

Jennifer Savage

From: Matt DiNapoli <matt@dinapolicapital.com>
Sent: Wednesday, September 17, 2014 9:34 AM
To: Jennifer Savage
Subject: Hillbrook School

Dear Jennifer,

I am writing on behalf of Hillbrook School as a resident of Los Gatos as well as an alumni of the school. I went to school at Hillbrook as a child and still consider it to be a tremendous community asset providing a great academic and social foundation for children in the Los Gatos area. I would encourage you to do whatever is necessary to ensure that it remains the great school that it is today and that it continues to serve our children and our community for many years to come.

Sincerely,
Matt DiNapoli

F. Matthew DiNapoli
CEO/Chairman
DiNapoli Capital Partners
18 Park Avenue
Los Gatos, CA 95030

(408) 971-1680 - Office
(310) 612-5785 - Mobile

Jennifer Savage

From: Kim Vrijen <kim_vrijen@yahoo.com>
Sent: Wednesday, September 17, 2014 10:45 AM
To: Jennifer Savage
Cc: elliotlaw@mail.com; Barbara Dodson
Subject: Additional material planning commission packet
Attachments: Petition Opposition Hillbrook - 1.png; Petition Opposition Hillbrook - 2.png; Petition Opposition Hillbrook - 3.png; Petition Opposition Hillbrook - 4.png

Hello Jennifer -

As you know, neighbors have previously submitted petition pages against the increased enrollment at Hillbrook. I believe that you already have one document including 30 pages and one document including 4 pages. Additional signatures have been collected and I am submitting them for inclusion in the planning commission packet. These are all new documents that should be added to the existing paper version signatures. I have 12 pages total, so I will send them 4 pages at a time in 3 emails. Barbara is also submitting electronic signatures. I will also send a fourth email with replacements for the previously submitted 4 pages. Additional signatures were collected on the bottom of pages that were previously submitted.

Just to be super clear, the pages attached here are all new pages that should be added to the packet.

Thank you for all your help! Please don't hesitate to contact me via email or phone (408) 707 - 9627 should you have any questions.

Kim

PETITION AGAINST INCREASED ENROLLMENT AND TRAFFIC FROM HILLBROOK SCHOOL

We, the undersigned residents of Los Gatos, object in the strongest possible terms to Hillbrook School's request to increase its enrollment by 99 students (an almost 32% increase). We urge the Town to deny Hillbrook's application to modify its Conditional Use Permit to expand its student body and to deny any expansion in Hillbrook's summer programming.

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Printed Name	Signature	Address	Date
L. H. Strickler	Lester H. Strickler	146 Robin Way	8-26-2014
Dale Hill	Dale Hill	150 Robin Way	9/1/2014
Joseph Battaglia	Joseph Battaglia	122 Robin Pl	9-1-14
Ed Lozowicki	Ed Lozowicki	223 Rosalie Ct	9-1-14
Charles Roberts	Charles Roberts	223 Rosalie Ct	9-1-14
Cindy Vindasius	Cindy Vindasius	215 Rosalie Ct.	9-1-14
Valerie Lozowicki	Valerie Lozowicki	223 Rosalie Ct	9-1-14
Cookie Futterman-Spika	Cookie Futterman-Spika	150 Massol Ave	9-2-14

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HILLBROOK SCHOOL**

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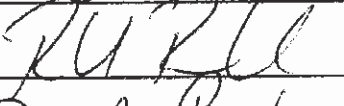
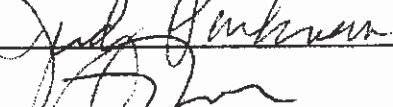
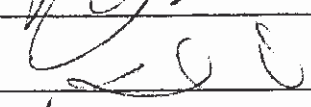
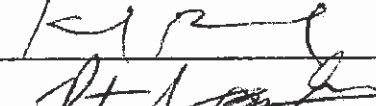
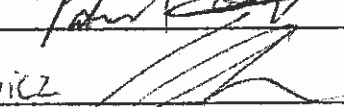

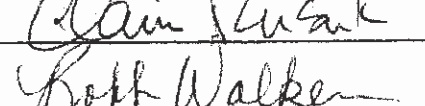
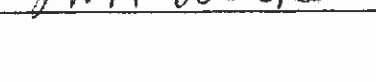


[illegible]

PETITION AGAINST INCREASED ENROLLMENT AND TRAFFIC FROM HILLBROOK SCHOOL

Debbie-1

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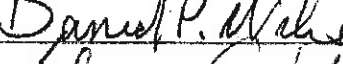
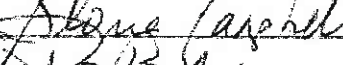

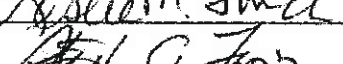
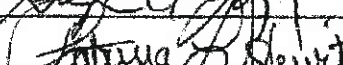
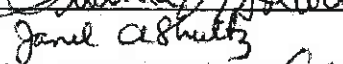



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Printed Name	Signature	Address	Date
Rachel Parnello		16530 Hilow Rd Los Gatos CA	8/22/14
Rachel Parnello		16442 Hilow Rd Los Gatos CA	8/22/14
Judy Parkman		16414 Hilow Rd Los Gatos, CA 95032	8/22/14
Bob/Kns		16386 Hilow Rd	8/27/14
Mei Wang		16397 Hilow Rd	8/30/14
Kelley Bekky		16771 Loma St	9/6/14
PATRICK INGRAHAM		16770 Loma St.	9/6/14
Catherine Ambrozewicz		16790 Loma St.	9/6/14
Kathryn Parker		16425 Ferris Ave.	9/6/14
Claire Kusiniak		16838 Potto Ct	9/6/14
ROBB WALKER		16791 Loma St.	9/6/14

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Printed Name	Signature	Address	Date
KANGA SRINIVASAN		16572 ENGLEWOOD LG	8/23
RICHARD W. LORE		16733 LITTLEFIELD LN ^{LOS GATOS}	8-23-14
HANS CHAN		16551 Englewood Av	8/23/14
DAN WILCOX		16359 Englewood Av	8/21/14
Gloria Campbell		10331 Englewood LG	8/23/14
PATRICIA BLUE		16451 Englewood LG	8/23/14
Leslie Finch		16490 Englewood Av	8/23/14
Pete Lopez		16520 Englewood Ave	8/25/14
Patricia Hewitt		16528 Englewood Ave	8/25/14
Janel Shultz		16771 Littlefield Ln	8/25/14
Mr. Malcolm MacLeod		16595 Englewood Ave	8/25/14
ALEX GARWOOD		16401 ENGLEWOOD AVE	8.30.14

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Printed Name	Signature	Address	Date
R. James	R James	16455 Shady View Ln, LG	9/7/14
S. James	Stuart James	16455 Shady View Ln LG	9/7/14
S. Seshadri	S. Seshadri	16519 La Croix Ct, LG	9/7/14
H. STUFF	H. Stuff	16517 Ln Creek Ct. LG	9/7/14
Mike Brown	Mike Brown	16559 Shack Nacelle	9/6/14
Dave Renner	Dave Renner	16464 Shady View Lane	9/6/14
Chris Wilson	Chris Wilson	17299 Deer Park Rd	9/6/14
Hassan A'zadeh	Hassan A'zadeh	16280 Shady View Ln	9/6/14
Marina Barnes	Marina Barnes	16471 Bonnie Ln	9/7/14
STEVEN FLORENTINO	Steven Florentino	427 MONTEREY AVE	9/8/14
K. EDWARDS	K. Edwards	16395 Shady View Ln, L.G.	9/7/14
Julie Lusher	Julie Lusher	16443 Shady View Ln LG	9/8/14
Jahanara Morhazen	Jahanara Morhazen	16467 Shady View Ln LG	9/8/14
AMIR SAGV	Amir Sagv	16450 Bonnie Ln, LG	9/8/14
Brenna Wundram	Brenna Wundram	16452 Shady View Ln	9/8/14
PAUL TONG	Paul Tong	16431 Shady View Ln	9/8/14
Debbie Smith	Debbie Smith	16416 Shady View Ln	9/11/14

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[illegible]

E-LACHIQUITA

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Printed Name	Signature	Address	Date
Theresa Sullivan	[Signature]	16341 E La Chiquita Way	9/8/14
Michael Perkins	[Signature]	16341 E La Chiquita Way	9/8/14
Robin F...	[Signature]	16340 E La Chiquita	9/8/14
Bruce & Marlene Gordon	[Signature]	16357 E. LACHIQUITA	9/10/14
LEONARD W. BOND	[Signature]	16365 E. LA CHIQUITA	9/11/14
Victoria Doll	[Signature]	16381 E. La Chiquita Ave	9/11/14
Tom Gilmour + WSA	[Signature]	16460 E. LA CHIQUITA	9/10/14

T O P P I N G

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Printed Name	Signature	Address	Date
		16555 Topping Way	
DAVID OGLE	[Signature]	16555 Topping Way	8-23-14
Joanne Varni	[Signature]	16566 Topping Way	8-25-14
Holly Keiser	[Signature]	16666 Topping Way	8-23-14
Sean Lopez	[Signature]	16527 Topping Way	8/23/14
Doug Haines	[Signature]	16541 Topping Way	8/23/14
Kris Malmshorn	[Signature]	16665 Topping Way	8-23-14
Karl Malmshorn	[Signature]	16665 topping wy	8-23-14
Alan Walther	[Signature]	16501 Marchmont Dr	8-28-14
MARY Pfister	[Signature]	16524 Topping Wy	8.31.14

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Printed Name	Signature	Address	Date
Robert T. T.		16620 Kennedy	9-15-14
William Bowman		16641 Kennedy	9-15-14
Brett Schwarz		16640 Kennedy	9-15-14
CHRISTINA ALIS		16904 Kennedy	9-15-14
Ali Moayedini		246 Kennedy Rd	9-15-14

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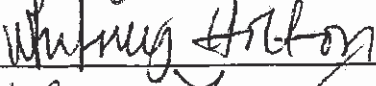
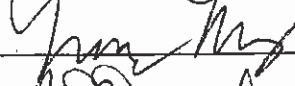
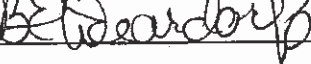
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Printed Name	Signature	Address	Date
WJ Silva		100 Stonybrook Rd	9/9/14
MARK SHAHEEN		105 STONYBROOK RD	9/9/14
Whitney Horton		140 Stonybrook Rd	9/9/14
Nancy Kelly		110 Cardinal Lane	9/9/14
Bob Deardorff		123 Cardinal Ln.	9/9/14

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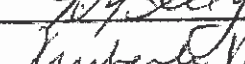
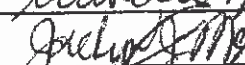





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	Printed Name	Signature	Address	Date
37	Brian Helagati		125 Stonybrook Rd LG 95032	2/4/12
38	Adrianna Parker		230 Barden Hill Dr LG	2/10/12
39	Adriana Valdez		570 Monterey Ave	2/10/12
40	Laura Murray		15452 Cherry Blossom Lane LG 95032	2/10/12
41	Benny Day		16570 Shady View Ln LG 95032	2/10/12
42	Erin Waterman		16806 Frank Ave 95032	2/29/12
43	Todd Harris		159 Cardinal Lane 95032	1/15/14
44	Tara Moseley		160 Robin Way 95032	1/15/14
45	Greg Blum		120 Stonybrook Rd 95032	1/15/14
46	Karla Albright		110 Clover Way 95032	3/8/14
47	Jessica Richter		101 Hilan Court 95032	3/8/14
48	Patrick Ingraham		16770 Loma St. 95032	3/8/14
49	Dan Kelly		16543 Marchmont Dr 95032	3/8/14
	Kim Vrijen		268 Marchmont Dr 95032	3/8/14
	Stickie McKenzie		16570 Kennedy Rd 95032	3/7/14
	Shannon Susick		16407 Shady View Ln 95032	9/10/14
	Tim Susack		" " "	9/10/14
	Bill Ruffenbush		183 Longmeadow Rd.	9/10/14

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	Printed Name	Signature	Address	Date
37	Jeffrey Webb		116205 Rosegar LN	2/5
38	Juel Karolsky		15930 Short Rd	2/5
39	Damon Louman		821 Chempstone	2/5
40	Stan Vukovich		16840 Kennedy Rd	2/5
41	Melissa Vuckovich		16840 Kennedy Rd	2/5
42	Tina Giusto		16928 Kennedy Rd.	2/5
43	Morganichaki		484 Wright Ave	2/5
	Maion Melani		238 Vista Del Monte	2/6
	Monica Lyle		331 Los Gatos Blvd.	2/6
	Tomoko Wada		115 Harding Ave.	2/7
	Christina Cameros		112 Vista Del Monte	2/7
	Judy Ross		16188 Pineleaf Ln	2/7
	Laura Terrell		17101 Las Rabas way 17101 Las Rabas way	2/8
	QING LIA		220 Marchmont dr	9/8
	EMANO TAWFILIS		16496 Topping Way	9/8
	William Melnyco		189 Longmeadow Dr	9/10
	PHILIP de Courville		16605 Englewood Ave	9-10-14

PETITION AGAINST INCREASED ENROLLMENT AND TRAFFIC FROM HILLBROOK SCHOOL

We, the undersigned residents of Los Gatos, object in the strongest possible terms to Hillbrook School's request to increase its enrollment by 99 students (an almost 32% increase). We urge the Town to deny Hillbrook's application to modify its Conditional Use Permit to expand its student body and to deny any expansion in Hillbrook's summer programming.











Hillbrook's traffic impact is already dangerously high and must be reduced. Neighborhood children walking, biking, and skateboarding to and from their local schools and residents running, biking, or walking already face significant physical danger from Hillbrook traffic. Higher levels of air and noise pollution from mostly non-resident vehicles also reduce quality of life in the neighborhood. We urge the Town to take steps to require Hillbrook to decrease both the number of vehicles and the span of time each day our neighborhoods are impacted. Hillbrook's traffic impact has increased in recent years to unacceptable levels and must be reduced for the safety of our children and the health and safety of all the Town's residents. We strongly urge the Town to reject Hillbrook's expansion plan.

Printed Name	Signature	Address	Date
Q. W. L. L. & H. H. H. H.		220 Marchmont dr.	2/1/12
	2 boys, age 4, 8.		
JOANN PHAM		247 Marchmont Dr	2/5/12
	(2 boys 9, & 12)		
Debbie Quindlan		249 Los Gatos Blvd.	4/26/12
Kelle Toth		248 Marchmont Dr.	8/21/14
MARK JAMES		285 Marchmont Dr.	8/24/14
Conchita Treise		273 Marchmont Dr.	8/22/14
Heather Delfielo		209 Marchmont Dr	8/23/14
James R. Randall	JAMES R. RANDALL	260 MARCHMONT Court	8/25/14
Goldie Rachel Randall	Goldie Randall	260 Marchmont Ct.	8/25/14
SHARON ELDER		205 MARCHMONT DRIVE	8/27/2014
Jim Elder		— u —	8/27/2014
MR & MRS LAWRENCE DUNN		265 MARCHMONT DR	8/30/2014

PETITION AGAINST INCREASED ENROLLMENT AND TRAFFIC FROM HILLBROOK SCHOOL

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Printed Name	Signature	Address	Date
RICHARD REILLY		106 PLAZOLETA PL	4/25/12
Keith Ronald Hien		15732 Los Gatos Blvd	2/28/12
ANTON GREENER		16635 Marchmont Dr	8
Nick Besbeas		16667 Marchmont Dr	8/30/14
Angie Besbeas		16667 Marchmont Dr.	8/30/14
JOHN SURMA		16725 MARCHMONT DR	8/30/14
DANIEL KELLY		16543 MARCHMONT DR	
Anne Lee		16543 Marchmont Dr	8/30/14
JANHAVI GUDAL		289 Marchmont Dr.	8/30/2014
PRASAD SHAMAIN		- 11 -	8/30/2014

Jennifer Savage

From: Melanie Novack Piziali <melaniepiziali@yahoo.com>
Sent: Wednesday, September 17, 2014 11:18 AM
To: Jennifer Savage
Subject: Hillbrook

Dear Chair Smith and Town of Los Gatos Planning Commission Members,

I live in the neighborhood surrounding Hillbrook and walk to school with my two children nearly every day. I see how Hillbrook parents drive and can say that they are slow and careful drivers and respect the fact children from all of the local schools walk and bike on the local streets. Further, I have seen firsthand the hard work Hillbrook has been doing to prove to us that they can keep traffic at a reasonable level, even with the additional students. The shuttle buses are a fantastic addition and are used by approximately 30% of our families on a regular basis.

Some people argue that once Hillbrook gets its additional students, it will stop caring about traffic and flood the streets. This is not true and the proposed conditions in the new Conditional Use Permit do not allow for this. Hillbrook will be monitored regularly by the Town of Los Gatos and penalized if it fails to meet its car counts.

The plain fact is that Hillbrook has not been allowed to add a single student to its enrollment since 1987. While the Town has grown and demand for school options increased, Hillbrook has been stuck at 315 students. In fact, in the past eight years alone, the public schools (excluding Lexington) have added more than 900 students. Hillbrook needs the ability to increase its enrollment in order to strengthen the school amidst an increasingly demanding and competitive academic environment. We constantly hear about the overcrowding in our local schools and Hillbrook can help relieve the stress. Depending on the year, between 45-50% of our students live in Los Gatos or Monte Sereno. Therefore, it is likely that 45-50 of the new students will come from Los Gatos or Monte Sereno. Local families will have the option, for the first time, to send their children to Hillbrook for only three years (6th, 7th and 8th grade), an attractive choice. It is shocking that a wonderful school like Hillbrook had an empty kindergarten classroom last year. Hillbrook has a beautiful 14 acre campus and empty seats. Hillbrook is part of the solution, not the problem.

Please support Hillbrook's efforts to provide an outstanding educational experience within Los Gatos. It is critical to the school's ability to succeed and stay relevant in a dynamic community.

Thank you,

Melanie & Eric Piziali
16597 Topping Way
Los Gatos, California 95032
408-356-8039
melaniepiziali@yahoo.com

Jennifer Savage

From: John Vigliecca <John.Vigliecca@dasher.com>
Sent: Wednesday, September 17, 2014 12:02 PM
To: Jennifer Savage
Subject: FW: Support for Update to Hillbrook's CUP

Hello:

As a resident of Los Gatos with children in both public (Fisher Middle School) and private (Hillbrook) schools, I'd like to make a couple of observations about education locally. Since 2006, there's been a dramatic shift in our elementary schools. Most parents can see and feel the effects, but don't always understand the reasons behind it.

Consider this: eight years ago, the five private elementary schools in Los Gatos (Stratford, Los Gatos Christian, Hillbrook, St Mary's, and Mulberry) had more seats than the three public elementary schools (Dave's, Van Meter, and Blossom Hill). At that time, the private schools had 1750 seats and the public schools 1490. Since then, 422 elementary school children have been added to the public school rolls. Now the public enrollment at those schools far outweighs the private, and our outstanding public schools are feeling the effects of crowding. Why? Los Gatos private schools are all controlled by conditional use permits (C.U.P.'s). They cannot add students, which leaves the additional children with little choice but public education.

Hillbrook is attempting to update its C.U.P. to add 99 students. A small, but vocal group of neighbors are campaigning against the increase, blaming the school for Los Gatos traffic problems and saying the 79-year-old school should move. Many of these neighbors are retired and their kids are grown. I am not sure if they know the data that I shared above, if they care about the ratio of private to public enrollment, or if they have considered the burden being placed on Los Gatos public schools.

