

San Mateo County Environmental Services Agency

Planning and Building Division

County Government Center - 590 Hamilton St. - Redwood City CA 94063
Mail Drop PLN 122 - 415 - 363 - 4161

Application for Appeal

- To the Planning Commission
- To the Board of Supervisors

1. Appellant Information

Name: Ray & Janice SchAAF
 Phone, W: 415 844 2799 H: 650-365-2723
415 816-8097

Address: 2 Jennings Lane
Alhambra, CA
 Zip: 94027

2. Appeal Information

Permit Numbers involved: PLN 2000-00877
3540 Middlefield Road
ARN: 060-100-040

I have read and understood the attached information regarding appeal process and alternatives.

- yes
- no

I hereby appeal the decision of the:

- Staff or Planning Director
- Zoning Hearing Officer.
- Design Review Committee
- Planning Commission

Appellant's Signature: [Signature]
 Date: 11/2/07

Made on APR 17 19 2007 to approve/deny the above-listed permit applications.

3. Basis for Appeal

Planning staff will prepare a report based on your appeal. In order to facilitate this, your precise objections are needed. For example: Do you wish the decision reversed? If so, why? Do you object to certain conditions of approval? If so, then which conditions and why?

see attached documentation

File NO: PLN 2 3-000877

SCHAAF, RAYMOND - 2 JENNINGS LANE

First level issues to be addressed:

1. I do not believe that the applicant ever paid the fees associated for requesting the change in the use permit. Does this even make this process still valid? See point 18.
2. I understand that the client does not even have the money to make any of the suggested improvements dated in the August 2nd letter. I further understand that he does not have the money even to pay for the property.
3. I disagree on the land use area as this was NEVER intended to house students, classrooms, egress and ingress of cars, vans, school buses, group functions.

Arguing directly against the change in use: I find all of these to be detrimental unlike the Project Planner and the Zoning Officer.

1. Huge increase in traffic. The site was never meant to handle 75 students, 20+ teachers, ?? parents, ?? buses for transportation.
2. Where do they park? Where do the teachers park? Where do the parents park? There are not enough spaces.
3. Traffic again - Busing students to a remote area all day for PE. This begs the question, why would a school even want this facility given there is NO place for anyone to play, hangout (except in the road, our back and side fences, on Jennings lane, etc.
4. The busing of kids is never defined; where do they get picked-up; let-off?
5. Gatherings of 90 people? Where are they going to be put/park? It does not even state that they can not have more people, just that we have to be notified. I strongly want to argue this on the basis of size of building, no facilities, a parking nightmare, etc... This facility is not made to support 90+ people. That would be way under the average for workspace ($\sim 5,000$ sq. ft/90 = ~ 55 /per person
6. NOISE. Enough said. 80db's is way too loud..
7. School's regulations with respect to footage and exterior acreage

General issues that have not been addressed in the original approval:

1. Driveway behind our fence needs to be closed off and not used except for emergencies
2. No sleeping in the building
3. No construction on the weekends.
4. No external changes to the structure. Can not build up or out.
5. No parking on Middlefield road
6. Sound wall has to be 8' and on the correct lot line.
7. Never an increase in students.
8. Any and all changes have to be submitted and reviewed by public hearing. No minor adjustments to be approved by the Planning Director
9. Faculty and staff should be restricted in the weekend to hours of 9:00 to 6:00.
10. No 3 sq. ft sign. It can be smaller or it should be placed in the St. Anthony's parking area.

File No.: PLN2000-000877

Location: 3540 Middlefield Road, Redwood City [county land]

APN: 060-100-040

Presentation of Patrick Kelvie on Wednesday, November 28, 2001 to the San Mateo County Planning Commission in support of appeal of Zoning Hearing Officer's decision to approve a Use Permit to convert a low-density single-family dwelling in a property zoned R-1 to a high-density use as a high school.

Thank you for allowing me to appear before you today and for your attention to issues that are of considerable concern to myself, my family, my neighbors on Jennings Lane, the neighbors on other streets in the vicinity, and the community in general.

Thus far through the lower levels of the planning and review process I have been very frustrated for good reason.

I have spoken, but not been heard.

I have written, but have not communicated.

Let me explain.

Thus far through the planning process the neighborhood's concerns have been wrongly trivialized and glibly dismissed . . . rather than respected and thoughtfully considered and properly responded to by responsible persons.

Read the staff report and you might think that the neighbors do not generally take issue with the school and that the planning staff and applicant have worked constructively with the community to resolve all material concerns.

Nothing could be further from the truth. The neighbors care very much about the community and strongly oppose the application for the use permit. Handed in at this hearing is a petition of neighbors whose concerns have not been addressed and who ask that the proposed use permit be denied. Because of time constraints, this is but a sampling of the opposition.

In fact, not a single member of the affected local community is known to be supportive of the project. Certainly no one was supportive at the public meeting in January or in any subsequent communication of record.

You may not be aware that the applicant has studiously avoided being any part of the communication process with those affected except for attendance at a single meeting over 10 months ago. That meeting allowed for little more than an introduction, provided little in the way of answers, and yielded hardly anything in terms of sensible solutions to core issues. The applicant has not shown an interest in understanding or responding.

This is despite many strong concerns expressed to the applicant and planning staff at the January meeting, concerns which you read in a diluted and softened fashion in the March 14 letter from planning staff to the applicant.

This is despite my family's August 2 letter that was delivered to the Zoning Officer and is included in today's staff report on pages numbered 19-21.

This is despite the phone calls from adjacent neighbors voicing concerns.

The revealing lack of involvement and response by the applicant is a bad signal of the relationship that would come if there were to be approval of the use permit.

Common sense suggests the applicant and the planning staff would make strong and successful efforts to meet face-to-face, to review the concerns in depth, to assure the concerns were fully appreciated, and to determine what may satisfactorily address the concerns.

We and each of our neighbors expected as much.

And from whom did we hear? And what did we hear?

We heard from nobody. We heard nothing.

What did happen is that the whole pursuit of the change in use became more and more curious as the project seemingly was adopted as the crusade of the planning staff representative.

The planning staff representative acted not as a neutral, but more and more as the agent and advocate of the nowhere-to-be-heard-from applicant, and all at the taxpayers' expense!

The neighboring community deeply resents this personal crusade that, if successful, would inflict deep wounds on the community.

Further to the oddities, we are incensed that the applicant is allowed to waste taxpayer dollars through the use of the planning staff, the presentation before the Zoning Officer, and at this meeting today without having ever satisfied what you must think are fundamental prerequisites, such as paying the application fees!

If you look to the August 2, 2001 Recommended Findings and Conditions of Approval (omitted in the planning staff's report to you today), you will see that a part of condition #18 states:

“At time of application [for conditional use permit], applicant did not pay for the Initial Study and Negative Declaration. An additional \$793.00 needs to be paid to cover the cost of preparing that document.”

Some months later, as part of the November 28, 2001 Recommended Findings and Conditions for Approval, as part of condition #18 the planning staff is still compelled to note:

“At time of application [for conditional use permit], applicant did not pay for the Initial Study and Negative Declaration. An additional \$793.00 needs to be paid to cover the cost of preparing that document.”

Do the taxpayers authorize a planning staff member to act as an applicant's private agent?

Does the applicant have the option to pay the application fees afterwards and discretionarily only if the application is successful?

Should not payment of the fees be prerequisite and failure to pay grounds for dismissal? If so, we ask that the application be promptly dismissed on that basis alone. Causing the County to incur the costs and not paying in advance is outrageous.

I mentioned common sense earlier. That should be the theme before us.

Apply common sense and you overcome the trivializations, mischaracterizations, and faulty analysis from the planning staff reports submitted to you.

Apply common sense and you must conclude the change in use would be detrimental to the public welfare or injurious to property or improvements in the neighborhood.

The change in use from low-density residential to an extremely high-density high school is radical.

Let us return to common sense.

Page 2 of today's Executive Summary is illustrative of a need for common sense. We read in the last paragraph the astounding conclusion:

"Staff believes that the project inherently ... will not be detrimental...." (emphasis added)

If this were so, there would be no concerns and absolutely no conditions. In fact, I would not be standing here before you.

Apply just a modicum of common sense -- you will conclude that it makes no sense to be jamming a high-density high school into a small property that cannot be self-sufficient within its boundaries, to be inflicting this use in a structure smack against residential neighbors, and to be placing this ill-conceived project right at a dangerous traffic bottleneck.

What is relevant is the property was never intended to be a high-density high school and is ill suited to be converted to such today.

Allow me briefly to point out some of the confused facts and distorted context that appears in the staff report prepared for today.

Start with simple math and logic.

On page numbered 4 of the report before you there is the declaration in Section 1.b that, "*It is only in the last few years that the property was used as a residence.*" Various parts of the report also harp on the point that some years ago the property was used as a Red Cross Office.

What is relevant, however, is not how the property was ever used. Suppose it was once part of an airport, a slaughterhouse, a hog farm, or a woolly mammoth's grazing field. Whatever was a former use neither warrants nor commands that the property be allowed to return to such use today.

To be sure, the property was once used by the Red Cross and earned a troubled and deserved reputation as a congregating area for drug abusers, derelicts, and criminals, as well as a crash pad for all comers. Is there some good reason to return to that? We have worked hard for years to overcome the infamy and public nuisance. Nobody should want to use that as justification for harming the neighborhood today.

But the planning staff is also very uninformed about the relevant and recent history of the property. Although the staff dismissively informs you that the use of the property as a single-family residence was only the case in the "*last few years,*" that is very wrong. The property has been a single-family residence since we and other local neighbors purchased our properties and that use was a factor in making our purchase decisions. That was the case when my wife and I purchased in 1984, and was true when other neighbors bought more recently. So speaking from my first-hand experience for more than 17 years, the assertion that the residential use is only a phenomenon of the last few years is a gross mischaracterization.

I am sure you will agree that your decision should be based on accurate facts, not someone's wayward re-writing of history.

Another problem with math and generally poor analysis is the discussion of adding a sign in front of the residence. Page 1 of the Proposal under the

Executive Summary contains discussion in the third paragraph regarding signs. The planning staff comments:

“Institutionally zoned parcels are permitted .75 sq. ft. for each foot of parcel street frontage. In this instance, the school would be permitted a 149 sq. ft. sign.”

Put aside for a moment that the property is not institutionally zoned and the analysis as such is irrelevant, but look for support for the mathematical analysis in the documents at hand. This is an obviously narrow property, but the staff would have you think it is about 200 linear feet along Middlefield. If you look to the property dimensions on page numbered 24 or the relative dimensions shown on page 27, you will find the property is only about 100 feet wide. So the property is only half of what is assumed. These errors are not confidence inspiring.

I would like to briefly comment in the balance of the time on sections of the planning staff's package prepared for today.

Page numbered 4, Section 1. Appeal Issues.

- a. The staff purports that it *“never received any comments during the entire processing of the use permit.”* That is false. Part of the processing was the January meeting where numerous concerns were raised. Concerns were raised subsequently in our letter, in phone calls, and in the appeal. The application for the use permit is still being processed. I voice concerns today. We inquired and were told that each of our submissions was timely. The fact that we could not attend the August 2 hearing in person is given little sympathy. We have our own jobs and responsibilities to others and frequently cannot arrange other commitments to attend a daytime meeting that fits the structure of the staff's preferred process. The dismissive attitude of the staff is wrong.

