

**ACTION NO. 2022-02**  
**RECORD OF THE COUNCIL OF THE CITY OF PALO ALTO LAND USE ACTION**  
**1310 BRYANT STREET (CASTILLEJA)**  
**ARCHITECTURAL REVIEW 19PLN-00116 WITH PARKING ADJUSTMENT**  
**CONDITIONAL USE PERMIT AND VARIANCE 16PLN-00238**

On June 6, 2022, the City Council of the City of Palo Alto (“City Council”) approved the Castilleja School’s applications for Architectural Review with Parking Adjustment, Conditional Use Permit, and Variance, making the following findings, determination and declarations:

**SECTION 1. Background.** The City Council finds, determines, and declares as follows:

A. On March 8 and 15, 2021, May 23, 2022, and June 6, 2022, City Council held public hearings and considered the Final Environmental Impact Report (EIR) and Mitigation Monitoring and Reporting Program (MMRP) prior to certifying the adequacy of the EIR, as reflected in the Resolution No. 10047, and

B. The Planning and Transportation Commission reviewed the DEIR and Final EIR and on September 9, 2020, recommended Council certify the EIR. The Final EIR, published July 29 and 30, 2020, responded to public review comments on the Draft Environmental Impact Report (DEIR) published July 17, 2019. The analyses included Project alternatives. The Commission’s meetings included August 20, September 9, October 28, November 4, and November 18, 2020. On November 18, 2020, the Commission supported the four Variance findings to support the Gross Floor Area replacement, and the first of two CUP findings, with a split vote on the second CUP finding, to forward the CUP with modified approval conditions.

C. The ARB reviewed the Castilleja School Project during three hearings (August 20, October 1, 2020, and November 5, 2020), including the Final EIR, Architectural Review Findings and Approval Conditions, and recommended approval of the Architectural Review application for phased redevelopment at 1310 Bryant Street on November 5, 2020, in support of the updated Alternative Project Plans.

D. The City Council considered the EIR and discretionary applications on March 8, 15 and 29, 2021; Council remanded the project to the Architectural Review Board and Planning and Transportation Commission on March 29, 2021. Council directed staff to return with an ordinance to count a portion of below grade non-residential garages toward gross floor area if the parking within is more than 50% of the code-required parking spaces for the use, to reduce below grade parking to 50% of the code-required parking spaces, and to address additional direction.

E. The Architectural Review Board met twice after Council’s March 29, 2021 direction, focusing on parking options and building revisions responsive to Council direction; the ARB supported building changes and parking changes on December 2, 2021 and March 17, 2022, with a recommendation for hybrid designs combining Parking Options D and E, and Kellogg Façade Study components blended with the previously recommended design.

F. The Planning and Transportation Commission met five times after Council's March 29, 2021 direction, on December 8, 2021, December 15, 2021, January 19, 2022, March 30, 2022 and April 20, 2022, focusing on staff and the applicant's responses to Council direction along with components within its purview including the Conditional Use Permit, Variance, Ordinance, and Parking Adjustment. The PTC supported Parking Option E and the TDM program as addressing the Council direction, while other items of discussion remanded to the PTC by Council received only three votes of PTC members attending and therefore not a majority of the Commission.

G. The City Council considered the EIR, discretionary applications, and zoning text amendment on May 23 and June 6, 2022.

**SECTION 2. Environmental Review.** The City, as the lead agency prepared a Draft Environmental Impact Report subject to the provisions of the California Environmental Quality Act (CEQA). The public notice period for the DEIR began on July 17, 2020 and concluded following a 60-day public review and comment period. Responses to comments received prior to the end of the public comment period were prepared and included with responses and evaluation of an additional project alternative in a Final EIR published July 30, 2020.

1. The environmental effects of the Project and Project Alternative have been analyzed in an Environmental Impact Report prepared in accordance with the requirements of the California Environmental Quality Act of 1970 (CEQA).
2. The Draft EIR identified one or more potentially significant effects of the Project and Project Alternative on the environment as well as mitigation measures that would, for the Project Alternative #4, reduce the significant effects to a less than significant level. The Project applicant, before public release of the Final EIR, submitted the 'Disbursed Circulation/Reduced Garage Alternative' (Project Alternative #4) which modifies the Project to mitigate the effects to a less than significant level and address many community concerns, as demonstrated through the Council certification of the Final EIR by Resolution, and adoption of the related Mitigation Monitoring and Reporting Program (MMRP).
3. The Director independently reviewed and considered the DEIR, together with public comments received during the public review process and other information in the record, prior to forwarding the recommendations from the HRB, ARB and PTC on the Final EIR to the City Council.
4. The EIR reflects and represents the independent judgment and analysis of the City of Palo Alto as lead agency.
5. Based on the whole record of proceedings, the City Council adopted by Resolution No. 10047, finding that there is no substantial evidence the Project Alternative will have a significant effect on the environment, with implementation of the Mitigation Measures.
6. The Director of Planning and Development Services at the Director's Office at 250 Hamilton Avenue, Palo Alto, California 94301 is the custodian of records and documents of proceedings on which this decision is based.

**SECTION 3. Architectural Review Findings.** The design and architecture of the proposed project, as conditioned, complies with the Findings for Architectural Review as required in PAMC Chapter 18.76. The design and architecture of the proposed public parking garage complies with the Six Findings for Architectural Review set forth in Palo Alto Municipal Code Chapter 18.76 Section 18.76.020 effective as of January 12, 2017.

**Finding #1: The design is consistent with applicable provisions of the Palo Alto Comprehensive Plan and Zoning Code.**

The **Project Alternative #4 with Option E** conforms to the following Comprehensive Plan Goals and Policies.

<b>Comp Plan Goals and Policies</b>	<b>How project adheres or does not adhere to Comp Plan</b>
The Comprehensive Plan land use designation for the site is Single Family Residential	<i>Castilleja School has existed at this site since 1910 and has co-existed since 1960 via CUP with the surrounding Single-Family Residential uses</i>
<b>Land Use and Community Design Element</b>	
<b>Policy L-1.1:</b> Maintain and prioritize Palo Alto's varied residential neighborhoods while sustaining the vitality of its commercial areas and public facilities.	<i>The school's functionality will be enhanced for increased safety, sustainability, and programmatic space to better serve its student population. Project features are intended to minimize existing school-related disruptions on the surrounding neighborhood: below grade pool with sound-wall, and all but 37 parking spaces are hidden below grade, the distributed drop off to avoid TIRE impact on Emerson; preservation of mature trees that are of value to the community.</i>
<b>Policy L-1.5:</b> Regulate land uses in Palo Alto according to the land use definition in this Element and Map L-6.	<i>Schools are conditionally permitted uses in areas designated as Single-Family Residential. This is not a 'grandfathered use'. No change to the land use designation is proposed.</i>
<b>Policy L-1.6:</b> Encourage land uses that address the needs of the community and manage change and development to benefit the community.	<i>Existing school land use is single-gender, non-sectarian school. Schools are an important community need. Project expands enrollment gradually with as facilities are redeveloped for increased safety, sustainability, and programmatic space with enhanced TDM.</i>
<b>Policy L-1.11:</b> Hold new development to the highest development standards to maintain Palo Alto's livability and achieve the highest quality development with the least impacts.	<i>New building design utilizes high quality materials, results in net reduction of campus gross floor area (and thus, FAR). Based on the third-party report of existing GFA, total gross floor area reduced by 9,658 sf (or by 3,478 sf if the volumetric area proposed to be removed were deleted from the consideration of GFA to be removed). Increased area below grade. Building replaces over-height limit buildings with building meeting height limit. Temporary changes in campus-wide visual character will occur, via demolition, construction and associated tree removal. Overall, project would improve the site's visual character its compatibility with the surrounding residential neighborhood compared to existing conditions by reducing the perceived building scale and massing.</i>
<b>Policy L-2.11:</b> Encourage new development and redevelopment to incorporate greenery and natural features such as green rooftops, pocket parks, plazas and rain gardens.	<i>The site plan includes greater open space area (3,323 sf in Project Alternative #4 plans) than what exists. Project Alternative noted in EIR (Existing open space at 140,390 sf; 143,713 sf, as amended post Council March 2021 in Alternative #4). With 11 surface parking spaces added in Option E, the prior gain of 3,345 sf is reduced by 1,782 sf (11 spaces x 180 sf each) for a reduced total increase in open space of 1,541 sf). Circle to be smaller but retained. Project incorporates new planter areas, preserves most trees around the site's perimeter, provides additional landscaping with trees, shrubs, grasses, vines, and groundcover, gardens adjacent to buildings, bioretention areas, and a green roof above subterranean parking</i>

	<i>facility.</i>
<b>Policy L-2.8:</b> When considering infill redevelopment, work to minimize displacement of existing residents.	<i>The houses on Emerson Street are retained under Project Alternative #4. One house is used as a rental housing unit. Both of these R-1 properties are developable with second dwelling units to increase housing supply.</i>
<b>Policy L-3.1:</b> Ensure that new or remodeled structures are compatible with the neighborhood and adjacent structures.	<i>The new academic building complies with the R-1 height limit and the revised Kellogg elevation shows the roofline/mass at second floor level broken to help the proposed building's scale and massing to be more compatible with neighboring residences. Buildings would be slightly smaller in scale and mass than the existing buildings. Building design incorporates articulation and variety in material and colors to further break up the massing. Architectural features, fences and walls similar to those found in residential, rather than institutional, neighborhoods; examples: large roof overhangs with exposed wood beams, trellised patios, outdoor covered areas, use of exterior materials that are predominant in the neighborhood.</i>
<b>Program L4.9.1:</b> While preserving adequate parking to meet demand, identify strategies to reuse surface parking lots.	<i>The existing surface parking lot next to the gym is to be reused as below-grade pool location; the size of the parking lot at Emerson/Kellogg is reduced and tandem spaces eliminated.</i>
<p><b>Goal L-6:</b> Well-designed Buildings that Create Coherent Development Patterns and Enhance City Streets and Public Spaces.</p> <p><b>Policy L-6.1:</b> Promote high-quality design and site planning that is compatible with surrounding development and public spaces.</p> <p><b>Policy L-6.7:</b> Where possible, avoid abrupt changes in scale and density between residential and non-residential areas and between residential areas of different densities. To promote compatibility and gradual transitions between land uses, place zoning district boundaries at midblock locations rather than along streets wherever possible.</p>	<p><i>Project replaces five institutional buildings with two new buildings with slightly less gross floor area; Kellogg façade undulates; roofline and mass are broken up partway; porch entrance on Bryant connects the new buildings; updated materials are compatible with the existing residences surrounding the site. Removing outdated buildings of substantially lower quality than buildings built to current standards promotes high quality design and site planning. The new building design is more consistent with the surrounding neighborhood; the required ARB review process ensures building will meet the City's architectural review approval findings.</i></p> <p><i>The below-grade parking facility would relocate many circulating and parked vehicles from the neighborhood streets with a new pick-up and drop-off location. On-street parking in the neighborhood will be reduced with adequate on-site parking space supply. School parking will become more compatible with residential neighbor parking. The bus drop-off and pick-up area relocated internal to the site, and loading, delivery, and trash functions moved off City streets and onto school property to reduce neighborhood congestion and noise.</i></p> <p><i>New building façades scaled to the size of neighboring residences, to avoid abrupt changes in scale between residential and nonresidential uses. The project increases the amount of undeveloped open space on the project site and retaining the Emerson homes improves transitions between uses.</i></p>
<b>Policy L-5:</b> Maintain the scale and character of the City. Avoid land uses that are overwhelming and unacceptable due their size and scale.	<i>The proposed changes to the site with this project are consistent with the site and neighborhood character, which is primarily a two-story residential neighborhood. Project Alternative #4 maintains scale on site and maintains the Emerson Street character by retaining the two residential structures at 1235 and 1263 Emerson.</i>
<b>Policy L-9.2:</b> Encourage development that creatively integrates parking into the project, including by locating it behind buildings or Consistent. Analysis underground wherever possible, or by providing shared use of parking areas. Encourage other alternatives to surface parking lots that minimize the amount of land devoted to parking while still maintaining safe streets, street trees, a vibrant local economy, and sufficient parking to meet demand.	<i>The project alternative 4, as amended by Option E, would reduce the amount of surface parking on the site from 82 spaces to 37 spaces and construct an underground parking facility for 52 spaces. With many drop-off and pick-up traffic routed through the underground parking garage, and the availability of on-site parking, the parking garage would relocate vehicle circulation and parking away from the neighborhood streets such that the school use can be more compatible with its residential neighbors.</i>
<b>Policy L-9.3:</b> Treat residential streets as both public ways and neighborhood amenities. Provide and	<i>The project would include bicycle parking for students consistent with the Municipal Code. The project would be consistent with all aboveground</i>

maintain continuous sidewalks, healthy street trees, benches, and other amenities that promote walking and “active” transportation.	<i>setback and landscaping requirements which would ensure a high-quality and comfortable pedestrian experience on adjacent residential streets</i>
<b>Policy T-1.1:</b> Take a comprehensive approach to reducing single-occupant vehicle trips by involving those who live, work and shop in Palo Alto in developing strategies that make it easier and more convenient not to drive	<i>As part of the proposed Sustainability Plan, Castilleja School will implement additional Transportation Demand Management strategies to reduce peak hour vehicle trips. This includes encouraging bicycling, walking, and carpooling and providing shuttle and bus service.</i>
<b>Policy T-1.2:</b> Collaborate with Palo Alto employers and business owners to develop, implement and expand comprehensive programs like the TMA to reduce single-occupant vehicle commute trips, including through incentives	<i>As part of the proposed Sustainability Plan, Castilleja School will implement additional Transportation Demand Management strategies to reduce peak hour vehicle trips (Appendix B). This includes encouraging bicycling, walking, and carpooling and providing shuttle and bus service.</i>
<b>Policy T-1.6:</b> Encourage innovation and expanded transit access to regional destinations, multi-modal transit stations, employment centers and commercial centers, including those within Palo Alto through the use of efficient public and/or private transit options such as rideshare services, on-demand local shuttles and other first/last mile connections.	<i>As part of the proposed Sustainability Plan, Castilleja School will expand the school’s Transportation Demand Management program to meet the performance standards identified in Mitigation Measure 7a, which may include expanding shuttle and bus service.</i>
<p><b>Policy T-1.16</b> Promote personal transportation vehicles as an alternative to cars (e.g. bicycles, skateboards, roller blades) to get to work, school, shopping, recreational facilities and transit stops.</p> <p><b>Policy T-1.19</b> Provide facilities that encourage and support bicycling and walking.</p> <p><b>Program T5.12.1</b> Work with employers, merchants, schools and community service providers, to identify ways to provide more bicycle parking, including e-bike parking with charging stations, near existing shops, services and places of employment.</p>	<p><i>As part of the proposed Sustainability Plan, Castilleja School will implement additional Transportation Demand Management strategies to reduce peak hour vehicle trips and the daily trip rate per student as required in Mitigation Measure 7a. This includes encouraging bicycling, walking, and carpooling and providing shuttle and bus service.</i></p> <p><i>The project will add new bicycle facilities on- consistent with the goals of the 2012 Palo Alto Bicycle + Pedestrian Transportation Plan; it will improve the bicycle parking capacity of the site and incentivize the use of bicycles as a mode of transportation to the site.</i></p> <ul style="list-style-type: none"> <li>• <i>140 bike spaces (94 long term spaces and 46 rack spaces) provided in three bike parking areas; 46 rack spaces at grade along the front of the proposed library; 52 long term spaces between the proposed pool and the parking garage exit ramp; 42 long term spaces near athletic building.</i></li> <li>• <i>Castilleja increasing TDM efforts to meet a “no new AM or PM peak hour trips” standard (2016 TDM Plan and 2016 TDM Plan Supplement, EIR Appendix B).</i></li> <li>• <i>Additional requirements and performance standards for the TDM plan are identified in Mitigation Measure 7a.</i></li> <li>• <i>The building and site design will enhance the pedestrian and bicycling environment and access to the site overall. The parking lot adjacent to Bryant Street would be reconfigured, as amended by Option E, providing 18 parking spaces for visitors. Emerson and Kellogg parking lot would be repurposed as a staff parking lot with 15 parking spaces plus 4 additional spaces north of the new pool, per Option E.</i></li> </ul>
<b>Policy T-4.6:</b> Require project proponents to employ the TIRE methodology to measure potential street impacts from proposed new development of all types in residential neighborhoods	<i>EIR Chapter 7, Transportation and Circulation, includes analysis of the project’s effects using the TIRE methodology. Mitigation measure 7a recommends specific percentage distribution of drop offs to avoid TIRE impacts.</i>
<b>Policy T-5.1:</b> All new development projects should manage parking demand generated by the project, without the use of on street parking, consistent with the established parking regulations. As demonstrated parking demand decreases over time, parking requirements for new construction should	<i>Half of the required on-site parking, per Option E, will be in a below-grade parking garage within the project site. Currently, the campus does not provide sufficient vehicle parking to meet the Municipal Code requirements. The original project’s on-site parking facilities would exceed the Municipal Code requirements; Project Alternative #4’s parking facilities would meet the Municipal Code requirements. Option E adds eleven surface spaces to</i>

