

CALL TO ORDER AND ROLL CALL

Chair Goulden called the Planning Commission regular meeting to order at 7:00 p.m. Planning & Building Director Russell called the roll.

Present: Planning Commissioners: Kopf-Sill, Targ, and Taylor; Vice Chair Hasko; Chair Goulden
Absent: None.
Town Staff: Laura Russell, Planning & Building Director; Cara Silver, Town Attorney
Town Council: John Richards

ORAL COMMUNICATIONS

None.

OLD BUSINESS

(1) **Proposal to Amend a Conditional Use Permit to Allow Wine Tasting and Event Space at the Spring Ridge Winery, Spring Ridge LLC, 555 Portola Road, File # PLAN USE 4-2018**

Planning & Building Director Russell described the background of the proposal and the resulting questions and comments from residents about the project's history and how the project fits in with the Town's policies and General Plan. Planning & Building Director Russell explained that tonight's presentation will address the General Plan. She said that there will be additional meetings to review other topics related to the project.

Planning & Building Director Russell invited anyone not already on the contact list to let her know so they can be emailed directly regarding future meetings regarding this project.

Included in the staff report, in Attachment 3, was a narrative of applications related to the property since 2000 with links to minutes. She offered to provide printed copies of the minutes to those interested.

Planning & Building Director Russell led the presentation, describing the Planning Commission review process, the previous applications related to the property, the project description, staff's analysis of the project as it relates to the General Plan, and public comments received, as detailed in the staff report. Staff recommended that the Planning Commission consider the application, staff report, and public comment, and provide preliminary feedback and direction on whether the proposed project is consistent with the General Plan.

Chair Goulden invited questions from the Commission.

Commissioner Targ asked regarding the meaning of "proposed preserve" and asked if it was different than preserve. Commissioner Kopf-Sill said she had a similar question because she saw both "community preserve" and "open space" and wasn't sure if they were the same. Planning & Building Director Russell said staff recognizes there is not absolute clarity between the map and documents. She said the ambiguity was also recognized in previous reviews of this site regarding the word "proposed." She said the best information that staff has available is that the record shows that in the past, this property was considered to be an open space preserve.

Commissioner Targ asked if a preserve is treated the same under Section 2204 whether it is public or private. Planning & Building Director Russell said there are two different sections. Staff's interpretation of one of them is that it applies to all open space preserves, and the other section applies only to open space preserves owned by the Town. Commissioner Targ said Section 2204 says, "The Portola Valley town council, after much consideration, adopted the following definition of 'open space preserve' by resolution ... Consequently, whenever an area is owned by the town, it must comply with the following definition ... Open Space Preserves are areas to be kept largely in a 'natural' condition with limited permitted uses as described ..." Commissioner Targ said it does not appear that Section 2204 is germane to private lands. Planning & Building Director Russell said staff agreed that Section 2204 does not apply to this project. She said it is staff's opinion that Section 2203 does apply to this project.

In response to Commissioner Targ's question, Planning & Building Director Russell said Section 2203 applies because a proposed preserve is the same as a preserve. Commissioner Targ asked, for the purposes of consistency, how Section 2203 was considered in the previous review done in 2013. Planning & Building Director Russell said in 2013, the conversation was focused almost exclusively on Section 2216, which describes the Meadow Preserve. Commissioner Targ said he did not recall talking about Section 2203 in 2013. Planning & Building Director Russell said she thinks that is accurate based on the materials she's read. Commissioner Targ then asked what has changed. Planning & Building Director Russell said today's reading of the General Plan finds that other sections are also relevant. Commissioner Targ asked if there is a problem with making a CUP amendment if the 2013 CUP isn't consistent with Section 2203. Planning & Building Director Russell said at that time the Planning Commission deliberated over many meetings, made written findings, considered the elements of the General Plan, and found the project to be consistent with the General Plan. Commissioner Targ said then it should be assumed that the 2013 CUP was consistent with Section 2203. He said they are interpreting a CUP that was found to be consistent with the General Plan in 2013, and he wants to apply the same rules today. Planning & Building Director Russell said the point is well taken; however, she said the nature of this application is somewhat different in that it is the change in the land use of existing buildings. She said the 2013 CUP and analysis was largely related to the location, size, and intensity of new buildings to be constructed. Commissioner Targ said there are definitely different facts, but the law is the same. He said there may be a lack of clarity of what the words mean and maybe a change in the interpretation or approach.

