



## **Montclair Safety and Improvement Council (MSIC) Public Council Meeting Minutes**

Thursday, June 18, 2015, Montclair Presbyterian Church, 5701 Thornhill Drive

**Steering Committee Members Present:** Carolyn Winters (Chairperson), Jim Clardy (Treasurer), Nick Vigilante (Secretary), Mimi Rohr (Community Representative), Barry Klezmer (Community Appointed Representative), Dan Swafford (Community Representative), and Nancy Havassy (Community Appointed Representative).

**Steering Committee Members Absent:** Michael Tigges (Vice Chairperson), Doug Mosher (Community Representative), Nicki Kaiser (Community Representative), Jeff Diamond (Community Appointed Representative), and Josh Shaw (Community Representative) – all excused.

**Advisory Members Present:** Patricia Rose, Oakland Police Department (OPD) Neighborhood Services Coordinator.

**Other Attendees Present:** 89 (attendance sign-in sheet, including panel members).

Relevant Meeting Background Information - In the MSIC meeting notices issued publicly on June 2 and 15, 2015, residents were invited to attend a community meeting, jointly sponsored and facilitated by the MSIC and Montclair Village Association (MVA), to provide Montclair residents a forum to ask questions and share concerns around traffic and pedestrian safety, and planning and school mission regarding the proposed LePort Montessori School to be built at 1650 Mountain Boulevard (the current location of the Montclair Women's Club). Key Oakland City Officials and LePort Montessori Schools Representatives would be present to address resident questions and concerns. In preparation for asking questions and sharing concerns, the MSIC notices informed residents to visit the following link for more information regarding the proposed LePort Montessori School – <http://leportschools.com/san-francisco-bay-area/oakland-montclair/>

A quorum of MSIC Steering Committee Members was achieved at approximately 7:00 p.m. and the meeting was called to order at that time by MSIC Chairperson Winters.

The following City Officials and LePort Montessori School Representatives were present at the meeting and seated at a table in front of the meeting room as a panel to address resident questions and concerns:

- (1) LePort Montessori Schools Chief Executive Officer (CEO) Mr. Ray Girn.
- (2) Oakland Planning Director Mr. Scott Miller.
- (3) Oakland City Councilmember Ms. Annie Campbell-Washington.

Also present at the meeting, if needed, were Mr. Alan Limon, LePort Montessori Schools Project Manager, and Ms. Heike Larson, LePort Montessori Schools Marketing Director.

Chairperson Winters introduced the members of the panel.

Via a microphone sound system, Chairperson Winters noted that residents would be given the opportunity to address questions and concerns to LePort Montessori School Representatives and Oakland City Officials at the meeting. Resident questions and concerns were to be limited to two minutes in length per address. Anyone going over the two minute limit would be asked to conclude their address. The appropriate LePort Montessori Representative(s) and/or City Officials were then to respond to each question and concern, one-by-one, with the use of the microphone sound system.

Chairperson Winters also noted that the MSIC was recording the meeting with a camcorder, in addition to taking paper minutes which are a summary of the meeting.

Chairperson Winters offered Mr. Girn an opportunity to provide brief background information about LePort Montessori Schools, and the events which led to LePort's application to build a Montessori School at the current location of the Montclair Women's Club. Mr. Girn provided that information.

Chairperson Winters then asked attendees to line-up in a "first come/first served" line to address the City Officials and LePort Montessori Schools Representatives with their questions and concerns. Residents were also given the opportunity to get back in the line-up to address additional questions and concerns. Chairperson Winters suggested that attendees leave the line up if someone ahead of them raised the same question and/or concern.

There were 37 addresses to the panel of questions and concerns by residents.

**(Resident Questions and Concerns – a summary of key points follows)**

1. Approximately 140 children and 18 staff at the proposed LePort Montessori School is hardly a small community school.
2. The picture renderings are somewhat distorted, they show what appears to be a big, two-story school which is not in character or consistent with the neighboring area.
3. There does not appear to be any required outdoor playground area for children at the proposed School.

