March 13, 2013

TO: Mayor Barbara Spector, Vice-Mayor Steve Leonardis, Council Members Joe Pirzynski, Diane McNutt, and Marcia Jensen

FROM: Barbara Dodson for LG CATS (Los Gatans Concerned About Traffic and Safety)

SUBJECT: Additional Emails and Letters Relating to Hillbrook CUP Violations

I previously submitted a large number of emails, letters, and opinion pieces but have now come across some additional items I believe are of value. The second group of materials comes from 2000 and 2001 and contains some statements that clarify the intent of the 2001 CUP. We have heard many times that the 2001 CUP was poorly written and therefore is open to many interpretations. This is unfortunate since the intentions of the CUP were clear at the time it was adopted. We the neighbors should not be the victims of a poorly constructed document, and we urge Council to look for the original intent when reading the 2001 CUP.

RECENT MATERIALS

June 19, 20, 2012 Email exchange between Barbara Dodson and Jennifer Savage about the Resident Teacher Program.

MATERIALS FROM 2000, 2001

April 12, 2001 Council Agenda Report. Source for information about Hillbrook's commitments to a carpooling program.

December 15, 2000 Letter from law firm Berliner Cohen to Mayor Pirzynski and Council Members. Source for statement that campus cannot be used by outside groups.

October 2000 Letter from then Head of School Sarah Bayne to the Planning Commission stating that afterschool activities "are only offered to Hillbrook students."

RECEIVED

MAR 1 3 2013

TOWN OF LOS GATOS PLANNING DIVISION



Barbara Dodsonbtdodson@gmail.com>

Request to Ask Hillbrook School to Terminate Its Resident Teacher Program Immediately

2 messages

Barbara Dodson < btdodson@gmail.com>

Tue, Jun 19, 2012 at 1:30 PM

To: jsavage@losgatosca.gov, wrooney@losgatosca.gov, glarson@losgatosca.gov
Cc: elliotlaw@mail.com, ssbuxton@yahoo.com, noelpreaseau@comcast.net, beritz6@yahoo.com, rbuckley@ussunlight.com, moore.gretchen@gmail.com, terryanddick9@gmail.com
Bcc: joesordi@yahoo.com

Dear Jennifer:

I felt uncomfortable waiting until tornorrow to further discuss the issue of the Center for Teaching Excellence and specifically the Resident Teacher Program, so am taking a moment to write to you now about this issue. You said in our brief telephone conversation that the Town might be perceiving the Resident Teacher Program as Hillbrook teaching its own teachers. Below I am providing material from Hillbrook's website that demonstrates that this is clearly not the case. There are three items: A, the job advertisement for the "resident teachers"; B. a description of the Center for Teaching Excellence that includes a description of the Resident Teacher Program; and C. a second description from a Mark Silver letter. These clearly demonstrate that resident teachers are adult students and that the Resident Teacher Program is just another adult education program that is not allowed under Hillbrook's CUP.

Note that A, the job advertisement, makes clear that the "resident teachers" are students, not teachers. The ad specifically labels the Resident Teacher Program as a "teacher training program." Further it states that "Residents are provided training and a cohesive course of study, weekly support and coaching, and ample time for collaboration with mentor teachers." Down further, we see that the RTP is "a structured training program for teachers. The mentor teacher initially serves the resident as a guide to basic educational practice; in time, the resident comes to work alongside the mentor as a co-collaborator."

As further evidence that the resident teachers are not teachers, look at the salaries. Salaries are \$30,000.00 for the first year and \$31,500.00 for the second year, below what actual Hillbrook teachers are paid. Then note once more that resident teachers are not called teachers; they are called interns. Also, the ad states that Hillbrook will not actually provide resident teachers with teaching jobs, but will help them find jobs. ("The administration is supportive and proactive in helping residents with their future teaching career opportunities or graduate school studies.") As an aside, although Hillbrook says resident teachers will leave as trained educators, they will have not have teaching degrees or the necessary coursework to get teaching credentials.

Note that in B the entire Center for Teaching Excellence is referred to as a "learning institute." Learning institutes are run by teachers for the benefit of students; all of the activities of the Center are adult education functions. Note futher that under Item 1, Hillbrook states that the program is for <u>university graduates who are bright aspiring teachers</u>. This program is for adults who wil function as students learning how to be teachers.

Note that in C, Mark Silver states that the plan is for the Resident Teacher Program to have 12 resident teachers within 5 years. As you know, Hillbrook must apply for modification of its CUP to have a program that generates more than 5 peak-hour car trips—as this program clearly would. This is yet another reason why the Town should order Hillbrook to terminate this program immediately.

Just to try to make this issue clear: Think about the sophomore at San Jose State who is majoring in education. She is in a teacher training program. She is doing student teaching at Van Meter, is she a

teacher? No! Resident teachers at Hillbrock will be in the same boat. They will not be qualified as teachers and will not function as Hillbrook teachers. They will be students learning how to be teachers.

The resident teachers will be arriving in August 2012. Therefore, it is urgent that the Town tell Hillbrook that this Resident Teacher Program is yet another CUP violation and must be terminated.

A-JOB ADVERTISEMENT FOR RESIDENT (FACHERS) Resident Teacher Program, Resident Center for Teaching Excellence

OVERVIEW

At the heart of great schools is great teaching. The Center for Teaching Excellence (CTE) at Hillbrook is a program that provides students and faculty with an exceptional educational experience and environment.

The core of the CTE is the Resident Teacher Program, a teacher-training program that incorporates both theoretical and practical aspects of teaching. Resident teachers commit to a two-year program in which they work closely with a different mentor teacher each year. Residents are provided training and a cohesive course of study, weekly support and coaching, and ample time for collaboration with mentor teachers. Our emphasis on collaboration allows the resident and mentor teacher to make deep inquirtes into learning. The growth and training of the resident teachers will be supported by a conference and speaker series focused on best practices in pedagogy and program in independent schools.

RTP PROGRAM

The RTP is a structured training program for feachers. The mentor teacher initially serves the resident as a guide to basic educational practice; in time, the resident comes to work alongside the mentor as a cocollaborator. The program is structured so that residents gain increased responsibility over the course of the school year, coming in time to teach shoulder-to-shoulder with mentor teachers, and ultimately, leading classes of one's own. Mentors provide residents with appropriate curriculum resources, critiques of lesson plans, and positive, constructive feedback on observations. The administration is supportive and proactive in helping residents with their future teaching career opportunities or graduate school studies. Residents leave Hillbrook as trained educators.

APPLICATION

Applicants for the Resident Teacher Program are a diverse group of open-minded, confident, passionate individuals at pivotal moments in their professional lives. All applicants must be college graduates who want classroom experience and knowledge in all areas of the teaching profession. Applicants must be willing to commit to two years of training at Hillbrook with a change in grade placement after the first year. The Resident Teacher Program places residents into junior-kindergarten through fourth grade classrooms and single subject classes in grades five through eight (math, humanities, world languages, science, English). Resident positions are full-time. Salaries are \$30,000.00 for the first year and \$31,500.00 for the second year. All interns receive medical and dental benefits.

Interested candidates are encouraged to visit the website to learn more about the school's mission, program, and strategic vision (www.hillbrook.org).

ENTROCHEMINDES OF IERON

The Center for Teaching Excellence is an innovative learning institute that raises the level of teaching quality and education experience for children in both public and private institutions. The CTE supports the interest of lifelong learning by creating a dynamic environment that is committed to collaborative teaching and teacher development.

The CTE has three main components:

A resident teaching program that allows university graduates who are bright aspiring teachers to be paired with master teachers to receive hands on

Education conferences where thought leaders in education collaborate and exchange ideas on cutting edge practices impacting teaching and educational excellence in Silicon Valley.

A speaker series designed to appeal to teachers, parents and students with a variety of interesting topics delivered by a phenomenal and diverse pool of thought leaders in the educational community as well as professionals from Silicon Valley's dynamic academic, business and non-profit sectors (including select Hillbrook parent superstars).

The Resident Teacher Program will be a two-year program. Next year's cohort will consist of four residents, and we hope to add a second cohort of four residents the following year. Within 3-5 years we expect to have 10-12 residents on campus. Residents, primarily recent college graduates from top schools around the country, will help us to further individualize our program in the classroom, will nurture collaboration, and will allow our teachers to serve as mentors and, in the process, deepen their own understanding of their practices. As the old saying goes, the best way to learn something is to teach it to someone else.

Sincerely,

Barbara Dodson

noelpreaseau@comcast.net < noelpreaseau@comcast.net>
To: Barbara Dodson

>btdodson@gmall.com>

Tue, Jun 19, 2012 at 2:46 PM

Very thorough!

Sent from my iPhone [Quoted text hidden]

JENNIFER SAVAGE EMAIL RESPONSE ABOUT THE RESIDENT TEACHER PROGRAM and FOLLOW-UP QUESTION FROM BARBARA DODSON (no response received)

6/20/12

Jennifer Savage <jsavage@losgatosca.gov>

To me, Wendie, Greg, elliotlaw, ssbuxton, noelpreaseau, beritz6, rbuckley, moore gretchen, terryanddick9

Hi Barbara,

Thank you for all the information.

The school may hire employees, including interns. Additionally, four interns will not increase traffic trips by five or more.

Therefore, Hillbrook School may operate the resident teacher program with four Interns.

Sincerely,

Jennifer L. Savage, AICP

'Associate Planner

Barbara Dodson btdodson@gmail.com>

6/20/12

to Jennifer, Wendie, Greg, elliotlaw, ssbuxton, noelpreaseau, beritz6, rbuckley, moore.gretchen, terryanddick9

Hi, Jennifer. Thanks for your quick response. I have just one follow-up question, which is: Will the Town be telling Hillbrook to limit this program to four interns? The School has hired a supervisor for the program, so it is up to 5 trips with this program. The School projects that it will ultimately have 12 resident teachers. This would increase traffic by more than five trips. I can see that the program may be legitmate if it generates just 5 trips, but I think it becomes questionable when it generates more than that number of trips.

Thanks for your help.

Sincerely,

THERE WAS NO RESPONSE TO THIS SECOND QUERY.



MEETING DATE: 4/16/01

COUNCIL AGENDA REPORT

DATE:

April 12, 2001

TO:

MAYOR AND TOWN COUNCIL

FROM:

TOWN MANAG

SUBJECT:

THE DECISION OF THE PLANNING CONSIDER APPEAL OF COMMISSION TO APPROVE A CONDITIONAL USE PERMIT FOR A MASTER PLAN OF HILLBROOK SCHOOL AND TO APPROVE AN ARCHITECTURE AND SITE APPLICATION TO DEMOLISH AN EXISTING CLASSROOM BUILDING AND TO CONSTRUCT A NEW CLASSROOM BUILDING ADJACENT TO THE OLD BUILDING ON PROPERTY ZONED PROJECT APPLICATION PRJ-99-062 (CONDITIONAL USE HR-1. PERMIT) PROJECT APPLICATION PRJ-99-063 (ARCHITECTURE AND SITE) PROPERTY LOCATION SHOWARCHMONE DRIVE PROPERTY OWNER/APPLICANT: HILLBROOK SCHOOL APPELLANTS: MARTIN D. DERMER AND MICHAEL W. TAYLOR

RECOMMENDATION:

Hold the public hearing and receive public testimony. 1.

Close the public hearing. 2.

Uphold the Planning Commission's decision and approve Conditional Use Permit PRJ-99-3. 062 and Architecture and Site Application U-99-063 and consider additional conditions recommended by staff.

Refer to the Town Attorney for the preparation of the appropriate resolution.

If the Town Council determines that the Planning Commission's decision should be reversed or modified:

(Continued on Page 2)

BUD N. LORTZ DIRECTOR OF COMMUNITY DEVELOPMENT

Revised: 4/12/01 1:00 pm Attorney Reviewed by: ,

Reformatted: 7/14/99



PAGE 2
MAYOR AND TOWN COUNCIL
SUBJECT: CONSIDER APPEAL ON 300 MARCHMONT DRIVE
April 12, 2001

1. The Council needs to find one or more of the following:

(1) where there was error or abuse of discretion on the part of the Planning Commission; or

(2) the new information that was submitted to the Council during the appeal process that was not readily and reasonably available for submission to the Commission; or

(3) an issue or policy over which the Commission did not have discretion to modify or address, but which is vested in the Council for modification or decision.

If the predominant reason for modifying or reversing the decision of the Planning Commission is new information as defined in Subsection (2) above, it is the Town's policy that the application be returned to the Commission for review in light of the new information unless the new information has a minimal effect on the application.

Refer to the Town Attorney for preparation of the appropriate resolution.

REMARKS:

Town Council considered this matter on December 18, 2000 and continued the matter with the following directions:

1. The Ann Arbor gate shall remain closed. Analysis: The condition concerning the emergency access road has been be amended to reflect this change (Condition #2 of Attachment 20).

2. Hillbrook School shall establish a quantifiable number of vehicles to identify a specific number of trip reductions per day; or a percentage reduction shall be established if data can be gathered to quantify this approach. Analysis: Hillbrook School intends to establish a carpool program that will include at least 50 percent of the enrolled families. At this time, out of the 239 families registered at Hillbrook School, 148 families have signed up to carpool. Based on the traffic counts that were taken by Hillbrook (including one spot check that was performed by the Town), Hillbrook has approximately 150 vehicles that drop off children between 7:30 - 8:30 AM.

Hillbrook School has stated that it has done the following to reduce traffic:

Created a carpooling committee and created a permanent position of Carpooling Coordinator on the Hillbrook School Parents Council. Hillbrook also created web page www.hillbrook.org/announcements/carpool.

The website provides information which provides the distance between each family's house and all other houses of Hillbrook families.

A mailing was sent to all Hillbrook families urging them to carpool with a list of families within their immediate area.

Extribit T.P.3

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MAYOR AND TOWN COUNCIL
SUBJECT: CONSIDER APPEAL ON 300 MARCHMONT DRIVE
April 12, 2001

Hillbrook School plans to implement the following plans:

• The Carpool Coordinator will reconvene the Committee each August to connect with all new families to the school, generate mailings and continue phone contact with all parents.

Each new family to Hillbrook will be accepted if they agree to carpool.

Vanpooling by a private company is an option for the 2001-2002 school year.

3. Staff will spot check the number of car trips for the next three months. Analysis: The applicant worked with the Director of Parks and Public Works and hired Hexagon Traffic Consultant to conduct the traffic counts at their expense. The counts were done between the hours of 7:30 AM to 8:30 PM in January, March and April. Following are the traffic counts by Hexagon:

Oy IIIII	70.1			ESTIMATE	D IN BOUND
41		IN	OUT	STAFF	STUDENTS
January 2001		190	161 · ·	29	· 161
March 2001		178	145	· 33	145
April 2001		Not st	ıbmitted yet		

Town staff conducted a count on April 4, 2001 between the hours of 7:30 AM and 8:30 AM (which was the same date and time Hexagon was conducting the April count) and counted a total of 175 vehicles entering the site and 148 vehicles leaving the site. The neighbors conducted a 24 hour video count on February 13, 2001 (counts are available in the file). Between the hours of 7:30 AM and 8:30 PM, they counted 183 vehicles entering the site and 145 trips leaving the site.

The Conditional Use Permit limits the enrollment for Hillbrook School to not exceed 315 students. There are currently 239 families which make up the enrollment of 315 students. Based on the number of families registered at Hillbrook School and Hexagon's traffic counts, Hexagon has estimated that 36 percent of the families carpooled in March. Using Hexagon's analysis, approximately 29 percent of the families carpooled in January and approximately 35 percent carpooled in April.

ADDITIONAL CONDITIONS:

If Council determines that the Master Plan should be approved; staff recommends that Council consider incorporating the following additional conditions of approval to Conditional Use Permit PRJ-99-062. These additional conditions should help reduce the traffic burden for the neighborhood.

1. The Police Department has found a vendor that sells speed boards that are a self contained radar and speed display sign. The sign is designed to measure and display the speed of vehicles and is permanently installed on streets where speeding has been identified as a problem. These devices have been shown to be effective at deterring speeding (see Attachment 21). The boards can be mounted on electroliers and the electricity that is used



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PAGE 4
MAYOR AND TOWN COUNCIL
SUBJECT: CONSIDER APPEAL ON 300 MARCHMONT DRIVE
April 12, 2001

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to power the street light may be used to power the "speedboard". It is recommended that Hillbrook School obtain two speed boards for Marchmont Drive to measure incoming and outgoing traffic speeds. The boards cost approximately \$4,200.00 each, plus \$200.00 for mounting brackets. The cost of the electrical connection is unknown at this time. Therefore, the following condition is recommended and has been included as Condition #13 of Attachment 20: RADAR SIGNS. At the applicant's expense, two radar signs shall be obtained and installed on Marchmont Drive by July 31, 2001.

To ensure that the trip reduction is being met, it is recommended that traffic counts be conducted twice a year. Hillbrook School has suggested that 50 percent of the families that are enrolled in a specific year be used to establish the threshold for establishing a condition. For example, if 300-families are enrolled, the threshold would be 150 trips. A letter from Ms. Patricia Elliot (Attachment 36), a Marchmont resident, has stated that a vehicle limit of 150 trips would meet the neighbors concerns. This vehicle limit was met in March and April and is therefore attainable. The following condition is recommended and has been added as condition #11:

TRAFFIC COUNTS. At the applicant's expense, the Town shall conduct traffic counts at the Marchmont Drive gate of Hillbrook School twice a year, during the months of March and October. The maximum number of vehicles leaving the school during each of the hours of 7:30 AM to 8:30 AM and and 2:30 PM to 3:45 PM shall not exceed 150 vehicles.

Condition #3 concerning carpooling has been amended as follows:

CARPOOLING. The Town accepts the voluntary offer of Hillbrook School to maintain and promote (at least quarterly) a carpooling program for their students. Hillbrook School shall submit to the Town, a written report summarizing the carpool participation. This report shall be submitted twice a year for the months of February and September.

4. Condition #5 regulates the maximum number of employees permitted on site after school when there is an activity in the gym which draws an audience. Council may want to consider the maximum number of employees permitted on site during school hours. At the writing of this report, Hillbrook School was on spring break, and the number of employees could not be verified. A message was left with the head of the school, Sarah Bayne, to obtain this number for the hearing on this matter. This issue was also raised with the applicant's attorney.

ENVIRONMENTAL ASSESSMENT:

This project is Categorically Exempt pursuant to Section 15314 of the State Environmental Guidelines as adopted by the Town.

EXHIT GIP 2"

BERLINER COHEN

ATTORNEYS AT LAW

Sumenay values.

Sumenay charter.

Sumenay charter.

Sumenay charter.

Sumenay charter.

· A Professional Comparation

RETIRED SAMUEL & GOHEN

Frank R. Useque Linea A. Gallon Rotesta A. Leyarhi Lales P. Orberan Lales P. Orberan Laroll A. Dendon Jeroli A. Beiton Roesen L. Chontea Lonathan D. Wolf A PARTHERSHIP INCLUDING PROFESSIONAL CORPORATIONS

TEN ALMADEN HOULEVARD BLEVENTH FLOOR

san iose, california 95113-2233

TELEPHONE: (408) 286-5800 FACSIMILE: (408) 998-5388 www.borliner.com KATHLEEN N. STLE SHAACH KRSCH THOMAS M. GROSS HADLA V. HOLOMEN WILLIAM E. ADARIS HASKEV. BOLA GURUNL. SHEDLER JOHN HOLOMEN JOHN HOLOMEN JAHES LEE PRANCE

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OF COLHES. KEMIN F. KELLEY STEVEN C. KELLEY STEVEN F. KELLEY S

December 15, 2000

VIA FACSIMILE AND U.S. MAIL

Hon. Mayor and Councilmembers Town of Los Gatos 110 B. Main Street Los Gatos, CA. 95031

Re:

Appeals of Planning Commission Decision Project/Application Nos. PRI-99-62 and PRI-99-63 Hillbrook School

Dow Mayor Pirzynski and Honorable Conneilmembers:

We represent Hillbrook School ("School"), 300 Marchmont Drive, Los Gatos, California. This letter is submitted on its behalf concerning the appeals of the approvel of Project Application PRI-99-62 (Conditional Use Permit) and Project Application PRI-99-63 (Architectural and Site) ("Applications").