The problem lies with the staff not treating the concerns seriously or fairly, and not wanting to hear comments aside from its own agenda. Moreover, the “Negative Declaration” was sent at the end of the school year and while persons were away. I am not saying this was calculated, but you would logically expect much less of a response. I am also troubled to receive notice of this meeting the day before

Thanksgiving. This left only two business days to find time to respond to the notice, rearrange schedules, trips, etc. to attend the hearing.

Then there is the name of the document itself, which is pure "government speak" and did not meaningfully convey its implications. Persons opened the mailing and stopped reading when they saw the words "Negative Declaration," mistakenly thinking the document was a declination of the application when it was just the opposite.

- b. The staff still does not hear the message that the property is inappropriate to be a high school. I commented earlier about the staff's lack of understanding of the residential use in terms of years. The problem is the facility is way too small. The high-density use (90-100 persons counting students, staff, and visitors) on one-half acre, in a building only ten feet from the property line, assures problems. The property is not self-contained within its boundaries. The proposal is to lease 26 stalls from St. Anthony's church, which is underparked already. The school's proposed gate and drop-off zone will scratch another 6 spaces, including a handicapped stall. Moreover, the school has inadequate area for the students to play, hang out, or even do P.E. The change in use would increase problematic institutional uses, at the property and at St. Anthony's, and eliminate an existing buffer for the adjacent residential uses. The setting simply does not work. Good planning does not set the stage for long-term problems.
- c. The staff amazingly reasons that problems in the area of the property are unlikely because the staff understands the school is relatively free of problems at its current site. There is nothing comparable between the two sites. The existing school is in Santa Clara County, located in south Palo Alto at the Cubberly Community Center site. Cubberly, which was designed to be a high school, contains all the appropriate buildings, parking, and amenities upon acres and acres of property that buffers the use. Apply common sense. The comparison makes no sense. There are also other problems, including traffic, as discussed later.

- d. The staff chooses to misunderstand the complaint that the existing structure dominates the site and is within 10 feet of the neighboring property lines. While the structure may have been constructed legally and is unfortunately close to its boundaries, the point is that the structure is more tolerable as a low-density single-family residence than conversion to a high-density school that it was not designed to house. The problems are the proximity, and that there is woefully inadequate room on the property outside the structure for suitable development as a high school, i.e., inadequate parking, inadequate lunch area, no recreational area, no place for kids to be kids and just hang out, etc.
- e. The conversion to institutional use is not warranted for any of the reasons stated by the staff. As mentioned, an important buffer will be lost and the institutional problems are most unwelcome, whether from the school or the exacerbated problems from St. Anthony's.

Turning to pages numbered 6-11 of the staff's report, I must take exception with portions of the analysis. The conversion does not meet the planning standards and should be dismissed on that basis.

B. Key Issues

1. Conformance with the General Plan

Policy 7.16 The staff suggests the new institutional use will serve as a transition between existing institutional uses and residential uses. No. The change would eliminate a residential transition (the smaller lot size of the property compared to the adjacent residential lot sizes) and impose a direct border with an additional institutional use. There will be less harmony at the borders, not more. Common sense.

Policy 8.2

- a. Contrary to the report, the proposal in no way adds to the community being a self-contained area. The school from Santa

Clara County does not service any significant number of students from the community. Upon inquiry, I recall it had no students from the immediate area or even a broader area. Nor is there reason to think this will become the case. The school is not justified as fulfilling any substantial need of the local community.

- b. Contrary to policy, the tax base will be lessened. The school will not contribute to tax revenues but will be a consumer of services.
- c. The institutional use is contrary to property's designated residential use.
- d. The conversion from residential violates the goal of retaining housing in the area.
- e. The elimination of the transitional residential use violates the goal of establishing prudent land use policies by reducing the harmony between the uses between the property and the adjacent residential properties.

Policies 8.34 through 8.39

- a. Policy 8.34 Contrary to the staff's thinking, the use of a school at this site is not compatible with the adjacent residences. The institutional development of a school in a single-family residence is not akin to home schooling.
- b. Policy 8.35 The use as a high-density school violates the overall land-use designation for this parcel to be low-density residential.
- c. Policy 8.36 Contrary to the staff's comments, the density of use by persons at the site will radically increase by conversion to a school use. Moreover, there is no basis to say that the density of development at the site will not increase, because the proposed conditions do not address development.
- d. Policy 8.37 The problem is not that the parcel size meets a 20,000 sq. ft. requirement, but that the intended use requires a larger parcel. There is no material space or landscaping buffers feasible

at the borders of the property and, as noted, the property is not self-contained or even capable of reasonably meeting all of its students' needs.

- e. Policy 8.38 While staff asserts the size of the structure will not be enlarged, there is nothing to support that statement. There are no constraints added by staff through the process.
- f. Policy 8.39 The parking is a major problem that we have commented upon from the beginning. The property is decidedly inadequate for all its parking needs. The thought of leasing 26 spaces from the church does not solve the problem; it exchanges problems and exacerbates them. The church lot is inadequate for its own needs on many occasions. The student parking will take away parking needed at the church on weekdays and at other times. The proposed gate and drop-off will engulf 6 spaces, including a handicapped stall. All the additional persons in the church/dining hall parking lot are certainly an issue and will exacerbate the problems that the dining hall causes.

As well, the parking ingress and egress will be a major safety issue, both with the proposed staff parking on site and the student parking via the church driveways. The confluence of a significant amount of traffic in a short time frame, e.g., morning rush hours, at the lane reduction is certain to cause problems. This is not analyzed in the staff's discussion of traffic. Twice the neighboring residence has had vehicles plow right through its fence because of persons failing to conclude the lane reduction at the property proposed for the school. The school use can only be expected to make a bad area much worse.

Lastly, I would like to point out that a number of the staff's representations of facts or discussion of the applicant's intentions are not matters controlled by the staff's conditions.

We have somebody's contemplations, not conditions.

We have someone's intentions, not any assurances.

While we are told the school intends to limit the number of events, there is no obligation to do so.

While we are told the school does not use bells, there is nothing that would require that practice to continue.

While we are told several times that all access for drop-offs and pick-ups will be through the St. Anthony's drives, there is no such requirement. Proposed condition #7 states only that the school shall prepare and administer a circulation plan that should include the use of the church driveway, but does not require that to be exclusive use.

Similarly, while we are told that only faculty and staff will use the existing access driveways, nowhere is this stated in the proposed conditions.

While we are told students will use a gate at the rear, there is no requirement in the conditions to date to construct and use such a gate.

While we are told the existing southeast patio (which is adjacent to the neighboring residences) will be used only by faculty and staff, this is not a requirement.

* * * *

We respectfully ask that the proposed use be denied. This would be our and the local community's strong preference.

If not, we ask that the conditions be seriously revisited with a proper view of protecting all in the community.

Thank you for your time and consideration.

San Mateo County Environmental Services Agency

Application for Appeal

Planning and Building Division

County Government Center - 590 Hamilton St. - Redwood City CA 94063
Mail Drop PLN 122-415-363-4161

To the Planning Commission

To the Board of Supervisors

1. Appellant Information

Name: Diane & Patrick Kelvie

Address: 36 Jennings Lane
Atherton

Phone, W: 949-6422 (Patrick)
H: 364-5950

CA Zip: 94027

2. Appeal Information

Permit Numbers involved: PLN 2000 - 00877

3540 Middlefield Rd #

APN: 060 - 100 - 040

I have read and understood the attached information regarding appeal process and alternatives.

yes

no

I hereby appeal the decision of the:

Staff or Planning Director

Zoning Hearing Officer

Design Review Committee

Planning Commission

Appellant's Signature:

Diane Kelvie / Patrick Kelvie (DK)

Date: August 21, 2001

made on August 2, 2001 to approve/deny the above-listed permit applications.

3. Basis for Appeal

Planning staff will prepare a report based on your appeal. In order to facilitate this, your precise objections are needed. For example: Do you wish the decision reversed? If so, why? Do you object to certain conditions of approval? If so, then which conditions and why?

See Attached

RECEIVED

AUG 21 2001 6:45pm

San Mateo County
Planning Division

3540 Middlefield Road

Basis for Appeal

The conversion of a single-family home to a high-density (approximately 100 persons) institutional use bordering the neighborhood of single-family residences is inconsistent with the desires of the neighbors and detrimental to the quality of life and property values in the area. The property is already overdeveloped and incongruous with the neighboring residences. This existing problem would be severely worsened by the use of the site as a high school. The existing structure dominates the site and is within 10 feet of the residential property lines. The institutional use is nonconforming and should be disallowed.

The mitigation conditions are profoundly inadequate if the nonconforming use is allowed despite the considerable and reasonable objections to the change in use.

- ◆ Ambient noise is not thoroughly addressed. Add the following conditions:
 - No increases to building height.
 - No additions to building or property.
 - Require sound wall (to be located per survey on applicant's property) to be reasonably substantial and aesthetically acceptable to neighbors.
 - Extend sound wall length of St. Anthony's parking lot bordering residences on Jennings Lane. (Increased noise from heavier use of parking area is certain.)
 - Restrict parking to marked stalls and prohibit any within 15 feet of residential property boundaries.
 - Supervise the parking lot during normal times of use, e.g., at beginning and end of school day.
 - Generally, require a plan to mitigate noise satisfactorily and change such plan on an ongoing basis as needed.

- ◆ Control added traffic problems caused by the new use. Add the following requirements:
 - All non-administrative vehicles must be limited to ingress and egress through the St. Anthony's main drives. (The roadway narrows from two to one lanes of traffic at the site, which will cause problems during commute hours when persons are arriving at or leaving the school en mass.)

- ◆ Control loitering. Impose the following:
 - Require parking-lot supervision as noted above.
 - Monitor loitering in neighborhoods and require a plan to address on an ongoing basis.

- ◆ Generally, require that uses be reviewed annually for first several years so problems are not imposed for five years before being revisited.

See attached letter previously submitted.

Patrick and Diane Kelvie
36 Jennings Lane
Atherton, CA 94027
(650) 364-5950

San Mateo County Zoning Officer
Room 101, First Floor
455 County Center
Redwood City, CA

Re: Proposed Use Permit at 3540 Middlefield Road, Redwood City
APN: 060-100-040
File: PLN2000-0087
Owner: Dennis Hommel

Dear Sir or Madam:

We strongly object to the proposed change in use of the above referenced property from a single-family residence to a high school because of the many negative implications that were not considered or not fairly considered.

We are immediate neighbors of the property at issue, sharing a fence that is within only 10 feet or less of the building's roofline. We have young children and have pets, including a dog. Our fence also borders the St. Anthony's property. The institutional property has historically generated a variety of problems, including but not limited to: (a) automobiles breaking the fence, (b) liquor containers, soda bottles, hypodermic syringes, diapers, and other trash being tossed into our yard, (c) persons peering into the yard and climbing over the fence, (d) persons harassing children and tormenting pets, (e) noise at very objectionable hours.

