#7, the analysis identifies that the HSR will increase the parking demand on the other Caltrain stations with increased ridership to connect to get onto HSR at other HSR stations. This increase in ridership to get to HSR transit hubs will necessitate additional parking at other existing Caltrain Stations. This must be identified and mitigated in the EIR/EIS.
22. Impact TR# 9 and TR#11 study permanent and continuous impacts on bus transit. However, the Draft EIR/EIS fails to recognize existing transit routes near the corridor that are impacted by project. Alma Avenue, which parallels the HSR tracks in Palo Alto, is a major road used by express bus transit. The intersections along this corridor will experience significant delays at traffic signals adjacent to at-grade crossings, which in turn, will affect express bus service. TR-MM#2 identifies the transit priority for corridors but fails to identify such impacts on Alma Avenue, and therefore fails to provide any mitigation to address this impact.

Public Services

23. As discussed on Draft EIR/EIS Page 3.11-60, the reduced availability of crossings will impact emergency response times. The project includes mitigation, which includes the Authority's fair share toward reducing the vehicle response time; however, impacts are still identified as significant and unavoidable. Under CEQA, the analysis must analyze any feasible mitigation or alternatives to address impacts before identifying an impact as significant and unavoidable. An alternative or mitigation that includes grade separation for at-grade crossings must be evaluated to ensure adequate response times. If the Authority does not pursue at-grade crossings as part of an alternative or as mitigation to restore response times, the Authority shall bear the full cost of restoring response times to existing conditions.

Historic

24. The proposed project identifies track modifications, including horizontal alignment changes of more than 1 foot and less than 3 feet on the SPRR San Francisquito Creek Bridge, which is located approximately 10 feet west of the Historic El Palo Alto redwood tree. Track work in this location may also require relocation of OCS poles and OCS pole electrical safety zones. The EIR/EIS concludes that the project would not result in modifications to the El Palo Alto redwood, and that impacts would therefore be less than significant without mitigation. However, although the project does not propose direct removal or modifications to the tree, grading or the use of vibratory equipment for track work within 10 feet of the historic tree could result in direct or indirect impacts to the root structure. These impacts must be evaluated and mitigated to ensure that impacts to this historic landmark would remain less than significant.

Utilities

25. Impact PUE#2 identifies impacts associated with the relocation or removal of existing major utilities as less than significant without mitigation. However, construction activities that result in vibrations above or immediately adjacent to existing infrastructure could indirectly impact infrastructure. The City of

Palo Alto owns and maintains a wide variety of infrastructure that cross these tracks. The potential for indirect impacts must be identified and mitigation shall be included to require advanced coordination with the City when working in close proximity to its infrastructure as well as to verify, post-construction, that the City's infrastructure has not been damaged.

26. Although the analysis concludes that the Authority and service providers would work to relocate utilities on a long-term basis, the discussion identifies that temporary utility disruptions may occur. Although applicant proposed measures are identified to reduce these impacts and provide notifications to customers, the duration of these outages is unclear. The document needs to more clearly identify the anticipated temporary impacts on utilities, including the likely duration of outages that may be necessary.

Trees and Vegetation

27. The proposed project plans appear to show that new walls or fence would be installed up to the edge of the existing right-of-way, with no space planned for planting vegetation screening. It is unclear to what extent existing vegetation along the right-of-way, which currently provides effective screening in some locations, would be retained or replanted. Space needs to be provided for vegetation screening, especially where the rail is within close proximity to sensitive receptors.
28. MM-39 states that mitigation would be provided at no more than a 1:1 ratio unless the City's ordinance provides for stricter ratios. For mitigation within the City, the project would be required to replace trees in accordance with the City's Tree Tech Manual tree value replacement standard, as outlined in the City's Tree Technical Manual, which is codified in Chapter 8 of the City's Municipal Code. The Tree Technical Manual can be found at: <https://tinyurl.com/PA-Tree-Technical-Manual>

We appreciate the opportunity to comment and look forward to reviewing the Final EIR/EIS, including responses to the City's comments. Should you have any questions regarding this letter, please contact Philip Kamhi at (650) 329-2500 or via e-mail at Philip.Kamhi@cityofpaloalto.org

Sincerely,



Ed Shikada
City Manager

Attachments:

Exhibit A: Local transportation Impact Analysis Policy

CC:

Palo Alto City Council Members
Expanded Community Advisory Panel
Palo Alto Planning and Transportation Commission
Palo Alto Pedestrian and Bicycle Advisory Committee
Palo Alto Safe Routes to School Committee



CITY OF PALO ALTO LOCAL TRANSPORTATION IMPACT ANALYSIS POLICY

Senate Bill (SB) 743, adopted in 2013, required the Governor's Office of Planning and Research (OPR) to prepare amendments to the CEQA Guidelines with respect to the analysis of potential transportation effects to provide an alternative metric to traffic congestion and delay at intersections (often referred to as Level of Service (LOS)). After five years of analysis and outreach, in December 2018, the California Natural Resources Agency approved OPR's proposed amendments to the CEQA Guidelines requiring agencies to use vehicle miles traveled (VMT) generated by a project as the metric for transportation impact analyses under CEQA effective July 1, 2020. Under SB 743 and the revised CEQA Guidelines, LOS may no longer be used to determine whether a project may have a significant environmental impact to transportation and traffic under CEQA.

While statewide implementation of VMT analysis to replace LOS analysis is required under CEQA, SB 743 did not require changes to transportation analyses outside of CEQA, including the evaluation of regionally significant intersections under the Congestion Management Program (CMP) under a separate state law. Nor did SB 743 affect the discretion of public agencies to assess impacts on local streets and intersections for compliance with adopted plans and policies. As such, in conformance with Policy T-2.3 and Program T-2.3.1 of the City's [*Comprehensive Plan 2030*](#),¹ LOS standards are adopted through this policy to analyze potential local transportation impacts of projects in Palo Alto.

I. Purpose

The purpose of this Policy is to ensure consistency in reviewing and identifying transportation effects of proposed development projects for local intersections and facilities and to determine standards for necessary remediation measures.

¹ Comprehensive Plan Policy T-2.3: Use motor vehicle LOS at signalized intersections to evaluate the potential impact of proposed projects, including contributions to cumulative congestion. Use signal warrants and other metrics to evaluate impacts at unsignalized intersections.

Program T-2.3.1: When adopting new CEQA significance thresholds for VMT for compliance with SB 743 (2013), adopt standards for vehicular LOS analysis for use in evaluating the consistency of a proposed project with the Comprehensive Plan, and also explore desired standards for MMLOS, which includes motor vehicle LOS, at signalized intersections.

Policy T-2.4: Consistent with the principles of Complete Streets adopted by the City, work to achieve and maintain acceptable levels of service for transit vehicles, bicyclists, pedestrians and automobiles on roads in Palo Alto, while maintaining the ability to customize to the Palo Alto context.

Policy T-3.3: Avoid major increases in single-occupant vehicle capacity when constructing or modifying roadways unless needed to remedy severe congestion or critical neighborhood traffic problems. Where capacity is increased, balance the needs of motor vehicles with those of pedestrians and bicyclists

II. Level of Service (LOS) Analysis

LOS is the measurement of delay at intersections used to determine whether a project is consistent with the City's Comprehensive Plan and this Policy LOS is based on the Highway Capacity Manual (HCM) methodology where a letter grade is assigned to an intersection operation based on the amount of delay motorists experience in traveling through the intersection. Table 1 below shows the comparison in LOS depending on whether the intersection is signalized or not.

Table 1: Level of Service Delay – Signalized vs. Non-Signalized Intersections

Level of Service Grade	Description	Signalized Average Delay (Sec)	Unsignalized Average Delay (Sec)
A	Signal Progression is extremely favorable. Little or no traffic delay.	10.0 or less	10.0 or less
B	Operations characterized by good signal progression and/or short cycle lengths. Short traffic delays.	10.1 to 20.0	10.1 to 15.0
C	Higher delays may result from fair signal progression. Average traffic delays.	20.1 to 35.0	15.1 to 25.0
D	Congestion becomes noticeable. Long traffic delays.	35.1 to 55.0	25.1 to 35.0
E	Considered the limit of acceptable delay.	55.1 to 80.0	35.1 to 50.0
F	Level of delay is considered unacceptable by most drivers. Extreme traffic delays.	Greater than 80.0	Greater than 50.0

Source: Transportation Research Board, Highway Capacity Manual 2010

III. Standards for Determining Transportation Analysis

1. ~~Within the CMP System~~ Regional CMP Analysis

Traffic Impact Analysis (TIA) reports vary in scope depending on the use of the report and size of the project.

Under the purview of the California Congestion Management Program (CMP) Statute, Palo Alto must follow the methodologies presented in the [VTA Transportation Impact Analysis Guidelines](#) for intersections within the CMP system, to evaluate transportation effects and submit a full TIA report of all development projects that are expected to generate 100 or more net new weekday (AM or PM peak hour) or weekend peak hour trips, including both inbound and outbound trips.

CMP intersections within Palo Alto are listed below. A map of all CMP intersections can be found in Attachment A.

- i. Middlefield Rd./Oregon Exp.
- ii. Middlefield Rd./San Antonio Rd.
- iii. El Camino Real/University Ave./Palm Dr.
- iv. El Camino Real/ Sand Hill Rd./Palo Alto Ave.
- v. El Camino Real/Embarcadero Rd.
- vi. El Camino Real/Page Mill Rd.
- vii. El Camino Real/Arastradero Rd./Charleston Rd.
- viii. Foothill Exp./Junipero Serra Blvd./Page Mill Rd.
- ix. Foothill Exp./Arastradero Rd.
- x. San Antonio Rd./Charleston Rd.

2. Outside the CMP System Local Analysis

The City requires a Local Transportation Analysis (LTA) report for any project that is expected to generate 50 or more net new weekday (AM or PM peak hour) trips, including both inbound and outbound trips, prior to any reductions assumed for Transportation Demand Management (TDM) measures. The City may also require a LTA if in its reasonable judgement a project will potentially cause a deficiency in the operation of local intersections. A LTA report must include the following:

- i. Project description;
- ii. Existing conditions;
- iii. Site access and circulation;
- iv. Vehicle trip generation (weekday AM and PM peak);
- v. Vehicle trip distribution;
- ~~v.~~vi. LOS analysis for selected study intersections; and
- ~~vi.~~vii. Remediation measures (if proposed)

Depending on the size and layout of the project, additional elements listed below may be required by the City to include in the LTA report.

- i. Traffic Infusion on Residential Environments (TIRE) Analysis is an analysis of new potential traffic disturbances along a local residential streets created by a project as described in the Attachment B. When a proposed development project is expected to add 10 or more peak hour vehicles per any direction to a local residential street that is not on a project's direct route to collector or arterial streets, the project is required to submit a TIRE analysis.
- ii. Queuing Analysis that identifies queues spilling beyond their current storage bays. Improvements may include lengthening storage bays to meet projected

demand or roadway capacity improvements to add additional turn pockets at an intersection. The City typically takes the lead in identifying potential capacity improvements to help facilities site design.

- iii. Transit Analysis for projects located along a key transit route, such as El Camino Real, a focused analysis in partnership with the VTA or other transit operators is provided to determine if off-site improvement of a project should consider additional parking stop improvements such as shelters or bus duck-outs.
- iv. Bicycle and Pedestrian Circulation Study is an analysis of how the site operations may affect bicycle and pedestrian operations. Where appropriate, if a project is located along a major bicycle route in the City's [Bicycle & Pedestrian Transportation Plan](#), the project may be required to help implement a portion of the recommended facility. Additional improvements may include limiting driveway curb-cuts to minimize conflicts with pedestrians or provision of enhanced crosswalk facilities.
- v. Parking Analysis is a study to determine location, use, and adequacy of the proposed parking facility. Projects should include a parking analysis under the following conditions:
 - a. Change in the facilities' existing design or supply; or
 - b. Change in the existing parking management; or
 - c. Propose parking less than that required by the Palo Alto Municipal Code 18.52 (<https://tinyurl.com/PA-Municipal-Code>); or
 - d. Use of parking adjustments by the Director as defined in the Palo Alto Municipal Code 18.52 (<https://tinyurl.com/PA-Municipal-Code>).

When a proposed project requests a parking reduction or exception as allowed under the Municipal Code, a robust Transportation Demand Management (TDM) Plan is typically required independent of the LTA. For projects in a Parking Assessment District, required payment of assessments to the District will be noted in the LTA report and included in the project's conditions of approval.

A project will provide an analysis of one or more of the above elements if the project is expected to substantially affect the identified local facilities, even if the anticipated number of new vehicle trips would not require a LOS analysis.

IV. Local Transportation Impacts – Standards for Determining Transportation Consistency

1. Level of Service Standard

The City of Palo Alto's Level of Service (LOS) standard is D, which is more conservative than the CMP LOS standard of E. If the LTA shows that a development project is anticipated to cause a transportation facility (intersection or roadway) to degrade below LOS D to LOS E or F, then the project will be deemed inconsistent with this Policy.

For a transportation facility determined to have been at LOS E or F under existing and background conditions without the project, a project is said to have significant local impact if the LTA shows that the project will cause LOS to deteriorate by the following amounts:

- i. Addition of project traffic increases the average delay for critical movements by four or more seconds; or
- ii. Addition of project traffic increases the critical Volume/Capacity (V/C) value by 0.01 or more; or
- iii. Affects a freeway segment or ramp to operate at LOS F or project traffic increases freeway capacity by one or more percent.

2. Selection of Study Intersections or Roadways

An intersection should be included in the LTA if it meets any one of the following conditions:

- i. Proposed development project is expected to add 10 or more peak hour vehicles per any lane to any intersection movement; or
- ii. The intersection is adjacent to the project; or
- iii. Based on engineering judgement, City staff determines that the intersection should be included in the analysis.

Additionally, a roadway segment should be included in the LTA with a TIRE analysis if a proposed development project is expected to add 10 or more peak hour vehicles per any direction to a local residential street. More details on the TIRE analysis are available in Attachment B.

3. CMP Intersection Standard

A CMP intersection must adhere to the standards set by the Congestion Management Agency² (currently LOS E), as set forth in the [VTA Transportation Impact Analysis Guidelines](#). The City's standard of LOS D would apply for determining local level impacts.. Any transportation impact triggered by VTA's standard for CMP intersections would need to be addressed following guidelines established by VTA. More information regarding mitigation measures and Multimodal Improvement Plans (MIP) are available in the VTA Guidelines for TIAs and Deficiency Plans.

4. Auto Level of Service Analysis at Unsignalized Intersections

For all-way stop control, the LOS is based on the average delay. For 1- or 2-way stop control, the LOS should be based on the critical approach movement. The above standards for determining transportation consistency remain appropriate only if traffic volumes satisfy the peak hour traffic signal warrant. Meeting a peak hour traffic signal warrant does not automatically make a traffic signal an appropriate remediation measure.

5. Other Transportation Impacts

Depending on the size and layout of the project, a LTA may require analysis to evaluate other project-related effects on the transportation system. The following is a list of elements that are considered to have project-related local impacts:

- i. Result in noticeable traffic effects on local residential streets defined as an increase of 0.1 or more using the TIRE methodology.
- ii. Impede the development or function of existing or planned pedestrian or bicycle facilities.
- iii. Increase demand for pedestrian or bicycle facilities that cannot be met by existing or planned facilities.
- iv. Impede the operation of a transit system as a result of increased traffic congestion.
- v. Create demand for transit services that cannot be met by current or planned services.
- vi. Create the potential demand for cut-through traffic or redistribution of traffic to use local residential streets, based on the TIRE methodology described above.
- vii. Create an operational safety hazard.
- viii. Result in inadequate emergency access.

² The Santa Clara Valley Transportation Authority (VTA) is the Congestion Management Agency (CMA) for Santa Clara County.

V. Remediation Measures

All Local Transportation Impacts under Section VI of this Policy must be addressed through the project's adoption or use of appropriate local remediation measures, including funding their associated costs. The LTA must include proposed remediation measures and identify any potential impacts of such measures. Remediation measures shall reduce the project-related local impacts to a level without the proposed project, and should not themselves create potentially significant CEQA impacts. These remediation measures will be incorporated in the project conditions of approval and not as part of the CEQA analysis. The following is a list of potential remediation methods in priority order:

1. Projects and programs that reduce a project's vehicle trip generation, including, but not limited to Transportation Demand Management (TDM) programs, capital improvements to transit, bicycle, and pedestrian facility enhancements within an influential project area.³ The following is a non-exhaustive list of potential remediation methods:
 - i. Provide new or upgrade existing access to, from, and through the project for pedestrians and bicyclists.
 - ii. Provide improvements to transit facilities or services.
 - iii. Implement TDM programs such as flexible at-place working hours, telecommuting, carpools, shuttles, transit passes, parking cash-out, among others.
2. Multimodal operational or facility improvements including intersection operational efficiency treatments. Proposed improvements or treatments with geometric changes to an intersection are limited to features that would not likely lead to substantial or measurable increase in vehicle travel.
3. If project impacts cannot be remediated through methods 1 and 2 above, a fair share of the cost for multimodal network remediation shall be contributed to the City's transportation improvement funds.