<p>decrease.</p> <p><b>Policy T-5.6:</b> Strongly encourage the use of below-grade or structured parking and explore mechanized parking instead of surface parking for new developments of all types while minimizing negative impacts including on groundwater and landscaping where feasible.</p> <p><b>Policy T-5.11:</b> Work to protect residential areas from parking impacts of nearby businesses and uses, recognizing that fully addressing some existing intrusions may take time.</p>	<p><i>the 26 spaces in Project Alternative 4 but reduces below grade parking spaces to 52 spaces to respond to Council direction in March 2021, associated with a parking adjustment request of 14.4% based on robust TDM plan. The facilities would not improve the ratio of parking spaces to students.</i></p> <p><i>The development of below-grade parking and improved TDM plan to meet 'no net new trips' requirement would reduce the use of on-street parking by students and parents and would therefore reduce the intrusion of campus vehicles on street parking in the residential neighborhood.</i></p> <p><i>The 14.4% reduction is based on the project's transportation and parking alternatives, where effective alternatives to automobile access are provided. The 14.4% reduction results in deletion of 15 on-site parking spaces of the 104 code-required spaces. This reduction is commensurate with the permanence, effectiveness, and the demonstrated reduction of off-street parking demand effectuated by the TDM program.</i></p>
<p><b>Policy T-5.12:</b> To promote bicycle use, increase the number of safe, attractive and well-designed bicycle parking spaces available in the city, including spots for diverse types of bicycle and associated equipment, including bicycle trailers, prioritizing heavily travelled areas such as commercial and retail centers, employment districts, recreational/cultural facilities, multi-modal transit facilities and ride share stops for bicycle parking infrastructure.</p>	<p><i>The project includes provision of onsite bicycle parking and a bicycle repair station for students and staff. As part of the Transportation Demand Management Plan, the project would also provide for bicycle "fix-it" days to encourage bike riding.</i></p>
<p><b>Policy N-2.1:</b> Recognize the importance of the urban forest as a vital part of the city's natural and green infrastructure network that contributes to public health, resiliency, habitat values, appreciation of natural systems and an attractive visual character which must be protected and enhanced.</p>	<p><i>Adverse effects to the existing trees within and adjacent to the project site were studied; the proposed landscaping plan includes planting new trees throughout the campus. Project Alternative #4 as amended by Option E would preserve 115 trees, remove 13 trees, including one protected trees and 4 street trees, and relocate 28 trees, including 2 protected trees. Project Alternative #4 retains the row of six redwoods next to Spieker Field and Option E increases the separation of the below grade garage wall from roots. The Tree Removal Management Program is intended to ensure the protection of existing trees and the survival of new and replanted trees. Replanting established trees causes significant impact which will require long term care plus mitigation for reduction of health and longevity. Mitigation Measure 4b requires replacement of protected trees, replacement of street trees, and additional tree planting to replace the tree canopy from trees that are not specifically protected. Additional measures recommended by City's consulting arborist led to Option E, which retains tree 155 and improves conditions for trees 87, 89, and trees 102 and 115-120).</i></p>
<p><b>Policy N-2.4:</b> Protect soils in both urban and natural areas as the foundation of a healthy urban forest. Recognize that healthy soils are necessary to filter air and water, sustain plants and animals and support buildings and infrastructure.</p>	<p><i>The evaluation considered effects due to encroachment into the soil area necessary to support healthy trees. Specifically, the Arborist Report and September 2020 landscape architect's letter contains recommendations regarding provision and/or protection of adequate soil area to support healthy tree growth.</i></p>
<p><b>Policy N-2.6:</b> Improve the overall distribution of citywide canopy cover, so that neighborhoods in all areas of Palo Alto enjoy the benefits of a healthy urban canopy.</p>	<p><i>Mitigation Measure 4b requires Castilleja School to plant trees in landscape planters along public streets in the project vicinity. This will improve the canopy cover in the neighborhood.</i></p>
<p><b>Policy N-2.8:</b> Require new commercial, multi-unit and single-family housing projects to provide street trees and related irrigation systems.</p>	<p><i>The project would retain most of the existing street trees around the project site perimeter and would plant additional street trees in the vicinity as required by Mitigation Measure 4b.</i></p>
<p><b>Policy N-2.9:</b> Minimize removal of, and damage to, trees due to construction-related activities such as</p>	<p><i>Impact 4-3 evaluates the project's potential to result in adverse effects to the existing trees within and adjacent to the project site, including</i></p>

trenching, excavation, soil compacting and release of toxins.	<i>consideration of effects due to encroachment into the soil area necessary to support healthy trees. The project alternative #4 as amended by Option E would retain 115 trees, remove 13 trees and relocate 28 trees. Mitigation Measure 4b requires that the project applicant prepare and implement a Tree Protection, Removal, and Relocation Preservation Plan for each construction phase, subject to review and approval by the City's Urban Forester. Further, this plan must include specific measures for the protection of retained trees from adverse effects associated with construction activities</i>
<b>Policy N-2.10:</b> Preserve and protect Regulated Trees, such as native oaks and other significant trees, on public and private property, including landscape trees approved as part of a development review process and consider strategies for expanding tree protection in Palo Alto.	<i>Impact 4-3 evaluates the project's consistency with the City's Tree Preservation and Management Regulations. Project Alternative #4, as amended by Option E, would remove 13 trees, including one protected and 4 street trees, and relocate 28 trees, including 2 protected trees. The Tree Protection and Preservation Plan required under Mitigation Measure 4b, which is subject to review and approval by the City's Urban Forester, must include specific measures for the protection of retained trees from adverse effects associated with construction activities, as set forth in the City's consulting arborist report from September 2021.</i>
<b>Policy N-6.7:</b> While a proposed project is in the development review process, the noise impact of the project on existing residential land uses, public open spaces and public conservation land should be evaluated in terms of the increase in existing noise levels for the potential for adverse community impact, regardless of existing background noise levels. If an area is below the applicable maximum noise guideline, an increase in noise up to the maximum should not necessarily be allowed.	<i>EIR Chapter 8, Noise, provides a detailed analysis of the potential noise impacts associated with the project. The proposed project could create a substantial increase in ambient noise levels for some neighbors during construction and associated with the use of amplified sound equipment at the proposed pool. However, implementation of Mitigation Measures 8a and 8b which require use of noise management measures during construction and modeling that demonstrates the sound system at the pool would be designed and installed such that noise levels remain in compliance with the City's standards, would ensure that the proposed project would be compliant with Policy N-6.7.</i>
<b>Policy N-6.8:</b> The City may require measures to reduce noise impacts of new development on adjacent properties through appropriate means including, but not limited to, the following: <ul style="list-style-type: none"> <li>• Orient buildings to shield noise sensitive outdoor spaces from sources of noise.</li> <li>• Construct noise walls when other methods to reduce noise are not practical and when these walls will not shift similar noise impacts to another adjacent property.</li> <li>• Screen and control noise sources such as parking lots, outdoor activities and mechanical equipment, including HVAC equipment.</li> <li>• Increase setbacks to serve as a buffer between noise sources and adjacent dwellings.</li> <li>• Whenever possible, retain fences, walls or landscaping that serve as noise buffers while considering design, safety and other impacts.</li> <li>• Use soundproofing materials, noise reduction construction techniques, and/or acoustically rated windows/doors.</li> <li>• Include auxiliary power sources at loading docks to minimize truck engine idling.</li> <li>• Control hours of operation, including deliveries and trash pickup, to minimize noise impacts</li> </ul>	<i>EIR Chapter 8, Noise, identifies the anticipated noise levels associated with special events and truck activity and finds that impacts would remain less than significant. The proposed project would relocate truck activity to a below-grade loading and trash enclosure area. Option E deletes the below-grade loading and trash area to save tree 155 and retains surface truck activity but provides additional Sound Wall to mitigate noise. A Sound Wall is proposed adjacent to the new, below grade pool to be set 15 feet below grade.</i>
<b>Policy N-6.11:</b> Continue to prioritize construction noise limits around sensitive receptors, including through limiting construction hours and individual and cumulative noise from construction equipment.	<i>EIR Chapter 8, Noise, identifies the general noise levels associated with construction and includes Mitigation Measure 8b requiring Castilleja School to submit detailed construction equipment and noise management plans for each construction phase</i>

<b>Policy N-7.4:</b> Maximize the conservation and efficient use of energy in new and existing residences and other buildings in Palo Alto.	<i>As part of the proposed Sustainability Plan, Castilleja School will work towards achieving “zero net energy” use by using renewable energy generated onsite to meet the majority of energy demand. This may include photovoltaics, solar water heating, and/or wastewater heat recovery.</i>
<b>Policy N-7.5:</b> Encourage energy efficient lighting that protects dark skies and promotes energy conservation by minimizing light and glare from development while ensuring public health and safety.	<i>As part of the proposed Sustainability Plan, Castilleja School will work towards achieving “zero net energy” use by using renewable energy generated onsite to meet the majority of energy demand. This may include photovoltaics, solar water heating, and/or wastewater heat recovery.</i>
<b>Policy N-7.6:</b> Support the maximum economic use of solar electric (photovoltaic) and solar thermal energy, both as renewable supply resources for the Electric Utility Portfolio and as alternative forms of local power generation.	<i>As part of the proposed Sustainability Plan, Castilleja School will work towards achieving “zero net energy” use by using renewable energy generated onsite to meet the majority of energy demand. This may include photovoltaics, solar water heating, and/or wastewater heat recovery. Castilleja’s Sustainability Road Map is to improve energy and water efficiency, reduce vehicle travel, prioritize use of environmentally sensitive materials, and reduce light pollution.</i>
<b>Policy N-8.1:</b> Take action to achieve target reductions in greenhouse gas emission levels from City operations and the community activity of 80 percent below 1990 levels by 2030.	<i>The project would replace four buildings with new construction that is more energy efficient and water efficient than the existing structures which would help reduce greenhouse gas emissions. The project also includes implementation of a Sustainability Plan that would further reduce Castilleja School’s contribution to greenhouse gas emissions</i>
<b>Policy S-2.5:</b> Minimize exposure of people and structures to geologic hazards, including slope stability, subsidence and expansive soils, and to seismic hazards including ground shaking, fault rupture, liquefaction and landslides.	<i>The geotechnical report for the proposed project demonstrates that the geologic and soil conditions at the site are suitable to support the proposed improvements.</i>

The **Project Alternative** design complies with the City’s Zoning regulations; it will not increase the development area of the site regarding height (which will be reduced to meet the R-1 Zone height limit), gross floor area/floor area ratio (net loss of GFA, FAR (above grade floor area), and setbacks. A Variance is requested to replace non-complying gross floor area that exceeds the maximum floor area ratio. The project will increase the number of bike parking spaces on the site to meet/exceed bike parking requirements. The applicant requests approval of a phased Architectural Review project, under Palo Alto Municipal Code Chapter 18.76.020 (g), for construction to take place over a three-year period, with associated enrollment increases at a rate not to exceed 25 students per year.

**Finding #2: The project has a unified and coherent design, that:**

- a. creates an internal sense of order and desirable environment for occupants, visitors, and the general community,
- b. preserves, respects and integrates existing natural features that contribute positively to the site and the historic character including historic resources of the area when relevant,
- c. is consistent with the context-based design criteria of the applicable zone district,
- d. provides harmonious transitions in scale, mass and character to adjacent land uses and land use designations,
- e. enhances living conditions on the site (if it includes residential uses) and in adjacent residential areas.

Responses:

- (a) The project’s new buildings and site improvements will enhance the pedestrian environment within and surrounding Castilleja School. The L-shaped Academic building will provide a desirable environment with a library and fine arts space located in the wing facing Bryant Street

and the majority of the teaching stations, the cafeteria, offices and common areas in the wing facing Kellogg Avenue. The Academic Building design will be unified and coherent, an aesthetic improvement from the existing buildings to be replaced.

(b-1) The project retains and improves the existing Historic Resource Category 3 resource, the Gunn Administration Building, in a way that demonstrates compliance with the Secretary of the Interior Standards for Rehabilitation, by:

- Separating it from the Rhoades building to be demolished;
- Refinishing the exterior wall on the eastern façade with differentiated stucco on the first floor and wood shingles on the second floor, consistent with the existing building materials and finishes, and matching the existing exterior finishes in material, color and dimension; the refinishing plans would not alter the building dimensions;
- Adding new doors on the first and second floors and constructing new exterior stairs (with Condition for modifications to Option 1 retaining door proposal but capturing some of Option 2's railing features – with review of final details for egress stairway to be reviewed by HRB subcommittee) to provide access to the second floor (with wood trim to match existing window trim);
- Maintaining and preserving distinctive finishes and character-defining features, including its stucco- and shingle-clad exterior walls, wood shingle roofing, and Craftsman style features;
- Enabling, upon project implementation, the Administration Center to continue to convey its distinctive features, finishes, construction techniques, and examples of fine craftsmanship.

(b-2) The Project Alternative #4, as amended by Option E<sub>2</sub>, would preserve, respect and integrate existing natural features (trees) that contribute positively to the site, including the row of six Redwoods (trees #115-120) next to Spieker Field, by:

- (i) retaining in place 115 trees (including 35 'protected' trees, 35 street trees, and 45 'un-regulated' trees),
- (ii) relocating 28 trees (2 'regulated' and 26 'un-regulated' trees) elsewhere on site with appropriate conditions of approval to ensure survivability, and with the provision of additional trees to mitigate the potential for less robust tree growth in the relocated trees,
- (iii) removing 13 trees (6 'regulated' trees including one oaks (#140) and 4 street trees (#23, 53, 66, 67)) and 8 'un-regulated/not protected trees.

(c) Not applicable (no context-based design criteria in the R1 zones)

(d) With Project Alternative #4's retention of Castilleja's two single-family houses on Emerson Street, the existing character of Emerson Street between Melville Avenue and Embarcadero Road will be retained. Character and quality are represented in the proposed harmonious fencing and landscaping. These will add to the residential and school character, to improve the transitions between uses; the character of the Bryant and Kellogg frontages will be improved with the new Academic Building. Temporarily, due to the proposed temporary campus, the character of Embarcadero Road frontage will be dramatically changed, but the proposed vegetation is intended to interrupt views of the proposed two-story portables.

(e) There are no living units on the Castilleja School campus. There are measures in the EIR that address protection of the adjacent historic resource at 1215 Emerson Street, under separate ownership, from damage during construction. Construction and the installation of the proposed temporary campus will be a nuisance to residents adjacent to the project for a certain period of time, after which construction will cease and the temporary campus would be removed.

The proposed below-grade pool's stepped bleachers would face northwest (towards the interior of the campus); pool equipment would be in an area below grade under a portion of the bleachers and adjacent to the driveway ramp; a six-foot tall noise attenuation wall would be constructed at the setback from Emerson Street with a two foot kicker placed at the top, slanted inwards towards the pool, extending 3 feet towards the interior of the project site. These noise-reduction measures are supplemented by mitigation measures related to loudspeaker use.

**Finding #3: The design is of high aesthetic quality, using high quality, integrated materials, and appropriate construction techniques, and incorporating textures, colors, and other details that are compatible with and enhance the surrounding area.**

The project includes materials which are durable and have high-quality finishes. The new Academic Building will be finished with cedar wood shingles and vertical cedar siding wall system in a board and batten pattern. Window, storefront and curtain wall glazed assemblies are proposed. Exterior metals include painted steel, steel plate and picket railings, anodized aluminum window and opening framing, zinc and anodized aluminum paneling. The design is intended to enhance the character of the site and update the existing conditions, with: board form finishing from foundation to roof, timber or composite metal decking topped in concrete, with an SBS flat roof system with overhangs and trellises to shade and reduce conditioned space, and with extensive photovoltaic panels.

The lighting plans were reviewed in the EIR and subject to mitigation measure implementation; ARB review to ensure lighting limits of 0.5 foot-candle, as measured at the abutting residential property line; with interior lighting to minimize nighttime glow; low intensity lighting for building exteriors, parking areas, and pedestrian ways; and directing pedestrian and security lighting downward.

**Finding #4: The design is functional, allowing for ease and safety of pedestrian and bicycle traffic and providing for elements that support the building's necessary operations (e.g. convenient vehicle access to property and utilities, appropriate arrangement and amount of open space and integrated signage, if applicable, etc.).**

**Bicycle parking:** The project will improve circulation for vehicle, bicycle, and pedestrian traffic and access to the project site.

- Bike parking increases from 102 surface level spaces to approximately 140 spaces, consistent with the proposed Sustainability Plan. These spaces would be provided in several bicycle parking areas.
  - (1) At grade along the front of the proposed library within the new Academic building, at site access driveway on Bryant Road (46 rack spaces).
  - (2) Surface-level bike area between the proposed pool and the parking garage exit ramp (52 rack spaces).
  - (3) Additional 42 bicycle parking spaces near the athletic building.

- (4) Long-term bicycle parking would be located along the northern wall of the pool area and gymnasium and include four bicycle lockers as well as bicycle racks.

Bicycle circulation and repairs: The project includes a Bryant Street repair station for students to use for routine bicycle maintenance and minor repairs. Bicyclists would be directed to access the campus either from Emerson Street or the corner of Bryant Street and Kellogg Avenue. Bicyclists using Bryant Street would park in the short-term parking or walk their bicycles across the front of the Academic and Administration buildings and then along the Chapel Theater to the long-term parking area. Pedestrian access to the site would be provided from Bryant Street at the exit driveway for the Bryant Street loop and from the sidewalk along Emerson Street.

Service delivery facilities: With Option E, the service delivery facilities would be retained at the surface, with a new sound wall to buffer noise.

Temporary campus on Spieker Field: The temporary campus would contain 40 classrooms, restrooms, a kitchen and dining facilities, a library, a student-cubbies building, a storage building, several storage sheds, and a maintenance building. These would be placed on Spieker Field following construction of the garage. In the final construction phase, the temporary campus would be removed, and Spieker Field would be restored.

Pedestrian tunnel: The approximately 36-foot long underground pedestrian tunnel would provide access from the garage to the central part of the campus, between the athletic center and chapel. With a standard section of 12 feet by 11 feet (which would provide an inside dimension of 10 feet by 7.5 feet), the tunnel at both ends would include appropriate provisions for access required under the Americans with Disabilities Act. This tunnel is proposed as a permanent encroachment within the 25-foot PUE located along the old alignment of Melville Avenue through the campus; the PUE would shift 15 feet to the southeast to accommodate construction of the proposed below-grade garage. The garage walls would be placed a minimum of five feet from the existing sewer line (so the sewer line would not be affected).

The Circle: An open-space organizing feature of the campus to be reconstructed in a slightly smaller configuration and shifted easterly (with the Circle's edge approximately 40 feet further from Bryant Street than the current Circle). A driveway would continue to provide access to the Circle from Emerson Street and continue around the perimeter of the Circle for on-site circulation of buses and other vehicles, as needed. The Circle would be surfaced with artificial turf requiring no irrigation.

**Finding #5: The landscape design complements and enhances the building design and its surroundings, is appropriate to the site's functions, and utilizes to the extent practical, regional indigenous drought-resistant plant material capable of providing desirable habitat that can be appropriately maintained.**

Many of the existing trees will be preserved as noted in Finding 2, and there will be no net loss of tree canopy. All but one tree species (Queen Palm) will be native trees. The plant species will provide suitable habitats; and include flowering plants/trees suitable for wildlife. The different planting areas are appropriate to the functions and locations – perimeter plantings, interior garden, and bioretention swales. California natives, drought tolerant and habitat creating species are selected, with an appropriate variety of perennials, shrubs, grasses and trees that will complement

the building design and site.

**Finding #6: The project incorporates design principles that achieve sustainability in areas related to energy efficiency, water conservation, building materials, landscaping, and site planning.**

As part of the proposed Sustainability Plan, Castilleja School will work towards achieving “zero net energy” use by using renewable energy generated onsite to meet the majority of energy demand. This will include photovoltaics, solar water heating, and/or wastewater heat recovery. Castilleja’s Sustainability Road Map is to improve energy and water efficiency, reduce vehicle travel, prioritize use of environmentally sensitive materials, and reduce light pollution.

