

REGULAR PLANNING COMMISSION MEETING. TOWN OF PORTOLA VALLEY, SEPTEMBER 21, 2005, TOWN CENTER, HISTORIC SCHOOLHOUSE, 765 PORTOLA ROAD, PORTOLA VALLEY, CA 94028

Chairman McIntosh called the meeting to order at 8:03 p.m. Ms. Lambert called the roll:

Present: Commissioners McKitterick (dep. 9:30), Wengert and Zaffaroni, and Chairman McIntosh
Absent: Commissioner Elkind
Staff Present: Tom Vlastic, Dep. Town Planner
George Mader, Town Planner
Leslie Lambert, Planning Manager
George Comstock, Council Liaison

ORAL COMMUNICATIONS

Ray Rothrock, Chair-Priory Board of Trustees, read a proclamation passed by the Board recognizing the Planning Commission, planning and Town staff, and Council for the exceptional attention and consideration given to the Priory's revised CUP/master plan. He said he would be sending a note to former Planning Commission Chairman Craig Breon.

REGULAR AGENDA

- (1) Compliance with Annual Reporting Conditions, Conditional Use Permit (CUP) X7D-30, Woodside Priory School

Commissioner Zaffaroni stepped down from the Commission due to the proximity of her residence to the Priory.

Mr. Vlastic reviewed the staff report of 9/15/05 on the annual report from the Priory in compliance with CUP conditions and the schedule of activities for the current school year.

Commissioner McKitterick encouraged the Priory to continue to try to increase the percentage of students from the local area.

Responding to Commissioner Wengert, Tim Molak, Priory, said the family picnic had gone very smoothly in terms of parking. The Back to School Night required use of every available parking space. Three or four people had been used to direct traffic. Temporary lighting had been put up after dark so people could get back to their cars. He felt it had gone well. With respect to local students, he said there were 28 applicants from Portola Valley, and 23 had been accepted; 11 decided to attend. The Priory was accepting a high percentage of those that applied from Town. Currently, about 18% of the students were from Portola Valley.

Responding to Commissioner Wengert, Mr. Molak said there had been a week delay in the schedule while a soil analysis was done. He did not think it had slowed down the berm construction, which was about 75% complete.

Commissioners said they found the report to be very complete and detailed. By motion and second, the September 21, 2005, annual report and 2005-06 school year calendar were accepted by a vote of 3-0.

- (2) Review of Plans for Priory Performing Arts Center (PAC) for Compliance with Conditions of CUP X7D-30, Woodside Priory School

Mr. Vlastic reviewed the staff report of 9/15/05 on the proposed plans for the PAC and compliance with CUP condition #30.

Responding to Commissioner Wengert, Steve Kelly said the cost modeling and estimating included reasonable contingency amounts based on historical precedent for being able to carry the proposed project to fruition. Construction costs were outside his control, but the onus was on the Priority to come to the Town with a project that the Town was comfortable with. If less expensive materials needed to be substituted, the intent was to maintain the same building character. Responding to Commissioner Wengert, he confirmed that exact costs would only be known when the bids came in. Responding to Chairman McIntosh, he said there would be more information on cost as the project went through the next level of refinement.

Mr. Kelly gave a Powerpoint presentation on the project. He discussed: 1) the site; 2) proposed auditorium and two smaller buildings; 3) trees; 4) building relationships and open space; 5) circulation and safety; 6) sustainability; 7) landscape; 8) hardscape and runoff reduction; 9) green roof; 10) the amphitheater; 11) emergency access; 12) casual/rural approach to the design; 13) materials and reflectivity; 14) LEED guidelines; 15) lighting and off-site spillage; 16) auditorium seating and backstage area; 17) vehicle access; 18) noise mitigation measures for coolers, fans and pumps.; 19) elevations; and 20) views from off site.

Responding to Bernie Bayuk, Paloma, Mr. Kelly described the glass/windows that would face Portola Road and screening. Mr. Vlasic added that the planting just completed at the parking lot extended the existing screening with a third row of redwood trees.

Leah Zaffaroni, Georgia Lane, said her major concerns were ambient noise and light. She said it appeared that the lighting had been attended to, and she appreciated the attention given to sound attenuation. In looking at the plans, she noted that the mechanical and electrical equipment was on the Georgia Lane side of the building. Mr. Kelly confirmed that the equipment would be completely enclosed. The intent was to ensure that the points of sound "leak" were directed away from the property edges. Responding to Mrs. Zaffaroni, Mr. Vlasic said once the building permits were developed and submitted to the Town, the ASCC would review them for conformity with conceptual plans and noise requirements; normal noticing would occur. Responding to Mrs. Zaffaroni, Mr. Kelly said the data in the noise report represented baseline measurements at various points. The information indicated that the baseline was very low; any noise above that baseline would be very noticeable very quickly. Therefore, the controls needed to be included in the design of the structure. Mrs. Zaffaroni said she wanted to know if the equipment would be heard or not. Mr. Kelly said he would get clarification on that from the noise consultant. Mrs. Zaffaroni said she would also like clarification with respect to the actual design of the enclosure. Mr. Vlasic confirmed that the final plans would need to address any noise that could be heard.

Commissioner Wengert said the changes made to the plans were terrific and that the design was creative; the original building had been "de-massed," which was a huge win for everybody. She said she shared some of the concerns about the decibel levels. The report didn't indicate what you could expect in terms of base levels during performances. What steps would mitigate that would also need to be addressed. The Georgia Lane residents should not have to worry about sound spilling out on a regular basis. She was less concerned with the lighting because the plans seemed to be very consistent with what the Town wanted in terms of minimum impact. She felt the biggest issue going forward was the acoustic one.