Commissioner Taylor asked how intensity of residential use is characterized – i.e., car traffic, noise? Commissioner Kopf-Sill asked if the residential use refers to how the residents already there used it or refers to how it would be used if developed with several houses. Planning & Building Director Russell said it is the latter. She said developing the property in this manner could potentially be approved because use at this intensity is allowed. She said the Planning Commission has latitude in interpretation, but the different types of potential impacts that could be associated with residential development, at an intensity that still maximizes open space character, would be the comparison. She said the General Plan does not provide specific factors or criteria for consideration.

Commissioner Taylor asked that all written public comments be dated.

In response to Vice Chair Hasko's question, the applicant said he thinks there will be 12 new parking spaces, but it can be confirmed on the map, and the surface of them would be gravel. The applicant said they are not improving any existing parking. Vice Chair Hasko asked if they would be in the one-acre area shown on the diagram. Ms. Neely said the parking spaces will be on the west side of the building, so they are far from Portola Road.

Commissioner Taylor said the proposal includes updating the existing handicapped spaces so there will be some addition of hard surfaces in the existing area.

Vice Chair Hasko asked if the current general regulation of music includes limits on indoor amplified music. Planning & Building Director Russell said there are noise limits measured at the property lines, but the code assumes that any kind of music would be regulated by a Conditional Use Permit, so additional restrictions would be put in place by the CUP.

Commissioner Kopf-Sill asked how many properties in town have the designation of Proposed Community Preserve. Planning & Building Director Russell said she did not know and would have to research that further, comparing the General Plan Map to the Parcel Map. Commissioner Kopf-Sill said she would want to know how many of those with that designation are privately owned and how many are publicly owned. She also wanted to know how many are Meadow Preserves or have some other type of preserve status. Planning & Building Director Russell said others immediate adjacent are listed in the same section of the Open Space Element so, they are not exactly the same, but have similarities.

Commissioner Kopf-Sill said the classification is Proposed Community Preserve, but the Land Use Element refers to Parks, Recreation, and Open Space. Staff said it is the right section, but perhaps is not very intuitive. She said in looking at the General Plan Map, the land use categories are listed in each part of the legend, with the main category being Parks, Recreation, and Open Spaces.

Commissioner Kopf-Sill asked if you can have a private use on your own private land that is an open space. Planning & Building Director Russell said it could have a private, recreation, or open space use and be in conformity with the General Plan.

Commissioner Targ asked, considering Section 2136a.2 – “private use at the lowest residential intensity suitable for the property and designed to maximize the open space character of the land” – if he should be thinking of a generic private use of property and what the limitations on winery or vineyard use would be, or if this is a broader statement. Planning & Building Director Russell said they are comparing the winery and event land uses compared to Options 1 or 2 of the section with regard to intensity and use. Planning & Building Director Russell noted that it is challenging language. Commissioner Targ agreed. Town Attorney Silver said this is an unusual land use designation. She said the comparison is the use and the intensity of the use. She said looking at residential uses and traffic generated, number of people typically living in and visiting a residence, daily staff – comparing that intensity to the proposed use. Commissioner Targ asked if he should be thinking about the general intensity of a residential use including a winery on residential land and comparing it to this proposal. Town Attorney Silver said she would first look at if the property was zoned residential, how many houses could be developed there. Planning & Building Director Russell said there was a calculation by the applicant’s architect; however, that number has not been confirmed. Commissioner Targ asked if he should be comparing the proposal to what a build out of the property would be. Town Attorney Silver said it should be compared to the lowest residential density, which has not been determined.

Planning & Building Director Russell confirmed Commissioner Taylor’s statement that the meadow part is only small portion of the 229 acres. He said, when talking about residential intensity, it does not include the number of homes that could be built on 229 acres, but the number of houses that could be built within the 17 acres. Town Attorney Silver said she would interpret it as only applying to the 17-acre meadow portion, not the entire 229 acres, but said that is up for discussion.

Commissioner Kopf-Sill said the Community Preserve allows a private use of the intensity no greater than the public use. She asked if there is a designated measurement of the intensity allowed for the public use in the case of a Community Preserve. Planning & Building Director Russell said it would still have to have the attributes as described in the definition of Meadow Preserve in terms of the amount of access and use, but it could have trails and paths and could be improved as open space or recreational use. Commissioner Targ said that is under Section 2204, which does not apply. Planning

& Building Director Russell said it is also in Section 2203 and 2216. Town Attorney Silver said, with respect to that criteria, there is the adjacent Mid-Pen parcel, so there should be some data to compare.

Commissioner Kopf-Sill said Section 2216(2) states “This preserve should be kept in a natural condition and the existing agricultural character preserved.” She said native would not seem to include agriculture. Commissioner Targ said this issue was examined extensively, and there was a discussion in the 2013 minutes in which they looked at the agricultural character as being a general agricultural area, also recognizing that the natural condition of the property was chaparral and before that was a willow grove, which is different than the meadow it is now. He said they ended up resolving the issue based upon the character of its agricultural nature.

