



Planning & Transportation Commission

Staff Report (ID # 14018)

Report Type:	Action Items	Meeting Date: 3/30/2022
Summary Title:	Castilleja School CUP/Variance and Amend PAMC Chapter 18.04 GFA Definition	
Title:	PUBLIC HEARING/QUASI JUDICIAL/LEGISLATIVE: Review of the Castilleja School's Requested Conditional Use Permit and Variance per Council Direction March 29, 2021, and Review of a Draft Ordinance per Council Direction Amending Section 18.04.030 Regarding Definition of Gross Floor Area in the R1 Zone for Below Grade Parking Garages. Zone District: R-1(10,000). Environmental Review: The Final Environmental Impact Report (EIR) was Published July 30, 2020 and the Draft EIR was Published July 15, 2019	
From:	Jonathan Lait	

Recommendation

Staff recommends the Planning and Transportation Commission (PTC):

1. Conduct a public hearing to receive staff and applicant presentations and public testimony, ask any clarifying questions, and
2. Close the public comment portion of the meeting and consider beginning deliberation and/or continue the hearing to April 20, 2022 to provide direction to staff or to make recommendations to the City Council on the subject project.

Executive Summary

Castilleja School seeks to renovate its campus to modernize its buildings and increase enrollment. The applicant (Castilleja School Foundation) filed an initial application to amend the school's Conditional Use Permit in 2016 and filed the Architectural Review application in 2019. The Architectural Review Board (ARB) and Planning and Transportation Commission (PTC) met in 2020. In March 2021, the City Council held three public hearings on the project.

In its review, the City Council identified several significant project components that required further study and refinement. The Council directed staff to explore a legislative amendment to

the City's zoning code that would allow some below grade parking to be exempt from gross floor area based on certain criteria. The Council expressed its interest in seeing a reduction to the size of the underground parking garage; changes to the CUP conditions related to the transportation demand management plan and phased student enrollment increases; improved tree preservation efforts; and other changes detailed in the December 8, 2021 PTC report. Accordingly, the Council remanded the project back to the ARB and PTC.

The PTC held a continued hearing over three days in December 2021 and January 2022 to provide preliminary comments on a variety of issues remanded by the City Council. The informal direction from the PTC included: 1) a request for staff to return with an alternative text amendment that would have broader applicability; and 2) a series of straw poll votes, summarized below on seven topics described in the December 8, 2021 staff report.

The PTC has received draft summary minutes with the packet for March 30, 2022. Draft excerpt verbatim minutes for the January 19, 2022 PTC meeting are attached (Attachment C). The December 8, 2021 PTC minutes¹ and Draft December 15, 2021 PTC summary minutes² are viewable via links on the bottom of this page.

The ARB met once in December 2021, continued its review, then met on March 17, 2022. The ARB reviewed the Kellogg Avenue façade study and design details responsive to the ARB's 2021 comments. The most recent ARB staff reports provided summaries and discussed the applicant's responses on topics the Council remanded to the ARB. Links to the March 17th staff report and video are provided in this report.

Ordinance

The draft ordinance previously presented to the PTC in December 2021 is attached to this report (Attachment E). Based on initial guidance from the PTC on December 15, 2021, staff have provided data and analysis to support a PTC discussion of an ordinance that would allow a portion of below grade parking to be exempt from gross floor area (GFA) for a greater number of R-1 parcels. Based on this data and analysis, the PTC could discuss adjusting one or more criteria in the ordinance, such as:

- reducing the parcel size threshold to capture additional large parcels in the R-1 with non-residential uses, and
- removing the historic resource criteria.

New Submittals and Updated Findings and Conditions

This report also includes the following:

- Analysis of updated materials provided by the applicant submitted in early February

¹ December 8, 2021 PTC summary minutes link: <https://www.cityofpaloalto.org/files/assets/public/agendas-minutes-reports/agendas-minutes/planning-and-transportation-commission/2022/ptc-12.08.2022-minutes.pdf>

² December 15, 2021 PTC draft summary minutes link: https://www.cityofpaloalto.org/files/assets/public/agendas-minutes-reports/agendas-minutes/planning-and-transportation-commission/2022/ptc-12.15.2021-summary_bc-and-bh-edits.pdf

- Updated Conditional Use Permit and Variance findings and conditions, incorporating GFA adjustments and reflecting Option E version of Project Alternative 4; staff will forward these adjusted documents, subject to PTC revisions, to the City Council along with the revised Architectural Review findings and conditions contained in the March 17, 2022 ARB report.

Background

Architectural Review Board Meetings in 2021 and 2022

On December 2, 2021, the ARB reviewed plan revisions that reduced GFA, the comprehensive 3rd party gross floor area (GFA) report³ and five parking options, among other topics. The ARB unanimously supported the GFA-reduction plan changes and Parking Options D and E. Via straw poll votes, a 3-2 ARB requested to review changes to the academic building beyond the GFA reduction plans, to best address Council concerns noted in March 2021. The ARB continued its hearing to a date uncertain. The applicant submitted the Kellogg Façade Study⁴ and other drawings for the ARB meeting of March 17, 2022. The Kellogg study showed reduced overall height and introduced roof pitches and other changes to the new Academic Building.

Staff will provide a summary of the ARB's March 17, 2022 hearing and actions during the hearing presentation and a member of the ARB is invited to represent the board at the PTC meeting. The staff report⁵ and video⁶ for the ARB March 17th hearing are viewable online.

Briefly, the three voting board members recommended:

(1) *Kellogg Façade*: The ARB recommended reverting one section of the Academic Building to the prior design in the November 2021 plan set, enabling larger windows and prior proposed height for classrooms, which all five current members support. The ARB recommended changes to the middle portion of the façade in the Kellogg study, to retain a new open trellis and planter extension, and allow restoration of building height. The two new board members Council appointed on March 14th participated, signaling support for their support of the Board's action.

(2) *Hybrid Garage Option D-E*: The ARB expressed a preference for the 69-space underground parking facility shown in Option D, along with the Option E shift of Castilleja's proposed swimming pool and removal of the delivery and trash ramp/below grade service area proposed

³ Link to GFA Report on project homepage the ARB reviewed December 2, 2021

<https://www.cityofpaloalto.org/files/assets/public/planning-amp-development-services/new-development-projects/1310-bryant-street/castilleja-school-building-survey-and-gfa-111721.pdf>

⁴ Link to Kellogg Façade Study for ARB March 17, 2022 public hearing

https://www.cityofpaloalto.org/files/assets/public/planning-amp-development-services/new-development-projects/1310-bryant-street/x_projects_18043.00-castilleja-school_10-issued_22xxx-arb-kellogg-modifications_cover-diagram_211207_kellogg-roof_option-1b_nk.pdf

⁵ Link to ARB staff report for March 17, 2022 <https://www.cityofpaloalto.org/files/assets/public/agendas-minutes-reports/agendas-minutes/architectural-review-board/2022/arb-03.17.2022-Casti.pdf>

⁶ Link to ARB meeting video of March 17, 2022 <https://www.youtube.com/watch?t=5687&v=qrlr6t-E8uA&feature=youtu.be>

previously. The Option E changes are more responsive to the City Council's direction and better preserve oak trees #155 and #89 by providing greater distance (37 feet) to the pool excavation (Option E). The Board was supportive of Option E's five spaces added to surface parking areas near Bryant Street, but were not supportive of Option E's six staff-designated parking spaces on the Emerson side, noting concern for potential conflicts with bicycle parking and student pedestrians.

City Council Guidance on Text Amendment and Below Grade Parking

The Council's March 15, 2021 direction regarding underground parking rejected an interpretation offered by staff that would have exempted the parking facility from gross floor area by treating it as a "basement." The Council's March 15th motion regarding the garage was to:

- A. Treat the underground parking facility as an underground garage, not as a basement; and
- B. Return to Council with an alternative text change counting all the underground garage as floor area
 - i. Return to Council with an alternative of not counting floor area or partially counting floor area; and
 - ii. Evaluate the implication of the text change on other properties in R-1 zones.

The Council's March 29, 2021 motion supplemented this direction and stated as follows:

Direct Staff and the PTC to review an underground parking facility alternative that allows a maximum of 50 percent of the required on-site parking to be below grade without counting against the project floor area. No more than 50 percent of the required on-site parking may be located below grade."

Applicant's Letters to the PTC in 2022

The applicant submitted two letters to the PTC in 2022. The January 12th letter addressed the Council's motion and cited issues regarding the text amendment. This letter is summarized, with staff's responses, in Attachment F. The applicant's February 4th letter addresses the PTC public hearing of January 19th; the letter⁷ is viewable on the project webpage under Applicant Submittals 2022.

Project Website and Summary

The City's project website contains relevant information pertaining to the project. It includes a project description, access to prior staff reports, presentations and meeting minutes, project plans, environmental documents, public correspondence, and archived City news updates. The website is available at this address: <https://www.cityofpaloalto.org/City-Hall/Hot->

⁷ Link to Applicant Letter to PTC in February 2022 <https://www.cityofpaloalto.org/files/assets/public/planning-and-development-services/new-development-projects/1310-bryant-street/2022-0204-d.-lanferman-letter-to-ptc-re-january-19-ptc-meeting-003.pdf>

[Topics/Castilleja-School](#). The March 2021 Council staff report⁸ and City Council minutes⁹ are available online as are recent correspondence from the applicant and supplemental application material.

The proposed project, in summary, includes the phased demolition and construction of academic buildings, construction of a new subterranean garage and increased student enrollment. The existing fitness/athletic center and historic chapel/administration buildings will remain. Two residential properties owned by Castilleja on Emerson Street are no longer part of the project. To implement the project, the applicant must obtain Council approval of several planning entitlements: architectural review, a variance, and conditional use permit. Additionally, responsive to the Council's motion, a parking adjustment is requested.

On March 15, 2021, the City Council stated that a zoning text amendment should also be prepared. Council determined that below grade parking garages should count as gross floor area in the R1 zone under the City's current zoning code. The Council's March 29 motion provided further detail on the text amendment that would partially count underground parking facilities as GFA; this motion also directed that no more than 50% of the required parking spaces for Castilleja be permitted below grade, to reduce the size of the garage and minimize construction-related impacts, including potential impacts to protected trees.

The City previously prepared an environmental impact report, which found all environmental impacts, including traffic and construction related impacts, can be reasonably mitigated. Attachment H from the City's environmental consultant documents that Options D and Option E further minimize environmental effects compared to the original project and Alternative 4 project previously considered by the PTC and Council.

PTC and ARB Review Authority

The PTC in its review has authority to review and make recommendations on the conditional use permit, including a comprehensive review of the proposed TDM plan, the variance, parking adjustment, environmental impact report, and the Council-initiated text amendment. The ARB has authority to make recommendations to the City Council on the architectural review application, including various parking configurations, and make comments on the environmental impact report.

January 19, 2022 PTC Review

The PTC January 19, 2022 hearing was the third PTC hearing based solely on the December 8th staff report and public testimony on December 8th. The PTC voted to continue its review from January 19, 2022 to a date uncertain, as reflected in meeting minutes.¹⁰ Specific PTC conducted straw poll voting to guide staff and the applicant January 19th hearing. Of the ten straw polls on

⁸ March 29, 2021 Council Staff Report: <https://www.cityofpaloalto.org/files/assets/public/agendas-minutes-reports/reports/city-manager-reports-cmrs/2021/id-11180.pdf>

⁹ March 29, 2021 Council Summary Minutes: <https://www.cityofpaloalto.org/files/assets/public/agendas-minutes-reports/agendas-minutes/city-council-agendas-minutes/2021/03-29-21-ccm-summary-minutes.pdf>

¹⁰ PTC minutes of January 19, 2022 will be provided with the packet for March 30, 20220

various aspects of the seven topics, seven polls resulted in 6-0 votes, two polls were split votes, and one poll failed to get more than two votes. The polls are summarized in the next report section (Discussion) along with a summary of applicant documents submitted in 2022 and staff efforts since the January 19, 2022 PTC hearing.

December 15, 2021 PTC Review

On December 15th, the applicant provided answers to Commissioner questions, including those pertaining to the temporary campus. The applicant noted that they are open to finding an offsite temporary campus but expressed concern about this being a requirement due to space availability and finding a location that meets the school's needs.

On December 15th, the PTC received staff and applicant presentations, received public testimony, and discussed the text amendment now associated with the project. Generally, the Commission expressed a desire to review a text amendment that would have broader applicability than the narrowly applied amendment proposed by staff.

2020 PTC Review

Previous PTC reports and minutes from October 2020¹¹ and November 2020¹² reflect the project review and 4-2 vote by a prior PTC to recommend support for the variance application and split vote on the conditional use permit (with a 4-2 vote on Finding 1 and a 3-3 vote on Finding 2). The dissenting votes generally reflected a disagreement that the project complied with the City's zoning code, concerns about the proposed enrollment increase, and impacts from special events.

Discussion

Staff has updated the draft project findings and conditions of approval based on initial PTC comments from the most recent meetings. Staff recommends the Commission consider the additional information provided by the applicant, review and comment on the draft findings for the CUP and Variance and provide direction to staff on the draft conditions of approval. Commission direction on the proposed text amendment is also needed.

In addition, staff requests PTC guidance/recommendation on the following topics previously discussed at earlier meetings.

¹¹ October 28, 2020 PTC minutes: <https://www.cityofpaloalto.org/files/assets/public/agendas-minutes-reports/agendas-minutes/planning-and-transportation-commission/2020-agendas-minutes-and-staff-reports/ptc-draft-minutes-10.28.2020-bgh-revisions.pdf>

¹² November 18, 2020 PTC Staff Report: <https://www.cityofpaloalto.org/files/assets/public/agendas-minutes-reports/agendas-minutes/planning-and-transportation-commission/2020-agendas-minutes-and-staff-reports/ptc-11.18-castilleja.pdf>

November 18, 2020 PTC Minutes: <https://www.cityofpaloalto.org/files/assets/public/agendas-minutes-reports/agendas-minutes/planning-and-transportation-commission/2020-agendas-minutes-and-staff-reports/ptc-11.18.2020-bgh-revisions.pdf>

In its prior deliberation, the PTC held a series of non-binding straw poll votes to guide its discussion; those topics are provided below:

- 1 – explore a text amendment/gross floor area definition changes)
- 2 – phased enrollment increase procedure guidance
- 3 – TDM plan measures
- 4 – RPP option
- 5 – Parking options and surface parking/ adjustments
- 6 – special events
- 7 – temporary campus/construction phasing

This straw poll discussion is expanded upon below with notes where the applicant may have provided some information or responses, and with staff responses and recommendations.

Item 1: Below Grade Parking Facilities Text Amendment

Date	PTC Straw Poll (none)	Applicant's Response
December 15 th	<i>The PTC considered the draft text amendment during the December 15th hearing, but did not provide clear direction; PTC suggested staff return with a broadened draft ordinance for its consideration.</i>	The applicant submitted a letter on January 12, 2022, challenging the appropriateness of the draft ordinance. The PTC requested a staff response to those arguments, which is provided in Attachment F

Staff Response/Recommendation:

The December 8th PTC report provided background and included a draft ordinance to effectuate a text amendment which Council initiated on March 15th. Staff prepared the draft ordinance of December 8th to create a new GFA definition for below grade parking facilities in the R-1 zone district that are accessory to a non-residential use; located on a parcel greater than six acres; and where the parcel contains a listed historic resource.

On December 15th the PTC signaled its interest in a broader text amendment, meaning expanding its applicability to more parcels as opposed to the narrowly drafted staff ordinance. To have the ordinance apply to more properties, staff analyzed how many more parcels would be included at lower parcel sizes, and eliminated the requirement for listing as an historic resource. The requirement that the ordinance apply to R1-zoned properties with a non-residential use remains unchanged.

At five-acres or greater, without an historic resource listing requirement, the ordinance would apply to two properties: the subject property (Castilleja) and the Catholic Church owned, Our Lady of the Rosary parcel.

At four-acres or more, the ordinance would apply to three properties:

- St. Albert the Great Church parcel at 1093 Channing Avenue
- Our Lady of the Rosary parcel at 3233 Cowper Street
- Castilleja School campus parcel at 1310 Bryant Street

At three or more acres, four additional properties would be affected (plus the three above):

- First Congregational Church at 1985 Louis Road
- Peninsula Bible Church at 3505 Middlefield Road
- Unitarian Universalist Church at 505 East Charleston Road
- Palo Alto Family YMCA at 3412 Ross Road

At two or more acres, an additional nine properties would be affected (plus the seven properties listed above):

- Congregation Etz Chayim at 4161 Alma Street
- First Presbyterian Church at 1140 Cowper
- Palo Alto First Christian Church and Keys Elementary School at 2890 Middlefield Rd
- Aldersgate United Methodist Church at 4243 Manuela Avenue
- St. Mark's Episcopal Church 580/600 Colorado Avenue
- Grace Lutheran Church at 3149 Waverley Street
- The Church of Jesus Christ of Latter-Day Saints at 3865 Middlefield Road
- Greenmeadow Pool & Community Center, Montessori School at 303 Parkside Drive
- Palo Alto Little League Clubhouse/Ballfield at 3672 Middlefield Road

As a reminder, in the R1 zone, the following non-residential uses are conditionally permitted:

- Community centers
- Commercial recreation
- Religious Institutions
- Private educational facilities
- Outdoor recreation services
- Day care centers
- Large adult day care homes

The draft ordinance (Attachment E) continues to include the requirement for a minimum parcel size of six acres with a listed historic resource. If the draft ordinance or one of the above options is preferable, the PTC can provide this guidance to staff in the form of a motion. The ordinance will be revised in accordance with the Commission's direction and forwarded to the City Council for its consideration.

Item 2: Phased Enrollment

January 19th PTC Straw Poll	Applicant's Response
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Three PTC members supported the Council's proposal to increase enrollment to 450 immediately via this CUP; however, they did not support an increase in enrollment for two years –suggesting Council require a new CUP application (Chang, Lauing, Summa) at that time. The other three members favored an approach that established parameters through the conditional use permit to allow increased enrollment if certain conditions were met (Hechtman, Roohparvar, Templeton).

The applicant prepared a letter dated February 4, 2022¹³ addressing several topics including this straw poll topic. The applicant urges the Commission to establish a methodology to increase student enrollment as opposed to requiring a CUP for future increases.

Staff Response/Recommendation:

The applicant's submittal (Attachment A) addressed questions raised by the PTC about the interplay between enrollment growth, TDM measures, penalties and the impact on enrollment. The materials provide visual representations of the requirements under an assumed set of conditions and the draft TDM plan.

The December 8th report noted that City Council asked staff and the PTC to identify a procedure that would allow Castilleja to increase enrollment up to 540 students from a starting enrollment of 450 students, contingent on their verified compliance with a requirement for "no net new trips," and other TDM measures. The report described that the PTC's previously recommended conditions of approval (COA) included such a procedure prior to phased enrollment increases of 25 students.

Based on the Commission's split vote on this topic, staff offers the following comments as means to encourage Commissioners to come to a majority perspective, to assist the City Council in its deliberation.

Staff does not support the recommendation to return to the PTC each time Castilleja seeks to increase student enrollment. There is ample opportunity embedded in the draft conditions of approval to schedule hearings before the PTC if the school operation is found to be in violation with conditions of approval or generates unforeseen impacts. Staff believes it was the Council's intent to find a way to allow for enrollment increases to occur in a relatively predictable and automatic manner, up to the maximum enrollment cap, provided specific performance measures were met. Moreover, scheduling CUP hearings before the PTC will require significant staff resources and may continue to stoke resentment and frustration among residents and the school each time a request is made until the cap is achieved. Such an approach would likely encourage Castilleja to seek greater enrollment increases due to the cost associated with processing the application and time it takes to receive a decision. This higher enrollment would

¹³ Applicant letter, dated February 4, 2022: <https://www.cityofpaloalto.org/files/assets/public/planning-amp-development-services/new-development-projects/1310-bryant-street/2022-0204-d.-lanferman-letter-to-ptc-re-january-19-ptc-meeting-003.pdf>

be counter to the recommended approach, which allows for modest increases where traffic impacts can be monitored, and adjustments can be made to minimize neighborhood impacts.

The PTC and City Council previously considered an approach to enrollment increases that relied on meeting certain milestones (finishing the garage) and performance standards (no net new trips). The recommended student increase at any one time was about 25 students subject to meeting AM Peak and average daily trip (ADT) metrics in three reporting periods during the academic year.

There have been some questions about when Castilleja would be allowed to increase enrollment depending on the reporting schedule and the start of the next academic year.

If the subject CUP is approved, the soonest Castilleja would be able to increase its enrollment to 450 students (based on the Council motion) would likely be the 2023-2024 academic year, since enrollment offers have or will shortly be sent out for the 2022-2023 academic year. The staff recommended approach is to allow an increase of 25 students each year thereafter until the 540 cap is achieved - and provided Castilleja consistently demonstrates compliance with the AM Peak and ADT performance targets for the three preceding reporting periods before Castilleja sends out enrollment offers to prospective students. The table below summarizes this increase over time and assumes 100% compliance with reporting targets.

Academic Year	Maximum Enrollment	Allowed Increase Compared to Prior Year	Reporting Period Compliance Reports
2021-2022	422	-4	NA
2022-2023	418	varies	NA
2023-2024	450	varies	January 2024 September 2023 May 2023
2024-2025	475	25	January 2025 September 2024 May 2024
2025-2026	500	25	January 2026 September 2025 May 2025
2026-2027	525	25	January 2027 September 2026 May 2026
2027-2028	540	15	January 2028 September 2027 May 2027
2028-2029	540	0	January 2029 September 2028 May 2028

With this approach, compliance with vehicle trip performance metrics is based on two reports, using the previous academic year's lower enrollment data (September and May), and one report using the current, higher enrollment data (January). For example, in academic year 2026-2027 with an enrollment of 525 students, the ability to increase 25 students in the next academic year (2027-2028) depends on meeting the trip target requirements in two performance reports based on the prior academic year's enrollment level (May 2026 and September 2026, both at 500 students) and one current academic year performance report (January 2027 at 525 students).

The performance reports will document Castilleja's compliance meeting the AM Peak limit of 383 trips and the ADT target of 1198 average tips. This data will be averaged over the reporting period. As traffic is variable, there may be some days where AM Peak or ADT is exceeded, but these data points, when averaged together, must be at or below the target thresholds in order to demonstrate compliance. Three times a year these reports will be reviewed for compliance.

As an alternative to the above, the PTC could consider phasing enrollment. The Council indicated 450 students could begin upon adoption of the CUP and scale up to 540 students over time. After an initial increase to 450 students, another increase could begin following

completion of the subterranean garage and again upon project completion or annually after garage completion upon demonstrated compliance with performance metrics.

Another alternative could limit enrollment increases to every other year, which would effectively ensure that each performance report was based on the higher student enrollment number, instead of just one report with the recommended approach.

The Commission may have other suggestions, but staff would encourage a recommendation to Council that provides some measure of predictability and expectation for the benefit of the public and applicant, instead of relying on a discretionary process such as amending the CUP for each enrollment increase.

Item 3: TDM plan measures

There were several straw polls the PTC conducted regarding the TDM program:

January 19th PTC Straw Polls	Applicant's Response
<i>6-0: Streamlining of corrective actions to violations. To see a hypothetical schedule of the correction actions under the TDM up to the point where the City would first have the right under the TDM to impose a corrective action.</i>	The applicant provided a slide deck presentation (Attachment A) to illustrate how corrective action under the conceptual TDM plan would work; it assumes a certain enrollment schedule and a set of TDM measures that may be modified through the public hearing process.

There are various mechanisms in the conditional use permit to impose corrective action administratively and through discretionary review by the PTC, if needed. Some corrective actions can be quickly implemented; others are addressed over time, based on the type of violation. The Council in its review expressed a concern about the delay related to reduced enrollment as a penalty for repeated violations for missing performance targets and expressed interest in a more immediate resolution. Adjusting student enrollment is not a quick enforcement action, since it would limit the number of students Castilleja could enroll at a future academic year. The implications of this penalty are significant and viewed by staff as part of a few options that could be employed as a last resort.

To address the City Council's comments about more timely resolution to performance target compliance, staff proposes a meaningful shift to the condition that allows additional TDM measures to be imposed to address compliance violations. As previously reviewed by the PTC and City Council, the applicant was authorized to make TDM adjustments to improve conditions and mitigate the performance metric violation. The revised conditions shift that authority to the City to identify and require additional TDM measures to address the violation. Some adjustment may be minor in scope and cost, others could have more significant implications related to increased shuttle service or restricting juniors from driving to school, for instance. See Condition 34.

<i>6-0: Return with information as to how neighborhood resident members of the oversight committee might be selected.</i>	No response requested of the applicant; staff discussed below.
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Condition 33 has been added to the draft conditions of approval to add the requirement for an TDM oversight committee. The parameters of this committee can be modified as appropriate based on the PTC's feedback and recommendations.

<i>6-0: Members in favor of reducing required parking spaces based on a sufficient TDM</i>	No action required of the applicant; staff response below.
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The Council supported, and PTC has reviewed, plans for a redesign of the subterranean parking garage and surface parking. Staff supports Option E as design option that appears to be most aligned with the City Council's direction. The PTC in its straw poll vote seemed to similarly endorse a parking reduction based on a robust TDM plan.

<i>6-0: Return with update to TDM program Page 26 for PTC to react to.</i>	The applicant also adjusted the TDM plan document to eliminate the inconsistency regarding the word cumulative and for clarity and consistency. Included in the revisions are changes required for operational feasibility.
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The applicant has updated the TDM plan document and staff updated the draft conditions accordingly. Staff recommends the PTC review these changes and provide direction as appropriate.

Item 4: RPP option

January 19th PTC Straw Poll	Applicant's Response
6-0: PTC feels RPP should be resident initiated and if residents want to initiate the RPP in this area, they can do so when that time comes.	No response required

Staff concurs with the PTC recommendation.

Item 5: Parking options and parking adjustment

January 19th PTC Straw Poll	Applicant's Response
2-4: Staff provide a high-level comparison of the many benefits and detriments of Option E compared to Option D (failed); members noted in comments Option E preserved more trees and only proposed 50% of required parking below grade so was preferred to meet Council direction	No response required; the PTC majority did not feel the need to study this further

This straw poll failed to receive majority support; no further action has been taken.

Item 6: Special events

Date	PTC Straw Poll 6-0	Applicant's Response
January 19 th	<i>The PTC voted 6-0 in a straw poll to have staff work with the applicant on a more detailed version of the events table; with the day or days of the week events occur and hours the events occur. To confirm the 70 plus 5 major events expecting 50 or more people. To separately categorize, working with the applicant - among these 70, ones that would fall into the admission/operational type special events. And whether it's evenings and weekends or not. To add a column that checks a box that says evening or weekend.</i>	The applicant provided the "Detailed Events" matrix and the "Events: Comparable Bay Area School" matrix ¹⁴ . The applicant also provided Events Summary ¹⁵ and Events Tracker for 2021-22. All are on the project webpage.

The applicant provided supplemental information related to special events. In summary, the applicant proposes:

- Five 'major events': two weekend, two weekday, one weekday evening; three are school operations; two are school functions.
- 37 evening events; 1 is a 'major', 33 are 100+ attendees, 11 are 50-100 attendees
- 14 weekend events, two of which are 'major', 9 are 100+ attendees, 3 are 50-100
- 68 for school operations (of these, 33 are evening, 23 are weekday, 12 are weekend)
- 10 school function events (of these, 4 are evening, 4 are weekday, 2 are weekend)

The applicant has provided a comprehensive list; it is viewable on the applicant submittals page as previously noted.¹⁶ The applicant's list includes the following schools:

- High schools (Palo Alto High, Crystal Springs Uplands, Nueva),
- Middle school-High schools (Pinewood Upper Campus, Menlo School),
- K-12 schools (Sacred Heart, Head Royce),
- Middle schools (Crystal Springs Uplands, Girls Middle School,
- K-8 schools (Hillbrook, Nueva, Stratford, St. Elizabeth Seton)
- K-4 schools and 5-8 schools (Keys)

Many of the schools on the list do not restrict special events in approval conditions. The closest school to Castilleja is Palo Alto High School, which has over 100 events of 50+ attendees, and 25 weekend events.

¹⁴ Link to Events: Comparable Bay Area School matrix https://www.cityofpaloalto.org/files/assets/public/planning-amp-development-services/new-development-projects/1310-bryant-street/events_bay-area-schools_20220204.pdf

¹⁵ Link to Events Summary 21-22: <https://www.cityofpaloalto.org/files/assets/public/planning-amp-development-services/new-development-projects/1310-bryant-street/castilleja-annual-event-summary-20212022.pdf>

¹⁶ Link to Events: Comparable Bay Area schools https://www.cityofpaloalto.org/files/assets/public/planning-amp-development-services/new-development-projects/1310-bryant-street/events_bay-area-schools_20220204.pdf

Related to this topic was the Council's motion directing staff to provide information on CUP's from other private schools. Staff is continuing its effort to compile this information and is sharing its draft results with the PTC and community, to the extent it helps inform the PTC's deliberation. This document is provided in Attachment G.

Item 7: Temporary campus

The PTC did not request further information and applicant did not submit any further information. The topic was briefly discussed during the December 15th PTC discussion.

Next Steps

Staff requests the PTC receive staff and applicant presentations and public testimony. To the extent time permits, the Commission may ask questions of staff and the applicant and as able begin to deliberate on the straw poll items above, the updated CUP and variance findings, and revised conditions. It is anticipated the PTC would continue the meeting to April 20 to conclude its deliberation and make formal recommendations to the City Council or provide further direction to staff as appropriate.

Environmental Review

An environmental impact report and mitigation monitoring and reporting program were prepared for this project and shared with the City Council. This is the link <https://www.cityofpaloalto.org/News-Articles/Planning-and-Development-Services/Castilleja-Environmental-Documents> to the environmental documents webpage for the project. Attached to this report is a memorandum (Attachment H) prepared by the City's environmental consultant to address the relative environmental effects of both options as compared to Project Alternative 4, the Disbursed Circulation/Reduced Garage Alternative (the preferred alternative previously presented to the City Council and Planning and Transportation Commission). Neither Scheme D nor Scheme E would increase the adverse environmental impacts of the project compared to Project Alternative 4.

Public Notification, Outreach & Comments

The Palo Alto Municipal Code requires notice of this public hearing be published in a local paper and mailed to owners and occupants of property within 600 feet of the subject property at least ten days in advance. Notice of a public hearing for this project was published in the *Daily Post* on March 18th which is 12 days in advance of the meeting. Postcard mailing occurred on March 15th which is 16 days in advance of the meeting.

Additionally, staff maintains an email list of individuals that have expressed an interest in the project. Staff notified those recipients of the subject hearing a month in advance.

Public Comments¹⁷

¹⁷ Emails may be sent directly to the PTC using the following address: ptc@cityofpaloalto.org

As of the writing of this report, several public comments were received. All letters to the PTC will be forwarded to the PTC. The public comments to the ARB, PTC and City Council related to the upcoming hearings will be uploaded to this page: <https://www.cityofpaloalto.org/Departments/Planning-Development-Services/Current-Planning/Pending-and-Approved-Projects/Approved-Projects/Castilleja-School/Castilleja-School-Public-Comments>. Recent public comments to the ARB are viewable here: <https://www.cityofpaloalto.org/files/assets/public/agendas-minutes-reports/agendas-minutes/architectural-review-board/2022/arb-03.11.2022-casti-public-comments.pdf>

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Attachments:

- Attachment A: Enrollment and TDM for PTC PDF (PDF)
- Attachment B: CUP and Variance Findings and Conditions for March 30 2022 PTC Report (DOCX)
- Attachment C: PTC January 19, 2022 summary minutes DRAFT (PDF)
- Attachment D: December 15 PTC draft excerpt verbatim minutes (DOCX)
- Attachment E: Prior Draft Ordinance Amending Definition of Gross Floor Area (PDF)
- Attachment F: Staff Analysis of Applicant January 12 Letter (DOCX)
- Attachment G: Bay Area High Schools Comparison in Response to City Council Request in March 2021 (DOCX)
- Attachment H: Dudek CEQA Review Options D and E (PDF)

Enrollment and TDM

Response to Planning and Transportation
Commission Request

TDM Performance and Penalties From Preliminary TDM Plan

Phase 1: Between CUP Approval and Attainment of the Maximum Enrollment for Two Consecutive Years
Three TDM Monitoring Reports Per Year (January 15, May 15 and September 15)

Violation	Consequence
1st report showing an average daily AM peak hour trip count above 383	Add an additional TDM measure as determined by the Director of Planning and Development Services in consultation with the Chief Transportation Official and Castilleja.
2nd consecutive report showing an average daily AM peak hour trip count above 383	Add a more intensive TDM measure as determined by the Director of Planning and Development Services in consultation with the Chief Transportation Official and Castilleja.
3rd consecutive report showing an average daily AM peak hour trip count above 383	Reduce enrollment by at least five (5) students or more as reasonably determined necessary by the Director of Planning and Development Services in consultation with Chief Transportation Official and Castilleja to ensure attainment in next admission cycle. The parties will meet and confer to determine whether such further reduction is appropriate and how to reasonably effectuate any reduction beyond five (5) students. ¹

1.If Castilleja comes back into and maintains compliance for three consecutive reports, Castilleja may resume increasing by 25 students per year and compliance tracking will continue.

Phase 2: Following Attainment of Maximum Enrollment for Two Consecutive Years
Two TDM Monitoring Reports Per Year (February 15 and August 1)

Scenario	Violation	Consequence
1a.	1st report showing an average daily AM peak hour trip count above 383 and/or average daily trip count above 1,198	Add an additional TDM measure as determined by the Director of Planning and Development Services in consultation with the Chief Transportation Official and Castilleja.
1b.	2nd consecutive report showing an average daily AM peak hour trip count above 383 and/or average daily trip count above 1,198	Add a more intensive TDM measure as determined by the Director of Planning and Development Services in consultation with the Chief Transportation Official and Castilleja.
1c.	3rd consecutive report showing an average daily AM peak hour trip count above 383 and/or average daily trip count above 1,198	Reduce enrollment by at least five (5) students or more as reasonably determined necessary by the Director of Planning and Development Services in consultation with Chief Transportation Official and Castilleja to ensure attainment in next admission cycle. The parties will meet and confer to determine whether such further reduction is appropriate and how to reasonably effectuate any reduction beyond five (5) students. ¹
2.	If one report in a calendar year (February 15 or August 1) showed an exceedance of either the average daily AM peak hour or average daily trip count and one or two reports in the next calendar year show an average daily AM peak hour trip count above 383 and/or average daily trip count above 1,198	Implement more intensive TDM measures as determined by the Director of Planning and Development Services in consultation with the Chief Transportation Official and Castilleja.
3.	If one report in a calendar year (February 15 or August 1) showed an exceedance of either the average daily AM peak hour or average daily trip count and three consecutive reports in the next two calendar years (February 15, August 1 and February 15) show an average daily AM peak hour trip count above 383 and/or average daily trip count above 1,198	Reduce enrollment by up to 5% in the next admission cycle or by up to 10% over the next two admission cycles combined as reasonably determined necessary by the Director of Planning and Development Services in consultation with Chief Transportation Official and Castilleja to ensure attainment of the average daily AM peak hour and average daily trip count standards. The parties will meet and confer to determine whether and how to reasonably effectuate a reduction beyond the above percentages. ¹

1. If Castilleja comes back into and maintains compliance for three consecutive reports, Castilleja may increase its enrollment in the next admission cycle by the same number of students as the reduction, and compliance tracking will begin anew.

Independent School Admissions Cycle



Key Admissions Milestones*

- **September** Admission process begins for the following school year
 - i.e. in September 2021 the admissions process begins for the 2022-23 school year
- **Mid-March** School extends enrollment offers
- **Late March** Families commit to the school by signing an enrollment contract
- **April – July** Occasionally, families decide to withdraw their student and a wait listed student is offered admission
 - During this period enrollment could be increased (in the case of CUP approval of 450) or decreased (in case of trip limit exceedance)

*Key Admissions dates are set by a consortium of Bay Area independent schools.

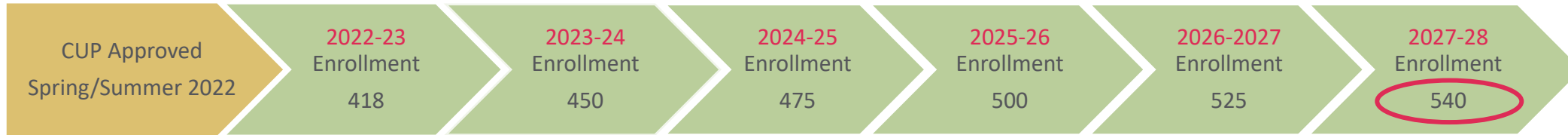
Enrollment Increase Protocols

CUP Enrollment Increase Protocols

- Increase to 450 students at time of approval
 - This could happen as much as 15 months after approval depending on the timing of the approval relative to admissions cycle, e.g. if CUP approval is granted in June, enrollment would reach 450 14 months later
- Increase by 25 students a year to 540 as long as School is in compliance with TDM requirements
- Three TDM reports a year until School:
 - Reaches 540 students
 - Completes two consecutive years without exceeding CUP limits for average daily peak car trips

Admission Increase Scenarios

Increase by 25 students every year: No Instances of 3 Consecutive Peak Trip Limit Violations



In the case of peak trip violations, there are many enrollment scenarios. The following are meant to be illustrative, depicting two of many possibilities – one shows ultimately arriving at 540 (with a delay) and the other depicts prolonged enrollment decline:

Single Decrease in Enrollment due to 3 Consecutive Peak Trip Limit Violations



Multiple Decreases in Enrollment due to Multiple Instances of 3 Consecutive Peak Trip Limit Violations



* Circled figures represent 2027-28 enrollment in each of the three scenarios.

TDM Performance Penalties and Impact on Enrollment

From Preliminary TDM Plan

Violation	Consequence
1st report showing an average daily AM peak hour trip count above 383	Add an additional TDM measure as determined by the Director of Planning and Development Services in consultation with the Chief Transportation Official and Castilleja.
2nd consecutive report showing an average daily AM peak hour trip count above 383	Add a more intensive TDM measure as determined by the Director of Planning and Development Services in consultation with the Chief Transportation Official and Castilleja.
3rd consecutive report showing an average daily AM peak hour trip count above 383	Reduce enrollment by at least five (5) students or more as reasonably determined necessary by the Director of Planning and Development Services in consultation with Chief Transportation Official and Castilleja to ensure attainment in next admission cycle. The parties will meet and confer to determine whether such further reduction is appropriate and how to reasonably effectuate any reduction beyond five (5) students. ¹

1.If Castilleja comes back into and maintains compliance for three consecutive reports, Castilleja may resume increasing by 25 students per year and compliance tracking will continue.

Phase 1

Between CUP Approval and Attainment of Maximum Enrollment for Two Consecutive Years

Three Consecutive Violations

First Violation in January Report

Year 1: January

- First violation of average daily AM peak trip limit
- Add TDM Measure as determined by City of Palo Alto

Year 1: May

- Second consecutive violation of average daily AM peak trip limit
- Add More Intensive TDM Measure as determined by City of Palo Alto

Year 1: September

- 3rd consecutive violation of average daily AM peak trip limit
- School underway – reduction in next admissions cycle

Year 2: August

- Reduce enrollment by five students or more

Time between 3rd
consecutive violation
and enrollment
reduction: 11 months

Three Consecutive Violations First Violation in May Report

Year 1: January

- In compliance

Year 1: May

- First violation of average daily peak trip limit
- Add TDM Measure as determined by City of Palo Alto

Year 1:
September

- Second consecutive violation of average daily peak trip limit
- Add More Intensive TDM Measure as determined by City of Palo Alto

Year 2: January

- 3rd consecutive violation of average daily peak trip limit
- In midst of admissions cycle – enrollment adjustment can be made in current cycle

Year 2: August

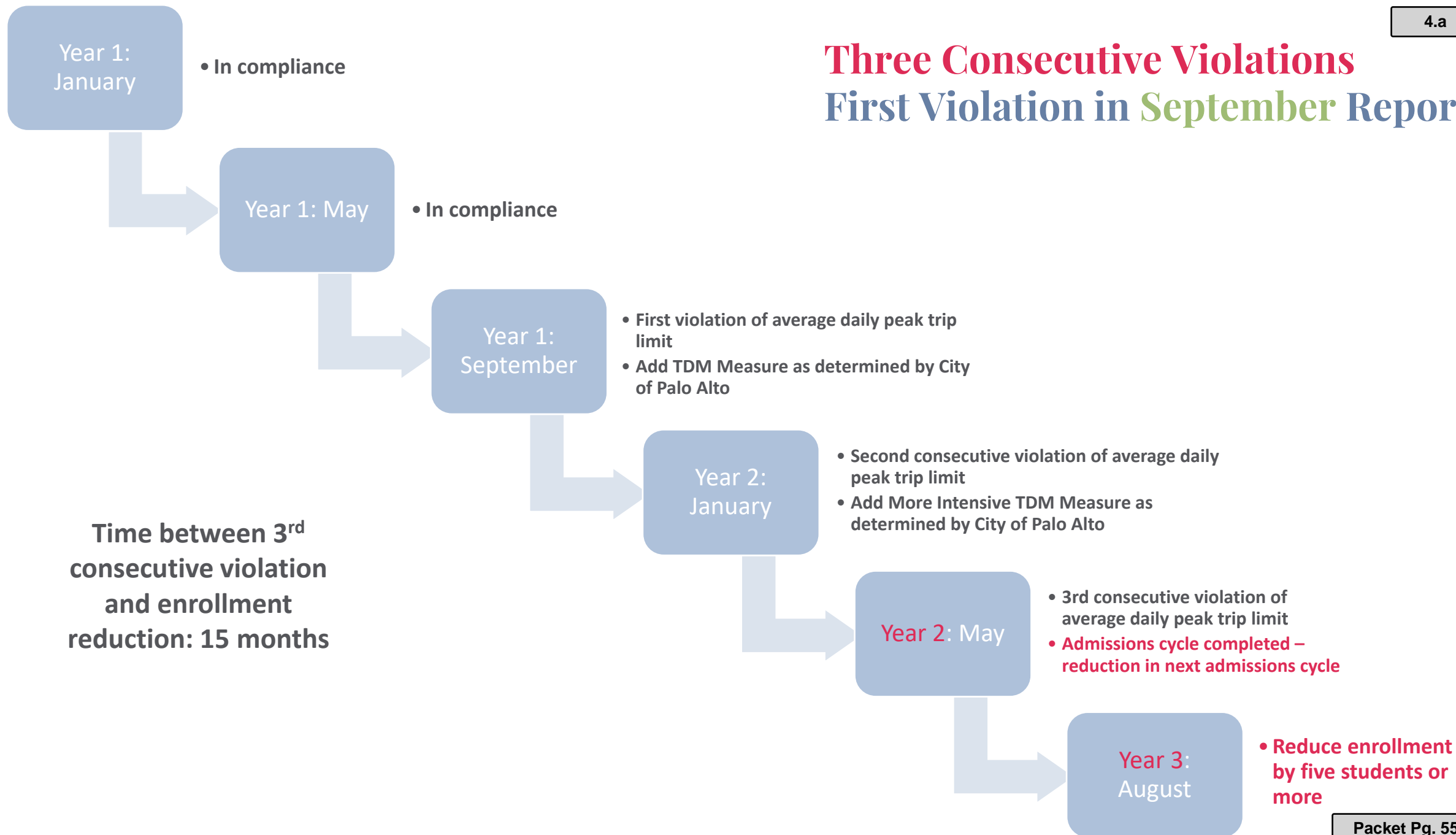
- Reduce enrollment by five students or more

Time between 3rd
consecutive violation
and enrollment
reduction: 8 months

Three Consecutive Violations

First Violation in September Report

Time between 3rd
consecutive violation
and enrollment
reduction: 15 months



Scenario	Violation	Consequence
1a.	1st report showing an average daily AM peak hour trip count above 383 and/or average daily trip count above 1,198	Add an additional TDM measure as determined by the Director of Planning and Development Services in consultation with the Chief Transportation Official and Castilleja.
1b.	2nd consecutive report showing an average daily AM peak hour trip count above 383 and/or average daily trip count above 1,198	Add a more intensive TDM measure as determined by the Director of Planning and Development Services in consultation with the Chief Transportation Official and Castilleja.
1c.	3rd consecutive report showing an average daily AM peak hour trip count above 383 and/or average daily trip count above 1,198	Reduce enrollment by at least five (5) students or more as reasonably determined necessary by the Director of Planning and Development Services in consultation with Chief Transportation Official and Castilleja to ensure attainment in next admission cycle. The parties will meet and confer to determine whether such further reduction is appropriate and how to reasonably effectuate any reduction beyond five (5) students. ¹
2.	If one report in a calendar year (February 15 or August 1) showed an exceedance of either the average daily AM peak hour or average daily trip count and one or two reports in the next calendar year show an average daily AM peak hour trip count above 383 and/or average daily trip count above 1,198	Implement more intensive TDM measures as determined by the Director of Planning and Development Services in consultation with the Chief Transportation Official and Castilleja.
3.	If one report in a calendar year (February 15 or August 1) showed an exceedance of either the average daily AM peak hour or average daily trip count and three consecutive reports in the next two calendar years (February 15, August 1 and February 15) show an average daily AM peak hour trip count above 383 and/or average daily trip count above 1,198	Reduce enrollment by up to 5% in the next admission cycle or by up to 10% over the next two admission cycles combined as reasonably determined necessary by the Director of Planning and Development Services in consultation with Chief Transportation Official and Castilleja to ensure attainment of the average daily AM peak hour and average daily trip count standards. The parties will meet and confer to determine whether and how to reasonably effectuate a reduction beyond the above percentages. ¹

1. If Castilleja comes back into and maintains compliance for three consecutive reports, Castilleja may increase its enrollment in the next admission cycle by the same number of students as the reduction, and compliance tracking will begin anew.

