

From: [REDACTED]
To: [Public Comment](#)
Subject: Fwd: Public Hearing - Foothills Congregational Church CUP - 3/23/2021 Council Meeting
Date: Tuesday, March 23, 2021 8:29:38 AM
Attachments: [HGuy Letter to Council FCC CUP 20210323mtg.pdf](#)
[Title 22 requirements chart.pdf](#)

----- Forwarded message -----

From: Harry Guy [REDACTED] >
Date: Sun, Mar 21, 2021 at 12:17 PM
Subject: Public Hearing - Foothills Congregational Church CUP - 3/23/2021 Council Meeting
To: <council@losaltosca.gov>, Sean Gallegos <sgallegos@losaltosca.gov>

To Los Altos City Council Members

I hope that you will read the attached letter from me with comments on the application for a conditional use permit by the Foothills Congregational Church (FCC) requesting use of their facility's first floor classrooms by a private school. This is a complex and challenging consideration for Council, and with 261 pages of Staff report, I appreciate the amount of time that is required by each of you to prepare thoroughly and thoughtfully. In my letter, I have tried to provide information on some key aspects of this consideration that I believe have not been adequately considered or addressed by Staff, or the applicant(s).

Also attached, is a table that I reference in my letter that lists the requirements for schools based on California Title 22 and Title 5, both of which are circumvented by the private school and FCC declaring the school to be a Heritage School.

My sincere thanks to each of you for your diligence and dedication to helping our City thrive.

Harry
Harry Guy - Resident

To: Los Altos City Council Members

Subject: Foothills Congregational Church CUP – 3/23/2021 public hearing

My wife and I have lived in our home at the corner of University Ave and Sherman St for 38 years. We love our city and appreciate the supportive relationship that has existed in our neighborhood with the three nearby churches. A number of our very valued neighborhood residents are members of a congregation. It is very disappointing to find our neighborhood at odds with this CUP request from the Foothills Congregational Church.

Council should not approve this CUP in the absence of clear health & safety requirements for a facility that proposes to operate at this scale without a state license, and no state inspections or regulatory oversight. The FCC property and facility are substandard in many ways for a school. Please review the attached CA Title 22 and Title 5 requirements table. Note the facility space requirements: 35 sf per child indoor space; one toilet and handwashing fixture for every 15 children; and fenced playground space of 75 sf per child.

The LACS initially planned to license the facility with the CA Dept of Social Services Community Care Licensing Division, as they previously did with other facilities (see attached state inspection report of their school at the Lutheran Church at 460 S El Monte Ave). Then, LACS and the FCC learned that if LACS declared themselves a Heritage School, they could operate without licensing, inspections or regulatory oversight, except whatever is required by the local jurisdiction, the City of Los Altos. Unless the City sets conditions as part of this CUP that protect the health and safety of the school children, school staff, church congregation, other church users and the neighborhood around the facility, this school will be able to operate at the maximum limits allowed for occupancy by the fire marshal. Is that a safe and responsible way to proceed?

Below is a data table comparing the maximum classroom occupancy proposed by the FCC to Title 22 limits, from Appendix 6 of the Staff report, floor plan submission received by the City on 11/6/2019.

Room	SF	Proposed Max Students	Max Allowed under Title 22 (35 sf/child)
117	462	25	13
113	416	20	12
112	374	18	10
102	394	19	11
101	293	14	8
Total	1939	96	54

The CUP is now proposing a maximum of 75 students on site at any time, which would be 39% higher than the above Title 22 limits for licensed facilities.

Potential traffic impact of the proposed school was evaluated using the former LOS methodology and also the new VMT method. Both methods concluded there would be no

significant traffic impact from the school as proposed. Unfortunately, neither of these two methodologies considered the unique characteristics of the Old Los Altos Alley neighborhood arrangement: its narrow streets and intersections; the fact that the two ends of University Ave are the only access/egress routes for all residents, visitors and cut-through drivers; the designation of University Ave as a safe route to school and as a bicycle sharrow route; and the long history of speed and cut-through drivers clogging University Ave.

