

Chair Ross called the special meeting to order at 4:05 p.m.

**ROLL CALL:**

ASCC: Commissioner Wilson, Vice Chair Breen and Chair Ross

Town Staff: Planning Director Debbie Pedro and Associate Planner Cassidy

Associate Planner Arly Cassidy presented the report regarding the project which consists of a 598 square foot addition to the existing 2,391 square foot house, garage and studio on the 0.424 acre property located at 8 Portola Green Circle. She described the addition's location under the existing two story house, the temporary fill of the adjacent swale for construction purposes, and the deck's extension. She described the windows and the shielding of light spillage, and explained that the project conformed to all applicable code sections.

Associate Planner Cassidy then asked if there were any questions. The applicant, Judy Murphy, drew the Commissioners' attention to a black oak adjacent to the proposed stair, saying that the tree was dead or dying, and that she would like to remove it. Commissioner Breen noted that the area had a number of black oaks, and that, if taken down, the tree should be replaced with another black oak, not a coast live oak.

Commissioner Wilson and Chair Ross commented that the project was well designed and they were glad the Murphys would be able to stay in their home. The Commissioners agreed that they would offer any further comments on the proposal at the regular evening ASCC meeting. Commissioners thanked the applicant for showing them the site. The field meeting adjourned at 4:15 p.m.

(1) CALL TO ORDER

Chair Ross called the regular meeting to order at 7:00 p.m. in the Town Center Historic School House Meeting Room, 765 Portola Road.

(2) ROLL CALL

Planning Director Debbie Pedro called roll:

Present: ASCC: Commissioner Wilson, Vice Chair Breen, Chair Ross  
Absent: Commissioners Koch and Sill  
Planning Commission Liaison: Denise Gilbert  
Town Council Liaison: None  
Town Staff: Planning Director Debbie Pedro, Planner Cynthia Richardson and Associate Planner Arly Cassidy

(3) ORAL COMMUNICATIONS: None.

(4) OLD BUSINESS

(a) Architectural Review and Site Development Permit review for three parcels located at 1260 Westridge Drive, Carano Residences

Parcel A: New 2,039 Square Foot Residence, Pool, Gazebo, and 988 Square Foot Detached Garage. File #26-2015

Parcel B: New 6,150 Square Foot Residence with a 6,144 Square Foot Basement and a 969 Square Foot Detached Garage. Variance request to locate a 6-foot-tall fence and gate within the front setback. File #27-2015.

Parcel C: New 5,086 Square Foot Residence with a 1,442 Square Foot Basement, a 950 Square Foot Detached Garage, a 404 Square Foot Accessory Dwelling Unit, a 700 Square Foot Detached Garage and Tennis Court. Variance request to locate a 6-foot-tall fence and gate within the rear setback. File #28-2015.

Planner Cynthia Richardson presented the staff report regarding the final plans for the project located at 1260 Westridge Drive. She said that revised plans were submitted on November 10, which addressed the ASCC comments from the last preliminary review meeting. She said the applicant has also requested a variance for Lots B and C to allow construction of a 6-foot-tall stone wall and driveway gate enclosing the parking courtyard in front of the two facing garages. She said the proposed wall is located within front and side setbacks where only a 4-foot-tall horse fence is allowed. She said the Planning Commission must make six findings in order to approve the variance, and the ASCC should provide the Planning Commission with comments and suggestions. She noted that the Conservation Committee's review of the landscape plan revealed their concern with the linear aspect of the planting of the trees between Lots B and C. She said some of the ASCC members had also previously expressed concern with that row of

trees. She said the applicants have made no changes to that part of the landscape plan.

Vice Chair Breen said she had thought the line of trees was being removed. She asked the landscape architect what type of tree was there. Mr. Klope said it would be a small flowering tree. He said there are currently aged crabapple trees there and they are being removed and replaced to help with screening.

Chair Ross invited the applicant to comment.

The project architect, Andrew Skurman, introduced the project team and the owner, Mr. Carano. Mr. Skurman described the proposed changes to the project as detailed in the staff report.

Chair Ross called for questions for the applicant.

Chair Ross asked staff if the stone wall at the auto court was allowed to straddle the property line. Planning Director Pedro said no structures are permitted within setbacks, but if a variance for the stone wall is granted, there is no additional issue of it crossing a property line.