While the remediation measures in method 1, above, should be proposed within an influential project area, methods 2 and 3 may apply outside the area. However, these proposed improvements should substantially contribute to the City's Comprehensive Plan goals in expanding the City's multimodal transportation system. By implementing or funding these types of improvements, the project would therefore be consistent with the Comprehensive Plan and this Policy.

³ Area of influence of a project is defined as up to half-mile for pedestrian facilities and up to three miles for bicycle facilities, or bicycle facilities that provide a connection to the local or regional bicycle network.

Unacceptable Measures

In addition, remediation measures that will result in a physical reduction in the capacity and/or deterioration in the quality of any existing or planned transportation facilities are unacceptable. The following is a list of remediation methods that would be considered generally unacceptable without special justification, but are not limited to:

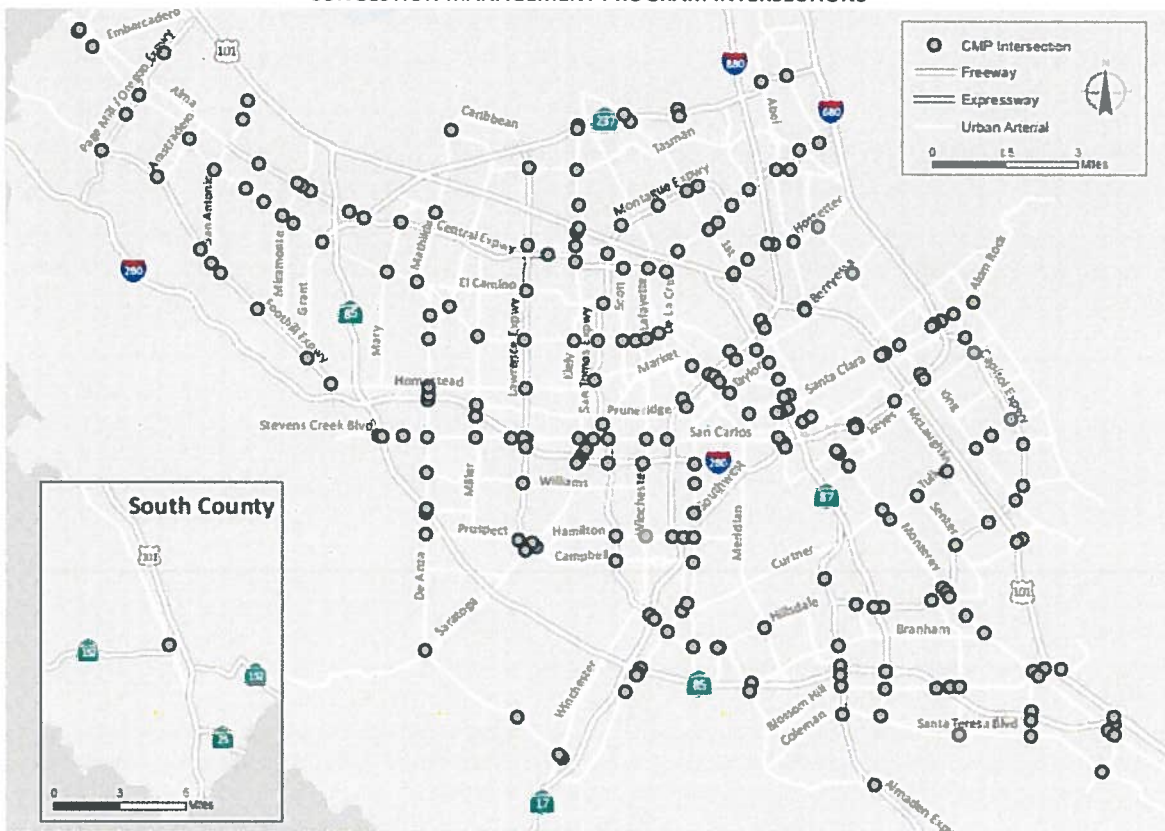
1. Roadway widening not directly related to site access and circulation, or specific conditions that reduce local impacts as a result of the project.
2. Negatively affecting a sidewalk or reducing the width of a sidewalk without substantial improvement to the overall pedestrian circulation.
3. Maintaining an existing sidewalk in the immediate vicinity that is below the current city standard.
4. Negatively affecting existing bicycle infrastructure or reducing the length of a bicycle infrastructure.
5. Maintaining existing bicycle infrastructure that is below the current city standard.
6. Eliminating a bus stop without adequate replacement or improvement to the system.
7. Encouraging neighborhood cut-through traffic (intrusion effects along local residential streets).

VI. Authority to Adopt Guidelines

The Chief Transportation Official is authorized to adopt guidelines to implement this Policy.



ATTACHMENT A
CONGESTION MANAGEMENT PROGRAM INTERSECTIONS



Source: Santa Clara Valley Transportation Authority Congestion Management Program Document 2017



ATTACHMENT B

CITY OF PALO ALTO – TRAFFIC INFUSION ON RESIDENTIAL ENVIRONMENTS (TIRE) ANALYSIS

Excessive vehicular speed and traffic volume on residential streets pose a major threat to quality of life. Most Palo Alto streets are bordered by residential uses, and it is the City's priority to preserve local neighborhood characteristics. Additionally, the City has designated some streets as residential arterials to recognize that they carry large traffic volumes of through-traffic but also have residential uses on both sides of the streets. The objective of this analysis is to address the desires of residents of these streets who prefer slower vehicular speeds and to determine if implementation of a project would cause a substantial change in the character of these streets.

The City of Palo Alto uses the Traffic Infusion on Residential Environments (TIRE) methodology to estimate residential perception of traffic effects based on anticipated average daily traffic growth. Although not required under the California Environmental Quality Act (CEQA) or pursuant to the Santa Clara Valley Transportation Authority (VTA) guidelines, this methodology intends to determine new potential traffic disturbances – cut-through traffic (*intrusion effects*) and direct traffic (*infusion effects*) – along local residential streets due to a proposed development project.

For projects on a local residential street, new traffic disturbances along that specific street will likely be unavoidable. Thus, the potential infusion effects generated along a specific local residential street of which a project is proposed will be used only for informational purposes. A map of Palo Alto's local residential streets can be found in Map 1 in this attachment.

The City aims to reduce potential adverse *intrusion effects* along local residential streets. Significant amount of vehicle intrusion on these streets may need to be addressed through traffic management strategies.

Traffic Infusion on Residential Environments (TIRE) Index

The TIRE methodology assigns a numerical value to "residents' perception of traffic effects on activities such as walking, bicycling, and maneuvering out of a driveway on local residential streets." The TIRE index scale ranges from 0 to 5 depending on daily traffic volume. An index of 0 represents the least traffic disturbances and 5 the greatest, and thereby, the poorest residential environment. Streets with a TIRE index of 3 and above are considered to function primarily as a traffic street and exhibit an impaired residential environment. Therefore, streets with a TIRE index below 3 are better suited for residential activities.

Any projected change in the TIRE index of 0.1 or less is considered to have no noticeable effects. A change of 0.1 would be barely noticeable, and a change of 0.2 or greater would be noticeable. The TIRE Index can be found in Table 1 in this attachment.

I. Standards for Determining Analysis

A proposed development project expecting to add 10 or more peak hour vehicles per any direction to a local residential street.

II. Selection and Data Collection of Roadway Segments

Roadway segments should be included in the LTA if a proposed development project is expected to add 10 or more peak hour vehicles per any direction to a local residential street. Data collected under the TIRE methodology must be supported by 24-hour weekday traffic counts.

For projects on a local residential street including both single- or multi-family, as defined in the City's Comprehensive Plan 2030, the TIRE analysis must include the following:

1. Direct routes to the project;
2. Immediate connections to a project's direct collector or arterial streets; and
3. Based on engineering judgement, City staff determines what roadway segments should be included in the analysis.

A Palo Alto land use map can be found in Map 2 in this attachment.

III. Standards for Determining Noticeable Effect

Projected change in the TIRE index of 0.1 or more under existing and background conditions, is considered to cause noticeable effects on the character of local residential streets. These traffic effects may need to be addressed through traffic management strategies.

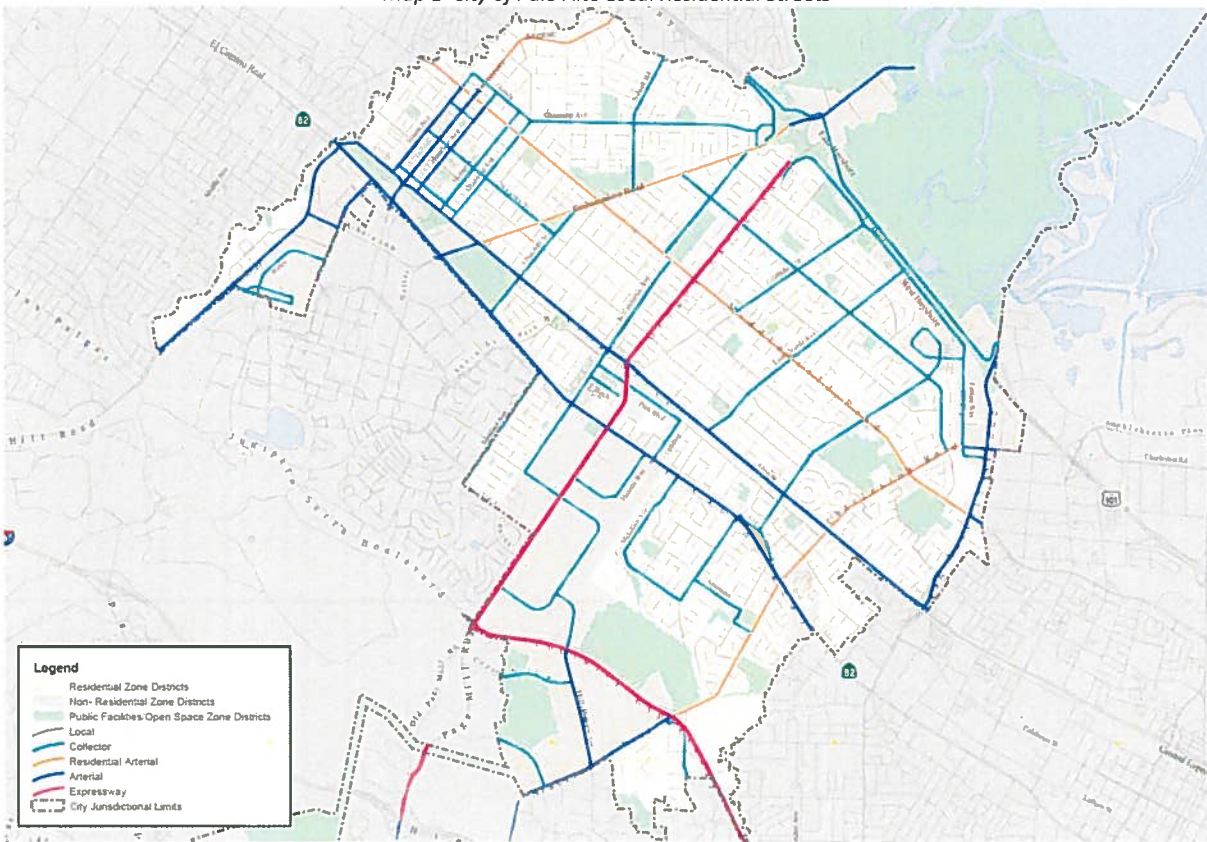
Table 1: Traffic Infusion on Residential Environments (TIRE) Index

TIRE Index	Existing Daily Traffic Volume	Volume to Cause +0.1 Change in TIRE Index	Volume to Cause +0.2 Change in TIRE Index	Volume Description
1.5	29-35	6	15	Low
1.6	36-44	8	20	
1.7	45-56	10	25	
1.8	57-70	13	32	
1.9	71-89	17	41	
2.0	90-110	22	52	Moderate
2.1	111-140	29	65	
2.2	141-180	40	80	
2.3	181-220	52	100	
2.4	221-280	65	125	
2.5	281-350	79	160	
2.6	351-450	94	205	
2.7	451-560	114	260	
2.8	561-710	140	330	
2.9	711-890	170	415	
3.0	891-1,100	220	520	High
3.1	1,101-1,400	290	650	
3.2	1,401-1,800	380	800	
3.3	1,801-2,200	500	1,000	
3.4	2,201-2,800	650	1,300	
3.5	2,801-3,500	825	1,700	
3.6	3,501-4,500	1,025	2,200	
3.7	4,501-5,600	1,250	2,800	
3.8	5,601-7,100	1,500	3,500	
3.9	7,101-8,900	1,800	4,300	
4.0	8,901-11,000	2,300	5,300	Very High
4.1	11,001-14,000	3,000	6,500	
4.2	14,001-18,000	4,000	8,000	
4.3	18,001-22,000	5,200	10,000	
4.4	22,001-28,000	6,600	13,000	
4.5	28,001-35,000	8,200	17,000	
4.6	35,001-45,000	10,000	22,000	
4.7	45,001-56,000	12,200	28,000	
4.8	56,001-71,000	14,800	35,000	
4.9	71,001-89,000	18,000	43,000	

Source: Goodrich Traffic Group

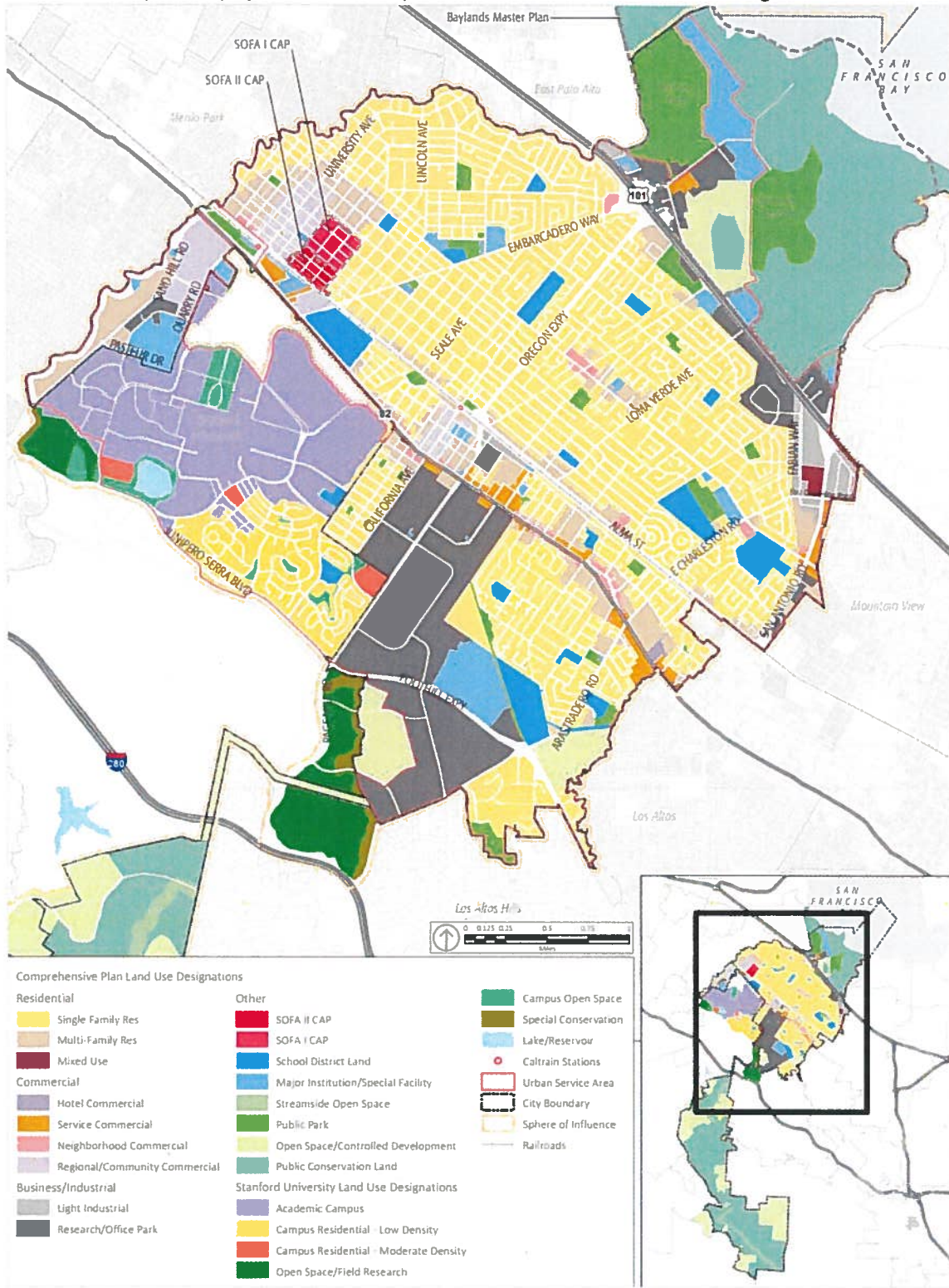


Map 1 City of Palo Alto Local Residential Streets



Source: City of Palo Alto Comprehensive Plan 2030

Map 2: City of Palo Alto Comprehensive Plan 2030 Land Use Designations



Source: City of Palo Alto Comprehensive Plan 2030

From: [Kerry Yarkin](#)
To: [Planning Commission](#)
Subject: Castilleja letter
Date: Tuesday, September 8, 2020 8:48:34 AM

CAUTION: This email originated from outside of the organization. Be cautious of opening attachments and clicking on links.