We have constructively worked with the St. Anthony's property to mitigate the problems caused by its visitors. For example, spiny pyracantha shrubs were used as landscaping element against the fence and, at lunchtime, a security guard was placed to keep persons away from the fence area and to discourage persons from doing engaging in some of the more objectionable behaviors. Nonetheless, the institutional use has been a continuing problem.

Converting a contiguous residence to another institutional use would be a serious concern. We speak from the specific experience of living at our residence for 17 years and from previously living immediately next to various schools. Schools in general are poor neighbors compared to residential neighbors. The problems they inflict on the immediate neighborhood degrade nearby residential property values. The problems generated by a high school are the worst of all, and this is true even when a high school is situated more typically in the suburbs, i.e., located on a large campus with considerable setbacks of the buildings from property lines and neighbors.

The proposed use of 3450 Middlefield Road is ill suited to the facility. There are no recreational areas. There is inadequate parking on site. The building is crammed onto the parcel, with no meaningful outdoor space or landscaping buffer to accommodate nearly 100 students and other personnel or to reasonably shield their activities from the neighbors. Additionally, there are no meaningful sound barriers.

The proposed parking at St. Anthony's was not thoughtfully addressed. Based on hard experience, we can expect students congregating in the parking lot before and after school, as well as at other times. The proposed parking is smack against our property line. Now that St. Anthony's has filled and re-graded its parking lot, we can anticipate more persons standing on the berm of the raised parking lot and annoying those in our yard. The loss of privacy is not welcome. Nor do we want the increased trash and other problems that use of the adjoining area will undoubtedly cause. Move the parking and restrict parking to the area immediately adjacent to the rectory? Require security in the parking lot? Build a significant wall (on a pier foundation to minimize damage to the heritage oaks)? The parking must be revisited.

The traffic from the school site must be given better thought. The students who drive will presumably be relatively new drivers. They will need extra skills to navigate the dangerous ingress and egress. Middlefield Road narrows from two to one lanes right at the proposed school. There is no traffic light, nor is one desirable from a traffic or environmental perspective. As well, there is the traffic to consider from those who are chauffeured by parents or others. All these persons will be arriving and departing at nearly the same time. This will make the roadway more of a nuisance than it already is and more dangerous. Maintaining the property as it is zoned would not cause all this peak-time traffic and problems. The adverse impact was not properly evaluated. The proposed mitigation measure falls far short.


In addition to the noise and nuisance issues that can be expected from the parking lot, there is also the considerable, additional ambient noise and problems that can be expected from the boundary between the residences and the proposed school. What will mitigate the noise from nearly 100 people occupying a former single-family residence from spilling to its neighbors? No consideration was given to the change to a high-density use so close to the neighboring properties. The change in land use is profoundly significant, but is not recognized.

We regret that we could not attend in person to discuss the foregoing and a number of other concerns. We ask that the proposed change in use be denied. If that is not the immediate decision, we request that the entire process be re-opened and restarted. There has not been good planning. The Project Planner appears to be no more than an agent to prosecute the application. Better analysis is mandated. Nor have there been good communications. We and other immediate neighbors were not individually consulted throughout this process. The neighborhood does not embrace and does not want the detrimental change in use. A long-term nuisance and mistake is not a benefit to

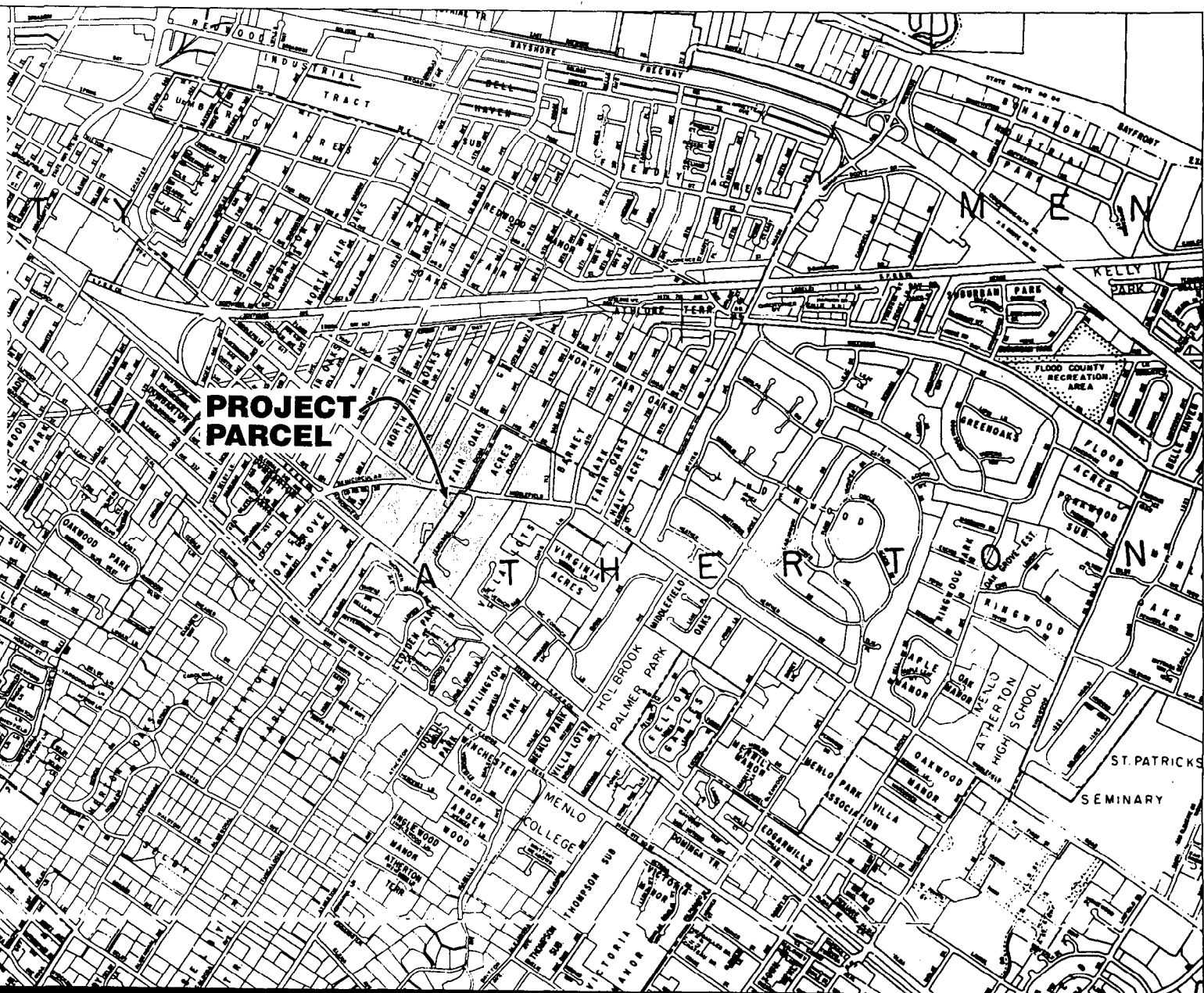
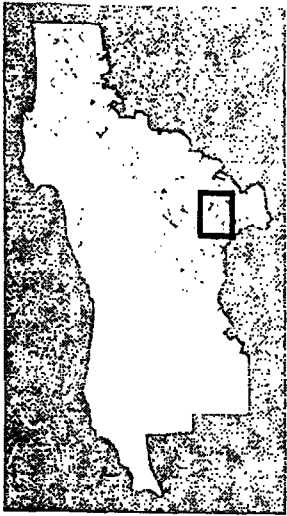
anyone. The poor and inadequate analysis in this instance must be rectified. The proposed Negative Declaration does not withstand scrutiny and must be rejected.

Please feel free to contact us.

Sincerely,


Patrick J. Kelvie


Diane Kelvie



**PROJECT
PARCEL**

37

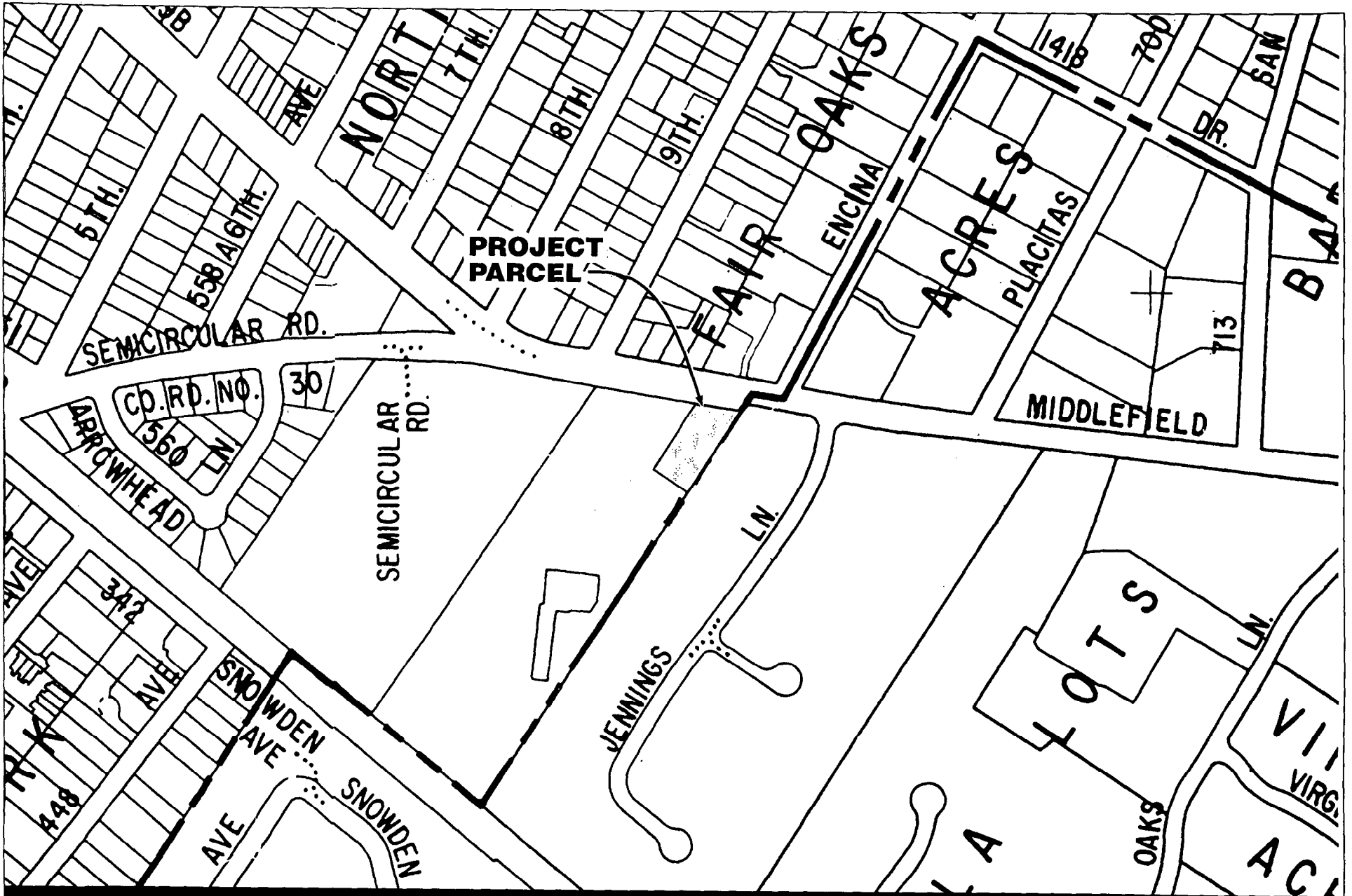
San Mateo County Board of Supervisors Meeting