All over the news this week were reports that the North 40 will likely add even more students to our already crowded system. Given all of this information, it would seem like adding 99 students to Hillbrook should be an easy decision. I think the Town should not only OK Hillbrook's proposal, but also consider adding 20% enrollment capacity to the other 4 privates in Los Gatos.

Thank you for reviewing my thoughts above. I plan on attending the town council that is coming up later this month. I hope that my message along with the considerable outpouring of support by others will help you make the correct decision regarding the update to Hillbrook's CUP.

Kind regards,

John Vigliecca

SEP 17 2014

TOWN OF LOS GATOS
PLANNING DIVISION

Dear Commissioners,

My name is Gretchen Moore. I live at 16465 Hilow Road. I am writing to you because I am concerned about the traffic and safety impact of Hillbrook's pending CUP application.

Current traffic on upper Marchmont is down right excessive. And current traffic on Hilow Road is barely tolerable. As a volunteer with Blossom Hill Elementary School's SR2S committee I am concerned that more and more traffic in the neighborhood will prevent the 100s of Fisher, Van Meter and Blossom Hill School families from walking, biking or scooting to and from school or at a minimum will compromise their safety. If you are going to approve Hillbrook's CUP application you must require mandatory participation in a traffic demand management program that further reduces current traffic levels on our streets. It is your job to ensure that our children have safe streets to walk, bike and scooter to school.

Over the past two years, Hillbrook has encouraged its community to walk, bus and carpool, all done while this CUP application has been pending. However, this administration did nothing to mitigate traffic in the years prior to submitting their application. Many of us have heard while at our children's sports activities or out to dinner that some members of Hillbrook's community cannot wait to get back to driving once this CUP is approved. That is disheartening and is evidence that mandatory participation, not encouragement, is needed to further reduce current traffic levels on our streets.

Additionally, traffic reporting and compliance measures are needed. Traffic must be measured on exact daily counts not averages. Random unannounced traffic counts must be done on a monthly basis. Penalties for noncompliance must have some teeth to them such as a loss of enrollment or a severe reduction in activities. Monetary penalties for noncompliance are hardly a deterrent for a school whose tuition is more than \$25,000/year.

The fact is the school is where it is and cannot be changed. However, how traffic is managed and the impact on the neighborhood can be. There are members of the Hillbrook community that too agree that this is a terrible spot for a school; traffic is horrible and have suggested that only mandatory busing can solve the traffic and safety problems.

I am not against a school year enrollment increase at Hillbrook but I cannot support this CUP application as submitted. The school continues to ask and ask of the neighborhood with nothing in return. Commissioners, I urge you to deny Hillbrook's CUP application.

Thank you,

Gretchen Moore

RECEIVED

SEP 17 2014

TOWN OF LOS GATOS
PLANNING DIVISION

Town of Los Gatos
Planning commission

Attention: Jenifer Savage (jsavage@losgatosca.gov)

September 17, 2014

Re: Hillbrook School, 300 Marchmont Dr, CUP U-12-002

Our family has resided at 189 Longmeadow since 1986. Our property borders Hillbrook School and is directly across from the Outdoor Stage, Basketball Courts, and the Football field. We have been neighbors for 30 years. We ask that you deny the current request of Hillbrook School.

As Hillbrook has increased their activities the noise levels at our home have increased proportionately but will drastically increase further if their current request is granted. It has become so loud that when activities are on the Football Field, as it is physically elevated above our backyard, it has driven us out of our backyard as well as the half of our home that is closest to the school. The Draft EIR that addressed this issue failed to test during actual time of Football Field use and chose to test during a period of no activity. A comment from the EIR stated that the reading of sound levels actually done along the property line between the school and ourselves was done at a time that noise from another source was encountered thus giving them a false test result. Instead of retesting during a time of "normal" usage they chose to draw the conclusion that there is, or would not be, any "Significant Impact" due to their proposal. Should they not have tested during a more appropriate time to draw the accurate conclusion to such an important problem? The sound levels are intolerable at the current time and would only increase if enrollment is allowed to increase or especially if third parties are allowed to use the facilities after hours and on weekends.

The increased use of amplified sound systems from the stage area, as well as the use of Gas Powered blowers is also a concern of ours. During the summer months, sometimes the sound systems go on all day and the Gas Powered blowers start at 7:30 – 8:30 every Saturday morning.

We feel that Hillbrook's request is not in keeping with the nature of the neighborhood and the approval would further decrease the Quality of Life and Security in the area, especially at our home.

Bill and Kathy Meleyco

189 Longmeadow Drive
Los Gatos, CA

Jennifer Savage

From: andrew.ferguson@ubs.com
Sent: Wednesday, September 17, 2014 3:59 PM
To: Jennifer Savage
Subject: Hillbrook's Petition Feedback
Attachments: Legal Disclaimer.txt

To whom it may concern:

I am writing in support of Hillbrook's petition to increase their student body by 99 students.

My perspective is the following: Los Gatos Resident, Los Gatos Property Owner, Parent of a Blossom Hill Student, Spouse of Hillbrook Teacher

I feel I have unique perspective because of the above mentioned affiliations. There are three reasons this petition should be approved.

1) Hillbrook has always made a focused effort to stay on the leading edge of today's curriculum developments throughout its entire school. This includes Literacy, Math, and the development of the total social emotional child (SEL). They operate outside of the bureaucracy of the California State Department of Education. This creates the opportunity to move more nimbly to adopt new programs that work, and revamp traditional programs that are not meeting the learning needs of the student. As a parent of a Blossom Hill student I can compare this to the methodology of adoption of common core throughout the Blossom Hill school and it takes years to adopt change. Examples of the leading edge teaching curriculum Hillbrook has adopted include Lucy Calkins Literacy Project, Singapore Math, and SEL (Social Emotional Learning)

a. Why does this matter to the city of Los Gatos?

i. One, the teachers at Hillbrook are now being asked to present their methods at conferences throughout Northern California, which means they are helping teachers statewide improve the way we teach in this country.

ii. Two, they have developed a Mentor/Co Teaching Development Program. In the 3 years of this program it has become extremely successful in developing teachers that are hired by other schools throughout the Bay Area, providing teachers trained far beyond the states certificate program.

iii. Three these Hillbrook Students represent a known correlation between young adults returning to the communities where they grew up.

2) Two, schools add to the "greater good." At the end of the day as a society schools unequivocally contribute to the "greater good." So the only answer to this petition with good conscience is "yes."

3) As a resident and property owner of 10+ years I have watched the development of the town and I have suffered positive and negative effects. I reside in a development off of Lark. I have in the last 5 years watched the development of the Panera's Strip Mall, the original Netflix building, and the additions to the Good Samaritan Hospital. It has in no uncertain terms paralyzed traffic on Lark Ave between 3-6pm. Now I am currently watching Sutter and Palo Alto Medical build two different yet massive commercial real estate developments on Los Gatos Blvd. The new Netflix project is up and running, and someday the development of the Yuki North 40 will begin. I have no idea what the town plans to do with all of the additional traffic. However, my point is, how is it that these projects are getting through the planning commission and yet we are even having a discussion on adding 100 students to a top tied learning institution within our city limits? The planning commission or school board overlooked the impact of students from the housing development on the old Honda lot so all of the Los Gatos public grade schools are over enrolled. One of the main concerns of the planning commission for the Yuki development are the schools being able to accept the additional students (as sited in the Jul 28, 2014 article in the Silicon Valley Business Journal). If anything you probably should be writing Hillbrook a blank check to increase enrollment as needed.

Let's end the nonsense, let this institution flourish, let them add students, and let's spend our time fixing and addressing the real items causing our traffic and school problems.

Andrew D. Ferguson
Account Vice President
Advisory and Brokerage Services

UBS Financial Services Inc.
50 West San Fernando Street, 8th Floor
San Jose, CA 95113

Office.....408-282-8429
Mobile.....408-460-8720
Fax.....855-280-8084
Email andrew.ferguson@ubs.com
Url www.ubs.com/fa/andrewferguson

Jennifer Savage

From: Michael Mulcahy <mpmulcahy1@me.com>
Sent: Wednesday, September 17, 2014 10:10 PM
To: Jennifer Savage
Subject: Hillbrook School CUP Support

September 17, 2014

VIA EMAIL: jsavage@losgatosca.gov

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

RE: Hillbrook School Conditional Use Permit Modification

Dear Chair Smith and Town of Los Gatos Planning Commissioners:

First and foremost, I am the father of three daughters; one is a Hillbrook alumna who is now a Junior at Presentation High School and two are students in Hillbrook's 6th & 8th 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.

We are also shuttle veterans. We drop off in the morning about a four minute drive from our house and the shuttle picks up our two girls and off they go with their shuttle buddies of all class ages. While the shuttle was a welcome option for my wife and me at the time we started riding over five years ago, we had no idea that our children would resist us driving them to school because they didn't want to miss their friends and the shuttle culture. The shuttle has been an unexpected success for our household so we welcome the school and Town making shuttles and carpools mandatory - it's an easy fit for our school as we all participate already. The stats the school has shown you, your independent consultants and visual evidence doesn't lie, but unfortunately, a few of the spiteful, vindictive opponents do.

I am also a committed nine-plus 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.

From a good business perspective, my partners and I own a substantial real estate portfolio in Willow Glen's 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. So please don't let the Hillbrook agitators discount the value of the non-LG resident Hillbrook families, our money is green too.

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

Mary E Gardner
1638 Mulberry Lane
San Jose, CA 95125
September 17, 2014

RECEIVED
SEP 18 2014
TOWN OF LOS GATOS
PLANNING DIVISION

Dear Chair Smith and Town of Los Gatos Planning Commission Members:

I was a resident of Los Gatos for 31 years and Superintendent of Saratoga Union School District for 11. While I have spent my career in public education, I have great respect for Hillbrook, which provides the kind of education I wish for all students. One that has maintained a educational philosophy that structures curriculum and instruction where students come first and where all decisions are made in the best interest of students' academic and social development.

I moved to San Jose to be next door to three of my six grandchildren who attend Hillbrook School. My grandchildren entered Hillbrook School when public schools were cutting arts, PE and moving into standardized testing to establish the worth of teachers and education. I supported my daughter and son-in-laws decision to enroll their children in Hillbrook because of its dedication to instilling a love of learning with a rich, full curriculum, collaborative learning, service to the greater community, and attention to providing an education attuned to child development.

It is my experience that Mark Silver, Head of School, is thoughtful, student and community centered. He has instituted a successful, comprehensive busing program to decrease the number of cars on neighbor streets. He has been innovative in his expansion of the curriculum to include appropriate technologies into classrooms. He has developed "The Center for Teaching Excellence" to raise the level of educational experiences for children in both private and public schools.

His rationale about the best school size and class size for a K-8 school continues to be well thought out, and appropriate for the social and academic approach for which Hillbrook is well known. Increasing the number of students at the school to 414 over the next three to five years will provide more academic choices, co-curricular activities and better social interaction for the middle school grades. It will also contribute to the reputation of Los Gatos as an inclusive, innovative, and intellectual community. It gives parents in the broader Hillbrook community an introduction to Los Gatos that brings cultural and economic advantages.

I encourage you to be expansive in your thinking and approve this proposal for Hillbrook School. It can only enhance Los Gatos.

Sincerely

Mary E. Gardner, Retired Public Educator



This petition has collected
221 signatures
using the online tools at iPetitions.com

Printed on 2014-09-18

RECEIVED

SEP 18 2014

**TOWN OF LOS GATOS
PLANNING DIVISION**

PETITION AGAINST INCREASED ENROLLMENT AND TRAFFIC FROM HILLBROOK SCHOOL

About this petition

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Signatures

1. Name: Amy Buckley on 2012-07-13 04:35:55
Comments: The traffic in Los Gatos has gotten out of hand in the past three years. I won't ride my road bike due to the high number of fatalities each year. I can't imagine allowing my child to ride her bike to school or to the park. Something has to change for safety's sake.

2. Name: Sean Morrissey on 2012-07-13 16:02:38
Comments:

3. Name: Robert Buckley on 2012-07-14 05:55:44
Comments: traffic and satefty should be the Town's top priority for our neighborhood

4. Name: jak vannada on 2012-07-17 18:17:12
Comments: The roadways in this area were not meant to handle this kind of expansion. Hillbrook has continually violated their CUP's and there is no indication they intend to obey them - ever. The CUP's are there for a reason and the Town Manager and his staff need to enforce the CUP'S for the sake of the neighborhood.

5. Name: Lisa Vierra on 2012-07-17 18:19:56
Comments:

6. Name: Catherine Grellet MD on 2012-07-17 20:14:29
Comments: Los Gatos has far too much traffic - this is ruining the appeal of our town

7. Name: Keith Kanady on 2012-07-17 20:35:40
Comments:

8. Name: Ernie Boitano on 2012-07-17 22:43:22
Comments:

9. Name: Tony Nanez on 2012-07-18 00:58:53
Comments:

10. Name: Vicki Ratner on 2012-07-18 01:23:48
Comments:

11. Name: Linda Nanez on 2012-07-18 01:44:53
Comments: Let's keep our neighborhoods safe.

12. Name: Darlene Nelson on 2012-07-18 01:55:20
Comments:

-
13. Name: Donna Rhody on 2012-07-18 03:08:49
Comments: I live across from Daves Avenue school and suffer the traffic impact twice a day.
-
14. Name: Dan Madsen on 2012-07-18 04:00:15
Comments:
-
15. Name: Jessica Rugani on 2012-07-18 04:22:37
Comments: No more high density housing... our schools are already overcrowded! Extra traffic means those that can walk to school are exposed to more emissions and more danger from too many cars!
-
16. Name: Peggy Osborn on 2012-07-18 13:50:11
Comments:
-
17. Name: Mark Jamieson on 2012-07-18 15:00:22
Comments:
-
18. Name: Bob Sanfilippo on 2012-07-18 15:36:27
Comments:
-
19. Name: Jennie Magid on 2012-07-18 15:37:36
Comments: Have courage and do not allow Hillbrook to modify its Conditional use Permit to expand its student body & deny an expansion i Hillbrook's summer programming.
-
20. Name: Amy Despars on 2012-07-18 16:00:42
Comments: Please take the time to carefully think about the potential growth of this town. Our schools are impacted and the traffic is overwhelming!
-
21. Name: curt walleen on 2012-07-18 22:12:12
Comments:
-
22. Name: Nancy Boitano on 2012-07-19 03:41:09
Comments:
-
23. Name: Erin Waterman on 2012-07-20 05:02:32
Comments: Enough with the development of new high density homes! Where are these kids going to go to school or do you just expect our schools to absorb them? Do those approving all of the new developments in town not realize this will decrease all of our property values over time and change the uniqueness of Los Gatos?
-
24. Name: Leigh Anne Rooney on 2012-07-20 13:19:29

Comments: no expansion please. they need to move that commuter school if they want to grow.

-
25. Name: Chris Rooney on 2012-07-20 15:05:55
Comments:
-
26. Name: Lisa Casaccia on 2012-07-20 15:13:12
Comments:
-
27. Name: lisa fanslau on 2012-07-20 16:50:54
Comments:
-
28. Name: Rodney Wade on 2012-07-20 18:04:12
Comments:
-
29. Name: Maria Ladle Ristow on 2012-07-21 00:23:26
Comments:
-
30. Name: Sue Jamieson on 2012-07-21 03:03:56
Comments:
-
31. Name: Angela Bakeis on 2012-07-23 02:09:22
Comments:
-
32. Name: Greg Bakeis on 2012-07-23 02:59:33
Comments:
-
33. Name: Anne-Marie White on 2012-07-24 17:14:29
Comments:
-
34. Name: Lara Fabans on 2012-07-26 17:27:48
Comments:
-
35. Name: Martha Fisk on 2012-07-31 21:52:20
Comments: I absolutely believe that Hillbrook should stand by its original promise to keep the student numbers at a certain level. This change cold impact many facets of life in our community.
-
36. Name: Erin Wentzien on 2012-08-05 06:22:23
Comments: I have to schedule the times I walk with my children to Blossom Hill park around the Hillbrook traffic as it becomes very dangerous on Marchmont. They continue to drive fast while on their phones and certainly not paying much attention to their surroundings.

-
37. Name: Robyn Blum on 2012-08-08 21:45:56
Comments:
-
38. Name: Ron Jenkins on 2012-08-09 00:14:09
Comments: Traffic is already insane through our neighborhood. We simply cannot tolerate even more. It's simply the wrong locale for any expansion.
-
39. Name: Darla Iacovoni on 2012-08-09 03:00:52
Comments: There is a significant increase in traffic already. Our children's lives are more important!
-
40. Name: Sarah Farb on 2012-08-14 17:42:10
Comments:
-
41. Name: Philip de Louraille on 2012-08-14 18:09:53
Comments: Hillbrook has not followed its current CUP and has already blatantly ignored the town when it asked the school not to have adult education conferences. Please do not allow the request to add more students. Our neighborhood's streets become quite unsafe during the periods when parents drop/pickup their children; we do not need more traffic to a school who isn't a good neighbor.
-
42. Name: Steven Strom on 2012-08-14 20:10:22
Comments:
-
43. Name: Victoria Francone on 2012-08-14 22:27:14
Comments:
-
44. Name: Denise Strom on 2012-08-14 22:52:01
Comments: Please do not allow Hillbrook to make our streets anymore unsafe...I challenge you to stand on Cardinal Lane during any school drop off/pick up period BEFORE you vote on this important issue.
-
45. Name: Vikki Foley Boyd on 2012-08-14 23:55:55
Comments: Is it going to take child getting run over for our Town Council to get it! It's just a matter of time before there is a tragedy.
-
46. Name: Ann Altmann on 2012-08-16 14:33:45
Comments: I live in the Vista Del Monte area and feel safer driving my kids to their friends house in the neighborhood surrounding Hillbrook because of the traffic. Also, there have been multiple times that I have been driving down Englewood at drop off time to have people roll the stop sign at Marchmont. Of course I don't know if these are Hillbrook parents.
-

47. Name: Arya Barirani on 2012-08-16 15:45:49
Comments:
-
48. Name: Kelly Keelean on 2012-08-16 18:13:44
Comments:
-
49. Name: Debora Wagner on 2012-08-16 20:54:04
Comments: After 20years here it is clear that Hillbrook School has no intention of abiding by the existing CUP, why would they bother to conform to anything newly modified, when they know that the Town does nothing to enforce their laws and agreements.
-
50. Name: W Wagner on 2012-08-16 20:55:46
Comments:
-
51. Name: M Wagner on 2012-08-16 20:56:26
Comments:
-
52. Name: Jwls Wagner on 2012-08-16 20:57:12
Comments:
-
53. Name: Valerie Lozowicki on 2012-08-17 05:52:31
Comments:
-
54. Name: Virginia Carr on 2012-08-19 19:25:42
Comments:
-
55. Name: Scott Jamieson on 2012-08-20 04:35:18
Comments:
-
56. Name: Jennifer Friess on 2012-08-20 04:47:56
Comments:
-
57. Name: Marion Connolly on 2012-08-20 06:53:31
Comments: Any further enrollment would heavily impact the traffic and congestion of this quiet neighborhood.
I oppose the idea of larger enrollment.
-
58. Name: Carmella Elletson on 2012-08-20 11:21:57
Comments:
-
59. Name: Steve Vindasius on 2012-08-20 13:53:28
Comments:
-

60. Name: Margee Bond on 2012-08-20 14:12:59
Comments:
-
61. Name: Jane Elletson on 2012-08-20 14:33:46
Comments: When I have visited on the street, the traffic is non stop and excessive . The cars drive too fast and it is difficult at times to turn into your driveway

Isnt the welfare of the other community members of interest to the town?
-
62. Name: Jane Elletson on 2012-08-20 14:38:03
Comments:
-
63. Name: Karen D. Becker on 2012-08-20 17:17:03
Comments: I oppose the increase to enrollment at Hillbrook School, Los Gatos
-
64. Name: Gregg Gillie on 2012-08-20 17:28:38
Comments: The streets were not designed to handle the traffic flow to and from the school. It is not fair to the neighbors around Hillbrook School.
-
65. Name: Tim Rogers on 2012-08-20 18:08:35
Comments:
-
66. Name: Jackie Anthony on 2012-08-21 03:33:14
Comments: I strongly oppose the possibility of Hillbrook School expanding.
-
67. Name: Lori Shaheen on 2012-08-21 13:52:17
Comments:
-
68. Name: Mark Shaheen on 2012-08-21 13:54:18
Comments:
-
69. Name: Lindsay on 2012-08-21 22:08:20
Comments: STOP HILLBROOK!
-
70. Name: Joy McGivern on 2012-08-22 14:37:57
Comments: This is asking the residents of this neighborhood for far too much. They are already impacted on a daily basis.
-
71. Name: Cyrus Tabari on 2012-08-22 18:43:56
Comments:
-
72. Name: amy carroll on 2012-08-24 20:59:47
Comments: Please don't allow this increase. There is too much traffic in the area as it is!