Sept 6, 2020

To: Planning & Transportation Commissioners From: Kerry Yarkin

Dear Commissioners:

After watching the Planning Meeting last week I came away with a feeling that your body may not have the Big Picture view of why the Neighbors and Castilleja are so acrimonious and polarized in their positions. I would like to help you understand why I think this is so, from my standpoint. I have been peripherally involved attending 2 community meetings in 1999/2000 where the original CUP was agreed upon. At that time the enrollment increase and campus modernization went from 385-415. As you know, in the 2000 CUP there were 36 conditions of approval which both Castilleja and "the Neighbors" agreed to uphold. The Planning Manager, Phil Lusardi said words to the effect that no future enrollment increases would be accepted by the City. I felt the process worked with a consensus on traffic, enrollment, neighborhood meetings, where both sides compromised to get an agreement.

However, the history from the 2000 CUP has been fraught with many delays, underhanded actions, and deception from Castilleja that make it very difficult to trust Castileja. Castileja's actions over 20 years have made me very skeptical that any agreement that they sign off on with the City and the Planning Dept. will be carried out in good faith. Firstly I hope you are aware of the deception regarding the true enrollment numbers.

In the year 2000, CUP approved by City, enrollment was to increase from 385 to 415. By the year 2005-6, Castilleja's enrollment was up to 424, and continued increasing up to year 2012-13, where enrollment was 450. This only came up because a "neighbor" asked what the enrollment was in

year 2013. City then determined that Castilleja was in violation of CUP,

City assessed a one time penalty of \$300,000 from Castilleja. At this juncture in 2013, many requirements from the 2000 CUP were not met--2mtgs. Per year, 2X daily parking monitoring, traffic help for events, TDM program. The following 2-3 years the City then did not enforce the CUP requirements. In 2014 Castilleja agreed to a short-term plan to reduce enrollment, with the City stating if Castilleja didn't keep their reductions, the CUP would be denied and City would begin revocation process. Castilleja did NOT reduce their enrollment to agreed upon numbers. In the year 2015 City Manager and Planning Staff sent a letter to Castilleja lauding them for keeping enrollment at 438 and for its commitment to work with neighbors. The "neighbors" were not informed about this, and would have vehemently objected to this statement. From 2015 -5/12/20 there has been a misrepresentation of true enrollment figures. In 2018, the attorney for "Neighbors" requested an independent confirmation of enrollment figures, finally 5/12/20 a CPA firm confirmed enrollment for year 2019-20 at 430 students. All of these delay tactics and deceptions to zoning laws and conditions of the CUP demonstrate that Castilleja's unwillingness to carry out the CUP.

Another very frustrating issue for me has been the 2 X year meetings with Castilleja and Neighbors. "...the scheduling of neighborhood meeting is to provide an open dialogue regarding the neighborhood issues." CUP page 6. Over the years I have attended approx. 50% of the meetings. Instead of an open dialog, to me these meetings were overly choreographed, more like a public relations presentation to present one viewpoint, without working with the Neighbors in a meaningful manner. Myself and others felt used by Castilleja's marketing campaign for increased enrollment modernization as well as embarrassed by the Castilleja teens and families who were enlisted to speak for Castilleja. Instead of speaking about the remodeling and enrollment plans, they basically spoke about how great a school Castilleja is. This was basically a marketing/public relations campaign, not 2 equal parties coming together to form a compromise about

enrollment, traffic and special events. I wish you could have all been there! Approximately 1 year ago, Castilleja began a different marketing campaign with their neighborhood outreach. They set up small coffees with Castilleja alumni and student families where 8-12 neighbors sat

through a presentation by Nancy Kauffman regarding Castilleja expansion. There was no opposing side presented. So when Nancy Kauffman says they have had 50 community meetings, these “dog and pony shows” do not meet the usual “standard” for community meetings.

The last marketing ploy Castilleja used was their signage campaign. I am sure others have documented this, but as a Palo Altan it was hard to not see through this deceptive campaign.

Please uphold our City zoning laws by NOT rewarding the party that has made a mockery of the CUP process.

Very truly yours, Kerry Yarkin

From: [priya.chandrasekar](#)
To: [Planning Commission](#)
Subject: In support of the Castilleja Expansion
Date: Tuesday, September 8, 2020 8:19:56 AM

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Dear Planning commission members ,

I have been closely watching the progress that has been going on for years now . The new proposal that Castilleja has proposed has taken so many considerations of the neighbors and everyone around . The school has not gotten any break and I think it's time that we support a world class school like Castilleja.

- Every Palo Alto values education and we have given permission public and private school to make there school better and why are we holding it back for Castilleja , is it because it a girls school . Don't we all want to support the girls education and expanding will give more opportunities for some many young girls in and around Palo Alto

- Castilleja has demonstrated respect for the the city and neighbors and have been consistently changing the plans to accommodate every request and still it's facing so much resistance. It's time we vote to support them

- I have driven all the time around when the school is in session and they take so much care to respect the neighbours and never allow for backup and immediately they ask the parents to circle back and encourage so much for walking , biking ect over car .

- have you seen other schools they back up so much and still we penalize the Castilleja school more than any other school .

Vote and support them .

Priya Chandrasekar

From: [DavidandGlowe Chang](#)
To: [Planning Commission](#)
Subject: Castilleja School Remodel
Date: Monday, September 7, 2020 2:22:11 PM

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Dear PTC,

Please support Castilleja School's remodel!

Thank you for earnestly evaluating this project. I live on Bryant Street directly across from the school's carved doors. The school is a gem in the neighborhood and a source of pride to have such a well reputed academic school for young women located here. Education is important and I support the alternative plan presented.

I was very disappointed to hear negative community comments. This has been a contentious issue for seven years. Many comments came from homeowners who DO NOT live in the neighborhood. All the homeowners that LIVE on the 1300 block of Bryant Street, support the school.

Non-residents are ALLOWED to park in all residential areas as long as they follow posted signs. There is ample street parking for students and teachers of Castilleja. Homeowners cannot demand the parking in front of their home, yet the neighbors of Castilleja feel entitled. When this concern was brought to the school, the garage was proposed. Now these neighbors find the garage is unacceptable. The garage is the school's very expensive solution to protect the street parking. Nevertheless, there are NO traffic issues. The two daily high volume activity periods last only about 10 min. Traffic was heavy in years past, but this has been dramatically reduced and controlled. Traffic attendants see to flow and safety to pedestrians, bicyclists, and drivers. I see nothing wrong with increasing enrollment if the school will be monitored to keep cars to the current level. The opportunity to educate more should not be lost.

The school "was here first" and I see no reason they should move. They must be allowed to modernize and the current plan shows no impact to the neighborhood. It is the same footprint and it will blend into the neighborhood. Castilleja will beautify the neighborhood with the necessary building upgrades. In fact, one of the said vocal landlords does not keep up their properties and it is an eyesore to the neighborhood with cars parked everywhere, trash and discarded items strewn all about the un-landscaped areas.

Who knows what the impact of the Caltrain electrification will have on our streets or the future business growth? However, we cannot stop progress. Palo Alto is not a no growth community. In fact more students

will bring more business to Town and Country, which is now suffering from Covid-19 closures.

As organized supporters of the school, we have not hired attorneys and arborists to make our case. We rely on your good judgement and foresight into the well developed future of Palo Alto's educational opportunities, Caltrain traffic flow, and positive business growth for it's residents.

Please support Castilleja School Remodel!

Respectfully submitted,

Glowe Chang
1345 Bryant St.
Palo Alto, CA 94301

From: [Lucy Berman](#)
To: [Planning Commission](#)
Subject: Proposed Crescent Park Traffic Calming Pilot
Date: Monday, September 7, 2020 2:19:41 PM

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To: Planning and Transportation Commission

RE: Proposed Crescent Park Traffic Calming Pilot

From: Lucy and Robert Berman
535 W. Crescent Drive

Commissioners,

We are writing with concerns related to the relevance of this project and the effect of one of the proposed measures.

As background, there was a period of time in 2017-2019 when two highway construction projects resulted in much heavier than normal traffic funneling onto University Avenue for access to 101 or the Dumbarton Bridge. These projects were the work at the Willow Rd./101 interchange and the Las Lomitas Creek mitigation work which closed Bayshore Road between Embarcadero and University Avenue. The timing coincided with a peak period of employment and commensurate traffic and resulted in the discussions which led to the proposed Crescent Park Traffic Calming Pilot.

We live on West Crescent Drive and were certainly impacted by this traffic increase. West Crescent is effectively a single-lane street and there were several evenings when we could not get out of our house.

That was then – not now. Once the Willow Road intersection and the Bayshore fully reopened, we had no further issues. Yes, traffic on University backed up in the evening, but not onto West Crescent. (We can't speak for other surface roads). With the impact of Covid-19 and the commensurate office closures, even University Avenue traffic is light and neighborhood traffic is extremely light.

As a result, we question the relevance of traffic calming pilots at this time. What will they show in a period of very little traffic?

We would also like to address the proposed pilot on University, just east of West Crescent. This appears to be very close to the intersection and an impediment to safe right turns from

West Crescent onto University. Understanding that this is meant to preclude drivers from using the bike lane, is there a reason why it needs to begin so near the intersection? If it is necessary at all, it would be safer from the perspective of making turns if it started further east.

Thank you for your consideration.

From: [Sheri Furman](#)
To: [Planning Commission](#)
Cc: [Becky Sanders](#)
Subject: PAN Letter Regarding Castilleja
Date: Monday, September 7, 2020 1:34:01 PM
Attachments: [PAN Letter re Castilleja Application.docx](#)

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Please review the attached letter in conjunction with the Castilleja item on the Sep. 9 PTC agenda,

Thank you,
Sheri Furman



Palo AltoNeighborhoods

Subject: Castilleja Project and Final EIR

September 7, 2020

Dear Palo Alto Planning and Transportation Commissioners:

At the September 3, 2020 PAN (Palo Alto Neighborhoods) meeting, neighborhood leaders from across Palo Alto unanimously voted to communicate to you our concern that any allowed increase in enrollment, events, and facilities at Castilleja School needs to adhere to city laws.

We evaluated evidence that key legal protections for residents and the environment have been ignored for years while the proposed increases also conflict with the municipal code.

The community expects you as commission members to uphold our laws and not support further violations. We call to your attention these areas of particular concern:

1. **Lack of Current CUP Enforcement:** The school began violating its CUP (Conditional Use Permit) just a few years after the current agreement went into effect, and the City knew about the violations in 2013, if not earlier. Yet there has been little to no enforcement of the enrollment cap, the required neighborhood meetings, and the number and size of events. If the City will not enforce CUPs, it should stop issuing them.
2. **Failing to Meet Standards for a New CUP:** City law 18.76.010(c)(1) requires that a CUP “[n]ot be detrimental or injurious to property or improvements in the vicinity.” A commercial garage exit next to homes on an otherwise residential street appears unlikely to meet that requirement. The latest proposal (“Alternative 4”) was not even studied for this.

Furthermore, the additional car trips associated with the higher enrollment indicates the new proposal will create a 23% increase in VMT (Vehicle Miles Travelled), per page 37 of the Traffic Impact Study for the Castilleja School Expansion. We want people to work and shop in their own community so we can reduce greenhouse gases, air pollution, and energy consumption. The same principle applies to schools. Expanding a school to which students and staff drive from many other cities thus fails to meet the additional CUP requirement at 18.76.010(c)(1) that it “not be detrimental to the public health, safety, general welfare, or convenience.”

3. **Failing to Address Lack of TDM Enforcement:** The City has repeatedly allowed parking reductions in new projects based on TDM (Transportation Demand Management) plans despite the lack of any enforcement or proof that they work. Until that changes, contending that imposing a TDM as part of the new CUP will reduce Castilleja’s traffic and parking intrusions into the neighborhood is implausible. Simply put, given the current level of TDM enforcement in our city, Castilleja’s proposed TDM will not stop its expansion from being detrimental and injurious.

4. **Failing to Study Alternative 4:** The impact on nearby streets associated with Alternative 4 needs to be understood. The argument that it will not meet the impact threshold for EIR analysis is speculative, but a new CUP does not allow for any negative impact, so the proposal needs to be studied for that reason alone.
5. **Failing to Study Event Traffic:** Because the new CUP would expand the number of allowed events, the traffic for those should be studied as well.
6. **Failing to Apply Variance Laws Appropriately:** Per 18.76.030(c)(2), variances in Palo Alto “shall not affect substantial compliance with the regulations or constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and in the same zoning district as the subject property.” The applicant’s attorney’s March 22, 2018 letter argues that the school merits a variance from the laws governing maximum FAR (Floor Area Ratio) because its site is large and thus disproportionately subject to the 30% FAR rule (the first 5,000 sq. ft. of R-1 sites can have 45% FAR). However, the argument is clearly wrong. Every site of the same size as Castilleja’s throughout R-1 is subject to the exact same FAR rules, so granting the variance to Castilleja would actually provide it a special privilege and thus precludes a variance. Such a variance would actually create a new precedent and encourage every R-1 site larger than 5,000 sq. ft. to seek similar treatment, thereby completely undoing the current law.

Per 18.76.030(c)(1)(B), a variance must not consider “[a]ny changes in the size or shape of the subject property made by the property owner or his predecessors in interest while the property was subject to the same zoning designation.” The large size of Castilleja’s site is due in part to its incorporation of the 200 block of Melville in 1992, which is after the R-1 zone was adopted. So basing the request on the full lot size does not meet the legal test imposed by our municipal code.

7. **Failing to Count the Underground Garage as FAR:** No salient argument has been advanced as of this writing why the proposed 32,500 sq. ft. underground garage is not gross floor area. The city’s latest argument is that the underground garage beneath the playing field is a “basement” per 18.12.090 and thus exempt. Here are nine reasons why you should reject that argument:
 - a. Castilleja’s own land use attorney, Mindie Romanowsky, said in her rebuttal remarks at your August 26, 2020 meeting that the proposed underground garage is not a “basement.”
 - b. Basements by common understanding have to be beneath something. The Cambridge Academic Content Dictionary, accessed September 5, 2020, defines a basement as, “a part of a building that is below the level of the first floor.” There is no first floor for the proposed garage, so it does not meet this definition.
 - c. Ask yourself, “What is the underground garage a basement of?” The answer is, “nothing.” It is therefore not a basement.
 - d. The Municipal Code definition at 18.04.030(a)(15) says, “‘Basement’ means that portion of a building between the lowest floor and the ceiling above [...]” The Cambridge Academic Content Dictionary defines “portion” to mean “a part or share of something larger.” So an underground structure that is not part of something else cannot be a basement, per our own code.
 - e. 18.12.090(a) says “Basements may not extend beyond the building footprint.” An underground garage not under any building footprint clearly then is not a basement. Staff claimed at your August 26th, 2020 meeting that this rule only

applies to residential uses because the same paragraph mentions “the main residence” further on. But that mention is in a rule allowing basements in certain setbacks for some main residences and has no bearing on the footprint rule.

- f. The applicant’s own architectural firm WRNS Studio in a letter dated June 5, 2020 to the City of Palo Alto reiterated the law that “basements may not extend beyond the building footprint,” so they clearly believed the footprint rule applied to Castilleja rather than staff’s recent contention.
- g. Staff’s allusion that the Kol Emeth project and perhaps others represent precedents for exempting garages for non-residential uses in R-1 has not been supported by any analysis. The 2016 Kol Emeth review by the ARB (Architectural Review Board) did not appear to even discuss any of the basement laws in the Municipal Code. Who can say what the decision would have been had it done so?
- h. If staff truly believed that the footprint rule only limited residential uses, the underground classrooms proposed by Castilleja that aren’t under building footprints should also be exempt from floor area. Instead, staff is counting those spaces as floor area. No explanation has been offered for this inconsistency.
- i. Staff’s theory that the footprint (and setback) rules only apply to residential uses would allow a non-residential use in R-1 to build a vast underground complex to the edges of the property and none of it would count as floor area. It’s implausible that anyone writing the Municipal Code intended such a consequence.

In summary, the Castilleja proposal contains a substantial and worrisome list of apparent violations of the Municipal Code. No quick review will remedy this. We urge you to address each issue fully and to approve only those aspects that comply with the Municipal Code.

Thank you.

Sincerely,

Sheri Furman and Rebecca Sanders
Co Chairs, Palo Alto Neighborhoods

From: [Matt Bryant](#)
To: [Gutierrez, Samuel](#)
Cc: rebsanders@gmail.com; [PlannerOnDuty](#); [Building Permits](#); [Planning Commission](#); [Matt Bryant](#); [Candy Tsourounis](#)
Subject: 470 Olive Ave (2951 El Camino Real building project)
Date: Monday, September 7, 2020 12:32:32 PM

CAUTION: This email originated from outside of the organization. Be cautious of opening attachments and clicking on links.

Good day,

We reside at 471 Pepper Ave and are inquiring about the building permit for 470 Olive Ave (2951 El Camino Real which includes 470 Olive Ave). It appears as though there is an application to change this R-1 residential property to a commercial property. This is not in line the the current NVCAP area proposal.

Please let us know how to properly appeal this building project. We are happy to obtain signatures from our neighborhood in favor of following to the original NVCAP proposal. Any other advice is welcome.