4. The three proposed drop-off and pick-up spaces for the number of children and infants at the proposed School does not appear to be adequate and safe given the location of the proposed School. One resident calculated that with 140 children at the proposed School, it would take 1.5 minutes or more to drop-off and pick-up each child, and that it would take most of the school day just to do this. Another resident stated that she stayed 20-30 minutes a day in front of a school to make sure her children safely entered the school and she was not the only parent doing this.
5. Residents were skeptical of LePort's claim that a staggered drop-off and pick-up system successfully being used at their Fell Street San Francisco School would work at the proposed School at the corner of Mountain Boulevard and Thornhill Drive because the school in San Francisco is located on a three-lane, one-way street.
6. The eight proposed parking spaces for Montessori staff at the proposed School does not appear to be enough spaces for the 18 staffers. The overflow will add to the parking problem on Mountain and Thornhill.
7. The Oakland Public Works Agency Tree Services Office recently disapproved the removal of a Deodar Cedar tree in front of the proposed School and two Live Oak trees in back of the proposed School - areas which LePort wanted for parking, and drop-off and pick-up spaces.
8. The traffic, safety, congestion, and parking problems at and near the Mountain and Thornhill intersection where the proposed School will be located (a feeder intersection for traffic into and out of Montclair Village, Montclair and Thornhill Elementary public schools and adjacent private schools, and nearby residential areas) are significant during morning and afternoon commute hours. The proposed School will add significantly to all the problems. The problems have grown steadily over the years because of the growth of the Oakland Hills area which includes Montclair.
9. A couple of years ago there was a public meeting about the traffic and pedestrian safety problems around the Montclair Elementary School. Residents expressed concerns and were told that corrective efforts would be undertaken but nothing ever happened.
10. There is a 3/10 of a mile commuter back-up in the morning on Thornhill Drive because of the effects of commute and pedestrian traffic.
11. Some commuters on Hwy 13 use Mountain Boulevard as a "cut through" to avoid the almost daily traffic back-ups on Hwy 13 going northbound.
12. No traffic study has ever been conducted at or near the Mountain and Thornhill intersection area to study and document all the problems despite concerns raised routinely over the years.
13. LePort has not yet submitted a comprehensive traffic study to identify the additional adverse impacts of the proposed School.
14. Any traffic study done should be current and performed during the school year and during commute periods.
15. Some wondered if much of anything could be done to lessen or eliminate the additional problems the proposed School would cause.
16. The Montclair Elementary School was recently rebuilt and expanded. It went from 588 students to 614 students which adds to the traffic, pedestrian, and congestion problems.

17. There are approximately 375 patrons a day at the nearby Montclair Library who will be impacted by the proposed School.
18. The use of the Montclair Women's Club by its patrons is significantly less than that of the proposed School. Many of the larger activities occur in the evening hours. Traffic and usage information about the Montclair Women's Club should be considered in the study and analysis of traffic, pedestrian, and congestion problems.
19. There have been traffic and pedestrian accidents at the Mountain and Thornhill intersection, and at nearby School locations, during commute hours never documented.
20. There used to be crossing guards to help children walk across streets to schools but they are no longer being used because of budget and safety concerns. The last crossing guard was struck by a car and retired thereafter.
21. Many parents who live nearby the schools don't want their children to walk to school because of the traffic and congestion issues and problems that plague the area. Lack of sidewalks is not the only problem.
22. Neighbors along Mountain and Thornhill and secondary feeder streets feel trapped and blocked during commute hours because of the traffic and congestion problems. They find it almost impossible to park on the street in front of their homes.
23. Thornhill and Mountain are used during disasters as evacuation routes, as evidenced by the 1991 Firestorm evacuation. There is concern that residents will be unable to safely evacuate in the next disaster, while at the same time parents of children at the proposed School and nearby schools are coming to get their children.
24. The proposed School would be very near the Hayward earthquake fault. An earthquake fault is not a good place for a new school.
25. The Oakland Fire Department should be consulted for advice about the placement of the proposed School because of the disaster and evacuation concerns.
26. LePort should consider other locations for the proposed School, and do they really need another Montessori school because there are already approximately 13 Montessori schools in the Bay Area around Oakland.
27. Once the planning application for the new School is complete, the entire application should be placed on the City of Oakland website for the community to review and provide additional comments.
28. If the City of Oakland approves the proposed School and if it is later sold to a new owner, there was a concern that the approved use of the building as a school would convey to the new owner along with any existing unsolved problems, and new problems might thereafter arise with the new ownership making the situation worse.

**(Mr. Ray Girn – A summary of his responses follows)**

Mr. Girn stated that LePort has for some time wanted to open up a Montessori School in the Montclair area. When they heard that the Montclair Women's Club was up for sale, they examined the property and felt it would be a good location for a Montessori School. Such properties are hard to find especially with outdoor space. He stated that he was not aware of any other locations which were available, but LePort would consider them if those locations were brought to his attention.

Mr. Girn stated that he was listening to all the community concerns about traffic and pedestrian safety, and congestion that were being voiced, and he was trying to take all that information in for consideration. He wanted to go slowly to review the information because there was so much of it. Mr. Girn stated that although LePort wants to open a school, it does not want to create an acrimonious relationship with the community in doing so. He felt that any additional impact or burdens created by the proposed School could be reduced, or eliminated. LePort would do all it could reasonably do and would work with the City of Oakland and the community in doing that.