The project will comply with green building energy code requirements. The landscaping will include a significant amount of native or low to moderate water usage plants along with on-site water treatment (C3) that will reduce storm water runoff and allow water to enter the local aquifer.

When removal of an entire structure is proposed, it must be accomplished through a process of deconstruction rather than demolition, requiring careful disassembly of building components to maximize reuse and recycling. This approach is consistent with Castilleja School’s proposed Sustainability Road Map and their goal of attaining a LEED platinum

The mechanical systems are primarily radiant heating and cooling distributed in a concrete topping slab over decks; this uses a center water cooled heat pump in the lower level of the new building. The system includes pumps, expansion tanks, air separators, chemical feed and VFDs. This will replace the existing on-site cooling tower that will then serve other buildings on site.

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**SECTION 4. Architectural Review Approval Granted.** Architectural Review Approval is hereby granted for the Project by the City Council pursuant to Chapter 18.77 of the Palo Alto Municipal Code. Section 9 of this Record of Land Use Action contains Conditions of Architectural Review Approval associated with the Project (i.e. Project Alternative #4 as modified by hybrid Kellogg façade and Option E with 14.4% parking adjustment.)

**SECTION 5. Plan Approval.** The plans for the Castilleja School, Project Alternative (Disbursed Circulation/Reduced Garage Alternative) submitted for Building Permit shall be in substantial conformance with those plans prepared by WRNS and Archirender, entitled ‘ARB Resubmission #4 with supplementary information #3 dated 11.03.2021’ consisting of 116 pages, and dated November 3, 2021, except as modified to incorporate the conditions of approval in Section 9. A copy of these plans is on file in the Department of Planning and Development Services.

**SECTION 6. Conditional Use Permit (CUP) Findings.**  
The following findings for a Conditional Use Permit are made pursuant to PAMC Section 18.76.010 and subject to Conditions of Approval in this Record of Land Use Action:

1. *The proposed use at the proposed location will not be detrimental or injurious to property or improvements in the vicinity, and will not be detrimental to the public health, safety, general welfare or convenience:*

- A. Castilleja is a private school, in existence in its current location since 1910, prior to the City's requirement for CUP approvals for private schools in R-1 zones. Campus modifications and operations have been subject to CUPs issued since the 1960s, as follows:
- 1960 CUP and Variance for 41' tall, three-story dormitory exceeding R1 height limit; classrooms, administrative offices, auditorium, library, dorm kitchen, dining room, social room, gymnasium, pool, tennis courts, caretaker quarters, shop, and garage.
  - 1970's CUPs traffic condition, chapel addition requiring 52 parking spaces, designated student pick-up and delivery areas, and compliance with prior CUP
  - 1990's CUPs sixth grade class added back, Melville Avenue abandonment, use of the abandoned area, creation of 28-space parking lot, multi-use field; TDM required; conversion of a dormitory into a library, classrooms and offices for a maximum of 385 students (154 middle school and 231 high school by the year 2000), requiring an amendment to exceed 385 students
  - 2000's CUPs increased the allowable enrollment to 415 students, implemented TDM program, added basement below the physical arts building (ARB)
- B. Over nine years of fall and spring TDM program monitoring, Castilleja has demonstrated the school is capable of reducing peak hour trips and maintaining these reductions. Since the monitoring began in 2012, Castilleja has achieved a reduction of 28% of the trips in the morning peak hour.
- C. In 2013 and 2017, the City began enforcement actions for violations of the 2000 CUP related to enrollment and events, respectively. Castilleja School has worked cooperatively with the City to gradually reduce enrollment and lessen the impact of events on the surrounding neighborhood.
- D. Project Alternative #4, as modified by site improvement plan and identified in the administrative record as Option E:
- a. Does not change the campus parcel size,
  - b. Does not increase the degree of nonconformity with respect to maximum lot size within the R-1(10,000) zone;
  - c. Proposes a replacement academic building to meet the R-1 Zone height limit of 30 feet, whereas the existing 34'8" tall building to be demolished in this location does not meet the R-1 Zone height limit;
  - d. Expands usable (habitable) basement area within the Academic Building, and replaces and slightly reduces existing above ground Gross Floor Area (GFA), to decrease the degree of non-conformity with respect to campus GFA and Floor Area Ratio (FAR);
  - e. Demolishes non-historic buildings and proposes site improvements and buildings that would be more compatible than the existing buildings with the residential character of the area, given materials and landscaping relevant to the residential context; i.e., materials, colors, and details would be compatible with the remaining, existing structures on the site such that the overall campus would have a unified and coherent design.
  - f. Further improves the visual character of the site and its compatibility with the surrounding residential neighborhood compared to the existing conditions by:
    - i. reducing the amount of at-grade parking, both on-street and off-street,
    - ii. relocating bus loading and unloading to the Circle.

- g. Includes pedestrian scale fencing and gates to provide several paths of ingress and egress for students, staff and visitors, including convenient bicycle parking.
  - h. Incorporates elements that meet the City's sustainability goals, such as rooftop photovoltaics, energy efficiency, and water-use efficiency, in addition to meeting current building and seismic codes;
  - i. The existing campus on-site automobile parking facilities do not meet the code requirements for on-site parking for private school facilities. The City Council directed the project to contain no more than 50% of code-required on-site parking spaces below grade, related to the robust TDM program with 'no net new trips' recommended by the Planning and Transportation Commission. Project Alternative #4's proposed parking facilities, without implementation of Option E, would have met the required number of spaces: 104 non-tandem spaces - located in two surface lots (at 13 spaces each) and in one underground parking facility (78 spaces, non-tandem). Parking Option E, subject to approval of a Parking Adjustment, reduces below grade parking spaces by 26 spaces (to 52 spaces) with associated removal of 8,186 sf of basement area, and adds 11 surface spaces to the 26 surface spaces of Project Alternative #4 – resulting in a total of 89 on-site spaces (a 15- space reduction in on-site spaces); this reduces on-site parking spaces by 14.4% associated with the proposed robust TDM program.
  - j. Improves bicycle parking spaces (an increase from 102 spaces to 140 spaces);
  - k. Does not increase the number of peak hour trips with implementation of the Enhanced TDM program and mitigation measures. Traffic to the proposed school will be conducted in an orderly and safe manner, with consequences for noncompliance (including enrollment reductions and CUP revocation);
  - l. Does not increase the existing number of average daily trips (1,198) as restricted by Council action (for Phase 2).
- E. The conditions of approval, mitigation measures and monitoring and reporting program are designed so that:
- Development and approval of a preservation protection plan is ensured for each phase of construction so as not to adversely affect nearby eligible cultural resources;
  - Tree removals/relocations will be limited as per arborist recommendations in the 2016, 2020 and 2021 reports, and protection measures to ensure survival of trees to remain in place (including tree #155 as reflected in Option E), replacement trees, and relocated trees
  - The project will meet sustainability requirements and goals (including EV charging stations spaces provided and LEED standard green building);
  - The enhanced TDM program will be monitored and enforcement measures will ensure less than significant impacts to traffic, vehicle circulation, queuing due to student drop offs, school activities and events, and parking requirements met on site with the Project Alternative #4, as amended by Option E with a Parking Adjustment of 14.4% and additional program monitoring and enforcement requirements, will address parking spill-over issues, all of which have greatly concerned neighbors in the vicinity of Castilleja School.
  - The noise from construction and pool activity will be mitigated and the surface trash pickup and delivery area, with Option E site improvements, will be screened

and buffered with a new, solid acoustic fence placed along the Emerson Street setback to address trash pick-up and delivery noise.

- The conditions of approval for the project are intended to address these issues by placing limitations on school hours, the number, frequency, and type of events, and enforcing ongoing performance standards and the TDM program.
- Performance standards include the requirement to have a designated point of contact for all complaints, provision of events and construction information, traffic data and reports on the School website, and provision of funds to enable the City to retain a 3<sup>rd</sup> party to assist the City evaluate, monitor, and enforce compliance with conditions and mitigation measures.
- Enforcement of the TDM program and events will be assured, including coordination of the School to troubleshoot issues and handle complaints in a timely manner.
- A Neighborhood Committee is required to provide the City with guidance, should Castilleja School submit a report that contains trip count exceedances.

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

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

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

**Table 4-1: Zoning Ordinance Policy Consistency Analysis**

Development Standard	R-1(10,000) Zoning	Existing Property	Project Alternative #4 with Option E
Lot Size	10,000 – 19,999 sf	268,783 sf existing campus	268,783 sf (no change)
Maximum Floor Area Ratio	0.45 first 5,000 sf of lot size; 0.30 square footage in excess of 5,000 sf	1310 Bryant existing 0.51	Proposed: 0.48
Gross Floor Area (non-residential uses and including volumetric area where applicable)	81,379 GFA	138,345 GFA	128,687 GFA
Exempt Below Grade Area	Exempt from floor area ratio (FAR) and floor area	41,406 SF	79,357 SF

	calculation for qualifying basements		
Maximum Building Height	30 feet standard; 33 feet for buildings with a roof pitch of 12:12 or greater	34 feet 6 inches	30 feet
Minimum Setbacks			
Emerson	20 feet	20 feet	20 feet
Kellogg	20 feet	27 feet 9 inches	20 feet
Bryant	20 feet	22 feet	20 feet
Embarcadero	24 feet	108 feet 6 inches	Above grade: 108 feet 6 inches (no change above grade); Below grade meets special setback
Maximum site coverage, multiple-story development	35% (100,374 sf)	24.3% (65,273 sf)	25.3% 67,894 sf
Vehicle Parking	2 spaces per middle grade teaching station, 4 spaces per upper grade teaching station	74	89 spaces with 14.4% parking adjustment
Bicycle Parking	1 space for every 5 students	95	140

The project conforms to relevant Comprehensive Plan policies cited in the project EIR. The EIR Mitigation Measures are intended to improve upon the existing TDM measures with performance monitoring and enforcement and impose clear special event restrictions; conditions of approval related to the CUP provide additional clarity for operations in a manner that is consistent with the intent and provisions of the Comprehensive Plan and the purposes of the Zoning Ordinance. The underground parking facility of Project Alternative #4 is in accord with the Zoning Ordinance because PAMC 18.52.030(g) requires parking to be located on the same site as the use being supported, unless a parking adjustment-is granted. A 14.4% Parking Adjustment (removing 15 on-site parking spaces) is associated with Option E and includes 89 on-site parking spaces. The project does not propose a residential use and underground parking is not prohibited for non-single family residential use in accordance with PAMC 18.12.060(e). The underground parking facility is also supported by Comprehensive Plan Policies L-9.2 that “encourage[s] development that creatively integrates parking into the project, including by locating it behind buildings or underground wherever possible, or by providing for shared use of parking areas” as well as T-5.6 that “strongly encourage[s] the use of below-grade or structured parking and explore mechanized parking instead of surface parking for new developments of all types while minimizing negative impacts including on groundwater and landscaping where feasible”. The Gross Floor Area for the project is in accord with the Zoning Ordinance by approval of the Variance pursuant to PAMC Section 18.76.030 and 18.77.060 granted in this Record of Land Use Action.

#### **SECTION 7. Variance Findings**

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

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

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

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

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

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<sup>1</sup> Special circumstances expressly excluded from consideration are: (A) The personal circumstances of the property owner, and (B) Any changes in the size or shape of the subject property made by the property owner or his predecessors in interest while the property was subject to the same zoning designation.

*2. The granting of the application shall not affect substantial compliance with the regulations or constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and in the same zoning district as the subject property.*

Except for the requested Floor Area Ratio standard, the Project Alternative #4 complies with all other R-1(10,000) development standards including building height, setbacks, site coverage, and parking requirements as met with a 14.4% parking adjustment.

- The allowable lot coverage for the campus parcel is 100,374 sf (35% of the campus) and a total of 67,894 sf of coverage (25.3% of the campus parcel) is proposed.
- The allowable height is 30 feet (flat roof) and 33 feet for pitched roofs over 12:12 pitch and the proposed height of the academic building is 26'11-1/2" from established grade to top of parapet (24' 8-1/2" from finished floor to top of parapet) on Section 3 as ARB recommended, and 30 feet from established grade to top of parapet on Sections 1 and 2 (27'9" from finished floor to top of parapet) as ARB recommended).
- The required setbacks are 24 feet from the Embarcadero Road frontage and 20 feet from the other three street frontages; the proposed setbacks are 24 feet to wall of below grade garage that is parallel with the Embarcadero Road frontage, 20 feet to the acoustic fence running along the Emerson setback, 20 feet from Bryant Street and Kellogg Avenue to the Academic Building for portions of the building, and greater setbacks to this building from Emerson Street and to portions of this building from Bryant Street and Kellogg Avenue.
- The required on-site parking is 104 parking spaces and the proposed on-site parking spaces proposed in Alternative #4 with Option E is 89 parking spaces.

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

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

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

As noted in the CUP findings above, EIR Table 4-1 provides an exhaustive list of the Comprehensive Plan policies relevant to the project review and analysis. As noted in CUP Finding #2: The School Use is an existing, Conditionally Permitted use within Palo Alto's R-1 Zone,

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

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

The replacement of gross floor area variance would enable construction of a seismically safe building, with a lower GFA and FAR than the existing buildings being removed, designed to be visually compatible with the neighborhood character, with increased open space and provision of all required parking spaces provided on site, and sustainability measures. The variance is associated with a reduction in above-grade floor area and modernization of facilities, improving on existing conditions. The location of the Academic Building would allow bus drop-off and pick-ups to move internal to the site, and enable loading, delivery and trash functions to move off City streets and onto the school property, to reduce neighborhood congestion and noise while enhancing neighborhood safety. Mature tree preservation and canopy retention and replacement is prioritized, and site landscaping and fencing is carefully designed for neighborhood compatibility.

#### **SECTION 8. Conditions of CUP Approval.**

*Conditions of approval for the Conditional Use Permit for the Disbursed Circulation/Reduced Garage Project Alternative ('Project Alternative' #4 in the Environmental Impact Report (EIR)). Alternative #4 includes the reduced and reconfigured below grade parking facility, retains the two residential structures on Emerson Street and the stand of Redwoods next to Spieker Field, utilizes three drop-off /pick-up locations to disburse traffic around the campus. This approval*

*incorporates Option E places only 52 parking spaces below grade and increases surface spaces, for a total of 89 parking spaces on site with approval of a Parking Adjustment. Option E preserves tree 155 and improves upon protections for tree 89.*

**CUP APPROVAL:**

1. This conditional use permit supersedes prior conditional use permits (00-CUP-23 and 06-PLN-15) and replaces any conditions of approval contained in those prior approvals. Upon the effective date of this entitlement, Castilleja School ('School') will be governed by this conditional use permit and other related City actions associated with the subject application.
2. The School shall operate in accordance with Project Alternative #4 documented in the project environmental impact report (EIR Alternative #4), as detailed in the administrative record and as modified by Option E and these conditions.
3. Any future request by the School to change or modify the CUP conditions of approval shall require a noticed public hearing before the Planning and Transportation Commission and Council action in accordance with PAMC Section 18.77.060 (e) *Hearing and Recommendation by the Planning and Transportation Commission*. It is the City's intention that a change to these conditions to further increase enrollment for the School would not be approved; the School's intention regarding enrollment is reflected in Exhibit A to this RLUA.

**ENROLLMENT:**

4. The School may enroll a maximum of 540 students in accordance with the following schedule:
  - a. Student enrollment for the 2022-23 academic year and subsequent years, except as modified below, shall not exceed 416 students.
  - b. If students remain on the main campus during construction, student enrollment shall not exceed 416 students until construction is complete, at which point the School may enroll up to 450 students. If students are moved off-site during construction, the School may immediately enroll up to 450 students at the off-site location.
  - c. After reaching an enrollment of 450 students, student enrollment shall not increase by more than 25 students per academic year based on the lesser of the School's actual or permitted enrollment as documented by the School's independent auditor. In addition, prior to exceeding an enrollment of 450 students, the School must demonstrate that at least 40% (+/- 2%) of its students reside within a 5-mile radius of the campus.
  - d. No enrollment increase may occur unless the School has achieved the performance standards of Condition #22 for the preceding three consecutive reporting periods prior to the School's sending enrollment agreements to prospective students (typically mid-March).

5. Prior to March 1<sup>st</sup> each year, the School shall provide the Director of Planning and Development Services a letter from an independent auditor attesting to the number of students enrolled at the School, at the time of the audit, for that academic year.

**EVENTS:**

6. The School may schedule up to a maximum of 5 Major Events (may exceed 500 persons) and 50 Special Events (exceeding 50 persons) each (academic year) calendar year starting August 1st. A special event is defined as one that includes more than 50 attendees as defined in Mitigation Measure 4a included in the Mitigation Monitoring Reporting Program (MMRP). A special event includes, but is not limited to student performances, showcase or social events; parent group meetings; admission, orientation, alumni and donor events; athletic competitions; celebrations, or other activity that brings parents of enrolled students or non-enrolled students to the campus. A special event does not include individual parent meetings or Co-curricular Programming (i.e. activity associated with the School's daily educational programming). Special events are subject to the following additional restrictions:
  - a. Thirty-seven (37) of the maximum allowed special events may exceed 100 attendees, including five (5) major special events that may exceed 500 attendees.
  - b. Inclusive of all special events, the maximum number of weekday evening special events after 6pm shall not exceed 16 events.
  - c. Inclusive of all special events, the maximum number Saturday special events after 6pm shall not exceed 5 events.
  - d. No special events are permitted on Sunday.
  - e. No special event during the weekday shall begin prior to 8am, or 9am on Saturday.
  - f. Those special events that extend past 6pm must end by 8pm, except for student performances, dances and major events, which shall end no later than 10pm.
  - g. The School shall have special events on no more than two consecutive evenings and shall minimize the number of special events occurring on consecutive days and, for larger events, occurring on consecutive weekends.
  - h. All special events are subject to the requirements of Mitigation Measure 4a included in the MMRP.
  - i. A list of all special events for the upcoming academic year shall be provided to the Director of Planning and Development Services before school begins and posted on the School's website for the duration of the academic year. The number of expected event attendees and applicable parking plan required in Mitigation Measure 4a shall be similarly posted. The purpose of this condition is to provide a reasonable expectation when such events are anticipated and ensure the maximum number of events is not exceeded or occur during restricted hours. Occasional adjustments to the event schedule or minor exceedances to the ending time of an event during the academic year shall not constitute a violation of this condition of approval provided other applicable restrictions are met.
  - j. All special events shall comply with the approved transportation demand

management.