Phase 2

Following Attainment of Maximum Enrollment for Two Consecutive Years

Scenario 1: Three Consecutive Violations First Violation in February Report

Year 1: February

1a

- First violation of average daily peak trip limit and/or average daily trip limit
- Add TDM Measure as determined by City of Palo Alto

Year 1: August

1
b

- Second consecutive violation of average daily peak trip limit and/or average daily trip limit
- Add more Intensive TDM Measure as determined by City of Palo Alto

Year 2: February

- 3rd consecutive violation of average daily peak trip limit and/or average daily trip limit
- In midst of admissions cycle – enrollment adjustment can be made in current cycle

1c

Year 2: August

- Reduce enrollment by five students or more

Time between 3rd
consecutive violation
and enrollment
reduction: 6 months

Scenario 1: Three Consecutive Violations First Violation in August Report

Year 1: February

- In compliance

Year 1: August

1a

- First violation of average daily peak trip limit and/or average daily trip limit
- Add TDM Measure as determined by City of Palo Alto

Year 2: February

1
b

- Second consecutive violation of average daily peak trip limit and/or average daily trip limit
- Add More Intensive TDM Measure as determined by City of Palo Alto

Year 2: August

- 3rd consecutive violation of average daily peak trip limit and/or average daily trip limit
- School underway – reduction in next admissions cycle

1c

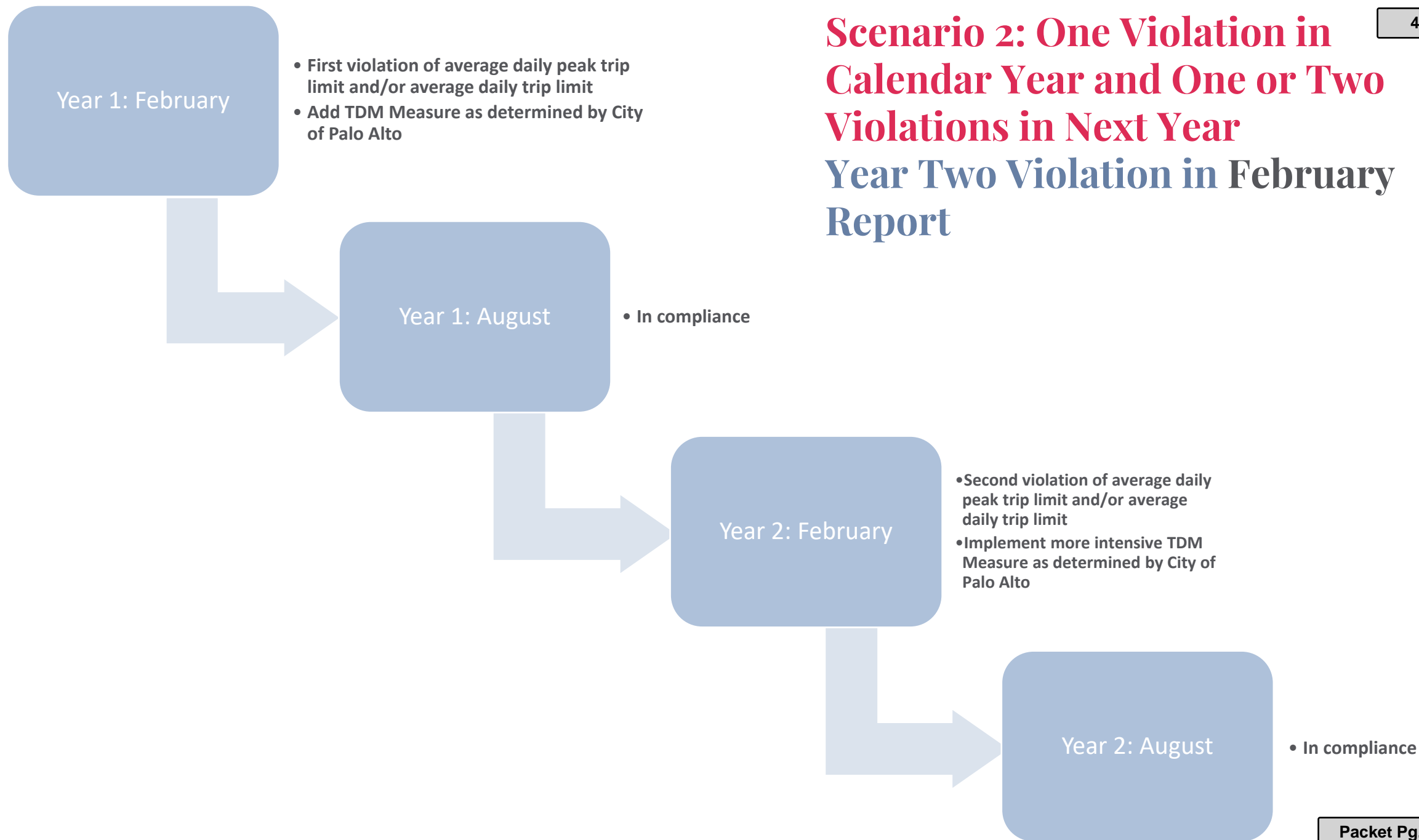
Year 3: August

- Reduce enrollment by five students or more

Time between 3rd
consecutive violation
and enrollment
reduction: 12 months

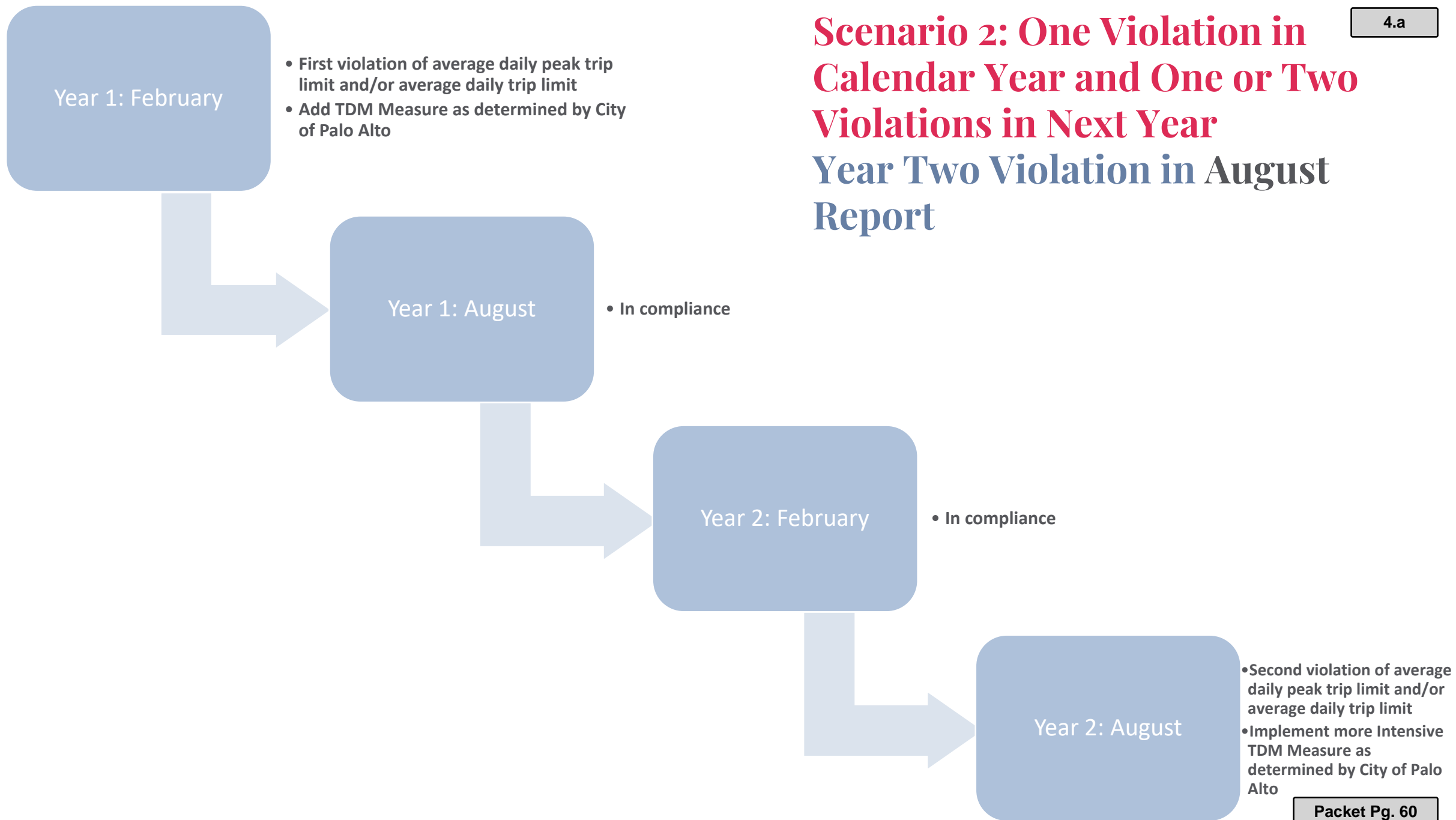
Scenario 2: One Violation in Calendar Year and One or Two Violations in Next Year

Year Two Violation in February Report



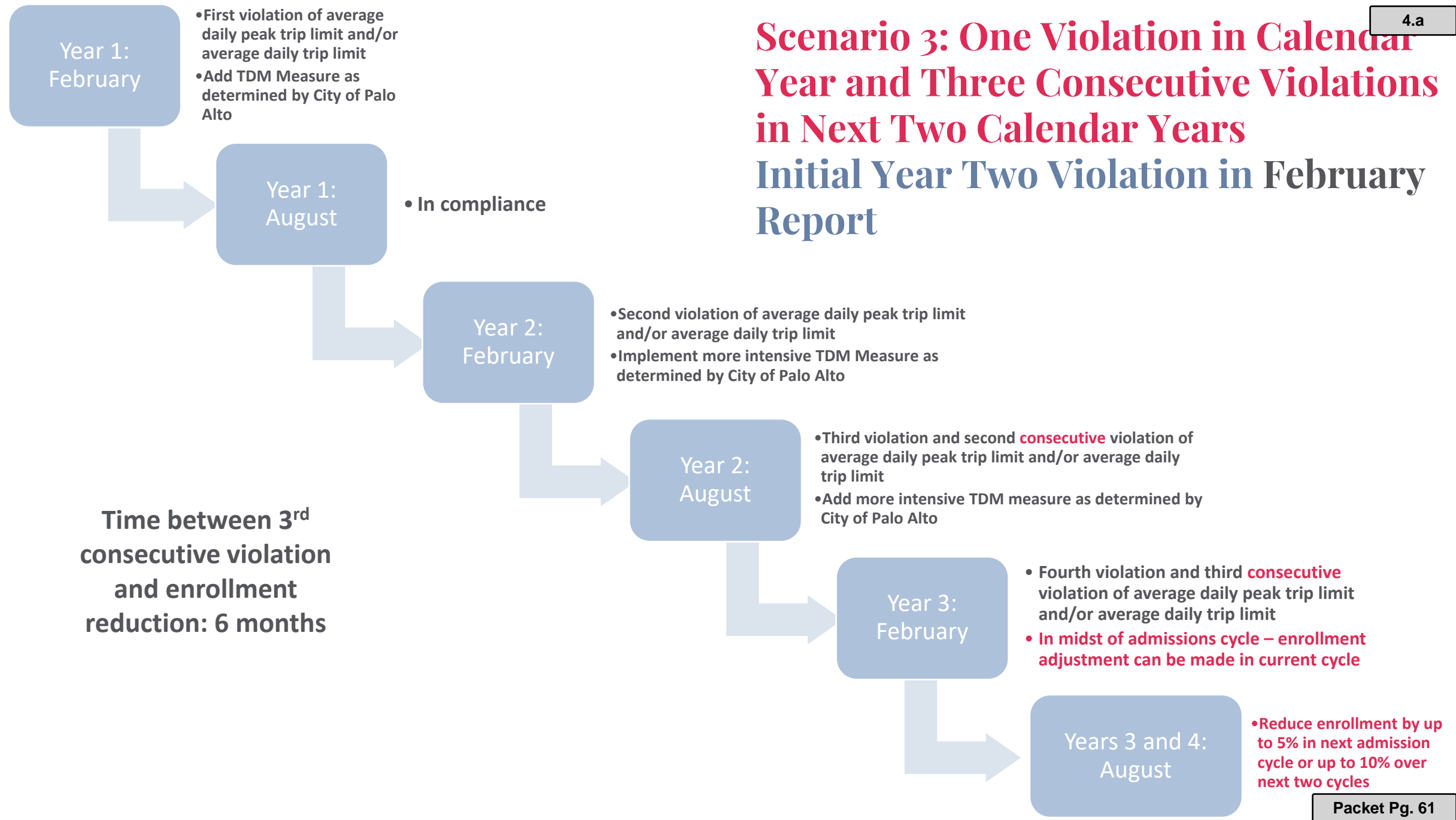
Scenario 2: One Violation in Calendar Year and One or Two Violations in Next Year

Year Two Violation in August Report



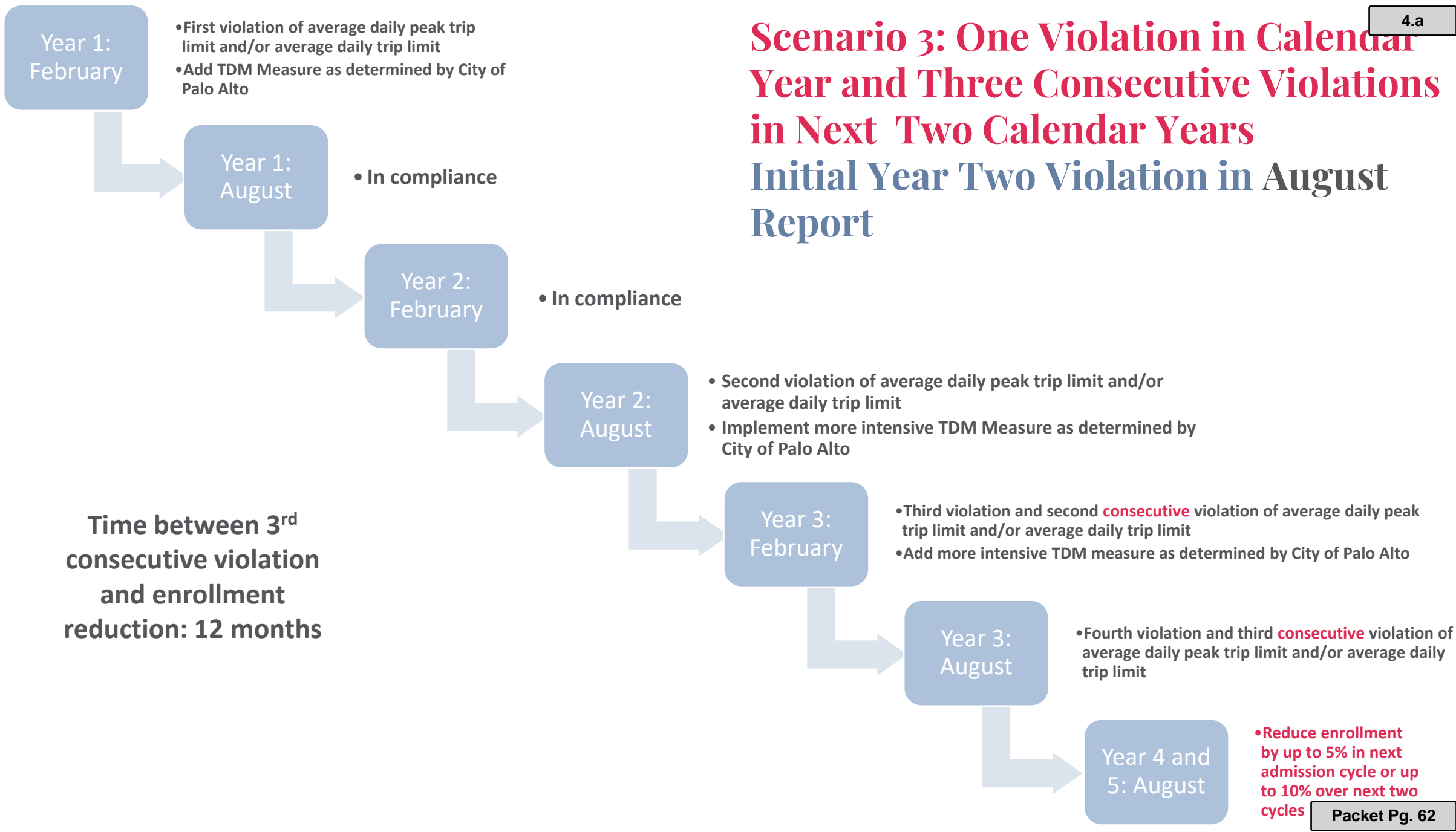
Scenario 3: One Violation in Calendar Year and Three Consecutive Violations in Next Two Calendar Years

Initial Year Two Violation in February Report



Scenario 3: One Violation in Calendar Year and Three Consecutive Violations in Next Two Calendar Years

Initial Year Two Violation in August Report



DRAFT
1310 BRYANT STREET (CASTILLEJA)
CONDITIONAL USE PERMIT AND VARIANCE 16PLN-00238
FOR COUNCIL ACTION ON VERSION 'PROJECT ALTERNATIVE #4' MODIFIED WITH 'OPTION E'
Strike out text for deletions, Double underline for additions

EXCERPT OF RLUA FROM MARCH 2021 - SECTION 6. Conditional Use Permit (CUP)
Findings.

The following findings for a Conditional Use Permit are made pursuant to PAMC Section 18.76.010 and subject to Conditions of Approval in this Record of Land Use Action:

1. *The proposed use at the proposed location will not be detrimental or injurious to property or improvements in the vicinity, and will not be detrimental to the public health, safety, general welfare or convenience:*
 - A. Castilleja is a private school, in existence in its current location since 1910, prior to the City's requirement for CUP approvals for private schools in R-1 zones. Campus modifications and operations have been subject to CUPs issued since the 1960s, as follows:
 - 1960 CUP and Variance for 41' tall, three-story dormitory exceeding R1 height limit; classrooms, administrative offices, auditorium, library, dorm kitchen, dining room, social room, gymnasium, pool, tennis courts, caretaker quarters, shop, and garage.
 - 1970's CUPs traffic condition, chapel addition requiring 52 parking spaces, designated student pick-up and delivery areas, and compliance with prior CUP
 - 1990's CUPs sixth grade class added back, Melville Avenue abandonment, use of the abandoned area, creation of 28-space parking lot, multi-use field; TDM required; conversion of a dormitory into a library, classrooms and offices for a maximum of 385 students (154 middle school and 231 high school by the year 2000), requiring an amendment to exceed 385 students
 - 2000's CUPs increased the allowable enrollment to 415 students, implemented TDM program, added basement below the physical arts building (ARB)
 - B. Over nine ~~eight~~ years of fall and spring TDM program monitoring, Castilleja has demonstrated the school is capable of reducing peak hour trips and maintaining these reductions. Since the monitoring began in 2012, Castilleja has achieved a reduction of 28% of the trips in the morning peak hour.
 - C. In 2013 and 2017, the City began enforcement actions for violations of the 2000 CUP related to enrollment and events, respectively. Castilleja School has worked cooperatively with the City to gradually reduce enrollment and lessen the impact of events on the surrounding neighborhood.
 - D. Project Alternative #4, as modified by site improvement plan and identified in the administrative record as Option E:
 - a. Does not change the campus parcel size,
 - b. Does not increase the degree of nonconformity with respect to maximum lot size within the R-1(10,000) zone

- c. Proposes a replacement academic building to meet the R-1 Zone height limit of 30 feet, whereas the existing 34'8" tall building to be demolished in this location does not meet the R-1 Zone height limit
 - d. Expands usable (habitable) basement area within the Academic Building, and replaces and slightly reduces existing above ground Gross Floor Area (GFA), to decrease the degree of non-conformity with respect to campus GFA and Floor Area Ratio (FAR);
 - e. Demolishes non-historic buildings and proposes site improvements and buildings that would be more compatible than the existing buildings with the residential character of the area, given materials and landscaping relevant to the residential context, i.e., materials, colors, and details would be compatible with the remaining, existing structures on the site such that the overall campus would have a unified and coherent design.
 - f. Further improves the visual character of the site and its compatibility with the surrounding residential neighborhood compared to the existing conditions by:
 - i. reducing the amount of at-grade parking, both on-street and off-street,
 - ii. relocating bus loading and unloading to the Circle.
 - g. Includes pedestrian scale fencing and gates to provide several paths of ingress and egress for students, staff and visitors, including convenient bicycle parking.
 - h. Incorporates elements that meet the City's sustainability goals, such as rooftop photovoltaics, energy efficiency, and water-use efficiency, in addition to meeting current building and seismic codes
 - i. ~~Improves compliance with the City's parking requirements, whereas t~~ The existing campus on-site automobile parking facilities do not meet the code requirements for on-site parking for private school facilities. The City Council directed the project to contain no more than 50% of code-required on-site parking spaces below grade, related to the robust TDM program with 'no net new trips' recommended by the Planning and Transportation Commission. Project Alternative #4's proposed parking facilities, without implementation of Option E, would have met ~~will meet~~ the required number of spaces: 104 non-tandem spaces - located in two surface lots (at 13 spaces each) and in one underground parking facility (78 spaces, non-tandem). Parking Option E, subject to approval of a Parking Adjustment, reduces below grade parking spaces by 26 spaces (to 52 spaces) with associated removal of 8,186 sf of basement area, and adds 11 surface spaces to the 26 surface spaces of Project Alternative #4 – resulting in a total of 89 on-site spaces (a 15- space reduction in on-site spaces); this reduces on-site parking spaces by 14.4% associated with the proposed robust TDM program.
 - j. Improves bicycle parking spaces (an increase from 102 spaces to 140 spaces);
 - k. Does not increase the number of peak hour trips with implementation of the Enhanced TDM program and mitigation measures. Traffic to the proposed school will be conducted in an orderly and safe manner, with consequences for noncompliance (including enrollment reductions and CUP revocation)
 - ~~l. Does not increase the existing number of average daily trips (1,198) as restricted by Council action (for Phase 2). Increases the number of daily trips to 114 net new daily trips (after implementation of Mitigation Measure 7a), which does not represent a significant, adverse environmental impact.~~
- E. The conditions of approval, mitigation measures and monitoring and reporting program are designed so that:
- Development and approval of a preservation protection plan is ensured for each phase of construction so as not to adversely affect nearby eligible cultural r

- Tree removals/relocations will be limited as per arborist recommendations in the 2016, 2020 and 2021 reports, and protection measures to ensure survival of trees to remain in place (including tree #155 as reflected in Option E), replacement trees, and relocated trees
- The project will meet sustainability requirements and goals (including EV charging stations spaces provided and LEED standard green building)
- The enhanced TDM program will be monitored and enforcement measures will ensure less than significant impacts to traffic, vehicle circulation, queuing due to student drop offs, school activities and events, and parking requirements met on site with the Project Alternative #4, as amended by Option E with a Parking Adjustment of 14.4% and additional program monitoring and enforcement requirements, will address parking spill-over issues, all of which have greatly concerned neighbors in the vicinity of Castilleja School.
- The noise from construction and pool activity will be mitigated and the surface trash pickup and delivery area, with Option E site improvements, will be screened and buffered with a new, solid acoustic fence placed along the Emerson Street setback to address trash pick-up and delivery noise.
- The conditions of approval for the project are intended to address these issues by placing limitations on school hours, the number, frequency, and type of events, and enforcing ongoing performance standards and the TDM program.
- Performance standards include the requirement to have a designated point of contact for all complaints, provision of events and construction information, traffic data and reports on the School website, and provision of funds to enable the City to retain a 3rd party to assist the City evaluate, monitor, and enforce compliance with conditions and mitigation measures.
- Enforcement of the TDM program and events will be assured, including coordination of the School to troubleshoot issues and handle complaints in a timely manner.
- A TDM Oversight Committee is required to provide the City with guidance, should Castilleja School submit a report that contain trip count exceedances.

Therefore, with implementation of the EIR mitigation measures as outlined in the MMRP and the conditions of project approval as amended in 2022 associated with Option E and Parking Adjustment, the proposed CUP amendment will not be detrimental or injurious to property or improvements in the vicinity, and will not be detrimental to the public health, safety, general welfare, or convenience.

2. *The proposed use will be located and conducted in a manner in accord with the Palo Alto Comprehensive Plan and the purposes of the Zoning Ordinance, in that:*

The School Use is an existing, Conditionally Permitted use within Palo Alto's R-1 Zone, consistent with the underlying R-1 (10,000) zoning designation (PAMC Section 18.12, Table 1, Private Educational Facilities are listed as a use allowed with a CUP) and Comprehensive Plan designation of *Single Family Residential*. The project is consistent with the applicable development standards of PAMC Chapter 18.12 and parking standards of PAMC Chapter 18.52, with Parking Adjustment approval pursuant to 18.52.050 and GFA replacement (and reduction) variance. The planning Director supports a 14.4% Parking Adjustment as (i) consistent with the purposes of Chapter 18.52, (ii) it will not create undue impact on existing or potential uses adjoining the site or in the general vicinity, and (iii) will be commensurate with the reduced parking demand created by the development, including for visitors and accessory facilities where appropriate.

Table 4-1: Zoning Ordinance Policy Consistency Analysis

Development Standard	R-1(10,000) Zoning	Existing Property	Project Alternative #4 with Option E
Lot Size	10,000 – 19,999 sf	268,783 sf existing campus	268,783 sf (no change)
Maximum Floor Area Ratio	0.45 first 5,000 sf of lot size; 0.30 square footage in excess of 5,000 sf	1310 Bryant existing <u>0.43-0.51</u>	Proposed: 0. <u>428</u>
<u>Gross Floor Area (non-residential uses and including volumetric area where applicable)</u>	<u>81,379 GFA</u>	<u>138,345 GFA</u>	<u>128,687 GFA</u>
<u>Exempt Below Grade Area</u>	<u>Exempt from floor area ratio (FAR) and floor area calculation for qualifying basements</u>	<u>41,406 SF</u>	<u>79,357 SF</u>
Maximum Building Height	30 feet standard; 33 feet for buildings with a roof pitch of 12:12 or greater	34 feet 6 inches	30 feet
Minimum Setbacks Emerson Kellogg Bryant Embarcadero	20 feet 20 feet 20 feet 24 feet	20 feet 27 feet 9 inches 22 feet 108 feet 6 inches	20 feet 20 feet 20 feet Above grade: 108 feet 6 inches (no change above grade); Below grade meets special setback
Maximum site coverage, multiple-story development	35% (100,374 sf)	24.3% (65,273 sf)	25.3% 68,074 sf <u>67,894 sf</u>
Vehicle Parking	2 spaces per middle grade teaching station, 4 spaces per upper grade teaching station	74	40489 spaces with <u>14.4% parking adjustment</u>
Bicycle Parking	1 space for every 5 students	95	140

The project conforms to relevant Comprehensive Plan policies cited in the project EIR. The EIR Mitigation Measures are intended to improve upon the existing TDM measures with performance monitoring and enforcement and impose clear special event restrictions; conditions of approval related to the CUP provide additional clarity for operations in a manner that is consistent with the intent and provisions of the Comprehensive Plan and the purposes of the Zoning Ordinance. The underground parking facility of Project Alternative #4 is in accord with the Zoning Ordinance because PAMC 18.52.030(g) requires parking to be located on the same site as the use being supported, unless a parking adjustment is granted. A 14.4% Parking Adjustment (removing 15 on-site parking spaces) is associated with Option E and includes 89 on-site parking spaces. The project does not propose a residential use and underground parking is not prohibited for non-single family residential use in accordance with PAMC 18.12.060(e). The underground parking facility is also supported by Comprehensive Plan Policies L-9.2 that “encourage[s] development that creatively integrates parking into the project, including by locating it behind buildings or underground wherever possible, or by providing for shared use of parking areas” as well as T-5.6 that “strongly encourage[s] the use of below-grade or structured parking and explore mechanized parking instead of surface parking for new developments of all types while minimizing negative impacts including on groundwater and landscaping where feasible”. The Gross Floor Area for the project is in accord with the Zoning

Ordinance by approval of the Variance pursuant to PAMC Section 18.76.030 and 18.77.060 granted in this Record of Land Use Action.

SECTION 7. Variance Findings

The following findings for a Variance allowing replacement of existing, above grade gross floor area are made pursuant to PAMC Section 18.76.030 and are subject to the Conditions of Approval in this Record of Land Use Action.

1. Because of special circumstances applicable to the subject property, including (but not limited to) size, shape, topography, location, or surroundings, the strict application of the requirements and regulations prescribed in this title substantially deprives such property of privileges enjoyed by other property in the vicinity and in the same zoning district as the subject property.

The Castilleja School campus is found to have special circumstances, in that the parcel is unique both in terms of size and insofar as it has historically hosted private school facilities that exceed current development standards:

- FAR limitations and maximum lot size (19,999 sf) would not support the physical space requirements of a private school and were not created with conditionally permitted private school uses in mind;
- The property is unique in many respects: it is the largest R-1 lot in the City and the property has housed a private school for over a century, and the majority of existing structures were constructed well before the enactment of modern development standards.
- The size of the campus (at 268,765 sf) is substantially greater than any other lot in the R-1(10,000) zone (where most surrounding lots are 8,000 to 12,000 sf) resulting in a maximum floor area ratio that disproportionately constrains the campus compared to neighboring properties; the formula calculates FAR at .45 for the first 5,000 sf and 0.30 for the remaining sf.
- As recently as 2006, the School has been permitted to replace existing square footage on the campus in excess of current development standards through the issuance of a conditional use permit, without the need for a variance.
- There currently exists on the parcel 138,345~~116,297~~ square feet of legal, countable, building square footage (gross floor area or "GFA") including volumetric GFA (i.e. floor area that is double- or triple-counted due to high ceilings). Almost all of the volumetric GFA is located in the gym, which was approved in 2006 and is not being modified. The GFA to be demolished is 87,079 sf, including volumetric GFA.
- The proposed project will reduce GFA on the site compared to existing conditions. Proposed total GFA is 128,687 sf comprised of the new academic building, at 77,420 sf, the administration/chapel/theater at 17,754 sf, and the existing gym with 33,513 sf (which includes 17,346 sf of volumetric floor area). The total GFA reduction would be 9,658 sf.

Because of these special circumstances, strict application of the City's current FAR limitations would require the proposed campus modernization to remove over 55,000 square feet of gross floor area. This would effectively deprive the School of the ability to modernize its outdated structures.

2. The granting of the application 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.

other R-1(10,000) development standards including building height, setbacks, site coverage, and parking requirements as met with a 14.4% parking adjustment.

- ~~Whereas~~ The allowable lot coverage for the campus parcel is 101,374 sf (35% of the campus) and a total of 67,894 sf ~~72,240 sf~~ of coverage (25.37% of the campus parcel) is proposed.
- The allowable height is 30 feet (flat roof) and 33 feet for pitched roofs over 12:12 pitch and the proposed height of the academic building is 26'11-1/2" from established grade to top of parapet (24' 8-1/2" from finished floor to top of parapet) on Section 3 as ARB recommended, and 30 feet from established grade to top of parapet on Sections 1 and 2 (27'9" from finished floor to top of parapet) as ARB recommended).
- The required setbacks are 24 feet from the Embarcadero Road frontage and 20 feet from the other three street frontages; the proposed setbacks are 24 feet to wall of below grade garage that is parallel with the Embarcadero Road frontage, 20 feet to the acoustic fence running along the Emerson setback, 20 feet from Bryant Street and Kellogg Avenue to the Academic Building for portions of the building, and greater setbacks to this building from Emerson Street and to portions of this building from Bryant Street and Kellogg Avenue.
- The required on-site parking is 104 parking spaces and the proposed on-site parking spaces proposed in Alternative #4 with Option E is 89 parking spaces.

~~Whereas the existing gross floor area on the campus parcel is 116,297sf (FAR of 0.43:1) a total of 113,667 sf is proposed on the campus (FAR of 0.42:1) which is the new Academic Building at 81,942 sf plus the buildings to be retained, at 31,725 sf. The request is not to increase the gross floor area on campus, but to retain and slightly decrease the existing of above-grade gross floor area, which is most visually impactful on neighboring properties. The School facilities will be modified to provide appropriate programmatic space for learning environments, and for seismic safety. The removal of outdated buildings and reconstruction of gross floor area does not constitute a special privilege.~~

The project would improve the campus open space characteristics, create code-compliant and sustainable buildings with deep roof overhangs and solar shading screens, renewable energy solar panels, high efficiency and noise mitigation glazing, natural lighting via skylights for teaching stations, durable and sustainable siding materials, locally sourced interior finishes, water efficient plumbing fixtures, graywater irrigation, and extensive landscaping.

Including volumetric GFA, the existing FAR is 0.51:1 and the proposed FAR is 0.48:1 (excluding volumetric GFA, the existing FAR is 0.42:1 and the proposed FAR is 0.41:1). Although the proposed FAR exceeds the maximum FAR for the district, this is not inconsistent with the limitations on other properties in the vicinity or the zone district because the subject property is unique in its size and historical use. The removal of outdated buildings and reconstruction of gross floor area, with GFA reduction, does not constitute a special privilege.

3. The granting of the application is consistent with the Palo Alto Comprehensive Plan and the purposes of the Zoning Ordinance.

As noted in the CUP findings above, EIR Table 4-1 provides an exhaustive list of the Comprehensive Plan policies relevant to the project review and analysis. As noted in CUP Finding #2: The School Use is an existing, Conditionally Permitted use within Palo Alto's R-1 Zone, consistent with the underlying R-1 (10,000) zoning designation (PAMC Section 18.12, Table 1, Private Educational Facilities are listed as a use allowed with a CUP) and Comprehensive Plan designation of *Single Family Residential*. The project is consistent with the applicable development of PAMC Chapter 18.12 and parking standards of PAMC Chapter 18.52. The project conforms to relevant Comprehensive Plan policies cited in the project EIR on *Table 4-2* of the final EIR related to Project Alternative #4. The EIR Mitigation Measures are intended to improve upon the existing TDM measures with performance monitoring and enforcement and impose clear special event restrictions; conditions of approval related to the CUP provide additional clarity for operations in a manner that is consistent with the intent and provisions of the Comprehensive Plan and the purposes of the Zoning Ordinance. The underground parking facility is in accord with the Zoning Ordinance because PAMC 18.52.030(g) requires parking to be located on the same site as the use being supported the project does not propose a residential use, and PAMC 18.12.060(e) does and 18.12.090(a) do not apply to non-residential uses. The underground parking facility is also supported by Comprehensive Plan Policies L-9.2 and T-5.6 that strongly encourage the use of below-grade ~~or structured~~ parking...instead of surface parking for new developments of all types while minimizing negative impacts including on groundwater and landscaping where feasible. The GFA replacement/reduction/FAR reduction for the project is in accord with the Zoning Ordinance by approval of the Variance pursuant to PAMC Section 18.76.030 and 18.77.060 granted in this Record of Land Use Action.

~~a. are not included in Gross Floor Area (GFA) because, of the defined inclusions and exclusions from GFA in the R-1 zone (PAMC 18.04.030(a)(65)(C) and (D)), they most closely align with the definition of "basement."~~

- ~~i. PAMC 18.04.030 Definitions (15) "Basement" means 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.~~
- ~~ii. PAMC 18.04.030(a)(65)(D) and 18.12.090(b) provide that basements shall not be included in the calculation of gross floor area.~~
- ~~iii. Although Carports and Garages are included in GFA for the R-1 zone, PAMC 18.04.030(a)(24.5) and (59) define carports and garages to be parking facilities accessory to a residential use.~~

4. *The granting of the application will not be detrimental or injurious to property or improvements in the vicinity will not be detrimental to the public health, safety, general welfare, or convenience.*

The replacement of gross floor area variance would enable construction of a seismically safe building, with a lower GFA and FAR than the existing buildings being removed, designed to be visually compatible with the neighborhood character, with increased open space and provision of all required parking spaces provided on site, and sustainability measures. The variance is associated

with a ~~slight~~ reduction in above-grade floor area and modernization of facilities, improving on existing conditions. The location of the Academic Building would allow bus drop-off and pick-ups to move internal to the site, and enable loading, delivery and trash functions to move off City streets and onto the school property ~~below grade~~, to reduce neighborhood congestion and noise while enhancing neighborhood safety. Mature tree preservation and canopy retention and replacement is prioritized, and site landscaping and fencing is carefully designed for neighborhood compatibility.

SECTION 8. Conditions of CUP Approval.

Conditions of approval for the Conditional Use Permit for the Disbursed Circulation/Reduced Garage Project Alternative ('Project Alternative' #4 in the Environmental Impact Report (EIR)). Alternative #4 includes the reduced and reconfigured below grade parking facility, retains the two residential structures on Emerson Street and the stand of Redwoods next to Spieker Field, utilizes three drop-off /pick-up locations to disburse traffic around the campus. This approval incorporates Option E places only 52 parking spaces below grade and increases surface spaces, for a total of 89 parking spaces on site with approval of a Parking Adjustment. Option E preserves tree 155 and improves upon protections for tree 89.

CUP APPROVAL:

1. This conditional use permit incorporates all relevant conditions of approval from prior conditional use permits (00-CUP-23 and 06-PLN-15) and replaces those prior approvals. Upon the effective date of this entitlement, Castilleja School ('School') will be governed by this conditional use permit and other related City actions associated with the subject application.
2. The School shall operate in accordance with Project Alternative #4 documented in the project environmental impact report (EIR Alternative #4), as detailed in the administrative record and as modified by Option E and these conditions.
3. Any future request by the School to change or modify the CUP conditions of approval shall require a noticed public hearing before the Planning and Transportation Commission and Council action in accordance with PAMC Section 18.77.060 (e) *Hearing and Recommendation by the Planning and Transportation Commission.*

ENROLLMENT:

4. The School may enroll a maximum of 540 students in accordance with the following schedule:
 - a. Student enrollment for the ~~2020-21~~ 2022-23 academic year and subsequent years, except as modified below, shall not exceed the current enrollment of 4262 students.
 - b. Upon approval of the CUP, the School may begin the process to enroll 450 students. ~~completion (issuance of a certificate of occupancy) of the non-residential underground parking facility (Phase I), and starting with the next academic year, enrollment may begin to increase up to a maximum of 490 students.~~

- ~~c. Upon completion of all project construction (issuance of a final certificate of occupancy for all new buildings and facilities) and removal of all portable/temporary modular buildings, enrollment may begin to increase to a maximum 540 students.~~
- ~~c. Thereafter, S~~ student enrollment shall not increase by more than 25 students per academic year based on the lesser of the School's actual or permitted enrollment as documented by the School's independent auditor.
- ~~d. No enrollment increase may occur unless the School has achieved the performance standards of Condition #22 for the preceding three consecutive reporting periods prior to the School's sending enrollment agreements to prospective students (typically mid-March). For example, the ability to increase enrollment for the 2023-2024 academic year will require review, in early 2023, of one reporting period from the 2022-2023 academic year and two reporting periods from the 2021-2022 academic year.~~
5. Prior to March 1st each year, the School shall provide the Director of Planning and Development Services a letter from an independent auditor attesting to the number of students enrolled at the School, at the time of the audit, for that academic year.

EVENTS:

6. The School may schedule up to a maximum of ~~704~~ special events each academic year. A special event is defined as one that includes more than 50 attendees as defined in Mitigation Measure 4a included in the Mitigation Monitoring Reporting Program (MMRP). A special event includes, but is not limited to student performances, showcase or social events; parent group meetings; admission, orientation, alumni and donor events; athletic competitions; celebrations, or other activity that brings parents of enrolled students or non-enrolled students to the campus. A special event does not include individual parent meetings or activity associated with the School's daily educational programing. Special events are subject to the following additional restrictions:
- a. Thirty-seven (37) of the maximum allowed special events may exceed 100 attendees, including five (5) major special events that may exceed 500 attendees.
 - b. Inclusive of all special events, the maximum number of weekday evening special events, after 6pm, shall not exceed 32 events.
 - c. Inclusive of all special events, the maximum number of Saturday special events, after 6pm, shall not exceed 5 events.
 - d. No special events are permitted on Sunday.
 - e. No special event during the weekday shall begin prior to 8am, or 9am on Saturday.
 - f. Those special events that extend past 6pm must end by 8pm, except for student performances, dances and major events, which shall end no later than 10pm.
 - g. The School shall minimize the number of special events occurring on consecutive days and, for larger events, occurring on consecutive weekends.
 - h. All special events are subject to the requirements of Mitigation Measure 4a included in the MMRP.
 - i. A list of all special events for the upcoming academic year shall be provided to the

Director of Planning and Development Services before school begins and posted on the School's website for the duration of the academic year. The number of event attendees and applicable parking plan required in Mitigation Measure 4a shall be similarly posted. The purpose of this condition is to provide a reasonable expectation when such events are anticipated and ensure the maximum number of events is not exceeded or occur during restricted hours. Occasional adjustments to the event schedule or minor exceedances to the ending time of an event during the academic year shall not constitute a violation of this condition of approval provided other applicable restrictions are met.

- i. All special events shall comply with the approved transportation demand management.
7. The Director of Planning and Development Services may approve a request to use the School's campus by the Palo Alto Unified School District, up to five times per academic year, without the need for a Temporary Use Permit or counting as special event as defined in Condition #6. The School shall provide traffic management for any such events. This condition is intended to support and encourage continued collaboration between PAUSD and Castilleja in a manner that is minimally intrusive to the Castilleja neighborhood and may allow some of the School's larger events to occur off campus. The Director may impose conditions deemed necessary to address impacts of PAUSD events on Castilleja campus. Nothing in this condition is intended to preclude the School from applying for a Temporary Use Permit in accordance with Palo Alto Municipal Code section 18.42.050.

OPERATIONS-RELATED:

8. Standard School hours are Mondays through Fridays 7am to 6pm. Co-curricular programming involving fewer than 50 students and confined to indoor spaces may occur outside of these hours.
9. Summer school programs shall be subject to all conditions and restrictions that apply to school year programs, except that summer use of the playing fields or the pool shall not occur before 9:00am. The School shall provide a minimum one-week student break between the school year and the summer program(s). The School is prohibited from renting or loaning the campus to another summer school program, organization or group provider. The summer enrollment shall be the same level of enrollment as the academic year ending just prior to commencement of the summer school program.
10. Following construction of the Academic Building, all deliveries and bus pickups and drop offs shall be accomplished within ~~the below grade parking garage or~~ designated pickup/drop off areas on campus accessed from the driveway from Kellogg Avenue.
11. Removal of the temporary campus on Spieker Field shall commence within six months of the City's issuance of a final occupancy permit for the Academic Building.

12. At all times the School shall comply with the City's Noise Ordinance. Except for swimming pool-related activity, which is subject to Mitigation Measure 8b, and emergencies, including drills, no outdoor amplified sound equipment shall be used on the campus without approval of a noise exception permit from the City. For the purposes of this permit, "amplified sound equipment" includes bull horns, air horns, loudspeakers, or similar noise-generating equipment. Amplified outdoor sound associated with the swimming pool shall be prohibited between 8pm and 7am. The School shall take reasonable efforts to mitigate School-related noise complaints from nearby residents. If noise complaints are not satisfactorily resolved, the Director of Planning and Development Services may require the placement of noise monitors to collect data and determine compliance with this condition. Any consultant costs, installation, monitoring or remedial action and staff time required to address noise-related complaints shall be paid for by the School.

