



# Planning & Transportation Commission

## Staff Report (ID # 14019)

---

<b>Report Type:</b>	Action Items	<b>Meeting Date:</b> 4/20/2022
<b>Summary Title:</b>	Castilleja School Continued Public Hearing from March 30, 2022	
<b>Title:</b>	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	
<b>From:</b>	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 minutes<sup>1</sup> and Draft December 15, 2021 PTC summary minutes<sup>2</sup> 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 17<sup>th</sup> 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

---

<sup>1</sup> 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>

<sup>2</sup> 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](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 3<sup>rd</sup> party gross floor area (GFA) report<sup>3</sup> 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 Study<sup>4</sup> 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 report<sup>5</sup> and video<sup>6</sup> for the ARB March 17<sup>th</sup> 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 14<sup>th</sup> 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

<sup>3</sup> 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>

<sup>4</sup> 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\\_22xxxx-arb-kellogg-modifications\\_cover-diagram\\_211207\\_kellog-roof\\_option-1b\\_nk.pdf](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_22xxxx-arb-kellogg-modifications_cover-diagram_211207_kellog-roof_option-1b_nk.pdf)

<sup>5</sup> 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>

<sup>6</sup> 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 15<sup>th</sup> 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 12<sup>th</sup> 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 4<sup>th</sup> letter addresses the PTC public hearing of January 19<sup>th</sup>; the letter<sup>7</sup> 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->

<sup>7</sup> Link to Applicant Letter to PTC in February 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>

[Topics/Castilleja-School](#). The March 2021 Council staff report<sup>8</sup> and City Council minutes<sup>9</sup> 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 8<sup>th</sup> staff report and public testimony on December 8<sup>th</sup>. The PTC voted to continue its review from January 19, 2022 to a date uncertain, as reflected in meeting minutes.<sup>10</sup> Specific PTC conducted straw poll voting to guide staff and the applicant January 19<sup>th</sup> hearing. Of the ten straw polls on

---

<sup>8</sup> 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>

<sup>9</sup> 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>

<sup>10</sup> 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 15<sup>th</sup>, 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 15<sup>th</sup>, 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 2020<sup>11</sup> and November 2020<sup>12</sup> 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.

---

<sup>11</sup> 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>

<sup>12</sup> 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 <sup>th</sup>	<i>The PTC considered the draft text amendment during the December 15<sup>th</sup> 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 8<sup>th</sup> PTC report provided background and included a draft ordinance to effectuate a text amendment which Council initiated on March 15<sup>th</sup>. Staff prepared the draft ordinance of December 8<sup>th</sup> 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 15<sup>th</sup> 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 19<sup>th</sup> PTC Straw Poll**

**Applicant's Response**

<p><i>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).</i></p>	<p>The applicant prepared a letter dated February 4, 2022<sup>13</sup> 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.</p>
--	--

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 8<sup>th</sup> 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

<sup>13</sup> 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:

<b>January 19<sup>th</sup> PTC Straw Polls</b>	<b>Applicant's Response</b>
<p><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></p>	<p>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.</p>

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.
---	--

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.
--	--

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.
--	---

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**

<b>January 19<sup>th</sup> PTC Straw Poll</b>	<b>Applicant’s Response</b>
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**

<b>January 19<sup>th</sup> PTC Straw Poll</b>	<b>Applicant’s Response</b>
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 <sup>th</sup>	<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 <sup>14</sup> . The applicant also provided Events Summary <sup>15</sup> 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.<sup>16</sup> 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.

<sup>14</sup> 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](https://www.cityofpaloalto.org/files/assets/public/planning-amp-development-services/new-development-projects/1310-bryant-street/events_bay-area-schools_20220204.pdf)

<sup>15</sup> 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>

<sup>16</sup> 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](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 15<sup>th</sup> 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 18<sup>th</sup> which is 12 days in advance of the meeting. Postcard mailing occurred on March 15<sup>th</sup> 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 Comments<sup>17</sup>

---

<sup>17</sup> Emails may be sent directly to the PTC using the following address: [ptc@cityofpaloalto.org](mailto: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>

**Report Author & Contact Information**

Amy French, Chief Planning Official

(650) 329-2336

[Amy.french@cityofpaloalto.org](mailto:Amy.french@cityofpaloalto.org)

**PTC Liaison & Contact Information**

Rachael Tanner, AICP, Assistant Director

(650) 329-2167

[rachael.tanner@cityofpaloalto.org](mailto:rachael.tanner@cityofpaloalto.org)