- k. Upon review by the Neighborhood Committee (Condition 33) the Director of Planning and Development Services may administratively approve an increase in the number of events or change to event scheduling requirements.
7. The Director of Planning and Development Services may approve a request to use the School's campus by the Palo Alto Unified School District, up to five times per academic year, without the need for a Temporary Use Permit or counting as special event as defined in Condition #6. The School shall provide traffic management for any such events. This condition is intended to support and encourage continued collaboration between PAUSD and Castilleja in a manner that is minimally intrusive to the Castilleja neighborhood and may allow some of the School's larger events to occur off campus. The Director may impose conditions deemed necessary to address impacts of PAUSD events on Castilleja campus. Nothing in this condition is intended to preclude the School from applying for a Temporary Use Permit in accordance with Palo Alto Municipal Code section 18.42.050.

**OPERATIONS-RELATED:**

8. Standard School hours are Mondays through Fridays 7am to 6pm. Co-curricular Programming involving fewer than the number of students in one upper school grade level and confined to indoor spaces may occur outside of these hours.
9. Summer school programs shall be subject to all conditions and restrictions that apply to school year programs, except that summer use of the playing fields or the pool shall not occur before 9:00am. The School shall provide a minimum one-week student break between the school year and the summer program(s). The School is prohibited from renting or loaning the campus to another summer school program, organization or group provider. Each summer camp session will not exceed maximum enrollment permitted during prior school year.
10. Following construction of the Academic Building, all deliveries and bus pickups and drop offs shall be accomplished within designated pickup/drop off areas on campus accessed from the driveway from Kellogg Avenue.
11. Removal of the temporary campus on Spieker Field shall commence within six months of the City's issuance of a final occupancy permit for the Academic Building.
12. a. At all times the School shall comply with the City's Noise Ordinance. Except for swimming pool-related activity, Major Events, and emergencies, including drills, no outdoor amplified sound equipment shall be used on the campus without approval of a noise exception permit from the City. The School may apply for a single permit for multiple exceptions throughout the year. For the purposes of this permit, "amplified sound equipment" includes bull horns, air horns, loudspeakers, or similar noise-generating equipment. Amplified outdoor sound associated with the swimming pool shall

be prohibited between 8pm and 7am. The School shall take reasonable efforts to mitigate School-related noise complaints from nearby residents. If noise complaints are not satisfactorily resolved, the Director of Planning and Development Services may require the placement of noise monitors to collect data and determine compliance with this condition. Any consultant costs, installation, monitoring or remedial action and staff time required to address noise-related complaints shall be paid for by the School.

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

c. The School shall coordinate with the Director of Planning and Development Services and the Chief Transportation Official to identify a traffic safety warning device to be used at the garage exit that will not generate excessive noise audible at neighboring residential properties to the greatest extent feasible.

13. Except for purposes of garage egress in accordance with the approved plans, the School's adjacent Emerson Street residential properties shall not be used for any School related purpose, including but not limited to, additional parking, storage or staging of materials or equipment, deliveries or student pick-up or drop-off. These parcels do not have City approval for use or activity supporting the School and are limited to residential and accessory uses customarily incidental to single family residential uses.

14. Outdoor athletic practices and games shall be limited to daylight hours only. No field lighting shall be installed. This does not preclude lighting for safety, landscaping and pathways approved by the City.

15. The following restrictions apply to the School's gym operations in accordance with prior City approvals:

- a. Activities are not permitted in the lower basement level of the Physical Arts Building that would cause the number of occupants to exceed 500.
- b. Ventilation equipment for the gym is not to be operational from 9 pm to 6 am. However, the ventilation equipment may be operational until 10 pm when the gym is used for evening events as listed on the School's event calendar.

**COMMUNITY ENGAGEMENT:**

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

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

**TRANSPORTATION DEMAND MANAGEMENT:**

20. Within six (6) months following the effective date of the Council's action on this application, the School shall prepare a final version of the complete transportation demand management (TDM) plan that compiles all applicable transportation-related requirements of this Record of Land Use Action into a cohesive, well-organized and indexed document. The TDM plan shall be submitted to the City Council for approval. The intent of the TDM plan is to reduce vehicle trips to, and parking demand at, the school for the purpose of minimizing School-related disruptions and intrusions into the nearby residential neighborhoods. The TDM plan shall also serve as a publicly available resource to inform interested residents of the School's transportation-related expectations and requirements and, therefore, may include performance standards or operational conditions of approval not typically associated with a TDM plan. As required below, the TDM plan shall incorporate requirements from several source documents. The TDM plan required by this condition does not need to be a verbatim restatement of the transportation management requirements but shall include specific performance measures and criteria where appropriate and generally document the implementation strategies to effectuate the intent of these provisions. Where a dispute between the City and School is unresolved regarding implementation of this condition, the Director shall schedule a hearing before the Planning and Transportation Commission for a recommended resolution to the City Council. The TDM plan shall apply to the 2022-2023 academic school year and every year thereafter, however real time monitoring infrastructure will be in place by November 2022.
21. The TDM plan shall incorporate all transportation-related provisions from the following source documents:
- a. All components of the School's current transportation demand management plan (on file with the City of Palo Alto), including but not limited to: implementation of an incentive program for faculty, staff and students for carpooling and using alternative means of transportation; annually posting and reporting on special events; and, bi-annual communications with parents reminding them of the importance/purpose of the School's TDM strategies.
  - b. All applicable Mitigation Measures from the Certified Final EIR and particularly Mitigation Measures 4a and 7a (on file with the City of Palo Alto and attached to this document).
  - c. All applicable conditions included in this Record of Land Use Action.
  - d. Reference to applicable sections of the Palo Alto Municipal Code regarding TDM programs, monitoring, reporting and penalties.
  - e. The TDM supplement submitted by the applicant and prepared by the transportation firm Nelson Nygaard, dated June 17, 2019, which includes updated monitoring report requirements and introduces new TDM strategies (on file with the City of Palo Alto and temporarily available online: <https://www.cityofpaloalto.org/civicax/filebank/documents/77808>).

22. The following additional performance measures and requirements shall be incorporated into the TDM Plan:

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

addition, the School shall provide roundtrip shuttle service for all special events to encourage participants to use transit or a park and ride service. The shuttle pickup/drop off location(s) and schedule shall be included with other event information shared with potential attendees and shall also include a parking plan for each special event.

- j. The School shall routinely monitor and reassess drop-off/pick-up assignments to balance traffic flows in accordance with the expectations set forth in the Mitigation Monitoring and Reporting Plan. The actual and target distribution percentages shall be included in TDM monitoring reports.
  - k. The School agrees to park exclusively either on campus, at designated off-site lots made available for School use, or on the School side of adjacent streets where parking is permitted. The School further agrees that they will be excluded from any future Residential Parking Permit (RPP) Program.
  - l. The School shall be responsible for traffic control, enforcing no parking/drop-offs in unauthorized streets / areas and monitoring of streets around school for student parking or drop-offs.
  - m. The School shall not allow juniors to drive to school, except that at any given time in the academic year, the School may make up to 5 exceptions to this policy in its sole discretion.
  - n. Prior to exceeding an enrollment of 450 students, the School shall demonstrate that at least 40% (+/- 2%) of students reside within a 5-mile radius of the campus.
  - o. Guidelines for use of satellite parking.
23. Notwithstanding Palo Alto Municipal Code Section 18.52.050 (d) (1), TDM monitoring reports shall be prepared by the School and submitted to the Director of Planning and Development Services three times per academic year until the school has reached maximum enrollment, or within 5 students below maximum enrollment, for two consecutive years and has consistently met the average peak hour and average daily trip rate standards required by these conditions. At that time, only two monitoring reports per year shall be required. After 15 years of monitoring, the Planning and Transportation Commission shall review whether this condition is still necessary. Monitoring reports shall be provided to the City in accordance with the following schedule:
- a. Reporting Three Times / Year
    - i. Report due by December 15 and covers the academic period from July through October.
    - ii. Report due by April 15 and covers the academic period from November through February.
    - iii. Report due by August 15 and covers the academic period from March through June.
  - b. Reporting Twice / Year
    - iv. Report due by February 1 and covers the period from July through December.

- v. Report due by August 1 and covers the academic period from January through June.

24. Required TDM monitoring reports shall include the following components:

- a. Describe in full the requirements of the recurring Monitoring Report, including TDM Plan goals and performance measure targets and data collected.
- b. Include the following data and metrics:
  - i. driveway volume counts by 15-minute increments (raw counter data);
  - ii. the total average weekday AM peak trips and average weekday daily trips for the monitoring period, excluding construction trips, Special Event and Major Event dates and non-school days; summer school shall be separately reported and not averaged with the academic year.
  - iii. the total average daily weekday trips and AM weekday peak trips during the weeks per monitoring period that the campus frontage street segments are evaluated by the City;
  - iv. the average daily weekday traffic volumes on the campus frontage City street segments (except Embarcadero) per these conditions – raw data provided to the City according to the reporting schedule.
  - v. the dates and number of times the average weekday daily trips and/or AM weekday peak trips exceeded AM weekday peak and/or ADT exceedance threshold, including any special, limited circumstances such as trips during construction.
  - vi. rates of use of alternative transportation (% of mode split between bicycle, pedestrian, shuttles, etc.).
  - vii. parking conditions (number of spaces within the garage used, number of spaces within surface lots used, extent (counts) of on-street parking adjacent to the school and in the expanded parking study area).
  - viii. bicycle parking counts (supply and demand) and dates, times, & attendance of bicycle repair clinics.
  - ix. student drop-off/pick-up location counts and percentages by driveway.
  - x. an electronically transmitted appendix to the report containing the raw data from the driveway counting devices for the monitoring period.
- c. Describe how and where counts were conducted. Describe any off-site data collected by an independent traffic engineering company.
- d. Driveway Counting Device: Describe installation, calibration methods, function and proposed maintenance of permanent traffic counting devices. Describe how records of traffic counts are to be preserved electronically and frequency of posting of this data to the School's website for accessibility to City officials and the public.
- e. Include a detailed explanation of the pick-up and drop-off process as well as target pick-up/drop-off distribution percentages.
- f. Include information on compliance with parking and drop-off requirements, including parking or drop-off in the surrounding neighborhood.

- g. Include the number of daily (while school is in session) onsite traffic attendants.
  - h. Describe the use of traffic safety warning devices.
  - i. Provide a map of each parking study area, and description of methodology employed to capture off-campus parking.
  - j. Describe on and off campus Parking Management Strategies, Traffic Circulation Management Strategies and Event Traffic Procedures.
  - k. Identify scope and breadth of TDM measures utilized (i.e. programs that encourages walking/biking/transit, Auto trip reduction strategies, etc.).
  - l. Describe other programs provided by the school in detail (i.e. organized vans, shuttles, transit subsidies) and how the mode split data was collected (survey, website, etc.).
  - m. Provide the number of enrolled students for the period covered by the report.
  - n. List the dates of special events that occurred in the period covered by the report, including times, attendance, and parking/traffic management efforts and results.
  - o. Provide copies of mailings to families regarding the parking/traffic/pick-up/drop-off policy, including traffic management for special events.
  - p. Include a list of disciplinary consequences for students and parents who do not cooperate with the parking requirements
  - q. Provide the TDM Monitoring Report in a simplified, easy to read compliance review matrix format.
  - r. In addition to the TDM Monitoring Report, the School shall provide real time driveway counter data to the City, as directed by the Director or the Office of Transportation.
25. The School shall update its transportation and parking handbook and distribute it annually to the parents of enrolled students in advance of the upcoming academic year. The handbook shall be incorporated into the Castilleja School long range planning efforts and made part of the Board Policies and Procedures Manual. The handbook shall include the following policies and any applicable provisions from these conditions of approval:
- a. At the beginning of each school year an updated parking/traffic/pick-up/drop-off policy shall be communicated to parents to remind them of the importance of the Parking and Traffic policy. Regular newsletters to parents will include a TDM section with any relevant updates to the TDM Policy. The parking/traffic/pick-up/drop-off policy shall include:
    - i. Parents shall be instructed not to double-park on street nor drop-off or pick-up students in undesignated areas.
    - ii. Traffic monitors will direct cars to maintain a constant flow of traffic to avoid queueing on public streets.
    - iii. Parents shall be instructed not to make left turns in or out of driveways at peak times. Signs shall be posted to indicate these turning rules.
    - iv. Castilleja School shall continue to provide traffic monitors during peak drop-off, pick-up and for special events. The traffic monitors shall educate

students and parents and enforce the circulation related conditions of approval to keep surrounding streets clear of congestion. Traffic monitors will be identified by wearing a highly visible safety vest.

- v. Once per day, School personnel shall monitor parking onsite and on surrounding public streets. The School shall notify any violators that they must move their car(s).
- vi. Castilleja students, faculty, staff, and parents shall be instructed to park exclusively either on campus, at designated off-site lots made available for School use, or on the School side of adjacent streets where parking is permitted. Daily monitoring of parking shall be conducted, and offenders shall be instructed where to park.
- vii. The School shall develop clear disciplinary consequences for students and parents who do not cooperate with the parking requirements.
- viii. Oversight for the Transportation Demand Management Plan shall be the responsibility of the Head of School. Other staff may be assigned responsibilities regarding the daily operation and enforcement of the plan. As the designated person or persons could change each year as job responsibilities are redefined, at the beginning of each year Castilleja shall provide neighbors and the City of Palo Alto with a list of individual contacts with emails and phone numbers. Head of School shall ensure all personnel fully understand and are trained to complete their responsibilities: A log shall be kept of all communication (i.e. email, telephone calls) and the expressed concerns which are received. School staff shall review the log for trends and respond to remedy any problems. If any neighbor feels their concern was not properly responded to, they should contact the number the School publishes for complaints (condition #19).
- ix. At the beginning of every school year Castilleja shall set aside scheduled time for all faculty and staff to register their cars, receive an I.D. tag and review the traffic and parking policies.
- x. At the beginning of each semester Castilleja shall register all student cars, distribute I.D. tags, and review the traffic and parking policies with student drivers.
- xi. For special events, Castilleja School shall utilize the area on Spieker Field for overflow parking, as needed.
- xii. Castilleja shall continue its major transportation campaign with families to emphasize carpools and use of Castilleja buses and shuttles, Caltrain and other alternative means of transportation. Every Castilleja family shall receive information promoting carpooling and providing information to facilitate car/vanpooling in their immediate geographic area.
- xiii. Castilleja shall experiment with a plan for an assigned parking program with designated areas for certain types of parking (i.e. student, employee, visitor).
- xiv. Castilleja shall designate a Visitor Parking Zone in the area of the

Administration Building. Visitors shall register in the Administration Building. At that time, they shall be asked where they are parked and redirected to the visitor's zones if necessary.

- xv. Castilleja will continue to review its event calendaring process and develop procedures to more strategically plan school functions and their placement on the calendar so that functions with more than 100 attendees coming to campus do not become bunched on consecutive nights or weekends.
- xvi. Castilleja has five major events each year (a start of year ceremony, back to school night, a community building event, Founder's Day Luncheon, and Baccalaureate/Graduation) that will bring almost all students and parents to the Castilleja Campus. For these occasions Castilleja shall provide traffic monitors to make sure that all vehicles park legally and safely on all street parking. Castilleja shall maximize all on-site parking and use tandem parking and assisted or valet parking whenever feasible. Shuttles to Caltrain shall operate so that guests may attend without bringing a car to the campus area, and the shuttle schedule shall be published along with the parking plan for these events. A complete list of these events including date, time of event and number of expected attendees shall be published annually and distributed to neighbors and the City of Palo Alto.
- xvii. The School shall review the parking/traffic requirements of each event and develop appropriate parking and shuttle service to Caltrain. Parking instructions and Caltrain shuttle schedules shall be included in event notifications. Castilleja shall provide traffic monitors for these events and shall direct as much traffic as possible onto the school site, using tandem parking, and assisted or valet parking, allowing students to use all lots after hours, using the day-time loading zones for parking, and utilizing all resources to minimize impact to street parking. For certain events as needed, Castilleja shall make every effort to arrange off-site parking with nearby parking lots and provide shuttle service to the parking locations using school vehicles to transport people to and from the school. The availability of these lots is dependent on events and cooperation from lot owners.
- xviii. For School committee meetings which bring volunteers to the campus, Castilleja shall coordinate a parking plan and shuttle schedule that will be communicated to all committee members. At the beginning of meetings, a reminder of parking policies shall be announced to all attendees. Anyone not following the policy shall be requested to move their car. When meeting notices are sent to committee members, a parking reminder and shuttle schedule shall be included.
- xix. Castilleja shall give all summer camp families Castilleja written instructions for a drop-off/pick-up procedure at the beginning of each camp session. Drop-off and pick-up shall be conducted on-site. Castilleja personnel shall

facilitate getting campers into vehicles and ensure all policies are followed. It shall be the responsibility of the Director of Summer Camp to enforce the policies with parents.

- xx. Parents shall be instructed to move out of the driveway if their daughter is not at the pick-up location and others are waiting.
- xxi. Castilleja School shall develop a comprehensive incentive program for faculty, staff, and students for carpooling and using alternative means of transportation

After implementation of the TDM Plan, the Director of Planning and Development Services may, based on empirical data or other information that would reasonably impact the effectiveness of the TDM plan, determine that one or more of the above TDM strategies has become infeasible or ineffective. Upon such determination, the School shall propose an alternative measure(s) in consultation with the Director to achieve the intended performance of the replaced strategy or strategies.

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

#### **ENFORCEMENT, COMPLIANCE AND REPORTING**

**27. MMRPs incorporated into Conditions of Approval.** These Conditions of Approval (COAs) incorporate the Mitigation Monitoring and Reporting Program (MMRP), attached hereto, based on the 2019-2020 Environmental Impact Report (EIR) analysis prepared for the Castilleja School project. These COAs and the MMRP are in compliance with Section 15097 of the California Environmental Quality Act (CEQA) Guidelines, which requires that the Lead Agency “adopt a program for monitoring or reporting on the revisions which it has required in the project and the measures it has imposed to mitigate or avoid significant environmental effects.” These COAs and the MMRP list mitigation measures recommended in the project Final EIR dated July 30, 2020 and identify mitigation monitoring requirements. In addition, the City’s Standard Conditions of Approval were identified in the Draft EIR as measures that would minimize potential adverse effects that could result from implementation of the project. This Record of Land Use Action ensures the approval conditions are clear to enable City staff oversight, monitoring and enforcement. All mitigation measures and Conditions of Approval identified in the 2020 CEQA Analysis are included herein. To the extent that there is any inconsistency between the COA and Mitigation Measures, the more restrictive conditions shall govern; to the extent any mitigation measures and/or COA identified in the 2020 CEQA document were inadvertently omitted, they are automatically incorporated herein by reference.