Applicant: Palo Alto Preparatory School

File Numbers: PLN 2000-00877

Attachment: D.1





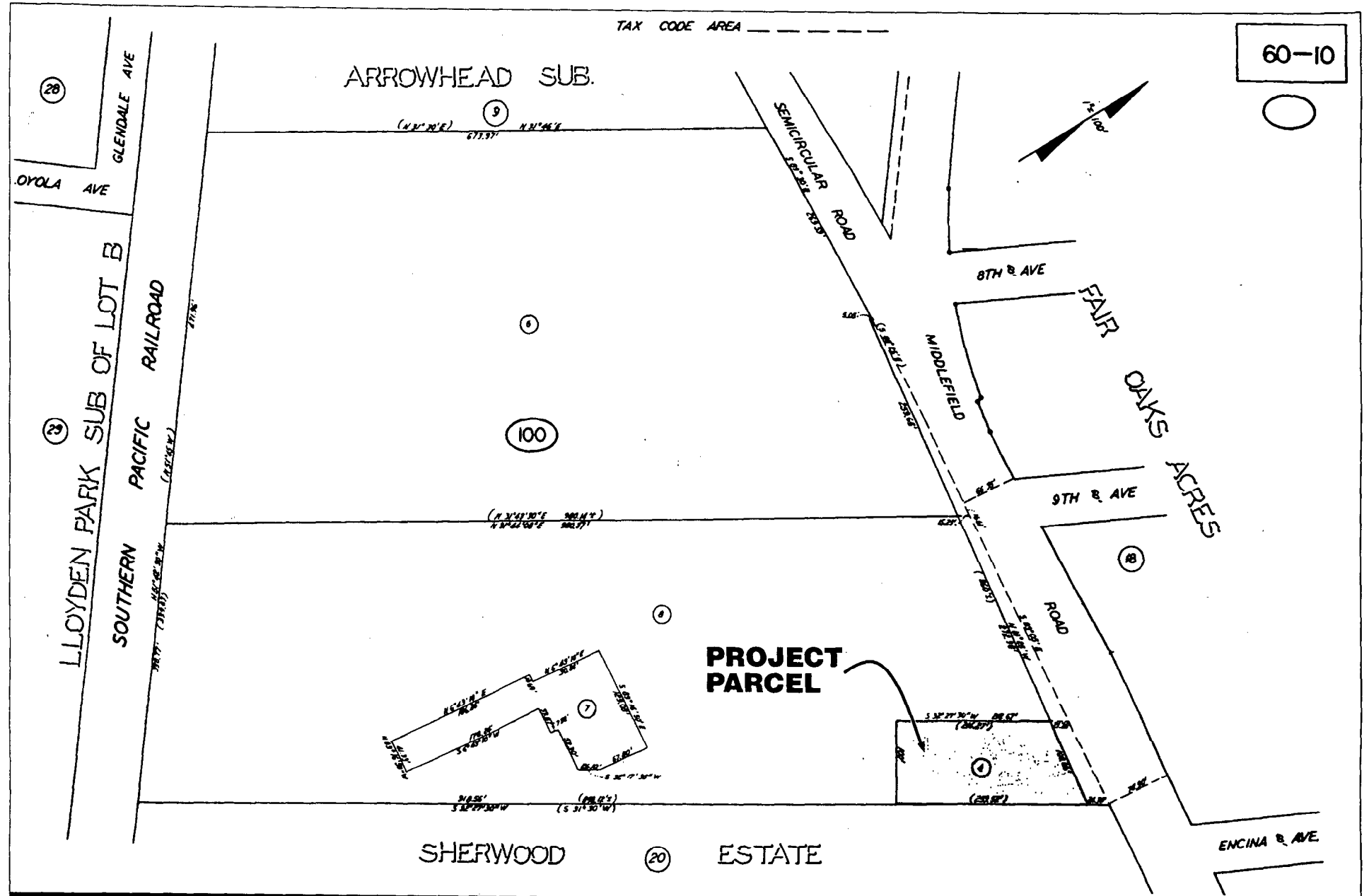
San Mateo County Board of Supervisors Meeting

Applicant: Palo Alto Preparatory School

File Numbers: PLN 2000-00877

Attachment: D.2





60-10



San Mateo County Board of Supervisors Meeting

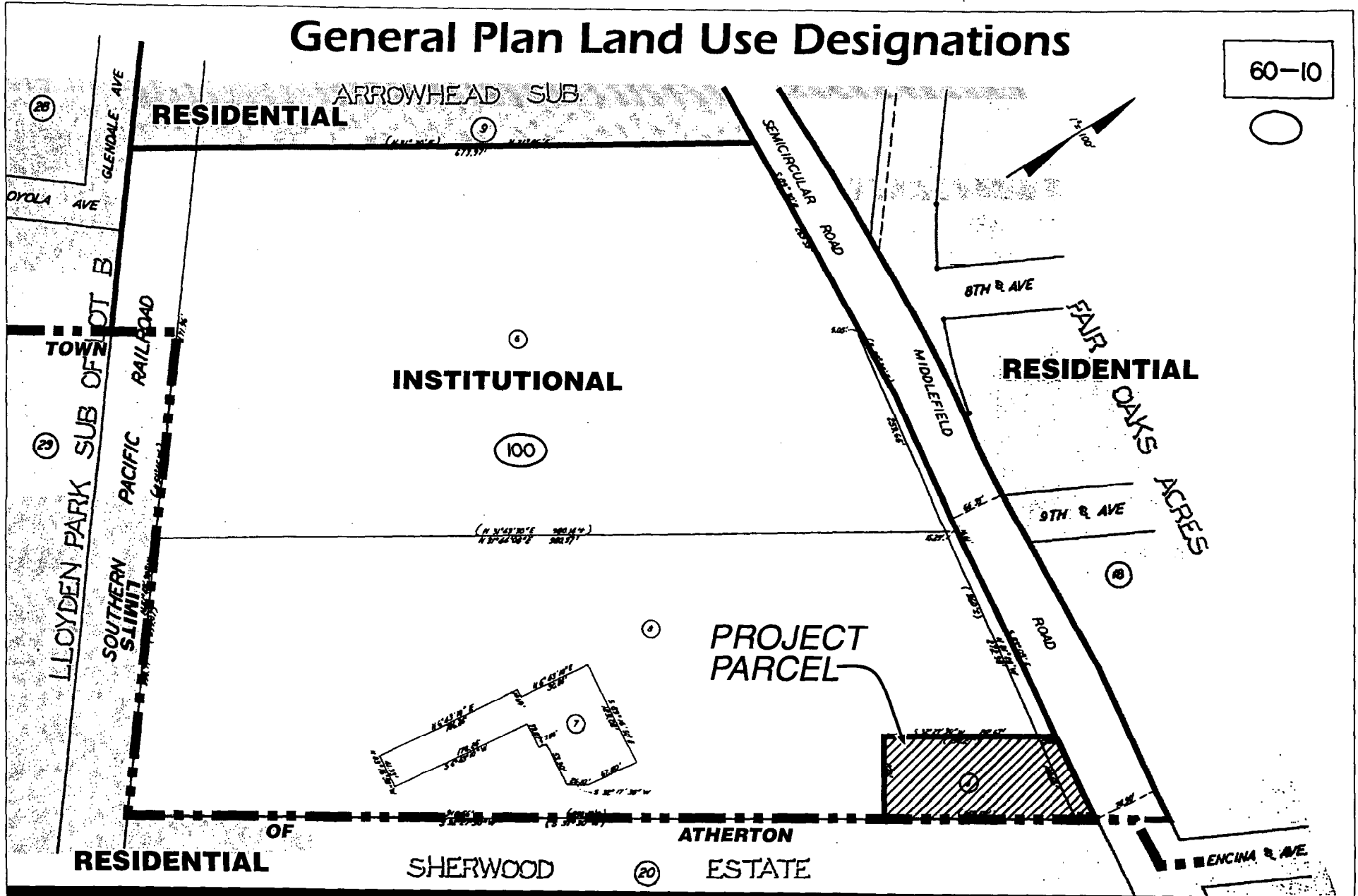
Applicant: Palo Alto Preparatory School

Attachment: D. 3

File Numbers: PLN 2000-00877

General Plan Land Use Designations

60-10



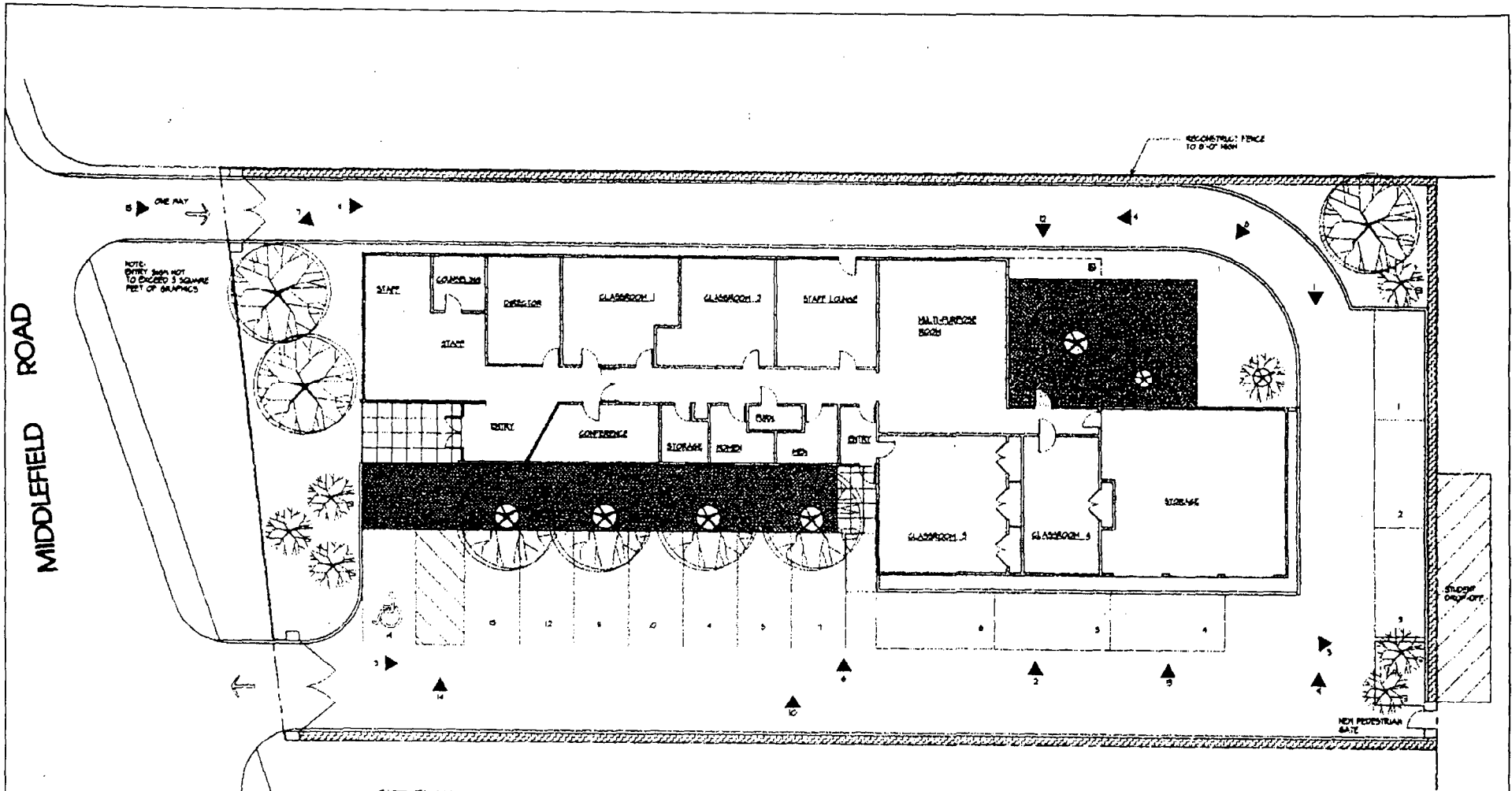
San Mateo County Board of Supervisors Meeting