The School is also subject to requirements of Mitigation Measure 8a and 8b related to construction and pool use. If noise levels exceed these standards, the activity causing the noise shall be abated until appropriate noise reduction measures have been installed and compliance verified by the City.

13. The School's adjacent Emerson Street residential properties shall not be used for any School related purpose, including but not limited to, additional parking, storage or staging of materials or equipment, deliveries or student pick-up or drop-off. These parcels do not have City approval for use or activity supporting the School and are limited to residential and accessory uses customarily incidental to single family residential uses.
14. Outdoor athletic practices and games shall be limited to daylight hours only. No field lighting shall be installed. This does not preclude lighting for safety, landscaping and pathways approved by the City.
15. The following restrictions apply to the School's gym operations in accordance with prior City approvals:
- a. Activities are not permitted in the lower basement level of the Physical Arts Building that would cause the number of occupants to exceed 500.
 - b. Ventilation equipment for the gym is not to be operational from 9 pm to 6 am. However, the ventilation equipment may be operational until 10 pm when the gym is used for evening events as listed on the School's event calendar.

COMMUNITY ENGAGEMENT:

16. The School is required to provide the following information on its website to serve as a resource to nearby residents and provide access to certain documents and information. This information shall be posted on the school website prior to the start of the ~~2021-2022~~ 2022-2023 academic year and updated annually prior to the start of each academic year to include the following:

- a. A signed copy of the Record of Land Use Action authorizing the School's use and expansion project along with the mitigation monitoring and reporting program and transportation demand management plan.
 - b. A list of all planned special events in accordance with Condition #6.
 - c. Information on the maximum number of students authorized by this conditional use permit and the actual student enrollment figures for each academic year as soon as they are available, but no later than November 1 each year. Prior to March 1st each year, the School shall post the findings of an independent auditor attesting to the number of enrolled students for that academic year as required by Condition #5.
 - d. All monitoring and reporting documents required by these conditions of approval, including but not limited to transportation demand management program monitoring reports and the annual landscape maintenance contract (Mitigation Measure 7b).
 - e. The School shall provide regular construction updates to inform nearby residents of the status, schedule and upcoming construction activity, information on lane closures, when heavy truck traffic is expected or use of particularly noisy equipment or vibration causing equipment. The website shall include an opportunity for the public to opt-in to receive twice monthly construction news updates by email.
17. Commencing prior to the ~~2021-2022~~ 2022-2023 academic year, the School shall establish and maintain a dedicated phone number to be answered by someone affiliated with the School who will immediately respond to complaints regarding noise, special events, academic competitions, traffic and parking or other neighborhood disturbances. Prior to the start of each academic year, the School shall send notice to all property owners and tenants within 600 feet of the School's property boundaries informing occupants of this dedicated phone number and a link to find these conditions of approval on the School's website.
18. The School shall host regular neighborhood meetings to report on school operations, receive feedback, and attempt to problem solve any identified issues. A minimum of two meetings shall be scheduled each academic year, one in the fall semester and another in the spring semester. The School shall provide a summary of the topics discussed and any follow up action to Director of Planning and Development Services staff within 30 days of the meeting.
19. The School shall communicate with the parents of enrolled students the rules and expectations of the School and these conditions of approval. The School shall distribute a transportation and parking handbook that institutionalizes and encourages good neighbor parking and driving behavior detailed in Condition 25.

TRANSPORTATION DEMAND MANAGEMENT:

20. Sixty (60) days following the effective date of the Council's action on this application, the School shall prepare a final version of the complete transportation demand management (TDM) plan that compiles all applicable transportation-related requirements of this Record of Land Use Action into a cohesive, well-organized and indexed document. The TDM plan shall be submitted to the Director of Planning and Development Services for approval. The intent of the TDM plan is to reduce vehicle trips to, and parking demand at, the school for the purpose of minimizing School-related disruptions and intrusions into the nearby residential neighborhoods. The TDM plan shall also serve as a publicly available resource to inform interested residents of the School's transportation-related expectations and requirements and, therefore, may include performance standards or operational conditions of approval not typically associated with a TDM plan. As required below, the TDM plan shall incorporate requirements from several source documents. The TDM plan required by this condition does not need to be a verbatim restatement of the transportation management requirements but shall include specific performance measures and criteria where appropriate and generally document the implementation strategies to effectuate the intent of these provisions. Where a dispute between the City and School is unresolved regarding implementation of this condition, the Director shall schedule a hearing before the Planning and Transportation Commission for a recommended resolution to the City Council. The TDM plan shall apply to the ~~2021-2022~~2022-2023 academic school year and every year thereafter.
21. The TDM plan shall incorporate all transportation-related provisions from the following source documents:
- a. All components of the School's current transportation demand management plan (on file with the City of Palo Alto), including but not limited to: implementation of an incentive program for faculty, staff and students for carpooling and using alternative means of transportation; annually posting and reporting on special events; and, bi-annual communications with parents reminding them of the importance/purpose of the School's TDM strategies.
 - b. All applicable Mitigation Measures from the Certified Final EIR and particularly Mitigation Measures 4a and 7a (on file with the City of Palo Alto and attached to this document).
 - c. All applicable conditions included in this Record of Land Use Action.
 - d. Reference to applicable sections of the Palo Alto Municipal Code regarding TDM programs, monitoring, reporting and penalties.
 - e. The TDM supplement submitted by the applicant and prepared by the transportation firm Nelson Nygaard, dated June 17, 2019, which includes updated monitoring report requirements and introduces new TDM strategies (on file with the City of Palo Alto and temporarily available online: <https://www.cityofpaloalto.org/civicax/filebank/documents/77808>).
22. The following additional performance measures and requirements shall be incorporated into the TDM Plan:

- a. Average Daily Trips (ADT) Standard: The School's Average Daily Trips (ADT) shall not exceed 1198 trips.
- b. ~~Data from permanent driveway counters placed at all entrance and exit driveways will be used to calculate ADT. Refer to condition 24 regarding the monitoring report for the ways ADT shall be calculated. A violation of the ADT target occurs when the average daily trip for a reporting period exceeds 1198 trips. ~~one of the ADT measures using driveway counts exceeds the trip target.~~~~
- c. AM Peak Trips Standard: The School's AM Peak trips shall not exceed 383 trips.
- d. Data from permanent driveway counters placed at all entrance and exit driveways will be used to calculate AM Peak Trips. Refer to condition 24 regarding the monitoring report for the ways ADT shall be calculated. A violation of the AM Peak Trips target occurs when the average AM Peak trip for a reporting period exceeds 383 trips. ~~measures using driveway counts exceeds the trip target.~~
- e. The School shall install permanent vehicle counter devices at the entrance/exit of all drop off locations on campus, surface parking lots, and the subterranean garage to count the number of vehicle trips arriving to the campus and exiting each day. The data collected by these devices shall be provided to the City at the end of each month showing the unmodified counts for every 15-minute interval from each location. The School will preserve count data electronically for a period not less than three years. The vehicle counting devices shall be kept in working order. Malfunctioning devices shall be promptly fixed. A device that is out of order or provides inaccurate data for more than 10 consecutive days shall be considered a violation of this condition. It is the intent of this condition to also record vehicle trips during the construction phase of the project.
- f. The School shall provide real time driveway counter data to the City, as directed by the Director or the Office of Transportation.
- g. The School, in consultation with the Director of Planning and Development Services, shall install temporary vehicle counter devices in the public right of way at locations determined by the Director for each TDM monitoring report required by these conditions of approval. Data shall be collected for no less than seven (7) consecutive days, determined by the Director, for each reporting period. The data collected by the counters shall be included in the TDM monitoring reports and used for ongoing monitoring and not to determine a violation of this conditional use permit. However, the data collected may inform future action regarding possible adjustments to the TDM plan to further minimize neighborhood traffic impacts.
- h. The School shall provide roundtrip shuttle service to appropriate Caltrain stations

that coincide with the School's arrival and dismissal schedule and available to students, faculty and staff. The School shall determine the appropriate frequency of roundtrip shuttle service to maximize this incentive, but no less than two roundtrips for each schedule shall be provided.

- i. The School's TDM plan shall apply to special events. In addition, the School shall provide roundtrip shuttle service for all special events to encourage participants to use transit or a park and ride service. The shuttle pickup/drop off location(s) and schedule shall be included with other event information shared with potential attendees and shall also include a parking plan for each special event.
 - j. The School shall routinely monitor and reassess drop-off/pick-up assignments to balance traffic flows in accordance with the expectations set forth in the Mitigation Monitoring and Reporting Plan. The actual and target distribution percentages shall be included in TDM monitoring reports.
23. Notwithstanding Palo Alto Municipal Code Section 18.52.050 (d) (1), TDM monitoring reports shall be prepared by the School and submitted to the Director of Planning and Development Services three times per academic year until the school has reached, or approximately reached, maximum enrollment for two consecutive years and has consistently met the peak hour and daily trip rate standards required by these conditions. At that time, only two monitoring reports per year shall be required. After 15 years of monitoring, the Planning and Transportation Commission shall review whether this condition is still necessary. Monitoring reports shall be provided to the City in accordance with the following schedule:
- a. Reporting Three Times / Year
 - i. Report due by January 15 and covers the academic period from August through November.
 - ii. Report due by May 15 and covers the academic period from December through March.
 - iii. Report due by September 15 and covers the academic period from April through July.
 - b. Reporting Twice / Year
 - iv. Report due by February ~~15~~ 1 and covers the period from July through December.
 - v. Report due by August 1 and covers the academic period from January through June.

24. Required TDM monitoring reports shall include the following components:
- a. Describe in full the requirements of the recurring Monitoring Report, including TDM Plan goals and performance measure targets and data collected.
 - b. Include the following data and metrics:

- i. driveway volume counts by 15-minute increments (raw counter data);
 - ii. the total average weekday AM peak trips and average weekday daily trips for the monitoring period, excluding special event dates and non-school days; summer school shall be separately reported and not averaged with the academic year.
 - iii. the total average daily weekday trips and AM weekday peak trips during the weeks the campus frontage street segments are evaluated by the City;
 - iv. the average daily weekday traffic volumes on the campus frontage City street segments (except Embarcadero) per these conditions – raw data to provided by the City according to the reporting schedule;
 - v. the dates and number of times the average weekday daily trips and/or AM weekday peak trips exceeded AM weekday peak and/or ADT exceedance threshold, including any special, limited circumstances such as trips during construction;
 - vi. rates of use of alternative transportation (% of mode split between bicycle, pedestrian, shuttles, etc.);
 - vii. parking conditions (number of spaces within the garage used, number of spaces within surface lots used, extent (counts) of on-street parking adjacent to the school and in the expanded parking study area);
 - viii. bicycle parking counts (supply and demand) and dates, times, & attendance of bicycle repair clinics.
 - ix. student drop-off/pick-up location counts and percentages by driveway.
 - x. an electronically transmitted appendix to the report containing the raw data from the driveway counting devices for the monitoring period.
- c. Describe how and where counts were conducted. Describe any off-site data collected by an independent traffic engineering company.
 - d. Driveway Counting Device: Describe installation, calibration methods, function and proposed maintenance of permanent traffic counting devices. Describe how records of traffic counts are to be preserved electronically and frequency of posting of this data to the School's website for accessibility to City officials and the public.
 - e. Include a detailed explanation of the pick-up and drop-off process as well as target pick-up/drop-off distribution percentages.
 - f. Include the number of daily (while school is in session) onsite traffic attendants.
 - g. Describe the use of traffic safety warning devices.
 - h. Provide a map of each parking study area, and description of methodology employed to capture off-campus parking.
 - i. Describe on and off campus Parking Management Strategies, Traffic Circulation Management Strategies and Event Traffic Procedures.
 - j. Identify scope and breadth of TDM measures utilized (i.e. programs that encourages walking/biking/transit, Auto trip reduction strategies, etc.).
 - k. Describe other programs provided by the school in detail (i.e. organized vans, shuttles, transit subsidies) and how the mode split data was collected (survey, website, etc.).

- l. Provide the number of enrolled students for the period covered by the report.
 - m. List the dates of special events that occurred in the period covered by the report, including times, attendance, and parking/traffic management efforts and results.
 - n. Provide copies of mailings to families regarding the parking/traffic/pick-up/drop-off policy, including traffic management for special events.
 - o. Include a list of disciplinary consequences for students and parents who do not cooperate with the parking requirements
 - p. Provide the TDM Monitoring Report in a simplified, easy to read compliance review matrix format.
 - q. In addition to the TDM Monitoring Report, the School shall provide real time driveway counter data to the City, as directed by the Director or the Office of Transportation.
25. The School shall update its transportation and parking handbook and distribute it annually to the parents of enrolled students in advance of the upcoming academic year. The handbook shall be incorporated into the Castilleja School long range planning efforts and made part of the Board Policies and Procedures Manual. The handbook shall include the following policies and any applicable provisions from these conditions of approval:
- a. At the beginning of each school year an updated parking/traffic/pick-up/drop-off policy shall be communicated to parents to remind them of the importance of the Parking and Traffic policy. Regular newsletters to parents will include a TDM section with any relevant updates:
 - i. Parents shall be instructed not to double-park on street nor drop-off or pick-up students in undesignated areas.
 - ii. Traffic monitors will direct cars to maintain a constant flow of traffic to avoid queueing on public streets.
 - iii. Parents shall be instructed not to make left turns in or out of driveways at peak times. Signs shall be posted to indicate these turning rules.
 - iv. Castilleja School shall continue to provide traffic monitors during peak drop-off, pick-up and for special events. The traffic monitors shall educate students and parents and enforce the circulation related conditions of approval to keep surrounding streets clear of congestion. Traffic monitors will be identified by wearing a highly visible safety vest.
 - v. Once per day, School personnel shall monitor parking onsite and on surrounding public streets. The School shall notify any violators that they must move their car(s).
 - vi. Castilleja students, faculty, staff, and parents shall be instructed to park exclusively either on campus, at designated off-site lots made available for School use, or on the School side of adjacent streets where parking is permitted. Daily monitoring of parking shall be conducted, and offenders shall be instructed where to park.
 - vii. The School shall develop clear disciplinary consequences for students and

- parents who do not cooperate with the parking requirements.
- viii. Oversight for the Transportation Demand Management Plan shall be the responsibility of the Head of School. Other staff may be assigned responsibilities regarding the daily operation and enforcement of the plan. As the designated person or persons could change each year as job responsibilities are redefined, at the beginning of each year Castilleja shall provide neighbors and the City of Palo Alto with a list of individual contacts with emails and phone numbers. Head of School shall ensure all personnel fully understand and are trained to complete their responsibilities: A log shall be kept of all communication (i.e. email, telephone calls) and the expressed concerns which are received. School staff shall review the log for trends and respond to remedy any problems. If any neighbor feels their concern was not properly responded to, they should contact the number the School publishes for complaints (condition #19).
 - ix. At the beginning of every school year Castilleja shall set aside scheduled time for all faculty and staff to register their cars, receive an I.D. tag and review the traffic and parking policies.
 - x. At the beginning of each semester Castilleja shall register all student cars, distribute I.D. tags, and review the traffic and parking policies with student drivers.
 - xi. For special events, Castilleja School shall utilize the area on Spieker Field for overflow parking, as needed.
 - xii. Castilleja shall continue its major transportation campaign with families to emphasize carpools and use of Castilleja buses and shuttles, Caltrain and other alternative means of transportation. Every Castilleja family shall receive information promoting carpooling and providing information to facilitate car/vanpooling in their immediate geographic area.
 - xiii. Castilleja shall experiment with a plan for an assigned parking program with designated areas for certain types of parking (i.e. student, employee, visitor).
 - xiv. Castilleja shall designate a Visitor Parking Zone in the area of the Administration Building. Visitors shall register in the Administration Building. ~~At that time, they shall be asked where they are parked and redirected to the visitor's zones if necessary.~~
 - xv. Castilleja will continue to review its event calendaring process and develop procedures to more strategically plan school functions and their placement on the calendar so that functions with more than 100 attendees coming to campus do not become bunched on consecutive nights or weekends.
 - xvi. Castilleja has five major events each year (a start of year ceremony, back to school night, a community building event, 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 to make sure that all vehicles park legally and safely on all street

parking. Castilleja shall maximize all on-site parking and use tandem parking whenever feasible. Shuttles to Caltrain shall operate so that guests may attend without bringing a car to the campus area, and the shuttle schedule shall be published along with the parking plan for these events. 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.

- xvii. The School shall review the parking/traffic requirements of each event and develop appropriate parking and shuttle service to Caltrain. Parking instructions and Caltrain shuttle schedules shall be included in event notifications. Castilleja shall provide traffic monitors for these events and shall direct as much traffic as possible onto the school site, using assisted tandem parking, allowing students to use all lots after hours, using the day-time loading zones for parking, and utilizing all resources to minimize impact to street parking. For certain events as needed, Castilleja shall make every effort to arrange off-site parking with nearby parking lots and provide shuttle service to the parking locations using school vehicles to transport people to and from the school. The availability of these lots is dependent on events and cooperation from lot owners.
- xviii. For School committee meetings which bring volunteers to the campus, Castilleja shall coordinate a parking plan and shuttle schedule that will be communicated to all committee members. At the beginning of meetings, a reminder of parking policies shall be announced to all attendees. Anyone not following the policy shall be requested to move their car. When meeting notices are sent to committee members, a parking reminder and shuttle schedule shall be included.
- xix. Castilleja shall give all summer camp families Castilleja written instructions for a drop-off/pick-up procedure at the beginning of each camp session. Drop-off and pick-up shall be conducted on-site. Castilleja personnel shall facilitate getting campers into vehicles and ensure all policies are followed. It shall be the responsibility of the Director of Summer Camp to enforce the policies with parents.
- xx. Parents shall be instructed to move out of the driveway if their daughter is not at the pick-up location and others are waiting.
- xxi. Castilleja School shall develop a comprehensive incentive program for faculty, staff, and students for carpooling and using alternative means of transportation

After implementation of the TDM Plan, the Director of Planning and Development Services may, based on empirical data or other information that would reasonably impact the effective of the TDM plan, determine that one or more of the above TDM strategies has become infeasible or ineffective. Upon such determination, the School

shall propose an alternative measure(s) in consultation with the Director to achieve the intended performance of the replaced strategy or strategies.

26. From time to time, the City may require supplemental traffic counts or studies to be funded by the School to assess and possibly redistribute student drop-off/pickup to further limit impacts on surrounding streets.

ENFORCEMENT, COMPLIANCE AND REPORTING

27. **MMRPs incorporated into Conditions of Approval.** These Conditions of Approval (COAs) incorporate the Mitigation Monitoring and Reporting Program (MMRP), attached hereto, based on the 2019-2020 Environmental Impact Report (EIR) analysis prepared for the Castilleja School project. These COAs and the MMRP are in compliance with Section 15097 of the California Environmental Quality Act (CEQA) Guidelines, which requires that the Lead Agency “adopt a program for monitoring or reporting on the revisions which it has required in the project and the measures it has imposed to mitigate or avoid significant environmental effects.” These COAs and the MMRP list mitigation measures recommended in the project Final EIR dated July 30, 2020 and identify mitigation monitoring requirements. In addition, the City’s Standard Conditions of Approval were identified in the Draft EIR as measures that would minimize potential adverse effects that could result from implementation of the project. This Record of Land Use Action ensures the approval conditions are clear to enable City staff oversight, monitoring and enforcement. All mitigation measures and Conditions of Approval identified in the 2020 CEQA Analysis are included herein. To the extent that there is any inconsistency between the COA and Mitigation Measures, the more restrictive conditions shall govern; to the extent any mitigation measures and/or COA identified in the 2020 CEQA document were inadvertently omitted, they are automatically incorporated herein by reference.
28. **Violations and Enforcement.** Violation of any term, condition or Mitigation Measure relating to the approvals is unlawful, prohibited, and a violation of the Palo Alto Municipal Code pursuant to PAMC Section 18.01.080. The City of Palo Alto reserves the right to initiate civil and/or criminal enforcement and/or abatement proceedings, or after notice and public hearing, to revoke the Approvals or alter these conditions/mitigation measures if it is found that there is violation of any of the conditions/ mitigation measures or the provisions of the Municipal Code, or the project operates as or causes a public nuisance. This provision is not intended to, nor does it, limit in any manner whatsoever the ability of the City to take appropriate enforcement actions, including but not limited to the imposition of administrative financial penalties. The project applicant shall be responsible for paying fees in accordance with the City’s Municipal Fee Schedule for inspections conducted by the City or a City-designated third-party to investigate alleged violations of the conditions of approval.
29. **Enrollment Suspension or Reduction as Remedy.** ~~Upon written notice from the City of Palo Alto, increases to student enrollment may be suspended and/or reduction required. In~~

addition to the remedies available under Condition 29, the City may require that the School suspend enrollment increases or reduce maximum enrollment when it finds the School is found to be in violation of any conditions of approval, including but not limited to the approved transportation demand management plan, anticipated student drop off distribution, or environmental mitigation measures, subject to the following criteria:

- a. Following initial notice of a violation, the School shall be given 45 days to take corrective action and demonstrate compliance to avoid a suspension in enrollment.
- b. Any determination to reduce or suspend increases in enrollment from the Director of Planning and Development Services shall be made within 60 days of the initial notice. This determination may be appealed in writing within 14 days, in accordance with PAMC Chapter 18.78 and subject to applicable fees.
- c. A final determination to suspend increases to or reduce enrollment made after the start of the academic year and prior to March 1 shall apply to the next academic year. Final determinations made on or after March 1 but before the start of the next academic year shall apply to the following academic year regardless of whether the School has remedied any violation(s) that were the cause of the suspended enrollment. The term final determination used in this context includes the time to process an appeal, if filed.
- d. Violations of Average Daily Trips (ADT) and AM Peak trips performance standards may also be enforced pursuant to Mitigation Measure 7a and Conditions of Approval #4 and #~~34~~35.

30. The School shall deposit \$15,000 with the City of Palo Alto to cover all City costs associated with periodic review of the school's compliance with these conditions of approval, the cost of the City's consultant review of School-generated technical reports required by these conditions (including reports analyzing raw traffic data in accordance with these conditions), and handling of community complaints of alleged violations. The deposit amount shall be replenished within 30 days after receiving notice from the City that deposit balance is \$5,000 or less.

31. Before the start of each academic year, the School shall fund the City's installation of temporary vehicle traffic counter devices, for each TDM plan monitoring report required by these conditions for the corresponding academic year. The counting devices shall be placed on street segments identified in MM7a (Emerson, Bryant, and Kellogg). After 15 years of monitoring, the Planning and Transportation Commission shall review whether this condition is still necessary.

32. Prior to issuance of a building permit, the School shall deposit funds with the City of Palo Alto in the amount provided on the City's municipal fee schedule to cover the full costs of independent technical review, monitoring and inspection to ensure compliance with the Mitigation Monitoring and Reporting Program.

33. ~~Reserved.~~ TDM Oversight Committee

The TDM Plan performance shall be subject to review by an advisory TDM Oversight Committee (TDMOC) comprised of two Castilleja representatives and two community representatives. The community representatives shall be appointed by the Director of Planning and Development Services and shall include at least one member of the community residing within 500 feet of the School. The resident members shall serve for two-year terms. The TDMOC shall have these duties:

- If Castilleja submits a monitoring report to the City that contains exceedance of any required metric as outlined in condition of approval #22, Castilleja shall convene a meeting of the TDMOC within 30 days of the date of such report and notify the City of the date the TDMOC will meet.
- The TDMOC will review the report, determine if the exceedance is likely to continue based on the circumstance of the exceedance.
- The TDMOC will provide any recommendations to the Planning and Development Services Director and Chief Transportation Official within 14 days of the TDMOC's meeting.
- If the TDMOC is unable to convene within the timelines above, the Chief Transportation Official and Planning and Development Services Director may act without the recommendations of the TDMOC.

34. In addition to the enforcement measures contained in Mitigation Measure 7a and conditions #28-30, the School shall be subject to the following for violation of conditions #21-24:

- a. ~~During the construction period~~ Between CUP approval and attainment of the maximum or near maximum enrollment for two consecutive years, violation of the AM Peak or ADT thresholds provided in Condition #22 shall be subject to the following schedule:
- i. For ~~each of the 1st first monitoring report two consecutive showing reporting periods where~~ the AM Peak or ADT thresholds are exceeded, additional TDM measures shall be required as determined by the Director of Planning and Development Services in consultation with the Chief Transportation Official.
 - ii. For the 2nd consecutive report showing the AM Peak or ADT thresholds are exceeded, additional TDM measures shall be required as determined by the Director of Planning and Development Services in consultation with the Chief Transportation Official.
 - iii. If there are three consecutive reporting periods (and for each consecutive violation thereafter) during which AM Peak or ADT thresholds are exceeded, ~~the Director reduce enrollment by at least five (5) students or more as reasonably determined necessary by the Director of Planning and~~

Development Services in consultation with Chief Transportation Official to ensure attainment in the next admission cycle. shall scale back the student enrollment level until the TDM program is operating in compliance with the targets; To restore student enrollment reduced by enforcement of this condition, Castilleja must demonstrate compliance with AM Peak and ADT thresholds established in these conditions for three consecutive reporting periods. Upon successful compliance, the restoration schedule shall be determined by the Director of Planning and Development Services and shall not exceed the lesser of 25 students or the total number of number of student enrollment positions reduced through enforcement of this condition.

- b. in the event the Director reduces the enrollment level, the enrollment level cannot be increased until the School is successful in meeting the targets for two consecutive reporting periods. Following attainment of the maximum or near maximum enrollment for two consecutive years, violation of the AM Peak or ADT thresholds provided in Condition #22 shall be subject to the following schedule:
- i. For the 1st monitoring report showing the AM Peak or ADT thresholds are exceeded, additional TDM measures shall be required as determined by the Director of Planning and Development Services in consultation with the Chief Transportation Official.
 - ii. For the 2nd consecutive report showing the AM Peak or ADT thresholds are exceeded, TDM measures shall be required as determined by the Director of Planning and Development Services in consultation with the Chief Transportation Official.
 - iii. If there are three consecutive reporting periods (and for each consecutive violation thereafter) during which AM Peak or ADT thresholds are exceeded, reduce enrollment by at least five (5) students or more as reasonably determined necessary by the Director of Planning and Development Services in consultation with Chief Transportation Official to ensure attainment in next admission cycle. To restore student enrollment reduced by enforcement of this condition, Castilleja must demonstrate compliance with AM Peak and ADT thresholds established in these conditions for three consecutive reporting periods. Upon successful compliance, the restoration schedule shall be determined by the Director of Planning and Development Services and shall not exceed the lesser of 25 students or the total number of number of student enrollment positions reduced through enforcement of this condition.
 - iv. If one report in a calendar year (February 15 or August 1) showed an exceedance of either AM peak hour or ADT thresholds and one or two reports in the next calendar year show an exceedance of AM peak hour or ADT thresholds, implement more intensive TDM measures as determined by the Director of Planning and Development Services in consultation with the

Chief Transportation Official.

- v. If one report in a calendar year (February 15 or August 1) showed an exceedance of either AM peak hour or ADT thresholds and three consecutive reports in the next two calendar years (February 15, August 1 and February 15) show an exceedance of AM peak hour and ADT thresholds, reduce enrollment by up to 5% in the next admission cycle or by up to 10% over the next two admission cycles combined as reasonably determined by the Director of Planning and Development Services in consultation with Chief Transportation Official to ensure attainment of the average daily AM peak hour and average daily trip counts standards. The parties will meet and confer to determine whether and how to reasonably effectuate a reduction beyond the above percentages. If Castilleja come back into and maintains AM peak hour and ADT thresholds compliance for three consecutive reports, Castilleja may resume increasing its enrollment in the next admission cycle by the same number of students as the reduction, and compliance tracking will continue.
- c. Construction trips shall be excluded from the trip counts for AM Peak and ADT.
- d. Violation of TDM program requirements or transportation conditions other than AM Peak and ADT thresholds may result in penalties as provided in Conditions #28-30.

INDEMNIFICATION/SEVERABILITY:

- 35. To the extent permitted by law, the School shall indemnify and hold harmless the City, its City Council, its officers, employees and agents (the "indemnified parties") from and against any claim, action, or proceeding brought by a third party against the indemnified parties and the applicant to attack, set aside or void, any permit or approval authorized hereby for the project, including (without limitation) reimbursing the City for its actual attorneys' fees and costs incurred in defense of the litigation. The City may, in its sole discretion, elect to defend any such action with attorneys of its own choice.
- 36. Approval of the project would not have been granted but for the applicability and validity of each and every one of the specified conditions and/or mitigations, and if one or more of such conditions and/or mitigations is found to be invalid by a court of competent jurisdiction this approval would not have been granted without requiring other valid conditions and/or mitigations consistent with achieving the same purpose and intent of such approval.



Planning & Transportation Commission

Action Agenda: January 19, 2022

Virtual Meeting
6:00 PM

Call to Order / Roll Call

Madina Klicheva, Administrative Assistant, played a recording that explained how to provide public comment. She then called the roll and announced that all Commissioners are present and that there was a quorum.

1. Adoption of a Resolution Authorizing use of teleconferencing for Planning and Transportation Commission Meetings During Covid-19 State of Emergency.

MOTION

Commissioner Hechtman moved the adoption of the resolution authorizing the use of teleconferencing for the Planning and Transportation Commission (PTC) during the Covid-19 State of Emergency.

SECOND

Vice-Chair Summa seconded.

VOTE

Ms. Klicheva called a roll call vote and announced that the motion carried 7-0.

MOTION PASSED 7(Chang, Hechtman, Lauing, Reckdahl, Roohparvar, Summa, Templeton) -0

Chair Lauing announced that the Commission will adopt the Council's protocol of keeping video feeds on for all Commissioners during the meeting. He moved to oral communications.

Commission Action: Motion by Hechtman, seconded by Summa. Motion Passed 7-0.

Oral Communications

The public may speak to any item not on the agenda. Three (3) minutes per speaker.^{1,2}

Chair Lauing explained that oral communication was the time for members of the public to speak to the Commission on items that were not on the agenda.

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Aram James clarified that the Brown Act does not require folks to share their names when they speak during public comment. He mentioned that his only priority for City Council to focus on for the year 2022 was to fire the current Police Chief of the Palo Alto Police Department. The Police Chief has violated the public trust and does not promote transparency. He invited the PTC Members to attend the community event to discuss if Santa Clara County should construct a new jail.

Rebecca Eisenberg agreed with Mr. James's comments regarding the Police Chief and the Palo Alto Police Department. She shared that the City's new Public Safety Building includes a new jail which was the most expensive aspect of the project. She questioned whether the City needs a jail near California Avenue. She encouraged PTC to consider the ramifications of approving construction and underground construction that has high impacts on the planet.

Agenda Changes, Additions and Deletions

The Chair or Commission majority may modify the agenda order to improve meeting management.

Chair Lauing asked if there are any agenda changes, additions or deletions? Hearing none he moved to City official reports.

City Official Reports

2. Directors Report, Meeting Schedule and Assignments

Rachael Tanner, Assistant Director, reported that there was no City Council in the past week due to Martin Luther King Day. In the upcoming City Council meeting, Staff will be presenting their work on the height transitions for the Objective Standards. Council will also be adopting their summer and holiday break calendar for the year 2022. After Council's calendar is formalized, she encouraged PTC to discuss the PTC's calendar and use Council's calendar as a reference. At January 24, 2022, PTC meeting, Staff will present their work on Tenant Relocation Assistance which is one part of the Tenant Protection Package. After coming to PTC, Staff will present the Tenant Relocation Assistance proposal to Council at their January 31, 2022 meeting and she encouraged the PTC liaison to attend that meeting to answer any questions that Council might have about PTC's recommendation.

Philip Kamhi, Chief Transportation Official, announced that the Safe Routes to School Program will be hosting spring rodeos rather than fall rodeos. He disclosed that the Office of Transportation has three Staff vacancies, but the department has submitted an offer to an individual. That individual will be responsible for carrying forward the South Palo Alto Bikeways Project, the Bicycle and Pedestrian Transportation Plan, Micro Mobility Scooter and Bike Share Project and On-Demand Transportation Project.

Chair Lauing inquired if there were any other Staff reports.

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1 Ms. Tanner answered no, but Staff was available for questions.

2 **Action Items**

3 Public Comment is Permitted. Applicants/Appellant Teams: Fifteen (15) minutes, plus three (3) minutes rebuttal.
4 All others: Five (5) minutes per speaker.1,3

- 5
- 6 3. PUBLIC HEARING/QUASI JUDICIAL/LEGISLATIVE: Review of the Castilleja School's
7 Requested Conditional Use Permit and Variance per Council Direction March 29,
8 2021, and Review of a Draft Ordinance per Council Direction Amending Section
9 18.04.030 Regarding Definition of Gross Floor Area in the R1 Zone for Below Grade
10 Garages. Zone District: R-1(10,000). Environmental Review: The Final Environmental
11 Impact Report (EIR) was Published July 30, 2020 and the Draft EIR was Published July
12 15, 2019.

13 Chair Lauing read the Action Item title into the record. He noted that the item is a continued
14 hearing and there will be no public comment. He shared that PTC did approve the project in
15 2021 to Council on a 4-2 vote. Council did not adopt that recommendation and referred several
16 key items back to PTC and the Architectural Review Board (ARB) for further exploration. He
17 outlined that any action taken in the meeting will be straw vote direction to Staff and then Staff
18 will come back at a future meeting with the information.

19 Commissioner Reckdahl disclosed that he will be recusing himself from the item due to his
20 active membership with Palo Alto Neighborhoods (PAN). He shared he was involved with a
21 letter that was sent to City Council regarding PAN's concerns with the Castilleja School
22 Expansion Project. He shared his frustration of having to recuse himself from the item, but by
23 doing so he was allowing the Commission to come to a fair and impartial decision.

24 Chair Lauing expressed his disappointment.

25 Commissioner Reckdahl agreed.

26 Chair Lauing invited Staff to share their presentation.

27 Amy French, Chief Planning Official, shared that on March 15, 2021, and March 29, 2021,
28 Council reviewed the PTC's and ARB's recommendations on the project. Council made two sets
29 of motions that directed further studies and Board and Commission consideration. In December
30 of 2021, the ARB and PTC considered five parking options and studies that were prepared by
31 the City's consultants. All information pertaining to the project was accessible to the public
32 through the project's home page on the City's website. Staff requested that the PTC provide a
33 straw poll for the following topics: Garage Gross Floor Area Definition Text Amendment, Phased
34 enrollment increase procedure guidance, special events, Transportation Demand Management
35 (TDM) plan measures, parking options, and surface parking/adjustments, Residential Parking

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1 Program (RPP) options, temporary campus/construction phasing and other. Staff requested
 2 that PTC begin with topic two. Staff quickly showed the motions that Council provided for each
 3 topic and their corresponding PowerPoint slide from the December 2021 PTC meeting.

4 Chair Lauing requested that Staff provide Council's motion regarding topic two, enrollment
 5 increase procedure guidance.

6 Vice-Chair Summa agreed with City Council that the City should increase enrollment to 450
 7 students. Rather than having an enrollment increase baked into the program, she preferred
 8 Castilleja to come back for a Conditional Use Permit (CUP) amendment. She supported that
 9 approach because there was a loss of faith between the community and the school regarding
 10 enrollment.

11 Commissioner Roohparvar supported starting enrollment at 450 students and going up to 540
 12 students. She did not support having Castilleja come back when they wished to have an
 13 enrollment increase.

14 Commissioner Templeton believed that Vice-Chair Summa's proposal did not achieve the
 15 direction set out by Council. Council's direction was for PTC to identify a procedure that allowed
 16 Castilleja to begin enrollment at 450 students and increase up to 540 students. She also did not
 17 support the item coming back for more review if the school wished to increase enrollment due
 18 to the amount of delay and expense the City has already incurred. She supported having a plan
 19 baked in based on the prior discussions.

20 Commissioner Chang confessed she was confused by Council's motion. Her interpretation from
 21 Council's discussion was to have PTC identify a procedure in general as to how enrollment
 22 increases should be determined rather than specifically from 450 students to 540 students. She
 23 recalled that Castilleja's student body in 2013 was at 450 students. The neighbors felt the
 24 impact of the increased number of students which was over the allowed enrollment cap in the
 25 existing CUP. She recommended that Castilleja be allowed to increase to 450 students and then
 26 request for increased enrollment once it has demonstrated there has been no impact. She was
 27 not confident in the no net new trips due to the TDM only being able to measure trips to set
 28 locations and not to the neighborhood as a whole.

29 Commissioner Hechtman pointed out that the Commission talked about enrollment increases
 30 at length when the PTC recommended approval of the project to Council. He recalled that PTC
 31 recommended a higher starting enrollment, possibly 490 students, and that increase was
 32 triggered by the completion of the underground garage. He supported having enrollment begin
 33 at 450 students due to there being less traffic because of the TDM. He supported Commissioner
 34 Templeton's comment regarding the delays and expense the project has caused to the
 35 applicant, the community and the City. He remarked that the 6-year process is an undesirable
 36 amount of time to be processing an application and the process has bitterly divided neighbors.

-
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1 For these reasons, he did not support the idea of having Castilleja come back to the City when
 2 they wished to have an enrollment increase. He supported an enrollment increase that was
 3 clear, concise, provided no guesswork in how the school will increase its enrollment moving
 4 forward and the current proposal provided all of those aspects. Once implemented and
 5 unforeseen consequences happen. The City has the power to initiate a modification process for
 6 their CUP. He had concerns regarding the phased approach for enrollment increases. He
 7 believed it was important for the Commission to understand when the school will have its first
 8 increase of 25 students.

9 Commissioner Roohparvar recalled that PTC had already identified a procedure of how and
 10 when the school will increase its enrollment. That procedure was identified in the Staff report
 11 as well as on Packet Page 19. She asked if Council wanted PTC to be more specific regarding
 12 that plan?

13 Commissioner Chang acknowledged that she was not part of the Commission when PTC
 14 identified a procedure for enrollment increases. She noted that Council was not supportive of
 15 PTC's identified procedure and the PTC should not continue to use that proposal. She
 16 mentioned that if Castilleja were to come back and request for an enrollment increase. The CUP
 17 Amendment would only be for an enrollment increase and not the other components that
 18 currently existed in the application. She shared her concern that Castilleja would not easily be
 19 able to roll back a 25 student increase if they were found out of compliance with their trips to
 20 campus. There was no way to ameliorate the problem if it becomes clear that the enrollment is
 21 too high if the enrollment is increased too quickly.

22 Chair Lauing acknowledged that he spent many hours reviewing the Council and PTC minutes.
 23 He mentioned that Council wanted PTC to review allowing Castilleja to apply for an enrollment
 24 increase. He did not feel that Council had directed PTC to identify different student enrollment
 25 figures. Based on comments made by the applicant, their consultant, and the fact that no net
 26 new trips have ever been conditioned. He felt that there was a lot of risk to the City based on
 27 those facts. He mentioned that the project was never explored broadly and how the entire area
 28 outside the campus will be impacted by student enrollment. He concluded that the proposal
 29 does not have a safety net. He supported Vice-Chair Summa's approach to allowing for
 30 enrollment to go up to 450 students and then evaluate the impacts over the next several years.
 31 There was no justification to increase enrollment up to 540 students at this time.

32 Commissioner Templeton asked what was the maximum enrollment Castilleja has had in the
 33 past.

34 Ms. French answered that it was close to 450 students, but the school has been decreasing its
 35 enrollment since it reached the 450 mark.

-
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1 Commissioner Templeton inquired if the neighbor's identified that the school was over-enrolled
2 or did the school self-disclose the violation.

3 Ms. French answered that the school self-disclosed the violation.

4 Commissioner Templeton concluded that it was not true that the community noticed the
5 increased enrollment, complained and that was what uncovered the non-compliance to the
6 existing CUP. It was an internal audit and self-disclosure.

7 Ms. French stated that was her understanding.

8 Commissioner Templeton remarked that based on that information, the school was at 450
9 students and was not identified by the neighbors as being disruptive. The school has
10 implemented strategies to reduce traffic since that time. She requested that Staff explain what
11 exactly Council meant in their motion and what Staff was seeking from PTC.

12 Ms. French explained that Staff's interpretation of Council's motion is to begin enrollment at
13 450 students before construction begins. Then have two monitoring reports in the first year,
14 then have another monitoring report in the following year and then use those three reports to
15 determine if Castilleja can increase their enrollment by 25 students. Staff wanted to understand
16 if the Commission would like to make adjustments to that plan, provide feedback on having the
17 TDM shift on who gets to choose additional TDM measures and hear feedback on the
18 connection between enrollment and the TDM.

19 Chair Lauing asked if the enrollment numbers are different from when the PTC first
20 recommended approval of the project in the year 2020.

21 Ms. French confirmed that the 2020 proposal included using three monitoring reports. The
22 difference was instead of having milestones tied to construction, the enrollment would start at
23 450 irrespective of the building.

24 Commissioner Templeton asked if the table showing enrollment increases incorporated
25 changes directed from Council and Staff was presenting it to PTC for feedback.

26 Ms. French answered that is correct.

27 Commissioner Templeton requested that Staff comment on Staff time and City investment in
28 reviewing the traffic monitoring report versus reviewing another CUP.

29 Ms. Tanner predicted a CUP review would be more labor-intensive than reviewing a monitoring
30 report.

31 Commissioner Templeton stated that the City is already familiar with monitoring reports.

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Ms. French clarified that the City already collects monitoring reports from Castilleja for the school. The proposal was not a departure from what was already happening currently.

Commissioner Templeton announced her support for the phased enrollment increases as proposed. She preferred the less labor-intensive and high impact from the monitoring reports versus having Castilleja come back for CUP amendments for enrollment increases. She supported having enrollment begin at 450 students due to the TDM plan being in place at the time 450 students is implemented.

Commissioner Hechtman reminded the Commission that the Environmental Impact Report (EIR) studied traffic within the broader area surrounding Castilleja School. The conclusion of the EIR, without having the no net new trips requirement, was that there would be no significant impact on traffic from the project. The EIR also analyzed potential future projects for the surrounding area. To address Staff's ask that the PTC disclose what information they wished to see at a future meeting regarding the eight topics. He wanted to see a more expanded, updated and realistic phased enrollment schedule that included the due dates for the monitoring reports and that applies to Castilleja's admission process. The additional information would show how long it would take the school to increase to 450 students and then how long it would take after that to increase enrollment by 25 more students.

Ms. Tanner mentioned that the first monitoring report would be due at the beginning of the calendar year in January and would cover the academic period from August through November. Then the next monitoring report would be due in May and that would cover the academic period from December through March. Then the third report would be due in September and would cover the academic period from April through July. Any increase in enrollment would be based on the proven effectiveness of the TDM from those periods.

Ms. French clarified that the City will continue to receive reports from the school based on the existing 426 students and that would count as a report. The process was not to increase enrollment to 450 students and then begin monitoring.

Commissioner Hechtman found Ms. French's clarification helpful. He understood from Council's direction that Council was comfortable that Castilleja could increase from 426 students to 450 students and meet the no new net trips requirement. He wanted to see a calendar that outlined when the first 25 students would be added to reach an enrollment of 450 students and then when the reports were after that. Then when could the school increase again and those corresponding reports?

Ms. French confirmed that Staff can draft a more specific calendar.

Vice-Chair Summa acknowledged that Castilleja has a TDM plan in place already and that the school has been successful in implementing that plan. She noted that the impact of enrollment

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1 was not limited to just traffic. Also, the EIR did not explore the new traffic measurement
 2 standard of Vehicle Miles Travel. She noted that the school would be able to increase
 3 enrollment to 450 students very quickly based on the comments made by Castilleja's Head of
 4 School. Also, the Head of School had indicated that the high school enrollment would increase
 5 more than the middle school which would result in more student drivers. She remarked that
 6 based on the school's TDM, there was no way to count how many Castilleja-affiliated cars will
 7 be parked in the neighborhood or dropped off in the surrounding neighborhood. If the City
 8 installed car counters on the neighborhood streets, there would be no way to separate
 9 Castilleja-affiliated cars from neighborhood traffic and construction traffic. She wanted to see
 10 enrollment increased to 450 students after construction is complete and then come back to the
 11 City for CUP enrollment amendments. She concluded that it is not fair to say that the neighbors
 12 did not feel the impacts when the school was over-enrolled in 2013. She commented that the
 13 neighbors have been very involved and have been concerned for a long time regarding
 14 enrollment.

15 Chair Lauing asked if the three monitoring reports would capture car counts on three days out
 16 of the year.

17 Sylvia Star-Lack, Transportation Manager, mentioned that there would be driveway counts and
 18 those would be measured every day. The measures would be for total trips and peak hour trips.
 19 Also, within the trimester monitoring, a random week would be decided by the City to install
 20 car counters at the driveways on the public street. Those counters would measure total trips
 21 and peak hour trips. Those two metrics would be included in the monitoring reports.