-
73. Name: Mark Shaheen on 2012-09-05 13:19:52
Comments: My street has become a feeder street for the folks traveling to Hillbrook, the traffic is horrible every morning and could not tolerate additional risk to my family and home value.
-
74. Name: Todd Harris on 2012-10-27 03:03:40
Comments: The expansion is creating unsafe conditions
-
75. Name: Stephanie and Fremont Bainbridge on 2012-11-23 17:52:35
Comments:
-
76. Name: Scott Ringgold on 2014-06-22 00:28:35
Comments: This is about a for profit school trying to increase revenue. It does nothing for existing students, families, neighbors or the town of Los Gatos.
-
77. Name: Ali Khani on 2014-08-31 21:24:33
Comments: Please do not compromise the quality of life in our neighborhood for financial gain of a few.
-
78. Name: Barbara Dodson on 2014-09-03 15:19:28
Comments:
-
79. Name: Kim Vrijen on 2014-09-03 17:55:12
Comments: Please join me and the 100s of other Los Gatans who have already signed the paper version of this petition. We urge Hillbrook to truly innovate new ways to transport its existing students to school. Preserve the right of Los Gatos students to safely travel to and from local schools. Thank you.
-
80. Name: Robyn Jenkins-Blum on 2014-09-03 19:23:00
Comments: Increasing Hillbrook enrollment will not relieve overcrowding at Los Gatos public schools. More than 50% of Hillbrook students reside outside of Los Gatos.
-
81. Name: Jeff Okubo on 2014-09-03 20:22:41
Comments: Visualize 100 more SUV's driving (and often times speeding) through your neighborhood every day.
-
82. Name: Steve Beritzhoff on 2014-09-04 17:25:28
Comments:
-
83. Name: Sharon Elder on 2014-09-07 20:21:56
Comments: All of Hillbrooks traffic mitigation strategies are optional. Optional anything doesn't work, new families come and go in a school, the school population changes, the

neighborhood is left with the fallout, everyone could decide to drive tomorrow. This cannot be the basis of enrollment increases.

-
84. Name: Noa on 2014-09-07 21:11:36
Comments: Ridiculous traffic . It's unbearable
-
85. Name: margo simmons on 2014-09-07 22:15:45
Comments:
-
86. Name: Lora Lee Zaky on 2014-09-07 22:17:23
Comments:
-
87. Name: Kelle Toth on 2014-09-07 22:52:16
Comments: Hillbrook continually manipulates their current traffic counts and has shown themselves to go back on promises once they get what they want.
-
88. Name: Chris Toth on 2014-09-07 22:55:58
Comments:
-
89. Name: Mary Wolf on 2014-09-07 23:08:27
Comments: I attended Children's Country School in the 50's now Hillbrook, and my son attend in the 80's. I live one block off Marchmount, and as much as I feel that CCS/Hillbrook was here first, the huge enrollment/traffic is just down right greed on the part of Hillbrook. How about this, Hillbrook sells off half its property and goes back to an upscale country preschool as it once was. Seems like a win for both Hillbrook and neighbors.
-
90. Name: Elizabeth Shaw on 2014-09-08 00:12:30
Comments:
-
91. Name: Jon on 2014-09-08 03:31:01
Comments:
-
92. Name: Lotfi Herzi on 2014-09-08 03:49:28
Comments: Increased enrollment and changes in the Conditional Usage Permit will bring more traffic and more unwanted evening noise to all. Hillbrook, I know you want to increase revenues & profits but not at the expense of your neighbors' house values and quality of life.
-
93. Name: Tina liu on 2014-09-08 04:34:44
Comments:
-
94. Name: Laura Bassani on 2014-09-08 04:43:12
Comments:

-
95. Name: Jamie Mayeda on 2014-09-08 06:04:19
Comments:
-
96. Name: amy hockenbrock on 2014-09-08 12:57:08
Comments:
-
97. Name: Robert Buckley on 2014-09-08 14:50:45
Comments: As a former owner on Marchmont we know all to much how much the traffic effects the quality of the nieghborhood. If you driven on Marchmont up to Hillbroook you would quickly recognize that the street has some unique challenges that make it dangerous for anyone walking or riding a bike on the streets on or around Hillbrook. I would recommend that the Hilbrook community take a pause and set an example for others by implementing a progressive bus and car pooling program that can be a model for the community. Instead of looking for opportunities to avoid accountabities and spinning the information. This is not a Marchmont VS Hillbrook issue this is an issue that will effect out community for years.
-
98. Name: Donna McCurrie on 2014-09-08 15:30:24
Comments:
-
99. Name: Val Kelly on 2014-09-08 16:19:08
Comments:
-
100. Name: Shelley Merrick on 2014-09-08 16:27:29
Comments:
-
101. Name: Adam Dallas on 2014-09-08 18:18:09
Comments:
-
102. Name: Jacques Preaseau on 2014-09-08 18:44:38
Comments:
-
103. Name: Clarissa HAmilton on 2014-09-08 19:55:42
Comments:
-
104. Name: Raquel Faugno on 2014-09-08 20:44:35
Comments:
-
105. Name: Tina Lally on 2014-09-08 20:47:42
Comments:
-
106. Name: Nicky McAllister on 2014-09-08 21:19:18

Comments:

-
107. Name: Norry McAllister on 2014-09-08 21:20:21
Comments:
-
108. Name: Jackie Anthony on 2014-09-08 21:58:11
Comments:
-
109. Name: Nancy Constantino on 2014-09-08 22:54:31
Comments:
-
110. Name: Mary K. Horton on 2014-09-08 23:38:24
Comments:
-
111. Name: Kirk L. Horton on 2014-09-08 23:40:02
Comments:
-
112. Name: Betsy White on 2014-09-08 23:46:23
Comments: My daughter attended Hillbrook for 2 years. We took our life in our hands as we walked from our Hilow Rd house up the hill.
I never understood why Ann arbor is not on the table.
-
113. Name: karen becker on 2014-09-08 23:56:06
Comments: I oppose the enrollment increase at Hillbrook School
-
114. Name: Alli Payne on 2014-09-09 00:15:15
Comments:
-
115. Name: Lindsay Jamieson on 2014-09-09 00:56:30
Comments:
-
116. Name: Reed Jamieson on 2014-09-09 01:47:47
Comments:
-
117. Name: Anne-Marie White on 2014-09-09 02:43:30
Comments:
-
118. Name: Jacob Moseley on 2014-09-09 03:23:13
Comments: I oppose the enrollment increase at Hillbrook School.
-
119. Name: Tara Moseley on 2014-09-09 03:26:17
Comments: I oppose the enrollment increase at Hillbrook School.
-

-
120. Name: Mary Patterson on 2014-09-09 03:32:00
Comments: Hill brook is large enough!
-
121. Name: Larysa Prytula on 2014-09-09 03:52:50
Comments:
-
122. Name: Naomi Chavez Peters on 2014-09-09 04:13:18
Comments: Oppose this growth. Goodness knows Shannon Road is crowded enough on morning commute.
-
123. Name: Donna Martin on 2014-09-09 05:04:09
Comments: I strongly object to the increased enrollment.
-
124. Name: Lisa Casaccia on 2014-09-09 05:09:01
Comments: I oppose the enrollment increase at Hillbrook School.
-
125. Name: Rachel Parrinello on 2014-09-09 05:28:26
Comments: I oppose the enrollment increase at Hillbrook School.
-
126. Name: Mark Parrinello on 2014-09-09 05:30:45
Comments: I oppose the enrollment increase at Hillbrook School.
-
127. Name: Amy Despars on 2014-09-09 13:09:12
Comments: I oppose the enrollment increase at Hillbrook.
-
128. Name: Jon Elletson on 2014-09-09 13:39:01
Comments:
-
129. Name: Kevin Lynott on 2014-09-09 13:47:46
Comments: I oppose the increased enrollment at Hillbrook
-
130. Name: Janae Copper on 2014-09-09 14:12:09
Comments: I strongly oppose the increase of enroliment at Hillbrook school.
-
131. Name: Carrie Kaufmann on 2014-09-09 14:40:49
Comments: I am witness to the severe safety issue with the number of cars traveling through the intersection of Kennedy/Caldwell and Los Gatos Blvd every weekday morning from 7:20 to 8:15a.m. It is a nightmare and someone is going to truly get injured despite the usage of crossing guards and not allow a right hand turn onto Caldwell or from Caldwell onto LG Blvd. All cars should be stopped when the children and parents are crossing. Also there is the issue of not enough sidewalk for number of people crossing and they spill literally out in to street which causes problems for the cars that do

have the green light. I truly think the officials of this town must take action and do everything in their power to limit more traffic in all area of the town but especially on Los Gatos Blvd.

132. Name: Diane Johnson on 2014-09-09 14:43:17
Comments:

133. Name: Susan Jacob on 2014-09-09 15:17:50
Comments:

134. Name: tom hastings on 2014-09-09 16:04:38
Comments:

135. Name: Bill Williams on 2014-09-09 16:28:12
Comments: I oppose the expansion of Hillbrook school due to safety, quality of life for the neighborhood, and the fact that 90% of the students are from outside Los Gatos!

136. Name: Jason Kenney on 2014-09-09 16:29:24
Comments:
I oppose the enrollment increase at Hillbrook.

137. Name: Kathy Lang on 2014-09-09 16:36:34
Comments:

138. Name: Carol Tinsley on 2014-09-09 17:25:32
Comments: Unfortunately, due to the existing traffic constraints all over the east side of town, I am against enrollment increases at Hillbrook. The largest single housing development in town history is on the verge of being passed, which will further negatively impact the Los Gatos Boulevard corridor. Plus, we have all witnessed parents who try to make up time on their way to Hillbrook breaking the speed limits in our neighborhoods. It's a NO from our family.

139. Name: Carmine Gangi on 2014-09-09 17:33:36
Comments: I oppose the Hillbrook expansion. It's an unnatural traffic cluster impacting everyone in the neighborhood.

140. Name: D WAGNER on 2014-09-09 17:59:53
Comments: I oppose the increase in Hillbrook enrollment. The existing traffic already creates significant dangers and reduction of quality of life in our neighborhood.

141. Name: Pattie Martin on 2014-09-09 18:06:05
Comments:

142. Name: Ann Altmann on 2014-09-09 18:41:56

Comments: LG traffic has gotten so bad that many are using the neighborhood street to get around all day everyday. Adding any number of car trips in any neighborhood makes them more unsafe and impacts the quality of life. An car trip increase of this size would be of tremendous negative impact. With all the other new proposals currently in play in town, this is just one of many opportunities you will have to keep the character of LG alive by rejecting this expansion.

-
143. Name: Tessa Arguijo on 2014-09-09 18:55:24
Comments:
-
144. Name: jennifer macdonell on 2014-09-09 19:36:00
Comments:
-
145. Name: Trish Gasvoda on 2014-09-09 19:39:58
Comments:
-
146. Name: Rebecca Dodson on 2014-09-09 21:20:23
Comments:
-
147. Name: Kelli O'Gorman on 2014-09-09 22:25:36
Comments: No to more Hillbrook students and no to more traffic in our neighborhoods.
-
148. Name: Andrea Shelton on 2014-09-09 22:39:03
Comments:
-
149. Name: Brigid Moreton on 2014-09-09 22:55:50
Comments: I urge everyone who is interested in this to come and observe the traffic for yourselves. Ask yourself " Would I like to live on this street? " And then imagine 99 more students going to and from. The EIR defies common sense when it says there will be no significant impact. No to changing the CUP!
-
150. Name: Greg Dal Cielo on 2014-09-10 00:04:26
Comments: With no benefit to the county or city of Los Gatos coupled with an already overly crowded traffic area there seems to be no sense to this proposal. A side entrance has already been legally closed and they claim there will be no traffic impact?
-
151. Name: Stan Vuckovich on 2014-09-10 03:56:21
Comments: We live on Kennedy Road at Englewood and can't get out of our driveway in the morning due to all the traffic heading to Hillbrook. We also have had to enjoy a Hillbrook bust stop in front of our house. Please do not add to the chaos by allowing an expansion.
-
152. Name: Lisa Keller on 2014-09-10 04:22:30
Comments:

153. Name: Marion Melani on 2014-09-10 16:13:28
Comments:

154. Name: Laurie Bertani on 2014-09-10 16:25:59
Comments:

155. Name: Leigh Anne Rooney on 2014-09-10 16:44:17
Comments: Hillbrook shouldn't expand at the cost of the neighborhood.
It is a great school, but bluntly put, a school for the wealthy.
If they want to expand, find another site: they can afford it.

The expansion shouldn't be at the cost of the neighbors-both in safety and reducing home values to serve many people who don't even live here.

Many of these people are commuting IN from other cities and towns. Put Hillbrook in Central Silver Creek?
Or in a wealthy street in Saratoga?

I live within a half mile radius of Hillbrook. Sharing the roads in this neighborhood with people who speed through....is obnoxious. Hillbrook customers should not even be allowed on Hilow...

If there is a need to expand, please move to a non residential area.

156. Name: Scott Jamieson on 2014-09-10 20:50:09
Comments: Keep Marchmont safe! No further traffic! Increase the fees the current students pay to make up for your deficit. Or build a bigger schools somewhere else. Los Gatos could buy the current school property and make a nice park for all to enjoy.

157. Name: Cecil Anison on 2014-09-10 21:03:14
Comments: Too much traffic.

158. Name: Dagmar Belshaw on 2014-09-10 21:04:45
Comments:

159. Name: Lily zhen on 2014-09-10 21:10:58
Comments:

160. Name: Erica Barney on 2014-09-10 21:13:59
Comments: In support of not increasing Hillbrook traffic! Our streets are already stressed as I walk my kids to Van Meter.

161. Name: Lily Anzions on 2014-09-10 21:15:22

Comments:

-
162. Name: Don Dodson on 2014-09-10 21:16:38
Comments: Letting Hillbrook increase enrollment is a threat to the safety of both drivers and pedestrians. Traffic is already out of hand.
-
163. Name: JoAnn Pham on 2014-09-10 21:33:41
Comments:
-
164. Name: Dan Kelly on 2014-09-10 21:51:03
Comments: Past performance indicative of future results. Hillbrook has violated its CUP in the past, it will do so again.
Marchmont is dangerous in the morning, the parents demonstrate reckless driving.
Open Ann Arbor gate.
-
165. Name: Tom Constantino on 2014-09-10 21:55:25
Comments:
-
166. Name: susan nissen on 2014-09-10 21:57:12
Comments: Hillbrook needs to address the Ann Arbor access issue. It's obvious that school traffic needs to ride on that street as well.
-
167. Name: Tiana Tran on 2014-09-10 22:18:03
Comments: There is already enough traffic around the school area and the children deserve a safer place to play. Please take this into consideration.
-
168. Name: Andy Tran on 2014-09-10 23:20:14
Comments: Trading the children's safety, the quality of their education, and jamming the neighborhood's traffic for more school budget... Hey, school administrators, shame on you! You are as dirty as the politicians!!!
-
169. Name: Karen Aidi on 2014-09-10 23:45:30
Comments: I can't believe how petty politics has gotten in the way of a reasonable solution for the surrounding side streets of Englewood, Marchmont Drive, Hilow, and Robin Way. It is really rotten that these side streets have to bear the brunt of the traffic while the Ann Arbor Drive gate remains closed. It's a travesty that this deal was cut without the knowledge of the county residents. Our county roads, environment, and peace is being destroyed by Hillbrook's plan. I am disgusted. The way that people drive down our street in their BMWs; they don't care one iota about the residents.
-
170. Name: Nancy DeFever on 2014-09-11 01:44:25
Comments: Hillbrook needs to add another campus.... outside of Los Gatos! It has outgrown its current neighborhood -pure and simple.
-

171. Name: Linda on 2014-09-11 02:04:56
Comments: Children's safety in the neighborhood is priority for its residents. Crowded schools are no good for either sides.
-
172. Name: Gina Ventimiglia on 2014-09-11 02:36:49
Comments:
-
173. Name: Tyler on 2014-09-11 02:45:03
Comments:
-
174. Name: David Faugno on 2014-09-11 04:06:37
Comments:
-
175. Name: Bryan Chan on 2014-09-11 04:33:18
Comments: Don't expand Hillbrook at the expenses of our children's safety!!!
-
176. Name: Tran Quan Hiep on 2014-09-11 05:03:30
Comments: Town officials, don't wait until accidents happen then come out to apologize. The Hillbrook school charges \$30,000 per kid per year, they can go somewhere else.
-
177. Name: Lana Mach on 2014-09-11 05:14:59
Comments: Children learn through play. Don't take that from them. Don't expand Hillbrook.
-
178. Name: Lana Nguyen on 2014-09-11 05:26:33
Comments: Don't expand Hillbrook.
-
179. Name: Bob Martin on 2014-09-11 05:28:13
Comments:
-
180. Name: Bach Lan Nguyen on 2014-09-11 05:55:30
Comments: SAFETY, SAFETY, SAFETY...
-
181. Name: Bill Q. on 2014-09-11 06:09:56
Comments: With people traveling to work, kids going to schools, and school buses and cars getting around the school near the Hillbrook area, it is already hectic, and causing major traffic problems. Adding 100 more students will create many more headache and road rages for people. I will not support the increase of enrollment.
-
182. Name: Darius Fanibanda. on 2014-09-11 06:10:45
Comments: Marchmont street, upper and lower are now becoming risky for children to walk on without their parents.
We cannot afford tget our children hurt.