The School is requesting approval of a Conditional Use Pennit "CUP") for a Master Plan for Hillbrook School and approval of an Architecture and Site Application to demolish an existing classroom building and to construct a new classroom building adjacent to the old building on property zoned HR-1. The Planning Commission first considered these Applications on April 12, 2000, and approved them subject to conditions, one of which being that the emergency access gate on Ann Arbor Drive was to remain open during construction. This decision of the Planning Commission was appealed.

The Town Council considered the first appeal on June 5, 2000, and remanded the matter back to the Planning Commission. The Town Council found that pursuant to the Town Code Section 29-20.300, that new information was submitted to the Council that was not readily evailable at the time of the Planning Commission review. The Town Council held that this new



Hon. Mayor and Councilmembers December 15, 2000

information should be reviewed by the Planning Commission for consistency with Town regulations, policies, and guidelines.

The Town Council, in granting the appeal of the decident of the Planning Commission on these Applications, specifically remanded these Applications back to the Planning Commission for re-evaluation of the plans and design with reference to (1) the number of parking spaces persuited under the CUP; (2) duration of after school and evening activities in the calendar year; and (3) a limit on school enrollment. Further, the Planning Commission was directed to evaluate (4) a traffic study and traffic calming measures.

These Applications were again reviewed by the Planning Commission on October 25, 2000. With regard to the four concerns expressed by the Town Council, they were all addressed as follows:

(1) Number of parking spaces permitted under the CUP. A condition was added that the plans for additional parking spaces would be reviewed by the Development Review Committee prior to the issuence of a building permit.

The School has added an additional 20 parking spaces.

(2) The duration of after school and evening activities in the calendar year. A condition was added restricting nighttime activities. The condition states that all activity shall conclude by 9 p.m. All activities which draw an audience to the symmetrium shall take place after school hours.

The School has restricted its event schedule so that there are no more than 6 events per year beyond the 4 upper school dances. This is a significant decrease in hours and number of events previously hold at the School.

The School has limited all weekend use of the campus to prohibit non-Hillbrook use of the gym or field.

To meet the neighbors concerns, the School will no longer be available to outside groups.

(3) The limit on student enrollment was considered. A condition of the CUP sets the maximum number of students, which shall not exceed 315.

It should be complissized that as part of these Applications the School has never requested to increase the number of students.

(4) Byelvate traffic and traffic calming measures. A traffic study was conducted. The traffic consultant reviewed the traffic counts and consluded that to mitigate traffic concerns, access should be provided for both foot and bicycle access from Ann Arbor Drive.

Hon. Mayor and Councilmembers December 15, 2000

Since the student enrollment will not be increased, there are no traffic impacts directly caused by these Applications.

Additionally, the School made a commitment to maintain a carpooling program.

The alleged basis for this second appeal is that the Planning Commission erred or abused its discretion. However, the Planning Commission did not err or abuse its discretion by approving these Applications because its decision was based on the evidence in the record. At the Planning Commission meeting of October 25, 2000, the Commission followed your direction as set forth in Resolution 2000-75. The Planning Commission held a public meeting, took testimony and public comments regarding the four areas you specifically directed to be reevaluated. In addition, the Planning Commission received oral and written evidence regarding the neighbors' concerns.

These Applications have now been approved twice by the Planning Commission. The second Planning Commission approval contained additional conditions to the CUP, which were specifically tailored to meet the needs and concerns of the Town Council, the Planning Commission and the neighbors.

Additionally, the School offers the following amendments to the conditions of the CUP:

Condition No. 2, Emergency Access Road. The emergency access road to Ann Arbor drive shall not be opened up at any time to public or school use with the exception for pedestrian and bicycle access and shall be restricted by the following: (a) The Ann Arbor gate will only be open during the hours of 7:45-8:15 a.m. and 3:00-3:30 p.m. on weekdays for pedestrian or bicycle use. At other times of the day it will be lacked, with exception of construction traffic during the building construction. (b) No Hillbrook cars will be permitted to purk or drop off children on Ann Arbor Drive or Wollth Way. (c) Children eligible for pedestrian or bicycle entrance on Ann Arbor Drive will be previously identified and listed to be checked off by school supervisors at the gate. (d) Faculty or administrative supervision of the gate when open in the morning arrival and afternoon dismissal will assure that only those students eligible due to the proximity to that site of the Hillbrook campus will be permitted to enter or exit through the gate. The read may be open for construction access only if it is part of the approved construction plan for an architectural and site application.

Condition No. 3, Carpooling. The Town accepts the voluntary offer of Hillbrook School to maintain and promote (at least quarterly) a carpooling program for their students. The Hillbrook School Carpooling Program will be designed to maintain an average of 60% of the Hillbrook familles to participate in their carpooling program.

Condition. No. 11, Six Month Review. This application skall be considered by the Planning Commission six months from the date of the approval for review of the performance of the carpuoling condition to be modified to the extent that it is reasonable and feasible.

Extitation

Hon. Mayor and Councilmembers December 15, 2000

We respectfully request that the appeals of the decision of the Planning Commission on these Applications be dealed and that the Applications be approved under the proposed terms and conditions.

Sincerely.

BERLINER COHEN

PALIE HOUSTON

B.Mail: jh@berliner.com

JH;cem

cc: Hillbrook Solicol
Orry Korb, Town Attorney
Marian B. Cosgrove, Town Clerk

\|||}\$91958.5 Q4_12{811365801



300 Marchmont Drive Los Gatos California 95032

Sarah Bayne Head of School

October 2000

To: The Planning Commission From: Sarah Bayne, Head, Hillbrook School

Re: Conditional Use Permit Application: PRJ-99-062 Architecture and Site Application: PRJ-99-063

This memo is to detail Hillbrook School's response to concerns expressed at the Town Council Meeting on June 5,200 concerning traffic, after school events on the school campus, and weekend use of the campus.

Since the Town Council Meeting on June 5, Hillbrook has hosted three meetings for the neighborhood to discuss their concerns about traffic. The school now has a mailing list of over 350 names who have been invited to these meetings and received letters from the school outlining our interest in working with the neighborhood and our specific plans to help traffic problems.

After the meeting on June 5, the school moved immediately to contract with Multitrans from the town of Los Gatos to obtain an accurate traffic count before school was dismissed for the summer. The traffic count dates for June 7,8, and 9 occurred during the last week of regular school attendance. There were no special events which would have mitigated the traffic flow. (The next week, June 12-14, ending with Graduation contained several special events and was therefore not included in the traffic count.) It is significant that the traffic counts obtained by Multitrans and the school's facilities manager, Alan Bahnsen, are within a few cars of the same data. The data indicates that within a fifteen minute period of time between 8 and 8:15 a.m., around 180 cars travel lower and upper Marchmont Orive. A lesser number of cars travel that route in the afternoon. It is not conclusive that all of the cars travelling the route in the morning are Hillbrook cars. There is significant evidence that cars travelling to Los Gatos High School from Shannon Road also use Hillow/Marchmont/Englewood as a cutoff from Los Gatos Boulevard.

However, the school is aware that most of the cars during peak times on Marchmont Drive are going to Hillbrook.

A meeting scheduled for 5:30 on Tuesday, September 26, was set at the 5:30 time to enable the Board of Trustees of Hillbrook to attend as the monthly Board meeting occurs at 6:30. At the meeting on July 6, more than 15 neighbors were present. The meeting lasted for over an hour, at which several suggestions were discussed to decrease the volume and speed of traffic on Marchmont Drive. It was discussed that the population and volume of traffic in Los Garos has increased in general over the past five years, for which Hillbrook could not be held responsible. It has been reiterated at all neighborhood meetings that the school size and amount of traffic were not to be increased through the application.

There has been continued suggestion that the school's master plan indicates its interest in increasing its population and overall size of the school. At no point has Hillbrook ever requested a change in its Conditional Use Permit, which limits the school's population to 315. The school's population currently stands at 315.

It should also be stressed that all members of the school community, faculty, parents, its Board of Trustees, as well as a Strategic Planning Committee representing all members of the school community have had continuous input into the school's master plan and in particular, the upper school building. Faculty, in particular, have had direct input into plans for the new buildings, especially those who were to occupy them. The school's librarian, for example, has been an integral part of researching and planning for the needs of the new library. The proposed master plan has been on view throughout the past school year and suggestions and input have been frequently solicited and received from all constituencies.

All school programs and activities after the 6 hour day have increased nation wide over the past fifteen years. Day care, for example, was unheard of as a part of school programs, as well as the other activities Hillbrook, as with all schools, now provides for its students.

Day care and all after school programs are only offered to Hillbrook students.

A traffic policeman, invited by Hillbrook, has ticketed speeding parents arriving late to school on several occasions, in June and September. This example had a significant effect on slowing traffic. Letters and the school's Friday Letters have explained the severity of the traffic situation and the need for the school to commence vigorous carpooling.

It has been effective to prohibit all Hillbrook parking on Marchmont Drive. Signage (photo attached) has helped to remind parents of the agreement.

After school events

The Conditional Use Permit from the Town of Los Gatos, dated February 11, 1988, states:

#19: There shall be no more than three additional night time activities per year <u>heyond</u> what already occurs; all nighttime activities shall conclude by 10:30 p.m.

Another document states: =6: "There shall be no more than two nighttime activities per year", but defines nighttime activities as those "which continue past 9 p.m".

In 1988 there were listed in the school calendar as many as 20 evening events held at the school. In 1999 there were fewer than 12,

We have adopted the following new restrictions to the number and hour of after school events.

We will limit the number of after school events to nine, reducing last year's number by three.

All events will now be concluded by 9 p.m., with all cars of campus by 9:30. The following events listed below are the only events involving a large number of families:

2 Back to School evenings 6 p.m.-8:30 p.m.

1 Winter Concert 6-8 p.m.

28th grade play 6-9 p.m.

1 Family Fun Night 5:30-9 p.m.

Total = 6 events per year

In addition, the 4 Upper School dances (grades "8:8) will now commence at 6 p.m. instead of 7, concluding by 9. It should be noted that in times past, there were 6 Upper School Dances held on campus per year.

Weekend Use of the Campus:

Increased weekend use of the campus was cited by several neighbors as a source of concern. Hillbrook would like to accommodate their concerns through the following measures:

- 1. Hillbrook will close the campus to any use by outside leagues or youth groups on weekends.
- 2. Allow no non-Hillbrook use of the gym on weekends:
- 3. Limit the weekend use of the campus to the following: Open House (October Saturday afternoon) Volleyhall tournament weekend
 - 2 Basketball Tournament weekends

Traffic

Hillbrook is deeply concerned about the trainic and parking problems created by Hillbrook families on Marchmont Drive. We have adopted the following measures to help address these serious problems:

1. Prohibit all parking off campus by Hillbrook families permanently.

2. Provide shuttle service offsite for major events such as Family Fun Night.

3. For other events involving large numbers of cars, the school will facilitate the parking of every visiting car on the campus as was accomplished for this June's graduation, Back to School Nights this fall, and the start of school.

4. Hillbrook will insist upon more regular parrol of the approaches to the school by

police so as to enforce traffic laws...

 We have now provided 20 increased parking spaces on campus to accommodate regular visitors.

 Approximately 1/3 of Hillbrook parents are now carpooling as a result of our networking and emphasis on its importance.

7. Several Hillbrook parents continue to research the possibility of busing their children through a private transport service.

Unlike public schools, which serve neighborhoods in usually close proximity to the school and whose students live closer together, Hillbrook is an independent school which has students who come from as far away as Gilroy, Fremont, Palo Alto, Lts Altos, Morgan Hill, and East San Jose. A geographical study of the Hillbrook parent body would reveal very few contiguous pockets of parents to form the core of busing and carpooling beyond what is already occurring. As it is not a neighborhood school, relatively few live within walking distance of Hillbrook. In fact, it is significant that many more Hillbrook parents are carpooling this year, thanks to the school's networking system, given that so few live in close proximity to each other.

As the Commission is no doubt aware, Hillbrook is in great need of replacing its antiquated facilities. In addition, however, Hillbrook is deeply committed to doing its very best to accommodate neighbor concerns and work amicably with its neighbors. It is hoped that the proposals listed above are a step toward improving its relations with its neighbors. At the present time we are now months delayed in providing remodeled, new, ADA compliant, and seismically safe facilities for our present Upper School students. We plan continued efforts, not limited to the time of construction, to communicate frequently and effectively with our neighbors. As written to neighbor Dick Anderson on the 21° of September. "The vigilance on the part of the Hillbrook community to curtail speeding is planned to continue into perpetuity." We hope fervently that the Commission will now approve our request to proceed with much needed improvements on the Hillbrook School campus.

Frank Strain

March 13, 2013

TO: Mayor Barbara Spector, Vice-Mayor Steve Leonardis, Council Members Joe Pirzynski, Diane McNutt, and Marcia Jensen

FROM: Barbara Dodson for LG CATS (Los Gatans Concerned About Traffic and Safety)

SUBJECT: VIOLATION COMPLAINTS AGAINST HILLBROOK SCHOOL

According to the Town's General Plan, "planning for neighborhood preservation and protection is one of the most important purposes of the Town's General Plan." Further, "maintaining neighborhood quality suggests ... traffic control in residential neighborhoods....Factors such as new or excessive traffic may cause disruption of neighborhoods."

Since 2009, under a new administration, Hillbrook has dramatically intensified the use of its property. The result has been substantial increases in street traffic and safety issues. Quality of life has been compromised, and there have been disruptions to our neighborhoods.

We ask the Town Council to follow through on land use policies and goals in the General Plan. Hillbrook is a nonresidential use of a property zoned HR-1, and we seek protection from Town Council against non-permitted and excessive uses of this nonresidential property. (See the Appendix for specific land use policies and goals and how expanded use of the property now violates these policies and goals.)

Many of Hillbrook's new uses of its property violate the Hillbrook School 2001 Conditional Use Permit and/or the Town Code. In this Overview, you will find:

- A summary of violations—past and present—on page 2
- Background and general information about each violation

Please use this overview in conjunction with the violations chart (titled "Hillbrook School CUP and Town Code Violations—Partial List 2010-present (and planned)".

As always, thank you for your attention and for your public service.

RECEIVED

MAR 13 2013

TOWN OF LOS GATOS PLANNING DIVISION

and leaving the school on Sunday. This was a weekend on which there were no permitted activities.

Since September 2012, Hillbrook no longer publicly lists events that happen on campus, and it is difficult for neighbors to know when violations will or are occurring. All neighbors see is the resulting excessive traffic. But we sometimes stumble onto violations.

A case in point is a situation that occurred in December 2012 when a neighbor noticed a disallowed weekend activity listed on the neighborhood newsletter webpage (though not actually in the neighborhood newsletter itself). Here is the correspondence that resulted:

On Thu, Dec 6, 2012, Barbara Dodson wrote:

Dear Dr. Silver:

I noticed on your calendar that you plan a home basketball game (B' Boys Basketball vs. SC Stratford) on campus in Founders Hall on Saturday, January 5, 2013. As you know, your current CUP limits weekend sports events to volleyball and basketball tournaments for Hillbrook School only. Please reschedule this game so as not to violate the CUP.

I also noted that you have scheduled a Grades 3-8 Winter Indoor Soccer Tournament for Friday, **Saturday**, and **Sunday**, December 21 to December 23, 2012. This, too, is a violation of your CUP, which (as stated above) permits only volleyball and basketball tournaments on weekends. The violation is compounded by the fact that you have scheduled this tournament during winter break, a time when the neighborhood has a right to some relief from Hillbrook traffic. Please reschedule, relocate, or cancel this event in order to be in compliance with your CUP.

Needless to say, I am very surprised to see you violating your CUP at the very time when you are applying for modifications to your current CUP. I continue to believe that you should not be granted the changes you are requesting when you are unwilling even to comply with your current CUP. It is even more extraordinary when you realize that you are violating a CUP condition that you don't even want to change.

Sincerely,

Barbara Dodson

On Friday, December 12, 2012, Head of School Mark Silver Responded:

school premises by 9:30 P.M. All activities which draw an audience to the gymnasium shall take place after school hours.

Hillbrook has routinely violated its current nighttime activity cap of 10. Hillbrook's public calendars for both 2010-2011 and 2011-2012 listed more than ten nighttime activities and failed to include all of the nighttime activities actually held. For example, four dances are held during evenings each year; these were not listed in the calendar. Many basketball games began at 5 P.M. In 2012, one began at 7 P.M. Neighbors also frequently observed streams of cars leaving the Hillbrook campus after 7:00 P.M. Town staff never contested the fact that Hillbrook School violated this condition.

In school year 2010-2011, 25 nighttime activities were shown on the public calendar. The four dances generally held each year were not included. Therefore, Hillbrook held at least 29 nighttime activities—19 more than permitted in the CUP. There were probably other nighttime activities that were simply not listed on the public calendar.

In school year 2011-2012, 12 nighttime activities were shown on the public calendar. Again, the four dances generally held each year were not included. Therefore, Hillbrook held at least 16 nighttime activities—6 more than permitted in the CUP. Again, there were probably other nighttime activities that were simply not listed on the public calendar. For example, the oncampus evening meeting with neighbors in January 2012 to explain the school's expansion plans was not included on the calendar. As indicated above, one basketball game began at 7:00 P.M.

This year, despite claims that it tries to be transparent, Hillbrook does not have a public list of school activities. However, we continue to see streams of cars leaving Hillbrook after 6:00 P.M.; this has occurred on more than 10 nights since September 2012. We would like Hillbrook to provide a list of its 10 nighttime activities before the start of every school year so that we can be assured that Hillbrook is conforming to Condition #6: Nighttime Activities.

4. Condition #7; Weekend Activities. Violation: Failure to Limit Weekend Activities to Those Allowed by the CUP

Condition # 7 of the 2001 CUP states the following: "During the weekend the campus shall be closed to any use by outside leagues or youth groups, the gym shall only be used for Hillbrook School activities and the weekend use shall be limited to an Open House event in October, and volleyball and basketball tournaments for Hillbrook School only."

Hillbrook has been routinely violating the weekend activity condition by holding numerous non-permitted activities on Saturdays and Sundays. Examples shown on the school calendar for school year 2011-2012 included: ISEE testing, a garden work party, family photo day, and JK-K screening for new applicants. However, neighbors have often seen streams of cars leaving the Hillbrook campus on weekends, indicating that there have been many weekend events not shown on the calendar. On the weekend of May 21-22, 2011 Hillbrook's January 2011 Traffic Study documented 112 vehicles entering and leaving the school on Saturday and 72 vehicles entering

modification because they are "a substantial departure from plans which were the basis of the conditional permit approval."

Acting
Advanced Soccer
African Music Ensemble
Basketball Clinic
Beginning Sign Language
Beginning Soccer
Beginning Spanish
Beginning Spanish for
Adults

Book Making
Club Mud (Ceramics)
Cooking
Creative Drama
Creative Writer's Workshop
Exploring Mandarin
Fencing
Hands On Clay for Adults
Hands On Wood (Woodshop)

Hip-Hop
Improvisation
Intermediate Spanish
Jam Session (Rock Band)
Legos
Math Facts using 9-Lines
Practice Typing
Primary Chorus
Techniques in Drawing

Yoga

Here is a list of programs in addition to the above in which Hillbrook has enrolled non-Hillbrook students for on-campus activities.

Saso High School Prep
Breakfhrough Silicon Valley
Steve & Kate's Camp
Hilibrook Summer Camps
Stage Kids of California/Way to Go Foundation
Playful People Productions
Most Hillbrook Camps
Santa Fe Leadership Center conference

Ongoing Violation: Planned iPad Schools 2.0 Conference

Hillbrook plans a 3-day on-campus conference for June 19-21, 2013. This conference, "iPads Schools 2.0: Now What?," has a projected attendance of 50 adults. The cost is \$1,250 per person. The conference is for faculty and administration from outside schools; it is not aimed at Hillbrook's own employees. Members of other faculties and administrations cannot be considered "students" under the current CUP.

3. Condition #6: Nighttime Activities.

Violation: Failure to Limit Nighttime Activities to a Maximum of 10

Condition #6 of the 2001 CUP states the following: 'Nighttime Activities. The maximum number of nighttime activities is limited to ten per calendar year. All activities shall conclude by 9 P.M. and all vehicles belonging to persons participating in these activities shall be off the

Clearly, only Hillbrook-enrolled students are permitted to participate after the "six hour day" Ms. Bayne refers to, and as clearly, all other programs Hillbrook runs are similarly limited to Hillbrook-enrolled students.