22 Commissioner Hechtman asked the environmental consultant if the EIR for the project had
 23 included data around the change in state law to Vehicle Miles Travel.

24 Katherine Waugh, Dudek, agreed with Vice-Chair Summa's recollection that the Draft EIR was
 25 published before the new law took effect. The Final EIR was published just as the new state law
 26 was being implemented. Typically, the laws that are in effect when the Draft EIR is published,
 27 are the laws that the Final EIR evaluates against. She agreed with Commissioner Hechtman that
 28 the Final EIR did include information regarding Vehicle Miles Traveled but was not detailed due
 29 to the process not being well established.

30 Commissioner Chang wanted to understand if the City is bound by any laws concerning deciding
 31 whether or not to renew a CUP. If a project doesn't cause environmental impacts, is the City
 32 required to approve the CUP?

33 Albert Yang, Assistant City Attorney, stated that the rule for quasi-judicial actions is that the
 34 City's decision must be supported by substantial evidence. The City must be able to show the
 35 links between the evidence that is in the record, the findings that were applied and the ultimate
 36 decision of approval or denial.

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1 STRAW POLL #1 ON ITEM NUMBER TWO, ENROLLMENT INCREASE

2 Chair Lauing stated that there is no reason for the City to take the risk and there was no
3 urgency to do so. He supported having the school increase enrollment to 450 students, then
4 wait for 2-years, reevaluate and then have Castilleja come back with a request for a new CUP.

5 Commissioner Hechtman restated that the meeting is intended to provide direction to Staff on
6 information that the PTC will need to make a recommendation at their next meeting. He felt
7 that Chair Lauing's proposal was a recommendation, not a straw poll vote.

8 Chair Lauing shared that if supported, the PTC would not have to make another motion for the
9 phased approach at this time. He clarified that his motion will show to Council that several
10 Commissioners supported this way, while others supported another way.

11 Commissioner Templeton stated that she did not support the motion.

12 Commissioner Chang asked if the motion needed a second.

13 Chair Lauing noted that no second was needed, it was a straw poll motion.

14 Ms. Tanner explained that a traditional motion required a maker, seconder and a roll call vote.
15 A straw poll motion was a show of hands vote that indicated that a Commissioner supported it
16 or not.

17 Commissioner Hechtman announced that he would not be supporting the motion. He
18 encouraged other Commissioners not to support it as well because it attempted to cut off the
19 PTC's information gather process.

20 VOTE

21 Mr. Yang suggested that Staff conduct a roll call vote and each Commissioner state whether
22 they support the straw poll motion or not.

23 Ms. Klicheva conducted a roll call vote.

24 STRAW POLL #1 SUPPORT 3(Chang, Lauing, Summa) – AGAINST 3(Hechtman, Roohparvar,
25 Templeton) (Reckdahl recused)

26 Chair Lauing invited a straw poll regarding phased enrollment increase.

27 STRAW POLL #2 ON ITEM TWO, PHASED ENROLLMENT INCREASES

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1 Commissioner Hechtman moved a straw poll that Staff comes back next time with a more
 2 detailed phased enrollment calendar that takes into consideration Castilleja's enrollment
 3 schedule and included the likely school year where they would first achieve an enrollment of
 4 450 students.

5 Chair Lauing asked what the objective is to have that data.

6 Commissioner Hechtman explained that the data will help the Commission understand how the
 7 phased enrollment would roll out over years if the school can satisfy the monitoring report
 8 requirements.

9 Commissioner Templeton understood that Commissioner Hechtman found the phased
 10 enrollment increase chart unrealistic, too fast and he wanted to see a more realistic chart.

11 Commissioner Hechtman answered that is correct. He added that he would like to know the
 12 school's admission cycle included in the chart.

13 Commissioner Templeton remarked that she can support the motion.

14 Vice-Chair Summa disclosed that she did not understand the proposed straw poll motion. She
 15 confessed she did not understand the construction impacts and predicted that the first 3-years
 16 would be very impacted by construction.

17 FRIENDLY AMENDMENT #1

18 Commissioner Chang echoed Vice-Chair Summa's comment and wanted to understand how
 19 construction will impact monitoring. She wanted to better understand what happens if the
 20 school doesn't meet the no net new trips requirement and what the timeline would look like to
 21 decrease enrollment.

22 Chair Lauing commented that he was not sure about the materiality of the answer that the
 23 additional data will show. It did not matter much how soon it takes the school to begin
 24 increases and reach 540 students because it's already going to up anyways.

25 Ms. Tanner mentioned that Staff can discuss with Castilleja what their enrollment schedule
 26 typically is to ensure that the monitoring reports and the City's review align.

27 FRIENDLY AMENDMENT #1 ACCEPTED

28 Commissioner Hechtman appreciated Commissioner Chang's comment regarding consequences
 29 and added that the new chart should outline what happens when Castilleja is not in
 30 compliance. Regarding decreasing enrollment, he explained that decreasing enrollment was the
 31 last and most severe action. If there was an exceedance, Castilleja has to apply new programs

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1 to decrease their car trips. If there are a series of reports with non-compliance then the City will
2 require the school to conduct specific TDM measures.

3 FRIENDLY AMENDMENT #2

4 Commissioner Templeton asked if the straw poll motion included how construction will alter
5 the monitoring schedule. She found that comment very important.

6 Commissioner Hechtman understood that Staff had a method in place that eliminated the
7 construction traffic from the counts.

8 Ms. Star-Lack confirmed that construction trips would not be counted, but she did not know
9 how the consultants had planned to keep the trips separate.

10 FRIENDLY AMENDMENT #2 FAILED

11 FRIENDLY AMENDMENT #1 WITHDRAWN

12 Commissioner Chang mentioned that with Staff's explanation, the straw poll motion does not
13 need to include construction traffic. She remembered that the TDM did discuss consequences
14 and decreasing students and felt that her concern had been addressed.

15 Commissioner Hechtman accepted the withdrawal.

16 VOTE

17 Ms. Klicheva conducted a roll call vote.

18 Commissioner Hechtman confessed he did not hear the Chair's vote on the straw poll.

19 Chair Lauing commented that his vote was no.

20 STRAW POLL #2 SUPPORT 3(Hechtman, Roohparvar, Templeton) – AGAINST 3(Chang, Lauing,
21 Summa) (Reckdahl recused)

22 Chair Lauing invited Commissioners to make a straw poll vote on the number of special events
23 that Castilleja will be allowed to have at the school.

24 Ms. French remarked that Staff would like to understand if the Commission wants to
25 recommend less than 70 events and if so why.

26 Ms. Tanner mentioned that the Commission previously voted to allow the school to have 74
27 events.

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1 Ms. French noted that did not include the major events. Staff recommended 70 events and PTC
2 recommended 74 events at their 2020 meeting.

3 Commissioner Chang disclosed that the public has shared that evening and weekend events
4 that are the problem. The provided chart that was linked to the Staff report did not indicate
5 which events were evening and weekend events. She stated that it's difficult to discuss events
6 when operating hours were not part of the PTC's purview.

7 Ms. Yang confirmed that there are conditions that were related to hours of operation as well as
8 noise.

9 Commissioner Chang stated that to determine how many events there should be, she had to
10 understand which events were during evening and weekend hours. She mentioned that the
11 proposed number of events was very large compared to local public schools. She counted JLS
12 Middle School's number of special events and they had six major events, one event with 50 to
13 100 people and 22 events with over 100 plus people. She commented that because she did not
14 know the hours for the events, what day they were on, and the comparison to a local public
15 school. She supported a maximum of 50 events.

16 Chair Lauing inquired if Staff has the hour of operation information available.

17 Ms. Tanner confirmed that the Commission can delineate the events. She noted that the special
18 events included sporting events and other events.

19 Ms. French answered that there are 32-weekday events per year, five events that were held on
20 a Saturday and evening events were restricted from 6:00 pm to 8:00 pm. Performances were
21 required to end by 10:00 pm and there were to be no Sunday events.

22 Commissioner Templeton requested that Staff comment on the data that Commissioner Chang
23 shared regarding JLS Middle School and its events.

24 Ms. French mentioned that the applicant had submitted data that compared Castilleja with
25 other private schools.

26 Ms. Tanner commented that Staff would have to understand more about the events that
27 Commissioner Chang counted and understand what she deemed to be a special event.

28 Ms. French confirmed that Staff can return with comparable data for the Commission to review.
29 She clarified that an event was considered to be 50 or more people.

30 Commissioner Templeton inquired if it would be possible to compare Castilleja with other high
31 schools and middle schools within the City.

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1 Ms. French stated that Staff has the data but did not have it available.

2 Commissioner Templeton remarked that the number of the allowed event felt low, but
3 acknowledged that may be because of personal perspective of what an event was. She
4 recommended that the language be very clear in the thermology to help everyone stay on the
5 same page.

6 Vice-Chair Summa associated her concerns with Commissioner Chang's. She recalled that there
7 was a chart comparing Castilleja to other schools and it indicated that Castilleja was proposing
8 to have more events. She supported the suggestion of having a more detailed breakdown of
9 the proposed events, when they happen, where they weekend or evenings, and the time they
10 take place during the day. She concluded that her instinct was to allow 50 events due to other
11 schools in the area having way few special events.

12 Commissioner Hechtman commented that he has no issues with the proposed five major
13 events. He mentioned that of the 70 events in the list, some of the events were discretionary
14 but 22 of the 70 he considered to be a functioning part of a private school. He wanted to see
15 8th-grade parent/school workshop, new 9th-grade parent/student workshop, upper school
16 preview night, admissions diversity night, middle open house, upper school open house,
17 admission's tours, GIT 10th-grade student/parent meeting, the 6th opening meeting and laptop
18 orientation, the collage 101, CAPPa welcome reception, the grades 8 to 11 curriculum and
19 course registration, and the grade level parent/teens meetings placed in a separate category
20 for events that were part of a private school's function. He commented that those events
21 should not happen off-campus and they should happen at a time when the parents can come.
22 He wanted to see a straw poll motion that had five major events, 22 admission/school business
23 events and 48 other special events.

24 Commissioner Chang confessed that she could not try and guess which events were critical to
25 operations and which weren't. She acknowledged that the pandemic has changed the way
26 events are held. The local public schools have seen greater participation when events are not
27 held in person. She suggested that Castilleja highlight which events happen in person on
28 campus and which can be held virtually.

29 Commissioner Roohparvar commented that after hearing Staff's breakdown of the events that
30 she supported having upwards of 70 events. She supported the idea of having a more detailed
31 breakdown of the events categorizing which events were administrative and which events are
32 more for the students. Also, the days and times the events happen. She requested that Staff
33 provide information on if there have been noise complaints and how many times that has
34 occurred.

35 Commissioner Templeton appreciated all of the comments and the discussion. She found the
36 item to be challenging because she did not want the City to be micromanaging the school's

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events to ineffectiveness. She was concerned that going down to a maximum of 50 events per year could potentially harm the school and be detrimental to the students. She emphasized that PTC should not be managing the school, but recommending items that would be productive in the CUP. She encouraged the PTC to design a CUP that needs the neighbors, the applicant and the City. She did not want to see a process that has more City control and overhead due to the costliness to the City and community. Regarding special events, she commented that events are an opportunity to give back to the community and build community. She wanted to see guidance in the CUP that was open-minded and saw events as something that may have a mutual benefit.

Chair Lauing agreed with Commissioner Chang that he was more sensitive to the time of day and weekends rather than the exact number of events. He supported the idea of Staff coming back with a more detailed list of events. He did not support providing a list to Council had highlighted specific events for specific categories.

Vice-Chair Summa inquired if the events that Commissioner Hechtman outlined had more than 50 attendees.

Ms. Tanner answered that Staff did not know the answer at this time.

STRAW POLL #3 ON ITEM NUMBER THREE, SPECIAL EVENTS

Commissioner Hechtman moved to have Staff work with the applicant and return to PTC a more detailed version of the table that was provided in the Staff Report that listed all the activities. He clarified that the additional detail should include days of the week the event takes place, hours between which the event occurs, confirm with the applicant that the items on the list are all events where they expect 50 or more people and separately categorize admission/operational special events.

FRIENDLY AMENDMENT #1

Commissioner Chang supported the motion but requested that Staff clearly delineate which items are weekend events and which are nighttime events.

Chair Lauing agreed.

FRIENDLY AMENDMENT #1 ACCEPTED

Commissioner Hechtman accepted the amendment.

VOTE

Ms. Klicheva conducted a roll call vote.

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1 STRAW POLL #3 SUPPORT 6(Chang, Hechtman, Lauing, Roohparvar, Summa, Templeton)-0
2 (Reckdahl recused)

3 Chair Lauing suggested the Commission take a short break and Commissioner Templeton
4 agreed.

5 [The Commission took a short break]

6 Chair Lauing requested that Staff give a brief presentation for TDM plan measures.

7 Ms. French inquired if the Commission had anything they wished to add to Council's motion or
8 had feedback on the TDM plan itself.

9 Vice-Chair Summa stated that the TDM is very meaty and she did not have any comments at
10 this time. She thanked Staff for including in the conditions that the oversight committee shall
11 include members of the public. She hoped that the City would enforce the TDM with the
12 recommended penalty system and she acknowledged that often enforcement does not happen.

13 Commissioner Chang agreed with Vice-Chair Summa that having members of the neighborhood
14 on the oversight committee was a good addition. She recommended that the oversight
15 committee be co-chaired by a neighbor and Castilleja staff. Regarding bullet point number two,
16 she mentioned that many local schools already prohibit juniors from driving to school. She
17 encouraged including in the TDM plan satellite parking and/or a kiss and ride programs with
18 shuttles. Those types of programs would save time for parents during peak hours and could
19 help Castilleja meet the TDM requirements.

20 Chair Lauing agreed with all of Commissioner Chang's comments. Regarding bullet point four of
21 Council's motion, he asked when are the reductions for the required parking going to be
22 implemented.

23 Ms. French explained that the parking requirements are based on the number of classrooms
24 and it differed if it was a high school classroom versus a middle school classroom. It would
25 depend on the blend of the 450 students and whether Castilleja was meeting parking on
26 campus or not. If the school did not meet the parking requirements, then they would have to
27 request a Parking Adjustment from the City which they did submit in their application.

28 Mr. Yang explained that one of the bases for authorizing a parking reduction was because the
29 applicant has a robust TDM. In Council's motion, they asked whether PTC would support a
30 parking reduction based on the TDM.

31 Commissioner Hechtman addressed bullet point four first and announced his support for
32 allowing a reduction in parking based on the TDM. He wanted to understand if Staff had

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1 additional information for PTC regarding bullet point four. Regarding bullet point three, he
 2 agreed that there should be a mix of local representation and Castilleja representation. He
 3 requested that folks discontinue calling the opposing party “the neighbors” because not all the
 4 neighbors opposed the project. He recommended that the oversight committee contain
 5 balanced local representation and include not just folks who oppose the project. Regarding
 6 bullet point two, he pointed out that the concept of prohibiting juniors from driving was
 7 already in the TDM plan and was one of the tools that the school could use to reduce trips to
 8 campus. He recommended that restrict be removed and only be used when there was non-
 9 compliance. He shared that he was uncomfortable with the language in the first portion of
 10 bullet point two because it was legislating enrollment selection processes. He believed that was
 11 severe micromanagement. He wanted to understand the definition of bicycle distance.
 12 Regarding bullet point one, he requested that Staff come back with streamlining of corrective
 13 actions to violations. He recommended Staff provide a schedule of what the timeline would be
 14 for corrective actions and allow the Commission to provide feedback on how to shorten the
 15 timeline. Regarding penalties, he recalled asking Castilleja at the last meeting if eliminating
 16 senior drivers would be an appropriate measure for the City to require if non-compliance is
 17 demonstrated. Castilleja explained that would cause issues because many of the students come
 18 from outside the City and that is their only way to school. He recommended that Staff bring
 19 back a list of TDM measures that the Director of Planning can be imposed quickly to reduce
 20 trips.

21 Commissioner Templeton paraphrased that her thoughts were broader and how to reduce
 22 traffic overall and how to apply modern standards to parking. She encouraged Staff to push for
 23 all projects in the City to have a robust TDM Plan. She recommended that public transportation
 24 be heavily relied upon where possible for Castilleja and she was in favor of reduced parking to
 25 fulfill the school’s enrollment goal without building parking structures. Reducing the amount of
 26 required parking on the site would facilitate fewer single-occupancy trips to campus. She
 27 predicted that bicycle distance was the distance from a transit hub to the school but she
 28 requested further information on the definition. She suggested that a specific number of
 29 students be allowed to drive to school per day and/or use a lottery system to determine those
 30 students. She supported the comments regarding the oversight committee.

31 Commissioner Chang confessed that she was very leery of under-parking the development
 32 based on the many projects within Palo Alto that were under-parked. She stated she’d support
 33 a parking reduction if there were concrete measures that were not a menu of items that could
 34 be put in place but baked-in concepts. Regarding bullet point number two, she requested more
 35 information regarding other private schools that are required to have a certain percentage of
 36 the student population be from the city. Also, what other private schools do for shuttling or
 37 restricted student driving arrangements.

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1 Commissioner Roohparvar wanted to know how traffic and its impacts have changed in the City
 2 since the pandemic and how that has impacted the traffic from Castilleja. She inquired if
 3 Castilleja planned to continue to remove schooling and if they planned to move to a hybrid
 4 model.

5 Ms. Tanner inquired if Commissioner Roohparvar wanted Staff to bring back the answer for
 6 remote school or to have Castilleja answer that now.

7 Commissioner Roohparvar mentioned that she is curious to know if Castilleja was available to
 8 comment.

9 Chair Lauing recommended that the question be answered at the next meeting.

10 Mr. Kamhi requested that Commissioner Roohparvar clarify her question.

11 Commissioner Roohparvar explained that if Castilleja intends to use a hybrid model for learning
 12 then fewer students would be coming to campus.

13 Mr. Kamhi noted that most schools are planning to return to full in-person schooling. He
 14 mentioned that remote learning could be a TDM measure if the Commission or Council wished
 15 to pursue it.

16 Commissioner Hechtman suggested that the Commission provide straw poll motions on an
 17 individual bullet point.

18 Chair Lauing agreed.

19 STRAW POLL #4 ON ITEM NUMBER FOUR, TDM PLAN MEASURES

20 Commissioner Hechtman addressed bullet point one and moved to request Staff come back to
 21 PTC with a hypothetical schedule of the corrective actions under the TDM up to the point
 22 where the City would have the right to impose corrective action. He understood from Council's
 23 motion that they wanted to explore a process if Castilleja does not bring to implement TDM
 24 measures at the first report of non-compliance.

25 VOTE

26 Ms. Klicheva conducted a roll call vote.

27 STRAW POLL #4 SUPPORT 6(Chang, Hechtman, Lauing, Roohparvar, Summa, Templeton)-0
 28 Reckdahl recused

29 STRAW POLL #5 ON ITEM NUMBER FOUR, TDM PLAN MEASURES

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- 1 Commissioner Chang addressed bulled point three and moved that Staff give PTC ideas about
- 2 how the neighborhood resident members of the oversight committee will be selected.
- 3 Chair Lauing asked Staff would bring back the composition of the group.
- 4 Commissioner Chang answered not how many and who would be in the group but how the
- 5 selection process will be in choosing the residents.
- 6 VOTE
- 7 Ms. Klicheva conducted a roll call vote.
- 8 STRAW POLL #5 SUPPORT 6(Chang, Hechtman, Lauing, Roohparvar, Summa, Templeton)-0
- 9 Reckdahl recused
- 10 STRAW POLL #6 ON ITEM NUMBER FOUR, TDM PLAN MEASURES
- 11 Commissioner Templeton asked if the Commission was in favor of reducing required parking
- 12 spaces based on a sufficient TDM Plan.
- 13 Commissioner Chang recommended seeing more baked-in TDM measures in the CUP or to see
- 14 guidance on a program that a certain amount of trip reduction would lead to a certain amount
- 15 of reduced parking.
- 16 Ms. French explained that the applicant's TDM consultant had shared a parking table for Option
- 17 D and E for the parking garage that included parking reduction for each option. By using TDM
- 18 measures, the parking can be reduced because fewer folks are driving to campus.
- 19 Commissioner Chang asked what 'new TDM users' meant.
- 20 Ms. French explained that if 10 folks were using bus routes, that would mean there are 10
- 21 unused parking spaces.
- 22 Chair Lauing summarized that Commissioner Chang was not requesting a bunch of examples,
- 23 but enough to see what would work and provide direction to Council based on those scenarios.
- 24 Commissioner Chang answered that some of the TDM measures are user preference and the
- 25 user may not wish to bike to school on a rainy day when they normally would. She stated those
- 26 behavioral changes are concerning and that normally was how TDMs fall apart.
- 27 Vice-Chair Summa understood that parking reductions are under the purview of the Director of
- 28 Planning.

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1 Ms. French answered that is correct but Castilleja has been following a different process. The
 2 Director of Planning has indicated their support for Option E for the parking garage and the
 3 14.4 percent parking reduction.

4 Vice-Chair Summa mentioned that she wanted to discuss the frontage parking spaces and asked
 5 when should she provide her comments.

6 Chair Lauing recommended that Vice-Chair Summa hold her comments.

7 Commissioner Hechtman requested that the maker restate the straw poll motion.

8 STRAW POLL #6 RESTATED

9 Commissioner Templeton asked does the Commission support reducing the required parking
 10 spaces for the project if there is a TDM that accounted for those reduced spaces?

11 Commissioner Hechtman commented that the motion does not request Staff to bring back any
 12 information for the Commission to discuss at a future meeting.

13 Commissioner Templeton remarked that the chart that Staff provided shows that Staff does not
 14 want to reduce parking unless the parking spaces can be accounted for.

15 Chair Lauing rephrased the motion and said the direction to trade-off TDM spaces for a parking
 16 allowance and is the Commission okay with that being part of the process.

17 Commissioner Templeton agreed.

18 FRIENDLY AMENDMENT #1

19 Commissioner Chang requested that Staff provide a similar table that Ms. French showed
 20 earlier but with additional menu options as outlined in Castilleja's TDM.

21 Commissioner Hechtman announced he will support the straw poll motion with the
 22 amendment. He mentioned that the issue of how many parking spaces was not an ongoing
 23 discussion through the life of the CUP. The decision is made at the beginning and then the
 24 applicant builds that amount of parking spaces. He pointed out that the TDM menu are items
 25 that Castilleja can choose among and mandating them would be a Condition of Approval.

26 Vice-Chair Summa asked if the straw poll motion is exploring ways to increase the parking
 27 reduction from 14.4 percent or supporting the Director of Planning's decisions. She shared that
 28 she can support the motion with Commissioner Chang's amendment.

29 FRIENDLY AMENDMENT #1 ACCEPTED

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1 Commissioner Templeton explained that the motion and friendly amendment are identical, but
 2 she accepted the friendly amendment made by Commissioner Chang to gain Vice-Chair
 3 Summa's support.

4 Chair Lauing inquired if Staff understood the straw poll motion.

5 Ms. Tanner summarized that PTC would like to know more about the TDM in order to
 6 understand its connection to the parking reduction and Staff can provide that at a future
 7 hearing.

8 Commissioner Templeton clarified that Staff would not bother preparing the information if the
 9 Commission was not interested in understanding the tradeoffs.

10 VOTE

11 Ms. Klicheva conducted a roll call vote.

12 STRAW POLL #6 SUPPORT 6(Chang, Hechtman, Lauing, Roohparvar, Summa, Templeton)-0
 13 Reckdahl recused

14 STRAW POLL #7 ON ITEM NUMBER FOUR, TDM PLAN MEASURES

15 Commissioner Hechtman addressed bullet point one and moved to have Staff come back to PTC
 16 with a list of potential penalties that could be quickly implemented by Castilleja if ordered by
 17 Staff pursuant to the TDM program and Conditions of Approval.

18 Vice-Chair Summa asked if the Commission already voted on streamlining.

19 Commissioner Hechtman answered that the first straw poll was to have Staff come back with a
 20 schedule and that failed. He explained that he wanted to know what measures Staff can require
 21 of Castilleja that can be immediately implemented and provide immediate relief.

22 Ms. Tanner added that Staff would outline what penalties can be quickly implemented.

23 VOTE

24 Ms. Klicheva conducted a roll call vote.

25 STRAW POLL #7 SUPPORT 6(Chang, Hechtman, Lauing, Roohparvar, Summa, Templeton)-0
 26 Reckdahl recused

27 STRAW POLL #8 ON ITEM NUMBER FOUR, TDM PLAN MEASURES

-
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1 Commissioner Hechtman requested that Staff share Page 26 of the TDM program report which
 2 would help him make his next motion for bullet point one. He reminded the Commission of the
 3 questions he asked the authors of the infractions and consequences page. He moved that Staff
 4 work with the applicant to clarify that there shall be no overlap between the commence
 5 construction until the school reaches maximum enrollment and the 2-years following
 6 completion of the academic building. The next was to clean up the language and use the words
 7 consecutive or subsequent when applicable. The third was that Staff work with the TDM author
 8 and clarify what was meant by 'third report within 5-years'. In summary, Staff would returned
 9 with a revised TDM infractions and consequences page so that the Commission can discuss the
 10 changes.

11 VOTE

12 Ms. Klicheva conducted a roll call vote.

13 STRAW POLL #8 SUPPORT 6(Chang, Hechtman, Lauing, Roohparvar, Summa, Templeton)-0
 14 Reckdahl recused

15 Commissioner Templeton requested to see how many items were remaining on Staff's list.

16 Chair Lauing agreed and requested that Staff put the list up on the screen.

17 Ms. Tanner announced that three items were remaining on the list.

18 Chair Lauing mentioned that Staff and himself believed that items six and seven would be
 19 prompt. He invited the Commission to discuss the proposed parking options.

20 Ms. French remarked that parking Options D and E were reviewed by ARB and they supported
 21 both options. Staff believed that Option E directly responded to Council's motion that restricted
 22 the number of parking spaces to half of the required spaces to be below grade. Option E
 23 preserved tree 155 whereas Option D did not. Both options improved the preservation of
 24 surrounding trees. Option E included a 14.4 percent parking reduction and Option D had a 9
 25 percent parking reduction. The parking reductions were based on the TDM program and
 26 parking reductions can be reduced by up to 20 percent with a robust TDM program.

27 Commissioner Chang stated that her concern with both options, with the proposed parking
 28 reduction, was that neither option reached the threshold of having 50 percent of the required
 29 parking to be below grade as was directed by Council. She expressed her support for Option E
 30 but restated that it did not meet the spirit of Council's request.

31 Chair Lauing understood that there needed to be more at-grade parking spaces.

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- 1 Commissioner Chang answered yes, Castilleja was proposing to remove surface parking which
2 required it to be relocated somewhere on campus and that correlated with the Variance
3 number.
- 4 Commissioner Hechtman asked Staff if there was elaboration at the Council meeting that would
5 help clarify if the Council discussed parking reduction pursuant to a TDM program or not.
- 6 Ms. French confirmed that no statement removed the Code defined as required onsite parking.
7 The Code requires onsite parking that is based on the number of classrooms.
- 8 Ms. Tanner confessed that Staff does not have complete clarity on Council's motion because
9 the terminology was different.
- 10 Chair Lauing suggested that a straw poll be to direct Staff to have Council clarify their motion.
- 11 Commissioner Hechtman agreed that the clarification would have to come from City Council.
12 He appreciated Commissioner Chang's question, but he predicted that Council has not focused
13 on an answer to her question. He did not support having the applicant prepare another parking
14 option that fully satisfied Council's motion. He suggested the Commission disclosed to Council
15 that their direction did not account for the parking reduction and they may want to consider
16 whether it should. He shared that additional information he wanted was a comparison of the
17 pros and cons between Option E and Option D.
- 18 Commissioner Roohparvar stated that she raised this concern before and wanted to raise it
19 again. She recalled asking if the parking reduction was based on the required parking or the
20 adjusted parking requirement. Staff in 2020 answered that the parking reduction was based on
21 required parking. Based on Council's motion, Council was not made aware that the calculation
22 was based on the required parking figure. Based on the information, she supported Option E,
23 but she wanted the additional information that Commissioner Hechtman suggested.
- 24 Commissioner Chang pointed out that based on the timeline, the item has not gone back to
25 Council for clarification on the 50 percent and whether that was based on the initial parking
26 requirement or the reduction.
- 27 Ms. Tanner confirmed that Commissioner Chang was correct. She shared one way the
28 Commission could consider the item was is it appropriate for 50 percent of the required parking
29 to be provided below grade?
- 30 Commissioner Chang clarified that Staff was suggested that the Commission provide feedback
31 on whether the 50 percent of parking sites being below grade was correct.
- 32 Ms. Tanner answered that Commission could provide that feedback.

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- 1 Chair Lauing predicted it would be easy for Staff to ask the Council Members who made the
2 motion and seconded it what their intention was.
- 3 Ms. Tanner noted that the entire Council voted on the motion and Staff could not ask just the
4 maker and the seconder.
- 5 Ms. French inquired if it would help to see visuals of the below-grade footprint for the two
6 options?
- 7 Chair Lauing recommended not to show the visuals and suggested that Staff show them at the
8 next hearing when they bring back the other items.
- 9 Ms. French indicated that she had them available.
- 10 Ms. Tanner suggested that Ms. French show her slides.
- 11 Ms. French shared the two visuals of Option D and Option E proposed footprints. Option
12 Environmental contained 52 parking spaces below grade and Option D proposed 69 spaces
13 below grade.
- 14 Ms. Tanner noted that Option E does fulfill the requirement of 50 percent of parking spaces
15 being below grade.
- 16 Commissioner Chang agreed that Option E does meet the requirement but Option D did not.
- 17 Ms. Tanner mentioned that Option E also fulfilled the requirement of Council's motion meant
18 half of the required parking spaces to be below grade. If the Commission wished to make
19 adjustments to Option E, that could be a direction that could be shared with Staff.
- 20 Vice-Chair Summa shared that she has a strong preference for Option E because it preserved
21 more trees. She wanted to know how the 54 public spaces available on the public right of way
22 played into parking the site.
- 23 Ms. French stated that the Municipal Code does not acknowledge street spaces as meeting the
24 required parking.
- 25 Vice-Chair Summa agreed but pointed out that Castilleja includes those spaces in their parking
26 plan. She recommended that Staff and the Commission address those spaces because Castilleja
27 was relying on them but they are public spaces.
- 28 Ms. Tanner confirmed that those spaces would be part of an RPP and that was a different topic.

-
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1 Commissioner Chang expressed her concern about the utility easement. The proposed garage
2 would be built under a sewage line and that would result in the easement having to be shifted
3 by 15-feet. She asked what the process was for changing the easement and how did the change
4 become approved.

5 Ms. French stated that the Utilities Department reviewed the plans and gave their approval of
6 shifting the easement to allow the two drop-off lanes.

7 Commissioner Chang expressed her concern that the City would not have a straight line for
8 future infrastructure projects.

9 Ms. French clarified that the roadway easement was abandoned and the easement was only for
10 underground pipes.

11 Commissioner Chang noted that Ms. French's statement was more concerning because the
12 ideal method was to have a straight line for water and sewage. She requested that Staff bring
13 back more information about the easement.

14 Ms. Tanner concurred that Staff can bring back more information but stated that the Utilities
15 Department would not approve a project if it was not in the best interest of the City.

16 Commissioner Chang mentioned that the drop-off plan included parents dropping the girls off
17 and then the girls crossing the busy street to get to the stairwell. She stated that the approach
18 is unwise from a safety perspective. She wanted to understand if any changes could be made to
19 the drop-off plan to make it safer.

20 Commissioner Hechtman believed that Staff could ask a Staff member from the Utilities
21 Department to come to the next meeting and that did not require a straw poll vote.

22 Chair Lauing agreed.

23 STRAW POLL #9 ON ITEM NUMBER FIVE, PARKING REDUCTION

24 Commissioner Hechtman moved that Staff bring back a chart listing pros and cons for the two
25 parking options.

26 Commissioner Templeton confessed she did not understand why that was needed. She stated
27 that the options were explored in the EIR.

28 Chair Lauing added that ARB also reviewed both options extensively.

29 Commissioner Hechtman clarified that neither option was analyzed in the EIR. One member of
30 the public shared that Option E proposed to save an important tree but Option D did too. He

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1 explained that he wanted to better understand the reason behind by the Commission would
2 choose one option over the other when they make their recommendation to Council.

3 Commissioner Hechtman agreed and recalled that the options came back to PTC as part of their
4 feedback on the EIR.

5 Ms. French clarified that during the EIR process the underground garage did decrease in size.
6 The options before the PTC were options crafted to directly respond to Council's motion. She
7 confirmed that tree 89 is protected in both options but tree 155 was only preserved in Option
8 E.

9 Commissioner Templeton inquired if it was feasible for Staff to return with the level of detail
10 that Commissioner Hechtman was requesting.

11 Ms. French answered yes.

12 Ms. Tanner disclosed that the comparison may not reveal any new information and pros and
13 cons can be subjective.

14 Commissioner Chang agreed with Ms. Tanner and could not support the motion. She confirmed
15 that she did not need a comparison to decide on which parking option she preferred.

16 STRAW POLL #9 RESTATED

17 Commissioner Hechtman clarified that his intention was not to have Staff imagine subjective
18 benefits and detriments. He wanted to compare the objective impacts that an EIR would
19 compare such as trees and soils.

20 Vice-Chair Summa agreed with Commissioner Chang that the Commission had enough
21 information and she as well did not need additional information. She wished there was a no
22 garage option but understood that Council did not intend that to be explored further.

23 VOTE

24 Chair Lauing pointed out that Council's motion did direct Staff and PTC to review both a none
25 underground parking facility and the two options. No underground garage would mean more
26 remote parking locations or more spaces at grade. If the school reduced its Floor Area Ratio
27 (FAR) then more surface parking could be accommodated. He acknowledged that those
28 comments went more to the Variance though than the topic at hand.

29 Ms. Klicheva conducted a roll call vote.

-
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1 STRAW POLL #9 SUPPORT 2(Hechtman, Roohparvar) – AGAINST 4(Chang, Lauing, Summa,
2 Templeton) Reckdahl recused

3 Chair Lauing asked if Staff needed any further direction regarding the parking reduction.

4 Ms. Tanner acknowledged that several Commissioners stated their preferred option but asked
5 if the other Commissioners wished to state their preference.

6 Commissioner Templeton announced that she would choose Option E due to the preservation
7 of more trees and smaller disruption underground. She emphasized that it would be better if
8 there was a way not to have the underground parking garage.

9 Commissioner Chang shared her concerns about the impacts to the Bryant Street Bike
10 Boulevard because it was part of the Safe Routes to School program. She agreed with
11 Commissioner Templeton that it would be better to have no underground garage.

12 Chair Lauing agreed.

13 Ms. Star-Lack appreciated Commissioner Chang's work and support for the Safe Routes to
14 School Program. She shared that as the Manager of the program, she reviewed the plans and
15 because of the current configuration of the southbound Bryant Street bike lane. There were no
16 potential conflicts with cars going into the garage.

17 Chair Lauing invited the Commission to discuss and make recommendations to discuss topic six.
18 He recalled that there was no interest from the public or the applicant to start an RPP.

19 Commissioner Hechtman agreed with Chair Lauing's comment that there was no appetite for
20 an RPP. He suggested that it be included in the TDM as a potential measure that can be
21 implemented.

22 Vice-Chair Summa did not agree that it should be in the TDM because there was already a City-
23 wide process in the City-wide RPP Ordinance. She stated that there is an informal agreement
24 between Castilleja and the neighbors about Castilleja using the public parking spaces on their
25 side of the street. She remarked that Castilleja relied on the space and that made her
26 uncomfortable and it should be discussed in the future.

27 Commissioner Templeton agreed with Commissioner Hechtman's comments. She appreciated
28 Vice-Chair Summa raising her concerns about the public parking spaces. She shared that
29 currently, it was a mutually beneficial arrangement because Castilleja could use all of the public
30 parking spaces and having the arrangement means everyone shares the parking.

31

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1 Chair Lauing stated with no other comments the straw poll motion would be that the
2 Commission does not need any more information.

3 Ms. Tanner suggested that the Commission vote on not proposing an RPP unless or until it is
4 needed.

5 Mr. Kamhi agreed that it would not be inappropriate to consider an RPP because one of the
6 criteria to establish an RPP was that non-resident vehicles needed to substantially interfere
7 with the use of on-street parking by residents. He noted that typically it is a resident-initiated
8 process.

9 Ms. Tanner suggested that the Commission vote to affirm that the Commission feels an RPP
10 should be resident initiated.

11 STRAW POLL #10 ON ITEM SIX, PARKING RESTRICTIONS

12 Chair Lauing moved that the Commission affirm that an RPP should be initiated by residents.

13 VOTE

14 Ms. Klicheva conducted a roll call vote.

15 STRAW POLL #10 SUPPORT 6(Chang, Hechtman, Lauing, Roohparvar, Summa, Templeton)-0
16 Reckdahl recused

17 Chair Lauing invited the Commission to discuss topic seven, construction phasing. He recalled
18 that the applicant had stated that they needed to know the construction schedule before they
19 can explore space for a temporary campus. He believed that there was nothing the PTC would
20 need to make a further decision and exploring a campus should be at the discretion of the
21 applicant.

22 Commissioner Templeton agreed that she did not understand what Council was requesting of
23 the PTC. She agreed also that the ideal situation would be for Castilleja to have an off-site
24 campus during construction.

25 Vice-Chair Summa stated that it was difficult to imagine the school operating in a construction
26 zone, but agreed that it was up to the school.

27 Chair Lauing asked for other comments.

28 Ms. Tanner affirmed that Council did not specifically remand the item to PTC but Staff included
29 it for the totality of the motion that was made.

-
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Chair Lauing invited the Commission to provide comments on item eight, other. He summarized that the Commissioners should share items that were not included Council's motions but the Commissioners needed more information on.

Vice-Chair Summa reaffirmed her interest in discussing a permanent solution for the 54 public parking spaces that Castilleja uses. She requested that Staff provide information, if any, of other private institutions using the public right of way.

Commissioner Templeton confirmed she was interested in understanding the informal agreement between the neighbors and Castilleja regarding the public right of way. She wanted from Staff a clear sense of boundaries on what Staff was seeking from the PTC and what was within the PTC's scope. The project had been reviewed by many City Commission and departments and often the PTC's discussions became blurred with areas that were outside of the Commission's purview.

Commissioner Hechtman supported Staff coming back with more information regarding the street parking. He understood that Castilleja cannot issue tickets, nor can the neighbors if a car parks on the wrong side of the street.

Ms. Tanner confirmed that was correct.

Commissioner Hechtman disclosed that he had ex parte communications with the applicant's attorneys regarding the Text Amendment letter dated January 13, 2022, from the Rotan Tucker Firm. He shared he read the Council's minutes from March 15, 2021, and March 29, 2021, and asked if the March 29, 2021 motions superseded the March 15, 2021 motion or augment it? Also, was there a timeframe for the Text Amendment and did Council have to direct PTC to discuss the Text Amendment?

Mr. Yang confirmed that Staff will be discussing the letter at the next meeting on the item. Council did not have to take any further action regarding the Text Amendment and the March 29, 2021 motion augmented the March 15, 2021 motion.

Commissioner Chang wanted to have more information and a discussion on the Variance at the next meeting. Also, she wanted to understand the difference in Impact Fees that would be based on the Gross Floor Area (GFA) of the garage.

Ms. Tanner clarified that the processing of the application is paid for by the applicant which was different than Impact Fees.

Chair Lauing inquired if Staff needed a straw motion to bring back the suggested information.

-
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- 1 Ms. Tanner stated no but recalled that some of the square footage items the ARB was taking up
2 in terms of the Variance.
- 3 Ms. French confirmed that Council did not direct further study of the Variance from the PTC.
- 4 Chair Lauing asked if the Variance was going to ARB but not PTC for further review?
- 5 Ms. French clarified that the Variance was not within the ARB's purview.
- 6 Chair Lauing restated that PTC Commissioners have expressed that they want to see the
7 Variance with the new revisions.
- 8 Ms. Tanner agreed that Staff can provide more detail to help the Commission understand but
9 emphasized that it was not remanded back to PTC for consideration.
- 10 Ms. French confirmed that Council's motion remanded the Variance to ARB and not PTC.
- 11 Vice-Chair Summa wanted confirmation that Council specifically asked that the Variance go
12 back to ARB.
- 13 Ms. Tanner answered yes.
- 14 Ms. French answered no, Council requested a study as well as requested that ARB review a
15 revised design that reduced the square footage above grade from the building they already
16 reviewed.
- 17 Vice-Chair Summa expressed confusion and did not understand how the Variance could not
18 come back to PTC. She argued that the figures in the Variance have been drastically changed.
- 19 Ms. Tanner agreed that Variances are within the PTC's purview and PTC can make a
20 recommendation. She wanted to be clear that the Variance was not part of Council's direction.
- 21 Vice-Chair Summa clarified that she was surprised that the Variance did not have to come back
22 to PTC because of the new information.
- 23 Ms. French inquired if PTC wanted to do any straw polls for number one of the discussion
24 topics.
- 25 Commissioner Hechtman mentioned that Staff will be coming back to the PTC with the Text
26 Amendment and more analyses.
- 27 Hearing no further comments, Chair Lauing closed the item.

-
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- 1 **Commission Action:** Straw poll motion by Lauing. Vote of 3-3 Reckdahl recused.
 2 **Commission Action:** Straw poll motion by Lauing. Vote of 3-3 Reckdahl recused.
 3 **Commission Action:** Straw poll motion by Hechtman. Vote of 6-0 Reckdahl recused.
 4 **Commission Action:** Straw poll motion by Hechtman. Vote of 6-0 Reckdahl recused.
 5 **Commission Action:** Straw poll motion by Hechtman. Vote of 6-0 Reckdahl recused.
 6 **Commission Action:** Straw poll motion by Chang. Vote of 6-0 Reckdahl recused.
 7 **Commission Action:** Straw poll motion by Templeton. Vote of 6-0 Reckdahl recused.
 8 **Commission Action:** Straw poll motion by Hechtman. Vote of 6-0 Reckdahl recused.
 9 **Commission Action:** Straw poll motion by Hechtman. Vote of 2-4 Reckdahl recused.
 10 **Commission Action:** Straw poll motion by Lauing. Vote of 6-0 Reckdahl recused.

11 **Approval of Minutes**

12 Public Comment is Permitted. Five (5) minutes per speaker.^{1,3}

13 4. December 8, 2021 Draft PTC Minutes

14 MOTION

15 Vice-Chair Summa moved approval of the December 8, 2021 minutes.

16 FRIENDLY AMENDMENT #1

17 Commissioner Hechtman requested that the motion be to approve the draft minutes as revised
 18 for both verbatim and summary minutes.

19 FRIENDLY AMENDMENT #1 ACCEPTED

20 Vice-Chair Summa agreed.

21 SECOND

22 Commissioner Hechtman seconded

23 VOTE

24 Madina Klicheva, Administrative Assistant, conducted a roll call vote and announced that the
 25 motion carried 6-0 with Commissioner Reckdahl recused.

26 Commissioner Hechtman noted that Commissioner Reckdahl was not recused. He should be
 27 counted as absent.

28 MOTION PASSED 6(Chang, Hechtman, Lauing, Roohparvar, Summa, Templeton) -0 -1(Reckdahl
 29 absent)

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1 **Committee Items**

2 Chair Lauing shared that the Housing Element working group continued work on the Housing
3 Element update.

4 **Commissioner Questions, Comments or Announcements**

5 Commissioner Chang asked when PTC will be holding its retreat.

6 Chair Lauing wanted to hold the retreat at the beginning of the year and would be discussed at
7 the next pre-meeting. He shared one potential topic that would include the Work Plan.

8 Rachael Tanner, Assistant Director, stated that Staff would conduct a poll to determine whether
9 the retreat be held during a regular meeting or to hold a special meeting. The retreat would
10 mostly come after Council's retreat which was scheduled for February 5th, 2022 so that PTC
11 Work Plan can be submitted by March 2022.

12 Chair Lauing adjourned the meeting.

13 **Adjournment**

14 11:05 pm

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Palo Alto Planning & Transportation Commission

Commissioner Biographies, Present and Archived Agendas and Reports are available online: <http://www.cityofpaloalto.org/gov/boards/ptc/default.asp>. The PTC Commission members are:

Chair Ed Lauing
Vice-Chair Doria Summa
Commissioner Bryna Chang
Commissioner Hechtman
Commissioner Keith Reckdahl
Commissioner Giselle Roohparvar
Commissioner Carolyn Templeton

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View online: <http://midpenmedia.org/category/government/city-of-palo-alto> or on Channel 26.