Many of you have already helped our neighborhood and the City traffic situation overall, either as a Council member or a commissioner by supporting the two raised crosswalks along University Ave (at Lincoln Ave and on W. Edith at Univ Ave). These crosswalks provide a safer environment for pedestrians of all ages. Council also provided advanced funding to SCC Roads and Airports to proceed with early design of the Foothill Expressway improvement project which resulted in accelerating this project to be the first to start construction with Measure B money. These projects provide important help to addressing the ever-increasing traffic impact to our neighborhood. It is unfortunate that Staff has not at a minimum, proposed effective mitigating drop-off/pick-up routes for vehicles associated with the proposed school operation. Based on the Transportation Management Plan diagram on pg 181 of the Staff report, vehicles that have dropped off or picked up children are free to U-turn back on Lincoln Ave, or to travel to University via any of the small side streets (Sherman, Sheridan, Lee). The intersections onto University from these side streets are all narrow, with very difficult lines of sight. While the intersection from Lincoln onto University has the best line of sight and best conditions for a safe left or right turn, forcing all the school traffic back to that intersection will present its own problems, depending on time of day and other traffic conditions. The intersections at both ends of University Ave (at Burke and at El Monte) are heavily trafficked and frequently congested. Pre-Covid, cut-through traffic on University Ave was getting extreme, and dangerous.

The loosely written transportation plan, with numerous vague conditions qualified with "reasonably" (six occurrences in the first three pages of the "Transportation Plan" in Attachment 4 of the Staff report) appears to have been written by the FCC and LACS and not authored or edited by the City. As written, it leaves actual compliance requirements unclear, in many cases simply stating a vague indication that some reasonable effort will be made. This should not be acceptable to Council as a clear and approvable compliance commitment. It is even unclear which pages of Attachment 4 are encompassed by Staff's proposed Condition 9 "Foothills Congregational Church and the private school shall comply with the Traffic Management Plan." The vehicle routing diagram appears on pg 181, followed by the LACS-signed "Transportation Plan," concluding on pg 189 of the Staff report. These pages include not only a discussion of transportation, but also discussions of signage, outside activities and the annual compliance report. The unclear requirements for real compliance assure a future record of non-compliance by the applicant and the private school, both of whom have an established record for knowingly violated City requirements and lease conditions.

Finally, there is no mention in the Staff report of proposed conditions or requirements associated with safety & health during the ongoing pandemic. This needs to be clearly addressed by Staff. If Council approves this CUP and the private school starts operating, who sets the health & safety requirements for operating a Heritage school that does not fall under Title 22 or Title 5 regulations, and is not engaged with any teachers union? This should be made clear in the Staff report, yet there is no mention, implying, but not stating, that someone else has jurisdiction for this private school and Covid-19 compliance, with no role or diligence needed by the City. Really? Has the facility ventilation been improved (increased air change rates, filtration level

improved to at least MERV 13)? What other measures have been planned for pandemic protection (portable air purifiers, daily facility cleaning/sanitizing)?

Sadly, the situation we find ourselves in is almost entirely the result of the misguided and controlling influence of one church leader and not the sentiments of a concerned and caring congregation. Our neighborhood sought to have constructive discussions with church leaders to try to identify common ground conditions that could lead to both the church and the neighborhood supporting an appropriate school operation. Unfortunately, after months of discussions, the neighborhood ultimately learned that the one church leader who was really making the decisions, was not discussing with collaboration and compromise in mind at all, but simply to explore what concessions they could get. This insincere motivation and behavior by this church leader has been mis-characterized by Staff as a positive effort by the FCC to work out a compromise strategy with the neighborhood.

I respectfully request that the City Council to not approve this ill-conceived and incompatible use of this facility.