In an email to Marchmont Drive resident Patricia Elliot on July 2, 2011, Mark Silver wrote, "Hillbrook has a long history of summer camps, and year after year, one of our top requests from parents is good summer programming. Our programs for the past few summers, however, have not been especially popular and we have had relatively low attendance. Each year we try something different to try to please our parents and students. This year, we chose to work with Steve & Kate's Camp in running our summer program, and as you are well aware, it has turned out to be very popular."

Dr. Silver's statements not only acknowledge that, in the past, summer programs at Hillbrook have been minimal, but also that they are supposed to be for Hillbrook students.

Hillbrook School has violated Condition #4 over and over again during the summers by advertising its summer programs widely and accepting non-Hillbrook students and by running a program called Breakthrough Silicon Valley, which is aimed primarily at non-Hillbrook students.

Here is what Hillbrook tells people interested in its summer programs.

Q. How do I register for a Hillbrook camp?

A. Register <u>online</u>. If paying by check, submit payment to the summer office. Registrations are honored in the order payment is received. If you are not a current Hillbrook family, you must provide emergency contact information and permission to participate.

Ongoing Violation: After-School Activities

Hillbrook also violated Condition #4 during the school year by holding after-school classes for adults, such as woodworking for adults and ceramics for adults, and for non-Hillbrook students. Hillbrook appeared to want to create a recreation-department-style program.

The 2011-2012 listing of afterschool programs appears below; we do not know how many of these programs were actually held or what the attendance was. We do know that before at least 2004, Hillbrook did not have any afternoon activities other than daycare and sports. Thus these activities also represent a violation of Town Code Section 29.20.200 Conditional use

Hillbrook can truthfully claim that it has reduced peak period traffic. However, this is because it has spread its traffic throughout the day, violating the understandings that were the basis for Condition #12: Traffic Counts. See p. 14-16 for more information on this.

2. Condition #4: Enrollment.

Violation: General Failure to Limit Campus Use to Hillbrook Students

Condition #4 of the 2001 CUP states the following: "Enrollment. The enrollment shall be limited to 315 students."

Hillbrook School, like most private schools, enrolls students under a school-year-long contract. Therefore, the 315 enrollment limit applies to those 315 students for whom Hillbrook has year-long enrollment contracts.

Hillbrook would like to change the definition of "enrollment" to allow a change in the enrollment roster from period to period. Under this interpretation, the school could run regular school sessions for the regularly enrolled 315 students, and then run other sessions during other times of the day and evening for others, including afternoon and evening sessions for adults and conferences for educators with no relationship to Hillbrook. The school could do this all year long. This is a mockery of the 315 student cap, making it entirely meaningless. This interpretation transforms the "enrollment" cap into nothing more than a building capacity-type limitation.

Using its own definition of "enrollment," Hillbrook has allowed itself to offer after-school activities to non-Hillbrook students and to adults. It has also opened up its summer programs to all comers.

While Hillbrook is now trying to alter the meaning of "enrollment" in the CUP, statements by the former Head of School Sarah Bayne and by current Head Mark Silver are admissions by Hillbrook that non-Hillbrook enrolled students are not permitted to participate in Hillbrook programs.

In an October 2000 letter from Sarah Bayne to the Planning Commission regarding traffic concerns, Ms. Bayne wrote, "All school programs and activities after the six hour day have increased nationwide over the past 15 years. Day care, for example, was unheard of as part of school programs, as well as the other activities Hillbrook, as with all schools, now provides for its students. Day care and all after-school programs are only offered to Hillbrook students." (Emphasis in the original)

Development Bud N. Lortz stated that "Each new family to Hillbrook will be accepted if they agree to carpool."

Hillbrook long ago ignored the promises made in 2001. Given its promise that all new families had to agree to carpooling as a condition of enrollment, Hillbrook should have had 100% of its students in carpools at least by 2010. The carpooling numbers that Hillbrook currently claims are no more than they were in 2001 when the voluntary carpooling provisions were implemented in the CUP. Hillbrook now says that because of its many afternoon programs, afternoon carpooling is not feasible.

Many private schools have mandatory carpooling programs for both the morning and afternoon. Hillbrook has steadfastly refused to consider mandatory carpooling.

Hillbrook's efforts to encourage voluntary participation in carpooling, busing, and walking/biking have had no impact on overall traffic. Traffic is actually higher now in 2013 than ever. Here are statistics.

2011, 2012: BEFORE NELSON\NYGAARD TDM MEASURES IN EFFECT

DATE	TOWARD HILLBROOK	AWAY FROM HILLBROOK	DAY TOTAL	SOURCE
85/18/2011	459#%	n#6¢ 465.5% °	924	2011 TJKM Traffic Stildy 33
95/19/201/10	469 %	7, 5) v464 v	#IQ38	2014 TIGM traffic Study \$2
F 5/23/2011	7 426 4	485	861	52011 TIKMPI Gille Study
5/24/2011	9学395点	405399	4800章	62013 TUGW Traffic Study

5/14/2012 533	537 Campbell Traffic Engineer
*\$/15/2012 *** 489 ***	492 3 981 Campbell Traffic Engineer
5/16/2012 5501	200 300 (Campbell Traffic Engineer)

2012: AFTER NELSON\NYGAARD TDIVI MEASURES IN EFFECT

DATE	TOWARD HILLBROOK	AWAY FROM HILLBROOK	DAY TOTAL	SOURCE
10/25/2012	462	466	928	Marchment Neighbors 254
1//10/2/01/3	526	278 @x498 av. 24	S01023	Marchmont Neighbors 1944
1804/2018	3/0/7	55.2	10/19	Warchmoel Neighbors
1415/2018	1/4	54 0) °	- ilit 03	Marchinont Neighbors 300
2/12/2013	577	304	科04 图象	Marchmont Deighbors : 4 +
2/26/2013	4960	516	1011	Marehinon: Neighbors 🕮 💃
3/1/2013	5.7	26/JUN532 # PF	到049湯	Matchmont Neighbors

HILLBROOK CONDITIONAL USE PERMIT VIOLATIONS: Ongoing and Past Condition #3:

1. Carpooling

Ongoing Violation: No Carpooling Program for Summer Activities

Condition #3 of the 2001 CUP states the following: "CARPOOLING. The Town accepts the voluntary offer of Hillbrook School to maintain and promote a car-pooling program for their students. Hillbrook School shall submit to the Town a written report summarizing the carpool participation. This report shall be submitted twice a year for the months of February and September."

Hillbrook has never promoted a carpooling program for summer students. Even though the CUP does not specifically allow summer sessions, if such sessions occur, then the enrollment cap, peak period traffic limits, and carpooling requirements apply to summer sessions as well. Head of School Mark Silver has acknowledged that Hillbrook has no way to control the situation since the parents and children involved are not members of Hillbrook families. That is precisely why there is an enrollment cap limiting attendance to Hillbrook students.

The worst violation of this commitment to carpooling occurred in summer 2011. At that time, Steve & Kate's Camp operated on campus with a policy of all-day, anytime drop-offs and pickups. The camp had 900 campers and local streets were inundated with cars throughout the day and into the evening. Even after neighbors objected to the heavy traffic, Hillbrook took no effective steps to mitigate the traffic impact.

Past Violation: Failure to File Carpooling Reports

From 2007 to January 2012, Hillbrook did not file the CUP-required twice annual carpooling reports. (When neighbors pointed out this lapse, Hillbrook retroactively submitted a report for October 2011 in January 2012.)

Past and Ongoing Violation: No Increase in Carpooling from 2001 to Today

Here is information from 2001 demonstrating Hillbrook's commitment to an aggressive carpooling program.

- Through its law firm Berliner Cohen, Hillbrook committed itself in a letter to the Mayor and Town Council dated December 15, 2000 to achieve a 60% carpool participation by families of Hillbrook students.
- The then head of school Sarah Bayne stated in a January 2001 letter to Hillbrook parents, "...we have no choice but to insist that 60% of our families carpool together."
- The school committed to 100% carpool participation over time by requiring an agreement to carpool during the enrollment process. In the Council Agenda Report of April 12, 2001, based on a guarantee Ms. Bayne made to the Town, Director of Community

SUMMARY:

HILLBROOK SCHOOL CONDITIONAL USE PERMIT AND TOWN CODE VIOLATIONS

This page provides a snapshot of Hillbrook School violations of its 2001 Conditional Use Permit and Town Code provisions. For further details and discussion about each violation, please read the material that follows.

1. Condition #3: Carpooling.

Ongoing Violation: No Carpooling Program for Summer Activities

Past Violation: Failure to File Carpooling Reports

Past and Ongoing Violation: No Increase in Carpooling from 2001 to Today

2. Condition #4: Enrollment.

Ongoing and Past Violation: General Failure to Limit Campus Use to Hillbrook Students

Ongoing Violation: After-School Activities

Ongoing Violation: Planned "iPads Schools 2.0" Conference, June 19-21, 2013

3. Condition #6: Nighttime Activities.

Ongoing and Past Violation: Failure to Limit Nighttime Activities to a Maximum of 10

4. Condition #7: Weekend Activities.

Ongoing and Past Violation: Failure to Limit Weekend Activities to Those Allowed by the CUP

5. Condition #10: Lease/Rental.

Ongoing and Past Violation: Permission to Allow Third-Party Use Specific Non-resolved third-party violation complaints are:

- 1. Breakthrough Silicon Valley
- 2. Way to Go Foundation, Inc.
- 3. Playful People Productions
- 6. Condition #12: Traffic Counts.

Ongoing and Past Violation: Failure to Isolate Traffic Mainly to Peak Periods

7. Town Code Section 29.20.200. - Conditional use modification

Ongoing Violation: Teacher Training Program

Ongoing and Past Violation: Excessive After-School Hosted Sports Events

Ongoing and Past Violation: Increase in Number of Hours of Operation Through Activities

Scheduled During Breaks and All Summer

Appendix: The General Plan Land Use Policy and Hillbrook's Violations

Barbara-

Thanks for bringing this to my attention. The January 5 date is a calendar error - there is no game scheduled for that day. We will make a correction to the calendar.

As for the soccer tournament, the PE department made an error and scheduled it for that weekend. This event, which is only for Hillbrook students and usually involves about 25-30 students, has been held for a number of years and has typically been the week before Christmas. The late start to the holiday break led to this year's confusion. We have rescheduled the event for January 2-4 to ensure we are in compliance with the CUP.

Sincerely,

Mark

Neighbors should not have to perform this watchdog function, yet we cannot depend on Hillbrook to adhere to its CUP.

PAST VIOLATIONS. Here are known examples of past violations of Condition #7.

- Saturday, July 9, 2011. The Summer Stock Theatre program scheduled a performance of "Advice-A-Palooza."
- Sunday, July 15, 2011. Opening evening of the Santa Fe Leadership Center conference.
 (When neighbors objected to this use, the meeting was moved to Carla Silver's home.)
- Saturday, September 10, 2011. Garden Work Party. 9-12 AM
- Saturday, September 24, 2011. Family Photo Day. 8 AM-4:20 PM
- Sunday, September 25, 2011. Family Photo Day. 8 AM-12:20 PM
- Saturday, December 3 2011. ISEE Testing
- Saturday, January 2012. ISEE Testing
- Saturday, February 4, 2012. ISEE Testing
- Saturday, March 3, 2012. JK/K Screening for New Applicants

Hillbrook no longer lists its activity schedule in the public section of its website. Therefore, we are no longer able to see (and object to) non-permitted weekend activities.

Condition #10: Lease/Rental. Ongoing Violation: Permission to Allow Third-Party Use

Condition #10 of the 2001 CUP states the following: "LEASE/RENTALS. No lease or rental of the campus facilities shall be permitted to third parties."

THREE VIOLATION COMPLAINTS HAVE NOT BEEN RESOLVED:

- 1. Breakthrough Silicon Valley
- 2. Way to Go Foundation, Inc.
- 3. Playful People Productions

In 2001, Condition #10 was understood to mean that there would be no third-party use of the Hillbrook campus. However, in violation of this understanding, Hillbrook has allowed many outside groups to use its campus, including Steve & Kate's Camp, Breakthrough Silicon Valley, Santa Fe Leadership Center, Saso High School Prep, and California Association of Independent Schools. None of these groups had as a primary goal to provide educational opportunities for either Hillbrook students, Hillbrook parents, or Hillbrook faculty/staff.

In an effort to claim that it is not violating this condition, Hillbrook has claimed "partnerships" with these organizations.

Statements from Hillbrook's law firm in 2000 have helped us to substantiate our claim that Condition 10 means that the campus cannot be used by any third parties. In its letter of December 15, 2000 to Mayor Joe Pirzynski and council members, Hillbrook's lawyer Jolie Houston of Berliner Cohen wrote that "To meet neighbors concerns, the <u>School will no longer be available to outside groups</u>." This commitment remains in place.

BREAKTHROUGH SILICON VALLEY One of several third-party usages planned for summer 2013 on the Hillbrook campus is Breakthrough Silicon Valley. This six-week summer program for non-Hillbrook students has been held on the Hillbrook campus for at least the last four years and is projected again for summer 2013. Neighbors have protested this third-party use of the campus for going on two years.

In a meeting with Planning Associate Jennifer Savage on May 9, 2012, Ms. Savage assured neighbors that the Breakthrough Silicon Valley program would not be permitted during summer 2012 because it was a third-party use. Then in a meeting on June 7, Ms. Savage reversed herself on the basis that Hillbrook had notified her that the Breakthrough Silicon Valley program "is a Hillbrook program." This is not the case.

In fact, Breakthrough Silicon Valley has its own website on which it clearly states that "Breakthrough Silicon Valley is a part of Breakthrough Collaborative, a national collaborative of sites engaged in the same students-teaching-students model. As one of 35 sites nationwide, we

work closely with our national collaborative to share ideas, recruit teachers, and coordinate fundraising." http://www.breakthroughsv.org This is clearly NOT a "Hillbrook program."

According to the Breakthrough Collaborative website, "At 33 locations across the nation and abroad, Breakthrough Collaborative launches motivated middle-school students on the path to college and prepares older students for careers in education." Hillbrook is one of the 33 "locations."

The Breakthrough Silicon Valley website describes its connection to Hillbrook this way: "Our summer campus, located at The Hillbrook School, has state-of-the art teaching facilities in the beautiful foothills of Los Gatos, California, making it an ideal place to teach and learn."

Hillbrook is allowing the Breakthrough Silicon Valley program to be "located at" the Hillbrook campus. Breakthrough Silicon Valley is obviously not a Hillbrook program, and therefore violates the no lease or rental to third parties provision of the CUP.

Two other third party usages that occurred in the past and are planned for summer 2013 are the following:

WAY TO GO FOUNDATION, INC. Way to Go Foundation runs one of its StageKids programs on the Hillbrook campus during the summer. Way to Go Foundation has its own website (http://www.waytogoprograms.com/) and runs many programs at many locations in the Bay Area; it uses Hillbrook as just one of its location. This is not a Hillbrook-run program. It appears that Hillbrook rents its campus to this group; however, we are unable to verify this.

PLAYFUL PEOPLE PRODUCTIONS. Hillbrook allowed this third-party company to use its campus for a "Summer Stock Theatre" for campers entering grades 2-8 in summer 2012 and will do so again in summer 2013. Playful People Productions has its own website (http://www.playfulpeople.net/), runs programs at many locations, and uses Hillbrook as just one of its locations. This is not a Hillbrook-run program. It appears that Hillbrook rents its campus to this group; however, we are unable to verify this.

Past Violation: Permission to Allow Third-Party Use

Here are specifics about some of the third parties Hillbrook has allowed to use its campus in the past.

SASO HIGH SCHOOL PREP. Hillbrook allowed the organization to hold classes on its campus in 2011 and probably before that. The SASO site listed classes at Hillbrook as well as at other schools and locations from at least 2010 through 2012. The classes listed for June 18-July 25, 2012 and for September 21-December 7, 2012 were canceled when neighbors mentioned them to Town staff. The program uses non-Hillbrook instructors and costs \$660-\$690.

This was clearly an outside group.

STEVE & KATE'S CAMP. This organization has at least 27 other locations in California and Washington. It is a for-profit camp and had more than 900 campers at Hillbrook in 2011. After protests from neighbors and intervention from the Planning Department, Hillbrook decided not to allow this group on campus in 2012.

This was clearly an outside group.

SANTA FE LEADERSHIP CENTER CONFERENCE. This was a 40-person 5-day professional development conference for non-Hillbrook educators, run by the Santa Fe Leadership Center and held in summer 2011. It was led by Head of School Mark Silver's wife Carla Silver and cost \$1,577-\$1,795. Ms. Silver is now executive director of this organization, which is a national group headquartered in Santa Fe, New Mexico. The organization holds conferences in Seattle, Santa Fe, San Antonio, and other locations. In summer 2012, the Hillbrook conference was again scheduled to be held on campus but was moved off-campus after repeated requests from the Planning Department.

This organization is clearly an outside group.

MARTIN INSTITUTE/JOHN HUNTER MASTER CLASS. This program offered through the Martin Institute was planned as a two-day session for adult educators at a cost of \$1,250 for summer 2012. It was moved off-campus after repeated requests from the Planning Department.

The Martin Institute is clearly an outside group.

BREAKTHROUGH SILICON VALLEY. Hillbrook has allowed this summer program on campus since 2010. It brings $110+7^{th}-9^{th}$ graders plus 27+ college age interns to Hillbrook for a full-time six-week program. This is a nationwide program with sites throughout the country.

This is an outside group.

CALIFORNIA ASSOCIATION OF INDEPENDENT SCHOOLS. A CAIS event for adult educators, Visual Art Professional Day taught by Hillbrook teacher Ken Hay, was held on February 3, 2012 at Hillbrook at a cost of \$40-\$50/participant. We do not know how many participants attended.

CAIS is an outside group.

Condition #12: Traffic Counts. Violation: Failure to Isolate Traffic Mainly to Peak Periods

At the applicant's expense, the Town shall conduct traffic counts at the Marchmont Drive gate of Hillbrook School twice a year, during the months of March and October. The maximum number of vehicles leaving the school during each of the hours of 7:30 AM to 8:30 AM and 2:30 PM to 3:45 PM shall not exceed 165 vehicles.

The current CUP traffic cap of 165 vehicles was a guarantee to the neighborhood that student traffic would be confined to a morning peak period of 7:30 AM to 8:30 AM and an afternoon peak period of 2:30 PM to 3:45 PM. At all other times, student traffic was to be minimal, if any. The traffic caps were put into place in order to give some teeth to the "voluntary" agreement to carpool.

During summer 2011 discussions with neighbors, Head of School Mark Silver revealed his own interpretation of the traffic cap: During peak periods, traffic exiting campus was limited to 165 vehicles. During all other times, there could be as much traffic as Hillbrook wanted! This interpretation clearly makes a mockery of the intricate discussions from 2000-2001. It turns the cap into a meaningless number and eliminates the protections intended by the CUP.

School Year Problems. As evidence of the way traffic has been spread out throughout the day, here are some numbers: The TJKM traffic study numbers from May 2011 show that traffic continues to be heavy, long after the cap period ends. For example, the May 19, 2011 counts show that from 4:00 P.M. to 6:00 P.M., 92 vehicles exited Hillbrook. Those numbers are in addition to the "Peak Hour Data" for the 2:00 – 4:00 p.m. timeframe in which another 171 vehicles exited Hillbrook. Given that approximately 220 families attend Hillbrook, the total count of 263 vehicles (including two large buses) demonstrates that afternoon carpooling is ineffective at best.

A study done at the request of neighbors shows a similar pattern. Here are the numbers for May 14, 2012, May 15, 2012, and May 16, 2012 for cars entering and exiting the Hillbrook campus. Notice how much of Hillbrook's traffic is not accounted for by the peak period counts.

	May 14, 2012: Enter/Exit	May 15, 2012: Enter/Exit	May 16, 2012: Enter/Exit
2:30-3:45 (CUP peak period)	160/175	152/152	157/157
3:45-6:00	63/115	68/124	56/111
TOTALS FOR P.M. PERIOD	223/290	220/276	213/268

Here are more recent numbers showing that the problem is just getting worse. The numbers below were gathered by neighbors.