Chair Goulden invited comments from the applicant.

Lucy Neely, said she is grateful every day to wake up and call 555 Portola Road home and also getting to work there for Spring Ridge LLC and Neely Wine. She said she grew up in Portola Valley, the first eight years at Cresta Vista and moved to Windy Hill when she was nine, living there until she was 18. She left for a decade and has been back for five years. She said she loves living on that land, the relationships she has there, and loves the non-human beings. She said she wants to take care of that land and help it to realize its ecological potential and steward the place. She said she is here because of a love of local agriculture, the belief in the connective potential of local agriculture and its importance in our world, a love of community, and a belief in business as a connective community tool. She said this is an extraordinary moment in time, the sixth mass extinction, where human and non-human beings are facing unprecedented challenges. She said the times call for a lot of creativity and to listen to personal callings. She said her particular calling is to take care of the land and life of her property. She said, more than ever, cooperation is necessary. She said this is a cooperative process with everyone in this together, but coming with different perspectives. She believes they can work together to find a sweet spot. She thanked the Planning Commission for their volunteer work, to the staff for their attentive analysis, and to all the neighbors and community members for their contributions to the conversation so the best solution can be found to provide the best benefit for all.

Ms. Neely described the property. She said the vast majority of the land is maintained as open space and agriculture, which benefits Portola Valley residents who call out undeveloped western hills repeatedly as important to the General Plan, as does the Proposed Meadow Preserve. She said there are significant costs associated with maintaining this large property in a place like Portola Valley. In addition to the business as usual costs of taxes, road maintenance, and tree work. She said there are also important potential costs for land stewardship, investing in regenerative agriculture, agroforestry and forest stewardship, which addresses climate change and catastrophic fire risk. She said the goal and intention of the winery is to support the financial viability of maintaining such a large property in Portola Valley. She said they want to cover costs and reinvest whatever is left over into taking care of the property. She said the winery supports the undeveloped western hills and open space. She said the conversation indicates people care about the open space and want to protect it, but some express opposition to the very mechanism that can help to support the preservation of that open space. Ms. Neely said her property does not have a tax base like Mid-Pen or Portola Valley. She said that perhaps 50 or 100 years ago it was thought that open space could just be left alone but, as Mid-Pen and Portola Valley are also learning, the property needs to be cared for due to catastrophic fire risk and ecological changes resulting in things such as rampant sudden oak death.

Ms. Neely said the original 2000 winery CUP had the very restrictive language stating that customers may not come to the winery for tasting or purchasing of wine. She said a lot has changed in the last 19 years in the wine industry - massive consolidation, massive proliferation, and the internet as a sales and connective tool. She said in order for small wineries to be viable, direct to consumer sales is of paramount importance, especially in the form of a wine club. She said it is no longer viable to operate

through retail and wholesale channels, which no longer covers costs. She said a tasting room at a vineyard is the most effective way to generate direct to consumer sales and to gain and retain wine club members.

Ms. Neely said there have been some comments from people unfamiliar with the wine industry suggesting they just get some marketing help instead of having a tasting room, some citing Portola Vineyards as an example. Ms. Neely pointed out that Len Lehmann, the proprietor and operator of Portola Vineyards, has stated that it is clear to them that the one thing preventing them from being a financially viable winery is the absence of a tasting room.

Ms. Neely said they first met in April, heard the feedback from the Planning Commission and community, and revised their proposal. She said the conversation has continued and evolved since then, and the revised May proposal is now outdated. She said the general trend is that they still are committed to having a reservation system which will control the number of visitors and amount of traffic and provide a lot of constraints and control. She said they have trended toward fewer events, reducing from 24 to 18. She said they could go lower because it appears that events is the most contentious issue, although they feel some events are essential for a successful wine club. She said they are trending toward fewer visitors. She said they are generally flexible, but they need to be able to host visitors, have on-site sales, develop their wine club, and have people come and taste wine on-site.

Ms. Neely said she has read the General Plan in the context of their proposal, focusing on the sections pointed out by staff as the most relevant.