Harry
Harry Guy - Resident

State Preschool Facilities Reference Guide
Requirements & Regulations:
California Department of Social Services, Title 22
California Department of Education, Title 5/Education Code/ECERS

PROGRAMMATIC REQUIREMENTS		
	TITLE 22	TITLE 5/EDUCATION CODE/ECERS
Teacher-Child Ratio	<ul style="list-style-type: none"> 1 teacher: 12 students 1 teacher, 1 aide: 15 students <i>22 CCR 101216.3</i>	<ul style="list-style-type: none"> 1 adult: 8 children 1 teacher: 24 children <i>5 CCR 18290</i>
Staff Qualifications	<ul style="list-style-type: none"> Teacher: 12 ECE/CD units <i>22 CCR 101216.1</i>	<ul style="list-style-type: none"> Associate Teacher: 12 ECE units Teacher: 24 ECE units and 16 GE units Master Teacher: Teacher + 6 ECE units in specialization + 2 adult supervision units <i>EC 8203, 8208, 8244, 8261, 8360.1, 8267, 5 CCR 80105-801025</i>
Discipline	<ul style="list-style-type: none"> Discipline must be free of corporal punishment, pain, humiliation, or intimidation <i>22 CCR 101216.3</i>	<ul style="list-style-type: none"> Discipline must not be physical or severe Program must be designed to avoid conflict and promote positive interactions Staff must react consistently to children's behavior, have appropriate expectations for age level, and usually maintain control <i>EC 49001, ECERS</i>
Transportation	<ul style="list-style-type: none"> Only licensed drivers for the type of vehicle operated may transport children <i>22 CCR 101225</i>	<ul style="list-style-type: none"> A governing board may allow the transportation of preschool students in school buses owned by the district Only an individual with an appropriate class of license may operate a school bus transporting students <i>EC 39800, VC 12517</i>
Food Service	<ul style="list-style-type: none"> All food shall be safe and of the quality necessary to meet the needs of children All food shall be selected, stored, prepared, and served in a safe and healthful manner Menus must be posted at least a week in advance Food preparation area must be clean and free of trash and rodents Uncontaminated drinking water must be available indoors and outdoors Various other specific kitchen and food requirements <i>22 CCR 101227, 101239.2, 101227, 101238, 101239</i>	<ul style="list-style-type: none"> Food must be prepared in safe and sanitary conditions Schools participating in federal food programs must obtain two food safety inspections each school year by the local governmental agency responsible for food safety inspection All food facilities must have a permit and are subject to inspections at any time Meals and snacks must include a nutrition component and be culturally and developmentally appropriate Dietary restrictions of families are followed Allergies posted and allergen substitutions made Clean drinking water must be available at meal times <i>HSC 113700 - 113725.3, 7 CFR 210.13, HSC 11438, 114390, EC 18278, EC 35186, ECERS, EC 38086</i>
Health-Related	<ul style="list-style-type: none"> Parents will be immediately notified if child is ill or seriously injured Staff will make prompt arrangements for any medical treatment Staff will maintain first-aid supplies Staff will have a procedure for medications 	<ul style="list-style-type: none"> School is required to have first aid supplies Authorized medications will be given to students with the assistance of the school nurse or designated personnel <i>EC 32040, 5 CCR 600</i>