Chair Ross asked for more description of the construction of the foundations under the oak trees. Landscape architect Tom Klope said they anticipate the construction of a garage slab in that area. He said the arborist report, included with the staff report, shows the trenching that exposes roots in the area is minimal at best.

Vice Chair Breen asked if the addition of the stone walls at the garages were in response to neighbor comments. Mr. Klope said they felt the walls were helpful to the neighbors for shielding car noise and headlights. He added that the property is unique in that those setbacks are internal setbacks and not perimeter setbacks, and the property lines are not seen in reality. He said they would be willing to consider a condition, if necessary, that upon sale of those properties to separate owners, the walls could be removed.

Vice Chair Breen said the planting plan looked good at this point. She asked if the plans had been shared with the neighbors and if the neighbors were satisfied. Mr. Klope said they had not received any negative comments.

With no further questions, Chair Ross opened the public hearing.

Judith Murphy, Conservation Committee, said the committee has only seen the preliminary planting plan and have not had the opportunity to review any final plans.

Laure Woods, 1240 Westridge, asked regarding the construction schedule and staging plan. Chair Ross said those issues would be discussed.

With no further public comment, Chair Ross closed the public hearing and brought the issue back to the Commission for discussion.

Commissioner Wilson said she was supportive of the addition of the accessory dwelling unit. She said she could support the variance for the wall if the variance would expire when property is sold. She said she does not like the placement of the pavilion on Lot A in the sight line from the pool to the hills.

Vice Chair Breen was supportive of the fountain locations, and said that because this property is

so self-contained, she could support lighting in the fountains located in the sunken area behind Property B, even though the Town ordinance does not allow lighting in water features. She said all other fountain lighting should be eliminated. She said the applicants should be mindful of possible acoustical issues for the neighbors if the fountains are large. She said she is satisfied with the arborist report and the applicant's reassurances about preserving the oak near the garage. Vice Chair Breen said that everyone is bounded by the same rules and ordinances, and variances are only granted for extraordinary situations, and not merely for design reasons. She was not supportive of a variance for the stone wall and suggested the applicant come up with another design solution that would not require a variance. She said the screen planting should be started early in the project.

Chair Ross said this project will require a very well worked-out construction logistics plan. He said there will be a fair amount of truck traffic, and the parking and staging areas must be kept away from the main road. Chair Ross stressed the importance of communication with the neighbors throughout the construction process, perhaps publishing schedules so that neighbors know what to expect and feel well informed. Chair Ross said because this property is insular and self-contained, and has minimal visibility from off-site, he is less concerned with some of the design aspects than he would be for most other projects – i.e., linear planting of trees, location of the pavilion, lighted water feature in the subterranean garden. He recommended two visits with an ASCC member regarding the planting plan – one fairly early on to fine tune screen planting and also at the point when rough framing is complete. Chair Ross was supportive of the subterranean garden. With regard to the auto court wall; he did not have a problem with the concept or the aesthetics, but said it was a voluntary design feature. He said he would be more comfortable with it if the variance ran with the ownership rather than the land.

Vice Chair Breen expressed concern about the fountains. Mr. Skurman said the fountain in the sunken garden will be a very gentle, serene flow of water down a textured wall, with the flow of water being adjustable. He said the front fountains would not be grand cascades of water, and their goal was serenity. Vice Chair Breen said she could support lighting in the fountain in the sunken garden, but the other fountains should not be lit.

Vice Chair Breen moved to approve Parcel A with the staff conditions, adding the arborist conditions in Attachment #4, amending Staff Condition #2 to include a review of the planting plan with an ASCC member prior to the issuance of the building permit and again prior to the rough inspection sign-off, and amending Staff Condition #3 to include a detailed construction logistics plan with a schedule and means of communication to the neighbors. Seconded by Commissioner Wilson; the motion carried 3-0.

Vice Chair Breen moved to approve Parcel B with the staff conditions, approving the expanded lightwell, adding the arborist conditions in Attachment #4, adding a condition to remove lighting from all fountains except the fountain in the recessed garden, amending Staff Condition #2 to include a review of the planting plan with an ASCC member prior to the issuance of the building permit and again prior to the rough inspection sign-off, and amending Staff Condition #3 to include a detailed construction logistics plan with a schedule and means of communication to the neighbors. Seconded by Commissioner Wilson; the motion carried 3-0.