Show up and speak. Public comment is encouraged. Please complete a speaker request card located on the table at the entrance to the Council Chambers and deliver it to the Commission Secretary prior to discussion of the item.

Write to us. Email the PTC at: Planning.Commission@CityofPaloAlto.org. Letters can be delivered to the Planning & Community Environment Department, 5th floor, City Hall, 250 Hamilton Avenue, Palo Alto, CA 94301. Comments received by 2:00 PM two Tuesdays preceding the meeting date will be included in the agenda packet. Comments received afterward through 2:00 PM the day of the meeting will be presented to the Commission at the dais.

Material related to an item on this agenda submitted to the PTC after distribution of the agenda packet is available for public inspection at the address above.

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Planning & Transportation Commission

Excerpt Verbatim: December 15, 2021

Castilleja School Project

Virtual Meeting
6:00 PM

3. PUBLIC HEARING/QUASI JUDICIAL/LEGISLATIVE: Review of the Castilleja School's Requested Conditional Use Permit and Variance per Council Direction March 29, 2021, and Review of a Draft Ordinance per Council Direction Amending Section 18.04.030 Regarding Definition of Gross Floor Area in the R1 Zone for Below Grade Garages. Zone District: R-1(10,000). Environmental Review: The Final Environmental Impact Report (EIR) was Published July 30, 2020 and the Draft EIR was Published July 15, 2019 (Continued from the December 8, 2021 meeting)

Chair Hechtman: Chair Hechtman: We will move now to Action Item Number 3, public hearing, quasi-judicial legislative review of the Castilleja School's requested Conditional Use Permit (CUP) and variance per Council direction March 29, 2021, and review of a draft ordinance per Council direction amending Section 18.04.030 regarding definition of gross floor area in the R1 zone for below grade garages. The zone district is R1(10,000). Environmental review: the final EIR was published on July 30, 2020. The draft EIR was published July 15, 2019. This item was continued from the December 8, 2021, PTC meeting and at the point of continuation we were through public comment up to the applicant's rebuttal and stopped at possible Commission questions of the applicant. Ms. French do you have any kind of supplemental staff report that you want to present at this point?

Ms. Amy French, Chief Planning Official: There are no supplemental staff reports, and I would be happy at some point if you would like me to put the organizing slide from the prior presentation, let me know.

Chair Hechtman: Let's do that after we conclude the public comment portion which as I just mentioned is going to involve just any questions that the Commissioners may have of the applicant as though we were just continuing on where we were last time. So, first I will ask do we have the applicant team available to answer questions?

Ms. French: It's a good question. I believe this is advertised to start later in the evening so it's on our agenda. I do see a few people here from the... yeah, I don't see the applicant team here.

-
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1 So, if you would like to take a pause I can try to get to the applicant team. I think we just ended
2 early on the other item.

3
4 Chair Hechtman: I think we should do that because I would like to wrap up that section and the
5 public comment before we start any of our deliberation. So, I have 6:38. Ms. French you'll
6 report back at 6:45 regarding status of the applicant.

7
8 Ms. French: Yes.

9
10 Chair Hechtman: If they're not ready to go right now let's find out when they will, what time
11 they will be ready, and we can reconvene at that time.

12
13 Ms. French: Thank you.

14
15 Chair Hechtman: Stand by everyone

16
17 **The PTC took a break**

18
19 Ms. French: All systems go.

20
21 Chair Hechtman: Thank you, Ms. French. Seeing, confirming that we have our full complement
22 of Commissioners, which we do. And so, we're going to as I said before the break pick up where
23 we left off last time. The applicant has concluded rebuttal and it's time now for any
24 Commissioner questions of the applicant team. Commissioners, do you have questions of the
25 applicant? Commissioner Chang.

26
27 Commissioner Chang: Thank you, Chair Hechtman. Can we quickly identify which of all the
28 names here are the members of the applicant team?

29
30 Ms. French: I can do that. We have Nanci Kauffman, Elizabeth Hughes, Mindie Romanowsky,
31 Natalie Kittner, Kathy Layendecker, Adam Woltag, and Robert Eckols.

32
33 Commissioner Chang: Thank you. Okay, so I wanted to start by asking some pretty big picture
34 questions and some of these might be just to get me up to speed, but they are also because
35 they kind of inform some of the decisions we have to make around the CUP and parking. So, I
36 know that Castilleja expresses a desire to have an enrollment of 540 girls. What is driving that
37 number? Is it an effort to generate more revenue in order to offset the costs of this project or
38 something else or you know, I'm just trying to get more context? And I'd appreciate it if
39 anybody can answer, but maybe Ms. Kauffman because she was the one talking about the
40 desire to educate more girls.

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1
2 Nanci Kauffman, Head of Castilleja School: Yes, I'd be happy to. Thanks, thanks for the question.
3 I guess I'll start by saying that yes, it is the mission of our school to educate girls and frankly, as
4 many girls as possible. We currently do not increase enrollment from middle school to high
5 school and we have over 150 applications for the high school for students that you know, we
6 can't even enroll really maybe a handful of them. When we were first doing our application for
7 an increased enrollment and new master plan we knew from the start that we would not be
8 able to have more trips. And so, one of the ways that we arrived at our number, which really
9 was the maximum number of students that our Transportation Demand Management (TDM)
10 plan could accommodate and not create more trips. In other words, there were just so many
11 things that we could add in terms of the TDM plan and 540 was the maximum number that the
12 experts said that we could add if we added certain TDM we would be able to maintain our trips.
13

14 As far as it has come up occasionally... we're nonprofit. I have to raise, for every student I
15 educate I actually have to raise more money. So, yes the school does become a bit more
16 efficient, but you know we're never driven by revenue. We're always going to be driven by our
17 mission and by our desire to prepare as many girls as possible to lead going into the future. And
18 oh, the last thing I wanted to say is occasionally we hear from neighbors they'll compare the
19 square footage or acreage of our property to other schools and to say you know really 540
20 students is too many for our campus. And my response to that I have several things to say.
21 Many schools have many, many more fields than we do. We had to go off campus to play most
22 of our sporting events so really acreage you have schools, you know, in in urban areas that have
23 much smaller footprints than ours and have more students. I believe the Fire Marshall is the
24 person who is the best equipped to say how many students can be on a campus. And we could
25 accommodate far more than 540, but we limited to that number because of one, to limit the
26 number of trips.
27

28 Commissioner Chang: Thank you for clarifying why the 540 is the magic number. So, to... is
29 there, do you have an idea of, of those increase, in that increase what the breakdown would be
30 is that mainly to address the high school enrollment?
31

32 Ms. Kauffman: Yes.
33

34 Commissioner Chang: Or the middle school? Okay, I mean that's useful to us because right high
35 school students can drive, and middle school students can't. So, or just, they use a different
36 campus in different ways I imagine?
37

38 Ms. Kauffman: Yes.
39

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1 Commissioner Chang: So, a follow on question. So, I know that the mission is to, you know,
 2 educate as many girls as possible, but then why must the increase take place on one campus?
 3 Because so many other schools in the area have moved to two campuses like Pinewood or
 4 Nueva or Harker once they've outgrown their current campus and the restrictions that are
 5 placed on their current campus.

6
 7 Ms. Kauffman: So, the schools that you mentioned for the most part have added a campus
 8 when they've added a new division to their school. So, they are a K through 8 and they want to
 9 add a high school, or they are a high school, and they want to add an elementary school? We
 10 are not talking about adding a whole division to our school. When we did the analysis of, you
 11 know, what... sell, purchasing another property and then building on it I would say that when
 12 we have... we have to modernize this campus, there's no doubt about that. We have to raise
 13 the money for that. And we really believe that having all the girls grades 6 through 12 on one
 14 campus is really an important part of our mission. If we were ever to raise the money to buy
 15 more property we would start another 6 to 12 school. So, it's not for us about adding a division.

16
 17 It's also worth mentioning that coed schools typically don't like to have such a wide range of
 18 students on the same campus. There's a big difference between having a middle school and a
 19 high school on the same campus in a coed school then it is to have six grade girls with senior
 20 boys all on the same campus is much less desirable than having a 6 through 12 all girl's school.

21
 22 Commissioner Chang: I do have more questions, but I want to be sensitive to whether other
 23 people have questions. So, I could keep going, but if other people...

24
 25 Chair Hechtman: Not seeing any hands yet, so Commissioner Chang why don't you keep going
 26 until I do?

27
 28 Commissioner Chang: Okay, so I did want to kind of follow up on your comment about the
 29 density because I have definitely seen that data too where currently, I mean at least in a
 30 residential area, right, Castilleja is very dense. And I so at like 70 students per acre and then it
 31 would go up to 90 students per acre if we go to 540, whereas and that's so much more dense
 32 than even our public schools, which are huge. Like Palo Alto High School (Paly) at 45
 33 approximately and then Gunn at less than 40. I know Gunn has a more expansive campus. And
 34 Pinewood, which is less than 45. But then I think about Stratford, which is an elementary
 35 school, so they don't have fields and they are very dense site and they're still less than 50. So,
 36 as I think about this I actually have a background in Higher Ed working at the Stanford Graduate
 37 School of Business and I wonder like are there implications about the density such that it affects
 38 the quality of the educational experience? So, for example, I looked at your plan and there's a
 39 number of underground classrooms. And the Stanford Business School was like the
 40 underground school, which was terrible. And so, and, you know, I think about high school

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1 students with my own student and mental health and sunlight. So, I'm wondering if you worry
 2 about that? And, you know, it's just the situation where gee the neighbors don't want the
 3 density and then I wonder if it's not maybe the best thing either for the school.

4
 5 Ms. Kauffman: So, I really appreciate the question because I think this issue of density is a data
 6 point that has been fabricated. It has no meaning in education. I've never heard of; I mean I've
 7 been an educator since I've taught in all girl schools since 1979 and it's not until this project
 8 that I ever heard about density as it relates to students on a campus. Again, there are safety
 9 issues that a Fire Marshall would look at. We have outdoor space, we have... we actually have
 10 enough classrooms on our campus now to accommodate 540 students; however, the future of
 11 education as you see all the other schools building more buildings and more classrooms really is
 12 about having a variety of different types of classrooms and different types of spaces. So, you're
 13 going to see more variety.

14
 15 As far as the lower level is concerned it has been designed with significant amounts of light
 16 going down there. And we actually have some classrooms now below grade. if you are in those
 17 classrooms you don't even know that they're below grade because of the amount of light
 18 coming in. And the last thing I'll say is they have been designed to be the classrooms where the
 19 types of things that would happen whether it be music or a black box theater or a recording
 20 studio, things like that would be, are better underground both in terms of noise and just a
 21 better use of quiet space.

22
 23 Commissioner Chang: Okay, thanks. I'm going to keep going. So, what assurances can you
 24 provide that Castilleja will not exceed the enrollments specified, the enrollment cap specified in
 25 the CUP, given that it currently exceeding the cap? Right, because I think [unintelligible 53:42]
 26 enrollment's 426 I think I heard on this week versus the cap of 415 and it has been, you know, I
 27 read it in the papers and attendance has been exceeding the CUP for more than 15 years. So,
 28 what assurances can you give that with a higher number that the numbers won't be exceeded?

29
 30 Ms. Kauffman: So again, I know it sounds, you know, people say this typically, thank you for the
 31 question, but I really do appreciate the question because I know you are new to this process.
 32 And in 2012, two years after I became the Head of School I went to Curtis Williams who was the
 33 Planner at the time and then I explained to him that the school was overenrolled. And we went
 34 through a process in which we were given a plan for how to reduce our enrollment over time.
 35 And we not only have stuck to that plan to the letter, but we provide an audit. We have our
 36 own, we have an independent auditor who reviews our revenue and our directory and comes
 37 onsite and looks at all of our, you know, all of our records and then produces a yearly report for
 38 the City that verifies the enrollment.

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1 Commissioner Chang: Okay, thanks. And then I think about public benefit. I mean obviously
 2 girls' education is a public benefit. But very specific to Palo Alto I wanted to understand what
 3 percentage, do you know what percentage of applicants are from Palo Alto and then what
 4 percentage of those applicants are admitted?

5
 6 Ms. Kauffman: Sure, it's a comparable percentage. It's somewhere between 25 and 30%.

7
 8 Commissioner Chang: Okay, and then what's the overall admissions rate for Castilleja. So, in
 9 other words, if 100 Palo Altoans were to apply, what would be the admissions rate there?

10
 11 Ms. Kaufmann: Oh, I mean the admission rate varies somewhat from year to year. We typically
 12 will have several hundred applications for 6th grade and nearly 200 somewhere between 150-
 13 200 for 9th grade and we're looking to enroll roughly 60 in the 6th grade and right now roughly
 14 the same in 9th grade although that's the number we'd like to increase to in the vicinity of 85.

15
 16 Commissioner Chang: Okay, wait so I... too much math, but did I get that at around 10%? I
 17 wasn't writing down the members that you said.

18
 19 Ms. Kathy Layendecker, Associate Head of School Castilleja: Nanci, do you mind if I just jump in
 20 for a second?

21
 22 Ms. Kaufmann: Please.

23
 24 Ms. Layendecker: Yeah, hi, I'm Kathy Layendecker. I'm the Associate Head of School. And just to
 25 reiterate what Nanci said our acceptance rate is quite low at the 9th grade and that's one of the
 26 challenges we're trying to address. So yes, as Nanci said we have, you know, somewhere
 27 between 170 and 200 applications every year for the 9th grade and typically, you know, 10 - 12
 28 spots available. So, you can see how difficult it is for Palo Altoans and anyone else to gain
 29 admission to Castilleja for high school. And 6th grade as Nanci said we have a few more
 30 applications. It's probably closer to 250, something like that, and we accept around 60.

31
 32 Commissioner Chang: So, something like 25% then and then minuscule for the high school.
 33 Harder to get into than Harvard or Stanford it sounds like. Okay, and then I have a question
 34 about the TDM. So, because it was really hard for us on the Commission to understand what
 35 was new in the TDM, meaning what like there's lots of assurances that we can't have and well,
 36 the rule is no net trips. But what new things have been put in place since the last round of
 37 discussions in March? That, because we when we heard about the TDM we couldn't there
 38 wasn't a lot of information. It was very short, the presentation. I'm wondering if we could get,
 39 you know, like the five bullet points of what are the new changes that have been put in place or
 40 that are planned to be put in place. We don't have a redlined document.

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1
2 Ms. Kauffman: Right, right. Kathy, I don't know if you're planning on doing that or if you can
3 have Robert do that?
4

5 Ms. Layendecker: Sure, I can kick it off and then I'd like to turn it over to Elizabeth Hughes who
6 really worked very closely with us to put together the TDM plan. But I guess what I would like to
7 point out is from the very start from the time that we applied five and a half years ago for this,
8 with this proposal the TDM plan that we were proposing was above and beyond what we are
9 doing now. And so, the whole point is to drive down the trips per student so that as the
10 enrollment grows we can maintain car trips at no more than what we have today. Elizabeth,
11 would you mind just speaking maybe a little bit more about the specifics and perhaps how it's
12 evolved since March?
13

14 Ms. Elizabeth Hughes, TDM Specialists, Inc.: Yeah, absolutely. I'd like to show one slide briefly
15 and then I actually have a couple of slides that would be much easier to look at. But for context
16 I wanted to show an example of all the different things that Castilleja already does which is
17 represented on the checklist side of each of the columns. And then we went through every
18 single program whether it's carpool or bicycle or transit, etcetera, including all the outreach and
19 then we added additional features. And the reason we wanted to do it this way was just A) to
20 make sure we're capturing everything that Commission and Council wanted to see, all the
21 different comments we've had over time, but also because it's a way for me as a planner in
22 TDM to identify what could we add to this group of measures to make them stronger and more
23 robust.
24

25 And so, the simplified version of what I'd like to show is how we enhanced for example, the
26 carpool measures. Castilleja is already doing a lot to promote ridesharing and carpooling. And
27 they're going to enhance those, that carpool program by adding additional measures to their
28 TDM program. So, this example that you're seeing onscreen and hopefully everybody can see
29 this onscreen, shows how the TDM, how the carpool program can be enhanced even further by
30 adding more and more options to it. This is the example for the bicycle measures. They were
31 already doing really well with bicycling and lots of promotions and lots of students and teachers
32 who were biking to school. They were already adding more bicycle secure parking. They're
33 going to be adding a bike fixit repair station. They're going to be, you know, doing a map to
34 show where students might live within a bikeable location and they're going to add some on-
35 site bike share programs and possibly eScooters. So those are additional measures to the bike
36 program that will enhance overall bicycle use.
37

38 And then again I could go through lots of sections, but this is transit and then this is, you know,
39 lots of other types of measures. But what I really want to focus on to give you what I had tried
40 to explain last time, what we're really trying to solve for between the parking study and the

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1 TDM when we get to that 540 enrollment number going to be trying to solve for 19 parking
 2 spaces if we're using Option D or 25 parking spaces if we're looking at Option E. And below here
 3 I put together a simplified chart to show what would it take to get to 19 parking spaces? How
 4 many more trips reduced that we need to implement so that we have less people parking on
 5 campus or around campus or anywhere needing parking? Well, we have to increase the
 6 number of riders on the buses. We have to increase the number of carpools and transit riders.
 7 And so, it's a little bit from all the different modes. And so, in this example if we increase all the
 8 different modes by just a little bit we're going to have a corresponding number of trips and
 9 parking reduced. So, I'm wondering if anybody has a question about the table I put together. I
 10 went a little fast on the explanation, but I wanted to see if that answered your question?

11
 12 Ms. Layendecker: I'd like to, sorry, before we go to that list if I'd like to also invite Mindie
 13 Romanowsky, our land use attorney, to talk about the Conditions Of Approval and all of the
 14 TDM that's incorporated there.

15
 16 Mindie Romanowsky, Land Use Attorney for Castilleja: Hi, good evening, nice to see you again. I
 17 think just to help answer this question Bryna, we thank you for it because, you know, you ask
 18 what is new and so the reason why Elizabeth Hughes was hired was because after the draft
 19 Conditions of Approval were put together Conditions 20 through 27 set forth a very detailed set
 20 of requirements that the school needs to follow for TDM. And so that's sort of the template and
 21 then staff asked us to have it this draft TDM manual put together by Elizabeth's firm because
 22 she's done I think over 20 reports, if not more, for the City and is very in touch with TDM and
 23 how it works in Palo Alto specifically. So, Elizabeth took those Conditions of Approval and she
 24 drafted them into the plan as a way to implement them. And then we have to, you know, follow
 25 all of these various requirements picking from the menu of how we mitigate trips in order to
 26 grow enrollment and if we don't, we can't because of the Conditions and the way that they are
 27 set up. So, I guess, I know it's a lengthy document and, you know, it is technical in some
 28 aspects, but it's also meant to be very user friendly. And I would encourage you between now
 29 and when final decisions are made to look at it and really soak it in, and members of the public,
 30 because really it does become the living breathing document that Castilleja would be required
 31 to follow in order to grow their enrollment. And it I think could be used frankly as a nice
 32 template for the future of Palo Alto as you're looking at how to control traffic and trips.

33
 34 Commissioner Chang: Thanks, that helps, but I think what I need to do then is to look at those
 35 items like 20 through 20 whatever and then look at the TDM to... right, like that's the due
 36 diligence that I would need to do. So, thank you.

37
 38 Ms. Romanowsky: Sure.
 39

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1 Chair Hechtman: Commissioner Chang I do have another commissioner's hand up,
 2 Commissioner Templeton. So, if you have more questions of the applicant you're welcome... it
 3 looks like you've concluded. Commissioner Templeton just before I call on you and then
 4 Commissioner Alcheck I was remiss before letting Commissioner Chang lead off without asking
 5 the Commissioners if there are any supplemental disclosures, communications that the
 6 Commissioners have had in the last week since the December 8th meeting that they need to
 7 make.

8
 9 So, I will note that in the intervening week Preserve Neighborhood Quality of Life (PNQL)
 10 reached out to me with a request to deliver a packet of information. It's the same
 11 communication and packet I believe that a number of the other Commissioners referred to in
 12 their disclosures a week ago. That was my only communication in the last week with anybody
 13 involved with this application. Any other Commissioners have supplemental disclosures? All
 14 right.

15
 16 Commissioner Templeton: I'm happy to say that I also received outreach about the packet from
 17 that organization as well. But I don't think there was anything in there that was new or not
 18 already public information. Thank you.

19
 20 Chair Hechtman: All right, Commissioner Templeton, questions of the applicant?

21
 22 Commissioner Templeton: Thank you. Yeah, I really appreciate the line of questioning from
 23 Commissioner Chang and it's reminding me of some, the questions that we asked in prior years
 24 that I think kind of fading from my memory at this point. So, if the applicant will bear with me I
 25 want to just go back over a couple of things that that came up when listening to the responses
 26 there.

27
 28 So, Commissioner Chang asked why did you want to make these improvements and specifically
 29 to grow the school. I'm thinking more if you can remind us why the buildings need to be
 30 improved at all. And I recall you shared with us awhile back about the age, whether the
 31 buildings were past their useful life, and also a desire to provide the latest in environmental
 32 sound building, but if you can recap just briefly what your motivation is for this this project
 33 from the structure perspective that would be super helpful. Then I'll have some other questions
 34 after that. Thank you.

35
 36 Ms. Kauffman: Thank you. Well Commissioner Templeton you did remember well some of the
 37 most important ones. Pretty much every school in Palo Alto at this point has been modernized
 38 or has added buildings. The way that teaching happens in the 21st century is really quite
 39 different. It's much more project based. It's much more hands on. Much more integrated
 40 science and technology and our buildings are not able even to be renovated to meet those

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standards. A number of our classrooms are former dorm rooms and there's... they wouldn't come close to meeting the sustainability standards that we would be required to meet today, let alone what we plan for the future.

It's much for the teaching and learning, it's also for the health and wellness of the students. The materials that are used, the amount of lighting that gets brought in, and really to have the next generation of students learn in an environment that really pushes our thinking about climate change and the world. Frankly, they will play as the leaders in helping us turn this around. So that's pretty critical to our design. And also, to think differently just about how students work together and collaborate, do projects, and really learn to take initiative and lead.

Commissioner Templeton: Thank you. Thank you for that recap. I'm glad I remembered that. I think it's really important to keep the actual structure in mind in this discussion because it is rather... I've had the opportunity to see it and it's definitely past its useful life.

The other question I wanted to ask you about is kind of contextualizing the school and the structure and trying to think of how to phrase this, you know, would you describe Castilleja as a top school? How, what's the way you describe it when you're... the one sentence pitch.

Ms. Kauffman: I describe Castilleja as the best option for middle school and high school girls in the area who want to explore themselves as strong leaders for the future. I think there are lots of places where kids can get a great education, but Castilleja is really the only option for girls who want a nonsectarian all girls middle school and high school.

Commissioner Templeton: Thank you. And how do you think that the structures, you know, if they were to be graded on the grading scale from A to F, how do you think the structure is helping you meet that vision of Castilleja as educational institution?

Ms. Kauffman: And I think we're doing an outstanding job despite the limitations. I don't know how much longer we'll be able to do that. So (interrupted)

Commissioner Templeton: All right, I won't put you further on the spot than that.

Ms. Kauffman: Yeah, we're not good. We don't... there's a whole anti-grading movement going on so...

Commissioner Templeton: Well, there you go. I learned something.

Ms. Kauffman: Putting a letter to it would be really hard. It varies from (interrupted)

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1 Commissioner Templeton: Not meeting expectations then.

2
3 Ms. Kauffman: Thank you, exactly.

4
5 Commissioner Templeton: Okay, all right, so thank you for that context as well. And then, you
6 know, in the previous comments I've had some concerns about the need for an underground
7 garage and I understand that you're getting direction for how much parking is required from
8 the City, is that correct? Is that why there's these parking, why you have parking, for example,
9 an underground parking garage included in this proposal. Can you tell us where that comes
10 from?

11
12 Ms. Kauffman: Sure, I mean of course we have to park our project. That's a requirement and
13 there may be opportunities to have that requirement reduced if our TDM is acknowledged to
14 be outstanding. I mean the origins of the underground garage were came from a focus group
15 of, well actually it first came up in a large group meeting and then was supported by many
16 smaller group meetings. Apparently, I mean neighbors said that they were promised an
17 underground garage by the previous Head of School, and this was something that was sort of a
18 non-negotiable. And so, let's not even talk until you can be ready to pursue a garage. So that's
19 when we first were pursuing this and then of course we planned our campus with that concept
20 in mind. And so, at this point the design and the location of the buildings and all of that was
21 built around the concept of this early desire to have an underground garage be kind of non-
22 negotiable.

23
24 Commissioner Templeton: Thank you. So, just to recap the City is requiring that we adequately
25 park the site and the direction for having an underground parking facility is something that has
26 come from the community in conversations that you had with the community.

27
28 Ms. Kauffman: Yes and also I mean I think it's favored in the Comprehensive Plan. I think it's
29 favored. I think the EIR definitely calls it out as preferred alternative. So, I think the neighbors
30 who are arguing for that early on certainly, you know, that that idea is supported. I think Kathy,
31 you wanted to add something about the garage?

32
33 Ms. Layendecker: Yeah, I just want to add that I think one of the reasons that the EIR and the
34 Comprehensive Plan favor underground parking is also for sustainability reasons. The runoff,
35 water runoff from cars cause real pollutants and as does the noise associated with cars at the
36 surface. By putting them underground you actually do some very good things for the
37 environment. And the other thing that it does is it increases the green space. And I think we all
38 agree that Castilleja's park like setting really is a benefit to the neighborhood and the more that
39 we can increase that amount of greenery it's good for the students, and I heard concern about

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1 our students earlier, it's good for our students, and it's good for the neighbors, and it's good for
2 Palo Alto.

3
4 Commissioner Templeton: All right, thank you all for answering my questions and reaching back
5 to prior years conversations and helping refresh. I appreciate that. All right, I'm done for now.
6 Thank you.

7
8 Chair Hechtman: Commissioner Alcheck, questions of the applicant?
9

10 Commissioner Alcheck: Yeah, well welcome. I've been here a long time and we've been on this
11 topic many times before. And I don't know if you were at the beginning the meeting, but this is
12 my last evening to share a dialogue with you. So, I have some questions and I hope will inform
13 the discussion. I understand the school was established in Palo Alto in the 1890s just seven
14 years after Palo Alto High School was established. And I'm wondering if you can share insight
15 into the motivations of the founders? Were they responding to a specific need in the
16 community? Was there a failure in the public offering? Is there any insight into what brought
17 this school into Palo Alto 130 years ago?
18

19 Ms. Kauffman: Sure. So, we've been on the current site since 1910 and we were established a
20 few blocks away 1907. And the impetus for the founding of Castilleja School was based on the
21 need to prepare more young women to be qualified to apply to Stanford. That was the original
22 mission and for many years the school was viewed as the place for girls to young women to
23 become educated and better prepared to apply to the most, you know, the most challenging
24 schools, the most selective schools. Now I would say that our mission, you know, certainly goes
25 beyond that and that we are creating an environment where girls get to from a very young age
26 practice their leadership, strengthen their voices, building their confidence, learning to fail and
27 make mistakes, all the things that prepare them to take on roles beyond college. To think about
28 really what are their career choices and how might they think of themselves as leaders going
29 forward. And of course, there've always been women leaders, it's not that Castilleja is the only
30 way, but it's a focus of ours and we, you know, girl school's produce more women leaders than
31 in the other schools. So, it increases the numbers for sure.
32

33 Commissioner Alcheck: I'm not in the education space. It's not like a knowledge, I don't have a
34 lot of depth of knowledge there. My understanding is that... well, let me explain why I'm asking
35 this question. We hear a lot about the concept of public benefit. I think in the context of many
36 Palo Alto processes that concept is somehow limited in scope to what have you done for me
37 lately or what are you doing for me across the street. I have a different approach to public
38 benefit. It's not limited in scope. I think a public benefit can be as simple as a bus stop was
39 provided by an applicant and it can that could be made available for the public and it can also
40 achieve a larger goal that serves our public value system. My understanding of women's

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1 education in particular, gender specific women's education, is that there are and again I'm not
 2 that familiar, but my limited knowledge is that there are often challenges to combined
 3 educational settings that can limit opportunities for girls to achieve the same level of academic
 4 success. And so, my, this question is sort of is on the backs of the previous question, which is do
 5 you think that the need, the public benefit of increasing the number of females who are
 6 prepared to compete at that sort of academic level is any different than the first day the school
 7 was established and is that a part of the value proposition?

8
 9 Ms. Kauffman: If I understand your question what I will say is that college prep, which is what
 10 independent schools and, you know, all of our high schools, Play, Gunn, they the idea was
 11 prepare you for college, make sure you have the best academic preparation for college. And
 12 now that we understand that just having that single goal is perhaps not the best preparation for
 13 adulthood and to be a contributing member of society we've designed a curriculum that has
 14 girls engaged in a different way making a lot more decisions, taking a lot more initiative, so that
 15 they can imagine themselves... just have much bigger hopes and dreams for themselves and the
 16 skills to achieve those. So, I think that was the question that you're asking and there certainly is
 17 (interrupted)

18
 19 Commissioner Alcheck: Yeah. What I'm trying to suggest is that there that, you know, look, we
 20 have green initiatives. Those green initiatives are not to make our local air quality better, it's to
 21 participate in a global movement to improve our environment. And my one of the comments
 22 that's come up frequently during our deliberations has been this idea of are you serving enough
 23 Palo Altoans? And what I am trying to understand is, is it your view or do you share the view
 24 that putting, giving women an opportunity to participate in your program provides the entire
 25 world a benefit and it is in some ways Palo Alto's sort of honor, if you will, to be host to an
 26 institution which is pursuing that goal whether they teach students here, or whether they teach
 27 students exclusively from underprivileged neighborhoods, or whether they teach students from
 28 the entire Bay Area. So, is it... sorry, is that your view that the mission is, has sort of a global
 29 public benefit?

30
 31 Ms. Kauffman: Absolutely, absolutely. I mean what the couple things I can say about that, we
 32 are a model for schools around the world. We get people reaching out to us and they want to
 33 understand what we're doing and how we're doing it. And part of that is we do have a support
 34 of the innovative educational community of Silicon Valley. At the same time, we've built an
 35 environment where girls from a variety of different backgrounds are learning together and in a
 36 highly academically stimulating environment. So, replicating a more equitable world that we
 37 would hope for in the future. So, there are many things that are part of our mission that we are
 38 preparing students to make the world a better place and I do think that's one of the main
 39 reasons so many students want to come to the school.

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Commissioner Alcheck: All right, let me follow up quickly on a different note. So, we heard a little bit about the concept of density. I appreciate your perspective there. I'm not particularly hung up on the issue. I would ask you; do you have a target student to teacher ratio, and do you anticipate that that would change as a result of the growth in enrollment?

Ms. Kauffman: So, our new campus is designed actually to have larger classes. So, in fact we won't need to significantly increase faculty. There's I mean there's just a different students in the future are going to be working even more independently than they are now and I think student/teacher ratios are going to mean something very different. It's not going to be as connected to class size as it is how many counselors do you have at the school, how many maker educators do you have, and that sort of thing. So, I think that whole concept is going to shift in a way that says increased enrollment does not mean increased adults.

Commissioner Alcheck: Is there a... does Castilleja participate in a dialogue, or do they communicate with our local schools when it comes to innovations in education? You just sort of hinted at this idea that education is evolving. I think for those of us familiar with the public school system that train it turns very slowly. I'm wondering if Castilleja participates locally in an educational way with other learning institutions.

Ms. Kauffman: Yes, and I would say most actively it's been with Paly, although we do have partnerships with elementary schools in Palo Alto and in East Palo Alto. But some of the innovation that was happening a few years ago at Paly was very much in line with the work that we were doing in social justice curriculum and maker space and that sort of thing. The robotics teams have collaborated. We've partnered in theater, things like that.

Commissioner Alcheck: I want to ask a specific question. I know that Castilleja was able to reopen during COVID rather early in the academic year. Was there a dialogue with public schools about what was working and did any, did the public schools, did they ever reach out to sort of understand what how you were able to get kids back to school so quickly? This is so I'm trying to better understand the... how to evaluate the concept of public benefit with respect to the larger question here.

Ms. Kauffman: Right. There was some conversations with administrators, but I think that the bigger challenge was looking at things districtwide, you know, we're making a decision but, you know, we're a microenvironment relative to a large school district. I think that overtime perhaps school principals will have the kind of agility that, you know, we're able to have, but I think it was particularly challenging for them. But something I would like to say about public purpose because I've often been, had people say, oh, you know, the campus used to be much more open. And, you know, we're not, it's part of our CUP we're not allowed to open the campus to the community. So, if a community organization, you know, wanted to use the circle

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1 for an event or wanted to use our theater or if local basketball leagues or little leagues wanted
 2 to use our gym or our fields, none of that is possible under our CUP. And we would welcome
 3 that kind of community engagement. So, I do just want to put that out.

4
 5 Commissioner Alcheck: Okay. I actually appreciate that, that's really good information.

6
 7 Ms. Kauffman: And then two other things that I should mention because they're actually pretty
 8 major. We are a site for a summer program for Peninsula Bridge that goes on during our
 9 summer camp. And that is a program for under resourced students who all the independent
 10 schools in the Bay Area really are part of these outreach programs where we can, where we
 11 have students on campus during the summer and then potentially become applicants for the
 12 school. Also 20 plus percent, 21/22% it varies from year to year of our students are on tuition
 13 assistance. So, we do have students from communities that do not have the kind of excellent
 14 schools we have in Palo Alto who are able to get an outstanding education.

15
 16 Commissioner Alcheck: I appreciate that, thank you. I see there are two other hands. So, my
 17 last question, I didn't focus with significant detail sort of how your classrooms were laid out
 18 with respect to access to like... I guess my simple question which I think would satisfy me in this
 19 regard is would you characterize your new facilities or maybe I should say that... how much
 20 more suitable for education would you characterize the facilities in this plan with what you're
 21 currently teaching students and for the purposes of their educational and emotional well-being.

22
 23 Ms. Kauffman: It's transformative. It is night and day. The school, you know, the campus itself is
 24 really quite beautiful in terms of the trees and greenspace. The facilities are institutional and
 25 outdated except for the two buildings that, you know, we won't be touching. And the girls
 26 want, need, and deserve more, not to mention the teachers. So...

27
 28 Commissioner Alcheck: Okay. All right, well thank you. I considering that you survived the 1918
 29 pandemic and that you're thriving in the current pandemic I imagine that you will survive this
 30 Palo Alto process. So, thank you for answering my questions and I look forward to the
 31 discussion we have tonight.

32
 33 Ms. Kauffman: Thank you, Commissioner Alcheck.

34
 35 Chair Hechtman: Commissioner Summa. Questions?

36
 37 Commissioner Summa: Thank you. Welcome to everyone tonight and I do have some questions.
 38 one of them is this is pretty basic. The TDM, is at all year round? And is it evenings and
 39 weekends that it covers also? Well, Saturday because I know Sunday there's no events. Or is it
 40 just basically business hours during the school year?

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1
2 Ms. Layendecker: I can answer that. I mean the TDM program is a very comprehensive plan, so
3 it's not really specific to a day part or a part of the week. We have all sorts of parking
4 restrictions and car restrictions that are in play for weekend activities and during the week. So,
5 it's a very comprehensive program today and it will be even more so when we implement this
6 even more robust plan.

7
8 Commissioner Summa: Okay, so kind of the cornerstone was the no new net trips concept. So
9 that will apply to events and to summer school which happens I think pretty much all summer.
10 And I'm just trying to make sure I'm not sure I understood from your answer that those same
11 concepts, no net new trips, will apply to events and summer activities as well.

12
13 Ms. Layendecker: I think I'd like to turn it over to Mindie to talk about the details of that, about
14 how it relates to events. So, Mindie if you would?

15
16 Ms. Romanowsky: I am coming. What I would like to do is go find the Condition of Approval
17 specifically. I was frantically trying to look at for it. There are many Conditions of Approval and
18 if you would give me a moment I will find the language that controls events in terms of trips. I
19 just don't have it at my fingertips, maybe staff does? I do know that the actual Conditions of
20 Approval are coming before you at your next meeting. So, if you give me a couple of moments I
21 can quote the language. I do think that for some, so we have different types of events. We've
22 tamped them down significantly. And so, for example, we do have five events where the
23 majority of people are coming to campus. Those events I think the trips, there is a carve out for
24 the amount of trips coming to campus, but I would need to check what the condition says for
25 the other events. And so, I apologize I don't have it at my fingertips, but I can get it to you or
26 perhaps staff does.

27
28 Commissioner Summa: Ok, thank you. That's fine and like some of my fellow Commissioners I'm
29 going to need to take a deeper dive into the TDM before some of our subsequent meetings.

30
31 And then I do want to ask about the garage. And in the context of knowing how much, how
32 interested in the school is in global warming and greenhouse gas emissions and all these issues
33 that we will face future, and we hope some of your students will be helping us solve those
34 problems. Given the Fehr & Peers study that proves that you have enough surface parking now
35 to cover your needs, I'm kind of curious why you want to go ahead and build the underground
36 garage? And kind of related to that is if you're going to be, well the Council contemplated, and I
37 think we'll still be looking at this kind of a 50/50, 50 of the required parking in the garage and
38 50 at grade. And you also figure into your calculations 54 frontage spaces, which I'm not sure
39 why you would need those. So maybe you can, and those are the public spots that are on the

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1 Castilleja side of three public streets basically. So, if you could maybe explain a little bit about
2 those issues?

3
4 Ms. Layendecker: Hi, I'll get us started on this and then I think it would probably be helpful for
5 perhaps Mindie Romanowsky and/or Robert Echols to also answer the question. But I would go
6 back to what Nanci said earlier about why the parking garage makes sense for this project. I
7 mean first and foremost, you know, the City Council of Palo Alto passed a Comprehensive Plan
8 that favors underground parking above surface parking for many reasons, many of them
9 environmental and that I laid out earlier in the evening. Secondly, as Nanci said because of the
10 public pressure that we faced early on in this project to build a garage and to get more parking
11 on campus we designed our master plan around it. And we did it in a way that it increases the
12 green space, which is a public benefit. We talked about public benefits earlier. I think I will turn
13 it over to Robert Echols to talk about the parking around the perimeter and kind of how that all
14 factors into the calculus.

15
16 Commissioner Summa: Thank you.

17
18 Robert Eckols, Principal, Fehr & Peers Transportation Consultants: So, thanks, Kathy. So, I think
19 the way that the parking around the perimeter has always been viewed is I mean as public
20 parking, yes. It serves the adjacent land uses, either the residential or in this case the school,
21 and so the traditionally the school has used that parking as part of their parking supply just
22 because they are adjacent land use, you know, that's if you kind of think about some of the
23 residential parking programs in the Downtown, you know, that was where the local residents
24 were being encroached on by the employees of the Downtown and so that's where that kind of
25 came in. But generally speaking, the school, you know, viewed those spaces around the edge as
26 something that they could utilize as the adjacent land use. And Mindie may have more to add
27 to that.

28
29 Ms. Romanowsky: Yes, what I can say to you is what the parking garage does, you know, at its
30 core is it enables us to park our project and also meet our project objective which is to have a
31 playing field. So, you know, if we were to... Robert's parking study what it looks at and I know,
32 you know, it's a detailed study, but what it looks at is how many spaces do we have on campus
33 and adjacent to campus. And then he looks at okay well, if we are at X enrollment how many
34 spaces, how many people are parking and then of course we've requested a parking
35 adjustment. The only way you can get a parking adjustment and the Director has I think
36 recommended a parking adjustment of about 14% for parking Option E, there are other options
37 on the table that I know you're going to discuss tonight. But essentially the only way you can
38 reduce your required parking is if you have a TDM program.

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1 So, the parking study that Robert put together, you know, it talked about how many spaces do
 2 we have on campus and how many are adjacent to campus and then it looks at various
 3 scenarios, but it didn't take the TDM into account. So, when you take that TDM into account
 4 and I did show this chart last week and Elizabeth brought it up tonight, it shows that as we grow
 5 our enrollment we can park our project.

6
 7 That's one aspect, but you asked specifically about the garage. And so, I just want to go back to
 8 the purpose of it is the project objective of keeping a playing field and also preserving the
 9 homes. Because there was a scenario early on that we looked at where we were doing more
 10 surface parking and potentially taking some residential units away. We heard from the public
 11 and we actually agreed it was a good constructive comment to preserve those residential
 12 homes along Emerson. So that parking garage now essentially allows for the below grade
 13 parking for all the reasons that we've shared tonight in terms of the noise and the headlights
 14 and all of those things, but it preserves our field, and it also allows us to modernize and build a
 15 sustainable campus that, you know, is energy efficient.

16
 17 Commissioner Summa: Okay, but I guess I'm still not quite understanding why if you're fully
 18 parked at grade now, I'm just not understanding that. So (interrupted)

19
 20 Ms. Romanowsky: Well, I mean, I guess if... I mean I'm... I think that we are rebuilding a part of
 21 our campus because we want to build a sustainable campus and so in order to do this site plan
 22 that has basically evolved for five years based upon three prior years of mediation and
 23 consultation with neighbors who wanted the below grade garage once we invested in that idea
 24 and we started to think about how to efficiently design the campus in a sustainable way and
 25 preserve open space, green space, playing field space, our circle in the middle that has a lot of
 26 traditional value for the school, it really started to make sense to put cars below ground
 27 especially when you consider the City's Comprehensive Plan where it is a priority. So, all of
 28 those things came together and then of course the EIR deemed it environmentally superior. So
 29 that is why parking on the surface 100% of whatever we're parking became something that was
 30 not a priority.

31
 32 Commissioner Summa: Okay, thank you for that. And then with regard to the TDM we had a
 33 former colleague on this body who is such a transportation expert really who felt one of the
 34 problems with the TDM was that it would be very hard to have any sense of capturing parking
 35 and traffic both when people coming to the school opted to use not enter the school project. In
 36 other words, people who just say, 'Oh there's a spot right there, I'll park there.' And that's very
 37 hard to control. So, it was one of the reasons our former colleague, who I mentioned is an
 38 expert in this field, really didn't think it could work. Is, do you have ideas about how you would
 39 keep people from just parking wherever they want to in a more desirable convenience space
 40 for them?

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1
2 Ms. Kauffman: I do want to mention that since we launched the current rules for our
3 employees, which basically limits extensively their ability to drive to work in a single occupancy
4 vehicle we have been able to keep our visitor lot fairly empty. And so, we can instruct visitors
5 that we have a visitor's lot, and this is, you know, where they park. That's the front lot.

6
7 Commissioner Summa: The front lot on Bryant?

8
9 Ms. Kauffman: Right. In front of the administration building.

10
11 Commissioner Summa: Okay and then but...

12
13 Ms. Kauffman: I mean yes, we can't control everyone.

14
15 Commissioner Summa: No and it's just traffic also. You can't get a sense; I mean I'm sure you'll
16 have to have **hose** counts on your site to see how people are using the circulation, half is going
17 in the garage. But the concern is that people will just out of preference or expedience if people
18 can just park anywhere in the neighborhood if they want to (interrupted)

19
20 Ms. Kauffman: Oh sorry, sorry to interrupt. I just wanted to add that if we actually patrolled the
21 neighborhood looking for Castilleja cars that are parked in the neighborhood so and, you know,
22 everybody has to register their car with the school. That's requirement at the beginning of the
23 school year. And so, we have a pretty good handle on that. There are certain neighbors that
24 have said we welcome Castilleja parking in front of our house and so we do allow our
25 employees to park in those spaces. But if we find cars that are Castilleja related in spots that
26 are not designated, for example, we'll immediately pull a student out of class in the middle of
27 class and say you have to go move your car. So, we take that all very seriously and, you know,
28 we understand that, you know, we have a responsibility to the neighborhood to hold our
29 community accountable.

30
31 Commissioner Summa: It's also a traffic issue, not just parking. It's sort of both. And it also I
32 think would be hard for... it kind of circles back to my question about whether the TDM can, is
33 year round and evening, whether it will be controlling event parking basically and summer
34 school parking. So, I think I'll leave it at that for now. Thank you very much.

35
36 Mr. Lait: So, Chair?

37
38 Chair Hechtman: Mr. Lait?

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1 Mr. Lait: So, I just had a last point about the events. I wanted to just speak to that because my
 2 recollection is the conditions that were previously recommended or considered by the
 3 Commission did capture... so currently when we evaluate AM and PM trips event days are
 4 excluded from that calculation because they increase the... you know, it's atypical sort of
 5 representation. In the conditions that have went to the City Council the events would count in
 6 ANP and the average daily trip counts. So those are factored. The events are factored into that
 7 traffic analysis.