<https://www.cityofpaloalto.org/civicax/filebank/blobdload.aspx?BlobID=73915&t=48379.39> (NVCAP proposal)



Cheers,
Matt Bryant and Candy Tsourounis
471 Pepper Ave, Palo Alto

415-846-1239

Sent from Outer Space

From: [Charles & Barbara Stevens](#)
To: [Planning Commission](#)
Subject: Support for Castilleja's Proposal
Date: Monday, September 7, 2020 12:00:42 PM

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Dear Planning Commission members,

It is important for our society to have more high-quality females in leadership positions. It is wonderful that Palo Alto has the good fortune, with Castilleja School, to provide the education that fosters that leadership. Castilleja should be encouraged to proceed with its modernization plans. The proposal to increase enrollment will not adversely affect the neighborhood.

Best regards,

Charles and Barbara Stevens

From: [Xenia Hammer](#)
To: [Council, City; Planning Commission; Architectural Review Board](#)
Subject: Castilleja School - in support
Date: Sunday, September 6, 2020 8:32:16 PM

CAUTION: This email originated from outside of the organization. Be cautious of opening attachments and clicking on links.

Hello,

I am writing with strong support for Castilleja School's proposal to renovate its campus. Please approve this project.

As a Palo Alto resident and a teacher at Castilleja, I can speak to the school's commitment to environmental sustainability and reducing traffic. I ride my bike to work on most days (pre-COVID-19). The school strongly encourages everyone to walk, bike, carpool or take the train. The school provides shuttles to minimize car trips. The school has demonstrated that enrollment can be increased without increasing traffic.

The project is beautiful and environmentally sustainable. The school has made every effort to take into account the neighbors' ideas and concerns. The plan has gone through multiple iterations, and it is time to move forward.

Thank you,

Xenia Hammer
Sharon Ct.
Palo Alto

From: [Lorraine Brown](#)
To: [Planning Commission](#)
Subject: Support for Castilleja
Date: Friday, September 4, 2020 1:39:10 PM

CAUTION: This email originated from outside of the organization. Be cautious of opening attachments and clicking on links.

Dear Commissioners,

I am writing to you to express my fervent support for Castilleja's modernization project. I urge you to support it for the following reasons:

1.
Castilleja has proposed a project that improves the aesthetics of the neighborhood, brings no new cars to the neighborhood, and offers environmentally sound and sustainable design. They are replacing unsightly aging buildings with buildings that are lower in height and more consistent with the neighborhood's architecture.
2.
The Environmental Impact Report confirms that Alternative #4 has no significant and unavoidable impacts, that the solution proposed by the school is the superior solution for all parties (the school and the neighborhood).
3.
Castilleja is a nationally regarded school that offers a unique educational opportunity to the girls who seek it. As a city that prides itself on educational resources, Palo Alto should support the school's goal to enroll incrementally more students, especially because that higher enrollment will not negatively impact the neighborhood.
4.
Castilleja has worked for years to meet the needs of its neighbors. It's become abundantly clear that opponents will accept nothing less than a complete denial of Castilleja's proposal. Their unrelenting lack of compromise directly collides with the repeated

changes that the school has made to address their concerns.

First and foremost, I urge you to look at the facts and data in the EIR. This decision should not be a political one; it should be based on the years of analysis represented in the EIR.

Thank you,
Lorraine Brown
170 Walter Hays Drive

Dear City Council Elected Officials, Architectural Review Board reviewers and Planning Commission members,

My message in **bold** below is quite simple and I hope relevant as our family really has no horse in the game so-to-speak. Our children were educated at Ohlone and Walter Hays, Menlo and Keys School. But as a Corporation member of an east coast University, and as a former trustee at Keys School, I well know the important relationship between facility and educational programming and while the city approval eludes them, Castilleja is losing ground in delivering its educational mission for this century.

I am just one of the 'other voices' as a Palo Alto resident who has witnessed this community struggle for oh so many years. **It is time to be brave and make a final decision – either support independent school education alongside our public neighborhood schools or decide not to do so, but please decide.**

Palo Alto is known for excellence in so many ways and this decision sits on your desktops. For one, I believe Castilleja is part of our city's excellence. It is a century old nationally respected school that has historically (and currently) matriculated underrepresented young women (a previously if not presently discriminated gender group). The school has always been committed to socio-economic diversity since its onset which in the past twenty plus years our own public schools cannot always reflect. It now has a matriculated percentage of 'students of color' that matches (if not exceeds) our public school ethnic and racial diversity.

The loudest among us "neighbors" have been heard for many years. They have called out traffic, parking, noise, landscaping and green issues with a clear voice. Castilleja deserved the criticism. The school under its former Head broke the important limit of numbers of students approved for occupancy. (As a former Keys School trustee I know that not exceeding that number is sacred) I am not sure if the current head carried this problem forward for any years but I believe at some point the School leadership, pled guilty, paid significant monetary fines and has attempted to converse with the neighbors about trying to move forward. I reflect on a question about the lawn signs my godson posed "quite awhile ago" when he returned for his Stanford undergraduate reunion. He was working for two years in a Boston start-up when he noticed the signs and he has since earned a Phd at MIT, and is in his second year of teaching at U Penn. What I felt was a necessary airing of grievances in those years, now feels like a neighborhood group is being stubborn, self-serving and self-righteous in refusing to "agree to disagree" and let the powers that be in city government and planning make their rightful decisions. Our neighborhood has reflected warring lawn signs for much too long. All residents, even those with quiet voices, wear this predicament either as an embarrassment and/or a show of pettiness or as a project without closure. **Is this really the face of Palo Alto we want to continue to show to the world?**

There have been many years of contrition, accommodations and outreaches that the school (in my opinion more than the neighbors) have responded to by adjusting plans. Examples of such are ingress and egress, numbers of trees, underground vs on street parking with scheduled off street bus runs. They have studied noise at night and noise at day and noise on weekends. For what I read, the school has piloted car reduction programs as well. No doubt the back and forth have made the plan better and urged a school community to be respectful and conscious of an individual property owner right. Though never a Castilleja parent, we are obviously proponents of choice in education. We believe in honoring history in both the century old educational foothold of the school, the architectural decision of Eichler home owners as well as the other important issues that current owners of Palo Alto homes find relevant.

Please know that **we are so grateful to live in such an enlightened community.** And as a result, we hope you will either move this project forward (or not) so that the city and media and conversation can return to the larger issues we all face in these difficult times.

The decision is yours to make. Thank you for taking the time to read my thoughts and hear my opinion.

With respect and hope that we all look toward the light.

Libby Heimark
2174 Waverley Street

From: [cbhechtman](#)
To: [Nguyen, Vinhloc](#)
Cc: [Tanner, Rachael](#)
Subject: Fw: Castilleja PTC meeting
Date: Friday, September 4, 2020 2:20:46 PM
Attachments: [PNQLresponsesPTCmtg9-9-2020.PDF](#)

CAUTION: This email originated from outside of the organization. Be cautious of opening attachments and clicking on links.

Hi Vinh,
This just came to all the commissioners and should be included in the public record.
Thanks,
Bart

----- Forwarded Message -----

From: Andie Reed <andiezreed@gmail.com>
To: "cari@caritempleton.com" <cari@caritempleton.com>; "giselle.roohparvar@gmail.com" <giselle.roohparvar@gmail.com>; doria s <doriasumma@gmail.com>; "cbhechtman@att.net" <cbhechtman@att.net>; "michaelalcheck@gmail.com" <michaelalcheck@gmail.com>; "billy.riggs@gmail.com" <billy.riggs@gmail.com>; "edlauing@yahoo.com" <edlauing@yahoo.com>
Sent: Friday, September 4, 2020, 12:53:26 PM PDT
Subject: Castilleja PTC meeting

Dear Commissioners,

On behalf of PNQL neighborhood group, I attach answers to many of your questions from the Aug 26 PTC meeting.

Thank you for your hard work.

Andie

--

Andie Reed CPA
160 Melville Ave
Palo Alto, CA 94301
530-401-3809

Dear Planning and Transportation Commissioners:

Neighbors of the school, including members of PNQL, listened to the questions the Planning Commissioners had at the end of the Aug 26, 2020 public meeting, in which we participated. You will find some of the answers to your questions in the documents attached.

It appears to us that after many years since the application was submitted (6/30/2016) the project is now being rushed through the system. Many of the questions you bring up reflect years of impacts the school has had on the neighborhood. We want to make sure you see the issues from the neighbors' perspective. Some topics we have researched and studied for many years, and the work attached will provide insights and understanding that you should find helpful as you consider the EIR and the CUP.

TOPICS:

1. Total Square Footage, Gross Floor Area, Floor Area Ratios
(and why they matter).
 - a. sheet G..001
 - b. sheet AA2-02
2. Is Castilleja compliant with their Conditions of Approval (CUP)?
 - a. Enrollment history
 - b. Events
 - c. Meetings
3. Shuttling – how other schools handle and potential sites
 - a. photo collage
4. Peninsula private schools that come up against enrollment maximums.
5. Underground garage concerns - PUE and GHG
6. Portables
7. Leila Moncharsh 3/25/2017 formal complaint letter to City Manager Keene

Thank you for your attention,

Andie Reed, Hank Sousa, Mary Sylvester, Rob Levitsky, Neva Yarkin
PNQL

(19 pages total)

Floor Area Ratio, Gross Floor Area, and Total Floor Area

PNQL document 1

	Currently Existing	Proposed DCRGAlt	Allowed per PAMC
The project adds 40% more School to the same Six Acres:			
(numbers come from sheet G..001 of the April 2020 plans, pg 1.a.)			
Total above ground square footage:	116,300	115,900	81,400
Total below ground square footage:	43,900	76,500	
Total above & below ground sq ftg:	160,200	192,400	
Add underground garage sq ftg: (see plans AA2-02, pg1.b.)		32,500	
Total useable square footage:	160,200	224,900	
Percentage Increase in useable square footage:		0.40	
What is Gross Floor Area?			
18.04.030 (a)(65)© "total covered area of all floors of a main structure and accessory structures Including garages and carports"			
18.04.030(a)(65)(D)(ii) "Basements shall be excluded from the calculation of gross floor area..."			
18.12.090(a) "Basements may not extend beyond the building footprint..."			
What is Floor Area Ratio?			
18.12.040(a) TABLE 2, R-1 Residential defines it as .45 of the first 5,000 sq ft; .30 of each 5,000 sq ftg thereafter			
How is it calculated? GFA divided by Lot Sq Ftg			
Gross Floor Area square footage	116,300	115,900	81,400
Lot = 268,800	268,800	268,800	268,800
What is the FAR of Castilleja?	0.43	0.43	0.3026
(these numbers come from G..001 sheet of the plans)			
Is the underground garage included in GFA?			
If it is a basement, then no. Is it a basement?			
18.12.090(a) "Basements cannot extent beyond the building footprint..." *			
18.12.090(b) "habitable space ... first floor is no more than 3' above perimeter"			
If it is not a basement, then the FAR includes garage sq ftg			
GFA		115,900	
underground garage square footage		32,500	
total GFA		148,400	
divided by Lot sq ftg		268,800	
proposed FAR (83% increase in FAR)		0.55	0.3026
Why is it important?			
18.70.100 states "a non-complying facility ... may be reconstructed only as a complying facility".			
That means FAR = 81,400. Although muni code changes occurred after the current school was built, this does not preclude following current Muni Code.			
18.76.010©(1) grants the school to operate in an R-1 zone under a Conditional Use Permit, a CUP "cannot be injurious to property or improvements in the vicinity, and will not be detrimental to the public health, safety, general welfare or convenience."			
An underground garage invites traffic and adds active useable space to this project; people entering and exiting many times per day, gates opening and closing, pedestrian tunnel.			
The proposed additional above and below ground square footage is based on accommodating many more students than allowed under the CUP. Why does City of Palo Alto need to accommodate?			
CONCLUSION:			
Castilleja needs to stick to current allowed FAR of 81,400, consistent with R-1 zone.			
Using Kol Emeth synagogue is an inaccurate precedent; it is not a school & garage is under building			
Enrollment should be kept on a par with other schools (see Density Chart included).			
Events should be 10 to 20 per year (as currently allowed, although 100 are held)			
(See "Is Castilleja Compliant with their CUP?", see PNQL document 2)			

PROJECT ALTERNATIVE DATA

ASSESSOR'S PARCEL NO.	SQ. FT.		ACRES	
	124-12-034	268,783	6.17	
	124-12-033	EXCLUDED FROM PROJECT ALTERNATIVE		
	124-12-031	EXCLUDED FROM PROJECT ALTERNATIVE		
	TOTAL AREA	268,765	6.17	
NET LOT AREA	268,765 SF			
LOT COVERAGE	ALLOWED	EXISTING	PROPOSED	
	100,374 SF (35.0%)	65,273 SF (24.3%)	72,240 SF (27 %)	
EXISTING FLOOR AREA RATIO	0.43			
PROPOSED FLOOR AREA RATIO	**0.43			
EXISTING GROSS FLOOR AREA	ABOVE GRADE SF	116,297 SF	GFA	
	BELOW GRADE SF	43,913 SF		
	TOTAL SQUARE FOOTAGE (INCL. LOWER LEVEL)	160,210 SF		
PROPOSED GROSS FLOOR AREA (INCLUDES EXISTING CAMPUS BUILDINGS)	ABOVE GRADE SF	115,895 SF (SEE G.005)	GFA	
	BELOW GRADE SF	76,543 SF (SEE G.004)		
	TOTAL SQUARE FOOTAGE (INCL. LOWER LEVEL)	192,438 SF		
NO. OF STORIES	2 (1 LEVEL OF BASEMENT)			
TYPE OF CONSTRUCTION	TYPE II-B			
OCCUPANCY GROUPS	E (MAIN OCCUPANCY), A2, A3, B, S			
FIRE PROTECTION SYSTEM	FULL FIRE ALARM AND SPRINKLERS			
ZONE DISTRICT	R-1 (10000)			
SETBACKS	ALLOWED	EXISTING	PROPOSED	
	FRONT EMBARCADERO	24'-0"	108'-6"	108'-6"
	SIDE BRYANT	20'-0"	22'-0" - 52'-9"	20'-0" - 48'-1"
	SIDE EMERSON	20'-0"	20'-0" - 22'-0"	20'-0" - 78'-5"
	REAR KELLOGG	20'-0"	27'-9" - 31'-8"	20'-0" - 32'-6"
MAXIMUM BUILDING HEIGHT	ALLOWED	EXISTING	PROPOSED	
	***33'-0"	34'-6"	***30'-0"	
EXISTING VEHICLE PARKING SPACES	EXISTING BELOW GRADE	EXISTING ABOVE GRADE		
	0	82		
PROPOSED VEHICLE PARKING SPACES	REQUIRED CAV SPACES	PROPOSED CAV BELOW GRADE	PROPOSED CAV ABOVE GRADE	CG***** 5.106.5.2
	6	6	0	
	REQUIRED HC	PROPOSED HC BELOW GRADE	PROPOSED HC ABOVE GRADE	
	6	4	3	
	REQUIRED EVSE	PROPOSED EVSE BELOW GRADE	PROPOSED EVSE ABOVE GRADE	CG***** TABLE 5.106.5.3.3
	6	6	0	
	REQUIRED SPACES	TOTAL PROPOSED SPACES BELOW GRADE	TOTAL PROPOSED SPACES ABOVE GRADE	PAMC***** 18.52.040 TABLE 1
	*****104	****78	26	
	TOTAL PROPOSED VEHICLE SPACES: 104 (TANDEM EXCLUDED)			
	EXISTING BICYCLE PARKING SPACES	REQUIRED	EXISTING	
	88	102		
PROPOSED BICYCLE PARKING SPACES	REQUIRED SPACES	(N) SHORT TERM RACK SPACES	(N) LONG TERM RACK SPACES	PAMC***** 18.52.040 TABLE 1
	*****108	46	60	

00 GENERAL

G.000	COVER SHEET
G.001	PROJECT ALTERNATIVE DIRECTORY, PROJECT ALTERNATIVE INF
G.002	DISTRIBUTED DROP OFF SITE PLAN DIAGRAMS
G.003	PROJECT ALTERNATIVE FLOOR AREA DIAGRAMS
G.004	PROJECT ALTERNATIVE BELOW GRADE CAMPUS FLOOR AREAS
G.005	PROJECT ALTERNATIVE ABOVE GRADE CAMPUS FLOOR AREAS
G.010	PROJECT ALTERNATIVE NEIGHBORHOOD CONTEXT AND ELEVAT
G.030	PROJECT ALTERNATIVE OPEN SPACE PLAN
G.034	PROJECT ALTERNATIVE CIRCULATION PLAN
AS.100	EXISTING CAMPUS PLAN
AS.102	PROJECT ALTERNATIVE ACCESSIBILITY PLAN

11

02 LANDSCAPE

T.2.0	PROJECT ALTERNATIVE TREE PROTECTION PLAN
T.3.0	PROJECT ALTERNATIVE TREE PROTECTION NOTES
L.2.1	PROJECT ALTERNATIVE TREE PLANTING PLAN

3

04 ARCHITECTURAL

AA1.00	PROJECT ALTERNATIVE CAMPUS SITE PLAN
AA1.02	PROJECT ALTERNATIVE ACCESSIBLE EXIT PLAN
AA2.01	PROJECT ALTERNATIVE GARAGE SITE / FLOORPLAN UPPER LEV
AA2.02	PROJECT ALTERNATIVE GARAGE SITE / FLOORPLAN LOWER LEV
AA2.03	PROJECT ALTERNATIVE GARAGE EXHIBIT LOWER LEVEL - SQUAI ENCROACHMENT / PARKING COMPARISON TO ORIGINAL PROJEC
AA3.01	PROJECT ALTERNATIVE SITE SECTIONS
AA.302	PROJECT ALTERNATIVE GARAGE STREET VIEWS
AB.301	PROJECT ALTERNATIVE EMERSON STREET VIEW
AB.302	PROJECT ALTERNATIVE BUILDING ELEVATIONS

9

WRNS Studio
from G.001 sheet
4/16/2020

1b.