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	<p>22 CCR 101226</p> <ul style="list-style-type: none"> Smoking is prohibited on the premises <p>22 CCR 101231</p>	<ul style="list-style-type: none"> Smoking is prohibited on the premises <p>ECERS</p>
Emergency Preparedness	<ul style="list-style-type: none"> Each licensee must have a disaster plan and disaster drill must be conducted every six months <p>22 CCR 101174</p>	<ul style="list-style-type: none"> Each school district/county office of education is responsible for the development of all comprehensive school safety plans <p>EC 32280</p>
Parent Transparency	<ul style="list-style-type: none"> Parent's rights poster must be placed in a prominent area <p>22 CCR 101218.1</p> <ul style="list-style-type: none"> Notice of licensee's compliance or noncompliance with the correction of a deficiency for a period of 30 days <p>HSC 1596.814</p> <ul style="list-style-type: none"> Information on each child care facility must be posted online, including but not limited to: name and address, licensed capacity, status of the license, number of inspections and citations, etc. <p>HSC 1596.819</p>	<ul style="list-style-type: none"> Notice must be posted in every classroom specifying the standards for instructional materials, facilities, teacher assignments/vacancies, etc. <p>EC 35186</p> <ul style="list-style-type: none"> Parent rights include, but are not limited to: classroom observation, teacher/administration meetings, a safe and supportive learning environment for their child, examination of classroom materials, information regarding child's academic progress, information regarding school rules, the opportunity to volunteer or participate in a committee <p>EC 51101</p>
Teacher Background Checks/Safety Training	<ul style="list-style-type: none"> All persons working in a child care facility must submit fingerprints for a criminal record review <p>22 CCR 101170</p> <ul style="list-style-type: none"> All individuals subject to a criminal record review must have a Child Abuse Central Index review through the CA Department of Justice <p>22 CCR 101170.2</p> <ul style="list-style-type: none"> At least one staff member must be trained in CPR and Pediatric First Aid. <p>22 CCR 101216</p> <ul style="list-style-type: none"> At least one teacher or director per center must complete 15 hours of health and safety training <p>HSC 1596.866</p> <ul style="list-style-type: none"> All staff members and volunteers must be immunized against influenza, pertussis, and measles <p>HSC 1597.622</p> <ul style="list-style-type: none"> The name of the center director or teachers qualified to act as director must be reported to the Department within 10 days of a change <p>22 CCR 101212</p> <ul style="list-style-type: none"> Personnel records must contain documentation of educational background, experience, and health screenings <p>22 CCR 101217</p>	<ul style="list-style-type: none"> All individuals who seek to obtain California credentials or permits must receive fingerprint clearance from the California Department of Justice and the Federal Bureau of Investigation <p>EC 44340-44341</p> <ul style="list-style-type: none"> Teachers must receive a CPR certification in order to attain a preliminary teacher permit <p>EC 44259 (c)(4)(A)</p> <ul style="list-style-type: none"> There are no immunization requirements for teachers, however tuberculosis testing is required <p>EC 49406</p> <ul style="list-style-type: none"> Each school accountability report card includes total number of credentialed teachers, number of teachers utilizing emergency credentials, number of teachers without credentials, etc. <p>EC 33126</p> <ul style="list-style-type: none"> Changes in employment status of credentialed teachers must be reported to the commission within 30 days <p>EC 44030.5</p> <ul style="list-style-type: none"> Teachers credential information, including term of validity, authorizations, renewal requirements, and restrictions are available for public record <p>EC 44230</p>
Napping Requirements	<ul style="list-style-type: none"> Children must be given an opportunity to nap or rest without distraction or disturbance from other activities <p>22 CCR 101230</p> <ul style="list-style-type: none"> Cots and floor mats used for napping must be in safe condition 	<ul style="list-style-type: none"> Children must be helped to relax Space is conducive to resting All cots or mats are at least 3 feet apart or separated by a solid barrier Nap/rest is scheduled appropriately Sanitary provisions are made for nap/rest

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	<ul style="list-style-type: none"> Floor mats must be at least ¾ inches thick, covered with vinyl or a similar material, and marked so that the sleeping side can be distinguished 22 CCR 101239.1 	<ul style="list-style-type: none"> Sufficient supervision provided in the room ECERS
Other	<ul style="list-style-type: none"> Variety of daily activities including but not limited to: quiet activity and play, rest and relaxation, eating, toileting 22 CCR 101230 Children must be under the supervision of a teacher at all times 22 CCR 101229 	<ul style="list-style-type: none"> Variety of daily activities and equipment for relaxation and comfort, child privacy, gross motor play, nap/rest routine, sanitary toileting, reading, communication with adults and children, development of reasoning skills, fine motor skills, art play, music play, block play, sand/water play, dramatic play, nature/science activities, and math activities ECERS Careful supervision of all children adjusted appropriately for different ages Supervision is sufficient to protect children's safety Supervision includes help and encouragement, and appreciation of child's efforts Staff demonstrate awareness of the whole group at all times ECERS