-
183. Name: Bill K on 2014-09-11 15:32:13
Comments:
-
184. Name: Patti Elliot on 2014-09-11 18:43:36
Comments: Without any permission, Hillbrook has already significantly expanded its programs and activities creating unsafe conditions and diminishing the quality of life in the neighborhood. Hillbrook routinely violates the conditions in its current CUP. The Town should require compliance, reverse the intensified uses Hillbrook has already inflicted on its neighbors and deny any increase in programs or enrollment. The Town needs to protect residential neighborhoods and restore, peace, quiet, safety and our residential quality of life.
-
185. Name: Jim Cunniff on 2014-09-11 20:01:25
Comments:
-
186. Name: Nancy Austin on 2014-09-12 01:02:15
Comments:
-
187. Name: Andrew Perry on 2014-09-12 02:33:26
Comments:
-
188. Name: Ben Pham on 2014-09-12 02:38:41
Comments:
-
189. Name: Jason Potmesil on 2014-09-12 17:52:29
Comments:
-
190. Name: Jennifer Taylor on 2014-09-12 18:38:51
Comments:
-
191. Name: MW on 2014-09-12 18:47:30
Comments: As I drove myself to school I could not make a left turn from Marchmont/Topping onto Englewood. Then it was nearly impossible to make a left hand turn from Kennedy to Los Gatos BLVD.
Very Dangerous to myself and other students trying to get to school. It is foolish to think you can increase enrollment and not impact the surrounding streets!!!
-
192. Name: LeeMarie Monaco on 2014-09-12 21:29:53
Comments: The traffic is so dense now I cannot imagine how more difficult it will become. Keep the residential areas safe
-
193. Name: Randy Pham on 2014-09-13 04:50:12
Comments:

-
194. Name: Rita Warkov on 2014-09-13 16:54:18
Comments:
-
195. Name: Kenis Dunne on 2014-09-13 17:18:16
Comments: I am both a neighbor and my children attended Hillbrook.
-
196. Name: Marc Spilka on 2014-09-13 17:59:35
Comments: It's important to keep neighborhood streets safe.
-
197. Name: Teresa B. Kent on 2014-09-13 18:14:05
Comments:
-
198. Name: Carol Roesser on 2014-09-13 20:35:12
Comments:
-
199. Name: Alice achin on 2014-09-13 22:56:43
Comments:
-
200. Name: Pat on 2014-09-14 01:09:58
Comments: Imagine an additional 99 children playing in your backyard. The noise is already overwhelming.
-
201. Name: Janel Shultz on 2014-09-14 02:06:03
Comments:
-
202. Name: Dan White on 2014-09-14 09:11:58
Comments:
-
203. Name: Tim Canepa on 2014-09-14 18:12:25
Comments:
-
204. Name: Bill Wagner on 2014-09-14 18:34:49
Comments: As a 20-year resident of Hilow Road, we should not be subjected to a substantial increase in traffic and potential safety issues on our street which currently has high speeds, no sidewalks and a one-lane section.
-
205. Name: Pritha Shivaji on 2014-09-14 22:35:49
Comments: I live on Hilow Road, and current Hillbrook traffic is already a danger to Los Gatos children walking to school as well as working adults driving to work.
We cannot allow an increase in enrollment with a consequent increase in traffic.
-

206. Name: lynda pugliese on 2014-09-14 23:29:04
Comments:
-
207. Name: Shiv Shivaji on 2014-09-15 02:31:29
Comments:
-
208. Name: Gloria Opray on 2014-09-15 02:33:45
Comments:
-
209. Name: Maxine Granadino on 2014-09-15 03:55:11
Comments:
-
210. Name: Susan Jaekel on 2014-09-15 18:06:52
Comments:
-
211. Name: Bobby alvarez queen on 2014-09-15 18:07:36
Comments:
-
212. Name: Laurie Jo Rogers on 2014-09-15 18:28:06
Comments: Please deny application to modify permit.
-
213. Name: Donna Wallerstein on 2014-09-16 01:17:13
Comments: As a resident of Marchmont Drive, I can attest to the dangerous conditions we face every school day as we attempt to back out of our driveway to take our children to school. Putting even more children at the end of a dead-end street is simply against common sense - the impact of a natural or man-made disaster would instantly illustrate the foolhardiness of this proposal.
-
214. Name: Polly clifford on 2014-09-16 04:59:18
Comments:
-
215. Name: Lisa Zirl on 2014-09-16 16:09:41
Comments: Our streets in the morning and late afternoon are so busy and unsafe already. Please do not allow any increase in traffic -- these small town streets just can't handle it.
-
216. Name: Shin Lee on 2014-09-16 17:42:53
Comments:
-
217. Name: Paul and Carol Reid on 2014-09-16 18:03:47
Comments: An increase in enrollment is ill advised as there is a real safety concern with foot traffic. No sidewalks and only one way in via Marchmont. Be smart and open up Ann Arbor access to reduce traffic.

218. Name: Jay on 2014-09-16 20:29:34
Comments: I oppose the increase in enrollment @ Hillbrook school. I can no longer drive safely on our street or get in and out of my own driveway.

219. Name: Mari on 2014-09-16 21:15:39
Comments: We oppose the increase @ Hillbrook school as it creates dangerous conditions and traffic for all who drive on and live in the surrounding streets.

220. Name: Diana Darcy on 2014-09-17 03:38:01
Comments:

221. Name: WALTER MOSS on 2014-09-17 14:36:10
Comments:

Jennifer Savage

From: Jennifer Hall Thornton <jhallthornton@mac.com>
Sent: Thursday, September 18, 2014 10:35 AM
To: Jennifer Savage
Subject: Email in support of the Hillbrook Application to Change its CUP

Dear Ms Savage and Planning Commission Members,

I am writing to you in support of the Hillbrook School application to modify its CUP.

I understand that there is opposition from the neighbors; nobody wants traffic in their street. I wish that the traffic in my street, Englewood Avenue, wasn't increased by people avoiding the jams on Los Gatos Boulevard, particularly at drop off and pickup times for Van Meter, Fisher and Blossom Hill. But I chose to live in a thriving town, and know that there are costs to that choice as well as benefits.

I first moved to Loma Street in 1992, having grown up in Saratoga. I have seen the renewal of Los Gatos since Loma Prieta, from a sleepy, unattractive suburb to a vibrant town that is one of the most desirable places in the South Bay to live.

This has effects that we all have to live with. New residential developments bring new residents, with new children who need to be educated. That puts pressure on every school in the town, and the neighbors of every school in town.

I walk my children to school every day, and see many residents on Marchmont leave to drive their children to Blossom Hill and other local schools. The neighbors around Blossom Hill, Van Meter, Daves and Fisher have no say when enrollment is increased there, but are affected more by increases in enrollment as unfortunately the schools do not have the same resources to actively reduce traffic that Hillbrook has.

Hillbrook was a school long before any of the houses on Marchmont were built. The neighbors there knew that there was a school when they bought their houses, and knew that schools result in traffic. They have seen the values of their properties rocket over the years as Los Gatos has become a more desirable place to live.

I am not sure if the neighbors who are objecting simply want all growth in Los Gatos to stop, which will have a detrimental impact on the town's future and our future, or if they simply want the impact of that growth to fall entirely on other Los Gatos residents. Either way, I am frustrated and angry at their outlook and hope that the Town Council will not allow this small group of people to stop Hillbrook, which has done everything asked of it to try to be a good neighbor and town citizen, from playing its role in equitably supporting the growth of the school population in Los Gatos.

All the best,

Jennifer

Jennifer Hall Thornton
jhallthornton@mac.com
+1 (415) 717-1973



Patricia Elliot
Reuel Warkov

269 Marchmont Dr.
Los Gatos, CA 95032

Tel: 408.623.6634
Fax: 408.358.4494

Email: Elliotlaw@mail.com

September 18, 2014

Town of Los Gatos Planning Commission
110 E. Main Street
Los Gatos, CA 95030

RECEIVED

SEP 18 2014

TOWN OF LOS GATOS
PLANNING DIVISION

Dear Planning Commissioners,

Please review following in connection with the Hillbrook School Conditional Use Permit ("CUP") request and Environmental Impact Report ("EIR") that will come before you on September 24, 2014. We greatly appreciate your time and attention to these issues that are of critical importance to us, our family and our neighbors.

I. INTRODUCTION

We moved to Marchmont drive in July 1995. We have raised three children here, two of whom live at home. All of our children have gone to Blossom Hill, Fisher and currently, Los Gatos High School.

When we bought our home, the real estate disclosure about the Hillbrook School was that there was heavy traffic for two short periods each school day during the drop-off and pickup times, between 7:30 and 8:30 AM and again between 2:30 and 3:30 PM. That was indeed the case. Traffic was bad during the drop off and pick up times and there was little carpooling. We devised strategies to basically shelter in place if possible during those periods and to ensure that our children had a safe route to their local schools. In order to avoid the dangerous traffic on Marchmont Drive, our back fence neighbors' allowed our kids to cut through their property to walk and bike on Shady View to Shannon.

On most days, by about 4 PM, our neighborhood was quiet again. We kept our children in the house after school until about 4 PM, when they were permitted to go outside to play and bike in the neighborhood after the traffic had subsided. In the summers there was virtually no school traffic.

The situation improved at first with the 2001 CUP and renewed focus on carpooling. By 2008, when the new Head of School took over traffic began to increase dramatically to the point we are at now, with frequently up to 1000 vehicle trips per day, even with carpooling and busing.

When neighbors complained in years past about the increasing traffic, town staff told us that there was nothing that we could do because technically Hillbrook wasn't violating the CUP. When Hillbrook made its application to modify its CUP, Town staff informed neighbors that it was now our opportunity to finally have the Town craft conditions that could protect the neighborhood from Hillbrook's excessive traffic.

We fully expect the Town to adopt conditions to allow Hillbrook to continue to operate as a school, but which also dramatically reduce Hillbrook's current traffic impacts on the neighborhood. We are more than willing to supply information and assistance in crafting effective conditions that are specific, enforceable and enforced.

II. SUMMARY

We would like to first point out some overriding, "big picture" factors that we believe are critical for you to keep in mind as you review and assess the information provided to you regarding Hillbrook CUP requests.

Next, we will discuss the history of the traffic mitigation conditions in Hillbrook's CUP, and compliance concerns.

We will next address our concerns about Hillbrook's current CUP proposals and why they would be totally ineffective in addressing our concerns about traffic and safety in the neighborhood.

Finally, we will outline some of the serious defects, faulty assumptions and missing information in the EIR and ask that you not certify the EIR until further accurate study is done that reflects the true impact of Hillbrook's current CUP proposals.

III. OVERARCHING POINTS

CUP Ordinance Required Findings: This hearing is required due to the fact that Hillbrook is a nonconforming use in a HR-1 neighborhood. The purpose of the CUP Conditions under discussion is to allow Hillbrook to operate only under conditions that do not change the character of the residential neighborhood.

The specific character of our neighborhood is a purely residential two-lane, dead-end street with no sidewalks or bike lanes. The streets leading to Hillbrook have a steep hill, sharp S-curves and multiple blind spots, and are extremely dangerous when both vehicle traffic and pedestrian/bike traffic is present. We have notified Hillbrook and the Town of the severe hazard pedestrians face

on Marchmont drive when Hillbrook traffic is present. Exhibit A. The Town's response is attached as well. Exhibit B.

Hillbrook is a commuter school with the vast majority of students arriving to the neighborhood by vehicle. Therefore, it is critically important that the Planning Commission implement conditions that will protect the wider neighborhood from the traffic, noise and safety hazards Hillbrook's current operations impose on the neighborhood.

In order to approve the proposed CUP, the Planning Commission must make certain findings about the proposed use of the property:

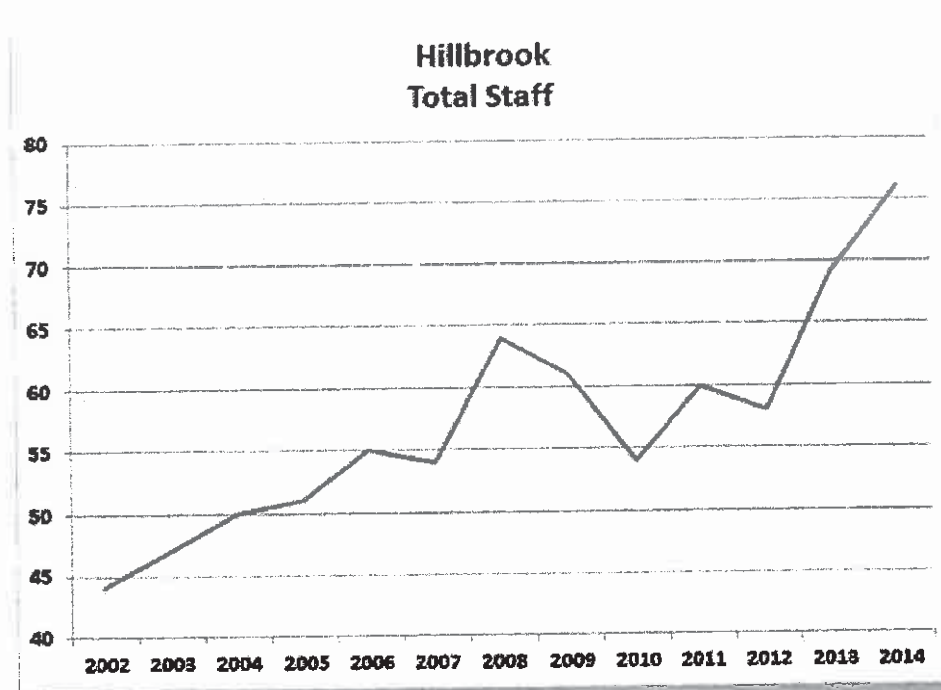
- A. The proposed use of the property is essential or desirable to the public convenience or welfare; and
- B. The proposed use will not impair the integrity and character of the zone; and
- C. The proposed use would not be detrimental to public health, safety or general welfare; and
- D. The proposed use of the property is in harmony with the various elements or objectives of the General Plan and the purposes of the Town Code.

As demonstrated below, Hillbrook's proposal meets none of these requirements.

Unauthorized Intensification of Use: The Town should closely evaluate how dramatically Hillbrook has intensified the use of its property since 2001, all without seeking or obtaining any permission to do so, as required by Town Code Sec. 29.20.200.

- A. Since 2001, Hillbrook has modified its use of the campus causing a substantial Intensification of Use. The EIR does not address this issue at all. The CEQA "baseline" was determined to be as of 2013, so none of the intensification of use by Hillbrook since 2001 is considered or accounted for in the EIR. The fact that CEQA sets the baseline as 2013, should not result in the Town turning a blind eye to Hillbrook's unapproved significant intensifications of use that have caused significant impact to the neighborhood.

From 2001 to 2104, Hillbrook increased its staff by 32 employees --All without any CUP amendment. 2001 (44); 2014 (76). The staff expansion alone is an additional 64 peak period vehicle trips per day.



The data in the above chart comes from the Private School Affidavit Forms Hillbrook is required to file with the State each year. It is important to note that the current Head of School, Mark Silver, began his tenure at Hillbrook in 2008 and almost immediately began a dramatic expansion of Hillbrook's programs and activities, in spite of the CUP.¹

- B. Hillbrook now lists 18 Administrators for its current 315 students. In 2001, Hillbrook listed 6 Administrators.
- C. Hillbrook created a "Center for Teaching Excellence"- A Teaching Institute for Teachers- accounting for a large increase in numbers of "staff."
- D. Hillbrook exceeded its Enrollment Cap 11 out of the last 13 years. Hillbrook exceeded its 315 Enrollment Cap for the 2012-2013 school year and every other year since 2001, except 2002-2003. That is a significant unapproved intensification of use.

¹ In addition to being an unapproved intensification of use, many of the new programs and activities Hillbrook created were in direct violation of Hillbrook's current CUP prohibiting third party use and the Enrollment cap.

E. Hillbrook significantly expanded the Summer Use of its facilities.

- i. Expanded summer Enrollment since 2009 including non-enrolled students. Recent summer enrollment has been far above historic levels which had very few summer participants and unnoticeable traffic.
- ii. Allowing use by Third Parties even though Third Party use is expressly prohibited by the 2001 CUP and allowing non-Hillbrook enrolled students (Steve & Kate's camp; other camps open to non-Hillbrook enrolled children; Breakthrough Silicon Valley).
- iii. Summer Use is now all day long (7 a.m. - 6 p.m.) and all summer long. Prior summers were no more than 4-6 weeks, and no more than a half day.
- iv. Residents are now awakened by 7:00 a.m., most summer weekday mornings by large trucks, buses and cars due to Hillbrook's increased summer uses.

F. Hillbrook created a large Recreation Department-style afterschool program consisting of 25 After-School classes, each lasting 10 weeks with approximately 100 participants.²

- i. This results in fewer children on the bus and in carpools in the p.m. and large amounts of traffic later in the day, interfering with neighbor's quality of life.

² The Planning Commission got a firsthand view of how the growth of Hillbrook's afterschool programs have resulted in spreading Hillbrook's traffic out throughout the afternoon and long past the time children are released from class. On September 17, 2014, when the Planning Commission did a site visit at Hillbrook from 2:30- 3:30 p.m., traffic was uncharacteristically light. On that day, the vast majority of the students stayed on campus past 3:30 p.m. when the Planning Commission meeting was adjourned and Planning Commissioners departed. Of course neighbors experience the traffic from 3:45 p.m. to at least 6:00 p.m. on most days.

In contrast to what the Planning Commissioners experienced on September 17, 2014, neighbors took a traffic count on September 16, 2014, the day prior to the Planning Commission site visit. On September 16th, neighbors counted 96 vehicles into the Hillbrook gate and 106 vehicles leaving the Hillbrook gate from 2:30-3:45 p.m. From 3:45-5:00 p.m., there were 65 vehicles that entered the gate and 79 that exited. From 5:00-6:00 p.m., there were 29 vehicles that entered and 67 that exited Hillbrook's gate. All told, from 2:30 p.m. to 6:00 p.m. on September 16th, there were 252 vehicles that exited the Hillbrook gate. That includes ALL the carpooling and all the buses. With 220 families, shouldn't there be far less trips necessary in the afternoons, given that Hillbrook claims to have robust carpooling and busing programs?

- ii. Hillbrook also allowed non-enrolled students to participate, including classes for adults, during the school day, bringing mid-day traffic.
 - iii. Our neighborhood is not an appropriate location for a Recreation/Community Center, on top of all of the Hillbrook school traffic.
- G. Hillbrook also significantly expanded the number of Afterschool Sports Teams and participants—Now includes 95% of 5th - 8th Grade students.
- i. In the past, most Los Gatos residents attending Hillbrook joined local Little League, Rec. soccer, Rec./NJB basketball and other sports teams. They left Hillbrook when the school day ended to attend those practices elsewhere.
 - ii. Hillbrook has added Sports Teams- (all for approximately 120 students- roughly 60 Boys/60 Girls): Cross Country Coed (5-8 grades); Football (2 Teams); Volleyball (Girls- 4 Teams; Boys- 2 Teams); Basketball (Boys- 4 Teams; Girls- 3 Teams); Running Club Coed; Track & Field; Girls Softball; Girls Soccer; Boys Lacrosse.
 - iii. Hillbrook has also dramatically increased the number of participants (95% of all 5-8th grade students). This results in fewer children on the bus and in carpools in the PM and large amounts of traffic later in the day, interfering with neighbor's use and enjoyment and quality of life.
 - iv. Hillbrook added a large number of home games- Hillbrook hosts over 125 HOME games per school year. These games bring excessive amounts of traffic in the mid and late afternoons, from vehicles, including large buses not affiliated with Hillbrook or accustomed to the dangers of the neighborhood streets. Visitors to these events frequently speed and run the stop signs.
- H. Significant Expansion of Food Service Program and other School-related truck traffic
- i. Since 2001, Hillbrook has dramatically increased the number of large commercial vehicles making deliveries to the school each day. Rather than a typical school cafeteria, Hillbrook has transformed its food service facility into a high-end kitchen, restaurant-like facility.
 - ii. Far more delivery trucks daily/weekly/ monthly. Our quiet neighborhood is awakened virtually every morning by Hillbrook-related trucks.
 - iii. Daily- Garbage truck now awakens neighbors at or before 7:00 a.m. every morning.

Virtually daily truck deliveries from On Trac; Fed Ex; and UPS.