JANUARY

	January 10, 2013: Enter/Exit (Total)	January 14, 2013: Enter/Exit (Total)	January 15, 2013: Enter/Exit (Total)	January 24, 2013 Enter/Exit (Total)	January 25, 2013: Enter/Exit (Total)
2:30-3:45 (CUP peak period)	152/129 (281)	144/115 (259)	148/121 (269)	161/137 (298)	166/151 (317)
3:45-6:00	108/174 (282)	96/179 (275)	97/158 (255)	70/130 (200)	87/118 (205)
TOTALS FOR P.M. PERIOD	260/303 (563)	240/294 (534)	245/279 (524)	231/267 (498)	253/269 (522)

FEBRUARY/MARCH

I LIDICULIE	. 1/1/1/1/1/011		
		2/26/2013	
	2/12/2013	Enter/Exit	3/1/2013
]	Enter/Exit(Total)	(Total)	Enter/Exit(Total)
2:30-3:45			
(CUP			
peak			
period)	135/100 (235)	134/114(248)	155/135 (290)
3:45-6:00	150/185 (335)	90/148 (238)	128/192 (320)
TOTALS			
FOR PM			
PERIOD	285/285 (570)	224/262 (486)	283/327 (610)

Notice how on many afternoons the post-peak period traffic exceeds the peak-period traffic. Notice, too, how extremely heavy afternoon traffic is. For example, on February 12, 2013, afternoon traffic to and from Hillbrook equaled 570 vehicles. Of these vehicles, 235, or 41 % used the roadway between 2:30 and 3:45 and 335, or 59% used the roadway between 3:45 and 6:00.

Hillbrook should be able to corroborate or dispute these numbers because in roughly September 2012 the school had Sensys Sytems install an automatic counter at its front gate to count exiting traffic. Neighbors have asked Hillbrook to share the information it gathers, but the school has refused to do so.

Hillbrook's actions make clear that the school is willfully ignoring the caps. Instead of planning its programs to conform to the 2001 agreement that traffic would be limited to one A.M. and one P.M. period, the school has designed its schedule and programs to spread traffic out throughout the day, a maneuver the cap was specifically designed to prevent. Hillbrook has also significantly expanded the types and number of after-school programs and opened them up to students and adults from the wider community. This has dramatically impacted the neighborhood with traffic all afternoon and into the evening.

Another way in which Hillbrook has ignored the caps is its dramatic increase in the number of league events it hosts. From a handful of events in 2000-2001, Hillbrook went to hosting more than 100 events (77% of the total events it participates in-30 home volleyball games; 11 home football games; 56 home basketball games; 4 home softball games; 3 soccer tournaments; and 1 home cross country meet) in 2011-2012. These events bring many students from other schools along with parents into the neighborhood between 3:45 and 8:00. All the traffic generated by these games happens outside of the peak hours when official counts are done.

Summer Problems. Hillbrook's failure to recognize its commitment to its morning and afternoon designated periods for traffic are worse in the summer. During the summer, Hillbrook willfully ignores the CUP by running all of its camps from 9 A.M. to 3 P.M. At the same time, it allows the third-party Breakthrough Silicon Valley to schedule programming from 8:30 A.M. to 4:30 P.M.

7. Town Code. Town Code Section 29.20.200 Conditional use modification

Town Code Section 29.20.200 Conditional use modification states the following:

A use authorized by conditional use permit shall not be modified unless a modification to the permit is approved. The following changes in use are modifications:

- (1) Intensification of use. Changes of use that will result in an increase of five (5) or more peak hour trips.
- (2) Commencement of new activities that could have a material adverse impact on the surrounding area.
- (3) Any change that is a substantial departure from plans which were the basis of the conditional use permit approval.

(Ord. No. 1316, § 5,20,230, 6-7-76; Ord. No. 1832, § III, 7-16-90; Ord. No. 1862, § I, 8-19-91; Ord. No. 2143, § I, 4-18-05)

Or

After March 22, 1986, for hotels and motels located in residential zones that were converted to multiple-family dwelling units, and after May 6, 1981, for all others, a use which is nonconforming shall not be modified without obtaining a conditional use permit therefor. For purposes of this section, a modification shall be defined as follows:

- (1) Any change that is an intensification of use, including but not limited to: ...
- e. Increase in the number of hours of operation or staying open later and such change of hours imposes a new burden on the surrounding neighborhood; or
- (2) Any change that is a substantial departure from plans which were the basis of any approved, existing use.

(Ord. No. 1316, § 3.50.085, 6-7-76; Ord. No. 1496, 4-20-81; Ord. No. 1821, § II, 5-21-90; Ord. No. 2024, § II, 12-2-96; Ord. No. 2024, § II, 12-2-96; Ord. No. 2149, § I, 5-1-06)

Ongoing Violation: Teacher Training Program

Hillbrook began a Resident Teacher Program in fall 2012, called the Center for Teaching Excellence. This program was never submitted to the Town for approval, and neighbors were never informed about school plans to start this program. Such a program is not authorized as an appropriate use in the CUP.

The program currently has 5 participants—4 teacher trainees and 1 director. Under the Town Code, it is thus an "intensification of use" that was never approved by the Town. The program also represents a "substantial departure from plans which were the basis of the conditional use permit approval."

Nothing in Hillbrook's CUP permits the school to be in the adult education business. The current four trainees and the eventual twelve trainees are all adults being educated by Hillbrook. The conferences and speaker series to be conducted in conjunction with the Center are all adult education programs. The CUP does not specifically permit any adult education. Therefore such programming is not allowed.

The program was also started in violation of the Town's Traffic Impact Policy, which states that

2. The deciding body may approve a project with a traffic impact of five to nineteen additional A.M. or P.M. peak hour trips only if it is determined that the benefits of the project to the Town outweigh the impact of increased traffic and subject to payment of a traffic mitigation fee.

and

4. Projects that generate additional traffic of five or more peak hour trips may only be recommended for approval if the projects benefits to the community override the traffic impacts as determined by specific sections of the General Plan and/or any Specific Plan. The deciding body must make specific findings which demonstrate that the benefit(s) of the project outweigh the impact in order to approve the project.

Planner Jennifer Savage said that this program was not a violation because the four teacher trainees were employees; according to Ms. Savage, the school can hire as many employees as it wants. Ms. Savage did not address the question that was raised as to whether the program violated (1) the Town Code and (2) the Town's Traffic Impact Policy. In a follow-up email, Barbara Dodson asked if the program would still be approved when it eventually reached its projected full size of 12 full-time "residents" as well as a director for a program totaling 13 participants and reiterated questions about the program's legitimacy in regard to the Town Code and the Town Traffic Impact Policy. Ms Savage never replied.

The discussion of number of participants begs the key question of whether Hillbrook's CUP permits the school to be in the adult education business. We hope the Council will address and resolve this question.

Here is Hillbrook's description of the program.

The Center for Teaching Excellence is an innovative learning institute that raises the level of teaching quality and education experience for children in both public and private institutions. The CTE supports the interest of lifelong learning by creating a dynamic environment that is committed to collaborative teaching and teacher development.

The CTE has three main components:

A resident teaching program that allows university graduates who are bright aspiring teachers to be paired with master teachers to receive hands on learning.

Education conferences where thought leaders in education collaborate and exchange ideas on cutting edge practices impacting teaching and educational excellence in Silicon Valley.

A speaker series designed to appeal to teachers, parents and students with a variety of interesting topics delivered by a phenomenal and diverse pool of thought leaders in the educational community as well as professionals from Silicon Valley's dynamic academic, business and non-profit sectors (including select Hillbrook parent superstars).

Here is a description of a resident teacher:

Our Resident Teacher Program is a two-year, hands-on teaching experience that incorporates both theoretical and practical aspects of teaching. Resident Teachers work shoulder-to-shoulder with a Mentor Teacher, engaging in all aspects of teaching and school-wide responsibilities. Professional development and a cohesive course of study is provided, along with regular support and coaching. Our emphasis on collaboration and co-teaching allows the Resident and Mentor Teacher to make deep inquiries into learning.

All applicants must be college graduates with significant coursework in the liberal arts and sciences. Demonstrated interest in and experience working with children is desirable, but previous education coursework is not necessary.

In addition to being concerned with the number of trainees and staff involved in this program, we are concerned by the incorporation of conferences and a speaker series. Given Hillbrook's past history of generating traffic without considering its impact on the neighborhood, we are concerned that the conferences and speaker series will occur on the Hillbrook campus and bring unknown numbers of people through our streets, possibly during the evenings and weekends.

Ongoing and Past Violation: Excessive After-School Hosted Sports Events

Before at least 2009, Hillbrook had minimal involvement in interschool sports events. Since 2009, Hillbrook has intensified its involvement in such after-school sports events. This is a violation of the Town Code because it "is a substantial departure from plans which were the basis of the conditional use permit approval."

According to Hillbrock's calendar, the school held more than 100 sports events against other schools in its gym or on its fields in both academic years 2010-2011 and 2011-2012. This was more than ³/₄ of all events in which it played.

To provide some idea of the full extent of afternoon league sports at Hillbrook, see the list below of home basketball games for January 2012 alone.

JANUARY	1/4, 4 PM
Home Basketball	1/4, 5 PM
Games (32)	1/5, 3:45 PM
	1/5, 4:45 PM
	1/6, 3:45 PM
	1/9, 3:45 PM
	1/9, 4:45 PM
	1/10, 3:45 PM
	1/11, 3:45 PM
	1/11, 4:45 PM

	1/12, 3:45 PM
	1/12, 4:45 PM
	1/13, 3:45 PM
	1/13, 4:45 PM
	1/17, 3:45 PM
	1/17, 4:45 PM
	1/18, 3:45 PM
	1/18, 4:45 PM
	1/19, 3:45 PM
	1/19, 4:45 PM
	1/23, 4 PM
	1/23, 5 PM
	1/24, 4 PM
	1/26, 3:45 PM
]	1/26, 4:45 PM
	1/27, 3:45 PM
	1/27, 4:45 PM
	1/28 no time given
	1/28 no time given
	1/30, 3:45 PM
	1/30, 4:45 PM
	1/31, 4:45 PM

January 2012 was clearly a very bad month for the neighborhood with 32 home basketball games. Many games started at 4:45 or 5 P.M. and likely lasted long enough to be considered nighttime activities.

The situation is only getting worse. In October 2012 Hillbrook hosted even more home games—35. This was 72% of the total number of interschool games for the month. On 4 afternoons, the school hosted 3 games; on 8 afternoons it hosted 2 games.

Here are the numbers for school year 2012-2013 through February. They show that of the 118 games Hillbrook played with other schools, it hosted 94--80%. Not only is the number of games hosted on campus by Hillbrook excessive; so, too, is the percentage of games within a league.

HILLBROOK AFTER-SCHOOL GAMES: SEPTEMBER-FEBRUARY 2012, 2013

Month	Home Games	Away Games	
September	6	2	
October	35	13	
November	2	0	
December	11	1	
January	20	6	
February	20	2	
<u> </u>	Totals 94	24	

League events bring visiting team players, other Hillbrook and non-Hillbrook students, Hillbrook and visiting team parents, and other onlookers to the Hillbrook campus over and beyond peak hour traffic. Having so many of these after-school events causes severe disruption and safety hazards in the neighborhood at the same time neighborhood children are coming home from school and want to enjoy playing in their own neighborhood. The sports activities also create a great deal of noise, which disturbs residents, particularly on the Ann Arbor side of the neighborhood.

It would seem, at the very least, that within a league other schools could host their fair share of these games.

The 2001 CUP and the discussions surrounding it did not address the issue of weekday afternoon interschool sports events because Hillbrook was not hosting a significant number of such events at that time. The sheer number of after-school sports events occurring now and during the past three years is clearly a violation of the Los Gatos Town Code Section 29.20.200-Conditional use modification because it represents (1) an "intensification of use"; (2) is the commencement of new activities "with material adverse impact" on the neighborhood; and (3) is a change that is "a substantial department from plans which were the basis of the conditional use permit approval."

Another piece of information that should be part of this discussion is a comparison with a local school, Fisher Middle School. As we've said, in academic year 2011-2012, Hillbrook hosted approximately 100 of its roughly 130 league sports events (basketball, football, volleyball, crosscountry, etc.). This is 77% of the school's interschool sports events. In comparison, in the same time period Fisher Middle School, with its approximately 1,100 students, hosted fewer than 50% of its interschool sports events (approximately 67 of roughly 139 interschool sports events).

	# of Middle School Students	# of Home Games	# of Away Games	Percent of Home Games
Hillbrook School	c. 90	c. 100	c. 30	77%
Fisher Middle School	c. 1,100	c. 72	c. 67	48%

It's easy to see how this kind of activity makes a complete mockery of the traffic caps under Condition #12. The clear intent of the CUP was to create specific periods during which Hillbrook students would be dropped off and picked up. The neighborhood would anticipate a large volume of traffic—up to 165 vehicles—between 7:30 and 8:30 and then again between 2:30 and 3:45. In all other periods, there would be almost no traffic related to Hillbrook. Obviously these after-school interschool games create a great deal of traffic outside of peak hours.

Starting in March 2013, Hillbrook stopped listing its after-school games on a public calendar. We are no longer able to see how extensive Hillbrook's afterschool sports programming is.

Ougoing and Past Violation. Increase in Number of Hours of Operation Through Activities Scheduled During Breaks and All Summer

When the 2001 CUP was approved, Hillbrook was open only during weekdays and specified weekends during the regular school year and for six weeks during the summer. Now Hillbrook is allowing use of its campus for soccer tournaments during winter break and has extended its summer usage so that it begins as soon as school ends in June and continues through the entire summer. This use constitutes a "commencement of new activities that could have a material adverse impact on the surrounding area" and a "change that is a substantial departure from plans which were the basis of the conditional use permit approval." It is also an "increase in the number of hours of operation" and thus a violation of Sec. 29.10.215. - Modification of a nonconforming use.

An indication of Hillbrook's plans to expand its programming into time periods not in use at the time of the conditional permit approval is given by its plan last year to hold a conference called the John Hunter Master Class in mid-August. Town staff told Hillbrook that this adult-education conference could not be held on campus.

Appendix: The Los Gatos General Plan Land Use Policy and Hillbrook's Violations

This table lists land use policies and goals from the General Plan and explains way in which Hillbrook's greatly expanded use of its property and the resulting traffic have violated these policies and goals.

GENERAL PLAN LAND USE	HILLBROOK ACTIONS THAT GO
POLICY/GOAL	AGAINST THE POLICY/GOAL
Protect existing residential areas from the impacts of non-residential development. (Policy LU-6.1.)	Hillbrook is a nonresidential development in a solely residential area. Surrounding streets are already heavily impacted by Hillbrook traffic. Since 2009, afternoon traffic generated by Hillbrook's new afterschool activities has inundated the neighborhood. We seek the Town's protection from this increased traffic, which did not exist in 2001 when the current CUP was adopted.
To preserve, promote, and protect the existing small-town character and quality of life within Los Gatos. (Goal LU-1.)	Hillbrook was once a small country day school. It now seems intent on becoming a much larger school and major educational activity center. These goals are NOT consistent with the small-town character and quality of life within Los Gatos.
Allow non-residential activity in residential areas only when the character and quality of the neighborhood can be maintained. (Policy LU-6.2.)	Hillbrook traffic, particularly in the afternoons, is disrupting the character of the neighborhood and compromising quality of life. Dog walkers, bike riders, and pedestrians no longer feel safe or comfortable on local streets because of the heavy Hillbrook traffic. Hillbrook traffic needs to be restricted and reduced to restore the character and quality of the neighborhood.
Prohibit uses that may lead to the deterioration of residential neighborhoods, or adversely impact the public safety or the residential character of a residential neighborhood. (Policy LU-6.4)	Hilbrook's intensification of use has already resulted in significant neighborhood deterioration. For example, people are already afraid to have their children walk or bike to school. Neighbors ask that current conditions be mitigated to make our streets, which have no sidewalks and no bike lanes, safe for neighborhood residents.

The type, density, and intensity of new land use shall be consistent with that of the immediate neighborhood. (Policy LU-6.5.)	The intensity of Hillbrook's land use fit into the neighborhood while the school retained its small country day school character. Now that it has drastically expanded its activities, the property use is no longer consistent with the immediate neighborhood.
Allow development only with adequate physical infrastructure (e.g. transportation, sewers, utilities, etc.) and social services (e.g. education, public safety, etc.). (Policy LU-4.2.)	Hillbrook currently generates too much traffic for neighborhood streets. All this traffic funnels into one street. There is NOT "adequate physical infrastructure" for the increased traffic that Hillbrook now generates all afternoon. Further, we have many anecdotal reports of near misses between cars and biker riders or pedestrians.
Develop standards for traffic, noise, intensity, and overall size for non-residential uses in residential zones. (Action LU-6.1)	No standards specific to non-residential uses in residential zones currently exist. These should be developed. Currently the Town has no standards for traffic that apply to the Hillbrook/Marchmont Drive situation (non-residential use/residential zone). One standard that would apply for traffic for a non-residential use in a residential area is no more than 100 vehicles per day. ("Standards for Dead End Streets" by Carol J. Thomas, AICP http://www.nh.gov/oep/resourcelibrary/referencelibrary/c/culdesacs/pasmemo.htm).
Town staff shall identify major violations (illegal units, sign violations, illegal uses, tree removals, grading violations, etc.) without waiting for public complaint. Town staff shall act on minor violations (illegally parked cards, trailers and campers, etc.) based on public complaints. Additional violations that may be observed during investigation of a complaint shall be acted on.	Town staff has failed to act on public complaints much less on major violations, such as the extremely heavy afterschool traffic generated by Hillbrook School.

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ATTACHMANT (

Curt Walleen- Prime Selling Concepts <curt@primeselling.com>

Sent:

Wednesday, October 10, 2012 11:56 AM

To:

Town Manager, shaily@losgatossca.gov

Cc:

Wendie Rooney; BSpector; Steve Leonardis; Diane McNutt; Joe Pirzynski

Subject:

We have lived at 284 Karen Court, Los Gatos since 1986 and a Los Gatos Resident since

1963- I am appalled by what Hillbrook School is trying to do!!!

All,

I am sickened by what Hillbrook is trying to do to our neighborhood. They used to be our good neighbor but a new Headmaster, their greed, and absolute disregard for everyone outside their gates appalls me. They are a business operating in a quiet residential neighborhood and 80% of their students come from OUTSIDE Los Gatos.

Please represent and protect our rights as Hillbrook is asking permission to do the things below in addition to everything else they are trying to grab:

- Extend When the Campus Can Be Used. Hillbrook is asking permission to have 414 enrollees at any time of the year. This means that they could have programs with this number of participants during the summer, spring break, and winter break in addition to the regular school year.
- Increase Nighttime Activities. Hillbrook is asking permission to hold as many nighttime activities as it wants with fewer than 25 participants and 10 nighttime activities with more than 25 participants. This would allow Hillbrook unlimited evening activities. Currently Hillbrook is limited to a total of 10 nighttime activities.
- Rent and Lease the campus to "providers of educational programs." This would generate more conferences, test prep classes, seminars, speaker series, and so on. Currently Hillbrook does not have permission to rent or lease its property to anyone.
- Allow Community Use of Hillbrook Fields and Recreational Facilities. Hillbrook is offering this as a "community benefit."
- Allow Non-Hillbrook Students, Parents, and Faculty to Participate in On-Campus Events. This would open up Hillbrook's after-school activities to outside students. As written, the condition would include feebased conferences marketed to a national audience that incidentally are attended by some Hillbrook faculty and fee-based speaker programs again aimed at a wide audience but only incidentally attended by Hillbrook parents and faculty.

This is appalling...

Curt Walleen
408.358.0015
curt@primeselling.com
www.primeselling.com

Melissa Vuckovich <vucko4@verizon.net>

Sent:

Tuesday, October 16, 2012 7:41 PM

To:

Steve Leonardis

Cc:

Council

Subject:

Re: recycling and other stuff

Hi Steve,

Thanks for chatting with me the other day. We spoke briefly about recycling so I wanted to follow up on our conversation. I would love to see some recycling containers at the Starbucks, Jamba Juice location at Blossom Hill and LG Blvd. I have left a few messages for Dave Taxin but have not received any return calls regarding this opportunity. As Chipotle arrives at their new location (the old Hollywood Video store) and since Chipotle already has a great reputation for being organic and Earth conscience, I think it is a great time to deliver and incorporate recycling. I hope your team can take the time to see the amount of recycling that over flows the garbage cans everyday!