Environmental Requirements		
	Title 22	Title 5/Education Code/ECERS
Buildings and Grounds	<ul style="list-style-type: none"> A comfortable temperature shall be maintained at all times Keep center clean, safe, sanitary, and in good repair Use of protective devices such as nonslip material on rugs Keep all areas of potential hazard free of obstruction Inaccessibility of pools Keep disinfectants, poisons, and other potentially dangerous items inaccessible to children Keep materials and surfaces available to children toxic free Firearms are not permitted on the premises Medicines should be stored separately Facility must be free of flies, insects, and rodents 22 CCR 101238, 101239 	<ul style="list-style-type: none"> Adequate lighting, ventilation, temperature control, and sound-absorbing materials Space in good repair Space is reasonably clean and well-maintained Ample indoor space that allows children and adults to move around freely Good ventilation, some natural lighting Space is accessible to all children and adults, including those with disabilities Provisions must be made to eliminate safety hazards, including but not limited to, safety caps on electrical sockets, no loose electrical cords, heavy objects moved so children cannot pull down, medicines/poisons locked away, safe water temperature, pads for mats or rugs to eliminate sliding, covered/blocked open stairwells, etc. ECERS Facilities must be clean, safe, and in good repair EC 35186 Firearms are not permitted on the school campus or the surrounding area. Cal. Penal Code 626 School facilities must be accessible to those with physical disabilities, pursuant to the California Building Standards Codes 24 CCR 11
Outdoor Activity	<ul style="list-style-type: none"> At least 75 square feet per child Provide a shaded rest area 	<ul style="list-style-type: none"> Staff anticipate and take action to prevent safety problems (indoors and outdoors)

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Space	<ul style="list-style-type: none"> Permit children to reach the space safely Equipment and activity areas shall be arranged so there is no hazard from conflicting activities Surface of the outdoor activity space is maintained in a safe condition, and free of hazards Areas beneath swings, slides, climbing, and similar equipment must be cushioned with a material to absorb falls Sandboxes must be monitored daily Playgrounds must have a fence (4 ft. minimum) to protect children and keep them in the area 22 CCR 101238.2 	<ul style="list-style-type: none"> Staff explain reasons for safety rules to children Essentials needed to handle emergencies available Provisions must be made to eliminate safety hazards, including but not limited to, remove and properly store tools not meant for children's use and sharp or dangerous objects, lock away any substance labeled "keep out of reach of children", block any unsafe walkways or stairs, block easy access to roads, remove any hazardous trash, ensure play equipment is an appropriate size, well maintained, and doesn't pose threat of injury, etc. <i>ECERS</i> Play yard design provides a variety of activities for development of gross motor skills 5 CCR 14030
Indoor Activity Space	<ul style="list-style-type: none"> At least 35 square feet per child Floors of all rooms must have a clean surface 22 CCR 101238.3 	<ul style="list-style-type: none"> Kindergarten classroom size for permanent structures is not less than 1,350 square feet, including restrooms, storage, teacher preparation, wet and dry areas Classrooms are designed to allow supervision of play yards (unless prevented by site shape or size) and all areas of the classroom 5 CCR 14030
Storage Space	<ul style="list-style-type: none"> Each child has individual storage space Permanent or portable storage space in playrooms for play equipment Cleaning supplies must be stored separately from food 22 CCR 101238.4 	<ul style="list-style-type: none"> Storage, casework, and learning stations are functionally designed for use in free play and structured activities; e.g., shelves are deep and open for frequent use of manipulative materials 5 CCR 14030
Fixtures, Furniture, Equipment and Supplies	<ul style="list-style-type: none"> All window screens shall be in good repair Tables and chairs, play equipment and materials need to meet the needs of children and be in good repair One toilet and handwashing fixture for every 15 children 22 CCR 101239 	<ul style="list-style-type: none"> Sufficient furniture for routine care, play, and learning All furniture is sturdy and in good repair, and mostly child-sized Adaptive furniture permits inclusion of children with disabilities with their peers Windows, marking boards, sinks, drinking fountains, and furniture are appropriate heights for kindergarten-age students 5 CCR 14030, <i>ECERS</i> One toilet for every 20 children Toilets must be within the Kindergarten complex 5 CCR 14030 and <i>CPC, Chapter 4</i>