- iv. Several times weekly deliveries with large trucks, frequently before 7:00 a.m. (Palo Alto Egg Company, Galli Produce; Revolution Foods; U.S. Foods; "Meat"/"Poultry" delivery trucks; Nestle Foods; Daylight Produce).
- v. Monthly truck traffic- Knife Sharpening Truck; Coffee Supplies Truck; Linen Service Truck, Grease Disposal Truck, many others.
- vi. This type and volume of loud truck traffic is more like restaurant or grocery store traffic and should not be permitted in the neighborhood.
- vii. We have made numerous complaints to Hillbrook about the early-morning truck traffic. Mr. Silver has repeatedly assured us that he does not permit traffic to the school before 7:00 a.m., but as recently as last week, we were awakened numerous days by trucks, vans and other vehicles going up the hill to Hillbrook between 5:30 – 6:00 a.m.

The CUP conditions must be specific, mandatory, enforceable and enforced: Hillbrook has demonstrated repeatedly over the years that it cannot be relied upon to police itself and to comply with the conditions in its CUP.

- A. Hillbrook routinely violates the unambiguous numbers in its CUP like the student Enrollment Cap (exceeded in at least 11 of the last 13 years); the nighttime event limit (10) exceeded by more than double the allowed events; held numerous prohibited weekend events; allowed prohibited third party uses to flood the neighborhood with traffic, including summers; and simply ignored the requirement to file annual carpool reports from 2008-12.
- B. Hillbrook has also proven that it is expert at designing loopholes around CUP conditions whether or not the conditions have explicit numbers. For instance, the current CUP requires Hillbrook not to exceed 165 vehicle trips for its end of school day traffic between 2:30-3:45 p.m. So, Hillbrook staggers its dismissal times to come under the cap until 3:45 p.m., and then floods the neighborhood with additional traffic after 3:45 p.m. and into the evenings, making the traffic cap meaningless.³

³ The Planning Commissioners and Town staff had a first-hand view of this on September 17, 2014 when it had its site visit at Hillbrook. Three different dismissal times over a 45 minute period came and went and there was barely a trickle of students actually leaving the campus during those 15 minute increments. Not surprisingly, the number of vehicles coming to Hillbrook on September 17th between 2:30- 3:30 p.m. was far less than what neighbors counted just the day before.

- C. By routinely violating both the letter and spirit of its CUP, Hillbrook has dramatically increased the traffic burden on its neighbors, depriving neighbors of a safe and peaceful neighborhood.
- D. Hillbrook's current proposed CUP conditions are so loophole laden that it makes any purported traffic mitigation measures, including the so-called daily maximum traffic cap completely ineffective and unenforceable. See below, p.12-15.

The benefits to Hillbrook of expanding its enrollment, programs and activities do not outweigh the detriment Hillbrook's neighbors already experience every day as a result of Hillbrook's excessive traffic and unsafe conditions. We have no doubt that Hillbrook is a wonderful school. There are undoubtedly more families in the wider area who want to and can afford to send their children to Hillbrook. That does not mean that the Town should give Hillbrook the right to sell neighbors' quality of life and enjoyment in our bucolic neighborhood to benefit Hillbrook and those families.

Hillbrook has operated in a highly successful manner at its current enrollment numbers for many years. The small class size at Hillbrook has been one of its strongest selling points. Hillbrook touts the fact that, "Ninety Five percent of Hillbrook graduates apply to and are accepted at their first choice private high schools." Hillbrook's 2013 Form 990. Hillbrook does not truly need to expand. Hillbrook's request to expand enrollment is simply another step in its multipronged quest to maximize its use of the facility to benefit Hillbrook.⁴

IV. Hillbrook's Current Cup

A discussion of the current CUP conditions is relevant here because some of the same language is being proposed for the new CUP. We were very active in 2001 when Hillbrook sought permission to rebuild its campus. We had two primary concerns. One was the excessive traffic and lack of carpooling or busing.⁵ Exhibit C.

⁴ Hillbrook's claim if it expands it will somehow help the local public schools is faulty. Virtually all of Hillbrook's additional enrollment is sought in its middle school and will have no impact on currently crowded elementary schools, other than further exacerbating the already treacherous traffic conditions.

⁵ Another concern we raised in 2001 was that Hillbrook would seek to increase its enrollment in the future. For no apparent reason other than a desire to expand, in 2001 Hillbrook was enlarging its campus buildings by about half. Neighbors pointed that out, and the school assured the Town and neighbors in writing, that it had no intention of seeking an enrollment increase. Hillbrook insisted that its sole intention was to make the buildings earthquake safe and ADA compliant.

At least as far back as 1984, the Town had required to Hillbrook to “maintain and promote (at least quarterly) a carpooling program for their students.” Exhibit D. The carpooling requirement was reiterated in 1987 when Hillbrook obtained permission to build its gymnasium.⁶ Exhibit E.

Unfortunately, Hillbrook has a long history of neglecting to fulfill the obligations of its CUP to carpool. By 2000, when Hillbrook sought to rebuild its campus, there was virtually no carpooling at Hillbrook. In 2000, I wrote to the Town Council about these issues. Exhibit C. In May 2000, I conducted a car count from my front window and counted 220 cars dropping off students in just over 1½ hours. Hillbrook’s 315 students come from between 220 and 230 families. The car count was evidence that there was virtually no carpooling, despite the CUP Condition that mandated the Hillbrook support carpooling.

As a result of concerns about excessive traffic in the neighborhood in 2001, the Town Council approved Hillbrook’s current CUP, including additional traffic mitigation measures. Unfortunately, the Town did not monitor or enforce the provisions in the 2001 CUP. As described above, Hillbrook found workarounds to evade the 165 vehicle traffic caps.

The current CUP requires Hillbrook not to exceed 165 vehicle trips for its end of school day traffic between 2:30-3:45 p.m. However, in 2002, Hillbrook began to stagger its dismissal times to come under the cap until 3:45 p.m. Hillbrook then floods the neighborhood with additional traffic after 3:45 p.m. and into the evenings, making the traffic cap meaningless.

This possible tactic was discussed at the Town Council meeting in 2001. Just after the vote to adopt the 2001 CUP, then Mayor Joe Pirzynski made these statements:

“I fully believe that the neighbors hope and pray that their quality of life is enhanced through the efforts of the school to continue and to enhance its carpool program in a rigorous fashion, whether Miss Bayne is there or some other headmaster is there. ...

We would expect that, and I would be absolutely, I think, devastated if we were to see some fallback position take place under the sense we’ve gotten from some of the neighbors- that this is only going to be done so long as the town keeps rigorous control over what the school is engaged in.

That said, I do believe also, that the staff is dedicated, and I know the Council is dedicated to make sure this happens....”

As virtually all neighbors of Hillbrook can attest, it is devastating what has happened since the Town stopped exercising rigorous control over Hillbrook’s use of the property. This explains why over 600 neighbors of the Hillbrook School signed a petition against increased enrollment and traffic from Hillbrook School.

⁶ Today, the gymnasium is a significant reason why we have excessive afternoon traffic due to many sporting events bringing additional traffic and a lack of afternoon Hillbrook carpooling.

Hillbrook promised in 2001 that, "We are informing each new family to Hillbrook that we expect that they will carpool as a part of their acceptance to the school." Exhibit F. If that promise were fulfilled, Hillbrook would have been a 100% carpool school long ago. Hillbrook is far from that. In February 2014, Hillbrook reported in its CUP mandated carpool report that, "We have 103 families signed up as part of carpools." (47%). Note that Hillbrook now uses the term "signed up" rather than do carpool as stated in 2001.

We should have known better. As then Head of School Sarah Bayne wrote in October 2000:

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, Los 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.

That situation has not changed. Nor has our neighborhood changed in a way that would make a continuation of the heavy rate of traffic acceptable. Although many will say that traffic has increased all over Town, the only factor that has increased traffic in our neighborhood over the last several years is Hillbrook. Hillbrook promised the Town and neighbors in 2001 that it would solve its traffic problems through 100% carpooling and busing. Hillbrook has failed to do so.

Neighbors, Town staff and the Planning Commissioners observed on September 17th that of the relatively few cars that did leave campus before 3:30 p.m., most had only one child or one family with two children.

Hillbrook also promised in 2001 that, "Van pooling by a private company is a viable option for 2001-2002 school year." Hillbrook introduced no van or busing programs until just before the traffic study on which the EIR is based was conducted in May 2012. Hillbrook did not even bother to file its twice annual CUP required carpool reports from 2008 through 2012, under Mr. Silver's tenure.

Hillbrook's business model – to use the campus more fully to derive ever increasing revenues – has become Hillbrook's main focus. In fact, according to Hillbrook's public 990 forms, Hillbrook's annual revenues have gone from \$7,869,211 (School year end 2009-Sarah Bayne's last year as Head of School) to \$9,860,828 (School year end 2013) under Mr. Silver. That is an increase of \$6,349 per student – all during the recession.

This dramatic increase in Hillbrook's revenues during this period have been driven by the intensification of use by Hillbrook of the campus both during the school year and in the summers, which has directly resulted in more traffic, noise and unsafe conditions in the neighborhoods surrounding Hillbrook, all day long, most weekdays of the year.

Despite what Hillbrook will tell you about its carpooling and busing, the impact Hillbrook traffic has on the neighborhood now is even worse than it was BEFORE the 2001 CUP was implemented. The actual number of vehicles may be a bit lower than it was before the 2001 CUP measures were implemented, but now the traffic is spread over the entire day into the evenings. Hillbrook runs almost empty large buses through the neighborhood now several times each afternoon.

Whereas in 2000, neighbors had to hunker down for two defined periods during the a.m. and p.m. peak periods to avoid the Hillbrook traffic, now neighbors have to contend with Hillbrook traffic throughout the day and into the evenings, year-round.

When neighbors complained to Mr. Silver about this in 2011, Mr. Silver acknowledged that there is little carpooling in the afternoons and said that it was due to the fact that so many children at Hillbrook are now involved in afterschool activities on campus. Hillbrook created the afternoon activities in order to ramp up its revenues and now uses that as an excuse for why there is additional traffic in the neighborhood in the afternoons.

We routinely have 800-1000+ vehicle trips per day on Marchmont Dr., and 8 of those trips are massive 75 person buses, and another 6 trips are a 30 person bus. If these buses were near capacity and Hillbrook was carpooling in large numbers in both the morning and afternoon periods, the school's traffic impact on the neighborhood would be dramatically lower.

A. Third Party Uses

Hillbrook has permitted numerous third party uses of its campus even though third-party uses are explicitly prohibited in the current 2001 CUP. The Town Council glossed over that issue in its CUP compliance hearing in March 18, 2013. With all due respect, the Town Council made a hasty decision that did not reflect the intent of the CUP. Current CUP Condition # 10 provides, "LEASE/RENTALS. No lease or rental of the campus facilities shall be permitted to third parties." The Breakthrough Silicon Valley program, Steve & Kate's Camp and others are third-party uses pure and simple and should not be permitted. The fact that Hillbrook contends that it is "partnering" with these groups does not make these third-party uses acceptable under the current CUP or appropriate for the neighborhood going forward. If these third party uses are prohibited as they should be, neighbors would be subjected to less traffic, fewer safety hazards and would have a higher quality of life.

B. The Definition of "Enrollment"

The current CUP Condition 4 states, "ENROLLMENT. The enrollment shall be limited to 315 students."

Hillbrook School, as does most private schools, enrolls students under a school year long contract. Therefore, a plain reading of the CUP, in the context of a private academic school such as Hillbrook,

would mean that "Enrollment" –throughout the year is limited to those 315 students for whom Hillbrook has school year enrollment contracts.

That is how, for decades, Hillbrook, the neighbors and the Town has understood the term "Enrollment."

Despite that, Hillbrook has opened up its programs and activities to children and adults not enrolled in Hillbrook as students. This is another significant way in which Hillbrook has disregarded its CUP.

The CUP limitation on Enrollment was designed to protect the neighborhood from excessive traffic. Given that understanding, the only reasonable definition of "Enrollment" under the CUP is "the 315 students from whom Hillbrook has signed school year enrollment contracts." The only children permitted to be enrolled in any Hillbrook programs, including during the summers, are those 315 children who are enrolled as students at Hillbrook for the coming fall.

V. COMMENTS ON THE EIR

None of Hillbrook's above detailed Intensifications of Use are even considered in the EIR, as reflected in the following comment, "**Response to Comment I_DodsonB-ElliotP-01:** The EIR analysis compares the project's impact to baseline conditions, which are considered to be 2013, not 2000." EIR p. 8.5-44.

It is of no import in the Town's EIR analysis that Hillbrook has in fact, despite all of the 2001 CUP traffic mitigation measures, significantly increased its traffic impacts on the neighborhood between 2001 and 2013.

We respectfully submit that it is not enough that the Town's analysis regarding Hillbrook's impact on its neighbors comply with CEQA. Neighborhood residents have already suffered substantial harm to our quality of life due to Hillbrook's unchecked activities. Only a significant decrease in the harm Hillbrook currently causes to the quality of life in our neighborhoods should now be acceptable to the Town.

The EIR Fails to Adequately Assess the Impact of Hillbrook's New Proposed Conditions on the Neighborhood

The EIR notes that Hillbrook supplied a new Condition in its revised Application that defines "Use." **New Hillbrook Condition 2**, which states, "Use. The approved use is a junior kindergarten (JK) through eighth grade private school, including but not limited to all activities associated with typical operations of a JK through 8th grade private school, such as after class and after school programs involving sports, drama, and other student activities, festivals, dances, and similar activities for the student population, as well as educational opportunities for parents

of current students, which are open to other interested parents, and educational opportunities for current faculty, which are open to other faculty, all subject to the limitations set forth within these conditions of approval." (Emphasis added).

There is no discussion in the EIR of what is meant by "student population," which, if left to interpretation, can mean anyone and everyone. Nor is there any comment or discussion about the fact that the new proposed use for Hillbrook includes adult classes and "educational opportunities" that are open to anyone, whether or not connected to Hillbrook. These are the very same adult classes and teacher conferences that the Town Council rejected in March 2013.

The definition of "Use" Hillbrook proposes is not consistent with the character of the HR-1 zone in which Hillbrook sits. The EIR falsely concludes that the "Average Daily Traffic" ("ADT") caps in Hillbrook's Proposed Condition 14 negates any potential harm of this dramatically expanded definition of "Use."

Neighbors directly experienced the harm that opening up the school property to the general public causes when Hillbrook opened its campus in the summer of 2011 to anyone and everyone through Steve and Kate's Camps. Drivers, not connected to Hillbrook, did not carpool, did not respect the speed limit or stop signs and seemed unconcerned with the safety hazards in our neighborhood. Bringing individuals unrelated to Hillbrook who are unconcerned with Hillbrook's impact on the neighborhood causes significant harm to the neighbors' quality of life.

Just as neighbors have to accept the imposition Hillbrook's location creates on our quality of life, so too does Hillbrook have to accept the fact that it cannot be permitted to act like any other "typical" private school.

This "Use" loophole, coupled with the exclusion of any traffic counts on Hillbrook's "minimum days" and many other days (as described below), will entitle Hillbrook to hold large scale conferences and other adult focused activities, bringing unlimited traffic to the neighborhood for those events any time Hillbrook wishes. NONE of that excessive traffic will be calculated into or affect Hillbrook's proposed "Average Daily Limit" ("ADT") caps, and NONE of that traffic was considered in the EIR.

Although undertaking no analysis of the "Use" provision as it relates to the other Proposed CUP Conditions, The EIR then goes on to conclude:

Added in Final EIR: This new condition defines the school activities that would be allowed under the CUP. It also clarifies who can attend educational opportunities for parents and faculty. With this clarification, no additional CEQA analysis is required, since all school activities would be subject to traffic limits defined below regardless of whether the parents or faculty are from Hillbrook School or other schools. These limits would maintain school-related traffic at levels that are lower than those analyzed in the Draft EIR, and the Draft EIR determined that the project's traffic-related impacts (DEIR Impacts 4.3-1 through 4.3-5) would be less than significant based on CEQA significance thresholds and criteria listed on DEIR p. 4.3-12. (Emphasis Added).

By referring to "traffic limits," the EIR presumably means the ADT in Condition 14. However, the EIR completely fails to consider the fact that there are massive loopholes built in to Proposed CUP Condition 14, which essentially negates the traffic mitigation components in the CUP.

About Hillbrook's New Proposed Condition 14 H, the EIR states:

Added in Final EIR: In response to public concerns regarding future effectiveness of the school's TDM program and compliance with proposed trip caps, this new condition outlines the monitoring protocol for determining the school's compliance with proposed trip caps. This new condition would not alter the conclusions of the impact analysis presented in the Draft EIR. Therefore, no CEQA impact analysis of this new condition is required. EIR p. 8.3-13-14.

The EIR failed to mention let alone address any of the massive loopholes contained in the proposed ADT that allows Hillbrook to "average" its daily traffic cap over the course of a "trimester." The set of Conditions Hillbrook has proposed regarding its ADT counts are so unclear and subject to so much control and manipulation by Hillbrook that they make the ADT utterly meaningless and unenforceable.

As described above, we have been down this road with Hillbrook before with what turned out to be the utterly ineffective and unenforceable 165 trip caps for the peak periods in the current 2001 CUP.

The EIR addresses none of the following:

First, Hillbrook proposes to count only outgoing traffic on one side of its driveway. This scheme is ripe for manipulation. Who will monitor whether vehicles exiting later in the day (or at any time when another car is not entering at the school gate) actually uses the exit lane rather than exiting out the entrance lane which is not counted? Vehicles can simply use the left lane to exit thereby not tripping the car counter.

Given Hillbrook's past unreliability in meeting its CUP commitments and its strong tendency to avoid transparency, it would be foolish of any of us to think that this scheme would provide the neighborhood any serious traffic mitigation.

Second, the EIR undertakes no analysis of all of the excluded days and situations Hillbrook worked into its so-called ADT calculation in Hillbrook's Proposed Condition 14 H, including:

1. "days immediately before or after holidays";
2. "minimum days";
3. "days with inclement weather conditions";
4. 10 "Special nighttime event exclusions";
5. "the margin of error"; and
6. "any operational or mechanical issues that arise."

Although Hillbrook says it will collect daily counts of its outgoing traffic and, "These records of traffic counts shall be posted daily on the Hillbrook website," ... "in no event shall this traffic data be used to determine Trip Cap [compliance]." Hillbrook Proposed Condition 14 E. It is tough to have any reaction to this Condition other than, "Really?"

So, Hillbrook will control the traffic counting device and the data it produces and will have unilateral control over what data it supplies to a third party vendor that it pays to produce an analysis of Hillbrook's compliance with the ADT.

If the Town agrees to Hillbrook's current proposal, not only will neighbors have to hire a lawyer and traffic expert, neighbors will also have to hire a private investigator to watch the gate, a meteorologist to determine "inclement weather," a traffic sensor expert to deal with the sensor's "operational or mechanical issues that arise" and a statistician to try to insure that we have some meaningful traffic mitigation in the CUP.

Even with all of that, Hillbrook retains complete control over when and how many minimum days it wishes to have during which it can impose unlimited and uncounted traffic on the neighborhood. Hillbrook also has unfettered discretion to determine its calendar and which days it deems regular school days and holidays.

Again, we would all be foolish to think that there would be any actual, enforceable traffic mitigation under this proposed scheme. The EIR did not address any of those concerns.

The EIR reports:

Transportation and Traffic. In terms of trip generation, the proposed average daily limit of 960 would be equivalent to 2.31 daily trips per student (960 trips divided by 414 students). For comparison purposes, the daily trip generation rate specified by the Institute of Transportation Engineers (ITE) in ITE's Trip Generation Manual is 2.48 trips per student² and this rate would result in a total of 1,027 trips. The proposed rate of 2.31 trips per student would also be substantially lower than the rate identified in the Draft EIR. In Table 4.3-11, the Draft EIR indicated that the project would generate 276 daily trips, which is equivalent to a trip generation rate of 2.79 daily trips per student (276 trips divided by 99 students); this rate would result in a total of 1,155 trips. Therefore, the proposed daily limit of 960 would result in a lower trip generation rate than the rate specified in the ITE Manual or in Table 4.3-11 of the Draft EIR. EIR p. 8.2-3.