8
 9 Additionally, and I would rely on others to help me with this, but the TDM plan has a host of
 10 other requirements related to events and traffic monitors and things of that nature to guide
 11 that. So, events are covered in the TDM. And to the extent that it's insufficient that's an area
 12 where we would like Commission feedback on where it might need to be enhanced if needed.
 13 Thank you, Chair.

14
 15 Chair Hechtman: Commissioner Lauing you're up next. It's 7:55. I am going to suggest that we
 16 take a break in a little bit, but do you want to start questions? See if you're still going in 10
 17 minutes, if not we'll stop when you're done.

18
 19 Commissioner Lauing: If you want to do it now Chair we can do it. Otherwise, I'll just
 20 [unintelligible 1:49:43].

21
 22 Chair Hechtman: Why don't you go forward?

23
 24 Commissioner Lauing: Okay. I have a number of questions that are about parking and the
 25 garage. My first question was actually Commissioner Summa's second question and so she's
 26 already asked that. But I just want to understand I really found the parking study, you know,
 27 like quite fascinating and I would use the word optimistic because they kept writing about how
 28 there's plenty of parking at grade or all the needs up to 540. Some need some preparation from
 29 City or some more improved TDMs, which I know that the school is committed to doing, but I
 30 guess the first question is you concur with the study that these 104 spaces that's adequate at
 31 this point at grade? You don't have any disagreement with that at this point, right?

32
 33 Ms. Layendecker: Sorry, sorry. Yeah, sorry. The question was do we adequate parking today?

34
 35 Commissioner Lauing: Does anyone from Castilleja or in general disagree with the conclusions
 36 of the Fehr & Peers report that 104 parking spaces at grade would be appropriate for
 37 enrollment of all the way up to 540? With some adjustments by the City for congratulations
 38 from the TDM or things like that.

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1 Ms. Layendecker: Yes, I think what the analysis shows is with the 14% parking reduction that
2 the City staff supports that yes, we could park our project.

3
4 Commissioner Lauing: Right. So, one of our assignments from Council at the March meeting is
5 to (interrupted)

6
7 Chair Hechtman: Commissioner Lauing? Commissioner Lauing when you turn your head to look
8 at your documents we're losing some audibility.

9
10 Commissioner Lauing: Yeah, I really I actually really appreciate you [unintelligible 1:52:04] on
11 that when it happens because I barely turned my head, and you lose me. So, I'm really
12 appreciative that. I'll try to hold that back [unintelligible 1:52:10]. I was just going to say that
13 one of our charges from Council is to review allowing Castilleja, sorry, wrong piece. Review both
14 a non-underground parking facility option and underground parking facility along the line. So,
15 it's important for us to understand, you know, sort of the need or not need for this to be
16 partially underground. So, that's why we're asking these questions, that's why I'm asking these
17 questions. And I know this is a question session, but I feel like we have to do a bit of fact
18 checking and correction. There was no 100% survey that came out and said all the neighbors
19 want a garage. In all the public comment that we've heard over the years it's actually been
20 mixed. Some people in the neighborhood have really wanted a garage and others have said the
21 lights come into my house, etcetera. So, it's a mixed review from the from the neighbors on
22 that. So, we don't have, you know, sort of absolute large set direction on that issue.

23
24 A couple other things relative to the parking, does Castilleja feel, we're going to get to this too,
25 that they want Residential Preferential Parking (RPP) for their benefit? Or if you have no
26 opinion that's okay too just for time reasons.

27
28 Ms. Kauffman: An RPP is not something that we've requested. I think it [unintelligible 1:53:31]
29 come up in different iterations of suggestions that, you know, should be look at.

30
31 Commissioner Lauing: The study references that you could even improve the TDM by taking out
32 sophomores and juniors. Is your current TDM already taking those out or would that be another
33 reduction from the Peers study that we have from July?

34
35 Ms. Layendecker: That would be a further reduction if that was included.

36
37 Commissioner Lauing: Okay. Now that would be great. And then another one there do you
38 agree that the rightsizing ratio in the report on Page 20 is correct and so that therefore net
39 when you do the math you actually pick up another six parking spaces because not as many
40 teachers are going to be needing to drive.

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1
2 Ms. Kauffman: Sorry, are you looking at the TDM plan?

3
4 Commissioner Lauing: I'm looking at the Fehr & Peers report, Page 20, where they did a
5 calculation and saying what this comment just said is we're going to have more students per
6 teacher and therefore the ratio goes up and we won't need as many staff and folks driving to
7 school.

8
9 Ms. Layendecker: Yes.

10
11 Commissioner Lauing: So, they netted out another prediction of saving six more parking
12 spaces?

13
14 Ms. Layendecker: Yeah, yes. We do concur with that as Ms. Kauffman said earlier. There are
15 efficiencies we will gain with this increase in enrollment.

16
17 Commissioner Lauing: Yeah. And then I notice in the list of things that you have one shuttle
18 from the Palo Alto Caltrain, but you're not proposing any satellite lots. So is there a reason why
19 you ruled out, for example, Baylands Athletic Fields are at 101 and Embarcadero. You could
20 have that as a gathering drop off place and run shuttles over there. Have you look at that to
21 further, you know, help the problem?

22
23 Ms. Layendecker: So, a couple things. I mean we need to park our project and so and that has
24 to happen at the site and around the site. So, satellite parking does not help address that piece
25 of it. In terms of reducing trips to campus we do already do some satellite parking that's
26 actually within walking distance of the school. And that's been a very successful program. Could
27 we, you know, potentially find some others? Possibly, you know, that is often highly dependent
28 on what's available.

29
30 Commissioner Lauing: Okay, something to probe there with staff. And let's see, in the in the
31 current TDM how often are you expecting the data to be audited officially? I mean I know
32 you're doing car tracking every day. But what is in there now? Is it three times a year or
33 something like that?

34
35 Ms. Layendecker: What are we currently doing?

36
37 Commissioner Lauing: No, what are we projecting in the new TDM for 450 and up?

38
39 Ms. Layendecker: I believe it's three times a year. I believe that is correct. And then there's also
40 real time measurement going on as well. But in terms of the official monitoring reports those I

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1 think are three times a year maybe for the first couple of years and then it goes to two times a
 2 year I believe. I'm doing that off the top of my head, but I believe that's what it said in the
 3 conditions.

5 Commissioner Lauing: Okay, Chair Hechtman, that's my group of questions on parking so I could
 6 stop there if you like.

8 Chair Hechtman: So, if I'm understanding Commissioner Lauing you have more questions, but
 9 it's on a different topic and so we could take a break now and come back with some further
 10 questions from you.

12 Commissioner Lauing: Yeah.

14 Chair Hechtman: Okay, then let's do that. Yeah, I have 8:03. Let's come back at well I'm going to
 15 say 8:13 so hopefully we can get started at 8:15. So 8:13 is the official restart time.

17 **The PTC took a break**

19 Chair Hechtman: Welcome back everyone. Commissioner Lauing, you may resume your
 20 questions of the applicant.

22 Commissioner Lauing: Okay, thank you. I wanted to follow up on the enrollment number
 23 question, sort of piggybacking on with prior Commissioner. You mentioned 540, you explained
 24 the 540 number. I didn't hear that that's a permanent gap on what you would like to have just
 25 that it's what you can squeeze into the TDM right now. So, that's my understanding, if that's
 26 different let me know.

28 The other question I had is in your application you're applying for 25 students per year over
 29 those X years. Where did that number come from? I mean it could be, could have been
 30 something different. So, why are you picking that one?

32 Chair Hechtman: I'm wondering if the applicant is not back from break yet.

34 Ms. Kauffman: We're here.

36 Chair Hechtman: Ms. Kauffman did you hear Commissioner Lauing's question, or would you like
 37 him to repeat it?

39 Ms. Kauffman: Oh, yes if you could repeat it. I'm sorry, I think my connection dropped for a
 40 second.

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1
2 Commissioner Lauing: Okay, sure. You had responded to Commissioner Chang that how you
3 came up with the 540 number relative to the sort of TDM max to summarize you, not quote
4 you. And you didn't say that that's a permanent cap, that you just said that that's, you know, all
5 you can do right now with the TDM. So, is that correct? It's not, you're not saying that's a
6 permanent cap you never want to go over that, right?

7
8 Ms. Kauffman: No, I mean I cannot, I can't speak for the future of the school, right? I can speak
9 for myself. I wouldn't imagine doing, you know, myself seeking more than that. I think the way
10 we've designed the campus having 25 students added per each year of four years is the right
11 number for the way we've designed the campus also.

12
13 Commissioner Lauing: So that was my follow-up question there, which is why was it 25 instead
14 of 50 and 50 or 10, 10, 10 or anything else. Just, you know, what was the methodology there?

15
16 Ms. Kauffman: Yeah, I mean that it's 60 students per grade is considered a very small middle
17 school, a nice sized middle school. 60 students per grade in a high school is really too small to
18 be able to offer the kinds of things we want to offer students when they only have two or three
19 students signing up for a certain course. Anything under 100 though in high school is still
20 considered a small high school. So, we're really aiming for rightsizing the school in terms of
21 what we would like to offer students without necessarily creating a situation where we would
22 be looking to do to have, you know, more classrooms and more teachers and that sort of thing.

23
24 Commissioner Lauing: Okay, so my last question is back to kind of a big picture question like
25 Commissioner Chang started with. Every project that you start, a business, a city, a school, a
26 home decorating project, whenever it is going to have some risks and stuff that could go wrong.
27 So, what are you thinking that for the purposes of risks for the school or risks for the City that
28 could still go wrong? I mean I'm not trying to be negative I'm just saying that, you know, when
29 you put well this could happen, this could happen and I'm not saying they should be mitigated
30 now, but just kind of alerting all of us to, you know, whatever you know that could be some of
31 the issues. I mean we already talked about a neighborhood drop off and we actually got an
32 answer to that tonight about how that's being monitored. with 90 more students you're going
33 to have more athletes and more friends and parents come to the school but, you know, yeah, I
34 mean for example, if you if you could only get a 30 event CUP would that be a deal breaker for
35 the project? I mean what are the risks to you right now in terms of what the City does and what
36 could happen in the City later and what could happen to your project?

37
38 Ms. Kauffman: Well Commissioner Lauing you're asking such an interesting question. I don't
39 know that I would be in the career that I'm in and have stuck with this project this long if my
40 brain operated that way. I am not, I haven't spent a great deal of time thinking about what

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1 could go wrong with this project fighting for it as hard as I have. I have so much belief in it and
 2 faith in it, but yes I've I think 30 events... So, to be clear, most of these events involve bringing
 3 parents to the school to engage with their students and see their students work. There are a
 4 handful of dances, but these are not... I mean they're admissions events, they're events that are
 5 just sort of key to operating the school. They're not like parties for parents or anything that
 6 goes beyond actual functioning of the school. I think 30 events for a high school would be a
 7 pretty challenging situation for us.

8
 9 Commissioner Lauing: I wasn't suggesting anything about that, really. I was just saying
 10 (interrupted)

11
 12 Ms. Kauffman: Oh, okay.

13
 14 Commissioner Lauing: Is that the kind of thing you'd worry about, if we don't get enough events
 15 we can't do this or, you know? But that's fine (interrupted)

16
 17 Ms. Kauffman: I know like I said I mean I wish that, you know, it's just not how I think. I think
 18 about, you know, what's going to be possible. That's much more, I mean the strategic plan of
 19 our school it's called "What's Possible" and we mostly, you know, think forward to the best
 20 possible outcomes. I think that we have tremendous confidence in our ability to meet the trip
 21 count and I hope that that's really clear based on the fact that we suggested from the very start
 22 that the enrollment increases would have to be contingent on us proving that with each
 23 increase trips did not increase.

24
 25 Commissioner Lauing: Okay. Thank you that's all, Chair Hechtman.

26
 27 Ms. Kauffman: Thank you.

28
 29 Chair Hechtman: Thank you, Commissioner Lauing. I think all the Commissioners other than
 30 myself have asked their questions, so I have a few for the applicant. In for these first two I'll
 31 leave it to Ms. Kauffman to decide who's in the best position to answer it. So, the Council has
 32 given the PTC some pretty clear direction to look at a variety of issues and that and some may
 33 relate to Conditions of Approval or changes to the TDM. And so, before we get to the point of
 34 possibly imposing those sorts of things there were a couple of them that I really wanted to hear
 35 Castilleja's feedback on so we're not talking in a vacuum without asking Castilleja how will this
 36 affect you. Because by the time we have that conversation we're no longer in the public
 37 comment period, we're no longer asking applicant questions, and so that could be awkward. So,
 38 I'm going to ask them now so that we know the answer later.

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1 One of the things that the Council included in their sort of scope of the inquiry is the idea of a
 2 temporary relocation to and I think because I read it in the staff report the concept is by moving
 3 the school entirely off campus you can reduce the construction period from like 30 something, I
 4 think it was 34 down to or 36 down to 21 months. So, what I'd like to hear from, and I think that
 5 that direction came out of the Council in March, end of March. And so, I would expect that
 6 Castilleja has talked about this internally in the intervening months. And I'd like to hear from
 7 Castilleja, what do you think about that? What, how easy or difficult would that be?

8
 9 Ms. Kauffman: So, I really appreciate that and I'm going to answer first and then I'll see if
 10 anyone else on my team wants to add to it. Because of the unpredictability of the timeline, it
 11 has been difficult even as we've tried to pursue options. So, things that may have come up are
 12 no longer available. So, it isn't that we haven't thought about it and that we haven't pursued it,
 13 I think what's challenging is we couldn't guarantee that that we could find a place. So, I mean
 14 that's my biggest concern. It's in our best interest as much as it is in the neighbor's best interest
 15 to shorten the project. It just makes me nervous to think about having that as a requirement. I
 16 don't know if Mindie or Kathy if you want to add to that?

17
 18 Ms. Layendecker: I would just reiterate what you just said, which is it's something that we're
 19 very open to. We agree that it could be good for the school as well, but you can't just move into
 20 any old facility for a school. And so, it would have to be that something were available that fit
 21 the needs of a school. So, as Nanci said if it were a requirement it wouldn't really work, but
 22 encouragement to do it is certainly welcome.

23
 24 Ms. Kauffman: I think that's, we've said what we need to say. Thank you.

25
 26 Chair Hechtman: All right, well I appreciate you sensitizing us to that issue and the dilemma
 27 you'd face with a strict requirement. Next question in a similar vein. One of the things that the
 28 Council has expressed some concern with is really that the nimbleness of the enforcement
 29 process. And let me start by saying I expect everyone to obey the laws, and the laws include
 30 Conditions of Approval. And so, to the extent it that there are Conditions of Approval applicable
 31 to Castilleja including strict limits on traffic generation my expectation is you're going to find a
 32 way to comply with it. But the, and what the TDM is really in part about is giving you a whole
 33 panoply of tools to accomplish that. Particularly if you find over time that you're butting up
 34 against that, those numbers or even crossing those thresholds. And so, I think that's all very
 35 good, but one of the concerns that the Council expressed was well, we have these three time a
 36 year I think studies and then they come in and how... what, if there's an exceedance and it's not
 37 and for a minute we'll sort of avoid the question of how many exceedances before you have to
 38 do something about it, but if there's an exceedance, however many times, what if anything can
 39 be done quickly that that will provide some immediate relief to get us back under the number?

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1 And I'm kind of loathe to think about these things because I really believe that this is the
 2 purview of the traffic experts, but I'm not and I don't that anyone on the Commission is, but so
 3 all I can do is cut sort of think logically. And one thing I see is that you have as I understand it
 4 senior parking. Currently, you... seniors are allowed to park at school, and I thought juniors and
 5 then tonight I heard even some sophomores to the extent of course they can drive. They're
 6 allowed to park. And so, one thought I had that, you know, something that could be enacted
 7 really quickly is to curtail some part of that. But what I don't know is what the impact of that
 8 would be at the school. And I imagine that that you thought about that and so help me
 9 understand if those were sort of the immediate measures, does it work? Is it a huge problem?
 10 Are there reasons that I can't think of that it it's really problematic?

11
 12 Ms. Kauffman: So, here's what I can say at this point, and I obviously would want to think more
 13 specifically about it, but in general the school is in great demand. And families joining the
 14 school under particular circumstances would be expected to abide by those circumstances. So, I
 15 think it's difficult for example, to tell a senior family that lives in San Jose not near the train
 16 station that suddenly their daughter can't drive to school. However, when you enroll families
 17 there's an understanding, you know, going forward these are all possibilities if we don't meet
 18 our trip counts. I think that's much more manageable. The students can enroll at the school
 19 with that understanding.

20
 21 Chair Hechtman: Okay, thank you. The other questions I have all relate to the TDM. And so, I
 22 don't know if Ms. Hughes might be the best person to answer them, but you'll decide that. And
 23 they all I think focus on Page 33 of the TDM program. I'm wondering if somebody can pull that
 24 page up? It's got the tables of infractions on it.

25
 26 Ms. Hughes: Oh yeah, sure. I can share my screen if you like?

27
 28 Chair Hechtman: That'll be fine.

29
 30 Ms. Hughes: Okay, is this large enough for everyone to see?

31
 32 Chair Hechtman: It is for me. I'm on a laptop. If anybody's on a phone they're going to have
 33 trouble.

34
 35 Ms. Hughes: Okay. Well, we were asked to put together a sequential approach to the
 36 infractions. And you can see in the beginning we have two parts; the first part is the period
 37 between the commencement of construction and attainment of the maximum enrollment
 38 level. And the infractions start with the first one, we go to a second one if there is one, and a
 39 third one if there is one. And the consequences for each of those infractions are sequentially
 40 higher level. So, it's well spelled out so that the consequences are very specific and clear. And

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1 then the second section is also a series of possible infractions and absolute consequences that
 2 are really well spelled out. That second section is beginning two years from the completion of
 3 the academic building, so sort of normal operations at that point.

4
 5 Chair Hechtman: Okay, thank you for the overview. So, I've got some specific questions about
 6 this page because I was studying it and there are parts of it that I wasn't sure I understood. So, I
 7 want to try to get a better understanding as we move forward in this process.

8
 9 So, the as you said the first box as it's titled it's this period from commencement of construction
 10 to when they hit maximum enrollment, which the proposal is for 540. So, I'm going to say it's
 11 540. And then the second box is two years following completion of the academic building. I'm
 12 wondering if there is given that one of the things that the City has to work out through this
 13 process we're going through is really the phasing of additional students, whether it's 25 per
 14 year or some other number. Assuming compliance with the TDM is there a possibility of an
 15 overlap between Box 1 and Box 2?

16
 17 Ms. Hughes: I'm actually going to ask Mindie to clarify. My, I believe that is my understanding.

18
 19 Ms. Romanowsky: So, let's see here [audio cuts out 2:16:34]

20
 21 Commissioner Lauing: We can't hear you.

22
 23 Chair Hechtman: Ms. Romanowsky, we're having some connection difficulties with you.

24
 25 Mr. Lait: Yeah, I'm sorry. I just maybe while that's getting reestablished, I think your observation
 26 is correct, Chair Hechtman, that there is the likelihood that there is some overlap here. And I
 27 think this is an area where too staff is still examining the TDM plan and may have some
 28 additional comments too. Just to reiterate what we had said the at the outset of the hearing
 29 last week we wanted to get the material out to the public, to the Commission, so we can get
 30 some initial feedback. We too are also going to be looking closer, but if the Commission has
 31 some direction or guidance initially that would be welcome.

32
 33 Ms. Romanowsky: I'm back and I apologize I don't know what happened. Can you hear me
 34 now?

35
 36 Chair Hechtman: We can, thank you.

37
 38 Ms. Romanowsky: I think, well what I was wondering was, are you proposing, do you have a
 39 question in which case perhaps you could repeat it or were you suggesting potentially some
 40 clarification around this so that there would be an overlap? Because I mean I think we are very

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open to feedback. We just as much as the City and the public wants this to be something that works. We are very interested in having it be something that can work and is practical. So, we're hope... I mean this is why we're here tonight. We want to hear the feedback and we're open to any suggestions that you think would make it better.

Chair Hechtman: Okay, so yeah, my questions here with Ms. Hughes are really to help me understand, you know, what's written here so I can if it's if in some of these things I suspect suggest clarifications. And so, here's this first question I've asked is, is there... the way that these two tables read it feels to me like they were intended to be sequential. Like we're going to do Box 1 until a certain point two years following completion of the academic building when Box 2 will take effect. But I actually think that there is a possibility of overlap. If two years after the academic building is completed you're still building it up to the maximum enrollment. And so, and I and if that happens I don't understand how these two boxes work together so...

Ms. Romanowsky: Fair point. I think we can clarify that and I, you know, but it's a fair point and it's important. So, you know, thank you for the feedback.

Chair Hechtman: All right.

Ms. Romanowsky: We don't anticipate that happening, you know, it was sort of like this was we really, you know, if it was 25 per year that would take, you know, by the time the building was built we sort of felt like we'd be through that. But if, but again we have to plan for contingencies and we can probably propose something here or if you want to propose something we're very receptive.

Chair Hechtman: I didn't have any ideas other than just decide what would happen and maybe it's as simple as adding a sentence that tells us what happens, right? Or changing the headings that that, you know, it's two years after completion of the academic building provided the maximum enrollment level has already met.

Ms. Romanowsky: Yeah, the first two occur.

Chair Hechtman: Right. I just don't want us to get three or four years down the road and realize we've got an unclear direction here. So, and that's that that was my question was intended to ask. All right, in Box 1 talks about first report, second consecutive report, third consecutive report. Box 2 doesn't use that word consecutive, and I was curious if that was intentional? Or can the first report be in year one and the second report six years later?

Ms. Romanowsky: Well, we're supposed to, the reporting for the first number of years as Kathy Layendecker indicated earlier and Elizabeth can pull up the screen with when the reports are all

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1 due, but for a number of years we have to do 3 reports a year until we've proven ourselves. Is
2 that your question?

3
4 Chair Hechtman: No. So, the infraction box, the one on the left, again, I mean the second. In the
5 first box we're talking about first report showing an infraction, second report showing an
6 infraction, second consecutive report showing infraction, third consecutive report showing an
7 infraction. When we get down to the second box it says first report showing an infraction,
8 second report showing an infraction, and so on without saying that they're consecutive. And I'm
9 wondering if that was an omission or if it's the intention that the first report can happen... that
10 you're going to do quarter, three time a year reports. So, in the first year, in the third year after
11 completion of the academic building let's say you have a report that shows an exceedance and
12 then you don't have another one for four years. Another report that shows an exceedance. The
13 way I'm reading this table now that even though four years have passed between the two
14 reports showing exceedance you trip the that second box, a consequence. And I'm wondering if
15 that was intentional or if it was intended that these be consecutive reporting infractions?

16
17 Ms. Romanowsky: I believe it was... I believe it's an omission and the language should track.
18 We're not trying, you know, we understand the gravity of not meeting the numbers. So, the
19 language should track. It should be consecutive. It was not, you know, it was just it was an
20 omission and that's why this is in a form that we're getting feedback on.

21
22 Chair Hechtman: Okay, let's see, in the in box, in the second box the first three infractions don't
23 use the subsequent year terminology and the last two box, sorry, the 4th and 5th box do. And
24 so, I wasn't clear again on how to read these things in context as a as some kind of continuum.
25 Can somebody explain, you know, what the difference is between Boxes 1 through 3 and Boxes
26 4 and 5?

27
28 Ms. Romanowsky: I'm going to defer this to Elizabeth because she can speak to the nuances
29 with more professional accuracy than I can. This is what she does day in and day out so I'm
30 going to defer to her now.

31
32 Ms. Hughes: Thank you. What I think we were trying to spell out was the differences in the
33 consequences as some of the infractions begin to appear in that sequential or consecutive
34 manner. So, you can see it's sort of talked... the differences you'll see are in the consequences.
35 So, you know, first, second, and third report that may show a deficiency you're incrementally
36 increasing the consequences of either adding additional measures and you're going to be
37 adding more intensive measures that are reviewed and approved with the Chief Transportation
38 Official. By the time you get to a third report where you maybe have not met that the threshold
39 limitations you're looking at a reduction in the enrollment. So, I think where we have the
40 infractions on one side not all the consequences are the same. They are exceeding in their

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intensity for consequences. And I'm happy to try to clarify that with some direction for how you'd like that to read.

Chair Hechtman: So, let me, I'm not sure I'm articulating my question clearly enough to get the right focus. So, let's say, all right, so the second box, bottom half of the page, becomes applicable two years after completion of the academic building. So, just hypothetically after that happens we're going to be generating, sorry, Castilleja will be generating these I think three times annual reports. I can't remember when it steps down to two times, but they're going to be issuing reports. So, let's say the after the two years the first report comes out it shows an exceedance. And then the second report, and I understand from Ms. Romanowsky that what's intended here is really the second consecutive report as it states in the first box, so the second consecutive report shows an exceedance. Then the third consecutive report shows an exceedance. And each time that happens you're going to have the consequences associated with it. Then I get to the 4th box. I think what this says is the first and second report in the subsequent year, meaning the subsequent year after the third consecutive report showing an exceedance. I think that's what it's supposed to mean, but I'm not sure.

Ms. Hughes: Yes. That would be correct. We're looking at the subsequent.

Chair Hechtman: Okay, all right, so I do think that that's not clear here, you know, that was my speculation that that's what it meant. So, I would encourage some look at that so that nobody has to speculate.

Ms. Hughes: Yes, all right.

Chair Hechtman: And then the final question on this page, 3rd report within five years, I suspect what is meant there it's not you're going to have at least 10 reports within five years if not 15. Again, I don't remember the dividing line between three a year and two a year. So, I think what you're talking about here is the third report showing an exceedance within 5 years.

Ms. Hughes: Yes.

Chair Hechtman: It may even refer to subsequent year and so that I think really needs to be clarified.

Ms. Hughes: Okay.

Ms. Romanowsky: Yeah, thank you. I mean this language we did meet with the Planning and Transportation staff on it and, you know, we... this was a work product that staff gave us feedback on, and we arrived at this language, but of course now that we're getting your

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1 feedback we can make further changes at your direction. I mean these clarifications are very
2 helpful.

3
4 Chair Hechtman: I mean my thought is that in the situation were this ever to have to come back
5 to the PTC or the Council for enforcement and again my expectation is it won't, but these rules
6 really need to be clear so that there's, we take the guesswork out of them. And these are things
7 that I didn't understand and if I don't understand them there's a good chance somebody else
8 might not understand them either.

9
10 Ms. Hughes: I'll do a clarification review with Planning staff and make sure that I have some
11 clarity in their revision.

12
13 Chair Hechtman: Okay. And then the last question I have Ms. Hughes I can't remember if in our
14 last meeting I remember you said how long you've been doing this, and I think maybe it was 20
15 years?

16
17 Ms. Hughes: Yeah, it's been a long time.

18
19 Chair Hechtman: So, I was curious, I mean this Castilleja has a, you know, a population, a
20 proposed population of somewhere around 650. If you have the 500... I'm saying, you know,
21 500 roughly, 540 students as proposed and something around 100 student, 100 staff, I don't
22 remember the exact number. So, you know, in the 650 range. I'm wondering if in your
23 experience, I mean this is an exhaustive TDM program.

24
25 Ms. Hughes: Yeah.

26
27 Chair Hechtman: And I'm wondering if you've ever done a TDM program this extensive to
28 address traffic generated by a population in the range of 650 people? And if so, what were
29 those circumstances?

30
31 Ms. Hughes: You know that's a really good question. My experience has kind of tripped off in
32 the Silicon Valley area back in 2000/2001. We were working with a lot of high tech employers
33 and a lot of trip reduction requirements, not necessarily parking reductions. And then along the
34 way there was such a shift in what works for high tech, and what works for biotech, and what
35 works for residential, and what works best for warehouse or retail, and in this case it's in this in
36 the academic scenario. And so, I would have to say that I've had a project, I don't believe it's
37 been built yet, that went to an 80% car free entitlement, which was approved. And there are
38 projects in San Francisco which are really quite dense and they're commercial oriented that
39 have very substantial TDM programs. And mostly they succeed because there's no parking.
40 There's sort of a forced scenario of having no parking and having your TDM be successful.

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But my, most of my experience is dealing in the range unless there's a project that's like right on the Caltrain station, steps from Caltrain, we're looking in the range between the 30% or the 40%. And Castilleja's program is well over 50%. So, it's quite robust.

Chair Hechtman: [Audio cut out 2:32:10] population that the program is serving. I was curious about that. Castilleja's population is proposed, is around 650.

Ms. Hughes: Yeah.

Chair Hechtman: Right? And so, I'm asking if you've done other TDMs this robust for populations in the 650 range.

Ms. Hughes: Most of my TDM programs are for populations that are much higher in density population. In population.

Mr. Echols: Can I offer a comment here? In terms of schools are kind of a unique TDM situation. When you're working in the industry and things like that you're dealing with employees that may or may not buy in. Here and what I've seen in some of the other schools that we've worked is the parents and the everybody is trying to work together and really solve the problem. And so, there is a synergy, I guess, that's different in schools than you would have in a workplace. And so, you do have fairly decent programs at schools because they do have frequent contact, everybody is supportive, and so that's a big benefit and a reason these programs can be as successful as they are.

Chair Hechtman: Thank you. Those are all of the questions I have. Commissioner Chang, I see your hand up. You have additional questions for the applicant?

Commissioner Chang: Yes, I do, Thank you, I'll try and keep them short. I just wanted to ask a quick follow up on like the CUP and the current enrollment and the enrollment cap. Why is it at 4, this might be staff that needs to answer it, but why is it at 426 now instead 415 given that, you know, is that the schedule that we had to reduce since 2012? Or in other words Ms. Kauffman had mentioned that in 2012 we started this plan with the City of how are we going to step down from 450 plus to 415 and so I'm wondering why we're at 426 now instead of 415?

Ms. Layendecker: I'm sorry. Can I just interject that we're actually at 422 right now?

Commissioner Chang: Okay, 422.

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1 Ms. Layendecker: And it is as you described, there's actually some letters in the public record
 2 from the City. The original enrollment plan they gave us when our Head of School came forward
 3 about the over enrollment was to reduce to 438 and then to hold steady there until we had a
 4 new CUP. We did that for a while and the City came back and said well, actually this project is
 5 taking a long time, we want you to continue reducing. So, we resumed reducing per the City's
 6 requirement that we reduce by four to six students a year. And we have been doing that ever
 7 since. So, we are at 422 this year based on that requirement from the City.

8
 9 Commissioner Chang: Okay, thank you. I also had a few questions about the TDM because as
 10 Mr. Echols pointed out schools are different from an office environment, very different.
 11 Particularly because for schools many of the individuals are not drivers themselves and so it's
 12 the drop off/pickup activity that is a little bit different. And so, having no parking doesn't
 13 necessarily prevent traffic. So, I think a lot of times TDMs are geared at both traffic and parking,
 14 but I think in the school situation this traffic component is one that is particularly important.
 15 And so, as well as like where drop off and pickup happens and how drop off and pickup
 16 happens. Because I know that in my experience at least with our local elementary school there
 17 are violations all the time no matter how hard our principal tried to work with the parents on it,
 18 because parents are in a rush in the morning.

19
 20 So, one of the questions I had is I saw I think this was in Mitigation Measure 7A and also I think
 21 in the TDM the drop off and pickup must occur in a garage, assuming there is a garage. And so,
 22 I'm wondering how is that enforced?

23
 24 Ms. Romanowsky: I can just chime in just to correct you, just to correct that the Project
 25 Alternative 4, which is now what the school is supporting and was deemed environmentally
 26 superior has a distributed drop off scenario. So, while some cars are dropping off in the garage
 27 there's also distributed drop off as we currently run the school now. So, some drop off on
 28 Kellogg, we have a portal there, and Bryant. So, it's distributed. And how will we enforce all of
 29 the various, I mean we... I Kathy Layendecker can speak to this better than I can, but I have seen
 30 it. There's a manual, there's all sorts of rules and regulations, and they've got enforcement
 31 officers that are making sure this happens because it's a priority. So (interrupted)

32
 33 Ms. Layendecker: Yeah, I mean I, I'd like to add to that. Is that we really created a TDM culture
 34 in our school I think like none other. Like people just understand because of all the
 35 communication we do, all of the enforcement we do, that if you want to be part of the
 36 Castilleja community you need to be part of the solution to reduce car trips in the
 37 neighborhood. And as Ms. Romanowsky indicated we have all sorts of ways that we do that,
 38 but certainly monitoring in the neighborhood is one of the ways that we enforce the drop off
 39 and pick up should happen as designated. And we also have ways that we make sure that the
 40 drop off and pickup is balanced in certain ways that it avoids queuing. We really, in fact I

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1 welcome you to come to Castilleja any morning between 8:00 and 8:30, which is when most of
 2 the drop off happens. And I think you will see what I'm talking about, that there really is no
 3 back up and that the traffic is, that to the extent there is any, is very carefully managed.

4
 5 Commissioner Chang: Okay, thank you. Isn't the current, maybe I'm confused because we
 6 haven't talked in depth, but I thought that the current, the preferred plan coming out of the
 7 ARB meeting was us, was a garage with a drop off plan in there. And so, you're telling me that
 8 that's not meant to be the only drop off point, that they're supposed to be multiple ones?

9
 10 Ms. Layendecker: Yeah, there are multiple drop off points and I think that's what they were
 11 referring to is that one of the drop off points and it's actually the least used. So, there it's
 12 actually very prescriptive the EIR as to the percentage of drop off that should happen at each of
 13 the different drop off locations. And that's what I was talking about. We have ways to balance
 14 that in terms of, you know, using student last names and that kind of thing to figure out what
 15 percentage will be in the garage, what percentage will be on Bryant, what percentage will be in
 16 the drop off area along Kellogg.

17
 18 Commissioner Chang: Okay and so then my question about I'm just trying to address the
 19 concern of oh, you know, TDMs are hard to monitor with driveway counters because not
 20 everybody is going through that spot. And so, then I wanted to understand because monitoring
 21 is so important in terms of making sure that everybody's bought into this. If there's drop off on
 22 Kellogg and Bryant as well how is that, how are those trips counted? Because I saw that the
 23 counting was with driveway counters.

24
 25 Ms. Layendecker: There are driveways there as well.

26
 27 Commissioner Chang: There are too? Okay. I'm just not familiar enough with (interrupted)

28
 29 Ms. Layendecker: Yeah, no I know you're getting up to speed and you'll see if you get an
 30 opportunity to look at the plan set there's actually a circulation map in that plan set that shows
 31 you where cars go, and it shows you how they come onto campus and drop off and then leave.
 32 In each of those locations.

33
 34 Commissioner Chang: Yeah, I read that, I skimmed, I went, read through the TDM very fast. So, I
 35 wasn't sure that maybe I missed it in there too. Maybe it's there as well. The other question I
 36 had was about kind of relating to the page that was up when Commissioner Hechtman or when
 37 Chair Hechtman was asking questions. It talks about, you know, with the first violation we're
 38 adding this measure and with the second violation we're adding another like even stronger
 39 measure. Was there a menu somewhere that we're picking from in order to determine which
 40 measure, what which measures could be added? And I ask again because I think transparency

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1 and buy in is really important for this. So, for people to believe that there are really teeth in this
 2 it would be helpful to know what that menu is. I know that there were checklists about like
 3 these are additional things that we could consider, but I wasn't sure if those were the ones that
 4 we'd be pulling from as additional measures that could, would be implemented.

5
 6 Ms. Layendecker: I'd like to speak from experience of having run our TDM program for the last
 7 seven and a half years I've been at Castilleja and operating off of the CUP that was developed in
 8 99 and 2000. Is that to the extent that it's prescriptive about certain things some of those
 9 things after 20 years have become obsolete. And for example, like in our current CUP it
 10 mentions parking at Town & Country Village. Well, Town & Country Village won't let us park
 11 there anymore. So, you know, it's just... so I just I caution you that yes, I understand the need
 12 for transparency, and I think menus are valuable. And I think we need to also understand that
 13 10 years from, now 20 years from now the whole landscape of how transportation is managed
 14 will probably have evolved and changed. And I think we want to leave room in there that we
 15 are able to pull in a new solution that maybe doesn't even exist today that will allow us to
 16 actually function even better for the neighborhood than we would with one of the things that
 17 was in the menu. Does that make sense?

18
 19 Commissioner Chang: That absolutely makes sense, but I think that... I mean it absolutely makes
 20 sense and yet because what's being created is also now a communication document for not just
 21 Castilleja, but the entire community, I think it's value... there's ways to allow for the flexibility.
 22 To say it could include things from this list or other things as appropriate, right? Like that's kind
 23 of a catch all, but I do think that the concrete examples of what is a, what is an additional
 24 measure versus what is an additional more severe measure is something that's useful to
 25 understand at least illustratively.

26
 27 Ms. Layendecker: Yeah, fair enough. Fair enough. Yes, thank you.

28
 29 Commissioner Chang: Okay, that's it for me. Thank you, I appreciate it.

30
 31 Chair Hechtman: Are there any other Commissioner questions of the applicant? No hands are
 32 raised so I am going to close the public comment period and thank the applicant for their many
 33 answers to our many questions and move us into the Commission discussion. And to facilitate
 34 our discussion Ms. French I'm going to have you pull up the list of items to discuss.

35
 36 And while she is doing that I want to remind the Commission that our role tonight is not to
 37 come up with recommendations to make to Council, but rather to instruct or request of staff
 38 that they provide us, that they take... provide us additional information as we feel we need
 39 based upon all the Council direction so that when we come back with that information from
 40 staff we're going to be in a position to make the recommendations at least to discuss the

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1 recommendations that we want to make. And so that's really the focus tonight is to ask staff I
 2 think for more information. It's not necessarily for any of us to preview our thoughts on the
 3 project although I think some of that is going to be natural as you're asking questions about
 4 these things.

5
 6 So, staff is... so my thought for how we're going to proceed tonight is to ask our questions on
 7 discrete topics and move through the topics. And this is the suggested order. Again, we're not
 8 making decisions, just asking questions. And I think our conversation here, our discussion, will
 9 be more productive if we're focused on one item and then we move to the next and so forth. It
 10 is 9:00 and at 10:00 or as soon as we finish ideally as soon as we finish an item at about 10:00
 11 on this list of eight I'm going to check in with the Commission and we're going to see where we
 12 are, and do we want to go later? Do we want to not go later? We'll make some decisions in that
 13 regard around 10:00. So, but at this point I guess I want to ask my fellow Commissioners as you
 14 look at this list is there any reason that any of you can think of that we need to reorder these
 15 items and talk about one in a different time than its listed here? Commissioner Alcheck.

16
 17 Commissioner Alcheck: Are you opposed to allowing the conversation to bounce around? The
 18 reason why I'm asking is because I think that it's possible Commissioners have sort of different
 19 degrees of depth and comments on the various issues. And I think since you anticipate this sort
 20 of coming back with an opening for staff to provide sort of greater context I wonder if going
 21 one by one is really sort of the best tool? Because while there might be a significant discussion
 22 that can be had about the definition of garages some of these issues are likely not to get as
 23 much playtime at the Council level as sort of, you know, we may anticipate. They may represent
 24 less significant conditions.

25
 26 So, I guess what I'm trying to say is I almost wonder if we can't entertain a conversation that's a
 27 little broader on the topics and allow Commissioners to kind of move in the direction that they
 28 are sort of interested in speaking to and having that take place. And in the absence of sort of
 29 that I would suggest that we move the discussion of special events up and phased enrollment
 30 down, and TDM plan further down. And because I think one of the things that just to give you
 31 an example, I think one of the things I've learned tonight is that we're operating on this set of
 32 conditions that may be suboptimal. You have an opportunity right now, you heard the applicant
 33 say we would be happy to provide our facilities for the greater use of the public, gymnasiums
 34 for local basketball. I mean if there is a way to open this up a little bit more and suggest that
 35 staff potentially investigate broadening some of these, their approach, as opposed to
 36 continuing to sort of dial in harder and harder on some of these concepts. So, I guess I'm
 37 suggesting I think it'd be better if we had a slightly broader discussion that allowed, you know,
 38 various topics to be raised so that staff had more to come back with or at least had an idea of
 39 the options that Commissioners might be interested in having discussed.

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1 Chair Hechtman: Commissioner Lauing your thoughts on this structural question I've asked?

2
3 Commissioner Lauing: Yes, thank you. I support your approach, Chair Hechtman. I think we do
4 need to focus on one at a time. There is inevitably going to be connection because it's all the
5 same project, but I think that's the way to go. I do think that [muffled audio 2:51:11]
6 conversation we already had, but other than that I think the batting order doesn't matter
7 because we're going to get to all of them whether it's tonight or the next night. So, I'm
8 supportive.
9

10 Chair Hechtman: Commissioner Chang, your thoughts on the structure of the discussion?

11
12 Commissioner Chang: I think if we really want to get something done we probably do need to
13 focus a little bit more specifically on certain things with the caveat that of course they're
14 definitely some big picture CUP items that, you know, it would be nice to give feedback on it
15 sometime, but I think that we could also do that in the future. What I did specifically want to
16 comment on was #2 parking Options D and E. Like I don't know how, you know, based on the
17 staff packet that was given to us there were other things that were seemed to be prioritized or
18 more clearly called out as items that we would be asked to discuss. So, I'm not sure how
19 prepared I am quite honestly and maybe it's shame on me for not understanding to discuss #2
20 in particular and maybe #7. That's it.
21

22 Chair Hechtman: Commissioner Alcheck, your hand is still up. I think that's a ghost hand.
23 Commissioner Summa, your thoughts on the structure of our discussion?
24

25 Commissioner Summa: I agree with your approach. I think that's good. I kind of see the point
26 that Commissioner Chang is making because some of these things like it seemed like there was
27 a different list slightly before. And it had on it... so maybe I'm confused, but it had on it the art
28 issue. The percentage for art, which I didn't think we'd be discussing at all. So, I'm wondering,
29 I'm sort of agreeing with her comment and then #8 says other. Does that mean we have an
30 opportunity to propose something else?
31

32 Chair Hechtman: So, the thought in #8 is that the Council has through its Motion identified
33 certain issues that we need to investigate, and they identified certain issues like art in the
34 common area that some other entity Commission or Board has to investigate. But it's possible
35 and I think Commissioner Lauing alluded to this at our last meeting, but that maybe there are
36 some thoughts that Commissioners are having that aren't specifically derivative of the Council
37 instruction but, you know, the Commissioner thinks that they're relevant and they want to have
38 staff bring some information back so we can mull it over. So, that's really what #8 was about.
39 It's a placeholder for anything that any Commissioner wants to order off the menu.
40

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1 Commissioner Summa: Okay, then I off menu my custom meal would be the Dudek square
2 footage report.

3
4 Chair Hechtman: When we get to #8 that's going to be kind of a free ranging discussion and
5 that's when you would bring that up. You don't even have to list it now.

6
7 Commissioner Summa: Okay.

8
9 Chair Hechtman: Just anybody can talk about anything at that point. That was the intention.

10
11 Commissioner Summa: Okay, I understood. Thank you.

12
13 Chair Hechtman: All right so a synthesizing the comments of the Commissioner what I'm
14 thinking let's do is let's swap out #2 and #6. Commissioner Alcheck was interested in in moving
15 #6 up the list. Commissioner Chang was interested in maybe we don't get to the parking
16 options tonight, that'll remain to be seen. And so, I'm going to say that we do it that way. So,
17 we're going to go 1, 6, 3, 4, 5, 2, 7, 8. Ms. French did you follow me on that?

18
19 Ms. French: Yes, I did.

20
21 Mr. Lait: We're good.

22
23 Chair Hechtman: Okay, great. All right, so what I want to do again we're going to go item by
24 item and I'm going to offer each Commissioner I'm going to say up to five minutes to offer, ask
25 questions of staff, offer direction, what do you want them to come back with to fully inform our
26 deliberation next time on an item? If you hit the five minute mark I'm going to ask you to hold
27 additional comments until we get through the Commissioners, and we'll come back to you. So,
28 everyone will say everything they want about every point, it just may not be all at one time. So,
29 let's start with item 1, which is the text amendment issue. The ordinance language regarding
30 garages and gross floor area. Commissioner Summa, I see your hand up. Is that a ghost hand or
31 do you want to lead off the discussion on that item?

32
33 Commissioner Summa: It was a ghost hand so if somebody is anxious to start or I can kind of
34 start if you want me to.

35
36 Chair Hechtman: Looks like the floor is yours.

37
38 Commissioner Summa: Okay. So, I was happy that the Council actually decided that the
39 underground garage was gross floor area. I think that was a very clarifying decision to make.
40 And then they went step beyond that and decided that in certain situations they would only

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1 allow 50% of the required parking onsite to be handled in the underground garage. So, I'm
 2 wondering if a citywide piece of legislation that only applies to one property is really the best
 3 way to solve, the best solution to solve the problem that we have here. And we don't usually do
 4 that, we consider it spot zoning. And it's I'm concerned about the precedent of doing that, the
 5 fairness of doing it, and I would just like some feedback on staff about possible other ways to
 6 solve this problem.