Ms. Neely stated that the Open Space Element, Section 2216(2), defines the Meadow Preserve as follows: "The Meadow Preserve, the large field adjoining Portola Road and north of The Sequoias, lies astride the San Andreas Fault and is visually important to the entire quality of the valley. This preserve should be kept in a natural condition and the existing agricultural character preserved." Ms. Neely said the emphasis of the definition is on the visual importance of the Meadow Preserve. She said the Planning Commission findings in the 2013 CUP were as follows: "The commission finds that only by maintaining the hay/grass area on SK-1 in conjunction with the grass uses on the adjacent MROSD property ... can the proposed uses be found to achieve conformity with general plan 'meadow preserve' provisions." Ms. Neely said this is about the visual importance and character of the meadow. She said the Planning Commission had already found that the dedication and maintenance of that land and hay grass preserves that visual character and visual importance. She said they are not proposing any change to the visual character of that acreage of grassland nor any proposal for a visual change to the entire site. She said "natural condition" is up for debate, but said her proposal will not change the current condition. She said it did change in 2013, and she understands that was difficult and it was also difficult for her. She said what will change now are areas that already were changed, but the natural condition will not change. She said the definition – preserving the existing agricultural character – is what they're asking for, a mechanism to be able to preserve the agricultural character. She said with any small-scale agriculture, not just wineries, the nature of it is you have to have visitors.

Ms. Neely said the Meadow Preserve is one of the Community Open Space Preserves. She said the Town Council minutes from May 25, 2011, are unclear regarding whether or not the definition was to apply to both Section 2203 and 2204; however, it only got noted as part of 2204. She said the definition of Community Open Space Preserves is as follows: "... scenic areas kept essentially in a natural state for the benefit of the residents of the town. Such preserves provide visual pleasure and accommodate very limited access and use, such as by trails and paths. They serve major parts of the town and generally are up to 50 acres in size." Ms. Neely said the emphasis again is on the scenic and visual, and they are not proposing to change that. She said it is up to the Planning Commission to interpret "very limited access and use." She said their interpretation is the limited access and use is designed to protect the called out visual pleasure of the preserve. She said the southern acreage remains as hay

grass with essentially no access or use and the proposed access and use is for the northernmost, least visible part of the site. She said their proposed reservation system and tasting room with constraints provides limited access; it is limited access. She said it could be considered like a trail or path that leads into a tasting room on a patio, accessing the least visible parts of the Community Open Space Preserve.

Ms. Neely recited Land Use Element, Parks, Recreation Areas and Open Spaces, Section 2136a: "The comprehensive plan diagram proposes certain parks, recreation areas and open space uses on privately owned land. It is anticipated that some of these proposals will be implemented through appropriate dedications pursuant to planning regulations when private development takes place. In some instances, rights in land may be purchased by the town or other appropriate agency. In other instances, the private use of the land for a recreation or open space use constitutes conformity with the plan." Ms. Neely said they interpret that the private use of the southern portion of the 17 acres of the Neely lands in the proposed Meadow Preserve already constitutes conformity with the General Plan. She said the 2013 CUP also determined that the hay/grass use of the southern acreage constituted conformity with the General Plan. She said this conformity was based on the visual importance because the most relevant guiding portions of the General Plan emphasize the scenic character, which is the conformity being asked for and already found to be conforming in 2013.

Ms. Neely said their interpretation is that they are already a private use in conformity, but if they were not, "... there may be instances when a property owner wishes to put land to a use not shown on the comprehensive plan diagram ... In such instances and only for lands designated on the comprehensive plan diagram as neighborhood preserve, community preserve, scenic corridor and greenway, or labeled 'Other Community,' the general plan hereby permits: 1. private use of a character and intensity no greater than the public use indicated on the comprehensive plan diagram, or 2. private use at the lowest residential intensity suitable for the property and designed to maximize the open space character of the land."

Ms. Neely said it does not say "site," but says "property." She said the property is already at the lowest suitable residential intensity. She said the tasting room is being designed to maximize the open space character of the land, which is the essence of the whole winery operation, to be able to maintain the open space character of the land. She said if there was no building, but a trail and benches for public use, there could be more visitors daily than they are proposing.

Ms. Neely recited, from the Portola Road Corridor Plan, Section 6413, Description of Segment 2, Sequoias to the Town Center, as follows: "The west side of the corridor along this segment provides some of the most magnificent views in town. The Town will need to manage its lands along the right of way to protect and improve these views ..." She said management doesn't mean not allowing anything to happen. She said they are asking for permission for a mechanism to run a successful winery so that they can maintain those western hillsides in open space. She said their interpretation is that permitting them to have a limited with constraints way for people to be able to visit the site is actually protecting the open space character of the western hillsides.

Ms. Neely concluded her presentation and expressed her appreciation for this process. She said she was confident they could come up with something that works for everyone. She said they were in it for the long haul and dedicated to this piece of land.

Chair Goulden invited questions for the applicant.

Commissioner Targ said his understanding was that numbers had been proposed regarding visitors and the metrics by which they would be measured (i.e., daily or weekly) and also the number of events, and that there is flexibility in that. He asked if there was flexibility on the issue of intensity.