² ITE 536 K-12, ADT rates not available for K-8, 9th Edition.

The EIR's conclusion that Hillbrook's proposal will result in 2.41 daily trips per student is unsupportable and lacks any factual basis, given the numerous CUP loopholes described above.

Further, it completely ignores the more than two decades of history under Hillbrook's CUP in which Hillbrook has been expected to significantly reduce its traffic impact on its neighbors, but has failed to do so. Using the ITE Trip Generation Manual to justify a "trimester long average of 960 vehicle trips per day" ignores decades of attempts by the Town and neighbors to try to get Hillbrook to reduce its traffic impacts on our neighborhoods.

In order to finally assure that Hillbrook achieves real and sustained traffic mitigation through carpooling and busing, the number of trips per day that should be permitted for the Hillbrook student population should be based on the number of families currently sending students to Hillbrook.

The ITE, the TIRE and other generic measures cited in the EIR are not appropriate for the analysis of Hillbrook's impact on this purely residential neighborhood. The ITE numbers are an unreliable blend of different ITE numbers (K-8 and K-12), some of which the ITE specifically warns are unreliable, due to the "small sample size." Beyond that, there is no indication that any of the ITE samples relied on have any relation to the type of location Hillbrook resides in.

The appropriate analysis given Hillbrook's long standing CUP obligation to carpool dating back to at least 1984, is to take the number of families in the current student population and reduce it at least by half, in order to insure significant carpooling and busing both to and from school.

With the current enrollment consisting of 220 families, the number of car trips for the Hillbrook student population, even in the absence of any busing or walkers/bikers, would total $4 \times 110 = 440$ trips per day. Add buses and walkers to the equation, and the amount of all vehicle traffic for any day Hillbrook is in session during the school year should not exceed 485. That is the defensible and enforceable daily traffic cap the Town should adopt for Hillbrook.

The EIR at p. 8.2-1, also says about the 960 ADT, that, "This limit is also similar to or even lower than the school's daily traffic level over the past decade." (Emphasis added).

The EIR seems to suggest that Hillbrook should be rewarded for its long running failure to comply with the CUP's carpooling requirements. The reason the trips caps have been so high in the past decade was that Hillbrook failed to live up to its obligations in the CUP to carpool. Given that Hillbrook's enrollment was never supposed to exceed 315 during the last decade, if the daily trip counts were at or exceeded 960 for the approximately 220 families, then there must have been little or no carpooling. ($220 \times 4 = 880$).

Beyond that, the EIR does not actually contain any historical full-day traffic counts, so it is not clear how the EIR can reach this conclusion. The only historical counts contained in the EIR are the twice annual peak period counts.

In February 2012, through correspondence with Town Traffic Engineer Jessie Pu we requested the full-day traffic counts we believed the Town had been taking in connection with the CUP mandated peak period counts. We requested that information because neighbors had observed that Hillbrook had been shifting its traffic to just before and just after the peak period times. Mr.

Pu informed us via email that the peak period counts were “all the data they collected, which was done specifically for the CUP requirement.”

Although the EIR claims that the 960 average daily trip cap Hillbrook is now proposing “is also similar to or even lower than the school’s daily traffic level over the past decade” there is NO data in the EIR to support that.

Hillbrook’s proposal to be permitted to impose “an average” of 960 vehicles per day on the neighborhood, by any measure, is excessive.

Neighbors have been told Town staff for years that when Hillbrook opens up its CUP application for amendment, neighbors would have the opportunity to get some real, enforceable traffic mitigation conditions to replace the ineffective mitigation provisions in the 2001 CUP. Now is the time to fulfill that promise.

“The daily traffic volumes are not an indicator of significant impact per Town’s traffic impact policy,” EIR p. 8.5-12.

Yet, the EIR also acknowledges that all of the full-day traffic counts in the EIR:

“[W]ere collected during the days without special or after-school activities for purpose of obtaining higher peak hour counts. This approach was followed in order to obtain a reasonable worst-case scenario with respect to outgoing trips during PM peak conditions. All students leave school at the same time when there are no after-school activities and therefore, the PM peak school-related traffic volumes are the highest.”

This statement conflicts with information in the Town’s file regarding the afterschool activities occurring at Hillbrook during the dates on which the traffic study was conducted in 2011. The Town’s file reflects that students stayed afterschool for Volleyball and Lacrosse practices. It is not clear how many students are on these teams. In addition, the EIR response does not account for what may be up to 100 students who were enrolled in after-school recreational activities Hillbrook hosts, according to its web site.

The EIR goes on to say, “When some students stay at school longer in order to participate in after-school events such as sports, the vehicle trips associated with their ultimate departure occur later in the day, thereby spreading outgoing afternoon trips over a longer period of time.” That is precisely what neighbors have been saying. Hillbrook has spread its traffic throughout the day causing harm to resident’s quality of life in our neighborhoods.

In the EIR, residents are treated as if we are commuters trying to get through our neighborhood as quickly as possible and therefore only “peak period” traffic matters to us. There is no consideration for the quality of life and peace or quiet enjoyment neighbors are entitled to. The fact that Hillbrook now does and wishes to continue to spread traffic out throughout the day and into the evening seems to be of no import in the EIR.

Neighbors hear every car, truck and bus that goes in front of our homes in our otherwise quiet neighborhood. In the winter, the car lights shine directly into our homes in the afternoon and evening. We feel the buses and trucks when they go up and down the hill.

We take our lives in our hands when we go out to check our mail (later and later) in the afternoons because drivers coming from Hillbrook are often distracted by children or cell phones. Neighborhood children cannot safely walk by or play in the neighborhood until well into the evening. This is all significant harm to neighbors that is not and cannot be measured solely in terms of a "peak period" impact.

The whole point of the traffic cap in the 2001 CUP was to consolidate the traffic into two small periods of time during which the vast majority of students are expected to bus and carpool to lessen the number of trips through the neighborhood. Outside of those two brief periods when traffic was understood to be heavy, neighbors were expecting to be able to enjoy our quiet peaceful neighborhood. Hillbrook's all afternoon-evening traffic prevents neighbors from having any peaceful enjoyment of our beautiful neighborhood until after dark (during much of the school year) and results in significant harm to neighbors' quality of life.

The EIR states at p. 8.5-47:

"Regardless of CEQA, the Town possesses a regulatory "police power" that allows the Town's decision-makers, in the name of public health and safety and the general welfare of the community, to impose conditions of approval on projects requiring conditional use permits, as this project requires. Moreover, Section 29.20.305 of the Town Code provides that when applications for permit modifications are filed with the Town, such proposed modifications "are heard anew and the deciding body may impose new conditions or modify previous conditions." But even in this context, and despite the Town's discretion under Section 29.20.305, the Town's discretion is limited by general constitutional principles requiring that there be a "nexus" between the impacts of a proposed permit and the conditions of approval under consideration, and that the amount of "harm" being addressed by permit conditions be "roughly proportional" to the amount of harm being caused by the permit as proposed. In other words, new or modified conditions of approval adopted pursuant to Section 29.20.305 of the Town Code cannot address perceived harms that would not be caused by the proposed permit modification, and the conditions can only be required to ameliorate the amount of harm that would result, and cannot be used to improve upon existing conditions without the permit modification. (See *Nollan v. California Coastal Commission*, 483 U.S. 825 (1987); *Dolan v. City of Tigard*, 512 U.S. 825 (1994).) Notably, the project operators already possess a conditional use permit, and are only seeking specific modifications to the CUP (see Table 3-1, DEIR pp. 3-6 through 3-9 for specific amendments). Although the Town may impose new conditions pursuant to Section 29.20.305, such an action does not permit the Town to revisit the wisdom of prior decisions to grant the existing conditional use permit in the first place.

The Consultants and/or Town staff appear to be making a legal argument to support Hillbrook's CUP amendment. The cases cited in the EIR do not apply. In *Nollan v. California Coastal*

Commission, 483 U.S. 825 (1987). “The issue before the court was whether the imposition by the CCC of the requirement that the Nollans convey a public easement as a condition for granting a land-use permit constituted a taking.”

Justice Scalia reasoned that: “The lack of nexus between the condition and the original purpose of the building restriction converts that purpose to something other than what it was...Unless the permit condition serves the same governmental purpose as the development ban, the building restriction is not a valid regulation of land use but an out-and-out plan of extortion”.

Justice Scalia wrote that if a public agency wishes to place conditions of approval on a permit, that those conditions must bear some relation to the public-policy concerns purported to be resolved through the imposition of conditions of approval.

There can be no doubt that decreasing Hillbrook’s excessive traffic on our dead-end street with sharp curves, a steep hill, bright sun blinding drivers on the hill and no sidewalks or bike lanes and limiting that traffic to the peak periods, addresses the significant safety concerns neighbors have expressed that directly impacts the quality of life in the neighborhood.

In *Dolan v. City of Tigard*, 512 U.S. 374 (1994), the Supreme Court ruled that the City’s requirement to create a public greenway and bike path from private land would be a taking if the City did not show that there was a reasonable relationship between the creation of the greenway and bike path and the impact of the development. “Without question, had the City simply required petitioner to dedicate a strip of land along Fanno Creek for public use, rather than conditioning the grant of her permit to redevelop her property on such a dedication, a taking would have occurred,” the Court held.

Both of the cases cited in the EIR are “taking” cases. There is no “taking” that would result from the Town finally enacting effective traffic mitigation measures in order to protect the neighborhood from the harm that the Town has acknowledged exists due to Hillbrook’s traffic dating back to the first CUP in 1984.

The neighbors’ proposed conditions are nothing like a taking. To the contrary, the current impact of Hillbrook’s operations on its neighbors results in a deprivation by Hillbrook of the neighbors’ quiet enjoyment and quality of life of our purely residential neighborhood.

The need for Hillbrook to mitigate its traffic impacts on the neighborhood has been recognized by the Town since at least 1984. The fact that the Town’s prior CUP conditions have been ineffective in achieving these mitigation goals, does not mean that the Town is now is somehow prohibited from fashioning CUP Conditions that will actually result in effective and sustained traffic mitigation by Hillbrook in the neighborhood.

The “existing conditions” the EIR refers to are present only because of a combination of Hillbrook’s unauthorized intensification of use and the ineffective traffic mitigation conditions in Hillbrook’s current CUP. There is no legal impediment to the Town’s ability to correct these

long overdue harms to the neighborhood as a result of Hillbrook's neglect for law and determination to work around the CUP traffic mitigation provisions in the 2001 CUP.

The following statement encapsulates the circular reasoning of the EIR:

"Based on the Town's CEQA significance thresholds, the proposed increase in student enrollment was determined to have a less-than-significant traffic impact compared against existing conditions. Therefore, there is no nexus for limiting student enrollment to limit school-related traffic based on CEQA. In addition, Hillbrook School proposes to establish a daily limit and reduce the peak hour traffic limit from 165 to 150 (see Section 8.2, Proposed Changes to the Project, for more details), and also proposes enforcement measures. These traffic limits and enforcement of these limits will be more effective in limiting traffic than reducing enrollment numbers." EIR p.8.5-61.

The EIR provides a circular and illogical explanation for why the traffic studies failed to measure any afterschool sporting events. The EIR contends that traffic engineering standards do not require full-day counts and require only an analysis of peak hour traffic.

However, the EIR then contradicts itself and uses the "average weekday counts" all of which were taken on the days on which there were no afterschool sporting events, to claim that the TDM program Hillbrook proposes has been successful. "Average weekday counts taken on Marchmont Drive at the school entrance indicate average traffic levels of less than 900 ADT before the Pilot TDM program and less than 850 ADT after the Pilot TDM program." EIR p. 8.5-49. The EIR fails to account for what Mr. Silver acknowledged to neighbors in 2011. Carpooling and busing rates fall due to afterschool sports activities.

The EIR makes this claim even though Hillbrook's own Transportation Reports reflect that participation in the TDM traffic mitigation programs has been declining, steadily, since 2011. Exhibit G.

Another troubling statement in the EIR is that, "**Town staff is unaware of any potential harm** that the proposed conditional use permit amendment would cause that would support many of the Commenter's proposed conditions, but the comment letter will be part of the Final EIR and thus will be made available to Town decision-makers. It is possible that they might be willing to consider some of the proposed conditions, provided that they directly relate to the proposed permit amendment and would be consistent with the legal principles described above." EIR p. 8.5-18.

It is difficult to understand, given all of the information many neighbors have supplied to the Town, how staff could not be aware of the long-term history of failed traffic mitigation under the Hillbrook CUP's. Town staff does not live in the neighborhood, and so would not have personally experienced the harm and degradation to quality of life and safety in the neighborhood caused by Hillbrook's ongoing traffic impacts. Neighbors are hopeful that the

Planning Commission will agree that there is a need left unfilled since 1984, to craft effective, lasting traffic mitigation that can restore quality of life to the neighborhood.

The EIR essentially concludes that as long as traffic on Marchmont Drive does not exceed 1500 vehicle trips per day, there is no significant impact of Hillbrook's operations on the neighborhood. The EIR states, "It is important to recognize that the [LG CATS] proposed daily traffic limit, as with other suggestions from [LG CATS] addressed in later responses, cannot be characterized as a "mitigation measure" within the meaning of CEQA." EIR p. 8.5-47.

Completely apart from CEQA, in 2001 and earlier, the Town saw fit to attempt to implement significant traffic mitigation measures (i.e., an enrollment cap; carpooling provisions; limits on third party uses; limits on weekend and nighttime use) in Hillbrook's prior CUP's with the express intention of bringing Hillbrook's traffic down to a level below that at which it currently stands.

The Head of School in 2001 did not make the commitment that all Hillbrook students would be required to carpool because she wanted to. That is what the Town required. At that time, the Town was prevented from fully implementing a mandatory carpool requirement because the then TJKM Consultant said that the Town could not legally require carpooling. Exhibit H. That legal impediment no longer exists and it is time for the Town to enact a solid, enforceable daily traffic cap that insures that most students are carpooling and/or busing both to and from school.

The EIR comment that "Hillbrook proposes to add a daily traffic limit, reduce the PM peak limit, and impose penalties for exceeding these limits, which would ensure that the Commenter's traffic increases would not occur" is naïve given the massive loopholes Hillbrook has written in to its current proposed CUP, as described above.

"In regards to traffic safety, TJKM found there were no unsafe conditions based on actual data and professional traffic engineering practice." EIR p. 8-5-63. Neighbors have notified Hillbrook and the Town of the significant safety concerns we have watching children navigate through heavy traffic on Marchmont Drive every day. Both Hillbrook and neighborhood children are at extreme risk. Exhibit A.

The EIR further states, "The fact that Marchmont Drive, after passing through its intersection with Hilow Road, is a dead-end street does not make it subject to special daily limits or other similar standards. There are no Town standards or general standards that can be specifically applied to dead-end streets. The traffic study data shows that existing and future (with project) volumes on Marchmont Drive are and will be below the standard for a local street, as set forth in the Town's Traffic Calming Policy." EIR p. 8.5-48. This is not an accurate statement. As stated above, dating all the way back to 1984, and repeatedly since then, the Town already determined that Marchmont Drive should be subject to special daily limits in connection with Hillbrook's traffic. That is precisely why the Town included the carpool provisions in Hillbrook's CUP.

Moreover, there are Town policies applicable to Marchmont Drive, a "single access road," that is applicable to this issue. Policy TRA-2.5 "Discourage single access roads of extended length, and restrict development along such roads." Marchmont Drive is a single access road. Hillbrook

School is at the end of this road. To access Hillbrook, all traffic must go up Marchmont and back down again. Increasing the Use to which Hillbrook is put is the same as increasing development and should not be permitted.

In addition, the EIR acknowledges that Town staff determined that all of the days on which full day traffic counts were taken were days on which NO Afterschool athletic contests were held.

EIR p.8.5-12. There can be no dispute that these Afterschool sports brings significant additional traffic, including visiting teams' players and parents, officials, Hillbrook parents, other Hillbrook students and other onlookers to the Hillbrook campus outside of the PM Peak Period of 2:30-3:45 PM.

The EIR response attempts to justify this lapse by stating that:

"The fact that there may be additional trips associated with people (student participants and observers) does not make days with after-school events the worst case condition because the majority of students still leave campus during the PM peak hour (2:30 to 3:30). The visitors' departing trips, along with those of Hillbrook students participating in those events, will occur long after the PM peak hour at a time of day when outgoing traffic is much lower." **EIR p. 8.5-12.**

Given that the EIR failed to take any counts on any days during which there were after school sporting contests, there is no basis for that judgment.

The EIR cannot entirely supplant the Town's prior determination that Hillbrook's daily traffic volumes on Marchmont drive do cause a significant impact and degradation to neighbors quality of life.

The information on EIR p. 8.5-3 regarding TDM EFFECTIVENESS proves neighbors' points concerning Hillbrook's unreliable promises to mitigate traffic in the future.

"A number of commenters contend that the traffic counts do not accurately reflect existing or future conditions because baseline counts were not done prior to implementation of carpooling and the shuttle service. Commenters argued that traffic counts for the 2012 traffic study were collected after TDM measures had been implemented, and therefore, the counts reflected an artificially low baseline. According to Hillbrook School, there have been several different sets of TDM measures implemented, and the timing of TDM measures implemented (or not implemented) at the time the May 2011 and March 2013 counts were taken are listed as follows:"

In The Final EIR		Comments About the EIR	
TDM Measures Listed in the Final TDM Plan by Nelson\Nygaard	Date Implemented	Date Originally Promised or Required	Comment
1. Voluntary Carpool Program	2002	April 25, 1984 October 2, 1987	This was not new in 2001. Yet the EIR says it was only implemented in 2002.
2. Education	2002	April 25, 1984 October 2, 1987	This was not new in 2001. Yet the EIR says it was only

			implemented in 2002.
3. Staggered Afternoon Pickups	2002	This was NOT supposed to happen.	Neighbors feared Hillbrook would begin to stagger the afternoon dismissals to evade the peak period cap by spreading traffic out over the afternoon. This was done without amendment or permission.
4. Online Carpool Matching Program	March 2011	Promised in 2001	Exhibit I
5. School Shuttle Service	March 2011	Promised in 2001	Exhibit I
6. Transportation Coordinator	Summer 2012	Promised in 2001	Exhibit I
7. Change Transportation Monitoring Practices	Summer 2012	?	?
8. Add Stacking Lanes in School Parking Lot	Summer 2012		
9. Traffic Management	September 2012		
10. Free or Reduced Shuttle Prices	September 2012		
11. Late Afternoon Shuttle	September 2012		
12. Off-site Kiss-and-Ride Stop	September 2012		
13. Safe Routes to Schools Programs Participation	September 2012		
14. Place Speed Signs in Street	September 2012		This is in violation of the sign ordinance. No permit. Causes further safety issues.
15. Hire Street Safety Person	September 2012		
16. Transportation Mode Declaration	September 2012		
17. Smaller Shuttles	April 2014		
18. Neighborhood Communication Program	Implementation started	?	
19. Zip Code Parties	Not yet implemented		
20. Additional Shuttle Routes	Not yet implemented		
21. Alternations to Shuttle Routes	Not yet implemented		
22. Neighborhood Committee	Not yet implemented		

The loophole laden proposed CUP Conditions do not remedy these concerns.

Thank you for your careful consideration of these matters. Your efforts and understanding are greatly appreciated.