Applicant: Palo Alto Preparatory School

Attachment: D.4

File Numbers: PLN 2000-00877





NOTE: DRIVE SHIP NOT TO EXCEED 3 SQUARE FEET OF GRAPHICS

SITE PLAN
SCALE: 1" = 10'

LEGEND
 10 → NUMBER OF PHOTOGRAPH AND POINT FROM AND POINT FROM WHICH TAKEN

MIDDLEFIELD ROAD

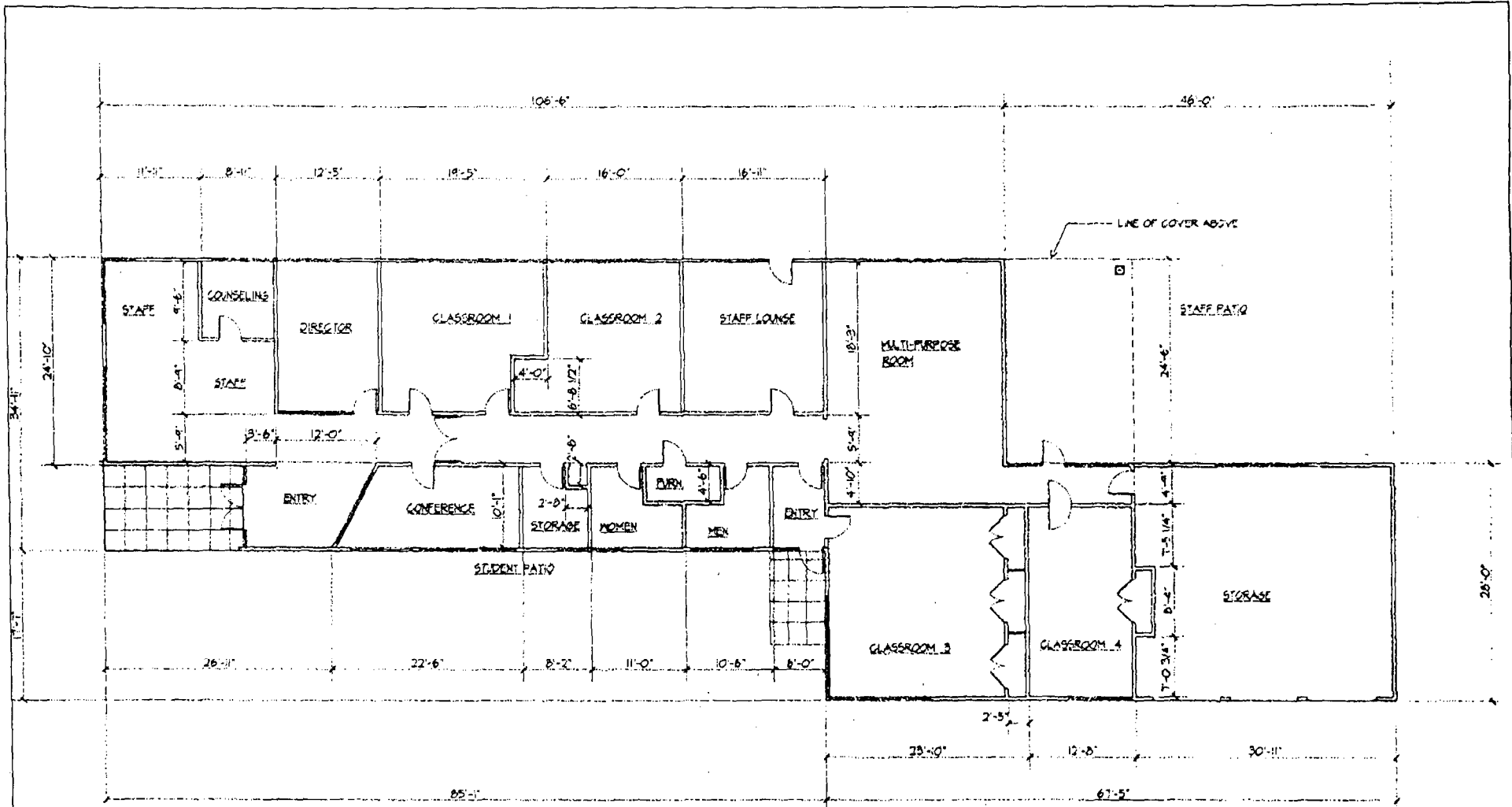
San Mateo County Board of Supervisors Meeting

Applicant: Palo Alto Preparatory School

File Numbers: PLN 2000-00877

Attachment: E





FLOOR PLAN
SCALE: 1/8" = 1'-0"

San Mateo County Board of Supervisors Meeting

Applicant: Palo Alto Preparatory School

Attachment: F

File Numbers: PLN 2000-00877

COUNTY OF SAN MATEO, PLANNING DIVISION

1222100

NEGATIVE DECLARATION

A notice, pursuant to the California Environmental Quality Act of 1970, as amended (Public Resources Code 21,000, et seq.) that the following project: New Non-Profit Preparatory School, when implemented will not have a significant impact on the environment.

FILE NO.: PLN 2000-00877

OWNER: Dennis Hommel

APPLICANT: Palo Alto Preparatory

ASSESSOR'S PARCEL NO.: 060-100-040

FILED ENDORSED
IN THE OFFICE OF THE
COUNTY CLERK RECORDER OF
SAN MATEO COUNTY CALIF

JUN 12 2001

WARREN SLOCUM, County Clerk
By PATRICIA FISCHBACH
DEPUTY CLERK

PROJECT DESCRIPTION AND LOCATION

The Project involves a use permit to operate a private, non-profit preparatory school (grades 9-12) for 60 students located at 3540 Middlefield Road in the unincorporated Menlo Park area of San Mateo County.

FINDINGS AND BASIS FOR A NEGATIVE DECLARATION

The Planning Division has reviewed the initial study for the project and, based upon substantial evidence in the record, finds that:

1. The project will not adversely affect water or air quality or increase noise levels substantially;
2. The project will not have adverse impacts on the flora or fauna of the area;
3. The project will not degrade the aesthetic quality of the area;
4. The project will not have adverse impacts on traffic or land use;
5. In addition, the project will not:
 - a. Create impacts which have the potential to degrade the quality of the environment.
 - b. Create impacts which achieve short-term to the disadvantage of long-term environmental goals.
 - c. Create impacts for a project which are individually limited, but cumulatively considerable;
 - d. Create environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly.

The County of San Mateo has, therefore, determined that the environmental impact of the project is insignificant.

MITIGATION MEASURES included in the project to avoid potentially significant effects:

Mitigation Measure 1: The applicant will be required to restrict the students to the hours of school operation, Monday through Thursday 8:30 a.m. to 3:30 p.m. and Fridays 8:30 a.m. to 1:00 p.m. For any event in the evening, past the normal hours of operation, notice must be sent to owners within 100 feet at least 10 days prior to the event. For any event which would involve the gathering of more than 90 people at any one time, notice shall be sent to owners within 500 feet at least 10 days prior to the event.

Mitigation Measure 2: The applicant shall administer a circulation plan for drop-offs and pick-ups of students on site. The plan should include the potential to use St. Anthony's driveway for both ingress and egress to the site. The plan shall be reviewed by the Planning Division and distributed to all students, parents and faculty of the school.

Mitigation Measure 3: The applicant shall administer a parking sticker program for both students and personnel, and limit the parking to the 26 parking spaces at St. Anthony's and the few spaces on site. A copy of the agreement with St. Anthony's for the 26 parking spaces must be submitted to the Planning Division prior to the issuance of any building permits.

RESPONSIBLE AGENCY CONSULTATION

None.

INITIAL STUDY

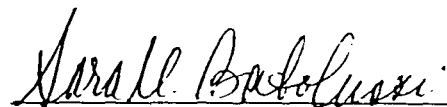
The San Mateo County Planning Division has reviewed the Environmental Evaluation of this project and has found that the probable environmental impacts are insignificant. A copy of the initial study is attached.

REVIEW PERIOD June 12, 2001 to July 2, 2001

All comments regarding the correctness, completeness, or adequacy of this Negative Declaration must be received by the County Planning Division, 455 County Center, Second Floor, Redwood City, no later than 7:00 p.m., July 2, 2001.

CONTACT PERSON

Sara Bortolussi, Project Planner
650/363-1839



Sara Bortolussi, Project Planner

SMB:kcd - SMBL2028_WKH.DOC

County of San Mateo
Planning and Building Division

INITIAL STUDY
ENVIRONMENTAL EVALUATION CHECKLIST
(To Be Completed By Planning Division)

I. **BACKGROUND**

Project Title: New Non-Profit Preparatory School

File No.: PLN 2000-00877

Project Location: 3540 Middlefield Road

Assessor's Parcel No.: 060-100-040

Applicant/Owner: Palo Alto Preparatory/Dennis Hommel

Date Environmental Information Form Submitted: December 13, 2000

PROJECT DESCRIPTION

The Project involves a use permit to operate a private, non-profit preparatory school (grades 9-12) for 60 students located at 3540 Middlefield Road in the unincorporated Menlo Park area of San Mateo County.

45

II. ENVIRONMENTAL ANALYSIS

Any controversial answers or answers needing clarification are explained on an attached sheet. For source, refer to pages 10 and 11.