On another note.... I know that you are aware of the Hillbrook expansion or at least their desire, but I wondered if you were aware of their bus stop at the stop sign in front of our house on Kennedy Road. I know they are trying to ease the amount of cars going to and from on Marchmont, but they are causing a pretty large line of cars waiting to get thru these crazy stop signs. I can't imagine that anyone could just decide to put a bus stop without some sort of town permit, permission or whatever they need to make it safe for everyone and not a traffic hazard just waiting to happen.

Anyway, I just thought you should know.

Thanks for your time,

Melissa Vuckovich

Los Gatos Planning Commissioners c/o Town of Los Gatos Planning Staff Attn: Jennifer Savage 110 E. Main Street Los Gatos, CA 95030

Cc: manager@losgatosca.gov clerk@losgatosca.gov planning@losgatosca.gov council@losgatosca.gov

Dear Los Gatos Planning Commissioners:

I am writing to you to request to pass Hillbrook's revised conditional use permit increasing the number of students from 315 to 414 students within a three to five year growth period.

We are a Los Gatos family with two boys who attend Hillbrook School starting in 2006. We live within the boundaries of the Los Gatos Unified School District for over eleven years in which we pay Los Gatos property taxes and bonds to help fund Los Gatos public schools. We are good citizens who contribute to the Town of Los Gatos, active participants in LG community sports and obey all traffic and safety rules. 46% of the current student body lives in Los Gatos and are a vital part of the Los Gatos community.

I encourage you to listen why our school would like to increase our student body. It is about **educating and nurturing children to become respectful citizens of our society**. It is neither a bar, restaurant or store. It is about EDUCATION. The town is building more homes (i.e., the Robson homes and more homes on Los Gatos Blvd between Blossom Hill and Lark Avenues), public school class sizes are increasing, budgets are being cut and yet Hillbrook has not made any revisions to their enrollment since 1984, over 28 years ago! Increasing the enrollment by 100 students is a benefit to our community, LGUSD, our children and to our school. It gives families the freedom of choice – another option – for their child to learn and play in a wonderful, nurturing environment.

The school also currently operates under some of the most stringent requirements of any organization or business in the Town of Los Gatos. Carpooling, walking, bicycling or taking the bus is a requirement for us. We must drive 15 miles in the neighborhood, use caution and be courteous. There are restrictions to the number of activities that are held on campus.

Page Two

Please consider revising Hillbrook's C.U.P. and allow 100 more students to benefit from this wonderful, nurturing school. This is a benefit to our society -- a gift to 100 more children to experience this amazing school of art, science, music, physical fitness and excellent academia; to share, grow and become respectful and contributing citizens.

With regards,

Linda Lee 134 Greendale Drive Los Gatos, CA 95032 October 24, 2012

Via email: planning@losgatosca.gov

Town of Los Gatos Planning Staff Attention: Jennifer Savage 110 E. Main St. Los Gatos, CA 95030

Re: Modification to CUP for Hillbrook School

Dear Planning Commissioners:

I am the father of two daughters, and a resident of Los Gatos for eleven years. My older daughter, Mira, graduated from Hillbrook in 2011 and my younger daughter, Halie, will graduate from Hillbrook in 2013. Both of my daughters entered Hillbrook in kindergarten.

I write in support of the modification requested by Hillbrook School. My wife and I, seeking to give our daughters the best opportunity to become confident and independent women, moved to Los Gatos in 2001 specifically for its schools and commitment to family life. Although we moved only two blocks from Daves Elementary, we elected to enroll our children in Hillbrook because of their smaller class sizes. We have been extremely pleased with our experience at Hillbrook, having watched our daughters mature into fine teenagers.

With a decade of hindsight, my only wish is that Hillbrook offered more differentiated learning for its middle schoolers. I believe children at Hillbrook would be better prepared for the world that we create, and expect them to enter, with additional class sections that move at faster and slower paces. I have always appreciated the difficulty of implementing this improvement with a CUP that has not changed with societal changes but moving forward, not for my children but for future families of Los Gatos, I strongly urge you to permit the school to increase enrollment. Academic differentiation will be of tremendous benefit to the children of the Town.

As for traffic, I must admit I take offense to some of the recent editorial claims in the LGWT and Patch—that drivers of Hillbrook are irresponsible. My family has been incredibly respectful in the Marchmont neighborhood for eleven years, often more so than the local residents. My family's carpool operated with four to six children for nine years, and then our daughters have enjoyed a school bus for just over two.

Thank you for your consideration. I urge you to support the change in CUP for Hillbrook.

Regards,

Jeff Straathof 15723 Oak Knoll Dr.

Los Gatos, CA 95030

Jeff Straathof

Mailing address: PO Box 320068 Los Gatos, CA 95032

cc by email; manager@losgatosca.gov, clerk@losgatosca.gov, council@losgatosca.gov

101 Las Uvas Court Los Gatos, CA 95032

27th October, 2012

Re: Hillbrook School Conditional Use Permit Modification

Dear Planning Commissioners,

I am the parent of a former student of Hillbrook School. Our daughter graduated in 2012, having attended since Junior Kindergarten, a total of 10 years. The school was a perfect fit for Sophie because it offered an incredible all-round education that fostered a love of learning, as well as encouraging her to take risks in a safe and secure environment. Thanks to Hillbrook's emphasis on the "whole child" approach, she developed into an engaged, articulate, thoughtful and compassionate person who was well prepared for the freshman experience at St Francis High School.

As well as being a parent at the school, I have been on the Board of Trustees for the past three years and believe that the Hillbrook community, led by the Board and School Administration, has developed a reasonable proposal for the CUP modification, which will enable the school to provide the best possible educational program, whilst being sensitive to our neighbors' concern about the impact on traffic volumes.

During this process, we have met with the neighbors on several occasions, as well as working closely with traffic consultants to look at ways to mitigate our traffic impact in the neighborhood. In the past couple of years we have significantly reduced the car count as the community has rallied to the call to reduce the number of vehicles and with the introduction/expansion of the shuttle bus service, as well as other new measures, we have significantly managed to reduce the traffic coming in and out of the school.

Throughout its 75 year life, the Administration and Board has worked hard to turn Hillbrook into an exceptional school and its burgeoning reputation as one of the best independent schools in the Bay Area can only be a positive for Los Gatos. Many of our families participate in local leagues and activities as well as working and shopping in the downtown area. At least 45% of our students live in Los Gatos and as a school we have always felt that we have been an integral part of the Los Gatos community as exampled by the fact that Hillbrook requires its students to volunteer with local organizations as part of its school-wide community service program.

Unlike the other schools in the area, we have had to exist with an enrollment cap that prevents us from providing the strongest possible program for the students. It is our wish to make these offerings even stronger by asking for responsible growth and we thank you for supporting our request to modify the CUP as it will enable more children to receive an exceptional education that they will cherish.

Yours truly Fiona Greene

Cc: manager@losgatosca.gov clerk@losgatosca.gov council@losgatosca.gov Los Gatos Planning Commissioners,

I am writing this letter to add another perspective to the discussion and pending decision on the Hillbrook School Conditional Use Permit. I have lived with my family in Los Gatos for almost twenty years. Initially we lived off of Shannon Road and for the last seven years we have lived on Short Road. Our children have attended Green Hills Pre-School, as well as both Blossom Hill School and Hillbrook School.

Given this, I probably have as much experience as any Los Gatos resident with recent traffic patterns and concerns on and in the vicinity of Shannon, Englewood, Marchmont and Kennedy Roads. I would like to share with you my observations:

- 1. The families dropping off children at Blossom Hill create many more traffic dangers than do the families dropping off at Hillbrook. The frequency with which I have seen excessive speed and illegal turns on Shannon and Cherry Blossom has increased in recent years (since the retirement of a particularly vigilant teacher). Drivers heading to Hillbrook are very attentive to the speed concerns in the neighborhood.
- 2. Families with children at Hillbrook have made a concerted and successful effort to decrease the traffic with very high carpool participation and, more recently, bus service. Given that close to half the students live in Los Gatos and participate in one of these efforts, and car pool participation at LG elementary schools is very low, there is likely a net negative impact on traffic

from these students attending Hillbrook.

3. Class sizes at Los Gatos elementary schools increased significantly in the four years my children attended Blossom Hill, and I believe this trend continues. Given that Los Gatos families attending Hillbrook continue to contribute to the funding of Los Gatos schools (via property taxes) without adding to the overcrowding, it seems counterproductive to jeopardize the long-term viability of Hillbrook by restricting what seems to be a conservative, controlled growth plan.

4. Many Hillbrook families may start as 'commuters', living outside Los Gatos.

But I know several families that have moved to Los Gatos as a result of having their children at Hillbrook. This has an additional positive impact on the property tax revenue. Even in the scenario where commuter families don't relocate, they are spending time in our stores and restaurants, which also has a positive financial impact on the community.

I find it hard to come up with a realistic explanation as to why the town would deny the modification to the CUP as it has been requested. Hillbrook has been a positive institution in the town for seventy-five years. I sincerely hope that you feel the same and will respond positively to the school's request.

Thank you for your consideration.

Sincerely,

Doug Kernan

16121 Short Road

William & Elizabeth Hobbs 18665 Woodbank Way Saratoga, Ca. 95070

October 29, 2012

Los Gatos Planning Commissioners c/o Town of Los Gatos Planning Staff Attention: Jennifer Savage 110 E. Main Street Los Gatos, Ca. 95030

Re: Hillbrook School Conditional Permit Use Modification

Dear Planning Commissioners,

I am writing to ask that you approve Hillbrook School's request to modify their conditional use permit.

We moved to Saratoga (Campbell/Union school district) in 1998 and enrolled our four children in Hillbrook. They received an excellent grade school education, and we became part of the Hillbrook community. Despite living in Saratoga, we also became part of the Los Gatos community because that is where our children attended school. Shopping, dining, soccer teams, hiking, weekend bike rides all centered around Los Gatos, and still do.

Hillbrook is a terrific school and asset to the community. However, it is small, and for children moving into adolescence, the class sizes can be limiting socially. When our oldest child graduated from the 8th grade, I believe there were 22 students in her entire class. This is not optimal for that age range, and limits what the school can offer.

I urge you to approve Hillbrook's request. I am a board member as well as former parent, and feel that the school has worked hard to be inclusive, transparent and diligent in this process. This school is a gem – a real asset to Los Gatos – and I do hope you will approve the CUP modification request which will make Hillbrook even better for the students, parents, and greater community.

Sincerely,

Beth Hobbs

Cc: manager@losgatosca.gov clerk@losgatosca.gov council@losgatosca.gov November 1, 2012

VIA EMAIL: planning@losgatosca.gov

Los Gatos Planning Commissioners c/o Town of Los Gatos Planning Staff Attention: Jennifer Savage 110 E. Main Street Los Gatos, Ca 95030

RE: Hillbrook School Conditional Use Permit Modification

Dear Planning Commissioners:

I am a parent who is native to the bay area and have been in search of the perfect fit for my child's school. I feel extremely hopeful for my child and for generations to come having found one as special as Hillbrook. I live in Redwood Shores, which is approximately 32 miles north of Los Gatos, and have visited six schools along the Peninsula and South Bay including The Carey School, Keys, The Peninsula School, Bowman International and Phillips Brooks. While many were impressive in their own right, I found Hillbrook to be extraordinary. I believe in their philosophy of children's love of learning and their emphasis on the whole child through their innovative and well-blended curriculum. The campus is clearly set up to enable this goal and is a wonderful teaching environment. I sense the difference in approach from the moment of initial contact with their staff through email as well as in person to the visit and finally friends who attend Hillbrook. Altogether, this makes it the ideal school for my child and the reason for us to relocate to the Los Gatos area.

I believe great schools are invaluable to any community and, in my search, cannot tell you how disappointed I am to find so few. Cities that are fortunate enough to have them recognize their contributions to a community and to the next generation. During my visits to the other schools, I have seen them expand their campuses to better serve the community. Los Gatos is known for providing well-respected private and public school options in the Bay Area, and approving the school's Conditional Use Permit Modification will further enhance your wonderful community.

I urge you to support this need and approve Hillbrook's Permit Modification.

Sincerely,

Liza Lee

cc by email: manager@losgatosca.gov

clerk@losgatosca.gov council@losgatosca.gov From: Sent: Chuck Geiger <chuck.geiger@gmail.com> Thursday, November 01, 2012 3:01 PM

To:

Town Manager; Clerk; Council; Planning

Subject:

Hillbrook School Conditional Use Permit Modification

Importance:

High

Dear Planning Commissioners:

I am the father of two children; one is a Hillbrook alumna who is a sophomore at Presentation High School and the other is a current 8th grade student at Hillbrook. Both of my children experienced an amazing education for 9 years at Hillbrook. We live in Willow Glen and were fortunate enough to find Hillbrook in 2001. Hillbrook's philosophy of building leaders, social and philanthropic awareness, and beautiful campus made it a perfect match for the Geiger family. We feel blessed to have been part of Hillbrook.

I have also been, and remain, a trustee of Hillbrook School. Through my 9 years as trustee I have helped raise capital, build buildings, hire a headmaster, and in general think about Hillbrook over the next 100 years. I have been a part of discussions with the board, the administration, and our community and believe we have put forth a proposal that is both sensitive to the Town of Los Gatos and ensures continued success for Hillbrook School.

I believe we are providing a plan that show's Hillbrook growing in a responsible way over the next 3-5 years. As 46% of our student body resides in the Town of Los Gatos, and our families are a vibrant part of the Los Gatos community, responsible growth is a mutual win. Further, Hillbrook's current and ongoing efforts in mitigating traffic impact in the neighborhood is proof that we care deeply about both our school and the greater Los Gatos community.

I urge you to approve the school's Conditional Use Permit Modification.

Kind Regards,

Chuck Geiger

Felice Leeds <feefa59@gmail.com>

Sent:

Saturday, November 03, 2012 10:45 AM

To:

Planning

Cc:

Town Manager; Clerk; council@losgatos.gov

Subject:

Hillbrook CUP

Follow Up Flag: Flag Status: Follow up Completed

Nov. 3, 2012

Via Email: planning@losgatosca.gov

Los Gatos Planning Commissioner Town of Los Gatos Planning Staff Attention: Jennifer Savage 110 E Main Street Los Gatos. CA 95030

RE: Hillbrook's Conditional Use Permit Modification.

Dear Planning Commissioners:

I have lived in Los Gatos for 21 years. In 1998, while looking at schools for our son, I became aware of Hillbrook School. Hillbrook provided him with a well rounded education from kindergarten through eight grade, and gave him a strong foundation when he graduated in 2006.

I had an opportunity to make a documentary for Hillbrook School in 2011 when they celebrated their 75th anniversary. I learned that the school has a long rich history in the town of Los Gatos, and is today the oldest private school in Santa Clara County. In 1935, when the founders of Hillbrook moved to what was then rural Los Gatos, they were thankful for the opportunity to build a lasting monument to the service of childhood. As Los Gatos expanded, Hillbrook filled the need of an independent school for parents to choose, and that need is still present today.

I am so pleased that my son is a part of Hillbrook's legacy and grateful he had the opportunity to be educated on a beautiful campus in a quiet neighborhood. Through the years I have watched that neighborhood grow and change, and now Hillbrook School is asking for the same thing. Allowing Hillbrook to expand in a responsible way will offer students wider academic opportunities, more extracurricular activities, and a larger student body. Please vote in favor of Hillbrook School as they continue the legacy of building a lasting monument to the service of childhood.

Thank you for your consideration and I urge you to approve the school's Conditional Use Permit Modification.

Regards,

Felice Leeds

From: Sent:

Mario Queiroz <mario.queiroz@gmail.com> Sunday, November 04, 2012 10:00 PM

To:

Town Manager; Clerk; Planning; Council

Cc: Subject: Mark Silver; mstevens@hillbrook.org; Martha Queiroz

Our endorsement of Hillbrook's CUP change application

Follow Up Flag: Flag Status:

Follow up Completed

Dear members of the Los Gatos Planning Commission:

We are writing in support of the Hillbrook School's application to change its existing conditional use permit (CUP). We are the parents of a 7th grader at Hillbrook (Julia), and we are Los Gatos residents. We also have a daughter in 10th grade at Los Gatos High School (Isabel). Our home is at 128 Tait Avenue in the Almond Grove district.

There are several reasons for our support. The most fundamental reason is that we are pleased and proud of the well-rounded education our daughter is getting at Hillbrook. We chose Hillbrook because it's a school in our community and because a significant number of Hillbrook kids live in Los Gatos (46% of the student body). The student/parent/alumni body are a vital part of our town, living, working, shopping, playing, and owning businesses here. Ever since Mary Orem founded The Children's Country School in 1935, Hillbrook has contributed to the personality of our community. Hillbrook is not an island; it's part of the fabric of Los Gatos. In case you haven't seen it, there's an excellent video on line which chronicles the history of the school: http://vimeo.com/28343901

With regards to the CUP, we firmly believe that Hillbrook's application is very reasonable and should be approved. It's reasonable because changing the enrollment cap from 315 to 414 students -- given that the current enrollment cap was set in 1984 -- probably represents a much slower rate of growth than other aspects of the development of Los Gatos. The Planning Commission is certainly the authority on the numbers, but we imagine that residential and commercial real-estate development throughout the entire town of Los Gatos have grown at much faster rates over the same period. We certainly do not want to see Los Gatos grow unwieldy, and we would like for the Commission to continue to scrutinize any growth with an eye on the health of the community. But given Hillbrook's contributions to the intellectual personality of our town as an educational institution, the requested CUP growth is healthy for Los Gatos. Plus, it's our understanding that Hillbrook's expansion will take place over 3 to 5 years and will not require any new buildings.

Moreover, we would like to address the traffic impact in the neighborhood around Los Gatos. Hillbrook and the families and staff associated with the school have demonstrated excellent citizenship through carpooling/walking/biking, using the school bus, driving slowly through the neighborhood, having Hillbrook staff stationed around the neighborhood during drop-off and pick-up, holding evening school events off-site, and numerous other measures. And those efforts work! We often see Mark Silver, the Head of School, walking down Marchmont Drive on his way to and from school. It's frustrating to read the unfair, spiteful letters written to the local newspaper from residents around Hillbrook who seem to have a "not-in-my-backyard" attitude. We assume they are in the minority, as we understand that Hillbrook operates under some of the most stringent requirements of any organization or business in the Town of Los Gatos. We wish the residents who live in the Hillbrook neighborhood who are complaining would embrace the school for what it brings to the community rather than having such a negative attitude about a school which was in the neighborhood long before any of of

From: Sent: molly lokteff < mollylokteff@yahoo.com> Monday, November 05, 2012 5:01 PM Town Manager; Clerk; Planning; Council

To: Subject:

Letter Regarding Hillbrook's Application for Change in Conditional Use Permit

Molly and Dan Lokteff 17100 Pine Avenue Los Gatos, CA 95032

November 5, 2012

To The Los Gatos Town Leadership:

We are writing on behalf of the proposed expansion at Hillbrook School. Our children, Jacob (age 8) and Morgan (age 7) currently attend Hillbrook School. Our daughter, who is 4, will also attend Hillbrook next year. We are Los Gatos residents and our public elementary school is Van Meter.

We moved to Los Gatos 8 years ago. It has been a wonderful place to raise our family. After considering all the schools in the Los Gatos area, we felt Hillbrook was the best fit for our children and our family. In fact, Hillbrook has been a place where our children are flourishing. We have been impressed with the school's desire to develop their minds and character. Hillbrook is a wonderful school and should be considered an asset to the Los Gatos community.

From our initial meeting with Hillbrook, it was made clear to us that we needed to carpool to the school due to traffic policies. We have carpooled with another family since Jacob began at Hillbrook three years ago. This year, we decided to walk to a shuttle bus stop and take the bus to school. We understand that neighbors have concerns about traffic. We want to be good neighbors and do what we can to reduce the amount of cars that drive into Hillbrook each day.