CODE REFERENCE

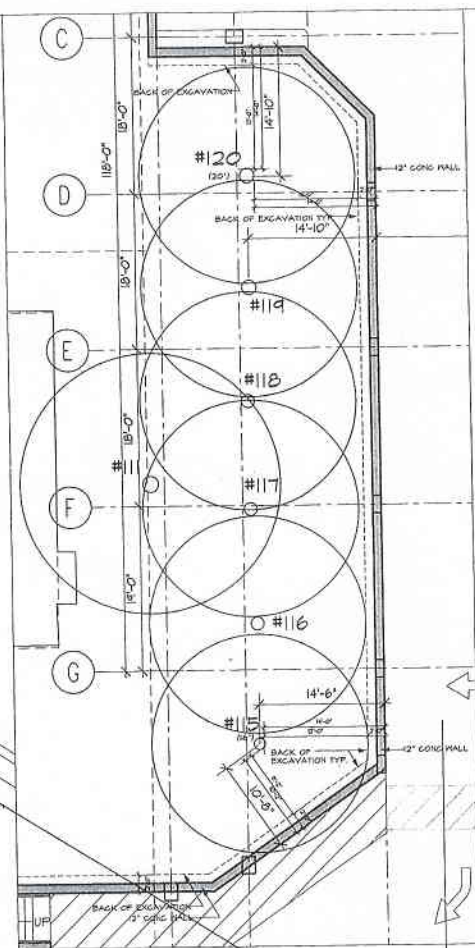
(T) TANDEM SPACE:
PER PAMC SEC 18.54.020(D)
TOTAL PARKING SPACES PPSD 10, REQ'D 0

(HC) H/C SPACE:
PER CBC 2016 TABLE 11B-208.2
TOTAL PARKING SPACES PPSD 4, REQ'D 4

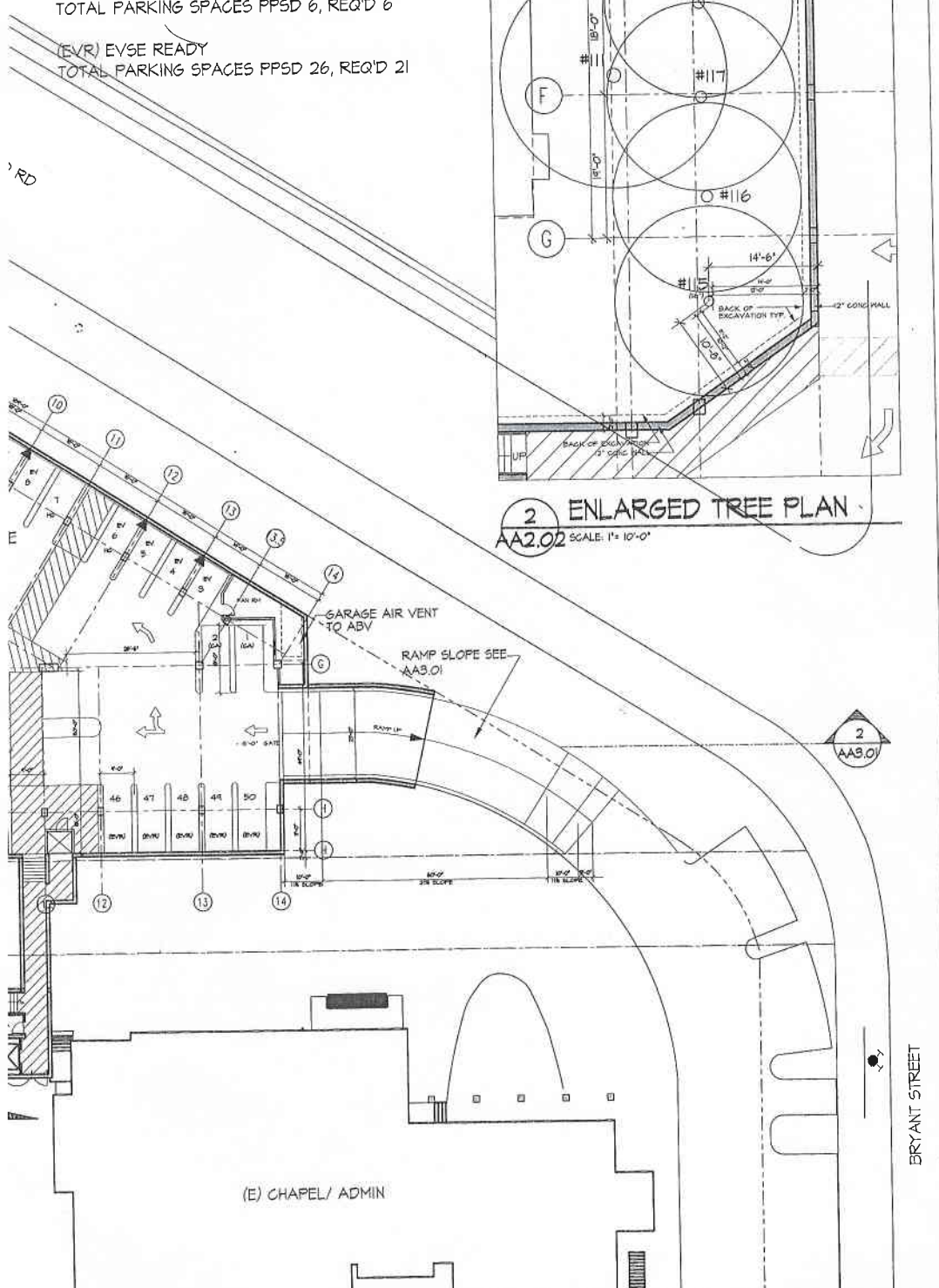
(CA) CARPOOL/LOW-EMITTING SPACE:
PER CALGREEN TABLE 5.106.5.2
TOTAL PARKING SPACES PPSD 6, REQ'D 6

(EV) EV CHARGING STATIONS:
PER CALGREEN TABLE 5.106.5.3.3
(NOT INCLUDED IN PARKING COUNT)
TOTAL PARKING SPACES PPSD 6, REQ'D 6

(EVR) EVSE READY
TOTAL PARKING SPACES PPSD 26, REQ'D 21



2 ENLARGED TREE PLAN
AA2.02 SCALE: 1"=10'-0"



ArchRender
Architect

32245 Derby Street Union City, Ca 94587
mail@archrender.com 510-585-6445

PROJECT DATA

GARAGE AREA:
ORIGINAL PROJECT AREA : 45,330 SF
PROJECT ALTERNATIVE AREA : 32,480 SF

PARKING SPACE:

	PPSD	REQ'D
(H/C) H/C SPACE:	4	4
REGULAR SPACE:	37	-
(EVR) EVSE READY:	25	21
(CA) CLEAN AIR:	6	6
(EV) EVSE SPACE: (INCLUDE 1 H/C)	6	6

CITY COUNTED TOTAL: 78

(T) TANDEM SPACE: 5

GRAND TOTAL: 83

Project Alternative for EIR

CASTILLEJA SCHOOL
NEW PARKING GARAGE

PALO ALTO, CA

Issues and Revisions
No. Date Issues and Revisions By

PROJECT ALTERNATIVE
GARAGE SITE/ FLOOR PLAN
LOWER LEVEL

Project Number: 2019A111
Date: 04/16/2020
Scale: 1"=20'-0"

AA2-02

ENROLLMENT CAP:

Castilleja enrollment should be 415. It is currently 426. In 2013 it became public that the enrollment was up to 450. Neighborshad been complaining about traffic and parking issues. The City required the school to begin reducing enrollment by attrition 4 - 6 students per year. After 2 years, the school stopped reducing and remained at 438 for 3 years. Neighbors had to hire an attorney to write a letter to get City to require school to re-establish reductions. Here is a brief timeline:

7/18/2013 Public learns that the school is significantly over enrolled (Jen Newell 7/19/2013 DAILY POST)

8/15/2013 Castilleja provided enrollment information to City of Palo Alto for the past 14 years

	2000-01	2001-02	2002-03	2003-04	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11
	391	414	416	418	416	424	427	427	432	431	434
(updated to present)	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	
	437	450	448	444	438	438	438	434	430	426	

9/25/2013 a Letter from City Planning Director to school concluding that the School has been in violation of the CUP enrollment limit from 2002-03 to present (referring to 8/15/2013 memo).

b City assesses penalty of \$300,000 through present, for last 3 years of non-compliance.

Requires the school to assure TDM program in place. (Castilleja pays \$265,000).

c Requires an attendance reduction to max cap of 415 enrolled students over multiple years.

d Other requirements from 2000 CUP were not met; 2 mtgs per yr, 2x daily parking monitoring, hire traffic help for events, incorporating TDM program into Board Policy

10/25/2013 a Memo from School to City stating will continue robust TDM plan and agreeing to reduce to 415 max IF the TDM plan fails to reduce the school's traffic impact to levels of the 2000 CUP.

b States Castilleja will apply for an amended CUP no later than January, 2015.

12/20/2013 Letter from City to School encouraging faster enrollment correction. Need monitoring of TDM; school to provide bi-annual report, City reserves right to revoke; no new CUP until 415 achieved.

1/20/2014 Memo from School to City - school agrees to reduce enrollment by 4/yr, to arrive at 415 by 2018-19 **"should the TDM fail..."**.

2/28/2014 * Letter from City to School not entirely accepting the school's enrollment reduction plan, but OKs it for short-term, stating: "current 2013-14 enrollment of 448; City accepts reduction to 444 for 2014-15; reduction to 438 for 2015-16; City will determine future reductions by process of amending the CUP; if CUP denied, City will begin revocation process".

School remains at 438 for 3 years.

3/25/17 PNQL attorney Leila Moncharsh files a complaint on behalf of the neighbors of Castilleja asking the City of Palo Alto to enforce the school's CUP; school is continuing to be over enrolled awaiting new CUP. This is a common ploy in order to legalize higher number.

5/23/17 Keene letter to Casti to require reactivating reduction of enrollment, from 4 - 6 students until 415 is reached; school's atty claims it's the City's fault, City atty requires compliance.

5/12/20 Audit by CPA firm of School enrollment confirms 430 students, year 2019-2020

* Formal complaint filed by PNQL 3/25/17 att'd.

More detailed timeline and copies of all communications available; in the interest of volume, this is a shortened list

EVENTS:

Castilleja's current Conditions include #27 and #28 related to Events. Neighbor Nelson Ng stated in his Aug 24, 2020 letter:

In year 2000, the City issued Castilleja a CUP with **condition**

#27: Castilleja has 5 major functions each year ...

#28: Additionally, there are several other events during the year...

Over the years, Castilleja has violated the CUP by holding over 100 events per academic year. That is an average of over 3 events per week. Therefore, it is important to study the impact of these events during weekdays, evenings and weekends.

However, in **Responses to Comments C39-1-10** the EIR preparers declined to study events:

Special event traffic is not reflected in the traffic impacts analysis because this traffic typically occurs outside of peak hours and does not contribute to average daily traffic volumes and conditions.□

Two problems: "several" does not mean 100, and Dudek refused to study event traffic.

The Final EIR accepted the Castilleja's current **100+ events** as the baseline without any study and recommending **90 events** as stated in Castilleja's Expansion application. Most private schools in the area only allow for 0 to 10 after hours events per academic year. Therefore, I am urging the commission to recommend that Castilleja will only be allowed to have **no more than 10 –20 events per years** and with strict monitoring and reporting process to the City and the neighbors. Any violation will result in severe fines or revoke the CUP for more than 3 violations. They as any other business must adhere to strict regulations for operating under a **Conditional Use Permit in a Single Family Neighborhood!**

(Please read PNQL's attorney Leila Moncharsh's Aug 24, 2020 letter regarding using 100 events as a baseline, disagreeing with Dudek's cases cited).

Condition #22: Castilleja shall initiate the scheduling of neighborhood meetings to provide an open dialogue regarding the neighborhood issues. The meetings shall occur twice a year, once in June and once in October. The Zoning administrator might attend. (my underlining)

Neighborhood meetings, required but sketchy since 2000, were re-established around 2013, when the school was beginning to make adjustments to get back into compliance with the CUP as they aimed at getting a new CUP. Since the current expansion plans were submitted 6/30/2016, there have been 2 meetings per year as required. The school uses this time to promote the plans and deflect our questions, not coming up with answers from us to scale back the scope of the plans and arrive at the current max enrollment of 415 before applying for a new CUP, as they had agreed. The school officials provide marketing points, are not informed about the plans, are not prepared to discuss them, and don't supply knowledgeable people who could talk about the plans.

The new architects were produced for the first time in 2018, and neighbors were allowed to meet them and go over the plans. But these are not meetings where our input is respected; these are "showings". They are telling us what they intend to do.

We have asked to speak with the underground garage architects for 4 years, and have been denied. School officials tell us that we will have our opportunity to get any information about the plans at the public ARB and PTC meetings.

It is also important to note that school officials are currently using as a selling point that they have held 50 "meetings with neighbors over the last 5 years"! Some meetings in 2014-2016 were with nearby neighbors, but the vast majority of those 50 meetings are set up by Palo Alto residents who support the school, at the suggestion of the school. They invite their neighbors over for coffee to get sold on the plans. The school has the deep pockets and highly paid staff and consultants to make very compelling sales pitches, as a part of the Castilleja Promotional Tour, 2016-2020. Those meetings are, in short, aimed to garner support in greater Palo Alto.

However, the fact that the school now implies these were "reaching out to neighbors" as though to get input is disturbingly untruthful. Even if we, the actual neighbors, heard about them, we weren't invited and were told they were for select neighbors only.

This is a Condition that the school has fulfilled in form only, not substance, and with blatant and disdainful disregard for their neighbors.

Castilleja needs to address traffic into the school. The favored Proposed Alternative touts 1,477 car trips per day; current counts are 1,298 car trips. Other forms of traffic management need to be addressed. A strong component of most TDMs should be mandatory shuttling of most students (of non-local students, the majority arrive via SOVs). Castilleja should engage kiss 'n ride drop off spots located away from the campus and required by Conditions of Approval.

Here are several examples of schools that include this type of transportation in their operations:

Nueva--Runs a school bus service that picks students up at three specific locations, including one in S.F. It also has a shuttle program from CalTrain and public transportation sites. (Two sites: Hillsborough & San Mateo/Bay Meadows Track).

Keys School--Shuttle service.

Two Palo Alto sites, Midtown and El Camino

Harker

Well-developed shuttling program at its 4 San Jose sites. Interesting their shuttle runs as far north as Alpine Road "Kiss and Ride" that is a popular shuttle site.

Notre Dame

One site in downtown San Jose w/ shuttling to CalTrain and mandatory off site parking.