Commissioner Taylor asked how many members were in the applicant's wine club. Ms. Neely said there are approximately 81 club members. She said of the members in the Bay Area (that they don't ship wine to), 48 percent of their members live in Portola Valley. Commissioner Taylor asked how many club members were needed to be viable. Ms. Neely said they need between 300 and 400 members.

In response to Vice Chair Hasko's question, Ms. Neely said concerns were expressed regarding the concentration of traffic for a larger event. She said the by-appointment wine tasting could be as small as 4 people to a maximum of 30, so the negative effects wouldn't be as strong.

Vice Chair Hasko said it was not clear how some of the listed events related to a wine club. She asked if, for example, the barn dance, town staff/volunteer appreciation, farm-to-table events, etc., were selectively focused on enhancing the wine club. Ms. Neely said that list is from May and is outdated and will be revised as they continue to understand that events are a big concern. She said, however, they would love to be able to provide a farm-to-table dinner for their wine club members, perhaps yearly.

Vice Chair Hasko asked how important the music piece is to the applicant. Ms. Neely said she likes music, and they would like to be able to offer music, but they certainly don't want to detract from their neighbors' quality of life. She said if they did provide music, it would be within the noise ordinance restrictions.

Chair Goulden said the original April proposal provided an estimate of the number of car trips associated with the related activities; however, that estimate was missing from this latest update. He asked that those numbers be provided in conjunction with the calculations on numbers and people.

Commissioner Taylor said the diagram shows overflow parking for 50. Ms. Neely said it is just open field. She said overflow was proposed for larger events.

Vice Chair Hasko noted that she met with the applicant earlier this week to hear some of the differences in the current proposal, but did not engage in discussion.

Commissioner Targ disclosed he also had a similar set of conversations. He also disclosed that he is a member of the Neely Wine Club and a member of the Fogarty Wine Club.

Commissioner Kopf-Sill disclosed that she visited the winery earlier this week.

Chair Goulden disclosed that he also met with the applicants earlier this week.

Commissioner Taylor disclosed that he also met with the applicants earlier this week.

Chair Goulden invited public comment.

A member of the public asked if they would have an equal amount of time as the 1-1/2-hour presentation. Chair Goulden advised the public that speakers would have two minutes per person. Planning & Building Director Russell clarified that in total it may be 1-1/2 hours, but each individual speaker will be limited to two minutes.

Meredith Manning, Senior Planner, representing Mid-Pen Regional Open Space District. Ms. Manning thanked the Commission for the opportunity to comment. She explained that Mid-Pen owns and manages nearly 64,000 acres of open space, including the 1,300-acre Windy Hill Open Space Preserve immediately adjacent to the subject property. She read a list of Mid-Pen requests: 1)

Assistance from the Town to create a new separate address and written intention from the applicants to associate this new address with the events center and winery; 2) Assistance from the Town to formalize an access easement between the applicants and Mid-Pen for use of the preserve driveway at 555 Portola Road as currently no easement has been granted or recorded; 3) That the Town identify mitigation measures in the environmental review and CUP amendment, requiring traffic and parking enforcement if there are large events; and, 4) That the Town conduct a noise study to support the environmental review and amendment that includes measures to mitigate potential noise impacts associated with expanded uses and specifically for the amplified music.

John Bulkeley, Woodview Lane, Woodside. Mr. Bulkeley advised that he's lived there since 1974 and his parents since 1960. He said he can't understand why the Town would allow more people in the valley in the so-called protected zone when they wouldn't even allow the elementary school next door to expand their facilities because of the earthquake fault. He said talking about residential development is absurd because they would never allow residential housing in that area.

Sandy Patterson, 126 Stonegate Road. She thanked everyone for the time and energy they give to the Town. She thanked Planning & Building Director Russell for the incredible report. Ms. Patterson said she has lived on Stonegate Road overlooking the meadow for more than 32 years. She said about a month ago, a friend of the Neely family had a wedding. She said Ms. Neely came around and advised the neighbors of the upcoming event. She said the music went on until about 10:00 p.m. and was tolerated because they just closed their doors and considered that occasionally a neighbor will have a party. She said, however, she and her family and her neighbors do not want to be forced to tolerate it 18 times a year. She said tonight is the first time she has heard about farm-to-table dinners, etc., because she didn't think there was any mention of serving food in the original proposal. She said if music is allowed, then a request for food service will follow, which would be necessary for a party or special event. She said this is a slippery slope into a commercialization of the area. She said for her, it is more than just a beautiful rural setting. She said it conveys a promise of tranquility which is an escape for hikers, equestrians, pedestrians, and the town residents, including four-footed friends. She said she hopes the Commissioners will think carefully and continue to protect this oasis because it is a priceless asset of the Town.