Very truly yours,



Patti Elliot and Reuel Warkov

Exhibit A

Patricia Elliot

From: Patricia Elliot <Elliotlaw@mail.com>
Sent: Tuesday, September 02, 2014 11:00 AM
To: 'msilver@hillbrook.org'
Cc: 'Jennifer Savage'; lprevetti@losgatosca.gov; LG CATS ; Reuel Warkov (rwarkov@gmail.com)
Subject: A continuing serious safety concern for children on Marchmont Dr.
Attachments: Serious traffic safety issue.docx

Dear Mark,

This morning I received a visit from Sally Edsel (?), a Hillbrook parent, who asked me not to park my minivan on the street. She was upset and accused us of endangering her child by parking on the street across from our home.

We now have three cars and frequently have a need to park on the street. My husband is disabled and we keep his wheelchair in our minivan. That is the car we use less often and so it will often be parked on the street to enable us to get the other car out of the garage. We park our third car in the driveway.

When I explained that to her, she said I was being mean. I am truly sorry if I upset her. Ms. Edsel's statement that if her child is injured on the hill it would be my fault is highly inappropriate.

We fully appreciate that the street and particularly the hill are dangerous for pedestrians and bikers. As you know, neighbors have raised this very concern with Hillbrook. Please forward the attached to Ms. Edsel so she will be aware that my husband and I have very clearly expressed our concerns for her child's safety. We have also offered solutions, including using the Ann Arbor gate for bikers and pedestrians, which would be far safer. It is Hillbrook that has ruled out this obvious solution to the risks Ms. Edsel's child and many other Hillbrook students face navigating Marchmont Dr. to Hillbrook. Ms. Edsel's attempt to blame me for this dangerous situation is simply wrong.

I hope you can help Ms. Edsel understand that neighbors have a right to use the street for parking, and Hillbrook has the obligation to ensure that its students have a safe route to school. As I have said before, I strongly feel that Hillbrook is putting children at risk by having them navigate through the heavy traffic on Marchmont Dr.

I have moved my minivan to the driveway for now and will have to move it back to the street later in order to get my car out of the garage.

I appreciate your help to educate Hillbrook parents regarding this issue.

Thanks,
Patti

Patricia Elliot, Esq.
Elliotlaw@mail.com

269 Marchmont Dr.
Los Gatos, CA 95032

(408) 358-4455 | Tel
(408) 358-4494 | Fax
(408) 623-6634 | Mobile

This email contains confidential information that may be privileged. Unless you are the addressee named above, you may not copy, use, or distribute it. If you have received it in error, please contact the sender by reply email and delete all copies. Thank you.

From: Barbara Dodson [btdodson@aol.com]
Sent: Wednesday, September 11, 2013 3:31 PM
To: Marcia Jensen
Subject: A Serious Safety Issue for Hillbrook School and Local Public School Students

September 11, 2013

Council Member Marcia Jensen
Los Gatos Town Council
110 East Main Street
Los Gatos, California 95030

Subject: A Serious Safety Issue for Hillbrook School and Local Public School Students

Dear Council Member Jensen:

Increased Hillbrook School foot and bike traffic has introduced a serious safety issue for both Hillbrook and local public school students. We think consideration of this issue cannot be delayed until the Planning Commission addresses the Hillbrook School expansion plans later in the fall. The following is an explanation of the problem as we see it, and a suggested solution that should be implemented as soon as possible.

The Problem

Since last spring, Hillbrook School has attempted to reduce school traffic by encouraging its students to walk and bike to the school located at the end of Marchmont Drive. Many parents drop their children at the Blossom Hill Park parking lot on Shannon Avenue. From there the children proceed by foot or bike onto Hilow Ave and Marchmont Drive to the Hillbrook School. A number of parents accompany their children from this point and from other points in the neighborhood, adding to the foot traffic.

While we hope that an ever increasing number of Hillbrook students will continue to walk and bike to school, this has introduced a very serious problem. Hillbrook is putting its own students in harm's way by having them walk and bike on roads with no sidewalks and with very heavy auto traffic going to both Hillbrook and local public schools. The school is also adding to the danger for local students proceeding on foot and bike to public schools.

Marchmont Drive east of Hilow presents a particularly serious safety problem because it is a winding, hilly street with the morning sun reflecting in drivers' eyes as they proceed east on Marchmont to the school.

The Solution

A clear solution is to open the Ann Arbor gate to foot and bike traffic as soon as possible. Both Ann Arbor Drive and Shannon Road have sidewalks. Students dropped

off at the Blossom Hill Park parking lot can proceed on sidewalks east on Shannon Avenue to sidewalks on Ann Arbor Drive, and then through the Ann Arbor gate. Students leaving after school by foot and on bikes can use the same route. This route is also slightly shorter than the route students currently use. To see this route, go to <http://mapq.st/15UuG5n>

Since all traffic into the Hillbrook School must currently use the Marchmont Drive gate, there will be no auto and bus traffic entering and leaving through the Ann Arbor gate. This is a much, much safer route for students. Furthermore, it directs student foot traffic away from local public schools, thus having the added feature of improving safety for public school students walking and biking on Hilow Road and Shannon Avenue to local public schools. To see the route Hillbrook students are currently using, go to <http://mapq.st/1aoBQ6N>

Ann Arbor Drive is a public, not private, street and should be just as accessible to Hillbrook students as is Hilow Road and Marchmont Drive. There is no reason why the gate on Ann Arbor Drive cannot be open to foot and bike traffic immediately. We urge that the Town Council take action on this issue as soon as possible.

Respectfully,

Members of LG Cats:

Joe and Sheila Sordi

Patti Elliot

Reuel Warkov

Barbara and Don Dodson

Erik Alberts

Steve and Susan Beritzhoff

Mark and Sue Jamieson

Burr and Susan Nissen

Kathleen and Mark Willey

Renee and Noel Preaseau

Ali Khani

Cindy and Steve Vindasius

Ed Lozowicki

Judy Parkman

Jim and Jorja Silva

Bill and Debbie Wagner

JoAnn and Randy Pham

Hu Wang and Qing Liu

Tom and Erin Wentzien

Heather Dal Cielo

Willem Dirven

Joe and Michele Regan

James and Sharon Elder

Robert and Donna Wallerstein

cc: Dr. Mark Silver, Jennifer Savage, Barbara Spector, Steve Leonardis, Diane McNutt,
Joe Pirzynski

Exhibit B

Patricia Elliot

From: LG CATS <peoplewhoarecats@gmail.com>
Sent: Monday, September 23, 2013 7:33 AM
To: elliotlaw@mail.com; Joe Sordi; wjsilvamd; Erin and Thomas Wentzien; Michele Regan; Edward Lozowicki; Cindy Vindasius; Kathleen and Mark Willey; Burr & Susan Nissen; Heather Dal Cielo; Joann Pham; Joe Regan; Judy Parkman; noelpreaseau@comcast.com
Cc: Gretchen Moore; lisa zirl
Subject: Town Reply to Our Letter About Rerouting Hillbrook Pedestrian Traffic Through the Ann Arbor Gate

Hello, all. Most of you signed our recent letter to the five members of the Town Council regarding safety issues for Hillbrook children walking to school via Hilow and Marchmont; as you probably recall, we suggested rerouting Hillbrook pedestrian traffic so that it used the sidewalks going from Blossom Hill Park up on to Ann Arbor, ending with kids entering through the Ann Arbor gate.

Mayor Spector passed the letter on to Town Manager Greg Larson, who apparently passed it on to our Associate Planner Jennifer Savage.

Here is the Town's reply. (I'm on a trip, so many email addresses weren't available to me. Patti: Could you forward this email to the people who are missing?)

Barbara

Dear Barbara and Members of LG Cats,

Thank you for your email. We appreciate your concerns and your awareness of the activities in your neighborhood.

First and foremost, walking and biking on the street, by both children and adults, is permitted in the Town of Los Gatos. Chapter 5 of the Town Code provides provisions for bicycles, including that they are permitted on streets; chapter 15 provides provisions for pedestrians, including that they may use the streets. In fact, the Town's General Plan encourages alternative modes of transportation, specifically for school children.

You and your fellow neighbors are a big piece of the solution as are the parents, administrators, and children of Hillbrook School and surrounding schools. We encourage you to work with all parties - parents, administrators, children, and neighbors - for the safety of everyone.

Second, thank you for the solution you presented. You are very familiar with the fact that the existing Conditional Use Permit (CUP) for Hillbrook School prohibits the use of the Ann Arbor gate. The condition that prohibits the use cannot be changed without a CUP modification. You are also very familiar with the fact that Hillbrook School is currently going through a CUP modification. Through this process, the idea of opening the Ann Arbor gate has been and will be

explored. You are also familiar with the history of the CUP and the history of the condition that does not permit the use of the Ann Arbor gate for regular Hillbrook School access. Based on that history of the Ann Arbor gate, it may not be viable to open its use even through the CUP modification process. However, we anticipate that you will continue to raise the suggestion of opening the Ann Arbor gate for Hillbrook School use through their CUP modification process. Your suggestion will be included in the package of material presented to the Planning Commission for a decision on Hillbrook School's CUP modification.

What can you do if you still have traffic safety concerns?

1. If you are witnessing a safety violation, please contact Los Gatos Police Department at 408.354.8600.
2. If you feel that a crosswalk is needed or would like to suggest a school route for improvements funded by a grant, please visit the Town's website regarding School Routes and Pedestrian Safety: <http://www.losgatosca.gov/index.aspx?nid=1093>
3. You can work with the schools to educate parents, administrators, students, and neighbors. Your organization, LG Cats, presents a wonderful opportunity to inspire and sustain a neighborhood traffic safety education program. To help get you started, please explore the Street Smarts website and resources: <http://www.getstreetsmarts.org/>. Street Smarts provides a number of resources to educate adults and children to get "smarter about traffic safety" and encourage good driver, pedestrian, and bicyclist behavior. These are resources that your organization can use for your neighborhood traffic safety education program.

Thank you again for contacting the Town about your concerns. We look forward to celebrating the outcome of your efforts towards educating parents, administrators, students, and neighbors in traffic safety.

Sincerely,

Jennifer L. Savage, AICP

Associate Planner

Town of Los Gatos Community Development Department

phone: 408.399.5702

website: www.losgatosca.gov/planning

Exhibit C

Patricia Elliot, Esq.
269 Marchmont Drive
Los Gatos, CA 95032
408.358.9803

May 29, 2000

Los Gatos Town Council
Los Gatos, CA

Dear Mayor Blanton, Vice Mayor Pirzynski and Council members Attaway, Hutchins and Lubeck:

SUBJECT: HILLBROOK SCHOOL

As a five year resident of Los Gatos and Marchmont Drive, I am writing to ask the City Council to address the following complaints before any additional construction is allowed to progress at the Hillbrook School.

- **Traffic**
- Speed violations
- Evening event parking
- Enrollment

Over the past five years, traffic has gotten worse in many respects. First, the volume has increased. Regardless of whether or not enrollment has increased, the traffic certainly has. There has been a steady stream of construction and commercial vehicles going to and from the school in addition to the usual school traffic. There also seems to be very little carpooling occurring among Hillbrook parents. On a recent school morning, 228 cars dropped off children in just over 1½ hours. For 315 students, some number of whom are from the same family, that is too many vehicles. In addition, the majority of the vehicles that pass my home four times each weekday are large Sport Utility Vehicles, with truck engines that pollute 2 ½ times the amount that passenger vehicles do. One would hope that with the seating capacity of these vehicles, fewer vehicles would be required to transport the children through our neighborhood.

Recently, Hillbrook held an after hours activity for its families. Thankfully, the school kept the traffic for this event to a minimum by carpooling in vans and other large vehicles from a staging area at a nearby parking lot. However, unfortunately nearly every vehicle that passed our house, was traveling at twice the speed limit. Although this may not be a concern of the Council in terms of the building licenses sought, the speed at which many of the Hillbrook bound vehicles travel is far above the legal limit and presents a serious hazard in our neighborhood. I have often been dangerously tailgated and even passed by cars on our double yellow lined road simply because I do observe the 15 mph speed limit.

The residents of Marchmont Drive, Karen Court, Rosalie Court, Marchmont Court, Hilow, Engelwood Ave. and the surrounding streets need some relief from the Hillbrook traffic burden. There are several options that could provide for an equitable sharing of the burden:

- **First**, open the existing entrance at Ann Arbor Drive, and require that at least 50% of the Hillbrook traffic use that entrance for dropping off and picking up children.

•Second, require that Hillbrook agree to provide buses, van/carpools so that the number of vehicles coming into the entrances is limited to 50 at each entrance at the start and end of the school day. Buses and vans could meet and drop off children at various parking lots in the neighborhood, such as Kings Court, churches, and Blossom Hill Park. Many of these parking lots are empty during the morning and afternoon hours. Limiting the student traffic to 50 vehicles at each entrance would drastically improve the situation at Marchmont and would not cause significant disruption to the Ann Arbor neighbors. It also would cause only minor inconvenience to Hillbrook parents.

The residents of Marchmont Drive and adjoining streets have shouldered too much of the traffic burden from Hillbrook for too long. Please take these relatively painless actions and require Hillbrook parents and the Ann Arbor neighbors to take on their fair share of the inconvenience.

Finally, it appears from the applications being sought that Hillbrook is not seeking to increase enrollment. However, it is clear that the size of the buildings, including the number of classrooms, is doubling under Hillbrook's proposed plans. I am formally requesting that a condition of any approvals for expansion comes with the proviso that enrollment be fixed at the current level of 315 students. The traffic situation cannot possibly be improved by expanding Hillbrook's student population. The quality of life in this neighborhood depends on your control over Hillbrook's expansion.

Sincerely,

Patricia Elliot, Esq.

Exhibit D

PLANNING COMMISSION MINUTES -- 6
April 25, 1984

NEW PUBLIC HEARINGS (cont.)
ITEM 7 (cont.)

Findings as required by Section 5.20.210 of the Zoning Ordinance for the granting of a Conditional Use Permit:

1. The existing and proposed uses of the property are desirable to the public convenience or welfare because they serve an educational need in the community;
 2. The existing and proposed uses will not impair the integrity and character of the zone because size of the parcel and location of the buildings on the site are such that the rural setting of the facility has a minimal impact on surrounding residential uses.
 3. The existing and proposed uses would not be detrimental to public health, safety or general welfare because the use is governed by various State and local health and safety codes and the conditions of this permit; and
 4. The existing and proposed uses of the property are in harmony with the various elements or objectives of the General Plan and purposes of the Zoning Ordinance; and
- Approval of Conditional Use Permit Application U-80-10A and Architecture and Site Application S-80-23A is subject to the following conditions:

1. The following improvements shall be guaranteed by contract and bond:
 - a. Emergency access road linking the bridge across Ross Creek to the end of Ann Arbor Drive, including asphaltic concrete paving and aggregate base, 12 feet wide with a 3 foot shoulder, catch basin and storm drainage outfall.
 - b. Emergency access gate at the end of Ann Arbor Drive.
 - c. Reconstruction of the Ross Creek bridge to provide a minimum of 40,000 pound live load capacity.
2. Grading, drainage, emergency roadway, emergency access gate and Ross Creek bridge reconstruction plans shall be submitted to the satisfaction of the Town Engineer.
3. Locking devices for the emergency access gate shall be to the satisfaction of the Central Fire District and the Los Gatos Police Department.
4. A 42 foot inside turning radius on the emergency access road shall be provided, to the satisfaction of the Central Fire Protection District.
5. Two handicapped parking stalls with proper signage shall be provided to the satisfaction of the Building Official.
6. Access to and restrooms serving the new addition shall meet the requirements of Title 24, to the satisfaction of the Building Official.
7. A minimum of nine (9) square feet of paving shall be removed from the base of each of four (4) trees adjacent to the primary classroom building.
8. The emergency access road to Ann Arbor Drive shall not be opened up at any time to public or school use.
9. The Hillbrook School shall maintain and promote (at least quarterly) a car-pooling program for their students.
10. The school shall be limited to 775 students.

Exhibit E

TOWN of LOS GATOS

CIVIC CENTER • 124 EAST MAIN STREET • P.O. BOX 949 • LOS GATOS, CALIFORNIA 95031

PLANNING DEPARTMENT
(408) 354-6872

October 2, 1987

Mr. Robert Clements
Hillbrook School
14000 Marchmont Drive
Los Gatos, CA 95032

Re: 14000 Marchmont Drive
a. Recommended Negative Declaration
b. Conditional Use Permit Application U-80-108
c. Architecture and Site Application S-80-228

Dear Mr. Clements:

At its meeting of September 22, 1987, the Los Gatos Planning Commission approved your request for the construction of a multi-purpose building (or buildings) on property in the HR-1 zone, subject to the following conditions:

1. Guarantee, by contract and bond, the following improvements:
 - a. emergency access road linking the bridge across Rock Creek to the end of Ann Arbor Drive, including asphaltic concrete paving and aggregate base, 18 feet wide with a two-foot shoulder, catch basin, storm drainage outfall line and energy dissipator/outfall structure;
 - b. emergency access to the end of Ann Arbor Drive;
 - c. reconstruction of the Rock Creek bridge to provide a minimum of 40,000 pound live load.
2. Submit grading, drainage, utility, erosion control, emergency roadway, emergency access site and Rock Creek bridge reconstruction plans, to the satisfaction of the Town Engineer.
3. No grading or earth disturbing activities shall be initiated between October 1 to April 15. For grading operations commenced prior to October 1, all grading or earth disturbing activities shall cease October 15 and will not be allowed to restart until April 15. These limitations apply to the following: driveways, building pads, foundation trenches and drilled piers, retaining walls, swimming pools, tennis courts, outbuildings, and utility trenches. If final landscaping is not complete by September 1, interim erosion control measures shown on the approved interim erosion control plan will be required to be instituted by October 1 and maintained throughout the October 1 to April 15 period, to the satisfaction of the Town Engineer.
4. A well information questionnaire (available through the Town Engineer) shall be completed to the satisfaction of the Town Engineer.

TOWN OF LOS GATOS

CIVIC CENTER • 190 EAST MAIN STREET • P.O. BOX 949 • LOS GATOS, CALIFORNIA 95031

Hillbrook School - Page 2
16020 Marchmont Drive - U-80-108, S-80-238
October 2, 1987

5. Locking devices for the emergency access gate shall be to the satisfaction of the Central Fire District and the Los Gatos Police Department.
6. A 42-foot inside turning radius along the emergency access road shall be provided, to the satisfaction of the Central Fire Protection District.
7. Access to entrances and restrooms within the gymnasium facility shall meet all Title 24 handicapped accessibility requirements, to the satisfaction of the Building Official.
8. Provide emergency access road for fire apparatus prior to issuance of a building permit.
9. The emergency access road to San Antonio Drive shall not be opened up at any time to public traffic. Construction access is permitted at any time.
10. Install new fire hydrants as needed prior to issuance of a building permit.
11. A two-year tree maintenance contract shall be established for the protection of existing and newly-planted trees, to the satisfaction of the Town Engineer.
12. Prior to any building permits being issued, the applicant shall meet with the Director of Parks, Forestry and Maintenance Services concerning the need for protective fencing around the existing trees. A plan for such protective fencing protecting trees in location shall be submitted to the Planning Director prior to being approved by the Director of Parks, Forestry and Maintenance Services. Such fencing is to be installed prior to, and be maintained during construction.
13. Interlocking pavers shall be installed on portions of the access roadway which are underneath the driplines of existing trees.
14. The applicant shall maintain and promote (at least quarterly) a car-pooling program for their students.
15. The enrollment shall be limited to 315 students.
16. All activities which draw an audience to the auditorium shall take place after school hours.
17. The maximum number of employees on site during activities in the auditorium shall not exceed 12.
18. There shall be no more than three additional night time activities per year beyond what already occurs; all nighttime activities shall conclude by 10:30 p.m. doors to the proposed new building will be kept closed at all times when activities are taking place within.