7
 8 I'm also very concerned that other... this will set a precedent for other property owners in R1 to
 9 feel like they could step up and ask for their customized law for their property, which is why we
 10 don't do one off legislation usually. So, that is my main concern and question.

11
 12 Chair Hechtman: So, Commissioner Summa your idea in asking that question is when this comes
 13 back to us staff is going to be prepared to answer the question and talk with us about
 14 alternatives to this text amendment, for example?

15
 16 Commissioner Summa: Well in my I thought that we were going to give feedback I didn't
 17 necessarily see them answering the question now because...

18
 19 Mr. Lait: I'm happy to answer the question.

20
 21 Chair Hechtman: Well, before you do Mr. Lait again, I'm going to sort of clarify our process
 22 tonight. I mean there may be questions we have that need answers tonight and I'm trying to
 23 distinguish that from direction to staff to go back and think about something and come back to
 24 us with the answers that we will need to form recommendations. And Commissioner Summa, I
 25 don't know if the example you just gave of, are there other ways to do this was in one category
 26 or the other. Are you wanting staff to answer that now or is this something you want them to
 27 bring back to us?

28
 29 Commissioner Summa: No, I was anticipating that they were not answering a lot of... they could
 30 answer factual questions this evening to clarify if, you know, something, but that a policy issue
 31 like this was more for them to take back and think about.

32
 33 Chair Hechtman: That's how I understood it too. So, Mr. Lait, you know, that's again trying to
 34 structure this to give direction without spending too much time asking staff to off the fly
 35 respond to questions with ideas tonight, rather to let you measure those responses.

36
 37 Mr. Lait: Yeah, thank you, I appreciate that, and I appreciate the question. I think, you know,
 38 we'll have to play it by ear a little bit. Some questions most certainly will require us to go back
 39 and, you know, talk about it. I will say for this one, you know, to the extent that we are able to

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1 answer some questions now and not have to, you know, spend the time writing about it in a in
2 a report. I'd rather just, you know, knock it out.

3
4 So, for this one, you know, I guess I would say I would refer back to the City Council Motion.
5 The Council did direct us to, you know, explore a text amendment. They asked us to narrowly
6 craft it so that it would not have broad applicability. And so, we we've done that. We've even
7 given the Council, the Commission an option on how we can even make it narrower still. I
8 understand the expressed discomfort of, you know, writing a text amendment so narrowly but,
9 you know, I don't think that it's precedent setting. You know, we are talking about a large
10 parcel with a private school use, which is not something that we have throughout the City. And
11 even if they a, you know, future property owner of an R1 zone were interested in developing
12 the text or submitting an application for a text amendment, which would certainly be within
13 their rights to do so it would go through this Commission and City Council and be evaluated on
14 its own merits. So, I don't think it's precedent setting and I do think it's responsive to the to the
15 Council's direction. If the Commission would like us to make some refinements to it we would
16 just ask for some specificity on what it is that you're asking us to do that in areas where you
17 think it's not aligned with what the Council had asked.

18
19 Commissioner Summa: Okay, and then I had asked something about this last week also and that
20 is that the parking requirement and staff's interpretation that it was a reduction, the
21 adjustment would be... that the 50% would be based on the parking requirement before the
22 adjustment, the Director's adjustment, and I was just feeling that that did not really represent
23 what Council Members said. And I actually called four of them and asked them and there was
24 not consensus that that they felt that it happens.

25
26 Mr. Yang: I'm sorry, Commissioner Summa, I just need to interrupt you so that you don't
27 communicate to us what you heard from four Council Members.

28
29 Commissioner Summa: Okay, thank you. They didn't, I talked to them separately obviously, but
30 I did not feel that there's consensus that that's what the Council meant. And then maybe not
31 that big a deal, but when we're talking about maybe 100 more or less parking spots it could
32 make a difference. So, those are kind of my concerns and also a feeling of unfairness that one
33 parcel is getting a really special exemption just for them. And I do have a question also, but
34 maybe, and this is so unlikely to happen that maybe it's not really important, but what if
35 Castilleja sold the property? I mean...

36
37 Mr. Lait: Yeah. I'm sorry. If they sold it and?
38

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1 Commissioner Summa: What if Castilleja decided to move out of that location sometime in the
 2 future? It would be a very large R1 property that I, I mean maybe it would have to be rezoned
 3 or, I'm just asking.

4
 5 Mr. Lait: Why I guess it's hard to speculate what might happen in the future, but if Castilleja
 6 were to leave and presumably sell the property, you know, if they're selling it to another
 7 private school then, you know, things would continue, you know, as they are with the CUP
 8 conditions and all the requirements that they were subject to. If the property were sold and
 9 subdivided in accordance with our rules then, you know, and then at that point it would be
 10 developed for housing or other permitted use. I don't know, I guess does that not answer your
 11 question?

12
 13 Commissioner Summa: Kind of, I just had a concern that it would be a six point whatever acre
 14 lot that had, that if somebody could actually buy that and just put one house on it with an
 15 underground garage and it would be very different.

16
 17 Mr. Lait: The text amendment is associated with the private school and many other attributes.

18
 19 Commissioner Summa: That's true.

20
 21 Mr. Lait: So, yeah. Okay.

22
 23 Commissioner Summa: Okay, so those are my concerns. Thanks.

24
 25 Chair Hechtman: Commissioner Chang, your, the direction to staff on the text amendment?

26
 27 Commissioner Chang: Okay, Chair Hechtman. I had a similar concern process wise at least about
 28 is this really the best way to handle this situation. I understand that Council asked for an
 29 ordinance so we're giving them an ordinance, but it's also our job to tell them that there might
 30 be a better way to do this if there is a better way. Because it seems really strange to be... I just
 31 remember Mr. Yang saying in the past meeting at some point and I can't remember what we
 32 were discussing, but talking about making, you know, specific changes that apply in one
 33 situation and putting that in the code creates the situation of, you know, creating messy code.
 34 And so, it does seem strange to me though, but yet I understand where we are, but I just
 35 wanted to say that publicly.

36
 37 With respect of the content, I am concerned about that 50% of baseline versus required parking
 38 also. And my rationale for that is that this is something where we're making an exception for
 39 some sort of public benefit probably. I mean that's why we're doing this. But then we're
 40 making, so but we're also giving something away. Like if we're making an exception there's

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1 value to the exception. So, we're giving value on top of value, and I think we need to be really
 2 thoughtful about that. Presumably if we're giving something away of value there's also cost. So
 3 then costs on top of costs. And so, I would think that if the reason why we're saying 50% of
 4 required parking is because we want to somehow minimize underground garage parking then it
 5 should be 50% of the what is ultimately required for the site.

6
 7 Then I had questions about whether the code, does the garage need to include some sort of
 8 information about the square footage per car that's allowed for a garage? Meaning is there
 9 some, is it possible to have a garage with one parking space for the giant, you know, circular
 10 driveway underneath the ground? Because I guess my question is I'm not being clear here, it's
 11 late. We are only limiting the number of spaces, but do we actually need to limit a square
 12 footage that corresponds to the space? Because what are we optimizing for with this piece of
 13 code? Are we trying to minimize your underground garage space, maximize garage space,
 14 what's the end goal here? Because if it really is about say minimize, limiting underground
 15 garage space because of environmental impact for example, like dewatering or impact on tree
 16 roots or pollution and noise from the digging and hauling during construction or the concrete
 17 required to build it and related carbon emission, right? Like or construction time or what is...
 18 like what's the purpose of the creation of this ordinance? And if we care about this the entire
 19 size of the garage relative to the number of spaces maybe we need to put something about that
 20 in this ordinance. That's it for me, thank you.

21
 22 Mr. Lait: So, Chair Hechtman, happy to respond to that. Again just, you know, I guess I'd like to
 23 know from you what we're going to be responding to in our in our staff report and maybe we
 24 get direction. If the if the answers this evening are unsatisfactory maybe we get direction to
 25 come back and flush it out further.

26
 27 But I will say relative to Commissioner Chang's question that's actually something we thought
 28 about as well. And how do you regulate space? Because you can put the, you know, requisite
 29 or, you know, the maximum number of parking spaces that would be allowed under the
 30 ordinance and then build out a bunch of surplus space to accommodate more parking than you
 31 otherwise were trying to regulate for the reasons that you and the Council have previously
 32 articulated. And I guess there's two responses to that, the latter being probably the more
 33 important. One is, you know, we, you know, on one hand you would expect someone not to
 34 unnecessarily increase the cost of construction because basements are very expensive and so
 35 you wouldn't expect that there would be a lot of surplus space if you're not going to get credit
 36 for it, you're going to have to address the issue elsewhere. So, I think in some ways it may be
 37 self-limiting. Again, it's kind of a one off issue and so we're not going to see this in the future
 38 probably for another project.

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1 Which gets me to the second and I think more important component, which is you're reviewing
 2 that garage and as is the ARB through discretionary review process. And so, you have the
 3 authority to look at it and based on findings, you know, require some adjustment or
 4 modifications, or say hey, this is not consistent with the intent, we want to see this really large
 5 garage with this spiraling, you know, ramp be changed so that it is minimally meeting the
 6 requirement set forth in the text amendment. And so given that, sort of working through that,
 7 we concluded that the language was sufficient given those two points and again notably that it
 8 goes through public review process where the public and Commissions and ultimately City
 9 Council could say, you know, could call it out as it's too large.

10
 11 Chair Hechtman: Okay, other Commissioners, Item 1 the text amendment. Commissioner
 12 Lauing. Not hearing you right now.

13
 14 Commissioner Lauing: I'm looking at you this time too.

15
 16 Chair Hechtman: You are.

17
 18 Commissioner Lauing: I think Commissioners Summa and Chang made very good points. I think
 19 that staff did their job. I think they followed the direction from Council and what they're
 20 proposing meets that direction. At some point we'll be able to recommend or not, but I think
 21 the part of what's coming up here is what I'm reading is that there's sort of a some policy
 22 questions which were not being asked to opine on tonight. And so, if there is another way to do
 23 it then that would be great, otherwise the other one that's on the table of course is it can be
 24 counted as Floor Area Ratio (FAR) and then you have to go to the variance process which is
 25 already at least in place. So, I'm not sure what more the staff can come up with, but I
 26 appreciate listening Director Lait. I think you're on the right path for what the assignment is.

27
 28 Chair Hechtman: Commissioner Alcheck.

29
 30 Commissioner Alcheck: Okay, quick ask for Ms. French or Mr. Lait. Do we count below grade
 31 parking in non R1 towards gross floor area?

32
 33 Mr. Lait: Yeah, I'm going to ask Ms. French to come on up and help us with the code
 34 compliance.

35
 36 Commissioner Alcheck: The question is do we count non R1, do we count below grade parking
 37 in non R1 towards gross floor area?

38
 39 Ms. French: No, we do not.

-
- 40
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Commissioner Alcheck: Okay, that's what I thought. My view is that the approach here to below grade parking garage is incoherent at best. Our rules regarding single family home development do not allow below grade parking. You can't build a home in Palo Alto with a garage underground. That fact has been confused with the notion that below grade parking in R1 is forbidden by the code. That's not what the code says. It doesn't say below grade parking is forbidden in R1. It says single family homes cannot have below grade parking. That limit is in the design guidelines for single family homes. So, the code has specific rules for single family homes, and it also has rules for everything else. So, we don't consult our single family home rules when we review non single family home development whether that's in R1 or anywhere else.

And I want to just highlight that everything that isn't a home that you see in your neighborhood is still zoned R1. Our churches are for the most part in R1, the community centers, most of the private schools are in neighborhoods are in R1 designation. They operate with CUPs or development agreements that specifically layout the rules. So, it's we do build things other than single family homes in R1 and when we do the rules for single family homes are not what we use. Okay, that's clear to me.

Moreover, our Comprehensive Plan encourages us to send parking facilities below grade with the clear exception being not for a single family home. So. what should we do here? I think the question that staff needs to figure out is what's worse, amending the code to make plainly clear that what is envisioned here is permissible in R1 regardless of how redundant that would be, or maintaining the status quo and continuing to have to entertain the argument from the minority of residents that below grade parking on this parcel in the scope of this project would violate our code. We've heard it. You can't park underground in R1, that's illegal, and we've you're not allowed to have a garage. And the reason why we struggled last time label "underground garage" is because staff was like, you know, what let's not call it an underground parking garage because that's confusing people because in R1 you're not supposed to have parking garages underground in single family homes.

So, my suggestion would be that the answer is obvious considering this has gone on for over half a decade. We should just make it plainly clear what the code makes permissible. I don't think that the rule the notion of defining that a non-single family home could have a below grade parking facility in an R1 district I don't think that would absolutely change anything in our code. I think it would make clear what is already possible, and it would also take one of these hurdles, it's been confusing, some people are very confused about it. I think the bigger question is the notion of the gross floor area accounting at a 50% mark. It's counter to our Comprehensive Plan. I think staff needs to explore what doing that would mean all over the City, not just in this particular project. I think this is a theme we have to keep asking ourselves; what is unique about this applicant that we are changing the rules that we typically play by

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everywhere else in the City? Again, I'm not talking about the rules for single family homes, I'm talking about the rules for everything else when it comes to below grade parking facilities. We didn't count below grade parking facilities that provided 50 more than 50% of the parking need when it came to the new synagogue, Kol Emeth, as gross floor area. What is it about this applicant where we think we got to change how we do everything? That raises red flags. I think we need to really push staff and Council to appreciate that above grade parking facilities are an eyesore plainly, clearly made clear in our Comprehensive Plan. There's nothing pretty about the above grade parking at the corner of Page Mill and El Camino that look at like, you know, a sea of above great parking, right? And we've had plenty of conversations about this idea of bringing buildings up to the setback lines to engage with the community, right? Parking lots are not... anyway, parking lots don't meet that vision. So, we have to appreciate that once we create this new measure where we say okay, well if you provide more than 50% of your required parking below grade, well then in that case we're going to penalize you which no one's going to do. The reason why most single family homes don't provide two covered parking spots is because gross floor area is counted and so if the required, if the minimum is one they're going to do the minimum because they want housing space, right? So, when we say... the underground parking garages are going to shrink and below, above grade parking spaces are going to increase. That means that green areas are going to go down, right? And usable space is going to go down, usable, developable gross floor area will have to be allotted to a use that we don't want to see.

Chair Hechtman: Commissioner Alcheck, sorry, you're past the five minute mark now. If you have more to say on this (interrupted)

Commissioner Alcheck: That's all I have to [audio cut out 3:20:42] topic. I think that's plain, so.

Chair Hechtman: Other Commissioners on the text amendment that haven't spoken yet? All right, I will give my thoughts and requests. And I'm going to start with really some clarifying questions. I did not watch the March 29th Council meeting where the Motion that appears in our staff report was made, refined, and approved. And so, I want to get some clarity when I look at the language in the draft text amendment, which is I think Attachment A to our staff report so I can understand the origin of some of the language. So, in the draft some of the criteria to make this text amendment applicable are it has to be a historic resource on a parcel 6 feet or larger. I'm not looking at the ordinance right now, but that's roughly what it says. My question is were those particular attributes items that the Council specifically directed staff to include or was that more staff's effort to find criteria for a narrowly drawn ordinance that the Council had generically ordered?

Mr. Lait: The latter.

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1 Chair Hechtman: Okay, all right, so, to me that means we have some flexibility on those
 2 particular terms. And similarly, what was the fact that... let's see, I'm going to look at the
 3 language here. Just that the concept that and this really goes to the breadth of the ordinance,
 4 the concept that we could just make whatever the requirement here is applicable, potentially
 5 applicable to any nonresidential use in these residential zones which would again have it
 6 broadly applicable although it may have narrow application. The reason staff didn't go that way
 7 is because the direction from Council was to make this ordinance tight and of very limited
 8 utility. I don't want to mischaracterize it, but that that's [unintelligible 3:23:47]

10 Mr. Lait: That's basically the gist of it. I mean it is drafting an ordinance that was, you know, I
 11 don't... yes, a narrowly crafted ordinance and I don't know that the Council is necessarily trying
 12 to change City policy so much as respond to the particular case that was before them. And so, I
 13 think that's where those things come together.

15 Chair Hechtman: And I do understand that Council was explicit that this use, this applicant
 16 should have no more than 50% of the required parking, and setting aside the issue of what the
 17 base parking is, underground. That's clear. It was less clear to me and again it's because I didn't
 18 listen to the Motion whether they were insistent that the 50% concept be baked into the
 19 ordinance itself. Again, it's just not clear from the way the Motion is written whether that was a
 20 necessary component of the ordinance.

22 Mr. Lait: So, just to respond to that, you know, I, you know, all we have staff and you as
 23 Commissioners is the language that is embedded in the Motion and so that's what's guiding us.
 24 And so, we're certainly open to, you know, a different sort of understanding based on, you
 25 know, as things could be interpreted differently. The first iteration, you know, just to sort of
 26 share our work actually included the Motion, talked about exempting 50%, but, you know, and
 27 then the suggestion was beyond that it would count toward floor area was my recollection of
 28 sort of that Motion. And when we started thinking about it and this kind of gets back to
 29 Commissioner Chang's question earlier, you know, where do you draw the line at the 51st
 30 percent or the 52nd percent? Do you include the drive aisles? What about the, you know, the
 31 space in the corner of the garage that can't be programmed in any way? How do you begin to
 32 assign these different square footages and, you know, we kind of got to a point where, you
 33 know, I think as you were stating a moment ago, Chair, what appears clear to us is that 50% or
 34 below the Council wanted to exempt it from floor area. And so, we just made, we just kind of
 35 created a bright line there and said and then embedded that in the ordinance. And then we,
 36 you know, right or wrong, and you can weigh in on this, once you tripped 50% we said the
 37 whole thing was floor area because we believed that at that point it was drifting away from
 38 where the Council wanted to have a smaller garage for this project.

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1 Chair Hechtman: Okay, thank you for that. So, I guess the request I have of staff, let me just try
 2 this on and you can react. I'd like to see a more flexible version of this ordinance that allows for
 3 the possibility of other uses in the residentially zoned areas for nonresidential uses. And one
 4 that would give the Planning Department or City Council the ability to allow greater than 50%
 5 to not count if certain stated probably objective criteria were met. In others words and that
 6 ordinance could still limit Castilleja to the strict 50% that the Council clearly has in mind in their
 7 Motion, but it would be more... we won't have to reinvent the wheel on the rare occasion when
 8 this comes before the City, and I do believe it's rare, but it feels to me like it came with Kol
 9 Emeth, it just didn't have the same level of controversy and, you know, maybe in three or four
 10 years it will come about something else. And I hate for us to have to amend an ordinance to
 11 make it fit a project in the future. So, that's what my request would be is whether staff might
 12 provide us with an alternative version of... oh, it's subparagraph D I guess, D little Roman 8 that
 13 would accomplish the Council's desire to ensure it can limit Castilleja to 50% without
 14 necessarily limiting all applicants ever to 50%.

15
 16 So, and actually what I'd like to hear from staff is a number of my suggestions as we go through
 17 these items are of that kind of nature, which I acknowledge it creates some work for staff. But I
 18 thought that that was part of the purpose of this phase where you want to hear from us, where
 19 we think we might like to go trying to wrestle with staff's Motion. So, if it's too much work then
 20 tell me that.

21
 22 Mr. Lait: No. Listen, we're never going to shy away from the work. That's what we're here to do.
 23 So happy to, you know, do, follow through on the direction at the Commission provides to us. I
 24 will offer a perspective. I think that direction is not consistent with my understanding at least
 25 from the Council's Motion. And I'll note that I think they the policy change that they did make
 26 actually was to stipulate that these underground parking spaces count toward gross floor area
 27 and if Kol Emeth were to come forward again, you know, post adoption of this ordinance it
 28 would count as gross floor area. And so, the fact that they reviewed this and gave us the
 29 direction that they did they were telling us we want these areas to count, and we're willing to
 30 consider a carve out for this particular property and project. And, you know, so, I think that's
 31 what we've done, but, Chair, again, if to the extent that I would ask for majority sort of
 32 direction from the Commission to follow that path and if so received we'd be happy to follow
 33 through on that. If that's where the Commission wants to go we'd be happy to come back with
 34 some options.

35
 36 Chair Hechtman: Okay, so I think that what Director Lait has suggested is some kind of
 37 consensus building and I'm frankly concerned about that because I don't want any
 38 Commissioners to feel that they have to support that solution in order to just be interested in
 39 seeing it on paper. But I feel like (interrupted)

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1 Mr. Lait: Maybe allow me to clarify, I don't mean to short circuit or not allow for ideas to come
 2 forward. The piece that I'm, you know, trying to manage I guess is if we had six different ideas
 3 on how to approach this, you know, do we want to explore all those, I mean six different ideas.
 4 If the Commission generally supported the concept, maybe not the specifics, and we would go
 5 back, and we'd figure out the options. I think that would be helpful at least because then we're
 6 getting direction from the Commission to do that as opposed to an individual Commissioner. I
 7 think that's important at least to understand before we're asked to do some work on that. And
 8 I'm happy to, you know, you may not agree with that.

9
 10 Chair Hechtman: Again, I just think it presents some challenges to the Commissioners in in
 11 appearing to support something that they may be curious about without wanting to commit to.

12
 13 Mr. Lait: And we would be perfectly fine with that. We're no commitment required. And in fact,
 14 I'll even note, you know, the Council itself did not commit to its consideration of the text
 15 amendment. They gave us direction, they wanted us to explore it. And so, there's certainly a lot
 16 of room for somebody to, you know, and we hear this all the time, you know, Motions get
 17 seconded. And I'm not suggesting we do this formally to consider, you know, ideas and vet
 18 them out. So, nobody who would who, you know, would support the notion that you or others
 19 and other examples may put forward doesn't mean that they're compelled to support that
 20 when we come back with something.

21
 22 Chair Hechtman: All right. Commissioner Lauing?

23
 24 Commissioner Lauing: I was going to make a suggestion that might help all of us specifically,
 25 Director Lait. A number of people have commented that or I think there's a majority is what I'm
 26 saying, is a number of people have commented that it would be better if this didn't apply to
 27 one property. So, I wonder if that's enough consensus for you to think about what alternatives,
 28 perhaps what Commissioner Hechtman proposed or others? And you come back with we
 29 thought about it, and we think these are the best two as opposed to us saying here is five we
 30 want to study.

31
 32 Mr. Lait: Yeah.

33
 34 Commissioner Lauing: The general concept is we'd like this to apply to more than one building.

35
 36 Mr. Lait: That, that's helpful. And if that's the sort of sentiment of the Commission then
 37 absolutely we can go back and explore some additional options. If there's a magnitude, you
 38 know, I mean a dozen, you know, a couple hundred, you know, I'd be curious to understand if
 39 there's some what you're... I just don't want to come back with something that you're that's not

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1 consistent with your expectations. And not to nail it down precisely, but an order of magnitude
2 would be helpful.

3
4 Chair Hechtman: So, let me just respond to Commissioner Lauing. I think you're I agree with
5 your approach. That's sort of a more generic feel, I mean I tried to get kind of specific, but
6 rather my thought was run its applicability and leave it to staff to figure out how to do that
7 rather than take my cues.

8
9 Commissioner Lauing: Yeah.

10
11 Chair Hechtman: Commissioner Summa.

12
13 Commissioner Summa: Thank you, and I agree that was a good suggestion of Commissioner
14 Lauing's. And I just wanted to, looking back over the multiple meetings we've had about this I
15 know that I thought kind of the need for Castilleja in the situation and what already happened
16 at Kol Emeth might need might mean that we should look at the policy implications of this issue
17 across the City. So, coming back with a really specific thing at this time, alternative, isn't really
18 what I want. I want us more to start having an open, you know, public hearings and policy
19 discussions about whether conditional uses, how garages should be treated. Because it's it
20 might be the case that more of these might come forward. I know I mean it's probably stopped
21 a little because of COVID, but there were there were private schools popping up all over Palo
22 Alto before that. So, I'm in favor of approaching it as a citywide policy issue to be discussed.

23
24 Chair Hechtman: Commissioner Templeton.

25
26 Mr. Lait: Maybe if I could just get some clarification on that? As a citywide policy issue that's
27 different than, you know, a citywide applicability or broadened applicability. If I'm interpreting,
28 if I'm understanding what you're saying.

29
30 Commissioner Summa: Yeah, that's that was my preference, you know, from the beginning kind
31 of is like do these uses in R1 or low density residential zones do they need, you know, what do
32 they need in terms of underground garages and what do we want to move forward with as a
33 citywide rule? So yeah, for me that's a policy that we need to look into.

34
35 Mr. Lait: Okay. Understood and just the challenge that that, you know, it presents and maybe
36 that's not, you know, the right sort of stringing the right words together there. But we're, we
37 have an applicant.

38
39 Commissioner Summa: Yeah.

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- 40
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1 Mr. Lait: You know, who's moving the project forward. The Council asked us to include a text
 2 amendment for the processing of the specific application. And I'm hearing, you know, we got
 3 the direction to make it narrow. I'm hearing the Commission maybe wants to broaden it and
 4 then I'm also hearing comments that say well, we should look at this citywide with the
 5 suggestion that maybe we should consider whether it should be allowed at all, if I'm if I'm
 6 understanding the different components. So, we got a pretty wide ranging set of directions to
 7 respond to if I'm understanding the Commission or individual Commissioner comments. And I
 8 guess when I got to fall back on is what the Council told us to do, right?

9
 10 Commissioner Summa: Yeah.

11
 12 Mr. Lait: So.

13
 14 Commissioner Summa: My policy, my urge to decide, to look at into this citywide as a policy is
 15 because the need arose, and my approach does not solve Castilleja's problem. You know, it
 16 doesn't address it. It's a much broader conversation.

17
 18 Mr. Lait: Going beyond the project and talking about it.

19
 20 Commissioner Summa: Yeah.

21
 22 Mr. Lait: Understood. Thank you.

23
 24 Chair Hechtman: Commissioner Templeton.

25
 26 Commissioner Templeton: So, my comments are aligned with what Commissioner Summa just
 27 brought up and I'm going to phrase it in a different way because I hear you, I hear your
 28 pushback, Director Lait.

29
 30 Mr. Lait: Push back? Conversation.

31
 32 Commissioner Templeton: Well, yes, okay, however you want to phrase it, forgive me. But I
 33 think that, you know, one time is kind of a one off and then two times is sort of a coincidence.
 34 You're going to see it again and then it's going to become a pattern. And that is challenging in
 35 Palo Alto because why are we letting it happen there not there, right? That's going to be the
 36 question that property owners who want to have an underground parking facility are going to
 37 bring that we need to anticipate. And I think that is the point that Commissioner Summa was
 38 bringing up is that we can anticipate that land being scarce people are going to find ways to get
 39 creative and work with precedent in the face of ambiguity. So, you know, if we can be proactive
 40 in thinking ahead about this, all the better.

-
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1
2 And we don't necessarily have to tie that specifically to this project. I understand we have
3 things that are in in motion that we need to move forward but, you know, we also are seeing
4 the a different geography of Palo Alto come into play, right? We're having the underground
5 parking facility closer to the hills where it's not as big a deal and then we're having it, you know,
6 in Midtown where okay, the water table is different there. And we can anticipate we might
7 even see requests closer towards the Bay. What are we going to say then? And it's, you know,
8 there's always CEQA. Not suggesting that that wouldn't be present, but understanding and
9 communicating that to our constituents, our residents, our property owners in a way that they
10 can anticipate and understand what will be their rights can only benefit everybody. Given,
11 understood that we have constraints about where we can put our time and energy.

12
13 So, I'm, I still worry about how much stuff we can do underground. Undergrounding things is a
14 conversation I'm hearing regularly like in in terms of infrastructure, right? And now we're
15 starting to think about parking, a scarce commodity in Palo Alto, maybe we can put that
16 underground. I don't know when it for the future like what is the landscape of Palo Alto going
17 to be in 100 years? Are we still going to be car centric? Are we still going to want to prioritize
18 cars over other kinds of solutions? So, you know, we have to think about that as well and
19 balance that. So, our plan is not just this project and this site, right? And it's not just this
20 moment. And how does it tie in with other things like our sustainability and climate action and
21 things like that?

22
23 So, I think that's the gist of what we're trying to say. You wanted feedback. I think that's a
24 direction that is on our minds. When are we, you know, we're constantly talking about parking,
25 we're constantly talking about not enough parking, we're constantly talking about parking
26 garages and parking permits and, you know, it's, it's there. And we do have someone in the
27 Transportation team dedicated to this, right? Can we somehow workshop this and get a clearer
28 plan about what is permitted and what is not? Thank you.

29
30 Chair Hechtman: Commissioner Chang.

31
32 Commissioner Chang: Thank you, Chair. Yeah, really quickly I do I think Commissioner
33 Templeton said it really well. Where I was coming out was saying like is this the right thing to
34 do? Because it was so narrowly crafted that like is code the right way to solve a problem if
35 we're really only trying to solve it for one property? I think code is meant to solve problems that
36 are meant for a more broadly, a more broad, broader application, right? So, that is exactly my
37 concern. If it's going to be in the code then I think we should be aiming for a broader
38 application that explains to all the other nonresidential uses in R1 what is the realm of
39 possibility here? And so, I really agree with what both Commissioners Summa and Templeton
40 said. Thank you.

-
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1
2 Chair Hechtman: Other comments on this Item 1? I will say that I think the concept
3 Commissioner Lauing and I spoke about having staff come back with a more flexible document
4 is the policy discussion piece. It's what allows us to talk about the broader vision and to
5 contrast it with the narrow version that staff has prepared based on, you know, their reading of
6 Council's direction. So, it seems like that's a fruitful exercise if staff will put together the
7 language, whatever our respective views are on the wisdom or lack of wisdom with having
8 underground parking in residential zones for nonresidential uses, that's a platform for us to talk
9 about it and make a recommendation to Council. Whether it's their narrow version along the
10 line staff has already written or some other version. So, I think that's a good place to stop our
11 discussion of Item #1.

12
13 It's 10:02 and we've only covered Item #1. We have at least six more and then other, but I said
14 we would take a pause at 10:00 and see what the desires of the Commission are. So, anybody
15 have any thoughts? If we do go forward tonight we would next be tackling Item #6, which is the
16 events, special events. Commissioner Alcheck.

17
18 Commissioner Alcheck: Well, true to form I typically I suggest we at least tackle the next item. I
19 think, you know, doing 25% is a... should be a minimum here. But I'm game to continue. We
20 went all year never stopping before midnight so, I think if our target was 11:00 it wouldn't be
21 such a big deal considering how long the applicant have been involved and the residents have
22 been involved in this process. So, that's where I am.

23
24 Chair Hechtman: Thank you. Commissioner Lauing.

25
26 Commissioner Lauing: No, I don't think going to midnight is a trend that is a good trend. And
27 this is going to be continued obviously. I happen to have a really early morning so I'd love to
28 wrap it up as soon as we could but, you know, I'm not sure how long the events is going to take.
29 We might be able to get through that, but [audio cut out 3:47:17]

30
31 Chair Hechtman: Commissioner Lauing you faded out again.

32
33 Commissioner Lauing: [audio muffled 3:47:24]

34
35 Chair Hechtman: It's still a problem.

36
37 Commissioner Lauing: Really?

38
39 Chair Hechtman: There. That's better.

- 40
-
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1 Commissioner Lauing: Huh. I said I will stick with it if that's what the group wants up to a point.
2 The point is not midnight.

3
4 Chair Hechtman: Understood. I heard 11:00 is a maybe for you.

5
6 Commissioner Lauing: [audio muffled 3:47:43].

7
8 Chair Hechtman: Okay. Commissioner Templeton?

9
10 Commissioner Templeton: This is a very busy week, and it is the an unplanned meeting, a
11 special meeting I mean. And I just also feel like I don't want to... I don't think I'm going to be
12 productive much longer. I understand that it is Commissioner Alcheck's last meeting, so I would
13 say I'm happy to hear from him on events or anything else he'd like to opine on and then maybe
14 we should consider continuing even if we don't complete the whole topic or the whole list.
15 Thanks.

16
17 Chair Hechtman: Commissioner Chang?

18
19 Commissioner Chang: I agree with what Commissioner Templeton said.

20
21 Chair Hechtman: Commissioner Summa, any thoughts?

22
23 Commissioner Summa: I'll go with what, I'll go with Commissioner Templeton and
24 Commissioner Chang. That seems reasonable.

25
26 Chair Hechtman: I like that approach from Commissioner Templeton also, particularly since this
27 is Commissioner Alcheck's last meeting and the number of hours that he has devoted to this
28 project, its study and care, and moving it forward is significant. And so, Commissioner Alcheck
29 I'm going to give you the floor and not put you on a clock to discuss your thoughts on these
30 items, but I think I would encourage you to be succinct in the comments you want to make
31 without limiting your thoughts, recognizing that these are your sort of parting thoughts on a
32 substantive issue since you won't be around to vote on the recommendations that we make.
33 So, the floor is yours, Commissioner Alcheck.

34
35 Commissioner Alcheck: Okay, that was very kind. Thank you, Cari and Bryna and Doria and Chair
36 Hechtman. Look, I have been involved in this project a really long time. I'm going to just quickly
37 stay within the format for the purposes of my broad comment because I think my comment
38 with respect to events, for example, has a larger message that applies to many of the topics. So
39 let me start with that and then I'll sort of try to expand on the other ones in a sort of more
40 concise manner.

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1
2 Look, tonight Commissioner Lauing asked a question right in the beginning and I think his
3 question was getting at whether there was a certain number of events and at that limit a school
4 can't succeed. When we approached the idea of a limit on events with this question in mind we
5 are basically asking what limit will kill them? Let's see the limit... let's set the limit to that, plus
6 one. I think a more appropriate approach would involve the following questions: what have we
7 deemed acceptable in other local institutions that operate in the R1? Nearly all of our
8 synagogues, churches, community centers, children's theaters, performing arts centers,
9 libraries, ice skating rinks, lawn bowling centers, private schools, public schools they all operate
10 in R1 neighborhoods and nearly all of them host events that are not open to the general public.
11 On Packet Page 33 there is a link to the special events that are envisioned in the current limit.
12 That link also includes a comparison of other local schools and their limits and the limits that
13 are in place for those institutions. Now let me say at the start that I understand limits. I
14 understand the concept well. I'd argue that parents in general have a special intimate
15 knowledge of the concept of limits. The event limit data that's presented to all of us clearly
16 shows that our approach to this applicant is extra ordinary, it's extraordinary. We are treating
17 this applicant differently than how we've treated all that have come before. And it's not like
18 they came before 10 years ago, we've had local schools come before us in the last decade.
19 Multiple. Not all of them came to our Planning Commission. I dispute the idea that if the Kol
20 Emeth had come before us we would have dealt with it differently today. I don't think there is a
21 chance in hell that this City would have... we didn't even see the topic. It never came before the
22 Planning Commission; it never raised an eyebrow.

23
24 So, what's going on here? What's the logic behind what the City is doing here or suggesting that
25 they do? What does it say about us that we're going to use the most restrictive event limit in
26 our community for the one school whose mission it is to educate women? Would this be a
27 harder pill to swallow if the school was Jewish or a school that predominantly served students
28 of color? I look, I'm not trying to suggest, what I'm not trying to do is say this whole system is
29 screwed, but what I am saying is that this might, this should raise red flags for you as it does for
30 me.

31
32 I would like to draw particular attention to the proposed restriction that no events take place
33 on Sunday. I'm going to share a quick anecdote. I had the pleasure very recently, very recently
34 to take my three young kids to a local high school theatre production. If you haven't tried it I
35 encourage you to do so. It was affordable and surprisingly entertaining. I don't want to shock
36 anyone okay with this admission, but it was a matinee, and it was on a Sunday. God forbid, it
37 was on a Sunday. I know, what a violation. If you are hearing sarcasm in my tone then your dial
38 is properly tuned. I assume Castilleja puts on a student theatre show annually. I presume
39 they've done it for 50 years or more. I also presume like every high school in our community
40 that they perform a show on Friday, a show on Saturday, and a show on Sunday. A matinee.

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1 What is the logic behind saying in response to your request to modernize your campus and
 2 increase your enrollment you shall not have any matinees on Sunday? Was an episode of
 3 Handmaid's Tale on in the background when whoever was coming up with this Conditions of
 4 Approval, you know, was working on it? When there is no logic, when the rules we're applying
 5 are done in a manner that is indefensibly uneven alarms should be going off in the progressive
 6 West. We should be asking ourselves are we facilitating gender discrimination? Can you
 7 imagine if this applied to a Jewish day school in this City? There is a Jewish, there two Jewish
 8 day schools in this City. Could you imagine telling a Jewish day school, excuse me, no events on
 9 Sundays. And you're not familiar Jews don't do a lot of events on Saturdays because that's their
 10 day off. Can you imagine? What is so... this is a microcosm, this is the example, this is the fire
 11 I'm trying to light. If that sounds unreasonable to you then the next question is what are we
 12 doing with 70 events when our local high school has 70 football and basketball games just for
 13 the men's teams.

14
 15 I think the approach to the Conditions of Approval with respect to events is completely
 16 incoherent. I think it represents gender bias. I think everyone should look at inside of them and
 17 say what are we doing? Are we trying to find what will kill this school and then just allow them
 18 out one more? Is thriving of an objective for the vision of our community or not? And I would
 19 ask that you ask yourselves is that a real public benefit to the community?

20
 21 And then in the category of other I would suggest what would be a benefit to be with the
 22 community? Is the community going to be benefited by some public art piece in the middle of
 23 whatever or would they be benefited from another place where we can play basketball?
 24 Because I'll tell you Cubberley is packed, right? And I don't know, maybe a local couple would
 25 like to host a wedding? Maybe the City would like to have a State of the City Address in that
 26 beautiful circle? What are we at? Like they're saying can we do this, which I don't think is
 27 significantly insane to merit the amount of controversy that everybody keeps alluding to, and
 28 we're like... we, you will have, these are all the limits that will make it palatable for us to
 29 swallow this pill and specifically events are my most absurd example. And I'm suggesting why
 30 don't we just say okay, well public benefits relate to the whole community. Maybe the Girl
 31 Scouts can use your space, maybe the City can rent space, maybe we can use your beautiful
 32 gym, maybe this the swimming center could entertain, you know, I don't know. Just so anyways
 33 this the red flag should be going up with respect to events because we have a there's no logic
 34 between the application of that limit and every other example in this City.

35
 36 I want to talk quick about the TDM. I'm not the least bit surprised that it is an institution for
 37 women and run by women that is proposing to be the shining example on a hill of TDMs in the
 38 world. And all we're saying is like, I don't know can you really measure it? I mean from where
 39 I'm sitting the notion that the residents in the neighborhood won't be all over this TDM is crazy.
 40 I imagine that there will be no more scrutinized practice in the history of TDM measured in the

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Bay Area. And I take immense pride that their answer to the question of enrollment size is always well, this is what we can do with having zero impact on traffic. All right, well if they're going to have no impact then what are we talking about? Can you imagine any scenario where our public school system will satisfy the same carbon reduction effort that Castilleja is ready to implement? Can you imagine? There's no scenario where the public schools would ever do this. It would take, you'd have to combat the union. It's my firm belief that we have to take a moment here to recognize just how extraordinary this application is. The city has demonstrated through its leadership zero intent to make the sort of sacrifices to convenience that the faculty and students of this school are eager to implement. They want to show us. The beauty is once they do this we'll have, we won't have any excuses. We'll be able to say, well apparently it's possible to have zero impact on traffic. So, I guess developer so and so can't you do what Castilleja does?

Okay, I'll move quickly on. I think the TDM Oversight Committee, not a bad idea. We're not trying to make this impractical. The staff should formulate a way to make it transparent just how excellent the TDM is being satisfied. And if it isn't there are consequences. So, this City loves committees. Why not? I think it would make only practical sense if the Committee was somehow made up of third party non... what do you call it? Self-interested third parties. That might be hard pill to swallow, but that makes sense to me.

I'd say that the RPP district topic I don't know that we've completely flushed out how to do that successfully everywhere in the City. And it seems like a real rat's nest to dive into. I think the solutions with respect to parking and traffic have been proposed. I continue to be baffled with the notion that we're not satisfied with a TDM that doesn't allow them to grow and suggests that they will succeed at having absolutely no increase in trips. So, it's like a problem without, it's a solution without a problem.

I want to make just this is my final point on the topic. I think that my main takeaway from the last six years on this has been that there's the opposition is somehow that there's been some we've overstepped. It's like there's an unreasonableness to this. It feels like the goal posts have moved. It feels like every time we talk the... we're having new goal posts. I think what we have, the Planning Commission has a responsibility providing our City sound guidance and that requires that we recognize reasonable from unreasonable. I think we have to; I think the question about applicability of the first item that we just talked about is if it doesn't make sense to apply it to other projects then it shouldn't make sense to apply it here. I think that's, I think on one side you have, you know, Commissioner Summa who says well, if we're going to apply here we should apply it everywhere. And I'm equally, you know, struggling because I don't think, if it makes the no sense to apply it everywhere then it doesn't make any sense to apply it here. Same logic, but in the reverse format.

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1 I think we have to make sure that the Commission isn't complicit in promoting a process that
 2 kills reasonable applications for redevelopment by allowing goal posts to be moved and then
 3 moved again and then moved again. I think we've heard a number of residents say they're sort
 4 of disgusted by the process. I've had that sense too, and I've had that taste in my mouth. A
 5 former mayor recently told me that this death by 1,000 cuts processes is what Palo Alto does
 6 best. Well, congratulations. God help us. I think we have to find a way to get through this
 7 process in a way where you can hold your heads high and say that we did not apply standards
 8 to this institution that we wouldn't be comfortable applying to an institution that serves our
 9 needs in a neighborhood. If it would make you uncomfortable for your local synagogue to apply
 10 the same restrictions, your local church, I think you have to ask yourself... It's like the
 11 underground parking garage. The reason why we want underground parking garages is because
 12 parking garages are ugly, and we have to park on these properties. If you want the school to be,
 13 I don't know what the size of the parking garage is, but if you just want the school to be smaller,
 14 then say we want your school to be smaller. Don't create bad policy with respect to years of
 15 promoting underground parking.

16
 17 I don't envy your position in this process. It's going to be challenging to get through this, but I
 18 think the most, the best advice I can give you is to look at back at the minutes and see what we
 19 said the last four times this came before us. We supported a Motion to recommend approval of
 20 the CUP. We didn't agree on the below grade parking concepts, the definitions, how to grapple
 21 with what's allowed and what's not allowed. I remember that division, it was 3/3. But this, the
 22 new, what we're being proposed to review now is a more restrictive version of what we already
 23 approved. So, the notion that you, we wouldn't approve it again is almost counter intuitive. It's
 24 more restrictive than what you were already comfortable allowing as a group. That group
 25 included me. It won't include me next year, but I think that there's something to be said for if
 26 you can't continue, if you can't have continuity in how the Commission acts then you are in fact
 27 participating in a process that involves moving the goal posts. So, you're not beholden to my
 28 vote, but you do create a pattern that delegitimizes what we're doing here. If we don't say hey,
 29 this worked last year, what changed, what changed? The TDM worked for us last time, what's
 30 different? It's better. Oh my God, you know.

31
 32 Okay, that's all I have to say on this topic. I really appreciate the chance to comment on it. I
 33 really wish you guys a tremendous amount of success on this item and my sincere wish is that
 34 you are not sitting in the same position as I am commenting on this topic on your last of 10
 35 years of Planning Commission meetings. So, that's my wish for you. Thank you.

36
 37 Chair Hechtman: Thank you, Commissioner Alcheck. So, as we conclude our discussion on this
 38 agenda item tonight I want to ask staff if the intention is to bring this back to us to continue this
 39 discussion at our January 12th meeting, which would be our next meeting.

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- 40
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1 Mr. Lait: Thank you, Chair Hechtman. I don't think we can do it on the 12th. We have a number
 2 of items that we need to bring forward to the Commission related to the Housing Element and
 3 our Wireless Ordinance we need some guidance from the Commission. And then your next
 4 meeting I think in later that month is got a couple of items related to Renter Protection
 5 Ordinances and Accessory Dwelling Units (ADU). So, I think, you know, from our perspective,
 6 you know, we I think would be interested in having a special meeting if that's possible in
 7 between those two regularly scheduled meetings where we can consider Castilleja and just
 8 Castilleja so that we can focus through our remaining items. And again, we it would be
 9 continued, and it would just be the Commission's deliberation. We'd have to check with
 10 consultants and applicants, you know, it's not a question and answer (Q&A). But so, that's the
 11 thought and I think we'd probably have to shore that up sometime in the next couple of days.