Accountability Measures		
	Title 22	Title 5/Education Code/ECERS
Financial Audit Schedule	The licensee must develop and maintain a financial plan that ensures resources necessary to meet operating costs for the care and supervision of students. The licensee must maintain financial	All child development programs under contract with California Department of Education must submit an annual independent financial and compliance audit report of the entire organization, not just an audit report

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	records. They must submit financial reports to the Department of Social Services when requested to do so. <i>22 CCR 101213</i>	for the individual contracts or programs. <i>EC 8448(g)</i> Each local educational agency must complete an annual audit of income and expenditures. <i>EC 41020</i>
Physical Evaluation Schedule	A physical review must be conducted every three years. <i>HSC 1597.09</i> All child care centers must secure and maintain a fire clearance approved by the city or county fire department, the district providing fire protection services, or the State Fire Marshal. <i>HSC 101171</i>	Contractors complete an environment rating scale every three years as part of the program compliance review and annually as a part of the self-evaluation process. For each rating, the contractor shall achieve a minimum score of "good" on each subscale. <i>5 CCR 18281</i> The California Department of Education must conduct a compliance review of the contractor's site once every three years. <i>5 CCR 18023</i> The State Fire Marshal must conduct a review of all schools each year. <i>HSC 13146.3</i>

Citation Code Reference	
22 CCR	California Code of Regulations, Title 22
5 CCR	California Code of Regulations, Title 5
7 CFR	Federal Code of Regulations, Title 7
EC	California Education Code
ECERS	Early Childhood Environmental Rating Scale
Cal. Penal Code	California Penal Code
CPC	California Plumbing Code
HSC	California Health and Safety Code
VC	Vehicle Code
*Pursuant to Section 18281, Title 5 of the California Code of Regulations, all center-based programs must complete an environmental rating scale (ECERS) to measure program quality.	
** Requirements reflective of state, not local requirements.	

March 22, 2021

To: Los Altos City Council Members

Re: Foothills Congregational Church Conditional Use Permit Application

My name is Jill Curcio. I live with my family on Orange Avenue in Old Los Altos Neighborhood. After a recommendation from the Planning Commission, I volunteered to be one of three neighbors who met with representatives from Foothills Congregational Church (FCC) in regular meetings for about 4 months to understand each other's perspective on why we were for and against the issuance of a Conditional Use Permit (CUP) at this site and in our neighborhood. While the meetings provided an opportunity to understand one another, ultimately, we did not reach an agreement.

With over a year's worth of information gathered, I am putting forth what I believe to be the most relevant explanations as to why the site is inappropriate for a school. My request is for City Council Members to deny this Conditional Use Permit application and honor the intent of the law which is primarily designed around the health and life safety of people, and in this case children, in the occupied buildings.

Critically Sub-Standard Non-Conforming Site

FCC is located on a nonconforming lot (Code 14.66.030) and falls noticeably short of what would be critical for basic safety at a school or daycare, as shown below.