**28. Violations and Enforcement.** Violation of any term, condition or Mitigation Measure relating to the approvals is unlawful, prohibited, and a violation of the Palo Alto Municipal Code pursuant to PAMC Section 18.01.080. The City of Palo Alto reserves the right to

initiate civil and/or criminal enforcement and/or abatement proceedings, or after notice and public hearing, to revoke the Approvals or alter these conditions/mitigation measures if it is found that there is violation of any of the conditions/ mitigation measures or the provisions of the Municipal Code, or the project operates as or causes a public nuisance. This provision is not intended to, nor does it, limit in any manner whatsoever the ability of the City to take appropriate enforcement actions, including but not limited to the imposition of administrative financial penalties. The project applicant shall be responsible for paying fees in accordance with the City's Municipal Fee Schedule for inspections conducted by the City or a City-designated third-party to investigate alleged violations of the conditions of approval.

29. **Enrollment Suspension or Reduction as Remedy.** In addition to the remedies available under Condition 28, the City may require that the School suspend enrollment increases or reduce maximum enrollment when it finds the School in violation of any conditions of approval, including but not limited to the approved transportation demand management plan, anticipated student drop off distribution, or environmental mitigation measures, subject to the following criteria:
- a. Following initial notice of a violation, the School shall be given 45 days to take corrective action and demonstrate compliance to avoid a suspension in enrollment.
  - b. Any determination to reduce or suspend increases in enrollment from the Director of Planning and Development Services shall be made within 60 days of the initial notice. This determination may be appealed in writing within 14 days, in accordance with PAMC Chapter 18.78 and subject to applicable fees.
  - c. A final determination to suspend increases to or reduce enrollment made after the start of the academic year and prior to March 1 shall apply to the next academic year. Final determinations made on or after March 1 but before the start of the next academic year shall apply to the following academic year regardless of whether the School has remedied any violation(s) that were the cause of the suspended enrollment. The term final determination used in this context includes the time to process an appeal, if filed.
  - d. Violations of Average Daily Trips (ADT) and AM Peak trips performance standards may also be enforced pursuant to Mitigation Measure 7a and Conditions of Approval #4 and #34.
30. Within 30 days of receipt of an invoice from the City, the School shall deposit \$15,000 with the City of Palo Alto to cover all City costs associated with periodic review of the school's compliance with these conditions of approval, the cost of the City's consultant review of School-generated technical reports required by these conditions (including reports analyzing raw traffic data in accordance with these conditions), and handling of community complaints of alleged violations. The deposit amount shall be replenished within 30 days after receiving notice from the City that deposit balance is \$5,000 or less.

31. Before the start of each academic year and upon receipt of an invoice from the City, the School shall fund the City's installation of temporary vehicle traffic counter devices, for each TDM plan monitoring report required by these conditions for the corresponding academic year. The counting devices shall be placed on street segments identified in MM7a (Emerson, Bryant, and Kellogg). After 15 years of monitoring, the Planning and Transportation Commission shall review whether this condition is still necessary.
32. Prior to issuance of a building permit, the School shall deposit funds with the City of Palo Alto in the amount provided on the City's municipal fee schedule to cover the full costs of independent technical review, monitoring and inspection to ensure compliance with the Mitigation Monitoring and Reporting Program.
33. Neighborhood Committee
  - a. The City Council shall appoint a 3-person Neighborhood Committee that shall have the following advisory responsibilities:
    - i. Review TDM reports and TDM Plan performance.
    - ii. Review impacts related to Special Events and Major Events and provide a recommendation to the Planning and Development Services Director on whether the number and schedule of events should be increased above what is permitted by Condition 6.
    - iii. Review noise complaints and other impacts on the neighboring community related to these conditions of approval.
    - iv. Coordinate with the School in organizing twice annual community meetings.
    - v. Provide recommendations to the Planning and Development Services Director on whether the School has met conditions that would trigger changes in student enrollment.
  - b. The Neighborhood Committee will convene within 30 days of submission of a TDM report and as needed to review other issues within its purview.
    - i. The Neighborhood Committee will provide any recommendations to the Planning and Development Services Director within 14 days of meeting.
    - ii. If the Committee is unable to convene or provide a recommendation within the timelines above, the Planning and Development Services Director may act without the recommendations of the Committee.
    - iii. Meetings of the Neighborhood Committee shall be subject to the Brown Act.
  - c. Neighborhood Committee members shall live within 500 feet of the school and serve two year terms.
  - d. The Planning and Development Services Director has the authority to administratively approve adjustments to enrollment or events as provided in these Conditions of Approval.
34. In addition to the enforcement measures contained in Mitigation Measure 7a and

conditions #28-30, the School shall be subject to the following for violation of conditions #21-24:

- a. Between CUP approval and attainment of the maximum enrollment, or within 5 students below maximum enrollment, for two consecutive years, violation of the average AM Peak or ADT thresholds provided in Condition #22 shall be subject to the following schedule:
  - i. For the 1<sup>st</sup> monitoring report showing the average AM Peak or ADT thresholds are exceeded, additional TDM measures shall be required as determined by the School.
  - ii. For the 2<sup>nd</sup> consecutive report showing the average AM Peak or ADT thresholds are exceeded, additional TDM measures shall be required as determined by the Director of Planning and Development Services in consultation with the Chief Transportation Official and the School.
  - iii. If there are three consecutive reporting periods (and for each consecutive violation thereafter) during which average AM Peak or ADT thresholds are exceeded, reduce enrollment by at least five (5) students or more as reasonably determined necessary by the Director of Planning and Development Services in consultation with Chief Transportation Official to ensure attainment in the next admission cycle. To restore student enrollment reduced by enforcement of this condition, Castilleja must demonstrate compliance with average AM Peak and ADT thresholds established in these conditions for three consecutive reporting periods. Upon successful compliance, the restoration schedule shall be determined by the Director of Planning and Development Services and shall not exceed the lesser of 25 students or the total number of number of student enrollment positions reduced through enforcement of this condition. Following restoration of enrollment, enrollment increases may proceed as provided in Condition #4.
- b. Following attainment of the maximum enrollment or within 5 students below maximum enrollment, for two consecutive years, violation of the average AM Peak or ADT thresholds provided in Condition #22 shall be subject to the following schedule:
  - i. For the 1<sup>st</sup> monitoring report showing the average AM Peak or ADT thresholds are exceeded, additional TDM measures shall be required as determined by the Director of Planning and Development Services in consultation with the Chief Transportation Official.
  - ii. For the 2<sup>nd</sup> consecutive report showing the average AM Peak or ADT thresholds are exceeded, TDM measures shall be required as determined by the Director of Planning and Development Services in consultation with the Chief Transportation Official.
  - iii. If there are three consecutive reporting periods (and for each consecutive violation thereafter) during which average AM Peak or ADT thresholds are

exceeded, reduce enrollment by at least five (5) students or more as reasonably determined necessary by the Director of Planning and Development Services in consultation with Chief Transportation Official to ensure attainment in next admission cycle. To restore student enrollment reduced by enforcement of this condition, Castilleja must demonstrate compliance with average AM Peak and ADT thresholds established in these conditions for three consecutive reporting periods. Upon successful compliance, the restoration schedule shall be determined by the Director of Planning and Development Services and shall not exceed the lesser of 25 students or the total number of number of student enrollment positions reduced through enforcement of this condition. Following restoration of enrollment, enrollment increases may proceed as provided in Condition #4.

- iv. If one report in a calendar year (February 15 or August 1) showed an exceedance of either average AM peak hour or ADT thresholds and one or two reports in the next calendar year show an exceedance of average AM peak hour or ADT thresholds, implement more intensive TDM measures as determined by the Director of Planning and Development Services in consultation with the Chief Transportation Official.
  - v. If one report in a calendar year (February 15 or August 1) showed an exceedance of either average AM peak hour or ADT thresholds and three consecutive reports in the next two calendar years (February 15, August 1 and February 15) show an exceedance of average AM peak hour and ADT thresholds, reduce enrollment by up to 5% in the next admission cycle or by up to 10% over the next two admission cycles combined as reasonably determined by the Director of Planning and Development Services in consultation with Chief Transportation Official to ensure attainment of the average daily AM peak hour and average daily trip counts standards. The parties will meet and confer to determine whether and how to reasonably effectuate a reduction beyond the above percentages. To restore student enrollment reduced by enforcement of this condition, Castilleja must demonstrate compliance with average AM Peak and ADT thresholds established in these conditions for three consecutive reporting periods. Upon successful compliance, the restoration schedule shall be determined by the Director of Planning and Development Services and shall not exceed the lesser of 25 students or the total number of number of student enrollment positions reduced through enforcement of this condition. Following restoration of enrollment, enrollment increases may proceed as provided in Condition #4.
- c. Construction trips shall be excluded from the trip counts for AM Peak and ADT.
  - d. Violation of TDM program requirements or transportation conditions other than average AM Peak and ADT thresholds may result in penalties as provided in Conditions #28-30.

**INDEMNIFICATION/SEVERABILITY:**

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

**SECTION 9. Conditions of AR Approval.**

**PLANNING AND DEVELOPMENT SERVICES AR CONDITIONS**

**1. ARCHITECTURAL, HISTORIC RESOURCES AND PUBLIC ART REVIEW:**

- a. Any exterior modifications to the building or property shall require submittal of an application for Architectural Review, including for any new signs.
- b. An HRB Subcommittee shall review final designs for the exit stair on the Gunn Building.
- c. Kellogg Façade: One section of the Academic Building shall reflect the November 2021 plan set, enabling larger windows and prior proposed height for classrooms. The middle portion of the façade shall reflect the Kellogg Study (2-4-22), to retain a new open trellis and planter extension, and allow restoration of building height. The final design details shall be subject to review by the ARB Ad Hoc Committee along with a review of lightwells.
- d. Garage Design Option E: The ARB prefers a hybrid design (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 of Project Alternative #4). However, Council March 29, 2021 motion to allow only 50% of required spaces below grade makes Option E the staff recommended option as responsive to the City Council’s direction. Details of Option E’s six staff-designated parking spaces on the Emerson side must reflect protections for bicycle parking and pedestrians.
- e. Prior to the issuance of a building permit, the applicant will have to complete an interim and final review with the PAC, including review and approval of their finalized artwork and budget. Should the applicant plan to spend less than the 1% allocation on artwork, the remaining amount will be paid to the public art fund as an in-lieu contribution.

**2.TREE PROTECTION, REMOVAL AND RELOCATION:**

All but three of the existing street trees shall be protected during construction (*street trees 53, 66, and 57 are proposed for removal*). Two protected trees (*trees 6 and 13*) are to be relocated. The tree protection measures must be approved by the City of Palo Alto Urban Forester and shall be in place prior to any demolition or construction. The School shall comply with Mitigation Measure 4b, which requires that, prior to the issuance of demolition, grading, and/or building permits for each construction phase, the School submit to the City's Urban Forester a Tree Protection and Preservation Plan meeting the requirements of the Tree Technical Manual Sections 2.10 and 6.30 and the specific requirements of Mitigation Measure 4b.

- Protected tree 140 identified in the tree list as updated in 2020 <https://www.cityofpaloalto.org/civicax/filebank/documents/78617> and located within the parcel's building area as defined in PAMC Chapter 8.10, may be removed as part of this approval pursuant to PAMC 8.10.050(b)(2). Protected tree 102 shall be protected to the maximum extent feasible and its removal, if required, shall be subject to the provisions of these conditions.
- The School shall provide justification to the Urban Forester with any request to remove protected trees. If the Urban Forester determines any tree is unlikely to survive the construction process, and therefore meets allowances of Palo Alto Municipal Code, Section 8.10.050 (b), a tree removal permit may be issued to the School, with the associated mitigations previously identified in Mitigation measure 4b.
- The School shall follow the recommendations related to the most recent tree protection plan dated August 28, 2020 <https://www.cityofpaloalto.org/civicax/filebank/documents/78616>. This plan includes specific measures for irrigation for all trees to be preserved, for excavation for utilities, for reporting damage to trees, for root buffer in locations where work is done inside the tree protection zone, for installation of fencing warning signs, for tree pruning, and to ensure:
  - a. the scheduling of demolition inside any tree protection zone shall occur well in advance so that the project arborist can be present. Demolition within the tree protection zone as required by these conditions shall not occur without the project arborist being present on site.
  - b. the project arborist shall remain on site during the excavation of the first five feet of soil for the new Garage near Trees # 115-120 to confirm any cut roots two inches in diameter or larger are sealed and the stub ends are cut cleanly and sealed to prevent desiccation.
  - c. use of a "Soil Nail Wall" for the wall nearest Trees # 115-120; as such, an over cut would not be required.
  - d. the face of the soil cut meets the following minimum distances:
    - i. protect Redwoods #115-120 with a 12-foot excavation setback from trunk bark,
    - ii. protect Coast Live Oak #113 with an 18-foot excavation setback from trunk bark,
    - iii. protect tree #126 with a 15-foot excavation setback from trunk bark,
    - iv. protect trees #123, #124 with an 11-foot excavation setback from the trunk bark,
    - v. protect tree #157 with a 12-foot excavation setback from the trunk bark,
    - vi. protect tree #122 with a 15-foot excavation setback from the trunk bark,

- vii. protect tree #137 with a 4-foot excavation setback from the trunk bark.

**OFFICE OF TRANSPORTATION AR CONDITION**

3. Compliance with the following shall be verified prior to the issuance of a building permit

- a. Include a product specification for the long and short-term bicycle parking fixtures. Ensure proposed products meet performance criteria listed in Chapter 18.54.
- b. An eight-foot wide, shared-use path for bicycles and pedestrians shall be provided alongside the gym, chapel, administration building, and Bryant drop off driveway. The School shall provide signs and pavement markings on the shared-use path to guide the bicyclists as they enter and exit the shared-use path. Proper signage and monitoring shall be provided to keep bicyclists and pedestrians separated from the vehicle circulation path.
- c. School employees shall constantly monitor the parking garage operations during peak hours. The School shall add traffic control and safety signs to guide visitors and to enable smooth and safe site circulation. Traffic control and safety signs shall include, but not be limited to, Stop or Yield sign, pavement marking, shared-use path sign, and marking, speed limit sign, traffic direction sign, drop-off/pick-up area markings.
- d. Applicant shall include parking dimensions and aisle width in the building permit application plans.
- e. The drop-off and pick-up area length shall be maintained in Scheme E as approved in the school's traffic management plan.
- f. Parking stalls 65 to 69 shall remain restricted during pick-up and drop-off.
- g. Proposed parking changes shall not reduce the proposed number of bike parking spaces and its location.
- h. Six parking spaces near Emerson St shall be reserved for employees only to reduce the vehicle movements.
- i. Delivery and trash pick-up trucks shall not back out on the public street.

**PUBLIC WORKS ENGINEERING CONDITIONS OF APPROVAL**

The following comments are required to be addressed prior to any future related permit application and are not required to be addressed prior to the Planning entitlement approval:

4. C.3 STORM WATER TREATMENT: This project shall comply with the storm water regulations contained in provision C.3 of the NPDES municipal storm water discharge permit issued by the San Francisco Bay Regional Water Quality Control Board (and incorporated into Palo Alto Municipal Code Chapter 16.11).

5. C.3 THIRD-PARTY CERTIFICATION:

Applicant shall provide certification from a qualified third-party reviewer that the proposed permanent storm water pollution prevention measures comply with the requirements of Provision C.3 and Palo Alto Municipal Code Chapter 16.11.

The third-party reviewer shall provide the following documents to Public Works prior to building permit approval:

- a. Stamped and signed C.3 data form from SCVURPPP.
- b. Final stamped and signed letter confirming which documents were reviewed and that the project complies with Provision C.3 and PAMC 16.11.

6. C.3 STORMWATER AGREEMENT: The applicant shall enter into a Stormwater Maintenance Agreement with the City to guarantee the ongoing maintenance of the permanent storm water pollution prevention measures. The City will inspect the treatment measures yearly and charge an inspection fee. The agreement shall be executed prior to building permit approval.

PRIOR TO ISSUANCE OF THE BUILDING PERMIT: The applicant shall provide the signed and notarized Stormwater Agreement to the City. Any changes to the C.3 stormwater pollution prevention measures that are necessary to facilitate installation of said measures will be addressed in the agreement and the accompanying exhibits, executed by the City, and recorded with the County.

7. C.3 FINAL THIRD PARTY CERTIFICATION PRIOR TO OCCUPANCY: Within 45 days of the installation of the required storm water treatment measures and prior to the issuance of an occupancy permit for the building, the third-party reviewer shall submit to the City a certification verifying that all the permanent storm water pollution prevention measures were installed in accordance with the approved plans.

8. UTILITIES AND BIO-RETENTION AREAS: Due to maintenance and inspection requirements associated with the bioretention areas, utilities that are not associated with the bio-retention design, shall not be installed within the bio-retention areas. It's not clear if there are any existing or proposed utilities within the bio-retention areas. Plot and label any existing lines and proposed lines to determine if these lines should be relocated or relocate the treatment areas if necessary.

9. LOGISTICS PLAN: The contractor must submit a logistics plan to the Public Works Department prior to building permit demolition. The logistics plan must address all impacts to the City's right-of-way, including, but not limited to: pedestrian control, traffic control, truck routes, material deliveries, contractor's parking, concrete pours, crane lifts, work hours, noise control, dust control, storm water pollution prevention, contractor's contact, noticing of affected businesses, and schedule of work. Plan shall include the following, but not limited to, construction fence, construction entrance and exit, stockpile areas, equipment and material storage area, workers parking area, construction office trailer, temporary bathroom, measures for dewatering if needed, crane location, working hours, contractor's contact information, truck traffic route, setbacks from environmentally sensitive areas, erosion and sediment control measures to be implemented during construction. The applicant shall not make use of pile drivers or other exceptionally loud equipment during construction.

10. PROJECT PHASING / LOGISTICS PLAN: As the applicant has demonstrated the intent to phase this project, multiple logistics and erosion control plans will be required to adequately demonstrate construction logistics and erosion control for each phase. In addition, applicant will be required to provide a proposed schedule to accompany all logistics plans. Finally, each phase will require separate C.3 certification if permits are not issued concurrently.

11. STORM WATER HYDRAULICS AND HYDROLOGY: Plans provided do not show if the existing site drainage has a direct discharge into the existing system. Provide an analysis that compares the existing and proposed site runoff from the project site. Runoff shall be based on City of Palo Alto Drainage Design Standards for 10-year storm event with HGL's 0.5 foot below inlet grates elevations and 100-year storm with HGL not exceeding the street right-of-way. Please provide the tabulated calculations directly on the conceptual grading and drainage plan. This project may be required to replace and upsize the existing storm drain system to handle the added flows and/or depending on the current pipe condition. The IDF tables and Precipitation Map for Palo Alto is available County of Santa Clara County Drainage Manual dated October 2007. The proposed project shall not increase runoff to the public storm drain system.