Fred Wydler, 1385 Westridge. Mr. Wydler said his main concern is that this is an opening for a long-term thing that will increase in size. He said Fogarty now imports grapes from the Santa Cruz Mountains in order to make the business commercially viable. He said these kinds of things can happen here, too. He said parking is another issue, like the explosion around Rossotti's right now. He said the Town has no mechanism or measure for control, and the winery would have to self-enforce the number of people that visit. He said the Windy Hill parking overflows on popular weekends, and it is becoming more and more popular, with parking becoming more and more of an issue.

Ward Paine, 290 Mapache. Mr. Paine said he is opposed to the wine tasting and the rental party house. He said he is pleased the Commission is paying more attention to what is going on. He said he has not read the General Plan and suspects that few have, and he does not speak land-planning-speak. He said he is speaking more emotionally about what is going on. He said the property was purchased in 1995, and the first time the applicants came to the Town about the winery, there was a tremendous commotion that went on for quite a while. He said the Almanac, which is much easier to read than minutes, repeatedly said, "No Napa Valley in Portola." He said, nevertheless, they were granted permission to proceed, but with specific restrictions of no wine tasting, no wine sales, and no trucks bringing grapes in or out. He said there are thousands of boutique wineries in the United States. He said the characteristic of a small winery is that it's a life adventure for the owners, a hobby, a fun business, challenging, trying to make a better wine than the year before, and belonging to a fraternity of other winemakers. He said this proposal, however, is to put retail sales of wine in Portola Valley, right in the middle of the open space with a 4' x 4' sign inviting people to the wine tasting room by

appointment or to rent their facilities for parties. He said the Town is under no obligation to make sure their operation has a positive cash flow or even that they have a reasonable return on their investment. He said it has long been said of the wine business that if you want to make a small fortune in wine, start with a large fortune and then buy a winery. He said for that reason he does not support the idea that the wine tasting room is mandatory. He said he helped to organize and run the Peninsula Open Space Trust. He said much of the fundraising for that organization took place in Portola Valley. He said Windy Hill is the diamond in the Peninsula. He said prior to 1964, when the Town was formed, Windy Hill was casually zoned by San Mateo County with a checkerboard of approximately 200 houses. He said nobody wants it to be Santa Monica up there. He said the Peninsula Open Space Trust, in conjunction with Portola Valley and in conjunction with Mid-Pen, bought Windy Hill and transferred it to Mid-Pen who made it into a regional park. He said Portola Valley protected that whole area with that one step. He said the park is almost too popular now, and there is a parking problem, but it is still there and available to everyone. He said he is dead set against this proposal. He said it is a corruption of the open space concept of Portola Valley to put retail sales in the middle of a garden.

Mike Lozeau, an attorney representing Angela and Greg Semans. He said they submitted extensive comments, and he has read the General Plan. He said not mentioned by the staff or the applicant are the objectives in the Land Use Element to prevent continuous commercial development along arterials which would detract from the scenic character of the meadow area. He said in the Portola Corridor Plan, there are the same kind of notions that the two existing clusters of commercial and civic facilities be maintained and not allowed to encroach on the Meadow Preserve area. He said the same notion is also in the Land Use Element, where it finds sufficient space in those two areas, that the meadow or any other area is not needed to expand commercial use. He said that is an important part of the General Plan as well as the Corridor Plan. He said obviously, a commercial use in the meadows would run counter to each of those pieces. He said the noise is also a General Plan issue. He said 75 people or outside acoustic music will exceed the restriction of 60 decibels. He listed the decibel levels for various acoustical musical instruments. He said if there is the possibility that noise will exceed those levels, there must be a noise study, and there is none. He said the key item of the elements already discussed is that the parking is inconsistent with the criteria. He said 34 cars parked and an overflow area for 50 cars are not natural conditions or agricultural character, but is parking. He said that is not an ancillary use, but is a major part of the project. He said the Corridor Plan calls for reduction of motor vehicle trips, and this proposed project is not a reduction. He said Section 2136a.2 states that the private uses of the Meadow Preserve must also be designed to maximize the open space character of the land and that amount of parking goes in the other direction. He said that previous staff reports indicated they would be relying perhaps on a categorical CEQA exemption, which would be Class 3. He said the exception to that exemption is triggered by the Meadow Preserve designation. He said whatever the use or meaning of Proposed Community Open Space might be, it is clearly designated as a Meadow Preserve and clearly defined in the General Plan as a designated environmental resource. He said they do not think the Class 3 exemption will apply. He said Google Earth appears to show some grading activity on the site which is somewhat worrisome in terms of the current CUP requirements which prohibits any kind of change to the driveways or anything like that.