Vice Chair Breen moved to approve Parcel C with the staff conditions, adding the arborist conditions in Attachment #4, amending Staff Condition #2 to include a review of the planting plan with an ASCC member prior to the issuance of the building permit and again prior to the rough inspection sign-off, and amending Staff Condition #3 to include a detailed construction logistics plan with a schedule and means of communication to the neighbors. Seconded by

Commissioner Wilson; the motion carried 3-0.

(5) NEW BUSINESS

(a) **Architectural Review for Driveway Entry Gate, File #4-2016, 140 Golden Oak, Avida/Koller Residence**

Associate Planner Cassidy presented the staff report for the proposed driveway entry gate at 140 Golden Oak. She said the side posts for the gate are 5 feet tall, and the top of the arch is at 6 feet. The applicant is proposing to install the gate 50 feet in from the front property line and, as such, is not subject to the 4-foot height requirement.

Chair Ross called for questions.

Commissioner Wilson asked how much gap was between the rock and fence post. The applicant said the gap was minimal.

Chair Ross invited the applicant to comment. The applicant said they are installing the gate as a result of the recent home invasion robberies on Golden Oak near their property.

Chair Ross invited public comment. Hearing none, Chair Ross closed the public hearing and brought the issue back to the Commission.

Vice Chair Breen moved to approve the application for the driveway entry gate as submitted. Seconded by Commissioner Wilson; the motion carried 3-0.

(b) **Architectural Review for an Addition, File #30-2016, 8 Portola Green Circle, Murphy Residence**

Associate Planner Cassidy presented the staff report regarding a proposal to add a bedroom and full bathroom, totaling 598 square feet, beneath the existing first floor of the residence located at 8 Portola Green Circle. There was a field meeting held at this property this afternoon.

The applicant said the proposal would allow them to age-in-place in their home.

Chair Ross called for questions for staff. Hearing none, Chair Ross called for any additional comments from the applicant. The applicant advised that she could not get the arborist report in time so that it would be part of the ASCC staff report, but that she did have it now. She advised that the arborist recommended removal of the black oak tree that had been marked on site. After reviewing the letter, Planning Director Pedro suggested that if the Commission wishes to allow removal of the 15.8-inch black oak tree, to amend the condition to note that the tree is approved for removal.

Chair Ross called for public comment. Hearing none, he brought the issue back to the Commission for discussion.

Vice Chair Breen said she was supportive of the project. She also supported removal of the black oak. She suggested if they chose to plant something as a replacement, only a black oak should be considered and not a live oak.

Commissioner Wilson was supportive of the project and of the black oak removal.

Chair Ross was supportive of the project and said it met every aspect of the design guidelines. He also supported removal of the black oak and agreed that if it is to be replaced, it should be replaced with another black oak.

Vice Chair Breen moved to approve the proposed addition with the staff conditions and removal of the black oak. Seconded by Commissioner Wilson; the motion carried 3-0.

**(c) Preliminary Review of a Proposal to Renew and Amend a Conditional Use Permit, Alpine Inn Beer Garden, 3915 Alpine Road, File #36-2016**

Associate Planner Cassidy presented the staff report regarding the proposal to renew and amend the Conditional Use Permit (CUP) for this property, which has not been updated since 1982. She said as part of that process, staff has asked to formalize the Town easement across the property so there is a codified easement for access from Arastradero Road to the Town-owned Rossotti Field parking lot adjacent to this property.

Associate Planner Cassidy said staff received a call this evening from Jim Pooley, 460 Golden Oak, who could not attend tonight's meeting. Mr. Pooley wanted to register his complaint that he has been disturbed by amplified music played there on weekends and late-afternoons and early-evenings.

Chair Ross called for questions from the Commission.

Vice Chair Breen asked on what portions of this project the ASCC was being asked to comment. Planning Director Pedro said that even though there are no physical improvements proposed with this application, historically, all Use Permits come before the ASCC for comment and recommendation to the Planning Commission.

Commissioner Wilson asked regarding Resolution 1970-88, Clause 20, regarding the emergency access which is currently being used for three parking spaces. She asked if the Fire Department had any opinion that there is only one ingress/egress point onto Arastradero Road. Associate Planner Cassidy said the Fire Department has not been consulted regarding this proposal. She said that long ago, Arastradero Road was aligned differently, cutting across the property to meet Alpine Road. She said the Town still has the easement, and former attempts to release it and record it as being part of the Alpine Inn Beer Garden failed, so it is part of this proposal to formally record that the easement has been released and is no longer a Town property. She said the emergency access noted in the resolution had been closed for decades and has not been an access point. Commissioner Wilson asked if it would be a good idea to have that access for emergencies. Planning Director Pedro said staff will check with the Fire Department on that issue but she believed that particular condition is no longer applicable because of the realignment of the road.

