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November 13, 2019

Martin Alkire, Principal Planner
City of Mountain View
Community Development Department
500 Castro Street
Mountain View, CA 94039-7540

Dear Mr. Alkire:

This document serves as the Mountain View Whisman School District (MVWSD) response to the Amended North Bayshore Precise Plan (NBPP), Draft Environmental Impact Report. We have reviewed the report and provide the following with regard to the adequacy of the findings as related to direct and indirect impacts on the Mountain View Whisman School District. We understand that the passage of SB50 limits the levying of developer fees for direct impacts on school districts. However, nothing precludes the City, Developer and School District from entering into a mitigation agreement to address those direct and indirect impacts on the school district.

BACKGROUND

A MVWSD demographic study by DecisionInsite was completed on November 30, 2016. According to this study, the Districtwide projection of the buildout of currently approved projects will increase student enrollment by 445 students in the next 5 years. These projected students will precede the impact of students generated by the North Bayshore Precise Plan (NBPP) and it is anticipated that no capacity will be available when students are generated by the NBPP. In addition, while both Monta Loma Elementary school and Crittenden Middle School are in the proximity of the NBPP, there will be no capacity available when the NBPP project is developed.

All district capital funding sources are encumbered for other facility needs and are not available for mitigating the impact of the NBPP project. The District has two sites where schools have not been constructed. These two school sites are not adequate to provide housing for the students generated from the NBPP. The first site is a ten acre property in the southern end of the District. The District does not provide student transportation and the transporting of students from the NBPP project would add to an already serious and significant transportation problem that is defined as “significant unavoidable impact.” The other site is a District/City joint use green area near the District office. Changing the use of that common area to a school site may not be an acceptable alternative to its current use. The District does not have land currently available to construct a school to serve students from the NBPP project.

DIRECT IMPACT OF THE NBPP PROJECT ON THE MVWSD

The 2014 NBPP provided for very few residential units. That plan designated 2.1 acres for residential development which included 362 residential units. The current amended NBPP designates 105.1 acres for residential development and includes 9,850 residential units, an increase of 9,488 residential units from 2014 to present. This significant amendment to the NBPP will create challenges to the District with regard to funding the construction of new schools, land for those schools, and other indirect impacts.

The current amended NBPP includes the following breakdown of the 9,850 units:

Table 3.3-1: Proposed Dwelling Unit Distribution Goal		
Unit Type	Percentage of Units	Approximate Number of Units per Type
Micro-Unit/Studio	40%	3,940
One-bedroom	30%	2,955
Two-bedroom	20%	1,970
Three-bedroom	10%	985
	100%	9,850

(Source: NBPP)

There are three neighborhoods: Joaquin, Shorebird, and Pear. The additional units will be distributed as follows:

Table 3.3-4: Targets for Complete Neighborhood Areas			
	Joaquin Neighborhood	Shorebird Neighborhood	Pear Neighborhood
Size in Acres	68 acres	43 acres	43 acres
Residential Units	3,950 units	2,950 units	2,950 units
Affordable Housing Units¹	790 units	590 units	590 units

(Source: NBPP)

The stated goal of the housing element of the NBPP:

It is the City's goal to provide housing in North Bayshore that is affordable to a diverse workforce at all income levels. The Precise Plan includes a goal of a minimum of 20 percent affordable housing units within the North Bayshore district. The City's key strategies for creating affordable housing in North Bayshore are, in priority order: 1) incentivizing land donation for affordable housing development; 2) including affordable units within market-rate developments; and 3) collecting rental housing impact fees from market-rate housing development. (Draft Subsequent EIR, page 106)

The projected student impact, which includes a 20% affordable component, is as follows:

Table A

Mountain View Whisman Elementary					
Grade	SGR		Units		Students
K-5	0.1	x	7,880 (80%)	=	788
6-8	0.04	x	7,880 (80%)	=	315
					1,103
Affordable					
K-5	0.409	x	1,970	=	806

6-8	0.228	x	1,970	=	449
					1,255
Total:					2,358

(Sources: Schoolhouse Planning, and Jack Schreder & Associates)

The number of projected students is 979 more than the DEIR indicates as the DEIR did not include an affordable component for the MVWSD. The student yield included in our calculations was based on the affordable housing student yield from the 2014 MVWSD Demographic Study:

Affordable Housing Units

The MVWSD also has numerous affordable housing complexes located within the District boundaries. Jack Schreder & Associates calculated the affordable housing student generation rates for this type of housing. Cities now require development projects to provide for some affordable housing within the development. Therefore, it is imperative the District remain aware of this generation factor.

Table 5. Student Generation Factors: Affordable Housing Units

Housing Type	# of Units Surveyed	Total Students	Student Generation Factor (TK-8)	TK-5	6-8
Affordable Housing	215	137	0.637	0.409	0.228

(Source: Jack Schreder & Associates)

COST TO HOUSE STUDENTS GENERATED FROM NBPP

Construction costs in the Bay Area have escalated dramatically in the last 8 years. The State per pupil grant does not reflect this escalation and therefore the gap between what the State allows and provides for school construction is significantly less than the actual cost of school construction. These cost differences are reflected in the shortfall described in these calculations.