12. STORM WATER POLLUTION PREVENTION: The City's full-sized "Pollution Prevention - It's Part of the Plan" sheet must be included in the plan set. The sheet is available here: <http://www.cityofpaloalto.org/civicax/filebank/documents/2732>

13. SWPPP: The proposed development will disturb more than one acre of land. Accordingly, the applicant will be required to comply with the State of California's General Permit for Storm Water Discharges Associated with Construction Activity. This entails filing a Notice of Intent to Comply (NOI), paying a filing fee, and preparing and implementing a site-specific storm water pollution prevention plan (SWPPP) that addresses both construction-stage and post-construction BMP's for storm water quality protection. Provide the WDID # directly on the Grading and Drainage Plan.

14. CONNECTION INTO THE CITY STORM SYSTEM. As applicant is proposing a direct connection into the City storm system, they will be required to provide a video of that storm lateral and main to demonstrate that the storm line is in good condition. Any repairs or replacements required shall be completed by this project applicant.

15. DEMOLITION PLAN: Place the following note adjacent to an affected tree on the Site Plan and Demolition Plan: "Excavation activities associated with the proposed scope of work shall occur no closer than 10-feet from the existing street tree, or as approved by the Urban Forestry Division contact 650-496-5953. Any changes shall be approved by the same".

16. SIDEWALK, CURB & GUTTER: As part of this project, the applicant must replace all existing sidewalk, curbs, gutters and driveway approaches in the public right-of-way along the frontages of the property. The site plan submitted with the building permit plan set must show the extent of the replacement work (at a minimum all curb and gutter and sidewalk along the project

frontage). The plan must note that any work in the right-of-way must be done per Public Works' standards by a licensed contractor who must first obtain a Street Work Permit from Public Works at the Development Center.

17. STREET TREES: The applicant may be required to replace existing and/or add new street trees in the public right-of-way along the property's frontage(s). Call the Public Works' arborist at 650-496-5953 to arrange a site visit so he can determine what street tree work, if any, will be required for this project. The site plan submitted with the building permit plan set must show the street tree work that the arborist has determined, including the tree species, size, location, staking and irrigation requirements, or include a note that Public Works' arborist has determined no street tree work is required. The plan must note that in order to do street tree work, the applicant must first obtain a Permit for Street Tree Work in the Public Right-of-Way from Public Works' arborist (650-496-5953).

18. GRADING PERMIT: The site plan must include an earthworks table showing cut and fill volumes. If the total is more than 100 cubic yards, a grading permit will be required. An application and plans for a grading permit are submitted to Public Works separately from the building permit plan set. The application and guidelines are available at the Development Center and on our website.

19. GRADING & DRAINAGE PLAN: Provide a separate Grading and Drainage Plan prepared by a qualified licensed engineer, surveyor or architect. Plan shall be wet-stamped and signed by the same. Plan shall include the following: existing and proposed spot elevations, earthwork volumes (cut and fill in CY), pad, finished floor, garage elevation, base flood elevation (if applicable) grades along the project conforms, property lines, or back of walk. See PAMC Section 16.28.110 for additional items. Projects that front directly into the public sidewalk, shall include grades at the doors or building entrances. Provide drainage flow arrows to demonstrate positive drainage away from building foundations at minimum of 2% or 5% for 10-feet per 2013 CBC Section 1804.3. Label the downspouts, splash-blocks (2-feet long min) and any site drainage features such as swales, area drains, bubble-up locations. Include grate elevations, low points and grade breaks. Provide dimensions between the bubblers and property lines. In no case shall drainage across property lines exceed that which existed prior to grading per 2013 CBC Section J109.4. In particular, runoff from the new garage shall not drain into neighboring property. For additional grading and drainage detail design, see Grading and Drainage Plan Guidelines for Residential Development.

<http://www.cityofpaloalto.org/civicax/filebank/documents/2717>

20. ROUGH GRADING PLAN. Provide a Rough Grading Plan for the work proposed as part of the Grading and Excavation Permit application. The Rough Grading Plans shall include the following: pad elevation, basement elevation, elevator pit elevation, ground monitoring wells, shoring for the proposed basement, limits of over excavation, stockpile area of material, overall earthwork volumes (cut and fill), temporary shoring for any existing facilities, ramps for the basement access, crane locations (if any), etc. Plans submitted for the Grading and Excavation Permit,

shall be stand-alone, and therefore the plans shall include any conditions from other divisions that pertain to items encountered during rough grading for example if contaminated groundwater is encountered and dewatering is expected, provide notes on the plans based on Water Quality's conditions of approval. Provide a note on the plans to direct the contractor to the approved City of Palo Alto Truck Route Map, which is available on the City's website.

21. GROUNDWATER: Due to high groundwater throughout much of the City and Public Works prohibiting the pumping and discharging of groundwater, perforated pipe drainage systems at the exterior of the basement walls or under the slab are not allowed for this site. A drainage system is, however, required for all exterior basement-level spaces, such as lightwells, patios or stairwells. This system consists of a sump, a sump pump, a backflow preventer, and a closed pipe from the pump to a dissipation device onsite at least 10 feet from the property line, such as a bubbler box in a landscaped area, so that water can percolate into the soil and/or sheet flow across the site. The device must not allow stagnant water that could become mosquito habitat. Additionally, the plans must show that exterior basement-level spaces are at least 7-3/4" below any adjacent windowsills or doorsills to minimize the potential for flooding the basement. Public Works recommends a waterproofing consultant be retained to design and inspect the vapor barrier and waterproofing systems for the basement.

22. EXCAVATION SHORING: Shoring for the basement excavation, including tiebacks, must not extend onto adjacent private property or into the City right-of-way.

23. DEWATERING: Proposed underground garage excavation may require dewatering during construction. Dewatering shall comply with the City of Public Works published Regulations for Groundwater Dewatering during Construction of Below Ground Structures. The subject project shall be required to use secant walls as a groundwater exclusionary technique when dewatering is required. Open pit groundwater dewatering and controlled groundwater pumping, also known as drawdown well dewatering, are not permitted. The geotechnical report for this site must list the highest anticipated groundwater level; if the proposed project will encounter groundwater, the applicant must provide all required dewatering submittals for Public Works review and approval prior to grading permit issuance.

24. WORK IN THE RIGHT-OF-WAY: The plans must clearly indicate any work that is proposed in the public right-of-way, such as sidewalk replacement, driveway approach, or utility laterals. The plans must include notes that the work must be done per City standards and that the contractor performing this work must first obtain a Street Work Permit from Public Works at the Development Center. If a new driveway is in a different location than the existing driveway, then the sidewalk associated with the new driveway must be replaced with a thickened (6" thick instead of the standard 4" thick) section. Additionally, curb cuts and driveway approaches for abandoned driveways must be replaced with new curb, gutter and planter strip.

25. IMPERVIOUS SURFACE AREA: The project will be creating or replacing 500 square feet or more of impervious surface. Accordingly, the applicant shall provide calculations of the existing

and proposed impervious surface areas with the building permit application. The Impervious Area Worksheet for Land Developments form and instructions are available at the Development Center or on our website.

26. PAVEMENT: Applicant will be required to resurface (grind and overlay) the full street width (curb to curb) on all four project frontages (Embarcadero, Bryant, Emerson, Kellogg). The extents of resurfacing may be increased or decreased based on the condition of the road following construction.

27. EASEMENT BENEFICIARY APPROVALS. Applicant shall obtain approval from all easements beneficiaries for any gates blocking access to any existing or proposed easements and provide that approval to the City before grading permit or building permit issuance.

28. EASEMENT RELOCATION: Applicant shall relocate the existing 25-foot Public Utility Easement (PUE) to be within the boundaries of the driveway that is proposed near the Emerson Street and Melville Avenue intersection. Prior to Building Permit submittal, Applicant shall submit plat and description of easement modification to the Real Estate Division for review and recordation.

#### **PUBLIC WORKS URBAN FORESTRY CONDITIONS OF APPROVAL**

The School shall address the following conditions prior to any future related permit application such as a Building Permit, Excavation and Grading Permit, Certificate of Compliance, Street Work Permit, Encroachment Permit, as further described below. In the event the mitigation measure 4b or planning architectural review conditions of approval #2, 70 or 71 are more stringent than below conditions, the more restrictive condition or measure applies.

**29. TREE CANOPY AND TPZ.** All tree canopy and Tree Protection Zone (TPZ) dimensions must be added to all site plans (esp. site, demolition, grading & drainage, foundation, irrigation, tree disposition, utility sheets, etc.).

**30. FINAL DESIGN OPTION.** Option E is the most comprehensive design scheme relative to the protection of the greatest number of protected trees on the campus. Urban Forestry Staff considers option E the most responsive to the Council motion regarding tree preservation. The option E design must be included in any subsequent permit phase, or Urban Forestry planning approval is invalid.

**31. FINAL UTILITY/FEATURE PLACEMENT.** At building permit submittal, plan drawings must reflect the least intrusive options within the TPZ for final infrastructure and utilities placements. Final locations must keep TPZ impacts to less than 25% TPZ disturbance. These options were discussed with the applicant and are itemized in the Nov 2021 Dudek memo ([see table 2 on page 15 of 24](#)).

**32. GROUND PENETRATING RADAR ROOT MAPPING.** Before applying for any subsequent permit, the applicant shall obtain, at their own cost, a Ground Penetrating Radar (GPR) root mapping survey for the area around tree #89. This GPR condition is in conjunction with the inclusion of option E. At a minimum this shall include the paved parking lot area surrounding tree #89. The data from this survey will supply the Project Arborist and Urban Forester with specific information regarding the exact location and distribution of roots for this tree. This information can be used by the applicant to tailor the final utility/feature placement and by the Project Arborist and Urban Forester to determine the final tree protection fencing placement to best protect this tree during construction. (Tree Technical Manual, Sec. 1.00, 36) Results from this GPR survey will be used to maximize tree protection measures but may not be used to propose major design changes outside of a discretionary review process.

**33. TREE APPRAISAL & SECURITY DEPOSIT AGREEMENT.** (Reference: CPA Tree Technical Manual, Section 6.25). Prior to the issuance of a grading or building permit, the applicant shall prepare and secure a tree appraisal and security deposit agreement stipulating its duration and a monitoring program. The appraisal of the condition and replacement value of all trees to remain shall recognize the location of each tree in the proposed development. Listed separately, the appraisal may be part of the Tree Survey Report. For the purposes of a security deposit agreement, the monetary market or replacement value shall be determined using the most recent version of the "Guide for Plant Appraisal", in conjunction with the Species and Classification Guide for Northern California. The appraisal shall be performed at the applicant's expense, and the appraiser shall be subject to the Director's approval.

**a. SECURITY DEPOSIT AGREEMENT.** Prior to grading or building permit issuance, as a condition of development approval, the applicant shall post a security deposit for 150% of the appraised replacement value of the following protected species trees:

- *Sequoia sempervirens* (#1 & #63)
- *Quercus agrifolia* (#'s 16, 38, 39, 54, 55, 56, 64, 87, 89, 100, 102, 113, 138 & 155)
- *Transplant trees #6 (Quercus agrifolia 19.9" DBH) & #13 (Quercus agrifolia 17.4" DBH)*

*The total amount of the deposit for this project will be determined with updated appraisal values as outlined above. Using the 2017 appraisal numbers from the Michael Bench report, the estimated security deposit value for these 18 trees is \$350,000. Due to the length of time that has passed, an updated appraisal is warranted. The security may be a cash deposit, letter of credit, or surety bond and shall be filed with the Revenue Collections/Finance Department or in a form satisfactory to the City Attorney.*

**b. SECURITY DEPOSIT & MONITORING PROGRAM.** The project sponsor shall provide to the City of Palo Alto an annual tree evaluation report prepared by the project arborist or other qualified certified arborist, assessing the condition and recommendations to correct potential tree decline for trees retained, relocated, and trees planted. The monitoring program shall end five years from date of final occupancy, unless extended due to tree

mortality and replacement, in which case a new five-year monitoring program and annual evaluation report for the replacement tree shall begin. Prior to occupancy, a report and assessment shall be submitted for City review and approval. The pre-occupancy report shall summarize the status of all trees on the project, documenting tree or site changes to the approved plans, update status of tree health and recommend specific tree care maintenance practices for the property owner(s). Prior to occupancy, the owner or project sponsor shall call for a final inspection by the Urban Forester or their designee.

**c. SECURITY DEPOSIT DURATION.** The security deposit duration period shall be five years from the date of final occupancy. Return of the security guarantee shall be subject to City approval of the final monitoring report. A tree shall be considered dead when the main leader has died back, 25% of the crown is dead or if major trunk or root damage is evident. A new tree of equal or greater appraised value shall be planted in the same area by the property owner. Landscape area and irrigation shall be adapted to provide optimum growing conditions for the replacement tree. The replacement tree that is planted shall be subject to a new five-year establishment and monitoring program. The project sponsor shall provide an annual tree evaluation report as originally required.

**d. FORFEIT OF DEPOSIT.** The City may determine that trees which die (as defined above) or are not replaced will constitute a forfeit of the portion of the deposit equal to the appraised value. Any forfeit will be deposited into the Forestry Fund to plant new trees elsewhere. Issues causing forfeit of any portion of the deposit may also be subject to remedies described in Palo Alto Municipal Code.

**e. TREE TRANSPLANTING.** Tree transplanting is not equivalent to retention, therefore must be carefully considered. Destinations for transplanted trees must have adequate soil volume and site conditions to match the needs of the individual tree. Soil volume should be at least four times the size of the root ball and not less than 400 cubic feet for a species that is small stature at maturity, 800 cubic feet for a medium stature, and 1,200 cubic feet for a large stature. Newly planted trees must be compatible species and have adequate soil volume to mature to full stature.

Urban Forestry Conditions of Approval 34-39 below are provided for supplemental guidance, recommendation and/or best practices:

**34. TREE PROTECTION COMPLIANCE.** *The owner and contractor shall implement all protection and inspection schedule measures, design recommendations and construction scheduling as stated in the TPR & Sheet T-1, and is subject to code compliance action pursuant to PAMC 8.10.080. The required protective fencing shall remain in place until final landscaping and inspection of the project. Project arborist approval must be obtained and documented in the*

monthly activity report sent to the City. The mandatory Contractor and Arborist Monthly Tree Activity Report shall be sent monthly to the City ([pwps@cityofpaloalto.org](mailto:pwps@cityofpaloalto.org)) beginning with the initial verification approval, using the template in the Tree Technical Manual, Addendum 11.

*a. TREE PROTECTION VERIFICATION. Prior to any site work verification from the contractor that the required protective fencing is in place shall be submitted to the Urban Forestry Section. The fencing shall contain required warning sign and remain in place until final inspection of the project.*

*b. STREET TREE PROTECTION VERIFICATION INSPECTION REQUIRED. Prior to any site work, contractor must call 650-496-6985 to schedule an inspection of any required protective fencing of street trees. The fencing shall contain required warning sign and remain in place until final inspection of the project.*

*c. CONSTRUCTION ACTIVITY. Construction activity (including demolition and temporary uses during phases of construction) is not allowed inside a tree protection zone (TPZ) unless approved by the Urban Forester and reasonable treatments are proposed to offset potential impacts. The tree protection report must be updated to include specific treatment recommendations for all trees where construction activity will occur within the TPZ. Treatments should be considered such as enhancing soil conditions beyond the TPZ and outside the limits of construction so that root density and health improves. Tree protection fencing alignments should be considered to include treatment areas (beyond the TPZ), protect groups of trees where possible, and align on limits of construction (instead of idealized circles). Treatments should be scheduled before, during, and/or after construction as appropriate. The updated tree protection report should be included in the plan set as sheets T.2, T.3, T.4, etc. The project arborist must closely supervise construction activities within a TPZ, and treatments applied to offset those impacts.*

**35. PLAN CHANGES.** *When revisions and/or changes to plans before or during construction may impact a Regulated Tree, as determined by Urban Forestry staff, such changes shall be reviewed and responded to by the (a) project site arborist, or (b) landscape architect, who shall prepare a written letter of acceptance.*

**36. TREE DAMAGE.** *Tree Damage, Injury Mitigation and Inspections apply to Contractor. Reporting, injury mitigation measures and arborist inspection schedule (1-5) apply pursuant to TTM, Section 2.20-2.30. Contractor shall be responsible for the repair or replacement of any publicly owned or protected trees that are damaged during the course of construction, pursuant to Title 8 of the Palo Alto Municipal Code, and city Tree Technical Manual, Section 2.25.*

**37. GENERAL.** *The following general tree preservation measures apply to all trees to be retained: No storage of material, topsoil, vehicles or equipment shall be permitted within the tree enclosure area. The ground under and around the tree canopy area shall not be altered, except to implement tree preservation measures called for in the arborist report and/or mitigation*

*plan. Trees to be retained shall be irrigated, aerated and maintained as necessary to ensure survival.*

**38. EXCAVATION RESTRICTIONS APPLY (TTM, Sec. 2.20 C & D).** *Any approved grading, digging or trenching beneath a tree canopy shall be performed using 'air-spade' method as a preference, with manual hand shovel as a backup. For utility trenching, including sewer line, roots exposed with diameter of 1.5 inches and greater shall remain intact and not be damaged. If directional boring method is used to tunnel beneath roots, then Table 2-1, Trenching and Tunneling Distance, shall be printed on the final plans to be implemented by Contractor.*

**39. PLANS TO SHOW PROTECTIVE TREE FENCING.** *The Plan Set (esp. site, demolition, grading & drainage, foundation, irrigation, tree disposition, utility sheets, etc.) must delineate/show the correct configuration of Type I, Type II or Type III fencing around each Regulated Tree, using a bold dashed line enclosing the Tree Protection Zone (Standard Dwg. #605, Sheet T-1; City Tree Technical Manual, Section 6.35-Site Plans); or by using the Project Arborist's unique diagram for each Tree Protection Zone enclosure.*

**40.** Reserved.

#### **PUBLIC WORKS RECYCLING CONDITIONS OF APPROVAL**

The following conditions are required to be addressed prior to any future related permit application such as a Building Permit, Excavation and Grading Permit, Certificate of Compliance, Street Work Permit, Encroachment Permit, etc. as further described below.

**41. WASTE CONTAINER LOCATIONS.** The School shall present on the plan the locations and quantity for the internal and external three container waste stations. The three waste containers shall include recycle (blue container), compost (green container), and garbage (black container). Please refer to PAMC 5.20.108.