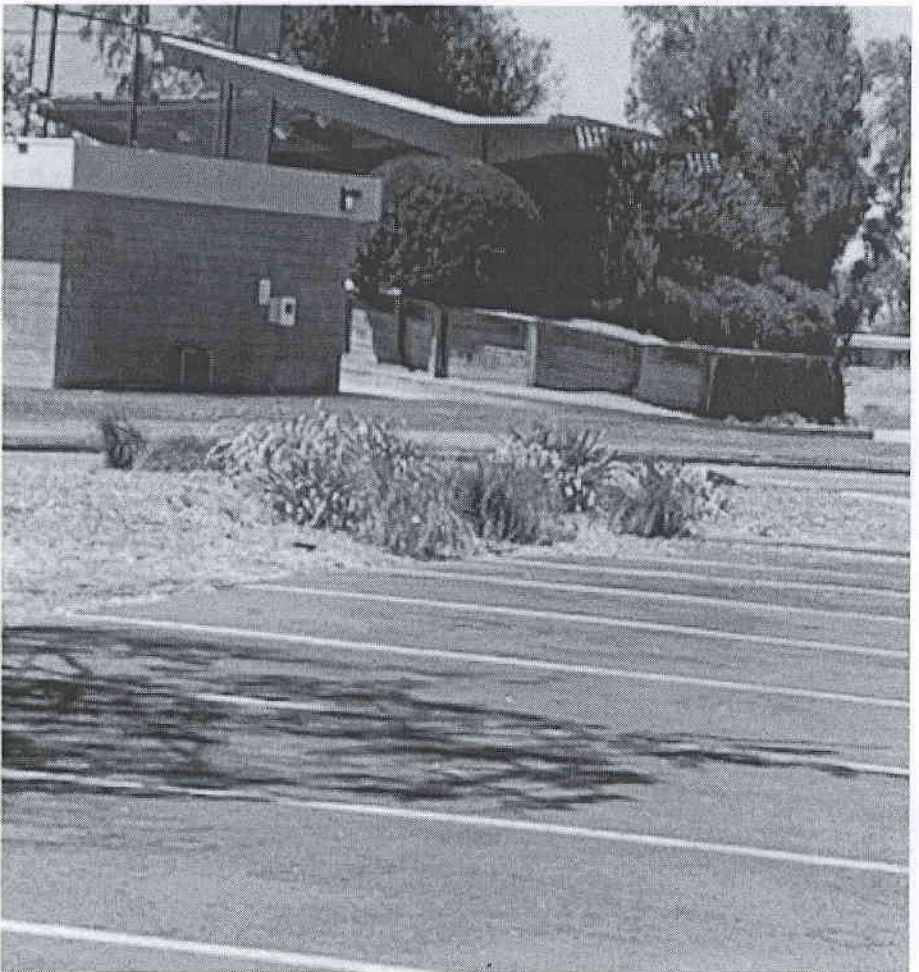
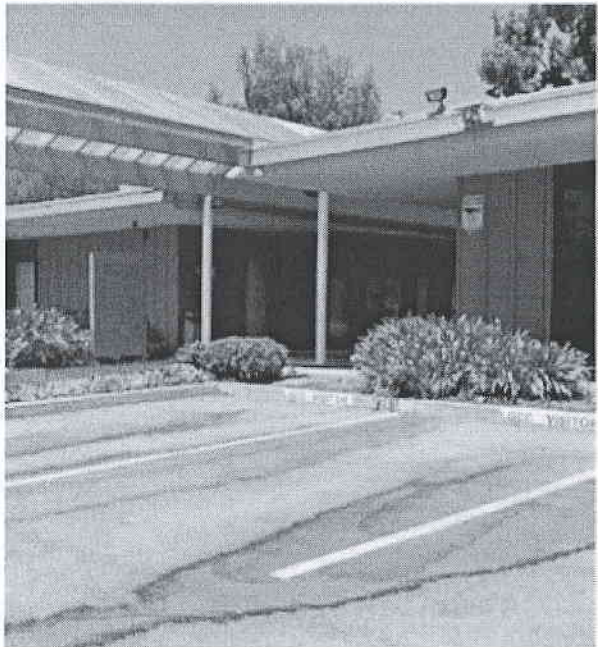
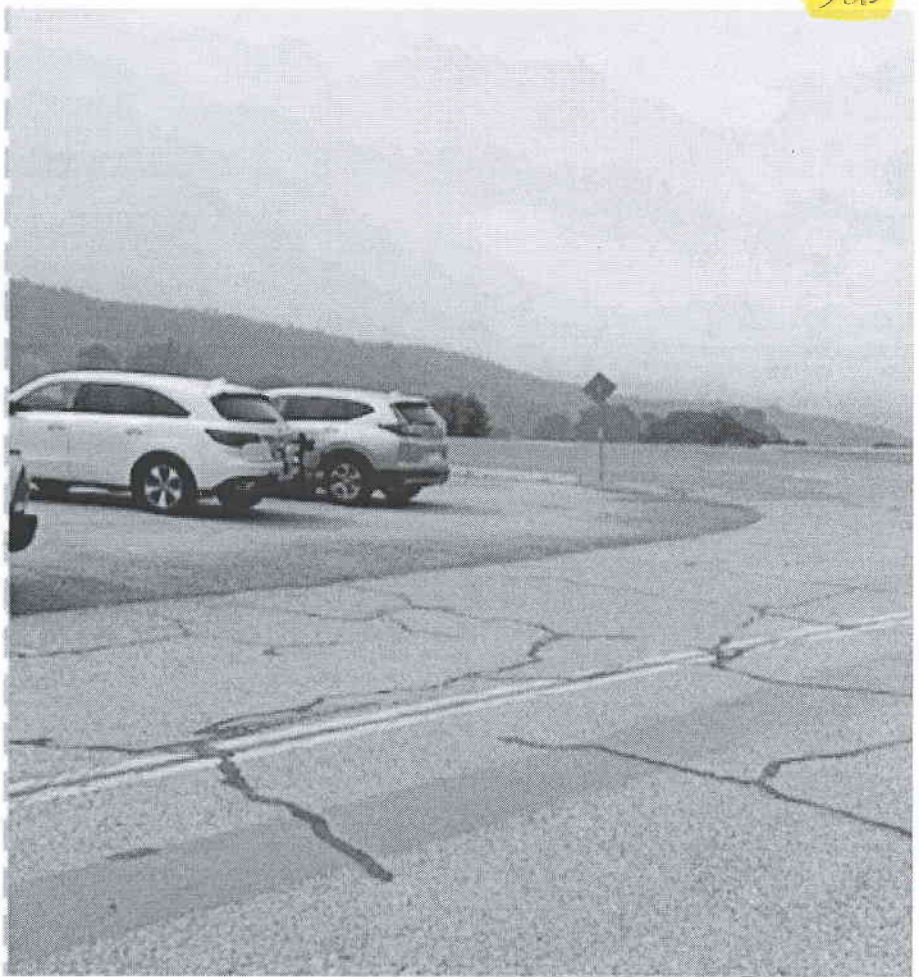
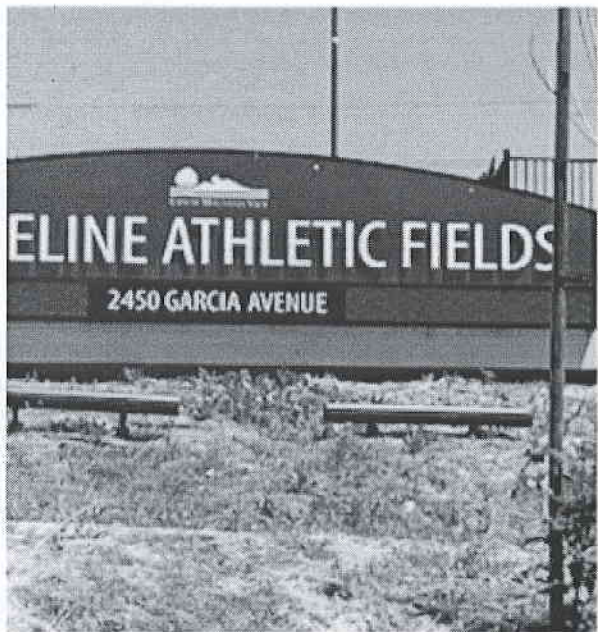
There is no need for the school to purchase parking lots. They can engineer agreements with sites that have drop off areas that can accommodate a Casti bus or shuttle as parents drive by and drop off their girls. Typically, a contract between the parents and the school designates how the child will arrive and depart from the school site. The result is a dramatic reduction in the 1400 plus daily car trips to and from Castilleja. An additional benefit is the accompanying reduction in GHG emissions.

Here attached is a photo collage of possible sites to use as kiss n ride drop off spots, described below starting top left and going clockwise.

1. Shoreline Athletic Fields in the Rengstorff/Charleston area features a loop driveway and is a bit east of 101
2. Sand Hill/Lawler Ranch Rd. is just west of 280
3. Baylands Athletic Fields at Embarcadero/Geng is just east of 101 and has lots of room
4. Lasuen where it dead ends at El Camino Real just south of Palm Drive is close in but avoids the Town & Country mess
5. Lord's Grace Christian Church at San Antonio/Bayshore/101 has a big parking lot

The Archer School for Girls in Los Angeles is an excellent example of the same size school (Conditional Use Permit provided in Draft EIR comments) where 80% of students shuttle to school rather than drive or get dropped off in Single Occupancy Vehicles.

3a



Castilleja's operational model of calling for a single site to serve girls grade 6-12 is an anomaly. From Hillsborough to San Jose, private schools have found ways to meet the educational and social needs of their middle and high school students via a split campus model.

Except for those schools located on large tracks of land and on main arterials, such as Menlo School (40 acres), Sacred Heart (62 acres) and Woodside Priory (51 acres), private schools looking to enlarge their student population have obtained second campuses. These schools include: Crystal Springs (Hillsborough & Belmont), Nueva (Hillsborough & San Mateo), Keys School (Palo Alto), The Jewish Day & High School (Palo Alto), Pinewood (Los Altos & Palo Alto), and Harker School (4 sites throughout S.J.). To maintain a sense of community and camaraderie as well as reduce car trips, intra campus shuttle programs operate within most of these school communities.

From: California State Department of Education, Private Schools Facts and Independent School of the San Francisco Bay Area, 2020

Castilleja Expansion Plans

9/9/2020

Underground Garage Concerns

PNQL document 5

Where are the architects for the underground garage? Neighbors have been asking to meet with Archirender for several years, but to no avail.

The Castilleja FEIR attempts to hide the environmental costs of using concrete or cement in the construction of the underground garage/basement. The cement industry is one of the 2 largest producers of CO₂, creating up to 8% of worldwide man-made emissions of CO₂, of which 50% is from the chemical process, and 40% from burning fuel. The CO₂ emission from the concrete is directly proportional to the cement content used in the concrete mix; 900Kg of CO₂ are emitted for the fabrication of every ton of cement.

The FEIR states that because cement and concrete are used for many different projects as a result of general market demand, it somehow cancels out the CO₂ emissions associated with the concrete used for the underground garage/basement. This line of reasoning is spurious, and cannot be defended. Increased usage causes increased demand causes increased production causes increased emission of CO₂, the primary cause of Global Warming. (cite?)

In order to make the underground garage work for the school they propose to shift a Public Utilities Easement. Castilleja has proposed shifting the Melville Avenue Public Utilities Easement (PUE) by 15 feet to the south, to allow more space for parking cars in the proposed underground parking garage(which does not appear to be allowed in an R1 district).

Interviews with the current Utilities Manager, Dean Batchelor, and former manager, Mike Sartor indicate that in the last 10 years, there have been no PUE easement shifts granted, indicating the rarity of such city concessions. Such a concession should certainly require a variance, approved by the City Council, and a statement as to how this benefits Palo Alto, as such a shift in the PUE will limit future uses of the PUE, for technologies currently known or unknown. It may also limit the future return of this R1 parcel to standard R1 uses, like housing.

In addition, Castilleja proposes to build a pedestrian tunnel across the Melville PUE, only 3 feet under the sanitary sewer pipe in the PUE. This proposal should also require an exception by the city council, as such a tunnel will certainly complicate any repairs to the sewer pipe, endangering the neighborhood, which depends on a functional sewer line to remove wastes.

This tunnel is a very risky project to the neighborhood, and like the PUE shift, provides no public benefit to the neighborhood.

The Modular Building Institute estimates that there are approximately 300,000 portable classes in use in the United States (Modular Building Institute, 2013). If maintained properly the buildings are expected to have a life of 20 years or more. However, these portables are often acquired for short-term use but all too often these temporary buildings are still in use 20, 30, or even 40 years later. It's not uncommon for school parents as well as neighbors to be dissatisfied with the poor aesthetic quality of such structures.

It is a warranted concern of Palo Alto's ARB and PTC members that Castilleja's portables could stay on their site past the termination date of construction to provide added classroom and storage space not anticipated at the outset of the school's construction.

3/25/2017
Leila MoncharshFormal Complaint on
behalf of PNQLEnrollment
Events
MeetingsDONNA M. VENERUSO (d.'09)
LEILA H. MONCHARSHLAW OFFICES
VENERUSO & MONCHARSH
5707 REDWOOD ROAD, SUITE 10
OAKLAND, CALIFORNIA 94619
TELEPHONE (510) 482-0390
FACSIMILE (510) 482-0391

March 25, 2017

James Keene
City of Palo Alto
250 Hamilton
Palo Alto, CA 94301Re: Castilleja School – Complaint for Enforcing 2000 CUP

Dear Mr. Keene:

I am a land use attorney and was retained by Protect Neighborhood Quality of Life Now (PNQL), a group of neighbors living in the vicinity of Castilleja School. Over the last 20 years, I have periodically reviewed development plans for private school expansions on behalf of potentially impacted neighborhoods. I am familiar with private schools¹ in the region, how they are operated and marketed through non-profit corporations, and the history of their evolution.

A. Background Information – Long term Use Permit Violations

In reviewing the City documents and relevant correspondence, it appears that the City became aware in 2013 that Castilleja was in violation of its use permit by exceeding the enrollment cap in the 2000 CUP. (Letters between City and Castilleja, attached as Exhibit A.) The over-enrollment began with the 2002-2003 school year and has continued uninterrupted for every consecutive year. (Letter, dated September 25, 2013, included in Exhibit A.) In 2013, the City cited Castilleja under Ordinance, section 18.77.110, but did not follow the mandates of the ordinance. (See "Revocation or Modification of Approvals, attached as Exhibit B.) No CEQA review or public hearing was required, only imposition of a substantial fine.

The City planning manager first appeared to require that the school reduce the enrollment over a period of time, and then later entered into an agreement with the school allowing the use permit violation if the school applied for a modified CUP and the school complied with traffic conditions in the current 2000 CUP. The school promised to apply for a modified CUP on January 1, 2015, and eventually applied for it on June 30, 2016. Effectively, the City failed to enforce the 2000 CUP and bargained with Castilleja to "legalize" the over-enrollment with no public input. The "deal" struck by the City is unacceptable, given the over a decade-long period of non-compliance with the use permit, the serious impacts on the neighborhood from the school's current operations, and the fact that Castilleja knew full well that it was violating its permit as to enrollment and as to other conditions in the permit.

¹ Throughout this Complaint, I am using the term "private schools" to refer to private, independent schools as opposed to parochial, charter, or other types of privately owned schools.

March 25, 2017

Page 2

Therefore, the community now files this formal Complaint seeking the City's compliance with its own ordinance. The City should follow the mandates of Ordinance No. 18.77.110, hold a public hearing, and request that the administrative hearing officer require that Castilleja immediately abate all of its use permit violations or if the school refuses or fails to do so, revoke the permit.

At the time the planner bargained with Castilleja, apparently the City was unaware of the small minority of private schools in California that have pursued the exact same pattern – violating the use permit, refusing or failing to get into compliance, and then leveraging their own recalcitrant refusal into a modified use permit with far greater privileges and negative impacts on the surrounding residential neighbors. There are two such private schools in Oakland, one in Los Gatos, and two in Brentwood (Southern California), and now the instant school in Palo Alto. All of them have followed an almost exact duplicate playbook, as shown later in this letter.

The other jurisdictions responded to similar problem schools by tightening up the use permits with additional and more specific CUP restrictions. However, Palo Alto already completed that process in 1999 with a long, laundry list of conditions for Castilleja to follow. Instead, the nonprofit violated the permit with over-enrollment. The City then fined Castilleja a modest amount of money considering the many years of abuse, but that also did not bring about compliance with the 2000 modified permit. The problems with Castilleja, like the other rule violating schools, are systemic and related to poor management and poor future planning.

Furthermore, the violations of the use permit do not only involve over-enrollment. Castilleja also has consistently been violating the use permit as demonstrated by the attached declarations submitted by the neighbors, regarding noise, number of events, and traffic management. (Neighbor declarations, attached as Exhibit C.)

B. Specific Use Permit Violations

According to the correspondence between the City and Castilleja, it appears that the planner was unaware of the many other conditions of the Use Permit, besides over-enrollment that Castilleja was and continues violating. The correspondence suggests that Mr. Turner was only focusing on traffic and parking when all of the conditions should have been reviewed for noncompliance. The violations specifically include the following:

Condition No. 22: Castilleja shall initiate the scheduling of neighborhood meetings to provide an open dialogue regarding the neighborhood issues. The meetings shall occur twice a year, once in June and once in October. The Zoning Administrator shall be noticed as to the time and date of the biannual neighborhood meetings and may attend.

Castilleja first began to hold "public meetings" with the neighbors in 2014 (although required to do so beginning in 2000). The City Council intended for the neighbors and Castilleja to meet two times per year to go over any issues that the neighbors might have with the school's institutional uses. This is a very standard condition that is intended to prevent institutions from becoming a nuisance to residential neighbors. The institutional use is only as compatible with a residential neighborhood as its management insures. By having the neighbors and the institution

meet twice a year, Castilleja was on "fair notice" of its management failings and had a chance to correct them before the problems escalated. They chose not to do so.

When Castilleja eventually did start complying with Condition 22, it was not for the purpose intended by the City Council. Instead, it apparently was only for the purpose of "selling" the neighborhood on its expansion plans, which purpose violated the permit. The last meeting, in November 2016 consisted of 45 minutes of promotional displays and speeches about the school and how great the expansion will be, and the last 15 minutes was split between canned speeches from parents who don't live in the neighborhood supporting the plans, and actual neighbors, who spoke in opposition to the plans. That was not the purpose of these meetings.

Accordingly, Castilleja has been consistently in violation of Condition 22 since 2000, first by not holding *any* meetings with neighbors, and then by using the meetings for sales' pitches, instead of "open dialogue regarding neighborhood issues" with the school's operation.

Condition No. 25: Castilleja School shall review its event scheduling process to more strategically plan major school functions so school events do not occur on consecutive weekends. Special Events such as school dances shall utilize traffic monitors to help facilitate the traffic flow at and around the site. These traffic monitors may not be wearing uniforms, but shall be present and working during dances.