Municipal Code 14.58	Required	Actual
Lot Size	One Acre	½ Acre
Front Yard	Min depth of 40 feet	15 feet along Lincoln Avenue
Side Yard	2-story/corner lot: 45 feet	26 feet along Orange Avenue
Rear Yard	Min depth of 50 feet	<3 feet along St. Nicholas Church
Off-street parking & loading	1 parking space per 2 employees	Zero off-street parking

Safety, Risk, Liability

Los Altos Chinese School (LACS) is categorized as a Heritage School which places the onus of facility safety and risk squarely on the city of Los Altos, where the building is located, according to the CA DOE.

This CUP would be the first one of its kind issued in Los Altos – a Heritage School on a nonconforming lot. Additionally, it would set a clear precedent for similar CUPs on the two adjacent nonconforming church lots meaning 3 times the risk for the students and the neighbors.

This is our city's densest neighborhood with only one street in and out, University Avenue (also a well-known cut-through from Foothill Expressway to I-280). The addition of 1 to 3 schools would add even more density and cause big change to Historic Old Los Altos.

The Traffic Impact Analysis Report states that "the number of students is typically the most reliable independent variable when estimating" the associated car trips to and from a school. It is especially important to apply this common sense when considering pedestrian and bicycle safety in the neighborhood during the afterschool and Peak PM hours while walking the dog or while neighborhood kids wander about outside before dinner, around Redwood Grove and Shoup Park, to and from Downtown.

LACS - 9 Los Altos locations

LACS currently has 9 locations in Los Altos: one at each of our seven LASD elementary schools, at the Lutheran Church, and at the Grant Park Community Center. Unlike FCC, all these sites are perfectly suited facilities with proper classrooms and bathrooms, and outdoor play space that meets safety standards for the students, and with room to grow.

Matters of Good Faith and Integrity

Then, there is the matter of operating in good faith. I am concerned because LACS fully opened and operated at FCC without a CUP in 2019 until the City closed them down. I am concerned that some might believe that the church is in financial dire straits even though we were told under no uncertain terms they are not. I am concerned because when asked if the church planned to apprise their insurance company of the school and seek out references from the other landlords for this tenant, the answer was No. I am concerned that the neighbors would be left to police the Conditions put forth in the CUP.

After Planning Commission and Complete Streets hearings, I am also concerned that City Government is under the impression that there is an afterschool childcare shortage in Los Altos. I spoke with Sandra Bush in LASD's District Offices. She tells me that while there is a scramble at the beginning of each school year as families figure out which afterschool programs will be best for their children, once settled there is room for everyone. I spoke with BCS and Pinewood regarding afterschool childcare needs since these are the LACS students that LACS says would be relocated to FCC. I was told that while BCS parents would appreciate having on-site afterschool care for their children, there are many programs available to meet needs and that provide transportation from BCS to the afterschool sites. Pinewood provides their own on-site afterschool programs until 5:30pm each day.

In Summary

All things considered and with reference to the four sections of Los Altos Municipal Code Section 14.80.060 as the guiding principle for City Council's decision, I do not see a clear path for acceptance of this CUP application. The proposed location is neither "desirable", nor "essential", neither "an appropriate location", nor "a needed community facility" all due to the stated facility safety risks and the 9 other sites on which there is room for LACS to grow. Also, "...under the circumstances of the particular case", due to this critically sub-standard non-conforming site, the proposed location raises concern as being especially "detrimental to the health, safety, comfort, convenience, prosperity, or welfare of persons...". Again, this is not a low-risk, slightly non-conforming site. It is a critically sub-standard non-conforming site with significant risk.

Thank you for listening. I urge you to prioritize the integrity and safety of the students, residents, and all those who visit the neighborhood in your decision. Please, let us end the March 23rd with everyone having a clear understanding of the specific rationale behind the outcome so that confusion does not bring distrust in the process as it did after the Planning Commission hearing of this matter. I believe a clear understanding gives us that feeling of having "been heard", making it easier to move on.

Sincerely,
Jill Curcio, 482 Orange Avenue