	IMPACT					SOURCE
	NO	YES				
		Not Significant	Significant Unless Mitigated	Significant	Cumulative	
1. <u>LAND SUITABILITY AND GEOLOGY</u>						
Will (or could) this project:						
a. Involve a unique landform or biological area, such as beaches, sand dunes, marshes, tidelands, or San Francisco Bay?	<u>X</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u>B,F,O</u>
b. Involve construction on slope of 15% or greater?	<u>X</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u>E,I</u>
c. Be located in area of soil instability (subsidence, landslide or severe erosion)?	<u>X</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u>Bc,D</u>
d. Be located on, or adjacent to a known earthquake fault?	<u>X</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u>Bc,D</u>
e. Involve Class I or Class II Agriculture Soils and Class III Soils rated good or very good for artichokes or Brussels sprouts?	<u>X</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u>M</u>
f. Cause erosion or siltation?	<u>X</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u>M,I</u>
g. Result in damage to soil capability or loss of agricultural land?	<u>X</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u>A,M</u>
h. Be located within a flood hazard area?	<u>X</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u>G</u>
i. Be located in an area where a high water table may adversely affect land use?	<u>X</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u>D</u>
j. Affect a natural drainage channel or streambed, or watercourse?	<u>X</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u>E</u>
2. <u>VEGETATION AND WILDLIFE</u>						
Will (or could) this project:						
a. Affect federal or state listed rare or endangered species of plant life in the project area?	<u>X</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u>F</u>

	IMPACT					SOURCE
	NO	YES				
		Not Significant	Significant Unless Mitigated	Significant	Cumulative	
b. Involve cutting of heritage or significant trees as defined in the County Heritage Tree and Significant Tree Ordinance?	<u>X</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u>I,A</u>
c. Be adjacent to or include a habitat food source, water source, nesting place or breeding place for a federal or state listed rare or endangered wildlife species?	<u>X</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u>F</u>
d. Significantly affect fish, wildlife, reptiles, or plant life?	<u>X</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u>I</u>
e. Be located inside or within 200 feet of a marine or wildlife reserve?	<u>X</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u>E,F,O</u>
f. Infringe on any sensitive habitats?	<u>X</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u>F</u>
g. Involve clearing land that is 5,000 sq. ft. or greater (1,000 sq. ft. within a County Scenic Corridor), that has slopes greater than 20% or that is in a sensitive habitat or buffer zone?	<u>X</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u>I,F,Bb</u>
3. <u>PHYSICAL RESOURCES</u>						
Will (or could) this project:						
a. Result in the removal of a natural resource for commercial purposes (including rock, sand, gravel, oil, trees, minerals or top soil)?	<u>X</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u>I</u>
b. Involve grading in excess of 150 cubic yards?	<u>X</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u>I</u>
c. Involve lands currently protected under the Williamson Act (agricultural preserve) or an Open Space Easement?	<u>X</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u>I</u>
d. Affect any existing or potential agricultural uses?	<u>X</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u>A,K,M</u>

	IMPACT					SOURCE
	NO	YES				
		Not Significant	Significant Unless Mitigated	Significant	Cumulative	
4. AIR QUALITY, WATER QUALITY, SONIC						
Will (or could) this project:						
a. Generate pollutants (hydrocarbon, thermal odor, dust or smoke particulates, radiation, etc.) that will violate existing standards of air quality on site or in the surrounding area?	<u> X </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> I,N,R </u>
b. Involve the burning of any material, including brush, trees and construction materials?	<u> X </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> I </u>
c. Be expected to result in the generation of noise levels in excess of those currently existing in the area, after construction?	<u> </u>	<u> X </u>	<u> </u>	<u> </u>	<u> </u>	<u> Ba,I </u>
d. Involve the application, use or disposal of potentially hazardous materials, including pesticides, herbicides, other toxic substances, or radioactive material?	<u> X </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> I </u>
e. Be subject to noise levels in excess of levels determined appropriate according to the County Noise Ordinance or other standard?	<u> X </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> A,Ba,Bc </u>
f. Generate noise levels in excess of levels determined appropriate according to the County Noise Ordinance standard?	<u> </u>	<u> X </u>	<u> </u>	<u> </u>	<u> </u>	<u> I </u>
g. Generate polluted or increased surface water runoff or affect groundwater resources?	<u> X </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> I </u>
h. Require installation of a septic tank/leachfield sewage disposal system or require hookup to an existing collection system which is at or over capacity?	<u> X </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> S </u>

	IMPACT					SOURCE
	NO	YES				
		Not Significant	Significant Unless Mitigated	Significant	Cumulative	
5. <u>TRANSPORTATION</u>						
Will (or could) this project:						
a. Affect access to commercial establishments, schools, parks, etc.?	X					A,I
b. Cause noticeable increase in pedestrian traffic or a change in pedestrian patterns?			X			A,I
c. Result in noticeable changes in vehicular traffic patterns or volumes (including bicycles)?			X			I
d. Involve the use of off-road vehicles of any kind (such as trail bikes)?	X					I
e. Result in or increase traffic hazards?			X			S
f. Provide for alternative transportation amenities such as bike racks?	X					I
g. Generate traffic which will adversely affect the traffic carrying capacity of any roadway?		X				S
6. <u>LAND USE AND GENERAL PLANS</u>						
Will (or could) this project:						
a. Result in the congregating of more than 50 people on a regular basis?			X			I
b. Result in the introduction of activities not currently found within the community?	X					I
c. Employ equipment which could interfere with existing communication and/or defense systems?	X					I

	IMPACT					SOURCE
	NO	YES				
		Not Significant	Significant Unless Mitigated	Significant	Cumulative	
d. Result in any changes in land use, either on or off the project site?	_____	<u> X </u>	_____	_____	_____	<u> I </u>
e. Serve to encourage off-site development of presently undeveloped areas or increase development intensity of already developed areas (examples include the introduction of new or expanded public utilities, new industry, commercial facilities or recreation activities)?	<u> X </u>	_____	_____	_____	_____	<u> I,Q,S </u>
f. Adversely affect the capacity of any public facilities (streets, highways, freeways, public transit, schools, parks, police, fire, hospitals), public utilities (electrical, water and gas supply lines, sewage and storm drain discharge lines, sanitary landfills) or public works serving the site?	<u> X </u>	_____	_____	_____	_____	<u> I,S </u>
g. Generate any demands that will cause a public facility or utility to reach or exceed its capacity?	<u> X </u>	_____	_____	_____	_____	<u> I,S </u>
h. Be adjacent to or within 500 feet of an existing or planned public facility?	<u> X </u>	_____	_____	_____	_____	<u> A </u>
i. Create significant amounts of solid waste or litter?	_____	<u> X </u>	_____	_____	_____	<u> I </u>
j. Substantially increase fossil fuel consumption (electricity, oil, natural gas, coal, etc.)?	<u> X </u>	_____	_____	_____	_____	<u> I </u>
k. Require an amendment to or exception from adopted general plans, specific plans, or community policies or goals?	<u> X </u>	_____	_____	_____	_____	<u> B </u>
l. Involve a change of zoning?	<u> X </u>	_____	_____	_____	_____	<u> C </u>
m. Require the relocation of people or businesses?	<u> X </u>	_____	_____	_____	_____	<u> I </u>
n. Reduce the supply of low-income housing?	<u> X </u>	_____	_____	_____	_____	<u> I </u>

	IMPACT					SOURCE
	NO	YES				
		Not Significant	Significant Unless Mitigated	Significant	Cumulative	
o. Result in possible interference with an emergency response plan or emergency evacuation plan?	<u>X</u>	_____	_____	_____	_____	<u>S</u>
p. Result in creation of or exposure to a potential health hazard?	<u>X</u>	_____	_____	_____	_____	<u>S</u>
7. AESTHETIC, CULTURAL AND HISTORIC						
Will (or could) this project:						
a. Be adjacent to a designated Scenic Highway or within a State or County Scenic Corridor?	<u>X</u>	_____	_____	_____	_____	<u>A,Bb</u>
b. Obstruct scenic views from existing residential areas, public lands, public water body, or roads?	<u>X</u>	_____	_____	_____	_____	<u>A,I</u>
c. Involve the construction of buildings or structures in excess of three stories or 36 feet in height?	<u>X</u>	_____	_____	_____	_____	<u>I</u>
d. Directly or indirectly affect historical or archaeological resources on or near the site?	<u>X</u>	_____	_____	_____	_____	<u>H</u>
e. Visually intrude into an area having natural scenic qualities?	<u>X</u>	_____	_____	_____	_____	<u>A,I</u>

III. **RESPONSIBLE AGENCIES.** Check what agency has permit authority or other approval for the project.

AGENCY	YES	NO	TYPE OF APPROVAL
U.S. Army Corps of Engineers (CE)		<u>X</u>	
State Water Resources Control Board		<u>X</u>	
Regional Water Quality Control Board		<u>X</u>	
State Department of Public Health		<u>X</u>	
San Francisco Bay Conservation and Development Commission (BCDC)		<u>X</u>	

AGENCY	YES	NO	TYPE OF APPROVAL
U.S. Environmental Protection Agency (EPA)		X	
County Airport Land Use Commission (ALUC)		X	
CalTrans		X	
Bay Area Air Quality Management District		X	
U.S. Fish & Wildlife Service		X	
Coastal Commission		X	
City		X	
Sewer/Water District:		X	
Other:		X	

52
IV. MITIGATION MEASURES

Mitigation measures have been proposed in project application.

Yes No
 X

Other mitigation measures are needed.

 X

The following measures are included in the project plans or proposals pursuant to Section 15070(b)(1) of the State CEQA Guidelines:

Mitigation Measure 1: The applicant will be required to restrict the students to the hours of school operation, Monday through Thursday 8:30 a.m. to 3:30 p.m. and Fridays 8:30 a.m. to 1:00 p.m. For any event in the evening, past the normal hours of operation, notice must be sent to owners within 100 feet at least 10 days prior to the event. For any event which would involve the gathering of more than 90 people at any one time, notice shall be sent to owners within 500 feet at least 10 days prior to the event.

Mitigation Measure 2: The applicant shall administer a circulation plan for drop-offs and pick-ups of students on site. The plan should include the potential to use St. Anthony's driveway for both ingress and egress to the site. The plan shall be reviewed by the Planning Division and distributed to all students, parents and faculty of the school.

Mitigation Measure 3: The applicant shall administer a parking sticker program for both students and personnel, and limit the parking to the 26 parking spaces at St. Anthony's and the few spaces on site. A copy of the agreement with St. Anthony's for the 26 parking spaces must be submitted to the Planning Division prior to the issuance of any building permits.

V. MANDATORY FINDINGS OF SIGNIFICANCE

	Yes	No
1. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal, or eliminate important examples of the major periods of California history or prehistory?	_____	<u> X </u>
2. Does the project have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals?	_____	<u> X </u>
3. Does the project have possible environmental effects which are individually limited, but cumulatively considerable?	_____	<u> X </u>
4. Would the project cause substantial adverse effects on human beings, either directly or indirectly?	_____	<u> X </u>

On the basis of this initial evaluation:

_____ I find the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared by the Planning Division.

 X I find that although the proposed project could have a significant effect on the environment, there WILL NOT be a significant effect in this case because of the mitigation measures in the discussion have been included as part of the proposed project. A NEGATIVE DECLARATION will be prepared.