The actual cost to house students generated by NBPP, (excluding land):

Table B

Grade	Students		Cost to house per pupil		Total
K-5	1,594	x	\$69,667	=	\$111,049,198
6-8	764	x	\$71,428	=	\$54,570,992
	2,358				\$165,620,190

(Source: Greystone West)

The anticipated funding through levying local school fees and the State School Facilities funding Program (excluding land):

Table C

State School Facilities Funding					
Grade	Students		State Grant Per Student		Total
K-5	1,594	x	\$11,104	=	\$17,699,776
6-8	764	x	\$11,744	=	\$8,972,416
					\$26,672,192

(Source: Office of Public School Construction)

Table D

MVWSD collects \$2.32/Sq.Ft. of Level I Developer Fees									
Units	# of Units		Avg. Sq.Ft.	=	Sq.Ft.	x	Fees	=	Total
Micro/Studio	3,940	x	450	=	1,773,000	x	\$2.32	=	\$4,113,360
1-Bedroom	2,955	x	715	=	2,112,825	x	\$2.32	=	\$4,901,754
2-Bedroom	1,970	x	1,025	=	2,019,250	x	\$2.32	=	\$4,684,660
3-Bedroom	985	x	1,250	=	1,231,250	x	\$2.32	=	\$2,856,500
\$16,556,274									

(Source: City of Mountain View, and Jack Schreder & Associates)

Total State Funding and Developer Fees (excluding land): \$43,228,466

The shortfall between the actual cost to house K-8 students and funds from State grants and developer fees:

Actual: \$165,620,190
State and Local Funding: \$43,228,466
Shortfall: **\$122,391,724**

LAND

In addition to dramatic escalation in construction costs in the Bay Area, land costs have increased as well. The State of California will provide 50% of the cost of land for eligible school construction. However, the remaining 50% of the land cost is the responsibility of the local school district. These substantial increases in land costs make it difficult to build schools in accordance with the Department of Education school site guidelines. The land cost escalation issues were anticipated when SB50 was drafted and Government Code section 65998 allows the cities to “reserve or designate” real property for a school site.

GOVERNMENT CODE - GOV

TITLE 7. PLANNING AND LAND USE [65000 - 66499.58] *(Heading of Title 7 amended by Stats. 1974, Ch. 1536.)*

DIVISION 1. PLANNING AND ZONING [65000 - 66103] *(Heading of Division 1 added by Stats. 1974, Ch. 1536.)*

CHAPTER 4.9. Payment of Fees, Charges, Dedications, or Other Requirements Against a Development Project [65995 - 65998] *(Chapter 4.9 added by Stats. 1986, Ch. 887, Sec. 11.)*

65998. (a) Nothing in this chapter or in Section 17620 of the Education Code shall be interpreted to limit or prohibit the authority of a local agency to reserve or designate real property for a schoolsite.

(b) Nothing in this chapter or in Section 17620 of the Education Code shall be interpreted to limit or prohibit the ability of a local agency to mitigate the impacts of a land use approval involving, but not limited to, the planning, use, or development of real property other than on the need for school facilities.

(Added by Stats. 1998, Ch. 407, Sec. 25. Effective August 27, 1998. Operative November 4, 1998 (Prop. 1A was adopted Nov. 3) by Sec. 31 of Ch. 407. Note: Pursuant to Education Code Section 101122 (subd. (d)), which was added Nov. 8, 2016, by Prop. 51, Chapter 4.9 (Sections 65995 to 65998) as it read on Jan. 1, 2015, continues in effect until Dec. 31, 2020, or earlier date prescribed. Thereafter, Chapter 4.9 may be amended.)

As a condition of approval of the NBPP project, and prior to the certification of the DEIR, we request that the City designate and reserve school sites for MVWSD as follows:

Table E

	Grade	Students	Acres (Student Guidelines)
Site 1	K-5	600	10.7
Site 2	K-5	600	10.7
Site 3	K-5	394	8.1
Site 4	6-8	764	20.9

(Source: California Department of Education)

The availability of land for school construction in Mountain View is extremely limited. The District is amenable to creative efforts to utilize all real property options and is willing to discuss these options with the Developer. The school site requirements provided in Table E are based on California Department of Education guidelines.

INDIRECT IMPACTS

Chawanakee Unified School District V. County of Madera

In this appellate court case, the court concluded that the phrase in SB50 “impacts on school facilities” does not cover all possible environmental impacts. While the NBPP does consider noise, emissions, traffic, and other indirect impacts, it does not specifically identify those indirect impacts in the operation of a school district. For example, the eighteen “significant unavoidable impacts” created by transportation and traffic may have an indirect impact on transporting students to school if the school is not in the proximity of the NBPP project. In addition, the buildout of 9,850 units is in a plan that covers a period through 2030. The approximate 10-year buildout of the NBPP project would mean an absorption rate of 980 units per year. This construction period would require the MVWSD to provide interim housing over a period of time and is considered an “indirect impact.” This issue is not addressed in the DEIR.

CLOSING COMMENTS

Our comments regarding the DEIR should not be construed to indicate our opposition to the amended NBPP. It is critical that all interested parties understand that 9,850 new dwelling units are of such magnitude that school mitigation measures for the project exceed the District’s ability to absorb the 2,358 students projected from this project. We look forward to the cooperation of the City and proponents of the project to meet with MVWSD and resolve the challenges that are apparent in proceeding forward in the process of developing a successful project. We suggest that the District, City, and proponents of the project meet during the 45-day period and attempt to provide creative viable measures to meet the needs of MVWSD and all stakeholders.

Sincerely,



Ayindé Rudolph, Ed.D
Superintendent

cc: Dan Rich, City Manager