Hillbrook is requesting an increase in enrollment. This increase will allow Hillbrook to offer our children more programs in its middle school and better prepare them for high school. It will require no new buildings. The families of Hillbrook are willing to carpool, take the shuttle, walk or bike to school so that Hillbrook can increase its enrollment without significantly increasing traffic. In fact, our increased efforts can already be seen this year. Hillbrook has averaged 110 students on its shuttle, 20–25 students walking or biking, and has been well-under the car count cap of 165 cars exiting campus during its two peak periods.

As a Los Gatos resident, I want you to know that we love our school and our town. We are willing to do what is necessary to make the expansion work for those that live around Hillbrook. Forty six percent of the families that attend Hillbrook are Los Gatos residents. We ask you to consider the residents of Los Gatos who attend Hillbrook and allow the student expansion at Hillbrook.

Sincerely,

Molly and Dan Lokteff

Susan Moore Brown < susanmoorebrown@email.com>

Sent:

Monday, November 05, 2012 8:51 PM

To:

Town Manager; Planning; Clerk; Council

Cc:

mstevens@hillbrook.org

Subject:

Hillbrook School CUP

Hello, I am a Los Gatos resident and Hillbrook parent. I am aware that there is a current request for change to be made to our CUP and would like to offer my thoughts.

We moved here four years ago due to my husband's job transfer with Juniper Networks in Sunnyvale. We visited the area 3 times for "look-see" trips to preview schools for our then first grader and kindergardener. On the third visit, we found Hillbrook and knew then, that Los Gatos was home. We rented a wonderful place in the downtown area until we found the perfect home to purchase on Ellenwood near Bachman Park.

Since moving here, we have been extremely active in the community and are very proud show off our gorgeous little town every chance we get. I bring all this up as, without Hillbrook, we would never have found this gem of a town. On our first two trips, we looked at private schools in Palo Alto, Los Altos, Saratoga, etc and, while all very good, not quite what we were looking for. Once we shadowed at Hillbrook, we knew it was a perfect fit for our children and loved that we could enjoy this small town atmosphere while receiving a school experience to match or even surpass schools in much more urban area such as Palo Alto, Mountain View, etc.

My overall point is that, by having Hillbrook as an asset in our community, you are attracting more families to live, work, shop, etc in Los Gatos, which cannot be a bad thing. The only downside to all this is that due to the CUP, Hillbrook is handicapped in offering this fantastic experience.

Within the existing infrastructure on the campus, we can easily accommodate the additional students, so no more building is necessary. Simply from an efficiency standpoint, it would seem that the campus should be used to its full capacity.

I know there are concerns from the neighbors around the traffic issues, but with the shuttle that has been put in place this year, the numbers of cars have been greatly reduced. I'm sure if the school could be allowed to grow, therefore creating more revenue, even more measures could be put in place to keep the traffic at a minimum.

Another negative to the restrictive admission numbers is that this creates a VERY small middle school. While small class sizes are good, at this age, it would be beneficial if our class sizes were just that bit larger in order to offer a richer academic, athletic and social experience. Again, knowing what an asset Hillbrook is to our community, it would make sense to have it performing at its optimum to help retain and attract top caliber students.

Lastly, in any given year, Hillbrook has somewhere between 20-25% of students benefitting from financial aid. Using round numbers, if allowed to grow from just over 300 to around 400, that's somewhere in the region of 20-25 additional children that could not normally attend, now allowed to benefit.

Sorry for the missive; although I'm sure it's only one of many! I can imagine that there are many sides to this issue and just hope that my mail may have opened a few new avenues of thought.

Thanks so much for your time,

Susan Moore Brown

To: Los Gatos Planning Commissioners Att: Jennifer Savage 110 East Main St. Los Gatos, CA 95030

Re: Hillbrook School Conditional Use Permit (CUP) Application

Dear Los Gatos Planning Commissioners:

I understand that you will soon meet to determine Hillbrook School's application to modify their existing CUP to allow for the improvement of the school. My son attended Hillbrook from 2000 to 2006 and I served on the Hillbrook Board of Trustees from 2001 to 2006 and was the Chair of the Board from 2004 to 2006. I am therefore very familiar with the school's operation and the role that the school provides for the Los Gatos community.

Hillbrook School has gained a well recognized reputation in the South Bay as providing an outstanding education to those families who are committed to providing the best developmental experience for their children. As such, I believe that all would agree that Hillbrook is a real asset to Los Gatos in that it attracts involved and committed families to Los Gatos to live, to shop and to become actively involved in the community. Close to 50% of the students are from families who reside in Los Gatos.

For Hillbrook to be an even more significant asset to the Los Gatos community, to provide a richer educational experience for its students and to help contain future increases in tuition, it needs to expand its enrollment to its maximum capacity limited only by certain important constraints. The requested expansion of the number of students attending Hillbrook can be accomplished, I believe, within the constraints of the current facilities that exist in Hillbrook's Master Plan and the current conditions regarding the school's impact on the neighborhood surrounding the school. Issues such as the local traffic and customary noises emanating from the school have been dealt with proactively by the school over the years and, as I understand the current situation, are now managed well within the constraints placed by provisions within the current CUP.

Therefore, I believe that the requested CUP modifications would allow Hillbrook to be an even greater asset for the Los Gatos community and would be managed in a responsible manner that would be sensitive to the interests of those families living near the school.

I would urge you to approve the school's requested CUP modifications.

Sincerely,

Dick Warmington 13045 Paramount Court Saratoga, CA 95070

cc: manager@losgatosca.gov, clerk@losgatosca.gov, council@losgatosca.gov

Kristina Strand <strandkristina@gmail.com>

Sent:

Tuesday, November 06, 2012 6:42 PM

To:

Planning

Cc:

Council; Town Manager; Clerk; Mark Silver; Megan Stevens; Brad Strand

Subject:

Hillbrook's CUP Change Application

Follow Up Flag:

Follow up

Flag Status:

Completed

Dear Members of the Los Gatos Planning Commission:

As residents of Los Gatos, we are writing to you in support of the Hillbrook School's application to change its conditional use permit (CUP). Our youngest (Liam) is a 5th Grader at Hillbrook, but all three of our sons, have benefited from public school education in Los Gatos, as well as private school education. Our eldest attended Los Gatos High School, our Middle son Fisher Middle School, and our youngest Daves Avenue.

We love the town of Los Gatos. We moved to Los Gatos in early 1995, and have never looked back. Our home is in the Almond Grove, at 139 Wilder Avenue, close to the downtown hub of activity. As you know, there are far, far greater intrusions to our neighborhood than those which some seem to think Hillbrook brings to Marchmont Road. We have substantial traffic from St. Mary's School and Church, including daily school traffic, large events, and services throughout the week and weekend. We have town-sponsored events such as the Bike Race, Halloween, and the Holiday Parade, all blocking off our neighborhood for both us and our visitors. There are also Carriage Rides, historical home tours, plus events at CB Hannegan's. We, however, would change none of these events, even though all seem to grow every year. These events are part of the joy and character of our town.

We truly enjoy living in Los Gatos, a town with many enclaves and niches, one which has a real downtown, has schools with different and wonderful characters, museums, a fantastic new library, clubs, churches, small and large businesses, wonderful retail and restaurant opportunities, assisted living for our seniors, and preschools for our youngest residents. Our family has been a part of almost every aspect of our town. We happily give Los Gatos our time, energy and resources, and know that everyone in our broad circle of friends has done so as well. There is a wealth of reasons our town is a vibrant, wonderful and healthy place to live. Hillbrook School is one of them.

Perhaps there is one thing you do not know about Hillbrook School. Hillbrook has a Wait List which includes almost every grade. We have many friends who would love to have their child attend Hillbrook. The reason they do not is that there simply is not enough space. There are many reasons to enlarge Hillbrook's student body. But for us, the most important reason to increase enrollment is to open up the sort of education our child is receiving, to others.

One last thought for your consideration, from the standpoint of businesses in Los Gatos, there are likely very few (if any) who have not benefited from Hillbrook's presence in our midst. All of our student and parent body, current, alumni and future, are a vital part of the Los Gatos community, 46% living in Los Gatos like we do, many working in Los Gatos, certainly all shopping in Los Gatos, and some owning businesses in our town. Additionally, as mentioned above, a sizable portion of Hillbrook's households pay Los Gatos property taxes and education-focused assessments. We are happy and proud to say that I worked on all of the education-related Measures to passed in Los Gatos since 2000. This includes the most recent ones, even though none of our children attend Los Gatos Public schools at this time. Furthermore, when our family mobilized to raise dollars for our wonderful new library, many members of the Community Gifts Committee were parents of Hillbrook students. Hillbrook also willingly lent the campaign wonderful props to help us inaugurate the campaign. Hillbrook School has an extraordinary and amazingly giving community. It is a community which is intimately woven into our town fabric, and we are lucky that this is so.

The bottom line, we are all in this together. Hillbrook School brings so much to our town, and will continue to do so. It is a very special gem in our community. It provides an alternative schooling option for Los Gatos residents, and brings in residents from other towns to frequent and enjoy our businesses, whether they be restaurants, grocery stores, dry cleaners, clothing boutiques or any of the many other wonderful retail locations.

Please support Hillbrook School's application to change its conditional use permit (CUP). It will benefit the additional students and absolutely benefit our town in untold ways as well!

Thank you so much, and most sincerely,

Kristina and Brad Strand 139 Wilder Avenue Los Gatos, CA 95030 Home Phone: 408-395-5886

PS: Fun fact (as our 10-year-old would say): advancing from an enrollment cap of 315 in 1984 to the proposed enrollment cap of 414 is less than 1% growth per year, growth which by any standards is extraordinarily gradual. Furthermore, no new buildings are necessary to accommodate these additional students, and the increase to 414 students would be strategically paced over a three to five year period.

November 6, 2012

VIA EMAIL: planning@losgatosca.gov

Los Gatos Planning Commissioners c/o Town of Los Gatos Planning Staff Attention: Jennifer Savage 110 E. Main Street

Los Gatos, CA. 95030 Re: Hillbrook School Conditional Use Permit Modification

Dear Planning Commissioners:

I'm writing this letter in support of Hillbrook's request for expansion of the middle school. My wife and I have two kids who attend Hillbrook in Los Gatos. When our daughter was in pre-school eight years ago, we heard about this fantastic little school called Hillbrook in Los Gatos. We fell in love with the school the minute we visited the campus. Eight years later, we are still extremely happy with the school.

Because I believe Hillbrook provides a fantastic learning environment, I have become a Trustee of the school. I also sit on the Dean's Executive Committee at the University of California at Davis and had sat on their foundation board as well. From my professional background and board experience, I can assure you that Hillbrook's board is top notch and takes its role very seriously to support the head of the school and his vision for the school, and to be a good member of the community.

To help the school further improve its academic environment and athletic programs, please allow Hillbrook to increase the number of students from 315 to 414 students. The school can add the additional students without adding new buildings and also has done a superb job of keeping its traffic count extremely low.

Thank you for your assistance in this matter.

Sincerely yours.

Brian Underwood

cc by e-mail: manager@losgatosca.gov

clerk@losgatosca.gov council@losgatos.gov

Brian Underwood 19853 Park Dr. Saratoga, Ca. 95070

Kelly Dougherty <kelly.dougherty@mac.com>

Sent:

Wednesday, November 07, 2012 7:41 PM

To:

Planning

Cc:

Town Manager; Clerk; Council

Subject:

Hillbrook School Conditional Use Permit

Los Gatos Planning Commissioners November 5, 2012 c/o Town of Los Gatos Planning Staff Attenion: Jennifer Savage

RE: Hillbrook School Conditional Use Permit

Dear Planning Commissioners:

As long term residents and business owners in Los Gatos, we appreciate the value that the private schools provide to our community. Over the years we have known several generations of students who have contributed to the quality of life in Los Gatos.

Hillbrook is asking to grow in a reasonable manor. We would like to show our support for there expansion plans.

We would like you to approve the school's Conditional Use Permit modification.

Regards,

Kelly Dougherty Mark Senigo

Pamela Nerney <p.nerney@verizon.net> Wednesday, November 07, 2012 9:56 PM

Sent: To:

Planning

Cc: Subject: Town Manager; Clerk; Council Hillbrook School CUP Modification

Dear Planning Commissioners,

I am writing you as an alumni parent of Hillbrook School. I have two children who graduated from Hillbrook in 2009, they are currently thriving seniors at Los Gatos High School. I was born and raised in Los Gatos, and my husband and I have lived on Alpine Ave with our two children for 15 years, and for 12 years before that on Littlefield Lane (one street over from Marchmont where Hillbrook is located).

My children started Hilibrook as first graders. You probably already know what a fine school it is, what a beautiful campus it has and how excellent their academic programs are. But I do not hear in the editorials and arguments against its proposed expansion what a good member of our community Hillbrook has been over the many years. My children volunteered as part of their service component at Hillbrook in many of Los Gatos creeks, our rest homes, our parks, even our dirty parking lots (picking up trash.) Hillbrook has meticulously maintained the campus and the surrounding property, and have been diligent caretakers of the environment there. They participate in local drives for the less fortunate, they are in our Christmas parade. The list is long and we were very proud to be part of such a community of people.

I think this should be the measure of how the town responds to this situation. For the many years we have lived just up the street from Los Gatos High, (most of which my children did not go there, nor did we know that they would) - we felt the same way. There are some downsides to living in the close proximity of any school - sometimes the parking, the speeding, the certain times of day to avoid Main St., sometimes the noise. But LGHS is a beautifully maintained campus, run by a superb administration that works hard to alleviate neighbors concern and often bends over backwards to make it all work. Hillbrook does the same.

During our time at Hillbrook my experience was that the vast majority of people driving there were respectful and followed both the speed limit and the parking rules. Of course, there were always the bad apples. I would hate to see the health and strong future of a respected and contributing member of our town - Hillbrook School - handicapped by those who are not looking at the overwhelming positives and seemed determined to focus on the expected, and far fewer, hindrances.

I keep thinking about what would happen if Hillbrook were sold to a high bidder who decided to put 400 condos all over that beautiful hillside - God forbid.

Many thanks for your time and consideration.

Respectfully,

Pamela Nerney and Greg Walker 47 Alpine Avenue Los Gatos November 8, 2012

VIA EMAIL: planning@losgatosca.gov

Los Gatos Planning Commissioners % Town of Los Gatos Planning Staff Attention: Jennifer Savage 110 E. Main Street Los Gatos, CA 95030

RE: Hillbrook School Conditional Use Permit Modification

Dear Planning Commissioners:

First and foremost, I am the father of three daughters; one is a Hillbrook alumna who is now a freshman at Presentation High School and the other two are current students in Hillbrook's 4th & 6th grades. We live in the Willow Glen area of San Jose, and in 2002 we were fortunate to find Hillbrook for our growing family. The school offers a terrific, well-rounded education, maintains a beautiful campus, and is in the town where my wife grew up. It was, and still is, the perfect fit for us.

I am also a committed seven-year trustee of Hillbrook School, and I believe that our board, the administration and our entire community has done admiral work to put forth a well thought out proposal that is sensitive to the schools impact, while creating a glide path for Hillbrook to become an even greater school and community partner.

My partners and I own a substantial real estate portfolio in Willow Glen's neighborhood business district. Our tenants include over four dozen restaurants, retailers, residents and offices. As a result, I understand how critical a mix of customers is for the health of our real estate. A thriving student population, made possible by a high school, middle school, three elementary schools and countless early education sites within close proximity is critical to our success. Our tenants tell us constantly how much business comes from the families of students and that they are a vital component to their all-important customer mix. Now they may not live within walking or even quick driving distance, but they are a significant part of the ecosystem that makes our district successful. Sounds a little like Los Gatos right? Although we don't live in LG, we consider ourselves part of the ecosystem that is working well for your town.

Therefore, I strongly believe that a healthy Hillbrook is a healthy Los Gatos. Our school is asking to grow in a responsible way – we've done our homework, turned in the research papers, and taken the exam – so I urge you to approve the school's Conditional Use Permit Modification.

Sincerely,

Michael P. Mulcahy

Unlikeling

cc by email:

manager@losgatosca.gov

clerk@losgatosca.gov

council@losgatosca.gov

Allison Railo <allison@railo.org>

Sent:

Thursday, November 08, 2012 1:37 PM

To:

Town Manager; Clerk; Planning; Council

Cc:

Megan Stevens

Subject:

In Support of Hillbrook CUP Modification Application

Attachments:

SupportHillbrook.pdf

Follow Up Flag:

Follow up

Flag Status:

Completed

November 7, 2012

VIA EMAIL: planning@losgatosca.gov

Los Gatos Planning Commissioners c/o Town of Los Gatos Planning Staff Attention: Jennifer Savage 110 E. Main Street

Los Gatos, CA 95030

RE: Hillbrook School Conditional Use Permit Modification

Dear Planning Commissioners:

My husband and I are the parents of two children who attend Hillbrook; our son is in 5th grade and our daughter is in 2nd grade. We live in the Willow Glen area of San Jose and we were thrilled to find in Hillbrook a supportive, well-rounded education and community for our children. The school is not only a beautiful location, but it provides the perfect blend of rigorous academic instruction and support for the whole child, and is the perfect school for both our children.

We have participated in the Los Gatos community for several years now; our children both attended Mariposa Montessori where I also served on the Board of Directors for the school. We take the bus to and from Hillbrook most days, reducing our number of trips into Los Gatos to 2 or 3 per week (out of a possible 10+). When we do drive to Los Gatos, we shop in your stores, fuel our cars at your gas stations and frequent your restaurants. Many of our friends live in Los Gatos and we care about the community.

This year I have taken an active role as President of the Hillbrook School Parent Council. I am in full support of the school's application to modify the CUP. I believe it is well thought out and an important part of the appropriate growth of the school - and keeps in mind the impact in the neighborhood as well as the greater Los Gatos and Silicon Valley communities. With 46% of our student body residing in Los Gatos, I am confident that our Hillbrook community is intent on being a good neighbor and taking a responsible path in the growth of the school.

I urge you to approve the school's Conditional Use Permit Modification. Sincerely, Allison W Railo

November 8, 2012

Town of Los Gatos Planning Commission Attention: Jennifer Savage 110 E. Main St Los Gatos, CA 95030

Subject: Hillbrook School's Conditional Use Permit

Dear Commissioners:

My husband and I have been proud members of the Los Gatos community since we moved into the Belwood Estates neighborhood 22 years ago. We have two sons, Chase (19) and Eric (15) who received an outstanding education in Los Gatos, starting at the Los Gatos Parent Nursery School for preschool, and then continuing at Hillbrook School through the 8th grade. Both of these high quality institutions are an important part of what makes Los Gatos such a great place to live, and we are very thankful that these educational options were available to us. They have enriched our lives immeasurably.

I write to you to express my sincere hope that the commission will grant Hillbrook its Conditional Use Permit modifications. After both of my sons' 5th grade years, a not-insignificant number of students left the school in order that they might experience the cultural dynamic of a larger peer group. The middle school education at Hillbrook is of the highest caliber, but middle schoolers need a larger sphere of friends and opportunities than is possible with only 30 students per grade. I laud Hillbrook's recognition of this, and their commitment to offering an outstanding middle school experience.

I come from a unique perspective on this matter in that I share something in common with Hillbrook's adversaries: I live on a street that is also the home to a private school. It is virtually impossible to get out of our driveway at 9 in the morning, and cars are frequently parked alongside our house. It is annoying, but, truth be told, does not really impact our quality of life in any significant way. Besides, the school up the street predates our residence on this street (as does Hillbrook for its neighbors). And, most importantly, we recognize the importance of educational institutions to the greater community. The citizens working against Hillbrook's CUP modifications do not appear to have the greater community in mind – I hope the commission will.

Hillbrook brings new residents and visitors to Los Gatos, and contributes significant business to its merchants and restaurants. Adhering to the highest standards for independent education in our country, Hillbrook is an excellent complement to the fine Los Gatos public school offering, and should be a great source of pride for the town and its residents. I sincerely hope that the commission will work with Hillbrook by allowing its requested changes to the CUP.

Regards,

Harriet Harvey-Horn

299 Belvue Drive, Los Gatos 95032

(408) 691-7666

Lori Owen 115 Longmeadow Drive Los Gatos, CA 95032

November 8th, 2012

Re: Hillbrook School Conditional Use Permit Modification

Dear Planning Commissioners,

I am a resident of Los Gatos and parent of two students at Hillbrook School. My children, Rowyn and Cole van Miltenburg, have attended Hillbrook for over six years. Rowyn graduated from Hillbrook last year and is now a freshman at LGHS where she is excelling academically and socially. I attribute much of her successful high school experience to the Hillbrook education, which emphasizes intellectual curiosity, excellent communication skills and kindness, which is exemplified by a commitment to service learning. My son Cole, a current Hillbrook 7th grader, will also most likely attend LGHS.