This condition has been routinely violated because Castilleja has held and continues to hold events on consecutive weekends. Please see resident-prepared "Event Tracker" attached as Exhibit D.

Condition No. 26: Castilleja will review event calendaring process and develop procedures to more strategically plan events and their timing placement on the calendar so that events such as dances do not become bunched in consecutive nights or weekends. Additionally, Castilleja shall review the events that take place on campus with the intent of reducing their numbers.

Typically, institution events are very hard on neighbors because of the following factors: increased traffic during hours outside normal operations, lack of sufficient traffic monitoring, increased noise, lights from headlights and the institution shining into homes at night, and noise from patrons talking loudly or laughing loudly as they are leaving the event late at night, and car doors slamming at late hours. As shown in the attached neighbor declarations, many of the typical disturbances are mentioned by the neighbors as nuisance problems generated by the institution.

One way to decrease these nuisances is to require that there be no events on certain days, like Sundays. Then, the number of the events should be greatly reduced to mirror what a resident would expect living in an urban environment. Any neighbor might have a party from time to time, but not every weekend or consecutive nights. Some events are to be expected and are consistent with urban residential life, but not every evening or every weekend.

The main precursor of events for private schools that are not considerate of neighbors is the desire to earn more money than they can raise through tuition and donations. The events become more akin to what one expects of a small convention center with outside speaker events open to the public for a charge, fundraising parties, and other gatherings. However, these events should be moved off the campus and into a downtown or other venue more able to handle the parking, traffic, noise, and late hour problems than a single-family residential neighborhood. Instead, Castilleja has often been hosting events on consecutive nights and therefore, has been in the past and is currently in violation of its use permit.

Condition No. 27: Castilleja has 5 major functions each year (Back to School Night, Gator Gathering, a major fund raiser dinner/dance, Founder's Day Luncheon, and baccalaureate/graduation) that will bring almost all students and parents to the Castilleja Campus. For these occasions Castilleja shall provide traffic monitors . . .

Condition No. 28: Additionally, there are several other events during the year, including volunteer meetings, student seminar meetings, parent receptions, open houses, parent group meetings, guest speakers, dances, school performances, sports events, science exhibitions, etc. that require groups of from 50 to 100. A complete list of these events, including date, time of event and number of expected attendees shall be published annually and distributed to neighbors and the City of Palo Alto ZA . . .

Castilleja has many more events than the "5" and "several" functions each year spelled out in these two use permit conditions. They have had 61 events so far just this year through February (see School Year Event Tracker, attached as Exhibit D). The school is not required to report events with fewer than 50 attendees, which, whether they count them or not, still increases traffic and impacts the neighborhood on weeknights and weekends.²

The two conditions were designed to limit the number of events that the institution hosted for the obvious reason that they are highly disruptive to the neighborhood. The intent appears to be that the school would be limited to 5 large events per year and "several" smaller ones for 50 to 100 guests. However, as the neighbor declarations demonstrate, the number, late hours, noise and traffic problems from too many events has become a major nuisance to the residents around the institution.

Castilleja has been and continues to be in violation of Conditions 27 and 28.

These violations collectively, including pushing over-enrollment, are the product of poor management, and are not accidental. They stem from a desire to maximize profits in an era when

²Please note: the current CUP application contains, on Tab D, a schedule "illustrative of the types of Special Events that could occur" that total 90; 79 of these events with estimated attendance between 100 and 300 guests, and 11 of them with 400 to 700 guests. It contains no dates or days of the week. 90 events is extraordinary for a private institution in an R-1 zoned residential neighborhood, and they present it as though they are REDUCING their events to this modest number (see CUP comparison chart, attached as Exhibit E).

private schools are faced with many challenges to their continued existence. And Castilleja is not alone – the other schools that have been non-compliant with use permits in the cities mentioned above, have also angered neighbors through a “growth at all costs” approach. All of them are under threat from the changes in the education market, but that does not justify imposition on the neighborhood because of robust competition in the private school industry.

C. Competition Amongst Private Schools for Shrinking Market Share

Today, from Marin to Silicon Valley and beyond, there are amazing private schools from which parents can choose. There are also a potpourri of education approaches, like Stanford Online. Its education model provides more family time, more socio-economic diversity because the students are recreating and socializing in their own communities, and reduced cost because there is far less overhead due to the absence of continual campus maintenance. The vast majority of the California private schools have responded to the competitive challenges by staying small and offering a great deal of individual attention. The emphasis is on one goal – providing very high quality education. Palo Alto private schools are no exception.

D. Private Schools that Are Noncompliant with Use Permits – Are they Innovators for the Future of Private Education or . . . ?

By contrast to the vast majority of private schools in California, the private schools that I have found violating use permits in several jurisdictions have in common the following features:

1. They assume a “grow or die” management philosophy based on the economic mechanics of large corporations, which is irrelevant to education models for children.
2. Purchasing neighboring housing and banking it for later demolition and expansion into surrounding residential neighborhoods.
3. Mixed goals that include offering high quality education, but also include extensive land development plans.
4. Board members in control of the nonprofit board may not have children in the school and the explanation for their presence on the board may rest with nonprofit corporate growth or land development, rather than education.
5. Large files with the planning agencies where they are located. The files reflect repeated applications for permits and modifications of permits, fights with city staff over violations of permits, and recurring governmental process to address the violations of use permits. The amount of staff time is greatly inconsistent with any other commercial usage, and mostly occurs on the taxpayers’ dime.
6. Disputes with neighborhoods are common. These schools are constantly encroaching in one way or another further into the residential neighborhoods surrounding their campuses. Without interference, they have and will eventually “institutionalize” the surrounding residential area with parking, drop-off and pick-up, late night events, and in other ways that have or shortly will diminish the quality of life for the surrounding residential neighbors.

7. These schools are older and they market their long existence, although the management is also "older" and out of date with current best management practices and current education models.
8. In some instances, they have had difficulties finding or replacing upper management because of labor disputes, constant feuding with neighbors, unclear goals, internal ethics issues, or "muddy" control over the school.
9. These schools are essentially "anti-regulation" and believe that complaints by neighbors are due to "a small minority of trouble-maker neighbors" who should be ignored. "Everyone else in the neighborhood loves our school" is a common refrain during city hearings. Their controlling board members live in an "echo chamber," stating and hearing that they are running great, wonderful schools for the very best students with potential.
10. A belief that they should be free of regulation because "public schools don't have to have a use permit. So, why should we?"
11. A gamesmanship approach to use permit conditions, including complying with them during the months before a city hearing on whether a modification of a use permit will be granted, and then regressing to prior bad behavior once the permit is secured.
12. Hiring paid lobbyists, and bringing large numbers of former alumnae, parents, and even children to public hearings as a way to pressure politicians into acquiescing to school demands for lenient use permit conditions.
13. Poor stewardship of natural resources, with trees the primary losers.
14. An essential focus is on making money either to expand further or just for the sake of making money – everything else is secondary or not really important.
15. They tend to have very little market share of students in the cities where they are located, which then requires more vehicle traffic.
16. These schools over-utilize their facilities for summer programs and events that are unrelated to typical school uses. The goal is generating more money. As a result, they interfere with the neighbors' enjoyment of their own residences during nighttime, and over weekends and summers.

E. The City Should Enforce the 2000 CUP or Revoke the Permit

Castilleja falls well within the very small minority of rule-violating private schools, described above. It has very little of the market share for private schools in Palo Alto. A 30% market share is exceedingly low even for rule-violating private schools in California. Destroying a residential neighborhood, draining taxpayer funds on planning expenses, and distracting the City Council from critical issues that impact 100% of Palo Alto citizens cannot be justified for the Palo Alto children who only make up 30% of Castilleja's students. It needs to improve its management and make responsible choices as to how it will compete in the future with other private schools in Palo Alto and its environs.

Please immediately enforce the 2000 CUP.

March 25, 2017
Page 7

Very truly yours,

Leila H. Moncharsh

Leila H. Moncharsh, J.D., M.U.P.
Veneruso & Moncharsh

LHM:lm

Enclosures

cc: City Attorney, Molly Stump
City Council Members
Planning Commissioners

From: [Anne Avis](#)
To: [Planning Commission](#)
Subject: In support of Castilleja's proposal
Date: Thursday, September 3, 2020 3:43:14 PM

CAUTION: This email originated from outside of the organization. Be cautious of opening attachments and clicking on links.

Dear Planning Commission,

I am writing with enthusiastic support of Castilleja's campus proposal. I am a neighbor 2 blocks away and am completely impressed with the plan, the school's leadership and the school's role in the community.

Our daughter attended middle school there in the early 2000's. The school has since reduced area traffic significantly and remains a wonderful asset to this community. They are receptive and bend over backwards to address community needs while providing exceptional education for girls.

Thank you for supporting Castilleja!

Anne Avis
1545 Waverley st
Palo Alto

Anne Avis
aavis@mac.com
650-387-7085

From: [Jayaraman V](#)
To: [Planning Commission](#)
Subject: Expressing support for Castilleja
Date: Wednesday, September 2, 2020 10:35:21 PM

CAUTION: This email originated from outside of the organization. Be cautious of opening attachments and clicking on links.

Dear Planning Commission members,

We are writing to express support for Castilleja's reimagination and construction program

- Castilleja is a nationally renowned school, delivering girls the unique opportunity to learn in a single-sex environment and benefit from the school's outstanding leadership curriculum. More high school girls from Palo Alto should have this opportunity if they seek it.
- As a community that values education, Palo Alto has supported the modernization and enrollment growth in its other schools - public and private. Castilleja should be allowed the opportunity to do the same.
- Castilleja has demonstrated respect for the City and neighbors by proposing a solution that allows the school to grow without adversely impacting neighbors.
- The new Proposed Alternative has taken feedback from the City and neighbors into account and has **no significant impacts** on the neighborhood while preserving homes and trees.
- Castilleja has met with neighbors over 50 times and iterated its plans meaningfully in response to the variety of opinions in the neighborhood. After seven years of Castilleja listening, learning, and adapting, it is time for the City to take action and approve this excellent compromise.
- The updated campus will establish new standards for sustainable architecture in Palo Alto.
- Castilleja can only increase enrollment if car trips remain flat. The school has demonstrated its capacity to do so through its very successful Traffic Demand Management program.
- The Final Environmental Impact Report supports underground parking over street-level parking.

We encourage you to do the right thing here and open up more educational opportunities for Palo Alto girls

Thanks!
Jay and Nirmala

From: [Meaghan Fitzgerald](#)
To: [Council, City; Planning Commission; Architectural Review Board](#)
Cc: lbrown@castilleja.org
Subject: Support for Castilleja
Date: Wednesday, September 2, 2020 10:10:21 PM

CAUTION: This email originated from outside of the organization. Be cautious of opening attachments and clicking on links.

To whom it may concern,

I wanted to express my support for Castilleja's proposal for campus modernization. I am a Palo Alto native, having attended Ohlone and Duveneck Elementary before attending Castilleja from 1997 to 2004. I am so grateful for the way Palo Alto as a community has supported the modernization and enrollment growth in its other schools - public and private. Castilleja should be allowed the opportunity to do the same.

When I attended Castilleja 20 years ago, they offered cutting edge educational opportunity for young women in technology, the sciences, and the arts. It is thanks to Castilleja that I have been able to pursue a career in technology and today am able to influence future technology platforms through my work leading marketing for Facebook's AR and VR technologies. I believe it is critical that Castilleja be allowed to modernize, safely and thoughtfully expand enrollment in partnership with their neighbors, and provide opportunities for young women of today to prepare for the careers and opportunities of tomorrow.

I know the leadership of Castilleja School will have taken seriously their responsibility to the neighborhood, the city of Palo Alto, the environment, and their student body. And the school would not put forward a proposal that does anything less than elevate the entire Palo Alto community. I am aware Castilleja has met with neighbors over 50 times and iterated its plans meaningfully in response to the variety of opinions in the neighborhood. After seven years of Castilleja listening, learning, and adapting, **it is time for the City to take action and approve this excellent compromise.**

Please consider this my formal and public support for Castilleja's plans and I am happy to speak directly to anyone within the city planning commission on the topics above.

Kind regards,
Meaghan Fitzgerald

--

Meaghan Fitzgerald

Head of Product Marketing, Facebook Reality Labs Experiences
megfitz@fb.com | 650-799-8995

From: [Annie Turner](#)
To: [Council, City; Planning Commission; Architectural Review Board](#)
Cc: [Cameron Turner](#)
Subject: Castilleja Support
Date: Wednesday, September 2, 2020 10:01:18 PM

CAUTION: This email originated from outside of the organization. Be cautious of opening attachments and clicking on links.

To Whom It May Concern:

I am writing in support of Castilleja's renovation project. The school's mission of offering a unique and supportive education to girls should be expanded and encouraged. There are so many girls who would benefit from the all-girls caring environment and top-notch academics that Castilleja offers. Castilleja has gone out of their way, in time and expense, to be flexible and accommodating to the neighborhood. As a Professorville resident, I appreciate the sincere efforts! The school understand the concerns of the neighborhood and has respectfully addressed and compromised. Castilleja should be allowed, as other schools are, to upgrade their campus in a thoughtful and meaningful way.

Sincerely,
Annie and Cameron Turner
1027 Emerson St, Palo Alto

From: [Alyssa Sales](#)
To: [Council, City](#)
Cc: [Architectural Review Board](#); planning.commission@cityofpalo.org
Subject: Castilleja Support
Date: Wednesday, September 2, 2020 7:45:29 PM

CAUTION: This email originated from outside of the organization. Be cautious of opening attachments and clicking on links.

Our daughters went to Castilleja School and it was the best educational decision we've made as parents.

As a community that values education, Palo Alto has supported the modernization and enrollment growth in its other schools - public and private. Castilleja should be allowed the opportunity to do the same. More high school girls should have the opportunity to attend Castilleja.

Best,
Sales Family
Palo Alto Residents

From: [Ray Dempsey](#)
To: [Council, City; Planning Commission; Architectural Review Board](#)
Subject: Castilleja
Date: Wednesday, September 2, 2020 7:27:42 PM

CAUTION: This email originated from outside of the organization. Be cautious of opening attachments and clicking on links.

Dear City of Palo Alto Caretakers:

I cannot think of a better place to support that a source of education. Clearly, Castilleja is a gem in that category. My wife and I live close enough to be affected by negative impacts, but from what I have seen, the school is doing its best to mitigate such impacts and I would support their efforts. I have no connection with the school (I always have to look it up to spell it correctly) and have no student or know of anyone with a student there. As a former teacher from junior high and at every level in between . . . high school, college and up to graduate level (not always the same subject) . . . I can speak to education as being important.

Ray Dempsey
1036 Bryant Street
Palo Alto, CA 94301

From: [Jing Li](#)
To: [Planning Commission](#)
Subject: Support Castilleja campus modernization
Date: Wednesday, September 2, 2020 5:31:47 PM

CAUTION: This email originated from outside of the organization. Be cautious of opening attachments and clicking on links.

Dear City Planning Commission members,

As a citizen of old Palo Alto for many years and a mom of two 9-year-old twin daughters I am writing to show our family's full support to Castilleja's campus modernization project. Although our daughters are not old enough to enroll Castilleja yet, we are doing this for other girls in our community to ensure they all have more opportunity to learn in a single sex environment and benefit from the school's outstanding leadership curriculum. We received Castilleja surveys about the impact on us neighbors, but obviously there are no significant impacts while preserving homes and trees.

Castilleja has demonstrated respect for the City and us neighbors by proposing a solution that allows the school to grow without adversely impacting neighbors. Castilleja has met with us neighbors over many times and iterated its plans meaningfully in response to the variety of opinions from us neighbours. I think it is time for the City to take action and approve this excellent compromise. I believe the updated campus will establish a new standard for sustainable architecture in Palo Alto.

Thank you for listening to our family's voice.

Jiang Family

2250 Ramona Street
Palo Alto CA, 94301

408-805-9307

From: [Shawn Carolan](#)
To: [Planning Commission](#)
Cc: [Jennifer Carolan](#)
Subject: In support of the amazing Casti
Date: Wednesday, September 2, 2020 5:15:00 PM

CAUTION: This email originated from outside of the organization. Be cautious of opening attachments and clicking on links.

Hi Planning and Transportation commission folks,

My wife Jennifer and I moved our family to Palo Alto 5 years ago so that our daughter Riley, now an 11th grader, could ride her bike down Bryant to get to school at Castilleja.

Having children at Bullis Charter, Nueva, and Casti, we can say firsthand, what a truly INCREDIBLE institution it is. The teachers, the curriculum, the culture, the community, I can't imagine a finer institution to prepare our girls to impact the world in a positive way.

The campus reinvention plan will allow for that, and letting more girls benefit from this incredible place will have ripples for decades to come. We extend our enthusiastic support and while we recognize there will be some growing pains (especially for Riley, who will have her senior year impacted by the build), it will be worth it for the generations to come.

Thank you for putting our girls first! With love and respect, the Carolan Family

From: [L Lapier](#)
To: [Planning Commission](#); [Architectural Review Board](#)
Cc: lbrown@castilleja.org
Subject: Castilleja Project Input
Date: Monday, August 31, 2020 5:16:01 PM

CAUTION: This email originated from outside of the organization. Be cautious of opening attachments and clicking on links.