12
 13 Chair Hechtman: So, to allow the staff the flexibility to do that would we, do we need to move
 14 to continue this to a date uncertain?

15
 16 Mr. Lait: Yeah, I would do that. Yeah, we'll re-notice it. We'll re-notice I guess we would want to
 17 poll, poll the Commissioners to see if they would be available. And if we can't do it here that's
 18 fine, but on January 19... so we can follow up offline with Commissioners to see if that works for
 19 you.

20
 21 Chair Hechtman: All right, well so let me just state my view that we can't let this [unintelligible
 22 4:08:08] staff drag on forever. And I don't fault any Commissioner for how long it takes us to
 23 discuss these things or how late the hour gets, but we have to find a way to do our work in a
 24 timely manner. So, I'd be supportive of the special meeting. I'm and I guess I'd like to hear from
 25 any Commissioners who don't think it's appropriate to have a special meeting to tackle this.
 26 And if we don't hear any voices in that direction then we can make our Motion and staff can
 27 figure out whether the 19th works offline and if not when the next available date is. So, I'm not
 28 seeing any hands of Commissioner Templeton?

29
 30 Commissioner Templeton: Yes, I just want to say that I think that there are certain times a year
 31 that are pretty in intensely demanding outside of the Commission, like in our regular daily lives,
 32 and the beginning of January is one of those times. So, I'm just throwing it out there that that
 33 may be challenging to schedule. I'm open to meeting and having a special meeting to just
 34 discuss this, but it would be nice to perhaps have a couple of options to present to the
 35 Commissioners even if, you know, even if it's not necessarily on a Wednesday. Thanks.

36
 37 Chair Hechtman: [Unintelligible 4:09:41] Commissioners want to weigh in on that? If not can I
 38 ask for a Motion to continue this item to a date uncertain? Commissioner Chang.

39 40 MOTION

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Commissioner Chang: So moved.

SECOND

Commissioner Templeton: And I'll second it.

Chair Hechtman: Oh, I think Commissioner Summa beat you to it Commissioner Templeton. Commissioner Summa?

Commissioner Summa: I'll second it, but it's fine to go with Cari.

Chair Hechtman: All right, any discussion? Mr. Lait you have sufficient understanding to bring us a couple options?

Mr. Lait: Options for another hearing, yep.

VOTE

Chair Hechtman: Ms. Klicheva, can we have a roll call vote, please?

Ms. Klicheva: Yes. Commissioner Alcheck.

Commissioner Alcheck: Yes and Godspeed.

Ms. Klicheva: Commissioner Chang.

Commissioner Chang: Yes.

Ms. Klicheva: Chair Hechtman.

Chair Hechtman: Yes.

Ms. Klicheva: Commissioner Lauing.

Commissioner Lauing: Yes.

Ms. Klicheva: Vice Chair Roohparvar, absent. Commissioner Summa?

Commissioner Summa: Yes.

-
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1
2 Ms. Klicheva: Commissioner Templeton?

3
4 Commissioner Templeton: Yes.

5
6 Ms. Klicheva: The Motion 6-0 with Commissioner, with Vice Chair Roohparvar absent.

7
8 **MOTION PASSED** 6(Alcheck, Chang, Lauing, Hechtman, Summa, Templeton) - 0- 1(Roohparvar
9 absent)

10
11 Chair Hechtman. Thank you, Commissioners for that discussion. Thank you again to our
12 applicant for answering the many questions. And thank you to the other members of the public
13 who have watched this dialogue.

14
15 **Commission Action**: Motion by Chang, seconded by Summa. Pass 6-0-1 (Roohparvar absent)

-
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NOT YET ADOPTED

Ordinance No. _____

Ordinance of the Council of the City of Palo Alto Amending Title 18 (Zoning) of
the Palo Alto Municipal Code to Amend the Gross Floor Area Definition for Low
Density Residential Zones

The Council of the City of Palo Alto does ORDAIN as follows:

SECTION 1. Subsection (a)(65) (Gross Floor Area) of Section 18.04.030 (Definitions) of Chapter 18.04 (Definitions) of Title 18 (Zoning) of the Palo Alto Municipal Code (“PAMC”) is amended to read as follows (additions underlined and deletions ~~struck through~~; omissions noted with [. . .] represent unchanged text):

(a) Throughout this title the following words and phrases shall have the meanings ascribed in this section.

[. . .]

(65) “Gross floor area” is defined as follows:

[. . .]

(C) Low Density Residential Inclusions and Conditions: In the RE and R-1 single- family residence districts and in the R-2 and RMD two-family residence districts, “gross floor area” means the total covered area of all floors of a main structure and accessory structures greater than one hundred and twenty square feet in area, including covered parking and stairways, measured to the outside of stud walls, “(C) Low Density Residential Inclusions and Conditions: In the RE and R-1 single- family residence districts and in the R-2 and RMD two-family residence districts, “gross floor area” means the total covered area of all floors of a main structure and accessory structures greater than one hundred and twenty square feet in area, including covered parking and stairways, measured to the outside of stud walls, including the following:

[. . .]

(iii) Carports ~~and~~, garages, and below grade parking facilities, except as excluded in subsection (a)(65)(D)(viii), shall be included in gross floor area.

[. . .]

(D) Low Density Residential Exclusions: In the RE and R-1 single-family residence districts and in the R-2 and RMD two-family residence districts, “gross floor area” shall not include the following:

NOT YET ADOPTED

[. . .]

(viii) Below-grade parking facilities that: (1) are accessory to nonresidential uses; (2) are located on a parcel that is six acres or greater; and (3) are located on a parcel that contains a listed historic resource; and 4) do not provide more than 50 percent of the base required on-site vehicle parking shall be excluded from the calculation of gross floor area. A below grade parking facility that does not meet all of these criteria shall be included in the calculation of gross floor area in its entirety.

SECTION 2. Any provision of the Palo Alto Municipal Code or appendices thereto inconsistent with the provisions of this Ordinance, to the extent of such inconsistencies and no further, is hereby repealed or modified to that extent necessary to effect the provisions of this Ordinance.

SECTION 3. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

SECTION 4. The Council finds that the adoption of this Ordinance is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21080.17 and CEQA Guidelines sections 15061(b)(3), 15301, 15302 and 15305 because it constitutes minor adjustments to the City's zoning ordinance. As such, it can be seen with certainty that the proposed action will not have the potential for causing a significant effect on the environment.

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NOT YET ADOPTED

SECTION 5. This ordinance shall be effective on the thirty-first date after the date of its adoption.

INTRODUCED:

PASSED:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

ATTEST:

City Clerk

Mayor

APPROVED AS TO FORM:

APPROVED:

Assistant City Attorney

City Manager

Director of Planning and
Development Services

Summary of and Staff Response to Applicant's January 12, 2022 Letter¹

The following is staff's response to the applicant's letter contesting the validity of the proposed text amendment on various grounds enumerated below. In summary, staff disagrees with the applicant's claims and finds the arguments inconsistent with the administrative record and confuses what is permissible by local ordinance today from what would be permissible (and beneficial) to the project if ultimately adopted by Council.

1. The City Council did not direct staff to prepare a text amendment.
 - a. Staff disagrees and finds this factually inaccurate. The Council's March 15, 2021 motion clearly directs staff to return to Council with alternative text changes dealing with the underground garage. The March 29, 2021 motion provides additional detail regarding previous direction to prepare an amendment that would "partially count" floor area.
 - b. The nature of the Council's March 29 motion also requires a text amendment. There is no possible basis in the current code for a rule that would allow only 50 percent of the required on-site parking to be below grade without counting against the project floor area. The applicant also argues, incorrectly, that the existing code does not count Castilleja's proposed parking facility as GFA; under their reasoning, the percentage of required on-site parking placed underground would be irrelevant. Since the Council directed that a 50 percent threshold be created for the purposes of GFA, a text amendment is required no matter what position one takes on the current code.
2. Any text amendment initiated by Council would have needed to return to Council within 180 days, and the PTC therefore lacks jurisdiction to consider a text amendment.
 - a. This 180 day timeline is technically required by the Palo Alto Municipal Code, though it is rarely, if ever, observed. It is also unclear what remedy would lie for violation of this requirement. Nonetheless, in an abundance of caution, staff will seek an extension of this timeframe from the City Council.
3. The text amendment is inconsistent with the Comprehensive Plan.
 - a. This argument is predicated on the incorrect belief that the text amendment represents a restriction on the provision of underground parking. As explained below, the text amendment provides greater flexibility for underground parking than the current code.
4. The text amendment is unnecessary because underground parking facilities for non-residential do not count as gross floor area under the existing code.
 - a. This is incorrect. Leading up to the March 2021 Council hearings, staff suggested an interpretation of the PAMC that would exempt underground parking facilities for nonresidential uses from GFA by treating them as "basements." This approach would have harmonized the code with a prior project approval for the Congregation Kol

¹ The applicant's January 12, 2022 letter was transmitted to the PTC as part of the correspondence material transmitted to the commission for that meeting. The letter is available for viewing online: https://www.cityofpaloalto.org/files/assets/public/agendas-minutes-reports/agendas-minutes/planning-and-transportation-commission/2022/ptc-01.19.2022-castilleja-public-comments_redacted.pdf#page=32.

Emeth. At its March 15, 2021 meeting, the City Council unequivocally rejected staff's interpretation, directing staff to "treat the underground parking facility as an underground garage, not as a basement." Therefore, staff's failure to count the garage for Congregation Kol Emeth towards GFA was in error.

- b. If an underground parking facility is not a "basement," as clarified by the City Council, then it must count towards GFA. Although below-grade parking facilities are not listed among the GFA "inclusions" in PAMC 18.04.030(65)(C), this list is not exhaustive. The PAMC defines GFA in the R-1 district to mean "the total covered area of all [. . .] accessory structures greater than one hundred and twenty square feet in area, [. . .] including the following [. . .]." By contrast, the list of items excluded from GFA is closed-ended. Only the seven items listed in PAMC 18.04.030(65)(D) are excluded from GFA in the R-1 district. Of those seven items, only basements could possibly have possibly applied to an underground garage.
5. The project application must be judged against existing rules, which do not include the text amendment.
 - a. The applicant's letter overstates the limits on the City's ability to consider and apply legislation while a project application is pending. At a more basic level, however, this argument misconstrues the purpose of the text amendment. Because the existing code counts the entire underground parking facility as GFA, the text amendment would only increase the proposed project's consistency with the zoning code. If the application were considered in the absence of the text amendment, as the letter suggests, it would likely be considerably more difficult to make findings for approval.
6. The text amendment is arbitrary and violates constitutional guarantees of due process and equal protection.
 - a. These arguments are similarly predicated on the incorrect belief that the text amendment is a restriction on underground parking.

Study of Bay Area High Schools for Comparison in Response to City Council Request March 2021							
SF Peninsula Schools							
School	City/ Campus size	Grades	Enrollment	CUP?	Student/ Teacher Ratio	Events	Buildings on Campus
Castilleja Est. 1907	Palo Alto 6 acres	6 – 12	415 limit CUP @540 proposed	2001 & 2006 CUPs	8:1	Events Proposed: 70 special events and 5 major events.	3 Buildings Proposed: main academic building, gym, admin/chapel.
Crystal Springs Est. 1952	Hillsborough and Belmont Total is 45 acres	9-12 in HB, 6-8 th in Belmont	539 total; 323 in HB, 219 in Belmont	HB: Ord. permits; Belmont 2016 CUP	9:1	Events: No limit on non- fundraising events; each evening event over 30 people requires permit. Crystal Palooza live outdoor music event for adults, Gryphon Gala.	<u>High school</u> : 3 at least - Mansion, Uplands, Gryphon <u>Middle school</u> : 3 at least - main academic building, a cafe/music multipurpose building, a gymnasium
Menlo School Est. 1915	Atherton 62 acres includes Menlo College	6-12	795 (570 in the high school)	2014 CUP	7:1	Events not stated on webpages	At least 7: 54k Athletic Center, Creative Arts and Design Center, Speiker Center for Arts, Dining Hall, Student Center, Library, Stent Hall
Nueva Est. 1967	San Mateo: in Bay Meadows; Hillsborough K-8 42 acres campus	9-12 in SM, K-8 in HB	967 total	2012 CUP	6:1	No limit # events (= 150+). Neighborhood communications plan opt-in email notification list of events with > 150 people. List posted to school website. After- hours point of contact for event parking and notification requirements, no limitation on number	HB: Mansion is for pre-K to 4 th ; Grades 5-8 also at HB campus: At least 6 buildings: innovation lab, gym (GCCC), hillside learning complex, café, library, admin offices SM (Bay Meadows as of 2014) several buildings @133,000 sf

Upper Campus Pinewood Est. 1981	LAH	7-12	300	2003 CUP	7:1	12 days of events; end 11 pm and midnight Fri/Sat	At least 4: Classrooms, a theater, science labs, a gymnasium
SF Peninsula Religious High Schools							
School	City/ Campus Size	Grades	Enrollment	CUP?	Student Teacher Ratio	Events	Buildings on Campus
Sacred Heart Est. 1963	Atherton 63 acres	9-12 (prep) and lower grades	643 in prep (1,190 all grades)	2013 CUP	8:1	Not stated in conditions	At least 4: Main building, performing arts building, academic arts, science center
Woodside Priory Est. 1957	Portola Valley 51 acres	6-12 co-ed day and boarding	382	2013 CUP	6:1	Website calendar	At least 8: Excludes monastery and housing buildings; Includes new Stream Center. This is a boarding school w/50 units
Junipero Serra Est. 1944	San Mateo 12.5 acres	9-12 all boys	830	Not found	14:1	Website calendar	At least 4: Academic resource center, Athletics performance, Center for arts/sciences, 3-story parking structure
Mercy Est. 1931	Burlingame 40 acres	9-12 all girls	540	2010 CUP	13:1	Website calendar	Unclear; Seeking new Athletic/Student Life Center since 2005
Notre Dame Est. 1851 1923 current	Belmont 10.6 acres	9-12 all girls	448	A PD; 2011 CUP amend	14:1	Website calendar	One main building/connected buildings
St. Francis Est. 1955	Mtn View 25 acres	9-12 co-ed	1,776	Not found	17:1	Website calendar	At least 11: Event Center, Gym, Multiple halls, café, etc

SF Peninsula Public High Schools in 3 Districts							
School District	School/ Enrollment	School/ Enrollment	School/ Enrollment	School/ Enrollm ent	School/ Enrollme nt	School/Enrollment	
PAUSD	Gunn 1,996 Est. 1964	Paly 2,124 Est. 1898	-	-	-	-	
SMUHSD	Aragon 1,675	Burlingame 1,492	Capuchino 1,187	Hillsdale 1,675	Mills 1,182	Others: San Mateo HS: 1,713 Peninsula Continuation: 178	
SUHSD	Carlmont 2,216	Menlo Atherton 2,250	Sequoia 2,040	Summit 428	Everest 404	Tide 192	
San Jose Private/Religious Schools							
Schools - Private	City/ Campus size	Grades	Enrollment	CUP?	Student Teacher ratio	Events	Buildings on Campus
Harker Est. 1893	San Jose 12 acres Upper	9-12	2,053	Middle school permit approved 2020	8:1	Website calendar. There is a ‘good neighbor plan’. Video ‘how-to’s’ are sent to parents for safe and respectful behavior	79 classrooms, library, Nichols Hall, Performing Arts Center, Athletic Center
Bellermine Est. 1851	San Jose 19 acres	9-12	1,643	Not found	14:1	Website calendar	9 buildings
Basis Ind’t Est. 2014	San Jose	5-12	800	Not found	8:1	Website calendar	80,000 sf
Valley Christian Est. 1960	San Jose 58 acres	K-12 Middle/High together	1,600 high 700 jr. high	Planned Dev’t	11:1	Website calendar	At least 4 including new conservatory of arts building
San Francisco and Oakland Private Schools							
School	City/ Campus size	Grades	Enrollment	CUP?	Student Teacher ratio	Events	Buildings on Campus
Convent & Stuart Hall Est. 1887	San Francisco 1 city block	K-12	1,100	Not found	5:1	Website calendar	6 buildings Broadway campus (city block): gym,

							science, theater, convent high, stuart hall forboys
Bay School Est. 2004	San Francisco, Presidio	9-12	374	Not found	7:1	?	62,000 sf in Presidio historic buildings
Urban School Est. 1966	San Francisco	9-12	420	Not found	9:1	Website calendar	Gym, classrooms, conference rooms, office spaces, a cafeteria
College Prep Est. 1960	Oakland	9-12	373	Not found	7:1	Website calendar	10 buildings
Head Royce Est. 1887	Oakland 22 acres	K-12	375 Upper school, 270 middle; total 875	PUD	7:1	Website calendar. 169+ (85 evening special events 7-9:30pm, M-F 55 Saturday events per school year (SY); 10 Saturday evening events per SY; 8 Sunday daytime special events per SY; 10 single daytime summer events M-F; 1 Saturday daytime summer special event 0 Sunday summer special events; Events published on school calendar 30 days in advance or emailed to immediate neighbors one month in advance. School can't rent or loan out any of its facilities. 150-400 people event parked on school property or adjacent properties. Traffic monitors required. Events > 400 people, off-site parking, shuttle or valet service	
North and East Bay Private Schools	City/ Campus size	Grades	Enrollment	CUP?	Student Teacher ratio	Events	Buildings on Campus
San Domenico Est. 1850	San Anselmo 515 acres	K-12 with boarding	680	Not found	8:1	Website calendar	Not found
Bentley Upper Est. 1920	Lafayette	9-12	700	Not found	6:1	Website calendar	Not found

Athenian School Est. 1965	Danville 75 acres	6-12 170 gr 6-8 360 gr 9-12	533	Not found	9:1	Website calendar	Many buildings. Also a boarding school
Marin Academy Est. 1971	San Rafael	9-12	440	Not found	7:1	Website calendar	6+ buildings: Gym, Athletic, Arts, Thacher, Foster, two more

PRIOR STUDY IN 2017: PALO ALTO PRIVATE SCHOOLS (OF THESE, ONLY CASTILLEJA HAS HIGH SCHOOL STUDENTS)

Private Schools in Residential Zones in Palo Alto

	School Names	APN	Address	Zoning Designation	Lot Size	Building SQFT ¹	Allowed FAR ^{2 & 3}	CUP	Variance	Notes
1	Keys School (Lower School)	132-03-193	2890 Middlefield Road, Palo Alto, CA 94303	R-1	124,830	32,560	38,199	CUP granted in 2010 allowing modifications to the previously approved CUP # 90-UP-21. The increase in FAR & number of classrooms would not intensify the use/ increase student number and would provide the opportunity to improve the existing traffic situation.	A Variance was required for the placement of the new buildings within the rear setback. The distance between the new buildings and the rear property line would be no less than 10 feet, per the conditions of approval.	Located with a Church. Expansion of Modular classrooms in March 2010
2	St. Elizabeth Seton School -A Drexel School (Grades PK-8)	003-27-041	1095 Channing Av, Palo Alto, CA 94301	R-1	191,746	54,303	Allowed FAR 53,110 sqft, on ground 58,274 sqft	An amendment to CUP #87-UP-40 in 2012 for addition and operation of 3,383 sqft Pre K and K building adjacent to existing K-8 school. This allows additional student enrollment and better vehicular circulation.	A variance to allow a five foot exception to the height limit for a new structure to house wireless communication antennas.	The CUP # 87-UP-40 amended permits 59-UP-26 and 64-UP-7 which allowed them location of Church, Rectory, Convent and School

3	Torah Academy (Grades 4-5)	127-26-209	3070 Louis Rd, Palo Alto, CA 94303	R-1	19,310	4,230	6,543	CUP in 2013 for 5,524 sqft addition and remodel. The project combined APN # 127-26-067 and the total FAR allowed was 9,754 sqft. The proposed FAR was 9,752 sqft.	No Variance	This project was finally withdrawn in 2015.
4	Tru (Grades K-6)	003-43-045	1295 Middlefield Rd, Palo Alto, CA 94301	R-1	44,526	7,275	14,108	A CUP granted in 2009 to allow after school enrichment activities, homework assistance, and tutoring for up to 10 children at a time in the Sunday School class rooms of Trinity Lutheran Church.	No Variance	Located with Church. Expansion in 1994
5	Bowman School (Grades K-8)	167-05-020	4000 Terman Drive, Palo Alto, CA 94306	R-1(10,000)	63,318	23,500	19,745	On May 2017 CUP approved for amending CUP # 03-CUP-07 for reducing student enrollment number and allowing the students to enroll at the new annex campus located at 693 Arastradero Road.	No Variance	
6	Castilleja School (Grades 6-12)	124-12-034	1310 Bryant St, Palo Alto, Ca 94301	R-1(10,000)	268,782		81,385			
7	Athena Academy (Grades 1-8)	147-08-047	525 San Antonio Av, Palo Alto, CA 94306	R-1(8,000)	84,070	18,964	25,976	CUP approved in 2013 for private school and daycare use in PAUSD owned property	No Variance	

	School Names	APN	Address	Zoning Designation	Lot Size	Building SQFT ¹	Allowed FAR ^{2 & 3}	CUP	Variance	Notes
8	Living Wisdom School of Palo Alto (PK-8)	124-31-082	456 College Avenue, Palo Alto, CA 94306	R-2	10,245	No info in GIST	3,823	Old CUP from 1959	No Variance	Located with a Church
9	Achieve Kids (UG)	132-06-030	3860 Middlefield Rd, Palo Alto, CA 94303	RM-30	85,670	16,514	32,157	A CUP granted in 2005 to allow installation of telecommunication antennas mounted to existing tree poles.	No Variance	Application # 12PLN-00137 in 2012 (ARB) for 356 sqft addition.
10	Discovery Children's House Montessori School (Grades K-1)	120-03-083 & 120-03-082	401 Webster and 437 Webster St, Palo Alto, CA 94301	PC 3437 & RM-40	21,000 & 38,375	34,329 & 59820	51,410	No CUP	No Variance	Webster House and Webster House Health Center

Source: City of Palo Alto Planning Department, October 2017.

Note ¹ Information from Santa Clara Assessors Office.

Notes ^{2 & 3} Information from GIST and Project Plans.

All informations compiled from GIST, Accela, Project Plans and stored files in S Drive.

MEMORANDUM

To: Amy French, Chief Planning Official
From: Katherine Waugh, Senior Project Manager
Subject: Castilleja School Project – Environmental Effects of Scheme D and Scheme E
Date: March 24, 2022

Castilleja School has submitted revised project plans in response to direction provided by the Palo Alto City Council and Planning and Transportation Commission. These include Scheme D, which is the project applicant's preferred option, and Scheme E, for which City staff has recommended approval because it appears to best meet the direction provided by the City. Dudek has prepared this memo to address the relative environmental effects of both options as compared to Project Alternative 4, the Disbursed Circulation/Reduced Garage Alternative, which was evaluated in the Castilleja School Project Final Environmental Impact Report (EIR) (July 2020) and was the preferred alternative presented to the City Council and Planning and Transportation Commission.

1 Summary of Project Designs

1.1 Alternative 4

Alternative 4 is described in the Castilleja School Project Final EIR Master Response 4. Under this alternative, Castilleja would demolish five campus buildings and the existing at-grade pool and replace them with an academic building, a below-grade parking structure, a new below-grade pool with sound wall, below-grade delivery and trash enclosures/waste pick-up, and reconstruction of the Circle in the center of the campus. The parking structure would consist of 32,480 square feet of interior space and contain 83 parking spaces, 5 of which would be tandem spaces. This alternative would also reconstruct a loop driveway on Kellogg Avenue, in generally the same location as the existing loop driveway. The Alternative 4 site plan is provided in Final EIR Figure MR4-1 and Draft EIR Figure 13-1. Final EIR Figure MR4-2 and Draft EIR Figure 13-2 provides an exhibit showing the changes in the garage footprint relative to the originally proposed project design. The modifications made to the parking structure under Alternative 4 allow for retention of the row of six redwood trees at the western edge of Spieker Field and elimination of the proposed below-grade encroachment into the special setback along Embarcadero Road. This design includes 26 surface parking spaces.

1.2 Scheme D

Scheme D is presented in the project document titled Updated Garage Studies (November 3, 2021) which is available at the City's webpage for the Castilleja School Project (<https://www.cityofpaloalto.org/Departments/Planning-Development-Services/Current-Planning/Pending-and->

MEMORANDUM

SUBJECT: CASTILLEJA SCHOOL PROJECT - ENVIRONMENTAL EFFECTS OF SCHEME D AND SCHEME E

Approved-Projects/Approved-Projects/Castilleja-School/Castilleja-School-Project-Documents). Scheme D makes the following changes to Project Alternative 4:

- The parking structure would consist of 29,277 square feet and contain 69 below-grade parking spaces. Surface parking lots would have the same 26 parking spaces as under Project Alternative 4. The Palo Alto Municipal Code requires 104 parking spaces. Scheme D would provide a total of 95 spaces; thus a 9% parking adjustment would be required.
- The reduction in the parking structure size would avoid encroachment into the Tree Protection Zones for most trees located along the western edge of Spieker Field. The garage would encroach into the Tree Protection Zone only for tree #102.
- Modify building façade along Kellogg Avenue in accordance with direction from the Palo Alto Architectural Review Board.

1.3 Scheme E

Scheme E is also presented in the project document titled Updated Garage Studies (November 3, 2021). Scheme E makes the following changes to Project Alternative 4:

- The parking structure would consist of 24,294 square feet and contain 52 below-grade parking spaces. Surface parking lots would be modified to provide 37 at-grade parking spaces. Scheme E would provide a total of 89 parking spaces; thus a 14.4% parking adjustment would be required.
- The reduction in the parking structure size would avoid encroachment into the Tree Protection Zones for most trees located along the western edge of Spieker Field. The garage would encroach into the Tree Protection Zone only for tree #102.
- Shift the proposed pool eastward (toward Kellogg Avenue), which would reduce encroachment into the Tree Protection Zone for trees #87 and #89.
- Eliminate the below-grade trash/recycling and delivery area, retaining these activities at-grade in designated loading areas in the Emerson Street surface parking lot, consistent with the current campus operations. This would allow for retention of tree #155. Add an acoustic fence along the Emerson Street setback line (20 feet from street frontage) adjacent to the parking lot.
- Modify building façade along Kellogg Avenue in accordance with direction from the Palo Alto Architectural Review Board.

2 Comparison of Environmental Effects

The following discussion addresses whether Scheme D or Scheme E would result in changes to the project's environmental effects as evaluated in the Castilleja School Project EIR.

2.1 Land Use and Planning

Under the topic of Land Use and Planning, the Castilleja School Project EIR found that the project could result in conflicts with surrounding land uses associated with special events, tree loss, transportation, and noise. These impacts were determined to be reduced to less-than-significant levels with implementation of mitigation measures identified in the EIR.

Special Events Scheme D and Scheme E would not alter the proposed project components related to special events and thus would not increase or decrease potential land use and planning impacts associated with special events.

Trees Scheme D and Scheme E would each reduce potential impacts to trees as follows:

- Scheme D reduces encroachment into the Tree Protection Zone for tree #102 and avoids encroachment into the Tree Protection Zone for trees #115, 116, 117, 118, 119, 120, 122, and 157.
- Scheme E allows for retention of tree #155, reduces encroachment into the Tree Protection Zone for trees #87, 89, and 102, and avoids encroachment into the Tree Protection Zone for trees #115, 116, 117, 118, 119, 120, 122, and 157.

Transportation Scheme D and Scheme E would each use the same distributed circulation pattern described for Project Alternative 4, with school drop-off and pick-up occurring at three locations – within the parking structure, in the looped driveway on Bryant Street, and in the looped driveway on Kellogg Avenue. Students would be assigned to a specific drop-off/pick-up location in accordance with the school's Transportation Demand Management (TDM) program. Thus, Scheme D and Scheme E would not increase or decrease potential impacts associated with transportation.

Noise Scheme D would not alter the location, types, or extent of noise-generating activities within the campus and thus would not increase or decrease potential impacts associated with noise. Scheme E would eliminate the below-grade space for trash/recycling pick-up and deliveries and would return these activities to the surface parking lot on Emerson Street, consistent with the current campus design and operations. Thus, Scheme E could increase potential impacts associated with noise compared to Project Alternative 4, but retention of these activities at-grade would be consistent with the existing conditions and thus would not be a changed condition or new impact relative to existing conditions. However, to ameliorate the existing noise concerns related to these at-grade activities, Scheme E includes an acoustic fence along the Emerson Street setback line (20 feet from street frontage) adjacent to the existing surface parking lot. Thus, Scheme E would not increase or decrease potential impacts associated with noise.

2.2 Aesthetics

The Castilleja School Project EIR found that under Project Alternative 4, impacts associated with aesthetics would be less than significant with implementation of Mitigation Measure 4b, which requires replacement of protected trees as defined in the Palo Alto Municipal Code, replacement of street trees, and additional tree planting to replace the tree canopy from trees that are not specifically protected. The EIR found that project would result in temporary changes in campus-wide visual character, through demolition and construction of campus facilities and associated tree removal but would not substantially degrade the existing visual character or quality of the site and its

MEMORANDUM

SUBJECT: CASTILLEJA SCHOOL PROJECT - ENVIRONMENTAL EFFECTS OF SCHEME D AND SCHEME E

surroundings because the building scale and massing, materials, and landscaping would comply with the City's design standards and would be compatible with the surrounding residential neighborhood.

Trees As discussed in Section 2.1, Scheme D and Scheme E would each reduce potential impacts to trees. Under Scheme D there would be no changes in the extent of tree removal compared to Project Alternative 4, thus the aesthetic impacts associated with trees under Scheme D would be the same as under Project Alternative 4. Under Scheme E, one additional tree would be retained onsite. However, this tree, #155, is located interior to the campus and is not a distinct visual element in views of the campus from the adjacent public streets. Thus, aesthetic impacts associated with trees under Scheme E would be the same as under Project Alternative 4.

Kellogg Avenue Scheme D and Scheme E include the same modifications to the Kellogg Avenue façade compared to Project Alternative 4. These modifications would not create any new adverse aesthetics effects because the modifications reduce building massing by lowering the roofline on a portion of the building and create more variety in the building materials, articulation, and fenestration, in accordance with direction provided by the Palo Alto Architectural Review Board.

2.3 Cultural Resources

The Castilleja School Project EIR found that under Project Alternative 4, there would be potentially significant impacts associated with cultural resources because demolition and construction activities would occur in close proximity to the Gunn Family Administration Center Building/ Elizabeth Hughes Chapel Theater, which is listed as a Category 3 building on the City's inventory of historic resources and listed in the Office of Historic Preservation's Historical Resources Inventory with a status code 5S2. Similarly, the residence located at 1215 Emerson Street, adjacent to the project site, is eligible for listing on the National Register of Historic Places (NRHP) and could be inadvertently damaged during project construction. The EIR concluded that impacts would be less than significant with implementation of Mitigation Measure 6a, which would require the development and approval of a historic building protection plan for each phase of construction, and Mitigation Measure 6b, which would require education of construction workers on the potential for discovery of archeological resources and adherence to protocols for protection of such resources.

Scheme D and Scheme E would not alter the extent of demolition and construction activities in proximity to the Gunn Family Administration Center Building/ Elizabeth Hughes Chapel Theater. Both schemes would reduce the proximity of excavation and construction activities to the residence located at 1215 Emerson Street by reducing the size of the parking structure. Thus both schemes would slightly reduce the potential for adverse effects to cultural resources compared to Project Alternative 4.

2.4 Transportation

The Castilleja School Project EIR found that Project Alternative 4 would result in less-than-significant impacts to transportation with implementation of Mitigation Measure 7a, which defines minimum requirements for the school's TDM program. This measure includes a requirement that the project must not result in an increase in the total daily trips and the AM Peak Hour trips associated with the school. It also defines the percentages of drop-off and pick-up trips that must be assigned to each of the three drop-off/pick-up locations. The EIR also requires implementation of Mitigation Measure 7b to ensure that adequate sight distance is provided adjacent to each of the project site driveways.

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SUBJECT: CASTILLEJA SCHOOL PROJECT - ENVIRONMENTAL EFFECTS OF SCHEME D AND SCHEME E

Under Scheme D and Scheme E, the campus would not meet the Municipal Code standards for the minimum required number of parking spaces. Scheme D would require a 9% parking reduction and Scheme E would require a 14.4% parking reduction. Under either scheme, the parking adjustment would not create any new adverse environmental effects because the adjustment would be supported by the proposed TDM program, which includes measures to ensure that there would be no increase in total daily or AM Peak Hour trips as required by EIR Mitigation Measure 7a. Thus, the amount of parking included in Scheme D and Scheme E would be sufficient to meet parking demand and it would not create an increase in vehicle congestion or emissions. Parking adjustments of up to 20% are permissible by approval of the Director of Planning and Development Services, when associated with robust TDM programs, which is the case for the subject project.

Scheme D and Scheme E would not alter the location or configuration of any of the project site driveways and would not alter the TDM program, including the percentages of drop-off and pick-up trips assigned to each of the three drop-off/pick-up locations. Thus, there would be no increase or decrease in the environmental impacts associated with transportation compared to Project Alternative 4.

2.5 Noise

The Castilleja School Project EIR found that Project Alternative 4 would result in less-than-significant impacts to noise with implementation of the following mitigation measures:

- Mitigation Measure 4a, which establishes limits on the size, timing, and frequency of special events to ensure that the events remain within the parameters of the impact analysis and remain in compliance with Palo Alto Municipal Code Section 9.10.060;
- Mitigation Measure 8a, which establishes a performance standard that must be attained at the time that the loudspeaker system for the pool area is designed;
- Mitigation Measure 8b, which establishes performance standards that must be attained during each construction phase; and
- Mitigation Measure 6a, which requires a protection plan to be implemented for the Administration/Chapel Theater building and provides recommendations for equipment usage and demolition techniques to minimize potential vibration effects.

Special Events As stated in Section 2.1, Scheme D and Scheme E would not alter the proposed project components related to special events and thus would not increase or decrease potential noise impacts associated with special events.

Pool Loudspeaker System Scheme D would not alter the location, design, or use of the pool and thus would not increase or decrease the potential noise impacts associated with the pool loudspeaker system. Scheme E would shift the location of the pool eastward, but would not alter the design or use of the pool and thus also would not increase or decrease the potential noise impacts associated with the pool loudspeaker system.

Trash/Recycling and Deliveries Scheme D would not alter the location or extent of trash/recycling pick-up or delivery activities within the campus and thus would not increase or decrease potential impacts associated with noise. As stated in Section 2.1, Scheme E would eliminate the below-grade space for trash/recycling pick-up and deliveries

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and would return these activities to the surface parking lot on Emerson Street, consistent with the current campus design and operations. Thus, Scheme E could increase potential impacts associated with noise compared to Project Alternative 4, but retention of these activities at-grade would be consistent with the existing conditions and thus would not be a changed condition or new impact relative to existing conditions. However, to ameliorate the existing noise concerns related to these at-grade activities, Scheme E includes an acoustic fence along the Emerson Street frontage adjacent to the existing surface parking lot. Thus, Scheme E would not increase or decrease potential impacts associated with noise.

Construction Scheme D and Scheme E would each reduce the size of the parking structure, which would reduce the overall duration of construction activities. Under Scheme D, the parking structure would be reduced by 3,203 square feet (9.8%) compared to Project Alternative 4. Under Scheme E, the parking structure would be reduced by 8,186 square feet (25.2%) compared to Project Alternative 4. Although the duration of construction activities would be reduced, the maximum intensity of daily construction-related noise would not be reduced because the same types of equipment would be used, and the same types of construction activities would occur. Implementation of Mitigation Measure 8b would be required under either Scheme D or Scheme E, and neither scheme would increase or decrease the construction-related noise effects compared to Project Alternative 4.

Construction Vibration The Castilleja School Project EIR found that the Administration/Chapel building, which has been identified as a historic resource, could be exposed to vibration during demolition of the adjacent Academic building, which is connected to the east façade of the Administration building. The effects would be reduced by implementation of Mitigation Measure 6a, which, as noted above requires a protection plan to be implemented for the Administration/Chapel Theater building and provides recommendations for equipment usage and demolition techniques to minimize vibration. The EIR found that the reduced size of the garage under the Project Alternative 4 would shorten the total construction period but would involve generally the same activities and equipment usage, and thus would not reduce the potential vibration levels. Similarly, as discussed under the Construction paragraph above, Scheme D and Scheme E would each further reduce the size of the garage and shorten the construction period but would not involve generally the same activities and equipment usage, and thus would not reduce the potential vibration levels.

2.6 Air Quality

The Castilleja School Project EIR found that Project Alternative 4 would result in less-than-significant impacts to air quality with implementation of Mitigation Measure 9a, which stipulates that the proposed project must implement specific Basic Construction Emission Control Measures throughout project construction, and Mitigation Measure HAZ-1, which requires that existing buildings proposed to be demolished be surveyed by a qualified environmental specialist to identify potential lead-containing materials, asbestos containing materials, and the presence of polychlorinated biphenyls and that any disturbance of such materials be carried out by a qualified contractor and be disposed of properly, in accordance with state and federal guidelines and regulations.

There would be no changes to the proposed demolition activities under either Scheme D or Scheme E. Thus, there would be no increase or decrease in the potential for airborne emissions of hazardous materials during project implementation.

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As stated in Section 2.5, Scheme D would reduce the size of the parking structure by 3,203 square feet (9.8%) compared to Project Alternative 4 and Scheme E would reduce the size of the parking structure by 8,186 square feet (25.2%) compared to Project Alternative 4.

As discussed in the Castilleja School Project Final EIR Master Response 4, construction of the parking structure under Project Alternative 4 would require excavation of approximately 17,000 cubic yards of soil, requiring approximately 2,125 one-way hauling trips. Under Scheme D excavation for the parking structure would be reduced to approximately 15,334 cubic yards and 1,917 one-way hauling trips. Under Scheme E excavation for the parking structure would be reduced to approximately 12,376 cubic yards and 1,547 one-way hauling trips. Although the number of hauling trips would be reduced, the construction schedule would be shortened, and the number of daily trips would be generally the same. Thus, the daily air pollutant emissions would be generally the same as evaluated for Project Alternative 4. Further, air quality impacts from construction are considered on a daily average basis across the whole construction period. As shown in the Castilleja School Project Draft EIR Table 9-6, the daily construction emissions under the originally proposed project were considerably below the thresholds adopted by the Bay Area Air Quality Management District. The reductions in excavation and off-haul would not substantially reduce the total volume or daily average of construction emissions, and implementation of Mitigation Measure 9a would still be necessary under either Scheme D or Scheme E to ensure impacts remain less than significant. Thus, neither Scheme D nor Scheme E would increase or decrease impacts associated with air quality emissions during construction.

2.7 Greenhouse Gas Emissions

The Castilleja School Project EIR found that Project Alternative 4 would result in less-than-significant impacts associated with greenhouse gas (GHG) emissions because the emissions generated during demolition, construction, and operation of the proposed would remain below the thresholds established by the Bay Area Air Quality Management District.

Demolition and Construction The Castilleja School Project Draft EIR Table 10-2 shows that the originally proposed project would generate 452.6 metric tons of GHG emissions in the first year of construction, 749.2 metric tons of GHG emissions in the second year of construction, and 161.2 metric tons of GHG emissions in the third year of construction. The Bay Area Air Quality Management District threshold for GHG emissions during construction is 1,100 metric tons per year. The construction related GHG emissions under the originally proposed project and under Project Alternative 4 would be well below this threshold.

With the reduced size of the parking structure and the associated reduction in excavation and hauling trips, construction related GHG emissions would be further reduced under Scheme D and under Scheme E. Thus, neither scheme would increase environmental impacts associated with construction related GHG emissions.

Operation Under all of the project alternatives, including Scheme D and Scheme E, the project would replace old buildings with new buildings that would achieve higher energy-efficiency and water-efficiency standards and Castilleja would implement a Sustainability Plan to reduce other sources of GHG emissions associated with school operations. Neither Scheme D nor Scheme E would alter the campus's energy-efficiency, water-efficiency, or Sustainability Plan and thus neither would increase or decrease environmental effects associated with GHG emissions from long-term operation of the school.

2.8 Energy

The Castilleja School Project EIR found that Project Alternative 4 would result in less-than-significant impacts associated with energy consumption because construction and operation of the proposed project would not result in wasteful, inefficient or unnecessary consumption of energy. Construction activities would be required to comply with the California Air Resources Board Airborne Toxics Control Measure, which minimizes petroleum use during construction. Energy consumption during long-term operation of the school would be minimized because the project would replace old buildings with new buildings that would achieve higher energy-efficiency and water-efficiency standards and Castilleja would implement a Sustainability Plan to further reduce energy consumption.

Demolition and Construction Similar to the discussions of demolition and construction in Sections 2.6 and 2.7, under either Scheme D or Scheme E there would be a reduction in the extent of energy consumed during excavation and construction of the parking structure. Thus, there would be a slight reduction in the overall energy consumption associated with the proposed demolition and construction activities compared to Project Alternative 4.

Operation As stated in Section 2.7, under all of the project alternatives, including Scheme D and Scheme E, the project would replace old buildings with new buildings that would achieve higher energy-efficiency and water-efficiency standards and Castilleja would implement a Sustainability Plan. Neither Scheme D nor Scheme E would alter the campus's energy-efficiency, water-efficiency, or Sustainability Plan and thus neither would increase or decrease environmental effects associated with energy consumption from long-term operation of the school.

2.9 Geology and Soils

The Castilleja School Project EIR found that Project Alternative 4 would result in less-than-significant impacts associated with geology and soils through compliance with the California Building Code and implementation of Mitigation Measure 12a, which requires compliance with recommendations provided in the site-specific geotechnical investigation to address seismic activity and hazards, expansive soil, and the potential need for dewatering during excavation.

Scheme D and Scheme E would not alter the level of potential seismic activity in the project region and would not avoid the need to implement geotechnical recommendations related to expansive soil. While each scheme would reduce the total size of the parking structure and thus would reduce the total volume of soil excavation, neither would reduce the depth of excavation necessary to construct the parking structure.

As discussed in the Draft EIR, excavation for the parking structure is expected to reach a maximum of 15 feet below grade. The Geotechnical Investigation prepared for the project (Draft EIR Appendix H) reports that groundwater was encountered at depths between 29 and 31 feet below grade in the geotechnical explorations and rose to static levels ranging of 28 feet to 30 feet at the end of the drilling operation, and that based on the California Geological Survey's Seismic Hazard Zone Report 111, the highest expected groundwater level at the project site is approximately 23 feet below ground elevation. Thus, it is not expected that groundwater would be encountered during excavation and construction of the parking structure. In the event that groundwater is encountered during excavation and construction and dewatering becomes necessary, Mitigation Measure 12a requires that the contingency dewatering plan recommended by the Geotechnical Investigation be implemented. Further, any dewatering activities would be subject to the City's requirements and standard permit approval conditions, including that water be collected in trucks for dust suppression on-site, street-sweeping and other city programs.

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Under Scheme D or Scheme E, if groundwater is encountered during excavation for the parking structure, the reduced area and total volume of excavation would reduce the extent of dewatering that would be necessary. Neither scheme would increase the area and volume of excavation or the potential extent of dewatering, thus neither scheme would increase environmental impacts associated with groundwater compared to Project Alternative 4.

Similarly, the reduced area and total volume of excavation for the parking structure would reduce the potential for paleontological resources to be encountered during construction. However, some potential to encounter such resources would remain and implementation of Mitigation Measure 12b, which requires evaluation, protection, and/or documentation of any discovered paleontological resources by a qualified paleontologist, would be required. Neither Scheme D nor Scheme E would increase the potential environmental impacts associated with paleontological resources.

3 Conclusion

As demonstrated in Section 2, neither Scheme D nor Scheme E would increase the adverse environmental impacts of the project compared to Project Alternative 4 and all of the mitigation measures applicable to Project Alternative 4 would also be applicable to either Scheme D or Scheme E.

Under the California Environmental Quality Act (CEQA) Guidelines Section 15088.5, recirculation of an EIR is required when “significant new information” is added to an EIR. Significant new information is defined as information showing that a new significant environmental impact would occur, a substantial increase in the severity of an environmental impact would occur, a project alternative or mitigation measure that is “considerably different from others previously analyzed would clearly lessen the environmental impacts of the project, but the project’s proponents decline to adopt it,” or the EIR precluded meaningful public review and comment because it was fundamentally and basically inadequate and conclusory.

Because there would be no increase in the adverse environmental impacts, no new environmental impacts, and no changes to the mitigation measures, no revisions to the Castilleja School Project EIR are required and it is not necessary to recirculate the Castilleja School Project EIR.