Regarding student and infant drop-off and pick-up, Mr. Girn noted that LePort could attempt to stagger it as it has successfully done at their San Francisco school on Fell Street so that it was done in an orderly and safe manner. LePort would try to come up with a workable plan. Mr. Girn stated that LePort will not tolerate safety risks to children and parents.

Regarding staff parking, he noted that LePort could ask employees to carpool and some work-shifts could be staggered to reduce the impact on the surrounding community. LePort would try to come up with a workable plan.

Regarding outside playground areas, Mr. Girn felt there was enough available outside space for children to play. Although the picture renderings brought to the Meeting do not show an outside play space, LePort would make sure that there was enough adequate space. More details would follow to the public on this.

Regarding the denial of the tree removal request, Mr. Girn was not certain what the design impact would be on the proposed School. LePort would need to further examine and consider this event.

Regarding overall traffic, pedestrian, and congestion problems in the surrounding area, Mr. Girn felt that the School would have a limited impact on it. To perform the required traffic study needed for the minor conditional use permit application, LePort will have CHS Consulting of San Francisco, California conduct a thorough traffic study of the area surrounding the proposed School to identify issues and problems, including the impact of the proposed School.

Regarding the picture renderings of the proposed School and a feeling that the proposed School was bulky and not in character with the surrounding area, Mr. Girn stated that the picture renderings were LePort's initial vision of the new School. The vision could be modified and improved based on feedback from the community and the City of Oakland.

Mr. Girn clarified that LePort wants to build the proposed School if it makes sense.

**(Mr. Scott Miller – A summary of his responses follows)**

Mr. Miller stated that there have been many letters sent to the City of Oakland about the proposed LePort Montessori School. LePort's application for the proposed School is a minor conditional use permit application. Design review is also an important part of the review process. The application is not yet complete because it does not include a comprehensive traffic study. The traffic report in the application was conducted without being scoped by the City of Oakland Traffic Engineer. The traffic study should be done in the fall of 2015 when nearby schools are in session and during peak commute hours. The study will then be reviewed for accuracy and completeness.

Mr. Miller stated that once LePort's application is complete, his office will post the information on the City of Oakland website. It will also notify residents within 300 feet of the proposed School, and anyone on the interested party list. The interested party list will include all individuals who attended the June 18, 2015 Meeting and signed-in at the Meeting. Other interested parties can e-mail his office to be added to the interested party list (please contact Mr. Dave Valeska at [dvaleska@oaklandnet.com](mailto:dvaleska@oaklandnet.com), or Mr. Scott Miller at [smiller@oaklandnet.com](mailto:smiller@oaklandnet.com)).

Mr. Miller has the discretion to make a decision on the minor conditional use permit application. Minor conditional use permit applications are rarely referred to the Oakland Planning Commission. His decision is appealable to the Planning Commission. The Planning Commission decision would be final (unless a lawsuit is filed). If Mr. Miller defers the matter to the Planning Commission, their decision is appealable to the Oakland City Council.

Mr. Miller stated that he was unaware that the Oakland Public Works Agency Tree Services Office had disapproved LePort's request to remove trees and was uncertain about the impact of that decision on LePort's application for the proposed School.

Mr. Miller stated that it is true that if the City of Oakland were to approve the proposed School, that the approved use of the building as a school would convey to the new owner of the school.

**(Ms. Annie Campbell-Washington – A summary of her responses follows)**

Ms. Campbell-Washington stated that her office has received lots of e-mail regarding the proposed School. Almost all the feedback about the proposed School is negative. She is here at the Meeting to listen.

Regarding efforts several years ago to address traffic, pedestrian, and congestion problems around Montclair Elementary School, Ms. Campbell-Washington stated that a grant application was submitted by the City of Oakland but was not funded due to lack of resources and a need to address other more serious priorities elsewhere at that time.

Ms. Campbell-Washington stated that her office was closely examining all the current problems and issues regarding traffic, pedestrian, and congestion in the Mountain

Boulevard and Thornhill Drive corridor up to Moraga Avenue. She is trying to identify different pots of money from budget areas (e.g., streets, sidewalks, intersections, schools, pedestrian safety, etc.) that could be used to address the problems. Because of the availability of more funds now, each City Council Member can allocate some funding for their “Worse Streets.” Ms. Campbell-Washington is looking at this funding method as a way to address problems in the Mountain Boulevard and Thornhill Drive corridor. Not enough funding has yet been identified.

Regarding taking a position “for” or “against” the proposed School, Ms. Campbell-Washington stated that she could not take a position at this time. If she takes a position now, and if LePort’s minor conditional use application is thereafter appealed to the Oakland City Council, she will then be required to recuse herself from City Council decision-making on the proposed School.

The Meeting forum concluded at 8:48 p.m. and Chairperson Winters adjourned the Meeting.

*Nick Vigilante*

Nick Vigilante  
MSIC Secretary