Hi Commissioners and Board Members,

I have been following Castilleja's plan to rebuild their campus with interest, as I am a nearby Old Palo Alto neighbor of 20+ years. Casti has always been an asset to our community and their new plans, which take into consideration requests for a smaller garage and other modifications, show a project which is very well designed, environmentally thoughtful and beautiful. I have walked and biked past Casti for many years and never been bothered by the school's students or traffic either during the day or at pickup or drop off times, or during events.

Please don't get bogged down with the catastrophic predictions we have all heard from those who oppose the project. The school has been there over 100 years, and everyone who lives in the neighborhood was well aware there was a school there when they moved in. As a neighbor, I can vouch for their respect for the neighborhood and their willingness to be good neighbors.

I think they have been particularly responsive to concerns and addressed the issues that need to be resolved. I strongly encourage you to approve their project and let this beautiful design come to fruition. It will be a school we can all be proud of for many years to come.

Thank you,
L Lapier

From: [Kathy Burch](#)
To: [Planning Commission](#)
Subject: Support for Castilleja School's building plan
Date: Friday, August 28, 2020 8:09:58 PM

CAUTION: This email originated from outside of the organization. Be cautious of opening attachments and clicking on links.

Dear Planning and Transportation Commission members,

I write in support of Castilleja School's plans to modernize their campus and expand their enrollment. The school has bent over backwards to comply with a small handful of neighbors' seemingly endless (and often contradictory) requests over a very long period of time. Time and again, the school has been asked to go back to the drawing board in order to satisfy yet another complaint or criticism. While this has been frustrating for all concerned, the end result is a wonderfully aesthetic and energy efficient plan that deserves to see the light of day.

Castilleja has proved, over and over again, that it has everyone's best interests at heart -- the community's, the neighbors', and, of course, its students. If Castilleja could accommodate more girls, it would be a blessing for those students and our community -- and the world would be better for it.

I urge you to approve Castilleja's project as quickly as possible so that the school can move forward at long last.

Thank you for your consideration.

Kathy Burch
777 Marion Avenue
Palo Alto, CA 94303

From: [Carla Befera](#)
To: [Planning Commission](#)
Subject: Public/private school comparisons
Date: Friday, August 28, 2020 5:43:22 PM
Attachments: [Castilleja comparison matrix - local private schools.pdf](#)
[School density comparison8.28.20.xlsx](#)

CAUTION: This email originated from outside of the organization. Be cautious of opening attachments and clicking on links.

To members of the Planning Commission:

Thank you for the thoughtful consideration of the many public comments proffered during the PTC meeting August 26. During discussion, Commissioner Alcheck asked if there were comparisons between what is standard or allowed at other schools in Palo Alto, both public and private.

Please see the attached matrix. Some time ago, neighbors wondered the same thing and data was collected from the local private school CUPS on record. What we discovered is Castilleja is currently permitted far more leniency than regulations imposed on other nearby private schools. The comparison is frankly astonishing.

A Commissioner also noted the school's requested 90 events per year was represented as "a reduction" but did not offer a comparison to what other schools are permitted. Castilleja's current CUP allows five major events and an unspecified number of "other" events, which has in fact amounted to some 100 events/year (i.e. an event every 1.8 days per school year). This is exponentially beyond the modest number allowed by other schools in residential zones, which range from none to a maximum of 12/year – also noted on the attached matrix.

On the second attached sheet you will see a comparison of all private and public schools in size of property/number of students. With its current density of 73 students per acre, Castilleja is already significantly more crowded than all others, which range from 20 to 48/acre tops. At 540 students, Castilleja would be *twice* as crowded as any other public or private school. Also note, no other Palo Alto high schools are located in residential areas.

Again, we greatly appreciate your careful analysis of this issue. As several Commissioners mentioned, many appropriate alternatives such as all shuttle entry, no garage alternatives, or even a no-growth alternative were dismissed out of hand. Frankly, many of us think if the school had adopted an all-shuttle plan at the start, this campus revision would have sailed through with neighborhood approbation and could have been completed by now.

We look forward to your ongoing consideration of this matter.

Yours,
Carla Befera
(a 50+ year neighbor of the school)

Matrix of CUP Conditions Included in Conditional Use Permits for Local Private Schools

	Castilleja School			Pinewood HS	Stratford @ Garland	Stratford@Crestmoor
						San Bruno, CA
Acreage	6			7	10	10
Building SqFt (FAR)	148,000			40,000	32,000	22,000
Hours of Operation	No Limitations			7:30 am – 5:30 pm	8 am – 4 pm with childcare from 7 am – 8:15 and 3:45 – 6 pm	7:00 am – 6:00 pm
	Approved	Current	Proposed			
Max Enrollment	415	438	540	300	482	250
Density: students/acre	69	73	90	42	48	25
Outside activities	No Limitations currently placed on evening or after school events			No evening courses or events permitted	No evening events allowed	No evening events except for Parents night not to exceed 4x/yr.
Night Events	No Regulations			Limited to 12/year; must be over by 11 pm on weeknights and 12 midnight on Fridays & Saturdays	“Scheduled evening events not permitted.”	Only allowed to hold Parents Night not to exceed 4 / year. All parking shall be on site.
Faculty	Not Limited			Shall not exceed 50	No limitation stated	23
Parking	Not Controlled – faculty, staff and students park on neighborhood streets.			Must be parked on campus or the 8 spaces in front of school. These 8 spaces are not on the street but on school grounds; no houses front the school	All faculty, staff and student parking shall occur on the premises.	Parking only on-site. Drop-offs and pick-ups must be staggered and all on-site.
On Street parking	Not Regulated			Not permitted	Not permitted	Not permitted
Sound	No Regulations			Outdoor sound amplification allowed 5x per year, between 8:30am – 5pm, max 4 hours/day.	Outdoor sound amplification shall only be allowed 5x /yr between the hours of 8 am – 5:30 pm.	No outside use of buzzers, bells or loud speakers.
Summer School	No Regulations			Regulated	Regulated	Regulated
Crossing guards	No Regulations			N/A	Required	N/A

STUDENTS PER ACRE

Comparison of Private and Public Schools' Densities

Private Schools information culled from their website or CUP
Public schools information per PAUSD documents

Density Comparison Chart

	acreage	enrollment	density
Castilleja - current	6	434	72
CUP allowed	6	415	69
CUP proposed	6	540	90
Pinewood - Los Altos	7	300	43
Stratford - Palo Alto	10	482	48
Stratford - San Bruno	10	250	25
Palo Alto High School	44.2	1994	45
public			
Gunn High School	49.7	1885	38
public			
Menlo School	31	795	26
Hillbrook School, Los Gatos	14	414	30
Stanford Middle School (JLS Middle School)	26.2	1205	46
Nueva School			
K-8 - Bay Meadows		517	
high school - Hillsborough		196	
combined	36	713	20
Crystal Springs			
middle school - Belmont		219	
high school - Hillsborough	10	323	32
Peninsula School	6	252	42
Menlo Park			

From: [Christina Gwin](#)
To: [Planning Commission](#)
Subject: comment re Castilleja
Date: Friday, August 28, 2020 8:17:47 AM

CAUTION: This email originated from outside of the organization. Be cautious of opening attachments and clicking on links.

Hello,

I speak as both a neighbor (241 Churchill Ave) to and a teacher at Castilleja.

First, as a neighbor: There are no clogged streets around Castilleja during non-Covid times. There are no back-ups. There is no loss in "quality of life" by living around the corner from this school

In fact, this mission-driven school that is committed to educating women speaks to a larger purpose which contributes to the Palo Alto experience and to quality of life.

Given the complexities and challenges of our world and our moment, we want schools like this to expand their reach. Right now:

- 54% of students identify as people of color
- There are 20 languages spoken at home
- There are 9 student-led Affinity groups to celebrate diverse identities and cultures
- And Parallel parent affinity groups to support and connect families
- We have a significant commitment to first generation students and their families, helping families navigate if independent school is new terrain and opening access beyond Castilleja
- Antiracist leadership teaching and learning are embedded in our social justice programming
- We have Equity and Inclusion Practitioners-in-Residence who serve as consultants on antiracist teaching and learning and support our community throughout this moment of racial reckoning for our nation.

This is an institution committed to shaping a better future for all, and we, the community, should feel compelled to support it.

Thank you,

--

Christina Gwin

She/her/hers

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Women Learning. Women Leading.

From: [Hank Sousa](#)
To: [Planning Commission](#)
Subject: Weds. night meeting
Date: Friday, August 28, 2020 7:44:22 AM

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Hello Commissioners:

Nice job on Wednesday night , especially with respect to the series of questions you all asked near the end of the meeting. We neighbors who are concerned about the size and scope of the planned expansion by Castilleja were gratified to hear you ask those pertinent questions. Most of us would like the school to remain at its current site in a similar size, slightly higher enrollment , no underground garage or additional parking lot and fewer events. However, if Commissioner Riggs' idea of housing at the site gains traction a couple of things would be acceptable. First, the 200 block of Melville would be reinstated (per the city's agreement to "abandon" it so the school could build the playing field). Five houses were on the cul-de-sac at that time. Perhaps where the school's buildings are now a SOFA type development could become reality.

There is a way forward, but it entails the school embracing or being compelled to accept shuttling in of the majority of the students. As we mentioned in our oral comments the 450 number would work for us. It was at that level for a while and we could accept it again as long as a TDM including mandatory shutting is enforced. If the school insists on a much larger enrollment number (540) perhaps it is time to look for another spot in PA or a nearby community. We don't have a problem with the school's mission but at some point the crowded campus, the constant events (average of 3 per week during the school year) and the insistence that driving age students can't be deprived of the tradition of driving themselves must be curtailed. Stanford used to have a traditional pre-Big Game bonfire in Lake Lagunita but it was discontinued quite a few years ago due to air quality concerns. So, relying less on using cars to bring hundreds of people to the campus daily should be a priority.

I will wrap this up with one more concern expressed by Commissioner Alcheck and that is the lack of a compliance officer to make sure the new CUP is obeyed. The current CUP calls for a city zoning administrator to be in attendance at the school's twice yearly meetings with the neighbors. I have been attending these meetings for years but no zoning administrator has ever been present. Finally, the language in the CUP needs to be more specific- for example, it calls for "5 major and several other" events during the course of the year. "Several" has morphed into 100 events and former city Planning Director Hillary Gitelman said the school's interpretation is neither correct nor in the spirit of the law, and that the purpose of the condition was to limit events.

Thanks for tackling these issues. We neighbors look forward to having some welcome changes to the way the school operates in the future.

Hank Sousa
PNQL
Melville Ave
Palo Alto

From: [Lisa Van Dusen](#)
To: [Planning Commission](#)
Subject: In support of the Castilleja Master Plan proposal - Alternative #4
Date: Thursday, August 27, 2020 10:57:38 PM

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Dear members of the Planning and Transportation Commission:

In case it is helpful, I am sharing a copy of my remarks during the public comment period regarding the Castilleja Master Plan agenda item) at last evening's PTC meeting - 8/26/20.

Thank you for your consideration of Castilleja's master plan proposal. I was so pleased to learn that there is indeed a clear and positive path forward for the school.

FIRST Alternative #4 provides a superior, sustainable solution. Alternative #4 (with distributed drop-off and smaller garage) has clearly emerged as the superior solution from all standpoints. It addresses the full spectrum of concerns including traffic impacts, tree preservation and integration into the neighborhood, among others. At the same time, Alternative #4 allows this 100+ year old Palo Alto institution to update its campus to align with state of the art 21st century education and its goals for modest growth of its student body. All of this makes for a sustainable approach for the community and Castilleja. As a global center for innovation, we know that staying "the same" is actually not feasible - so this represents a win-win-win option for the community, the school and as an inspiring example for what's possible with future projects.

SECOND Castilleja has listened and responded - serving as a model. I appreciate that Castilleja has listened and responded to so many competing constituencies - and done so over an extraordinarily extended period of time. I have watched as they modified plans, conducted studies, invested in consultants and otherwise demonstrated a serious commitment to crafting a plan that works for everyone. Castilleja is an important institution in Palo Alto and our region. It has been part of our community long before any of us arrived here - and it will outlast us all as well. However, if we don't support the school, we risk hindering this enduring institution and potentially losing it entirely. We need to be the land of "YES, AND", not "NO". Castilleja has been a model for seeking and integrating feedback, designing and implementing a data-driven and human-centered traffic reduction program (Transportation Demand Management - TDM), and making community engagement a central part of their educational experience.

FINALLY It's time to green light this project! It's high time for the City to move forward on this. This is the longest running review process I can remember. I ask that you approve this project and refocus everyone's precious energy on the other many pressing priorities before us as a community.

Sincerely,

Lisa Van Dusen
Greenwood Avenue
Palo Alto

From: [Barbara Ann Hazlett](#)
To: Planning.Commission@CityofPaloAlto.org <Planning.Commission@CityofPaloAlto.org>
Subject: Castilleja Hearing Comments
Date: Thursday, August 27, 2020 10:27:37 AM

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August 27, 2020

Dear PTC Commissioners:

I spoke at last evening's hearing regarding Castilleja School and also wanted to submit my comments in writing. Thank you.

My name is Barbara Hazlett. I have lived near Castilleja School, on Emerson Street, just across Embarcadero for over 40 years. I feel lucky to live near this important institution. We all need to be reminded that, much like Stanford, Castilleja is a nationally ranked school. How lucky are we to have these kinds of educational institutions in our back yard? Schools are a public good and Castilleja is undeniably good. This is the overriding, compelling reason to support this institution.

Specific to this hearing, I want to speak about the building design and say how pleased I am with the proposed plans. Importantly, the FEIR states that Castilleja's plans are consistent with the City's comp plan, including maintaining and prioritizing the residential neighborhood around the project. Further, the FEIR states that the new building design, including the garage, improves the aesthetics of the neighborhood.

The school's architects have carefully studied the surrounding homes to select materials that mirror them. The new rooflines are at the same height or lower than the current structures, reducing the overall size and allowing for more sunlight. I've looked at the renderings on Castilleja's website, and the landscaping blends the buildings beautifully into the surrounding neighborhood. Without increasing any Floor Area Ratio, Castilleja's modernization greatly improves on the current aging structures we see on campus now. All of us, as immediate neighbors, will benefit greatly from this design.

Regarding transportation matters, Castilleja has gone to great lengths to mitigate traffic and parking demands. The school has a robust Transportation Demand Management plan which is monitored and measured by independent audit. They have reduced traffic by 25-30% over the last few years. The underground garage, while an expensive endeavor, is in direct response to neighbors' requests to mitigate street parking and traffic noise.

In conclusion, Castilleja is an excellent neighbor. The school pre-dates all of the neighbors, having been at this location since 1910. Castilleja should have the opportunity to modernize and increase enrollment as have Ohlone, Paly, Addison and Stanford. I look forward to seeing this plan come to fruition because I know it will quickly become part of the architectural fabric of our residential streets. Castilleja has always been a gem in Palo Alto, and I hope they can finally modernize their aging campus. Please support the school's plans and ensure that inspired architecture and exceptional education continue as foundational and timeless values in Palo Alto.

From: nancytuck@aol.com
To: [Planning Commission](#)
Subject: Copy of comments made on the Zoom call for Castilleja's Renovation Plan
Date: Thursday, August 27, 2020 8:46:36 AM
Attachments: [PTC comments 082620.pdf](#)

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Please find attached a copy of my statement made on the PTC Zoom call 8/26/20.

Thank you,

Nancy Tuck
113 Melville Avenue
650-922-0599

My name is Nancy Tuck. After hearing comments at the ARB meeting from my neighbors who oppose this project, honestly, I'm outraged. Castilleja has made a multitude of changes to the Plan to appease the community:

- Downsized the garage
- Returned to a multi-drop-off/pick up location plan
- Keeping the two homes
- Protected more trees from removal and added landscaping to create a remarkable curb appeal
- Revamped the traffic plan for the cars leaving the garage
- Eliminated Sunday events and reduced allowable weeknight and Saturday gatherings
- This is on top of an incredible traffic management system that has now been in place for years to reduce car trips back to levels last seen in 2012

For the past 5 years, Castilleja has held outreach meetings where they were transparent about their plans and feedback was noted. The changes I listed above are a direct result of community feedback.

But for the opposition, the target keeps moving. Castilleja makes the requested change, and new issues are invented. Nothing will placate them. They assert that Castilleja does not add value to the community, and instead we could have 51 residential homes built and respective property taxes collected.

I find this absurd. My daughter is a 2017 graduate of Castilleja and I bought my home on Melville (the same block as several PNQL members) to be walking distance from the school. In those 9 years, I have never been impacted by Castilleja traffic or noise. While not everyone on the block has had a daughter who benefitted from this top-5 nationally ranked private girls' school, Castilleja brings to Palo Alto a reputation for top education, families like mine who want to own and live near the school, and a wealth of community service provided by the students.

We can't return Palo Alto to 1960. Change is happening all around us - whether it is electrified train tracks, Stanford expansion, Palo Alto High School renovation and expansion, or downtown employment growth that creeps into our neighborhoods. Let's fight to keep what makes Palo Alto special - top notch educational choices and young women who strive to leave the community better than it was when they arrived.

Let's get this improved proposal passed and this project underway!

Nancy Tuck

113 Melville Avenue