_____ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

Sara L. Bortolussi
Sara Bortolussi

Project Planner
(Title)

6/7/01
Date

53

VI. SOURCE LIST

- A. Field Inspection
- B. County General Plan 1986
 - a. General Plan Chapters 1-16
 - b. Local Coastal Program (LCP) (Area Plan)
 - c. Skyline Area General Plan Amendment
 - d. Montara-Moss Beach-El Granada Community Plan
 - e. Emerald Lake Hills Community Plan
- C. County Ordinance Code
- D. Geotechnical Maps
 - 1. USGS Basic Data Contributions
 - a. #43 Landslide Susceptibility
 - b. #44 Active Faults
 - c. #45 High Water Table
 - 2. Geotechnical Hazards Synthesis Maps
- E. USGS Quadrangle Maps, San Mateo County 1970 Series (See F. and H.)
- F. San Mateo County Rare and Endangered Species Maps, or Sensitive Habitats Maps
- G. Flood Insurance Rate Map - National Flood Insurance Program
- H. County Archaeologic Resource Inventory (Prepared by S. Dietz, A.C.R.S.) Procedures for Protection of Historic and Cultural Properties--36 CFR 800 (See R.)
- I. Project Plans or EIF
- J. Airport Land Use Committee Plans, San Mateo County Airports Plan
- K. Aerial Photography or Real Estate Atlas – REDI
 - 1. Aerial Photographs, 1941, 1953, 1956, 1960, 1963, 1970
 - 2. Aerial Photographs, 1981
 - 3. Coast Aerial Photos/Slides, San Francisco County Line to Ano Nuevo Point, 1971
 - 4. Historic Photos, 1928-1937
- .. Williamson Act Maps

- M. Soil Survey, San Mateo Area, U.S. Department of Agriculture, May 1961
- N. Air Pollution Isopleth Maps - Bay Area Air Pollution Control District
- O. California Natural Areas Coordinating Council Maps (See F. and H.)
- P. Forest Resources Study (1971)
- Q. Experience with Other Projects of this Size and Nature
- R. Environmental Regulations and Standards:

Federal	- Review Procedures for CDBG Programs	24 CFR Part 58
	- NEPA 24 CFR 1500-1508	
	- Protection of Historic and Cultural Properties	36 CFR Part 800
	- National Register of Historic Places	
	- Floodplain Management	Executive Order 11988
	- Protection of Wetlands	Executive Order 11990
	- Endangered and Threatened Species	
	- Noise Abatement and Control	24 CFR Part 51B
	- Explosive and Flammable Operations	24 CFR 51C
	- Toxic Chemicals/Radioactive Materials	HUD 79-33
	- Airport Clear Zones and APZ	24 CFR 51D
State	- Ambient Air Quality Standards	Article 4, Section 1092
	- Noise Insulation Standards	

S. Consultation with Departments and Agencies:

- a. County Health Department
- b. City Fire Department
- c. California Department of Forestry
- d. Department of Public Works
- e. Disaster Preparedness Office
- f. Other

SMB:kcd - SMBL2027_WKH.DOC
 CPD FORM A-ENV-30
 FRN00018.DOC (8/4/1999)

COUNTY OF SAN MATEO
Environmental Services Agency
Planning and Building Division

Initial Study Pursuant to CEQA
Project Narrative and Answers to Questions for the Negative Declaration
File Number: PLN 2000-00877
New Non-Profit Preparatory School

PROJECT DESCRIPTION

The Project involves a use permit to operate a private, non-profit preparatory school (grades 9-12) for 60 students located at 3540 Middlefield Road in the unincorporated Menlo Park area of San Mateo County.

ANSWERS TO QUESTIONS

4. **AIR QUALITY, WATER QUALITY, SONIC**

- c. Will (or could) this project be expected to result in the generation of noise levels in excess of those currently existing in the area, after construction?
- f. Will (or could) this project generate noise levels in excess of levels determined appropriate according to the County Noise Ordinance standard?

Yes; Significant Unless Mitigated. The project does not involve any construction as the intended non-profit preparatory school is proposing to operate within an existing single-family residence. However, the noise levels produced by 75 students plus 18 teachers and staff will generate noise levels in excess of what is currently generated. It is not clear as to whether or not the new school will generate noise levels in excess of levels appropriate according to the County Noise Ordinance standard. Most of the classroom instruction will take place within the confines of the structure, thus reducing some of the noise impacts. The school proposes to take the students off site for Physical Education, which shall reduce any outside noise levels. The school proposes to have an area outside for the students and faculty to eat lunch, thus resulting in greater noise during the lunchtime period. There will be no bells indicating the start or end of instruction. The students are responsible for keeping track of their time. The applicant will be required to restrict the majority of students to the hours of school operation, Monday through Thursday 9:00 a.m. to 3:00 p.m. and Fridays 9:00 a.m. to 12:30 p.m. It is understandable to allow the teachers on site both prior and after school is in session. Any evening activities planned are required to be noticed to neighbors within 500 feet of the site a minimum of 10 days prior to the event or meeting.

Mitigation Measure 1: The applicant will be required to restrict the students to the hours of school operation, Monday through Thursday 8:30 a.m. to 3:30 p.m. and Fridays 8:30 a.m. to 1:00 p.m. For any event in the evening, past the normal hours of operation, notice must be sent to owners within 100 feet at least 10 days prior to the

event. For any event which would involve the gathering of more than 90 people at any one time, notice shall be sent to owners within 500 feet at least 10 days prior to the event.

5. TRANSPORTATION

- b. Will (or could) this project cause noticeable increase in pedestrian traffic or a change in pedestrian patterns?
- c. Will (or could) this project result in noticeable changes in vehicular traffic patterns or volumes (including bicycles)?
- e. Will (or could) this project result in or increase traffic hazards?

Yes; Significant Unless Mitigated. The project is for a non-profit preparatory school, which holds approximately 75 students. With 75 students plus an additional 18 faculty and staff, there will be a noticeable change in both pedestrian and vehicular traffic. Located adjacent is Saint Anthony's Church, who has agreed to allow the Palo Alto Preparatory School to use the Church's driveway for ingress and egress for both students and parent drop-offs. The site's driveway will only be utilized by administrative staff and visitors to the site. St. Anthony's has also agreed to lease the school approximately 26 parking spaces for use during school hours and for special events. The applicant has indicated that a majority of the students do carpool with other students and quite a few are dropped off by parents, thus reducing the number of cars that will need to park on or near the site. The neighborhood, in addition to the applicant, is concerned about additional cars parking within the surrounding neighborhood. To address this concern, the school intends to administer a parking sticker program limiting school parking to designated spaces at St. Anthony's. Unauthorized parking within the neighborhood can be identified by the neighborhood and action will be taken by the school administrators.

Mitigation Measure 2: The applicant shall administer a circulation plan for drop-offs and pick-ups of students on site. The plan should include the potential to use St. Anthony's driveway for both ingress and egress to the site. The plan shall be reviewed by the Planning Division and distributed to all students, parents and faculty of the school.

Mitigation Measure 3: The applicant shall administer a parking sticker program for both students and personnel, and limit the parking to the 26 parking spaces at St. Anthony's and the few spaces on site. A copy of the agreement with St. Anthony's for the 26 parking spaces must be submitted to the Planning Division prior to the issuance of any building permits.

- g. **Will (or could) this project generate traffic which will adversely affect the traffic carrying capacity of any roadway?**

Yes; Not Significant. The traffic counts conducted by the San Mateo County Public Works Department regarding traffic on Middlefield Road indicate that the road is not yet at its capacity. The additional vehicles that the school use will generate will not result in Middlefield Road reaching its capacity. The applicant will be required to administer a circulation plan and parking plans for use by the students, parents and faculty of the school.

6. **LAND USE AND GENERAL PLANS**

- a. **Will (or could) this project result in the congregating of more than 50 people on a regular basis?**

Yes; Significant Unless Mitigated. There will be the congregation of more than 50 people, as there are between 60 and 75 students enrolled plus an additional 18 faculty and staff members who will be at the project site Monday through Friday. Mitigation measures such as a parking and circulation plan are necessary for the organization of 60-70 people. In addition, the hours of operation should be adhered to at all times by everyone associated with the school.

Mitigation Measure: See mitigation measures above.

- d. **Will (or could) this project result in any changes in land use, either on or off the project site?**

Yes; Not Significant. The existing land use for this site is a residential use. The applicant proposes to convert the existing residence into a non-profit preparatory school. The land use is changing on site, however, while the neighborhood is predominantly residential, St. Anthony's is located to the rear of the site. The change in land use is not a significant change. No mitigation is required.

- i. **Will (or could) this project create significant amounts of solid waste or litter?**

Yes; Not Significant. A school use, whereby 60 students plus 6 to 8 faculty are present Monday through Friday, has the potential to create an increase in solid waste and litter in comparison to a single-family residence. The amount, however, will not be significant. With a regular trash pick-up, the waste should not be an issue.

Environmental Services Agency



Planning and Building Division

County of San Mateo

Mail Drop PLN 122 • 455 County Center • 2nd Floor • Redwood City
California 94063 • www.co.sanmateo.ca.us/planning • plngbldg@co.sanmateo.ca.us

Board of Supervisors
Mark Church
Richard S. Gordon
Jerry Hill
Rose Jacobs Gibson
Michael D. Nevin

Marcia Raines
Director

Terry Burnes
Planning Administrator

650/363-4161
Fax 650/363-4849

March 14, 2001

Attn: Christopher Keck, Director
Palo Alto Preparatory School
4000 Middlefield Road, Suite H-2
Palo Alto, California 94303

Dear Mr. Keck:

SUBJECT: Summary of Comments received at Public Workshop held on January 24, 2001
County File Number: PLN 2000-00877; APN 060-100-040

Thank you for your preparedness and participation in the workshop held on January 24, 2001, for a non-profit preparatory school (Grades 9-12) for a maximum of 70 students to be established on a 20,000 sq. ft. parcel developed with a 5,500 sq. ft. 1-story building located at 3540 Middlefield Road in the North Fair Oaks area of the unincorporated portion of Redwood City. The information given out and the comments received were, I believe, invaluable to foster the necessary understanding from those who live in the surrounding community as this process continues. The purpose of this letter is to summarize the comments received at the public workshop, and the school's response to those comments. Following each question or comment is your response, both at the meeting and subsequent to discussions with County staff. Each response may be followed by a draft condition that your school feels will mitigate and/or address the specific issues.

ISSUES REGARDING THE OPERATION OF THE SCHOOL

1. **What is the typical school day?**

Mondays – Thursdays: 9:00 a.m. – 3:00 p.m.
Fridays: 9:00 a.m. – 12:30 p.m.

2. **Do the students go through some type of screening process for admission into the school?**

Yes, the students are screened academically, interviewed, and are required to sit in on class sessions prior to admission.

3. **How does the school deal with behavior problem kids?**

The students are accountable for themselves and can be restricted and ultimately expelled for unacceptable behavior. Unlike a public school, student attendance at the Palo Alto

Preparatory School is discretionary, and student expulsion does not involve a long drawn out process.

4. **What is the crime rate at the existing school site?**

No police has ever been called on our students, other than the school calling the police for student smoking on campus, which is prohibited.

5. **What would the current neighbors say if asked about your current operation?**

We have had excellent relations with other tenants at the Cubberly Center, and with residents and commercial neighbors around the Cubberly site. Any reports of misbehavior from our students result in making that site off limits for all students for a time certain. This has occurred on a couple of occasions at neighboring commercial establishments.