**42. INTERNAL WASTE STATIONS (PAMC 5.20.108).**

- a. Internal waste stations are required for common areas such as lunchrooms, conference rooms, cafeterias, and coffee stations. The waste station shall be comprised of three-color coded containers. Black for landfill waste, blue for recycling, and green for compostables. The green compostable container, if bags are used, shall be green compostable bags. The waste station containers shall also contain color coded signs. All dining area waste stations must have 3-sort color-coded labeled containers for garbage (black), recycling (blue) and compost (green). Any kitchen area must have the appropriate number of 3-sort color-coded labeled waste stations for garbage, recycling and compost.
- b. Restrooms that uses paper towels for hand drying must have color-coded labeled compost container for paper towels and it is recommended to have a labeled landfill container for the diaper changing stations.
- c. Signs can be obtained from GreenWaste of Palo Alto [pacustomerservice@greenwwaste.com](mailto:pacustomerservice@greenwwaste.com) or call (650) 493-4894 to request signs.

**43. EXTERNAL WASTE STATION (PAMC 5.20.108).**

- a. If the School chooses to have refuse containers outside, they will need to be installed at convenient and appropriately selected locations. The waste station shall be comprised of three-color coded containers. Black for landfill waste, blue for recycling, and green for compostables. The green compostable container, if bags are used, shall use green compostable bags. The waste station containers shall also contain color coded signs. Signs can be obtained from GreenWaste of Palo Alto [pacustomerservice@greenwwaste.com](mailto:pacustomerservice@greenwwaste.com) or call (650) 493-4894 to request signs.

**44. COVERED DUMPSTERS, RECYCLING AND TALLOW BIN AREAS (PAMC 16.09.075(q)(2))**

- a. Buildings that house FSEs shall include a covered area for all receptacles, dumpsters, bins, barrels, carts or containers used for the collection of trash, recycling, food scraps and waste cooking fats, oils, and grease (FOG) or tallow. The areas shall be designed to prevent water run-on to the area and runoff from the area. Drains that are installed within waste storage areas are optional. Any drain installed shall be connected to a grease containment device (GCD). If tallow receptacle(s) are to be stored outside then an adequately sized, segregated space for tallow receptacle(s) shall be included in the covered waste storage area. These requirements shall apply to remodeled or converted facilities to the extent that the portion of the facility being remodeled or converted is related to the subject of the requirement.

**45. DUMPSTERS FOR NEW AND REMODELED FACILITIES (PAMC 16.09.180(b)(10))**

- a. New buildings and residential developments providing centralized solid waste collection, except for single-family and duplex residences, shall provide a covered area for a bin/dumpster. The area shall be adequately sized for all waste streams (garbage, recycling, and yard waste/compostables) and designed with grading or a berm system to prevent water run-on and runoff from the area.
- b. A recycling, compost, and garbage enclosure shall be required for the project.

**46. REFUSE DISPOSAL AREA REQUIREMENTS (PAMC 18.23.020)**

- a. The design of any new, substantially remodeled, or expanded building or other facility shall provide for proper storage, handling, and accessibility which will accommodate the solid waste and recyclable materials loading anticipated and which will allow for the efficient and safe collection.
  - i. All solid waste bins (dumpsters) must be located in a trash enclosure.
  - ii. A trash enclosure must be included in the plans.

**47. GENERAL COMMENTS**

- a. Refuse enclosure must be covered.
- b. Collection vehicle access (vertical clearance, street width and turnaround space) and street parking are common issues pertaining to new developments. Adequate space must be provided for vehicle access.
- c. Weight limit for all drivable areas to be accessed by the solid waste vehicles (roads, driveways,

- pads) must be rated to 60,000 lbs. This includes areas where permeable pavement is used.
- d. Carts and bins must be able to roll without obstacles or curbs to reach service areas "no jumping curbs"
- e. Containers must be within 25 feet of service area or charges will apply.
- f. All service areas must have a clearance height of 20' for bin service.
- g. New enclosures should consider rubber bumpers to reduce wear-and-tear on walls.
- h. Service must be provided for garbage, recycling, and compost
- i. Project plans must show the placement of all three refuse containers, for example, within the details of the solid waste enclosures. Enclosure and access should be designed for equal access to all three waste streams – garbage, recycling, and compostables.

**The following comments and/or standard Municipal Code requirements are provided for supplemental guidance, recommendation and/or best practices:**

- a. Recommended Refuse Container Number and Sizes (for each refuse enclosure).

Type	Size	Quantity	Pick-Up Frequency
Trash	4 CY	1	2-3x/wk
Recycling	4 CY	1 or 2	6x/wk
Compost	4 CY	1	4-5x/wk

- b. For any service-related questions, contact Greenwaste of Palo Alto at 650-493-4894.

**PUBLIC WORKS WATERSHED PROTECTION CONDITIONS OF APPROVAL**

The following comments are required to be addressed prior to any future related permit application such as a Building Permit, Excavation and Grading Permit, Certificate of Compliance, Street Work Permit, Encroachment Permit, etc.

**48. DISCHARGE OF GROUNDWATER (PAMC 16.09.170, 16.09.040)**

If groundwater is encountered then the plans must include the following procedure for construction dewatering: Prior to discharge of any water from construction dewatering, the water shall be tested for volatile organic compounds (VOCs) using EPA Method 601/602 or Method 624. The analytical results of the VOC testing shall be transmitted to the Regional Water Quality Control Plant (RWQCP) 650-329-2598. Contaminated ground water that exceeds state or federal requirements for discharge to navigable waters may not be discharged to the storm drain system or creeks. If the concentrations of pollutants exceed the applicable limits for discharge to the storm drain system, then an Exceptional Discharge Permit must be obtained from the RWQCP prior to discharge to the sanitary sewer system. If the VOC concentrations exceed the toxic organics discharge limits contained in the Palo Alto Municipal Code (16.09.040(m)) a treatment system for removal of VOCs will also be required prior to discharge to the sanitary sewer. Additionally, any water discharged to the sanitary sewer system or storm drain system must be free of sediment.

**49. UNPOLLUTED WATER (PAMC 16.09.055)**

Unpolluted water shall not be discharged through direct or indirect connection to the sanitary sewer system. And PAMC 16.09.175 (b) General prohibitions and practices.

Exterior (outdoor) drains may be connected to the sanitary sewer system only if the area in which the drain is located is covered or protected from rainwater run-on by berms and/or grading, and appropriate wastewater treatment approved by the Superintendent is provided. For additional information regarding loading docks, see section 16.09.175(k)

**50. COVERED PARKING (PAMC 16.09.180(b)(9))**

If installed, parking garage floor drains on interior levels shall be connected to an oil/water separator prior to discharging to the sanitary sewer system. The oil/water separator shall be cleaned at a frequency of at least once every twelve months or more frequently if recommended by the manufacturer or the superintendent. Oil/water separators shall have a minimum capacity of 100 gallons.

**51. ARCHITECTURAL COPPER (PAMC 16.09.180(b)(14))**

On and after January 1, 2003, copper metal roofing, copper metal gutters, copper metal down spouts, and copper granule containing asphalt shingles shall not be permitted for use on any residential, commercial or industrial building for which a building permit is required. Copper flashing for use under tiles or slates and small copper ornaments are exempt from this prohibition. Replacement roofing, gutters and downspouts on historic structures are exempt, provided that the roofing material used shall be pre-patinated at the factory. For the purposes of this exemption, the definition of "historic" shall be limited to structures designated as Category 1 or Category 2 buildings in the current edition of the Palo Alto Historical and Architectural Resources Report and Inventory.

**52. LOADING DOCKS (PAMC 16.09.175(k)(2))**

(i) Loading dock drains to the storm drain system may be allowed if equipped with a fail-safe valve or equivalent device that is kept closed during the non-rainy season and during periods of loading dock operation.

(ii) Where chemicals, hazardous materials, grease, oil, or waste products are handled or used within the loading dock area, a drain to the storm drain system shall not be allowed. A drain to the sanitary sewer system may be allowed if equipped with a fail-safe valve or equivalent device that is kept closed during the non-rainy season and during periods of loading dock operation. The area in which the drain is located shall be covered or protected from rainwater run-on by berms and/or grading. Appropriate wastewater treatment approved by the Superintendent shall be provided for all rainwater contacting the loading dock site.

**53. LABORATORY SINKS (PAMC 16.09.175(i))**

Laboratory countertops and laboratory sinks shall be separated by a berm which prevents hazardous materials spilled on the countertop from draining to the sink.

**54. CONDENSATE FROM HVAC (PAMC 16.09.180(b)(5))**

Condensate lines shall not be connected or allowed to drain to the storm drain system.

**55. COPPER PIPING (PAMC 16.09.180(b)(b))**

Copper, copper alloys, lead and lead alloys, including brass, shall not be used in sewer lines, connectors, or seals coming in contact with sewage except for domestic waste sink traps and short lengths of associated connecting pipes where alternate materials are not practical. The plans must specify that copper piping will not be used for wastewater plumbing.

**56. MERCURY SWITCHES (16.09.180(12))**

Mercury switches shall not be installed in sewer or storm drain sumps.

**57. COOLING SYSTEMS, ETC (PAMC 16.09.205(a))** Cooling Systems, Pools, Spas, Fountains, Boilers and Heat Exchangers - It shall be unlawful to discharge water from cooling systems, pools, spas, fountains boilers and heat exchangers to the storm drain system.

**58. STORM DRAIN LABELING (PAMC 16.09.165(h))**

Storm drain inlets shall be clearly marked with the words "No dumping - Flows to San Francisquito Creek," or equivalent.

**59. REGULATION OF PCB MATERIAL – EFFECTIVE JULY 1st, 2019:** New requirements regarding stormwater control during building demolition for polychlorinated biphenyls (PCBs) became effective starting July 1st, 2019, in accordance with the San Francisco Bay Region Municipal Regional Stormwater NPDES Permit (MRP), Order No. R2-2015-0049. MRP Provision C.12.f. requires that San Francisco Bay Area municipalities develop a program to ensure that PCBs from building materials (e.g. caulk, paint, mastic) do not enter the storm drain system during building demolition. Palo Alto City Council adopted the PCBs regulation in May 2019. For specific questions about your project, please email [CleanBay@cityofpaloalto.org](mailto:CleanBay@cityofpaloalto.org), call 650-329-2122 or visit <http://www.cityofpaloalto.org/pcbdemoprogram> . The following conditions shall apply to ALL projects submitting for a Demolition Permit Application on or after July 1st, 2019:

a. The School shall complete and submit the “PCBs Applicant Package,” including any required sampling reports (per the Applicant Package instructions), with the demolition permit application. The Applicant Package will outline PCBs sampling and reporting requirements that must be met if the project meets ALL of the following conditions:

- The project is a commercial, public, institutional, or industrial structure constructed or remodeled between January 1, 1950 and December 31, 1980. Single-family homes are exempt regardless of age.
- The framing of the building contains material other than wood. Wood-frame structures are exempt.
- The proposed demolition is a complete demolition of the building. Partial demolitions do not apply to the requirements.

b. If the project triggers polychlorinated biphenyls (PCBs) sampling as identified on the “PCBs Applicant Package,” then the project shall conduct representative sampling of PCBs

concentration in accordance with the “Protocol for Evaluating Priority PCBs-Containing Materials before Building Demolition (2018).”

- If the representative sample results or records DO NOT indicate PCB concentrations  $\geq 50$  ppm in one or more “priority materials,” then the screening assessment is complete. Applicant submits screening form and the supporting sampling documentation with the demolition permit application. No additional action is required.
  - If the representative sample results or records DO indicate PCBs concentrations  $\geq 50$  ppm in one or more “priority materials,” then the screening assessment is complete, but the Applicant MUST also contact applicable State and Federal Agencies to meet further requirements. Applicant submits screening form and the supporting sampling documentation with the demolition permit application, and also must contacts the State and Federal Agencies as indicated on Page 3 of the “PCBs Screening Assessment Form.”
- IMPORTANT: ADVANCED APPROVAL FROM THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY (USEPA) OR OTHER STATE AGENCIES MAY BE REQUIRED PRIOR TO BUILDING DEMOLITION. IT IS RECOMMENEDED THAT APPLICANTS BEGIN THE PCBs ASSESSMENT WELL IN ADVANCE OF APPLYING FOR DEMOLITION PERMIT AS THE PROCESS CAN TAKE BETWEEN 1-3 MONTHS. C. The following conditions are required to be part of any Planning application approval and shall be addressed prior to any future related permit application such as a Building Permit, Excavation and Grading Permit, Certificate of Compliance, Street Work Permit, Encroachment Permit, etc. as further described below.

*PRIOR TO THE ISSUANCE OF ANY BUILDING PERMIT:*

#### **60. STORMWATER TREATMENT MEASURES**

- o All Bay Area Municipal Regional Stormwater Permit requirements shall be followed.
- o Refer to the Santa Clara Valley Urban Runoff Pollution Prevention Program C.3 Handbook (download here: [http://scvurppp-w2k.com/c3\\_handbook.shtml](http://scvurppp-w2k.com/c3_handbook.shtml)) for details. For all C.3 features, vendor specifications regarding installation and maintenance should be followed and provided to city staff. Copies must be submitted to Pam Boyle Rodriguez at [pamela.boylerochiguez@cityofpaloalto.org](mailto:pamela.boylerochiguez@cityofpaloalto.org) . Add this bullet as a note to the building plans.
- o Staff from Stormwater Program (Watershed Protection Division) may be present during installation of stormwater treatment measures. Contact Pam Boyle Rodriguez, Stormwater Program Manager, at (650) 329-2421 before installation. Add this bullet as a note to building plans on Stormwater Treatment (C.3) Plan.

#### **61. BAY-FRIENDLY GUIDELINES** ([rescapeca.org](http://rescapeca.org))

- o Do not use chemicals fertilizers, pesticides, herbicides or commercial soil amendment. Use Organic Materials Review Institute (OMRI) materials and compost. Refer to the Bay- Friendly Landscape Guidelines: <http://www.stopwaste.org/resource/brochures/bayfriendly-landscape-guidelines-sustainable-practices-landscape-professional> for guidance. Add this bullet as a note to the building plans.
- o Avoid compacting soil in areas that will be unpaved. Add this bullet as a note to the building

plans.

## **62. STORMWATER QUALITY PROTECTION**

Temporary and permanent waste, compost and recycling containers shall be covered to prohibit fly-away trash and having rainwater enter the containers.

- o Drain downspouts to landscaping (outward from building as needed).
- o Drain HVAC fluids from roofs and other areas to landscaping.
- o Refuse enclosure areas shall include an interior floor drain with a fail-safe valve that is connected to the sanitary sewer.

**63. GUIDANCE/BEST PRACTICE RECOMMENDATIONS:** The following comments and/or standard Municipal Code requirements are provided for supplemental guidance, recommendation and/or best practices:

a. PAMC 16.09.170, 16.09.040 Discharge of Groundwater Prior approval shall be obtained from the city engineer or designee to discharge water pumped from construction sites to the storm drain. The city engineer or designee may require gravity settling and filtration upon a determination that either or both would improve the water quality of the discharge. Contaminated ground water or water that exceeds state or federal requirements for discharge to navigable waters may not be discharged to the storm drain. Such water may be discharged to the sewer, provided that the discharge limits contained in Palo Alto Municipal Code (16.09.040(m)) are not exceeded and the approval of the superintendent is obtained prior to discharge. The City shall be compensated for any costs it incurs in authorizing such discharge, at the rate set forth in the Municipal Fee Schedule.

b. PAMC 16.09.180(b)(9) Covered Parking Drain plumbing for parking garage floor drains must be connected to an oil/water separator with a minimum capacity of 100 gallons, and to the sanitary sewer system

c. PAMC 16.09.180(b)(14) Architectural Copper On and after January 1, 2003, copper metal roofing, copper metal gutters, copper metal down spouts, and copper granule containing asphalt shingles shall not be permitted for use on any residential, commercial or industrial building for which a building permit is required. Copper flashing for use under tiles or slates and small copper ornaments are exempt from this prohibition. Replacement roofing, gutters and downspouts on historic structures are exempt, provided that the roofing material used shall be prepatinated at the factory. For the purposes of this exemption, the definition of "historic" shall be limited to structures designated as Category 1 or Category 2 buildings in the current edition of the Palo Alto Historical and Architectural Resources Report and Inventory.

d. PAMC 16.09.175(k) (2) Loading Docks

(i) Loading dock drains to the storm drain system may be allowed if equipped with a fail-safe valve or equivalent device that is kept closed during the non-rainy season and during periods of loading dock operation.

(ii) Where chemicals, hazardous materials, grease, oil, or waste products are handled or used within the loading dock area, a drain to the storm drain system shall not be allowed. A drain to the sanitary sewer system may be allowed if equipped with a fail-safe valve or equivalent device that is kept closed during the non-rainy season and during periods of loading dock operation. The area in which the drain is located shall be covered or protected from rainwater run-on by berms and/or grading. Appropriate wastewater treatment approved by the Superintendent shall be provided for all rainwater contacting the loading dock site.

e. PAMC 16.09.180(b)(5) Condensate from HVAC Condensate lines shall not be connected or allowed to drain to the storm drain system.

f. 16.09.215 Silver Processing Facilities conducting silver processing (photographic or X-ray films) shall either submit a treatment application or waste hauler certification for all spent silver bearing solutions. 650- 329-2421.

g. PAMC 16.09.205 Cooling Towers No person shall discharge or add to the sanitary sewer system or storm drain system, or add to a cooling system, pool, spa, fountain, boiler or heat exchanger, any substance that contains any of the following:

- (1) Copper in excess of 2.0 mg/liter;
- (2) Any tri-butyl tin compound in excess of 0.10 mg/liter;
- (3) Chromium in excess of 2.0 mg/liter.
- (4) Zinc in excess of 2.0 mg/liter; or
- (5) Molybdenum in excess of 2.0 mg/liter.

The above limits shall apply to any of the above-listed substances prior to dilution with the cooling system, pool, spa or fountain water. A flow meter shall be installed to measure the volume of blowdown water from the new cooling tower. Cooling systems discharging greater than 2,000 gallons per day are required to meet a copper discharge limit of 0.25 milligrams per liter.

h. PAMC 16.09.180(b)(b) Copper Piping Copper, copper alloys, lead and lead alloys, including brass, shall not be used in sewer lines, connectors, or seals coming in contact with sewage except for domestic waste sink traps and short lengths of associated connecting pipes where alternate materials are not practical. The plans must specify that copper piping will not be used for wastewater plumbing.

i. PAMC 16.09.175(j) Traps Below Laboratory Sinks Sewer traps below laboratory sinks shall be made of glass or other approved transparent materials to allow inspection and to determine frequency of cleaning. Alternatively, a removable plug for cleaning the trap may be provided, in which case a cleaning frequency shall be established by the Superintendent. In establishing the cleaning frequency, the Superintendent shall consider the recommendations of the facility. The Superintendent will grant an exception to this requirement for areas where mercury will not be used; provided, that in the event such an exception is granted, and mercury is subsequently used in the area, the sink trap shall be retrofitted to meet this requirement prior to use of the mercury.

j. PAMC 16.09.175(i) Laboratory Sinks Laboratory countertops and laboratory sinks shall be separated by a berm which prevents hazardous materials spilled on the countertop from draining to the sink.

k. PAMC 16.09.205(a) Cooling Systems, Pools, Spas, Fountains, Boilers and Heat Exchangers It shall be unlawful to discharge water from cooling systems, pools, spas, fountains boilers and heat exchangers to the storm drain system.

l. PAMC 16.09.165(h) Storm Drain Labeling Storm drain inlets shall be clearly marked with the words "No dumping - Flows to Adobe Creek," or equivalent.