Joann Cashin, 134 Stonegate Road. Ms. Cashin said they spend a lot of their time at the back of their property at their pool. She said this proposal is very shocking. She said they have a driveway on Portola Road that gets blocked frequently by cars using the open space for hiking and bicycling. She said the cars parked along Portola Road open their doors and knock bicyclists into cars. She said the cars travel 45 to 50 miles per hour in the 35-mile-per-hour zone. She said few children are allowed to ride their bikes on that road any more. She wondered if she should turn her property into an AirBnB and hold weekend weddings because no one will want to live there as a regular residence when it is flooded with more traffic, more parking, more noise, and more everything. She said they are not even allowed to have a light on their own driveway and wonders how the lighting for the facility will be handled. She asked who would monitor the number of cars or nighttime noise levels or if it would just

be up to the residents to continually call the police. She said they moved here in 1996 because of the Town's mission of treasuring the Town's environment and historic heritage. She said she sees the Town going a different direction if anything like this could be approved.

Will Patterson, 126 Stonegate Road. Mr. Patterson said his house overlooks the meadow. He said he is the Chair of the Town's Public Works Committee and has served for many years on the Bicycle, Pedestrian & Traffic Safety Committee. He said traffic management and the safety of pedestrians and cyclists have always been a challenge in Portola Valley, and the challenge is growing all the time. He said the addition of visitors who have been wine tasting will only add to this problem. He said there is already an existing parking problem on Portola Road with the Windy Hill open space overflow. He said they do not see the Spring Ridge proposal as a Town resource, but as a Town responsibility or liability. He asked if the Town can provide traffic management, noise control, and the safety of pedestrians, cyclists, and equestrians.

With no further public comments, Chair Goulden closed the public hearing and brought the item back to the Commission for discussion. Chair Goulden reminded the Commissioners that the focus tonight is how the proposal relates to the General Plan.

Commissioner Kopf-Sill said this is an agricultural use and fits in the open space. She said her general feeling is that if a tasting room and small events can keep the property from being developed into houses or something else, she would prefer that. She would like to know how many other properties have similar designation and how many are private and public. She said the idea of forcing public requirements on a person's private land is troubling.

Vice Chair Hasko said the Town's General Plan clearly lays out a vision that asks people to place a priority on open space and a natural environment. She said there are restrictions implicit in some parts of the General Plan and the Planning Commission is being asked to interpret it and look at the balance. She said the applicant emphasized a lot of the visual aspects. She said she thinks the only thing different that is being proposed is the change in use. She said the question is if the change in use can be consistent with the General Plan. She said there is the ability to think about noise and at what point it is too much to be consistent with an agricultural use. She said it is currently a winery, and they want to modify that piece of the operation. She said she is open to looking at all of it, but said that at some point, if the number of events is too large, it may upset the natural condition and agricultural feel. She said large outdoor events and outdoor music need to be evaluated carefully. She said turning a whole field into parking, for example, will not work. She said there is the question of balance on whether this is reasonably accommodating to their need to grow the winery. Vice Chair Hasko said she does support the vision for a community-based winery and noted that the applicants have been very thoughtful in many things they've done with the property. She said she wants to look at what elements the applicants will be asked to be flexible. For her, it is the number of events, amount of music, parking, precision on statements regarding a reservation system and how that will work, and overall trips. She said right now she asks trip over some of the key phrases in the General Plan, but the flexibility the applicant has exhibited is something the Commission should use to explore if there can be a good balance between giving them the ability to support the business and continue to use the land in a way that's relatively open and making sure that the community dialogue continues.

Commissioner Taylor said he is in general agreement with Vice Chair Hasko. He said the Town has a General Plan and Zoning Ordinance, and all homeowners are limited in what they can build on their property. He would like to better understand 2136a.1 and 2. He would like to see some examples to get some rough idea of what that kind of usage might mean. He said a tasting room on a regular ongoing basis sounds commercial and sounds like a business being put right in the middle of a new area. On the other hand, he said he is sympathetic to trying to make the wine club work, allowing some

member events. He said he hopes to find some balance that is not continuous and ongoing, but enough to ensure the wine club is viable.