I believe the recent proposal for the CUP modification at Hillbrook, will enable the school to provide an even better educational program, while being sensitive to neighbors' concerns about the impact on traffic volumes. Hillbrook has worked with traffic consultants and expanded their shuttle bus service, which has served to significantly reduce the traffic coming in and out of the school.

Hillbrook has been an integral part of the Los Gatos community for 75 years and is regarded as one of the best independent schools in the Bay Area. Many of Hillbrook's families participate in local leagues and activities as well as working and shopping in the downtown area. Rowyn is a volunteer at the Los Gatos public library and has also volunteered at the Live Oak Adult Day Center in Los Gatos as part of the Hillbrook service learning organization. My son, Cole, will also have the opportunity to work with the Live Oak Adult Day Center this year.

Unlike the other schools in the area, we have had to exist with an enrollment cap that prevents us from providing the strongest possible program for the students. It is our wish to make these offerings even stronger by asking for responsible growth and we thank you for supporting our request to modify the CUP.

Regards,

Lori Owen

Cc:

manager@losgatosca.gov

clerk@losgatosca.gov

November 8, 2012

Los Gatos Planning Commissioners Town of Los Gatos Planning Staff Attention: Jennifer Savage 110 E. Main Street Los Gatos, CA 95030

RE: Hillbrook School Conditional Use Permit Application

Dear Planning Commissioners,

I am the parent of 2 Hillbrook alums and served on the Hillbrook Board of Trustees for 8 years. We are residents of Saratoga, but found Hillbrook in 1995 when looking for a school for our oldest child. I left the board in June of 2011. It was a wonderful experience for both of our children, and I remained on the board after our youngest graduated because I am so committed to the future of the school.

Over the time I have been associated with the school, it has worked extremely hard to be a good neighbor and a good member of the community. Not only do 46% of the school's current students reside in Los Gatos, but I can speak from experience that Los Gatos is the center of family life for many families who live in other communities. We end up dining, shopping, and volunteering in the town. The school community has also worked continuously to minimize our impact on the immediate neighbors.

The CUP modification is important to Hillbrook. The current enrollment cap is from 1984 and does not serve the school well at this point. The proposed number was developed very carefully by board and staff. It will enable the school to provide a significantly better middle school experience for more children. It will also bring additional families into the community which should benefit the town socially and economically, and I believe that it can be done thoughtfully without a negative impact on the residents in the neighborhood. A healthy, vibrant Hillbrook is good for its families and the town.

I urge you to approve the CUP modification. Thank you for your time and consideration.

Yours truly,

Sallie Calhoun

Sallie Jalh

Jennifer Ondrejka < jennifer.ondrejka@gmail.com>

Sent:

Friday, November 09, 2012 9:13 AM

To:

Planning

Cc: Subject: Town Manager, Clerk; Council; Cory Ondrejka Hillbrook Conditional Use Permit Modification

Follow Up Flag:

Follow up

Flag Status:

Completed

November 9, 2012

VIA EMAIL: planning@losgatosca.gov

Los Gatos Planning Commissioners

c/o Town of Los Gatos Planning Staff

Attention: Jennifer Savage

110 E. Main Street

Los Gatos, CA 95030

RE: Hillbrook Conditional Use Permit Modification

Dear Planning Commissioners:

The Hillbrook CUP application has become quite the talk about town, but we thought our perspective might offer a unique viewpoint.

Simply put, we moved to Los Gatos for Hillbrook.

Professionally it was advantageous to live in Silicon Valley, but we could have moved anywhere. We investigated independent schools, and Hillbrook was the clear winner. We only applied to one school for third grade. No other school was worth the hassle of moving from the East Bay. Hillbrook offers a world-class education near a vibrant and pedestrian-friendly town. We were sold, and thankfully our daughter was able to attend third grade during the 2011-12 school year.

We live in an apartment in the Almond Grove neighborhood. We have a post office box and walk regularly for all of our errands. Groceries, mail, restaurants, shopping, farmers market, and the library are all regular fixtures in our family routines. We are currently working with a Los Gatos-based realtor, searching for the right home. It may be a while, but we have fallen in love with our new town and consider it worth the wait to find a home within walking distance. In addition to establishing a business of our own here, we have also invested in a software startup company based in Los Gatos with local employees.

As a new family for the 2011-12 school year, we can assure you that carpooling and minimizing impact on the neighboring community was communicated as a high priority. Communications through the online portal were impressive, and when it became challenging for a single-child family with a compact car to find another single-child family in the neighborhood, parents we had never met reached out and made it happen. We had been living in Los Gatos a matter of days, and we were all set with a carpool.

This year, our fourth grader has taken full advantage of the new shuttle stop. We continue to carpool on Monday mornings for Flag, and we walk together to the shuttle stop all other mornings and afternoons throughout the week. It also limits our daughter's contact with angry neighbors. Last year we witnessed neighbors surreptitiously peeking through the fence, and the kids witnessed an angry neighbor pacing her driveway and photographing our passing car. That made a big impression on our then 8-year old.

This is a shame. We have seen neighborhoods with strong ties to local private schools. They are a center for learning for the town, as well as the students who attend. Lecture series and arts programs are often open to the community.

The beauty and history of the Hillbrook campus should be shared and celebrated with the entire Los Gatos community.

We encourage you to approve the school's Conditional Use Permit Modification so Hillbrook may grow alongside this remarkable town we now call home.

Sincerely,

Cory and Jennifer Ondrejka

PO Box 185

Los Gatos, CA 95031

cory.ondrejka@gmail.com

jennifer.ondreika@gmail.com

cc by email:

manager@losgatosca.gov

clerk@losgatosca.gov

council@losgatosca.gov

Jennifer Ondrejka jennifer.ondrejka@gmail.com This Page Intentionally Left Blank

Jeff Palmer <jeff.palmer@nxp.com>

Sent:

Friday, November 09, 2012 10:34 AM Planning; Town Manager; Clerk; Council

To: Cc:

mstevens@hillbrook.org

Subject:

Support for Hillbrook School's request to expand its Conditional Use Permit (CUP)

Follow Up Flag:

Follow up Completed

Flag Status:

November 9, 2012

Los Gatos Planning Commissioners % Town of Los Gatos Planning Staff Attention: Jennifer Savage 110 E. Main Street Los Gatos, CA 95030

Dear Ms. Savage,

We are writing to you today about our support for Hillbrook School's request to expand its Conditional Use Permit (CUP). We are Los Gatos residents and members of the Hillbrook School community.

In 2008 we moved from San Francisco to Los Gatos so that our daughter, Francesca could attend Hillbrook School. We had lived and owned a home in the Pacific Heights neighborhood of San Francisco for over eight years, and were looking for the best school to meet her personality, while providing an excellent education. We interviewed at nearly half a dozen private schools in San Francisco. We were not looking to move out of the city, but once we visited Hillbrook and spent some time in Los Gatos our decision was made - we fell in love with the school, the campus and importantly the community. We have now been proud residents of Los Gatos for nearly five years. Our daughter Francesca has thrived and is now a proud Hillbrook 4th grader, loving every minute of it, and will graduate in 2017.

Ever since our daughter began attending Hijlbrook the school leaders had stressed the need to be cognizant and thoughtful of the neighborhood the school is lucky to be situated within. We were encouraged to car pool with other Hillbrook familles, which we have done consistently for the last four years. This past summer, the school administration announced expanded bus routes, which would cut down even further on the number of cars into and out of the Marchmont neighborhood. We have gladly adopted this means of transportation, because it is our small way to help the community.

We believe the school has done a tremendous job of encouraging family's to car pool and bus to and from school. Further, we believe the school administration has been very thoughtful in its measured exploration for expanding the Hillbrook community. Key in the school's expansion plans has been consideration for the potential impact to the surrounding community. We believe allowing the school to add to the student body will only bring more wonderful family's to this community and strengthen the programs that are already offered to our students. We hope the Planning Commission will overwhelmingly agree to grant Hillbrook School's application to expand its existing CUP.

If you have any questions or would like further insight into our views please let us know. Our contact information is at the bottom of this letter.

Best regards

Jeff and Cristina Palmer

227 Dover Street Los Gatos CA 95032

Hardcopy sent by US Post 11-9-12

Jeff Palmer
Vice President of Investor Relations
NXP Semiconductors
Direct: +1 408 518 5411
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TELEPHONE (408) 354-4487

MARK S. CARLQUIST

E-MAIL; mark@carlquistlaw.com

229 Glen Ridge Avenue Los Gatos, California 95030

November 10, 2012

Los Gatos Planning Commissioners Town of Los Gatos Planning Staff 110 E. Main Street Los Gatos, CA 95030 Attention: Jennifer Savage (Via E-mail: jsavage@losgatosca.gov)

Re: CUP Application of Hillbrook School

Dear Ms. Savage:

My wife, Kathleen, and I have resided in Los Gatos for the past 30 years. Our children were born and raised here. My business is located at 985 University Avenue, Suite 38, Los Gatos. The purpose of this letter is to voice our support for Hillbrook's pending application to change its existing conditional use permit.

There is no question that in Los Gatos, "community" means something. We don't just talk about it, we live it. Hillbrook has been a solid member of our Los Gatos community for many years. As I understand it, approximately 50% of the students enrolled in Hillbrook are from Los Gatos. That means that these are our students. These are the same children who participate in our leagues/activities, and whose families support our civic activities and local businesses.

Families are the foundation of our community pride and spirit. Except for knowing a number of Hillbrook families, we have no ties to Hillbrook. However, of the families we do know, these are the people who do their fair share of Los Gatos community involvement, and then some. In short, these are <u>our</u> families.

We also recognize and appreciate the concerns of other Los Gatos families relative to traffic. In response, we understand and believe that Hillbrook will be vigilant in their efforts to mitigate any traffic impact.

Please contact us with any questions or comments.

Sincerely,

Mark S. Carlquist

Kathleen Carlquist

Kathy Carlzaut

ce: manager@losgatosca.gov
clerk@losgatosca.gov
planning@losgatosca.gov
council@losgatosca.gov

November 11, 2012

VIA EMAIL: planning@losgatosca.gov

Los Gatos Planning Commissioners c/o Town of Los Gatos Planning Staff Attention: Jennifer Savage 110 E. Main Street Los Gatos, CA 95030

RE: Hillbrook School Conditional Use Permit Modification

Dear Planning Commissioners:

I write to you to support the Conditional Use Permit modification submitted by Hillbrook School. I am the father of three children and live in Los Gatos. Our daughter, Mackenzie, graduated from Hillbrook in 2010 after spending seven years at the School. She is now a junior at Los Gatos High School and is a vibrant member of the High School community. She has played Varsity soccer and JV lacrosse since her freshman year. She is excelling socially and academically taking advantage of the High School's AP courses. She also volunteers at Walden West. Hillbrook provided her the foundation that allows her to be a contributing member of the Los Gatos community today. Our other two children, Jason and Graham, are currently in the 8th and 5th grades at Hillbrook. When we moved to California from Virginia in 2002, we were attracted to Hillbrook due to the strong academic program and beautifut 14 acre campus. After spending several years at the School, we decided to move from Willow Glen to Los Gatos because of the community and the atmosphere of the downtown Los Gatos area. Los Gatos has had a very positive impact on our family.

Since 2008, I have served as a trustee on the Board at Hillbrook. In addition to my service at Hillbrook, I also serve on the board of a collegiate level organization focused on leadership development. Both organizations strive to develop individuals who exhibit critical thinking, leadership and a commitment to give back to their local communities. Professionally, I am a partner with PricewaterhouseCoopers and lead our Technology Industry practice in the US. On several occasions, I have referred Los Gatos to my colleagues or recommended they consider Hillbrook for their children's academic needs.

Hillbrook has been a vibrant part of the Los Gatos community for over 75 years. The Board has thoughtfully considered the needs of the School and the local community in developing the proposal to modify the Conditional Use Permit. Over the last several years, the Board has proactively taken steps to address neighborhood concerns regarding traffic with very positive outcomes. The modification to the Conditional Use Permit will allow the School to raise enrolment to increase the options available to the community and strengthen the academic and social experience at the School.

I urge you to approve the School's Conditional Use Permit modification.

Sincerely,

Thomas W. Archer

cc by email: manager@losgatosca.gov clerk@losgatosca.gov

Thoms WAC

council@iosgatosca.gov

Paul Campbell <paul@sapdev.com>

Sent:

Monday, November 12, 2012 7:58 AM

To:

Planning

Cc:

Town Manager, Clerk; Council

Subject:

Hillbrook School Conditional Use Permit Modification

RE: Hillbrook School Conditional Use Permit Modification

Dear Planning Commissioners.

I am the father of two Hillbrook Alumni. My daughter is now a Senior at Archbishop Mitty and My son is a Sophomore at Bellermine. My wife and I are fervent supporters of Hillbrook School, and we firmly believe that Hillbrook gave our children a great academic and social schooling and positioned them both to thrive in high school.

In my opinion there are very few areas in which Hillbrook could be improved. However, in retrospect, one improvement would be to increase the class size for the middle school grades. This would offer the students a broader more fulfilling social experience and allow the school to stream the classes thereby accommodating different learning speeds.

I my many years of carpooling to and from Hillbrook, I found that Hillbrook parents are safe and respectful drivers. I believe any additional traffic would be accommodated without significant impact to the neighborhood.

I hope you will support the Conditional Use Permit Modification for Hillbrook.

Regards, Paul Campbell 17899 Wedgewood Ave, Los Gatos, CA 95032 Kelly Roszel

37 E. Main, Apt B Los Gatos, CA 95030

Work: 650-584-2756 or Cell: 408-728-1446

kroszel@yahoo.com

Re: Hillbrook Expansion Request

November 18, 2012

Los Gatos Planning Commissioners c/o Town of Los Gatos Planning Staff Attention: Jennifer Savage 110 E. Main Street Los Gatos, CA 95030

Dear Los Gatos Planning Commissioners:

My name is Kelly Roszel and I been a resident of Los Gatos since 2007. During this time, I have had the pleasure of personally knowing several families and students of Hillbrook, and I have attended many functions at the school in support of them each year. Whether it's a holiday concert, a parent's back to school night, a show, or a sporting event, Hillbrook's organization and leadership is consistently stellar.

Being close family friends with one of the Hillbrook families, I know that each family is personally introduced to neighboring families during their initial year. The Mathisen family has been carpooling with the same neighboring family for over 9yrs. The families and kids are very close because of this daily interaction and introduction. All of the signage leading up to the school is well marked, there are a lot of adults during the rush hours making sure all of the children get into and out of the the school safely; it's a very well oiled machine. Just as families are paired up for carpooling, as the adoption of the school bus transportation becomes more routine to new entrants, the ridership will only increase and expand.

I'm very proud to live in this beautiful town, and I'll continue to fully support Hillbrook's education system. I've watched many youngsters grow into well rounded and well educated young adults, who already have their minds set on furthering their education at some of our country's most elite level universities. It will be because of their grade school years at Hillbrook, that the possibility of these dreams can likely come true. Offering one hundred more students the opportunity to attend Hillbrook will only further strengthen our community.

Sincerely,

Kally Roszel

Cc: Emily Rulvacaba; manager@losgatosca.gov; clerk@losgatosca.giv; planning@losgatosca.gov; council@losgatosca.gov

Sherry Cohen <sherrys28@yahoo.com> Monday, November 19, 2012 10:13 PM

Sent: To:

Planning; Town Manager; Clerk; Council

Cc:

Megan Stevens

Subject:

Our Thoughts about the Hillbrook Expansion from a Hillbrook Family

November 18, 2012

Los Gatos Planning Commissioners c/o Town of Los Gatos Planning Staff

Attention: Jennifer Savage

110 E. Main Street Los Gatos, CA 95030

Dear Planning Commissioners:

We are the parents of three children, two of whom are current Hillbrook students. One of our children is in 1st grade and the other is in Junior Kindergarten. We live in the Marchmont neighborhood and walk with our children to school. We have heard a lot of the discussions both for and against Hillbrook's request to increase its enrollment. As parents of children who live in the area and attend Hillbrook, we feel that we are in a unique position to discuss the disagreement.

We have seen that Hillbrook plays an integral part in the Los Gatos community. The school provides a wonderful education to its students. In addition to a robust academic program, the school has shown our children that curiosity opens up new doors and that taking risks allows them to grow more than they ever could have imagined.

Having outstanding public and private school options makes Los Gatos a very desirable place to live. The fact that 46% of Hillbrook families live in Los Gatos is a testament to the draw that the school provides. These residents contribute to the community. Moreover, many families who do not live in Los Gatos do a great deal of

business in the community either after dropping their children off or after picking them up. Expanding the school population will make Los Gatos an even more desirable place in which to live.

As residents of the neighborhood, we understand the concerns about the potential increase in traffic. The safety of our children is paramount. The school has gone to great lengths to address our neighbors' concerns. In our daily walks back and forth to school, we have noticed a dramatic decrease in traffic this year. The implementation of the school shuttle bus and the emphasis on carpooling has resulted in significantly lower traffic and a more relaxed walk to and from school each day. These efforts are paying off in reduced traffic in the neighborhood.

The school has proposed a plan to grow responsibly over the next 3-5 years and cap its enrollment to 414 students. This will allow the school to offer more opportunities to its middle school children and allow more children, many of whom would be from Los Gatos, to have a very stimulating education.

For these reasons, we strongly support this proposal. It would be a shame to let this opportunity pass because of the perception that it would unduly increase traffic. We have been witness to the fact that due to the solutions proposed by the school, traffic has actually decreased. We feel safe enough to walk with our children to the school. The middle school expansion will only serve to make Hillbrook and Los Gatos a more vibrant community.

Sincerely,

Nathaniel and Sherry Cohen

November 25, 2012

VIA EMAIL: planning@losgatosca.gov

Los Gatos Planning Commissioners c/o Town of Los Gatos Planning Staff Attention: Jennifer Savage 110 E. Main Street Los Gatos. CA 95030

RE: Hillbrook School Conditional Use Permit Modification

Dear Planning Commissioners:

I write to you to support the Conditional Use Permit modification submitted by Hillbrook School. I spent seven years at Hillbrook School and graduated in 2010. I am a junior at Los Gatos High School. I've played Varsity soccer and JV lacrosse since my freshman year and taken advantage of the many honors and AP courses the school offers. I have also volunteered at Live Oak and Walden West. Hillbrook School has provided me with a foundation that has prepared me for high school and the rest of my life.

My experience at Hillbrook has given me the skills and confidence to go the extra mile in every activity I am involved in. In fourth grade our class went on a two day trip to Coloma. Each group was provided a naturalist to help us get the most out of our experience while visiting Gold Rush country. At the end of our trip our group had to make a presentation in front of not only our school, but another school at the camp as well. The naturalist asked who would like to speak on behalf of our group and every kid raised their hand. He said that in all his years of working at the camp he had never had a school want to be so actively involved. I truly believe Hillbrook provides the type of environment that fosters confidence, curiosity and the desire to give 100 % of yourself.

The modification to the Conditional Use Permit will allow the school to provide an opportunity for more kids to benefit from the Hillbrook community and allow a greater overall social experience for its students.

I urge you to approve the School's Conditional Use Permit modification.

Sincerely.

Machemile Outer Mackenzie G. Archer

cc by email: manager@losgatosca.gov

clerk@losgatosca.gov council@losgatosca.gov November 28, 2012

Los Gatos Planning Commissioners c/o Town of Los Gatos Planning Staff Attention: Jennifer Savage 110 E. Main Street Los Gatos, CA 95030

RE: Hillbrook School Conditional Use Permit Modification

Dear Planning Commissioners:

As the father of two Hillbrook graduates (2002 and 2004), my wife and I can attest to the wonderful education that the school provides. I have remained involved with the school, and in fact am serving my 12th year as a Trustee and 7th year as Board Chair. I believe strongly in the school's Mission and am so grateful for the wonderful education our two children received. Both kids are thriving young adults, one a Cornell graduate '10 and the other a Univ. of Colorado '12 graduate. As part of my duties as Board Chair I carefully track our admissions. It saddens me that every year we have to turn away so many children who would benefit from a Hillbrook education. And since almost half of our students are from Los Gatos, many of the children we turn away are Los Gatos residents.