Chair Ross asked staff if there had been any concerns or complaints about parking overflow at peak times. Planning Director Pedro said there had been no complaints about cars parked offsite; however, when staff inspected the property recently and noticed that some of the Palo Alto University parking were spilling over into the Town parking lot. She said Palo Alto University advised staff that this overflow does not happen very often. She said the Town has only recently been made aware of this parking lease arrangement so it has not been thoroughly investigated. Chair Ross asked if residents had been having any trouble finding parking in the Town's parking lot for the soccer field. Planning Director Pedro said she was not aware of any complaints in that regard. Associate Planner Cassidy said there was no clear demarcation between the two

parking lots. She said the Beer Garden Manager said a lot of people park in their lot for recreational purposes, such as bicyclists.

With no further questions for staff, Chair Ross invited the applicant to comment.

Matthew Geisick, attorney for the owner of the Alpine Inn Beer Garden, said the parking lot lease was inherited by the current management. He said they will be terminating the lease with Palo Alto University. He said that their intent is to stay open longer during the summer, when the days are longer and the televised sports games run later, on Thursdays, Fridays, and Saturdays. He said they are in agreement with the balance of staff's recommended conditions.

Chair Ross called for questions from the Commission. Hearing none, he called for questions from the public. Hearing none, he closed the public hearing and brought the issue back to the Commission for discussion.

Vice Chair Breen said with regard to aesthetics, she would change nothing at the site. She said the horse parking area should remain. She would support extended operating hours and the rear residence being acknowledged as a legal non-conforming structure. She said there is a dead tree near the entrance that is on either Town property or the applicant's property that should be removed.

Commissioner Wilson asked about the disparity regarding the business hours in the CUP. Mr. Geisick said the original Use Permit allowed the restaurant to be opened until 1:00 a.m., but the Beer Garden has traditionally only stayed open until 9:00 p.m. Monday through Saturday and until 6:00 p.m. on Sundays.

Chair Ross liked that there is no solid division between the Town's lot and Alpine Inn Beer Garden's lot and that it has worked well. He said he does not have a problem with the parking lease as long as there is not an overflow parking problem. Planning Director Pedro asked for thoughts about converting one of the horse tie racks to bicycle parking. Chair Ross said that would be a good idea for the dilapidated one near the dead tree. Chair Ross said that he hopes the CUP conditions allow flexibility for parking between the Beer Garden and Rossotti Field's use because it has generally not been an issue. Chair Ross said the recent noise complaint needs to be acknowledged and attention should be paid to the prohibition to amplified music, possibly distinguishing between music inside versus music outside.

(6) COMMISSION AND STAFF REPORTS:

(a) Portola Road Widening Project – Oral Report

Planning Director Pedro reported on the progress of the Portola Road Widening Project. She said in 2014, BPTS had recommended widening the shoulder for bicycle safety at two pinch points – one on Alpine Road and one in front of Town Hall. This resulted in a grant received by the Town. She said Public Works Director Howard Young started the shoulder widening project last year with Alpine Road, and Phase Two is the shoulder widening on Portola Road. Chair Ross said in order to get to 5 feet of shoulder on each side of Portola Road, a culvert will need to be extended, which will be paved over, and five trees will need to be removed. He said reducing that shoulder to 4 feet on each side is not that significant to the bicycle riders and may save a few trees. Vice Chair Breen preferred reducing the shoulder to 4 feet if it would save the trees. Commissioner Wilson said she was concerned about trees being so close to the road. Chair Ross said the trees are currently right at the edge of the paving and would need to be

removed to widen the paving. He said he does not think a full 5-foot width is necessary. Planning Director Pedro said that staff will forward these recommendation to Public Works Director Howard Young who will begin the design in January. She said the finished design could be brought back under Committee Reports. The Commission agreed.

Vice Chair Breen advised that she reviewed the follow-up landscape plan for 50 Adair.

(7) APPROVAL OF MINUTES: November 14, 2016. Vice Chair Breen moved to approve the November 14, 2016, minutes as amended. Seconded by Commissioner Wilson, the motion passed 3-0.

(8) ADJOURNMENT [8:45 p.m.]