6. **Are there any afterschool or weekend activities on site?**

None, other than parent/teacher conferences and limited special events that are typically scheduled six to nine nights a year.

7. **How long is the lunch period?**

The lunch period is 45 minutes long.

8. **Are there any bells utilized?**

No, the kids rely on watches.

9. **Are radios allowed on campus?**

No, only walkmans are allowed.

10. **The market located near the existing school site has banned your students in the past from their store. Can you explain?**

The market did not initiate the ban. The school did. The market's manager and the school have an agreement that if the students behave inappropriately, I will ban all the students from the store for a designated period of time.

11. **What will happen if you, Chris Keck, move on? What will hold your successor from making changes and operating differently?**

I am an employee of the school and am answerable to our Board of Directors, who not only establishes the policies and philosophy of the school, but ensures that the school's policies and philosophy are adhered to by all of the school's employees.

12. **Will a closed campus policy impact the philosophy of the school?**

We would be willing to adopt this policy if the County considers it essential to the approval process. We feel there are other mechanisms which can assure that no students will be in the neighboring residential areas, however, such as parking sticker requirements and providing a separate outdoor lunch area for students.

13. **What is the yearly tuition?**

The yearly tuition is \$11,000.00.

14. **What type of qualifications do your teachers hold?**

The teachers hold teacher's credentials and higher degrees.

ISSUES REGARDING THE OPERATION OF THE SCHOOL AT THE NEW SITE

15. **How would you compare the existing location and this location?**

Existing Location	This Location
Fields for P.E.	No proposed P.E. Classes at this location. P.E. Classes will be at "Rikis" on Edison via a 20-person van
Full size (dimensions) classrooms are oversized for PA Prep's smaller (10 students) classes	The dimensions of the new classrooms are smaller and more appropriate and proportional to our small class size
Cramped quarters	Spacious interior, closer relationship to the immediate neighborhood
80 other non-profit and school organizations on-site creates greater demand on parking space	Contained facility with high accountability to neighborhood, greater nearby parking at Saint Anthony's

16. **One concerned neighbor familiar with the school's existing location asked how could this location be a "better" location?**

The existing location is 3,000 sq. ft. older classroom facility. This location has over 5,000 sq. ft. of interior space, which is 60 percent more space available for classroom and program activities. In addition, the new facility has a commercial kitchen for food preparation, and will contain separate outdoor eating areas for students and teachers.

17. **What is the expansion possibility of the facility?**

The facility under the building code has an occupancy load of 141 occupants, which would not require any discretionary permits, however, an expansion greater than what is allowed under the approved use permit would require a public hearing to amend the use permit.

18. What is the future for the school?

The school does not want significant growth. This defeats the purpose of this school, which is specifically designed with small classes and a small school population. For the past five years, the average school population has fluctuated between 50 to 60 students.

19. Are there fields available at St. Anthony's for P.E?

It is our intention to provide scheduled outdoor field activities at the Rikis Center.

20. Is there a workshop proposed in the 3-car garage?

No, no workshop equipped with power tools is being proposed and the space will remain as a garage or be used for a technology center.

21. The most adjacent residential neighbors are concerned with the impacts; specifically will the fence, which varies from a height of 5 feet to 8 feet, be upgraded?

Yes, if upgrading the fence will mitigate any impacts to neighbors. Note: The site plan submitted shows a new 8-foot wall along the southerly property line of the school and the area to be leased from Saint Anthony's for parking purposes.

22. What is the target starting date of operation if the use permit is approved?

The first session would begin this summer (July through August).

23. Although you, Chris Keck, find this location an optimal site, would your students find this site suitable?

We think our students will find this a very desirable site.

24. Is the existing patio going to be used?

Yes, we do intend to use the patio. If noise is an issue, we are willing to look into installing a sound wall to mitigate potential noise. We could also mitigate the noise by designating the existing patio for staff use only since a new patio area that could be used for the students is being proposed along the north side of the building. Note: Site plans submitted by the school show a new wall to mitigate sound and a separate patio area for student use on the other side of the building, away from adjacent residences.

25. What will happen if the students cross over the fence due to the existing gaps in the fence?

We are willing to look into the possibility of upgrading the existing fence between this property and the adjacent residential properties. Note: A new solid 8-foot wall is proposed.

26. What type of activity is being proposed along the driveway?

None, other than access. Most of the activities will occur on the north side of the building.
Note: Subsequent to the meeting, the Palo Alto Preparatory School discussed using the Saint Anthony's Church driveway entrance and egress for all students driving to school, and parent drop-off. The school site driveway will only be used for administrative staff and visitors to the site.

27. Will the gates be secured?

Yes, the gates at both entrances will be replaced with a security type gate in order to secure and enhance the appearance of the property. A pedestrian gate will also be installed at the rear of the property in order to allow for students and parents who are parking on the Saint Anthony's site to enter during school hours.

28. How will the school approach recourse? In other words, if we have complaints or issues, how do we air them? What type of forum would this involve?

I as Director, and all of the school personnel, will be available to neighbors on an as-needed basis to deal with issues that arise. In addition, the school is quite willing to hold one or more community forums during the year on-site to discuss any issues that may arise from school operations or student behavior.

29. Will there be a caretaker on the premises?

Not after school hours or on weekends.

30. How long did it take you to find this site? Is this the only site you have found?

The school has been actively looking for a new location for the last five years, and this site is the best located and most suitable for conversion to a school of any site we have seen.

31. Based on the move, will the school's name change?

That has not yet been considered by the Board, and honestly has not crossed our minds.

32. Will there be a sign?

We currently do not have a sign at our school site now. We do not have a need for a sign for advertising. If any at all, we would only have a "small" sign to identify the school. Most, if not all, of our marketing is through the word of mouth. Note: Plans submitted to the County show a small sign to be placed on the front property line, the design of which can be reviewed by interested neighbors prior to its placement.

33. Have you spoken with the priest at St. Anthony's? And, if so, what was his response?

Yes, we did speak with Father James and he thought it was an appropriate site, and the church has written a letter endorsing our use of this site for the Palo Alto Preparatory School.

The church has also agreed to lease the school 26 parking spaces at the rear of the site for special event and student parking.

34. **Are you not concerned with bringing the kids next to the elements associated with St. Anthony's?**

No.

35. **A comment was made that whoever locates at this site will impact, whether good or bad, the single-family home values of the adjacent properties.**

We believe the school will be an asset to the community, and will have no negative impact on the value of single-family homes in the area.

ISSUES REGARDING TRAFFIC AND PARKING

36. **How is the parking issue going to be addressed with the potential of 70 vehicles? The concerned neighbors agree that the existing parking conditions are terrible and are afraid that this use will burden this situation.**

Statistically, most parents and students carpool. Additionally, a signed agreement has been made with St. Anthony's for 26 additional parking spaces. The potential over spill onto streets can be restricted by designating the Saint Anthony's spaces only for parent drop-off and student parking. Note: The school intends to administer a parking sticker program for students and personnel so that any unauthorized parking can be readily identified by neighbors, and appropriate action can be taken by the school administrators.

37. **How is the access and circulation going to work?**

There is going to be one way into the site and one way out of the site. Note: The school is working with Saint Anthony's to allow ingress and egress for parent drop-off and student parking via the Saint Anthony's driveway on Middlefield Road. This would reduce the ingress and egress directly to the site to the school's administrators and teachers (6-8) and visitors to the site.

38. **When the agreement with St. Anthony's expires, the kids are going to be parking on the street.**

There is no expiration on the agreement with St. Anthony's for use of the 26 parking spaces. In addition, driving to school is a privilege and, therefore, enforceable, and revocable by the school administration.

39. **There will be a lot more traffic, which will further impact a sensitive situation.**

Note: Public Works explained the cause of the current congestion. Due to the current Public Works construction, the traffic signals are not on detectors and are causing a lot of the congestion. The underpass and related work would not be completed for another six to eight months, which will be followed by the Middlefield improvements. So the current situation

would not improve for some time, and is unrelated to the school. Traffic related to the school use is not significant in comparison to existing traffic on Middlefield Road, which has declined from a high of 17,000 average daily trips in 1997 to 11,000 average daily trips in March 2000. Such declines are most likely due to the construction of the Fifth Avenue underpass. Note: Subsequent discussions with Saint Anthony's to allow ingress and egress to the leased parking area will significantly reduce the number of left turns necessary on Middlefield Road to enter the site.

40. Where is the closest public transportation stop?

The closest bus stop is in on Middlefield Road in front of St. Anthony's Church.

41. Traffic movement should be considered in the environmental review stage of this project.

Staff will be preparing an environmental assessment of the project in conjunction with the use permit. Such an assessment will contain traffic mitigation measures.

42. The traffic counts appear low, specifically, heading north in the afternoon.

Public Works interprets these counts to be "busy," but consistent with an arterial such as Middlefield Road.

43. Will there be anything incorporated to mitigate any parking impact onto the residential streets?

Subsequent to the completion of the Middlefield Road improvement project, signs will be posted to prohibit parking on both sides of Middlefield Road. Note: School-related parking will only be located on-site, and on the 26 leased spaces located on Saint Anthony's. Monitoring school parking will be done via the parking sticker program described above.

44. It would be a better traffic flow pattern if parents dropping and picking up kids could take El Camino to Fifth or Semi-Circular to Middlefield heading south. This would alleviate the need to turn left on the northbound side of Middlefield.

45. Consideration should be taken to have an access agreement with St. Anthony's to mitigate the traffic impact. Note: Such agreement is in process.

46. Concerned with traffic all merging at or near the front of this site. Cars heading south, currently race from the traffic light to get ahead of one another. In addition, there are cars turning into St. Anthony's. Note: The number of vehicles entering and exiting the immediate school site will be reduced by nearly 2/3 with use of Saint Anthony's driveway for parent drop-off and students driving to school. Weekday morning and afternoon use of Saint Anthony's driveway is minimal.

47. Public Works indicated the following: There are currently no plans to change the proposed traffic pattern and street design. However, you can certainly propose a left-turn pocket. This process typically takes up to six months, provided there is sufficient right-of-way to allow

for free left turns into the site. Note: The Palo Alto Preparatory School agrees to work with County Public Works staff and the neighbors to pursue the installation of a free left-turn lane into the site.

ISSUES REGARDING THE PROCESS

40. **Is the Zoning Hearing Officer the ultimate decision-maker?**

No, the decision made by the Zoning Hearing Officer may be appealed to the Planning Commission and the Planning Commission's decision may be appealed to the Board of Supervisors.

If you have any additional questions regarding your proposal, please contact me at 650/363-1841.

Sincerely,



Sara Bortolussi
Project Planner

LLT:kcd - LLTL0330_WKN.DOC

cc: Terry Burnes, Planning Administrator
Jim Eggemeyer, Development Services Review Manager
George Bergman, Zoning Hearing Officer
Mary Raftery, Deputy County Counsel
Dennis Hommel, Property Owners
Property Owners within 500 feet
North Fair Oaks Community Council
Fair Oaks Beautification Association (FOBA)
City of Redwood City
Other Interested Parties