Chairman McIntosh agreed the approach of breaking these buildings up was great and similar to what was proposed for the Town Center.

Commissioner Wengert moved to find the PAC plans in conformance with the provisions of CUP condition #30, subject to further acoustical design and review relative to both on-going mechanical issues as well as performance issues. Commissioner McKitterick seconded, and the motion carried 3-0.

Commissioner Zaffaroni rejoined the Commission.

(3) [ASCC Recommendations Regarding Gates](#)

Mr. Vlasic reviewed the 9/15/05 report on the ASCC's consideration of the Planning Commission's referral back to the ASCC on the issue of gates/entryways. To clarify, he said any gate element, including supporting posts, that required some form of construction required a building permit. The ASCC recommended the Town have control over entry gates no matter where they were located. Responding to Commissioner Zaffaroni, he said currently, if an entry feature was within the front setback area in parcels of 1-acre or larger, it had to be set back at least half of the setback (i.e., 25'), and it required a building permit and review by the ASCC. The ASCC recommended that any gate on a driveway, whether or not it was within the front yard setback and even if it was in the building envelope, should be reviewed by the ASCC. He added that gates were currently only looked at in the context of some other application.

Responding to Chairman McIntosh, he did not recommend sending this to the Council until they had taken action on the proposed fence regulations and guidelines. Town Planner Mader added that the Commission adopted a resolution on June 15 recommending the ordinance changes to fencing to the Council. The CEQA environmental documents had been done, and a report had gone to the Council; the resolution went forward in the proposed ordinance form. If the Commission wanted to modify it to include gates, it would have to be brought back to the Commission, be re-noticed and hearings held. He felt it would be more expeditious to let the gate issue move to the Council as a separate matter. The fence regulations had been continued and continued until finally, it was set for Council hearing on October 12. He noted that gates were addressed in the fencing ordinance. Commissioners agreed the fencing ordinance should go forward as is.

Responding to Commissioner McKittrick, Chairman McIntosh said the Planning Commission had discussed not allowing gates inside the setback. There was no consensus, and a compromise of 25' was agreed on. The ASCC was enthusiastic about eliminating gates in setbacks but had some concerns. They were willing to take on an additional approval burden—even if the gate was inside the building envelope. Responding to Commissioner Wengert, Mr. Vlasic confirmed that any gate would be subject to review. Responding to Commissioner McKittrick, he said the ASCC felt that if you wanted a gate, you put it in the building envelope unless the ASCC found it would be acceptable in the front setback—but no more than ½ of the setback. Having attended the ASCC meeting, Chairman McIntosh said the reasoning was that there were certain sites where the gate had no impact; it might even be preferable to have the gate further down the driveway.

Ms. Lambert distributed copies of the minutes of the ASCC meetings on this issue, the existing entryway ordinance, and a handout indicating when people needed a permit.

Chairman McIntosh noted that this applied to sites over 1 acre. He had envisioned it applying to sites over 2 acres. Mr. Vlasic said gates on a number of 1-acre parcels in a row would have an impact. He added that Carter Warr had commented strongly about the visual presence of gates, the impacts on roadways, and the inappropriateness of them. He said Mr. Warr had strongly supported they be limited to the building envelope. He thought it might be helpful to have some discussion with the ASCC.

After discussion, Commissioners agreed to agendize the issue after the Council took action on the proposed fencing ordinance and to ask Carter Warr and Laura Chase to attend. Responding to Chairman McIntosh, Town Planner Mader confirmed that the new fencing ordinance, once adopted, would be amended to include the recommendations for gates.

(4) Planning Commission Policy Statement

Town Planner Mader reviewed the agenda staff memo of 9/15/05 on the update of the Planning Commission Policy Statement. He reviewed an excerpt from the State Planning Law and summarized those functions that were included in the Town's planning policy statement or handled by other Town bodies/staff. Referring to the "Responsibilities" section of the policy, he noted that the Commission only made policy with respect to its own functions; the Council made policy decisions. He suggested that phrase be deleted if it was misleading. Ms. Lambert suggested adding "...with respect to its own functions...." Commissioners agreed to insert the phrase.

Commissioner Wengert questioned whether the policy should address the fact that the Commission sat as the Board of Adjudication for ASCC matters. Town Planner Mader said that was included under "Responsibilities."

Ms. Lambert noted that Vice Mayor Toben had asked that the term limit section be clarified. He was concerned about continuing re-appointments without some sort of an interview process before terms expired. She said the old policy statement had existed for a long time but had never been adopted by the Council. Responding to Commissioner Wengert, she said the term for Planning Commissioners was 4 years. She said she would draft a memo on when Commissioners' terms expired and the change in policy.

By motion of Commissioner Zaffaroni, seconded by Chairman McIntosh, the Policy Statement was approved, as amended, by a vote of 3-0.

COMMISSION, STAFF, COMMITTEE REPORTS AND RECOMMENDATIONS

Ms. Lambert said there had been an appeal filed on the Sausal Creek Associates project. That would be on the Council's agenda for the September 28, 2005, meeting.

Ms. Lambert said a green building presentation would be held on October 8, 2005. Chairman McIntosh noted that the green presentation on the Town Center project was terrific. Commissioners and staff discussed LEED certification.

APPROVAL OF MINUTES

By motion and second, the minutes of the August 17, 2005, meeting were approved as submitted by a vote of 2-0, with Commissioner Wengert abstaining.

ADJOURNMENT: 9:50 p.m.

Chip McIntosh, Chair
Planning Commission

Leslie Lambert
Planning Manager