We live in Saratoga. Like many non Los Gatos residents who send their children to Hillbrook School, the school's location has caused me to do a lot of business in the Town, business I would otherwise not have done in Los Gatos had my children not attended school there. The school is an asset for the Town whether attended by Los Gatos children or non-resident children since it is such a magnet.

The Board and the school administration very deliberately determined that the ideal enrollment rate for the school would be 414. The current enrollment cap which has been in existence since 1984, is a number that makes little sense given our operations. The 315 number was created when Hillbrook operated a day care, which it no longer does. We eliminated the day care (enrollment was approximately 60 children in daycare) twelve years ago largely because we had so much demand for elementary school seats that we decided to make the shift.

By increasing our enrollment to 414 we will be able to offer a Hillbrook education to more Los Gatos residents as well as other children whose parents would appreciate this option. The larger enrollment will allow Hillbrook to become an even better school by increasing the range of programming we can offer, especially in the middle school (grades 6 to 8), where we anticipate to add the most students. The better Hillbrook becomes the greater an asset it is to the Town of Los Gatos.

The Board and the school administration recognize that our operations affect the Town and specifically the Marchmont neighborhood. We have instituted numerous traffic calming measures including car pooling, the use of shuttles and Hillbrook personnel station on Marchmont to slow traffic down. In the year 2000 when we applied for our Master Plan our car counts at peak hours in the morning and afternoon were over 200. Since then we have operated well within our 165 cap. And in the past three years we have further lowered our car counts with the addition shuttles and other programs so that our counts are now in the 120s. We will continue to look for ways to reduce traffic in the Marchmont neighborhood. We are confident that even with an enrollment increase we can operate well within the 165 car count limit.

Hillbrook School will continue to add value to the Town of Los Gatos and Turge you to approve the school's Conditional Use Permit Modification.

A I

Steve Beniamin cc by email:

manager @losgatosca.gov clerk@losgatosca.gov council@losgatosca.gov

planning@losgatosca.gov

Megan Benjamin < megan.benjamin@gmail.com>

Sent:

Wednesday, November 28, 2012 11:38 AM

To:

Planning

Cc:

Town Manager, Clerk; Council

Subject:

Hillbrook School Conditional Use Permit Modification

Dear Planning Commissioners:

I am a graduate from Hillbrook School (2002) and have remained actively involved with the school in the past decade since my graduation. My friends from Hillbrook are still my closest, and I believe wholeheartedly that the education and experiences I gained from my time at Hillbrook have helped me become the person I am today. I can never thank Hillbrook enough for that.

I think more kids should have the opportunity to experience Hillbrook, to have a world class education, and to make lifelong friends. For these reasons, I support the Conditional Use Permit Modification.

Please approve Hillbrook's Conditional Use Permit Modification. The school is an integral part of the Los Gatos community and approving this permit will only strength the community further.

Thanks for your consideration.

Sincerely,

Megan Benjamin

Megan Benjamin www.meganbenjamin.com

November 29, 2012

VIA EMAIL: planning@losgatosca.gov

Los Gatos Planning Commissioners % Town of Los Gatos Planning Staff Attention: Jennifer Savage 110 E. Street Los Gatos, CA 95030

Dear Planning Commissioners-

I am writing as a Los Gatos resident, a Hillbrook School parent and a member of the Hillbrook Board of Trustees regarding Hillbrook's expansion plans

My family moved to Los Gatos eight years ago; we were attracted to the open-minded community that took pride in its downtown and place in Silicon Valley history. We chose to live in the Almond Grove district for its downtown proximity and park access. However, with this location we need to tolerate increased traffic from annual events such as the Cat's Hill race and Halloween, in addition to daily traffic to St. Mary's School and general Downtown activity. This balance is simply part of living in Los Gatos. We love the vibrancy of downtown and the diversity of our shops, services and restaurants.

Hillbrook is one of many institutions that have made our town so special and what brings new families to our town every year. Hillbrook was founded in 1935 as a boarding school for wards of the state, and continues to foster an inclusive community. We should ensure that Los Gatos remains a vibrant, open community that attracts wonderful families for generations to come. I hope we remain open-minded to positive change at Hillbrook.

I am personally very excited about how the entire Hillbrook community has embraced the various ride sharing opportunities available (carpool, bus and walk/bike) during the first two months of this school year and how we have collectively made a major impact on our historical traffic counts.

I urge you to approve the school's Conditional Use Permit Modification.

Sincerely,

Vlado Herman

235/ 237 Glen Ridge Avenue

Los Gatos, CA 95030

November 29, 2012

VIA EMAIL: planning@iosgatosca.gov

Los Gatos Planning Commissioners c/o Town of Los Gatos Planning Staff Attention: Jennifer Savage 110 E. Main Street Los Gatos, CA 95030

RE: Hillbrook School Conditional User Permit Modification

Dear Planning Commissioners:

We are the parents of two children, Elizabeth Grace, who is in 4^{th} grade, and Flynn, who is in 1^{st} grade, at Hillbrook School.

Why Hillbrook? After an extensive search of approximately 10 other public and private schools in the Greater Bay Area, we decided to apply to Hillbrook for Fall 2008 for our daughter Elizabeth Grace who was then going into kindergarten. Hillbrook was the perfect option for our child based on its well-rounded education, gorgeous 14-acre campus and the community it provided to us as a family.

After commuting to Hillbrook School for several years from our former home in San Jose's Rose Garden Neighborhood, we recently bought a home in Los Gatos' Almond Grove Neighborhood. We are thrilled to be a part of the community here in Los Gatos, and believe that Hillbrook remains the right choice for our children. 46% of its student body is local Los Gatos residents who feel it's the right choice for their children, too.

Hillbrook is asking the Town to grow in a responsible way so that children can continue to have a strong academic, co-curricular and more robust athletic program into their middle school years. We urge you to approve the school's Conditional Use Permit Modification.

All the best,

Paul and Elizabeth Patterson

Cc by email: manager@losgatosca.gov clerk@losgatosca.gov council@losgatosca.gov November 30, 2012

via email: planning@losgatosca.gov

Los Gatos Planning Commissioners % Town of Los Gatos Planning Staff Attention: Jennifer Savage 110 E. Main Street Los Gatos, CA 95030

Re: Hillbrook CUP Amendment

Dear Commissioners:

As a parent of two 5th-grade Hillbrook students, I am writing to express my strong support for Hillbrook's conditional use permit ("CUP") amendment application to expand its student enrollment cap from 315 to 414 students. I think very highly of the school, its mission and its community outreach. (Sending our children to Hillbrook was the primary reason my family and I became Los Gatos residents after relocating to the Bay Area almost three years ago.)

I am also writing to express my hope that the decision as to whether or not Hillbrook's request is granted be based on a thoughtful analysis of facts as opposed to the misinformation which has circulated in the last few months. Notwithstanding my personal views on this matter, I believe that any interested party's position on this issue is secondary to whether we can consider all sides' views in a constructive and honest manner. In that spirit, I would like to quickly make a few observations:

- 1. Some have suggested that Hillbrook is more interested in profit than benefiting its students. As you are no doubt aware, like every other not-for-profit school in America (public or private), Hillbrook raises funds to educate its enrolled children.
- 2. Some question whether Hillbrook is a part of the Los Gatos community since many of its students hail from San Jose and the surrounding areas. The resounding answer is yes! Hillbrook is an integral part of the Los Gatos community. The fact that almost half (46% this school year) of Hillbrook's students are Los Gatos residents clearly demonstrates that Hillbrook and its families are as much a part of the Los Gatos community as any other institution or organization fortunate enough to be located in this lovely corner of the world.
- 3. Much has been said about Hillbrook's lack of concern for traffic in the Marchmont and surrounding neighborhoods. Although I am still a relative "new comer" to the community, it is clear to me that these concerns date back many years even pre-dating the school's current administration.

Los Gatos Planning Commissioners November 30, 2012 Page 2

While I cannot comment on everything that has previously happened, I can confidently note that Hillbrook's current administration and families have been making a concerted effort to address the neighborhoods' concerns for at least the nearly three years my family and I have lived in Los Gatos. The Hillbrook community operates under some of the most stringent requirements of any organization in the Town of Los Gatos. Many of us spend extra time and effort ensuring that our children participate in Hillbrook's carpool and bussing programs. I believe that a fair assessment of the results would show that the neighborhood traffic situation is improving in a sustainable manner.

Let's face it. Los Gatos is a busy town and traffic is an issue all around. We all bear the traffic burden, no matter where we live. The Hillbrook community has proven that it respects the concerns of the surrounding neighborhoods through its many efforts to reduce the daily traffic flow. However, that observation can certainly be challenged without empirical proof. Therefore, I would agree with the suggestion that any amendment to Hillbrook's CUP to permit more students be coupled with traffic requirements that are reasonable, measurable and accountable. In that way, Hillbrook can continue to address its neighbors' valid traffic concerns in a transparent manner.

Thank you very much for your consideration.

Very truly yours,

Mark H. French Los Gatos 408 464 3226

markhfrench@me.com

ÇÇ:

manager@losgatosca.gov clerk@losgatosca.gov planning@losgatosca.gov council@losgatosca.gov mstevens@hillbrook.org

Lisa Elliott <laelliott@mac.com>

Sent:

Tuesday, December 04, 2012 1:44 PM

To: Cc: Town Manager; Clerk; Planning; Council

Subject:

mstevens@hillbrook.org Hillbrook CUP

Hello,

Below is a copy of a letter I mailed earlier today to the Los Gatos Planning Commissioners/Town of Los Gatos on behalf of Hillbrook School.

Thank you,

Lisa Elliott

December 1, 2012

Dear Los Gatos Planning Commissioners,

I am writing on behalf of Hillbrook School. As you know, Hillbrook was established 75 years ago and has been educating local students ever since. Our oldest son started kindergarten at Hillbrook in 2004. We now have three children at Hillbrook.

Since the first day of kindergarten we have carpooled to school. It was made clear to us by the administration that this a requirement. Every summer we submit forms to the school listing our carpool family families. There is an online a map of the Hillbrook community so if you are new to the school you can locate other Hillbrook families that live close by. In the last 5 years, we have always had 4 or 5 kids in our carpool. Additionally, Hillbrook began two bus routes that now serve approximately 100 students per day. More and more Hillbrook families are walking to school this year as well. We live about 1.5 miles from school and try to walk at least two times a week. Many of us are taking steps to reduce traffic on Marchmont.

There are approximately 150 students at Hillbrook that live within the Los Gatos School District. This raises several points. If these students did not go to Hillbrook, they would be at Blossom Hill, Van Meter, Daves Aveneue or Fisher. These schools are already very full so Hillbrook is reducing the burden on these schools. Furthermore, many of these families would be driving similar routes to get to Van Meter,

Blossom Hill or Fisher that they use to get to Hillbrook.

I understand that Hillbrook signed a Conditional Use Permit over 25 years ago with the Town of Los Gatos. But the town and community have changed since then. There are more school age children attending school in Los Gatos so Hillbrook offers another option to Los Gatos families. Hillbrook also has beautiful athletic facilities that could be utilized by the Los Gatos community if so permitted by the city. We have a field that can be used for soccer and lacrosse as well as a basketball gym. I can't imagine that LGUSL, RedHawks Lacrosse Club and Los Gatos NJB wouldn't love having a local practice field or gym. My son plays LG NJB and we are currently driving to South San Jose, Almaden and the Santa Cruz mountains for practice each week. Imagine all of gas, time and money we'd save if we could add the Hillbrook gym to our list of community practice locations. Not only would this be good for the community, but good for the environment.

We ask you to reconsider the CUP currently limiting Hillbrook's ability to serve the community. We are asking for a modest increase in enrollment that could not only benefit Hillbrook but also the community of Los Gatos.

Thank you,

Lisa & Craig Elliott

Mark Flowers <mark@flowers1998.com>

Sent:

Tuesday, December 04, 2012 4:55 PM

To: Cc:

Planning

Council; Town Manager; Clerk; Mark Silver; mstevens@hillbrook.org

Subject:

in support of the Hillbrook CUP application

Dear members of the Los Gatos Planning Commission:

I am writing today in support of the Hillbrook CUP application to raise the enrollment cap from 315 to 414.

I have lived in Los Gatos for 15 years, love our community, and have been actively involved in support for local schools. I have twin daughters, now in seventh grade, one attending Hillbrook, and one attending Charles Armstrong school in Belmont. Both girls attended public school K - 2nd.

I have found Hillbrook school to be extraordinary and unique, providing an alternative to public education that many local families value. In addition to an excellent education, Hillbrook offers considerable focus on developing community, balance, respect, and thoughtful interactions with peers and others. Many local children resonate and thrive as members of the Hillbrook community.

The proposed expansion to 414 will benefit our community both by creating greater opportunity for our children to attend Hillbrook (a school that now has a wait list for every grade!), and will draw in families who will become engaged contributing Los Gatos community members.

Hillbrook's last expansion to 315 enrollment was in 1984. The current application to 414 represents a modest 1% per annum growth; a reasonable rate if one is to not outpace community growth.

Most importantly, I believe that Hillbrook is well prepared to responsibly mange the increased enrollment with no negative impact to the local residents. Hillibrook has recently implemented a morning and afternoon bus system that greatly reduces traffic and will expand bussing to keep traffic to a minimum should the proposed CUP be approved. In addition, Hillbrook has a 3 - 5 year gradual growth plan that does not require the building of any new facilities on campus.

While my family will have graduated Hillbrook before any expansion is likely, I believe the Hillbrook proposal will be of value and appreciated by Los Gatos residents, and I encourage us all to support greater community access to a very special educational alternative.

Thank you for your consideration of this matter.

Best Regards,

Mark Flowers 175 Stacia St. Los Gatos, CA 95030 408 656-3224

December 5, 2012

-VIA EMAIL: planning@losgatosca.gov

Los Gatos Planning Commissioners c/o Town of Los Gatos Planning Staff Attention: Jennifer Savage 110 E. Main Street Los Gatos, CA 95030

RE: Hillbrook School Conditional Use Permit Modification

Dear Planning Commissioners:

I am an alumna of Hillbrook School and a current student at Johns Hopkins University studying International Studies, China and Business. When my family moved to California in 1998, we were lucky enough to find Hillbrook, a school that took all four of us children and offered a close community and a well-rounded education. I essentially grew up at Hillbrook, spending seven years with other students who were as eager to learn as I was, and who valued the education we were receiving. Now, during the few times a year I return home, I still make sure to see some Hillbrook classmates and to go back to Hillbrook to visit those teachers who helped shape who I am.

I have watched Hillbrook evolve in the past twelve years from a small, limited middle school to one that pushes the boundaries of middle-school teaching and embraces the dynamism of the modern world by creating new teaching programs for recent graduates and building technological classrooms. Hillbrook is no longer your ordinary middle school; it is constantly evolving and trying new things, thereby offering Los Gatos students a most incredible, new kind of education.

Hillbrook School has been a valuable part of the Los Gatos community for over 75 years. The Board has taken the time to foster a relationship with the local community by addressing their concerns about traffic, with very positive results. The car count had dropped dramatically in recent years, and despite the possible increase of students, it is expected to stay below the current car count limit. In addition, the approval to raise enrollment will foster an even stronger tie to the Los Gatos community, and will create more opportunities for those Los Gatos students to receive the best possible education the area has to offer.

I urge you to approve the School's Conditional Use Permit modification.

Thank you,

Julia Hobbs

cc by email:

manager@losgatosca.gov clerk@losgatosca.gov council@losgatosca.gov

Curt Walleen- Prime Selling Concepts <curt@primeselling.com>

Sent:

Wednesday, January 02, 2013 2:24 PM Town Manager; sbaily@losgatossca.gov

To: Cc:

Wendie Rooney; BSpector, Steve Leonardis; Diane McNutt; Joe Pirzynski

Subject:

We have lived at 284 Karen Court, Los Gatos since 1986 and a Los Gatos Resident since

1963- I am appalled by what Hillbrook School is trying to do!!!

All,

I simply perceive this as a **bribe** and an offer of payment to get what Hillbrook wants. It reflects despicable politics on the Hillbrook front.

The Hillbrook letter describes the new benefit as follows:

Town staff drew our attention to an improvement project at the intersection of Kennedy Road and Los Gatos Blvd. We reviewed the project and believe that it would be of great benefit to our greater community. The Kennedy Sidewalk Improvement Project includes the installation of curb and gutter, relocation of light poles and the installation of pedestrian sidewalks and bike lanes along the north side of Kennedy Road between Ferris and Los Gatos Blvd. The project budget as estimated by Town Staff is approximately \$70,000. The project creates significantly safer routes for children coming not only to Hillbrook, but also to the other local schools including Van Meter, Fisher Middle School and Los Gatos High School....

We are pleased to offer to fund this worthwhile project as a condition of approval of our application to increase our enrollment to 414 students.

From Mark Silver and Chuck Hammers, December 4, 2012

Please do not accept the bribe...

Curt Walleen

Subject: We have lived at 284 Karen Court, Los Gatos since 1986 and a Los Gatos Resident since 1963- I am appalled by what Hillbrook School is trying to do!!!

All,

I am sickened by what Hillbrook is trying to do to our neighborhood. They used to be our good neighbor but a new Headmaster, their greed, and absolute disregard for everyone outside their gates appalls me. They are a business operating in a quiet residential neighborhood and 80% of their students come from OUTSIDE Los Gatos.

Please represent and protect our rights as Hillbrook is asking permission to do the things below in addition to everything else they are trying to grab:

- Extend When the Campus Can Be Used. Hillbrook is asking permission to have 414 enrollees at any time of the year. This means that they could have programs with this number of participants during the summer, spring break, and winter break in addition to the regular school year.
- Increase Nighttime Activities. Hillbrook is asking permission to hold as many nighttime activities as it wants with fewer than 25 participants and 10 nighttime activities with more than 25 participants. This would allow Hillbrook unlimited evening activities. Currently Hillbrook is limited to a total of 10 nighttime activities.
- Rent and Lease the campus to "providers of educational programs." This would generate more conferences, test prep classes, seminars, speaker series, and so on. Currently Hillbrook does not have permission to rent or lease its property to anyone.
- Allow Community Use of Hillbrook Fields and Recreational Facilities. Hillbrook is offering this as a "community benefit."
- Allow Non-Hillbrook Students, Parents, and Faculty to Participate in On-Campus Events. This would open up Hillbrook's after-school activities to outside students. As written, the condition would include feebased conferences marketed to a national audience that incidentally are attended by some Hillbrook faculty and fee-based speaker programs again aimed at a wide audience but only incidentally attended by Hillbrook parents and faculty.

This is appalling...

Curt Walleen 408.358.0015 curt@primeselling.com www.primeselling.com

RECEIVED

hand delivered MAR 1 4 2013

From Mr. Snyder MAYOR & TOWN COUNCIL

200 Barbara Dr. Los Gatos, CA, 95032

March 13, 2013

Members of the Los Gatos Town Council 110 East Main Street

Subject: CUP and Law Enforcement

Dear Council Member:

Although unable to attend the March 18 Town Council meeting, I wanted to comment on the Hillbrook School CUP.

I live in Los Gatos near Stratford School. Like Hillbrook, Stratford's operation is governed by a CUP. While some facts surrounding each CUP may differ in degree, two facts are common to both:

1. Neither CUP is being effectively enforced.

2. Basic traffic laws around the schools are not being enforced.

As a result, the neighborhoods surrounding these schools are considerably less safe. During certain hours, the danger to children and pets, as well as to other of nature's creatures, is substantially elevated.

Witnessing excessive vehicle acceleration and speed, unheeded stop signs, and other moving violations is a daily frustration. The quality of our neighborhood is diminished. This has been going on for years in both neighborhoods. Residents have been patient beyond reason.

It is time the town immediately begin enforcing the basic traffic laws and the CUP terms already agreed to by the parties. Otherwise, why have a Hillbrook CUP or Stratford CUP? Indeed, why have basic traffic laws?

We can and must do better than this status quo. That's what residents in both neighborhoods are asking for. This Council has the experience and wisdom to address our neighborhood concerns in a meaningful and immediate way. Please do.

Very truly yours.

Evan Snyder

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END OF ATTACHMENT 7