Exhibit F



300 Marchmont Drive
Los Gatos
California 95032

Sarah Rayne
Head of School

1 February 2001

Bud N. Lortz
Interim Director of Community Development
Town of Los Gatos
Community Development Department
110 East Main Street
Box 949
Los Gatos, California

RE: 300 Marchmont Drive
Project Application PRJ-99-062
Project Application PRJ-99-063

Dear Mr. Lortz:

The following is an update, with attachments, of all efforts to date from Hillbrook School to adopt a permanent traffic plan and reduce the traffic level. The school has contracted with a traffic consultant, Heragon Traffic, who conducted a traffic count immediately following our return from the December vacation and we have planned subsequent counts over the next weeks up until the Town Council meeting. I have contacted Larry Perlman to suggest possible coordination between the town's spot checks and their counts.

After the Los Gatos Town Council meeting on Monday, December 18, 2000, we immediately began a number of activities to help address concerns regarding Hillbrook traffic. A letter written to parents over the December vacation (Attachment A) resulted in over 60 Hillbrook parents attending a problem solving meeting to speed up carpooling plans. The following points describe the actions and accomplishments of the Hillbrook School community thus far:

- The Hillbrook School Parents Council formed a carpooling committee. A permanent position of Carpooling Coordinator has now been created on the HSPC Board. The committee is headed by a Hillbrook parent with participation from 12 additional parents. To review the committee members and their responsibilities, you can go to www.hillbrook.org/announcements/carpool. The committee created the web page to provide carpooling information to Hillbrook parents. Attachment B.

Founded in 1935. An independent coeducational day school. Grades JK-8, accredited by CAIS and NAIS

TEL: (408) 356-6116 FAX: (408) 356-1286

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FEB 2 2001

TOWN OF LOS GATOS
PLANNING DEPARTMENT

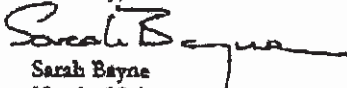
- The School has also created a carpool information website which instantly provides the distance between each family's house and all other houses of Hillbrook families. A simple click on a family's name provides immediate information. Attachment C.
- The Committee sent a mailing to all Hillbrook families urging them to carpool. Included with each letter was a list of families within their immediate area. Members of the carpooling committee have also called individual families to urge them to carpool. To date, carpooling has increased by 30 percent. Attachment D.
- To increase awareness of carpooling, a banner has been displayed at the entrance to the school urging parents to carpool. In addition, our Friday newsletter includes notices about carpooling in each issue. Flyers have been handed out to families in the mornings and afternoons, providing additional information. Attachments E.
- Hillbrook is re-implementing its school owned van service. Beginning on February 5, we will be running two vans. One van will transport 6 children, while the other will transport 7 children from their homes to the school.

In addition, we plan to implement the following plans and actions to ensure that we continue to meet neighbor concerns:

- The permanent HSPC Carpooling Coordinator will reconvene the committee each August, to connect with all new families to the schools, generate mailings and continue phone contact with all parents, as has been conducted during the last month.
- We are informing each new family to Hillbrook that we expect that they will carpool as a part of their acceptance to the school.
- Vanpooling by a private company, such as Kids Kab, is a viable option for the 2001-2002 school year. Though the company today does not have the capacity to meet our needs, the company can provide transportation from selected high concentration neighborhoods to Hillbrook.
- We have nearly completed the contacting of all possible local public and private Los Gatos pickup-drop off points with busing to the school. The final results of this research will be presented with the final packet of information before the deadline for the Town Council meeting on April 16.

I hope that this is an adequate update of Hillbrook's efforts at present to meet the requirements set by the Town Council at its continuance on December 18. Please don't hesitate to contact me if you have suggestions or comments.

Sincerely,



Sarah Bayne
Head of School
CC: Town Council

Exhibit G



HILLBROOK
SCHOOL

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SEP 15 2012

Transportation report
September 2011

TOWN OF LOS GATOS
PLANNING DIVISION

This year, we have adopted a new emergency form system that enables us to easily collect information about how students travel to school prior to the start of the school year. As part of this system, families are required to tell us how they are getting to school, including with what other families they plan to carpool.

We have also formalized our two shuttle routes, following the piloting of a second shuttle route that started last March.

As of the end of September, the following are the transportation statistics:

44 families are signed up for our two bus routes (20 percent of the student body)

- In the month of September, we averaged 45 morning riders and 26 afternoon riders

134 families are part of carpools (61 percent of the student body)

11 families walk/bike to school (5 percent of the student body)

Sincerely,

Mark Silver
Head of School
Hillbrook School



HILLBROOK
SCHOOL

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EB 15 2012

Transportation report
February 2012

TOWN OF LOS GATOS
PLANNING DIVISION

As of the end of January, the following are the transportation statistics:

44 families are signed up for our two bus routes (20 percent of the student body)

- In the month of January, we averaged 43 students on the bus in the morning and 24 students in the afternoon

134 families are part of carpools (61 percent of the student body)

11 families walk/bike to school (5 percent of the student body)

Sincerely,

Mark Silver
Head of School
Hillbrook School



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MAR 05 2013

TOWN OF LOS GATOS
PLANNING DIVISION

Transportation Report
February 2013

As of the end of January, the following are the transportation statistics:

Shuttle: There are no notable changes in our shuttle program, and we continue to bring significant numbers of students to and from campus by shuttle. Between September - January, we have averaged 92 students on the bus in the morning and 57 students on the bus in the afternoon. We continue to have very small numbers - 5-10 students - in the late afternoon. This represents about 29 percent in the morning, about 18 percent in the early afternoon, and about 3 percent in the late afternoon.

Bike/walk: We have had between 15-20 students walking or biking to school each day. This represents about 5-6 percent of our student population.

Carpools: Our carpool numbers have remained consistent. As noted in September, we have 106 families signed up as part of carpools, representing 151 students. A carpool is two or more families and/or three or more students in a car. This represents about 48 percent of our population. Some of these families also use the shuttle or bike/walk to school on certain days, so the number of students carpooling on any given day varies. We have been averaging about 90-100 students in carpools, representing about 30 percent of the student population.

Car counter: We installed a car counter at the start of the school year and have been tracking our counts each day. The average from September through the end of January has been 86 cars between 7:30 - 8:30 am and 106 cars between 2:30 - 3:45 p.m.

As a result of our transportation demand management efforts, we are well within the peak period car count limit of 165 cars.

Sincerely,

Mark Silver, Ph.D.
Head of School



HILLBROOK
SCHOOL

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MAR 12 2014

Transportation Report
February 2014

TOWN OF LOS GATOS
PLANNING DIVISION

As of the end of February, the following are the transportation statistics:

Shuttle: For the months of January and February, we have averaged 73 students on the bus in the morning and 47 students on the bus in the afternoon. We continue to have small numbers - 5-10 students - in the late afternoon. This represents about 23 percent in the morning, about 15 percent in the early afternoon, and about 3 percent in the late afternoon.

Bike/walk: We have between 5-15 students walking or biking to school each day, depending on the day of the week and weather. This represents about 3 - 6 percent of our student population.

Carpools: We have 103 families signed up as part of carpools, representing 145 students. A carpool is two or more families and/or three or more students in a car. This represents about 46 percent of our population. Some of these families also use the shuttle or bike/walk to school on certain days, so the number of students carpooling on any given day varies. We have been averaging about 90-100 students in carpools, representing about 30 percent of the student population.

Car counter: We installed a car counter at the start of the 2012-13 school year and have been tracking our counts each day. The average from September through the end of January has been 99 cars between 7:30 - 8:30 am and 112 cars between 2:30 - 3:45 p.m.

The successful implementation of our Transportation Demand Management program allows Hillbrook to be well within the peak period car count limit of 165 cars.

Sincerely,

Mark Silver, Ph.D.
Head of School

Exhibit H

September 18, 2000

Mr. Jim Hilton
Hillbrook School
300 Marchmont Drive
Los Gatos, CA 95032

RE: Traffic Calming Measures - Hillbrook School

Dear Mr. Hilton:

You have asked TJKM Transportation Consultants what traffic calming measures might be implemented to mitigate Hillbrook School-related traffic on nearby local streets. Additionally, you sent us data collected by Multitrans including traffic counts on Marchmont Drive, Willow Avenue, and Stony Brook Road. TJKM, of course, has also conducted counts and other studies on Englewood Avenue, Ferris Avenue, Shannon Road and Kennedy Road.

You have also described the measures you will be implementing to reduce traffic coming to and from Hillbrook School including:

- Increased staging lanes in your parking lot so traffic will have less potential for backing up on Marchmont Drive.
- Staggering dismissal times.
- Limiting night-time activities according to how late the activities last.
- Proposing a foot-traffic gate onto Arbor Drive that would reduce vehicle traffic on the approach routes to and from the west by approximately 15 to 20 cars in the morning and afternoon peak hours.
- Promotion of carpool and outside bus service.

As we discussed, traffic calming measures, according to the adopted Traffic Calming Policy of the Town of Los Gatos has several objectives:

- Controlling vehicle speeds to below 29 miles per hour average on local access and residential collector streets.
- Controlling the maximum number of vehicles daily on local access (1,500 vehicles per day - vpd) and residential collector streets (3,000 vpd).
- Prohibition of truck traffic on local access and residential collector streets.
- Reduction of parking spill-over from commercial districts into residential areas.
- Provision of safe pedestrian and bicycle crossings of collector and arterial routes bounding residential areas.

In the case of Hillbrook School, the relevant traffic calming measures have been identified, but not entirely implemented on some streets in the neighborhood including Ferris Avenue, Spencer Avenue and Englewood Avenue. Our findings on these streets included very high speeds (Ferris and Englewood Avenues), truck traffic (Englewood Avenue), and cut-through traffic (both Englewood and Ferris Avenues). None of these streets had traffic volumes that were considered

too high for local access and residential collector streets. However, we did find traffic volume characteristics on local streets that had significantly higher than normal peak hour volumes. This means that during the morning and afternoon peak hours, the amount of peak hour traffic is more consistent with streets with traffic volumes double or triple the actual daily count, so for two hours daily, the traffic volumes actually do exceed the recommended guidelines of the town's traffic calming policy.

The same holds true for the counts conducted by Multitrans for Hillbrook School. The least affected street, Stony Brook Road, had only 666 vehicles per day on average, with about 15% of the daily traffic during the a.m. peak hour. The normal peak hour percentage is closer to 10% for most streets, so for the morning peak hour, Stony Brook Road traffic is closer to what would be normally experienced on a street with about 1,000 vehicles per day. This is well under the 1,500 vehicles daily in the calming policy. The most affected street is Marchmont Drive east of Hilow Avenue with 1,410 vehicles daily, just 90 cars less than the maximum traffic count for a local access street. However, the a.m. peak is 28% of the daily traffic, or almost three times the normal peak traffic. The a.m. peak hour is 392 vehicles, and this is equivalent to a daily traffic volume of about 4,000 vehicles, or 267% of the maximum. This traffic is correctly perceived by the Marchmont Avenue residents as too high, even though the daily traffic volumes are within the calming policy guidelines.

The issue, obviously, is the need to distribute school traffic to more access routes to reduce the pressure on Marchmont Drive. Hillbrook School is part of the community in all directions, so the obvious supplemental access route is Ann Arbor Drive leading onto Shannon Road. By reviewing the addresses of the students, you estimated that a vehicle drop-off and pick-up of students on Ann Arbor Drive would reduce about 90 vehicles per hour on Marchmont Drive. Combined with the foot traffic gate onto the same drive, about 105 to 110 vehicles per hour could be eliminated per hour on Marchmont Drive. If this could be accomplished, the traffic patterns on Marchmont Drive and other nearby streets including Englewood Avenue could be reduced to almost normal traffic patterns. Clearly, equity in accommodating school access traffic would be best achieved by the use of Ann Arbor Drive for a fair share of school access traffic.

- As we also discussed, state law prohibits a jurisdiction from requiring traffic demand management for any development proposals. This means that the Town of Los Gatos may not impose requirements for mandatory carpooling and bussing of students as mitigation of traffic impacts. In our opinion, the school and town can best mitigate school access traffic through following the already excellent program you have suggested plus provision for both foot traffic and vehicle loading access for the school on Ann Arbor Drive.

Very truly yours,

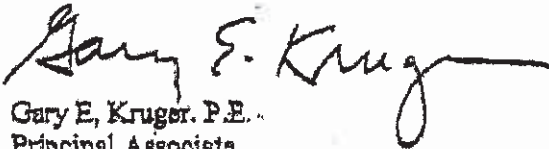
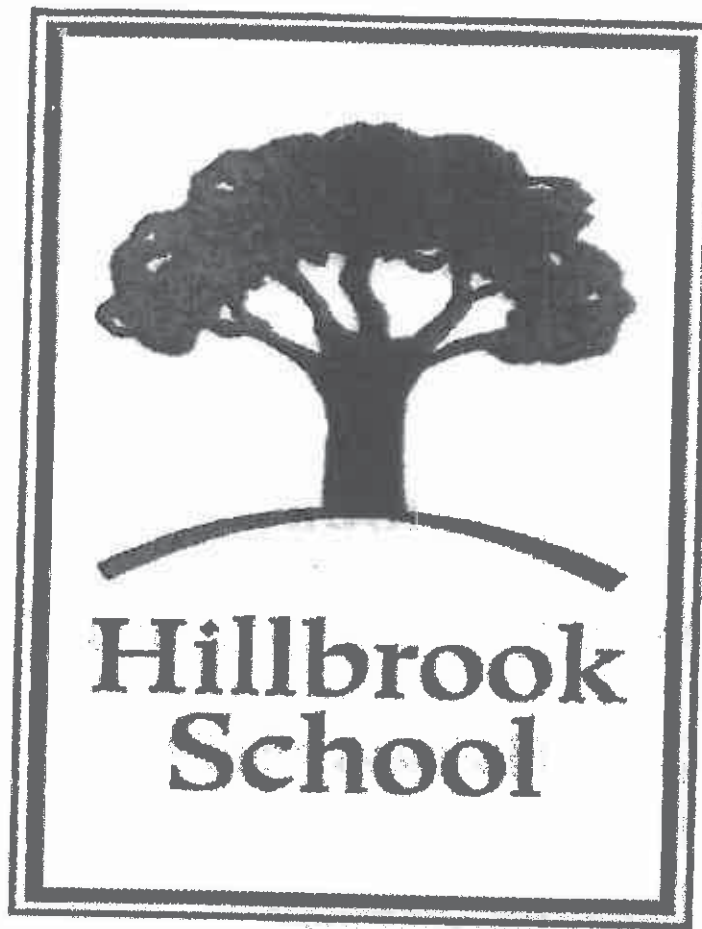

Gary E. Kruger, P.E.
Principal Associate

Exhibit I



Conditional Use Permit

Application: PRJ-99-062, PRJ-99-063

RECEIVED

APR 06 2001

TOWN OF LOS GATOS
COMMUNITY DEVELOPMENT

FACTS ABOUT HILLBROOK SCHOOL

- Hillbrook was founded in 1936. This is our 64th year on this campus.
- The Hillbrook campus is 15 acres. At its founding, and for many years thereafter, it stretched from Kennedy Road to Shannon Road to Hilow Way.
- The Village of Friendly Relations, a set of small houses built by children in the late 1940's, and the Tower, part of the original ranch, which stood on this property, are historical structures.
- Hillbrook is co-ed, Junior Kindergarten- 8th grade, and has 315 students. The student body draws from San Jose, Los Gatos, Saratoga, and as far away as Gilroy, Fremont, and Morgan Hill. 23% of the students are children of color.
- 93 Hillbrook families are residents of Los Gatos.
- Financial aid is available to all qualifying families.
- Hillbrook is accredited by the California Association of Independent Schools and the National Association of Independent Schools.
- Graduates from Hillbrook attend Los Gatos and Saratoga High Schools, Bellarmine, St. Francis H.S., Archbishop Mitty, Menlo School, Castilleja School, and other institutions. Colleges attended by Hillbrook graduates include Stanford, Santa Clara University, UCLA, San Jose State, Harvard, Yale, MIT, and UC Berkeley.

HILLBROOK SCHOOL'S RESPONSE TO NEIGHBOR CONCERNS

- Held five neighborhood meetings for neighbors to express concerns and discuss solutions together. [It is significant to note that though we have heard that the neighborhood has had many meetings about this issue, we have never been invited.]
- Conducted a traffic study during regular school hours and school days of Marchmont Drive and environs.
- Established precise statistics on Hillbrook families who are presently carpooling.
- Mapped every Hillbrook family for carpooling and networked them with others within a half mile radius.
- Launched a Hillbrook-wide ongoing campaign to reduce speeding, and assure respect and politeness among Hillbrook parent drivers, which, by neighborhood responses, has had a marked effect.
- Continued the supervision of Hillbrook drivers in the neighborhood through police patrol and speed monitors.
- For Field Trips, hired outside buses for transport of entire classes of older students. Utilized school vans for transport as well as parent carpools.

Hillbrook has adopted the following restrictions on traffic and parking:

- Limit on hour and number of evening events to 9 p.m. for all events and no more than 6 events per year beyond 4 upper school dances. Such restrictions represent a significant decrease in the hours and numbers of events previously at Hillbrook.
- Prohibited all Hillbrook parking on Marchmont Drive.
- Added approximately 20 additional parking spaces on campus.
- Limited all weekend use of campus facilities to prohibit any non-Hillbrook use of the gym or field. Thus, the facility is no longer available to any outside groups.

PRESENT CARPOOLING STATUS:

Number of Hillbrook Families: 239

% Carpooling in September, 2000: 20%

% Carpooling in January, 2001: 40%

% Carpooling in March, 2001: over 60% (see attached forms)

ON-GOING COMMITMENTS:

- Establish Carpool Coordinator position on Hillbrook School Parent Council. This places the responsibility for carpooling with the parents, and not with the school administration.
- Re-establish carpool committee each year, with representatives within local neighborhoods to provide assistance with carpooling.
- Provide families with information about neighbors who live within 1/2 mile radius both through website and targeted mailings.
- Coordinate vanpools through private companies to transport children from areas with high concentrations of families to school.



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, 2000 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 Drive. 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 Hilow/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 Gatos 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 beyond 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 off 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.

2 8th 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 7&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)
Volleyball tournament weekend
2 Basketball Tournament weekends

Traffic

Hillbrook is deeply concerned about the traffic 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 patrol of the approaches to the school by police so as to enforce traffic laws.
5. We have now provided 20 increased parking spaces on campus to accommodate regular visitors.
6. 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, Los 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 21st 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.

Suzanne Bayne



300 Marchmont Drive
Los Gatos
California 95032

Sarah Bayne
Head of School

1 October 2002

To: The Town of Los Gatos
From: Sarah Bayne
Head
Hillbrook School

As required by Hillbrook School's Conditional Use Permit, we are hereby submitting records of Hillbrook parent carpool participants for September 2002. The present count of the number of Hillbrook families who are carpooling is 157, or 69% of the total number of families. We will submit records of carpool participation after the month of February 2003 as required.

The school is continuing to conduct mechanized traffic counts daily and keeps a daily record of car counts, both in the morning and the afternoon, which are well below the limit of 165 cars.

Also enclosed is a letter written to Hillbrook neighbors this fall inviting them to a series of meetings hosted at the school. These regular meetings are designed to foster communication and solve any problems the school might be causing inadvertently with its neighbors.

Also enclosed is an enrollment count by grade, which meets the Conditional Use Permit limit of 315 students.

Please let us know if you require further information.

RECEIVED

OCT 1 2002

TOWN OF LOS GATOS
COMMUNITY DEVELOPMENT