Commissioner Targ said the general touchstone when thinking about Portola Valley, where his family has been for the last 45 years, is rural character, built environments that are subservient to the natural surroundings, and small government. He said when the details of the various element sections come into play, he looks at it through that lens. He said he has a bias against reading unclear language that is prescriptive and that hasn't been previously applied to a property in a new way, because it smacks of inconsistency. He said in a town where issues of open space, use, and intensity are so important, consistency is very important. He said Section 2136a is about intensity. He said if Windy Hill is the point of comparison, the proposal is a pretty passive use but different from Windy Hill's use. He said 2216(2) is the touchstone of agriculture use, natural use, rural character. He said this property probably meets some aspects of that and goes to the flexibility. He said in principle, he can see a tasting room commerce connected closely to wine sitting pretty comfortably within the context of the General Plan. He said tonight's discussion is about the General Plan, and he does not need to decide tonight if the current proposal sits that comfortably. He said the nexus between the land's agricultural use and what the applicants are doing up there – noting that the applicants have been wonderful stewards of the property for decades – are what will be looked at, as well as the intensity of those kinds of activities and how it is consistent with the expectations within the community and the expectations of serenity and tranquility that people have come to expect.

Commissioner Taylor noted that Commissioner Targ was present during the 2013 discussions of this property. He said Commissioner Targ seemed concerned that the things were potentially being interpreted differently this go around. He asked if in 2013 there was an explicit and intentional decision not to use that section. Commissioner Targ said the record would have to be reviewed.

Chair Goulden said there was concern about whether or not some of the specifics in the General Plan applied or whether or not it was technically correct. He said the Commission's job is to interpret things when they are not clear. He said there has been clear intent in Town to try to manage the open spaces and use the CUPs and tools to do that. He said whether or not a particular section applies is less concerning to him. He said he is also less concerned about precedent in the sense that things change over time. He said the wine business has changed over time. He said the interpretation of what's right and wrong can change, as well, and the current Commission will have to make that call. He said wine tasting associated with the vineyard seems along the right lines. He said they do not want to create a new commercial sector in town, so he sees issues with the volume. He said if he had to decide today, he would be tempted to say events do not fit within that kind of usage, but perhaps some wine tasting and maybe some events for the wine club; however, the idea of general events, and even though nicely offered as community usage, the Town is not asking for that. He would like to see more information regarding intensity, cars, traffic, noise etc. He asked for more information on what is required of town businesses. He wanted to know more about financial liability considerations.

Vice Chair Hasko said there is inherent contradiction in the General Plan in that one principle encourages more pedestrians, horseback riding, and bicycling along this main corridor, and there have been comments regarding the safety issues about ingress/egress. She said there is a General Plan issue with a little more context around what that means and how to think about that as well as the safety element.

Chair Goulden called for a short break.

COMMISSION, STAFF, COMMITTEE REPORTS AND RECOMMENDATIONS

(2) Commission reports

Commissioner Targ attended the ASCC meeting last week and was impressed by the expertise and thoroughness of the evaluation of the proposed plans, the thoughtful design by the project proponent, and thoughtful and wise recommendations by the ASCC.

Chair Goulden attended the Mayors and Chairs meeting in September where they discussed Town noticing requirements for construction and decided that a simple and inclusive rule is to increase notification for CUP regulated properties from 300 feet to 1,000 feet, but decided it was not necessary to try to include renters in the notification. He said they discussed construction staging and site management, such as contractor parking and tree protection, and a study group will be initiated regarding this. He said the Town Council is likely to initiate a public discussion about enforcement of Town regulations due to concerns and complaints that the Town comes up with rules and regulations, but nobody bothers to enforce them.

Commissioner Taylor asked when the Stanford proposals would be coming before the Commission. Planning & Building Director Russell said they've received the official formal application and issued an incompleteness letter on October 11 and have had meetings responding to questions so Stanford can revise their application and resubmit. The Town has retained an environmental consultant, and Council has approved the contract. She did not have an estimate of when it would be presented to public bodies, but anticipates a preliminary review with ASCC and Planning Commission fairly early in the process, prior to the environmental review and project revisions, and then a series of review meetings for ultimate consideration and decision. Planning & Building Director Russell said there a fair number of conflicts of interest in several of the Town bodies. Town Attorney Silver said someone owning property with 500 feet must recuse and are presumed to be a conflict. If it is between 500 and 1,000 feet, there are factors applied to determine if there is a conflict. If more than 1,000 feet, it is presumed not to be a conflict.

(3) Staff Reports

Planning & Building Director Russell said the new Assistant Planner, Dylan Parker, is off to a great start. She said they also have some Contract Planner assistance right now to fill in some of that gap and will be coming up with a plan to fill the open position and balancing that with the Council's priority for the work program.

(4) News Digest: Planning Issues of the Day

Staff shared an article of interest with the Commissioners – “Who’s really leaving California and why does that matter?”

APPROVAL OF MINUTES: September 4, 2019.

(5) Planning Commission Meeting of September 4, 2019

Commissioner Taylor moved to approve the minutes of the September 4, 2019, meeting, as submitted. Seconded by Commissioner Targ, the motion carried 5-0.

ADJOURNMENT 9:28 p.m.