#### **PUBLIC ART CONDITIONS OF APPROVAL**

**64. PUBLIC ART:** The following conditions shall be addressed prior to any future related permit application such as a Building Permit, Excavation and Grading Permit, Certificate of Compliance, Street Work Permit, Encroachment Permit, etc. as further described below. If the School chooses to pay in-lieu of commissioning art on site, the funds must be paid prior to the issuance of a building permit.

- If the School chooses to commission art on site, then they must complete both final reviews and receive approval from the Public Art Commission prior to the issuance of a building permit.
- If the School chooses to pay a contribution into the Public Art fund in-lieu of commissioning art on site, the contribution must be made prior to the issuance of a building permit.
- All information and application materials may be found at [www.cityofpaloalto.org/publicart](http://www.cityofpaloalto.org/publicart) under "policies and documents" tab.

#### **UTILITIES ELECTRICAL ENGINEERING CONDITIONS OF APPROVAL**

The following comments are required to be addressed prior to any future related permit application such as a Building Permit, Excavation and Grading Permit, Certificate of Compliance, Street Work Permit, Encroachment Permit, etc.

#### **65. ELECTRICAL SERVICE:**

a. Industrial and large commercial customers must allow sufficient lead-time for Electric Utility Engineering and Operations (typically 8-12 weeks after advance engineering fees have been paid) to design and construct the electric service requested.

b. A completed Utility Service Application and a full set of plans must be included with all applications involving electrical work. The Application must be included with the preliminary submittal.

c. The School shall submit a request to disconnect all existing utility services and/or meters including a signed affidavit of vacancy, on the form provided by the Building Inspection Division. Utilities will be disconnected or removed within 10 working days after receipt of request. The demolition permit will be issued after all utility services and/or meters have been disconnected and removed.

d. All utility meters, lines, transformers, backflow preventers, and any other required equipment shall be shown on the landscape and irrigation plans and shall show that no conflict will occur between the utilities and landscape materials. In addition, all aboveground equipment shall be screened in a manner that is consistent with the building design and setback requirements.

e. Contractors and developers shall obtain permit from the Department of Public Works before digging in the street right-of-way. This includes sidewalks, driveways and planter strips.

f. At least 48 hours prior to starting any excavation, the customer must call Underground Service Alert (USA) at 1-800-227-2600 to have existing underground utilities located and marked. The areas to be checked for underground facility marking shall be delineated with white paint. All USA markings shall be removed by the customer or contractor when construction is complete.

g. The customer is responsible for installing all on-site substructures (conduits, boxes and pads) required for the electric service. No more than 270 degrees of bends are allowed in a secondary conduit run. All conduits must be sized according to California Electric Code requirements and no 1/2 – inch size conduits are permitted. All off-site substructure work will be constructed by the City at the customer’s expense. Where mutually agreed upon by the City and the Applicant, all or part of the off-site substructure work may be constructed by the Applicant.

h. All primary electric conduits shall be concrete encased with the top of the encasement at the depth of 30 inches. No more than 180 degrees of bends are allowed in a primary conduit run. Conduit runs over 500 feet in length require additional pull boxes.

i. All new underground conduits and substructures shall be installed per City standards and shall be inspected by the Electrical Underground Inspector before backfilling.

j. For services larger than 1600 amps, a transition cabinet as the interconnection point between the utility’s padmount transformer and the customer’s main switchgear may be required. See City of Palo Alto Utilities Standard Drawing SR-XF-E-1020. The cabinet design drawings must be submitted to the Electric Utility Engineering Division for review and approval.

k. For underground services, no more than four (4) 750 MCM conductors per phase can be connected to the transformer secondary terminals; otherwise, bus duct or x-flex cable must be used for connections to padmount transformers. If customer installs a bus duct directly between the transformer secondary terminals and the main switchgear, the installation of a transition cabinet will not be required.

l. The customer is responsible for installing all underground electric service conductors, bus duct, transition cabinets, and other required equipment. The installation shall meet the California Electric Code and the City Standards.

m. Meter and switchboard requirements shall be in accordance with Electric Utility Service Equipment Requirements Committee (EUSERC) drawings accepted by Utility and CPA standards for meter installations.

n. Shop/factory drawings for switchboards (400A and greater) and associated hardware must be submitted for review and approval prior to installing the switchgear to: Gopal Jagannath, P.E. Supervising Electric Project Engineer Utilities Engineering (Electrical) 1007 Elwell Court Palo Alto, CA 94303

o. For 400A switchboards only, catalog cut sheets may be substituted in place of factory drawings.

p. All new underground electric services shall be inspected and approved by both the Building Inspection Division and the Electrical Underground Inspector before energizing. B 17. The customer shall provide as-built drawings showing the location of all switchboards, conduits (number and size), conductors (number and size), splice boxes, vaults and switch/transformer pads.

q. The follow must be completed before Utilities will make the connection to the utility system and energize the service:

- All fees must be paid.
- All required inspections have been completed and approved by both the Building Inspection Division and the Electrical Underground Inspector.
- All Special Facilities contracts or other agreements need to be signed by the City and applicant.
- Easement documents must be completed.

**UTILITIES WASTE GAS WATER CONDITIONS OF APPROVAL**

The following comments are required to be addressed prior to any future related permit application such as a Building Permit, Excavation and Grading Permit, Certificate of Compliance, Street Work Permit, Encroachment Permit, etc.

**66. PRIOR TO ISSUANCE OF DEMOLITION PERMIT**

a. Prior to demolition, the applicant shall submit the existing water/wastewater fixture unit loads (and building as-built plans to verify the existing loads) to determine the capacity fee credit for the existing load. If the applicant does not submit loads and plans they may not receive credit for the existing water/wastewater fixtures.

b. The applicant shall submit a request to disconnect all utility services and/or meters including a signed affidavit of vacancy. Utilities will be disconnected or removed within 10 working days after receipt of request. The demolition permit will be issued by the building inspection division after all utility services and/or meters have been disconnected and removed.

c. The applicant shall submit plans showing all existing WGW utility. The plans must show the size and location of all underground utilities within the development and the public right of way including meters, backflow preventers, fire service requirements, sewer mains, sewer cleanouts, sewer lift stations and any other required utilities. Plans for new wastewater laterals and mains need to include new wastewater pipe profiles showing existing potentially conflicting utilities especially storm drain pipes (existing 6" DIP water main and 6" VCP sewer main are in the area of proposed underground parking garage). Plans for new sewer mains and laterals need to include profiles showing existing potential conflicts with gas, water, and other utility.

**67. FOR BUILDING PERMIT:**

a. The applicant shall submit a completed water-gas-wastewater service connection application - load sheet per parcel/lot for City of Palo Alto Utilities. The applicant must provide all the information requested for utility service demands (water in fixture units/g.p.m., gas in b.t.u.p.h, and sewer in fixture units/g.p.d.). The applicant shall provide the existing (prior) loads, the new loads, and the combined/total loads (the new loads plus any existing loads to remain).

b. The applicant shall submit improvement plans for utility construction. The plans must show the size and location of all underground utilities within the development and the public right of way including meters, backflow preventers, fire service requirements, sewer mains, sewer cleanouts, sewer lift stations and any other required utilities. Plans for new wastewater laterals and mains need to include new wastewater pipe profiles showing existing potentially conflicting utilities especially storm drain pipes (existing 6" DIP water main and 6" VCP sewer main are in the area of proposed underground parking garage), electric and communication duct banks. Existing duct banks need to be day lighted by potholing to the bottom of the duct bank to verify cross section prior to plan approval and starting lateral installation. Plans for new storm drain mains and laterals need to include profiles showing existing potential conflicts with sewer, water and gas.

c. The applicant must show on the site plan the existence of any auxiliary water supply, (i.e. water well, gray water, recycled water, rain catchment, water storage tank, etc).

d. The applicant shall be responsible for installing and upgrading the existing utility mains and/or services as necessary to handle anticipated peak loads. This responsibility includes all costs associated with the design and construction for the installation/upgrade of the utility mains and/or services.

e. For contractor installed water and wastewater mains or services, the applicant shall submit to the WGW engineering section of the Utilities Department four copies of the installation of water

and wastewater utilities off-site improvement plans in accordance with the utilities department design criteria. All utility work within the public right-of-way shall be clearly shown on the plans that are prepared, signed and stamped by a registered civil engineer. The contractor shall also submit a complete schedule of work, method of construction and the manufacturer's literature on the materials to be used for approval by the utilities engineering section. The applicant's contractor will not be allowed to begin work until the improvement plan and other submittals have been approved by the water, gas and wastewater engineering section. After the work is complete but prior to sign off, the applicant shall provide record drawings (as-builts) of the contractor installed water and wastewater mains and services per City of Palo Alto Utilities record drawing procedures. For contractor installed services the contractor shall install 3M marker balls at each water or wastewater service tap to the main and at the City clean out for wastewater laterals.

f. An approved reduced pressure principle assembly (RPPA backflow preventer device) is required for all existing and new water connections from Palo Alto Utilities to comply with requirements of California administrative code, title 17, sections 7583 through 7605 inclusive. The RPPA shall be installed on the owner's property and directly behind the water meter within 5 feet of the property line. RPPA's for domestic service shall be lead free. Show the location of the RPPA on the plans.

g. An approved reduced pressure detector assembly is required for the existing or new water connection for the fire system to comply with requirements of California administrative code, title 17, sections 7583 through 7605 inclusive (a double detector assembly may be allowed for existing fire sprinkler systems upon the CPAU's approval). Reduced pressure detector assemblies shall be installed on the owner's property adjacent to the property line, within 5' of the property line. Show the location of the reduced pressure detector assembly on the plans.

h. All backflow preventer devices shall be approved by the WGW engineering division. Inspection by the utilities cross connection inspector is required for the supply pipe between the meter and the assembly. Install an approved reduced pressure detector assembly – RPDA backflow preventor. The RPDA shall be installed on the owner's property and directly behind the City's fire service per City's latest standard details or M-47C Drawing.

i. Existing wastewater laterals that are not plastic (ABS, PVC, or PE) may require to be replaced at the applicant's expense.

j. The applicant shall pay the capacity fees and connection fees associated with new utility service/s or added demand on existing services. The approved relocation of services, meters, hydrants, or other facilities will be performed at the cost of the person/entity requesting the relocation.

k. Each unit or place of business shall have its own water and gas meter shown on the plans. Each parcel shall have its own water service, gas service and sewer lateral connection shown on the plans.

l. A new water service line installation for domestic usage is required. For service connections of 4-inch through 8-inch sizes, the applicant's contractor must provide and install a concrete vault with meter reading lid covers for water meter and other required control equipment in accordance with the utilities standard detail. Show the location of the new water service and meter on the plans.

m. If a new water service line installation for fire system usage is required. Show the location of the new water service on the plans. The applicant shall provide to the engineering department a copy of the plans for fire system including all fire department's requirements.

n. If a new gas service line installation is required. Show the new gas meter location on the plans. The gas meter location must conform to utilities standard details.

o. A new sewer lateral installation per lot is required. Show the location of the new sewer lateral on the plans.

p. The School shall secure a public utilities easement for any required facilities installed in private property. The School's engineer shall obtain, prepare, record with the county of Santa Clara, and provide the utilities engineering section with copies of the public utilities easement across the adjacent parcels (if required) as may be necessary to serve the development.

q. reserved.

r. All existing water and wastewater services that will not be reused shall be abandoned at the main per WGW utilities procedures.

s. Utility vaults, transformers, utility cabinets, concrete bases, or other structures cannot be placed over existing water, gas or wastewater mains/services. Maintain 1' horizontal clear separation from the vault/cabinet/concrete base to existing utilities as found in the field. If there is a conflict with existing utilities, Cabinets/vaults/bases shall be relocated from the plan location as needed to meet field conditions. Trees may not be planted within 10 feet of existing water, gas or wastewater mains/services or meters. New water, gas or wastewater services/meters may not be installed within 10' of existing trees. Maintain 10' between new trees and new water, gas and wastewater services/mains/meters.

t. To install new gas service by directional boring, the applicant is required to have a sewer cleanout at the front of the building. This cleanout is required so the sewer lateral can be videoed for verification of no damage after the gas service is installed by directional boring.

u. All utility installations shall be in accordance with the City of Palo Alto current utility standards for water, gas & wastewater.

v. No new sewer lateral connection is allowed to the existing 8" PE sewer main within the 25' wide public utilities easement.

w. The proposed underground tunnel shall maintain a minimum three-foot vertical clearance to the existing 8" sewer main.

x. The proposed water main disconnection/abandonment procedure per the latest edition of the CPA Utility Standards for Water, Gas and Wastewater, details drawing shall be provided to the School's engineer during the Building Permit, Street Work Permit or related permits.

**FIRE DEPARTMENT CONDITION OF APPROVAL**

**68.** The Fire Department access roadway along the softball field is required to have a hardscape surface.

**PLANNING ADDITIONAL CONDITIONS**

**69.** The School shall pay all applicable fees prior to issuance of a building permit in accordance with the municipal fee schedule, including development impact fees associated with the subterranean parking structure, as set forth in Ordinance 5556, with reference to PAMC 18.04.030 (a)(65)(D)(viii).

**70.** The School shall adhere to the measures indicated in the Supplemental Information submitted February 2, 2021 (Plan sheets T3.2 through T3.5) that clarifies the School's additional protection plan to provide positive treatment to reduce impact areas below 25% of the tree protection zones (TPZ) for the following seven protected trees:

a. Tree #89 (Coast Live Oak) with no more than 20% of the TPZ impacted, given proposed reconfiguration of stairwell, significant reduction of excavation, and intact central planter root zone.

b. Tree #102 (Coast Live Oak) with no more than 20% of the TPZ impacted, given proposed vertical shoring limiting excavation and supplemental root zone enhancements. See Planning AR condition #2 for further requirements.

c. Tree #120 (Redwood) with no more than 10% of the TPZ impacted, given vertical shoring limiting excavation and supplemental root zone enhancements.

d. Tree #14 (Coast Live Oak) with no more than 15% of the TPZ impacted, given increased planter size, plus root zone soil enhancements on both sides of planter.

e. Tree #16 (Coast Live Oak) with no more than 20% of the TPZ impacted, with increased planter size, plus root zone soil enhancements on both sides of planter.

f. Tree #38 (Coast Live Oak) with no more than 20% of the TPZ impacted, with significant reduction in excavation.

g. Tree #39 (Coast Live Oak) with no more than 20% of the TPZ impacted, with significant reduction in excavation.

**71.** The School shall adhere to the measures indicated in the Supplemental Information submitted February 2, 2021 (Plan sheets T3.2 and T3.3) that clarifies the School’s additional protection plan to provide positive treatment to reduce impact areas below 25% of the tree protection zones (TPZ) for the following six trees:

- a. Tree #15 (Flowering Cherry) with no more than 15% of the TPZ impacted, with increased planter size, plus root zone soil enhancements on both sides of planter
- b. Tree #17 (American Sweet Gum) with no more than 20% of the TPZ impacted, with root zone enhancements in all landscape zones around the tree.
- c. Tree #18 (American Sweet Gum) with no more than 15% of the TPZ impacted, with root zone enhancements in landscape areas, plus root zone soil enhancement under proposed paving.
- d. Tree #30 (Trident Maple) with no more than 15% of the TPZ impacted, with significant reduction in excavation plus root zone soil enhancements.
- e. Tree #31 (Copper Beech) with no more than 15% of the TPZ impacted, with significant reduction in excavation.
- f. Tree #33 (Japanese Privet) with no more than 15% of the TPZ impacted, with significant reduction in excavation.

**SECTION 10. Indemnity.**

To the extent permitted by law, the Applicant shall indemnify and hold harmless the City, its City Council, its officers, employees and agents (the “indemnified parties”) from and against any claim, action, or proceeding brought by a third party against the indemnified parties and the applicant to attack, set aside or void, any permit or approval authorized hereby for the Project, including (without limitation) reimbursing the City its actual attorney’s fees and costs incurred in defense of the litigation. The City may, in its sole discretion, elect to defend any such action with attorneys of its own choice.

**SECTION 11. Term of Approval.**

All approvals shall be effective on the effective date of Ordinance No. 5556, adopted concurrently herewith.

Architectural Review and Variance Approvals. These approvals shall expire three years from the original effective date, if construction has not commenced pursuant to the phased development proposal within that time, in accordance with Palo Alto Municipal Code Section 18.77.090.

Conditional Use Permit Approval. This approval shall expire 12 months from the original effective date if the proposed use has not commenced pursuant to the CUP Approval within that time, in accordance with Palo Alto Municipal Code Section 18.77.090.

PASSED: 6-1

AYES: Burt, Cormack, DuBois, Filseth, Stone, Tanaka

NOES: Kou

ABSENT:

ABSTENTIONS: ATTEST:

DocuSigned by:  
*Lesley Milton*  
\_\_\_\_\_  
City Clerk

APPROVED:

DocuSigned by:  
*[Signature]*  
\_\_\_\_\_  
Director of Planning and  
Development Services

APPROVED AS TO FORM:

DocuSigned by:  
*Albert Yang*  
\_\_\_\_\_  
Senior Asst. City Attorney

PLANS AND DRAWINGS REFERENCED:



1310 Bryant Street  
Palo Alto, CA 94301  
(650) 328-3160  
castilleja.org

The governing Board of Trustees of the Castilleja School Foundation concludes that as of June 6, 2022 (the Castilleja School CUP/Variance approval date) 540 students is the appropriate (maximum) onsite enrollment to meet Castilleja's present pedagogical goals at its 1310 Bryant Street campus in Palo Alto.

A handwritten signature in black ink, appearing to read "Zac Zeitlin", written over a horizontal line.

Zac Zeitlin

Chair of the Board of Trustees  
Castilleja School Foundation

July 28, 2022  
Date